

VOLUNTARY PROFFER STATEMENT
R15-0006

Owner and Applicant:

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

Date of Proffers:

November 20, 2017
Revised: October 10, 2018

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, (hereinafter "Owner" and/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 October 10, 2018, 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. The development of the Property shall be in conformance with the Point Seanna GDP, dated May 22, 2015, and last revised October 10, 2018. Minor adjustments to the locations of the proposed uses, facilities, clearing limits, utilities, streets and improvements shown on the GDP due to final engineering data shall be permitted subject to the approval of the County's Zoning Administrator, so long as such changes do not (i) increase the total number, type or general location of dwelling units or (ii) decrease the number of access points, amount of open space or peripheral setbacks or reduce any provision intended to mitigate the impact of development on adjacent properties or the community.
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 dwellings; 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 guaranty 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 construct a water and wastewater system to serve the proposed project. The following shall be done:

A. During the site plan process for the water and wastewater treatment system, Applicant shall provide to the Spotsylvania County Utilities Department a design of the system and a detailed utility infrastructure management plan to show how the system will be managed and maintained.

B. Water and sewer infrastructure shall be constructed to meet the most recent version of the Spotsylvania County Utility Design and Construction Standards Manual.

C. Water and sewer easements to adjoining properties shall be identified at time of site plan and created with the associated final plat.

D. All as-built, construction inspection documentation and a utility GIS shape file shall be provided to the Spotsylvania County Utilities Department for records retention prior to infrastructure bond release.

E. Subject to a separate agreement with the Point Seanna operator and owner, any other projects/developments that desire to utilize the Point Seanna water and wastewater treatment system shall submit to the Spotsylvania County Utilities Department for review of all plans and information identifying any changes/additions to the system along with all required supporting documentation prior to their construction.

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

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

David L. Hunter

By: _____(SEAL)

Name: David L. Hunter

Title: Owner

Date: _____

COMMONWEALTH OF VIRGINIA

COUNTY/CITY OF _____

The foregoing Proffer Statement was acknowledged before me this _____day of _____ 2018, by _____, as Owner.

Notary Public

My Commission Expires: _____

State ID # _____

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

David L. Hunter

By: David L. Hunter (SEAL)

Name: David L. Hunter
Title: Owner

Date: OCT 16, 2018

COMMONWEALTH OF ~~VIRGINIA~~ ^{FL} FLORIDA
COUNTY/CITY OF ORANGE

The foregoing Proffer Statement was acknowledged before me this 16th day of
Oct. 2018, by David Hunter,
as Owner.

Melissa Schumm
Notary Public

My Commission Expires: May 25 2021
State ID # GG 83064

