



October 9, 2009

The Honorable Corey Stewart
Chairman
Prince William Board of County Supervisors
1 County Complex Court
Prince William, Virginia 22192

RE: Comments on Prince William County's Comprehensive Plan
Environment Chapter Draft – Clean Version Dated August 26, 2009

Dear Chairman Stewart:

NAIOP Northern Virginia is comprised of commercial and industrial real estate developers and owners, as well as other professionals from throughout the region who assist and work closely with the development community. Our seven hundred and fifty members and their companies play an important role in bringing the jobs to Northern Virginia that have always been a top priority of the Commonwealth and this region's localities. The property owners in our organization represent the majority of the commercial land ownership in Prince William County. Our members are active in numerous county-wide initiatives such as the Commercial Development Committee, ZORC, Policy and Standards Committee and the Plan Review Committee. We are committed to the continued success of Prince William.

Our membership has been working extensively with staff on issues being considered and we have been active participants in the town hall meetings. We are greatly concerned that many of the items being considered will substantially impact the ability to successfully develop commercial uses in the county. Some of the components changes being proposed will adjust how to do business in Prince William County while others are much more severe. It is our belief that several of the components being proposed are so restrictive that they will essential stop any new commercial development from occurring in Prince William. In our current economic condition and for the next several years it is critical that Prince William County be open for business and prepared to respond positively to commercial development opportunities.

Below you will find a brief summary of the major concerns that we have:

- We continue to be unclear about the circumstances behind the proposed changes. The Comprehensive Plan was updated in 2003 to strengthen environmental controls in the county and as far as we know the changes made were effective. What occurred that raised concerns about the effectiveness of the current plan?

- It is our understanding that some of the guidelines proposed in the plan have been deliberately chosen so as to “set the bar high” and are to be used as starting points in negotiations. The Comprehensive Plan is a policy document that people will use for guidance while undergoing due diligence on a project and the strictest guidelines in the plan will be considered in the pro forma. An exceedingly high standard has the potential to discourage potential investors thus preventing the county from “negotiating” desirable commercial investment opportunities.
- There are multiple new definitions of various types of streams and wetlands in the guidelines. These terms are defined in state and federal regulations related to waterways and are considered to be standards that everyone utilizes and understands. Creating new definitions will only lead to confusion.
- **EN-3, AS #3:** This change will require structures to be set back 100 feet from an RPA. This amounts to the creation of a “buffer of a buffer” and thus making even less land on a specific site developable, which will encourage suburban sprawl. The existing RPAs appropriately protect sensitive lands and increased buffer will only prevent use of land that is not of a sensitive nature.
- **EN-5, AS #3:** The current Comprehensive Plan requires submittal of an Environmental Constraints Analysis (ECA) with any rezoning or SUP application. The proposed changes appear to indicate that many of the features shown on the ECA will now be considered environmentally sensitive and worthy of preservation. If all of these areas on the ECA (RPA, non-RPA stream buffers, problem soils, steep slopes, reservoir watersheds/buffers, etc.) are restricted from development, there will be NO developable land remaining in Prince William County.
- **EN-8, EN-9:** There are several proposed changes to **stormwater management** and **BMP requirements** that should be put on hold until the changes to the Virginia Stormwater Management Program (VSMP) are complete. The changes proposed for the VSMP are quite extensive, so there is no need to create local regulations at this time that may conflict with future state regulations, thus confusing the design process.
- **EN-6, AS #4:** What is proposed will not allow density credit for property set aside in conservation areas. This provision would also promote sprawl as much more property would need to be developed in order to provide an equal amount of homes or office space. There should be incentives to preserve conservation areas rather than penalties. Most Northern Virginia jurisdictions provide density calculations on the full original site area to maximize development.
- **EN-6, AS #8:** If approved, this section will move sanitary sewer and other utilities out of the RPA. This is a change that will greatly increase costs to the Prince William County Service Authority as gravity flow sewers must run along the streams in order to minimize depth and the need for pumping. In actuality, if a sewer were moved out of the RPA, the greater depth would require much more clearing. Sewer easements along streams can also be used for trail routes.
- **EN-9, AS #5:** This proposes requiring structured parking for all commercial rezonings and Special Use Permits. The Prince William County commercial development market conditions simply do not support structured parking. This single item will stop ALL commercial development in Prince William. Structured parking costs on the order of \$15,000/space and the current market rate rents

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in the county are nowhere near the level where a property owner could recover this kind of cost. This provision must be eliminated.

- **EN-12** proposes allowing only minimum densities in the “**headwaters**” that drain to drinking water supplies. Since “headwater” is defined as “any area draining less than five square miles” this would result in the two-thirds of the county that drains to the Occoquan Reservoir being restricted to minimum development densities. This is another change that will promote even more suburban sprawl and severely restrict economic development investment in the County.
- We support the issues and technical components outlined in the letter from NVBIA (Northern Virginia Building Industry Association).

Representatives of NAIOP Northern Virginia will continue to work closely with you and county staff on issues related to current and future development opportunities in Prince William and the proper stewardship of our natural resources. However we feel that many of the items outlined in the Environment Chapter Update will hinder future commercial investments in the county and that some of the provisions will actually discourage quality investment ultimately increasing suburban sprawl in Prince William and the surrounding counties.

We appreciate the opportunity to provide feedback on these important policy decisions. Members of NAIOP Northern Virginia are available to answer any questions you might have on these points.

Sincerely,

A handwritten signature in black ink that reads "Martha Marks". The signature is written in a cursive, flowing style.

Martha D. Marks
President