

GENERALIZED DEVELOPMENT PLAN - NARRATIVE

Applicant: ATFD, LLC
108 Carroll Circle, Fredericksburg, VA 22405

Owners: Donna L. Curtis and Carlton D. Flippo (collectively all of the foregoing are the “Owner”)

(Applicant & Owner are hereafter known collectively as the “Applicant”)

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

Project Name: “Winding Creek”

Property: Spotsylvania County Tax Parcels 35-A-8 (“Parcel 8”) & 35-A-9 (“Parcel 9”), known as 10300 and 10316 Courthouse Road, consisting of approximately 18.218 acres, 16.218 acres of which are subject to this rezoning (collectively, the “Property”)

Date: January 21, 2019

GDP: Generalized Development Plan, entitled “Winding Creek Generalized Development Plan for Rezoning”, prepared by Fairbanks & Franklin, dated May 11, 2018, as last revised, attached hereto as Exhibit A (the “GDP”)

Rezoning Request: From R-1 to PDH-16

Rezoning File No.: R18-0008

1. Project Overview

The Applicant proposes rezoning the Property from the Residential 1 District (“R-1”) to the Planned Development Housing 16 District (“PDH-16”). Section 23-6.12.1 of the Spotsylvania County (“County”) Zoning Ordinance states that the purpose of the PDH district is to “encourage innovative and creative design in the development of land for residential and other selected secondary uses. The district regulations are designed to ensure ample provision and efficient use of open space, to promote high standards in the layout, design and construction of residential development, to promote balanced developments of mixed housing types.” The PDH-16 sub-

district allows sixteen (16) dwelling units per acre and requires forty-five (45) percent of the gross area be provided as open space.

The purpose of the proposed rezoning is to allow an age-restricted residential development consisting of 22 new single family detached homes, 18 single family attached villas and four (4) multifamily buildings, containing a total number of residential units up to 215, all as shown on the GDP. There is one existing single family detached home on the property that will remain, shown as “2.00 AC FAMILY SUBDIVISION PARCEL” on the GDP, which is not a part of this rezoning application. The PDH-16 sub-district includes single-family attached and detached dwellings, as well as multiple-family dwellings, as permitted uses. The proposed development has a density of 15.9 dwelling units per acre, which is below the maximum density for the PDH-4 sub-district of sixteen (16) dwelling units per acre. The GDP reflects approximately 7.56 acres of open space, which accounts for 47.18% of the Property. This exceeds the 45% open space minimum required for the PDH-16 district. The open space will be used for natural areas, buffering, community areas, and stormwater management facilities. Further, the several photographs attached hereto and marked as Exhibit B depict the proposed general architectural design and building material features for the project (collectively, the “Photos”).

As described in more detail in Section 3 below, the Applicant’s proposal conforms to the policies established by the County’s Comprehensive Plan (the “Comp Plan”). Adjacent properties will experience modest impacts. Furthermore, the proposal will result in minimal impacts on public facilities and services, and impacts, if any, related to roads and 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 “Winding Creek Spotsylvania County, VA SB 549 Proffer Analysis”, dated January 16, 2019, attached hereto and marked as Exhibit C (“Proffer Analysis”).

In addition, MuniCap, Inc. performed a fiscal impact analysis of the project (“FIA”). The FIA dated January 16, 2019, entitled “Winding Creek Residential Development Spotsylvania County, VA Fiscal Impact Analysis”, is attached hereto as Exhibit D, and included with this application. The FIA, as described in more detail below, provides that the project will generate (onsite and offsite) positive net tax benefits of nearly \$659,400 on an annual basis.

2. Project Location

The Property will be located on two (2) parcels, totaling approximately 18.218 acres of land, 16.218 acres of which are subject to this rezoning application. The Property is situated in the Courtland magisterial district and the Salem voting district and located along Courthouse Road (Route 208), west of the intersection of Courthouse Road and Leavells Road, in the Highway Corridor Overlay District. The Property is bordered on the North by a residential subdivision known as “Cambridge”. To the East of the Property is a Giant Food store and the Hilltop Plaza shopping center. To the South to property is bordered by Courthouse Road. Across Courthouse Road is a townhouse subdivision known as “Mill Garden.” To the West of the project is a residential subdivision known as “Hills of Breckenridge.”

Adjacent properties consist of mostly residential properties, including single family detached and attached homes, plus commercial sites to the east. 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, and buffering the residential uses to the west and north from the commercial uses to the east. Additionally, the Applicant's proposal is in line with the purpose of the PDH district in that it develops land for residential use while preserving open space.

2.1 Site Access

Primary access to the Property will be provided via Courthouse Road at two points as shown on the GDP. The Property will also be accessed through an interparcel connection with the commercial property to the east and intersect with the light at Millgarden Drive. 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 locations.

2.2 Environmental Characteristics

The proposed development has been designed to minimize disturbance to the stream, RPA and wetlands on the Property. There are approximately 570 linear feet of stream, two small wetlands areas contiguous to the stream, and approximately 2.2 acres of RPA on the site. The sewer extension shown on the GDP is the only proposed land disturbance within the RPA. Stormwater management will be provided in a regional facility at the approximate location shown on the GDP.

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 have any cultural resources, including 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 Property is currently zoned Residential (R-1). Residential parcels to the north and south are also zoned R-1. Surrounding residential parcels to the west are zoned PDH- 2. The commercial parcels to the east are zoned C-2. The Property currently has access to water and sewer. By-right, the Property could yield nine (9) single family detached dwelling units. A portion of the Property is within the Highway Corridor Overlay District, but as the Project is not commercial, the standards for this Overlay District do not apply.

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

Generally, the Comp Plan is a guide for future land use goals. By no means is it a requirement or County ordinance, and there is typically flexibility in how the County interprets highest and best uses for particular properties. Further, the Comp Plan encourages 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 subject Property is located in the Comp Plan's Future Land Use Map as part of the "Low Density Residential" Land Use designation. The Low Density Residential Land Use category is intended to encourage single family attached and detached residences typical in a suburban area inside of the Primary Development Boundary ("PDB"), to be served by public water and sewer. Although the density of the Project is higher than recommended under the Comp Plan, it is surrounded or nearby more intense multifamily and commercial uses, and is located within the PDB which encourages greater density.

Further, the proposed age restricted use will have a lesser impact to county services, especially schools, versus that of a market rate low density residential uses on this Property. In addition, the residents of this proposed project will typically not travel during peak am and pm travel hours (e.g. average age of resident living with age restricted communities is typically of retirement age of 65 years or older), thus minimizing impacts to the immediate transportation corridors. Further, the proposed use will improve and offer an alternative housing stock in the immediate area as many of the surrounding properties are part of older developments, and buffer residential uses to the west and north from the commercial uses to the east.

This Project also addresses the following Guiding Principles and Policies as outlined in Chapter 1 of the Comp Plan:

- B. 2. b. Active adult communities, with their diminished impact on County services, should be supported.
- 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 Project also meets the following Residential Land Use Policies outlined in the Comp Plan:

1. Residential subdivisions should provide interparcel connections to adjoining undeveloped properties and connect to developments at existing interparcel access points, where possible, to help improve the connectivity of the transportation network.

Project will connect to adjoining parcel to the east at existing interparcel access point, as shown on the GDP.

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 connection with existing sidewalk network to the parcel to the east, as shown on the GDP.

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

The project will include a mix of 255 age restricted residential units, which will be a new and enhanced housing stock to this area, near and in the proximity of the Spotsylvania Regional Medical Center.

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.

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 active adult homebuyers, including those whose household median incomes are consistent with the County's average.

As noted above, the introduction of a new, more modern age-restricted home stock to this location is consistent with the Comp Plan as it will promote a more diverse housing inventory in this area. In addition, the proposed use will also allow aging adults within the County and immediate area to downsize their current residences, and remain in the County or area, thus allowing them to remain close to family members, services and their communities.

As noted above, this Project furthers multiple objectives of the Comp Plan, including without limitation reducing impacts on County services, like schools, creating local jobs and supporting a diverse housing inventory. Accordingly, the Project is in line with the County's tax revenue goals as it will have minimal impacts on County services, and generate additional local jobs and tax revenues as more fully set forth in the FIA (e.g. location near Spotsylvania Regional Medical Center). The Project's proposed use as age-restricted residential units also furthers the County's goal of supporting a diverse housing inventory that accommodates housing needs for County residents at all stages of life, as promoted under the Comp Plan.

3.3 Rezoning Application

Per Section 23-4.6.2 of the Spotsylvania County Zoning Ordinance and the requirements of the County's Rezoning Application, Applicant will submit the following, as applicable, for the Project:

- Standard Application Form
- Special Power of Attorney Affidavit
- Adjacent Property List
- Fees
- General Warranty Deed
- Generalized Development Plan-Narrative
- Generalized Development Plan-Graphic with Accurate Plat and Conceptual Stormwater Management Plan
- Fiscal Impact Analysis
- Draft Proffer Statement
- Proffer Analysis
- Traffic Impact Analysis

As part of the Rezoning Application process, Applicant attended a Pre-Application meeting with Spotsylvania County Staff on January 18, 2018. Additionally, Applicant and its representatives hosted a Community Meeting for the Project on February 22, 2018 at Salem Baptist Church to introduce and discuss the project with surrounding property owners. We addressed questions from members of our community and believe the meeting went well. Exhibit F attached hereto provides a list of attendees.

3.4 Environmental Permitting

In addition to the requirements above, Applicant will perform all applicable studies for endangered species as is typically necessary for state and federal permitting for the project. Prior to construction of the Project, all required permits, reports, and technical analyses will receive final approval from their respective governing agencies.

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 summer/fall of 2019 and we believe all lots will be constructed within four to six years of any rezoning approval, subject to market conditions. As shown on the GDP, Phase I will include the single family detached units, the single family attached units, the clubhouse, and primary access drives. Phase II will include the multi-family units.

4.1 Site Preparation

The Property currently has three single family homes on it, one of which will remain on a 2 acre parcel shown as “2.00 AC FAMILY SUBDIVISION PARCEL” on the GDP, and is not subject

to this rezoning application. 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. Construction will generally occur during daylight hours, Monday through Friday. Construction activities will be limited to Monday through Saturday, 7:00 a.m. to 7:00 p.m., versus the current allowance of 6:00 a.m. to 10:00 p.m.

Pursuant to the FIA, the Project is anticipated to generate an estimated 297 new jobs during the construction phase, and \$10,120,296.00 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 4, located approximately 2.7 miles northeast of this site, will provide the Property with quick access to 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 proposed rezoning will not impact schools as no school aged children may reside within the Project, and therefore no cash proffers will be offered.

5.3 Parks and Open Space

Approximately 47.18% of the Property will be maintained as open space. The open space will be used for natural areas, buffering, community areas and stormwater management facilities. 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 Cambridge development, as shown on the GDP. Water will be provided

from the existing 6” water stub located on Courthouse Road and the existing 8” water stub located at the Eastern property boundary, as shown on the GDP. These utility lines will be extended throughout the proposed development.

5.5 *Transportation*

The Property abuts Courthouse Road (Route 208), which is a four (4) lane public road classified as a minor arterial road. Access to the Property will be provided from Courthouse Road and an interparcel connection to the parcel to the east. Roads constructed within the project will be private.

The project will generate 1,059 VPD of overall trips on a daily basis, including 59 during a.m. peak hours and 73 during p.m. peak hours.

Gorove/Slade prepared a Traffic Impact Study, entitled “Route 208 Active Adult Community Spotsylvania County, VA” dated May 10, 2018, revised December 19, 2018, for the Project in Spotsylvania, Virginia which is enclosed herewith and is a material part of this application and marked as Exhibit E (the “TIA”). The purpose of this study was to evaluate the current traffic conditions at the study intersections, estimate the trip generation potential of the proposed Project, and determine what roadway improvements are needed to accommodate the projected traffic volumes, all in accordance with the approved VDOT and County scoping agreement and applicable VDOT and County requirements.

The studied intersections and resulting Levels of Service (LOS) at Full-Build Out (AM/PM) are as follows:

- At the Intersection of Route 208 and Millgarden Drive (signalized; with mitigations mentioned below):
 - > Overall Signal (C/C)
- At the Intersection of Route 208 and Shopping Center Driveway (unsignalized):
 - > Southbound Approach (B/C)
- At the Intersection of Route 208 at the Site Access (unsignalized):
 - > Southbound Approach (B/C)

Based on the foregoing, the analysis recommends the following proposed improvements:

- Full westbound deceleration lane along Route 208 between the proposed main site access and the Shopping Center Driveway; and
- Signal timing adjustments to the signal at Millgarden Drive during the AM Peak Hour. The adjustment to the Millgarden signal would not affect the operation of adjacent intersections along the Route 208 Corridor.

6. **Housing**

The Project will enhance the County’s stock of new, single family detached and attached dwelling units, as well as multifamily 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 between \$350,000 and \$425,000 per single family detached unit, and between \$275,000 and \$325,000 per single family attached villa, the proposal meets market expectations for this area of the County. The multifamily units will be a mix of for sale condominiums and for rent apartment units, based on market conditions. The average sales price for the condominium units will be between \$300,000 and \$350,000. We believe that the Project will be developed within 4 to 6 years of any rezoning approval, subject to market conditions.

For purposes of the proposed age restricted use and as provided in the enclosed proffer statement, 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 al., as amended. Further, the Applicant, prior to construction of the first residential unit, shall prepare and record restrictive covenants that define the qualification for initial and subsequent occupancy of any residential 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 18 years or younger to reside within any unit constructed on the Property for a period of time exceeding thirty (30) days within any six (6) 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. All such covenants described herein shall be recorded among the land records of Spotsylvania County, Virginia and encumber the Property.

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. Further, the projected value for units should enhance surrounding property values.

7. Fiscal Impact Analysis

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

For the 255 homes at the site, the total real property tax resulting from the project is estimated to be about \$433,804 annually in current dollars. In addition, the personal property tax resulting from the project is estimated to be \$222,908 annually in current dollars. The sum of all of the on-site tax revenues that could be expected to flow to the County from the project annually after build-out is over \$689,500 each year in current dollars.

In addition to the on-site fiscal impact, the project is estimated to generate \$78,467 in taxes off-site for the County annually after build-out and occupancy. As mentioned above, the Project would generate approximately 297 new jobs during the construction phase, resulting in about \$10,120,296 in employee earnings.

The project is expected to result in 255 households with an estimated 1.49 to 2.0 persons per household for a total of 400 people, with no school pupils. The total annual tax-supported cost of the project is estimated to be \$108,621 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 \$659,362 in current dollars.

EXHIBIT A

Generalized Development Plan

EXHIBIT B

Photos

EXHIBIT C

Proffer Analysis

EXHIBIT D

FIA (Fiscal Impact Analysis)

EXHIBIT E

Traffic Impact Analysis

EXHIBIT F

List of community meeting attendees

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