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June 14, 2024

**Via Hand Delivery and E-mail (dharris@warrentonva.gov)**

Denise M. Harris  
Planning Manager  
21 Main Street  
Warrenton, VA 20186

Re: ZMA 2023-01 Zoning Map Amendment, Warrenton United Methodist  
Church/Hero's Bridge  
Resubmission and Comment Response Letter

Dear Mrs. Harris:

In response to the comments received to date and our meeting with you, please find the following resubmission materials compiled into twelve (12) individual packages.

1. Revised, executed Land Development Application. Please note one package includes the original and the rest are copies;
2. Revised, executed Land Use Application Affidavits. Please note one package includes the original and the rest are copies;
3. Copy of the Warrenton United Methodist Church / Hero's Bridge – Statement of Justification, dated November 30, 2023, revised June 12, 2024;
4. Full size copy and reduction of the general development plan entitled "Warrenton United Methodist Church / Hero's Bridge Zoning Map Amendment," prepared by Rinker Design Associates, P.C., dated June 3, 2024 and consisting of the following sheets (hereinafter, the "GDP"):
  - Existing Conditions Plat
  - Zoning Plat
  - Concept Plan – Phase I
  - Concept Plan – Phase II

ATTORNEYS AT LAW

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- Landscape Plan – Phase I
  - Landscape Plan – Phase II
  - Pre & Post Development Drainage Map – Phase I
  - Pre & Post Development Drainage Map – Phase II
  - Vehicle Turning Analysis – Ambulance – Phase I
  - Vehicle Turning Analysis – Fire Truck – Phase I;
5. Copy of the preliminary environmental analysis entitled “Warrenton United Methodist Church – Waters of the U.S. (WOTUS) and Wetland Delineation Report,” prepared by InterAgency, Inc., dated April 29, 2024 (hereinafter, the “Preliminary Environmental Analysis”);
  6. Copy of the draft Proffer Statement, dated June 12, 2024;
  7. Copy of the redlined proffers reflecting revisions from the version dated November 30, 2023.

The following are the Applicant's responses to the comments that they received. Please note that only weaknesses/items to be addressed are listed below.

As an initial statement with respect to these responses, the Applicant observes, as the Staff is aware, that there is no existing zoning classification in the Town that fits the use proposed in this application entirely. Because it does not seem prudent or advisable to create a new zoning classification that can be applied in other locations, the Applicant has chosen to employ the flexibility provided to all applicants under the Virginia conditional zoning statutes and Supreme Court decisions to use proffers to create an enforceable framework for this unique and valuable use. It has been with this in mind, and the sound comments received, that these responses have been prepared.

<b>Planning Staff, dated January 19, 2024</b>	
Agency Comment	Applicant's Response
Please update the Statement of Justification to address these components of the comprehensive plan and address how the Concept Development Plan and elevations meet the comprehensive plan goals. Of particular concern is the varying descriptions of the rezoning proposal makes it is impossible at this time to determine if the application is in conformance with the Future Land Use Map Medium Density designation that	Please see the revised Statement of Justification included with this resubmission. As discussed at the meeting on March 7, 2024, the density is within that of the Medium Density designation. The approximate density is 4.5 dwelling units per acre.

<p>states up to 5 dwelling units per acre. Please advise as a Comprehensive Plan Amendment may be required with the rezoning application.</p>	
<p>The Applicant should review these goals and address them in the resubmission. In addition, the Applicant should further explain the provided bus/van service, how it will be utilized, and if infrastructure (shelters, etc) will be provided for it. Likewise, the Statement of Justification indicates “daily visits from social workers, assistance with veterans’ benefits, visitors. The Applicant states there will be a total of 947 vehicle trips per day, an increase from the estimated current volume of 182 trips per day generated by the Church. This is a substantial increase on neighborhood streets with no proposed improvements.</p>	<p>According to the project engineer, the proposed Phase I vehicles per day are estimated to be an additional 68 trips for both weekday and weekend (Sunday) scenarios. The proposed additional trips added are the equivalent of 7 single-family homes, which is equal to the by right number of homes that could be constructed in the same development area without a rezoning.</p> <p>The proposed Phase II vehicle trips are an additional 492 trips for both weekday and weekend (Sunday) scenarios. These trips are higher than anticipated because the project engineer had to use , the most similar options in the ITE Manual.</p> <p>As discussed at our meeting with the Staff on March 7, 2024, Hero’s Bridge plans to use a 12-person van for the residents. The van would be run approximately two times a week to take residents to shop for groceries, medicine, etc. A dedicated parking spot for this van is depicted on the revised GDP.</p> <p>There may be four staff for Hero’s Bridge, which will include one full time community health care worker, one property manager, and two volunteers. There will likely be visits from doctors and other health care providers about once a month.</p>
<p>The Applicant seeks to locate a residential development near community facilities. Specific to the site, the Applicant needs to assess how emergency service vehicles will access the units, the existing infrastructure and water pressure requirements for fire suppression, and the, as proposed, off-site stormwater facility. The Applicant should consider bringing all</p>	<p>Please see the revised GDP, which includes two sheets that show how fire trucks and ambulance can maneuver the property and access the proposed units.</p> <p>This has been done. Further water analysis and SWM engineering calculations will be included in connection with site plan review.</p>

associated parcels into the proposal for a proper PUD. Please address.	
<p>As stated above, bungalow courts, as defined in the Housing Chapter, are recommended as a potentially appropriate land use in R-10. However, the Zoning Ordinance has not yet been updated to incorporate this. The Applicant is proposing a form of goal H-4; however, it is unclear who will maintain control of the property the residential units will be built upon. Likewise, it is unclear who is responsible for the building and maintaining of the community building or where the proposed senior services will be provided on site (e.g. the offices, the community building, the church, etc). Finally, the Applicant should take into account the existing character of the neighborhood and consider if the proposed elevations are in keeping with the scale, character, and heritage.</p>	<p>The units in connection with Phase I will be maintained by Hero's Bridge under a written agreement with the Church. The Multipurpose Recreational Center proposed with Phase II would be maintained by both the Church and Hero's Bridge.</p> <p>The property will continue to be owned by the Church, and the Church will continue as a fully functioning Methodist Church.</p> <p>The Applicant maintains that the design of the facilities is consistent with the community, but in order to accommodate the purpose of the proposal they cannot be designed as individual single-family residences that are identical to those already existing in the community. These homes will not adversely affect the surrounding area.</p>
<p>Proffer 1.2 contains the unclear phrase "22 duplex residential homes in quadplexes." Note that the PUD zoning district provides at 3-5.2.4.1, "Uses within the R-PUD shall emphasize residential uses permitted in the underlying base zoning district." However, section 3-5.2.5.1 (9) does allow Two-, Three-, and Four- Family dwelling units in an R-PUD. The phrase "22 duplex residential homes in a quadplexes" is unclear, then, for the following reasons:</p> <ul style="list-style-type: none"><li>• Its inconsistent with itself: duplexes are not quadplexes.</li><li>• The phrase "a quadplexes" is ungrammatical.</li><li>• R-PUD doesn't allow duplexes or quadplexes – did the Applicant mean two- and four- family dwelling units?</li><li>• Because the proposed development isn't divided into lots, the proposed dwelling units do not meet the definition of "two-</li></ul>	<p>Please see the revised proffers where this has been clarified. The GDP references these units as duplexes.</p>

<p>family dwelling” or “four-family dwelling” in the Zoning ordinance.</p> <p>By failing to “emphasize residential uses permitted in the underlying base zoning district,” the proposed rezoning is arguably inconsistent with the purposes of R-PUD.</p>	
<p>Proffer 1.2 fails to provide a bedroom count or other basis for determining density. The Town should therefore require additional information to determine if the proposed development is consistent with the PUD density standard set out in Zoning Ordinance 3-5.2.3.1 (1).</p> <p>Because there is only one dwelling type, the proposed development also is inconsistent with 3-5.2.4.2 (3).</p>	<p>Please see the revised proffers where this has been clarified. Each of the units will have one bedroom.</p> <p>Please see the proffers where this is addressed in Proffer #2.</p>
<p>Proffer 1.4 purports to make the existing Church a permitted use, as opposed to a nonconforming use, after the rezoning. Is this due to a desire to be able to expand the Church in the future without complying with the rules governing expansion of a non-conforming use?</p>	<p>Please see the proffers where this is addressed in Proffer #2. The Church has no expansion plans, except to the extent that it will wish to participate in the Multipurpose Recreational Center when it is constructed with Phase II. Counsel for the Applicant has recommended in circumstances that are similar to this that an ongoing use become a proffered permitted use in order to avoid any possible issues that may arise in the event of a catastrophic loss and attendant limitations on reconstruction.</p>
<p>Proffer 2.2 does <i>not</i> limit residency to veterans, the elderly, or any group of people. It references the Applicant’s housing program but does not incorporate it by reference.</p>	<p>It is legally permissible to limit housing to older persons under the federal Housing for Older Persons Act, an element of the Fair Housing Act, at both state and federal levels. It is not, however, lawful to proffer to restrict housing to any other group because that would constitute a discriminatory housing practice.</p> <p>It is permissible for an organization like Hero’s Bridge to develop and implement a program that focuses on a group of needful persons. As a matter of policy, it serves veterans 65 years of age and</p>

	older and the proffers have been revised accordingly.
Proffer 3.1 would allow Phase II's recreation center to occupy much of the area now provided for parking. Please provide an analysis of the parking needs that would justify this.	Please see the revised GDP which includes a parking analysis under the site tabulations.
Proffer 4.1 does not require maintenance of landscaping. It should identify the party responsible for maintenance, the standard for maintenance, and the inspection schedule.	Hero's Bridge and the Church will both be responsible for the maintenance of the Property, including its landscaping, based on their private agreement. There will be a 49-year long term ground lease with two 10-year renewal periods, effectively a 69-year ground lease. Hero's Bridge will own all of the structures and will be responsible for the upkeep of the structures and the landscaping/maintenance of Phase I. The church will continue to be responsible for all of the upkeep and maintenance of the other parcels. Hero's Bridge and the Church will share maintenance of common areas which would mainly be the shared drive that enters the community. All of these upkeep and maintenance plans are in the legally binding lease.
Proffer 4.2 does not include any enforceable criteria for amenities. It references "walking trails, recreation areas, and other active recreation facilities as depicted on the CDP," but the CDP does not show any such facilities unless you count the Phase II recreational center. Nor does proffer 4.2 provide any timelines or specifications for creating any such facilities.	<p>Please see the revised GDP. A Small Office/Community Center will be constructed with Phase I. This will be for the residents and contain amenities. This Small Office/Community Center is intended to have a movie viewing area, a senior technology library, an arts and crafts area, a music area, an area for pet therapy for residents, and a fitness room.</p> <p>The outdoor amenities with Phase I will include walking trails with senior appropriate fitness trail signage, a wildlife sanctuary, gazebos, and an existing flagstone garden for meditation purposes.</p> <p>In addition to the amenities in Phase I, a separate Multipurpose Recreational Center is proposed to be constructed in Phase II. The Multipurpose</p>

	Recreational Center will potentially include multi-purpose gym/event space, meeting areas, a kitchen, educational space, an indoor walking track, and multi-purpose office space.
Proffer 5.1 requires that outdoor lighting be “so designed as to avoid light spillover,” but doesn’t require it to be built to match the design. Cf. proffer 6.1 (“design and construct”).	The proposed lighting will be limited to parking and travelways, as required. The buildings will likely have security lighting, and the trail may have ground mounted lighting. A detailed lighting plan/design will be provided in connection with site plan review. It will all be so designed as to avoid any light spillover.
<b>Police Department, dated February 7, 2024</b>	
Agency Comment	Applicant’s Response
As a note to the below security related recommendations. Many of these recommendations are currently being built into Hero’s Bridge’s owner’s specifications that will go to all potential design/building contractors. More details can be provided in connection with site plan review.	
<u>Traffic:</u> <ul style="list-style-type: none"> <li>• There would be a minor effect to vehicular traffic during construction.</li> <li>• Once construction is complete, the entrances on Moser Rd. and Church St. will direct traffic into and out of the complex.</li> <li>• As designed, the exit from the facility onto Frazier Rd. will alleviate traffic backup for persons exiting onto Broadview Ave. by providing an alternate exit route.</li> <li>• Should the parking lot not be sufficient for residents and Church goers, overflow parking will be on Church St. and Moser Rd, which present a safety issue. There is space near the playground where additional parking could be accommodated.</li> </ul>	<p>Acknowledged.</p> <p>Acknowledged.</p> <p>Acknowledged.</p> <p>Please see the revised GDP, which includes a parking analysis under the site tabulations. There is no intention to use on-street parking. The traffic generation and parking requirements likely overestimate the number of vehicles per day and parking required based on the nature of the use.</p>

<p><u>Pedestrian:</u></p> <ul style="list-style-type: none"><li>• Pedestrian safety will not be affected by this construction.</li><li>• A sidewalk is recommended around the facility on Church St. and Moser Rd.</li></ul>	<p>Acknowledged.</p> <p>Please see the revised GDP, where pedestrian connectivity is shown.</p>
<p><u>Lighting:</u></p> <p>A detailed lighting plan has not been submitted at this time.</p> <ul style="list-style-type: none"><li>• CPTED best practices show lighting should be LED or OLED with a correlated color temperature of between 2700 and 3000 Kelvin.</li><li>• After installation a night-time lighting study should be done to check illumination, uniformity, and brightness and to ensure the lights are properly shielded so glare doesn't affect traffic or existing properties on Moser Rd. and Church St.</li><li>• Lighting should be of an unbreakable material and be tamperproof to prevent vandalism and pockets of shadows.</li><li>• There will be multiple pathways throughout this facility; lighting at night is a safety concern and should be a priority. Residents may have a significant distance to walk from the parking lot to their unit.</li></ul>	<p>The proposed lighting will be limited to parking and travelways, as required. The buildings will likely have security lighting and the trail may have ground mounted lighting. A detailed lighting plan/design will be provided in connection with site plan review and not only will there be no light spillover, but the Police Department comments will be taken into consideration during the site development plan process.</p>
<p><u>Landscaping:</u></p> <ul style="list-style-type: none"><li>• The construction will result in new landscaping being installed.</li><li>• Tree type and placement should be planned so the canopy doesn't interfere with the lights in the parking lot or along pathways as they grow.</li></ul>	<p>Please see the revised GDP where landscaping is depicted. The Applicant will provide more landscaping detail in connection with site plan review.</p>



<ul style="list-style-type: none"><li>• Tree type and shrubbery should not prevent line of sight access to the property or provide concealment.</li><li>• Tree placement should be considered so as not to allow access onto the roofs.</li></ul>	
<p>CPTED best practices for schools include considerations for both interior and exterior construction. This special use permit does not include interior plans. I have included some recommendations for school safety considerations:</p> <ul style="list-style-type: none"><li>• Fewer entrances. Once school is in session, only the main front entrance can be opened from the outside. All visitors must use the front entrance.</li><li>• Provide a separate, controlled entrance for staff.</li><li>• Can the school office staff clearly see the entrance area and can they observe approaching visitors before they reach the entrance?</li><li>• Main entrance should be secured with a man trap.</li><li>• Do office staff have the ability to physically deny entry to visitors by remotely locking/unlocking the man trap?</li><li>• Do staff members have immediate lockdown capability in classrooms and other locations?</li><li>• Clearly establish and define school property lines.</li><li>• Enclose the campus; this is more a measure to keep outsiders out than insiders in. Besides defining property boundaries, a robust fence forces a perpetrator to consciously trespass, rather than allowing casual entry.</li><li>• Ensure that classrooms and administrative areas can be closed off and</li></ul>	<p>This is not a school, and while these comments are appreciated, they do not appear applicable to this application.</p>

<p>locked from the gym and other facilities that might be used after hours.</p> <ul style="list-style-type: none"> <li>• Restrict external access to parking areas. Have clearly defined areas for staff and visitor parking. Staff parking can be secured by controlled entrances.</li> <li>• Prohibit through-traffic on campus.</li> <li>• Minimize secluded hiding spaces for unauthorized persons.</li> <li>• Avoid blocking lines of sight with landscaping.</li> <li>• Provide clear signage and posted rules as to who is allowed to use parking facilities and when they are allowed to do so.</li> </ul>	
<b>Zoning, dated January 12, 2024</b>	
Agency Comment	Applicant's Response
<b>General</b>	
<p>The plan does not address the current conditions of Church Street, Moser Road, or the intersection of Church Street with Sullivan Street/Broadview Ave.; address. The existing edge of pavement, pavement markings, signage, curb/gutter and sidewalk, existing drainage features, etc. should be shown so that the proposed impacts to area roadways can be evaluated.</p>	<p>Please see the revised GDP (Sheets C.03 and C.04) where these items are now shown, as requested.</p>
<p>Aerial imagery and topography show a significant drainage feature running across the width of the 3.9-acre portion of the property; Soil Survey maps show that soil type 17B, described as having potential hydric inclusions and an elevated ground water table, are located in a broad swath following the general location of this drainage feature.</p> <p>a. Provide a site-specific evaluation of the property to include the location of any wetlands and/or stream channels, evaluation data points, the survey-</p>	<p>Please see the Preliminary Environmental Analysis that is provided with this resubmission.</p>

<p>accurate location of wetlands and stream channel banks, along with a determination of the type of water flow (ephemeral, intermittent, perennial).</p> <p>b. Staff notes that should any hydric soils be found, that a Jurisdictional Determination by the USACE will be required as a part of any future Site Development Plan application, to include required permits for wetland/stream channel disturbance from the USACE and DEQ.</p>	
<p>Property records show the presence of a waterline easement in the north-eastern property corner, near Unit 44; show the easement and any existing waterline. Revise the plan as necessary to address the utility.</p>	<p>The project engineer has confirmed that we do not possess any records that show that easement, but if it does exist, there is no waterline associated with _____. The easement would be vacated if necessary.</p>
<p>The application does not address adequate water and sewer service.</p> <p>a. Show existing water lines, and approximate locations of all proposed connections and new lines, to include fire hydrants and adequate fire service lines.</p> <p>b. Show existing sewer lines and manholes, as well as approximate locations of all proposed new lines.</p>	<p>Please see the revised GDP (Sheets C.03 and C.04) where the approximate locations of the existing and proposed waterlines, proposed hydrants, and existing and proposed sanitary sewers have been added. The locations of the proposed fire service lines and sanitary building connections will be provided in connection with site plan review once the architectural layout of the proposed buildings has been determined.</p> <p>The Applicant has no reason to believe there is insufficient sewer and water service available for the project.</p>
<p>The application does not provide sufficient information to show that adequate stormwater management can be provided for the property.</p> <p>a. Provide a preliminary/conceptual SWM plan, to include major drainage sheds.</p> <p>b. Label existing drainage facilities with type, size, and invert information.</p> <p>c. Staff notes that the existing outfall on PIN 6984-15-1967 is known to have</p>	<p>Storm sewer labels and a Storm As-Built table have been added to the GDP for clarification. Pre- and post-development drainage maps for the Phase I and Phase II designs have also been added to the GDP (Sheets. C.07 and C.08). The SWM design depicted is preliminary, and a more detailed SWM design will be included with the site development plan.</p>

issues with adequate conveyance of storm flows; the proposed development will add a significant amount of new impervious area leading to an increase in runoff volume that could negatively impact neighboring properties and existing drainage facilities. Ensuring the adequacy of the off-site receiving facilities and structures must be considered.	
The application does not address how mail service and package deliveries will be accommodated; address.	This has not been determined at this time; however, the Applicant anticipates that mail will be received in the Small Office/Community Center. Hero's Bridge will work with the appropriate Town Staff in the USPS in connection with site plan and building permit review.
The property currently exists as two separate parcels, however the statement of justification speaks to cross-use of facilities and services; either show the separating parcel line as "To be Vacated" or revise the plan and application materials to show that the residential/office component are stand-alone facilities that are completely separate from the Church and recreational facility.	The Applicant cannot consolidate the parcels because of United Methodist Church restrictions.
<b>Proffer Statement</b>	
The proffer statement provided for review includes multiple statements that repeat minimum zoning ordinance requirements that must be addressed by all development projects and are not proffers as such.	Please see the revised proffers where this has been clarified and such duplicative requirements removed.
The elevation drawings that were submitted as a part of the application materials are not addressed as part of the proffer statement, in terms of proffered materials, color palette, architectural treatments, or style. Either remove the elevations from the application as extraneous	Please see the revised proffers where the elevation drawings have been added.

or include the elevations as a part of the plan set and address the elevations as a part of the proffer statement in defined, enforceable terms.	
The proffer statement does not provide details as to the homes, such as number of bedrooms, number of levels, square footage, ADA accessibility, etc.; address.	The proffers and GDP provide the level of detail that is known at this point. The homes will be one bedroom, one level and ADA accessible and/or aging in place friendly.
Staff notes that the statement of justification speaks to the intent to serve older and/or disable veterans, however nothing in the proffer statement speaks to this intent, nor to how the Church use is an integral part of the services to be provided to the residents.	Please see the revised Statement of Justification where this has been added.
The statement of justification includes the provision of bus service, and nursing, physical and mental health services, however the proffer statement does not include any of these services. Either amend the statement of justification to remove these items or revise the proffer statement to include these services as integral to the intent and function of the project.	The Applicant did not remove this from the Statement of Justification because it is an important aspect of the use; however, we did provide additional information regarding parking, trip generation and uses to address this comment.
Should the project be intended to serve the elderly, disabled persons, veterans, or other groups with identifiable needs, then the proffers and plan drawing should include facilities that cater to the needs of persons that meet these demographic characteristics such as accessible/universal design features for both outdoor facilities and interior building design.	Please see the proffers and GDP where the information that is known is included. The Small Office/Community Center and Multipurpose Recreational Center will be ADA compliant.
Section 1, proffer 1.2 states that there are 2 single family dwellings that are part of this application, however these dwellings are not indicated in the plan set; address.	Please see the revised proffers where this has been addressed. These 2 homes are not part of the application.
Section 1, proffer 1.4 is unclear in intent, as the Church structure and use is part of the overall	Please see the revised proffers where the height has been clarified as 35 feet.

rezoning application per the statement of justification. Additionally, the height limitation is a standard found in the zoning ordinance and not a proffer.	
Section 1, proffer 1.5 states that "... shall ensure separation between those homes as depicted on the CDP", however staff does not understand the intent of this statement; resolve.	Please see the revised proffers where this has been removed.
Section 1, proffer 1.6 does not provide a defined trigger for when the office or recreation center will be constructed in relation to construction of the residential units; either address by including a defined, enforceable trigger, or remove the office and recreation center from the application materials altogether.	A Small Office/Community Center will be constructed in connection with the units in Phase I. The Multipurpose Recreational Center in Phase II does not have a defined trigger, at this time, quite simply because the Applicant and Hero's Bridge cannot predict when the funds will be available to proceed with Phase II. Please see the revised proffers where more information on timing has been added.
Section 2, proffers 2.1 and 2.2 are unclear, lacking detail or an explanation of intent; address.	Please see the revised proffers where these have been clarified.
Section 3, proffer 3.1 is unclear in intent, as the plan drawing does not provide sufficient detail to ensure that all zoning ordinance requirements are met for on-site parking and loading. The proffer should either be deleted so as to not seem to be allowing the developer to meet a standard that may be less than the minimum requirements of the ordinance, or revised so as to actually proffer some site improvements that is more than the absolute ordinance minimum.	Please see the revised proffers where this proffer has been removed.
Section 4, proffer 4.1 does not address any buffering or screening beyond the minimum requirements of the zoning ordinance that must be met by all projects, and the landscaping shown on the plan does not meet minimum ordinance requirements; address.	Please see the revised GDP where buffering and screening have been revised/clarified.

<p>Section 4, 4.2 does not specify a minimum number or type of amenities to be provided, nor are any such shown on the plan drawing; revise.</p>	<p>Please see the revised GDP. A Small Office/Community Center and amenities will be constructed with the Phase I. This Small Office/Community Center is intended to have a movie viewing area, a senior technology library, an arts and crafts area, a music area, an area for pet therapy for residents, and a fitness room.</p> <p>The outdoor amenities will include walking trails with senior appropriate fitness trail signage, a wildlife sanctuary, gazebos, and an existing flagstone garden for meditation purposes.</p> <p>In addition to the amenities in Phase I, a separate Multipurpose Recreational Center is proposed to be constructed in Phase II. The Multipurpose Recreational Center will potentially include multi-purpose gym/event space, meeting areas, a kitchen, educational space, an indoor walking track, and multi-purpose office space.</p>
<p>Section 5, proffer 5.1 is a minimum zoning ordinance requirement and not a proffer.</p>	<p>Please see the revised proffers where this proffer has been clarified.</p>
<p>Section 6, proffers 6.1 and 6.2 are minimum requirements that all developments must provide, and not a proffer.</p>	<p>Please see the revised proffers where these proffers have been clarified.</p>

<b>Article 3-5.2.3.1 – General Planning Considerations (R-PUD)</b>	
The plan does not clearly illustrate the use of open space required, but the statement of justification does not address the use of open space by the residents.	Please see the revised GDP where the use of open space is further detailed.
<p>The application does not address pedestrian connectivity; resolve.</p> <ol style="list-style-type: none"> <li>Provide crosswalk connections from the residential area to the Church and recreational center across the internal accessway.</li> <li>Provide sidewalk connections from the proposed development areas to the outer perimeter of the site.</li> <li>Provide sidewalk along all street frontages.</li> <li>Address how residents will access the larger pedestrian network outside of the project boundaries.</li> <li>Provide a bike rack or other facilities to address multi-modal transportation.</li> </ol>	Please see the revised GDP (Sheets C.03 and C.04) which includes cross walk connection, additional sidewalks and a bike rack has been added. Upon consideration of the provision of pedestrian walkability, it would appear most prudent to provide a sidewalk connection along Church Street, to connect to the existing sidewalk from the intersection of Church Street and Sullivan Street to Broadview Avenue. Discussions with members of the surrounding community have indicated a general unwillingness to see sidewalk installed elsewhere on Moser or Sullivan itself.
<p>The internal accessways are narrow and appear to have tight turn radii; adequate access by EMS vehicles must be provided to all areas within the project.</p> <ol style="list-style-type: none"> <li>Provide a turn radius/travel path diagram to show that large EMS vehicles can maneuver throughout the site.</li> <li>The existing public roadways appear to be narrow; show that EMS vehicles can access the site from Church Street and Moser Road, to include the Church St./Moser Rd. intersection and the Moser Rd./Frazier Rd. intersection.</li> </ol>	Please see the revised GDP (Sheets C.09 and C.10), which includes a sheet depicting vehicle turning analyses for EMS vehicles.
As a recommendation, the applicant should indicate how fire suppression/protection will be addressed, such as building construction	The Applicant will address this in connection with site plan review.



methods, sprinklering of residential/office/recreational structures, fire hydrants, fire lanes and accessways, etc.	
<b>Article 3-5.2.4.1 – Standards and Criteria for Planned Unit Developments</b>	
The proposal appears to meet the minimum 50% residential use required for an R-PUD.	Acknowledged.
Staff is unable to determine that open space requirements are met at this time. The 25% minimum required open space is not delineated on the plan nor is the use of the open space for amenities for the residents.	Please see the revised GDP (Sheets C.05 and C.06) where the open space delineation has been added.
<b>Article 3-5.2.4.2 – Other Criteria for Residential Planned Unit Developments</b>	
The proposal does not meet the minimum required 25 acres; however, the applicant has requested a waiver of this requirement from the Town Council.	Acknowledged.
The proposal does not meet the requirement for two housing types. The applicant has requested a waiver of this requirement from the Town Council.	Acknowledged.
The proposal exceeds the maximum allowable 50% multi-family units.	Acknowledged.
The required open space is not delineated on the plan.	Please see the revised GDP (Sheets C.05 and C.06) where the open space delineation has been added.
The applicants have indicated that the proposed recreational facility may or may not be constructed in phase II dependent on funding; however, applicable recreational facilities must be constructed prior to construction of the next phase.	Please see the revised proffers, which includes more information regarding phasing.

<b>Article 3-5.2.5 – Use Regulations – Residential Planned Unit Developments (R-PUD)</b>	
The zoning ordinance does not specifically allow the proposed use. The applicant is requesting consideration from the Town Council to allow the use within the R-PUD district. Similar by-right uses are an apartment building, Senior/disability housing, and two, three, and four-family dwelling units. In comparison, a similar use that would require approval of a special use permit is affordable dwelling units (ADU) within areas designated for multifamily development.	This is a use that can be allowed by means of a proffer. See the comment at the beginning of this letter.
<b>Article 3-5.2.5.7 – Density/Intensity and Area Regulations</b>	
The Comprehensive Plan identifies the property as medium density residential. This designation encourages higher density areas near major thoroughfares and commercial areas. The medium density areas are intended to permit densities up to five dwelling units per acre; The applicant has requested approximately 4.8 dwelling units per acre.	The proposal is within the density range in the Comprehensive Plan.
The proposed floor area ratio (FAR) is far less than the maximum allowable FAR within the Zoning Ordinance.	With Phase II, the proposed FAR is 0.18.
Ingress/egress easements will be required to utilize the emergency access areas shown on adjacent property belonging to the Church.	Ingress and egress easements will be included in connection with site plan and plat review and approval.
Interior side yard setback adjacent to the Church is not provided. This must be a minimum of 15’ unless a waiver of setback is requested from the Town Council.	Please see the revised GDP where the side yard setback has been added. The project’s civil engineer has confirmed that the Church building does not lie within the setback and therefore a waiver will not be required.

<b>Article 6 – Signs</b>	
No signs included as part of the application. Any proposed signs will need to meet the regulations noted under Article 6 of the Zoning Ordinance.	Acknowledged.
<b>Article 7 – Parking</b>	
Staff is unable to verify that parking requirements are met with this submission. The plan mentions a parking demand study, but staff did not receive a copy of this. Parking requirements must be met at the time of site development plan.	Please see the revised GDP (Sheets C.03 and C.04) where more information on parking is shown. These sheets show the required parking for each proposed use per the Zoning Ordinance. The total parking proposed exceeds the minimum required amount per the Zoning Ordinance.
On sheet 2, revise the VPD calculation to address the following: <ul style="list-style-type: none"> <li>a. The VPD calculations for the Church use appear to not be based off of the peak generator, which is typically Sunday; address.</li> <li>b. Provide all calculations used to determine the traffic volume, such as AM/PM Peak, Peak Day, Peak Hour, and other information as necessary for justification.</li> <li>c. Show VPD trips at each entrance, exiting the property.</li> </ul>	Please see the revised GDP (Sheets C.03 and C.04) where VPD calculations have been revised to reflect weekday and Sunday trips. The VPD have been included at each site entrance.
The parking calculations provided as based on the unprovided parking demand study; Staff is unable to verify.	Please see the revised GDP (Sheets C.03 and C.04) where more information on parking is shown. These sheets show the required parking for each proposed use per the Zoning Ordinance. The total parking proposed exceeds the minimum required amount per the Zoning Ordinance.
The applications documents include a description of a bus service; however, the plan sheets do not indicate how this will be accommodated on site with adequate loading spaces and facilities.	<p>Please see the revised GDP (Sheets C.03 and C.04) where a van loading area has been added for clarification.</p> <p>There is no public bus service planned at this time. Hero's Bridge currently uses a 12-seat passenger</p>

	van and a smaller transport van to serve veterans. Hero's Bridge plans to continue to use both of these vehicles to support weekly trips to the store, pharmacies, doctor's offices etc.
<b>Article 8 – Landscaping</b>	
Staff is unable to verify landscaping requirements are met and the statement of justification does not adequately address this requirement. No landscaping details have been provided at this time. Conformance with Landscaping requirements will be required as part of the site development plan.	Please see the revised GDP (Sheets C.05 and C.06) where sheets have been added to show this information. Further details will be provided in connection with site plan review.
Landscaping for parking area calculations is not provided, but will be required at time of SDP submission.	Please see the revised GDP (Sheets C.05 and C.06) where sheets have been added to show this information. Further details will be provided in connection with site plan review.
The project area abuts two existing single-family homes off of Moser Road, PIN 6984-16-8079 (Thompson) and PIN 6984-16-8042 (McLaughlin), but does not address how any impacts to these two property owners will be addressed. As a recommendation, the applicant should consider enhanced screening and buffering between the two uses.	Please see the revised GDP (Sheets C.05 and C.06) where a fence and buffer has been added to screen these homes from the project area. These homes will be adjacent to the residential portion of the proposal.
The project area abuts four single family homes to the north, PIN 6984-16-7459 (Hunt), PIN 6984-16-8433 (Southard), PIN 6984-16-9430 (Fransella), and PIN 6984-26-0337 (Church), but does not address how any impacts to these property owners will be addressed. As a recommendation, the applicant should consider enhanced screening and buffering between the access road and the property boundary.	Please see the revised GDP (Sheets C.05 and C.06) where a buffer per the Zoning Ordinance has been added.
The application does not clearly describe how refuse will be addressed on site for all uses. Refuse facilities but must be screened from view	Please see the revised GDP (Sheets C.03 and C.04) where a proposed dumpster area has been added. A trash removal service will be contracted

<p>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.</p> <ul style="list-style-type: none"> <li>a. Provide adequate dumpster areas that are convenient to the differing uses.</li> <li>b. Address refuse area screening via landscaping, solid walls or fencing, and gates.</li> </ul>	<p>for the homes/uses with the expense being incurred by the owner/Applicant.</p>
<p><b>Article 9-8 – Lighting</b></p>	
<p>The Statement of Justification acknowledges all lighting must meet requirements of Article 9 of the Zoning Ordinance, but overall does not address site lighting. All fixtures on site will require conformance to current lighting standards. Staff suggests that the applicant should consider how sidewalk/trail lighting and parking area lighting will be provided, the general type and height of outdoor lighting fixtures, and the potential for glare, light trespass, and light pollution affecting surrounding properties.</p>	<p>The proposed pole lighting will be limited to parking and travelways, as required. The buildings will likely have security light. There may be ground mounted lighting on the trails, if required. Further details will be provided in connection with site plan review.</p>
<p><b>Article 9-3 – Affordable Dwelling Unit Provisions</b></p>	
<p>The proposal does not meet the eligibility requirements as stated under Article 9-3.1 of the Zoning Ordinance. The applicant has suggested a “proffer” for offering these ADU to qualifying individuals based on Hero’s Bridge rules and regulations. This may be considered as a waiver, but not a proffer.</p>	<p>Acknowledged. This has been done.</p>
<p>The plans do not indicate how many bedrooms the units are intended to have, and staff is not able to determine the parking reduction allowance as provided for in Article 9-3.6.</p>	<p>The homes will be one bedroom, and this is reflected in the proffers. Please see the revised GDP (Sheets C.03 and C.04) where parking information has been provided.</p>

<b>Article 9-12 – Open Space</b>	
Open space must be used for the benefit of the residents. The plan does not indicate what recreational facilities will be used within the open space for the enjoyment of the residents. The applicant should ensure that adequate facilities will be provided to support intended outdoor recreation uses.	Please see the revised GDP (Sheets C.03 and C.04) and above where open space and amenities have been addressed.
Provide additional detail on the small circular areas that are shown along the 12' asphalt trail; what purpose do these objects serve?	Please see the revised GDP where these have been removed.
<b>Article 11-3.10.3</b>	
The criteria listed under Article 11-3.10.3 are those items that the Planning Commission and Town Council should consider when reviewing a SUP application. Zoning staff defers to Planning staff in the compliance assessment of these criteria.	Acknowledged.
<b>Public Works and Utilities, dated January 22, 2024</b>	
Agency comment	Applicant's Response
<b>Article 4 – Site Conservation Manual (SCM)</b>	
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, 9VAC25-840, Virginia and Erosion and Sediment Control Law, and State Regulations.	Acknowledged. These items, if required, will be provided in connection with site plan review.

<b>Article 5 – Stormwater Management (SWM)</b>	
Conformance with stormwater requirements is required at the time of SDP submission. No calculations were provided with the concept plan. They will need to meet the requirements of the Stormwater Management Ordinance Article 5, 9VAC25-870, and the Virginia Stormwater Management Regulation for new development. This will be critical to ensure the size and area of the two SWM locations will be adequate to meet the regulations for both quantity and quality of surface water runoff.	Please see the revised GDP (Sheets C.07 and C.08) depicting this information. A more detailed SWM design and adequate outfall analysis will be provided in connection with site plan review.
The existing Stormwater Management Facility located on PIN#6984-15-1967-000 will need to be upgraded to meet the stormwater requirements for quality and quantity. A new Stormwater Management Agreement will be required.	A more detailed SWM analysis and design will be provided in connection with site plan review. The existing Stormwater Management Facility located on PIN 6984-15-1967 will be upgraded, if necessary or required.
There are existing flooding and drainage concerns at the intersection of Sullivan and Church Street that could be exacerbated. Hydrology and hydraulics grade line calculations will need to be provided to ensure adequacy and prevent further flooding and drainage issues.	Per the project engineer, all development will be designed to current standards ensuring that further drainage issues do not occur.
The project is being shown to be built over an existing channel. How will water conveyance be addressed with this project since it is taking flow from the neighborhood? The existing channel will need to be evaluated to determine if any additional federal or state permitting is required.	Please see the revised GDP (Sheets C.03 and C.04) where a preliminary storm sewer alignment has been added.
A portion of this project is shown to be in the 500-year floodplain. While this does not inhibit the potential for developing and making improvements to the property, it created the need for special considerations in the design of any building foundations under the ground surface	A preliminary environmental analysis has been provided with this resubmission.

and the infrastructure to convey drainage through and off the site.	
<b>Water and Sanitary Sewer</b>	
The site proposes 44 Senior Living rental units, a recreational building, and the existing Church remaining in place. AtR-10. this, the existing Church uses about 29,000 gallons a month which equates to approximately 960 gallons a day. The application indicates the total site land area is 9.14 acres and is zoned R-10. Based on this, the by-right water and wastewater use for up to 39 residential units would be around 11,700 gallons per day. Under the proposed use, maintaining the existing Church, 44 elderly/age restricted apartment units, and a 2-story 19,000 square foot Recreational Center with a non-defined water demand, is estimated to require a water demand between 10,000 and 13,000 gallons per day.	Acknowledged. Further water demand information can be provided in connection with site plan review.
The proposed plan would be reviewed in more detail when final plans are submitted should this permit be approved.	Acknowledged.
<b>Public Works</b>	
Parking for units 13 through 24 and 37 through 44 is questionable as currently shown. Based on this layout, it would appear there would be strong motivation for routine parking along Moser Road, which the current street design would not support.	Please see the revised GDP (Sheets C.03 and C.04) where more information on parking is shown. These sheets show the required parking for each proposed use per the Zoning Ordinance. The total parking proposed exceeds the minimum required amount per the Zoning Ordinance.
Storm drainage will be a major concern during design development.	Please see the revised GDP (Sheets C.03 and C.04) where a preliminary storm sewer alignment has been added.



<b>Fire Company, dated January 18, 2024</b>	
Consider wider walkways that will support fire apparatus. We need a width of at least 20' to ensure we can operate an apparatus in the back parts of the development.	Please see the revised GDP (Sheets C.03 and C.04) where the asphalt trail has been widened to 20 feet.
Consider additional fire hydrants to ensure ease of active fire operations.	Please see the revised GDP (Sheets C.03 and C.04) where additional fire hydrants have been added.
Consider requiring residential sprinklers due to the closeness of the occupancies.	If required, sprinklers will be required in connection with site plan and/or building permit review.
Will this space be rentals/transient living or special use?	The homes will be rented.

We trust these responses address your comments. Please do not hesitate to contact me if you have any questions or need additional information. Thank you for your assistance in connection with this application.

Very truly yours,

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



Jessica L. Pfeiffer

JLP/mac

cc: Carl Chapman  
Molly Brooks  
Rob Seidel  
Chip Carson  
Jeremy Karls  
John Foote