



**SPOTSYLVANIA COUNTY PLANNING COMMISSION MEETING
AGENDA
December 15, 2021 - 7:00 PM**

Call to Order

Pledge of Allegiance

Determination of a Quorum

Announcements

- Planning Update

Review and Approval of Minutes

- Review and approval of draft minutes from November 17, 2021

Unfinished Business

Public Hearings

- R21-0003 John W. Pendleton (Battlefield District)
- R20-0013 UB Properties, Inc. (CERESMINEROAD, LLC) (Porchlight Commons) (Battlefield District)

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: December 15, 2021

Title: Planning Update

Type: No Action (Information Only)

Agenda Title: Planning Update

Recommendation: N/A

Summary: N/A

Committee/Commission Summary:

Review Date: Status:

Financial Impact: N/A

Staff Contacts: B. Leon Hughes, AICP, Director of Planning and Zoning

Legal Counsel: N/A

Additional Background/Other
Considerations: N/A

Consequence of Denial/Inaction: N/A

ATTACHMENTS:

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

County of Spotsylvania
Founded 1721

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



Department of Planning & Zoning

B. LEON HUGHES, AICP
Director

9019 OLD BATTLEFIELD BLVD., STE 100
SPOTSYLVANIA, VA 22553
(540) 507-7434

Service, Integrity, Pride

PLANNING UPDATE

December 6, 2021

UPCOMING PLANNING COMMISSION MEETINGS:

Wednesday, December 15, 2021 Work Session 5:00 pm Merchant Square Building 3rd Fl:

R20-0014 Thornburg Village LID, LLC & IWG Thornburg, LLC Brad Robinson
TM# 63-12-C, D, E & 27; 63-A-32, 33 & 37 **Berkeley**

Wednesday, January 5, 2022 Planning Commission Meeting 7:00 pm Holbert Building:

SUP21-0005 Four Seasons RV Park, **Livingston**, 53-A-1 & 1B Shannon Fennell

P21-0003 Hazel Run Glen Preliminary Plat, **Courtland**, 23-A-64A Shannon Fennell

P21-0004 Alexander's Crossing Phases 1A&1B **Lee Hill, Berkeley** 36-2-2 & 2A Shannon Fennell

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

None

NEW PRELIMINARY PLATS

None

OTHER UPDATES

Technical Review Committee Meeting December 16, 2021 in person and via WebEx:

9:15 PRE21-0061(in person) (Site Plan) County Wastewater Consolidation and Conveyance
Improvements, **Lee Hill** 25-A-8 &8B Shannon Fennell:

9:45 PRE21-0063 (in person) (Rezoning) RV and Boat Storage **Chancellor** 9-A-37-E

10:15 PRE21-0064(virtual) (site Plan) Valvoline Instant Oil Change **Courtland** 22-14-D

Technical Review Committee Meeting 30, 2021 in person and via WebEx:

9:15 PRE21-0065 (in person) (Special Use) Clark Dog Kennel **Livingston** 45-6-1 Shannon Fennell

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										
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	PC recommended approval 7-0 on 8/18/2021 BOS tabled vote 12/14/2021	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 6/17/2021	Livingston
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
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	8/31/2021 extension to 1/30/2022	Under Review	Battlefield
R19-0007	Brad	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	8/31/2021 extension to 1/30/22	Under Review	Battlefield
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	8/31/2021 extension to 1/30/22	Under Review	Chancellor
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	9/30/2021 extension to 1/30/22	Under Review	Lee Hill
R20-0010	Brad	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

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
R20-0012	Shannon	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 Extension granted until 4/19/2022	Under Review	Livingston
R20-0013	Shannon	CeresMinRoad, LLC	Porchlight Commons	36-A-150,151 & 154	4517 Mine Road	Rezoning 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 (extension to 3/30/22)	Scheduled PC Public Hearing 12/15/2021	Battlefield
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 detached and 212 single family attached units.	2019	12/11/2020 Extension Granted	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 detached and 62 single family attached units.	2019	12/11/2020 Extension Granted	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	Application Incomplete	Lee Hill
R21-0002	Brad	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	3/10/2021	Under Review	Lee Hill
R21-0003	Brad	John Pendleton	Pendleton	35-A-32	9608 Leavells Road	Rezoning of 3.217 acres from RU to R-3 for 2 SFD units.	2019	3/30/2021	Scheduled PC Public Hearing 12/15/2021	Battlefield
R21-0006	Shannon	TFO Wellesley Joint Venture, LLC	Broadus Development Project	64-A-8B	0 Mudd Tavern Road	Rezoning of Tax Parcel 64-A-8 (Broadus Property) from Agricultural 2 (A-2) to Industrial 2 (I-2) which totals 82 acres with 78.74 acres in Spotsylvania and a 3.26 acre portion in Caroline County for the development of an industrial park. This is a concurrent application for the rezoning of 116 acres in Caroline County from Rural Preservation (RP) to M-1 Industrial.	2019	4/21/2021	Under Review	Berkeley
R21-0007	Shannon	Fairchild Manor, LLC	Fairchild Property	47-6-2 & 47-6-1A	8601 Courthouse Road & 7204 Massaponax Church Road	Rezoning request for two parcels 14 acres from RU to MU-2 for 37 Single family detached and 18 single family attached units at the corner of Courthouse and Massaponax Church Roads.	2019	4/29/2021	Under Review	Berkeley

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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
R21-0008	Brad	SES Properties, LLC	Staples Reserve	50-A-115	3736 Massaponax Church Road	Rezoning of 2 parcels totaling 42.98 acres from RU to PDH-2 for the development of 85 SFDs. Project is located on the east side of Massaponax Church Road (Route 608) approx. 0.26 miles north of intersection with Summit Crossing Road (Route 668).	2019	5/3/2021	Under Review	Berkeley
R21-0009	Brad	All American Mobility LLC	All American Mobility	35-A-119	10726 Courthouse Road	Rezoning of 2.36 acres from Residential 1 (R-1) to Commercial 2 (C-2) for a retail use.	2019	6/29/2021	Under Review	Courtland
R21-0010	Brad	Vakos Companies	Spotsylvania Courthouse Village	47-A-1,2,3,3A,46A,59,59A & 47-8-1	Brock Road and Robert E. Lee Drive	Rezoning of 9 parcels totaling of 20.52 acres from C-1, C-2 & RU to Mixed Use 3(MU-3) and Mixed Use 4(MU-4) for the development of 47 SFA units, 55 MF units and a total of 40,250 sq. ft. of retail space.	2019	TBD	Application Incomplete	Livingston
R21-0011	Brad	Old Plank Partners LLC	Linwood Estates	21-10-1 & 2	7611 & 7613 Old Plank Road	Rezoning of 27 acres from Rural (RU) to Planned Development Housing (PDH-4) for the development of 64 SFD homes.	2019	8/17/2021	Under Review	Chancellor
R21-0013	Shannon	Rob Gollahon	Dominion Hills	36B-2-6,5,4,3,2 & 36-13-F1pt	Lee Hill School Drive	Rezoning of 7.85 acres from Residential 2 (R-2) to Residential 8 (R-8) for the development of 61 SFA homes.	2019	8/10/2021	Under Review	Lee Hill
R21-0014	Shannon	Crossroads Associates LLC	Crossroads Station	37-A-41A & 37-9-6B	3120 Crossroads Station Blvd.	Proposed proffer amendment to remove limits on number of one bedroom units.	2019	8/24/2021	Under Review	Berkeley
R21-0015	Brad	Robert D. Devlin	5027 Courthouse Road	70-A-36	5027 Courthouse Road	Rezoning of 16.1 acres from Resort Agricultural (R-A) to Resort Residential (R-R) for the development of four one (1) acre sfd lots with a residual lot of 11 acres.	2019	10/26/2021	Under Review	Livingston
R21-0016	Cherie	Brooks Villas	Robin ThomasTR/Thomas Rev Trust	37-4-A	10421 Tidewater Trl.	Rezoning of 4.2 acres from Commercial 2(C-2) to Residential 8(R-8) for the development of 28 age restricted single-family attached units.	2019	TBD	Under Review	Lee Hill
SPECIAL USE PERMITS										
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
SUP21-0004	Brad	Gary Wiseman	Platinum Auto Sales	24C-8-B	98 Fleming Street	Special Use Permit to allow vehicle sales on a parcel less than 2 acres in the Commercial 3 (C-3) zoning district.	N/A	4/8/2021	Under Review	Battlefield

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Spotsylvania County Planning Department Public Hearing Cases Status Report

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SUP21-0005	Shannon	Trey Wills	Four Seasons RV Park	53-A-1 & 1B	16736 Days Bridge Road	Special Use Permit to allow the development of a 300 lot recreational vehicle campground resort on two parcels totaling 135 acres.	N/A	5/25/2021	PC Public hearing on 11/17/2021 and continued to 12/1/2021 continued to 1/5/2022	Livingston
SUP21-0006	Brad	HHH Holdings, LLC	Sheetz	35-13-3	0 Spotsylvania Pkwy	Special Use Permit to allow 12 fuel dispensing stations with a convenience store on 2.83 acres of an 8 acre parcel zoned Commercial-2 (C-2).	N/A	8/3/2021	PC recommended approval 6-0 on 11/17/2021. Scheduled for BOS 12/14/2021	Battlefield
SUP21-0008	Shannon	VL Jenkins Heating & Air Inc.	Jenkins	70-A-79C	5755 Courthouse Rd	Special Use Permit to allow HVAC contractors office with a storage unit on a 1.2 acre parcel zoned Agricultural 3(A-3)	N/A	8/20/2021	Under Review	Livingston

Proffer Law

Key:

Pre 7/2016 - Proffer Guidelines in effect
2016 - Strict Proffer Law
2019 - New Proffer Law

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Spotsylvania County
Planning Commission
Executive Summary

 **Print**

Meeting Date: December 15, 2021

Title: Review and approval of Draft Minutes

Type: Action

Agenda Title: Review and approval of draft minutes from November 17, 2021

Recommendation:

Summary:

Committee/Commission Summary:

Review Date: Status:

Financial Impact:

Staff Contacts: Paulette Mann, Commission Secretary

Legal Counsel:

Additional Background/Other
Considerations:

Consequence of Denial/Inaction:

ATTACHMENTS:

Name:	Description:	Type:
 pcmin21_1117.docx	Draft Minutes from November 17, 2021	Minutes

Spotsylvania County Planning Commission

DRAFT

Auditorium – Marshall Center, 8800 Courthouse Road, Spotsylvania VA 22553

MINUTES: November 17, 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
Dr. Raymond Bell	Salem
Jacob Lane	Livingston
Gerald Childress	Chancellor
C. Travis Bullock	Battlefield

Members Absent: Richard Thompson Courtland

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
Jacob Pastwik, AICP, Planner III
Wanda Parrish, AICP, Asst. County Administrator – CDG
Shannon Fennell, Planner III
Brad Robinson, CZA, Planner II

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

Review and approval of minutes of October 20, 2021

Motion and vote: On a motion by Ms. Carter, seconded by Mr. Lane, the Commission voted to approve the minutes.

VOTE:

Ayes: 6 Dr. Bell, Ms. Carter, Ms. Maddox, Mr. Lane, Mr. Bullock and Mr. Childress
Nays: 0
Absent: 1 Richard Thompson
Abstain: 0

Public Hearing(s):

SUP21-0006 Spots Corp (HHH Holdings, LLC): Requests a special use to establish a Sheetz fuel dispensing service with onsite convenience store on an approximately 2.83 acre portion of a parcel zoned Commercial 2 (C-2), which as a whole, contains approximately 8.34 acres zoned C-2 and Rural (RU). The parcel is located in the northwest quadrant of the Smith Station

Road/Spotsylvania Parkway (Route 628) and Leavells Road (Route 639) intersection. The parcel is located in the Primary Development Boundary and is designated for Low Density Residential Land Use on the Future Land Use Map of the Comprehensive Plan. Tax Parcel 35-13-3. Battlefield Voting District.

Ms. Maddox opened the public hearing.

Mr. Robinson presented the case. The applicant requests a special use to establish a fuel dispensing service with an onsite Sheetz convenience store on a 2.83-acre portion of an 8.34-acre vacant parcel zoned Commercial 2 (C-2) and Rural (RU). The parcel is identified as Tax Map 35-13-3 and addressed as 6101 Smith Station Road which is in the northwest quadrant of the Smith Station Road/Spotsylvania Parkway (Route 628) and Leavells Road (Route 639) intersection. The parcel is divided by Leavells Court (Route 2259) with the portion on the south side of Leavells Court containing 4.7625 acres zoned C-2, and the portion on the north side of Leavells Court containing 3.4953 acres zoned RU. The parcel also includes a 0.0841-acre portion north of the Leavells Court and Leavells Road intersection which is also zoned C-2.

The property is also situated at the westernmost edge of the Lee's Parke development which extends east along Spotsylvania Parkway (Route 628) to U.S. Route 1. The property was included with the rezoning for Lee's Parke in 2002 and has been zoned and designated for commercial development since that time. While Lee's Parke is primarily a residential development, commercial areas were also included within the development with intent to provide commercial and retail uses that would serve the residential uses. The character of the area consists mostly of residential subdivisions, however, another C-2 zoned parcel that was also included with the Lee's Parke rezoning is located to the south across Smith Station Road (Route 628). Industrial uses including Luck Stone Quarry and the Lidl Distribution Center are within the vicinity approximately 1500 feet to the south off Smith Station Road (Route 639). The frontage of the nearby Courtland Park development, which is less than a half mile west of the site, is slated for office use and a church.

The Generalized Development Plan (GDP) proposes six gas pumps with twelve fueling positions under a lit canopy. The fuel pumps will be accompanied by a 6,077 square foot Sheetz convenience store with a drive thru, a small outdoor dining area, and 46 parking spaces. The convenience store will operate 24 hours a day, Monday through Sunday. As the proposed fuel dispensing service will utilize only 2.83 acres of the total 8.34 acres, the remainder of the C-2 zoned portion will be subdivided for a future commercial pad site. The landscaping plan within the GDP proposes a Street Buffer A along both Smith Station Road (Route 628) and Leavells Road (Route 639) as required by the Design Standards Manual (DSM). The GDP also proposes pedestrian accommodations in the form of a sidewalk along Smith Station Road (Route 628) and Leavells Court (Route 2259) and a shared use path along Leavells Road, all in accordance with the DSM and Comprehensive Plan. A right-of-way dedication totaling 0.055 acres is proposed along both Leavells Road and Leavells Court to accommodate the proposed shared use path and a right turn lane. The GDP proposes the location of the dumpster encroaching into the front setback requirement from Leavells Court, which will require a request for a waiver or modification from Article 3 of the DSM to be addressed during review of the site development

plan. Staff has indicated the configuration of the parcel with frontage along three roads may justify a waiver for the dumpster location. In addition to requirements of the Zoning Ordinance and DSM, the project must also comply with the approved proffers for Lee's Parke which specify that commercial development must provide "Colonial Style" lighting for parking lot lighting; the use of brick or split block on the front of all commercial buildings excluding accent areas; the use of white, earthtone or Williamsburg colors on all access areas excluding signage; and screening of all ground and rooftop equipment.

Staff has conducted a Comprehensive Plan analysis and determined the proposed project to be consistent with the goals and objectives of the Comprehensive Plan. Please see Appendix A for the complete Comprehensive Plan analysis.

The property is located at the intersection of Smith Station Road/Spotsylvania Parkway (Route 628) and Leavells Road (Route 639) which is currently signalized. Leavells Court (Route 2259) is also located along the rear of the site which results in the parcel having frontage along three roads. The GDP proposes access into the site from all three adjacent roads with full access proposed only from Leavells Court at the rear which terminates as a cul-de-sac west of the property. The access from Smith Station Road/Spotsylvania Parkway will be right-in and right-out movement only, and the access from Leavells Road will be right-in movement only. Smith Station Road/Spotsylvania Parkway is a divided major collector with four lanes to the east of Leavells Road (being Spotsylvania Parkway) and narrowing to two lanes to the west of Leavells Road (being Smith Station Road). Spotsylvania Parkway has a speed limit of 45 mph and an average daily traffic (ADT) of 17,000 vehicles per day (vpd), while Smith Station Road also has a speed limit of 45 mph and an ADT of 13,000 vpd. Leavells Road is a two-lane major collector with a speed limit of 35 mph and an ADT of 8,100 vpd. Smith Station Road south of the Smith Station Road/Spotsylvania Parkway and Leavells Road intersection has a speed limit of 45 mph and an ADT of 6,600 vpd.

The County currently has no committed transportation projects in the vicinity of this proposed development. There is one Transportation Alternatives Program (TAP) candidate project for a Shared Use Path (SUP) across from the proposed site which would fill in a gap in the shared use path network between Courtland Park and existing shared use path along Spotsylvania Parkway.

A Traffic Impact Assessment (TIA) study was performed for this development. The proposed development is forecast to produce 1,256 vehicles trips per day, with 137 trips during the AM Peak hour and 115 trips during the PM Peak hour. The TIA assumes that 76% of these trips will be "pass-by trips" with 65% originating from Smith Station Road/Spotsylvania Parkway and 35% originating from Leavells Road. Turn lane warrant analysis was completed and found that right turn lanes were warranted at both the Smith Station and Leavells Road entrances. The TIA looked at traffic for 2021 existing, 2023 no build, and 2023 build conditions. The TIA studied 3 intersections:

1. Leavells Road/Leavells Court/Greenspring Road (Unsignalized)
2. Leavells Road/Smith Station Road/Spotsylvania Parkway (Signalized)
3. Smith Station Road/Ivy Hill Drive (Unsignalized)

The TIA found no significant LOS issues or degradation at any of the three intersections. The principal intersection studied at Leavells Road/Smith Station Road/Spotsylvania Parkway operates at an overall LOS of C in both the AM and PM peak hour for both the 2023 No Build and Build scenarios. The applicant has provided all improvements as recommended by the TIA and VDOT, which are reflected on the GDP.

Mr. Robinson discussed the following key findings:

In Favor:

- The request is consistent with the Comprehensive Plan with respect to land use, transportation and historic and natural resources goals and policies.
- The proposal satisfies all of the Special Use standards of review as established in Sec. 23-4.5.7 of the County's Zoning Ordinance.
- The proposal allows for the development of a vacant commercially zoned site and will increase the commercial tax base of the County.
- The proposal meets the intent of the Lee's Parke rezoning which included commercial areas to serve the residential uses.

Against:

- Development of the property will generate additional traffic at adjacent intersections, which the TIA has identified will consist primarily of "pass-by trips".
- The applicant does not propose to retain any of the existing mature evergreen vegetation on the site, which if retained will enhance the required vegetative screening. The street buffer as currently proposed on the GDP lacks vegetation in areas along Leavells Road that may allow greater visibility of the site from the nearby residential.

Mr. Robinson explained that uses that are designated as special uses are generally compatible with other uses permitted in a district but which, because of their unique characteristics or potential impacts, require individual consideration of their design, configuration or operation at the particular location (Sec. 23-4.5.1). The identification of a fuel dispensing service as a special use primarily relates to the traffic generated by these type uses which characteristically require high visibility and traffic volumes to support operations. These uses can also involve lighting and noise impacts to adjacent uses given their tendency to operate 24 hours per day. The applicant has conducted a Traffic Impact Analysis and provided the recommended transportation improvements on the GDP. Additionally, requirements of the Zoning Ordinance and DSM for outdoor lighting and vegetative screening will assist in mitigating impacts from any lighting or noise to the nearby residential properties. Although the applicant has not made any commitments on the GDP, the applicant has indicated a willingness to provide additional screening if needed. Staff has included a condition that requires the applicant to enhance the landscape screening on the east side of Leavells Road adjacent to the residential uses with the permission of the homeowners association. Based on staff's analysis, the Special Use Standards of Review, and findings in favor noted above, staff recommends approval with the following conditions:

1. The site will be developed in conformance with the Generalized Development Plan titled "Sheetz at Leavells Road, Generalized Development Plan for Special Use Permit" dated June 11, 2021 and last revised September 16, 2021 as prepared by Fairbanks & Franklin.
2. The site, including but not limited to buildings, signage, canopy, building materials, etc., will be developed in conformance with the architectural renderings dated July 2, 2021 as prepared by Convenience Architecture and Design P.C.
3. All signage will be in conformance with Article 5 of the Zoning Ordinance. Should any conflict occur between the requirements of the Zoning Ordinance and the Architectural Renderings dated July 2, 2021, the more restrictive requirement will apply.
4. No tractor trailers are permitted on the site, except for tractor trailers delivering supplies for the convenience store and fuel dispensing use.
5. Signage will be posted at each entrance indicating tractor trailers are prohibited.
6. With the authorization of The Estates at Lee's Park Homeowners Association, one large evergreen tree, with a minimum height at planting of eight (8) feet, shall be planted every ten (10) linear feet in The Estates at Lee's Parke common area adjoining Tax Map 35M-14-1 and 35M-14-2 south of the Leavells Road and Greenspring Road intersection, for a distance of approximately 200 feet. Additionally, one large evergreen tree, with a minimum height at planting of eight (8) feet, shall be planted every ten (10) linear feet in The Estates at Lee's Parke common area adjoining Tax Map 35M-14-80 and 35M-14-81 north of the Leavells Road and Greenspring Road intersection, for a distance of approximately 250 feet.

Applicant, Steve Jones, VP of Silver Honaker: He stated that the Sheetz representatives are also present to answer any questions the Commissioners may have. He stated they have no issues with staff's recommended conditions. Mr. Jones stated that Sheetz is investing \$5 million dollars in the County and that it would provide for 25-30 full-time jobs as well as \$100k in tax revenue and real estate taxes. The project will be an all brick building with their new canopy design. He asked that Commission to support the request and send it with an approval recommendation to the Board of Supervisors.

Mr. Lane stated that he has concerns regarding tractor trailers using the gas station with the quarry and Lidl being in close proximity. He stated that he'd like to see a condition to help mitigate impacts to the residential property owners. He also wants to see dark sky lighting.

Speaking in favor or opposition:

Jan Durham: He stated that he learned by mail about the hearing just two days prior due to the delays in the postal service. He discussed that there are three gas stations within 1.5 miles and 10 within three miles of the proposal. He has concerns regarding increased traffic,

homeless/vagrant folks hanging out in a neighborhood where his kids play. He stated that he is all for helping the homeless but doesn't want that to occur in his neighborhood.

Linda Dort, resident of Lee's Parke: She stated she has lived in Lee's Park for 15 years and will be within 200 feet of the gas station. She stated she has concerns about fuel fumes, food and cooking fumes and suggested that the building be required to have extra filtering installed. She raised concerns about houses being devalued because of the bright red and yellow design that Sheetz uses. She also raised concerns about litter and beer cans from this type of development.

Jason Doering: He stated that this is not needed and provided a detailed listing of all of the gas stations located within three miles of the proposal. He stated that no cars are ever broken down in this area because of the lack of gas stations and feels this addition is unnecessary.

Brittany Walker, Courtland Park: She stated that the market is already oversaturated with gas stations and raised concerns about increased traffic, the wildlife, robberies occurring, and the unsightly design of Sheetz. The benefit of provided 30 jobs is not worth it for the adjacent properties.

Beth Ranger, Fox Point: She stated that she has lived in Fox Point for 22 years and has concerns about the traffic. She discussed having to be strategic about getting in and out of their neighborhood depending on the day because of Courtland High School and what a nightmare that is at the end of the school day. She stated this proposal needs more analysis.

Irving Pies, Lee's Parke: He stated he has concerns about noise pollution, traffic, police activity, homeless people, light pollution, trash, fuel, and food smells.

Ms. Mann read the following letters into the record:

Umair Chaudhry, Battlefield District: He raised concerns about the potential impact related to the gasoline component of the property on nearby wetlands and neighborhoods. He suggested the Commission deny the application to protect the environment.

Kelly Boyle, Courtland District: She expressed her concerns about the delay in getting notification due to the postal service. She suggested an environmental impact study be done. She stated that another gas station is unnecessary for the area.

Dr. Vijay Ragavan, Battlefield District: He stated that they do not oppose the convenience store, but do oppose the gas pumps. He suggested it would pose a nuisance and health hazard to nearby residents due to the increased risk of childhood leukemia, cancer, anemia, the threat of being susceptible to infections, low birth rate. He urged the Commission to recommend denial.

Glen Moses, Battlefield District: He raised concerns about the 24/7 impacts regarding light and noise pollution. He also raised concerns about the traffic pattern and the impacts and stated that there are already enough gas stations within a 3-mile radius.

Mr. Jones stated the new canopy design is very subdued compared to the previous design and the brick color is a subdued colonial look. There will be a low monument sign like the one at Massaponax. Sheetz has a monitoring video surveillance and can tell if there are issues with loitering and vagrant folks and they can call in authorities and the management if necessary. The site lighting will be dealt with at the site plan and they will be using downward lighting. They are also planting additional trees. He asked the Commission for their favorable recommendation to the Board of Supervisors.

Ms. Maddox closed the public hearing.

Motion and vote: Mr. Bullock made a motion, seconded by Ms. Carter to approve the special use permit with staff's recommended conditions.

Ms. Carter asked about the buffer that is being provided.

Mr. Jones stated that the buffer they will build is greater than the code requirement.

Ms. Carter stated that she is very proud of how the parkway looks and the development of Lee's Park. She inquired about the colonial style downward lighting.

Mr. Jones stated that the applicant will do everything they can to reduce light pollution and staff will also review during the site plan process.

Ms. Carter expressed her constant concern regarding site distance because of plantings and doesn't want that to impede folks from leaving the development.

Dr. Bell inquired if Sheetz has assessed this as a good location for a convenience store/gas station.

Mr. Jones stated that Sheetz wouldn't locate there if they hadn't done their research.

Dr. Bell inquired about whether they have issues with loitering at surrounding Sheetz locations.

Mr. Jones stated that he is not aware of loitering being an issue.

Allen Stevens, VP, Sheetz: He stated that the new canopy design is a pleasant change and that the canopy also has a camera. The manager on duty can review and watch at any time and call the authorities as they see fit.

Mr. Stevens also discussed that they have LED lighting engineers and that if the light is too intense, they can back it down and meet the county code.

Mr. Lane stated that he has true concerns about 18-wheelers using the location and because of that cannot support the proposal.

Mr. Stevens suggested that 18-wheelers would not be drawn to this type of fueling station because the pumps are slow for cars only and they fuel at high flow pumps because of the size of their fuel tanks. Most also have accounts elsewhere for fueling.

Mr. Lane stated because of Lidl, Luck Stone, and other private trucking companies in the area, he still has concerns about the 18-wheelers using this location for fueling.

Ms. Carter inquired about noise and how the County addresses noise complaints.

Ms. Pomatto stated that the noise ordinance regulates noise.

VOTE: 4-2, with Mr. Childress and Mr. Lane voting no. The motion for approval passed with Staff's recommended conditions.

SUP21-0005 – Jeffrey Hayden (Trey Wills) (Four Seasons RV Campground Resort): Requests a special use for a Camp or Recreation Ground with 300 recreational vehicle sites and related amenities adjacent to Lake Anna, on an approximately 135.08-acre site comprised of two parcels zoned Resort Agricultural (RA) District. The properties are located on the south side of Days Bridge Road (Route 719) approximately a quarter mile east of the Spotsylvania and Orange County boundary line. The entire project is located within Spotsylvania County. However, a new public road is proposed off of Rt. 522 located within Orange County and will traverse through Orange County and into Spotsylvania County to provide access to the project. The property is designated as Agricultural and Forestal on the Future Land Use Map of the Comprehensive Plan. Tax Parcels 53-A-1 (16736 Days Bridge Road) and 53-A-1B (unaddressed). Livingston Voting District.

Ms. Maddox opened the public hearing.

Ms. Fennell presented the case. The applicant requests a special use for a Camp or Recreation Ground with 300 recreational vehicle camp sites and related amenities adjacent to Lake Anna, on an approximately 135.08-acre site comprised of two parcels zoned Resort Agricultural (R-A) District. The properties are located on the south side of Days Bridge Road (Route 719) approximately a quarter mile east of the Spotsylvania and Orange County boundary line. The properties front on both Days Bridge Road and Zachary Taylor Highway and are identified as Tax Parcels 53-A-1 (16736 Days Bridge Road) and 53-A-1B (unaddressed) and incorporate approximately 3,250 feet of shoreline frontage along Lake Anna. The property is currently developed with two residences, several accessory structures and three structures of historic significance. The historic structures include a residential home, identified as Edgewood, constructed in approximately 1827, which is listed with the Virginia Department of Historic Resources (DHR), a brick school house constructed in approximately 1830, and a log smoke house. The subject parcels are bounded to the south by Lake Anna and to the north and east by farmland and single-family residential dwellings. To the west is undeveloped land within Orange County. The applicant has indicated they have a purchase contract pending on the subject properties and on the adjacent land in Orange County where a new public road is proposed.

The Generalized Development Plan (GDP) depicts the site developed with 300 Recreational Vehicle (RV) camp sites ranging in size from 3,200 square feet to 5,000 square feet. The development will be owned and managed by a single business entity. Per the applicant's narrative "*none of the RV camp sites will be sold, ground-leased, condo-sold, or otherwise transferred*". To accommodate potential guests who do not own a RV, the development will maintain approximately 30% of the campsites for Park-Model RVs, which are manufactured to be a quasi-permanent unit. Each of the individual rental RV camp sites, including the Park-Model RVs, will feature utility hookups including water, sanitary sewer, and electric. The applicant's narrative asserts that the proposed development will provide a "*5-star resort*" experience, including a host of amenities provided throughout the site for the guests of the RV Campground Resort. Among the amenities identified on the GDP are guest services buildings including a welcome center, community center with a lounge and dining facility, indoor fitness center, recreational courts, pool, hot tub, tiki bars, pool house, bathhouse, laundry facilities, golf cart rental facility, campfire rings/meeting areas, resort-wide trail system with boardwalk, playgrounds, dog park, outdoor amphitheaters, boat launch/marina, and a marina snack with bait shop. The covered marina includes boat slips to accommodate 49 boats. The GDP also depicts vehicular and golf cart parking provided near the community centers and various amenities throughout the site. Additionally, the GDP depicts the three historically significant structures which are proposed to be preserved and possibly restored and showcased as part of the resort. Per the applicant's narrative, the master plan was designed to avoid impacts to the trio of historic structures.

The applicant's GDP depicts 56 acres of open space provided which exceeds the 20.3 acres which is required. However, the GDP does not verify how much of the proposed open space is encumbered by environmentally sensitive features (i.e.: wetlands, RPA, steep slopes, etc.). County Code prohibits more than 50% of the required open space to include environmentally sensitive features and given the lack of information provided, staff is unable to confirm if the open space requirement is met. As of the date of this report, the applicant has not provided the County a wetlands delineation study or a determination for perennial flow of water bodies. Without this information, staff is not able to confirm the limits of developable area on the properties. The applicant has indicated that these studies are forthcoming and in the interim they have identified potential Resource Protection Areas on the GDP. Additionally, they have applied an additional 20' buffer in some areas beyond the depicted (but not confirmed) RPA to demonstrate the developable area of the properties. However, without the wetland delineation study and perennial flow determinations, staff cannot definitively confirm the project layout as shown is feasible. The applicant's GDP notes that existing vegetation within riparian buffer areas will be preserved as practical and depicts variable width of open space to be preserved along the eastern and western property boundaries. While it is not a Code requirement to provide the environmental studies and determinations at the special use permit stage of a project, staff consistently encourages applicants to complete early in the process in order to eliminate any uncertainties, particularly when a property clearly exhibits the amount of environmentally sensitive areas such as the subject properties. The results of the environmental studies may have significant impacts on the project.

The GDP includes a conceptual landscaping plan for the project including 35' of vegetative transitional screening along Days Bridge Road, which is above what is required by Code. However, the GDP depicts only 50% of the required 35' transitional screening type 2 along the

northern and southern property lines. Staff notes that 100% of this transitional screening is required to be installed on the subject property as the adjacent property is a residential use. Furthermore, due to screening and noise abatement concerns, staff is not supportive of a waiver or modification of the transitional screening requirement. Vegetative screens will assist in mitigating the visual impact of the use along the rural corridor and neighboring residential properties in addition to providing noise attenuation.

Staff has expressed particular interest in quiet hours and noise attenuation related to the proposed two amphitheaters including the intended orientation of the stage, acoustical shielding (whether it be vegetative, engineered, locating the stage area sub-grade with earthen attenuation such as berming, etc.). Staff recognizes that in addition to large open agricultural spaces that proximity to an open water body also expands reach of noise perception from distant locations. The applicant has not provided an acoustical assessment.

As noted, each RV camp site is intended to have individual direct connections for water service, sanitary sewer service, and electric. The properties are located outside of the Primary Development Boundary; therefore, there are no public utilities available to the site. All water and sanitary sewer infrastructure will be privately developed and constructed on-site including well(s) and a water treatment and storage facility for water service and wastewater collection. The community water system will be approved and permitted by the Virginia Department of Health Office of Drinking Water. To date, the applicant has not provided sufficient information related to the wastewater treatment facility to determine who the regulating authority will be. Depending on the design of the facility the regulating authority will either be the Virginia Department of Health (VDH) or the Department of Environmental Quality (DEQ).

The applicant has provided a preliminary assessment of groundwater to determine adequate capacity to serve the project. The assessment assumes that the average daily consumption of water will be approximately 15,000 gallons per day (gpd) and that the water demand would require a groundwater resource(s) capable of producing approximately 10 gallons per minute. The applicant's Hydrogeologist asserts that it is reasonable to expect that adequate groundwater resources can be developed on and for the site; however, notes that the only way to confirm that a sustainable groundwater resource is present is to drill a well and test it for quantity and quality. The critical information the applicant's study does not consider are the potential impacts upon existing wells that serve nearby residences in the surrounding area. Staff notes this region of the County contains karst conditions in which groundwater pools in underground rock fractures. The project narrative page 17 speaks to water supply and notes the *"Interim Hydrogeologic Assessment provided is intended to address concerns during this special use permitting phase; however, a complete yield and drawdown study will be performed during the design development phase so as to verify that there will not be adverse impacts on groundwater supply in the surrounding properties."* Based on this chronology the County is being asked to consider a project for approval prior to knowing whether offsite impacts would occur. In other land use cases that are located outside of the Primary Development Boundary, staff has consistently encouraged applicants to proactively complete the necessary studies to determine what, if any, adverse impacts the project will present to existing wells. Should a future study find the project will create adverse impacts to existing wells, the remedy will likely change the scope and scale of the proposed project.

The GDP depicts a central water treatment facility, which is proposed to store volumes of the treated water supply and will be designed to balance the well-yield (supply) with the resort demand. Following the treatment and storage of the water supply, the GDP notes that the water will be distributed through a waterline system. Each RV camp site will have an individual water connection. Each of the RV camp sites will also have an individual sewer connection which will flow by gravity to one of the several pump stations distributed throughout the resort. Per the applicant, the small pump stations will pump the wastewater back up to the designated area for treatment and dispersal (drip system) into a subsurface disposal area. Each of the various amenity buildings within the resort will also flow by gravity into these same pump stations. The applicant's GDP notes that this system will be designed and operated to comply with the 8 part per minute (PPM) Nitrogen limit requirements for systems installed in the Chesapeake Bay Watershed and that the dispersal system will be installed below the original ground surface and utilize a pressurized drip distribution, which will provide an additional measure of nitrogen reduction. Also, the GDP notes that the developer will provide additional treatment to reduce phosphorus concentrations and disinfect effluent in the wastewater. The informational notes provided on the GDP are the extent of the details provided regarding the design of the treatment facility. The Virginia Department of Health (VDH) has repeatedly requested additional information in order to provide constructive feedback and guidance to the County; however, to date, the requested information has not been provided. Similar treatment facilities are located within the County serving existing campgrounds. VDH indicates the common issues that arise with similar facilities are related to overloads to the system and inadequate maintenance and monitoring. The applicant has not indicated what type of sewage disposal plan is proposed for the marina; however, a marina pump out station may be required by VDH. Without more detail regarding the design of the facility, staff is unable to confirm what agency will regulate and is unable to determine what, if any, additional measures should be considered to ensure the facility will not adversely impact the environment, groundwater, lake and surrounding properties.

Staff has focused particular attention on the potential environmental impacts of this project given the harmful algae blooms that have plagued Lake Anna. Swim advisories throughout the summer season have become more prevalent in recent years. At this time, the source of the algae blooms is unknown; however, there is a study underway that has been commissioned by the Lake Anna Advisory Committee. While the proposed project is not held responsible for the existing condition of the lake, it is reasonable to expect any additional activity and development along the lake may exacerbate the existing issues. The applicant has indicated that they will work cooperatively with the community and contribute to efforts in improving the health and vitality of the lake; however, to date, no details or proposals on how or what they will contribute have been provided. To that point, the applicant has provided little to no details on how the project will mitigate its potential impact on the lake. In addition to the algae blooms, shore stabilization along the lake is deteriorating. Additional watercraft traffic from the proposed marina is expected to create further impacts to shoreline erosion on the subject property and those offsite. The applicant indicates they will address shoreline protection for their project but thus far no details have been provided. With respect to the project's impact to adjacent and nearby shorelines, the applicant has provided no assessment or mitigation proposals.

Beyond the environmental concerns related to the lake, there are also watercraft safety concerns including seasonal low water levels near the proposed marina and narrow passage ways (“choke points”) leading to and from the proposed marina and Stubbs Bridge. To date, the applicant has not provided a water depth analysis to confirm adequate water levels exist to safely accommodate watercraft.

The GDP depicts a dry hydrant fire suppression system, near the boat launch along the lake, which will pull water from the lake and serve as a water source for Fire, Rescue and Emergency services (FREM) pump trucks within the resort as the nearest fire station is approximately 4 miles from the proposed development. FREM will also have access to the site via an emergency only access point on Days Bridge Road. Currently, the GDP depicts the emergency access as gated with an inadequate turnaround area between the gate and Days Bridge Road.

As required by Code, the County has requested the metes and bounds for the subject properties be accurately depicted on the GDP. To date, this information has not been provided but must be corrected prior to an approval by the Board of Supervisors.

This development proposes two entrances. The first is a main entrance on Route 522 Zachary Taylor Highway located in Orange County and is classified as a minor arterial. Staff notes that future analysis of the primary entrance from Route 522 Zachary Taylor Highway will be required by Orange County Transportation staff and the VDOT Louisa Residency. The second point of access is provided from Route 719 Days Bridge Road located in Spotsylvania County which is classified as a Local Road. The applicant proposes to use Route 719 Days Bridge Road only for emergency access. The 2019 VDOT Average Annual Daily Traffic for Route 522 Zachary Taylor Highway was 3,200 and 250 for Route 719 Days Bridge Road. The development is forecast in 2023 to have 1,418 daily vehicle trips and 129 peak hour trips. The County requested a traffic analysis for the proposed Route 719 Days Bridge Road emergency entrance including verification that heavy and emergency vehicles can perform safe turning movements without additional road improvements, verification has not been submitted.

The transportation staff notes that the applicant did not perform traffic counts at either site entrance which is unusual for a case with this level of daily traffic. Peak hour traffic movements at the primary Rt. 522 entrance was inferred using available VDOT traffic data from 2019 inflated to 2023 using a 2% growth factor for Rt. 522 traffic. Trip Generation analysis used ITE trip rates, but did not account for Passenger Car Equivalents (PCEs), e.g., 1 RV = 3 cars, despite having a high amount of heavy vehicle traffic from RVs and trucks relative to cars for the case. However, with that said, the applicant is including full turn lane improvements for its Rt. 522 entrance which will be adequate to accommodate projected site traffic even with PCEs being taken into account. With that being said, all entrance improvements on Rt. 522 must be permitted through Orange County and the VDOT Louisa Residency.

Staff notes that this project was initially reviewed by the Orange County Planning Department and the Orange County Planning Commission conducted a public hearing to consider a RV campground for 250 owner occupied lots and various amenities on approximately 58 acres. Since that time the Orange County-Spotsylvania County boundary has been adjusted and the entire 58

acres is now within Spotsylvania County. With the additional acreage, the total project acreage is increased by approximately 76 acres. Since Orange County's consideration, the subject parcels and scope of the project have been altered in size and each lot is no longer proposed to be owner occupied. However, the point of access remains at the same location, on a parcel designated as Agricultural A-1 located within Orange County, which is their most rural, conservation-oriented designation. During the Orange County Planning Commissioners meeting on August 20, 2020, Commission members raised concerns regarding the leasing/sale of the individual lots, the proposed water source, overlapping of development in Orange County & Spotsylvania County, additional traffic proposed on Zachary Taylor Highway (Route 522), and safety for all individuals utilizing the Lake. A comment letter from the Orange County District 2 Supervisor is included in the staff report materials for the Planning Commission and Board's consideration. District 2 includes the properties that lie adjacent to the proposed project.

Given that Dominion Power owns the lake, staff forwarded the application materials to Dominion for their review and comment and they have declined to comment on the land use matter.

The subject case has received a high volume of citizen correspondence via email, phone, and presentations made directly to the Planning Commission and Board of Supervisors. Concerns received are regarding the project's impact on adjacent property values, increased traffic to both Zachary Taylor Highway and Days Bridge Road, safety concerns along the lake due to increased boat traffic in shallow waters and in narrow channels, overall lake safety and preservation, potential increase in algae blooms, impacts to the existing internet services of adjacent property owners, and the nature of the project in respect to its scale and use adjacent to agricultural and single family residential properties.

Ms. Fennell discussed the following findings:

In Favor:

- The proposal is consistent with County tourism diversification and enhancement goal. As a tourism oriented commercial use this project is expected to have a positive fiscal impact to the County.

Against:

- The proposal is inconsistent with the majority of the goals and objectives of the Comprehensive Plan as the applicant has not addressed or attempted to mitigate identified impacts as identified in staff's analysis.
- The proposed use is not compatible with the development pattern of the immediate area which is predominately single-family residential and agricultural land. The applicant seeks to reduce required landscaping and has not proposed any noise mitigation (acoustical shielding, berming or site orientation) for the proposed amphitheaters except to offer a prohibition of the use of audio amplification.

- The proposed primary access to the project is from a proposed public road from Zachary Taylor Highway (Route 522) which is located within Orange County; the plans for the public entrance road and associated improvements has not yet been approved by Orange County or the VDOT Louisa Residency.
- The applicant proposes to use Days Bridge Road (Route 719) as an emergency access only; however, the applicant has not completed a traffic impact analysis in order to verify what transportation improvements will be necessary to safely accommodate heavy and emergency vehicles turning movements.
- The development is forecast to have approximately 1,418 daily vehicle trips and 129 peak hour trips. The applicant has not demonstrated that the existing Days Bridge Road (Route 719) can safely handle this increase in traffic in the event of an emergency or an accident at the intersection of the proposed public road and Zachary Taylor Highway (Route 522).
- The GDP depicts the emergency access from Days Bridge Road (Route 719) as gated with an inadequate turnaround area between the gate and Days Bridge Road (Route 719).
- The applicant has provided a preliminary assessment of groundwater to determine adequate capacity to serve the use proposed; however, the analysis does not consider potential adverse impacts upon existing wells that serve residences in the surrounding area.
- The applicant has not provided a water depth analysis to confirm there is sufficient water depth to safely accommodate watercraft to and from the proposed marina.
- Additional activity and development along the lake may exacerbate the existing environmental issues that plague Lake Anna. The applicant has provided little to no details on how the project will mitigate its impact on the lake and proposes no measures to offset and improve the existing water quality conditions.
- The applicant has not supplied a shoreline stabilization study to determine the full extent of shoreline armoring/protection that may be warranted for the subject property or offsite.
- The applicant has not provided the County a wetlands delineation study or a determination for perennial flow of water bodies. Without this information, the limits of developable area on the properties is unknown and could have significant impacts to the project layout. The minimum open space requirement is 20.3 acres and the GDP depicts approximately 56 acres is provided; however, the applicant has not verified that the area within wetlands, resource protection areas, floodplains and slopes (greater than fifteen (15) percent) do not comprise more than fifty (50) percent of the total required open space as required by Code
- While permanent occupancy is not proposed, the County's enforcement of a condition prohibiting permanent occupancy is quite challenging. Existing campground facilities with private rules and regulations on the matter face similar challenges with enforcement. A number of issues arise from such a scenario, not the least of which is overloads to water

treatment facilities. These types of facilities are not designed to accommodate permanent occupancy. The project as proposed may include up to 90 Park-Model RVs on site which are manufactured to be quasi-permanent and may further contribute to the enforcement challenges.

- The design of the wastewater treatment facility is unknown. Depending on the design of the facility the regulating authority will either be the Virginia Department of Health (VDH) or the Department of Environmental Quality (DEQ). Potential impacts to the groundwater and the lake could result from the facility or the lack of maintenance of the facility. Attempts to craft conditions to address the potential impacts of such a facility are speculative without more information.

Ms. Fennell stated uses that are designated as special uses are generally compatible with other uses permitted in a district; however, due to their unique characteristics or potential impacts, require individual consideration of their design, configuration or operation at the particular location (Sec. 23-4.5.1). While the use generally conforms to the Rural Residential land use designation, the special use review is chiefly based on a proposal's ability to mitigate its impacts within context of the proposed location. Based on staff's findings against and the project's failure to meet the Standards of Review, staff recommends Denial of SUP21-0005. Should the Planning Commission deem this application appropriate for approval, staff recommends the following conditions:

1. The Four Seasons RV Campground Resort ("Project") to be developed on Tax Parcels 53-A-1 and 53-A-1B ("Property") pursuant to special use permit SUP21-0005 ("SUP"), must be developed in conformance with the Generalized Development Plan ("GDP") titled "Four Seasons RV Campground Resort Generalized Development Plan – Graphic for Special Use Permit" dated 9/17/2021 and last revised 11/04/2021 which is attached hereto and incorporated herein by reference. To the extent that the conditions herein are contrary to the GDP, the conditions herein will supersede the GDP and control. The verbs "will" and "must" as used throughout this Special Use Permit denote a mandatory act or requirement. Any 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 Operator and Owner from providing all of the following amenities as shown on the GDP: Community center, bathhouse, laundry facilities, community campfire rings, golf cart facility, marina, marina snack shack/bait shop, playgrounds, four pickle ball courts, sport court, pool, hot tub, kidding pool, splash pad, poolside clubhouse, tiki bar, amphitheaters, dog parks, and a welcome Center. Amenities must be substantially in accord with the scale and character of those facilities described and depicted on the GDP.
2. These conditions will bind the applicant, any and all owners, any management company, and any agent of the applicant, and any and all owners, jointly and severally, who are referred to, collectively, as the "Operator".
3. A maximum of 300 camp sites will be allowed in the Project.
4. A maximum of 49 boat slips will be allowed in the Project.
5. The Project must not create any adverse impacts to existing wells. Prior to issuance of any land disturbance permit for any portion of the Property, the Operator must commission a

Hydrogeological Study & Aquifer Test and the study and results must be submitted to the Zoning Administrator. The study must be conducted by a Virginia Certified Professional Geologist hired by the Operator. No land disturbance permit will be issued for any portion of the Property without a Virginia Certified Professional Geologist's confirmation that the proposed Project does not and will not create any adverse impacts to existing wells. Prior to any changes impacting the amount or rate of the water draw for the Project, the Operator must demonstrate the proposed changes will not create any adverse impacts to existing wells. Confirmation must be provided by a Virginia Certified Professional Geologist hired by and at the expense of the Operator.

6. The Property and Project must be owned and operated by a single entity. No portion of the Property or Project will be sold, leased, or otherwise transferred with the exception of the renting of camp sites and boat slips for a finite period of time.
7. Access to and from the Project from Days Bridge Road will be for emergency purposes only and the access point will be gated and include No Parking signage. Emergency access details must be identified on the site plan and must be inspected and approved by Fire, Rescue and Emergency Management ("FREM") prior to issuance of the zoning use permit ("Zoning Use Permit"). The Zoning Use Permit is the administrative permit which allows for the commercial operation of the Project.
8. The Days Bridge Road emergency access point must provide a turnaround area before the gate which adequately accommodates a fire truck in accordance with the Spotsylvania County Design Standards Manual and the ICC Fire Code as currently adopted by Spotsylvania County.
9. The applicant must secure a separate main entrance/access point, that is a public road, and that meets the VDOT standards to accommodate largest recreational vehicle that may access the Property.
10. Any access point to the Property from a neighboring jurisdiction must meet all legal requirements of the neighboring jurisdiction.
11. Prior to issuance of any land disturbance permit for any portion of the Property, the main entrance must be constructed and accepted into VDOT's Secondary Highway System.
12. Prior to site plan approval, the Operator must provide to the County with a Traffic Impact Analysis (TIA) for the Days Bridge Road emergency access point to confirm the necessary improvements to Days Bridge Road in order to accommodate the largest recreational vehicle that may access the Property and a fire truck, to ensure safe turning movements and adequate sight distance, as determined by VDOT, is provided.
13. The onsite wastewater treatment facility will be designed so that it is regulated by either the Virginia Department of Health (VDH) or the Department of Environmental Quality (DEQ). The onsite wastewater treatment system must also be designed to provide nitrogen and phosphorous removal and effluent disinfection.
14. The wastewater treatment facility must be owned by the Operator at all times, but must be operated and maintained by an Operations and Maintenance Provider hired by the Operator, and licensed through the Virginia Department of Professional and Occupational Regulation (DPOR). The Operations and Maintenance Provider must provide monthly operation, inspection, and maintenance reports on the facility to the regulating agency. Any repairs or

- maintenance issues must be addressed and repaired within 24 hours upon observation by the Operations and Maintenance Provider, or as otherwise directed by the regulating authority.
15. All camp sites and all amenities must have direct sewer connections to the sewage disposal system. Portable waste water collection tanks are prohibited.
 16. Only registered guests of the Project may utilize the dump stations directly connected to the sewage disposal system.
 17. All water and sewer infrastructure must be constructed to meet the most recent version of the Spotsylvania County Utility Design and Construction standards manual. All as-built plans, construction inspection documentation, and a utility GIS shape file must be provided to the Utilities Department for records retention. Prior to any changes or additions to the private system, the Operator must notify the Spotsylvania County Utilities Department and provide sufficient, as determined within the sole discretion of the Spotsylvania County Director of Utilities, supporting documentation to confirm any changes or additions meet the most recent version of the Spotsylvania County Utility Design and Construction standards manual.
 18. The use and application of fertilizer containing any nitrogen or phosphorous is prohibited on the Property post-construction. Enhanced Best Management Practice (BMP) features must be installed at the outfalls and a vegetative buffer must be installed at non-point-source run-off locations. Prior to the issuance of any land disturbance permit for any portion of the Property, water quality testing must be performed within the tributaries and discharge points to bodies of water and wetlands on the Property. Testing locations must be approved by the Spotsylvania County Deputy Director of Environmental Code. The water quality testing results must include a summary of the results, and be submitted to the Spotsylvania County Deputy Director of Environmental Code prior to the issuance of any land disturbance permit and then annually thereafter on the anniversary of the permit issuance.
 19. If evidence of an increase in nitrogen or phosphorous is discovered in the waters and wetlands on the Property, the Operator must identify the source and prepare a plan for remediation to be approved by the Spotsylvania County Deputy Director of Environmental Code. The approved remediation plan must be implemented and completed within 30 days of approval or such time as directed by the Spotsylvania County Deputy Director of Environmental Code.
 20. Existing cleared areas used for agriculture on the Property that are located within delineated Resource Protection Areas must be reforested by the Operator in accordance with the Chesapeake Bay requirements.
 21. Prior to issuance of any land disturbance permit for any portion of the Property, the Operator must provide a shoreline stabilization plan for the Property to include a living shoreline design. Installation of all stabilization improvements must be completed by the Operator and approved by Spotsylvania County Deputy Director of Environmental Code and Dominion Power prior to issuance of the Zoning Use Permit.
 22. Prior to issuance of a land disturbance permit for any portion of the Property, the Operator must complete the required Jurisdictional Determination (JD) process with the US Army Corps of Engineers (USACE) and DEQ; additionally, a determination of water bodies with perennial flow must be completed and approved by the Spotsylvania County Deputy Director of Environmental Code.

23. Prior to issuance of any land disturbance permit for any portion of the Property, the Operator must provide a Stormwater Management Plan, which must be designed to meet, at a minimum, all applicable federal, state, and local regulations and requirements, including, but not limited to the Virginia Department of Environmental Quality, all Spotsylvania County regulations, and applicable standards from the Chesapeake Bay Preservation Act.
24. The Stormwater Management plan must provide 100% of the required water quality treatment through onsite best management practices; no offsite nutrient credits will be purchased to address water quality requirements.
25. Prior to issuance of any land disturbance permit for any portion of the Property, the Operator must provide an Erosion and Sediment Control Plan, which must be designed to meet at a minimum, all applicable federal, state, and local regulations and requirements, including, but not limited to the state minimum standards as outlined in the Virginia Erosion and Sediment Control Handbook as well as any additional Spotsylvania County regulations.
26. The Operator must prepare and submit a Buoy Application to the County so as to implement a “no wake zone” across the entire lake-frontage of the Project and Property. Upon approval of the Department of Wildlife Resources (DWR) the buoy system shall be installed prior to issuance of the Zoning Use Permit. The buoy system must be maintained for the duration of the campground use as permitted by DWR.
27. The Operator must provide public safety access to launch and return public safety marine units in the event of an emergency. The Operator must reserve a boat slip upon request by the Spotsylvania Sheriff’s Department.
28. The Operator must provide dry hydrants and the quantity and locations must be approved by the Department of Fire and Emergency Management prior to site plan approval. The dry hydrants and emergency access must be installed, inspected and approved by the Department of Fire and Emergency Management prior to the issuance of the Zoning Use Permit.
29. Only water craft that can safely navigate to and from the marina are permitted on the Property. Prior to issuance of a land disturbance permit for any portion of the Property, the Operator must commission a bathymetric study to be conducted by a Virginia licensed professional Hydrographer. The report must be submitted to the Zoning Administrator and must identify appropriately-sized water craft that can safely navigate to and from the marina based on existing site conditions.
30. No audio amplification is allowed to occur on the Property between 10:30 p.m. and 8:00 a.m. The Operator must adopt and enforce rules and regulations which prohibit audio amplification between 10:30 p.m. and 8:00 a.m. The adopted rules and regulations will be provided to the Zoning Administrator prior to issuance of the Zoning Use Permit.
31. The Operator must designate and maintain at least one point of contact for all questions or complaints related to the Project during construction and operation. A toll-free phone number and email address must be provided for communication by the public and guests of the Project with the designee. At a minimum, the contact information must be published on the Operator’s website and be included in the adopted rules and regulations for the Project. The designee will be available in person and by phone 24 hours per day, 7 days per week, 365 days per year and

- shall respond to any questions or complaints related to the Property or Project within a 24-hour timeframe.
32. Transitional screening must be provided in accordance with the Spotsylvania County Planning Design Standards Manual Article 6-7. One hundred percent (100%) of the transitional screening must be located on the Property. No waivers or modifications to the transitional screening requirements will be permitted.
 33. The following existing historic structures must be preserved on the Property: Farmhouse, School, and Smokehouse. Prior to issuance of a land disturbance permit on any portion of the Property, the Operator must preserve each structure by implementing the mothballing process at a minimum. The mothballing process is identified in the guidance document provided by the U.S. Department of the Interior and attached as Exhibit A. The applicant will provide the Zoning Administrator an analysis of the existing conditions of each structure, documentation of the preservation efforts for each structure, and complete interior and exterior photographs of each structure.
 34. The Operator must provide a dedicated Internet Service Provider (ISP) line to service the Project.
 35. No more than thirty percent (30%) of the total number of campsites will be utilized by park-model RV units. Park-model RV units must abide by the same maximum stay limitations set for all camp sites.
 36. Any special event the Operator hosts on the Property that is open to the public, the Operator is required to either obtain a temporary use permit or Special Entertainment Permit in accordance with Spotsylvania County Code.
 37. Permanent occupancy of a camp site on the Property is prohibited. The Operator must adopt and enforce rules and regulations that prohibit permanent occupancy of a camp site on the Property and must limit guest stay durations. The adopted rules and regulations will be provided to the Zoning Administrator prior to issuance of the Zoning Use Permit.
 38. The Operator must obtain any required permits and remain in compliance with all applicable state requirements.

Should the Planning Commission wish to consider a condition requiring a decommissioning plan and bonding requirement for the project, the Commission may direct staff to craft a condition and specify what elements of the project should be included in the decommissioning plan. Staff recommends a decommissioning plan and estimate to include all aspects of the project to return the properties to existing conditions.

Applicant, Torrey Williams, Attorney represented the applicant: He thanked staff for their thorough review of their submission. He stated that the applicant, Trey Wills, has spent countless hours on their proposal. He described the application as a high end RV resort with very explicit rules and regulations of what can and cannot be done in the park. They will provide state of the art utilities and they accept all conditions proposed by staff. They stated that they are willing to do the studies but not until they receive approval from the county because they are the contract purchaser of the property.

Ms. Fennell mentioned that the FIA originally showed a positive net of \$1.3 million and in talking to the Commissioner's office, it was determined that they used the wrong input of a hotel and they suggested it shouldn't be assessed as a hotel. With the input from their office, it was determined that the net revenue would be more around \$283,000 positive net.

Mr. Hughes stated that there are only three like projects within the county and they are all assessed differently which made the analysis difficult.

Ms. Maddox explained the public hearing procedures.

Speaking in favor or opposition:

Greg Baker: His concerns were HAB, the applicant being vague and dishonest about the units, 49 boat slips in such a narrow cove, the high density, and the lack of representation on the Board since Mr. Jett's untimely passing. He submitted a petition of 2000 signatures received within a 72-hour period.

Stacey Guthiel: Concerns raised were impacts to shoreline, lack of infrastructure, safety on water and land, HAB, property values, and RV's pulling other vehicles on such poor roads.

Bob Loder: Concerns were the location not being right and that he chose this area for his family to enjoy and now such a large commercial operation could affect his quality of life.

Walter Rawls: He discussed that he has a master's degree from VT and that this proposal is not good for the county. The soils cannot support the pressure system, no information on their wastewater and lack of information is alarming.

Doug Orr: His concerns are the following: very low and shallow portion of the lake, cannot widen the lake, area is a no wake surfing zone and now a huge attraction being placed here is ridiculous. He stated the development would strip sediment and add to the HAB disaster. He suggested the County follow their Comprehensive Plan.

Suzy Orr: She stated she is strongly opposed and the proposal is counter to the long range plan. It will no longer be peaceful on the lake and would be a major impact on the local community. She has concerns about the narrow cove.

Barbara Aikens: She stated that this is not a campground but a commercial enterprise and is concerned about all of the transient people on the roads, boat traffic, and HAB.

Grant Connellee: He stated that he lives directly across from the commercial development and if approved, the Commission and Board will have failed the taxpayers of the County.

Brad Kirley: He stated that the fiscal impacts are greatly overstated and that Spotsylvania will not reap revenue because all of the grocery stores and gas stations nearby are in Orange, Louisa, and Culpeper. He raised concerns about property values, wells, and safety. He urged the

Commission to not send this to the Board until after the special election to fill Mr. Jett's seat.

Susan Biondi: She reminded the Commission of the public boat ramp on route 522 that was closed due to safety concerns and how this proposed RV Park would be so much worse. She has concerns about vehicular and boat traffic and concerns about destruction of bulkheads.

Sherman Frye: He stated he is concerned about wells and water.

Donna Kirley: She stated that Louisa County very quickly voted this proposal down because it is on a sensitive part of Lake Anna. If approved, you have failed your taxpayers.

John Cox: He has concerns about this being a full blown amusement park and it's impacts as well as shoreline erosion and HABs.

Hank Philcox: This is the shallowest, narrowest part of the lake and the density is too much. The FREM impacts and roadways are also of concern.

David Silverman: He urged the Commission to delay until the special election. He raised concerns about the traffic on 522, the turning lanes, and extra 1418 vpd, as well as accidents.

Alex Guttenson: He stated that they have had a vacation home on Lake Anna since 1980 and have never complained about development until now. He feels the developer has a lot of empty promises and Orange County saw through this development right from the start.

Angela Gutenson: She expressed concerns over the developer not providing any studies. Her concerns are water quality, boater traffic, HABs, vehicle traffic on poor roads. She stated that Lake Anna is a gem and is deserving of protection from such an ugly development.

Scott Birdwell: His concerns are around HABs, property values, sediment, and additional traffic on Lake Anna.

Laura Weatherholtz: Her concerns are road and boat traffic, accidents, and water quality.

Joan Bennett: Water quality is of concern and safety in the upper Pamunkey also is of concern. She suggested that recreational capacity study be performed.

Allen Bennett: He stated the project has too many negative concerns, revenue will be limited, and there is no true economic benefit to the County as Louisa County will gain all of the revenue.

Dennis Cole: He stated his concerns are HABs, water quality, and runoff.

Dale Wilson: He stated his concerns are safety, environmental impacts, property values. He also has concerns about the very narrow Pamunkey with boat traffic, runoff, and no studies have been performed by the applicant.

Nancy Caldwell: She expressed her concerns about traffic from this proposal.

Harry Louney: He expressed his concerns about water quality and the environmental risks this type of development could pose. He serves on the water quality sampling volunteer team.

Lisa Baker: She stated that the developer is completely out of touch. Her concerns are HABs and no swim advisories, traffic on Route 522, trash on the rural roads, and the lack of internet and cellular coverage.

John Wayne: He stated that the state park has 52 camping spots on 3100 acres of land and that this development is excessive.

Scott Denisten: He thanked staff for their professionalism and urged the Commission to vote against the proposal.

Ken Qualglio: He discussed fissures on the rock and it getting deeper each year. He stated that this proposal will affect the quality of life for all those living in the area.

Hank Bukowski: He stated that there is so much unknown with the project and urged the Commission to vote no.

Holly Goodson: She expressed concerns about the impact on the environment, house values, safety, light and noise pollution, wildlife and birds.

Jody Melanson: She stated that she moved here two years ago from Massachusetts. She has concerns about inexperienced visitors renting boats without a license, road traffic, and accidents on Route 522.

John Conway: He stated he has 163 acres that he farms and the area is no place for this type of development. His concerns are sewage, stormwater runoff, and the lack of representation for the Livingston District.

Jonathan Terrell: He stated that he appreciates staff's recommendation and that he is opposed to shallow cove, water levels, HABs and the stirring up of sediment.

John Crowe: He stated that he is a scientist and we need to protect our economic jewel. This development does not meet the standards of review.

Dave Richards: He stated that he agrees with all of the previous comments and that he has concerns about boater safety and pollution.

Millie Mielke: She stated that they have owned their family property since 1980 and that they have had countless weekends, birthday, wedding and baptism celebrations at their property and hopes that all of her grandchildren will get to enjoy it as well. She has serious concerns about

water quality.

Cal Whitehead: He urged the Commission to listen to their expert staff and deny the proposal and the Board shouldn't hear the case until after the special election.

Ed Hall: He raised concerns about the 522 corridor and safety.

Pete Barry: He stated safety is his primary concern and is opposed to approving this development until all studies have been provided.

Ron Skinner: He expressed concerns about the health of Lake Anna. HABs, the soil isn't good, concerns about RPA and suggested that the Commission follow the Lake Anna Special Area Plan.

Robert Scott Jack: He thanked staff and the neighbors. He raised concerns over invasive species such as Zebra Mussels.

Phillip Davidaugh: He is a retired chemist and is opposed due to the 12 ft deep rock formation and there is no aquifer in the area. This proposal will affect homes, wells, and be disastrous. Also of concern are the narrow roads and the lack of a Livingston Supervisor.

Kimberly Wolfe: She has concerns about the lack of internet, urgent care, hospital and provided an example of a 911 call that she has experienced first-hand with a neighbor.

Lowell Pratt: He stated that he owns a 5th Wheel RV and is not in support of this proposal due to water quality and HABs until remediation occurs.

Becky Vaughn: She stated that the County cannot take our Lake Anna asset for granted and urged them to vote no.

John Liseatt: His concern is water quality related to the HABs.

Henry Sharpe: He is a descendant from the Littlepage Inn which is on the state and National Register of Historic Places from 1789. He stated the proposal is incompatible and should be rejected.

Earl Mielke: He stated that the Lake needs businesses such as grocery stores and restaurants, not this. He submitted a petition and urged the Commission to wait until after the special election to vote on the proposal.

David Loving: He stated he lives directly across from the proposal and that there isn't a hospital nearby. He stated that it takes a lot of time for first responders to even get out there.

The Commission took a ten-minute recess.

Motion and vote: Mr. Lane made a motion to continue the hearing due to the fact that there are

200 letters or more to be read but will be in for the long haul.

Mr. Bullock stated that the letters have to be read either way so we should keep going and will stay until 7 a.m. if necessary. Mr. Bell agreed.

Mr. Leon stated that it would be December 1, 2021 and we have nothing on that agenda.

Mr. Lane stated that we could put that meeting to good use.

VOTE: Mr. Childress seconded the motion to continue to December 1, 2021. The motion failed 3-3, with Mr. Bullock, Dr. Bell, and Ms. Carter voting no. The motion failed.

Ms. Mann and Ms. Pomatto began reading letters into the record.

Gerard Adam: His concerns are that the proposal isn't in accord with the Comprehensive Plan or in harmony with the surrounding neighborhoods. He also raised concerns about health and safety related to HABS, boating safety, wastewater treatment, fire & police protection, and traffic.

Barbara Akst: Her concerns are related to water quality in the Pamunkey Creek and further damage to the lake.

George Akst: His concerns are related to water quality in the Pamunkey Creek and further damage to the lake.

David Anderson: His concerns are the harmful algae blooms and no-swim advisories and the long term viability of the Lake with this kind of density development.

Susan & Mike Arceneaux: Their concerns are that the applicant fails to meet all standards of review, HABS, boat traffic and safety. Also mentioned are the large quantities of nitrogen and phosphorus which will enter the lake and further increase algae problems.

Connie Armstrong: She stated she is opposed due to the increased burden the proposed RV park would have on the Belmont Fire Station, the volume of traffic, oversized motor coaches on rural roads.

Troy Asmus: He stated his concerns are related to disturbing extensive wetlands to build concrete pads for 300 RV slots, the damage the increased boat traffic will do to the shoreline and existing structures along the Pamunkey. Also the narrow cove is of concern compounding danger to life and property.

Joe Bailey: He raise concerns about well and septic systems, the environment, transportation, noise, lake safety, the lake shoreline, HABS, existing private wells, and the lack of internet service in the surrounding area.

David Baker: He stated the issuance of a Special Use Permit is a really bad idea for the following reason: HABs, boat & jet ski traffic, the shallowness of the cove noise pollution, continued and irreversible damage to the lake ecosystem, inexperienced vessel operators.

Linda Baker: She stated the lake is already suffering for the fourth year in a row from HABs. She has concerns regarding boat and jet ski traffic and inexperienced boaters, home values, and noise.

Lynette Baker: Her concerns are about the volume of traffic this will bring to Route 522 and the potential for horrible accidents on rural roads. She also urged the Commission to defer until after the special election.

Tyler Baker: He stated that the RV park will drive this area of the lake to ruin. The water is already contaminated with HAB.

Wendy Balcom: She stated that the roads and infrastructure leading into the lake do not support such an RV park. Having large RV's traverse narrow roads will add accident risk on roadways and cause vast traffic delays.

Cheryl Barber: She stated as a family living on Lake Anna, they are deeply concerned about HAB that occurs every year and the significant health risk this poses for families, neighbors and the general public, to include wildlife and pets.

Paul Barboza: His concerns are related to the environmental concerns, the shallowness of Pamunkey Creek, traffic along 522, inconsistent with the Comprehensive Plan, and the impact on county services.

Michael Barrows: His concerns are related to boat traffic and property values.

Kenneth Bass: His concerns are water quality, potential for dumping chemicals from RVs into the lake leading to further deterioration of the lake.

Kathryn & Richard Bell: They are opposed due to the burden of traffic on Rt 522, the added pressure on the lake with additional boat traffic, shallow depths, sewage management, diminish the limited aquifers that current residents and farmers depend upon, HABs, and water quality.

Kathleen Bernard: Her concerns are regarding the developer not being well financed and has no ties to the community, the narrow state roads and unmarked backroads, potential for accidents, board traffic, demand of FREM, and water quality.

Terrence Bell: He stated the RV project can only lead to damage to the lakes water and environment.

Thomas Benjamin: He stated that the park fails every standard of review and if approved will forever impair Spotsylvania's invaluable jewel, Lake Anna. Concerns are also related to property

values, HABs, and a development of this scale would be detrimental.

Ken & Judy Bergman: They are opposed to changing the location of the fire and rescue station so that this hotel property can be built.

Diana Best: She expressed concerns regarding the development causing unneeded pollution and stress on the environment of the lake and cause overcrowding.

Jim & Cheryl Brady: In addition to the horrible influx of traffic on Route 522, having approximately 300 additional boaters on the lake would be a nightmare. Also of concern is overcrowding, runoff, and litter going into the lake.

Donald Bragg: He stated that the proposed is counter to the Comprehensive Plan, the developer has been dishonest, the demand on FREM, cellular service, broadband, and the environment are also of concern.

Marie Browning: Her concerns are the adverse impacts on many around the lake to include septic and well water, boat and highway traffic and urges the Commission to vote no.

Elizabeth Burt: Her concerns are the impact on the septic and wells, aquifer and the booming of rental properties on the lake.

Melissa and David Butler: They have concerns regarding the harmful algae bloom, loss of cellular technology (phone and internet) because of the overcrowded conditions this proposal would bring and the environment.

Bill Carrens: His concerns are regarding the HAB and this concentration at the top end of the lake is potentially going to aggravate that issue for the entire lake.

Gary Cochard: He stated that the proposal is counter to the comprehensive plan and that the HAB and water pollution issues would be exacerbated. Further, traffic is of concern on the rural back roads.

Carly Cowherd: Her family is a group of avid water sports participants and they are subjected to the health risks subsequent to the algae blooms. Boat traffic is also of concern with inexperienced boaters using the lake.

Clark & Heather Dorman: Of concern are the roads around Lake Anna and not being able to support large RV traffic. They are narrow, no shoulders and already carry far more traffic than they should.

Marc & Christina Dorrer: The idea of adding high-density development will increase nitrogen and phosphorus to the lake which is clearly a health risk and will further diminish the amount of time each summer that existing residents and guests can swim in the lake.

Leah Dymek: Her concerns are HABs, increase in boat traffic, propellers stirring lake sediment

which would contribute to HAB spread.

Pamela Hahn: Her concerns are boat and road traffic, HAB and no swim advisories.

Cheryl Gomez Barber: Her concerns are related the HAB and the significant health risk this poses.

Laura Basse: Her concerns are related to HAB problem, property values, unlicensed drivers of boats on Lake Anna, and the impact to our first responders.

The Commission took a ten-minute recess.

Motion and vote: Mr. Bell made a motion to end by 12:45, seconded by Ms. Maddox to continue the public hearing to December 1, 2021. The motion passed 5-1, with Mr. Bullock voting no.

Public Comment: None

New Business: None

Adjournment

Motion and vote: On a motion by Dr. Bell, seconded by Ms. Maddox, the Commission voted to adjourn. The motion passed 6-1, with Mr. Bullock voting no.

The meeting adjourned at 1:00 a.m.

Spotsylvania County
Planning Commission
Executive Summary

 **Print**

Meeting Date: December 15, 2021

Title: R21-0003 John W. Pendleton (Battlefield District)

Type: Action, Public Hearing

Agenda Title: R21-0003 John W. Pendleton (Battlefield District)

Recommendation: Staff recommends denial of the request.

Summary: The applicant requests a rezoning of one parcel containing 3.22 acres from Rural (RU) to Residential 3 (R-3) for the development of 3 single family detached dwelling units. The property is addressed as 9608 Leavells Road and is located on the west side of Leavells Road (Route 639) approximately 540 feet north of its intersection with Fox Point Road (Route 1854). The property is located within the Primary Development Boundary. The property is designated for Low Density Residential on the Future Land Use Map of the Comprehensive Plan. Tax Parcel 35-A-32. Battlefield Voting District.

Committee/Commission Summary:

Review Date: Status:

Financial Impact: Staff completed a fiscal impact analysis utilizing the County's model and projects the project will generate approximately \$11,570 annually in tax revenue.

Staff Contacts: Brad Robinson, Planner II

Legal Counsel: Alexandra Spaulding, Senior Assistant County Attorney

Additional Background/Other Considerations: N/A

Consequence of Denial/Inaction: The property can be developed for one single family detached dwelling.

ATTACHMENTS:

Name:	Description:	Type:
 PC_Staff_Report_-_Final_-_12-09-2021.pdf	Staff Report	Staff Report
 GDP_3rd_Submission_2021-11-04.pdf	Generalized Development Plan	GDP

 [GDP_Narrative_-_Revised_10-07-2021.pdf](#)

Applicant's Narrative

Backup Material



County of Spotsylvania

Department of Planning

Staff Report

Rezoning # R21-0003
(Battlefield Voting District)

Planning Commission

December 15, 2021

Staff Recommendation:	Denial
Project:	R21-0003 John W. Pendleton
Owner/Applicant:	John W. Pendleton
Request:	The applicant requests the rezoning of one parcel containing 3.2167 acres from Rural (RU) to Residential 3 (R-3) for the development of 3 single family detached dwelling units.
Tax Map Parcel(s):	35 (A) 32
Location:	The property is located on the west side of Leavells Road (Route 639) approximately 540 feet north of its intersection with Fox Point Road (Route 1854) and is addressed as 9608 Leavells Road. The intersection of Leavells Road with Spotsylvania Parkway (Route 628) is approximately 0.7 miles south of the property, and Three Cedars Lane (Route 748) is approximately 0.6 miles to the north.
Zoning Overlay:	None
Future Land Use Designation:	Low Density Residential
Historic Resources:	There are no known historic resources on the subject property.
Date Application Deemed Complete:	March 30, 2021
Community Meeting:	A community meeting was not required due to COVID-19. The applicant sent mailings to property owners within a 3,000 foot radius of the property. A response was received from approximately ten citizens with general questions about the proposal.

Figure 1: Zoning Map

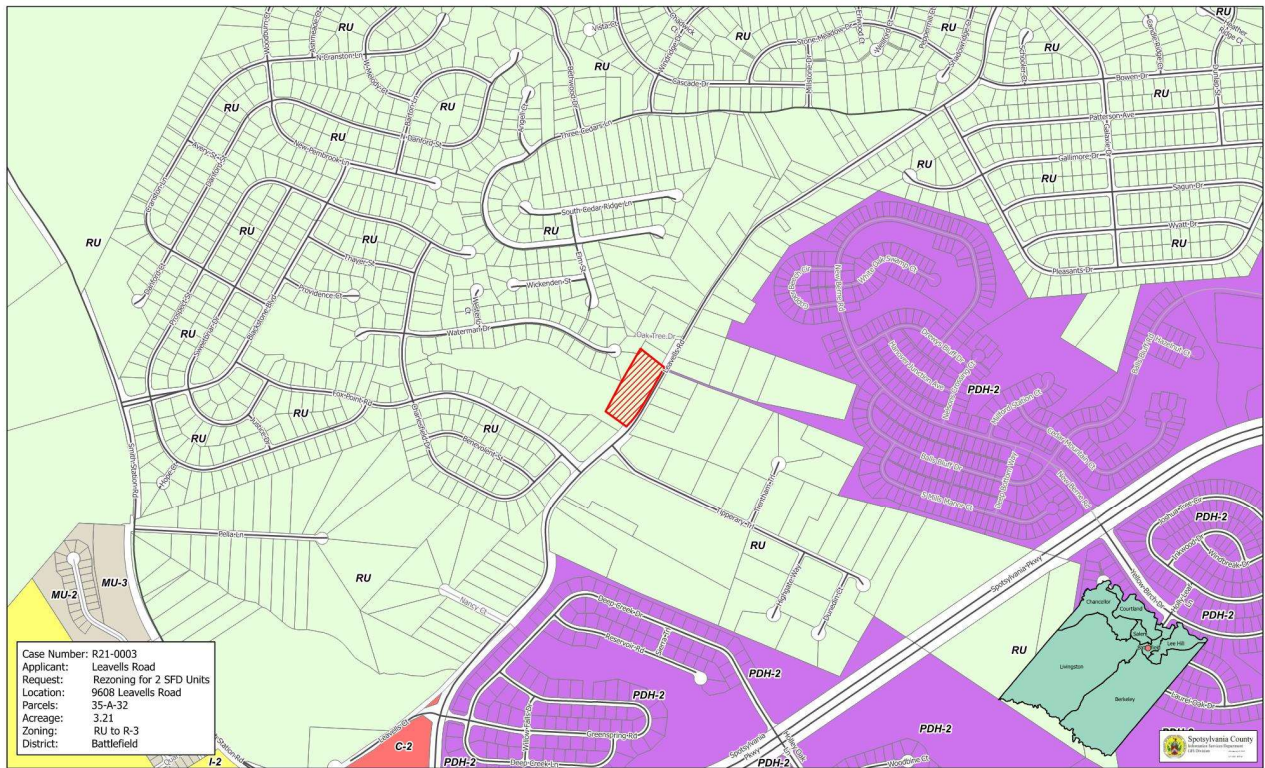
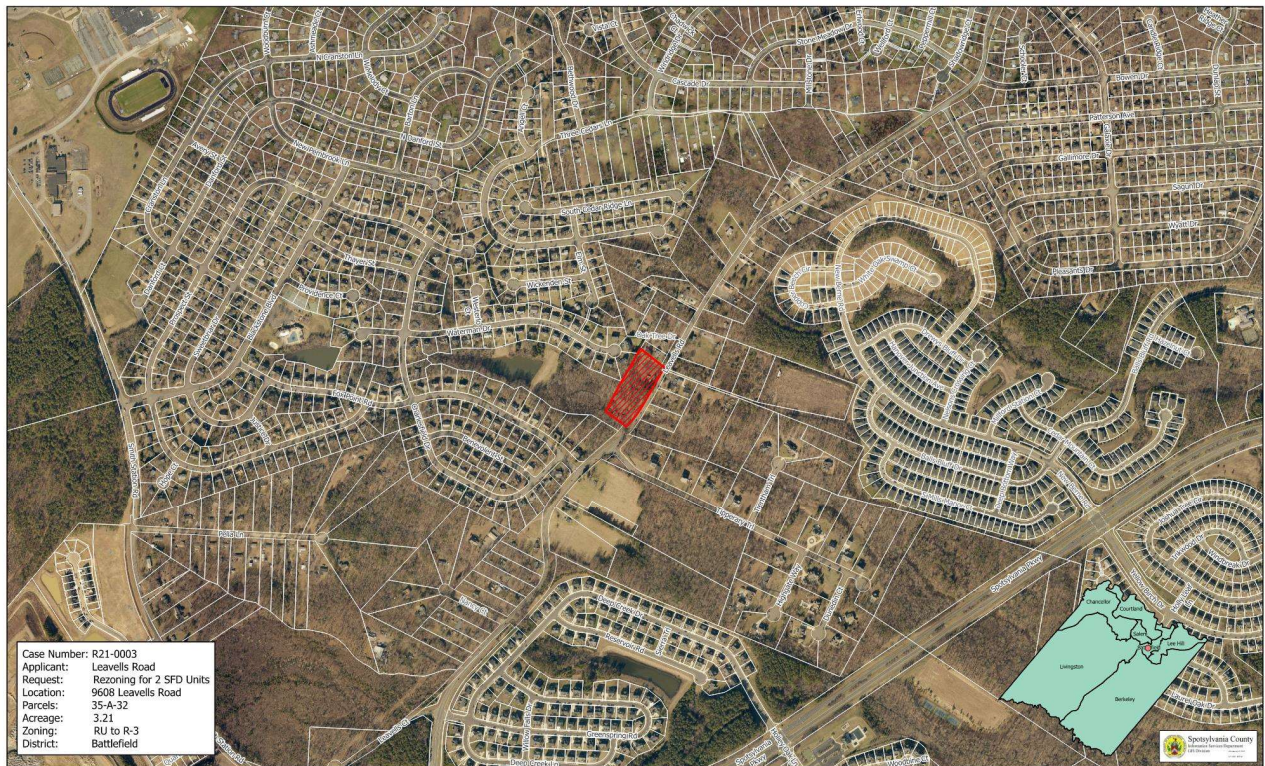


Figure 2: Aerial Map (2019)



I. The Site

The subject property is located at 9608 Leavells Road on the west side of Leavells Road (Route 639) approximately 540 feet north of its intersection with Fox Point Road (Route 1854). The property is currently vacant of development and is primarily wooded with an open field in the northern portion of the site. The property is a total of 3.2167 acres and is currently zoned Rural (RU). The by-right development potential of the property is one (1) single-family dwelling in accordance with the minimum lot size of three (3) acres in the RU District. The property is surrounded by single-family residential development on all sides with most of it being similarly zoned RU. Much of the surrounding residential development is contained within larger single-family residential subdivisions that were developed prior to the current RU District requirements and exceed the density currently permitted with lots that are one acre or less in size. The site is bordered on the north, south and west by Fox Point Subdivision which contains over 600 lots that on average are less than one half acre in size and developed between 1988 and 2001. Parcels directly across Leavells Road from the site are not contained within a subdivision but are similar in size to the surrounding residential development at one acre each. Additional subdivisions further north generally along or off Leavells Road include Cedar Ridge (developed between 1997 and 2000), Stonemill (developed between 1989 and 1996), Mill Garden South (developed between 1978 and 1983) and The Colonies (developed in 1982), all containing lots that are comparable to Fox Point with lots sizes of less than one half acre. The property is located within the County's Primary Development Boundary (PBD) which is intended to develop with higher residential densities. The subject property is identified on the Future Land Use Map of the Comprehensive Plan for Low Density Residential which supports single family attached and detached residences typical in a suburban area with an overall density as high as four units per acre.

II. Project Proposal

The applicant proposes to rezone the subject property from Rural (RU) to Residential 3 (R-3) without proffers. If approved, the applicant proposes to develop three single-family residential lots approximately one acre in size. In accordance with the County's subdivision ordinance, any subdivision containing less than ten single-family residential lots constitutes a minor subdivision. The proposed density and lot size for this project is consistent with Section 23-6.8.1 of the R-3 District regulations which describes the intent of the R-3 District as "to provide for low-medium density single-family detached residential uses in a suburban setting". The proposed lots will have frontage and access from Leavells Road (Route 639). The applicant has not identified a timeframe for the construction of the proposed dwellings or who will be constructing them.

- A. Generalized Development Plan (GDP)** – The applicant's GDP depicts three single-family dwelling units on individual lots fronting Leavells Road (Route 639). Each lot will be one acre in size with a proposed average density of one unit per acre. Lot 1 will be accessed by an individual driveway from Leavells Road, and Lots 2 and 3 will be accessed from a shared driveway from Leavells Road. The lots will be served by public water and sewer facilities. The GDP also identifies a right-of-way dedication totaling 0.2136 acres for future transportation improvements to Leavells Road in accordance with the Thoroughfare Plan. However, staff notes that the application currently does not include any commitments to the GDP in the form of a proffer statement.

- B. Fiscal Impact Analysis** – The applicant did not provide a Fiscal Impact Analysis (FIA), however, staff completed a FIA utilizing the County’s model. Based on the County’s model the development will generate annually a positive \$11,570 in tax revenues.
- C. Proffer Statement Summary** – The applicant’s request does not include a proffer statement at this time.

III. Staff Analysis

- A. Transportation Analysis** – Section 20-5.2.1 of the subdivision ordinance permits a subdivision of no more than three lots to have direct access from a primary or secondary public highway. However, access management is a significant concern with this application as the GDP proposes two new driveways on an already dangerous stretch of Leavells Road identified as a high crash location based on VDOT 2014-2020 crash data. Segments of Leavells Road just north and just south of Tipperary Trail (Route 2013) are identified as high crash locations for bicycles/pedestrians. The Tipperary Trail intersection area has also had 33 vehicle crashes based on VDOT 2014-2020 crash data. Staff requested that the applicant consolidate their two proposed driveway entrances into one, but the applicant has not cooperated with that request. Traffic from the site is projected at 30 vehicles per day and will not have a significant impact on traffic. Right-of-way dedication on the GDP is consistent with the Comprehensive Plan, but the applicant has not provided a commitment to provide the right-of-way identified on the GDP.
- B. Comprehensive Plan** – Below is a summary of the project’s conformance with each component of the Comprehensive Plan. A complete Comprehensive Plan Analysis is in Appendix A.
- 1. Land Use** – The proposal is located within the PDB which is intended to be the area within the County which public water and sewer utilities will be provided to support increased densities. The property is identified for Low Density Residential land use which is appropriate in the PDB and supports an overall density as high as four units per acre. As per the project’s GDP, the proposed 3 single family detached units represent a density of 1 du/acre (3 units over 3.0031 acres after accounting for the right-of-way dedication). The proposed housing type and density are consistent with the existing residential development pattern.
 - 2. Transportation** – The project will only produce about 30 vehicles per day (vpd) and will not have a significant impact on Level of Service.
 - 3. Public Facilities**
 - a) Public Schools** – The project is estimated to generate approximately two students (1 elementary, 0 middle, and 1 high school students). This development is districted for Courtland Elementary, Spotsylvania Middle and Courtland High Schools. Based on student enrollment as of October 1, 2021, Courtland Elementary and Courtland High have excess capacity but Spotsylvania Middle is

over capacity by 66 students. While the project is not projected to generate additional middle school students, the County's Capital Improvement Plan (CIP) does contain a project to renovate and expand Spotsylvania Middle to provide additional capacity for future growth in student enrollment.

- b) **Fire, Rescue, and Emergency Services (FREM)** – The project will be served by Fire and Rescue Station #4 which is located approximately four miles from the site. A portion of the property also lies within the district for Fire and Rescue Station #1. The Comprehensive Plan identifies a goal of a maximum call capacity of 2,500 per station. The actual call volume for Fire Station #4 in Fiscal Year 2020 was 4,246 calls, indicating the station already exceeds capacity prior to this project's impacts. The actual call volume for Fire Station #1 in Fiscal Year 2020 was 1,995 calls which is below the maximum capacity. The project will create additional impacts to Fire, Rescue and Emergency Services. The County's CIP includes a Fire Training & Logistics Center which will provide a County wide benefit and a new Fire/Rescue station Company 12 which will assist in the call volumes for Company 4. The applicant has provided no contribution to mitigate their impact on these facilities to which they will receive a benefit.
- 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.
- 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 project is located approximately four miles from the Chancellor Convenience Center consistent with this requirement. The Livingston Landfill has capacity to remain open until approximately (2083-2085) and is projected to accommodate additional residential development based on population projections.
- e) **Water and Sewer Facilities**–The project is located within the Primary Development Boundary and will be served by public water and sewer as depicted on the GDP. The project will connect to the existing 8" water line and 8" sewer line through existing easements on properties to the northwest in the neighboring Fox Point development. The sewer line will be extended with a force main along the rear of the lots. The GDP identifies an easement along Leavells Road to allow County Utilities to construct a new 24" waterline that will create a looped system. Staff notes the application currently does not include any commitments to the GDP to require these improvements.
- 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 project is an approximate 9-minute

drive (4.5 miles) from the Central Rappahannock Regional Library (Salem Church Branch) 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 County's CIP includes an aquatics center, field complex, community center and pickle ball courts at Patriot Park. The projected population of 9 residents for the project, while minimal, will still have an impact on these facilities and has not provided a contribution to mitigate the impact to which they will receive a benefit.

4. Historic Resources – No impacts to significant historic resources is expected with this project.

5. Natural Resources—The project is not expected to negatively impact any sensitive environmental resources. While the GDP identifies a stream on the southern portion of the property and identified as Lot 3, the construction of a single home on this lot will not negatively impact the stream. The lot will be required to comply with any associated environmental regulations at the time of the permitting process.

IV. Findings

In Favor:

- A.** The proposal is consistent with the intent of the Primary Development Boundary by having more intense development occur within the boundary. The density as proposed with this project is slightly less than the density of surrounding area subdivisions and particularly Fox Point which directly adjoins the subject property to the west.
- B.** The proposal allows for complementary infill development that is consistent with the current development pattern along Leavells Road.
- C.** The County's Fiscal Impact model projects a net positive annual fiscal benefit.

Against:

- A.** The development will create some additional traffic on Leavells Road and particularly within a segment that contains high accident locations based on VDOT data. The applicant proposes two entrances onto Leavells Road against the recommendation of County Staff and VDOT to provide one shared use entrance for all three lots. The recommendation for a shared use entrance is intended to preserve capacity on Leavells Road with access management. There is also previous precedent along Leavells Road for shared entrances including the residential lots directly north of the project.

- B.** The application provides no commitments or mitigations to the identified impacts of the proposal including transportation and public facilities.

V. Conclusions & Recommendations

The proposed project will create three single family detached dwellings within an area with residential development of similar density and is designated for low density residential development. While the proposal is consistent with the Comprehensive Plan with regard to land use, the applicant has not addressed impacts that the new citizens will have on Capital Facilities including fire and rescue services and parks and recreation facilities. The applicant has also not been willing to commit to the improvements identified on the GDP including the right-of-way dedication and waterline easement. The project proposes two new driveways within a stretch of Leavells Road which has been identified as a high crash location for bicycles and pedestrians. The intersection of Leavells Road at Tipperary Trail further south of the project has also experienced a significant number of vehicle crashes. Staff has discussed concerns with the applicant and noted if the comments were addressed and a commitment to the improvements noted on the GDP was included via a proffer statement, Staff could support a recommendation for approval. As presented and given the Findings Against and reasons noted in the conclusion, staff recommends denial of the rezoning request. Should the applicant agree and revise the GDP to identify only one entrance to serve all three lots and provide a commitment to the GDP, staff's recommendation would be to approve the rezoning request.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

Spotsylvania County Comprehensive Plan Analysis Overview

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.

Rezoning case R21-0003- Leavells Road is located along the west side of Leavells Road on Tax Map #35-A-32. The parcel is approximately 3.2 acres in size. The property is currently zoned Rural (Ru) and has by-right potential for development of one single-family detached home. Nearby residential subdivisions include Fox Point (adjacent to the west and north, and nearby to the south along the west side of Leavells Rd). The Estates at Lee's Parke are southeast of this rezoning request, across Leavells Rd. Virginia Heritage at Lee's Parke is also along the east side of Leavells Rd to the northeast. The proposed rezoning is located within the Primary Development Boundary within a land use designated low density residential area and would result in ability to develop 3 single family detached homes resulting in a density of .93 units/acre. With right-of-way dedication as depicted on the Generalized Development Plan taken into account the density is 1 unit/acre. The proposal is consistent with the intent of the Primary Development Boundary as well as the low density land use designation per the Comprehensive Plan that envisions up to 4 units/acre. The land use designations in the area are generally reflective of existing zoning and established development character of the area. The proposed zoning designation of Residential 3 (R-3) is more consistent with the low density residential land use designation than the existing Rural (Ru) zoning that is best suited outside of the Primary Development Boundary. The proposed unit type and density is consistent with and complements nearby development patterns.

Given the small scale of the proposal to result in 2 additional single family detached lots above the single unit permitted by-right in Rural (Ru) overall this is a low impact. Public facilities impacts and additional demands on the transportation system concern 2 additional units. Favorably staff notes the project considers Thoroughfare Plan identified road improvements along Leavells Road via right-of-way dedication along the project frontage (approximately 580 linear feet). Per the Thoroughfare Plan, this stretch of Leavells Road is ultimately planned for a 4-lane section with bicycle/pedestrian accommodations.

1- Project Commitments

A significant concern has been identified in regard to this project that the proposal includes no commitment to the generalized development plan and right-of-way dedication along Leavells Rd. This leaves uncertainties concerning details outlined in the project narrative and shown on the generalized development plan.

In addition to lack of commitments concerning the generalized development plan and details outlined in the narrative, in consideration of Comprehensive Plan guidance, project deficiencies were identified concerning:

2-Public Facilities Impact Mitigation

Introduction and Vision Guiding Principles and Policies B.3. *Any development project seeking increased residential density compared to existing zoning and by-right potential or non-residential intensity should address the project's impacts on the County's public infrastructure consistent with the levels of service standards in this Plan and as allowed in the Code of Virginia.*

Though the extent of impacts is low considering the project proposes only 2 additional units above by-right potential, there is still a small increase in expected demand to result. Using the County Future Development Analysis spreadsheet for generation rates, for reference school children generation rates for 1 single family detached compared to 3 single family attached units is shown in the table below:

Student Generation Rates	1 Unit (SFD)	3 Unit (SFD)
Elementary (SFD)= .2577	.2577	.7731
Middle (SFD)= .1307	.1307	.3921
High School (SFD)= .1832	.1832	.5496
Cumulative	.5716	1.7148

Using the same Future Development Analysis spreadsheet, Fire Rescue and Emergency Management call volume for 1 vs 3 units is below:

Call Volume Generation	1 Unit (SFD)= 3.04 persons	3 Unit (SFD)= 9.12 persons
.134 per capita	.40736	1.22208

3- Access Management

Transportation staff has identified concerns about lack of a shared driveway/ single shared point of access upon Leavells Road. Through technical review the applicant has proposed one shared driveway to be shared by two lots, and an additional single access drive for the third. As proposed the project will result in two driveway entrances to access three independent parcels along the road. These concerns involve Comprehensive Plan access management principles exhibited in: Introduction and Vision B.3.e. *“Access management” in the form of systematic control of the location, spacing, design, and operation of entrances, median openings, traffic signals and interchanges should be utilized for arterial and major collector roads in order to minimize the vehicular traffic impacts of new development;* Transportation Goal 2. *Ensure that new development does not degrade Levels of Service and mitigates its impact on the transportation network.*

Staff notes for three lots such shared access driveways would not be required by the County subdivision ordinance. Projects of 10 lots or fewer are defined as minor subdivisions. Per the Subdivision ordinance, specifically Sec. 20-5.2.1. - Frontage.

(a) Each single-family detached lot shall access on a public street dedicated by the subdivision plat or on a street which has become public by right of use; provided, however, no lot shall access on a secondary or primary highway. The subdivider shall make provisions in the deed of dedication, the restrictive covenants and conditions, clearly labeled on the record plat, and similar instruments, if any, and each deed of conveyance the following information: that THE OWNERS OF THE LOT(S) SHALL NOT BE ALLOWED TO ACCESS THE SECONDARY OR PRIMARY HIGHWAY DIRECTLY FROM THEIR LOTS, BUT MUST USE THE INTERNAL SUBDIVISION PUBLIC STREET ON WHICH SUCH LOT FRONTS FOR ACCESS TO THE SECONDARY OR PRIMARY HIGHWAY. Nothing contained in this section shall be construed as prohibiting the rear or side lot line of any such lot from abutting a secondary or primary highway. Neither shall any condition contained herein prevent a subdivision of no more than three (3) lots from accessing a primary or secondary public highway so long as all three (3) lots front on such highway.

Driveways are subject to clear sight triangle requirements of the subdivision ordinance (Sec. 20-5.1.10. – Driveways) and VDOT permitting. Whether 1 or 3 driveways would result from this project, sight triangle requirements would be required to be adhered to as a traffic safety measure.

Staff acknowledges that development of a shared access driveway configuration ultimately impacts site design and access to each of the proposed homes. This shared configuration also raises the prospect of shared maintenance responsibilities and potential civil issues in the future over use and maintenance of the driveway. Such issues have been exhibited in the County amongst citizenry in the past who have approached County staff seeking resolution or enforcement of a complaint that the County may/may not be able to assist.

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. Proposal is business friendly, helping support tradesmen and suppliers throughout the construction phase. Following construction once occupancy occurs, additional residents in the area inevitably will help support commerce demand for goods and services, supporting business and employment offsite as a spin-off benefit.

Guiding Principles and Policies B. Spotsylvania County is fiscally sustainable. B.2. Development projects seeking increased residential density and/or non-residential intensity should address impacts that are specifically attributable to the proposed development.

Other than the units proposed being single family detached, the applicant has not provided estimates on market or assessed values and proposed unit sizes (square footage). Comparable (Comps) projects have

not been provided. Such details were not outlined in the project narrative and no fiscal impact analysis was conducted. The County model projects positive fiscal impacts resulting from this project. The proposal is consistent with countywide housing diversification goals. The proposed zoning designation of Residential 3 (R-3) is more consistent with the low density residential land use designation than the existing Rural (Ru) zoning that is best suited outside of the Primary Development Boundary. The proposed unit type and density is consistent with and complements nearby development patterns. No impacts to significant historic or natural resources expected with this project. Site development will be required to comply with Ches Bay/ Environmental regulations.

B.3. Development projects seeking increased residential density and/or non-residential intensity should address its impacts on the infrastructure of the county. Right-of-way dedication to accommodate planned transportation improvements to Leavells Rd based on the Thoroughfare Plan are favorable. As noted in the introduction however there are no project commitments to assure generalized development plan consistency. Otherwise the project proposes no mitigations for the two additional units proposed for schools, parks and recreation, public safety which are eligible public facilities considerations as established in VA Code Sec. 15.2-2303.4.

Guiding Principles and Policies B.3.a. The County should support alternative onsite transportation alternatives and recreation options such as pedestrian and bicycle facilities that are able to, or will, connect to neighboring properties. Right-of-way dedication to accommodate widening and bike/ped planned improvements to Leavells Rd based on the Thoroughfare Plan are favorable. As noted in the introduction however there are no project commitments to assure generalized development plan consistency (including ROW).

Guiding Principles and Policies B.3.c. “Access management” in the form of systematic control of the location, spacing, design, and operation of entrances, median openings, traffic signals and interchanges should be utilized for arterial and major collector roads in order to minimize the vehicular traffic impacts of new development. Transportation staff has identified concerns about lack of a shared driveway/ single shared point of access upon Leavells Road. Through technical review the applicant has proposed one shared driveway to be shared by two lots, and an additional single access drive for the third.

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. No impacts to significant historic or natural resources expected with this project. Site development will be required to comply with Ches Bay/ Environmental regulations.

Guiding Principles and Policies C. Spotsylvania County is a family friendly community; 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 is consistent with countywide housing diversification goals.

Guiding Principles and Policies E. Spotsylvania County values its environmental resources; 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). As noted in GDP Sheet 2, no environmental assessment has been performed on the property. There is a stream to the south end of the property upon lot 3. Perennial stream determination will occur during the plat process. Any site development will ultimately be subject to Ches Bay/Environmental compliance for site alternation, disturbance and construction. As noted in the project GDP the exact location of homes is still to be determined on the proposed lots. As a low density residential single family detached project impervious cover is expected to remain low onsite. Home footprint, driveways, potential residential accessory buildings permitted by County Code are the most likely onsite elements to introduce impervious surfaces. The GDP depicts the existing tree line based on a field survey. Extent of tree line preserved post site development is unknown.

Land Use:

Future Land Use Map Designation: The proposed rezoning is located within the Primary Development Boundary within a land use designated low density residential area and would result in ability to develop 3 single family detached homes resulting in a density of .93 units/acre. With right-of-way dedication taken into account the density is 1 unit/acre. The proposal is consistent with the intent of the Primary Development Boundary as well as the low density land use designation per the Comprehensive Plan that envisions up to 4 units/acre. The land use designations in the area are generally reflective of existing zoning and established development character of the area. The proposed zoning designation of Residential 3 (R-3) is more consistent with the low density residential land use designation than the existing Rural (Ru) zoning that is best suited outside of the Primary Development Boundary. The proposed unit type and density is consistent with and complements nearby development patterns.

Land Use Policies Applicable to All Land Uses #1. Rezoning proposals should address impacts that are specifically attributable to the development.

Right-of-way dedication to accommodate planned transportation improvements to Leavells Rd based on the Thoroughfare Plan are favorable. However, a significant concern has been identified in regard to this project that the proposal includes no commitment to the generalized development plan and right-of-way dedication along Leavells Rd. This leaves uncertainties concerning details outlined in the project narrative and shown on the generalized development plan.

The project proposes no mitigations for the two additional units proposed for schools, parks and recreation, public safety which are eligible public facilities considerations as established in VA Code Sec. 15.2-2303.4.

Transportation staff has identified concerns about lack of a shared driveway/ single shared point of access upon Leavells Road. Through technical review the applicant has proposed one shared driveway to be shared by two lots, and an additional single access drive for the third. As proposed the project will result in two driveway entrances to access three independent parcels along the road. These concerns involve

Comprehensive Plan access management principles exhibited in: Introduction and Vision B.3.e. *“Access management” in the form of systematic control of the location, spacing, design, and operation of entrances, median openings, traffic signals and interchanges should be utilized for arterial and major collector roads in order to minimize the vehicular traffic impacts of new development; Transportation Goal 2. Ensure that new development does not degrade Levels of Service and mitigates its impact on the transportation network.*

Staff notes for three lots such shared access driveways would not be required by the County subdivision ordinance. Projects of 10 lots or fewer are defined as minor subdivisions. Per the Subdivision ordinance, specifically Sec. 20-5.2.1. - Frontage.

(a) Each single-family detached lot shall access on a public street dedicated by the subdivision plat or on a street which has become public by right of use; provided, however, no lot shall access on a secondary or primary highway. The subdivider shall make provisions in the deed of dedication, the restrictive covenants and conditions, clearly labeled on the record plat, and similar instruments, if any, and each deed of conveyance the following information: that THE OWNERS OF THE LOT(S) SHALL NOT BE ALLOWED TO ACCESS THE SECONDARY OR PRIMARY HIGHWAY DIRECTLY FROM THEIR LOTS, BUT MUST USE THE INTERNAL SUBDIVISION PUBLIC STREET ON WHICH SUCH LOT FRONTS FOR ACCESS TO THE SECONDARY OR PRIMARY HIGHWAY. Nothing contained in this section shall be construed as prohibiting the rear or side lot line of any such lot from abutting a secondary or primary highway. Neither shall any condition contained herein prevent a subdivision of no more than three (3) lots from accessing a primary or secondary public highway so long as all three (3) lots front on such highway.

Driveways are subject to clear sight triangle requirements of the subdivision ordinance (Sec. 20-5.1.10. – Driveways) and VDOT permitting. Whether 1 or 3 driveways would result from this project, sight triangle requirements would be required to be adhered to as a traffic safety measure.

Staff acknowledges that development of a shared access driveway configuration ultimately impacts site design and access to each of the proposed homes. This shared configuration also raises the prospect of shared maintenance responsibilities and potential civil issues in the future over use and maintenance of the driveway. Such issues have been exhibited in the County amongst citizenry in the past who have approached County staff seeking resolution or enforcement of a complaint that the County may/may not be able to assist.

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. The GDP depicts the existing tree line based on a field survey. Extent of tree line preserved post site development is unknown.

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, especially adjoining residential properties. This proposal is consistent with surrounding land use patterns.

Residential Land Use Policies #2. Residential uses within the Primary Development Boundary should provide inter-and intra-development pedestrian paths to link adjoining subdivisions and form a cohesive residential area and alternative transportation and recreational opportunities. Right-of-way

dedication to accommodate widening and bike/ped planned improvements to Leavells Rd based on the Thoroughfare Plan are favorable. However, a significant concern has been identified in regard to this project that the proposal includes no commitment to the generalized development plan and right-of-way dedication along Leavells Rd. This leaves uncertainties concerning details outlined in the project narrative and shown on the generalized development plan.

Residential Land Use Policies #3. Residential infill development should maintain the neighborhood character established by the existing subdivisions. This proposal is consistent with surrounding land use patterns.

Residential Land Use Policies #8. Promote the provision of a diverse housing mix by encouraging a range of housing sizes and types that meet the needs of citizens at all income levels throughout all stages of life. The proposal is consistent with countywide housing diversification goals, offering a new age-restricted project to the market in close proximity to goods and services. Other than the units proposed being single family detached, the applicant has not provided estimates on market or assessed values and proposed unit sizes (square footage). Comparable (Comps) projects have not been provided. Such details were not outlined in the project narrative and no fiscal impact analysis was conducted.

Residential Land Use Policies #9. Promote the construction of market rate affordable housing units rather than units that are subsidized for the initial sale to ensure that housing remains affordable over time. Other than the units proposed being single family detached, the applicant has not provided estimates on market or assessed values and proposed unit sizes (square footage). Comparable (Comps) projects have not been provided. Such details were not outlined in the project narrative and no fiscal impact analysis was conducted.

Transportation and Thoroughfare Plan:

Transportation Goal #1. Maintain acceptable Levels of Service on public roads; Transportation Goal 1.1. 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 Goal 1.7. Preserve and enhance capacity by improving access management, reducing signals, or signal phases, and implementing innovative intersection configurations; Transportation Goal #2. Ensure that new development does not degrade Levels of Service and mitigates its impact on the transportation network.

Access management is a significant concern with this application as the GDP proposes two new driveways on an already dangerous stretch of Leavells Road identified as a high crash location based on VDOT 2014-2020 crash data. Segments of Leavells Road just north and just south of Tipperary Trail (Route 2013) are identified as high crash locations for bicycles/pedestrians. The Tipperary Trail intersection area has also had 33 vehicle crashes based on VDOT 2014-2020 crash data. Staff requested that the applicant consolidate their two proposed driveway entrances into one, but the applicant has not cooperated with that request. Traffic from the site is projected at 30 vehicles per day and will not have a significant impact

on traffic. Right-of-way dedication on the GDP is consistent with the Comprehensive Plan, but needs to also be reflected in proffers.

Right-of-way dedication to accommodate planned transportation improvements to Leavells Rd based on the Thoroughfare Plan are favorable. However, a significant concern has been identified in regard to this project that the proposal includes no commitment to the generalized development plan and right-of-way dedication along Leavells Rd. This leaves uncertainties concerning details outlined in the project narrative and shown on the generalized development plan.

Transportation staff has identified concerns about lack of a shared driveway/ single shared point of access upon Leavells Road. Through technical review the applicant has proposed one shared driveway to be shared by two lots, and an additional single access drive for the third. As proposed the project will result in two driveway entrances to access three independent parcels along the road. These concerns involve Comprehensive Plan access management principles exhibited in: Introduction and Vision B.3.e. *“Access management” in the form of systematic control of the location, spacing, design, and operation of entrances, median openings, traffic signals and interchanges should be utilized for arterial and major collector roads in order to minimize the vehicular traffic impacts of new development; Transportation Goal 2. Ensure that new development does not degrade Levels of Service and mitigates its impact on the transportation network.*

Staff notes for three lots such shared access driveways would not be required by the County subdivision ordinance. Projects of 10 lots or fewer are defined as minor subdivisions. Per the Subdivision ordinance, specifically Sec. 20-5.2.1. - Frontage.

(a) Each single-family detached lot shall access on a public street dedicated by the subdivision plat or on a street which has become public by right of use; provided, however, no lot shall access on a secondary or primary highway. The subdivider shall make provisions in the deed of dedication, the restrictive covenants and conditions, clearly labeled on the record plat, and similar instruments, if any, and each deed of conveyance the following information: that THE OWNERS OF THE LOT(S) SHALL NOT BE ALLOWED TO ACCESS THE SECONDARY OR PRIMARY HIGHWAY DIRECTLY FROM THEIR LOTS, BUT MUST USE THE INTERNAL SUBDIVISION PUBLIC STREET ON WHICH SUCH LOT FRONTS FOR ACCESS TO THE SECONDARY OR PRIMARY HIGHWAY. Nothing contained in this section shall be construed as prohibiting the rear or side lot line of any such lot from abutting a secondary or primary highway. Neither shall any condition contained herein prevent a subdivision of no more than three (3) lots from accessing a primary or secondary public highway so long as all three (3) lots front on such highway.

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Staff acknowledges that development of a shared access driveway configuration ultimately impacts site design and access to each of the proposed homes. This shared configuration also raises the prospect of shared maintenance responsibilities and potential civil issues in the future over use and maintenance of the driveway. Such issues have been exhibited in the County amongst citizenry in the past who have

approached County staff seeking resolution or enforcement of a complaint that the County may or may not be able to assist.

Transportation Goal #2.6. 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 Goal #3. Promote alternative modes of transportation and multi-modal facilities to more effectively address demands on the transportation network. Right-of-way dedication to accommodate widening and bike/ped planned improvements to Leavells Rd based on the Thoroughfare Plan are favorable.

Trailways Master Plan

Right-of-way dedication to accommodate widening and bike/ped planned improvements to Leavells Rd based on the Thoroughfare Plan are favorable. However, a significant concern has been identified in regard to this project that the proposal includes no commitment to the generalized development plan and right-of-way dedication along Leavells Rd. This leaves uncertainties concerning details outlined in the project narrative and shown on the generalized development plan.

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 #1.2. Support the preservation of resources with local, state, or national significance. Historic Resources Policy #2. The County should support projects that consider and mitigate the impact of development projects on historic and cultural resources during the rezoning, special use, and capital project planning process. Historic Resources Policy #2.1. Development applications and staff reports should identify historic and cultural resources in proximity to proposed rezoning, special use, or capital project, and evaluate the impacts of the project on the resources in question. Historic Resources Policy #2.3. The County should support the preservation of scenic and historic lands as a component of the rezoning actions through placing these resources in easements or dedicated open space. No impacts to significant historic or natural resources expected with this project.

Natural Resources:

Natural Resources Policy #1. Balance the protection of environmental resources and natural wildlife habitats with development. Natural Resources Policy #1.3. Encourage land development practices, which minimize impervious cover to promote groundwater recharge, and/or tree preservation. As noted in GDP Sheet 2, no environmental assessment has been performed on the property. There is a stream to the south end of the property upon lot 3. Perennial stream determination will occur during the plat process. Any site development will ultimately be subject to Ches. Bay/Environmental compliance for site alteration, disturbance and construction. As noted in the project GDP the exact location of homes is still to be determined on the proposed lots. As a low density residential single family detached project impervious cover is expected to remain low onsite. Home footprint, driveways, potential residential accessory buildings permitted by County Code are the most likely onsite elements to introduce impervious surfaces. The GDP depicts the existing tree line based on a field survey. Extent of tree line post site

development is unknown. Staff consulted the Virginia Department of Conservation and Recreation Natural Heritage Data Explorer (NHDE) system to gather insight into potential for rare species. The NHDE had no result in this location. Predicted suitable habitats for threatened or endangered species is low.

Natural Resources Policy 1.10. Locate land uses where their tolerance is compatible with existing or proposed noise levels and/ or reduce impacts through vegetative buffering or building design. This proposal is consistent with surrounding land use patterns.

ZONING MAP AMENDMENT
GENERALIZED DEVELOPMENT PLAN
LEAVELLS ROAD

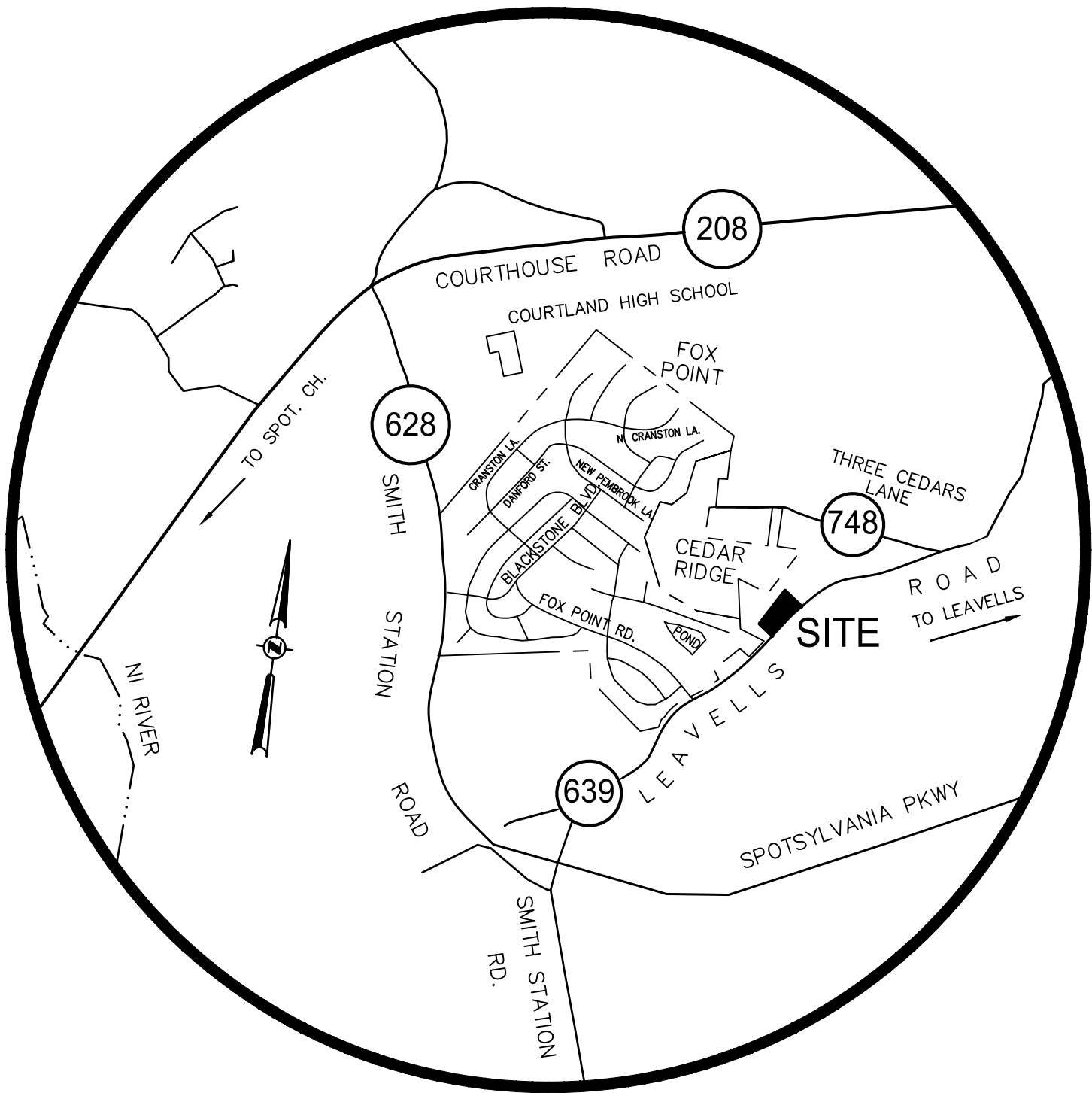
TAX MAP 35 ((A)) 32 - 9608 LEAVELLS ROAD FREDERICKSBURG, VA 22407
R-3 DEVELOPMENT
COURTLAND MAGISTERIAL DISTRICT
BATTLEFIELD VOTING DISTRICT
SPOTSYLVANIA COUNTY, VIRGINIA
REZONING CASE NO. : R21-0003

PASS NOTE:

DUE TO RECENT FINDINGS OF POSSIBLE ACID SULPHATE SOILS (PASS) WITHIN SPOTSYLVANIA COUNTY IT IS RECOMMENDED THAT THE DEVELOPER, BUILDERS AND ENGINEERS BE AWARE THAT IF ACID SULPHATE SOILS AS WELL AS OTHER SOILS THAT PRODUCE A PH OF 4 ARE PRESENT ON THE PROJECT SITE EXTENSIVE TREATMENT TO BRING THE SOILS ACID/PH LEVEL TO AN ACCEPTABLE LEVEL TO SUSTAIN ANY FORM OF PLANT GROWTH MAY BE REQUIRED.

SITE AND ZONING DATA

TAX MAP:	TAX MAP 35 ((A)) 32
TOTAL REZONE AREA:	3.2167 ACRES
EXISTING ZONE:	RU
OVERLAY DISTRICT(S):	NONE
PROPOSED ZONE:	R-3
PROPOSED NUMBER OF LOTS:	3
EXISTING USE:	VACANT
PROPOSED USE	DWELLING SINGLE FAMILY, DETACHED
HYDRAULIC UNIT CODE:	RA47
WATERSHED:	E20
WATER:	PUBLIC
SEWER:	PUBLIC
ESTIMATED VPD:	30 VPD
HISTORIC BUILDING, ARCHAEOLOGICAL FEATURES, HISTORIC DISTRICTS	NONE KNOWN
KNOWN PLACES OF BURIAL:	NONE KNOWN
WETLANDS ON SITE:	NONE PER COUNTY GIS MAPS
SOLID WASTE COLLECTION:	N/A
APPROXIMATE AREA OF LAND DISTURBANCE	N/A



VICINITY MAP
1"=2000'
2000' 0 2000' 4000'
GRAPHIC SCALE

SULLIVAN, DONAHOE & INGALLS
ENGINEERS, LAND PLANNERS AND SURVEYORS
P.O. BOX 614
FREDERICKSBURG, VIRGINIA 22404
PHONE 540-898-5878

OWNER/APPLICANT:

JOHN W. PENDLETON
9801 LEAVELLS ROAD
FREDERICKSBURG, VA 22407
PHONE: 540-582-7857

SHEET INDEX

- 1 COVER SHEET
2 GENERALIZED DEVELOPMENT PLAN

LAND USE SUMMARY		
ZONE: R-3	ZONING REQUIREMENT	PER THIS PROJECT
MIN. LOT AREA	1 ACRE	GREATER THAN 1 ACRE
MIN. LOT WIDTH	80'	GREATER THAN 80'
DENSITY	1 D.U. PER ACRE	1 D.U. PER ACRE
AVERAGE LOT AREA	NOT SPECIFIED	1.0010 ACRES
SETBACKS:		
FRONT	40'	40'
REAR	35'	35'
SIDE	10'	10'
MIN. PUBLIC ROAD FRONTAGE	80'	178'
OPEN SPACE	NO REQUIREMENT	N/A
PARKING	2 PER UNIT	2 PER UNIT
FUTURE LAND USE	LOW DENSITY RESIDENTIAL	

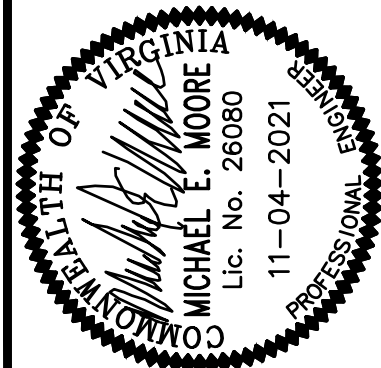
OWNER AREA SUMMARY				
TAX MAP ID	OWNER	EXISTING ZONE	PROPOSED ZONE	AREA
35 ((A)) 32	JOHN W. PENDLETON	RU	R-3	3.2167

DENSITY COMPARISON TABLE			
ZONE	AREA	DENSITY	MAXIMUM UNIT YIELD
RU (EXISTING)	3.2167 ACRES	1 UNIT PER 3 AC. (MAX 10 PER PARCEL)	1 UNIT
R-3	3.2167 ACRES	1 UNIT PER 1 AC.	3 UNITS
THIS PROJECT	REMAINING = 3.0031 ACRES	1 UNIT PER 1 AC.	3 UNITS

DENSITY NOTE:

THIS REZONING WILL REDUCE THE ALLOWABLE AREA FOR DENSITY CALCULATIONS DUE TO THE RIGHT-OF-WAY DEDICATION. THE AREA TO BE DEDICATED IS 0.2136 AC. THE NEW ALLOWABLE AREA IS IDENTIFIED IN THIS TABLE.

WATER / SEWER ESTIMATE		
NUMBER OF LOTS	WATER	SEWER
3	1,200 GPD	1,200 GPD



DATE	REVISIONS
7-23-21	PER COUNTY COMMENTS
8-19-21	PER COUNTY/OWNER COMM.
11-4-2021	PER COUNTY COMMENTS

ENGINEERS, LAND PLANNERS & SURVEYORS
P.O. BOX 614
10720 COLUMBIA DRIVE
FREDERICKSBURG, VIRGINIA 22404
TELEPHONE 540-898-5878

SULLIVAN
DONAHOE &
INGALLS
SDI

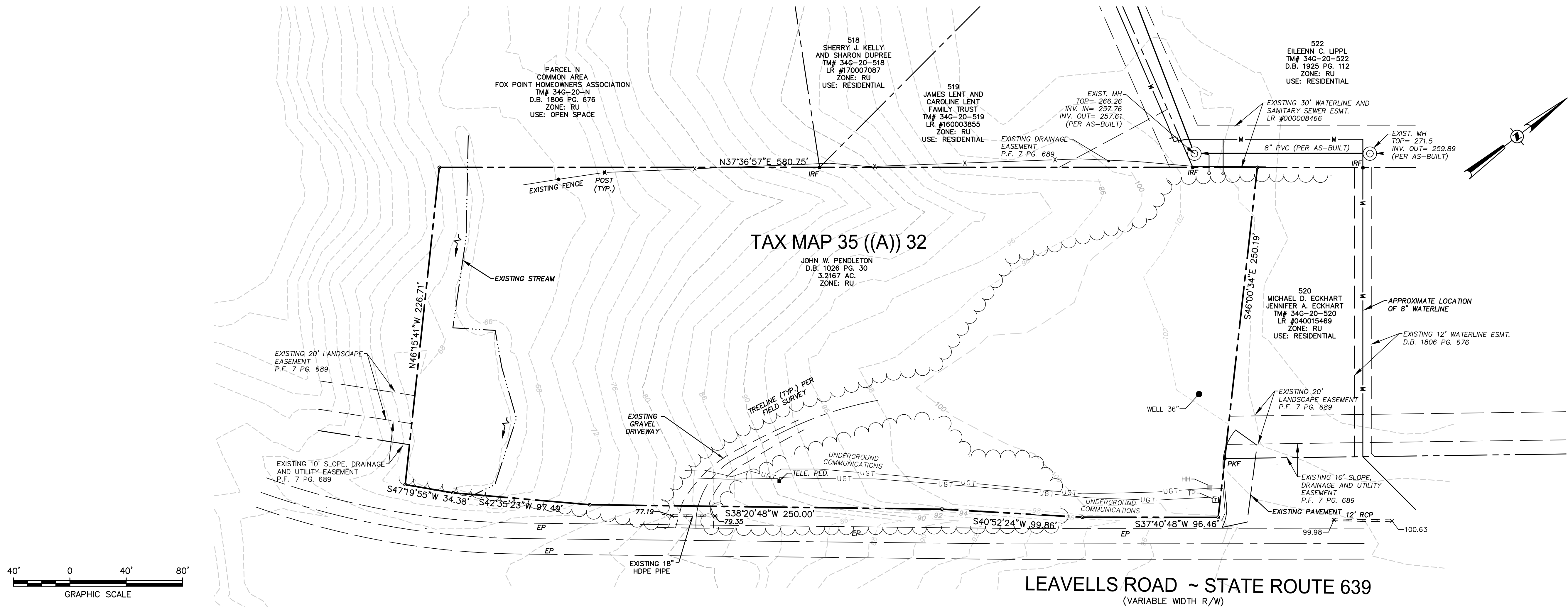
LEAVELLS ROAD - TAX MAP 35 ((A)) 32
COURTLAND MAGISTERIAL DISTRICT
SPOTSYLVANIA COUNTY, VIRGINIA

COVER SHEET

DES/DRFT: RGF
CHECKED: NCD
APPROVED: ZEM
JOB NO.: 20-SP-0718
DATE: 2-23-21
SCALE: NONE

SHEET 1
OF 2 SHEETS

EXISTING CONDITIONS BOUNDARY EXHIBIT



SURVEY NOTES

1. NO TITLE REPORT FURNISHED.
2. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS AND RESTRICTIONS OF RECORD.
3. THIS PLAN DOES NOT REPRESENT THAT ALL EXISTING UTILITIES ARE SHOWN OR THAT THOSE SHOWN ARE LOCATED CORRECTLY.
4. SULLIVAN, DONAHOE, & INGALLS DOES NOT CERTIFY AS TO THE LOCATION OF ANY UNDERGROUND UTILITIES.
5. TOPOGRAPHIC INFORMATION BASED ON SPOTSYLVANIA COUNTY GIS, DATED 2008 AND SUPPLEMENTED BY A FIELD RUN SURVEY BY THIS FIRM DATED SEPTEMBER 25, 2018.
6. SOURCE OF MERIDIAN: PLAT FILE 7, PAGE 689.
7. NO ENVIRONMENTAL ASSESSMENT HAS BEEN PERFORMED ON THIS PROPERTY.
8. BOUNDARY BASED ON SURVEY BY THIS FIRM DATED AUGUST 19, 2016.



DATE	REVISIONS
7-23-21	PER COUNTY COMMENTS
8-19-21	PER COUNTY/OWNER COMMENT
11-4-2021	PER COUNTY COMMENTS

ENGINEERS, LAND PLANNERS & SURVEYORS
P.O. BOX 614
10720 COLUMBIA DRIVE
FREDERICKSBURG, VIRGINIA 22404
TELEPHONE 540-686-5876

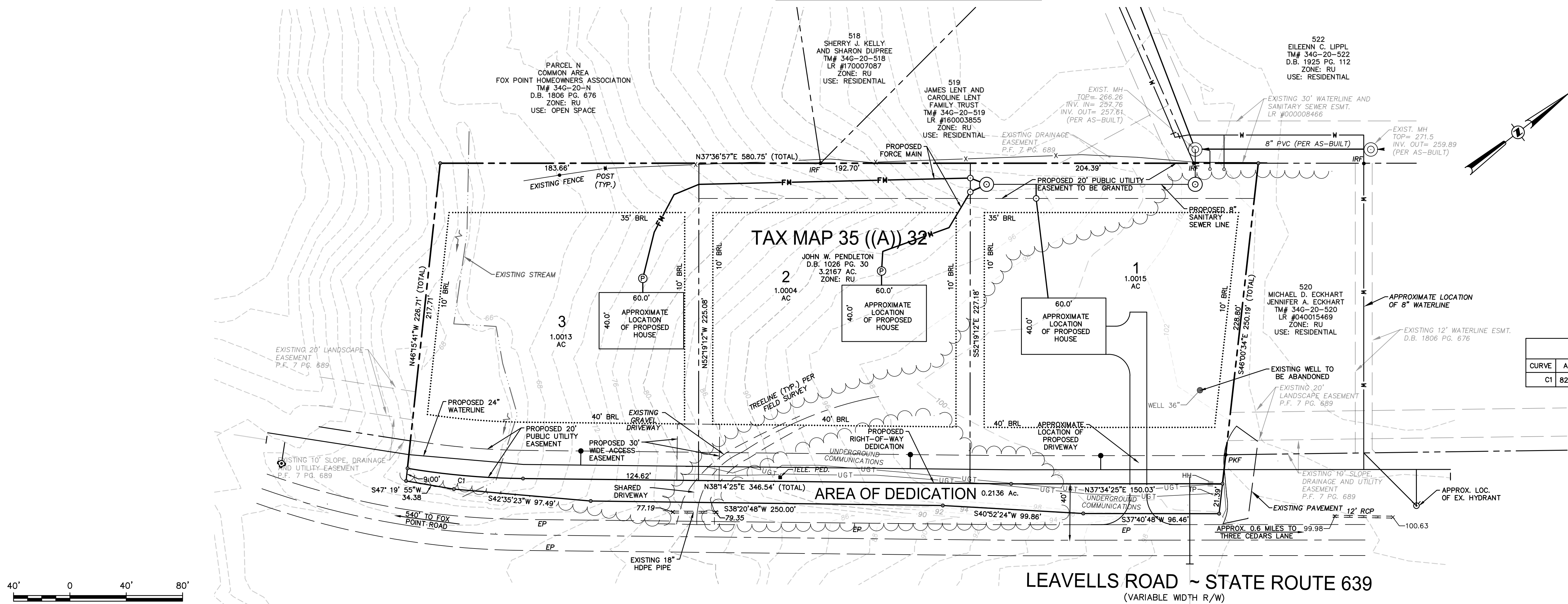
SULLIVAN
DONAHOE &
INGALLS

LEAVELLS ROAD - TAX MAP 35 ((A)) 32

COURTLAND MAGISTERIAL DISTRICT
SPOTSYLVANIA COUNTY, VIRGINIA

GENERALIZED DEVELOPMENT PLAN

GENERALIZED DEVELOPMENT PLAN



NOTES

1. PROPOSED HOUSE SITES ON LOTS ARE SHOWN IN A GENERAL WAY ONLY. A SEPARATE PLAT WILL BE SUBMITTED TO SPOTSYLVANIA COUNTY TO ADDRESS THE DESIGN REQUIREMENTS FOR THIS SUBDIVISION.
2. HOUSE BOX DIMENSIONS SHOWN ARE APPROXIMATE. INDIVIDUAL LOT GRADING PLANS WILL BE REQUIRED AT A FUTURE TIME TO SECURE A BUILDING PERMIT FOR THE PROPOSED HOUSES PER SPOTSYLVANIA COUNTY CODE REQUIREMENTS.
3. SUBDIVISION PLAT WILL BE PREPARED IN ACCORDANCE WITH SPOTSYLVANIA COUNTY REQUIREMENTS AFTER APPROVAL OF GENERALIZED DEVELOPMENT PLAN.
4. SPOTSYLVANIA COUNTY WILL BARE ALL COSTS ASSOCIATED WITH THE PROPOSED 24" WATERLINE. THE OWNER WILL RECEIVE A WATER CONNECTION FOR EACH PARCEL.
5. LOCATIONS OF PROPOSED WATER AND SEWER LINES ARE APPROXIMATE AND SUBJECT TO FINAL ENGINEERING.

CURVE TABLE					
CURVE	ARC	RADIUS	DELTA	TANGENT	CH. BEARING
C1	82.42'	532.96'	8°51'38"	41.29'	S42°40'14"W

DES/DRFT: RGF
CHECKED: NCD
APPROVED: ZEM
JOB NO.: 20-SP-0718
DATE: 2-23-21
SCALE: 1" = 40'

SHEET 2
OF 2 SHEETS

GENERALIZED DEVELOPMENT PLAN - NARRATIVE

Owner/Applicant: John W. Pendleton
9801 Leavells Road, Fredericksburg, VA 22407

Project Name: “Leavells Road – Tax Map 35 ((A)) 32”

Property: Spotsylvania County Tax Parcel 35 ((A)) 32, consisting of approximately 3.2167 acres. Address is 9608 Leavells Road.

Date: October 7, 2021

GDP: Generalized Development Plan, entitled “Leavells Road”, prepared by Sullivan, Donahoe & Ingalls, dated February 23, 2021 and revised October 7, 2021.

Rezoning Request: From RU to R-3

Rezoning File No.:

Project Overview

The Applicant proposes rezoning the Property from the Rural District (“RU”) to the Residential 3 District (“R-3”). Section 23-6.8.1 of the Spotsylvania County (“County”) Zoning Ordinance states that the purpose of the R-3 district is to “provide for low-medium density single-family detached residential uses in a suburban setting.” The R-3 district allows one (1) dwelling unit per acre.

The objective of the proposed rezoning is to create two additional lots for the purpose of constructing a total of three (3) single family detached dwellings. In its current condition, the parcel is 3.2167 acres. The R-3 district includes single-family detached dwellings as a permitted use. This GDP is proposing a development with a density of 1 dwelling unit per acre. As a result of this rezoning, a right-of-way dedication is provided which reduces the calculable area to 3.0031 acres, which will allow three total lots.

Existing water and sanitary sewer are available by connections through existing easements on the properties identified to the northwest. A proposed utility easement is shown on the GDP to provide access to Lots 2 and 3. The owner will be providing an easement along Leavells Road to allow the county to construct a new waterline that will benefit the entire area by creating a looped system. Water service for these three lots will be provided by connecting to this new line.

Because the project will only provide two additional single family residential lots, a VDOT 527 transportation impact analysis is not required.

Project Location

The Project will be developed from one (1) parcel of land, totaling approximately 3.2167 acres, situated in the Courtland Magisterial and voting districts. The Project is also located along Leavells Road, south of the intersection of Courthouse Road. The Project is bordered on the South by Leavells Road. The north, east and west properties are all developed as single family detached homes, zoned RU. To the northwest of the Project is the single family detached home subdivision known as “Fox Point” zoned RU.

The Applicant’s proposal is compatible with existing uses in the area, is a good transition between existing uses and will enhance the area’s housing stock while maintaining the area’s character. Additionally, the Applicant’s proposal is in line with the R-3 district which is to provide low-medium density detached, single family dwelling units at a density of 1 unit per acre.

Project Access

Primary access to the Project Site will be provided by accessing Leavells Road with one shared driveway for lots 2 and 3 and a private driveway serving lot 1. The shared driveway serving lots 2 and 3 is existing and is depicted in its current location on the GDP.

Project Environmental Items

The Project’s design will minimize the impact to the natural topography and mature vegetation located on the Property. No wetlands or RPA features are identified on the county GIS map or on the NWI website. That being said, there does appear to be a ditch and potential environmental feature located to the southern portion of the property and located entirely on lot 3. Lot 3 may require an environmental assessment prior to any proposed development, which would take place at the time of a building permit application.

Planning and Zoning

The Project Property is currently zoned Rural (RU). The surrounding parcels are also zoned RU. The Property currently has access to water and sewer. Thus, by-right the Property could yield one (1) single family detached dwelling unit.

Comprehensive Plan

The County’s Comp Plan’s Future Land Use Map classifies the Property as part of the “Low Density Residential” designation, which matches the surrounding properties.

Community Meeting

As part of the Rezoning Application process, a community meeting was not required due to COVID-19. Mailings were sent out to property owners in a 3,000-foot radius per information provided by the county. We received and addressed questions from approximately 10 members of our community. The comments were primarily inquisitive in nature, asking what was going on. After discussing the project with them, most realized they will not be affected by this project.

Public Facilities

- The proposed additional lot will have minimal impact on the County's fire and rescue facilities.
- The proposed three houses will have direct access to Leavells Road.
- The existing lot will generate 10 vehicle trips per day. The additional lots will generate an additional 20 vehicle trips per day, for a total of 30 overall trips per day onto Leavells Road.
- School: Based on County estimates of 0.572 students per dwelling unit (for single family detached), the Project's 3 dwelling units will generate a net of approximately two school-age children.

Spotsylvania County
Planning Commission
Executive Summary

 [Print](#)

Meeting Date:	December 15, 2021
Title:	R20-0013 UB Properties, Inc. (CERESMINEROAD, LLC) (Porchlight Commons) (Battlefield District)
Type:	Action, Public Hearing
Agenda Title:	R20-0013 UB Properties, Inc. (CERESMINEROAD, LLC) (Porchlight Commons) (Battlefield District)
Recommendation:	Staff recommends approval with proffers, dated October 7, 2021.
Summary:	The applicant requests a rezoning of three (3) parcels consisting of approximately 8.40 acres from Commercial 2 (C-2) to Residential 8 (R-8) with proffers for the development of 60 single family attached dwelling units. The properties are located on the north side of Mine Road (Route 636) approximately 615 feet from its intersection with Spotsylvania Avenue and Falcon Drive (Route 1234). The properties are addressed as 4517, 4525 and 4537 Mine Road. The properties are located within the Primary Development Boundary. The properties are designated for Employment Center on the Future Land Use Map of the Comprehensive Plan. Tax parcels 36 (A) 150, 36 (A) 151, 36 (A) 154. Battlefield Voting District.
Committee/Commission Summary:	
Review Date:	Status:
Financial Impact:	Based on the estimated assessed values of the proposed units, the County's model projects the Porchlight Commons development will generate annually a net positive \$110,044 in tax revenues. Both the applicant and County models trend positive.
Staff Contacts:	Shannon Fennell, Planner III
Legal Counsel:	Alexandra Spaulding, Senior Assistant County Attorney
Additional Background/Other Considerations:	N/A
Consequence of Denial/Inaction:	The property may be developed with an office use in accordance with the Generalized Development Plan approved in 2007.

ATTACHMENTS:

Name:	Description:	Type:
PC_Staff_Report- R20-0013_Porchlight_Commons_Final.pdf	Staff Report	Staff Report
Executed_Porchlight_Proffer_10-7-21.pdf	Applicant's Proffers	Agreement
Generalized_Development_Plan.PDF	Generalized Development Plan	GDP
Proffered_Elevations.pdf	Proffered Architectural Renderings	Agreement
Porchlight_Commons_GDP_Narrative.pdf	Applicant's Narrative	Backup Material
Exhibit_D_-_Mine_Road_Fiscal_Impact_Analysis.PDF	Applicant's Fiscal Impact Analysis	Backup Material



County of Spotsylvania

Department of Planning

Staff Report

Rezoning # R20-0013
(Battlefield Voting District)

Planning Commission
December 15, 2021

Staff Recommendation: Approval with the proffer statement dated October 7, 2021.

Project: “Porchlight Commons”

Owner/Applicant: UB Properties, Inc. (CeresMineRoad, LLC)

Request: The applicant requests the rezoning of three (3) parcels consisting of approximately 8.40 acres from Commercial 2 (C-2) to Residential 8 (R-8) with proffers for the development of 60 age-restricted single family attached dwelling units.

Tax Map Parcel(s): 36 (A) 150, 36 (A) 151, 36 (A) 154

Location: The properties are located on the north side of Mine Road (Route 636) approximately 615 feet from its intersection with Spotsylvania Avenue and Falcon Drive (Route 1234). The properties are addressed as 4517, 4525 and 4537 Mine Road. The properties are located within the Primary Development Boundary.

Zoning Overlay: Airport Overlay

Future Land Use Designation: Employment Center

Historic Resources: None

Date Application Deemed Complete: September 23, 2020. The applicant provided an extension to March 30, 2022.

Community Meeting: Due to the COVID-19 restrictions, a virtual community forum remained open from June 4 - 23, 2020 to allow surrounding property owners the opportunity to ask questions and voice concerns regarding the proposed development. The applicant received three inquiries, each of which expressed concerns about the increase in traffic.

Figure 1: Zoning Map

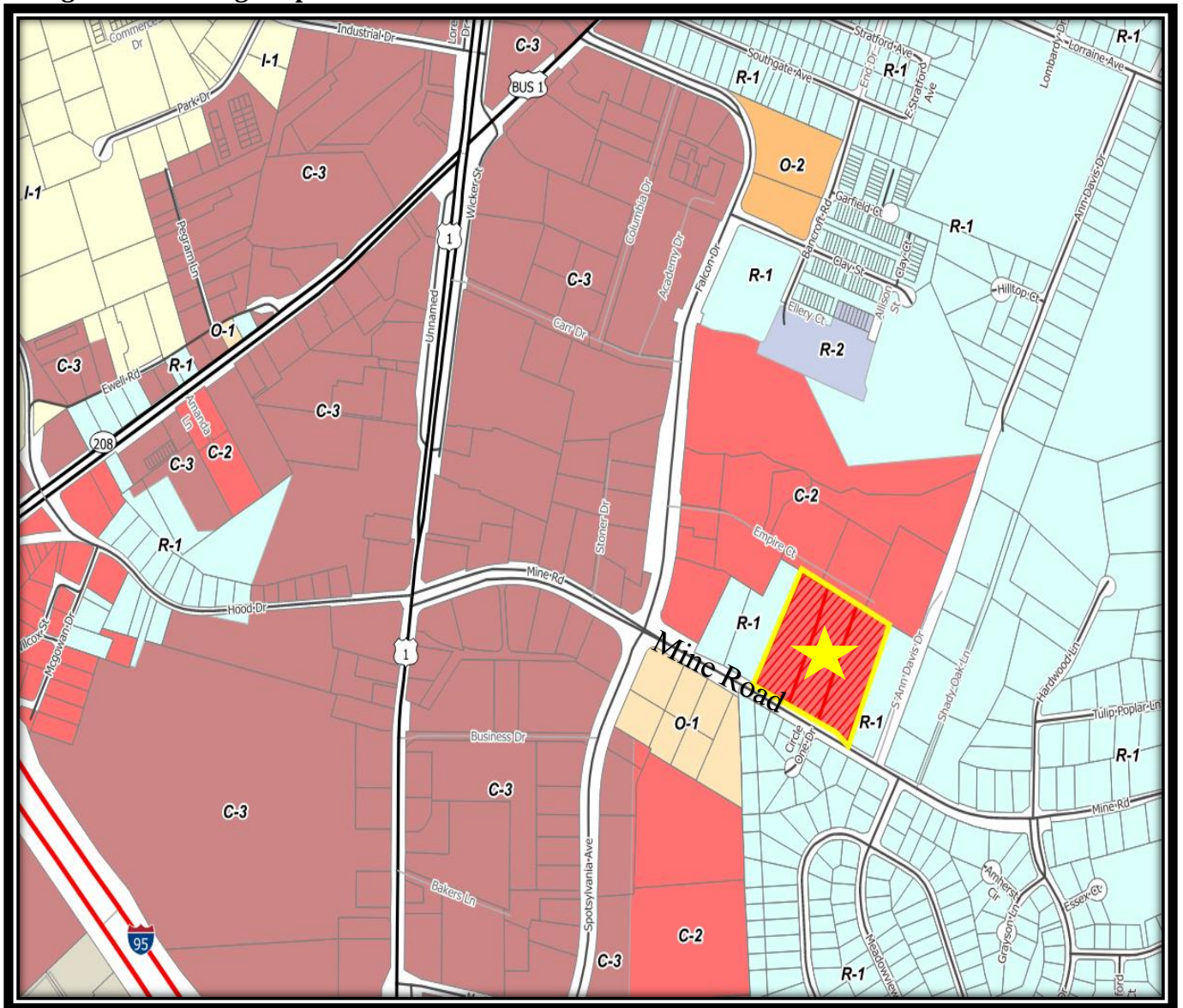


Figure 2: Aerial Map



The Site

The project site is approximately 8.40 acres, comprised of three vacant partially forested parcels. The subject properties are located on the north side of Mine Road (Route 636) approximately 615 feet from its intersection with Spotsylvania Avenue and Falcon Drive (Route 1234). The properties are addressed as 4517, 4525 and 4537 Mine Road. The properties are located within the County's Primary Development Boundary which is intended to develop with higher residential densities. The project site and the surrounding developed area to the north and west is designated on the Future Land Use Map in the Comprehensive Plan as Employment Center with nearby commercial land use to the west and low density residential adjacent to the east along Mine Road. Per the Comprehensive Plan the Employment Center designation compliments office and commercial uses. This project does not meet the intent of either the employment center onsite or commercial land use designation to the west. The project is most consistent with the low-density residential land use designation adjacent to the east and across Mine Road to the south. Staff notes that the areas to the south and east of the project site is designated as Low Density Residential. To the south across Mine Road are parcels that are within the Meadows Subdivision, zoned R-1 with 153 single family detached residential lots. To the east is a vacant parcel, zoned R-1. To the west is a vacant parcel, zoned R-1. To the north are two vacant parcels and one parcel containing a medical office building, all zoned C-2. The project parcels were rezoned in 2007, from Residential 1 (R-1) to Commercial 2 (C-2) to allow for an office park. The by-right development potential of the subject parcels is two office buildings which total 123,000 gross square feet.

I. Project Proposal

The applicant's request, if approved, will rezone the parcels from Commercial 2 (C-2) with proffers to Residential 8 (R-8) to allow for the development of 60 age-restricted single family attached dwelling units with a density of 7.67 dwelling units per acre. Dwelling units will be one and a half story (villa style) single family attached. Staff believes the proposed scale and building height are more compatible with adjacent residential developments than the approved office use which has an allowed building height up to 55 feet. The project provides a transition between the Meadows subdivision; an existing single-family detached subdivision, and also single-family residential uses to the east. The commercial development to the west, south and north of the site consists of retail, office and medical office uses. Staff notes that approximately one half mile from the project location is the VA Healthcare Center which is currently under construction on Route 1 and several other commercial, office, and medical facilities along Spotsylvania Avenue.

As noted the proposed development will be an age-restricted community, which will include at least one person who is age 55 or older. Based on County projections, this development will generate an estimated 145 new residents and no school-aged children, as the applicant proffers that residents under the age of 18 years or younger may not reside within the development for more than 30 days in any six month period. Therefore, there will be no impacts to the public school facilities.

Due to COVID-19, an in-person community meeting was not held; however, a virtual community forum remained open from June 4 - 23, 2020 to allow the community an opportunity to ask questions and voice concerns regarding the proposed development. The applicant received three inquiries, each of which expressed concerns about the increase in traffic along Mine Road.

A. Generalized Development Plan (GDP) – The applicant’s GDP depicts 60 single-family villa style attached units. The development will have one point of access on Mine Road. Roads constructed within the development will be private and maintained by the homeowners association along with all other common areas and associated amenities. Sidewalks are depicted along all internal roadways and along Mine Road extending to each property line. Sidewalk improvements along Mine Road are consistent with County requirements and the Comprehensive Plan. All units will have a front loading garage and individual driveways for parking, and an additional 14 community parallel parking spaces along the internal roadways will provide overflow guest parking. Approximately 2.84 acres (36.32%) will be maintained as open space which is more than the minimum 25% (1.96 acres) required by the R-8 Zoning District. The open space area includes a community park with a gazebo, dog park, and garden plots. A decorative fence with a landscaped street buffer is provided along Mine Road, and 25’ of vegetated transitional screening is provided along the east and west property lines. The development will be served by public water and sewer, and onsite facilities will be provided to address stormwater management. As shown on the GDP the applicant will dedicate approximately 0.58 acres (62.5’) of right-of-way along Mine Road. This dedication complements Comprehensive Plan Thoroughfare Plan identified road improvements along the Mine Road corridor. The applicant’s GDP also depicts left and right turn lanes into the project and a left turn lane into the Circle One Drive (a portion of the Meadows Subdivision), each turn lane includes 100’ of storage and a 100’ taper.

B. Fiscal Impact Analysis – The applicant has provided a Fiscal Impact Analysis (FIA) which asserts the Porchlight Commons project will be developed within two-and-a-half years, subject to market conditions with an anticipated average sales price between \$325,000 and \$350,000 per unit with unit sizes ranging from 1,850 square feet to 2,300 square feet. The applicant’s FIA estimates that the project will generate approximately \$116,933 in real estate and \$78,371 in personal property tax revenues. The applicant’s FIA projects the sum of all of the annual onsite tax revenues expected to flow to the County from the project after buildout is over \$195,304 annually. The applicant’s FIA estimates the annual tax-supported cost (cost of County services that may be required for the new citizens) of the project to be \$87,458 annually thereby generating a net revenue after full build-out of \$107,846 in current dollars.

Staff completed a separate fiscal impact analysis utilizing the County’s model. The County model tends to be more conservative. Based on the estimated assessed values of the proposed units, the County’s model projects the Porchlight Commons development will generate annually a net positive \$110,044 in tax revenues. Both the applicant and County models trend positive.

C. Proffer Statement Summary – The applicant has provided a proffer statement dated October 7, 2021 for the Planning Commission and Board of Supervisors’ consideration. Below is an itemized list of the submitted proffers 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) dated August 25, 2020 and

last revised on March 4, 2021. 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 the property will be developed for no more than 60 residential age-restricted, single-family attached units.

Although the density as proposed, 7.67 units per acre, is greater than the density of the adjacent Meadows Subdivision with 2.2 units per acre; a nearby development, Garfield Court, has approximately 10 units per acre. Staff notes that the existing zoning, allows the subject parcels to be developed for two commercial office buildings with a total of 123,000 square feet. Staff is supportive of this proffer as the use is more compatible in size and scale with the existing development in the area and provides a transition to the more intense commercial development. Additionally, the transportation impacts are less than the by-right development which is addressed in greater detail in the Transportation Analysis.

3. **Age-Restricted Covenants** – The applicant has committed that all SFA units constructed on the property shall be age-restricted. The SFA units must include at least one person who is 55 years old.

Staff is supportive of this proffer as this development provides a diverse housing opportunity for our senior community and has no impact on the schools.

4. **Architectural Materials-** The applicant has committed to architectural features for the Units as generally depicted on the proffered elevations titled, “Elevation – Front Porchlight Commons”, dated October 8, 2021.

Staff is supportive of this proffer as the proffered elevations, materials and design standards as they are above what is required.

5. **Transportation** – The applicant has committed to dedicate 0.58 acres of right of way along Mine Rd to support future road improvement. At the site entrance, the applicant proposes to construct a 100 foot westbound right turn lane with a 100 foot taper and to construct an eastbound left turn lane with 100 feet of storage and with a 100 foot taper. At the Circle One Drive intersection opposite the site’s entrance, the applicant proposes to construct a westbound left turn lane with 100 feet of storage and with a 100 foot taper.

The applicant has also proffered a cash contribution valued at \$200,000 towards the County’s Route 1/Mine Rd/Hood Drive intersection improvement and/or the Germanna Point Drive Extension to Spotsylvania Avenue or other County CIP transportation projects.

Staff is supportive of this proffer, because it is above what is required to mitigate the project’s impact on the transportation network and will assist with future plans to advance County CIP transportation projects in the vicinity of this development.

6. Cash Proffers and Escalation Clause – The applicant has committed to pay a total cash contribution of \$22,069.20 (\$367.82 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 on January 1st to reflect any increase 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.

Porchlight Commons will generate additional demands on Public Safety. Currently, there is no excess capacity at Fire Rescue Station 4 to accommodate the projected calls associated with this development. In order to determine the impact of the Porchlight Commons development 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 \$3,774 (\$62.90 per unit) for public safety which is reasonable and legally acceptable based on staff’s analysis.

Additionally, Porchlight Commons will have an impact on Parks and Recreation facilities for which capacity needs exist as identified by Level of Service Standards in the public Facilities Element of the Comprehensive Plan and for which there are capital projects identified in the CIP. These facilities include the public park improvements. In order to determine the impact of Porchlight Commons on Parks and Recreation that is specifically attributable to the new residential development, staff calculated the County’s population inclusive of the projected Porchlight Commons population in order to determine the per capita costs associated with this public facility. Staff calculated the project’s expected impact based on current capacity of the Parks and Recreation facilities and the Level of Service Standards identified in the County’s Comprehensive Plan. The applicant has proffers to contribute a total of \$18,295.20 (\$304.92 per unit) for parks and recreation which is reasonable and legally acceptable based on staff’s analysis.

7. Additional Proffers-

- a) The applicant commits to provide the following amenities: a community park, dog park, gazebo, and a community garden, as shown on the GDP, prior to the issuance of the certificate of occupancy permit (whether temporary or final) for the first (1st) Unit.

Staff is supportive of this proffer as amenities help to provide some relief to County Park and Recreation facilities while providing a sense of community for the residents and the amenities proffered are not required.

- b) The applicant agrees to pay an aggregate sum of \$50,000 toward Public Safety Facilities, prior to the issuance of the certificate of occupancy permit (temporary or final) for the first (1st) Unit.

Staff is supportive of this proffer as it aids in mitigating anticipated capacity overages for the County's Public Safety facilities.

- c) The applicant and owner agree to pay an additional cash proffer of \$200,000 towards the County's Route 1/Mine Road/Hood Road intersection improvements and/or the Germanna Point Drive Extension to Spotsylvania Avenue, or other County CIP transportation projects. This proffer will be paid in full upon the County's issuance of the 30th Unit's certificate of occupancy permit (temporary or final).

Staff is supportive of this proffer, the cash contributions will relieve some of the County's financial burden for future roadway projects and improvements to the Route 1/Mine Road/Hood Road intersection and/or the Germanna Point Drive Extension to Spotsylvania Avenue, or other County CIP transportation projects to improve the level of service in the future.

II. Staff Analysis

- A. Transportation Analysis** – Mine Road is classified as a major collector and is currently a two-lane undivided roadway in the vicinity of the site. Based on VDOT traffic count data, Mine Road carries approximately 15,000 vehicles per day (vpd) in the vicinity of the site. The posted speed limit is 35 miles per hour (mph). Circle One Drive is currently a short, two-lane, undivided residential roadway that carries approximately 80 vpd and ends in a cul-de-sac.

The proposed development of 60 active adult units is projected to produce 325 vpd, 21 vehicle trips during the AM Peak hour, and 27 vehicle trips during the PM Peak hour. In comparison the office oriented development plan approved for this site in 2007 would produce significantly more trips with 1,773 vpd, 174 vehicle trips during the AM Peak hour, and 187 vehicle trips during the PM Peak hour. As a result, the current proposal would reduce vpd by 1,448 vpd, by 153 AM Peak hour vehicle trips, and by 160 PM Peak hour vehicle trips.

The proposed site entrance meets VDOT's requirements for minimum intersection spacing. A turn lane warrant and level of service (LOS) analysis was performed for the site entrance intersection with Mine Road and Circle One Drive. The analysis showed that full left turn lanes with tapers into the site and into Circle One Drive were warranted. The LOS analysis showed that for existing conditions Mine Road operates at LOS A and Circle One Drive at LOS C. With the proposed development, LOS for Mine Road continues to be LOS A, the Circle One Drive LOS declines to LOS D, and the Main site entrance has a LOS D. The queue length for the site entrance and Circle One Drive are both less than 1 car length during all peak hours. Staff notes, the previously approved office use will result in an additional 1,458 daily trips at the site entrance which will likely degrade the LOS below that for the current age restricted residential proposal and possibly require additional intersection improvements at the site.

Mine Road at the location of the proposed site entrance currently has a low crash rate. With development, the proposed full turn lanes at the site entrance should continue to exhibit a low crash rate.

A. Comprehensive Plan – Please find below a summary of the Porchlight Commons project’s conformance with each component of the Comprehensive Plan. A complete Comprehensive Plan Analysis can be found in Appendix A.

- 1. Land Use** – Porchlight Commons is located in an area with an employment center designation with nearby commercial land use to the west and low density residential adjacent to the east along Mine Road. The land use designations in the area are generally reflective of existing zoning and established development character of the area. The Comprehensive Plan is clear that land use designations are general in nature and not meant to be parcel specific. Considering the land use patterns, nearby zoning, and location, the Comprehensive Plan would be supportive of employment center, residential or commercial type development in this location. The site is transitional as it lies between residential development adjacent to the east and south of Mine Road, and well established commercial developments to the west, northwest and southwest associated with the Route 1 corridor, Spotsylvania Avenue, and western end of Mine Road. Considering the location between land uses this project is expected to provide a more harmonious transition between land use patterns to the west, southwest, northwest verse those to the south, southeast, northeast and east. This project does not meet the intent of either the employment center onsite or commercial land use designation to the west. The project is most consistent with the low-density residential land use designation that is adjacent to the east and across Mine Road to the south. As per the Comprehensive Plan, the low density residential is described as single family attached and detached residences typical in a suburban area. The overall density can be as high as four units per acre, but lower densities are also appropriate. The Porchlight Commons project housing type (Single Family Attached configuration) is generally consistent with the low density residential land use category but density is above the recommended 4 units/acre at 7.67 units/acre. This results in a denser, more compact development character than nearby single family detached developments with the low density residential designation.
- 2. Transportation** – Staff notes traffic impacts are expected to be lower than the prior approved office building development onsite. The Comprehensive Plan does encourage growth of the non-residential tax base and staff notes this project would result in a loss of Commercial 2 (C-2) zoning intended for construction of an office building as approved via a rezoning in 2008 (Rezoning Case R07-08) in exchange for a residential project. The proposed development of 60 active adult units is projected to produce 325 vpd, 21 vehicle trips during the AM Peak hour, and 27 vehicle trips during the PM Peak hour. In comparison the previous office oriented development plan approved for this site in 2007 would produce significantly more trips. The approved 2007 plan would produce 1,773 vpd, 174 vehicle trips during the AM Peak hour, and 187 vehicle trips during the PM Peak hour. As a result, the proposal would reduce vpd by 1,448 vpd, by 153 AM Peak hour vehicle trips, and by 160 PM Peak hour vehicle trips.

Lastly, the LOS analysis showed that for existing conditions Mine Road operates at LOS A and Circle One Drive at LOS C. With the development, LOS for Mine Road continues to be LOS A, the Circle One Drive LOS declines to LOS D, and the main site entrance has LOS D. The queue length for the site entrance and Circle One Drive are both less than 1 car length during all peak hours. Staff notes, the previously approved office use will result in an additional 1,458 daily trips at the site entrance which will likely degrade the LOS below that for the current age restricted residential proposal and possibly require additional intersection improvements at the site.

Mine Rd at the location of the proposed site entrance has a low crash rate. With development, the proposed full turn lanes at the site entrance should continue to exhibit a low crash rate.

3. Public Facilities-

- a) **Public Schools** – The Porchlight Commons development is an age-restricted project and per the covenants as proffered, residents under the age of 18 are prohibited. There will be no impacts to the schools.
- b) **Fire, Rescue, and Emergency Services (FREM)** – The Porchlight Commons will be served by Fire and Rescue Station #4, located less than two miles from the proposed project site. The call volume capacity for Fire Station #4 is 2,500 per year; the actual call volume for the station in Fiscal Year 2020 was 4,246 indicating current development exceeds the station capacity per the Comprehensive Plan’s goal of a maximum call capacity of 2,500 per station. 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 Porchlight Commons development is approximately 1.5 miles away from the Mine Road 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 Porchlight development is located within the Primary Development Boundary and will be serviced by public water and sewer, as depicted on the GDP.

- 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 Porchlight Commons development is a 10-minute drive (4.7 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 Porchlight Commons 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 I.C.6 for the complete summary and analysis of the cash contribution.
4. **Historic Resources** – The property does not contain any historic or cultural resources.
5. **Natural Resources** – The project provides open space in excess of that required in the proposed zoning district. As noted in the GDP Open Space Tabulation, 36.32% open space will be provided compared to the 25% required under R-8 Zoning. Open space exceeds requirements and is therefore favorable to impervious surface minimization goals for development. This rezoning request is not expected to negatively impact any sensitive environmental resources. Project development will be subject to regulatory protections concerning environmental quality.

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 scale of the proposed development is more consistent with the adjacent residential subdivision and provides a more harmonious transition between land use patterns than the by-right office development.
- C. The proposal integrates quality open space into the design in excess of zoning district requirements, while incorporating and protecting environmentally sensitive features.
- D. The applicant commits to dedicate 0.58 acres of right of way along Mine Road to support future road improvements.
- E. The applicant proposes turn lane improvements to mitigate transportation impacts onsite and offsite.
- F. The proposed development is projected to have a significant reduction in traffic versus the by-right office use. The previously approved office use will result in an additional

1,458 daily trips at the site entrance which will likely degrade the LOS below that for the current age restricted residential proposal.

- G.** As an age-restricted project there will be no impacts to the County's Public School facilities.
- H.** The project is estimated to produce a net positive annual fiscal benefit at build out to the County and is expected to provide a greater consumer base to the existing commercial development in the area.
- I.** The applicant has proffered \$18,295.20 in cash contributions to mitigate the impacts of the development on Parks & Recreation and \$53,774.00 in cash contributions to mitigate the impacts of the development on Public Safety.
- J.** The applicant and owner agree to pay an additional cash proffer of \$200,000 towards the County's Route 1/Mine Road/Hood Road intersection improvements and/or the Germanna Point Drive Extension to Spotsylvania Avenue, or other County CIP transportation projects.

Against:

- A.** The project density is 7.67 units per acre which exceeds the low-density residential land use designation recommendation of no more than 4 units/acre.
- B.** This project would result in a loss of Commercial 2 (C-2) zoning intended for construction of an office building as approved via rezoning in 2008 (Rezoning Case R07-08) in exchange for a residential project.

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 project is within the Primary Development Boundary and although the project is inconsistent with the Employment Center Land Use Designation the project would be most consistent with the intent of the Low-Density Residential designation with the exception of the proposed density. Although the density proposed is higher than recommended for the Low-Density Residential designation, the scale of the proposed development is more consistent with the adjacent residential subdivision and nearby residential development than that of the potential by-right office uses and will provide a more harmonious transition between the commercial land use patterns to the west, southwest, northwest. The project provides an infusion of residences near a mixed use area. Staff anticipates this proposal will result in a favorable impact. Consumer demands are shifting, and there are numerous vacancies within nearby 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 residential development. The proposed development also integrates quality open space into the design in excess of zoning district requirements, and provides pedestrian connectivity throughout the site and to property lines to connect to future development. The County's FIA model projects a net positive annual fiscal benefit at build out of the project. The applicant has proffered cash contributions totaling \$22,069.20 to mitigate the development's impacts on parks and recreation, public safety, and transportation. The project's transportation improvements include the dedication of right of way, the construction of turn lanes for the proposed development and adjacent existing development, and a cash contribution toward the Route 1/Mine Road/Hood Road intersection improvements and/or the Germanna Point Drive Extension to Spotsylvania Avenue, or other County CIP transportation projects, which not only assist in mitigating the project's impacts but also assist in addressing existing traffic safety issues. Given the Findings in Favor and

reasons noted in the conclusion, staff recommends approval of the rezoning request with the proffered conditions dated October 7, 2021.

Spotsylvania County Government

Appendix A

Comprehensive Plan Analysis

R20-0013-Porchlight Commons

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.

The proposed age restricted single family attached development, known as "Porchlight Commons" consists of no more than 60 units per proffer and would be located at Tax Map(s) #36-A-150, #36-A-151, and #36-A-154. The proposal is located within the Primary Development Boundary; area within which public water and sewer utilities will be provided. Lands within the limits of the Primary Development Boundary are 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 and agricultural viability of those portions of the County outside the boundary. This land use is appropriate within the Primary Development Boundary.

Porchlight Commons is located in an area has an employment center designation with nearby commercial land use to the west and low density residential adjacent to the south and east along Mine Road. The land use designations in the area are generally reflective of existing zoning and established development character of the area. The Comprehensive Plan is clear that land use designations are general in nature and not meant to be parcel specific. Considering the land use patterns, nearby zoning, and location, the Comprehensive Plan would be supportive of employment center, residential or commercial type development in this location. The site is transitional as it lies between residential development adjacent to the east and south of Mine Road, and well established commercial developments to the west, northwest and southwest associated with the Rt 1 corridor, Spotsylvania Avenue, and western end of Mine Road. Considering location between land uses this project is expected to provide a more harmonious transition between land use patterns to the west, southwest, northwest vs those to the south, southeast, northeast and east. Staff notes traffic impacts are expected to be lower than the prior approved office building development onsite. The Comprehensive Plan does encourage growth of the non-residential tax base and staff notes this project would result in a loss of Commercial 2 (C-2) zoning intended for construction of an office building as approved via rezoning in 2008 (Rezoning Case R07-08) in exchange for a residential project. This project does not meet the intent of either the employment center onsite or commercial land use designation to the west. The project is most consistent with the low-density residential land use designation adjacent to the east and across Mine Road to the south. As per the Comprehensive Plan, the Low density residential is described as single family attached and detached residences typical in a suburban area. The overall density can be as high as four units per acre, but lower densities are also appropriate. The Porchlight Commons project housing type (Single Family Attached configuration) is consistent with the low density residential land use category but density is above the recommended 4 units/acre at 7.67 units/acre. This results in a denser, more compact development character than nearby single family detached developments with the low density residential designation.

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. Proposal is business friendly, helping support tradesmen and suppliers throughout the construction phase. Following construction once occupancy occurs, additional residents in the area inevitably will help support commerce demand for goods and services, supporting business and employment offsite as a spin-off benefit. Staff acknowledges that the land use map and existing prior enabled commercial zoning intended to accommodate a 123,000 sq ft office building in this location is also be supportive of commercial development where commerce and employment could occur with fewer demands upon public services and potential for greater fiscal benefit.

Guiding Principles and Policies B. Spotsylvania County is fiscally sustainable. B.2. Development projects seeking increased residential density and/or non-residential intensity should address impacts that are specifically attributable to the proposed development. Rezoning away from Commercial 2 zoning in exchange for residential is not consistent with land use mix and commercial tax base growth goals. Staff acknowledges that the existing commercial zoning is more consistent with the employment center land use designation upon the property. The applicant supplied fiscal impact analysis projects a positive fiscal impact resulting from this project at full build-out valued at \$140,333 annually (after expenses accounted for). On balance, age-restricted projects such as that proposed have fewer or no impacts on the universe of public services such as schools. Transportation impacts will also be less compared to the project area current potential. This is a market rate project identified by the applicant narrative with average unit sales price around between \$325,000 and \$350,000 by narrative. The project Fiscal Impact Analysis conservatively estimates assessed values of \$252,259. The County model projects this project will have positive fiscal impacts. Staff notes the expected positive fiscal impacts resulting from this rezoning proposal would be less than the prior approved office development for the site.

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. Project proffers seek to mitigate capital impacts resulting from additional demands for service resulting from additional residents. They have been proposed to be specifically attributable to the proposed development within the parameters established in VA Code Sec. 15.2-2303.4. Per project proffers capital mitigations are proposed for public safety and parks and recreation. As an age-restricted project no impacts on schools are expected. Transportation improvements to accommodate the project are physical improvements as outlined in the proffer document. In addition to the proposed right-of-way dedication, deceleration and turn lanes, phasing is included. Additionally, a cash proffer of \$200,000 has been proposed to benefit nearby transportation projects in the area. An additional \$50,000 has been proposed towards public safety facilities. Staff notes of the public facilities categories, public safety tends to see higher concentrations of call demand from age restricted housing projects.

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. As depicted on the Generalized Development Plan, Sidewalk infrastructure will be developed along the internal road network and along the Mine Road frontage to enable future connectivity. Sidewalks along Mine Road are consistent with the County Trailways Master Plan.

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. No impacts to significant historic or natural resources expected with this project.

Guiding Principles and Policies C. Spotsylvania County is a family friendly community; 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 is consistent with countywide housing diversification goals, offering a new age-restricted project to the market in close proximity to goods and services.

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). The proposed Residential 8 (R-8) zoning district requires a minimum 25% open space of gross area. The project proposal exceeds this with approximately 36% open space identified as per the GDP. As depicted by the limits of clearing within the GDP, existing vegetation will be cleared from the site. New plantings will be located consistent with the GDP to include transitional screening buffers, street buffer, and trees located throughout the community and open spaces as shown. The project will be subject to Chesapeake Bay and stormwater management compliance.

Land Use:

Future Land Use Map Designation: Porchlight Commons is located in an area has an employment center designation with nearby commercial land use to the west and low density residential adjacent to the east along Mine Road. The land use designations in the area are generally reflective of existing zoning and established development character of the area. The Comprehensive Plan is clear that land use designations are general in nature and not meant to be parcel specific. Considering the land use patterns, nearby zoning, and location, the Comprehensive Plan would be supportive of employment center, residential or commercial type development in this location. The site is transitional as it lies between residential development adjacent to the east and south of Mine Road, and well established commercial developments to the west, northwest and southwest associated with the Rt 1 corridor, Spotsylvania Avenue, and western end of Mine Road. Considering location between land uses this project is expected to provide a more harmonious transition between land use patterns to the west, southwest, northwest vs those to the south, southeast, northeast and east. Staff notes traffic impacts are expected to be lower than the prior approved office building development onsite. The Comprehensive Plan does encourage growth of the non-residential tax base and staff notes this project would result in a loss of Commercial 2 (C-2) zoning intended for construction of an office building as approved via rezoning in 2008 (Rezoning Case R07-08) in exchange for a residential project. This project does not meet the intent of either the employment center onsite or commercial land use designation to the west. The project is most consistent with the low-density residential land use designation

adjacent to the east and across Mine Road to the south. As per the Comprehensive Plan, the Low density residential is described as single family attached and detached residences typical in a suburban area. The overall density can be as high as four units per acre, but lower densities are also appropriate. The Porchlight Commons project housing type (Single Family Attached configuration) is consistent with the low density residential land use category but density is above the recommended 4 units/acre at 7.67 units/acre. This results in a denser, more compact development character than nearby single family detached developments with the low density residential designation.

Land Use Policies Applicable to All Land Uses #1. Rezoning proposals should address impacts that are specifically attributable to the development. Project proffers seek to mitigate capital impacts resulting from additional demands for service resulting from additional residents. They have been proposed to be specifically attributable to the proposed development within the parameters established in VA Code Sec. 15.2-2303.4. Per project proffers capital mitigations are proposed for public safety and parks and recreation. As an age-restricted project no impacts on schools are expected. Transportation improvements to accommodate the project are physical improvements as outlined in the proffer document. In addition to the proposed right-of-way dedication, deceleration and turn lanes, phasing is included. Additionally, a cash proffer of \$200,000 has been proposed to benefit nearby transportation projects in the area. An additional \$50,000 has been proposed towards public safety facilities. Staff notes of the public facilities categories, public safety tends to see higher concentrations of call demand from age restricted housing projects.

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 have been clearly depicted on the project Generalized Development Plan. This proposal does not exhibit preservation of existing trees and/or their use as buffers. Instead new plantings are proposed.

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. The site is transitional as it lies between residential development adjacent to the east and south of Mine Road, and well established commercial developments to the west, northwest and southwest associated with the Rt 1 corridor, Spotsylvania Avenue, and western end of Mine Road. Considering location between land uses this project is expected to provide a more harmonious transition between land use patterns to the west, southwest, northwest vs those to the south, southeast, northeast and east. Staff notes traffic impacts are expected to be lower than the prior approved office building development onsite. The applicant has also considered exterior design aesthetic with proffered design renderings and façade materials.

Residential Land Use Policies #2. Residential uses within the Primary Development Boundary should provide inter-and intra-development pedestrian paths to link adjoining subdivisions and form a cohesive residential area and alternative transportation and recreational opportunities. As depicted on the Generalized Development Plan, Sidewalk infrastructure will be developed along the internal road network and along the Mine Road frontage to enable future connectivity. Sidewalks along Mine Road are consistent with the County Trailways Master plan.

Residential Land Use Policies #3. Residential infill development should maintain the neighborhood character established by the existing subdivisions. The site is transitional as it lies between residential development adjacent to the east and south of Mine Road, and well established commercial developments to the west, northwest and southwest associated with the Rt 1 corridor, Spotsylvania Avenue, and western end of Mine Road. Considering location between land uses this project is expected to provide a more harmonious transition between land use patterns to the west, southwest, northwest vs those to the south, southeast, northeast and east. Staff notes traffic impacts are expected to be lower than the prior approved office building development onsite. The applicant has also considered exterior design aesthetic with proffered design renderings and façade materials. Transitional design elements including transitional screening buffers towards adjacent, less dense single family detached character are included in the project proposal. The applicant has also considered exterior design aesthetic with proffered design renderings and façade materials.

Residential Land Use Policies #8. Promote the provision of a diverse housing mix by encouraging a range of housing sizes and types that meet the needs of citizens at all income levels throughout all stages of life. The proposal is consistent with countywide housing diversification goals, offering a new age-restricted project to the market in close proximity to goods and services. This is a market rate project identified by the applicant narrative with average unit sales price around between \$325,000 and \$350,000 by narrative. The project Fiscal Impact Analysis conservatively estimates assessed values of \$252,259.

Residential Land Use Policies #9. Promote the provision of market rate affordable housing units rather than units that are subsidized for the initial sale to ensure that housing remains affordable over time. This is a market rate project identified by the applicant narrative with average unit sales price around between \$325,000 and \$350,000 by narrative. The project Fiscal Impact Analysis conservatively estimates assessed values of \$252,259.

Transportation:

Transportation Goal #1. Maintain acceptable Levels of Service on public roads; Transportation Goal 1.1. 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 Goal #2. Ensure that new development does not degrade Levels of Service and mitigates its impact on the transportation network. It is good to reiterate that transportation impacts of the proposed project are expected to be more favorable (less impactful) than the prior approved 123,000 sq ft office building under the existing Commercial zoning. Transportation improvements to accommodate the project are physical improvements as outlined in the proffer document. In addition to the proposed right-of-way dedication, deceleration and turn lanes, phasing is included. Additionally, a cash proffer of \$200,000 has been proposed to benefit nearby transportation projects in the area.

In analysis of transportation level of service, transportation staff note Mine Road (Rte 636) is classified as a major collector and is currently a two-lane undivided roadway in the vicinity of the site. Based on VDOT traffic count data, Mine Road carries approximately 15,000 vehicles per day (vpd) in the vicinity of the site. The posted speed limit is 35 miles per hour (mph). Circle One Drive (Rte 1267) is currently a short, two-lane, undivided residential roadway that carries approximately 80 vpd and ends in a cul-de-sac.

The proposed development of 60 active adult units is projected to produce 325 vpd, 21 vehicle trips during the AM Peak hour, and 27 vehicle trips during the PM Peak hour. In comparison the previous office oriented development plan approved for this site in 2007 would produce significantly more trips. The approved 2007 plan would produce 1,773 vpd, 174 vehicle trips during the AM Peak hour, and 187 vehicle trips during the PM Peak hour. As a result, the new proposed Rezoning plan would reduce vpd by 1,448 vpd, by 153 AM Peak hour vehicle trips, and by 160 PM Peak hour vehicle trips.

The proposed site entrance meets VDOT's requirements for minimum intersection spacing. Turn lane warrant and level of service (LOS) analysis was performed for the site entrance intersection with Mine Road and Circle One Drive. The analysis showed that full left turn lanes with tapers into the site and into Circle One Drive were warranted. The LOS analysis showed that for existing conditions Mine Road operates at LOS A and Circle One Drive at LOS C. With the development, LOS for Mine Road continues to be LOS A, the Circle One Drive LOS declines to LOS D, and the Main site entrance has LOS D. The queue length for the site entrance and Circle One Drive are both less than 1 car length during all peak hours.

Mine Rd at the location of the proposed site entrance has a low crash. With development, the proposed full turn lanes at the site entrance should continue to exhibit a low crash rate.

Transportation Policy #2.6. 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. As depicted on the Generalized Development Plan, Sidewalk infrastructure will be developed along the internal road network and along the Mine Road frontage to enable future connectivity. Sidewalks along Mine Road are consistent with the County Trailways Master Plan.

Trailways Master Plan

Frontage improvements along Mine Road are consistent with the Trailways Master Plan.

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 #1.2. Support the preservation of resources with local, state, or national significance. Historic Resources Policy #2. The County should support projects that consider and mitigate the impact of development projects on historic and cultural resources during the rezoning, special use, and capital project planning process. Historic Resources Policy #2.1. Development applications and staff reports should identify historic and cultural resources in proximity to proposed rezoning, special use, or capital project, and evaluate the impacts of the project on the resources in question. Historic Resources Policy #2.3. The County should support the preservation of scenic and historic lands as a component of the rezoning actions through placing these resources in easements or dedicated open space. No impacts to significant historic or natural resources expected with this project.

Natural Resources:

Natural Resources Policy #1. Balance the protection of environmental resources and natural wildlife habitats with development. Natural Resources Policy #1.3. Encourage land development practices, which minimize impervious cover to promote groundwater recharge, and/or tree preservation. Limits of clearing have been clearly depicted on the project Generalized Development Plan. This proposal does not exhibit preservation of existing trees and/or their use as buffers. Instead new plantings are proposed. The proposed Residential 8 (R-8) zoning district requires a minimum 25% open space of gross area. The project proposal exceeds this with approximately 36% open space identified as per the GDP. As depicted by the limits of clearing within the GDP, existing vegetation will be cleared from the site. New plantings will be located consistent with the GDP to include transitional screening buffers, street buffer, and trees located throughout the community and open spaces as shown. The project will be subject to Chesapeake Bay and stormwater management compliance.

VOLUNTARY PROFFER STATEMENT

Applicant: CERESMINEROAD, LLC (“Applicant”)

Owner: UB Properties, Inc. (“Owner”)

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: Porchlight Commons (“Project”)

Property: Spotsylvania County Tax Parcels 36-A-150, 36-A-151, and 36-A-154, consisting of approximately 8.40 acres, known as 4517, 4525, and 4537 Mine Road (collectively, “Property”)

Date: October 7, 2021

GDP: Porchlight Commons, Generalized Development Plan for Rezoning – TM 36-A-150, 36-A-151, & 36-A-154 – 4517, 4525, & 4537 Mine Road – Battlefield Voting District, Spotsylvania County, Virginia, dated August 25, 2020, revised March 4, 2021, prepared by Fairbanks & Franklin, and attached as **Exhibit A** (“GDP”)

Rezoning Request: From C-2 to R-8

Rezoning File No.: R20-0013

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 R20-0013 to reclassify the Property from C-2 to R-8 to allow a residential real estate development containing no more than sixty (60) residential age-restricted single-family attached dwelling units (each individually a “Unit” and collectively, “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 unit sizes, public road locations, private driveway and travelway locations, waste facilities, parking areas, 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 the requirements of state and federal agency regulations including, but not limited to, Virginia Department of Historical Resources (“DHR”), Virginia Department of Transportation (“VDOT”), Virginia Department of Environmental Quality (“DEQ”), Virginia Department of Conservation and Recreation (“DCR”), U.S. Army Corps. of Engineers, and other state or federal applicable governmental approvals, and 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 purposes of developing a residential development under the County’s R-8 zoning district consisting of no more than sixty (60) residential age-restricted, single-family attached dwelling units, all as generally depicted on the GDP.
- C. **Age-Restricted Covenants.** All Units constructed on the Property shall be age-restricted and qualify as “housing for older persons” in accordance with the criteria set forth in Code of Virginia section 36-96.7, et seq., as amended. Further, prior to construction of the first Unit, restrictive covenants shall be prepared and recorded among the land records of Spotsylvania County, Virginia, and encumber the Property. Restrictive covenants define the qualification for initial and subsequent occupancy of any Unit associated with the Property and shall further restrict households to include at least one person who is age 55 years or older. Additionally, a covenant shall be placed on the Property that further prohibits any resident age 18 years or younger to reside within any Unit constructed on the Property for a period of time exceeding 30 days within any six-month period. Notwithstanding the foregoing restrictions, any Unit constructed on the Property may be occupied by a physically or mentally disabled individual who is 18 years of age or older and is the child of an age-restricted occupant.
- D. **Architectural Materials.** The architectural features for the Units and entrance features for the Project shall be as generally depicted on the attached elevation titled “Elevation – Front Porchlight Commons”, dated October 8, 2021, prepared by Heffner Architects PC, which is attached hereto and marked as **Exhibit B** (the “Elevations”). The materials for the front façades of each Unit shall incorporate one or more of the following or substantially similar materials:

- Partial or full masonry or stone veneer (in addition to foundation). Concrete block is not permitted.
- Shake/shingle siding, either authentic or faux
- Vertical/board-and-batten siding
- Non-vinyl horizontal siding

The Zoning Administrator in his/her sole discretion may approve alternative materials which are substantially similar to the aesthetics created by the materials listed above.

III. Transportation.

The following transportation in-kind proffers shall be provided, all as generally shown on the GDP and described below:

- One eastbound left-turn lane at the intersection of the Project site entrance and Mine Road with 100 feet of storage and a 100-foot taper.
- One westbound right deceleration lane at the Project site entrance on Mine Road, with 100 feet of storage and a 100-foot taper.
- One westbound left-turn lane at the intersection of the Project site entrance and Circle One Drive, with 100 feet of storage and a 100-foot taper.
- Dedication of 0.58 acres of right of way along Mine Road, which shall be dedicated prior to County final site or subdivision plan approval or prior thereto pursuant to the County's request in accordance with planned County or VDOT road improvements along Mine Road, except in the event the County requests that all or part of the said right of way be dedicated sooner. Within thirty (30) days of the County's request or soon thereafter with approval of the County, the Applicant will submit the right of way dedication plat application to the County for review and approval.
- All of the aforesaid in-kind transportation proffers shall be completed prior to the issuance by the County of the first certificate of occupancy permit (temporary or final).

IV. Cash Proffers.

- The following cash proffers will be provided to mitigate the Project's impacts. Cash proffers are applicable to all Units and total in the aggregate \$22,069.20. All cash proffers will be paid on a per unit basis (\$22,069.20 divided by 60 Units = \$367.82 per unit), all as provided more particularly below:

CASH AND IN-KIND PROFFERS					
	SF Detached	SF Attached	Multi-Family	Age-Restricted	TOTAL
Per Unit Cash Proffer	\$0 x 0	\$0 x 0	\$0 x 0	\$367.82 x 60	
TOTAL	\$0	\$0	\$0	\$22,069.20	\$22,069.20
LUMP SUM AND IN-KIND CONTRIBUTIONS					
PUBLIC FACILITY CATEGORY					TOTAL VALUE
Schools	\$0.00 cash per Unit to Schools				\$0.00
Public Safety	\$62.90 cash per Unit to Public Safety				\$3,774.00
Transportation	\$0.00 cash per Unit to Transportation				\$0.00
Parks & Rec.	\$304.92 cash per Unit to Parks & Rec.				\$18,295.20
TOTAL CASH & IN KIND PROFFER VALUE					\$22,069.20

PROFFERED PHASING AND TIMING	
Phase or Contribution/Dedication	Timing
<i>Cash Contributions to Public Safety</i>	After the final inspection and prior to the issuance of the certificate of occupancy (temporary or final) for each Unit.
<i>Cash Contributions to Parks & Rec.</i>	After the final inspection and prior to the issuance of the certificate of occupancy (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 Unit shall be adjusted annually on January 1 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 Virginia Code section 15.2.2303.3b.

V. Additional Proffers.

- A. The following amenities shall be provided, prior to the issuance of the certificate of occupancy (temporary or permanent) for the first Unit: community park, dog park, gazebo, and community garden, all as shown on the GDP. The sidewalks provided throughout the Project and as shown on the GDP will be constructed as the Project is built-out.
- B. In addition to the above referenced cash proffers, the Applicant and Owner agree to pay the total sum of \$50,000.00 toward Public Safety facilities (“Additional Cash Proffer”). The Additional Cash Proffer will be paid prior to the issuance of the certificate of occupancy permit (temporary or final) for the first Unit.
- C. Applicant and Owner agree to pay an additional cash proffer of \$200,000.00 towards the County’s Route 1/Mine Rd/Hood Road intersection improvements and/or the Germanna Point Drive Extension to Spotsylvania Avenue, or other County CIP transportation projects in accordance with Section 15.2-2303.2.C of the code of Virginia. This proffer shall be paid in full upon the County’s issuance of the 30th Unit’s certificate of occupancy permit (temporary or final).

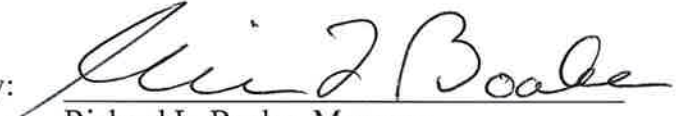
[AUTHORIZED SIGNATURES TO FOLLOW]

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

WITNESS the following signatures:

APPLICANT:

CERESMINEROAD, LLC, a
Virginia limited liability company

By: 
Richard L. Boales, Manager

Date: 10-14-2021

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Fredericksburg

The foregoing was subscribed, sworn to and acknowledged before me this 14th day of October, 2021, by Richard L. Boales, Manager of CERESMINEROAD, LLC, a Virginia limited liability company on behalf of the company.


Notary Public

Print Name: Kathryn Lynn Nix-Khushid
My Commission Expires: 08/31/2024
Registration No. 7883487
[SEAL]



OWNER:

UB Properties, Inc.,
a Virginia corporation

By:

 VP

Steven Talbot, Vice President

Date:

10/20/2021

COMMONWEALTH/STATE OF Virginia
~~CITY/COUNTY OF~~ Caroline

The foregoing was subscribed, sworn to and acknowledged before me this 20th day of October, 2021, by Steven Talbot, Vice President of UB Properties, Inc., a Virginia corporation, on behalf of the corporation.


Notary Public

Print Name: Ashley Renee Wade Sprouse

My Commission Expires: 11/30/2023

Registration No. 7850323

[SEAL]

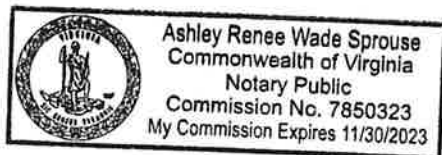


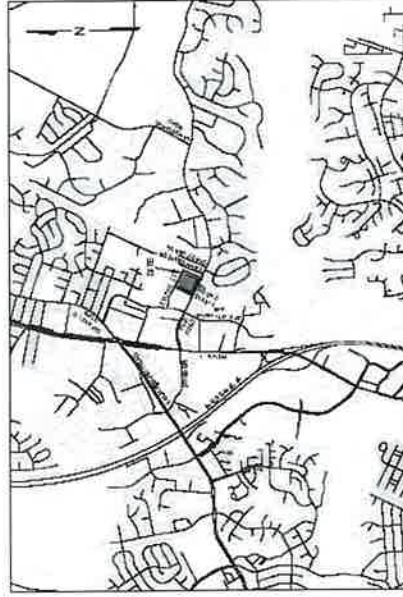
EXHIBIT A

Generalized Development Plan

PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
TM 36-A-150, 36-A-151, & 36-A-154
4517, 4525, & 4537 MINE ROAD
BATTLEFIELD VOTING DISTRICT
SPOTSYLVANIA COUNTY, VIRGINIA

SHEET INDEX

SHEET	TITLE
SHEET 1	COVER SHEET
SHEET 2	EXISTING CONDITIONS
SHEET 3	GENERALIZED DEVELOPMENT PLAN
SHEET 4	GENERALIZED LANDSCAPE PLAN
SHEET 5	GENERALIZED UTILITY & OPEN SPACE PLAN



SITE INFORMATION:

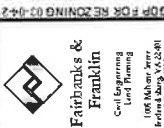
TAX PARCELS:
ADDRESSES:
154-150, 36-A-151, & 36-A-154
4517, 4525, & 4537 MINE ROAD
C-2
R-8
PROPOSED ZONING:
P-10
PROPOSED ZONING:
P-10
OVERLAY DISTRICTS:
APPROPRIATELY ATTACHED
PROPERTY AREA:
8.40 AC
AREA WITHIN LOTS:
3.70 AC
TOTAL UNITS: 40
DENSITY:
7.67 DU/AC
MINIMUM OPEN SPACE REQUIRED:
35.32 AC (24.4 AC)
LAND WITHIN SLOPES > 10%:
0.60 AC (0.00 AC)
DISTURBED ACREAGE:
APPROXIMATELY 8.3 AC
PUBLIC WATER:
2.00 AC
WATER:
2.00 AC
PARKING REQUIRED:
13 SPACES
PARKING PROVIDED:
2.00 AC
ALLOWABLE BUILDING HEIGHT:
35 FT MAXIMUM (2 STORY DWELLINGS)
PROPOSED BUILDING HEIGHT:
35 FT MAXIMUM (2 STORY DWELLINGS)
MINIMUM YARD REQUIREMENTS:
SIDE YARD: 10 FEET
REAR YARD: 20 FEET



PROPERTY OWNER	APPLICANT	ENGINEER
UB PROPERTIES, INC. 1051 L ST NW #800 WASHINGTON, DC 20037 202-262-8104	CERESMERROAD, LLC 2101 L ST NW #800 WASHINGTON, DC 20037 202-262-8104	FAIRBANKS & FRANKLIN 1005 MAHONE STREET FREDERICKSBURG, VIRGINIA 22401 540-989-3700

PROPERTY OWNER	APPLICANT	ENGINEER
UB PROPERTIES, INC. 1051 L ST NW #800 WASHINGTON, DC 20037 202-262-8104	CERESMERROAD, LLC 2101 L ST NW #800 WASHINGTON, DC 20037 202-262-8104	FAIRBANKS & FRANKLIN 1005 MAHONE STREET FREDERICKSBURG, VIRGINIA 22401 540-989-3700

- NOTES:
1. THIS GENERALIZED DEVELOPMENT PLAN IS A PRELIMINARY PLAN AND IS NOT TO BE USED FOR CONSTRUCTION.
 2. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS.
 3. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS.
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 11. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS.
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 17. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS.
 18. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE SPOTSYLVANIA COUNTY BOARD OF SUPERVISORS.



APPROVAL

COVER SHEET

PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA



DATE: 02-28-20
DESIGNED BY: JCF
CHECKED BY: JCF
DATE: 02-28-20

PROJECT NO: 482-1004
SHEET NO: 1 OF 5



Fairbanks & Franklin
Civil Engineering
Land Planning
1000 Main Street
Friedrichsburg, VA 22440
(424) 212-1212

EXISTING CONDITIONS

PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA



DATE: 03-24-23
DESIGNED BY: JAC
DRAWN BY: JAC
CHECKED BY: JAC

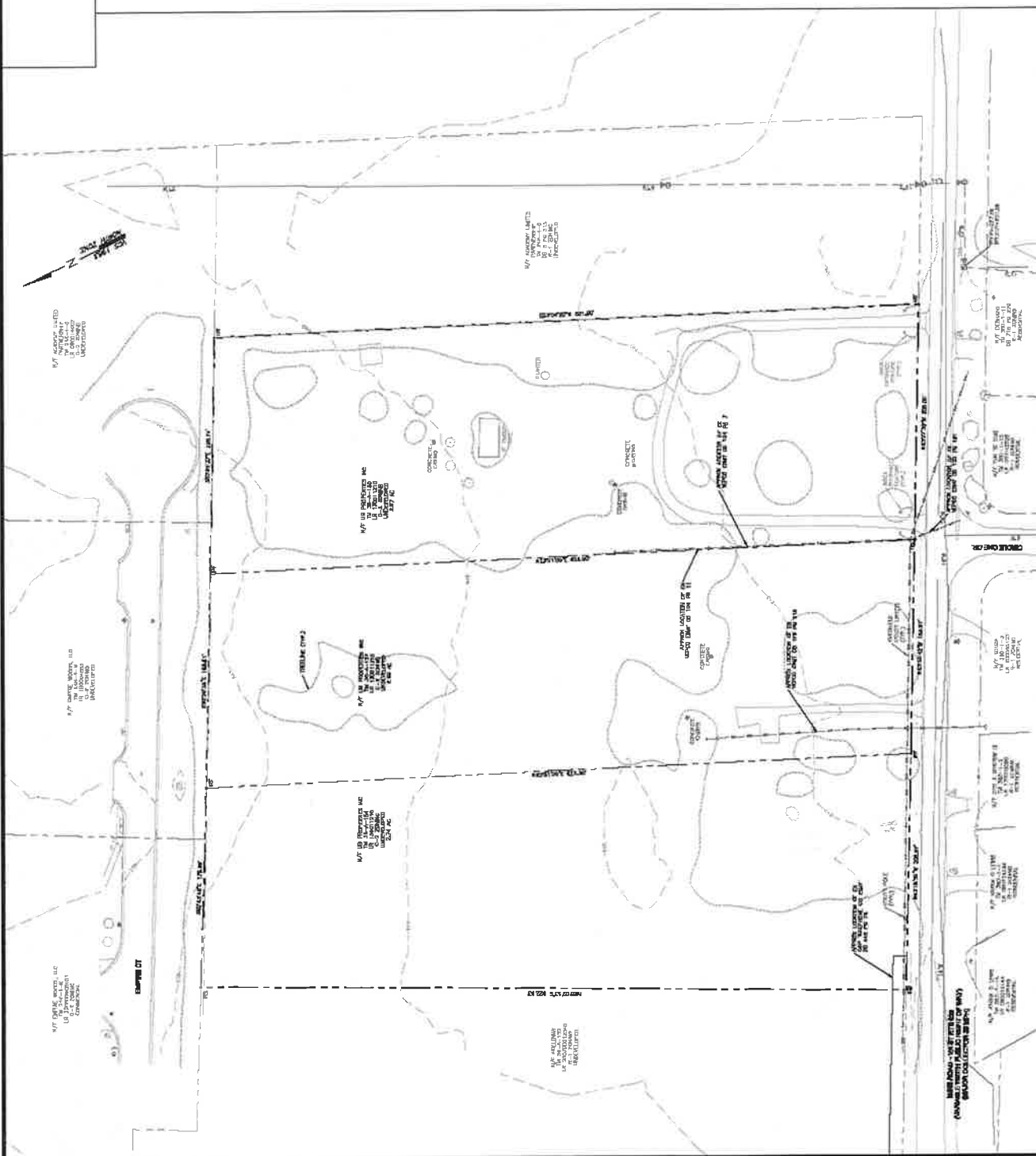
PROJECT NO.: 22-0001
SHEET NO.: 2 OF 5

PROJECT NO.: 22-0001
SHEET NO.: 2 OF 5

APPROVAL

LEGEND

ON-SITE PROPERTY BOUNDARY	
EXISTING	DASHED LINE
IMPROVED	
WATER	WAVE
SEWER	WAVE
SHARED MANHOLE	WAVE
WATER VALVE	WAVE
FIRE HYDRANT	WAVE
REINFORCER	WAVE
UTILITY POLE	WAVE
OVERHEAD WIRE	WAVE





Fairbanks & Franklin
Civil Engineering
Land Planning
108 Walker Drive
Farmingdale, NY 11735
(516) 339-2200
(516) 339-2201

GENERALIZED DEVELOPMENT PLAN

PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

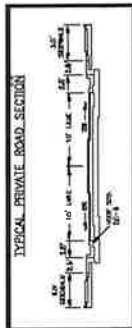


DATE: 03-21-21
BY: J. FRANKLIN
CHECKED BY: J. FRANKLIN
DATE: 03-21-21

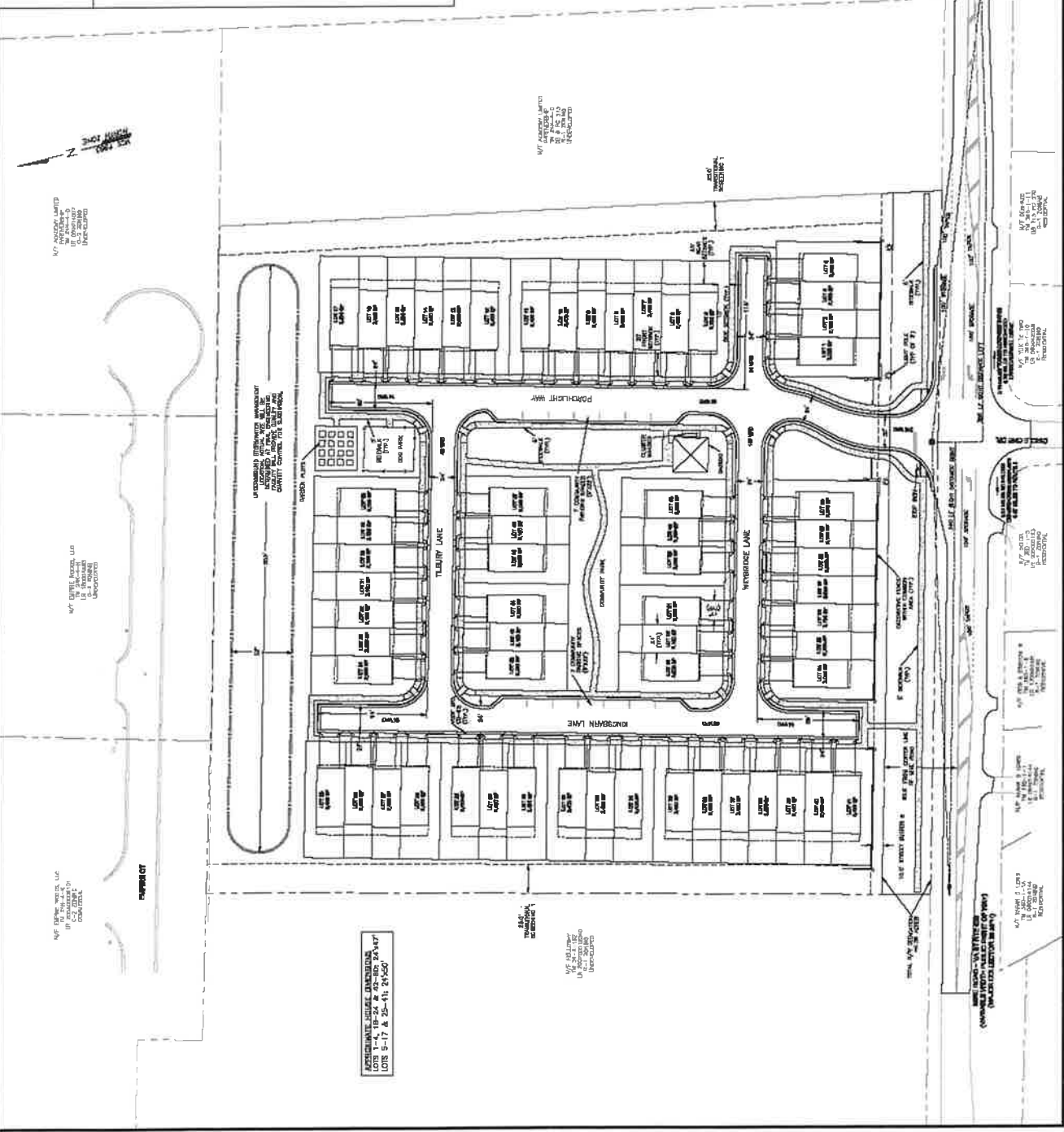
PROJECT NO: 402-1004
SHEET NO: 3 OF 5

APPROVAL

- LEGEND**
- SUBMITTAL PROPERTY BOUNDARY
 - PROPOSED LOT BOUNDARY
 - SETBACK
 - LANDSCAPE BUFFER
 - PROPOSED CONCRETE
 - PROPOSED PAVEMENT



NOTE: ALL STREET PAVEMENT IS NEW ALUMINA CEMENT IN UNIMPAVED AREAS. PAVING SHALL BE PROVIDED IN ACCORDANCE WITH SPOTSYLVANIA COUNTY FIRE DEPARTMENT REQUIREMENTS.





PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA



03-04-21
 02-03-21
 11-00-20
 02-03-21
 03-04-21

POSTAGE WILL BE PAID BY ADDRESSEE

452-1004

4 5

11/11/11

or

LEGEND

COMMON OPEN SPACE

REDUCTION IN/OF FACILITIES

EXISTING		PROPOSED	
1" —	WATER	1" —	WATER
6" —	SEWER	6" —	SEWER
⊙	SEWAGE MANHOLE	⊙	SEWAGE MANHOLE
▽	WATER VALVE	▽	WATER VALVE
◆	FIRE HYDRANT	◆	FIRE HYDRANT





Fairbanks & Franklin
Civil Engineering
Land Planning
106 McIntosh Drive
Fredericksburg, VA 22401
(541) 225-2020

GENERALIZED LANDSCAPE PLAN

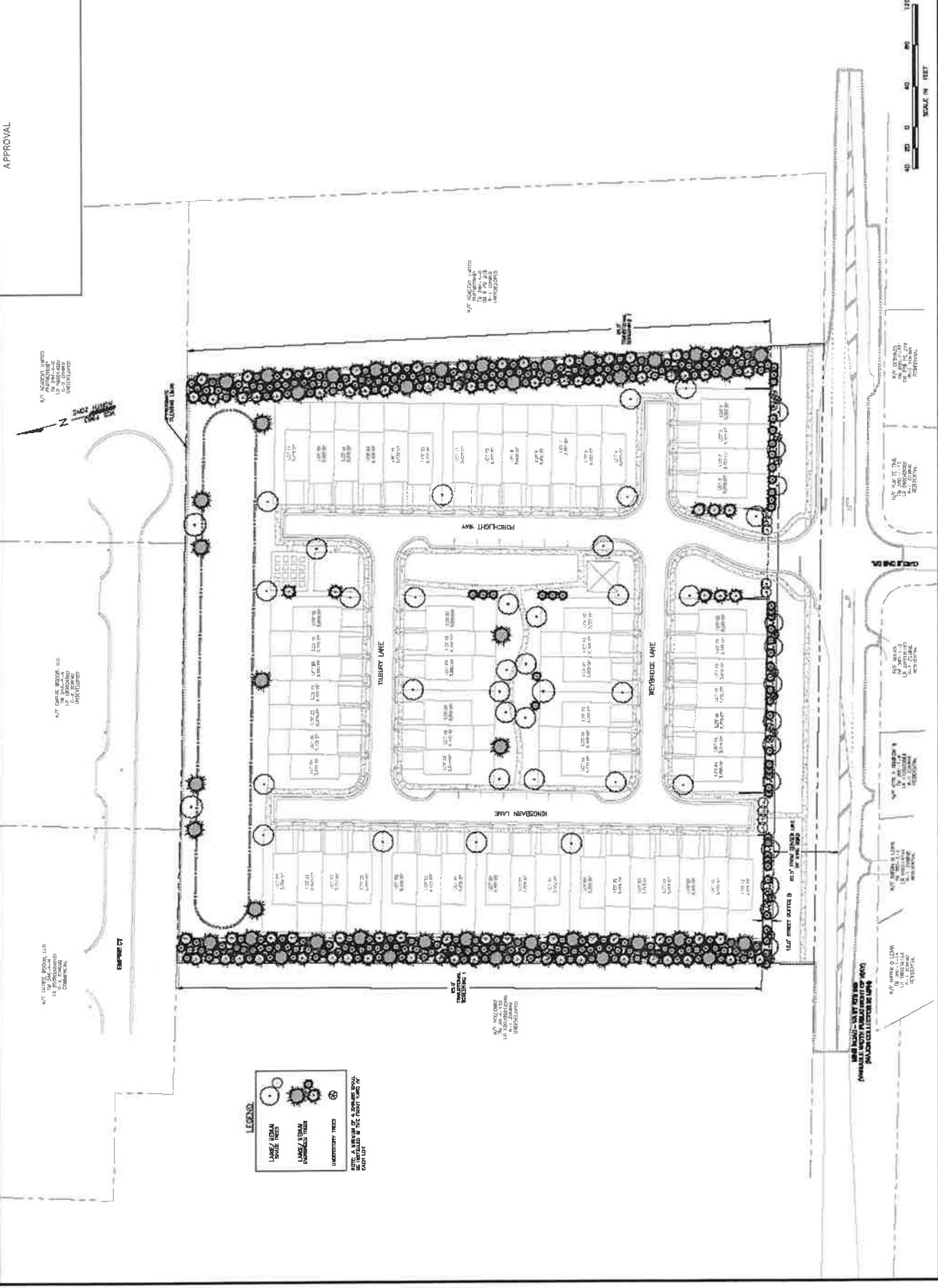
PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA



DATE	05/25/23	
DRAWN BY	JAC	
CHECKED BY	JP	
REVISIONS		
NO.	DATE	DESCRIPTION
1	05/25/23	ISSUED FOR PERMIT

5	5
1	1
4501-220	
04/14/2023	

APPROVAL



NOT TO SCALE
LANDSCAPING
SYMBOLS
UNREPRESENTED

NOT TO SCALE
LANDSCAPING
SYMBOLS
UNREPRESENTED

NOT TO SCALE
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EXHIBIT B

Elevations

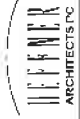
13746152.1 044425.00002



ELEVATION - FRONT

PORCHLIGHT COMMONS

2021-10-08

[illegible]



ELEVATION - FRONT

PORCHLIGHT COMMONS

2021-10-08

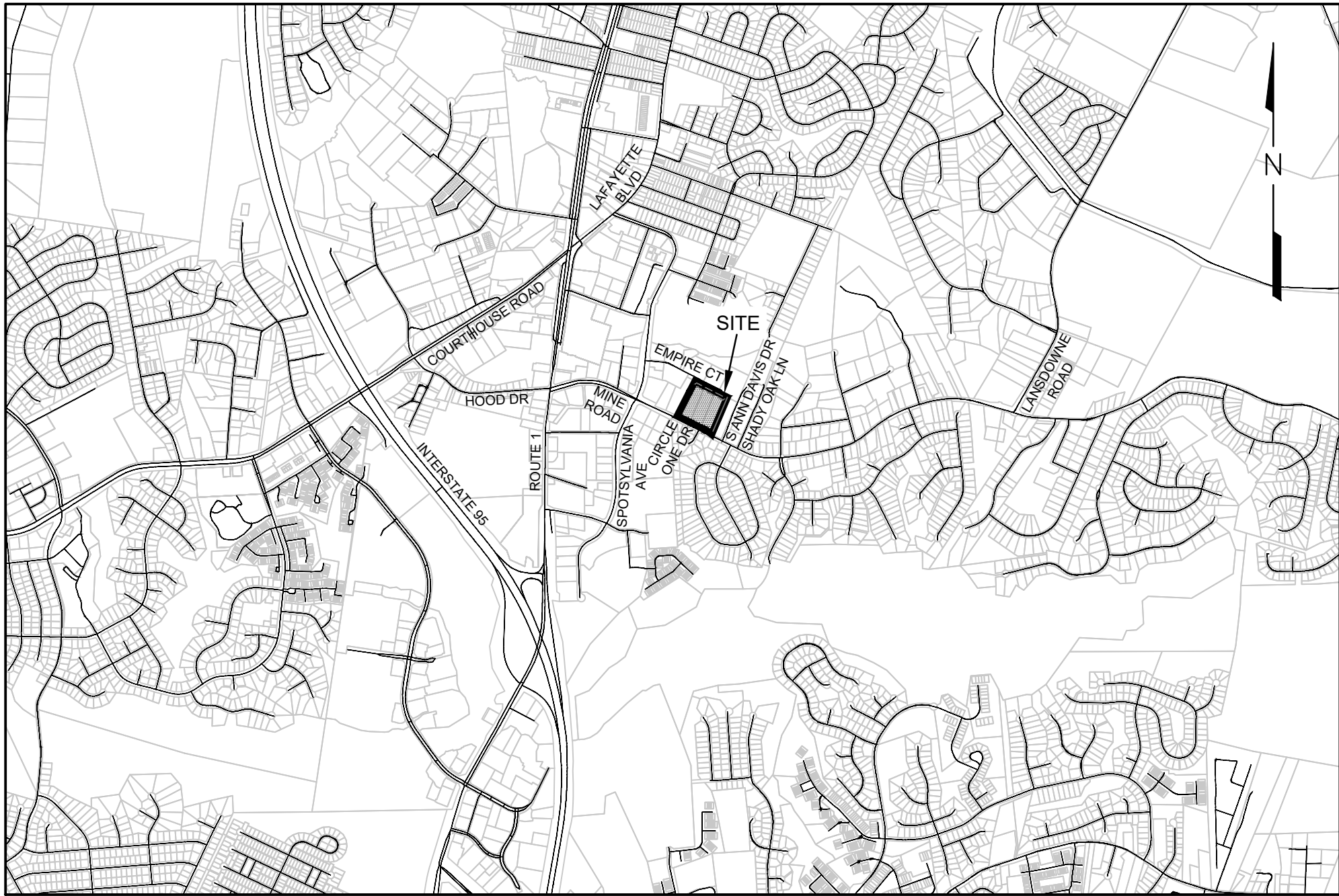


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PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
TM 36-A-150, 36-A-151, & 36-A-154
4517, 4525, & 4537 MINE ROAD
BATTLEFIELD VOTING DISTRICT
SPOTSYLVANIA COUNTY, VIRGINIA

SHEET INDEX

SHEET	TITLE
SHEET 1	COVER SHEET
SHEET 2	EXISTING CONDITIONS
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SHEET 4	GENERALIZED UTILITY & OPEN SPACE PLAN
SHEET 5	GENERALIZED LANDSCAPE PLAN



VICINITY MAP
SCALE 1"=2000'
SCALE IN FEET (1 INCH=2,000 FEET)

- NOTES:
- SOURCE OF MAPPING: TOPOGRAPHIC-AERIAL SURVEY PROVIDED BY MCKENZIE SNYDER WITH SUPPLEMENTAL INFORMATION TAKEN FROM SPOTSYLVANIA COUNTY GIS.
 - BOUNDARY-ALTA SURVEY PREPARED BY FAIRBANKS & FRANKLIN IN FEBRUARY 2020.
 - EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED DURING CONSTRUCTION IN ACCORDANCE WITH THE VA. EROSION AND SEDIMENT CONTROL HANDBOOK.
 - THERE ARE NO WETLANDS OR INTERMITTENT STREAM CHANNELS ON SITE.
 - THERE ARE NO RESOURCE PROTECTION AREAS (RPA) OR DAM BREAK INUNDATION ZONES WITHIN THE LIMITS OF THE SITE.
 - THERE ARE NO KNOWN HISTORIC BUILDINGS, ARCHAEOLOGICAL FEATURES, OR HISTORIC DISTRICTS ON SITE.
 - THERE ARE NO KNOWN PLACES OF BURIAL ON SITE.
 - 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.
 - ALL PARCEL LINES, PARCEL SIZES, BUILDING ENVELOPES, BUILDING SIZES, PUBLIC ROAD LOCATIONS, PRIVATE DRIVEWAY AND TRAVELWAY 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.
 - STORMWATER MANAGEMENT WILL BE ACHIEVED THROUGH THE USE OF BEST MANAGEMENT PRACTICES LOCATED REGIONALLY, ON INDIVIDUAL LOTS, AND/OR 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.
 - ALL REFUSE MUST BE DISPOSED OF AT COUNTY APPROVED DISPOSAL SITES. SOLID WASTE GENERATED BY EACH LOT WILL BE STORED ON THAT RESPECTIVE LOT IN A CONTAINER. PRIVATE REFUSE COLLECTION SERVICE WILL COLLECT AND TRANSPORT THE SOLID WASTE TO A COUNTY APPROVED DISPOSAL/COLLECTION SITE.
 - 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 5103080225C EFFECTIVE FEBRUARY 18, 1998.
 - THE HOMEOWNER'S ASSOCIATION WILL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL COMMON LAND AND FACILITIES WITHIN THE SUBDIVISION.
 - ALL PROPOSED SUBDIVISION STREETS SHOWN ON THE PLAN ARE PRIVATE.
 - ALL LOTS SHALL HAVE DRIVEWAY CONNECTIONS TO THE INTERNAL SUBDIVISION STREETS ONLY. NO LOTS SHALL HAVE DIRECT ACCESS TO MINE ROAD.
 - EASEMENTS MAY EXIST THAT ARE NOT SHOWN HEREON.
 - ALL LIGHTING SHALL COMPLY WITH SPOTSYLVANIA COUNTY STANDARDS.

PROPERTY OWNER	APPLICANT	ENGINEER
UB PROPERTIES, INC 1051 EAST CARY STREET RICHMOND, VA 23219	CERESMINEROAD, LLC 2101 L ST NW #800 WASHINGTON, DC 20037 202-262-8104	FAIRBANKS & FRANKLIN 1005 MAHONE STREET FREDERICKSBURG, VIRGINIA 22401 540-899-3700

IMPERVIOUS SURFACE RATIO AND LOT COVERAGE RATIO TABULATION	
DESCRIPTION	AREA (ACRES)
IMPERVIOUS AREA WITHIN LOTS (1,600 SF/LOT)	2.20
IMPERVIOUS AREA WITHIN COMMON AREAS	1.51
OVERALL PARCEL AREA	7.825
TOTAL AREA WITHIN LOTS	3.70
TOTAL HOUSE FOOTPRINT AREA	1.60
IMPERVIOUS SURFACE AREA RATIO	0.47
LOT COVERAGE RATIO	0.43

SITE INFORMATION:	
TAX PARCELS:	36-A-150, 36-A-151, & 36-A-154
ADDRESS:	4517, 4527, & 4537 MINE ROAD
PRESENT ZONING:	C-2
PROPOSED ZONING:	R-8
PRESENT USE:	UNDEVELOPED
PROPOSED USE:	AGE RESTRICTED SINGLE FAMILY ATTACHED
OVERLAY DISTRICT(S):	AIRPORT OVERLAY DISTRICT
PROPERTY AREA:	8.40 AC
AREA WITHIN LOTS:	3.70 AC
COMMON LAND INCLUDING PRIVATE ROADS:	4.12 AC
RIGHT-OF-WAY DEDICATION:	0.58 AC
RESIDENTIAL DWELLING UNITS:	TOTAL UNITS = 60
DENSITY:	7.67 DU / AC
MINIMUM OPEN SPACE REQUIRED:	25% (1.96 AC)
OPEN SPACE PROVIDED:	36.32% (2.84 AC)
LAND WITHIN SLOPES > 15%:	0.00% (0.00 AC)
DISTURBED ACREAGE:	APPROXIMATELY 9.3 AC
WATER:	PUBLIC WATER
SEWER:	PUBLIC SANITARY SEWER
PARKING REQUIRED:	2 PER UNIT x 60 UNITS = 120 SPACES
PARKING PROVIDED:	134 SPACES
ALLOWABLE BUILDING HEIGHT:	35 FT
PROPOSED BUILDING HEIGHT:	35 FT MAXIMUM (2 STORY DWELLINGS)
GAZEBO HEIGHT:	20 FT MAXIMUM
MINIMUM YARD REQUIREMENTS:	FRONT YARD: 20 FEET SIDE YARD: 10 FEET REAR YARD: 20 FEET

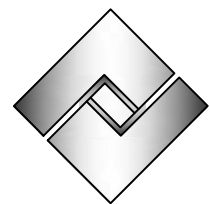
Site Trip Generation for 60 Attached Active Adult Units (ITE 10th Ed., Peak Hour of the Adjacent Street)											
Land Use	ITE Code	Size	Week day			Week end			Daily Total	Saturday Peak Hour	Sat Daily Total
			AM Peak Hour	PM Peak Hour	Daily	In	Out	Total			
Proposed			In	Out	Total	In	Out	Total			
Senior Active Adult Housing - Attached	252	60 DU	4	8	12	9	8	17	216	12	19
Total Trips Generated (No Reductions)		60 DU	4	8	12	9	8	17	216	12	19

THE ABOVE TABLE IS TAKEN FROM THE MINE ROAD TRAFFIC CONDITIONS ASSESSMENT MEMORANDUM PREPARED BY GOROVE SLADE DATED 06-03-20.

ZONING COMPARISON			
	ZONING	CURRENT ZONING DISTRICT	PROPOSED ZONING DISTRICT
		C-2	R-8
SINGLE FAMILY DETACHED	ALLOWABLE DENSITY	NA	NONE
	ALLOWABLE YIELD	NA	NONE
SINGLE FAMILY ATTACHED	ALLOWABLE DENSITY	NA	8 DU PER 1 ACRE
	ALLOWABLE YIELD	NA	67 DU
NON-RESIDENTIAL STRUCTURES	ALLOWABLE GROSS FLOOR AREA	123,200 SF (PROFFER STATEMENT LR#200800017041)	NA
	MINIMUM LOT SIZE	20,000 SF	NO REQUIREMENT
	MINIMUM LOT WIDTH	100 FT	18 FT

NA: NOT APPLICABLE

ESTIMATED WATER AND SEWER USAGE	
WATER USAGE 12,000 GPD	SEWER USAGE 12,000 GPD



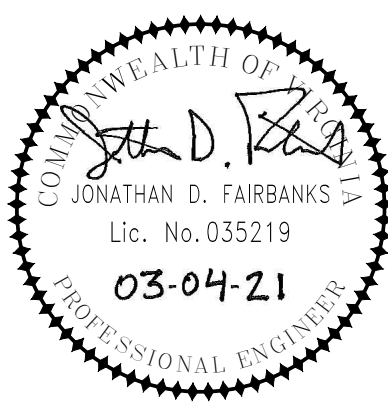
Fairbanks & Franklin

Civil Engineering
Land Planning

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

COVER SHEET

PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA



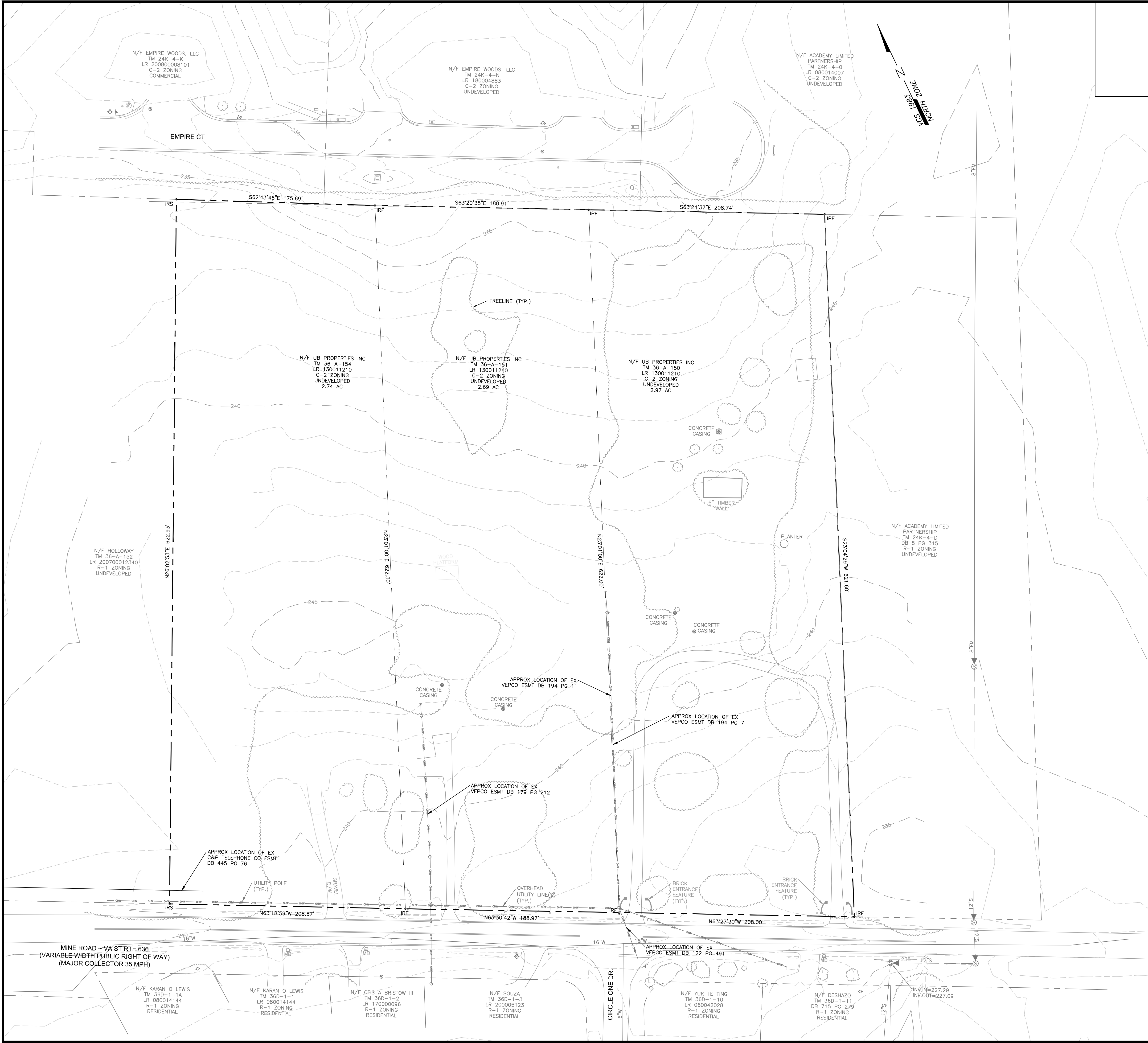
DATE : 08-25-20
DESIGNED: JDF
DRAWN : JAC
CHECKED : JRF

REVISIONS:
11-30-20
02-08-21
03-04-21

DOCUMENT NO.
452-1004

SHEET
1 OF 5

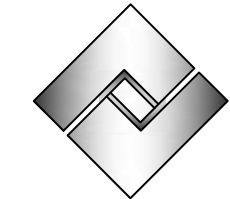
452-1004 PORCHLIGHT COMMONS GDP FOR REZONING 03-04-21



APPROVAL

LEGEND

EXISTING		PROPOSED	
	OVERALL PROPERTY BOUNDARY		OVERALL PROPERTY BOUNDARY
	CONTOUR		CONTOUR
	WATER		WATER
	SEWER		SEWER
	SANITARY MANHOLE		SANITARY MANHOLE
	WATER VALVE		WATER VALVE
	FIRE HYDRANT		FIRE HYDRANT
	REDUCER		REDUCER
	UTILITY POLE		UTILITY POLE
	OVERHEAD WIRE		OVERHEAD WIRE



Fairbanks & Franklin

Civil Engineering
Land Planning

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

EXISTING CONDITIONS

PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA

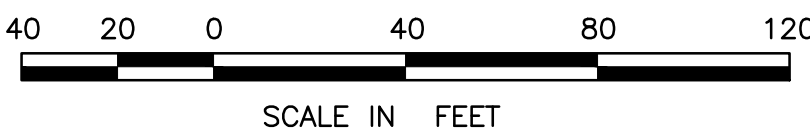


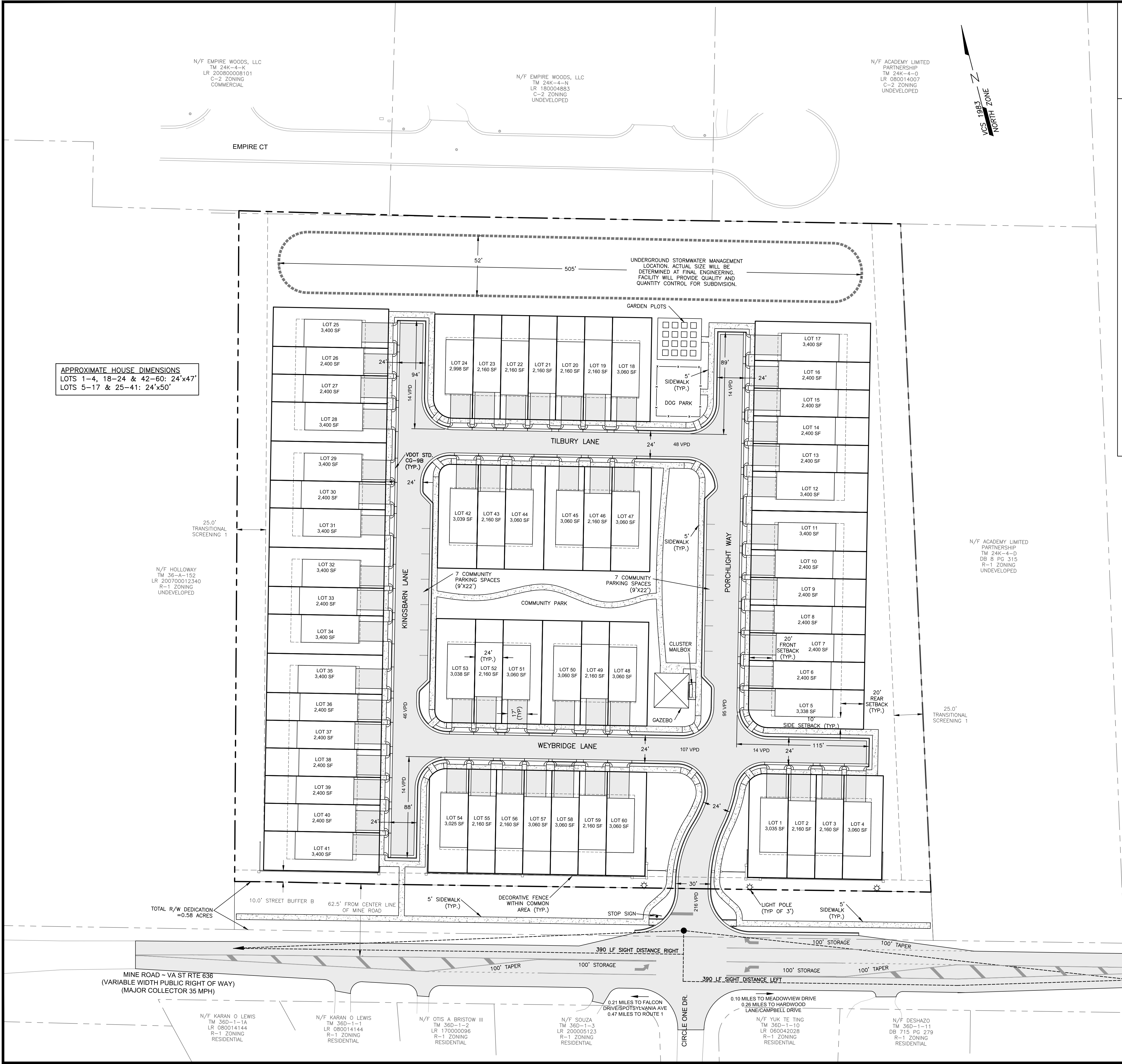
DATE : 08-25-20
DESIGNED: JDF
DRAWN : JAC
CHECKED : JRF

REVISIONS:
11-30-20
02-08-21
03-04-21

DOCUMENT NO.
452-1004

SHEET
2 OF 5





APPROVAL

LEGEND

OVERALL PROPERTY BOUNDARY

PROPOSED LOT BOUNDARY

SETBACK

LANDSCAPE BUFFER

PROPOSED CONCRETE

PROPOSED PAVEMENT

TYPICAL PRIVATE ROAD SECTION

NOTE: ON-STREET PARKING IS NOT ALLOWED EXCEPT IN DESIGNATED PARALLEL PARKING SPACES. NO PARKING SIGNAGE SHALL BE PROVIDED IN ACCORDANCE WITH SPOTSYLVANIA COUNTY FIRE DEPARTMENT REQUIREMENTS.

Fairbanks & Franklin

Civil Engineering
Land Planning

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

GENERALIZED DEVELOPMENT PLAN

PORCHLIGHT COMMONS

GENERALIZED DEVELOPMENT PLAN FOR REZONING

SPOTSYLVANIA COUNTY, VIRGINIA

COMMONWEALTH OF VIRGINIA

JONATHAN D. FAIRBANKS, P.E.

Lic. No. 035219

03-04-21

PROFESSIONAL ENGINEER

DATE : 08-25-20

DESIGNED: JDF

DRAWN : JAC

CHECKED : JRF

REVISIONS:

11-30-20

02-08-21

03-04-21

DOCUMENT NO.

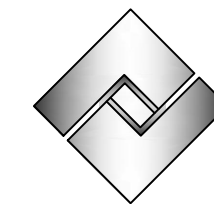
452-1004

SHEET

3

OF

5



Fairbanks & Franklin

Civil Engineering
Land Planning

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

GENERALIZED UTILITY & OPEN SPACE PLAN

PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA



DATE : 08-25-20
DESIGNED: JDF
DRAWN : JAC
CHECKED : JRF

REVISIONS:
11-30-20
02-08-21
03-04-21

DOCUMENT NO.
452-1004

SHEET
4 OF **5**

APPROVAL

LEGEND



COMMON OPEN SPACE



RECREATION AREAS/FACILITIES

EXISTING		PROPOSED	
8" W	WATER	8" W	
8" S	SEWER	8" S	
⊙	SANITARY MANHOLE	⊙	
⊗	WATER VALVE	⊗	
⊕	FIRE HYDRANT	⊕	

N/F EMPIRE WOODS, LLC
TM 24K-4-K
LR 200800008101
C-2 ZONING
COMMERCIAL

N/F EMPIRE WOODS, LLC
TM 24K-4-N
LR 180004883
C-2 ZONING
UNDEVELOPED

N/F ACADEMY LIMITED
PARTNERSHIP
TM 24K-4-O
LR 080014007
C-2 ZONING
UNDEVELOPED

VCS 1983
NORTH ZONE

EMPIRE CT

APPROXIMATE
CLEARING LIMITS

GARDEN PLOTS

WATER SPIGOT

DOG PARK

8" W TILBURY LANE 8" S

COMMUNITY PARK

GAZEBO

8" W WEYBRIDGE LANE 8" S

FIRE
HYDRANT
(TYP.)

WATER
CONNECTION

SANITARY SEWER
CONNECTION

MINE ROAD - VA ST RTE 636
(VARIABLE WIDTH PUBLIC RIGHT OF WAY)
(MAJOR COLLECTOR 35 MPH)

N/F KARAN O LEWIS
TM 36D-1-1A
LR 080014144
R-1 ZONING
RESIDENTIAL

N/F KARAN O LEWIS
TM 36D-1-1
LR 080014144
R-1 ZONING
RESIDENTIAL

N/F OTIS A BRISTOW III
TM 36D-1-2
LR 170000096
R-1 ZONING
RESIDENTIAL

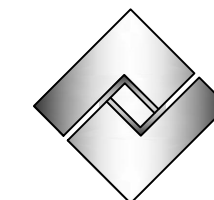
N/F SOUZA
TM 36D-1-3
LR 200005123
R-1 ZONING
RESIDENTIAL

N/F YUK TE TING
TM 36D-1-10
LR 060042028
R-1 ZONING
RESIDENTIAL

N/F DESHAZO
TM 36D-1-11
DB 715 PG 279
R-1 ZONING
RESIDENTIAL

INV. IN=227.29
INV. OUT=227.09

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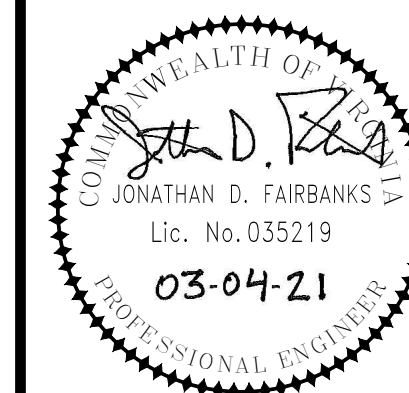
**Fairbanks &
Franklin**

Civil Engineering
Land Planning

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

GENERALIZED LANDSCAPE PLAN

PORCHLIGHT COMMONS
GENERALIZED DEVELOPMENT PLAN FOR REZONING
SPOTSYLVANIA COUNTY, VIRGINIA



DATE : 08-25-20
DESIGNED: JDF
DRAWN : JAC
CHECKED : JRF

REVISIONS:
11-30-20
02-08-21
03-04-21

DOCUMENT NO.
452-1004

SHEET
5 OF **5**

APPROVAL

N/F ACADEMY LIMITED
PARTNERSHIP
TM 24K-4-D
LR 060014007
C-2 ZONING
UNDEVELOPED

VCS 1963
NORTH ZONE

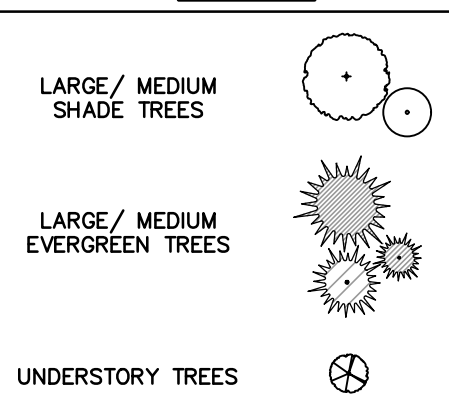
N/F EMPIRE WOODS, LLC
TM 24K-4-N
LR 180004883
C-2 ZONING
UNDEVELOPED

N/F EMPIRE WOODS, LLC
TM 24K-4-K
LR 20080008101
C-2 ZONING
COMMERCIAL

EMPIRE CT

APPROXIMATE
CLEARING LIMITS

LEGEND



NOTE: A MINIMUM OF 4 SHRUBS SHALL
BE INSTALLED IN THE FRONT YARD OF
EACH LOT

25.0'
TRANSITIONAL
SCREENING 1

N/F HOLLOWAY
TM 36-A-152
LR 200700012340
R-1 ZONING
UNDEVELOPED

N/F ACADEMY LIMITED
PARTNERSHIP
TM 24K-4-D
DB 8 PG 315
R-1 ZONING
UNDEVELOPED

25.0'
TRANSITIONAL
SCREENING 1

MINE ROAD ~ VA ST RTE 636
(VARIABLE WIDTH PUBLIC RIGHT OF WAY)
(MAJOR COLLECTOR 35 MPH)

N/F KARAN O LEWIS
TM 36D-1-1A
LR 080014144
R-1 ZONING
RESIDENTIAL

N/F KARAN O LEWIS
TM 36D-1-1
LR 080014144
R-1 ZONING
RESIDENTIAL

N/F OTIS A BRISTOW III
TM 36D-1-2
LR 170000096
R-1 ZONING
RESIDENTIAL

N/F SOUZA
TM 36D-1-3
LR 200005123
R-1 ZONING
RESIDENTIAL

N/F YUK TE TING
TM 36D-1-10
LR 060042028
R-1 ZONING
RESIDENTIAL

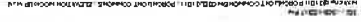
N/F DESHAZO
TM 36D-1-11
DB 715 PG 279
R-1 ZONING
RESIDENTIAL

40 20 0 40 80 120
SCALE IN FEET

EXHIBIT B

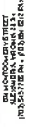
Elevations

13746152.1 044425.00002



THE UNIVERSITY OF MICHIGAN LIBRARY
100 TAPSCOTT DRIVE
ANN ARBOR, MICHIGAN 48106-1000
TEL: 734 763 7000 FAX: 734 763 7001
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2021-10-08





ELEVATION - FRONT

PORCHLIGHT COMMONS

2021-10-08



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GENERALIZED DEVELOPMENT PLAN - NARRATIVE

Applicant: CeresMineRoad, LLC (“Applicant”)

Owner: UB Properties, Inc. (“Owner”)

Representative: Charles W. Payne, Jr., Hirschler Fleischer
725 Jackson Street, Suite. 200, Fredericksburg, VA 22401
Phone: (540) 604-2108
Fax: (540) 604-2101
Email: cpayne@hirschlerlaw.com

Project Name: Porchlight Commons (“Project”)

Property: Spotsylvania County Tax Parcels 36-A-150, 36-A-151, and 36-A-154, consisting of approximately 8.40 acres, known as 4517, 4525, and 4537 Mine Road (collectively, “Property”)

Date: December 2, 2021

GDP: Porchlight Commons, Generalized Development Plan for Rezoning – TM 36-A-150, 36-A-151, & 36-A-154 – 4517, 4525, & 4537 Mine Road – Battlefield Voting District, Spotsylvania County, Virginia, dated August 25, 2020, as last revised March 4, 2021, prepared by Fairbanks & Franklin, and attached as **Exhibit A** (“GDP”)

Rezoning Request: From C-2 to R-8

Rezoning File No.: R20-0012

1. Project Overview

The Applicant proposes rezoning the Property from the Commercial District (“C-2”) to the Residential 8 District (“R-8”). Section 23-6.9.1 of the Spotsylvania County (“County”) Zoning Ordinance states that the purpose of the R-8 District is to “provide for single-family attached residential dwellings at a density not to exceed eight (8) dwelling units per acre.” The R-8 district requires that 25% of the gross area be provided as open space.

The purpose of the proposed rezoning is to allow a residential development consisting of 60 new age-restricted single-family attached villa dwelling units, all as generally depicted on the GDP and the enclosed elevation prepared by Heffner Architects PC, dated October 8, 2021 (“Elevation”) which is marked as **Exhibit E**.

The R-8 district includes single-family attached residential dwellings as a permitted use. The proposed development has a projected density of 7.67 dwelling units per acre, which is below the maximum density for the R-8 district of eight dwelling units per acre.

The Applicant has also submitted with this application a Voluntary Proffer Statement (“Proffer Statement”), as discussed in more detail below.

The Project will preserve 2.84 acres, or 36.32% of the Property as open space, all as shown on the GDP. This open space area exceeds the 25% minimum area required for the R-8 district. The open space will be used for natural areas and buffers and active and passive recreation areas, including a community park, dog park, gazebo, garden, and sidewalks.

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 July 28, 2020 (the “Comp Plan”). Further, the proposal will result in minimal impacts on public facilities and services, including no impacts to schools, and impacts, if any, related to roads, fire and rescue, and parks will be offset through onsite and offsite improvements and cash proffers, all as discussed in more detail below under Section 5 and the attached proffer analysis prepared by MuniCap, Inc., titled “Porchlight Commons, Spotsylvania County, VA – SB 549 Proffer Analysis,” dated September 10, 2021, and marked as **Exhibit B** (“Proffer Analysis”).

Because the Project is only sixty (60) units, a VDOT 527 transportation impact analysis is not required nor is a County transportation impact analysis. However given the location of the Project off of Mine Road, the Applicant did procure a traffic impact analysis prepared by Gorove Slade Transportation Planners and Engineers, dated June 3, 2020, and titled “Mine Road – Traffic Conditions Assessment,” (“TIA”) which is attached as **Exhibit C**. The TIA concludes that the project, at full build-out, will not degrade the level of services along key intersections evaluated for purposes of the study and the Applicant has proffered certain improvements that will mitigate any impacts the Project may have, all of which is described in more detail below.

In addition, MuniCap, Inc. performed a fiscal impact analysis of the Project. The analysis, dated July 22, 2020, and titled “Mine Road – Spotsylvania County, VA, Fiscal Impact Analysis” (“FIA”) is attached as **Exhibit D**, and included with this application. The FIA, as described in more detail below, provides that the Project will generate on and offsite annual positive net tax benefits of over \$140,000 at full build out.

2. Project Location

The Project will be developed on three parcels of land, totaling approximately 8.40 acres and is situated in the Lee Hill magisterial and Battlefield voting districts on the north side of Mine Road, east of Jefferson Davis Highway. The Project is bordered on the east by vacant residential property zoned R-1. To the south of the site is Mine Road and Circle One Drive. On the other side of Mine Road is the Meadows subdivision, zoned R-1. To the west of the Project is vacant residential property zoned R-1, and beyond that, developed residential and commercial property.

To the north of the Project is Empire Court and beyond that is a medical office zoned C-2, as well as additional undeveloped C-2 property.

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 aligns with the purpose of the R-8 district, which is to provide attached, single-family dwelling units at a density of 8 units or less per acre.

Although typically the County does not prefer to amend commercial zoned properties for residential uses, we believe the Project is not only the highest and best use for the Property, but given the by right use for the Property as a 123,000 square foot office building, which will generate 88% more daily trips, we also believe the Project will generate less impacts to surrounding property owners and adequately mitigate its impacts.

2.1 Site Access

Access to the Project site will be provided via Mine Road across from Circle One Drive, as shown on the GDP. All site access locations and driveway entrances will be coordinated with Spotsylvania County and the Virginia Department of Transportation. The Property has no legal access to Empire Court, which is a private drive and divided from the Property via a vegetative buffer.

2.2 Environmental Characteristics

The Project's design will minimize the impact to the natural topography and mature vegetation located on the Property. There are no wetlands, perennial streams, or Resource Protection Areas on the site. 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 contain 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 site is currently zoned Commercial (C-2). The surrounding parcels are zoned R-2, R-1 and C-2. The Property currently has access to water and sewer. The proposed rezoning will act as a reasonable transition between surrounding residential and commercial while mitigating the traffic impact that would be generated from the by-right use as a large commercial office development.

3.2 Comprehensive Plan Analysis

Generally, the Comp Plan is a guide for future land development. Therefore, the County has flexibility in determining the highest and best use for particular properties. The proposed rezoning request conforms to many of the Comp Plan's overarching goals and the proposed age-restricted development better aligns with the County's future land use goals versus if the land were developed under its current zoning of commercial office space. In this regard, please note the following:

3.2.1 The Property's Future Land Use classification as Employment Center is not the highest and best use for Property.

The Property, although zoned and intended for future large office use, would better serve the County's development goals as a low density, age-restricted development because (1) the Project is less impactful and more compatible with existing uses in the surrounding area, including Lee's Hill north (what appears to be 3 units to the acre), Garfield Court (what appears to be 10 units to the acre), and Townhomes at Lakeside in Lee's Hill (what appears to be 6.4 units to the acre); (2) the Property includes only 8.44 acres whereby typically Employment Center Land Use parcels are much larger, especially for the scale of a 120,000 SF office facility; (3) most of the commercial uses along Mine Road are smaller in scale and include retail, convenience or vehicle service businesses; (3) the proposed use addresses the County's desire to provide more age restricted housing in the immediate area; and (4) the Project will have less impact on the immediate transportation network and other County services.

The County's Comp Plan's Future Land Use Map classifies the Property as part of the "Employment Center" designation. Employment Center areas are intended as primary locations for new office and industrial development within the County, with the focus on larger scale office complexes, industrial users, and business parks. Large scale commercial projects seem incompatible for this area, especially given the smaller size of the Property and impact large scale employment center developments have on the immediate area, including the local transportation network.

In this case, the Applicant intends to develop sixty (60) attached single family age restricted villas under the R-8 zoning district. The proposed development's density is 7.67 units per acre, which is under the applicable zoning district density of 8 units to the acre. Although a residential development is not encouraged on the Property under the Comp Plan, the proposed use is more compatible with the existing residential uses in the nearby vicinity, including along Mine Road and the approved use seems more incompatible with not only residential uses along Mine Road but also other commercial uses.

Adding new age-restricted units to this area would serve as a positive planning transition between the commercial uses to the west of the site and the residential uses to the east. Plus, this site is near the intersection of Spotsylvania Avenue/Falcon Lane and Rt. 1 and Mine Road. A

120,000 + SF commercial office building at this location will have an adverse impact to this transportation corridor and generate close to 90% more daily traffic than the proposed use.

Second, the Property sits on a very small pocket of land designated for use as an employment center, while surrounded by large swaths of land intended for lighter commercial, institutional, and low-density residential use. Thus, developing the Property for residential uses is not only more compatible with the surrounding uses, but serves as a good transition between the current existing uses.

In short, not only does the Project align with the County's future development goals, it in fact would be a better use of the Property than either the by-right commercial use or use as an employment center, while producing fewer adverse impacts on the County's resources.

3.2.2 Proposed development contributes to growth within the Primary Development Boundary.

The proposed rezoning is also consistent with the County's goal of locating higher-density residential growth within the PDB. The County has established the PDB in order to direct the timing and location of new development within a defined area in which public water and sewer will be provided. The County intends for land within the PDB to develop with higher residential densities and more intensive non-residential uses than outside the boundary. The Property's location within the PDB and therefore, the request to rezone the Property from C-2 to R-8, accords with the County's goal of situating new development at a higher intensity within this boundary. Additionally, the Project's use of public utilities further satisfies the County's goal for new development. Therefore, both the Property's location and its use of public utilities supports the proposed use and density.

3.2.3 The Project should be approved because it satisfies multiple general development goals of the Comp Plan.

Not only is the Property situated in the PDB, but the proposed use satisfies multiple overarching Comp Plan goals for future development, further providing support for approval of the Project. Specifically, the Comp Plan states that (1) the County is a business-friendly community and that local job creation is a priority; (2) the County supports active adult communities, with their diminished impact on County services; and (3) the County should support a diverse housing inventory, providing a mix of units that can accommodate housing needs for all stages of life.

3.2.3.1. Spotsylvania County is a "business friendly" community and local job creation is a priority.

The Comp Plan stresses that the County is a business-friendly community that prizes job creation and gives preference to projects that promote job growth. For residential projects, the County expects that new development will pay for itself from a net tax generation perspective as compared to the services it may require. The Project achieves these goals. First, the Project furthers the County's goal of promoting business in the community by adding approximately 112 new jobs during construction of the development, which will generate over \$14,385,483 in wages, thus generating positive tax revenues both on and offsite, as discussed in more detail in

the FIA. Second, the Project is expected to have minimal impacts on existing resources and infrastructure, in keeping with the County's expectations.

3.2.3.2 The Project will create an active adult community, as encouraged by the Comp Plan.

Because the Comp Plan stresses the County's support of active adult communities, due to their diminished impact on the County's services, the Project should be approved. The proposed age-restricted use will have a diminished (and much less impact than that either of a C-2 or Employment Center use) impact on County services, especially schools and transportation. In addition, as discussed above, the residents of the Project will typically not travel during peak AM and PM travel hours, given the fact most residents living in age-restricted communities are retired, thus minimizing impacts to the immediate transportation corridors.

3.2.3.3 The Project creates a diverse housing inventory that accommodates housing needs for all stages of life.

In its efforts to create a family-friendly community, the Comp Plan emphasizes that the County should support a diverse housing inventory that provides a mix of units that can accommodate housing needs for all stages of life, including active adult communities. The proposed use will improve and offer an alternative housing stock to the immediate area by providing 60 new age-restricted single family attached units, which will specifically address the County's concern that new developments consider elderly citizens in their design and implementation.

3.2.4 The Project should be approved because it conforms to the Comp Plan's specific residential development goals.

Not only does the proposed Project satisfy the County's overarching development goals, but it also conforms to the County's policies for residential development in at least three ways: (1) it is already compatible with the existing uses in the area, specifically, the subdivisions to the east and south of the Property, (2) it will enhance the area's housing stock while maintaining the area's character, and (3) it promotes the County's economic goals.

First, the Comp Plan requires new residential communities to be compatible with existing uses in the surrounding area. The proposed Project achieves this goal: it complements the residential developments to the south and east of the Property and maintains the neighborhood character established by the existing subdivisions while also enhancing and diversifying those developments by providing additional housing specifically for the elderly. Further, the Project will preserve 2.84 acres, or 36.32%, of the Property as open space, in excess of the County's 25% requirement.

Second, the Project is compatible with and maintains the area's character by helping to improve the connectivity of the transportation networks, particularly on Mine Road. Additionally, the Project enhances and diversifies the surrounding residential uses by providing new age-restricted homes, which satisfies the Comp Plan's goal of providing a diverse housing mix by encouraging a range of housing sizes and types that meet the needs of citizens at all income levels throughout

all stages of life. The Project specifically accomplishes this by adding new housing stock for the elderly.

Third, the Project promotes the County's economic goals, as discussed above, by being developed in a fiscally responsible manner that minimizes its impacts on the existing infrastructure by creating new jobs and generating tax revenues, and further, by creating market rate affordable housing units, rather than subsidized units, as encouraged by the Comp Plan.

3.2.5 Proposed development aligns with County's transportation goals.

The proposed development also aligns with the County's transportation goals, as it will not degrade the current transportation levels-of-service ("LOS"), and in fact, will have less impact on transportation networks than either a by-right use or use as an employment center.

The County's overarching transportation goal is "to develop a sustainable transportation network that supports the County's Comprehensive Plan and achieves a level of service that promotes safe and efficient operation and movement of people and goods." To this end, the Comp Plan's transportation 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 by using joint-use access points for multiple developments, ensuring connections within and between developments that offer alternative routing of traffic, and encouraging alternative land development and site design techniques such as mixed use and planned unit developments that provide residential, employment, and recreational opportunities connected by a network of internal streets.

The Project aligns with the County's transportation goals, as only minimal degradation to current transportation LOS will result from the development, and any resulting LOS degradation will be mitigated by Applicant's improvements. A comparison of the traffic impacts generated by the proposed Project and that allowed under a commercial use demonstrates that the Project will, in fact, generate less traffic and therefore have less impact on transportation networks, than that allowed by-right or under its future land use as an employment center. Roads constructed within the Project will be private and the expected daily trips will not degrade the LOS at applicable intersections.

As noted above, the Applicant performed a TIA, which evaluated the sole intersection impacted by the Project: Mine Road at Circle One Drive and the proposed full-movement site entrance.

Based on the evaluation, the TIA concludes that under full build-out conditions, the east and westbound left turning movements at the intersection would operate at LOS A, with anticipated 95th percentile queue lengths of zero during all peak hours. The north and southbound approaches would operate at LOS D, with delays between 27 and 30 seconds, with anticipated 95th percentile queue lengths less than a one-half car length during all peak hours. Under no-build conditions, the east and westbound left-turning movements operate at LOS A; the north and southbound approaches operate at LOS C, with delays of approximately 22 seconds. Thus, a slight degradation to LOS would occur as a result of the Project. As a result, the TIA concludes that the Project site entrance warrants a full eastbound left-turn lane with 100 feet of storage and

a 100-foot taper, which would mitigate the minor adverse traffic impacts. Applicant has agreed to this improvement and additional traffic improvements, as detailed in the Proffer Statement. Moreover, the Applicant has also agreed to construct a westbound right deceleration lane at the Project site entrance on Mine Road, with 100 feet of storage and a 100-foot taper, as well as one westbound left-turn lane at the intersection of the Project site entrance and Circle One Drive, with 100 feet of storage and a 100-foot taper.

In sum, the Applicant's proposed roadway improvements will mitigate the impacts of the development such that it does not have a negative impact on the area transportation network.

3.2.6 Summary of Analysis

As demonstrated above, not only does Applicant's proposal to develop age-restricted single-family attached residences align with the Comp Plan, but it is a better use than that anticipated by its future use as an employment center, with its diminished impacts and positive returns to the County. Thus, the Comp Plan's future land use policies support the proposed development at this location.

3.3 Community Meeting

As part of the Rezoning Application process, the Applicant reached out to property owners (total of 891) residing within 3,000 feet of the proposed Project site. Given the Covid-19 restrictions, the Applicant was unable to schedule an in-person community meeting, but instead provided both electronic and telephonic communication opportunities to residents so they could express their concerns or comments. The Applicant included County staff in email responses to those citizens. There were a total of three responses from citizens who were mostly concerned about traffic impacts in the area.

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.

Applicant anticipates that construction will begin nine months after approval of this rezoning application, and that all lots will be constructed within two to two and a half years of any rezoning approval, subject to market conditions. Phasing of this Project is not anticipated at this time.

4.1 Site Preparation

The Property is currently undeveloped. Construction of the Project will begin with initial clearing and grading (if required). Access to the Project site will be improved to appropriate construction standards. Road corridors will be surveyed, cleared, and graded to bring equipment,

materials, and workers to the areas under construction. Buried electrical lines, and the locations of other facilities may be flagged and staked to guide construction activities. Best Management Practices for stormwater and erosion control will be installed during the site preparation phase and prior to significant grading activities.

4.2 Construction Workforce

The Applicant's goal is to retain local onsite 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 112 new jobs during the construction phase, and \$14,385,483 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 #4, located approximately 0.8 miles north of the Project site, will provide the Property with necessary emergency services. As detailed in the Proffer Statement, cash proffers will also offset any impacts the Project may have on fire and rescue facilities.

5.2 Schools

The Property is located in the Spotswood Elementary, Battlefield Middle, and Massaponax High school districts. As all of the units within the proposed development are age-restricted, none of the units will generate any additional students and thus will not impact County public school facilities.

5.3 Parks, Buffers and Open Space

Approximately 36.32% of the Property will be maintained as open space. The open space will be used for active and passive recreational amenities, including a community park, dog park, gazebo, garden, and sidewalks throughout the development. As detailed in the Proffer Statement, cash proffers will offset any additional impacts the Project may have on park 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 the existing 12" gravity sewer line and the existing 16" water main, both located on the south side of Mine Road. Proposed 8" water and 8" sewer lines will be extended across Mine Road and throughout the proposed development, as shown on the GDP.

5.5 *Transportation*

The Property abuts Mine Road, which is currently a two-lane undivided public road classified by VDOT as a “Major Collector.” Circle One Drive, across from the Project site, is a short, two-lane undivided residential roadway ending in a cul-de-sac, which is unclassified. Access to the Property will be provided from Mine Road, across from Circle One Drive. Roads constructed within the Project will be private.

The Project will generate 216 daily trips during a typical weekday, including 12 vehicle trips during the AM peak hour and 17 vehicle trips during the PM peak hour. A VDOT 527 analysis is not required for this Project. The estimated trip generation from the proposed Project is significantly less—82 to 93% fewer trips—than what would be generated under a previously approved office use zoning request, as demonstrated in Table 3 of the TIA.

According to the County’s Comp Plan Thoroughfare Plan, improvements are planned for the section of Mine Road abutting the Project, in order to widen it from a two-lane undivided roadway to a four-lane divided roadway between Jefferson Davis Highway and Lansdowne Road. However, because no specific timeframe for the improvements have been listed, this improvement was not considered as impacting this Project.

6. **Housing**

The Project will enhance the County’s stock of new, age-restricted, single-family attached dwelling units in this area of the County. As noted above, this will provide a new diversity of housing stock to the immediate area. With anticipated average sales prices between \$325,000 and \$350,000 per unit, the proposal meets market expectations for this area of the County. Further, the projected value for units should enhance surrounding property values. Applicant believes that all 60 lots will be developed within two to two and a half 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 buildout, both for onsite development and offsite expenditures from residents of the Project (see **Exhibit D**). The total revenue generated from the Project was then compared with expected County costs of providing services to the residents of the proposed development.

For the 60 new homes at the site, the total real property tax resulting from the Project is estimated to be about \$116,933 annually in current dollars. Additionally, the personal property tax resulting from the Project is estimated to be \$78,371 annually in current dollars. The sum of all of the annual onsite tax revenues expected to flow to the County from the Project after buildout is over \$202,367 annually.

In addition to the onsite fiscal impact, the Project is estimated to generate \$25,425 in taxes offsite for the County annually after buildout and occupancy. As mentioned above, the Project would

generate approximately 112 new jobs during the construction phase, resulting in about \$14,385,483 in employee earnings.

The Project is expected to result in 60 new households with an estimated two persons per household for a total of 120 people. The total annual tax-supported cost of the Project is estimated to be \$87,458 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 after full buildout, this Project will generate an annual net revenue surplus (onsite and offsite) of \$140,333.

EXHIBIT A

Generalized Development Plan

EXHIBIT B

Proffer Analysis

EXHIBIT C

Traffic Impact Analysis

EXHIBIT D

Fiscal Impact Analysis

EXHIBIT E

“Elevation”

14333756.1 044425.00002

**MINE ROAD
SPOTSYLVANIA COUNTY, VA**

FISCAL IMPACT ANALYSIS

JULY 22, 2020

PREPARED BY:

MUNICAP, INC.
— PUBLIC FINANCE —

NON-PROFFER FISCAL IMPACTS

This report provides estimates of non-proffered fiscal impacts to Spotsylvania County resulting from the Mine Road Development (the “Development”). The fiscal impacts include one-time construction impacts, one-time fees, and recurring revenues. This report also provides an estimate of the additional tax revenues and expenses that Spotsylvania County may receive or incur as a result of the Development and contrasts the projected revenues with projected costs. Detailed calculations related to the fiscal impacts are included in the schedules appended hereto.

Development

The Development is situated on three parcels within Spotsylvania County. As of January 1, 2020, the total assessed value of the parcels is \$1,378,700. The Development is expected to include 60 age restricted, single-family attached units. Table A below shows the projected assessed value and real property taxes resulting from the completed Development.

TABLE A
Summary of Development

Property Type	Property Area ^(a)			Estimated Assessed Value ^(b)		Total Estimated Assessed Value
	Units	GSF Per Unit	GSF	Per Unit	Per SF	
<u>Residential</u>						
Single-family attached	60	1,413	84,801	\$252,259	\$178	\$15,135,563
Total projected assessed value at full build-out (current dollars)						\$15,135,563
Base value						(\$1,378,700)
Total projected incremental value at full build-out						\$13,756,863
Current real property tax rate (per \$100) ^(c)						\$0.85
Total projected real property tax at full build-out (current dollars)						\$116,933
^(a) Based on project information provided by CeresMineRoad, LLC.						
^(b) Estimated assessed value is based on MuniCap's research on properties near the development site. See Appendix D, attached hereto. Represents projected assessed value at full build-out, excluding inflation.						
^(c) Represents the fiscal year 2020 rate. Source: Spotsylvania County Commissioner of the Revenue.						

As shown in Table A, the total projected real property tax revenues are estimated to be \$116,933 at full build-out.

Projection of Impacts

In estimating future fiscal and economic impacts on Spotsylvania County, MuniCap employed a combination of accepted approaches for such forecasts.

To calculate construction employment and economic impacts, MuniCap used IMPLAN Professional 3.0 software developed by IMPLAN Group, LLC. IMPLAN is an industry-accepted economic impact assessment software system with which trained users can create local area *Social Accounting Matrices* and develop *Multiplier Models* that can be used to estimate detailed economic impacts.

For the inputs used in developing the models, such as density and cost, MuniCap relied on a variety of sources, which are noted in the appended schedules to this report. MuniCap analyzed current commuting trends among employees in Spotsylvania County to estimate the percentage of non-resident employees that represent an increase to the County's current service population.

To estimate population increases, MuniCap adopted U.S. Census Bureau data regarding median residents per owner-occupied units in Spotsylvania County.

For the calculation of economic benefits, primarily those in the form of increased tax revenue, MuniCap applied the actual taxing methodology by multiplying the applicable tax rate by the estimated taxable item in question whenever possible. For instance, MuniCap estimated real property taxes by multiplying projected assessed value by the current applicable real property tax rate. Other revenues calculated in this manner include personal property taxes levied upon vehicles, vehicle license fees, consumer utility taxes, and recordation taxes. In some instances, MuniCap estimated revenues on a per capita basis, typically when the revenue source was not in the form of a tax. In other cases, MuniCap dismissed revenues that will likely increase as a result of the Development outright, as they represent charges for services that will likely be offset by the cost of providing said services.

To calculate fiscal impacts in the form of additional costs to Spotsylvania County, MuniCap reviewed the approved budget of various departments of the County to determine the most appropriate approach to estimating potential increases. As with revenues, MuniCap estimated some expenses on a per capita basis using residents or service population, while in other cases, MuniCap pro rated expenses on an alternative basis, such as tax revenues. Finally, in cases when MuniCap dismissed charges for services from estimates of revenues, MuniCap also disregarded the corresponding costs for services from the estimation of expenses.

MuniCap assumed a uniform net annual increase in both revenues and expenses of two percent in future years. Tax rates are current as of the date of this report.

The schedules appended hereto provide specific calculations of impacts, along with the sources of the underlying assumptions.

Results of the Study

A. Employment Impacts and Economic Output

Table B below summarizes the projected one-time employment impacts and economic impacts resulting from the construction of the Development. Direct jobs are jobs at the development site; indirect jobs are jobs created within Spotsylvania County but not at the Development. Direct jobs represent full-time equivalent (“FTE”) positions, converting both part-time and full-time employees to the equivalent number of full-time employees. Total income includes total employee compensation, which includes salary, benefits, payroll taxes, and proprietor’s income. Impacts assume a one-year duration.

TABLE B
Construction-Related Impacts

<i>Construction (One-Time) Impacts</i>		
<u>Employment and Income</u>	<u>Jobs</u>	<u>Income</u>
Direct impacts (FTEs)	72	\$3,019,731
Indirect and induced impacts	40	\$1,568,086
Total	112	\$4,587,817
<u>Economic Output</u>		
Direct impacts (construction cost)		\$9,828,000
Indirect and induced impacts		\$4,557,483
Total		\$14,385,483
Average annual labor income per full-time employee		\$41,803
(a) Employment, wages, and economic outputs are calculated using IMPLAN software based on industry multipliers derived from national income and product accounts data published by the U.S. Bureau of Economic Analysis. Detailed calculations are provided in the attached projections.		

B. Population Impacts

Table C below summarizes the projected residential population increase resulting from the Development.

TABLE C
Population Impacts – Residents

<i>Unit Type</i>	<i>Units^(a)</i>	<i>Residents Per Unit^(b)</i>	<i>Total Projected Residents</i>
Single-family attached	60	2.00	120
^(a) Source: CeresMineRoad, LLC.			
^(b) Source: Spotsylvania County Planning Department.			

C. Fiscal Impacts

Table D summarizes the projected revenues to Spotsylvania County through fiscal year ending June 30, 2053 based on the projected development under the current plan. Annual revenues are shown at full build-out in current dollars. The thirty-year cumulative revenues reflect projected absorption and inflation.

TABLE D
Projected Revenues - Cumulative through Fiscal Year Ending June 30, 2053

<i>Spotsylvania County Gross Tax Revenues - Full Build-Out</i>	<i>Annual (Current Dollars at Full Build-Out)</i>	<i>Cumulative through Fiscal Year Ending June 30, 2053</i>
Real property tax revenues	\$116,933	\$5,133,300
Personal property tax revenues (vehicles)	\$78,371	\$3,307,818
Vehicle license fees	\$2,836	\$119,705
Utility tax revenues	\$2,880	\$86,400
Recordation fees ^(a)	\$1,345	\$76,381
Additional tax revenues	\$25,425	\$1,073,133
Spotsylvania County gross revenues	\$227,792	\$9,796,737
^(a) Annual recordation tax revenues were recognized on the basis of resale of residential homes in the Development. One-time revenues from the initial sale of residential space were not included in this figure, but were included in the cumulative column.		

Table E, below, summarizes the projected County expenditures and resultant net tax revenues generated by the Development, both annually and cumulatively over a thirty-year period.

TABLE E
Projected Net Revenues - Cumulative Through Fiscal Year Ending June 30, 2053

<i>Spotsylvania County Projected Net Revenues</i>	<i>Annual (Current Dollar at Full Build-Out)</i>	<i>Cumulative Through Fiscal Year Ending June 30, 2053</i>
Spotsylvania County projected gross revenues	\$227,792	\$9,796,737
Less: projected expenditures for public services:		
Spotsylvania County projected operating expenditures	(\$87,458)	(\$3,627,750)
Projected Net County Revenues	\$140,333	\$6,168,987

The projected revenues and expenditures from the Development would translate to an approximate 0.08 percent and 0.03 percent increase over the current County budget as shown in Table F below.

TABLE F
Projected Increase to Current County Revenues and Expenditures

<i>Comparison of Projected Revenues and Expenditures</i>	<i>Revenues</i>	<i>Expenditures</i>
Spotsylvania County current revenues and expenditures ^(a)	\$290,382,132	\$290,382,132
Proposed Development projected revenues and expenditures	\$227,792	\$87,458
Overall increase in projected revenues and expenditures	0.08%	0.03%
^(a) Source: Spotsylvania County, Virginia FY 2020 Adopted Budget.		

Limitations

Projecting fiscal and employment impacts is inherently imprecise, particularly when results are extrapolated over several years. Furthermore, there are different methods of projecting fiscal and employment impacts and different analysts will arrive at different conclusions. The conclusions in this study are not intended to be precise results; they are intended to represent reasonable estimates of the potential fiscal and employment impacts to Spotsylvania County from the Development.

**Mine Road
Spotsylvania County, Virginia**

Fiscal Impact Analysis

Prepared By:

MUNICAP, INC.
— PUBLIC FINANCE —

July 22, 2020

Mine Road Spotsylvania County, Virginia

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Mine Road
Spotsylvania County, Virginia

Schedule S-1: Summary of Fiscal Impacts

<i>Fiscal Impacts to Spotsylvania County</i>	Cumulative Impacts	
	30 Years¹	Schedule
Real property tax revenues	\$5,133,300	Schedule III-B
Personal property tax revenues (vehicles)	\$3,307,818	Schedule IV
Vehicle license fees	\$119,705	Schedule IV
Utility tax revenues	\$86,400	Schedule V-C
Recordation tax revenues	\$76,381	Schedule VI-B
Additional tax revenues ²	\$1,073,133	Schedule VII-B
Total projected tax revenues to the Spotsylvania County	\$9,796,737	Schedule VIII
Projected Spotsylvania County expenditures	(\$3,627,750)	Schedule IX-B
Net new revenues to Spotsylvania County	\$6,168,987	Schedule X

<i>Temporary Construction Employment Impacts:</i>	Temporary Jobs from Construction³		
	(Jobs and Income)		
	Temporary Jobs	Annual Compensation	Income per Employee
Temporary:			
Direct impacts (full time equivalents)	72	\$3,019,731	\$41,803
Indirect and induced impacts	40	\$1,568,086	\$39,043
Total temporary impacts	112	\$4,587,817	

MuniCap, Inc.

22-Jul-20

¹Represents cumulative impacts over the period shown, including inflation. Represents 30 years after construction commencement.

²Additional revenues are based off of general fund revenues (includes sales tax, meals tax, etc.). See Schedules VII-A and VII-B.

³See Appendix F.

Mine Road
Spotsylvania County, Virginia

Development Summary

Mine Road
Spotsylvania County, Virginia

Schedule I: Summary of Proposed Development

Property Type	Units	Property Area ¹		Estimated Assessed Value ²		Total Estimated Assessed Value
		GSF Per Unit	GSF	Per Unit	Per SF	
<u>Residential</u>						
Single-family attached	60	1,413	84,801	\$252,259	\$178	\$15,135,563

MuniCap, Inc.

22-Jul-20

¹Based on project information provided by CeresMineRoad, LLC.

²See Appendix D.

Mine Road
Spotsylvania County, Virginia

Schedule II: Projected Absorption¹

Development Year Ending	Residential			
	Single-Family Attached			
	Units	Cumulative	GSF	Cumulative
31-Dec-19	0	0	0	0
31-Dec-20	0	0	0	0
31-Dec-21	0	0	0	0
31-Dec-22	60	60	84,801	84,801
31-Dec-23	0	60	0	84,801
31-Dec-24	0	60	0	84,801
31-Dec-25	0	60	0	84,801
31-Dec-26	0	60	0	84,801
31-Dec-27	0	60	0	84,801
31-Dec-28	0	60	0	84,801
31-Dec-29	0	60	0	84,801
31-Dec-30	0	60	0	84,801
31-Dec-31	0	60	0	84,801
31-Dec-32	0	60	0	84,801
31-Dec-33	0	60	0	84,801
31-Dec-34	0	60	0	84,801
31-Dec-35	0	60	0	84,801
31-Dec-36	0	60	0	84,801
31-Dec-37	0	60	0	84,801
31-Dec-38	0	60	0	84,801
31-Dec-39	0	60	0	84,801
31-Dec-40	0	60	0	84,801
31-Dec-41	0	60	0	84,801
31-Dec-42	0	60	0	84,801
31-Dec-43	0	60	0	84,801
31-Dec-44	0	60	0	84,801
31-Dec-45	0	60	0	84,801
31-Dec-46	0	60	0	84,801
31-Dec-47	0	60	0	84,801
31-Dec-48	0	60	0	84,801
31-Dec-49	0	60	0	84,801
31-Dec-50	0	60	0	84,801
31-Dec-51	0	60	0	84,801
Total	60		84,801	

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22-Jul-20

¹Based on information provided by CeresMineRoad, LLC.

Mine Road
Spotsylvania County, Virginia

Projected Fiscal Impacts

Mine Road
Spotsylvania County, Virginia

Schedule III-A: Projected Real Property Tax Revenues - Projected Assessed Value

Development Year Ending	Assessed As Of ¹	Final Tax Date ²	Fiscal Year Ending ²	Inflation Factor ³	Residential			
					Single-Family Attached			Total Assessed Value
					Units ⁴	Value Per Unit ⁵	Total Assessed Value	
31-Dec-19	1-Jan-20	5-Dec-20	30-Jun-21	100.0%	0	\$252,259	\$0	\$0
31-Dec-20	1-Jan-21	5-Dec-21	30-Jun-22	100.0%	0	\$252,259	\$0	\$0
31-Dec-21	1-Jan-22	5-Dec-22	30-Jun-23	104.0%	0	\$262,451	\$0	\$0
31-Dec-22	1-Jan-23	5-Dec-23	30-Jun-24	104.0%	60	\$262,451	\$15,747,040	\$15,747,040
31-Dec-23	1-Jan-24	5-Dec-24	30-Jun-25	108.2%	60	\$273,054	\$16,383,220	\$16,383,220
31-Dec-24	1-Jan-25	5-Dec-25	30-Jun-26	108.2%	60	\$273,054	\$16,383,220	\$16,383,220
31-Dec-25	1-Jan-26	5-Dec-26	30-Jun-27	112.6%	60	\$284,085	\$17,045,102	\$17,045,102
31-Dec-26	1-Jan-27	5-Dec-27	30-Jun-28	112.6%	60	\$284,085	\$17,045,102	\$17,045,102
31-Dec-27	1-Jan-28	5-Dec-28	30-Jun-29	117.2%	60	\$295,562	\$17,733,725	\$17,733,725
31-Dec-28	1-Jan-29	5-Dec-29	30-Jun-30	117.2%	60	\$295,562	\$17,733,725	\$17,733,725
31-Dec-29	1-Jan-30	5-Dec-30	30-Jun-31	121.9%	60	\$307,503	\$18,450,167	\$18,450,167
31-Dec-30	1-Jan-31	5-Dec-31	30-Jun-32	121.9%	60	\$307,503	\$18,450,167	\$18,450,167
31-Dec-31	1-Jan-32	5-Dec-32	30-Jun-33	126.8%	60	\$319,926	\$19,195,554	\$19,195,554
31-Dec-32	1-Jan-33	5-Dec-33	30-Jun-34	126.8%	60	\$319,926	\$19,195,554	\$19,195,554
31-Dec-33	1-Jan-34	5-Dec-34	30-Jun-35	131.9%	60	\$332,851	\$19,971,054	\$19,971,054
31-Dec-34	1-Jan-35	5-Dec-35	30-Jun-36	131.9%	60	\$332,851	\$19,971,054	\$19,971,054
31-Dec-35	1-Jan-36	5-Dec-36	30-Jun-37	137.3%	60	\$346,298	\$20,777,885	\$20,777,885
31-Dec-36	1-Jan-37	5-Dec-37	30-Jun-38	137.3%	60	\$346,298	\$20,777,885	\$20,777,885
31-Dec-37	1-Jan-38	5-Dec-38	30-Jun-39	142.8%	60	\$360,289	\$21,617,311	\$21,617,311
31-Dec-38	1-Jan-39	5-Dec-39	30-Jun-40	142.8%	60	\$360,289	\$21,617,311	\$21,617,311
31-Dec-39	1-Jan-40	5-Dec-40	30-Jun-41	148.6%	60	\$374,844	\$22,490,651	\$22,490,651
31-Dec-40	1-Jan-41	5-Dec-41	30-Jun-42	148.6%	60	\$374,844	\$22,490,651	\$22,490,651
31-Dec-41	1-Jan-42	5-Dec-42	30-Jun-43	154.6%	60	\$389,988	\$23,399,273	\$23,399,273
31-Dec-42	1-Jan-43	5-Dec-43	30-Jun-44	154.6%	60	\$389,988	\$23,399,273	\$23,399,273
31-Dec-43	1-Jan-44	5-Dec-44	30-Jun-45	160.8%	60	\$405,743	\$24,344,604	\$24,344,604
31-Dec-44	1-Jan-45	5-Dec-45	30-Jun-46	160.8%	60	\$405,743	\$24,344,604	\$24,344,604
31-Dec-45	1-Jan-46	5-Dec-46	30-Jun-47	167.3%	60	\$422,135	\$25,328,126	\$25,328,126
31-Dec-46	1-Jan-47	5-Dec-47	30-Jun-48	167.3%	60	\$422,135	\$25,328,126	\$25,328,126
31-Dec-47	1-Jan-48	5-Dec-48	30-Jun-49	174.1%	60	\$439,190	\$26,351,382	\$26,351,382
31-Dec-48	1-Jan-49	5-Dec-49	30-Jun-50	174.1%	60	\$439,190	\$26,351,382	\$26,351,382
31-Dec-49	1-Jan-50	5-Dec-50	30-Jun-51	181.1%	60	\$456,933	\$27,415,978	\$27,415,978
31-Dec-50	1-Jan-51	5-Dec-51	30-Jun-52	181.1%	60	\$456,933	\$27,415,978	\$27,415,978
31-Dec-51	1-Jan-52	5-Dec-52	30-Jun-53	188.5%	60	\$475,393	\$28,523,583	\$28,523,583

MuniCap, Inc.

22-Jul-20

¹Real property is assessed for taxation as of January 1.

²Property assessed as of January 1, 2022 will pay its final property tax payment of the year on December 5, 2022, which corresponds with fiscal year ending June 30, 2023.

³Assumes an annual inflation rate of 2%. Inflation rate accounts for annual increasing assessed value. Property in Spotsylvania County is reassessed every even year; as a result, the inflation factor is set to adjust in years of the biennial revaluation. Source: Spotsylvania County Assessment Office.

⁴See Schedule II.

⁵See Schedule I.

*Mine Road
Spotsylvania County, Virginia*

Schedule III-B: Projected Real Property Tax Revenues - Projected Tax Revenues

Development Year Ending	Assessed As Of ¹	Final Tax Date ²	Fiscal Year Ending ²	Inflation Factor ³	Estimated Assessed Value ⁴	Base Value ⁵	Incremental Value	County Tax Rate Per \$100 A.V. ⁶	Estimated Real Property Tax Revenues
31-Dec-19	1-Jan-20	5-Dec-20	30-Jun-21	100.0%	\$0	(\$1,378,700)	\$0	\$0.85	\$0
31-Dec-20	1-Jan-21	5-Dec-21	30-Jun-22	100.0%	\$0	(\$1,378,700)	\$0	\$0.85	\$0
31-Dec-21	1-Jan-22	5-Dec-22	30-Jun-23	104.0%	\$0	(\$1,378,700)	\$0	\$0.85	\$0
31-Dec-22	1-Jan-23	5-Dec-23	30-Jun-24	104.0%	\$15,747,040	(\$1,378,700)	\$14,368,340	\$0.85	\$122,131
31-Dec-23	1-Jan-24	5-Dec-24	30-Jun-25	108.2%	\$16,383,220	(\$1,378,700)	\$15,004,520	\$0.85	\$127,538
31-Dec-24	1-Jan-25	5-Dec-25	30-Jun-26	108.2%	\$16,383,220	(\$1,378,700)	\$15,004,520	\$0.85	\$127,538
31-Dec-25	1-Jan-26	5-Dec-26	30-Jun-27	112.6%	\$17,045,102	(\$1,378,700)	\$15,666,402	\$0.85	\$133,164
31-Dec-26	1-Jan-27	5-Dec-27	30-Jun-28	112.6%	\$17,045,102	(\$1,378,700)	\$15,666,402	\$0.85	\$133,164
31-Dec-27	1-Jan-28	5-Dec-28	30-Jun-29	117.2%	\$17,733,725	(\$1,378,700)	\$16,355,025	\$0.85	\$139,018
31-Dec-28	1-Jan-29	5-Dec-29	30-Jun-30	117.2%	\$17,733,725	(\$1,378,700)	\$16,355,025	\$0.85	\$139,018
31-Dec-29	1-Jan-30	5-Dec-30	30-Jun-31	121.9%	\$18,450,167	(\$1,378,700)	\$17,071,467	\$0.85	\$145,107
31-Dec-30	1-Jan-31	5-Dec-31	30-Jun-32	121.9%	\$18,450,167	(\$1,378,700)	\$17,071,467	\$0.85	\$145,107
31-Dec-31	1-Jan-32	5-Dec-32	30-Jun-33	126.8%	\$19,195,554	(\$1,378,700)	\$17,816,854	\$0.85	\$151,443
31-Dec-32	1-Jan-33	5-Dec-33	30-Jun-34	126.8%	\$19,195,554	(\$1,378,700)	\$17,816,854	\$0.85	\$151,443
31-Dec-33	1-Jan-34	5-Dec-34	30-Jun-35	131.9%	\$19,971,054	(\$1,378,700)	\$18,592,354	\$0.85	\$158,035
31-Dec-34	1-Jan-35	5-Dec-35	30-Jun-36	131.9%	\$19,971,054	(\$1,378,700)	\$18,592,354	\$0.85	\$158,035
31-Dec-35	1-Jan-36	5-Dec-36	30-Jun-37	137.3%	\$20,777,885	(\$1,378,700)	\$19,399,185	\$0.85	\$164,893
31-Dec-36	1-Jan-37	5-Dec-37	30-Jun-38	137.3%	\$20,777,885	(\$1,378,700)	\$19,399,185	\$0.85	\$164,893
31-Dec-37	1-Jan-38	5-Dec-38	30-Jun-39	142.8%	\$21,617,311	(\$1,378,700)	\$20,238,611	\$0.85	\$172,028
31-Dec-38	1-Jan-39	5-Dec-39	30-Jun-40	142.8%	\$21,617,311	(\$1,378,700)	\$20,238,611	\$0.85	\$172,028
31-Dec-39	1-Jan-40	5-Dec-40	30-Jun-41	148.6%	\$22,490,651	(\$1,378,700)	\$21,111,951	\$0.85	\$179,452
31-Dec-40	1-Jan-41	5-Dec-41	30-Jun-42	148.6%	\$22,490,651	(\$1,378,700)	\$21,111,951	\$0.85	\$179,452
31-Dec-41	1-Jan-42	5-Dec-42	30-Jun-43	154.6%	\$23,399,273	(\$1,378,700)	\$22,020,573	\$0.85	\$187,175
31-Dec-42	1-Jan-43	5-Dec-43	30-Jun-44	154.6%	\$23,399,273	(\$1,378,700)	\$22,020,573	\$0.85	\$187,175
31-Dec-43	1-Jan-44	5-Dec-44	30-Jun-45	160.8%	\$24,344,604	(\$1,378,700)	\$22,965,904	\$0.85	\$195,210
31-Dec-44	1-Jan-45	5-Dec-45	30-Jun-46	160.8%	\$24,344,604	(\$1,378,700)	\$22,965,904	\$0.85	\$195,210
31-Dec-45	1-Jan-46	5-Dec-46	30-Jun-47	167.3%	\$25,328,126	(\$1,378,700)	\$23,949,426	\$0.85	\$203,570
31-Dec-46	1-Jan-47	5-Dec-47	30-Jun-48	167.3%	\$25,328,126	(\$1,378,700)	\$23,949,426	\$0.85	\$203,570
31-Dec-47	1-Jan-48	5-Dec-48	30-Jun-49	174.1%	\$26,351,382	(\$1,378,700)	\$24,972,682	\$0.85	\$212,268
31-Dec-48	1-Jan-49	5-Dec-49	30-Jun-50	174.1%	\$26,351,382	(\$1,378,700)	\$24,972,682	\$0.85	\$212,268
31-Dec-49	1-Jan-50	5-Dec-50	30-Jun-51	181.1%	\$27,415,978	(\$1,378,700)	\$26,037,278	\$0.85	\$221,317
31-Dec-50	1-Jan-51	5-Dec-51	30-Jun-52	181.1%	\$27,415,978	(\$1,378,700)	\$26,037,278	\$0.85	\$221,317
31-Dec-51	1-Jan-52	5-Dec-52	30-Jun-53	188.5%	\$28,523,583	(\$1,378,700)	\$27,144,883	\$0.85	\$230,732
Total									\$5,133,300

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¹Real property is assessed for taxation as of January 1.

²Property assessed as of January 1, 2022 will pay its final property tax payment of the year on December 5, 2022, which corresponds with fiscal year ending June 30, 2023.

³Assumes an annual inflation rate of 2%. Inflation rate accounts for annual increasing assessed value. Property in Spotsylvania County is reassessed every even year; as a result, the inflation factor is set to adjust in years of the biennial revaluation. Source: Spotsylvania County Assessment Office.

⁴See Schedule III-A.

⁵See Appendix E.

⁶Represents the fiscal year 2020 rate. Source: Spotsylvania County Commissioner of the Revenue.

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Schedule IV: Projected Personal Property Taxes and Fees from Vehicles

Table 1: Estimated Personal Property Tax Revenues - Vehicles

Development Type	Number of Vehicles			Property Tax per Vehicle						
	Estimated No. of Units	Estimated Vehicles Per Household ¹	Estimated No. of Vehicles	Average Vehicle Value ²	Assessed Value ³ Per Vehicle	County Personal Property Tax Rate (Per \$100) ⁴	Projected Personal Property Tax Prior to Relief	PPTRA Tax Relief (37%) ⁵	Estimated Effective Personal Property Tax	Total Personal Property Tax Revenue from Vehicles ⁶
Single-family attached	60	1.89	113	\$21,094	\$10,547	\$6.55	\$691	\$0	\$691	\$78,371

Table 2: Estimated Vehicle License Fees

Development Type	Estimated No. of Units	Estimated Vehicles Per Household ¹	Estimated No. of Vehicles	Annual Vehicle License Fees ⁷	Total Estimated Vehicle License Fees ⁶
Single-family attached	60	1.89	113	\$25	\$2,836

Table 3: Total Vehicle Related Tax Revenues

Development Type	Total Personal Property Tax Revenue	Total Estimated Vehicle License Fees	Total Taxes and Fees
Single-family attached	\$78,371	\$2,836	\$81,207

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¹Based on average number of vehicles per owner-occupied units in the County. Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates.

²Average retail selling price (\$21,094) of used vehicles sold in 2019 as provided in NADA Data 2019 Annual Financial Profile of America's Franchised New-Car Dealerships.

³Spotsylvania County assesses the value of vehicles at 50% of the clean retail value from National Auto Dealers Association (NADA) guide. Source: Spotsylvania County Commissioner of Revenue.

⁴Represents the fiscal year 2020 tax rate. Source: Spotsylvania County Treasurer.

⁵Pursuant to Chapter 25 of Title 15.2 of the Code of Virginia, a tax relief, set by the taxing jurisdiction, is provided on qualifying vehicles with an assessed value between \$1,000 and \$20,000. In order to qualify for the Personal Property Tax Relief Act (PPTRA), a vehicle, including motorcycles, must be used for non-business and owned or leased by a natural person. The Spotsylvania County PPTRA Relief rate was 37% for calendar year 2019. It is assumed that this rate remains static in future years. The funds are ultimately given back to the counties by the state, thus the total amount of personal property taxes, subsequent of the development, are generated in this analysis. Source: Spotsylvania County Virginia, FY 2020 Budget.

⁶Figure assumes full build out and is expressed in current dollars.

⁷Represent the fiscal year 2020 rate. Source: Spotsylvania County Virginia, FY 2020 Budget.

Mine Road
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Schedule V-A: Projected Utility Tax Revenues - Residential

Table 1: Annual Electric Utility Tax Revenue - Consumption Utility Tax Revenue

Property Use	Estimated No. of Units ¹	Average Annual Electric Consumption Per Unit ² (<i>kWh</i>)	Total Annual Electric Consumption (<i>kWh</i>)	County Electric Utility Tax Rate ³	Annual County Electric Utility Tax Revenue	Months Per Year	Monthly Tax Revenue Per Unit ⁴
Single-family attached	60	8,523	511,380	\$0.015105	\$7,724	12	\$10.73

Table 2: Annual Electric Utility Tax Revenue - Determination of Maximum

Property Use	Electric Utility Tax Revenue Per Unit			Residential Cap Per Unit ³
	Flat Rate Fee Per Unit ³	Monthly Tax Revenue Per Unit	Total	
Single-family attached	\$1.40	\$10.73	\$12.13	\$2.00

Table 3: Annual Electric Utility Tax Revenue - Projected Total Annual Electric Utility Tax Revenue

Property Use	Monthly Tax Revenue Per Unit	New Units ¹	Total Monthly Revenue	Months Per Year	Total Electric Utility Tax Revenue ⁴
Single-family attached	\$2.00	60	\$120	12	\$1,440

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¹See Schedule I.

²Based on national average consumption for single-family attached units. Source: U.S. Energy Information Administration 2015 Annual household site fuel consumption in the U.S. - totals and averages, 2015.

³Residential consumers are subject to an electric utility tax of \$1.40 plus a rate of \$0.015105 on each kWh delivered monthly, not to exceed a maximum of two dollars (\$2.00). Source: *Spotsylvania County Code of Ordinances, Ch. 21, Article VII*.

⁴Figure assumes full build out and is expressed in current dollars.

Mine Road
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Schedule V-A: Projected Utility Tax Revenues - Residential, continued

Table 4: Annual Natural Gas Service Utility Tax Revenue - Determination of Maximum

Property Use	Residential Rate Per Unit ¹
Single-family attached	\$2.00

Table 5: Annual Natural Gas Service Utility Tax Revenue - Total Projected Annual Natural Gas Service Utility Tax Revenue

Property Use	Monthly Tax Revenue Per Unit	New Units ²	Total Monthly Revenue	Months Per Year	Total Natural Gas Utility Tax Revenue ³
Single-family attached	\$2.00	60	\$120	12	\$1,440

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¹Residential units are subject to a monthly tax of \$2 per unit. Source: *Spotsylvania County Code of Ordinances, Ch. 21, Article VII*.

²See Schedule I.

³Figure assumes full build out and is expressed in current dollars.

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Schedule V-B: Projected Utility Tax Revenues - Total Annual

Property Type	County Utility Tax Revenue		Total ²
	Electric ¹	Natural Gas ¹	
<i>Residential</i>			
Single-family attached	\$1,440	\$1,440	\$2,880

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¹See Schedule V-A.

²Figure assumes full build out and is expressed in current dollars.

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Schedule V-C: Projected Utility Tax Revenues - 30 Years

Development Year Ending	Fiscal Year Ending	Inflation Factor ¹	Total Projected Utility Tax Revenues
31-Dec-19	30-Jun-21	100.0%	\$0
31-Dec-20	30-Jun-22	100.0%	\$0
31-Dec-21	30-Jun-23	100.0%	\$0
31-Dec-22	30-Jun-24	100.0%	\$2,880
31-Dec-23	30-Jun-25	100.0%	\$2,880
31-Dec-24	30-Jun-26	100.0%	\$2,880
31-Dec-25	30-Jun-27	100.0%	\$2,880
31-Dec-26	30-Jun-28	100.0%	\$2,880
31-Dec-27	30-Jun-29	100.0%	\$2,880
31-Dec-28	30-Jun-30	100.0%	\$2,880
31-Dec-29	30-Jun-31	100.0%	\$2,880
31-Dec-30	30-Jun-32	100.0%	\$2,880
31-Dec-31	30-Jun-33	100.0%	\$2,880
31-Dec-32	30-Jun-34	100.0%	\$2,880
31-Dec-33	30-Jun-35	100.0%	\$2,880
31-Dec-34	30-Jun-36	100.0%	\$2,880
31-Dec-35	30-Jun-37	100.0%	\$2,880
31-Dec-36	30-Jun-38	100.0%	\$2,880
31-Dec-37	30-Jun-39	100.0%	\$2,880
31-Dec-38	30-Jun-40	100.0%	\$2,880
31-Dec-39	30-Jun-41	100.0%	\$2,880
31-Dec-40	30-Jun-42	100.0%	\$2,880
31-Dec-41	30-Jun-43	100.0%	\$2,880
31-Dec-42	30-Jun-44	100.0%	\$2,880
31-Dec-43	30-Jun-45	100.0%	\$2,880
31-Dec-44	30-Jun-46	100.0%	\$2,880
31-Dec-45	30-Jun-47	100.0%	\$2,880
31-Dec-46	30-Jun-48	100.0%	\$2,880
31-Dec-47	30-Jun-49	100.0%	\$2,880
31-Dec-48	30-Jun-50	100.0%	\$2,880
31-Dec-49	30-Jun-51	100.0%	\$2,880
31-Dec-50	30-Jun-52	100.0%	\$2,880
31-Dec-51	30-Jun-53	100.0%	\$2,880
Total			\$86,400

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¹ Assumes an annual inflation rate of 0%.

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Schedule VI-A: Projected Recordation Tax Revenues - Projected Assessed Value

Development Year Ending	Fiscal Year Ending	Inflation Factor ¹	Single-Family Attached				Total
			Value Per Unit ²	Initial Unit Sale ³	Initial Unit Resales ⁴	Projected Assessed Value of Transaction	Projected Assessed Value of Transactions
31-Dec-19	30-Jun-21	100.0%	\$252,259	0	0	\$0	\$0
31-Dec-20	30-Jun-22	100.0%	\$252,259	0	0	\$0	\$0
31-Dec-21	30-Jun-23	102.0%	\$257,305	0	0	\$0	\$0
31-Dec-22	30-Jun-24	104.0%	\$262,451	60	0	\$15,747,040	\$15,747,040
31-Dec-23	30-Jun-25	106.1%	\$267,700	0	4	\$1,070,799	\$1,070,799
31-Dec-24	30-Jun-26	108.2%	\$273,054	0	4	\$1,092,215	\$1,092,215
31-Dec-25	30-Jun-27	110.4%	\$278,515	0	4	\$1,114,059	\$1,114,059
31-Dec-26	30-Jun-28	112.6%	\$284,085	0	4	\$1,136,340	\$1,136,340
31-Dec-27	30-Jun-29	114.9%	\$289,767	0	4	\$1,159,067	\$1,159,067
31-Dec-28	30-Jun-30	117.2%	\$295,562	0	4	\$1,182,248	\$1,182,248
31-Dec-29	30-Jun-31	119.5%	\$301,473	0	4	\$1,205,893	\$1,205,893
31-Dec-30	30-Jun-32	121.9%	\$307,503	0	4	\$1,230,011	\$1,230,011
31-Dec-31	30-Jun-33	124.3%	\$313,653	0	4	\$1,254,611	\$1,254,611
31-Dec-32	30-Jun-34	126.8%	\$319,926	0	4	\$1,279,704	\$1,279,704
31-Dec-33	30-Jun-35	129.4%	\$326,324	0	4	\$1,305,298	\$1,305,298
31-Dec-34	30-Jun-36	131.9%	\$332,851	0	4	\$1,331,404	\$1,331,404
31-Dec-35	30-Jun-37	134.6%	\$339,508	0	4	\$1,358,032	\$1,358,032
31-Dec-36	30-Jun-38	137.3%	\$346,298	0	4	\$1,385,192	\$1,385,192
31-Dec-37	30-Jun-39	140.0%	\$353,224	0	4	\$1,412,896	\$1,412,896
31-Dec-38	30-Jun-40	142.8%	\$360,289	0	4	\$1,441,154	\$1,441,154
31-Dec-39	30-Jun-41	145.7%	\$367,494	0	4	\$1,469,977	\$1,469,977
31-Dec-40	30-Jun-42	148.6%	\$374,844	0	4	\$1,499,377	\$1,499,377
31-Dec-41	30-Jun-43	151.6%	\$382,341	0	4	\$1,529,364	\$1,529,364
31-Dec-42	30-Jun-44	154.6%	\$389,988	0	4	\$1,559,952	\$1,559,952
31-Dec-43	30-Jun-45	157.7%	\$397,788	0	4	\$1,591,151	\$1,591,151
31-Dec-44	30-Jun-46	160.8%	\$405,743	0	4	\$1,622,974	\$1,622,974
31-Dec-45	30-Jun-47	164.1%	\$413,858	0	4	\$1,655,433	\$1,655,433
31-Dec-46	30-Jun-48	167.3%	\$422,135	0	4	\$1,688,542	\$1,688,542
31-Dec-47	30-Jun-49	170.7%	\$430,578	0	4	\$1,722,313	\$1,722,313
31-Dec-48	30-Jun-50	174.1%	\$439,190	0	4	\$1,756,759	\$1,756,759
31-Dec-49	30-Jun-51	177.6%	\$447,973	0	4	\$1,791,894	\$1,791,894
31-Dec-50	30-Jun-52	181.1%	\$456,933	0	4	\$1,827,732	\$1,827,732
31-Dec-51	30-Jun-53	184.8%	\$466,072	0	4	\$1,864,286	\$1,864,286

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22-Jul-20

¹ Assumes an annual inflation rate of 2%.

² See Schedule I.

³ See Schedule II.

⁴ Assumes properties are closed with buyers in the same year as they are completed. See Schedule II. Based on U.S. Census Bureau data for 2017, the median year householders moved into owner-occupied units was 2003, implying a median tenure of fourteen years. Accordingly, calculations herein assume that, after initial sales, one-fourteenth of all units are resold annually. For purpose of analysis, figure has been rounded to the nearest whole number. Source: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates.

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Schedule VI-B: Projected Recordation Tax Revenues - Projected Tax Revenues

Development Year Ending	Fiscal Year Ending	Inflation Factor ¹	Total Projected Assessed Value of Transactions ²	Recordation Tax				
				Grantee		Grantor		Total Projected Recordation Tax Revenues
				Recordation Tax Rate (Per \$100) ³	Total Projected Recordation Tax Revenues	Recordation Tax Rate (Per \$500) ³	Total Projected Recordation Tax Revenues	
31-Dec-19	30-Jun-21	100.0%	\$0	\$0.0833	\$0	\$0.25	\$0	\$0
31-Dec-20	30-Jun-22	100.0%	\$0	\$0.0833	\$0	\$0.25	\$0	\$0
31-Dec-21	30-Jun-23	102.0%	\$0	\$0.0833	\$0	\$0.25	\$0	\$0
31-Dec-22	30-Jun-24	104.0%	\$15,747,040	\$0.0833	\$13,123	\$0.25	\$7,874	\$20,996
31-Dec-23	30-Jun-25	106.1%	\$1,070,799	\$0.0833	\$892	\$0.25	\$535	\$1,428
31-Dec-24	30-Jun-26	108.2%	\$1,092,215	\$0.0833	\$910	\$0.25	\$546	\$1,456
31-Dec-25	30-Jun-27	110.4%	\$1,114,059	\$0.0833	\$928	\$0.25	\$557	\$1,485
31-Dec-26	30-Jun-28	112.6%	\$1,136,340	\$0.0833	\$947	\$0.25	\$568	\$1,515
31-Dec-27	30-Jun-29	114.9%	\$1,159,067	\$0.0833	\$966	\$0.25	\$580	\$1,545
31-Dec-28	30-Jun-30	117.2%	\$1,182,248	\$0.0833	\$985	\$0.25	\$591	\$1,576
31-Dec-29	30-Jun-31	119.5%	\$1,205,893	\$0.0833	\$1,005	\$0.25	\$603	\$1,608
31-Dec-30	30-Jun-32	121.9%	\$1,230,011	\$0.0833	\$1,025	\$0.25	\$615	\$1,640
31-Dec-31	30-Jun-33	124.3%	\$1,254,611	\$0.0833	\$1,046	\$0.25	\$627	\$1,673
31-Dec-32	30-Jun-34	126.8%	\$1,279,704	\$0.0833	\$1,066	\$0.25	\$640	\$1,706
31-Dec-33	30-Jun-35	129.4%	\$1,305,298	\$0.0833	\$1,088	\$0.25	\$653	\$1,740
31-Dec-34	30-Jun-36	131.9%	\$1,331,404	\$0.0833	\$1,110	\$0.25	\$666	\$1,775
31-Dec-35	30-Jun-37	134.6%	\$1,358,032	\$0.0833	\$1,132	\$0.25	\$679	\$1,811
31-Dec-36	30-Jun-38	137.3%	\$1,385,192	\$0.0833	\$1,154	\$0.25	\$693	\$1,847
31-Dec-37	30-Jun-39	140.0%	\$1,412,896	\$0.0833	\$1,177	\$0.25	\$706	\$1,884
31-Dec-38	30-Jun-40	142.8%	\$1,441,154	\$0.0833	\$1,201	\$0.25	\$721	\$1,922
31-Dec-39	30-Jun-41	145.7%	\$1,469,977	\$0.0833	\$1,225	\$0.25	\$735	\$1,960
31-Dec-40	30-Jun-42	148.6%	\$1,499,377	\$0.0833	\$1,249	\$0.25	\$750	\$1,999
31-Dec-41	30-Jun-43	151.6%	\$1,529,364	\$0.0833	\$1,274	\$0.25	\$765	\$2,039
31-Dec-42	30-Jun-44	154.6%	\$1,559,952	\$0.0833	\$1,300	\$0.25	\$780	\$2,080
31-Dec-43	30-Jun-45	157.7%	\$1,591,151	\$0.0833	\$1,326	\$0.25	\$796	\$2,122
31-Dec-44	30-Jun-46	160.8%	\$1,622,974	\$0.0833	\$1,352	\$0.25	\$811	\$2,164
31-Dec-45	30-Jun-47	164.1%	\$1,655,433	\$0.0833	\$1,380	\$0.25	\$828	\$2,207
31-Dec-46	30-Jun-48	167.3%	\$1,688,542	\$0.0833	\$1,407	\$0.25	\$844	\$2,251
31-Dec-47	30-Jun-49	170.7%	\$1,722,313	\$0.0833	\$1,435	\$0.25	\$861	\$2,296
31-Dec-48	30-Jun-50	174.1%	\$1,756,759	\$0.0833	\$1,464	\$0.25	\$878	\$2,342
31-Dec-49	30-Jun-51	177.6%	\$1,791,894	\$0.0833	\$1,493	\$0.25	\$896	\$2,389
31-Dec-50	30-Jun-52	181.1%	\$1,827,732	\$0.0833	\$1,523	\$0.25	\$914	\$2,437
31-Dec-51	30-Jun-53	184.8%	\$1,864,286	\$0.0833	\$1,554	\$0.25	\$932	\$2,486
Total					\$47,738		\$28,643	\$76,381

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¹ Assumes an annual inflation rate of 2%.

² See Schedule VI-A.

³ Local recordation tax rate is equal to one-third of the amount of the State recordation tax provided in *Code of Virginia Section 58.1-801*. The State rate is \$0.25 for every \$100 for the grantee. Therefore, the County rate is \$0.0833 per \$100. The local recordation tax rate is \$0.25 per \$500 for the grantor. Source: Virginia Supreme Court *Circuit Court Deed Calculation*.

*Mine Road
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Schedule VII-A: Projected Additional Revenues to Spotsylvania County - Annual

Annual Revenues ¹	Current County Revenues ²	Basis for Projecting Revenues ³	Current County Service Factors ⁴	Revenues by Factor ³ Per Resident	Projected Increase in Service Factor ⁵	Total Additional Revenues ⁶
Real property tax	\$136,597,219	Schedule III-B	-	-	-	-
Personal property tax	\$45,790,151	Schedule IV	-	-	-	-
Non-categorical state aid	\$19,961,422	not impacted	-	-	-	-
Sales tax	\$18,985,968	per resident	135,000	\$140.64	120	\$16,876
Meals tax	\$9,617,667	per resident	135,000	\$71.24	120	\$8,549
Miscellaneous	\$3,241,943	not impacted	-	-	-	-
Business license tax	\$4,500,000	not impacted	-	-	-	-
Charges for services	\$4,656,308	not impacted	-	-	-	-
Local vehicle license fee	\$3,100,000	Schedule IV	-	-	-	-
Consumer utility tax	\$2,500,000	Schedule V-C	-	-	-	-
Recordation tax	\$2,700,000	Schedule VI-B	-	-	-	-
Penalties & interest on taxes	\$2,350,000	not impacted	-	-	-	-
Other local revenue	\$1,871,907	not impacted	-	-	-	-
Transient occupancy tax	\$1,475,000	not impacted	-	-	-	-
Other property taxes	\$1,002,868	not impacted	-	-	-	-
Utility gross receipts tax	\$650,000	not impacted	-	-	-	-
Bank stock tax	\$725,000	not impacted	-	-	-	-
License & permits	\$149,516	not impacted	-	-	-	-
Daily rental tax	\$50,000	not impacted	-	-	-	-
Shared expenses	\$5,870,309	not impacted	-	-	-	-
Social services	\$13,872,446	not impacted	-	-	-	-
Federal aid	\$723,691	not impacted	-	-	-	-
Other categorical state aid	\$1,311,644	not impacted	-	-	-	-
Transfers in	\$3,457,146	not impacted	-	-	-	-
Use of fund balance	\$5,221,927	not impacted	-	-	-	-
Total budget	\$290,382,132			\$212		\$25,425

MuniCap, Inc.

22-Jul-20

¹ Not all sources of revenues are expected to be impacted as a result of the project. Revenues shown represent general fund revenues only. In addition, some fees are assumed to directly offset specific expenditures also not included in this analysis.

² Source: *Spotsylvania County, Virginia FY 2020 Adopted Budget*.

³ Method of apportioning revenues: Per resident revenues are calculated by taking current revenues and apportioning them among current resident population.

⁴ Represents current statistics for the County. See Appendix A.

⁵ Represents projected increase to County as a result of the proposed development. See Appendix A.

⁶ Represents total increase in revenues as a result of proposed project on an annual basis. Figures assume full build out and are expressed in current dollars.

Mine Road
Spotsylvania County, Virginia

Schedule VII-B: Projected Additional Revenues to Spotsylvania County - 30 Years

Development Year Ending	Fiscal Year Ending	Inflation Factor ¹	Projected Additional Revenues to Spotsylvania County			Total Projected Additional Revenues
			Revenues Per Resident ²	Anticipated Residents ³	Total Resident Revenues	
31-Dec-19	30-Jun-21	100.0%	\$212	0	\$0	\$0
31-Dec-20	30-Jun-22	100.0%	\$212	0	\$0	\$0
31-Dec-21	30-Jun-23	102.0%	\$216	0	\$0	\$0
31-Dec-22	30-Jun-24	104.0%	\$220	120	\$26,453	\$26,453
31-Dec-23	30-Jun-25	106.1%	\$225	120	\$26,982	\$26,982
31-Dec-24	30-Jun-26	108.2%	\$229	120	\$27,521	\$27,521
31-Dec-25	30-Jun-27	110.4%	\$234	120	\$28,072	\$28,072
31-Dec-26	30-Jun-28	112.6%	\$239	120	\$28,633	\$28,633
31-Dec-27	30-Jun-29	114.9%	\$243	120	\$29,206	\$29,206
31-Dec-28	30-Jun-30	117.2%	\$248	120	\$29,790	\$29,790
31-Dec-29	30-Jun-31	119.5%	\$253	120	\$30,386	\$30,386
31-Dec-30	30-Jun-32	121.9%	\$258	120	\$30,993	\$30,993
31-Dec-31	30-Jun-33	124.3%	\$263	120	\$31,613	\$31,613
31-Dec-32	30-Jun-34	126.8%	\$269	120	\$32,246	\$32,246
31-Dec-33	30-Jun-35	129.4%	\$274	120	\$32,891	\$32,891
31-Dec-34	30-Jun-36	131.9%	\$280	120	\$33,548	\$33,548
31-Dec-35	30-Jun-37	134.6%	\$285	120	\$34,219	\$34,219
31-Dec-36	30-Jun-38	137.3%	\$291	120	\$34,904	\$34,904
31-Dec-37	30-Jun-39	140.0%	\$297	120	\$35,602	\$35,602
31-Dec-38	30-Jun-40	142.8%	\$303	120	\$36,314	\$36,314
31-Dec-39	30-Jun-41	145.7%	\$309	120	\$37,040	\$37,040
31-Dec-40	30-Jun-42	148.6%	\$315	120	\$37,781	\$37,781
31-Dec-41	30-Jun-43	151.6%	\$321	120	\$38,537	\$38,537
31-Dec-42	30-Jun-44	154.6%	\$328	120	\$39,307	\$39,307
31-Dec-43	30-Jun-45	157.7%	\$334	120	\$40,093	\$40,093
31-Dec-44	30-Jun-46	160.8%	\$341	120	\$40,895	\$40,895
31-Dec-45	30-Jun-47	164.1%	\$348	120	\$41,713	\$41,713
31-Dec-46	30-Jun-48	167.3%	\$355	120	\$42,547	\$42,547
31-Dec-47	30-Jun-49	170.7%	\$362	120	\$43,398	\$43,398
31-Dec-48	30-Jun-50	174.1%	\$369	120	\$44,266	\$44,266
31-Dec-49	30-Jun-51	177.6%	\$376	120	\$45,152	\$45,152
31-Dec-50	30-Jun-52	181.1%	\$384	120	\$46,055	\$46,055
31-Dec-51	30-Jun-53	184.8%	\$391	120	\$46,976	\$46,976
Total					\$1,073,133	\$1,073,133

MuniCap, Inc.

22-Jul-20

¹Assumes an annual inflation rate of 2%.

²See Schedule VII-A.

³See Appendix B.

Mine Road
Spotsylvania County, Virginia

Schedule VIII: Total Projected Revenues to Spotsylvania County

Fiscal Year Ending	Inflation Factor	Real Property Tax (Schedule III) ¹	Vehicle Personal Property Tax (Schedule IV) ¹	Vehicle License Fee (Schedule IV) ¹	Utility Tax Revenues (Schedule V-C) ¹	Recordation Tax (Schedule VI-B) ¹	Additional Tax Revenues (Schedule VII-B) ¹	Estimated Total Revenues
30-Jun-21	100.0%	\$0	\$0	\$0	\$0	\$0	\$0	\$0
30-Jun-22	100.0%	\$0	\$0	\$0	\$0	\$0	\$0	\$0
30-Jun-23	102.0%	\$0	\$0	\$0	\$0	\$0	\$0	\$0
30-Jun-24	104.0%	\$122,131	\$81,537	\$2,951	\$2,880	\$20,996	\$26,453	\$256,948
30-Jun-25	106.1%	\$127,538	\$83,168	\$3,010	\$2,880	\$1,428	\$26,982	\$245,006
30-Jun-26	108.2%	\$127,538	\$84,832	\$3,070	\$2,880	\$1,456	\$27,521	\$247,298
30-Jun-27	110.4%	\$133,164	\$86,528	\$3,131	\$2,880	\$1,485	\$28,072	\$255,261
30-Jun-28	112.6%	\$133,164	\$88,259	\$3,194	\$2,880	\$1,515	\$28,633	\$257,645
30-Jun-29	114.9%	\$139,018	\$90,024	\$3,258	\$2,880	\$1,545	\$29,206	\$265,931
30-Jun-30	117.2%	\$139,018	\$91,824	\$3,323	\$2,880	\$1,576	\$29,790	\$268,411
30-Jun-31	119.5%	\$145,107	\$93,661	\$3,389	\$2,880	\$1,608	\$30,386	\$277,031
30-Jun-32	121.9%	\$145,107	\$95,534	\$3,457	\$2,880	\$1,640	\$30,993	\$279,612
30-Jun-33	124.3%	\$151,443	\$97,445	\$3,526	\$2,880	\$1,673	\$31,613	\$288,581
30-Jun-34	126.8%	\$151,443	\$99,394	\$3,597	\$2,880	\$1,706	\$32,246	\$291,266
30-Jun-35	129.4%	\$158,035	\$101,382	\$3,669	\$2,880	\$1,740	\$32,891	\$300,596
30-Jun-36	131.9%	\$158,035	\$103,409	\$3,742	\$2,880	\$1,775	\$33,548	\$303,390
30-Jun-37	134.6%	\$164,893	\$105,477	\$3,817	\$2,880	\$1,811	\$34,219	\$313,098
30-Jun-38	137.3%	\$164,893	\$107,587	\$3,893	\$2,880	\$1,847	\$34,904	\$316,004
30-Jun-39	140.0%	\$172,028	\$109,739	\$3,971	\$2,880	\$1,884	\$35,602	\$326,104
30-Jun-40	142.8%	\$172,028	\$111,933	\$4,051	\$2,880	\$1,922	\$36,314	\$329,128
30-Jun-41	145.7%	\$179,452	\$114,172	\$4,132	\$2,880	\$1,960	\$37,040	\$339,635
30-Jun-42	148.6%	\$179,452	\$116,456	\$4,214	\$2,880	\$1,999	\$37,781	\$342,782
30-Jun-43	151.6%	\$187,175	\$118,785	\$4,299	\$2,880	\$2,039	\$38,537	\$353,714
30-Jun-44	154.6%	\$187,175	\$121,160	\$4,385	\$2,880	\$2,080	\$39,307	\$356,987
30-Jun-45	157.7%	\$195,210	\$123,584	\$4,472	\$2,880	\$2,122	\$40,093	\$368,361
30-Jun-46	160.8%	\$195,210	\$126,055	\$4,562	\$2,880	\$2,164	\$40,895	\$371,766
30-Jun-47	164.1%	\$203,570	\$128,576	\$4,653	\$2,880	\$2,207	\$41,713	\$383,600
30-Jun-48	167.3%	\$203,570	\$131,148	\$4,746	\$2,880	\$2,251	\$42,547	\$387,143
30-Jun-49	170.7%	\$212,268	\$133,771	\$4,841	\$2,880	\$2,296	\$43,398	\$399,454
30-Jun-50	174.1%	\$212,268	\$136,446	\$4,938	\$2,880	\$2,342	\$44,266	\$403,141
30-Jun-51	177.6%	\$221,317	\$139,175	\$5,037	\$2,880	\$2,389	\$45,152	\$415,949
30-Jun-52	181.1%	\$221,317	\$141,959	\$5,137	\$2,880	\$2,437	\$46,055	\$419,784
30-Jun-53	184.8%	\$230,732	\$144,798	\$5,240	\$2,880	\$2,486	\$46,976	\$433,111
Total		\$5,133,300	\$3,307,818	\$119,705	\$86,400	\$76,381	\$1,073,133	\$9,796,737

MuniCap, Inc.

22-Jul-20

¹Revenues were phased in with absorption.

Mine Road
Spotsylvania County, Virginia

Schedule IX-A: Projected Additional Expenditures to Spotsylvania County - Annual

Annual Expenditures ¹	Current County Expenditures ²	Basis for Projecting Expenditures ³	Percent of Impact	Current County Service Factors ⁴	Expenditures by Factor ³			Projected Increase in Service Factor ⁵	Total Additional Expenditures ⁶
					Per Resident	Service Population	\$1,000s of Tax Revenues		
Transfer to schools ⁷	\$103,332,055	not impacted	-	-	-	-	-	-	-
Debt service (schools)	\$27,849,361	not impacted	-	-	-	-	-	-	-
Executive services ⁸	\$6,507,000	service population	25%	154,880	-	\$10.50	-	120	\$1,260
Administrative services ⁹	\$15,046,900	\$1,000s of tax revenues	30%	\$290,382	-	-	\$15.55	\$433	\$6,733
Voter services	\$539,132	service population	100%	154,880	-	\$3.48	-	120	\$418
Judicial administration	\$4,493,368	service population	100%	154,880	-	\$29.01	-	120	\$3,481
Public safety ¹⁰	\$59,275,280	service population	83%	154,880	-	\$317.45	-	120	\$38,094
Public works ⁷	\$9,121,887	per resident	100%	135,000	\$67.57	-	-	120	\$8,108
Health and welfare	\$25,002,415	per resident	100%	135,000	\$185.20	-	-	120	\$22,224
Parks, recreation and culture ⁷	\$8,031,794	per resident	100%	135,000	\$59.49	-	-	120	\$7,139
Community development	\$2,927,953	not impacted	-	-	-	-	-	-	-
Debt service (general)	\$10,077,193	not impacted	-	-	-	-	-	-	-
Tax relief	\$1,285,962	not impacted	-	-	-	-	-	-	-
Transfer to capital project fund	\$14,000,000	not impacted	-	-	-	-	-	-	-
Transfer to edo fund	\$1,234,000	not impacted	-	-	-	-	-	-	-
Transfer to code compliance	\$957,832	not impacted	-	-	-	-	-	-	-
Transfer to transportation fund	\$700,000	not impacted	-	-	-	-	-	-	-
Total budget	\$290,382,132				\$312	\$360	\$16		\$87,458

MuniCap, Inc.

22-Jul-20

¹ Not all expenditures are expected to be impacted as a result of the project. In addition, some expenditures are expected to be directly offset by fees, also excluded from estimates of revenues herein, as noted on Schedule VII-A.

² Source: *Spotsylvania County, Virginia FY 2020 Adopted Budget*.

³ Method of apportioning expenditures: Per resident costs are calculated by taking current expenditures and apportioning them among current resident population. Service population costs are calculated by taking current expenditures and apportioning them among the current service population (i.e. total permanent population and employees who do not reside in the County). Per \$1,000's of tax revenue costs are calculated by taking current expenditures and apportioning them among current total tax revenues.

⁴ See Appendix A.

⁵ Represents the projected increase to the County resulting from the new development. See Appendix A.

⁶ Represents the total increase in costs as a result of the proposed development on an annual basis. Figures assume full build out and are expressed in current dollars.

⁷ Includes only appropriated expenditures funded by local taxes. Does not include capital expenditures.

⁸ Includes only board of supervisors, board regional agencies, and county administration expenditures. As a result, only 25% of the Executive Services line item is impacted.

⁹ Includes expenditures for the commissioner of revenue, office of assessment, and the county treasurer. As a result, only 30% of the Administrative Services line item is impacted.

¹⁰ Does not include capital expenditures, regional detention facilities expenditures, court services unit expenditures, medical examiner expenditures, and building division expenditures. As a result, only 83% of the Public Safety line item is impacted.

*Mine Road
Spotsylvania County, Virginia*

Schedule IX-B: Projected Additional Expenditures to Spotsylvania County - 30 Years

Development Year Ending	Fiscal Year Ending	Inflation Factor ¹	Resident Costs			Service Population Costs			Total Tax Revenue Costs			Total Projected Additional Expenditures
			Cost Per Resident ²	Anticipated Residents ³	Total Resident Cost	Cost Per Service Population ²	Anticipated Service Population ³	Total Service Population Expenditures	Cost Per \$1,000 Revenue ¹	Anticipated Revenues(\$1,000) ⁴	Total Revenue Costs Per \$1,000	
31-Dec-19	30-Jun-21	100.0%	\$312	0	\$0	\$360	0	\$0	\$16	\$0	\$0	\$0
31-Dec-20	30-Jun-22	100.0%	\$312	0	\$0	\$360	0	\$0	\$16	\$0	\$0	\$0
31-Dec-21	30-Jun-23	102.0%	\$319	0	\$0	\$368	0	\$0	\$16	\$0	\$0	\$0
31-Dec-22	30-Jun-24	104.0%	\$325	120	\$38,986	\$375	120	\$45,001	\$16	\$256,948	\$4,156	\$88,142
31-Dec-23	30-Jun-25	106.1%	\$331	120	\$39,766	\$383	120	\$45,901	\$16	\$245,006	\$4,042	\$89,708
31-Dec-24	30-Jun-26	108.2%	\$338	120	\$40,561	\$390	120	\$46,819	\$17	\$247,298	\$4,161	\$91,541
31-Dec-25	30-Jun-27	110.4%	\$345	120	\$41,372	\$398	120	\$47,755	\$17	\$255,261	\$4,381	\$93,508
31-Dec-26	30-Jun-28	112.6%	\$352	120	\$42,200	\$406	120	\$48,710	\$18	\$257,645	\$4,510	\$95,420
31-Dec-27	30-Jun-29	114.9%	\$359	120	\$43,044	\$414	120	\$49,684	\$18	\$265,931	\$4,749	\$97,477
31-Dec-28	30-Jun-30	117.2%	\$366	120	\$43,905	\$422	120	\$50,678	\$18	\$268,411	\$4,889	\$99,471
31-Dec-29	30-Jun-31	119.5%	\$373	120	\$44,783	\$431	120	\$51,692	\$19	\$277,031	\$5,147	\$101,621
31-Dec-30	30-Jun-32	121.9%	\$381	120	\$45,678	\$439	120	\$52,725	\$19	\$279,612	\$5,299	\$103,702
31-Dec-31	30-Jun-33	124.3%	\$388	120	\$46,592	\$448	120	\$53,780	\$19	\$288,581	\$5,578	\$105,950
31-Dec-32	30-Jun-34	126.8%	\$396	120	\$47,524	\$457	120	\$54,856	\$20	\$291,266	\$5,742	\$108,122
31-Dec-33	30-Jun-35	129.4%	\$404	120	\$48,474	\$466	120	\$55,953	\$20	\$300,596	\$6,045	\$110,472
31-Dec-34	30-Jun-36	131.9%	\$412	120	\$49,444	\$476	120	\$57,072	\$21	\$303,390	\$6,223	\$112,738
31-Dec-35	30-Jun-37	134.6%	\$420	120	\$50,432	\$485	120	\$58,213	\$21	\$313,098	\$6,551	\$115,196
31-Dec-36	30-Jun-38	137.3%	\$429	120	\$51,441	\$495	120	\$59,377	\$21	\$316,004	\$6,744	\$117,562
31-Dec-37	30-Jun-39	140.0%	\$437	120	\$52,470	\$505	120	\$60,565	\$22	\$326,104	\$7,098	\$120,133
31-Dec-38	30-Jun-40	142.8%	\$446	120	\$53,519	\$515	120	\$61,776	\$22	\$329,128	\$7,307	\$122,603
31-Dec-39	30-Jun-41	145.7%	\$455	120	\$54,590	\$525	120	\$63,012	\$23	\$339,635	\$7,692	\$125,293
31-Dec-40	30-Jun-42	148.6%	\$464	120	\$55,682	\$536	120	\$64,272	\$23	\$342,782	\$7,918	\$127,872
31-Dec-41	30-Jun-43	151.6%	\$473	120	\$56,795	\$546	120	\$65,557	\$24	\$353,714	\$8,334	\$130,687
31-Dec-42	30-Jun-44	154.6%	\$483	120	\$57,931	\$557	120	\$66,869	\$24	\$356,987	\$8,579	\$133,379
31-Dec-43	30-Jun-45	157.7%	\$492	120	\$59,090	\$568	120	\$68,206	\$25	\$368,361	\$9,030	\$136,325
31-Dec-44	30-Jun-46	160.8%	\$502	120	\$60,271	\$580	120	\$69,570	\$25	\$371,766	\$9,295	\$139,137
31-Dec-45	30-Jun-47	164.1%	\$512	120	\$61,477	\$591	120	\$70,961	\$26	\$383,600	\$9,783	\$142,222
31-Dec-46	30-Jun-48	167.3%	\$523	120	\$62,706	\$603	120	\$72,381	\$26	\$387,143	\$10,071	\$145,158
31-Dec-47	30-Jun-49	170.7%	\$533	120	\$63,961	\$615	120	\$73,828	\$27	\$399,454	\$10,599	\$148,388
31-Dec-48	30-Jun-50	174.1%	\$544	120	\$65,240	\$628	120	\$75,305	\$27	\$403,141	\$10,911	\$151,456
31-Dec-49	30-Jun-51	177.6%	\$555	120	\$66,545	\$640	120	\$76,811	\$28	\$415,949	\$11,483	\$154,838
31-Dec-50	30-Jun-52	181.1%	\$566	120	\$67,875	\$653	120	\$78,347	\$28	\$419,784	\$11,820	\$158,043
31-Dec-51	30-Jun-53	184.8%	\$577	120	\$69,233	\$666	120	\$79,914	\$29	\$433,111	\$12,439	\$161,587
Total			\$1,581,585			\$1,825,589			\$220,576			\$3,627,750

MuniCap, Inc.

22-Jul-20

¹Assumes an annual inflation rate of 2%.

²See Schedule IX-A.

³See Appendix B.

⁴See Schedule VIII.

Mine Road
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Schedule X: Comparison of Projected Revenues and Expenditures

Fiscal Year Ending	Total Estimated Revenues (Schedule VIII)	Total Estimated Expenditures (Schedule IX-B)	Net Fiscal Impact to Spotsylvania County
30-Jun-21	\$0	\$0	\$0
30-Jun-22	\$0	\$0	\$0
30-Jun-23	\$0	\$0	\$0
30-Jun-24	\$256,948	(\$88,142)	\$168,805
30-Jun-25	\$245,006	(\$89,708)	\$155,298
30-Jun-26	\$247,298	(\$91,541)	\$155,757
30-Jun-27	\$255,261	(\$93,508)	\$161,753
30-Jun-28	\$257,645	(\$95,420)	\$162,225
30-Jun-29	\$265,931	(\$97,477)	\$168,454
30-Jun-30	\$268,411	(\$99,471)	\$168,940
30-Jun-31	\$277,031	(\$101,621)	\$175,411
30-Jun-32	\$279,612	(\$103,702)	\$175,910
30-Jun-33	\$288,581	(\$105,950)	\$182,631
30-Jun-34	\$291,266	(\$108,122)	\$183,144
30-Jun-35	\$300,596	(\$110,472)	\$190,125
30-Jun-36	\$303,390	(\$112,738)	\$190,652
30-Jun-37	\$313,098	(\$115,196)	\$197,901
30-Jun-38	\$316,004	(\$117,562)	\$198,442
30-Jun-39	\$326,104	(\$120,133)	\$205,971
30-Jun-40	\$329,128	(\$122,603)	\$206,525
30-Jun-41	\$339,635	(\$125,293)	\$214,342
30-Jun-42	\$342,782	(\$127,872)	\$214,910
30-Jun-43	\$353,714	(\$130,687)	\$223,027
30-Jun-44	\$356,987	(\$133,379)	\$223,608
30-Jun-45	\$368,361	(\$136,325)	\$232,036
30-Jun-46	\$371,766	(\$139,137)	\$232,629
30-Jun-47	\$383,600	(\$142,222)	\$241,378
30-Jun-48	\$387,143	(\$145,158)	\$241,985
30-Jun-49	\$399,454	(\$148,388)	\$251,066
30-Jun-50	\$403,141	(\$151,456)	\$251,685
30-Jun-51	\$415,949	(\$154,838)	\$261,111
30-Jun-52	\$419,784	(\$158,043)	\$261,741
30-Jun-53	\$433,111	(\$161,587)	\$271,524
Total	\$9,796,737	(\$3,627,750)	\$6,168,987

Mine Road
Spotsylvania County, Virginia

Appendices

Mine Road
Spotsylvania County, Virginia

Appendix A: Revenues and Costs to Spotsylvania County - Allocation Factors

Spotsylvania County permanent population ¹	135,000
Spotsylvania County labor force ²	31,804
Non-resident workers ²	19,880
Employee population equivalent	19,880
Total service population (Spotsylvania County permanent population + employee population equivalent)	154,880
Service population rates:	
Resident	1.00
Employee ³	1.00
Expected resident increase:	
Single-family attached	60
Persons per owner-occupied unit ⁴	2.00
Assumed occupancy	100%
Total resident increase - single-family attached	120
Total projected service population increase	120
Projected students:	
Single-family attached	60
Student generation factor ⁵	0.0000
Assumed occupancy	100%
Total projected students - single-family attached	0
Current students enrolled in public school system (K-12) ⁴	23,674
Current countywide real property tax revenues (per \$1,000) ⁶	\$136,597
Projected increase in countywide real property tax revenues (per \$1,000) ⁷	\$231
Current countywide tax revenues (per \$1,000) ⁶	\$290,382
Projected increase in countywide general tax revenues (per \$1,000) ⁸	\$433

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22-Jul-20

¹Source: Spotsylvania County *Comprehensive Annual Financial Report 2019*.

²Source: U.S.Census Bureau, Center for Economic Studies, LEHD (OnTheMap application, 2017 data).

³Service rate assumes full-time employees generates costs at the same rate as full-time residents.

⁴Based on information provided by Spotsylvania County.

⁵Proposed units are age-restricted. Therefore, this analysis assumes no students are generated from the development.

⁶Source: *Spotsylvania County FY 2020 Adopted Budget*.

⁷See Schedule III-B.

⁸See Schedule VIII.

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Appendix B: Projected Residents and Service Population

Development Year Ending	Projected Resident Increase			Total Residents	Service Population Increase			
	Single-Family Attached Units ¹	Residents Per Unit ²	Residents		Projected Service Employees			Service Population Increase ⁶
					Employees ³	Service Percentage ⁴	Service Employees ⁵	
31-Dec-19	0	2.00	0	0	0	62.5%	0	0
31-Dec-20	0	2.00	0	0	0	62.5%	0	0
31-Dec-21	0	2.00	0	0	0	62.5%	0	0
31-Dec-22	60	2.00	120	120	0	62.5%	0	120
31-Dec-23	60	2.00	120	120	0	62.5%	0	120
31-Dec-24	60	2.00	120	120	0	62.5%	0	120
31-Dec-25	60	2.00	120	120	0	62.5%	0	120
31-Dec-26	60	2.00	120	120	0	62.5%	0	120
31-Dec-27	60	2.00	120	120	0	62.5%	0	120
31-Dec-28	60	2.00	120	120	0	62.5%	0	120
31-Dec-29	60	2.00	120	120	0	62.5%	0	120
31-Dec-30	60	2.00	120	120	0	62.5%	0	120
31-Dec-31	60	2.00	120	120	0	62.5%	0	120
31-Dec-32	60	2.00	120	120	0	62.5%	0	120
31-Dec-33	60	2.00	120	120	0	62.5%	0	120
31-Dec-34	60	2.00	120	120	0	62.5%	0	120
31-Dec-35	60	2.00	120	120	0	62.5%	0	120
31-Dec-36	60	2.00	120	120	0	62.5%	0	120
31-Dec-37	60	2.00	120	120	0	62.5%	0	120
31-Dec-38	60	2.00	120	120	0	62.5%	0	120
31-Dec-39	60	2.00	120	120	0	62.5%	0	120
31-Dec-40	60	2.00	120	120	0	62.5%	0	120
31-Dec-41	60	2.00	120	120	0	62.5%	0	120
31-Dec-42	60	2.00	120	120	0	62.5%	0	120
31-Dec-43	60	2.00	120	120	0	62.5%	0	120
31-Dec-44	60	2.00	120	120	0	62.5%	0	120
31-Dec-45	60	2.00	120	120	0	62.5%	0	120
31-Dec-46	60	2.00	120	120	0	62.5%	0	120
31-Dec-47	60	2.00	120	120	0	62.5%	0	120
31-Dec-48	60	2.00	120	120	0	62.5%	0	120
31-Dec-49	60	2.00	120	120	0	62.5%	0	120
31-Dec-50	60	2.00	120	120	0	62.5%	0	120
31-Dec-51	60	2.00	120	120	0	62.5%	0	120

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¹See Schedule II.

²See Appendix A.

³As the development is entirely residential, this study does not include a separate calculation of projected employees at the site.

⁴Represents the percentage of employees assumed to work, but not live, within Spotsylvania County. See Appendix A.

⁵Represents the increase in employees who work but do not live in the County as a result of the proposed development.

⁶Represents the increase in service employees and residents as a result of the proposed development.

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Appendix C: Projected Students

Development Year Ending	Fiscal Year Ending	Single-Family Attached			Total Projected Students
		Projected Units ¹	Students per Unit ²	Total	
31-Dec-19	30-Jun-21	0	0.000	0	0
31-Dec-20	30-Jun-22	0	0.000	0	0
31-Dec-21	30-Jun-23	0	0.000	0	0
31-Dec-22	30-Jun-24	60	0.000	0	0
31-Dec-23	30-Jun-25	60	0.000	0	0
31-Dec-24	30-Jun-26	60	0.000	0	0
31-Dec-25	30-Jun-27	60	0.000	0	0
31-Dec-26	30-Jun-28	60	0.000	0	0
31-Dec-27	30-Jun-29	60	0.000	0	0
31-Dec-28	30-Jun-30	60	0.000	0	0
31-Dec-29	30-Jun-31	60	0.000	0	0
31-Dec-30	30-Jun-32	60	0.000	0	0
31-Dec-31	30-Jun-33	60	0.000	0	0
31-Dec-32	30-Jun-34	60	0.000	0	0
31-Dec-33	30-Jun-35	60	0.000	0	0
31-Dec-34	30-Jun-36	60	0.000	0	0
31-Dec-35	30-Jun-37	60	0.000	0	0
31-Dec-36	30-Jun-38	60	0.000	0	0
31-Dec-37	30-Jun-39	60	0.000	0	0
31-Dec-38	30-Jun-40	60	0.000	0	0
31-Dec-39	30-Jun-41	60	0.000	0	0
31-Dec-40	30-Jun-42	60	0.000	0	0
31-Dec-41	30-Jun-43	60	0.000	0	0
31-Dec-42	30-Jun-44	60	0.000	0	0
31-Dec-43	30-Jun-45	60	0.000	0	0
31-Dec-44	30-Jun-46	60	0.000	0	0
31-Dec-45	30-Jun-47	60	0.000	0	0
31-Dec-46	30-Jun-48	60	0.000	0	0
31-Dec-47	30-Jun-49	60	0.000	0	0
31-Dec-48	30-Jun-50	60	0.000	0	0
31-Dec-49	30-Jun-51	60	0.000	0	0
31-Dec-50	30-Jun-52	60	0.000	0	0
31-Dec-51	30-Jun-53	60	0.000	0	0

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¹See Schedule II.

²See Appendix A. Proposed units are age-restricted. Therefore, this analysis assumes no students are generated from the development.

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Appendix D: Projected Assessed Value (Comparables)¹

Property	GPIN	Address	Year	Area		Assessed Value			Total Assessed Value	
			Built	Units	GSF ²	Land	Improvement	Total	Per Unit	Per GSF
Residential										
<i>Single-family attached</i>										
	48E-1-147	8645 Rosecrans Lane	2017	1	1,280	\$60,000	\$172,900	\$232,900	\$232,900	\$182
	48E-1-145	8639 Rosecrans Lane	2017	1	1,440	\$65,000	\$193,300	\$258,300	\$258,300	\$179
	48E-1-143	8635 Rosecrans Lane	2017	1	1,280	\$60,000	\$174,800	\$234,800	\$234,800	\$183
	48E-1-140	8629 Rosecrans Lane	2017	1	1,440	\$65,000	\$196,700	\$261,700	\$261,700	\$182
	36D-4-6	4723 Wensel Road	2017	1	1,440	\$50,000	\$203,200	\$253,200	\$253,200	\$176
	36D-4-13	4707 Wensel Road	2017	1	1,447	\$50,000	\$202,300	\$252,300	\$252,300	\$174
	36D-4-77	4801 Wensel Road	2017	1	1,440	\$55,000	\$209,300	\$264,300	\$264,300	\$184
	36D-4-1	4735 Wensel Road	2017	1	1,440	\$55,000	\$211,300	\$266,300	\$266,300	\$185
	36D-4-30	4615 Wensel Road	2016	1	1,440	\$50,000	\$193,100	\$243,100	\$243,100	\$169
	38-4-66	2203 Mallard Landing Drive	2016	1	1,400	\$50,000	\$193,200	\$243,200	\$243,200	\$174
	38-4-60	2208 Mallard Landing Drive	2016	1	1,400	\$50,000	\$199,200	\$249,200	\$249,200	\$178
	38-4-59	2210 Mallard Landing Drive	2016	1	1,540	\$55,000	\$222,500	\$277,500	\$277,500	\$180
	38-4-69	2209 Mallard Landing Drive	2016	1	1,400	\$50,000	\$196,300	\$246,300	\$246,300	\$176
	38-4-56	2218 Mallard Landing Drive	2016	1	1,400	\$50,000	\$197,700	\$247,700	\$247,700	\$177
Average per SF/unit					1,413				\$252,200	<i>\$178</i>

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¹Information obtained through Spotsylvania County Real Estate Office database.

²Square feet of homes are based on net square feet of assessment.

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Appendix E: Project Base Parcels¹

GPIN	Address	Owner	Acres	Assessment (Effective 2020) ²		
				Land	Building	Total Value
Project parcels:						
36-A-150	4517 Mine Road	UB Properties, Inc.	3.00	\$490,100	\$0	\$490,100
36-A-151	4525 Mine Road	UB Properties, Inc.	2.70	\$441,000	\$0	\$441,000
36-A-154	4537 Mine Road	UB Properties, Inc.	2.74	\$447,600	\$0	\$447,600
Total				\$1,378,700	\$0	\$1,378,700
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22-Jul-20						

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¹Base parcels provided by CeresMineRoad, LLC.

²Source: Spotsylvania County Commissioner of the Revenue database.

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Appendix F-1: Construction Jobs and Indirect Impacts

	<u>Total</u>
Residential construction cost	\$9,828,000
Total estimated construction costs: ¹	\$9,828,000
Total construction jobs ²	75
Construction full-time equivalent factor ³	0.9644
Total construction full-time equivalent employees ("FTE's")	72
Total construction labor income ²	\$3,019,731
Labor income to wage factor ⁴	1.1913
Total wages	\$2,534,768
Average labor income per construction FTE -- annual	\$41,803
Average wage per construction FTE -- annual	\$35,090
Multiplier for construction income ²	1.5193
Total income	\$4,587,817
Indirect and induced income	\$1,568,086
Multiplier for construction jobs ²	1.5007
Total construction jobs	112
Indirect and induced jobs	40
Multiplier for construction output ²	1.4637
Total economic output	\$14,385,483
Indirect and induced output	\$4,557,483

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¹All cost estimates by MuniCap, Inc. using Marshall & Swift "Commercial Estimator 7" software.

²Construction income, indirect jobs and output were calculated using the IMPLAN software by IMPLAN Group LLC. The software calculates labor income and the number of jobs based on industry multipliers derived from National Income and Product Accounts data published by the U.S. Bureau of Economic Analysis. This data is then indexed to local industry data compiled by the U.S. Census Bureau. For ease of interpretation, multipliers are shown to illustrate the effects the development will have in the Spotsylvania County, Virginia. The multiplier for jobs is 1.5007, meaning that for each job at the development, 1.5007 jobs will be created in Spotsylvania County, including the job at the new development. Similarly, the multiplier for wages is 1.5193, meaning that for every \$1.00 paid in wages at the development, \$1.5193 will be paid in Spotsylvania County, including the \$1.00 at the development. The multiplier for output is 1.4637 meaning that for each dollar of economic activity at the development, the economic activity in Spotsylvania County will be \$1.4637, including the \$1.00 at the development.

³Total jobs include all full-year employees, including part-time and full-time employees. This factor, provided by IMPLAN Group LLC, converts total jobs into total full-time equivalent employees ("FTE's").

⁴Total labor income includes wages and salary, benefits, payroll taxes, and proprietor's income. This factor, provided by IMPLAN Group LLC, converts total labor income into direct wages and salary.