

AGENDA
FLUVANNA COUNTY PLANNING COMMISSION
Regular Meeting
Circuit Court Room
Fluvanna Courts Building
July 24, 2013 at 7:00pm

1-CALL TO ORDER, PLEDGE OF ALLEGIANCE

2-DIRECTOR'S REPORT

Ms. Allyson Finchum, Planning Director

W

3-PUBLIC COMMENTS #1 (3 minutes each)

4-APPROVAL OF MINUTES:

June 26, 2013

XYZ

5- PUBLIC HEARINGS:

ZMP 12:03 – Southern Development

A

An ordinance to amend (1) proffer associated with ZMP 04:02 of Fluvanna County Zoning Map with respect to 44± acres of Tax Map 9, Section A, Parcels 13, 14, & 14C, zoned R-3, Residential, Planned Community, District. The affected property is located at the southeast corner of Route 618 (Lake Monticello Road) and River Run Drive. The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

6-PRESENTATIONS (normally not to exceed 10-minute limitation)

Zion Crossroads Sketch Plan – Progress Report

B

7-SITE DEVELOPMENT PLANS:

SDP 13:06 – Ballif Investments, LLC

C

A site development plan request for a 7,000 square foot shop building with respect to 4.68 acres of Tax Map 5, Section 20, Parcel 1B. The property is zoned I-1, Industrial, Limited and is located on the southern side of Route 250 (Richmond Road) approximately 300 feet east of Hunter's Branch Road. The property is located in the Palmyra Election District and is within the Zion Crossroads Community Planning Area.

8-SUBDIVISIONS:

9-UNFINISHED BUSINESS:

10-NEW BUSINESS:

11-PUBLIC COMMENT #2 (3 minutes each)

12-ADJOURN

For the Hearing-Impaired – there is a listening device available at the Circuit Court Room upon request. TTY access number is 711 to make arrangements.

For persons with Disabilities – if you have special needs, please call the County Administrator's Office at 591-1910 and relay your request.

Pledge of Allegiance

I pledge allegiance to the flag
of the United States of America
and to the Republic for which it stands,
one nation, under God, indivisible,
with liberty and justice for all.

ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman and/or the County Planner shall be the judge of such breaches, however, the Commission may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

***FLUVANNA COUNTY PLANNING COMMISSION
PUBLIC HEARING RULES OF PROCEDURE***

1. Purpose:
The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action. A hearing is not a dialog or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. Speakers:
Speakers should approach the lectern so they may be visible and audible to the Commission.
Each speaker should clearly state his/her name and address.
All Comments should be directed to Commission.
Each speaker is limited to three minutes and time may not be donated from other audience members.
All questions should be directed to the Chairman. Members of the Commission are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion. Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
Speakers with questions are encouraged to contact County staff prior to the public hearing.
Speakers should be brief and avoid repetition of previously presented comments.
County residents and taxpayers may be given priority in speaking order.
3. Action:
At the conclusion of the public hearing on each item, the Chairman will close the public hearing. The Commission will proceed with its deliberations and will act on or formally postpone action on such item prior to proceeding to other agenda items. Further public comment after the public hearing has been closed generally will not be permitted.

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COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

To: Fluvanna County Planning Commission
From: Allyson Finchum, Director of Planning
Date: July 24, 2013
Re: Planning Director's Report

1. Board of Supervisors Actions:

July 3, 2013:

None.

July 17, 2013:

I. **SUP 13:03 – Jason Farren Automotive Repair Shop**

Approved (5-0) a request for a special use permit to allow for an automobile repair service establishment with respect to 4.567 acres of Tax Map 17, Section 16, Parcel 4. The property is currently zoned A-1 (Agricultural, General) and is located on the northern side of State Route 619 (Ruritan Lake Road), approximately 0.25 miles east of State Route 761 (Branch Road). The property is located within the Fork Union Election District. According to the 2009 Comprehensive Plan, the property is within the Rural Residential Planning Area.

2. Board of Zoning Appeals Actions:

No July Meeting.

3. Technical Review Committee:

July 11, 2013:

I. **SDP 13:08 – Tiger Fuel Co.** – A major site development plan amendment request to rebuild the existing canopy, fuel pumps, and parking area with respect to 1.24 acres of Tax Map 17, Section 21, Parcel A. The property is zoned B-1, Business, General and is located on the northern side of Route 53 (Thomas Jefferson Parkway) at its intersection with State Route 1015 (Turkeysag Trail). The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.

II. **SDP 13:09 – I & J Homebuilders, LLC** – A major site development plan request to construct two (2) 7,200 square foot buildings with respect to 14.771 acres of Tax Map 4, Section A, Parcel 99. The property is zoned I-1, Industrial, Limited and is located on the north side of Route 250 (Richmond Road) approximately 0.33 miles east of Route 627

(Zion Road). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

4. Upcoming Zoning Text Amendments:
 - I. Rezoning Application Requirements:
 - a. Hydrogeological Study
 - b. Fiscal Impact Analysis
 - II. Cash Proffer Policy
 - III. Phasing



**FLUVANNA COUNTY BUILDING INSPECTIONS
MONTHLY BUILDING INSPECTION REPORT
JUNE 2013**

USE	Jun-12	VALUE	YTD 12	VALUE	Jun-13	VALUE	YTD 13	VALUE	Jun/Diff	VALUE	YTD	
											PERMITS	VALUE
New Homes	9	1,170,000	36	5,747,000	6	702,195	38	7,058,483	-3	(467,805)	2	1,311,483
Duplex	0	0	0	0	0	-	0	-	0	-	0	-
Single Family (Attached)	0	0	4	360,000	0	-	8	1,200,000	0	-	4	840,000
Adds&Alterations	12	287,950	124	1,938,516	19	119,517	126	1,141,242	7	(168,433)	2	(797,274)
Garages & Carports	1	20,000	6	75,000	2	56,500	8	191,740	1	36,500	2	116,740
Accessory Buildings	2	18,000	7	73,500	0	-	5	50,400	-2	(18,000)	-2	(23,100)
Single Wide MH	0	0	0	-	0	-	1	3,000	0	-	1	3,000
Swimming Pools	2	85,000	6	211,000	0	-	2	82,000	-2	(85,000)	-4	(129,000)
Recreational Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Business Bldgs	0	0	1	744,000	0	-	0	-	0	-	-1	(744,000)
Industrial Bldgs	0	0	3	770,000	0	-	1	50,000	0	-	-2	(720,000)
Other Buildings	1	1,000	6	265,219	1	91,750	3	267,750	0	90,750	-3	2,531
TOTALS	27	1,581,950	193	10,184,235	28	969,962	192	10,044,615	1	(611,988)	-1	(139,620)

FEES	Jun-12	PREV TOT	YTD 12	Jun-13	PREV TOT	YTD 13	DIFFERENCE	DIFFERENCE YTD
Building Permits	\$ 9,230.30	45,559.28	54,789.58	\$ 6,073.48	45,457.46	51,530.94	(3,156.82)	(3,258.64)
Land Disturb Permits	\$ 3,500.00	17,161.25	20,661.25	\$ 3,125.00	11,741.25	14,866.25	(375.00)	(5,795.00)
Zoning Permits/Proffers	\$ 2,750.00	26,000.00	28,750.00	\$ 1,300.00	7,050.00	8,350.00	(1,450.00)	(20,400.00)
TOTALS	\$ 15,480.30	88,720.53	104,200.83	\$ 10,498.48	64,248.71	74,747.19	\$ (4,981.82)	(29,453.64)

INSPECTIONS	Jun-12	PREVIOUS	YTD 12	Jun-13	PREVIOUS	YTD 13		
	197	720	917	136	711	847	-61	-70


 Darius S. Lester
 Building Official

() represents a negative

Monthly Approval Report for June 2013

<i>District</i>	<i>Action</i>	<i>ID#</i>	<i>Description</i>	<i>Tax Map</i>	<i>Parcels</i>	<i>Total Acreage</i>	<i>Number of Lots</i>
Columbia							
	<i>Approved</i>						
		BSP 13-008	Physical Survey Application	53	A 68, A 69	0	
Fork Union							
	<i>Approved</i>						
		BSP 13-010	Boundary Survey	50	(A) 146	0	
		SDP 13-005	Natural gas metering & regulation station	59	(6)2, 2A, 1, 1A and 6	49.4	
		SUB 13-006	60.7 acre family subdivision lot	58	(A)8	0	
		ZMP 13-001		59	(A)8	5	
Palmyra							
	<i>Approved</i>						
		SUB 13-013	Boundary Line Adjustment	3	(22)1, 2, 3, TMP 4-2	34.79	2
	<i>Pending BOS Meeting</i>						
		SUP 13-002	SUP for major utilities in conjunction with PUD	30	(A)110, 19-A-39C	232.03	
Rivanna							
	<i>Approved</i>						
		BSP 13-009	Physical Survey Application	18A	(1)100	0	

<i>AFD - Agricultural Forestal District</i>	<i>BSP - Boundary Survey Plat</i>
<i>BZA - Board of Zoning Appeals (Variance)</i>	<i>CCE - Code Compliance Enforcement</i>
<i>CPA - Comprehensive Plan Amendment</i>	<i>SDP - Site Development Plan</i>
<i>SUB - Subdivisions</i>	<i>SUP - Special Use Permits</i>
<i>ZMP - Zoning Map Proposal (Rezoning)</i>	<i>ZTA - Zoning Text Amendment</i>

Code Compliance Enforcement Activity Report

ID#	Tax Map Parcels	Reported Against	Type of Violation	Comments	Status	Status Date
Columbia						
CCE 13-012	33 (9)-1A	Liberty Homes, LLC, Et Al	Trash	Property address is located west of No.3049 Cedar Lane. Complaint is in regards trash, debris and junk. Site inspection 3-05-2013 noted an accumulation of trash and debris that could be providing a habitat for rodents and vermin. 1st letter sent 4-25-2013. Site inspec. 5-30-2013 noted some progress during new house construction. Monitoring continues.	Awaiting Action	6/27/2013
CCE 13-011	33 (A)-57	Gail Bruce, Et, Al	Trash	Complaint is in regards trash, debris and junk. Site inspection 3-05-2013 noted an accumulation of trash and debris that could be providing a habitat for rodents and vermin. 1st letter sent 4-25-2013. Owner advised 5-30-2013 that her tenant is cleaning up the property. Monitoring continues.	Awaiting Action	6/27/2013
Fork Union						
CCE 12-001	51A (A)22	JWS Enterprises, LLC (James W. Sherrill,	Misc.	4985 James Madison Hwy. Site insp. on 12-20-11 and 1-06-12 noted that the property is being used for general storage which is not a use permitted "by right" or "by SUP". 1st letter sent on 1/12/12. 2nd violation 1/31/12. Letter of intent approved by Darren Coffey 2/29/12. 3rd letter sent by hand delivery 4/09/13. Summons issued 4/29/13. 1st hearing 5-21-13. 2nd hearing 9-10-13.	Pending Court	5/21/2013
Palmyra						
CCE 12-002	3 (A)-31, 32	JWS Enterprises, LLC (James W. Sherrill,	Misc.	Behind 1017 Union Mills Road. Regards to "dumping". Site insp. 1/09/12 noted that contractor type materials are being stored on property. 1st letter sent 1/12/12. 2nd letter sent requesting intentions 1/31/12. Letter of intent approved by Darren Coffey 2/29/12. 3rd letter sent by hand delivery 4/09/13. Summons issued 4/29/13. 1st hearing 5-21-13. 2nd hearing 9-10-13.	Pending Court	5/21/2013

ID#	Tax Map Parcels	Reported Against	Type of Violation	Comments	Status	Status Date
CCE 10-013	10 (3)-2B	Eric D. Taylor	SUPs	Property is at intersection of Union Mills Road and North Boston Road. SDP 10:09 approved 07/26/11. SDP requirements not implemented as of 9-23-11. 2nd letter sent 9/23/11. 3rd letter sent 1/24/12. Site inspec. 2/3/12 noted newly vegetative screening per/approved SDP. Monitoring conitues.	Awaiting Action	5/8/2012

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
Circuit Courtroom
Fluvanna County Courts
June 26, 2013
7:00 p.m.**

MEMBERS PRESENT: Barry Bibb, Chairman
Patricia Eager, Vice-Chairman
Samuel Babbitt
Donald Gaines
Ed Zimmer
Joe Chesser, Board of Supervisors Representative

ALSO PRESENT: Frederick Payne, Fluvanna County Attorney
Allyson Finchum, Planning Director
Steven Tugwell, Senior Planner
Heather Poole, Senior Program Assistant

CALL TO ORDER

Chairman Bibb called the Planning Commission meeting of June 26, 2013 to order at 7:00 p.m. in the Circuit Court room of the Fluvanna County Courts Building in Palmyra, Virginia.

PLANNING DIRECTOR'S REPORT

Ms. Allyson Finchum, Planning Director, gave the monthly report to the Planning Commission.

➤ **Board of Supervisors**

○ **June 5, 2013**

- *None*

○ **June 19, 2013**

- **ZMP 13:01 – JCM III, LLC**

Approved (5-0) an ordinance to amend the Fluvanna County Zoning Map with respect to 4.81 acres of Tax Map 59, Section A, Parcel 8 to rezone the same from B-1, Business, General to I-1, Industrial, Limited (Conditional). The affected properties are located on the west side of Route 15 (James Madison Highway), at its intersection with Route 695 (Creasy Town Road) approximately 0.23 miles south of Route 713 (Bowles Town Lane). The properties are located in the Fork Union Election District and are within the Fork Union Community Planning Area.

➤ **Board of Zoning Appeals Actions – No June Meeting**

➤ **Technical Review Committee**

○ **March 14, 2013**

- **SDP 13:06 – Ballif Investments, LLC**

A site development plan request for a 7,000 square foot shop building with respect to 4.68 acres of Tax Map 5, Section 20, Parcel 1B. The property is zoned I-1, Industrial, Limited and is located on the southern side of Route 250 (Richmond Road) approximately 300 feet east of Hunter's Branch Road. The property is located in the Palmyra Election District and is within the Zion Crossroads Community Planning Area.

PUBLIC COMMENTS #1

Chairman Bibb opened the floor for the first section of public comments.

With no one wishing to speak, Chairman Bibb closed the first section of public comments.

APPROVAL OF MINUTES

MOTION:

Mr. Zimmer moved to **approve** the May 22, 2013 Planning Commission meeting minutes as presented.

Ms. Eager seconded. The motion carried with a vote of 5-0. AYES: Babbitt, Bibb, Eager, Gaines and Zimmer. NAYS: None.

PRESENTATIONS:

None

PUBLIC HEARINGS:

SUP 13:03 – Jason Farren Automotive Repair Shop – A request for a special use permit to allow for an automotive repair service establishment with respect to 4.567 acres of Tax Map 17, Section 16, Parcel 4. The property is currently zoned A-1 (Agricultural, General) and is located on the northern side of State Route 619 (Ruritan Lake Road), approximately 0.25 miles east of State Route 761 (Branch Road). The property is located within the Fork Union Election District. According to the 2009 Comprehensive Plan, the property is within the Rural Residential Planning Area.

Mr. Steve Tugwell, Senior Planner, presented the Special Use Permit request to allow for an automotive repair service establishment with respect to 4.567 acres of Tax Map 17, Section 16, Parcel 4 to the Planning Commission.

Chairman Bibb opened the public hearing.

With no one wishing to speak, Chairman Bibb closed the public hearing.

The Planning Commission discussed the possibility of an automotive repair service establishment at the requested location. Ms. Eager stated this establishment would be beneficial to the community.

MOTION:

Ms. Eager moved to **recommend approval** of SUP 13:03, a special use permit request to allow for an automotive repair service establishment with respect to 4.567 acres of Tax Map 17, Section 16, Parcel 4.

Dr. Babbitt seconded. The motion carried with a vote of 5-0. AYES: Babbitt, Bibb, Eager, Gaines and Zimmer. NAYS: None.

ZMP 12:02 & SUP 13:02 – Hotel Street Capital, LLC

ZMP 12:02 - An ordinance to amend the Fluvanna County Zoning Map with respect to 222.03 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C (former Rivanna Resort) to rezone the subject properties from R-3 (Residential, Planned Community) with proffers to PUD (Planned Unit Development). The subject property is located within the Palmyra Election District on the western side of U.S. Route 15 (James Madison Highway) at its intersection with State Route 644 (Friendship Road), approximately 0.25 miles north of State Route 661 (Rescue Lane). The proposed amendment would allow a maximum of 1,180 residential units (a mixture of single-family detached units, townhouses, and multi-family units) and 180,000 square feet of commercial space. According to the 2009 Comprehensive Plan, the property is located within the Palmyra Community Planning Area.

SUP 13:02 - A request for a special use permit to allow for major utilities in conjunction with a Planned Unit Development (PUD) with respect to 222.03 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C. The property is currently zoned R-3 (Residential, Planned Community) and is located on the western side of State Route 15 (James Madison Highway) at its intersection with State Route 644 (Friendship Road), approximately 0.25 miles north of State Route 661 (Rescue Lane). The property is located within the Palmyra Election District. According to the 2009 Comprehensive Plan, the property is within the Palmyra Community Planning Area.

Mr. Tugwell, Senior Planner, presented both the rezoning request to amend the Fluvanna County Zoning Map with respect to 222.03 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C (former Rivanna Resort) to rezone the subject properties from R-3 (Residential, Planned Community) with proffers to PUD (Planned Unit Development) and the Special Use Permit request to allow for major utilities in conjunction with a Planned Unit Development (PUD) with respect to 222.03 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C jointly.

The Planning Commission questioned staff on the comments VDOT provided in regards to Walker's Ridge. Dr. Babbitt specifically asked about the meaning of Level of Service (LOS) D, the level of service VDOT anticipates if Walker's Ridge was built. Ms. Finchum explained LOS D indicates significant impacts to drivers including delays.

Dr. Babbitt discussed the issue of voting on ZMP 12:02 and SUP 13:02 as separate items. Mr. Payne, County Attorney, stated the Planning Commission is entitled to consider the appropriateness of utilities not only for the special use permit, but in conjunction with Walker's Ridge.

Chairman Bibb asked if the applicant had replied back to the electric company who, at the previous TRC meeting, had requested a plan in regards to electricity. Mr. Tugwell stated he had spoken with Mr. Olsen who had informed him he had not received anything as of yet.

Mr. Justin Shimp, representative of the applicant, addressed the Planning Commission with regard to the Walker's Ridge Planned Unit Development application.

Dr. Babbitt asked if the applicant would mitigate the area from attaining LOS D if the development was approved. Mr. Shimp replied the road would be widened in accordance with VDOT. Chairman Bibb

discussed the abandonment of the road at Camp Friendship. Mr. Shimp stated that, as part of VDOT's review, the road would remain the same except for the intersection being perpendicular instead of angled.

Chairman Bibb discussed the issue of the applicant not providing a stormwater plan and stated it was part of the PUD ordinance. Mr. Shimp stated there was a Best Management Practices (BMP) plan included in the Master Plan. Chairman Bibb asked if there was a comprehensive signage plan provided because that was included in the ordinance. Chairman Bibb noted the complexity of the ordinance and stated it was designed that way so that everything would be solved when it was time for an application to go before the Planning Commission.

The Planning Commission discussed water requirements, groundwater availability, and the development's potential effect on adjacent properties' water supply.

Chairman Bibb pointed out the development being classified under Neighborhood Residential, which, according to the Comprehensive Plan, should be predominately single-family. He expressed his concern that this development did not provide enough single-family units.

Mr. Zimmer discussed the architectural guidelines and how some elements were required but others were suggested.

Chairman Bibb opened the public hearing.

- Richard Skovira, 153 Chapel Court, spoke in opposition of the Walker's Ridge development stating Mr. Smith had already left two developments incomplete.
- Marvin Moss, Columbia District, spoke in opposition of the Walker's Ridge development stating this plan did not meet the standards of the Comprehensive Plan, it was a fiscal disaster, and it would have a negative impact on the Rivanna River.
- Chuck Ackenbom, owner of Camp Friendship, spoke in opposition of the Walker's Ridge development stating the development would ruin what he had worked towards for a greater portion of his life. His camp opens its doors to underprivileged children as well as children from all over the world (90 different countries). He stated the children loved the peaceful, rural atmosphere that this development would infringe upon, taking away the peace and tranquility of this location.
- Paul Crowther, 284 Georges Mill Rd., spoke in opposition of the Walker's Ridge development stating the numbers don't add up in regards to the needs for community services and infrastructure and that there are too many uncertainties.
- Dennis Holder, Kent Store, spoke in opposition of the Walker's Ridge development stating this development brought in too much residential and would not provide economic development.
- Andy Sorrell, 637 Courthouse Rd., spoke in opposition of the Walker's Ridge development stating his main concern was drinking water supply.
- Angus Murdoch, Kent Store, spoke on behalf of the Rivanna Conservation Society Board of Directors in opposition of the Walker's Ridge development stating he was concerned about the amount of groundwater the development would use as well as the details of the sewer system or lack thereof.
- Al Talley, 14307 James Madison Creek, spoke in opposition of the Walker's Ridge development. He commended the Planning Commission and staff for their hard work dealing with a complicated ordinance and application. He suggested that, although it was a complicated ordinance, staff and Planning Commission should ensure all things are considered fairly and equally so the ordinance is adequately enforced.
- Samantha Adhoot, volunteer at Camp Friendship, spoke in opposition of the Walker's Ridge development stating the experience at Camp Friendship is irreplaceable for the children.
- Elizabeth Franklin, Columbia District, spoke in opposition of the Walker's Ridge development commending the Planning Commission's hard work. She also stated it would be folly to approve this development when the County is already strapped for money.
- Alina Ackenbom, Camp Friendship employee, spoke in opposition of the Walker's Ridge development stating her concern of the impact this development would have on the camp.
- Ms. Finchum read a letter from Adrian Miller, citizen, stating that he was in opposition of the Walker's Ridge development because it would only help the developer, not the taxpayer. He stated this project does not belong in historic Palmyra.

With no one else wishing to speak, Chairman Bibb closed the public hearing.

The Planning Commission discussed the proposed development. Dr. Babbitt stated that, although he originally wanted this development to work because of Fluvanna County's desire for PUDs, two major issues concerned him: 1) water and 2) the Comprehensive Plan stating Palmyra should be developed as part of a village. He stated the scope of the proposed project is so large it would be detrimental to the village.

Mr. Zimmer stated his main concern was the proposed development's fiscal impact. He stated it was not reasonable to approve a project that would make the commercial/residential ratio in Fluvanna County worse.

MOTION:

Ms. Eager moved to **recommend denial** of ZMP 12:02, an ordinance to amend the Fluvanna County Zoning Map with respect to 222.03 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C to rezone the subject properties from R-3 (Residential, Planned Community) with proffers to PUD (Planned Unit Development).

Mr. Zimmer seconded. The motion carried with a vote of 5-0. AYES: Babbitt, Bibb, Eager, Gaines and Zimmer. NAYS: None.

MOTION:

Ms. Eager moved to **recommend denial** of SUP 13:02, a request for a Special Use Permit to allow for major utilities in conjunction with a Planned Unit Development (PUD) with respect to 222.03 acres of Tax Map 30, Section A, Parcel 110, and 10 acres of Tax Map 19, Section A, Parcel 39C subject to conditions listed in the staff report; it is recommended that if the Board of Supervisors approve SUP 13:02, that infrastructure is limited to the Walker's Ridge development only.

Mr. Gaines seconded. The motion carried with a vote of 5-0. AYES: Babbitt, Bibb, Eager, Gaines and Zimmer. NAYS: None.

SITE DEVELOPMENT PLANS:

None

SUBDIVISIONS:

None

UNFINISHED BUSINESS:

Mr. Chesser stated he had been in discussion with Louisa County regarding Zion Crossroads. He stated he and the Louisa Planning Commission Chairman believed it would be useful for the two Planning Commissions to come together to discuss common issues.

NEW BUSINESS:

None

PUBLIC COMMENTS #2

Chairman Bibb opened the floor for the second section of public comments.

With no one wishing to speak, Chairman Bibb closed the second section of public comments.

ADJOURN

There being no further business, Chairman Bibb adjourned the Planning Commission meeting of June 26, 2013 at 10:21 p.m.

Minutes recorded by Heather Poole.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

STAFF REPORT

To: Fluvanna County Planning Commission

Case Number: ZMP 12:03

Tax Map: Tax Map 9-A-13, 14, 14C

From: Steve Tugwell

District: Rivanna

Date: July 24, 2013

General Information: This request is to be heard by the Planning Commission on Wednesday, July 24, 2013 at 7:00 pm in the Circuit Courtroom in the Courts Building.

Owner: Sycamore Square, LLC & Ballif Investments, LLC

Applicant/Representative: Charlie Armstrong – Southern Development

Requested Action: To amend proffer number 8 of the proffers associated with rezoning case # ZMP 04:02 with respect to Tax Map 9, Section A, Parcels 13, 14, and 14C. (Attachment A)

Location: The properties are located on the north and east side of Route 618 (Lake Monticello Road), across from the main gate at Lake Monticello and Crofton Plaza. (Attachment B)

Existing Zoning: R-3, Residential, Planned Community

Proposed Zoning: R-3, Residential, mixed use amendment of proffer # 8

Existing Land Use: Property is currently vacant.

Adjacent Land Use: Residential and commercial to the south and west, and agricultural to the north and east.

Comprehensive Plan: This parcel is located within the Rivanna Community Planning Area.

Zoning History: This property was approved for rezoning from A-1, Agricultural, General to R-3, Residential, (ZMP 04:02) by the Board of Supervisors on February 16, 2005, with the following eighteen (18) proffers. (Attachment C)

Proposed Proffer (Revision to proffer # 8):

8. *The development will meet, at a minimum, the federal standards for age-restricted housing as defined in the Fair Housing Amendments Act of 1988 and Housing for Older Persons Actions 1995: Final Rule. The following requirements shall apply:*
 1. *The housing shall be intended and designed for persons aged 55 and older;*
 2. *At least 80 percent of the occupied units shall be occupied by at least one (1) person who is 55 years of age or older;*
 3. *The development shall publish and adhere to policies and procedures that demonstrate its intent to operate as housing for persons 55 years of age or older; and*
 4. *The development shall also comply with rules issued by HUD for the verification of occupancy.*

~~The residential development shall be restricted (in ownership, rental, lease, etc.) to individuals of age 55 and above. This shall be recorded as a covenant and restriction for the community.~~

(Attachment D)

Existing Proffers:

1. Access to the property from Route 618 shall be limited to three (3) locations (including River Run Drive). Furthermore, River Run Drive shall be limited (by design) to emergency vehicles only.
2. Between River Run Drive and the proposed entrance across from the main gate at Lake Monticello, there shall be a minimum building setback will be 125 feet, measured from the proposed Right-of-Way, as shown on the approved Preliminary Master Plan dated December 29, 2004 (revised). Every effort shall be made to preserve the existing vegetative buffer that exists in this setback.
3. The proposed Assisted Living Facility shall have a parking setback of not less than 50 feet as measured from the Route 618 R.O.W., as shown on the approved Master Plan for development. This setback area shall be landscaped in general accord with Section 22-24-1 (Landscape Plan – General provisions for landscaping) with some latitude for discretionary approval by the Fluvanna County Director of Planning.
4. Between the proposed entrance across from the main gate of Lake Monticello and the eastern property line, there shall be a 50-foot building setback. Every effort shall be made to preserve the existing tree vegetation within this setback for screening purposes.
5. Along River Run Drive, there shall be a minimum building setback of 80 feet, as measured from the property line of Tax Map 9-(A)-13, as shown on the approved Master Plan for development. Every effort shall be made to preserve the existing vegetation buffer that exists in this setback.
6. Along the northern property line, there shall be a 75-foot building setback, extending from River Run Drive in an easterly direction for 1,400 feet and including the proposed community center.

Every effort shall be made to preserve 50 feet of existing tree vegetation for screening in this setback.

7. Pedestrian trails, with minimal disturbance, shall be allowed in all buffers, setbacks, and preservation areas.

8. The residential development shall be restricted (in ownership, rental, lease, etc.) to individuals of age 55 and above. This shall be recorded as a covenant and restriction for the community.

9. There shall be a Community Center, with minimum size of 5,000 square feet to serve the development and any appropriate community uses.

10. The commercial component of the Master Plan shall not total more than 40,000 square feet of gross floor area, and shall be composed entirely of community retail and service uses, such as medical offices, dental offices, markets, bookstores, dry cleaners, coffee shops, cafes, florists, etc.

11. Construction will not begin until public water and sewer is available.

12. Public water shall provide adequate pressure.

13. On-site stormwater management shall be designed in consultation with the Thomas Jefferson Soil and Water Conservation District utilizing low impact development techniques and water quality best management practices.

14. The following improvements shall be constructed at the entrance across from the Main Gate to Lake Monticello: A conventional intersection with a left turn lane into Lake Monticello and right and left turn lanes into Lake Monticello shall be constructed to VDOT standards and specifications. The primary purpose of this entrance is to serve the assisted living component of Monticello Village, therefore the right and left turn lanes into Lake Monticello shall be constructed prior to issuance of the first residential certificate of occupancy in the Monticello Village community (the length of turn lanes shall be determined by VDOT during the Site Plan stage of Monticello Village).

15. The following improvements shall be constructed at the entrance across from Crofton Plaza. A conventional intersection with a left turn lane into Crofton Plaza and right and left turn lanes into Monticello Village, or a roundabout, shall be constructed prior to issuance of the first residential certificate of occupancy in the Monticello Village community.

16. All improvements referenced in items 14 and 15 above are planned to utilize existing VDOT right-of-way or right-of-way dedicated by Southern Development, per the plan titled "proposed improvements to Route 618" and dated 1/14/2005 prepared by Rivanna Engineering. The estimated cost of such improvements is \$685,000.00. In the event a roundabout is desired, additional right-of-way may be necessary. Southern Development cannot guarantee the successful acquisition of, or funding for, any additional right-of-way beyond what is shown in the above referenced plan.

17. A complete copy of a comprehensive traffic analysis of the Lake Monticello Area of Fluvanna County has been provided to Fluvanna County Staff and VDOT. This study was conducted by Wilber Smith & Associates in January 2005, at a cost of \$15,000.

18. Southern Development will provide an additional \$5,000 cash proffer directly to VDOT, for future traffic improvement design in the Lake Monticello Area. Payment shall occur in conjunction with the first residential building permit.

Neighborhood Meeting:

No citizens or adjacent property owners were present at the January 9, 2013 Neighborhood meeting to provide any comments or discussion.

Technical Review Committee:

At the January 10, 2013 Technical Review Committee (TRC) meeting, the following comments were received:

The Fire Department asked if this proposal would change the location of the existing fire hydrants, and the applicant responded no, they will remain in the same location as approved;

The Health Dept. commented that plans will need to be submitted to the Virginia Dept. of Health along with supporting documentation for Department review and approval from the Office of Drinking Water and the VDH Division of Engineers.

(Attachment E)

Comprehensive Plan

Land Use Chapter

The Comprehensive Plan designates this property as within the Rivanna Community Planning Area. According to this chapter, growth in the Rivanna Community Planning area should be a mixture of uses and residential dwelling types that serve a variety of incomes. While the proposed amendment to proffer number eight (8) would potentially increase the mixture of housing types for a variety of age groups in the area, it would also restrict the opportunity to provide some alternatives to the existing single-family detached dwellings that predominantly exist in the area, specifically to homeowners fifty-five (55) years of age or older. This change would mean a reduction in available housing to this demographic.

Community Design Chapter

The Community Design chapter of the Comprehensive Plan calls for both neighborhood residential and neighborhood mixed-use development in the Rivanna Community Planning Area. Development in areas around the gates of Lake Monticello should be in the form of neighborhood-mixed use, with growth beyond these areas in the form of neighborhood residential. The Lake Monticello Community Plan was developed by Fluvanna County and the Thomas Jefferson Planning District Commission with ideas generated at various subsequent public workshops, as well as follow-up meetings with a steering committee. Participants identified key strategies and projects to improve the quality of life for residents inside and outside of Lake Monticello, and agreed upon several priorities, including “to increase traffic safety and improve flow at key intersections”; also, “to provide housing choices for a variety of

age groups and income levels, appropriate to the area". One recommendation was to improve traffic safety, and this section of the Comprehensive Plan goes on to state, *"large volumes of traffic on small country roads can lead to safety problems. Improving intersections, paving shoulders, and adding features for pedestrians, bicycles, and slow-moving vehicles in congested areas can alleviate traffic and promote safety. This may be particularly important as the county's population continues to grow. Roundabouts, if properly designed, can improve pedestrian access and safety over typical signalized intersections"*. Staff and nearby residents already feel traffic is a localized area of concern.

Housing Chapter

One of the goals of the Housing Chapter is "to provide a variety of well-planned housing choices." Currently, the Rivanna Community Planning Area is characterized primarily by single-family detached dwellings. The proposed proffer amendments would arguably make a variety of housing more available to different age groups, but at the same time the amendment would make the same variety of housing less available to persons age fifty-five (55) or greater, which may not be consistent with the intent of the originally approved proffers.

Analysis:

The applicant is proposing to amend proffer number eight (8), one of the 18 approved proffers associated with the original rezoning case number ZMP 04:02. Existing proffer number eight (8) states that, *"The residential development shall be restricted (in ownership, rental, lease, etc.) to individuals of age 55 and above. This shall be recorded as a covenant and restriction for the community"*. The applicant has proposed changing proffer number eight (8) to state, *"The development will meet, at a minimum, the federal standards for age-restricted housing as defined in the Fair Housing Amendments Act of 1988 and Housing for Older Persons Act of 1995: The following requirements shall apply:*

1. *The housing shall be intended and designed for persons age 55 and older;*
2. *At least 80 percent of the occupied units shall be occupied by at least one person who is 55 years of age or older;*
3. *The development shall publish and adhere to policies and procedures that demonstrate its intent to operate as housing for persons 55 years of age or older; and*
4. *The development shall also comply with rules issued by HUD for the verification of occupancy.*

The applicant has stated in the revised proffer, and to staff, that their reasoning for the change is to comply with the Housing for Older Persons act of 1995, and the Virginia Fair Housing Law, however, this revision represents a fundamental change to the level of housing provided to certain age groups. This revision may be considered more permissive than the original proffer and appeals to a much wider market of homeowners, representing a fundamental change to the intent of the original proffer, and the character of the community. Alternatively, the applicant has stated that modifying proffer number eight (8) is consistent with the proffer policy of other

Virginia localities. Furthermore if the proffer amendment is successful, it will allow construction to begin soon thereafter by increasing unit marketability.

(Attachment E)

Conclusion:

It appears this proffer amendment request would fundamentally change the level of housing provided to certain age groups that the originally approved proffers were specifically designed to include. The applicant has stated that one reason to revise proffer number eight (8) is to comply with the Housing for Older Persons act of 1995, and the Virginia Fair Housing Law, but the existing proffer as written, exceeds these requirements, which was the intent of the original application. The proposed revision to proffer number eight (8) may likely reduce the number of units available in this community to persons aged fifty-five (55) or older.

When reviewing this proffer amendment request, the Planning Commission should take into consideration how this request does or does not meet the intent of the Comprehensive Plan, and the intent of the originally approved project (ZMP 04:02).

Suggested Motion:

I move that the Planning Commission recommend approval/denial of the amendment to proffer number eight (8) for ZMP 12:03, a request to amend ZMP 04:02 with respect to Tax Map 9, Section A, Parcels 13, 14, and 14C.

Attachments:

- A – Application, sketch plan and APO letter
- B – Aerial Vicinity Map
- C - Rezoning case number ZMP 04:02 approval letter with existing proffers
- D– Applicant proposed proffer statement – revised proffer # 8
- E - TRC Comment letter including email from the Health Department

Copy:

Owner: Sycamore Square, LLC & Ballif Invsetments, LLC, 170 S. Pantops Drive, Charlottesville, VA 22911

Applicant/Representative: Charlie Armstrong, 170 S. Pantops Drive, Charlottesville, VA 22911

File



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

Received
DEC 28 2012
Fluvanna County

Owner of Record: Sycamore Square, LLC & Ballif Investments, LI Applicant of Record: Same

E911 Address: 170 S Pantops Dr, Charlottesville, VA 22911 E911 Address: _____

Phone: 434-245-0894 Fax: 434-245-0895 Phone: _____ Fax: _____

Email: carmstrong@southern-development.com Email: _____

Representative: Charlie Armstrong

E911 Address: same

Phone: _____ Fax: _____

Email: _____

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

Is property in Agricultural Forestal District? No Yes

If Yes, what district: _____

Tax Map and Parcel(s): 9 A 13, 9 A 14, and 9 A 14C, Deed Book Reference: 711-66 & 720-955

Acreage: 44 Zoning: R3 with proffers Deed Restrictions? No Yes (Attach copy)

Location of Parcel: Village Oaks, Across from the Main Gate of Lake Monticello

Requested Zoning: R3 with proffers Proposed use of Property: Mixed use age-restricted community

Affidavit to Accompany Petition for Rezoning

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the Board of Supervisors during the normal discharge of their duties in regard to this request.

I/We, being duly sworn, depose and say that we are Owner/Contract Owner of the property involved in this application and that we have familiarized ourselves with the rules and regulations of the Zoning Ordinance with respect to preparing and filing this application, and that the foregoing statements and answers herein contained and the information on the attached map to the best of our ability present the argument on behalf of the application herewith requested and that the statements and information above referred to are in all respects true and correct to the best of our knowledge.

Date: 12/27/12 Signature of Owner/Applicant: _____

Subscribed and sworn to before me this 27th day of December, 2012 Register # 298946

My commission expires: 7-31-2016 Notary Public: Laura Haverford

All plats must be folded prior to submission to the Planning Department for review. Rolled plats will not be accepted.

OFFICE USE ONLY	
Date Received: <u>12/28/12</u>	Pre-Application Meeting: _____ PH Sign Deposit Received: <u>CK# 1102</u> Application #: <u>ZMP 12:003</u>
\$1,000 plus \$50 for per acre plus mailing costs fee paid: Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified	
Proffer or Master Plan Amendment: <u>\$750.00</u> plus mailing costs <u>CK#2075</u>	
Election District: <u>Palmyra</u>	Planning Area: <u>Bivanna CPA</u>
Public Hearings:	
Planning Commission	Board of Supervisors
Advertisement Dates: <u>2/14/12 + 2/21/12</u>	Advertisement Dates: <u>3/7/12 + 3/14/12</u>
APO Notification: <u>2/13/12</u>	APO Notification: <u>3/6/12</u>
Date of Hearing: <u>2/27/12</u>	Date of Hearing: <u>3/20/12</u>
Decision: _____	Decision: _____

December 21, 2012

Steve Tugwell
Fluvanna County
PO Box 540
Palmyra, VA 22963

Received
DEC 28 2012
Fluvanna County

Re: Village Oaks Proffer Amendment

Dear Steve,

Enclosed please find a request to amend Proffer #8 for the Village Oaks community in Fluvanna County. Two years ago we applied to modify this proffer and one other proffer at Village Oaks. There was significant community opposition to modifying the other proffer, #15, which pertained to road improvements. But there was little opposition to modifying this proffer, #8, pertaining to the age restriction on the community.

Since we last visited this issue two years have passed. The economy has improved and Village Oaks is poised to start construction immediately if this proffer can be amended. As currently written, the project is not sufficiently marketable at this point to begin construction.

We all want to keep Fluvanna's seniors in Fluvanna. They are a tremendous asset to the county's social fabric and seniors make an enormous positive impact on the county tax base. Currently there are limited options in Fluvanna for housing designed with seniors in mind. Design for seniors, or "Universal Design" as it is more commonly called, is not something that should be done as an afterthought—it needs to be designed into the home and the community from day one. Things like stairs, narrow doors, and ill-designed kitchens and baths are very difficult to retrofit. Village Oaks will provide what seniors need and is something seniors currently have difficulty finding in Fluvanna.

As currently written, the age restriction for Village Oaks is so constraining that it requires that all owners and occupants in Village Oaks must be 55 years old or better. An adult child would not be able to move back in with mom and dad. Grandparents would not be allowed to be custodians of their grandchild. A 54 year old could not inherit her parents' home in the event of their death. There are numerous other examples of how the restriction is problematic. You can imagine how this creates a marketability issue.

The proffer amendment we propose will allow up to 20% (1 in 5) of the homes in Village Oaks to be primarily occupied by people 54 or younger. This creates enough flexibility that we won't run into the problems listed above. The Homeowners Association will enforce the restriction in accordance with rules promulgated by the Department of Housing and Urban Development (HUD). This would open up the possibility of some school-age children in Village Oaks, but our experience demonstrates that when housing is designed for seniors, seniors are the predominant buyer.

This month we broke ground on a new community in Albemarle called Dunlora Forest. Dunlora Forest includes 60 homes designed for seniors. Dunlora Forest is not age-restricted. There is no restriction whatsoever on who may live there. But because the homes are *designed* for seniors, that is who is buying them. Of the 10 contracts for new homes that we have already received, all 10 are people over 55 years old. None have children living with them.

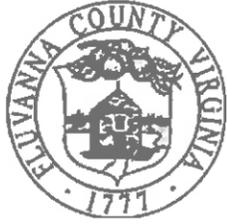
Spotsylvania County has adopted an age-restricted proffer policy upon which we would like to model our new proffer. 80% age-restricted is the policy in Spotsylvania, and is also in line with HUD guidelines and fair housing law.

We feel that the value of getting Village Oaks started, including road improvements to Rte 618, a new commercial area, and a community for Fluvanna's seniors to find what they need right here in Fluvanna is tremendous. With this proffer amendment we can start immediately. Financing has been secured, builders are lined up, and the market is ready for these new homes.

On the next page are the current proffer and the proposed new proffer language.

Reset Form

Print Form



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

Received
DEC 28 2012
Fluvanna County

Name: Sycamore Square LLC
Address: 170 S Pantops Dr
City: Charlottesville
State: VA Zip Code: 22911

I hereby certify that the sign issued to me is my responsibility while in my possession.
Incidents which cause damage, theft, or destruction of these signs will cause a partial or full
forfeiture of this deposit.

[Signature] 12/20/12
Applicant Signature Date

*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY	
Application #: BZA _____ : CPA _____ : SUP _____ : ZMP 12:003 ZTA _____ :	
\$90 deposit paid per sign*: CK# 1102	Approximate date to be returned: April 2013

Memorandum

DATE: July 10, 2013
RE: APO'S for **ZMP 12:03** Public Hearing Letters
TO: Allyson Finchum
FROM: Heather Poole

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the **July 24, 2013** Planning Commission meeting.



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

NOTICE OF PUBLIC HEARING

July 10, 2012

«Title» «First_Name» «Last_Name»
«Company_Name»
«Address_Line_1»
«City», «State» «ZIP_Code»
TMP# «TMP_»

Re: Public Hearing on ZMP 12:03

Dear «Title» «Last_Name»«Company_Name»:

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on the above referenced item on **Wednesday, July 24, 2013 at 7:00 PM** in the Circuit Court Room at the Fluvanna County Courts Building in Palmyra, VA. The request is described as follows:

ZMP 12:03, Southern Development - An ordinance to amend (1) proffer associated with ZMP 04:02 of Fluvanna County Zoning Map with respect to 44± acres of Tax Map 9, Section A, Parcels 13, 14, & 14C, zoned R-3, Residential, Planned Community, District. The affected property is located at the southeast corner of Route 618 (Lake Monticello Road) and River Run Drive. The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

The applicant or applicant's representative must be present at the Planning Commission meeting. The tentative agenda and staff report will also be available for review by the public in the Fluvanna County Planning and Community Development Department during working hours (8:00 a.m. – 5:00 p.m., Monday through Friday). If you have any questions, please feel free to contact me at 434-591-1910.

Sincerely,

Steve Tugwell
Senior Planner

ZMP 12-03 Adjacent Property Owners

TMP#	Owner	Address	City, State	Zip Code
9 (A) 14	Balliff Investments, LLC	170 South Pantops Drive	Charlottesville, VA	22902
18A (1) 247	Donald S. Batten	P.O. Box 116	Charlottesville, VA	22902
9 (A) 14B	Crofton Group, Inc.	105 Crofton Pl Suite 7	Palmyra, VA	22963
18A (1) 246	Timothy M. Currier	861 Jefferson Drive East	Palmyra, VA	22963
18A (2) 3	Gabrielle Ford	29 Glen Burnie Road	Palmyra, VA	22963
9 (A) 11C	Larry Herring	2542 Thomas Jefferson Parkway	Palmyra, VA	22963
9 (A) 11A	Timothy J. Hoffman	2496 Lake Monticello Road	Palmyra, VA	22963
18A (1) 250	Jeffrey Ciucias & Patricia hook	6 Colonial Drive	Palmyra, VA	22963
18A (1) 176	Christopher J. Kennedy	851 Jefferson Drive East	Palmyra, VA	22963
18A (1) 179	Lake Monticello Home Owner Association	855 Jefferson Drive East	Palmyra, VA	22963
9 (12) 157	Dale Ludwig	8 Oak Grove Road	Palmyra, VA	22963
18A (1) 177	Jill May	853 Jefferson Drive East	Palmyra, VA	22963
18A (2) 32	Betty J. Meyer	27 Glen Burnie Road	Palmyra, VA	22963
9 (A) 14D	Monticello Country Corporation	2704 Lake Monticello Road	Palmyra, VA	22963
9 (10) 1	Carol A. Newman	187 River Run Drive	Palmyra, VA	22963
9 (A) 14A	Stanley C. Nordlund	1694 Tidale Road	Louisa, VA	23093
18A (1) 249	Randall C. Pitts	867 Jefferon Drive East	Palmyra, VA	22963
9 (A) 11D, 9 (A) 11E	Gregory W. Roberts	2448 Lake Monticello Road	Palmyra, VA	22963
18A (1) 248	David L. Shanklin	865 Jefferson Drive East	Palmyra, VA	22963
9 (A) 13, 1 (A) 14C, 9 (12) 156	Sycamore Square, LLC	170 South Pantops Drive	Charlottesville, VA	22911
9 (A) 12	Village Oak Investments, LLC	170 South Pantops Drive	Charlottesville, VA	22911



Scale: 1:9027.977411	Date: 07/17/2013	Printed By:
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Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).

February 17, 2005

Southern Development
170 South Pantops Drive
Charlottesville, VA 22911

REF: ZMP 04:02

Dear Southern Development:

Please accept this letter as notification of the action taken on February 16, 2005 by the Board of Supervisors in regards to the request referenced above. Your request was **approved** with the following eighteen (18) proffers:

1. Access to the property from Route 618 shall be limited to three (3) locations (including River Run Drive). Furthermore, River Run Drive shall be limited (by design) to emergency vehicles only.
2. Between River Run Drive and the proposed entrance across from the main gate at Lake Monticello, there shall be a minimum building setback will be 125 feet, measured from the proposed Right-of-Way, as shown on the approved Preliminary Master Plan dated December 29, 2004 (revised). Every effort shall be made to preserve the existing vegetative buffer that exists in this setback.
3. The proposed Assisted Living Facility shall have a parking setback of not less than 50 feet as measured from the Route 618 R.O.W., as shown on the approved Master Plan for development. This setback area shall be landscaped in general accord with Section 22-24-1 (Landscape Plan – General provisions for landscaping) with some latitude for discretionary approval by the Fluvanna County Director of Planning.
4. Between the proposed entrance across from the main gate of Lake Monticello and the eastern property line, there shall be a 50-foot building setback. Every effort shall be made to preserve the existing tree vegetation within this setback for screening purposes.
5. Along River Run Drive, there shall be a minimum building setback of 80 feet, as measured from the property line of Tax Map 9-(A)-13, as shown on the approved Master Plan for development. Every effort shall be made to preserve the existing vegetation buffer that exists in this setback.
6. Along the northern property line, there shall be a 75-foot building setback, extending from River Run Drive in an easterly direction for 1,400 feet and including the proposed community center. Every effort shall be made to preserve 50 feet of existing tree vegetation for screening in this setback.

7. Pedestrian trails, with minimal disturbance, shall be allowed in all buffers, setbacks, and preservation areas.
8. The residential development shall be restricted (in ownership, rental, lease, etc.) to individuals of age 55 and above. This shall be recorded as a covenant and restriction for the community.
9. There shall be a Community Center, with minimum size of 5,000 square feet to serve the development and any appropriate community uses.
10. The commercial component of the Master Plan shall not total more than 40,000 square feet of gross floor area, and shall be composed entirely of community retail and service uses, such as medical offices, dental offices, markets, bookstores, dry cleaners, coffee shops, cafes, florists, etc.
11. Construction will not begin until public water and sewer is available.
12. Public water shall provide adequate pressure.
13. On-site stormwater management shall be designed in consultation with the Thomas Jefferson Soil and Water Conservation District utilizing low impact development techniques and water quality best management practices.
14. The following improvements shall be constructed at the entrance across from the Main Gate to Lake Monticello: A conventional intersection with a left turn lane into Lake Monticello and right and left turn lanes into Lake Monticello shall be constructed to VDOT standards and specifications. The primary purpose of this entrance is to serve the assisted living component of Monticello Village, therefore the right and left turn lanes into Lake Monticello shall be constructed prior to issuance of the first residential certificate of occupancy in the Monticello Village community (the length of turn lanes shall be determined by VDOT during the Site Plan stage of Monticello Village).
15. The following improvements shall be constructed at the entrance across from Crofton Plaza: A conventional intersection with a left turn lane into Crofton Plaza and right and left turn lanes into Monticello Village, or a roundabout, shall be constructed prior to issuance of the first residential certificate of occupancy in the Monticello Village community.
16. All improvements referenced in items 14 and 15 above are planned to utilize existing VDOT right-of-way or right-of-way dedicated by Southern Development, per the plan titled "proposed improvements to Route 618" and dated 1/14/2005 prepared by Rivanna Engineering. The estimated cost of such improvements is \$685,000.00 In the event a roundabout is desired, additional right-of-way may be necessary. Southern Development cannot guarantee the successful acquisition of, or funding for, any additional right-of-way beyond what is shown in the above referenced plan.
17. A complete copy of a comprehensive traffic analysis of the Lake Monticello Area of Fluvanna County has been provided to Fluvanna County Staff and VDOT. This study was conducted by Wilber Smith & Associates in January 2005, at a cost of \$15,000.
18. Southern Development will provide an additional \$5,000 cash proffer directly to VDOT, for future traffic improvement design in the Lake Monticello Area. Payment shall occur in conjunction with the first residential building permit.

If I can be of any further assistance, please feel free to contact me.

Sincerely,

Steven Biel
Planning Director

Copy: Kelly Strickland, Rivanna Engineering, 1350 Stony Point Road, Charlottesville, VA 22901
File

Old Proffer #8

The residential development shall be restricted (in ownership, rental, lease, etc.) to individuals of age 55 and above. This shall be recorded as a covenant and restriction for the community.

New Proffer #8

The development will meet, at a minimum, the federal standards for age-restricted housing as defined in the Fair Housing Amendments Act of 1988 and Housing for Older Persons Act 1995: Final Rule. The following requirements shall apply:

- 1. The housing shall be intended and designed for persons age 55 and older;*
- 2. At least 80 percent of the occupied units shall be occupied by at least one person who is 55 years of age or older;*
- 3. The development shall publish and adhere to policies and procedures that demonstrate its intent to operate as housing for persons 55 years of age or older; and*
- 4. The development shall also comply with rules issued by HUD for the verification of occupancy.*

Thank you for your consideration.

Sincerely,



Charlie Armstrong



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

January 11, 2013

Southern Development
170 South Pantops Drive
Charlottesville, VA 22911

Delivered via Fax: 434-245-0895

**Re: ZMP 12:03 – TMP 9-A-13, 14, 14C
TRC Comments**

Dear Applicants:

The following comments are the result of the Technical Review Committee meeting. Comments are outlined below:

1. The Fire Department asked if this proposal would change the location of the existing fire hydrants, and the applicant responded no, they will remain in the same location as approved;
2. The Health Dept. commented that plans will need to be submitted to the Virginia Dept. of Health along with supporting documentation for Department review and approval from the Office of Drinking Water and the VDH Division of Engineers.

Please provide a minimum of 3 paper copies of the revised sketch plans along with 1 PDF email and any other materials or documentation that is to be included in the Planning Commission packet by **Friday, January 25, 2013**. Submitting revisions by this deadline will place your request on the **February 27, 2013** Planning Commission agenda.

If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,

Steve Tugwell
Planner
Dept. of Planning & Community Development

Steven Tugwell

From: Rice, Gary (VDH) <Gary.Rice@vdh.virginia.gov>
Sent: Monday, January 14, 2013 1:24 PM
To: Steven Tugwell

ZMP 12:03 – Southern Development

Developer now intends to develop / install both Drinking Water supply and On-site Sewage Disposal system. Plans will have to be submitted to VDH along with supporting documentation for Department review and approval from Office of Drinking Water and the VDH Division of Engineers.



COUNTY OF FLUVANNA

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P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: SDP 13:06
Tax Map: Tax Map 5, Section 20, Parcel 1B

From: Steve Tugwell
District: Fork Union
Date: July 24, 2013

General Information: This item is scheduled to be heard by the Planning Commission on Wednesday, July 24, 2013 at 7:00 p.m. in the Circuit Courtroom in the Courts Building.

Owner: Ballif Investments, LLC

Applicant/Representative: Keith Lancaster/Mike Myers, P.E.

Requested Action: Approval of a sketch plan to construct a 7,000 square foot warehouse building and a 3,500 square foot warehouse building with respect to 4.68 acres of Tax Map 5, Section 20, Parcel 1B. (Attachment A)

Location: The subject property is located on the south side of Route 250 (Richmond Road) approximately 0.10 miles west of its intersection with Zion Road (Route 615). (Attachment B)

Existing Zoning: I-1, Industrial, Limited (Attachment C)

Existing Land Use: vacant parcel

Adjacent Land Uses: Adjacent properties are zoned I-1, Industrial, Limited

Comprehensive Plan: Zion Crossroads Community Planning Area

Zoning History: A rezoning (ZMP 84-03), from A-1 to I-1 was approved for this property on October 29, 1984; a site development plan (SDP 97-04), for a storage warehouse was approved for this property on May 27, 2005; a minor subdivision (SUB 12-08) of this property was approved on June 25, 2012, a site development plan (SDP 12-12) was approved on March 13, 2013.

Analysis:

The applicant is requesting sketch plan approval to construct a 7,000 square foot warehouse building and a 3,500 square foot warehouse building with respect to 4.68 acres of Tax Map 5, Section 20, Parcel 1B. This site plan application, if approved, will supersede site plan SDP 12-12, a site plan that was approved in 2012 to allow for a contractor's storage yard. With this application, the applicant is proposing to construct two (2) buildings to be used as warehouses, and related office space. The zoning ordinance defines wholesale warehouses as, "*facilities for the display, storage, and sale of goods to other firms for resale, as well as activities involving a significant movement and storage of products or equipment, including moving and storage facilities, warehouses, storage activities, and distribution centers.*" This site is located within the Zion Crossroads Community Planning Area, and warehouses are a by-right uses in the I-1 zoning district. The subject property is adjacent to the van der Linde recycling facility.

There is also a pending application to subdivide this parcel (5-20-B1), totaling 4.68 acres, into three (3) lots. All three lots would be served by an existing 50 foot private access easement. The sketch site plan shows the proposed lots being served by a 30 foot access easement, however the applicant has been notified this must increase to 50 feet in order to successfully subdivide the lots. There are two (2) phases included in this sketch plan application. Phase I includes a proposed 140 x 50 warehouse on proposed lot 1B-1, and totals 1.36 acres. Phase II includes a proposed 75 x 50 warehouse and office on proposed lot 1B-2. Proposed lots 1B-2 and 1B-3, total 1.35 and 1.97 acres in area, respectively.

Parking/Roads

The site is proposed to be accessed from Hunter's Branch Road via an existing 50 foot access easement. The access easement will be upgraded with gravel. The existing road maintenance agreement will require updating if the two (2) new lots are approved with the separate minor subdivision application.

Additionally, pursuant to Section 22-23-6 BB of the Zoning Ordinance, the applicant has requested a variation to the sidewalk regulations by the Planning Commission for the reasons they have stated in their request letter. At previous TRC meetings, VDOT did not identify this location as a target area for sidewalks, and there is a posted speed limit of 55 miles per hour. Therefore, a waiver from sidewalk requirements at this location may be appropriate. (Attachment D)

Landscaping/Screening

All landscaping should be in compliance with the Fluvanna County Zoning Ordinance. All parking lots of five or more spaces must be screened from view of public roads, rights-of-way, and adjacent properties. Shade trees are required in the parking islands and at the ends of all parking bays. Tree protection barriers that meet the requirements of Sec. 22-24-8 of the Fluvanna County Code should be placed around any natural areas to be retained on the site. The applicant has identified an existing treeline to be preserved along Route 250.

Signage & Outdoor Lighting

Traffic circulation should be controlled by appropriate directional signage at the entrance/exit points into the site, and site lighting may only be required if the number of parking spaces is increasing. Any new signage is subject the regulations as prescribed in Article 15 of the Zoning Ordinance.

Stormwater Management

An erosion and sediment control plan would be required for review and approval prior to the issuance of any land disturbing permit. This site contains wetlands. A wetlands permit will be required prior to any construction on the Phase II part of the project.

Septic and Water Usage

Both proposed lots 1B-1 and 1B-2 will be served by on-site drainfield and wells. Water and sewer service has not been provided for proposed lot 1B-3 at this time.

Technical Review Committee:

At the June 13, 2013 Technical Review Committee meeting, VDOT commented that a left-turn lane is not required, and that there are adequate right-turn lane provisions, and the VDOT representative also asked that damage to the road be corrected where Hunter's Branch Drive intersects with Route 250;

The Erosion and Sediment Control Inspector commented that the cumulative volumes from both of the proposed buildings should have adequate stormwater management facilities and that the Department of Environmental Quality will need to review and approved this application; Fluvanna County would require that an Erosion & Sediment Control Plan be submitted to the Building Department for review and approval prior to the issuance of a Land Disturbing Permit;

The Health Department stated that potential areas for the well and septic have been shown on the site plan, and they do not see any adverse impact on neighboring lots;

The Fire Chief asked if the building proposed to be used for landscaping would include sales, and if fertilizer is planned to be stockpiled;

Planning Staff comments are attached.

(Attachment E)

Conclusion:

The submitted sketch plan appears to meet the sketch plan requirements of Section 22-23-8.A of the Fluvanna County Zoning Ordinance. Prior to final approval, a site development plan that meets the requirements of Sections 22-23, 24, 25 and 26 of the Fluvanna County Zoning Ordinance must be submitted for staff review and approval.

Recommended Conditions:

1. Meeting all final site plan requirements which include, but are not limited to, providing parking, landscaping, tree protection, directional signage, and outdoor lighting plans when and where applicable;
2. Meeting all public agency requirements including but not limited to VDOT requirements;
3. Meeting all Erosion and sedimentation control requirements, as well as obtaining the necessary wetlands permits;
4. Obtaining the required wetlands permits prior to construction.

Suggested Motion:

I move to approve SDP 13:06, a sketch plan to construct a 7,000 square foot warehouse building and a 3,500 square foot warehouse building with respect to 4.68 acres of Tax Map 5, Section 20, Parcel 1B, subject to the conditions listed in the staff report.

Further, I move to approve/deny the request to the variation of the sidewalk regulations of Section 22-23-6 BB of the Zoning Ordinance.

Attachments:

A – Application

B – Aerial Vicinity Map

C – Zoning Map

D – Applicant’s request for a variation to the sidewalk regulations as required by Sec. 22-23-6 BB.

E – Planning staff comment letter, TRC comment letter, applicant’s response to TRC comments and revised sketch plan, email from Environmental Health Dept.

Copy:

Owner: Ballif Investments, LLC, 170 S. Pantops Drive, Charlottesville, VA 22911

Applicant/Representative: Mr. Keith Lancaster, 170 S. Pantops Drive, Charlottesville, VA 22911

File



COMMONWEALTH OF VIRGINIA
 COUNTY OF FLUVANNA
 Site Development Application

Received
 JUN 03 2013

Fluvanna County

Owner of Record: Ballif Investments, LLC **Applicant of Record:** Keith Lancaster
 E911 Address: 170 South Pantops Drive, Cville, VA 22911 E911 Address: 170 S. Pantops Drive, Cville, VA 22911
 Phone: 434-245-0894 Fax: 434-245-0895 Phone: 434-245-0894 Fax: 434-245-0895
 Email: klancaster@southern-development.com Email: klancaster@southern-development.com
Representative: Mike Myers **Note:** If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.
 E911 Address: 172 S. Pantops Drive, Cville, VA 22911 Is property in Agricultural Forestal District? No Yes
 Phone: 434-245-0894 Fax: 434-245-0895 If Yes, what district: _____
 Email: mmyers@dominioneng.com
Tax Map and Parcel(s): 5-20-1B **Deed Book Reference:** PB 3 PG 159
Acreage: 4.68 **Zoning:** I-1 Deed Restrictions? No Yes (Attach copy)
 Location: SE Intersection of Route 250 and Hunters Branch

Description of Property: Currently undeveloped with gravel access road and vegetation
 Proposed Structure: 7,000-sf shop building
 Dimensions of Building: 140'x50' Lighting Standards on Site: No Yes
 # of Employees: 5 # of Parking Spaces: 15
 Noise Limitations: standard for Industrially zoned properties

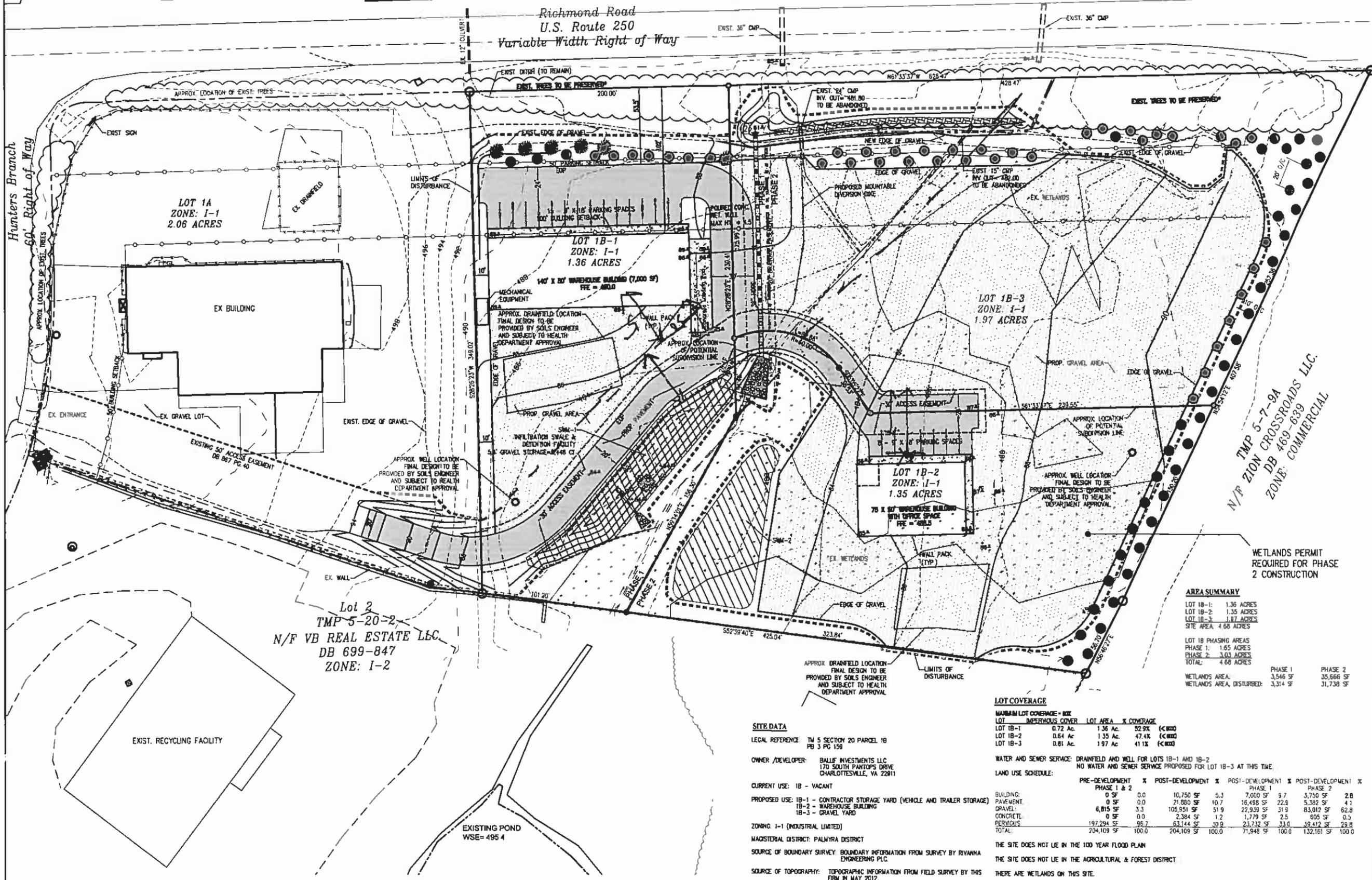
I declare that the statements made and information given on this application are true, full and correct to the best of my knowledge and belief. I agree to conform fully to all terms of any certificate or permit which may be issued on account of this application.

Keith Lancaster Keith Lancaster 6/3/13
 Applicant Name (Please Print) Applicant Signature and Date

OFFICE USE ONLY		
Date Received: <u>6/3/13</u>	Fee Paid: <u>\$1,100.00</u>	Application #: <u>SDP 13 : 006</u>
Election District: <u>Columbia</u>	Planning Area: <u>Zion Crossroads</u>	Number of Lots: <u>1</u>
Total Fees Due at Time of Submittal		
Sketch Plan: \$150.00	Minor Plan: \$550.00	Major Plan: \$1,100.00
Additional Fees Due at Time of Review		
Health Department Subdivision Review:	\$250.00 + \$25.00 per lot	Existing System Review \$50.00
Street Sign Installation:	\$200.00 Per Intersection	
Amendment of Plan	\$150.00	
Outdoor Lighting Plan Review*	\$ 50.00	
Landscape Plan Review*	\$ 50.00	
Tree Protection Plan Review*	\$ 50.00	
* If not part of a Site Plan Review		

PLANTING SCHEDULE					
KEY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	QUANTITY
●	Cupressus x leylandii	Leyland Cypress	1 gal.	3'	82
●	Pinus Strobes	Eastern White Pine	-	4'-5'	6

* BASED ON FIELD OBSERVATION WITH FLUVANNA COUNTY BUILDING INSPECTOR, THE EXISTING VEGETATION ADJACENT TO ROUTE 250 SERVES TO MEET THE STREET TREE REQUIREMENT FOR DECIDUOUS TREES. DEVELOPER IS TO PLANT SUPPLEMENTAL EVERGREENS AS SHOWN.



AREA SUMMARY

LOT 1B-1:	1.36 ACRES
LOT 1B-2:	1.35 ACRES
LOT 1B-3:	1.87 ACRES
SITE AREA:	4.68 ACRES
LOT 1B PHASING AREAS	
PHASE 1:	1.65 ACRES
PHASE 2:	3.03 ACRES
TOTAL:	4.68 ACRES
WETLANDS AREA:	3,546 SF
WETLANDS AREA, DISTURBED:	3,314 SF

LOT COVERAGE

LOT	IMPERVIOUS COVER	LOT AREA	% COVERAGE
LOT 1B-1	0.72 Ac.	1.36 Ac.	52.9% (< 100)
LOT 1B-2	0.64 Ac.	1.35 Ac.	47.4% (< 100)
LOT 1B-3	0.81 Ac.	1.97 Ac.	41.1% (< 100)

WATER AND SEWER SERVICE: DRAINFIELD AND WELL FOR LOTS 1B-1 AND 1B-2. NO WATER AND SEWER SERVICE PROPOSED FOR LOT 1B-3 AT THIS TIME.

LAND USE SCHEDULE:

	PRE-DEVELOPMENT		POST-DEVELOPMENT		POST-DEVELOPMENT		POST-DEVELOPMENT	
	PHASE 1 & 2	%	PHASE 1	%	PHASE 2	%	PHASE 2	%
BUILDING	0 SF	0.0	10,750 SF	5.3	7,000 SF	9.7	3,750 SF	2.8
PAVEMENT	0 SF	0.0	21,880 SF	10.7	16,498 SF	22.9	5,382 SF	4.1
GRAVEL	6,815 SF	3.3	105,951 SF	51.9	22,939 SF	31.9	83,012 SF	62.8
CONCRETE	0 SF	0.0	2,384 SF	1.2	1,719 SF	2.5	606 SF	0.5
PERVIOUS	197,294 SF	96.7	63,144 SF	30.9	25,232 SF	33.0	38,412 SF	29.8
TOTAL	204,109 SF	100.0	204,109 SF	100.0	71,948 SF	100.0	132,161 SF	100.0

SITE DATA

LEGAL REFERENCE: TM 5 SECTION 20 PARCEL 1B PB 3 PG 159

OWNER /DEVELOPER: BALLE INVESTMENTS LLC
170 SOUTH PANTOPS DRIVE
CHARLOTTESVILLE, VA 22811

CURRENT USE: 1B - VACANT

PROPOSED USE: 1B-1 - CONTRACTOR STORAGE YARD (VEHICLE AND TRAILER STORAGE)
1B-2 - WAREHOUSE BUILDING
1B-3 - GRAVEL YARD

ZONING: I-1 (INDUSTRIAL LIMITED)

MAJESTRAL DISTRICT: PALMYRA DISTRICT

SOURCE OF BOUNDARY SURVEY: BOUNDARY INFORMATION FROM SURVEY BY RIVANNA ENGINEERING PLC.

SOURCE OF TOPOGRAPHY: TOPOGRAPHIC INFORMATION FROM FIELD SURVEY BY THIS FIRM IN MAY 2012.

DOMINION Engineering

172 South Pantops Drive
Charlottesville, VA 22911
434.779.1144
DOMINIONENG.COM

MICHAEL F. MYERS
Lic. No. 3302

PROFESSIONAL ENGINEER

NO.	DATE	DESCRIPTION	BY	CHECKED BY

FILE NAME: 06-10-1-SKETCH PLAN

SCALE: AS SHOWN

DESIGNED BY: CWS

DRAWN BY: ABC

CHECKED BY: JPM

SKETCH PLAN FOR HUNTERS BRANCH - PARCEL 1B FLUVANNA COUNTY, VIRGINIA

SKETCH PLAN

DOM PROJECT NO: 18.000

INDEX TITLE: **SK2**

SHEET NO: 2 of 2

DATE: 06/9/13



Scale: 1:4513.988705	Date: 07/16/2013	Printed By:
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Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).

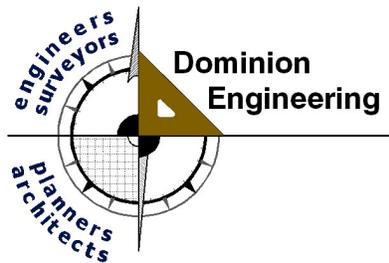


Scale: 1:4513.988705

Date: 07/16/2013

Printed By:

Under Virginia State Law, these real estate assessment records are public information. Display of this property information on the internet is specifically authorized by the Code of Virginia §58.1-3122.2(as amended).



172 South Pantops Drive
Charlottesville, VA 22911

434.979.8121 (p)
434.979.1681 (f)
DominionEng.com

July 16, 2013

Mr. Steve Tugwell
Senior Planner
Fluvanna County Department of Planning and Community Development
P.O. Box 540
Palmyra, Virginia 22963

**RE: SDP 13:06 - Hunters Branch – Parcel Lot 1B – Sketch Plan for Major Site
Development plan
TMP 5-20-1B1, Fluvanna County, Virginia**

Dear Steve,

Please consider this a formal request for a waiver of sidewalk construction in accordance with Zoning Ordinance Section 22-23-6-BB. The site is located in the Hunters Branch Industrial Park adjacent to the Vanderlinde Recycling facility. The site is located adjacent to Route 250, approximately 0.5 miles west of the intersection of Route 250 and Route 15. Currently, there are no sidewalks constructed adjacent to Route 250 in the vicinity of the site. The applicant is proposing to provide pedestrian access via an existing 6' to 10'-wide gravel pathway within a proposed access easement. Section 22-23-6-BB states:

A variation to the sidewalk regulations may be granted by the Planning Commission for projects where:

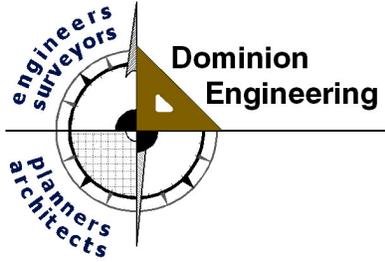
a) The Virginia Department of Transportation prohibits the construction of sidewalks;

At the TRC meeting for this project, we discussed the sidewalk issue with VDOT and they did not indicate their need or desire for sidewalks on Route 250.

b) The physical conditions on the lot or adjoining lots, including but not limited to, existing structure and parking areas, existing utility easements, environmental features, or the size and shape of the lot, make it impossible or unfeasible to provide the required sidewalks;

The location of this lot adjacent to Route 250 makes the construction of sidewalks unfeasible. However, the applicant is providing pedestrian access through the property via an existing gravel access road.

c) The application of the before mentioned requirements would not further the goals of the Comprehensive Plan or otherwise serve the greater public's health, safety, and welfare.



172 South Pantops Drive
Charlottesville, VA 22911

434.979.8121 (p)
434.979.1681 (f)
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From a safety standpoint, encouraging pedestrian movement on Route 250 is undesirable. This is a 55-mph posted speed limit highway with heavy truck traffic associated with the adjacent industrial uses. Providing a sidewalk does not further the goals of the Comprehensive Plan. Allowing the existing gravel access road to remain in its current location is more desirable because it forces pedestrian movement away from the Route 250 right-of-way.

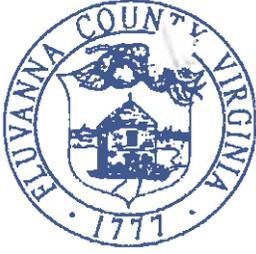
We thank you for taking the time to review this waiver request. Please let me know if you have any questions or require additional information.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael Myers", is positioned below the text "Very truly yours,".

Michael Myers, P.E.

Attachments
Cc: Charlie Armstrong
Keith Lancaster



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

June 13, 2013

Ballif Investments, LLC
170 S. Pantops Drive
Charlottesville, VA 22911

Delivered at TRC meeting

Re: SDP 13:06 Hunter's Branch major site development plan
Tax Map: 5-20-1B1

Dear Applicant:

The following comments are provided based on the site sketch plan referenced above:

1. Sec. 22-11-11. Sidewalks that comply with the most recent VDOT specifications shall be required on both sides of all roadways, public and private.

Exceptions approved by the Planning Commission for locating sidewalks along road frontage may be acceptable with the placement of a trail network or greenway on the property providing sufficient pedestrian circulation. If sidewalks are not desired, then a written waiver request to the Planning Commission justifying the waiver is required prior to the 7/24/2013 Planning Commission meeting.

2. Sec. 22-26-3 (F.) To the greatest extent possible, parking areas shall not be located between the adjacent public right-of-way and the principal structure(s) on the site.
3. Sec. 22-26-4 (E.) Parking lots consisting of five (5) or more spaces are required to have outdoor lighting meeting County requirements, as specified in Article 25, Outdoor Light Control of this ordinance. Maximum height is 20 feet.
4. Sec. 22-24-5 (c) 1 & 2. Street trees are required. If lots 1B-1 and 1B-2 haven't yet been recorded, then this Sec. is applicable along the entire segment of Route 250.
5. The "existing edge of gravel" as identified on the site plan should be removed and landscaping planted in its place. This will remove confusion with the required 50 foot parking setback line and the ability for vehicles to encroach into the required setback.

Please provide a minimum of three (3) 11"x 17" copies of the revised sketch plans and email a PDF version of the plan to stugwell@fluvannacounty.org, along with any other materials or documentation that is to be included in the Planning Commission packet by **Friday, June 28, 2013**. Submitting revisions by this deadline will place your request on the **July 24, 2013** Planning Commission agenda.

If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,



Steve Tugwell
Senior Planner
Dept. of Planning & Community Development

cc: Michael F. Myers, P.E., 172 S. Pantops Drive, Charlottesville, VA 22911
File



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

P.O. Box 540 Palmyra, VA 22963 (434) 591-1910 FAX (434) 591-1911 www.co.fluvanna.va.us

June 14, 2013

Ballif Investments, LLC
170 S. Pantops Drive
Charlottesville, VA 22911

Delivered at TRC meeting

Re: SDP 13:06 Hunter's Branch major site development plan
Tax Map: 5-20-1B1

Dear Applicant:

The following comments are provided based on the Technical Review Committee meeting that was held on June 13, 2013:

1. The Health Department stated that potential areas for the well and septic have been shown on the site plan, and they do not see any adverse impact on neighboring lots;
2. The Fire Chief asked if the building proposed to be used for landscaping would include sales, and if fertilizer is planned to be stockpiled?
3. The E & S inspector commented that the cumulative volumes from both of the proposed buildings should have adequate stormwater management facilities and that the Department of Environmental Quality will need to review and approved this application; Fluvanna County would require that an Erosion & Sediment Control Plan be submitted to the Building Department for review and approval prior to the issuance of a Land Disturbing Permit;
4. VDOT commented that a left-turn lane is not required, and that there are adequate right-turn lane provisions, and the VDOT representative also asked that damage to the road be corrected where Hunter's Branch Drive intersects with Route 250.
5. Planning Staff comments were handed to the applicant at the meeting and are attached.

Please provide a minimum of 3 11"x 17" copies of the revised sketch plans and email a PDF version of the plan to stugwell@fluvannacounty.org, along with any other materials or documentation that is to be included in the Planning Commission packet by **Friday, May 17, 2013**. Submitting revisions by this deadline will place your request on the **May 22, 2013** Planning Commission agenda.

If you have any questions or need additional information, please contact me at 434-591-1910.

Sincerely,

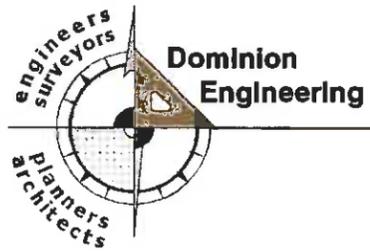


Steve Tugwell

Senior Planner

Dept. of Planning & Community Development

cc: Michael F. Myers, P.E., 172 S. Pantops Drive, Charlottesville, VA 22911
File



Received
JUN 28 2013
Fluvanna County

172 South Pantops Drive
Charlottesville, VA 22911

434.979.8121 (p)
434.979.1681 (f)
DominionEng.com

June 28, 2013

Mr. Steve Tugwell
Senior Planner
Fluvanna County Department of Planning and Community Development
P.O. Box 540
Palmyra, Virginia 22963

**RE: SDP 13:06 - Hunters Branch – Parcel Lot 1B – Sketch Plan for Major Site
Development plan
TMP 5-20-1B1, Fluvanna County, Virginia**

Dear Steve,

Enclosed please find three (3) sets of the revised sketch plan for the referenced project. We have addressed your comments dated June 13, 2013 in accordance with the following:

1. Sec. 22-11-11. Sidewalks that comply with the most recent VDOT specifications shall be required on both sides of all roadways, public and private.

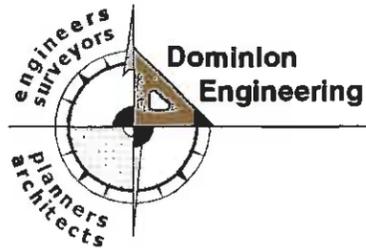
Exceptions approved by the Planning Commission for locating sidewalks along road frontage may be acceptable with the placement of a trail network or greenway on the property providing sufficient pedestrian circulation. If sidewalks are not desired, then a written waiver request to the Planning Commission justifying the waiver is required prior to the 7/24/2013 Planning Commission meeting.

RESPONSE: As discussed at the June 13, 2013 SRC meeting, a waiver was approved by the Planning Commission to allow the existing gravel access path serve to meet the intent of the code to provide sufficient pedestrian circulation.

2. Sec. 22-26-3 (F.) To the greatest extent possible, parking areas shall not be located between the adjacent public right-of-way and the principal structure on the site.

RESPONSE: As discussed at the June 13, 2013 SRC meeting, the location of the parking in between the building and right-of-way is preferable since the alternative would to be have the loading bays and materials storage located in this area.

3. Sec 22-26-4 (E.) Parking lots consisting of five (5) or more spaces are required to have outdoor lighting meeting County requirements, as specified in Article 25, Outdoor Light Control of this ordinance. Maximum height is 20 feet.



172 South Pantops Drive
Charlottesville, VA 22911

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DominionEng.com

RESPONSE: Wall-mounted outdoor lights have been added to the plan. A photometric plan indicating outdoor lighting levels will be provided with the final site plan.

4. Sec. 22-24-5 (c) 1 & 2: Street trees are required. If lots 1B-1 and 1B-2 haven't yet been recorded, then this Sec. is applicable along the entire segment of Route 250.

RESPONSE: Based on a site visit with Roger Black, the existing trees adjacent to Route 250 will meet the street tree requirement for deciduous trees. However, the developer will provide supplemental evergreen plantings behind the existing vegetation as shown on the plans. This screening yard is to be carried across the north and east site perimeter as shown.

5. The "existing edge of gravel" as identified on the site plan should be removed and landscaping planted in its place. This will remove confusion with the required 50 foot parking setback line and the ability for vehicles to encroach into the required setback.

RESPONSE: The existing gravel pathway should be retained to meet the conditions of the sidewalk waiver that was granted with the previously approved sketch plan. In any event, the gravel pathway has been reduced to 6 feet in width to make it clear that it is not intended for vehicular traffic. Also, we have provided evergreen plantings to provide a buffer that will prevent vehicular access to the existing edge of gravel beyond the 50 foot setback line.

We trust the above responses and attached plan sets adequately addresses your comments. Please let me know if you have any questions or require additional information.

Very truly yours,

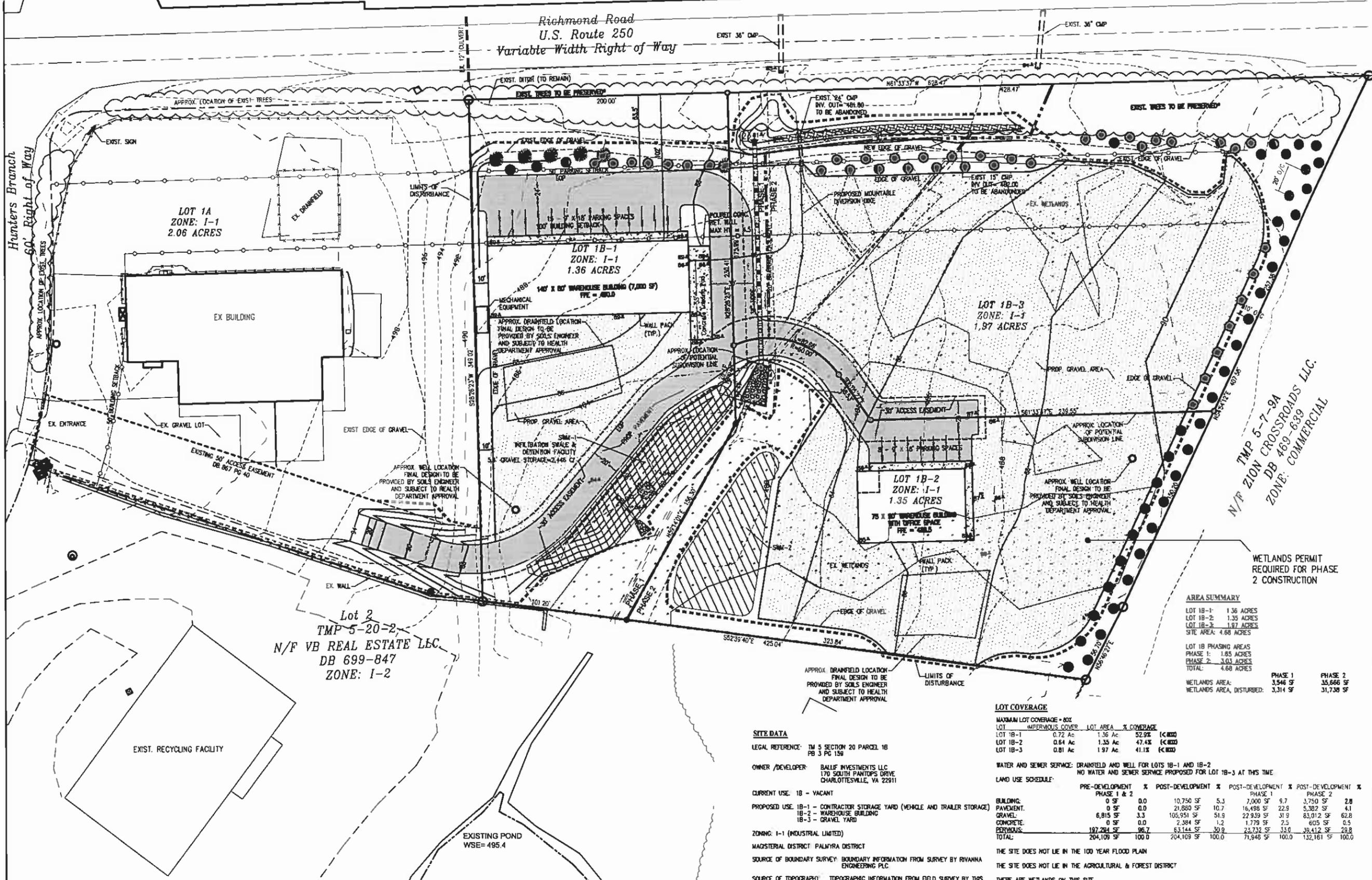


Michael Myers, P.E.

Attachments
Cc: Charlie Armstrong
Keith Lancaster

KEY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	QUANTITY
●	Cupressus x leylandii	Leyland Cypress	1 gal.	3'	82
○	Pinus Strobes	Eastern White Pine	-	4'-5'	6

* BASED ON FIELD OBSERVATION WITH FLUVANNA COUNTY BUILDING INSPECTOR, THE EXISTING VEGETATION ADJACENT TO ROUTE 250 SERVES TO MEET THE STREET TREE REQUIREMENT FOR DECIDUOUS TREES. DEVELOPER IS TO PLANT SUPPLEMENTAL EVERGREENS AS SHOWN.



AREA SUMMARY

LOT 1B-1	1.36 ACRES
LOT 1B-2	1.35 ACRES
LOT 1B-3	1.97 ACRES
SITE AREA:	4.68 ACRES
LOT 1B PHASING AREAS	
PHASE 1	1.85 ACRES
PHASE 2	3.03 ACRES
TOTAL:	4.68 ACRES
WETLANDS AREA:	35,666 SF
WETLANDS AREA, DISTURBED:	3,314 SF

LOT COVERAGE

LOT	MAXIMUM LOT COVERAGE - 80%	IMPERVIOUS COVER	LOT AREA	% COVERAGE
LOT 1B-1	0.72 Ac	1.36 Ac	52.9%	(C800)
LOT 1B-2	0.64 Ac	1.35 Ac	47.4%	(C800)
LOT 1B-3	0.81 Ac	1.97 Ac	41.1%	(C800)

SITE DATA
 LEGAL REFERENCE: TM 5 SECTION 20 PARCEL 1B PB 3 PG 150
 OWNER / DEVELOPER: BALLE INVESTMENTS LLC 170 SOUTH PLANTERS DRIVE CHARLOTTEVILLE, VA 22911
 CURRENT USE: 1B - VACANT
 PROPOSED USE: 1B-1 - CONTRACTOR STORAGE YARD (VEHICLE AND TRAILER STORAGE) 1B-2 - WAREHOUSE BUILDING 1B-3 - GRAVEL YARD
 ZONING: I-1 (INDUSTRIAL LIMITED)
 MAGISTERIAL DISTRICT: PALMYRA DISTRICT
 SOURCE OF BOUNDARY SURVEY: BOUNDARY INFORMATION FROM SURVEY BY RIVANNA ENGINEERING PLLC
 SOURCE OF TOPOGRAPHY: TOPOGRAPHIC INFORMATION FROM FIELD SURVEY BY THIS FIRM IN MAY 2012

LAND USE SCHEDULE

	PRE-DEVELOPMENT		POST-DEVELOPMENT		POST-DEVELOPMENT		POST-DEVELOPMENT	
	PHASE 1 & 2	%	PHASE 1	%	PHASE 2	%	PHASE 2	%
BUILDING	0 SF	0.0	10,750 SF	5.3	7,000 SF	9.7	3,750 SF	2.8
PAVEMENT	0 SF	0.0	21,830 SF	10.7	16,495 SF	22.8	5,332 SF	4.1
GRAVEL	6,815 SF	3.3	105,951 SF	51.9	22,939 SF	31.9	83,012 SF	62.8
CONCRETE	0 SF	0.0	2,384 SF	1.2	1,779 SF	2.5	605 SF	0.5
PERVIOUS	197,284 SF	96.7	63,144 SF	30.9	23,732 SF	33.0	39,412 SF	29.8
TOTAL:	204,109 SF	100.0	204,109 SF	100.0	71,946 SF	100.0	132,161 SF	100.0

THE SITE DOES NOT LIE IN THE 100 YEAR FLOOD PLAIN
 THE SITE DOES NOT LIE IN THE AGRICULTURAL & FOREST DISTRICT
 THERE ARE WETLANDS ON THIS SITE.
 NO ITEMS OF HISTORICAL, CULTURAL, OR SCIENTIFIC SIGNIFICANCE FOUND

Dominion Engineering
 172 South Parkway Drive
 Charlottesville, VA 22911
 434.577.1414
 dominioneng.com

COMMONWEALTH OF VIRGINIA
 PROFESSIONAL ENGINEER
 MICHAEL P. MYERS
 Lic. No. 13024

NO.	DATE	DESCRIPTION	DESIGNED BY	DRAWN BY	CHECKED BY
1	4/11/13	ADD SECTION OF LOT 1B-4			

FILE NAME: DB-10-1-SKETCH PLAN
 SCALE: AS SHOWN
 SHEET TITLE: SKETCH PLAN FOR HUNTERS BRANCH - PARCEL 1B FLUVANNA COUNTY, VIRGINIA

DOM PROJECT NO: 130000
 INDEX TITLE: SK2
 SHEET NO: 2 of 2
 DATE: 06/3/13

Steven Tugwell

From: Miller, Charles (VDH) <Charles.Miller@vdh.virginia.gov>
Sent: Friday, June 14, 2013 10:38 AM
To: Steven Tugwell
Subject: RE: June 13, 2013 TRC agenda

Steve,

Sorry I didn't get you comments earlier but I thought I would be able to make the meeting. Had to go to Louisa again for inspections in the absence of John who is vacationing. They did show potential areas for the well and septic and said they would submit for approval. Did not see any adverse impact on neighboring lots, so I think it's okay from our view.

Thanks,

Charles

From: Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]
Sent: Thursday, June 06, 2013 1:07 PM
To: Allyson Finchum; Alyson Sappington; Andrea Gaines; Andy Wills; Barry Bibb; Miller, Charles (VDH); Wright, Chuck (DOF); Donald Gaines; Shaunesey, Donna; Ed Zimmer; fuac@embarqmail.com; Rice, Gary (VDH); Goodale, James E. (VDOT); Heather Poole; Jay Lindsey; Joe Chesser; Mike Brent; Patricia Eager; Robert Popowicz; Roger Black; Sam Babbitt; solson@forvec.com; Wayne Stephens
Subject: June 13, 2013 TRC agenda

Dear TRC:

Attached is our agenda for the June 13, 2013 TRC meeting. We have one (1) item on the agenda for a major site development plan. We're meeting at 2pm in the Morris Room of the County Administration Building.

See you all there next Thursday!
Steve

Steve Tugwell
Senior Planner
Dept. of Planning & Community Development
Fluvanna County, VA
434-591-1910
stugwell@co.fluvanna.va.us

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