



FLUVANNA COUNTY PLANNING COMMISSION

REGULAR MEETING AGENDA

Carysbrook Performing Arts Center
9880 James Madison Hwy Fork Union, VA 23055

Tuesday, September 14, 2021

Work Session 6:00 pm
Regular Meeting 7:00 pm

TAB	AGENDA ITEMS
-----	--------------

WORK SESSION

-
- A. Call to Order, Pledge of Allegiance, Followed by a Moment of Silence**

 - B. Public Comments**

 - C. Work Session: Zion Crossroads Draft Plan – Sandy Shackelford, AICP, TJ PDC Planning Director**

 - D. Adjournment**
-

REGULAR MEETING

1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE, FOLLOWED BY A MOMENT OF SILENCE

2 – DIRECTOR’S REPORT – Douglas Miles, AICP, CZA, Community Development Director

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

4 – MINUTES: REVIEW AND APPROVAL OF DRAFT MINUTES AUGUST 10, 2021

5 – PUBLIC HEARINGS:

ZMP 21:04 Southern Development – A request to rezone from A-1, Agricultural, General and R-3, Residential Planned Community to R-3, Residential Planned Community of 122.6 acres of Tax Maps 8 Section A Parcel 18A, 17 Section A Parcel 10 and 17 Section 9 Parcels 1 and 2. The subject properties are located along State Route 53 and along Garden Lane (SR 636) and with additional access via a stub road located south of 415 Jefferson Drive in Lake Monticello and they are in the Rivanna Community Planning Area and in the Cunningham Election District.

6 – PRESENTATIONS: NONE

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

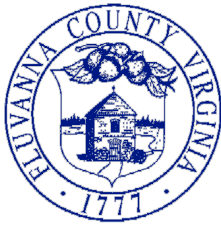
1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman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

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.*



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: September 14, 2021

Subject: Community Development Director's TRC Report

August 12, 2021 Regular Technical Review Committee Meeting

Tiger Fuel Station – Zion Station Industrial Park – Sketch Plan

Tiger Fuel Company has submitted Zion Station Tiger Fuel Sketch Plan on Tax Map 5 Section 24 Parcel 4 and that proposes a 40' x 60' Office Trailer, above ground Fuel Storage tank for truck fueling, and tractor trailer fuel truck parking and employee parking spaces. They currently have a smaller Tiger Fueling station that is located within Zion Station Industrial Park on Tax Map 5 Section 24 Parcel 12, and both are zoned I-1, Limited Industrial.

August 17, 2021 Village Gardens / Southern Development Meeting

The County Administrator, Community Development Director and Building Official met with Southern Development Vice President of Development, Community Engagement Manager and Land Planner to discuss proposed water and sewer infrastructure plans working with Aqua Virginia and the planned VDOT road improvements such as left and right turn lanes and proposed realignment of Garden Lane to serve the proposed subdivision.

August 26, 2021 Energy Technical Review Committee Meeting

Commonwealth Energy Partners - CEP Solar – Sketch Plan

Special Use Permit (SUP) – Utility-Scale Solar Generation Facility Request

Project nameplate: 41 Megawatts AC; Project address: 912 Shores Road, Palmyra, VA; Tax Map Numbers: 49 Section A Parcel 1, 5, 8 and 35 and Tax Maps 48 Section 14 Parcels 4, 5, 6 and 6A and Zoning: A-1, General Agricultural.

Project size: Approximately 308 acres of the 450 +/- acre parcel; Offtake: CEP Solar solicitation; Expected COD: 2023/2024; Operational life: 25-40 years; Site access: Primary access on west side of Route 640, Shores Road and secondary access, east side of Route 683, Rockfish Run Road.

Interconnection: The project will connect to the transmission system via Tax Map 49 Section A Parcel 1. A new substation and switchyard will be built to support the project interconnection to connect to the new Route 6 Substation location.

September 9, 2021 Technical Review Committee Staff Meeting

The Community Development Director, Building Official, Lake Monticello Fire Chief, VDOT Land Use Engineer and Mrs. Eager all met to discuss the final, proposed water and sewer infrastructure plans after working with Aqua Virginia and the planned VDOT road improvements such as left and right turn lanes and the proposed realignment of Garden Lane to serve the proposed residential subdivision and finalized our Staff Report comments.

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 – 43 Sites)

Compliance with Tenaska Virginia Sound Levels 08/18/2021

Signs Removed From Public Rights-Of-Way (Total – 36)

Placed and removed "Public Hearing Signs" as needed

Deliver packets to BOS, PC, BZA Members

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

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

Three Trips

BUILDING INSPECTIONS MONTHLY REPORT

County of Fluvanna

Building Official:	Period:
Andrew Wills	August, 2021

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
BUILDING PERMITS ISSUED														
NEW - Single Family Detached (incl. Trades permits)	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	15	20	22	11	191
	2021	15	9	19	20	16	22	15	11					127
NEW - Single Family Attached	2017	0	0	0	0	0	5	0	0	0	0	0	0	5
	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	6	0	0	5	18
	2021	6	0	0	0	0	0	0	0	0	0	0	0	6
NEW - Mobil Homes	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	2
	2019	0	0	0	0	0	0	0	0	1	1	0	1	3
	2020	0	0	1	0	0	1	0	0	1	0	0	0	3
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0
Additions and Alterations	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	30	34	35	23	349
	2021	28	14	43	39	31	40	30	29	0	0	0	0	254
* Trade permits count not in .														
Accessory Buildings	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	8	3	5	1	49
	2021	1	3	3	6	3	6	1	3	0	0	0	0	26
Swimming Pools	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	1	0	0	0	15
	2021	0	0	7	1	5	2	3	4	0	0	0	0	22
Commercial/ Industrial Build/Cell Towers	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	2	0	7
	2021	1	0	1	0	0	0	1	0	0	0	0	0	3
TOTAL BUILDING PERMITS	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	63	57	54	40	624
	2021	51	26	73	66	55	70	50	47	0	0	0	0	438
* Trade permits count not included as in previous years														
BUILDING VALUES FOR PERMITS ISSUED														
TOTAL BUILDING VALUES	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	\$2,451,433	\$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	\$5,271,906	\$4,201,357	\$3,513,834	\$2,954,193	\$ 47,506,500
	2021	\$5,397,000	\$1,687,484	\$2,506,869	\$4,952,702	\$3,473,256	\$5,766,891	\$2,885,146	\$2,035,053	\$0	\$0	\$0	\$0	\$ 28,704,401

Category	Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTAL
LAND DISTURBING PERMITS ISSUED														
LAND DISTURBING PERMITS	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	20	19	13	16	192
	2021	22	10	18	20	18	22	16	11	0	0	0	0	137
INSPECTIONS COMPLETED														
TOTAL INSPECTIONS	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	439	464	407	412	4,280
	2021	430	349	465	431	402	426	333	355	0	0	0	0	3,191
FEES COLLECTED														
Building Permits	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	\$24,237	\$19,359	\$15,359	\$15,871	\$ 231,407
	2021	\$18,733	\$15,400	\$15,654	\$21,333	\$16,184	\$23,031	\$27,000	\$11,923	\$0	\$0	\$0	\$0	\$ 149,258
Land Disturbing Permits	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	\$2,500	\$2,375	\$4,294	\$1,875	\$ 36,153
	2021	\$5,678	\$1,250	\$14,463	\$2,500	\$2,250	\$2,750	\$13,581	\$2,824	\$0	\$0	\$0	\$0	\$ 45,296
Zoning Permits/ Proffers	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	\$2,900	\$2,850	\$1,600	\$1,700	\$ 26,250
	2021	\$2,150	\$1,150	\$3,650	\$2,950	\$2,650	\$3,400	\$2,450	\$1,850	\$0	\$0	\$0	\$0	\$ 20,250
TOTAL FEES	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	\$29,637	\$24,584	\$24,584	\$19,446	\$ 293,810
	2021	\$26,561	\$17,800	\$33,767	\$26,783	\$21,084	\$29,181	\$43,031	\$15,148	\$0	\$0	\$0	\$0	\$ 214,804

**FLUVANNA COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES**

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

**August 10, 2021
7:00 pm**

MEMBERS PRESENT:

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

STAFF PRESENT:

Eric Dahl, County Administrator
Douglas Miles, Community Development Director
Jason Overstreet, Senior Planner
Will Tanner, Deputy County Attorney

ABSENT:

Howard Lagomarsino
Valencia Porter, Administrative Programs Specialist

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

At 7:00 pm, Chair Bibb called the August 10, 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

July 15, 2021 Technical Review Committee Meeting Requests:

John Townsend, Sun Tribe Solar – Charlottesville, VA

Project nameplate: 3 MW AC; Project address: 1084 Carysbrook Road, Fork Union, VA, 23055; Tax Map Number: 42 Section 1 Parcel 1; and Zoning: A-1, General Agricultural.

Project size: Approximately 35 acres of the 362 +/- acre parcel; Offtake: Dominion Energy distributed solar solicitation; Expected COD: Q4 2022; Operational life: 25-40 years; Site access: Improve existing access road on east side of Carysbrook Road.

Interconnection: Connect into existing distribution system via Tax Map Number: 42 Section A Parcel 14; Right-of-way negotiation underway; expected site clearing to be less than two (2) acres and requesting a Special Use Permit for solar energy project.

This Sun Tribe Solar request is very similar to the Cunningham Solar request that is located on South Boston Road and we will recommend similar conditions for this solar energy facility request.

Village Gardens: R-3 Residential Planned Community Timmons Master Plan request for approximately 260 single-family detached homes; 95 townhouses and 9,000 square feet of commercial space on Route 53 with the proposed re-alignment of the existing road network to be discussed along with the VDOT Staff and Timmons Group site engineer.

PALMYRA VILLAGE STREETScape PROJECT – VDOT TAP GRANT APPLICATION REQUEST

The Transportation Alternatives Program (TAP) is intended to help grant fund community based projects such as sidewalks and road improvements for cultural and historical aspects in a community.

Fluvanna County is making this TAP Grant Application mainly to strengthen our local economy and to encourage small business growth and development along Main Street for our businesses.

The Palmyra Village Streetscape Project is a part of the Board's current Strategic Initiatives Program as C7 and there has been community volunteer work completed there over the years.

VDOT TAP GRANT FUNDING PROGRAM:

The VDOT Grant Funding Dollars would be used to perform work that cannot be done by local volunteers, County Public Works employees, and overall Fluvanna County – it takes a partnership with VDOT staff.

The County Administrator, Community Development Director and staff walked the Palmyra Main Street Area with both Tom FitzPatrick, PE, VDOT Culpeper District and Bethel Keyfalew, VDOT Louisa Residency to better evaluate the TAP Grant project.

VDOT and County staff determined it would be eligible for the grant and Albemarle County and the City of Charlottesville are both not applying for TAP Grant funding.

Fluvanna County's TAP Grant request for VDOT funding is to be able to construct concrete sidewalks and related concrete curbing along Stone Jail Street, remove Court Square, the road that bisects the lawn area, and provide properly marked and much needed angled and parallel parking spaces as the one-way road system is completed.

Vice Chair Murray-Key: Asked is this to provide enhancements to the historical area?

Mr. Miles: stated that the proposed work would be for better accessibility and road and sidewalk infrastructure and we would still respect the historical area by doing that work. There are historical projects that have already been completed and the sidewalk work would help to provide better access and allow for business and tourism activities.

3. **PUBLIC COMMENTS #1:**

At 7:22 pm, Chair Bibb opened up the first round of Public Comments.

Sandra Radford, 121 Mulberry Drive: Stated that we need to increase our commercial tax base as there are a lot of older people living in the older homes that are being taxed instead so we need to bring into the County more businesses to pay the higher taxes. We are concerned about the new project Village Gardens and several residents in the Villages of Nahor have made comments about our concerns and they have not been addressed by the developer and we have also not heard back from the County as well.

Potentially raising our taxes to pay for additional residential development and we have issues with the older water system and concerns about the actual water source and the sewer capacity. Overall we feel it is an infrastructure issue and that needs to be solved. There are traffic concerns out on Route 53 and they are already cutting through Lake Monticello and part of our property to get in there. So there are also issues of security for our community and fortunately we are connected into the electrical grid with Food Lion and the other shops. So we do not lose the capability of using our oxygen tanks and if the lights do go out they are usually right back on quickly. We do have concerns.

Suzy Morris, 6840 Thomas Jefferson Parkway: Stated that she loves Fluvanna, she loves the kids here and she wants to keep it that way. We welcome people who love Fluvanna, but do not come here and try to tell us that you want to change us totally. Some of us have been very concerned especially in the northwest area of the county because of the constant residential development after residential development and no increased business activity to pay for this growth. There is a real cost to all of these

new homes and there use to be an assessment formula that told you how much each new home costs the County in services based upon the overall taxes that home pays.

Village Gardens it is right next to our property line and we have lived right next to Lake Monticello since 1974, but the developer left a good buffer between the farms and the new homes in Lake Monticello and they have room to park all of their cars and boats. However, this would back right up all along one side of us and that side is open not closed in by the development. I am concerned about the townhouses built right up next to our fence line and in other areas right next to several rural residential homes. I am concerned about the liability if you put cattle in there and we have had cattle in there before teenagers and kids are very curious and I am concerned that they would go into the fields. There is old machinery and a shed so I am concerned about that too.

When I got to checking on things that I am trying to get answers to such as why we would have a tax exemption for Colonial Circle Apartments for 10-15 years. I have tried to find out what real benefit that is to the county and what assurance do we have of those taxes being paid after 15 years. I found out Thursday in the paper that a Zoning Text Amendment was proposed for the R-4 Zoning and it relates to Lake Monticello. So first I was told it was lake and I said well the lake is built out. So why are we changing the R-4 now. Well it deals with the Marina Point at the lake supposedly and so that would change that density to make it a higher density. When I looked at the Zoning Text Amendment it would affect all R-4 zoning in all of the Planning Areas. There are six of those and so that means the other planning areas; Fork Union, Columbia, etc. I am wondering if this is going to be just restricted to the Marina Point area Ok. If it is a zoning code change it would appear that it would apply to all the R-4 areas and as it stands it limits certain things in there. I am concerned that if it goes through and it applies to all the Planning areas that we will have some other things coming in that maybe we do not want within all of the planning areas.

Donna D'Aguanno, 148 Crape Myrtle Drive: Stated she is concerned with all the rapid development that is going on and this high density housing. I understand that there is a need for housing though I thought it was somewhat funny that somebody said well we need housing and high density housing for attracting new workers. When I asked how many new jobs were created in Fluvanna County it is 115 a year, so I do not know what that means for high density housing and why you are attracting a lot of people.

Colonial Circle I understand will be like the Pantops area that you are adding in a lot of people very rapidly in this society right now. I do not see that as an attractive means of adding any quality people in and usually at this point it is going to cause a lot of social problems. Beyond that if you are adding in over 300 homes or more of the colonial circle plus a proposed amount of 355 at Village Gardens across the street from us. So if you have two cars per household that is about 600 cars. I mean 1200 cars added to the traffic on 53 there would be a problem for emergency vehicles trying to get down there in any time frame for running calls. You are also adding the burden of adding in 2.5 children per household so that is going to be paid by the tax paying citizens, as well.

I moved from Chicago, and I moved here because I searched out a very low cost tax base. I was paying 1,000 dollars a month in Chicago. So, I found this place and that it would be a low tax base only to find out that this well-intentioned group I guess is now basically driving people to the cheap seats of Charlottesville out to here. When we have become the cheap seats out here so we do not know exactly what is coming into our area. And the other thing is the proposed low rent apartments they are becoming a very big problem. I have heard that they have good management but you can go to up to Silver Spring, Maryland and Wheaton, Maryland and find out that they have good, managed properties. What eventually happens is the management company loses control and they become threatened by the citizens that move in there. The management company becomes afraid to actually enforce the rules.

Please check out Olney, Maryland just north of DC which was a very rural community exactly like this that had nice 700,000 homes with people living in townhomes near them that now have MS-13 as their neighbors. I do not believe that is anything that you would want in your own neighborhood unless I am wrong but I would not think that you would not want MS-13 gangs as neighbors. So, I would be very careful when you are introducing in these new rental properties even though you have a managed community and a management company that you may end up losing control. I would also like to know what this is going to cost taxpayers with this rapid development. I feel I have a right to know but nobody has been able to tell me nor are they even willing to tell me and we have asked the developer and they have not responded to our requests.

I am sure that there is some means that they could tell me how much my taxes would be going up, and also to the point of this new development down in the Courthouse square. I see that there is proposed money but is there a burden on the taxpayers for this development which nobody has asked about. Does that also just fall onto the taxpayers that we are now funding this and we are finding you know all the children coming in and are we going to have to build any new schools, are we going to have higher teachers are we going to have to get school buses, and all the social services that come in with all of these people that are coming into the county and that is a very expensive proposition. So, I would like to know ahead of time instead of adding more houses what is the tax burden and if you are only growing by 115 jobs per year. That is a very scary proposition if that is the best you guys can do in terms of adding jobs and you think you guys can do in terms of adding jobs and you think you are going to get revenue off of the housing - it does not work.

Wayne Nye, 176 Village Boulevard: Stated that both he and his wife are very happy, new residents of Fluvanna County. We do support growth within this community when it is planned well and it is for the public good. We have some concerns about Route 53 and this new development will increase traffic volumes, additional school buses will be needed. We can anticipate significant traffic backups during commuting hours at the new traffic circle, at Lake Monticello Road, Monish Gate issues, and the Turkeysag Trail entrance to the shopping center areas which has a future roundabout planned there.

My review of the new plan there is a potentially dangerous entrance and exit for this planned development on Route 53 located at the bottom of the hill, 53 with restricted left and right views and the on-coming traffic at speeds at about 45 mph. Many of the residents at the Villages of Nahor are concerned that this proposed development will have residents cutting through the Villages of Nahor as a safer entrance onto 53 to our neighborhood. We find now already with the aging population in the Villages of Nahor that the entrance and exit on Route 53 is already challenging as it is and there is little potential that we are aware of an expanding 53 either by lanes or with additional traffic circles in that area. We are concerned about Aqua Virginia water and sewer services as a utilities vendor Aqua America its subsidiary, Aqua Virginia has a history of purchasing ailing water systems and then requesting a never-ending series of rate hikes. And as my wife said in other words much like Mary had a little lamb wherever Aqua America goes a fleecing and rate hike it is sure to follow. Prospective home buyers looking in this county have repeatedly voiced concerns and are worried about purchasing homes because of the already high utility rates and seeing climate changes as we are with concerned about the adequacy of the Rivanna River to meet the additional demands.

We attended the community online meeting presented by Southern Development on June 24th with numerous Nahor Village and Lake Monticello neighbors. However, the developer were unable to answer concerns specifically about Route 53 or about Aqua Virginia water and sewer lines. The developer indicated that they would reach out to VDOT and Aqua Virginia to seek answers but why would they not know these answers. We are happy to be here, we do support well-planned work, but we have real concerns about 53 we have real concerns about taxes and we have real concerns about utilities.

With no one coming online wishing to speak to the Commission, Chair Bibb closed the Public Comments Period at 7:40 pm.

4. **DRAFT MINUTES:**

Vice Chair Murray-Key: Stated that she wanted to ensure that in the section in which she believed on page 7 after the statement that the applicant had withdrawn she had made comments and would like to see them added into the Draft minutes for review.

MOTION:	I move that the Planning Commission Draft Minutes of July 13, 2021 be deferred to the September 14, 2021 meeting.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:					
VOTE:					
RESULT:	Deferred to September 14, 2021				

5. **PUBLIC HEARINGS:**

None

6. **PRESENTATIONS:**

None

7. **SITE DEVELOPMENT PLANS:**

None

8. **SUBDIVISIONS:**

None

9. **UNFINISHED BUSINESS:**

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.

Jason Overstreet, Senior Planner presented the Unfinished Business request providing a general summary of what had happened since the Planning Commission had deferred this request back on June 8, 2021. There was a Conference Call community meeting held on July 21, 2021 with several adjoining and surrounding landowners on the call.

Mr. Overstreet went through all of the Recommended Conditions that were previously provided on June 8th and then reviewed the updated Conditions base upon feedback that was provided during the Community Meeting to better address potential concerns.

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. 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 solid board fencing that screens the outdoor dog runs from the adjacent property owners.
3. 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.

4. There shall be no personal or client 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. There shall be no more than ten (10) client dogs and ten (10) outdoor dog runs at the Commercial Kennel at any time. Dog runs will only be installed on the south side of the kennel.
5. Commercial kennel use shall be operated Monday through Saturday from dusk to dawn and on Sundays from 1:00 pm to 6:00 pm.
6. The site shall be maintained in a neat and orderly manner so that the visual appearance from the public right-of-way and the adjacent properties is acceptable to County officials.
7. The Board of Supervisors, or its representative, reserves the right to inspect the property for compliance with these conditions at any time.
8. 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.
9. This Commercial Kennel Special Use Permit (SUP) shall be subject to an Annual renewal process through the Public Hearing process allowing for State and County review of these conditions being met by the applicant, and also allowing comments from surrounding property owners to be received and documented. If this Special Use Permit is not renewed by the applicant it will expire one (1) year from the Board of Supervisors approval date.

Discussion:

Vice Chair Murray-Key: Asked if you can have a business would that be a stipulation in terms of personal dogs or is it focused on the business client dogs within this request?

Mr. Overstreet: Replied no the personal dogs were added to distinguish between the client dogs as he owns several personal dogs and they would not be restricted there. If he is using the commercial kennel and he has personal dogs in it the Byrd Chapel Cemetery folks wanted all dogs covered so if they were loose they are taken care of.

Mr. Zimmer: Asked Mr. Overstreet to explain further the outside dog restrictions.

Mr. Overstreet: Replied it means that it limits them from going outside unless they are going to use the bathroom and he clarified Condition 5 should read dawn to dusk and the other way around for the dogs not to be in the outside run areas to avoid barking.

Vice Chair Murray-Key: stated that she wanted to make sure that Mr. Bradley as the applicant understood that he is a business owner with a commercial kennel use.

Mr. Overstreet: Stated that Mr. Bradley asked the same question and we put that in there, in order to allow for your review and allow Mr. Bradley to have a chance to be able to explain his dog training operations that he currently runs and will run there.

Vice Chair Murray-Key: Stated that her question is I have not seen anything like this and I just want to make sure that although people do have concerns about animals. I am afraid of them, as well. So if I was his neighbor but in terms of being reasonable and fair that it seems that it would be about approved or not approved. I am just not understanding Condition 9. So, how are we able to place Condition 9 on this request.

Mr. Overstreet: Stated that this condition was for both the Planning Commission and ultimately the Board of Supervisors, for consideration. There were several concerns about barking and loose dogs so this was to allow for a trial period for this land use.

Chair Bibb: Stated that several neighbors had concerns but if the applicant has stated that he is in good standing and he can be trusted to operate this commercial kennel.

Mr. Overstreet: Stated there were no animal control related calls to the property at all.

Vice Chair Murray Key: Stated that she is concerned that an applicant should not have to go through this every year and if there is a problem then the use it can be stopped.

Mr. Miles: Stated that at the Public Hearing back on June 8th Fluvanna County Staff had provided several letters that had been written by adjoining property owners who had concerns with dogs barking and also that were running loose on this property. The Planning Commission then deferred this request for 60 days to allow for Mr. Bradley to meet with the community to address these concerns. He conducted a Conference Call on July 21st as a Community meeting and was able to address these concerns. They have been made into Recommended Conditions to further support that these issues will not happen again due to an invisible fence being installed and the barking collars would be used on his personal dogs to eliminate the barking and loose dog issues.

The main point in writing a condition like Condition 9 is that we do not want someone to have to come back and have to apply again. However, if there are concerns from the public that still persist it would allow for those concerns to be addressed while allowing for the applicant to proceed forward with the commercial kennel request. Basically, if he operates the use without any further issues it would be renewed for a longer period of time by the Board of Supervisors. The one year timeframe would be a compromise.

Mrs. Eager: Stated that we have not reviewed and approved requests like this in the past and if something does go wrong then Mr. Dahl can inform the Board members that the use is not being conducted properly and then the Special Use Permit can be revoked by the Board due to violating the required conditions after a site inspection.

Mr. Miles: Stated that is correct and if you look at Condition 8 it allows for the Board of Supervisors to revoke a Special Use Permit if the applicant has violated the conditions. However, that is an option that we usually do not like to use so we are trying to meet him halfway as described under Condition 9. I will say in my career of almost 30 years and working in three (3) different localities I have seen only four or five times that a Special Use Permit has been revoked by the Board and it was due to serious issues. We also said if after one year he does not want to do it then it expires so it would end up being a one year approval if he does not seek to come renew his Special Use Permit.

Mrs. Eager: Stated so he has to come back in after one year to get reapproved and then he does not have to come back again for a renewal of his commercial kennel.

Mr. Miles: Stated if that is how the Planning Commission want to review this request.

Mr. Zimmer: Asked at the one-year mark the Planning Commission and the Board of Supervisors will then actually have to affirmatively make their decision that he has to come back again. You know in other words make that be a condition because as it is it sounds now if we do not decide to change it then he has to renew it every year, right?

Mr. Miles: Stated well we would do that in the renewal process because if this request were to be approved in September or October then he would be reapplying around July to renew his request. Mr. Overstreet would work with Mr. Bradley to write a condition to not be just for one year like we do with similar requests. Our goal and we do share Mrs. Murray-Key's concerns or any of the other Commissioners that we do not want to restrict business uses. However, this is a business use conducted in a neighborhood so we want to respect the community members that have brought up business concerns.

At this time Mr. Bradley, applicant presented his presentation and questioned if he was a private kennel or a commercial kennel. As he has read through the County Code and you can have a private kennel and still not be a commercial kennel on your property.

Mr. Miles: Explained the main differences between a Commercial Kennel and a Private Kennel: A Commercial Kennel is for compensation and a private kennel it is for raising, showing, or training of four dogs, your dogs and it is for personal enjoyment and for training those dogs that you would take to dog shows. The ending statement of each definition is important: Commercial it states the specific intent for sale or in return for compensation and then Private it states for which commercial gain is not the primary objective, so operating a commercial kennel training dogs is clearly for compensation.

Vice Chair Murray-Key: Asked so the primary objective but it is an objective correct?

Mr. Miles: Replied that what we do in administering the Zoning Ordinance is as an applicant if you indicate to us that you are both boarding and training other dogs for compensation then you are deemed a commercial kennel. Therefore, it has to go through the Special Use Permit process and he indicated he was constructing a new kennel building for the business use. That has been the case in Fluvanna County for several years and also that this is the only commercial kennel where we have had to consider a one-year renewal process due to the fact that there already were issues.

There have been other individuals who have operated commercial kennels and they did so correctly or some have stopped their kennel use on their own due to other factors. I have only been here for two years but we did look back during the past 10 years or so. I do know that we met with Mr. Bradley, the Building Official and I, back in March 2021 as he wanted us to review his building plans and determined it was for commercial use.

Mrs. Eager: Asked, Mr. Miles why would Mr. Bradley have to pay another \$800.00 fee again if we've never asked any other applicants to do this by re-applying for renewal?

Mr. Miles: replied, that will be up to the Planning Commission as you know that is just one of the recommended conditions. So if the Commission does not want to consider that it will be up to the four individuals tonight on how they make a recommendation onto you at the Board of Supervisors for a final decision on this Special Use Permit.

Chair Bibb: Asked can we do something so that he does not have to pay a fee again?

Mr. Miles: Stated that the \$800 application fee is for the most part to advertise the case in the newspaper and for notifying adjacent owners by First Class mail. So, it is for advertising in the Fluvanna Review, postage and staff time preparing the Staff Reports.

Mr. Zimmer: Asked the applicant if he knew about Recommended Condition 9?

Mr. Bradley, Applicant: Stated yes and asked a question about Condition 6. He stated that he can agree to that but he said that he cannot leave a dog in a kennel all day. I have to be able to let the dogs out before church starts to be able to have the dogs out. Then I will wait until church lets out and they may be in the parking lot. People can have concerns that I have trained during church services. I have always been respectful that is why I do not understand why I still have to prove myself. I am willing to do what it takes to support my family, but at the same time as the first year goes by and I can tell you right now I have one neighbor that will not be happy no matter what. There have been no concerns in the last three years officially. I would just state that it is probably since the zoning sign went up in my yard. Not for sure but there will probably be complaints from this neighbor because they are not happy, and I have done just about everything I can to address all of the concerns including this same neighbor.

Chair Bibb: Asked you keep saying that you have proven yourself, but whom have you proven yourself to?

Mr. Bradley: Stated, Sir I have been training dogs for other people and my own dogs without compensation to learn how to train dogs so that is about all I can say on it.

Chair Bibb: Stated that I am asking have you proved this to your neighbors or that you just have complied with their concerns. You said you proved yourself and I am trying to understand how you have proven yourself to your neighbors if you have not had any other complaints. Until you applied or until just recently we have only had people now coming favor but had several others in opposition back in June when this all started.

Mr. Bradley: Stated we have worked with Jason Overstreet after the Conference Call at his recommendation to speak with all of the other folks who had concerns to address them and we have done that as best as we could. Mr. Westermann he told us he did not have any issues. The only concern that Mr. Fleming presented to us was that dogs were barking and they had noise concerns. Then we got his letter when we came to the Planning Commission and now we feel blindsided by his concerns. I do not know why you got so many letters sent to you in opposition after we had already spoken to them. I will say this that Pastor Neil told me the other day he thought those letters were written anonymously and he told me that in the presence of Robin Hucks who I understand is online right now. I do not know if she can speak or not but if you ask her she her my conversation with Pastor Neil from the church across the street from us.

Vice Chair Murray-Key: Stated that if I understand you correctly the Chair had asked you about proving yourself and I understand you to say that prior to you making an announcement that you wanted to have a business to receive compensation, nobody complained about you have a kennel. But now since the zoning sign went up there you have received complaints and you are asking for compensation it has become an issue.

Mr. Bradley: Replied yes and to go with that I feel I was by right but I am not going to get into that and I do not think I want to get into whether I need an SUP. The biggest difference between the definitions is you do get compensation and in the past not one person had complained about me getting compensated until I had requested to do the right thing. I do not understand how this monetary factor has become such a big issue. You can have a Private Kennel with like I said twice as many dogs and no restrictions.

Chair Bibb: Asked how many dogs will you have on the property at any time there?

Mr. Bradley: Replied it varies as I have helped people and I have not kept track of how many I have had at a one time. The most I have had at one time has been 10-12 dogs.

Chair Bibb: Stated but you know you will only be able to have ten at a time under these conditions and where before you could not have that many for a whole year. Now you will have 10 dogs every month, every day throughout the year so that will be different and a lot of dogs to take care of there.

Vice Chair Murray-Key: Stated just so we are on the same page you were saying at one given time during a six week period you have had 10-12 dogs or are you saying that you have had just 10-12 dogs for a whole year?

Mr. Bradley: Replied it was not twelve dogs for a whole year because my business is not always full. It is just I have helped people and did not have my own dog. Last year I lost one of dog to cancer so now I am down to seven personal dogs on my property.

Vice Chair Murray-Key: Asked what was the most amount of dogs at one time that you had prior to this commercial kennel process in training was it 5 or 12 dogs there?

Mr. Bradley: Replied probably about ten dogs.

Mr. Zimmer: Stated that I think there was some confusion about the question earlier. It seems a little dangerous for us to put a condition like on Sundays only from 1:00 to 6:00 pm. As that may in fact have an impact on the dogs that could have a detrimental impact if they cannot get outside to use the restroom for long periods of time there.

Mr. Miles: Stated basically if you look at Condition 4 and honestly Mr. Overstreet and I had considered combining Condition 4 and 5 into one large condition and it would only become too large to enforce or follow as the applicant. What you see is at the end of the first sentence “the purpose of relieving themselves” would apply in this situation. We assumed in Condition 5 that would also apply in the 1:00 – 6:00 pm situation by allowing the dogs to relieve themselves but we can change that text just like dusk to dawn needs to be changed in Condition 5 and then they will work better as conditions.

Will Tanner, Deputy County Attorney: States he thinks that the Commission makes a fair point on most of Condition 5. So, I think it is important for everybody here to all recognize that these are all staff recommended conditions at this point. You all are making a recommendation to the Board. I do think that with respect to Condition 5 some more precise language might be used with respect to what is contemplated by the land use. So I think it makes sense either at this point we can substitute some language now and you all can act on that language going forward. I would basically say: The training of dogs that are at the commercial kennel shall be operated Monday through Saturday from dawn to dusk and on Sundays from 1:00 pm to 6:00 pm and I think that would clarify that Condition.

Chair Bibb: Asked do we have a motion on this request.

MOTION:	I move that the Planning Commission recommend Approval of SUP 21:04, as a request to permit a commercial kennel, with respect to 5 +/- acres of Tax Map 23, Section A, Parcel 30, subject to the first eight (8) conditions and removing Condition 9 and updating the dusk to dawn text that is found in Condition 5.				
MEMBER:	Bibb (Chair)	Murray-Key (Vice Chair)	Johnson	Zimmer	Lagomarsino
ACTION:			Second	Motion	
VOTE:	Yes	Yes	Yes	Yes	Absent
RESULT:	Recommended Approval 4-0				

10. NEW BUSINESS:

None

11. PUBLIC COMMENTS #2:

At 8:38 pm, Chair Bibb opened the second round of Public Comments.

Donna D’Aguanno, 148 Crape Myrtle Drive: Stated I wanted to revisit the idea of the economic development issues and I have great concerns about it since I do not know how you guys want to develop Fluvanna County. In terms of the beauty of the land and the freedom I mean again I go back to the freedom I am staggered by the idea of how much freedom as a female I can stand outside at any hour at my house and I feel safe. It is really remarkable and I would love to see that continue in the County. I do not think men have the same concerns as you are standing along outside at night time.

What I would love to see is the protection of the land and the beauty and the idea that the economic development that you have an exclusive area to really develop it into a very strong wine vineyard district. I know that there are concerns about water, but you know California has a lot of vineyards and they do not rely on much water. There are many resources so I talked to the guy in Economic Development today to propose this and ask can you look into a national campaign because you do not have that I heard a business tax out here on businesses. I may be wrong but that is what I thought I was

told. I would think that is very attractive to people who want to start out as a winery.

So I would love to see this area retain its natural land its natural beauty and because people are not going into farming. Unfortunately there is not a lot but to be able to really concentrate this area and grow it as a wine district that way you are getting in people from all over now. I said you know this is something he said we only have a six thousand dollar advertising budget they said but you do not do it that way. I said you go onto Facebook you create campaigns. You do not do a lot of this on social media but you can reach out to anywhere in the world people might come here from Moldova which is a big wine area they may be interested in starting something and may want to come to Virginia. You have got a lot of business connections with the other wineries and other places, they may feel that that is a good thing, but in doing that you are bringing in bigger jobs and it is sustainable as wineries are agricultural land uses.

This is a great idea for global reasons and then you would be creating a much better designation point. So you would have you the ability to do new bed and breakfasts and things like that. So that is what I would like to propose as a vision for the county, and to be able to keep the green because let's face it people crowded on top of each other is not a great vision. So having that as a beautiful vision of your own landscape driving around seeing trees and green space is quite functional coming from Chicago. I do not know if you watch the news in Chicago they have massive problems something we do not want to export here and something I would very much not like to see, but I would love for the economic people to understand that it does not cost that much to reach out globally. You do not have to invest in television commercials or anything like that it is not done that way anymore and I would hope that your economic development person would understand how to put something together that can attract wineries.

With no one else coming forward or online Chair Bibb closed the Public Comments period at 8:43 pm.

12. ADJOURNMENT:

Chair Bibb adjourned the Planning Commission meeting of August 10, 2021 at 8:44 pm.

Minutes were recorded by Valencia Porter, Administrative Programs Specialist.

Barry A. Bibb, Chair
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

PLANNING COMMISSION STAFF REPORT

To: Fluvanna County Planning Commission
Case: ZMP 21:04 Southern Development

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

General Information:

This R-3, Residential Planned Community conditional rezoning request, is scheduled for a Planning Commission Public Hearing at the request of the applicant, Southern Development, on Tuesday, September 14, 2021 at 7:00 pm within the Carysbrook Performing Arts Center located at 8880 James Madison Highway in Fork Union, VA 23055.

Requested Action:

ZMP 21:04 Southern Development – A request to rezone from A-1, Agricultural, General and existing R-3, Residential Planned Community to R-3, Residential Planned Community of 122.6 acres of Tax Maps 8 Section A Parcel 18A, 17 Section A Parcel 10 and 17 Section 9 Parcels 1 and 2. The subject properties are located along State Route 53 and along Garden Lane (SR 636) and with additional access via a stub road located south of 415 Jefferson Drive within Lake Monticello and they are all within the Rivanna Community Planning Area and the Cunningham Election District.

Existing Zoning:

R-3, Residential Planned Community Zoning, Tax Map 17 Section A Parcel 10 and A-1, General Agricultural Zoning, Tax Map 8 Section A Parcel 18A and Tax Maps 17 Section 9 Parcels 1 and 2.

Proposed Zoning:

R-3, Residential Planned Community and the applicant is seeking Preliminary Master Plan approval from the Planning Commission and Board of Supervisors for Village Gardens, an R-3 Residential Planned Community.

Planning Area:

Rivanna Community Planning Area / Residential 2.9 dwelling units per acre / This proposed request is in compliance with the Fluvanna County Comprehensive Plan and generally the R-3, Residential Planned Community zoning district requirements.

Adjacent Land Uses:

The adjacent properties are zoned A-1, B-1, R-3 and R-4 and they either contain single-family dwellings, commercial and office uses or are vacant, agricultural parcels that are in the land use program.

Zoning Case History:

ZMP 04:04 Acres Development LLC an R-3, Residential Planned Community Master Plan and conditional rezoning was approved on April 20, 2005, which included Tax Map 17 Section A Parcel 10, that is currently zoned R-3 and undeveloped and it is a part of this R-3, Residential Planned Community Master Plan and conditional rezoning case request. The existing R-3 zoning contains 5.8 acres that is a part of the original Villages of Nahor Residential Planned Community and this commercial tract has been vacant for over 15 years on the Route 53 corridor awaiting commercial development.

Acronyms used in this Staff Report to avoid repetitive text and clarity purposes:

AQUA = Aqua Virginia – private water and sewer provider in the County
FLUVANNA = Fluvanna County or as Fluvanna County Staff members
LMOA = Lake Monticello Owners’ Association / Lake Monticello Subdivision
VDOT = Virginia Department of Transportation – Culpeper or Louisa Offices

Village Gardens Textual Statement – August 25, 2021:

Southern Development operates within Central Virginia by creating well-planned residential communities, industrial parks and other similar development projects. The Village Gardens development will provide a mix of residential housing choices for the greater Fluvanna County area, as well as commercial development along Route 53. Village Gardens is designed as a walkable community that also preserves much needed green space areas in the development.

Southern Development designs communities to meet the existing needs while addressing future growth patterns. Village Oaks, an R-3 Residential Planned Community is currently being built by Southern Development, located on Lake Monticello Road and outside of the Lake Monticello Main Gate area addresses the strong demand for housing in the region and it has encouraged us to assemble all of these adjacent parcels in the Rivanna Community Planning Area. An existing commercial parcel fronting on Route 53 is 5.8 acres; the Galaska parcel is 49.8 acres; the Haden parcel is 49.8 acres and the Fox parcel is 17.3 acres for a total acreage amount of 122.6 acres that would be development with single-family homes and with townhouses in behind the dollar store.

Southern Development Comprehensive Plan Summary:

Southern Development’s hope is to further community welfare through fostering the goals of the County’s Comprehensive Plan. Their community design stresses pedestrian orientation with open space for recreation and programmed recreational uses and the preservation of environmentally sensitive ecosystems such as streams and wetlands. This design aligns with many of the current goals described in the adopted Comprehensive Plan to be implemented within this development:

New developments should be integrated in a manner that promotes a sense of community while still retaining the rural aspects that make Fluvanna County attractive without overdevelopment.

Efficient design minimizes sprawl in the rural areas and supports the efficient development of growth areas. Families have access to open space and recreation areas that are a part of their community. Neighborhood residential areas should provide a range of residential housing.

The neighborhood residential element it can incorporate a shared green space mainly at its core. Neighborhood parks vary in scale, but will serve local residents as recreational and as gathering spaces. If possible, greenway trails they should be integrated to link the neighborhood to surrounding neighborhoods and open spaces.

Southern Development Community Meeting – June 24, 2021:

Southern Development conducted their first Zoom community meeting on June 24, 2021 during the pandemic in order to discuss their Village Gardens planned residential development. There were well over one hundred (100) virtual attendees from the surrounding neighborhoods that included The Villages of Nahor zoned R-3, Residential Planned Community and located directly across Garden Lane from the subject properties and The Lake Monticello Owners Association (LMOA) development zoned R-4, Limited Residential located behind the subject properties and the adjacent agricultural and commercial owners fronting on Route 53 and along Garden Lane who had an interest in this proposed request.

Southern Development provided a very general overview of Village Gardens, an R-3 Master Plan community of 260 single-family dwellings, 95 Townhouses and 9,000 square feet of previously zoned R-3, neighborhood commercial retail space fronting Route 53. However, the applicant's representatives were not able to answer concerns that adjoining homeowners had about the Aqua Virginia water and sewer availability and capacity and concerns about the increased traffic onto Route 53 generated by their rezoning request. Southern Development had indicated that they would reach out to Aqua Virginia and VDOT to seek further clarifying information in order to be able to answer these important questions. The meeting ended with more questions than answers with the representatives offering up to meet with adjacent neighborhoods and all other interested parties in order to continue working with the surrounding community to gain further information.

The surrounding homeowners they generally felt that these questions should have been addressed or answered by the applicant. However, they have been contacting this Summer the Fluvanna County Administrator and Community Development Director for the answers to their questions via e-mails and telephone calls. Some of their thoughts and concerns they are summarized below:

A potentially dangerous entrance and exit to the planned development on Route 53, located at the bottom of the hill, with restricted left and right views of oncoming traffic at speeds at and above 45 MPH. Many residents at the Villages of Nahor foresee residents of the proposed development cutting through the Villages of Nahor to use our existing entrance onto Route 53, which offers up somewhat safer access with the left and right views of oncoming traffic. The entrance and exit to the Villages of Nahor is already challenging for the aging residents of our community. We have concerns that additional traffic volume on Route 53 will pose significant safety issues at the Village Boulevard entrance onto Route 53 at peak hours of use. We do have concerns that the Rivanna River does not have adequate water supply and will this be addressed by Southern Development with Aqua Virginia when working through necessary water and sewer.

The Villages of Nahor Meeting Appointments – August 12, 2021:

Southern Development representatives met with several Villages of Nahor residents in individual meeting sessions on Thursday, August 12th throughout the day within their clubhouse to address some of these same infrastructure and traffic concerns. County Staff members were not present to determine what they had discussed during these individual discussion meetings. As Fluvanna County staff members had been working with Aqua Virginia staff in parallel meetings that same day and week to determine going forward the residential and commercial water and sewer infrastructure needed for new development activity in their Lake Monticello service area now and into the future. At this point, Aqua Virginia senior staff members have indicated that they do not have any contractual or legal documents that they are working on with Southern Development for the water and sewer needs for the proposed Village Gardens residential mixed-use development. They indicated there is more needed than just the payment of the connection fees for construction of new homes and that Aqua Virginia will be ready to discuss the required infrastructure needs.

Community Meeting with the LMOA – September 9, 2021:

Southern Development representatives conducted a Zoom neighborhood community meeting on September 9, 2021 with the Lake Monticello Owners' Association (LMOA) General Manager and hundreds of residents from over 4,000 homes, a commercial restaurant, golf course and five neighborhood beaches along with 350 acre Lake Monticello with Tufton Pond being closest to the proposed residential development. The majority of the LMOA residents, were first and foremost concerned about the second, emergency access to the proposed R-3 neighborhood with potential residents of Village Gardens utilizing the Lake Monticello gated community amenities since the proposed site access will be open without a LMOA gate controlling the Village Gardens residents and the general public from using their available amenities. Southern Development representatives have indicated that they will be providing their Village Gardens residents with their own clubhouse and trails as it is required by the R-3, Residential Planned Community master plan requirements. They have not provided any proffered conditions to restrict the access.

R-3 Rezoning Proffered Conditions:

Three Southern Development representatives met on August 17th with the County Administrator, Building Official and Community Development Director all in an effort to discuss Fluvanna County's infrastructure concerns about the available water, sewer and fire suppression and road improvements that they had been discussing with VDOT staff and civil engineering consultant.

The applicant then submitted on August 25th revised proffers by generally stating water, sewer and transportation improvements and that have been written as follows along with County Staff comments shown in *italic* for discussion purposes at the Planning Commission's Public Hearing:

1. 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. *This is a Southern Development managed condition during the construction*

process and no plans have been provided as required in an R-3, Residential Planned Community by the applicant “plans of typical units provided” as is stated in the R-3 text.

2. Village Gardens will be developed in a minimum of 4 phases. *Southern Development needs to further define these four (4) phases and more importantly to indicate what phase will be constructed first and when and where the site construction entrance as is mentioned within Condition 6 will be installed to serve this phased development.*
3. Adequate water and sewer shall be provided prior to Final Plat approval for each phase, including: *Will there be Aqua Virginia contracts signed prior to each Preliminary Plat being reviewed by Fluvanna County, Virginia Department of Health (VDH) and the Virginia Department of Transportation in conjunction with their Master Plan document.*
 - a. A developer agreement with Aqua Virginia specifying infrastructure contributions (connection fees and/or developer installed on-site infrastructure); *What type of on-site developer infrastructure will be installed by Southern Development in a mutual agreement with Aqua Virginia and as in conjunction with looping the adjoining lines.*
 - b. Water line sizing and looping necessary as determined by the design engineer to provide water pressure and fire flow per the Building Code and Fire Code;
 - c. Sewer line sizing to provide required sewer service per the Virginia Sewer Collection and Treatment Regulations;
 - d. Water and sewer system approval by the Virginia Department of Health.
4. The commercial usage will be limited to a maximum of 9,000 square feet. Furthermore, gas service stations will be excluded from the allowable uses. *Why will the commercial property be limited to a maximum of 9,000 square feet. The R-3 zoning district states: “The scale of housing and the commercial uses should be appropriate to support the residential needs at a neighborhood scale” therefore Village Gardens could provide the office and commercial uses to support the residential units that they are proposing to add in this portion of the Rivanna Community Planning Area.*
5. Prior to issuance of the first Certificate of Occupancy, Route 53 will be improved with new left and right turn lanes on Route 53 at the intersection with the new entrance to Village Gardens, per VDOT specifications. *This proffered condition needs to become technically more specific relative to the location of the new entrance to be located on Tax Map 17 Section A 10 and supported by the turn lane analysis warrants to be provided to VDOT & FLUVANNA. We would recommend the use of a specific intersection diagram to illustrate what could be installed to provide for the safety improvements on Route 53.*
6. The construction entrance **(add) and/or temporary logging entrance** for the project shall be established from Route 53. *When will the construction entrance be established and VDOT & FLUVANNA would like to have additional assurances and advanced notice of site timbering to avoid this type of activity from occurring on such short notice there.*

7. The existing access to Jefferson Drive from Garden Lane shall be extinguished. *Fluvanna County, Lake Monticello Fire, and other major utility companies such as Aqua Virginia, Dominion Energy to name a few could utilize this state maintained road for public safety purposes. As the utilization of a four way intersection of Garden Lane, Smokewood Drive and Jefferson Drive during times of emergency should remain and be discussed more in detail with the appropriate partners and public safety officials. As Tufton Gate (Monish) has been under consideration for operational changes for better access and public safety enhancements as FLUVANNA wants to consider maintaining this state maintained road.*

Fluvanna County Zoning Ordinance:

R-3 Zoning / Sec. 22-7-4. - Required information on preliminary master plan.

The location of the open areas which shall comprise not less than twenty-five percent (25%) of the whole. The open areas shall include parks, recreation facilities, residential clubhouse grounds, lakes, trails, and land or water left in undisturbed natural condition and unoccupied by building lots, structures, streets and roads and parking lots. This area may be used for active recreation facilities identified in Section 22-7-12. The open areas of the tract shall be delineated due to their noteworthy features and value to the continued rural character of the County, including, but not limited to, lands with high scenic, open space and water quality protection values including riparian corridors and wildlife habitat; high environmental sensitivity such as steep slopes, wetlands, floodplains; high recreational value and/or having noteworthy historical, archaeological or cultural features.

The Preliminary Master Plan shall contain the following information:

(A) The general location of the various types of land uses, including the general location of any village centers, and the residential density classifications of each residential area; (B) The areas designated for residential development, with maximum proposed number of units, density calculations, and plot plans of typical units provided; (C) The areas designated for commercial and/or institutional development, with maximum proposed square footages and floor area ratios indicated. The location of all buildings and improvements, and their proposed use, other than single-family dwellings, and the location of any public buildings shall be shown; (D) The street layout, with indication of which streets are to be dedicated to public use and which are to be held in private ownership, and a brief description of maintenance arrangements; street functional classification; and proposed street cross-sections; (E) The pedestrian and bicycle facilities, including sidewalks and trails, with proposed cross-sections; (F) The orientation of the Preliminary Master Plan to the surrounding community by extending the overall development and preservation pattern, tree protection and buffers, general building design, covenants and restrictions; (G) The general location of all public and private roads; (H) The adequate provision for general sewer, storm drainage, and water supply; and (I) The Preliminary Master Plan shall demonstrate its compliance with the County's Comprehensive Plan. (Ord. 12-16-15)

Zoning Ordinance Classifications:

The purpose of the A-1 District 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.” Additionally, “the provisions of this district are intended to significantly limit conventional and roadside strip development, especially on major arteries and commuter routes.” The R-3 District is meant to preserve the rural character of the county and not just to construct new suburban homes and townhouses on previous agricultural land, the applicant needs to further define what type of rural preservation methods will be used to perpetually preserve the County’s rural character while still constructing their new community.

The main purpose of 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.” This proposed R-3, Residential Planned Community request does not incorporate institutional uses that serve the ever-increasing senior population in Palmyra and Fluvanna County and the R-3 zoned 9,000 square feet of retail space (dollar store) is inadequate for creating a Village Center that would contain a full-scale grocery store, pharmacy, dry cleaners, restaurants and other supporting retail stores to support Village Gardens to complete the development name to offer up a village area to shop and buy local rather than travelling outside of Fluvanna County to obtain the needed retail items and related services.

Southern Development is required to provide three active recreation facilities from Group A and B below, and one facility from Group C below, which would further demonstrate to LMOA that Southern Development will provide proper amenities to their own HOA residents and as follows:

Group A: Bicycling, walking, fitness, and equestrian trails, open play area (minimum ½ acre), sitting area, picnic table units, tot lot equipment, community gardens that may be located within the required open space

Group B: Picnic shelter: 3-4 picnic table units with grill, tennis court(s), multi-use (pickleball) court and active playground with equipment.

Group C: Community Center / Clubhouse / Fitness Center, Swimming Pool, and Athletic fields for private, unorganized activities such as flag football or soccer on minimum of two (2) acres.

The development will contain a combination of public and private roads as permitted by Section 22-7-4. The residential sections will be served by public roads while the commercial section may contain a private road. Public roads will be required to be designed and constructed to VDOT standards. All private roads and shared parking areas will be governed and maintained by a homeowners association which will be required with the final master plan.

VDOT traffic data from 2017 indicates that Route 53 from the Albemarle County line to Ruritan Lake Road (State Route 660) had an average daily traffic volume of 7,000 vehicles, while Lake Monticello Road from Route 53 to South Boston Road (State Route 600) had an average daily traffic volume of 3,100 vehicles. This rezoning request does not meet the thresholds that require a traffic impact analysis in accordance with Code of Virginia 15.2-2222.1. However, turn lane

warrants have been requested by FLUVANNA & VDOT and understand they are being prepared and additional information will be provided by the applicant and their consultant for our review.

R-3 zoning states that a preliminary master plan must contain information regarding the adequate provision for general sewer, storm drainage, and water supply. The property is located within Aqua Virginia's service area who has expressed an interest in providing water and wastewater utility service provided terms and conditions for such an agreement are negotiated and all governmental approvals and permits are obtained. An intent to serve letter from AQUA to the applicant has not been included with the application but we understand that the two parties are both working towards that becoming a reality along with respective civil engineering consultants.

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."* Southern Development has stated that:

"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 Rivanna Community Planning Area. Pedestrian connections, public water and sewer, and the appropriate buffers and setbacks to the adjacent parcels will be enacted. Lastly, Village Gardens will meet the needs for housing and commercial development within the community service area. Village Gardens will be an active community for all residents. Recreational opportunities such as walking trails, green spaces and programmed facilities will provide a variety of choices for all ages" as taken from the Village Gardens Rezoning Request narrative statement last revised on August 25, 2021.

The Rivanna Community Planning Area is the most developed planning area in the county and contains a mixture of residential and commercial uses. However, it is important to note no new neighborhood mixed-use office and commercial shopping center areas have been constructed since the Jefferson Centre Shopping Center in 2003. The applicant has not proposed any new commercial space, as the existing 9,000 square feet of commercial space is to be rezoned once again to R-3 like it was done as a part of The Villages of Nahor. Southern Development has not added any new commercial land uses as the Rivanna Community Planning Area specifically calls for *"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."* The R-3, Residential Planned Community zoning district states that commercial uses should be appropriate to support the area's needs at a neighborhood scale.

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”.

Implementation Goals and Strategies:

- B To protect rural areas through economic development.
- (4) Offer incentives for building mixed-income housing, with an emphasis on workforce and affordable housing, in the community planning areas to maximize the use of existing transportation corridors, creating the level of density needed for attracting mixed-use development and creating vibrant, diverse, and healthy neighborhoods.

Aqua Virginia Comments:

Aqua Virginia has provided these cursory comments that due to pressure concerns the Village Gardens Expansion should be connected to the high-pressure zone on our water system. A loop should be added to connect the Eastern side of the development and run parallel to the tank main. Low pressure customers currently near the water tank could connect to this new looped system to achieve better water pressure service and helping an estimated 72 existing Aqua water customers.

Conclusion:

Aqua Virginia, as the main utilities provider, Fluvanna County as the local government, Lake Monticello Owners’ Association, as the adjoining large, private development with defined interests and along with VDOT and in general, some very concerned County business owners and residents find there are many outstanding issues, reports and studies to be completed for Village Gardens. Fluvanna County staff mainly needs to see additional progress made in conjunction mainly with VDOT staff on further defining the road construction and re-alignment design and the VDOT turn lane warrant analysis. As of the writing of this report, one long term small business located on Garden Lane, has expressed his serious concerns with what has come up again about Garden Lane and Route 53 being potentially redesigned without his professional input and involvement. These specific comments were provided to staff and staff met on-site on Friday, September 10th and this small business owner plans to speak during the Public Hearing:

My concerns regarding Village Gardens revolve around how it will affect the existing alignment of Garden Lane. The Draft concept I was provided shows the existing entrance remaining as is with portions of Garden Lane being vacated. This I think is an opportunity for VDOT to request a complete realignment of Garden Lane and the existing entrance moved west of its current location along Route 53. VDOT attempted to do this in 2005 during the Villages of Nahor, R-3 rezoning process. I went before the BOS in 2005 and let my concerns be known that this action would adversely affect my business. The BOS sided with me and then stopped that re-alignment.

Small businesses are the backbone of Fluvanna County and we have some business owners along Garden Lane that have been busy running their businesses during COVID-19 and somehow

surviving through it all. Now they are faced with several potential changes to the existing state road system to attempt to serve for the most part a large, residential planned community. So we need to provide them with answers and allow for the applicant to meet with them face to face and to solve some of these issues together so that each business use can be successful in the County.

Suggested Motion:

I move that the Planning Commission recommend (approval/denial/Deferral) of ZMP 21:04, a request to amend the Fluvanna County Zoning Map with respect to 122.6 acres of Tax Maps 8, Section A, Parcel 18A, 17 Section A Parcel 10 and 17 Section 9 Parcels 1 & 2 to rezone from A-1, Agricultural, General, and R-3, Residential Planned Community to R-3, Residential, Planned Community and subject to the proffers dated July 1, 2021.

Attachments:

Application and Proffers – August 25, 2021

Village Gardens Master Plan – August 23, 2021



COMMONWEALTH OF VIRGINIA
COUNTY OF FLUVANNA
Application for Rezoning

RECEIVED

JUL 01 2021

Fluvanna County
 Planning Dept

Owner of Record: See Attached **Applicant of Record:** Southern Development
 Address: _____ Address: 142 South Pantops Drive
 Phone: _____ Fax: _____ Phone: 434-245-0894 Fax: 434-245-0895
 Email: _____ Email: Klanccaster@southern-development.com

Representative: Southern Development
 Address: 142 south Pantops Drive
 Phone: 434-245-0894 Fax: 434-245-0895
 Email: Klanccaster@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) 17-A-10, 17-9-1, 17-9-2, 8-A-18A
Acreeage 122.6 **Current Zoning** A1

Is parcel in Land Use Valuation Program? No Yes

Location of Parcel: Garden Lane

Deed Book and Page: See Attached
 If any Deed Restrictions, please attach a copy

Requested Zoning R-3 **Proposed Use of Property** Commercial and residential

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: 6/29/2021 Signature of Owner/Applicant: [Signature]
 Subscribed and sworn to before me this 29th day of June, 2021 Register # 347137
 My commission expires: 9/30/2024 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: 07/01/21 Pre-Application Meeting: _____ PH Sign Deposit Received: 07/01/21 Application #: ZMP 21: 04

\$1,000 fee paid: #2672 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: Cunningham Planning Area: Rivanna Community

Public Hearings	
Planning Commission	Board of Supervisors
Advertisement Dates:	Advertisement Dates:
APO Notification:	APO Notification:
Date of Hearing:	Date of Hearing:
Decision:	Decision:

Additional Application for Rezoning information

Current Owners of Record:

- 17-A-10, NVA Properties LLC C/O Evan Bowman, 4095 Valley Pike Winchester VA 22602
- 17-9-1, Haden, Lisa Michelle, 2195 Pendleton PL Suwanee GA 30024
- 17-9-2, Galaska, Louise, 4665 Lambton Circle Suwanee GA 30024
- 8-A-18A, Fox, Priscilla Forstbauer, 1425 Gentry Lane Charlottesville VA 22903 (DB 115-388)

Current Zoning and Acreage:

- 17-A-10, R3 with proffers – 5.8 ac
- 17-9-1, A-1 – 49.78
- 17-9-2, A-1 – 49.78
- 8-A-18A, A-1 – 17.24ac

RECEIPT (REC-002287-2021)
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
ZMP21:0004	Rezoning	Fee Payment	Check #2673	\$90.00
			SUB TOTAL	\$90.00
			TOTAL	\$90.00

**RECEIPT (REC-002288-2021)
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
ZMP21:0004	Rezoning	Fee Payment	Check #2672	\$910.00
	Sign Deposit for Public Hearing	Fee Payment	Check #2672	\$90.00
			SUB TOTAL	\$1,000.00
			TOTAL	\$1,000.00

JUN 01 2021

Fluvanna County
Planning Dept

June 29, 2021

Mr. Douglas Miles
Director of Community Development
County of Fluvanna
Department of Community Development
P.O. Box 540
Palmyra, VA 22963

RE: Village Gardens (Tax Map Parcels 8-A-18A, 17-A-10, 17-9-1, 17-9-2)
Request for Rezoning from A-1 to R-3

Dear Douglas,

Regarding the accompanying Rezoning Request, we propose the following Proffers:

1. 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.
2. Village Gardens will be developed in a minimum of 4 Phases.
3. Adequate water and sewer will be provided prior to Final Plat approval for each phase.
4. The commercial usage will be limited to a maximum of 9,000 sq. ft. Furthermore, gas service stations will be excluded from the allowable uses.
5. The existing legal access to Jefferson Drive from Garden Lane shall be restricted to emergency use only and all rights that the parcels have to use Lake Monticello roads will be extinguishes prior to the subdivision of these parcels.

Sincerely,



Frank Ballif
President



COUNTY OF FLUVANNA

"Responsive & Responsible Government"

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

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

April 21, 2005

Acres Development, LLC
Attn: Keith Smith
929 Lake Monticello Road
Palmyra, VA 22963

REF: ZMP 04:04

Dear Mr. Smith:

Please accept this letter as notification of the action taken on April 20, 2005 by the Board of Supervisors in regards to the request referenced above. Your request was **approved** with the following 14 proffers:

1. Acres Development L.L.C. proffers the attached Master Plan for land use, residential density, structure locations and site improvements.
 1. Acres Development L.L.C. proffers that only a congregate care facility will be built on the parcel as shown on the Master Plan. No other land uses will be allowed.
 2. The congregate care facility will consist of 60 to 80 dwellings with communal facilities and services, to include but not limited to; social activities, maintenance and housekeeping services, transportation services, dining services and other support services for its residents. The structure itself shall consist of one to three room units with- out kitchens, a communal dining facility, recreation areas and facility management. If Nahor Village's Master Plan is approved and rezoned an application for a special use permit for the congregate care facility will be applied for within 90 to 120 days after rezoning.
2. "Nahor Village" will be an age restrictive master planned community for residents 50-55 years or older. This restriction shall apply for
3. Acres Developments L.L.C. will provide the right of ways (R.O.W.) for the upgrade and re-alignment of Rt. 636 (Garden Lane) as shown on the attached Master Plan and in accordance with VDOT's requirements and the attached traffic study. All required R.O.W.'s from Acres Development L.L.C. will be dedicated to VDOT as per VDOT's requirements.
4. Acres Developments L.L.C. will pave the existing Rt. 636 from the entrance of Rt. 636 and Rt. 53 to the furthest boundary line of Nahor Village on Rt. 636 in

TMA 17-A-10 only

RECEIVED

JUL 07 2005

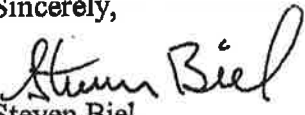
Fluvanna County
Planning Dept

13. Acres Development L.L.C. will proffer to VDOT \$50,000.00 at VDOT's request and per. VDOT's requirements for the installation of a future traffic light at the entrance of Turkey-sag Trail and Rt. 53.

14. Acres Development L.L.C. will construct a water pressure booster station for Nahor Village. As per the attached letter from Aqua Virginia, this booster station will also serve the residents at The Acres at Lake Monticello.

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

Sincerely,


Steven Biel
Planning Director

Copy: File

- Layer Opacity**
- Preset Views**
- Table of Contents**
- Public Buildings**
 - On Lbl Name
 - Place Names
 - Emergency Facility
 - Churches
 - Schools
- Transportation**
 - On Lbl Name
 - Address Points *
 - Building Footprints
 - Driveways
 - Railroads
 - Roads
- Boundaries**
- Utilities**
- Telecommunications**
- Environmental**
 - On Lbl Name
 - AG Forestal Districts
 - Conservation Easements
 - Contours *
 - Flood Hazard Area
 - Fork Union Sanitary Dist.
 - Soils
 - Streams
 - Water Bodies
- Political**
- Tax Parcels**
 - On Lbl Name
 - Parcels *
 - Tax Map Grid
- Overlays**
 - On Lbl Name
 - ArcGIS World Imagery
 - Orthophotography (VGIN 2018)
 - Orthophotography (VGIN 2013)
 - Orthophotography (VGIN 2009)
 - Orthophotography (VGIN 2002)
 - 911 Map Index
 - EMS Districts
 - Fire Districts
 - Planning Areas
 - Zip Codes
 - Zoning

Details [hide](#)

Identify Adjoining Parcels

Parcels

Map PIN: 17 A 10
 Map PIN (Formatted): 17-A-10
 Owner: NVA PROPERTIES LLC C/O EVAN BOWMAN

Mailing Address:
 4095 VALLEY PIKE
 WINCHESTER VA 22602

Land Use Code: 4
 Occupancy Code: Vacant Land Commercial
 Land Value: \$406,600
 Total Value: \$406,600
 Year Sold: 2011
 Sell Price: \$3,818,000
 Deed Book: 849 Pg: 416
 Legal Description1: DB 849-416
 Legal Description2: AC 5.809
 Zoning Cases: ZMP 97-003 ZMP 04-004

Attributes at point: N: 3855353, E: 11527099

US Congressional Districts (2010)
 District: 5

VA Senate Districts (2010)
 District: 22

VA House Districts (2010)
 District: 58

Voting Districts
 Precinct Name: CUNNINGHAM

Magisterial Districts
 District: Cunningham

Results

N: 3855477, E: 11522866
 Lat: 37°54' 41.4", Lng: -78°21' 41.5"

Layer Opacity

Preset Views

Table of Contents

Public Buildings

On Lbl Name

- Place Names
- Emergency Facility
- Churches
- Schools

Transportation

On Lbl Name

- Address Points *
- Building Footprints
- Driveways
- Railroads
- Roads

Boundaries

Utilities

Telecommunications

Environmental

On Lbl Name

- AG Forestal Districts
- Conservation Easements
- Contours *
- Flood Hazard Area
- Fork Union Sanitary Dist.
- Soils
- Streams
- Water Bodies

Political

Tax Parcels

On Lbl Name

- Parcels *
- Tax Map Grid

Overlays

Details [hide](#)

Identify Adjoining Parcels

Select Features by Buffer

Parcels

Map PIN: 17 9 1
 Map PIN (Formatted): 17-9-1
 Owner: HADEN, LISA MICHELLE

Mailing Address:
 2195 PENDLETON PL
 SUWANEE GA 30024

Physical Address:
 GARDEN LN
 PALMYRA VA

Land Use Code: 5
 Occupancy Code: Vacant Land
 Land Value: \$199,100
 Total Value: \$199,100
 Year Sold: 2008
 Deed Book: 827 Pg: 800
 Will Book: 53 Pg: 84
 Plat Book: 0000
 Legal Description1: DB 827-800
 Legal Description2: AC 49.78
 Zoning Cases: ZMP 97-003

Attributes at point: N: 3856804, E: 11528028

US Congressional Districts (2010)
 District: 5

VA Senate Districts (2010)
 District: 22

VA House Districts (2010)
 District: 58

Voting Districts

Results
 N: 3855932, E: 11522432
 Lat: 37°54' 45.9", Lng: -78°21' 46.9"

Deed Pg.

Query

MERRY-OAKS LN

36

0.2mi

Layer Opacity

Preset Views

Table of Contents

Public Buildings

On Lbl Name

- Place Names
- Emergency Facility
- Churches
- Schools

Transportation

On Lbl Name

- Address Points *
- Building Footprints
- Driveways
- Railroads
- Roads

Boundaries

Utilities

Telecommunications

Environmental

On Lbl Name

- AG Forestal Districts
- Conservation Easements
- Contours *
- Flood Hazard Area
- Fork Union Sanitary Dist.
- Soils
- Streams
- Water Bodies

Political

Tax Parcels

On Lbl Name

- Parcels *
- Tax Map Grid

Overlays

On Lbl Name

- ArcGIS World Imagery
- Orthophotography (VGIN 2018)
- Orthophotography (VGIN 2013)
- Orthophotography (VGIN 2009)
- Orthophotography (VGIN 2002)
- 911 Map Index
- EMS Districts
- Fire Districts
- Planning Areas
- Zip Codes
- Zoning

Details [hide](#)

Identify Adjoining Parcels

Select Features by Buffer

Parcels

Map PIN: 17 9 2
 Map PIN (Formatted): 17-9-2
 Owner: GALASKA, LOUISE

Mailing Address:
 4665 LAMBTON CIR
 SUWANEE GA 30024

Physical Address:
 GARDEN LN
 PALMYRA VA

Land Use Code: 5
 Occupancy Code: Vacant Land
 Land Value: \$175,500
 Total Value: \$175,500
 Plat Book: 0000
 Legal Description1: DB 827-803
 Legal Description2: AC 49.78

Attributes at point: N: 3857982, E: 11529063

US Congressional Districts (2010)
 District: 5

VA Senate Districts (2010)
 District: 22

VA House Districts (2010)
 District: 58

Voting Districts
 Precinct Name: CUNNINGHAM

Magisterial Districts
 District: Cunningham

Results

N: 3856759, E: 11523260
 Lat: 37°54' 54.1", Lng: -78°21' 36.6"

Deed Pg.

Query

MERRY OAKS LN

36

0.2m

Layer Opacity

Preset Views

Table of Contents

Public Buildings

On Lbl Name

- Place Names
- Emergency Facility
- Churches
- Schools

Transportation

On Lbl Name

- Address Points *
- Building Footprints
- Driveways
- Railroads
- Roads

Boundaries

Utilities

Telecommunications

Environmental

On Lbl Name

- AG Forestal Districts
- Conservation Easements
- Contours *
- Flood Hazard Area
- Fork Union Sanitary Dist.
- Soils
- Streams
- Water Bodies

Political

Tax Parcels

On Lbl Name

- Parcels *
- Tax Map Grid

Overlays

Details hide
 Select features by buffer

Parcels

Map PIN: 8 A 18A
 Map PIN (Formatted): 8-A-18A
 Owner: FOX, PRISCILLA FORSTBAUER 1425 GENTRY LANE

Mailing Address:
 1425 GENTRY LN
 CHARLOTTESVILLE VA 22903

Land Use Code: 2
 Occupancy Code: Vacant Land
 Land Value: \$77,600
 Total Value: \$77,600
 Deed Book: 115 Pg: 388
 Legal Description1: DB 115-388
 Legal Description2: AC. 17.246

Attributes at point: N: 3859370, E: 11529074

US Congressional Districts (2010)
 District: 5

VA Senate Districts (2010)
 District: 22

VA House Districts (2010)
 District: 58

Voting Districts
 Precinct Name: CUNNINGHAM

Magisterial Districts
 District: Cunningham

Fire Districts
 District Name: Lake Monticello Fire

Planning Areas
 Identify: Rivanna Community Planning Area

Zoning
 Zoning Classification: A-1

Results

N: 3859863, E: 11521102
 Lat: 37°55' 24.8", Lng: -78°22' 03.5"

0.2mi



RECEIVED

AUG 25 2021

Fluvanna County
Planning Dept

August 25, 2021

Mr. Douglas Miles
Director of Community Development
County of Fluvanna
Department of Community Development
P.O. Box 540
Palmyra, VA 22963

RE: Village Gardens (Tax Map Parcels 8-A-18A, 17-A-10, 17-9-1, 17-9-2)
Request for Rezoning from A-1 to R-3

Dear Douglas,

Regarding the accompanying Rezoning Request, we propose the following Proffers:

1. 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.
2. Village Gardens will be developed in a minimum of 4 Phases.
3. Adequate water and sewer shall be provided prior to Final Plat approval for each phase, including:
 - a. A developer agreement with Aqua Virginia specifying infrastructure contributions (connection fees and/or developer installed on-site infrastructure);
 - b. Water line sizing and looping necessary as determined by the design engineer to provide water pressure and fire flow per the Building Code and Fire Code;
 - c. Sewer line sizing to provide required sewer service per the Virginia Sewer Collection and Treatment Regulations;
 - d. Water and sewer system approval by the Virginia Department of Health.
4. The commercial usage will be limited to a maximum of 9,000 sq. ft. Furthermore, gas service stations will be excluded from the allowable uses.
5. Prior to issuance of the first Certificate of Occupancy, Route 53 will be improved with new left and right turn lanes on Rte 53 at the intersection with the new entrance to Village Gardens, per VDOT specifications.
6. The construction entrance for the project shall be established from Rte 53.

7. The existing access to Jefferson Drive from Garden Lane shall extinguished.

Sincerely,

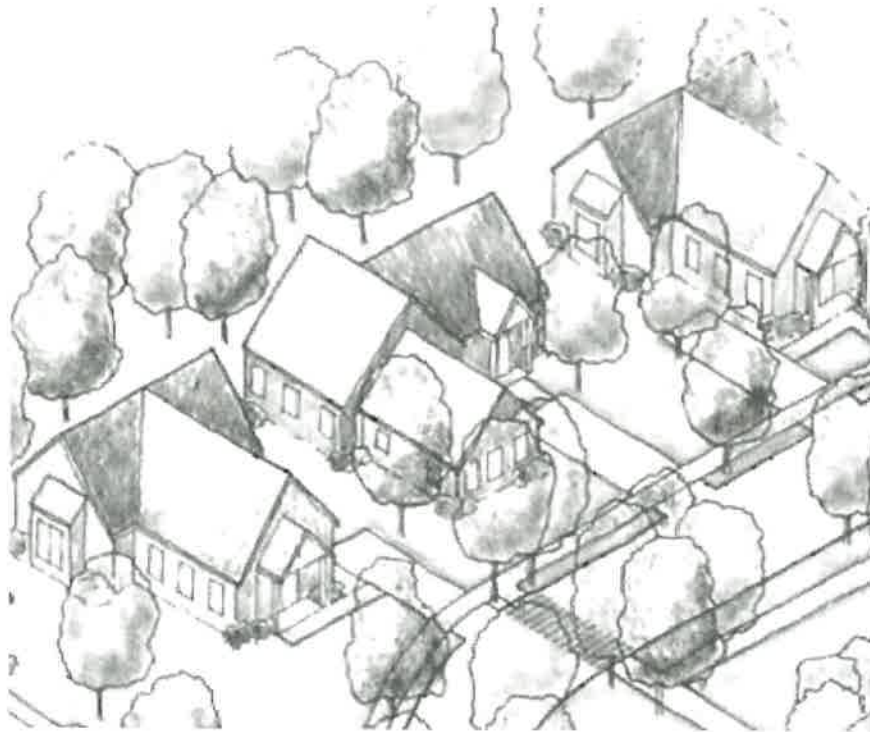


Frank Ballif
President

Rezoning Request
for

Village Gardens

Fluvanna County, Virginia
June 1, 2021



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

434-245-0894

RECEIVED

AUG 25 2021

Fluvanna County
Planning Dept

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. The Village Gardens development will provide a mix of residential housing choices for the greater Fluvanna area, as well as commercial development along Rt. 53. Village Gardens is designed as a walkable community that also preserves much needed green spaces.

Southern Development designs communities to meet existing needs, while addressing future growth. The current success of Village Oaks and the strong demand for housing within the region has encouraged us to assemble adjacent parcels within the Community Planning Area. With the approval of this community our hope is that the current housing demand, along with the long-term vision, for Fluvanna County will be met. Thank you in advance for your consideration of Village Gardens.

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 122.6 acres:

TMP 17-A-10

Area: 5.80 Acres
Owner: NVA Properties LLC
Existing Zoning: A-1
Proposed Zoning: R-3
Proposed Use: Commercial

TMP 17-9-1

Area: 49.78 Acres
Owner: Haden, Lisa Michelle
Existing Zoning: A-1
Proposed Zoning: R-3
Proposed Use: Residential

TMP 17-9-2

Area: 49.78 Acres
Owner: Galaska, Louise
Existing Zoning: A-1
Proposed Zoning: R-3
Proposed Use: Residential

TMP 8-A-18A

Area: 17.24 Acres
Owner: Fox, Priscilla Forstbauer
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 hope is further community welfare through fostering goals of the County's Comprehensive Plan. 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.
- Neighborhood residential areas should provide a range of residential housing types and lot sizes.
- While predominantly single-family residential, neighborhood residential areas should incorporate some degree of mixed use, ... Storefront retail and office may be integrated at a residential scale.
- The neighborhood residential element can incorporate a shared green space at its core. Neighborhood parks vary in scale, but serve local residents as recreational and gathering space. If possible, greenway trails should be integrated to link the neighborhood to surrounding neighborhoods and open spaces.
- Encourage housing for seniors and a growing workforce.
- (Efficient design) ... minimizes sprawl in the rural areas and supports the efficient development of growth areas.

(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. During our research, we have found a need for additional first floor housing and the preservation of open spaces within residential neighborhoods. Village Gardens will allow for mix of single-family detached, single-family attached, and single-family patio style homes thereby offering additional housing choices for a variety of age groups and price points within the community. Furthermore, utilizing new growth will help to support existing commercial centers (eg. Dentistry at Nahor, Ground Effects Garden & Landscape, Jefferson Good Neighbor Pharmacy, etc.) along Rt. 53 while promoting a future commercial center at Village Gardens. These centers will benefit from infill development and allow for pedestrian oriented traffic.

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 Rivanna

Community Planning Area. Pedestrian connections, public water and sewer, and the appropriate buffers and setbacks to the adjacent parcels will be enacted. Lastly, Village Gardens will meet the needs for housing and commercial development within the community service area.

Village Gardens will be an active community for all residents. Recreational opportunities such as walking trails, green spaces and programmed facilities will provide a variety of choices for all ages.

Transportation:

Route 53 is considered a primary gateway and corridor according to the Fluvanna County Comprehensive Plan. This corridor has received extensive improvements with the addition of multiply roundabouts, intersection improvements and additional turn lanes added. The Village Garden entrance to Route 53 will comply with all VDOT specifications. Additional realignment of Garden Lane will help promote a lower volume of traffic at its intersection with Route 53.


Water and Sewer:


Water and Sewer management has been a concern for growth in Fluvanna County. Village Gardens is located within the service area of Aqua America. The newly constructed facilities in Village Gardens will allow us to connect and serve all lots with public water and sewer. Aqua America has completed upgrades in the past to accommodate future growth in this area. Proffers have been included with this proposal that restricts final plat approval for each phase thus ensuring the County adequate water and sewer capacity will be provided prior to home construction.

Conclusion:

Southern Development put a tremendous amount of thought and consideration into Village Gardens. Evolving from our successful experience in designing and implementing other communities throughout the County, we have created a plan that will meet the needs of current and future residents of Fluvanna County. The addition of Village Gardens will encourage a well-planned community within the designated growth area while protecting the rural character of Fluvanna County. Again, thank you for your time and consideration.

LEGEND:

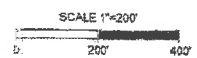
JURISDICTIONAL WETLANDS 

FLUVANNA COUNTY STREAM BUFFER 

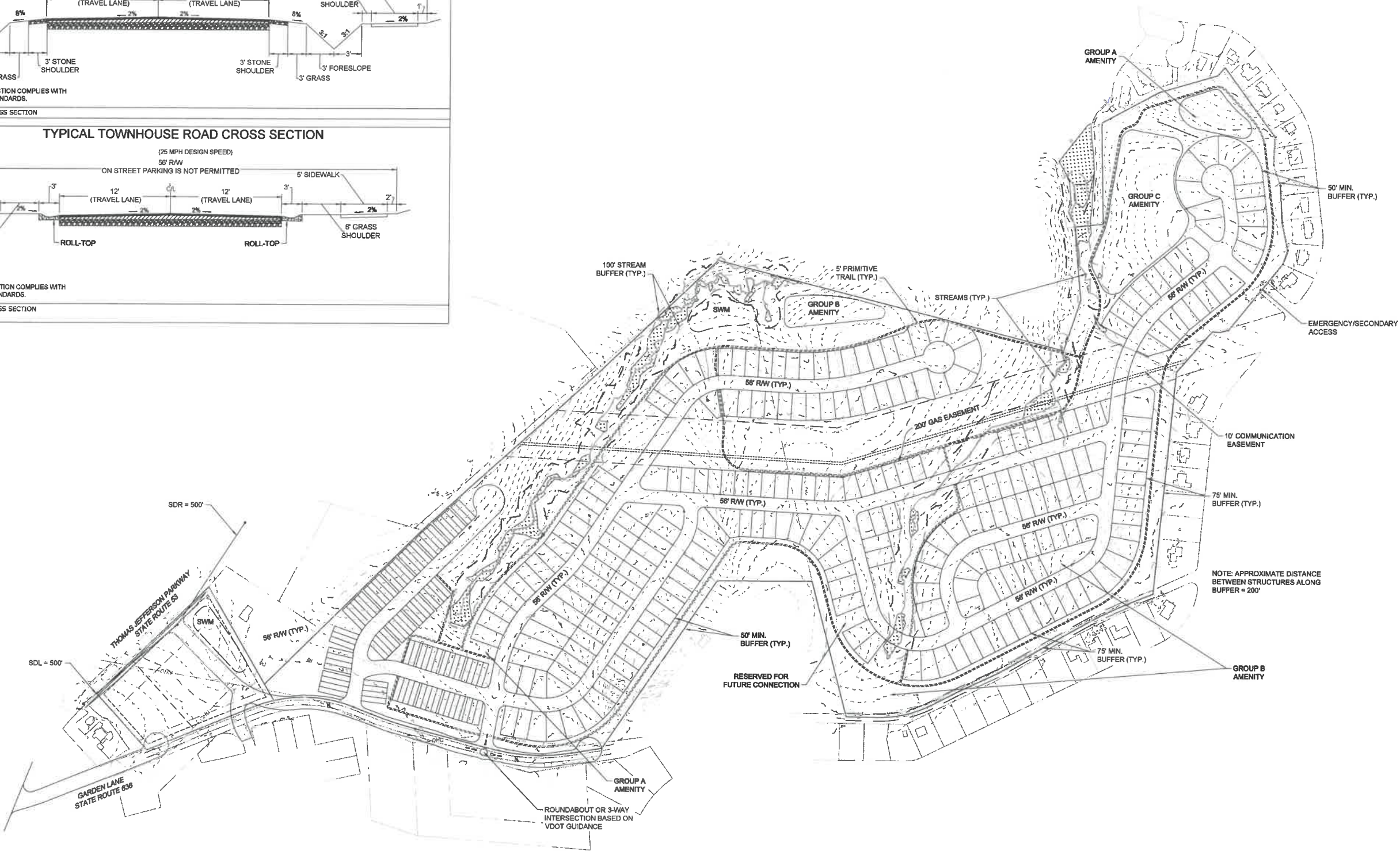
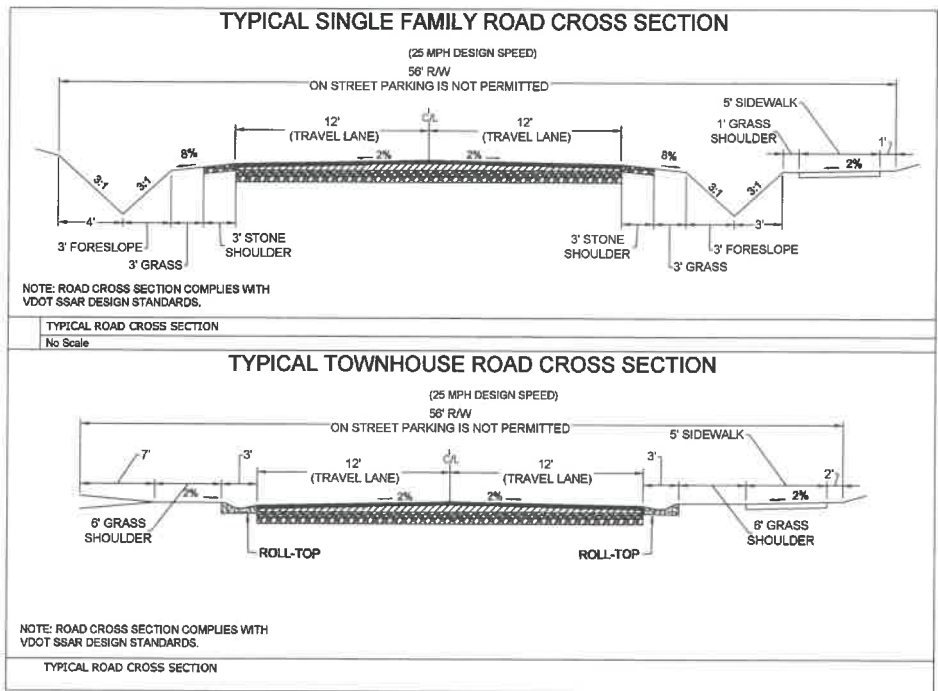


VILLAGE GARDENS - PARCEL OVERVIEW

FLUVANNA COUNTY - JULY 28, 2021

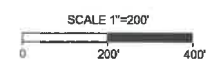


© 2021 Southern Homes. All rights reserved. This document is the property of Southern Homes and is not to be distributed, copied, or used in any way without the express written permission of Southern Homes.



VILLAGE GARDENS - CONCEPTUAL LAYOUT

FLUVANNA COUNTY - AUGUST 23, 2021

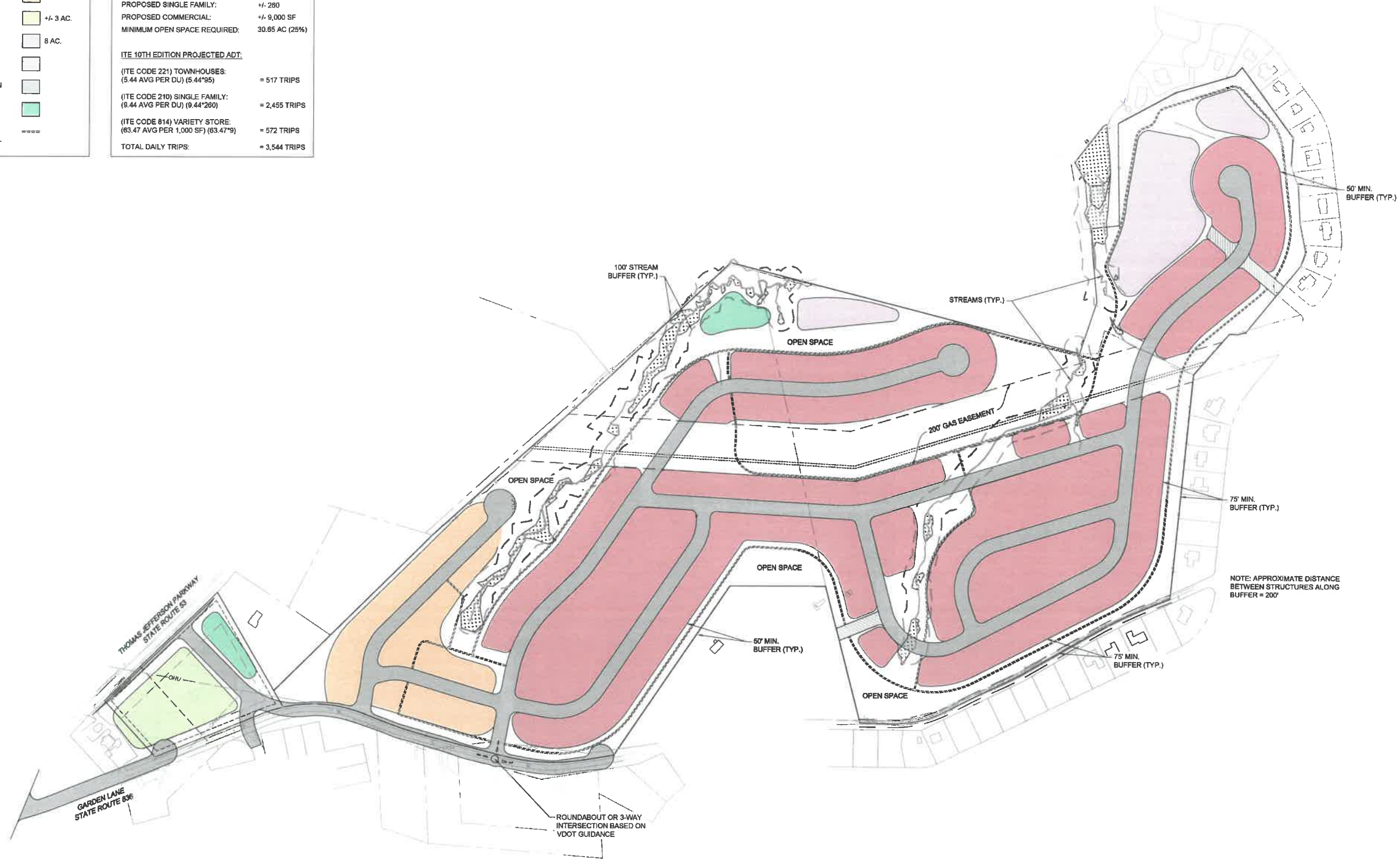


\\timmons.com\TDF\000016\345558-Nahor (Village Gardens)\DWG\01\Map\01\02.dwg | Plotted on 8/23/2021 1:15 PM by Jeremy Fox

LEGEND:

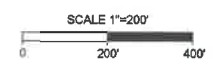
SINGLE FAMILY RESIDENTIAL	+/- 65 AC.
TOWNHOUSES RESIDENTIAL	+/- 10 AC.
COMMERCIAL AREA	+/- 3 AC.
AMENITY AREA	8 AC.
50' RESERVED ACCESS	
RURAL SECTION RIGHT-OF-WAY	
CONCEPTUAL SWM FACILITY	
CONCEPTUAL PRIMITIVE TRAIL	

PROJECT ACREAGE	122.6 AC.
MAXIMUM ALLOWABLE DENSITY (R-3):	2.9 DU/AC.
ALLOWABLE RESIDENTIAL UNITS:	355
PROPOSED TOWNHOUSES:	+/- 95
PROPOSED SINGLE FAMILY:	+/- 260
PROPOSED COMMERCIAL:	+/- 9,000 SF
MINIMUM OPEN SPACE REQUIRED:	30.65 AC (25%)
ITE 10TH EDITION PROJECTED ADT:	
(ITE CODE 221) TOWNHOUSES: (5.44 AVG PER DU) (5.44*95)	= 517 TRIPS
(ITE CODE 210) SINGLE FAMILY: (8.44 AVG PER DU) (8.44*260)	= 2,455 TRIPS
(ITE CODE 814) VARIETY STORE: (63.47 AVG PER 1,000 SF) (63.47*9)	= 572 TRIPS
TOTAL DAILY TRIPS:	= 3,544 TRIPS



VILLAGE GARDENS - MASTER PLAN

FLUVANNA COUNTY - AUGUST 23, 2021



Timmons.com\TGP\30300103\48569-Nature (Village Gardens)\DWG\30-VillageGardens-SPRAY01.dwg | Plotted on 8/23/2021 2:48 PM | by Jeremy Fox



COUNTY OF FLUVANNA

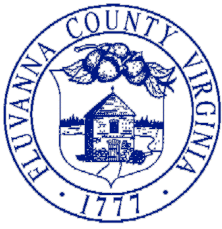
"Responsive & Responsible Government"

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

MEMORANDUM

Date: September 3, 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 September 14, 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

PUBLIC HEARING NOTICE

September 3, 2021

RE: ZMP 21:04 Southern Development / Village Gardens R-3 Conditional Rezoning Case Request

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

- Meeting:** Planning Commission Public Hearing
Date: Tuesday, September 14, 2021 at 7:00 pm
- Location:** Carysbrook Performing Arts Center
8880 James Madison Highway Fork Union, VA 23055
- NOTE:** This will Not be held at the Fluvanna County Library

ZMP 21:04 Southern Development – A request to rezone from A-1, Agricultural, General and R-3, Residential Planned Community to R-3, Residential Planned Community of 122.6 acres of Tax Maps 8 Section A Parcel 18A, 17 Section A Parcel 10 and 17 Section 9 Parcels 1 and 2. The subject properties are located along State Route 53 and along Garden Lane (SR 636) and with additional access via a stub road located south of 415 Jefferson Drive in Lake Monticello and are within the Rivanna Community Planning Area and the Cunningham Election District.

Please be advised that you can attend the meeting in person, join the meeting via Zoom or by a phone call where you will have an opportunity to provide Public comments. Instructions for participation in the Public Hearing will be available on the County's website along with the Meeting 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

ADJACENT PROPERTY OWNERS ZMP 21:04

TAX MAP	NAME	ADDRESS	CITY/STATE/ZIP
18A-8-162	AEIOU TRUST	P.O.BOX 202	PALMYRA, VA 22963
18A-12-463	ALMARODE, HEATHER R	433 JEFFERSON DR	PALMYRA, VA 22963
18A-12-459	ANTOLIK, JOAN K & CROSS, LINDA S	425 JEFFERSON DR	PALMYRA, VA 22963
17-A-2	AQUA VIRGINIA INC	2414 GRANITE RIDGE RD	ROCKVILLE, VA 20002
18A-12—446	BARNETT, HARRIET LEE	2299 HUNTERS LODGE RD	TROY, VA 22974
18A-12-458	BARNETT, JASON A & ELIZABETH	423 JEFFERSON DR	PALMYRA, VA 22963
18A-12-450	BLACKWELL, JAMES E & BRENDA C	407 JEFFERSON DR	PALMYRA, VA 22963
18A-12-449	BOLINGER, KARON SUE	405 JEFFERSON DR	PALMYRA, VA 22963
18A-11A-C	BRISCO PROPERTIES LLC	17 TALLWOOD TRL	PALMYRA, VA 22963
18A-8-149	BURTON, MARGARET	355 JEFFERSON DR W	PALMYRA, VA 22963
18A-8-159	BUSH, JEFFREY A	375 JEFFERSON DR	PALMYRA, VA 22963
17-22-1	BROWNING, TODD A	82 NAHOR RD	PALMYRA, VA 22963
17-A-14	BUTLER, TERESSA	82 NAHOR RD	PALMYRA, VA 22963
18A-8-166	CALHOUN, ELENA M	389 JEFFERSON DR WEST	PALMYRA, VA 22963
18A-8-152	CAMPBELL, RYAN P & DENISE D	361 JEFFERSON DR	PALMYRA, VA 22963
18A-12-523	CANTAGALLO, MATHEW D & AMEE S	4 SUNSET CT	PALMYRA, VA22963
17A-1-58	COLVILLE DECLARATION OF TRUST	315 VILLAGE BLVD	PALMYRA, VA 22963
17-A-8A	CRAWFORD, JAMES L SR & MARGARET S	6668 THOMAS JEFFERSON PKWY	PALMYRA, VA 22963
18A-8-151	DENG, JINGZHEN & LI, HUILAN	2957 FRANKLIN OAKS DR	HERNDON, VA 20171
18A-8-148	DINORA FAMILY TRUST	1453 WARRINGTON WAY	TRINITY, FL 34655
18A-8-161	DURRER, TIMOTHY C & KATHERINE V	379 JEFFERSON DR	PALMYRA, VA 22963
18A-8-167	FAIN, RICHARD HOWARD ET AL	391 JEFFERSON DR	PALMYRA, VA 22963
18A-12-452	FERLAN, PAULS & EWING, REBECCA	411 JEFFERSON DR WEST	PALMYRA, VA 22963
18A-8-164	FISHER, KYLE T & AMANDA W	385 JEFFERSON DR	PALMYRA, VA 22963
18A-8-153	FITZGERALD, ANDREW L & NANNETTE	363 JEFFERSON DR WEST	PALMYRA, VA 22963
18A-8-154	FORMAN, VIRGINIA M	365 JEFFERSON DRIVE WEST	PALMYRA, VA 22963
8-A-18A	FOX, PRISCILLA FORSTBAUER	1425 GENTRY LANE	CHARLOTTESVILLE, BA 22903

17-9-2	GALASKA, LOUISE	4665 LAMBTON CIR	SUWANNEE, GA 30024
18A-12-447	GILLIARD, FRANK & SINOBA	1785 LACOMBE AVENUE	BRONX, NY 10473
17-A-10A	GLORYSTONE, LLC	6440 THOMAS JEFFERSON PKWY STE B	PALMYRA, VA 22963
18A-12-457	GUARDIA PRUDENCIO, MARIA R	421 JEFFERSON DR	PALMYRA, VA 22963
17-9-1	HADEN, LISA MICHELLE	2195 PENDLETON PL	SUWANEE, GA 30024
17-9-3	HAGAN, PATRICK & ELAINE	503 GARDEN LN	PALMYRA, VA 22963
18A-8-145	HEDLY, HENRY R & WIFE	101 DUER DR.	WILLIAMSBURG, VA 23185
18A-12-451	HINKLEY, MELVIN C 7 JOAN A	409 JEFFERSON DR WEST	PALMYRA, VA 22963
18A-8-158	HOAL, RALPH WAYNE	373 JEFFERSON DR WEST	PALMYRA, VA 22963
18A-8-165	HORNSBY, GEORGE H & REILLY, CAROL A	387 JEFFERSON DR WEST	PALMYRA, VA 22963
18A-8-146	JACOBSON, TERESA O	349 JEFFERSON DR WEST	PALMYRA, VA 22963
17A-1-E1	LAKE MONTICELLO HOLDINGS LLC	32 GARDEN LN	PALMYRA, VA 22963
8-A-20	LAKE MONTICELLO OWNERS ASSOC., INC	41 ASHLAWN BLVD	PALMYRA, VA 22963
18A-12-525	LECHAK, ALBERT J ET AL	5 SUNSET CT	PALMYRA, VA 22963
17-A-8E	LEY, NEAL & CAROLYN A	6650 THOMAS JEFFERSON PKWY	PALMYRA, VA 22963
18A-12-461	LOPEZ, ANTONIO G	429 JEFFERSON DR	PALMYRA, VA 22963
18A-12-455	LOWRY, ALBERT D	417 JEFFERSON DR	PALMYRA, VA 22963
18A-8-163	MCKINNON, DAVID C & PAMELA P	383 JEFFERSON DR	PALMYRA, VA 22963
18A-8-156	MCLAUGHLIN REVOCABLE LIVING TRUST	792 JEFFERSON DR	PALMYRA, VA 22963
17-A-11	MORRIS IRREVOCABLE TRUST	6840 THOMAS JEFFERSON PKWY	PALMYRA, VA 22963
18A-12-526	MURDOCK, SCOTT & HELEN	9431 WATKINS RD	GAITHERSBURG, MD 20882
17A-1-D	NVA PROPERTIES LLC	4095 VALLEY PIKE	WINCHESTER, VA 22602
18A-12-464	POVOL, MICHAEL C & EDYTHE E	435 JEFFERSON DR	PALMYRA, VA 22963
18A-12-454	POWELL, DOUGLAS E	415 JEFFERSON DR,	PALMYRA, VA 22963
18A-8-150	RADER, STEVEN D & RHONDEL RADER	5249 OAKLAND BLVD	PORTSMOUTH, OH 45662
18A-12-448	REARDON, ANGELA K & KIDD, NASH JR	403 JEFFERSON DR	PALMYRA, VA 22963
18A-8-155	ROBERSON, STEVEN C	367 JEFFERSON DR	PALMYRA, VA 22963
18A-12-527	ROY, DIPAK K	1 SUNSET COURT	PALMYRA, VA 22963
17-22-2	SCLATER FAMILY LIVING TRUST	43 TANGLEWOOD RD	PALMYRA, VA 22963
18A-12-524	SMITH, STEPHEN H & MAUREEN F	6 SUNSET CT	PALMYRA, VA 22963
18A-12-462	SPITZER, KEITH E, VICKIE & AARON K	431 JEFFERSON DR	PALMYRA, VA 22963

18A-12-522	STUCKE, ROLF & MATHILDA	2 SUNSET COURT	PALMYRA, VA 22963
18A-8-168	TAYLOR, ROBERT M. & BETTY M.	393 JEFFERSON DRIVE	PALMYRA, VA 22963
17-A-13	VLASIS, MICHAEL A ET UX	11 GARDEN LN	PALMYRA, VA 22963
18A-8-157	WARNER, JOAN R & PICONE, MATTHEW W	371 JEFFERSON DR	PALMYRA, VA 22963
17-A-12	WHITE, JOAN G	276 NAHOR MANOR RD	PALMYRA, VA 22963
18A-8-147	WIDECKI, JOHN J SR	351 JEFFERSON DR W	PALMYRA, VA 22963
18A-8-169	WIGFIELD, CATHERINE V LIVING TRUST	395 JEFFERSON DR	PALMYRA, VA 22963
18A-12-456	WYNNE, COLIN P	419 JEFFERSON DR	PALMYRA, VA 22963
18A-8-160	YOUNG, CATHERINE R	124 HARVEST LN	STERLING, VA 20164
18A-12-460	OWNER OF RESIDENT	427 JEFFERSON DR	PALMYRA, VA 22963

September 8, 2021

Planning Commissioners
Douglas Miles, AICP, CZA
Director of Community Development
132 Main Street
Post Office Box 540
Palmyra, VA 22963
By email: dmiles@fluvannacounty.org

Re: ZMP 21:04 Southern Development: Village Gardens.

Dear Commissioners and Mr. Miles:

I am one of the owners in the assemblage that produces the current rezoning application under review, Village Gardens, ZMP 21:04. My late husband, H. M. Haden, inherited this property from his father. My husband's Haden ancestors have lived in Fluvanna County since it's founding, and in Albemarle County before that, since the 1750's at least. My late father-in-law, James Massie Haden, was proud of his roots and loved this property, and treasured Fluvanna County's rural nature. That's why, even when he was still working in Charlottesville before his retirement, he chose to live on this property in Fluvanna County, on the acreage where he was born. He participated in events to celebrate Fluvanna County, including the Old Farm Days. That being said, he was open to the idea of intelligent development that would benefit his community, and had even entertained a proposal for residential development before his death. As the inheritor of this property, I have felt a responsibility as a custodian of it's heritage. I believe the proposed plan for a residential community that also preserves the natural beauties of this property is something of which my husband and his family would approve, and which contributes to the quality of life in this part of Fluvanna County.

The concept plan would accomplish many goals outlined for the County's growth area's master plan and the County's Comprehensive Plan. Specifically, the Village Gardens plan supports the following:

- 1.) The plan brings into line the amount of commercial use at the intersection of Garden Lane and Route #53 versus the prior approved plan.
- 2.) The plan provides a variety of housing types to address the County's immediate and long-term housing needs within a compact, environmentally sound, method that preserves and helps maintain much of Fluvanna County's rural character, which is critical to keeping Fluvanna County a desirable place to live.
- 3.) The plan produces housing in close proximity to schools, which will reduce transportation cost for the County over time, and reduce the environmental impact of development.
- 4.) The development will provide considerable recreation and trail amenities, greenspace consisting of 25% of the total land area. The development plan not only provides this greenspace, but configures it in such a way to encourage people to value and take

advantage of it.

- 5.) The plan facilitates long needed transportation infrastructure needs at Garden Lane and State Route #53.

In thinking about housing, from an environmental perspective, we need to promote residential density that is highly “livable” that meets our, the County’s, present and long-term goals; this plan works to that objective. To me, the question is not whether, or if, the plan for Garden Village should be approved. The question is how can we make it better to meet its future residents and the larger community needs and goals?

Respectfully,

Louise Galaska