

VOLUNTARY PROFFER STATEMENT
R15-0006

Owner or Applicant:

David L. Hunter
5036 Corsair Terrace, Mineral, VA 23117

Date of Proffers:

July 15, 2019

Project:

Point Seanna
Tax parcel 69-5-B (4900 Corsair Terrace) and 69-5-A5 (4920 Corsair Terrace) (the "Property")

I. General Information

Pursuant to Section 15.2-2303 of the Code of Virginia (1950), as amended, and Section 23-4.6.3 of the Spotsylvania County Zoning Ordinance, as amended, (the "Ordinance"), David L. Hunter, ("Owner" or "Applicant"), on behalf of himself, his successors and assigns, hereby voluntarily proffers that the development and use of the 47.0436± acre Property subject to Rezoning Application R15-0006, shall be in conformance with the reasonable proffered conditions set forth below.

All proffers made herein are subject to acceptance by the County Board of Supervisors and are contingent upon approval of Rezoning R15-0006, which seeks a rezoning of the Property from the R-R (Residential Resort) District and a portion of the R-C (Resort Commercial) District to the PDH-2 (Planned Development Housing) District.

Sheets 1-14 of the Point Seanna Generalized Development Plan/Master Zoning Plan ("GDP"), dated May 22, 2015, and last revised, July 1, 2019, as prepared by Urban, Ltd., are included by reference within these proffered conditions, as set forth below.

II. Land Use

A. Generalized Development Plan

1. For purposes of the final site plans, the Property will be developed in conformance with the GDP. Notwithstanding the foregoing, all parcel sizes, building envelopes, building sizes, public road locations, private driveway and travel ways locations, utility locations, storm water facilities, and dimensions of undeveloped areas shown on the GDP may be reasonably adjusted for the purposes of the final site or subdivision plans to allow the Applicant to address final development engineering and design requirements, and to fulfill compliance with state and federal agency regulations, including, but not limited to, Virginia Department of Historic Resources (DHR), Virginia Department of Transportation (VDOT), Virginia Department of Environmental Quality (DEQ), Virginia Department of Conservation and Recreation (DCR), and Army Corps of Engineers, and compliance with the requirements of the County's Zoning, Subdivision and Design Standards Manual, subject to approval of the Zoning Administrator.
2. The Applicant shall conform to the limits of clearing shown on Sheets 7 and 10 of the GDP. Adjustments will be limited to the extent necessary for the final construction of homes, streets, amenity structures, fences, utilities (to include wells, pump stations, drainfields, and any stormwater facilities) and trails.

B. Residential Units and Commercial Development

The Applicant will limit the number of residential units to no more than eighty-five (85) single-family attached units; and a maximum of 30,000 square feet of commercial development, as shown on the GDP.

III. Transportation

A. The Applicant shall dedicate to VDOT additional fee simple right of way approximately 75 feet from Courthouse Road centerline along the Property's frontage on Courthouse Road, as shown on the GDP. This right of way shall be dedicated at the time of recordation of subdivision plat.

B. The Applicant shall improve the intersection of Corsair Terrace, Anna Point Lane and Courthouse Road as shown on the GDP. A right turn taper and left turn lane shall be provided on Courthouse Road. Corsair Terrace shall be widened to a minimum of 26 feet from the intersection at Courthouse Road extending to the entrance into the development.

IV. Environment

A. The Applicant shall provide pedestrian trails, a dry hydrant and a private boat ramp access drive, as generally shown on the GDP. The access drive and the boat ramp shall be maintained by the Homeowners Association in perpetuity in a condition sufficient to guarantee adequate access for Fire, Rescue and Emergency Management (FREM) as determined by FREM. The dry hydrant shall be installed at the time of issuance of the first building permit for the first row of townhomes.

V. Materially Relevant

A. Amenities

Amenities to be provided shall include the following, in the general locations as shown on the GDP:

- Trails
- One or more covered boathouses/covered slips
- A decorative water fountain at one or both locations
- A pavilion/gazebo at one or both locations
- An amenity area containing at least one or several recreational facilities such as an informal play area, gazebo/shade structure, tot lot, volleyball court and/or a bathhouse with pool.

The boat ramp will be constructed upon issuance of an occupancy permit for the first townhome. At least one covered boathouse will be constructed prior to issuance of an occupancy permit for the 43rd unit. Trails and other amenities will be completed prior to bond release.

B. Escalator/De-escalator

Unless otherwise specified, all cash contributions enumerated in these proffers shall be subject to an annual adjustment based on the Consumer Price Index, U.S. City Average, All Urban Consumers (CPI-U) All Items (1982-84=100) (the "CPI"), prepared and reported monthly by the U.S. Bureau of Labor Statistics of the United States Department of Labor. This adjustment shall occur on January 1st to reflect any increase or decrease by multiplying the Per Unit Contribution for the preceding year by the CPI as of December 1 in the preceding year.

VI. Water and Wastewater Treatment System

The Applicant shall design, construct, and maintain a water and wastewater system to serve the Property.

- A. The water and wastewater system shall be designed, constructed, and maintained to meet the standards set out in the most recent version of the Spotsylvania County Utility Design and Construction Standards Manual.
- B. The Applicant shall, together with its site plan application, submit to the County a design of the system and a detailed utility infrastructure management plan illustrating how the system will be designed, constructed, and maintained so as to meet the standards set out in the most recent version of the Spotsylvania County Utility Design and Construction Standards Manual.
- C. Should the Applicant or then current owner desire, at any time in the future, to extend the initially built water or wastewater system, to include offsite connections, the Applicant shall follow the prescribed requirements in the Virginia Code for such extensions (currently Sections 15.2-2126-15.2-2130) and shall further evidence necessary access and maintenance easements on and across any and all adjoining properties where any extensions are to occur at the time of proposal of extensions to the County.
- D. Any other water or wastewater system which connects to the water and wastewater system constructed to serve the Property shall also be designed, constructed, and maintained to meet the standards set out in the most recent version of the Spotsylvania County utility Design and Construction Standards Manual and the Applicant or then current owner shall not allow any other water or wastewater system to connect to the water and wastewater system constructed to serve the Property which fails to meet the afore-referenced standards.

VII. Proffer Summary Chart

The Applicant shall make a one-time capital facilities contribution of \$6,671.32 per unit constructed. Said contribution shall be paid after completion of the final County inspection of the dwelling unit and at time of issuance of Certificate of Occupancy.

CASH AND IN-KIND PROFFERS*					
	SF Detached	SF Attached	Multi-family	Age-restricted	Total
Per Unit Cash Proffer		\$7,178 x 79	-	-	
TOTAL		\$567,062	-	-	\$567,062
LUMP SUM AND IN-KIND CONTRIBUTIONS*					
PUBLIC FACILITY CATEGORY					Total value
Schools	N/A**				N/A**
Sheriff, FREM, Courts & Govt.	\$2,162 per unit				\$170,798
Transportation	\$3,627 per unit				\$286,533
Parks & Recreation	\$596 per unit				\$47,084
Solid Waste	\$634 per unit				\$50,086
Libraries	\$159 per unit				\$12,561
TOTAL CASH & IN-KIND PROFFER VALUE					\$567,062

*Although a maximum of 85 SF attached units are proposed, the amounts are based on 79 units which take into account the 6 by-right potential lots permitted by the 12.9438 acres of existing R-R zoning district.

**N/A due to minimal impact of vacation homes on school facilities

The Applicant makes these proffers voluntarily, in support of its rezoning application.

David L. Hunter

By: *David L. Hunter* (SEAL)

Name: David L. Hunter

Title: Owner

Date: July 18, 2019

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF FREDERICKSBURG

The foregoing proffer statement was acknowledged before me this 18th day of July, 2019 by DAVID L. HUNTER as Owner.

Regina C. Spencer
Notary Public

My Commission Expires: JUNE 30, 2020

State ID # ~~FDL#RE~~ 7707693

