

**WATERLOO JUNCTION  
TOWN OF WARRENTON  
FAUQUIER COUNTY, VA**

**PROFFER JUSTIFICATION NARRATIVE**

**MAY 13, 2022**

**PREPARED BY:**

**MUNICAP, INC.**  
— PUBLIC FINANCE —

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## ***I. INTRODUCTION***

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The purpose of this proffer justification narrative is to satisfy portions of the Fauquier County, Virginia (the “County”) and the Town of Warrenton (the “Town”) requirements as they relate to the 2016 legislation (as subsequently described, and as subsequently amended) and the proposed Waterloo Junction development (the “Development”) and its associated rezoning submission. Specifically, this document addresses legislative requirements and County and Town policy related to “proffers” (one-time voluntary monetary commitments from the property owner related to properties that are subject to rezoning) for the Residential Development.

### **LEGISLATION PERTAINING TO RESIDENTIAL PROFFERS**

The amended and reenacted Section 15.2-2303.4 of the Code of Virginia (the “Residential Proffer Legislation”) effective after July 1, 2019 places certain limitations on proffers for residential rezoning cases. As stipulated by the Residential Proffer Legislation, and unless an applicant elects to apply for a rezoning pursuant to Subsection D of that statute, a local government may only request or accept a proffer if it addresses an impact that is specifically attributable to a proposed new residential development, and, if it is an offsite proffer, it addresses an impact to an offsite public facility, such that (a) (i) the new residential development creates a need, or an identifiable portion of a need, for one or more public facility improvements in excess of existing public facility capacity at the time of the rezoning, and (b) (ii) each such new residential development applied for receives a direct and material benefit from a proffer made with respect to any such public facility improvements. For the purposes of the statute, a locality may base its assessment of public facility capacity on the projected impacts specifically attributable to the new residential development.

The Residential Proffer Legislation designates four categories of public improvements and facilities, which are as follows:

- **Public school facility improvements:** construction of new primary and secondary public schools or expansion of existing primary and secondary schools, to include all buildings, structures, parking, and other costs directly related thereto;
- **Public safety facility improvements:** construction of new law enforcement, fire, emergency, medical, and rescue facilities or expansion of existing public facilities, to include all buildings, structures, parking and other costs directly related thereto;
- **Public park facility improvements:** construction of public parks or improvements and/or expansion of existing public parks, with “public parks” including playgrounds and other recreational facilities;
- **Public transportation facility improvements:** construction of new roads; improvement or expansion of existing roads and related appurtenances as required by applicable standards of the Virginia Department of Transportation, or the applicable standards of a locality; and construction, improvement, or expansion of buildings, structures, parking, and other costs directly related to transit.

According to the Residential Proffer Legislation, no proffer shall be used for any operating expense of an existing public facility, such as ordinary maintenance or repair, or any capital improvement to an existing public facility, such as a renovation or technology upgrade, that does not expand the capacity of such facility. In addition, a proffer will only be deemed reasonable if it addresses an impact on public facilities that is specifically attributable to the proposed residential development and there will not be adequate existing capacity at such facilities for the impacts of the proposed residential development.

This document includes analyses of the projected impacts of the Development on public school facilities, public safety facilities, and public park facilities. Subsequent sections include thorough explanations of the methodology employed in calculating these impacts. A separate transportation impact analysis will be prepared to address impacts to public transportation facilities.

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## *II. The Development*

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### DEVELOPMENT SUMMARY

As proposed by Farrish Properties & Acquisitions LLC (the “Developer” or the “Applicant”), the Development is proposed to be a commercial mixed-use community to include forty-seven single-family attached units and six multi-family units, 3,600 square feet of retail space and an existing 7,600 square foot restaurant. The development site is 4.811 acres, and the Applicant is requesting to rezone 1.268 acres. A site plan follows as Exhibit A.

### THE SITE

The site is generally bounded to the north and west by residential development and to the south and east by commercial uses. The total development contains the following parcels: 6984-18-6837, 6984-18-5649, 6984-18-3854, 6984-18-3915, 6984-18-2709, and 6984-18-2905. Of these six parcels, the Applicant is applying for rezoning of the following three: 6984-18-3915, 6984-18-2709, and 6984-18-2905.

#### Current Zoning

Current zoning for the parcels that comprise the site includes the following designations as described in the Town Zoning Ordinance:

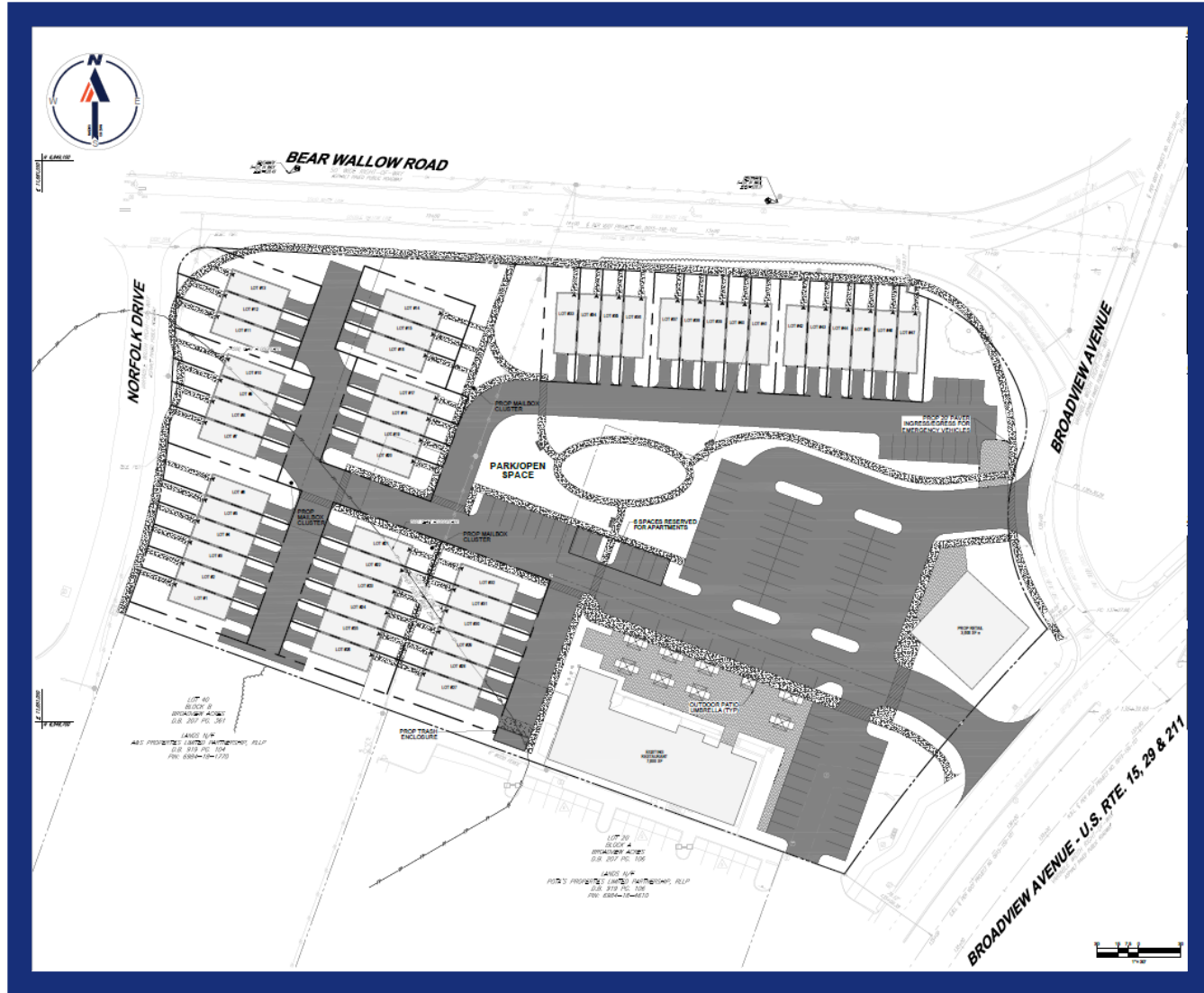
**Residential District 15 (“R-15”)** – The R-15 District is designed to protect “the essential low-density residential characteristics of the district, by encouraging a suitable environment for family life and by prohibiting all activities of a commercial nature except home occupations.” R-15 zoning requires a minimum lot size of 15,000 square feet and limited to single-family dwellings.

#### Proposed Zoning

The Applicant seeks rezoning of the site to facilitate the contemplated Development. The requested zoning designation for the site is:

**Commercial District (“C”)** – The 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 environment of adjacent and nearby neighborhoods.”

## EXHIBIT A: DEVELOPMENT SITE PLAN



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### *III. Public Facility Impacts*

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#### **OVERVIEW**

This document includes calculations of public facility impacts, which are detailed in the accompanying sub-sections. Included in each sub-section is a discussion of the methodology employed in estimating impacts. The included subsections are as follows:

- **Public school facility improvements** – Projected capacity for Fauquier County Schools is determined based on projected incremental students added by the Development.
- **Public safety facility improvements** – Projected call volumes are determined for Fire and Rescue services based on the projected incremental residents added by the Development.
- **Public park facility improvements** – Impacts are based on projected incremental residents added by the Development.

A separate transportation impact analysis may be prepared to address impacts to public transportation facilities.

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### III-A. Public School Facility Impacts

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#### METHODOLOGY

To project impacts to public school facilities, MuniCap began by estimating the number of students generated per household by the Development. MuniCap utilized an estimate of 0.418 students per household calculated by dividing the most recent number of County students by the number of County households.

**TABLE III-A.1**  
**Students Per Household**

<i>County</i>	<i>Students<sup>(a)</sup></i>	<i>Households<sup>(b)</sup></i>	<i>Students Per Household</i>
Fauquier County	10,299	24,617	0.418
<sup>(a)</sup> Source: Virginia Department of Education School Quality Profiles.			
<sup>(b)</sup> Source: US Census Bureau, American Community Survey 2019 5-Year Estimates.			

MuniCap then applied the students per household to the proposed units within the Development that exceed development allowed under the current zoning designations. For purposes of this exercise, MuniCap assumed that all projected students are new to Fauquier County, rather than relocated from elsewhere within the Fauquier County Schools system.

Finally, MuniCap identified the schools that would be impacted by the Development based on school boundaries, researched the maximum capacity at each applicable school, and determined whether the projected net student impacts represented a burden beyond current school capacity.

#### PROJECTED NET STUDENT IMPACTS

As previously described, the Development includes forty-seven single-family attached units and six multi-family units. Based on the students per household shown in Table III-A.1, the proposed Development would generate an estimated 22 students net of by-right, as shown in Table III-A.2.

**TABLE III-A.2**  
**Students Generated by Development Above By-Right**

<i>Unit Type</i>	<i>Units<sup>(a)</sup></i>	<i>Student Per Unit<sup>(b)</sup></i>	<i>Total Projected Students</i>
Proposed single-family attached units	47	0.418	20
Proposed multi-family units	6	0.418	3
Less: units allowed by-right <sup>(a)</sup>	(3)	0.418	(1)
<b>Total (above by-right)</b>	<b>50</b>		<b>22</b>
<sup>(a)</sup> Provided by the Developer.			
<sup>(b)</sup> See Table III-B.1.			



To determine the proffer contribution for each school type, it is necessary to further allocate the students generated to elementary, middle, and high schools. Public schools in Fauquier County serve kindergarten through 12th grade, or thirteen grades in total. The percentage of students allocated to each school type is assumed as proportional to the ratio of the number of grades each school type serves to the thirteen grades served by County public schools. As an example, elementary schools in the County serve kindergarten through 5th grade, or six grades total. Therefore, 6/13 out of the total students generated are assumed to be elementary school students. Table III-A.3 details this process.

**TABLE III-A.3**  
**Students Generated by School Type**

<i>School Type</i>	<i>Grades<sup>(a)</sup></i>	<i>% Of Total Student Generation</i>	<i>Students Generated<sup>(b)</sup></i>	<i>Students By-Right<sup>(c)</sup></i>	<i>Students Above By-Right</i>
Elementary School	6	46%	11	(0.46)	10
Middle School	3	23%	5	(0.23)	5
High School	4	31%	7	(0.31)	7
Total	13	100%	23	(1.00)	22
<sup>(a)</sup> Fauquier County elementary schools enroll students in kindergarten through 5th grade, middle schools enroll students in 6th through 8th grades, and high schools enroll students in 9th through 12th grades. Source: Virginia Department of Education School Quality Profiles.					
<sup>(b)</sup> Calculated as total students generated by development in Table III-A.2 multiplied by % of total student generation.					
<sup>(c)</sup> Calculated as total students allowed by-right in Table III-A.2 multiplied by % of total student generation.					

## CURRENT CAPACITY OF PUBLIC SCHOOL FACILITIES

Based on proximity to the Development, the potentially impacted County schools are C.M. Bradley Elementary School, Warrenton Middle School and Fauquier High School. Information used to determine the maximum capacity was found in the Fauquier County Public School Ten Year Enrollment Projections. Fauquier County Public Schools monitors capacity more closely once a school reaches 95% of the maximum capacity, therefore, this analysis evaluates the most recent available enrollment to the 95% maximum capacity figure. Table III-A.4 details this process.

**TABLE III-A.4**  
**Fauquier County School Facilities – Current Capacity and Enrollment**

<b>School</b>	<b>Current Enrollment</b>	<b>Maximum Capacity<sup>(b)</sup></b>	<b>95% of Capacity<sup>(b)</sup></b>	<b>Excess Capacity</b>	<b>Anticipated Students<sup>(c)</sup></b>	<b>Proffer Consideration</b>
C.M. Bradley E.S.	335	588	559	224	10	Meets capacity
Warrenton M.S.	374	545	518	144	5	Meets capacity
Fauquier H.S.	1,244	1,531	1,454	210	7	Meets capacity
<b>Total</b>	<b>1,953</b>				<b>22</b>	
<sup>(a)</sup> Source: Virginia Department of Education School Quality Profiles based on 2021 enrollment.						
<sup>(b)</sup> Fauquier County Public School Ten-Year Enrollment Projections SY 2017-18 Enrollment through 2026-27.						
<sup>(c)</sup> Table III-A.3.						

### **Elementary School Facilities**

The Development site is located within the C.M. Bradley Elementary School boundaries (see Exhibit C). As described in Table III-A.4, the school has a 95% planning capacity of 559 students and an enrollment of 335 students in school year 2021, meaning that the school has excess capacity for an additional 224 students. Therefore, the ten projected elementary school students that will be located at the Development do not exceed existing capacity and do not represent an additional need for Fauquier County Public Schools facilities.

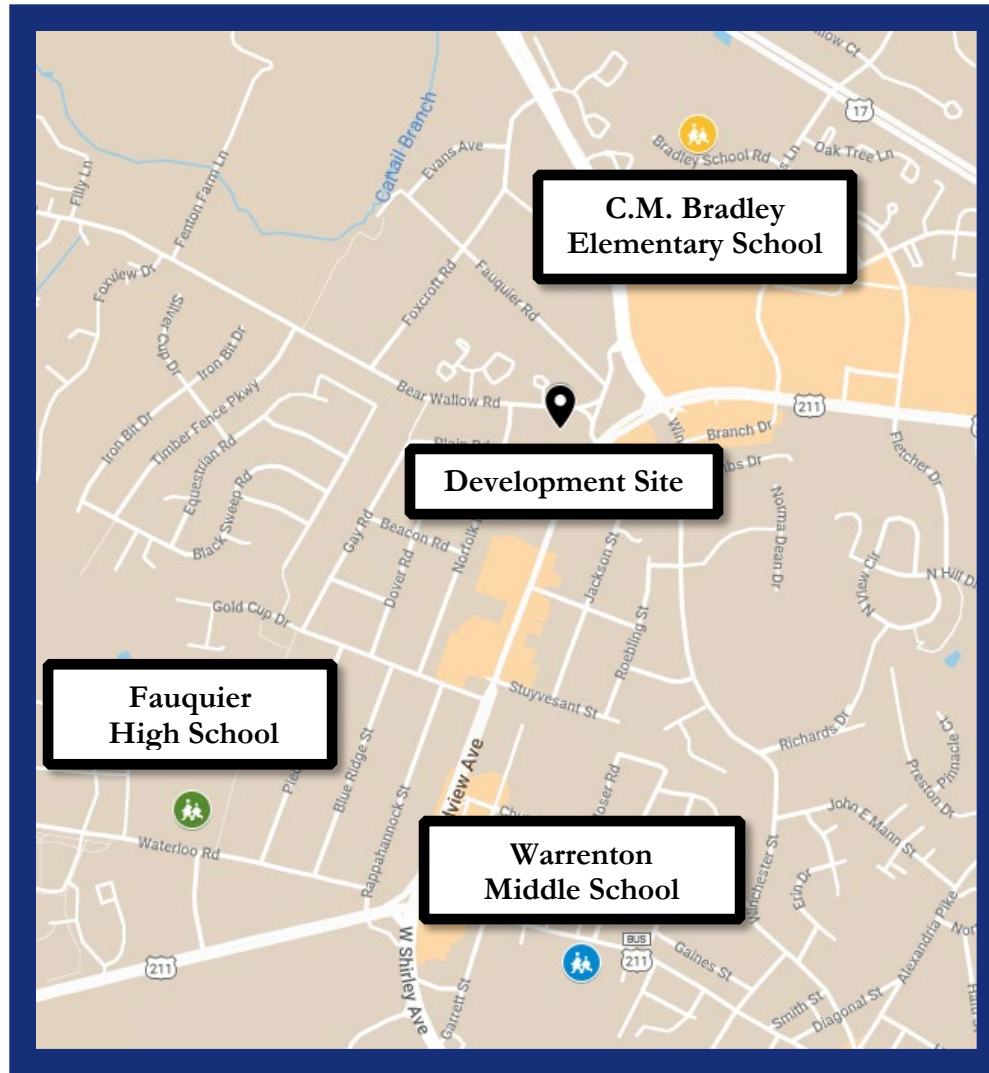
### **Middle School Facilities**

The Development site is located within the Warrenton Middle School boundaries (see Exhibit D). As described in Table III-A.4, the school has a 95% planning capacity of 518 students and an enrollment of 374 students in school year 2021, meaning that the school has excess capacity for an additional 144 students. Therefore, the five projected middle school students that will be located at the Development do not exceed existing capacity and do not represent an additional need for Fauquier County Public Schools facilities.

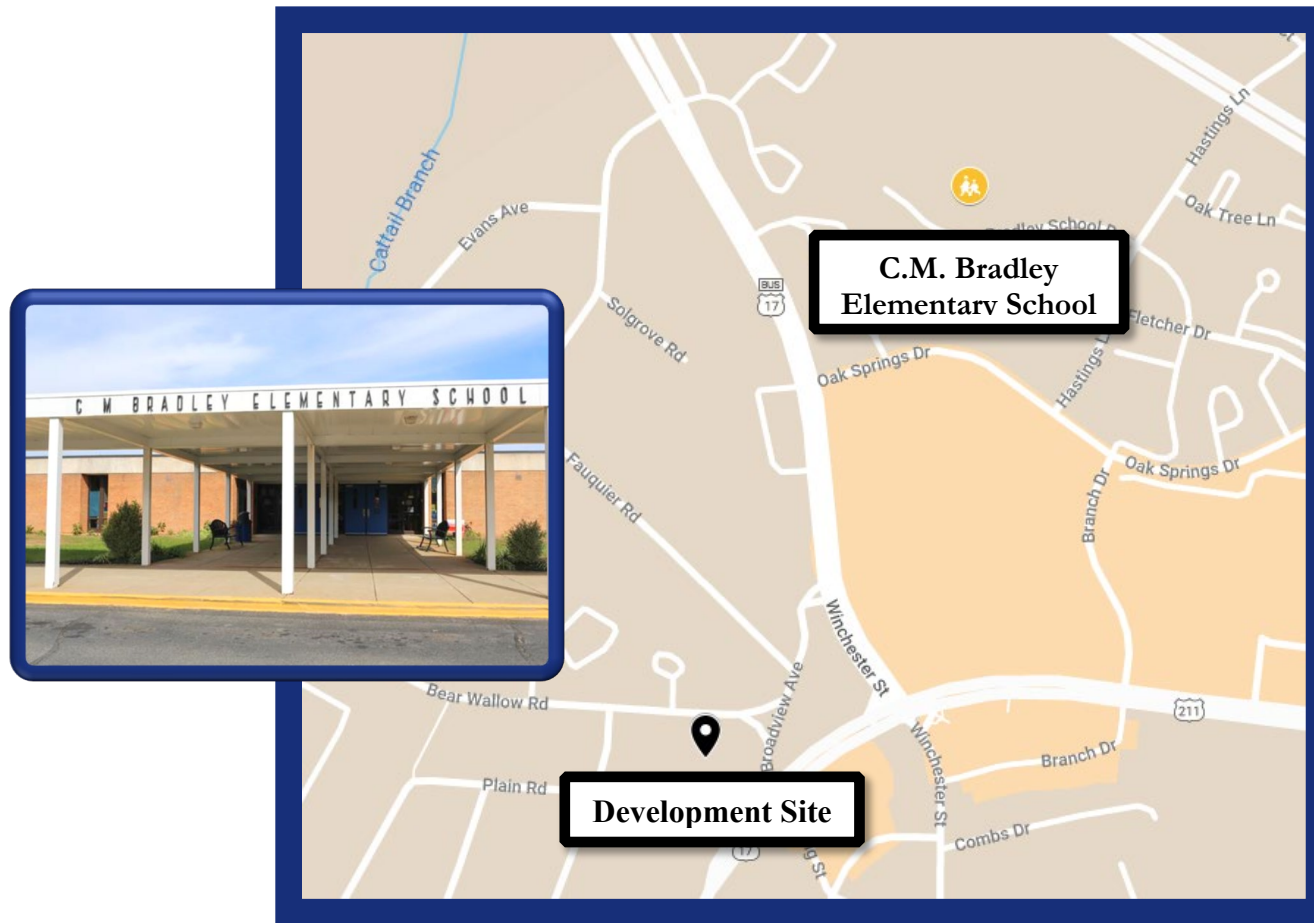
### **High School Facilities**

The Development site is located within the Fauquier High School boundaries (see Exhibit E). As described in Table III-A.4, the school has a 95% planning capacity of 1,454 students and an enrollment of 1,244 students in school year 2021, meaning that the school has excess capacity for an additional 210 students. Therefore, the seven projected high school students that will be located at the Development do not exceed existing capacity and do not represent an additional need for Fauquier County Public Schools facilities.

**EXHIBIT B: AREA MAP (DEVELOPMENT SITE & SCHOOL FACILITIES)**



**EXHIBIT C: AREA MAP (DEVELOPMENT SITE, C.M. BRADLEY ELEMENTARY SCHOOL)**



**EXHIBIT D: AREA MAP (DEVELOPMENT SITE, WARRENTON MIDDLE SCHOOL)**

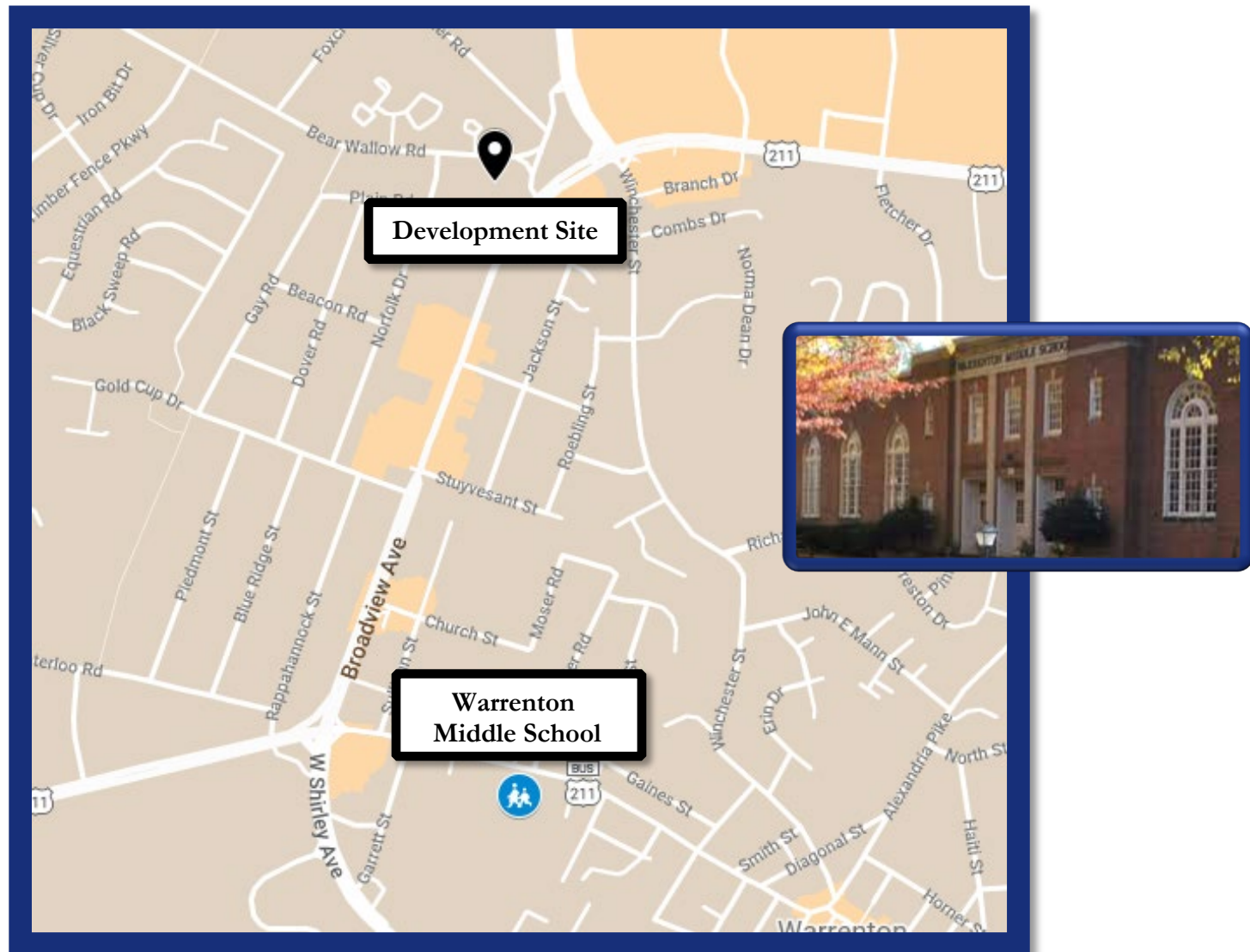
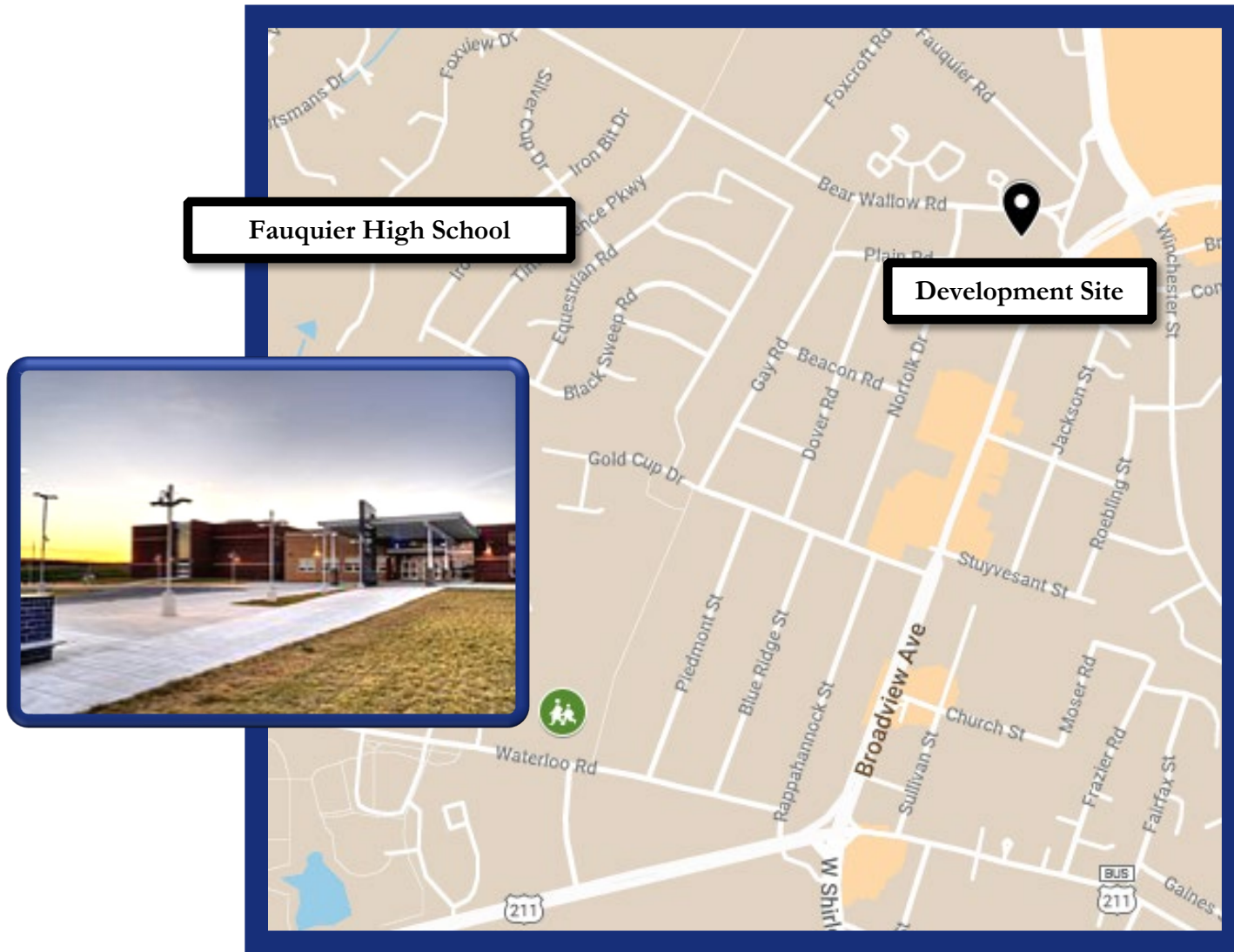




EXHIBIT E: AREA MAP (DEVELOPMENT SITE, FAUQUIER HIGH SCHOOL)



## **MITIGATION STRATEGIES**

The Residential Proffer Legislation stipulates that proffers can only provide for needs exceeding existing capacity. As previously mentioned, all schools will not exceed existing capacity despite the projected students generated by the Development. Therefore, no proffer contribution for public school facilities is calculated.

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### ***III-B. Public Safety Facility Impacts***

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#### **METHODOLOGY**

To calculate estimated proffer contributions for the Town public safety facilities, MuniCap first estimated the total population that would reside within the proposed Development based on U.S. Census Bureau data. MuniCap then researched public safety improvements in the Town Capital Improvement Programs that would be impacted by the Development. There are no identified level of service metrics for Town public safety facilities, though MuniCap did estimate a projected call increase for the Fire and EMS services as a result of the Development.

#### **PROJECTED NET RESIDENT IMPACTS**

As noted previously, the Development is proposed to have forty-seven single-family attached units and six multi-family units. As demonstrated in Table III-B.1, the Development may house an estimated 134.42 residents that will reside in units exceeding the current zoning allowance.

**TABLE III-B.1**  
**Projected Residents – Development**

<i>Unit Type</i>	<i>Units<sup>(a)</sup></i>	<i>Residents Per Unit<sup>(b)</sup></i>	<i>Total Projected Residents</i>
Single-family attached	47	2.77	130.19
Multi-family	6	2.09	12.54
Less: units allowed by-right	(3)	2.77	(8.31)
<b>Total (above by-right)</b>	<b>50</b>		<b>134.42</b>
<small><sup>(a)</sup> Provided by the Developer.</small>			
<small><sup>(b)</sup> United States Census Bureau average household size of owner-occupied and renter-occupied units in the Town of Warrenton, Virginia.</small>			

#### **CURRENT CAPACITY OF PUBLIC SAFETY FACILITIES**

##### **Fire and Rescue Facilities**

The Warrenton Volunteer Fire Company will serve the Development. The station is approximately 1.3 miles from the Development site.

According to the Town of Warrenton Annual Comprehensive Financial Report for Fiscal Year 2021, the Warrenton Volunteer Fire Company received 4,399 service calls in Fiscal Year 2021. Based on the Town's population of 10,065, the annual call volume per resident is 0.437 (calculated as 4,399 calls ÷ 10,065 residents). Using this call volume per resident, the 134.42 projected residents in units above by-right at the Residential Development, would increase overall call volume by 58.75, as shown below in Table III-B.2.



**TABLE III-B.2**  
**Projected Fire and Rescue Facility Impacts**

<i><b>Facility Type</b></i>	<i><b>Projected Resident Impact<sup>(a)</sup></b></i>	<i><b>Call Volume Per Resident<sup>(b)</sup></b></i>	<i><b>Projected Call Volume Increase</b></i>
Fire and Rescue	134.42	0.437	58.75
<sup>(a)</sup> See Table III.B-1. <sup>(b)</sup> Source: Town of Warrenton FY21 Annual Comprehensive Financial Report. Calculated as FY 2021 population of 10,065 divided by 4,399 calls received by the fire department.			

The Town's Capital Improvement Program does not include improvements that increase capacity for fire & rescue facilities. Therefore, a proffer contribution has not been contemplated as a result of the Development.

### **Police Facilities**

Call volume information was not available for the Warrenton Police Department. Regardless, the Town's Capital Improvement Program does not include improvements that increase capacity for police facilities. Therefore, a proffer contribution has not been contemplated as a result of the Development.

## **MITIGATION STRATEGIES**

The Residential Proffer Legislation stipulates that proffers can only be used for capital improvements that expand the capacity of relevant public facilities. As previously mentioned, there are no capital improvements within the Town Capital Improvement Program that will increase capacity of public safety facilities. Therefore, no proffer contribution for public safety facilities is calculated.

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### *III-C. Public Parks Facility Impacts*

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#### **METHODOLOGY**

As with public safety facilities impacts, to project impacts on public park facilities, MuniCap first estimated the total population that would reside within the proposed Development based on U.S. Census Bureau data. MuniCap then researched public park improvements in the Town Capital Improvement Program that would be impacted by the Development. There are no identified level of service metrics for Town public parks, though MuniCap did calculate proffer contributions for three park projects identified in the Town of Warrenton Capital Improvement Plan Fiscal Years 2022-2027 that would increase capacity in Town parks.

The three parks improvements that will increase capacity include:

- Development of a splashpad/amphitheater for Eva Walker Park – \$1,122,931
- Development of a pump track - \$90,000
- Development of a micro golf course at Warrenton Sports Complex - \$98,500

MuniCap first determined the total population of 10,199.42 by evaluating the current Town population of 10,065 and projected increase of 134.42 residents as a result of the Development. To determine the cost per capita for each public park improvement, MuniCap calculated the cost of the improvement divided by total population. The cost per capita was then applied to the projected increase of residents to determine the contribution as provided for in Table III-C.1.

## MITIGATION STRATEGIES

Any proffer related to public parks must only mitigate costs reasonably attributable to the increase in population caused by the Development. Proffers have been estimated to take into account the planned parks outlined in the Town of Warrenton CIP as seen below in Table III-C.1.

**TABLE III-C.1**  
**Projected Proffer Costs – Public Parks Facility Improvements**

<b><i>Public Park Facilities</i></b>	
<b><u>Eva Walker Park - splashpad/amphitheater</u></b>	
(a) Cost for splash pad/amphitheater <sup>(a)</sup>	\$1,122,931
(b) Current population of the Town of Warrenton <sup>(b)</sup>	10,065.00
(c) Total projected Development residents <sup>(c)</sup>	134.42
(d) Total projected Town population (b + c)	10,199.42
(e) Project cost per capita (a ÷ d)	\$110.10
<b>(f) Sub-total: splashpad/ampitheater proffer contribution for Development (c × e)</b>	<b>\$14,799.64</b>
<b><u>Pump track</u></b>	
(g) Cost for pump track <sup>(a)</sup>	\$90,000
(h) Current population of the Town of Warrenton <sup>(b)</sup>	10,065.00
(i) Total projected Development residents <sup>(c)</sup>	134.42
(j) Total projected Town population (h + i)	10,199.42
(k) Project cost per capita (g ÷ j)	\$8.82
<b>(l) Sub-total: Pump track proffer contribution for Development (i × k)</b>	<b>\$1,185.58</b>
<b><u>Micro golf course at Warrenton Sports Complex</u></b>	
(m) Cost for micro golf course <sup>(a)</sup>	\$98,500
(n) Current population of the Town of Warrenton <sup>(b)</sup>	10,065.00
(o) Total projected Development residents <sup>(c)</sup>	134.42
(p) Total projected Town population (n + o)	10,199.42
(q) Project cost per capita (m ÷ p)	\$9.66
<b>(r) Sub-total: Micro golf course proffer contribution for Development (o × q)</b>	<b>\$1,298.50</b>
<b>(s) Total Development Proffer Contribution: Public Parks (f + l + r)</b>	<b>\$17,283.72</b>
<b>(t) Percentage of single-family attached residents</b>	<b>91%</b>
<b>(u) Percentage of multi-family residents</b>	<b>9%</b>
<b>Proffer contribution: per single-family attached unit (s × t ÷ 47)</b>	<b>\$335.43</b>
<b>Proffer contribution: per multi-family unit (s × u ÷ 6)</b>	<b>\$253.09</b>
<sup>(a)</sup> Source: Town of Warrenton Capital Improvement Program (FY 2022-2027 Adopted).	
<sup>(b)</sup> Source: Town of Warrenton Comprehensive Annual Financial Report for FY 2021.	
<sup>(c)</sup> See Table III-B.1.	

After appropriate Town staff has had the opportunity to review this document and provide comments, the Applicant will coordinate with the Town to confirm the proper amount necessary to mitigate the costs of eligible public park facility improvements. The Applicant will undertake efforts necessary to ensure that the proposed mitigation strategy is consistent with all applicable law, including, but not limited to, the Residential Proffer Legislation.

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### *III-D. Public Transportation Facility Impacts*

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#### **METHODOLOGY**

A separate transportation impact analysis may be prepared to address impacts to public transportation facility improvements.

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## IV. CONCLUSIONS

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### SUMMARY OF ANALYSIS

The preceding narrative provides projections of impacts to public facilities in accordance with the Residential Proffer Legislation. This narrative is being submitted for review and comment by the appropriate Town staff. Upon receipt of such review and commentary, the Applicant will augment this submission with additional information as appropriate. Based on MuniCap's analysis, the estimated cash proffer that may be collected from the Development is as shown in Table IV-A.

**TABLE IV-A**  
**Total Estimated Proffer Contribution**

Public Facilities	Estimated Proffer Per Dwelling Unit
a) Public school facilities cost per unit	N.A.
b) Public safety facilities cost per unit	N.A.
c) Public parks facilities cost per unit <sup>(a)</sup>	
i) Per single-family attached unit	\$335.43
ii) Per multi-family unit	\$253.09
d) Public transportation facilities per unit	N.A.
e) Total estimated proffer per unit	
i) Per single-family attached unit	\$335.43
ii) Per multi-family unit	\$253.09
f) Total estimated proffer per unit type	
i) Single-family attached units (e.i × 47)	\$15,765.21
ii) Multi-family units (e.ii × 6)	\$1,518.52
<b>Total Development proffer contribution</b>	<b>\$17,283.72</b>
<sup>(a)</sup> See Table III-C.1.	

### ASSUMPTIONS AND LIMITATIONS

In preparation of this narrative, MuniCap relied on multiple sources for the information presented and used herein. While these sources are believed to be reliable, MuniCap has not undertaken any efforts to independently verify the veracity of such information.

While the methodology employed, and the content provided herein, are believed to be consistent with applicable law, including the Residential Proffer Legislation, none of the statements in this document should be construed as legal advice.