

## Staff Analysis

This analysis is based on the Comprehensive Plan, Zoning Ordinance, and review comments by Town Departments. The standards/analysis tables in the sections below contain the criteria for Planning Commission and Town Council consideration of Special Use Permits, per Article 11-3.10.3.

This request for a Special Use Permit for Warrenton Village Center Mixed Use with Article 3-4.10 and Article 9-25 of the Town Zoning Ordinance. The proposal includes up to 320 apartments, 34 two over twos, and 32 townhomes with the addition of central plaza, parking garage, enhanced internal road network, and pedestrian infrastructure to promote walkability. The proposal includes a 10% density bonus, provisions for affordable dwelling units, and several waiver/modification requests.

The following table summarizes the area characteristics (see maps in Attachment A):

Approx. Direction	Land Use	Future Land Use Map Designation	Zoning
North	Private School/Multi Family/Assisted Living	Public/Semi Public Non Intensive; Live/Work Neighborhood	PSP/R-10/RMF
South	Commercial	New Town District	Commercial
East	Commercial	New Town District	Commercial
West	Commercial	Commercial	Commercial

The properties totaling approximately 29.05 acres are zoned Commercial and designated in the New Town Character District of Plan Warrenton 2040. (GPINs 6985-20-7247 and 6984-29-6753)

### Comprehensive Plan Future Land Use

Plan Warrenton 2040 designates Warrenton Village in the New Town Character District. The District encourages quality modern architecture that complements the historic character of Warrenton. Open spaces contribute to this character to encourage active use tying the commercial and residential uses together. District design elements listed in the Comprehensive Plan encourage frontages with storefront awnings, gallery, arcade, stoops, porches, and yards. Internal streets are walkable and on a grid-pattern with a mix of uses at varying intensities. The summary of this district calls for the following:

*"A form-based transect approach to development would define form with greater maximum height towards Lee Highway and the center of the district, with a gradual step down in scale towards Oak Springs Drive...Frontage along the adjoining neighborhoods shall have a more residential appearance, with setbacks, stoops, and compact green yard space."*

There are Ten Guiding Principles for all Character Districts listed in the Comprehensive Plan. The first and most emphasized feature being a discernible center. A hardscaped plaza or park centered within the entire

development to accommodate neighborhood interactions. Building placement, building massing and design, entrances and facades, ground floor residential use, streetscape design and walkability, multi-purpose public areas, and a mix of residential with non-residential are all part of the envisioned New Town Character District.

Standard	Analysis
<i>Whether the proposed Special Use Permit is consistent with the Comprehensive Plan.</i>	The proposed use falls within the future land use designation of New Town Character District which specifically calls for redevelopment of shopping centers to be mixed use.
<i>The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels.</i>	The Warrenton Village Center is surrounded by commercial retail, multi-family, and institutional uses. The proposed mixed use is compatible and consistent with the comprehensive plan.

### Staff Findings

The Applicant has worked to integrate the proposed mixed use with the existing built environment and is proposing the creation of a central plaza with splash pad, landscaping, and seating in the existing parking lot of Warrenton Village Center. This amenity is part of the design transformation from a commercial strip mall towards a mix-use development. There will be a potential commercial/retail pad on the western side of the central plaza to activate the space. The Applicant is also proposing a dog park immediately north of the existing eastern side of the commercial development. This area currently is an underutilized grassy grove of younger trees.

The Applicant worked with Plan Warrenton 2040 Design Guidelines and the Planning Commission to refine the proposal. Retrofitting an existing shopping center to mixed use provides challenges. However, the Applicant worked to create transportation linkages by extending Hastings Lane; adjust Blocks 2 and 3 to have the more compatible townhomes located next to existing multi-family and townhomes; and developed a second set of architectural drawing to incorporate pitched roofs and stone.

The waivers and modification requests are necessary to achieve the design setbacks and mix of uses envisioned in Plan Warrenton 2040. The Applicant is asking for a height waiver along Oak Springs Drive where the comprehensive plan envisioned a “stepped down” approach to Oak Springs. Plan Warrenton 2040 is a guide that made a high-level goal for the entirety of Oak Springs Drive. The Applicant’s justification for the additional height is multi-layered due to topology, the adjacency to a school and commercial assisted living, and the provided setbacks from Oak Springs Drive. Overall, staff finds no outstanding issues.

### Planning Commission

The Planning Commission requested the Applicant swap the townhouses in Block 3 fronting Broadview Avenue with the 2 over 2s in Block 2 fronting Oak Springs due the compatibility of townhouses on Oak Springs. The Applicant accommodated this request. The Planning Commission also explored the placement of open spaces, elevations, and access points with the Applicant. This resulted in the May 31,

2024, SUP Plans and included elevations.

### **Transportation and Circulation Analysis**

A Transportation Impact Analysis was provided and is being reviewed with the SUP plans by the Virginia Department of Transportation (VDOT) and the Town's transportation consultant. In addition, conducted a "Pipeline Study" of Lee Highway that resulted in the Smartscale funding of a roundabout at the southwest corner of the proposal at the intersection of Broadview Avenue/Lee Highway/Winchester Street. A second roundabout is funded at the intersection of Lee Highway and Blackwell Road. On June 11, 2024, the Town Council passed a resolution of support to submit Smartscale applications for a roundabout at the intersection of Fletcher Drive and Lee Highway with access management improvements at Branch Drive and Village Center Drive.

The northern portion of Broadview Avenue that touches the proposed parcels is considered a Gateway Street Typology, as noted in the 2017 Complete Streets Guide. This is an alternate Boulevard designation that indicates the roadway crosses from the Town to the County. This means the development would have a more pronounced effect on the entrance impact into Warrenton.

Plan Warrenton 2040 places emphasis on appropriate circulation and connection to promote safe, equitable multimodal transportation. A key aspiration within the Comprehensive Plan states: *"Improve multimodal safety by enacting access management strategies, incorporating bike-friendly policies into new development standards, and deconflicting through-travel and local traffic movements."*

The 2017 Complete Streets Guide categorizes design elements for five distinct street classifications. Each classification encourages multi-modal considerations with an emphasis on connectivity. This is further encouraged by the goals and policies of the Comprehensive Plan to enhance the traveling experience of Warrenton. The Comprehensive Plan provides the following policies:

- *Facilitate new, compact redevelopment in Character Districts to introduce sidewalks and linkages to trails/paths and promote walkability.*
- *Provide and improve sidewalks, crosswalks, pedestrian signals, lighting, and other amenities to make it safer, easier and more comfortable for people to walk.*
- *Require that the proposed street system for new developments will be designed to provide a network of interconnected streets.*
- *In large development parcels, create compact development blocks with internal streets for pedestrian and vehicular circulation to support walk access and decrease auto-trip patterns.*

Standard	Analysis
<p><i>The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety, efficient traffic movement and access in case of fire or catastrophe.</i></p>	<p>The Applicant provided a Transportation Impact Analysis (TIA) to calculate the potential impacts of the addition. The TIA determined no adverse impacts on the surrounding road network and no signal or turn lane warrants are triggered. The Town will be constructing roundabouts on Lee Highway which studies show increase safety and transportation flow by 60%.</p>
<p><i>Whether the proposed use will facilitate orderly and safe road development and transportation.</i></p>	

### Staff Findings

The proposed development includes creating an extension of Hastings Lane into the site and a parking garage located behind the proposed apartments with two entry points (one off Oak Springs Drive across from Highland Lower School and one into the alley). The townhouses and two over twos will have garages. The Applicant has conducted autoturn analysis for delivery and emergency vehicles to demonstrate accessibility. The Applicant has also indicated they will work with the schools on potential bus stop locations internal to the site. The Applicant is also proposing pedestrian improvements throughout the site with sidewalk connections, raised crosswalks, and adding crosswalks at Hastings Lane and the intersection with Highland's Lower School to create a pedestrian network to the surrounding community.

### External to the Site

Warrenton Village is bounded by several important regional roads and neighborhood streets. Lee Highway (BUS29) to the south, including Broadview Avenue (Bus17) to the west, Oak Springs Drive to the north, and Branch Drive to the east. These are roads that the Town and VDOT have been studying for years and making funding applications regardless of the proposal. Plan Warrenton 2040 listed Lee Highway in the Near-Term Recommendations for improvements. VDOT followed this up with a Lee Highway Pipeline Study in 2022 with specific intersection improvements that VDOT had vetted through a public outreach process. The Town then successfully applied for VDOT Smart Scale funding for roundabouts at Lee Highway and Winchester Street and Lee Highway and Blackwell Road. The remaining improvements in the Pipeline Study, including a roundabout at Fletcher Drive and access management improvements at Branch Drive and Village Center Drive, have been submitted for VDOT Smart Scale applications in 2024.



### *Town of Warrenton VDOT Smart Scale Applications*

The Applicant produced a Transportation Impact Analysis (TIA) that was reviewed by the Virginia

Department of Transportation (VDOT), the Town transportation consultant (Kittelson), and Town staff. The TIA is a technical document that follows industry standards to determine transportation scenarios using today's base numbers, a percentage growth rate to account for changing needs over time that occur off site, intersection analysis of the surrounding onsite access points, and projected transportation needs based on the impacts of the proposed development and without the proposed development. The TIA was updated based on technical comments to produce a document that indicates the following:

- 1) Ten intersections were studied as part of the TIA.
- 2) Annual growth rate of 1% regional growth on Lee Highway was assumed.
- 3) The approved Waterloo Junction and Warrenton Crossing developments were included in the analysis.
- 4) Included the funded roundabout at Lee Highway and Winchester Street.
- 5) The proposal generates less traffic than if 40,000 square feet of by-right retail was developed.
- 6) The proposal anticipates approximately 154 new vehicle trips during the AM Peak Hour and 197 new vehicle trips during the PM Peak Hour across multiple access points.
- 7) Intersection analysis with the proposed development finds no new turn lane are warranted by VDOT standards.
- 8) Intersection analysis with the proposed development finds no new signals are warranted per MUTCD standards.



Bottom line is the TIA finds no additional roadway improvements are needed beyond the planned roundabout at Broadview and Winchester that is funded in VDOT's Smart Scale Round 5. The Applicant is providing sidewalks internal to the site, crosswalks on Oak Springs Drive, and the extension of Hastings Lane for interconnected transportation.

### Planning Commission

The Planning Commission held a work session on transportation with the Town's staff, transportation consultant and the Applicant. They were advised by the Town Attorney about roughly proportional and essential nexus for reasonable conditions. Since the TIA found no warranted improvements, the Planning Commission encouraged the Town and the Applicant to continue working on the transportation network as a whole for safety. Town staff is already exploring, under current conditions, ways to increase safety on Broadview; adding multi-modal improvements across Broadview, Oak Springs, and Branch Drive; and traffic calming across the network.

### Community Facilities and Environmental Analysis

Plan Warrenton 2040's vision includes key aspirations of fostering high quality, equitable, and accessible community facilities; make responsible and strategic community facility investments that support the Town's vision for a live/work community, sustaining its fiscal well-being and economic resiliency; and provide a high quality of life to capture economic benefits through diverse businesses, employers, and residences. The health, safety, and quality of life for residents is established in part by the community infrastructure. Goals also include:

*CF-4: Ensure healthy, safe, adequate water and wastewater services.*

*CF-5: To provide a fiscally responsible infrastructure that maintains a high quality of life for residents, supports current businesses, and attracts new employers with a stable tax structure.*

<u>Standard</u>	<u>Analysis</u>
<i>Whether the proposed Special Use Permit will be served adequately by essential public facilities, services and utilities.</i>	The parcel is located in Town and currently served by Town Police and Fauquier County Emergency Services. There is an existing water and sewer to the site. Public Utilities has determined there is sufficient infrastructure to serve the site.
<i>The location of any existing and/or proposed adequate on and off-site infrastructure.</i>	

#### Staff Findings

##### Schools

Fauquier County Public Schools use a formula for all development across the county to anticipate generated school seats. Using the formula, this proposal generates:

- 49 Elementary Students
- 21 Middle School Students
- 24 High School Students

Fauquier County Public Schools anticipates the projected 2028-2029 enrollment at the currently districted schools to be with program capacity:

- Bradley Elementary: 360 enrollment/588 capacity
- Taylor Middle School: 606 enrollment/850 capacity
- Fauquier High School: 1170 enrollment/1612 capacity

Based on the Fauquier County Public School calculations, there is available capacity in the school system for this proposed development.

##### Environmental Building

Plan Warrenton 2040 includes the goal *"CF-3: Green infrastructure and sustainability are incorporated into community facilities to promote energy efficiency and environmental protections."* The Applicant is proposing a Condition of Approval that all residential buildings will be designed and certified to a National Green

Building Standard, Level Bronze, or higher. If the National Green Building Standard is not available for the project than an equivalent certification from an alternative third-party green building rating system will be accepted.

### Water and Sewer

The Town of Warrenton conducted water and sewer availability studies to determine townwide what approved, by right, and anticipated development would generate. The WRA Water and Sewer Capacity Evaluation took into account approved projects within the Town, partially approved/in process projects in the Town, vacant parcels in the Town, and then potential future growth in various areas of the Town based on the character districts of Plan Warrenton 2040. At that time, the Warrenton Village proposal was included in the study as an “in process” development, meaning it was an active land use application. The Study assumed a usage of 166,000 gallons per day. The Town Public Utilities Department stated the residential portion will require a water and sewer demand of between 77,000 GPS and 116,000 GPD, and the commercial will require around 44,000 GPD for a total of between 121,000 and 160,000 GPD. This flow demand on top of the existing and already committed demand on the Town’s water and wastewater treatment plants is a significant increase to the currently permitted treatment levels of 2.4 and 2.5 MGD respectively. If the density and type of development is deemed acceptable by Planning Commission and the Town Council, the Town’s Department of Utilities will respond to meet these requirements.

### Planning Commission

The Planning Commission held a work session with the Director of Public Utilities and the Applicant to discuss the water and sewer. The Applicant presented an average of the water and sewer usage of their existing apartment complexes that came out to less than was anticipated. The Director of Public Utilities walked the Planning Commission through the WRA Water and Sewer Capacity Study that allocated more water and sewer to anticipated future development on the site then is projected to be used by this proposal.

### Attainable/Affordable Housing

Attainable housing for all ages, incomes, and needs is one of the main goals for Housing in Plan Warrenton 2040. Creating housing that caters to the local need while fostering and protecting the character of surrounding neighborhoods and the Town as a whole, new developments are encouraged to be interconnected with shared open spaces for a sense of place. Specifically for the New Town District, the Comprehensive Plan states:

*“...each Character District is different when it comes to identifying appropriate housing typologies. For example, ...the New Town Character District would promote mixed-use residential in a vertical configuration to support more retail uses.”*

There is a difference between attainable and affordable housing. While affordable housing is defined by housing subsidized by the government or non-profits, attainable housing is not subsidized. Plan Warrenton 2040 took these distinctions into account when formulating how to create a housing stock that allows for a diverse community. The Plan Warrenton Housing goals include:

*H-1: Ensure equitable, attainable housing opportunities across residents of all ages, incomes, and abilities by*

catering to the needs of a diverse community, including young families, professionals early in their careers, essential workforce, and those entering retirement.

*H-2: Character Districts will accommodate a balance of available housing typologies that are compatible to existing neighborhoods in scale, character, and transition.*

*H-2.1: Place an emphasis on physical form of the housing (e.g. number of stories, building profile, and appropriate transitions to adjoining neighborhoods) by updating the Zoning Ordinance, while protecting the character of existing residential neighborhoods.*

*H-2.2: Increase opportunities for multi-family and mixed-use residential development by updating the commercial corridors in the Character Districts to allow for appropriate use and scale transitions into existing neighborhoods.*

Plan Warrenton 2040 protects existing neighborhoods by promoting the Character Districts as the places to accommodate a range of housing typologies. The RKG Demographic and Housing Analysis White Paper that was adopted as part of Plan Warrenton 2040 found single family units make up 75.3% of the Town's housing inventory with the largest share built before 1980. The 2020 report found "the Town's population trends are skewing towards older age-cohorts while younger age-cohorts have shown minimal growth since 2010. From a housing perspective, the Town appears to lack the diverse housing options (both housing price and type) desired by younger populations who may not desire or are not ready to purchase a home. Roughly, 63.4% of the Town's newly constructed building square footage is comprised of residential properties with 60.0% being single family properties while only 3.5% is classified as multifamily. Almost all of the multifamily development is age-restricted."

The Rappahannock Rapidan Regional Housing Study confirmed those aged 65+ represent the highest increase in each jurisdiction of PD9 between 2010-2019. Housing demand was estimated at 4,600 housing units across the region and underhoused population of those aged 18-34 and living with a non-spouse/partner. The Study recommended increasing the supply of attainable housing and recognizing the need for a diverse set of housing options across the region. Under the recommendation of increasing attainable housing, the Study further encourages localities consider targeted incentives for higher density and mixed-use development in potentially designated Urban Development Areas (UDAs). The New Town Character District, where this proposal is located, is a Town adopted UDA and recognized by the Commonwealth of Virginia as such.

The Town of Warrenton Zoning Ordinance Article 9-3 defines persons eligible to rent or buy affordable dwelling units includes those eligible for assistance under the following state or federal programs:

- Virginia Housing Development Authority (now Virginia Housing)
- Section 8 Rental Assistance Program
- Department of Housing and Urban Development Community Block Grant Program
- Farmer's Home Administration Program
- Other programs similar to those named herein as approved by Town Council

Each of these programs utilizes the U.S. Housing and Urban Development (HUD) definitions and calculations for determining Area Median Income (AMI). Warrenton is designated as part of the

Washington-Arlington-Alexandria, DC, VA, MD HUD Metro Area. The following chart illustrates the current HUD calculations.

FY 2024 Income Limit Area	Median Family Income <a href="#">Click for More Detail</a>	FY 2024 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Washington- Arlington- Alexandria, DC-VA-MD HUD Metro FMR Area	\$154,700	Very Low (50%) Income Limits (\$) <a href="#">Click for More Detail</a>	54,150	61,900	69,650	<b>77,350</b>	83,550	89,750	95,950	102,150
		Extremely Low Income Limits (\$)* <a href="#">Click for More Detail</a>	32,500	37,150	41,800	<b>46,400</b>	50,150	53,850	57,550	61,250
		Low (80%) Income Limits (\$) <a href="#">Click for More Detail</a>	68,500	78,250	88,050	<b>97,800</b>	105,650	113,450	121,300	129,100

NOTE: **Fauquier County** is part of the **Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area**, so all information presented here applies to all of the Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area. HUD generally uses the Office of Management and Budget (OMB) area definitions in the calculation of income limit program parameters. However, to ensure that program parameters do not vary significantly due to area definition changes, HUD has used custom geographic definitions for the Washington-Arlington-Alexandria, DC-VA-MD HUD Metro FMR Area.

<https://www.huduser.gov/portal/datasets/il.htm>

Article 9-3 of the Zoning Ordinance further outlines how an affordable housing program would assure the availability for at least 25 years following the date of Town approval, developing in a traditional design technique, and how the units would be offered to the public. These provisions are captured in the draft Conditions of Approval. Article 9-25 for Mixed Use Development Options allows for a density bonus of up to 100% of the allowable density if no less than 10% of the residential units are defined as affordable.

### Staff Findings

The Applicant is proposing 10% of the units within each residential block to be dedicated to affordable housing in each block reserved for residents with household incomes below 80% of the Area Medium Income (AMI). Further, the Applicant is proposing 10 additional dwelling units in Block One reserved for 70% AMI and five additional units in Block One reserved for 60% AMI.

Virginia State Code 15.2-2286.A.3 states “*For the granting of special exceptions under suitable regulations and safeguards; notwithstanding any other provisions of this article, the governing body of any locality may reserve unto itself the right to issue such special exceptions. Conditions imposed in connection with residential special use permits, wherein the applicant proposes affordable housing, shall be consistent with the objective of providing affordable housing. When imposing conditions on residential projects specifying materials and methods of construction or specific design features, the approving body shall consider the impact of the conditions upon the affordability of housing.*”

The draft Conditions of Approval include how the program would be administered, as well as provisions that ADUs will be built to similar standards as market rate units and not clustered together in one location. Per the State Code, the Town Council needs to consider the draft Conditions of Approval impact upon the affordability of the units.

## **Planning Commission**

The Planning Commission discussed the ADU provisions throughout the work sessions and public hearing. The Applicant offered draft Conditions of Approval that go above the requirements of the Zoning Ordinance in regards to how many are provided, the identical design and materials to market rate units, and architecture.

### **Historic/Environmental Resources**

Plan Warrenton 2040 includes a Historic Resources chapter that envisions “*The Town and property owners will work toward a common goal of preserving the historic built environment for current and future generations, knowing their efforts will strengthen Warrenton’s neighborhoods, complement place-based economic development, encourage local economic growth, promote equity of its residents, and conserve natural resources.*”

The subject parcels are not located within the Town’s Historic District. The existing shopping center is contained on one larger parcel with six acres of greenfield development, where Block One is located, on the northern parcel.

### **Staff Findings:**

Plan Warrenton’s goal of HR-4: Enhance the Environment Through Preservation and Sustainability Practices has been addressed by the Applicant twofold. First, a natural spring is located on the northeast portion of the site. This spring may be the original naming reason for Oak Springs Drive and the historical Oak Spring Manor. Former Architectural Review Board Chair, Steve Wojcik, brought this to the Town’s attention by pointing out “*The spring, the house, and part of the family cemetery a few blocks further, are all that remain of the estate of the Edmonds Blackwell family, early settlers of the area during the colonial period, one of whose members was an officer in the Revolutionary War.*” When brought to the Applicant’s attention, the proposal was adjusted to preserve the spring. The Applicant also stated they are looking to recondition the spring as a public amenity.

Second, the Applicant is proposing a Condition of Approval that all residential buildings will be designed and certified to a National Green Building Standard, Level Bronze, or higher. If the National Green Building Standard is not available for the project then an equivalent certification from an alternative third party green building rating system will be accepted.

## **Planning Commission**

The Planning Commission raised the question of the spring on the property during the design discussion with the Applicant. In future submissions, the Applicant spoke to preserving the spring as a public amenity.

### **Economic Resources Analysis**

An economic goal of Plan Warrenton 2040 is to promote a diverse, equitable stable tax base while preserving the character of the community. The New Town District is deemed a major economic development priority with potential to be a destination center for mixed-use bridging entertainment, office, and residential. Per the Comprehensive Plan, the Character Districts are created with the intention

of being:

*“...a focal point for revitalization to allow for mixed-use and multi-family development at an appropriate scale compatible with the Town’s character and existing neighborhoods. Transform aging commercial corridors to vibrant mixed-use neighborhoods.”*

Another major economic goal of the Comprehensive Plan is to maintain the small-town character while reducing the percentage of Town residents commuting for work. Mixed use developments allow for greater walkability. Additionally, several large County employers located in Town have communicated recruitment issues due to lack of housing in the Town. Some major employers, for instance the schools and hospital, have indicated that their employees face challenges finding housing in Town due to lack of supply.

The Fiscal Sustainability Analysis that was produced as part of the Comprehensive Plan provided the community with development scenarios that walked the community through the economic realities of the Town and the long-standing desires/needs. The analysis communicated that in order for the community to have net positive fiscal impacts, it must grow its housing supply to support the underperforming retail and commercial assets.

The growth in office component will require a concerted economic development effort from the Town to succeed. Simply put, the current marketplace for office development is not robust enough to project such growth by 2039. That said, the introduction of the proposed large-scale mixed-use developments likely will have a transformative effect on how the office market views the Town, particularly how the projected development program incorporates multifamily development, a critical missing component for Warrenton to attract more of the region’s younger workforce. The focus on creating a strong connection between living, working, and recreating (restaurant growth) has proven effective throughout the region.

*“First, the citizens of Warrenton continue to want higher levels of services and amenities. This desire for improved facilities, expanded choices, and better connectivity will come at a cost. It is a cost that exceeds the Town’s existing financial capacity. If built, the sample public enhancements researched/identified through this effort would create a negative fiscal impact on the Town if development activity does not increase to similar levels of surrounding jurisdictions. Simply put, the Town can not ‘save its way’ to fiscal sustainability. Improving the quality of life for existing residents will require additional revenue (either from new growth or existing residents).”*

*“Second, the mix of development matters. The market analysis reveals that the Town does not have the demand to continue to increase retail services. The existing development policies make new construction of any type challenging, even for those uses that have strong market demand (i.e. multifamily development). That said, the mix of uses that are proposed for development (or redevelopment) matter from a fiscal perspective. Residential uses with smaller household sizes will have a smaller fiscal impact on the Town’s cost structure. From the nonresidential side, the modeling reveals accommodation and dining uses create a greater fiscal benefit to the Town due to their higher direct revenue streams.”*

*“Finally, balancing the mix of uses between residential and nonresidential uses will be critical from both a market perspective and a fiscal one. Simply put, growth in commercial development (particularly retail and dining venues) will require greater consumer spending, which primarily comes from local households. Much of the development projected in Scenario 2 and Scenario 3 will require more residences to increase spending. More strategically, diversifying the Town’s housing stock will be important to redefine the local office market, as Millennials are becoming the largest portion of the white-collar labor force. This generation is delaying homebuying and family*

*household formation at a higher rate than previous ones. Having a high quality, well-integrated live/work/recreate community is a fundamental need to attracting these workers (and as a result, their companies).*"

<u>Standard</u>	<u>Analysis</u>
<i>Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.</i>	According to all fiscal impact studies conducted previously by the Town and by the Applicant as part of this application, the proposal will result in a net positive fiscal impact.
<i>The number of employees.</i>	N/A
<i>The proposed days/hours of operation.</i>	N/A

### Staff Findings

The Town has invested significant resources in determining its fiscal resiliency and what market forces are required to obtain a healthy economic scenario in Town. The findings indicate mixed use developments that add to the housing supply are critical to the fiscal success of the Town.

### Planning Commission

The Planning Commission received the Fiscal Impact Analysis as part of the project application submission that was consistent with the Town's fiscal studies, which find the overall impact to be net positive. S. Patz and Associates, Inc's June 2023 analysis found the proposal of 320 units apartment building, 36 2 over 2s, and 20 townhomes to be a net benefit of approximately \$46, 100 annually with most of the revenue generated by off-site impacts due to the "*Town of Warrenton levies low real estate and personal property taxes.*" (Page 2) Since the Planning Commission's purview is land use, it is did explore the fiscal impact question further.

### Open Space, Parks, and Environment

Plan Warrenton 2040 highlights ample open space and access to open space is a priority to public health. Providing access to an open space suitable for the development needs within walking distance is encouraged:

*"Provide a dynamic system of safe, interconnected spaces for a variety of public uses that promote healthy, active, recreational activities in spaces throughout the Town. These spaces will reflect the culture, ecology, and natural environment of Warrenton."*

### Staff Findings

The Applicant is following the Character District Design Guidelines by providing for a central plaza and other public amenities like a dog park, interconnected sidewalks, and residential units in a compact, walkable environment.

## Planning Commission

The Planning Commission reviewed the open space, central plaza, sidewalks and connections to adjacent neighborhoods.

### Zoning Analysis

The legislative intent of the Commercial District is to encourage the logical and timely development of land for a range of commercial and mixed-use purposes in accordance with the objectives, policies, and proposals of the Comprehensive Plan; to prohibit any use which would create undue impacts on surrounding residential areas; and to assure suitable design to protect the residential environmental of adjacent and nearby neighborhoods. It is further declared to be the intent of the district to limit traffic congestion, overcrowding of land, noise, glare, and pollution, as to lessen the danger to public safety, and to ensure convenient and safe pedestrian access to and from commercial and mixed-use sites.

Standard	Analysis
<i>The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area.</i>	The existing use is commercial/retail. All non-residential uses in Town must meet the noise ordinance and residential must meet Town Code.
<i>The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance.</i>	The Applicant has stated they will follow Article 6 of the Zoning Ordinance. While conceptual signage was provided, a master sign plan was not included in the application.
<i>The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood.</i>	The Applicant is seeking waivers and modifications to the height of the proposed building and possible retaining walls to a fourth story for the apartment units.
<i>The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood.</i>	The Applicant provided a landscaping plan and must meet all Zoning Ordinance requirements.
<i>The timing and phasing of the proposed development and the duration of the proposed use.</i>	The Applicant is not proposing specific phasing but is breaking the development into three distinct blocks.
<i>Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public.</i>	The welfare of the public is promoted by contributing new housing stock and affordable dwelling units.
<i>Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of the Town of Warrenton.</i>	N/A
<i>The location, character, and size of any outdoor storage.</i>	N/A

Standard	Analysis
<i>The location of any major floodplain and steep slopes.</i>	Steep slopes are illustrated in the SUP Plans and will be addressed at time of site plan.
<i>The location and use of any existing non-conforming uses and structures.</i>	N/A
<i>The location and type of any fuel and fuel storage.</i>	N/A
<i>The location and use of any anticipated accessory uses and structures.</i>	The Applicant states where applicable, all accessory structures will comply with local codes and ordinances.
<i>The area of each proposed use.</i>	Block 1: up to 320 apartments with a 4 story parking garage Block 2: Up to 32 townhouses Block 3: Up to 34 two over twos
<i>The location and screening of parking and loading spaces and/or areas.</i>	Block 1 contains a 4 story parking garage with screening; Blocks 2 and 3 contain garages and driveways.
<i>The location and nature of any proposed security features and provisions.</i>	N/A
<i>Any anticipated odors which may be generated by the uses on site.</i>	Site will comply with Zoning Ordinance.
<i>Refuse and service areas.</i>	Private refuse collection is anticipated with dumpster areas delineated on the SUP Plans.
<i>Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any significant topographic or physical, natural, scenic, archaeological or historic feature.</i>	The Applicant is proposing to preserve a historic natural spring for a public amenity.
<i>The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality. The location of any major floodplain and steep slopes.</i>	The Applicant states they will comply with federal, state, or local codes and ordinances regarding wildlife habitats, sensitive land or natural features, vegetation, water quality, and air quality.
<i>The glare or light that may be generated by the proposed use in relation to uses in the immediate area.</i>	Fixture details/cut-sheets and new structures will be required to be provided and reviewed as part of the Site Development Plan submission.

### Staff Findings

The Applicant has indicated that items like lighting, landscaping, parking, and signage will all be addressed at the time of the Site Development Plan. As with previous SUP approvals, draft Conditions of Approval attempt to address potential LED lights as the Zoning Ordinance has not yet been updated to address this

technology.

### Planning Commission

The Planning Commission passed a resolution that found the Application to meets the evaluation criteria found in the Zoning Ordinance Article 11-3.10.3.

### Waiver and Modification Requests

Article 2-6.1: The maximum density specified in the zoning ordinance for a given zoning district shall not be exceeded. The maximum density is 5 units per acre or 10 units per acre with inclusion of 10% affordable dwelling units.

- Waiver #1: Increase density to 386 units or 13.28 per acre.

Article 3-4.10.4: Required front yard setback from ROW greater than 50' is 40' minimum, if no parking or loading is proposed.

- Waiver #2: Decrease minimum setback to 14' along Broadview Avenue.

Article 3-4.10.4: Required side/rear yard setbacks is 5' minimum.

- Waiver #3: Decrease side/rear yard setbacks to 0'.

Article 8-8.5: Minimum buffer width for commercial uses adjacent to residential uses is 25', plus 1' for each foot of building height over 35'. Minimum buffer width for rear boundaries of residential uses from public ROW is 25'.

- Waiver #4a: Decrease buffer width between commercial and residential uses to 0'.
- Waiver #4b: Decrease rear buffer width for residential uses from public ROW to 14'.

Article 2-20: Height limit for dwellings may be increased up to 45' and up to three stories provided that front, side and rear setbacks increase 1' for each additional foot of building height over 35'.

- Waiver #5: Increase height limit for dwellings as follows:
- 54' max height for Block 1, Oak Springs Drive Frontage
- 36' max height for Block 1, Broadview Avenue Frontage
- 36' max height for Block 2
- 45' max height for Block 3

Article 3-4.4.5.3: No more than six townhouse units shall be grouped contiguously to each other.

- Waiver #6: Increase maximum grouping of townhouse units from six to seven

Article 2-19: Fences and walls may be erected up to a height of six (6) feet in all zoning districts, except for fences or walls that extend within the required front setback.

- Waiver #7: Allow retaining walls in excess of six feet on Oak Springs Drive and Hastings Lane; and around refuse and dumpster enclosures as approved by the Zoning Administrator.

### Staff Findings

Plan Warrenton calls for mixed use developments, with design guidelines, that require modifications to the Zoning Ordinance. Mixed use developments are integrated with zero set backs and buildings closer to

the street to create a more walkable environment. The proposed waivers and modifications are requested to help meet the mixed use design guidelines as the Zoning Ordinance has not yet been updated.

**Planning Commission**

The Planning Commission motioned to recommend approval to the Town Council for SUP 2022-05 per the Conditions of Approval (Separate Attachment) and SUP plans. Waivers and modifications are included in the recommended Conditions of Approval.