



## FLUVANNA COUNTY PLANNING COMMISSION

### REGULAR MEETING AGENDA

Circuit Courtroom, Fluvanna Courts Building  
January 27, 2016 at 7:00 pm

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#### TAB AGENDA ITEMS

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#### 1 - CALL TO ORDER, PLEDGE OF ALLEGIANCE

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#### 2 – 2016 Organizational Meeting of the Fluvanna County Planning Commission

- Election of Chairman and Vice Chairman
  - Selection of Dates for the Commission Meetings
  - Adoption of the Resolution entitled “Organizational Meeting of the Fluvanna County Planning Commission 2016”
  - Adoption of the Planning Commission By- Laws and Rules of Procedure
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#### 3 - DIRECTOR’S REPORT

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#### 4 - PUBLIC COMMENTS #1 (3 minutes each)

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#### 5 - APPROVAL OF MINUTES

Minutes of December 14, 2015

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#### 6 - PUBLIC HEARINGS

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#### 7 - PRESENTATIONS

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#### 8 - SITE DEVELOPMENT PLANS

**SDP 15:19 – Ja-Zan, LLC** - A site development plan request to construct a 20,000 square foot warehouse building with respect to 1.463 acres of Tax Map 5, Section 24, Parcel 8. The property is zoned I-1, Industrial, Limited and is located on the north side of Zion Station Drive, approximately 400 feet northeast of Route 250 (Richmond Road). The property is located in the Columbia Election District and is within the Zion Crossroads Community Planning Area.

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#### 9 - SUBDIVISIONS

*-None*

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#### 10 - UNFINISHED BUSINESS

*-None*

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#### 11 - NEW BUSINESS

*None*

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#### 12 – OLD BUSINESS

**ZMP 15:06 – Gardner Trust** - An ordinance to amend the Fluvanna County Zoning Map with respect to 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1, Agricultural, General to B-1, Business, General (conditional). The affected property is located on the south side of State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

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#### 13 - PUBLIC COMMENTS #2 (3 minutes each)

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*For the Hearing-Impaired – Listening device available in the Board of Supervisors Room upon request. TTY access number is 711 to make arrangements.  
For Persons with Disabilities – If you have special needs, please contact the County Administrator’s Office at 591-1910.*

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Planning/Zoning Administrator Review

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**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.

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**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.

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**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.

**MOTION:** I move to elect \_\_\_\_\_ as Chairman of the Fluvanna County Planning Commission for the calendar year of 2016.

**MOTION:** I move to elect \_\_\_\_\_ as Vice Chairman of the Fluvanna County Planning Commission for the calendar year of 2016.

**AGENDA**                      **PLANNING COMMISSION**                      **January 27<sup>nd</sup> 2016**

**SUBJECT:** Election of Officers

**TIMING:** Routine

**DISCUSSION:** As has been your practice in the past, the Planning Director opens the meeting and calls for the nomination and election of the Chairman.

Upon the election of the Chairman, the elected chairman will then call for the nomination and election of the Vice Chairman.

The Annual or Organizational meeting of the Commission will be conducted first and then move to the Regular meeting and conduct of business.

Staff: Jason Stewart, Planning Director

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Planning Director's Use Only

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Jason Stewart, Planning Director



# 2016

## Planning Commission Meeting Dates

January 27, 2016

February 24, 2016

March 23, 2016

April 27, 2016

May 25, 2016

June 22, 2016

July 27, 2016

August 24, 2016

September 28, 2016

October 26, 2016

November 14, 2016—Monday!

December 12, 2016—Monday!

Work Sessions begin at 6pm, as needed

Regular sessions start at 7pm

### JANUARY

SU	MO	TU	W	TH	FRI	SA
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

### FEBRUARY

SU	MO	TU	WE	TH	FRI	SA
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

### MARCH

SU	M	TU	WE	TH	FRI	SA
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

### APRIL

SU	MO	TU	WE	TH	FRI	SA
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

### MAY

SU	MO	TU	W	TH	FRI	SA
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

### JUNE

SU	MO	TU	WE	TH	FRI	SA
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

### JULY

SU	MO	TU	WE	TH	FRI	SA
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

### AUGUST

SU	MO	TU	WE	TH	FRI	SA
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

### SEPTEMBER

SU	MO	TU	W	TH	FRI	SA
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

### OCTOBER

SU	MO	TU	WE	TH	FRI	SA
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

### NOVEMBER

SU	MO	TU	WE	TH	FRI	SA
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

### DECEMBER

SU	MO	TUE	W	TH	FRI	SA
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

**FLUVANNA COUNTY PLANNING COMMISSION**  
**PLANNING FOR THE FUTURE**

132 Main Street  
 P.O. Box 540  
 Palmyra, VA 22963  
 Phone: 434-591-1910  
 Fax: 434-591-1911  
 E-mail: [jstewart@fluvannacounty.org](mailto:jstewart@fluvannacounty.org)



**2016 Meeting Calendar**  
 Fluvanna County Planning Commission  
 All Meetings on Wednesday

<b>Date</b>	<b>Regular Meetings</b>	<b>Work Sessions (When Scheduled)</b>
Jan 27	7:00 pm	6:00 pm
Feb 24	7:00 pm	6:00 pm
Mar 23	7:00 pm	6:00 pm
Apr 27	7:00 pm	6:00 pm
May 25	7:00 pm	6:00 pm
Jun 22	7:00 pm	6:00 pm
Jul 27	7:00 pm	6:00 pm
Aug 24	7:00 pm	6:00 pm
Sep 28	7:00 pm	6:00 pm
Oct 26	7:00 pm	6:00 pm
Nov 14	7:00 pm	6:00 pm
Dec 12	7:00 pm	6:00 pm

Adopted this 27<sup>th</sup> day of January 2016  
 by the Fluvanna County Planning Commission

**MOTION:** I move the Fluvanna County Planning Commission adopt the Planning Commission 2016 regular Meeting Calendar as presented [which does not include any joint meetings or work sessions].

Staff: Jason Stewart, Planning Director

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Planning Director's Use Only

Comments:

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Jason Stewart, Planning Director



**PLANNING COMMISSION  
County of Fluvanna  
Palmyra, Virginia**

**RESOLUTION**

At a regular monthly meeting of the Fluvanna County Planning Commission held on Wednesday, January 27th, 2016, in Palmyra, Virginia, the following action was taken:

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<u>Present</u>	<u>Vote</u>
Lewis Johnson	
Barry A. Bibb	
Howard Lagomarsino	
Donald Gaines	
Ed Zimmer	

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On a motion by \_\_\_\_\_, seconded by \_\_\_\_\_, and carried by a vote of \_\_\_\_ the following resolution was adopted:

**Organizational Meeting of the Fluvanna County Planning Commission 2016**

**WHEREAS**, the Code of Virginia requires an annual organizational meeting for the Planning Commission for the election of officers and the conduct of such other business as to meeting times and dates and,

**WHEREAS**, the Planning Commission does now conduct such an organizational meeting.

**NOW, THEREFORE BE IT RESOLVED** by the Planning Commission that it does hereby designate the Circuit Courtroom in the Fluvanna Courts Building as its meeting place for regular meetings to be held on the fourth Wednesday of each month at 7:00 p.m. Except in the months of November and December when the meetings shall be on the second Monday at 7:00 p.m. due to the holidays.

Adopted this 27<sup>th</sup> day of January 2016  
by the Fluvanna County Planning Commission

ATTEST:

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Jason Stewart, Planning Director

**January 27<sup>th</sup>, 2016**  
**Fluvanna County Planning Commission**  
**By-laws and Rules of Practice and Procedures**

**CREATION**

The Fluvanna County Planning Commission, hereinafter called the “Commission”, is an appointed body provided by the Code of Virginia, Section 15.2-2210. The Commission consists of five (5) members, one (1) appointed from each election district and one (1) representative of the Board of Supervisors. The Board of Supervisors representative does not vote by directive of the Board of Supervisors.

**PRINCIPAL OFFICE**

132 Main Street, Palmyra, Virginia; Mailing Address: P.O. Box 540, Palmyra, VA 22963

**CHAIRMAN**

At the first meeting of the year, the Commission selects one of its members to serve as Chairman. The Chairman is a voting member and serves for one year.

**VICE-CHAIRMAN**

At the first meeting of the year, the Commission selects one of its members to serve as Vice-Chairman. The Vice-Chairman is a voting member and serves for one year.

**COUNTY PLANNER**

The County Planner shall be Clerk to the Commission and his general duty is set forth in the Code of Virginia, Section 15.2-2217. He shall maintain an office at the same address as the Commission.

**COUNTY ATTORNEY**

The County Attorney assists the Commission in analyzing the facts; provides advice and action in legal matters and represents the Commission in civil actions.

**QUORUM FOR THE EXERCISE OF COMMISSION BUSINESS**

A majority of the commission shall constitute a quorum for the purpose of conducting Commission business. A vote of the majority of those present is necessary to take action on an issue.

**PUBLIC SESSIONS**

1. Except as otherwise directed the regular public meeting of the Commission shall be held on the fourth Wednesday of each month at 7:00 p.m. at the Fluvanna Courts Building in the Circuit Courtroom in Palmyra, VA.
2. A special meeting may be held at the call of the Chair or by the application of three members given to the County Planner. There shall be at least seventy-two (72) hours written notice for a special meeting.

## MEETING AND ATTENDANCE

1. All meetings and business shall be conducted in accordance with the Code of Virginia, Roberts Rules of Order Revised, and these by-laws.
2. Meetings will be held on the fourth Wednesday of each month. If the fourth Wednesday falls on a holiday, a new meeting date will be scheduled by the Chairman. Meetings shall start at the appointed time, and if the Chairman is not present, the Vice-Chairman shall preside. If neither the chairman nor the Vice-Chairman is present, the County Planner shall call the meeting to order and preside for the election of a Temporary Chairman.
3. Any person making a written presentation or demonstrating a matter by way of a plat, brochure, picture, or similar document for inclusion in the record of the hearing shall provide the County Planner five (5) copies of such item seven (7) days prior to the meeting at which such person wishes to make a presentation.
4. The County Planner shall list all items requested on the agenda. If, in the opinion of the County Planner, an item is not appropriate for consideration by the Commission, he shall inform the Chairman, and if the Chairman is in agreement, the Commission shall first discuss whether to entertain the item.
5. The County Planner and Chairman of the Commission shall allocate time to items on the agenda as is necessary for appropriate consideration
6. The Commission shall consider all items docketed on the agenda before taking any other items unless an undocketed item is brought by consent of the Commission.
7. Time permitting, items not on the agenda shall be heard as the final items of the Commission's business. If time does not, in the opinion of the Chairman of the Commission, permit hearing items on the agenda, they shall be carried over to the next regular or special meeting.
8. The Chairman's vote on all issues before the Commission shall be recorded as being given with the prevailing side, unless the Chairman clearly votes otherwise.
9. Meetings shall be adjourned no later than 11:00 p.m. unless continued by unanimous vote.

## CONDUCT OF BUSINESS

1. When the question is called and there is no dispute, the Chairman shall call for the vote.
2. Any member abstaining on a vote shall so indicate following the call for the vote.
3. Exhibits before the Commission shall become the property of the Commission and shall be filed with the County Planner.
4. Citizens shall not speak at a meeting until they are recognized. Citizens shall request recognition by addressing "Mr. Chairman" or Ms. Chairman" (as appropriate) and await acknowledgement. At his or her discretion, the Chairman may permit a dialogue without individual recognition between members of the Commission or between a member and a citizen if such dialogue is orderly and contributes to the expedition of the business. Such discussion will be discouraged.
5. Prior to opening a meeting at which one or more public hearings will be held, the Chairman shall recount the rules under which the hearing shall be operated, but he/she may amend the rules during the hearing by giving notice of the change.
6. At the beginning of the public hearing, the Chairman shall call upon the County Planner or the Chairman of the committee handling the matter at hand or shall recount a description of the issue placed before the hearing.

7. Subject to revocation or extension by the majority of the commission assembled, the Chairman may in all matters establish a maximum time for consideration of the matter, and/or limit the amount of time available to each speaker on a matter and/or limit the number of times each speaker may address the Commission on a matter.  
Notwithstanding the foregoing statement, every Commission member shall be entitled to make a statement on every matter before the Commission and the call for the question shall not be entertained until all members who wish to exercise this right shall have done so.
8. All members or citizens shall limit their comments before the Commission. The Chairman has the option of requiring speakers to sign up before being authorized to address the Planning Commission.
9. The Commission has set forth the following rules for presentation time limits:
  - a. Individual presentations placed on the Commission's agenda shall be limited to ten (10) minutes in duration.
  - b. Individual presentation listed under the agenda item "Public Comments" shall be limited to three (3) minutes in duration.
  - c. Statements from the public during the "Public Hearing" on individual agenda items shall be limited to three (3) minutes.
  - d. Complete presentations on Commission action items shall be limited to not more than thirty (30) minutes.
  - e. Either of the above limitations may be extended only by majority consent of the Commission.

#### 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 shall be the judge of such breaches.
4. When a person engages in such a breach, the Chairman may
  - a. Order the person to stand silent,
  - b. Order the person's removal from the building, or,
  - c. Order the person removed from the County Property.

#### COMMITTEES

There will be no standing committees. Ad Hoc committees will be appointed by the Chairman as needed. Constitutional Officers may be appointed to committees.

## RULES

1. The by-laws may be suspended at anytime by a majority vote of the Commission
2. The by-laws may be amended by a majority vote of the Commission, but only at the regular meeting next held after the proposed amendment has been announced at a regular meeting.

## RECORD OF THE MEETING

The Clerk of the Commission (or another person acting in the capacity) shall electronically record each regular meeting. Recordings are the property of Fluvanna County. A stenographic record shall not be admissible as evidence of what transpired at a meeting, unless the person taking the record has been sworn prior to making the record. Interested persons may listen to the recordings in the County Planner's office or may obtain copies of the recording or portions of a recording by making appropriate arrangements with the County Planner's office. Costs will be borne by the person making the request. Audio recordings are also available on the county website [www.fluvannacounty.org](http://www.fluvannacounty.org).



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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

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

To: Fluvanna County Planning Commission  
From: Jason Stewart, AICP  
Date: January 19, 2016  
Re: Planning Director's Report

1. Board of Supervisors Actions:

January 6, 2016:

*None.*

January 20, 2016:

**Approved - SUP 15:11 – James River Water Authority** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water supply system which includes a raw water intake and pump station at the subject properties denoted by Tax parcel Numbers: 53-A-62, 53-A-62C, 53-A-61, 53-11-5, 53-11-19, and 61A-4. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia and Fork Union Election Districts and encompass approximately 330 acres. The proposed raw water intake and pump station structures will encompass approximately 2 acres.

**Approved - SUP 15:12 – Louisa County Water Authority** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water pipeline from near Route 6 along the James River north to the Louisa County and Fluvanna County border. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia & Fork Union Election Districts. The Tax Parcel Numbers of the properties affected by the proposal are as follows: 67-12-A3, 14-9-4, 14-A-14, 14-A-20A, 14-A-14A, 14-A-13, 14-A-20, 23-A-51, 23-A-61, 23-A-50, 23-A-62, 23-12-D, 23-12-A, 23-A-66, 23-A-67, 23-A-72B, 23-A-70, 23-A-96, 23-A-97, 23-A-99, 23-A-101, 23-A-102, 23-A-103, 23-A-37, 23-A-36E, 23-A-36A, 34-A-2, 34-A-4, 34-3-A, 34-3-B1, 34-3-B3, 34-3-C, 34-3-C1, 34-3-B2, 34-2-A, 34-A-17, 34-A-16, 34-A-18, 34-1-1, 34-1-3, 34-1-5, 34-1-4, 33-A-30A, 44-A-46, 44-A-46A, 44-3-1, 44-3-2, 44-2-3, 44-2-5, 44-2-4, 44-2-2, 44-2-1, 44-A-15, 44-A-17, 44-A-18, 44-A-31, 44-1-2, 44-1-3B, 54-A-10A, 54-A-14A, 54-1-1A, 54-6-C, 54-1-1, 54-2-1, 54-A-41, 54-A-43, 54-11-Z, 54-11-Y, 54-11-X, 53-11-27, 53-11-26, and 53-11-19.

2. Board of Zoning Appeals Actions:

*No January meeting.*

3. Technical Review Committee:

**Approved - SUP 15:11 – James River Water Authority** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water supply system which includes a raw water intake and pump station at the subject properties denoted by Tax parcel Numbers: 53-A-62, 53-A-62C, 53-A-61, 53-11-5, 53-11-19, and 61A-4. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia and Fork Union Election Districts and encompass approximately 330 acres. The proposed raw water intake and pump station structures will encompass approximately 2 acres.

**Approved - SUP 15:12 – Louisa County Water Authority** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water pipeline from near Route 6 along the James River north to the Louisa County and Fluvanna County border. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia & Fork Union Election Districts. The Tax Parcel Numbers of the properties affected by the proposal are as follows: 67-12-A3, 14-9-4, 14-A-14, 14-A-20A, 14-A-14A, 14-A-13, 14-A-20, 23-A-51, 23-A-61, 23-A-50, 23-A-62, 23-12-D, 23-12-A, 23-A-66, 23-A-67, 23-A-72B, 23-A-70, 23-A-96, 23-A-97, 23-A-99, 23-A-101, 23-A-102, 23-A-103, 23-A-37, 23-A-36E, 23-A-36A, 34-A-2, 34-A-4, 34-3-A, 34-3-B1, 34-3-B3, 34-3-C, 34-3-C1, 34-3-B2, 34-2-A, 34-A-17, 34-A-16, 34-A-18, 34-1-1, 34-1-3, 34-1-5, 34-1-4, 33-A-30A, 44-A-46, 44-A-46A, 44-3-1, 44-3-2, 44-2-3, 44-2-5, 44-2-4, 44-2-2, 44-2-1, 44-A-15, 44-A-17, 44-A-18, 44-A-31, 44-1-2, 44-1-3B, 54-A-10A, 54-A-14A, 54-1-1A, 54-6-C, 54-1-1, 54-2-1, 54-A-41, 54-A-43, 54-11-Z, 54-11-Y, 54-11-X, 53-11-27, 53-11-26, and 53-11-19.

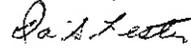


**FLUVANNA COUNTY BUILDING INSPECTIONS  
MONTHLY BUILDING INSPECTION REPORT  
DECEMBER 2015**

USE	Dec-14	VALUE	YTD 14	VALUE	Dec-15	VALUE	YTD 15	VALUE	Dec/Diff	VALUE	YTD	VALUE
											PERMITS	
New Homes	9	1,425,927	87	16,229,225	3	814,526	95	19,006,475	-6	(611,401)	8	2,777,250
Duplex	0	0	0	0	0	-	0	-	0	-	0	-
Single Family (Attached)	0	0	8	1,200,000	0	-	4	837,000	0	-	-4	(363,000)
Adds&Alterations	25	534,482	302	3,552,582	18	2,001,377	318	10,972,391	-7	1,466,895	16	7,419,809
Garages & Carports	1	20,000	9	458,500	2	16,500	15	284,000	1	(3,500)	6	(174,500)
Accessory Buildings	0	0	10	137,800	1	6,000	9	406,839	1	6,000	-1	269,039
Single Wide MH	0	0	4	113,312	0	-	4	67,488	0	-	0	(45,824)
Swimming Pools	1	38,000	4	101,674	0	-	5	106,200	-1	(38,000)	1	4,526
Recreational Bldgs	0	0	0	-	1	2,953,000	1	2,953,000	1	2,953,000	1	2,953,000
Business Bldgs	0	0	0	-	0	-	1	1,300,000	0	-	1	1,300,000
Industrial Bldgs	0	0	0	-	0	-	0	-	0	-	0	-
Other Buildings	1	545,000	5	2,188,385	1	461,000	8	2,169,000	0	(84,000)	3	(19,385)
<b>TOTALS</b>	<b>37</b>	<b>2,563,409</b>	<b>429</b>	<b>23,981,478</b>	<b>26</b>	<b>6,252,403</b>	<b>460</b>	<b>38,102,393</b>	<b>-11</b>	<b>3,688,994</b>	<b>31</b>	<b>14,120,915</b>

FEES	Dec-14	PREV TOT	YTD 14	Dec-15	PREV TOT	YTD 15	DIFFERENCE	DIFFERENCE YTD
Building Permits	\$ 11,567.82	113,397.47	124,965.29	\$ 9,574.99	\$ 138,232.55	\$ 147,807.54	(1,992.83)	22,842.25
Land Disturb Permits	\$ 2,850.00	29,362.50	32,212.50	\$ 2,297.50	\$ 31,116.25	\$ 33,413.75	(552.50)	1,201.25
Zoning Permits/Proffers	\$ 1,700.00	45,400.00	47,100.00	\$ 850.00	\$ 17,650.00	\$ 18,500.00	(850.00)	(28,600.00)
<b>TOTALS</b>	<b>\$ 16,117.82</b>	<b>188,159.97</b>	<b>204,277.79</b>	<b>\$ 12,722.49</b>	<b>\$ 186,998.80</b>	<b>\$ 199,721.29</b>	<b>\$ (3,395.33)</b>	<b>(4,556.50)</b>

INSPECTIONS	Dec-14	PREVIOUS	YTD 14	Dec-15	PREVIOUS	YTD 15		
	162	1,603	1,765	149	1,935	2,084	-13	319

  
 Darius S. Lester  
 Building Official

( ) represents a negative

## Monthly Approval Report December 2015

<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>
	<i>Denied</i>						
<i>Text75:</i> <b>Columbia</b>		SUP 15-006	Construct a raw water pipeline	MUL	MULTIPLE	0	
	<i>Approved</i>						
<i>Text75:</i>		BSP 15-019	5 acres along State Highway 250/Physical Surv	5	(A) 45	0	
<i>Text75:</i>		SUB 15-023		5	(11) L5A	0.155	
	<i>Denied</i>						
<i>Text75:</i> <b>Cunningham</b>		SUP 15-008	Construct a Raw Water Supply System	53	(A) 62C	0	
	<i>Approved</i>						
<i>Text75:</i>		BSP 15-020	1341 Ruritan Lake Rd, Scottsville, VA 24590, L	16	(19)2	0	

Wednesday, January 06, 2016

Page 1 of 2

<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>

<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>
		BSP 15-021	66 Rhodes School Lane, Palmyra, VA 22963	28	A (8) & (9)	0	
<i>Text75:</i>							
		SUB 15-031	3292 Branch Road, Scottsville, VA 24590	28, 17	(1) 1& 1B; 47A	10	
<i>Text75:</i>							
<b>Fork Union</b>	<i>Approved</i>						
		SDP 15-020	Amendment of SDP 11:04	18	(A) 67	0	
<i>Text75:</i>							
		SDP 15-021	Bremo Power Station, Amendment to SDP 13:0	59	(6) 1,2	87.82	
<i>Text75:</i>							
<b>Palmyra</b>	<i>Pending PC Meeting</i>						
		ZMP 15-006		9	(A) 9	13.4	
<i>Text75:</i>							

*AFD - Agricultural Forestal District*  
*BZA - Board of Zoning Appeals (Variance)*  
*CPA - Comprehensive Plan Amendment*  
*SUB - Subdivisions*  
*ZMP - Zoning Map Proposal (Rezoning)*

*BSP - Boundary Survey Plat*  
*CCE - Code Compliance Enforcement*  
*SDP - Site Development Plan*  
*SUP - Special Use Permits*  
*ZTA - Zoning Text Amendment*

**CODE COMPLIANCE VIOLATION STATISTICS**

**December-2015**

Scott B. Miller, Code Compliance Officer

Complaint Number	Tax Map Number	Property Owner	Address	Date of Complaint	Violation Type	Status	Deadline	District
1503-04	51A-(A)-22	JWS Enterprises, LLC.	4985 James Madison Hwy.	9/16/2014	Improper Use	Court Conviction	Pending Abatement	Fork Union
1503-14	4-(A)-109A	Bahr, Kenneth	Richmond Rd. (Vacant)	3/23/2015	Improper Use	Pending (2nd)	01/20/2016	Columbia
1504-05	37-(5)-8	David M. & Christine C. Belew	523 Aldridge Rd.	4/21/2015	Inoperable Vehicles	Cleared	12/29/2015	Cunningham
1505-01	36-(A)-33	Altisource (foreclosure)	120 Antioch Rd.	5/5/2015	Junk/Trash/Debris	Cleared	12/04/2015	Cunningham
1505-04	40-(14)-2	Christine M. Wine (foreclosure)	1241 Shiloh Church Rd.	5/26/2015	Trash	Cleared	12/11/2015	Fork Union
1511-01	4-(23)-16	Crawford, Roger	1470 Oliver Creek Rd.	11/02/2015	Trash-Debris	Cleared	12/02/2015	Palmyra
1511-02	7-(1)-7	Morris, T. Keith	3950 Boston Creek Dr.	11/6/2015	Home Ind. SUP, Shoot	Cleared	12/06/2015	Palmyra
1511-03	18-(A)-25B	Stevens, Roger	Thomas Farm La. (Vacant)	11/9/2015	Junk/Inoperable Vehicle	Pending	01/20/2016	Palmyra
1512-01	52-(14)-11	Rural Development	East River Rd.	12/8/2015	Trash/Debris	Cleared	01/08/2016	Fork Union
1512-02	19-(A)-50	Faris, Edward L.	Ridge Rd.	12/10/2015	Trash/Debris	Cleared	01/10/2016	Columbia
1512-03	20-(15)-2	Santos, Fuentes	1602 Bybees Church Rd.	12/15/2015	Trash/Debris	Cleared	01/15/2016	Columbia
<b>MISCELLANEOUS</b>					<b>STATUS</b>	<b>DEFINITIONS</b>		
Biosolids Applied and Signs Displayed (39 properties)					Court Pending:	Summons to be issued		
Compliance with Tenaska Virginia Sound Levels 12/15/2015					Court:	Case is before Judge		
Placed Two (2) Public Hearing Signs					Pending:	Violation Notice Sent		
Removed Twenty (20) Public Hearing Signs					Permit Pending:	Applied for Permit to Abate Violation		
Twenty Four (68) Signs Removed From Public Rights-Of-Way					Extended:	Extension Given/Making Progress to Abate Violations		
Deliver packets to BOS, PC Members and Library					Board:	Case is pending Board Approval		
Field Survey and Courthouse Research - Palmyra Rescue Squad					Cleared:	Violation Abated		
Field Survey and Courthouse Research to establish rear property boundary and non-verification of markers					Rezoning:	Property is in Rezoning Process		
Preconstruction Meeting with Building Insp. Dept. and (1) Monticello Firehouse and (2) Dominion Va. Power-Bremo					SUP Pending:	Special Use Permit Application made to Abate Violation		

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## *Transmittal Report December 2015*

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<i>Line Number</i>	<i>Code</i>	<i>Name</i>	<i>ID#</i>	<i>Amount Received</i>
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*SUBDIV*   *Subdivision & Plat Review*

BSP15020	\$50.00
BSP15021	\$50.00
BSP15022	\$50.00

*Sum:*   \$150.00

**10000013-318337**

*SITEPL*   *Site Plan Review*

SDP15019	\$1,100.00
SDP15020	\$150.00
SDP15021	\$150.00

*Sum:*   \$1,400.00

**10000013-318341**

*SUBDIV*   *Subdivision & Plat Review*

SUB15031	\$100.00
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*Sum:*   \$100.00

*Total:*   \$1,650.00

**FLUVANNA COUNTY PLANNING COMMISSION REGULAR MEETING MINUTES**

**Circuit Court Room--Fluvanna County Courts**

**December 14, 2015**

**7:00 p.m.**

**MEMBERS PRESENT:** Barry Bibb, Chairman  
Ed Zimmer, Vice Chairman  
Lewis Johnson  
Patricia Eager  
Donald Gaines

**ALSO PRESENT:** Jason Stewart, Planning and Zoning Administrator  
Steven Tugwell, Senior Planner  
James Newman, Planner  
Steve Nichols, County Administrator  
Deidre Creasy, Senior Program Support Assistant  
Joann Rawls, Senior Program Support Asst. (TMP)  
Frederick Payne, Fluvanna County Attorney

**Absent:** Tony O'Brien, Board of Supervisors Representative

**CALL TO ORDER/PLEDGE OF ALLEGIANCE**

Barry Bibb, Chairman called the meeting to order at 7:00p.m., followed by reciting the Pledge of Allegiance.

**PLANNING DIRECTOR'S REPORT (Mr. Stewart)**

1. Board of Supervisors Actions:

December 2, 2015:

**SUP 15:06 – Louisa County Water Authority (Denied)** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water pipeline from near Route 6 along the James River north to the Louisa County and Fluvanna County border. The properties are currently zoned A-1 (Agricultural General) and the properties are located in the Columbia Election District. The Tax Parcel Numbers of the properties affected by the proposal are as follows: 67-12-A3, 14-9-4, 14-A-14, 14-A-20A, 14-A-14A, 14-A-13, 14-A-20, 23-A-51, 23-A-61, 23-A-50, 23-A-62, 23-12-D, 23-12-A, 23-A-66, 23-A-67, 23-A-72B, 23-A-70, 23-A-96, 23-A-97, 23-A-99, 23-A-101, 23-A-102, 23-A-103, 23-A-37, 23-A-36E, 23-A-36A, 34-A-2, 34-A-4, 34-3-A, 34-3-B1, 34-3-B3, 34-3-C, 34-3-C1, 34-3-B2, 34-2-A, 34-A-17, 34-A-16, 34-A-18, 34-1-1, 34-1-3, 34-1-5, 34-1-4, 33-A-30A, 44-A-46, 44-A-46A, 44-3-1, 44-3-2, 44-2-3, 44-2-5, 44-2-4, 44-2-2, 44-2-1, 44-A-15, 44-A-17, 44-A-18, 44-A-31, 44-1-2, 44-1-3B, 54-A-10A, 54-A-14A, 54-1-1A, 54-6-C, 54-1-1, 54-2-1, 54-A-41, 54-A-43, 54-11-Z, 54-11-Y, 54-11-X, 53-11-27, 53-11-26, and 53-11-19.

**SUP 15:08 – James River Water Authority (Denied)** – A request for a special use permit to allow for major utilities with respect to the construction of a raw water supply system which includes a raw water intake and pump station at the subject properties denoted by Tax parcel Numbers: 53-A-62, 53-A-62C, 53-A-61, 53-11-5, and 53-11-19. The properties are currently zoned A-1 (Agricultural General), and the properties are located in the Columbia and Fork Union Election Districts and encompass approximately 305.202 acres.

December 16, 2015:

None.

2. Board of Zoning Appeals Actions:

No December meeting.

3. Technical Review Committee:

December 10, 2015:

**SDP 15:19 – Ja-Zan, LLC** - A site development plan request to construct a 20,000 square foot warehouse building with respect to 1.463 acres of Tax Map 5, Section 24, Parcel 8. The property is zoned I-1, Industrial, Limited and is located on the north side of Zion Station Drive, approximately 400 feet northeast of Route 250 (Richmond Road). The property is located in the Columbia 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 public comments.**

**APPROVAL OF MINUTES**

**MOTION:** Mrs. Eager moved to accept the minutes of November 16, 2015, Mr. Johnson **seconded**. The motion carried a vote of 5-0. AYES: Bibb, Eager, Gaines, Johnson; Zimmer NAYS: None.

**SUBDIVISIONS:** None

**SITE DEVELOPMENT PLANS:** None

**Public Hearings:**

**FY 2017-2021 Capital Improvement Plan**

Review and recommendation for the Capital Improvement Plan (CIP) for fiscal years 2017 through 2021 (FY2017 – FY2021) which is to be submitted in conjunction with the Fluvanna County Budget for fiscal year 2017 (FY2017). The CIP lists major construction and acquisition efforts planned for the next five (5) fiscal years, and describes proposed methods of financing for each project.

**Planner James Newman** conducted a brief presentation and addressed the Board.

**Public Hearing Comments**

**Chairman Bibb opened the floor for the FY 2017-2021 Capital Improvement Plan public hearing section of public comments. With no one wishing to speak Chairman Bibb closed the public hearing section and opened Planning Commission discussion.**

Mr. Bibb referred to the CIP ranking discussion during a previous meeting: 1)consideration for the Planning Commission's ranking and recommendations of the Administration Building repairs in conjunction with other building repairs and replacement; 2)recommendation for the computer and infrastructural technology replacement be a budget item of the School Board, as it does not comply with the Comprehensive Plan regarding items considered for the CIP.

Mr. Stewart: Staff is prepared to write a memo, to include the CIP rankings and improvement recommendations from the Planning Commission.

**Chairman Bibb Opened the public hearing.**

With no one wishing to speak, Chairman Bibb closed the public hearing regarding the FY 2017-2021 CIP Plan.

**MOTION:**

**Mr. Gaines moved to recommend approval, of the FY 2017-2021 Capital Improvement Plan, to include the memo prepared by Mr. Stewart. Mr. Zimmer second. The motion carried with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Zimmer & Gaines NAYS: None. ABSTAIN: None**

**SUP 15:10 – St. Peter & Paul Catholic Church** - A request for a Special Use Permit (SUP) to allow for an educational facility with respect to a portion of 29 acres of Tax Map 18, Section A, Parcels 7 & 7A. The affected property is located on the west side of Route 53 (Thomas Jefferson Parkway), approximately 1,380 feet northwest of its intersection with Route 600 (South Boston Road). The property is located in the Cunningham Election District and is within the Rivanna Community Planning Area.

Senior Planner Steve Tugwell conducted a brief presentation and addressed the Board

**Public Hearing Comments**

Chairman Bibb opened the floor for the SUP 15:10 public hearing section of public comments. With no one wishing to speak Chairman Bibb closed the public hearing section and opened the Planning Commission discussion.

**MOTION:**

**Mrs. Eager moved to recommend approval** SUP 15:10, Mr. Gaines second. The motion carried with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Zimmer & Gaines NAYS: None. ABSTAIN: None

**ZMP 15:06 – Gardner Trust** - An ordinance to amend the Fluvanna County Zoning Map with respect to 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1, Agricultural, General to B-1, Business, General (conditional). The affected property is located on the south side of State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

Senior Planner Steve Tugwell conducted a brief presentation and addressed the Board

**Public Hearing Comments**

Chairman Bibb opened the floor for the SUP 15:06 public hearing sections of public comments.

**Public Hearing Comments:**

- Mr. Steve Carney, 8 Riverview Terrace – Spoke in opposition – concerned about the 14-ft earthen dam, and dam failure
- Mr. Chris Perez, 739 Jefferson Dr. – Spoke in opposition – concerned about proposed use intensity
- Jane Zimmerman, 15 Pleasant View Terrace – Spoke in opposition – requested the item be deferred to allow adequate time to resolve issues between the applicant and property owners.
- John Halpin, 1 Riverview Terrace – Spoke in opposition – requested more time to consider the request
- Catherine Neelley, 41 Ashlawn Blvd. – Spoke in opposition – as LMOA Manager, echoed property owner’s concerns and asked for consideration to deny request.
- Mrs. Steve Carney (Frances), 8 Riverview Terrace – Spoke in opposition – reiterated husband’s remarks
- James Higginbotham, 2077 Lake Monticello Road – Spoke in opposition – abundance of storage facilities available in area, negative view of storage business, suggested people live in storage units, recommend denial of request.

Mr. Justin Shimp, Project Engineer asked permission to speak. Permission granted by Mr. Bibb. Due to the raised questions regarding the pond Mr. Shimp engaged in a thorough explanation regarding the need and use of the pond on the property. “The site has a natural drainage and requires a pond. Can’t get rid of the pond and there is no evidence in past experiences that the pond will be a detriment. The pond will provide a lot of sediment trapping before it reaches Lake Monticello”. Mr. Shrimp also addressed the opposition to “intensity of use”. Stated this is very low intensity and is the same as compared to a house and a half.

Mr. Burns, addressing the issue of people living in the storage units; “No one lives in our storage units. We have offices that have people located in them on the front, but we do not have people living in the storage units. We’ve never had anyone living in our storage units in twenty-three years – that’s never going to happen. So that may happen somewhere else but that does not happen here”. Mr. Burns further explained the phases of the project, their efforts to be “good neighbors”, and respectful of resident’s concerns. Mr. Burns respectfully requested approval of this project.

Chairman Bibb closed the public hearing section and opened Planning Commission discussion.

The Planning Commission Members continued with their discussion of the issues posed by the Property owners. The discussion also included questions directed to Mr. Carlos A. Burns, owner and Justin Shimp, Project Engineer to further clarify such issues as the run-off pond, location and use of rental trucks, placement and type of building lights, exterior building color, driveway gravel and pavement. Concluding the final questions to Mr. Burns and Mr. Shimp, Mr. Bibb asked for a vote.

**Chairman Bibb's comments:**

To site examples of other uses for this property, Mr. Bibb referred to the A-1 Agricultural County Zoning Ordinance which provided a list of by rights uses. Examples from the list include:

- hog farms
- non-commercial greenhouses
- conservation areas
- equestrian facilities
- hunting preserves
- sawmills
- wood storage
- family day care facilities
- farm equipment sales.

Additionally, he referenced a long list of special use permits such as a car wash and/or a business of like nature that could be considered for the property if someone came forward with a request. Mr. Bibb also commented that he had visited the current storage business owned by the Burns and found it to be clean and well maintained; unlike other storage businesses alluded to in the Public Hearing Comments.

**MOTION:**

**Mrs. Eager moved to recommend deferral of ZMP, 15:06 Gardner Trust until the regular Planning Meeting on January 27, 2016. Mr. Johnson second. The motion carried with a vote of 4-1. AYES: Bibb, Eager, Johnson, Zimmer. Nays, Gaines**

**SITE DEVELOPMENT PLANS:**

**SDP 15:17 – Paul M. Beyer** - A site development plan requested to regrade the parcel to cut the property such that the soil can be relocated off site with respect to a portion of 10 to 12 acres of Tax Map 62, Section 1, Parcels 1 & 2, and 62-A-8. The property is zoned A-1, Agricultural, General and is located on the south side of State Route 656 (Bremo Road) approximately 2,000 feet southwest of its intersection with State Route 655 (West Bottom Road. The property is located in the Fork Union Election District and is within the Rural Preservation Planning Area.

**MOTION:**

**Mr. Johnson moved to recommend approval SDP 15:17 –, Mrs. Eager second. The motion carried with a vote of 5-0-0. AYES: Bibb, Eager, Johnson, Zimmer & Gaines NAYS: None. ABSTAIN: None**

**UNFINISHED BUSINESS:** None

**PRESENTATIONS:** None

**NEW BUSINESS:**

Mr. Stewart announced a special called meeting for the BOS and Planning Commission on January 20, 2016. Mr. Bibb expressed concerns regarding a joint meeting and asked for clarification as to the meeting procedure. He objected to the manner in which he had been notified of the meeting and felt the notification should have been the responsibility of the BOS Chair.

Mr. Payne explained the need for the meeting stating, that “if the JRWA project is to go forward, it needs to be done on a timely basis and before the end of January”.

Ms. Eager asked for clarification of the next meeting and if tonight's deferred item will be on the agenda. Mr. Bibb responded that the next regular scheduled meeting will be January 27, 2016 at which time the item deferred will be heard.

Mr. Bibb & Mr. Nichols further discussed the joint meeting. Mr. Nichols stated he notified Mr. Stewart after the December 7, 2015 meeting of the decision to hold a special called meeting on January 20, 2016.

Mr. Bibb stated he would like to give one of the Planning Commissioners the opportunity to volunteer as a member of the Zoning Appeals Board, however if no one volunteers, he will submit his name for consideration. Mr. Zimmer volunteered as a candidate. Mr. Nichols stated Mr. Zimmer's name would be submitted along with other candidates for this position.

**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 public comment section.

**ADJOURN**

There being no further business, Chairman Bibb adjourned the Planning Commission meeting of December 14, 2015 at 9:00 p.m.

Minutes recorded by Joann Rawls

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Barry A. Bibb, Chairman  
Fluvanna County Planning Commission



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# COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

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

## STAFF REPORT

**To:** Fluvanna County Planning Commission

**Case Number:** SDP 15:19

**Tax Map:** Tax Map 5, Section 24, Parcel 8

**From:** Steve Tugwell

**District:** Columbia

**Date:** January 27, 2016

**General Information:** This item is scheduled to be heard by the Planning Commission on Wednesday, January 27, 2016 at 7:00 p.m. in the Circuit Courtroom in the Courts Building.

**Owner:** Ja-Zan, LLC

**Applicant/Representative:** Carbon-Core Corporation/Collins Engineering

**Requested Action:** Approval of a sketch plan request to construct a 20,000 square foot warehouse building with respect to 1.463 acres of Tax Map 5, Section 24, Parcel 8. (Attachment A)

**Location:** The affected property is located on the northwest side of Zion Station Drive, approximately 400 feet northeast of Route 250 (Richmond Road). (Attachment B)

**Existing Zoning:** I-1, Industrial, Limited

**Existing Land Use:** unimproved lot

**Adjacent Land Uses:** Adjacent properties are zoned A-1, B-1, and I-1.

**Comprehensive Plan:** Zion Crossroads Community Planning Area

**Zoning History:** This property was rezoned from A-1 to I-1 on August 5, 1985 (ZMP 85:02).

## Analysis:

The applicant is requesting sketch plan approval to build a 20,000 square foot warehouse building, on I-1 zoned property, approximately 1.463 acres in size. In accordance with Sec. 22-11-2.1 of the Fluvanna County Zoning Ordinance, warehouses are a by-right use.

The subject parcel is lot 8 of Zion Station industrial subdivision. There are currently three (3) buildings in the subdivision, and a total of 12 lots. According to the submitted sketch plan, the applicant is proposing to construct a warehouse building approximately 120' x 167' in size (*more or less*), with peripheral parking and loading spaces. The sketch plan proposes an 18,000 square foot warehouse, and a 2,000 square foot office/showroom, and in accordance with Sec. 22-11-6 of the zoning ordinance, the sketch plan is in compliance with the minimum building setback requirement of 50' from adjoining agriculturally zoned parcels, and the 25' parking setback requirement. (Attachment C)

- Exception requested to not construct a sidewalk:

Per Sec. 22-11-11 of the Zoning Ordinance, the applicant is requesting an exception from the Planning Commission to not install sidewalks along the parcel's road-frontage on Zion Station Court. (Attachment D)

This is a limited-lot, industrial subdivision that was designed prior to the effective ordinance amendment date (5-4-2011) that requires sidewalks "*on both sides of all roadways, public and private*". In lieu of not installing sidewalks with this development, staff has advised the applicant to ensure that the final site development plan provides for safe and convenient internal pedestrian access to and from the building's main entrance, placing particular emphasis on handicapped parking spaces.

### *Parking/Roads*

This site is accessed off of Zion Station Court, an internal street within the Zion Station industrial subdivision. VDOT has requested an AutoTurn diagram with the appropriate design vehicle demonstrating that trucks can safely enter and exit the site. A total of 16 parking spaces including two (2) handicap spaces are proposed with this project.

In accordance with Sec. 22-26-4 C. of the zoning ordinance, parking lots consisting of five (5) or more spaces shall be screened from view of the public roads, rights-of-way, and adjacent property. Additionally, per 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.*"

### *Landscaping/Screening*

All landscaping should be in compliance with the Fluvanna County Zoning Ordinance. All parking lots of five (5) 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. In accordance with Sec. 22-11-3 (b) of the zoning ordinance, screening from adjacent business, residential and agricultural districts shall be required.

### *Signage & Outdoor Lighting*

Directional/traffic circulation signage is permitted by-right at entrance/exit points into the site. Permanent signs are required to have a separate sign permit. Approximate locations of outdoor parking lot lighting have not been shown on the sketch plan, but will be required on the final site plan in accordance with Sec. 22-26-4 E. of the zoning ordinance. All site lighting must be outdoor lighting that is fully shielded and uses full cut-off lighting fixtures, in accordance with Sec. 22-25-6 of the zoning ordinance. A photometric lighting plan shall be submitted with the final site development plan.

### *Stormwater Management*

An erosion and sediment control plan would also be required for review and approval prior to the issuance of any land disturbing permit.

### *Septic and Water Usage*

Charles Miller with the Health Dept. stated that the lots at Zion Station are served by wells that fall under the Dept. of Health, Office of Water Programs in Lexington, VA, and the sewage disposal system is an engineered, time-dosed system.

### **Technical Review Committee:**

The following comments were generated from the December 10, 2015 Technical Review Committee meeting:

1. VDOT had the following questions/comments:
  - Will one of the two entrances shown be designated as a “Truck Entrance” by signage in order to avoid confusion and ensure the smooth flow of traffic into and out of the site?
  - Both entrances are shown as 30 ft. wide with 25 ft. radii. What size delivery trucks are proposed to use the entrances (tractor trailer, box truck, etc.)?
  - Provide an AutoTurn diagram with the appropriate design vehicle demonstrating that trucks can safely enter and exit the site.
2. Charles Miller with the Health Dept. stated that the lots at Zion Station are served by wells that fall under the Dept. of Health, Office of Water Programs in Lexington, VA, and the sewage disposal system is an engineered, time-dosed system designed by Michael Craun, P. E.;
3. The Fire Chief asked what will be housed in the building, and asked if fire hydrants will be installed. The Fire Chief also commented it would be good to have hydrants as close o

the building as possible when water becomes available, and that there is a maximum of 800 feet between hydrants;

4. Planning staff:

-Building height may be up to 45’;

-80% of the lot may be covered with impervious surfaces;

-Per Sec. 21-11-11, sidewalks are required on both sides of all roadways, public and private, however per the same section, the Planning Commission may grant an exception. Applicant is hereby advised to submit a letter to Planning Staff addressed to the Planning Commission requesting that they grant an exception. Justification for such exception may be based on the following: a. The subdivision was developed prior to the text amendment that requires sidewalks, b. The subdivision was developed with drainage ditches and culverts, and none of the other lots have sidewalks along the access road, c. applicant will provide an internal sidewalk for safe and convenient pedestrian access from parking areas to the main entry to the building, but especially for the handicap parking spaces;

-Site lighting is required for five (5) or more parking spaces, and lighting must be full cut-off and fully shielded. A photometric plan will be required at the final site development plan phase;

-Parking lot landscaping will be required per Article 24 of the Zoning Ordinance.

**Conclusion:**

With the exception of providing for the installation of sidewalks as required by Sec. 22-11-11, 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, and outdoor lighting plans;
2. Meeting all VDOT requirements;
3. Meet all required Erosion and Sedimentation Control regulations.

**Suggested Motion:**

I move to approve SDP 15:19, a sketch plan request to construct a 20,000 square foot warehouse building, and approve an exception to not construct a sidewalk with respect to 1.463 acres of Tax Map 5, Section 24, Parcel 8, subject to the conditions listed in the staff report.

**Attachments:**

A – Application

B – Aerial Vicinity Map

C - Site sketch plan

D – Applicant’s letter requesting an exception to not construct a sidewalk

E - TRC comment letter and emails

Copy:

Owner: Ja-Zan, LLC, 1150 Pepsi Place, Charlottesville, VA 22901- via email to [250gto@pepsicva.com](mailto:250gto@pepsicva.com)

Applicant: Carbon-Core Corporation, 6812 Spring Hill Road, Ruckersville, VA 22968 – via email to [jack@carbon-core.com](mailto:jack@carbon-core.com)

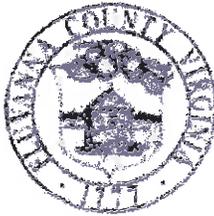
Representative: Collins Engineering, 200 Garret Street, Charlottesville, VA 22902, via email to Scott Collins [scott@collins-engineering.com](mailto:scott@collins-engineering.com), and [graham@collins-engineering.com](mailto:graham@collins-engineering.com)

File

Received

DEC 1 2015

Planning Dept.



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
 Site Development Application

Owner of Record: Ja-Zan, LLC

Applicant of Record: Carbon-Core Corp

E911 Address: 1150 Pepsi Place, Charlottesville, VA 22901

E911 Address: 6812 Spring Hill Road, Ruckersville, 22968

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

Phone: 434-990-9909 Fax: \_\_\_\_\_

Email: 250gto@pepsicva.com

Email: jack@carbon-core.com

Representative: Collins Engineering - Scott Collins

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: 200 Garrett Street, Charlottesville VA 22902

Phone: 434-293-3719 Fax: \_\_\_\_\_

Is property in Agricultural Forestal District?  No  Yes

Email: scott@collins-engineering.com

If Yes, what district: \_\_\_\_\_

Tax Map and Parcel(s): 5-24-8

Deed Book Reference: \_\_\_\_\_

Acreage: 1.463 Zoning: I-1

Deed Restrictions?  No  Yes (Attach copy)

Location: Zion Station Business Park

Description of Property: Property located along Zion Station Court between the school site and daycare property

Proposed Structure: 20,000 SF warehouse building

Dimensions of Building: 120'x167'

Lighting Standards on Site:  No  Yes

# of Employees: 8

# of Parking Spaces: 16 Paved

Noise Limitations: N/A

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.

Applicant Name (Please Print) Collins Engineering  
Scott Collins

Applicant Signature and Date  
[Signature] 11-24-15

OFFICE USE ONLY

Date Received: <u>12-1-15</u>	Fee Paid: <u>\$1100.00</u>	Application #: <u>SDP 15: 019</u>
Election District: <u>Columbia</u>	Planning Area: <u>Zion Cross Road</u>	Number of Lots: _____
Total Fees Due at Time of Submission		
Sketch Plan: <u>\$150.00</u>	Minor Plan: <u>\$550.00</u>	Major Plan: <u>\$1,100.00</u>
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



Scale: 1:4513.988705

Date: 01/19/2016

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).



Fluvanna County Planning Commission  
132 Main Street  
Post Office Box 540  
Palmyra, VA 22963

Received  
DEC 30 2015  
Fluvanna County

RE: Zion Station, Parcel 8

Please let this letter serve as an official request for an exception from the Planning Commission to not install sidewalks along the parcel's road frontage. Per Zoning Ordinance section 22-11-11, second paragraph, sidewalks will not be required to be installed along road frontage when an exception is approved by the Planning Commission and sufficient pedestrian circulation is provided.

And after consulting with the Fluvanna County Planning and Zoning department, it was determined sidewalks along the road frontage could be eliminated if it is compensated with the installation of "...internal sidewalks providing safe and convenient pedestrian access and handicap spaces designed as close to the main entry as possible..."

It is the applicant's belief that installing small disjointed segments of sidewalk along a predominantly industrial occupied road located on a cul-de-sac, and leading to nowhere, is not ideal for pedestrian foot traffic, the streetscape and public safety. It is also believed by the applicant that the intent of this sidewalk requirement is not for situations/parcels like this where existing adjacent parcels lack sidewalks to connect into. The applicant therefore respectfully requests the Planning Commission approve this exception.

Cordially,  
Graham Murray, PE




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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

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

January 6, 2016

Ja-Zan, LLC  
1150 Pepsi Place  
Charlottesville, VA 22901

**Re: SDP 15:19 Ja-Zan, LLC site development plan**  
**Tax Map: 5-24-8**

Dear Applicant:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, December 10, 2015.

1. VDOT had the following questions/comments:
  - Will one of the two entrances shown be designated as a "Truck Entrance" by signage in order to avoid confusion and ensure the smooth flow of traffic into and out of the site?
  - Both entrances are shown as 30 ft. wide with 25 ft. radii. What size delivery trucks are proposed to use the entrances (tractor trailer, box truck, etc.)?
  - Provide an AutoTurn diagram with the appropriate design vehicle demonstrating that trucks can safely enter and exit the site.
2. Charles Miller with the Health Dept. stated that the lots at Zion Station are served by wells that fall under the Dept. of Health, Office of Water Programs in Lexington, VA, and the sewage disposal system is an engineered, time-dosed system designed by Michael Craun, P. E.;
3. The Fire Chief asked what will be housed in the building, and asked if fire hydrants will be installed. The Fire Chief also commented it would be good to have hydrants as close o the building as possible when water becomes available, and that there is a maximum of 800 feet between hydrants;
4. Planning staff:
  - Building height may be up to 45';
  - 80% of the lot may be covered with impervious surfaces;

- Per Sec. 21-11-11, sidewalks are required on both sides of all roadways, public and private, however per the same section, the Planning Commission may grant an exception. Applicant is hereby advised to submit a letter to Planning Staff addressed to the Planning Commission requesting that they grant an exception. Justification for such exception may be based on the following: a. The subdivision was developed prior to the text amendment that requires sidewalks, b. The subdivision was developed with drainage ditches and culverts, and none of the other lots have sidewalks along the access road, c. applicant will provide an internal sidewalk for safe and convenient pedestrian access from parking areas to the main entry to the building, but especially for the handicap parking spaces;
- Site lighting is required for five (5) or more parking spaces, and lighting must be full cut-off and fully shielded. A photometric plan will be required at the final site development plan phase;
- Parking lot landscaping will be required per Article 24 of the Zoning Ordinance.

The Planning Commission will have a meeting to discuss this item on Wednesday, January 27, 2016. Your attendance or your designee is required at this meeting.

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: Carbon-Core Corp. via email – [jack@carbon-core.com](mailto:jack@carbon-core.com)  
Scott Collins, P.E., via email - [scott@collins-engineering.com](mailto:scott@collins-engineering.com)

File

**Steven Tugwell**

---

**From:** Wood, Mark, P.E., L.S (VDOT) <James.Wood@VDOT.virginia.gov>  
**Sent:** Wednesday, January 06, 2016 11:03 AM  
**To:** Steven Tugwell  
**Cc:** Reed, James M. (VDOT); Wolfrey, Sharon A. (VDOT)  
**Subject:** VDOT Preliminary Review Comments: Zion Station - Parcel 8 Sketch Plan, Zion Station Court, Fluvanna County

**Importance:** High

Steve,

I have the following preliminary comments concerning the proposed Office/Warehouse off of Zion Station Court:

- Will one of the two entrances shown be designated as a "Truck Entrance" by signage in order to avoid confusion and ensure the smooth flow of traffic into and out of the site?
- Both entrances are shown as 30 ft. wide with 25 ft. radii. What size delivery trucks are proposed to use the entrances (tractor trailer, box truck, etc.)?
- Provide an AutoTurn diagram with the appropriate design vehicle demonstrating that trucks can safely enter and exit the site.

J. Mark Wood, P.E., L.S.  
 Area Land Use Engineer  
 Virginia Department of Transportation  
 Land Development – South  
 P.O. Box 2194  
 Louisa, VA 23093  
 Phone: (540) 967-3708  
 Cell: (540) 223-5240  
 Email: [Mark.Wood@VDOT.Virginia.gov](mailto:Mark.Wood@VDOT.Virginia.gov)

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Tuesday, December 22, 2015 8:27 AM  
**To:** Wood, Mark, P.E., L.S (VDOT)  
**Subject:** RE: Dec. 10, 2015 TRC Meeting  
**Importance:** High

Hi Mark,

Did you have any TRC comments from this meeting?  
 Thanks,  
 Steve

---

**From:** Wood, Mark, P.E., L.S (VDOT) [<mailto:James.Wood@VDOT.virginia.gov>]  
**Sent:** Thursday, December 10, 2015 10:00 AM  
**To:** Steven Tugwell

**Subject:** Dec. 10, 2015 TRC Meeting

**Importance:** High

Steve,

I am unable to attend the TRC Meeting this morning and will be providing written comments by email as soon as possible.

J. Mark Wood, P.E., L.S.  
Area Land Use Engineer  
Virginia Department of Transportation  
Land Development – South  
P.O. Box 2194  
Louisa, VA 23093  
Phone: (540) 967-3708  
Cell: (540) 223-5240  
Email

**Steven Tugwell**

---

**From:** Miller, Charles (VDH) <Charles.Miller@vdh.virginia.gov>  
**Sent:** Tuesday, December 15, 2015 9:53 AM  
**To:** Steven Tugwell  
**Subject:** RE: December 10, 2015 TRC meeting

Steve,

I apologize for the delay in responding to your TRC request. The lots at Zion Station are served by wells that fall under the Dept. of Health, Office of Water Programs in Lexington and the sewage disposal system is an engineered, time dosed system designed by Michael Craun, P. E.

Charles

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Thursday, December 10, 2015 12:05 PM  
**To:** Alyson Sappington; Andrea Gaines; Andy Wills; Barry Bibb; Brad Sheffield; Miller, Charles (VDH); Wright, Chuck (DOF); Deidre Creasy; Donald Gaines; Ed Zimmer; Jason Stewart; Jay Lindsay; Lewis Johnson; Lucas Lyons; Wood, Mark, P.E., L.S (VDOT); Brent, Mike; Patricia Eager; Robert Popowicz; Roger Black; [solson@forvec.com](mailto:solson@forvec.com); Tony O'Brien; Wayne Stephens  
**Subject:** December 10, 2015 TRC meeting

The Fire Chief attended today's TRC meeting to discuss the item on the attached agenda, but we haven't heard from any of the other TRC members.

These are regularly scheduled meetings, and the packets are sent out a week in advance. It would be helpful and appreciated if acknowledgements could be made to planning staff when TRC agendas are received, and a response with comments or questions. Doing this will ensure that planning staff gets complete and accurate information to the planning commission and the applicant.

Any questions please let me know.

Thank you,

Steve

**Steve Tugwell**  
**Senior Planner**  
**Dept. of Planning & Community Development**  
**Fluvanna County, VA**  
**434-591-1910**  
[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)

 please conserve, do not print this e-mail unless necessary



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# COUNTY OF FLUVANNA

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## STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Case Number:** ZMP 15:06  
**Tax Map:** Tax Map 9, Section A, Parcel 9

**From:** Steve Tugwell  
**District:** Palmyra  
**Date:** January 27, 2016

**General Information:**

This request was deferred from the Monday, December 14, 2015 Planning Commission meeting, and is scheduled for the Planning Commission to consider at their Wednesday, January 27, 2016 meeting at 7:00 pm in the Circuit Court Room in the Courts Building.

**Owner/Applicant:**

Gardner Trust/Len Gardner

**Representative:**

Shimp Engineering, P.C. – Justin M. Shimp, P.E.

**Requested Action:**

To amend the Fluvanna County Zoning Map with respect to approximately 13.4 acres of Tax Map 9, Section A, Parcel 9, to rezone the same from A-1, Agricultural, General, to B-1 Business, General (conditional). (Attachment A)

**Location:**

The affected property is located on the south side of State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area. (Attachment B)

**Existing Zoning:**

A-1, Agricultural, General (Attachment C)

**Proposed Zoning:**

B-1, Business, General (conditional)

**Existing Land Use:**

Vacant, wooded

**Planning Area:**

Rivanna Community Planning Area

**Adjacent Land Use:**

Adjacent properties are zoned A-1, R-4, and B-C.

**Zoning History:** None

**Neighborhood Meeting:**

Excluding staff and the applicant, there were six (6) attendees at the November 12, 2015 neighborhood meeting.

A second neighborhood meeting was held on November 30, 2015 in which approximately 25 attendees were present. (Attachment D)

**Technical Review Committee:**

The following comments were generated from the November 12, 2015 Technical Review Committee meeting:

1. VDOT stated the following:
  - Rte. 618 (Lake Monticello Road) is a Rural Major Collector with a posted speed limit of 45 mph. VDOT's 2013 Traffic Data shows an estimated Annual Average Daily Traffic Volume of 3000 vehicles.
  - Rte. 618 (Lake Monticello Road) has a posted speed limit of 45 mph which requires a minimum of 500 ft. of Intersection Sight Distance for a standard commercial entrance. Phase I development shows self-storage units which are typically low volume traffic generators. If the traffic generated does not exceed 50 vpd then a low volume commercial entrance can be utilized (minimum Stopping Sight Distance = 360 ft. with 500 ft. preferred). When additional Phases are proposed that trigger over 50 vpd then a commercial entrance with a minimum 500 ft. of Intersection Sight Distance will be required by VDOT. If a right turn lane is required, then the sight distance is measured 14.5 ft. off the edge of the right turn lane.
  - If a left turn lane is not required for the development, ensure that there is a minimum of 360 ft. of Stopping Sight Distance for motorists on Rte. 618 that are approaching stopped vehicles waiting to make a left turn into the self-storage.
  - Ensure there is a minimum entrance spacing of at least 335 ft. from the center of the proposed commercial entrance to the center of the closest existing commercial entrance.
  - If delivery trucks will be entering the proposed entrance ensure that the entrance radii are adequate to allow for truck ingress/egress without encroaching into the opposing travel lanes (Rte. 618 and the internal access road).
  - Graphically demonstrate (horizontally and vertically) that the proposed commercial entrance provides the minimum 500 ft. of Intersection Sight Distance for a commercial entrance or the minimum 360 ft. for a Low Volume Entrance (50 vpd or less) with the height of eye = 3.5 ft. and 14.5 ft. off edge of pavement and the height of object = 3.5 ft. and 4 ft. off centerline of travel lane of approaching vehicle. Height of eye is located 14.5 ft. off edge of closest travel lane and 14.5 ft. off edge of right turn lane if one is required.
2. This site is within Dominion Power's jurisdiction;
3. The erosion and sediment control inspector stated that an E&S plan will be required;
4. Mrs. Eager asked if there will be room for a tractor-trailer to get in and out of the site;

5. Planning Staff commented that a major site development plan will be required prior to the construction of any site improvements, including landscaping and screening requirements between adjoining residentially-zoned properties. Also, the one area that is shown on the sketch plan where screening is interrupted will need to be screened. A fence using privacy slats or a masonry wall that would deflect light-intrusion from headlights is recommended.
6. The Fire Chief inquired about the width of the travel-way, and whether or not there would be any hazardous materials stored in any of the storage units, and for management to be aware of what will be stored inside of the units ;
7. Aqua Virginia stated that water and sewer service is available to this site, but that the utility lines will need to be extended in order to do so;
8. Health Dept. stated they have no comments;  
(Attachment E)

**Statement of Intent:**

This district is composed of certain low to medium density concentrations of residential uses, together with certain complementary public, semi-public, institutional, commercial and recreational uses, all of which are intended to be at a scale appropriate to support the residential needs of the district. It is intended that this district be applied to the existing community of Lake Monticello and Community Planning Areas as defined by the Comprehensive Plan. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage, insofar as compatible with the intensity of land use, a suitable environment for family life and to permit certain related public, semi-public, institutional and recreational uses and certain commercial uses of a character compatible with such residential uses and which are unlikely to develop general concentrations of traffic, crowds of customers, and general outdoor advertising. To these ends, retail activity is sharply limited and this district is protected against encroachment of general commercial or industrial uses.

**Analysis:**

The applicant is requesting to rezone 13.4 acres of (Tax Map 9, Section A, Parcel 9) from A-1, Agricultural, General, to B-1, Business, General (conditional). The subject parcel is located on the south side of State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello).

The proposed use of the property stated on the application is a self-storage facility and future retail center. In accordance with the applicant's sketch plan, the property will be developed in

three (3) phases, with a self-storage facility planned for the first two (2) phases, and a future commercial retail center in phase 3. After hearing much constructive feedback from adjoining property owners at two (2) neighborhood meetings, the applicants revised their plan and draft proffers to address light control and screening components of the plan. The access easement and proposed locations of the storage buildings were revised to reduce the amount of potential light trespass from vehicle headlights during evening hours. The applicant has submitted a draft proffer statement which would exclude certain uses that would otherwise be allowed by-right in the B-1 zoning district. Uses that are allowed by special use permit in the B-1 zoning district may still be permitted, subject to an approved special use permit. In addition, the applicant has restricted land-uses on Phase 1 and 2 to self-storage facilities only. The following uses have been voluntarily excluded as part of this application: *Automobile repair service establishments, automobile sales, car washes, gas stations, laundries, large-scale retail stores, and indoor shooting ranges*. Being that the property is currently zoned A-1 (Agricultural, General), there are a wide-range of uses permitted by-right, and by special use permit. A few by-right uses include equestrian facilities, hunting preserves, temporary sawmills, rural cluster developments, and group homes. Uses permitted by special use permit in the A-1 zoning district include but are not limited to: correctional facilities, automobile service establishments, boarding houses, and car washes.

In addition to the tree protection standards required by Article 24 of the Fluvanna County Zoning Ordinance, the applicant has proffered to establish a minimum 50-foot wide tree buffer as generally delineated on sheet 3 of the revised plan submitted on December 4, 2015. Also, the applicant has proffered that all lighting fixtures be “*full cut-off*”, which is a requirement of Article 25 (outdoor light control), of the Zoning Ordinance.

If this rezoning is approved, then a site development plan that is in full compliance with county ordinances and associated proffers shall be reviewed and approved by planning staff prior to the commencement of any site improvements or construction.

(Attachment F)

### **Comprehensive Plan:**

#### **Land Use Chapter:**

The Comprehensive Plan designates this property as within the Rivanna Community Planning Area. According to this chapter, “*additional services and infrastructure are needed to accommodate more growth*”. Additionally, “*medium and small commercial businesses, along with office, civic, and residential uses, combine to form a series of neo-traditional developments that are interconnected with surrounding development*”. This is a heavily populated area of the county, with a variety of retail establishments designed to support the existing residential community.

Further, “*surrounding growth should be a mixture of uses and residential dwelling types that serve a variety of incomes. Neighborhood mixed-use is needed to help offset the volume of single-family residential development already in this community.*”

The Rivanna Community Planning Area is the most developed planning area in the county, and represents a good mixture of residential and commercial uses to sustain the citizenry. A variety of retail, food service, and professional service oriented businesses are located in and around the Rivanna CPA.

### **ECONOMIC DEVELOPMENT**

The 2015 Comprehensive Plan states that “*the primary infrastructure service areas will be the Zion Crossroads, Lake Monticello, and Fork Union community planning areas*”. This property is located within the Rivanna Community Planning Area, in close proximity to the high-density residential Lake Monticello Community.

### **Conclusion:**

This rezoning request appears to meet the intent of the Comprehensive Plan in that the proposed rezoning may contribute to “*medium and small commercial businesses, along with office, civic, and residential uses, combine to form a series of neo-traditional developments that are interconnected with surrounding development*”. Additionally, the proposed use may contribute to the sustainability of services for the greater Lake Monticello residential community.

In addition to conformance with the Comprehensive Plan, the Planning Commission may want to consider any potential adverse impacts, such as traffic entering and exiting the property, noise, or potential impacts to adjacent properties.

### **Suggested Motion:**

I move that the Planning Commission recommend approval/denial/deferral of the attached ordinance for ZMP 15:06, a request to amend the Fluvanna County Zoning Map with respect to approximately 13.4 acres of Tax Map 9, Section A, Parcel 9, to rezone the same from A-1, Agricultural, General, to B-1, Business, General (conditional).

### **Attachments:**

- A – Application, owner’s permission letter, and APO letter
- B – Aerial Vicinity Map
- C – Existing zoning map
- D – 1<sup>st</sup> and 2<sup>nd</sup> Neighborhood meeting sign-in sheets and comments
- E – TRC comment letter and emails from the Fire Chief & Aqua Virginia
- F - Applicant’s site rendering, revised draft proffer statement – dated 12-16-2015
- G - Proposed ordinance
- H – Emails and comments/concerns from the neighbors

Copy: Mr. Len Gardner, Gardner Trust – 3 Cove Circle, Palmyra, VA 22963

Mr. Carlos Burns - [carlos@storefss.com](mailto:carlos@storefss.com)

Justin M. Shimp, P.E., Shimp Engineering, P.C. via email - [justin@shimp-engineering.com](mailto:justin@shimp-engineering.com)

Kelly Strickland, Shimp Engineering, P.C., via email - [kelly@shimp-engineering.com](mailto:kelly@shimp-engineering.com)

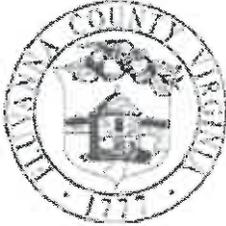
Mr. & Mrs. Steve Carney - [scarney@gmail.com](mailto:scarney@gmail.com)

Mr. & Mrs. Christopher Perez - [christopherperez123@gmail.com](mailto:christopherperez123@gmail.com)

Mr. & Mrs. Edward Moore – [mooree@fuma.org](mailto:mooree@fuma.org)

File

WARREN TASKER GLOVER  
Notary Public  
Commonwealth of Virginia  
7560052  
My Commission Expires Apr 30, 2017



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA  
Application for Rezoning

Received  
NOV 02 2015

Owner of Record: Gardner Trust

Applicant of Record: Fluvanna Self Storage

E911 Address: 3 Cove Circle Palmyra, VA 22963

E911 Address: 21 Burns Plaza Palmyra, VA 22963

Phone: 434-589-3074 Fax: \_\_\_\_\_

Phone: 434-906-3552 Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Email: carlos@storefss.com

Representative: Shimp Engineering PC - Justin Shimp

E911 Address: 201 E Main St Suite M Charlottesville VA 22902

Phone: (434) 277-5140 Fax: \_\_\_\_\_

Email: justin@shimp-engineering.com

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): Tax Map 9(A) Parcel 9

Deed Book Reference: DB 496 P 641

Acreage: 13.4 acres Zoning: A-1 (agricultural)

Deed Restrictions?  No  Yes (Attach copy)

Location of Parcel: Property located on south side of Lake Monticello Road (S.R. 618), 1,000 FT west of River Run Drive

Requested Zoning: B-1

Proposed use of Property: Self-Storage facility and future retail center

**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: 11-2-15

Signature of Owner/Applicant: Carlos Burns

Subscribed and sworn to before me this 2

day of November, 2015 Register # 7560052

My commission expires: April 30 2017

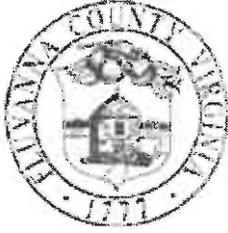
Notary Public: Warren Tasker Glover

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>11/02/15</u>	Pre-Application Meeting:	PH Sign Deposit Received: <u>1/31/16 4177</u>	Application #: <u>ZMP 15 : 006</u>
\$1,000 plus \$50 for per acre plus mailing costs fee paid: <b>Mailing Costs: \$20.00</b> Adjacent Property Owner (APO) after 1st 15, Certified			
Proffer or Master Plan Amendment: \$750.00 plus mailing costs			
Election District: <u>Palmyra</u>	Planning Area: <u>Palmyra CPA</u>		
Public Hearings			
Planning Commission		Board of Supervisors	
Advertisement Dates: <u>Nov 23rd (Dec 3rd + 10th)</u>	Advertisement Dates: <u>Dec 20th (Jan 17th + 14th)</u>		
APO Notification: <u>Nov 30th</u>	APO Notification: <u>Jan 6th</u>		
Date of Hearing: <u>Dec 14th 2015</u>	Date of Hearing: <u>Jan 20th</u>		
Decision:	Decision:		

Fluvanna County Department of Planning & Community Development \* Box 540 \* Palmyra, VA 22963 \* (434)591-1910 \* Fax (434)591-1911

This form is available on the Fluvanna County website: [www.fluvannacounty.org](http://www.fluvannacounty.org)



COMMONWEALTH OF VIRGINIA  
 COUNTY OF FLUVANNA  
 Public Hearing Sign Deposit

Received  
 NOV 02 2015

Fluvanna County

Name: Fluvanna Self Storage

Address: 21 Burns Plaza

City: Palmyra

State: VA

Zip Code: 22963

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.

*Charles Burns*

Applicant Signature

11/2/15

Date

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

OFFICE USE ONLY

Application #: BZA \_\_\_\_\_ : CPA \_\_\_\_\_ : SUP \_\_\_\_\_ : ZMP \_\_\_\_\_ : ZTA \_\_\_\_\_ :

\$90 deposit paid per sign\*:

Approximate date to be returned:

October 30, 2015

I, Len Gardner, Owner/Manager of the Gardner Trust, which owns the 13.4 acre Fluvanna County Tax Map 9 (A) Parcel 9, do hereby authorize Carlos Burns, Owner/Manager of Fluvanna Self Storage and his agent, Shimp Engineering, to act on my behalf with any and all matters concerning the request to rezone Fluvanna Tax Map 9 (A) Parcel 9.



Len Gardner  
3 Cove Circle  
Palmyra, VA 22963  
434-589-3074

**Received**  
**NOV 02 2015**  
**Fluvanna County**



PROJECT MANAGEMENT  
CIVIL ENGINEERING  
LAND PLANNING

Received

NOV 02 2015

Fluvanna County

**Fluvanna Self Storage Facility**  
**Rezoning Request #**  
**Project Narrative**  
**November 2, 2015**

### **Written Description of the Proposal:**

In Accordance with Article 20 of the Fluvanna County Zoning Ordinance, Fluvanna Self Storage (the Applicant), representing Gardner Trust (the Owner) has applied for a rezoning of 13.4 acres to B-1 (General Business District). The property consists of one parcel: Tax Map 9 Section A Parcel 9 (13.4 acres). The property is currently zoned A-1 Agricultural.

The property has 514 feet of frontage on S.R. 618 (Lake Monticello Road) and is located approximately 2.1 miles west of the intersection of Lake Monticello Road and Thomas Jefferson Parkway (S.R. 53) and approximately 0.6 miles east of the main entrance to Lake Monticello.

The site is heavily wooded with no existing structures. Slopes, measured from topography available from the County GIS Mapping system, range from 6% to a maximum slope of approximately 20%. No wetlands or critical resources are evident on the site. A drainage swale traverses the site from north to south and provides an opportunity to capture storm runoff from potential development of the property.

The Applicant currently operates a self-storage facility on 5.23 acres located approximately 1.3 miles west of the site. The existing facility is at full capacity and the applicant would like to expand the Fluvanna Self Storage facility on the subject parcel. An Application Plan is included with this request and sheets 3 and 4 of the Application Plan provide a general and conceptual description of the development proposed by the Applicant. A proffer is included with the request that requires any development of the property to be in general accordance with sheet 3. An additional proffer restricts development of phase 1 (as shown on sheet 4 of the Application Plan) to the self-storage use and its associated accessory uses.

### **Consistency with the Comprehensive Plan:**

The subject property lies within the Rivanna Community Planning Area and shares a southern and western boundary with the Lake Monticello Community. Figure LU-14 of the Comprehensive Plan identifies neighborhood residential elements within the Rivanna Community Planning Area. The subject parcel is generally located within an identified Neighborhood Mixed Use element of the growth area which encourages the following uses: storefront retail, civic, office, restaurant, multi-family residential and single-family residential. The Applicant proposes a self-storage use to be located behind a future residential storefront development. The self-storage use is currently in demand and the Applicant is requesting to expand his current business to accommodate the demand.

**Impacts on Traffic:**

A self-storage facility will provide a minimal traffic increase on S.R. 618. The current Fluvanna Self Storage facility generates less than 50 trips per day and the Applicant plans to provide a nominal increase to the facility over the next 15 years (see conceptual plan for Phase 1 on sheet 4 of the Application Plan). If an opportunity to develop a future commercial use on Phase 2 or Phase 3 of the site (as shown on sheet 4 of the Application Plan), traffic impacts will be analyzed and mitigated with the development of the site.

**Environmental Impacts and Features:**

While the property lies within the Aqua Virginia jurisdictional area and sanitary sewer and water is available from adjoining systems within Lake Monticello; development of a self-storage facility with limited need for sewer capacity does not warrant a connection to the Aqua Virginia utilities. It is the intent of the Applicant to provide a small septic field and a well to serve the limited needs of the self-storage facility. Should the Applicant wish to provide onsite septic and well facilities, this shall be done in accordance with the Virginia Department of Health regulations and the requirements

The drainage swale located on the site will be graded to create an onsite stormwater management facility.

Existing trees located near the rear of the site will be preserved and incorporated into a 30 ft. deep landscape buffer adjoining the adjacent residential uses in Lake Monticello.

**Impacts on Archaeological, Cultural and Historic Resources:**

Archeological, Cultural, and Historic resources have not been identified on this site.

**Fire and Safety:**

The site is located approximately 3.5 miles from the Lake Monticello Fire and Rescue Department.

**Concept / Sketch Plan:**

Please see attached application plan.



December 4, 2015

Received

DEC 04 2015

Planning Dept.

Mr. Steve Tugwell, Planner  
 Fluvanna County  
 Department of Planning and Zoning  
 132 Main Street  
 Palmyra, VA 22963

**Regarding: ZMP 15:06 Fluvanna Self Storage  
 Rezoning Application  
 Requested B-1 (General Business) District  
 Plan Revisions**

Dear Mr. Tugwell,

As we discussed in conversations over the phone and through e-mail this past week, based on conversations and discussions with neighbors, we have revised the application plan for Fluvanna Self Storage to do the following: switch phases 1 and 2 so that phase 1 development is further from the neighbors, restrict phases 1 and 2 to the self-storage use requested, include additional buffers and screenings and proffers as discussed with neighbors. Please find the attached find the following:

- 1) 12 copies of the revised application plan, and
- 2) 2 copies of the revised proffers.

Please feel free to call and discuss any additional questions and concerns.

Best Regards,

Kelly Strickland  
 Shimp Engineering, P.C.  
 201 E. Main Street - Suite M  
 Charlottesville, VA 22902  
 434.981.6029

Cc: Mr. Carlos Burns, Applicant  
 Fluvanna Self Storage

# Memorandum

DATE: November 20th, 2015  
RE: Planning Commission APO Letter  
TO: Jason Stewart  
FROM: Deidre Creasy

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the December, 14 2015 Planning Commission Meeting.




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## COUNTY OF FLUVANNA

---

*“Responsive & Responsible Government”*

132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
www.fluvannacounty.org

### NOTICE OF PUBLIC HEARING

November 20, 2015

«Owner»  
«Address»  
«City\_State» «Zip\_Code»  
TMP# «TMP»

**Re: Public Hearing on ZMP 15:06**

Dear «Owner»:

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on the above referenced item as noted below:

<b>Purpose:</b>	<b>Planning Commission Public Hearing</b>
<b>Day/Date:</b>	<b>Monday, December 14, 2015</b>
<b>Time:</b>	<b>7:00 PM</b>
<b>Location:</b>	<b>Fluvanna County Circuit Court Room, Palmyra, VA</b>

The applicant or applicant’s representative will be present at the Board of Supervisors meeting for the rezoning request that is described as follows:

**ZMP 15:06 – Gardner Trust** - An ordinance to amend the Fluvanna County Zoning Map with respect to 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1, Agricultural, General to B-1, Business, General (conditional). The affected property is located on the south side of State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

You are welcome to attend the Public hearing and you will have an opportunity to comment, if desired. The tentative agenda and staff report for this action is available for public review on the County website at: <http://fluvannacounty.org/government/bos/agendasactionsminutes>. You can also view the report in the Fluvanna County Planning and Zoning Department during working hours (8:00 am – 5:00 pm, Monday through Friday).

If you have any questions regarding this rezoning application or the Public Hearing, please contact me at 434-591-1910.

Sincerely,

Jason Stewart  
Planning and Zoning Administrator

ZMP 15:06 Gardner Trust

TMP	Name	Address	City, State	Zip
18A 2 378	Valerie Wood	735 JEFFERSON DR	Palmyra, Va	22963
18A 2 379	Edward & Susan Moore	737 JEFFERSON DR	Palmyra, Va	22963
9 A 9	Gardner Trust	3 Cove Circle	Palmyra, Va	22963
9 A 10	Albert and Susan Ringwood	2224 LAKE MONTICELLO RD	Palmyra, Va	22963
18A 2 385	Steven & Francis Carney	8 ROADVIEW TERR	Palmyra, Va	22963
18A 2 386	Hosea Mitchell	5 ROADVIEW TER	Palmyra, Va	22963
18A 2 380	Christopher and Savitri Perez	739 JEFFERSON DR	Palmyra, Va	22963
18A 2 384	Ann Hurley	6 ROADVIEW TER	Palmyra, Va	22963
18A 2 394	Jeri Goldstein	10 CHESTNUT CT	Palmyra, Va	22963
9 A 11B	Rivanna Investments LLC	2228 LAKE MONTICELLO RD	Charlottesville, Va	22911
9 2 3	Lake Monticello Owner's Assoc.	41 Ashlawn Blvd	Palmyra, Va	22963
9 2 3A	Louis & Norma Kramer	P.O. Box 6653	Charlottesville, Va	22906

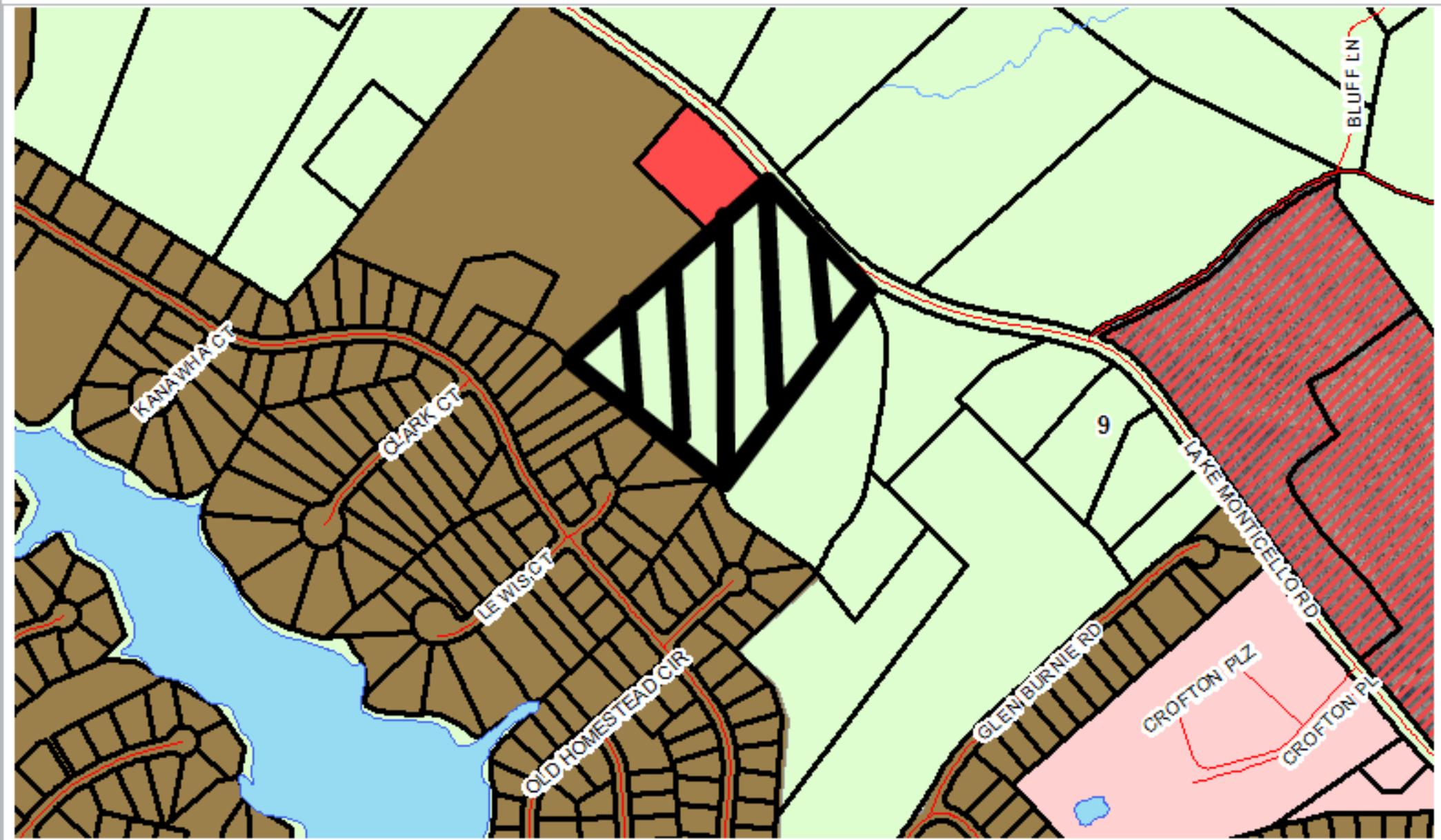


Scale: 1:9027.977411

Date: 12/09/2015

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).



Scale: 1:9027.977411

Date: 12/09/2015

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).

## November 12, 2015 Neighborhood Meeting

### SIGN IN SHEET FOR:

**ZMP 15:06 – Gardner Trust** - An ordinance to amend the Fluvanna County Zoning Map with respect to 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1, Agricultural, General to B-1, Business, General. The affected property is located on the south side of State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Community Planning Area.

**Please Print Your Name & Address:**

1. Frances + Steven Carney 7 Roadview Terrace  
Palmyra, Va 22963
2. David Hurley 6 Roadview Terrace  
Palmyra, Va 22963
3. EDWARD & SUSAN MOORE 737 JEFFERSON DR, PALMYRA 22963
4. Kelly Strickland - Shimp Eng.
5. Christopher P. Perez 739 Jefferson Dr.
6. Cperez@albemarle.org ~~Palmyra~~
7. Emails: Carney SRCARNEY@gmail.com
8. Hurley HMINUS@CENTURYLINK.NET
9. MOORE:  
moore@fuma.org
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_

7 Roadview Terrace  
 Palmyra, VA 22963 3250  
 434-591-070p  
 srcarney@gmail.com

Steven R. Carney

# Fax

<b>To:</b>	Steve Tugwell	<b>From:</b>	Steven Carney
<b>Fax:</b>	(434) 591-1911	<b>Page:</b>	4
<b>Phone:</b>	(434) 591-1910 EXT 1061	<b>Date:</b>	January 2, 2014
<b>Re:</b>	2nd Neighborhood Meeting	<b>CC:</b>	Chris Perez

Hi Mr. Tugwell,

Chris Perez, drafted a summary of what occurred at last night's meeting. In addition, please find the attached sign-in sheets and emails of attendees. The people who provided their email addresses would like to receive communications on the Gardner Trust ZMP 15:06 application.

Minutes:

Notably, tonight the applicant held a second community meeting, which lasted from 7pm till 9:30pm. Many of our fellow neighbors came out to discuss the proposal with the applicant and their project engineers. Also in attendance was Ms. Eager (PC member for our district), as well as Catherine Neely, General Manager who was representing the LMOA Board. Much was discussed and after 2 long hours of debate the applicant agreed to revise the plan to try and address some of the neighbors' concerns with lighting, screening, and phasing. The revised plans will not be available for a week or two, and then onto the Public Hearings. The applicant refused to defer the proposal to allow adequate time to review the revised plans prior to the Planning Commission meeting because they want to be able to revise the plans with the Planning Commission input rather than just citizen input. Once we receive copies of the revised plans we will disseminate them to you for review. While many of the neighbors' concerns are promised to be addressed much is still desired with this proposal.

Thanks,

Steve Carney

## November 30, 2015 2<sup>nd</sup> Neighborhood Meeting

**ZMP 15:06 Gardner Trust** - An ordinance to amend the Fluvanna County Zoning Map with respect to 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1 Agricultural, General to B-1, Business, General. The affected property is located on the south side of the State Route 618 (Lake Monticello Road) approximately ½ mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Planning Area.

**Please Print Your Name & address:**

1. Christopher Ramos 3 Roadview Terrace
2. ANN HURLEY 6 ROADVIEW TERR
3. MARIE CARDUCK 33 MULLIGAN DR.
4. PHILIP CARDUCK 33 MULLIGAN DR.
5. CARLOS P. BURNS 29 WHIPPORWILL LN
6. Steven + Frances Carney 7 Roadview Terrace
7. Valarie + Jim Marsh 735 Jefferson Dr.
8. Patricia + Linda Cager 1107 Mechanics Creek Trcy, Va
9. John Halpin 1 Roadview Terrace Palmyra, VA
10. Ken Gardner 23 Court Circle Palmyra
11. Christopher P. Perez 739 Jefferson Dr. Palmyra VA
12. Susan + Edward WARE 739 Jefferson, Palmyra, VA
13. Don + Eileen Zuckerman Circle Palmyra VA
14. CARLOS A. + CARLOS P. BURNS Applicant
15. Justin Shimp

### November 30, 2015 2<sup>nd</sup> Neighborhood Meeting

**ZMP 15:06 Gardner Trust** - An ordinance to amend the Fluvanna County Zoning Map with respect to 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1 Agricultural, General to B-1, Business, General. The affected property is located on the south side of the State Route 618 (Lake Monticello Road) approximately 1/2 mile northwest of its intersection with Ashlawn Boulevard (The Main Gate to Lake Monticello). The property is located in the Palmyra Election District and is within the Rivanna Planning Area.

Please Print Your Name & address:

*lily*  
*raisinglily@yahoo.com*

- 16. \_\_\_\_\_
- 17. *Anthony Thomas 32 Englewood Dr*
- 18. *Lily Thomamas 32 Englewood Dr*
- 19. *Minor Eager 1107 Mechuuk Creek Dr. Tracy*
- 20. \_\_\_\_\_
- 21. \_\_\_\_\_
- 22. \_\_\_\_\_
- 23. \_\_\_\_\_
- 24. \_\_\_\_\_
- 25. \_\_\_\_\_
- 26. \_\_\_\_\_
- 27. \_\_\_\_\_
- 28. \_\_\_\_\_
- 29. \_\_\_\_\_
- 30. \_\_\_\_\_

### November 30, 2015 2<sup>nd</sup> Neighborhood Meeting

**ZMP 15:06 Gardner Trust** - To be added to the Fluvanna County Planning Commission email list:

**Please Print Your Name & Email address:**

1. Christopher Kuras DragonkyberZone@gmail.com
2. ANN HURLEY HMINUS@EMBERGMAIL.COM
3. PHIL CARDUCK PW CARDUCK@AOL.COM
4. Jane Zimmerman jainec@sciveyourdata.info
5. Steve + Frances Carney SRCarney@gmail.com
6. Carlos P Burns CARLOSPBURNUS@GMAIL.COM
7. Valerie Marsh JMOMX3@Comcast.net
8. Jim Marsh MarshJ51@gmail.com
9. Lev Kramen LATERALITY1@yahoo.com
10. Patricia Eager pbeager@icloud.com
11. John Halpin shurg9786@comcast.net
12. Christopher P. Perez Christopherperez123@gmail.com
13. SUSAN & EDWARD MOORE mooree@luma.org, s.e.moore@
14. John Dosty Dosty459@Embergnort.com embergnort.com
15. Jimmy + Jean Blankenship jimmyjeanb1@yahoo.com
16. Theresa RAJU-Arroyo 742 Jefferson Dr
17. Raymond Arroyo terriarroyo@yahoo.com
18. MARIA RAJU 3 Clark court
19. \_\_\_\_\_
20. \_\_\_\_\_
21. \_\_\_\_\_
22. \_\_\_\_\_
23. \_\_\_\_\_
24. \_\_\_\_\_
25. \_\_\_\_\_




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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](http://www.co.fluvanna.va.us)

November 17, 2015

Shimp Engineering, P.C. (Kelly Strickland)  
201 E. Main Street, Suite M  
Charlottesville, VA 22902

Delivered via email

**Re: ZMP 15:06 Gardner Trust Rezoning Request from A-1 to B-1 (conditional)**

**Tax Map: 9, Section A, Parcel 9**

Dear Mr. Strickland:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, November 12, 2015.

1. VDOT stated the following:

- Rte. 618 (Lake Monticello Road) is a Rural Major Collector with a posted speed limit of 45 mph. VDOT's 2013 Traffic Data shows an estimated Annual Average Daily Traffic Volume of 3000 vehicles.
- Rte. 618 (Lake Monticello Road) has a posted speed limit of 45 mph which requires a minimum of 500 ft. of Intersection Sight Distance for a standard commercial entrance. Phase I development shows self-storage units which are typically low volume traffic generators. If the traffic generated does not exceed 50 vpd then a low volume commercial entrance can be utilized (minimum Stopping Sight Distance = 360 ft. with 500 ft. preferred). When additional Phases are proposed that trigger over 50 vpd then a commercial entrance with a minimum 500 ft. of Intersection Sight Distance will be required by VDOT. If a right turn lane is required, then the sight distance is measured 14.5 ft. off the edge of the right turn lane.
- If a left turn lane is not required for the development, ensure that there is a minimum of 360 ft. of Stopping Sight Distance for motorists on Rte. 618 that are approaching stopped vehicles waiting to make a left turn into the self-storage.
- Ensure there is a minimum entrance spacing of at least 335 ft. from the center of the proposed commercial entrance to the center of the closest existing commercial entrance.
- If delivery trucks will be entering the proposed entrance ensure that the entrance radii are adequate to allow for truck ingress/egress without encroaching into the opposing travel lanes (Rte. 618 and the internal access road).
- Graphically demonstrate (horizontally and vertically) that the proposed commercial entrance provides the minimum 500 ft. of Intersection Sight Distance for a commercial entrance or the minimum 360 ft. for a Low Volume Entrance (50 vpd or less) with the height of eye = 3.5 ft. and 14.5 ft. off edge of pavement and the height of object = 3.5 ft. and 4 ft. off centerline of travel

lane of approaching vehicle. Height of eye is located 14.5 ft. off edge of closest travel lane and 14.5 ft. off edge of right turn lane if one is required.

2. This site is within Dominion Power's jurisdiction;
  3. The erosion and sediment control inspector stated that an E&S plan will be required;
  4. Mrs. Eager asked if there will be room for a tractor-trailer to get in and out of the site;
  5. Planning Staff commented that a major site development plan will be required prior to the construction of any site improvements, including landscaping and screening requirements between adjoining residentially-zoned properties. Also, the one area that is shown on the sketch plan where screening is interrupted will need to be screened. A fence using privacy slats or a masonry wall that would deflect light-intrusion from headlights is recommended.
  6. The Fire Chief inquired about the width of the travel-way, and whether or not there would be any hazardous materials stored in any of the storage units, and for management to be aware of what will be stored inside of the units ;
  7. Aqua Virginia stated that water and sewer service is available to this site, but that the utility lines will need to be extended in order to do so;
  8. Health Dept. stated they have no comments;
- The plan revision deadline is Friday, December 4, 2015.
  - This item is scheduled for a public hearing at the Monday, December 14, 2015 Planning Commission meeting. The applicant's attendance or their designee is required at this meeting.

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: Justin Shimp, P.E., via email - [justin@shimp-engineering.com](mailto:justin@shimp-engineering.com)  
 Kelly Strickland via email - [kelly@shimp-engineering.com](mailto:kelly@shimp-engineering.com)  
 Carlos Burns via email - [carlos@storefss.com](mailto:carlos@storefss.com)  
 Chris Perez via email - [christopherperez123@gmail.com](mailto:christopherperez123@gmail.com)  
 Steven & Frances Carney via email - [srcarney@gmail.com](mailto:srcarney@gmail.com)  
 Edward & Susan Moore via email - [mooree@fuma.org](mailto:mooree@fuma.org)  
 Gardner Trust via mail - 3 Cove Circle, Palmyra, VA 22963  
 File

**Steven Tugwell**

---

**From:** Mike-Kathy Brent <mkbrent7@gmail.com>  
**Sent:** Tuesday, November 17, 2015 8:18 AM  
**To:** Steven Tugwell  
**Subject:** Re: November 12, 2015 TRC comments

Steve  
I have no issues with any of the applicants.

Mike

On Mon, Nov 16, 2015 at 3:00 PM, Steven Tugwell <[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)> wrote:

Hello,

Please forward me your TRC comments, if any, so that I can get them out to the applicant.

Thanks!

Steve

**Steve Tugwell**

**Senior Planner**

**Dept. of Planning & Community Development**

**Fluvanna County, VA**

**[434-591-1910](tel:434-591-1910)**

**[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)**

 please conserve, do not print this e-mail unless necessary

**Steven Tugwell**

---

**From:** Parker IV, Clifton L. <CLParkerIV@aquaamerica.com>  
**Sent:** Tuesday, November 17, 2015 9:43 AM  
**To:** Steven Tugwell  
**Subject:** RE: water and sewer?

Yes and he will need to extend the lines in order to do so.

Cliff Parker  
804.310.0398

---

**From:** Steven Tugwell [<mailto:stugwell@fluvannacounty.org>]  
**Sent:** Tuesday, November 17, 2015 9:27 AM  
**To:** Parker IV, Clifton L.  
**Subject:** water and sewer?  
**Importance:** High

Hi Cliff,

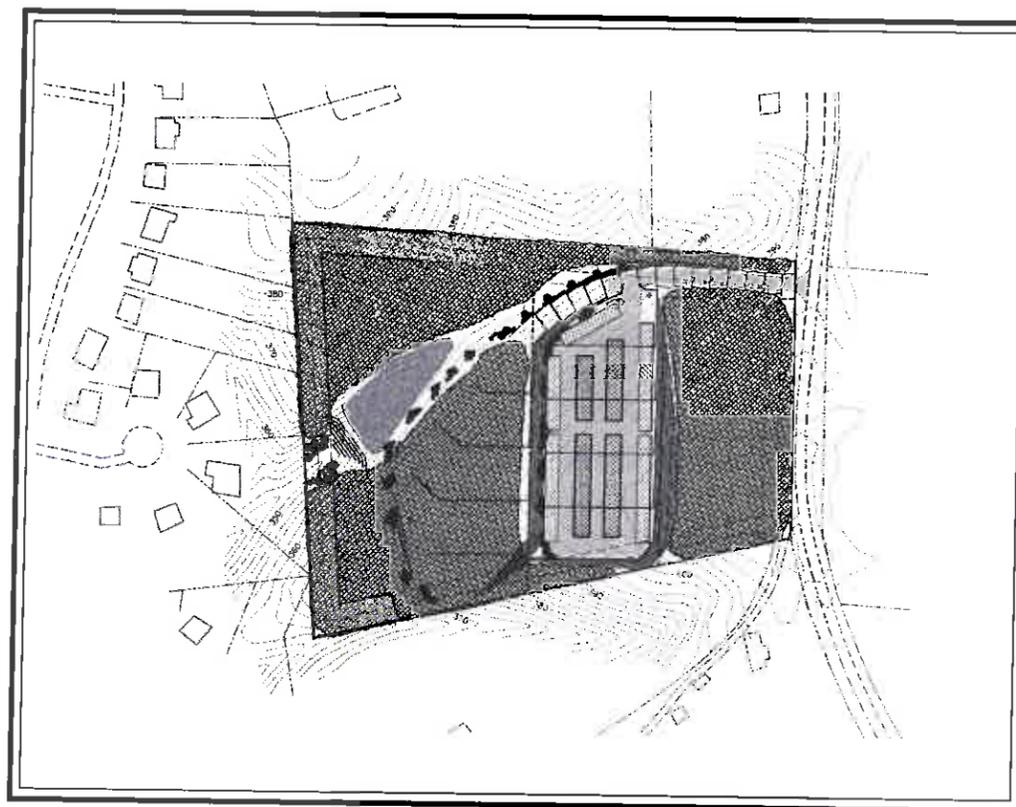
I'm reviewing a rezoning request for a parcel on Lake Monticello Road here in Fluvanna, Tax Map 9-A-9, and I wanted to ask you if water and sewer are available to this property via Aqua?

Thanks!  
Steve

**Steve Tugwell**  
**Senior Planner**  
**Dept. of Planning & Community Development**  
**Fluvanna County, VA**  
**434-591-1910**  
[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)

 please conserve. do not print this e-mail unless necessary

# REZONING APPLICATION PLAN FOR FLUVANNA SELF STORAGE



Received  
DEC 04 2015  
Fluvanna County

TAX MAP 9, SECTION A, PARCEL 9  
PALMYRA MAGISTERIAL DISTRICT  
FLUVANNA COUNTY, VIRGINIA  
November 2, 2015  
Revision Date: December 4, 2015

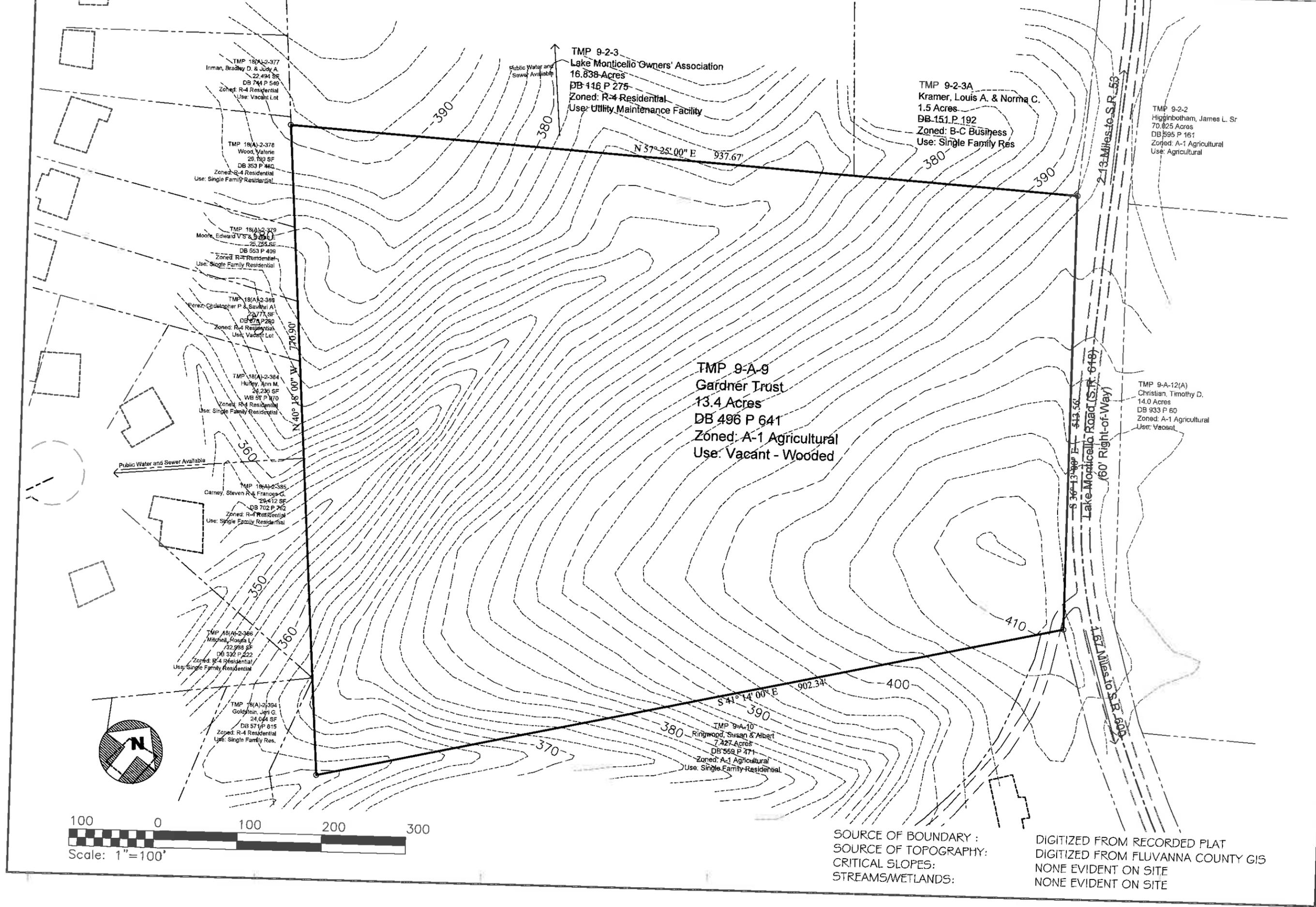


201 EAST MAIN STREET, SUITE M  
CHARLOTTESVILLE, VA 22902  
(434) 227-5140

### SHEET INDEX

- C1 = COVER SHEET
- C2 = EXISTING CONDITIONS
- C3 = GENERAL PLAN OF DEVELOPMENT
- C4 = CONCEPTUAL PLAN OF DEVELOPMENT
- PHASE I

**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E. MAIN ST. SUITE 11  
 CHARLOTTEVILLE, VA 22903  
 PHONE: (434) 237-8140  
 JUSTIN@SHIMP-ENGINEERING.COM



EXISTING CONDITIONS

Item #	Date	Description

REZONING APPLICATION PLAN FOR:  
**FLUVANNA SELF STORAGE**  
 FLUVANNA COUNTY, VIRGINIA

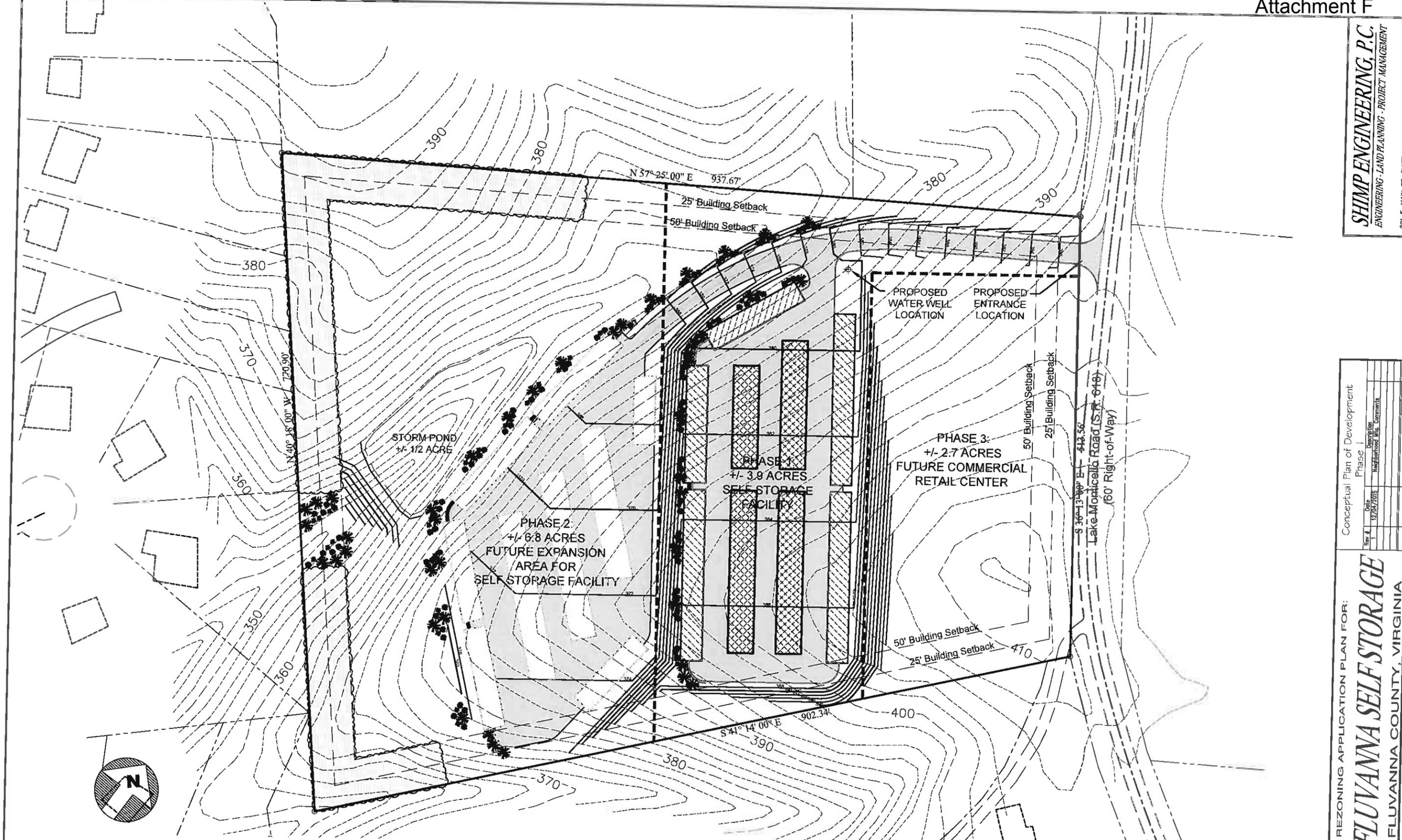
Date: 11/02/2015  
 Scale: 1" = 100'  
 Sheet No: 2 OF 4  
 File No: 15.043

SOURCE OF BOUNDARY :  
 SOURCE OF TOPOGRAPHY:  
 CRITICAL SLOPES:  
 STREAMS/WETLANDS:

DIGITIZED FROM RECORDED PLAT  
 DIGITIZED FROM FLUVANNA COUNTY GIS  
 NONE EVIDENT ON SITE  
 NONE EVIDENT ON SITE

**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT

301 E. MAIN ST., SUITE M  
 CHARLOTTESVILLE, VA 22902  
 PHONE: (434) 527-8140  
 JUSTIN@SHIMP-ENGINEERING.COM

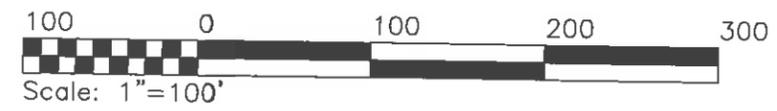


Conceptual Plan of Development

Seq #	Date	Description	Neighborhood	Comments
1	11/02/2015			

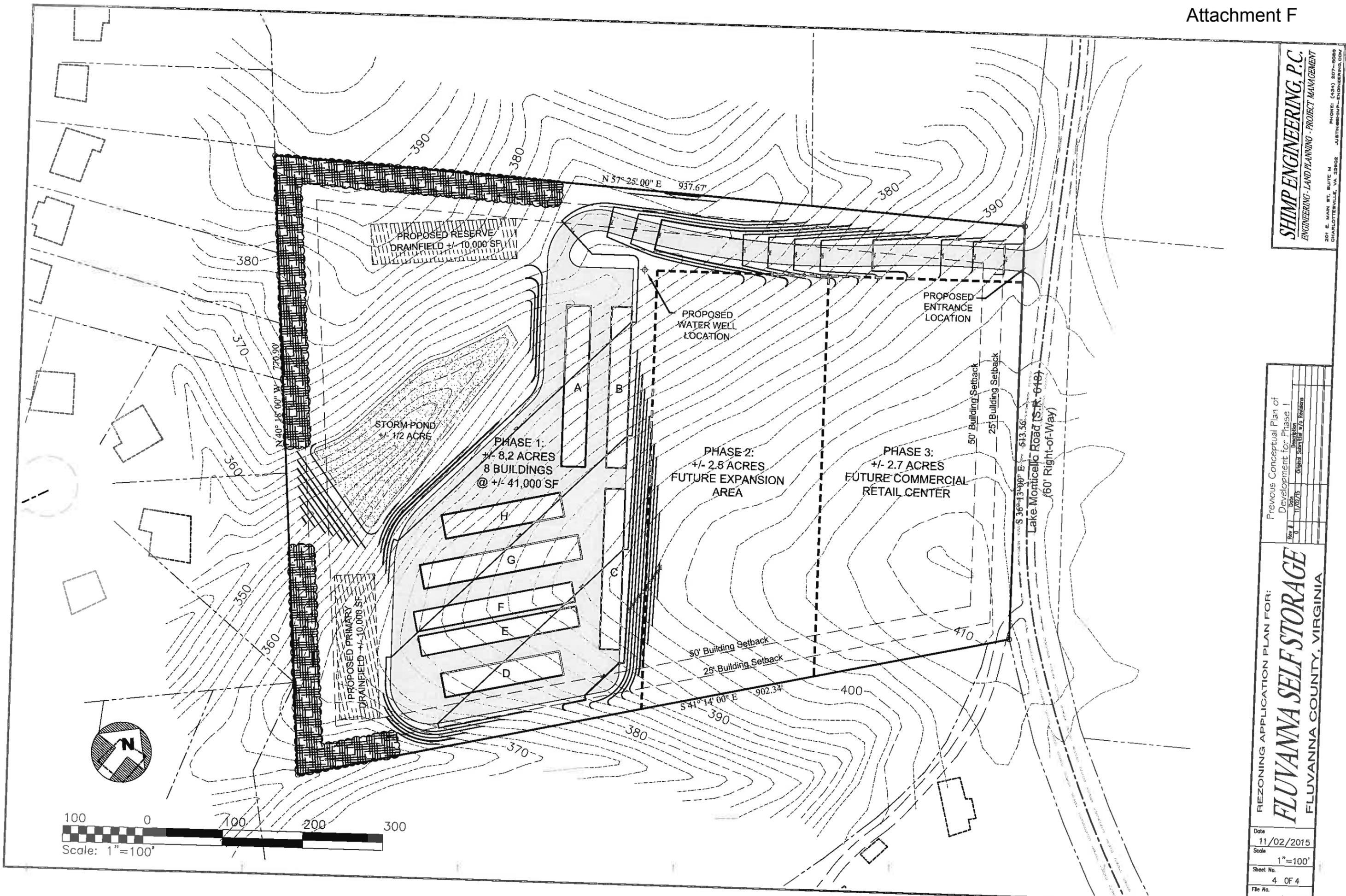
REZONING APPLICATION PLAN FOR:  
**FLUVANNA SELF STORAGE**  
 FLUVANNA COUNTY, VIRGINIA

Date	11/02/2015
Scale	1"=100'
Sheet No.	4 OF 4
File No.	15.043



NOTE: PHASE 1 AND 2 SHALL BE LIMITED TO SELF STORAGE USE IN ACCORDANCE WITH PROFFERS ACCOMPANYING THIS APPLICATION PLAN. PHASE 3 SHALL BE LIMITED TO USES AS SPECIFIED IN PROFFERS ACCOMPANYING THIS APPLICATION PLAN.

**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E. MAIN ST., SUITE M  
 CHARLOTTEVILLE, VA. 22802 JUSTIN@SHIMP-ENGINEERING.COM  
 PHONE: (434) 207-9089



Previous Conceptual Plan of Development for Phase I

Rev.	Date	Description
0	11/02/15	Original Submission by the Applicant

REZONING APPLICATION PLAN FOR:  
**FLUVANNA SELF STORAGE**  
 FLUVANNA COUNTY, VIRGINIA

Date	11/02/2015
Scale	1"=100'
Sheet No.	4 OF 4
File No.	15.043



**DRAFT PROFFER STATEMENT****Fluvanna Self Storage Facility**

Date of Proffer: 11-02-2015  
 Date of Revision: 12-04-2015  
 12-11-2015  
 12-16-2015

Received

JAN 13 2016

Project Name: Fluvanna Self Storage

Rezoning Number: 15-06

Planning Dept.

Owner: Gardner Trust  
 3 Cove Circle  
 Palmyra, VA 22963

Applicant: Fluvanna Self Storage  
 21 Burns Plaza  
 Palmyra, VA 22963

Tax Map / Parcel: Tax Map 9 Section A Parcel 9

Existing Zoning: A-1 Agricultural

Zoning Requested: B-1, General Business

Acreage of Parcels: 13.4

Magisterial District: Palmyra

Legal Reference: Fluvanna County Deed Book # 496 Page 641

Exhibit(s)/References: 1) **Rezoning Application Plan for Fluvanna Self Storage** (sheets 1 through 4 dated November 2, 2015 and last revised on December 4, 2015, prepared by Justin Shimp, P.E.

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The Term "Owner" as referenced within this document shall include within its meaning the owner, or owners, of record of the Property, or properties, and their successors in interest.

The Owner hereby voluntarily proffers that if the Fluvanna County Board of Supervisors acts to rezone the 13.4 acre Property from the A-1 (Agricultural) District to the B-1 General Business District as requested, the Owner shall develop the Property in accord with the following

proffered development conditions (each, a “Proffer,” and collectively, the “Proffers”), which the Owner acknowledges are reasonable, pursuant to Section 15.2-2303 of the Code of Virginia, 1950, as amended, and pursuant to Article 20 of the Fluvanna County Zoning Ordinance. . If rezoning application # \_\_\_\_\_(Fluvanna Self Storage) is denied, these proffers shall immediately be null and void and of no force and effect.

As used throughout these Proffers, the following capitalized terms shall have the following meanings:

“Application Plan” shall refer to the Rezoning Application Plan for Fluvanna Self Storage (sheets 1-4 dated November 2, 2015 and last revision date \_\_\_\_\_). Prior to development of any phase of the site, a preliminary and/or final plat shall be submitted for review and approval in accordance with Article 23 of the Fluvanna County Subdivision Ordinance, as amended.

“Site” shall refer to the total acreage of tax parcel 9-A-9 at the time that these proffers are approved along with any future divisions or consolidations thereof.

“Automobile sales”, as defined in the Fluvanna County Zoning Ordinance at the time of drafting of these proffers, shall mean: *The use of any building, land area or other premises for the display of new and used automobiles, trucks, vans, or motorcycles for sale or rent, including any warranty repair work and other repair service conducted as an accessory use.*

1) **Site Layout.** Development of the Site will be in General Conformity with the Application Plan and any future amendments to the Application Plan and/or the proffers volunteered herein. The Zoning Administrator shall determine General Conformity. In particular, development of the site shall provide development areas, open space areas, and tree buffers in the general locations as shown on sheets 3 and 4 of the Application Plan.

2) **Uses Permitted by right.** The following uses along with any customarily incidental accessory uses shall be permitted within this B-1 General Business District:

*Civic Uses*

- Amusements, public
- Cultural services
- Public recreation assembly
- Public uses
- Religious assembly
- Sheltered care facilities

*Commercial Uses*

- Assisted living facilities
- Auction houses

~~Automobile repair service establishments~~

Automobile sales, as defined herein, excluding the use of any building, land area or other premises for the display of new and used automobiles, trucks, vans, or motorcycles for sale, including any warranty repair work and other repair service conducted as an accessory use.

Bakeries  
 Bed and breakfasts  
 Boarding houses  
 Butcher shops  
~~Car washes~~  
 Cemeteries, commercial  
 Communications service  
 Corporate offices  
 Daycare centers  
 Financial institutions  
 Flea markets  
 Funeral homes  
 Garden center  
~~Gas station~~  
 Greenhouses, commercial  
 Grocery stores  
 Guidance services  
 Hospitals  
 Hotels  
 Indoor entertainment  
 Indoor recreation facilities  
~~Laundries~~  
 Marinas, commercial  
 Medical clinics  
 Nursing homes  
 Offices  
 Parking facilities  
 Personal improvement services  
 Personal service establishments  
 Pharmacies  
 Professional schools  
 Recreational vehicle sales  
 Restaurants, fast food  
 Restaurants, general  
 Restaurants, small  
 Retail stores, general  
~~Retail stores, large-scale~~  
 Retail stores, neighborhood convenience  
 Retail stores, specialty  
 Self-storage facilities

~~Shooting ranges, indoor~~  
~~Studios, fine arts~~  
~~Taxidermists~~  
~~Vending carts~~  
~~Veterinary offices~~

Miscellaneous Uses  
 Accessory uses  
 Utilities, minor

The strikethrough uses above are not permitted as part of the zoning of this property. Special Use permits shall be allowed in conformance with Section 22-9-2.2 of the Fluvanna County Zoning Ordinance along with any future amendments thereto.

3) **Additional Land Use Restrictions.**

**Phases 1 and 2:** Development of the Phase 1 and Phase 2 portion of the site, as depicted on sheet 4 of the Application Plan, shall be limited to the Self-storage facility and Automobile sales (as defined with constraints above) use along with any customarily incidental accessory uses.

4) **Residential Buffers.**

**Tree Buffers.**

A tree buffer with a minimum width of 50 feet shall be provided along the exterior of the site in the general locations as shown on sheet 3 of the Application Plan. Any existing trees which are removed from this location shall be replanted with a mixture of native deciduous and evergreen trees. Where existing trees are not present in these locations, additional native deciduous and evergreen trees shall be planted to create the equivalent screening buffer of a staggered row of trees, planted at 15 feet on center.

**Screening.**

Screening, including a mixture of evergreen trees and shrubs, shall be provided in the general locations as shown on sheet 3 of the Application Plan. Additionally, the exterior walls, trim, and doors of the storage buildings in Phases 1 and 2 shall be finished in earthtone colors.

**Lighting/Doors.**

All exterior lighting in phases 1 and 2 shall be wall mounted full cut-off fixtures. Storage buildings which are on the side of the development that is closest to the existing adjoining residences within Lake Monticello shall not have lighting or storage unit doors on that side of the buildings.

WITNESS the following signature:

**Carlos Burns**

By: Carlos P. Burns  
Owner and/or designated Agent.

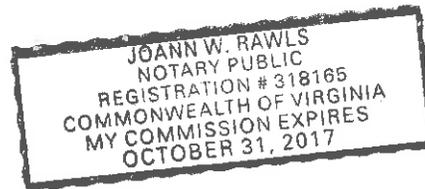
COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Shroana, to wit:

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of January 2016  
by Carlos P. Burns, Owner and or designated Agent of Tax Map 9(A) Parcel 9.

My Commission expires: Oct 31 2017

Joann W. Rawls  
Notary Public



**An Ordinance To Amend The Fluvanna County Zoning Map, With Respect To 13.4 acres of Tax Map 9, Section A, Parcel 9 to rezone the same from A-1, Agricultural, General to B-1, Business, General (conditional).**

**(ZMP 15:06)**

BE IT ORDAINED BY THE FLUVANNA BOARD OF SUPERVISORS, pursuant to Virginia Code Section 15.2-2285, that the Fluvanna County Zoning Map be, and it is hereby, amended, as follows:

That 13.4 acres of Tax Map 9, Section A, Parcel 9, be and is hereby, rezoned from A-1, Agricultural, General to B-1, Business, General (conditional), subject to the submitted revised proffer statement as set out in the letter dated December 16, 2015, which is attached hereto.

- 1) **Site Layout.** Development of the Site will be in General Conformity with the Application Plan and any future amendments to the Application Plan and/or the proffers volunteered herein. The Zoning Administrator shall determine General Conformity. In particular, development of the site shall provide development areas, open space areas, and tree buffers in the general locations as shown on sheets 3 and 4 of the Application Plan.
- 2) **Uses Permitted by right.** The following uses along with any customarily incidental accessory uses shall be permitted within this B-1 General Business District:

*Civic Uses*

- Amusements, public
- Cultural services
- Public recreation assembly
- Public uses
- Religious assembly
- Sheltered care facilities

*Commercial Uses*

- Assisted living facilities
- Auction houses
- ~~Automobile repair service establishments~~
- Automobile sales, as defined herein, excluding the use of any building, land area or other premises for the display of new and used automobiles, trucks, vans, or motorcycles for sale, including any warranty repair work and other repair service conducted as an accessory use.
- Bakeries
- Bed and breakfasts
- Boarding houses
- Butcher shops
- ~~Car washes~~
- Cemeteries, commercial

Communications service  
 Corporate offices  
 Daycare centers  
 Financial institutions  
 Flea markets  
 Funeral homes  
 Garden center  
~~Gas station~~  
 Greenhouses, commercial  
 Grocery stores  
 Guidance services  
 Hospitals  
 Hotels  
 Indoor entertainment  
 Indoor recreation facilities  
~~Laundries~~  
 Marinas, commercial  
 Medical clinics  
 Nursing homes  
 Offices  
 Parking facilities  
 Personal improvement services  
 Personal service establishments  
 Pharmacies  
 Professional schools  
 Recreational vehicle sales  
 Restaurants, fast food  
 Restaurants, general  
 Restaurants, small  
 Retail stores, general  
~~Retail stores, large-scale~~  
 Retail stores, neighborhood convenience  
 Retail stores, specialty  
 Self-storage facilities  
~~Shooting ranges, indoor~~  
 Studios, fine arts  
 Taxidermists  
 Vending carts  
 Veterinary offices

#### Miscellaneous Uses

Accessory uses  
 Utilities, minor

The strikethrough uses above are not permitted as part of the zoning of this property. Special Use permits shall be allowed in conformance with Section 22-9-2.2 of the Fluvanna County Zoning Ordinance along with any future amendments thereto.

3) **Additional Land Use Restrictions.**

**Phases 1 and 2:** Development of the Phase 1 and Phase 2 portion of the site, as depicted on sheet 4 of the Application Plan, shall be limited to the Self-storage facility and Automobile sales (as defined with constraints above) use along with any customarily incidental accessory uses.

4) **Residential Buffers.**

**Tree Buffers.**

A tree buffer with a minimum width of 50 feet shall be provided along the exterior of the site in the general locations as shown on sheet 3 of the Application Plan. Any existing trees which are removed from this location shall be replanted with a mixture of native deciduous and evergreen trees. Where existing trees are not present in these locations, additional native deciduous and evergreen trees shall be planted to create the equivalent screening buffer of a staggered row of trees, planted at 15 feet on center.

**Screening.**

Screening, including a mixture of evergreen trees and shrubs, shall be provided in the general locations as shown on sheet 3 of the Application Plan. Additionally, the exterior walls, trim, and doors of the storage buildings in Phases 1 and 2 shall be finished in earthtone colors.

**Lighting/Doors.**

All exterior lighting in phases 1 and 2 shall be wall mounted full cut-off fixtures. Storage buildings which are on the side of the development that is closest to the existing adjoining residences within Lake Monticello shall not have lighting or storage unit doors on that side of the buildings.

**Steven Tugwell**

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**From:** steve carney <srcarney@gmail.com>  
**Sent:** Monday, December 07, 2015 1:07 PM  
**To:** Carlos Burns  
**Cc:** Steven Tugwell; Barry Bibb; Donald Gaines; Ed Zimmer; Lewis Johnson; Patricia Eager; Tony O'Brien; Donald Weaver; Mike Sheridan; Mozell Booker; Robert Ullenbruch; Carlos P Burns; Kelly Strickland; Christopher and Savi Perez  
**Subject:** Re: Proffers and other Concerns  
**Attachments:** FSS Red Logo small.jpg; DSC01901.JPG; DSC01908.JPG

Mr. Burns,

Sorry, I did not respond earlier but we took advantage of the beautiful weather we are having and to tell you the truth, take a timeout from the communications about our concerns on how this project will impact all of our lives and property values.

Fran and I both appreciate the communications we continue to have and your willingness to compromise to date on many of the initial concerns that were raised. However, we still feel strongly this application to expand your business right next to our community is not the right fit for our neighbors and ourselves.

For our part, a good deal of confusion exists because out of ALL of the conversations you, Fran and I have had on the impact to us personally, the conversations are not what is written into the application in respect to evergreen screenings and especially the distance to the phase two site. We need to be assured that **if** this application is eventually approved we need to have covered every detail that will need to be adhered to by you the developer.

For example, when we discussed the placement of the dam for the retention pond and not only our concern about where it is located and how it will look, but who will inspect and maintain it on a regular schedule for years to come. You told us, the engineering firm would get the information from DCR for a schedule and what needs to be done, but nowhere is that in the proffers for the developer to adhere to the schedule and the routine maintenance it will require. You informed me once the dam was complete you would plant grass on the facing, and in time it would eventually be covered with leaves and look very much like the existing topography. I don't know how this can be the case, because once you clear the area of ALL the trees, the area will receive an abundant amount of light allowing all kinds of vegetation to grow. Will we have to contend with unkempt grass, weeds and whatever else might take root on what is now the dam facing that is 50' from our property line and will not blend into the existing topography? Needless to say, this will have a major impact on how things look from our home and will significantly impact interested parties for future resale of our property **if** we should decide to sell in the future. In each of the areas of concern (dam, screenings, distances, removal of trees, etc.) we are dealing with approximations that you have provided to try and help us better understand where everything will be. The reality is, nothing is how it will be but to the best of your ability what you approximate it to be. We appreciate all of your efforts to date but surely you can understand why we continue to request the time necessary for EVERYONE to weigh-in on this project and not feel like we are rushing to get to the finish line.

Don't get me wrong, we are very grateful that you are willing to make compromises and discuss these concerns, But if things are not clearly defined in writing, you are only obligated to adhere to what is in

the proffers. Our emails and our conversations are not what will be adhered to in the future, the final application and what is clearly defined will be what you are obligated to adhere too.

We still feel we need to ask the County to defer, which would allow us all the ability to meet as many times as necessary with ALL affected parties to iron out ALL of our concern/issues. The neighborhood meeting was very productive but it was the only meeting we have had. Yes, the email exchanges are letting everyone know to some degree what is being discussed but in my estimation we need to sit down with everyone again to collectively address what was agreed to be done and add that as an addendum to the application. The property on Chestnut Court, owned by Geri Goldstein, is currently under contract and I'm sure the new owner's will not be happy to find out that things have changed dramatically since they negotiated with the seller. Mr. Mitchell next door was not able to attend the meeting at the firehouse because he was out of town and I'm certain if given the opportunity to be in attendance at a future meeting would make every attempt to do so. Many neighbors were out of town because of the Thanksgiving holiday and were not present to participate.

I'm certain there will be other things that we will think of and will get in touch as needed.

Sincerely,

Mr. and Mrs. Steven Carney

P.S. We attached two photos taken of the Acres dam. We are assuming the grade and discharge piping will be similar or smaller.

**Steven Tugwell**

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**From:** steve carney <srcarney@gmail.com>  
**Sent:** Sunday, December 06, 2015 9:53 AM  
**To:** Carlos Burns  
**Cc:** Steven Tugwell; Barry Bibb; Donald Gaines; Ed Zimmer; Lewis Johnson; Patricia Eager; Tony O'Brien; Donald Weaver; Mike Sheridan; Mozell Booker; Robert Ullenbruch; Carlos P Burns; Kelly Strickland  
**Subject:** Re: Proffers and other Concerns

Carlos,

My wife and I will respond to you sometime later today. We are on our way out and will be home sometime this evening.

Thank you,

Steve Carney

On Sun, Dec 6, 2015 at 6:45 AM, Carlos Burns <[carlos@storefss.com](mailto:carlos@storefss.com)> wrote:  
 Mr. Carney,

It was good to talk to you yesterday while staking my estimated location of the end of the storm water pond. I have no problem with removing the items you listed below with regard to "Uses Permitted by Right". With regard to the cell tower, it is not in the uses permitted by right already. I am sure that would require a zoning change request beyond this application.

With regard to your clarifications items:

1. I am sorry that you are having trouble understanding the distances. I believe the tape we placed on the property showing where the rear of each phase provides the best example of distances. My father and I pulled tape to measure those distances based on the latest application plan and believe them to be a good faith estimate on the backs of the Phase 1 & 2 areas. As for modifying the application, I don't believe it describes distances, but instead use the site plan for that purpose. It was my explanation of the application changes that confused you. After our discussion last night behind your property, I believe it is clear what the distances are now.
2. As we discussed last night, I will be happy to thin some of the large trees in the Phase 1 area beyond those that will have to be removed for the pond and Phase 1.
3. The site plan provided shows the screening as well as the proffer that states: "A tree buffer with a minimum width of 50 feet shall be provided along the exterior of the site in the general locations as shown on sheet 3 of the Application Plan. Any existing trees which are removed from this location shall be replanted with a mixture of native deciduous and evergreen trees. Where existing trees are not present in these locations, additional native deciduous and evergreen trees shall be planted to create the equivalent screening buffer of a staggered row of trees, planted at 15 feet on center." I am confident you will be happy with what we do at the exit outlet of the dam.
4. As far as the order of the buildings, I have promised that we would always construct a climate controlled building that would provide screening to the rear of the property before constructing a non-climate controlled

building in that same site line. While I cannot commit to the exact order of constructions for Phase 1, I believe one of the two climate controlled buildings at the rear of the Phase 1 area with one regular building adjacent to the climate controlled building selected. Given that changes to a site plan must be reapproved after 5 years and Phase 2 is likely four times that period, there is no way I can project order of construction at this time. What I can promise is that we will construct a climate controlled building that will provide screening to the rear of the property before constructing a non-climate controlled building in that same site line.

I am very sorry you are feeling pressured by the December 14th meeting. Please remember that this is just the first stage and only a recommendation to the Fluvanna County Board of Supervisors that will make the final decision in mid January at the earliest. In all honesty, we are resiting delaying the project given the long development process still ahead of us once any rezoning is approved, if it is. We provide a service to the local population around Lake Monticello and will be hampered in providing that service without the additional storage space we need to build to meet local demand. This past fall we were already in the situation where we could not provide some of our customers space they needed. Given the location of this property, its characteristics, the county's development plans for this area, and Mr. Gardner's stated desire to sell this property to someone, we are convinced that this property will some day be commercial and have a commercial enterprise operating on it. We believe the our proposal along with the compromises we have made make this an extremely low impact project on adjoining properties and is an excellent use for this property. We have made a good faith effort to compromise to meet our neighbor's needs and desires. My dad and I appreciate the cordial nature of our discussions and communications. I wish to continue to hear yours and your neighbors' concerns and will act on reasonable requests where we can. Thanks again, Carlos

On 12/5/2015 7:38 PM, steve carney wrote:

Mr. Burns,

Below please find the proffers that we would like removed in addition to the original proffers that you already removed:

**Civic Uses**

Amusements, public

**Commercial Uses**

Auction houses

Flea Market

Hotel

Marinas commercial

Recreational Vehicle Sales

Vending Carts

**NO CELL TOWER**

Here are some other items we would like to have clarified as well:

1. My wife and I are also having some difficulty with how the application is worded in respect to the interchanging of the wording property and property line. This makes it extremely difficult for us to understand the distances that are being provided. We would like all verbiage to clearly state the distance from the property line.
2. At our meeting on November 30th, we were under the impression that the screening for both phases would be a mix of evergreens, during phase one development. We also discussed the removal of trees at the back of phase two to allow light to penetrate the canopy which would allow the evergreen screening to grow. This would insure that when phase two is started the screening would be in place.

3. We also discussed placement of additional screening besides the Outlet Channel Screening. This would be to the area surrounding the retention pond which would break up the barrenness of the dam. We know nothing can be planted on the dam, this would be between the 50' buffer and prior to the dam.
4. We need clarification for both phases on the order of placement of the the storage units. Please understand that we have discussed these items in three different forums and none of this is in the application.

There may be other items that come to mind and we will contact Mr. Tugwell and you as needed.

My wife and I are feeling extremely pressured by the fact we have a December 14th deadline to make knowledgeable decisions. I will be asking the Planning Commission to honor our request because in all honesty we are feeling very rushed to think of everything which may have serious ramifications in the future if something is omitted. We appreciate the discussions we have had to date and the your willingness to compromise. Thank you.

Sincerely your,

Mr. and Mrs. Steven Carney

--  
  
Carlos A Burns



21 Burns Plaza

Palmyra, VA 22963

[434-589-1321](tel:434-589-1321) (Office)

[434-906-3552](tel:434-906-3552) (Cell)

[carlos@StoreFSS.com](mailto:carlos@StoreFSS.com)

**Fluvanna County Planning Commission****Fluvanna County Board of Supervisors**

Dear Madams and Sirs,

I respectfully request that the Planning Commission defer the decision to rezone the Gardner Trust from residential to business until all concerned parties have had the opportunity to provide input. The December 14<sup>th</sup> deadline has caught many residents off guard. As seen in the neighborhood meeting on November 30<sup>th</sup>, there are many details to be discussed. While the applicant has shown a sincere desire to work with property owners who will be affected by his rezoning request and new construction, I do not believe all issues have been presented and properly addressed.

It is my belief that a successful negotiation concludes with a win-win outcome. In this situation, I see only one winner—the applicant. All residential property owners involved will lose, either through a reduction in property value or through an aesthetic loss.

Commercial real estate is available in Fluvanna County. I am certain the owners of such properties would be delighted to sell to Fluvanna Self Storage, resulting in a desirable win-win outcome.

I believe we need to encourage business in Fluvanna County, and I believe Fluvanna Self Storage is a desirable business which has proven itself over the last 20-some years. But not at all costs. Why should a business benefit at the expense of our residents? Just because this proposal is legal does not make it ethical. Let's do the right thing.

Again, I respectfully request the Planning Commission defer the proposed request for a zoning change for the Gardner Trust.

Sincerely,

Jane Zimmermann

The following letters were written for the Fluvanna Review and The Planning Commission. I include them here because of their relevance to the issue at hand.

### **Pave Paradise?**

I am writing to express my concern over the application for a change in zoning that would allow Fluvanna Self Storage to commercially develop a tract of land that is currently zoned as residential. This 13.4 acre parcel of land lies on Route 618 and is surrounded on three sides by Lake Monticello properties. If approved, our Lake neighbors will essentially have a commercial parking lot with 24-hour lighting in their back yards. Not to mention an open door to our community for unregistered visitors.

This is not the vision for Fluvanna County development that we have worked so hard to design. We need and want businesses to grow and flourish in our county, but not on every little tract of land that can be had. We have specifically designated zones for business development because of our desire to preserve the rural nature of our county.

If approved, this zoning change would set an undesirable precedent, paving the way for additional unplanned rural business sprawl. The next zoning change could affect your back yard and property value, too. Let's ask our Board of Supervisors to carefully consider the consequences before approving any zoning changes.

Jane Zimmermann

### **Letter for the Planning Commission**

Subject: Rezoning Application for the Gardner Trust

To Whom It May Concern,

I am writing to express my opposition to the rezoning request presented by Fluvanna Self Storage for the parcel of land known as the Gardener Trust.

I have seen the preliminary plans and everything looks fine—on paper. However, the reality presents a vastly different, unappealing picture of commercial development in our neighbors' back yards.

What looks like ample room for a buffer between the business and neighboring private residences is in fact a small ravine. Planting trees in this depression would do nothing to alleviate the glaring fact that homes at the end of Roadview Terrace would be eye to eye with commercial buildings on the upper sides of this ravine. In addition, ordinances require round-the-clock lighting for the storage facility. Would you want this in your back yard?

I have seen the existing facility owned and operated by Fluvanna Self Storage. It is neatly landscaped and clean, and it appears to be the kind of business we want in Fluvanna County—but not at any cost. The current facility is adjacent to other businesses, not residential units, and I believe the new facility should be placed on a similar tract of land. The parcel in question for the rezoning is surrounded on three sides by Lake Monticello property.

Fluvanna County has rezoned land near Zion Crossroads for business, and there is ample acreage in our county for Fluvanna Self Storage to expand elsewhere. It is a business. Please do not put it in a residential development.

Please drive to Roadview Terrace and see for yourselves. I lived on that street for eight years and I am now just around the corner on Pleasant View Terrace, less than a tenth of a mile away. The reality of this proposal is nothing like the paper version.

**Steven Tugwell**

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**From:** steve carney <srcarney@gmail.com>  
**Sent:** Thursday, December 03, 2015 10:08 AM  
**To:** Steven Tugwell; Jason Stewart  
**Cc:** Barry Bibb; Ed Zimmer; Donald Gaines; Lewis Johnson; Tony O'Brien; Patricia Eager; Catherine Neelley; Carlos Burns; Donald Weaver; Mike Sheridan; Mozell Booker; Robert Ullenbruch  
**Subject:** Carney Site Visit December 1st

Mr. Tugwell,

First, my wife and I are very appreciative of the fact we had the opportunity to meet with everyone yesterday, and were able to clarify how we will view this project from our home. As you saw from the site visit based on the topography and the layout of the land the proposal will severely impact the views and quality of life of many neighbors' back yards, porch, and homes. In this letter I have laid out a couple big issues and provided possible solutions to these issues. I ask that you take these suggestions into consideration when writing your staff report and provide them to the PC/BOS in an effort to hopefully come to some type of common middle ground everyone can live with.

1) As discussed many times we would prefer that the storage units in phase 1 located directly behind our property be pushed further into the property, closer to the road, more in line with where phase 2 ends. This would provide more of a screening natural buffer between the existing residential uses and the proposed business use. I understand that is not what is being proposed or is in front of us today; however, that would be the most prudent solution to help mitigate the impacts of proposed commercial uses adjacent to existing residential uses. I ask that you take this suggestion into consideration when writing your staff report and provide this suggestion to the PC/BOS.

2) Also, to help mitigate the visual impacts and reduce glare of the proposed buildings, as part of this proposal we would like to lock down the color scheme of the storage units. The current color scheme at the existing facility would never be acceptable as it is highly visible. We would prefer the proposed buildings be a 'muted java brown' building façade w/ an earth tone roof color to help reduce visibility and glare. A proffer noting the above color schemes or a note on the rezoning's application plan that designates the color scheme of the buildings would do the trick. I ask that you take this suggestion into consideration when writing your staff report and provide this suggestion to the PC/BOS.

3) Also, we have concerns with the screening as proposed – My wife and I would feel a lot better to have the screening placed further up the ravine hill rather than at 125 feet and leave as many deciduous trees as possible between our home and the proposed evergreen screening that will be placed behind Phase 1 buildings. This will help break up the monolithic block wall/ rear wall of the building that was discussed at the Neighborhood 2 meeting on the 30<sup>th</sup> of Nov. I ask that you take this suggestion into consideration when writing your staff report and mention it to the PC/BOS.

4) A major concern as my wife expressed is the fact of dam/retention pond failure. Needless to say, we were not happy with the response that any damage that would occur to our home and other properties would be the individual homeowner's responsibility. Ms. Neelly, LMOA's representative expressed similar concerns because a catastrophic failure would significantly impact lake health. We would like to be assured that the dam for the retention pond will be inspected on a regular schedule by the owner or his designated representatives. A proffer

calling out the parameters for such a schedule would do the trick. I ask that you take this suggestion into consideration when writing your staff report and mention it to the PC/BOS.

Unlike Mr. Burns, this is not a business venture for us. For the last ten years we have enjoyed our natural surroundings, our extended family within our cul-de-sac and our community at large. Good things are going on here at Lake Monticello, with the renovations being done by our HOA to all of our amenities. My wife and I have a mortgage, we don't own our home outright, and **if** we ever decide to relocate, we need some form of return on our existing home. The closer that line is drawn to the rear of our home the less chance we have with potential purchasers showing an interest in our home. Yes, Mr. Burns may have fewer units to rent, but according to his projections, Phase 2 is at least fifteen years down the line. Please take our concerns seriously and help us come to some type of middle ground that everyone can live with. We have worked all our lives and this is our legacy. I believe if the County could afford us a larger buffer with appropriate natural screening being placed after that line, Mr. Burns will still have enough units to rent in Phase 2 without it costing us so dearly for everything we have worked so hard for.

Sincerely,

Mr. and Mrs. Carney

**Steven Tugwell**

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**From:** steve carney <srcarney@gmail.com>  
**Sent:** Wednesday, December 02, 2015 1:22 PM  
**To:** Carlos Burns  
**Cc:** Steven Tugwell; Christopher and Savi Perez  
**Subject:** Re: Gardner Trust Rezoning Neighborhood Meeting 2 Information

Carlos,

I would ask that you BCC the group in the future with the exception of the County or someone you may be responding to directly. This way if someone forwards this email to others who were not there as attendees the email addresses will not continue to be displayed on every PC this message might be sent too. In this instance I have no objection to having my email displayed but I'm not sure everyone else would feel the same.

I will be sending Fran and my comments about our site visit yesterday to Mr. Tugwell and will include you and the other attendees when my wife and I are finished.

I will let you know if I have any concerns but from what I see you have outlined accurately what was discussed.

Thanks,

Steve Carney

P.S. I saw where the low level lighting fixtures were affixed to the building at FSS earlier today and will pass by in the evening at some point, to see how they look.

On Wed, Dec 2, 2015 at 9:56 AM, Carlos Burns <[carlos@storefss.com](mailto:carlos@storefss.com)> wrote:

I would like to thank everyone for attending the Monday night neighborhood meeting. We appreciate your comments and believe the meeting was very productive. We have asked Shimp Engineering, our consultant on this project, to make several changes to our rezoning application. We expect to complete these changes by the end of the week. I will forward that information to you as soon as I get it.

The change to the layout of the facility will swap the phase one and two areas such that the area closest to the rear of the property will now be phase two. The phase two pad will not be cleared nor graded until after the build out of phase one is completed and additional storage buildings are needed. We are also planning on planting evergreens behind where the phase two pad would be to give them time to grow prior to using that area. The new phase one move will result in the distance from the closest phase one building to the closest house at the rear of the property to be over 500 feet. At current growth rates, phase two is not projected to be needed in less than 15 years or more.

In addition to swapping phase one and two, Shimp Engineering is looking into the feasibility of pushing the dam away from the rear of the property to minimize the break in the tree buffer. Trees and bushes are not

allowed on the dam to insure its integrity. The dam will be planted with grass and eventually covered with leaves.

The following proffers will be modified:

1. **Uses Permitted by right:** In addition to existing restrictions, gas stations will not be permitted.
2. **Additional Land Use Restrictions:** Both phases one and two will be specified in this proffer. This restricts both pads to self storage type of operation.

The following proffers will be added\*:

5. Storage building layout: Buildings at the rear of phase one and phase two will not have rear facing doors and be a plain wall.
6. Fencing and plant screening shall be provided at the end of the main driveway and in gaps between and around buildings that would allow vehicle headlights to shine into homes at the rear of the property.
7. Storage security lighting shall be full cutoff and only be placed on buildings and not on poles extending above the building heights. Placement on the buildings shall be on the sides facing away from the rear of the facility.

\* The exact wording of these proffers may be modified as appropriate for a rezoning application.

I would like to make one final clarification from the meeting. There was some confusion about what trees will be removed from the rear of the property. Obviously trees will be removed from the new phase one pad and main driveway spaces. Trees will be removed for dam and the area directly behind it that will hold the water run off. That area is marked on the site plans. The trees in the southwest and southeast corners of the property will remain.

I have sent this email to everyone on the list I was given on Monday night. I think I got all the email correct, but just in case, let you neighbors know they should be on the lookout for this email. You can give them my email address and if they send me a request, I can send this a copy of this email.

Please respond with any questions or comments and I will attempt to answer them as soon as possible.

Thanks again,

Carlos

Carlos A Burns



21 Burns Plaza

Palmyra, VA 22963

[434-589-1321](tel:434-589-1321) (Office)

[434-906-3552](tel:434-906-3552) (Cell)

[carlos@storefss.com](mailto:carlos@storefss.com)

**Steven Tugwell**

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**From:** steve carney <srcarney@gmail.com>  
**Sent:** Thursday, November 19, 2015 8:53 AM  
**To:** Steven Tugwell  
**Subject:** Re: Electronic Copy of Conceptual Overview Map, Draft Proffer Statement

Mr. Tugwell,

The information you provided is exactly what I needed. I greatly appreciate, your timely responses and cooperation.

Thank you,

Mr. Carney

----- Forwarded message -----

**From:** **steve carney** <[srcarney@gmail.com](mailto:srcarney@gmail.com)>  
**Date:** Thu, Nov 19, 2015 at 7:04 AM  
**Subject:** Electronic Copy of Conceptual Overview Map, Draft Proffer Statement  
**To:** Steven Tugwell <[stugwell@fluvannacounty.org](mailto:stugwell@fluvannacounty.org)>

Mr. Tugwell,

Can you please provide me with electronic versions (pdf) of the plat and associated information (application, A-1 vs. B-1, Memorandum, November 4, 2015) we received at the Neighborhood meeting? Is this information available online? If yes, how would we access it? I would like to share this information with neighbors who do not border the Gardner Trust Property, but have a direct line of sight to the area being proposed to develop and will negatively impact them as well. Can I tell neighbors to contact you directly for this information? Do they have a right to be included in our communications as interested parties who would also be negatively impacted if the rezoning request is approved?

I thank you in advance to assist us with getting the information needed for residents within Lake Monticello to have a clear understanding of what the rezoning application request would mean to all of us. Again, with the holidays upon us, and the unwillingness of Mr. Burns to defer his application request until after the holidays, we need to disseminate this information to our neighbors ASAP so they can make an informed decision. In addition, they can participate in the upcoming Planning Commission Meeting on December 14th and the Board of Supervisors meeting on January 20th, if they so choose. One last item, can you provide the contact information for the Planning Commissioners and the Board of Supervisors?

Thank you,

Mr. Carney

**Steven Tugwell**

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**From:** County of Fluvanna website <donotreply@fluvannacounty.org>  
**Sent:** Monday, November 16, 2015 12:26 AM  
**To:** Steven Tugwell  
**Subject:** Fluvanna County, VA - The Heart of Central Virginia: ZMP 15.06 Gardner Trust Rezoning Application

This is an enquiry email via <http://fluvannacounty.org/> from:  
Steven & Frances Carney <[srcarney@gmail.com](mailto:srcarney@gmail.com)>

Mr. Tugwell,

My wife Fran and I were at the TRC and the Neighborhood meeting on November 12th. I would like to know how I can be provided all communications to date that deal with the rezoning application. My primary interest is in the applicants request for rezoning and if he represented in any form that his facility was built out or he no longer had units available to rent to the public.

I would also like to request a site visit by Mr. Barry A. Bibb, Chair for the Planning Commission and I'm not certain whether Ms. Patricia Eager would be available to accompany him on a site visit to my property. As you are probably aware, my wife and I reside at 7 Roadview Terrace and will be the parties most significantly impacted by this rezoning change if it occurs. The plats can not do justice for how our line of sight will be impacted regardless of the buffer that is currently being proposed.

I find it difficult to understand how the SPOT would even be entertained for possible consideration for B-1 Business, when everything surrounding the area is either residential or Agricultural in nature. It was my understanding that the County adopted a Comprehensive Plan years ago to avoid SPOT ZONING which would stop the situations such as the situation we currently have. I would greatly appreciate if my request for a site visit could be accomadated because our elevation off our rear deck and any widow looking out the rear of our home will look directly onto the proposed trailers that will be placed on the site if the rezoning request is approved.

Thank you,

Steven and Frances Carney  
7 Roadview Terrace  
Palmyra, VA 22963

**Steven Tugwell**

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**From:** Steven Tugwell  
**Sent:** Monday, November 16, 2015 3:14 PM  
**To:** 'Steven & Frances Carney'  
**Cc:** 'christopherperez123@gmail.com'; Jason Stewart  
**Subject:** RE: Fluvanna County, VA - The Heart of Central Virginia: ZMP 15.06 Gardner Trust Rezoning Application

Dear Mr. & Mrs. Carney,

Thank you very much for your inquiry, and I enjoyed meeting you all at the TRC and neighborhood meetings last week. I plan on trying to send out the TRC comment letter to the applicants by tomorrow afternoon, and I will include you on that letter. At your request, I will also copy you on all future staff reports generated by the planning dept., to include the Planning Commission and Board of Supervisors staff reports.

This particular parcel of land happens to be located within the Rivanna Community Planning Area as designated by our Comprehensive Plan, and therefore it may be an appropriate candidate for rezoning. Spot zoning would be more along the lines of, if someone was asking to rezone from A-1 to B-1 in a part of the county that our Comp. Plan designates as either Rural Residential or Rural Preservation. In that case, planning staff would advise the potential applicant that their desired rezoning request is inconsistent with the Comp. Plan.

Please keep in mind that if the rezoning request is successful, then a site development plan must be reviewed and approved by the county prior to any site construction or site improvements. This includes landscaping and screening requirements, and a minimum 50-foot setback between your property. Per Sec. 22-9-6. "setback regulations", "the minimum yard requirements for permitted uses adjoining or adjacent to a residential or agricultural district shall be fifty (50) feet. All parking lots and accessory uses shall be located not less than twenty-five (25) feet from any residential or agricultural district". Also, per Sec. 22-24-7 "screening", "commercial and industrial uses shall be screened from view of adjacent properties in residential and agricultural zoning districts". If the rezoning request is approved and a site plan submitted, we will ensure that the site is in full compliance with all aspects of the zoning ordinance prior to approval.

Please also keep in mind that this property is zoned A-1 (Agricultural, General), and there is a fairly long list of uses permitted by-right and by special use permit that could be equally interpreted as intensive, or undesirable if located near or adjacent to a residential development, such as Lake Monticello. Whether or not Mr. Burns is at full or near capacity at his existing facility doesn't have any bearing on his current rezoning request, which is based squarely on its own merits and the Comprehensive Plan. Having said that, it is always the sincere hope of planning staff that feedback from the adjoining property owners generated by neighborhood meetings is strongly addressed and considered by an applicant as they move forward.

If acceptable to you, I will forward your request for a site visit to Mr. Bibb and Mrs. Eager, and then I'll get back to you with an available time for the site visit. I have also copied Mr. Perez on this email as he also asked to be included on correspondences regarding this application.

I look forward to working with you, and please let me know if you have any questions.

Thanks!

Steve Tugwell