



FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING AGENDA
Fluvanna County Administration Building
August 11, 2020
7:00 PM (Virtual Meeting / Morris Room)

TAB AGENDA ITEMS

REGULAR MEETING

1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

2 – DIRECTOR’S REPORT – August 11, 2020

3 – PUBLIC COMMENTS #1 (3 minutes each)

4 – MINUTES

Minutes of July 14, 2020 (Virtual Meeting)

5 – PUBLIC HEARINGS

ZMP 20:01 Sycamore Square LLC – Brad Robinson, Senior Planner

ZMP 20:02 Village Oaks Proffer Amendment – Brad Robinson, Senior Planner

6 – PRESENTATIONS – None

7 – SITE DEVELOPMENT PLANS

SDP 20:03 LKQ Automotive – Brad Robinson, Senior Planner

8 – SUBDIVISIONS – None

9 – UNFINISHED BUSINESS - None

10 – NEW BUSINESS – None

11 – PUBLIC COMMENTS #2 (3 minutes each)

12 – ADJOURN

Douglas Miles

Planning Director Review

As a public body, the Fluvanna County Planning Commission is allowed to meet by utilizing the virtual meeting procedures and policies as outlined in Item 4.0-01 of the Virginia State Budget, HB 29. Item 4.0-01 It allows for public bodies to meet through electronic communication means during emergency declarations such as the current COVID-19 emergency.

The Governor has declared a state of emergency, the nature of this declared emergency makes it impracticable or unsafe for the public body to assemble within a single location: The purpose of meeting is to discuss or transact the business statutorily

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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.*

required or necessary to continue operations of the public body: Fluvanna County shall make available a written transcript of the meeting on its website in accordance with the timeframes established in 2.2-3707 and 2.2-3707.1 of the Code of Virginia. The nature of the emergency, the fact that the meeting was held by electronic means, and the type of electronic communication means by which the public meeting was held shall be stated in the minutes of the public body.

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

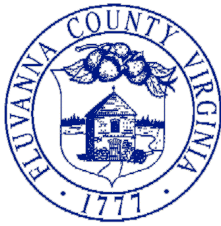
1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman 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 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.

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 dialogue 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 the Commission.
 - 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 call County staff prior to the public hearing.
 - Speakers should be brief and avoid repetition of previously presented comments.
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 deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
 - Further public comment after the public hearing has been closed generally will not be permitted.

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COUNTY OF FLUVANNA

“Responsive & Responsible Government”

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

To: Fluvanna County Planning Commission members
From: Douglas Miles, Community Development Director
Date: August 11, 2020
Subject: Planning Director’s Report

Board of Supervisors Actions:

July 1, 2020

No Planning Cases

Board of Zoning Appeals Actions:

No Zoning Cases

Technical Review Committee for July 9, 2020:

ZMP 20:01 Sycamore Square LLC A request to rezone, from A-1 Agricultural, General to R-3, Residential, Planned Community, 13.65 acres of Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5 and 6. The property is located along Lake Monticello Road (Route 618) at the intersection with River Run Drive. The property is within the Rivanna Community Planning Area and in the Palmyra Election District.

ZMP 20:02 Village Oaks Proffer Amendment An ordinance to amend proffers associated with ZMP 04:02 of the Fluvanna County Zoning Map with respect to 38.869 acres of Tax Map 9, Section A, Parcels 13C, 14, 14C and 14C1, and Tax Map 9, Section 13, Parcels A, B, C, D, 1 through 40 and 85 through 102, all zoned R-3, Residential, Planned Community. This amendment, if approved, would increase the number of locations for access to the property from three to four. The property is located along Lake Monticello Road (Route 618) between River Run Drive and Ashlawn Boulevard, and is within the Rivanna Community Planning Area and the Palmyra Election District.

Neighborhood Meeting (Conference Call) on July 29, 2020 at 4:30 pm:

ZMP 20:01 Sycamore Square LLC and **ZMP 20:02 Village Oaks Proffer Amendment** representatives from Southern Development Homes, applicant attended the meeting and presented their two zoning case requests. These two zoning cases are for the planned expansion of Village Oaks Subdivision, an R-3, Residential Planned Community. New homeowners within Village Oaks asked questions about their plans in their community relative to density and setbacks.

Planning Staff Attendance at Regional Planning (virtual Zoom) meetings:

July 21, 2020 – TJ PDC Rural Transportation Advisory Committee meeting was held to discuss the FY – 2021 Rural Transportation Planning Work Program that includes the Zion Crossroads Gateway Plan located in Fluvanna and Louisa that seeks to create shared design standards using similar transportation and infrastructure investments. The joint gateway plan is now slated to be completed by the end of the fiscal year due to COVID delays for both TJ PDC and VDOT staff.

MISCELLANEOUS ACTIONS / TASKS

Biosolids Applied and Signs Displayed (Total – 47 Sites)

Compliance with Tenaska Virginia Sound Levels 07/15/2020

Signs Removed From Public Rights-Of-Way (Total – 27)

Placed and removed "Public Hearing Signs" as needed

Deliver packets to BOS, PC Members

Planning / Zoning site plan evaluations for form (June 2020)

July 29, 2020 - Research: TM: 28-(10)-7 & TM: 28-(10)-8, Proposed Lot Consolidation

Planning / Zoning setback verifications for Building Dept. (June 2020)

MSC20:0089, TM: 40-(18)-25	MSC20:0090, TM: 3-(27)-1	MSC20:0091, TM: 9-(13)-28	MSC20:0092, TM: 9-(13)-17	MSC20:0093, TM: 9-(13)-93
MSC20:0094, TM: 17A-(1)-4	MSC20:0095, TM: 17A-(1)-6	MSC20:0096, TM: 9-(13)-34	MSC20:0097, TM: 36-(22)-9	MSC20:0098, TM: 51-(A)-27
MSC20:0099, TM: 9-(13)-32	MSC20:0100, TM: 17A-(1)-2	MSC20:0101, TM: 31-(A)-34	MSC20:0102, TM: 9-(13)-87	MSC20:0103, TM: 9-(13)-22
MSC20:0104, TM: 23-(A)-52	MSC20:0105, TM: 9-(10)-6	MSC20:0106, TM: 18A-(12)-161	MSC20:0107, TM: 18A-(1)-269	MSC20:0108, TM: 9-(11)-7
MSC20:0109, TM: 48-(A)-10	MSC20:0110, TM: 9-(13)-29	MSC20:0111, TM: 9-(13)-27	MSC20:0112, TM: 43-(A)-21B	MSC20:0113, TM: 13-(3)-4
MSC20:0099, TM: 9-(13)-32 (Revised)				

Farm Building or Structure Exemption Request (June 2020)

Planning / Zoning materials to VDOT Louisa Residency (June 2020):

One, Two, Three, Four, Five

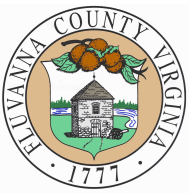
BUILDING INSPECTIONS MONTHLY REPORT

County of Fluvanna

Building Official:	Period:
Andrew Wills	July, 2020

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
BUILDING PERMITS ISSUED														
NEW - Single Family Detached (incl. Trades permits)	2016	11	11	8	15	9	18	6	5	9	2	6	8	108
	2017	3	2	16	6	4	10	6	5	14	5	7	13	91
	2018	8	3	15	11	13	17	13	10	8	8	6	9	121
	2019	8	10	14	9	12	9	10	14	13	2	11	7	119
	2020	12	13	22	14	8	18	19	0	0	0	0	0	106
NEW - Single Family Attached	2016	2	0	0	0	0	5	0	2	0	0	0	0	5
	2017	0	0	0	0	0	5	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0	0	0	0	0	0
	2020	0	0	0	0	1	6	0	0	0	0	0	0	7
NEW - Mobil Homes	2016	0	1	0	0	0	0	0	1	0	0	0	0	2
	2017	0	0	0	0	2	1	0	1	0	0	0	0	4
	2018	0	0	1	1	0	0	0	0	0	0	0	0	3
	2019	0	0	0	0	0	0	0	0	1	1	0	1	2
	2020	0	0	1	0	0	1	0	0	0	0	0	0	2
Additions and Alterations	2016	13	10	31	27	29	29	15	32	31	28	27	27	299
	2017	29	20	29	43	20	29	32	18	23	27	43	28	341
	2018	19	6	10	19	8	13	26	25	32	42	22	21	243
	2019	35	33	37	27	38	38	44	34	34	36	35	31	422
	2020	37	38	23	30	30	22	27	0	0	0	0	0	207
* Trade permits count not in .														
Accessory Buildings	2016	3	4	4	6	2	2	1	2	1	3	3	6	37
	2017	0	4	2	3	2	2	2	4	2	0	2	2	25
	2018	2	3	3	6	2	1	4	2	1	2	2	2	30
	2019	2	4	6	4	4	3	3	8	2	8	4	4	52
	2020	2	4	4	4	5	5	1	0	0	0	0	0	25
Swimming Pools	2016	0	0	0	0	0	1	1	0	0	0	0	0	2
	2017	0	0	0	0	0	1	1	0	0	1	1	0	4
	2018	0	1	1	1	0	1	2	0	1	2	0	0	9
	2019	0	0	0	3	2	2	0	1	0	1	0	1	10
	2020	0	1	3	3	1	2	3	0	0	0	0	0	13
Commercial/Industrial Build/Cell Towers	2016	0	0	2	2	0	0	1	0	1	1	1	1	9
	2017	1	2	0	0	0	0	2	2	1	1	0	0	9
	2018	0	0	0	0	0	2	0	0	0	0	0	0	2
	2019	0	0	1	1	0	2	0	0	0	0	0	0	4
	2020	0	0	1	0	1	0	0	0	0	0	0	0	2
TOTAL BUILDING PERMITS	2016	27	26	45	50	40	55	24	40	42	34	37	42	462
	2017	33	28	47	52	28	43	43	30	40	34	53	43	474
	2018	29	13	30	38	23	34	45	37	42	54	30	33	408
	2019	45	47	58	44	56	54	57	57	50	48	50	43	609
	2020	51	56	54	51	46	54	50	0	0	0	0	0	362
* Trade permits count not included as in previous years														
BUILDING VALUES FOR PERMITS ISSUED														
TOTAL BUILDING VALUES	2016	\$1,817,981	\$2,555,455	\$5,542,458	\$3,711,821	\$2,447,891	\$5,181,921	\$3,611,179	\$1,817,783	\$3,089,971	\$1,889,279	\$2,028,590	\$2,937,783	\$ 36,632,112
	2017	\$857,767	\$827,724	\$4,859,777	\$2,066,132	\$1,512,789	\$3,676,118	\$1,904,915	\$2,359,988	\$2,846,545	\$1,957,646	\$1,897,110	\$3,479,285	\$ 28,245,796
	2018	\$2,541,433	\$1,075,551	\$3,544,096	\$2,153,241	\$3,834,995	\$5,693,348	\$3,156,593	\$4,729,005	\$3,637,992	\$1,791,222	\$2,169,284	\$2,421,169	\$ 37,107,929
	2019	\$1,991,054	\$2,502,719	\$5,639,238	\$4,695,173	\$3,057,597	\$3,228,152	\$3,360,952	\$3,926,015	\$3,457,214	\$2,636,194	\$3,148,369	\$2,960,579	\$ 40,603,256
	2020	\$2,292,161	\$3,202,055	\$7,238,708	\$2,997,448	\$2,245,441	\$4,389,903	\$3,644,002	\$0	\$0	\$0	\$0	\$0	\$ 26,009,718

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
LAND DISTURBING PERMITS ISSUED														
LAND DISTURBING PERMITS	2016	12	11	8	14	10	17	7	6	11	3	9	9	117
	2017	3	2	17	7	7	9	6	6	15	8	7	14	101
	2018	10	4	16	13	11	17	13	7	9	6	7	8	121
	2019	8	12	16	9	14	10	12	14	13	2	11	8	129
	2020	11	10	26	13	8	24	13	0	0	0	0	0	105
INSPECTIONS COMPLETED														
TOTAL INSPECTIONS	2016	116	91	153	157	155	214	249	230	197	181	184	172	2,099
	2017	159	144	171	141	177	152	202	182	153	183	181	169	2,014
	2018	163	148	173	186	215	176	164	220	144	221	154	141	2,105
	2019	237	207	232	297	305	246	324	332	295	298	204	216	3,193
	2020	213	197	302	369	371	304	434	0	0	0	0	0	2,190
FEES COLLECTED														
Building Permits	2016	\$11,850	\$11,954	\$11,576	\$14,889	\$8,447	\$18,588	\$12,947	\$7,537	\$11,285	\$12,548	\$8,361	\$11,213	\$ 141,195
	2017	\$4,060	\$3,660	\$22,692	\$9,249	\$6,703	\$11,948	\$9,494	\$7,790	\$13,169	\$6,895	\$9,022	\$12,886	\$ 117,568
	2018	\$8,988	\$4,311	\$9,939	\$14,765	\$13,796	\$23,633	\$14,993	\$8,748	\$10,826	\$12,613	\$9,556	\$14,570	\$ 146,738
	2019	\$11,377	\$13,617	\$14,005	\$14,308	\$11,228	\$16,260	\$13,778	\$18,772	\$14,375	\$8,468	\$14,747	\$11,059	\$ 161,994
	2020	\$12,863	\$15,468	\$18,152	\$16,803	\$13,147	\$28,068	\$23,193	\$0	\$0	\$0	\$0	\$0	\$ 127,694
Land Disturbing Permits	2016	\$3,200	\$2,575	\$1,700	\$1,950	\$2,250	\$2,200	\$4,020	\$875	\$28,074	\$2,000	\$1,450	\$1,100	\$ 51,494
	2017	\$475	\$800	\$7,000	\$1,523	\$2,366	\$2,425	\$1,733	\$7,784	\$2,100	\$2,050	\$1,000	\$1,625	\$ 30,881
	2018	\$1,450	\$5,975	\$1,890	\$1,625	\$1,625	\$2,850	\$1,625	\$1,175	\$1,125	\$875	\$10,675	\$2,150	\$ 33,040
	2019	\$1,000	\$1,500	\$1,625	\$1,125	\$3,553	\$1,250	\$2,975	\$6,556	\$1,920	\$250	\$1,375	\$1,125	\$ 24,251
	2020	\$1,375	\$1,250	\$6,365	\$1,625	\$1,000	\$3,000	\$2,125	\$0	\$0	\$0	\$0	\$0	\$ 16,740
Zoning Permits/ Proffers	2016	\$1,150	\$1,250	\$1,800	\$2,450	\$1,650	\$2,700	\$1,150	\$1,150	\$1,900	\$1,050	\$900	\$850	\$ 18,500
	2017	\$400	\$1,000	\$2,400	\$950	\$1,500	\$1,800	\$1,245	\$1,250	\$1,600	\$1,050	\$1,250	\$1,550	\$ 15,995
	2018	\$1,400	\$800	\$1,750	\$1,600	\$1,400	\$2,200	\$2,050	\$1,400	\$1,050	\$1,400	\$700	\$1,400	\$ 17,150
	2019	\$1,200	\$1,800	\$2,200	\$1,550	\$2,050	\$1,350	\$1,950	\$2,300	\$1,700	\$1,150	\$1,450	\$1,400	\$ 20,100
	2020	\$1,650	\$1,600	\$3,000	\$1,700	\$1,550	\$3,050	\$2,350	\$0	\$0	\$0	\$0	\$0	\$ 14,900
TOTAL FEES	2016	\$16,200	\$15,779	\$15,076	\$19,289	\$12,347	\$23,488	\$18,117	\$9,562	\$41,259	\$15,598	\$10,711	\$13,263	\$ 210,689
	2017	\$4,835	\$5,460	\$32,092	\$11,722	\$10,569	\$16,173	\$12,472	\$16,824	\$16,869	\$9,995	\$11,272	\$16,061	\$ 164,444
	2018	\$11,838	\$11,086	\$13,579	\$17,990	\$16,821	\$28,683	\$18,668	\$11,323	\$13,001	\$14,888	\$20,931	\$18,120	\$ 196,928
	2019	\$13,577	\$16,917	\$17,830	\$16,983	\$16,831	\$18,860	\$18,703	\$27,628	\$17,995	\$9,868	\$15,028	\$13,584	\$ 203,804
	2020	\$15,888	\$18,318	\$27,517	\$20,128	\$15,697	\$34,118	\$27,668	\$0	\$0	\$0	\$0	\$0	\$ 159,334



TRANSACTIONS BY USER REPORT (07/01/2020 TO 07/31/2020) FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

Selected Users: Valencia Porter

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
Valencia Porter					
AFD20:0001					
INV-00002045	Withdrawal from Agricultural/Forestral district	07/14/2020	Fee Payment	Check #31115096	\$500.00
SDP19:0018					
INV-00002046	Site Plan Review: Major Plan	07/14/2020	Fee Payment	Check #3995	\$1,100.00
SDP20:0008					
INV-00002004	Amendment to Site Development Plan	07/02/2020	Fee Payment	Check #3983	\$150.00
SDP20:0009					
INV-00002053	Site Plan Review: Minor Plan	07/20/2020	Fee Payment	Check #28449	\$550.00
SDP20:0010					
INV-00002065	Site Plan Review: Landscape Plan Review*	07/24/2020	Fee Payment	Check #5474	\$50.00
SUB20:0024					
INV-00002027	Boundary Adjustment	07/08/2020	Fee Payment	Check #3080	\$100.00
SUB20:0025					
INV-00002071	Boundary Adjustment	07/29/2020	Fee Payment	Check #2919	\$100.00
ZMP20:0001					
INV-00002007	Rezoning	07/06/2020	Fee Payment	Check #1582	\$1,000.00
	Sign Deposit for Public Hearing	07/06/2020	Fee Payment	Check #1583	\$90.00
ZMP20:0002					
INV-00002008	Rezoning: Proffer or Master Plan Amendment	07/06/2020	Fee Payment	Check #1582	\$750.00
VALENCIA PORTER				TOTAL CHECK:	\$4,390.00
				NET TOTAL:	\$4,390.00
GRAND TOTALS				TOTAL CHECK:	\$4,390.00
				NET TOTAL:	\$4,390.00

**FLUVANNA COUNTY PLANNING COMMISSION
WORK SESSION AND REGULAR MEETING MINUTES
Morris Room
July 14, 2020
6:00 pm Work Session
7:00 pm Regular Meeting**

MEMBERS PRESENT: Barry Bibb, Chairman
Ed Zimmer, Vice Chairman
Gequetta "G" Murray-Key
Howard Lagomarsino
Lewis Johnson
Patricia Eager, Board of Supervisors Representative

ALSO PRESENT: Douglas Miles, Community Development Director
Brad Robinson, Senior Planner
Fred Payne, County Attorney
Valencia Porter, Senior Program Support Assistant
Jason Overstreet, Planner

ABSENT: None

**Due to health concerns, Mrs. Eager is attending the meeting via phone conference call
-Patricia Eager, (Calling from 1107 Mechunk Creek Drive)*

A. CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

At 6:00 pm, Chairman Bibb called the work session to order. After the recitation of the Pledge of Allegiance, a moment of silence was observed.

B. PLANNING DIRECTOR COMMENTS

None were provided as time was yielded to Eric Dahl, County Administrator.

C. PUBLIC COMMENTS

At 6:01 pm, Chair Bibb opened the Public Comments.

With no one wishing to speak, Chair Bibb closed the Public Comments at 6:01pm.

WORK SESSION:

Zions Crossroads Water and Wastewater Update – Eric Dahl, County Administrator

- Zion Crossroads water and sewer project will start at the Fluvanna Women's Correctional Center on Hwy 250 in Fluvanna County, proceed 3 miles east to Rt. 15, and terminate approximately 1-mile south on Rt. 15. In addition, the waterline will extend 0.5 miles west on Hwy 250 to Memory Lane and then 0.3 miles south to the end of Memory Lane.
- The project will consist of approximately 33,000 linear feet of water line and approximately 23,000 linear feet of sewer line. Appurtenances that will be a part of the waterline will include a 500,000 gallon water storage tank and a booster pump station located at the prison that will have the ability to pump 600 gallons per minute. The appurtenance for the sewer line will be a sewer pumping station with dual submersible pumps capable of pumping 700 gallons per minute.
- The overall cost for this project is \$11.6M. The Fluvanna County Board of Supervisors cash funded an initial portion of the project and had \$8.6M of VRA Infrastructure and State Moral Obligation Revenue Bonds issued in August 2017, with the intent to cash fund the remainder of the project from fund balance. In order to maintain our conservative fund balance reserves, the Fluvanna County Board of Supervisors decided in spring 2020 to change cash funding the remainder of the project and fund the \$2.25M balance with revenue bonds.
- In February 2020, the Virginia Department of Environmental Quality (DEQ) approached the County about extending the Zion Crossroads waterline on Hwy 250 1.3 miles west of where it currently terminates on Memory Lane, to properties contaminated by an old petroleum release.

- Four petroleum impacted properties currently have water treatment systems until a permanent solution is provided. In addition, two nearby properties are at risk of petroleum contamination. This project extension helps to provide a reliable water source to the affected residents of the County and advances a Phase 2 component earlier with the assistance of DEQ.
- The County has coordinated with DEQ and we have received a formal letter outlining their proposal and available funding. DEQ will fund:
 - Up to \$200,000 for Engineering Services
 - Up to \$800,000 for Construction Services and/or excess of remaining Engineering funds
- The overall cost for this Phase 2 Zion Crossroads waterline extension is estimated at \$1.5M. DEQ will provide a maximum funding for this project of \$1.0M, with the Fluvanna County Board of Supervisors currently issuing Revenue Bonds for the remainder of the project.

Solar Energy Facilities Zoning Text Amendment – Douglas Miles, Planning Director

Proposed Zoning Text Amendment (ZTA) to define and to add Solar Energy Facility within the Zoning Ordinance to further define this as a new land use for continued solar energy facility production.

UTILITY SCALE SOLAR ENERGY FACILITIES LAND USE

A Special Use Permit (SUP) in the A-1, B-1 and I-1 Zoning Districts and make it a By Right use in I-2 District with required landscaping and screening

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF SILENCE

At 7:00pm, Chairman Bibb called the Regular Meeting to Order, followed by the Pledge of Allegiance and a moment of silence.

2. DIRECTOR’S REPORT-- Douglas Miles

Board of Supervisors Actions:

March 18, 2020

ZMP 19:02 – 2428 Richmond Road LLC (Morris) Rezoning was deferred due to COVID-19
 ZTA 19:04 – Vehicle Impound Facility Text Amendment was deferred due to COVID-19
 VDOT Smart Scale Round 4 Applications moved forward in the VDOT application process

April 1, 2020

The Board of Supervisors adopted a Continuity of Operations Resolution due to COVID-19 that allowed Fluvanna County and its Boards and Commissions to continue with operations. They have continued to renew it throughout the entire COVID-19 pandemic at the County.

June 17, 2020

ZMP 19:02 – 2428 Richmond Road LLC (Morris) Conditional rezoning was approved
 ZTA 19:04 – Vehicle Impound Facility Text Amendment was deferred for up to one year

VDOT Smart Scale Round 4 Applications Resolution was approved for these three projects:

1. Turkeysag Trail (Route 1015) and Thomas Jefferson Highway (Route 53) intersection
2. Troy Road (Route 631) and Richmond Road (Route 250) intersection (at Zion Station Road)
3. South Boston Road (Route 600) and Lake Monticello Road (Route 618) intersection

Board of Zoning Appeals Actions:

No Zoning Cases during April, May and June 2020

Technical Review Committee (TRC) Conference Call meetings:

March 12, 2020

SDP 20:02 Sun Tribe Solar LLC / Fluvanna Middle School – A site development plan request to construct a solar array with respect to 83.185 acres of Tax Map 41, Section A, Parcels 6A and 16,

Tax Map 41, Section 1, Parcel 3, and Tax Map 41, Section 4, Parcels 1, 2 and 3. The parcels are zoned A-1, Agricultural, General and located along Central Plains Road (Route 649) approximately 0.1 miles west of the intersection with James Madison Highway (U.S. Route 15). The parcels are located within the Rural Preservation Planning Area and the Fork Union Election District.

April 9, 2020

SDP 20:03 LKQ Automotive – A site development plan request to construct a salvage and scrap yard with respect to 90.17 acres of Tax Map 4, Section A, Parcel 27A. The parcel is zoned I-2, Industrial, General and located at the end of Memory Lane (State Route 698), approximately 0.35 miles south of the intersection of Richmond Road (U.S. Route 250). The parcel is located within the Rural Residential Planning Area and the Palmyra Election District.

May 14, 2020

SDP 20:05 Fluvanna Firearms – A site development plan request to construct a specialty retail store for the sale of firearms with respect to 10.549 acres of Tax Map 52, Section 8, Parcel 2. The parcel is zoned A-1, Agricultural, General and located off James Madison Highway (U.S. Route 15), approximately 0.1 miles west of the intersection with East River Road (State Route 6). The parcel is located within the Rural Residential Planning Area and the Fork Union Election District.

June 11, 2020

SDP 20:07 Sun Tribe Solar / West Central Primary – A site development plan request to construct a solar array with respect to 31.1 acres of Tax Map 41, Section A, Parcel 16. The parcel is zoned A-1, Agricultural, General and located along Central Plains Road (Route 649). The parcel is located within the Rural Preservation Planning Area and the Fork Union Election District.

Planning Director Webinar attendance and training during COVID-19 period:

March 23, 2020 – American Planning Association (APA) – Virginia (VA) Chapter Modernizing Parking Standards – City of Alexandria’s lessons learned for creating less parking spaces by the using shared parking space calculations and allowing for more retail and commercial land uses.

April 30, 2020 – APA VA Chapter Civic Engagement in the World of Social Distancing and Conducting Virtual Public meetings by Sharon Pandak, Esq. Local Government Attorneys of Virginia and Neiman Young, PhD, King George County Administrator for County examples.

May 12, 2020 – Timmons Virtual Learning Series Bicycle and Pedestrian Accommodations in Main Street Areas webinar (Palmyra) Main Street VDOT integrated road and sidewalk design. Successful Main Street projects were discussed where the accommodations were implemented.

May 18, 2020 – APA VA Chapter 2020 Virginia General Assembly Legislative Session focused on the key legislation passed by the General Assembly that impacted local and regional planning which included Solar Energy Facilities both utility-scale solar sites and accessory use solar uses.

June 30, 2020 – Timmons Virtual Learning Series Sensible Stormwater Design Solutions for Road Projects focused on both innovative techniques and common sense engineering solutions. VDOT roundabouts, signalized intersections, road medians, etc. were discussed within Virginia.

Planning Staff webinar attendance and training during COVID-19 period:

Tyler Online Training Sessions – EnerGov tutorials for better software implementation and connectivity to existing WebGIS and permitting software linkage to Fluvanna County data.

May 12, 2020 – William & Mary Continuing Education Planning and Facilitating Virtual Meetings by Jennifer West, Training Program Coordinator provided the Basics on how to conduct virtual meetings for local officials and support staff and strategic planning classes.

May 19, 2020 – Timmons Virtual Learning Series Current Trends shaping the Data Center Industry focused on what infrastructure would be needed to support new industrial land uses.

Planning Director and Senior Planner virtual Regional Planning meetings:

May 19, 2020 – TJ PDC Rural Transportation Advisory Committee meeting discussed FY 21 Rural Work Program and discussed regional bicycle lane and pedestrian sidewalk inventory.

May 20, 2020 – Zion Crossroads Gateway Plan – Fluvanna County meeting discussed launching Fluvanna County gateway design survey to receive additional TJ PDC gateway plan information.

Planning and Community Development Department Staff Member update:

April 6, 2020 – County Administrator, Community Development Director and Human Resource Manager conducted the Building Official position interviews and selected Andrew Wills, CBO who previously worked for the department as a Building Inspector and he started on May 4th.

3. PUBLIC COMMENTS # 1:

At 7:16 pm, Chair Bibb opened the first round of Public Comments.
 Dr. Sam Babbitt, 1038 Hunters Woods, Crozier, VA expressed concerns that his deeded access would be utilized to access the retail store behind his vet clinic.
 With no one else coming forward wishing to speak, Chair Bibb closed the Public Comments at 7:22 pm

4. MINUTES:

MOTION:	Planning Commission Minutes of June 09 , 2020				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		Motion			Seconded
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0 Approved				

5. PUBLIC HEARINGS:

AFD 19:02 Patsy P. Griffn LE Et Al – Brad Robinson, Senior Planner

- 3 parcels proposed for addition (41-A-45, 41-A-45B and 51-A-128A) for a total of 136.664 acres
- Two of the subject parcels were formerly part of the Carysbrook AFD.
- Applicant has 41-A-45A already enrolled in Carysbrook AFD
- Carysbrook AFD totals 1504.0676 acres

PUBLIC HEARING:

At 7:28pm, Chair Bibb opened the Public Hearing Public Comments.
 With on one wishing to speak, Chair Bibb closed the Public Comments at 7:28pm.

MOTION:	I move to recommend approval of the proposed addition of Tax Map Parcels 41-A-45, 41-A-45B and 51-A-128A totaling 136.664 acres to the Carysbrook Agricultural and Forestal District.				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		Seconded	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0 Approved				

AFD 19:03 Allison W. & Ronald J. Unnerstall – Brad Robinson, Senior Planner

- Two parcels proposed for addition (60-A-21 and 60-A-21D) for a total of 140.65 acres
- Parcels were previously enrolled in the Riverside AFD before it was terminated in 2012
- Glenarvon Farm AFD totals 1,730.362 acres

PUBLIC HEARING:

At 7:32pm, Chair Bibb open the Public Hearing Public Comments.
 Ronald Unnerstall, Co-applicant, 578 Middle Farm Trace, Bremono Bluff, VA 23022. Thank you for inviting me to the meeting. I'm happy that the adjacent property owners talked me into

doing this. Thank you again.

With no one wishing to speak, Chair Bibb closed the Public Hearing Public Comments at 7:33 pm.

MOTION:	I move to recommend approval of the proposed addition of Tax Map Parcels 60-A-21 and 60-A-21D totaling 140.65 acres to the Glenarvon Farm Agricultural and Forestal District.				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		Seconded	Motion		
VOTE:	YES	YES	YES	YES	YES
RESULT:	5-0 Approved				

6. PRESENTATIONS:

None

7. SITE DEVELOPMENT PLANS:

SDP 20:05—Fluvanna Firearms Building – Douglas Miles, Planning Director

Request for sketch plan approval to construct a specialty retail store with respect to 10.5 acres of Tax Map 52, Section 8, Parcel 2;

Subject Parcel is zoned A-1 with a Special Use Permit and is located within the Rural Residential Planning Area;

Adjoining parcels are zoned A-1 and A-1 with a Special Use Permit for a Veterinary Office use

- Final site plan that complies with all aspects of the zoning ordinance must be submitted for final review and approval from all agencies.

COMMENTS/QUESTIONS:

Dr. Babbitt: He recommended that the applicant pave his access easement.

Johnson: Dr. Babbitt called me on his concerns with this request.

Jim Taggart, PE: Appreciate the hard work by staff on this project.

MOTION:	I move to Approve SDP 20:05, a sketch plan request to construct a new 2,800 square foot specialty retail store with respect to 10.5 acres of Tax Map 52, Section 8, Parcel 2, subject to the conditions listed in the staff report.				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		Motion	Seconded		
VOTE:	YES	YES	YES	YES	YES
RESULT:	5-0 Approved				

SDP: 20:07 – Sun Tribe Solar/West Central Primary – Brad Robinson, Senior Planner

Request for sketch plan approval to construct a solar array with respect to 31.1 acres of Tax Map 41, Section A, Parcel 16.

Parcel is zoned A-1 and is located within the Rural Preservation Planning Area.

Adjoining parcels are zoned A-1.

Final site plan that complies with all aspects of the zoning ordinance must be submitted for final review and approval from all agencies.

Comments/Questions:

No comments were provided.

MOTION:	I move to Approve SDP 20:07, a sketch plan request to construct a solar array with respect to 31.1 acres of Tax Map 41, Section A, Parcel 16, subject to the conditions listed in the staff report.				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:				Motion	Seconded
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	5-0 Approved				

8. SUBDIVISIONS:

None

9. UNFINISHED BUSINESS:

SDP 19:08 – Lane Self Storage – Sidewalk Waiver Request – Brad Robinson, Senior Planner

County Code Sections 22-11-11 and 22-23-6.6.A require sidewalks on both sides of all roadways, public and private.

Planning Commission reviewed request for a sidewalk waiver on June 9, 2020 and voted 5-0 to defer in order to obtain VDOT input.

VDOT has indicated that sidewalks are not required nor is there any preference for or against them.

MOTION:	I move to Approve a sidewalk waiver to SDP 19:08, a sketch plan request to construct a self-storage facility with respect to 4.337 acres of Tax Map 5, Section A, Parcel 59, pursuant to County Code Sections 22-11-11 and 22-23-6.6.A.				
MEMBER:	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
ACTION:		SECONDED		MOTION	
VOTE:	YES	YES	YES	YES	YES
RESULT:	5-0 Approved				

*Douglas Miles asked the Commission if it was okay to go forward with the Zoning Text Amendment as discussed in the work session. There were no objections to move forward with it.

10. NEW BUSINESS:

None

11. PUBLIC COMMENTS # 2:

At 7:58 pm, Chair Bibb opened the second round of Public Comments, with no one coming forward to speak, Chair Bibb closed the Public Comments at 7:58 pm.

12. ADJOURN:

Chairman Bibb adjourned the Planning Commission meeting of July 14, 2020 at 7:59 pm.

Minutes recorded by Valencia Porter, Senior Program Support Assistant.

Barry A. Bibb, Chairman
Fluvanna County Planning Commission



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

STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: ZMP 20:01
Tax Map: 9, Section 14, Parcels 1, 2, 3, 4, 5 & 6

From: Brad Robinson
District: Palmyra
Date: August 11, 2020

General Information: This request is to be heard by the Planning Commission on Tuesday, August 11, 2020 at 7:00 pm in the County Administration Building Morris Room.

Owner/Applicant: Sycamore Square LLC

Representative: Keith Lancaster, Southern Development

Requested Action: To amend the Fluvanna County Zoning Map with respect to 13.65 acres of Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5 and 6, to rezone the same from A-1, Agricultural, General to R-3, Residential, Planned Community. (Attachment A)

Location: The affected property is located along Lake Monticello Road (Route 618) at the intersection with River Run Drive. The property is within the Rivanna Community Planning Area and the Palmyra Election District.
(Attachment B)

Existing Zoning: A-1, Agricultural, General (Attachment C)

Proposed Zoning: R-3, Residential, Planned Community (conditional)

Existing Land Use: Residential/undeveloped

Planning Area: Rivanna Community Planning Area

Adjacent Land Use: Adjacent properties are zoned A-1 and R-3.

Zoning History: None

Neighborhood Meeting:

A virtual neighborhood meeting was held on July 29, 2020. There were four attendees in addition to staff and the applicant. The attendees had questions or concerns regarding proposed buffers, an increase to traffic in the area, and if there are any plans by the developer to pave River Run Drive.

(Attachment E)

Technical Review Committee:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, July 9, 2020:

1. Planning staff discussed questions regarding proffers and stated any revised material would be needed by July 24th.
2. Aqua Virginia did not have any comments.
3. Building Inspections did not have any comments.
4. CVEC stated this project location is outside their service territory.
5. Economic Development had questions regarding connectivity between Phase 2 and 4. Will pedestrian access be shared with the emergency access road? (*Applicant responded yes*). Would River Run residents also be able to walk through this area? (*Applicant responded yes*)
6. Erosion and Sediment Control did not have any comments.
7. Fire Chief had concerns with the stub roads and prefers that the cul-de-sac radius be 100 feet instead of 50 feet. Hydrants will also be needed between Lot 11 & 12 and 25 & 26.
8. Sheriff's Office did not have any comments.
9. VDH did not have any comments.
10. VDOT stated since the plan proposes an increase in housing units from the previously approved plan, the previously approved entrance location will need to be re-evaluated to see whether turn lanes are warranted or not. This can be provided when the site plan is submitted. No comments on the proffer amendment.

The concept plan reviewed by the TRC proposed 22 single-family detached dwellings and 19 townhouse dwellings. The project has been revised by the applicant to propose 35 lots for single-family attached dwellings.

(Attachment F)

Analysis:

The applicant is requesting to rezone six parcels identified as Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5 and 6 from A-1, Agricultural, General to R-3, Residential, Planned Community. The parcels are currently recorded as a single-family subdivision referred to as the Archer Property

which was approved in 2015. No lots in this subdivision have been sold or developed to date and the road has never been constructed.

The applicant proposes to incorporate the six parcels into the adjacent Village Oaks development as Phase 4 and redevelop the parcels into 35 lots for single-family attached dwellings. Unlike a two-family dwelling (commonly referred to as a duplex) which contains two separate living units on the same lot, single-family attached dwellings share a common wall but each unit is on its own individual lot.

As shown on the applicant's concept plan, access to Phase 4 will remain from Lake Monticello Road through the existing approved entrance for the Archer Property subdivision. Village Oaks currently contains three entrances onto Lake Monticello Road (Route 618) including River Run Drive (private) which is designated only for emergency access. The additional phase will result in a fourth entrance.

Because Proffer #1 of the existing proffers for Village Oaks stipulates that access to Village Oaks shall be limited to three locations, the applicant is proposing to update proffers with this rezoning request and increase the number to four locations. An application (ZMP 20:02) to apply the updated proffers to the original sections of Village Oaks is also required and being reviewed concurrently with this request, as the rezoning request only applies to the six subject parcels identified in the application.

In accordance with the existing proffers, a minimum setback of 80 feet is required from River Run Drive (Proffer #5) and a minimum 75 foot setback is required from the northern property line (Proffer #6). These setbacks are reflected on the concept plan.

The purpose of the A-1 District, the current zoning of the property, is *“to conserve water and other natural resources, reduce soil erosion, protect watersheds and reduce hazards from floods; to preserve the rural character of the County; to promote existing and future farming and forestry operations; and to promote the retention of undisturbed open space.”*

The R-3 District *“is intended to permit compact village-style residential development and associated institutional uses, community serving mixed uses, open spaces, and creative design in accordance with a master plan.”*

If this rezoning is approved, this development will then be subject to County site plan and subdivision review processes prior to the commencement of any site improvements or construction.

(Attachments A & D)

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Rivanna Community Planning Area which makes up approximately 40 percent of the county's population. According to this

chapter, *“the area is traditionally neighborhood residential, with primarily single-family detached dwellings. 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 in this community. Additional services and infrastructure are needed to accommodate more growth.”* In previous studies for this area, residents identified several priorities which included *“to provide housing choices for a variety of age groups and income levels, appropriate to the area.”*

The Rivanna Community Planning Area is the most developed planning area in the county and contains a mixture of residential and commercial uses.

Housing Chapter:

According to this chapter, *“any rezoning application should be viewed as an opportunity to create some affordable housing (e.g., 15-20 percent of the units in the project).”*

Implementation Goals and Strategies:

A To provide for most of the county’s future housing needs within the community planning areas.

- (3) Encourage housing in close proximity to commercial development so that the need for transportation to work is lessened.

B To provide a variety of well-planned housing choices.

- (2) Allow for a mix of housing types and densities in individual developments (single and multifamily) as appropriate for the area and existing or planned infrastructure.

Conclusion:

When reviewing this rezoning application, the Planning Commission should take into consideration any potential adverse impacts that the development may have on the Lake Monticello area. Traffic will be an important consideration since the Rivanna CPA is the most populated planning area in the county. This project appears to meet the intent of the R-3 district’s design criteria and aspects by incorporating a variety of land uses and densities.

Suggested Motion:

I move that the Planning Commission recommend approval/denial/deferral of ZMP 20:01, a request to amend the Fluvanna County Zoning Map with respect to 13.65 acres of Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5 and 6, to rezone the same from A-1, Agricultural, General, to R-3, Residential, Planned Community and subject to the proffers dated August 6, 2020.

Attachments:

- A – Application and APO Letter
- B – Aerial Vicinity Map
- C – Existing Zoning Map
- D – Concept Plan
- E – Neighborhood Meeting attendance sheet
- F – TRC comment letter
- G – Proffer Statement dated August 6, 2020
- H – ZMP 04:02 Approval Letter and Proffers

Copy: Keith Lancaster, Southern Development – klancaster@southern-development.com
File



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

RECEIVED

Attachment A

JUN 29 2020

Fluvanna County
Planning Dept

Owner of Record: Sycamore Square LLC
 Address: 142 South Pantops Drive
 Phone: 434-245-0894 Fax: 434-245-0895
 Email: klmccaster@southern-development.com
Representative: Southern Development
 Address: 142 South Pantops Drive
 Phone: 434-245-0894 Fax: 434-245-0895
 Email: klmccaster@southern-development.com
Tax Map and Parcel(s) 9-14-1,2,3,4,5,6
Acreeage total 14.40 **Current Zoning** A-1
Location of Parcel: RT.618 Adjacent to Village Oaks
Requested Zoning R-3 **Proposed Use of Property** Residential

Applicant of Record: Sycamore Square LLC
 Address: 142 South Pantops Drive
 Phone: 434-245-0894 Fax: 434-245-0895
 Email: klmccaster@southern-development.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.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:

Is parcel in Land Use Valuation Program? No Yes

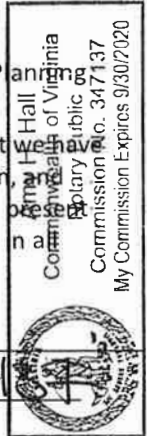
Deed Book and Page: 958 pg 514-528, PB 3 218-219

If any Deed Restrictions, please attach a copy

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 are familiarized ourselves with the rules and regulations of the Zoning Ordinance with respect to preparing and filing this application, that the foregoing statements and answers herein contained and the information on the attached map to the best of our ability and to the best of our knowledge, the argument on behalf of the application herewith requested and that the statements and information above referred to are true and correct to the best of our knowledge.

Date: 6/24/2020 Signature of Owner/Applicant: [Signature]
 Subscribed and sworn to before me this 24th day of June, 2020 Register # 347137
 My commission expires: 9/30/2020 Notary Public: [Signature]



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>6/29/20</u>	Pre-Application Meeting: <u>6/29/20</u> Application #: <u>ZMP 20: 01</u>
\$1,000 fee paid <u>Check # 1582</u> Mailing Costs: \$20.00 per Adjacent Property Owner under first 15, Certified. Paid:	
Proffer or Master Plan Amendment: \$750.00 plus mailing costs. Paid:	
Election District: <u>Palmyra</u>	Planning Area: <u>Bivanna Community</u>
Public Hearings	
Planning Commission	Board of Supervisors
Advertisement Dates:	Advertisement Dates:
APO Notification:	APO Notification:
Date of Hearing:	Date of Hearing:
Decision:	Decision:



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

RECEIVED

Attachment A

JUN 29 2020

Fluvanna County
Planning Dept

Name: Sycamore Square LLC
Address: 142 South Pointe Drive
City: charlottesville
State: VA Zip Code: 22911

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

[Signature] 5/26/2020
Applicant Signature Date

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

Office Use Only	
Application #: BZA _____ : CPA _____ : SUP _____ : ZMP <u>20</u> : <u>01</u> ZTA _____ :	
\$90 deposit paid per sign*: <u>Check #1583 \$90.00</u>	Approximate date to be returned:

RECEIPT (REC-001290-2020)
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

BILLING CONTACT

Sycamore Square, LLC
Sycamore Square, LLC
142 South Pantops Drive
Charlottesville, Va 22911



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
ZMP20:0001	Rezoning	Fee Payment	Check #1582	\$1,000.00
			SUB TOTAL	\$1,000.00
			TOTAL	\$1,000.00

RECEIPT (REC-001291-2020)
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

BILLING CONTACT

Sycamore Square, LLC
 Sycamore Square, LLC
 142 South Pantops Drive
 Charlottesville, Va 22911

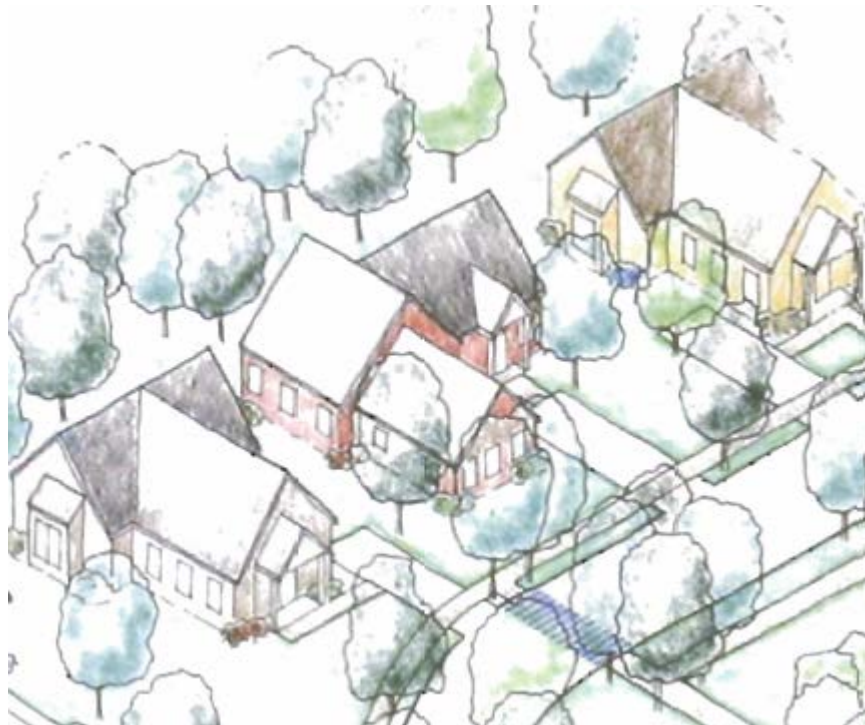


Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
ZMP20:0001	Sign Deposit for Public Hearing	Fee Payment	Check #1583	\$90.00
			SUB TOTAL	\$90.00
			TOTAL	\$90.00

**Rezoning Request
for**

Village Oaks Phase 4

Fluvanna County, Virginia
June 1, 2020



Submitted by:
Southern Development
142 South Pantops Drive
Charlottesville, Virginia 22911

434-245-0894

Introduction:

Southern Development operates in central Virginia, creating well planned residential communities, industrial parks and other development projects. The rezoning request before you provide a development plan that meets the needs of both the locality and its residents. This development will be an extension of the Village Oaks neighborhood and preserves much needed green space, while providing residential housing within a village setting. The mixture of open space and housing provide for a relaxing atmosphere in which outdoor recreation is possible within the community.

Southern Development designs communities to meet existing needs, while addressing future growth. The current success of Village Oaks has encouraged us to expand the community to meet the future demands for housing in Fluvanna County. Thank you in advance for your consideration of Village Oaks Phase 4.

Property:

The current zoning of the subject parcels is A-1, Agricultural. The requested zoning per this application is R-3, Residential. The property includes the following parcels totaling 13.65 acres:

TMP 9-14-1

Area: 0.86 Acres
 Owner: Sycamore Square LLC
 Existing Zoning: A-1
 Proposed Zoning: R-3
 Proposed Use: Residential

TMP 9-14-2

Area: 10.95 Acres
 Owner: Sycamore Square LLC
 Existing Zoning: A-1
 Proposed Zoning: R-3
 Proposed Use: Residential

TMP 9-14-3

Area: 0.57 Acres
 Owner: Sycamore Square LLC
 Existing Zoning: A-1
 Proposed Zoning: R-3
 Proposed Use: Residential

TMP 9-14-4

Area: 0.43 Acres
 Owner: Sycamore Square LLC
 Existing Zoning: A-1
 Proposed Zoning: R-3
 Proposed Use: Residential

TMP 9-14-5

Area: 0.45 Acres
 Owner: Sycamore Square LLC
 Existing Zoning: A-1
 Proposed Zoning: R-3
 Proposed Use: Residential

TMP 9-14-6

Area: 0.39 Acres
 Owner: Sycamore Square LLC
 Existing Zoning: A-1
 Proposed Zoning: R-3
 Proposed Use: Residential

The current comprehensive plan identifies the above parcels within the Rivanna Community Planning Area.

Desired Use:

Our mission is not simply to build another residential neighborhood. Southern Development's goal is to incorporate Phase 4 into the previously approved village style development of Village Oaks. The community design stresses pedestrian orientation, open space for recreation, programmed recreation, and preservation of environmentally sensitive ecosystems such as streams and wetlands. This design aligns with many of the goals described in the Comprehensive Plan. We have outlined a few of the goals below:

- New developments should be integrated in a manner that promotes a sense of community while still retaining the rural aspects that make the area attractive.
- To provide housing choices for a variety of age groups and income levels, appropriate to the area.
- Families have access to open space and recreation areas that are part and parcel of their community.
- Open space/recreational provisions adjacent to these areas should be encouraged for new residential developments. This will help protect water quality, provide recreational opportunities, and promote perceptions of rural character.
- New subdivisions should provide for pedestrian access to reduce vehicle trips.
- Encourage housing for seniors and a growing workforce.
- Include forest buffers in the planning process wherever possible along streams and rivers.
- Housing is not permitted to sprawl randomly over the County landscape.
- Housing is predominantly built in designated growth areas, where public utilities, facilities, and transportation infrastructure are available and convenient.

(Taken from the Fluvanna County Comprehensive Plan)

We have gone to great lengths to research and meet the needs of both Fluvanna County and its residents. In the course of our research we have found a need for additional first floor housing and the preservation of open spaces within residential neighborhoods. Phase 4 will allow for mix of single-family detached and attached single-family villa style homes thereby offering an additional housing choice for a variety of age groups and enhancing the current success of this village style neighborhood. Furthermore, utilizing new growth will help to revitalize existing commercial centers, such as Crofton Plaza, while promoting the future commercial center of Village Oaks. These centers will benefit from infill development and allow for pedestrian oriented traffic. Again, as stated in the comprehensive plan, the lake area is a prime location for a village designed community.

Community Design:

Our goal is to provide multiple components within the Master Plan. First, this design will provide housing choices for a variety of age groups and income levels to the already successful Village Oaks community. To date, there have been over 30 lots sold in the past year. Second, Phase 4 will meet the same proffer restrictions as the already approved Village Oaks subdivision. Pedestrian connections, public water and sewer, and

the existing buffers and setbacks to the adjacent parcels will remain the same. Lastly, the Phase 4 of Village Oaks will meet the needs for housing and commercial development within the community service area.

Village Oaks will be an active community for all residents, along with time saving amenities such as lawn care. Walking trails with abundance of green space, a community clubhouse and pool will provide enjoyable recreation for the residents of Village Oaks.

Transportation:

Route 618 is considered a major transportation center according to the Fluvanna County Comprehensive Plan. The substantial road improvements proffered and built for Village Oaks subdivision has addressed the concerns of VDOT.

Water and Sewer:

Water and Sewer management has been a concern for growth in Fluvanna County. Once again, the location of Village Oaks Phase 4 is within the service area of Aqua America. The newly constructed facilities in Village Oaks allow us to connect and serve these lots with public water and sewer. Aqua America has completed upgrades in the past to accommodate future growth in this area.

Conclusion:

Southern Development put a tremendous amount of thought and consideration into the expansion of Village Oaks. In doing so, we created a plan that will meet the needs of current and future residents in Fluvanna County. Village Oaks is a well-planned community experiencing great success because of its' design, location, and amenities. The addition of Phase 4 will encourage yet another housing type within the designated growth area while protecting the rural character of Fluvanna County. Again, thank you for your time and consideration.

Village Oaks History:

- ZMP 04:02 was approved by the Board of Supervisors on February 16, 2005 (18 proffers).
- SUP 04:20 was approved by the Board of Supervisors on February 16, 2005 (Assisted Living Facility).
- SUB 06:20 Preliminary Plat approved March 5, 2007.
- ZMP 10:01 to amend proffers #8 and #15 was denied by the Board of Supervisors on October 20, 2010.
- ZMP 12:03 to amend proffer #8 was approved by the Board of Supervisors on November 20, 2013.

(The development will meet, at a minimum, the federal standards for age-restricted housing as defined in the Fair Housing Amendment Act of 1988 and Housing for Older Persons Actions 1995).

- Phase 1 Final Plat and CC&R's recorded December 8, 2014.
- SUP 16:07 to amend the language in the special use permit approved by the Board of Supervisors on August 17, 2016.
- ZMP 17:02 to amend proffer # 8 was approved by the Board of Supervisors on October 18, 2017.

(A minimum of 35% of the housing shall be designed with at least one bedroom on the first floor, such that all living functions can be accommodated on the first floor of the home).

- Phase 1B & 2 Plat recorded January 10, 2020.
- SDP 19:11 Clubhouse site plan approved February 19, 2020.
- SDP 19:19 Townhome site plan approved February 19, 2020.
- Phase 1C Plat recorded March 2020.
- Phase 3 Plat recorded (Pending).

SITE DATA

OWNER:
VILLAGE OAKS INVESTMENTS, LLC.
170 South Pantops Drive
Charlottesville, VA 22911
434-245-0894

DEVELOPER:
VILLAGE OAKS INVESTMENTS, LLC
170 South Pantops Drive
Charlottesville, VA 22911
434-245-0894

SOURCE OF TITLE AND LOCATION OF LAST INSTRUMENT IN CHAIN OF TITLE: DB 664-749

ZONING: A1-AGRICULTURE

MAGISTERIAL DISTRICT: RIVANNA

PRESENT USE: VACANT

PROPOSED USE: RESIDENTIAL

SETBACKS:
FRONT YARD: 25'
SIDE YARD: 10'
REAR YARD: 25'
EXISTING STATE ROAD: 125'

SETBACK NOTES:
1. SETBACK LINES ARE SHOWN ON THIS PLAT PER FLUVANNA COUNTY REQUIREMENTS.
2. SETBACKS AS SHOWN ARE AS PER CURRENT ZONING REQUIREMENTS.

AOSE CERTIFICATION STATEMENT

THIS IS TO CERTIFY ACCORDING TO SECTION 32.1-163.5 OF THE CODE OF VIRGINIA THAT WORK SUBMITTED FOR EACH LOT IN THIS SUBDIVISION IS IN ACCORDANCE TO AND COMPLIES WITH THE SEWAGE HANDLING AND DISPOSAL REGULATIONS (AND PRIVATE WELL REGULATIONS IF APPLICABLE) OF THE VIRGINIA DEPARTMENT OF HEALTH AND ALL LOCAL FLUVANNA COUNTY ORDINANCES RELATED TO ONSITE SEWAGE DISPOSAL SYSTEMS AND PRIVATE WELLS. ALL PROPOSED ONSITE SEWAGE DISPOSAL SYSTEM AREAS (PRIMARY AND RESERVE) WILL SUPPORT SYSTEMS THAT HAVE GENERAL APPROVAL UNDER, OR FOR WHICH DESIGN CRITERIA ARE CONTAINED IN, THE SEWAGE HANDLING AND DISPOSAL REGULATIONS (EXCLUDES PROVISIONAL SYSTEMS, EXPERIMENTAL SYSTEMS, AND SYSTEMS WITH CONDITIONS). I RECOMMEND APPROVAL OF THIS SUBDIVISION.

Steve Gooch 8-30-10
STEVE GOOCH AOSE# 106 DATE

HEALTH DEPARTMENT APPROVAL

THIS SUBDIVISION WAS SUBMITTED AND TO THE HEALTH DEPARTMENT FOR REVIEW PURSUANT TO SECTION 32.1-163.5 OF THE CODE OF VIRGINIA WHICH REQUIRES THE HEALTH DEPARTMENT TO ACCEPT PRIVATE SOIL EVALUATIONS AND DESIGNS FROM THE FROM AUTHORIZED ONSITE SOIL EVALUATOR (AOSE) OR A PROFESSIONAL ENGINEER WORKING IN CONSULTATION WITH AN AOSE FOR RESIDENTIAL DEVELOPMENT. THE DEPARTMENT IS NOT REQUIRED TO REVIEW THESE EVALUATIONS. THIS SUBDIVISION HAS BEEN CERTIFIED AS BEING IN COMPLIANCE WITH THE BOARD OF HEALTH'S REGULATIONS BY AN AOSE (SEE AOSE CERTIFICATION STATEMENT ON THIS PLAT). THIS SUBDIVISION APPROVAL IS ISSUED IN RELIANCE UPON THAT CERTIFICATION.

PURSUANT TO SECTION 360 OF THE SEWAGE HANDLING AND DISPOSAL REGULATIONS THIS APPROVAL IS NOT AN ASSURANCE THAT SEWAGE DISPOSAL SYSTEM CONSTRUCTION PERMITS WILL BE ISSUED FOR ANY LOT IN THE SUBDIVISION UNLESS THAT LOT IS SPECIFICALLY IDENTIFIED AS HAVING AN APPROVED SITE FOR AN ONSITE SEWAGE DISPOSAL SYSTEM, AND UNLESS ALL CONDITIONS AND CIRCUMSTANCES ARE PRESENT AT THE TIME OF APPLICATION FOR A PERMIT AS ARE PRESENT AT THE TIME OF THIS APPROVAL. A PERMIT WILL NOT BE ISSUED FOR ANY LOT LATER IDENTIFIED AS BEING INCORRECTLY CERTIFIED. THIS SUBDIVISION MAY CONTAIN LOTS THAT DO NOT HAVE APPROVED SITES FOR ONSITE SEWAGE DISPOSAL SYSTEMS.

THE HEALTH DEPARTMENT'S DATED SIGNATURE ON THIS PLAT REPRESENTS VERIFICATION THAT ON THIS DATE THE SITE AND SOIL EVALUATOR (SEE AOSE CERTIFICATION STATEMENT) IS CERTIFIED BY THE VIRGINIA DEPARTMENT OF HEALTH AS AN AUTHORIZED ONSITE SOIL EVALUATOR (AOSE).

Mark A. Miller 8-17-10
HEALTH DEPARTMENT DATE

OWNER'S STATEMENT

THE PLATTING AND SUBDIVISION OF TMP 9-A-12 LOCATED IN THE RIVANNA MAGISTERIAL DISTRICT, RECORDED IN DB 710, PAGE 834 CONTAINING 14.40 ACRES, AND DESIGNATED ARCHER PROPERTY IS WITH THE FREE CONSENT OF AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY; THAT ALL STREETS SHOWN ON THE PLAT ARE HEREBY IRREVOCABLY OFFERED FOR DEDICATION TO PUBLIC USE; AND THAT ALL LOTS ARE SUBJECT TO CERTAIN COVENANTS AND RESTRICTIONS DATED _____ AND RECORDED AT _____ IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF FLUVANNA COUNTY, VIRGINIA.

[Signature] 7/13/10
OWNER DATE

COUNTY APPROVAL

THE SUBDIVISION SHOWN HEREON HAS BEEN REVIEWED AND APPROVED BY THE UNDERSIGNED IN ACCORDANCE WITH EXISTING REGULATIONS, AND MAY BE COMMITTED TO RECORD.

[Signature] 1/23/2015
DIRECTOR OF PLANNING DATE

SURVEYOR'S STATEMENT

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL REQUIREMENTS OF THE BOARD OF SUPERVISORS AND ORDINANCES OF FLUVANNA CO., VA REGARDING THE PLATTING OF SUBDIVISIONS WITHIN THE COUNTY HAVE BEEN COMPLIED WITH.

[Signature] 3-9-10
KEVIN D. SHREINER, L.S. DATE

VDOT APPROVAL

[Signature] 8/6/10
VDOT DATE

DRAWING INDEX

1 of 2 COVER SHEET
2 of 2 SUBDIVISION PLAT

LEGEND

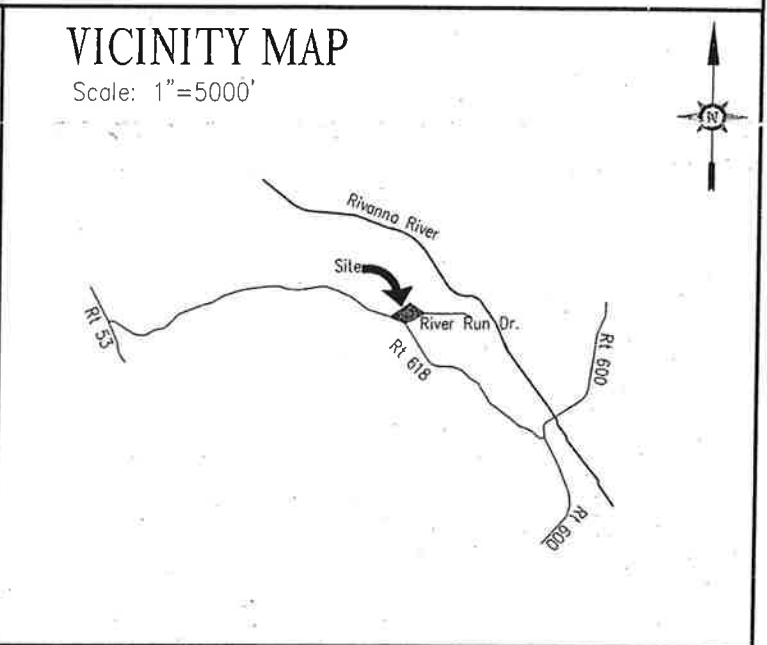
- Iron Rod Set
- IR Iron Rod Found
- PF Iron Pipe Found
- FO Fiber Optic Pedestal
- Setback Line

CURVE TABLE

Curve	Radius	Tangent	Length	Delta	Chord	Chord Bear.
C1	1121.77'	164.80'	327.26'	16°42'55"	326.10'	N 63°20'11" W
C2	572.84'	104.64'	206.99'	20°42'13"	205.87'	S 54°28'08" W
C3	310.27'	70.53'	138.70'	25°36'48"	137.55'	S 56°55'25" W
C4	416.55'	20.17'	40.31'	5°32'40"	40.29'	N 68°55'19" W
C5	25.00'	20.31'	34.11'	78°10'25"	31.52'	N 20°20'40" W
C6	301.53'	53.93'	106.73'	20°16'47"	106.17'	N 28°52'57" E
C7	301.53'	75.42'	147.80'	28°05'04"	146.33'	N 53°03'52" E
C8	25.00'	11.18'	21.03'	48°11'23"	20.41'	S 88°47'54" E
C9	50.00'	30.11'	54.20'	62°06'50"	51.59'	N 84°14'23" E
C10	50.00'	33.78'	59.41'	68°04'47"	55.98'	N 19°08'34" E
C11	50.00'	164.50'	127.57'	146°11'09"	95.68'	N 87°59'24" W
C12	25.00'	11.18'	21.03'	48°11'23"	20.41'	S 43°00'43" W
C13	351.53'	109.09'	211.55'	34°28'48"	208.37'	N 49°52'00" E
C14	351.53'	44.16'	87.86'	14°19'15"	87.63'	S 25°27'59" W
C15	25.00'	25.00'	39.27'	90°00'00"	35.36'	S 63°18'21" W

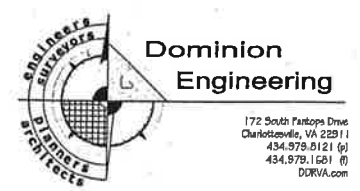
SUBDIVISION NOTES

- ARCHER DRIVE IS HEREBY DEDICATED TO PUBLIC USE.
- ACTUAL DRIVEWAY LOCATIONS MAY VARY FROM WHAT IS SHOWN ON THIS PLAT.
- THIS PROPERTY DOES NOT APPEAR TO BE IN A 100-YEAR FLOOD PLAIN AS SHOWN ON FLOOD INSURANCE MAP 5100580075A.
- NO WETLANDS HAVE BEEN DELINEATED ON THIS PROPERTY.
- ALL LOTS SHALL BE SERVED BY PRIVATE WELLS AND SEPTIC SEWER SYSTEMS.
- LOT 2 SHALL BECOME THE OPEN SPACE PARCEL FOR THIS RURAL CLUSTER DEVELOPMENT. LOT 2 SHALL BE SOLD AS A BUILDING LOT AND THE OWNER SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE OPEN SPACE PARCEL.
- A 10-FOOT DRAINAGE AND UTILITY EASEMENT ALONG ALL PROPERTY LINES IS HEREBY DEDICATED FOR USE BY UTILITY COMPANIES.
- THERE ARE NO EXISTING BUILDINGS ON THIS SITE. TO THE BEST OF MY KNOWLEDGE THERE ARE NO WATER AND SEWER LINES, CEMETERIES AND/OR DRAINFIELDS ON THE SUBJECT PARCELS.
- LOT 2 MAY BE USED FOR DRAINAGE EASEMENTS.



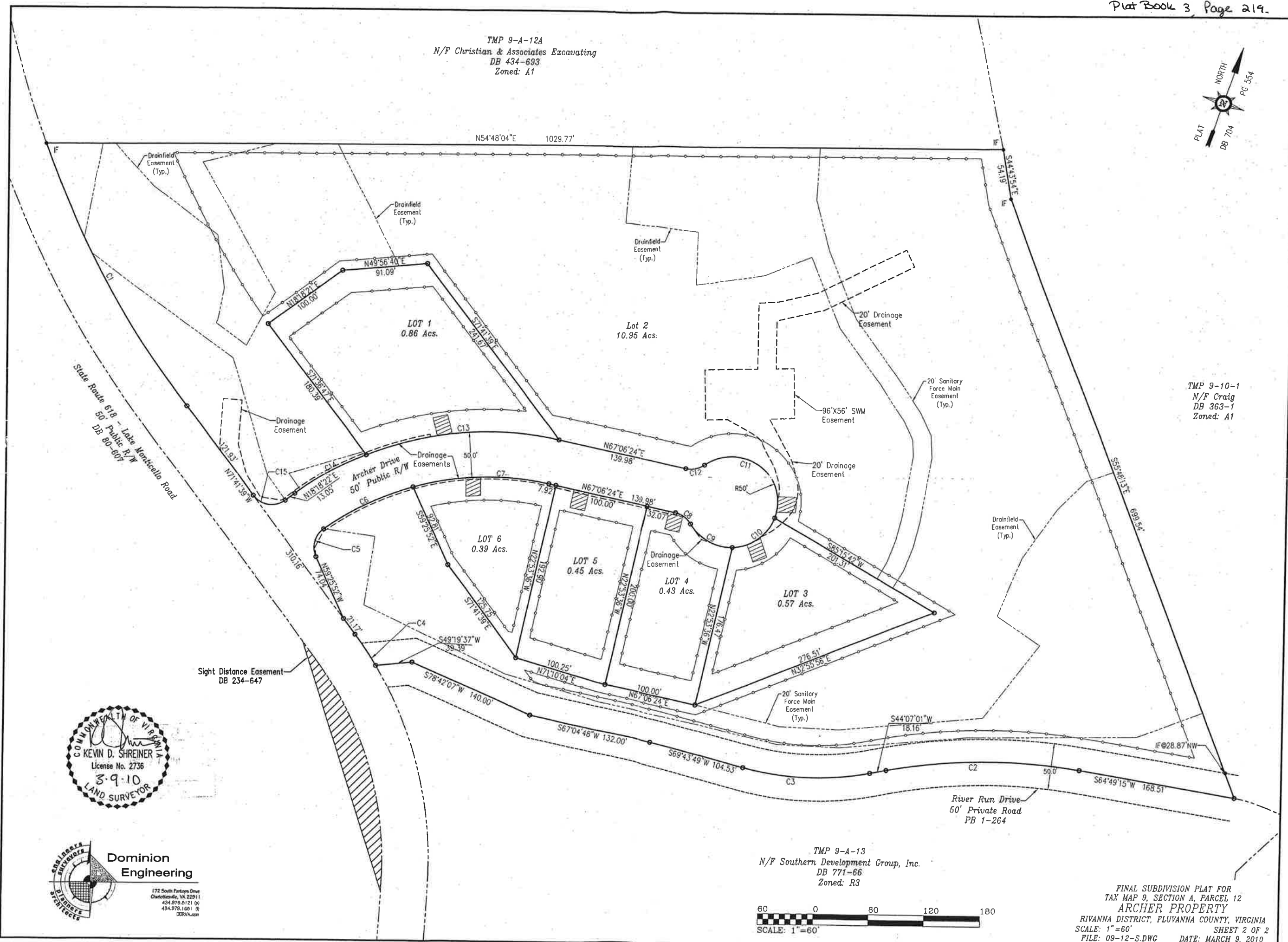
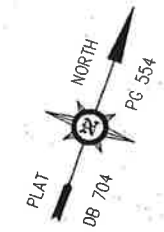
AREA SUMMARY

AREA IN CLUSTER LOTS (Lots 1,3-6)	2.74 ACRES	19.03%
AREA IN RIGHT OF WAY	0.71 ACRES	4.93%
AREA IN OPEN SPACE (Lot 2)	10.95 ACRES	76.04%
TOTAL AREA	14.40 ACRES	100.0%

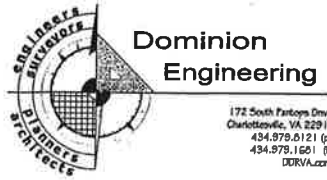


FINAL SUBDIVISION PLAT FOR
TAX MAP 9, SECTION A, PARCEL 12
ARCHER PROPERTY
RIVANNA DISTRICT, FLUVANNA COUNTY, VIRGINIA
SCALE: AS SHOWN SHEET 1 OF 2
FILE: 09-12-S.DWG DATE: MARCH 9, 2010

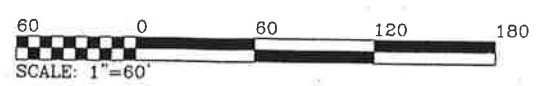
TMP 9-A-12A
N/F Christian & Associates Excavating
DB 434-693
Zoned: A1



TMP 9-10-1
N/F Craig
DB 363-1
Zoned: A1



TMP 9-A-13
N/F Southern Development Group, Inc.
DB 771-66
Zoned: R3



FINAL SUBDIVISION PLAT FOR
TAX MAP 9, SECTION A, PARCEL 12
ARCHER PROPERTY
RIVANNA DISTRICT, FLUVANNA COUNTY, VIRGINIA
SCALE: 1"=60'
FILE: 09-12-S.DWG DATE: MARCH 9, 2010



COUNTY OF FLUVANNA

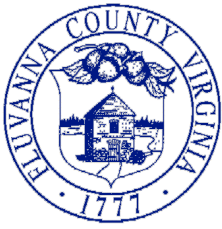
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132 Main Street
P.O. Box 540
Palmyra, VA 22963
(434) 591-1910
Fax (434) 591-1911
www.fluvannacounty.org

MEMORANDUM

Date: July 27, 2020
From: Valencia Porter
To: Douglas Miles
Subject: Planning Commission

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the August 11, 2020 Planning Commission meeting.



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NOTICE OF PUBLIC HEARING

July 27, 2020

«Name»
«Address»
«City_State» «ZIP»
TMP#«TMP»

Re: Public Hearing on ZMP 20:01 & ZMP 20:02

Dear «Name»:

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

Purpose:	Planning Commission Public Hearing
Day/Date:	Tuesday, August 11, 2020
Time:	7:00 PM
Location:	Morris Room, County Administration Building, Palmyra, VA

The applicant or applicant's representative will be present at the Planning Commission meeting for the requests that are described as follows:

ZMP 20:01 Sycamore Square LLC – A request to rezone, from A-1 Agricultural, General to R-3, Residential, Planned Community, 13.65 acres of Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5 and 6. The property is located along Lake Monticello Road (Route 618) at the intersection with River Run Drive. The property is within the Rivanna Community Planning Area and the Palmyra Election District.

ZMP 20:02 Village Oaks Proffer Amendment – An ordinance to amend proffers associated with ZMP 04:02 of the Fluvanna County Zoning Map with respect to 38.869 acres of Tax Map 9, Section A, Parcels 13C, 14, 14C and 14C1, and Tax Map 9, Section 13, Parcels A, B, C, D, 1 through 40 and 85 through 102, all zoned R-3, Residential, Planned Community. This amendment, if approved, would increase the number of locations for access to the property from three to four. The property is located along Lake Monticello Road (Route 618) between River Run Drive and Ashlawn Boulevard, and is within the Rivanna Community Planning Area and the Palmyra Election District.

You are welcome to attend the public hearings and will have an opportunity to comment, if desired. If the Planning Commission meeting is held "virtually", as has been practice of the County in recent months due to the COVID-19 pandemic, instructions for participation in the public hearing will be available on the County's website (<http://www.fluvannacounty.org>) along with the tentative agenda and staff reports for these applications. You can also contact the Fluvanna County Planning and Zoning Department during working hours (8:00 am – 5:00 pm, Monday through Friday).

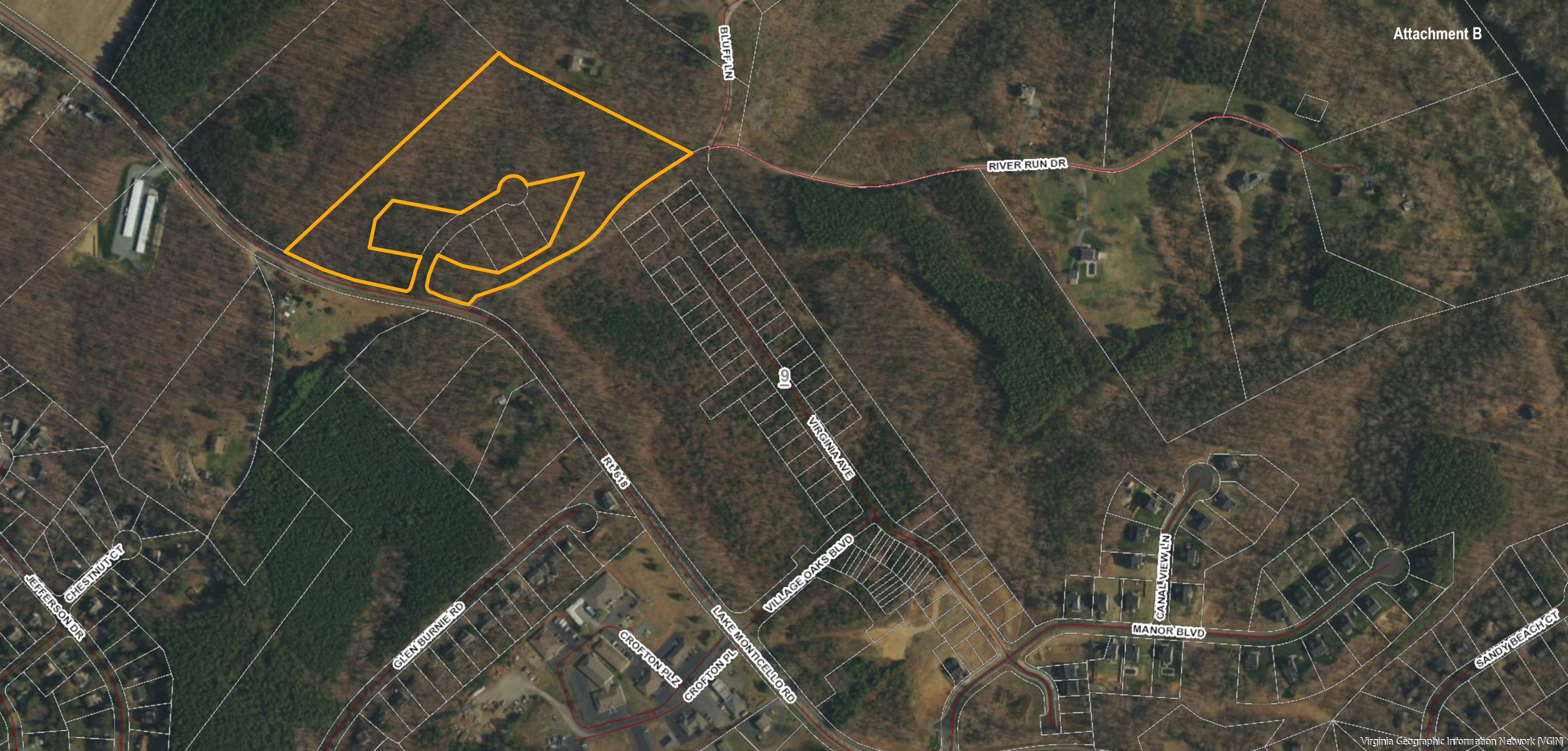
If you have any questions regarding these applications or the public hearings, please contact me at 434–591–1910.

Sincerely,

Douglas Miles

Douglas Miles, AICP, CZA
Community Development Director

ADJACENT PROPERTY OWNERS ZMP20:01 & ZMP20:02			
TAX MAP	NAME	ADDRESS	CITY/STATE/ZIP
18A-1-247	Donald S. Batten	P.O.Box 116	Charlottesville, VA 22902
9-12-156	Matthew R. Caley & Ashley Gomez	174 Manor Blvd	Palmyra, VA 22963
9-A-14B	Crofton Group, Inc. C/O William E. Sclater	105 Crofton PL Suite 7	Palmyra, VA 22963
18A- 1- 246	Timothy M. & Thea T. Currier	861 Jefferson Dr. E	Palmyra, VA 22963
18A-2-33	Gabriele Ford	29 Glen Burnie Rd	Palmyra, VA 22963
9-12-133	Edward A. & Kristen E. Hanrahan	183 manor Blvd	Palmyra, VA 22963
9-A-11C	Phoeber R. & Larry Herring	2542 Thomas Jefferson Pkwy	Palmyra, VA 22963
9-A-11A	Timothy J. Hoffman	477 Perkins Rd	Kents Store, VA 23084
9-12-132	Daniel James & Carroll James-Carr	165 Manor Blvd	Palmyra, VA 22963
9-12-131	Heidi Johnson ET AL	147 Manor Blvd	Palmyra, VA 22963
18A-1-176	Christopher J. & Melanie C. Kennedy	851 Jefferson Dr E	Palmyra, VA 22963
18A-1-MAIN GATE	Lake Monticello Owner's Assoc.	41 Ashlawn Blvd	Palmyra, VA 22963
9-12-157	Dale Ludwig	8 Oak Grove Rd	Palmyra, VA 22963
18A-1-177	Jill May	853 Jefferson Dr East	Palmyra, VA 22963
18A-2-32	Betty J. Meyer	27 Glen Burnie Rd	Palmyra, VA 22963
9-A-14D	Monticello Country Corp	2704 Lake Monticello Rd	Palmyra, VA 22963
9-10-1	Carol A. Newman	187 River Run Dr	Palmyra, VA 22963
18A-1-250	Kristen Proffitt	869 Jefferson Dr	Palmyra, VA 22963
9-A-11E	Gregory W. & Maria Anne Roberts	2448 Lake Monticello Rd	Palmyra, VA 22963
9-A-11D	Gregory E. Roberts	2448 Lake Monticello Rd	Palmyra, VA 22963
18A-1-249	Mary Virginia Rockey	867 Jefferson Dr	Palmyra, VA 22963
18A-1-248	Peggy A. Shanklin	865 Jefferson Dr.	Palmyra, VA 22963
9-A-14A	Vicki Lynn & Barry N. Wilson	40 West Lake Forest Dr	Palmyra, VA 22963



BLUEPAIN

RIVER RUN DR

191

VIRGINIA AVE

RL 670

JEFFERSON DR
CHESTNUT CT

GLEN BURNIE RD

GROFTON PLZ

GROFTON PL

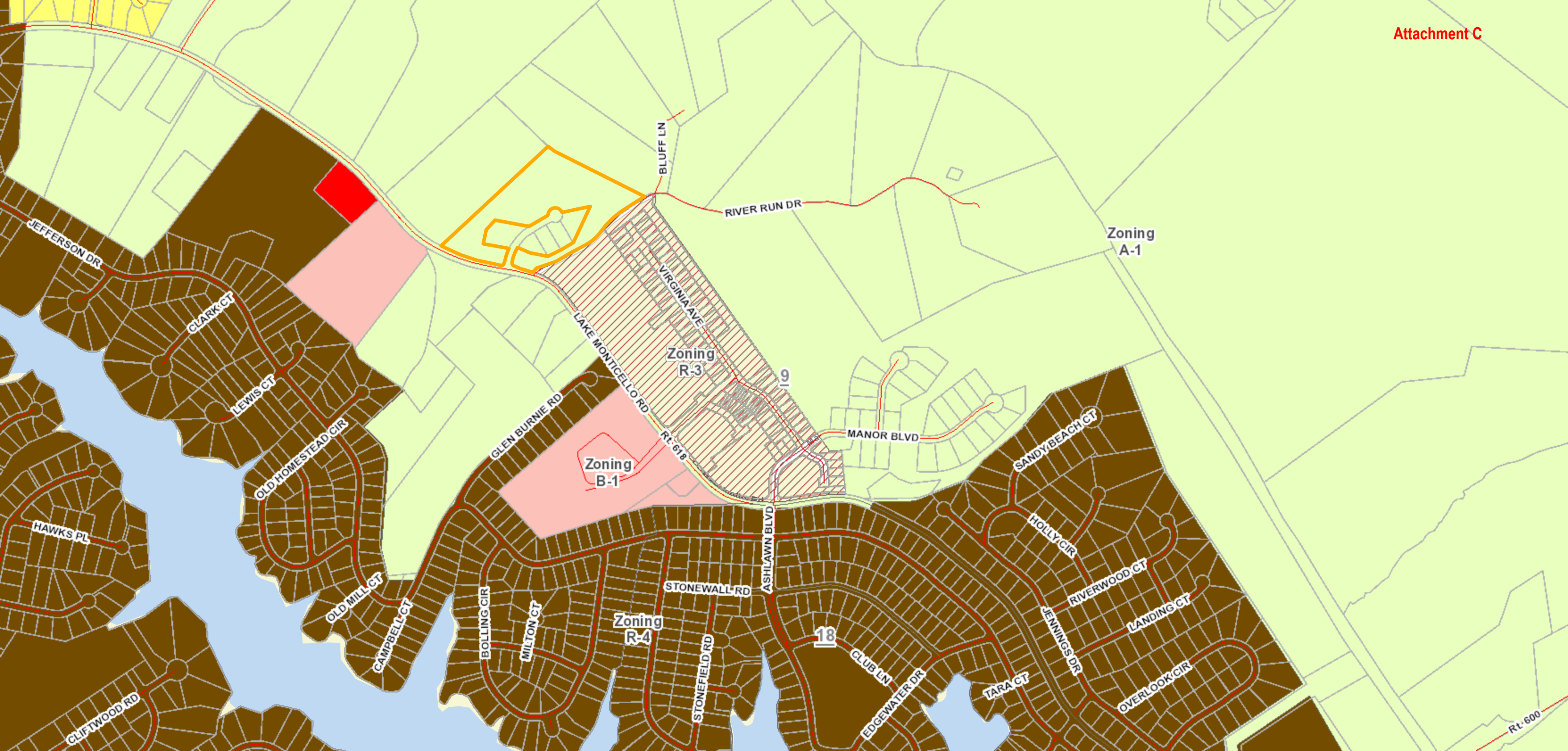
LAKE MONTICELLO RD

VILLAGE OAKS BLVD

MANOR BLVD

CANAL VIEW LN

SANDY BEACH CT



ROUDABUSH, GALE & ASSOC., INC.
 A PROFESSIONAL CORPORATION
 SERVING VIRGINIA SINCE 1956
 OFFICE: 989 SECOND ST. SE., CHARLOTTEVILLE, VA 22902
 PHONE: 434-977-0205 WWW.ROUDABUSH.COM
 MAILING: 435 MERCHANT WALK, SUITE 300-159, CHARLOTTEVILLE, VA 22902

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
01	08-03-20	UPDATED DENSITY FOR AREA MINUS ROADWAY DEDICATION			

DESIGNED BY: AG
 DRAWN BY: AG
 CHECKED BY: DF

**CONCEPTUAL LAYOUT
 ARCHER PROPERTY
 TAX MAP 9A PARCEL 12
 CUNNINGHAM MAGISTERIAL DISTRICT, FLUVANNA COUNTY, VIRGINIA
 CONCEPTUAL LAYOUT OPTION 4**

DATE: 07-31-2020
 SCALE: 1"=50'
 JOB:
 FILE:
 SHEET: **1** OF 1

SUMMARY
 PROPOSED ZONING: R3
 RIVANNA COMMUNITY PLANNING AREA
 TOTAL ACREAGE - 13.65 ACRES
 35 TOTAL LOTS
 DENSITY MAX 2.8 DU/AC
 DENSITY PROVIDED 2.56 DU/AC

SETBACKS
 125' ALONG LAKE MONTICELLO ROAD
 80' ALONG EAST AND WESTERN PROPERTY LINES
 75' ALONG THE A-1 PROPERTY LINES

YARDS
 18' FRONT
 7' SIDE
 30' REAR

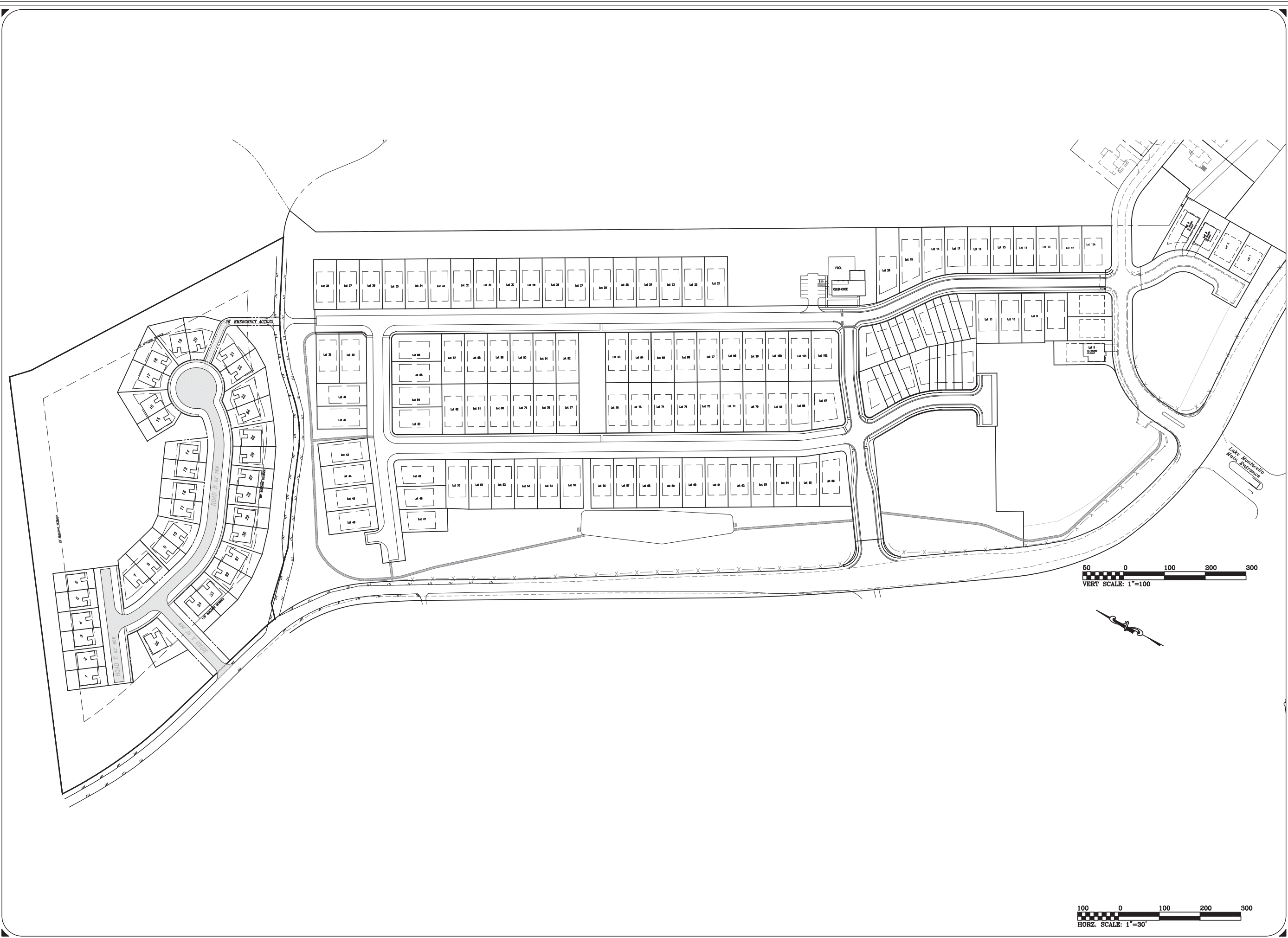
RETAINING WALL SHOWN HEREON ARE CONCEPTUAL IN NATURE
 A MORE DETAILED ANALYSIS OF THE GRADING IS NEEDED
 TO DETERMINE THE EXTENT AND HEIGHTS OF WALLS.

PIN 9-A-12A
 TIMOTHY D. CHRISTIAN
 ZONING: A-1
 USE: VACANT

PIN 9-10-1
 CAROL A. NEWMAN
 ZONING: A-1
 USE: RESIDENTIAL

PIN 9-A-11B
 RIVANNA INVESTMENTS LLC
 ZONING: A-1
 USE: RESIDENTIAL





ROUDABUSH, GALE & ASSOC., INC.
 A PROFESSIONAL CORPORATION
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 999 SECOND ST. SE
 CHARLOTTEVILLE, VA 22902
 PHONE 434-977-0255
 WWW.ROUDABUSH.COM

NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
01	08-03-20	UPDATING ARCHER LOT LAYOUT			

DESIGNED BY: AG/DG
 DRAWN BY: AG/DG
 CHECKED BY: DF

OVERVIEW
ARCHER PROPERTY & VILLAGE OAKS
 TAX MAP 9A PARCEL 12
 CUNNINGHAM MAGISTERIAL DISTRICT, FLUVANNA COUNTY, VIRGINIA

DATE: 07-20-2020
 SCALE: 1"=30'
 JOB: 10,0146
 FILE:

SHEET: **1** OF 1



COUNTY OF FLUVANNA

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Fax (434) 591-1911
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July 10, 2020

Keith Lancaster
Southern Development
170 S. Pantops Drive
Charlottesville, VA 22911

**Subject: ZMP 20:01 & ZMP 20:02 – Sycamore Square LLC/Village Oaks
Rezoning & Proffer Amendment**

Dear Mr. Lancaster:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, July 9, 2020:

1. Planning staff discussed questions regarding proffers and stated any revised material would be needed by July 24th.
2. Aqua Virginia did not have any comments.
3. Building Inspections did not have any comments.
4. CVEC stated this project location is outside their service territory.
5. Economic Development had questions regarding connectivity between Phase 2 and 4. Will pedestrian access be shared with the emergency access road? (*Applicant responded yes*). Would River Run residents also be able to walk through this area? (*Applicant responded yes*)
6. Erosion and Sediment Control did not have any comments.
7. Fire Chief had concerns with the stub roads and prefers that the cul-de-sac radius be 100 feet instead of 50 feet. Hydrants will also be needed at Lot 11 & 12 and 25 & 26.
8. Sheriff's Office did not have any comments.
9. VDH did not have any comments.
10. VDOT stated since the plan proposes an increase in housing from the previously approved plan, the previously approved entrance location will need to be re-evaluated to see whether turn lanes are warranted or not. This can be provided when the site plan is submitted. No comments on the proffer amendment.

This item is scheduled for review by the Planning Commission on August 11, 2020. We anticipate the meeting will be conducted virtually due to COVID-19. Your attendance will be required at this meeting and additional information will be provided regarding virtual meeting procedures.

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

Sincerely,

Brad Robinson
Senior Planner
Dept. of Planning & Zoning

cc: File



August 6, 2020

Mr. Brad Robinson
 Senior Planner
 County of Fluvanna
 Department of Planning and Community Development
 P.O. Box 540
 Palmyra, VA 22963

RECEIVED

AUG 06 2020

Fluvanna County
 Planning Dept

RE: ZMP 20:01, Village Oaks Phase 4
 (Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5, and 6)
 Proffer Statement

Dear Brad,

With regards to the attached rezoning request for Archer (Village Oaks Phase 4), the following proffers from Village Oaks shall apply:

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

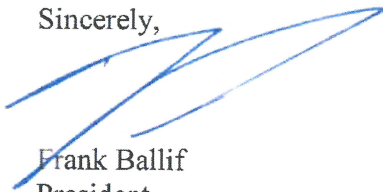
for development. Every effort shall be made to preserve the existing vegetative buffer that exists in this setback.

6. Along the Northern Property Line, there shall be a 75 foot building setback, extending from River Run Drive in an Easterly Direction for approximately 1,400 feet and including the proposed community center. Every effort shall be made to preserve 50 feet of existing vegetation for screening in this setback.
7. Pedestrian trails, with minimal disturbance, shall be allowed in all buffers, setbacks, and preservation areas.
8. A minimum of 35% of the housing shall be designed with at least one bedroom on the first floor, such that all typical living functions can be accommodated on the first floor of the home.
9. There shall be a Community Center, with minimum size of 5,000 SF to serve the development and any appropriate community uses.
10. The commercial component of the Master Plan shall not total more than 40,000 SF gross floor area, and shall be composed entirely of community retail and service uses such as: medical offices, dental offices, markets, bookstores, dry cleaners, coffee shops, cafes, florists, etc...
11. Construction will not begin until public water and sewer is available.
12. Public water shall provide adequate pressure.
13. Onsite stormwater management shall be designed in consultation with The Thomas Jefferson Soil and Water Conservation District utilizing low impact development techniques and water quality best management practices.
14. The following improvements shall be constructed at the entrance across from the Main Gate to Lake Monticello: A conventional intersection with a left turn lane into Lake Monticello and right and left turn lanes into Monticello Village shall be constructed to VDOT standards and specifications. The primary purpose of this entrance is to serve the assisted living component of Monticello Village, therefore the right and left turn lanes into Monticello Village shall be constructed prior to the issuance of the certificate of occupancy for the assisted living facility. The left turn lane into Lake Monticello shall be constructed prior to issuance of the first residential certificate of occupancy in the Monticello Village community. **(The length of turn lanes shall be determined by VDOT during Site Plan Stage of Monticello Village).**
15. The following improvements shall be constructed at the entrance across from Crofton Plaza: A conventional intersection with a left turn lane into Crofton Plaza and right and left turn lanes into Monticello Village, or a roundabout, shall be constructed prior to

issuance of the first residential certificate of occupancy in the Monticello Village community.

16. All improvements referenced in items 14 & 15 above are planned to utilize existing VDOT right of way or right of way dedicated by Southern Development, per plan titled "proposed improvements to route 618" and dated 1/14/05 prepared by Rivanna Engineering. The estimated cost of such improvements is \$685,000.00. In the event a roundabout is desired, additional right of way may be necessary. Southern Development cannot guarantee the successful acquisition of, or funding for, any additional right of way beyond what is shown in the above referenced plan.
17. A complete copy of a comprehensive traffic analysis of the Lake Monticello Area of Fluvanna County has been provided to Fluvanna County Staff and VDOT. This study was conducted by Wilbur Smith & Associates in January 2005, at a cost of \$15,000.
18. Southern Development will provide an additional \$5,000 cash proffer directly to VDOT, for future traffic improvement design in the Lake Monticello Area. Payment shall occur in conjunction with the first residential building permit.

Sincerely,



Frank Ballif
President



COUNTY OF FLUVANNA

Steven Biel
Director of Planning & Community Development
sbiel@co.fluvanna.va.us

"Responsive & Responsible Government"

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

February 17, 2005

Southern Development
170 South Pantops Drive
Charlottesville, VA 22911

REF: ZMP 04:02

Dear Southern Development:

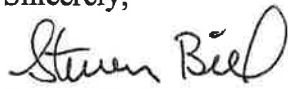
Please accept this letter as notification of the action taken on February 16, 2005 by the Board of Supervisors in regards to the request referenced above. Your request was **approved** with the following eighteen (18) proffers:

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Steven Biel". The signature is written in a cursive style with a large, looped initial "S".

Steven Biel
Planning Director

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

File



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STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: ZMP 20:02
Tax Map: See Attachment A

From: Brad Robinson
District: Palmyra
Date: August 11, 2020

General Information: This request is to be heard by the Planning Commission on Tuesday, August 11, 2020 at 7:00 pm in the County Administration Building Morris Room.

Owners: Sycamore Square LLC (Tax Map 9-13-A thru D, 12 – 15, 17, 22 – 40, 85 – 99, 9-A-14, 14C & 14C1)
NVR Inc. (Tax Map 9-13-1 & 2, 8 – 11, 16, 18 – 21, 100 – 102)
Robert David & Judy Fulk Et Al (Tax Map 9-13-3)
Stephen Muskie and Sandra Cook (Tax Map 9-13-4)
Curtis and Brenda Carlisle (Tax Map 9-13-5)
Cynthia Hash, David Lee & April Martinez (Tax Map 9-13-6)
John and Josephine Dumm (Tax Map 9-13-7)

Applicant: Sycamore Square LLC

Representative: Keith Lancaster, Southern Development

Requested Action: To amend proffers associated with rezoning case #ZMP 04:02. (Attachment A)

Location: The property is located along Lake Monticello Road (Route 618) between River Run Drive and Ashlawn Boulevard. (Attachment B)

Existing Zoning: R-3, Residential, Planned Community (conditional)

Proposed Zoning: R-3, Residential, Planned Community, amendment of proffers

Existing Land Use: Residential

Planning Area: Rivanna Community Planning Area

Adjacent Land Use: Adjacent properties are zoned R-4, B-1 and A-1.

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

application (ZMP 10:01) to amend Proffers #8 and #15 was denied by the Board of Supervisors on October 20, 2010. An application (ZMP 12:03) to amend Proffer #8 was approved by the Board of Supervisors on November 20, 2013. An application (ZMP 17:02) to amend Proffer #8 was approved by the Board of Supervisors on October 18, 2017.

Neighborhood Meeting:

A virtual neighborhood meeting was held on July 29, 2020. There were four attendees in addition to staff and the applicant. The attendees had questions or concerns regarding an associated rezoning request for Village Oaks (ZMP 20:01). There were no questions with regard to the proffer amendment.

(Attachment C)

Technical Review Committee:

The Technical Review Committee (TRC) did not have any comments regarding this application. The comments for the associated rezoning request (ZMP 20:01) are included in Attachment D.

Analysis:

The applicant has requested via a separate application (ZMP 20:01) to rezone six parcels adjacent to Village Oaks and incorporate them as Phase 4. The parcels would be redeveloped into 35 lots for single-family attached dwellings. Village Oaks currently contains three entrances onto Lake Monticello Road (Route 618) including River Run Drive (private) which is designated only for emergency access. The additional phase will result in a fourth entrance.

Because Proffer #1 of the existing proffers for Village Oaks stipulates that access shall be limited to three locations, and because the rezoning request applies only to the six parcels identified in that application, the existing proffers have been updated for the associated rezoning request and subsequently need to be approved for the original sections of Village Oaks. The existing proffers were approved February 16, 2005. Proffer #8 with regard to an age restriction for the community has been amended twice since 2005, in 2013 (ZMP 12:03) and again in 2017 (ZMP 17:02).

Proffer #1 currently reads:

Access to the property from Route 618 shall be limited to three (3) locations (including River Run Drive). Furthermore, River Run Drive shall be limited (by design) to emergency vehicles only.

In the amended proffers dated August 6, 2020, Proffer #1 has been revised to read (bold and underlined portion for emphasis):

*Access to the property from Route 618 shall be limited to **four (4) locations** (including River Run Drive). Furthermore, River Run Drive shall be limited (by design) to emergency vehicles only.*

All other proffers will remain as previously approved or amended. The complete list of proffers is available with the attachments to this report.

(Attachment E)

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Rivanna Community Planning Area which makes up approximately 40 percent of the county's population. According to this chapter, *"the area is traditionally neighborhood residential, with primarily single-family detached dwellings. 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 in this community. Additional services and infrastructure are needed to accommodate more growth."* In previous studies for this area, residents identified several priorities which included *"to provide housing choices for a variety of age groups and income levels, appropriate to the area."*

The Rivanna Community Planning Area is the most developed planning area in the county and contains a mixture of residential and commercial uses.

Housing Chapter:

According to this chapter, *"any rezoning application should be viewed as an opportunity to create some affordable housing (e.g., 15-20 percent of the units in the project)."*

Implementation Goals and Strategies:

A To provide for most of the county's future housing needs within the community planning areas.

- (3) Encourage housing in close proximity to commercial development so that the need for transportation to work is lessened.

B To provide a variety of well-planned housing choices.

- (2) Allow for a mix of housing types and densities in individual developments (single and multifamily) as appropriate for the area and existing or planned infrastructure.

Conclusion:

This proffer amendment request will increase the number of entrances for Village Oaks from three to four. When reviewing this proffer amendment request, the Planning Commission should take into consideration how this request does or does not meet the intent of the Comprehensive Plan, and the intent of the originally approved project (ZMP 04:02).

Suggested Motion:

I move that the Planning Commission recommend approval/denial/deferral of ZMP 20:02, an ordinance to amend proffers associated with ZMP 04:02 of the Fluvanna County Zoning Map with respect to 38.869 acres of Tax Map 9, Section A, Parcels 13C, 14, 14C and 14C1, and Tax Map 9, Section 13, Parcels A, B, C, D, 1 through 40 and 85 through 102.

Attachments:

- A – Application and APO Letter
- B – Aerial Vicinity Map
- C – Neighborhood Meeting attendance sheet
- D – TRC Comment Letter
- E – Proffer Statement dated August 6, 2020
- F – ZMP 04:02 Approval Letter and Proffers

Copy: Keith Lancaster, Southern Development – klancaster@southern-development.com
File



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

RECEIVED

Attachment A

JUN 29 2020

Fluvanna County
Planning Dept

Owner of Record: Sycamore Square LLC

Address: 142 South Pantops Drive

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

Email: klancaster@southern-development.com

Representative: Southern Development

Address: 142 South Pantops Drive

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

Email: klancaster@southern-development.com

Tax Map and Parcel(s) see Attachment 'A'

Acres Attached **Current Zoning** R-3

Location of Parcel: Village Oaks

Requested Zoning R-3 **Proposed Use of Property** residential + commercial - Proffer Amendment

Applicant of Record: Sycamore Square LLC

Address: 142 South Pantops Drive

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

Email: klancaster@southern-development.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.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:

Is parcel in Land Use Valuation Program? No Yes

Deed Book and Page: 958 pg 514-528, PB 3 218-219

If any Deed Restrictions, please attach a copy

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: 6/24/2020 Signature of Owner/Applicant: [Signature]

Subscribed and sworn to before me this 24th day of June, 2020 Register # 347137

My commission expires: 9/30/2020 Notary Public: [Signature]

Amy F. Haff
 Commonwealth of Virginia
 Notary Public
 Commission No. 347137
 My Commission Expires 9/30/2020

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: 6/29/2020 Pre-Application Meeting: PH Sign Deposit Received: Application #: ZMP 20:02

\$1,000 fee paid: Mailing Costs: \$20.00 per Adjacent Property Owner after first 15, Certified. Paid:

Proffer or Master Plan Amendment: \$750.00 plus mailing costs. Paid: #1582

Election District: Palmyra Planning Area: Rural Residential

Public Hearings

Planning Commission

Board of Supervisors

Advertisement Dates:	Advertisement Dates:
APO Notification:	APO Notification:
Date of Hearing:	Date of Hearing:
Decision:	Decision:

RECEIPT (REC-001292-2020)
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

BILLING CONTACT

Southern Development
 Southern Development
 142 South Pantops Drive
 Charlottesville, Va 22911



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
ZMP20:0002	Rezoning: Proffer or Master Plan Amendment	Fee Payment	Check #1582	\$750.00
			SUB TOTAL	\$750.00
			TOTAL	\$750.00

Attachment "A"

<u>Tax Map and Parcel</u>	<u>Acrcage</u>	<u>Owner</u>
9 13 A	0.467	Sycamore Square LLC
9 13 B	1.705	Sycamore Square LLC
9 13 C	14.768	Sycamore Square LLC
9 13 D	0.37	Sycamore Square LLC
9 13 1	0.148	NVR Inc.
9 13 2	0.141	NVR Inc.
9 13 3	0.144	Robert David & Judy Fulk ET AL
9 13 4	0.189	Stephen O Muskie & Sandra J Cook
9 13 5	0.197	Curtis M & Brenda M Carlisle
9 13 6	0.147	Cynthia Hash, David Lee & April Martinez
9 13 7	0.146	John & Josephine Dumm
9 13 8	0.151	NVR Inc.
9 13 9	0.157	NVR Inc.
9 13 10	0.157	NVR Inc.
9 13 11	0.157	NVR Inc.
9 13 12	0.147	Sycamore Square LLC
9 13 12A	0.186	Sycamore Square LLC
9 13 13	0.147	Sycamore Square LLC
9 13 14	0.147	Sycamore Square LLC
9 13 15	0.147	Sycamore Square LLC
9 13 16	0.147	NVR Inc.
9 13 17	0.148	Sycamore Square LLC
9 13 18	0.16	NVR Inc.
9 13 19	0.19	NVR Inc.
9 13 20	0.223	NVR Inc.
9 13 21	0.157	NVR Inc.
9 13 22	0.157	Sycamore Square LLC
9 13 23	0.157	Sycamore Square LLC
9 13 24	0.157	Sycamore Square LLC
9 13 25	0.157	Sycamore Square LLC
9 13 26	0.165	Sycamore Square LLC
9 13 27	0.165	Sycamore Square LLC
9 13 28	0.157	Sycamore Square LLC
9 13 29	0.157	Sycamore Square LLC
9 13 30	0.157	Sycamore Square LLC
9 13 31	0.157	Sycamore Square LLC
9 13 32	0.157	Sycamore Square LLC
9 13 33	0.157	Sycamore Square LLC
9 13 34	0.157	Sycamore Square LLC
9 13 35	0.157	Sycamore Square LLC
9 13 36	0.157	Sycamore Square LLC
9 13 37	0.157	Sycamore Square LLC
9 13 38	0.157	Sycamore Square LLC

9 13 39	0.159	Sycamore Square LLC
9 13 40	0.19	Sycamore Square LLC
9 13 85	0.157	Sycamore Square LLC
9 13 86	0.187	Sycamore Square LLC
9 13 87	0.158	Sycamore Square LLC
9 13 88	0.158	Sycamore Square LLC
9 13 89	0.158	Sycamore Square LLC
9 13 90	0.158	Sycamore Square LLC
9 13 91	0.158	Sycamore Square LLC
9 13 92	0.158	Sycamore Square LLC
9 13 93	0.158	Sycamore Square LLC
9 13 94	0.158	Sycamore Square LLC
9 13 95	0.158	Sycamore Square LLC
9 13 96	0.158	Sycamore Square LLC
9 13 97	0.158	Sycamore Square LLC
9 13 98	0.158	Sycamore Square LLC
9 13 99	0.158	Sycamore Square LLC
9 13 100	0.158	NVR Inc.
9 13 101	0.158	NVR Inc.
9 13 102	0.189	NVR Inc.
9 A 14	3.616	Sycamore Square LLC
9 A 14C*	1.439	NVR Inc./Sycamore Square LLC
9 A 14C1	2.314	Sycamore Square LLC
Total	34.616	

* Parent parcel for townhomes section (23 lots)

June 22, 2020

(Current Proffer # 1) Access to the property from Route 618 shall be limited to three (3) locations (including River Run Drive). Furthermore, River Run Drive shall be limited (by design) to emergency vehicles only.

(Proposed Proffer # 1) Access to the property from Route 618 shall be limited to four (4) locations (including River Run Drive). Furthermore, River Run Drive shall be limited (by design) to emergency vehicles only.



COUNTY OF FLUVANNA

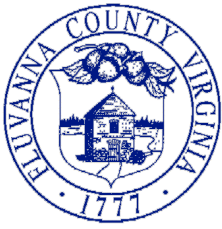
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www.fluvannacounty.org

MEMORANDUM

Date: July 27, 2020
From: Valencia Porter
To: Douglas Miles
Subject: Planning Commission

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the August 11, 2020 Planning Commission meeting.



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NOTICE OF PUBLIC HEARING

July 27, 2020

«Name»
 «Address»
 «City_State» «ZIP»
 TMP#«TMP»

Re: Public Hearing on ZMP 20:01 & ZMP 20:02

Dear «Name»:

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

Purpose:	Planning Commission Public Hearing
Day/Date:	Tuesday, August 11, 2020
Time:	7:00 PM
Location:	Morris Room, County Administration Building, Palmyra, VA

The applicant or applicant's representative will be present at the Planning Commission meeting for the requests that are described as follows:

ZMP 20:01 Sycamore Square LLC – A request to rezone, from A-1 Agricultural, General to R-3, Residential, Planned Community, 13.65 acres of Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5 and 6. The property is located along Lake Monticello Road (Route 618) at the intersection with River Run Drive. The property is within the Rivanna Community Planning Area and the Palmyra Election District.

ZMP 20:02 Village Oaks Proffer Amendment – An ordinance to amend proffers associated with ZMP 04:02 of the Fluvanna County Zoning Map with respect to 38.869 acres of Tax Map 9, Section A, Parcels 13C, 14, 14C and 14C1, and Tax Map 9, Section 13, Parcels A, B, C, D, 1 through 40 and 85 through 102, all zoned R-3, Residential, Planned Community. This amendment, if approved, would increase the number of locations for access to the property from three to four. The property is located along Lake Monticello Road (Route 618) between River Run Drive and Ashlawn Boulevard, and is within the Rivanna Community Planning Area and the Palmyra Election District.

You are welcome to attend the public hearings and will have an opportunity to comment, if desired. If the Planning Commission meeting is held "virtually", as has been practice of the County in recent months due to the COVID-19 pandemic, instructions for participation in the public hearing will be available on the County's website (<http://www.fluvannacounty.org>) along with the tentative agenda and staff reports for these applications. You can also contact the Fluvanna County Planning and Zoning Department during working hours (8:00 am – 5:00 pm, Monday through Friday).

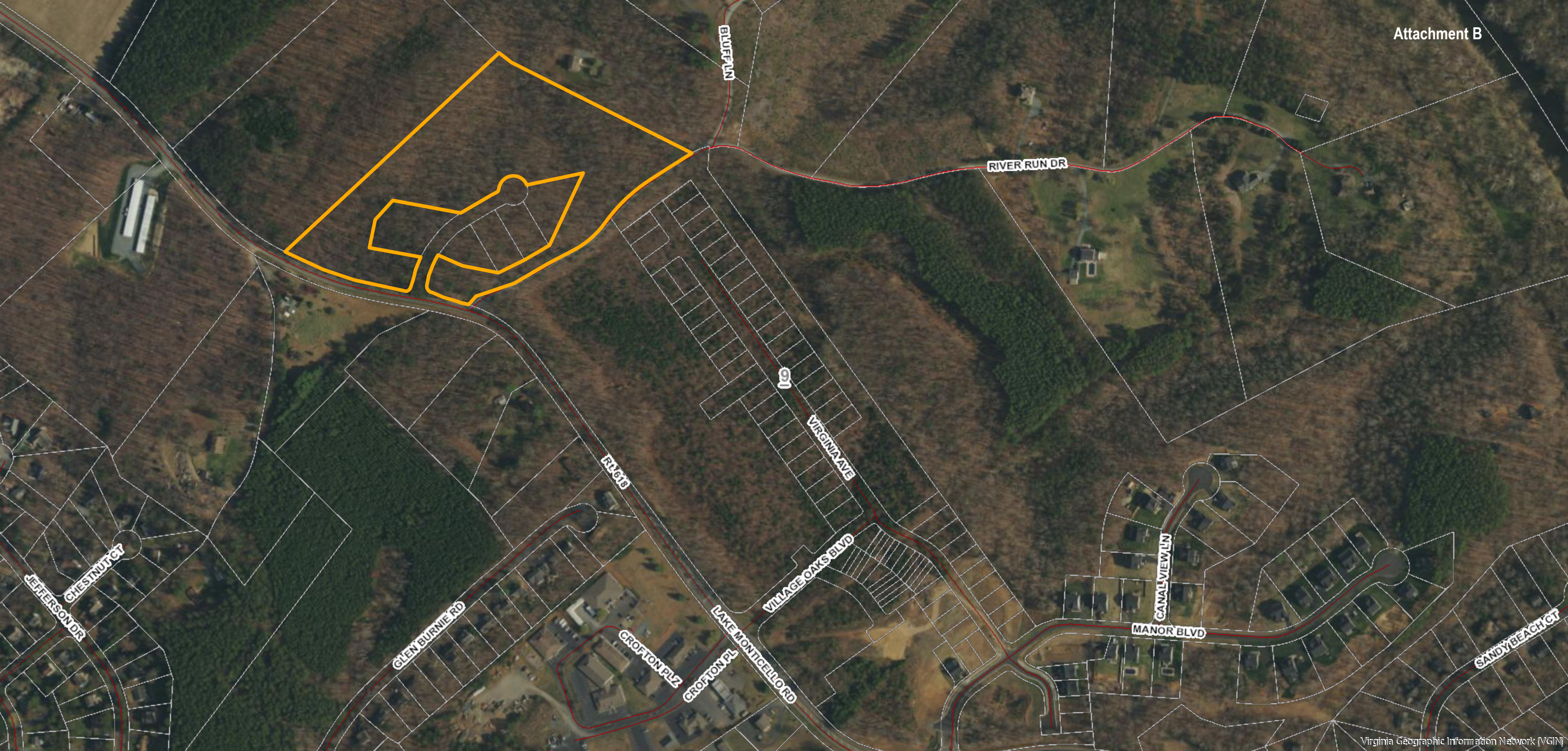
If you have any questions regarding these applications or the public hearings, please contact me at 434-591-1910.

Sincerely,

Douglas Miles

Douglas Miles, AICP, CZA
Community Development Director

ADJACENT PROPERTY OWNERS ZMP20:01 & ZMP20:02			
TAX MAP	NAME	ADDRESS	CITY/STATE/ZIP
18A-1-247	Donald S. Batten	P.O.Box 116	Charlottesville, VA 22902
9-12-156	Matthew R. Caley & Ashley Gomez	174 Manor Blvd	Palmyra, VA 22963
9-A-14B	Crofton Group, Inc. C/O William E. Sclater	105 Crofton PL Suite 7	Palmyra, VA 22963
18A- 1- 246	Timothy M. & Thea T. Currier	861 Jefferson Dr. E	Palmyra, VA 22963
18A-2-33	Gabriele Ford	29 Glen Burnie Rd	Palmyra, VA 22963
9-12-133	Edward A. & Kristen E. Hanrahan	183 manor Blvd	Palmyra, VA 22963
9-A-11C	Phoeber R. & Larry Herring	2542 Thomas Jefferson Pkwy	Palmyra, VA 22963
9-A-11A	Timothy J. Hoffman	477 Perkins Rd	Kents Store, VA 23084
9-12-132	Daniel James & Carroll James-Carr	165 Manor Blvd	Palmyra, VA 22963
9-12-131	Heidi Johnson ET AL	147 Manor Blvd	Palmyra, VA 22963
18A-1-176	Christopher J. & Melanie C. Kennedy	851 Jefferson Dr E	Palmyra, VA 22963
18A-1-MAIN GATE	Lake Monticello Owner's Assoc.	41 Ashlawn Blvd	Palmyra, VA 22963
9-12-157	Dale Ludwig	8 Oak Grove Rd	Palmyra, VA 22963
18A-1-177	Jill May	853 Jefferson Dr East	Palmyra, VA 22963
18A-2-32	Betty J. Meyer	27 Glen Burnie Rd	Palmyra, VA 22963
9-A-14D	Monticello Country Corp	2704 Lake Monticello Rd	Palmyra, VA 22963
9-10-1	Carol A. Newman	187 River Run Dr	Palmyra, VA 22963
18A-1-250	Kristen Proffitt	869 Jefferson Dr	Palmyra, VA 22963
9-A-11E	Gregory W. & Maria Anne Roberts	2448 Lake Monticello Rd	Palmyra, VA 22963
9-A-11D	Gregory E. Roberts	2448 Lake Monticello Rd	Palmyra, VA 22963
18A-1-249	Mary Virginia Rockey	867 Jefferson Dr	Palmyra, VA 22963
18A-1-248	Peggy A. Shanklin	865 Jefferson Dr.	Palmyra, VA 22963
9-A-14A	Vicki Lynn & Barry N. Wilson	40 West Lake Forest Dr	Palmyra, VA 22963



BLUEPAIN

RIVER RUN DR

101

VIRGINIA AVE

RL 670

VILLAGE OAKS BLVD

LAKE MONTICELLO RD

CANAL VIEW LN

MANOR BLVD

SANDY BEACH CT

JEFFERSON DR

CHESTNUT CT

GLEN BURNIE RD

GROFTON PLZ

GROFTON PL



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July 10, 2020

Keith Lancaster
 Southern Development
 170 S. Pantops Drive
 Charlottesville, VA 22911

**Subject: ZMP 20:01 & ZMP 20:02 – Sycamore Square LLC/Village Oaks
 Rezoning & Proffer Amendment**

Dear Mr. Lancaster:

The following comments are the result of the Technical Review Committee meeting that was held on Thursday, July 9, 2020:

1. Planning staff discussed questions regarding proffers and stated any revised material would be needed by July 24th.
2. Aqua Virginia did not have any comments.
3. Building Inspections did not have any comments.
4. CVEC stated this project location is outside their service territory.
5. Economic Development had questions regarding connectivity between Phase 2 and 4. Will pedestrian access be shared with the emergency access road? (*Applicant responded yes*). Would River Run residents also be able to walk through this area? (*Applicant responded yes*)
6. Erosion and Sediment Control did not have any comments.
7. Fire Chief had concerns with the stub roads and prefers that the cul-de-sac radius be 100 feet instead of 50 feet. Hydrants will also be needed at Lot 11 & 12 and 25 & 26.
8. Sheriff's Office did not have any comments.
9. VDH did not have any comments.
10. VDOT stated since the plan proposes an increase in housing from the previously approved plan, the previously approved entrance location will need to be re-evaluated to see whether turn lanes are warranted or not. This can be provided when the site plan is submitted. No comments on the proffer amendment.

This item is scheduled for review by the Planning Commission on August 11, 2020. We anticipate the meeting will be conducted virtually due to COVID-19. Your attendance will be required at this meeting and additional information will be provided regarding virtual meeting procedures.

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

Sincerely,

Brad Robinson
Senior Planner
Dept. of Planning & Zoning

cc: File



August 6, 2020

Mr. Brad Robinson
Senior Planner
County of Fluvanna
Department of Planning and Community Development
P.O. Box 540
Palmyra, VA 22963

RECEIVED

AUG 06 2020

Fluvanna County
Planning Dept

RE: ZMP 20:01, Village Oaks Phase 4
(Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5, and 6)
Proffer Statement

Dear Brad,

With regards to the attached rezoning request for Archer (Village Oaks Phase 4), the following proffers from Village Oaks shall apply:

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

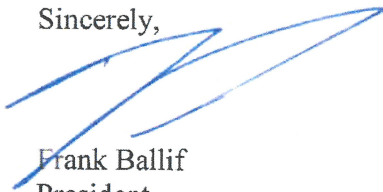
for development. Every effort shall be made to preserve the existing vegetative buffer that exists in this setback.

6. Along the Northern Property Line, there shall be a 75 foot building setback, extending from River Run Drive in an Easterly Direction for approximately 1,400 feet and including the proposed community center. Every effort shall be made to preserve 50 feet of existing vegetation for screening in this setback.
7. Pedestrian trails, with minimal disturbance, shall be allowed in all buffers, setbacks, and preservation areas.
8. A minimum of 35% of the housing shall be designed with at least one bedroom on the first floor, such that all typical living functions can be accommodated on the first floor of the home.
9. There shall be a Community Center, with minimum size of 5,000 SF to serve the development and any appropriate community uses.
10. The commercial component of the Master Plan shall not total more than 40,000 SF gross floor area, and shall be composed entirely of community retail and service uses such as: medical offices, dental offices, markets, bookstores, dry cleaners, coffee shops, cafes, florists, etc...
11. Construction will not begin until public water and sewer is available.
12. Public water shall provide adequate pressure.
13. Onsite stormwater management shall be designed in consultation with The Thomas Jefferson Soil and Water Conservation District utilizing low impact development techniques and water quality best management practices.
14. The following improvements shall be constructed at the entrance across from the Main Gate to Lake Monticello: A conventional intersection with a left turn lane into Lake Monticello and right and left turn lanes into Monticello Village shall be constructed to VDOT standards and specifications. The primary purpose of this entrance is to serve the assisted living component of Monticello Village, therefore the right and left turn lanes into Monticello Village shall be constructed prior to the issuance of the certificate of occupancy for the assisted living facility. The left turn lane into Lake Monticello shall be constructed prior to issuance of the first residential certificate of occupancy in the Monticello Village community. **(The length of turn lanes shall be determined by VDOT during Site Plan Stage of Monticello Village).**
15. The following improvements shall be constructed at the entrance across from Crofton Plaza: A conventional intersection with a left turn lane into Crofton Plaza and right and left turn lanes into Monticello Village, or a roundabout, shall be constructed prior to

issuance of the first residential certificate of occupancy in the Monticello Village community.

16. All improvements referenced in items 14 & 15 above are planned to utilize existing VDOT right of way or right of way dedicated by Southern Development, per plan titled "proposed improvements to route 618" and dated 1/14/05 prepared by Rivanna Engineering. The estimated cost of such improvements is \$685,000.00. In the event a roundabout is desired, additional right of way may be necessary. Southern Development cannot guarantee the successful acquisition of, or funding for, any additional right of way beyond what is shown in the above referenced plan.
17. A complete copy of a comprehensive traffic analysis of the Lake Monticello Area of Fluvanna County has been provided to Fluvanna County Staff and VDOT. This study was conducted by Wilbur Smith & Associates in January 2005, at a cost of \$15,000.
18. Southern Development will provide an additional \$5,000 cash proffer directly to VDOT, for future traffic improvement design in the Lake Monticello Area. Payment shall occur in conjunction with the first residential building permit.

Sincerely,



Frank Ballif
President



COUNTY OF FLUVANNA

Steven Biel
 Director of Planning & Community Development
 sbiel@co.fluvanna.va.us

"Responsive & Responsible Government"

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

February 17, 2005

Southern Development
 170 South Pantops Drive
 Charlottesville, VA 22911

REF: ZMP 04:02

Dear Southern Development:

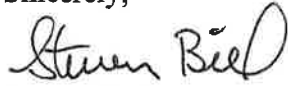
Please accept this letter as notification of the action taken on February 16, 2005 by the Board of Supervisors in regards to the request referenced above. Your request was **approved** with the following eighteen (18) proffers:

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

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

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

Sincerely,

A handwritten signature in black ink that reads "Steven Biel". The signature is written in a cursive style with a large, looped initial "S".

Steven Biel
Planning Director

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

File



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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

STAFF REPORT

To: Fluvanna County Planning Commission
Case Number: SDP 20:03
Tax Map: 4, Section A, Parcel 27A

From: Brad Robinson
District: Palmyra
Date: August 11, 2020

General Information: This item is scheduled to be heard by the Planning Commission on Tuesday, August 11, 2020 at 7:00 p.m. in the Fluvanna County Administration Building Morris Room.

Applicant: US Capital Development

Owner: Amber Hill LLC / Dillard Cosner

Representative: Max Breitmayer, US Capital Development

Requested Action: Approval of a sketch plan request to construct a salvage and scrap yard with respect to 90.17 acres of Tax Map 4, Section A, Parcel 27A. (Attachment A)

Location: The affected property is located at the end of Memory Lane (State Route 698), approximately 0.35 miles south of the intersection of Richmond Road (U.S. Route 250). (Attachment B)

Existing Zoning: I-2, Industrial, General

Existing Land Use: Vacant industrial

Adjacent Land Uses: Adjacent properties are zoned A-1, I-1 and I-2.

Comprehensive Plan: Rural Residential Planning Area

Zoning History: A rezoning (ZMP 17:04) from A-1 to I-2 was approved for this property on December 20, 2017. A special use permit (SUP 18:01) for a salvage and scrap yard was approved for this property on March 28, 2018. A salvage yard operated by Cosner Bros. was formerly located on the property.

Analysis:

The applicant is requesting sketch plan approval to construct a salvage and scrap yard for LKQ Corporation, an American provider of alternative and specialty parts for automobiles and other vehicles with operations in North America, Europe and Taiwan. Unlike a typical junkyard or automobile graveyard, vehicles brought to the subject property are not stored indefinitely but dismantled, crushed and eventually hauled away. In accordance with Sec. 22-12-2.2, salvage and scrap yards require approval of a special use permit in the I-2 District which this project received on March 28, 2018. A total of 16 conditions pertaining to hours of operation, vehicle trips and buffer requirements among other items were included with the special use permit approval (see Attachment F).

According to the submitted sketch plan, the applicant is proposing a building approximately 100,000 square feet in size, a parking area containing 72 spaces and a storage yard for inventory. Salvage activity will occur within the building while exterior areas will be used for parking and storage only. The majority of the property will be devoted towards the storage yard which will have a gravel surface.

County tax records lists the acreage for Tax Map 4-A-27A as 90.17 acres; however, a survey provided with the special use permit application indicated the property as being 87.496 acres.

(Attachment C)

Exception to not construct a sidewalk:

Per Sections 22-12-11 and 22-23-6.6.A 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 Memory Lane. Staff recommends approval (Attachment D).

Parking/Roads

The subject property contains an existing entrance at the end of the cul-de-sac of Memory Lane (Route 698). This entrance will be widened and improved and a second entrance will be added along the northern property line, for a total of two entrances into the property from Memory Lane.

The off-street parking regulations in Article 26 of the Zoning Ordinance list the parking requirement for "unspecified industrial uses" as being one space per 2 employees on largest shift plus one space per 250 square feet open to the public. Based on 45 employees and 6,855 square feet of area open to the public, a minimum of 51 spaces are required. The concept plan proposes 72 spaces since an increase in the number of parking spaces up to 40% is permitted without Planning Commission approval.

According to VDOT's traffic data for 2019, the average daily traffic volume on Memory Lane is 270 vehicles. VDOT did not express any concerns at the time of the special use permit. Their latest comments have requested the applicant to provide a copy of a simple traffic study that was prepared for this project a few years ago. Condition #6 from the special use permit approval

limits the number of truck trips to the property to a maximum of 40 trips within a 24-hour period. The applicant or site manager will ultimately be responsible for enforcement of this condition.

Landscaping/Screening

All landscaping will have to comply with Article 24 of the Fluvanna County Zoning Ordinance. Sec. 22-24-5 requires street trees along existing public streets. Sec. 22-24-6 requires interior landscaping and screening for the parking area. Condition #8 from the special use permit approval requires a 50 foot buffer along property lines that adjoin agricultural, residential or business districts, and a 75 foot buffer along the property lines that run from northwest to southeast. Based on this condition, a 50 foot buffer is required along the northern property line along Tax Map 4-A-27; a 75 foot buffer is required along the western property line along Tax Map 4-A-28; and a 75 foot buffer is required along the southern property line along Tax Maps 4-A-57B and 4-A-58.

Outdoor Lighting

Locations of proposed outdoor lighting have not been shown on the sketch plan, but will be required on the final site plan in accordance with Sec. 22-23-6(Q). of the Zoning Ordinance. All outdoor lighting must be fully shielded and utilize full cut-off lighting fixtures per Sec. 22-25-5.

Stormwater Management

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

Technical Review Committee:

The following comments were generated from the April 9, 2020 Technical Review Committee meeting:

1. Planning staff stated that the project will need to comply with the approved Special Use Permit (SUP 18:01) and went over Conditions 1 – 16 from the permit. The full list of conditions should be provided on the final site plan. Staff asked if the site manager would be enforcing the conditions pertaining to truck trips and hours of operation (applicant stated yes). The applicant or property owner is ultimately responsible for ensuring the conditions are enforced.
2. Department of Forestry did not have any comments.
3. Economic Development did not have any comments.
4. Erosion & Sediment Control stated with regard to Condition #15 of the Special Use Permit that Streamwatch has merged with the Rivanna Conservation Society into what is now the Rivanna Conservation Alliance. The applicant will be required to submit three full sized copies of the E&SC/Stormwater Plan for review/approval. Checklists, narrative and calculations packages are required with plan submittal. Before Fluvanna County can issue a land disturbing permit, the applicant shall provide an E&SC/Stormwater Bond (amount to be determined by the County), Stormwater Maintenance Agreement and

documentation of compliance with all other required local, state and federal laws and regulations.

5. Fire Chief stated there are no issues with the application and is more concerned when the county water will get there. There is supposed to be a hydrant at the end of Memory Lane to help protect the applicant and A.G. Dillard.
6. Sheriff's Department did not have any comments.
7. VDOT stated supposedly a few years ago a simple traffic study (trip gen, turn lane warrants etc.) was put together for this project and everything looked good with what had been provided at that time. VDOT has not been able to locate this study unfortunately. If the applicant still has the study in their records, it would be appreciated if they could provide VDOT with a copy. Additionally, the study should be revised to reflect any changes (if any) that may have been made to the project.
8. Mrs. Eager from the Board of Supervisors asked if there are any vehicles from the old salvage yard in the creek. Planning staff verified on July 24, 2020 that there were no vehicles in the creek.

(Attachment E)

Conclusion:

The submitted sketch plan generally meets the sketch plan requirements of Section 22-23-8.A of the Fluvanna County Zoning Ordinance. However, staff finds the concept plan difficult to read and notes that the sketch plan has not been prepared by a licensed professional. The applicant has used the same concept plan from the special use permit (SUP 18:01) and electronically manipulated the drawing to incorporate setback and buffer information despite repeated requests from staff for an updated drawing prepared by the project engineer. Some of the preliminary zoning information notes are also outdated or incorrect.

The applicant was informed prior to the July 14th Planning Commission meeting to make revisions and has been placed on the August 11th meeting agenda as they wanted to proceed forward with this request as submitted. The applicant will be available to answer any questions that the Planning Commission has on this project.

Prior to final approval, a site development plan that meets the requirements of Articles 23 – 26 of the Fluvanna County Zoning Ordinance must be submitted for staff review and approval.

Recommended Conditions:

1. Meet all final site plan requirements which include, but are not limited to, providing parking, landscaping, screening and outdoor lighting plans;
2. Meet all VDOT requirements;
3. Meet all required Erosion and Sedimentation Control regulations;
4. Comply with all conditions of the settlement agreement for Ward vs. Board of Supervisors, Case #18 CL 58.

Suggested Motions:

I move to approve/deny/defer SDP 20:03, a sketch plan request to construct a salvage and scrap yard with respect to 90.17 acres of Tax Map 4, Section A, Parcel 27A, subject to the conditions listed in the staff report.

I move to approve/deny/defer a sidewalk exception to SDP 20:03, a sketch plan request to construct a salvage and scrap yard with respect to 90.17 acres of Tax Map 4, Section A, Parcel 27A, pursuant to County Code Sections 22-12-11 and 22-23-6.6.A.

Attachments:

A – Application

B – Aerial Vicinity Map

C – Sketch Plan

D – Sidewalk Exception Request

E – TRC Comment Letter

F – SUP 18:01 Approval Letter

G – Memorandum of Settlement, Ward vs. Board of Supervisors, Case # 18 CL 58

Copy:

Applicant: Max Breitmayer, US Capital Development via email to mbreitmayer@uscd.com

Owner: Amber Hill LLC via email to 88partstar@gmail.com

File

RECEIVED

Attachment A



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Site Development Application

MAR 31 2020

Fluvanna County
Planning Dept

f.k.a.
KP development

Owner of Record: Dillard Cosner

Applicant of Record: US Capital Development

E911 Address: 295 Memory Lane

E911 Address: 7911 Forsyth Blvd. Suite 200 St. Louis, MO

Phone: 434-987-0872 Fax:

Phone: 314-446-5187 Fax:

Email: 88partstar@gmail.com

Email: maxbreitmayer@gmail.com

Representative:

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. SEE ATTACHED LETTER

E911 Address:

Phone: Fax:

Is property in Agricultural Forestal District? [X] No [] Yes

Email:

If Yes, what district:

Tax Map and Parcel(s): 4 A 27A

Deed Book Reference: Book 599 Pg 34

Acreage: 90 acres Zoning: SUP - I2 General Industrial

Deed Restrictions? [] No [] Yes (Attach copy)

Location: 295 Memory Lane

Description of Property: Approximately 90 acre site will be used for a dismantling facility and auto storage yard.

Proposed Structure: 100,000SF metal building

Dimensions of Building: App. 405' X 287'

Lighting Standards on Site: [] No [] Yes

of Employees: 45

of Parking Spaces: 51

Noise Limitations: NOISE SHALL COMPLY WITH CHAPTER 15.1 OF FLUVANNA COUNTY CODE

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.

MAX BREITMAYER

[Signature]

3/17/2020

Applicant Name (Please Print)

Applicant Signature and Date

OFFICE USE ONLY

Table with columns for Date Received, Fee Paid, Application #, Election District, Planning Area, Number of Lots, and various fee categories (Total Fees Due at Time of Submittal, Additional Fees Due at Time of Review).

RECEIPT (REC-001086-2020)
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

BILLING CONTACT

Scott Haley
 KP Development
 7911 Forsyth Blvd
 Saint Louis, Mo 63105



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
SDP20:0003	Site Plan Review: Sketch Plan	Fee Payment	Check #1580	\$150.00
			SUB TOTAL	\$150.00
			TOTAL	\$150.00



Developing Real Estate. Delivering Value.

March 17, 2020

Fluvanna County Planning Department
Attn: Douglas Miles
132 Main Street
P.O. Box 540
Palmyra, VA 22963

RE: LKQ Automotive Sketch Plan & Site Development Application

Dear Fluvanna County Planning Department,

On behalf of US Capital Development (f.k.a. KP Development), please review the enclosed documents

- Sketch Plan
- Major Site Development Plan – Sketch Plan Checklist
- Site Development Application

We have also included a copy of the Authorization Letter from the current owner of the property, Mr. Dillard Cosner (Amber Hill, LLC), consenting to our application for zoning, and construction permits for the property.

US Capital Development intends to develop the approximately 90 acre site for **LKQ Automotive** as shown on the conceptual sketch plan attached and in accordance with the conditions approved by Special Use Permit 18:01.

We look forward to working with your office on this exciting project in Fluvanna County.

If you have any questions regarding our application or plans, please do not hesitate to contact Max Breitmayer (mbreitmayer@uscd.com 314-446-5187) or Scott Haley (shaley@uscd.com 314-609-5275)

Sincerely,

A handwritten signature in blue ink that reads "Max Breitmayer".

Max Breitmayer

US Capital Development

January 24, 2018

Fluvanna County Planning Department
P.O. Box 540
Palmyra, VA 22963

Amber Hill, LLC
C/O Dillard Cosner
661 Whitehall Road
Keswick, VA 22947

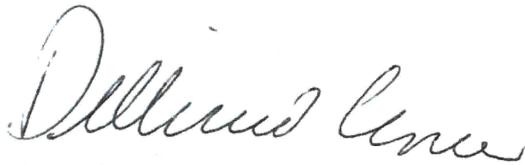
RE: Fluvanna Co. Special Use Permit Application

To Whom It May Concern:

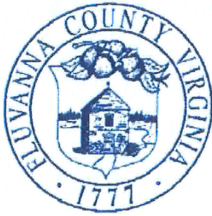
Amber Hill, LLC, the Owner of property commonly referred to as 295 Memory Lane, hereby acknowledge and consent for KP Development (as Developer) and New Development, LLC (as Contract Purchaser) to communicate and submit all required information as necessary in obtaining zoning, special use permit, and permits for the construction of the above referenced project. The subject property is located at 295 Memory Lane, Fluvanna County. The parcel is shown on Fluvanna County Tax Map 4A as Parcel 27A . The subject property is currently zoned I-2 General Industrial.

Sincerely,

Dillard Cosner
Amber Hill, LLC

A handwritten signature in cursive script, appearing to read "Dillard Cosner".

Cc: Scott Haley, KP Development



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

March 29, 2018

Delivered via email to shaley@kpstl.com

Scott Haley
KP Development
8025 Forsyth Boulevard
Saint Louis, MO 63105

Re: SUP 18:01 – Amber Hill LLC

Dear Mr. Haley:

Please accept this letter as notification of the action taken on March 28, 2018 by the Board of Supervisors with regard to SUP 18:01. The request for a Special Use Permit to establish a salvage and scrap yard was **approved 5-0** with the following sixteen (16) conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet all Virginia Department of Environmental Quality requirements.
4. The site must meet the requirements set forth by the Virginia Department of Health.
5. The dismantling facility and the adjoining concrete pad area shall be permitted to operate 24/7. The operational hours of the storage yard shall be from 7:00 a.m. to 8:00 p.m. Monday through Friday (or local sunrise to sunset, whichever is more restrictive), and 9:00 a.m. to 6:00 p.m. Saturday through Sunday (or local sunrise to sunset, whichever is more restrictive). Crushing of vehicles shall be allowed between 8:00 a.m. and 5:00 p.m. Monday through Friday, and between 10:00 a.m. and 5:00 p.m. on Saturday. No crushing shall be permitted on Sundays.
6. The dismantling facility and storage yard will not have more than 40 truck trips in any 24 hour period. A truck trip shall be defined as the same truck leaving and returning or arriving and leaving the facility.
7. Used motor oil, coolants, discarded automotive parts and tires shall be recycled or disposed of in accordance with State and local laws.
8. A minimum 50 foot buffer shall be maintained along all property lines that adjoin agricultural, residential or business districts. A 75 foot buffer shall be maintained along the property line from the northwest corner of the property counterclockwise to the southeast corner of the property as shown on "Build to Suit / LKQ Troy

Community Meeting Buffer Exhibit.” A minimum 8 foot fence shall be used around the storage yard. Privacy fence slats shall be required on chain link fencing and shall be green in color.

9. Any lighting shall not be directed toward adjacent properties and comply with Article 25 of the Fluvanna County Code. The storage yard shall not have any site lighting.
10. Any noise shall comply with Chapter 15.1 of the Fluvanna County Code.
11. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
12. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.
13. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
14. Development of the property shall be generally in accord with the sketch plan submitted with the application, subject to revisions necessary to meet requirements of those conditions and as otherwise required by law.
15. An annual contribution of \$500 shall be submitted to Streamwatch to support water quality monitoring and elimination of contamination.
16. Copies of required testing results shall be submitted to the Fluvanna County Planning and Zoning Administrator.

As your special use permit has been approved, you may now submit a Site Development Plan application.

If you have any questions or concerns, please do not hesitate to call me at (434) 591-1910, or email me at brobinson@fluvannacounty.org.

Sincerely,



Brad Robinson
Senior Planner

Copy: File

Ross Stevens, Kimley-Horn – Ross.Stevens@kimley-horn.com
Dillard Cosner, Amber Hill LLC – 88partstar@gmail.com





PRELIMINARY ZONING INFORMATION	
CURRENT: A-1 (GENERAL AGRICULTURAL)	PROPOSED: I-2 (GENERAL INDUSTRIAL) WITH SPECIAL USE PERMIT
PARCEL AREA:	87.58 ± AC.
REQUIREMENTS	CODE REQUIREMENTS
MAXIMUM BUILDING HEIGHT	70'
MAXIMUM COVERAGE	60% OF LOT
BUILDING SETBACK	200' FROM ANY STREET RIGHT-OF-WAY
BUILDING SETBACK (SIDE)	50' EXCEPT WHEN ADJOINING I-1 OR I-2 DISTRICTS
BUILDING SETBACK (REAR)	0'
LANDSCAPE STRIP (STREET)	9'
LANDSCAPE BUFFER (PARKING)	25'
LANDSCAPE BUFFER (NEXT TO ZONE A-1)	50'
ON-SITE PARKING	1 SPACE/2 EMPLOYEES DURING LARGEST SHIFT + 1 SPACE/250 SF OF AREA OPEN TO PUBLIC 23 SPACES (45 EMPLOYEES) + 26 SPACES (6,500 SF) = 51 SPACES *ADDITIONAL PARKING SPACES, UP TO 40% OF THE SPACES REQUIRED, MAY BE ADDED WITHOUT THE APPROVAL OF PLANNING COMMISSION
ON-SITE ACCESSIBLE PARKING	5
ON-SITE PARKING DIMENSIONS	9' X 18' (9' 10" X 18')
PARKING ISLANDS	1 ISLAND/20 PARKING SPACES + 1 ROW, MINIMUM 10' WIDTH, 200 SF OF PLANTING AREA

SITE SPECIFIC NOTES:

1. A REZONING IS REQUIRED THROUGH FLUVANNA COUNTY FROM A-1 (AGRICULTURAL) TO I-2 (INDUSTRIAL).
2. A SPECIAL USE PERMIT IS REQUIRED THROUGH FLUVANNA COUNTY FOR SALVAGE AND SCRAP YARDS.

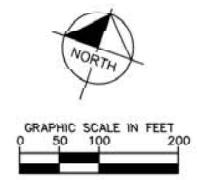
PRELIMINARY SITE PLAN NOTES:

- THIS SITE PLAN IS PRELIMINARY IN NATURE AND THEREFORE DOES NOT GUARANTEE THAT REQUIREMENTS FOR ZONING, STORM DRAINAGE, UTILITY EASEMENTS, AND OTHER SIMILAR CRITERIA ARE PROPERLY ADDRESSED AT THIS TIME. THE ABOVE REQUIREMENTS CAN AFFECT THE LAYOUT OF THIS SITE.
- PARKING FIELDS AND RATIOS ARE PRELIMINARY.
- ALL REQUIREMENTS ASSUMED WITH THIS LAYOUT ARE SUBJECT TO CHANGE AS MAY BE DIRECTED BY THE ARCHITECT, LANDLORD, OR GOVERNMENTAL AGENCIES. FURTHER REVIEW OF THE SITE AS PART OF THE DUE DILIGENCE EVALUATION WILL BE NECESSARY AND MAY IMPACT THE LAYOUT.
- SITE ACCESS SHOWN IS PRELIMINARY, FURTHER INVESTIGATION IS REQUIRED.
- ZONING CODE HAS NOT BEEN EVALUATED FOR ALL SITE RESTRICTIONS.

PRELIMINARY CUT/FILL TABLE*				
	CUT (CY)	FILL (CY)	EXPORT (CY)	IMPORT (CY)
PROPOSED SURFACE	274,100	270,000	4,200	51,400*

*CUT AND FILL VOLUMES INCLUDE APPROXIMATELY 0' OF STONE TO BE BROUGHT IN FOR PARKING STORAGE YARD

NOTE:
PRELIMINARY CUT AND FILL VOLUMES PROVIDED HEREON ARE BASED ON LIMITED INFORMATION KNOWN TO THE CONSULTANT AT THIS TIME AND WILL CHANGE WHEN A MORE DETAILED DESIGN IS PERFORMED DURING THE SITE PLAN APPROVAL PROCESS. CONSULTANT IS NOT RESPONSIBLE FOR THE ACCURACY AND/OR RELIANCE ON THESE PRELIMINARY NUMBERS DURING DEVELOPMENT DUE DILIGENCE.



07/02/2020
OVERALL CONCEPT PLAN
 LKQ FLUVANNA
 PREPARED FOR LKQ
 FLUVANNA COUNTY VIRGINIA



Developing Real Estate. Delivering Value.

July 1, 2020

Brad Robinson, Senior Planner
Fluvanna County Planning Department
132 Main Street
P.O. Box 540
Palmyra, VA 22963

RE: SDP 20-03 Variation in Sidewalk Regulations

Dear Brad:

As part of the site development plan application for the LKQ Memory Lane Project, US Capital Development is requesting a variance from Sections 22-12-11 and Section 22-23-6.6A of the Fluvanna County code that requires sidewalks be provided on all sides of roadways whether public or private. This requirement would require construction of sidewalks on the property along the frontage along Memory Lane.

US Capital Development is seeking a sidewalk exception based on the following reasons:

(i) The physical conditions on the lot, existing utility easements, environmental features, size and shape of the lot, make it unfeasible to provide required sidewalks (Section 22-23-6.6A-2) *The lots frontage along Memory Lane connects to a cul-de-sac with no existing sidewalks. Construction of a sidewalk would not provide a link to any other pedestrian areas along Memory Lane.*

(ii) construction of the sidewalk would not further the goals of the Comprehensive Plan or otherwise serve the greater public's health, safety, and welfare. (Section 22-23-6.6A-3)

As previously mentioned, there are no existing sidewalks along Memory Lane. The addition of approximately 366' of sidewalk at the cul-de-sac would not further the goals of the Comprehensive Plan or otherwise serve the greater public's health, safety, and welfare.

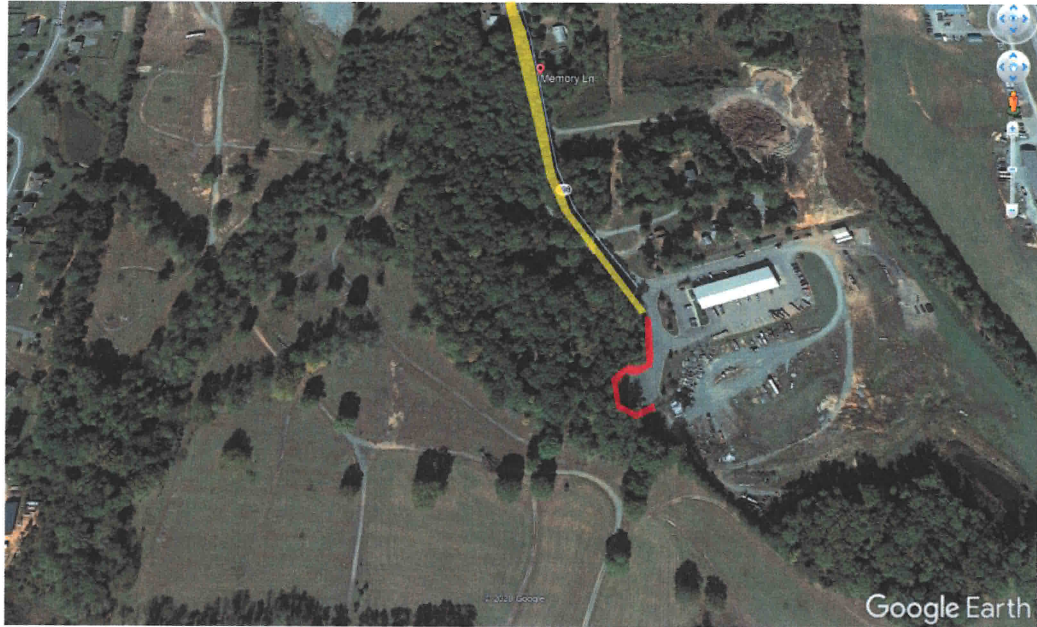
An exhibit showing the current condition of Memory Lane and potential sidewalk location is included as Exhibit A.

Sincerely,

A handwritten signature in blue ink that reads "Scott Haley".

Scott Haley

US Capital Development



No Existing Sidewalks along
Memory Lane



Request for Sidewalk
Exception



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

April 10, 2020

Delivered via email to shaley@uscd.com

Scott Haley
US Capital Development
7911 Forsyth Boulevard, Suite 200
Saint Louis, MO 63105

Subject: SDP 20:03 LKQ Automotive
Tax Map: 4, Section A, Parcel 27A

Dear Mr. Haley:

The following comments were received for the Technical Review Committee meeting held April 9, 2020:

1. Planning staff stated that the project will need to comply with the approved Special Use Permit (SUP 18:01) and went over Conditions 1-16 from the permit. The full list of conditions should be provided on the final site plan. Staff asked if the site manager would be enforcing the conditions pertaining to truck trips and hours of operation (applicant stated yes). The applicant or property owner is ultimately responsible for ensuring the conditions are enforced.
2. Department of Forestry did not have any comments.
3. Economic Development did not have any comments.
4. Erosion & Sediment Control stated with regard to Condition #15 of the Special Use Permit that Streamwatch has merged with the Rivanna Conservation Society into what is now the Rivanna Conservation Alliance. The applicant will be required to submit three full sized copies of the E&SC/Stormwater Plan for review/approval. Checklists, narrative and calculations packages are required with plan submittal. Before Fluvanna County can issue a land disturbing permit, the applicant shall provide an E&SC/Stormwater Bond (amount to be determined by the County), Stormwater Maintenance Agreement and documentation of compliance with all other required local, state and federal laws and regulations.
5. Fire Chief stated there are no issues with the application and is more concerned when the county water will get there. There is supposed to be a hydrant at the end of Memory Lane to help protect the applicant and A.G. Dillard.
6. Sheriff's Dept. did not have any comments.

7. VDOT stated supposedly a few years ago a simple traffic study (trip gen, turnlane warrants etc.) was put together for this project and everything looked good with what had been provided at that time. VDOT has not been able to locate this study unfortunately. If the applicant still has the study in their records, it would be appreciated if they could provide VDOT with a copy. Additionally, the study should be revised to reflect any changes (if any) that may have been made to the project.
8. Mrs. Eager from the Board of Supervisors asked if there are any vehicles from the old salvage yard in the creek (staff can check and verify).

This item will be scheduled for review by the Planning Commission on a future date to be determined. Your attendance will be required at this meeting.

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

Sincerely,

Brad Robinson
Senior Planner
Dept. of Planning & Zoning

Copy: File
Max Breitmayer, US Capital Development via email – mbreitmayer@uscd.com
Dillard Cosner, Owner via email – 88partstar@gmail.com



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

March 29, 2018

Delivered via email to shaley@kpstl.com

Scott Haley
KP Development
8025 Forsyth Boulevard
Saint Louis, MO 63105

Re: SUP 18:01 – Amber Hill LLC

Dear Mr. Haley:

Please accept this letter as notification of the action taken on March 28, 2018 by the Board of Supervisors with regard to SUP 18:01. The request for a Special Use Permit to establish a salvage and scrap yard was **approved 5-0** with the following sixteen (16) conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance must be submitted for review and approval.
2. The site must meet all Virginia Department of Transportation requirements.
3. The site must meet all Virginia Department of Environmental Quality requirements.
4. The site must meet the requirements set forth by the Virginia Department of Health.
5. The dismantling facility and the adjoining concrete pad area shall be permitted to operate 24/7. The operational hours of the storage yard shall be from 7:00 a.m. to 8:00 p.m. Monday through Friday (or local sunrise to sunset, whichever is more restrictive), and 9:00 a.m. to 6:00 p.m. Saturday through Sunday (or local sunrise to sunset, whichever is more restrictive). Crushing of vehicles shall be allowed between 8:00 a.m. and 5:00 p.m. Monday through Friday, and between 10:00 a.m. and 5:00 p.m. on Saturday. No crushing shall be permitted on Sundays.
6. The dismantling facility and storage yard will not have more than 40 truck trips in any 24 hour period. A truck trip shall be defined as the same truck leaving and returning or arriving and leaving the facility.
7. Used motor oil, coolants, discarded automotive parts and tires shall be recycled or disposed of in accordance with State and local laws.
8. A minimum 50 foot buffer shall be maintained along all property lines that adjoin agricultural, residential or business districts. A 75 foot buffer shall be maintained along the property line from the northwest corner of the property counterclockwise to the southeast corner of the property as shown on "Build to Suit / LKQ Troy

Community Meeting Buffer Exhibit.” A minimum 8 foot fence shall be used around the storage yard. Privacy fence slats shall be required on chain link fencing and shall be green in color.

9. Any lighting shall not be directed toward adjacent properties and comply with Article 25 of the Fluvanna County Code. The storage yard shall not have any site lighting.
10. Any noise shall comply with Chapter 15.1 of the Fluvanna County Code.
11. The property shall be maintained in a neat and orderly manner so that the visual appearance from the road and adjacent properties is acceptable to County officials.
12. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.
13. Under Sec. 22-17-4 F (2) of the Fluvanna County Code, the Board of Supervisors has the authority to revoke a Special Use Permit if the property owner has substantially breached the conditions of the Special Use Permit.
14. Development of the property shall be generally in accord with the sketch plan submitted with the application, subject to revisions necessary to meet requirements of those conditions and as otherwise required by law.
15. An annual contribution of \$500 shall be submitted to Streamwatch to support water quality monitoring and elimination of contamination.
16. Copies of required testing results shall be submitted to the Fluvanna County Planning and Zoning Administrator.

As your special use permit has been approved, you may now submit a Site Development Plan application.

If you have any questions or concerns, please do not hesitate to call me at (434) 591-1910, or email me at brobinson@fluvannacounty.org.

Sincerely,



Brad Robinson
Senior Planner

Copy: File

Ross Stevens, Kimley-Horn – Ross.Stevens@kimley-horn.com
Dillard Cosner, Amber Hill LLC – 88partstar@gmail.com

Memorandum of Settlement

Ward v. Board of Supervisors, Case # 18 CL 58

This agreement, made this 4th day of February, 2019, provides as follows:

For and in consideration of the settlement and dismissal of the pending, above-captioned suit, the parties agree as follows:

1. The Board of Supervisors will provide for clean up of debris, including derelict vehicles, auto parts, tires, etc., from the stream between the property of the plaintiffs and the property known as Tax Map 4, Sec. A, Parcel 27A, such work to be accomplished prior to the issuance of a final certificate of occupancy for the proposed use to be established by LKQ, Inc., on the said parcel 27A.

2. ^{KGW WNW} There shall be periodic monitoring on a quarterly basis by DEQ with soil and ^{from the creek} water samples taken by a 3rd party under DEQ approved procedures.

3. The Board of Supervisors shall request the landowner of the said parcel 27A to have examined the unoccupied house on the said parcel 27A to determine its possible historical significance and the possible presence of historically significant artefacts and to provide appropriate historic preservation entities with the opportunity to recover any such artefacts.

4. The Board of Supervisors will pay to the plaintiffs the sum of \$130,000, in cash, such payment to be made upon the entry of the Court's order dismissing the case.

5. The parties each agree to request the Court to order the case dismiss with prejudice.

The foregoing is a settlement of disputed claims, and the parties agree that nothing herein shall be construed as an admission of liability or other improper or unlawful conduct.

This agreement shall be subject to the approval of the Board of Supervisors in open session.

Witness the following signatures:



Katie Ward



Walker Ward

John M. Sheridan

Chairman, for Board of Supervisors

Seen and approved:

J. M. B. [Signature]

Counsel for plaintiffs

[Signature]

Counsel for defendant