

Spotsylvania County Planning Commission

Holbert Building Board Room, 9104 Courthouse Road, Spotsylvania VA 22553

MINUTES: May 2, 2018

Call to Order: Mr. Newhouse called the meeting to order at 7:00 p.m.

Members Present:

Richard Thompson	Courtland
Michael Medina	Salem
Howard Smith	Livingston
Jennifer Maddox	Berkeley
C. Travis Bullock	Battlefield
Gregg Newhouse	Chancellor
Mary Lee Carter	Lee Hill

Staff Present:

Wanda Parrish, AICP, Director of Planning
Paulette Mann, Planning Commission Secretary
B. Leon Hughes, AICP, Assistant Director of Planning
Jacob Pastwik, AICP, Planner III
Patrick White, Planner III
Alexandra Spaulding, Senior Assistant County Attorney

Announcements: Ms. Parrish advised of a community meeting scheduled for May 10, 2018. She also informed the Commission that details for the visit to Louisa to tour the Whitehouse solar facility have been firmed up and agendas are at the Commissioner's places. Lastly, she reminded the Commission of the special meeting with the Board of Supervisors on May 22, 2018 at 6 p.m. to discuss the update of the Comprehensive Plan.

Review & Approval of minutes:

Motion and vote: Mr. Thompson made a motion, seconded by Mr. Medina to approve the minutes of March 7, 2018. The motion passed 5-0.

Unfinished Business: None

Public Hearing(s):

Rezoning(s):

R17-0013 Spectrum Partner Investments, LLC (Roseland Townhomes) (Ordinance No. RO17-0013): Request a rezoning of 1.0124 acres from Residential 1 (R-1) to Mixed Use 2 (MU-2) with proffers to allow for the development of 14 townhomes. The properties are located at 212, 214, and 216 Hudgins Road and three additional unaddressed properties. The properties are partially located within the Highway Corridor Overlay District and within the Primary Development Boundary. The properties are identified for Mixed Use development on the Future

Land Use Map of the Comprehensive Plan. Tax parcels 24B-2-12-3, 24B-2-12-2, 24B-2-12-1, 24B-2-14-16, 24B-2-14-17, 24B-2-14-18. Battlefield Voting District.

Mr. Newhouse opened the public hearing.

Mr. White presented the case. He informed the Commission that the applicant, Spectrum Partner Investments, LLC, requests a rezoning of just over 1 acre of property from Residential 1 to Mixed Use 2, with proffers, to allow for the development of 14 townhomes. There are six total parcels requested to be rezoned. All of the properties are located within the Primary Development Boundary and are identified for Mixed Use development per the Comprehensive Plan. Staff recommends approval with proffers dated April 9, 2018.

The properties are located on Hudgins Rd., approximately 560 feet SE of the signalized intersection of Route 1 and Hudgins Road, and approximately 800 feet from the intersection of Lafayette Blvd with Hudgins Road. All of the properties constituting the proposed redevelopment site are presently zoned Residential 1. The abutting car dealership to the Northwest is zoned C-3, as is the other car dealership located across the street to the Northeast. The Central Virginia Housing Coalition office building is located to the Northeast and is zoned Office 1 and three single family homes abut the site to the SW, all zoned R-1.

Mr. White displayed a photo of the one single family structure on the subject properties, proposed for demolition and another photo displaying the frontage of the subject property on Hudgins Road. Also shown was a photo viewing down Hudgins Road from across the street of the subject parcel. The fencing depicted is between Hudgins Rd. and additional parking used by Radley Chevrolet. The next photo was a view towards Route 1, displaying the two car dealerships and in the distance the traffic light. The next photo shows the three single family homes abutting the subject property to the SW. The bottom photo is view from the subject property looking towards the Sheehy Toyota to the NW.

The applicant's GDP depicts a 14 townhome development with access provided by Hudgins Rd. If approved, the proposal is estimated to generate an additional 82 Vehicles Per Day. Hudgins Rd. is estimated to move approximately 1500 VPD presently. The red highlights shown depict internal and frontage sidewalks proposed by the applicant. The frontage sidewalk will be dedicated to VDOT within a 10' right-of-way. The two additional internal sidewalks will be privately maintained, along with the internal roads. An interparcel connection to the NE is proposed. The highway corridor overlay district overlays a small corner of the subject site, depicted onscreen in orange.

Each townhouse is proposed to have an internal garage, and each townhouse will have its own driveway which can accommodate another vehicle. A total of 10 parking spaces are being constructed to accommodate guests. The area depicted in green is proposed by the applicant, it is a modified transitional screen 1, consisting of an internal 8' high fence with 8.25' feet of landscaping external to the fence, the planting area is proposed to be planted with one large evergreen and one medium evergreen every 20 feet. The fence is proposed of wood with concrete capped brick columns every 10 feet. The applicant has also proposed to run this fence down the NW property line (adjacent to the car dealership) voluntarily.

Apart from the modification to the transitional screen two additional modifications are necessary. First, the Mixed Use zoning code only provides a limited selection of street types. Of those types, there are none that allow for 90 degree parking spaces accessing the street. Staff notes that the "T" style roadway providing access to these townhomes is to be privately maintained and unlikely to serve to establish any future street connection. Staff has no objection to the applicants use of the proposed 90 degree parking onto their privately maintained street. Secondly, the Build-to-zone within the Mixed Use 2 district requires that the front of structures be within 5-25 feet of the front property line. Because the streets are proposed to be retained and privately maintained, the sidewalk which abuts the street will lie within an easement, instead of a right-of-way. The applicant requests that the County recognize that although the sidewalk lies outside of the right-of-way, it nonetheless contributes to the urban form to which the mixed use code aspires to create. Staff agrees.

Transportation impacts from the proposed project are estimated to be minor. The proposed development is estimated to generate approximately 82 vehicles per day. Hudgins road is estimated to move approximately 1,500 vehicles presently. Both intersections are functioning at a Level of Service E and Hudgins itself is functioning at a Level of Service D during AM peak and E during PM peak. This is largely attributable to the use of the roadway for commercial purposes by neighboring businesses and by cut-through traffic to and from Route 1 and Lafayette. Per the Dept of Motor Vehicles there were no reported collisions on Hudgins or at either intersection from 2015 through 2017. Apart from the sidewalk, and the right-of-way dedication, no other transportation improvements are proposed.

The Roseland project was analyzed by staff and found generally consistent with the Land Use, Public Facilities, Historic Resources, and Natural Resources elements of the Comprehensive Plan. Capacity concerns were observed on Fire Station 4, and Massaponax high school resulting from the project, however no current projects were identified in the CIP for which legal cash proffers could be collected. However, contributions were made by the applicant for a Countywide Fire and Rescue training facility and for five improvements to the County's parks system.

The applicant's financial documentation notes that the townhomes are proposed to range from 1,800 to 2,200 sq.ft. and are estimated to be priced at \$250,000 per unit. The applicant's Fiscal Analysis estimates Roseland to generate approximately \$2,060 annually. The County's model indicated that the project would result in an annual deficit of approximately \$22,557 based on the average assessed values of Lakeside and Lafayette Crossing developments. A discrepancy between these two figures is common, as the applicants Fiscal modeling factors in offsite tax generation generally not accounted for in the County model.

The applicant's submitted proffers include: Conformance with the GDP. 14 townhomes, no accessory apartments. Rear decks, if any, will be restricted to the first floor. HOA covenants and restrictions will be placed to maintain value, uniformity, and common maintenance. 10' of frontage will be dedicated to VDOT for the new sidewalk. A stub will created to the neighboring office to the SE. and lastly .152 acres of open space will be maintained by the HOA for

aesthetics. Additionally, the applicant is proposed a cash contribution of \$132.70 per unit which staff has found to be legally acceptable and in accordance with current proffer regulations.

In summary, staff offers the following findings in favor:

The project is generally consistent with the Comprehensive Plan. The mixed use land use area is intended to create a more dense form, which the applicant has proposed. - Where possible, the applicant has proffered cash contributions towards capital facility impacts that are specifically attributable to the project. - The project is an infill development project on an otherwise underutilized property with available utility connections.

Staff also found the following findings against:

Apart from the commercial and office uses immediately adjacent, the remainder of the neighborhood, including the 3 homes to the rear of the site, are largely single family residential homes. One of the goals of the mixed use district is to provide infill development but it should be sensitive to the context of the neighborhood. The bulk of the project tests the limits of neighborhood compatibility. - Financially, the County's model indicates that the project will yield an annual deficit of approximately \$22,500. The applicants submitted FIA reports an annual contribution of \$2,060. The County's model is often lower than the applicants due to varying assumptions and the applicant's inclusion of spin-off tax generation, notably job generation and additional taxation of new resident's needs for goods and services. - Lastly, both of the intersection of Hudgins Road are functioning at a level of service E. No improvements are warranted by the small increase of trips proposed by this rezoning and there is no expectation that this project will relieve the current cut through traffic presently on Hudgins Rd.

Finally, based on the proposals general consistency with the Comprehensive Plan and in consideration of the findings noted above, staff recommends approval of subject case, with proffers dated April 9, 2018.

Mr. Newhouse inquired about the sidewalks and whether they are public or private.

Mr. White stated that they are private with a public access easement.

There was discussion about how the county would know if they didn't maintain the sidewalk.

Ms. Parrish stated that it would become a zoning violation.

Ms. Carter inquired if the sidewalk connects to other existing sidewalks.

Mr. White stated no, that the sidewalk would only be in front of this proposed development.

Applicant, Charlie Payne, representing the applicant: Mr. Payne thanked staff and the Commission. He summed up most of what had already been presented and showed a PowerPoint presentation. He asked the Commission for their favorable recommendation.

Mr. Newhouse inquired about stormwater and how it would be managed.
Mr. Mark King stated that it would be a combination of LID and retention ponds.

Speaking in favor or opposition:

Lee Milstead, Battlefield Voting District: He stated that he is a longtime resident of the county and that he doesn't see how putting 14 townhomes makes sense here. He stated that the townhomes would be looking down on the existing residential homes. Mr. Milstead stated that Hudgins Road is basically a driveway to what used to be a farm and cannot handle the additional traffic. He fears it will affect property values and that an 8 foot screening won't help with 3 story buildings. He also stated that the sidewalk will only be present for one block.

Larry Gayle, Battlefield Voting District: He stated that he has lived here for 50 years and that Hudgins road is a cut-through. He stated that if the Commission and Board vote in favor of the proposal, he will certainly remember at election time.

Mr. Newhouse closed the public hearing.

Mr. Bullock thanked the gentlemen for speaking this evening.

Motion and vote: Mr. Bullock made a motion, seconded by Ms. Carter to approve the rezoning with proffers dated April 9, 2018. The motion passed 7-0.

Discussion Item(s):

Planning Commission Bylaws

Ms. Parrish provided a copy of the draft bylaws to the Commission. She discussed the proposed changes and that they were really just a cleanup of the bylaws.

Motion and vote: Ms. Carter made a motion, seconded by Mr. Thompson to approve the amended bylaws. The motion passed 7-0.

Worksession(s):

Comprehensive Plan Update

Ms. Parrish presented the worksession. The focus of this work session is population growth over time. Understanding the history of population growth and projections into the future are foundational components in developing a comprehensive plan to guides growth and development in the County 20 years into the future.

Looking back significant increases in population began in the 1970s. Between 1970 and 1980 the population in the County more than doubled. Between 1980 and 1990 the growth rate was 66.7%. The next 10 year period from 1990 to 2000 was 57.5% and then it lowered to 35.4%

bringing us to 2010. If the County continues to experience annual growth similar to this last year at 1.24%, the 10 year growth rate from 2010 to 2020 would be 12.3%.

Ms. Parrish displayed a chart showing the growth in housing units since 1990. She asked the Commission to notice that the trend mirrors that of the population growth with a much greater growth rate in the 1990s and 2000s and slowing in this 10 year period.

While the population has increased each year, on a yearly basis the rate of growth has varied. As of July 1, 2017, the estimated population in the County is 133,033 and the growth rate from 2016 was 1.24%. This is the second year of an increased growth rate, but looking back in recent history there were higher annual growth rates in 2011 and 2013. Since 2007 the county has hovered around a 1% annual growth rate. At a recent Planning Commission meeting the question was asked about the “2% growth rate goal” that was adopted in the 2002 Comprehensive Plan but removed in the 2013 update. The impetus for that goal was the high growth rate the County was experiencing at that time.

The Weldon Cooper Center for Public Service provides population projections for Virginia jurisdictions. Their current estimate for Spotsylvania County is less than the Census estimate at 131,549 vs 133,033, a difference of 1,484 people. I believe their 2020 projection is going to prove low. Assuming growth continues at a similar annual growth rate to what we have experienced even using their lower current population we’d reach 136,504 by 2020. Continued increases in population and potentially higher growth rates are supported by the Weldon Cooper Center’s Center of Population projections.

Ms. Parrish showed a chart that brings together the past and the future to show 5 year increments of growth through 2045

Ms. Parrish displayed two graphics showing the recent uptick in single family lots created and in residential building permits. Currently there are 14,071 unbuilt approved units. This includes single family detached, single family attached, apartments, and age-restricted all unit types but excludes by-right subdivision of less than 10 lots created from family divisions, annual divisions, and vacant lots in established subdivisions. She also discussed a slide comparing approved units to population projections.

In conclusion she discussed the following:

- Weldon Cooper Center projections are reasonable expectations
- Annual growth rate is expected to trend upward, but not reach levels of early 2000s
- Establishing a growth rate goal is a complex undertaking and difficult to track/achieve
- Instead, suggest focus on goals/policies related to adequate public facilities / Levels of Service

New Business

Mr. Newhouse mentioned the Committees mentioned in the bylaws and that this should be discussed at another time.

Public Comment

David Hammond, Livingston District: He suggested that the sPower case be placed on hold until due process can occur.

Richard Genaille, Livingston District: He stated that he has done extensive research on the 10 largest Photovoltaic Solar Power facilities in the US. If built, the proposed Spotsylvania site would be the 5th largest in the US. The site would be the largest on the east coast and be the only one with residential areas surrounding the site. It would be the only one that puts the stability of a local aquifer at risk, the only one where the heat island effect may be of consequence to local residents. The site would be the only one where stormwater retention ponds and drainage ditches are necessary. The only one that involves public health risks from open burning, biosolids, and disease bearing fly and mosquito infestations. There are concerns about Hazmat situations in close proximity to populated areas, property values, and the lack of decommissioning when it becomes obsolete. He stated that the 10 largest solar farms in the US do not have the same issues because they are all located in remote desert areas in California, Arizona, and Nevada. He stated that the issues are not the Livingston Districts alone, but the entire county should be concerned.

Judy Genaille, Livingston District: She stated that she has concerns about the abnormally dry conditions that Virginia has experienced. She expressed her serious concerns about water shortages and that localities should consider this as they deal with the pressures of new commercial and residential development.

Irvin Boyles, Livingston District: He discussed his concerns about the water table demands and how it's been abnormally dry. He stated that it's easy to take water resources for granted and that it should be a major consideration.

Ms. Parrish stated that staff has concluded their initial review and the comment letter has been sent to sPower. Staff has posted this online and suggested that interested citizens spread the word.

Motion to adjourn:

Mr. Thompson made a motion, seconded by Mr. Medina. The motion passed 7-0.

The meeting adjourned at 8:30 p.m.

__ *Paulette L. Mann* _____

Paulette Mann

__ June 6, 2018 _____

Date