



# Goochland County Planning Commission

## Regular Meeting Agenda

Meeting Location  
1800 Sandy Hook Road  
Goochland, VA 23063  
804.556.5860  
[www.goochlandva.us](http://www.goochlandva.us)

View this meeting “live” at

[www.goochlandva.us/926/Live-Stream](http://www.goochlandva.us/926/Live-Stream)

**\*Audio amplification headphones are available upon request**

*More than two members of the Goochland County Board of Supervisors may attend this Planning Commission meeting; if so, it will be considered a special meeting of the Board of Supervisors to discuss the application(s), but no votes or action will be taken by the Board of Supervisors at the meeting.*

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**THURSDAY, MAY 6TH, 2021**

**BOARD CONFERENCE ROOM 250**

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### Planning Commission

#### District 1

**John. D. Myers**

[jmyers@goochlandva.us](mailto:jmyers@goochlandva.us)

**(434) 589-4088**

#### District 2

**Matt Brewer**

[mbrewer@goochlandva.us](mailto:mbrewer@goochlandva.us)

**(804) 307-2739**

#### District 3

**Carter Duke**

[cduke@goochlandva.us](mailto:cduke@goochlandva.us)

**(804) 840-4139**

#### District 4

**Curt Pituck**

[cpituck@goochlandva.us](mailto:cpituck@goochlandva.us)

**(804) 869-7965**

#### District 5

**Tom Rockecharlie**

[trockecharlie@goochlandva.us](mailto:trockecharlie@goochlandva.us)

**(804) 784-3317**

STAFF: Jo Ann Hunter, Deputy County Administrator (804) 657-2006  
Kalli Jackson, Deputy County Attorney (804) 556-5877  
Jamie Sherry, Director of Community Development (804) 556-5861  
Tom Coleman, Principal Planner (804) 556-5865  
Ashley Parker, Commission Clerk (804) 556-5866

**6:45 P.M. Board Conference Room (Inside 250)**

- A. Brief the Commission on Upcoming Cases/Items

**7:00 P.M. - Board Meeting Room (250)**

At this time, Planning Commission meetings will have both in person and electronic means to participate in compliance with Goochland County's Continuity of Government Ordinance, Sec. 1.

1. View meeting live at <https://va-goochlandcounty.civicplus.com/1154> This option allows viewing only, to speak at the meeting, use any of the options below.
2. Join via Zoom on Computer:  
<https://us02web.zoom.us/j/4864389308?pwd=cy96L3RyYzcvZ2dsWXVFa2RCZlpDQT09>  
To speak, click on the "Reactions" button at the bottom of the screen to "raise hand"
3. Join via Zoom on iPad To speak, click on the "More" ellipses (...) button at the top right which leads to options for "Reactions" and "raise hand". Raise hand can also be found by clicking on the "Participants" button at the top right which then lists all participants, click on your name and it displays the "raise hand"
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Join the meeting live by dialing, 1 (929) 205-6099 or 1 (888) 788-0099 US Toll-free Meeting ID: 486 438 9308, Passcode: 478521

By joining the meeting live, you will be provided an opportunity to make comments during citizen comment and during the public hearings.

IF YOU HAVE COMMENTS ON ANY PUBLIC HEARING ITEMS, PLEASE SEND COMMENTS TO [PCCOMMENT@GOOCHLANDVA.US](mailto:PCCOMMENT@GOOCHLANDVA.US) OR CONTACT 804-556-5863.

PLEASE CHECK [WWW.GOOCHLANDVA.US](http://WWW.GOOCHLANDVA.US) FOR ANY UPDATES REGARDING THIS MEETING.

**1. Call To Order**

- A. Determination of Quorum

**2. Pledge of Allegiance****3. Invocation - Led By Mr. Duke****4. Approval of Minutes**

- A. Planning Commission - Regular Meeting - Apr 1, 2021 7:00 PM

**5. Citizen Comment Period****6. Requests to Defer, Additions, Deletions, or Changes to the Order of Public Hearings**

**7. Planning Commission Review**

- District 1** - Request by New Ventures Real Estate LLC to allow three access drives on Lowry Road (Rte. 651) for a proposed six-lot subdivision on Tax Map No. 16-1-0-54-0

**8. Public Hearing Items**

- District 3 - CU-1990-00012B** - Application by Margaret and Richard Allison requesting renewal of Conditional Use Permit CU-1990-00012A for veterinary services and animal hospital on 10.04 acres at 2000 Maidens Road on Tax Map No. 43-1-0-8-0. The property is zoned Agricultural, Limited (A-2). The Conditional Use Permit is required by Goochland County Zoning Ordinance Section 15-112. The Comprehensive Plan designates this area as Single-Family Residential, Low Density.
- District 4 - RZ-2021-00004** - Application filed by ME PV4 LLC requesting a rezoning of 41.334 acres from Agricultural, Limited (A-2) and Residential Planned Unit Development (RPUD) with proffered conditions, to Residential Planned Unit Development (RPUD) 20.185 acres; Business, General (B-1) 5.96 acres; and Industrial, General (M-2) 15.189 acres, with proffered conditions, on Ashland Road, Johnson Road, and Aldeby Street, on Tax Map Nos. 48-1-0-55-A, and portions of 48-5-0-1-0, 48-17-4-F-0, and 48-17-4-G-0. The Comprehensive Plan designates this area as Flexible.

**9. Old Business - None****10. Other Business - None****11. Adjournment**



# Goochland County Planning Commission

## Regular Meeting Minutes

Meeting Location  
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Goochland, VA 23063  
804.556.5860  
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**THURSDAY, APRIL 1ST, 2021**

**BOARD CONFERENCE ROOM 250**

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### Planning Commission

#### District 1

**John. D. Myers**

[jmyers@goochlandva.us](mailto:jmyers@goochlandva.us)

(434) 589-4088

#### District 2

**Matt Brewer**

[mbrewer@goochlandva.us](mailto:mbrewer@goochlandva.us)

(804) 307-2739

#### District 3

**Carter Duke**

[cduke@goochlandva.us](mailto:cduke@goochlandva.us)

(804) 840-4139

#### District 4

**Curt Pituck**

[cpituck@goochlandva.us](mailto:cpituck@goochlandva.us)

(804) 869-7965

#### District 5

**Tom Rockecharlie**

[trockecharlie@goochlandva.us](mailto:trockecharlie@goochlandva.us)

(804) 784-3317

STAFF:	Jo Ann Hunter, Deputy County Administrator	(804) 657-2006
	Kalli Jackson, Deputy County Attorney	(804) 556-5877
	Jamie Sherry, Director of Community Development	(804) 556-5861
	Tom Coleman, Principal Planner	(804) 556-5865
	Ashley Parker, Commission Clerk	(804) 556-5866

Minutes Acceptance: Minutes of Apr 1, 2021 7:00 PM (Approval of Minutes)

**6:45 P.M. Board Conference Room (Inside 250)****A. Brief the Commission on Upcoming Cases/Items**

Mr. Myers called the 6:45 session to order. Commission members Myers, Pituck, Duke, Rockecharlie and Brewer were present. Ms. Jo Ann Hunter, Deputy County Administrator for Community and Economic Development and Public Utilities, reviewed upcoming cases for the Commission's May meeting. Mr. Myers asked if the fees associated with joining the TCSD were the responsibility of the property owner? Ms. Hunter responded, yes. She then provided the Commission with upcoming community meeting information. Mr. Duke questioned if there was additional sewer capacity in the Courthouse Village for future growth? Ms. Hunter stated based on agreements with the Department of Corrections, there is additional sewer capacity within the Courthouse Village.

**7:00 P.M. - Board Meeting Room (250)**

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5. Join the meeting live by dialing: Dial: 1 (929) 205-6099 or 1 (888) 788-0099 US Toll-free Enter Meeting ID: 812 8050 2642 Enter Passcode: 390083

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PLEASE CHECK [WWW.GOOCHLANDVA.US](http://WWW.GOOCHLANDVA.US) FOR ANY UPDATES REGARDING THIS MEETING.

**1. Call To Order**

Attendee Name	Title	Status	Arrived
John Myers	Planning Commission Member	Present	
Matt Brewer	Planning Commission Member	Present	
Tom Rockecharlie	Planning Commission Member	Present	
Curt Pituck	Planning Commission Member	Present	
Carter Duke	Planning Commission Chair	Present	

**A. Determination of Quorum**

The Commission Clerk declared a quorum.

**2. Pledge of Allegiance**

Mr. Brewer led in the Pledge of Allegiance and the Invocation.

**3. Invocation - Led By Mr. Brewer**

**4. Election of Officers**

**1. Chair and Vice-Chair Election**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Matt Brewer, Planning Commission Member
<b>SECONDER:</b>	Tom Rockecharlie, Planning Commission Member
<b>AYES:</b>	Myers, Brewer, Rockecharlie, Pituck, Duke

The Planning Commission Clerk requested the nominating committee make its report for Chair and Vice Chair positions. Mr. Brewer stated Mr. Duke has been nominated as Chair and Mr. Pituck has been nominated as Vice Chair.

On a motion by Mr. Brewer, seconded by Mr. Rockecharlie, Carter Duke was elected Chair and Curt Pituck was elected Vice Chair with a 5-0 vote.

**5. Approval of Minutes**

**A. Planning Commission - Regular Meeting - Mar 4, 2021 7:00 PM**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Pituck, Planning Commission Member
<b>SECONDER:</b>	John Myers, Planning Commission Member
<b>AYES:</b>	Myers, Brewer, Rockecharlie, Pituck, Duke

On a motion by Mr. Pituck, seconded by Mr. Myers, the minutes from the March 4, 2021 Planning Commission meeting were unanimously approved as written.

**6. Citizen Comment Period**

Chair Myers opened the meeting to citizen comment for items not on the agenda. Seeing no one who wished to speak, he closed the citizen comment period.

**7. Requests to Defer, Additions, Deletions, or Changes to the Order of Public Hearings**

There were no requests to defer, additions, deletions or changes to the agenda.

Minutes Acceptance: Minutes of Apr 1, 2021 7:00 PM (Approval of Minutes)

## 8. Planning Commission Action Items

1. **District 3- SOE-2020-00001 Petition by Kevin and Meleta Leonard requesting a condition amendment to the previously granted subdivision exception case SOE-2020-00001 for Tax Map No. 43-1-0-64-A located at 2142 Whistle Lane consisting of 9.2 acres, to remove the lot sizes**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Tom Rockecharlie, Planning Commission Member
<b>SECONDER:</b>	Curt Pituck, Planning Commission Member
<b>AYES:</b>	Myers, Brewer, Rockecharlie, Pituck, Duke

Jo Ann Hunter, Deputy County Administrator for Community and Economic Development and Public Utilities, gave a presentation outlining SOE-2020-00001 Petition by Kevin and Meleta Leonard requesting a condition amendment to the previously granted subdivision exception case SOE-2020-00001 for Tax Map No. 43-1-0-64-A located at 2142 Whistle Lane consisting of 9.2 acres, to remove the lot sizes.

Mr. Myers mentioned it appears there will be no effect on the surrounding neighbors. Ms. Hunter stated Mr. Myers was correct.

Mr. Rockecharlie motioned to approve. Mr. Pituck seconded the motion and SOE-2020-00001 was unanimously approved with a 5-0 vote.

2. **District 5 - SOE-2021-00001 Petition by Robert and Brenda Fulgham requesting an exception pursuant to Article 9 of the subdivision ordinance to waive the requirement under Article 5, Section 6.1 (Access) that a state road be constructed to serve the fourteenth lot created by subdivision for Tax Map No. 63-1-0-160-A located on Country Club Lane consisting of 8.66 acres, with conditions.**

<b>RESULT:</b>	<b>APPROVED AS AMENDED [UNANIMOUS]</b>
<b>MOVER:</b>	Tom Rockecharlie, Planning Commission Member
<b>SECONDER:</b>	Curt Pituck, Planning Commission Member
<b>AYES:</b>	Myers, Brewer, Rockecharlie, Pituck, Duke

Jo Ann Hunter, Deputy County Administrator for Community and Economic Development and Public Utilities, gave a presentation outlining SOE-2021-00001 Petition by Robert and Brenda Fulgham requesting an exception pursuant to Article 9 of the subdivision ordinance to waive the requirement under Article 5, Section 6.1 (Access) that a state road be constructed to serve the fourteenth lot created by subdivision for Tax Map No. 63-1-0-160-A located on Country Club Lane consisting of 8.66 acres, with conditions.

Mr. Myers questioned if the fire departments inability to turn fire engines around on Country Club Lane is a major concern? Ms. Hunter stated the Fire Department mentioned they did have concerns regarding the narrowness of Country Club Lane. If the exception is approved and the applicant is required to meet private road standards staff would discuss the construction of a cul-de-sac with the applicant to provide the Fire Department better access. Mr. Myers asked if the cul-de-sac is not built, would the fire engines have to back up the entire length of Country Club Lane to exit? Ms.

Hunter responded, yes. She also noted the road is very narrow.

Mr. Rockecharlie questioned where the lots along Country Club Lane are located as well as the condition of the road? Ms. Hunter mentioned the road is gravel and bare dirt in some areas. Mr. Rockecharlie questioned if a portion of the road was paved along the fairway? Ms. Hunter mentioned Monacan Drive is paved but Country Club Lane is not. Mr. Rockecharlie questioned how many lots exist on Monacan Drive? Ms. Hunter responded, eight lots.

Mr. Duke questioned if the surrounding lots are large enough to make the same request which is currently before the Commission? Ms. Hunter stated most surrounding parcels are larger than the subject property. Mr. Duke asked if the Commission approves the applicant's request, and a neighbor wishes to apply for a subdivision exception for their property, would they come back before the Commission? Ms. Hunter responded, yes. Surrounding properties are large enough they could be subdivided but subdivision would require road improvements or a subdivision exception to be granted.

Mr. Myers requested Ms. Hunter refer to the conditions to determine how language could be adjusted to accommodate Fire Department concerns. Ms. Hunter suggested the Commission could add language to the conditions to address Fire Department concerns.

Mr. Duke questioned what happens if two cars meet on Country Club Lane? Ms. Hunter mentioned the road is narrow and believes cars would have to move toward the grass shoulder areas to pass.

Chair Duke called upon the applicant to speak. Robert Fulgham of 1205 Old Nelson Hill Ave. mentioned he would be happy to answer any questions from the Commission.

Mr. Rockercharlie mentioned several years ago he met with some developers who wanted to develop the parcel in question into multifamily housing. However, it appears Mr. Fulgham's current proposal is for two single family lots. Mr. Fulgham stated Mr. Rockecharlie was correct.

Mr. Pituck confirmed Mr. Fulgham wanted to separate the two parcels to build two single family dwellings? Mr. Fulgham stated Mr. Pituck was correct.

Mr. Duke questioned if Mr. Fulgham and his family plan to build on the two lots? Mr. Fulgham stated he hopes so. He has owned the property since 1992 and has been trying to follow the guidelines and requirements of the county. He has tried everything in his power to subdivide and build. Mr. Rockecharlie questioned if Mr. Fulgham's lot is the only access to other lots further down? Mr. Fulgham stated Mr. Rockecharlie was correct.

Mr. Fulgham mentioned two cars can pass easily on Country Club Lane as it is eighteen feet wide. The homeowners and the Country Club maintain the road because the Country Club's shop is at the end of the road. Currently, the Country Club has not done anything to Country Club Lane in the last year because they know Mr. Fulgham

is trying to work through his subdivision exception for the property. Mr. Fulgham mentioned he plans to improve the road.

Mr. Rockecharlie questioned if there was an agreement between the neighbors and the Country Club to maintain Country Club Lane? Mr. Fulgham responded yes, everyone pitches in to maintain the road and always has.

Mr. Duke questioned if there is a written maintenance agreement? Mr. Fulgham stated there is no written agreement, just a handshake. However, a written agreement could certainly be created.

Mr. Brewer questioned if Mr. Fulgham agreed with staff's recommendations regarding road improvements to include four inches of crushed gravel or stone depth, twenty foot of gravel road width and positive drainage as shown on a road profile? Mr. Fulgham responded, absolutely.

Mr. Brewer mentioned it appears the only opposition in the presentation is Richmond Country Club not wanting to improve their parking lot as the easement to access the subject property. Mr. Fulgham stated the road would need to be improved from Patterson Avenue through the parking lot. He went on to say, Richmond Country Club has stated, in no uncertain terms, they do not want the country feel driving up to the Club disrupted by a state standard road which is 24 feet wide and looks like a highway. Mr. Fulgham understands their position and cannot fight the Country Club. He has been trying to move to the subject property since 1992. He signed up in early 2000 for water and sewer and has done everything he feels he should do in order to be able to build on his property.

Mr. Pituck confirmed county water and sewer are available at the subject property? Mr. Fulgham mentioned he paid to have the sewer line put in at a depth to accept their road. Mr. Pituck confirmed, the improvements happened? Mr. Fulgham responded, yes.

Mr. Duke questioned if the lots would be public water and sewer? Mr. Fulgham responded yes, the lots are public water and sewer which have been paid for. Mr. Duke confirmed the property has access to public utilities up to the property line at this point? Mr. Fulgham stated access is just on the other side of the fairway, just short of the road, and he plans to bring it to the road. He reiterated he has an understanding with the Country Club.

Mr. Rockecharlie motioned to approve the application with the exception there be a written agreement to maintain the road between all the neighboring property owners and the Country Club submitted to the County for recordation and approval. Mr. Pituck seconded the motion.

Mr. Myers mentioned he would still like to see a turn around provided for Fire Department access.

Ms. Hunter mentioned in order to satisfy Mr. Myers request there would need to be a modification to condition number two. Ms. Hunter suggested amending the language of condition number two to say "Prior to a building permit being issued, Country Club

Lane from the existing parking lot to the end of the subject property must be improved to private road standards of the Subdivision Ordinance, *have an appropriate turn around as approved by the Fire Marshall* and a road maintenance agreement shall be in place”.

Mr. Duke confirmed the road maintenance agreement must be signed by each neighboring property owner? Ms. Hunter stated the neighbors who wish to participate can and hopefully the applicant can get the consent of all neighboring property owners.

Mr. Rockecharlie motioned to approve the application as amended to reflect a modification to the language of condition two to state “Prior to a building permit being issued, Country Club Lane from the existing parking lot to the end of the subject property must be improved to private road standards of the Subdivision Ordinance, *have an appropriate turn around as approved by the Fire Marshall* and a road maintenance agreement shall be in place”. Mr. Pituck seconded the motion and SOE-2021-00001 was unanimously approved as amended with a 5-0- vote.

**9. Public Hearing Items**

- 1. District 1 - RZ-2021-00003 Application by Jose Luis Cruz requesting a rezoning of 15.406 acres from Agricultural, General (A-1) to Residential, Rural (R-R), with proffered conditions, at 2464 Davis Mill Road on Tax Map No. 26-21-0-4-0. The Comprehensive Plan designates this area as Rural Enhancement.**

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>
<b>MOVER:</b>	Curt Pituck, Planning Commission Member
<b>SECONDER:</b>	John Myers, Planning Commission Member
<b>AYES:</b>	Myers, Brewer, Rockecharlie, Pituck, Duke

Mr. Tom Coleman, Principal Planner, gave a presentation outlining RZ-2021-00003 Application by Jose Luis Cruz requesting a rezoning of 15.406 acres from Agricultural, General (A-1) to Residential, Rural (R-R), with proffered conditions, at 2464 Davis Mill Road on Tax Map No. 26-21-0-4-0. The Comprehensive Plan designates this area as Rural Enhancement. He then reviewed the proffer.

Mr. Duke called upon the applicant to speak.

Jose Cruz of 2464 Davis Mill Road mentioned he has lived at his residence for approximately six months. He would like to split his property so that he may build a home for one of his children.

Mr. Duke opened the public hearing. Seeing no one who wished to speak, he closed the public hearing.

Mr. Pituck motioned to recommend approval as presented. Mr. Myers seconded the motion and RZ-2021-00003 was unanimously recommended for approval with a 5-0 vote.

Minutes Acceptance: Minutes of Apr 1, 2021 7:00 PM (Approval of Minutes)

2. **District 3 - RZ-2014-00004A Application by LG Courthouse LLC requesting proffer amendments to rezoning case RZ-2014-00004 to allow personal services and sit-down restaurant uses in addition to professional and medical office uses on 1.295 acres, at 3006 River Road West on Tax Map No. 42-3-0-6-0. The property is zoned Business, Neighborhood (B-N) (formerly Business, Limited, B-2). The Comprehensive Plan designates this area as Commercial.**

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>
<b>MOVER:</b>	John Myers, Planning Commission Member
<b>SECONDER:</b>	Tom Rockecharlie, Planning Commission Member
<b>AYES:</b>	Myers, Brewer, Rockecharlie, Pituck, Duke

Mr. Tom Coleman, Principal Planner, gave a presentation outlining RZ-2014-00004A Application by LG Courthouse LLC requesting proffer amendments to rezoning case RZ-2014-00004 to allow personal services and sit-down restaurant uses in addition to professional and medical office uses on 1.295 acres, at 3006 River Road West on Tax Map No. 42-3-0-6-0. The property is zoned Business, Neighborhood (B-N) (formerly Business, Limited, B-2). The Comprehensive Plan designates this area as Commercial. He then reviewed the proffers.

Darvin Satterwhite of 3013 River Road West spoke on behalf of the applicant. Mr. Satterwhite gave a brief presentation. He mentioned the subject property has been used as an office building. The zoning is not going to change. The proffers on the existing zoning in 2015 were for office and because the applicant is proposing the coffee and barber shop uses in addition to whatever office space may be left, the proffers need to be amended.

Mr. Satterwhite mentioned the applicants proffer changes, which relate to signage and hours of operation, were made in response to the staff report. He mentioned the zoning is consistent with neighboring parcels. The Comprehensive Plan for the Courthouse Village area, where the subject property is located, is designated for commercial use. The coffee shop is proposed for the ground floor along with a small kitchen expansion. Mr. Satterwhite reviewed expected menu items. The salon/barber shop would be located on the second floor as well as some continued office use. The garage and basement area would be used for storage. Hours of operation would be Monday - Saturday 6 a.m. - 8 p.m. and Sunday 7 a.m. to 7 p.m. Regarding signage, any freestanding sign established for the business would be a monument type sign and it would not exceed fourteen square feet in area and would be less than six feet in height. The subject property is located in the Overlay District. Therefore, any signage must be reviewed to make sure it complies with overlay standards and other commercial signage in the area. Mr. Satterwhite mentioned additional landscaping and parking would be added.

Mr. Brewer questioned if the subject property is owned by the applicant? Mr. Satterwhite responded, yes.

Mr. Duke opened the public hearing. Seeing no one who wished to speak, he closed the public hearing.

Mr. Myers motioned to recommend approval as presented. Mr. Rockecharlie

seconded the motion and RZ-2014-00004A was unanimously recommended for approval with a 5-0 vote.

- 3. District 3 - CU-2021-00002 Application by Scott and Kelly Bain requesting a Conditional Use Permit for a detached accessory family housing unit on 21.34 acres at 2114 Hawk Town Road on Tax Map No. 31-1-0-86-A1. The property is zoned Agricultural, Limited (A-2). The Conditional Use Permit is required by Goochland County Zoning Ordinance Section 15-112 in accordance with Section 15-285.A. The Comprehensive Plan designates this area as Rural Enhancement.**

<b>RESULT:</b>	<b>RECOMMENDED FOR APPROVAL [UNANIMOUS]</b>
<b>MOVER:</b>	Matt Brewer, Planning Commission Member
<b>SECONDER:</b>	Curt Pituck, Planning Commission Member
<b>AYES:</b>	Myers, Brewer, Rockecharlie, Pituck, Duke

Mr. Tom Coleman, Principal Planner, gave a presentation outlining CU-2021-00002 Application by Scott and Kelly Bain requesting a Conditional Use Permit for a detached accessory family housing unit on 21.34 acres at 2114 Hawk Town Road on Tax Map No. 31-1-0-86-A1. The property is zoned Agricultural, Limited (A-2). The Conditional Use Permit is required by Goochland County Zoning Ordinance Section 15-112 in accordance with Section 15-285.A. The Comprehensive Plan designates this area as Rural Enhancement. He then reviewed the proposed conditions.

Mr. Rockecharlie questioned who can occupy the detached accessory housing unit if the applicant sells the property? Mr. Coleman stated the Conditional Use Permit goes with the property. The applicant would be required to notify the purchaser and county staff. The purchaser would then have the same Conditional Use Permit in place and would be permitted to continue with the use as permitted by the CUP. Mr. Rockecharlie confirmed the detached accessory family housing unit would have to be occupied by a family member. Mr. Coleman stated Mr. Rockecharlie was correct.

Mr. Duke called upon the applicant to speak.

Scott Bain of 2114 Hawk Town Road mentioned he would be happy to answer any questions from the Commission.

Mr. Pituck questioned if access is sufficient for emergency medical vehicles? Mr. Bain responded, yes.

Mr. Duke opened the public hearing. Seeing no one who wished to speak, he closed the public hearing.

Mr. Brewer mentioned several years the Commission visited these types of Conditional Use Permits. There was discussion about omitting them from review. Mr. Brewer mentioned he feels this process is a good opportunity for the applicant and the neighbors to discuss these types of uses.

Mr. Brewer motioned to recommend approval as presented. Mr. Pituck seconded the motion and CU-2021-00002 was unanimously recommended for approval with a 5-0 vote.

**10. Old Business - None**

There was no old business before the Commission.

**11. Other Business**

**1. Adoption of the 2021/2022 Planning Commission Regular Meeting Calendar**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	John Myers, Planning Commission Member
<b>SECONDER:</b>	Curt Pituck, Planning Commission Member
<b>AYES:</b>	Myers, Brewer, Rockecharlie, Pituck, Duke

The Planning Commission Clerk requested a motion to approve the 2021-2022 Planning Commission meeting calendar. On a motion by Mr. Myers, seconded by Mr. Pituck, the 2021-2022 meeting calendar was approved with a 5-0 vote.

**12. Adjournment**

Being no further business before the Commission, the meeting was adjourned at 7:55 p.m.



**Goochland County Planning Commission**

1800 Sandy Hook Road  
Goochland, VA 23063

Meeting: 05/06/21 07:00 PM  
Department: Planning & Zoning  
Category: Other  
Prepared By: Jamie Sherry  
Department Head: MinuteTraq Admin

**SCHEDULED  
RESOLUTION**

(ID # 3994)

**DISTRICT 1 - REQUEST BY NEW VENTURES REAL ESTATE LLC TO  
ALLOW THREE ACCESS DRIVES ON LOWRY ROAD (RTE. 651) FOR  
A PROPOSED SIX-LOT SUBDIVISION ON TAX MAP NO. 16-1-0-54-0**

✓ Vote Record - Resolution 3994							
<input type="checkbox"/> Approved <input type="checkbox"/> Recommended for Approval <input type="checkbox"/> Recommended for Denial <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn <input type="checkbox"/> Recommended for Approval as Am <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Consensus of the Board <input type="checkbox"/> Tabled by Consensus <input type="checkbox"/> Approved as Amended <input type="checkbox"/> Send to BOS with Report of Tie Vote			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>	
	John Myers			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matt Brewer			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tom Rochecharlie			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Curt Pituck			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Carter Duke			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Strat Goal 1	Efficient, effective, and transparent government; emphasis on customer service excellence	
Strat Goal 2	Balanced development that contributes to the welfare of the community and preserves its rural character	<b>X</b>
Strat Goal 3	Excellence in Financial Management	
Strat Goal 4	High Quality Core Services including Education, Public Safety, and Community Health	
Strat Goal 5	Positive Work Environment with a Highly Qualified, Diverse Workforce	

**Commission Action Requested**

The Commission is requested to consider a resolution to approve a request submitted by New Ventures Real Estate, LLC, to permit more than two access drives to an existing road.

**Summary of Information**

**District 1**

The applicant, New Ventures Real Estate, LLC, has a contract to purchase a tract of land located on the east side of Lowry Road approximately 1 mile southwest of its intersection with Community House Road (Rte. 610). The applicant proposes to divide the 99.4 acre tract into six parcels utilizing three driveways, as shown on Exhibit A.

The subdivision ordinance limits a parcel to two access drives (driveways) onto an existing road by right. However, there is a provision in the ordinance that allows the Planning Commission to review and approve a subdivision with additional access drives.

- The subdivision ordinance requires subdivisions with more than two access drives to an existing road, be reviewed and approved by the Planning Commission prior to recordation. The ordinance states that shared access shall count as only one access point.

Resolution

Meeting of May 6, 2021

- The applicant is proposing a six-lot subdivision of the property with three driveways, each would be shared by 2 lots. The property is vacant and primarily wooded, with a powerline transversing the parcel. The powerline will be shown on the final plat.
- The subject property is comprised of 99.4 acres with approximately 2,800 linear feet of road frontage.
- The County's Major Throughfare Plan recommends minimizing access points to public roads. A single point of access to and from Lowry Road, with private road leading to the new lots is more consistent with the plan.
- The driveways will have to meet all spacing and access management requirements.
- This request does not require a public hearing and will not be presented to the Board of Supervisors.

### **Draft Motions**

I move that the Commission (adopt/ deny /defer to *date*) the Resolution allowing New Ventures Real Estate, LLC three access drives onto Lowry Road for a six-lot subdivision on Tax Map No. 16-1-0-54-0.

#### **ATTACHMENTS:**

- Subdivision Review - Exhibit A (PDF)
- Subdivision Review - Staff Report (DOCX)
- Subdivision Review- Application (PDF)

✓ Vote Record - Resolution 3994							
<input type="checkbox"/> Approved <input type="checkbox"/> Recommended for Approval <input type="checkbox"/> Recommended for Denial <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn <input type="checkbox"/> Recommended for Approval as Am <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Consensus of the Board <input type="checkbox"/> Tabled by Consensus <input type="checkbox"/> Approved as Amended <input type="checkbox"/> Send to BOS with Report of Tie Vote			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>	
	John Myers			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matt Brewer			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tom Rochecharlie			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Curt Pituck			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Carter Duke			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**AT A MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF GOOCHLAND, VIRGINIA, HELD ON MAY 6, 2021, IN THE GOOCHLAND COUNTY ADMINISTRATION BUILDING, 1800 SANDY HOOK RD., SUITE 250, GOOCHLAND, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:**

**Resolution approving request by New Ventures Real Estate LLC to allow three access drives onto Lowry Road for a six-lot subdivision on Tax Map No. 16-1-0-54-0**

**WHEREAS**, New Ventures Real Estate LLC requested a minor subdivision review to allow three access drives to develop a six-lot subdivision onto Lowry Road on Tax Map No. 16-1-0-54-0; and

**WHEREAS**, Article 6, Section 3 of the County Subdivision Ordinance (Goochland County Code Appendix B) requires the Planning Commission review plats when a minor subdivision seeks more than two access drives to a public road; and

**WHEREAS**, the Subdivision Ordinance limits a minor subdivision to two access drives (driveways) onto an existing road by right; however, there is a provision that allows the Planning Commission to review and approve additional access drives; and

**WHEREAS**, without Planning Commission approval, the applicant would be limited to two access drives, for example: (1) one driveway (serving two lots) and one private road (serving four lots) or (2) one private road (serving all six lots); and

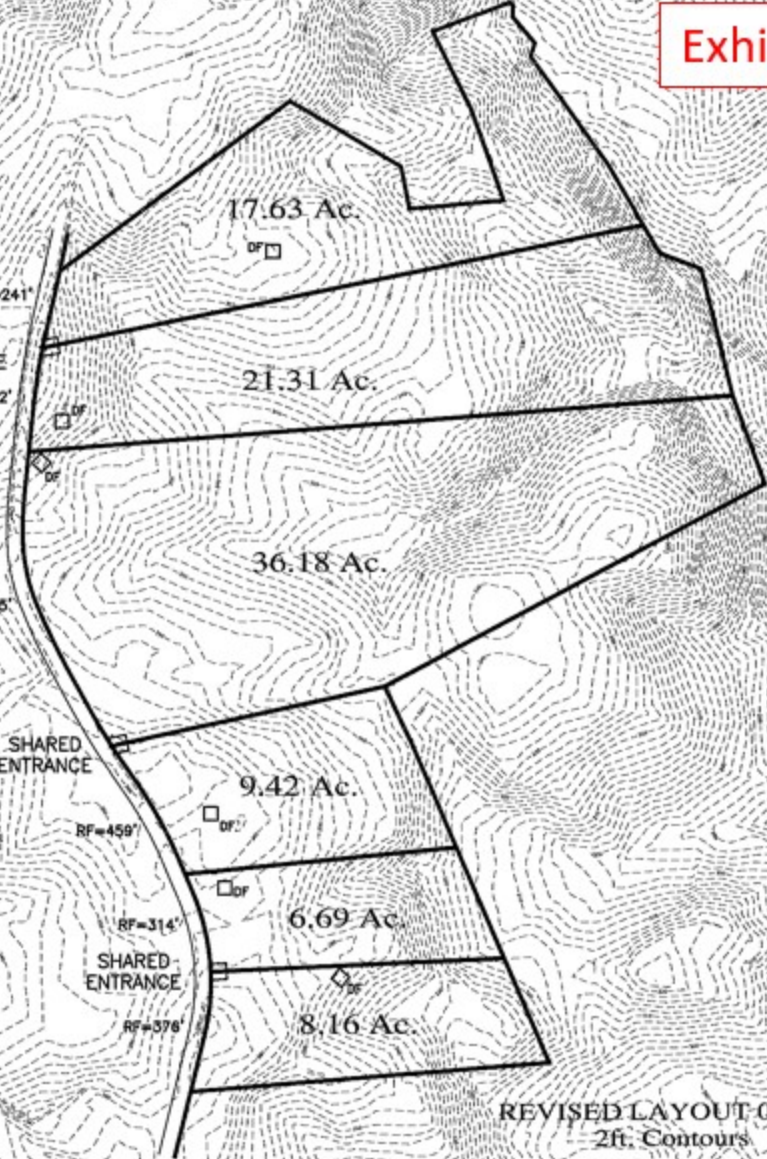
**WHEREAS**, the applicant has submitted a conceptual plan showing the location of the three proposed access points which is attached as **Exhibit A**.

**NOW, THEREFORE, BE IT RESOLVED** this 6<sup>th</sup> day of May 2021, by the Goochland County Planning Commission, that three access drives are allowed onto Lowry Road for a six-lot subdivision located on Tax Map No. 16-1-0-54-0, as shown on the conceptual plan attached as **Exhibit A**; and

**BE IT FURTHER RESOLVED** that all access drives must meet the County’s subdivision access management requirements, including driveway spacing.

A COPY TESTE:

Exhibit A



REVISED LAYOUT 03/19/21  
2ft. Contours

# Lowry Road Goochland County



Max  
Leaf Size  
P.S. Size 00 x 11

Attachment: Subdivision Review - Exhibit A (3994 : District 1- Planning Commission Review -



**GOOCHLAND COUNTY**  
**Department of Community Development**  
 Staff Report for Planning Commission  
 Prepared April 20, 2021

<b>New Ventures Real Estate, LLC Planning Commission Review, Subdivision</b>		
<b>Voting District:</b>	1	
<b>Planning Commission Meeting:</b>	May 6, 2021	Pending

<b>OVERVIEW:</b>	
<b>Request</b>	Planning Commission Review, Subdivision
<b>Location</b>	Lowry Road (Rte. 651) approximately 1 mile southwest of its intersection with Community House Road (Rte. 610)
<b>Subdivision</b>	n/a
<b>Tax Map No.</b>	16-1-0-54-0
<b>Acreage</b>	99.4
<b>Current Zoning</b>	A-1 (Agricultural, General)
<b>Comprehensive Plan</b>	Rural Enhancement Area
<b>TCSD</b>	No
<b>Overlay District/Village</b>	n/a
<b>Staff Contact</b>	Jamie Sherry: 804-556-5861 jsherry@goochlandva.us

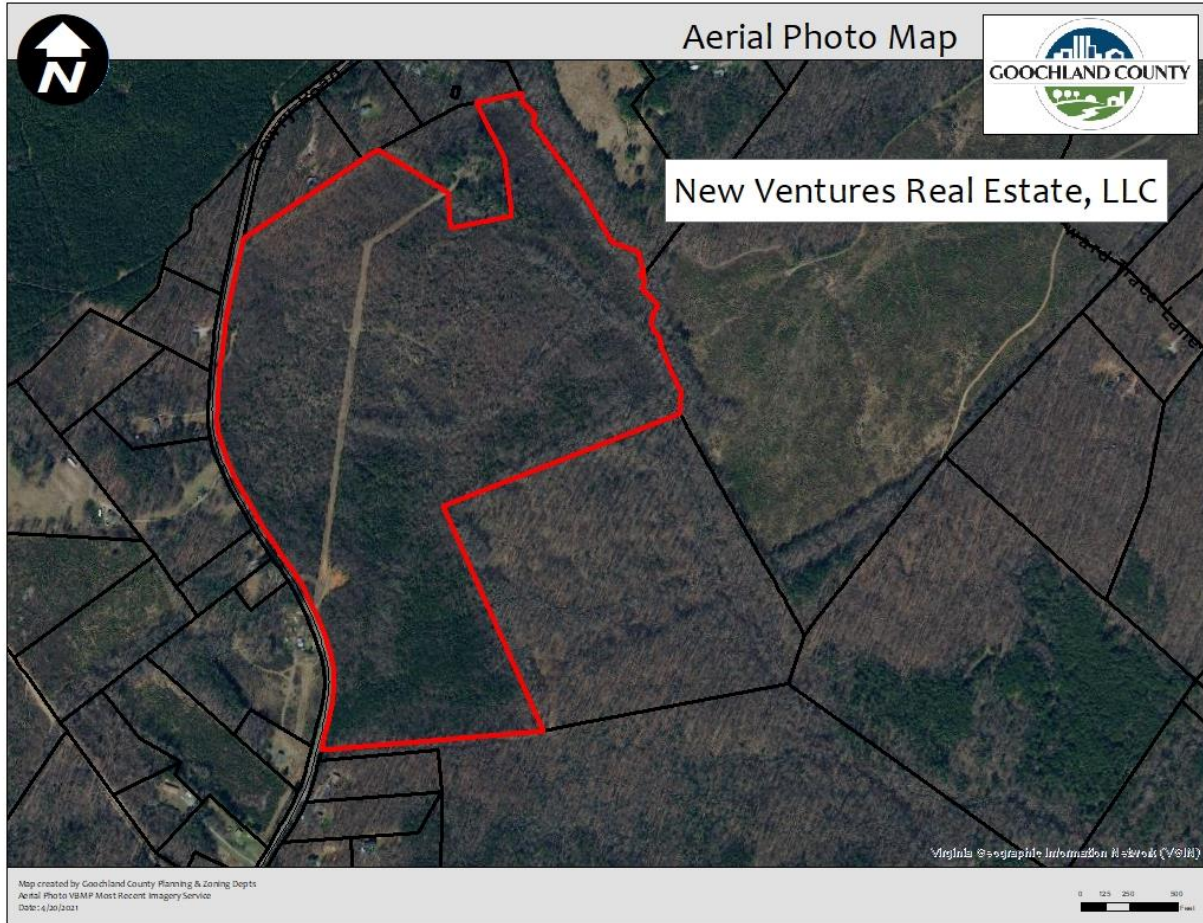
### **APPLICATION SUMMARY**

The applicant, New Ventures Real Estate, LLC, has a contract to purchase a tract of land located on the east side of Lowry Road approximately 1 mile southwest of its intersection with Community House Road (Rte. 610). The applicant proposes to divide the 99.4 acre tract into six parcels utilizing three driveways, as shown on Exhibit A.

The subdivision ordinance limits a parcel to two access drives (driveways) onto an existing road by right. However, there is a provision in the ordinance that allows the Planning Commission to review and approve a subdivision with additional access drives.

### **SUMMARY**

- The subdivision ordinance requires subdivisions with more than two access drives to an existing road, be reviewed and approved by the Planning Commission prior to recordation. The ordinance states that shared access shall count as only one access point.
- The applicant is proposing a six-lot subdivision of the property with three driveways, each driveway would serve 2 lots. The property is vacant and primarily wooded, with a powerline trans versing the parcel. The powerline will be shown on the final plat.
- The subject property is comprised of 99.4 acres with approximately 2,800 linear feet of road frontage.
- The County's Major Throughfare Plan recommends minimizing access points to public roads. A single point of access to and from Lowry Road, with private road leading to the new lots is more consistent with the plan.
- The driveways will have to meet all spacing and access management requirements.
- This request does not require a public hearing and will not be presented to the Board of Supervisors.



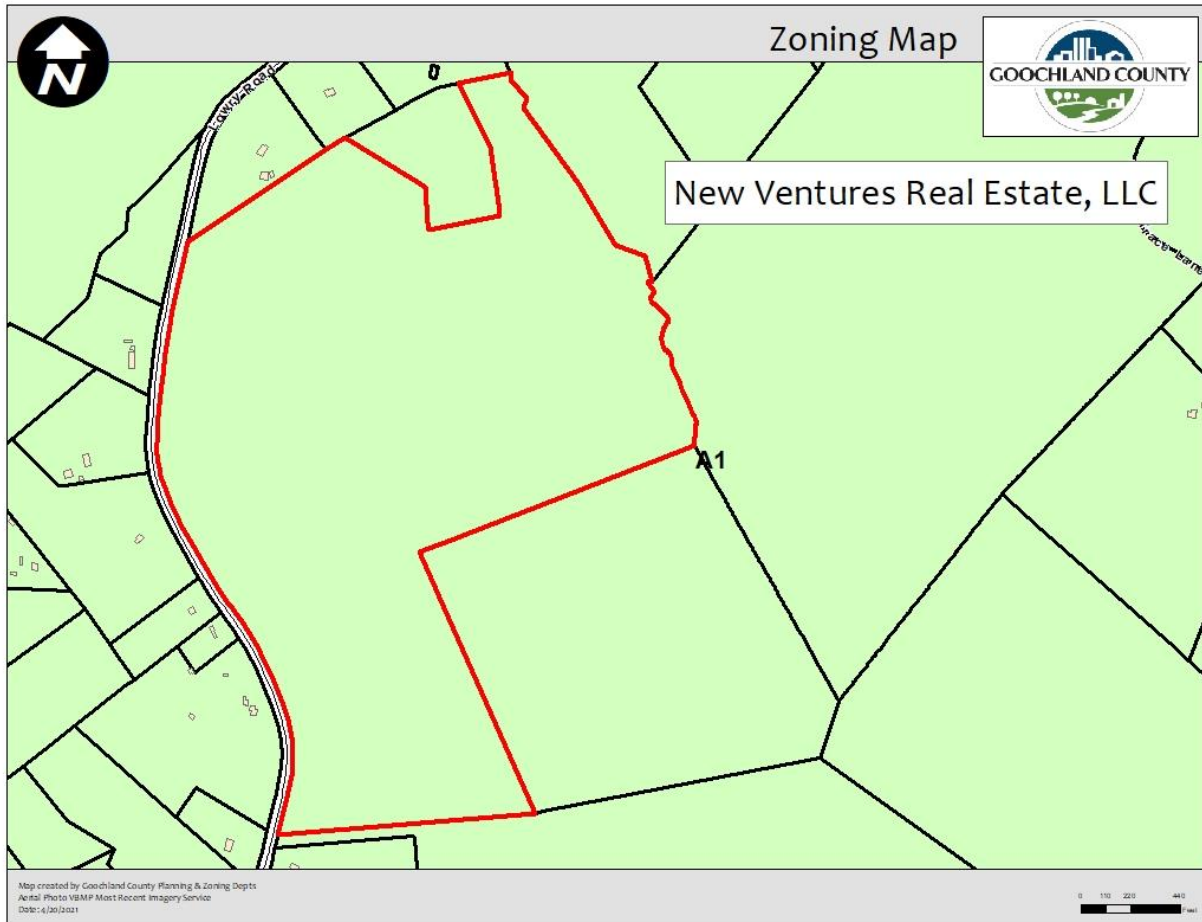
EXISTING LAND USE/COMPREHENSIVE PLAN	
<b>Zoning</b>	A-1 (Agricultural, General)
<b>Existing Land Use</b>	Vacant
<b>Comprehensive Plan</b>	Rural Enhancement Area

ADJACENT PROPERTY INFORMATION				
	North	South	East	West
<b>Adjacent Zoning</b>	A-1	A-1	A-1	A-1
<b>Adjacent Land Use</b>	Agricultural/ Residential	Agricultural	Residential Lantana South Subdivision	Agricultural/ Residential

**Existing Conditions**

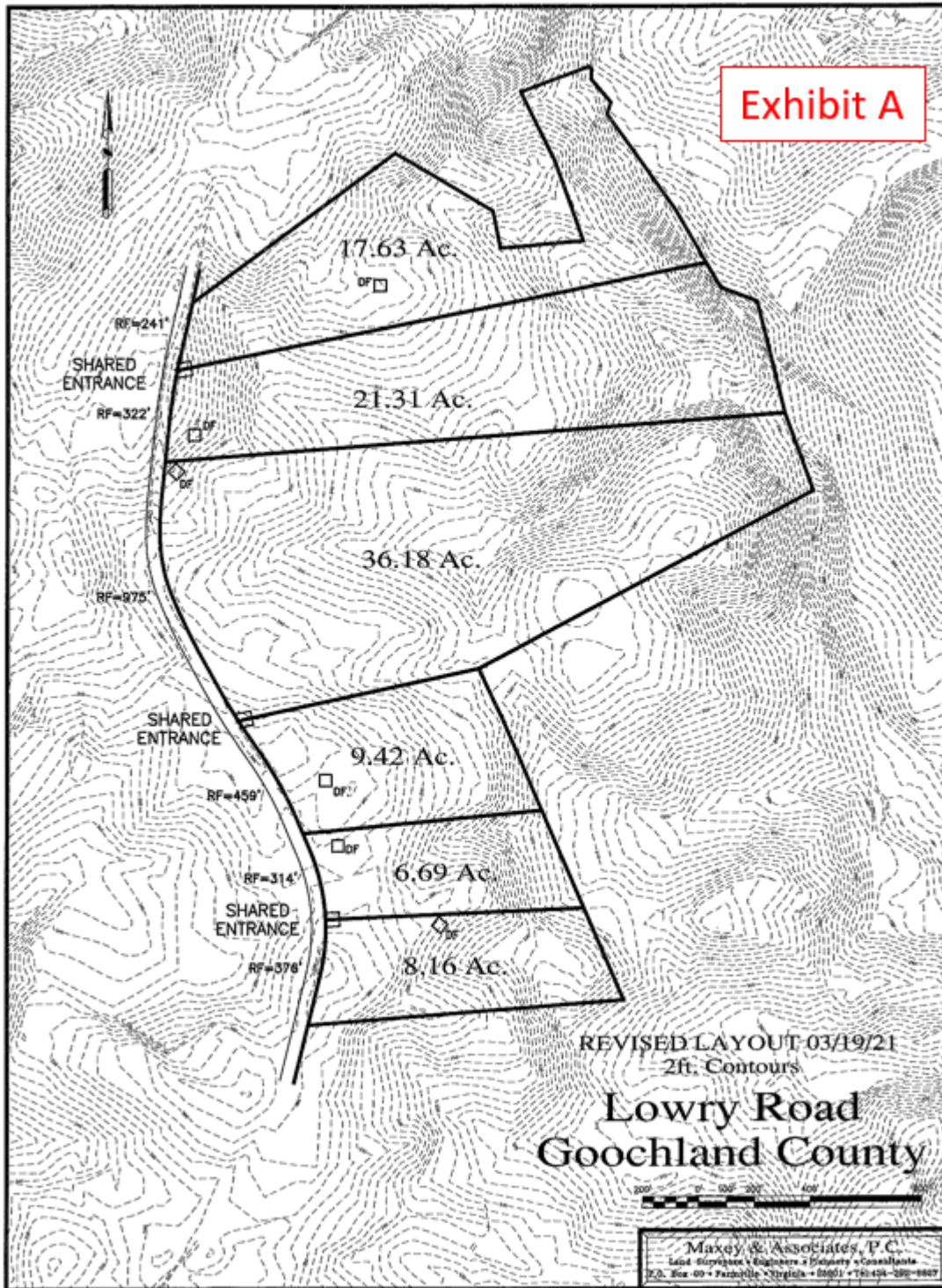
The subject property is 99.4 acres, mostly wooded and unimproved, with a powerline trans versing the parcel. The subject property is comprised of 99.4 acres with approximately 2,800 linear feet of road frontage.

The surrounding properties are rural in character and include farmland and large residential lots. The Lantana South Subdivision is located east and adjacent to the property.



### **Proposed Use**

The applicant is proposing a six-lot subdivision with three driveways, each driveway would serve two lots. The driveways will have to meet all spacing and access management requirements.



**ZONING / SUBDIVISION ORDINANCE**

Zoning Ordinance

The property is zoned A-1 (Agricultural, General). The minimum lot size for a buildable lot fronting on Lowry Road is three acres. The proposal meets zoning regulations.

Attachment: Subdivision Review - Staff Report [Revision 1] (3994 : District 1- Planning Commission Review - New Ventures Real Estate, LLC)

Subdivision Ordinance

The subdivision ordinance governs the subdividing of property which includes: 1) parent tract; 2) minor subdivision; and 3) access regulations.

*Parent Tract*

The subject property is a “parent tract” and has not been previously subdivided. In accordance with parent tract provisions, the 99.4-acre tract could be subdivided into (4) four small (less than 20 acres) parcels and (2) two, twenty-acre parcels. The proposal meets parent tract regulations.

*Minor Subdivision*

Subdividing lots in accordance with parent tract regulations are reviewed with a Minor Subdivision application. Minor subdivision applications may be approved administratively by the plats officer.

*Access Drives*

Minor Subdivisions are reviewed by the plats officer without further review by the Planning Commission for subdivisions that have no more than two access drives onto an existing public or private road. If a subdivision has more than two access drives to an existing road, then it is reviewed by the Commission:

***Subdivision Ordinance, Article 6, Section 3. - Review process, plats officer.***

*Minor subdivisions consisting of up to four (4) lots shall be reviewed by the plats officer without further review by the planning commission for such subdivisions that have no more than two (2) access drives to an existing public or private road. If such subdivision has more than two (2) access drives to an existing road, then it will be reviewed by the planning commission. Shared access shall be encouraged and shall count as only one (1) access point. Family subdivisions shall be reviewed by the plats officer.*

Without Commission approval, the applicant would be limited to two access drives. For example:

- one driveway (two lots) & one private road (four lots), or
- one private road (six lots).

As the chart below demonstrates, “Private Road Standards” are more onerous than those for a driveway.

No. lots	Access	Development Standards
1-2	Private driveway	None
3-6	Private Road Standards	<ul style="list-style-type: none"> <li>♦ Four inches of crushed gravel or stone depth</li> <li>♦ Twenty feet of gravel road width (Fire Code)</li> <li>♦ Positive drainage shown on a road profile</li> <li>♦ Fifty foot wide right-of-way (may be easement)</li> </ul>

**PLANNING EVALUATION**

The County’s Major Throughfare Plan recommends minimizing access points to public roads. A single point of access to and from Lowry Road, with private road leading to the new lots is preferable. However, the large amount of road frontage on the existing parcel does allow these access points, if approved, to meet spacing requirements.

**COMPREHENSIVE PLAN/LAND USE**

The Comprehensive Plan designates this property as Rural Enhancement Area.

**TRANSPORTATION**

Access to the site will be provided from Lowry Road. New driveways will have to meet access management driveway spacing requirements.

The Major Thoroughfare Plan identifies Lowry Road (Rte. 651) as a local road.

*Traffic Counts*

<b>Roadway</b>	<b>From</b>	<b>To</b>	<b>Segment Length (Miles)</b>	<b>*AADT (2019)</b>
Lowry Road (Rte. 651)	Old Columbia Road.	Community House Road.	2.80	160

*(VDoT Jurisdiction Report, Daily Traffic Volume Estimates, Goochland County - 2019)*

**PLANNING COMMISSION ACTION**

Planning Commission may approve or deny the request for an additional access point.



### APPLICATION FOR MINOR SUBDIVISION EXCEPTION

\*\*\*\*\*

Date: 3-19-2021 Application No. SOE 2021-00003

Name of Applicant: New Ventures Real Estate, LLC

Address: P.O. Box 10

City: Powhatan State: VA Zip Code: 23139

Phone # 804-378-9300 E-mail SProusesCorner@gmail.com

Name of Property Owner(s): Bailey Jimmie Ray & Chinkyu Chai Hyung Na & Taesun

City: Ruckersville State: VA Zip Code: 22968

Phone # 434-989-6329 E-mail \_\_\_\_\_

Tax Map No(s): 16-1-0-54-0 GPIN 5891-71-5350

\*\*\*\*\*

**Please complete the following:**

Provide Survey Plat/Site Plan

**ARTICLE 6. MINOR SUBDIVISION**

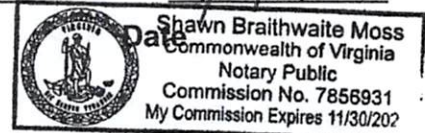
Section 3. Review process, plats officer.

Minor subdivisions consisting of up to four (4) lots shall be reviewed by the plats officer without further review by the planning commission for such subdivisions that have no more than two (2) access drives to an existing public or private road. If such subdivision has more than two (2) access drives to an existing road, then it will be reviewed by the planning commission.

J. Cabell Metts, III

Signature of Applicant(s)

4/20/21



STATE OF VIRGINIA:  
COUNTY OF Powhatan, to wit:

The foregoing instrument was acknowledged before me this 20 day of April, 2021 by J. Cabell Metts, III.

My Commission Expires: 11/30/23

Shawn Braithwaite Moss  
Notary Public

Attachment: Subdivision Review- Application (3994 : District 1- Planning Commission Review - New Ventures Real Estate, LLC)

March 19, 2021

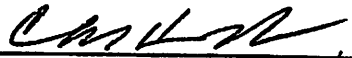
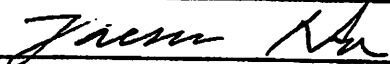
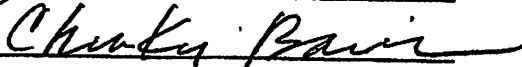
Goochland County Planning and Zoning  
1800 Sandy Hook Road  
P.O. Box 103  
Goochland, VA 23063

Re: Request to allow 3 shared driveway entrances for 6 parcels located on Lowry Road, Route 651 Tax Map #16-1-0-54-0.

I am writing this letter in reference to the proposed shared entrances associated with 99.4 acre parcel known at Tax Map 16-1-0-54-0 located on Lowry Road (Route 651). This parcel has significant road frontage on Lowry Road. We are requesting a total of 3 shared entrances. The shared entrances will be located between lots 1 and 2; 3 and 4; and 5 and 6.

We appreciate your consideration of our request to allow 3 shared entrances for the attached 6 parcel subdivision located on Lowry Road.

Again thank you for your attention and consideration to this request.

  
\_\_\_\_\_  
  
\_\_\_\_\_  
  
\_\_\_\_\_



**Goochland County Planning Commission**

1800 Sandy Hook Road  
Goochland, VA 23063

Meeting: 05/06/21 07:00 PM

Department: Planning & Zoning

Category: PC Conditional Use Permit

Prepared By: Tom Coleman

Department Head: MinuteTraq Admin

**SCHEDULED  
RESOLUTION**

(ID # 3992)

**DISTRICT 3 - CU-1990-00012B - APPLICATION BY MARGARET AND RICHARD ALLISON REQUESTING RENEWAL OF CONDITIONAL USE PERMIT CU-1990-00012A FOR VETERINARY SERVICES AND ANIMAL HOSPITAL ON 10.04 ACRES AT 2000 MAIDENS ROAD ON TAX MAP NO. 43-1-0-8-0. THE PROPERTY IS ZONED AGRICULTURAL, LIMITED (A-2). THE CONDITIONAL USE PERMIT IS REQUIRED BY GOOCHLAND COUNTY ZONING ORDINANCE SECTION 15-112. THE COMPREHENSIVE PLAN DESIGNATES THIS AREA AS SINGLE-FAMILY RESIDENTIAL, LOW DENSITY.**

✓ Vote Record - Resolution 3992					
<input type="checkbox"/> Approved <input type="checkbox"/> Recommended for Approval <input type="checkbox"/> Recommended for Denial <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn <input type="checkbox"/> Recommended for Approval as Am <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Consensus of the Board <input type="checkbox"/> Tabled by Consensus <input type="checkbox"/> Approved as Amended <input type="checkbox"/> Send to BOS with Report of Tie Vote		<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	John Myers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matt Brewer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tom Rockecharlie	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Curt Pituck	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Carter Duke	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Strat Goal 1	Efficient, effective, and transparent government; emphasis on customer service excellence	
Strat Goal 2	Balanced development that contributes to the welfare of the community and preserves its rural character	<input checked="" type="checkbox"/>
Strat Goal 3	Excellence in Financial Management	
Strat Goal 4	High Quality Core Services including Education, Public Safety, and Community Health	
Strat Goal 5	Positive Work Environment with a Highly Qualified, Diverse Workforce	

**Commission Action Requested**

The Commission is requested to hold a public hearing on this Conditional Use Permit renewal application by Margaret and Richard Allison and make a recommendation to the Board of Supervisors.

**Summary of Information**

District 3 - CU-1990-00012B Application by Margaret and Richard Allison requesting renewal of Conditional Use Permit CU-1990-00012A for veterinary services and animal hospital on 10.04 acres at 2000 Maidens Road on Tax Map No. 43-1-0-8-0. The property is zoned Agricultural, Limited (A-2). The Conditional Use Permit is required by Goochland County Zoning Ordinance Section 15-112. The Comprehensive Plan designates this area as Single-Family Residential, Low Density.

A CUP for a veterinary clinic was originally approved in 1990 and was subsequently

Resolution

Meeting of May 6, 2021

extended in 2001; therefore, the Goochland Animal Clinic has been in operation at this location for approximately 30 years. The animal clinic offers a number of services, including general medicine, holistic care, microchipping, pet nutrition, preventative care, surgical procedures, and reproductive health services.

Margaret and Richard Allison hosted a community meeting on March 24, 2021 for an application to renew CU-1990-00012A to allow continued operation of Goochland Veterinary Clinic located at 2000 Maidens Road. Planning Commissioner Mr. Myers and staff were in attendance. The applicant gave a brief description of their practice. No citizens were in attendance, and there were no concerns.

### **Draft Motions**

- Approve:** I move that the Planning Commission recommend approval of conditional use permit CU-1990-00012B for veterinary services and animal hospital at 2000 Maidens Road subject to the imposed conditions as presented.
- Approve as amended:** I move that the Planning Commission recommend approval of conditional use permit CU-1990-00012B for veterinary services and animal hospital at 2000 Maidens Road subject to the imposed conditions, with the following amendments:  
\_\_\_\_\_.
- Defer:** I move that the Planning Commission defer consideration of conditional use permit CU-1990-00012B for veterinary services and animal hospital at 2000 Maidens Road to \_\_\_\_\_ (date) \_\_\_\_\_.
- Deny:** Based on the information in the staff report and from the public hearing, I move that the Planning Commission recommend denial of conditional use permit CU-1990-00012B for veterinary services and animal hospital at 2000 Maidens Road on the grounds that:
- it is not in keeping with public necessity, convenience, general welfare, and good zoning practice;
  - and \_\_\_\_\_.

#### ATTACHMENTS:

- CU-1990-00012B - Staff Report (DOCX)
- CU-1990-00012B - Application (PDF)

✓ Vote Record - Resolution 3992						
<input type="checkbox"/> Approved <input type="checkbox"/> Recommended for Approval <input type="checkbox"/> Recommended for Denial <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn <input type="checkbox"/> Recommended for Approval as Am <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Consensus of the Board <input type="checkbox"/> Tabled by Consensus <input type="checkbox"/> Approved as Amended <input type="checkbox"/> Send to BOS with Report of Tie Vote			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	John Myers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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	Tom Rockecharlie		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Curt Pituck		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Carter Duke		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**AT A MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF GOOCHLAND, VIRGINIA, HELD ON MAY 6, 2021, IN THE GOOCHLAND COUNTY ADMINISTRATION BUILDING, 1800 SANDY HOOK RD., SUITE 250, GOOCHLAND, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:**

**Resolution recommending approval of CU-1990-00012B - Application by Margaret and Richard Allison requesting renewal of Conditional Use Permit CU-1990-00012A for veterinary services and animal hospital on 10.04 acres at 2000 Maidens Road on Tax Map No. 43-1-0-8-0**

**WHEREAS**, Virginia Code § 15.2-2286(A)(3) enables the Goochland County Board of Supervisors to grant conditional use permits under suitable regulations and safeguards; and

**WHEREAS**, the Goochland County Planning Commission is authorized and required, by Virginia Code § 15.2-2285(A), to consider, hold a public hearing, and make a recommendation to the Board of Supervisors on all land use applications filed with the County; and

**WHEREAS**, Margaret and Richard Allison filed an application requesting renewal of conditional use permit (CUP) CU-1990-00012A for veterinary services and animal hospital on 10.04 acres at 2000 Maidens Road on Tax Map No. 43-1-0-8-0 in E lection District 3; and

**WHEREAS**, the original CUP was granted in Case No. CU-1990-00012 on October 9, 1990 subject to 5 imposed conditions; and

**WHEREAS**, the CUP was renewed in Case No. CU-1990-00012A on June 5, 2001 subject to 6 imposed conditions; and

**WHEREAS**, the subject property is zoned Agricultural, Limited (A-2) and the proposed activity is permitted in that district with a CUP under Zoning Ordinance § 15-112; and

**WHEREAS**, in addition to extending the CUP, certain conditions are being amended or added, but the conditions in this CUP supersede all prior conditions; this CUP states all the conditions imposed on the Property; and

**WHEREAS**, the conditions imposed below represent suitable regulations and safeguards to protect the neighboring properties from the impact of the CUP; and

**WHEREAS**, the Comprehensive Plan designates this area as Single-Family Residential, Low Density; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Goochland County Planning Commission advertised as required by law and held a public hearing on this application on May 6, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, the Goochland County Planning Commission is empowered to make recommendations to the Board of Supervisors regarding this application pursuant to Zoning Ordinance § 15-60, has considered each of the applicable standards in Zoning Ordinance § 15-60.B, and hereby finds that granting this request is a matter of public necessity, convenience, general welfare, or good zoning practice; and

**BE IT FURTHER RESOLVED**, this 6<sup>th</sup> day of May, 2021, the Goochland County Planning Commission hereby recommends that the Goochland County Board of Supervisors grant the renewal of this conditional use permit for veterinary services and animal hospital on 10.04 acres at 2000 Maidens Road on Tax Map No. 43-1-0-8-0 in Election District 3, subject to the following imposed conditions, which supersede the imposed conditions in Case No. CU-1990-00012A:

1. Use. Veterinary services and an animal hospital may be operated on the Property subject to these conditions.
2. State/County codes. The applicant will comply with all State Health permit requirements in respect to the expansion and continued operation of the clinic.
3. Overnight stay. Any and all animals kept overnight must be kept within the enclosed building. No animals will be allowed outside the enclosed building for overnight stay.
4. Expansion. The expansion of the clinic will be limited to 2,000 square feet.
5. Signage. Signage is limited to the existing sign on the Property.
6. Lighting. Approval of a lighting plan shall be obtained prior to installing exterior lighting.
7. Hours of operation. Veterinary services may be open to the public during the following time periods:
  - a. Monday-Saturday: 7:30 a.m. to 8:00 p.m.
8. Transfer or lease. Prior to the transfer or long-term lease of the Property, the property owner(s) shall notify, in writing, (a) the Department of Community Development of the planned transfer or lease, and also (b) the new owner or lessee of this CUP and its conditions, with a copy to the Department of Community Development.

A COPY TESTE:



**GOOCHLAND COUNTY**  
**Department of Community Development**  
 Staff Report for Planning Commission  
 Prepared April 19, 2021

<b>CU-1990-00012B – Margaret &amp; Richard Allison</b>	
<b>Voting District:</b>	3
<b>Application Date:</b>	4/5/2021
<b>Community Meeting Date:</b>	3/24/2021
<b>Planning Commission Public Hearing:</b>	5/6/2021 Pending
<b>Board of Supervisors Public Hearing:</b>	6/1/2021 <i>Tentative</i>

<b>OVERVIEW:</b>	
<b>Request</b>	Renew CUP (CU-1990-00012A) for veterinary services and animal hospital
<b>Location</b>	2000 Maidens Road
<b>Subdivision</b>	n/a
<b>Tax Map No.</b>	43-1-0-8-0
<b>Acreage</b>	10.04
<b>Current Zoning</b>	A-2 (Agricultural, Limited)
<b>Comprehensive Plan</b>	Goochland Courthouse Village, Single Family Residential, Low Density
<b>TCSD</b>	No
<b>Overlay District/ Village</b>	Courthouse Village Design Overlay District/ Goochland Courthouse Village
<b>Staff Contact</b>	Tom Coleman: 804-556-5865 <a href="mailto:tcoleman@goochlandva.us">tcoleman@goochlandva.us</a>

### **APPLICATION SUMMARY**

District 3 CU-1990-00012B Application by Margaret and Richard Allison requesting renewal of Conditional Use Permit CU-1990-00012A for veterinary services and animal hospital on 10.04 acres at 2000 Maidens Road on Tax Map No. 43-1-0-8-0. The property is zoned Agricultural, Limited (A-2). The Conditional Use Permit is required by Goochland County Zoning Ordinance Section 15-112. The Comprehensive Plan designates this area as Single-Family Residential, Low Density.

The Goochland Animal Clinic has been in operation at this location for approximately 30 years. The animal clinic offers a number of services, including general medicine, holistic care, microchipping, pet nutrition, preventative care, surgical procedures, and reproductive health services.

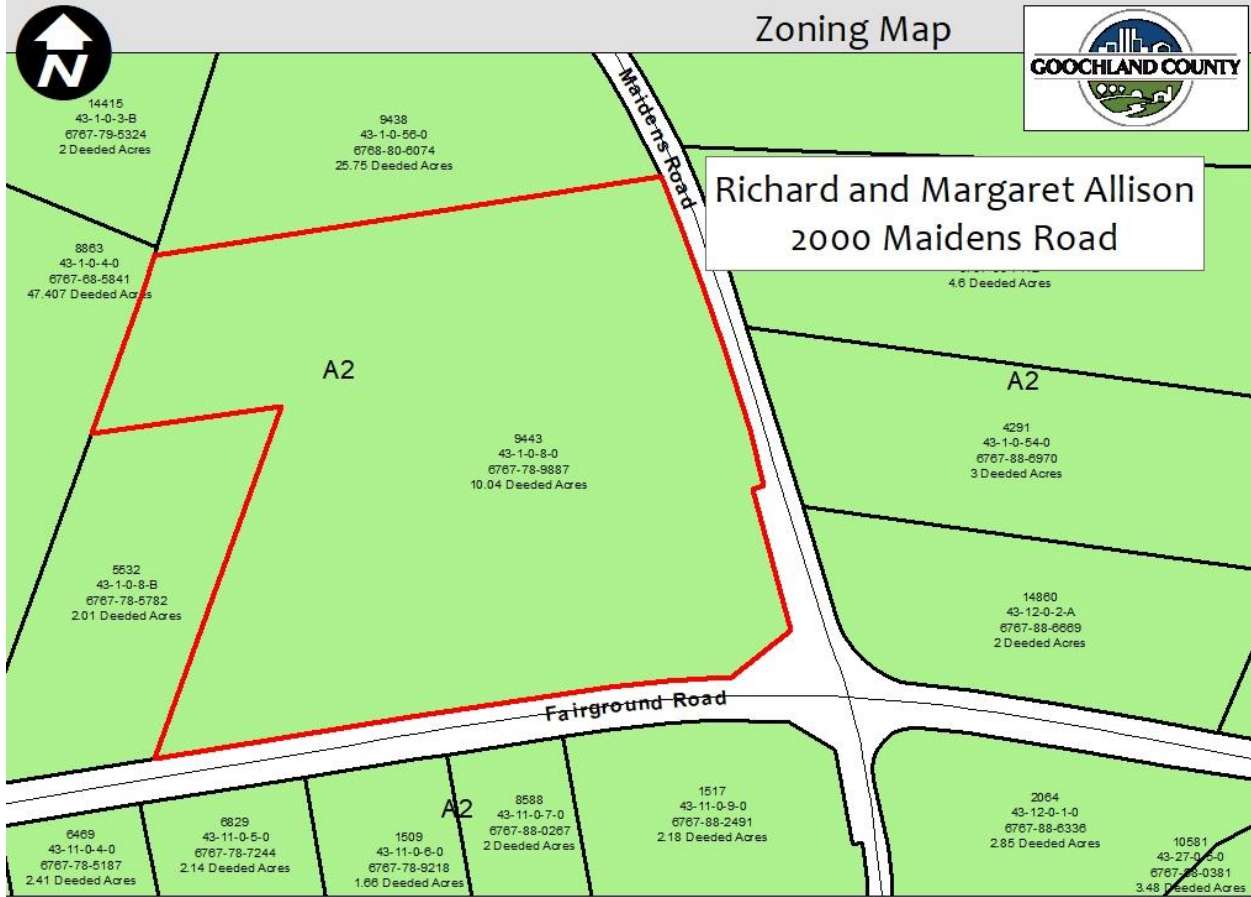
A CUP for a veterinary clinic was originally approved in 1990 and was subsequently extended in 2001. The Conditional Use Permit is required by Goochland County Zoning Ordinance Section 15-112.

### **EVALUATION**

- No community concerns identified.
- Longstanding CUP activity at this location.
- Applicant is not proposing any changes to the facility or operations.
- Proposed development is within the Courthouse Village Design Overlay District, and the design overlay district would regulate any exterior changes and signage.

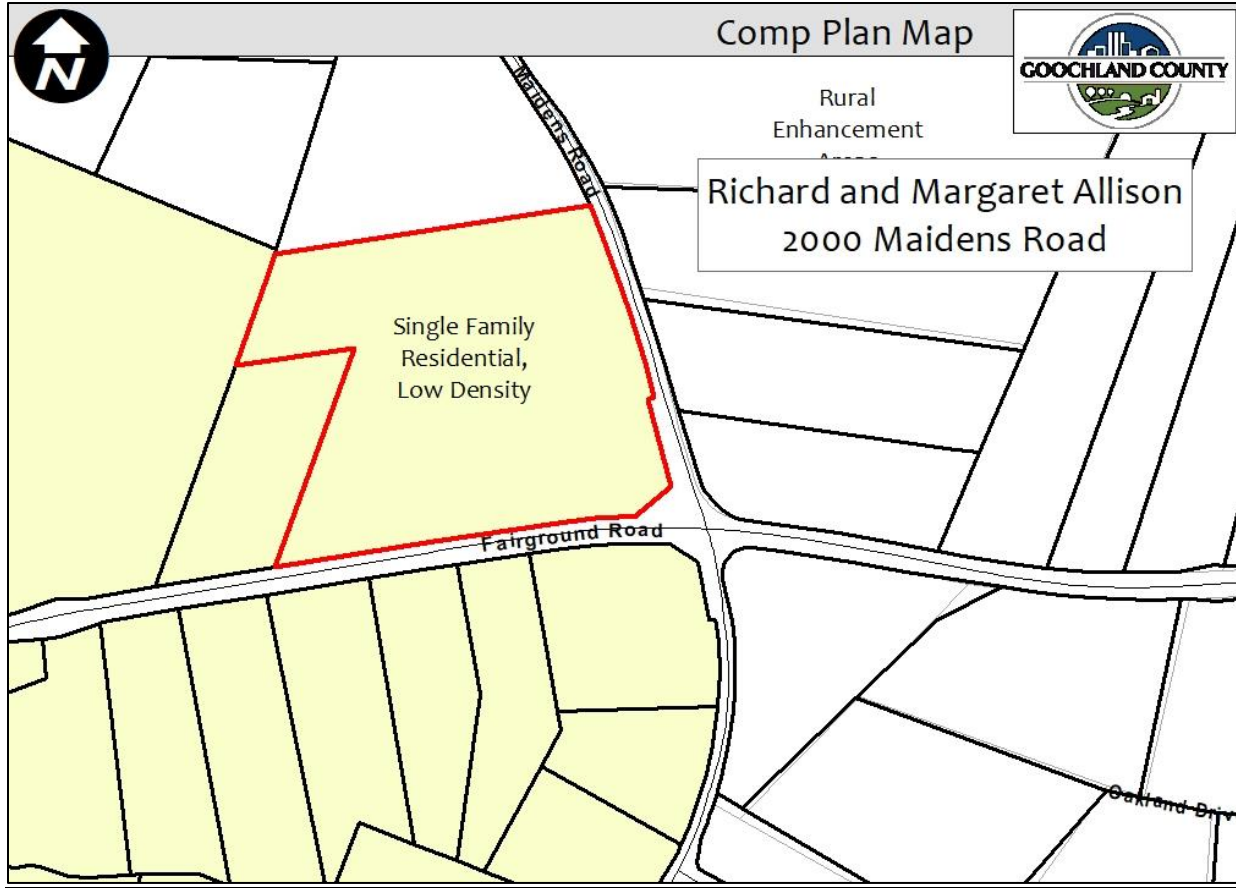
EXISTING LAND USE/COMPREHENSIVE PLAN	
Zoning	A-2 (Agricultural, Limited)
Existing Land Use	Veterinary clinic
Comprehensive Plan	Goochland Courthouse Village Land Use Map, Single Family Residential, Low Density

ADJACENT PROPERTY INFORMATION				
	North	South	East	West
Adjacent Zoning	A-2	A-2	A-2	A-2
Adjacent Land Use	Residential	Residential	Residential	Residential



Attachment: CU-1990-00012B - Staff Report (3992 : District 3 - CU-1990-00012B Margaret and Richard Allison)

Margaret and Richard Allison  
CU-1990-00012A



Attachment: CU-1990-00012B - Staff Report (3992 : District 3 - CU-1990-00012B Margaret and Richard Allison)

**EXISTING / PROPOSED USE**

Margaret and Richard Allison (dba Goochland Animal Clinic) are requesting renewal of Conditional Use Permit CU-1990-00012A to continue offering veterinary services and operating the animal hospital at 2000 Maidens Road. The 10.04-acre property is located at the northwest corner of Maidens and Fairground Roads.



The Goochland Animal Clinic has been in operation at this location for approximately 30 years. A CUP to practice veterinarian medicine and operate a veterinarian clinic was originally approved in 1990. In 2001, the CUP was extended with an amendment to allow expansion of the clinic by 2000 sq. ft.

The animal clinic offers a number of services such as cardiology, dental services, diagnostic imaging, euthanasia, acupuncture, laser therapy, microchipping, pet nutrition, heartworms and deworming, pet pharmacy, pet wellness exams, pet vaccinations, reconstructive and cosmetic surgery, soft tissue surgery, spay and neuter, and Cesarean Section (C-Section).

The clinic operates six days a week, generally from 7:30 a.m. to 6:00 p.m. Monday - Friday and 7:30 a.m. to 1:00 p.m. on Saturday. The applicants indicated they employ 10-15 people and see about 15-20 clients per day.

There are four structures on the property including the main structure (2-story, 4,608 sq. ft.), a frame/cinder block storage building (14' x 22'), a poultry house (8' x 16'), a lean-to (36' x 12'), and a shop (36' x 36').



There are no plans to expand the building or alter the site.

<b>REVIEW BY COUNTY AGENCIES/DEPARTMENTS</b>	
<b>Building</b>	No comments received.
<b>Fire/Rescue</b>	No comments.
<b>Utilities</b>	No comments received.
<b>Schools</b>	No comments received.
<b>Public Safety</b>	No comments received.
<b>Environmental</b>	No plan of development or land disturbance permit req.
<b>Historic/Cultural Resources</b>	None identified by staff.

<b>REVIEW BY STATE AGENCIES/DEPARTMENTS</b>	
<b>Health</b>	No comments received.
<b>VDoT</b>	No comments received.

### **TRANSPORTATION**

Property is located along the north line of Fairground Road and the west line of Maidens Road. Fairground is a two-lane, undivided roadway with centerline pavement markings and a posted speed limit of 45 mph. Maidens is a two-lane undivided road with no pavement markings and a posted speed limit of 40 mph. Access to the site is provided via Maidens.

#### *Traffic Counts*

Roadway	From	To	Segment (Miles)	*AADT (2019)
Fairground Rd. (Rte. 632)	Sandy Hook Rd. (Rte. 522)	Maidens Rd. (Rte. 634)	1.66	7,000
Fairground Rd.	Maidens Rd.	Hawk Town Rd (Rte. 637)	1.32	8,700
Maidens Rd.	Rte. 6 / Rte. 522	Fairground Rd.	2.40	2,700
Maidens Rd.	Fairground Rd.	Hawk Town Rd.	1.50	750

(\*VDoT Jurisdiction Report, Daily Traffic Volume Estimates, Goochland County -2019)

The Major Thoroughfare Plan identifies this portion of Fairground Road as a Minor Arterial, and the existing right-of-way width is approx. 50 ft. The Major Thoroughfare Plan identifies this portion of Maidens Road as a Major Collector, and the existing right-of-way width varies from approx. 35 ft. to 50 ft.

### **CODE ENFORCEMENT/MAINTENANCE ISSUES**

None identified by staff.

### **COMMUNITY MEETING**

Margaret and Richard Allison hosted a community meeting on March 24, 2021 for an application to renew CU-1990-00012A to allow continued operation of Goochland Veterinary Clinic located at 2000 Maidens Road. Planning Commissioner Mr. Myers and staff were in attendance. The applicant gave a brief description of their practice. No citizens were in attendance, and there were no concerns.

### **FISCAL IMPACT**

- Approval of this CUP would support a longstanding small business operation.

### **CUMULATIVE PLANNING IMPLICATIONS**

- Expiration waived. The applicant requested removal of the CUP condition providing an expiration. Considering the length of time the facility has been in operation with no complaints, staff supports not providing an expiration.

- Residential setting. The integrity of the surrounding residential community must be protected.
- Non-residential activity. Limit hours of operation to minimize impact of activities.
- Maintain rural character. Minimize changes to the site.

### **CUP CONDITIONS**

Should the Planning Commission recommend approval of the application, the following conditions are recommended (CUP conditions are ~~blacklined~~ from 2001 approval.):

1. Use. Veterinary services and an animal hospital may be operated on the Property subject to these conditions.
2. State/County codes. ~~That~~ The applicant will comply with all Goochland County and State Health permit requirements in respect to the expansion and continued operation of the clinic.  
~~That the applicant pave the entrance into the clinic and provide at least one handicapped parking space.~~
3. Overnight stay. ~~That~~ Any and all animals kept overnight must be kept within the enclosed building. No animals will be allowed outside the enclosed building for overnight stay.
4. Expansion. ~~The~~ Expansion of the clinic will be limited to the 2,000 square feet as cited in the letter requesting an amendment.
5. Signage. ~~That~~ Signage ~~be~~ is limited to the existing sign on the property.  
~~That the continuation of the Conditional Use Permit is granted for use as a Veterinarian Clinic for a period of twenty years until June 30, 2021.~~
6. Lighting. Approval of a lighting plan shall be obtained prior to installing exterior lighting.
7. Hours of operation. Veterinary services may be open to the public during the following time periods:
  - a. Monday-Saturday: 7:30 a.m. to 8:00 p.m.
8. Transfer or lease. Prior to the transfer or long-term lease of the Property, the property owner(s) shall notify, in writing, (a) the Department of Community Development of the planned transfer or lease, and also (b) the new owner or lessee of this CUP and its conditions, with a copy to the Department of Community Development.

### **PLANNING COMMISSION RECOMMENDATION**

## CONDITIONAL USE PERMIT APPLICATION COUNTY OF GOOCHLAND, VIRGINIA

Planning and Zoning Office  
P.O. Box 103

Goochland, VA 23063

Phone: (804) 556-5863

Web: [www.goochlandva.us](http://www.goochlandva.us) FAX: (804) 556-5654

Office Use Only		
Application File Date: <b>April 5, 2021</b>	Fee paid: \$ <b>—</b>	Application No.: CU- <b>1990-00012B</b>
Planning Commission Public Hearing: <u>5-6-21</u> Board of Supervisors Public Hearing: _____	Receipt No.:	Pre-Application: <b>2021-00007</b>

Name of Applicant: <b>MARGARET + RICHARD Allison</b>	Name of Representative:
Address <b>5443 Community House Rd Goochland Va 23063</b>	Address
Phone No. <b>804 338 1271 M 804 212 9390 Richard</b>	Phone No. _____
Location: <b>2000 Maiden Rd Maiden Va 23102</b>	District: <b>3</b>
Disclosure of Real Parties in Interest. Provide completed disclosure form(s).	Subdivision: _____
<b>Property Owner</b> <b>MARGARET + RICHARD Allison</b>	Are there any deed restrictions? Yes _____ No <input checked="" type="checkbox"/>
Tax Map # <b>43-1-0-8-0</b>	GPIN # <b>6767-78-9887</b>
Deed Book <b>256 399</b>	Plat Book <b>PCB 56</b>
Zone <b>A-2</b>	Acreage <b>10.04</b>
Account # <b>9443</b>	
If yes attached a copy of deed.	

Property in Land Use: Yes /  No - If your property is in the County's land use taxation program, please be advised that any proposed change in the use of the land could make the property ineligible for further participation in the land use taxation program.

Attachment: CU-1990-00012B - Application (3992 : District 3 - CU-1990-00012B Margaret and Richard Allison)

**REQUEST**

Applicant request a conditional use permit to locate the following USE on the above described property: veterinary hospital Section 15-112. (Describe here what is intended to be done on or with the property. If a building is involved, a sketch or plan with photographic or other suitable description should accompany this application.)

Continue veterinary services.

**IMPROVEMENTS PROPOSED:**

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

No changes

**NECESSITY OF USE:**

Describe the reason for the requested change. use permit.

Renewal of Conditional

N/A

**PROTECTION TO ABUTTING PROPERTY:**

Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

N/A

No changes

**ENHANCEMENT OF COUNTY:**

Why does the applicant believe that this requested change will be advantageous to the County? (Please substantiate with facts.)

No change - just renewal

Goochland Animal Clinic has been providing Veterinary services to the community for 30 years

Attachment: CU-1990-00012B - Application (3992 : District 3 - CU-1990-00012B Margaret and Richard Allison)

**DESCRIBE THE PROPOSED USE, AND OTHER PERTINENT DATA:**

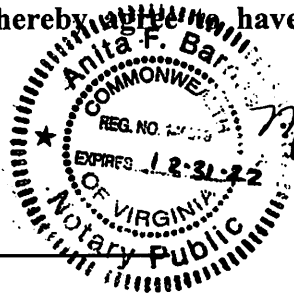
- 1. Type of operation(s): VETERINARY Clinic
- 2. Hours of operation: 7:30 A.M - 8:00 P.M
- 3. Proposed Name of development or business: Goochland Animal Clinic
- 4. Estimated number of patrons/clients/patients/pupils/etc.: 15-20
- 5. Proposed number of employees/attendants/teachers/etc. 10-15
- 6. Estimate of traffic impact of the proposed use, including the maximum expected trip generation and the distribution of such trips by mode and time of day.  
\_\_\_\_\_  
\_\_\_\_\_
- 7. Description of building façade and architecture of proposed new building or additions.  
N/A  
\_\_\_\_\_
- 8. The square footage of the building: \_\_\_\_\_ Parking: Existing
- 9. Total disturbed area: NONE
- 10. A listing, if known, of all hazardous or toxic substances, to be generated, utilized, stored, treated, and/or disposed of onsite and size and contents of any existing or proposed storage tanks or containers: \_\_\_\_\_
- 11. Building Design: Provide 1 copies of floor plans and elevations for the front, sides, and rear of any on-site structures proposed.

Attachment: CU-1990-00012B - Application (3992 : District 3 - CU-1990-00012B Margaret and Richard Allison)

STATE OF VIRGINIA  
COUNTY OF GOOCHLAND) To wit

I Margaret Washburn Allison, Richard Allison being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application and that the foregoing statements and answers provided herein are in all respects true and correct to the best of my knowledge and belief.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Goochland County officials and other authorized government agents on official business to enter the property as necessary to process this application. I hereby ~~authorize~~ have a sign placed on my property, notifying the public of my application.



Margaret Washburn Allison Richard Allison  
Signature of Applicant Date

Phone No. \_\_\_\_\_  
Mailing Address of Applicant \_\_\_\_\_

Subscribed and sworn to before me this 5 day of April, 2021.  
12-31-2022  
My Commission Expires \_\_\_\_\_  
Anita Barnes  
Notary Public

.....

_____	Signature of Property Owner	_____	Date
Phone No. _____	_____		
	Mailing Address of Property Owner		
Subscribed and sworn to before me this _____ day of _____, 20____.			
_____	_____	_____	Notary Public
My Commission Expires _____			

Attachment: CU-1990-00012B - Application (3992 : District 3 - CU-1990-00012B Margaret and Richard Allison)



**Goochland County Planning Commission**

1800 Sandy Hook Road  
Goochland, VA 23063

Meeting: 05/06/21 07:00 PM  
Department: Planning & Zoning  
Category: PC Rezoning  
Prepared By: Tom Coleman

Department Head: MinuteTraq Admin

**SCHEDULED  
RESOLUTION**

(ID # 3993)

**DISTRICT 4 - RZ-2021-00004 - APPLICATION FILED BY ME PV4 LLC  
REQUESTING A REZONING OF 41.334 ACRES FROM  
AGRICULTURAL, LIMITED (A-2) AND RESIDENTIAL PLANNED  
UNIT DEVELOPMENT (RPUD) WITH PROFFERED CONDITIONS, TO  
RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) 20.185  
ACRES; BUSINESS, GENERAL (B-1) 5.96 ACRES; AND INDUSTRIAL,  
GENERAL (M-2) 15.189 ACRES, WITH PROFFERED CONDITIONS, ON  
ASHLAND ROAD, JOHNSON ROAD, AND ALDEBY STREET, ON TAX  
MAP NOS. 48-1-0-55-A, AND PORTIONS OF 48-5-0-1-0, 48-17-4-F-0, AND  
48-17-4-G-0. THE COMPREHENSIVE PLAN DESIGNATES THIS AREA  
AS FLEXIBLE.**

✓ Vote Record - Resolution 3993						
<input type="checkbox"/> Approved <input type="checkbox"/> Recommended for Approval <input type="checkbox"/> Recommended for Denial <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn <input type="checkbox"/> Recommended for Approval as Am <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Consensus of the Board <input type="checkbox"/> Tabled by Consensus <input type="checkbox"/> Approved as Amended <input type="checkbox"/> Send to BOS with Report of Tie Vote		Yes/Aye	No/Nay	Abstain	Absent	
	John Myers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matt Brewer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tom Rochecharlie	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Curt Pituck	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Carter Duke	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Strat Goal 1	Efficient, effective, and transparent government; emphasis on customer service excellence	
Strat Goal 2	Balanced development that contributes to the welfare of the community and preserves its rural character	X
Strat Goal 3	Excellence in Financial Management	
Strat Goal 4	High Quality Core Services including Education, Public Safety, and Community Health	
Strat Goal 5	Positive Work Environment with a Highly Qualified, Diverse Workforce	

**Commission Action Requested**

The Planning Commission is requested to hold a public hearing on rezoning application RZ-2021-00004 and make a recommendation to the Board of Supervisors.

**Summary of Information**

District 4 - RZ-2021-00004 - Application filed by ME PV4 LLC requesting a rezoning of 41.334 acres from Agricultural, Limited (A-2) and Residential Planned Unit Development (RPUD) with proffered conditions, to Residential Planned Unit Development (RPUD) 20.185 acres; Business, General (B-1) 5.96 acres; and Industrial, General (M-2) 15.189 acres, with proffered conditions, on Ashland Road, Johnson Road, and Aldeby Street, on Tax Map Nos. 48-1-0-55-A, and portions of 48-5-0-1-0, 48-17-4-F-0, and 48-17-4-G-0. The Comprehensive Plan designates this area as Flexible.

The residential zoning would allow construction of 31 age-restricted, single-family detached homes as an extension of Parkside Village. The business zoning would facilitate approximately 35,000 sq. ft. of new retail construction, and the industrial zoning would facilitate approximately 109,000 sq. ft. of new industrial construction.

The following concerns with this application have been identified:

- Properly designed and regulated, business and industrial zoning districts may be consistent with the comprehensive plan; however, this application fails to address screening and buffering from residential area.
- Residential zoning is not consistent with the comprehensive plan.
- Property is not in the Tuckahoe Creek Service District.
- The applicant held a community meeting on March 29, 2021. Neighborhood concerns include increased traffic, the types of industrial and commercial uses, and providing a berm in order to separate and protect the Parkside Village neighborhood from the non-residential uses. There are also concerns about the neighborhood growing too large and needing amenities such as a clubhouse.
- There is no conceptual plan for the business or industrial uses.
- There should be a commitment to make improvements to Johnson Road to support truck traffic.
- There is no commitment to build the commercial or industrial uses prior to the residential. It would be beneficial to commit to a minimum amount of applicable square footage, which would support the County's stated need to, "...diversifying our revenue streams by increasing our commercial tax base and reducing our burden on our residential tax base."
- The application should increase the height of the buffer to be provided between the proposed residential and nonresidential development.
- Address Fire-Rescue concerns about traffic access and Fire-Rescue access around the site.
- There is no commitment for sidewalks on non-residential property.

The applicant held an open house-style community meeting on March 29, 2021. In attendance were Board of Supervisor member Mr. Sharpe, Planning Commission members Mr. Myers and Mr. Pituck, staff, and 49 citizens. Attendees raised concerns about increased traffic, the types of industrial and commercial uses and wanting a berm in order to separate and protect the neighborhood from these uses. There were also concerns about the neighborhood growing too large and needing amenities, such as a clubhouse.

### **Draft Motions**

- **Approve:** I move that the Commission recommend approval of rezoning RZ-2021-00004 for 41.334 acres on Ashland Road, Johnson Road, and Aldeby Street from Agricultural, Limited (A-2) and Residential Planned Unit Development (RPUD) with proffered conditions, to Residential Planned Unit Development (RPUD), Business, General (B-1), and Industrial, General (M-2), with proffered conditions, as presented.
- **Approve as amended:** I move that the Commission recommend approval of rezoning RZ-2021-00004 for 41.334 acres on Ashland Road, Johnson Road, and



✓ Vote Record - Resolution 3993						
<input type="checkbox"/> Approved <input type="checkbox"/> Recommended for Approval <input type="checkbox"/> Recommended for Denial <input type="checkbox"/> Deferred <input type="checkbox"/> Denied <input type="checkbox"/> Withdrawn <input type="checkbox"/> Recommended for Approval as Am <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as Amended <input type="checkbox"/> Defeated <input type="checkbox"/> Consensus of the Board <input type="checkbox"/> Tabled by Consensus <input type="checkbox"/> Approved as Amended <input type="checkbox"/> Send to BOS with Report of Tie Vote			<b>Yes/Aye</b>	<b>No/Nay</b>	<b>Abstain</b>	<b>Absent</b>
	John Myers		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Matt Brewer		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Tom Rockecharlie		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Curt Pituck		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Carter Duke		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**AT A MEETING OF THE PLANNING COMMISSION OF THE COUNTY OF GOOCHLAND, VIRGINIA, HELD ON MAY 6, 2021, IN THE GOOCHLAND COUNTY ADMINISTRATION BUILDING, 1800 SANDY HOOK RD., SUITE 250, GOOCHLAND, VIRGINIA, THE FOLLOWING ACTION WAS TAKEN:**

**Resolution recommending approval of RZ-2021-00004 - Application filed by ME PV4 LLC requesting a rezoning of 41.334 acres from Agricultural, Limited (A-2) and Residential Planned Unit Development (RPUD) with proffered conditions, to Residential Planned Unit Development (RPUD) 20.185 acres; Business, General (B-1) 5.96 acres; and Industrial, General (M-2) 15.189 acres, with proffered conditions, on Ashland Road, Johnson Road, and Aldeby Street, on Tax Map Nos. 48-1-0-55-A, and portions of 48-5-0-1-0, 48-17-4-F-0, and 48-17-4-G-0. The Comprehensive Plan designates this area as Flexible.**

**WHEREAS**, Virginia Code §§ 15.2-2280 and 15.2-2285 enable the Goochland County Board of Supervisors to adopt and amend its zoning ordinance including both a map showing the division of land into districts and text setting forth the regulations applying to each district, and Virginia Code § 15.2-2303 allows the Board of Supervisors to accept reasonable conditions proffered by an applicant in a rezoning; and

**WHEREAS**, the Goochland County Planning Commission is authorized and required, by Virginia Code § 15.2-2285(A), to consider, hold a public hearing, and make a recommendation to the Board of Supervisors on all land use applications filed with the County; and

**WHEREAS**, ME PV4 LLC filed an application requesting a rezoning of 41.334 acres from Agricultural, Limited (A-2) and Residential Planned Unit Development (RPUD) with proffered conditions, to Residential Planned Unit Development (RPUD) (20.185 acres); Business, General (B-1) (5.96 acres); and Industrial, General (M-2) (15.189 acres), with proffered conditions, for Tax Map Nos. 48-1-0-55-A, and portions of 48-5-0-1-0, 48-17-4-F-0, and 48-17-4-G-0 located on Ashland Road, Johnson Road, and Aldeby Street in Election District 4; and

**WHEREAS**, on October 2, 2018, a portion of this property was rezoned through Case No. RZ-2018-00002 to RPUD, with proffers, subject to 10 proffered conditions; and

Resolution

Meeting of May 6, 2021

**WHEREAS**, applicant plans to develop 31 age-restricted, single-family detached homes as an extension of Parkside Village; approximately 35,000 sq. ft. of new retail construction; and approximately 109,000 sq. ft. of new industrial construction; and

**WHEREAS**, applicant has proffered 17 conditions governing the use of the property which are found to be reasonable modifications of or additions to the requirements applicable to the property pursuant to the County Zoning Ordinance, and which specifically supersede the proffered conditions from Case No. RZ-2018-00002;

**WHEREAS**, the county's Comprehensive Plan recommends this area for Flexible; and

**WHEREAS**, pursuant to Virginia Code § 15.2-2204, the Goochland County Planning Commission advertised as required by law and held a public hearing on this application on May 6, 2021.

**NOW, THEREFORE, BE IT RESOLVED**, that the Goochland County Planning Commission hereby finds that granting this request is a matter of public necessity, convenience, general welfare, or good zoning practice; and

**BE IT FURTHER RESOLVED**, this 6<sup>th</sup> day of May, 2021, that the Goochland County Planning Commission hereby recommends that the Goochland County Board of Supervisors grant the zoning classification to Residential Planned Unit Development (RPUD) (20.185 acres); Business, General (B-1) (5.96 acres); and Industrial, General (M-2) (15.189 acres), for 41.334 acres identified as Tax Map Nos. 48-1-0-55-A, and portions of 48-5-0-1-0, 48-17-4-F-0, and 48-17-4-G-0 located on Ashland Road, Johnson Road, and Aldeby Street in Election District 4, with the following proffered conditions submitted by the applicant, which are all of the proffers that apply to the property:

*(RPUD District)*

1. Conceptual Plan. Development of the Property shall generally conform with the exhibit entitled "Alvis Prop. Parcel Exhibit" prepared by Townes Site Engineering, dated April 27, 2021, and attached hereto.
2. Maximum Number of lots. No more than thirty-one (31) single-family detached dwelling units shall be constructed on the Property.
3. Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, Federal Fair Housing Law, and such other applicable Federal, State, or Local legal requirements, dwellings constructed on the Property shall be restricted to "housing for older persons" "intended for, and solely occupied by at least one person fifty-five years of age or older" as defined in the Virginia Fair Housing Law. The age restriction shall comply with the Virginia Fair Housing Act (Virginia Code 39- 96.7, as amended).

Homes shall be occupied in accordance with FHA Law. No home shall be occupied by a person under the age of nineteen (19) who is living in the home as a permanent resident as opposed to a guest as detailed herein. Guests of owners, occupants and residents under the age of nineteen {19} will be permitted for restricted periods of time as detailed in the Protective Covenants. In no instance or circumstance shall any guest under the age of nineteen {19} be permitted to use the address as an address to establish residency that would establish Goochland citizenship or entitle the guest to any Goochland County services as a result of the

Resolution  
residency.

Meeting of May 6, 2021

4. Architecture and Exterior Building Materials. Any dwelling constructed on the Property shall have exposed exterior walls (above finished grade and exclusive of trim or molding) of brick, stone, cementitious siding, EIFS, or a combination thereof. This shall not prevent the use of vinyl for trim or molding.
5. Disclosures. Within marketing packages, contracts, and/or deeds, the applicant shall disclose the following:
  - a. The location of the adjacent rock quarries and their mining, crushing, and processing of rock;
  - b. The Property is located within the Tuckahoe Creek Service District and subject to its ad valorem tax; and
  - c. The zoning of adjacent parcels zoned M-2, Industrial, General, and B-1, Business General.
6. Sidewalks. Sidewalks shall be provided on at least one side of each street.
7. Landscape Plan. A landscape plan shall be submitted for review and approval with the Plan of Development and shall include at least one (1) ornamental tree planted in the front yard of each dwelling.
8. Roads. All new roads shall be public roads and constructed to VDOT standards.
9. Ashland Road Dedication. Prior to issuance of the 1st building permit for any new structure built on the Property, the applicant shall dedicate, free and unrestricted to the County or its designee, a forty-two foot (42') right of way measured from the centerline of Ashland Road along the entire frontage of the property for future road improvements.
10. Buffer. A 100-foot buffer shall be located along each side of any perennial stream, and a 50-foot buffer shall be located along each side of any intermittent stream on the property. These buffers shall remain undisturbed, except for the establishment of roadways, driveways, and public utilities to service the property and the implementation of appropriate drainage, sedimentation, and erosion measures which may pass through the buffer in a generally perpendicular manner. Existing trees shall not be disturbed along natural stream beds and drainage swales except to remove standing dead or diseased trees. Any removal of trees shall be conducted by non-invasive and low impact methods, such as the saw cutting of trees by an arborist and the leaving of the limbs within the buffer to decompose naturally.
11. Cash Proffer. Per the County's adopted Capital Impact Model, the Applicant, or its assignees, shall pay \$3,224 per residential lot to the County of Goochland for public facility improvements (\$0 for public school facilities, \$1,016 for transportation facilities, \$782 for park facilities, and \$1,426 for public safety facilities). Such payment shall be made prior to the time of the issuance of any Certificate of Occupancy for each dwelling built on each of the lots. The cumulative percentage increase or decrease in the Marshall & Swift Building Cost Index for the most recently published twelve (12) months, shall be added to or, in the instance of a decrease, subtracted from the amount proffered, in the year following the rezoning, and added to or, in the case of a decrease, subtracted from the recalculated amount for each subsequent year. Cash proffer amounts, recalculated due to the index provided above, shall be effective the next year on the date of the Board's adoption of annual adjustments, or July 1, whichever comes first, for payments made through such date.
12. Construction Traffic. Earthmoving equipment and construction vehicles related to the clearing, grading, utility installation, and roadway construction on the Property shall access the Property from a temporary construction entrance located on Johnson Road, and shall not

access the Property from Aldeby Street. This proffer shall not apply to vehicles used for homebuilding purposes.

13. Landscaped Berm. A series of landscaped earthen berms a minimum of four feet (4') in height shall be provided in the area shown on the Conceptual Plan and shall be planted with evergreen trees and shrubs similar to the landscaped berm along the northern edge of Park Village Boulevard.
14. Stormwater Management Pond. The stormwater management pond shall be designed and constructed as a wet pond. A fountain, a perimeter walking trail a minimum of four feet (4') in width and paved with a hard surface, and a landscaped/hardscaped seating area shall be provided. The aforementioned trail shall start at the terminus of the proposed extension of Aldeby Street. The pond shall be designed and constructed to retain additional runoff from adjacent properties that naturally drains in that direction.

(B-1 District and M-2 District)

1. Prohibited Uses. The following principal uses and structures shall be prohibited:
  - a. Junk storage;
  - b. Manufacturing, assembly, or fabrication, heavy;
  - c. Monumental stone works;
  - d. Sale, service, or rental of trucks, trailers, tractors, machinery, heavy equipment and tools;
  - e. Sand and gravel pit; quarry; mining;
  - f. Sawmill, commercial; and,
  - g. Truck terminal.
  - h. Adult businesses;
  - i. Club/lodge; and
  - j. Gun club with indoor shooting range.
2. Buffers. A 100-foot buffer shall be located along each side of any perennial stream, and a 50-foot buffer shall be located along each side of any intermittent stream on the property. These buffers shall remain undisturbed, except for the establishment of roadways, driveways, and public utilities to service the property and the implementation of appropriate drainage, sedimentation, and erosion measures which may pass through the buffer in a generally perpendicular manner. Existing trees shall not be disturbed along natural stream beds and drainage swales except to remove standing dead or diseased trees or unsightly growth. Any removal of trees shall be conducted by non-invasive and low impact methods, such as the saw cutting of trees by an arborist and the leaving of the limbs within the buffer to decompose naturally.
3. Outdoor Storage. Any outdoor storage shall be obscured from all public roads and adjoining properties by dense evergreen vegetation, or by an opaque, solid fence, or wall of treated wood, brick, stone, masonry, or similar solid material and construction. The screening, fencing, or enclosure must meet all applicable zoning ordinance and building code requirements and be maintained to ensure that permanent screening is provided to hide the items from view.
4. Traffic Improvements.
  - a. The following roadway improvements shall be constructed at the intersection of Ashland and Johnson Roads:
    - i. A 200' north-bound right turn lane;
    - ii. A 200' south-bound left turn lane; and,
    - iii. A 200' west-bound right turn lane.

Resolution

Meeting of May 6, 2021

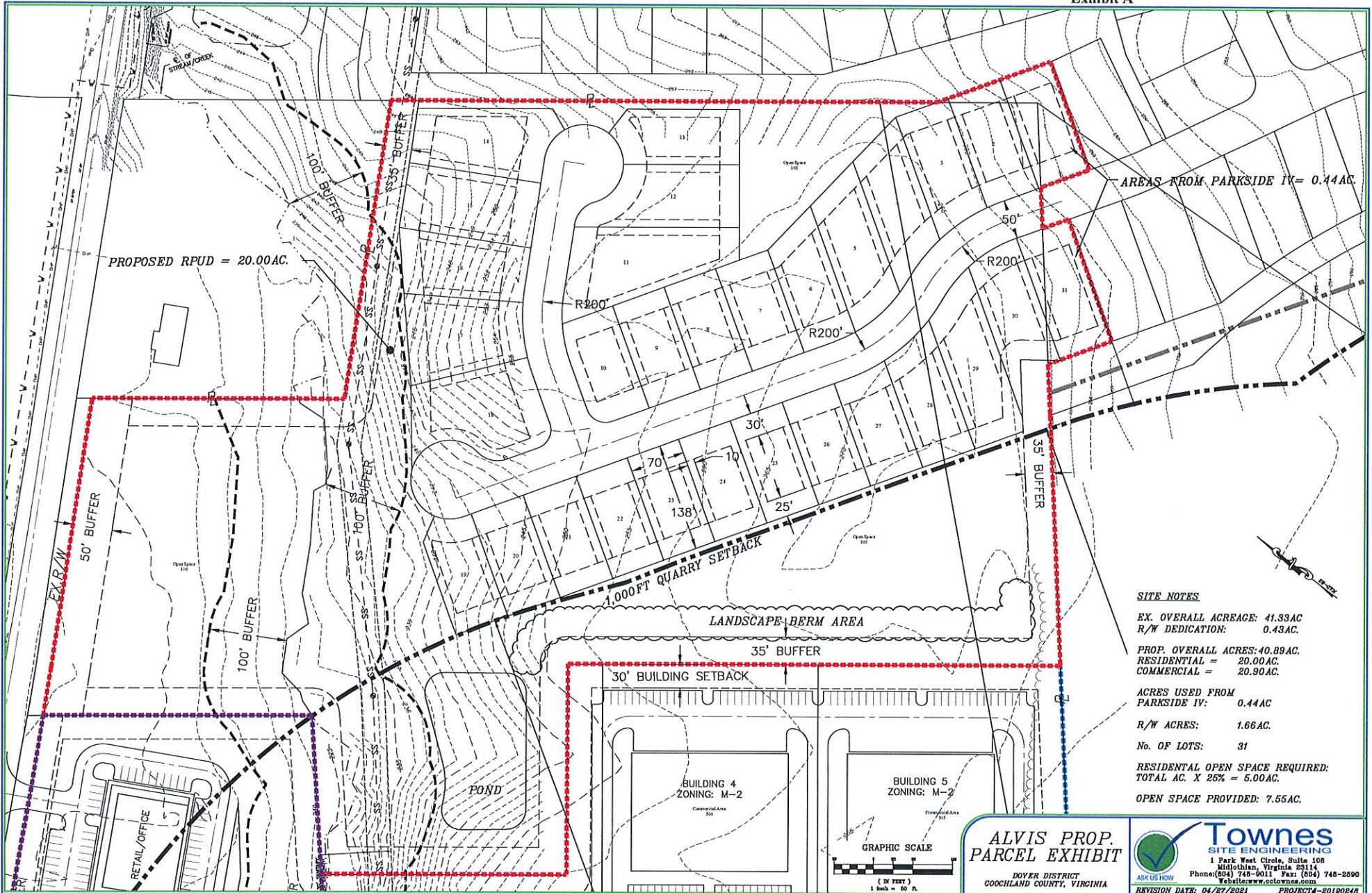
The aforementioned turn lane(s) shall be installed prior to the issuance of the first certificate of occupancy for any new structure on the Property zoned B-1 or M-2.

- b. Prior to issuance of the 1st building permit for any new structure built on the Property, the applicant shall dedicate, free and unrestricted to the County or its designee, a forty-two foot (42') right of way measured from the centerline of Ashland Road along the entire frontage of the property for future road improvements.
5. Cash Proffer. A cash proffer of ten-thousand dollars (\$10,000) shall be paid to Goochland County prior to the approval of any Plan of Development for the Property zoned M-2, Industrial, General. This proffer shall be paid toward the future widening of Johnson Road or any other transportation-related improvement, at the sole discretion of Goochland County.
6. Architectural Appearance. Buildings constructed on the Property shall be similar in architectural appearance to those located in the Lanier Industrial Park and/or Rockville Commerce Center.

A COPY TESTE:

{Signature(Planner Sign)}

Exhibit A



This drawing and the design shown is the property of Townes Site Engineering the reproduction, copying, or other use of this drawing without their written consent is prohibited and any infringement will be subject to legal action. © 2021 Townes Site Engineering

Attachment: RZ-2021-00004 - Conceptual Plan (Exhibit A) (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)



**GOOCHLAND COUNTY**  
**Department of Community Development**  
 Staff Report for Planning Commission  
 Prepared April 20, 2021

<b>RZ-2021-00004 – ME PV4 LLC (Markel-Eagle)</b>	
<b>Voting District:</b>	3
<b>Application Date:</b>	3/21/2021
<b>Community Meeting Date:</b>	3/29/2021
<b>Planning Commission Public Hearing:</b>	5/6/2021 Pending
<b>Board of Supervisors Public Hearing:</b>	6/1/2021 <i>Tentative</i>

<b>OVERVIEW:</b>	
<b>Request</b>	Rezoning to allow single-family residential, business, and industrial uses
<b>Location</b>	Northwest corner of Ashland Road and Johnson Road
<b>Subdivision</b>	Portion of Parkside Village (existing RPUD District)
<b>Tax Map Nos.</b>	48-1-0-55-A and portions of 48-5-0-1-0; 48-17-4-F-0; and 48-17-4-G-0
<b>Acreage</b>	41.334
<b>Current Zoning</b>	Agricultural, Limited (A-2) and Residential Planned Unit Development (RPUD) with proffers
<b>Proposed Zoning</b>	Residential Planned Unit Dev. (RPUD) with proffers: 20.185 acres Business, General (B-1) with proffers: 5.960 acres Industrial, General (M-2) with proffers: 15.189 acres
<b>Comprehensive Plan</b>	Flexible
<b>TCS D</b>	No
<b>Overlay District/ Village</b>	N/A
<b>Staff Contact</b>	Tom Coleman (556-5865); tcoleman@goochlandva.us

### **APPLICATION SUMMARY**

District 4 - RZ-2021-00004 - Application filed by ME PV4 LLC requesting a rezoning of 41.334 acres from Agricultural, Limited (A-2) and Residential Planned Unit Development (RPUD) with proffered conditions, to Residential Planned Unit Development (RPUD) 20.185 acres; Business, General (B-1) 5.96 acres; and Industrial, General (M-2) 15.189 acres, with proffered conditions, on Ashland Road, Johnson Road, and Aldeby Street, on Tax Map Nos. 48-1-0-55-A, and portions of 48-5-0-1-0, 48-17-4-F-0, and 48-17-4-G-0. The Comprehensive Plan designates this area as Flexible.

The site is currently undeveloped. The property includes frontage on Ashland Road and Johnson Road and would provide access for residential uses from existing Aldeby Street in Parkside Village subdivision. The residential zoning would allow construction of 31 age-restricted, single-family detached homes as an extension of Parkside Village. The business zoning would facilitate approximately 35,000 sq. ft. of new retail construction, and the industrial zoning would facilitate approximately 109,000 sq. ft. of new industrial construction.

The applicant is proposing to mitigate the development’s impacts on capital facilities in accordance with State law by offering a cash proffer of \$3,224 per residential unit. Using the Capital Impact Model, staff has identified the cash proffer eligible impacts as \$3,224 per age-restricted residential unit in the Eastern Service Area.

The applicant has done an independent review and certified that the Study and Model have accurately identified a reasonable proffer amount to address the specifically attributable impacts from its proposed development in accordance with state law. Applicant is fully addressing the capital impacts of its proposed development.

**EVALUATION**

- Properly designed and regulated, business and industrial zoning districts may be consistent with the comprehensive plan; however, this application fails to address screening and buffering from residential area.
- Residential zoning is not consistent with the comprehensive plan.
- Property is not in the Tuckahoe Creek Service District.
- The applicant held a community meeting on March 29, 2021. Neighborhood concerns include increased traffic, the types of industrial and commercial uses, and providing a berm in order to separate and protect the Parkside Village neighborhood from the non-residential uses. There are also concerns about the neighborhood growing too large and needing amenities such as a clubhouse.
- There is no conceptual plan for the business or industrial uses.
- There should be a commitment to make improvements to Johnson Road to support truck traffic.
- There is no commitment to build the commercial or industrial uses prior to the residential. It would be beneficial to commit to a minimum amount of applicable square footage, which would support the County’s stated need to, “...diversifying our revenue streams by increasing our commercial tax base and reducing our burden on our residential tax base.”
- The application should increase the height of the buffer to be provided between the proposed residential and nonresidential development.
- Address Fire-Rescue concerns about traffic access and Fire-Rescue access around the site.
- There is no commitment for sidewalks on non-residential property.

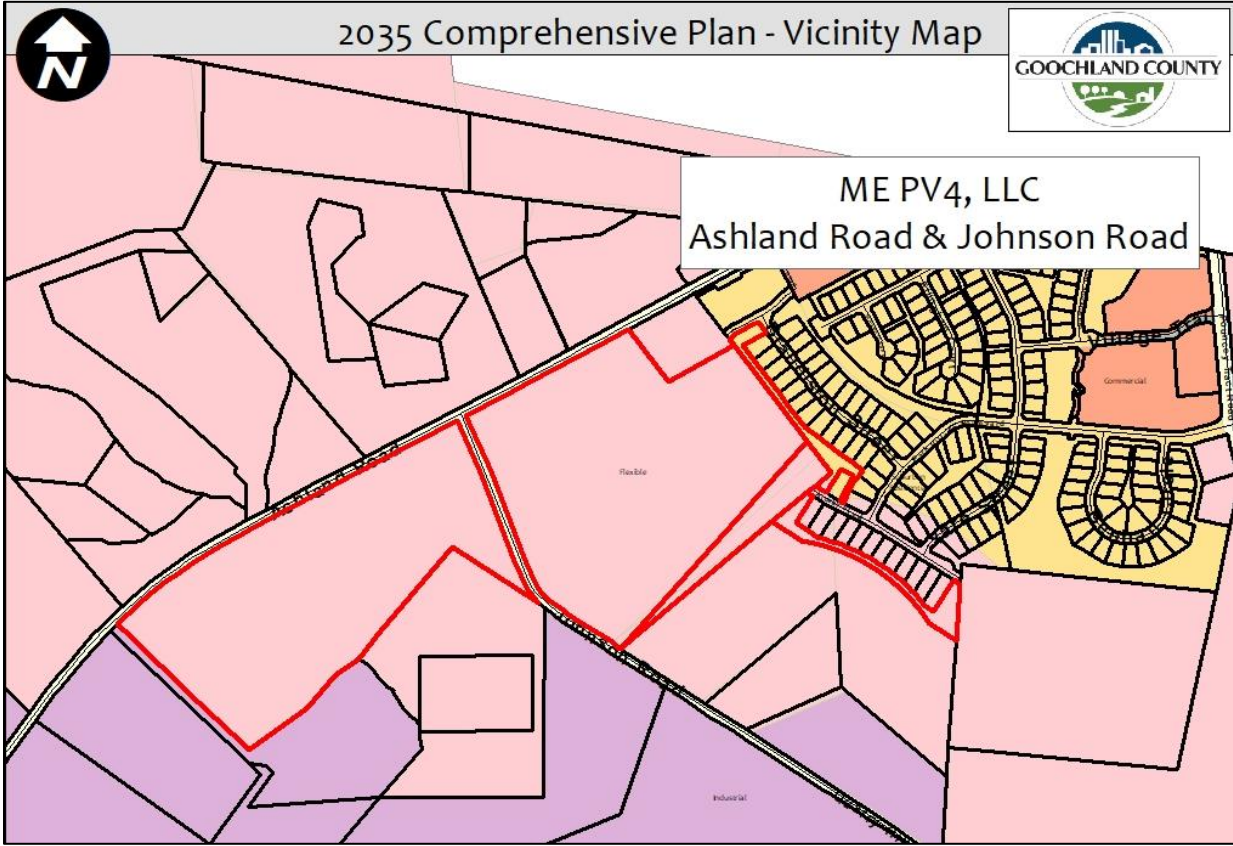
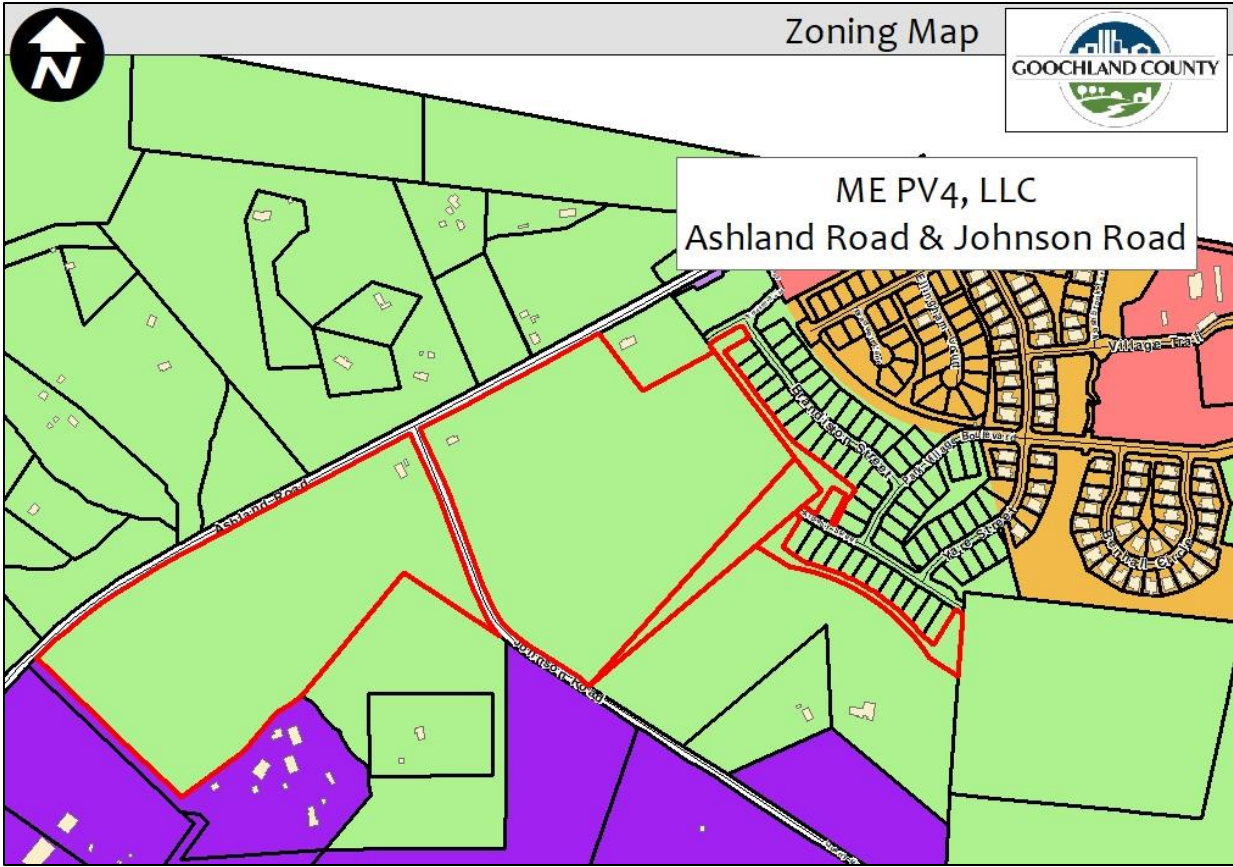
EXISTING LAND USE/COMPREHENSIVE PLAN	
<b>Zoning</b>	Agricultural, Limited (A-2) and Residential Planned Unit Development (RPUD) with proffers
<b>Existing Land Use</b>	Portion of Parkside Village, open space, and vacant
<b>Comprehensive Plan</b>	Flexible

Currently, the site is mostly undeveloped. There is one dwelling, and the property includes a combination of fields and large stands of mature trees.

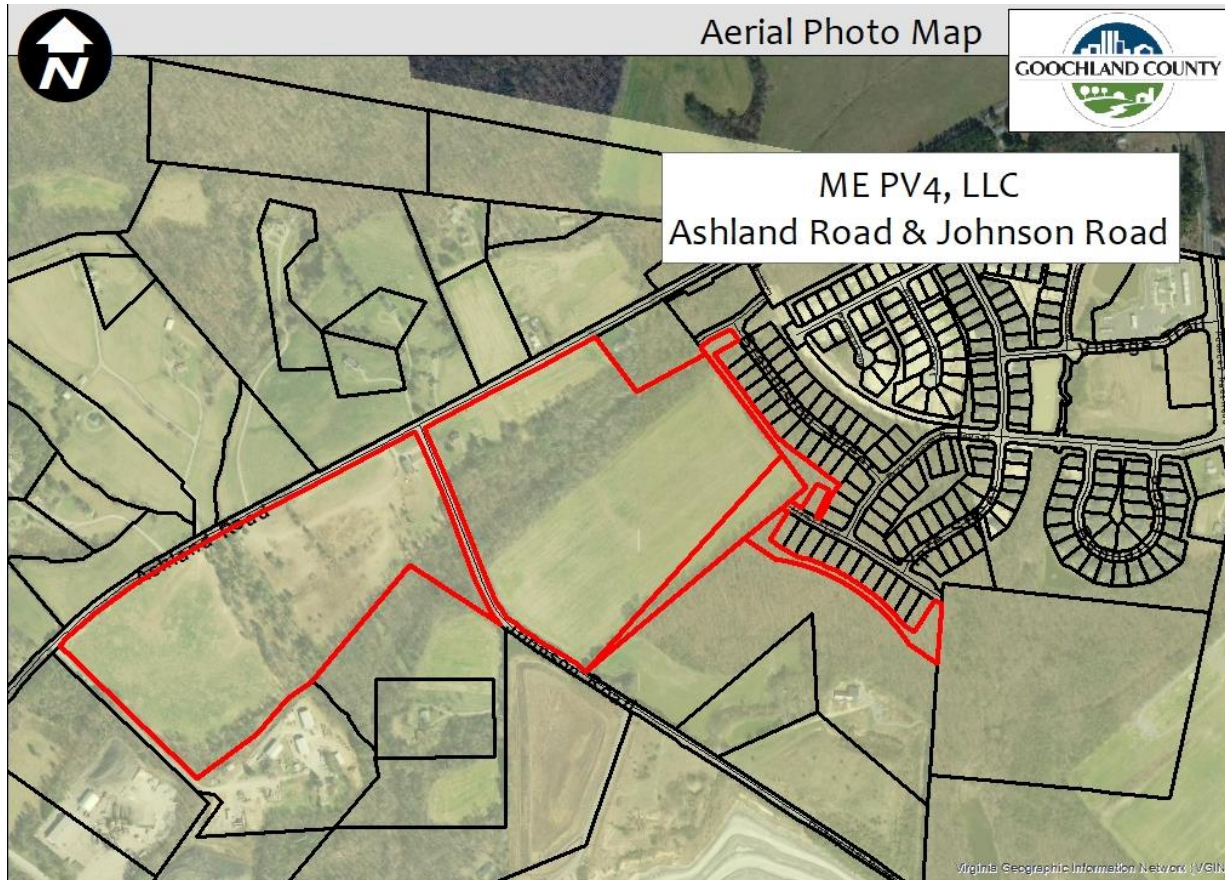
ADJACENT PROPERTY INFORMATION				
	<i>North</i>	<i>South</i>	<i>East</i>	<i>West</i>
<b>Adjacent Zoning</b>	RPUD	A-2/M-2	A-2	A-2
<b>Adjacent Land Use</b>	Residential	Vacant / Vacant	Vacant	Vacant

Attachment: RZ-2021-00004 - Staff Report [Revision 1] (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

ME PV4 LLC  
RZ-2021-00004



Attachment: RZ-2021-00004 - Staff Report [Revision 1] (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)



## **PROPOSED USES**

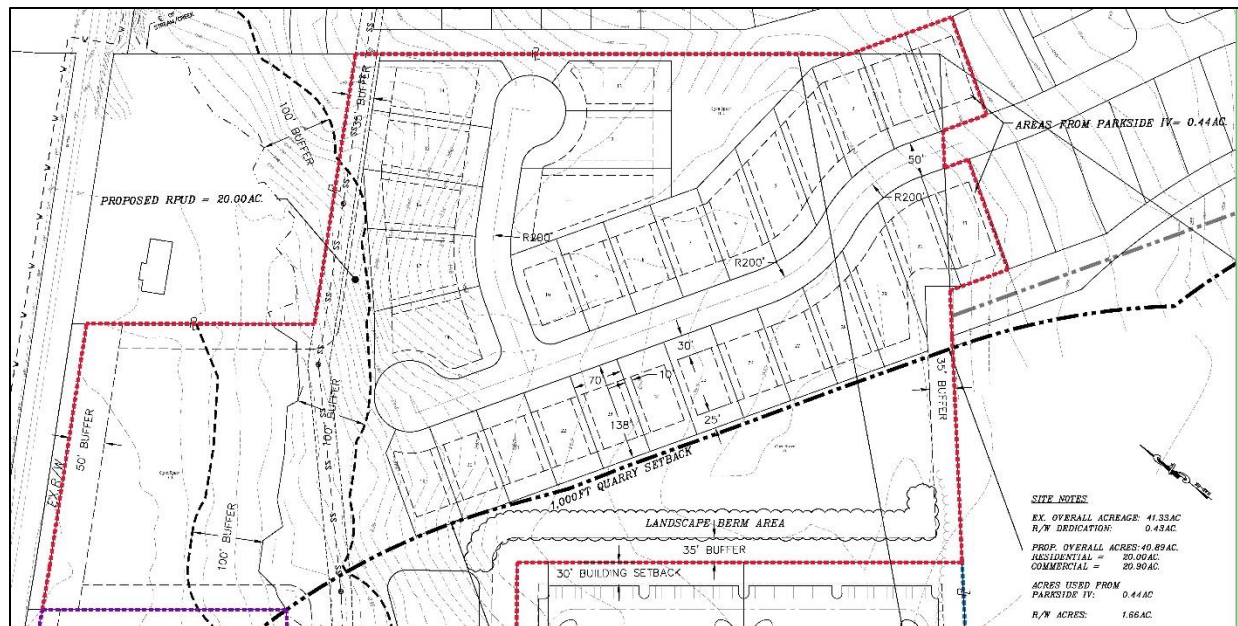
The applicant requests to rezone 41.334 acres from Agricultural, Limited (A-2) and Residential, Plan Unit Development (RPUD) to Residential, Plan Unit Development (RPUD); Business, General (B-1); and Industrial, General (M-2) with proffered conditions.

### **Residential Use**

The residential zoning of 20.185 acres would allow construction of 31 age-restricted, single-family detached dwellings (1.54 units/acre). The homes would be an extension of the existing Parkside Village subdivision and access would be provided from Aldeby Street, which is a roadway internal to Parkside Village. The proposed layout is consistent with the existing sections in Parkside Village, and the density of 1.54 units/acre is lower than the existing Parkside Village.

Parkside Village, Sections 1, 2, and 3; were rezoned to RPUD in 2013 and all 118 lots are constructed. Parkside Village, Section 4 was rezoned to RPUD in 2018 allowing for an additional 62 lots and is currently building out.

The requested RPUD zoning is for the land remaining outside of the quarry buffer which was established to separate quarry operations from residential uses. The proposed development meets the requirement of the 1,000 ft. quarry buffer. All of the lots and dwellings are located outside of the quarry buffer. There is open space within the quarry buffer. There are concerns with allowing residential uses in close proximity to quarries. Two quarries are located south of this site. In the past, residential uses have had damage due to quarry blasting.

*Conceptual Plan - Residential Use*

The applicant is proposing an “age restricted” community as done with the previous Parkside Village sections. The development would be regulated in accordance with State and Federal fair housing law as “housing for older persons” “intended for, and solely occupied by, at least one person fifty-five years of age or older per unit” as defined in Virginia Fair Housing Law. As regulated:

- At least 80 percent of the occupied units must be occupied by at least one person 55 years of age or older per unit, and
- The owner or management of the housing community must publish and adhere to policies and procedures that demonstrate an intent to provide housing for persons 55 years or older.

*Business Use*

The business zoning of approximately 5.7 acres would facilitate approximately 35,000 sq. ft. of new retail construction.

There is a significant drainage area that runs east of and parallel to Ashland Road. The business zoning includes the area bounded by Ashland Road to the west, Johnson Road to the south, and the drainage area to the east. The proposed industrial zoning abuts the drainage area on the other side.

The business zoning includes frontage on both Ashland Road and Johnson Road and proposes one point of access on each.

*Industrial Use*

The industrial zoning of approximately 15.2 acres would facilitate approximately 109,000 sq. ft. of new industrial construction. The industrial zoning includes the area bounded by the drainage area to the east, Johnson Road to the south, and existing Parkside Village to the north.

The industrial development would abut an open space area within Parkside Village. The width of the open space varies but is a minimum of approximately 70 ft.

The industrial zoning only includes frontage on Johnson Road and proposes one point of access.

No conceptual plan has been proffered and there is no commitment to construct or provide any commercial or industrial improvements prior to the residential development.

Comprehensive Plan

The 2035 Comprehensive Plan designates the subject property for Flexible use. Several adjoining properties share the Flexible designation. Generally, the Flexible land use designation supports office, commercial, office/service, and light industrial uses, and generally excludes single-family residential and heavy industrial uses. The B-1 district is consistent with the Flexible designation. The request for the RPUD district is not consistent with the comprehensive plan. Industrial zoning may be consistent with sufficient buffers and appropriate uses.

There are quarries located south of the site, and the comprehensive plan discourages any residential development within 1,000 ft. of the quarry boundaries. Locating lots and dwellings outside of the 1,000 ft. quarry buffer is consistent with the quarry buffer. Additionally, the applicant proffered disclosure of the quarries in marketing packages and contracts to notify that a quarry is located nearby.

Properly designed and regulated, business and limited industrial zoning districts may be consistent with the comprehensive plan. Also, business and limited industrial zoning districts would be compatible with the nearby uses along Ashland Road.

Zoning proffers

The applicant offered a number of zoning proffers to further regulate the RPUD district development including a conceptual plan, a maximum of 31 lots, age restrictions, architecture and exterior building materials restrictions like Parkside Village, disclosures regarding proximity of the quarry, sidewalks on at least one side of each street, a landscape plan which includes at least one (1) ornamental tree planted in the front yard of each dwelling, a berm adjacent to industrial uses, a commitment to dedicate right-of-way for Ashland Road, stream buffers, and a cash proffer to offset capital impacts.



Attachment: RZ-2021-00004 - Staff Report [Revision 1] (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

The applicant offered a number of zoning proffers to further regulate the non-residential development including a conceptual plan, a prohibition on selected objectionable uses, stream buffers, screening for outdoor storage, a commitment to turn lanes on Ashland Road, a commitment to dedicate right-of-way for Ashland Road, and a development and construction timeline requiring a POD or land disturbance be filed within two years of zoning and a building permit be filed within four years of rezoning approval.

**CAPITAL IMPACT MODEL**

The applicant is proposing to mitigate the development’s impacts on capital facilities in accordance with State law by offering a cash proffer of \$3,224 per residential unit. Using the CI Model, staff has identified the cash proffer eligible impacts as \$3,224 per age-restricted residential unit in the Eastern Service Area. The applicant has done an independent review and certified that the Study and Model have accurately identified a reasonable proffer amount to address the specifically attributable impacts from its proposed development in accordance with state law. Applicant is fully addressing the capital impacts of its proposed development.

**CASH PROFFER ELIGIBLE SUMMARY PAGE**

Capital Impacts Model  
Goochland County, Virginia



**CASH PROFFER ELEGIBLE INFRASTRUCTURE CATEGORIES, RESIDENTIAL**

	Total Housing Units	Capital Impact	Capital Impact per Housing Unit
Schools	31	\$0	\$0
Parks and Recreation	31	\$24,254	\$782
Public Safety^	31	\$44,213	\$1,426
Transportation	31	\$31,484	\$1,016
<b>Total</b>	<b>31</b>	<b>\$99,951</b>	<b>\$3,224</b>

	Total Housing Units	Capital Impact	Capital Impact per Housing Unit
^Public Safety			
Sheriff	31	\$0	\$0
Fire	31	\$44,213	\$1,426
Animal Protection	31	\$0	\$0

**SUMMARY OF PROJECT OUTPUTS**

Project Name: Eagle Market

**CAPITAL COST IMPACTS FOR DEVELOPMENT PROPOSAL**

	RESIDENTIAL	NONRESIDENTIAL	TOTAL
Housing Units	31.00		31.00
Projected Population	52.08		52.08
Projected Students			
Projected Elem. School Students	0.000		0.000
Projected Mid. School Students	0.000		0.000
Projected High School Students	0.000		0.000
Projected Total Students	0.000		0.000
Nonresidential Sq. Ft.		0	0
Projected Jobs		0	0

**Total for the Development Proposal**

INFRASTRUCTURE CATEGORY	FULL CAPITAL IMPACT			CAPACITY TRIGGERED		
	RESIDENTIAL	NONRESIDENTIAL	TOTAL	RESIDENTIAL	NONRESIDENTIAL	TOTAL
* SCHOOLS	\$0	\$0	\$0	\$0	\$0	\$0
* PARKS AND RECREATION	\$39,645	\$0	\$39,645	\$24,254	\$0	\$24,254
* SHERIFF	\$22,117	\$0	\$22,117	\$0	\$0	\$0
* FIRE	\$44,213	\$0	\$44,213	\$44,213	\$0	\$44,213
* ANIMAL PROTECTION	\$4,806	\$0	\$4,806	\$0	\$0	\$0
* TRANSPORTATION	\$31,484	\$0	\$31,484	\$31,484	\$0	\$31,484
LIBRARIES	\$5,763	\$0	\$5,763	\$5,763	\$0	\$5,763
GEN. GOVT	\$11,214	\$0	\$11,214	\$11,214	\$0	\$11,214
COURTS	\$1,196	\$0	\$1,196	\$1,196	\$0	\$1,196
ENV. SRVCS.	\$691	\$0	\$691	\$691	\$0	\$691
<b>GRAND TOTAL CAPITAL COSTS</b>	<b>\$161,129</b>	<b>\$0</b>	<b>\$161,129</b>	<b>\$118,815</b>	<b>\$0</b>	<b>\$118,815</b>

**\*CASH PROFFER CATEGORIES**    \$137,459    \$0    \$137,459    \$99,951    \$0    \$99,951

\* Cash proffer categories limited to public transportation facilities, public safety facilities, public school facilities, and public parks.

	FULL CAPITAL IMPACT		CAPACITY TRIGGERED	
	Residential, per unit	Nonresidential, per 1,000 sq. ft.	Residential, per unit	Nonresidential, per 1,000 sq.
Average Cost Per Unit				
Grand Total Capital Costs	\$5,198	\$0	\$3,833	\$0
Cash Proffer Categories	\$4,434	\$0	\$3,224	\$0

Attachment: RZ-2021-00004 - Staff Report [Revision 1] (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

Traffic Impact Analysis

The traffic impact study (TIA) submitted with the application noted turning movements in the study area currently not operating at an acceptable Level of Service:

- Ashland Road at Commerce Drive (Rockville Commerce Center)
- Ashland Road at Pouncey Tract Road

In addition to the above, the TIA notes additional declines in Level of Service (LoS) for turning intersections as a result of the proposed traffic impacts. Several turning movements fall to LoS D, E, or F, which are not acceptable, at the following intersections.

- Ashland Road at Commerce Drive (Rockville Commerce Center)
- Ashland Road at Johnson Road
- Ashland Road at Pouncey Tract Road

Proposed Traffic Improvements

- a. Right and/or left turn lanes provided on Ashland Road at its intersection with Johnson Road. Turn lane(s) installed prior to the issuance of the first certificate of occupancy for any new structure on the Property.
- b. Dedicate forty-two foot (42') right of way measured from the centerline of Ashland Road along the entire frontage prior to issuance of the 1st building permit for any new structure built on the Property.
- c. Cash proffer as determined by Capital Impacts Model

Planning Analysis

Staff notes a number of changes that could improve this application:

- Conceptual plan. There is no conceptual plan for the business or industrial uses.
- Comprehensive Plan. Residential zoning is not consistent with comprehensive plan.
- Comprehensive Plan. Properly designed and regulated, business and industrial zoning districts may be consistent with the comprehensive plan; however, this application fails to address screening and buffering from residential area.
- Traffic impacts. There should be a commitment to make improvements to Johnson Road to support truck traffic.
- Tuckahoe Creek Service District. The property is not within the TCSD which will be required to develop as proposed. The applicant should initiate the process for inclusion on the TCSD.
- Phasing. There is no commitment to build the commercial or industrial uses prior to the residential. It would be beneficial to commit to a minimum amount of applicable square footage, which would support the County's stated need to, "...diversifying our revenue streams by increasing our commercial tax base and reducing our burden on our residential tax base."
- Buffers. The application should increase the height of the buffer to be provided between the proposed residential and nonresidential development.
- Commercial/industrial buildings. The application could be improved by providing more architectural or building material guidance/restrictions for the commercial and industrial buildings.
- Fire-Rescue. Address Fire-Rescue concerns about traffic access and Fire-Rescue access around the site.
- Sidewalks. There is no commitment for sidewalks on non-residential property.

<b>REVIEW BY COUNTY AGENCIES/DEPARTMENTS</b>	
<b>Building</b>	No comments received.
<b>Fire/Rescue</b>	Concern that Johnson Road cannot handle the traffic and may need to be upgraded. May have access question behind buildings 1,2, and 3. Lack of Fire Dept. vehicle access to both residential and mixed use lots. Impracticality of mercantile and industrial lots for truck traffic.
<b>Utilities</b>	Inclusion in TCSD and connection to public utilities would be required to develop as proposed.
<b>Schools</b>	No comments received
<b>Public Safety</b>	No comments received
<b>Environmental</b>	Plan of development, land disturbance permit and stormwater permit will be required.
<b>Historic / Cultural Resources</b>	None identified

<b>REVIEW BY STATE AGENCIES/DEPARTMENTS</b>	
<b>Health</b>	No comments received
<b>VDoT</b>	Residential part needs to have a second connection or a waiver of the standard. A random 100' buffer is not sufficient reason for a waiver. Please show that both entrances to commercial part meet access management spacing standards. It is unclear if some roads within industrial part are meant to be State maintained.

### **TRANSPORTATION**

The business zoning includes frontage on both Ashland Road and Johnson Road and proposes one point of access on each. Access to the dwellings would be provided from Aldeby Street which is within Parkside Village.

Transportation impacts have been discussed throughout this report.

#### *Traffic Counts*

<b>Roadway</b>	<b>From</b>	<b>To</b>	<b>Segment Length (Miles)</b>	<b>*AADT (2019)</b>
Pouncey Tract Road	Henrico Co. line	Hanover County Line	0.53	6,600
Ashland Road	I-64	Hanover County Line	2.38	7,000
Johnson Road	Ashland Rd.	terminus	0.50	640

*(VDoT Jurisdiction Report, Daily Traffic Volume Estimates, Goochland County - 2019)*

#### *Major Thoroughfare Plan (MTP)*

The Major Thoroughfare Plan identifies this portion of Ashland Road as a Minor Arterial with an existing right-of-way width of 50 ft. with ultimate right-of-way width of up 100-115 ft. Johnson Road is a Local Road with an existing right-of-way width of 50 ft.

### **CODE ENFORCEMENT/MAINTENANCE ISSUES**

None identified by staff.

### **COMMUNITY MEETING**

The applicant, Markel-Eagle, held an open house-style community meeting on March 29, 2021. In attendance were Board of Supervisor member Mr. Sharpe, Planning Commission members Mr. Myers and Mr. Pituck, staff, and 49 citizens. Attendees raised

concerns about increased traffic, the types of industrial and commercial uses and wanting a berm in order to separate and protect the neighborhood from these uses. There were also concerns about the neighborhood growing too large and needing amenities, such as a clubhouse.

### **FISCAL IMPACT**

- This development would represent a sizable private investment in this area and provides additional connections for the TCSD.
- Although the residences in the proposed development will generate connection fees and be subject to the TCSD ad valorem tax, the residences will not generate the additional TCSD revenue derived from 55% of the increase in general real estate tax revenues which is collected from non-residential developments.
- Additional fiscal information can be found in the Capital Impacts Section of this report.

### **ZONING PROFFERS**

The applicant offers the following zoning proffers.

*(RPUD District)*

1. Conceptual Plan. Development of the Property shall generally conform with the exhibit entitled "Alvis Prop. Parcel Exhibit" prepared by Townes Site Engineering, dated April 27, 2021 and attached hereto.

**Staff Comment:** Acceptable.

2. Maximum Number of lots. No more than thirty-one (31) single-family detached dwelling units shall be constructed on the Property.

**Staff Comment:** Acceptable.

3. Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, Federal Fair Housing Law, and such other applicable Federal, State, or Local legal requirements, dwellings constructed on the Property shall be restricted to "housing for older persons" "intended for, and solely occupied by at least one person fifty-five years of age or older" as defined in the Virginia Fair Housing Law. The age restriction shall comply with the Virginia Fair Housing Act (Virginia Code 39- 96.7, as amended).

Homes shall be occupied in accordance with FHA Law. No home shall be occupied by a person under the age of nineteen (19) who is living in the home as a permanent resident as opposed to a guest as detailed herein. Guests of owners, occupants and residents under the age of nineteen {19} will be permitted for restricted periods of time as detailed in the Protective Covenants. In no instance or circumstance shall any guest under the age of nineteen {19} be permitted to use the address as an address to establish residency that would establish Goochland citizenship or entitle the guest to any Goochland County services as a result of the residency.

**Staff Comment:** Acceptable.

4. Architecture and Exterior Building Materials. Any dwelling constructed on the Property shall have exposed exterior walls (above finished grade and exclusive of trim or molding) of brick, stone, cementitious siding, EIFS, or a combination thereof. This shall not prevent the use of vinyl for trim or molding.

**Staff Comment:** Consistent with proffer for Parkside Village

5. Disclosures. Within marketing packages, contracts, and/or deeds, the applicant shall disclose the following:
- The location of the adjacent rock quarries and their mining, crushing, and processing of rock.
  - The Property is located within the Tuckahoe Creek Service District and subject to its ad valorem tax; and
  - The zoning of adjacent parcels zoned M-2, Industrial, General, and B-1, Business General.

**Staff Comment:** Acceptable.

6. Sidewalks. Sidewalks shall be provided on at least one side of each street.

**Staff Comment:** Acceptable.

7. Landscape Plan. A landscape plan shall be submitted for review and approval with the Plan of Development and shall include at least one (1) ornamental tree planted in the front yard of each dwelling.

**Staff Comment:** Acceptable.

8. Roads. All new roads shall be public roads and constructed to VDOT standards.

**Staff Comment:** Acceptable.

9. Ashland Road Dedication. Prior to issuance of the 1st building permit for any new structure built on the Property, the applicant shall dedicate, free and unrestricted to the County or its designee, a forty-two foot (42') right of way measured from the centerline of Ashland Road along the entire frontage of the property for future road improvements.

**Staff Comment:** Dedication should be done with the subdivision plat.

10. Buffer. A 100-foot buffer shall be located along each side of any perennial stream, and a 50-foot buffer shall be located along each side of any intermittent stream on the property. These buffers shall remain undisturbed, except for the establishment of roadways, driveways, and public utilities to service the property and the implementation of appropriate drainage, sedimentation, and erosion measures which may pass through the buffer in a generally perpendicular manner. Existing trees shall not be disturbed along natural stream beds and drainage swales except to remove standing dead or diseased trees. Any removal of trees shall be conducted by non-invasive and low impact methods, such as the saw cutting of trees by an arborist and the leaving of the limbs within the buffer to decompose naturally.

**Staff Comment:** Acceptable.

11. Cash Proffer. Per the County's adopted Capital Impact Model, the Applicant, or its assignees, shall pay \$3,224 per residential lot to the County of Goochland for public facility improvements (\$0 for public school facilities, \$1,016 for transportation facilities, \$782 for park facilities, and \$1,426 for public safety facilities). Such payment shall be made prior to the time of the issuance of any Certificate of Occupancy for each dwelling built on each of the lots. The cumulative percentage increase or decrease in the Marshall & Swift Building Cost Index for the most recently published twelve (12) months, shall be added to or, in the instance of a decrease, subtracted from the amount proffered, in the year following the rezoning, and added to or, in the case of a decrease, subtracted from the recalculated amount for each subsequent year. Cash proffer

amounts, recalculated due to the index provided above, shall be effective the next year on the date of the Board's adoption of annual adjustments, or July 1, whichever comes first, for payments made through such date.

**Staff Comment:** Acceptable.

12. Construction Traffic. Earthmoving equipment and construction vehicles related to the clearing, grading, utility installation, and roadway construction on the Property shall access the Property from a temporary construction entrance located on Johnson Road, and shall not access the Property from Aldeby Street. This proffer shall not apply to vehicles used for homebuilding purposes.

**Staff Comment:** Acceptable.

13. Landscaped Berm. A series of landscaped earthen berms a minimum of four feet (4') in height shall be provided in the area shown on the Conceptual Plan and shall be planted with evergreen trees and shrubs similar to the landscaped berm along the northern edge of Park Village Boulevard.

**Staff Comment:** The buffer should increase in height in order to provide proper protection to the neighborhood and should extend down and around the pond.

14. Stormwater Management Pond. The stormwater management pond shall be designed and constructed as a wet pond. A fountain, a perimeter walking trail a minimum of four feet (4') in width and paved with a hard surface, and a landscaped/hardscaped seating area shall be provided. The aforementioned trail shall start at the terminus of the proposed extension of Aldeby Street. The pond shall be designed and constructed to retain additional runoff from adjacent properties that naturally drains in that direction.

**Staff Comment:** Acceptable.

*(B-1 District and M-2 District)*

1. Prohibited Uses. The following principal uses and structures shall be prohibited:
- a. Junk storage;
  - b. Manufacturing, assembly, or fabrication, heavy;
  - c. Monumental stone works;
  - d. Sale, service, or rental of trucks, trailers, tractors, machinery, heavy equipment and tools;
  - e. Sand and gravel pit; quarry; mining;
  - f. Sawmill, commercial; and,
  - g. Truck terminal;
  - h. Adult businesses;
  - i. Club/lodge; and
  - j. Gun club with indoor shooting range.

**Staff Comment:** There are additional objectionable uses in the business and industrial districts that would impact nearby residents.

2. Buffers. A 100-foot buffer shall be located along each side of any perennial stream, and a 50-foot buffer shall be located along each side of any intermittent stream on the property. These buffers shall remain undisturbed, except for the establishment of roadways, driveways, and public utilities to service the property and the

implementation of appropriate drainage, sedimentation, and erosion measures which may pass through the buffer in a generally perpendicular manner. Existing trees shall not be disturbed along natural stream beds and drainage swales except to remove standing dead or diseased trees. Any removal of trees shall be conducted by non-invasive and low impact methods, such as the saw cutting of trees by an arborist and the leaving of the limbs within the buffer to decompose naturally.

**Staff Comment:** There is no commitment to address landscaping in open space areas or to provide buffers.

3. Outdoor Storage. Any outdoor storage shall be obscured from all public roads and adjoining properties by dense evergreen vegetation, or by an opaque, solid fence, or wall of treated wood, brick, stone, masonry, or similar solid material and construction. The screening, fencing, or enclosure must meet all applicable zoning ordinance and building code requirements and be maintained to ensure that permanent screening is provided to hide the items from view.

**Staff Comment:** Screening is acceptable, although outdoor storage should be located away from residential uses.

4. Traffic Improvements.

- a. The following roadway improvements shall be constructed at the intersection of Ashland and Johnson Roads:

- i. A 200' north-bound right turn lane;
- ii. A 200' south-bound left turn lane; and,
- iii. A 200' west-bound right turn lane.

The aforementioned turn lane(s) shall be installed prior to the issuance of the first certificate of occupancy for any new structure on the Property zoned B-1 or M-2.

- b. Prior to issuance of the 1st building permit for any new structure built on the Property, the applicant shall dedicate, free and unrestricted to the County or its designee, a forty-two foot (42') right of way measured from the centerline of Ashland Road along the entire frontage of the property for future road improvements.

**Staff Comment:** Acceptable.

5. Cash Proffer. A cash proffer of ten-thousand dollars (\$10,000) shall be paid to Goochland County prior to the approval of any Plan of Development for the Property zoned M-2, Industrial, General. This proffer shall be paid toward the future widening of Johnson Road or any other transportation-related improvement, at the sole discretion of Goochland County.

**Staff Comment:** The applicant should design and construct improvements to Johnson Road.

6. Architectural Appearance. Buildings constructed on the Property shall be similar in architectural appearance to those located in the Lanier Industrial Park and/or Rockville Commerce Center.

**Staff Comment:** This proffer is not enforceable.

**PLANNING COMMISSION RECOMMENDATION / VOTE:**

# APPLICATION

MARKEL - EAGLE ADVISORS

Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

RECEIVED  
MAR 3 1 2021

BY: *AB*

# COUNTY OF GOOCHLAND Goochland, Virginia



## APPLICATION FOR REZONING

January 1, 2020

Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

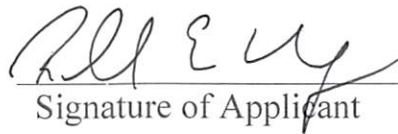
# CHECK LIST FOR APPLICATIONS APPLIED FOR IN THE PLANNING AND ZONING DEPARTMENT

\_\_\_\_\_ VARIANCE (VAR \_\_\_\_\_ )

x \_\_\_\_\_ REZONING (RZ \_\_\_\_\_ )

\_\_\_\_\_ CONDITIONAL USE PERMIT (CU \_\_\_\_\_ )

- x \_\_\_\_\_ Pre-application meeting and questionnaire with **planning staff** before filing the application. Date of meeting 2/25/2021.
- x \_\_\_\_\_ Community/neighborhood meeting. Date of meeting 3/29/2021
- x \_\_\_\_\_ Application complete
- x \_\_\_\_\_ Application signed and notarized.
- x \_\_\_\_\_ Disclosure affidavit completed
- x \_\_\_\_\_ Signed proffer statement if applicable
- x \_\_\_\_\_ Fees submitted
- x \_\_\_\_\_ Site plan submitted with all the requirements of the application.
- \_\_\_\_\_ Building Inspection – for change of use – building permit required.

  
Signature of Applicant

3-31-2021  
Date

### FOR OFFICE USE ONLY

- \_\_\_\_\_ PRE-APPLICATION MEETING \_\_\_\_\_
- \_\_\_\_\_ COMMUNITY/NEIGHBORHOOD MEETING
- \_\_\_\_\_ DEVELOPMENT REVIEW COMMITTEE
- \_\_\_\_\_ REZONING APPLICATION RECEIVED IN PLANNING OFFICE
- \_\_\_\_\_ COMPLETE APPLICATION RECEIVED
- \_\_\_\_\_ PLANNING COMMISSION PUBLIC HEARING
- \_\_\_\_\_ BOARD OF SUPERVISORS PUBLIC HEARING

Zoning Map     Aerial Map     Comp. Plan Map     Vicinity Map

Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

## PROCEDURE FOR ANY CHANGE OF ZONING DISTRICT CLASSIFICATION OR PROFFERED CONDITIONS

### 1. Pre-application.

- A. The applicant shall complete a pre-application by providing all of the information on the pre-application checklist with sufficient detail to allow evaluation by the department of community development. There are no fees associated with the pre-application.
- B. The pre-application is a publicly available document; staff also advises the board of supervisors and planning commission of pre-applications.
- C. A pre-application meeting must be held with staff.

### 2. Community meeting.

- A. The applicant must hold a community meeting at a time and place suitable for staff and expected attendees. Applicant must obtain approval of a date and location from staff prior to scheduling the meeting.
- B. Applicant must provide written notice at least two weeks prior to the meeting to adjacent property owners, the planning commission, and the board of supervisors. Notices must include the date, time, and location of the meeting and provide a detailed explanation of the pre-application.
- C. At the meeting, applicant must present the pre-application in detail, including conceptual plans. The meeting must allow for participation by and communication from attendees.
- D. Applicant must submit to staff a list of all meeting attendees and a meeting summary, including all topics discussed and any issues or concerns raised by attendees.
- E. Staff posts property with zoning notice sign.

3. Application. Following completion of the pre-application process, including the community meeting, the applicant may file its application. **Application filing deadline is 5:00 p.m. of the first Wednesday of the month. If application is deemed complete, the application will be scheduled for the Planning Commission meeting the first Thursday (typically) of the following month.** To be considered complete, an application must include all requested information, all items on the pre-application checklist, a completed and executed real property disclosure affidavit, and the required fees pursuant to the fee schedule.

If requested rezoning is only for a portion of a property, a surveyed plat is required.

4. Advertisement. Every application is advertised once a week for two (2) successive weeks for each public hearing. Said notice appears in a newspaper having general circulation in the County. In addition, prior to its scheduled hearing, the Commission notifies all owners of the property being rezoned and the owners of property adjacent to the property for which a change of zoning is being requested. The Secretary may give such additional notice to concerned persons or organizations as he/she may in his/her discretion, deem advisable.
5. Planning Commission Agenda. Cases are heard in the order in which they appear on the agenda, except a case may be advanced for hearing by order of the Commission upon good cause shown. The

Commission reports to the Board of Supervisors no later than seventy (70) days after the first meeting of the Commission after the proposed application could be heard. Planning Commission recommendation is advisory.

6. Board of Supervisors Agenda. After a Planning Commission action, cases are generally scheduled for the next Board of Supervisors meeting which is typically scheduled for the first Tuesday of the following month.

The Director of Community Development has discretion on which cases can be scheduled for the next BOS agenda based on the following criteria:

- A. Precedence will be given to cases with limited public comment based on community meetings and the Planning Commission public hearing.
- B. The number and complexity of applications scheduled.
- C. The anticipated ability to complete public hearings prior to 11:00 pm
- D. Multiple applications with significant public comment may or may not be scheduled on the same agenda depending on the quantity of other agenda items.
- E. Applications will be scheduled based on submittal time and date with earlier submittals be given priority; however, the Community Development Director reserves the right to make adjustments as needed.
- F. Economic Development projects will be given precedence in scheduling.
- G. Consideration will be given to time sensitive applications if applicant can provide necessary documentation.

Cases that are determined by the Director of Community Development that meet the above criteria and are not scheduled for the next BOS meeting may be heard at a Special Called Meeting of the Board that same month or at the following month's Board of Supervisors meeting.

**APPLICATION FOR RECLASSIFICATION OF PROPERTY  
UNDER THE ZONING ORDINANCE  
COUNTY OF GOOCHLAND, VIRGINIA**

Planning and Zoning Office  
P.O. Box 103  
Goochland, VA 23063

Phone: (804) 556-5863

Web: [www.co.goochland.va.us](http://www.co.goochland.va.us)

FAX: (804) 556-5654

Office Use Only		
Application File Date: <u>MARCH 31, 2021</u>	Fee paid: \$ <u>3600.00</u>	Application No.: RZ- <u>2021-00004</u>
Planning Commission: <u>5-6-2021</u> Board of Supervisors: _____	Receipt No.: <u>123812</u>	Pre-Application: <u>2021-00012</u>

**Name of Applicant(s):**

ME PV4 LLC  
**Address:**  
 10618 Patterson Avenue  
 Henrico, VA 23238  
**Phone #:** (804) 741-4663

**Name of Representative:**

Richard Core, Jr. / Nathalie Croft  
**Address:**  
 10618 Patterson Avenue  
 Henrico, VA 23238  
**Phone #:** (804) 741-4663

**Property Owner:** Alvis Properties LLC and ME PV4 LLC

**Disclosure of Real Parties in Interest. Provide completed disclosure form(s)**

**Location:**  
See attached addendum

**Parcel No.(s)**  
See attached addendum

**GPIN #** See attached addendum

**Number of By-Right Cut** \_\_\_\_\_  
**Account #:** see attached addendum  
**District:** Dover  
**Public Road Access:** Ashland Rd, Johnson Rd, and Aldeby St.

**Deed Book Reference:** \_\_\_\_\_  
**Plat Book Reference:** \_\_\_\_\_

**Property in Land Use:** Yes / No \*\*\*Partial

**Acreage:** 41.334 acres      **Attach Plat:** \_\_\_\_\_

**Owner/Lessee:**  
Alvis Properties LLC and ME PV4 LLC

Are there any deed restrictions? Yes / No If yes, attach copy of deed restrictions. \*\*\*Partial

Has a soil study been done for this property? Yes / No If yes, please attach copy of soil survey.

Are there any historical sites or structures on the property? Yes / No If yes, provide details.

1. The applicant requests that the property described above, now classified RPUD and A-2, be reclassified to RPUD, M-2, and B-1. Relate here the reasons for requesting the reclassification.

To construct 31 age-restricted single-family detached homes, and commercial and industrial uses

Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

**2. Describe briefly the proposed use of the property.**

Twenty acres would be constructed with 31 age-restricted, single-family detached homes as an extension of Parkside Village. Approximately 5.7 acres would be constructed with B-1 uses, and approximately 15.2 acres would be constructed with limited M-2 uses.

**3. Describe briefly the improvements proposed. State whether new buildings or structures are to be constructed, existing buildings or structures are to be used or additions made to existing buildings or structures. Give dimensions of the buildings that are to be constructed and the dimensions of any existing buildings on the property. (Conceptual plan required)**

The newly constructed detached homes would be consistent with the existing homes in Parkside Village.

The proposed B-1 district would contain approx 35,000 square feet of new construction, and the M-2 district would contain approx 109,000 square feet of new construction.

**4. Describe the reason for the requested change.**

The proposed B-1 and M-2 districts are proposed in order to align the properties' zoning districts with the recommendation of the County's Comprehensive Plan and to permit the development of those uses. The RPUD zoning district would allow for the extension of Aldeby Street and the construction of new dwellings within the remaining land outside of the quarry buffer. The concept plan provides for a wide buffer than would otherwise be required between the residential and non-residential uses, and the proffers restrict some of the more intense industrial uses that might otherwise be permitted against the existing neighborhood

**5. Describe the effects of this reclassification on adjacent property and the surrounding neighborhood.**

The proposed B-1 and M-2 uses are compatible with the surrounding uses along Johnson and Ashland Roads, and are consistent with the Comprehensive Plan. The RPUD district serves as an extension of the existing neighborhood, and is more compatible with the adjacent homes than industrial/commercial uses.

**6. Why does the applicant believe that this requested change will be advantageous to the County? (Please substantiate with facts).**

The proposal would protect the established neighborhood by creating a larger separation between the residential and non-residential uses. The proposal also would establish the necessary zoning districts (B-2 and M-2) for the uses recommended in the County's Comprehensive Plan.

**7. Explain the present unavailability of land in the community or adjacent communities zoned to permit proper location of the proposed use.**

The portion requested to be zoned RPUD is the only remaining land outside of the quarry buffer between Ashland and Johnson Roads and the existing Parkside Village neighborhood. Much of the remaining land in the northeast quadrant of the County is currently zoned A-2, which does not permit the uses recommended in the "Flexible" designation in the Comprehensive Plan.

**PLEASE PROVIDE THE FOLLOWING INFORMATION:**

- 1. The present zoning classification and use of the subject property. A-2 (existing single-family dwelling) and RPUD (common area within Parkside Village Section 4)
- 2. The planned use designation of the property and adjacent land as contained in the Comprehensive Plan : Flexible and Suburban Residential
- 3. Proposed open space area or proposed community and public facilities. Within the proposed RPUD, 5.0 acres of open space are required, and 7.51 acres are proposed.
- 4. Planned Used for Development:
  - a) Single-Family Conventional Residential 20.185 acres  
 Number of Lots: 31 Minimum Lot Size 8,750 sq. ft.  
 Open Space/Common Area +/- 7.51 acres Floodplain on property none
  - b) Commercial 5.960 acres  
 Square footage of building(s) Approx 35,000 sq. ft. Parking Required varies per use
  - c) Industrial 15.189 acres  
 Number of Lots: TBD Minimum Lot Size TBD  
 Square footage of building(s) Approx 109,000 sq. ft. Parking Required varies per use
  - d) Other \_\_\_\_\_
- 5. Proposed property within an Overlay District. \_\_\_\_\_
- 6. What type of screening/buffering along the Right-of-Way: per ordinance  
 Submit landscape plan with application: Yes / No
- 7. Utilities: (a) Water: Public  Individual Well \_\_\_\_\_  
 (b) Sewer: Public  Septic Tank \_\_\_\_\_
- 8. Has the property been timbered? Yes/No If yes, what year was it timbered? \_\_\_\_\_
- 9. Road Ownership and Maintenance: (a) Public  (b) Private \_\_\_\_\_
- 10. What public road access and access management category:  
 Route 623 Access Classification: 1 2 3  4 5 6 Non Classified Roadway
- 11. Any community meetings held with adjoining property owners: Yes If so, date of meeting(s) 3/29/2021

Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

**Requirement and Instructions for Filing Application  
for Reclassification of Property**

**The following shall be filled out completely and submitted by the Applicant:**

1. The Application Form must be filed out completely with full answers to every statement and question. The Application may be signed by an agent or attorney or by the lessee, owner, or owners before a Notary Public in the space provided on Page 7.
2. Furnish a complete Conceptual Plan for rezoning. This plan shall consist of the following checklist:
  - ◆  Plot plan or survey plat showing the dimensions of the property to be rezoned drawn to an appropriate scale.
  - ◆  Location and dimensions of existing structures, right-of-ways, easements boundaries, water courses and lakes.
  - ◆  Location of dimensions of proposed development including structures, types of uses, access drives, setbacks, easements, etc.
  - ◆  Location and dimensions of proposed recreational areas and buffer zones, if required.
  - ◆  Location and size of water, sewer and drainage facilities, if required. Soil information for those developments or septic tank drainfields.
  - ◆  In the case of residential developments – proposed number of dwelling units and net acres available for building.
  - ◆  In the case of commercial, industrial and institutional developments – proposed off street parking and loading areas, signage, outdoor lighting and buffers and screening.
  - ◆  Topographic maps for commercial and industrial and residential developments on lots less than two acres.
  - ◆  Traffic impact studies may be required based on Access Management Requirements.
3. The Application Fee required as per Section 15.2 - 2204 Code of Virginia (1950, as amended) is based on an adopted fee schedule which is attached to this application. This fee must be paid at the time of filing the Application. This fee only partially covers the extra cost to the County of investigating and processing the Application through its various stages. Make checks payable to "County of Goochland".

STATE OF VIRGINIA ) TO WIT  
COUNTY OF GOOCHLAND )  
Henrico

I, Richard E. Core, Jr., being duly sworn, depose and say that I am Lessee/Owner of the Property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing the filing this application and that the foregoing statements and answers provided herein are in all respects true and correct to the best of my knowledge and belief.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Goochland County officials and other authorized government agents on official business to enter the property as necessary to process this application. I hereby agree to have a sign placed on my property, notifying the public of my application.



Richard E. Core, Jr. / 3-31-2021  
Signature of Applicant Date

10618 Patterson Avenue  
Henrico, VA 23238  
Mailing Address of Applicant

Subscribed and sworn to before me this 31<sup>st</sup> day of March 20 21.

My Commission Expires: 2/28/2023 Yvonne D. Boisseau  
Req. # 148498 Notary Public

\*\*\*\*\*

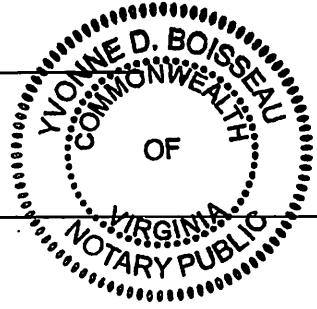
Richard E. Core, Jr. 3-31-2021  
Signature of Property Owner Date

Phone No. (804) 741-4663 10618 Patterson Avenue, Henrico, VA 23238  
Mailing Address of Property Owner

Subscribed and sworn to before me this 31<sup>st</sup> day of March, 20 21.

2/28/2023  
My Commission Expires  
Req. # 148498

Yvonne D. Boisseau  
Notary Public



Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

STATE OF VIRGINIA ) TO WIT  
COUNTY OF GOOCHLAND )  
Henrico

I, Richard E. Core, Jr., being duly sworn, depose and say that I am Lessee/Owner of the Property involved in the application. If I am not the Lessee/Owner, I will produce a copy of a contract to purchase the property or I will present written certification from the owner granting me the right to submit this application. I further declare that I have familiarized myself with the rules and regulations pertaining to preparing the filing this application and that the foregoing statements and answers provided herein are in all respects true and correct to the best of my knowledge and belief.

I have read this application, understand its intent, and freely consent to its filing. Furthermore, I have the power to authorize and hereby grant permission to Goochland County officials and other authorized government agents on official business to enter the property as necessary to process this application. I hereby agree to have a sign placed on my property, notifying the public of my application.



[Signature] 13-31-2021  
Signature of Applicant Date

10618 Patterson Avenue  
Henrico, VA 23238  
Mailing Address of Applicant

Subscribed and sworn to before me this 31st day of March 2021.

My Commission Expires: 2/28/2023  
Req. # 148498  
[Signature]  
Notary Public

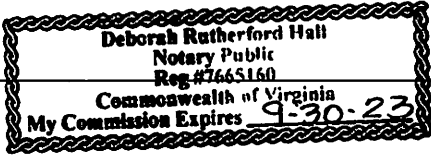
\*\*\*\*\*

George H. Alvis, Jr. 3-31-2021  
Signature of Property Owner Date

Phone No. 804-784-5839  
1700 Alvis Rd MANAKIA-SABOT  
Mailing Address of Property Owner VA. 23103

Subscribed and sworn to before me this 31st day of March, 2021.

9-30-2023  
My Commission Expires  
[Signature]  
Notary Public



Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

STATEMENT OF PROFFER

CASE NO. \_\_\_\_\_

ME PV4 LLC, owner of Tax Map Parcel(s) 48-17-4-G-0, 48-17-4-F-0, hereby voluntarily proffer that, in the event that the subject property is rezoned from RPUD to RPUD, the development and use of the property will be subject to the following conditions:

See attached proffers.

These proffers are being submitted prior to the Board of Supervisors public hearing on this request. \

[Signature] 3-31-2021  
Owner of Record – Signature Date

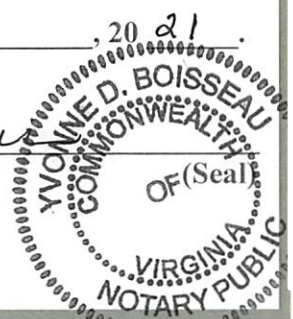
COMMONWEALTH OF VIRGINIA  
STATE AT-LEASE, to wit:

I, Yvonne D. Boisseau, a Notary Public for the State of Virginia, At Large, do certify that Richard E. Core, Jr. whose name is signed to the above, bearing date on 31st day of March 2021, Has acknowledged the same before me in my State aforesaid.

Given under my hand this 31st day of March, 2021.

My Commission Expires: 2/28/2023  
Reg. # 148498

Yvonne D. Boisseau  
Notary Public



Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

STATEMENT OF PROFFER

CASE NO. \_\_\_\_\_

Alvi's Properties, LLC, owner of Tax Map Parcel(s) 48-5-0-1-0, 48-1-0-55-A, hereby voluntarily proffer that, in the event that the subject property is rezoned from A-2 to RPVD, B-1, M-2, the development and use of the property will be subject to the following conditions:

See attached proffers.

These proffers are being submitted prior to the Board of Supervisors public hearing on this request. \

George Alvis, Jr \_\_\_\_\_ 3-31-2021  
Owner of Record – Signature Date

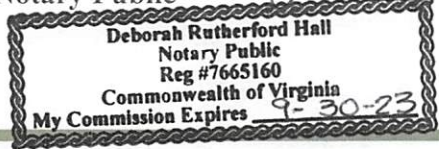
COMMONWEALTH OF VIRGINIA  
STATE AT-LEASE, to wit:

I, Deborah Rutherford Hall, a Notary Public for the State of Virginia, At – Large, do certify that George Alvis Jr whose name is signed to the above, bearing date on 31<sup>st</sup> day of March 2021, Has acknowledged the same before me in my State aforesaid.

Given under my hand this 31<sup>st</sup> day of March, 2021.

My Commission Expires: 9-30-2023

Deborah Rutherford Hall  
Notary Public (Seal)

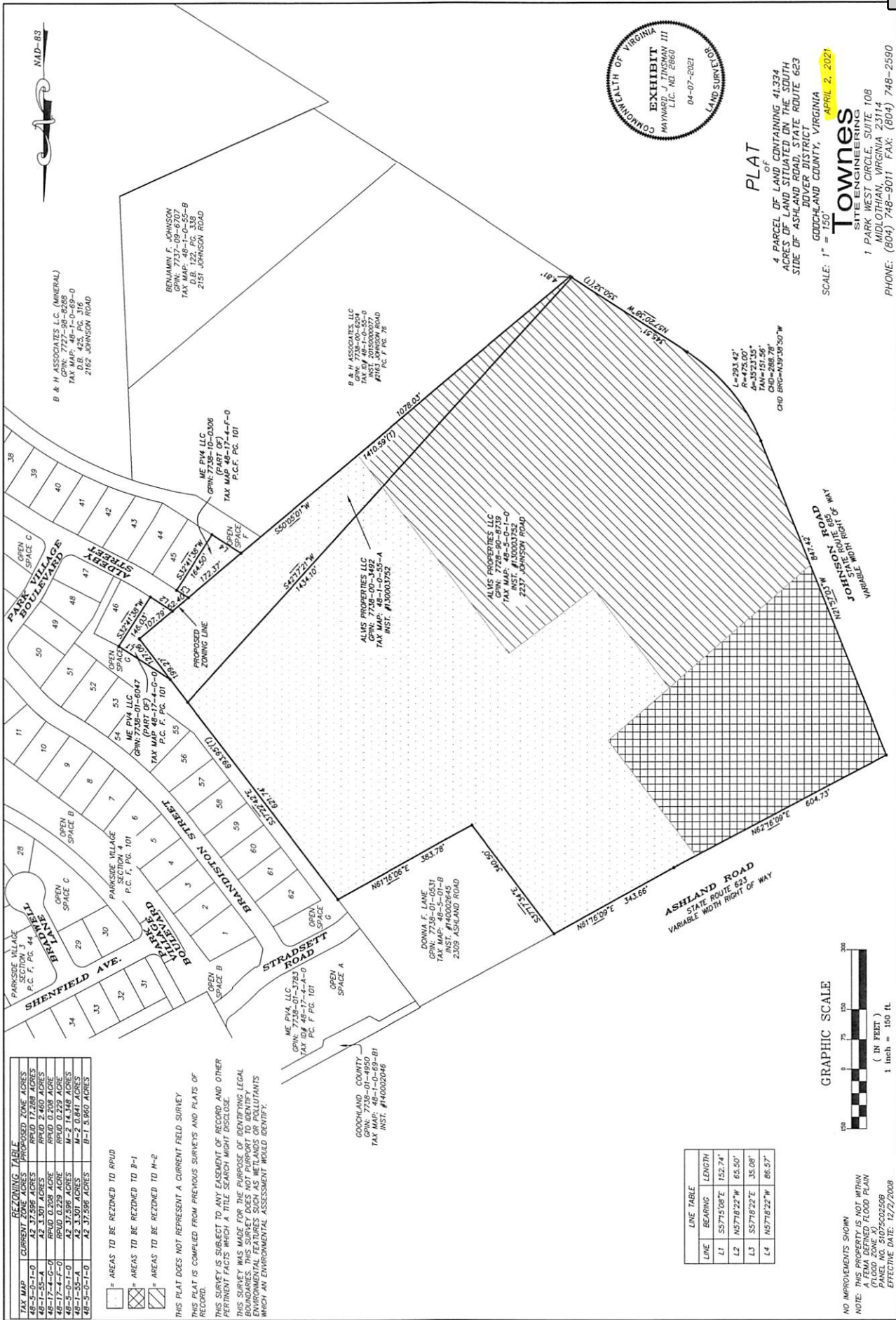


Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

**Parkside Village / Alvis Property rezoning application**

<b>Address</b>	<b>GPIN</b>	<b>Parcel</b>	<b>Account Number</b>
2237 Johnson Road	part of 7728-90-8739	part of 48-5-0-1-0	4457
0 Johnson Road	7738-00-3492	48-1-0-55-A	4456
Aldeby Street	part of 7738-10-0306	part of 48-17-4-F-0	20602
Aldeby Street	part of 7738-01-6047	part of 48-17-4-G-0	20603

Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)



**REZONING TABLE**

TAX MAP	CURRENT ZONE	PROPOSED ZONE	ACRES
48-1-55-A	RU-1	RU-1	1.400
48-1-55-B	RU-1	RU-1	1.400
48-1-55-C	RU-1	RU-1	1.400
48-1-55-D	RU-1	RU-1	1.400
48-1-55-E	RU-1	RU-1	1.400
48-1-55-F	RU-1	RU-1	1.400
48-1-55-G	RU-1	RU-1	1.400
48-1-55-H	RU-1	RU-1	1.400
48-1-55-I	RU-1	RU-1	1.400
48-1-55-J	RU-1	RU-1	1.400
48-1-55-K	RU-1	RU-1	1.400
48-1-55-L	RU-1	RU-1	1.400
48-1-55-M	RU-1	RU-1	1.400
48-1-55-N	RU-1	RU-1	1.400
48-1-55-O	RU-1	RU-1	1.400
48-1-55-P	RU-1	RU-1	1.400
48-1-55-Q	RU-1	RU-1	1.400
48-1-55-R	RU-1	RU-1	1.400
48-1-55-S	RU-1	RU-1	1.400
48-1-55-T	RU-1	RU-1	1.400
48-1-55-U	RU-1	RU-1	1.400
48-1-55-V	RU-1	RU-1	1.400
48-1-55-W	RU-1	RU-1	1.400
48-1-55-X	RU-1	RU-1	1.400
48-1-55-Y	RU-1	RU-1	1.400
48-1-55-Z	RU-1	RU-1	1.400

AREAS TO BE REZONED TO RU-1  
 AREAS TO BE REZONED TO B-1  
 AREAS TO BE REZONED TO M-2

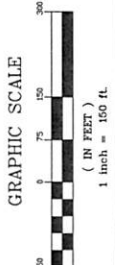
THIS PLAT DOES NOT REPRESENT A CURRENT FIELD SURVEY  
 THIS PLAT IS COMPILED FROM PREVIOUS SURVEYS AND PLATS OF RECORD.

THIS SURVEY IS SUBJECT TO ANY EASEMENT OF RECORD AND OTHER PERTINENT FACTS WHICH A TITLE SEARCH MIGHT DISCLOSE.

THIS SURVEY WAS MADE FOR THE PURPOSE OF IDENTIFYING LEGAL BOUNDARIES. THIS SURVEY DOES NOT PURPORT TO IDENTIFY EXISTING EASEMENTS OR OTHER RIGHTS OF THIRD PARTIES. ANY SUCH RIGHTS OR EASEMENTS WHICH AN ENVIRONMENTAL ASSESSMENT WOULD IDENTIFY.

**LINE TABLE**

LINE	BEARING	LENGTH
L1	S87°15'08"E	152.74'
L2	N57°18'22"W	65.50'
L3	S57°18'22"E	35.08'
L4	N57°18'22"W	86.57'



NO IMPROVEMENTS SHOWN  
 NOTE: THIS PROPERTY IS NOT WITHIN  
 A FEMA DETERMINED FLOOD PLAIN  
 (FLOOD ZONE X)  
 EFFECTIVE DATE: 12/2/2008



**PLAT**  
 of  
 4 PARCEL OF LAND CONTAINING 41.334  
 ACRES OF LAND SITUATED ON THE SOUTH  
 SIDE OF ASHLAND ROAD, STATE ROUTE 623  
 DOVER DISTRICT,  
 GOODLAND COUNTY, VIRGINIA

SCALE: 1" = 150'

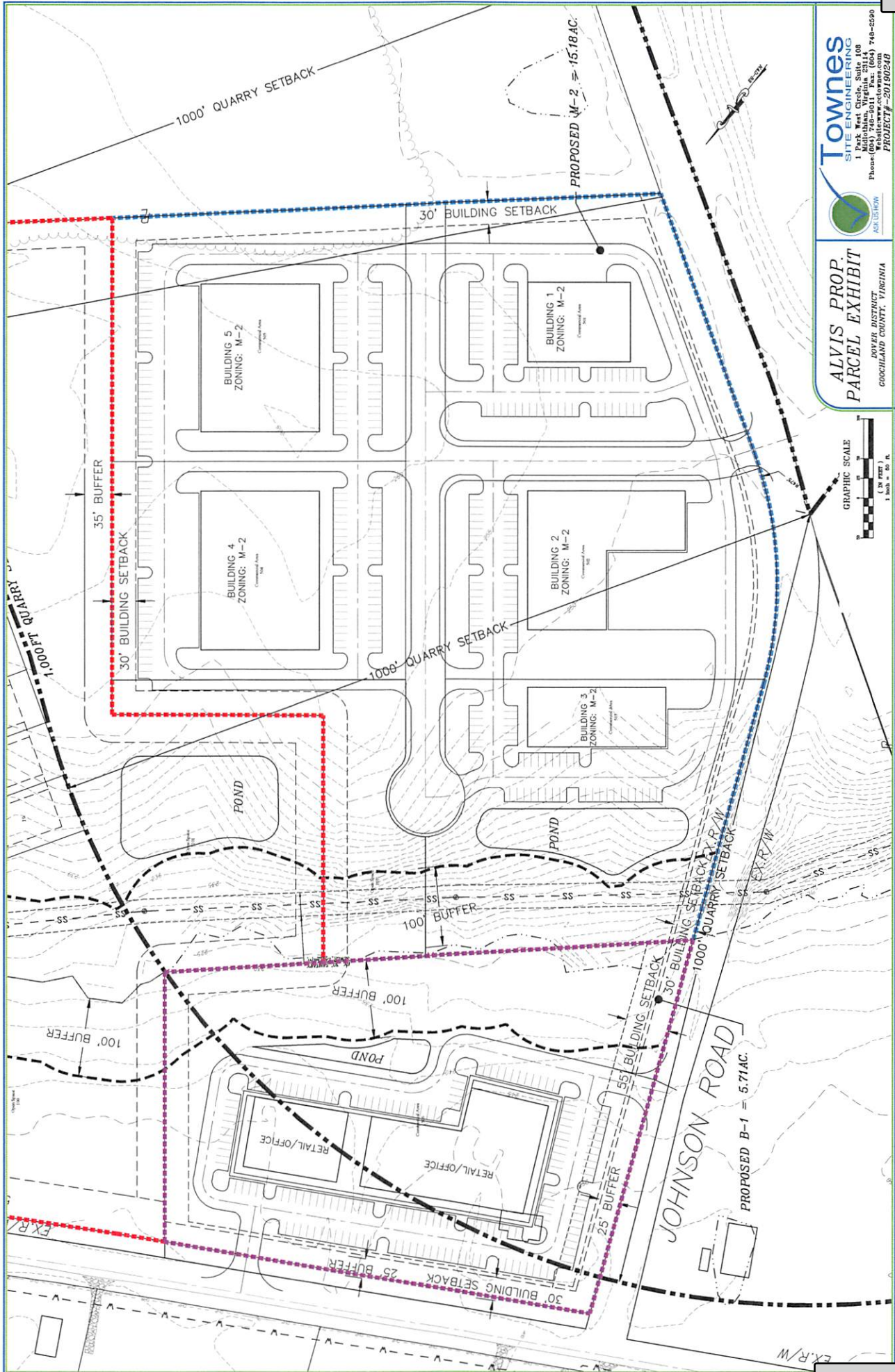
**Townes**  
 SITE ENGINEERING

1 PARK WEST CIRCLE, SUITE 108  
 MIDLOTHIAN, VIRGINIA 23114  
 PHONE: (804) 748-9011 FAX: (804) 748-2590

CHECKED BY: \_\_\_\_\_ SHEET 1 OF 2







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Attachment: RZ-2021-00004 - Application (3993 : District 4 - RZ-2021-00004 - ME PV4 LLC)

**Proffers – RZ-2021-00004**

April 29, 2021

The following proffers shall be applicable to the property zoned RPUD, Residential Planned Unit Development.

1. **Conceptual Plan.** Development of the Property shall generally conform with the exhibit entitled “Alvis Prop. Parcel Exhibit” prepared by Townes Site Engineering, dated April 27, 2021, and attached hereto.
2. **Maximum Number of Lots.** No more than thirty-one (31) single-family detached dwelling units shall be constructed on the Property.
3. **Age Restriction.** Except as otherwise prohibited by the Virginia Fair Housing Law, Federal Fair Housing Law, and such other applicable Federal, State, or Local legal requirements, dwellings constructed on the Property shall be restricted to “housing for older persons” “intended for, and solely occupied by at least one person fifty-five years of age or older” as defined in the Virginia Fair Housing Law. The age restriction shall comply with the Virginia Fair Housing Act (Virginia Code 39-96.7, as amended).

Homes shall be occupied in accordance with FHA Law. No home shall be occupied by a person under the age of nineteen (19) who is living in the home as a permanent resident as opposed to a guest as detailed herein. Guests of owners, occupants and residents under the age of nineteen (19) will be permitted for restricted periods of time as detailed in the Protective Covenants. In no instance or circumstance shall any guest under the age of nineteen (19) be permitted to use the address as an address to establish residency that would establish Goochland citizenship or entitle the guest to any Goochland County services as a result of the residency.

4. **Architecture and Exterior Building Materials.** Any dwelling constructed on the Property shall have exposed exterior walls (above finished grade and exclusive of trim or molding) of brick, stone, cementitious siding, EIFS, or a combination thereof. This shall not prevent the use of vinyl for trim or molding.
5. **Disclosures.** Within marketing packages, contracts, and/or deeds, the applicant shall disclose the following:
  - a. The location of the adjacent rock quarries and their mining, crushing, and processing of rock;
  - b. The Property is located within the Tuckahoe Creek Service District and subject to its ad valorem tax; and,
  - c. The zoning of adjacent parcels zoned M-2, Industrial, General and B-1, Business, General.
6. **Sidewalks.** Sidewalks shall be provided on at least one side of each street.
7. **Landscape Plan.** A landscape plan shall be submitted for review and approval with the Plan of Development and shall include at least one (1) ornamental tree planted in the front yard of each dwelling.
8. **Roads.** All new roads shall be public roads and constructed to VDOT standards.

9. **Ashland Road Dedication.** Prior to issuance of the 1st building permit for any new structure built on the Property, the applicant shall dedicate, free and unrestricted to the County or its designee, a forty-two foot (42') right of way measured from the centerline of Ashland Road along the entire frontage of the property for future road improvements.
10. **Vegetative Buffer.** A 100-foot buffer shall be located along each side of any perennial stream, and a 50-foot buffer shall be located along each side of any intermittent stream on the property. These buffers shall remain undisturbed, except for the establishment of roadways, driveways, and public utilities to service the property and the implementation of appropriate drainage, sedimentation, and erosion measures which may pass through the buffer in a generally perpendicular manner. Existing trees shall not be disturbed along natural stream beds and drainage swales except to remove standing dead or diseased trees. Any removal of trees shall be conducted by non-invasive and low impact methods, such as the saw cutting of trees by an arborist and the leaving of the limbs within the buffer to decompose naturally.
11. **Cash Proffer.** Per the County's adopted Capital Impact Model, the Applicant, or its assignees, shall pay \$3,224 per residential lot to the County of Goochland for public facility improvements (\$0 for public school facilities, \$1,016 for transportation facilities, \$782 for park facilities, and \$1,426 for public safety facilities). Such payment shall be made prior to the time of the issuance of any Certificate of Occupancy for each dwelling built on each of the lots. The cumulative percentage increase or decrease in the Marshall & Swift Building Cost Index for the most recently published twelve (12) months, shall be added to or, in the instance of a decrease, subtracted from the amount proffered, in the year following the rezoning, and added to or, in the case of a decrease, subtracted from the recalculated amount for each subsequent year. Cash proffer amounts, recalculated due to the index provided above, shall be effective the next year on the date of the Board's adoption of annual adjustments, or July 1, whichever comes first, for payments made through such date.
12. **Construction Traffic.** Earthmoving equipment and construction vehicles related to the clearing, grading, utility installation, and roadway construction on the Property shall access the Property from a temporary construction entrance located on Johnson Road, and shall not access the Property from Aldeby Street. This proffer shall not apply to vehicles used for homebuilding purposes.
13. **Landscaped Berm.** A series of landscaped earthen berms a minimum of four feet (4') in height shall be provided in the area shown on the Conceptual Plan and shall be planted with evergreen trees and shrubs similar to the landscaped berm along the northern edge of Park Village Boulevard.
14. **Stormwater Management Pond.** The stormwater management pond shall be designed and constructed as a wet pond. A fountain, a perimeter walking trail a minimum of four feet (4') in width and paved with a hard surface, and a landscaped/hardscaped seating area shall be provided. The aforementioned trail shall start at the terminus of the proposed extension of Aldeby Street. The pond shall be designed and constructed to retain additional runoff from adjacent properties that naturally drains in that direction.

The following proffers shall be applicable to the property zoned B-1, Business, General and/or M-2, Industrial, General.

1. **Prohibited Uses.** The following principal uses and structures shall be prohibited:
  - a. Junk storage;
  - b. Manufacturing, assembly, or fabrication, heavy;
  - c. Monumental stone works;
  - d. Sale, service, or rental of trucks, trailers, tractors, machinery, heavy equipment and tools;
  - e. Sand and gravel pit; quarry; mining;
  - f. Sawmill, commercial;
  - g. Truck terminal;
  - h. Adult businesses;
  - i. Club/Lodge; and,
  - j. Gun club with indoor shooting range.
  
2. **Buffers.** A 100-foot buffer shall be located along each side of any perennial stream, and a 50-foot buffer shall be located along each side of any intermittent stream on the property. These buffers shall remain undisturbed, except for the establishment of roadways, driveways, and public utilities to service the property and the implementation of appropriate drainage, sedimentation, and erosion measures which may pass through the buffer in a generally perpendicular manner. Existing trees shall not be disturbed along natural stream beds and drainage swales except to remove standing dead or diseased trees. Any removal of trees shall be conducted by non-invasive and low impact methods, such as the saw cutting of trees by an arborist and the leaving of the limbs within the buffer to decompose naturally.
  
3. **Outdoor Storage.** Any outdoor storage shall be obscured from all public roads and adjoining properties by dense evergreen vegetation, or by an opaque, solid fence, or wall of treated wood, brick, stone, masonry, or similar solid material and construction. The screening, fencing, or enclosure must meet all applicable zoning ordinance and building code requirements, and be maintained to ensure that permanent screening is provided to hide the items from view.
  
4. **Traffic Improvements.**
  - a. The following roadway improvements shall be constructed at the intersection of Ashland and Johnson Roads:
    - i. A 200' north-bound right turn lane;
    - ii. A 200' south-bound left turn lane; and,
    - iii. A 200' west-bound right turn lane.
  
  - b. The aforementioned turn lane(s) shall be installed prior to the issuance of the first certificate of occupancy for any new structure on the Property zoned B-1 or M-2.
  
  - c. Prior to issuance of the 1st building permit for any new structure built on the Property, the applicant shall dedicate, free and unrestricted to the County or its designee, a forty-two foot (42') right of way measured from the centerline of Ashland Road along the entire frontage of the property for future road improvements.

5. **Cash Proffer.** A cash proffer of ten-thousand dollars (\$10,000) shall be paid to Goochland County prior to the approval of any Plan of Development for the Property zoned M-2, Industrial, General. This proffer shall be paid toward the future widening of Johnson Road or any other transportation-related improvement, at the sole discretion of Goochland County.
  
6. **Architectural Appearance.** Buildings constructed on the Property shall be similar in architectural appearance to those located in the Lanier Industrial Park and/or Rockville Commerce Center.