

# FRLP Proposed Rezoning Presentation, March 8th, 2010.

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Appendix A: Quotes on Government and Property:

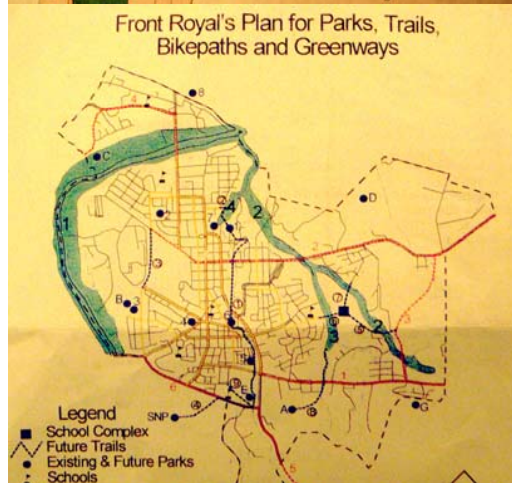
Appendix B: Review, Background, Miscellaneous Issues.

Concluding Thoughts: This decision is as much  
about our past as it is about the future...

# Background Growth:

In 2007, the County projected that its *population would grow from 36,717 in 2006 to 65,700 by 2026.*

- 1. Growth has an impact on local governments, state governments, and the environment.**
  - “Lower density development always requires more land than higher densities to accommodate the same amount of growth.” (US EPA “Protecting Water Resources with High Density Development”). Increasing density on the FRLP property will mean less land will be needed to accommodate the same number of units.
  - “One cause of fiscal distress is low-density development patterns that cost more to serve than moderately dense one’s. There is a growing body of literature suggesting that growth management leading to higher density development patterns improve prospects for economic development. Fiscal burdens and economic development may be better served with more compact development patterns...”. (Brookings Institute, ‘The Opportunity to Rebuild America, 2004’ page 22).
  - **By-Right = Worst for environment and most expensive to provide services.**
- 2. The FRLP proposed rezoning is more consistent with 30 years of community planning for the area than the by-right alternative.**





# FRLP Proposed Rezoning: Proffers.

FRLP has proposed rezoning approximately 149 acres from the R-E zoning classification, permitting 1 unit per acre, to the R1-A zoning classification permitting up to 2.2 units per acre or a maximum of 320 single-family detached homes.

| <u>Cash and Cash Equivalent Contributions</u>   |           | <u>Unit #</u> | <u>Total</u>        |
|---|-----------|---------------|---------------------|
| County  | \$ 5,500  | 1-320         | \$ 1,760,000        |
| Town - L-R/ E-W                                 | \$ 19,600 | 100-320       | \$ 4,331,600        |
| <u>Additional Contributions</u>                 |           |               |                     |
| 606/HC Light                                    |           | 50            | \$ 225,000          |
| Land Dedication                                 |           | 25            | \$ 110,000          |
| E/W ROW Reservation                             |           | 1             | \$ 462,500          |
| 606 & H.C Road Improvements                     |           | 25/50         | \$ 479,000          |
| <b>Total Proffer Contributions:</b>             |           |               | <b>\$ 7,368,100</b> |
| <b>Average contribution per unit:</b>           |           |               | <b>\$ 23,025</b>    |
| <b>Additional W&amp;S Tap fees</b>              |           |               | <b>\$ 3,200,000</b> |
| Total unit 1-99 contributions:                  |           |               | \$ 2,541,000        |
| <b>Average contribution for first 99 units:</b> |           |               | <b>\$ 25,667</b>    |

## Substantive Changes Since Dec. 7th:

- Increase by 800k.
- FRLP builds phase 4 of E/W.
- Change Park site credit.
- Construction of E/W prior to the 200th building permit.

## Clean-Up Since Dec. 7th:

- Clarify Park Site and requirement to build at least 1 mile of trails.
- W&S fees clean-up.
- Clarify Applicant shall construct a portion of E/W prior to 1st home.

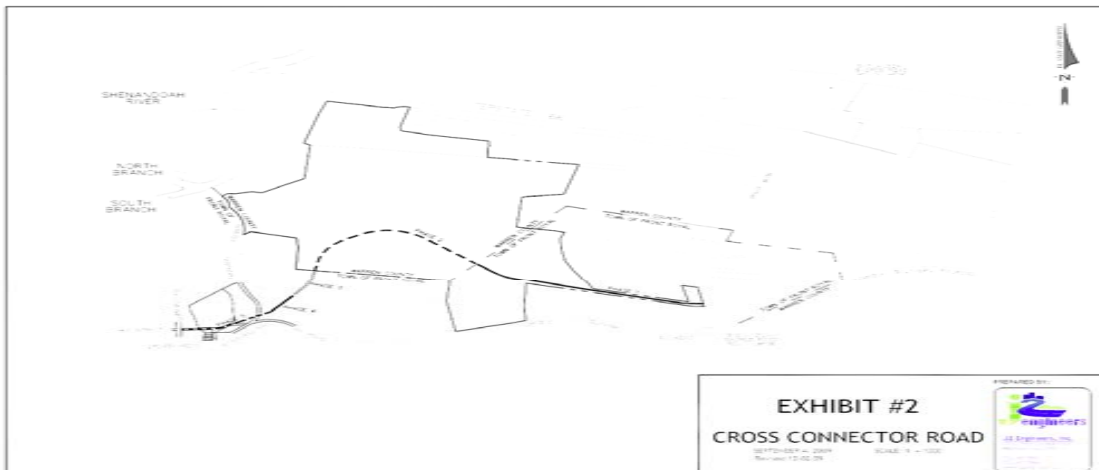


# FRLP Proposed Rezoning: The Decision.

**To me, this decision is about the environment, our economy, and contributing to the communities future civic culture and overall community wealth.**

In exchange for changing the property's zoning FRLP will contribute over 7.3 million dollars in cash and in kind contributions to the community, an additional 3.2 million in W&S tap fees, and (FRLP additional non-cash proffers):

- ✓ Phasing of homes construction (2),
- ✓ Architectural covenants (5),
- ✓ HOA (6),
- ✓ Energy Star Homes, (7.1)
- ✓ 1+ mile long walking trail on-site (9.1.1),
- ✓ Construct all of phase 1 of E-W Connector prior to 75th building permit (11.1.1),
- ✓ 45 acres of open space (18.1),
- ✓ Green Infrastructure (4, 15.2, 18), and,
- ✓ Environmentally sensitive neighborhood design and development focused on enhancing civic culture and contributing to overall 'community wealth' (4, 7, 9, 15, 18).



**For the Town**, this decision is about investing 5 million dollars to maintain the safety and improve the capacity of the local transportation network for local residents and business'.

# This decision is as much about our past as it is about the future....



*"Sometimes people call me an idealist, well that is the way that I know I am an American, America is the only idealistic nation in the world."*

- Woodrow Wilson, 28th President of the U.S. and the 8th from the state of Va.

*"To obtain a just compromise, concession must not only be mutual--it must be equal also....There can be no hope that either will yield more than it gets in return."*

- Chief Justice John Marshall, U.S. Supreme Court Chief Justice - 1801-1835. Considered the founder of Constitutional Law who acquired this property with his brother, James Markham Marshall, after the revolutionary war.





# Appendix A: Great Virginian's on government:

**“Democracy is not so much a form of government as a set of principles.” - Woodrow Wilson**

**“To impose taxes when the public exigencies require them is an obligation of the most sacred character, especially with a free people.” - James Monroe**

**“An unlimited power to tax involves, necessarily, a power to destroy; because there is a limit beyond which no institution and no property can bear taxation.” - Chief Justice John Marshall**

**“A wise and frugal government, which shall leave men free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of labor the bread it has earned - this is the sum of good government.” - Thomas Jefferson**

**“The rights of persons, and the rights of property, are the objects, for the protection of which government was instituted.” - James Madison**

# Appendix A: Great Virginian's on property:

**“The personal right to acquire property, which is a natural right, gives to property, when acquired, a right to protection, as a social right.” - James Madison**

**“All men are created equally free and independent, and have certain inherent rights, of which they cannot, by any compact, deprive or divest their posterity; among which are the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing the obtaining of happiness and safety.” - George Mason**

**“A right to property is founded in our natural wants, in the means with which we are endowed to satisfy those wants, and the right to what we acquire by those means without violating the similar rights of other sensible beings.” - Thomas Jefferson**

**“Freedom and property are inseparable.” - George Washington**