

MEMORANDUM

TO: Planning Commission members
DATE: March 16, 2011
RE: Benson Woods subdivision preliminary plat

The Benson Woods subdivision preliminary plat is attached for your review. This preliminary subdivision plan has been in flux since the original plat was reviewed by this Commission and approved by the Board of Supervisors in 2007.

Since the preliminary plat approval, there have been some changes to the plan which require a new review by the Planning Commission and the Board of Supervisors. In 2007, the plan included 40 single family residential lots, with a minimum lot size of 20,000 square feet and connection to the County's wastewater system. In the ensuing period, the plan has changed to 29 lots with a minimum lot size of 30,000 square feet using individual septic systems. To allow the connection of Bensons Woods to the County's wastewater system, upgrades to a number of pump stations were required, with costs for those upgrades paid for by the developers of Benson Woods. The developer has decided instead to reduce the number of lots in the subdivision and make the lots large enough to permit individual septic systems. Following is a timeline of events since the original preliminary plat approval in 2007:

August 2007	Review by the Planning Commission and approval by the Board of Supervisors of preliminary plat
March 2009	Review of planned pump station upgrade design by Timmons Group
July 2009	Further comments from Timmons Group concerning pump station upgrades
July 2009	Planning staff comments re: subdivision plan
August 2009	Cost estimates to Julien Johnson, Utility Director, to retrofit several pump stations
Sept. 2009	Emails between County Administrator Mike Johnson to Julien Johnson concerning costs associated with Benson Woods
Nov. 2009	Email from Mike Johnson to Mark Ricketts re: costs
May 2010	Soil feasibility study
June 2010	Resubmitted plat for staff review, lot count reduced to 29, lot size increased to permit individual wastewater systems
June 2010	Planning staff comments re: subdivision plan
July 2010	VDOT comments re: subdivision plan
July 2010	Robert Barnett comments to Mark Ricketts
Sept. 2010	Email from Mark Ricketts to Robert Barnett seeking status
Oct. 2010	Email from Mark Ricketts to Robert Barnett seeking status
Nov. 2010	Email from Beth Lewis requesting information concerning proposed plan
Nov. 2010	Email from Mark Ricketts submitting information

As you can see, this has been a long process, and one begun under the previous subdivision regulations. In 2009, new subdivision requirements were adopted, but were not imposed on this project as it was in the process when the new regulations were adopted. The developer, however, will include the 5' utility easement along all of the property lines as required under the 2009 changes on the final submittal, and is considering underground utilities as required under the 2009 changes.

While this plan meets the previous subdivision standards rather than the standards as amended in 2009, it is consistent with previous decisions to review plans under the regulations that were in effect at the time of original submittal, in light of the fact that much of the delay in the approval process was caused by the deliberations involving infrastructure improvements and were in part the County's delay. This plan is going through the review process at this time as a preliminary

plat because it is substantially changed from the preliminary plat approved in 2007 as the number of lots has decreased and the lot sizes have increased. However, the original configuration of the subdivision remains unchanged from the 2007 submittal. The plan meets all of the requirements that were in effect in 2007 when the plan was originally approved, and will include the required utility easements found in the 2009 requirements.

An engineer's estimate of infrastructure costs has been provided. Should preliminary plat approval be recommended by the Planning Commission and approved by the Board of Supervisors, an irrevocable letter of credit for 125% of the infrastructure costs will be required prior to review and approval of a final plat.