

MOTION:

June 5, 2007
Regular Meeting
Res. No. 07-

SECOND:

**RE: APPROVE ESTABLISHMENT OF A REVIEW PROCESS AND
CRITERIA FOR CONSIDERATION OF SILVER LAKE PROPOSALS
FOR PARK AND RECREATION USES**

ACTION:

WHEREAS, in accordance with a proffer commitment, the developer of Dominion Valley recently conveyed title of the 230-acre property known as Silver Lake to Prince William County to be used for parks and recreational purposes; and

WHEREAS, three (3) nonprofit entities have submitted competing proposals to utilize the property for park and recreational purposes; and

WHEREAS, the Prince William Board of County Supervisors believes it is appropriate to conduct a review process that provides a framework for comparing the merits of various proposals to determine which proposal, if any, best serves the interests of the citizens of Prince William County; and

WHEREAS, such review process shall properly include establishment of a staff review committee, development of review criteria, advertisement and time frame for the submission of competing proposals, review and analysis by the staff review committee; and development of a comparative analysis for presentation to the Prince William Board of County Supervisors; and

WHEREAS, the review criteria for consideration of the proposals shall include: qualifications and experience of proposing entity; extent, type and location of recreational benefits to citizens; consistency with the Parks & Open Space Chapter of the Comprehensive Plan; short and long term public accessibility; short and long term fiscal impacts; compatibility with adjacent uses and properties; sensitivity to environmental features of site and adjacent properties; public safety impacts; conformance with proffer provisions; short and long term ability of the County to use influence use of property;

NOW, THEREFORE, BE IT RESOLVED that the Prince William Board of County Supervisors does hereby approve establishment of a review process and review criteria as described above for consideration of Silver Lake proposals;

BE IT FURTHER RESOLVED that the Prince William Board of County Supervisors directs County staff to implement this process and return to the Board at the completion of the process in September 2007 with a comparative analysis of competing proposals.

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Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

County Attorney

Assistant County Executive-SR

Finance Director

Budget Director

Planning Director

Public Works Director

CERTIFIED COPY

Clerk to the Board



Craig S. Gerhart
County Executive

COUNTY OF PRINCE WILLIAM

OFFICE OF EXECUTIVE MANAGEMENT

1 County Complex Court, Prince William, Virginia 22192-9201
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BOARD OF COUNTY SUPERVISORS

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May 23, 2007

TO: Board of County Supervisors

FROM: Susan L. Roltsch *JZR*
Assistant County Executive

THRU: Craig S. Gerhart
County Executive

RE: Approve Establishment of Review Process and Criteria for Consideration
of Silver Lake Proposals for Park and Recreation Uses

I. Background in chronological order is as follows:

- A. Silver Lake Proffer – In connection with the most recent rezoning of the Dominion Valley Country Club (REZ #PLN2005-00197), the developer proffered the following (see Attachment A for complete Silver Lake proffer and generalized map of property):

“The Applicant shall dedicate approximately 233 acres of land to the County for parks and recreation purposes, as said 233 acre site is generally shown of the Silver Lake GDP. The Applicant shall (i) tender a deed for the conveyance of said land to the County, at no cost to the County, or (ii) if requested by the County, tender a deed for the conveyance of said land to the Prince William County Park Authority or to a private nonprofit 501(c)(3) organization, such as the Bull Run Mountains Conservancy, Inc. or Nokesville Horse Society, to be used for parks and recreational purposes as agreed to by the County and the recipient of said property.”

- B. Silver Lake Deed to County – The property was conveyed to the County by deed recorded on December, 21, 2006.

- C. Submission of Proposals – The County has received three (3) separate proposals to utilize the Silver Lake property for park and recreational purposes. The proposals were submitted by the Bull Run Mountain Conservancy, the Northern Virginia Regional Park Authority, and the Prince William County Park Authority.
- D. Board of County Supervisors Tracker – During the May 1, 2007 meeting of the Board of County Supervisors, Supervisor John Stirrup requested County staff to develop a process and timeline for review of competing proposals for the Silver Lake property. Supervisor Stirrup also requested staff to provide a list of possible criteria, which could be used to compare various proposals.

II. Current Situation is as follows:

- A. Process for Consideration of Proposals – In response to Supervisor Stirrup's request, staff developed the following process and timeline:
1. Establish Staff Review Committee – In May, the County Executive designated staff to participate on a staff Review Committee, which includes representation from the following offices: Office of Executive Management, Budget, Finance, Planning and Public Works. As the Park Authority has submitted a proposal, the Park Authority would not be represented on the Review Committee.
 2. Finalize Review Criteria – The Staff Review Team met and developed the following criteria for the Board to consider:
 - qualifications and experience of proposing entity
 - extent, type and location of recreational benefits to citizens
 - consistency with Parks & Open Space Chapter of the Comprehensive Plan
 - short and long term public accessibility
 - short and long term fiscal impacts to County
 - compatibility with adjacent uses and properties
 - sensitivity to environmental features of site and adjacent properties
 - public safety impacts
 - conformance with proffer provisions
 - short and long term ability of County to influence use of property.

3. Advertise for Competing Proposals – While not a requirement, the County would advertise for a period of 30 days to allow the submission of additional proposals.
4. Conduct Initial Review – Utilizing the review criteria, the Review Committee would conduct its initial review of submitted proposals and begin to develop a comparative analysis.
5. Meet with Applicants – If necessary, the Review Committee would arrange meetings with various applicants to discuss follow-up questions.
6. Conduct Public Information and Input Session – A public information and input session is scheduled midway through the review process to provide the public with an opportunity to ask questions and offer comments concerning the proposals. Board members would be notified of the date of the session and would have the option of attending. Applicants would also be invited to attend.
7. Develop Comparative Analysis – Utilizing the review criteria, the Review Committee would develop a comparative analysis of the proposals.
8. Present Proposals and Findings to BOCS – The Review Committee would present its findings to the Board of County Supervisors. The applicants would also be given an opportunity to present their proposals.
9. Select Proposal for Implementation – Ultimately, the BOCS would select a proposal for implementation. Following this action by the BOCS, staff would develop a plan for implementation of the Board action.

III. Issues are as follows:

- A. Service Level/Policy Issues – Are there service level or policy issues associated with the staff recommendation?
- B. Timing – What are the timing implications of BOCS action?
- C. Fiscal Impact – What are the fiscal impacts to the County?
- D. Legal – Is this action legal?

IV. Alternatives in order of feasibility are:

A. Approve establishment of a review process and criteria for consideration of Silver Lake Proposals as described above and as set forth in Attachment A and B respectively.

1. Service Level/Policy Issues – The purpose of the review would be to develop a framework for comparing the proposals and determining how and to what extent each individual proposal addresses County goals, policies, and service levels relative to use of Silver Lake for park and recreational purposes.
2. Timing – As proposed, the review of the proposals would commence immediately and conclude in September 2007 with a presentation of findings to the Board of County Supervisors.
3. Fiscal Impact – County staff will conduct the review of the competing proposals; no additional resources are contemplated at this time. Additionally, the review criteria include fiscal impacts to the County; hence, the fiscal implications of each proposal will be analyzed as part of the review process.
4. Legal – There is no legal requirement to conduct the process described above. If the Board should wish to convey the Silver Lake property in connection with implementation of a selected proposal, then it would be necessary for the Board to conduct a public hearing prior to taking such action.

B. Take No Action

1. Service Level/Policy Issues – The Board could select a proposal for implementation without conducting the process described above. Should the Board so desire, staff would provide service level and policy implications regarding a particular proposal.
2. Timing – There are no particular timing issues associated with taking no action.
3. Fiscal Impact – Would be determined at such time as a particular proposal is selected for further study and/or implementation.
4. Legal – There are no particular legal implications associated with this alternative.

Silver Lake Proposals

May 23, 2007

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- V. **Recommendation** is that the Board of County Supervisors concur with Alternative A and approve the attached Resolution.

Attachment: Silver Lake Proffer and Property Map

Staff Contact: Susan Roltsch, x6612

Bill Vaughan, x5512

THE FOLLOWING PROFFERS ARE APPLICABLE ONLY TO THE SILVER LAKE
PROPERTY

98. School Site Dedication

- a. The Applicant shall dedicate approximately 40 acres of land to the Prince William Board of County Supervisors ("County") for use as a middle school site, said site to be located as generally shown on the exhibit entitled "Silver Lake General Development Plan" prepared by ParkerRodriguez, Inc. and dated May 8, 2006, last revised June 21, 2006 ("Silver Lake GDP"). The Applicant shall convey said land to the County, at no cost to the County, at the time the County requests said dedication subject to approval of the subdivision plat.
- b. The Applicant shall provide public street access to the school site in the location as generally shown on the Silver Lake GDP and access to public sewer, water and other necessary utilities at one point along the common property boundary between the said school site and the adjacent residential development to the east no later than Phase III. In connection with the Applicant's obligation to provide public street access to the school site set forth above, the County and/or Prince William County School Board ("School Board"), their respective successors or assigns, shall dedicate those easements and right of way required to construct said road. The area located between the school site and the adjacent residential development to the east shall remain undisturbed except for road and utility crossings required to serve the school site.
- c. At the time the said school site is dedicated to the County, the Applicant shall provide, at the Applicant's expense, a boundary survey and shall stake the corners of the site.
- d. In those areas of the middle school site that contain uncontrolled fill, the following measures shall be performed by the Applicant under the direction of and subject to approval by the School Board geotechnical engineer and/or other designated School Board representative. Subject to site plan approval for the construction of the middle school, the Applicant shall commence and pursue in good faith and with due diligence the corrective measures as set forth herein below within sixty (60) days of receipt of a written request from

the School Board. In the event the property is conveyed to the County prior to completion of the measures set forth below, this obligation of the Applicant shall survive said conveyance.

- (1) In areas where the school building is to be located, uncontrolled fill shall be removed and shall be replaced with acceptable fill to the contour/elevation that existed prior to removal of the uncontrolled fill.
- (2) In areas where ball fields and the running track are to be located, corrective measures shall be used to provide a subgrade suitable for the intended use. Methods to be used may include removal of uncontrolled fill and replacement with controlled fill, bridging over said areas and overfilling of said areas.
- (3) With reference to the corrective measures set forth in (1) and (2) above, in no event shall uncontrolled fill be relocated onto the balance of the Silver Lake Property.

99. Parks and Recreation

- a. The Applicant shall dedicate approximately 233 acres of land to the County for parks and recreation purposes, as said 233 acre site is generally shown on the Silver Lake GDP. The Applicant shall (i) tender a deed for the conveyance of said land to the County, at no cost to the County, or (ii) if requested by the County, tender a deed for the conveyance of said land to the Prince William Park Authority or to a private nonprofit 501(c)(3) organization, such as the Bull Run Mountains Conservancy, Inc. or Nokesville Horse Society, to be used for parks and recreational purposes as agreed to by the County and the recipient of said property. The County may request that the Applicant tender deeds for the conveyance of said land to multiple recipients. The dedication of said land shall be subject to the reservation of easements running to the benefit of the Applicant and further assigns for the construction and maintenance of equestrian or pedestrian trails as set forth in proffer #99.e below. The dedication as set forth above shall be made within fourteen (14) months of Final Rezoning of the Property as requested by the Applicant or within sixty (60) days upon satisfaction of the conditions set forth in subparagraphs (1), (2) and (3) below, whichever occurs first, and shall be subject to and conditioned upon each of the following:

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APPROVED

PROFFER/DEVELOPMENT PLAN

Francis Burrenyski
Signed

7/11/2006

Date

OFFICE OF PLANNING

- (1) The Applicant shall take (or cause a third party to take) such actions as required to obtain the final inspection letter recommending no further action from the Commonwealth of Virginia Department of Mines, Minerals, Energy, Division of Mineral Mining ("Department of Mines") relative to the reclamation effort associated with the quarry site (Permit #11375AA);
- (2) The Applicant shall take (or cause a third party to take) such actions as are required by the Virginia Department of Environmental Quality ("DEQ") for the remediation of the petroleum contamination described in Area C in the "Silver Lake Environmental Investigations 1994-2006" summary report prepared by Applied Environmental, Inc. dated July 7, 2006, as necessary for DEQ to issue its typical letter dictating that no further corrective action is required for such contamination;
- (3) The Applicant shall take (or cause a third party to take) such actions as are required by DEQ for the issuance of its typical letter advising that DEQ's records have been changed to reflect the status of a 10,000 gallon diesel fuel underground storage tank formerly on the property as "removed".

The County may extend the above-referenced time frame for tendering the deed or conveying the approximate 233 acre site in order to allow for the Applicant to satisfy the conditions as set forth above. In the alternative, the County may choose to have the deed tendered or have the approximate 233 acres conveyed by the expiration of the 14-month period, and in such event, the Applicant agrees that it shall escrow with the County that sum of money equal to 125% of the estimate provided by Applied Environmental, Inc. to take that remaining action necessary to obtain the above referenced inspections/letters based on the then stated requirements of DEQ relative to the conditions in subparagraphs (2) and (3) above or the Department of Mines relative to the condition in subparagraph (1) above. In the event of a conveyance, the Applicant reserves and shall have the right of access to said property for itself, its assigns, and its contractors to perform any actions required to satisfy the conditions in subparagraph items (1), (2) or (3) above.

- b. The Applicant shall dedicate approximately forty-five (45) acres of land as generally shown on the Silver Lake GDP, to the Prince William Board of County Supervisors to be used for a therapeutic riding program and/or

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Date

associated equestrian and other appropriate related or supporting uses to be operated by Rainbow Center 4-H Therapeutic Equestrian Program, Inc. ("Rainbow Center") under a license or other type of agreement deemed appropriate by the Board of County Supervisors. Rainbow Center shall be afforded use of the property under that agreement for a minimum of thirty-five (35) years, or until Rainbow Center voluntarily ceases operations, whichever first occurs. The Applicant shall tender a deed for the conveyance of said land to the County, at no cost to the County, within sixty (60) days of Final Rezoning of the Property as requested by the Applicant. In the event therapeutic riding and/or equestrian uses cease on the property for a period of two years, said property may be used for other park and recreation purposes as approved by the County.

- c. The Applicant shall provide access to public sewer and water and other necessary utilities at one point for each utility along the common boundary with Land Bay 3D and/or 3H, as said Land Bays are identified on the Land Use Plan. Following Final Rezoning of the Property, the Applicant shall file a subdivision plan for Land Bay 3D or a revision to the approved subdivision plan for Land Bay 3H to provide for the extension of such utilities to the common property boundary and shall pursue approval of the plan and/or plan revision in good faith and with due diligence.
 - d. At the time said park site and therapeutic riding site are dedicated to the County, the Applicant shall provide, at the Applicant's expense, a boundary survey and stake the corners of each said site.
 - e. Within the 233 acres of land to be dedicated to the County as set forth above, the Applicant shall construct equestrian and pedestrian trails in the locations as generally shown on the Trails Plan or in locations as otherwise approved by the County up to a maximum of 6,900' of equestrian trails and 9,500' of pedestrian trails. The Applicant shall file a site plan for said trails and pursue approval of the plan in good faith and with due diligence no later than within sixty (60) days of receipt of a written request from the County during development of the Property and shall commence construction of said trails within ninety (90) days of approval of a site plan therefore.
100. There shall be no vehicular connection through the A-1 zoned Property from Antioch Road to Dominion Valley Country Club.
101. In the event any portion of the cultural resource site identified as 44PW686 on the Prince William County Cultural Resources Map (GIS) is disturbed in connection

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Francis Burroughs
Signed
7/11/2006

with the development and use of the Silver Lake Property, the owner of the property shall provide a Phase III investigation of said site, shall submit the findings to the County and shall implement the recommendations of said study.

102. Once all investigations associated with the existing groundwater monitoring wells on the Silver Lake Property are complete as determined by the Virginia Department of Environmental Quality, the Applicant shall notify the County and, at the request of the County for a period of up to two (2) years after such notification, the Applicant shall properly abandon and remove said monitoring wells in accordance with applicable regulations.
103. The Applicant shall not take any action that alters the existing condition of the Silver Lake Property as of the date of rezoning except as may be required to satisfy any of the proffers associated with this rezoning.



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Francis Burns

7/11/2006

Date

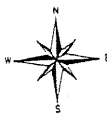
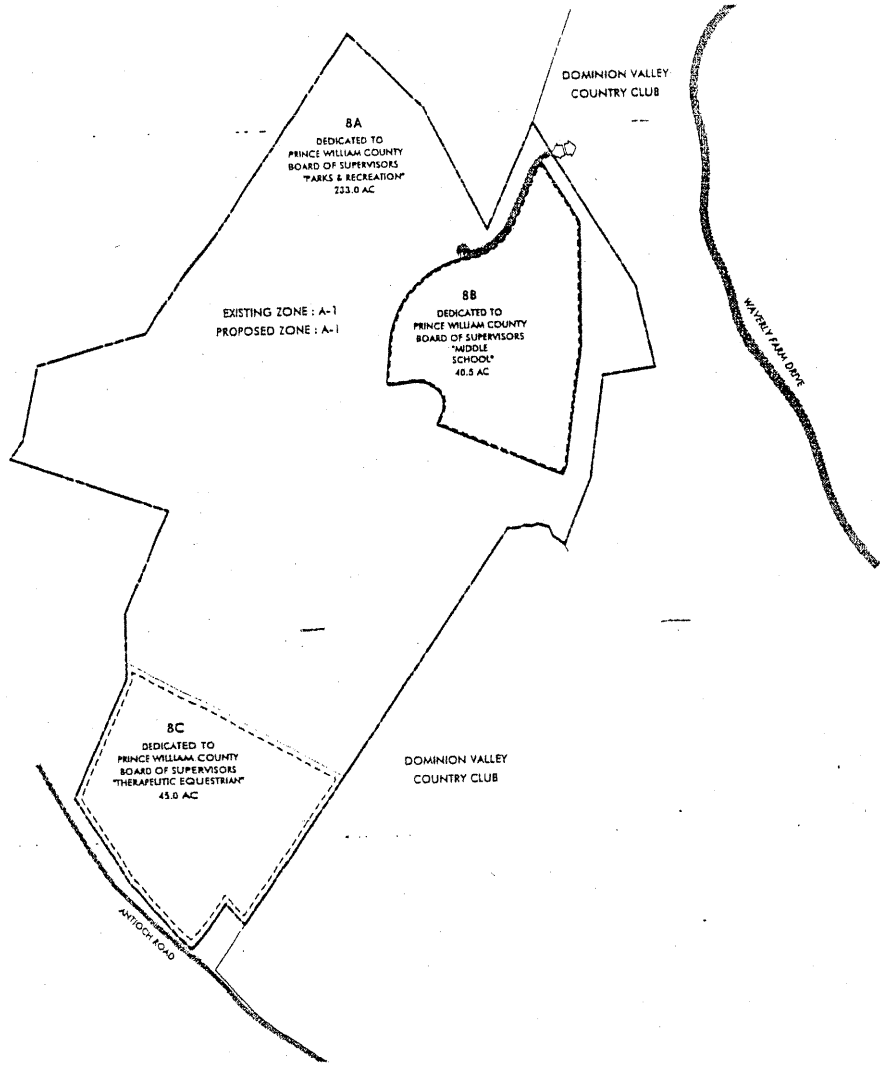
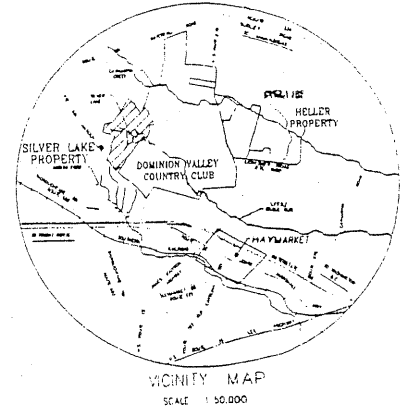
LEGEND

-  Access Point
-  Public Road

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 Signed

7/11/2006
 Date

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Silver Lake
 GENERAL DEVELOPMENT PLAN

GLOBAL VIII		
Land Bay	Acres	Unit Type
8A	233.0	Parks & Recreation
8B	40.5	Middle School
8C	45.0	Therapeutic Equestrian
Total	318.5	

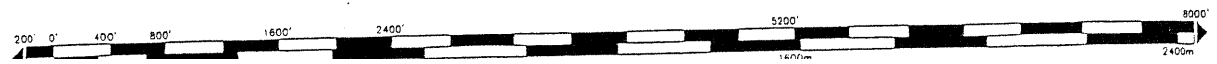
Silver Lakes Associates
 Owner Entity

Dominion Country Club, L.P., A Virginia Limited Partnership
 Developer

PARKER RODRIGUEZ, INC.
 Planner and Landscape Architect

Dewberry & Davis
 Engineer

MAY 8, 2006
 REV: MAY 31, 2006
 REV.2: JUNE 21, 2006





Process and Review Criteria for Consideration of Silver Lake Proposals

June 5, 2007

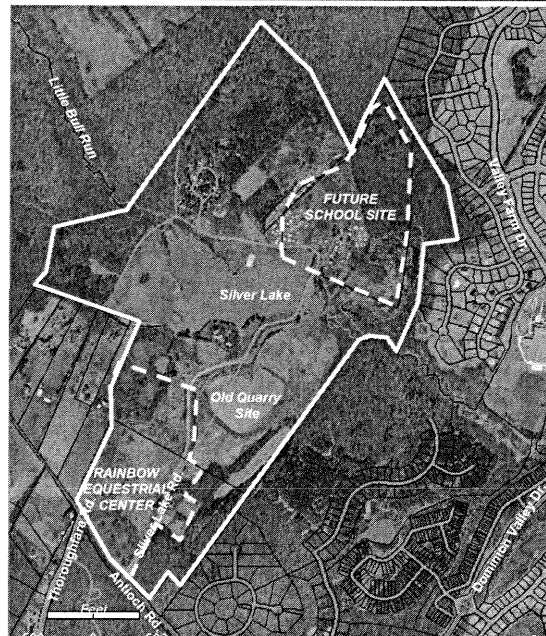
Background

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- Most Recent Dominion Valley Rezoning - developer proffered 233 acres to be used for parks and recreation purposes.

 - Silver Lake Deed to County - property conveyed to the County by deed recorded on December, 21 2006.



Silver Lake Property



Date: 5/30/2007



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Background

- Submission of Proposals – County received three (3) separate proposals:
 - ◆ Bull Run Mountain Conservancy
 - ◆ Northern Virginia Regional Park Authority
 - ◆ Prince William County Park Authority.

- BOCS Tracker –Supervisor Stirrup requested County staff to develop process and criteria for consideration of competing proposals for Silver Lake property.

Date: 5/30/2007



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Proposed Review Process

1. Establish Staff Review Committee – *DONE*
2. Finalize Review Criteria – *PENDING BOCS APPROVAL*
3. Advertise for Competing Proposals – June 2007
4. Conduct Initial Review – June 2007
5. Meet with Applicants – July 2007
6. Conduct Public Information/Input Session – July 2007
7. Develop Comparative Analysis – August 2007
8. Present Proposals and Findings to BOCS – September 2007
9. Select Proposal for Implementation – September 2007

Date: 5/30/2007



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Proposed Review Criteria

- Staff Review Committee (Office of Executive Management, Budget, Finance, Planning and Public Works) proposes following review criteria:
 1. qualifications and experience of proposing entity
 2. extent, type and location of recreational benefits to citizens
 3. consistency with Parks & Open Space Chapter of Comprehensive Plan
 4. short and long term public accessibility
 5. short and long term fiscal impacts to County
 6. compatibility with adjacent uses and properties
 7. sensitivity to environmental features of site and adjacent properties
 8. public safety impacts
 9. conformance with proffer provisions
 10. short and long-term ability of County to influence use of property.

Date: 5/30/2007



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