



FLUVANNA COUNTY PLANNING COMMISSION

REGULAR MEETING AGENDA

Fluvanna County Library
214 Commons Boulevard
Palmyra, VA 22963

June 8, 2021
7:00 pm

TAB AGENDA ITEMS

NO WORK SESSION AT 6:00 PM

REGULAR MEETING

1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE

2 – COMMUNITY DEVELOPMENT DIRECTOR'S REPORT – DOUGLAS MILES, AICP, CZA

3 – PUBLIC COMMENTS #1 (5 minutes per speaker)

4 – REVIEW AND APPROVAL OF DRAFT MAY 11, 2021 MINUTES

5 – PUBLIC HEARINGS

SUP 21:04 Joseph Carl Bradley – A Special Use Permit request within the A-1, Agricultural, General District to permit a commercial kennel with respect to 5 +/- acres of Tax Map 23 Section A Parcel 30 located at 5464 Venable Road. The subject property is located within the Rural Preservation Planning Area and in the Columbia Election District.

ZMP 21:03 Perkins and Orrison – A Conditional Rezoning from the B-1, Business, General to the I-1, Industrial, Limited District on 16.2 +/- acres of Tax Maps 5 Section 17 Parcels 1 and 1A. The subject properties are located in the northeast quadrant of Richmond Road (Rte 250) and Edgcomb Road (SR 689) and are in the Zion Crossroads Community Planning Area and the Columbia Election District.

6 – PRESENTATION: R-4 ZONING TEXT AMENDMENT REQUEST – DOUGLAS MILES, AICP, CZA

7 – SITE DEVELOPMENT PLANS: NONE

8 – SUBDIVISIONS: NONE

9 – UNFINISHED BUSINESS: NONE

10 – NEW BUSINESS: NONE

11 – PUBLIC COMMENTS #2 (5 minutes per speaker)

12 – ADJOURNMENT

Douglas Miles

Community Development Director Review

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

*For the Hearing-Impaired – Listening device available in the Fluvanna County Library 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 434.591.1910.*

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.

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COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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

To: Fluvanna County Planning Commission members

From: Douglas Miles, Community Development Director

Date: June 8, 2021

Subject: Community Development Director's Report

May 13, 2021 – Technical Review Committee (TRC) Meeting

ZTA 21:03 - AN ORDINANCE TO AMEND CHAPTER 22 ZONING OF THE FLUVANNA COUNTY CODE BY THE ADDITION OF A USES PERMITTED BY RIGHT USE UNDER 22-8-2.1 IN THE R-4 ZONING DISTRICT.

Dwellings, multi-family, with a density up to 5.5 dwelling units per acre, provided the property is within an area subjected to a common plan of development and such property is served by a central water and sewer system.

Roudabush, Gale & Associates presented a Conceptual Phasing Plan for Marina Point of Lake Monticello to construct ten (10) new multi-family units on Tax Maps 18A Section 1 Parcels 296BA and 296C. Currently, there are existing condominiums on the Marina Point property and their clients they would like to complete this existing residential multi-family development.

ZMP 21:03 Perkins and Orrison – A Conditional Rezoning from the B-1, Business, General to the I-1, Industrial, Limited District on 16.2 +/- acres of Tax Maps 5 Section 17 Parcels 1 and 1A. The subject properties are located in the northeast quadrant of Richmond Road (Rte 250) and

Edgecomb Road (SR 689) and are in the Zion Crossroads Community Planning Area and the Columbia Election District.

May 17, 2021 – EPR: Land Development and Growth in Virginia Webinar

The Community Development Director attended the APA VA webinar: How Dense is your Sprawl? in VA that was presented by EPR of Charlottesville. The EPR Planners used the National Land Cover Database data from 2001 to 2015 that had illustrated how jobs and growth had occurred in developed areas and how rural areas such as Fluvanna had received planned growth.

May 18, 2021 – Rural Transportation Advisory Committee Meeting

A 2021 Virginia General Assembly Update was provided by David Blount and 2022 Rural Transportation Work Program it was prepared along with VDOT Smart Scale projects being discussed to include 250 & Troy Road.

May 19, 2021 – Board of Supervisors Public Hearings Meeting

SUP 21:02 Amy and Joshua Bower – A Special Use Permit request in the A-1 Agricultural, General District to permit an Agricultural Enterprise (winery) on 42.9 +/- acres known as Tax Map 48 Section 1 Parcel 3. The property is located on the north line of West River Road (Route 6) and 0.9 miles west of Hardware Road. The subject parcel is located within the Scottsville Community Planning Area and the Cunningham Election District. **Approved 5-0 with the seven (7) recommended conditions for winery.**

ZTA 21:01 An Ordinance to Amend Zoning Ordinance Sections 22-17-8A, 22-18-1, 22-18-2, 22-18-3, 22-18-4, and 22-18-7 of The Fluvanna County Code to Conform the Sections to Amendments to the Enabling Legislation relative to the Board of Zoning Appeals regulations. **Approved 5-0**

SUP 20:02 Quigley Properties LLC – A request for a Special Use Permit to construct a central sewer system / utilities, major for a rural cluster subdivision in an A-1 district, with respect to 48.4 +/- acres of Tax Map 31, Section A, Parcel 41 and Tax Map 31, Section 1, Parcel A. The properties are located along Courthouse Road and Oak Creek Road, and 0.6 miles east of its intersection with Georges Mills Road and Stoneleigh Road. The

parcels are zoned A-1, Agricultural, General and are located within the Rural Preservation Planning Area and the Columbia Election District.

Deferred by 5-0 vote for thirty (30) days by the Board to June 16th

May 20, 2021 – VDOT Transportation Assistance Program Grant Meeting

The Community Development Director and Planner / GIS Technician met with the VDOT TAP Grant Staff on making application towards the grant funding for the Palmyra Main Street area for sidewalks and streetscapes.

The VDOT Traffic Division will continue to take traffic counts in the Fork Union Village area along Route 15 in the Fall of 2021 to capture business and school traffic in the area of Fork Union Pharmacy and the VSI Store.

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 – 26 Sites)

Compliance with Tenaska Virginia Sound Levels 05/17/2021

Signs Removed From Public Rights-Of-Way (Total – 16)

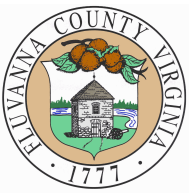
Placed and removed "Public Hearing Signs" as needed

Deliver packets to BOS, PC, BZA Members

Planning / Zoning site plan evaluations for form (May 2021)

Planning / Zoning materials to VDOT Louisa Residency (May 2021)

Four Trips



TRANSACTIONS BY USER REPORT (05/03/2021 TO 05/28/2021) FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

Selected Users: Valencia Porter

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
Valencia Porter					
BSP21:0004					
INV-00002806	Boundary/Physical Survey, Easement, Correction	05/06/2021	Fee Payment	Check #24033	\$50.00
MSC21:0144					
INV-00002829	Sign Permit	05/17/2021	Fee Payment	Check #1065	\$155.00
SDP21:0002					
INV-00002802	Site Plan Review: Major Plan	05/05/2021	Fee Payment	Check #1200	\$1,100.00
SDP21:0005					
INV-00002803	Site Plan Review: Sketch Plan	05/05/2021	Fee Payment	Check #5480	\$150.00
SDP21:0006					
INV-00002830	Site Plan Review: Major Plan	05/17/2021	Fee Payment	Check #1018	\$1,100.00
SUB21:0019					
INV-00002800	Subdivision: GIS Fee (per lot)	05/04/2021	Fee Payment	Check #1066	\$100.00
	Subdivision: Minor	05/04/2021	Fee Payment	Check #1066	\$500.00
SUB21:0020					
INV-00002801	Subdivision: GIS Fee (per lot)	05/04/2021	Fee Payment	Check #1201	\$100.00
	Subdivision: Minor	05/04/2021	Fee Payment	Check #1201	\$500.00
SUB21:0021					
INV-00002813	Boundary Adjustment	05/11/2021	Fee Payment	Check #7827	\$100.00
SUB21:0022					
INV-00002864	Boundary Adjustment	05/27/2021	Fee Payment	Cash	\$100.00
SUP21:0004					
INV-00002804	Sign Deposit for Public Hearing	05/05/2021	Fee Payment	Check #1235	\$90.00
	Special Use Permit	05/05/2021	Fee Payment	Check #1236	\$800.00
ZMP21:0003					
INV-00002784	Rezoning	05/03/2021	Fee Payment	Check #002479	\$1,000.00
	Sign Deposit for Public Hearing	05/03/2021	Fee Payment	Check #002480	\$90.00
ZUP21:0001					
INV-00002863	Zoning Use Permit: Telecom Tower Consult. Review	05/27/2021	Fee Payment	Check #232848	\$900.00
	Zoning Use Permit: Telecommunications Towers	05/27/2021	Fee Payment	Check #232848	\$550.00
VALENCIA PORTER				TOTAL CASH:	\$100.00
				TOTAL CHECK:	\$7,285.00
				NET TOTAL:	\$7,385.00

TRANSACTIONS BY USER REPORT (05/03/2021 TO 05/28/2021)

Invoice #	Fee Name	Transaction Date	Transaction Type	Payment Method	Paid Amount
GRAND TOTALS				TOTAL CASH:	\$100.00
				TOTAL CHECK:	\$7,285.00
				NET TOTAL:	\$7,385.00

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES**

**Fluvanna County Library
214 Commons Boulevard
Palmyra, VA 22963**

**May 11, 2021
6:00 pm (Work Session)
7:00 pm (Virtual Meeting)**

MEMBERS PRESENT:

Barry Bibb, Chair
Gequetta "G" Murray-Key, Vice Chair
Lewis Johnson
Ed Zimmer
Howard Lagomarsino
Patricia Eager, Board of Supervisors

STAFF PRESENT:

Eric Dahl, County Administrator
Douglas Miles, Community Development Director
Jason Overstreet, Senior Planner
Fred Payne, County Attorney
Valencia Porter, Administrative Programs Specialist

A. CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:

At 6:00 pm, Chair Bibb called the Work Session to order, led in the Pledge of Allegiance and conducted a Moment of Silence.

B. PUBLIC COMMENTS: (5 minutes per speaker)

None were provided.

C. WORK SESSION: Virginia Electric and Power Company / Dominion Energy Landfill

Virginia Electric and Power Company d/b/a Dominion Energy Virginia ("VEPCO") is seeking to rezone two (2) parcels identified as Tax Map 62 Section A Parcel 7 and Tax Map 59 Section A Parcel 27 (collectively the "Property") from A-1, General Agricultural to I-1, Limited Industrial in order to construct a lined landfill (the "Landfill") for the final disposition of coal combustion residuals (CCRs) that are currently located on the adjacent Bremono Power Station property (the "Power Station") along the James River.

Eric Dahl, County Administrator: spoke briefly about the Proffers contained in this request:

Use Restrictions: Offices, Contractor's storage yards, Lumberyards, Machine shops, Light manufacturing, solid waste collection facilities, Minor Utilities and Accessory land uses.

Uses permitted by Special Use Permit only: Sanitary landfills, Solid waste material recovery facilities, Telecommunication facilities, Utilities, major, and Uses accessory to the above uses.

Water Supply Improvements: To ensure the continued provision of a safe and reliable potable water source for residents and users in the Fork Union Sanitary District (FUSD)

Public Amenity / Recreation and Green Infrastructure Mitigation Payment: The Applicant shall pay the County \$500,000 (the "Public Amenity Payment") to construct park, recreation and/or green space area(s) (i.e., playground, baseball field, basketball court) in a location or locations to be determined by the Board at its sole discretion.

Transportation Improvements and Road Maintenance: The Applicant shall submit a traffic management plan as part of the overall site development plan.

Payment and Permitting Contingencies: Within a reasonable time prior to committing to the Water System Improvements option it will undertake, the County shall submit to Applicant an initial scope of work, schedule, and total budget for each phase of the Water Supply Improvements (each a Project Budget and collectively, the Project Budgets)

Use of Local Workforce: The Applicant shall work with its contractors to identify opportunities for utilizing, developing, and hiring local workers in accordance with Code of Virginia.

Permits: The Applicant shall acquire all necessary permits from all applicable regulatory bodies of the state and federal government and copies of such permits shall be provided to the County upon request.

Work Session Discussion:

Mr. Johnson: asked does that mean we will be getting rid of all of the FUSD wells?

Mr. Dahl: Yes, probably long term, but we probably have about six or seven ground water wells that we may rely on and will have some redundancy until we will have to take the wells offline.

Mr. Zimmer: asked is there a condition that only the coal ash from Bremono Power Station be placed into the new landfill? How do we know other coal ash cannot be put into this landfill?

Mr. Dahl: explained we had a discussion with them about how their coal ash will be removed there and there are options are: haul it out in trucks on County roads; take it out by rail cars; recycling it in some situations to reduce the amount of coal ash that needs to be removed or be landfilled; or just be Landfilled and that is where both sides have come to an agreement now.

The truck traffic and some of the heavier traffic will be contractors and other shipment trucks going into the site and will not have any coal ash dump trucks coming onto county roads. They will take it from the North side of the property to the East side and into the proposed Landfill.

Fred Payne, County Attorney: explained that this material is not going to stay where it is. The County is going to have to approve this as one of the possible solutions. They are asking that you go along with the landfill and he explained the options about the coal ash being removed from one side of the site to the other side and then it would be placed right into their landfill.

Mr. Zimmer: stated even though it is staying on site it is still not improving Fluvanna County.

Mr. Payne: stated yes, I guess that you could say that.

Mr. Zimmer: asked how are we protecting the private residential wells?

Mr. Payne: stated we are providing a reliable source of potable water.

Mr. Dahl: stated Dominion Energy will pay to hook up to that water system.

Chair Bibb: stated making the entire Fork Union Sanitary District (FUSD) water system better.

Mr. Payne: stated if they are going to give us funding it has to be for specific improvements.

Mr. Johnson: stated this will be better because in this part of the County and in Fork Union in general it is in need of new infrastructure such as water to eventually have new business uses.

Vice Chair Murray-Key: asked what about the environmental impact and the impact on where our residents live. So, their well water is being tested and I understand that they will have the option to connect up to a FUSD County water line or they can choose to also keep their well?

Mr. Miles: stated Dominion Energy was required to perform well testing for residents as a part of the Virginia General Assembly legislation and the well reports have been submitted to DEQ and we will have to provide additional information to residents about connecting up to water.

Mr. Dahl: stated since all of the adjoining landowners have been tested and for the first five years they will continue to get tested, for as long as they do not agree to the new system, then after that will get tested every five years. Those will be the properties within the ½ mile area.

Mr. Zimmer: stated that it does seem to me to be a much better situation when the landfill is built. Is it appropriate for us to ask the applicant about a condition to restrict the coal ash to be only from the Bremono Power Station here in Fluvanna County and not from outside the County?

Mr. Payne: stated you do not have to have them agree to this condition, you can just ask the question and see what they say. My guess is that they are not going to have any objection to it because they do not plan to bring any coal ash in from outside the County this would ensure it.

Mr. Zimmer: stated that he thinks it is a reasonable condition and that is where I will go with it.
Mr. Miles: stated that the conditions that we have are very similar to the ones that we used for the Sun Tribe Solar request last month and so we can work on adding to those case conditions.

Vice Chair Murray-Key: stated that she is very concerned when we start talking about impacts on our County residents and particularly residents near the former power plant. As people are looking at money needed to live and looking at their health and safety down the road. So that would be my main concern from individuals that are impacted by this entire process. Could the adjoining property owners get their wells tested by whomever they want? I am just trying to understand that if I lived there I would want to know that and all I hear now is everybody else around me is saying this is good. So, I am just trying to get clarity on what we are doing on it.

Mr. Miles: stated that tonight at your Regular Meeting and during the Public Hearings there will be several AECOM engineers and Dominion Energy representatives who can answer your questions and the other Planning Commissioners' questions. Mr. Dahl and I will be going over both the Proffers and Recommended Conditions for everyone and ready to answer questions.

Mr. Payne: indicated to Vice Chair Murray-Key nobody can assure you that there would not be a dispute or not be any well issues. Then they can say that is not reasonable we are not going to do that and they will have a dispute and there is nothing you can do about that. VEPCO has every incentive to satisfy any reasonable concerns. What is happening is that instead of them going out and drilling multiple wells they can say that there is a new water line in front of your house and you can hook it up, and that will be as good as it gets. Mr. Zimmer, so if you want to put your language into the conditions it seems like the easiest thing to do is to add to Condition One that is already found in the Staff Report and we can do that when the time is right tonight.

Chair Bibb adjourned the Work Session at 6:58 pm.

Regular Meeting at 7:00 pm

1. **CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**

At 7:00 pm, Chair Bibb called the May 11, 2021 Regular Meeting to order, followed by the Pledge of Allegiance and a Moment of Silence.

2. **DIRECTOR'S REPORT: Douglas Miles, Community Development Director**

April 8, 2021 – Technical Review Committee (TRC) Meeting

ZMP 21:02 Virginia Electric and Power Company – A Conditional Rezoning from the A-1, Agricultural, General District to the I-1, Industrial, Limited District on 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7. The properties are located on the south line of Bremono Road and 0.2 miles west of Spring Road. The subject properties are within the Rural Residential and Rural Preservation Planning Areas and the Fork Union Election District.

SUP 21:03 Virginia Electric and Power Company – A Special Use Permit request in the I-1 Industrial, Limited District to permit a sanitary landfill with respect to 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7. The properties are located on the south line of Bremono Road and 0.2 miles west of Spring Road. The subject properties are within the Rural Residential and Rural Preservation Planning Areas and the Fork Union Election District.

April 12, 2021 – Cunningham Solar LLC – Transportation Plan Meeting

The Community Development Director met virtually with the VDOT Land Use Engineers, Timmons Group Transportation Senior Planner and Sun Tribe Solar staff on the proposed transportation planning construction route along Route 53 and Route 15 by avoiding the collector roads to their construction site in order to construct a new solar energy facility.

April 14, 2021 – VDOT Transportation Assistance Program (TAP) Statewide Webinar

The Community Development Director and Planner / GIS Technician both attended the VDOT statewide training session to prepare the streetscape project funding request for the Palmyra Main Street area in the County. The TAP Grant application process will help Fluvanna County.

April 21, 2021 – Board of Supervisors Public Hearings Meeting

SUP 20:04 Cunningham Solar, LLC – A request for a Special Use Permit in the A-1, Agricultural, General District to construct a major utility use (solar energy facility) on 62.4 +/- acres, Tax Map 18, Section A, Parcel 44. The property is located on the east side of South Boston Road (SR 600), approximately 0.2 miles north of its intersection with Thomas Jefferson Parkway (Route 53). The subject parcel is within the Rivanna Community Planning Area and the Fork Union and Palmyra Election Districts. **The SUP it was approved with the recommended conditions and a Transportation Plan is being reviewed by Director with Sun Tribe Solar and Timmons Group.**

SUP 20:03 Steven L. & Codie C. Peters – A Special Use Permit request in the R-3, Residential, Planned Community District to permit both car wash and gas station uses with respect to 60.9 +/- acres of Tax Map 8, Section A, Parcel A14A. The property is located on the northeast corner of the intersection of Thomas Jefferson Parkway (Route 53) and Lake Monticello Road. The subject parcel is within the Rivanna Community Planning Area and is in the Palmyra Election District. **The SUP was approved with recommended conditions. Director is reviewing final transportation improvements with Shimp Engineering and VDOT for the site development.**

ZMP 21:01 Christian & Associates Excavating – A Conditional Rezoning from A-1, Agricultural, General to the B-1, Business, General District on 14 +/- acres of Tax Map 9 Section A Parcel 12A. The property is located on the north line of Lake Monticello Road and 0.1 miles west of River Run Road. The subject parcel is within the Rivanna Community Planning Area and the Palmyra Election District. **The rezoning was approved with proffered conditions and the applicant is working on submitting his site plans for review by the TRC staff members.**

SUP 21:01 Christian & Associates Excavating – A Special Use Permit request in the B-1, Business, General District to permit a contractor’s storage yard with respect to 14 +/- acres of Tax Map 9 Section A Parcel 12A. The property is located on the north line of Lake Monticello Road and 0.1 miles west of River Run Road. The subject parcel is within the Rivanna Community Planning Area and the Palmyra Election District. **The SUP was approved with recommended conditions to screen the proposed use and it will be reviewed by the TRC.**

April 29, 2021 – Dominion Energy Community Meeting & Open House

Dominion Energy conducted a Community Meeting open house at the Fluvanna Community Center down in Fork Union on a proposed landfill site. The County Administrator, Economic Development Coordinator and Planner / GIS Technician attended this community meeting.

April 29, 2021 and May 6, 2021 – FLDP Planning & GIS Training Sessions

The Planning Commission Chairman, Community Development Director and Senior Planner / GIS Coordinator conducted a training session on the Planning Commission, Comprehensive Plan and the Zoning Ordinance. The Fluvanna Leadership Development Program (FLDP) participants were able to ask us questions and learn more about the Planning and GIS division operations.

The second FLDP training session on May 6th focused on the 2019-2020 Development Activity Report (DAR) and also on Transportation Planning work. Along with R-3, Residential Planned Community developments located within the County where the residential growth is occurring mainly along the Lake Monticello Road corridor with future growth expected in the ZXR area.

3. **PUBLIC COMMENTS #1:**

At 7:07 pm, Chair Bibb opened the first round of Public Comments. With no one coming online wishing to speak to the Commission, Chair Bibb closed the Public Comments Period at 7:08 pm.

4. **MINUTES:**

MOTION:	I move that the Planning Commission Minutes of April 13, 2021 be approved, as presented.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:		Seconded	Motion		
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Approved by 5-0 vote, as presented				

5. **PUBLIC HEARINGS:**

ZMP 21:02 Virginia Electric and Power Company – Douglas Miles, Community Development Director

A Conditional Rezoning from the A-1, Agricultural, General District to the I-1, Industrial, Limited District on 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7. The properties are located on the south line of Bremono Road and 0.2 miles west of Spring Road. The subject properties are within the Rural Residential and Rural Preservation Planning Areas and the Fork Union Election District.

Mr. Miles provided a combined ZMP 21:02 and SUP 21:03 Virginia Electric and Power Company Powerpoint Presentation on the Conditional Rezoning proffered conditions and the Special Use Permit recommended conditions and overall site development and screening of a new landfill.

Sarah Marshall, Dominion Energy External Affairs Manager: introduced herself as well as the other professionals that were at the Planning Commission meeting. Then she proceeded to provide an overall background of the proposed landfill and the potential site construction timeline and she made herself available to answer the Planning Commissioners' questions.

The Dominion Energy timeline for the proposed Landfill construction project is as shown below:

Summer 2021 – Solid Waste Permit Application to be filed with VDEQ and ACOE a Joint Permit; Fall 2021 – A Major Site Development Plan will be filed with Fluvanna County and VDOT Staff; Estimated Construction Timeline: 2023 – 2027 Landfill Construction / 2024 – 2030 Coal Ash to be moved from the North Ash Pond into the Landfill; and Final Cover installed in 2030 – 2031.

Planning Commissioners Discussion Period:

Mr. Zimmer: asked so are the existing coal ash ponds going to be excavated or be left alone?

Mrs. Marshall: stated that the North Ash pond will be excavated and that ash will be placed into the proposed Landfill for disposal purposes. The other existing ponds will be evaluated.

Vice Chair Murray-Key: stated that Mrs. Marshall you spoke about Dominion's intentions to construct a sanitary landfill and where will we be twenty years down the road with a landfill?

Mrs. Marshall: stated currently there is not a condition to limit the proposed lined landfill, not a true Sanitary landfill - just coal ash from the Bremono Power Station and that is our intention.

Mr. Zimmer: stated that I plan to propose when the time is right tonight to amend one of the recommended conditions to include the restriction that only Bremono Power Station coal ash be placed into the landfill and also that sanitary landfill materials would not be permitted in there.

Mrs. Marshall: stated that we would like to see the exact language before we say yes or no but we do not see an issue with that type of condition and are happy to do that tonight with staff.

Vice Chair Murray-Key: asked that at your recent Community Meeting did you hear from area residents about any environmental concerns or well water concerns as that is what I would like to know more about this request and that we are protecting Fluvanna County residents there.

Mrs. Marshall: stated that we know everyone can have different expectations as to what the proposed landfill and the long term construction of the landfill will do to the immediate area. Dominion Energy has proffered several things to offset the impact upon the adjacent property owners as far as construction traffic, dust, noise, and other mitigating factors we have worked with the Fluvanna County Staff on to avoid any issues. In the past, we have even worked with the Fluvanna School System and the County overall to avoid any issues with the school buses and also their scheduled routes. So, as far as the groundwater testing, that has already been completed and we do not expect that much of an impact environmentally from the proposed landfill operation. Well testing will continue to be performed for the life of the landfill and we plan to have our Dominion Energy operations team to monitor all things going forward there.

Vice Chair Murray-Key: stated I understand that new recreational opportunities will be able to be established in this area in the future and that you have proffered to address that need. Is

there a timeline for that or we have babies that are not even born yet and then they will about to be parents and the recreational amenities will have been installed or how does that coincide with potential development of any recreational areas in relation to a landfill construction site.

Mrs. Marshall: stated that the recreational aspects of this project will be solely up to Fluvanna County as to when then would like to add the new recreational facilities with the \$500,000 that we are providing as a part of this conditional rezoning case and when the time is right for that.

Mrs. Eager: asked who does your groundwater well testing?

Mrs. Marshall: stated for residential well testing we use DRM and for on-site testing we use Golder and Associates and we plan to only bring the Bremo Power Station ash into the landfill.

Vice Chair Murray-Key: asked who determined the radius requirements for the well testing and how residents would be contacted and were they properly notified by letter by your company?

Mrs. Marshall: stated the Virginia General Assembly legislation required us to perform the well testing and it established the radius requirements and we went beyond those requirements by notifying the business owners and churches in the immediate area to properly notify everyone. Fluvanna County Planning and GIS Staff has worked with us to perform these notifications and they utilized the same mailing list to notify property owners about tonight’s Public Hearings.

Vice Chair Murray-Key: inquired about the potential for construction jobs to be made available to County residents for the construction of the proposed landfill – can you elaborate on that?

Mrs. Marshall: stated yes that eventually that there will be opportunities for local contractors to work for Dominion Energy in the construction of the proposed landfill again as a part of the Virginia General Assembly legislation and typically it is our policy of Dominion Energy, as well.

Chair Bibb opened up the Public Hearing at 7:46 pm as a joint Public Hearing and with no one coming forward online to speak to the Commission, he ended the Public Hearing at 7:47 pm.

Chair Bibb: stated that he thinks that this is the safest way for them to do it on-site and that they are not taking it out on our public roads. The opportunity for them to upgrade the water system would work best for residents. The Board of Supervisors has the right for the future development of a recreational area down the road. VDOT can come later and fix the roads that are damaged or have been damaged and can further assess what needs to be done once the landfill has been completed and all the coal ash trucks are no longer on the roads in the area.

Mr. Zimmer: stated he agreed completely and that Mr. Payne has prepared with Dominion’s land use attorney the recommended language that we had discussed in the Work Session.

Mr. Payne: This Special Use Permit is granted for a sanitary landfill use to Virginia Electric and Power Company d/b/a Dominion Energy Virginia or any successors as the owner of such use located on Tax Map 62 Section A Parcel 7 for the final disposition of coal combustion residuals (CCRs) and related materials that are currently located on the adjacent Bremo Power Station property (the “Power Station”) along the James River.

Mr. Johnson: stated he is the Fork Union District Commissioner and I support this, and I think this will help out with a new water system and it will be good for the County and Fork Union.

MOTION:	I move that the Planning Commission recommend Approval of ZMP 21:02 to conditionally rezone from the A-1, Agricultural, General District to the I-1, Industrial, Limited District on 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7 along with the seven (7) proffered conditions dated March 31, 2021 submitted by the applicant.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:			Motion	Seconded	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Recommended Approval 5-0 with proffered conditions				

SUP

A

21:03 Virginia Electric and Power Company – Douglas Miles, Community Development Director:

Special Use Permit request in the I-1 Industrial, Limited District to permit a sanitary landfill with respect to 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7. The properties are located on the south line of Bremono Road and 0.2 miles west of Spring Road. The subject properties are within the Rural Residential and Rural Preservation Planning Areas and the Fork Union Election District.

Recommended Conditions:

Staff recommended these conditions with amended Condition 1 as shown in the underlined text:

1. This Special Use Permit is granted for a sanitary landfill use to Virginia Electric and Power Company d/b/a Dominion Energy Virginia or any successors as the owner of such use located on Tax Map 62 Section A Parcel 7 for the final disposition of coal combustion residuals (CCRs) and related materials that are currently located on the adjacent Bremono Power Station property (the "Power Station") along the James River.
2. All site activity required for construction of the sanitary landfill shall be limited to the following days and times: All construction and site deliveries shall be limited to the hours from sunrise to sunset Monday through Saturday with no Sunday construction and site deliveries permitted on the Property.
3. A Construction Traffic Management Plan, including certain mitigation measures shall be developed by the applicant and it shall be submitted to the Virginia Department of Transportation (VDOT) and the County Administrator or his designee for review and approval. The Plan shall address traffic control measures along all state maintained roads leading to the Property for both pre-and post-construction road evaluation and any necessary repairs needed to the public roads that are required as a result of any damage from the sanitary landfill construction. All VDOT permits must be received and be approved by VDOT and the approved copies shall be provided to the County Administrator or his designee prior to site construction occurring on the premises.
4. A Site Parking and Construction Staging Plan shall be submitted as a part of the Site Development Plan approval process on the Property that demonstrates a site access plan directing both employee and delivery traffic to minimize conflicts with local traffic on state maintained roads leading to the site to avoid traffic delays during peak construction times. The Virginia Department of Transportation shall approve access to the Property and the applicant will be responsible for all necessary commercial entrance and road improvements to the Property.
5. A Site Construction Mitigation Plan shall be submitted as a part of the Site Development Plan approval process that addresses dust mitigation where all construction roads and areas shall remain dust-free by the use of a water truck or other approved method to keep soil and sediment on the premises. Burning operations must follow all local and state burning restrictions and distances from property lines and combustibles. The plan must address both dust and smoke migration so as not to be of a general nuisance to adjoining property owners during site construction and/or burning operations on the Property.
6. The applicant shall coordinate directly with the Fluvanna County Fire Chief and Fluvanna County Sheriff to provide sanitary landfill educational information and/or training to the respective County personnel responding to the sanitary landfill use in regards to how to respond to any calls for service that may occur on the Property. The Fire Chief and Sheriff shall be provided with the construction manager's direct contact information during construction and the remote sanitary landfill manager's direct contact information during operations on the Property. It shall be the responsibility of the applicant to update Fluvanna County should this sanitary landfill manager's name, phone number and/or e-mail address change on the Property.
7. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time on Property and they have the

authority to revoke this Special Use Permit if the applicant or property owner has substantially breached the conditions of the Special Use Permit.

MOTION:	I move that the Planning Commission recommend Approval of this request to permit a Special Use Permit SUP 21:03 request in the I-1 Industrial, Limited District to permit a sanitary landfill with respect to 224.5 +/- acres of Tax Map 59 Section A Parcel 27 and Tax Map 62 Section A Parcel 7 subject to the seven (7) conditions listed within the staff report.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:		Seconded			Motion
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Recommended Approval 5-0 with amended conditions				

ZTA 21:02 Ordinance to Amend Chapter 22 Zoning – Douglas Miles, Community Development Director:

Be it resolved by the Fluvanna County Planning Commission, pursuant to Fluvanna County Code Sec. 22-20-1(c), that the Commission intends to propose the following amendment to the Fluvanna County Code:

An Ordinance to Amend Chapter 22 Zoning of the Fluvanna County Code by the Addition of Definitions Under 22-22-1 Definitions; Uses Permitted by Right in A-1 Zoning Under 22-4-2.1, in R-1 Zoning Under 22-5-2.1, in R-2 Zoning Under 22-6-2.1, in R-3 Zoning Under 22-7-9.1, in R-4 Zoning Under 22-8-2.1, in B-1 Zoning Under 22-9-2.1, in B-C Zoning Under 22-10-2.1, in I-1 Zoning Under 22-11-2.1, in I-2 Zoning Under 22-12-2.1, and in MHP Zoning Under 22-13-2.1 to Permit a Small Scale Solar Generation Facility; and Uses Permitted by Special Use Permit in A-1 Zoning Under 22-4-2.2, in B-1 Zoning Under 22-9-2.2, in B-C Zoning Under 22-10-4, in I-1 Zoning Under 22-1-2.2 and in I-2 Zoning Under 22-12-2.2 to Permit a Minor Scale and Utility Scale Solar Generation Facility; and the Addition of Chapter 22 Zoning, Article 28. Regulation_of Solar Generation Facilities.

BE IT ORDAINED BY THE FLUVANNA COUNTY BOARD OF SUPERVISORS, pursuant to Virginia Code Sections 15.2-2285, that the Fluvanna County Code be, and it is hereby, amended, in Sections 22-4-2.1, 22-5-2.1, 22-6-2.1, 22-7-9.1, 22-8-2.1, 22-9-2.1, 22-10-3, 22-11-2.1, 22-12-2.1, 22-13-2.1, 22-4-2.2, 22-9-2.2, 22-10-4, 22-11-2.2, 22-12-2.2 and 22-22-1 and the Addition of Chapter 22 Zoning, Article 28 as follows:

Sec. 22-22-1 Definitions

Solar generation facility, minor scale An on-site solar energy conversion system producing less than 2 MW of electricity. Minor scale solar energy conversion systems generally reduce on-site consumption of utility power for civic, commercial and industrial applications. On-site may also include adjacent parcels under common use, ownership and control. Rooftop arrays do not require zoning approval. Ground mounted arrays require zoning approval as accessory structures.

Solar generation facility, small scale An on-site solar energy conversion system producing not more than 15 kW of electricity. Small scale solar energy systems generally reduce on-site consumption of utility power for civic, commercial and industrial applications. On-site may include adjacent parcels under common use, ownership and control. Rooftop arrays do not require zoning approval. Ground mounted arrays require zoning approval as accessory structures.

Solar generation facility, utility scale A solar energy conversion system producing 2 MW or more of electricity to a utility provider. Such facilities interconnect with an existing electrical grid serving other off-site facilities which are not adjacent or under common use, ownership or control.

Chair Bibb opened the Public Hearing at 8:18 pm. With no one coming forward online or on the conference call line wishing to speak, Chair Bibb closed the Public Hearing at 8:19 pm and he

opened it up for discussion by the Planning Commission.

Chair Bibb asked if there were any other questions or comments, none where provided. He then asked if there was a motion.

MOTION:	I move to adopt An Ordinance to Amend Chapter 22 Zoning of the Fluvanna County Code by the Addition of Definitions Under 22-22-1 Definitions; Uses Permitted by Right in A-1 Zoning Under 22-4-2.1, in R-1 Zoning Under 22-5-2.1, in R-2 Zoning Under 22-6-2.1, in R-3 Zoning Under 22-7-9.1, in R-4 Zoning Under 22-8-2.1, in B-1 Zoning Under 22-9-2.1, in B-C Zoning Under 22-10-3, in I-1 Zoning Under 22-11-2.1, in I-2 Zoning Under 22-12-2.1, and in MHP Zoning Under 22-13-2.1 to Permit a Small Scale Solar Generation Facility; and Uses Permitted by Special Use Permit in A-1 Zoning Under 22-4-2.2, in B-1 Zoning Under 22-9-2.2, in B-C Zoning Under 22-10-4, in I-1 Zoning Under 22-11-2.2 and in I-2 Zoning Under 22-12-2.2 to Permit a Minor Scale and Utility Scale Solar Generation Facility; and the Addition of Chapter 22 Zoning Article 28. Regulation of Solar Generation Facilities.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:		Motion		Seconded	
VOTE:	Yes	Yes	Yes	Yes	Yes
RESULT:	Recommended Approval 5-0				

6. PRESENTATIONS:

None

7. SITE DEVELOPMENT PLANS:

None

8. SUBDIVISIONS:

None

9. UNFINISHED BUSINESS:

None

10. NEW BUSINESS:

None

11. PUBLIC COMMENTS #2:

At 8:27 pm, Chair Bibb opened the second round of Public Comments. With no one else coming online Chair Bibb closed the Public Comments period at 8:28 pm.

12. ADJOURNMENT:

Chair Bibb adjourned the Planning Commission meeting of May 11, 2021 at 8:28 pm.

Minutes recorded by Valencia Porter, Administrative Programs Specialist.

Barry A. Bibb, Chair
Fluvanna County Planning Commission



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PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commission
Request: SUP for a commercial kennel use

From: Jason Overstreet, Senior Planner
District: Columbia Election District

General Information: This Special Use Permit (SUP) request will be heard by the Planning Commission on Tuesday, June 8, 2021 at 7:00 pm within the Fluvanna Library.

Applicant: Joseph Carl Bradley

Owner: Joseph Carl Bradley

Requested Action: **SUP 21:04 Joseph Carl Bradley** – A Special Use Permit request in the A-1, Agricultural, General District to permit a commercial kennel with respect to 5 +/- acres of Tax Map 23 Section A Parcel 30 located at 5464 Venable Road. The subject property is located within the Rural Preservation Planning Area and in the Columbia Election District.

Existing Zoning: A-1, General Agricultural

Existing Land Use: Single-family dwelling

Planning Area: Rural Preservation Planning Area

Adjacent Land Use: The adjacent properties are residential, religious, and agricultural in nature and are zoned A-1 and are occupied by single-family dwellings or are vacant with a 520 acre farm tract surrounding the subject property with existing homes located across the street.

Comprehensive Plan:

Land Use:

The Comprehensive Plan designates this property as within the Rural Preservation Planning Area. According to this chapter, "The rural preservation areas are intended to be the least developed areas of the county" along with rural land uses that support the rural quality of life.

Economic Development:

The Comprehensive Plan recommends that development within Rural Preservation areas preserve the character of the area and promote economic development. Accordingly, "Some additional commercial services for the convenience of those living out in the country are appropriate and may be considered if these uses are designed and arranged to complement the rural character of the area and its surrounding uses. These uses are especially encouraged around existing communities, including Kents Store...and...landholders in these planning areas should be given the opportunity to pursue options that will supplement their income" and the applicant has filed for a commercial kennel land use to professionally train dogs on the subject property.

Community Meeting:

The case applicant did not conduct a community meeting as he was informed when he met with Planning staff that he should get in contact with the adjoining property owners prior to filing for a commercial kennel request. As the main concern that is raised with this request is barking dogs and should be ready to address those concerns, if they arise, within the Public Hearing process.

Analysis:

This is a special use permit application to establish a commercial kennel utilizing a new 30' x 41' building to be constructed on the property. The applicant intends to provide dog training on site:

Kennel, commercial: A place designed and used to house, board, breed, handle or otherwise keep or care for dogs, cats, or other household pets for the specific intent of sale or in return for compensation.

Chapter 15.1 Noise Control of the Fluvanna County Code under Section 15.1-7 Exempt Sounds under (7) *Animals: Sounds generated from animals including, but not limited to, barking dogs shall be exempt.* Therefore, it is important that the applicant properly manages his commercial kennel operation. He has provided in his application request: *Potential effects could be noise from dogs barking and remedies I can do to protect my neighborhood is have the ability to lock my kennel doors so dogs are restricted to using outside runs at certain times of the day. I can also use barking collars, if necessary.* Planning Staff has recommended an SUP condition that requires the applicant to keep the dogs inside the commercial kennel building between dusk and dawn, unless accompanied by the applicant, for the dogs to relieve themselves and be cleaned up.

When evaluating proposed uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance.

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

The subject property is located within the Rural Preservation Planning Area and is surrounded by open space / fields on the east, west, and south sides. There is a single-family dwelling located

approximately 600 feet across the street on the north side of the property. There is also a church building located approximately 700 feet across the street on the northwest side of the property.

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 value of neighboring property.

Commercial kennels are allowed by SUP in the A-1 zoning district. By-right uses that are similar in operation or size of structures to this application may include private dog kennels and equestrian riding and training facilities. The primary concern with this request is the potential for noise adversely affecting his neighbors and certain church services such as funerals and weddings if the dog training facility is not properly managed on the site with limited outside dog run areas.

Conclusion:

The Planning Commission should consider any potential adverse impacts, such as traffic entering and exiting the property, noise or visual clutter, and whether the minimum requirements of the ordinance will effectively mitigate these impacts.

Recommended Conditions:

If approved, Staff recommends the following conditions:

1. This Special Use Permit (SUP) is granted for a commercial kennel use to Joseph Carl Bradley and is not transferable and it does not run with the land on Tax Map 23 Section A Parcel 30.
2. Noise attenuation measures including insulation, fencing and screening shall be installed as a part of the commercial kennel building construction acceptable to both the Building Official and the Zoning Administrator prior to the issuance of a Certificate of Occupancy.
3. There shall be no more than one (1) commercial kennel building on the premises and it shall be located at least fifty (50) feet from property lines with six (6) foot fencing that screens the outdoor dog run areas from the adjacent property owners on Venable Road.
4. There shall not be dogs in the outside runs between dusk and dawn unless the applicant is actively handling such dogs for the purpose of relieving themselves and then the same runs shall be cleaned regularly to meet the Virginia Department of Health requirements.
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 owners have substantially breached the conditions of the Special Use Permit.

Suggested Motion:

I move that the Planning Commission (approve / deny / defer) SUP 21:04, a request to establish a commercial kennel, with respect to 5 +/- acres of Tax Map 23, Section A, Parcel 30, subject to the seven (7) conditions listed in the staff report.

Attachments:

Application and APO letter
Aerial Vicinity Map
Building Elevations



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Owner of Record: Joseph Carl Bradley
E911 Address: 5464 Venable rd Kents Store Va 23089
Phone: 434 242 8520 Fax: _____
Email: Jcbradley84@gmail.com

Applicant of Record: Joseph Carl Bradley
E911 Address: 5464 Venable rd Kents Store Va 23089
Phone: 434 242 8520 Fax: _____
Email: Jcbradley84@gmail.com

Representative: Joseph Carl Bradley
E911 Address: 5464 Venable rd Kents Store Va 23089
Phone: 434 242 8520 Fax: _____
Email: Jcbradley84@gmail.com

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

Is property in Agricultural Forestal District? No Yes
If Yes, what district: _____

Tax Map and Parcel(s): 23 A 30
Acreage: 5.00 Zoning: A-1

Deed Book Reference: 842 Pg 976
Deed Restrictions? No Yes (Attach copy)

Request for a SUP in order to: Run a training kennel Proposed use of Property: Commercial Kennel

*Two copies of a plan 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: 5/5/21 Signature of Owner/Applicant: [Signature]
Subscribed and sworn to before me this 5th day of May, 20 21
Notary Public: Valencia Porter Register # 7812344
My commission expires: July 23, 2023

VALENCIA PORTER
NOTARY PUBLIC
REG. #7812344
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES JULY 23, 2023

Certification: Date: _____
Zoning Administrator: _____

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>5/5/21</u>	Pre-Application Meeting:	PH Sign Deposit Received: <u>5/5/21</u>	Application #: SUP <u>21</u> : <u>04</u>
\$800.00 fee plus mailing costs paid: <u>check # 1236</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 \$1,500.00 fee plus mailing costs paid:		\$5,500 w/Consultant Review paid:	
Election District: <u>Columbia</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		
Decision:	Decision:		

Reset Form

Print Form



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

Name: Joseph Carl Bradley

Address: 5464 Venable rd

City: Kents Store

State: Va Zip Code: 23084

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.

[Handwritten Signature]
Applicant Signature

Date

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

OFFICE USE ONLY

Application #: BZA _____ : CPA _____ : SUP 21 : 04 ZMP _____ : ZTA _____ :

\$90 deposit paid per sign*: Check # 1235

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.

New Building 30x40 Metal building

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

To provide an opportunity for myself to train dogs for potential clients

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?

My home is surrounded by a farm. There is a church diagonally across the street. There is a home directly across the street. Potential effects could be noise from dogs barking. Remedies I can do to protect my neighborhood is have the ability to lock K9 metal doors so dogs are restricted to using outside runs at certain times of the day. I can also use bark collars if necessary.

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

1. Ability for residents to have their dog obedience trained.
2. An additional business in Fluvanna, to pay taxes.

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:

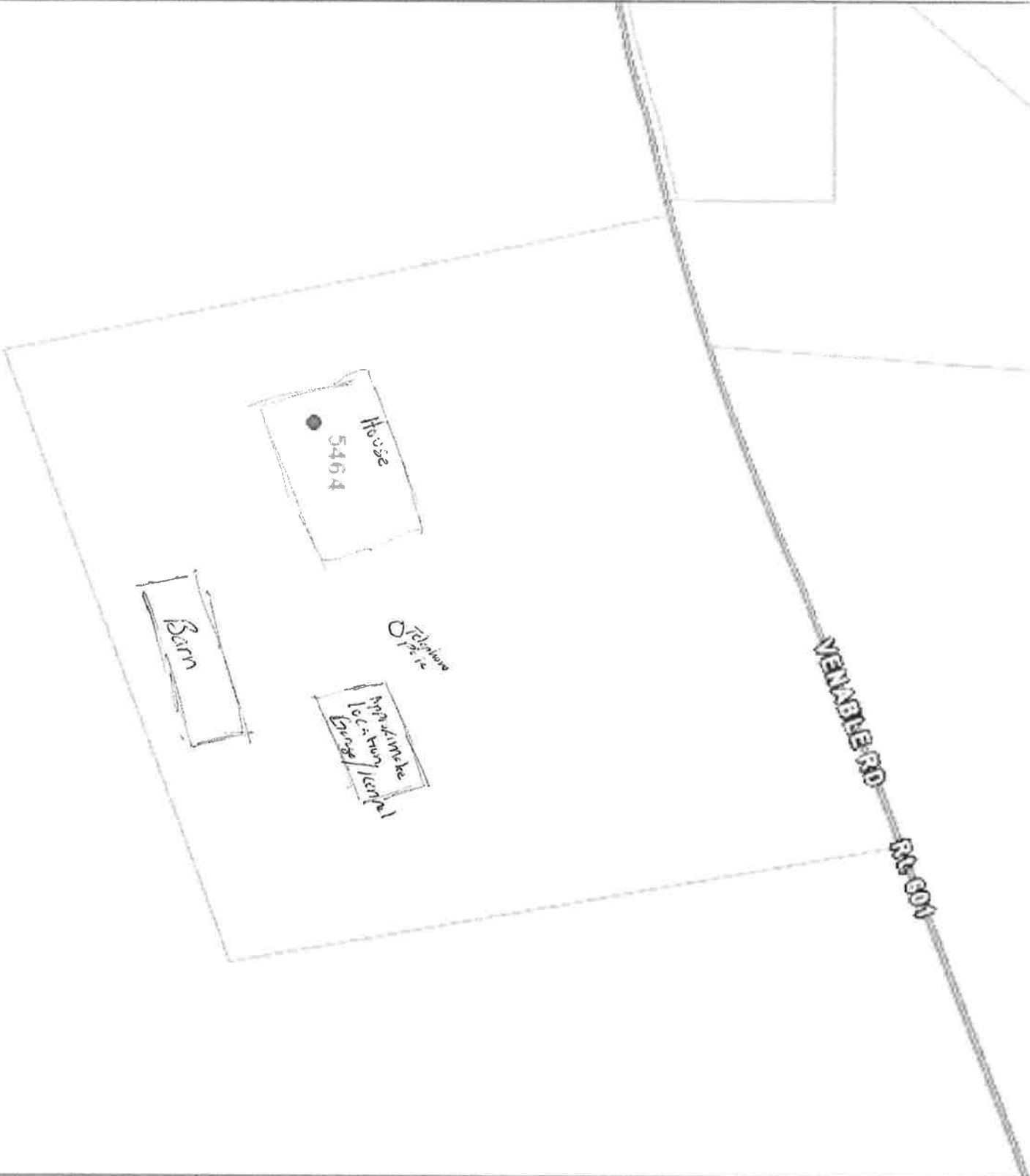


Zoning Compliance & Setback Verification Form

COMMONWEALTH OF VIRGINIA | COUNTY OF FLUVANNA

A plat of the property must be submitted with this application
AND MUST SHOW all existing and proposed structures on site.

Owner/Applicant/Parcel Information			
Location of Parcel: <u>23 ASD</u>			
Owner of Record: <u>Joseph C Bradley</u>			
Address: <u>54604 Venable rd</u>		Tax Map and Parcel(s): <u>23 A 30</u>	
City: <u>Kentz Shore</u>	State/Zip: <u>Va 23084</u>	Zoning: <u>A-1</u>	Acreage: <u>4.99</u>
Phone: <u>434 242 8520</u>	Fax:	Deed Book Reference: <u>842 pg 976</u>	
Email: <u>Jcbradley84@gmail.com</u>		Deed Restrictions: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (Attach copy)	
Applicant:		Date Lot Recorded:	
Address:		Applicable for Administrative Relief: <input type="checkbox"/> No <input type="checkbox"/> Yes	
City:	State/ZIP:	Number of Proposed Bedrooms:	
Phone:	Fax:	Remarks:	
Email:			
Note: Verification of setback distances to property lines for compliance of zoning regulations is done during the footing inspection. It is the property owner's responsibility to clearly mark all relevant property lines. Failure to verify setbacks will result in a Stop-Work Order being issued.			
Property Setbacks			
Public Right-of-Way:			
Private Right-of-Way:			
Rear Lines:			
Side Lines:			
I hereby certify that I am the Owner of Record or that the proposed work is authorized by the Owner of Record and that I have been authorized by the Owner of Record to make this application as their authorized agent and that owner and agent agree to conform to all applicable laws of this jurisdiction.			
Applicant Signature: <u>[Signature]</u>			Date:
Office Use Only MSC21:139			
Zoning Approved:		Election District: <u>Columbia</u>	
AOSE Permit #:		Planning District: <u>Rural Preservation</u>	
Approval for Septic Field (Environmental Health Specialist):			
Rejection for Septic Field (Environmental Health Specialist):			





COUNTY OF FLUVANNA

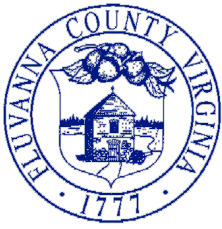
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MEMORANDUM

Date: May 26, 2021
From: Valencia Porter
To: Douglas Miles
Subject: APO Memo Complete

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the June 8, 2021 Planning Commission meeting.



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NOTICE OF PUBLIC HEARING

May 26, 2021

RE: SUP 21:04 Joseph Carl Bradley

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on:

Meeting: Planning Commission Public Hearing
Date: Tuesday, June 8, 2021
Time: 7:00 pm
Location: Fluvanna County Library

The applicant or applicant's representative will be available during the Planning Commission meeting for:

SUP 21:04 Joseph Carl Bradley – A Special Use Permit request within the A-1, Agricultural, General District to permit a commercial kennel with respect to 5 +/- acres of Tax Map 23 Section A Parcel 30 located at 5464 Venable Road. The subject property is located within the Rural Preservation Planning Area and in the Columbia Election District.

Please be advised that you can join the meeting via Zoom or by a phone call where you will have an opportunity to provide comments. Instructions for participation in the Planning Commission public hearing will be available on the County's website <http://www.fluvannacounty.org> along with the Agenda and staff report.

You can also contact the Fluvanna County Planning & Community Development Department, 8:00 am – 5:00 pm, Monday through Friday. If you have any questions regarding the application or the public hearing, please contact me at 434.591.1910 or at dmiles@fluvannacounty.org for any further information.

Sincerely,

Douglas Miles

Douglas Miles, AICP, CZA
Community Development Director

BUILDING VIEW

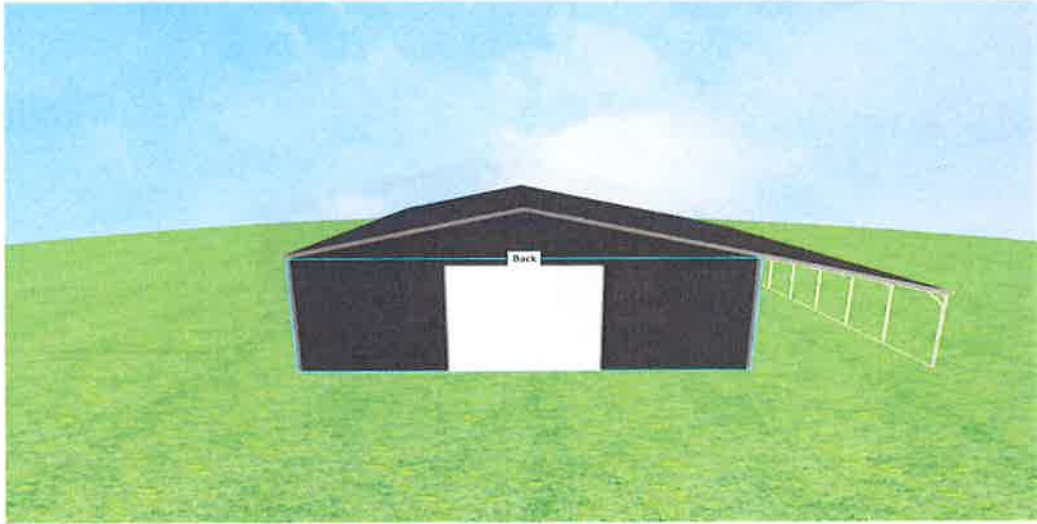


VIEW IMAGE 1

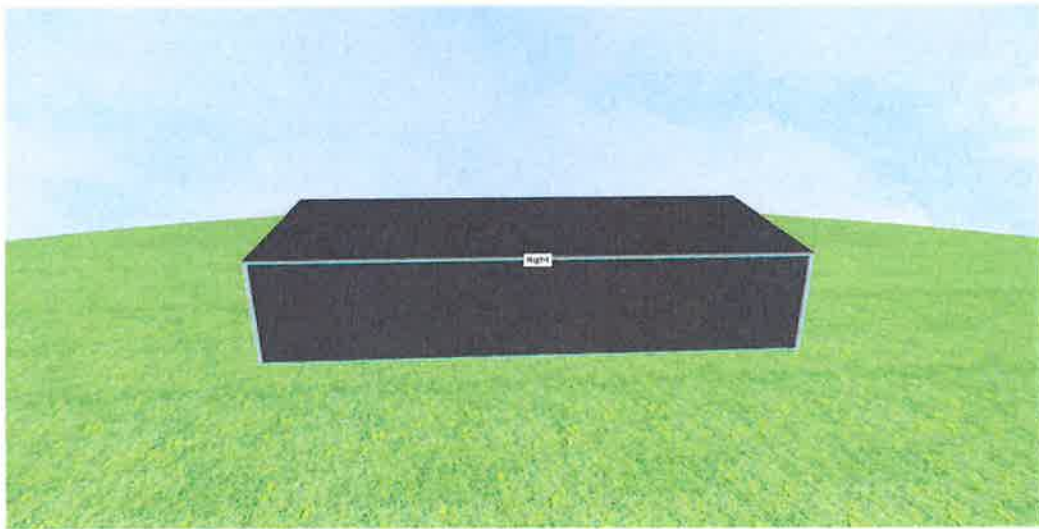


VIEW IMAGE 2

BUILDING VIEW



VIEW IMAGE 3

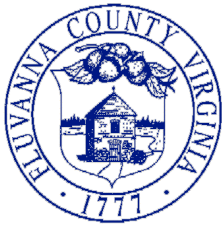


VIEW IMAGE 4

BUILDING VIEW



VIEW IMAGE 5



COUNTY OF FLUVANNA

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PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commission
Request: Conditional Rezoning from B-1 to I-1

From: Douglas Miles, AICP, CZA
District: Columbia Election District

General Information: This rezoning request will be heard by the Planning Commission on Tuesday, June 8, 2021 at 7:00 pm within the Fluvanna Library.

Applicant: Perkins and Orrison / Russ Orrison, PE, LS

Requested Action: **ZMP 21:03 Perkins and Orrison** – A Conditional Rezoning from the B-1, Business, General to the I-1, Industrial, Limited District on 16.2 +/- acres of Tax Maps 5 Section 17 Parcels 1 and 1A. The subject properties are located within the northeast quadrant of Richmond Road (Rte 250) and Edgecomb Road (SR 689) and are in the Zion Crossroads Community Planning Area and the Columbia Election District.

Existing Zoning: B-1, General Business Zoning District

Proposed Zoning: I-1, Limited Industrial Zoning District with proffered conditions

Existing Land Use: Vacant

Planning Area: Zion Crossroads Community Planning Area

Zoning History: ZMP 99:09 Living Waters Church of God received approval from the Fluvanna County Board of Supervisors on November 17, 1999 for a rezoning from A-1, Agricultural, General to B-1, Business, General to permit religious assembly on the subject property.

Community Meeting:

A community meeting was conducted via Zoom on May 27, 2021 at 6:00 pm by Russ Orrison, PE, LS, the applicant's consultant, on the proposed conditional rezoning from B-1 to I-1 zoning. There were adjacent industrial property owners who were in support of the proposed rezoning and the meeting was held right after the announcement that Stewart Tool would be occupying the former Kloeckner Metals industrial building located right across the street at 61 Edgecomb Road.

Site Design Analysis:

The applicant's consultant has prepared a well-designed Rezoning Plan to illustrate the required site design requirements contained within the Fluvanna County Zoning Ordinance such as buffers like a ten (10) foot parking screening strip and a five (5) foot sidewalk along Edgecomb Road for VDOT acceptance and maintenance purposes, along with a twenty-five (25) foot planted evergreen screening strip along Route 250 and along the rear property line adjoining the existing single-family homes located in Louisa County. There will not be a five (5) foot sidewalk along Route 250 due to the high posted speed limit however, there will be a twenty-five (25) foot planted evergreen strip for additional buffering along the main frontage road. Planning Staff has begun to work with applicants to move towards the installation of sidewalks along collector roads in the Zion Crossroads Community Planning Area to allow for better pedestrian movement.

Transportation Analysis:

A VDOT commercial site entrance analysis will be required to determine the type of site entrance improvements that will be necessary to support the proposed development. The entrance shown into the proposed industrial property exceeds VDOT standards for entrances for full size tractor-trailer trucks (AASHTO WB-67) and appropriate turning maneuver software has been employed to determine that the proposed geometry allows for appropriate truck maneuvering. There will be no truck traffic from the site turning right onto Edgecomb Road (Rt 689) and a right turn taper it is warranted per the VDOT methodology and is shown. A right turn taper is also warranted out along Route 250 onto Route 689 but it already includes a right turn taper and turn lane. The construction of which was likely associated with the industrial facility across Route 689 from the proposed property. VDOT reserves the approval of designs and plans until construction drawings are submitted for review. The VDOT Land Use Engineer has reviewed this Rezoning Plan and they are in general agreement with the schematic design for truck traffic on and into the property.

Proffered Conditions:

The purpose of the I-1, Limited Industrial Zoning District, is *"to permit certain light industries. The limitations ... are imposed to protect and foster adjacent residential property while permitting certain light industries to locate near a labor supply."* The applicant has proffered out these I-1 by right land uses as a part of their conditional rezoning of the subject properties:

Commercial Uses: Flea Markets and Self-storage facilities

Industrial Uses: Solid Waste collection facilities

These I-1 land uses by Special Use Permit (SUP) have been proffered out in this rezoning case:

Commercial Uses: Amusements, commercial and Manufactured home sales

Industrial Uses: Solid waste material recovery facilities

Comprehensive Plan:

Land Use Chapter:

The Comprehensive Plan designates this property as within the Zion Crossroads Community Planning Area. According to this chapter, *“Zion Crossroads is envisioned to be the most intensely developed part of the county, consisting of regional mixed-use, regional employment, and neighborhood mixed-use developments. This area is the county’s primary regional economic development area and is targeted as a regional employment center with primarily mixed-use, mixed-income development.”* The applicant’s representative has worked with Planning Staff to better align with the comprehensive plan’s goals and objectives in order to further implement them by bring forward a well thought out site design for future office and industrial employment.

Economic Development Chapter:

According to this chapter, *“the primary infrastructure service areas will be the Zion Crossroads, Lake Monticello, and Fork Union community planning areas”* and *“Zion Crossroads is considered the most viable area to attract light industrial, technology businesses, medical facilities, and retail.”* The subject property is located in close proximity to other light industrial land uses along US 250 and it is adjacent to single-family homes which provides an available pool of potential employees for some of the by right I-1, Limited Industrial zoning district uses.

Conclusion:

The 2015 Comprehensive Plan states *“it is not sufficient for an applicant to receive approval for a rezoning simply because a property is within a community planning area. Each application is considered by the county to see if the proposed development is well planned within the context of the surrounding community.”* Planning Staff has worked with the applicant’s representatives to come up with potential land uses that could be located within the proposed industrial building. If the applicant wants they can also pursue a Special Use Permit for any other similar land uses that would be contained in the building and would be allowed screened, outside storage areas on site.

Suggested Motion:

I move that the Planning Commission recommend [Approval / denial / deferral] of ZMP 21:03, a request to amend the Fluvanna County Zoning Map with respect to approximately 16.2 +/- acres of Tax Maps 5, Section 17, Parcels 1 and 1A, to conditionally rezone the same from A-1 Agricultural, General to I-1, Industrial, Limited with proffered conditions dated April 30, 2021.

Attachments:

Rezoning Application and Statement of Proffers
Perkins and Orrison Rezoning Plan dated 5/18/21
Community Meeting and County APO Letters



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

RECEIVED

APR 30 2021

Fluvanna County
Planning Dept

Owner of Record: Perkins and Orrison Russell Orrison
Applicant of Record: Perkins and Orrison - Orrison
Address: 17 W. Nelson St Lexington VA 24450
Phone: 540-464-9001 Fax: 540-464-5009
Email: rorrison@perkins-orrison.com
Representative: Perkins and Orrison - Russell Orrison
Address: 17 W Nelson St Lexington VA 24450
Phone: 540-464-9001 Fax: 540-464-5009
Email: rorrison@perkins-orrison.com
Tax Map and Parcel(s): 5-17-1, 5-17-1A
Acreage: 16.18 Current Zoning: B-1
Location of Parcel: Rt 250 / Rt 689
Requested Zoning: I-1 Proposed Use of Property: Warehouse / Distribution

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? [X] No [] Yes

Deed Book and Page: 846 pg 210

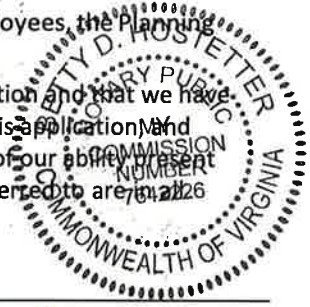
If any Deed Restrictions, please attach a copy

Affidavit to Accompany Petition for Rezoning

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

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

Date: 4-30-21 Signature of Owner/Applicant: [Signature]
Subscribed and sworn to before me this 30th day of April, 2021 Register # 7642226
My commission expires: 11/31/23 Notary Public: Betty D. Hostetter



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

Office Use Only ZMP21:03
Date Received: 04-30-21 Pre-Application Meeting: PH Sign Deposit Received: 04/30/21 Application #: ZMP 21 : 03
\$1,000 fee paid: #002479 \$1,000.00 Mailing Costs: \$20.00 per Adjacent Property Owner after first 15, Certified. Paid:
Proffer or Master Plan Amendment: \$750.00 plus mailing costs. Paid:
Election District: Columbia Planning Area: Zions Crossroads Community
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-002089-2021)
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT**

BILLING CONTACT

Perkins & Orrison, Inc.
17 W. Nelson Street
Lexington, Va 24450



Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
ZMP21:0003	Rezoning	Fee Payment	Check #002479	\$1,000.00
			SUB TOTAL	\$1,000.00
			TOTAL	\$1,000.00

RECEIPT (REC-002090-2021)
FOR FLUVANNA COUNTY BUILDING AND PLANNING DEPARTMENT

BILLING CONTACT

Perkins & Orrison, Inc.
17 W. Nelson Street
Lexington, Va 24450



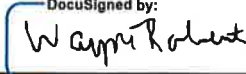
Reference Number	Fee Name	Transaction Type	Payment Method	Amount Paid
ZMP21:0003	Sign Deposit for Public Hearing	Fee Payment	Check #002480	\$90.00
			SUB TOTAL	\$90.00
			TOTAL	\$90.00

Covenant Church of God of Albemarle

1025 Rio Road East
Charlottesville, VA 22901

To whom it may concern,

Clovelly, LLC is the contract purchaser for the parcels 5-17-1A and 5-17-1 and is an authorized agent for all matters concerning the rezoning request.

<small>DocuSigned by:</small>  <small>134E3D2C3387426...</small>	4/29/2021
Property Owner Signature	Date
by: Wayne Roberts, Trustee	
Type or Print Property Owner Name	

RECEIVED

APR 30 2021

Fluvanna County
Planning Dept

To whom it may concern,
Clovelly, LLC is the contract purchaser for the parcels 5-17-1A and 5-17-1 and Russ Orrison an
authorized agent for all matters concerning the rezoning request.



Contract Purchaser Signature

4-29-21

Date

Charles Beard

Type or Print Contract Purchaser Name

RECEIVED

APR 30 2021

Fluvanna County
Planning Dept



RECEIVED

COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Public Hearing Sign Deposit

APR 30 2021
Fluvanna County
Planning Dept

Name: Perkins and Orrison - Russell Orrison
Address: 17. W. Nelson St
City: Leesington
State: VA Zip Code: 24450

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.

[Handwritten Signature]
Applicant Signature

4-30-21
Date

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

Office Use Only	
Application #: BZA _____ : _____ CPA _____ : _____ SUP _____ : _____ ZMP _____ : _____ ZTA _____ :	
\$90 deposit paid per sign*:	Approximate date to be returned:

Lexington

Russ Orrison, PE, LS
Pierson Hotchkiss, LS
Gavin Worley, PE



Lynchburg

Norm Walton, PE
Aaron Dooley, LS

RECEIVED

APR 30 2021

**Fluvanna County
Planning Dept**

Statement of Proffers

Pursuant to Section 15.2-2296 of the Code of Virginia and Section 22-17-9 of the Fluvanna County Zoning Ordinance, Russell H. Orrison, does hereby voluntarily proffer, as the Agent for the contract purchaser of the property (the "Property") respectively, which is the subject of this conditional rezoning request, that the development of the Property shall be in strict accordance with the following conditions set forth in this submission:

We present this statement of proffers for Tax Map 5 Section 17 Parcels 1 and 1A:

1. The following permitted by right land uses shall be excluded from the Property under I-1 Zoning Section 22-11-2.1:

Commercial Uses: Flea markets and Self-storage facilities

Industrial Uses: Solid waste collection facilities

2. The following permitted by special use permit land uses shall be excluded from the Property under I-1 Zoning Section 22-11-2.2:

Commercial Uses: Amusements, commercial and Manufactured home sales

Industrial Uses: Solid waste material recovery facilities

I hereby acknowledge as the Agent for the Contract Purchaser that the Conditional Rezoning of the Property gives rise to the need for these conditions.


Agent Signature

4-30-21
Date

Russell H. Orrison
Agent for the Contract Purchaser



See Sheet 2

I, Betty D. Hostetter, a Notary for the State of Virginia,
Rockbridge County, do verify that the foregoing instrument was signed
before me this the 30th day of April, 2021.

Betty D. Hostetter

11/31/23
My Commission Expires

Betty D. Hostetter
Type or Print Notary Public Name



PERKINS & ORRISON



COUNTY OF FLUVANNA

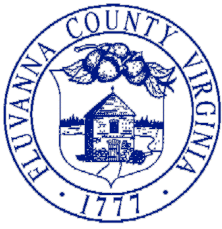
"Responsive & Responsible Government"

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

MEMORANDUM

Date: May 26, 2021
From: Valencia Porter
To: Douglas Miles
Subject: APO Memo Complete

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the June 8, 2021 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

May 26, 2021

RE: ZMP 21:03 Perkins and Orrison

This letter is to notify you that the Fluvanna County Planning Commission will hold a public hearing on:

Meeting: Planning Commission Public Hearing
Date: Tuesday, June 8, 2021
Time: 7:00 pm
Location: Fluvanna County Library

The applicant or applicant's representative will be available during the Planning Commission meeting for:

ZMP 21:03 Perkins and Orrison – A Conditional Rezoning from the B-1, Business, General to the I-1, Industrial, Limited District on 16.2 +/- acres of Tax Maps 5 Section 17 Parcels 1 and 1A. The subject properties are located in the northeast quadrant of Richmond Road (Rte 250) and Edgecomb Road (SR 689) and are in the Zion Crossroads Community Planning Area and the Columbia Election District.

Please be advised that you can join the meeting via Zoom or by a phone call where you will have an opportunity to provide comments. Instructions for participation in the Planning Commission public hearing will be available on the County's website <http://www.fluvannacounty.org> along with the Agenda and staff report.

You can also contact the Fluvanna County Planning & Community Development Department, 8:00 am – 5:00 pm, Monday through Friday. If you have any questions regarding the application or the public hearing, please contact me at 434.591.1910 or at dmiles@fluvannacounty.org for any further information.

Sincerely,

Douglas Miles

Douglas Miles, AICP, CZA
Community Development Director

Rezoning Plan Attachment

Lexington

Russ Orrison, PE, LS
Pierson Hotchkiss, LS
Gavin Worley, PE



Lynchburg

Norm Walton, PE
Aaron Dooley, LS

May 17, 2021

Perkins and Orrison Inc.
17 W. Nelson Street
Lexington, VA 24450
rorrison@perkins-orrison.com
540-464-9001

Dear Neighbor,

We, Perkins & Orrison Inc. and Glass Associates, on behalf of our client Clovelly LLC, invite you to attend a virtual community meeting hosted by Perkins & Orrison and Fluvanna County to share comments and ask questions regarding our request to rezone two parcels on Edgecomb Road from B-1 to I-1 zoning, to permit the construction and operation of a warehouse/distribution facility. The parcels are Tax Map Numbers 5-17-1 and 1A in Fluvanna County, located in the northeast quadrant of Rte. 250 and Edgecomb Road.

The proposed warehouse/distribution facility is not being proposed for a single specific client, but rather is proposed to meet the growing need for such facilities in this region. The excellent location and access to the public highway system makes this site attractive for such a use. There will be a twenty-five-foot (25') landscape buffer on the rear of the property, and a sidewalk along Edgecomb Road.

We invite you to ask questions and share comments about the proposed project at a Virtual Neighborhood Meeting, to be held on Zoom at 6:00 p.m. on the 27th of May. The meeting can be attended either by phone or over the computer at the following address:

Join Zoom Meeting

<https://zoom.us/j/97372890343?pwd=QjhBekcrbmVTZnhXbWV5cjZwOHZ5UT09>

Meeting ID: 973 7289 0343

Passcode: 245464

One tap mobile

+19292056099,,97372890343#,,,,*245464# US (New York)

+13017158592,,97372890343#,,,,*245464# US (Washington DC)

Page 1 of 2

Dial by your location

17 W. Nelson Street
Lexington, Virginia 24450

540-464-9001 Fax: 540-464-5009

317 Brook Park Place
Forest, Virginia 24551

434-525-5985 Fax: 434-525-5986

Email: pno@perkins-orrison.com

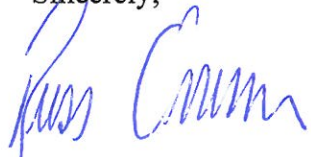
+1 929 205 6099 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)

Meeting ID: 973 7289 0343
Passcode: 245464

If you would like us to email you the Zoom link directly, please call or send an email to Betty Hostetter of this firm at bhostetter@perkins-orrison.com or you can contact Douglas Miles, Fluvanna County Community Development Director at dmiles@fluvannacounty.org with any other zoning questions.

We look forward to hearing from you.

Sincerely,



Russell H. Orrison PE, LS

Attached: Rezoning Plan

Page 2 of 2

\\ns2\Smp1 Documents\2021\21082 neighbor ltr 2021-05-18.doc

PERKINS & ORRISON

17 W. Nelson Street
Lexington, Virginia 24450

540-464-9001 Fax: 540-464-5009

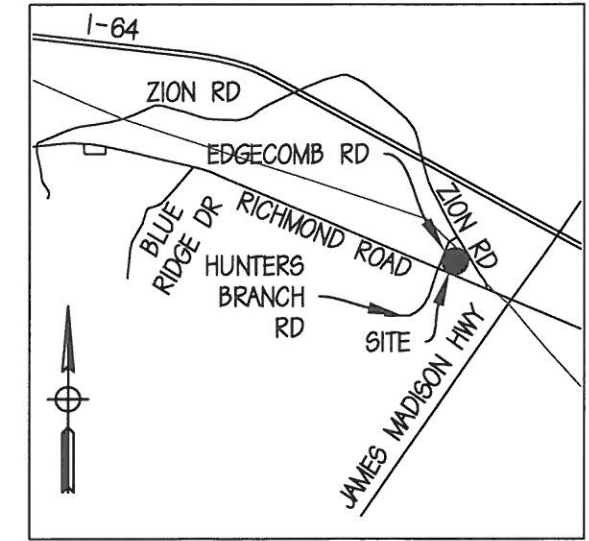
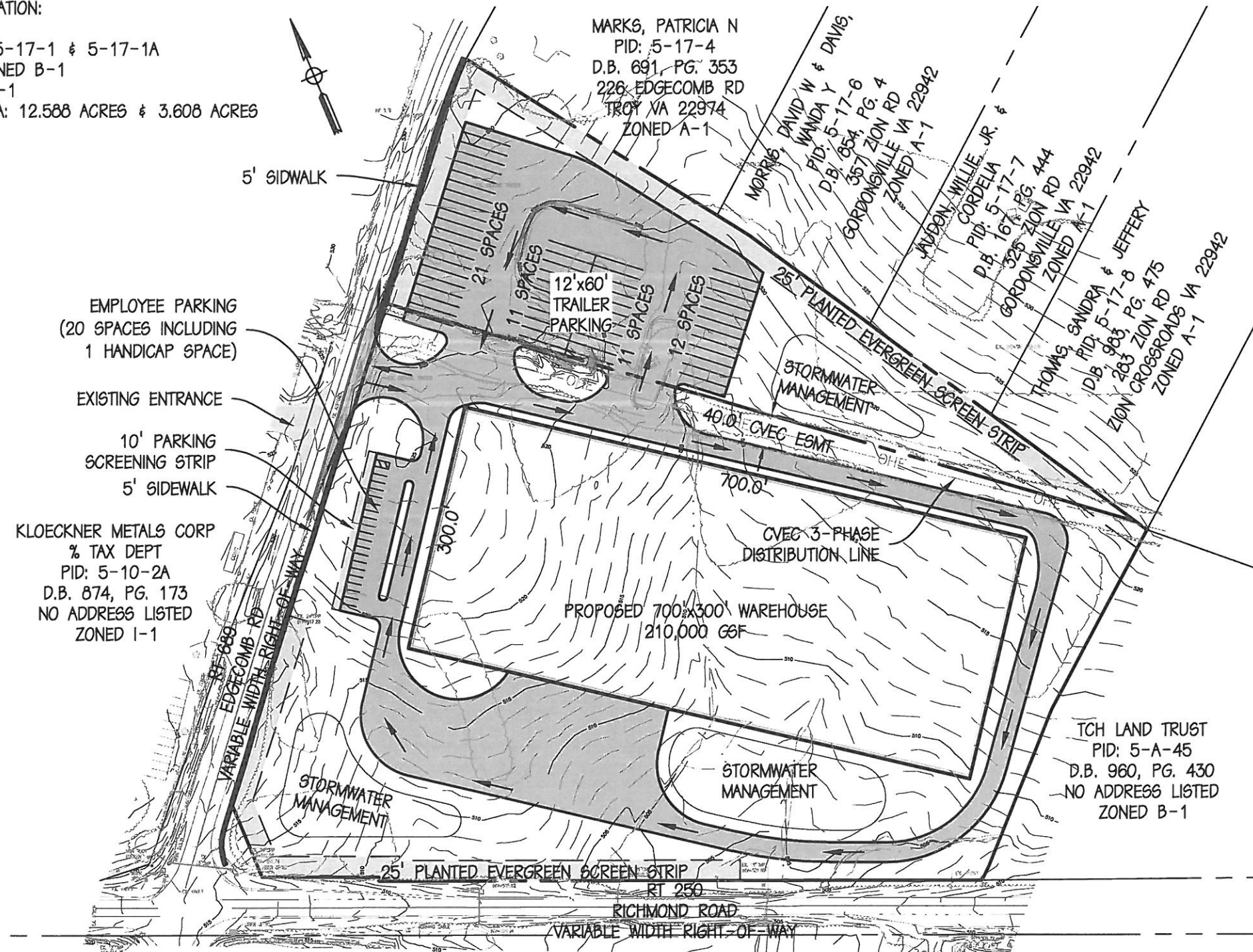
Email: pno@perkins-orrison.com

317 Brook Park Place
Forest, Virginia 24551

434-525-5985 Fax: 434-525-5986

SITE INFORMATION:

TAX MAP#: 5-17-1 & 5-17-1A
 EXISTING ZONED B-1
 PROPOSED I-1
 PARCEL AREA: 12.588 ACRES & 3.608 ACRES



VICINITY MAP
N.T.S.

REZONING NARRATIVE

THE SITE IS COMPRISED OF TWO PARCELS TOTALING APPROXIMATELY 16.18 ACRES, AND IS CURRENTLY ZONED B-1 BUSINESS. THE TWO PARCELS ARE DIVIDED BY A CENTRAL VIRGINIA ELECTRIC CO-OP 3 PHASE DISTRIBUTION LINE. THE SITE IS VERY WELL SITUATED IN THE STATE AND RELATIVE TO THE PUBLIC ROAD SYSTEM FOR USE AS A WAREHOUSING AND DISTRIBUTION FACILITY, AND IS THEREFORE PROPOSED FOR THAT USE AND THE APPROPRIATE I-1 INDUSTRIAL ZONE.

THIS REZONING PLAN IS INTENDED TO SHOW THE FULL DEVELOPMENT OF THE PARCELS, BUT IT IS EXPECTED THAT THE DEVELOPMENT WILL OCCUR IN PHASES, AND MAY NEVER REACH THE EXTENT OF THE IMPROVEMENTS SHOWN HEREON. AS OF THE WRITING OF THIS NARRATIVE, IT SEEMS LIKELY THAT THE FIRST PHASE OF THE WORK WILL INCLUDE APPROXIMATELY 100,000 SQUARE FEET OF BUILDING. HOWEVER, AS INTEREST IS GENERATED DURING THE PROCESS, WE ARE HOPEFUL THAT WE MAY BE ABLE TO GAIN NEW CLIENTS RESULTING IN A LARGER FIRST BUILD.

TM#5-17-1A IS APPROXIMATELY 3.6 ACRES, AND IS ADJACENT TO THE REAR YARDS OF RESIDENTIAL PROPERTIES. THIS PLAN PROPOSES A SIGNIFICANT VEGETATIVE BUFFER ALONG THE BOUNDARY WITH THE RESIDENTIAL PROPERTY, IN ORDER TO PROVIDE ATTENUATION OF LIGHT AND SOUND AND TO SCREEN THE VIEW OF THE PROPOSED USES. THIS PARCEL IS CURRENTLY SLATED FOR POTENTIAL TRAILER PARKING, BUT IT IS NOT THE INTENT OF THIS PLAN TO LIMIT THE PARCEL IN THE FUTURE TO JUST THAT USE.

THE ENTRANCE SHOWN INTO THE PROPOSED FACILITY EXCEEDS A VDOT STANDARD FOR ENTRANCES FOR FULL SIZE TRACTOR-TRAILER TRUCKS (AASHTO WB-67), AND APPROPRIATE TURNING MANEUVER SOFTWARE HAS BEEN EMPLOYED TO DETERMINE THAT THE PROPOSED GEOMETRY ALLOWS FOR APPROPRIATE MANEUVERING. THERE WILL BE NO TRUCK TRAFFIC WHATSOEVER FROM OUR SITE TURNING RIGHT ONTO RTE 689, AND A RIGHT TURN TAPER IS WARRANTED PER VDOT METHODOLOGY AND IS SHOWN. A RIGHT TURN TAPER IS ALSO WARRANTED AT RTE 250 ONTO RTE 689, BUT IT ALREADY INCLUDES A RIGHT TURN TAPER AND TURN LANE, THE CONSTRUCTION OF WHICH WAS LIKELY ASSOCIATED WITH THE EXISTING INDUSTRIAL FACILITY ACROSS RTE 689 FROM OUR PROPOSED FACILITY. VDOT RESERVES FINAL APPROVAL OF DESIGNS AND PLANS UNTIL CONSTRUCTION DRAWINGS ARE SUBMITTED, BUT HAVE REVIEWED THE REZONING PLAN AND ARE IN GENERAL AGREEMENT WITH THE SCHEMATIC DESIGN.



**REZONING PLAN FOR
 THE PROPERTIES OF
 TM#5-17-1 & 5-17-1A
 PALMYRA MAGISTERIAL DISTRICT
 FLUVANNA COUNTY, VIRGINIA**

17 W. Nelson Street
 P.O. Box 1567
 Lexington, VA 24450

Office: 540-464-9001
 Fax: 540-464-5009
 E-Mail: pno@perkins-orrison.com
 WEBSITE - <http://www.perkins-orrison.net/>



DATE: 04/29/2021
 REV: 05/18/2021

JOB#: 21082
 DWG: C-PR-21082
 DWN: PWS

ORDINANCE

AN ORDINANCE TO AMEND CHAPTER 22 ZONING OF THE FLUVANNA COUNTY CODE BY THE ADDITION OF A USES PERMITTED BY RIGHT USE UNDER 22-8-2.1 IN THE R-4 ZONING DISTRICT

BE IT ORDAINED BY THE FLUVANNA COUNTY BOARD OF SUPERVISORS, pursuant to Virginia Code Sections 15.2-2285, that the Fluvanna County Code be, and it is hereby, amended, in Section 22-8-2.1, as follows:

Sec. 22-8-2.1 (R-4) Uses permitted by right.

The following uses shall be permitted by right:

Residential Uses

Dwellings, accessory
Dwellings, multi-family
Dwellings, single-family attached
Dwellings, single-family detached
Dwellings, townhouse
Dwellings, two-family
Group Homes

Dwellings, multi-family, with a density up to 5.5 dwelling units per acre, provided the property is within an area subjected to a common plan of development and such property is served by a central water and sewer system.

Article 22 – Definitions

Dwelling, multi-family: A building or portion thereof which contains two or more dwelling units for permanent occupancy, regardless of the method of ownership. Included in the use type would be garden apartments, low and high rise apartments, apartments for elderly housing and condominiums.