

## FLUVANNA COUNTY PLANNING COMMISSION

### REGULAR MEETING AGENDA

Fluvanna County Library, 214 Commons Blvd.  
Palmyra, VA 22963

**September 8, 2020 at 7:00 pm**

Physical (in-person) access to the meeting will be limited to the first 20 members of the public who sign up in advance to attend. **Those wishing to attend must call Fluvanna Clerk to the Commission, Valencia Porter, at (434) 591-1910 or email her at: [vporter@fluvannacounty.org](mailto:vporter@fluvannacounty.org) with your name, address and phone number no later than 1 hour prior to the meeting.**

Proof of identification will be required upon arrival and facemasks will be required.

---

**TAB AGENDA ITEMS**

---

---

**REGULAR MEETING**

---

---

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

---

---

**2 – DIRECTOR’S REPORT** - September 8, 2020

---

---

**3 – PUBLIC COMMENTS #1** (3 minutes each)

---

---

**4 – MINUTES** -

---

Minutes of August 11, 2020 (Virtual Meeting)

---

---

**5 – SITE DEVELOPMENT PLANS** -

---

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

---

---

**6 – PRESENTATIONS** – None

---

---

**7 – PUBLIC HEARINGS**

---

AFD 20:01 Tara Colley Hourihan – Withdrawal from Stage Junction – Brad Robinson, Senior Planner

SUP 20:01 Central Virginia Electric Cooperative – Douglas Miles, Community Development Director

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

ZMP 20:02 Village Oaks Proffer Amendment – 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

*Fluvanna County...The heart of Virginia and your gateway to the future!*

*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.*

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 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.

*Fluvanna County...The heart of Virginia and your gateway to the future!*

*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.*

\*\*\*\*\*

## PLEDGE OF ALLEGIANCE

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

\*\*\*\*\*

## ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman 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.

*Fluvanna County...The heart of Virginia and your gateway to the future!*

*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.*



---

## 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](http://www.fluvannacounty.org)

To: Fluvanna County Planning Commission members  
From: Douglas Miles, Community Development Director  
Date: September 8, 2020  
Subject: Planning Director's Report

### **Board of Supervisors Actions:**

August 19, 2020

**AFD 19:02 Patsy P. Griffin LE Et Al – Addition to Carysbrook** – Request to add Tax Map Parcels 41-A-45, 41-A-45B and 51-A-128A, totaling 136.664 acres, to the Carysbrook Agricultural and Forestal District. The Carysbrook Agricultural and Forestal District is located in the Fork Union Election District and consists of approximately 1,504.0676 acres.

**AFD 19:03 Allison W. & Ronald J. Unnerstall** – Addition to Glenarvon Farm – Request to add Tax Map Parcels 60-A-21 and 60-A-21D, totaling 140.65 acres, to the Glenarvon Farm Agricultural and Forestal District. The Glenarvon Farm Agricultural and Forestal District is located in the Fork Union Election District and consists of approximately 1,730.362 acres.

September 2, 2020

No Planning Cases

### **Board of Zoning Appeals Actions:**

*No Zoning Cases*

### **August 13th TRC Meeting and August 26th Neighborhood Meeting (Virtual):**

**SUP 20:01 Central Virginia Electric Cooperative** – A request for a special use permit to construct an electrical substation (major utility), with respect to 4 acres of Tax Map 39, Section A, Parcel 34. The property is located along West River Road (Route 6), approximately 0.5 miles west of the intersection with Rolling Road South (State Route 620). The parcel is zoned A-1 Agricultural, General and located within the Rural Preservation Planning Area and the Fork Union Election District.



**STATUS DEFINITIONS\***

Board - Case is pending Board Approval

Court Pending - Summons to be issued

Permit Pending - Applied for Permit to Abate Violation

Cleared - Violation Abated

Extended - Extension Given/Making Progress to Abate Violations

Rezoning - Property is in Rezoning Process

Court - Case is before Judge

Pending - Violation Notice Sent

SUP Pending - SUP Application made to Abate Violation

**MISCELLANEOUS ACTIONS / TASKS**

Biosolids Applied and Signs Displayed (Total – 47 Sites)

Compliance with Tenaska Virginia Sound Levels 08/17/2020

Signs Removed From Public Rights-Of-Way (Total – 26)

Placed and removed "Public Hearing Signs" as needed

Deliver packets to BOS, PC Members

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

BSP 20:03, TM: 18-(A)-68A, Calvary Chapel, Easement Plat

BSP 20:02, TM: 11-(A)-79A, Roxanne Browning-Sprouse, Boundary Plat

SUB 20:27, TM: 52-(17)-3 &amp; 5, George Nyfeler, III, Boundary Adjustment

SUB 20:03, TM: 12-(8)-4A, James Frazier, Boundary Adjustment

SUB 20:08, TM: 51A-(A)-27 &amp; 30, Michael Brookman, Boundary Adjustment

SUB 20:028, TM: 23-(A)-66, River Run Farm LVA, LLC., Boundary Adjustment

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

MSC20:0115, TM: 20-(10)-3

MSC20:0116, TM: 18A-(3)-22

MSC20:0117, TM: 18A-(5)-310

MSC20:0118, TM: 18A-(80)-268

MSC20:0119, TM: 40-(12)-5

MSC20:0120, TM: 44-A-16

MSC20:0121, TM: 9-(12)-136

MSC20:0122, TM: 9-(13)-96

MSC20:0123, TM: 26-(17)-2

MSC20:0124, TM: 9-(8)-5

MSC20:0125, TM: 5-(A0)-25B

MSC20:0126, TM: 18A-(1)-347

MSC20:0127, TM: 11-(17)-1

MSC20:0128, TM: 27-(8)-1

MSC20:0129, TM: 18A-(9)-303

MSC20:0130, TM: 20-(16)-5

MSC20:0131, TM: 9-(13)-14

MSC20:0132, TM: 21-(22)-3

MSC20:0133, TM: 9-(13)-94

MSC20:0134, TM: 9-(13)-33

MSC20:0135, TM: 9-(13)-97

MSC20:0136, TM: 18A-(5)-211

MSC20:0138, TM: 21-9A)-40

MSC20:0139, TM: 9-(13)-13

MSC20:0141, TM: 9-(13)-89

**Farm Building or Structure Exemption Request (June 2020)****Planning / Zoning materials to VDOT Louisa Residency (June 2020):**

Three Trips

# BUILDING INSPECTIONS MONTHLY REPORT

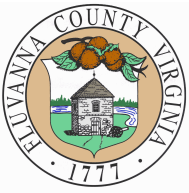
County of Fluvanna

<b>Building Official:</b>	<b>Period:</b>
Andrew Wills	August, 2020

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
<b>BUILDING PERMITS ISSUED</b>														
<b>NEW - Single Family Detached (incl. Trades permits)</b>	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	17	0	0	0	0	123
<b>NEW - Single Family Attached</b>	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
<b>NEW - Mobil Homes</b>	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
<b>Additions and Alterations</b>	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	20	0	0	0	0	227
* Trade permits count not in .														
<b>Accessory Buildings</b>	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	7	0	0	0	0	32
<b>Swimming Pools</b>	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	1	0	0	0	0	14
<b>Commercial/ Industrial Build/Cell Towers</b>	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	3	0	0	0	0	5
<b>TOTAL BUILDING PERMITS</b>	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	48	0	0	0	0	410
* Trade permits count not included as in previous years														
<b>BUILDING VALUES FOR PERMITS ISSUED</b>														
<b>TOTAL BUILDING VALUES</b>	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	\$5,555,492	\$0	\$0	\$0	\$0	\$ 31,565,210

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
<b>LAND DISTURBING PERMITS ISSUED</b>														
<b>LAND DISTURBING PERMITS</b>	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	19	0	0	0	0	124
<b>INSPECTIONS COMPLETED</b>														
<b>TOTAL INSPECTIONS</b>	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	368	0	0	0	0	2,558
<b>FEES COLLECTED</b>														
<b>Building Permits</b>	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	\$28,887	\$0	\$0	\$0	\$0	\$ 156,581
<b>Land Disturbing Permits</b>	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	\$8,369	\$0	\$0	\$0	\$0	\$ 25,109
<b>Zoning Permits/ Proffers</b>	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	\$2,300	\$0	\$0	\$0	\$0	\$ 17,200
<b>TOTAL FEES</b>	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	\$39,556	\$0	\$0	\$0	\$0	\$ 198,890





## TRANSACTIONS BY USER REPORT (08/01/2020 TO 08/31/2020) FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

Selected Users: Valencia Porter

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
<b>Valencia Porter</b>					
<b>BSP20:0002</b>					
INV-00002082	Boundary/Physical Survey, Easement, Correction	08/04/2020	Fee Payment	Check #1320	\$50.00
<b>BSP20:0003</b>					
INV-00002086	Boundary/Physical Survey, Easement, Correction	08/04/2020	Fee Payment	Check #6590	\$50.00
<b>MSC20:0114</b>					
INV-00002087	Sign Permit	08/04/2020	Fee Payment	Check #2330	\$155.00
<b>MSC20:0137</b>					
INV-00002133	Sign Permit	08/18/2020	Fee Payment	Check #7258	\$155.00
<b>SDP20:0005</b>					
INV-00002094	Site Plan Review: Major Plan	08/05/2020	Fee Payment	Check #1023	\$1,100.00
<b>SDP20:0007</b>					
INV-00002108	Site Plan Review: Major Plan	08/13/2020	Fee Payment	Check #4916	\$1,100.00
<b>SUB20:0026</b>					
INV-00002091	Subdivision: GIS Fee (per lot)	08/04/2020	Fee Payment	Check #15125	\$50.00
		08/04/2020	Fee Payment	Check #15125	\$50.00
	Subdivision: Minor	08/04/2020	Fee Payment	Check #15125	\$500.00
<b>SUB20:0027</b>					
INV-00002111	Boundary Adjustment	08/18/2020	Fee Payment	Check #3052	\$100.00
<b>SUP20:0001</b>					
INV-00002089	Mailing Cost, per APO > 15	08/04/2020	Fee Payment	Check #15126	\$40.00
	Special Use Permit	08/04/2020	Fee Payment	Check #15126	\$800.00
INV-00002090	Sign Deposit for Public Hearing	08/04/2020	Fee Payment	Check #15127	\$90.00
<b>VALENCIA PORTER</b>				<b>TOTAL CHECK:</b>	<b>\$4,240.00</b>
				<b>NET TOTAL:</b>	<b>\$4,240.00</b>
<b>GRAND TOTALS</b>				<b>TOTAL CHECK:</b>	<b>\$4,240.00</b>
				<b>NET TOTAL:</b>	<b>\$4,240.00</b>

**FLUVANNA COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES  
Morris Room  
August 11, 2020  
7:00 pm Regular Meeting (Virtual)**

**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)*

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

At 7:00 pm, Chair 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:**

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.

**PUBLIC COMMENTS # 1:**

At 7:04 pm, Chairman Bibb opened the first round of Public Comments.

With no one else coming forward wishing to speak, Chairman Bibb closed the Public Comments at 7:05 pm.

**3. MINUTES:**

<b>MOTION:</b>	<b>Planning Commission Minutes of July 14 , 2020</b>				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>		<b>Motion</b>		<b>Seconded</b>	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Approved</b>				

**4. PUBLIC HEARINGS:**

Chairman Bibb stated that the developer has requested for a deferral until the next meeting in September. We would have to vote on whether or not to accept the deferral.

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

- Request to rezone Tax Map 9, Section 14, Parcels 1, 2, 3, 4, 5 and 6 from A-1, Agricultural, General to R-3, Residential, Planned Community
- Palmyra Election District
- Rivanna Community Planning Area Expansion of Village Oaks (Phase 4) with 35 lots for SFA dwellings

<b>MOTION:</b>	I move that the Planning Commission defer 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. Deferred until September 08, 2020 meeting.				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>			<b>Seconded</b>	<b>Motion</b>	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Deferred</b>				

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

Chairman Bibb stated that since ZMP 20:01 was deferred, it’s no reason to go ahead and act on ZMP 20:02. This is the section that has the error in it. So we can just defer both projects.

Fluvanna County Attorney, Mr. Payne stated that this is a companion application to the first one, and they should be heard together.

<b>MOTION:</b>	I move that the Planning Commission recommend defer ZMP 20:02, an ordinance to amend proffers associated with ZMP 20:02 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				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>			<b>Seconded</b>	<b>Motion</b>	
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Deferred</b>				

Chairman Bibb stated that if anyone has any comments for these two applications, that we are asking you to hold them until our September 8, 2020 Planning Commission meeting.

**5. PRESENTATIONS:**

None

**6. SITE DEVELOPMENT PLANS:**

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

- Request for sketch plan approval to construct a salvage and scrap yard with respect to 90.17 acres of Tax Map 4, Section A, Parcel 27A.
- Parcel is zoned I-2 and is located within a Rural Residential Planning Area;
- Special Use Permit SUP 18:01 approved for this property by the Board of Supervisors on March 28, 2018.

After a brief discussion between the Planning Commission, applicants, and Planning Staff, the Planning Commission recommended to defer this to the next Planning Commission meeting on September 8, 2020 due to concerns with the sketch plan. The Planning staff agreed to help the applicants on what is required of the sketch plan.

<b>MOTION:</b>	I move to 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.				
<b>MEMBER:</b>	Bibb (Chair)	Zimmer (Vice Chair)	Johnson	Murray-Key	Lagomarsino
<b>ACTION:</b>		<b>Motion</b>			<b>Seconded</b>
<b>VOTE:</b>	Yes	Yes	Yes	Yes	Yes
<b>RESULT:</b>	<b>5-0 Deferred</b>				

**7. SUBDIVISIONS:**

None

**8. UNFINISHED BUSINESS:**

None

**9. NEW BUSINESS:**

None

**10. PUBLIC COMMENTS # 2:**

At 7:32 pm, Chairman Bibb opened the second round of Public Comments. With no one coming forward to speak, Chairman Bibb closed the Public Comments at 7:33 pm.

**11. ADJOURN:**

Chairman Bibb adjourned the Planning Commission meeting of August 11, 2020 at 7:33 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:** SDP 20:03  
**Tax Map:** 4, Section A, Parcel 27A

**From:** Brad Robinson  
**District:** Palmyra  
**Date:** September 8, 2020

**General Information:** This item is scheduled to be heard by the Planning Commission on Tuesday, September 8, 2020 at 7:00 p.m. at the Fluvanna County Library.

**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)

### **Planning Commission: August 11, 2020**

The Planning Commission previously reviewed this request at the meeting on August 11, 2020. The request was deferred by a vote of 5-0 due to concerns regarding legibility of the sketch plan and compliance with the special use permit conditions. The project engineer has updated the sketch plan since the meeting to address staff concerns.

### **Conclusion:**

The revised sketch plan appears to meet the sketch plan requirements of Section 22-23-8.A of the Fluvanna County Zoning Ordinance. Prior to final approval, a site development plan that meets the requirements of 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](mailto:mbreitmayer@uscd.com)

Owner: Amber Hill LLC via email to [88partstar@gmail.com](mailto: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:
E911 Address:
Phone: Fax:
Email:

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application. SEE ATTACHED LETTER
Is property in Agricultural Forestal District? [X] No [ ] Yes
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
Applicant Name (Please Print)
[Signature] 3/17/2020
Applicant Signature and Date

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
			<b>SUB TOTAL</b>	<b>\$150.00</b>
			<b>TOTAL</b>	<b>\$150.00</b>



*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](mailto:mbreitmayer@uscd.com) 314-446-5187) or Scott Haley ([shaley@uscd.com](mailto:shaley@uscd.com) 314-609-5275)

Sincerely,

  
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

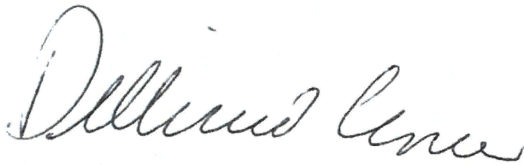
RE: Fluvanna Co. Special Use Permit Application

To Whom It May Concern:

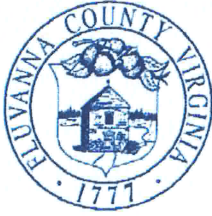
Amber Hill, LLC, the Owner of property commonly referred to as 295 Memory Lane, hereby acknowledge and consent for KP Development (as Developer) and New Development, LLC (as Contract Purchaser) to communicate and submit all required information as necessary in obtaining zoning, special use permit, and 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](http://www.fluvannacounty.org)

March 29, 2018

Delivered via email to [shaley@kpstl.com](mailto: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](mailto:brobinson@fluvannacounty.org).

Sincerely,



Brad Robison  
Senior Planner

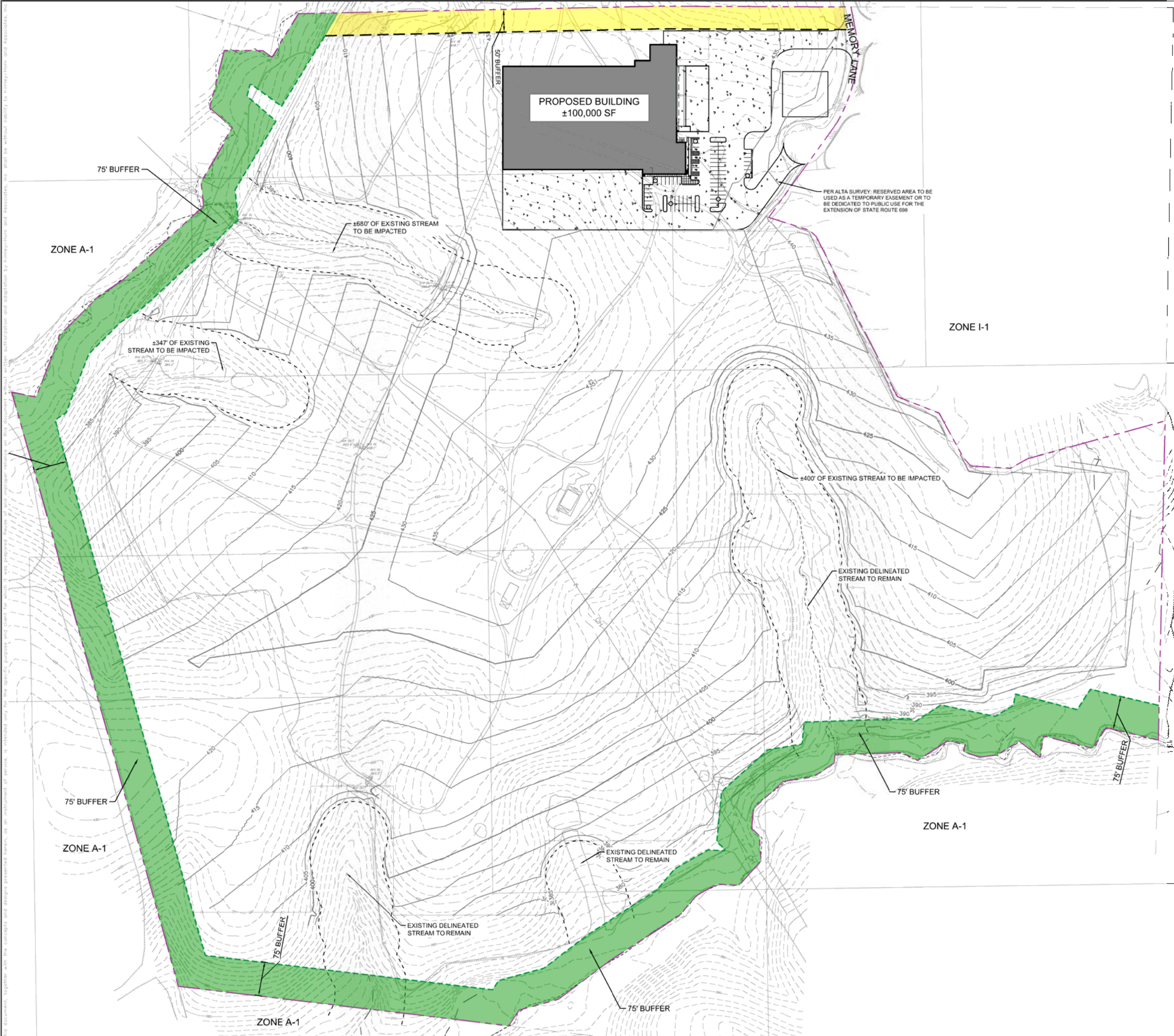
Copy: File

Ross Stevens, Kimley-Horn – [Ross.Stevens@kimley-horn.com](mailto:Ross.Stevens@kimley-horn.com)  
Dillard Cosner, Amber Hill LLC – [88partstar@gmail.com](mailto:88partstar@gmail.com)









PRELIMINARY ZONING INFORMATION	
ZONING DISTRICT: A-1 (GENERAL AGRICULTURAL) PROPOSED: I-2 (GENERAL INDUSTRIAL) WITH SPECIAL USE PERMIT	
PARCEL AREA: 87.50 ± AC	
ITEMS	CODE REQUIREMENTS
BUILDING HEIGHT	70'
COVERAGE	60% OF LOT
SETBACK	200' FROM ANY STREET RIGHT-OF-WAY
SETBACK (SIDE)	50' EXCEPT WHEN ADJOINING I-1 OR I-2 DISTRICTS
SETBACK (REAR)	0'
PE STRIP (STREET)	5'
PE BUFFER (PARKING)	25'
PE BUFFER (NEXT TO)	50' (75' PROVIDED)
PARKING	1 SPACE/2 EMPLOYEES DURING LARGEST SHIFT + 1 SPACE/250 SF OF AREA OPEN TO PUBLIC 23 SPACES (45 EMPLOYEES) = 28 SPACES (6,855 SF) = 51 SPACES  *ADDITIONAL PARKING SPACES, UP TO 40% OF THE SPACES REQUIRED, MAY BE ADDED WITHOUT THE APPROVAL OF PLANNING COMMISSION
ACCESSIBLE PARKING	5
PARKING DIMENSIONS	9' X 18' OR 10' X 18'
ISLANDS	1 ISLAND/20 PARKING SPACES IN A ROW; MINIMUM 10' WIDTH, 200 SF OF PLANTING AREA

**PROPERTY SITE PLAN NOTES:**

THIS PLAN IS PRELIMINARY IN NATURE AND THEREFORE DOES NOT GUARANTEE THAT THE REQUIREMENTS FOR ZONING, STORM DRAINAGE, GRADING, UTILITY EASEMENTS, AND OTHER CONDITIONS ARE PROPERLY ADDRESSED AT THIS TIME. THE ABOVE REQUIREMENTS CAN BE VERIFIED BY THE ARCHITECT, LANDLORD, OR GOVERNMENTAL AGENCIES. FURTHER REVIEW AND REVISIONS AS PART OF THE DUE DILIGENCE EVALUATION WILL BE NECESSARY AND MAY BE REQUIRED.

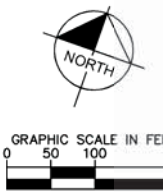
ISLANDS AND RATIOS ARE PRELIMINARY.

REQUIREMENTS ASSUMED WITH THIS LAYOUT ARE SUBJECT TO CHANGE AS MAY BE REQUIRED BY THE ARCHITECT, LANDLORD, OR GOVERNMENTAL AGENCIES. FURTHER REVIEW AND REVISIONS AS PART OF THE DUE DILIGENCE EVALUATION WILL BE NECESSARY AND MAY BE REQUIRED.

THIS LAYOUT IS PRELIMINARY. FURTHER INVESTIGATION IS REQUIRED. THE ABOVE REQUIREMENTS CAN BE VERIFIED BY THE ARCHITECT, LANDLORD, OR GOVERNMENTAL AGENCIES. FURTHER REVIEW AND REVISIONS AS PART OF THE DUE DILIGENCE EVALUATION WILL BE NECESSARY AND MAY BE REQUIRED.

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

SKETCH PLAN LEGEND	
	75' BUFFER
	50' BUFFER
	BUILDING
	PROPERTY LINE
	POTENTIAL VEHICLE STORAGE



KIMLEY-HORN PROJECT		KIMLEY-HORN PROJECT		KIMLEY-HORN PROJECT		KIMLEY-HORN PROJECT		KIMLEY-HORN PROJECT		KIMLEY-HORN PROJECT	
110538000		DATE		SCALE		DESIGNED BY		DRAWN BY		CHECKED BY	
08/28/2020		AS SHOWN		WDW		WDW		RSS		RSS	
<p><b>NOT FOR CONSTRUCTION</b></p> <p>SITE SKETCH PLAN</p>						<p>KIMLEY-HORN PROJECT</p> <p>© 2017 KIMLEY-HORN AND ASSOCIATES, INC.</p> <p>11400 COMMERCE PARK DRIVE, SUITE 400, RESTON, VA 20191</p> <p>PHONE: 703-674-1300 FAX: 703-674-1350</p> <p>WWW.KIMLEY-HORN.COM</p>					
						<p>LKQ FLUVANNA</p> <p>PREPARED FOR LKQ</p> <p>FLUVANNA COUNTY VIRGINIA</p>					
SHEET NUMBER SP-1						REVISIONS					
DATE						BY					



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.*

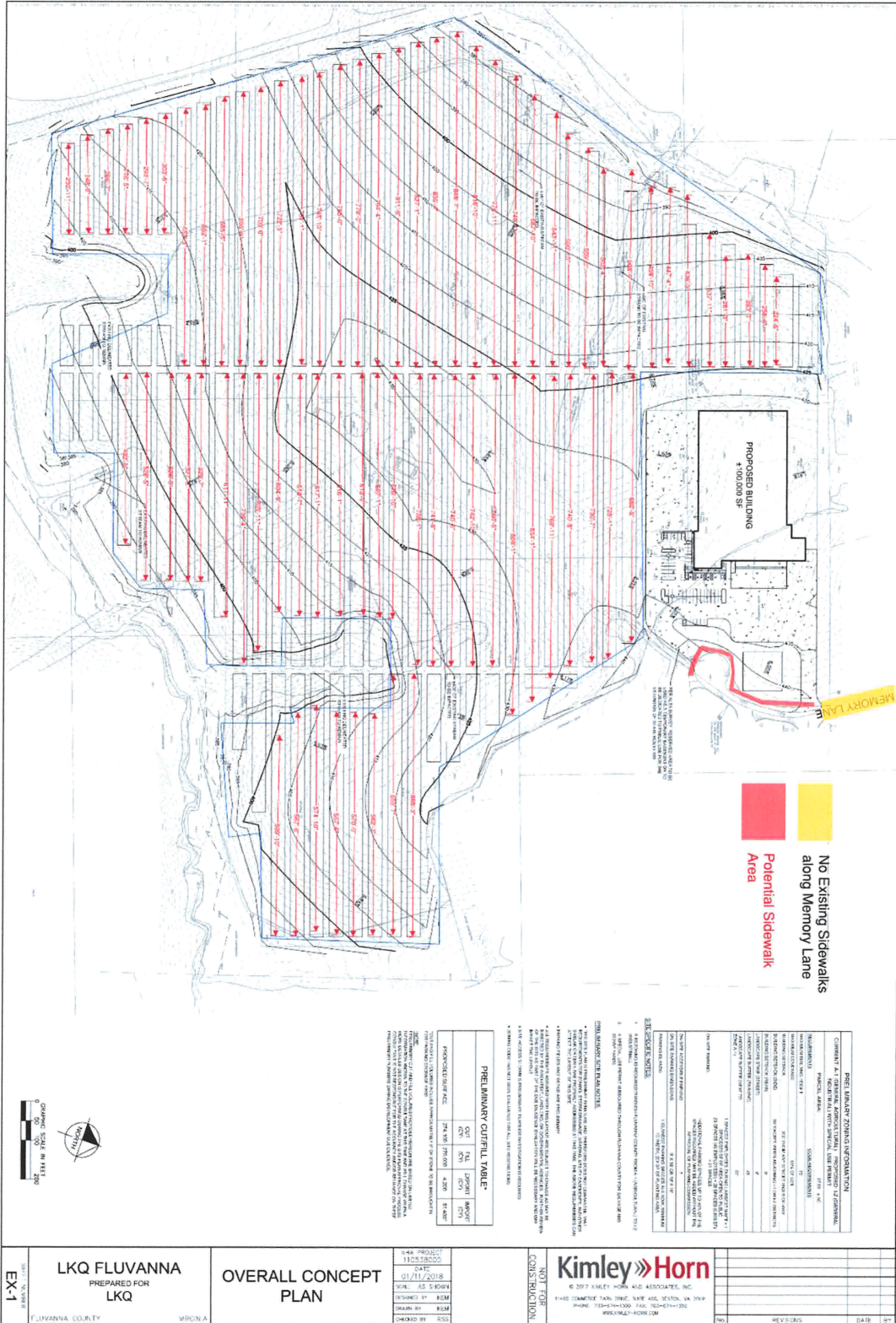
*An exhibit showing the current condition of Memory Lane and potential sidewalk location is included as Exhibit A.*

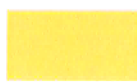
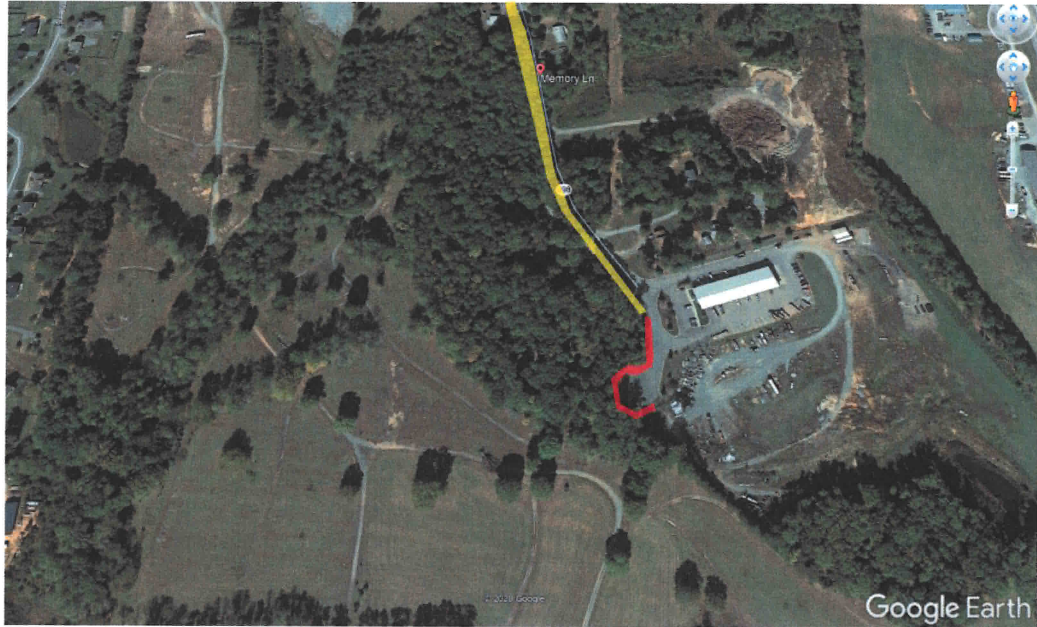
Sincerely,

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

**Scott Haley**  
US Capital Development

Exhibit A





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](http://www.fluvannacounty.org)

April 10, 2020

Delivered via email to [shaley@uscd.com](mailto: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](mailto:mbreitmayer@uscd.com)  
Dillard Cosner, Owner via email – [88partstar@gmail.com](mailto:88partstar@gmail.com)



---

# 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](mailto: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](mailto:brobinson@fluvannacounty.org).

Sincerely,



Brad Robinson  
Senior Planner

Copy: File

Ross Stevens, Kimley-Horn – [Ross.Stevens@kimley-horn.com](mailto:Ross.Stevens@kimley-horn.com)  
Dillard Cosner, Amber Hill LLC – [88partstar@gmail.com](mailto:88partstar@gmail.com)

Memorandum of Settlement

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

This agreement, made this 4<sup>th</sup> 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. <sup>KGW WNW</sup> There shall be periodic monitoring on a quarterly basis by DEQ with soil and <sup>from the creek</sup> water samples taken by a 3<sup>rd</sup> 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



---

# 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:** AFD 20:01  
**Tax Map:** 44, Section A, Parcel 32

**From:** Brad Robinson  
**District:** Columbia  
**Date:** September 8, 2020

**General Information:** This item is scheduled to be heard by the Planning Commission on Tuesday, September 8, 2020 at 7:00 p.m. at the Fluvanna County Library.

**Applicant/Owner:** Tara Colley Hourihan

**Requested Action:** Request to withdraw Tax Map Parcel 44-A-32, totaling 44.08 acres, from the Stage Junction Agricultural and Forestal District. (Attachment A)

**Location:** The subject property is located on the south side of Carys Creek Road (Route 672) approximately 1.1 miles west of the intersection with James Madison Highway (U.S. Route 15). (Attachment B)

**Existing Zoning:** A-1, Agricultural, General

**Existing Land Use:** Vacant/wooded

**Adjacent Land Uses:** Adjacent properties are zoned A-1.

**Comprehensive Plan:** Rural Preservation Planning Area

**Zoning History:** None

### **Fiscal Implications:**

The application fee has been paid by the applicant. If the proposed withdrawal is approved, the property could potentially be subdivided into additional residential lots. Residential development typically costs more in terms of the provision of public services than the revenue it generates through the fees to develop the land and tax revenues.

### **Policy Implications:**

This application was referred to the Agricultural and Forestal District Advisory Committee in accordance with Section 3.1-13 of the County Code. The advisory committee made a

recommendation to the Planning Commission who must hold a public hearing and then report its recommendations to the governing body. The governing body must then hold a public hearing after receiving after receiving the report of the planning commission and the advisory committee.

A landowner seeking to withdraw land from a district, if denied favorable action by the governing body, shall have an immediate right of appeal de novo to the circuit court serving the territory wherein the district is located.

### **Staff Analysis:**

The purpose of Agricultural and Forestal Districts, as outlined in the Virginia Agricultural and Forestal District Act (Virginia Code), is “...to conserve and protect and to encourage the development and improvement of the Commonwealth’s agricultural and forestal lands for the production of food and other agricultural and forestal products...and to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open space for clear air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes.”

When evaluating proposed withdrawals from Agricultural and Forestal Districts, the County Code states that any owner of land lying within such a district may file with the County a written request to withdraw all or part of his land from the district for good and reasonable cause. The Fluvanna County Agricultural and Forestal District Brochure specifically addresses petitions for withdrawals and stipulates criteria for such requests. These criteria should be evaluated by the Agricultural and Forestal District Advisory Committee and the Planning Commission prior to making any recommendations. The criteria are as follows:

1. *The proposed new land use will not have an adverse effect upon farming or forestry operations in the remaining portion of the district.*

The applicant has indicated an intent to subdivide the property and create a new two-acre lot for sale. The proposed buyer is not eligible for family subdivision and the applicant does not want to subdivide off 22 acres which is the minimum lot size required for all other divisions of land in an AFD. As a result, the applicant has requested removal from the district. Both agriculture and single-family residential uses are permitted by right in the A-1 zoning district, therefore the proposed lot is not expected to have an adverse impact upon farming or forestry operations in the remainder of this district.

2. *The proposed new land use is in compliance with the most recently approved Comprehensive Plan.*

The Stage Junction AFD lies within a Rural Preservation Planning Area. In accordance with the 2015 Comprehensive Plan, “the rural preservation areas are intended to be the least developed areas of the county. Large parks, agricultural and forestal districts, working farms, and passive open spaces should comprise most of the land use, with very low-density residential development.” In that respect, removing land from an AFD could result in an increase in development in this area. However, only one lot is proposed at this

time and the A-1 District does not permit major subdivisions aside from the rural cluster development option.

- 3. The proposed land use is consistent with the public interest of the County and not solely to benefit the proprietary interests of the landowner requesting withdrawal.*

The proposed withdrawal would primarily benefit the proprietary interests of the landowner. However, the landowner has experienced unfortunate circumstances leading to the need for the withdrawal. Examples of withdrawals from other localities that would be in the public's best interest include public safety concerns (construction of a rescue squad) and new roads (a bypass that would result in the demolition of houses had it not gone through the AFD instead). In both of these instances, the withdrawal did not solely benefit the proprietary interests of the landowner requesting withdrawal.

- 4. The proposed land use was not anticipated by the landowner at the time the property was placed in the district, and there has been a change in conditions or circumstances since that time.*

The applicant inherited the subject property from her parents and was unaware it was enrolled in an AFD. The property was still in the name of the applicant's deceased father, Charles R. Colley, at the time renewal notices were mailed to all owners in this District in March 2020. The applicant stated she did not receive the renewal notice and did not respond; consequently, the parcel remained in the district by default. Therefore, the applicant is following the required process of formally requesting to have Tax Map Parcel 44-A-32 removed from the Stage Junction AFD. The applicant was not entitled to withdrawal from the District because more than two years have passed since the death of the property owner.

Removal of this parcel would reduce the total acreage of the Stage Junction AFD from 707.273 acres to 663.193 acres which still complies with the minimum size requirement for an AFD. Remaining parcels appear they will also be located within one mile of the boundary of the core as required.

#### **Agricultural and Forestal District Committee Recommendation:**

The Agricultural and Forestal District Advisory Committee reviewed this application at their meeting on August 18, 2020. The Committee recommended that only two acres be removed from the district by a vote of 6-0, with a condition that the proposed two-acre parcel be identified for the Planning Commission. Attachment F was provided to staff in response to the Committee's request (a professional drawing/exhibit prepared by a surveyor was requested by staff).

#### **Suggested Motion:**

I move to recommend [approval/denial] of the proposed withdrawal of Tax Map Parcel 44-A-32 totaling 44.08 acres from the Stage Junction Agricultural and Forestal District.

**Attachments:**

- A – Application & APO Letter
- B – Aerial Map
- C – Map of Stage Junction Ag/For District
- D – Table of Stage Junction Ag/For District Parcels
- E – Resolution 17-2020
- F – Proposed Subdivision Exhibit

Copy:

Applicant/Owner: Tara Colley Hourihan, 18 Shannon Hill Road, Columbia, VA 23038  
File

RECEIVED



Application for the Creation of or Addition to an  
**AGRICULTURAL/FORESTAL DISTRICT**  
 Fluvanna County  
 Planning Dept

<b>FEES payable with application:</b>	<b>Establishment of a new district = \$500.00</b>
	<b>Additions and reviews to existing districts = \$500.00</b>
	<b>Withdrawal from district = \$500.00</b>

A copy of this completed form and required maps shall be submitted by the applicant landowner(s) to the Planning and Zoning Department. This form shall be accompanied by:

- 1 - United States Geological Survey 7.5 minute topographic maps that clearly show the boundaries of the district or addition and boundaries of the property each applicant owns within the district or addition and
- 2 - A Department of Transportation general highway map for the locality that shows the general location of the district or addition
- 3 - Fluvanna County Land Map(s) showing the parcels or boundaries within the parcels included in the district.

Name of Existing or Proposed Agricultural/Forestal District: Stage Junction  
 General Location of the District: Corner of Shannon Hill & Stage Junction RD  
 Total Acreage in the District or Addition: 44 - (to break off 2 for sale)

Name	Address current legal address	Total Acreage owned in the District or Addition	Land Book Reference Tax Map/Parcel Number
TARA Colley Haurittan	18 Shannon Hill RD	Columbia Va.	23038
formerly owned by: CHARLES R Colley + Laura Colley			
both Deceased. Land transferred to TARA's name			
5/2020			

OFFICE USE ONLY  
 \$500.00 Fee: Date Received: 7-13-2020 Check# 3115096 AFD: 20.001 AFD Name: Tara Haurittan  
 Submitted to Board of Supervisors: \_\_\_\_\_ Referred to Planning Commission: \_\_\_\_\_  
 Referred to Advisory Committee: \_\_\_\_\_ Planning Commission Public Hearing Date: \_\_\_\_\_  
 Board of Supervisors Public Hearing Date: \_\_\_\_\_ Election District: Columbia

**Approved:** \_\_\_\_\_ **Modified:** \_\_\_\_\_ **Rejected:** \_\_\_\_\_



**WITHDRAWAL FROM A DISTRICT:****RECEIVED**

JUL 13 2020

Fluvanna County  
Planning Dept**By-right Withdrawal:**

1. A property owner may withdraw by written notice at any time before the Board of Supervisors act on the application.
2. A property owner may withdraw by written notice during the time of review.
3. Upon the death of a property owner, any heir or devisee of an owner of land within the district may withdraw such land upon inheritance by written notice within two years of the date of death of the owner. Such a withdrawal, regardless of the acreage or location of the parcel, has no effect on the continuation of the district until the following review time.
4. No fee is require for a by-right withdrawal.

**Petition for Withdrawal:**

1. Withdrawal from an established district may be permitted by the Board of Supervisors for "good and reasonable cause shown".
2. The property owner requesting withdrawal must make application to the Board of Supervisors and submit a fee of \$100.
3. Any petition to withdraw property from a district must meet the following criteria:
  - a. The proposed new land use will not have an adverse effect upon farming or forestry operations in the remaining portion of the district.
  - b. The proposed new land use is in compliance with the most recently approved Comprehensive Plan.
  - c. The proposed land use is consistent with the public interest of the County and not solely to serve the proprietary interests of the landowner requesting withdrawal.
  - d. The proposed land use was not anticipated by the landowner at the time the property was placed in the district, and there has been a change in conditions or circumstances since that time.
4. Such petition for withdrawal is referred to the Advisory Committee for recommendation to the Planning Commission.
5. The Planning Commission holds a public hearing and makes a recommendation to the Board of Supervisors.
6. The Board of Supervisors holds a public hearing and makes a determination.
7. If denied favorable action, the applicant may appeal the Board's decision to the Circuit Court.

parents deceased  
 life changes (Rob)  
 no family -  
 daughter college

RECEIVED

JUL 13 2020

Floyd County Planning Dept

Please read below the Proposed Conditions to Creation of the District Pursuant to Section 15.2-4309 of the Code of Virginia

Conditions to Creation of the District

As a condition to creation of the district, no parcel within the district shall be developed to a use more intensive than that existing on the date of creation of the district, other than uses resulting in more intensive agricultural or forestal production, without the prior approval of the Board of Supervisors.

Except as provided below, a parcel shall be deemed to be developed to a more intensive use if: The proposed development would remove any portion of a parcel from agricultural or forestal production; or the proposed development would increase the population density of the level of activity on the parcel including, but no limited to, the rental of more than one dwelling unit on the parcel.

A parcel shall not be deemed to be developed to a more intensive use if: The proposed development is permitted by right in the Agricultural General (A-1) zoning district; the proposed development is permitted by special use permit in the A-1 zoning district and the Board of Supervisors, in considering the application for a Special Use Permit, determines that the development allowed by the permit is consistent with the purposes of this chapter; the proposed development is the proposed division of the parcel by subdivision and the minimum lot size of such division is twenty-two (22) acres or grater; the proposed development is the proposed division of the parcel by family division; or the proposed development is the occupation of dwelling units on the parcel by members of the immediate family of any of the owners of such parcel or by bona fide farm employees, together with their respective families, if any.

Current agricultural or forestal use of the property: 18 Shannon Hill Rd (8 Shannon Hill Rd)
Total number of existing dwellings including rental units: 1 House (living in) 1 old homeplace 1 Garage
The Proposed period before the First Review (select 4 to 10 years):
Contact Person for District:

Owner/Applicant Must Read and Sign

We the undersigned landowners have read the information and conditions on this page and request the property described above be designated an Agricultural/Forestal District.

Signature: [Handwritten Signature] Witness: [Handwritten Signature] Date: 6-22-2020

Signature \_\_\_\_\_ Witness \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Witness \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Witness \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Witness \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Witness \_\_\_\_\_ Date \_\_\_\_\_

**RECEIPT (REC-001329-2020)**  
**FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT**

**BILLING CONTACT**

Tara Hourihan  
 18 Shannon Hill Road  
 Columbia, Va 23038



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
AFD20:0001	Withdrawal from Agricultural/Forestal district	Fee Payment	Check #31115096	\$500.00
			<b>SUB TOTAL</b>	<b>\$500.00</b>
			<b>TOTAL</b>	<b>\$500.00</b>

RECEIVED

JUL 13 2020

Fluvanna County  
Planning Dept

May 27, 2020

To who it concerns,

I am writing in reference to the property located at 18 Shannon Hill Rd Columbia VA. This property is a 44 acre plot located at the corner of Shannon Hill Rd and Stage Junction Rd in Columbia. I was recently informed that my property is part of the Stage Junction Agricultural and forestry plan, something I was unaware of. This land was just transferred into my name on 5/11/2020 after the death of both my parents three and four years ago. It is to my understanding that there was a hearing for renewal on the 20<sup>th</sup> of this month, again, I was unaware of any of this. I had someone contact you on my behalf and she was informed of all of this on the 26<sup>th</sup>. (Three business days after the decision) and was told it couldn't be removed without going through the proper channels.

I want to give you some background information on myself. My husband has been missing for 9 years and although he has since been declared deceased because of the unique circumstances around his death I was unable to collect on any life insurance leaving me and my now 15 year old daughter with no emergency funds. I have no siblings so upon my parents passing that was my only family left with the exception of a handful of distant cousins. One family member that currently resides at 220 Shannon Hill Rd has sold that home and is going to build. My intention was to sell her land because I have no family near and would like to keep the near for my daughter and I however, I recently learned that I cannot do that because my land is part of a plan that I had no idea about. I would like my land removed from the Stage Junctions AFD plan so I am free to sell this land. I am counting on this money to allow me to build my savings account back up and to help my daughter Melody go to college in the near future. It is to my understanding that it can be removed if I didn't anticipate the changes that have happened. I certainly didn't know that the land is part of the plan, I didn't anticipate I would lose my husband and all remaining family within a 6 year time frame.

I am including documents that I hope will help. Please call me if you have any questions or concerns or feel free to speak to Bambi Steward Drumheller as well as she has been helping with this and will be the one to purchase the land. Her contact information is

[bambisteward0323@gmail.com](mailto:bambisteward0323@gmail.com)

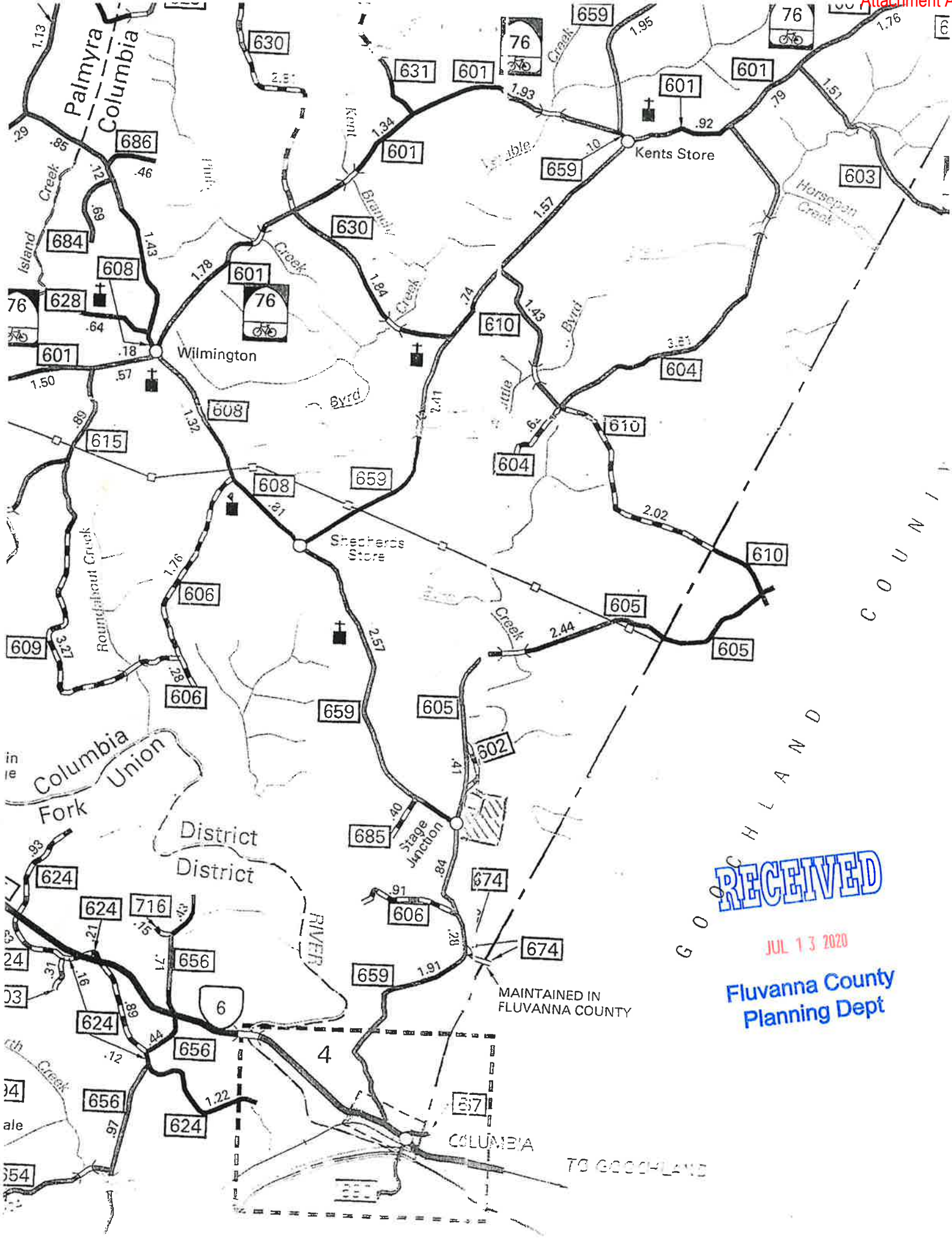
434-989-6546 cell

434-964-2001 ext 3033 work

Thank you

*Tara C Hourihan*

434-414-8352



RECEIVED

JUL 13 2020

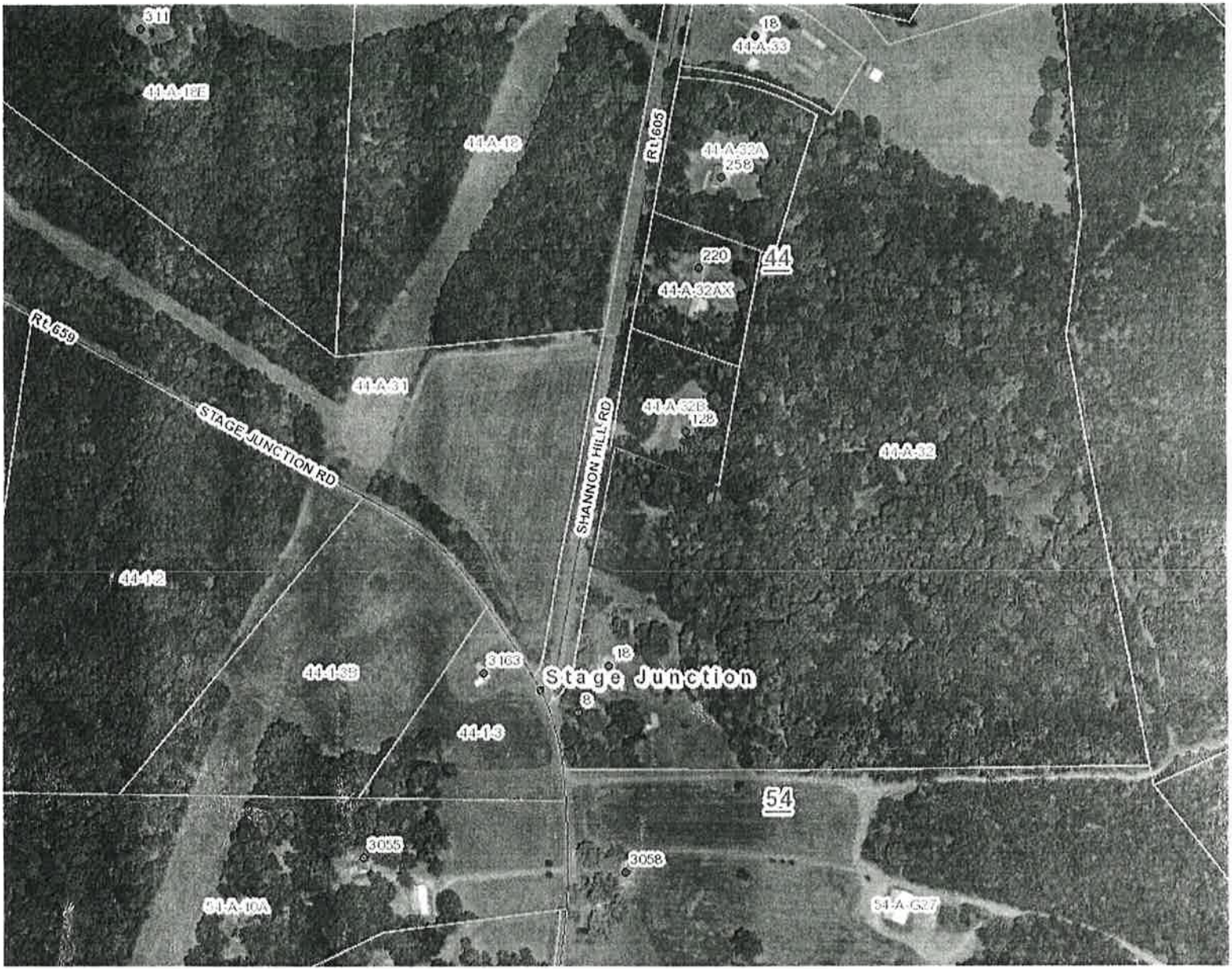
Fluvanna County  
Planning Dept

MAINTAINED IN  
FLUVANNA COUNTY

G O O C H L A N D  
C O U N T Y

COLUMBIA

TO GOOCHLAND



RECEIVED

JUL 13 2020

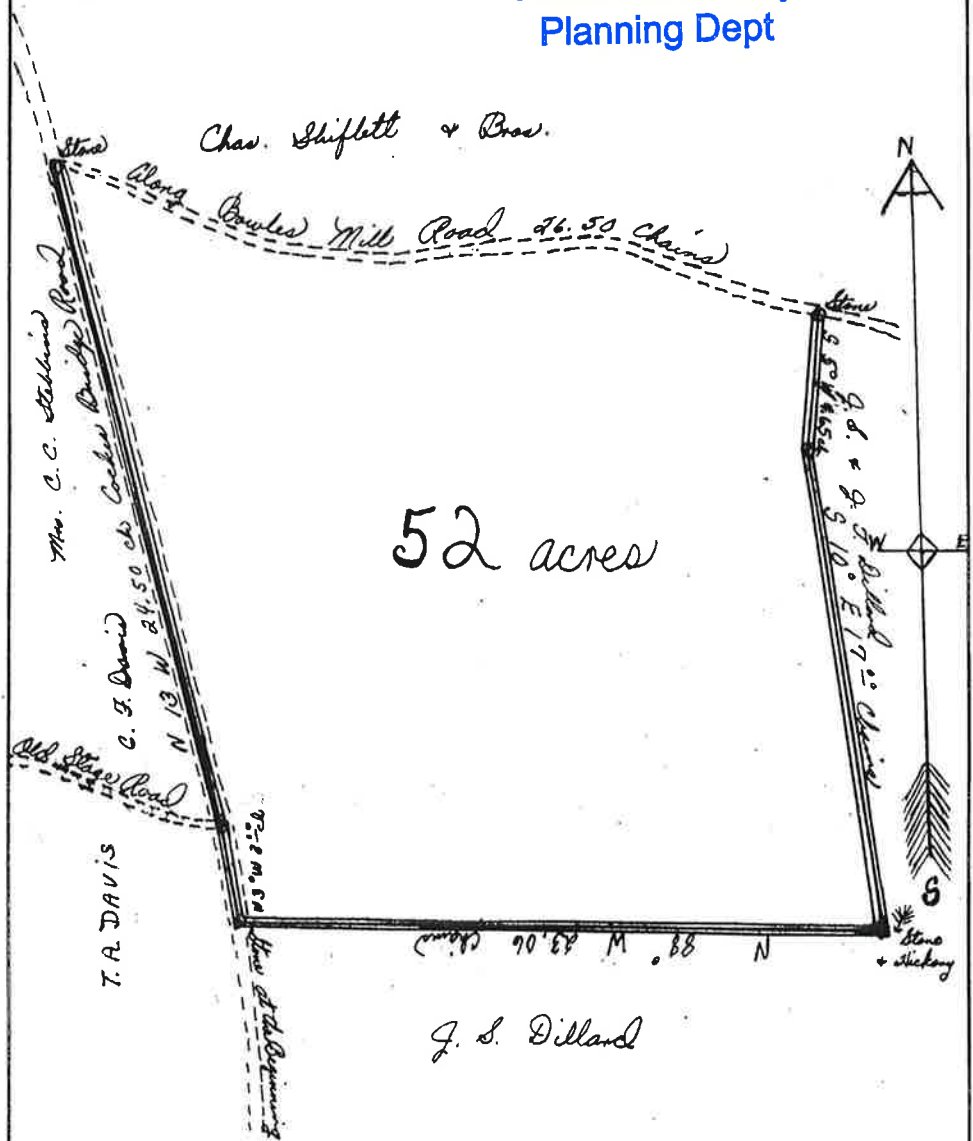
Wyanona County  
Planning Dept

RECEIVED

JUL 17 1929

Scale 4 chains to an inch  
Magnetic Variation 5° 55' W.

Fluvanna County  
Planning Dept



44-(A)-32

This is a plat of a piece of land lying in the County of Fluvanna, State of Virginia containing fifty two (52) acres and sold for delinquent taxes in the name of McRae Trustee for Hester E. & Peter Manley.

Surveyed by me at the request of J. H. Manley, Oct. 20, 1924.

C. E. WATKINS, S.F.C.

A COPY TESTE  
M. W. PERKINS, CLERK  
AUG 8-1925

VIRGINIA: In the Clerk's Office of the Circuit Court of Fluvanna County December 9, 1959.

The foregoing deed and plat were this day received in said office, and thereupon together with the certificates thereto annexed, admitted to record at 9:55 A.M.

Teste: *Richard F. Henry* Clerk.



---

# 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](http://www.fluvannacounty.org)

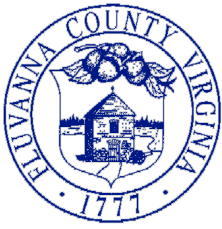
## MEMORANDUM

**Date:** August 24, 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 September 08, 2020 Planning Commission meeting.






---

# 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](http://www.fluvannacounty.org)

## NOTICE OF PUBLIC HEARING

August 24, 2020

«Name»  
 «Address»  
 «City\_State»«ZIP»  
 TMP#«PIN»

### Re: Public Hearing on AFD 20:01

Dear «Name»:

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

<b>Purpose:</b>	<b>Planning Commission Public Hearing</b>
<b>Day/Date:</b>	<b>Tuesday, September 8, 2020</b>
<b>Time:</b>	<b>7:00 PM</b>
<b>Location:</b>	<b>Fluvanna County Library, Palmyra, VA</b>

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

**AFD 20:01 Tara Colley Hourihan** – Withdrawal from Stage Junction – Request to withdraw Tax Map Parcel 44-A-32, totaling 44.08 acres, from the Stage Junction Agricultural and Forestal District. The Stage Junction Agricultural and Forestal District is located in the Columbia Election District and consists of approximately 707.273 acres.

You are welcome to attend the public hearing 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).

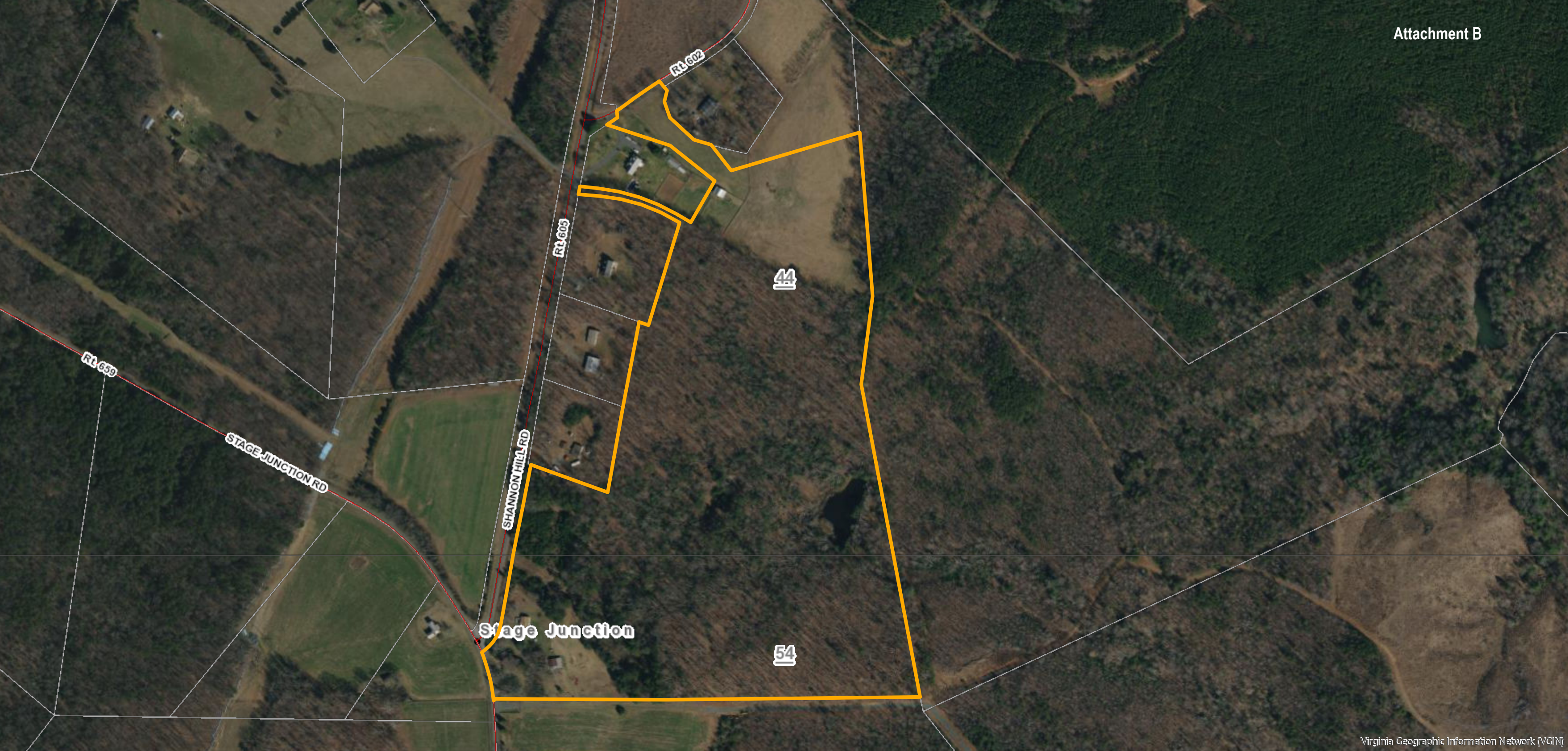
If you have any questions regarding this application or the Public Hearing, please contact me at 434-591-1910.

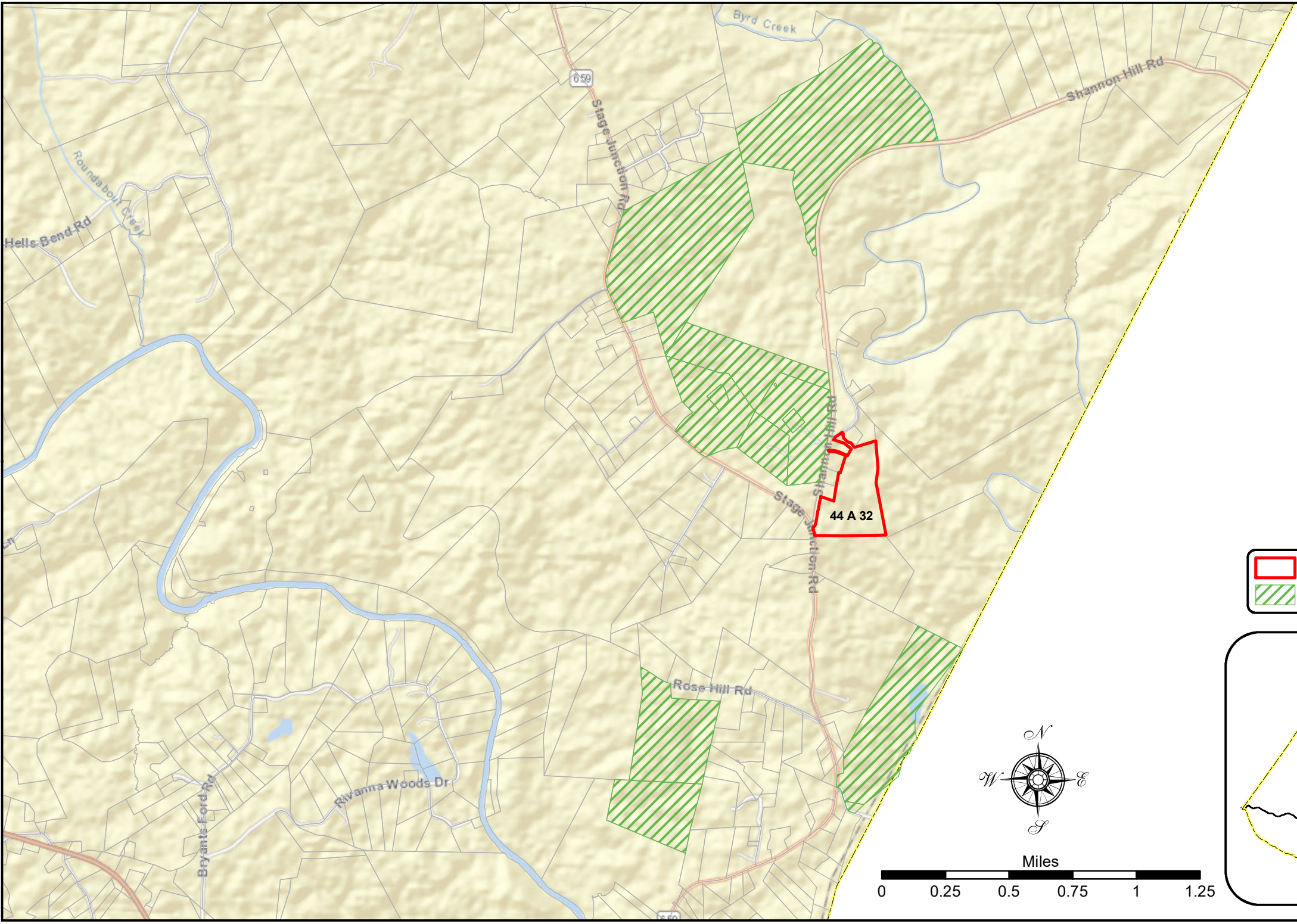
Sincerely,



*Douglas Miles*

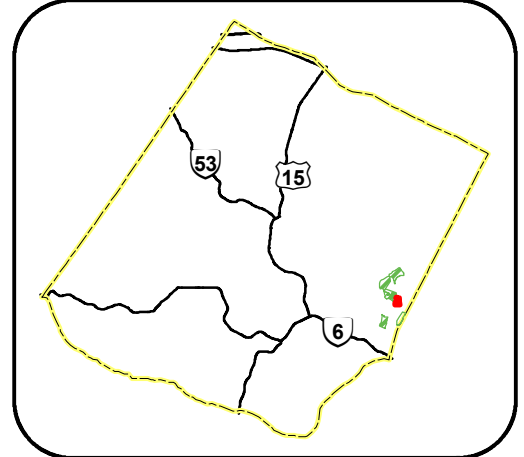
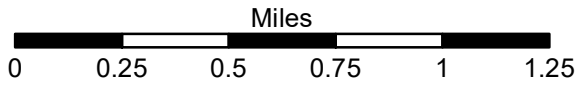
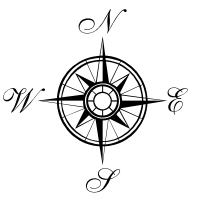
Douglas Miles, AICP, CZA  
 Community Development Director







 Subject Parcel  
 Stage Junction Ag/For District



### Stage Junction Agricultural & Forestal District

OWNER'S NAME	TAX MAP PARCEL #	ACREAGE
Branagan, Karen Loving & Loving, Thomas Joel	44 A 13	135.743
Hall, Thomas E. & Sally G.	44 A 15	176.95
Fogg, Catherine Jane G & John	44 A 18	51.113
Johnson, William L. & Patricia	44 A 18A	2.654
Gresham, Victor & Mary Ann	44 A 18B	3
Johnson, Patricia Gresham	44 A 18C	48.459
Gresham, Victor Allen	44 A 18D	48.113
Gresham, Charles Adam	44 A 18E	21
Colley, Charles R.	44 A 32	44.08
Strickland, Rotche L. & Suann L.	54 1 1	79.286
Nolting, Grace Lindsay	54 2 1	33.1
Liberty Hill Trust Eric Walker & Paul Metcalfe	54 A 23	62.506
Liberty Hill Trust Eric Walker & Paul Metcalfe	54 A 24	1.269
<b>Total</b>		<b>707.273</b>



**BOARD OF SUPERVISORS**

County of Fluvanna  
Palmyra, Virginia

**RESOLUTION No. 17-2020**

**A RESOLUTION TO AUTHORIZE RENEWAL OF THE STAGE JUNCTION AGRICULTURAL/FORESTAL DISTRICT FOR AN ADDITIONAL TEN-YEAR PERIOD TO EXPIRE JUNE 7, 2030**

At a regular meeting of the Board of Supervisors of the County of Fluvanna held in the Fluvanna County Courts Building at 7:00 p.m. on the 20th day of May 2020, at which the following members were present, the following resolution was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

**WHEREAS**, the Fluvanna County Board of Supervisors approved the creation of the Stage Junction Agricultural/Forestal District on June 7, 2000 for a ten-year period; and

**WHEREAS**, the Fluvanna County Board of Supervisors approved the renewal of the Stage Junction Agricultural/Forestal District on May 19, 2010; and

**WHEREAS**, the district will expire on June 7, 2020; and

**WHEREAS**, in accordance with Section 15.2-4311 of the Code of Virginia, the Fluvanna County Planning & Community Development Department contacted the current property owners of parcels identified in the Stage Junction Agricultural/Forestal District and advised them that the approved district would expire on June 7, 2020 and inquired whether the owners desired that the property remain in or be removed from the district.

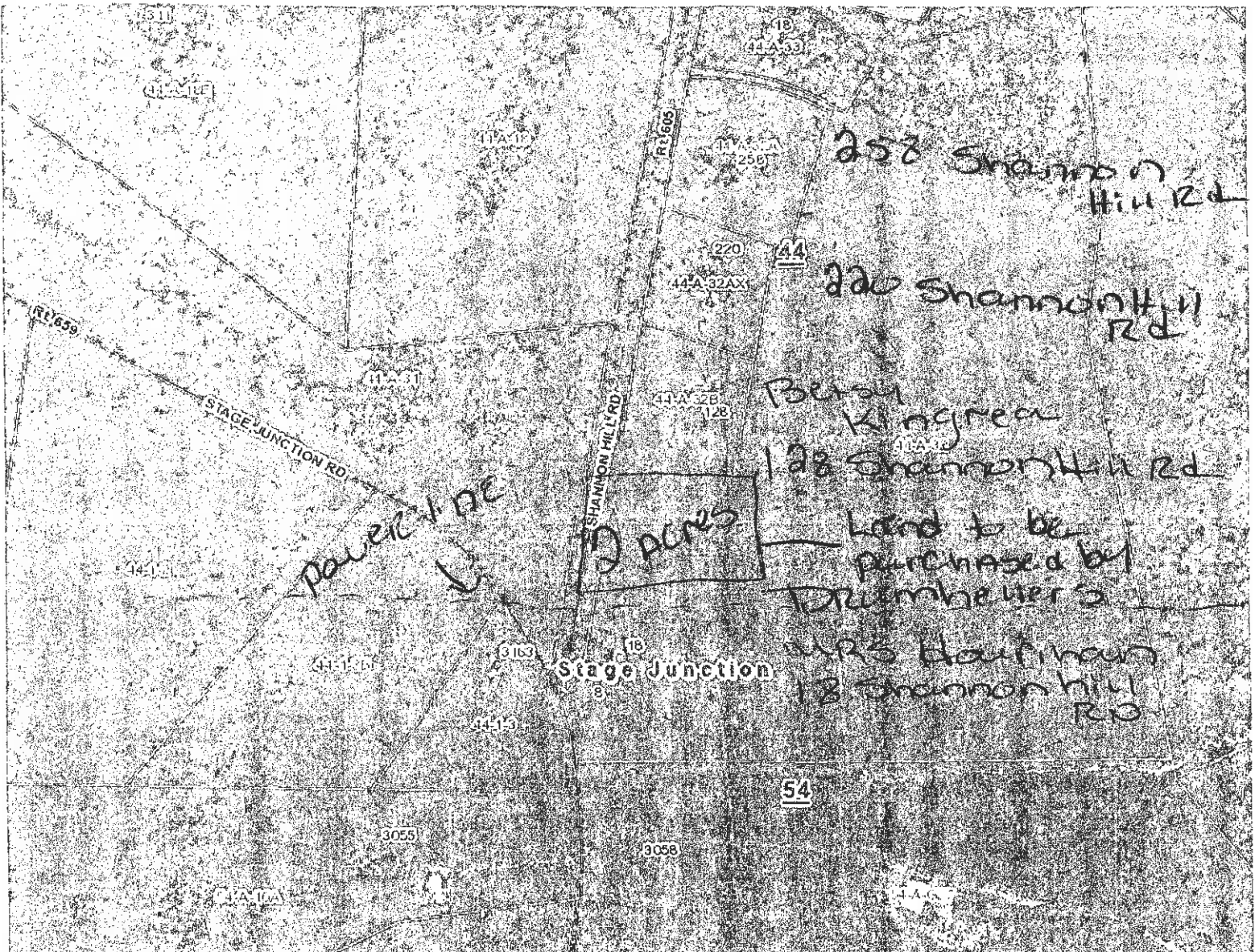
**NOW, THEREFORE BE IT RESOLVED** on this 20th day of May 2020 that the Fluvanna County Board of Supervisors hereby renews the Stage Junction Agricultural/Forestal District for an additional ten-year period to expire on June 7, 2030.

**THE FOREGOING RESOLUTION WAS DULY AND REGULARLY ADOPTED** by the Fluvanna County Board of Supervisors at the regular meeting of the Board held on the 20<sup>th</sup> day of May, 2020;

	AYE	NAY	ABSTAIN	ABSENT	MOTION	SECOND
Mozell H. Booker, Fork Union District	X					
Patricia B. Eager, Palmyra District	X					X
Anthony P. O'Brien, Rivanna District	X				X	
John M. Sheridan, Columbia District	X					
Donald W. Weaver, Cunningham District	X					

Attest:

John M. Sheridan, Chair  
Fluvanna County Board of Supervisors



power line

3 acres

258 Shannon Hill Rd

220 Shannon Hill Rd

Baron Kingrea  
128 Shannon Hill Rd

Land to be purchased by Drumheller's

Mrs Doughton  
18 Shannon Hill Rd

54

STAGE JUNCTION RD

SHANNON HILL RD

Stage Junction

511

18  
44-A-33

44-A-25B  
256

220  
44-A-32AX

44

44-A-32B  
128

44-A-3

44-151L

44-151R

6163

18

44-15

3053

3058

44-A-10A

44-A-10A



---

# 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

## PLANNING COMMISSION STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Case Number:** SUP 20:01  
**Tax Map:** Tax Map 39, Section A, Parcel 34A

**From:** Douglas Miles, AICP, CZA  
**District:** Fork Union  
**Date:** September 8, 2020

**General Information:** This Special Use Permit (SUP) request is to be heard by the Planning Commission on Tuesday, September 8, 2020 at 7:00 pm at the Fluvanna County Library.

**Applicant:** Central Virginia Electric Cooperative

**Owner:** Central Virginia Electric Cooperative

**Representative:** Massie Saunders, Jr. of Saunders' Surveys, Inc.

**Requested Action:** Request for a Special Use Permit (SUP) to construct an electrical substation (major utility) on Tax Map 39, Section A, Parcel 34A. (Attachment A)

**Location:** The subject property is located on the south side of West River Road (Route 6), approximately 0.5 miles west of the intersection with Rolling Road South (State Route 620). The parcel is within the Rural Residential Planning Area and the Fork Union Election District.

**Existing Zoning:** A-1, General Agricultural Zoning District (Attachment B)

**Existing Land Use:** Vacant (Attachment C)

**Planning Area:** Rural Residential Planning Area

**Adjacent Land Use:** The adjacent properties are all zoned A-1 and they are farm tracts or have single-family dwellings or are vacant parcels.



### **Neighborhood Meeting:**

A virtual neighborhood meeting was held on Wednesday, August 26, 2020. There were four (4) CVEC staff members and the applicant's representative, Massie Saunders, Jr. on the phone call. There were no callers from the general public on the phone call. However, Mr. Miles discussed with the CVEC staff members and their representative the need to screen the proposed land use.

The Evergreen Screening Option under Section 22-24-7 (B) (1) has been selected that includes: *Two (2) rows of evergreen trees shall be planted ten (10) feet on center and staggered within a planting strip that is twenty-five (25) feet wide.* Note: Evergreen trees will not be planted in the transmission right-of-way area but existing trees will be maintained, where possible, on the site.

### **Comprehensive Plan:**

#### **Land Use:**

The Comprehensive Plan designates this property as within the Rural Residential Planning Area. The 2015 Plan states: *Rural residential areas are linked to the rural cluster community element and generally surround the six community planning areas. Rural residential areas conserve open space by clustering development or developing on larger lots. Projects should achieve the goal of preserving as much open space, and thus rural character, as possible.* CVEC has maintained a rural residential atmosphere in the general vicinity with their current electrical substation located north of Route 6 and they plan to do the same on the subject property with this SUP case request.

#### **Analysis:**

This is a special use permit request for a new electrical substation site to be operated by the Central Virginia Electric Cooperative, also known as CVEC. The new substation is needed since their existing substation on the north side of Route 6 is at capacity and they need additional space for the proposed Firefly broadband fiber hut. Electrical substations are used to increase the electrical voltage from the generating plant and to reduce transmission losses over long distances.

The proposed land use is classified as a Major Utility and is defined in the Zoning Ordinance as:

*Utility, major: Facilities for the distribution, collection, treatment, production, transmission and generation of public, private and central utilities including, but not limited to, transmission lines, production plants, electrical substations, pumping stations, treatment facilities, information and communication facilities.*

Major utilities are permitted by SUP in the A-1 Zoning District and are subject to an approved site development plan. The applicant's representative has provided the concept plan details that are sufficient to move forward beyond a Sketch Plan to submit a Site Development Plan for the proposed electrical substation and associated equipment, provided this SUP request is approved.

When evaluating proposed land uses through a Special Use Permit, in addition to analyzing any potential adverse impacts of the proposed use, planning staff utilizes two (2) general guidelines for evaluation as set forth in the Zoning Ordinance:

**First, the proposed use should not change the character and established pattern of the area or community.**

The surrounding area contains an existing CVEC electrical substation on the north side of Route 6, the west side of the property adjoins Dominion Energy's high-tension transmission lines and the south and east sides adjoin the Davis farm. The existing trees and shrubs will be maintained on site, where possible, and additional evergreen trees will be planted on site in order to screen the proposed use from surrounding properties and from the public right-of-way as required by the Zoning Ordinance.

**Second, the proposed use should be compatible with the uses permitted by-right in that zoning district and shall not adversely affect the use or the value of neighboring properties.**

Major utilities are allowed by SUP in the A-1 Zoning District and by-right uses that are similar in operation to this request, include minor utilities that are also defined in the Zoning Ordinance as:

*Utility, minor: Facilities for the distribution and collection of public, private and central utilities including poles, lines, transformers, pipes, meters, information and communication distribution lines.*

Section 22-1-2 of the Zoning Ordinance states that *its purpose is to promote the health, safety or general welfare of the public as well as to facilitate the creation of a convenient, attractive and harmonious community.* Planning staff has worked with the applicant to have the proposed use to comply with all requirements of the Zoning Ordinance to continue to provide electrical power.

(Attachment D)

**Technical Review Committee:**

Please find a summary of the Technical Review Committee (TRC) member comments during the regular TRC meeting that was held on Thursday, August 13, 2020 via a conference call and a specially called TRC meeting that was held on January 29, 2020 with the CVEC staff members:

Jason Overstreet, Planner / GIS Technician indicated that if he could receive the four (4) acre survey plat information in a digital format from the applicant's surveyor that he could update the County GIS parcel layer and a Tax Map number can be assigned to it for the new subject parcel.

Andy Wills, CBO, Building Official provided his general Building Code comments for the generator, concrete pad, equipment shelter and fiber hut. He stated a Building Permit would be needed and he indicated he could receive the construction plans to provide any further comments.

Roger Black, Erosion and Sediment Control (E&SC) Plans Reviewer he provided his comments on January 29th relative to the erosion and sediment control measures and for on-site retention purposes. He indicated that it is a flat site and he did not have any comments on the Special Use Permit (SUP) request and that he could review an E&SC plan following the SUP review process.

John Wilson, PE, Land Use Engineer, VDOT – Louisa Residency he provided general comments on January 29th that VDOT would look at the Low volume commercial entrance standards and Access management for the proposed and existing entrances on that are on either side of Route 6. He requested to meet on-site with Massie Saunders, Jr. to perform additional site entrance work.

Douglas Miles, AICP, CZA, Community Development Director provided his comments based upon the Zoning Ordinance requirements and the recommended Special Use Permit conditions typically used for electrical substation use requests in Fluvanna County for compliance purposes.

Please find the attached letter dated December 19, 2019 to the Davis' and to Bruce Maurhoff, CVEC which indicates that an SUP is required to permit Major Utilities (electrical substation) in the A-1 zoning district. Please be advised that a Firefly fiber broadband hut would be permitted within the proposed electrical substation compound as an accessory use. The Special Use Permit Staff Report will contain recommended conditions addressing standard requirements such as site screening, from the public right-of-way with landscaping materials, but would not be within the transmission right-of-way and the perimeter compound fencing would be designed to preclude trespassing.

(Attachments E & F)

### **Conclusion:**

The Planning Commission should consider any potential adverse impacts, such as limited service vehicle traffic entering and exiting the site, noise or visual clutter, and whether the requirements of the Zoning Ordinance will effectively mitigate any potential impacts. Please be advised that during the Neighborhood Meeting, held virtually on August 26th, that no one from the general public called in with any concerns with the proposed electrical substation land use request.

### **Recommended Conditions:**

If approved, Staff recommends the following conditions:

1. Prior to development of the site, a site development plan that meets the requirements of the Fluvanna County Zoning Ordinance shall be submitted for administrative approval.
2. The site shall be screened from view in accordance with the requirements of Section 22-24-7 of the Fluvanna County Zoning Ordinance and screening will not be required within the transmission right-of-way.
3. Any lighting shall not be directed toward the adjacent properties and it shall comply with Article 25 Outdoor Lighting Control of the Fluvanna County Zoning Ordinance.
4. Any noise shall comply with Chapter 15.1 of the Fluvanna County, Virginia Code.
5. The site shall be maintained in a neat and orderly manner so that the visual appearance from the public right-of-way and adjacent properties is acceptable to County officials.

6. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.
7. Under Section 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.

**Suggested Motion:**

I move that the Planning Commission (Approve/deny/defer) SUP 20:01, a request to construct a major utility (electrical substation) on Tax Map 39, Section A, Parcel 34A, subject to the seven (7) conditions listed in the staff report.

**Attachments:**

- A – Application and APO letter
- B – Zoning Map
- C – Aerial Vicinity Map
- D – Applicant’s site plan
- E – TRC comment letter

Copy: Massie Saunders, Jr. via email – [massie@saunderssurveys.com](mailto:massie@saunderssurveys.com)  
File



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

For CVEC's

Owner of Record: William E. & Anne C. Davis

Applicant of Record: P. Massie Saunders, Jr. Saunders' Surveys, Inc.

Address: P.O. Box 692, Scottsville, Va. 24590

Address: 329 Crabtree Falls Hwy, Roseland, Va. 22967

Phone: 434-266-2996 Fax: \_\_\_\_\_

Phone: 434-277-8574 Fax: \_\_\_\_\_

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

Email: massie@saunderssurveys.com

Representative: Phillip D. Payne IV

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.

Address: POB 299 Lovingson, Va 22949

Phone: 434 263 5555 Fax: \_\_\_\_\_

Email: phillip.payne@philip.paynelaw.com

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

Tax Map and Parcel(s) 39-A-34A

Acreage 4.000 Ac. Zoning A-1

Deed Book and Page: D.B. 395, Pg. 460

Location of Parcel: South side of Rt. #61, across road from existing CVEC substation, 0.4 miles southwest of Rt. #620

If any Deed Restrictions, please attach a copy

Request for an SUP for the purpose of: electric substation and high speed internet site

\*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

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 and acknowledges that county employees will make regular inspections of the site.

Date: 7/30/20 Signature of Owner/Applicant: William E. Davis

Anne C. Davis

Subscribed and sworn to before me this 30th day of July, 2020

Notary Public: Joyce H. Saunders Register # 156728

My commission expires: June 30, 2021

JOYCE H. SAUNDERS  
NOTARY PUBLIC  
REGISTRATION # 156728  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES  
JUNE 30, 2021

Certification: Date: \_\_\_\_\_

Office Use Only	
Date Received: <u>7/30/20</u>	Pre-Application Meeting: _____
PH Sign Deposit Received: <u>7/30/2020 \$1527.90</u>	Application #: <u>SUP 20 0002</u>
\$800.00 fee plus mailing costs paid: <u>115/26 = \$840.00</u> Mailing Costs: \$20.00 Adjacent Property Owner (APO) after 1st 15, Certified Mail	
Amendment of Condition: \$400.00 fee plus mailing costs paid: _____	
Telecommunications Tower fee plus mailing costs paid: _____ Telecom Consultant Review fee paid: _____	
Election District: <u>Fork Union</u>	Planning Area: <u>Rural Preservation</u>
Public Hearings	
Planning Commission	Board of Supervisors
Advertisement Dates: _____	Advertisement Dates: _____
APO Notification: _____	APO Notification: _____
Date of Hearing: _____	Date of Hearing: <u>JUL 30 2020</u>
Decision: _____	Decision: _____

RECEIVED

Fluvanna County  
Planning Dept



Commonwealth of Virginia  
County of Fluvanna  
Public Hearing Sign Deposit

Name: CVEC P. Massie Saunders, Jr., Agent  
Address: 329 Crabtree Falls Hwy  
City: Roseland  
State: Va. Zip Code: 22967

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.

P. Massie Saunders Jr 7/29/2020  
Applicant Signature Date

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

OFFICE USE ONLY	
Application #: BZA _____ : CPA _____ : SUP <u>20</u> : <u>0001</u> ZMP _____ : ZTA _____ :	
\$90 deposit paid per sign*: <u>7/30/2020</u> <u>#15127</u>	Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

Construction of a new entrance off of Rt. #6, West River Road to serve a proposed electrical substation and a high speed internet site. The proposed substation will be enclosed by a 6' chain link fence. The proposed internet site will be on the east end of the site. A prefab 10'x20' building will be constructed on site.

**NECESSITY OF USE:** Describe the reason for the requested change.

There is a high demand for electricity in the area and a new substation is needed. Also, CVEC is providing high speed internet to their customers and a "hub" is needed at the site with the 10'x20' building, generator, and propane tank (backup power during outages).

**PROTECTION OF ADJOINING PROPERTY:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

The west side of the property adjoins Dominion's High Tension Power Lines. The north side is adjacent to Rt. 6 and the existing trees are proposed to remain on a landscape buffer will be planted. Trees and/or landscape buffers will be utilized on the south & east sides.

**ENHANCEMENT OF COUNTY:** Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

Additional electrical service to the community.  
High speed internet to CVEC customers.

**PLAN:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.

Remarks:

**Commonwealth of Virginia**  
**County of Fluvanna**  
**Special Use Permit Checklist**

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

Applicant must supply	Staff Checklist
Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application	
Ten (10) copies of a Site Plan for any expansion or new construction Include: <ul style="list-style-type: none"> <li>• Plot plan or survey plat at an appropriate scale</li> <li>• Location and dimension of existing conditions and proposed development</li> <li>• <i>Commercial and Industrial Development:</i> parking, loading, signs, lighting, buffers and screening</li> <li>• Copy of the Tax Map showing the site (preferred)</li> <li>• General Location Map (preferred)</li> </ul>	
Supporting photographs are not required, but suggested for evidence	

*All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.*

Staff Only	Staff Checklist
Preliminary review by planning staff for completeness and content: <ul style="list-style-type: none"> <li>• Technical Review Committee review and comment</li> <li>• Determine all adjacent property owners</li> <li>• Placed as a Public Hearing on the next available agenda of the Planning Commission.</li> </ul>	
Notification of the scheduled Public Hearing to the following: <ul style="list-style-type: none"> <li>• Applicant</li> <li>• All adjacent property owners</li> <li>• Local Newspaper advertisement</li> </ul>	
Staff Report to include, but not be limited to: <ul style="list-style-type: none"> <li>• General information regarding the application</li> <li>• Any information concerning utilities or transportation</li> <li>• Consistency with good planning practices</li> <li>• Consistency with the comprehensive plan</li> <li>• Consistency with adjacent land use</li> <li>• Any detriments to the health, safety and welfare of the community.</li> </ul>	



Page 5 of 5  
**For Applicant**

The Special Use Permit application fee is made payable to the **County of Fluvanna**.

**Meetings for the processing of the application**

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

**Process:**

1. Placed on next available Technical Review Committee Agenda.
2. Placed as a Public Hearing on the next available agenda of the Planning Commission the following month. Staff Report and Planning Commission recommendation forwarded to the Board.
3. Placed as a Public Hearing on the next available agenda of the Board of Supervisors (usually the same month as the Planning Commission).

**Applicant or a representative must appear at the scheduled hearings.**

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

**Board Actions**

After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

if **denied**, an appeal to the Courts may be prescribed by law

*No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.*



CENTRAL  
VIRGINIA  
ELECTRIC  
COOPERATIVE

RECEIVED

JUL 30 2020

Fluvanna County  
Planning Dept

July 29, 2020

Douglas Miles  
Director of Community Development  
PO Box 540  
Palmyra, VA 22963

Dear Mr. Miles:

Central Virginia Electric Cooperative is writing the Fluvanna County Planning and Zoning department to provide notice that Mr. Massie Saunders, Saunders Surveys is authorized to represent CVEC in the submission and approval process of a special use permit for the development of an electric substation and fiber communication building in the Kidds Store area.

Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Bruce Maurhoff".

Bruce Maurhoff, PE  
Sr. VP & Chief Operating Officer


William E. & Anne C. Davis  
P. O. Box 692  
6401 West River Road  
Scottsville, Va. 24590  
434-286-2996

To whom it may concern:

I authorize P. Massie Saunders, Jr, with Saunders' Surveys, Inc., who is acting on behalf of Central Virginia Electric Cooperative (CVEC), to make application for a Special Use Permit in Fluvanna County, Virginia such that CVEC can move forward with the review process of this application while they are finalizing the deed and plat for the purchase of 4 acres of my property that is located directly across the road from their existing "Kidd's Store" substation on Rt. #6, West River Road. They are purchasing this property for the development of a high speed internet site and a future substation.

  
\_\_\_\_\_  
William E. Davis

7-30-2020  
Date

  
\_\_\_\_\_  
Anne C. Davis

7-30-2020  
Date

**RECEIPT (REC-001373-2020)**  
**FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT**

**BILLING CONTACT**

P. Massie Saunders, Jr.  
 Saunders Surveys, Inc.,  
 329 Crabtree Falls Highway  
 Roseland, Va 22967



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
SUP20:0001	Mailing Cost, per APO > 15	Fee Payment	Check #15126	\$40.00
	Special Use Permit	Fee Payment	Check #15126	\$800.00
			<b>SUB TOTAL</b>	<b>\$840.00</b>
			<b>TOTAL</b>	<b>\$840.00</b>

**RECEIPT (REC-001374-2020)**  
**FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT**

**BILLING CONTACT**

P. Massie Saunders, Jr.  
 Saunders Surveys, Inc.,  
 329 Crabtree Falls Highway  
 Roseland, Va 22967



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
SUP20:0001	Sign Deposit for Public Hearing	Fee Payment	Check #15127	\$90.00
			<b>SUB TOTAL</b>	<b>\$90.00</b>
			<b>TOTAL</b>	<b>\$90.00</b>



---

# COUNTY OF FLUVANNA

---

*"Responsive & Responsible Government"*

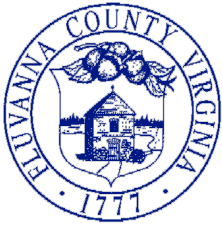
132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
[www.fluvannacounty.org](http://www.fluvannacounty.org)

## MEMORANDUM

**Date:** August 24, 2020  
**From:** Valencia Porter  
**To:** Douglas Miles  
**Subject:** SUP 20:01 Planning Commission

---

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the September 08, 2020 Planning Commission meeting.




---

# COUNTY OF FLUVANNA

---

*"Responsive & Responsible Government"*

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

## NOTICE OF PUBLIC HEARING

August 24, 2020

«Name»  
«Address»  
«City\_State» «ZIP»  
TMP#«TMP»

### Re: Public Hearing on SUP 20:01

Dear «Name»:

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

**Purpose:** Planning Commission Public Hearing  
**Day/Date:** Tuesday, September 8, 2020  
**Time:** 7:00 PM  
**Location:** Fluvanna County Library, Palmyra, VA

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

**SUP 20:01 Central Virginia Electric Cooperative** – A request for a special use permit to construct an electrical substation (major utility) on 4 acres known as Tax Map 39, Section A, Parcel 34A. The property is located on the south side of West River Road (Route 6), approximately 0.5 miles west of the intersection with Rolling Road South (State Route 620). The parcel is zoned A-1 Agricultural, General and located within the Rural Preservation Planning Area and the Fork Union Election District.

You are welcome to attend the public hearing 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 this application or the Public Hearing, please contact me at 434-591-1910.

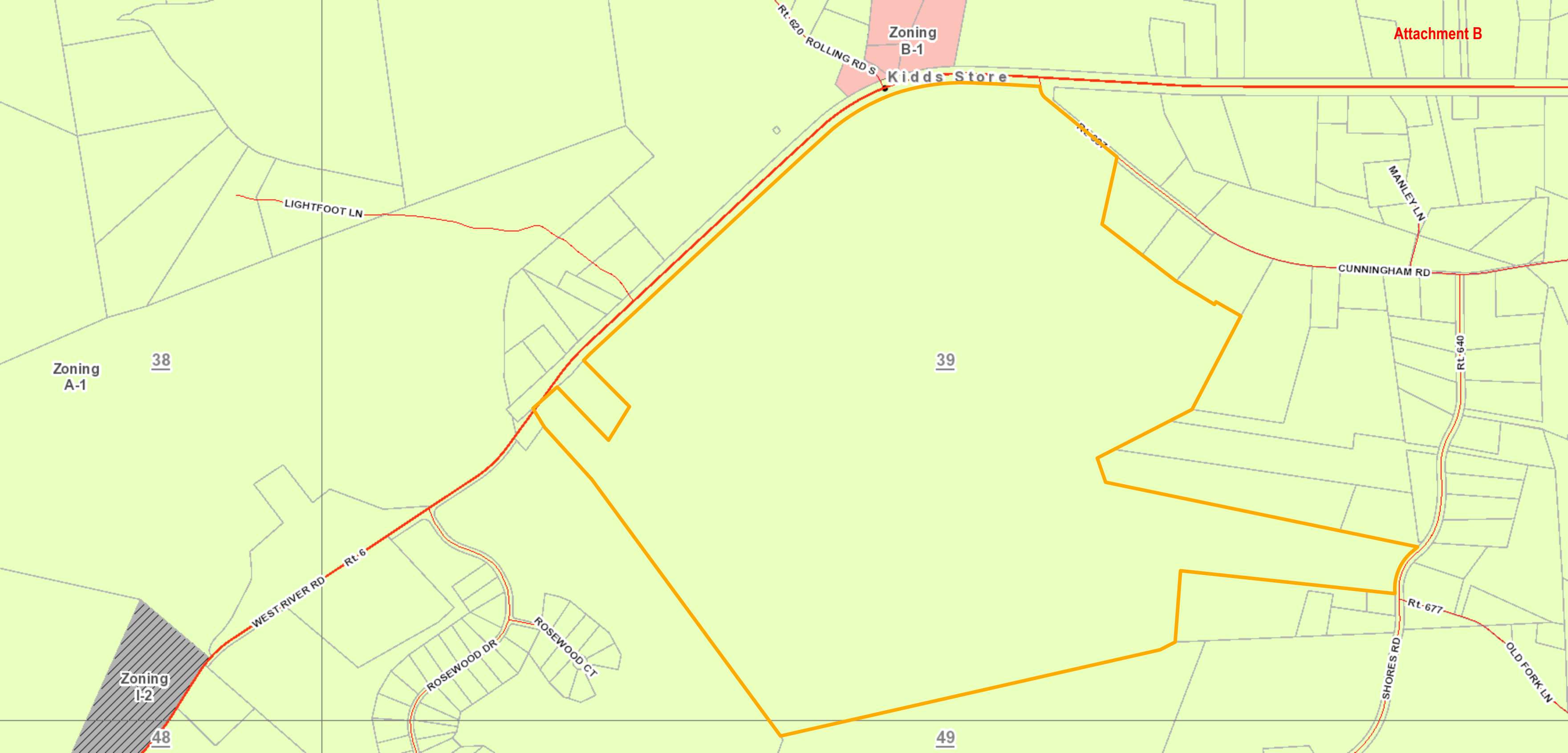
Sincerely,

*Douglas Miles*

Douglas Miles, AICP, CZA  
Community Development Director



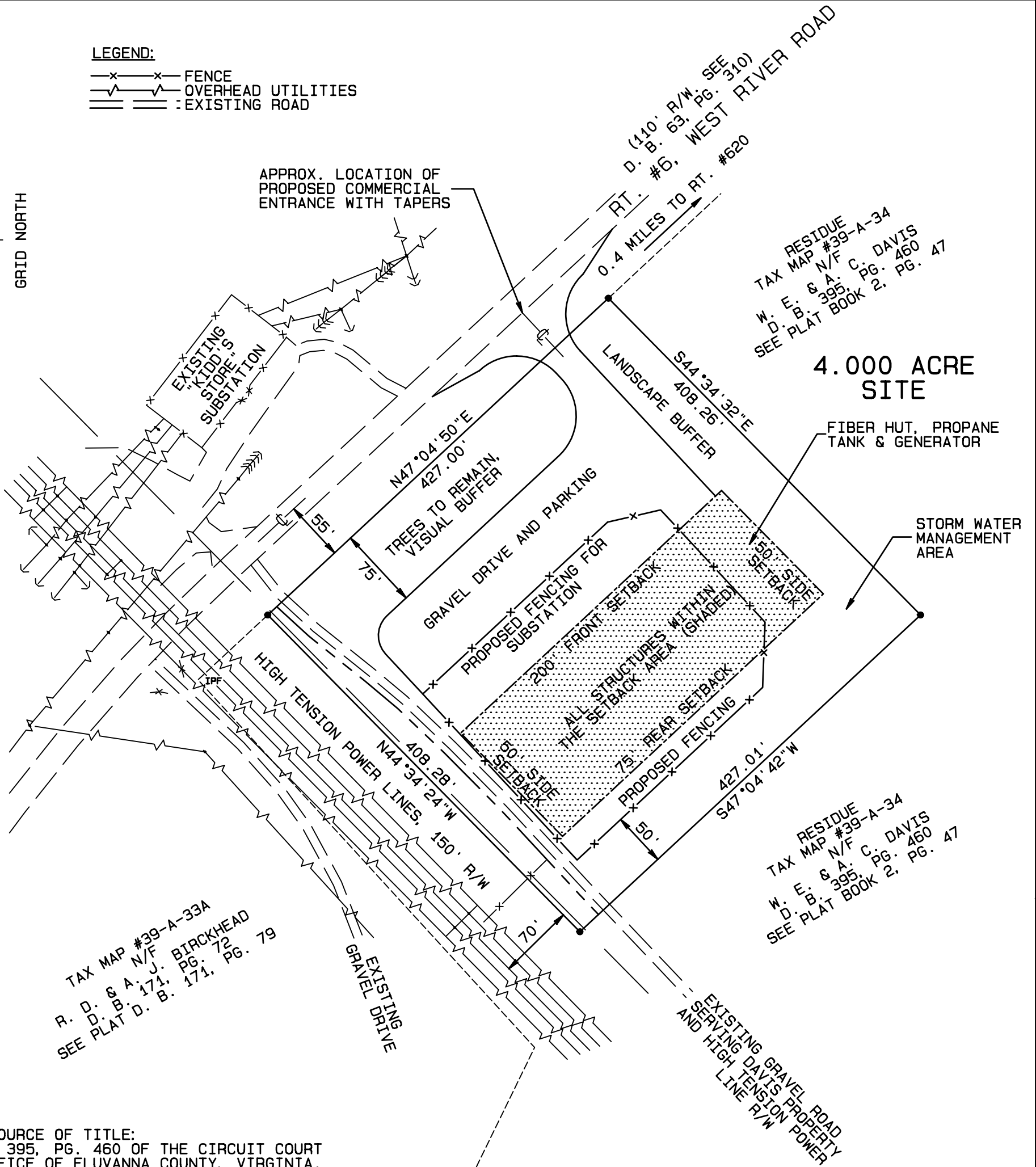
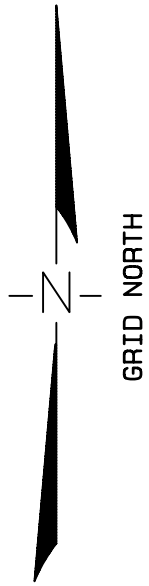






**LEGEND:**

- x—x— FENCE
- v—v— OVERHEAD UTILITIES
- — — EXISTING ROAD



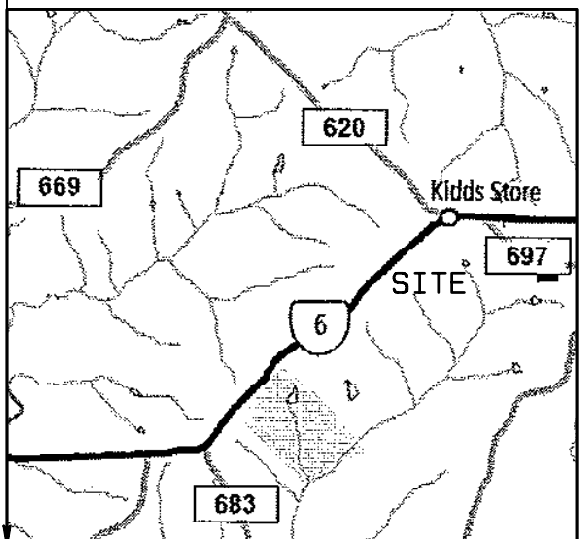
TAX MAP #39-A-33A  
 R. D. & A. J. BIRCKHEAD  
 D. B. 171, PG. 72  
 SEE PLAT D. B. 171, PG. 79

RESIDUE  
 TAX MAP #39-A-34  
 W. E. & A. C. DAVIS  
 D. B. 395, PG. 460  
 SEE PLAT BOOK 2, PG. 47

RESIDUE  
 TAX MAP #39-A-34  
 W. E. & A. C. DAVIS  
 D. B. 395, PG. 460  
 SEE PLAT BOOK 2, PG. 47

CURRENT SOURCE OF TITLE:  
 SEE D. B. 395, PG. 460 OF THE CIRCUIT COURT  
 CLERKS OFFICE OF FLUVANNA COUNTY, VIRGINIA.

PLAT OF REFERENCE:  
 SEE PLAT BOOK 2, PG. 47 RECORDED WITH CERTIFICATE  
 OF PLAT, INSTRUMENT #030002443

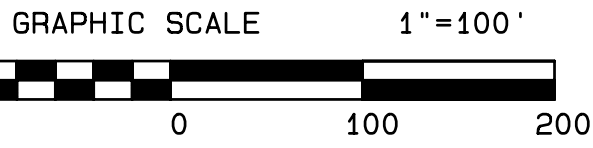


VICINITY MAP  
 NOT TO SCALE

**NOTES:**

1. THIS DRAWING HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE, NECESSARILY, INDICATE ALL ENCUMBRANCES ON THE PROPERTY.
2. THIS DRAWING HAS BEEN PREPARED FROM AN ACTUAL FIELD SURVEY MADE AS PER DATE OF THIS PLAT WITH PROPOSED IMPROVEMENTS FOR THE SUBSTATION AND HIGH SPEED INTERNET SITE.
3. THIS SKETCH WAS PREPARED AT THE REQUEST OF AND AS DIRECTED BY BRUCE MAURHOFF WITH CENTRAL VIRGINIA ELECTRIC COOPERATIVE (CVEC), P. O. BOX 247, LOVINGSTON, VA. 22949, 434-263-8336
4. THE CURRENT OWNERS OF THE PROPERTY ARE WILLIAM E. & ANNE C. DAVIS, P. O. BOX 692, SCOTTSVILLE, VA., 24590, 434-286-2996.
5. PROPERTY SHOWN IS A PORTION OF TAX MAP #39-A-34 AND IS ZONED A-1.
6. THE PURPOSE OF THIS DRAWING IS TO APPLY FOR A SPECIAL USE PERMIT FOR THE DEVELOPMENT OF AN ELECTRICAL SUBSTATION AND A HIGH SPEED INTERNET SITE TO SERVE CENTRAL VIRGINIA ELECTRIC'S CUSTOMERS IN THE AREA.

**SAUNDERS' SURVEYS, INC.**  
 329 CRABTREE FALLS HIGHWAY  
 ROSELAND, VIRGINIA 22967  
 434-277-8574



SKETCH PLAN SHOWING A PROPOSED HIGH SPEED INTERNET SITE  
 AND A PROPOSED SUBSTATION FOR REVIEW OF A  
 SPECIAL USE PERMIT ON A PORTION OF THE PROPERTY OF

**WILLIAM E. & ANNE C. DAVIS**

TO BE USED AS A PUBLIC UTILITY LOT BY  
 CENTRAL VIRGINIA ELECTRIC COOPERATIVE

CUNNINGHAM DISTRICT FLUVANNA COUNTY, VIRGINIA  
 COMM. #219109 DATE: JULY 27, 2020 FILE #2962-B




---

## 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](http://www.fluvannacounty.org)

**August 14, 2020**

Central VA Electric Cooperative  
Post Office Box 247  
Lovingsston, VA 22949  
Attn: Bruce Maurhoff, PE

Saunders' Surveys, Inc.  
329 Crabtree Falls Highway  
Roseland, VA 22967  
Attn: Massie Saunders, Jr.

**RE: SUP 20:01 CVEC – Kidds Store Substation and Fiber Hut / Tax Map: 39 A Part of 34**

Please find a summary of the Technical Review Committee (TRC) member comments during the regular TRC meeting on Thursday, August 13th at 10:00 am in the Morris Room via a conference call and a specially called TRC meeting back on January 29th at 2:00 pm within the Morris Room:

Jason Overstreet, Planner / GIS Technician, [joverstreet@fluvannacounty.org](mailto:joverstreet@fluvannacounty.org) and at 434.591.1910 he indicated that if he could receive the four (4) acre survey plat information in a digital format he could update the County GIS parcel layer better so a new Tax Map number can be assigned to it.

Andy Wills, CBO, Building Official, [awills@fluvannacounty.org](mailto:awills@fluvannacounty.org) and at 591.1935 he provided his general Building Code comments for the generator, concrete pad and equipment shelter / fiber hut. A Building Permit would be needed and indicated he would receive the plans to provide comments.

Roger Black, Erosion and Sediment Control Plans Reviewer, [rblack@fluvannacounty.org](mailto:rblack@fluvannacounty.org) and at 591.1935 he provided his comments on January 29th relative to the erosion and sediment control measures and on-site retention purposes. He indicated that it is a flat site and he did not have any comments on the Special Use Permit (SUP) request and that he could review an E&SC site plan.

John Wilson, PE, Land Use Engineer, VDOT – Louisa Residency, at 540.321.8459 Mobile and [John.C.Wilson@VDOT.virginia.gov](mailto:John.C.Wilson@VDOT.virginia.gov) he provided general comments on January 29th that VDOT would look at the Low volume commercial entrance standards and Access management for the proposed and existing entrances on either side of Route 6. On August 13th he requested to meet on-site with Massie Saunders this month to perform field work on the entrances for better analysis.

Douglas Miles, AICP, CZA, Community Development Director, at [dmiles@fluvannacounty.org](mailto:dmiles@fluvannacounty.org) and at 591.1910 has provided his comments based upon the Zoning Ordinance requirements and recommended Special Use Permit conditions typically used for electrical substation use requests.

Please find the attached letter dated December 19, 2019 to the Davis' and Bruce Maurhoff, CVEC which indicates that an SUP is required to permit Major Utilities (electrical substation) in the A-1 zoning district. Please be advised that a Firefly fiber broadband hut would be permitted within the proposed electrical substation compound as an accessory use. The Special Use Permit Staff Report will contain recommended conditions addressing standard requirements such as site screening, from the public right-of-way with landscaping materials, but not within the transmission right-of-way and the perimeter compound fencing would be designed to preclude trespassing on this site.

Fluvanna County Planning and VDOT staff members look forward to our upcoming project site visit to view all the existing entrances across the street at the current electrical substation and the existing entrance onto West River Road (Route 6) for the proposed electrical substation. It will be an opportunity to also discuss how the existing entrance would function as a Construction Entrance to accommodate the expected construction traffic for the electrical substation and related fiber hut.

Sincerely,

*Douglas Miles*

Douglas Miles, AICP, CZA  
Community Development Director

Attachment



---

# 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:** September 8, 2020

**General Information:** This request is to be heard by the Planning Commission on Tuesday, September 8, 2020 at 7:00 pm at the Fluvanna County Library.

**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 24<sup>th</sup>.
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
- I – Entrance analysis dated May 6, 2020

Copy: Keith Lancaster, Southern Development – [klancaster@southern-development.com](mailto: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

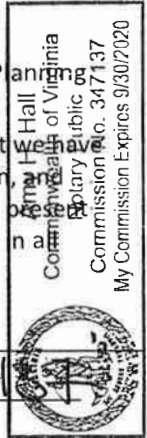
Deed Book and Page: 958 pg 514-528, PB 3 218-219

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 are true and correct and that the argument on the 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
			<b>SUB TOTAL</b>	<b>\$1,000.00</b>
			<b>TOTAL</b>	<b>\$1,000.00</b>

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

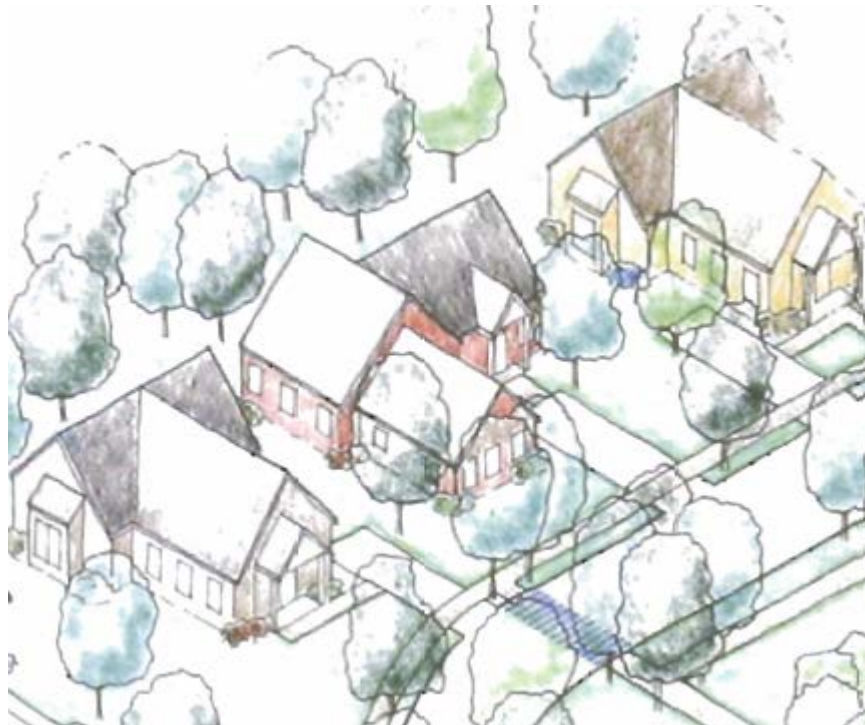


Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
ZMP20:0001	Sign Deposit for Public Hearing	Fee Payment	Check #1583	\$90.00
			<b>SUB TOTAL</b>	<b>\$90.00</b>
			<b>TOTAL</b>	<b>\$90.00</b>

**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

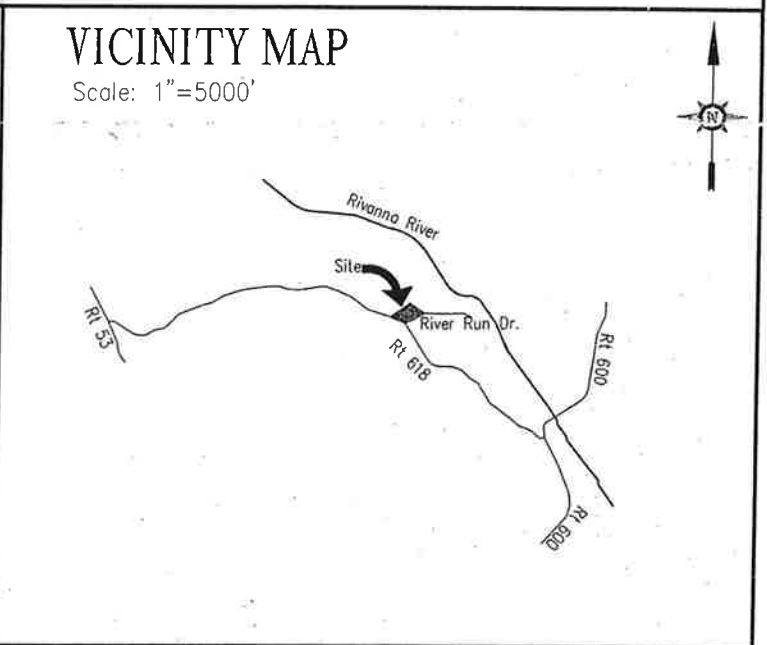
- Iron Rod Set
- IR Iron Rod Found
- PF Iron Pipe Found
- FO Fiber Optic Pedestal
- Setback Line

### 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

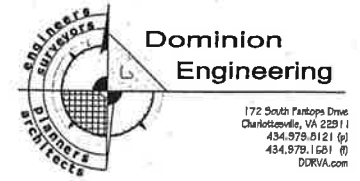
### SUBDIVISION NOTES

- 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.

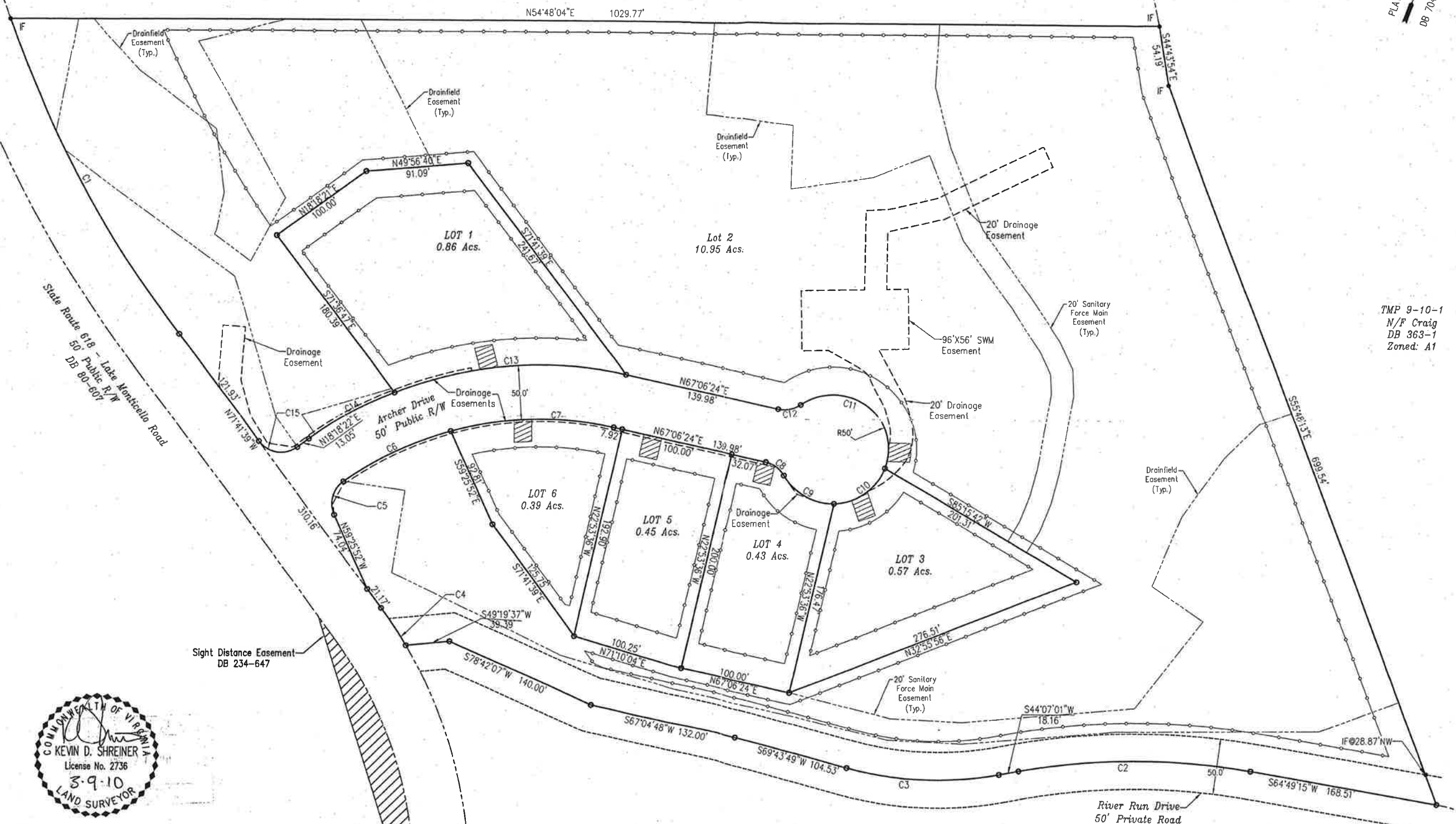
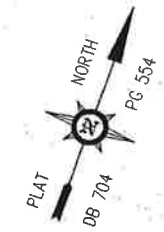


### AREA SUMMARY

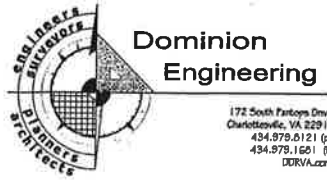
AREA IN CLUSTER LOTS (Lots 1,3-6)	2.74 ACRES	19.03%
AREA IN RIGHT OF WAY	0.71 ACRES	4.93%
AREA IN OPEN SPACE (Lot 2)	10.95 ACRES	76.04%
TOTAL AREA	14.40 ACRES	100.0%



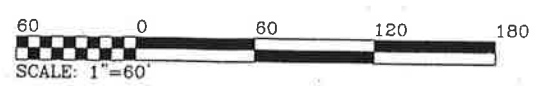
TMP 9-A-12A  
N/F Christian & Associates Excavating  
DB 434-693  
Zoned: A1



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

---

*"Responsive & Responsible Government"*

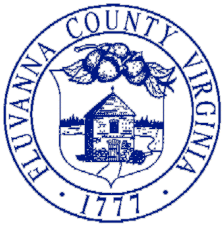
132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
[www.fluvannacounty.org](http://www.fluvannacounty.org)

## MEMORANDUM

**Date:** August 24, 2020  
**From:** Valencia Porter  
**To:** Douglas Miles  
**Subject:** ZMP 20:01 & ZMP 20:02 Planning Commission

---

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the September 08, 2020 Planning Commission meeting.




---

# 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](http://www.fluvannacounty.org)

## NOTICE OF PUBLIC HEARING

August 24, 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, September 8, 2020  
**Time:** 7:00 PM  
**Location:** Fluvanna County Library, 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 13, 14, 14C1, and Tax Map 9, Section 13, Parcels A, B, C, D, 1 through 40 and 85 through 125, 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.

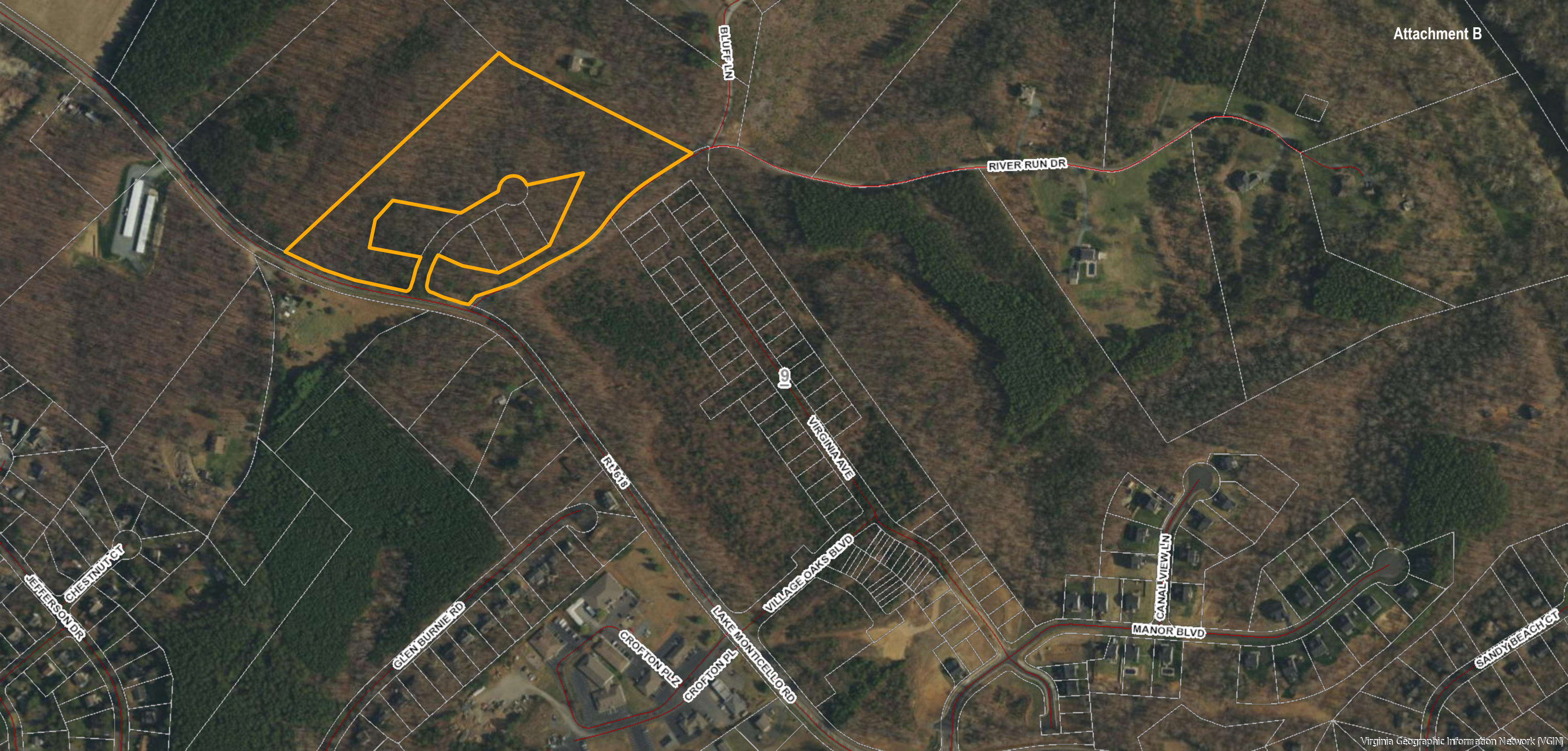
Sincerely,

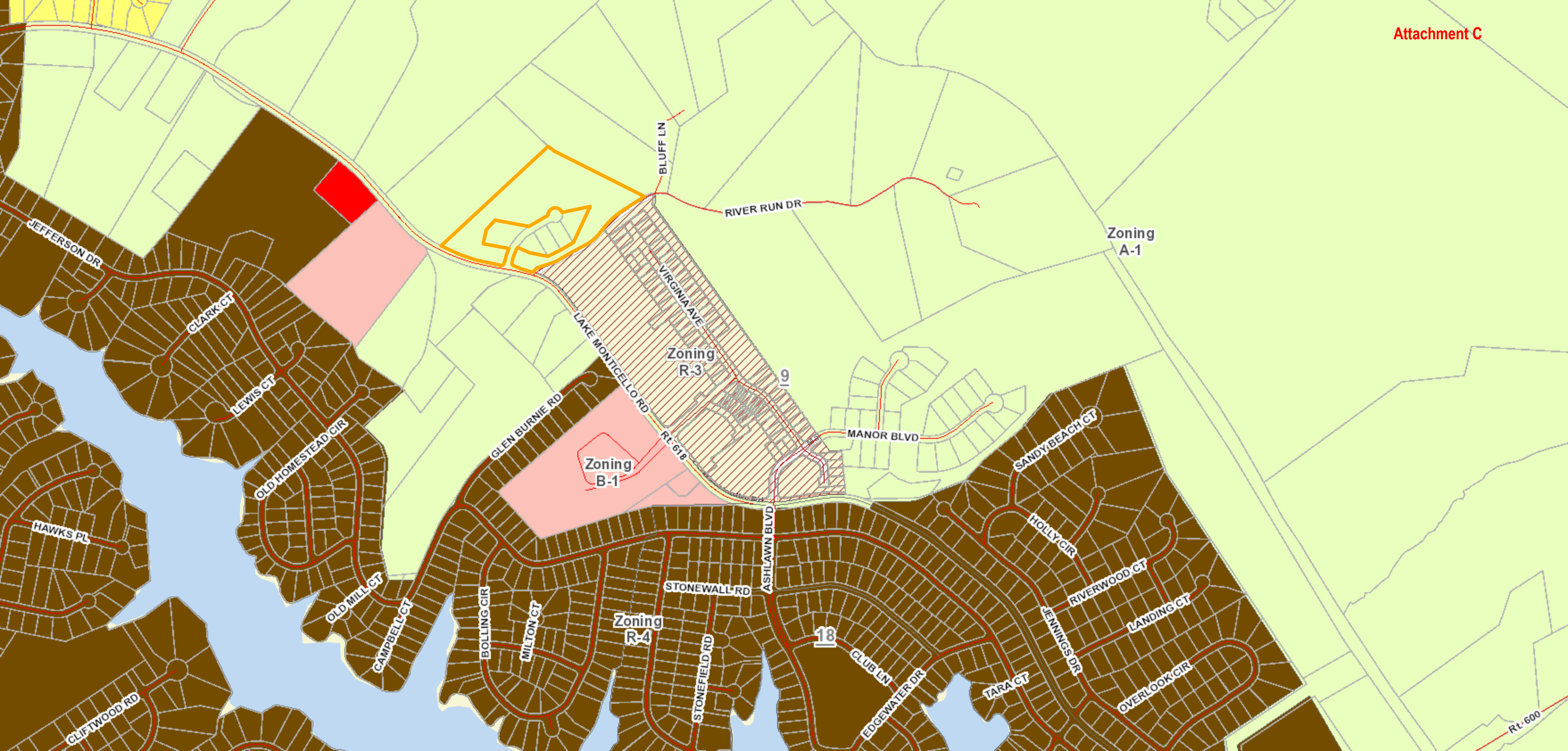
*Douglas Miles*

Douglas Miles, AICP, CZA  
Community Development Director



<b>ADJACENT PROPERTY OWNERS ZMP 20:01 &amp; ZMP 20:02</b>			
<b>TAX MAP</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>CITY/STATE/ZIP</b>
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-12A	Timothy D Christian	93 Bluff Lane	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	Phoebe 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	Kristin Proffitt	869 Jefferson Dr	Palmyra, VA 22963
9-A-11B	Rivanna Investment LLC	977 Seminole TRL #276	Charlottesville, VA 22911
9-A-11E	Gregory W & Maria Anne Roberts	2448 Lake Monticello Rd	Palmyra, VA 22963
9-A-11D	Gregory W 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
9-14-2	Sycamore Square LLC	1452 South Pantops Dr	Charlottesville, VA 22911
9-A-14A	Vicki Lynn & Barry N Wilson	40 West Lake Forest Dr	Palmyra, VA 22963





**ROUDABUSH, GALE & ASSOC., INC.**  
 A PROFESSIONAL CORPORATION  
 SERVING VIRGINIA SINCE 1956  
 989 SECOND ST. SE  
 CHARLOTTEVILLE, VA 22902  
 PHONE: 434-977-0205 WWW.ROUDABUSH.COM

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

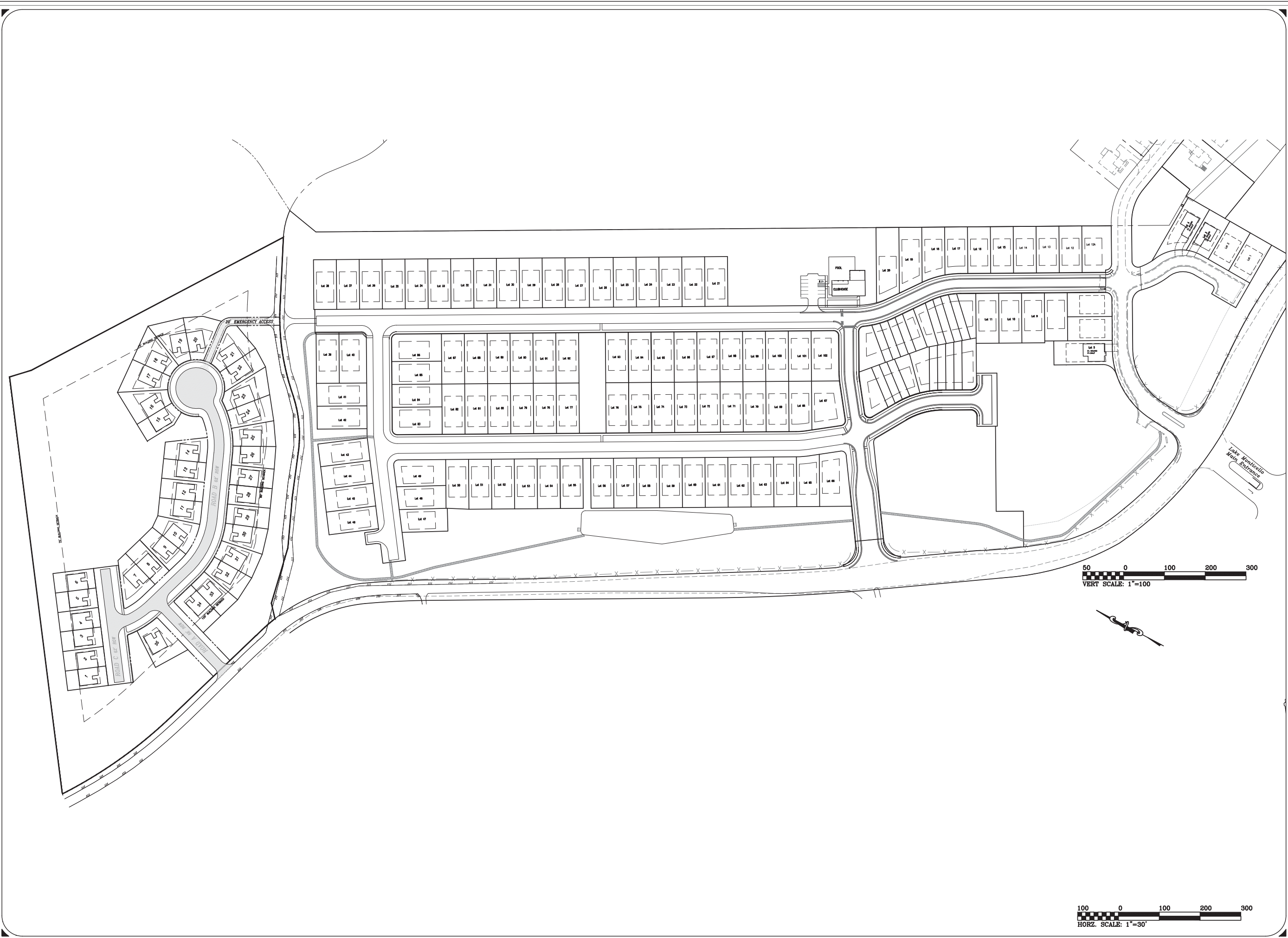
RETAINING WALL SHOWN HEREON ARE CONCEPTUAL IN NATURE  
 A MORE DETAILED ANALYSIS OF THE GRADING IS NEEDED  
 TO DETERMINE THE EXTENT AND HEIGHTS OF WALLS.

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  
 SERVING VIRGINIA SINCE 1956  
 999 SECOND ST. SE  
 CHARLOTTEVILLE, VA 22902  
 PHONE 434-977-0235  
 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

---

*"Responsive & Responsible Government"*

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

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 24<sup>th</sup>.
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

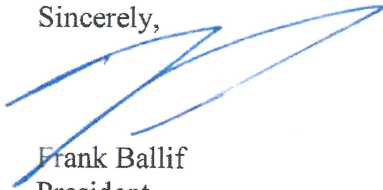
for development. Every effort shall be made to preserve the existing vegetative buffer that exists in this setback.

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:

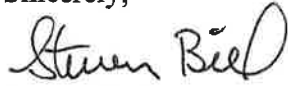
Please accept this letter as notification of the action taken on February 16, 2005 by the Board of Supervisors in regards to the request referenced above. Your request was **approved** with the following eighteen (18) proffers:

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 "S" and "B".

Steven Biel  
Planning Director

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

File

**From:** [Wilson, John](#)  
**To:** [Keith Lancaster](#)  
**Cc:** [Brad Robinson](#)  
**Subject:** Re: Archer entrance Rt. 618  
**Date:** Wednesday, July 15, 2020 2:11:19 PM

---

Keith,

That looks good to me. Just make sure that info ends up on the site plans when we get to that stage.

Best,

John

On Mon, Jul 13, 2020 at 3:27 PM Keith Lancaster <[klancaster@southern-development.com](mailto:klancaster@southern-development.com)> wrote:

John,

Here's the TIA information for the platted entrance into the site with the additional units. Please let me know if you have any questions.

Thank you,

Keith

**Keith Lancaster | Land Planner**

O 434.245.0894 x 106

M 434.962.5158

[klancaster@southern-development.com](mailto:klancaster@southern-development.com)

**SOUTHERN DEVELOPMENT HOMES**

[southern-development.com](http://southern-development.com)

*2010 – 2020 Daily Progress Readers Choice Favorite Builder*

*2010 – 2019 Charlottesville Family Favorite Builder*

2017 – 2019 Best of C-ville Homebuilder

--

John Wilson, P.E.

Land Use Engineer

Virginia Department of Transportation

Louisa Residency

P.O. Box 2194

Louisa, VA 23093

Cell: 540-321-8459

Email: [john.c.wilson@VDOT.Virginia.gov](mailto:john.c.wilson@VDOT.Virginia.gov)



# VDOT Entrance Design

**Project:** Archer  
**Location:** Fluvanna  
**Date:** ORIG 6-May-20

**Description of Existing Use:** Unimproved, rural woodland  
**Description of Proposed Use:** SFD Residential Subdivision  
**Connecting Roadway:** VA 618  
**Functional Classification:** local  
**Design Speed:** 60 mph (Source: Estimated)

Trip Generations	ITE Code	Quantity	Units	PM Peak Period Rate	% PM in	% PM out	VPD/per	Total VPD	PM Peak trips	PM In	PM Out	Source
Existing	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a	N/a
Current Proposed												
Resid.	210	41	SFD Homes	1	63%	37%	9.52	390	41.0	26	15	ITE 9th Ed.
								0	0.0	0	0	ITE 9th Ed
Future	210	0	SFD Homes	1.04	63%	37%	9.57	0	0.0	0	0	
<b>Proposed Total</b>								<b>390</b>	<b>41</b>	<b>26</b>	<b>15</b>	

**Estimated Splits**

West=	60%	(Estimated by RGA)	West=	234	25	15	9
East=	40%	(Estimated by RGA)	East=	156	16	10	6

**Truck Volume**

2%	(Estimated by RGA)	West=	5	0	0	0
		East=	3	0	0	0

**Existing Highway Traffic**  
 Source: Assumed  
 Highway: VA 618

AADT= 3100 VPD  
 2&4 Tire Vehicles= 98% or 3038 VPD  
 Directional Factor (D)= 0.6300 or 1953 VPD in referenced direction **Westbound**  
 Peak Hour Factor (k)= 0.0992 or 308 VPH

**Left Turn Analysis**

**Westbound** is Advancing direction  
 Design speed= 60 estimated  
 AADT= 3100 (see above)  
 Peak Hour (K)= 0.0992 (see above)  
 Peak Hr. Volume= 308 (AADT x K)  
 Advancing Directional Factor (Da)= 0.6300 **Percentage approaching site in direction requiring left turn into site**  
 Advancing Volume= 194 VPH (AADT x K x Da)  
 Opposing Directional Factor (Do)= 0.37 **Percentage approaching site in direction requiring right turn into site**  
 Opposing Volume= 114 VPH (AADT x K x Do)  
 Left Turn %= 8% **(PM-in trips from Advancing direction (see Estimated Splits above))**

Using 114 VPH opposing volume, and 9 Left turns into site  
 an advancing volume= 250 VPH is the warrant figure requiring a left turn lane  
**Therefore, No left turn lane is required.** (Ref. VDOT, See chart)

**Right Turn Analysis**

**Eastbound** is Advancing direction  
 PHV Approach Total= 114 Peak hour volume approaching site in direction requiring right turn into site  
 PHV Right Turn Volume= 15 **(PM-in trips from Advancing direction (see Estimated Splits above))**

Using 114 VPD approach volume, and 15 Right turns into site  
**No Turn/Taper is Required.** (Ref. VDOT, See chart)

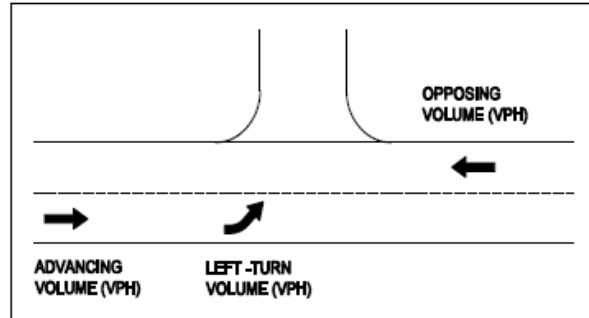
**WARRANTS FOR LEFT-TURN LANES ON TWO-LANE HIGHWAYS**

VPH OPPOSING VOLUME	ADVANCING VOLUME			
	5% LEFT TURNS	10% LEFT TURNS	20% LEFT TURNS	30% LEFT TURNS
<b>40-MPH DESIGN SPEED*</b>				
800	330	240	180	160
600	410	305	225	200
400	510	380	275	245
200	640	470	350	305
100	720	515	390	340
<b>50-MPH DESIGN SPEED*</b>				
800	280	210	165	135
600	350	280	195	170
400	430	320	240	210
200	550	400	300	270
100	615	445	335	295
<b>60-MPH DESIGN SPEED*</b>				
800	230	170	125	115
600	290	210	160	140
400	365	270	200	175
200	450	330	250	215
100	505	370	275	240

**TABLE 3-1**

Source: Adapted from 2004 AASHTO Green Book, Page 685, Exhibit 9-75

\* USE DESIGN SPEED IF AVAILABLE, IF NOT USE LEGAL SPEED LIMIT.



Example:

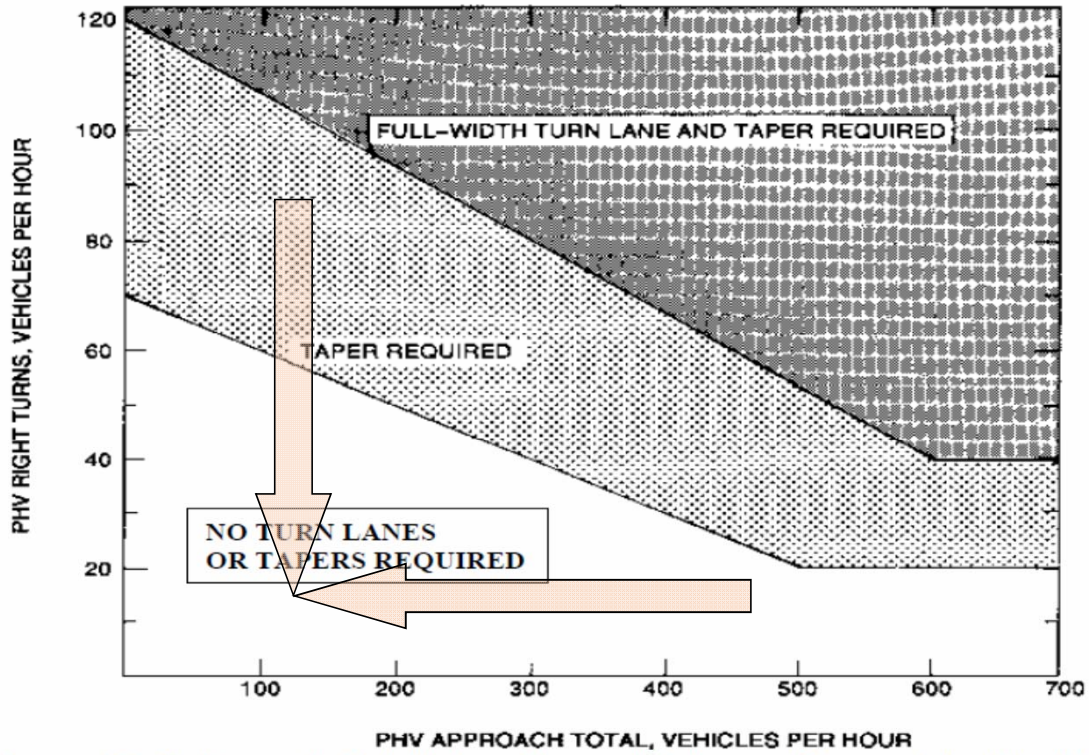
Two-lane highway with 40-MPH operating speed

Opposing Volume (VPH) - 600  
 Advancing Volume (VPH) - 440  
 Left-Turn Volume (VPH) - 44 or 10% of Advancing Volume

With opposing volume (VPH) of 600 and 10% of advancing volume (VPH) making left turns, and advancing volume (VPH) of 305 or more will warrant a left-turn lane.

60 Design speed  
 113.7824 Opposing Volume (VPH) to left turn  
 8% Left Turn %

Right Turn Warrant Chart  
Archer  
6-May-20



15 VPH  
Right Turn

Appropriate Radius required at all Intersections and Entrances (Commercial or Private).

**LEGEND**

**PHV** - Peak Hour Volume (also Design Hourly Volume equivalent)

113.7824 Peak (VPH)  
Advancing Vol.



---

# 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](http://www.fluvannacounty.org)

## STAFF REPORT

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

**From:** Brad Robinson  
**District:** Palmyra  
**Date:** September 8, 2020

**General Information:**

This request is to be heard by the Planning Commission on Tuesday, September 8, 2020 at 7:00 pm at the Fluvanna County Library.

**Owners:**

Sycamore Square LLC (Tax Map 9-A-13, 14 & 14C1, 9-13-A thru D, 12 – 15, 17, 22 – 23, 25 – 40, 85 – 99, 109 – 125)  
NVR Inc. (Tax Map 9-13-8 & 9, 11, 16, 18, 20 – 21, 24, 100 – 108)  
Edward Theodore & Mary A. Whalen (Tax Map 9-13-1)  
Jeffrey Michael Laderoute (Tax Map 9-13-2)  
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)  
Carrol Sharron Stidfole (Tax Map 9-13-10)  
Brenda Wood Berdick (Tax Map 9-13-19)

**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 13, 14, 14C1, and Tax Map 9, Section 13, Parcels A, B, C, D, 1 through 40 and 85 through 125.

**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](mailto: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

**Applicant of Record:** Sycamore Square LLC

Address: 142 South Pantops Drive

Address: 142 South Pantops Drive

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

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

Email: klancaster@southern-development.com

Email: klancaster@southern-development.com

**Representative:** Southern Development

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:

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

**Acres** Attached **Current Zoning** R-3

Is parcel in Land Use Valuation Program?  No  Yes

**Location of Parcel:** Village Oaks

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

If any Deed Restrictions, please attach a copy

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

**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
			<b>SUB TOTAL</b>	<b>\$750.00</b>
			<b>TOTAL</b>	<b>\$750.00</b>

## 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
<b>Total</b>	<b>34.616</b>	

\* 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

---

*"Responsive & Responsible Government"*

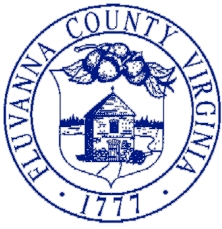
132 Main Street  
P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
[www.fluvannacounty.org](http://www.fluvannacounty.org)

## MEMORANDUM

**Date:** August 24, 2020  
**From:** Valencia Porter  
**To:** Douglas Miles  
**Subject:** ZMP 20:01 & ZMP 20:02 Planning Commission

---

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the September 08, 2020 Planning Commission meeting.




---

# 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](http://www.fluvannacounty.org)

## NOTICE OF PUBLIC HEARING

August 24, 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:

<b>Purpose:</b>	<b>Planning Commission Public Hearing</b>
<b>Day/Date:</b>	<b>Tuesday, September 8, 2020</b>
<b>Time:</b>	<b>7:00 PM</b>
<b>Location:</b>	<b>Fluvanna County Library, Palmyra, VA</b>

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 13, 14, 14C1, and Tax Map 9, Section 13, Parcels A, B, C, D, 1 through 40 and 85 through 125, 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.

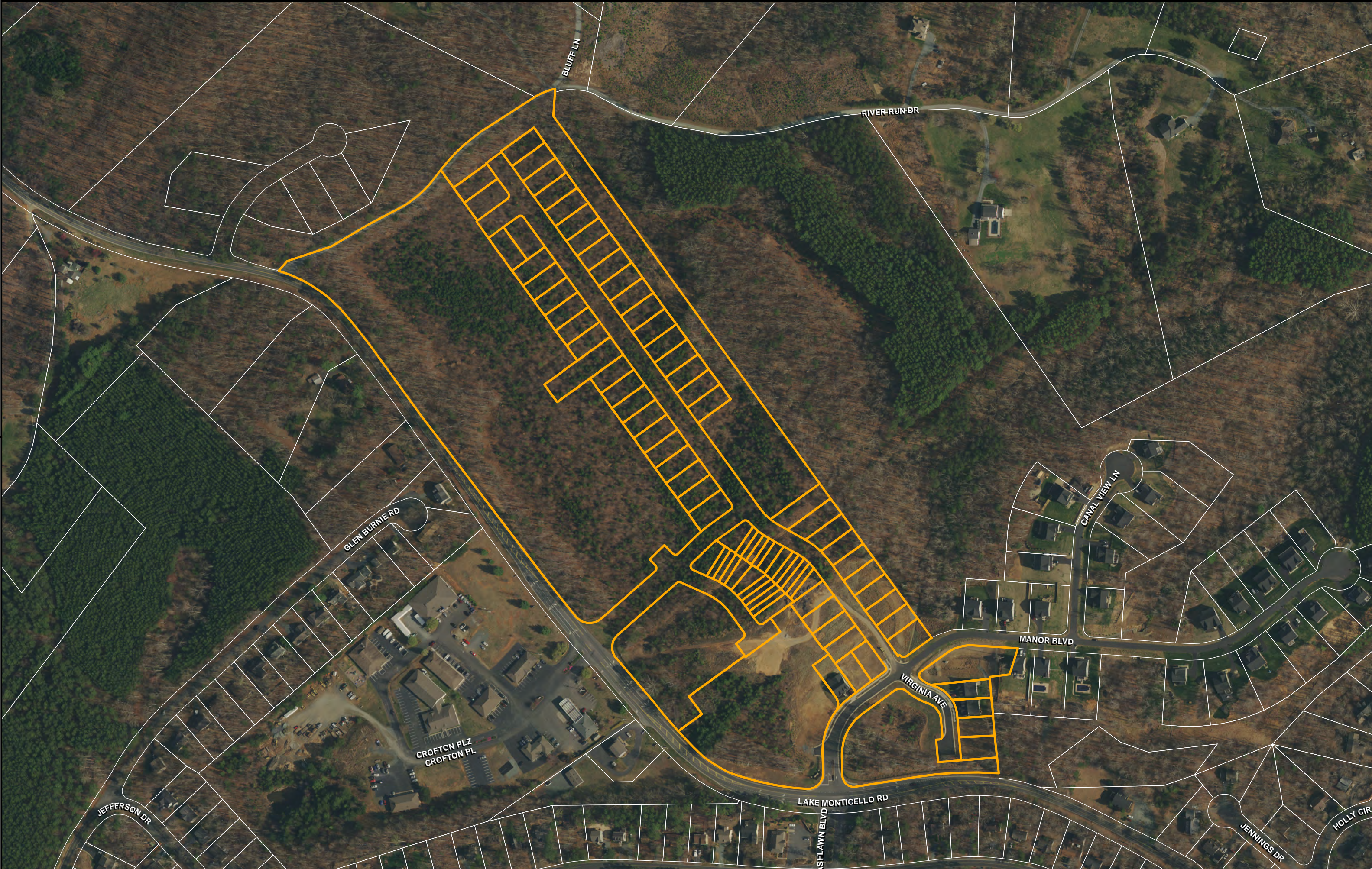
Sincerely,

*Douglas Miles*

Douglas Miles, AICP, CZA  
Community Development Director

<b>ADJACENT PROPERTY OWNERS ZMP 20:01 &amp; ZMP 20:02</b>			
<b>TAX MAP</b>	<b>NAME</b>	<b>ADDRESS</b>	<b>CITY/STATE/ZIP</b>
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-12A	Timothy D Christian	93 Bluff Lane	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	Phoebe 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	Kristin Proffitt	869 Jefferson Dr	Palmyra, VA 22963
9-A-11B	Rivanna Investment LLC	977 Seminole TRL #276	Charlottesville, VA 22911
9-A-11E	Gregory W & Maria Anne Roberts	2448 Lake Monticello Rd	Palmyra, VA 22963
9-A-11D	Gregory W 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
9-14-2	Sycamore Square LLC	1452 South Pantops Dr	Charlottesville, VA 22911
9-A-14A	Vicki Lynn & Barry N Wilson	40 West Lake Forest Dr	Palmyra, VA 22963










---

## 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](http://www.fluvannacounty.org)

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 24<sup>th</sup>.
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

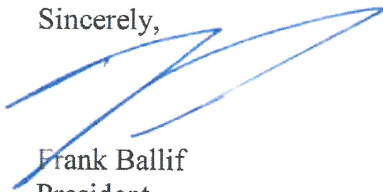
for development. Every effort shall be made to preserve the existing vegetative buffer that exists in this setback.

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](http://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:

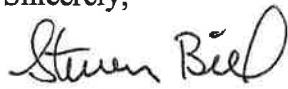
1. Access to the property from Route 618 shall be limited to three (3) locations (including River Run Drive). Furthermore, River Run Drive shall be limited (by design) to emergency vehicles only.
2. Between River Run Drive and the proposed entrance across from the main gate at Lake Monticello, there 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 "S" and "B".

Steven Biel  
Planning Director

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

File