

GENERALIZED DEVELOPMENT PLAN - NARRATIVE

Applicant: B-Farms Development, LLC
1109 Charles Street, Fredericksburg, VA 22401

Owner: Jean Masten Kelly and Joyce A. Taylor (collectively, the "Owner")

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

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@hf-law.com

Project Name: "Regency Crossing"

Property: Spotsylvania County Tax Parcel 12-A-69J, an unaddressed lot, consisting of approximately 2.69 acres (the "Property")

Date: June 20, 2018

GDP: Generalized Development Plan, entitled "Regency Crossing", prepared by Sullivan, Donahoe & Ingalls, dated May 1, 2018, as last revised, attached hereto as Exhibit A ("GDP")

Rezoning Request: From R-1 to R-8

Rezoning File No.: R18-0007

1. Project Overview

The Applicant proposes rezoning the Property from the Residential 1 District ("R-1") 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 allows eight (8) dwelling units per acre and requires twenty-five (25) percent of the gross area be provided as open space.

The purpose of the proposed rezoning is to allow a small residential development consisting of twenty-one (21) single family attached dwelling units, all as shown on the GDP. The R-8 district includes single-family attached dwellings as a permitted use. The proposed development has a density of 7.8 dwelling units per acre, which is below the maximum density for the R-8 sub-district of eight (8) dwelling units per acre. The GDP reflects approximately 1.4 acres of open space, which accounts for 52% of the Property. This far exceeds the 25% open space minimum

required for the R-8 district. The open space will be used for natural areas, buffering, passive recreation (i.e. tot lot) and stormwater facilities.

As described in more detail below under Section 3 of this narrative, the Applicant's proposal conforms to the policies established by the County's Comprehensive Plan dated November 14, 2013, as last updated May 22, 2018 (the "Comp Plan"). Furthermore, the proposal will result in minimal impacts on public facilities and services, and impacts, if any, related to roads, schools, and parks will be offset through on-site improvements and cash proffers. In this regard, we have included with this application (as discussed in more detail below) a proffer analysis prepared by MuniCap, Inc., which is entitled "Regency Crossing Spotsylvania County, VA SB 549 Proffer Analysis", dated April 26, 2018, attached hereto and marked as Exhibit B ("Proffer Analysis"). Because the project is only twenty-one (21) units, a County traffic impact analysis nor Virginia Department of Transportation ("VDOT") transportation study are warranted. Thus, it is assumed the project will not degrade the level of services at key, nearby intersections.

In addition, MuniCap, Inc. performed a fiscal impact analysis of the project ("FIA"). The FIA dated June 15, 2018, prepared by MuniCap, Inc., and entitled "Regency Crossing Spotsylvania County, VA Fiscal Impact Analysis", is attached hereto and marked as Exhibit C, and included with this application. The FIA, as described in more detail below, provides that the project will generate (onsite and offsite) at full build-out a positive net tax benefit of over \$25,374.00 on an annual basis.

2. Project Location

The Property will be located on one (1) parcel, totaling approximately 2.69 acres of land, situated in the Chancellor magisterial district and the Courtland voting district. The Property is located along Five Mile Road Extended, near intersection with Plank Road (Route 3), in the Highway Corridor and Reservoir Protection Overlay Districts. The Property is bordered on the North by a residential subdivision known as "Regency Park Villas," which is also zoned R-8 and includes a total of eighty-six (86) residential units. To the West of the Property, across Five Mile Road Extended, is vacant land. To the South and East of the project is commercial properties, including a Rite Aid and an Extra Space Storage facility.

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 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, and is also an appropriate transitional use between the commercial uses along Rt. 3 and the adjacent residential uses to the north of the proposed project.

2.1 *Site Access*

Primary access to the Project Site will be provided via Five Mile Road Extended. All site access locations and driveway entrances will be coordinated with Spotsylvania County and the Virginia Department of Transportation. Please refer to the GDP for a depiction of site access location.

2.2 Environmental Characteristics

The project's design will minimize the impact to the natural topography and mature vegetation located on the Property. There are no streams, RPA or wetlands 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.

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, and our personal assessment after walking the Property and reviewing all features, we do not believe the Property contains any identifiable cultural resources, including civil war era works or cemeteries. This site does fall within DHR ID 088-5180 Chancellorsville Battlefield, but as the site has been previously cleared and subject to surrounding development, we do not believe there is any historic context given development patterns. Additionally, the Property is not located in the County's Historic Overlay District.

3. Planning and Zoning

3.1 Zoning District and Ordinance

The Project Property is currently zoned Residential (R-1). The adjoining parcel to the North is also zoned R-8. Other surrounding parcels are zoned C-2 and R-1. The Property currently has access to water and sewer. Thus, by-right the Property could yield one (1) single family detached dwelling units.

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

3.2 Comprehensive Plan

The County's Comp Plan's Future Land Use Map classifies the Property as part of the "Commercial Land Use" designation. The Commercial Land Use category typically "consists of a variety of retail and office uses, examples of which include, but are not limited to: medical facilities, shopping centers, restaurants, automobile service, sales facilities, and similar uses." The Comp Plan is merely a guide for future land use goals, and encourages flexible, innovative land use planning designs and uses which enhance good planning practices and generates positive benefits for the County. Due to the Property location and mix of surrounding land uses, we believe this proposal is consistent with those good planning practices and benefit goals, and acts as a proper transitional development between the commercial uses to the south and the residential uses to the north.

The Property is zoned R-1, which appears to be inconsistent with the other established uses along this corridor, and appears not to be the highest and best use for the Property. In this regard, to the

immediate north is a single family attached development zoned R-8 and to the immediate south and east of the site are commercial uses.

From an economic development perspective, the proposed rezoning will generate new jobs within the County and positive tax revenues both onsite and offsite. The FIA, as described in more detail below, provides that the project is anticipated to generate (onsite and offsite) positive net tax benefits exceeding \$25,374.00, on an annual basis at full build-out.

The Project's proposed use also furthers the County's goal of supporting a diverse housing mix, including a variety of housing types and sizes that meet the needs of citizens throughout all stages of life and income levels.

The project meets the following Residential Land Use Policies outlined in the Comp Plan:

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.

Project will provide pedestrian connections with existing sidewalk network along Five Mile Road Extended, all as shown on the GDP.

3. Residential infill development should maintain the neighborhood character established by the existing subdivisions.

The project will include 21 single family attached units, which will be a new and enhanced housing stock to this area. The nine units that back to the existing Regency Park Villas subdivision will only be two story to provide an appropriate transition.

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 project does include a diverse housing mix and will include a new housing stock investment in an area ripe for redevelopment. The housing sale prices will average \$300,000 and should be attractive to first time homebuyers.

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.

The project's average sales prices should be affordable to first time homebuyers, including those whose household median incomes are consistent with the County's average.

The Applicant's proposal to develop single family attached residences is in line with the Comp Plan. Thus, we believe the Comp Plan's future land use policies support the proposed use of single family attached residential dwellings at this location.

The Comp Plan's Future Land Use Map establishes a Primary Development Boundary (the "PDB"). The Comp Plan states that public water and sewer will be provided to properties within the PDB, and denser development will also be permitted in such locations, including higher density housing. A portion of the Property is located within the PDB, supporting the proposed density of 7.8 units per acre, as well as the Property's utilization of public utilities.

3.3 Community Meeting

As part of the Rezoning Application process, Applicant attended a Pre-Application meeting with Spotsylvania County Staff on February 22, 2018. Additionally, Applicant and its representatives hosted a Community Meeting for the Project on April 12, 2018 at Salem Baptist Church to introduce and discuss the project with surrounding property owners. We addressed questions from members of our community and Exhibit D attached hereto provides a list of attendees.

4. Construction

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

Construction is anticipated to begin in 2019 and we believe all lots will be constructed within 2 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 would begin with initial clearing and grading (if required). Access to the Project Site would be improved to appropriate construction standards. Road corridors would 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. BMPs for stormwater and erosion control would be installed during the site preparation phase and prior to significant grading activities.

4.2 Construction Workforce

Our goal is to retain local on-site workforce, which will consist of various skilled trades, supervisory personnel, support personnel, and construction management personnel. Pursuant to the FIA, the Project is anticipated to generate an estimated 36 new jobs during the construction phase, and \$1,199,530.00 in new labor wages.

5. Public Facilities

5.1 Fire and Rescue

The proposal will have minimal impact on the County's fire and rescue facilities. The proposed roads and building setbacks will allow for adequate travel space within the project for emergency access to the improvements. Fire and Rescue Station 6, located approximately 1.5 miles East of this site, will provide the Property with necessary emergency services. As detailed on the

attached proffer statement, cash proffers will also offset any impacts the project may have on fire and rescue facilities.

5.2 Schools

The Property is located in the Harrison Road Elementary, Chancellor Middle and Riverbend High school districts. Although the County's most recently adopted Capital Improvement Plan does not include any construction projects specific to these schools, it does include maintenance upgrades to all schools.

Based on County estimates of 0.572 students per dwelling unit (for single family attached), the project's 21 new dwelling units will generate a net of 12 school-age children above the by-right (e.g. 21 less 1 by right unit = 20 units evaluated) units at full build out. As there is existing capacity in all schools sufficient to accommodate the projected students, there is no impact that exceeds capacity.

5.3 Parks and Open Space

Approximately 52% of the Property will be maintained as open space. The open space will be used for natural areas, buffering and stormwater facilities. In addition, the project will provide certain on-site passive recreational areas within the development, including a tot lot, as shown on the GDP. As detailed on the attached proffer statement, cash proffers will offset any additional impacts the project may have on park facilities.

5.4 Water & Sewer

The proposed units on the Property can be serviced by the existing 8" gravity sewer line that serves the neighboring commercial development and the existing 12" water main located along Five Mile Road Extended, as shown on the GDP. These utility lines will be extended throughout the proposed development. The Applicant will also loop the water system to the existing 30" water main to improve pressure in the area.

5.5 Transportation

The Property abuts Five Mile Road Extended, which is a two (2) lane public road classified as a local road. Access to the Property will be provided from Five Mile Road Extended. Roads constructed within the project will be private.

The project will generate 122 VPD of overall trips on a daily basis, including 9 VPH during a.m. peak hours and 11 VPH during p.m. peak hours. The project will generate significantly less vehicle trips than the adjoining commercial development. Neither a full County traffic impact analysis nor VDOT 527 analysis is required for this project as it is projected to cause minimal impacts based on VDOT traffic generating models.

6. Housing

The project will enhance the County's stock of new, single family attached dwelling units in this area of the County. Also, as noted above this will provide a new diversity of housing stock to the immediate area. With an anticipated average sales price of \$250,000 (2 story) to \$300,000 (3 story) per unit, the proposal meets market expectations for this area of the County. We believe that all 21 lots will be developed within 2 years of any rezoning approval (subject to market conditions).

Impacts on existing residences in the vicinity of the Property will be mitigated through appropriate buffering. The open space areas will provide scenic buffering along many of the property lines. A six foot (6') privacy fence will also be provided along the northern property line, as depicted on the GDP. Further, the projected value for units should maintain and/or enhance surrounding property values, as many of the current housing stock adjacent to the project was initially constructed in 2004.

7. Fiscal Impact Analysis

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

For the 21 homes at the site, the total real property tax resulting from the full build-out of the project is estimated to be about \$48,142.00 annually in current dollars. In addition, the personal property tax resulting from the project is estimated to be \$20,014.00 annually in current dollars. The sum of all of the on-site tax revenues that could be expected to flow to the County from the project annually after full build-out is approximately \$77,984.00 for each year in current dollars.

In addition to the on-site fiscal impact, the project is estimated to generate \$9,423 in annual taxes off-site for the County after build-out and occupancy. As mentioned above, the Project would generate approximately 36 new jobs during the construction phase, resulting in about \$1,199,530 in employee earnings.

The project is expected to result in 20 new households with an estimated 2.41 persons per household for a total of 48 people, including 12 pupils. The total annual tax-supported cost of the project is estimated to be \$62,033 each year in current dollars.

After considering the tax revenues generated by the project and the costs to the County resulting from the project, it is anticipated that this project will generate annually a net revenue surplus (onsite and offsite) after full build-out of \$25,374.00 in current dollars.

EXHIBIT A

Generalized Development Plan

EXHIBIT B

Proffer Analysis

EXHIBIT C

Fiscal Impact Analysis

EXHIBIT D

List of community meeting attendees

9811649.1 031502.00014