SPOTSYLVANIA COUNTY PLANNING COMMISSION MEETING AGENDA
March 17, 2021 - 7:00 PM

Call to Order

Pledge of Allegiance

Determination of a Quorom

Announcements

- Planning Update

Review and Approval of Minutes

- Review and approval of minutes from February 17, 2021
- Review and approval of minutes from March 3, 2021

Unfinished Business

Public Hearings

- R19-0014 Patricia P. Preston (CeresHarrisonLand LLC) Courtland District

Discussion Items

- CPA21-0001 - FY2022-26 Capital Improvement Plan (CIP) 2232 Comprehensive Plan Conformity Review

Public Comment

New Business

Adjournment

By Order of the Spotsylvania County Planning Commission: The Planning Commission reserves the right to amend this agenda on the day of the meeting. The Commission encourages the participation of all county citizens. For those with special needs, please notify the Planning Department Office of any accommodation required five days prior to the meeting you wish to attend.

Spotsylvania County
Planning Commission
Executive Summary

Print

Meeting Date:	March 17, 2021
Title:	Planning Update
Type:	No Action (Information Only)
Agenda Title:	Planning Update
Recommendation:	
Summary:	
Committee/Commission Summary:	
Review Date:	Status:
Financial Impact:	
Staff Contacts:	B. Leon Hughes, AICP, Director of Planning
Legal Counsel:	Alexandra Spaulding, Senior Assistant County Attorney
Additional Background/Other Considerations:	
Consequence of Denial/Inaction:	

ATTACHMENTS:

Name:	Description:	Type:
Planning_Update_20210317.pdf	Planning Update	Backup Material

Board of Supervisors
DEBORAH H. FRAZIER
BARRY K. JETT
KEVIN W. MARSHALL
TIMOTHY J. MCLAUGHLIN
DAVID ROSS
GARY F. SKINNER
CHRIS YAKABOUSKI

Department of Planning & Zoning

B. LEON HUGHES, AICP
Director

9019 OLD BATTLEFIELD BLVD., STE 320
SPOTSYLVANIA, VA 22553
(540) 507-7434

PLANNING UPDATE

March 17, 2021

UPCOMING PLANNING COMMISSION MEETINGS:

Wednesday April 7, 2021 Regular Planning Commission Meeting 7:00 pm Holbert Building

CPA17-0002 Comprehensive Plan - Review of citizen comments received on draft Comprehensive Plan

COMMUNITY MEETINGS

We have asked applicants to engage citizens using alternative methods. Several applicants are sending notices and setting up web pages that allow citizens to submit comments in response to the notices.

NEW PUBLIC HEARING CASES

R21-0001 Germanna Terrace 9919 Glenwood Drive, Lee Hill, Brad Robinson

R21-0002 Tidewater Auto Service 11323 Tidewater Trail, Lee Hill, Michael Stapor

NEW PRELIMINARY PLATS

None

OTHER UPDATES

S-Power

Site Plans:

ST21-0006 An amendment to the approved Phase 4 Site Plan
ST21-0017 An amendment to the approved Phase 5 Site Plan

Compliance Items:
None

Technical Review Committee Meeting 18, 2021 via WebEx:

9:15 AM ST21-0009 Building Expansion 131 Industrial Drive, Courtland, Michael Stapor

9:45 AM ST21-0013 Springhaven (30 SFA Units) 12300 Five Mile Road, Courtland, Shannon Fennell

Technical Review Committee Meeting March 25, 2021 via WebEx:

9:15 AM PRE21-0010 Longwood Five Warehouse, 11200 Houser Dr., Courtland, Shannon Fennell

9:45 AM PRE21-0011 Lowes Home Center Expansion 10101 Southpoint Pkwy., Battlefield, Shannon F.

10:15 AM ST21-0012 Amplify Assisted Living (142 units) TM 36-21-A, Lee Hill, Michael Stapor S.

10:45 AM ST21-0014 Islamic Center of Fredericksburg Expansion 7100 Harrison Rd.,Chancellor, Michael S

Technical Review Committee Meeting April 1, 2021 via WebEx:

9:15 AM ST21-0016 Sheetz Fueling Station and Parking Lot Expansion, Berkeley, Brad Robinson

9:45 AM R21-0002 Tidewater Auto Service 11325 Tidewater Trail, Lee Hill, Michael Stapor

Spotsylvania County Planning Department Public Hearing Cases Status Report

Application #	Lead Staff	Applicant	Project Name	Tax Map #	Address	Description	Proffer Law	Application Complete	Status	Voting District
COMPREHENSIVE PLAN & CODE AMENDMENTS										
CA21-0001`	Ben Leach	Spotsylvania County Board of Supervisors	Erosion and Sediment Control Amendment	N/A	N/A	Amendment of Ch. 8 Erosion and Sediment Control	N/A	N/A	BOS **Approved** on 3/9/2021	Countywide
CPA17-0002	Jacob	Spotsylvania County Planning Commission	Comprehensive Plan Update	Multiple	Multiple	5 year review and update to the Comprehensive Plan per Code of VA	N/A	N/A	Review of citizen comments on April 7 PC Agenda	Countywide
CA21-0002	Kimberly	Spotsylvania County Board of Supervisors	Camping Amendment	N/A	N/A	Amendment of County Code 14-10 to allow camping on private property	N/A	N/A	PC recommended denial 7-0. Scheduled for the 3-23-2021 BOS agenda	Countywide
REZONINGS & PROFFER AMENDMENTS										
R15-0006	Leon	David L. Hunter	The Towns at Point Seanna	69-5-B & 69-5-A5	4900 Corsair Terrace	Rezoning of approx. 47 acres from Resort Commercial (RC) and Resort Residential (RR) to Planned Development Housing 2 (PDH-2) for 81 townhouses.	Pre-7/2016	5/29/2015 (Applicant has consented to time extension)	BOS hearing TBD. PC recommended Denial 7-0 on 6/17/20	Livingston
R17-0005	Leon	Team Crucible, LLC	Crucible	76-A-2	6116 Jefferson Davis Hwy	Rezoning of 69.9 acres from Agricultural 2 (A-2) to Industrial 2 (I-2) for the development of a security training facility with a companion SUP application (SUP17-0003).	N/A	5/5/2017 (Applicant has consented to time extension)	PC recommended denial 7-0 on 3-3-2021. Scheduled for April 6 BOS agenda.	Berkeley
R18-0001	Leon	2600 SCR, LLC	2600 Acqua	23-A-49, 23-A-49B & 23-A-42	2618 & 2622 Salem Church Rd	Rezoning of 20.77 acres from Commercial 2 (C-2) & Residential 1 (R-1) to Mixed Use 4 (MU-4) for a multifamily residential community with 12,000 sf commercial.	2016	1/24/2018 (Applicant has consented to time extension)	Under Review	Courtland
R18-0010	Leon	Old Plank Partners, LLC / Arthur and Patricia Tracy Trust	Chancellor Ridge	21-10-1, 21-10-2	7611 & 7613 Old Plank Rd	Rezoning from Rural (Ru) to Planned Development Housing 4 (PDH-4) for development of a single family detached subdivision of 65 lots on 39 acres.	2016	11/5/2018 (Extension to March 2021)	BOS hearing date 3/23/2021. PC Recommended Approval 5-2 on 1/6/2021.	Chancellor
R19-0003	Shannon	USGGB, LLC	Noah's Landing	24-A-64	East side Lafayette Blvd. at end of Marshall Drive and Normandy Ct	Rezoning of 18.5 acres from Residential 1 (R-1) to Planned Development Housing 8 (PDH-8) for 49 single family detached lots and 53 single family attached lots.	2016	3/27/2019 (Extension to 8/31/2021)	Under Review	Battlefield
R19-0007	Michael	Tricord Homes Inc	Village at Crossroads Station	37-A-48, 49, 50, 52, 52A, 53, 54, 55	South of Rt. 17 between Crossroads Parkway and Thornton Rolling Road	Rezoning request for approximately 115 acres from Rural (Ru), Industrial 1 (I-1), and Commercial 3 (C-3) to Mixed Use (MU-2, MU-3, and MU-4) for 770 single family attached and detached and multifamily residential units.	2016	6/17/2019 (Extension granted)	Under Review	Berkeley
R19-0009	Shannon	Rappahannock Devt. Group, LLC and Sheri L. Kornegay	Lafayette Commons	24-A-49A, 24-A-57, 24-A-59, 24-A-60, 24 A-61, 24-A-62	111 Wakeview Dr., 3103 Lafayette Blvd., and 4 unaddressed properties	Rezoning request for approximately 27.5 acres from Residential 1 (R-1) to Mixed Use 2 & 3 (MU-2 & MU-3) for development of 217 single family attached units and up to 15,257 square feet of commercial space.	2016	7/12/2019 (Extension to 8/31/2021)	Under Review	Battlefield

KEY: TRC - Technical Review Committee meeting
PC - Planning Commission
BOS - Board of Supervisors

Spotsylvania County Planning Department Public Hearing Cases Status Report

Application #	Lead Staff	Applicant	Project Name	Tax Map #	Address	Description	Proffer Law	Application Complete	Status	Voting District
R19-0010	Shannon	KW Commercial LLC and Bonaventure	Aspire at Lees Hill	36-17-FF	Spotsylvania Ave. between Goodwill and Weis	Rezoning request for approximately 13.69 acres from Commercial 2 & 3 (C-2, C-3) to Mixed Use 4 (MU-4) for an age-restricted development of 64 single family attached units, 146 apartments and a restaurant and additional commercial uses.	2019	7/22/2019 (Extension to 5/31/2021)	PC recommended approval 7-0 on 02/17/21. Scheduled for the BOS 3-23-2021 agenda.	Lee Hill
R19-0012	Shannon	Chancellorsville Investment Co, LLC	Legends of Chancellorsville Proffer Amendment	9-A-107	North Side Rt. 3, west of Elys Ford Rd	Proffer amendment to R14-0006 to change building material requirements.	2019	10/8/2019 (Extension to 8/31/2021)	Under Review	Chancellor
R19-0014	Shannon	Patricia P. Preston / Ceresharrisonland, LLC	Hazel Run Glen	23-A-64A	5430 Harrison Rd	Rezoning of approximately 58.1 acres from Residential 1 (R-1) to Planned Development Housing 2 (PDH-2) for 110 single family homes.	2019	Extension to 3/31/2021 (Extension to 8/2/2021)	PC continued 02/17/2021 public hearing until 03/17/2021	Courtland
R20-0002	Shannon	International Development of Virginia LLC	Jackson Village Proffer Amendment	36-2-1, 35-A-88, 49-A-101, 35-4-1A	East side Jefferson Davis Hwy, south of Cosner's Corner	Amend proffers for Mixed Use zoned Jackson Village to allow 594 residential condominium units to be built as apartments instead.	2019	3/6/2020 (Extension to 9/30/2021)	Under Review	Lee Hill
R20-0007	Wanda	Tricord, Inc.	Ni River Proffer Amendment	34-14-A	6310 Smith Station Rd	Proffer amendment to Ni River (Courtland Park) rezoning to adjust timing requirement for commercial construction with cash payment to offset lost tax revenue.	2019	5/14/2020	**Withdrawn 3/8/21**	Berkeley
R20-0008	Shannon	Rappahannock Devt. Group,Linda Curtis and Leigh Ann Curtis-Chapman	Saddle Creek	22-A-103,22-11-4B,22-11-5	11501 & 11513 Piedmont Dr.,6020 Harrison Rd	Rezoning of 47.9 acres from Residential 1(R-1) to Planned Development Housing-3(PDH-3) for 103 single-family detached units.	2019	7/8/2020	Under Review	Salem
R20-0009	Shannon	Verdad Real Estate and Construction Services	7-11 Convenience Center	23-A-52D & 52E	5900 Harrison Road	Rezoning of 2.32 acres from Commercial 2 (C-2) to Commercial 3 (C-3) for a Convenience Store with fueling stations.	2019	7/10/2020	Under Review	Courtland
R20-0010	Michael	Luck Development	Ni Village	16 Parcels	0 River Run Parkway	Rezoning of 16 parcels totaling 323 acres from PDC, RU, I-2& VC to Mixed Use 3 (MU3) & Mixed Use 4 (MU4) for the development of SFA, SFD, MF residential and commercial uses allowed in the MU3 & MU4 districts.	2019	1/8/2021	Under Review	Berkeley
R20-0011	Shannon	Creighton Companies	7-11 Convenience Center	23A-2-21R & 23A-2-19R	10803 Courthouse Rd	Rezoning of 1.82 acres from Commercial 2 (C-2) to Commercial 3(C-3) for a Convenience Center with fuel sales.	2019	9/21/2020	Under Review	Battlefield
R20-0012	Michael	Courthouse Green Development,LLC	Courthouse Reserves	47-A-63,64,70B,73,A10 & 47-4-A	0 Pool Drive	Rezoning of six parcels totaling 24.2 acres from Commercial 2 (C-2) and Residential 2(R-2) to Residential 8 (R-8) for the development of 156 SFA homes.	2019	10/19/2020	Under Review	Livingston
R20-0013	Shannon	CeresMinRoad, LLC	Porchlight Commons	36-A-150,151 &154	4517 Mine Road	Rezoing of three parcels totaling 8.4 acres from Commercial 2 (C-2) to Residential 8 (R-8) for the development of 60 age restricted townhomes.	2019	9/23/2020	Under Review	Battlefield

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Spotsylvania County Planning Department Public Hearing Cases Status Report

Application #	Lead Staff	Applicant	Project Name	Tax Map #	Address	Description	Proffer Law	Application Complete	Status	Voting District
R20-0014	Brad	LID,LLC & IWG Thornburg,LLC	Thornburg Village	63-12-C,D,E & 27;63-A-32,33 & 37	6306 Jefferson Davis Hwy.	Rezoning of six parcels totaling 98.3 acres from Agricultural 2 (A-2) and Commercial 3(C-3) to Planned Development Housing 5(PDH-5) and Commercial 3(C-3) for the development of 162 single family dettached and 212 single family attached units.	2019	12/11/2020	Under Review	Berkeley
R20-0015	Brad	Thornburg,LLC	Thornburg Commons	63-A-35 & 35C	0 Morris Road	Rezoning of two parcels totaling 59 acres from Agricultural 2(A-2) to Planned Development Housing 5 (PDH-5) for the development of 157 single family dettached and 62 single family attached units.	2019	12/11/2020	Under Review	Berkeley
R21-0001	Brad	Jarrell Properties	Germanna Terrace	36-A-15	9919 Glenwood Drive	Rezoning of 35 acres from Commercial 3(C-3) and Residential 2(R-2) to Residential 12(R-12) for 320 MF units and 86 SFA units.	2019	TBD	Under Review	Lee Hill
R21-0002	Michael	Wajdi Abi Faraj	Tidewater Auto Service	25B-1-7	11325 Tidewater Trail	Rezoning of 0.57 acres from Residential 2 (R-2) to Commercial 3(C-3).	2019	TBD	Under Review	Lee Hill
SPECIAL USE PERMITS										
SUP17-0003	Leon	Team Crucible, LLC	Crucible	76-A-2	6116 Jefferson Davis Hwy	Special Use for security training facility (associated with R17-0005)	N/A	5/5/2017 (applicant has consented to a time extension)	PC recommended denial 7-0 on 3-3-2021. Scheduled for April 6 BOS agenda.	Berkeley
SUP18-0010	Leon	Zakia Walizada	Vertex Auto Sales and Repair	23-A-144R	112 Pegram Ln	Special Use Permit to allow vehicle sales on a parcel less than 2 acres in the Commercial 3 (C-3) zoning district.	N/A	7/20/2018 (applicant has consented to a time extension)	Under Review	Courtland

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Spotsylvania County
Planning Commission
Executive Summary

Print

Meeting Date:	March 17, 2021
Title:	Review and approval of minutes from February 17, 2021
Type:	Action
Agenda Title:	Review and approval of minutes from February 17, 2021
Recommendation:	Approval
Summary:	
Committee/Commission Summary:	
Review Date:	Status:
Financial Impact:	
Staff Contacts:	Paulette Mann, Commission Secretary
Legal Counsel:	Alexandra Spaulding, Senior Assistant County Attorney
Additional Background/Other Considerations:	
Consequence of Denial/Inaction:	

ATTACHMENTS:

Name:	Description:	Type:
pcwsmin21_0217.docx	Worksession Minutes	Minutes
pcmin21_0217.docx	Draft minutes from February 17, 2021	Minutes

Spotsylvania County Planning Commission Worksession

Code Compliance Conference Room, 9019 Old Battlefield Blvd, Suite 320, Spotsylvania VA 22553

MINUTES:	February 17, 2021	
Call to Order:	Ms. Maddox called the meeting to order at 5:00 p.m.	
Members Present:	Jennifer Maddox	Berkeley
	Richard Thompson	Courtland
	Dr. Raymond Bell	Salem
	Jacob Lane	Livingston
	Gerald Childress	Chancellor
Members Absent:	C. Travis Bullock	Battlefield
	Mary Lee Carter	Lee Hill
Staff Present:	Paulette Mann, Planning Commission Secretary	
	B. Leon Hughes, AICP, Director of Planning & Zoning	
	Shannon Fennell, Planner III	
	Alexandra Spaulding, Senior Assistant County Attorney	
	Tina Kolodziej, GISP, GIS Supervisor	
	Rich Maidenbaum, CIO, Information Services	
	David West, Project Manager – GIS	
	Zach Collier, GIS Technician	
	Paul Agnello, AICP, Traffic Engineer	

Worksession(s):

Mr. Collier explained what GIS is, that it is the framework for gathering, managing, and analyzing location based data which allows leadership to make informed decisions. The County's GIS team is comprised of 1 GIS Supervisor, 1 GIS Project Manager, 1 GIS Analyst (Public Safety) and 4 GIS Technicians. The team supports the following:

- Citizens, Surveyors, and Engineers
- Public Safety – FREM, Sheriff, Search & Rescue
- County Departments
    - Planning & Zoning
    - Elections
    - Commissioner of Revenue
    - Parks & Recreation
    - Economic Development
    - Transportation
    - Grants

The GIS team manages over 160 data layers, 60,000+ addresses & 66,500+ parcels. They support

county departments, create custom maps and applications, research and reviews, data requests and analysis, and work with the census and redistricting.

Mr. Collier explained that the Spotsylvania GeoHub contains publicly accessible maps and applications and includes free, authoritative County GIS data available for download. The Hub site infrastructure allows for Sites to be spun up as needed. They helped the Planning Staff with the creation of the Spotsylvania Comprehensive Plan Hub Site and the Covid-19 Hub Site.

Mr. West discussed the behind the scenes and Eagleview. He displayed views over homes and that the partnership provides for a 200-ft in the air flyover every other year.

Mr. Lane raised concerns about privacy.

Ms. Spaulding stated that there shouldn't be an expectation of privacy from the airspace.

There was discussion that law enforcement uses this.

Mr. Lane inquired about the cost of this.

Mr. West advised it's about $38k or about $200,000 for a six-year contract.

Mr. Lane inquired why the County doesn't just use Google Maps.

Mr. West explained that the County would have to sign a contract with Google for them to allow us to use their data.

Mr. Hughes stated there is cost savings that can be achieved by riding state contracts. When the County "piggy backs" on a state contract, it creates cost savings.

Mr. Lane inquired if most jurisdictions use EagleView.

Mr. West stated yes and no. They all use some form of GIS and not all are one size fits all.

Mr. Hughes explained that GIS has evolved into what they are seeing today. Community Development provides a lot of the backend data that powers GIS. They pull this information from the County's tracking software, Trackit9. Public Safety also uses it for E911. He stated that there are so many new ways to take our data and get it out to our users.

Staff and the Commission Members thanked GIS for their presentation.

Mr. Hughes stated that the Utilities Department would be our guest speaker next month.

Mr. Hughes stated that a Code Amendment for Section 14-10 would be held at our next meeting, March 3.

R20-0008 Saddle Creek

Staff explained that the existing zoning is R-1 and they are requesting a zoning of PDH-3 on 47.90 acres for 103-unit single-family residential subdivision. The development will be served by Piedmont Drive. The development includes a tot lot, a trail to connect to the Central Virginia Rail Trail.

There was discussion about the potential to use Banks Lane but a condemnation would have to go through for that to occur.

Ms. Spaulding stated that condemnation occurs for public purpose and that is the only avenue.

There was discussion about proffers and when they would be paid as well as when the amenities would be provided. Mr. Thompson stated that it isn't uncommon for development to occur and they only build out 60% to avoid providing amenities and they leave the County and don't complete the job.

Mr. Agnello discussed the money that is coming our way through the Smart Scale money.

The meeting adjourned at 6:30 p.m.

Spotsylvania County Planning Commission

Board Room – Holbert Building, 9104 Courthouse Road, Spotsylvania VA 22553

MINUTES:	February 17, 2021	
Call to Order:	Ms. Carter called the meeting to order at 7:00 p.m.	
Members Present:	Mary Lee Carter	Lee Hill
	Jennifer Maddox	Berkeley
	Richard Thompson	Courtland
	Dr. Raymond Bell	Salem
	Jacob Lane	Livingston
	C. Travis Bullock	Battlefield (arrived at 7:05)
	Gerald Childress	Chancellor
Staff Present:	Paulette Mann, Planning Commission Secretary	
	B. Leon Hughes, AICP, Director of Planning & Zoning	
	Alexandra Spaulding, Senior Assistant County Attorney	
	Wanda Parrish, AICP, Asst. County Administrator – CDG	
	Ben Leach, _____	
	Shannon Fennell, Planner III	

Announcements: Mr. Hughes updated the Commission on upcoming cases, what's on the TRC agendas and community meetings.

Unfinished Business:

- Resolution to move meeting

At a regularly scheduled meeting of the Spotsylvania County Planning Commission held on February 17, 2021, on a motion by Ms. Maddox, seconded by Ms. Carter, and passed 6-0, the Planning Commission adopted the following resolution:

RESOLUTION NO. 2021-4____

Location Change for March 3, 2021, 7 p.m. Planning Commission Meeting

WHEREAS, the Spotsylvania County Planning Commission will hold it's regularly scheduled Planning Commission meeting on March 3, 2021, at 7 p.m. or as soon thereafter as can be accommodated, which R17-0005 and SUP17-0003, are a Rezoning and Special Use Permit applications, respectively, submitted by Team Crucible, LLC, for a security training facility are continued; and

WHEREAS, the application has received considerable public interest and a large audience for the meeting is expected; and

WHEREAS, we are in a time of pandemic and the Governor of the Commonwealth has

recommended social distancing of at least six feet; and

WHEREAS, the Spotsylvania County Planning Commission, under Article IV of its Bylaws, may determine the location for any of its meetings and desires to hold the March 3, 2021, 7 p.m. meeting in which the Team Crucible, LLC, Rezoning and Special Use Permit applications are continued and will be considered at a larger venue to accommodate the anticipated audience; and

WHEREAS, the next regularly scheduled meeting of the Spotsylvania County Planning Commission at 7 p.m. on March 17, 2021, will be held in the usual location of the Board Room at the Holbert Building, 9104 Courthouse Rd, Spotsylvania, VA, 22553;

NOW, THEREFORE, BE IT RESOLVED that the Spotsylvania County Planning Commission does hereby move the location of its regularly scheduled meeting on March 3, 2021, at 7 p.m., to the Marshall Center Auditorium, located at 8800 Courthouse Road, Spotsylvania, VA, 22553.

Public Hearing(s):

Rezoning(s):

R19-0010 KW Commercial, LLC (Bonaventure Investments, LLC): Requests a rezoning of one (1) parcel approximately 13.69 acres from Commercial 2 (C-2) and Commercial 3 (C-3) to Mixed Use Low (MU-4) with proffers for an age-restricted residential development consisting of no more than fifty (50) new single family attached dwelling units, one (1) four-story multi-family building with one hundred forty-seven (147) units with a restaurant on the first floor, and ancillary commercial uses for the residents of the building as permitted within Mixed Use Low (MU-4). The property is located at the intersection of Spotsylvania Avenue (Route 1234) and Market Street (Route 1489) on the Northeast quadrant. The property is located within the Primary Settlement Boundary. The property is designated for Mixed Land Use Development on the Future Land Use Map of the Comprehensive Plan and is in the Airport Overlay District. Tax parcels 36 (17) FF. Lee Hill Voting District.

Ms. Maddox opened the public hearing.

Ms. Fennell presented the case. The applicant proposes to rezone the subject parcel from Commerical 2 (C-2) and Commercial 3 (C-3) to Mixed Use Low (MU-4) with proffers. If approved, the proposal will allow for the development of an age-restricted residential community consisting of no more than fifty (50) new single-family attached dwelling units (SFA), one (1) four-story multi-family building (MF) with one hundred forty-seven (147) units with a restaurant on the first floor, and ancillary commercial uses for the residents of the building as permitted within Mixed Use Low (MU-4). Under the current zoning, the parcel could accommodate approximately 135K sf. ft. commercial building. The project site is located within the County's Primary Development Boundary which is intended to develop with higher residential densities. This area is designated on the Future Land Use Map in the Comprehensive Plan as Mixed Land Use which

is intended to provide for a variety of land uses in a compact, walkable community with a denser development pattern which allows residents to live, work, shop, and play. The proposal meets the intent of and is consistent with the mixed-use land use designation. The project as proposed would result in approximately 5.9 acres designated for age-restricted SFA units (50 townhomes), approximately 4.8 acres designated for age-restricted MF units (147 apartment homes), a 4,000 sf. restaurant, and approximately 3.5 acres designated for commercial use. Although the tier of mixed use is appropriate given the land use designation, the project as proposed reduces the developable commercial acreage.

The project as proposed provides single-family attached units adjacent to the existing single-family detached subdivision, The Meadows. Moving west, the project steps up from the single-family attached units to the multi-family 4-story building and then to the commercial area. A forested buffer and steep topography differences act as a good physical separation between the proposed projects which is higher than The Meadows Subdivision. A series of small (approximately .25 acre) vacant but vegetated lots are positioned between the single-family detached dwellings at The Meadows. These vacant lots contain restrictive covenants which prevents the lots from being used for residential or commercial building purposes. The recorded covenant also prevents the lots from any cutting or removal of any vegetation within the 50' buffer area which is primarily owned by the Lee Hill Commercial Center Association as noted on the GDP. The Aspire project proposes the construction of a 6' tall privacy fence along the eastern edge of the project as a separation between the proposed townhomes and these small lots. This fence is a modification to the 25' transitional screening required per DSM 6-7.3. along the property line of single-family attached units adjacent to the existing single-family detached units. Seeing that there is an existing 50' buffer of mature trees that cannot be removed nor the lots developed per the recorded restrictive covenants, staff is supportive of this modification.

Based on County projections the age-restricted portion of the project will generate an estimated 340 new residents and no school-aged children. The applicant's FIA states that the SFA units will range in size between 1,500 to 1,800 sq.ft., with a price point in the upper $200,000s to over $300,000 depending on the option package selected. These units must be occupied by at least one person who is 55 years or older. The MF units will be rental units occupied by persons 62 years or older in age. The multi-family building will be a service-enriched retirement community for seniors who are independent. According to the applicant's narrative, based on other similar projects, the new residents would typically include seniors who are downsizing to live in a community with numerous amenities and group activities, and where they no longer have need to maintain a home and prepare all meals. The MF building as mentioned above will include a 4,000 sq. ft. full service restaurant with meal plans available to the residents and will be open to the public. The approximately 3.5-acre commercial site will be developed for a hotel, retail office, restaurant, or other commercial uses permitted under the MU-4 zoning district (except for those listed as not permitted in the proffer statement).

Ms. Fennell discussed the following findings:

In Favor:

A. The proposal is consistent with the intent of the Primary Development Boundary having more intense development occur within the Primary Development Boundary.
B. The proposal is consistent with the Comprehensive Plan with respect to the Guiding Principles and Policies of Spotsylvania County of being a family friendly community, and comports with the idea of contributing to the mix of units in support of a growing diverse housing stock to accommodate housing needs for all stages of life.
C. The tier of the proposed development is better for the adjacent residential subdivision than that of the potential by-right uses as the project steps down in height and bulk from a commercial area and proposed 4-story multi-family age-restricted building, to an age-restricted townhome community which is consistent with the intent of mixed use land use designation.
D. The County's Fiscal Impact model projects a positive annual fiscal benefit at build out.
E. The applicant has proffered $30,320.22 in cash contributions to mitigate the impacts of the development on public safety, parks and recreation.
F. By-right the subject parcel can be developed for any use listed in the C-2 and C-3 zoning districts; the proposed rezoning would limit the by-right uses per the applicant's proffers. Also, reducing the amount of commercial area provides less impact to the transportation network than that of the by-right uses.
G. The applicant has proffered off-site improvements including the construction of a south bound right-turn lane, the relocation of the existing signal, sidewalk and other transportation improvements to include right of way dedication. Transportation staff estimates this cost savings at approximately $300,000.

Against:

A. This is a reduction to an existing commercially zoned parcel and a potential loss of revenue to the County.
B. Fire Station #4 call volume is over capacity and while the applicant has proffered a cash contribution towards public safety, there is a no project in the Capital Improvement Plan (CIP) which will remedy the capacity issue for Fire Station #4. Additionally, age-restricted communities generate a higher call volume for FREM services.
C. At Route 1 and Market Street, some movements are LOS F and became worse F's with the Aspire development. There is a partially funded County project to address this issue under development, no contribution from Aspire was made towards this regional improvement.

The Comprehensive Plan Guiding Principles and Policies support a diverse housing inventory that can accommodate the housing needs for all stages of life. This diversity includes single-family attached and multi-family units. The tier of the proposed development, stepping down in height and bulk from a commercial area and proposed 4-story multi-family age-restricted building, to an age-restricted townhome community is consistent with the intent of mixed use land use designation. The project provides an infusion of nearby residents in a walkable mixed use setting. Therefore, staff anticipates that the construction of this proposal would result in a favorable impact.

Consumer demands are shifting, and there are numerous vacancies within the Lee's Hill Retail and Lee's Hill Professional Centers. This project if approved will exchange former zoned commercial space that has been vacant for a number of years into a viable mixed use development. The proposed development provides integrates quality open space into the design. The applicant has proffered cash contributions to mitigate the development impacts on public safety and parks and recreation. In addition, the County's model projects a positive annual fiscal benefit at build out of the project. The applicant has proffered off-site transportation improvements at the intersection of Spotsylvania Avenue and Market Street which contribute to future transportation improvements Market Street. Given the Findings in Favor and reasons noted in the conclusion, Staff recommends approval of the rezoning request with the proffered conditions dated November 11, 2020.

Applicant, Charlie Payne, representing the applicant: Mr. Payne stated this property needs this catalyst and that the commercial component will be retained. He presented a PowerPoint describing their proposal.

Mr. Thompson inquired if these would be rental units.

Mr. Payne stated yes and provided the bedroom breakdown.

Mr. Jeremy Moss stated that a one-bedroom would cost $2800 including the meal plan, per month. A one bedroom with a den and meal plan will run approximately $3200 per month.

Ms. Carter inquired about the amenities and whether they are included.

Mr. Payne stated yes, the rent would include all amenities and meal plans. He stated that this proposal is different than a typical multi-family. It will employ 14-17 staff members and the residents of this type of unit are typically very active adults.

Ms. Carter inquired what tenants would be required to pay for outside of their rent.

Mr. Moss stated that the barber shop, nail salon, salon, on site PT would all be extra.

Dr. Bell stated that he hopes that the developer would partner with local small businesses so the money would stay in the County.

Ms. Carter inquired if the units would be handicapped accessible.

Mr. Payne stated yes and all of the hallways and elevators would have pull cords.

Ms. Carter urged the applicant to use Spotsylvania people for the construction.

Dr. Bell inquired how many of these types of developments the applicant has done.

Mr. Moss stated this development would be their seventh.

Mr. Lane stated that one of his biggest concerns is that Station 4 is over capacity and that the proffers are $100 per unit to Parks & Recreation and only $47 to FREM.

Mr. Payne stated that proffers are based on the County's CIP and that a developer could shift all of the Parks & Recreation proffer money to Public Safety resulting in approximately $50k. he stated that they propose to amend their proffers to $50k for public safety and $10k for Parks & Recreation.

Ms. Spaulding stated that a revised proffer statement would be submitted prior to the Board of Supervisors hearing and vetted by the County Attorney's office.

Speaking if favor or opposition: None

Ms. Maddox closed the public hearing.

Motion and vote: On a motion by Ms. Carter seconded by Mr. Bullock, she made a motion to recommend approval to the Board of Supervisors with the verbal commitment of revising proffers to include $50k toward Public Safety, $10k toward Parks & Recreation, and the commitment of the indoor pool and fitness center.

VOTE:

Ayes: 7 Dr. Bell, Ms. Carter, Mr. Bullock, Ms. Maddox, Mr. Lane, Mr. Thompson and Mr. Childress
Nays: 0
Absent: 0
Abstain: 0

R19-0014 Patricia P. Preston (CeresHarrisonLand LLC): Requests the rezoning of approximately 58.611 acres from Residential 1 (R-1) to Planned Development Housing District 2 (PDH-2) with proffers for residential development. The proposal for residential development currently consists of not more than one hundred ten (110) single-family detached dwellings, with a maximum density of approximately 2 units per acre. The parcel is addressed as 5430 Harrison Road (RT. 620) and is approximately 1835 feet east of the intersection with Twin Springs Drive (RT. 1299). The parcel is located in the Primary Development Boundary. The property is in an area identified as Mixed Use on the Future Land Use Map of the Comprehensive Plan. Tax parcel 23 (A) 64A. Courtland Voting District.

Ms. Maddox opened the public hearing.

Ms. Fennell presented the case. The applicant proposes to rezone the subject parcel from Residential 1 District (R-1) to the Planned Development Housing 2 District (PDH-2) with proffers. If approved, the proposal will allow for the development of 110 single-family detached units, with a density of 1.88 dwelling units per acre. The by-right development potential of the subject site is

39 single-family detached units, with a density of 1 dwelling unit per 1.5 acres. The project site is located within the County's Primary Development Boundary which is intended to develop with higher residential densities. The project site is designated on the Future Land Use Map in the Comprehensive Plan as Mixed Land Use and the surrounding developed area to the west and south are designated as Low Density Residential. The Mixed Land Use is intended to provide for a variety of land uses in a compact, walkable community with a denser development pattern. The density as proposed is within the parameters established in both the mixed use and low density residential land use designations, as the density of the project is below the four units per acre established as appropriate for low density residential use. Although the proposal meets the intent of the low density residential and mixed use land use designation, the lot size difference and density is noticeably different between the proposed development with approximately 1.88 dwelling units per acre and the Carriage Hill Subdivision to the west of the development with approximately 1 dwelling unit per 5 acres. Staff does note that the density as proposed with the Hazel Run Glen development is less than the density of Leavells Crossing Subdivision, Cedar Brook Subdivision and the recently approved Harrison Village Subdivision which are located to the south and north of the subject site with approximately 3 dwelling units per acre each. Staff also notes that a large lot subdivision such as Carriage Hill is not in line with the current goals of the primary development boundary. The first section of Carriage Hill was developed in 1976 and the last section was developed in 1993 since that time the goals and intent of the Primary Development Boundary have evolved parcels within this area is intended to develop with higher residential densities.

The project will be served by a public road network, and the applicant will construct an emergency access connection to Woodland Drive which will include bike and pedestrian accommodations. A variable width of right of way will be dedicated along Harrison Road providing for the future roadway expansion, the construction of the westbound and east bound turn lane improvements and off-site right of way dedication to be obtained from Hazelwild Farm Educational Foundation to assist with the future expansion of Harrison Road. This development is projected to generate an estimated 1,100 daily vehicle trips, approximately 550 are projected to travel through the Harrison Road, Salem Church and Leavells Road intersection. County Transportation staff analysis have determined traffic from the development would contribute to creating a LOS problem for the Harrison Road, Salem Church and Leavells Road intersection and trigger the need for three additional left turn lanes at the intersection for NB Leavells Road, WB Harrison Road, and SB Salem Church Road. In order to mitigate the projected impact to the transportation network, the applicant has included a cash contribution of $200,000 for future improvements at the Harrison Road, Salem Church and Leavells Road intersection.

Based on County projections the project will generate an estimated 216 new residents (above the by-right use) with 40 being school-aged children at full build out (18 elementary school students, 9 middle school students, and 13 high school students). The new students from the development will attend Courthouse Road Elementary, Battlefield Middle and Chancellor High schools. There is existing capacity in the elementary and high schools to accommodate the projected students. Staff notes that Battlefield Middle school is currently over capacity and the projected middle school students will exceed capacity by an additional 9 students. In order to mitigate the projected impact, the applicant has included a cash contribution of $50,000 for schools.

This development will generate an estimated 1,100 daily vehicle trips with 83 of these occurring in the AM Peak hour and 111 in the PM Peak hour. Turn lane warrant analysis was performed and found that both a left and right turn lane with tapers was warranted. A 2023 LOS analysis was performed for the un-signalized main entrance intersection only and found that the LOS with the development would remain at A for Harrison Road with the development and the northbound development approach to Harrison Rd would experience LOS C during the AM Peak and LOS D during the PM Peak. County staff, however completed additional analysis that determined additional traffic from the development would contribute to creating a LOS problem for the Harrison/Salem Church/Leavells Roads intersection and trigger the need for three additional left turn lanes at the intersection for NB Leavells Road, WB Harrison Road, and SB Salem Church Road. This is a result of this development being projected to send an additional 550 vehicle daily trips through this intersection including 31 during the AM Peak hour and 20 during the PM Peak hour. As a result of this finding, the applicant is providing a $200,000 cash proffer to support improvements to the intersection and Harrison Road.

Findings in Favor:

A. The proposal is consistent with the intent of the Primary Development Boundary by having more intense development occur within the Primary Development Boundary.

B. The proposal is consistent with the Comprehensive Plan with respect to the Guiding Principles and Policies of Spotsylvania County of being a family friendly community, and comports with the idea of contributing to the mix of units in support of a growing diverse housing stock to accommodate housing needs for all stages of life.

C. The density as proposed with the Hazel Run Glen development is less than the density of Leavells Crossing Subdivision, Cedar Brook Subdivision and the recently approved Harrison Village Subdivision which are located to the south and north of the subject site with approximately 3 dwelling units per acre each.

D. The proposed development also integrates quality open space into the design in excess of zoning district requirements.

E. The County's Fiscal Impact model projects a positive annual fiscal benefit at build out.

F. The applicant has proffered $24,324.30 in cash contributions to mitigate the impacts of the development on public safety, parks and recreation.

G. The applicant has proffered an aggregate sum of $100,000 towards Public Safety and Schools in the amounts of $50,000 for each category.

H. The applicant has proffered westbound and eastbound turn lanes and right-of-way along Harrison Road to mitigate impacts of the project and contribute to the future widening of Harrison Road. Additionally, the applicant has proffered $200,000 to mitigate impacts of this development on the Harrison Road, Salem Church and Leavells Road intersection

Against:

A. The development will contribute to westbound LOS at the Harrison Road intersection with Leavells and Salem Church Road degrading from C to D during the AM Peak hour and becoming a worse LOS F during the PM Peak hour even with the $6.1 Million Smart Scale project.
B. Battlefield Middle School is currently over capacity and the proposed development will generate additional students creating additional impacts. While the applicant has proffered a cash contribution to schools, there is no project in the current Capital Improvement Plan (CIP) to remedy the capacity issue at this time.

Ms. Fennell stated the Comprehensive Plan Guiding Principles and Policies support a diverse housing inventory that can accommodate the housing needs for all stages of life. This diversity includes small to larger single family homes as part of this inventory. This projects comports with this goal by providing housing on smaller lots to provide a compact, walkable residential community. This project is within the Primary Development Boundary, and although some of the existing subdivisions in this area were developed with larger lot sizes, a large lot development is not in line with the current goals and intent of the Primary Development Boundary. The density as proposed with the Hazel Run Glen development is less than the density of Leavells Crossing Subdivision, Cedar Brook Subdivision (south of the proposal) and recently approved Harrison Village Subdivision (north of the proposal) which with approximately 3 dwelling units per acre each. The proposed development also integrates quality open space into the design in excess of zoning district requirements. The applicant has proffered cash contributions to mitigate the development's impacts on public safety, parks and recreation, transportation and schools. In addition, the County's model projects a positive annual fiscal benefit at build out of the project. The applicant has proffered an emergency access connection with bike and pedestrian accommodations to Woodland Drive, transportation improvements including westbound and eastbound turn lanes, right-of-way along Harrison Road which not only mitigate the impacts of the project but also contribute to future expansion of Harrison Road, and a cash contribution toward the Salem Church Rd, Leavells Rd, and Harrison Rd intersection. Given the Findings in Favor and reasons noted in the conclusion, Staff recommends approval of the rezoning request with the proffered conditions dated January 28, 2021.

Mr. Thompson inquired what schools' children in this development would attend.

Ms. Fennell stated Courthouse Road Elementary, Battlefield Middle, and Chancellor High.

Mr. Thompson expressed concerns about the D rating for the Fire Station that would serve this proposal.

There was discussion about the recent approval of Fire Station #6 to increase the FAR by doubling the size, which will allow for the ability to handle more calls.

Applicant, Charlie Payne, representing the applicant: He displayed a PowerPoint and thanked the Commission members for their questions and concerns. He turned the presentation over to Richard

Boles who stated that they are a diverse investor offering creative design. The proposal offers a lot of open space with community parks. There will be a 35-foot buffer around the rear of all of the lots and the substantial buffer that is present will be preserved obscuring most of the homes from view. He discussed some of the amenities to include a fire pit, covered mail kiosk, pavilion, etc. The entrance will be very attractive and at an appropriate scale. He briefly discussed the emergency connection to Leavells Crossing for emergency vehicles.

Speaking in favor or opposition:

Diana Kirn, Courtland Voting District: She stated that she was here a year ago for a public hearing for 78 houses across the street. Accidents happen at this location all of the time and she currently has to wait forever to turn out of Carriage Hill Lane. She stated that the proposed turning lanes will do absolutely nothing. She stated that infrastructure is always lagging development and needs to stop.

Ed Hegmann, Courtland Voting District: He stated that there are a ton of accidents here at what he calls "Dead Man's Curve." He advised that this development will be a real problem for public safety. He further mentioned that the 35 ft. buffer will not prevent anyone from migrating to his neighborhood and suggested a fence be part of the buffer. Also, he mentioned that the turning lane without a traffic light would be useless.

Debby Hall, Courtland Voting District: She stated she has concerns about the interconnection to Leavell's Crossing for emergency vehicles. She advised it is a waste and suggested that the develper build the 39 units he's entitled to by right.

Sherry Bailey, Courtland Voting District: She informed the Commission that she is realtor of 35 years and has concerns about the level of service standards. She advised that the shoulders on Harrison Road are inadequate, there are lots of accidents, and will have a major impact on the wetlands located adjacent to the proposal .

Jack Bailey, Courtland Voting District: He expressed his concern about not following the Comprehensive Plan and doesn't like the interparcel connection proposal.

Scott Sevigny, Courtland Voting District: He stated that the plan is bad overall. His concerns are traffic, impacts on schoold and FREM.

Mohammed Iub, Courtland Voting District: He stated that he has concerns about the traffic on Harrison Road and urged the Commission to deny.

Ms. Mann read the following into the record:

Irvin Allison, Courtland District: He stated that the additional homes will be another burden for the exisiting property owners in the County. He has concerns about traffic and the impacts on schools and emergency services.

Mary Ann Stana, Courtland Voting District: She expressed her concerns about traffic, public safety, schools and the intense growth impacts this development would cause.

Thomas Wheeler, Courtland Voting District: He expressed his concerns about traffic along Harrison Road and urged the Commission to recommend denial to the Board of Supervisors.

Liz Murton, Salem District: She stated Harrison Road can not suuport additional traffic. She also expressed concerns about the impact on public safety and schools.

Mr. Lane inquired of the $153,231 profit from this development is after all projections are taken into account.

Mr. Hughes stated yes.

There was discussion in what the model takes into account.

Mr. Lane inquired if the $200k for transportation is separate from the turn lane.

Ms. Fennell stated yes.

There was discussion regarding who reviews the site plan.

Ms. Fennell stated that FREM is part of the site plan review committee and they will be required to meet the standards.

Mr. Agnello provided and update to the Commission about Smart Scale money and what improvements will come as a result of those funds.

Applicant, Charlie Payne: He stated that he has to respectively disagree with some of the statements that have been made. The Comprehensive Plan requires them to mitigate their impacts and pay for themselves, which they do. There is approximately $154k net to the County in revenue, $26 million over 30 years. He stated that Hazelwild is working with them, they are helping to acquire the right of way for future road improvements, providing better site lines. He stated that this project will be a good neighbor by providing a quality, responsible project.

There was discussion about the pond and the restrictive covenants allowing both property owners to use it.

Ms. Carter inquired about the 39 lots by right.

Mr. Payne reminding the Commission that if they developed this by right, the turning lane and improvements to the intersection wouldn't occur.

Mr. Thompson stated he is concerned about the traffic on Harrison Road and stated it is as dangerous as River Road. He stated roads need to be built before development.

Mr. Payne stated he appreciates the comments and they are providing many traffic improvements the County wouldn't otherwise receive.

Motion and vote: On a motion by Ms. Maddox, seconded by Mr. Thompson, she made a motion to continue the public hearing to March 17, 2021 due to comments received about not getting their notice letters in sufficient time due to Post Office delays.

Ms. Spaulding stated that only those who haven't spoken on the application may speak, anyone who has already provided comments, will not be permitted to speak again.

VOTE:

Ayes: 7 Dr. Bell, Mr. Thompson, Ms. Carter, Mr. Lane, Mr. Bullock, Ms. Maddox, and Mr. Childress
Nays: 0
Absent: 0
Abstain: 0

Amendment(s):

CA21-0001 Spotsylvania County Board of Supervisors (Ord. No. 8-16): To amend the Code of the County of Spotsylvania, Virginia ("Code Amendments") Chapter 8, Erosion and Sediment Control. The proposed amendments to the Ordinance include definition and local program procedural updates consistent with the Code of Virginia, Title 62.1, Chapter 3.1, Article 2.4, known as the Virginia Erosion and Sediment Control Law. Amendments throughout the chapter also made for grammar, updates to state code references, capitalization, and edits of a similar nature.
Amendments to Article I – In General, include to Sec. 8-2, Purpose of Chapter, replacing the purpose of the chapter with to "prevent degradation of properties, stream channels, waters, and other natural resources of Spotsylvania County and to promote the public health and welfare of the people of the County by establishing requirements for the control of soil erosion, sediment deposition, and non-agricultural runoff and by establishing procedures whereby these requirements shall be administered and enforced". Adding to or amending Sec. 8-4, Definitions, consistent with current state code for the following definitions: Agreement in lieu of plan, Board, Certified plan reviewer, County, Department of Environmental Quality or DEQ, Development, Director, District or Soil and water conservation district, Erosion and sediment control plan or ESC plan, Excavating, Fee schedule, Filling, Land-disturbing activities, Land-disturbing permit or approval, Natural channel design concepts, Peak flow rate, Program administrator, Responsible land disturber or RLD, Runoff volume, State permit, Transporting, Virginia Erosion and Sediment Control Program or VESCP, VESCP Permit-issuing authority, VESCP Plan-approving authority, VESCP authority or Program authority, and Water quality volume. Deleted definitions include Aggrieved landowner; Conservation plan, erosion and sediment control plan or plan; and DCR. Amendments to Sec. 8-5, Violation; injunction and other legal actions by the County, include that violations are a Class I misdemeanor and include the procedures for assessing a civil penalty of between $100 and $1000 per offence with a cap at $10,000, procedures for a property owner to

apply to the Circuit Court to remedy damage to property, and a civil penalty of up to $2,000 for failing to obey an injunction. Delete Sec. 8-6, Violation; action by aggrieved owner, and replace with Sec. 8-6, Liability for damages, to add "Neither the approval of an erosion and sediment control plan under the provisions of this article nor the compliance with the conditions of such plan shall relieve any person from responsibility for damage to other persons or property or impose any liability upon the County from damage to other persons or property".

Amendments to Article II - Local Erosion and Sedimentation Control Program, include to Division 1, Generally, Sec. 8-16, Regulations, to replace current provisions with "Pursuant to Code of Virginia Sec. 62.1-44.15:54 of the Code of Virginia, Spotsylvania County hereby establishes a VESCP Program and adopts the regulations promulgated by the Board (for the effective control of soil erosion and sediment deposition to prevent the unreasonable degradation of properties, stream channels, waters and other natural resources). (a) In accordance with Code of Virginia Sec. 62.1-44.15:52, any plan approved prior to July 1, 2014 that provides for stormwater management that addresses any flow rate capacity and velocity requirements for natural or man-made channels shall satisfy the flow rate capacity and velocity requirements for natural or man-made channels if the practices are designed to: (1) detain the Water Quality Volume and to release it over 48 hours; (2) detain and release over a 24-hour period the expected rainfall resulting from the one year, 24-hour storm; and (3) reduce the allowable peak flow rate resulting from the 1.5, 2, and 10-year, 24-hour storms to a level that is less than or equal to the peak flow rate from the site assuming it was in a good forested condition, achieved through multiplication of the forested peak flow rate by a reduction factor that is equal to the runoff volume from the site when it was in a good forested condition divided by the runoff volume from the site in its proposed condition, and shall be exempt from any flow rate capacity and velocity requirements for natural or man-made channels. (b) For plans approved on and after July 1, 2014, the flow rate capacity and velocity requirements for natural and man-made channels shall be satisfied by compliance with water quantity requirements specified in Sec. 62.1-44.15:28 of the Virginia Stormwater Management Act and 9VAC25-870-66 of the Virginia Stormwater Management Program (VSMP) regulations, unless such Land-Disturbing Activities are in accordance with the grandfathering provisions of the Virginia Stormwater Management Program (VSMP) Regulations. (c) Pursuant to Code of Virginia Sec. 62.1-44.15:53, an ESC Plan shall not be approved until it is reviewed by a Certified Plan Reviewer. Inspections of Land-Disturbing Activities shall be conducted by a Certified Inspector. The Erosion Control Program of Spotsylvania County shall contain a Certified Program Administrator, a Certified Plan Reviewer, and a Certified Inspector (who may be the same person). (d) Spotsylvania County hereby designates the Program Administrator as the Plan-Approving Authority. (e) The program and regulations provided for in this ordinance shall be made available for public inspection at the office of Environmental Codes". To delete Sec. 8-19, Use of guidelines and conservation standards, and Sec. 8-20, Ten-year frequency storm for man-made channels. Division 2, Plans and Permits, to add Sec. 8-30, Submission and approval of plans; contents of plans, with the following: "(a) Except as provided herein, no person may engage in any Land-Disturbing Activity until he or she has submitted to the Program Administrator an ESC plan for the Land-Disturbing Activity and such plan has been approved by the VESCP Plan-Approving Authority. No approval to begin Land Disturbing Activities will be issued unless evidence of State Permit coverage is obtained where it is required. Where Land-Disturbing Activities involve lands under the jurisdiction of more than one VESCP, an ESC plan, at the option of the applicant, may be submitted to the DEQ for review and approval rather than to each jurisdiction concerned. Where

the Land-Disturbing Activity results from the construction of a single-family residence, an Agreement in Lieu of Plan may be substituted for an ESC plan if executed by the Plan-Approving Authority. (b) The standards contained within the "Virginia Erosion and Sediment Control Regulations" (the Virginia Erosion and Sediment Control Handbook, as amended) and any local handbook or publication are to be used by the Applicant when making a submittal under the provisions of this ordinance and in the preparation of an ESC plan. The Plan-Approving Authority, in considering the adequacy of a submitted plan, shall be guided by the same standards, regulations, and guidelines. When the standards vary between the publications, the State regulations shall take precedence. (c) The VESCP Plan-Approving Authority shall review ESC plans submitted to it and grant written approval within sixty (60) days of the receipt of the plan if it determines that the plan meets the requirements of the Erosion and Sediment Control Law and the Board's regulations, and if the person responsible for carrying out the plan certifies that he or she will properly perform the measures included in the plan and will conform to the provisions of this ordinance. In addition, as a prerequisite to engaging in the Land-Disturbing Activities shown on the approved plan, the person responsible for carrying out the plan shall provide the name of the Responsible Land Disturber, to the Program Authority, as provided by Sec. 62.1-44.15:52, of the Virginia Erosion and Sediment Control Law, who will be in charge of and responsible for carrying out the Land-Disturbing Activity. Failure to provide the name of the Responsible Land Disturber, prior to engaging in Land-Disturbing Activities may result in revocation of the approval of the plan and the person responsible for carrying out the plan shall be subject to the penalties provided in this ordinance. (d) When the plan is determined to be inadequate, written notice of disapproval stating the specific reasons for disapproval shall be communicated to the Applicant within forty-five (45) days. The notice shall specify such modifications, terms, and conditions that will permit approval of the plan. If no action is taken within forty-five (45) days, the plan shall be deemed approved and the person authorized to proceed with the proposed activity. (e) The VESCP Authority shall act on any ESC Plan that has been previously disapproved within forty-five (45) days after the plan has been revised, resubmitted for approval, and deemed adequate. (f) The VESCP Authority may require changes to an approved plan when: (1) The inspection reveals that the plan is inadequate to satisfy applicable regulations; or (2) The person responsible for carrying out the plan finds that because of changed circumstances or for other reasons the approved plan cannot be effectively carried out, and proposed amendments to the plan, consistent with the requirements of this ordinance, are agreed to by the Plan-Approving Authority and the person responsible for carrying out the plans. (g) In order to prevent further erosion, the County may require an approved plan for any land identified in the VESCP Program as an Erosion Impact Area. (h) When a Land-Disturbing Activity will be required of a contractor performing construction work pursuant to a construction contract, the preparation, submission, and approval of an ESC plan shall be the responsibility of the Owner. (i) In accordance with the procedure set forth in Code of Va. Sec. 62.1-44.15:55 (E), any person engaging, in more than one jurisdiction, in the creation and operation of wetland mitigation or stream restoration banks, which have been approved and are operated in accordance with applicable federal and state guidance, laws, or regulations for the establishment, use, and operation of wetland mitigation or stream restoration banks, pursuant to a mitigation banking instrument signed by the Department of Environmental Quality, the Marine Resources Commission, or the U.S. Army Corps of Engineers, may, at the option of that person, file general erosion and sediment control specifications for wetland mitigation or stream restoration banks annually with the Board for review and approval consistent with guidelines

established by the Board. Approval of general erosion and sediment control specifications does not relieve the Owner or operator from compliance with any other local ordinances and regulations including requirements to submit plans and obtain permits as may be required by such ordinances and regulations". In Sec 8-31, to change the title from "Plans and agreements in lieu of a plan-Permits-Activities prohibited without approved plan or agreement; exceptions" to "Regulated land-disturbing activities; submission and approval of an erosion and sediment control plan"; to delete under (b) "When land-disturbing activity results from the construction of a single family residence, an agreement in lieu of a plan may be substituted for an erosion and sediment control plan, if approved by the program administrator. An agreement in lieu of a plan may also be substituted for an erosion and sediment control if approved by the program administrator, for land disturbance of two thousand five hundred (2,500) square feet on parcels where there is an existing single family dwelling", to delete "(d) All permits issued pursuant to this chapter shall be signed by the applicant as defined herein", and to delete "e) The applicant, as an, option, may have the board review and approve plans for multi-jurisdictional projects per VESCL 10.1-563A". To add Sec. 8-32, Installation of erosion control facilities, which states: "In accordance with an approved ESC Plan all sediment basins and traps, perimeter dikes, sediment barriers and other measures intended to trap sediment shall be constructed as a first step in any land-disturbing activity and shall be made functional before upslope land disturbance takes place".

Amends Division 3 – Special Requirements, by deleting the Division and deleting Sec. 8-34, Requirements within subdivisions, Sec. 8-35, Requirements for rights of way, streets or drainage easements, and Sec. 8-36, Requirements for issuance of final erosion inspection; Amends Sec. 8-37, Permits and fees, as follows: "(a) No Land-Disturbing Permit shall be issued until the Applicant submits with his or her application an approved ESC Plan or agreement in lieu of an approved ESC Plan, certification that the plan will be followed, and evidence of State Permit coverage where it is required. (b) No person may engage in any Land-Disturbing Activity until he or she has acquired a Land-Disturbing Permit (unless the proposed Land-Disturbing Activity is specifically exempt from the provisions of this ordinance), and has paid the fees and posted the required bond. (c) An administrative fee identified in the Fee Schedule shall be paid to the County at the time of submission of the ESC Plan. (1) Exceptionally-large-scale land disturbance construction fees shall be designated in accordance to the Fee Schedule and shall meet the following conditions. (a) A fee amount shall be determined based upon the total land disturbance acreage calculated on the approved site plan in accordance to the Fee Schedule. The Applicant shall be billed for the monthly inspection fee on the first day of each month until the site receives a final bond release inspection and approval. The Applicant must remit payment within fifteen (15) days of invoicing to the Environmental Codes division by check payable to the County Treasurer. Failure to pay each invoice within fifteen days of the date of the invoice is cause for issuance of a project stop work order until such fees are paid. (b) If, in any month, the amount billed for an Exceptionally-large-scale land disturbance construction fee is insufficient to reimburse the County for amounts billed to the County by third-party inspectors, the unreimbursed balance will be added to the monthly fee on the Applicant's next or a subsequent invoice and must be paid when invoiced. (2) Where any violation of this Chapter requires more than one (1) inspection to the site by the County, there will be imposed a reinspection fee for each additional inspection. No occupancy permit shall be issued until such fees are paid."

Sec. 8-38, Responsibility of owner for expense of control measures; performance bonds, to include as part of the performance bond a twenty-five (25) percent contingency of the cost of the

conservation action for estimated administrative costs and inflation. To replace Sec. 8-39, When plan required in absence of land-disturbing activities, with Sec. 8-39, Approval required for certain existing conditions, with the following provisions: "(a) It shall be unlawful for any owner of land in an erosion impact area to willfully permit erosion and sedimentation of his land to cause reasonably avoidable damage or harm to adjacent or downstream property, roads, streams, lakes or ponds. (b)When the Program Administrator determines that erosion and sedimentation is occurring in an erosion impact area, he or she shall give notice of the erosion and sedimentation to the land owner in writing at the address for the owner contained in the real estate assessor's records, and require the owner to obtain a land-disturbance permit for the purpose of engaging in land-disturbing activity to control the erosion and sedimentation. If the owner fails or refuses to obtain a land-disturbance permit within five days after the notice is mailed, or if the owner fails or refuses to install or maintain the erosion and sediment controls required by the approved erosion and sediment control plan after the land-disturbance permit is issued and within five days after the Program Administrator has given him or her written notice of such failure or refusal, the owner shall be in violation of this chapter. The Program Administrator may extend the five-day period if the owner demonstrates good cause for an extension. (c) In order to prevent further erosion, the Program Administrator may designate any land within the county as an erosion impact area".

Division 4 – Action on Control Plan, to amend Sec. 8-41, Approval of plan, in (a) to increase the plan approval requirement from forty-five (45) days to sixty (60) days, in (b) to add "Failure to provide the name of the responsible land disturber, prior to engaging in land-disturbing activities may result in revocation of the approval of the plan and the person responsible for carrying out the plan shall be subject to the penalties provided in this ordinance." Amend Sec. 8-42, Inadequate plan; notice to applicant of changes; approval if no action taken, to state that when a plan is inadequate, written notice disapproving the plan will be provided to the applicant within forty-five (45) days and that the Program Administrator shall act on any resubmission within forty-five (45) days of an adequate plan. To amend Sec. 8-43, Responsible party, to replace the paragraph with "The owner and responsible land disturber, as designated by the owner, are responsible for implementing and maintaining the approved erosion and sediment control plan and certify that they will perform the erosion and sediment control measures in accordance with the approved plan and any other erosion and sediment control measures deemed necessary by the Program Administrator or designee". To delete Sec. 8-46, As-built site plans and grading requirement changes for subdivision lots served by public sewer and public water, and Sec. 8-47, Required yard - Established front, side, and rear yard slope criteria for subdivision lots served by public sewer and public water.

Division 5 – Monitoring of Land-Disturbing Activities, to add to Sec. 8-61, Inspections required periodically, (a) "The RLD shall be in charge of and responsible for carrying out the Land-Disturbing Activities and provide for inspections of the Land-Disturbing Activities as determined by the Program Administrator. The RLD will maintain records of these inspections and maintenance, to ensure compliance with the approved plan, and to determine whether the measures required in the plan are effective in controlling erosion and sedimentation". Amend Sec. 8-62, Noncompliance with plan; notice to comply, by changing the delivery method for a written notice from "registered or certified mail" to "mailing with confirmation of delivery". To replace the provisions of Sec. 8-63, Stop work orders, with "(a) Upon issuance of an inspection report denoting a violation of Code of Virginia Sec. 62.1-44.15:55, -44.15:56, the Program Administrator may, in conjunction with or subsequent to a notice to comply as specified in this ordinance, issue an order

requiring that all or part of the Land-Disturbing Activities permitted on the site be stopped until the specified corrective measures have been taken. (b) If Land-Disturbing Activities have commenced without an approved plan, the Program Administrator may issue an order requiring that all of the Land-Disturbing Activities be stopped until an approved plan or any required permits are obtained. (c) Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the Commonwealth, or where the Land-Disturbing Activities have commenced without an approved plan or any required permits, such an order may be issued without regard to whether the alleged violator has been issued a notice to comply as specified in this ordinance. Otherwise, such an order may be issued only after the alleged violator has failed to comply with such a notice to comply. (d) The order shall be served in the same manner as a notice to comply, and shall remain in effect for a period of seven (7) days from the date of service pending application by the County or permit holder for appropriate relief to the Circuit Court of Spotsylvania County. The County shall serve such order for disturbance without an approved plan or permits upon the Owner by mailing with confirmation of delivery to the address specified in the land records. Said order shall be posted on the site where the disturbance is occurring, and shall remain in effect until permits and plan approvals are secured, except in such situations where an agricultural exemption applies. (e) If the alleged violator has not obtained an approved plan or any required permits within seven (7) days from the date of service of the order, the Program Administrator may issue an order to the Owner requiring that all construction and other work on the site, other than corrective measures, be stopped until an approved plan and any required permits have been obtained. Such an order shall be served upon the Owner by mailing with confirmation of delivery to the address specified in the permit application or the land records of Spotsylvania County. (f) The Owner may appeal the issuance of an order to the Circuit Court of Spotsylvania County. Any person violating or failing, neglecting or refusing to obey an order issued by Program Administrator may be compelled in a proceeding instituted in the Circuit Court of Spotsylvania County to obey same and to comply therewith by injunction, mandamus, or other appropriate remedy. (g) Upon completion and approval of corrective action or obtaining an approved plan or any required permits, the order shall immediately be lifted. (h) Nothing in this section shall prevent the Program Administrator from taking any other action authorized by this ordinance". To delete Sec. 8-64. - Drainage improvement grant program-Purpose and effective date, Sec. 8-65. - Same—Criteria for grant, and Sec. 8-66. - Award of grant-Approval of board of supervisors. Amend Sec. 8-71, Administrative appeal; judicial review, to remove appeal to the Board of Supervisors. To delete Sec. 8-72. - Installation of erosion control facilities.

Ms. Maddox opened the public hearing.

Mr. Leach presented the amendment. The proposed amendments include definition and local program procedural updates consistent with the Code of Virginia, Title 62.1, Chapter 3.1, Article 2.4, known as the Virginia Erosion and Sediment Control Law. Amendments throughout the chapter also made for grammar, updates to state code references, capitalization, and edits of a similar nature.

Staff recommends approval of CA21-0001 (Ord No. 8-16).

There was a lot of discussion about staffing of the E&S Department.

Mr. Leach advised that the County relies on 3rd party reviewers to assist the County.

Ms. Carter inquired if the amendment is bringing the Code in alignment with state code.

Mr. Leach stated yes.

Mr. Thompson stated that his department has a very large area to cover and he appreciates their efforts.

There was a lot of discussion about the third party reviews that have occurred at the sPower site and whether we will be reimbursed for that.

Mr. Leach stated yes, we would be reimbursed.

Additional staffing discussion were raised by the Commission as well as the costs associated with new employees and paying third party reviewers.

Ms. Carter advised the Commission to not focus on money and leave that to the Board of Supervisors, it's their job, not the Commissions.

Speaking in favor or opposition: None

Ms. Maddox closed the public hearing.

Motion and vote: On a motion by Ms. Maddox, seconded by Ms. Carter, a motion was made to recommend approval of the amendment.

VOTE:

Ayes: 7 Dr. Bell, Ms. Carter, Mr. Lane, Mr. Bullock, Ms. Maddox, Mr. Childress, and Mr. Thompson
Nays: 0
Absent: 0
Abstain: 0

There was additional discussion about sPower.

Ms. Spaulding stated that sPower has been very responsive and zoning is doing a great job managing this project with the staff that they have. sPower is not flying under the radar.

Mr. Hughes stated that the sPower development will be coming to an end in about 1.5 years.

Mr. Bullock inquired if Planning presently has enough staff to handle the volume.

Mr. Hughes stated no.

Ms. Maddox stated that staffing should be discussed with the Board since they approved the budget and positions, not the Planning Commission.

Public Comment: None

New Business: None

Adjournment

Motion and vote: On a motion by Ms. Maddox, seconded by Ms. Carter, a motion was made to adjourn.

VOTE:

Ayes: 7 Dr. Bell, Ms. Carter, Mr. Lane, Mr. Bullock, Ms. Maddox, Mr. Childress, and Mr. Thompson
Nays: 0
Absent: 0
Abstain: 0

The meeting adjourned at 10:00 p.m.

Spotsylvania County
Planning Commission
Executive Summary

Print

Meeting Date:	March 17, 2021
Title:	Review and approval of minutes from March 3, 2021
Type:	Action
Agenda Title:	Review and approval of minutes from March 3, 2021
Recommendation:	Approval
Summary:	
Committee/Commission Summary:	
Review Date:	Status:
Financial Impact:	
Staff Contacts:	Paulette Mann, Commission Secretary
Legal Counsel:	Alexandra Spaulding, Senior Assistant County Attorney
Additional Background/Other Considerations:	
Consequence of Denial/Inaction:	

ATTACHMENTS:

Name:	Description:	Type:
pcmin21_0303.docx	Draft Minutes from March 3, 2021	Minutes

Spotsylvania County Planning Commission DRAFT

Marshall Center Auditorium, 8800 Courthouse Road, Spotsylvania VA 22553

MINUTES: March 3, 2021

Call to Order: Ms. Maddox called the meeting to order at 7:00 p.m.

Members Present:	Mary Lee Carter	Lee Hill
	Jennifer Maddox	Berkeley
	Richard Thompson	Courtland
	Dr. Raymond Bell	Salem
	Jacob Lane	Livingston
	C. Travis Bullock	Battlefield
	Gerald Childress	Chancellor

Staff Present:
Paulette Mann, Planning Commission Secretary
B. Leon Hughes, AICP, Director of Planning & Zoning
Alexandra Spaulding, Senior Assistant County Attorney
Kimberly Pomatto, CZA, Deputy Director of Planning & Zoning
Wanda Parrish, AICP, Asst. County Administrator – CDG
Karl Holsten, County Attorney
Brad Robinson, CZA, Planner II

Announcements:

Mr. Hughes updated the Commission on upcoming cases, Technical Review Committee, and Community Meetings.

Review & Approval of Minutes from February 3, 2021

Motion and vote: On a motion by Ms. Carter, seconded by Mr. Thompson

VOTE:

Ayes: 7 Dr. Bell, Ms. Carter, Mr. Lane, Mr. Bullock, Ms. Maddox, Mr. Thompson, and Mr. Childress
Nays: 0
Absent: 0
Abstain: 0

Unfinished Business:

Vote:

Rezoning(s):

R17-0005 Radio Reconnaissance Technologies, Inc. (Team Crucible, LLC): Request rezoning of approximately 69.96 acres from Agricultural 2 (A-2) to Industrial 2 (I-2) with proffers for the development of a security training facility that teaches security techniques utilizing firearms and simulated IEDs. The complex will include two office buildings totaling approximately 55,300 square feet, a firing range, an outdoor rally course, an outdoor sea container scenario area, a tactical entry training center, and an emergency helicopter landing pad. This is a companion case to SUP17-0003. The property is addressed as 6116 Jefferson Davis Hwy approximately 3,500 feet south of Mudd Tavern Road (Route 606). The property is located in the Primary Development Boundary. The property is in an area identified as Employment Center on the Future Land Use Map of the Comprehensive Plan. Tax Parcel 76-A-2. Berkeley Voting District.

Ms. Maddox inquired if any of the Commissioners had any comments or questions. She also asked if staff had any updates.

Mr. Hughes stated that there were no new updates on the case.

Motion and vote: On a motion by Ms. Maddox, seconded by Mr. Thompson, a motion was made to recommend denial of the rezoning request to the Board of Supervisors.

VOTE:

Ayes: 7 Dr. Bell, Mr. Lane, Mr. Thompson, Ms. Carter, Mr. Bullock, Ms. Maddox, and Mr. Childress
Nays: 0
Absent: 0
Abstain: 0

Special Use Permit Request(s):

SUP17-0003 Radio Reconnaissance Technologies, Inc. (Team Crucible, LLC): Request a special use of approximately 69.96 acres in an Industrial 2 (I-2) zoning district, classified as an Industry Type III, for the operation of a security training facility that teaches security techniques utilizing firearms and simulated IEDs. The complex will include two office buildings totaling approximately 55,300 square feet, a firing range, an outdoor rally course, an outdoor sea container scenario area, a tactical entry training center, and an emergency helicopter landing pad. This is a companion case to R17-0005. The property is addressed as 6116 Jefferson Davis Hwy approximately 3,500 feet south of Mudd Tavern Road (Route 606). The property is located in the Primary Development Boundary. The property is in an area identified as Employment Center on the Future Land Use Map of the Comprehensive Plan. Tax Parcel 76-A-2. Berkeley Voting District.

Ms. Maddox inquired if any of the Commissioners had any comments or questions. She also asked if staff had any updates.

Mr. Hughes stated that there were no new updates on the case.

Motion and vote: On a motion by Ms. Maddox, seconded by Mr. Thompson, a motion was made to recommend denial of the request for a Special Use Permit to the Board of Supervisors but if approved by the Board of Supervisors would suggest the conditions recommended by staff.

VOTE:

Ayes: 7 Dr. Bell, Mr. Lane, Mr. Thompson, Ms. Carter, Mr. Bullock, Ms. Maddox, and Mr. Childress
Nays: 0
Absent: 0
Abstain: 0

Public Hearing(s):

CA21-0002: Spotsylvania County Board of Supervisors, Ordinance No. 14-18: Proposed amendments to the Code of the County of Spotsylvania, Chapter 14 Article 1- Offenses and Miscellaneous, Section 10 – Camping and Use or Storage of Camping Equipment.
Amendments include the restructuring of the provision to create a definitions section in 10-14.1 and create a new section 10-14.2 that was the former 10-14.1, and amended as follows:
Chapter 14, Article 1-Section 10- Camping and Use or Storage of Camping Equipment

Section 10-14.1 of the proposed amendment includes the addition of the following defined terms:

Camper means a person(s) camping or utilizing a camping device or camp site for the purposes of camping or temporary occupancy.

Camping or Camping Event means to temporarily occupy a camping device or camp site, with or without a camping device.

Camping Device means any natural or man-made tent, tarp, lean-to, camping trailer, recreational vehicle, or similar device or structure, established or maintained and operated for purposes of temporary occupancy.

Camp Site means any plot of ground used for purposes of temporary occupancy, with or without a camping device, or intended for exclusive occupancy by a camping device(s).

Section 14-10.2(a) – amends the provisions related to camping within the County to allow property owners, or person(s) authorized by the property owner, to camp on the property owner's property provided that no more than two (2) camp sites or devices, collectively, are utilized concurrently, and the camping event does not exceed a total of fourteen (14) days within a 60-day period. Any camping event which exceeds fourteen (14) days within a 60-day period must obtain a temporary pump and haul permit from the Virginia Department of Health in accordance with the Code of Virginia 12VAC5-610-599.2. Sewage disposal into the public sewer system is prohibited.

Ms. Maddox opened the public hearing.

Ms. Pomatto presented the amendment. As a reminder, the Board of Supervisors requested amendments to County Code Section 14-10 which addresses allowed camping and storage of camping equipment within the County. The current language is before you and you can see that it

prohibits camping anywhere in the county except at state and federal parks with facilities and other campgrounds such as Wilderness Resorts and Indian Acres. So this language in its current form prevents a property owner from camping on his or her own property and that was primarily the issue that the Board wished to have addressed.

Ms. Pomatto shared the code language which addresses camping and the use or storage of camping equipment which is found in Sect. 14-10 of the County Code. This section was adopted by the Board of Supervisors in 1984 and based on the minutes from that meeting, it would appear that the genesis of this language was related to significant concerns with campers and temporary shelters at Lake Anna without toilet facilities and so the result is the code language before you now.

1. Camping, including but not limited to overnight camping, shall be unlawful within the county except at those state and federal parks with camping facilities, Indian Acres, Wilderness Camping Resorts and other county-approved commercial camping facilities.
2. It shall be unlawful for any person to use or store any camper, camping trailer, tent or other device used as shelter when camping on any property within the county.
3. This subsection shall not apply at those state and federal parks with camping facilities, Indian Acres, Wilderness Camping Resorts and other county-approved commercial camping facilities,
4. nor shall it apply to the storage of such devices at the primary residence of the owner.
5. *So this language makes it very clear that camping of any type is only permitted on those park lands with camping facilities and County approved camping facilities and that a property owner may only store their camper or trailer, tent or other camping device at their primary residence. So they can store it, they just can't use it.*
6. The zoning administrator is the enforcement agent for this section but it is shared with the Sherriff's office.
7. A violation of any provision of this section shall constitute a Class 1 misdemeanor.

The following are Camping Sites in Spotsy:

- Duke's Creek Marina
- Fredericksburg KOA (off Guinea Station Rd. near Caroline)
- Rocky Branch Marina and Campground (off Courthouse Rd. near lake Anna affluent on the ground service (which includes gray water and black)

Staff has worked with the County Attorney's office and the Virginia Department of Health to formulate new language which allows a property owner to camp on his or her property, or allow someone else to camp on their property with certain conditions. We have worked very hard to ensure that we don't create enforcement issues for VDH or for zoning with this amendment but we believe this language will give the latitude the Board was seeking and will be in keeping with all other code requirements.

To begin, we defined certain terms:

- Camper means a person(s) camping or utilizing a camping device or camp site for the purposes of camping or temporary occupancy.

- Camping or Camping Event means to temporarily occupy a camping device or camp site, with or without a camping device.
- Camping Device means any natural or man-made tent, tarp, lean-to, camping trailer, recreational vehicle, or similar device or structure, established or maintained and operated for purposes of temporary occupancy.
- Camp Site means any plot of ground used for purposes of temporary occupancy, with or without a camping device, or intended for exclusive occupancy by a camping device(s).

Additionally, we have revised the language which prohibits camping anywhere except at actual campgrounds. You can see the language underlined in red is what is proposed.
Nothing in Section 14-10 shall be construed as preventing a property owner, or person(s) authorized by the property owner, from camping on his or her own property provided that they adhere to the following conditions.

1. No more than a total of two (2) camp sites or devices, may be utilized concurrently.
2. The camping event does not exceed a total of fourteen (14) days within a 60 -day period which is directly lifted from the Virginia Department of Health regulations. Any camping event which exceeds fourteen (14) days within a 60-day period requires the camper(s) to obtain a temporary pump and haul permit from the Virginia Department of Health, in accordance with state code. *I will also note that County Administration is required to sign off on all temporary pump and haul permits.*
3. Sewage disposal into the public sewer system is prohibited.

Other minor edits were made for clarity and consistency and she presented the substantive changes here.

Staff recommends approval of CA21-0002, Ordinance No. 14-18 – County Code Amendments to Section 14-10 Camping.

Mr. Thompson stated that back in the 1980's there were issues of dumping in Lake Anna and so the current ordinance was needed to enforce those issues.

There was a lot of discussion about accessories to primary residences.

Mr. Lane inquired if he owned property without a dwelling unit, he could not store his RV on that property for greater than 14 days without a permit?

Ms. Spaulding stated yes, that is correct.

Mr. Thompson stated that many folks use trailers on vacant property during hunting season.

Several Commissioners discussed striking the ordinance all together with a denial recommendation to the Board.

Ms. Maddox stated the public hearing before the Commission must occur first.

Mr. Bullock discussed that he knows many RVs come into town and park at the Elks Lodge for one or two nights. He inquired if that is permitted.

Ms. Pomatto explained that under the current ordinance, that is not permitted. With the proposal before the Commission, they could do so for 14 days or less as long as there is no more than two camp sites.

Mr. Bullock inquired about folks that park their RV's at Walmart and sleep overnight. He inquired if that is permitted.

Ms. Pomatto stated it is not permitted under our current ordinance.

Mr. Thompson stated he would like to see this amendment go away because it will be arbitrarily enforced.

Speaking in favor or opposition:

Peter Scelfo, Salem District: He stated that he has two unemployed adults living in his home and would like to be able to allow them to live in the RV that he has parked in his driveway with a temporary pump and haul permit. He stated that Mr. Foster, former Zoning Administrator, created this ordinance 35 years ago and it needs revision. If there are issues, then complain to the state and let them take care of it. He stated that he would like to see this amendment approved.

Ms. Maddox closed the public hearing.

There was discussion on staffing and how this would be enforced.

Ms. Pomatto stated that Zoning operates on a complaint basis response. She also stated that the Sheriff's office uses this section of the Code for enforcement of "camp cities."

Mr. Bullock inquired about how many complaints Ms. Pomatto has received.

Ms. Pomatto stated that between 2015-2020, there have been 68 cases. 29 were closed by phone or letters, 16 closed by inspection as they were not occupied, 17 Notices of Violations were issued, and 6 resulted in referral.

Mr. Lane inquired about the six that resulted in referral.

Ms. Pomatto stated that the Sheriff's office was part of this coordination and from April 15, 2008 to October 1, 2019, 13 warrants have been issued, 2 written warning, and 15 summons have been issued. She explained that 99% of them were homeless camps.

Ms. Carter inquired why we are doing the states job and why would we want this headache.

Mr. Bullock and Ms. Maddox both stated that the homeless camps seem to be the issue and that something has to be done.

Ms. Pomatto stated this amendment would need to be adopted to allow private property owners to camp or have others stay in a camper on their property.

Dr. Bell stated that if we do the striking of this fully, how does the Commission send that to the Board.

Ms. Spaulding stated the Commission is a recommending body, if the Commission wants to recommend denial or removal of this ordinance, that is what the motion would need to be.

Ms. Carter inquired again why we are dealing with a state issue.

Ms. Pomatto explained that it is not just a state issue, it is also a County issue. She stated that Mr. Skinner brought this up because he has a constituent whose home burned down and they wanted to live in their camper on their property while they rebuilt. Under our current ordinance, this would not be permitted.

The Commission raised additional staffing concerns. They feel as though the Zoning Office doesn't have enough staff for enforcement of the ordinances on the books.

Mr. Thompson thanked staff for their hard work and knows that they do the best that they can with what they have.

Motion and vote: On a motion by Mr. Thompson, seconded by Mr. Lane, a motion was made to recommend denial of the Code Amendment. He suggested the state enforce their own laws and eliminate Section 14-10 altogether.

VOTE:

Ayes: 7 Dr. Bell, Mr. Lane, Mr. Thompson, Ms. Carter, Mr. Bullock, Ms. Maddox, and Mr. Childress
Nays: 0
Absent: 0
Abstain: 0

Ms. Maddox thanked staff for their hard work.

Public Comment: None

New Business: None

Adjournment

Motion and vote: On a motion by Ms. Maddox, seconded by Mr. Thompson, a motion was made to adjourn.

VOTE:

Ayes: 7 Dr. Bell, Ms. Carter, Mr. Lane, Mr. Bullock, Ms. Maddox, Mr. Childress, and Mr. Thompson
Nays: 0
Absent: 0
Abstain: 0

The meeting adjourned at 8:00 p.m.

Spotsylvania County
Planning Commission
Executive Summary

Print

Meeting Date:	March 17, 2021
Title:	R19-0014 Patricia P. Preston (CeresHarrisonLand LLC) Courtland District
Type:	Action, Public Hearing
Agenda Title:	R19-0014 Patricia P. Preston (CeresHarrisonLand LLC) Courtland District
Recommendation:	Approval with the revised proffer statement dated February 19, 2021.
Summary:	The applicant requests the rezoning of approximately 58.611 acres from Residential 1 (R-1) to Planned Development Housing District 2 (PDH-2) with proffers for residential development. The proposal for residential development currently consists of not more than one hundred ten (110) single-family detached dwellings, with a maximum density of approximately 2 units per acre. The parcel is addressed as 5430 Harrison Road (RT. 620) and is approximately 1835 feet east of the intersection with Twin Springs Drive (RT. 1299). The parcel is located in the Primary Development Boundary. The property is in an area identified as Mixed Use on the Future Land Use Map of the Comprehensive Plan. Tax parcel 23 (A) 64A. Courtland Voting District. This case was presented at the February 17, 2021 Planning Commission meeting, the Planning Commission voted 7-0 to continue the public hearing until March 17, 2021. Upon hearing the comments and concerns raised by the citizens the applicant submitted a revised proffer document which increased the cash contribution for transportation from $200,000 to $325,000.
Committee/Commission Summary:	Planning Commission
Review Date:	March 17, 2021 Status:
Financial Impact:	Based on the assessed value the County's model projects the Hazel Run Glen development will generate annually a positive $153,231 in tax revenues.

Staff Contacts:	Shannon D. Fennell, Planner III
Legal Counsel:	Alexandra Spaulding, Senior Assistant County Attorney
Additional Background/Other Considerations:	The property could be developed with 39 single-family house lots in a cluster subdivision under the current zoning.
Consequence of Denial/Inaction:	The Planning Commission recommendation will be provided to the Board of Supervisors.

ATTACHMENTS:

Name:	Description:	Type:
Revised_PC_Staff_Report-_Hazel_Run_Glen_-with_CP___DA.pdf	Staff Report	Staff Report
Executed_Proffer_document.pdf	Applicant's Proffers	Agreement
Exhibit_B_-_Hazel_Run_Glen_Proffered_Elevations.pdf	Applicant's Proffered Elevations	Exhibit
App_Packet_12122019.pdf	Application	Backup Material
GDP_Narrative_2nd_submittal.pdf	Application Narrative	Backup Material
GDP_Hazel_Run_Glen_SUB_8.pdf	Application GDP	GDP
Community_Meeting_sign-in_sheets_-_Hazel_Run_Glen.PDF	Community Meeting Sign In	Backup Material
Project_Summary_R19-0014.pdf	Project Summary	Backup Material
Letters_in_Opposition-_R19-0014_Hazel_Run_Glen.pdf	Letters in Opposition	Letter

County of Spotsylvania
Department of Planning
Staff Report

Rezoning # R19-0014
(Courtland Voting District)

Planning Commission
February 17, 2021 & March 3, 2021

Staff Recommendation:	Approval with the proffer statement dated February 19, 2021 as revised to increase the transportation cash contribution from $200,000 to $325,000.
Project:	"Hazel Run Glen"
Owner/Applicant:	Patricia P. Preston (Ceres Harrison Land LLC)
Request:	The applicant requests one parcel of approximately 58.6 acres be rezoned from Residential 1 (R-1) to Planned Development Housing 2 District (PDH-2) with proffers.
Tax Map Parcel(s):	23-A-64A
Location:	The parcel is addressed as 5430 Harrison Road (RT. 620) and is approximately 1835 feet east of the intersection with Twin Springs Drive (RT. 1299).
Zoning Overlay:	Airport Overlay District, Highway Corridor Overlay District
Future Land Use Designation:	Mixed Use
Historic Resources:	None known
Date Application Deemed Complete:	December 13, 2019
Community Meeting:	A community meeting was held on September 12, 2019. There were approximately 50 citizens in attendance. Questions and concerns raised at the meeting were primarily related to existing traffic and proposed road improvements on Harrison Road, proposed inter-parcel connections, and impacts on schools and other public services.

Figure 1: Zoning Map

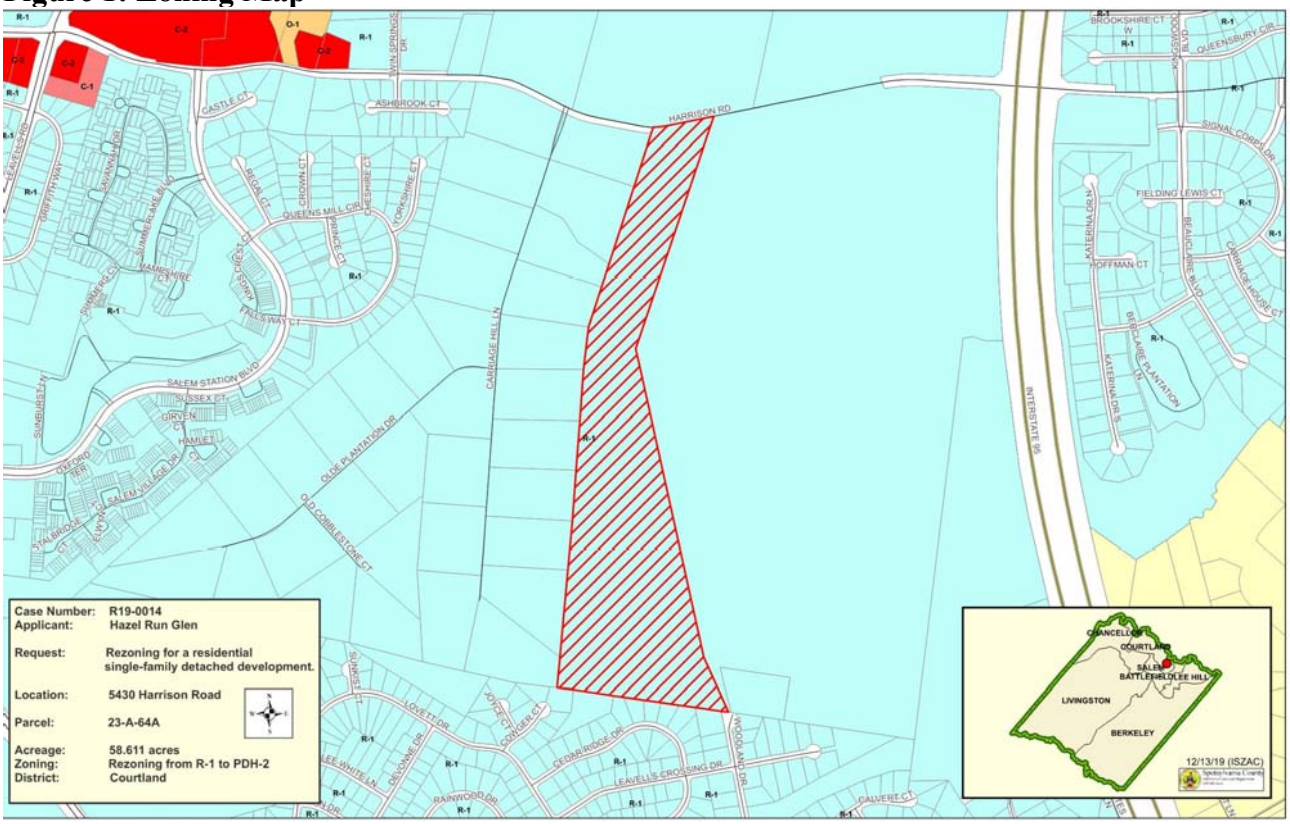


Figure 2: Aerial Map



The Site

The subject parcel is a vacant 58.61-acre parcel located at 5430 Harrison Road, identified as tax map number 23-A-64A. A portion of the site is located within the Highway Corridor Overlay District and the Airport Protection Overlay District, as the site is approximately 0.4 miles west of the I-95 overpass, and approximately .85 miles east of the Harrison Road/Salem Church Rd/Leavells Rd intersection. The property is currently zoned Residential 1 (R-1) and is bordered to the south by parcels that are within the Leavells Crossing Subdivision, zoned R-1; to the west are parcels within the Carriage Hill Subdivision, zoned R-1; to the east and across Harrison Road to the north are parcels owned by the Hazelwild Farm Education Foundation, which are also zoned R-1.

I. Project Proposal

The applicant proposes to rezone the subject parcel from Residential 1 District (R-1) to the Planned Development Housing 2 District (PDH-2) with proffers. If approved, the proposal will allow for the development of 110 single-family detached units, with a density of 1.88 dwelling units per acre. The by-right development potential of the subject site is 39 single-family detached units, with a density of 1 dwelling unit per 1.5 acres. The project site is located within the County's Primary Development Boundary which is intended to develop with higher residential densities. The project site is designated on the Future Land Use Map in the Comprehensive Plan as Mixed Land Use and the surrounding developed area to the west and south are designated as Low Density Residential. The Mixed Land Use is intended to provide for a variety of land uses in a compact, walkable community with a denser development pattern. The density as proposed is within the parameters established in both the mixed use and low density residential land use designations, as the density of the project is below the four units per acre established as appropriate for low density residential use. Although the proposal meets the intent of the low density residential and mixed use land use designation, the lot size difference and density is noticeably different between the proposed development with approximately 1.88 dwelling units per acre and the Carriage Hill Subdivision to the west of the development with approximately 1 dwelling unit per 5 acres. Staff does note that the density as proposed with the Hazel Run Glen development is less than the density of Leavells Crossing Subdivision, Cedar Brook Subdivision and the recently approved Harrison Village Subdivision which are located to the south and north of the subject site with approximately 3 dwelling units per acre each. Staff also notes that a large lot subdivision such as Carriage Hill is not in line with the current goals of the primary development boundary. The first section of Carriage Hill was developed in 1976 and the last section was developed in 1993 since that time the goals and intent of the Primary Development Boundary have evolved parcels within this area is intended to develop with higher residential densities.

The project will be served by a public road network, and the applicant will construct an emergency access connection to Woodland Drive which will include bike and pedestrian accommodations. A variable width of right of way will be dedicated along Harrison Road providing for the future roadway expansion, the construction of the westbound and east bound turn lane improvements and off-site right of way dedication to be obtained from Hazelwild Farm Educational Foundation to assist with the future expansion of Harrison Road. This development is projected to generate an estimated 1,100 daily vehicle trips, approximately 550 are projected to travel through the Harrison

Road, Salem Church and Leavells Road intersection. County Transportation staff analysis have determined traffic from the development would contribute to creating a LOS problem for the Harrison Road, Salem Church and Leavells Road intersection and trigger the need for three additional left turn lanes at the intersection for NB Leavells Road, WB Harrison Road, and SB Salem Church Road. In order to mitigate the projected impact to the transportation network, the applicant has included a cash contribution of $200,000 for future improvements at the Harrison Road, Salem Church and Leavells Road intersection.

Based on County projections the project will generate an estimated 216 new residents (above the by-right use) with 40 being school-aged children at full build out (18 elementary school students, 9 middle school students, and 13 high school students). The new students from the development will attend Courthouse Road Elementary, Battlefield Middle and Chancellor High schools. There is existing capacity in the elementary and high schools to accommodate the projected students. Staff notes that Battlefield Middle school is currently over capacity and the projected middle school students will exceed capacity by an additional 9 students. In order to mitigate the projected impact, the applicant has included a cash contribution of $50,000 for schools.

A. Generalized Development Plan (GDP) – The applicant's GDP depicts 110 single-family detached units. The development will have one primary point of access from Harrison Road and a 12' emergency access constructed of grassed pavers which will be a gated emergency access to Woodland Drive. The roads within the project will be public. Sidewalks are provided along Harrison Road and throughout the development including a bike and pedestrian access provided at the emergency access gate that connects to Woodland Drive. Approximately 35% (20.47 acres) of the property will be maintained as open space which exceeds the 30% (17.58 acres) as required by the PDH-2 Zoning Ordinance. The open space includes a community park with benches, trash/pet disposal cans, playground, dog park and clustered mailboxes. A 25' vegetated street buffer is provided along Harrison Road and a 35' vegetated buffer is provided along the shared property line with Carriage Hill Subdivision located to the south of the proposed development.

Also, shown on the GDP are perennial streams, non-perennial streams, approximately 2.22 acres of wetlands, RPA, and approximately 0.9 acres of open waters (an existing pond). The pond and dam are maintained through a Pond and Dam maintenance agreement as recorded in perpetuity. The project will be served by public water and sewer, as depicted on the GDP. The applicant will construct on the subject property a new sewage pump station and a force main will be constructed to serve the development. A 16" water main will be extended along Harrison Road to serve the project from a connection near the Carriage Hill Lane intersection. Facilities will be provided on site to address storm-water management. As shown on the GDP, the applicant will install an eastbound 200' right turn lane with taper, and a westbound 200' left turn lane with taper. Lastly, the applicant intends to dedicate variable width right of way along approximately 800 feet of frontage on Harrison Road, which includes off-site right of way dedication to be obtained from Hazelwild Farm Educational Foundation. This additional right of way will not only accommodate the proposed turn lanes but also assist with the future expansion of Harrison Road.

A. Fiscal Impact Analysis – The applicant has provided a Fiscal Impact Analysis (FIA) which asserts the Hazel Run Glen project will be built out with two phases, subject to market conditions with an anticipated average sales price between $525,000 and $585,000 per unit, and an approximate size of 3,000 to 3,500 sq. ft. The applicant's FIA estimates that the project is expected to generate approximately $566,884 in real estate and personal property tax revenues and $107,770 in off-site revenues annually for a total of $659,310. The applicant's FIA estimates the annual tax-supported cost of the project to be $519,826 annually thereby generating a net revenue surplus after full build-out of $154,828 in current dollars.

Staff completed a separate fiscal impact analysis utilizing the County's model and based on the assessed value the County's model projects the Hazel Run Glen development will generate annually a positive $153,231 in tax revenues.

B. Proffer Statement Summary – The applicant has provided a revised proffer statement for the Planning Commission and Board of Supervisor's consideration dated February 19, 2021 after additional concerns regarding the increase in traffic were raised during the February 17, 2021 Planning Commission Public Hearing. These proffers are itemized below including a summary and staff analysis of each proffer in italics.

1. **General Development-** The applicant commits to develop the subject property in conformance with the Generalized Development Plan (GDP) last revised November 25, 2020 October 2, 2020. Minor modifications may be made in order to address requirements to fulfill Federal, State, and local requirements.

   Staff is supportive as the GDP complies with all county requirements.

2. **Use-** The applicant commits that the property will be developed for no more than 110 single-family detached units and shall not be developed for any other secondary uses allowed under the PDH-2 district, except for any home occupation and accessory use authorized under the PDH-2 district.

   Staff is supportive of this proffer as the density proposed is consistent with the mixed land use designation and low density residential, this proposal is also consistent with adjacent subdivisions such as Leavells Crossing Subdivision, Cedar Brook Subdivision and the recently approved Harrison Village Subdivision which are located to the south and north of the subject site with approximately 3 dwelling units per acre each.

3. **Architectural Materials-** The applicant has committed that each unit will have front facades that incorporate brick, stone, vinyl shake siding, vinyl vertical siding, or fiber cement siding.

   Staff is supportive of this proffer as there are no architectural requirements for residential units along Harrison Road, and the proffered material will help maintain a quality residential neighborhood consistent with the surrounding communities.

4. **Transportation –** The applicant has committed to dedicate variable width right of way along Harrison Road and throughout the development as the internal road network will be public. The right of way dedication along Harrison Road provides for the future roadway expansion, the construction of the westbound and east bound turn lane improvements and off-site right of way dedication to be obtained from Hazelwild Farm Educational Foundation to assist with the future expansion of Harrison Road. The applicant will provide an emergency access connection with bike and pedestrian accommodations to Woodland Drive. Lastly, the applicant has committed to a cash payment of $325,000 to mitigate impacts of this development on the Harrison Road, Salem Church and Leavells Road intersection. Staff notes that this is the revision reflected in the February 19, 2021 proffer document as the original cash contribution to transportation was $200,000.

   Staff is supportive of this proffer as turn lanes in both directions were determined to be warranted, also the additional right of way offered and cash contributions will relieve some of the County's financial burden for future roadway projects including the expansion of Harrison Road and improvements to the Harrison Road/Salem Church Road/Leavells Road intersection.

5. **Cash Proffers and Escalation Clause –** The applicant has committed to pay a total cash contribution of $24,324.30 ($221.13 per unit) in order to mitigate the project's impacts on Public Safety and Parks and Recreation. Additionally, the cash proffer will be adjusted annually to reflect any increase or decrease for the preceding year in Consumer Price Index.

   A cash contribution is an "offsite proffer" which is a proffer addressing an impact outside the boundaries of the property to be developed. The applicant may mitigate the development's impacts on public facilities via a cash contribution if the facility meets the definition of "public facility" as defined in the Virginia Code and if the development impacts capacity and levels of service and if the development will receive a material benefit from the proffer made.

   Hazel Run Glen will generate additional demands on Public Safety. Currently, there is no excess capacity at Fire Rescue Station 6 to accommodate the projected calls associated with this development. There is a Bunk Room Expansion for Fire & Rescue Station #6 identified in the CIP for which a capacity need exists. In order to determine the impact of Hazel Run Glen on Public Safety that is specifically attributable to the new residential development, staff calculated the County's population inclusive of the projected project population in order to determine the per capita costs associated with this public facility. The applicant has proffered to contribute a total of $8,867.10 ($80.61 per unit) for public safety which is reasonable and legally acceptable based on staff's analysis.

   Additionally, Hazel Run Glen there is an impact on the capacity of the County's Parks and Recreation facilities; therefore, the applicant has proffered to contribute $15,457.20 ($140.52 per unit) for Parks and Recreation which is reasonable and legally acceptable based on staff's analysis.

6. **Additional Proffers-**

a) The applicant commits to provide amenities including a community park (with a dog park), benches, trash/pet waste disposal cans and a playground.

Staff is supportive of this proffer as amenities help to provide a sense of community for the residents and the amenities proffered are not required.

b) In addition to the cash proffers referenced above, the applicant agrees to pay an aggregate sum of $100,000 towards Public Safety and Schools in the amounts of $50,000 for each category.

Staff is supportive of this proffer as it aids to mitigate the impacts of this development on public safety and schools. Currently Fire Station #6 and Battlefield Middle school which would serve this development are currently over capacity.

II. Staff Analysis

A. Transportation Analysis – This development will generate an estimated 1,100 daily vehicle trips with 83 of these occurring in the AM Peak hour and 111 in the PM Peak hour. Turn lane warrant analysis was performed and found that both a left and right turn lane with tapers was warranted. A 2023 LOS analysis was performed for the un-signalized main entrance intersection only and found that the LOS with the development would remain at A for Harrison Road with the development and the northbound development approach to Harrison Rd would experience LOS C during the AM Peak and LOS D during the PM Peak. County staff, however completed additional analysis that determined additional traffic from the development would contribute to creating a LOS problem for the Harrison/Salem Church/Leavells Roads intersection and trigger the need for three additional left turn lanes at the intersection for NB Leavells Road, WB Harrison Road, and SB Salem Church Road. This is a result of this development being projected to send an additional 550 vehicle daily trips through this intersection including 31 during the AM Peak hour and 20 during the PM Peak hour. As a result of this finding, the applicant is providing a $325,000 cash proffer to support improvements to the intersection and Harrison Road.

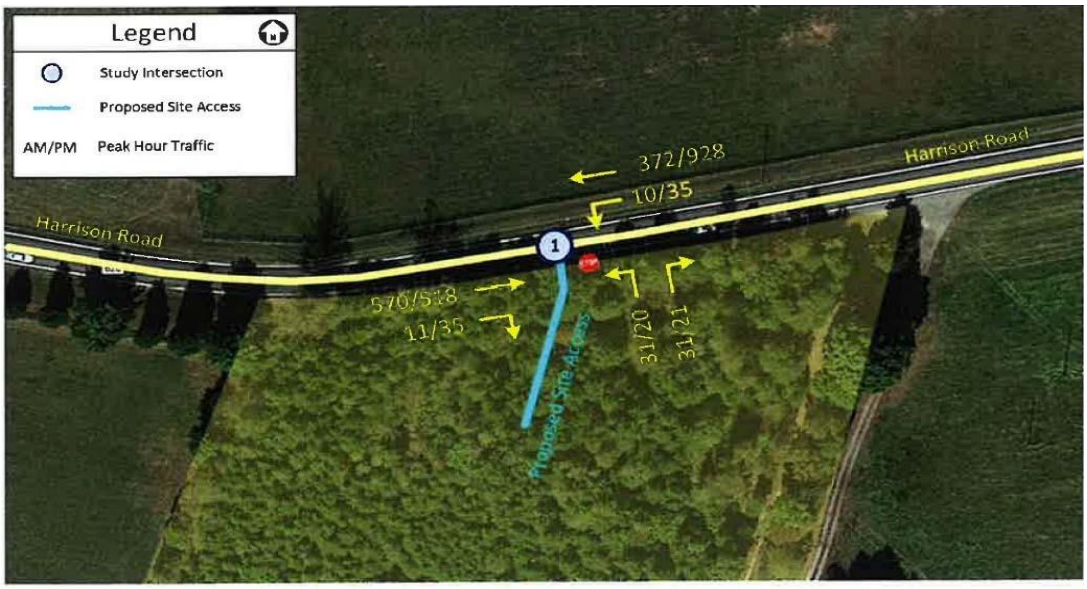


Figure 5: Future with Development (2023) Traffic Volumes

B. Comprehensive Plan – Please find below a summary of the Hazel Run Glen project's conformance with each component of the Comprehensive Plan. A complete Comprehensive Plan Analysis can be found in Appendix A.

1. **Land Use** – The proposal is located within the Primary Development Boundary and is consistent with the intent of the Primary Development Boundary as this area defines the area within which public water and sewer will be provided. The area of the proposal is designated on the Future Land Use Map in the Comprehensive Plan as Mixed Use which supports a variety of land uses in a compact, walkable community with a denser development pattern. The proposed zoning designation of Planned Development Housing District 2 (PDH-2) with a proposed density of 1.88 units per acre is within the parameters established in both the mixed use and low density residential land use designations. The proposed density and character are consistent with the existing residential development pattern.

2. **Transportation** – LOS D or better is maintained for Harrison Road at the development entrance. The development, however, contributes to WB LOS at the Harrison Road intersection with Leavells and Salem Church Road degrading from C to D during the AM Peak hour and becoming a worse LOS F during the PM Peak hour even with the $6.1 Million Smart Scale project. Additional left turn lanes for NB Leavells Rd, WB Harrison Rd, and SB Salem Church Rd are needed to reduce delay and improve LOS at the intersection. The applicant's $325,000 cash proffer can be used towards further improvements at the intersection to improve LOS in the future.

3. **Public Facilities**

   a) **Public Schools** – The Hazel Run Glen development is estimated to generate a total of approximately 40 students (18 elementary, 9 middle, and 13 high school students).

This development is located in the Courthouse Road Elementary, Battlefield Middle and Chancellor High School districts. Based on student enrollment as of October 1, 2020, Courthouse Elementary and Chancellor High have excess capacity; however, Battlefield Middle is currently over capacity. The applicant is aware of this capacity deficit and has offered a cash proffer to mitigate impacts of this development.

b) **Fire, Rescue, and Emergency Services (FREM)** – The Hazel Run Glen development will be served by Fire and Rescue Station #6, located less than two miles from the proposed project site. The call volume capacity for Fire Station #6 is 2,500 per year; the actual call volume for the station in Fiscal Year 2020 was 3,857, indicating current development exceeds the station capacity per the Comprehensive Plan's goal of a maximum call capacity of 2,500 per station. The County Capital Improvements Plan includes an allocation for a renovation and bunkroom addition for Station #6. The applicant has committed to a cash contribution to mitigate the impacts of their development.

c) **Sheriff** – For purposes of the Public Facilities Plan, the Level of Service indicator is to maintain a 1: 1,500 ratio of Deputies per capita. The County's current ratio is 1:1,138 of Deputies per capita which exceeds the Level of Service standard. Consistent with the Code of Virginia, Sec. 15.2-2303.4, the applicant has not offered any proffer to offset the impact of their development on the Sheriff's office nor is a facility planned.

d) **Solid Waste Collection & Disposal** – The Public Facilities Plan indicates a convenience site's population should be within five (5) miles of the site. The Hazel Run Glen development is less than one mile away from the Chancellor Convenience Center consistent with this requirement. This facility has capacity to remain open until approximately (2083-2085) and is projected to accommodate additional residential development based on population projections. Consistent with the Code of Virginia, Sec. 15.2-2303.4, the applicant has not offered any proffer to offset the impact of their development on Solid Waste Collection.

e) **Water and Sewer Facilities** – The Hazel Run Glen development is located within the Primary Development Boundary and will be serviced by public water and sewer, as depicted on the GDP. A new sewage pump station and force main will be constructed to serve the development. A 16" water main will be extended along Harrison Road to serve the project from a connection near the Carriage Hill Lane intersection

f) **Library Facilities** – For purposes of the Public Facilities Plan, the Level of Service standard for library facilities is 0.3 square foot per capita which equates to a total of 39,603 square feet. The County's total gross square footage of library facility floor space is 41,800 square feet which exceeds the Level of Service standard. Library facilities should be within a 10-minute to 15-minute drive within the Primary Development Boundary. The Hazel Run Glen development is an approximate 5-minute drive (1.07 miles) from the Salem Church Branch Library which falls within the acceptable range.

g) **Parks and Recreation Facilities** – The Public Facilities Plan sets out a Level of Service standard for parks, open space and recreation facilities per capita. Currently, the County is not meeting the identified ratio standards for 11 out of 13 recreation services including multi-purpose fields, tennis courts, playgrounds horseshoes, community centers, swimming pools indoor recreation centers, trails, passive recreation space, golf and public meeting space. The projected population for the Hazel Run Glen development will have an impact on these facilities. Consistent with the Code of Virginia, Sec. 15.2-2303.4, the applicant has proffered a cash contribution to offset the impact of their development on Parks and Recreation Facilities. Please refer to Section II.B.5 for the complete summary and analysis of the cash contribution.

4. **Historic Resources** – Staff notes the Virginia Department of Conservation and Recreation Natural Heritage Data Explorer Conserve Virginia land conservation strategy layer does identify lands within approximately 500' of the Harrison Road corridor for potential cultural and historic preservation value.

5. **Natural Resources** – This rezoning request is not expected to negatively impact any sensitive environmental resources. Project development will be subject to regulatory protections concerning environmental quality. The project provides open space in excess of that required in the proposed zoning district. As noted in the GDP Open Space Tabulation, 35% open space will be provided compared to the 30% required under PDH-2 Zoning. Open space exceeds requirements and is therefore favorable to impervious surface minimization goals for development.

III. Findings

In Favor:

A. The proposal is consistent with the intent of the Primary Development Boundary by having more intense development occur within the Primary Development Boundary.

B. The proposal is consistent with the Comprehensive Plan with respect to the Guiding Principles and Policies of Spotsylvania County of being a family friendly community, and comports with the idea of contributing to the mix of units in support of a growing diverse housing stock to accommodate housing needs for all stages of life.

C. The density as proposed with the Hazel Run Glen development is less than the density of Leavells Crossing Subdivision, Cedar Brook Subdivision and the recently approved Harrison Village Subdivision which are located to the south and north of the subject site with approximately 3 dwelling units per acre each.

D. The proposed development also integrates quality open space into the design in excess of zoning district requirements.

E. The County's Fiscal Impact model projects a positive annual fiscal benefit at build out.

F. The applicant has proffered $24,324.30 in cash contributions to mitigate the impacts of the development on public safety, parks and recreation.

G. The applicant has proffered an aggregate sum of $100,000 towards Public Safety and Schools in the amounts of $50,000 for each category.

H. The applicant has proffered westbound and eastbound turn lanes and right-of-way along Harrison Road to mitigate impacts of the project and contribute to the future widening of Harrison Road. Additionally, the applicant has proffered $325,000 to mitigate impacts of this development on the Harrison Road, Salem Church and Leavells Road intersection

Against:

A. The development will contribute to westbound LOS at the Harrison Road intersection with Leavells and Salem Church Road degrading from C to D during the AM Peak hour and becoming a worse LOS F during the PM Peak hour even with the $6.1 Million Smart Scale project.

B. Battlefield Middle School is currently over capacity and the proposed development will generate additional students creating additional impacts. While the applicant has proffered a cash contribution to schools, there is no project in the current Capital Improvement Plan (CIP) to remedy the capacity issue at this time.

IV. Conclusions & Recommendations

The Comprehensive Plan Guiding Principles and Policies support a diverse housing inventory that can accommodate the housing needs for all stages of life. This diversity includes small to larger single family homes as part of this inventory. This projects comports with this goal by providing housing on smaller lots to provide a compact, walkable residential community. This project is within the Primary Development Boundary, and although some of the existing subdivisions in this area were developed with larger lot sizes, a large lot development is not in line with the current goals and intent of the Primary Development Boundary. The density as proposed with the Hazel Run Glen development is less than the density of Leavells Crossing Subdivision, Cedar Brook Subdivision (south of the proposal) and recently approved Harrison Village Subdivision (north of the proposal) which with approximately 3 dwelling units per acre each. The proposed development also integrates quality open space into the design in excess of zoning district requirements. The applicant has proffered cash contributions to mitigate the development's impacts on public safety, parks and recreation, transportation and schools. In addition, the County's model projects a positive annual fiscal benefit at build out of the project. The applicant has proffered an emergency access connection with bike and pedestrian accommodations to Woodland Drive, transportation improvements including westbound and eastbound turn lanes, right-of-way along Harrison Road which not only mitigate the impacts of the project but also contribute to future expansion of Harrison Road, and a cash contribution toward the Salem Church Rd, Leavells Rd, and Harrison Road intersection. At the February 17th Planning Commission Public Hearing, the commission heard concerns from adjacent property owners regarding traffic concerns. Upon hearing those concerns the applicant has submitted a proffer document dated February 19, 2021, which increases the cash contribution toward the Salem Church Road, Leavells Road, and Harrison Road intersection from $200,000 to $325,000. Given the Findings in Favor and reasons noted in the conclusion, Staff recommends approval of the rezoning request with the proffered conditions dated February 19, 2021.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

The Spotsylvania County Comprehensive Plan presents a long range land use vision for the County. The Comprehensive Plan sets forth principles, goals, policies, and implementation techniques that will guide the development activity within the County and promote, preserve, and protect the health, safety, and general welfare of its citizens. Specifically, the Plan provides data and analysis on land use, transportation, housing, natural and historic resources, and public facilities and utilities. The purpose of this document is not to regulate, but rather guide land use, transportation, and infrastructure decisions. This guidance seeks to ensure continued economic and community vitality while ensuring necessary policies and infrastructure are in place to provide for the continuation of quality services to Spotsylvania's residents and businesses.

After conducting an analysis of applicable Comprehensive Plan Goals, staff has identified application strengths, deficiencies, and policy concerns worthy of consideration as outlined in the Comprehensive Plan policy analysis below:

Introduction and Vision:

Guiding Principles and Policies A. Spotsylvania County is a "business friendly" community and local job creation is a priority. As a residential project the proposal is business friendly in the sense it helps support design firms, tradesmen, laborers and suppliers throughout the design and construction phase. There are long term spin-off benefits associated with the upkeep of the neighborhood and homes, buying power and consumer needs of residents, etc. The applicant supplied fiscal impact analysis projects direct and indirect construction related impacts. An equivalent 86 direct and 65 indirect jobs are expected for construction of this project (one-time impacts). Inevitably the residents of this 110 single family detached unit project will result in positive economic spin-off effects upon local business in the area.

Guiding Principles and Policies B. Spotsylvania County is fiscally sustainable. Guiding Principles and Policies B.2. Development projects seeking increased residential density and/ or non-residential intensity should address impacts that are specifically attributable to the proposed development. The applicant provided fiscal impact analysis suggests this project will offset its costs to the County after build out resulting in projected net revenues of $154,828 annually. The project fiscal impact analysis estimates an average assessed value per unit of $464,245. The project narrative expects sales prices in the range of $525,000 to $585,000. The County utilizes a conservative fiscal impact model to separately analyze and help verify projected fiscal impacts submitted by applicants. The County model also trends positive with an annual fiscal impact estimated t $153,231.

Guiding Principles and Policies B.3. Development projects seeking increased residential density and/or non-residential intensity should address its impacts on the infrastructure of the County. Considering the parameters established in the Code of Virginia Sec. 15.2-2303.4, the proposal considers and mitigates impacts upon public facility demands and public infrastructure specifically attributable to the proposed development for parks and recreation and public safety considering additional demands resulting from units above by-right potential with known capacity enhancing projects identified in the County Capital Improvement Plan (CIP). The proffer analysis recognizes a capacity issue for schools, specifically related to middle school student generation from the project to Battlefield Middle where inadequate capacity has been found. Additional students inevitably impact public facilities capacity. To address this impact the applicant has proposed via additional proffers an aggregate sum of $100,000 towards public safety and schools in the amount of $50,000 for each of those categories. Proffer commitments do have phasing commitments. Transportation impacts on infrastructure are proposed as physical improvements as noted in the proffer statement and depicted in the project GDP. Transportation commitments

proffered to mitigate project impacts include: dedication of right-of-way along Harrison Road as noted in the GDP; construction of a westbound left turn lane with 100' of storage and 200' of taper and an eastbound right turn lane with 100' of storage and 200' of taper along Harrison Road- these turn lanes are expected to reduce delayed or stopping through traffic resulting from ingress/egress to the project; provide an emergency access connection as 12' wide emergency access to Woodland Drive; pedestrian and bicycle connectivity via the emergency access connection to Woodland Drive; right-of way dedication phasing; transportation proffer cash payment of $200,000 to mitigate impacts at the Harrison, Salem Church, Leavells Road intersection.

Guiding Principles and Policies B.3.a. The County should support alternative onsite transportation alternatives and recreational options such as transit, pedestrian and bicycle facilities that are able to, or will, connect to neighboring properties. Sidewalks are required for this project as per Spotsylvania County Design Standards Manual (Article 5). As depicted in the Generalized Development Plan, sidewalk infrastructure will be developed along internal roads providing an interconnected pedestrian friendly network about the project area. Sidewalks will also be developed along the project frontage along Harrison Road.

Guiding Principles and Policies B.4. Preserve significant natural, historic, and cultural resources of the County to ensure the continued allure of the County as a tourism destination. Staff consulted the Virginia Department of Historic Resources Virginia Cultural Resource Information System to search for the potential presence of historic resources tied to documented historic resources or activities onsite or in the immediate area. Staff also consulted the County cemetery project and found no known/documented cemeteries onsite. Portions of the project area and significant land areas in the surroundings fall within DHR Resource areas including DHR ID 088-5180- Chancellorsville Battlefield. Staff notes the site does not fall within the limits of the Civil War Related Lands Database which documents battlefield lands of primary, secondary or tertiary priority for preservation. Per the project narrative, *Based on review of the Comp Plan and information from the Virginia Department of Historic Resources and the United States Department of the Interior, the property does not include any cultural resources, including civil war era works or cemeteries. Additionally, the property is not located in the County's Historic Overlay District.* Staff notes that a site-specific survey does not appear to have been conducted for potential historic resources in the past and no cultural/historic resource study was provided as part of the application. Staff notes the Virginia Department of Conservation and Recreation Natural Heritage Data Explorer ConserveVirginia land conservation strategy layer does identify lands within approximately 500' of the Harrison Road corridor for potential cultural and historic preservation value. Its good to note that the designation stems in large part from Civil War Battlefield limits and can be found in existing heavily developed and commercialized areas, nearby residential subdivisions, etc.

Guiding Principles and Policies C. Spotsylvania County is a family friendly community. Guiding Principles and Policies C.1. The County should support a diverse housing inventory, providing a mix of units that can accommodate housing needs for all stages of life. This would involve a range of housing from affordable units for young families just entering the housing market in the form of condominiums, townhouses, and small single family homes to larger homes, and active adult and assisted care facilities. The Proposal complements goals to provide units in support of growing a diverse housing stock to accommodate housing needs for all stages of life and affordability. Per project narrative, homes are anticipated to average 3,000 sq. ft. to 3,500 sq. ft. The project fiscal impact analysis estimates an average assessed value per unit of $464,245. The project narrative expects sales prices in the range of $525,000 to $585,000. The

development mix and price points do not include affordable units for median income and less than median income households.

Guiding Principles and Policies E.1. Protect environmental quality by promoting a comprehensive approach to air and water quality management. Examples of approaches to accomplish this could include: green space and tree preservation, stream restoration, and low impact development (LID). This rezoning request is not expected to negatively impact any sensitive environmental resources. Project development will be subject to regulatory protections concerning environmental quality. In all, 20.67 acres (or 35.27%) open space is proposed. This exceeds the 30% required by the PDH Zoning district. The project areas most sensitive environmental areas have been protected as open space areas. Limits of clearing and tree preservation have been depicted in the GDP.

Land Use:

Future Land Use Map Designation. Land Use Policies Applicable to All Land Uses 8. Redevelopment and investment in existing developed areas should be encouraged provided that the development does not adversely impact adjoining properties. Mixed Land Use Policies 2. Appropriate transitions in scale of building and/ or buffering should be provided from mixed land use developments to adjoining existing developments. Residential Land Use Policies 3. Residential infill development should maintain the neighborhood character established by the existing subdivisions. The proposal is located within the Primary Development Boundary. The Primary Development Boundary defines the area within which public water and sewer utilities will be provided. The Primary Development Boundary is shown on the Future Land Use Map of the Comprehensive Plan. Land within the boundary is intended to develop with higher residential densities and more intensive non- residential uses than outside of the boundary. By maintaining a Primary Development Boundary, the County encourages the most efficient use of the land while preserving the rural character. The Harrison Village proposal is consistent with the intent of the Primary Development Boundary.

The Hazel Run Glen project area is located within a mixed-use land use designation per the Future Land Use Map. As per the Comprehensive Plan Land Use Element, the mixed use land use designation *should serve as a place for Spotsylvania residents to live, work, shop, and play by providing for a variety of land uses in a compact, walkable community with a denser development pattern. The Mixed Land Use category encompasses a variety of uses, including traditional neighborhoods; higher density residential; non-traditional residential (garage apartments as well as residential units situated over commercial uses); commercial uses (retail and office); light industrial; educational facilities; recreation facilities, and compatible public and other civic facilities. The intensity of the development within the mixed-use category will vary depending upon location, surrounding uses and the availability of mass transit. Larger scale mixed use developments may be proposed under this category or developers may propose smaller projects that that are or will be integrated into a larger mixed-use area. This should be accomplished by utilizing the principles described throughout this category description, with particular attention paid to the massing, street layout, building location on the lot, general aesthetic of the development, parking design and location, and pedestrian accessibility.*

Staff notes the project is located along the edge of a mixed-use area with an existing single-family detached subdivision adjacent (Carriage Hills). Carriage Hills has a low-density residential land use designation (Comprehensive Plan supports up to 4 units/acre) consistent with the existing development character established there. As a residential development, Carriage Hills and the nearby Twin Springs developments lot sizes are notably larger (many over 4 acres) than many

other nearby subdivisions such as Queens Mill (approximately ¼ to ½ acre lots), Leavells Crossing (roughly ¼ to ½ acre lots). Per the Comprehensive Plan, the Map (Future Land Use) is not intended to be parcel specific, but rather provides a flexible guide for the County's future development patterns. As a land use boundary edge, staff has looked to the immediate surroundings and is considerate of nearby land use designations. Lots within the adjacent Carriage Hills are considered large for the Primary Development Boundary, ranging from approximately 4 to 6 acres. The proposed 110 SFD units over 58.61 acres results in an approximate density of 1.88 units/acre. Of the project total area, 20.67 acres of open space has been reserved in open space. The open space provided exceeds the minimum open space requirement of the requested zoning designation. This density is well within the parameters established in both the mixed use and low-density residential land use designations.

Lots (including those in proximity to the adjacent Carriage Hills Subdivision) within the Hazel Run Glen proposal range from 1/4 acres to 1/2 acres in size. The actual lot size differences and resulting building density cluster is noticeably different than Carriage Hills lots. As per the Comp Plan Land Use Policy Applicable to All Land Uses 8 "Redevelopment and investment in existing developed areas should be encouraged provided that the development does not adversely impact adjoining properties", and Mixed Use Policy 2, "Appropriate transitions in scale of building and/or buffering should be provided from mixed land use developments to adjoining existing developments. Cognizant of the adjacent Carriage Hills Subdivision with a Low-Density Land Use designation, Residential Land Use Policies 3 states. Residential infill development should maintain the neighborhood character established by the existing subdivisions. The applicant has provided some separation in the form of a 35' buffer area including tree preservation between the more densely clustered homes on parcels with smaller lots.

Though the proposal generally meets the intent of the low density residential and mixed use land use designation, the physical transition between 4 to 6 acre Carriage Hills lots and nearby proposed 1/4 to 1/2 acre Hazel Run Glen lots warrants consideration to determine if the project as proposed is a good "fit" and adequately considers physical transitions, specifically along the projects western boundary adjacent to Carriage Hills. Considering County transitional screening requirements, the proposed single-family detached units are like units to the Carriage Hills subdivision and no transitional screening buffering would be required. Implementation of the buffering proposed per the GDP is considered favorable in this instance to soften the development transition. Staff believes the GDP depicted buffer area (acts as onsite transitional screening similar in depth to a transitional screen 2 per DSM) does help reduce localized density conflicts associated with clustering of homes on smaller lots. The intent of this buffer would be to maintain existing vegetation occurring within the area consistent with tree preservation goals of the Comp Plan. No analysis has been provided to better determine the extent of screening that will result onsite and no supplemental plantings are proposed to enhance screening within the area.

Land Use Policies Applicable to All Land Uses 1. Rezoning proposals should address impacts that are specifically attributable to the development. Considering the parameters established in the Code of Virginia Sec. 15.2-2303.4, the proposal considers and mitigates impacts upon public facility demands and public infrastructure specifically attributable to the proposed development for parks and recreation and public safety considering additional demands resulting from units above by-right potential with known capacity enhancing projects identified in the County Capital Improvement Plan (CIP). The proffer analysis recognizes a capacity issue for schools, specifically related to middle school student generation from the project to Battlefield Middle where inadequate capacity has been found. Additional students inevitably impact public facilities

capacity. To address this impact the applicant has proposed via additional proffers an aggregate sum of $100,000 towards public safety and schools in the amount of $50,000 for each of those categories. Proffer commitments do have phasing commitments. Transportation impacts on infrastructure are proposed as physical improvements as noted in the proffer statement and depicted in the project GDP. Transportation commitments proffered to mitigate project impacts include: dedication of right-of-way along Harrison Road as noted in the GDP; construction of a westbound left turn lane with 100' of storage and 200' of taper and an eastbound right turn lane with 100' of storage and 200' of taper along Harrison Road- these turn lanes are expected to reduce delayed or stopping through traffic resulting from ingress/egress to the project; provide an emergency access connection as 12' wide emergency access to Woodland Drive; pedestrian and bicycle connectivity via the emergency access connection to Woodland Drive; right-of way dedication phasing; transportation proffer cash payment of $200,000 to mitigate impacts at the Harrison, Salem Church, Leavells Road intersection.

Staff noted a pond with dam structure encompassing a portion of the Carriage Hills subdivision and this project proposal. Looking to verify protective measures were in place to maintain the feature, staff was able to secure feedback form the applicant as follows:
Pursuant to...Deed Book 347 at Page 231, the pond and dam are to be maintained by the owner of the subject property; except the adjoining property owners at Carriage Hill who are adjacent to the pond are required to reimburse the said owner for one half of the costs to maintain the pond and dam…The size of the pond and height of the embankment do not meet the minimum criteria to be regulated under the Virginia Dam Safety Regulations. Therefore, there is no regulated downstream dam break inundation zone.
Land Use Policies Applicable to All Land Uses 3. Wherever possible, existing trees and tree buffers should be preserved rather than replacing mature vegetation with new plantings. Limits of clearing and tree preservation have been depicted in the GDP.
Mixed Land Use Policies 1. Mixed land use developments should display characteristics that provide a unique sense of place (examples could include: design guidelines, architectural features, or common color palette, among others). Project proffers include front façade building material commitments and elevations. The project includes a number of recreational amenities to benefit residents and interparcel connectivity point within the larger mixed-use area provides an opportunity for this solely SFD residential subdivision to "fit" into a larger mixed use development plan introducing a variety of uses and additional attractions or amenities to enhance "unique sense of place". Considering the larger mixed-use area to the north and south of Harrison Road, this project is considered a transitional residential edge project adjacent to existing development patterns. The core of this mixed-use area where much of the character and identity of a mixed-use area can be developed has not yet been realized.
Mixed Land Use Policies 3. Vehicular and pedestrian connections should be made to adjoining developments at appropriate locations, including at existing interparcel access points. Mixed Land Use Policies 4. A grid pattern of connected streets should be supported by the County. Cul-de-sacs should be discouraged and only employed in rare instances. Project is complementary of Mixed Use Connectivity Policies.
Mixed Land Use Policies 5. The County should support public open space and pedestrian accommodations integrated throughout the development. Mixed Land Use Polices 11. Quality open spaces should be integrated into development and may include passive and active areas, pavilions, walking paths, gardens, forested areas, and lakes, among other

features. Project is complementary of Mixed-Use open space and pedestrian accommodations Policies.

Mixed Land Use Policies 9. The County should support a diverse housing mix with a range of housing sizes and types that meet the needs of citizens throughout all stages of life and income levels. The Proposal complements goals to provide units in support of growing a diverse housing stock to accommodate housing needs for all stages of life and affordability. Per project narrative, homes are anticipated to average 3,000 sq. ft. to 3,500 sq. ft. The project fiscal impact analysis estimates an average assessed value per unit of $464,245. The project narrative expects sales prices in the range of $525,000 to $585,000. The development mix and price points do not include affordable units for median income and less than median income households.

Transportation:

Transportation Policy 1, Strategy 1. Achieve no less than a "D" Peak Hour Level of Service on 90% of County secondary roads within the Primary Development Boundary as shown in the Thoroughfare Plan. In the Primary Settlement District, levels of service are lower to encourage development and redevelopment to densities and intensities that maximize use of the existing infrastructure. Transportation Policy #2. Ensure that new development does not degrade Levels of Service and mitigates its impact on the transportation network. Transportation commitments proffered to mitigate project impacts include: dedication of right-of-way along Harrison Road as noted in the GDP; construction of a westbound left turn lane with 100' of storage and 200' of taper and an eastbound right turn lane with 100' of storage and 200' of taper along Harrison Road- these turn lanes are expected to reduce delayed or stopping through traffic resulting from ingress/egress to the project; provide an emergency access connection as 12' wide emergency access to Woodland Drive; pedestrian and bicycle connectivity via the emergency access connection to Woodland Drive; right-of way dedication phasing; transportation proffer cash payment of $200,000 to mitigate impacts at the Harrison, Salem Church, Leavells Road intersection.

Transportation Policy #2, Strategy #1. Protect the transportation network from future congestion by: (a) encouraging joint-use access points for multiple developments; (b) ensuring connections within and between developments that offer alternative routing for traffic, but does not encourage cut-through traffic. Promotion of multiple access points is favorable and helps distribute traffic as opposed to single point traffic loads in one location resulting in added vehicle stacking and choke points. Per the GDP the applicant proposes a connection to the east to eventually expand accessibility options to a presently undeveloped area designated for mixed-use development.

Transportation Policy 2, Strategy 5. The County should support alternative onsite transportation alternatives and recreational options such as transit, pedestrian and bicycle facilities that are able to, or will, connect to neighboring properties. Transportation Policy #3. Promote alternative modes of transportation and multi-modal facilities to more effectively address demands on the transportation network. Sidewalks are required for this project as per Spotsylvania County Design Standards Manual (Article 5). As depicted in the Generalized Development Plan, sidewalk infrastructure will be developed along internal roads providing an interconnected pedestrian friendly network about the project area. Sidewalks will also be developed along the project frontage along Harrison Road.

Historic Resources:

Historic Resources Policy 1. Encourage and promote the voluntary protection and preservation of scenic, historic, cultural, architectural, and archaeological resources.

Historic Resources Policy 1, Strategy 2. Support the preservation of resources with local, state, or national significance. Staff consulted the Virginia Department of Historic Resources Virginia Cultural Resource Information System to search for the potential presence of historic resources tied to documented historic resources or activities onsite or in the immediate area. Portions of the project area and significant land areas in the surroundings fall within DHR Resource areas including DHR ID 088-5180- Chancellorsville Battlefield. Staff notes the site does not fall within the limits of the Civil War Related Lands Database which documents battlefield lands of primary, secondary or tertiary priority for preservation. Per the project narrative, *Based on review of the Comp Plan and information from the Virginia Department of Historic Resources and the United States Department of the Interior, the property does not include any cultural resources, including civil war era works or cemeteries. Additionally, the property is not located in the County's Historic Overlay District.* Staff notes that a site-specific survey does not appear to have been conducted for potential historic resources in the past and no cultural/historic resource study was provided as part of the application. Staff notes the Virginia Department of Conservation and Recreation Natural Heritage Data Explorer ConserveVirginia land conservation strategy layer does identify lands within approximately 500' of the Harrison Road corridor for potential cultural and historic preservation value. Its good to note that the designation stems in large part from Civil War Battlefield limits and can be found in existing heavily developed and commercialized areas, nearby residential subdivisions, etc.

Natural Resources:

Natural Resources Policy 1. Balance the protection of environmental resources and natural wildlife habitats with development. Natural Resources Policy 1, Strategy 1. The County should support the mitigation of impacts upon unique and/ or endangered resources including rare species and their habitats. This rezoning request is not expected to negatively impact any sensitive environmental resources. As noted in the project narrative, the Applicant will perform all applicable studies for endangered species as is typically necessary for state and federal permitting for the project prior to final site plan approval. Staff consulted the Virginia Department of Conservation and Recreation Natural Heritage Data Explorer system and note the area of interest has been classified as low probability of suitable habitat for rare species.

Natural Resources Policy 1, Strategy 3. Encourage land development practices, which minimize impervious cover to promote groundwater recharge, and/ or tree preservation. This rezoning request is not expected to negatively impact any sensitive environmental resources. Project development will be subject to regulatory protections concerning environmental quality. In all, 20.67 acres (or 35.27%) open space is proposed. This exceeds the 30% required by the PDH Zoning district. The project areas most sensitive environmental areas have been protected as open space areas. Limits of clearing and tree preservation have been depicted in the GDP.

Residential Projects with Future Buildout

Voting District	CP Dev_Dist	Date Approved	Project Name	Enabled Residential Units				Unbuilt Residential Units				Future Anticipated Residents, Students and Fire & Rescue Calls					Elementary School	Middle School	High School	F&R Station
				SFD	SFA	MF	AR	SFD	SFA	MF	AR	Residents	Elem.	Middle	High	F&R Calls				
Livingston	RD		Fawn Lake	Byright and pre-2002 subdivisions				421	0	0	0	1280	108	55	77	174	Brock Rd	Ni River	Riverbend	7
Chancellor	RD		Estates of Chancellorsville*					21	0	0	0	64	5	3	4	9	Chancellor	Ni River	Riverbend	5
Chancellor	RD		Estates of Elys Ford*					231	0	0	0	702	60	30	42	95	Chancellor	Ni River	Riverbend	5
Chancellor	RD/PSD		Saw Hill*					0	0	0	0	0	0	0	0	0	Wilderness	Ni River	Riverbend	5
Berkeley	RD	1/16/2008	Estates of Buckingham*					24	0	0	0	73	6	3	4	10	Berkeley	Post Oak	Spotsylvania	3
Lee Hill	PSD	2/2/2011	Pelhams East*					0	0	0	0	0	0	0	0	0	Lee Hill	Thornburg	Massaponax	11
Livingston	PSD	1/11/2013	The Woods of Catharpin*					0	0	0	0	0	0	0	0	0	Wilderness	Ni River	Riverbend	5
Livingston	RD	2/20/2013	Whitehall*					60	0	0	0	182	15	8	11	25	Brock Rd	Ni River	Riverbend	7
Berkeley	RD	2/20/2013	Tanglewood Estates*					0	0	0	0	0	0	0	0	0	Riverview	Post Oak	Spotsylvania	8
Battlefield	PSD	10/2/2013	The Estates at Kingswood*					1	0	0	0	3	0	0	0	0	Battlefield	Chancellor	Chancellor	4
Salem	PSD	10/21/2015	Breckenridge Farms*					0	0	0	0	0	0	0	0	0	Courthouse	Freedom	Courtland	1
Courtland	PSD	1/12/2016	Avalon Woods*					35	0	0	0	106	9	5	6	14	Salem	Chancellor	Chancellor	6
Berkeley	RD	4/22/2009	Anna Vista Sec 2*					7	0	0	0	21	2	1	1	3	Livingston	Post Oak	Spotsylvania	2
Berkeley	RD	3/14/2016	Pennington Estates*					3	0	0	0	9	1	0	1	1	Courtland	Spotsylvania	Courtland	1
Livingston	RD	8/13/2002	Pamunkey Point	47	0	0	0	16	0	0	0	49	4	2	3	7	Livingston	Post Oak	Spotsylvania	9
Battlefield/Lee Hi	PSD	11/26/2002	Lee's Parke	1437	0	0	795	114	0	0	24	382	29	15	21	52	Parkside	Spotsylvania	Courtland	4
Livingston	RD	2/25/2003	Sunrise Bay	89	0	0	0	32	0	0	0	97	8	4	6	13	Livingston	Post Oak	Spotsylvania	9
Courtland	PSD	11/9/2004	Regency at Chancellorsville	0	0	0	294	0	0	0	53	79	0	0	0	11	-	-	-	5
Courtland	RD	12/14/2004	Glenhaven/River Glen	74	0	0	0	9	0	0	0	27	2	1	2	4	Chancellor	Chancellor	Riverbend	5
Courtland	PSD	11/14/2006	Reserve at C'ville (Crossing at C'ville)	122	0	0	0	0	0	0	0	0	0	0	0	0	Chancellor	Chancellor	Riverbend	5
Battlefield	PSD	7/8/2008	Lafayette Crossing	0	110	0	0	0	0	0	0	0	0	0	0	0	Spotswood	Battlefield	Massaponax	4
Lee Hill	PSD	7/14/2009	Mallard Landing	0	150	0	0	0	32	0	0	77	10	4	5	10	Cedar Forest	Thornburg	Massaponax	11
Courtland	PSD	11/10/2009	Spring Arbor (River Crossing)	0	0	0	62	0	0	0	0	0	0	0	0	0	-	-	-	6
Battlefield	PSD	12/8/2009	Summerfield	83	44	0	0	3	0	0	0	9	1	0	1	1	Spotswood	Battlefield	Chancellor	4
Livingston	PSD	4/12/2011	Keswick	150	90	240	184	150	90	168	61	1014	115	54	64	138	RE Lee	Spotsylvania	Spotsylvania	1
Berkeley	PSD	10/11/2011	Ni Village	0	164	773	0	0	164	773	0	1547	107	57	63	210	Riverview	Spotsylvania	Massaponax	8
Lee Hill	PSD	2/14/2012	Lakeside	0	100	0	0	0	0	0	0	0	0	0	0	0	Spotswood	Battlefield	Massaponax	4
Lee Hill	PSD	8/14/2012	Brooks	0	4	0	0	0	2	0	0	5	1	0	0	1	Cedar Forest	Thornburg	Massaponax	11
Livingston	RD	10/9/2012	Estates at Terry's Run	10	0	0	0	10	0	0	0	30	3	1	2	4	Livingston	Post Oak	Spotsylvania	9
Berkeley/Livingst	PSD	7/9/2013	Spotsylvania Cthse Village	395	205	900	50	221	112	719	50	2088	144	77	125	284	RE Lee	Spotsylvania	Spotsylvania	1
Berkeley	PSD	8/13/2013	Crossroads Station Apt	0	0	610	0	0	0	423	0	630	31	20	22	86	Cedar Forest	Thornburg	Massaponax	11
Lee Hill	PSD	9/10/2013	New Post	219	104	102	0	168	47	0	0	624	58	28	38	85	Cedar Forest	Thornburg	Massaponax	11
Livingston	RD	9/24/2013	Fortune's Landing	49	0	0	0	29	0	0	0	88	7	4	5	12	Wilderness	Ni River	Spotsylvania	5
Lee Hill	PSD	12/10/2013	The Silver Collection Apt	0	0	274	0	0	0	0	0	0	0	0	0	0	Riverview	Thornburg	Massaponax	4
Courtland	PSD	1/14/2014	Villas at Harrison Crossing (Barley Woods)	0	0	0	130	0	0	0	41	61	0	0	0	8	-	-	-	6
Lee Hill	PSD	1/28/2014	Heritage Woods	697	180	183	0	697	180	183	0	2825	248	123	163	384	Parkside	Spotsylvania	Court/Mass	1/4/8
Berkeley	PSD	6/24/2014	Ni River Comm. Church/Courtland Park	89	0	0	0	34	0	0	0	103	9	4	6	14	Courtland	Spotsylvania	Courtland	1
Battlefield	PSD	6/24/2014	Southpoint Landing	0	0	830	0	0	0	310	0	462	23	15	16	63	Parkside	Battlefield	Courtland	4
Chancellor	RD	9/9/2014	Legends of Cville/Hunting Run Landing	218	0	0	0	218	0	0	0	663	56	28	40	90	Brock Rd/Chan.	Ni River	Riverbend	5
Lee Hill	PSD	12/9/2014	Wheatland	0	98	0	0	0	2	0	0	5	1	0	0	1	Lee Hill	Thornburg	Massaponax	11
Chancellor	PSD	12/9/2014	Thorburn Estates	59	0	0	0	53	0	0	0	161	14	7	10	22	Wilderness	Freedom	Riverbend	10
Lee Hill	PSD	6/23/2015	Jackson Village	0	596	1289	385	0	596	706	385	3062	235	110	123	416	Parkside	Spotsylvania	Massaponax	4
Courtland	PSD	11/12/2015	Retreat at C'ville	0	0	0	192	0	0	0	185	276	0	0	0	37	-	-	-	5
Berkeley	PSD	12/8/2015	Alexander's Crossing	518	971	888	230	518	971	888	230	5581	497	234	281	758	Riverview	Thornburg	Massaponax	11
Berkeley	RD/PSD	1/26/2016	Plantation Woods/Woodberry Manor	132	0	0	0	131	0	0	0	398	34	17	24	54	Courtland	Spotsylvania	Spotsylvania	1
Livingston	RD	5/24/2016	Goodwin Cove	35	0	0	0	35	0	0	0	106	9	5	6	14	Livingston	Post Oak	Spotsylvania	9
Berkeley	PSD	3/14/2017	Cedar Forest	29	0	0	0	23	0	0	0	70	6	3	4	10	Cedar Forest	Thornburg	Massaponax	11
Berkeley	PSD	3/14/2017	Summit Crossing Estates	70	0	0	0	70	0	0	0	213	18	9	13	29	Riverview	Thornburg	Massaponax	11
Courtland	RD	9/12/2017	Barrington	39	0	0	0	39	0	0	0	119	10	5	7	16	Chancellor	Chancellor	Riverbend	5
Battlefield	PSD	12/12/2017	Afton	29	0	0	0	29	0	0	0	88	7	4	5	12	Spotswood	Battlefield	Massaponax	4
Battlefield	PSD	6/12/2018	Roseland	0	14	0	0	0	13	0	0	31	4	2	2	4	Spotswood	Battlefield	Massaponax	4
Chancellor	PSD	8/14/2018	Ashleigh Ridge Subdivision	19	0	0	0	19	0	0	0	58	5	2	3	8	Wilderness	Freedom	Riverbend	5
Courtland	PSD	8/14/2018	The Villas at Salem Church	0	0	0	45	0	0	0	38	57	0	0	0	8	-	-	-	6
Lee Hill	PSD	9/9/2018	Palmer's Creek	0	0	400	0	0	0	400	0	596	29	19	20	81	Parkside	Spotsylvania	Massaponax	8
Courtland	PSD	11/15/2018	Regency Crossing	0	21	0	0	0	7	0	0	17	2	1	1	2	Harrison Road	Chancellor	Riverbend	6
Courtland	PSD	4/28/2020	Harrison Village	73	0	0	0	73	0	0	0	222	19	10	11	30	Battlefield	Chancellor	Chancellor	6
Lee Hill	PSD	7/28/2020	Foxcroft	0	68	0	0	0	68	0	0	164	21	9	10	22	Lee Hill	Thornburg	Massaponax	11
Lee Hill	PSD	10/13/2020	Afton Villas	2	0	0	77	2	0	0	77	115	1	0	0	16	Spotswood	Battlefield	Massaponax	4
Courtland	RD	10/27/2020	Springhaven	0	30	0	0	0	30	0	0	72	0	9	4	10	Harrison Road	Chancellor	Riverbend	6
Lee Hill	PSD	12/8/2020	Upper Spotsylvania Redevelopment	0	0	525	0	0	0	525	0	782	38	25	27	106	Cedar Forest	Battlefield	Massaponax	11

*By-right subdivisions

TOTALS	**3496**	**2314**	**5095**	**1144**	**25,495**	**2011**	**1014**	**1280**	**3465**
Total unbuilt residential units	**12,049**								

Unbuilt units updated 1/1/2021
Projects added 12/8/2020

KEY: SFD = Single Family Detached; SF = Single Family Attached; MF = Multi- Family (apartments); AR = Age Restricted Units (any type)

Notes: Does not include new by-right subdivisions of fewer than 10 lots, family divisions, or annual divisions
Does not include existing by-right lots outside of subdivisions

Generation Rates	**SFD**	**SFA**	**MF**	
Persons Per Unit	3.04	2.41	1.49	
Students Per Unit			**MF Mkt**	**MF TC**
Elementary	0.2577	0.3072	0.073	0.291
Middle	0.1307	0.1286	0.047	0.134
High	0.1832	0.1453	0.051	0.139
Fire and Rescue	0.136 calls per capita			

TC = Tax Credit
Mkt = Market Rate

VOLUNTARY PROFFER STATEMENT

Applicant:	CERESHARRISONLAND LLC ("Applicant") 602 South Lee Street, Suite 100, Alexandria, VA 22314
Owner:	Patricia P. Preston ("Owner") 5015 Brookshire Court, Fredericksburg, VA 22408
Representative:	Charles W. Payne, Jr., Hirschler Fleischer; 725 Jackson Street, Ste. 200, Fredericksburg, VA 22401; Phone: (540) 604-2108; Fax (540) 604-2101; Email: cpayne@hirschlerlaw.com
Project Name:	"Hazel Run Glen" ("Project")
Property:	Spotsylvania County Tax Parcel 23-A-64A, consisting of approximately 58.611 acres, known as 5430 Harrison Road (collectively, the "Property")
Date:	February 19, 2021
GDP:	Generalized Development Plan, entitled "Hazel Run Glen", prepared by Fairbanks & Franklin, dated December 4, 2019, as last revised November 25, 2020 attached hereto as Exhibit A ("GDP")
Rezoning Request:	From R-1 to PDH-2
Rezoning File No.:	R19-0014

I. General Information

The Applicant and Owner, and their respective successors and assigns, hereby agree that the development of the Property, subsequent to approval of the rezoning application to which these proffers are attached, will be in conformance with the GDP and the following proffered conditions ("Proffers") pursuant to Sections 15.2-2303 and 15.2-2303.4, et al. of the Code of Virginia (1950, as amended), and Section 23-4.6.3, et al. of the Zoning Ordinance of Spotsylvania County (1995, as amended). The Proffers are the only conditions offered in this rezoning application. The Proffers will be effective upon Spotsylvania County's ("County") full and final approval of rezoning application R19-0014 to reclassify the Property from R-1 to PDH-2 to allow for the development of no more than one hundred ten (110) single family detached units. Any prior proffers affecting the Property, whether of record or not, are hereby superseded by these Proffers, and thus are void and of no further force and effect upon said approval.

II. Land Use

A. **General Development.** The Property will be developed in conformance with the GDP. Notwithstanding the foregoing, all parcel lines, parcel and lot sizes, building envelopes, building or home sizes, public road locations, private driveway and travelway locations, utility locations, storm water management facilities, amenities, and dimensions of undeveloped areas shown on the GDP may be reasonably adjusted for purposes of the final site or subdivision plans to allow full compliance with state and federal agency regulations including, but not limited to, DHR, VDOT, DEQ, DCR, Army Corps., etc., and with the requirements of the County's Zoning Ordinance, Subdivision Ordinance, and Design Standards Manual. Notwithstanding the foregoing, any material adjustments to the GDP shall be subject to the approval of the County's Zoning Administrator, and in no event shall approved adjustments to the GDP relieve the Applicant and Owner from providing any of the Proffers.

B. Use. The Property shall be developed solely for no more than one hundred ten (110) residential single family detached units (each individually, a "Unit", and collectively, the "Units") as shown on the GDP, and the Property shall not be developed for any other secondary uses allowed under the PDH-2 district, except for any home occupation and accessory use authorized under said district.

C. **Architectural Materials**. The materials for the front façades of each Unit shall incorporate one or more of the following or substantially similar materials, as further shown on the elevations attached as Exhibit B:

- partial or full brick or stone veneer (in addition to foundation)
- vinyl imitation shake siding
- vinyl vertical siding
- fiber cement siding

In the event any of these materials are discontinued or no longer available, then substantially similar materials may be utilized for the construction of the Project, subject to the approval of the County's Zoning Administrator.

III. Transportation

The following transportation Proffers shall apply to the Project:

A. Dedication of right-of-way area along Harrison Road, all in the areas generally designated on the GDP.

B. Construction of the following improvements at Harrison Road and the entrance of the Project, prior to the issuance of the certificate of occupancy for the first Unit:

i. Install a westbound left turn lane with 100' of storage and 200' of taper as depicted on the GDP; and
ii. Install an eastbound right turn lane with 100' of storage and 200' of taper as depicted on the GDP.

C. Emergency access connection designated on the GDP as "12' Wide Emergency Access Connection to Woodland Drive."

D. Pedestrian and bicycle access provided along the emergency access connection to Woodland Drive as described above under Section III.C and as depicted on the GDP. The emergency access connection will be constructed using Grasspave2 Porous Pavement or a similar surface suitable for emergency vehicles.

E. All right-of-way dedications shown on the GDP and described herein shall be conveyed to the County upon the first subdivision plat approval for the Project, except in the event the County requires the right of way dedication prior thereto.

F. Cash payment in total of $325,000 is proffered to mitigate impacts at the intersections of Harrison and Salem Church and Leavells Roads ("Cash Transportation Proffer"). The Cash Transportation Proffer will be paid as follows: (i) $100,000 after the final inspection and prior to the issuance of the 1st Unit certificate of occupancy (whether final or temporary; and (ii) $225,000 after the final inspection and prior to the issuance of the 50th Unit certificate of occupancy (whether final or temporary).

G. Should the Owner obtain that certain offsite right of way area from the adjoining property owner known as Hazelwild Farm Educational Foundation or its assigns and successors, being a portion of the property known as Tax Map Parcel 23-A-64C, and shown and depicted on the GDP as "Offsite Right of Way Dedication Area", the Owner will dedicate the Offsite Right of Way Dedication Area and complete the construction of all related entrance improvements shown on the GDP and fulfill all applicable County and VDOT development standards as a condition of site plan approval. Acquisition of this Offsite Right of Way Dedication Area is a requirement for site plan approval.

IV. Cash Proffers

A. The following cash proffers shall be paid to mitigate the Project's impacts. For the purpose of calculating the total cash proffers, the number of Units has been reduced from 110 to 71 to reflect the 39 by-right Units that could be developed under the existing R-1 zoning. Notwithstanding the immediately foregoing, cash proffers are applicable to all Units and will be paid on a per Unit basis of $221.13 ($24,324.30 divided by 110 Units = $221.13 per Unit) ("Cash Contributions") upon the issuance of the initial certificate of occupancy (whether final or temporary) for each Unit.

CASH AND IN-KIND PROFFERS					
	SF Detached	**SF Attached**	**Multi-Family**	**Age-Restricted**	**TOTAL**
Per Unit Cash Proffer	*$221.13* x 110	*$0* x *0*	*$0* x *0*	*$0* x *0*	
TOTAL	*$24,324.30*	*$0*	*$0*	*$0*	*$24,324.30*

LUMP SUM AND IN-KIND CONTRIBUTIONS		
PUBLIC FACILITY CATEGORY		**TOTAL VALUE**
Schools	$0.00 cash per Unit to Schools	$0.00
Public Safety	$80.61 cash per Unit to Public Safety	$8,867.10
Transportation	$0.00 cash per Unit to Transportation	$0.00
Parks & Rec.	$140.52 cash per Unit to Parks & Rec.	$15,457.20
	TOTAL CASH & IN KIND PROFFER VALUE	*$24,324.30*

PROFFERED PHASING AND TIMING	
Phase or Contribution/Dedication	**Timing**
Cash Contributions to Public Safety	After the final inspection and prior to the County's issuance of the initial certificate of occupancy (whether temporary or final) for each Unit
Cash Contributions to Parks & Rec.	After the final inspection and prior to the County's issuance of the initial certificate of occupancy (whether temporary or final) for each Unit

B. Escalation Clause. Commencing five (5) years after the approval of this rezoning application, the cash Proffers for each single family detached residential Unit shall be adjusted annually on the following January 1st to reflect any increase for the preceding year in the Consumer Price Index, U.S. City Average, All Urban Consumers (the "CPI-U") prepared and reported monthly by the U.S. Bureau of Labor Statistics of the United States Department of Labor. The adjustment shall be made by multiplying the Cash Contributions for the preceding year by the CPI-U as of December 1st in the preceding year. If the CPI-U is discontinued by the United States Department of Labor, the Marshall and Swift Building Cost Index formula shall be used as defined by Section 15.2.2303.3b of the Code of Virginia.

V. Additional Proffers

A. Amenities. The following amenities will be provided: (i) a community park (with a dog park), (ii) benches, (iii) trash/pet waste disposal cans and (iv) a playground, as shown in the areas provided on the GDP. Theses amenities shall be installed prior to the issuance of the initial certificate of occupancy (temporary or final) for the 54th Unit.

B. Cash Proffers. In addition to the above referenced cash proffers, the Applicant agrees to pay the aggregate sum of $100,000 towards Public Safety and Schools in amounts of $50,000 for each of the aforesaid categories (whether final or temporary) ("Additional Cash Proffer"). The Additional Cash Proffer will be paid pursuant to the following schedule: (i) $25,000 for each Public Safety and Schools after the final inspection and prior to the issuance of the 1st Unit certificate of occupancy (whether final or temporary); and (ii) $25,000 for each Public Safety and Schools after the final inspection and prior to the issuance of the 50th Unit certificate of occupancy (whether final or temporary).

[AUTHORIZED SIGNATURES TO FOLLOW]

The Applicant and Owner make these Proffers voluntarily, in support of their rezoning application.

WITNESS the following signatures:

APPLICANT:

CERESHARRISONLAND LLC, a
Virginia limited liability company

By: _____
Richard L. Boales, Manager

Date: 2-24-21

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Virginia

The foregoing was subscribed, sworn to and acknowledged before me this 24 day of February, 2021, by Richard L. Boales, Manager of **CERESHARRISONLAND LLC**, a Virginia limited liability company, on behalf of said company.

_____
Notary Public

Print Name: Matthew Loren Sealy
My Commission Expires: 5/31/2023
Registration No. 7828522
[SEAL]

MATTHEW LOREN SEALY
NOTARY PUBLIC
REGISTRATION # 7828522
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES 5/31/2023

OWNER:

Patricia P. Preston

Date: 2-24-21

COMMONWEALTH OF VIRGINIA
CITY/~~COUNTY~~ OF Fredericksburg

The foregoing was subscribed, sworn to and acknowledged before me this 24 day of February, 2021, by Patricia P. Preston.

Notary Public

Print Name: Rhonda J. Edwards
My Commission Expires: 12/31/2022
Registration No. 170730
[SEAL]

RHONDA J. EDWARDS
COMMONWEALTH
REGISTRATION NO.
170730
MY COMM. EXPIRES
OF VIRGINIA
NOTARY PUBLIC

EXHIBIT B

Elevations

Chelsey 1



Chelsey 2



Chelsey 3



Chelsey 4



Chesapeake 1



Eliot



Emerson 1



Emerson 2



Emerson 3




40

Harrison 2



Lewis 1




LEWIS


505
The Lexington



Bridgewater 1



Bridgewater 2



Bridgewater 3



Carson 1



Carson 2



REZONING APPLICATION
(Please type or print)

Date: 12-12-19 Case: R19-0014 07/01/2019

110-0000-316-16-08 (395)	Mailing	$ 24.00
110-0000-316-16-08 (395)	Planning	$ 13,837.50
110-0000-316-16-10 (334)	GIS	$ 190.00
260-0000-313-03-45	Zoning	$ 605.00
260-0000-318-99-14	Intake	$ 65.00
	Process.Fee	
	Total Filing Fee:	$14,721.50

CeresHarrisonLand LLC
Applicant's Name

602 S. Lee St., Suite 100
Applicant's Address

Alexandria, VA 22314
City, State, Zip Code

rboales@cerescp.com
Applicant's E-mail Address

301-717-5566
Applicant's Telephone No.

Charles W. Payne, Jr.
Agent's Name (Point of Contact for Application)

DEC 12 2019
Spotsylvania County Community Dev.

725 Jackson Street, Suite 200
Agent's Address

Fredericksburg, VA 22401
City, State, Zip Code

cpayne@hirschlerlaw.com
Agent's E-mail Address

540-604-2108
Agent's Telephone No.

Property Owner Information:

Patricia P. Preston
Name

If Applicant is not the owner, attach documentation of owner's consent

5015 Brookshire Court — Fredericksburg, VA 22408
Address — City, State, Zip Code — Telephone No.

Parcel Location: 5430 Harrison Road

Tax Map Parcel Number: 23-A-64A — Acreage: 58.611 acres

Current Zoning: R-1 — Acreage in Request: 58.611 acres

Proposed Zoning: PDH-2 — Overlay District: HCOD & Airport Protection

Proposed Use: Residential single-family detached development

To: The Board of Supervisors of Spotsylvania County, Virginia. The above named Applicant(s) hereby petition(s) for the approval indicated above for the described property and as shown on the attached materials made a part of this Application.

I hereby certify by my signature below that I am the owner of record of the named property or that I am authorized to act on behalf of all the owners of record of the named property to execute this application. I further certify that all information I have provided thereon is complete and accurate. I agree on behalf of myself and all owners to conform to the Zoning Ordinance, Subdivision Ordinance, Virginia Uniform Statewide Building Code, Erosion Ordinance, Chesapeake Bay Preservation Ordinance, the Water and Sewer Construction Specifications of Spotsylvania County, and all other applicable laws and regulations of this jurisdiction.

CeresHarrisonLand LLC
By: _____ 12-4-2019 Richard L. Boales
Signature of Owner (or Agent with POA*) — Date — Print Name
Manager

_____
Signature of Owner (or Agent with POA*) — Date — Print Name

**I have read this Application, understand its intent and freely consent to its filing. Futhermore, I have the power to authorize and hereby grant permission for Spotsylvania County Officials and other authorized government agents on official business to enter the property to process this Application.*

Voting District:_____ Census Tract:_____ Traffic Analysis Zone:_____

(To be completed by the Planning Department after submission)

SPECIAL POWER OF ATTORNEY AFFIDAVIT

COMMONWEALTH OF ~~VIRGINIA~~ Maryland
COUNTY OF ~~SPOTSYLVANIA~~ Baltimore

This 2nd day of December, 20 19, I, Richard Boales, Manager of CeresHarrisonLand LLC, the Contract Purchaser of Tax Map Parcel 23-A-64A (describe land by tax map number) make, constitute, and appoint Charles W. Payne, Jr., my true and lawful attorney-in-fact, and in my name, place and stead giving unto said Charles W. Payne, Jr. full power and authority to do and perform all acts and make all representation necessary, without any limitation whatsoever, to make Application for said Rezoning Application. This includes the authority to execute and amend proffers and to sign the Notice of Conditional Zoning.

The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on December 2nd, 20 19, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested is received by the Planning Department of Spotsylvania County stating that the terms of this power have been revoked or modified.

Given under our hands this 2nd day of December 20 19.

Owner/Contract Purchaser/Authorized Agent (Circle One)
Manager

COMMONWEALTH OF Maryland
CITY/COUNTY OF Baltimore, to wit:

The foregoing instrument was acknowledged before me by Richard Boales, Manager of CeresHarrisonLand LLC, the Contract Purchaser of said property, this 2nd day of December, 20 19.

My commission expires: 8/30/2022

Notary Public MiShall Khirat Udehan

Registration Number

MISHALL KHIRAT UDEHAN NOTARY PUBLIC BALTIMORE COUNTY, MD

OFFICE USE ONLY

File/Case Number : _____ Date Accepted: _____, 20____

The State of Maryland

Executive Department

Annapolis
8/30/2018

To Mishall Khirat Udehan **of** Baltimore County

Be it Known, That reposing great trust and confidence in your knowledge, integrity and love of justice, you are hereby appointed a

Notary Public of the State of Maryland

In and for Baltimore County aforesaid, to do equal right and justice in every case in which you shall act, under this Commission, and to hold and execute the said office justly, honestly and faithfully.

This Commission Expires August 30, 2022

Given under my hand and the Great Seal of Maryland, at the City of Annapolis, on the day and date first above written.

Lawrence J. Hogan, Jr.

By The Governor.

John C. Wobensmith

Secretary Of State

ADJACENT PARCEL LIST

The following are the properties either abutting, adjoining, or across the street from the property subject to this Rezoning Application (please print or type parcel number):

MAP #

23-A-64C 23-24-32

23-A-64D 23-24-31

23J-6-219R 23-A-105

23J-6-218

23J-4-152

23J-4-153

23J-4-154

23J-4-155

23J-4-156

23J-4-A

23J-3-108

23-11-20

23-11-21

23-11-22

23-11-23

23-11-24

23-11-25

23-11-26

23-24-34

23-24-33

POSTING OF PUBLIC NOTICE SIGNS

Public notice signs must be posted at least fifteen (15) days prior to the public hearing.

Sign(s) required for posting must be obtained from the Planning Department. At least one (1) sign is required for all properties. Additional signs are required for property that abuts more than one (1) public street and property with more than two hundred (200) feet of road frontage. Properties without public street frontage are required to post at least one (1) sign on the property and at least one (1) sign along a nearby street.

Signs shall be posted to ensure greatest public visibility in accordance with the following:

- Signs shall be posted adjacent to the street right-of-way abutting the site, no more than ten (10) feet from the edge of the right-of-way.
- Signs shall be posted for optimum visibility for traffic traveling on the public road.
- Properties with more than one (1) street frontage shall be posted with at least one (1) sign along each street.
- Properties with more than (200) feet of street frontage shall be posted with one (1) sign for each (200) feet of frontage, spaced at least (200) feet apart.
- If a property has no road frontage, the Planning Department will determine the number and location of signs to be posted. At least one (1) sign will be required to be posted on the actual property, and at least one (1) sign will be required to be posted along a nearby street, with a note giving distance and direction to the property.

After posting the property, the Applicant must return the notarized Sign Posting Affidavit to the Planning Department within three (3) days of the date of posting. Failure to notify the Planning Department within three (3) days shall result in the case being removed from public hearing.

Until the public hearing, the Applicant must maintain all signs posted in good condition. If a sign is damaged or destroyed, a replacement sign must be secured from the Planning Department and posted as soon as practical.

If a property is not posted at least fifteen (15) days prior to the hearing, if it is improperly posted, if damaged or destroyed signs are not replaced, if a notarized Sign Posting Affidavit is not filed with the Planning Department within three (3) days of posting, or if other inconsistencies with Section 23-4.2.1 of the Zoning Ordinance occur; the public hearing may be deferred for reasons of improper public notice. If deferred, the property will have to be reposted in accordance with these instructions. The Applicant should also note that improper public notice may be grounds for invalidating an approved Application after approval has been granted.

Signs must be removed within ten (10) days after Board of Supervisors action and returned to the Planning Department.

SIGN POSTING AFFIDAVIT

I, _____, hereby certify that on the _____ day of _____, 20_____, a sign(s) stating that zoning action was pending on the property described below was/were posted on the property and that the sign(s) was/were easily visible from all public streets and public ways abutting the property.

Property Description:

_____

_____

_____

Given under my hand this _____ day of _____, 20_____.

_____
Applicant / Agent

COMMONWEALTH OF_____
CITY/COUNTY OF_____, to wit:

The foregoing instrument was acknowledged before me by _____, the Owner of said property, this _____ day of _____, 20_____.

My commission expires:

_____Notary Public

_____Registration Number

Return From To:
Spotsylvania County Planning Department
9019 Old Battlefield Blvd., Suite 320
Spotsylvania, VA 22553

Attn: _____ Case# _____

OFFICE USE ONLY

File/Case Number _____ Date Accepted _____, 20_____

REZONING FEE CALCULATION SHEET

Application No.: _____

Date Received: _____

STEP 1- CALCULATE THE PLANNING FEE:

☒ Rezoning

Base Fee	$	11,650.00
# of acres > 10 distrb 48.611 X $45.00	$	2,187.50
	$	13,837.50

☐ Rezoning GDP and Proffer Amendment

Fee	$	7,175.00
	$	

☐ Rezoning Proffer Amendment – Text Only

Fee	$	4,180.00
	$	

STEP 2- COMPLETE APPLICATION WORKSHEET:

260-0000-318-99-14	Intake Processing Fee	$	65.00
110-0000-316-16-08 (395)	Mailing Fee**:	$	24.00
110-0000-316-16-08 (395)	Planning Fee:	$	13,837.50
110-0000-316-16-10 (334)	GIS Fee:	$	*190.00
260-0000-313-03-45	Zoning Fee:	$	605.00
	APPLICATION TOTAL:	**$**	14,721.50

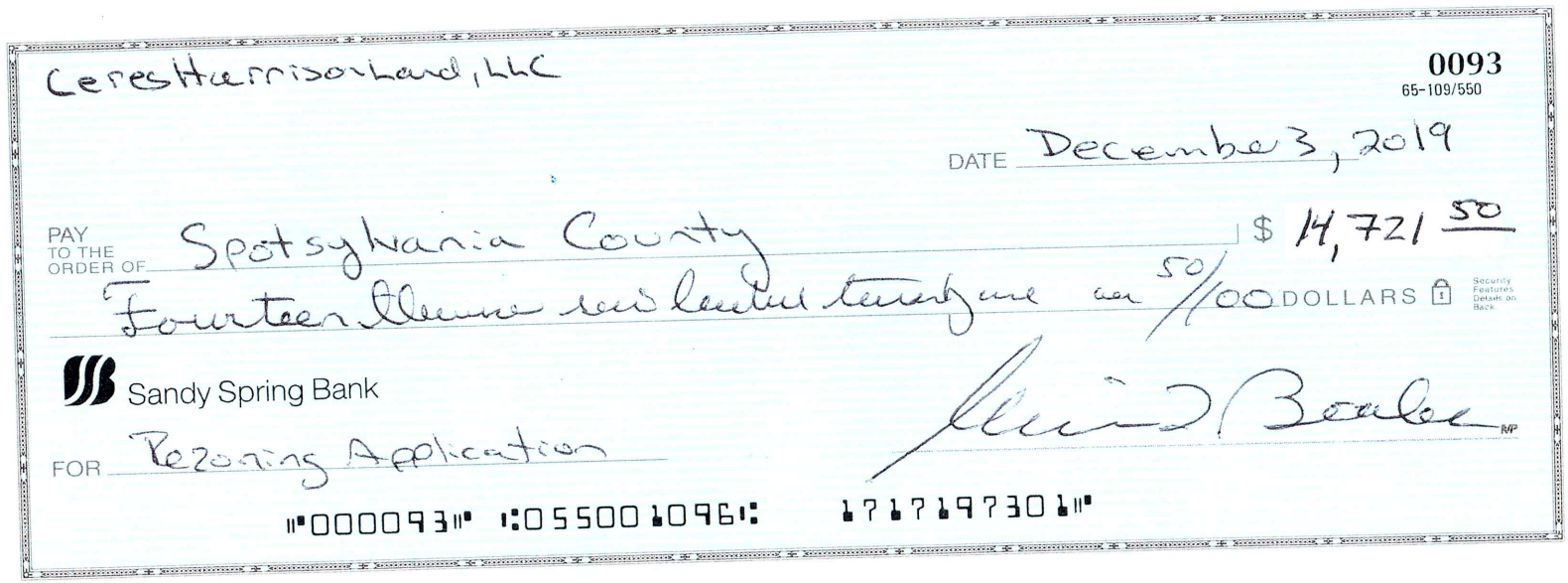
*GIS fee not applied to Applications that do not require a Generalized Development Plan (GDP)

**Equation: (# project parcels + # of adjacent parcels) x 1st class postage x 2 meetings = $Mailing Fee

1 23 .50

Refunds (Planning) – All refunds must be requested in writing to the Planning Director. Refunds will be issued in the following circumstances: 95% of Planning fees if application is withdrawn within two (2) business days of submission; 80% of Planning fees if application is withdrawn during the initial

review period (time varies depending on application type); 40% of Planning fees if application is withdrawn within ten (10) business days after initial review comments are issued.



Ceres Harrison Land, LLC

0093
65-109/550

DATE December 3, 2019

PAY TO THE ORDER OF Spotsylvania County

$ 14,721 50

Fourteen thousand seven hundred twenty one and 50/100 DOLLARS

Security Features Details on Back

Sandy Spring Bank

FOR Rezoning Application

⑈000093⑈ ⑆055001096⑆ 1717197301⑈

REZONING APPLICATION

Spotsylvania County Planning Department

Merchants Square Office Building
9019 Old Battlefield Boulevard, Suite 320
Spotsylvania, Virginia 22553

Phone (540) 507-7434
www.spotsylvania.va.us

UPDATED: 06/07/2019

REZONING APPLICATION PACKET

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OVERVIEW OF THE REZONING PROCESS

The Rezoning Process involves analysis of the layout of the site and adjoining sites to assess the compatibility of the intended use with the adjacent and nearby land uses and whether the Rezoning is consistent with the Comprehensive Plan. The process includes review of the Rezoning Application by planning staff along with appropriate County departments, State and Federal agencies. Planning staff will report their findings and make recommendations to the Planning Commission and the Board of Supervisors at public hearings. In accordance with Section 23-4.2.1 of the Zoning Ordinance, planning staff arranges for public hearing notices to appear in the local newspaper twice prior to each public hearing and sends notices to each adjacent landowner. The Board of Supervisors votes on the rezoning request. The Rezoning Process typically takes between four (4) and twelve (12) months, depending on the type of request and issues involved.

THE REZONING PROCESS

STEP 1: PRE-APPLICATION MEETING

A Pre-application Meeting is required prior to the submission of a Rezoning Application. Contact the Planning Department to schedule a Pre-application Meeting. The purpose of the meeting is to help identify early in the process those issues that should be addressed by the Application. Staff will determine the level of detail required for review of the Application in accordance with the minimum submission standards included in this packet. Please provide the following information with the request:

- ... parcel identification number or address of the property;
- ... size of the parcel(s);
- ... existing zoning; and
- ... proposed zoning.

During the meeting, you will be asked to provide a brief overview of the proposal; then staff will assist you in identifying those components of the Comprehensive Plan that are relevant to the Application. Staff will also determine which submission requirements are necessary to evaluate your request and staff may also suggest additional items.

The Pre-application Meeting is an opportunity for the Applicant/Engineer to seek assistance from planning staff and other review agencies on matters related to the Application. Review the contents of the Application packet prior to the meeting, and if necessary, prepare a list of questions for staff. Contact the Planning Department (540) 507-7434 to schedule a Pre-application Meeting prior to submitting a Rezoning Application.

Please bring informational items to the conference, but this is not required. Such information may include a Generalized Development Plan (GDP), topographic maps, architectural renderings, or any of the items described in the minimum submission requirement section of this packet.

STEP 1A: COMMUNITY MEETING

The County encourages that applicants host a community meeting prior to submission. See "Spotsylvania County Community Meeting Recommended Guidelines" on the County's Planning webpage: www.spotsylvania.va.us.

STEP 2: INITIAL APPLICATION SUBMISSION

Complete all required items listed in the Basic Submission Requirements. Submit these items along with the appropriate fees to the Community Development Intake Counter at: **9019 Old Battlefield Boulevard, Spotsylvania, VA 22553.**

Basic Submission Requirements

The term "Basic Submission" is used to describe the minimum graphic and Narrative information necessary to review an Application for Rezoning. Additional submission information is preliminarily identified at the Pre-Application Conference and confirmed after the submittal. However, the Planning Department or other review agencies may seek additional information after the submittal. The omission of any of the Basic Submission materials or any of the additional information may result in the case being determined incomplete. **Each application shall (i) identify the expected impacts of a rezoning or proffer amendment , (ii) propose mitigation strategies addressing the impacts, and (iii) demonstrate how the proposed mitigation is consistent with state law.**

The following items must be submitted as part of the Application:

- **Standard Application Form** (signed, 1 copy)
- **Special Power of Attorney Affidavit** (if needed, 1 copy)
- **If Applicant is not the Owner, attach documentation of notarized Owner's consent**
- **Adjacent Property List** (1 copy)
  At the Pre-application meeting, a planner will assist you in compiling a list of all property adjoining, abutting or across the street from the property.
- **Fees** (See pg. 21 or the current Unified Fee Schedule)
- **General Warranty Deed** (1 copy)
- **Accurate Plat** (may be combined with the GDP, 1 copy)
- **Generalized Development Plan-Narrative** (1 copy & digital format)
- **Generalized Development Plan-Graphic** (5 folded copies & digital format)
- **Fiscal Impact Analysis** (1 copy & digital format) (if needed)
- **Draft Proffer Statement** or statement of intent to submit (1 copy & digital format)
- **Architectural Renderings** (if needed)
- **Traffic Impact Study** (5 copies & digital format & appropriate fee)
- **Conceptual Stormwater Management Plan**

A. Submission Requirements:

1. Applications shall be submitted for electronic review with the submission of a paper application, a CD that contains a full application and all of the supporting application materials in PDF format along with 5 full size GDP sets (24x36) and a 11x17 paper plan set.
2. Place an approval block in the same place on each page of the GDP.

STEP 3: QUALITY CONTROL

A case planner will be assigned to the case. The case planner will be the contact with the County throughout the Rezoning Process and the case planner will review the submission package for completeness within ten (10) working days of submission of an Application. Omissions in the submission package, including items identified in the Pre-application Conference, may result in the Application being determined incomplete. A letter identifying all incomplete items and revisions will be sent to the Applicant. Further processing of the Application will cease pending submission of the requested items. Once the case planner has determined the Application complete, the Application will be sent for staff review.

STEP 4: STAFF REVIEW AND COMMENT

After the Application is determined complete, staff will transmit the Application to the relevant review agencies. During this time, the review agencies will perform a substantive analysis of the Application and will provide comments on issues identified during their review. The Applicant/Engineer will have a chance to address issues raised during the review process in a technical review meeting.

STEP 5: PROFFERS, SCHEDULING AND POSTING

Proffers:

If an applicant desires to proffer conditions, then either the proffers or a statement of intent to submit proffers shall accompany the Rezoning Application. All proposed proffers shall be submitted in writing in a format acceptable to the Planning Director. Proffers shall be clear and succinct and shall be separated into independently enumerated paragraphs, each of which addresses no more than one (1) aspect of the development and use of the property. Any proffered generalized development plans, architectural elevations, and other graphic representations or sample materials shall accompany the proffer statement and shall be clearly identified and incorporated by reference in the text of the proffers.

Any modified or revised proposed proffers shall be accompanied by comparative drafts highlighting the changes made in such modification or revision.

Any proffers shall be approved as to form by the County Attorney. Proffered conditions presented to the Planning Commission or Board of Bupervisors must be signed by the record owner of the subject property, or an agent with power of attorney authorized to sign the proffered conditions, and notarized. The Planning Commission hearing on a rezoning application shall not be scheduled without these signatures on the proffer statement.

Additional amendments to the proffered conditions shall be submitted not less than fourteen (14) days prior to the scheduled Planning Commission public hearing unless the public hearing is postponed.

Scheduling:

Rezoning cases will not be scheduled for a public hearing before the Planning Commission until the proffers have been approved as to form by the County Attorney. Planning staff will schedule the case for the next available Planning Commission public hearing, arrange for public notices in the local newspaper in accordance with the Code of VA., and will send notification of the hearing to property owners within 3,000 feet of the proposal.

Posting:

Fifteen (15) days prior to the public hearing date, the Applicant must post notices on the property indicating an upcoming public hearing and identifying the appropriate case number for the pending Application. The Planning Department will provide the public notice signs. General posting instructions are included in this packet (See Posting of Public Notice Signs). Parcel specific instructions for posting the property will be handled by the case planner. Once the signs are posted, a notarized Sign Posting Affidavit must be submitted to the Planning Department. The signs are to be returned to the Planning Department within ten (10) days of the Board of Supervisors decision.

STEP 6: PLANNING DEPARTMENT REPORT AND RECOMMENDATION

The case planner will prepare the staff report and recommendation. The staff report and recommendations will be forwarded to the Applicant when the Planning Commission packets are delivered to the members of the Commission.

STEP 7: PLANNING COMMISSION PUBLIC HEARING

At the public hearing, the case planner will provide an overview of the Application and present the staff report and recommendation. The Applicant will then be given ten (10) minutes to speak on behalf of the Application and to answer questions from the Planning Commission. Following the Applicant's presentation, the public hearing will be opened and citizens desiring to comment on the proposal are invited to speak. The Planning Commission may make their recommendation to the Board of Supervisors at the initial public hearing meeting or defer action on the proposal in accordance with Zoning Ordinance Section 23-4.6.7. If the applicant wishes to amend proffered conditions once the public hearing has begun the Planning Commission shall continue consideration of the rezoning to a future meeting and the amended proffers, shall be submitted not less than fourteen (14) days prior to that meeting date.

STEP 8: SUBMISSION OF THE GDP FOR THE BOARD OF SUPERVISORS HEARING

Once the Planning Commission has acted on the Application, the Applicant must submit the GDP and color renderings on a disk in PDF format. After the public hearing before the Planning Commission, the Applicant may submit any additional proffers or modifications to the submitted proffers to address issues identified in the staff report considered or discussed by the Planning Commission at the public hearing.

The Board of Supervisors public hearing shall be scheduled once the proffered conditions are approved to form by the County Attorney. Additional amendments to the proffered conditions shall be submitted not less than fourteen (14) days prior to the scheduled Board of Supervisors public hearing unless the public hearing is postponed. If the applicant wishes to amend proffered conditions once the public hearing has begun, the Board of Supervisors shall continue consideration of the rezoning to a future meeting and the amended proffers shall be submitted not less than fourteen (14) days prior to that meeting date. All proffers shall be approved as to form by the County Attorney. All modified or revised proffers shall be accompanied by comparative drafts highlighting the changes made in such modification or revision.

STEP 9: BOARD OF SUPERVISORS PUBLIC HEARING

The Applicant will be responsible for ensuring that the signs are posted at the property at least fifteen (15) days prior to the public hearing and that a notarized Sign Posting Affidavit is submitted to the Planning Department. The Board hearing presentations are conducted in the same manner as the Planning Commission. Board actions may occur in accordance with Section 23.4.6.8 of the Zoning Ordinance.

GENERALIZED DEVELOPMENT PLAN (GDP) NARRATIVE

The Zoning Ordinance requires both graphic and written information which addresses part of the basic submission Narrative to include a written description of the relationship of the proposal to the relevant components of the Comprehensive Plan or other materially relevant issues to be reviewed for its consistency in each Application. **Each application shall (i) identify the expected impacts of a rezoning or proffer amendment, (ii) propose mitigation strategies addressing the impacts, and (iii) demonstrate how the proposed mitigation is consistent with the Code of Virginia.**

GENERALIZED DEVELOPMENT PLAN (GDP)

The processing of an Application for a rezoning involves analysis of the layout of the site and adjoining sites to assess the compatibility of the intended use with the adjacent and nearby land uses. The staff must review the design of the site and the existing and proposed site features. The Rezoning Generalized Development Plan (GDP) is a schematic plan developed in accordance with the Spotsylvania County Zoning Ordinance and the associated Design Standards Manual.

If the proposed rezoning has an existing structure and the proposed activity will be conducted within the structure, a GDP may not be required. Planning staff will outline the specific requirements at the Pre-application Conference.

GRAPHIC SUBMISSIONS:

Parcel Information

An accurate plan of the property prepared by a certified Land Surveyor or licensed Civil Engineer and containing the following:

- Vicinity map at one (1) inch equals two thousand (2000) feet.
- Owner and project name.
- Property lines with bearings and distances and existing and proposed zoning district lines.
- Area of land proposed for consideration, in square feet or acres.
- Scale, scale graphic and north arrow.
- Names of boundary roads or streets and width of existing rights of way.
- Easements and encumbrances, if applicable.

Generalized Development Plan Graphic

The graphic portion of the rezoning GDP submission shall be prepared with a scale of not less than one (1) inch equals fifty (50) feet and a sheet size not to exceed twenty-four (24) inches by thirty-six (36) inches. Reasonable exceptions to the scale and sheet size will be made on a case by case basis. If prepared on more than one (1) sheet, match lines shall be clearly indicated where the sheets join. All sheets shall be folded to a size not greater than nine (9) inches by twelve (12) inches.

The GDP shall depict existing conditions and proposed features. A checklist is provided on page 11 that outlines the basic GDP requirements. These required items are also listed in Section 23-4.6.2 of the Zoning Ordinance. In addition to the Basic Submission Requirements for the GDP, additional information may be required as discussed at the Pre-application meeting.

Spotsylvania County
Rezoning Application
Generalized Development Plan
Graphic Review Checklist

Case Number: _____ Project Name: Hazel Run Glen

NOTE: THIS CHECKLIST IS USED BY STAFF TO DETERMINE COMPLIANCE WITH COUNTY CODE, SEC. 23-4.6.2. IT IS PROVIDED TO PROFESSIONAL PLAN PREPARERS FOR INFORMATIONAL PURPOSES.

At a minimum, the generalized development plan (GDP) shall include the following information unless the submission requirements have been waived or modified by the Planning Director due to the scope and nature of the proposed project:

✓ 1. Generalized Development Plan Title Sheet(s) to include:

✓ (a) A title block denoting the type of application, name of project tax map reference, voting district, and street address;

✓ (b) An approval block located along the right side of the title sheet and each subsequent sheet of the generalized development plan;

✓ (c) The name, address and phone number of the owner and applicant;

✓ (d) The name, address, phone number, signature and registration number of the plan preparer, and the preparation date of the plan;

✓ (e) Vicinity map, 1" = 2,000, a north arrow scale, and scale graphic;

✓ (f) Generalized development plan index;

✓ (g) A Site data summary table providing at minimum:

✓ (1) tax map reference;

✓ (2) project area size including total, and disturbed acreage;

✓ (3) existing and proposed zoning designation(s);

✓ (4) a table with computations showing existing by-right unit potential, proposed unit yield by residential unit type and densities and/or gross and net floor areas of nonresidential structures where applicable;

✓ (5) identification of any overlay districts within project limits;

✓ (6) existing use and types of proposes uses;

✓ (7) building height, number of floors, and setbacks of all existing and proposed buildings, structures and other improvements;

✓ (8) a table with computations showing trip generation with land use code reference;

✓ (9) acknowledgement of any known historic building, archaeological features, or historic districts;

✓ (10) acknowledgement of any known places of burial;

✓ (11) acknowledgement of any floodplains, resource protection areas, wetlands, steep slopes, dam break inundation zones, onsite;

N/A (12) parking, including tabulation of required parking and spaces proposed.

✓ (h) A table with computations estimating the lot coverage ratio and impervious surface ratio;

✓ 2. The identification of and distance to all major intersections within one-half mile of the proposed development;

✓ 3. The boundary of the entire parcel with courses and distances;

✓ 4. Any existing or proposed parcel lines, easements or right-of-way within the subject parcel(s);

✓ 5. The present zoning and principal use of the subject parcel and all contiguous properties;

✓ 6. Graphic depiction of the boundaries of any overlay zoning districts described in Article 6 of Chapter 23;

✓ 7. Graphic depiction of the general locations, approximate dimensions, height, number of floors and setbacks of all existing and proposed buildings, structures, accessory structures (including outdoor lighting, fences, bike racks, walls or hedges, trash receptacles), signs, landscaping and buffers, stormwater management facilities and other improvements;

✓ 8. The boundaries of any water bodies, USGS perennial streams, floodplain, resource protection areas, watershed, wetlands (if any), steep slopes;

✓ 9. A generalized landscape plan showing existing vegetation, proposed clearing limits and indicating the location, and types of vegetation to be installed under the landscaping and bufferyard requirements of Article 5, Division 5 of Chapter 23, and the general location and material descriptions of any other proposed screens, bufferyards or landscaping;

✓ 10. The location and dimensions of existing and proposed parking and loading areas

and any other impervious surfaces, such as driveways, streets (and names), cement sidewalks and playing surfaces;

✓ 11. The location and description of all points of access including all proposed interparcel connections;

✓ 12. The estimated daily vehicular trips generated by the proposed development on each road segment shown on the plan;

✓ 13. The location and dimensions of on-site pedestrian walkways or bicycle paths and any connection to adjacent property;

✓ 14. The location and dimensions of existing water and sewer mains serving the site of the proposed development, points of connection to public water and sewer and/or location of wells and septic systems and reserve drainfields;

✓ 15. Topographic contour lines at two foot intervals for the existing site;

✓ 16. The location and dimensions of the on-site and off-site facilities for the retention or detention of stormwater;

✓ 17. The size, location and boundaries of any common open spaces, recreation areas and recreation facilities, including a tabulation of usable openspace in accordance with the open space definition in Sect.23-2.1.4. Definitions;

N/A 18. For large-scale, phased developments, identification of the location and timing of each phase of the development;

✓ 19. Graphic depiction of any known historic building, archaeological features, or historic districts;

✓ 20. Graphic depiction of any known places of burial and easements for cemetery access in accordance with the Code of Virginia § 57-27.1, as amended;

✓ 21. A description of the methods proposed to control erosion, sedimentation and stormwater runoff; and;

✓ 22. A description of the persons to be responsible for future maintenance of all roads, easements, parks, playgrounds, stormwater and drainage facilities and other common areas;

✓ 23. Signature and seal of professional person certifying the plan.

County of Spotsylvania
Department of Planning
9019 Old Battlefield Blvd. Suite 320
Spotsylvania, VA 22553
Phone: (540) 507-7434

Pre-Application Meeting Request

Property Owner(s): _____

Developer/Applicant: _____

Phone #: _____ Cell # _____ *Email: _____

TM#: _____ Existing Zoning: _____ Proposed Zoning: _____ Disturbed Acreage _____ Parcel Acreage _____

Parcel Address: _____

Type of Application: _____

Public Water: ☐ Yes ☐ No Public Sewer: ☐ Yes ☐ No

Is this an active project in the County or have there been any prior approvals? ☐ Yes ☐ No

If yes, list: _____

Issues or items to be discussed:

_____

Department/Staff requested to attend:

_____

*Requested DATE of PRE-APPLICATION MEETING (Thursday): _____

Signature of Submitter: _____

_____

_____

_____

_____

*Please submit this request on Monday the week prior to the week of the meeting date with a General Plan of Development or Concept Plan.

VOLUNTARY PROFFER STATEMENT RECOMMENDED FORMAT

VOLUNTARY PROFFER STATEMENT
Rezoning case file number

Applicant's name
Applicant's address

Project name
Tax parcel number(s)
Address, if available

Date, with date of all revisions

I. General Information
Include an introductory statement that includes the rezoning request, current zoning classification, acreage, uses, and other relevant general detail. State that the development of the property shall be in conformance with the proffered conditions. If the rezoning includes a residential component, state that the proffers offered are in compliance with the Code of Virginia 15.2-2303.4. If a Generalized Development Plan or other graphics are proffered, they should also be referenced in this paragraph.

II. Next Heading
- **A. Detail proffer.**
- **B. Detail proffer.**
  - **1) Further detail.**
  - **2) Further detail.**

III. Next Heading
- **A. Detail proffer.**
- **B. Detail proffer.**

Applicant makes these proffers voluntarily, in support of their Rezoning Application.

Original signature *Date*
Type full name and title

Notary statement, signature, and Date

Format guidelines:
- Proffers that supersede a previous proffer statement accepted under a different rezoning should include the previous case number in the heading after the current case number, clearly identifying that the current proffer statement supersedes the previous one.
- Each number or letter under a heading should apply to no more than one condition or detail of a condition.

In accordance with Sec. 23-4.6.3(b)(2), all modified or revised proffers shall be

accompanied by comparative drafts highlighting the changes made in such modification or revision.

GENERALIZED DEVELOPMENT PLAN - NARRATIVE

Applicant:	CERESHARRISONLAND LLC ("Applicant") 602 South Lee Street, Suite 100, Alexandria, VA 22314
Owner:	Patricia P. Preston ("Owner") 5015 Brookshire Court, Fredericksburg, VA 22408

(Applicant & Owner are hereafter known collectively as the "Applicant")

Representative:	Charles W. Payne, Jr., Hirschler Fleischer; 725 Jackson Street, Ste 200, Fredericksburg, VA 22401; Phone: (540) 604-2108; Fax (540) 604-2101; Email: cpayne@hirschlerlaw.com
Project Name:	"Hazel Run Glen"
Property:	Spotsylvania County Tax Parcel 23-A-64A, consisting of approximately 58.611 acres, known as 5430 Harrison Road (collectively, the "Property")
Date:	January 30, 2020
GDP:	Generalized Development Plan, entitled "Hazel Run Glen", prepared by Fairbanks & Franklin, dated December 4, 2019, as last revised, attached hereto as Exhibit A ("GDP")
Rezoning Request:	From R-1 to PDH-2
Rezoning File No.:	R19-0014

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1. Project Overview

The Applicant proposes rezoning the Property from the Residential 1 District ("R-1") to the Planned Development Housing 2 District ("PDH-2"). Section 23-6.12.1 of the Spotsylvania County ("County") Zoning Ordinance states that the purpose of the PDH district is to "encourage innovative and creative design in the development of land for residential and other selected secondary uses." The PDH district in relevant part is "…designed to ensure ample provision and efficient use of open space, to promote high standards in the layout, design and construction of residential development…" The PDH-2 district allows two (2) dwelling units per acre and requires a minimum of thirty (30) percent of the gross area be reserved as open space.

The purpose of the proposed rezoning is to allow a residential development consisting of one hundred ten (110) new single family detached dwelling units, all as generally shown on the GDP. The PDH-2 district includes single-family detached dwellings as a permitted use. The proposed development has a density of 1.88 dwelling units per acre, which is below the maximum density

for the PDH-2 sub-district of two (2) dwelling units per acre. The GDP reflects approximately 20.67 acres of open space, which accounts for 35.27% of the Property. This exceeds the 30% open space minimum required for the PDH-2 district. The open space will be used for active and passive recreation, buffering, stormwater facilities and preservation of natural areas.

As described in more detail below under Section 3 of this narrative, the Applicant's proposal conforms to the policies established by the County's Comprehensive Plan dated November 14, 2013, as last updated May 22, 2018 (the "Comp Plan"). Furthermore, the proposal will result in minimal impacts on public facilities and services, and impacts, if any, related to roads, schools, fire rescue and parks will be offset through improvements and cash proffers. In this regard, we have included with this application (as discussed in more detail below) a proffer analysis prepared by MuniCap, Inc., which is entitled "Hazel Run Glen Spotsylvania County, VA SB 549 Proffer Analysis", dated January 9, 2020, attached hereto and marked as Exhibit B ("Proffer Analysis") and a proffer statement, which reflects the findings in the Proffer Analysis.

Because the project is only one hundred ten (110) units, a VDOT 527 transportation impact analysis is not required. However, because the project is located off of Harrison Road, the County did request a traffic generation memo, which was prepared by Grove / Slade, dated January 28, 2020, and titled "Hazel Run Glen – Traffic Conditions Assessment", which is attached hereto and marked as Exhibit C, and described in more detail below ("Traffic Memo").

In addition, MuniCap, Inc. performed a fiscal impact analysis of the project ("FIA"). The FIA dated October 21, 2019, and entitled "Hazel Run Glen Spotsylvania County, VA Fiscal Impact Analysis", is attached hereto and marked as Exhibit D, and included with this application. The FIA, as described in more detail below, provides that the project will generate (onsite and offsite) positive net tax benefits of approximately $154,828 on an annual basis.

2. Project Location

The Project will be developed on one (1) parcel of land, totaling approximately 58.61 acres. The Project is situated in the Courtland magisterial and voting districts. The Project is also located along Harrison Road, just west of the Harrison Road I-95 overpass, with a portion of the Property located in the Highway Corridor Overlay District and the Airport Protection Overlay District. Across Harrison Road to the North of the Property and also to the East of the Property is Hazelwild Farm, zoned R-1 and undeveloped. To the West of the Project is a legacy single family detached subdivision known as "Carriage Hills." To the South of the Project is a single family detached home subdivision known as "Leavell's Crossing," zoned R-1.

Given all of the above, the Applicant's proposal is compatible with existing uses in the area and will enhance the area's housing stock while maintaining the area's character. Additionally, the Applicant's proposal is in line with the Comprehensive Plan (as described below) and the purpose of the PDH-2 district which is to provide low density detached, single family dwelling units at a density of 2 units or less per acre.

2.1 Site Access

Primary access to the Project Site will be provided via Harrison Road, with secondary access in accordance with County interparcel connection requirements, as shown on the GDP, in the form of a stub to the adjoining, undeveloped, Hazelwild Farm property. All site access locations will be coordinated with Spotsylvania County and the Virginia Department of Transportation. Please refer to the GDP for a depiction of site access location.

2.2 Environmental Characteristics

The Project's design will minimize the impact to streams and wetlands located on the Property. Based on a preliminary environmental assessment by TNT Environmental, there are approximately 550 linear feet of perennial streams and an RPA on the site. There are approximately 2.22 acres of wetlands, approximately 990 linear feet of non-perennial streams, and approximately 0.9 acres of open waters within the Project. The Applicant will perform all applicable studies for endangered species as is typically necessary for state and federal permitting for the project prior to final site plan approval.

2.3 Cultural and Historic Resources

Based on review of the Comp Plan and information from the Virginia Department of Historic Resources and the United States Department of the Interior, the Property does not include any cultural resources, including civil war era works or cemeteries. Additionally, the Property is not located in the County's Historic Overlay District.

3. Planning and Zoning

3.1 Zoning District and Ordinance

The Project Property is currently zoned Residential 1 (R-1). The surrounding parcels are also zoned R-1. The Property currently has access to water and sewer. Thus, by-right the Property could yield thirty-nine (39) single family detached dwelling units.

As mentioned above, the portion of the Property bordering Harrison Road is within the Highway Corridor Overlay District. A small portion of the Property is also within the Airport Protection Overlay District.

3.2 Comprehensive Plan Analysis

The County's Comp Plan's Future Land Use Map classifies the Property as part of the "Mixed Land Use" designation. The Property is situated within the County's Primary Development Boundary. The Mixed Land Use category is intended to provide for a variety of land uses in a compact, walkable community with a more dense development pattern, including higher density residential developments. As discussed below, the Project aligns with the County's overarching development goals and satisfies the Comp Plan's requirements for Mixed Land Use areas, while promoting the County's economic and transportation goals.

3.2.1 County's Overarching Development Goals

The County has outlined its goals for future development and land use in the Comp Plan, which is designed to encourage the most appropriate use of land, water, and resources within the County, consistent with citizens' interests. It sets forth the goals, objectives, policies, and implementation techniques that will guide development activity, while preserving and protecting the health, safety, and general welfare of its citizens.

According to the Comp Plan, future development proposals should, among other things, promote a diverse and vibrant economic base, maximize the use of existing infrastructure and public facilities, accommodate residential growth in a fiscally responsible manner, and provide safe and affordable housing for people of all ages. The Comp Plan stresses that the County is a business friendly community that prizes job creation. While it encourages growth, it also requires residential development to be executed in a fiscally responsible way that remains mindful of the existing infrastructure. Further, the County generally expects residential developments to pay for themselves and demonstrate that they will not have a significant impact on the existing infrastructure or resources.

The Project meets these development goals in multiple ways. As discussed in more detail below, the Project is already compatible with the existing uses in the area. Further, the Project will promote residential growth in a fiscally responsible manner by adding to the County's housing stock while maintaining the area's character. And finally, the Project will yield a net positive return to the County and minimize its impact on the existing infrastructure and resources through use of public utilities and mitigation of transportation impacts.

3.2.2 Property's Future Land Use Designation

The County's Comp Plan's Future Land Use Map classifies the Property as "Mixed Land Use." Mixed Land Use areas allow a variety of development, including residential and commercial. The Applicant wishes to develop the property as a PDH-2 district, which allows two dwelling units per acre. The Project's density is 1.88 units to the acre, as shown on the GDP, which aligns with the requirements of the applicable zoning ordinance allowances, and in fact, is a lower density than what is permitted under PH-2 and encouraged under the Comp Plan. Thus, the Applicant's proposed development aligns with the County's future land use goals for the Property.

3.2.3 Project contributes to growth within the Primary Development Boundary

The Property is further located within the County's Primary Development Boundary ("PDB"), which is the area within the County intended for future higher-density residential growth. The Comp Plan states that public water and sewer will be provided to properties within the PDB. Thus, the proposed rezoning from R-1 to PDH-2 is consistent with the goal of locating higher-density residential growth within the PDB, as the Project is located within the PDB and will use public utilities.

3.2.4 Project meets the Comp Plan's goals for residential land use

The County has further set forth general, overarching policies for residential development in its Comp Plan. These policies dictate, among other things, that residential communities should preserve at least 30% open space in their developments. Because the Project preserves 35.27% open space, in excess of the 30% required, it meets the Comp Plan's goals for residential land use.

3.2.5 Project meets the Comp Plan's goals for Mixed Land Use

Not only does the Project meet the Comp Plan's goals for residential land use, but it also meets multiple Mixed Land Use Policies set forth in the Comp Plan, discussed below.

3.2.5.1 Transitions in scale of building or buffering are provided

First, the Project provides appropriate transitions in scale of building or buffering to the adjoining existing developments. This is accomplished by retaining a 35' buffer along the western boundary of the development that will remain undisturbed by the Project, except as required for the installation of utilities. Additionally, the Project will consist of 110 new homes with maximum building heights of approximately 35'. This is compatible with the building heights of the surrounding residential homes and conforms to the applicable County zoning ordinance requirements. The Project will also include landscape buffers and adequate set-backs in the areas shown on the GDP.

3.2.5.2 The Project provides ample open space and pedestrian accommodations

The Project will provide 35.27% open space—in excess of the County's 30% requirement. This open space includes a community park and pond, and existing streams and wetlands on the Property will be preserved, as shown on the GDP. The community park will feature a dog park, benches, trash and pet waste disposal cans and a playground.

3.2.5.3 The Project supports a diverse housing mix to meet the needs of citizens

The Project contributes to a diverse housing mix in an area ripe for redevelopment and infill development by providing new detached single-family homes, as encouraged by the Comp Plan. These homes are located on smaller lots to address the current demand for quality homes with less lot maintenance by the homeowner.

3.2.5.4 The Project integrates quality open spaces

The Project will include over 35% open space, as well as a community park and attractive pond area. The community park will feature a dog park, benches, trash and pet waste disposal cans and a playground, in the area generally shown on the GDP.

3.2.6 Project promotes the County's economic goals

In addition to meeting multiple requirements for Mixed Land Use areas, the Project also comports to the economic goals set forth in the Comp Plan. Under the Comp Plan, development

that promotes job creation and benefits the economy is encouraged. In this regard, the Applicant anticipates that homes within the Project will average between 3,000 and 3,500 square feet and sell for between $525,000 and $585,000. The County's current break-even (e.g., pay for itself) assessment for home values is approximately $374,000. Thus, the Project is projected to meet and exceed this County objective.

Not only will the Project more than pay for itself, but it will also generate new jobs within the County and positive tax revenues both onsite and offsite. The Fiscal Impact Analysis ("FIA"), as described in more detail below, concludes that the project will generate (onsite and offsite) positive net tax benefits of $154,828, on an annual basis at full build-out. In addition, given the price points for the homes within the project, the owners should have disposable income, which will benefit local businesses. Thus, the development will promote the County's economic and positive tax generation goals.

3.2.7 Project aligns with County's transportation goals

The Project also aligns with the County's transportation goals. The County's Transportation Plan seeks to maintain an efficient transportation system using available and expected resources, while maintaining functional and effective transportation systems that keep pace with future growth. Policies include (1) maintaining acceptable levels of service on public roads; and (2) ensuring that new development does not degrade levels of service and mitigates its impact on the transportation network through ensuring connections within and between developments that offer alternative routing of traffic. The Project satisfies both of these policies.

First, the Project further aligns with the County's transportation goals, as acceptable levels of service on the public roads surrounding the Project will be maintained. Second, the Project will not degrade the current transportation level of services. Roads constructed within the project will be public and the expected daily trips will not degrade the level of services at applicable intersections.

Additionally, the County has planned improvements for Harrison Road, as listed on its Thoroughfare Plan, which cites the Harrison Road (620) Project as a planned road improvement project. The project will widen Harrison Road from Salem Church Road to Jefferson Davis Highway to a four (4) lane divided road. This improvement will further mitigate the impact of any increased traffic generated by the Project.

Further, the Project will dedicate a right-of-way area along Harrison Road in the areas generally designated on the GDP. Additionally, on Harrison Road at the entrance of the Project, the Applicant will install a westbound left turn lane with 100' of storage and 200' of taper, and an eastbound right turn lane with 100' of storage and 200' of taper. These turn lanes will be constructed prior to the issuance of the certificate of occupancy for the Project's first unit.

Again, these improvements and dedications further the transportation goals of the County's Comp Plan and will mitigate the impacts of the Project so that it does not have a negative impact on the area transportation network

3.2.8 Summary

The Applicant's proposal to develop single family detached residences in a Mixed Land Use area promotes the Comp Plan's goals and fosters economic growth by providing housing that will generate net positive tax revenue to the County, while minimizing any adverse transportation impacts.

3.3 Community Meeting

As part of the Rezoning Application process, Applicant attended a Pre-Application meeting with Spotsylvania County Staff on August 8, 2019. Additionally, Applicant and its representatives hosted a Community Meeting for the Project on September 12, 2019 at Salem Baptist Church to introduce and discuss the project with surrounding property owners. We addressed questions from members of our community and Exhibit E attached hereto provides a list of attendees.

4. Construction

Applicant anticipates close collaboration with Spotsylvania County during the permitting process to identify and manage environmental conditions and design criteria specific to the Project. Through the permitting process, Applicant will implement all required mitigation measures and Best Management Practices (BMPs) as determined by Spotsylvania County and regulatory agencies.

Should the County approve this rezoning request, construction is anticipated to begin in the first half of 2021. The Applicant anticipates that all lots will be constructed within 4 years of any rezoning approval, subject to market conditions.

4.1 Site Preparation

The Property is undeveloped with no existing dwellings or structures. An existing pond is partially located on the Property. The remainder of the land contains mature hardwood vegetation. Construction of the Project would begin with installation of erosion and sediment controls, and clearing and grading within the limits of construction. Construction access to the Property will include a stone construction entrance on Harrison Road to minimize dirt and other construction debris being tracked onto local roads.

4.2 Construction Workforce

The Applicant's goal is to retain local on-site workforce, which will consist of various skilled trades, supervisory personnel, support personnel, and construction management personnel.

Pursuant to the FIA, the Project is anticipated to generate an estimated 151 new jobs during the construction phase, and $5,145,927 in new labor wages.

5. Public Facilities

5.1 Fire and Rescue

The proposal will have minimal impact on the County's fire and rescue facilities. The proposed roads and building setbacks will allow for adequate travel space within the project for emergency access to the improvements. Fire and Rescue Station 6, located approximately 2.1 miles northwest of this site, will provide the Property with necessary emergency services. As detailed on the attached proffer statement, cash proffers will also offset any impacts the project may have on public safety facilities.

5.2 Schools

The Property is located in the Courthouse Road Elementary, Battlefield Middle and Chancellor High school districts. The County's most recently adopted Capital Improvement Plan does not include any construction projects specific to these schools.

Based on County estimates of 0.572 students per dwelling unit (for single family detached), the Project's 110 dwelling units will generate a net of 41 school-age children above the by-right (e.g. 110 less 39 by right unit = 71 units evaluated) units at full build out. As there is existing capacity in the elementary and high schools sufficient to accommodate the projected students, there is no impact that exceeds capacity in those schools. There are no proposed capital improvement projects to address middle school capacity issues and therefore no cash proffers for school facilities.

5.3 Parks, Buffers and Open Space

Approximately 35.27% of the Property will be maintained as open space. The open space will be used for passive and active recreational amenities, stormwater facilities, buffering and preservation of natural areas. As detailed on the attached proffer statement, cash proffers will also offset any impacts the project may have on parks and recreation facilities.

All buffers, landscaping, and setbacks will be as generally provided on the GDP and will conform to the applicable Zoning Ordinance requirements.

5.4 Water & Sewer

The Property will be serviced by public water and sewer, as shown on the GDP. A new sewage pump station and force main will be constructed to serve this project. The new pump station will allow the existing pump station in the Carriage Hill subdivision to be removed from service. A 16" water main will be extended along Harrison Road to serve this project from a connection point near the Carriage Hill Lane intersection. Utility lines will be extended throughout the proposed development to serve each lot.

5.5 Transportation

The Property abuts Harrison Road, which is a two (2) lane public road classified as a minor arterial road. Access to the Property will be provided from Harrison Road. Roads constructed within the project will be public.

The project will generate 1,100 vehicle trips on a daily basis, including 83 vehicle trips during the a.m. peak hour and 111 vehicle trips during the p.m. peak hour. A VDOT 527 analysis was not required for this project because the trip generation potential was below 5,000 daily trips.

6. Housing

The project will enhance the County's stock of new, single-family detached dwelling units in this area of the County. With an anticipated average sales price of between $525,000 and $585,000 per unit, and an approximate size of 3,000 to 3,500 sq. ft., the proposal meets market expectations for this area of the County. Further, the projected value for units should enhance surrounding property values. We believe that all lots will be developed within four years of any rezoning approval (subject to market conditions).

7. Fiscal Impact Analysis

The FIA includes an analysis for revenue projections of the project at full build-out, both for on site development and off-site expenditures from residents of the project (see Exhibit D). The total revenue generated from the project was then compared with expected County costs to provide services to the residents of the proposed development.

For the 110 new homes at the site, the total real property tax resulting from the project is estimated to be about $416,088 annually in current dollars. In addition, the personal property tax resulting from the project is estimated to be $135,452 annually in current dollars. The sum of all of the on-site tax revenues that could be expected to flow to the County from the project annually after build-out is over $566,884 each year in current dollars.

In addition to the on-site fiscal impact, the project is estimated to generate $107,770 in taxes off-site for the County annually after build-out and occupancy. As mentioned above, the Project would generate approximately 151 new jobs during the construction phase, resulting in about $5,145,927 in employee earnings.

The project is expected to result in 110 new households with an estimated 3.04 persons per household for a total of 334 people, with 63 school pupils. The total annual tax-supported cost of the project is estimated to be $519,826 each year in current dollars.

After considering the tax revenues generated by the project and the costs to the County resulting from the project, it is anticipated that this project will generate annually a net revenue surplus (onsite and offsite) after full build-out of $154,828 in current dollars.

EXHIBIT A

Generalized Development Plan

EXHIBIT B

Proffer Analysis

EXHIBIT C

Traffic Memo

EXHIBIT D

Fiscal Impact Analysis

EXHIBIT E

Community Meeting Attendees

APPROVAL

HAZEL RUN GLEN

GENERALIZED DEVELOPMENT PLAN FOR REZONING

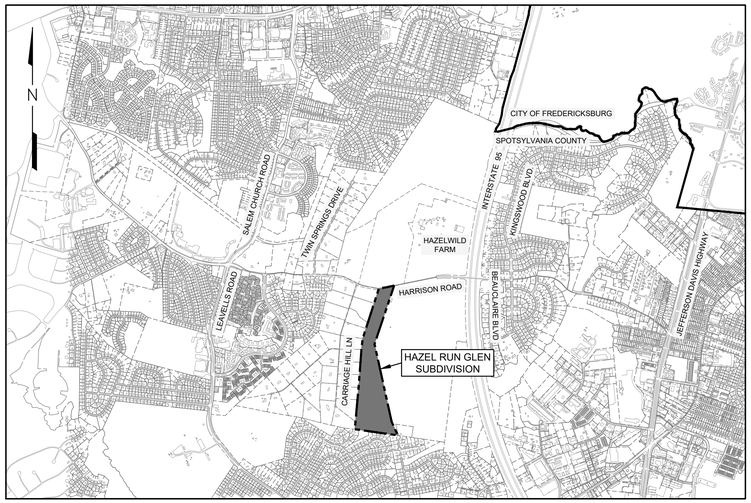
TM 23-A-64A

5430 HARRISON ROAD

COURTLAND VOTING DISTRICT
SPOTSYLVANIA COUNTY, VIRGINIA

SHEET INDEX

SHEET	TITLE
SHEET 1	COVER SHEET
SHEET 2	OVERALL PLAN
SHEET 3-3A	EXISTING CONDITIONS
SHEET 4-4A	GENERALIZED DEVELOPMENT PLAN
SHEET 5-5A	PRELIMINARY UTILITY PLAN
SHEET 6-6A	GENERALIZED LANDSCAPING PLAN
SHEET 7	SIGHT DISTANCE PLAN



VICINITY MAP
SCALE 1"=2000'

2000 1000 0 2000 4000 6000
SCALE IN FEET (1 INCH=2,000 FEET)

SITE INFORMATION:

TAX PARCEL:	23-A-64A
ADDRESS:	5430 HARRISON ROAD
PRESENT ZONING:	R-1
PROPOSED ZONING:	PDH-2
PRESENT USE:	UNDEVELOPED
PROPOSED USE:	SINGLE-FAMILY DETACHED
PROPOSED LOTS:	110 LOTS
OVERLAY DISTRICT(S):	AIRPORT OVERLAY DISTRICT (CONICAL ZONE), HIGHWAY CORRIDOR OVERLAY DISTRICT
PROPERTY AREA:	58.61 AC
R/W DEDICATION:	7.57 AC
DENSITY ALLOWED:	2 DU / AC (117 UNITS)
DENSITY PROVIDED:	1.88 DU / AC (110 UNITS)
IMPERVIOUS AREA CALCULATIONS:	
IMPERVIOUS WITHIN R/W:	5.98 AC
IMPERVIOUS WITHIN LOTS (3,600 SF/LOT ASSUMED):	9.09 AC
TOTAL IMPERVIOUS:	15.07 AC
IMPERVIOUS SURFACE RATIO:	0.257
TOTAL LOT AREA:	30.38 AC
OPEN SPACE REQUIRED:	30% (17.58 AC)
OPEN SPACE PROVIDED:	34.93% (20.47 AC)
a. OPEN SPACE PROVIDED IN RPA, WETLANDS, STREAMS, AND SLOPES 15% OR STEEPER:	5.29 AC
b. OPEN SPACE PROVIDED OUTSIDE OF RPA, WETLANDS, STREAMS, AND SLOPES 15% OR STEEPER:	15.18 AC
	TOTAL OPEN SPACE = 20.47 AC
DISTURBED ACREAGE:	APPROXIMATELY 45.0 AC
WATER:	PUBLIC WATER
SEWER:	PUBLIC SANITARY SEWER
MAXIMUM BUILDING HEIGHT:	2 STORY (APPROX. 35 FT)
MINIMUM YARD REQUIREMENTS:	
FRONT:	25 FT
SIDE:	10 FT
REAR:	25 FT
ESTIMATED VEHICLE TRIPS:	10 VPD PER LOT X 110 LOTS = 1,100 VPD 1,100 VPD (550 ENTERING, 550 EXITING) BASED ON ROAD DESIGN MANUAL APPENDIX B(1)

NOTES:

1. SOURCE OF MAPPING:
   TOPOGRAPHIC–TAKEN FROM SPOTSYLVANIA COUNTY GIS
   BOUNDARY–ALTA SURVEY PREPARED BY FAIRBANKS & FRANKLIN IN AUGUST 2019
2. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED DURING CONSTRUCTION IN ACCORDANCE WITH THE VA. EROSION AND SEDIMENT CONTROL HANDBOOK.
3. WETLANDS AND STREAM CHANNELS SHOWN ON THIS PLAN WERE DELINEATED BY TNT ENVIROMENTAL.
4. THERE ARE NO KNOWN DAM BREAK INUNDATION ZONES WITHIN THE LIMITS OF THE SITE.
5. THERE ARE NO KNOWN HISTORIC BUILDINGS, ARCHAEOLOGICAL FEATURES, OR HISTORIC DISTRICTS ON SITE.
6. THERE ARE NO KNOWN PLACES OF BURIAL ON SITE.
7. LANDSCAPING AND SCREENING SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 23-5.5 OF THE SPOTSYLVANIA COUNTY CODE, ARTICLE 6 OF THE SPOTSYLVANIA COUNTY DESIGN STANDARDS MANUAL.
8. ALL PARCEL LINES, PARCEL SIZES, BUILDING ENVELOPES, BUILDING SIZES, PUBLIC ROAD LOCATIONS, UTILITY LOCATIONS, STORM WATER MANAGEMENT FACILITIES, AND DIMENSIONS OF UNDEVELOPED AREAS SHOWN ON THE GDP MAY BE REASONABLY ADJUSTED FOR PURPOSES OF THE FINAL SITE OR SUBDIVISION PLANS TO ALLOW THE APPLICANT TO ADDRESS FINAL DEVELOPMENT, ENGINEERING AND DESIGN REQUIREMENTS, FULFILL COMPLIANCE WITH STATE AND FEDERAL AGENCY REGULATIONS INCLUDING, BUT NOT LIMITED TO, DHR, VDOT, DEQ, DCR, ARMY CORPS., ETC., AND COMPLIANCE WITH THE REQUIREMENTS OF THE COUNTY'S DEVELOPMENT REGULATIONS AND DESIGN STANDARDS MANUAL. NOTWITHSTANDING THE FOREGOING, ANY SAID ADJUSTMENTS TO THE GDP SHALL BE SUBJECT TO THE APPROVAL OF THE COUNTY'S ZONING ADMINISTRATOR, AND IN NO EVENT SHALL APPROVED ADJUSTMENTS TO THE GDP RELIEVE THE APPLICANT FROM PROVIDING ANY OF THE PROFFERS.
9. STORMWATER MANAGEMENT WILL BE ACHIEVED THROUGH THE USE OF BEST MANAGEMENT PRACTICES LOCATED AT DRAINAGE OUTFALLS. ALL OUTFALL LOCATIONS WILL BE ANALYZED TO ENSURE THE RECEIVING CHANNELS ARE ADEQUATE AND THAT THE UPSTREAM STORMWATER MANAGEMENT FACILITIES DETAIN THE PEAK POST DEVELOPMENT RUNOFF IN ACCORDANCE WITH APPLICABLE STATE AND COUNTY REQUIREMENTS.
10. ALL REFUSE MUST BE DISPOSED OF AT COUNTY APPROVED DISPOSAL SITES. SOLID WASTE GENERATED BY EACH SINGLE FAMILY DETACHED LOT WILL BE STORED ON THAT RESPECTIVE LOT IN A CONTAINER. A PRIVATE REFUSE COLLECTION SERVICE WILL COLLECT AND TRANSPORT THE SOLID WASTE TO A COUNTY APPROVED DISPOSAL/COLLECTION SITE.
11. BASED UPON GRAPHIC PLOTTING ONLY, THE PROPERTY IS LOCATED WITHIN ZONE X, "AREAS DETERMINED TO BE OUTSIDE 500–YEAR FLOODPLAIN", AS PER FLOOD INSURANCE RATE MAP FOR SPOTSYLVANIA COUNTY, VIRGINIA, COMMUNITY PANEL NUMBER 5103080075C EFFECTIVE FEBURARY 18, 1998.
12. THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON LAND AND FACILITIES WITHIN THE DEVELOPMENT.
13. ALL PROPOSED SUBDIVISION STREETS SHOWN ON THE PLAN ARE PUBLIC
14. ALL LOTS SHALL HAVE DRIVEWAY CONNECTIONS TO THE INTERNAL SUBDIVISION STREETS ONLY. NO LOTS SHALL HAVE DIRECT ACCESS TO HARRISON ROAD.
15. EASEMENTS MAY EXIST THAT ARE NOT SHOWN HEREON.
16. ALL LIGHTING SHALL COMPLY WITH SPOTSYLVANIA COUNTY STANDARDS.
17. THIS DEVELOPMENT SHALL COMPLY WITH ALL SPOTSYLVANIA COUNTY CODE REQUIREMENTS.

PROPERTY OWNER	APPLICANT	ENGINEER
PATRICIA P PRESTON 5015 BROOKSHIRE CT FREDERICKSBURG, VA 22408 540-898-1035	CERESHARRISONLAND, LLC 2101 L ST NW #800 WASHINGTON, DC 20037 202-262-8104	FAIRBANKS & FRANKLIN 1005 MAHONE STREET FREDERICKSBURG, VIRGINIA 22401 540-899-3700

ZONING COMPARISON

	ZONING	R-1	PDH-2
SINGLE FAMILY DETACHED	ALLOWED DENSITY	1 DU PER 2 ACRES (CONV. SUBD.)	2 DWELLING UNITS PER ACRE
		1 DU PER 1.5 ACRES (CLUSTER SUBD.)	
	ALLOWED YIELD	29 DU (CONV. SUBD.)	117 DU
		39 DU (CLUSTER SUBD.)	
	MINIMUM LOT SIZE	2 AC (CONV. SUBD.)	NO REQUIREMENT FOR EACH USE OR BUILDING
		20,000 (CLUSTER SUBD.)	
	MINIMUM LOT WIDTH	100 FT (CONV. SUBD.)	NO REQUIREMENT FOR EACH USE OR BUILDING
		80 FT (CLUSTER SUBD.)	

ESTIMATED WATER AND SEWER USAGE

WATER USAGE	SEWER USAGE
38,500 GPD	38,500 GPD

Fairbanks & Franklin
Civil Engineering
Land Planning
1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

COVER SHEET

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS
Lic. No. 035219
11-25-20
PROFESSIONAL ENGINEER

DATE : 12-04-19
DESIGNED: JDF
DRAWN : JAC
CHECKED : JRF

REVISIONS: 08-18-20
01-17-20 10-02-20
03-13-20 11-25-20
05-28-20
06-30-20

DOCUMENT NO.
176-1058

SHEET 1 OF 7

452-1002 HAZEL RUN GLEN GDP FOR REZONING 11-25-20

LEGEND

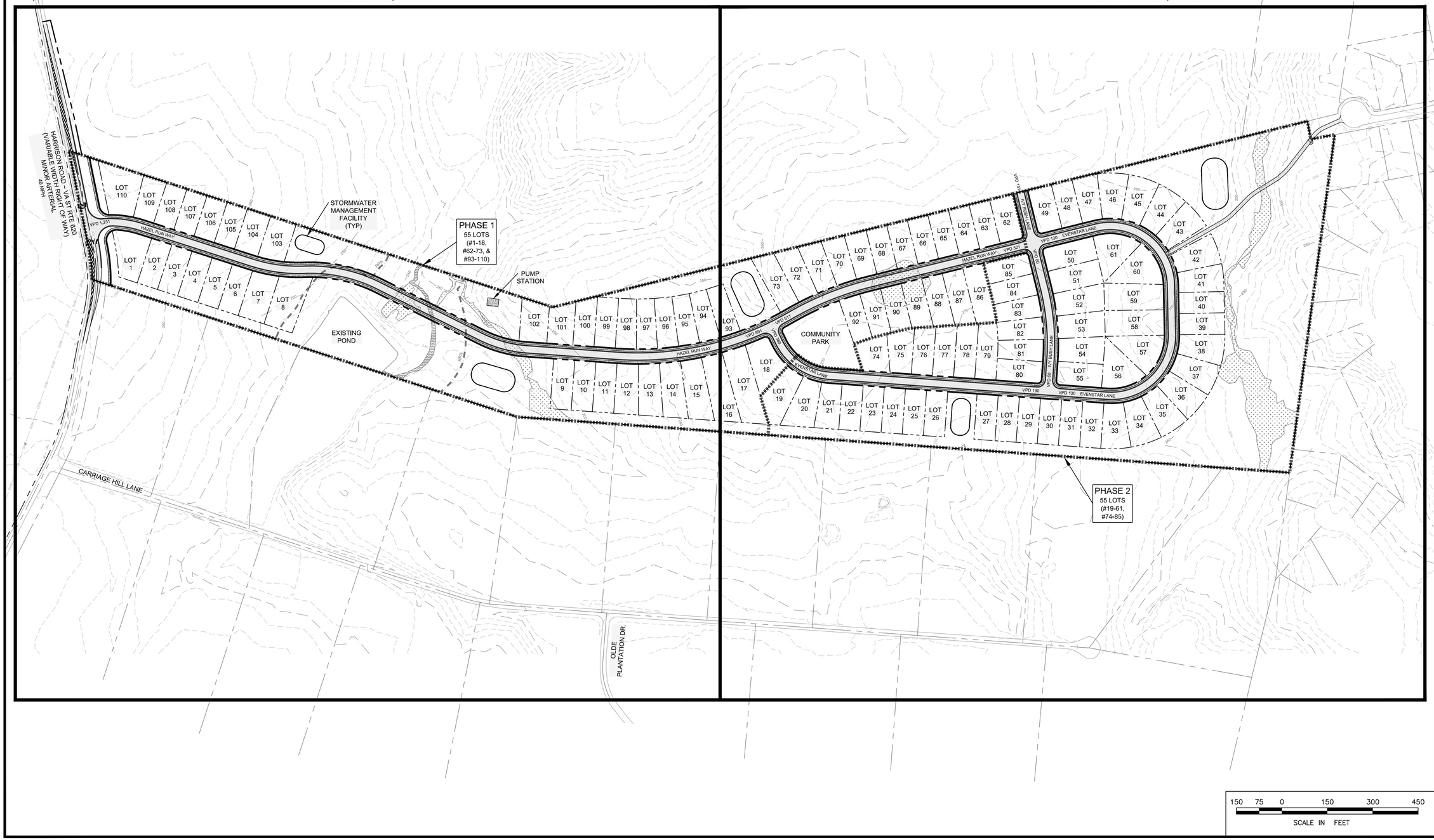
- OVERALL PROPERTY BOUNDARY
- PROPOSED LOT BOUNDARY
- 270 CONTOUR
- PROPOSED CONCRETE
- PROPOSED PAVEMENT

APPROVAL

VCS 1983 NORTH ZONE

SHEETS 3, 4 & 5

SHEETS 3A, 4A & 5A



150 75 0 150 300 450

SCALE IN FEET

Fairbanks & Franklin

Civil Engineering
Land Planning

1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

OVERALL PLAN

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
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SHEET **2** OF **7**

APPROVAL

CURVE DATA						
CURVE	ARC	RADIUS	DELTA	TANGENT	CH BEARING	CHORD
C1	100.00'	497.42'	11°31'09"	50.17'	N84°14'49"E	99.84'

VCS 1983 NORTH ZONE

HARRISON ROAD - VA ST RTE 620
(VARIABLE WIDTH RIGHT OF WAY)
MINOR ARTERIAL
40 MPH

APPROX. AIRPORT OVERLAY DISTRICT BOUNDARY

APPROX. HCOD BOUNDARY

N19°39'14"E 3673.73'

30' PRESCRIPTIVE RIGHT-OF-WAY

S17°56'24"W 1678.88'

HAZELWILD FARM EDUCATIONAL FOUNDATION
TM 23-A-64C
INST#080007466
R-1 ZONING
VACANT/AGRICULTURAL

RPA

STREAM (TYP.)

S13°51'32"E 2567.26'

EXISTING POND EMBANKMENT

SHADING DENOTES SLOPES STEEPER THAN 15%

EXISTING POND

N17°56'14"E 1474.90'

WETLAND (TYP.)

HAZELWILD FARM EDUCATIONAL FOUNDATION
TM 23-A-105
D.B. MMM, PG. 152
R-1 ZONING
VACANT/AGRICULTURAL

VINCENT ANTHONY OSSO OR LISA B OSSO
TM 23-24-31
INST#160020722
R-1 ZONING
RESIDENTIAL

MOHAMMAD S AYOUBI OR MINA M AYOUBI
TM 23-24-32
INST#180004474
R-1 ZONING
RESIDENTIAL

MATCHLINE SHEET 3A

N04°07'40"E 2558.17'

EXISTING 15" WATERLINE EASEMENT

EXISTING 6" WATER STUB

CARRIAGE HILL LANE

30' SANITARY SEWER EASEMENT

SHARON OR ADRIAN BAILEY III TRUSTEE
SHARON & ADRIAN BAILEY III TRUSTS
TM 23-24-33
INST#170003786
R-1 ZONING
RESIDENTIAL

BRIAN F HEALY
TM 23-24-34
INST#110013099
R-1 ZONING
RESIDENTIAL

ROBERT E PATRICK OR BONNIE S PATRICK
TM 23-11-26
D.B. 421, PG. 402
R-1 ZONING
RESIDENTIAL

JARED QUANCE OR TRACEY QUANCE
TM 23-11-25
INST#120020237
R-1 ZONING
RESIDENTIAL

15" WATER EASEMENT

4"FM

6"W

EXISTING PUMP STATION

OLDE PLANTATION DR.

100 50 0 100 200 300
SCALE IN FEET

Fairbanks & Franklin
Civil Engineering
Land Planning
1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

EXISTING CONDITIONS

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS IA
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SHEET **3** OF **7**

APPROVAL

VCS 1983 NORTH ZONE

LEGEND

EXISTING		PROPOSED
	OVERALL PROPERTY BOUNDARY	
270	CONTOUR	
8"W	WATER	8"W
8"S	SEWER	8"S
Ⓢ	SANITARY MANHOLE	Ⓢ
⊗	WATER VALVE	⊗
	FIRE HYDRANT	
	UTILITY POLE	

MATCHLINE SHEET 3

S13°51'32"E 2567.26'

N04°07'40"E 2558.17'

HAZELWILD FARM EDUCATIONAL FOUNDATION TM 23-A-64C INST#080007466 R-1 ZONING VACANT/AGRICULTURAL

BESSIE M KELLEY TM 23-A-64D INST#050043652 R-1 ZONING RESIDENTIAL

JENNIFER SHEA TM 23J-6-219 INST#150015477 R-1 ZONING RESIDENTIAL

CHARLES H LEITH OR DEBORAH A LEITH TM 23J-4-152 D.B. 774, PG. 317 R-1 ZONING RESIDENTIAL

JAMES R BEASLEY OR BRENDA A BEASLEY TM 23J-4-153 D.B. 801, PG. 343 R-1 ZONING RESIDENTIAL

MAE P RAMONES TM 23J-4-154 D.B. 944, PG. 44 R-1 ZONING RESIDENTIAL

KYLE A NEWBY OR AMY CHRISTINA NEWBY TM 23J-4-155 INST#170013103 R-1 ZONING RESIDENTIAL

ROBERT B VERBRYCKE OR DEBORAH C VERBRYCKE TM 23J-4-156 D.B. 787, PG. 23 R-1 ZONING RESIDENTIAL

LEAVELLS CROSSING HOMEOWNERS ASSOC TM 23J-4-A D.B. 776, PG. 302 R-1 ZONING STORMWATER MANAGEMENT

REINHOLD L SMITH OR MARY E SMITH TM 23J-3-108 D.B. 766, PG. 277 R-1 ZONING RESIDENTIAL

D QUANCE OR CEY QUANCE 23-11-25 #120020237 -1 ZONING ESIDENTIAL

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GINGER F STEEDLEY OR MARK S STEEDLEY TM 23-11-23 INST#190006621 R-1 ZONING RESIDENTIAL

REBECCA KAY BAILEY TRUSTEE REBECCA KAY BAILEY REVOCABLE TRUST TM 23-11-22 INST#150006188 R-1 ZONING RESIDENTIAL

PERLA G SAMBAT TM 23-11-21 INST#100017521 R-1 ZONING RESIDENTIAL

JOHN S NICHOLLS OR LISA G NICHOLLS TM 23-11-20 D.B. 1006, PG. 52 R-1 ZONING RESIDENTIAL

WETLAND (TYP.)

EXISTING 15' UTILITY EASEMENT D.B. 390, PG. 511

EXISTING 30' UTILITY EASEMENT D.B. 390, PG. 511

EXISTING 30' UTILITY EASEMENT D.B. 390, PG. 511

EXISTING SEWER, WATER & UTILITY EASEMENT D.B. 390, PG. 511

S78°27'49"W 100.00'

N10°32'40"W 80.05'

N82°26'03"W 169.49'

N82°25'38"W 937.17'

6"W

4"FM

6"W

CARRIAGE HILL LANE

4"FM

6"W

4"FM

6"W

100 50 0 100 200 300

SCALE IN FEET

Fairbanks & Franklin

Civil Engineering
Land Planning

1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

EXISTING CONDITIONS

HAZEL RUN GLEN
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SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS
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SHEET **3A** OF **7**

PRELIMINARY WATER QUANTITY CONTROL:

THE ESTIMATED PRE-DEVELOPMENT AND POST-DEVELOPMENT FLOW RATES FOR THE HAZEL RUN GLEN PROJECT ARE AS FOLLOWS:

PRE-DEVELOPMENT: 1-YEAR=28.4 CFS; 10-YEAR=115.1 CFS
POST-DEVELOPMENT: 1-YEAR=58.0 CFS; 10-YEAR=171.2 CFS

THE PROPOSED STORMWATER MANAGEMENT FACILITIES WILL BE DESIGNED TO COMPLY WITH ALL COUNTY AND STATE STORMWATER MANAGEMENT REQUIREMENTS. THE RECEIVING STREAM IS LONG BRANCH WHICH DRAINS TO THE RAPPAHANNOCK RIVER.

NOTE:
ALL STORMWATER MANAGEMENT CALCULATIONS (QUALITY AND QUANTITY) ARE FOR INITIAL PLAN APPROVAL AND IN NO WAY REFLECT A DETAILED ANALYSIS. THIS PRELIMINARY ANALYSIS DOES NOT ESTABLISH THE STORMWATER MANAGEMENT LIMITS FOR THIS PROJECT. MORE DETAILED ANALYSIS AND CALCULATIONS FOR SPECIFIC BMP DESIGNS WILL BE PRESENTED AT THE TIME A DETAILED PLAN IS REQUIRED.

PRELIMINARY WATER QUALITY CALCULATIONS:

PROJECT AREA = 58.61 AC
PROPOSED IMPERVIOUS AREA = 15.9 AC

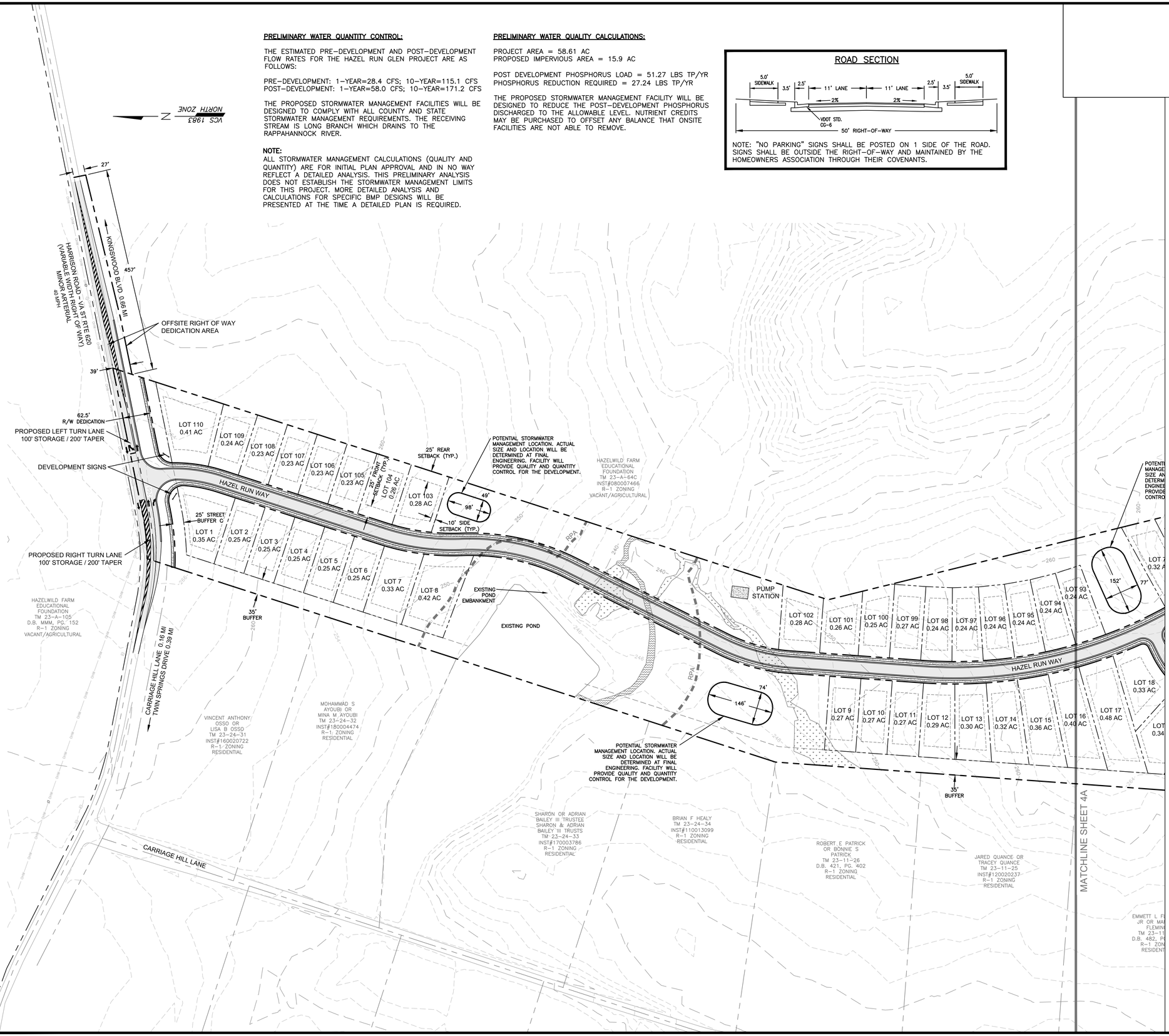
POST DEVELOPMENT PHOSPHORUS LOAD = 51.27 LBS TP/YR
PHOSPHORUS REDUCTION REQUIRED = 27.24 LBS TP/YR

THE PROPOSED STORMWATER MANAGEMENT FACILITY WILL BE DESIGNED TO REDUCE THE POST-DEVELOPMENT PHOSPHORUS DISCHARGED TO THE ALLOWABLE LEVEL. NUTRIENT CREDITS MAY BE PURCHASED TO OFFSET ANY BALANCE THAT ONSITE FACILITIES ARE NOT ABLE TO REMOVE.

ROAD SECTION

NOTE: "NO PARKING" SIGNS SHALL BE POSTED ON 1 SIDE OF THE ROAD. SIGNS SHALL BE OUTSIDE THE RIGHT-OF-WAY AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION THROUGH THEIR COVENANTS.

APPROVAL



LEGEND

- OVERALL PROPERTY BOUNDARY
- PROPOSED LOT BOUNDARY
- 270 CONTOUR
- SETBACK
- LANDSCAPE BUFFER
- PROPOSED CONCRETE
- PROPOSED PAVEMENT

EXISTING		PROPOSED
8"w	WATER	8"W
8"s	SEWER	8"S
Ⓢ	SANITARY MANHOLE	Ⓢ
⊗	WATER VALVE	⊗
FIRE HYDRANT		
UTILITY POLE		

NOTE: THE 35' BUFFER ALONG THE WESTERN BOUNDARY SHALL BE UNDISTURBED.

100 50 0 100 200 300
SCALE IN FEET

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Land Planning
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Fredericksburg, VA 22401
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GENERALIZED DEVELOPMENT PLAN

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS
Lic. No.035219
11-25-20
PROFESSIONAL ENGINEER

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DOCUMENT NO.
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SHEET **4** OF **7**

VCS 1983
NORTH ZONE

LEGEND

	EXISTING	PROPOSED
OVERALL PROPERTY BOUNDARY		
270 CONTOUR		
8"W WATER	8"w	8"W
8"S SEWER	8"s	8"S
SANITARY MANHOLE	Ⓢ	Ⓢ
WATER VALVE	⊗	⊗
FIRE HYDRANT	⇳	⇳
UTILITY POLE	⇳	

APPROVAL

POTENTIAL STORMWATER MANAGEMENT LOCATION. ACTUAL SIZE AND LOCATION WILL BE DETERMINED AT FINAL ENGINEERING. FACILITY WILL PROVIDE QUALITY AND QUANTITY CONTROL FOR THE DEVELOPMENT.

POTENTIAL STORMWATER MANAGEMENT LOCATION. ACTUAL SIZE AND LOCATION WILL BE DETERMINED AT FINAL ENGINEERING. FACILITY WILL PROVIDE QUALITY AND QUANTITY CONTROL FOR THE DEVELOPMENT.

HAZELWILD FARM EDUCATIONAL FOUNDATION TM 23-A-64C INST#080007466 R-1 ZONING VACANT/AGRICULTURAL

BESSIE M KELLEY TM 23-A-64D INST#050043652 R-1 ZONING RESIDENTIAL

PUBLIC R/W

WOODLAND DRIVE

ASPHALT SURFACE WITHIN PUBLIC R/W

EMERGENCY ACCESS GATE WITH BIKE/PEDESTRIAN BYPASS

12' WIDE EMERGENCY ACCESS CONNECTION TO WOODLAND DRIVE AND BIKE/PEDESTRIAN PATH (GRASSPAVE2 POROUS PAVEMENT OR SIMILAR SURFACE SUITABLE FOR EMERGENCY VEHICLES)

JENNIFER SHEA TM 23J-6-219 INST#150015477 R-1 ZONING RESIDENTIAL

CHARLES H LEITH OR DEBORAH A LEITH TM 23J-4-152 D.B. 774, PG. 317 R-1 ZONING RESIDENTIAL

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REINHOLD L SMITH OR MARY E SMITH TM 23J-3-108 D.B. 766, PG. 277 R-1 ZONING RESIDENTIAL

HAZEL RUN WAY

EVENSTAR LANE

IVY BUSH LANE

COMMUNITY PARK WITH CLUSTER MAILBOXES, DOG PARK, BENCHES, TRASH/PET WASTE DISPOSAL CANS AND PLAYGROUND
0.85 AC

25' REAR SETBACK (TYP.)
10' SIDE SETBACK (TYP.)
25' FRONT SETBACK (TYP.)

LOT 1 0.32 AC, LOT 2 0.36 AC, LOT 3 0.40 AC, LOT 4 0.48 AC, LOT 5 0.34 AC, LOT 6 0.32 AC, LOT 7 0.26 AC, LOT 8 0.24 AC, LOT 9 0.24 AC, LOT 10 0.24 AC, LOT 11 0.24 AC, LOT 12 0.24 AC, LOT 13 0.24 AC, LOT 14 0.33 AC, LOT 15 0.30 AC, LOT 16 0.31 AC, LOT 17 0.32 AC, LOT 18 0.30 AC, LOT 19 0.32 AC, LOT 20 0.27 AC, LOT 21 0.29 AC, LOT 22 0.29 AC, LOT 23 0.38 AC, LOT 24 0.57 AC, LOT 25 0.33 AC, LOT 26 0.32 AC, LOT 27 0.28 AC, LOT 28 0.29 AC, LOT 29 0.29 AC, LOT 30 0.29 AC, LOT 31 0.29 AC, LOT 32 0.29 AC, LOT 33 0.29 AC, LOT 34 0.29 AC, LOT 35 0.29 AC, LOT 36 0.29 AC, LOT 37 0.29 AC, LOT 38 0.29 AC, LOT 39 0.24 AC, LOT 40 0.24 AC, LOT 41 0.27 AC, LOT 42 0.29 AC, LOT 43 0.29 AC, LOT 44 0.29 AC, LOT 45 0.29 AC, LOT 46 0.29 AC, LOT 47 0.26 AC, LOT 48 0.24 AC, LOT 49 0.27 AC, LOT 50 0.30 AC, LOT 51 0.31 AC, LOT 52 0.31 AC, LOT 53 0.29 AC, LOT 54 0.29 AC, LOT 55 0.27 AC, LOT 56 0.32 AC, LOT 57 0.33 AC, LOT 58 0.38 AC, LOT 59 0.39 AC, LOT 60 0.35 AC, LOT 61 0.32 AC, LOT 62 0.27 AC, LOT 63 0.24 AC, LOT 64 0.24 AC, LOT 65 0.24 AC, LOT 66 0.24 AC, LOT 67 0.24 AC, LOT 68 0.24 AC, LOT 69 0.25 AC, LOT 70 0.26 AC, LOT 71 0.27 AC, LOT 72 0.30 AC, LOT 73 0.32 AC, LOT 74 0.26 AC, LOT 75 0.26 AC, LOT 76 0.25 AC, LOT 77 0.27 AC, LOT 78 0.28 AC, LOT 79 0.29 AC, LOT 80 0.25 AC, LOT 81 0.23 AC, LOT 82 0.23 AC, LOT 83 0.23 AC, LOT 84 0.24 AC, LOT 85 0.25 AC, LOT 86 0.31 AC, LOT 87 0.29 AC, LOT 88 0.27 AC, LOT 89 0.25 AC, LOT 90 0.24 AC, LOT 91 0.23 AC, LOT 92 0.23 AC, LOT 93 0.24 AC, LOT 94 0.24 AC, LOT 95 0.24 AC, LOT 96 0.24 AC

86' × 169'

152' × 77'

62' × 122'

35' BUFFER

- MATCHLINE SHEET 4

D QUANCE OR CEY QUANCE 23-11-25 #120020237 -1 ZONING ESIDENTIAL

EMMETT L FLEMING JR OR MARY C FLEMING TM 23-11-24 D.B. 482, PG. 378 R-1 ZONING RESIDENTIAL

GINGER F STEEDLEY OR MARK S STEEDLEY TM 23-11-23 INST#190006621 R-1 ZONING RESIDENTIAL

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JOHN S NICHOLLS OR LISA G NICHOLLS TM 23-11-20 D.B. 1006, PG. 52 R-1 ZONING RESIDENTIAL

CARRIAGE HILL LANE

NOTE: THE 35' BUFFER ALONG THE WESTERN BOUNDARY SHALL BE UNDISTURBED.

100 50 0 100 200 300
SCALE IN FEET

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GENERALIZED DEVELOPMENT PLAN

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
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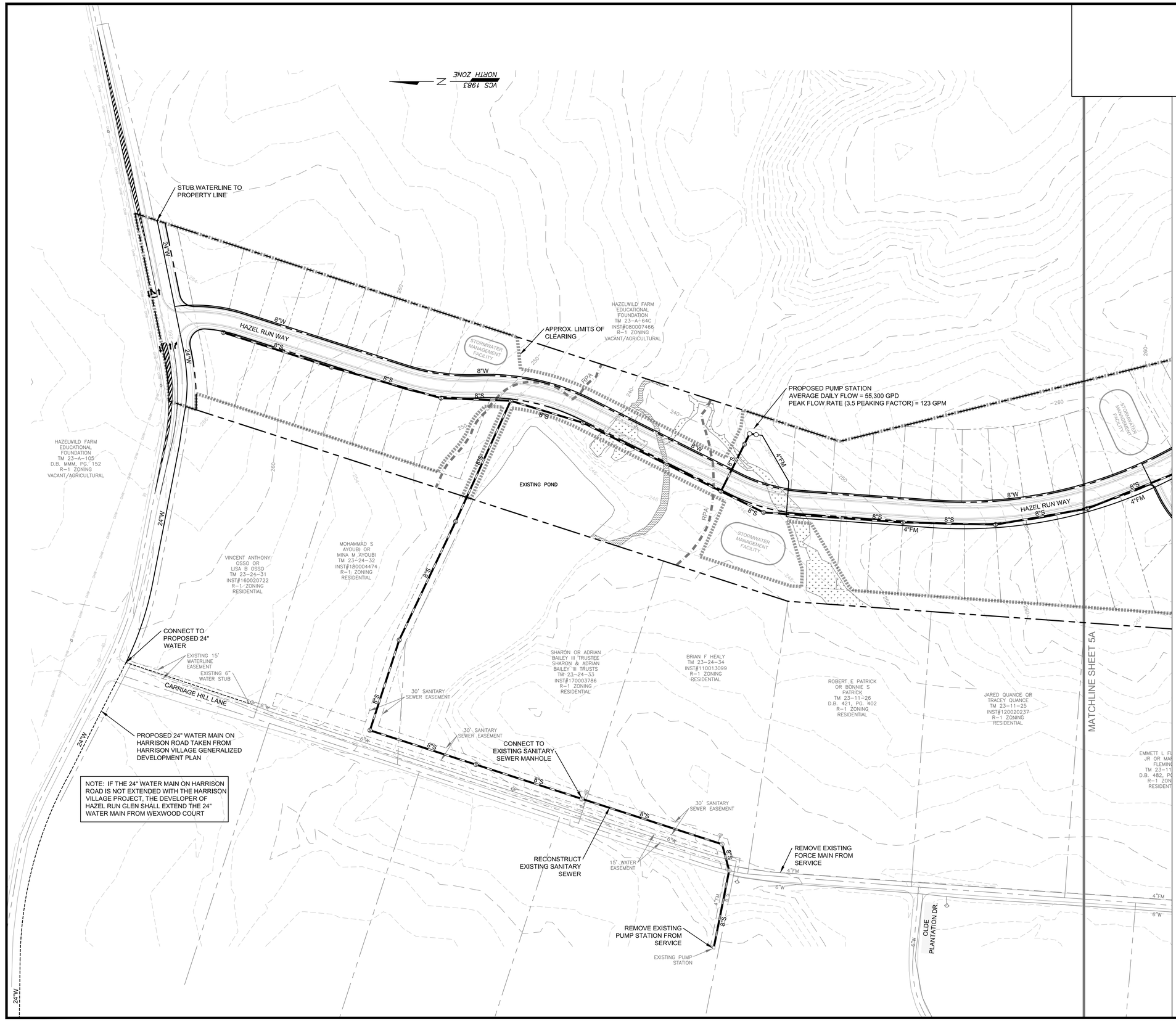
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DOCUMENT NO.
176-1058

SHEET **4A** OF **7**

APPROVAL



LEGEND

- OVERALL PROPERTY BOUNDARY
- PROPOSED LOT BOUNDARY
- CONTOUR
- SETBACK
- LANDSCAPE BUFFER
- PROPOSED CONCRETE
- PROPOSED PAVEMENT

EXISTING		PROPOSED
8"w	WATER	8"W
8"s	SEWER	8"S
Ⓢ	SANITARY MANHOLE	Ⓢ
⊗	WATER VALVE	⊗
⊕	FIRE HYDRANT	⊕
○	UTILITY POLE	

100 50 0 100 200 300

SCALE IN FEET

Fairbanks & Franklin

Civil Engineering
Land Planning

1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

PRELIMINARY UTILITY PLAN

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS
Lic. No. 035219
11-25-20
PROFESSIONAL ENGINEER

DATE :	12-04-19
DESIGNED:	JDF
DRAWN :	JAC
CHECKED :	JRF

REVISIONS:	
01-17-20	08-18-20
03-13-20	10-02-20
05-28-20	11-25-20
06-30-20	

DOCUMENT NO.
176-1058

SHEET **5** OF **7**

VCS 1983
NORTH ZONE

APPROVAL

LEGEND

	EXISTING	PROPOSED
OVERALL PROPERTY BOUNDARY		
CONTOUR	270	
WATER	8"w	8"W
SEWER	8"s	8"S
SANITARY MANHOLE	Ⓢ	Ⓢ
WATER VALVE	⊗	⊗
FIRE HYDRANT	⇳	⇳
UTILITY POLE	⊖	

MATCHLINE SHEET 5

HAZELWILD FARM EDUCATIONAL FOUNDATION TM 23-A-64C INST#080007466 R-1 ZONING VACANT/AGRICULTURAL

BESSIE M KELLEY TM 23-A-64D INST#050043652 R-1 ZONING RESIDENTIAL

WOODLAND DRIVE

CONNECT TO EXISTING 6" WATER

JENNIFER SHEA TM 23J-16-219 INST#150015477 R-1 ZONING RESIDENTIAL

CHARLES H LEITH OR DEBORAH A LEITH TM 23J-4-152 D.B. 774, PG. 317 R-1 ZONING RESIDENTIAL

JAMES R BEASLEY OR BRENDA A BEASLEY TM 23J-4-153 D.B. 801, PG. 343 R-1 ZONING RESIDENTIAL

MAE P RAMONES TM 23J-4-154 D.B. 944, PG. 44 R-1 ZONING RESIDENTIAL

KYLE A NEWBY OR AMY CHRISTINA NEWBY TM 23J-4-155 INST#170013103 R-1 ZONING RESIDENTIAL

ROBERT B VERBRYCKE OR DEBORAH C VERBRYCKE TM 23J-4-156 D.B. 787, PG. 23 R-1 ZONING RESIDENTIAL

LEAVELLS CROSSING HOMEOWNERS ASSOC TM 23J-4-A D.B. 776, PG. 302 R-1 ZONING STORMWATER MANAGEMENT

STORMWATER MANAGEMENT FACILITY

HAZEL RUN WAY

EVENSTAR LANE

IVY BUSH LANE

APPROX. CONSTRUCTION LIMITS

CARRIAGE HILL LANE

REINHOLD L SMITH OR MARY E SMITH TM 23J-3-108 D.B. 766, PG. 277 R-1 ZONING RESIDENTIAL

EXISTING 15' UTILITY EASEMENT D.B. 390, PG. 511

EXISTING 30' UTILITY EASEMENT D.B. 390, PG. 511

EXISTING SEWER, WATER & UTILITY EASEMENT D.B. 390, PG. 511

JOHN S NICHOLLS OR LISA G NICHOLLS TM 23-11-20 D.B. 1006, PG. 52 R-1 ZONING RESIDENTIAL

PERLA G SAMBAT TM 23-11-21 INST#100017521 R-1 ZONING RESIDENTIAL

REBECCA KAY BAILEY TRUSTEE REBECCA KAY BAILEY REVOCABLE TRUST TM 23-11-22 INST#150006188 R-1 ZONING RESIDENTIAL

GINGER F STEEDLEY OR MARK S STEEDLEY TM 23-11-23 INST#190006621 R-1 ZONING RESIDENTIAL

EMMETT L FLEMING JR OR MARY C FLEMING TM 23-11-24 D.B. 482, PG. 378 R-1 ZONING RESIDENTIAL

D QUANCE OR CEY QUANCE 23-11-25 #120020237 -1 ZONING ESIDENTIAL

NOTE: A PUBLIC UTILITY EASEMENT WILL BE REQUIRED FOR THE FORCE MAIN ON TM 23-11-20 PRIOR TO SITE PLAN APPROVAL

CONNECT TO EXISTING SANITARY SEWER FORCE MAIN

EXISTING FORCE MAIN TO REMAIN IN SERVICE

REMOVE EXISTING FORCE MAIN FROM SERVICE

100 50 0 100 200 300
SCALE IN FEET

Fairbanks & Franklin
Civil Engineering
Land Planning
1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

PRELIMINARY UTILITY PLAN

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS
Lic. No.035219
11-25-20
PROFESSIONAL ENGINEER

DATE :	12-04-19
DESIGNED:	JDF
DRAWN :	JAC
CHECKED :	JRF

REVISIONS:	
01-17-20	08-18-20
03-13-20	10-02-20
05-28-20	11-25-20
06-30-20	

DOCUMENT NO.
176-1058

SHEET **5A** OF **7**

APPROVAL

N
VCS 1983
NORTH ZONE

LEGEND

CANOPY TREES

UNDERSTORY TREES

OPEN SPACE
20.47 AC

NOTES:
1. OTHER THAN THE EXISTING POND, THE ENTIRE PARCEL IS CURRENTLY WOODED.
2. THE PROPOSED 35' BUFFER ALONG THE WESTERN BOUNDARY SHALL REMAIN UNDISTURBED.

HAZEL RUN WAY

25' STREET BUFFER C

35' BUFFER

APPROX. LIMITS OF CLEARING

RPA

STORMWATER MANAGEMENT FACILITY

HAZELWILD FARM EDUCATIONAL FOUNDATION
TM 23-A-64C
INST#080007466
R-1 ZONING
VACANT/AGRICULTURAL

HAZELWILD FARM EDUCATIONAL FOUNDATION
TM 23-A-105
D.B. MMM, PG. 152
R-1 ZONING
VACANT/AGRICULTURAL

VINCENT ANTHONY OSSO OR LISA B OSSO
TM 23-24-31
INST#160020722
R-1 ZONING
RESIDENTIAL

MOHAMMAD S AYOUBI OR MINA M AYOUBI
TM 23-24-32
INST#180004474
R-1 ZONING
RESIDENTIAL

SHARON OR ADRIAN BAILEY III TRUSTEE
SHARON & ADRIAN BAILEY III TRUSTS
TM 23-24-33
INST#170003786
R-1 ZONING
RESIDENTIAL

BRIAN F HEALY
TM 23-24-34
INST#110013099
R-1 ZONING
RESIDENTIAL

ROBERT E PATRICK OR BONNIE S PATRICK
TM 23-11-26
D.B. 421, PG. 402
R-1 ZONING
RESIDENTIAL

JARED QUANCE OR TRACEY QUANCE
TM 23-11-25
INST#120020237
R-1 ZONING
RESIDENTIAL

MATCHLINE SHEET 6A

EMMETT L FL... JR OR MA... FLEMIN... TM 23-11... D.B. 482, P... R-1 ZON... RESIDENT...

100 50 0 100 200 300
SCALE IN FEET

Fairbanks & Franklin
Civil Engineering
Land Planning
1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

GENERALIZED LANDSCAPING PLAN

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS
Lic. No. 035219
11-25-20
PROFESSIONAL ENGINEER

DATE : 12-04-19
DESIGNED: JDF
DRAWN : JAC
CHECKED : JRF

REVISIONS: 08-18-20
01-17-20 10-02-20
03-13-20 11-25-20
05-28-20
06-30-20

DOCUMENT NO.
176-1058

SHEET **6** OF **7**

APPROVAL

VCS 1983 NORTH ZONE

LEGEND

CANOPY TREES

UNDERSTORY TREES

OPEN SPACE
20.47 AC

MATCHLINE SHEET 6

HAZELWILD FARM EDUCATIONAL FOUNDATION
TM 23-A-64C
INST#080007466
R-1 ZONING
VACANT/AGRICULTURAL

BESSIE M KELLEY
TM 23-A-64D
INST#050043652
R-1 ZONING
RESIDENTIAL

JENNIFER SHEA
TM 23J-6-219
INST#150015477
R-1 ZONING
RESIDENTIAL

CHARLES H LEITH OR DEBORAH A LEITH
TM 23J-4-152
D.B. 774, PG. 317
R-1 ZONING
RESIDENTIAL

JAMES R BEASLEY OR BRENDA A BEASLEY
TM 23J-4-153
D.B. 801, PG. 343
R-1 ZONING
RESIDENTIAL

MAE P RAMONES
TM 23J-4-154
D.B. 944, PG. 44
R-1 ZONING
RESIDENTIAL

KYLE A NEWBY OR AMY CHRISTINA NEWBY
TM 23J-4-155
INST#170013103
R-1 ZONING
RESIDENTIAL

ROBERT B VERBRYCKE OR DEBORAH C VERBRYCKE
TM 23J-4-156
D.B. 787, PG. 23
R-1 ZONING
RESIDENTIAL

LEAVELLS CROSSING HOMEOWNERS ASSOC TM 23J-4-A
D.B. 776, PG. 302
R-1 ZONING
STORMWATER MANAGEMENT

REINHOLD L SMITH OR MARY E SMITH
TM 23J-3-108
D.B. 766, PG. 277
R-1 ZONING
RESIDENTIAL

STORMWATER MANAGEMENT FACILITY

IVY BUSH LANE

EVENSTAR LANE

HAZEL RUN WAY

COMMUNITY PARK
0.85 AC

STORMWATER MANAGEMENT FACILITY

35'

APPROX. CONSTRUCTION LIMITS

D QUANCE OR
CEY QUANCE
23-11-25
#120020237
-1 ZONING
ESIDENTIAL

EMMETT L FLEMING JR OR MARY C FLEMING
TM 23-11-24
D.B. 482, PG. 378
R-1 ZONING
RESIDENTIAL

GINGER F STEEDLEY OR MARK S STEEDLEY TM
23-11-23
INST#190006621
R-1 ZONING
RESIDENTIAL

REBECCA KAY BAILEY TRUSTEE
REBECCA KAY BAILEY REVOCABLE TRUST
TM 23-11-22
INST#150006188
R-1 ZONING
RESIDENTIAL

PERLA G SAMBAT
TM 23-11-21
INST#100017521
R-1 ZONING
RESIDENTIAL

JOHN S NICHOLLS OR LISA G NICHOLLS
TM 23-11-20
D.B. 1006, PG. 52
R-1 ZONING
RESIDENTIAL

NOTE: A PUBLIC UTILITY EASEMENT WILL BE REQUIRED FOR THE FORCE MAIN ON TM 23-11-20 PRIOR TO SITE PLAN APPROVAL

NOTES:
1. OTHER THAN THE EXISTING POND, THE ENTIRE PARCEL IS CURRENTLY WOODED.
2. THE PROPOSED 35' BUFFER ALONG THE WESTERN BOUNDARY SHALL REMAIN UNDISTURBED.

100 50 0 100 200 300
SCALE IN FEET

Fairbanks & Franklin
Civil Engineering
Land Planning
1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

GENERALIZED LANDSCAPING PLAN

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS
Lic. No.035219
11-25-20
PROFESSIONAL ENGINEER

DATE : 12-04-19
DESIGNED: JDF
DRAWN : JAC
CHECKED : JRF

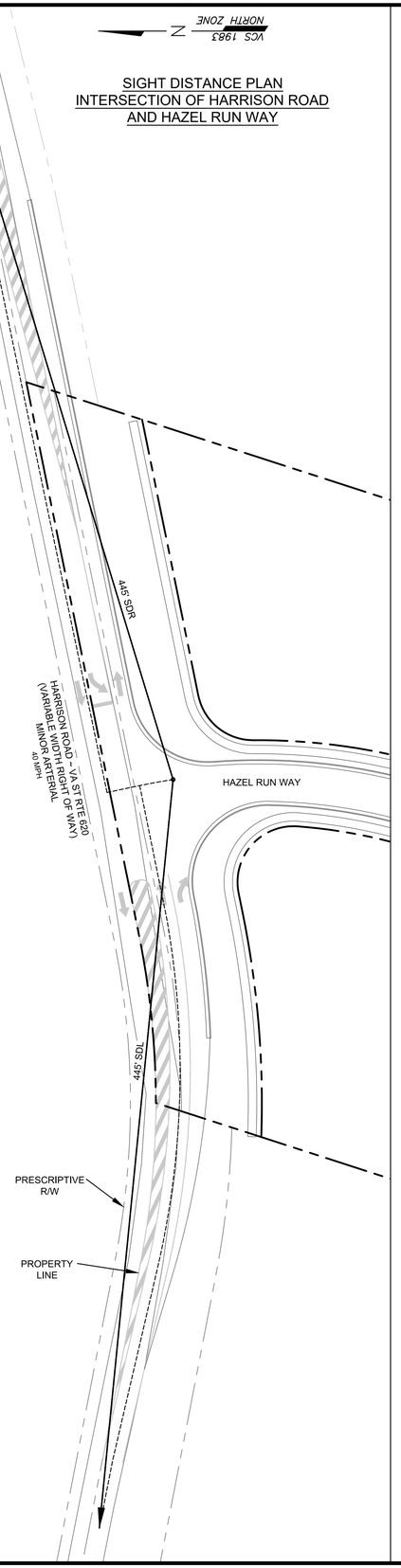
REVISIONS: 08-18-20
01-17-20 10-02-20
03-13-20 11-25-20
05-28-20
06-30-20

DOCUMENT NO.
176-1058

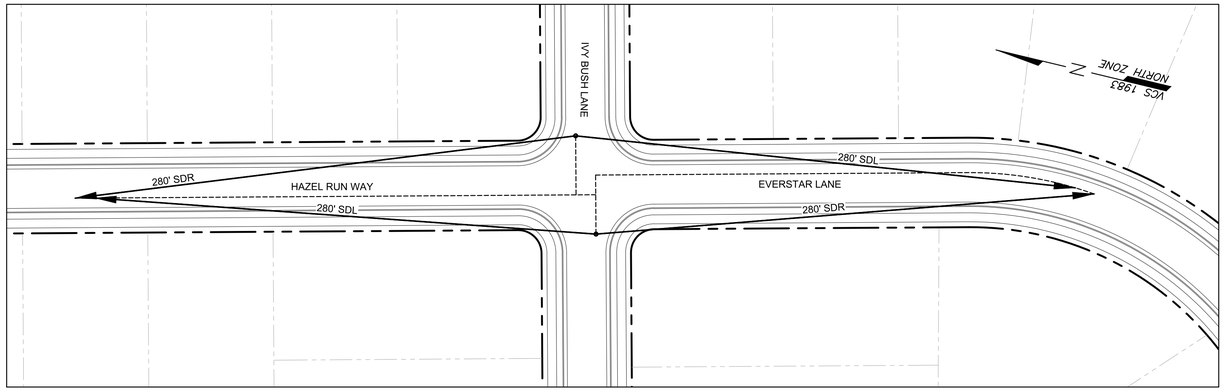
SHEET **6A** OF **7**

APPROVAL

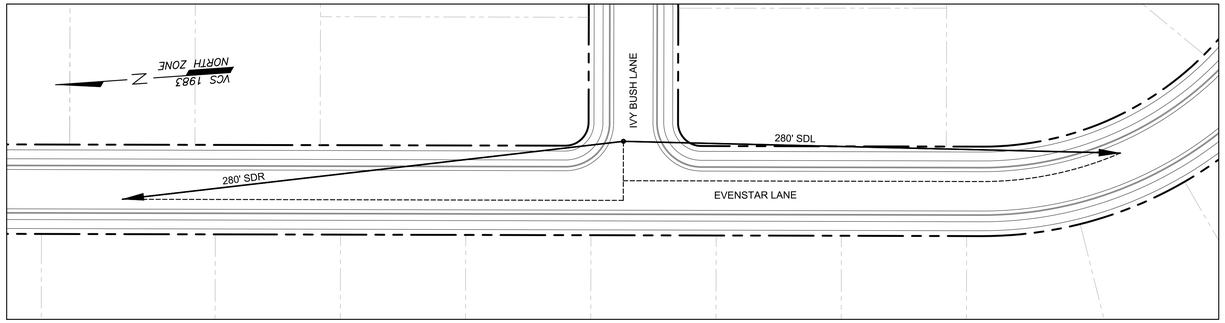
SIGHT DISTANCE PLAN
INTERSECTION OF HARRISON ROAD AND HAZEL RUN WAY



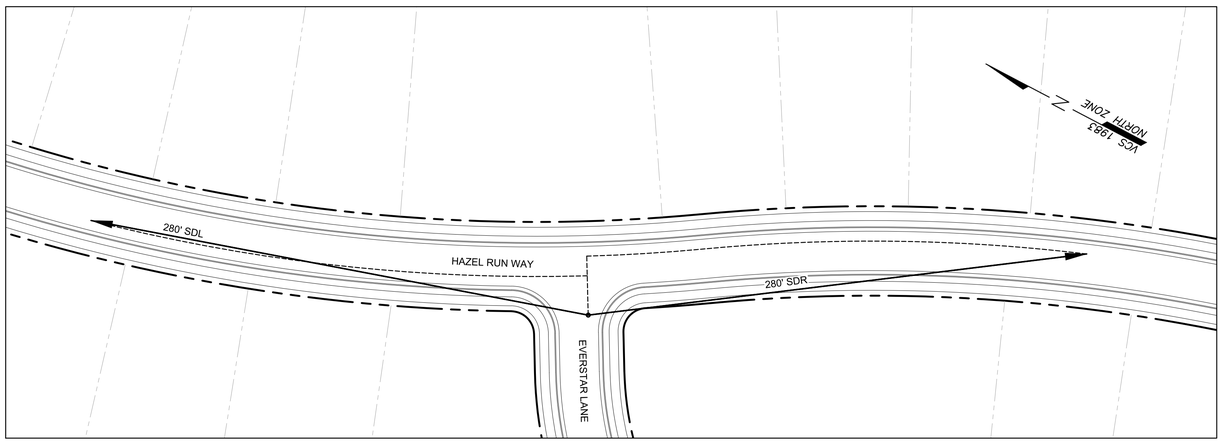
SIGHT DISTANCE PLAN
INTERSECTION OF HAZEL RUN WAY, IVY BUSH LANE & EVERSTAR LANE



SIGHT DISTANCE PLAN
INTERSECTION OF IVY BUSH LANE & EVERSTAR LANE



SIGHT DISTANCE PLAN
INTERSECTION OF HAZEL RUN WAY & EVERSTAR LANE



NOTE: SIGHT DISTANCE EASEMENTS WILL BE SHOWN ON THE FINAL SITE PLANS.

40 20 0 40 80 120
SCALE IN FEET

Fairbanks & Franklin
Civil Engineering
Land Planning
1005 Mahone Street
Fredericksburg, VA 22401
(540) 899-3700

SIGHT DISTANCE PLAN

HAZEL RUN GLEN
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA
JONATHAN D. FAIRBANKS IV
Lic. No. 035219
11-25-20
PROFESSIONAL ENGINEER

DATE :	12-04-19
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05-28-20	
06-30-20	

DOCUMENT NO.
176-1058

SHEET **7** OF **7**

Exhibit E

COMMUNITY MEETING for Hazel Run Glen

September 12, 2019

No.	NAME	PHONE NUMBER	EMAIL ADDRESS	MAILING ADDRESS
1	Kim Wyman	917-608-1902	BLKSPARROW@MSN.COM	5105 McManus Drive Fburg VA 22407
2	Richard Schwartz	540-991-5334		5215 Calvert Ct 22407
3	Ray & Brenda Beasley	540-847-0807	Raybeasley1949@gmail.com	5220 Cedar Ridge Dr 22407
4	Leigh Haverstick	540.907.2736		1808 Stoney Creek Dr. 22407
5	Charles + Deborah Leith	540-898-7906	bid4deal@aol.com	5222 Cedar Ridge Dr 22407
6	Diane L Cook	540-898-7769	dcook430@cs.com	11201 Statesman Ct 22408
7	Chris Dunlap	540 898 3197	VKDUNLAP5707@VERIZON.NET	5707 Leaves King Dr
8	Kris Troop	7206334582	yoldd0011@gmail.com	10817 woodland dr Fredericksburg Va 22407
9	Ed Dobyns	540-295-5754	ekdobyns@verizon.net	16 Olde Plantation Dr. Fredericksburg, VA 22407
10	Mike Casey	540-891-1918	mikemary945@hotmail.com	11707 Harris Mill Ct. Fredericksburg 22406

COMMUNITY MEETING for Hazel Run Glen
September 12, 2019

No.	NAME	PHONE NUMBER	EMAIL ADDRESS	MAILING ADDRESS
1	Scott Sevigny	603 781 5494	Scott Sevigny@ Hotmail.com	11315 Katerina Drive North Fredericksburg VA 22408
2	Mike + Colleen Young	540-847-7135 Colleen	Mcsyoung38@gmail.com	10721 Rollingwood Dr Fredericksburg VA 22401
3	JEFF DEBORD		jdeborde51@yahoo.com.	11309 KATERINA DRIVE FRED. VA-22408
4	Ed Kane	540 907 6066	EDKANE6066@GMAIL.COM	10728 Joyce Ct. 22407
5	Emmett Fleming	540-898-5380		
6	Joseph Rose	540 898-5532	JFRBTR@VERIZON.NET	5410 LEAVELLS CROSSING DR FRED VA 22407
7	Deborah Verbrycke	540)898-4459	RBV53@Verizon.Net	5214 Cedar Ridge Dr. Fdbg. Va. 22407
8	michelle and Steven Hanson	954-805-2660	michellehanson47@yahoo.com	10810 Woodland Dr. Fredericksburg 22407
9	JACK BAILEY	540-903-1450	JBailey3@JBRconstruct.com	24 CARRIAGE HILL LANE F'burg 22407
10	Heidi Wheeler		hidw@mac.com	3 Old Cobblestone Ct Fredericksburg VA 22407

COMMUNITY MEETING for Hazel Run Glen

September 12, 2019

No.	NAME	PHONE NUMBER	EMAIL ADDRESS	MAILING ADDRESS
1	Stephen Carrie Michael Combs	540.710.7755	SCMCOMBS@AOL.COM	11205 Carriage House Ct Fredericksburg VA 22408
2	Dawn Conboy	540-710-6745	Summerlakepinky@gmail.com	
3	Joe Pounder Eileen Pounder	540 898 5036	Joe_Pounder@yahoo.com	10711 Rollingwood Dr Fredericksburg VA 22407
4	Ed Hegmann	540-273-9623	ehegmann@umw.edu	35 Carriage Hill Ln. Fredericksburg, VA 22407
5	Pat Preston	540-847-4842	catscloset@aol.com	5015 Brookshire Ct E Fred. VA 22408
6	Melody Kelley Louis Kelley	540-898-2605	Kelley5212@verizon.net.	5212 Cedar Ridge Dr. Fred. VA 22407
7	Robert & Carol LaChance	540 891-4342	rwlachance@verizon.net	11305 Cheshire Ct. Fburg. VA 22407
8	Davis Oldham	217 979 1479	davisoldham@gmail.com	5418 Rainwood Dr Fredericksburg VA 22407
9	JACOB L. PASTWIK	540-507-7433	jpastwik@spotsylvania.va.us	9019 OLD BATTLEFIELD BLVD STE 320, SPOTSYLVANIA, VA
10	Stacy Fowler	207-251-9866	SPF730@gmail.com	27 Carriage Hill Lane Fredericksburg VA

COMMUNITY MEETING for Hazel Run Glen
September 12, 2019

No.	NAME	PHONE NUMBER	EMAIL ADDRESS	MAILING ADDRESS
1	Melissa Felts	891-2601	dogslife24@comcast.net	11311 Yorkshire ct 22407
2	Ken FRANCIS	540 7109961	KAYPeef@Hotmail.com	5317 BRIAR Bend ct 22407
3	JONATHAN BRAMUELL	619-889-0138	jonathan.r.braucell@gmail.com	4 Old Cobblestone Ct 22407
4	Cynthia Ward	949-870-5143	cynthia.a.ward@gmail.com	5224 Cedar Ridge Dr., 22407
5	Eli Patrick	540 834-3463	Eli.Patrick@AOL.COM.	
6	Melissa Floyd	540 429-0350	melissafloyd77@gmail.com	5426 Rainwood Dr. Fred, 22407
7	Matt Werner		mwernerok@outlook.com	33 Carriagehill Lane 22407
8	D+A Paredes	5712768136	dpkqueen22@gmail.com	10221 Benchmark Ct Burg VA
9	Kathleen Elim	540-226-1964	Kate.elim92@gmail.com	10923 Joyce Ct. Fred. VA 22407
10				

PROJECT SUMMARY
PLANNING DEPARTMENT
SPOTSYLVANIA COUNTY, VIRGINIA

REZONING

Application#: **R19-0014**
Date Submitted: **12/12/2019**
Case Planner: **David Dameron**



Project Name: **Hazel Run Glen**			
Applicant: **CeresHarrisonLand LLC; 602 S. Lee St., Ste. 100; Alexandria, VA 22314** Wk: **301-717-5566**			
Owner: **Patricia P. Preston; 5015 Brookshire Ct.; Fredericksburg, VA 22408** Wk:			
Plan Preparer: **Fairbanks & Franklin, Inc.; 1005 Mahone St.; Fredericksburg, VA 22401** Wk: **540-899-3700**			
Zoning: **N/A**	Proposed Zoning/Use: **PDH-2/Single family development**	Public Water: **YES**	Public Sewer: **YES**
New Bldg Sq Ftg: **TBD**	Total Site Acres: **58.611**	Lots/Units Proposed: **1 / 0**	
Parcel # and Address **23- A - 64A ; 5430 Harrison Rd.**	**Route #: TBD**	Voting: **Courtland**	
Description: **Residential single-family detached development**			

Cc: BOS, PC, County Admin, County Attorney, Economic Development, COE, NPS, Fredericksburg Post Office, REC, Press

Shannon D. Fennell

Subject: FW: [EXTERNAL]: 5430 Harrison Road rezoning issue

From: scmcombs@aol.com [mailto:scmcombs@aol.com]
Sent: Sunday, February 21, 2021 12:23 PM
To: Paulette Mann <PMann@spotsylvania.va.us>
Cc: scmcombs@aol.com
Subject: [EXTERNAL]: 5430 Harrison Road rezoning issue

CAUTION: This email originated from an external source. Do not click on any links or open attachments unless you recognize the sender and know the content is safe.

February 20, 2021
Ms. Paulette Mann
Commission Secretary
C/O County of Spotsylvania Dept of Planning
9019 Old Battlefield Blvd.
Suite 320
Spotsylvania, VA 22553

Stephen Craig Combs
Carrie Morton Combs
Stephen Michael Combs
Voting District: Courtland

RE: Rezoning of Patricia Preston/Harrison Land for 110 homes/mixed development located at 5430 Harrison Road.

Dear Spotsylvania Planning Commission Board Members,

We do NOT support this development. This area of the county does not have the infrastructure to support the additional 110 houses that are planned. The area schools are at capacity, and emergency services are stressed. The roads are already at essentially their maximum capacity, which can be seen by the long lines of traffic along Harrison road during the morning and evening rush hours. There are no shoulders on Harrison road, so when an accident occurs with current traffic levels the entire road is blocked until the accident can be cleared by authorities. The addition of 110 more houses will simply make all of these problems more prominent. How will these additional houses impact the water and sewage capacity for the current and proposed new residents of Spotsylvania County?

Additionally, the wooded areas in the immediate vicinity of the planned housing contain a significant amount of wildlife including turkey, deer, and eagles. The Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c) is a United States federal statute that protects two species of eagle. It currently prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles. Taking is described to include their parts, nests, or eggs, molesting or disturbing the birds. The Act provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle..., alive or dead, or any part, nest, or egg thereof." In the opinion of the US Fish & Wildlife Service, even if the developer avoids direct impact on the nests, the disturbance of the eagle's food chain/nesting/breeding and/or sheltering behavior in the local environment would be consistent with "disturbing the birds." The Bald & Golden Eagle Protection Act goes on to further state "in addition to immediate impacts, it also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present…and if upon return such alterations agitate or bother an eagle to a degree that interferes then this is a direct violation of the protection act".

While we certainly empathize with the desires of the landowners to capitalize on their property, we are concerned that the financial aspirations of the developers will lead to lower quality work that leaves future owners and/or county taxpayers on the hook for extensive repairs. We point to the sinkhole problems that have been occurring in the Kingswood subdivision

where now, decades after the development, the ground is collapsing. When developers created the St. George subdivision at the rear of Beauclaire Plantation, the heavy equipment did significant damage to the roads that was never mitigated or corrected by the developer. That was, after all in their view, the state and county's responsibility, not the developer who was merely using the road maintained by the government.

In closing, I implore that the Spotsylvania Planning Commission Board think about the current citizens and taxpayers' impact of this development and quality of life that we currently enjoy.

Sincerely,

Stephen C Combs
Carrie M Combs
Stephen M Combs
11205 Carriage House Court
Fredericksburg, Virginia 22408
540-710-7755
scmcombs@aol.com

cc: Free Lance Star Newspaper

--
This email was Malware checked by Sophos http://www.sophos.com

Shannon D. Fennell

Subject: FW: [EXTERNAL]: R19-0014 Patricia P. Preston (Ceres Harrison Land LLC)

From: jack allison <jallison55@hotmail.com>
Date: February 15, 2021 at 2:44:02 PM EST
To: Paulette Mann <PMann@spotsylvania.va.us>
Cc: jack allison <jallison55@hotmail.com>
Subject: [EXTERNAL]: R19-0014 Patricia P. Preston (Ceres Harrison Land LLC)

CAUTION: This email originated from an external source. Do not click on any links or open attachments unless you recognize the sender and know the content is safe.

I feel that rezoning this parcel to allow more than 100 homes will be another burden for the existing property owners in the county. The ultimate outcome of this rezoning will be increased taxes for home owners. For those of us living on fixed incomes this only reduces the quality of life in Spotsylvania. Every time a new development gets approved it seems to end up overloading already crowded highways(Harrison Rd is straining to carry existing traffic and Rt. 208 is becoming another Rt. 3), thinly spread emergency services and further diminishing the quality of our public education.
I would vote NO for this rezoning. I have resided in Courtland District for over 42 years and hate to see further preferential treatment of developers at home owner expense.

Respectfully,
Irvin Allison, Courtland District

--
This email was Malware checked by Sophos http://www.sophos.com

Shannon D. Fennell

Subject: FW: [EXTERNAL]: RE: Rezoning R19-0010

From: Liz Murton [mailto:flygrl_73@hotmail.com]
Sent: Sunday, February 7, 2021 11:31 AM
To: Paulette Mann <PMann@spotsylvania.va.us>
Subject: [EXTERNAL]: RE: Rezoning R19-0010

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I am a NO vote on the rezoning. There is currently a two-lane road (Harrison) that cannot support any more cars. That road is one long line of traffic now at certain times of the day, and I pity the people who are sitting on the side roads trying to get out. Plus, Station 6 is so busy and overwhelmed now, how do you expect them to be able to handle another 100 homes? It is getting ridiculous for anyone to think that an ambulance or fire truck will be able to get anywhere in their response area in five minutes. There is too much traffic now around this area and nothing has been done to improve it. Why does the Board feel that they have to approve every request for rezoning for new residences? Schools, when they finally open, are going to be overcrowded, and the first responders and hospitals will not have the capability to keep up with the growth around here.

Liz Murton
Salem District

--
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Shannon D. Fennell

Subject: FW: [EXTERNAL]: R19-0014 Patricia P. Preston (Ceres Harrison Land LLC)

From: Mary Ann Stana <mastana10@hotmail.com>
Date: February 15, 2021 at 2:13:53 PM EST
To: Paulette Mann <PMann@spotsylvania.va.us>
Cc: Mary Ann Stana <mastana10@hotmail.com>
Subject: [EXTERNAL]: R19-0014 Patricia P. Preston (Ceres Harrison Land LLC)

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R19-0014 Patricia P. Preston (Ceres Harrison Land LLC)

I am a NO vote on the rezoning. The resulting traffic generated by 100 additional homes in this area will be serious and access for emergency vehicles difficult. The roads, schools, hospitals, fire and rescue will not have the ability to keep up with continued intense growth.

The letter notifying us about the hearing was dated February 3, but did not arrived in the mail until the afternoon of February 12, leaving two business days (with the Monday holiday) for citizens to study the issue.

Mary Ann Stana
Courtland District

--
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Shannon D. Fennell

Subject: FW: [EXTERNAL]: reasoning 5430 Harrison Road

From: Thomas Wheeler <rustytew@icloud.com>
Date: February 15, 2021 at 9:24:21 AM EST
To: Paulette Mann <PMann@spotsylvania.va.us>
Subject: [EXTERNAL]: reasoning 5430 Harrison Road

CAUTION: This email originated from an external source. Do not click on any links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Mann,

I am a resident of Carriage Hill Subdivision at 3 Old Cobblestone Court. I would like to voice my opposition to rezoning of 5430 Harrison Road to allow for a new subdivision to be built. Harrison Road cannot handle more traffic and a new subdivision of 110 new dwellings will make Harrison Road more impassible. Until Harrison Road is enlarged no new subdivisions should be approved.

Thomas E. Wheeler
3 Old Cobblestone Ct.
Fredericksburg, Virginia 22407
Courtland District
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Spotsylvania County
Planning Commission
Executive Summary

Print

Meeting Date:	March 17, 2021
Title:	CPA21-0001 - FY2022-26 Capital Improvement Plan 2232 Comprehensive Plan Conformity Review
Type:	Action, Power Point Presentation
Agenda Title:	CPA21-0001 - FY2022-26 Capital Improvement Plan (CIP) 2232 Comprehensive Plan Conformity Review
Recommendation:	Staff recommends that the Planning Commission find the Massaponax Water Tower and the Public Safety Building Expansion are substantially in accord with the Comprehensive Plan.
Summary:	Each year newly proposed additions to the Capital Improvements Program (CIP) are reviewed to ensure they are substantially in accord with the Comprehensive Plan. Those projects not specifically identified within the Comprehensive Plan, or a Plan incorporated by reference in the Comprehensive Plan such as the Water and Sewer Master Plan are subject to a 2232 review consistent with the Code of Virginia Sect. 15.2-2232. The 2232 review considers guidance established in the Comprehensive Plan to determine whether a proposed CIP project is substantially in accord with the Comprehensive Plan, specifically related to the proposed location, character, and extent. This year two projects have been identified that warrant 2232 consideration, including Massaponax Water Tower and the Public Safety Building Expansion. A 2232 Comprehensive Plan consistency analysis of each of the aforementioned projects is attached along with a number of additional CIP reference materials for additional information.
Committee/Commission Summary:	
Review Date:	Status:
Financial Impact:	N/A. This review is for conformance of the projects with the Comprehensive Plan only.
Staff Contacts:	Wanda Parrish, Assistant County Administrator-Community Development, Leon Hughes, Director of Planning and Zoning; Kimberly Pomatto, Deputy Director of Planning and Zoning; Jacob Pastwik, Planner III

Legal Counsel:	N/A
Additional Background/Other Considerations:	Representatives from County Public Safety and Utilities offices have been invited to attend the meeting to answer any project specific questions you may have.
Consequence of Denial/Inaction:	The Planning Commission's decision will be provided to the Board of Supervisors.

ATTACHMENTS:

Name:	Description:	Type:
CIP_Conformity_Review_Memo_for_FY_2022-26-1.docx	2232 Analysis Memorandum	Memorandum
Water_Tower_Geographical_Extent_Service_Benefit_Map.pdf	Water Tank Geographic Extent of Service Benefits	Maps
Comparable_Water_Tower.jpg	Comparable Water Tank Example (Courtland Water Tank)	Exhibit
22_26_2232_CIP_Review_VII.pptx	2232 Presentation	Presentation

County of Spotsylvania
Department of Planning
9019 Old Battlefield Blvd, Suite 320
Spotsylvania, VA 22553

Tel (540) 507-7434

MEMORANDUM

TO: Jennifer Maddox, Chairman of the Planning Commission
Planning Commission Members

THROUGH: Wanda Parrish, AICP, Assistant County Administrator- Community Development

FROM: Jacob L. Pastwik, Planner III

DATE: March 17, 2021

RE: CPA21-0001- FY 2022-'26 Capital Improvement Plan Comprehensive Plan Conformity Review

The County's annual Capital Improvement Plan (CIP) addresses short-term facility planning. The CIP proposes a specific schedule for acquisition, development, enhancement, or replacement of public facilities over a five (5) year period. Under § 15.2-2232 of the Code of Virginia, a local Planning Commission shall ensure that projects included in the CIP are *substantially in accord* (in conformance) with the locality's Comprehensive Plan. To ensure 2232 consistency we engage in a 2232 review to exhibit that the proposed location, character, extent of the project is substantially in accord with the Comprehensive Plan if the project is not specifically referenced in the Plan.

The County's Comprehensive Plan is to serve as a general guide for the County's CIP. For this review, two proposed projects have been identified that warrant 2232 consideration to determine they are substantially in accord with the Comprehensive Plan. The projects include expansion of the Public Safety Building and construction of a new Massaponax Water Tower. The projects are further detailed below below along with staff's analysis based on the adopted 2013 Comprehensive Plan (Last updated July 28, 2020).

Staff requests a determination from the Planning Commission that the above mentioned projects are substantially in accord with the Comprehensive Plan. The Planning Commission's determination will be conveyed to the Board of Supervisors for their consideration when acting upon the CIP.

General Projects –

(1) Public Safety Building Expansion

Project Detail: Proposed is an expansion to the County Public Safety Building to result in approximately 12,000 sq. ft to 14,000 sq. ft. of additional space intended to benefit the space needs of the County Sheriff and FREM offices. The proposed expansion would be located to the right of the existing building (facing

its front facade) in an area left to accommodate future expansion without need for significant alterations to the surroundings. Per the project objective, *since the building was completed in 2011, public safety staffing and programs have expanded to the point of needing additional space, particularly for the Sheriff's office*. The County Finance office confirmed that the amount of added Sheriff's Office staffing since 2011 (FY 2012) is nearly 70 positions. Staff notes that not all of those positions are based in the Public Safety Building. For example, nearly 20 Courts deputies have been added and those "reside" in the courts buildings. 14 School Resource Officers have been added and those "reside" in the Schools. Per communication with the County Sheriff's office the Public Safety Building has seen staffing increases since 2011 and expects there will be additional staffing needs with growth in the County. Per feedback from the Sheriff's office the Criminal Investigation Division and Administrative Services are already space constrained and additional square footage will also provide opportunity to expand the Emergency Operations Center (EOC). In addition to need for additional space for staffing there is a critical need for additional storage space at the facility that is now insufficient. Presently a two story addition is envisioned. As part of the project review and design process the County may like to consider a below grade addition that would add additional square footage and additional opportunity for growth and space planning. Communication with the County Sheriff's office suggested this may have value. A sub-grade basement addition could add additional space within the limits of the project footprint.

The proposed public safety expansion is estimated to address current space needs as well as needs ten (10) to fifteen (15) years into the future.

2232 Review for Location, Character, Extent:

Resulting from an analysis of the location, character, and extent of the proposal as described below, on balance staff believes the proposal is substantially in accord with the Comprehensive Plan.

Location: The proposed project expands the footprint of the existing public safety building that is located within the County government campus of buildings located in Spotsylvania Courthouse area. The location is well suited for such an expansion project given existing operations onsite. Per the Comprehensive Plan Public Facilities Chapter, *the Public Facilities Plan recommends the general timing and location of future County facilities based on desired service levels.* This proposed expansion is intended to accommodate the space needs of public safety staffing necessary to provide services in a County that has continued to grow and evolve since 2011 when the original public safety building was constructed. `

Comprehensive Plan Land Use designation in this area is Institutional and reflects the core of the Spotsylvania Courthouse area as the County's government epicenter. The land use designation as described *includes County facilities, private and public schools, active recreation parks, and large public service uses such as hospitals. This category focuses on existing land uses and does not reflect any aspirational locations of various public facilities.* Given the uses reflected this expansion is appropriate in this location.

Per the Public Facilities Chapter location guidance, *location must be considered in relation to various elements of the Comprehensive Plan, such as existing and future population distribution, zoning, major transportation arteries, topography, and utilities. A centralized location is appropriate for facilities that provide services to intermittent visitors where a time and distance factor is not critical or where the services are highly specialized. Decentralized locations are desirable for facilities that serve day-to-day needs of*

citizens and where a time and distance factor becomes more important. As the main office for public safety operations this facility expansion is appropriately located within the government center in the Spotsylvania Courthouse Area. This proposal is appropriate in the centralized location proposed. The proposal also parallels co-location efforts as noted in the Public Facilities Element that notes *There are advantages to the grouping of related or complementary facilities within one complex or area. Convenience to the public is thereby enhanced, operational economics are achieved, and less land is required to provide shared facilities such as parking.*

As noted in the Public Facilities Chapter, *Coordination of County land use, transportation and public facilities development is the key to providing equitable, efficient, and cost effective government services for current and future County residents and to support the business community.* Considering location, the proposal meets Comprehensive Plan Introduction and Vision Chapter Guiding Principles and Policies C.3, "[to] *Plan for and provide public facilities that meet the needs of the community as it grows*." Additionally, the proposal is meant to address Key Goals of the Public Facilities Plan "[to] *Provide community facilities/services to serve existing and new development in an efficient and cost efficient manner; "[to] Provide emergency services and law enforcement to protect citizens and allow them to enjoy a safe and secure environment.*

Pursuant to Comprehensive Plan Introduction and Vision Guiding Principles and Policies B.4 "[To] preserve significant…historic, and cultural resources…", and Historic Resources Chapter Policy 2, "[To] …support projects that consider and mitigate the impact of development projects on historic and cultural resources…" Historic Resources have been surveyed in and around the project area with documentation in the Virginia Department of Historic Resources Virginia Cultural Resource Information System (V-CRIS).

This proposed expansion is not expected to negatively impact significant historic resources. The site has been previously cleared and disturbed through development of the public safety complex. Staff is cognizant of the adjacent Confederate Cemetery (DHR ID 44SP0707, DHR ID 088-0229) that had a forest buffer along its south edge prior to the development of the public safety building and parking area. Enhanced transitional screening between the public safety building (including the proposed expansion) and the cemetery would be preferred to reduce visual impacts of the existing complex and proposed expansion. Staff notes much of the Spotsylvania County government campus including the public safety building fall within the limits of the County's designated Historic Overlay District. This area has documented historic resources of significance in the surrounding areas. Land associated with the public safety building has been previously surveyed under DHR ID SP-084 (2001) and 088-0142- Spotsylvania Courthouse Historic District (NRHP Listing, Virginia Landmarks Register Listing). This project also falls within the surveyed limits of DHR ID 088-5180- Chancellorsville Battlefield. Given the project location within the historic district the project character will be considered through the Historic Preservation Commission. Due to project location the character if the project will be addressed via issuance of a certificate of appropriateness. Character has been established by the existing buildings including the public safety building in the immediate surroundings.

Pursuant to Natural Resources Policy 1, "[To] balance the protection of environmental resources and natural wildlife habitats with development" this project is not expected to have a negative impact on sensitive environmental resources. The site has been previously cleared and graded. Erosion and sediment control and stormwater management will be addressed through the site plan review and development process.

Character: Character has been established by the existing buildings including the public safety building in the immediate surroundings. The proposal meets Land Use Policy 8: *Redevelopment and investment in existing developed areas should be encouraged provided that the development does not adversely impact adjoining properties.* The project is not out of character with the surroundings. This proposed expansion is not expected to negatively impact historic resources of significance as it relates to maintaining character of the Spotsylvania Courthouse area, specifically the County Spotsylvania Courthouse Historic District. The site has been previously cleared and disturbed through development of the public safety complex. Staff is cognizant of the adjacent Confederate Cemetery (DHR ID 44SP0707, DHR ID 088-0229) that had a forest buffer along its south edge prior to the development of the public safety building and parking area. Enhanced transitional screening between the public safety building (including the proposed expansion) and the cemetery would be preferred to reduce visual impacts of the existing complex and proposed expansion. Staff notes much of the Spotsylvania County government campus including the public safety building fall within the limits of the County's designated Historic Overlay District. This area has documented historic resources of significance in the surrounding areas. Land associated with the public safety building has been previously surveyed under DHR ID SP-084 (2001) and 088-0142- Spotsylvania Courthouse Historic District (NRHP Listing, Virginia Landmarks Register Listing). This project also falls within the surveyed limits of DHR ID 088-5180- Chancellorsville Battlefield. Given the project location within the historic district the project character will be considered through the Historic Preservation Commission. Due to project location the character if the project will be addressed via issuance of a Certificate of Appropriateness.

Extent: Per the project objective, *since the building was completed in 2011, public safety staffing and programs have expanded to the point of needing additional space, particularly for the Sheriff's office*. Per the Public Facilities Chapter, *Current and future needs should be addressed through existing facilities whenever possible. Where this is not possible, new facilities may be warranted.* Public Safety has found need to expand beyond its existing facility inventory. The extent of the proposed expansion is intended to accommodate the space needs of public safety staffing necessary to provide services in a County that has continued to grow and evolve since 2011 when the original public safety building was constructed. As noted in the Public Facilities Chapter, *Coordination of County land use, transportation and public facilities development is the key to providing equitable, efficient, and cost effective government services for current and future County residents and to support the business community.* Considering extent, the proposal meets Comprehensive Plan Introduction and Vision Chapter Guiding Principles and Policies C.3, "[to] *Plan for and provide public facilities that meet the needs of the community as it grows*." Additionally, the proposal is meant to address Key Goals of the Public Facilities Plan "[to] *Provide community facilities/services to serve existing and new development in an efficient and cost efficient manner; "[to] Provide emergency services and law enforcement to protect citizens and allow them to enjoy a safe and secure environment.*

The proposed public safety expansion is estimated to address current space needs as well as needs ten (10) to fifteen (15) years into the future.

(2) Massaponax Water Tower

Project Detail: Proposed is a new Massaponax Area Water Tank for provision of public water. Per County Utilities, *this new one-million-gallon water tower will replace the existing 250,000-gallon tank in Massaponax. The increase in tank size will provide more fire flow duration and demand to the developing Massaponax and Thornburg areas.* Additional project specific details from County Utilities are provided below. This information complements many of the findings upon which the Comprehensive Plan 2232 that follows is based.

Proximity to planned future growth: Currently there are multiple [development] projects that are being discussed, have been rezoned, or have submitted a site plan along the Route 1 corridor or in the Thornburg area. A few of these projects are planning to have large buildings with high estimated water demands, with one of these projects being Ni Village, that the County's water system currently would not be able to meet anticipated fire flow requirements for. An upstream 1 MG tank near the Ni Village site is close enough to Thornburg to provide additional storage volume to meet demand and emergency fire flow requirements as well as benefit the system north of Thornburg.

Proximity to planned Thornburg Booster Station @ N Roxbury Mills Road and Rt. 1: The tank needs to work synergistically with a planned water booster station that will provide water to the Thornburg area during periods of high demand and emergency situations. A 1 MG tank at the Ni Village site [just south of the Massaponax High School campus] will provide enough storage volume to support an emergency fire flow in the Thornburg area and maintain pressures upstream of the booster station when it is active.

Proximity to the existing 12" waterline from Massaponax Church Road to Thornburg: The tank needs to be as close as possible to the existing 12" line on Route 1 and any connection points for the future parallel 12" line that is planned to be installed from Massaponax Church Road to the Thornburg booster station. The ability of the new tank to fill during low demand and supply water to the system during high demand is negatively impacted proportionally to increasing distance that the water must travel.

Water age/water quality: Water age consistently increases as you move from Massaponax Church Road south towards Thornburg. The new tank will need to be far enough south to meet the rest of the listed conditions, but as far north as possible to still maintain acceptable water quality.

Height of the tank: The Battlefield Pressure Zone is set to a hydraulic grade line (HGL) of 431-ft, which is the level that water in all of elevated tanks in the PZ would rise to without any demand. Most elevated tanks are designed to have a top elevation equal to the HGL so that the tank will fill up as much as possible during low demand. We are targeting a tank height of around 180-ft or less, which will require a surface elevation of ~250-ft or greater.

Consideration of the ease of land acquisition for the tank to ensure that it is constructed as soon as possible: There currently is not enough storage in the Battlefield Pressure Zone to meet existing and proposed future demands. The new tank will also need to be operational prior to the Nuline/Ondura tank being taken offline, which is undersized and currently at the end of its lifespan without major restoration.

Accessibility: Ease of access to the site for general maintenance and quick response during emergencies.

Site Selection: Multiple sites were compared to determine the best future tank location based on all of the factors listed above. Only a few sites generally meet the requirements listed, and hydraulic modeling indicated that the Massaponax High School and Ni Village sites best met the criteria.

Tank Design: The new tank is currently planned to be a fluted column hydropillar design, have a similar head range to the Courtland Tank (40-ft) and be the same volume as the Courtland Tank (1 MG), however it will be taller at ~180-ft. [Attached you will find] …an image of the Courtland Tank for reference, which is ~145-ft tall.

Extent of Service Benefit: The attached map shows the area within the distribution system that will benefit from the construction of the new 1 MG tank and removal of the existing 0.25 MG Ondura tank. The area within the dashed green border will benefit from an increase of 750,000 gallons of effective emergency storage volume. This dashed green area represents the Battlefield Pressure Zone where the 1 MG tank will be located as well as all downstream pressure zones from the tank. The shaded light green area on the map will benefit from an increase in available fire flow rate as a result of the new 1 MG tank and a planned CIP project to construct a water booster station for the Thornburg area.

This project is referenced as "BF-200: Proposed 1 MG elevated storage tank near Massaponax High School" in the 2019 Master Plan. The Master Plan was most recently revised in February 2021.

2232 Review for Location, Character, Extent:

Resulting from an analysis of the location, character, and extent of the proposal as described below, on balance staff believes the proposal is substantially in accord with the Comprehensive Plan.

Location: The Water Tower is intended for the provision of public water services to the community. The proposed Water Tower is located within the Primary Development Boundary, just south of the Massaponax High School property setback from the Route 1 corridor. The Primary Development Boundary defines the area within which public water and sewer utilities will be provided. The Primary Development Boundary is shown on the Future Land Use Map of the Comprehensive Plan and described within the Land Use Chapter. Land within the boundary is intended to develop with higher residential densities and more intensive non- residential uses than outside of the boundary. By maintaining a Primary Development Boundary, the County encourages the most efficient use of the land while preserving the rural character. Per the Comprehensive Plan Public Facilities Chapter *the Public Facilities Plan recommends the general timing and location of future County facilities based on desired service levels.* The Public Facilities Water and Sewer Sub-Chapter recognizes the importance of the Primary Development Boundary as a growth management tool. It states *One of the most effective tools for directing the timing and location of growth is the establishment of a Primary Development Boundary to define the area within which public utilities will be provided.* Given the nature of public water infrastructure necessary to provide services across wide geographies, water tower infrastructure located and intended to serve existing and future development within the Primary Development Boundary is consistent with the intent of the Primary Development Boundary.

Comprehensive Plan Land Use designations upon the project site and in the nearby surroundings include employment center, commercial, institutional. The site in question specifically has an employment center land use designation. Open space designations in the area are tied to properties of historical significance, including those with open space easements associated with preservation of their historical/cultural value.

Per the Comprehensive Plan, considering the land use designations and their intended uses, *the employment center land use area is envisioned to be the primary location for new office and industrial development within the County, with the focus on larger scale office complexes, industrial users, and business parks. The Route 1 corridor south of Massaponax to the Thornburg interchange, known as the Jackson Gateway, is envisioned to be an economic driver for the County in the future. High end office parks and campus settings with class A office space is desired here as outlined within the Jackson Gateway Plan developed by the Department of Economic Development and Tourism.* It is good to note this project is located within the Jackson Gateway Area described above. The project is consistent with the intended growth and development envisioned in the area that inevitably will warrant enhancements to public services such as water and sewer. As noted in the Public Facilities Chapter, *Coordination of County land use, transportation and public facilities development is the key to providing equitable, efficient, and cost effective government services for current and future County residents and to support the business community.*

Considering location, the proposal meets Comprehensive Plan Introduction and Vision Chapter Guiding Principles and Policies C.3, "[to] *Plan for and provide public facilities that meet the needs of the community as it grows*." Additionally, the proposal is meant to address Key Goals of the Public Facilities Plan "[to] *Provide community facilities/services to serve existing and new development in an efficient and cost efficient manner; Provide a sufficient supply of high quality drinking water and a distribution system to serve the domestic, recreational, industrial, commercial, and fire protection needs of the community at the most economical price possible."* Considerate of the Comprehensive Plan Land Use Vision and the Primary Development Boundary and existing, proposed, and future development prospects in the area the proposal helps implement Key Policies of the Public Facilities Chapter *"[to] Help guide future growth by coordinating the location of public facilities with recommendations in the Comprehensive Plan; Ensure equitable distribution of public facilities between established and newly developing areas of Spotsylvania County. Consider existing facility maintenance or replacement needs in already developed areas of the county."* County Utilities notes *Currently there are multiple projects that are being discussed, have been rezoned, or have submitted a site plan along the Route 1 corridor or in the Thornburg area. A few of these projects are planning to have large buildings with high estimated water demands, with one of these projects being Ni Village, that the County's water system currently would not be able to meet anticipated fire flow requirements for. An upstream 1 MG tank near the Ni Village site is close enough to Thornburg to provide additional storage volume to meet demand and emergency fire flow requirements as well as benefit the system north of Thornburg.*

Pursuant to Comprehensive Plan Introduction and Vision Guiding Principles and Policies B.4 "[To] *preserve significant…historic, and cultural resources…*", and Historic Resources Chapter Policy 2, "[To] *…support projects that consider and mitigate the impact of development projects on historic and cultural resources…*" staff notes significant historic resources to the north of the Massaponax High School campus along Guinea Station Road. Guinea Station Road itself is a designated Civil War Trail. Architectural Resources and grounds associated with Stirling Plantation (DHR ID 088-0066, DHR ID 088-0066, DHR ID 44SP0259) are located along the north side of Guinea Station Road approximately 1/3 mile (1500+ feet) to the north and northeast of the proposed water tower. This property is recognized by the National Register of Historic Places and Virginia Landmarks Registry. The Stirling Plantation property is under a Virginia Department of Historic Resources easement. Archaeological resources associated with the

Vauxhall Manor Site (DHR ID 44SP0278) are documented in close proximity to the proposed Water Tower. The site includes the archaeological remains of a former homestead and includes a nearby cemetery known as "Colson Cemetery" per report. The 1996 archaeological survey of the site determined the resources there to be potentially eligible for addition to the National Register of Historic Places.

Per County Utilities, *We are currently working with the Engineering Consultant for this project, Hazen & Sawyer, to get a task order amendment to include the additional scope associated with the new site on the Ni Village property. Among the first work to be performed with this amendment, after obtaining Right of Entry from Luckstone, will be performing a site survey, subsurface utility and cultural resources investigation followed by geotech and soil testing. This work will allow us to define a new tank location within the site and determine if there will be any conflicts with the archaeological site.* As supported by the Comprehensive Plan, staff would suggest site selection avoid any significant historic resources resulting from the upcoming survey.

Pursuant to Natural Resources Policy 1, "[To] balance the protection of environmental resources and natural wildlife habitats with development", County Utilities notes *We do not have an environmental impact assessment of the proposed site at this time. The footprint for the tank site is estimated to be about 200 x 200-ft with a small access road extending to the site either from Route 1, the Ni Village site, or the Massaponax High School property. Along with surveying and cultural resources investigations, the PER [study] will identify and briefly define any potential impacts to endangered species of plants and animals in the area. When the project progresses to the design phase these things will be further investigated as needed.*

Character: The proposal meets Land Use Policy 8: "Redevelopment and investment in existing developed areas should be encouraged provided that the development does not adversely impact adjoining properties." Based on location the greatest visual impacts from this project are oriented toward commercial, employment center, and institutional areas. Considering future development prospects and land use vision the project is not expected to be out of character with the surroundings. Staff notes a water tower exists further to the north near the intersection of Route 1 and Ondura Drive. The Massaponax High School campus sits just north of the project site. Development of a water tower near a public school is not out of character with the school or the existing and envisioned future land uses in the area. Considerate of County efficiency-based co-location goals there are other examples of water towers sited near schools in the County. Examples include the Spotsylvania High School campus located along Route 208 near Post Oak Road, and upon lands associated with and visible from the Courtland High School, Elementary School, Courthouse Road Elementary campuses where residential development also exists nearby. The attached image depicting a similar 145' tower is attached for reference. The example image shows the existing Courtland Tower. The proposed water tower is located inland from the Rt 1 corridor; setback roughly between 800-900 feet from the roadway. Its good to note that this is double the depth of the County's 400' Highway Corridor Overlay District that places enhanced emphasis on corridor aesthetics, façade design, etc.

Per County Utilities, t*he new planned tank site will be roughly 1,800-ft from the previously explored site near Guinea Station Road, and roughly 2,200-ft from the nearest corner of TM 49-A-83B (line of sight). With an estimated surface elevation for the new tank site of 250-ft, the tank will be roughly 180-ft tall and will likely be visible from some points along Guinea Station Road, depending on tree cover in the area. A better understanding of the visual impact will be known after renderings have been created.*

Suggested recommendations to further mitigate character impact of the proposed tower include providing visual mitigations through selection of a paint color that will help blend the structure into the sky and limiting or prohibition of signage or messaging upon the tower oriented towards Guinea Station Road part of the Civil War Trail and National Register of Historic Places property along same road to the north. Since co-location of services is preferred and a structure such as this may be attractive for wireless telecommunications additions in the future, efforts to stealth such technology would be preferred.

Extent: As noted in the analysis of the project location, this investment in public water infrastructure is positioned in an area with existing, proposed, and envisioned continued growth for employment center and commercial type uses. The extent of improvements considering tower capacity and extent of area served complements future development prospects in the area as supported by the Comprehensive Plan.

Considering location and extent of service, this proposal meets Public Facilities Water and Sewer Goal "[to] *Provide a sufficient supply of high quality drinking water and a distribution system to serve the domestic, recreational, industrial, commercial, and fire protection needs of the community at the most economical price possible*, and corresponding Policy "[to] *Supplement the existing supply of potable water and fire flow for Spotsylvania County citizens."*

As noted in the information provided by County Utilities, this new tank location and its expanded service capacity will benefit large portions of the County Primary Development Boundary with enhanced water and fire flow services to accommodate existing and future development in the area.

N

Brock Road Tank
0.2 MG

Gordon Road Tank
2.0 MG

Motts Run
WTP

Sawhill Tank
1.0 MG

Ni River
WTP

Courtland Tank
1.0 MG

Mine Road Tank
2.0 MG

Ondura Tank
0.25 MG
(To be Removed)

Massaponax Tank
1.0 MG
(To be Built)

Thornburg Tank
0.25 MG

Increase in Available Fire Flow

750,000 gal Increase in Effective Storage Volume

Primary Development Boundary

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Spotsy Utitlies GIS and TG

SPOTSYLVANIA COUNTY
UTILITIES DEPARTMENT

MARCH, 2021

0 1 2 4 6 8
Miles


SPOTSYLVANIA
VIRGINIA
CONSERVE

SUBSTANTIALLY IN ACCORD REVIEW

Public Safety Building Expansion - Massaponax Water Tower

Planning Commission

March 17, 2021

Substantially in Accord Review (2232 Review)

Per Code of Virginia Sect. 15.2-2232

- Review proposed public facilities to determine Comprehensive Plan consistency
- IF facility is not specifically identified in the plan, then the Planning Commission reviews to determine whether the general or approximate location, character, and extent are substantially in accord with the Comprehensive Plan
- In analysis, staff looks to the Comprehensive Plan to find generally supportive guidance of the Comprehensive Plan and to determine how proposals complement such guidance
- The Planning Commission conveys findings with reasons to the Board of Supervisors

Public Safety Building Expansion

- Existing Public Safety Building constructed in 2011
- Growth in staffing and storage needs to support public safety operations have warranted expansion
- Proposed 12,000 sq ft to 14,000 sq ft two story expansion to existing Public Safety Building in general area as highlighted in aerial view. Maintaining same footprint with no impact on location and extent, potentially expandable to 18,000 sq ft if basement included in ultimate design.
- Estimated to meet space needs for next 10-15 years.



Public Safety Building Expansion

- Location
  - *location must be considered in relation to various elements of the Comprehensive Plan, such as existing and future population distribution, zoning, major transportation arteries, topography, and utilities. A centralized location is appropriate for facilities that provide services to intermittent visitors where a time and distance factor is not critical or where the services are highly specialized- CP*
  - *There are advantages to the grouping of related or complementary facilities within one complex or area. Convenience to the public is thereby enhanced, operational economics are achieved, and less land is required to provide shared facilities such as parking- CP*
  - Project location not expected to impact any significant historic or natural resources.

Public Safety Building Expansion

- Character
  - *Redevelopment and investment in existing developed areas should be encouraged provided that the development does not adversely impact adjoining properties- CP.* The project is not out of character with the surroundings.
  - Project falls within the Courthouse Historic District an as such subject to Historic Resource Commission review to assure character appropriateness.

Public Safety Building Expansion

- Extent
  - *Current and future needs should be addressed through existing facilities whenever possible. Where this is not possible, new facilities may be warranted- CP*
  - *Coordination of County land use, transportation and public facilities development is the key to providing equitable, efficient, and cost-effective government services for current and future County residents and to support the business community- CP*
  - "[to] *Plan for and provide public facilities that meet the needs of the community as it grows*." Additionally, the proposal is meant to address Key Goals of the Public Facilities Plan "[to] *Provide community facilities/services to serve existing and new development in an efficient and cost-efficient manner; "[to] Provide emergency services and law enforcement to protect citizens and allow them to enjoy a safe and secure environment- CP*
  - Expansion estimated to provide adequate space needs for public safety for the next 10-15 years.

Massaponax Water Tower

- *New one-million-gallon water tower will replace the existing 250,000-gallon tank in the Massaponax area.*
- *The increase in tank size will provide more fire flow duration and demand to the developing Massaponax and Thornburg areas.*
- *Service benefits geographically extensive throughout much of the Primary Development Boundary*
- Optimal site to maximize service
- Existing, planned, proposed, and expected future growth in the areas served



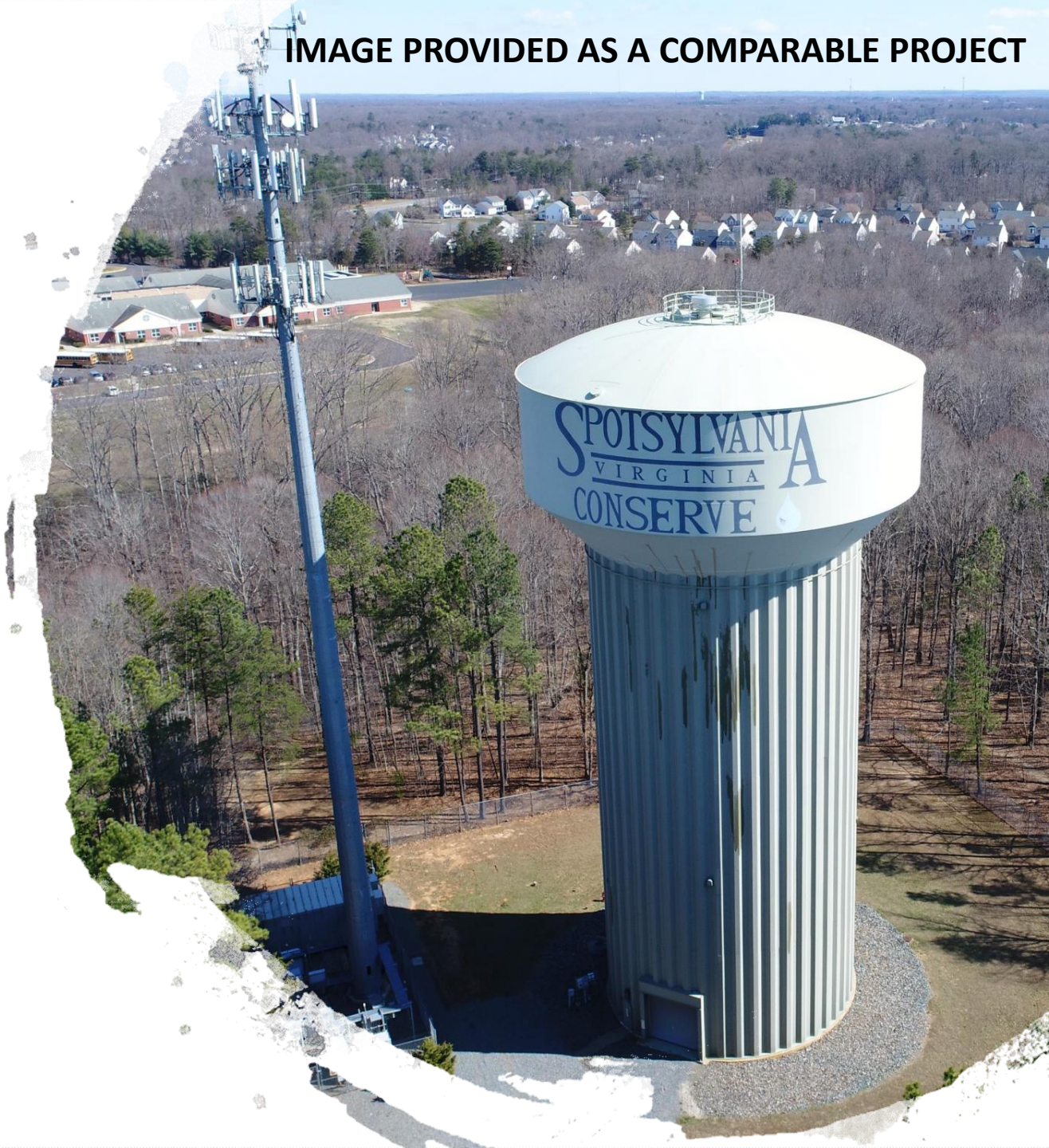
Massaponax Water Tower

- Location
  - Proposal is located and serves the Primary Development Boundary as intended.
  - Location complements intended land uses in the area that include commercial, mixed use, and employment center, especially in the Jackson gateway and Thornburg.
  - *Coordination of County land use, transportation and public facilities development is the key to providing equitable, efficient, and cost-effective government services for current and future County residents and to support the business community.- CP*
  - *Provide community facilities/services to serve existing and new development in an efficient and cost-efficient manner; Provide a sufficient supply of high-quality drinking water and a distribution system to serve the domestic, recreational, industrial, commercial, and fire protection needs of the community at the most economical price possible- CP*
  - *Help guide future growth by coordinating the location of public facilities with recommendations in the Comprehensive Plan; Ensure equitable distribution of public facilities between established and newly developing areas of Spotsylvania County. Consider existing facility maintenance or replacement needs in already developed areas of the county- CP*
  - Significant natural and historic resource impacts mitigation expected subject to final site selection and results of upcoming surveys.
  - Ease of access to the site for general maintenance and quick response during emergencies

Massaponax Water Tower

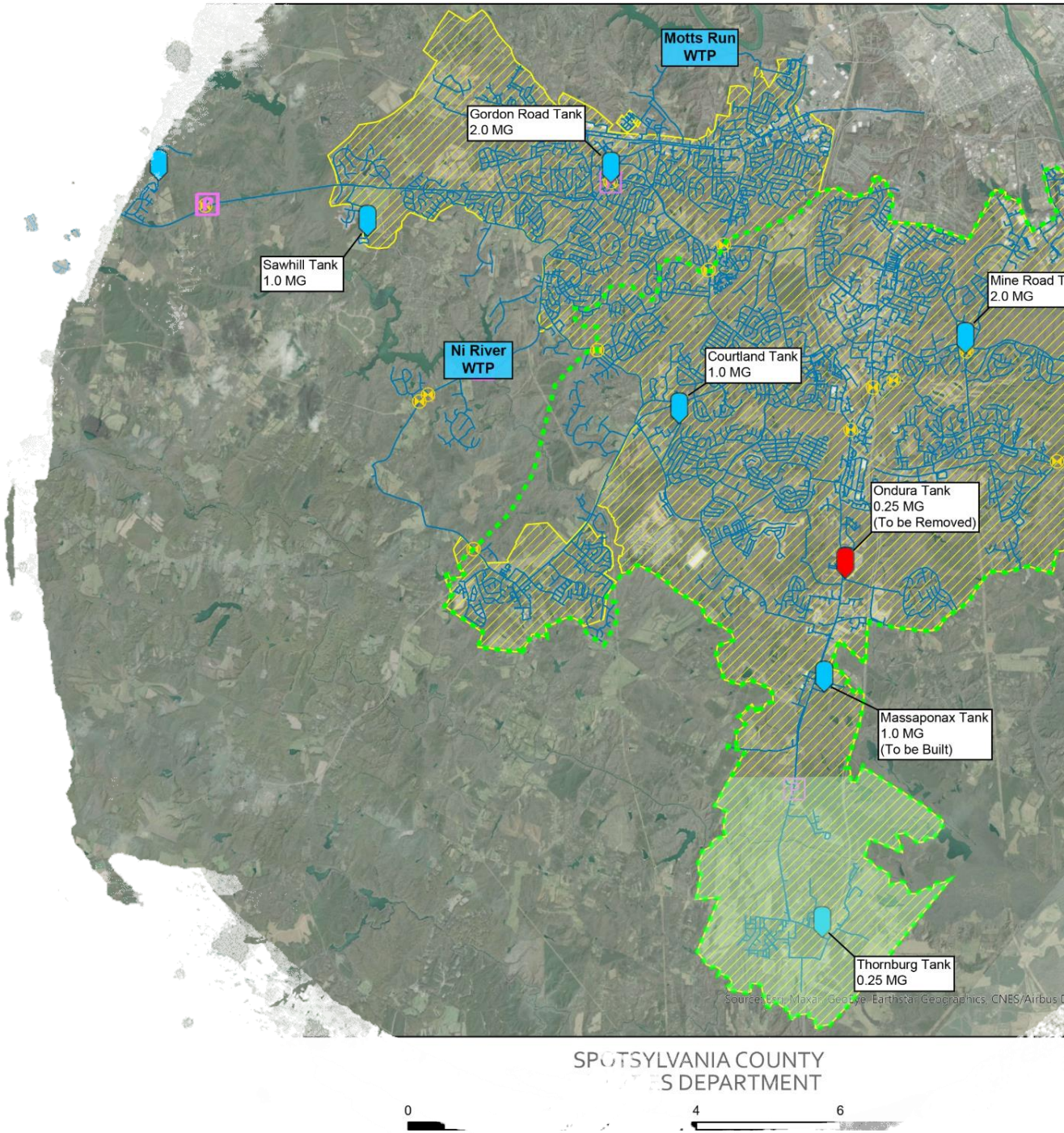
- Character:
- *The tank will be roughly 180-ft tall and will likely be visible from some points along Guinea Station Road, depending on tree cover in the area. A better understanding of the visual impact will be known after renderings have been created-* Utilities Feedback
- Based on location the greatest visual impacts from this project are oriented toward commercial, employment center, and institutional areas.
- Considering future development prospects and land use vision the project is not expected to be out of character with the surroundings. Project will result in decommission and removal of Ondura Tower further north along Rt 1 corridor.
- The Massaponax High School campus sits just north of the project site. There are other examples of water towers sited near schools in the County. Examples include the Spotsylvania High School campus located along Route 208 near Post Oak Road, and upon lands associated with and visible from the Courtland High School, Elementary School, Courthouse Road Elementary campuses where residential development also exists nearby.
- The provided image depicts a similar 145’ tower in the County showing the existing Courtland Tower.
- The proposed water tower is located inland from the Rt 1 corridor; setback roughly between 800-900 feet from the roadway. Its good to note that this is double the depth of the County’s 400’ Highway Corridor Overlay District that places enhanced emphasis on corridor aesthetics, façade design, etc.

IMAGE PROVIDED AS A COMPARABLE PROJECT



Massaponax Water Tower

- Extent:
- Extensive reach of expanded capacity within much of the Primary Development Boundary
- Per the service area map provided. the dashed green area represents the Battlefield Pressure Zone where the 1 MG tank will be located as well as all downstream pressure zones from the tank. The shaded light green area on the map will benefit from an increase in available fire flow rate as a result of the new 1 MG tank and a planned CIP project to construct a water booster station for the Thornburg area.
- Considering location and extent of service, this proposal meets Public Facilities Water and Sewer Goal "[to] *Provide a sufficient supply of high-quality drinking water and a distribution system to serve the domestic, recreational, industrial, commercial, and fire protection needs of the community at the most economical price possible*, and corresponding Policy "[to] *Supplement the existing supply of potable water and fire flow for Spotsylvania County citizens.*"



Recommendation

- Staff recommends that the Planning Commission find proposed:
  - Public Safety Building Expansion
  - Massaponax Water Tower

Substantially in Accord with the Comprehensive Plan for the reasons noted in the staff analysis.

Additional Mitigations Public Safety Expansion

- Public Safety Expansion- Character
  - Enhanced transitional screening between the public safety building (including the proposed expansion) and the cemetery would be preferred to reduce visual impacts of the existing complex and proposed expansion.

Additional Mitigations Water Tower

- Water Tower- Location
  - Subject to further site study as expected, avoid siting the tower upon significant historic or natural resource sites.
- Water Tower- Character
  - Selection of a paint color that will help blend the structure into the sky and limiting or prohibition of signage or messaging upon the tower oriented towards Guinea Station Road part of the Civil War Trail and National Register of Historic Places property along same road to the north.
  - Since co-location of services is preferred and a structure such as this may be attractive for wireless telecommunications additions in the future, efforts to stealth such technology would be preferred.