

## **Spotsylvania County Planning Commission      DRAFT**

---

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

**MINUTES:**                      July 18, 2018

**Call to Order:**                      Mr. Newhouse called the meeting to order at 7:00 p.m.

**Members Present:**              Richard Thompson              Courtland  
                                 Michael Medina                  Salem  
                                 Howard Smith                  Livingston  
                                 Mary Lee Carter              Lee Hill  
                                 Gregg Newhouse              Chancellor

**Members Absent:**              Jennifer Maddox              Berkeley  
                                 C. Travis Bullock              Battlefield

**Staff Present:**                      Wanda Parrish, AICP, Director of Planning  
                                 Paulette Mann, Planning Commission Secretary  
                                 B. Leon Hughes, AICP, Assistant Director of Planning  
                                 Kimberly Pomatto, CZA, Planner III  
                                 Alexandra Spaulding, Senior Assistant County Attorney  
                                 Doug Morgan, CZA, Transportation Planner

---

**Announcements:** Ms. Parrish informed the Commission that at the next meeting we will only have a comprehensive plan worksession. She also advised of a community meeting scheduled for tomorrow evening.

### **Review & Approval of minutes:**

**Motion and vote:** Mr. Thompson made a motion, seconded by Ms. Carter to approve the minutes of June 20, 2018. The motion passed 5-0.

**Unfinished Business:** None

### **Continued Public Hearing(s):**

### **Rezoning(s):**

**R17-0011 The Islamic Center of Fredricksburg (Chris Hornung) (Ordinance No. R17-0011):** Requests a rezoning of approximately 9.62 acres from Rural (RU) to Planned Development Housing (PDH-2) with proffers for a 19 lot subdivision of single-family detached units at a density of 1.98 units per acre. The property is located along the north side of Old Plank Road (Route 610), at the intersection of Old Plank Road and Andora Drive (Route 626). This property is located within the Primary Development Boundary. The property is in an area designed as a Low Density Residential on the Future Land Use Map of the Comprehensive Plan.

Tax parcels 21-20-1, 21-20-2, 21-20-3 and addressed as 7309 Old Plank Road, 7305 Old Plank Road and 7301 Old Plank Road. Chancellor voting district.

Mr. Hughes stated that as a matter of housekeeping it has come to our attention that the proffers contain language that needs to be adjusted and the applicant has agreed to amend the proffers and have the public hearing continued to the July 18, 2018 meeting.

He stated that the applicant is requesting to rezone the 9.62 acres from Rural (RU) to Planned Development Housing 2 (PDH-2). The proposal is for the development of 19 lot single-family detached residential neighborhood with 2.97 acres preserved as open space, which is slightly more than the required thirty percent of open space required in the PDH-2 zoning district. The proposed density of 1.98 units per acre is consistent with the Low Density Residential future land use designation and is well suited to the surrounding residential land uses.

The Generalized Development Plan (GDP) depicts the nineteen (19) lots fronting on subdivision streets with one access from Old Plank Road. The subdivision streets terminate in a cul-de-sac at the northern end of the project and a second cul-de-sac that extends east towards Andora Drive. The required open space for the project is around the perimeter of the lots which includes an existing ten (10) foot conservation easement that is adjacent to the lots of Ashleigh Park. In addition to the open space, the GDP depicts a 5-foot wide sidewalk along the frontages of Old Plank Road and Andora Drive and sidewalks on the interior streets of the project. The lots range in size from 10,000 square feet to 12,000 square feet. Lastly, the GDP depicts the proffered right-of-way dedication along Andora Drive and Old Plank Road that will accommodate future road improvements.

Mr. Hughes discussed the following findings:

In Favor:

1. The proposed project is appropriately located in the Primary Development Boundary of the County and is generally consistent with the Future Land Use goals identified in the Comprehensive Plan.
2. The applicant has proffered cash contributions of \$161.25 per unit to mitigate impacts on capital facilities which are specifically attributable to the project and are legally acceptable by the Board in accordance with VA Code Section 15.2-2303.4.
3. The applicant has proffered the dedication of right right-of-way in fee simple along Old Plank Road and Andora Drive to facilitate future road improvements.
4. The project as proposed provides 2.9 acres of open space around the perimeter of the project with an existing ten foot conservation easement along the Ashleigh Park subdivision. This exceeds the required open space amount by one percent.
5. The proposed project is consistent with the existing development pattern of single-family homes of the surrounding neighborhoods.
6. The project will have minimum impacts on County Public facilities.

Against:

1. Based on the assessed value of comparable residential units, the County's model projects the project will have a negative impact on capital facilities.
2. No evidence has been provided to verify the presence or lack thereof of significant historic resources located on the site.
3. The project generates additional vehicle trips to the network that currently operates below acceptable levels of service during peak hour traffic.

As discussed, the project does have several finding against approval, most notable the additional trips onto the road network that is currently operating below acceptable levels of service. However, the applicant is offering right of way dedication that will assist with any future road improvements; the proposal is consistent with County's Land Use and Comprehensive Plan goals and policies and the project design exceeds minimum requirements for the preservation of open space. The proposal is also consistent with the existing development patterns in the area. The residential project is appropriately sited within the Primary Development Boundary. The applicant has also proffered per unit cash contributions in accordance with the Code of VA to help mitigate impacts on public facilities that are reasonable and acceptable. Therefore, based on the proposal's consistency with the Comprehensive Plan and the findings in favor noted staff recommends approval of R17-0011.

*Speaking in favor or opposition:* None

*Mr. Newhouse closed the public hearing.*

**Motion and vote:**

*Ms. Carter opened the public hearing.*

Mr. Smith inquired about the proposed roundabout.

There was discussion that there is no construction timeframe in the CIP but that in 2021 there is \$600k approved in the CIP and in 2023, there is \$900K approved. 190 vehicles per day is a very small impact. The current level of service is poor but it doesn't degrade the level of service any further. There will be lag time between this proposal and the roundabouts being in place.

Mr. Cole stated that the level of service is based on PM peak and that it equates to about 5 trips every 15 minutes during peak hours.

Applicant, Chris Hornung, speaking on behalf of the applicant: He stated that he also has Samer Shalaby and Justin Franklin on hand to answer questions should the need arise. He stated that as far as the proffers, they included some old language which is no longer allowed by the new proffer legislation. He discussed the several community meetings that were held and based on those meetings that began working on solutions. He stated that they began working with VDOT to donate the right-of-way for the roundabout and since it is offsite, the language cannot be part

of the proffer statement. He discussed that the intent is to sell the lots to a national reputable builder. He mentioned that the original Ashleigh Park was designed to continue but never occurred.

*Speaking in favor or opposition:*

Judith Steele, Chancellor District: She is a retired emergency room nurse and has concerns about the roadway and how narrow it is. She stated that she ran rescue for many years and cannot see how this development would not add much more traffic.

Michael Barker, Chancellor District: He stated that he travels this every day and that it is very congested. He stated that he feel that 19 lots on 9 acres of land is a lot and questions how they will be able to fit that many drainfields on the property.

Lee Young, Chancellor District: He stated that he has lived nearby since 2004 and the traffic has steadily increased over the years. He also stated that it often takes 5-6 minutes for him to be able to pull out of his driveway due to all of the traffic and he feels like he has been held hostage at this location.

Rob DeCoito, Chancellor District: H raised questions about whether the traffic circle would even happen if all of the property could not be acquired and whether the applicant can change the zoning without a future rezoning hearing. He stated that the construction alone will be a detriment to the community. He stated that Riverbend is already over capacity.

Jim Joyce, Chancellor District, Speaker for Ashleigh Park HOA: He stated that he has resided in Ashleigh Park for 13 years and that the area has gone from a sleepy area to a very busy area over the years. He worries about young drivers and additional accidents. Mr. Joyce stated that the Teeside Drive residents would like to continue to enjoy their backyards without fear of encroachment. He also discussed the difficulty people have of pulling out of the community center parking lot. He asked the Commission if they had any questions of him since he knows the area so well.

Lisa Cotton, Chancellor District: She stated that she has three teenagers and they know that the only safe way to head to school is to turn right out of their driveway which is longer but safer. She encouraged a left hand turn lane to be built prior to construction if approved.

Carl Valentine, Chancellor District: He stated that he worries about the size of the proposed traffic circle and whether school buses would be able to navigate the circle. He stated that he hears the traffic beginning at 5 a.m. every morning.

Richard Toye, Chancellor District: He stated that he is in support of the project and that he doesn't see any adverse results of this development occurring.

Sarah Toye, Chancellor District: She stated that she agrees that the development should be approved and discussed traffic issues at Spotswood Furnace.

Missy Harpe, Chancellor District: She stated that traffic is terrible in this area and that she has almost been t-boned. She stated her concerns about school buses in the traffic circle.

Cheryl Boley, Chancellor District: She stated that she would like to see the road improvements been done with the development. She stated that she has concerns that they will never be built and questioned whether the projects are guaranteed to occur if they are in the CIP.

Mr. Hornung stated that the proposed development will aid in getting the much needed road improvements in this area. The proposed improvements are not required but they are doing their part. He stated that Ashleigh Park was originally supposed to punch through to Route 3. The comment regarding drainfields is not valid because the lots will be served by public water and sewer. He discussed the conservation easement which provides benefits to Ashleigh Park HOA. He assured all that the traffic circle would be built to VDOT standards.

Mr. Smith asked for clarifications on accident data.

Mr. Hughes stated that the data presented was specific to the intersection.

There was discussion about Thorburn Estates proffering money towards a roundabout at Chancellor Road and Old Plank Road.

Mr. Thompson stated that to build 19 units on 9 acres and have some land set aside seems like a lot.

Ms. Carter stated that she will entertain a motion that the public hearing be continued to July 18, in order that revised proffers may be accepted from the applicant in accordance with Spotsylvania County Code, which states amended proffers must be submitted 14 days prior to the public hearing date.

This will allow the applicant an opportunity amend the proffers to address any issues related to language that conflicts with the new proffer legislation and any potential changes associated with the new CIP.

**Motion and vote:** Mr. Thompson made a motion, seconded by Mr. Smith to continue the public hearing to July 18, 2018. The motion passed 6-0.

### **Discussion Item(s):**

#### **Comprehensive Plan Update**

Ms. Parrish updated the Commission on the timeline for completion of the Comprehensive Plan update.

She informed the Commission about the Board's Strategic Plan.

Mr. Thompson inquired if the vision would replace what is in the comprehensive plan.

Ms. Parrish stated no, it would not.

**New Business:** None

**Public Comment:**

Bobby Straight with Virginia Organizing: He discussed Virginia Organizing and what they do. He gave a presentation on Affordable Housing and what the ALICE population is comprised of. It's individuals who work and have an annual income at or more than the federal poverty level of \$24,000/year but less than that necessary \$61,000/per year to cover the basic costs of living in Virginia. He discussed the factors and recommended solutions.

Mr. Medina stated that he appreciates the information and that several projects that have come before the Commission are branded as affordable.

Commission members agreed that the information provided was very good information.

**Motion to adjourn:**

**Motion and vote:** Mr. Thompson made a motion, seconded by Mr. Bullock to adjourn. The motion passed 760.

The meeting adjourned at 9:00 p.m.

\_\_ *Paulette L. Mann*\_\_\_\_\_  
Paulette Mann

\_\_ July 18, 2018\_\_\_\_\_  
Date