



FLUVANNA COUNTY PLANNING COMMISSION

REGULAR MEETING AGENDA

Carysbrook Performing Arts Center
8880 James Madison Hwy Fork Union, VA 23055

Tuesday, November 9, 2021

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

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

WORK SESSION

- A. Call to Order, Pledge of Allegiance and followed by a Moment of Silence
- B. County Administrator's CIP Project Rankings Comments
- C. Work Session: Capital Improvement Plan FY 2023 - 2027 Project Rankings
- D. Adjournment

REGULAR MEETING

1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE AND 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 from October 12, 2021

5 – PUBLIC HEARINGS: None

6 – PRESENTATIONS: None

7 – SITE DEVELOPMENT PLANS: None

8 – SUBDIVISIONS: None

9 – UNFINISHED BUSINESS: This Public Hearing was Closed on September 14, 2021

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.

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 devices are available 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

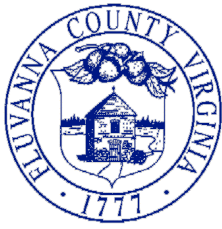
1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman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

PLANNING COMMISSION STAFF REPORT

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

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

Bold Text indicates updated County staff report information

General Information:

This R-3, Residential Planned Community conditional rezoning request, was deferred by the applicant, Southern Development, for sixty (60) days back on September 14th to the November 9, 2021 Planning Commission meeting at 7:00 pm within the Carysbrook Performing Arts Center in order to address infrastructure concerns.

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.

Applicant Deferral:

Southern Development has submitted a thirty (30) day deferral letter request to have their R-3, conditional rezoning case to be heard at the December 7, 2021 Planning Commission meeting. This deferral request letter was submitted on October 26, 2021.

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 conditional rezoning approval from the Board of Supervisors for Village Gardens, as 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 a 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.

Note: The 2005 proffered conditions have been met within The Villages of Nahor other than the congregate care facility; the construction of a 5 foot sidewalk along Route 53 from the main entrance to the Gate Plaza (Food Lion) Route 53 entrance; and \$50,000 payment for a future traffic light (roundabout) located at Route 53 and Turkeysag Trail; with the remaining two items to be completed once the Turkeysag Trail roundabout design is approved for funding purposes in VDOT's Smartscale process.

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

AQUA	= Aqua Virginia, a private water and sewer provider in the County
FLUVANNA	= Fluvanna County Government or as Fluvanna County Staff members
LMOA	= Lake Monticello Owners' Association / Lake Monticello development
NAHOR	= The Villages of Nahor, an age 55+ residential retirement community
VDOT	= VA Department of Transportation – Louisa Residency (Fluvanna County)

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 (NAHOR) zoned R-3, Residential Planned Community, a 55+ age restricted community, and located directly across Garden Lane from the subject properties; 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 also 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 their concerns about the increased traffic onto Route 53 generated by their rezoning request. Southern Development had indicated that they would reach out to AQUA 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 a hundred 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 or others utilizing the Lake Monticello gated community amenities. As 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, courts and trails as required by the R-3, Residential Planned Community master plan requirements. They have not provided any written, proffered conditions to restrict the access onto Jefferson Drive other than stating it will be for emergency access use.

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 and their civil engineering consultant.

The applicant submitted on August 25, 2021 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. Southern Development will submit the "plans of typical units" for the proposed units.*
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. Southern Development has generally defined these four (4) phases and will submit them with a revised Master Plan and revised proffered conditions for this case request.*
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. Southern Development has provided a Draft Water and Sewer System Construction Agreement page between Southern Development Group, Inc. and Aqua Virginia, Inc.*

The agreement would be for 53,000 gallons per day, on average and the Developer will convey water and sewer system to Aqua Virginia, Inc. once completed by the Developer

- 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. **Southern Development has indicated that Commercial within community will be added along the northern line of Garden Lane with building locations with an undefined, total square footage amount.***
 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. **Please see EPR Traffic Report - November 2, 2021 for further technical information.***
 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. **Please see EPR Traffic Report - November 2, 2021 for further technical information.***
 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. **Please see EPR Traffic Report - November 2, 2021 for further technical information.***

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 all new suburban homes and townhouse units on previous agricultural land. The rezoning case applicant needs to define what type of rural preservation methods will be used to perpetually preserve the County’s rural character while designing for their new R-3 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 site 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. 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. In order to support Village Gardens and to offer up a village area to shop and buy local rather than travelling outside of Fluvanna County to obtain the necessary grocery and pharmacy items and/or medical 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.

VDOT traffic data from 2018 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 or by their consultant for our review.

Engineering & Planning Resources - November 2, 2021 Traffic Report Findings – Page 5:

-The proposed Village Gardens development will generate 216 morning and 288 afternoon peak hour trips and the impact of the proposed Village Gardens development on the study intersections will be minimal.

-Within 500 feet to the north and south of the intersection there were three crashes: one angle collision south of and two fixed object collisions north of Garden Lane. While the crash history does not illustrate a safety issue at the intersection of Garden Lane with Route 53, the proposed site entrance is expected to have greater sight distance than exists at Garden Lane and Route 53.

-Based on the above findings, construction of a 200 foot southbound left turn lane with a 200 foot taper is recommended along with a 200 foot northbound right turn taper. Table 4 Turn Lane Warrant Analysis Summary provided on Page 3 states a southbound left turn lane is warranted and a northbound right turn taper only based on the 2026 Build analysis.

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.

2015 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 2015 Comprehensive Plan under Land Use Patterns states:

"It is not sufficient for an applicant to receive approval for a rezoning simply because a property is within a community planning area. Each application is considered by the county to see if a proposed development is well planned within the context of the surrounding community. Applications that do not address a project's external costs to the community and provide a clear, fiscal benefit to the county will not be favorably received. This decision is subjective, and completely within the purview of the Board of Supervisors; however, the (2015) Comprehensive Plan will be used as reference in evaluating all such discretionary projects."

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 Navor. 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.

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.

Fluvanna County and VDOT – Louisa Residency staff members received the EPR Traffic Report dated November 2, 2021 and we have only performed a cursory review of the report and will need additional time to review it along with the applicant and their transportation consultant prior to providing review comments or recommendations in this staff report.

We do appreciate that this has been prepared for our review and look forward to working with Southern Development and EPR on their Traffic Report analysis and report findings. The general public can review this document for any additional information on the request.

Suggested Motion:

I move that the Planning Commission (Accept / 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 August 25, 2021.

Attachments:

Application and Proffers – August 25, 2021

No changes at this time

Village Gardens Master Plan – August 23, 2021

No changes at this time

Southern Development Deferral Letter Request – October 26, 2021

Lake Monticello Owners' Association Letter – November 1, 2021

Engineering & Planning Resources Traffic Report – November 2, 2021

Draft Page - Aqua Water and Sewer System Construction Agreement

October 26, 2021

Mr. Eric Dahl
County Administrator
Fluvanna County

RECEIVED

OCT 26 2021

Fluvanna County
Planning Dept

Re: Deferral of Village Gardens Rezoning Request (ZMP 21-04)

Dear Mr. Dahl,

Southern Development Group, Inc is requesting a one-month deferral of application ZMP 21-04. This request is based on feedback provided by numerous groups such as the Fluvanna Planning Commission, Villages at Nahor Neighborhood Association, the Lake Monticello Owners Association and various community members. Below are some of the topics we heard expressed for Village Gardens:

- Expanded information on potential traffic impacts on Rte. 53
- Connectivity to Lake Monticello and Tufton Pond and potential impacts
- Connectivity to Villages at Nahor and potential impacts
- Orientation of commercial component within Village Gardens
- Confirmation from AQUA, VA on providing water and sewer services

We've heard and appreciated the feedback from the community. Our engineers have made great strides towards addressing these concerns. We feel requesting a deferral until the December 7th agenda will allow the team to finalize the design to provide the greatest benefit for the community.

Thank you very much for your consideration of this request. We are very excited about the potential of this new community!

Sincerely,



Keith Lancaster
Planner
Southern Development

MEMORANDUM

TO: CHARLIE ARMSTRONG

FROM: BILL WUENSCH, P.E., PTOE;
JEANIE ALEXANDER, P.E.
WEI HE

ORGANIZATION: SOUTHERN DEVELOPMENT

DATE: NOVEMBER 2ND, 2021

PHONE NUMBER:

SENDER'S REFERENCE NUMBER:

RE: VILLAGE GARDENS

YOUR REFERENCE NUMBER:

☐ URGENT ☒ FOR YOUR USE ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

Project Overview

This memorandum summarizes the traffic impact for the proposed Village Gardens development to be located off of Route 53 in Fluvanna County, Virginia. Access to the site will be provided via a new roadway north of the existing intersection of SR 636 (Garden Lane) that will connect to Garden Lane. The existing Garden Lane will end in a cul-de-sac south of the existing intersection Village Boulevard. **Figure 1** illustrates the project location, vicinity, and study intersections. **Figure 2** illustrates the conceptual site plan.

As illustrated in Figure 1, the study intersections include: Route 53 and SR 636 (Garden Lane) and Route 53 and the site entrance.

The proposed Village Gardens development will include 247 single family dwelling units, 75 townhomes, and it is assumed that it will be fully occupied by 2026.

Included within this study are the traffic count data, traffic volume projections, traffic operations analyses, turn lane warrant analyses, crash analyses, and a summary of the findings and conclusions.

Traffic Volumes

2021 Existing Traffic Volumes

Traffic counts were conducted at the study intersections on Thursday, October 21st, 2021 from 7-9 AM and 4-6 PM. The traffic count reports are attached in **Appendix A**.

To address possible changes in traffic patterns due to COVID, the traffic counts were compared to peak hour volumes calculated from 2019 VDOT Traffic Data. The result of this comparison indicates that the existing morning and afternoon peak hour traffic volumes along Route 53 are 70% and 95% of the 2019 peak hour volumes based on VDOT AADT and K factor data during the morning and afternoon peak hours, respectively. To address the reduced traffic volumes, the morning and afternoon peak hour traffic volumes were adjusted up by 21% and 5%, for the morning and afternoon peak hours, respectively.

The resulting traffic volumes based on the adjustments previously described are illustrated in **Figure 3**.

2026 No Build Traffic Volumes

The 2021 existing traffic volumes were increased by an annual compounded growth rate of 0.71% based on VDOT traffic data. The resulting 2026 no build traffic volumes are illustrated in **Figure 4**.

2026 Build Traffic Volumes

The 2026 build traffic volumes were developed based on traffic shifts due to the closure of the existing Garden Lane, the 2026 no build traffic volumes, and the site trip generation and distribution.

Garden Lane Closure

Based on the traffic counts, the traffic volumes turning to and from Garden Lane are minimal. As a conservative estimate the traffic volumes at the existing Garden Lane intersection were not reduced to reflect the closure of Garden Lane south of Village Boulevard. However, these volumes were added to the proposed site roadway connection with Route 53 to ensure that the existing traffic generated by the uses north of the proposed closure are appropriately accounted for.

Trip Generation

The proposed Village Gardens development will include 247 single family homes and 75 townhomes and is expected to be fully occupied by 2026. The *ITE Trip Generation Manual 10th Edition* was used to estimate the trips generated by the proposed Village Gardens. **Table 1** summarizes the land use descriptions ITE land use code, size, and anticipated trips.

Table 1 Site Trip Generation

Land Use	LU Code	Number	Unit	Weekday	AM			PM		
					Total	In	Out	Total	In	Out
Single Family	210	247	du	2,389	180	45	135	242	152	90
Townhomes	220	75	du	526	36	8	28	46	29	17
Total		322	du	2,915	216	53	163	288	181	107

As shown in Table 1, the proposed Village Gardens will generate 216 morning and 288 afternoon peak hour trips.

Site Trip Distribution and Assignment

The site trip distribution percentages were based on the existing travel patterns at the Garden Lane intersection with Route 53 and are illustrated in **Figure 5**. Based on these volumes during the morning peak hour:

- 47% of the site trips arrive from the north
- 53% of the site trips arrive from the south
- 50% of the site trips depart to the north, and
- 50% of the site trips depart to the south.

During the afternoon peak hour:

- 67% of the site trips arrive from the north,
- 33% of the site trips arrive from the south,
- 40% of the site trips depart to the north, and
- 60% of the site trips depart to the south.

The estimated site trips shown in Table 1 were assigned to the roadway network per the above distribution percentages and the resulting site trip assignment is illustrated in **Figure 6**.

The site trips shown in Figure 6 were added to the 2026 no build traffic volumes shown in Figure 4 resulting in the 2026 build traffic volumes illustrated in **Figure 7**.

Turn Lane Warrant Analysis

Turn lane warrant analyses were performed for the existing Route 53 and Garden Lane intersection and the Route 53 and site entrance intersection based on the *VDOT Roadway Design Manual*. The turn lane warrant forms are included in **Appendix B** and the results are summarized in **Table 4**.

Table 4 Turn Lane Warrant Analysis Summary

Location	Movement	2026 No Build		2026 Build	
		AM	PM	AM	PM
Route 53 at Garden Lane	Southbound left turn	Not Warranted	Warranted	Not Warranted	Warranted
	Northbound right turn	Not Warranted	Not Warranted	Not Warranted	Not Warranted
Route 53 at Site Driveway	Southbound left turn	NA	NA	Warranted	Warranted
	Northbound right turn	NA	NA	Taper Only	Taper Only

The results in Table 4 indicate that a southbound left turn lane is warranted at the existing Route 53 intersection with Garden Lane. The results also indicate that a 200 foot southbound left turn lane with a 200 foot taper and a 200 foot northbound right turn taper are warranted at the site driveway intersection with Route 53.

Traffic Operations Analysis

Traffic operations analyses were completed using Synchro/SimTraffic 11.0, a computer-based traffic operations model that replicates procedures from the *Highway Capacity Manual (HCM)*. The average vehicle delays (in seconds) for the intersection overall and for each turning movement, as well as the Level of Service (LOS) on a scale of A (best) to F (worst) as defined in the *HCM* are reported in Synchro, and the maximum queue lengths (in feet) for each turning movement are reported in SimTraffic. Both the Synchro and SimTraffic analyses were performed based on the latest *VDOT Traffic Operations and Safety Analysis Manual (TOSAM)*.

2021 Existing Conditions Analysis

The 2021 existing conditions analysis is based on the current intersection configuration, existing traffic control, 2021 existing traffic volumes, and the current *VDOT TOSAM* guidance. The Synchro HCM reports are provided in **Appendix C** and the SimTraffic queue reports in **Appendix D**. **Table 2** summarizes the 2021 existing delays, levels of service, and maximum queue lengths.

Table 2 2021 Existing Delays, Levels of Service, and Queues

Approach	Movement	Effective Storage	Existing AM			Existing PM		
			LOS	Delay (seconds)	Maximum Queue (feet)	LOS	Delay (seconds)	Maximum Queue (feet)
Route 53/Nahor Manor Road/Garden Lane								
Unsignalized								
Nahor Manor Road	EBL/T/R	-	B	12.1	59	B	14.2	52
Garden Lane	WBL/T/R	-	B	14.2	45	C	16.4	25
Route 53	NBL/T/R*	-	A	7.7	6	A	8.7	53
Route 53	SBL/T/R*	-	A	8.3	18	A	7.7	23

* Results reported for the major movement (left turn) at unsignalized shared left/through lanes

As shown in Table 2, all movements at the study intersections currently operate at LOS C or better and the queuing analysis results indicate that all queues are minimal.

2026 No Build Conditions Analysis

The 2026 no build conditions Synchro models are based on the current intersection configuration, existing traffic control, 2026 no build traffic volumes, and the current *VDOT TOSAM* guidance. The Synchro HCM reports are provided in **Appendix E** and the SimTraffic queue reports in **Appendix F**. **Table 3** summarizes the 2026 no build delays, levels of service, and maximum queue lengths.

Table 3 2030 No Build Delays, Levels of Service, and Queues

Approach	Movement	Effective Storage	2026 No Build AM			2026 No Build PM		
			LOS	Delay (seconds)	Maximum Queue (feet)	LOS	Delay (seconds)	Maximum Queue (feet)
Route 53/Nahor Manor Road/Garden Lane								
Unsignalized								
Nahor Manor Road	EBL/T/R	-	B	12.3	58	B	14.6	54
Garden Lane	WBL/T/R	-	B	14.5	49	C	16.9	29
Route 53	NBL/T/R*	-	A	7.7	8	A	8.7	56
Route 53	SBL/T/R*	-	A	8.4	18	A	7.8	19

* Results reported for the major movement (left turn) at unsignalized shared left/through lanes

As shown in Table 3, all movements at the study intersections will operate at LOS C or better and the queuing analysis results indicate all queues will be minimal.

2026 Build Conditions Analysis

The 2026 build conditions Synchro models were based on the current intersection configuration (at Garden Lane), previous turn lane warrants (at site entrance), existing traffic control, 2026 build traffic volumes, and the current *VDOT TOSAM* guidance. The Synchro HCM reports are provided in **Appendix G** and the SimTraffic queue reports in **Appendix H**. **Table 5** summarizes the 2026 build delays, levels of service, and maximum queue lengths. As shown in Table 5, all movements at the study intersections will operate at LOS D or better and the queuing analysis results indicate that all queues will be minimal.

Table 5 2026 Build Delays, Levels of Service, and Queues

Approach	Movement	Effective Storage	2026 Build AM			2026 Build PM		
			LOS	Delay (seconds)	Maximum Queue (feet)	LOS	Delay (seconds)	Maximum Queue (feet)
Route 53/Nahor Manor Road/Garden Lane								
Unsignalized								
Nahor Manor Road	EBL/T/R	-	B	13.7	65	C	16.3	63
Garden Lane	WBL/T/R	-	C	16.3	46	C	19.9	24
Route 53	NBL/T/R*	-	A	7.9	6	A	9.0	70
Route 53	SBL/T/R*	-	A	8.5	25	A	7.9	19
Route 53/Site Entrance								
Unsignalized								
Site Entrance	WBL/R	-	C	21.1	125	D	30.9	105
Route 53	NBT/R	-	A	0.0	2	A	0.0	11
Route 53	SBL	300	A	8.6	36	A	8.4	68
	SBT	-	A	0.0	0	A	0.0	0

* Results reported for the major movement (left turn) at unsignalized shared left/through lanes

Crash Analysis

Crash analysis was performed at the Garden Lane intersection with Route 53 using VDOT Crash Data and is summarized in **Appendix I**. The data includes crashes from January 2014 through September 2021. Based on the data, there was only one crash at the intersection, a sideswipe between vehicles traveling in the same direction. Within 500 feet to the north and south of the intersection there were three crashes, one angle collision south of Garden Lane and two fixed object collisions north of Garden Lane.

While the crash history does not illustrate a safety issue at the intersection of Garden Lane with Route 53, the proposed site entrance is expected to have greater sight distance than exists at Garden Lane.

Findings and Recommendations

Based on the analyses summarized in this memorandum, the principal findings are as follows:

- The proposed Village Gardens development will generate 216 morning and 288 afternoon peak hour trips.
- All movements at the study intersection currently operate at LOS C or better and queues are minimal. These conditions are expected to continue in 2026 without the addition of the Village Gardens development.
- With the addition of the Village Gardens development, all movements at the study intersections are expected to operate at LOS D or better with minimal queues.
- **The impact of the proposed Village Gardens development on the study intersections will be minimal.**
- At the Route 53 and site entrance intersection, a southbound left turn lane (200 feet of storage and a 200 foot taper) and a northbound right turn taper (200 feet) will be warranted.
- Based on the crash history over the most recent eight year period safety issues are not found. However, the new site driveway connection will have improved sight lines compared to the existing intersection of Garden Lane with Route 53.

Based on the above findings, construction of a 200 foot southbound left turn lane with a 200 foot taper is recommended along with a 200 foot northbound right turn taper.

End of Memorandum

Attachments

Figures

Appendix A Traffic Count Reports

Appendix B Turn Lane Warrant Forms

Appendix C Existing HCM Reports

Appendix D Existing SimTraffic Queue Reports

Appendix E 2026 No Build HCM Reports

Appendix F 2026 No Build SimTraffic Queue Reports

Appendix G 2026 Build HCM Reports

Appendix H 2026 Build SimTraffic Queue Reports

Appendix I Crash Analysis

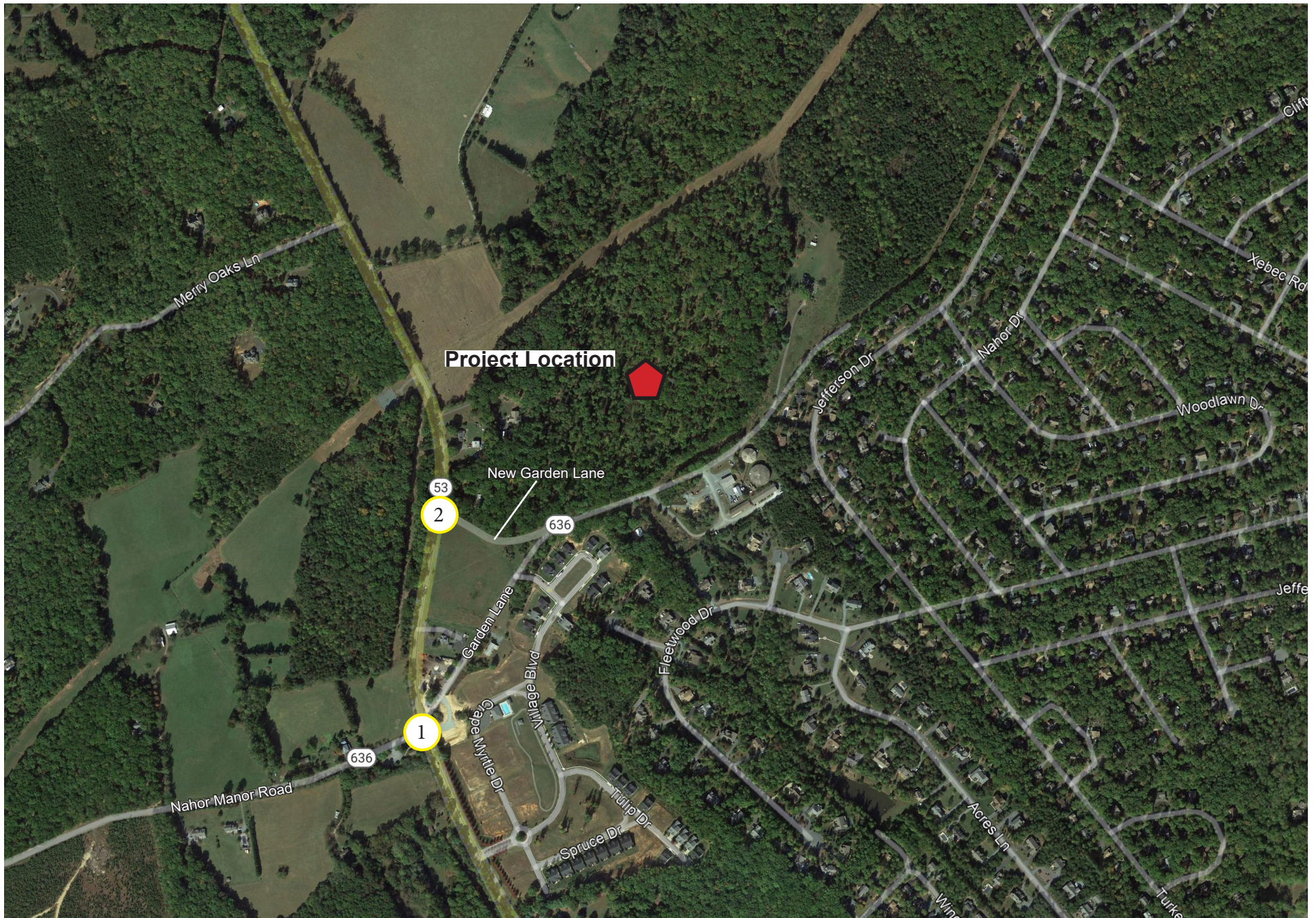
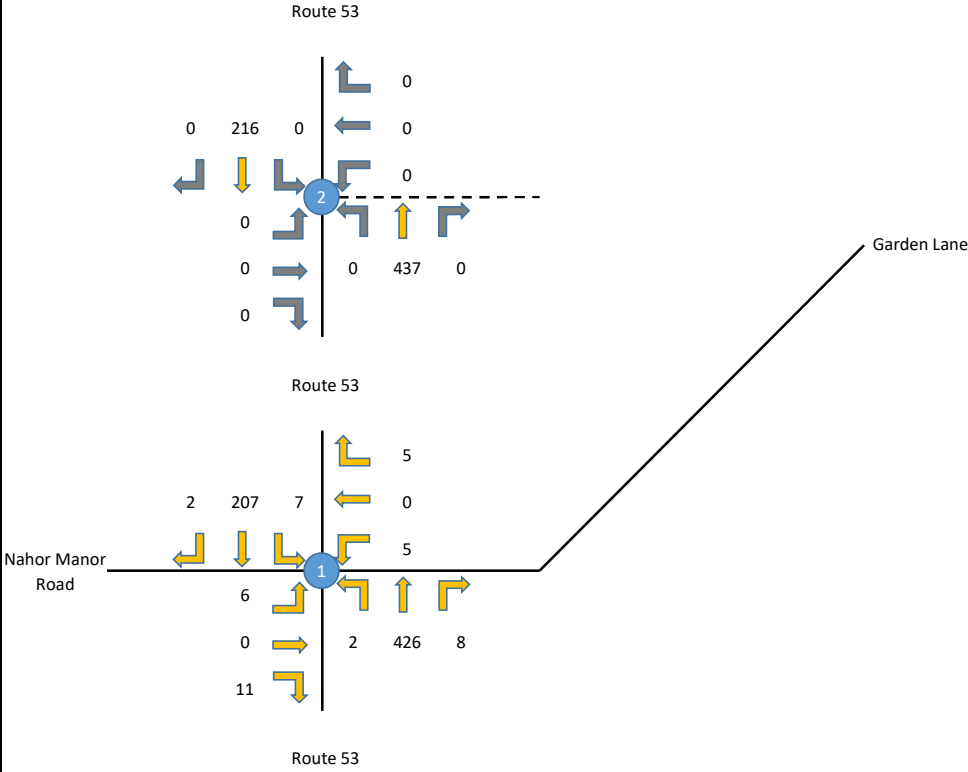


Figure 1 Site Location and Study Intersections

Adjusted Existing 2021 Traffic Volumes AM

Covid Adjustment Rate

1.21



Adjusted Existing 2021 Traffic Volumes PM

Covid Adjustment Rate

1.05

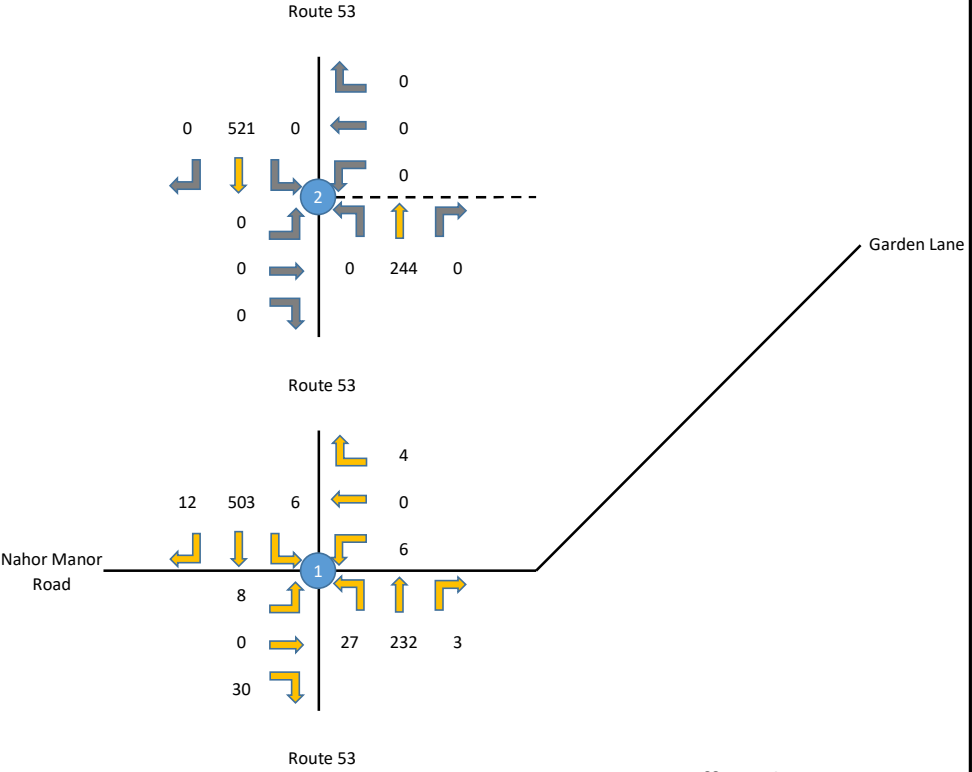
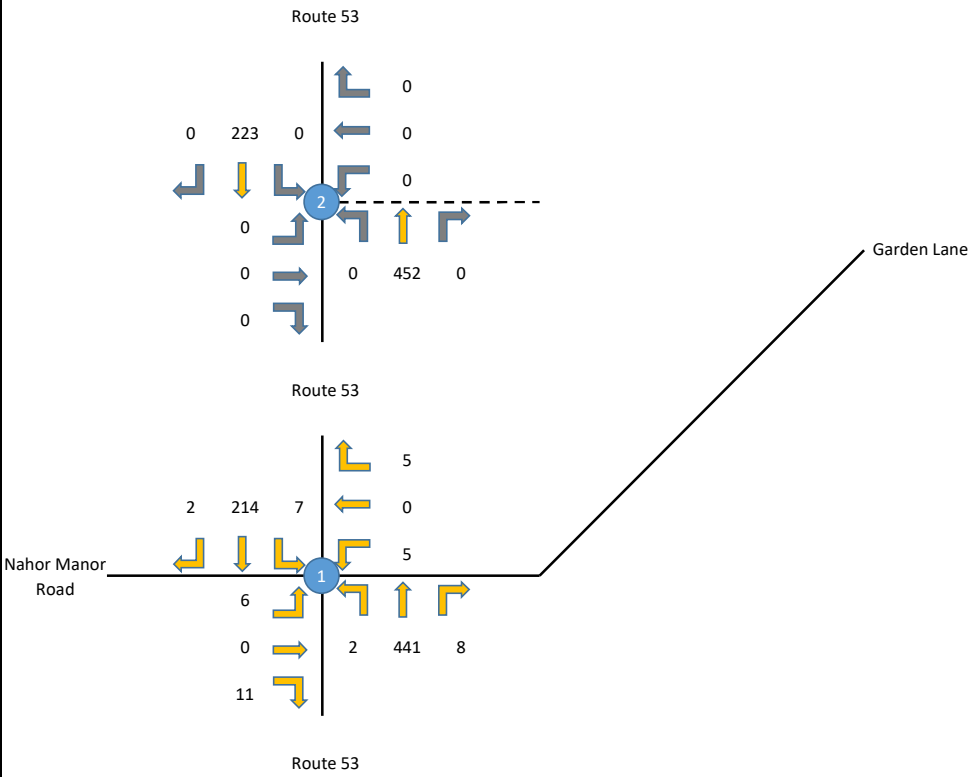


Figure 3 2021 Traffic Volumes

2026 No Build Traffic Volumes AM



2026 No Build Traffic Volumes PM

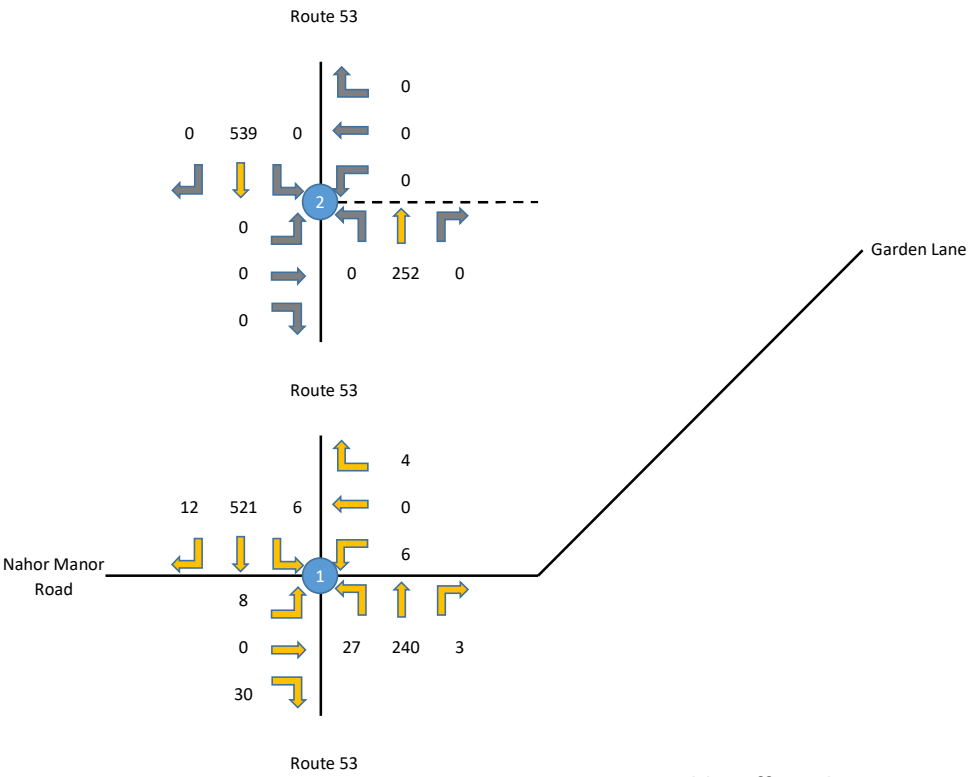
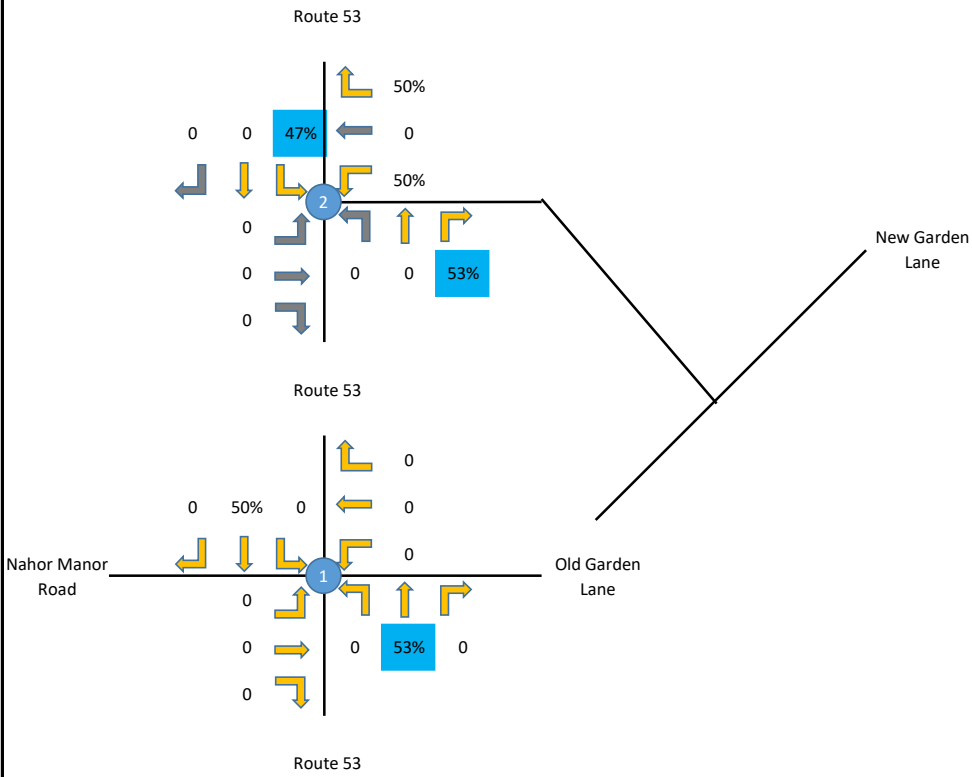


Figure 4 2026 No Build Traffic Volumes

Site Trip Distribution AM



Site Trip Distribution PM

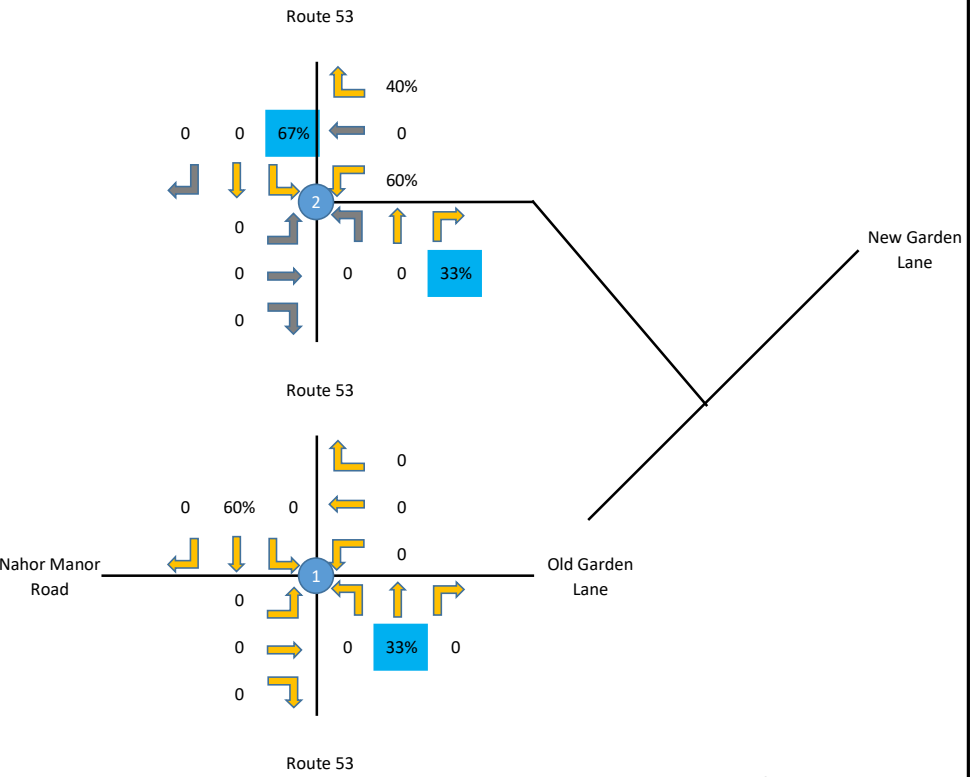
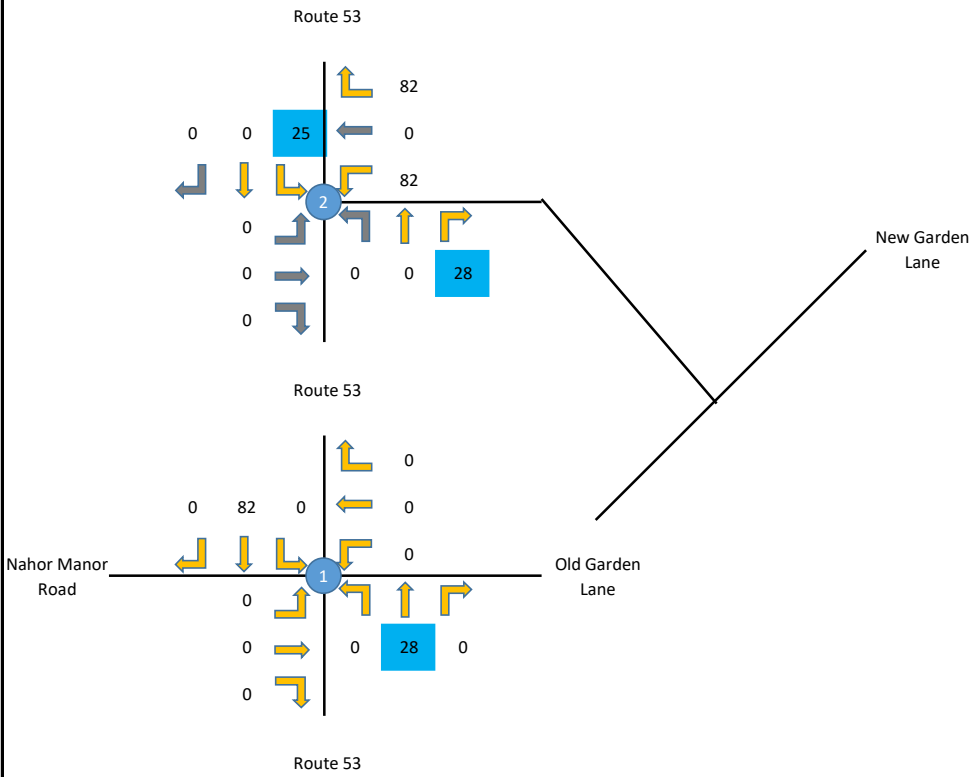


Figure 5 Site Trip Distribution

Site Trip Assignment AM



Site Trip Assignment PM

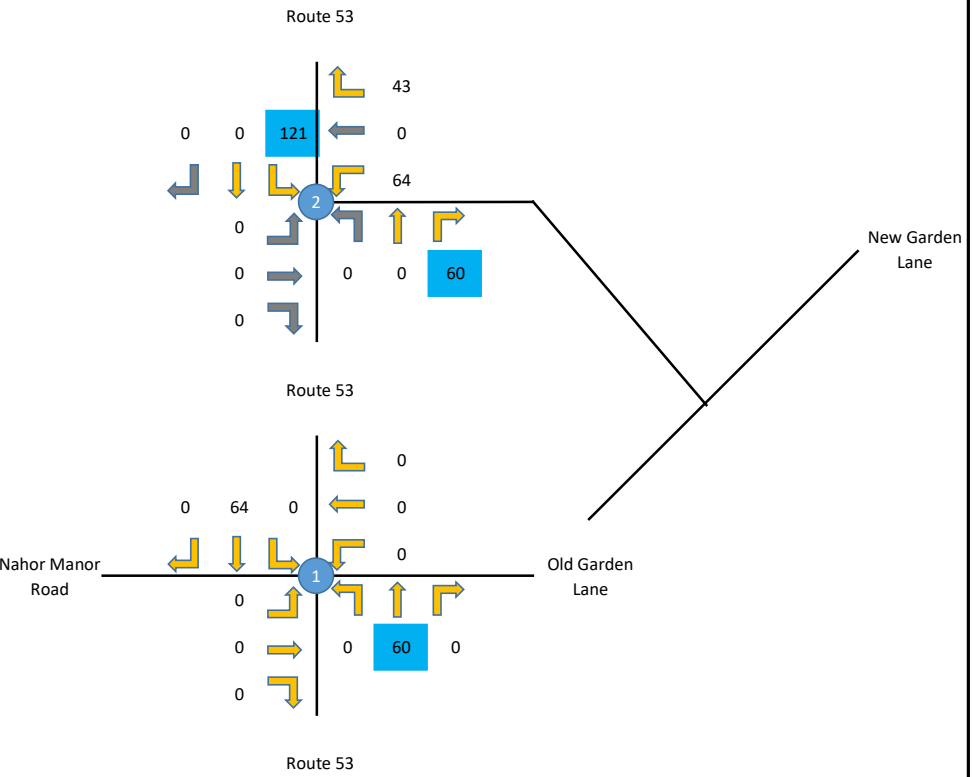
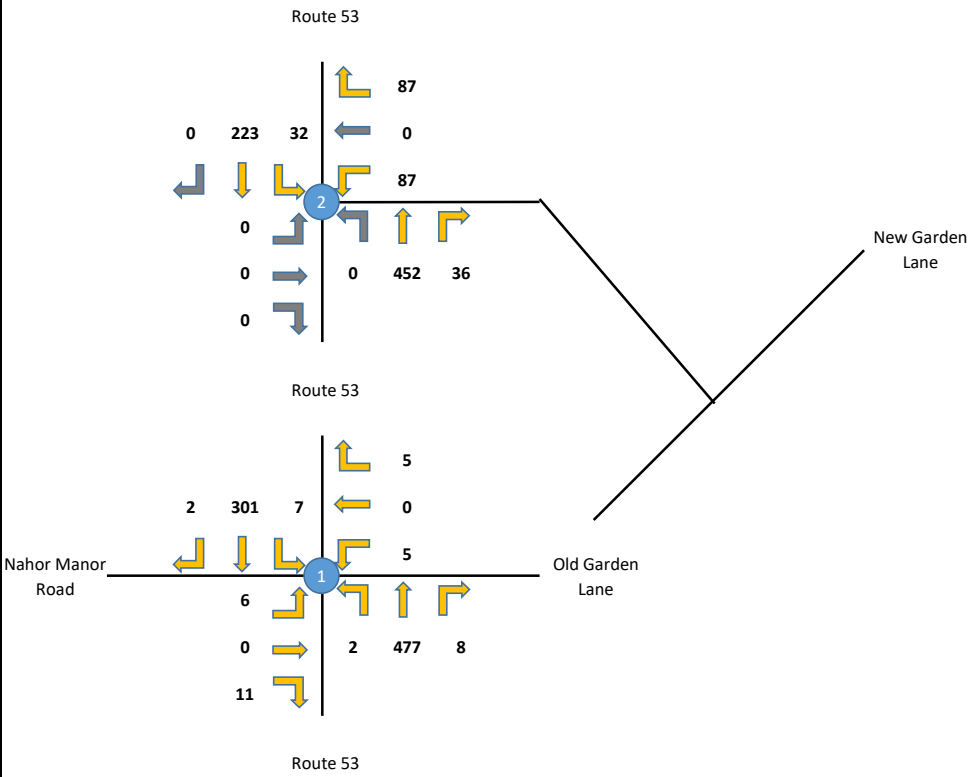


Figure 6 Site Trip Assignment

2026 Build Traffic Volumes AM



2026 Build Traffic Volumes PM

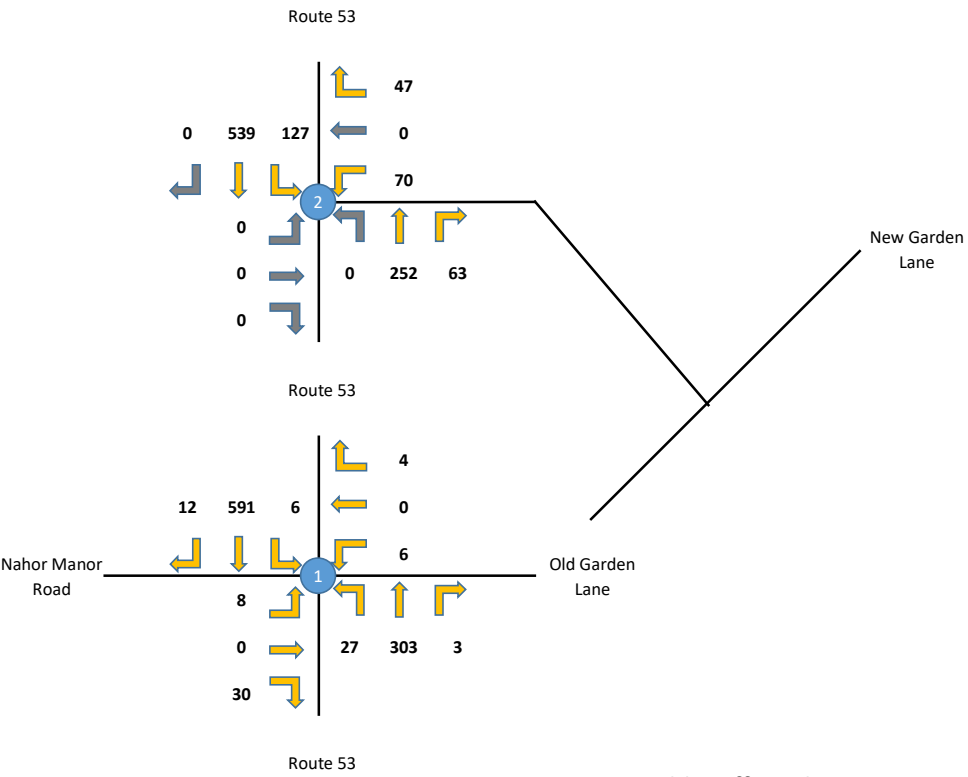


Figure 7 2026 Build Traffic Volumes

WATER AND SEWER SYSTEM CONSTRUCTION AGREEMENT

THIS AGREEMENT (Agreement), made, as of this ____ day of 2021, (“Effective Date”) by and between **Southern Development Group, Inc.**, having a business address of 142 South Pantops Drive, Charlottesville, Virginia 22911, (hereinafter collectively referred to as "**Developer**"); and **Aqua Virginia, Inc.**, a Virginia corporation, having a business address of 2414 Granite Ridge Road, Rockville, Virginia 23146 (hereinafter referred to as "**Aqua**");

WITNESSETH:

WHEREAS, Developer is currently the record title owner and developer of the real property located in Fluvanna County, Virginia, more particularly described on the attached **Exhibit A**, which includes 247 single family detached units, 81 townhomes, and 2 commercial establishment(s). The residential lots and commercial establishment(s), which will be developed in a phase, is commonly referred to as **Village Gardens** (herein referred to as "**Development**").

WHEREAS, Developer wishes to receive water and sewer services from Aqua’s Lake Monticello water and sewer facilities located in Fluvanna County, Virginia (“System”), which Systems is owned and operated by Aqua Virginia, Inc., and

WHEREAS, developer has requested Aqua to supply water and accept sewer from its development in the estimated amount of 53,000 gallons per day on average;

WHEREAS, Aqua is experienced in the business of providing water and sewer services and desires to provide these services as set forth in this Agreement, upon the terms and conditions of this Agreement;

WHEREAS, Aqua’s water and sewer systems are regulated by the Virginia State Corporation Commission as regulated waterworks within Aqua's existing Certificate of Public Convenience and Necessity ("**CPCN**") and under Aqua's existing Rates, Rules, and Regulations ("**Tariff**");

WHEREAS, when construction of the water and sewer system is completed in accordance with the terms and conditions stated herein, Developer will convey the water and sewer system to Aqua;

WHEREAS, Aqua agrees to accept the conveyance of the completed water and sewer system, and to provide potable water and sewer service to Development in accordance with the terms and conditions of its approved Tariff.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein contained and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties intending to be legally bound hereby, agree as follows:



1969

Lake Monticello Owners' Association
41 Ashlawn Boulevard
Palmyra, VA 22963
(434) 589-8263
www.LMOA.org

November 1, 2021

Eric Dahl, County Administrator
For the Board of Supervisors
Fluvanna County
Post Office Box 540 / 132 Main Street
Palmyra, Virginia, USA 2296

Douglas Miles
Director, Community Development
(For the Planning Commission)
Fluvanna County
Post Office Box 540 / 132 Main Street
Palmyra, Virginia, USA 2296

Dear Mr. Dahl:

At its October 28, 2021 meeting, the Lake Monticello Owners' Association Board of Directors unanimously voted to direct me to communicate to you and other officials our Association's complete opposition to the requested rezoning of several parcels related to the "Village Gardens" proposal, ZMP-21-04 in so far as that would enable the Village Gardens proposal to go forward.

We have studied the proposal and reviewed the material from the September 14, 2021 hearing conducted at the Planning Commission's meeting that day. The unavoidable conclusion is the proposed project would certainly cause irreparable and permanent harm in many ways.

We have witnessed the concerns of large numbers of our members and other county residents in several venues including developer-hosted town halls, the Commission's hearing on September 14, 2021 and our internal communications, both to our board and our staff. We are aware, as you are, of the public outcry against the project expressed in many communications to the Commission. In fact, the formation of the group, "Save Rural Fluvanna" also demonstrates widespread dissatisfaction with the proposed project, having many members and full-page ads in the "Fluvanna Review." We are also keenly and personally aware of similar negative views expressed to us by many of our residents who are deeply troubled by what to them looks like the wrong project, in the wrong place.

We share their concerns and opposition to the project.

We also share the deep concerns of our neighbors in the Villages at Nahor and other nearby residents and business owners.

Overall, it is clear to us, the project brings too much additional and inappropriate density to our area. It would, in effect, irreparably damage the goal of preserving open space in the Rivanna Community Planning Area (CPA) and present traffic problems likely to bedevil the area for decades.

Below is a high-level summary of some of our concerns. Naturally, there is more detail behind each of these, but even at this summary level, the problems overwhelmingly point to the appropriateness of the commission recommending denial of the rezoning request.

1. Traffic volume and safety – obvious, unresolved issues with traffic entering and leaving Rt. 53 and traveling through the area. Additionally, the impact on our Villages at Nahor neighbors would be catastrophic – changing, even ruining, the character and livability of their neighborhood. Previous dialog, including at your September 14th hearing, covered the likelihood, even the expectation, backed up traffic leaving the development via Rt 53 would cause drivers to divert through the Villages. But that neighborhood is a 55 and older subdivision with residents with medical needs living in the quiet, relaxed atmosphere they expected when buying. Further, it would be reasonable to expect the classic cut-through problems (vehicle/pedestrian issues, speeding, noise) which plague such traffic conditions. A related concern is the years of logging and then, construction traffic entering/leaving via a single access. That would exacerbate conditions on Rt. 53, creating safety challenges and by slowing traffic, impair the road's throughput.
2. Water & Sewer service to a huge number of new residences when there are already low-pressure problems in the area. Also, the impact on the Rivanna River water source is problematic, worsening the risk to the supply already susceptible to drought stress.
3. This proposal focuses on only one of the CPAs in the Comprehensive Plan, the Rivanna CPA (Lake Monticello and immediate surrounding area.) The other CPAs seem better fits for further residential development while the Rivanna CPA could benefit from commercial development instead of even more residential as has been proposed. Those considerations are critical to preserving the open space element of the CPA concept. In fact, more large-scale projects would make it impossible to meet the Comprehensive Plan's goals for this particular CPA. Recent building in the Rivanna CPA, including large projects underway or approved already are adding significant population. Still, further residential development could fit the plan, but not of the scope of this proposal.
4. Erosion and Sedimentation (E&S) effect on the Lake Monticello Watershed and ecosystem (by rule, not addressed in Planning Commission Process, but later, during building approvals). But it is important to look at the amount of effort taken by the County (and our organization) to gain even basic compliance with E&S requirements. That included Sycamore Square, The Villages at Nahor, and Crofton Plaza. We appreciate the County's efforts in moving on stormwater drainage in these areas, though it has taken years to eliminate the highly negative effects of incomplete or poorly maintained facilities on these nearby properties have had on our residents' property and our common areas including Tufton Pond and ultimately, Lake Monticello - part of the Chesapeake Watershed. We shudder at the thought of the possible damage to private property, our common areas and the Watershed by a project of this scope.
5. There are fire and safety suppression concerns with the limited access points to the proposed dense residential development. There are also related issues with the use of Garden Lane, both for emergencies and for its affect on the existing entrances to Lake Monticello. Also, there would be a predictable over-taxing of existing services, not just police and fire/rescue, but also schools and other civic service reponses.

6. We believe the proposed use violates the restrictive covenants on the Fox property. Though these are matters between the landowners and us, they directly affect the use that may be allowed. Overall, we opposed the project because its scope and impact on the quality of life in this corner of the county would be so negative and permanent. We will closely monitor developments but our position remains as stated: opposition to the requested re-zoning.

Yours truly,

A handwritten signature in black ink, appearing to read "Larry Henson", with a stylized flourish extending from the end.

Larry Henson,
President

CC: Fluvanna County Planning Commission:

Chair, Barry Bibb

Vice-Chair, Gequetta Murray-Key

Patricia Eager

Ed Zimmer

Lewis Johnson

Howard Lagomarsino

Fluvanna County Board of Supervisors

Chair, John M. Sheridan

Vice-Chair, Tony O'Brien

Mozell Booker

Patricia Eager

Donald Weaver