



Town of Dumfries Council Meeting

Meeting Date:	March 20, 2012
Agenda Item#	V - A

AGENDA ITEM FORM

**TYPE OF AGENDA ITEM:**

- CONSENT AGENDA
- PRESENTATION
- ACTION ITEM
- TOWN MANAGER & STAFF COMMENTS
- PUBLIC HEARING
  - Duly Advertised

**PURPOSE OF ITEM:**

- INFORMATION ONLY
- DISCUSSION ONLY
- DISCUSSION AND/OR DECISION
  - Introduction     Resolution
  - Ordinance         Grant/MOU
  - By Motion          Bylaws

**PRESENTER:** David Moss                      **PRESENTER TITLE:** Town Planner

**AGENDA ITEM:**

Adoption of an Ordinance Rezoning (REZ11-63) - Property Located at 17651 Washington Street from R-2 to B-2, Hamidullah & Parwin H. Hashimi

**BACKGROUND / SUMMARY:**

This Rezoning Application was before the Council in November and was sent back to the Planning Commission to work on the proffers. Proffers were changed.

Planning Commission recommends approval of Conditional Rezoning and acceptance of proffers.

Town Council held a duly advertised public hearing on 3-7-2012.

**ATTACHMENTS:**

Ordinance to Rezone w/Proffers  
Updated Zoning Map

**REQUESTED ACTION:**                       NO ACTION REQUESTED

Adopt the Ordinance w/Proffers

**FOR MORE INFORMATION, CONTACT:**    Name:            David Moss

Phone#:        703-221-3400 x118                      E-mail:        [dmoss@dumfriesva.gov](mailto:dmoss@dumfriesva.gov)

**FOR USE DURING MEETING**

**VOTE:**

PASSED

NOT PASSED

Y	N		Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Barr	<input type="checkbox"/>	<input type="checkbox"/>	Foreman	<input type="checkbox"/>	<input type="checkbox"/>	Forrester
<input type="checkbox"/>	<input type="checkbox"/>	Jurgensen	<input type="checkbox"/>	<input type="checkbox"/>	Toney	<input type="checkbox"/>	<input type="checkbox"/>	Washington
<input type="checkbox"/>	<input type="checkbox"/>	West						

At a regular meeting of the Dumfries Town Council held on Tuesday, March 20, 2012 in Council Chambers, 17755 Main Street, Dumfries, Virginia: On a motion duly made by \_\_\_\_\_, and seconded by \_\_\_\_\_, the following Ordinance was adopted by the following vote:

Dorothea Barr, \_\_\_;  
Gerald M. Foreman, II, \_\_\_;  
Kristin W. Forrester, \_\_\_;  
Michele Jurgensen, \_\_\_;  
Willie J. Toney, \_\_\_;  
Gwen P. Washington, \_\_\_;  
Nancy H. West, \_\_\_;

**AN ORDINANCE TO AMEND THE TOWN OF DUMFRIES ZONING MAP TO RECLASSIFY 3.055 ACRES OWNED BY HAMIDULLAH & PARWIN H HASHIMI, DESIGNATED AS GPIN 8189-82-6152, LOCATED AT 17651 WASHINGTON STREET FROM R-2, GENERAL RESIDENTIAL TO B-2, NEIGHBORHOOD BUSINESS TO IMPLEMENT THE GOALS OF THE COMPREHENSIVE PLAN**

**WHEREAS**, a rezoning application (REZ11-63) has been submitted by owner HAMIDULLAH & PARWIN H HASHIMI (the "Applicants") to rezone property known as GPIN 8189-82-6152 (the "Property") from R-2, General Residential to B-2, Neighborhood Business, to amend the Town of Dumfries Zoning Map; and

**WHEREAS**, the Applicants have voluntarily submitted 14 proffers, attached to this Ordinance and incorporated herein by reference, (the "Proffers") to be accepted by the Town as a part of the its request for a conditional rezoning of the Property; and

**WHEREAS**, the Property requested to be rezoned is located at 17651 Washington Street, located directly on Fairfax Street, a paper street, approximately 350 feet northeast of the edge of Washington Street, having no access from any improved public right of way; and

**WHEREAS**, the Town of Dumfries Planning Commission, after holding a duly advertised public hearing at their February 13, 2012 meeting, voted to recommend approval of REZ11-63, accept the Proffers, and forwarded its recommendation to the Town Council; and

**WHEREAS**, the Dumfries Town Council held a duly advertised public hearing on REZ11-63 on March 7, 2012; and

**WHEREAS**, the Dumfries Town Council finds that the Applicants' requested B-2 zoning, REZ11-63, together with the voluntary Proffers serve a valid public purpose and further the goals of the Town of Dumfries Comprehensive Plan.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the Town of Dumfries on this the 20th day of March, 2012, that rezoning application REZ11-63 be, and it hereby is, approved to amend the Town of Dumfries Zoning Map to rezone the property known as GPIN 8189-82-6152 from R-2, General Residential to B-2, Neighborhood Business.

By Order of Council:

\_\_\_\_\_  
Nancy H. West, Mayor

Attest: \_\_\_\_\_  
Dawn Hobgood, Town Clerk

1. Storm water management and best management practices (BMP) facilities will be provided on site in accordance with Town of Dumfries ordinances, as approved by the Town of Dumfries, Department of Public Works.
2. If any hazardous or toxic substances are found, the methods for disposal shall adhere to county, state or federal law.
3. Offsite grading, right-of-way, parking, access, and utility crossing shall be addressed at the time of final site plan submission.
4. All adjacent residential uses surrounding any parking lot shall be screened by a fence or landscaping to reduce the impact of car lights. This shall not apply the existing residential use on the Subject Property, which shall become nonconforming upon enactment of this conditional rezoning. Any new residential uses on the Subject Property shall be allowed only subject to a conditional use permit.
5. Any parking lot and exterior lighting shall be shielded such that lighting is projected downward and to parking area to prevent spillage onto adjacent properties.
6. A Traffic Impact Analysis will be provided prior to the submission of a final site plan for 17706 Main Street.
7. If the Traffic Impact Analysis requires a second entrance for development of 17706 Main Street, the Applicant will construct Fairfax Street at a minimum to Prince William County Design and Construction Manual Standards (DCSM) from Washington Street to the northernmost entrance or exit for 17706 Main Street or the Subject Property.  
  
If the Traffic Impact Analysis does not require a second entrance for development of 17706 Main Street, the applicant will construct Fairfax Street at a minimum to Prince William County DCSM for alleyways (see attached) from the southernmost entrance or exit on Fairfax Street for 17706 Main Street or the Subject Property to the northernmost entrance or exit on Fairfax Street for 17706 Main Street or the Subject Property.
8. A perennial stream buffer to the maximum degree practical will be provided at the final site plan submission. The applicant reserves the right to submit a request for waiver for the buffer if necessary. However it is understood that while requested, a waiver is not guaranteed.
9. No portion of the neighboring property at 17645 Washington Street, Dumfries, VA, GPIN 8189-82-1885 will be used for the ingress or egress of commercial traffic to the Subject Property.
10. The applicant will meet the landscape DCSM requirements adopted by the Town of Dumfries; if the Town of Dumfries does not adopt the landscape DCSM standards, the applicant will follow the Prince William County DCSM standards for Buffer Areas Landscaping and Tree Cover Requirements subject to the right to submit waivers approved by the Town of Dumfries Director of Public Works.
11. The primary use of Subject Property shall be as accessory parking for Tax Map Parcel 8189-82-5716, 8189-82-5905 and/or 8189-82-7721. The Subject Property may also be used as a botanical garden or to hold festivals, farmers markets, and other similar or related activities, as determined by the Zoning Administrator for the Town of Dumfries. Moreover, botanical garden, festivals, farmers markets and other such related uses will be permitted only subject to a temporary use permit issued by the Zoning Administrator pursuant to the Town of Dumfries Zoning Ordinance.
12. No vehicles in excess of 10,100 Lbs gross vehicle weight will be allowed to park on the Subject Property overnight, unless part of an approved temporary use permit.
13. Development of Subject Property will occur in simultaneously with the development of either Tax Map Parcel 8189-82-5716, 8189-82-5905 or 8189-82-7721, or some combination of such parcels. No use of the Subject Property is allowed except in conjunction with the simultaneous use of Tax Map Parcel 8189-82-5716, 8189-82-5905 or 8189-82-7721, or some combination of such parcels.
14. Before developing the Subject Property, the applicant will obtain and record an ingress/egress easement providing access for the Subject Property to Main Street across either Tax Map Parcel 8189-82-5716, 8189-82-5905 or 8189-82-7721, or some combination of such parcels. Such ingress/egress easement shall be sufficient to handle the expected volume of traffic according the use of the Subject Property and the uses of Tax Map Parcel 8189-82-5716, 8189-82-5905 or 8189-82-7721, or if all parcels are consolidated for a unified use, some combination of such parcels.

## SECTION 600

### TRANSPORTATION SYSTEMS

#### 600.01 Definitions:

- A. AASHTO: The American Association of State Highways and Transportation Officials.
- B. Alleyway: a privately maintained travelway primarily designed to provide a secondary access to the side or rear of properties whose primary frontage is on another street. Alleys may be allowed on single family residential, multi family, townhouse/single family attached, and commercial uses of town center developments.
- C. Bridge: A structure erected over a watercourse, depression, or obstacle (Webster's Collegiate Dictionary). As distinguished from a culvert, it is a large structure spanning a watercourse, the bed of which is left comparatively undisturbed. The opening width is generally large compared to the length (in the direction of flow). The structure generally consists of a deck or superstructure supported on two or more abutments or piers.
- D. Care Facilities: Hospitals, adult and/or child day care centers, nursing convalescent homes and their buildings and associated parking.
- E. Channelization: The design of a street intersection which separates conflicting traffic movements into definite paths of travel by the application of pavement markings, raised median or other appropriate means to facilitate the safe and orderly movement of both vehicles and pedestrians.
- F. Commercial/Retail: Buildings with uses that are primarily retail, or retail-related, including shopping centers, motor vehicle fuel sales, etc.
- G. Institutional uses: Churches, cemeteries, rescue squads, fire departments, police departments, libraries, school (public and private) and their related building and parking lots.
- H. MUTCD: The Manual of Uniform Traffic Control Devices.
- I. Office: Buildings with primarily administrative activities, including financial institutions.
- J. Pipestem driveway: Driveway or shared driveway servicing up to five (5) pipestem lots.
- K. Pipestem lot: A lot in a cluster development for which the minimum frontage for the zoning district in which it is located is not required to be met.
- L. Street, Public: A thoroughfare (street, drive, avenue, boulevard, etc.) which has been or is intended to be dedicated for public use, and which has been accepted or is intended to be accepted into the State system.

M. Street, Private: Where permitted, a privately maintained thoroughfare designed to provide access to private property.

N. Traffic study: A study conducted to assess the impact of traffic generated by a new use or change in use on existing or future road network, and to obtain the required information in evaluating any potential road network improvements.

O. Travelways: A directional path primarily used for vehicular movement, that are designed to provide access to parking bays and/or adjacent parking spaces and to and from privately maintained properties, commercial, industrial, single family attached and multi-family developments, whether or not in an easement or built to design standards. They are considered as private streets or roadways and are not intended for acceptance into State or County maintained roadway systems.

P. Use group: The classification of a building or structure based on the purpose for which it is used, as listed in the Virginia Uniform Statewide Building Code.

Q. VDOT: The Virginia Department of Transportation.

R. vpd: Vehicles per day

#### **601.01 Street Design in General:**

A. The provisions of this section shall apply to all street design and construction in the County. Where no specific roadway construction, design standard, or specification is set forth in this manual, the provisions of the Virginia Department of Transportation (VDOT) Road and Bridge Standards, Secondary Street Acceptance Requirements, Minimum Standards for Entrances to State Highways, Road Design Manual - Appendix A, A Policy on Geometric Design of Highway and Streets Manual Current Edition of American Association of State Highway and Transportation Officials (AASHTO) and the Virginia supplement to the Manual of Uniform Traffic Control Devices (MUTCD) shall be used.

B. Northern Virginia has been designated as an urban area by VDOT subdivision standards. All streets shall be designed as set forth in this manual or by VDOT standards, whichever is more stringent.

C. The arrangement of major streets in a development shall provide for their proper continuation with developed adjoining properties, and for their proper extension into undeveloped adjoining properties. The proper interparcel connecting arrangement shall be accomplished by the use of stub streets and temporary cul-de-sacs, etc., which is intended to provide and maintain access for basic public services, to allow movement of vehicular, bicycle, and pedestrian traffic, and to provide a corridor for public utilities. If a waiver is requested, it is the developer's responsibility to provide a detailed narrative why an interparcel connection between developments could not be achieved or provided or why such connection would not be beneficial to the County as required by this section.

R. The pavement design for pipestem driveways shall be the same as of the adjacent street where they are connected. Five (5) inches of plain Portland cement concrete is acceptable as an alternative subject to the following:

1. Class of concrete shall be Class A-3 in accordance with VDOT standards.
2. The methods of construction such as forming, crack controls, jointing, finishing, curing, and protection of concrete pavement from the initial traffic should be in accordance with VDOT road and bridge specifications.
3. Spacing of transverse control joints shall be a maximum of fifteen (15) feet. Longitudinal control joints shall be provided in all pavement sections wider than twelve (12) feet.
4. Drainage or storm water runoff shall not be allowed to flow longitudinally within the paved portion of the pipestem driveway. Positive drainage shall be maintained. Storm runoff shall be channeled away from the pavement, through the side ditches or gutter pan, if any.

S. A centerline profile for the pipestems serving two (2) or more lots shall be provided to ensure appropriate landings; grade ties and appropriate drainage design are achieved.

T. Grading plans for all pipestem driveways serving two (2) or more lots shall be provided and included on construction plans, together with the appropriate turnarounds and necessary easements.

U. Design configuration of pipestem layouts shall be in accordance with Detail 650.27A of this manual.

V. The methods and materials used in the construction of pipestem driveways shall conform to the current VDOT road and bridge specifications unless herein specified.

W. Entrance/intersection and vertical sight distance shall be verified and maintenance easement required when necessary on all pipestem driveway entrances.

**602.16.2 Alleyways In Planned Districts:** Alleyways shall be discouraged in proposed residential developments where street networks are planned and designed to be publicly maintained. However, they may be allowed in town centers subject to Special Use Permit (SUP) Conditions and in any PMD or PMR Zoning Districts.

A. Alleyways shall be a minimum of twelve feet (12') wide if one-way and twenty two feet (22') wide if two-way, measured from face of curb to face of curb. Parking along alleyways shall not be allowed and traffic control signs ("No Parking," "Stop" signs etc.) shall be required.

B. Ingress/egress and maintenance easements shall be required for all alleyways. The easement width for a one-way alley shall be eighteen feet (18') and for a two-way alley shall be twenty

eight feet (28'). Additional easement width will be required at the intersections to accommodate signage and ensure clear intersection sight distance

C. Standard maintenance note for alleyways will require the notification of owners of lots being served by the street of their obligation for the maintenance of the road.

D. Unless deemed not necessary by the director of Transportation, geometric, vertical and horizontal design of alleyways shall be in conformance with the requirements of Section 602.15 of the DCSM.

E. The length of the driveway accessing an alleyway shall be eighteen feet (18') measured from the edge of pavement (EP) or face of curb (FC) of the alleyway to the edge of the garage.

F. Dead-end alleyways are generally discouraged, but if allowed due to special circumstances, a standard turnaround that will accommodate a forty foot (40') long fire truck or emergency vehicle shall be provided if required by the Fire Marshall.

G. If parking is not available in the main roadway fronting single family detached lots served by rear alleyways, three (3) on-site parking spaces, exclusive of the garage, shall be provided for each lot.

H. Adequate intersection sight distance shall be required and verified on alleyway intersections. On-street parking shall not be allowed on street intersection approaches where lines of sights are verified to achieve clear adequate sight distance.

I. Entrances to and exits from alleyways should be designed with turning radii adequate to accommodate the size and type of vehicle expected to access the alleyways. Alleyways will require the review and approval of the Fire Marshall if it is designated as a fire access road.

#### **602.17 Common Driveways for Two Lots:**

A. Where permitted by the director of Planning and by the Zoning Ordinance in large lot subdivisions, two (2) lots may be served by a common driveway. An adequate access easement at least forty (40) feet wide shall be provided.

B. The width of the common driveway shall be eighteen (18) feet.

#### **602.18 Sidewalks/Trails in General:**

A. Sidewalks or trails shall be required along all proposed streets and where improvements to such streets are necessitated by development.

B. In general, and to the extent set forth in subsection A above, sidewalks or trails shall be required within the street right-of-way of any development or subdivision with curb and gutter (urban section) streets. Sidewalks shall be provided as shown on the standard typical street

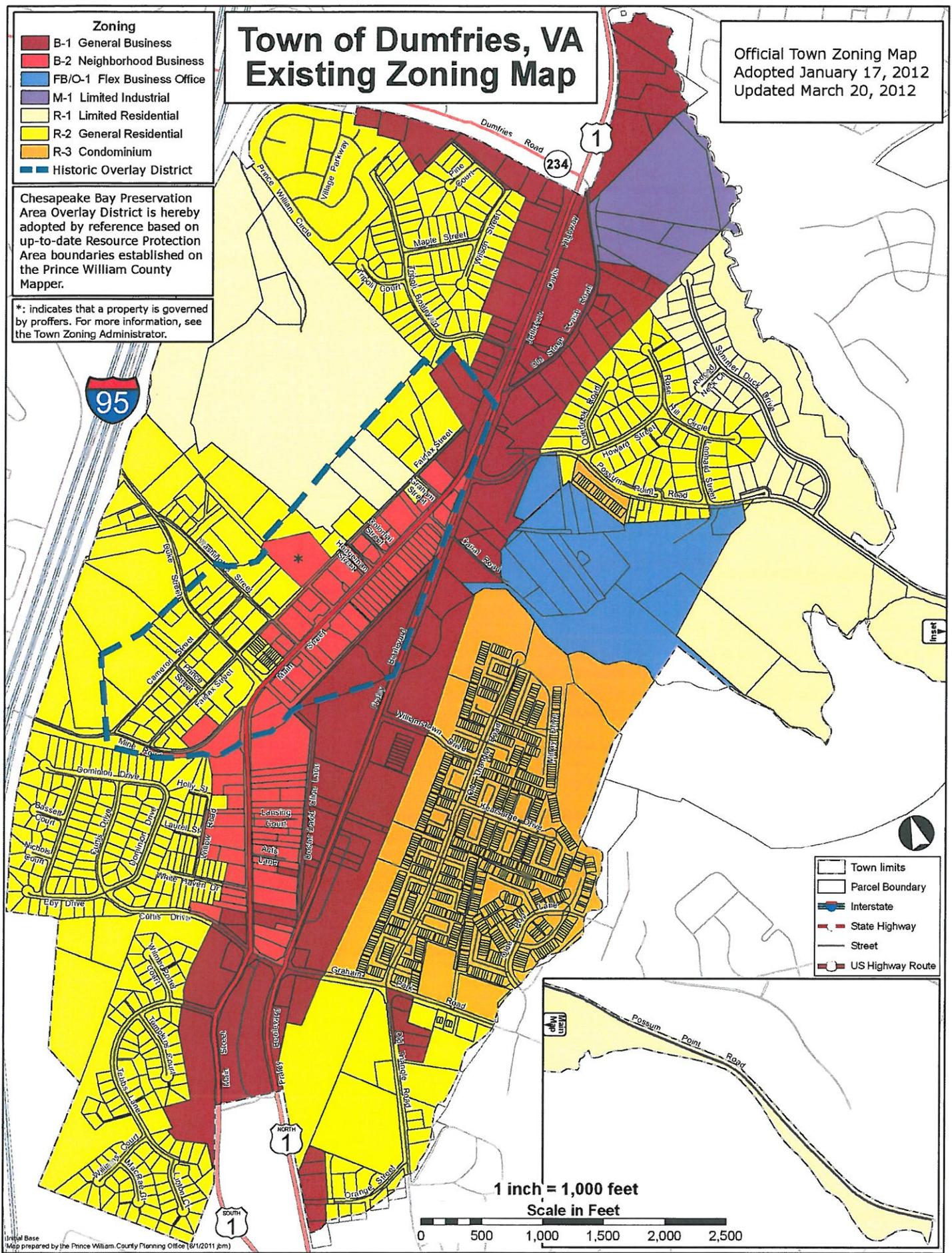
# Town of Dumfries, VA Existing Zoning Map

Official Town Zoning Map  
Adopted January 17, 2012  
Updated March 20, 2012

- Zoning**
- B-1 General Business
  - B-2 Neighborhood Business
  - FB/O-1 Flex Business Office
  - M-1 Limited Industrial
  - R-1 Limited Residential
  - R-2 General Residential
  - R-3 Condominium
  - Historic Overlay District

Chesapeake Bay Preservation Area Overlay District is hereby adopted by reference based on up-to-date Resource Protection Area boundaries established on the Prince William County Mapper.

\*: indicates that a property is governed by proffers. For more information, see the Town Zoning Administrator.



Initial Base Map prepared by the Prince William County Planning Office (8/1/2011 jlm)