

## Spotsylvania County Planning Commission      **DRAFT**

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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.

<b>Members Present:</b>	Richard Thompson	Courtland
	Michael Medina	Salem
	Howard Smith	Livingston
	Mary Lee Carter	Lee Hill
	Gregg Newhouse	Chancellor

<b>Members Absent:</b>	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

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**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 provided a recap of why the meeting was continued.

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-five 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 stated that since the previous hearing, the applicant conducted an analysis of the intersection with a roundabout design and the finding was that it would bring the level of service at a minimum of a LOS B.

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 \$208.45 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, staff recommends approval of R17-0011.

Mr. Newhouse inquired about the current level of service and whether the improvements that are proposed bring the score to a B. He inquired if the county's traffic engineer is in support.

Mr. Hughes stated yes.

Mr. Medina inquired whether Mr. Hughes could think of another project who's road improvements caused a jump in LOS so significantly.

Mr. Hughes stated that he could only think of the Smith Station Road improvements at Courthouse Road.

*Mr. Newhouse explained the public hearing procedures and opened the public hearing.*

Applicant: Chris Hornung representing Samer Shalaby: He discussed the road improvements and the fact that they are going from an F to an A or B. The delay is being reduced from 330 ft to 100 ft.

Mr. Newhouse inquired if Mr. Hornung's analysis includes the roundabout.

Mr. Hornung stated yes.

*Speaking in favor or opposition: None*

*Mr. Newhouse closed the public hearing.*

**Motion and vote:** Mr. Newhouse made a motion, seconded by Ms. Carter to approve the rezoning with proffers. The motion passed 4-1, with Mr. Thompson voting no.

Mr. Newhouse stated that the level of service increase is much needed in this area.

**Rezoning(s):**

**R16-0009 Palmers Creek, LLC and Massaponax Land Company, L.L.C. (Ordinance No. RO16-0009):** Request a rezoning of approximately 25.13 acres from Commercial 3 (C-3) and Rural (RU) to Mixed Use 5 (MU-5) with proffers to allow for a maximum of 400 multi-family units and a maximum of 40,000 square feet of commercial uses known as Palmers Creek. The property is located on the west side of Jefferson Davis Highway (Route 1) approximately one mile south of the Spotsylvania Parkway (Route 628) and Jefferson Davis Highway (Route 1) intersection. The property is located within the Primary Development Boundary. The property is identified for Mixed Use development on the Future Land Use Map of the Comprehensive Plan. Tax parcels 49-A-112, 49-A-114 and 49-A-114A(portion). Lee Hill Voting District.

Ms. Carter stated that she would recuse herself from the hearing due to a conflict of interest.

Ms. Pomatto presented the case. The property is located on the west side of Jefferson Davis Highway (Route 1) approximately one mile south of the Spotsylvania Parkway (Route 628) and Jefferson Davis Highway (Route 1) intersection. The property subject to the rezoning request totals approximately 25 acres is comprised of two separate tax parcels and includes a small land swap (via a proposed boundary line adjustment) with an adjacent property to the west and north. Approximately 21 acres of the property is currently zoned Commercial 3 which was rezoned from Agriculture in 1981 and approximately four (4) acres is currently zoned Rural (RU). The 4 acre Rural zoned area is the portion of property which will be land swapped with the adjacent property owner to the north. The land swap will set the stage for future development the north with the proposed development.

The applicant's request is to rezone approximately 25 acres from Commercial 3 (C-3) and Rural (RU) to Mixed Use 5 (MU-5) to allow for 400 multifamily residential units and up to 40,000 square feet of commercial uses. The Mixed Use 5 sub-district is the highest intensity mixed use sub-district which allows for retail, office and residential uses in a variety of building types. The proposal is located within the Primary Development Boundary and will be served by public water and sewer. Land within the boundary is intended to develop with higher residential densities and more intensive non-residential uses than outside of the boundary. The project location has a Mixed Use land designation as per the Future Land Use Element of the Comprehensive Plan. The Mixed Use designation encompasses a variety of uses, including traditional neighborhoods, higher density residential, non-traditional residential, commercial uses light industrial and educational facilities. The applicant's proposal considering proposed use and density is consistent with the Mixed Use land use designation envisioned for this area.

The proposed development will include two access points from Jefferson Davis Highway located on the northern and southern end of the project. The northern entrance will be a public road and will serve as the main entrance to the development and ultimately provide access to the adjacent

property to the north for future development. The frontage of the property, approximately four (4) acres, will be developed for commercial use. The proposed buildings will be one-story and constructed in conformance with the elevations provided by the applicant.

A private access road will extend from the main entrance to the southern property line to accommodate a future vehicular connection as property develops to the south. The access road runs between the commercial development in the front and the multifamily residential development on the rear portion of the property. The multifamily residential units will be contained within four (4) buildings between four (4) and five (5) stories in height. The five (5) story building will be constructed on the furthest rear portion of the property where the property slopes down. The four (4) story buildings will be located central on the property along with the community's clubhouse and pool. The visual impact and scale of the four (4) and five (5) story buildings will appear consistent due to the slope. The multifamily buildings and clubhouse will be constructed in conformance with the elevations provided by the applicant.

Consistent with Mixed Use development standards, sidewalks are provided along the internal streets providing pedestrian connections between the residential and commercial components of the development. In lieu of a sidewalk along the property's Jefferson Davis Highway frontage, the developer will provide a 10' shared used asphalt trail which will accommodate both pedestrians and bikes. The sidewalk and trail infrastructure throughout the site will provide future connectivity offsite to nearby mixed use development areas and a planned commuter lot north of the property near Commonwealth Drive which is scheduled to be open the summer of 2021. The trail will accommodate pedestrians and bikes and is consistent with the existing bike and pedestrian infrastructure in the area. Also identified on the GDP are three potential locations for a bus shelter. The construction and proposed locations of the bus shelter are proffered by the applicant and meet the design requirements of the Fredericksburg Regional Transit. Therefore the bus shelter will be in place and ready to serve if/when the FRED route is extended to the development. In the meantime, the bus shelter may potentially serve the development for school bus passengers. Stormwater management for the development will be finalized through the site plan process; however a stormwater management pond is identified on the GDP and the applicant intends to incorporate the facility as a community feature by extending an asphalt or concrete trail which connects to the internal sidewalks. Wetlands and RPA areas are located on the property but will be protected and preserved within the five (5) acres of open space proffered by the applicant and identified on the GDP. The open space provided is double the minimum required by the Mixed Use ordinance and will provide the community green space for passive recreation. Also identified on the GDP is a typical streetscape for the areas between proposed buildings and sidewalks. The applicant's proffers provide greater detail related to number/type/size of plantings used to create the streetscape enhancements.

Ms. Pomatto discussed the following findings in favor:

- A. The proposal is generally consistent with the Mixed Use land designation goals and policies as identified in the Comprehensive Plan and provides the density and intensity of development which is intended for land within the Primary Development Boundary.

- B.** The development creates multiple opportunities for interparcel connections with adjacent properties. The proposed northern access is designed as a public road which will also provide access to the adjacent property to the north with future development.
- C.** The applicant has proffered cash contributions in order to mitigate capital facility impacts which are specifically attributable to the project and which are legally acceptable by the Board per the parameters established by VA Code Section 15.2-2303.4.
- D.** Both the County's and the applicant's fiscal impact analysis predict the development will generate positive revenue for the County at full build out.

Ms. Pomatto discussed the following findings against:

- A.** The property is currently zoned to allow commercial development. The proposal allows for residential uses on the property and reduces the commercial potential with no commitment to a minimum commercial square footage amount or phasing.
- B.** The Palmers Creek development will generate additional students and further impact capacity at Spotsylvania Middle School and Massaponax High School which are currently over capacity.

Based on the proposal's consistency with the Comprehensive Plan and the findings in favor presented, staff recommends approval of the rezoning request with the proffered conditions dated June 4, 2018.

Mr. Newhouse inquired further about the acceleration lane.

Ms. Pomatto stated that it includes a raised median approximately 560 feet back with painted markings. She stated that it would be the first in Virginia and that it will be a learned movement.

Mr. Thompson inquired how long the development would take to build out.

Ms. Pomatto stated that the applicant could address that questions.

Mr. Thompson stated that he would really like to see a corrected update regarding populations in schools. Many of the students that are counted should be counted at other schools (ex: Governors School) and wants true data.

Mr. Smith inquired if someone was present from VDOT.

Ms. Pomatto stated no.

Mr. Smith stated that this is something new and would like to hear from VDOT.

Ms. Pomatto stated that this is new and that it may not be permanent, as it will all depend on how future development occurs.

*Mr. Newhouse opened the public hearing.*

Applicant, Sherman Patrick: He discussed his project and stated that VDOT no longer wants applicant to do a warrant analysis, but a justification. He stated that many people are delaying purchasing of a home.

Mr. Thompson inquired about rental costs.

Ms. Patrick stated that a 1 bedroom would cost \$1050 per month, 2 bedroom would cost \$1250 per month, and a three bedroom would be \$1450 per month.

Mr. Medina inquired if the applicant is setting aside money for a traffic light.

Mr. Patrick stated that they have money set aside should it be needed.

*Speaking in favor or opposition:*

David Peed, Lee Hill District: He stated that he has concerns about growth along the Route 1 corridor. Currently it takes him 26-28 minutes to get 2 1/8 mile s to I95. He stated that if the appciant has 140 3 bedroom units, those children occupying those bedrooms have to go to schools somewhere. Mathematically, the numbers don't jive. He stated that those units are a drain on Fire/Rescue, Police, and water.

Tracey Perry, Lee Hill District: She stated that she lives in the South Oaks subdivision and is concerned that not everyone in the development received the letter about the hearing. She stated that apartments that have been approved have not shown the true drain on the roadway system.

Holly Tallent, Lee Hill District: She stated that she has concerns regarding the traffic and head on collisions in this area. The residents that live in apartments have a lack of vested interest in apartments.

David Dobson, Owner of Jackson Village development: He stated that drastic proffers were required by he and his development. Those proffers significantly benefit the tax payers of this County. He stated that the proposal before the Commission doesn't have to build 1 square foot of commercial before they build residential units.

Christy Tewes, Lee Hill District: She stated that se has the same concerns raised by previous speakers. She would like further detail on type of commercial development that may be built.

Kim Hoffman, Lee Hill District: She stated that she is a direct neighbor and she has concerns about whose property will be taken to make the said improvements.

Applicant, Chris Hornung: He stated that they use the County's student generation numbers and pay the cost per dwelling unit. There are 70 total children as a result of this development spread over all of the schools. He discussed the proffer reform act and how if the County doesn't have it included in their current CIP, then an applicant cannot proffer for those items. He stated that the phasing of the project would be Phase 1, 200 units, Phase 2 150-2000 units. There is capacity at other high schools and the lines could be adjusted. Mr. Hornung stated that they are limited by zoning ordinance requirements for the type of commercial that can be built. A Walmart or grocery store would not be appropriate.

Mr. Newhouse inquired if there are two different developers doing this project.

Mr. Hornung stated yes, one would handle the residential portion and the other, the commercial version. The idea is to have commercial ready pad sites, because you need the rooftops to support the commercial.

*Mr. Newhouse closed the public hearing.*

**Motion and vote:** Mr. Newhouse made a motion, seconded by Mr. Thompson to approve the rezoning with proffers. The motion failed 2-2 with Mr. Medina and Mr. Smith voting no.

There was a brief discussion about the failed motion. The application would move forward without a recommendation from the Commission.

### **Special Use(s):**

**SUP18-0005 Fredericksburg Christian Educational Services, Inc.:** Requests an amendment to special use permit, SUP05-06, to allow for the relocation and expansion of the proposed building addition and ball fields. The property is 75.2493 acres and zoned Rural (RU). The property is located at 9400 Thornton Rolling Road which is on the west side of Thornton Rolling Road (Route 609) approximately one-half mile south of the Thornton Rolling Road (Route 609) and Mills Drive (Route 17) intersection. The property is located within the Primary Development Boundary. The property is identified for Institutional and Mixed Use development on the Future Land Use Map of the Comprehensive Plan. Tax parcels 37-A-47 and 37-A-47A. Berkeley Voting District.

The applicant, Fredericksburg Christian Educational Service, Inc., is requesting an amendment to the existing special use permit (SUP05-06) to allow for the addition of a new elementary school building and ballfields to be added to the school campus. Currently the elementary school, grades Pre-K to fifth grade, is located in the City of Fredericksburg. The school currently operates as a private educational facility serving grades 6-12 within a one-story, 81,936 square foot building, known as the Upper School. The existing school campus includes a baseball field located to north of the school building and a multi-purpose field and softball field located west of the school building with parking areas along the frontage. The entire site is buffered by a 50-foot landscaped area along the property lines, which was a condition of the original special use permit. Access to the site is provided by two entrances on Thornton Rolling Road including a continuous right turn lane. The proposal is to add a one-story, 48,400 square foot elementary



school building, north of the existing upper school building in the location of the existing baseball field. The applicant has provided an architectural rendering of the proposed school building which will be constructed of split face CMU, brick and metal paneling in a buff/sand color with green trim. The proposed architectural are consistent with the existing school building.

New ballfields, including two baseball fields, two practice fields and one game field, are proposed on the rear portion of the property along with a new parking area. The property is currently served by public water and sewer and potential stormwater management areas are identified on the Generalized Development Plan (GDP).

Thornton Rolling Road is a two-lane rural road and currently a prescriptive right of way which carries approximately 3,000 vehicle trips per day (2017 traffic count). The Rt. 17/Thornton Rolling Road/Jim Morris Road intersection is a high crash location with the existing level of service in the AM peak period a LoS F from the south approach (Thornton Rolling Road). During the PM peak period the level of service improves from that approach, at a LoS C. This intersection is currently undergoing intersection improvements including the addition of turn lanes and a traffic signal which should be completed by August 2018. The additional turn lanes and traffic signal will improve the level of service at the intersection during the AM peak period and reduce the more serious right angle crashes.

The proposed school building addition along with the existing school traffic will generate approximately 1,757 vehicles per day. This estimate is considered a “worst case scenario” as it does not account for the bus system the school has in place which transports students from surrounding counties or for families with multiple students and carpooling. The two existing entrances along with existing right turn lanes and tapers are adequate to accommodate the existing school and proposed school and addition. Further, the applicant has adopted an internal traffic pattern utilizing the new perimeter road around the buildings to allow all traffic to get on-site and out of the turn lanes for afternoon pick-ups. The upper school and elementary school also stagger arrival and dismissal times in order to further reduce traffic issues.

While the traffic conditions will be improved with the impending intersection improvements, the physical condition of Thornton Rolling Road is rather poor including pothole patches and cracking. The additional trips generated by the proposed use will create additional wear and tear on the road; therefore, the applicant proposes to install an overlay and pave in place. This improvement will include a 1.5” overlay of asphalt from the edge of the southernmost taper of Patriot Lane (subdivision road just south of the proposal) to the connection of the proposed intersection improvements at Rt. 17. Within this segment of Thornton Rolling Road where a road shoulder the shoulder exists, it too will be paved. Additionally, the applicant will provide right of way dedication along the property’s frontage as identified on the GDP.

Ms. Pomatto dicussed the following findings:

In Favor:

- A. The proposal is consistent and compatible with the development district and land use designation as per the Comprehensive Plan and brings additional investment and educational options to the County that are currently operating in another jurisdiction.
- B. The applicant is providing right of way along Thornton Rolling Road and an integral segment of trail consistent with the County's Master Trailways Plan and the route of the East Coast Greenway.
- C. The proposal provides an overlay and "pave in place" improvement to Thornton Rolling Road which will significantly improve the condition of the road and mitigate the physical impacts of the additional traffic on the road.

Against:

- A. The proposed addition will generate a net increase in traffic by 774 vehicle trips per day on Thornton Rolling Road which is a rural two-lane road.

While the proposed addition will generate additional traffic, the existing entrances, right turn lane and tape are adequate. The trips will be distributed with the staggered arrival and dismissal times for the upper school and elementary school, and the applicant has adopted an internal traffic pattern in order to eliminate the risk of cars stacking in the turn lanes on Thornton Rolling Road. While the existing levels of service at the Rt. 17/Thornton Rolling Road/Jim Morris Road intersection are poor, the installation of the traffic signal and turn lanes are expected to be complete by August of 2018 which will significantly improve traffic conditions. Based on these points and the findings in favor noted above, staff recommends that the Planning Commission recommend approval of the Special Use Permit amendment to allow the school building additional and ballfields on Rural (RU) zoned property:

- 1. The property shall be developed in accordance with the Generalized Development Plan (GDP) titled, "Generalized Development Plan Fredericksburg Christian School Campus Expansion" dated March 8, 2018<sup>7</sup> and last revised June 25, 2018.
- 2. All landscaping buffers shall be maintained as identified on the GDP.
- 3. The applicant shall complete the improvements to Thornton Rolling Road as identified on the GDP, sheet 5, as part of the site plan process for the school building addition.
- 4. The applicant shall dedicate right of way along Thornton Rolling Road as identified on the GDP.
- 5. The elementary school building shall be constructed in conformance with the architectural rendering titled, "Fredericksburg Christian School" and dated May 15, 2018.

Ms. Pomatto finished by stating that staff has received concerns about the property not be adequately posted and we do have an affidavit and pictures stating that they did post the property adequately.

Mr. Medina inquired about the East Coast Greenway Alliance and the trails to nowhere.

Ms. Pomatto stated that this is part of the master Trail Plan. It's advised that in cases where we can get portions of the trail done, we encourage applicants to do so.

Ms. Carter inquired about what VDOT's plans are for the intersection.

Ms. Pomatto stated that the improvements are currently under construction and expected to be complete within a few weeks.

*Mr. Newhouse opened the public hearing.*

Applicant, Rick Yost name: He stated that Mr. Foss started the school 40 years ago because he had a calling to do so. The land was acquired in 1995.

Mr. David Richardson stated that the community meeting was held back in 2017. Through the process they did a land swapping with an adjacent property owner for the ballfields. The school takes some of the pressure of the public schools and provides options to County citizens. He discussed the pavement improvements and quoted scripture.

Speaking in favor or opposition:

James Strother, 605 Montrose Drive: He stated that the road is terrible for a school and that he owns 14 acres across from the school. There are no shoulders on this road to get a broken down vehicle off the roadway. The road should be widened and the curves straightened.

Naomi Duggins, Lee Hill District: She stated that she is a parent and that the school will be a huge blessing. Children that drive the roadway need to be more careful and pay attention.

*Mr. Newhouse closed the public hearing.*

There was discussion about accident data being provided. The Commission was curious about accidents between the light and school.

Applicant, Mr. Yost stated that there have been two student accidents in the last twenty years and they were rear-ending accidents.

Ms. Carter discussed the history of the light and how long it took to get the light. She stated that someone needs to work hard and get this road fixed. She encouraged the Board of Supervisors to make this road a high priority.

**Motion and vote:** Mr. Smith made a motion, seconded by Mr. Newhouse to approve the special use with conditions. Ms. Carter stated that she wants to include the recommendation that this area be studied as a high priority by county staff. The motion passed 4-1 with Mr. Thompson voting no.

**Amendment(s):**

**CA18-0002: Zoning Ordinance Amendment – Rezoning:** To amend County Code (“Code Amendment”) Chapter 23, Zoning, Article 4, Development Review Procedures, as part of an ongoing effort to review and update the Spotsylvania County Zoning ordinance. The proposed amendment includes: Section 23-4.6. Zoning Map Amendments (Rezoning).

Ms. Parrish presented the amendment. As part of the on-going updates to the Zoning Ordinance, staff has prepared amendments to the Zoning Map Amendments (Rezoning) section of the Code. The majority of amendments are grammatical in nature, but there is one substantive amendment. This is the addition of (c) under Sec. 23-4.6.3, Proffer of Conditions. The purpose in adding this subsection is establish requirements related to the dedication of land to the County to ensure that the dedicated land is usable and fairly valued. This subsection was added in response to concerns being raised about the value attributed to land dedications during the rezoning process and whether the County was receiving land that can be used for its intended purpose.

Staff recommends approval of CA18-0002 (Ordinance 23-176).

*Mr. Newhouse opened and closed the public hearing since no one wished to speak.*

Mr. Medina inquired about the donation of land and how that would come about.

Ms. Parrish stated that it could be something like a small pocket park, but this has been much reduced due to new proffer law.

Mr. Thompson stated that this is good to see.

**Motion and vote:** Mr. Thompson made a motion, seconded by Mr. Smith to approve the ordinance amendment. The motion passed 5-0.

**CA18-0003: Zoning Ordinance Amendment – Site Plans:** To amend County Code (“Code Amendment”) Chapter 23, Zoning, Article 2, Definitions and Rules of Construction, and Article 4, Development Review Procedures, as part of an ongoing effort to review and update the Spotsylvania County Zoning ordinance. The proposed amendment includes: Section 23-2.1.4. Definitions, and Section 23-4.11. Site Plan Review

Ms. Parrish presented the amendment. As part of the on-going updates to the Zoning Ordinance, staff has prepared amendments to the Site Plan Review section of the Code. The majority of amendments are grammatical in nature, but there are definitions added pertaining to the different types of site plans, the amendment clearly states that plan review fees must be paid in full within 6 months of approval or the plan will be void, and that any required public easements must be recorded prior to issuance of a Final Zoning Certification and Occupancy Permit.

Staff recommends approval of CA18-0003 (Ordinance 23-177)

*Mr. Newhouse opened and closed the public hearing since no one wished to speak.*

**Motion and vote:** Ms. Carter made a motion, seconded by Mr. Thompson to approve the ordinance amendment. The motion passed 5-0.

**New Business**

Mr. Thompson stated that he is still very interested in looking at modifying the mixed use ordinance.

Ms. Parrish advised that this is on staff's task list.

**Public Comment:** None

**Adjournment:**

**Motion and vote:** Ms. Carter made a motion, seconded by Mr. Thompson to adjourn. The motion passed 5-0.

The meeting adjourned at approximately 9 p.m.

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Paulette Mann

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Date