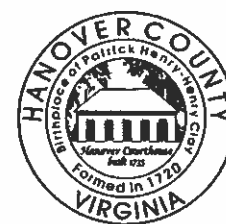


REZ2023-00046, MARIANNE RAE MINTON



Residential Rezoning Report
Chickahominy Magisterial District
Board Meeting Date: June 26, 2024

Overview

Requested Zoning	RS(c), Single-Family Residential District with conditions
Requested Density	Gross Density: 2.14 units/acre Net Density: 2.17 units/acre
Current Zoning	A-1, Agricultural District
Acreage	7.46 acres
Street Address	None assigned
Location	Terminus of Sycamore Grove Way (state route number pending) east of its intersection with Halifax Green Drive (State Route 2459)
GPIN	7796-55-5154 (part)
General Land Use Plan	Suburban Neighborhood Residential (1.5 to 3.0 dwelling units per acre)
Major Thoroughfare Plan	Sycamore Grove Way: Local Road (50' right-of-way)
Case Planner	Brendan McHugh

Executive Summary

This is a request to rezone from A-1, Agricultural District, to RS(c), Single-Family Residential District with conditions, for the purpose of creating 16 building lots for single-family detached homes along an extension of Sycamore Grove Way. The property is adjacent to the Giles subdivision, and the Giles Homeowners' Association will be annexing the property.¹

The Board of Supervisors deferred this request after the public hearing on May 22, 2024, allowing the applicant additional time to address concerns relating to amenities within the Giles subdivision and traffic in the surrounding area. Following that meeting, the applicant has submitted the following proffers to address those concerns:²

- A revised amenities proffer to guarantee certain amenities within open space areas of this project
- A restrictive covenants proffer requiring incorporation into the Giles HOA
- A transportation proffer with a cash contribution of \$3,841.00 per single family dwelling for road improvements in the area

Draft Motion

I move that the Board of Supervisors:

- a. Approve REZ2023-00046, with proffers dated June 6, 2024, and conceptual plan dated September 20, 2023, and last revised March 20, 2024.
- b. Deny REZ2023-00046.
- c. Defer REZ2023-00046 until the Board of Supervisors' July 24, 2024, meeting.

¹ An email verifying annexation is attached to this report.

² Summaries of the revisions made since the May 22, 2024; meeting have been marked as *Revision* throughout the report.

Planning Analysis

Project Overview

The applicant is proposing to rezone a portion of a parcel (7.46 acres out of 18.62 acres) to the RS District to create 16 building lots for single-family detached homes. The property is located at the terminus of Sycamore Grove Way in the Giles subdivision. Sycamore Grove Way will be extended to serve the proposed lots and terminate into a temporary cul-de-sac on the northern portion of the site. Figure 1 below shows the proposed area to be rezoned in relation to the surrounding community.

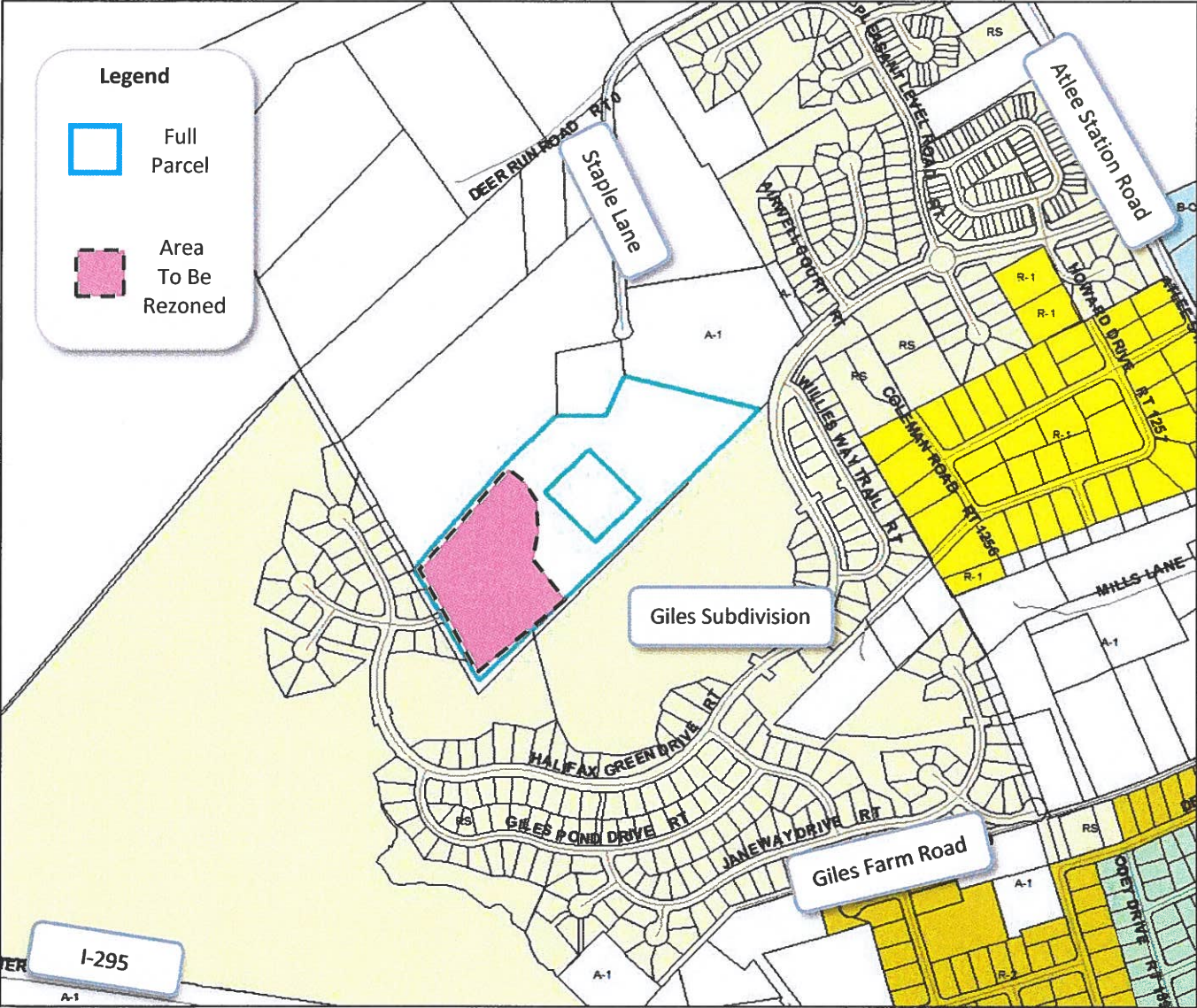
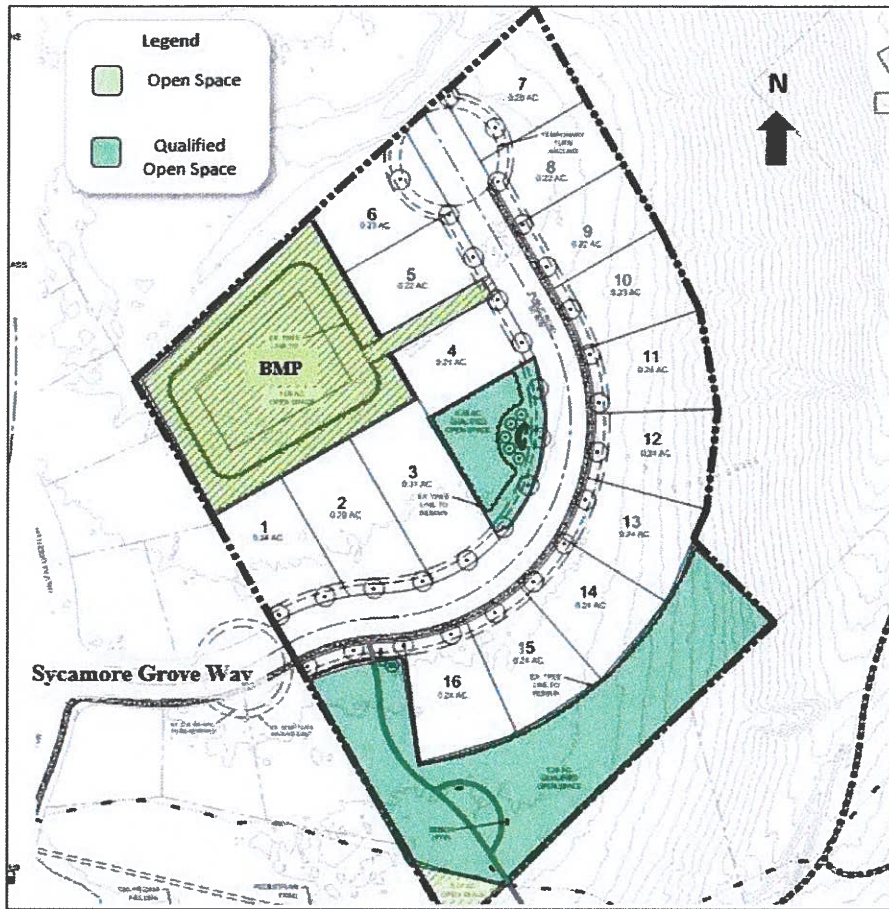


Figure 1. Location of proposed rezoning

Conceptual Plan



The following table summarizes features of the proposed RS development shown on the conceptual plan and required per Sec. 26-67:

Conceptual Plan Features	
Housing Types	16 single-family detached homes
Gross Residential Density	2.14 units per acre
Net Residential Density	2.17 units per acre
Lot Sizes	0.21 acres to 0.31 acres
Access and Circulation	Sycamore Grove Way will be extended and end in a cul-de-sac, which stubs to the north.
Open Space	1.48 acres are required (20% of site), and 2.63 acres of open space (1.54 acres of qualified open space) is provided.
Landscaping	<ul style="list-style-type: none"> Street trees are shown on both sides of each road. The central open space will be landscaped in accordance with the landscaping plan.
Pedestrian/Bicycle Infrastructure	Sidewalks are only provided on one side of the street, but sidewalks are only on one side of the existing portion of Sycamore Grove Way.

The following are the RS standards for review of the conceptual plan found in Section 26-67.3 of the Zoning Ordinance:

- a. *The open and common space areas shall be directly accessible to the largest practicable number of lots within the district. Non-adjoining lots shall be provided with safe and convenient pedestrian access to neighborhood common and open space.*

There are open spaces located in the center of the subdivision and along the southern property line. The open spaces are along the interior road of the subdivision allowing safe and convenient pedestrian access.

- b. *The common and open space areas shall be suitable for recreational uses, either active or passive, without interfering with adjacent dwelling units, parking, driveways, and roads.*

The open spaces are provided in areas that are suitable for active and passive recreational uses. Where open areas are near homes, they are designed to not interfere with the dwellings, parking, driveways, and roads. The applicant has proffered tree preservation within open space areas (except for removal of dead or diseased trees or where removal is necessary for development). The southern open space area is contiguous with recorded open space within the Giles subdivision, and proposed pedestrian trails would connect to existing trails within that development.

Revision: The applicant has proffered amenities (#4) to include public seating, pedestrian stop zones, and a walking trail. To address comments at the Board of Supervisors' meeting regarding amenity guarantees, the applicant has revised the proffer to require that at least two of these features be included within each open space area on the conceptual plan.

- c. *The open and common space areas shall be undivided by public or private roads, except where necessary for proper traffic circulation.*

The open and common space areas are not divided by roads and are large enough for activities to occur in those areas.

- d. *Open space areas shall be left in their natural state to the maximum practicable extent, unless located to provide a screening buffer from adjoining property and roadways. Pedestrian paths may be located within the open space, including the buffer areas.*

The applicant has proffered to preserve trees in the open space, and a portion of the open space will include pedestrian paths.

- e. *Historic features other than structures, when identified on the property, shall be incorporated into the open space areas and a preservation plan shall be provided for protection and maintenance of the features. If approved by the board, historic structures may be included in common space for use by the homeowners or may be located on a residential lot for conveyance and use as a residence.*

There are no historic structures on the property.

- f. *Streets shall generally be designed to minimize the area within the project devoted to vehicular travel; calm traffic speeds; promote pedestrian movement; and terminate in views of open or common space or other appropriate vista.*

The streets provided are the minimum amount needed to access all lots. Sidewalks have been provided along the street. The street terminates into a stub road, which prevents it from terminating into open space. While streets do not terminate in views of open space, there are single-loaded streets (open space on one side with residential lots on the other), offering residents attractive views from internal roads and preventing a continuous row of houses.

Relationship with Giles Development

Although this request is not an amendment to previously approved zoning cases associated Giles, the proposed development will be integrated into the Giles Homeowners’ Association, as follows:

- Open space areas would be contiguous with recorded open space within Giles, and new pedestrian trails will connect to existing trails within that development.
- A proposed sidewalk along the extension of Sycamore Grove Way will connect to existing sidewalks within the development.
- The Giles Homeowners’ Association has an agreement with the applicant to annex the proposed development, if the rezoning is approved.
- Related proffers have been submitted addressing the following:
 - Newly constructed homes will be architecturally compatible with existing homes within Giles.
 - **Revision:** A revised proffer has been submitted that the proposed development will become a part of the Giles Homeowners’ Association (HOA), and the applicant will be bound by restrictive covenants that conform to those applied in the Giles subdivision.

Giles: Zoning History + Buildout	
Original Zoning Case	C-10-07 (Approved January 26, 2011)
Zoning Amendments	C-10-07, Am. 1-14 (Approved January 28, 2015) (Cash Proffer Amendment)
Number of Units Permitted	442 (320 single-family detached + 122 townhouses)
Remaining Certificates of Occupancy (COs)	5 (as of February 29, 2024)

Transportation

The only access to the property will be through the Giles subdivision, and the proposal will generate 160 vehicle trips per day (vpd). Per the *Business and Residential Development Road Improvements Transportation Policy*, a traffic impact analysis (TIA) and cash proffer consideration is only required for cases that are projected to generate more than 380 vehicle trips per day (40 lots or greater); therefore, a TIA and cash proffer is not recommended for this request based on the policy. However, due to the traffic concerns from the public, the applicant has provided a letter from an engineer verifying that the road improvements completed as recommended in the Giles Farm Phase 1 Traffic Impact Analysis address the anticipated traffic impact of this proposal.

Improvements are planned along Atlee Station Road adjacent to the Giles subdivision. As part of the Atlee Station Road Widening (Phase 2), Atlee Station Road will be widened from two to four lanes between Warren Avenue and Kings Charter Drive. Pedestrian/bicycle accommodations will be provided,

and a roundabout is planned at the intersection of Atlee Station Road/Halifax Green Drive/School Entrance. Construction is anticipated to begin in early 2028, with completion in late 2029.

Revision: Following the May Board meeting, the applicant submitted a transportation proffer, which includes funding for road improvements. Although there have been concerns from the public that the applicant’s proffers should include a cash proffer equal to that of the Giles subdivision (\$6,670 per single-family detached residential unit), the revised proffers include a payment of \$3,841.00 per unit.³ The funds must be used for the purpose of completing off-site transportation improvements on Atlee Station Road, Atlee Road (between Atlee Station Road and U.S. Route 301), U.S. Route 301 (between Atlee Road and Interstate 295), or other road projects in proximity of this development. Typically, transportation proffers are more general regarding allocation of funding; however, the applicant would like the funding to be used for improvements in the vicinity of the proposal. There are planned transportation improvements along those roadways that the proposed cash proffers could support.

Schools Analysis

Population Increase				
General Population	16 units	x	2.69 (avg. persons per household)	= 43 persons
School Children	43 persons	x	20% (avg. % of children per pop.)	= 9 children

School Enrollment Forecast				
<i>Schools Affected</i>	<i>Capacity</i>	<i>2024</i>	<i>2025</i>	<i>2026</i>
Cool Spring Elementary	768	810	835	851
Chickahominy Middle	1,322	1,196	1,200	1,256
Atlee High	1,699	1,484	1,538	1,523

Based upon countywide averages, the development is anticipated to generate nine (9) additional students. Cool Springs Elementary School is currently overcapacity and anticipated to remain overcapacity through 2026, while Chickahominy Middle School and Atlee High School are undercapacity and anticipated to remain under capacity.

Comprehensive Plan

The subject property is designated as Suburban Neighborhood Residential on the General Land Use Map. These areas are intended to accommodate detached and attached single-family dwellings (including townhouses) within the Suburban Service Area (SSA). Below is an analysis of how the rezoning request aligns with these recommendations (Comprehensive Plan: p. 31 – 32).

Overall Intent	The request generally aligns with the overall intent of the land use designation, accommodating single-family residential uses in the SSA.
Appropriate Uses	Single-family residential dwellings are included as an appropriate use.
Appropriate Zoning Districts	The RS District is included as an appropriate zoning district.

³ This proffer amount is based on the calculation that was used for the Charleston Ridge II apartment complex to be located on Atlee Station Road north of the site.

Project Framework	The request aligns with the following recommendations: <ul style="list-style-type: none"> • Residential use is 100% of the project area. • The proposal provides at least 15% of the project area as open space, with a mix of active and passive recreational amenities. Recreational areas are dispersed throughout the neighborhood. • Existing healthy vegetation within open space will be preserved.
Community Character	The request aligns with the following recommendations: <ul style="list-style-type: none"> • Existing vegetation will be preserved. • Street trees will be provided as shown on the conceptual plan.
Transitions	The request generally aligns with the following recommendation: <ul style="list-style-type: none"> • Buildings have been oriented to complement the adjacent residential development. The request does not align with the following recommendations: <ul style="list-style-type: none"> • Buffers have not been provided adjacent to agricultural uses.
Transportation	The request generally aligns with the following recommendations: <ul style="list-style-type: none"> • A stub road has been provided to an adjacent property. • Sidewalks are only provided on one side of the street; however, Sycamore Grove Way (connection road) only has sidewalks on one side of the street.

Citizen Correspondence

Community Meeting

The applicant held a community meeting on January 29, 2024, and citizens also spoke at the Planning Commission and Board of Supervisors’ public hearings. Comments at the meetings included the following:

- The proposal is in accordance with the Comprehensive Plan.
- Homeowners in the Giles Subdivision did not have a vote on the proposal.
- Homeowners on Sycamore Grove Way, adjacent to the proposal, paid extra for the lots adjacent to undeveloped wooded areas.
- Impacts of the proposal will be negligible.
- There is already too much traffic on Atlee Station Road.
- Schools in the area are already overcrowded.
- Entrance to the Giles Subdivision is not equipped for construction traffic.
- A cash proffer equal to the Giles cash proffer should be submitted for the proposal.
- The developer has been transparent about the proposal with the HOA.
- The developer should contribute to amenities within the Giles subdivision.

- The proposal should be delayed until the schools are no longer overcrowded and the Atlee Station Road traffic is addressed.

Planning Commission Public Hearing

Three members of the public spoke the Planning Commission public hearing (April 18, 2024):

- Two members of the public (one Giles resident and one resident of a nearby subdivision) spoke in opposition to this request.
- One resident of the Giles subdivision, who is involved with the HOA, spoke in support of this request.

Board of Supervisors Public Hearing

Four members of the public spoke during the first public hearing held by the Board of Supervisors (May 22, 2024):

- One resident of the Giles subdivision, who is involved with the HOA, spoke in support of this request.
- Three members of the public (two Giles residents and one resident of a nearby subdivision) spoke in opposition to this request.

Written Correspondence

- A petition opposing this case was also submitted, which is attached to this report in the Citizen Correspondence tab. Written comments provided regarding this case are also attached.

Staff would note that any additional development north of the site (extending from the proposed stub road) will likely require a second point of access out to Atlee Station Road. Lots east of the intersection of Halifax Green Drive and Giles Pond Drive have access to Atlee Station Road through Halifax Green Drive and an emergency access entrance at Giles Farm Road. In addition, the Department of Public Utilities has commented that additional lots beyond this development will be required to be served by a second, independent water supply point. Therefore, any future development to the north will likely require both a second access road and water supply source from the north.

Agency Analysis

Fire/EMS

The Fire Marshall indicates that more than 50 lots require secondary access (which aligns with subdivision requirements).

DPU

There are 32 existing lots within the Giles Farm development served by this single supply point waterline. No more than 50 lots may be approved for development without a second, independent supply point being provided.

VDOT

- The road should curve towards the proposed cul-de-sac and not form a three-leg intersection.

- The applicant has adjusted the design of the subdivision accordingly, and VDOT has reviewed and confirmed that the design is sufficient.
- Will the proposed cul-de-sac form the required second connection via stub out to the property line?
 - The conceptual plan shows the stub out within the cul-de-sac as the required second connection.

Proffers

The applicant has submitted the following revised proffers, dated June 6, 2024:

1. Brick or Stone Foundations. **Accept.** Foundations will be brick or stone.
2. Building Materials and Guidelines. **Accept.** Architectural design and materials for the homes will be in conformance with the homes in the Giles subdivision, and the elevations will generally conform with those on the conceptual plan.
3. Tree Preservation in Common Areas. **Accept.** Existing trees will be preserved in the common areas with the exception of the removal of trees necessary for construction.
4. Amenities. **Accept.** Open spaces will have amenities. At least two of the features will be included with each open space area on the conceptual plan.

Revision: This proffer was revised to require two of the features identified in the proffer to be included within each open space area on the conceptual plan.

5. Restrictive Covenants. **Accept.** The proposed development will become part of the Giles Homeowners' Association and be bound by restrictive covenants that are in substantial conformity with those applied to the adjacent section of Giles. Restrictive covenants in conformance with the requirements of this proffered condition, along with documents incorporating the proposed development into the Giles Homeowners' Association, must be approved by the Planning Director.

Revision: This additional proffer requires collaboration with the Giles HOA and was submitted to solidify the applicant's intent to incorporate the development into the HOA. Previously, there was not a formal proffer requiring incorporation into the HOA. The proffer requires that the proposed development become a part of the Giles HOA and be bound by restrictive covenants that are in conformance with the Giles HOA, including maintenance of open space.

6. Transportation. **Accept.** The owner agrees to pay Hanover County \$3,841.00 per single family dwelling built on the property. The funds must be used for the purpose of completing off-site transportation improvements on Atlee Station Road, Atlee Road (between Atlee Station Road and U.S. Route 301), U.S. Route 301 (between Atlee Road and Interstate 295), or other road projects in proximity of this development.

Revision: This additional proffer was submitted to address concerns regarding traffic impacts. The proffer includes a cash contribution of \$3,841.00 per single family dwelling built on the property, which will be used for completing off-site transportation improvements in the surrounding area.

Planning Commission Recommendation

On April 18, 2024, the Planning Commission held a public hearing regarding this request. One citizen spoke in favor of the request, and two spoke in opposition. Following the public hearing, the Commission, on a motion by Mr. Parker, seconded by Mr. McGhee, voted to recommend **APPROVAL** (Vote: 7-0) of the request to rezone from A-1, Agricultural District, to RS(c), Single Family Residential District with conditions, on GPIN 7796-55-5154, consisting of approximately 7.46 acres, with the proffers and conceptual plan as submitted.

Attachments

- Maps (land use, vicinity, zoning, aerial)
- Photographs
- Application
- Traffic Letter
- Traffic Study
- Approval Letter Proffers/Elevations/Conceptual Plan
- Historical Commission Recommendation
- HOA Annexation Email
- Agency Review Comments
- Community Meeting Notes
- Citizen Correspondence
- Proffers
- Conceptual Plan/Elevations
- Draft Ordinance



















Initials: BRM

Maps

Hanover County, Virginia

Land Use Map

Legend

-  Rural/Agricultural
-  Town of Ashland
-  Business Flexible
-  Parks and Conserved Lands
-  Destination Commerce
-  Employment Center
-  Multi-Family Residential
-  Highway Commercial
-  Industrial
-  Limited Industrial
-  Suburban Neighborhood Residential
-  Suburban High Residential
-  Suburban Center
-  Neighborhood Commercial
-  Natural Conservation Area
-  Rural Crossroads
-  Rural Village
-  Suburban Transitional Residential

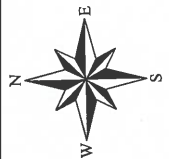
REZ2023-00046

Marianne Rae Minton

Rezone A-1 to RS

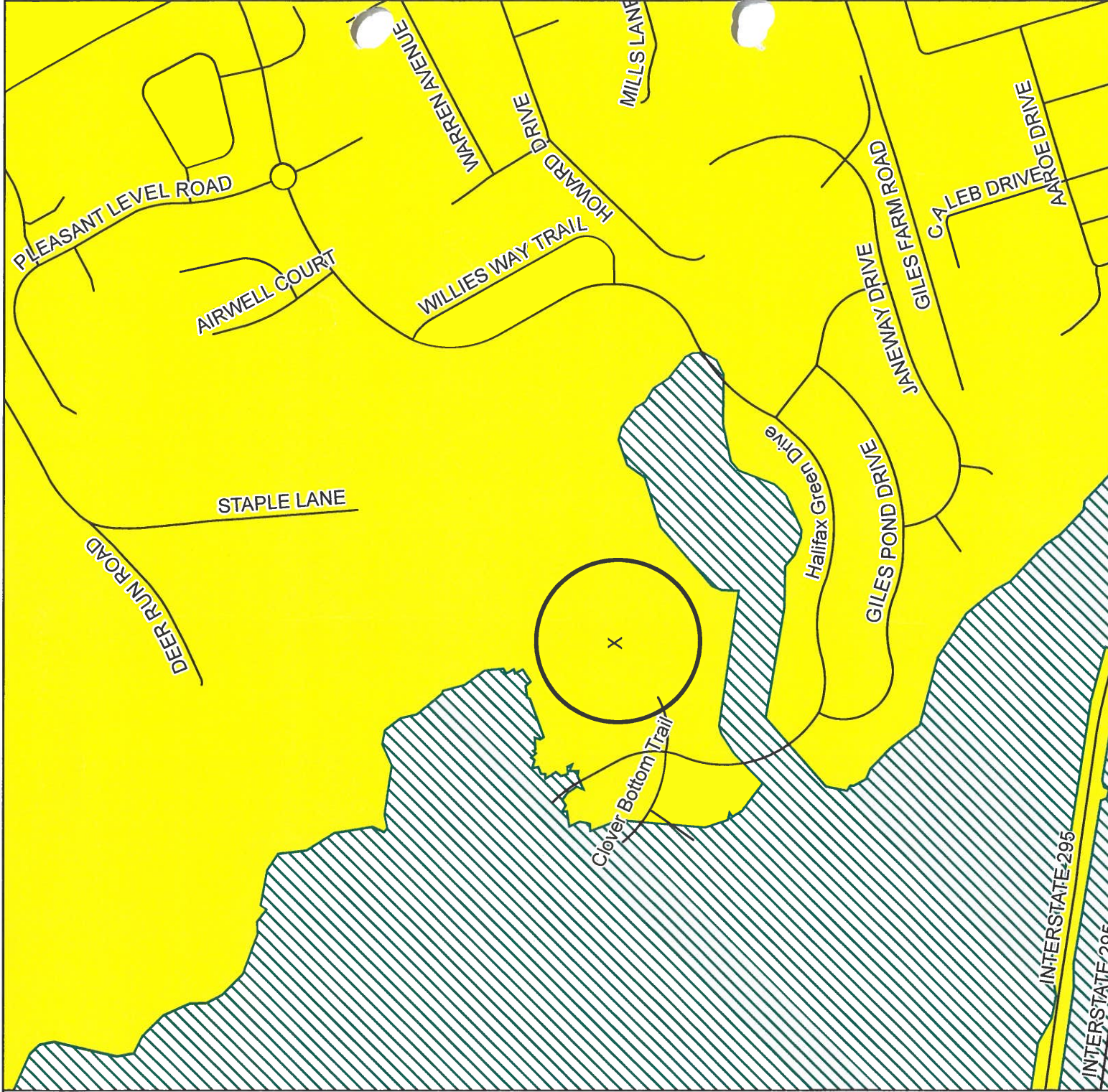
Suburban Neighborhood
Residential Land Use

GPIN: 7796-55-5154 (part)
Chickahominy Magisterial District



1 inch = 600 feet

December 04, 2023



Hanover County, Virginia

General Parcel Map

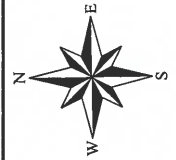
Legend

- Roads
- Water
- Structures
- Parcels
- Trees

REZ2023-00046

Marianne Rae Minton
Rezone A-1 to RS

GPIN: 7796-55-5154 (part)
Chickahominy Magisterial District






































1 inch = 600 feet
December 04, 2023



Hanover County, Virginia

Zoning Map

Legend

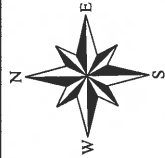
	Roads		R-1
	Water		R-2
	Parcels		R-3
	CUP		R-4
	A-1		R-5
	PUD		R-6
	RRC		RM
	RR-1		MX
	RO-1		B-1
	PSC		B-2
	POB		B-3
	PMH		B-4
	HE		O-S
	AR-1		B-O
	AR-2		M-1
	AR-6		M-2
	RC		M-3
	RS		

REZ2023-00046

Marianne Rae Minton

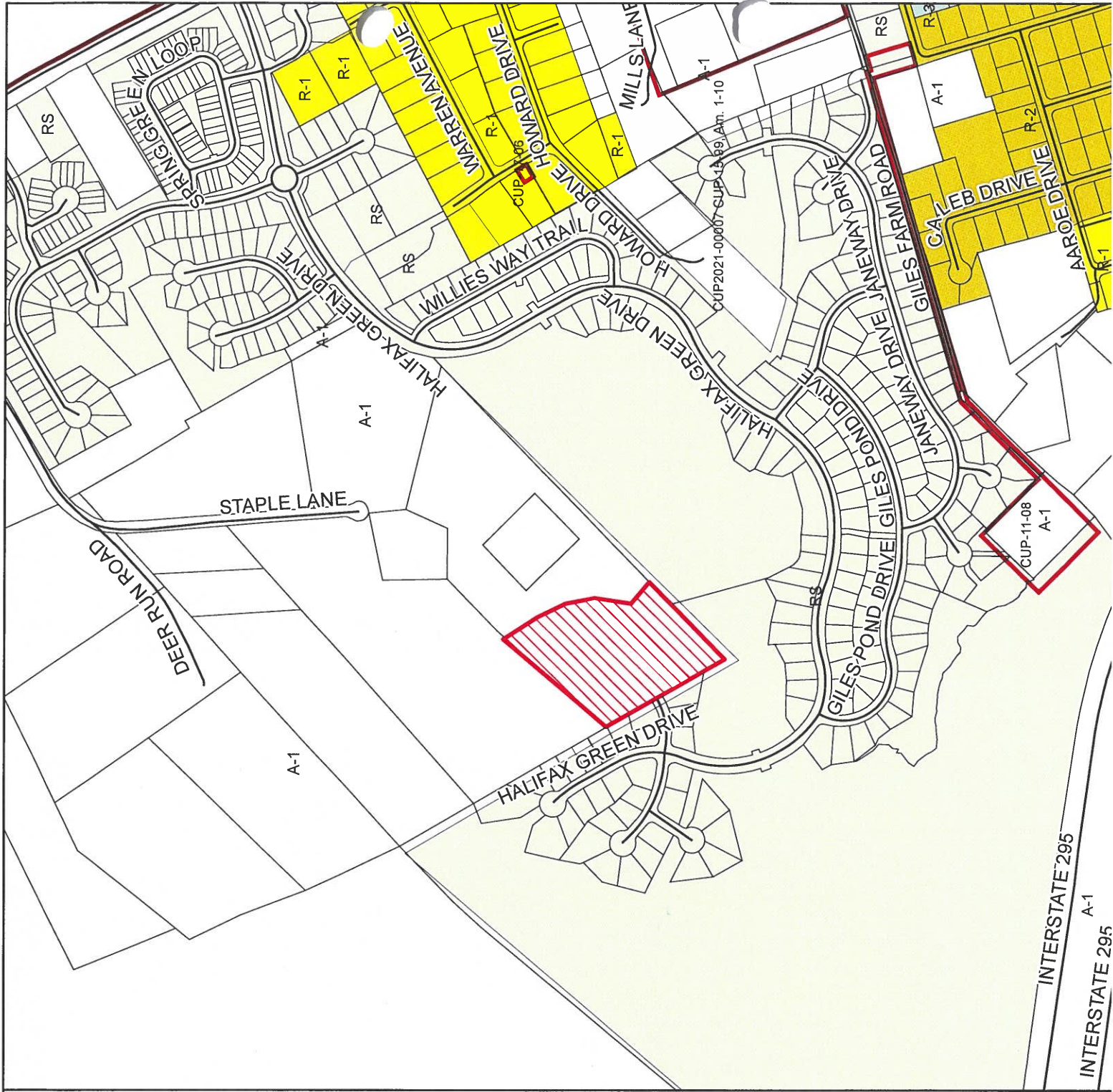
Rezone A-1 to RS

GPIN: 7796-55-5154 (part)
Chickahominy Magisterial District



1 inch = 600 feet

December 04, 2023



REZ2023-00046



Photographs







Application

Hanover County Planning Department Application


Request for REZONING

Case #: REZ 2023-00046

Please type or print in **black ink**.

APPLICANT INFORMATION	
Owner: <u>Marianne Rae Minton</u> Contact Name: <u>Marianne Minton</u> Address: <u>9280 Staple Lane</u> <u>Mechanicsville, VA 23116</u>	Telephone No. <u>901-833-3986</u> Fax No. _____ Email Address _____ <u>bhive018@gmail.com</u>
Applicant/Contract Purchaser: <u>Sidney & Sidney Developments, LLC</u> Contact Name: <u>Kyle Burns</u> Address: <u>9205 Atlee Branch Lane</u> <u>Mechanicsville, Va 23116</u>	Telephone No. <u>240-277-4927</u> Fax No. _____ Email Address _____ <u>kburns@shurmhomes.com</u>

PARCEL INFORMATION	For multiple parcels, please complete Page 4 <input type="checkbox"/>
GPIN(s) (Tax ID #'s) <u>7796-55-5154</u> <u>7.2 acres (part of subject parcel) as noted on concept plan</u> Deed Book <u>3326</u> Page <u>816</u> Magisterial District <u>Chickahominy</u> Location Description (Street Address, if applicable) <input type="checkbox"/> <u>Sycamore Grove way</u>	Total Area (acres/square feet) <u>7.2</u> 4.46 acres for development Current Zoning <u>A1</u> Requested Zoning <u>RS</u> Requested Use <u>Amend current A1 zoning & rezone to RS to allow for a new residential single family subdivision as shown on the enclosed concept plan</u>

SIGNATURE OF OWNER <input type="checkbox"/> POWER OF ATTORNEY <input type="checkbox"/> CONTRACT PURCHASER <input type="checkbox"/> (attach contract)
<p>As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request.</p> Signature <u></u> Date <u>12/1/23</u> Print Name <u>Marianne Rae Minton</u> Signature _____ Date _____ Print Name _____

QUESTIONS/ LETTERS/ REPORTS SHOULD BE FORWARDED TO THE FOLLOWING**:	
Name <u>Kyle Burns</u> Address: <u>9205 Atlee Branch Lane</u> <u>Mechanicsville, Va 23116</u>	Telephone No. <u>240-277-4927</u> Fax No. _____ Email Address _____ <u>kburns@shurmhomes.com</u>
**It is the responsibility of the contact person to provide copies of all correspondence to other interested parties to the application.	

RECEIVED
DEC 04 2023

HANOVER COUNTY
PLANNING OFFICE

ATTACHMENTS - For ALL REQUESTS you must submit the following:

- a. **Acknowledgement of Application Fee Payment Procedure** (Page 6)
 - b. **Adjacent property owners, Board of Supervisors, and Planning Commissioner notification form** (Page 7) – please list all adjacent property owners including those across roadways, watercourses, and/or railroads as well as the members of the Board of Supervisors and Planning Commission for the magisterial district in which the property is located. Adjacent property owners, Board members, and Planning Commissioners must be notified prior to submittal of this application. The form must include owners' names, address, and GPINs for all adjacent property owners. (This information is available from the County website or may be obtained from the Planning Department.) A sample letter has been provided (Page 9), and may be used to notify the adjacent property owners.
 - c. **A plat of the subject property**, which accurately reflects the current property boundaries, includes metes and bounds, is drawn to scale, and shows existing structures. If the full-size plat is larger than 8 ½" x 11", the plat must be folded no larger than 9" x 12", and a reduction of the plat must be submitted which is 8 ½" x 11" in size. (Typically available from the County Clerk's Office in the Circuit Court building.)
 - d. **Responses to questions on Pages 10 and 11**
 - e. **Historic Impact Information** (Page 12) (This information is available on the County website or may be obtained from the Planning Department.)
 - f. **Traffic Impact Analysis Certification Form** (Page 13) In compliance with VDOT's new Traffic Impact Analysis Regulations (24 VAC 30-155 *et seq.*, commonly known as "Chapter 527"), rezonings that meet certain thresholds require Traffic Impact Analyses (TIA).
The process for submitting a TIA is as follows:
 - 1) Submit the number of copies of the TIA required by VDOT to the Hanover County Planning Department with your comprehensive plan amendment/rezoning/conditional use permit submittal.
 - 2) The Hanover County Planning Department will stamp "received" on all copies of the TIA, and will keep a copy for its files.
 - 3) The applicant will deliver the remaining copies of the TIA to VDOT and pay the necessary TIA review fee directly to VDOT.
 - g. **Community Meeting Guide** (Check the box if you have read and understand Pages 14 & 15. Please note that applicants that schedule community meetings without coordinating with the staff may be required to reschedule the meeting, which may cause the application process to be delayed.)
 - h. **USPS Cluster Box Units (CBUs)**, please show the general location of USPS' Central Box Units (CBUs) along with elevations, access, parking and lighting, if provided. Please contact the local postmaster to obtain specific guidelines.
 - i. **For applications requiring plans**, please submit ten (10) full-size plans, with sheets no larger than 24" x 36", folded to 9" x 12" in size, and **one – 8 ½" x 11" reduction**.
Specific district requirements:
 - RS*** - Conceptual plans that meet the requirements of Section 26-67 of the Zoning Ordinance.
 - RC** - Existing Feature and Site Analysis plans that meet the requirements of Section 26-54(a).
 - RM*** - Conceptual plans that meet the requirements of Section 26-84.
 - MX** - Master Plan that meets the requirements of Section 26-93.
 - BP** - Master Plan that meets the requirements of Section 26-157.
- *RS and RM conceptual plans may also serve as the subdivision preliminary plat. In addition to the Zoning Ordinance requirements noted above, the preliminary plat requirements in Section 25-25 of the Subdivision Ordinance must also be addressed.
- Check here** if the conceptual plan will serve as the preliminary plat.

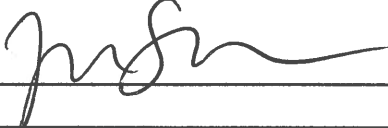
NOTE: When **conceptual plans and/or elevations** are requested by the Director of Planning which are larger in size than 8½" x 11" or are in color, please submit ten (10) full-size or colored plans, with sheets no larger than 24" x 36", folded to 9" x 12" in size, and **one - 8 ½" x 11" reduction**.

ACKNOWLEDGEMENT OF APPLICATION FEE PAYMENT PROCEDURE

Application fees are not accepted at the time of submittal. I hereby acknowledge that this application is not complete until the payment for all applicable application fees has been received by the Hanover County Planning Department. The Hanover County Planning Department shall notify me by mail, email and/or fax, (if selected below) of the applicable fee(s) at such time that they determine that the application is complete and acceptable. I acknowledge that I am responsible for ensuring that such fees are received by the Hanover County Planning Department by the Tuesday the week following the application deadline. I further acknowledge that any application fee submitted after this date shall result in the application being considered filed for the next application deadline.

Should the applicable fees not be submitted within forty-five (45) days of the date of the notification letter, it shall be my responsibility to arrange for the retrieval of all application materials. The application and any supplementary materials for incomplete applications that are not retrieved within forty-five (45) days of the date of the notification letter shall be destroyed by the Hanover County Planning Department.

Should my application be accepted, my fee payment will be due by _____. (To be filled in by a Planning Staff member.)

Signature of applicant/authorized agent  Date 12/4/23
Print Name John Shurm

Signature of applicant/authorized agent _____ Date _____
Print Name _____

Address to which notification letter is to be sent:
9205 Atlee Branch Lane
Mechanicsville, Va 23116

If you would like your letter emailed and/or faxed, please make selections, and provide the information below:
 Email kburns@shurmhomes.com Fax _____

FEES

Following application acceptance, make checks payable to Treasurer, Hanover County:

A-1, OHP	\$500
AR-6 (>2 lots), RC, RS, RM, MX	\$1500 + \$75/acre* for 1st 200 acres; \$30/acre* for acreage>200 acres
B, OS, M, BP	\$1100
Amendment of Proffer or Planned Unit Development	\$1500

*Fractions of acreage are rounded up to the nearest whole number.

Please note: Applicants which request tax-exempt status may have their application fee waived upon presentation of official documentation of such status.

FOR STAFF USE ONLY:

Base Fee _____	Accepted by: _____ HTE #: _____
Acreage Fee _____	
TOTAL FEE _____	

NOTIFICATION OF ADJOINING PROPERTY OWNERS, BOARD OF SUPERVISORS, AND PLANNING COMMISSIONERS

Applicant's Statement:

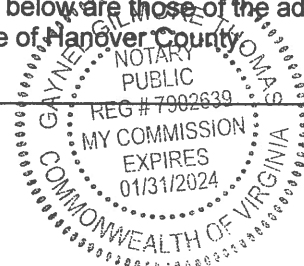
I hereby certify that I have notified all adjacent property owners to the property, which is the subject of this request, as well as the members of the Board of Supervisors and Planning Commission for the magisterial district in which the property is located. Adjacent property includes all property across roadways, watercourses, railroads, and/or municipal boundaries. I further certify that the names and addresses below are those of the adjacent property owners as listed in the tax records of the Commissioner of Revenue of Hanover County.

Applicant's Signature: _____

COMMONWEALTH OF VIRGINIA)

COUNTY OF HANOVER)

to-wit:



The foregoing instrument was acknowledged before me this 4 day of December, 2023, by John Shurm (Name of Applicant).

My commission expires: 01/31/24

Gayne Thomas
Notary Public

Board of Supervisors Representative: Brent Helmick

Planning Commission Representative: Steven F. Hadra

List of Adjacent Property Owners: Check here if list is attached.

GPIN	Name	Address
7779-55-2712	Frank Zappia	9309 Staple Lane Mechanicsville, VA 23116
7779-64-1838	Giles Farm Homeowners Association, Inc	14700 Village Square Place Midlothian, Va 23112
7779-54-1337	Giles Farm Homeowners Association, Inc	14700 Village Square Place Midlothian, Va 23112
7796-65-2927	Thomas E Walsh Laura A Walsh	9354 Summer oak Drive Mechanicsville, VA 23116
7796-44-9738	NVR, INC	7501 Boulders View Drive, Suite 450 Richmond, VA 23225
7796-54-0640	Vamshi Pottabathula Namitha Nagaraju	9598 Sycamore Grove Way Mechanicsville, VA 23111
7796-44-8867	Prakash Pavuluri Jyotsna P Tadikonda	9524 Hailifax Green Drive Mechanicsville, VA 23111
7796-55-6774	Thomas Sibiga Ella Sibiga	9291 Staple Lane Mechanicsville, VA 23116
7796-55-6292	Marianne Rae Minton	9280 Staple Lane Mechanicsville, VA 23116

PLEASE RESPOND FOR ALL REZONING APPLICATIONS:

1. What is the General Land Use Plan Map designation for the subject property? _____
Suburban Neighborhood Residential (1.5 - 3 units per acre)
2. What, if any, is the Major Thoroughfare Plan designation for the public road on which the subject property has frontage?

3. Describe in detail the proposed use of the property. _____
The proposed use will be for residential single family development
4. List any sensitive environmental or unique features on the property. Are there any 150kV or greater transmission lines, transmission lines for natural gas, other public utilities, or other entity? _____
RPA in the southwestern corner of the property per the concept plan.
5. Is the subject property located in a Dam Break Inundation Zone? Yes No (Please contact the Department of Planning or Public Works for assistance in addressing this question.) If yes, please contact the Department of Public Works for further information.

RESPOND FOR RS AND RM REZONING APPLICATIONS: (Attach additional pages, if needed)

1. Have you provided a conceptual plan of the proposed development, including general lot configurations and road locations? Yes _____
2. How does your proposal preserve or protect the existing trees on the property? If the property is treeless, does your proposal contain provisions to provide trees on the property? We have designated certain areas to remain in their Natural forested state. We also intend to plant one street tree on each lot that is created in the community.

3. Are recreational amenities being proposed for the project? If so, specify in detail the amenities planned. _____
Development will provide pedestrian connectivity to the adjacent sections of Giles Farm as well as tie into the existing Trail System where possible.
4. What provisions will be made to ensure safe and adequate access to the subject property? (Note: A second means of access should be provided for any project in which there will be fifty-one (51) or more lots.) _____
The entrance will be an extension of Sycamore Grove Way within the Giles Farm Development & will provide adequate visibility for vehicular traffic.

RESPOND FOR AR-6 and RC REZONING APPLICATIONS: (Attach additional pages, if needed)

1. For **AR-6** rezoning requests: Have you provided a conceptual plan of the proposed development, including general lot configurations and road locations? Are the proposed lot sizes compatible with existing parcel sizes in the area?

N/A

2. How is the proposed subdivision compatible with the rural setting and sensitive to natural and cultural features?

N/A

3. What provisions will be made to ensure safe and adequate access to the subject property? (Note: A second means of access should be provided for any project in which there will be fifty-one (51) or more lots.) _____

N/A

RESPOND FOR B-1, B-2, B-3, BO, OS, M-1, M-2, M-3 REZONING APPLICATIONS:

(Attach additional pages, if needed)

1. Has a conceptual plan of the proposed development been provided, showing proposed building locations, parking lots, entrances, and other features? _____

2. What provisions will be made to ensure safe and adequate access to the subject property? _____

3. How will the traffic impact of this development be addressed?: _____

4. Describe why the proposed use is desirable and appropriate for the area. What measures will be taken to assure that the proposed use will not have a negative impact on the surrounding vicinity? _____

5. What type of signage is proposed for the site? _____

6. Have architectural/building elevations been submitted with this application? _____

HISTORIC SITE IMPACT ANALYSIS

Please identify any **known or suspected historic resources** on both the **subject property and adjacent properties**, to include both structural and non-structural resources, such as trenches, cemeteries, and archeological sites. Please include the GPIN (Tax Parcel Number) associated with the resource. Please attach additional sheets, if necessary. Should you need assistance completing this form, please contact the Planning Staff.

- 1. Historic Resource/File No. Not on National Register GPIN 7796-55-5154
- 2. Historic Resource/File No. _____ GPIN _____
- 3. Historic Resource/File No. _____ GPIN _____
- 4. Historic Resource/File No. _____ GPIN _____
- 5. Historic Resource/File No. _____ GPIN _____

If you have identified known or suspected historic resources on the subject property or adjacent property, please provide the following information on each site:

- a) Is the historic site listed as a National or State Registered Landmark? _____
- b) Is the historic site open to the public? _____
- c) Describe the impact the proposed request will have on the identified historic resources with regard to noise, traffic, dust, vibration, visual impact, and air pollution. _____

- d) Describe voluntary measures that will be undertaken to help mitigate the impact that the proposed use may have on the identified historic resources. _____

If there are no known or suspected historic resources on the subject property or immediately adjacent, including structural and non-structural resources, trenches, cemeteries, and archeological sites, **please sign and date.**

Signature:  Date: 12/4/23

COMPLIANCE WITH VDOT & COUNTY TRAFFIC IMPACT ANALYSIS REQUIREMENTS

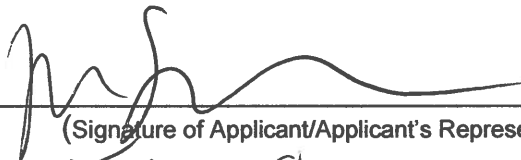
The following must be completed for all applications: The selection below is based on a projected daily trip generation of 160 vehicles per day and a site peak hour trip generation of 16 vehicles per hour, based on the stipulations of 24 VAC 30-155. The 11th edition (latest edition) of the ITE Trip Generation Manual was used in determining the trip generation (Code Number 210 and Page Number 218).

Choose one of the two options below:

- I certify that this proposal **DOES NOT EXCEED** 380 vehicle trips per day that would require submittal of a Traffic Impact Analysis.
- I certify that this proposal **DOES EXCEED** 380 vehicle trips per day that would require a Traffic Impact Analysis be submitted.

Choose one of the two options below:

- I certify that this proposal **DOES NOT MEET** any of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application.
- I certify that this proposal **MEETS** at least one of the VDOT thresholds identified in the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155) that would require a Traffic Impact Analysis to be submitted in conjunction with this application. A Traffic Impact Analysis, prepared in accordance with the Traffic Impact Analysis Regulations Administrative Guidelines (24 VAC 30-155), has been prepared and will be submitted to VDOT the same day.



(Signature of Applicant/Applicant's Representative)

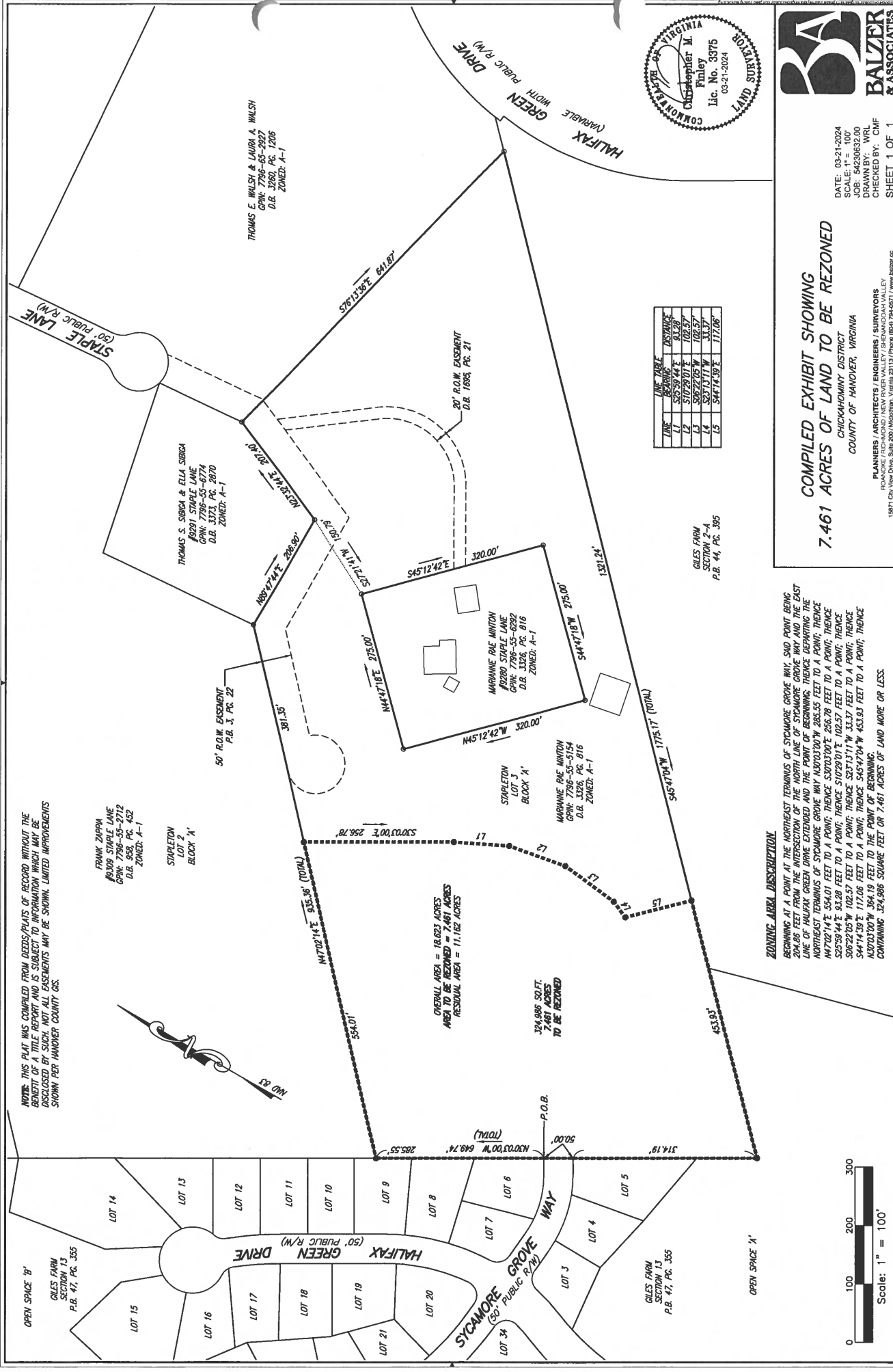
12/4/23

(Date)

John Shum

(Applicant/Applicant's Representative – Print Name)

NOTE: THIS PLAT WAS COMPILED FROM DEEDS/PLATS OF RECORD WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO INFORMATION WHICH MAY BE DISCLOSED BY SUCH. NOT ALL EASEMENTS MAY BE SHOWN. LIMITED IMPROVEMENTS SHOWN PER HANOVER COUNTY GIS.



FRANK ZAPRA
#9309 STABLE LANE
GPN: 7786-55-2712
D.B. 938, PG. 452
ZONED: A-1

STAPLETON
LOT 2
BLOCK 'A'

50' R.O.W. EASEMENT
P.B. 3, PG. 22

THOMAS E. WALSH & LAURA A. WALSH
GPN: 7786-65-2927
D.B. 3280, PG. 1206
ZONED: A-1

THOMAS S. SIBIGA & ELLA SIBIGA
#9291 STABLE LANE
GPN: 7786-55-6774
D.B. 3283, PG. 2870
ZONED: A-1

OVERALL AREA = 18.623 ACRES
AREA TO BE REZONED = 7.461 ACRES
RESIDUAL AREA = 11.162 ACRES

324,986 SQ. FT.
7.461 ACRES
TO BE REZONED

MARIANNE RAE WINTON
LOT 3
BLOCK 'A'

MARIANNE RAE WINTON
GPN: 7786-55-5154
D.B. 3326, PG. 816
ZONED: A-1

MARIANNE RAE WINTON
#9280 STABLE LANE
GPN: 7786-55-6292
D.B. 3326, PG. 816
ZONED: A-1

GILES FARM
SECTION 2-4
P.B. 44, PG. 385

OPEN SPACE 'B'
GILES FARM
SECTION 13
P.B. 47, PG. 365

GILES FARM
SECTION 13
P.B. 47, PG. 365

OPEN SPACE 'A'

LINE	LINE TABLE	BEARING	DISTANCE
L1	S25°59'44"E	93.28	
L2	S10°29'01"E	102.57	
L3	S09°22'05"W	102.57	
L4	S27°13'11"W	33.37	
L5	S44°14'39"E	172.06	

SAS4°04'W 1775.17' (TOTAL)

S44°17'18"W 275.00'

S45°12'42"E 320.00'

S30°03'00"E 256.78'

N47°02'14"E 935.36' (TOTAL)

381.35'

N88°27'44"E 208.90'

N23°33'47"E 202.40'

S78°15'36"E 841.87'

HALIFAX GREEN DRIVE
(VARIABLE WIDTH PUBLIC R/W)

STABLE LANE
(50' PUBLIC R/W)

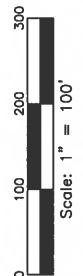


DATE: 03-21-2024
SCALE: 1" = 100'
DRAWN BY: WRL
CHECKED BY: CMF
SHEET 1 OF 1

COMPILED EXHIBIT SHOWING
7.461 ACRES OF LAND TO BE REZONED

CHICKAHOMINY DISTRICT
COUNTY OF HANOVER, VIRGINIA
PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
PO BOX 111111, NEW RIVER VALLEY, VIRGINIA 22123
PHONE (800) 784-0371 WWW.BALZER.CO

ZONING AREA DESCRIPTION
BEGINNING AT A POINT AT THE NORTHEAST TERMINUS OF STICAMORE GROVE WAY, SAID POINT BEING 204.86 FEET FROM THE INTERSECTION OF THE NORTH LINE OF STICAMORE GROVE WAY AND THE EAST LINE OF HALIFAX GREEN DRIVE EXTENDED AND THE POINT OF BEGINNING, THENCE DEPARTING THE NORTHEAST TERMINUS OF STICAMORE GROVE WAY N30°03'00"W 285.55 FEET TO A POINT; THENCE N47°02'14"E 554.01 FEET TO A POINT; THENCE S30°03'00"E 266.78 FEET TO A POINT; THENCE S25°59'44"E 93.28 FEET TO A POINT; THENCE S10°29'01"E 102.57 FEET TO A POINT; THENCE S09°22'05"W 102.57 FEET TO A POINT; THENCE S27°13'11"W 33.37 FEET TO A POINT; THENCE S44°14'39"E 172.06 FEET TO THE POINT OF BEGINNING. CONTAINING 324,986 SQUARE FEET OR 7.461 ACRES OF LAND MORE OR LESS.



Traffic Letter



BALZER
& ASSOCIATES
PLANNERS / ARCHITECTS
ENGINEERS / SURVEYORS

15871 City View Drive
Suite 200
Midlothian, VA 23113
804.794.0571
www.balzer.cc

Roanoke
Richmond
New River Valley
Shenandoah Valley

Mr. Kyle Burns
Shurm Homes
9205 Atlee Branch Ln
Mechanicsville, VA 23116

RE: Giles Farm Section 2

Mr. Burns,

Giles Farms Phase 2 will require no new offsite road improvements. The improvements covered in the Giles Farms Phase 1 TIA and already constructed are sufficient to allow for the development of 16 additional lots in Giles Farm Phase 2.

Sincerely,
Balzer and Associates, Inc.

F. Todd Chalmers, PE.
Executive Vice President

HOA Annexation Email

Pompei, Andrew J.

From: Kyle Burns <kburns@Shurmhomes.com>
Sent: Monday, March 25, 2024 9:21 AM
To: Pompei, Andrew J.
Subject: FW: giles annexation

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Andrew, see note below from Giles HOA.

From: Jason Fenchuk <jfenchuk@eastwestc.com>
Sent: Monday, March 25, 2024 8:58 AM
To: Kyle Burns <kburns@Shurmhomes.com>
Subject: giles annexation

Hi Kyle,

As the President of the HOA at Giles (and Vice President of Giles Farm Development Company, the developer), I can verify that we are comfortable annexing your proposed adjoining property into Giles, if our previously negotiated requests are satisfied. This will not take the place of a more concrete legal arrangement, but rather outlines our intent.

The previously discussed items include:

- Abiding by existing Giles ARB standards, and keeping architecture similar to what exists in the neighborhood.
- assuming there are no onerous or deleterious proffers from Hanover County on your property that would affect the Giles Neighborhood, or its HOA.
- maximum of 16 homes built on the adjoining property
- adding four items (or similar value if changes happen as a result of resident feedback) to the Giles amenity package in:
 - A sport court or Amphitheater
 - Trash facility for the clubhouse
 - fountain for the pond
 - adding connecting walking trails to the existing trail network
- the rezoning is completed by Dec 16, 2024

Thanks!

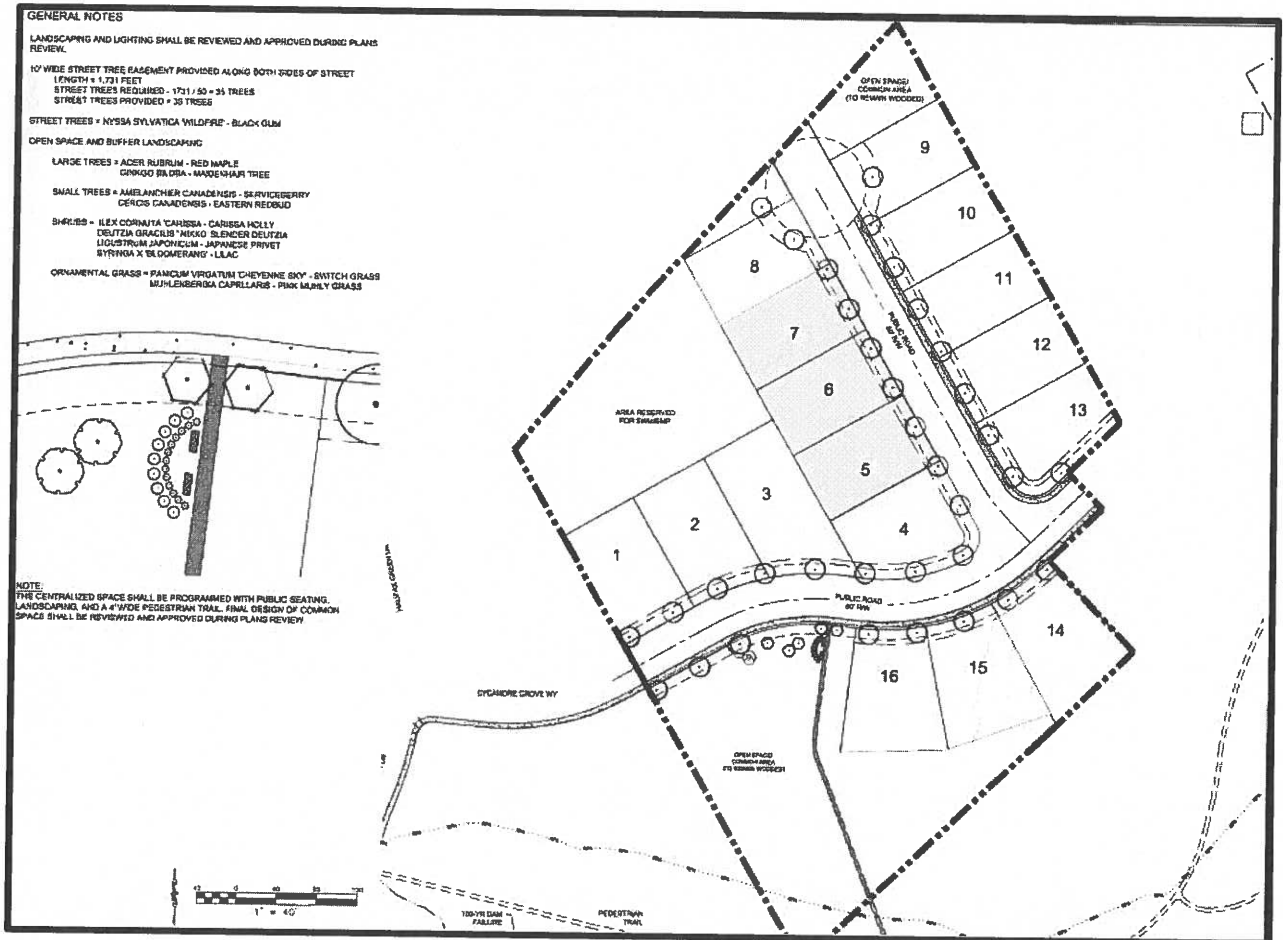
Jason Fenchuk
Senior Vice President

Community Meeting Notes

REZ2023-00046, Marianne Rae Minton Community Meeting

A community meeting for REZ2023-00046, Marianne Rae Minton was held on January 29, 2024 at 6:00pm at the Atlee Library. A rezoning to RS, Single-Family Residential District, is requested to permit 16 new building lots that would connect to the Gile Farm Subdivision. Approximately 25 citizens were in attendance. The following Hanover County representatives were also in attendance:

- Board Members:** Danielle Floyd, Chickahominy District
Faye Prichard, Ashland District
- Planning Commissioner:** Steve Hadra, Chickahominy District
- Planning Staff:** Andrew Pompei
Gretchen Biernot



Questions/Concerns:

- Where will this subdivision connect to the existing Giles Farm Subdivision?
 - o A temporary cul-de-sac at the end of Sycamore Grove Way will go away, and the road will connect through.
- Does this project include connections to future development?
 - o Yes, but future development will likely require improvements to Staple Lane and public utility extensions. Additional rezoning requests would also be required.
- What are the proposed sizes of homes?
 - o 2,200 – 2,500 square feet
- What is the proposed school enrollment from this project?
 - o 1.5 students per household are projected
- What are the proposed lot sizes?
 - o 8,000 – 12,000 square foot lots
- Will there be a connection through Craney Island Estates?
 - o No access is planned
- What is proposed for the pond?
 - o The pond is for stormwater management. Fencing around the pond will be up to the Giles HOA.
- What are the dashed lines around the pond?
 - o A pedestrian path
- How many lots are left in Giles?
 - o 40 lots (cash proffers are owed for 40 lots)
- Is the entire property part of the rezoning request?
 - o No, just a 7.2-acre portion of the 18.6-acre property.
- Is this project a done deal?
 - o No, the Board of Supervisors must approve the rezoning.
- Will you be the developer and builder?
 - o Yes
- What entrance to Atlee Station Road will be used for construction traffic?
 - o The main entrance to Giles will be used. Following construction, the road will be improved to pre-construction standards.
- The proposed traffic circle in Atlee Station road will be a nightmare.
- What is the timeframe for construction?
 - o Construction is planned to begin at the end of this year or early next year with completion anticipated in 2026 or 2027.
- Will a fence be installed next to adjoining properties?
 - o The developer would be happy to discuss a possible fence with neighbors that meets the standards of the Giles HOA.
- The County should not approve this project.

- The property is in the Suburban Service Area and eligible for this type of development. The developer is working with the Giles HOA.
- Is there flexibility with the proposed amenities?
 - Yes, the developer will be working with the Giles Farm community to establish these additional amenities.
- Will the houses be age-restricted?
 - No, the developer has not looked into this but is open to considering it.
- Existing homeowners are upset about this property being developed, especially those that paid extra for their lots for being adjacent to an open area.
 - The developer cannot speak to that but the parcel was designed for a road to go through it with a temporary cul-de-sac in place.
- How will the road be ended at adjacent properties?
 - A stub road with a turnaround and temporary plantings or bollards will be installed.
- Impacts to schools and roads should be considered for the whole development before approving a rezoning. The project should be denied or delayed until after the Atlee Station Road Widening project is completed.
- Overcrowding concerns at Cool Spring; Need to compare school projections in Giles Farm with current enrollment
- New traffic study should be provided
 - A traffic study is not required due to the size of the project. The widening of Atlee Station Road accounts for future development in the area.
- Wetlands and steep slopes should be reevaluated
- Public water problems exist, and there is not an adequate water supply to existing parcels.
- The proposed density of this project is higher than original Giles.
- Petition is being distributed against the project.
- Will lowering the density raise prices of the homes?
 - Infrastructure costs will remain the same no matter the number of lots, and fewer lots would make things more expensive
- School classes will get bigger, and people may not want to move here anymore
- Just one entrance is not sufficient out to Atlee Station Road is not sufficient.
- To be part of Giles Farm, must be approved by HOA but people not on the HOA Board are not aware of this approval.
- What is the rezoning process?
 - The application has been submitted and is being reviewed. The Planning Commission public hearing is scheduled for April, and the Board public hearing is scheduled for May.
- HOA approval is needed to tie into Giles Community

This request is tentatively scheduled for the April Planning Commission meeting.

Citizen Correspondence

Marianne Rae Minton, REZ2023-00046 - Giles Section 13 Amenities and Plans

RECEIVED

JUN 06 2024

From: Robert Nelson (ranelsonjr1@verizon.net)

To: spdibble@hanovercounty.gov; fmherzberg@hanovercounty.gov; smdavis@hanovercounty.gov; dgfloyd@hanovercounty.gov; rmhudson@hanovercounty.gov; foprichard@hanovercounty.gov; jsstoneman@hanovercounty.gov; jmhunter@hanovercounty.gov; ajpompei@hanovercounty.gov; brmchugh@hanovercounty.gov
HANOVER COUNTY
PLANNING DEPARTMENT

Date: Thursday, June 6, 2024 at 01:35 PM EDT

Dear Madam Chair Dibble, Vice Chairman Herzberg, Supervisor Davis, Supervisor Floyd, Supervisor Hudson, Supervisor Prichard, and Supervisor Stoneman; Senior Director of Planning and Community Development Hunter, Deputy Director Pompei, and Mr. McHugh;

The Board of Supervisors (Board) approved Giles in January 2011. Hanover Development, LLC, et al. (Giles Farm LLC), C-10-07 (1/26/2011). For Section 13, the section adjacent to Minton and absolutely required for its development, the Board minutes state and plans show 4 play fields; 2 park areas; an extensive pedestrian path network; dedication of 40 and 60 ft sanitary sewer trunk lines as open space for pedestrian access and trails along the Chickahominy; and pedestrian connections at property boundaries. Board Minutes 1/26/2011 Meeting, pp. 34-36. The Board approved the developer's proposal, and the approved plan shows these amenities.

When the Giles developer filed its construction plan application for Section 13, the recreational amenities were comprehensively modified. Many, indeed most, were eliminated. Gone were 2 play fields; 2 park areas; the parking area and gated gravel access road; about 1300 feet of interconnected trails; the use of sanitary sewer trunk line easements as open space for pedestrian paths; and connections along the Chickahominy and to adjacent properties.

Planning staff filed comments opposing these changes. The comments included a map detailing the changes to the developer proposed and Board approved Giles plan. (see December 27, 2021 planning comments #11-15 and particularly the detail map attached.)

In a February 25, 2022 response, the developer stated the Board approved plans were simply "conceptual." The developer now intended and preferred not of have the parking area, gated gravel access road, extensive pedestrian trail network, 2

play fields, and 2 play areas. (see February 25, 2022 applicant responses to planning staff's 12/27/2021 comments attached.)

All these amenities, save the 2 remaining play fields and a pedestrian trail to access them, were subsequently excluded in a revised March 23, 2022 construction plan. As a result of a telephone call with the developer's representative, Mr. Jason Fenchuk, on March 25, 2022, Deputy Director Mary Pennock overruled her staff's principled support of the Board approved recreational amenities for Giles Section 13. Her comments agreed with the developer's revised construction plan with two changes. A park area was added at the terminus of Halifax Green Drive, and a sidewalk extension was added in front of 2 lots on Halifax Green Drive - half of a cul de sac. (see March 31, 2022 planning comments attached.)

Sheet 2.0 in the the approved construction plan was the result. This sheet does show a beautiful tree house attractive for children of all ages at the Halifax Green Drive park. The developer has apparently decided not to construct this high quality amenity. Instead, a small, tot lot size facility with two slides plus swing sets has been installed. A second park area near the 2 play fields is only shown on sheet 2.0. It has not been constructed. (see sheet 2.0 and photos of the Halifax Green Drive park area.)

Discussion and Conclusions. Without any rezoning application or Board approval, the developer comprehensively modified the recreational amenities and approved plan for Section 13. Many, indeed most, amenities disappeared. The approved construction plan (which has itself been modified) bears little relationship to the Board approved plan.

Substantial conformity with the Board approved plan for recreational amenities is lacking. A planning deputy director erred in overriding staff recommendations and largely negated the Board's decision approving the planned recreational amenities for Giles Section 13.

A rezoning amendment was required for Giles Section 13. None was filed. Procedural and substantive violations of the Giles ordinance and planning and zoning regulations abound.

One thing is certain. By eliminating 2 play fields, a play area, parking area, access road, about 1300 feet of pedestrian trails, and connectivity with neighboring properties, plus apparently cutting costs on what has been constructed, the developer significantly reduced Section 13 development costs.

The Board should approve future changes to Giles. Neither Giles nor Minton should be allowed to enter into a private agreement for modifications. There is a real risk that future modifications may be honored in the breach, not the observance.

If Giles and Minton wish any construction plan relief from the requirements of a rezoning here or future approved rezoning amendments for Giles or Minton, it should come from the Board. And only the Board. Substantial conformity has been abused and should not be in the picture in the future.

This email and its attachments will be filed with the planning department. Thank you for your consideration. Bob Nelson, Ashland District

Attachments: December 27, 2021 Planning Comments and Detail Map - PN Giles Farm Sec. 13 1st Review Comments 12.27.2021

February 25, 2022 Applicant Responses to Planning - AP Comment Responses 2nd Submittal Giles Farm Section 13 2.25.2022

March 31, 2022 Planning Comments - CON2021-00012 Planning Comments 3.31.2022

Sheet 2.0 Approved Construction Plan Giles Section 13 and Halifax Green Drive park photos



PN Giles Farm Sec. 13 1st Review Comments 12.27.2021.pdf
1.8MB



February 25, 2022 Applicant Comment Responses to 12.27.2021 Planning Comments Giles Section 13.pdf
1.7MB



CON2021-00012 Planning Comments 3.31.2022.pdf
252.7kB



Sheet 2.0 Approved Construction Plan Giles Section 13 and Halifax Green Drive park photos.pdf
3.2MB

MARIANNE RAE MINTON, REZ2023-00046
DECEMBER 27, 2021 PLANNING COMMENTS
AND DETAIL MAP, GILES SECTION 13

BOARD OF SUPERVISORS

SEAN M. DAVIS, CHAIRMAN
HENRY DISTRICT

ANGELA KELLY-WIECEK, VICE-CHAIRMAN
CHICKAHOMINY DISTRICT

SUSAN P. DIBBLE
SOUTH ANNA DISTRICT

F. MICHAEL HERZBERG, IV
COLD HARBOR DISTRICT

W. CANOVA PETERSON, IV
MECHANICSVILLE DISTRICT

FAYE O. PRICHARD
ASHLAND DISTRICT

AUBREY M. STANLEY
BEAVERDAM DISTRICT

JOHN A. BUDESKY
COUNTY ADMINISTRATOR



HANOVER COUNTY

ESTABLISHED IN 1720
WWW.HANOVERCOUNTY.GOV

PLANNING DEPARTMENT

DAVID P. MALONEY, AICP
DIRECTOR OF PLANNING

MARY B. PENNOCK
DEPUTY DIRECTOR OF PLANNING

GRETCHEN W. BIERNOT
CURRENT PLANNING MANAGER

MEGAN M. DALZELL
PRINCIPAL PLANNER

ANDREW J. POMPEI
PRINCIPAL PLANNER

C. JASON HAZELWOOD
CODE COMPLIANCE SUPERVISOR

KRISTY MORTON
BUSINESS & OPERATIONS MANAGER

P. O. Box 470
HANOVER, VIRGINIA 23069
PHONE 804-365-6171
FAX: 804-365-6232

December 27, 2021

Brad Schurman
Balzer & Assoc, Inc.
15871 City View Dr., Suite 200
Midlothian, VA 23113

RE: Project Number CON2021-00012
Construction Plan Application, Giles Farm Sec. 13

Dear Mr. Schurman:

Review of the Construction Plan, received November 15, 2021, has been completed by Planning. Attached or listed below you will find pertinent comments from the Planning Department. Other agency comments may be sent directly to you.

Please be advised that after the second site plan submission, if subsequent submissions are required, the third submittal will require a \$250.00 review fee, and the fee for each subsequent submittal after the third will increase in increments of \$100, not to exceed a maximum of \$450.00. This fee is waived for non-profit organizations.

Space has been provided after each comment for your response. Remember to include a copy of this letter with your response, and a letter noting any changes that have been made to the plans other than the ones noted by staff. Please make the following additions and/or corrections to your site plan:

Site Plan:

1. On all sheets, please add TrakiT #: CON2021-00012 to the bottom right corner of each sheet. (§ 26-319)

How Addressed:

Sheet(s): _____

2. On the cover page, 35 lots are listed as being in this section. On the approved conceptual plan there were only 34 lots listed in this section. Please provide a lot count for each section to ensure compliance with the approved conceptual plan from the zoning case associated with this project.

How Addressed:

_____ Sheet(s): _____

3. Please correct notes 6&24 on the cover page under General Notes to reflect these plans are for section 13, not section 10.

How Addressed:

_____ Sheet(s): _____

4. While the cover page lists total acreage counts for this section and for the open space; the amount of that area which is in the RPA and in an area with slopes greater than 35% is not listed. These figures are needed to confirm that this section complies with density and open space requirements.

How Addressed:

_____ Sheet(s): _____

5. Please submit a complete tree protection plan the meets the guidelines set forth in the Hanover County Zoning Ordinance (§ 26-192). **Detail Attached**

How Addressed:

_____ Sheet(s): _____

6. On the Cover Sheet please include the Overlay Districts that this project is located in (Suburban Development Overlay).

How Addressed:

_____ Sheet(s): _____

7. Please provide required approval of street names from PlanRVA. A PDF copy of their approval should be included on the plans. This would be needed for; Sycamore Grove Way, Clover Bottom, and Chatham Green Court.

How Addressed:

_____ Sheet(s): _____

8. Please add the street names to the overall plan on sheet 2.0 as well as any other pages this information was not included on.

How Addressed:

_____ Sheet(s): _____

9. Please note on all sheets that Halifax Green Drive is misspelled as "Hailfax" and needs to be corrected.

How Addressed:

Sheet(s): _____

10. Please label the location of the future road extension sign. While the detail was included on sheet 13.1, the location needs to be indicated on the Road & Utility plans at the end of Sycamore Grove Way.

How Addressed:

Sheet(s): _____

11. There are a number of open space amenities that were included on the conceptual plan but are not listed on the construction plan for this section. This would include a missing "playfield" behind lots 14&15; A missing "playfield" an "Unimproved Community Parking Area" and a "Park Area" behind lots 23,24,27,28; missing pedestrian paths; and other amenities approved on the conceptual plan. Please include all approved amenities. A detail has been included indicating all proffered amenities from the conceptual plan that are not present on this construction plan. ****Detail Attached****

How Addressed:

Sheet(s): _____

12. Please provide the pedestrian path that travels from the restored Lake Jane and continues northwest through the easement behind lots 35,36,28,27,26. This is the area that is supposed to have the "Unimproved Community Parking Area." This path is then supposed to extend to the other open space that is absent a playing field behind lots 14&15. All open and common spaces must be connected by pedestrian paths. This path needs to also show continuity with the other previously approved sections. (§ 26-61)(b)(2) ****Detail Attached****

How Addressed:

Sheet(s): _____

13. Please add the gravel access drive leading to the previously mentioned parking area as it was shown on the approved conceptual plan. ****Detail attached****

How Addressed:

Sheet(s): _____

14. Please label the access gate listed on sheet 2.0 and include it on all other relevant sheets. A detail of this access gate needs to be included as well.

How Addressed:

Sheet(s): _____

15. Please include the dimensions of all the "Playfields" shown.

How Addressed:

Sheet(s): _____

16. Please include two separate curb and gutter details on sheet 13.0. One detail for sidewalks within the right of way and one without sidewalks need to be included.

How Addressed:

Sheet(s): _____

17. Please clarify the sidewalk location, construction materials, and a detail of the blended transitions from the sidewalk to the crosswalk. There is no detail for "CG-12" which is the label used for the blended transition from the sidewalk to the street grade on Halifax Green on sheet 3.0. The material of the sidewalk seems to transition to an unlisted material after lots 3&35. Please clearly indicate on all road plans where the sidewalk will begin and end on each street.

How Addressed:

Sheet(s): _____

18. Please include a detail of the "Park Area" that was approved with the conceptual plan and is located adjacent to the "Unimproved Community Parking Area."

How Addressed:

Sheet(s): _____

19. Please include a Bond Estimate for all proffered Street Trees, Sidewalks located within the right of way, pedestrian paths on the open space areas, the (4) "Playfields" per the conceptual plan, and any "Park Area" amenities.

How Addressed:

Sheet(s): _____

**** Please note that as of December 27, 2021; The Fire Marshal's office, Public Utilities, and Public Works have all issued comments for this project. Those comment letters should have been sent directly to you. I have attached each comment letter for convenience.

**** Please note that as of December 27, 2021; The Health Department is the only one recommending approval as submitted.

**** Please note that as of December 27, 2021; VDOT has not completed their review and I will forward you comments once we receive them.

The meeting to review this Construction Plan with the County Review Staff has been scheduled for 9:30 AM on Tuesday, January 4, 2022. We would advise you to notify the Owner/Developer of this meeting so that, if she/he wishes, he may attend the Staff meeting.

With your submittal of a revised Construction Plan, please provide written confirmation that each review comment from all agencies has been addressed and indicate where on the plan this appears. In instances that the comment is not or cannot be addressed, please acknowledge so, and indicate the reason. If you respond in a separate letter, please tie the response to the corresponding comment number of the

comment letter.

If any revisions have been made to the plan in addition to those required to address agency review comments, please provide sufficient explanation and indicate where on the plan they appear. This explanation may be annotated on the agency review letter or submitted in a separate letter.

Please provide the following items with the next and each subsequent resubmittal:

- Application for Construction Plan Approval - Resubmittal
- Paper copies of the plan sets (folded no larger than 8 ½" x 11"), in accordance with the resubmittal checklist
- Annotated review comment letters or comment response letters
- Blue Site Plan review sign posted on property (return with 1st resubmittal), for site plans only

Revised Construction Plan submitted without the information listed above will not be distributed for review until such time as the information is received by the Planning Department. Upon receiving approval of this CONSTRUCTION PLAN, two (2) signed paper copies will be returned to you.

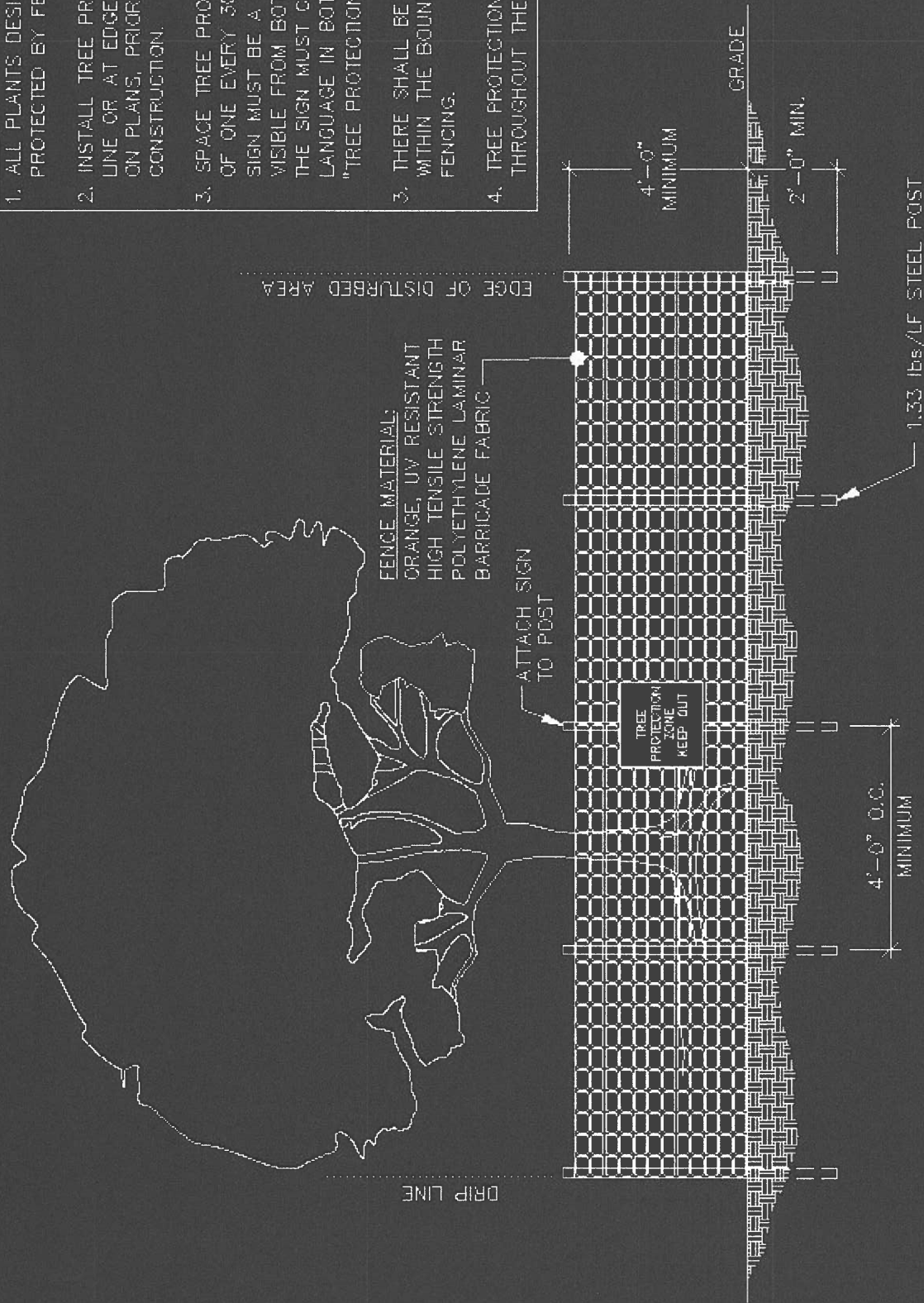
Should you have any further questions on the process, comments, or Construction Plan requirements, please contact me at (804) 365-6171.

Sincerely,

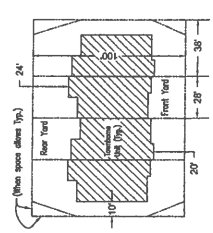
Stephen R Pyzowski
Planner

NOTES:

1. ALL PLANTS DESIGNATED TO BE SAVED SHALL BE PROTECTED BY FENCING, AS ILLUSTRATED.
2. INSTALL TREE PROTECTION FENCE AT TREE DRIP LINE OR AT EDGE OF DISTURBED AREA, AS SHOWN ON PLANS, PRIOR TO COMMENCEMENT OF CONSTRUCTION.
3. SPACE TREE PROTECTION ZONE SIGNS A MINIMUM OF ONE EVERY 300 FEET. THE SIZE OF EACH SIGN MUST BE A MINIMUM OF 2' X 2' AND BE VISIBLE FROM BOTH SIDES OF THE FENCE. THE SIGN MUST CONTAIN THE FOLLOWING LANGUAGE IN BOTH ENGLISH & SPANISH: "TREE PROTECTION ZONE, KEEP OUT".
3. THERE SHALL BE NO STORAGE OF MATERIAL WITHIN THE BOUNDARIES OF THE TREE PROTECTION FENCING.
4. TREE PROTECTION FENCING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PROJECT.



TREE PROTECTION FENCE



Typical Townhome Lot Configuration
 Scale: N.T.S.

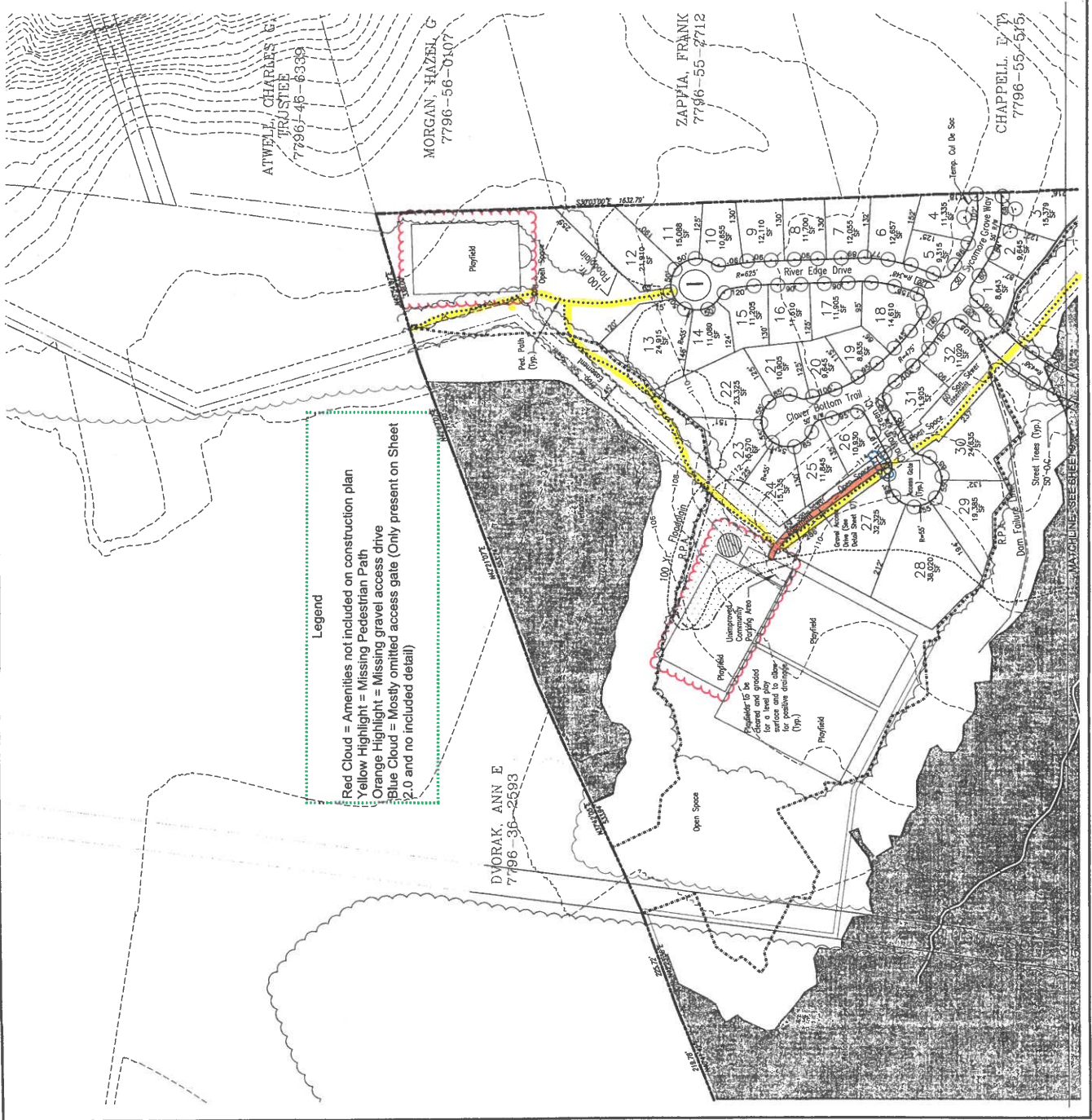
Townhome Lots: Section 'A'

Lot #	Approx. Lot Area	Approx. Lot Area
1	3017 SF	6700 SF
2	2964 SF	7275 SF
3	3088 SF	7745 SF
4	3088 SF	7745 SF
5	3088 SF	7745 SF
6	3088 SF	7745 SF
7	3088 SF	7745 SF
8	3088 SF	7745 SF
9	3088 SF	7745 SF
10	3088 SF	7745 SF
11	3088 SF	7745 SF
12	3088 SF	7745 SF
13	3088 SF	7745 SF
14	3088 SF	7745 SF
15	3088 SF	7745 SF
16	3088 SF	7745 SF
17	3088 SF	7745 SF
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41	3088 SF	7745 SF
42	3088 SF	7745 SF
43	3088 SF	7745 SF
44	3088 SF	7745 SF
45	3088 SF	7745 SF
46	3088 SF	7745 SF
47	3088 SF	7745 SF
48	3088 SF	7745 SF
49	3088 SF	7745 SF
50	3088 SF	7745 SF

Townhome Lots: Section 'B'

Lot #	Approx. Lot Area	Approx. Lot Area
1	2778 SF	2652 SF
2	2778 SF	2652 SF
3	2778 SF	2652 SF
4	2778 SF	2652 SF
5	2778 SF	2652 SF
6	2778 SF	2652 SF
7	2778 SF	2652 SF
8	2778 SF	2652 SF
9	2778 SF	2652 SF
10	2778 SF	2652 SF
11	2778 SF	2652 SF
12	2778 SF	2652 SF
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42	2778 SF	2652 SF
43	2778 SF	2652 SF
44	2778 SF	2652 SF
45	2778 SF	2652 SF
46	2778 SF	2652 SF
47	2778 SF	2652 SF
48	2778 SF	2652 SF
49	2778 SF	2652 SF
50	2778 SF	2652 SF

Legend
 Red Cloud = Amenities not included on construction plan
 Yellow Highlight = Missing Pedestrian Path
 Orange Highlight = Missing gravel access drive
 Blue Cloud = Mostly omitted access gate (Only present on Sheet 2.0 and no included detail)



Legend:
 Approx. Location of Proposed Stockpile
 Approx. Proposed Freeline
 U.S.A.C.O.E. Wetlands
 W.O.U.S.
 100 YEAR FLOODPLAIN
 RESOURCE PROTECTION AREA (R.P.A.)
 Park Areas
 Porcousure

Buffer Plant Legend:
 * Medium or Large Deciduous Tree
 ⊕ Small or Medium Flowering Tree
 ⊗ Evergreen Tree
 ⊙ Medium Shrub

OPTION 'A'

MARIANNE RAE MINTON, REZ2023-00046
FEBRUARY 25, 2022 APPLICANT RESPONSES
TO PLANNING, GILES SECTION 13

MARIANNE RAE MINTON, REZ2023-00046
FEBRUARY 25, 2022 APPLICANT RESPONSES
TO PLANNING, GILES SECTION 13

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C. JASON HAZELWOOD
CODE COMPLIANCE SUPERVISOR
KRISTY MORTON
BUSINESS & OPERATIONS MANAGER
P. O. BOX 470
HANOVER, VIRGINIA 23069
PHONE 804-365-6171
FAX: 804-365-6232

December 27, 2021

Brad Schurman
Balzer & Assoc, Inc.
15871 City View Dr., Suite 200
Midlothian, VA 23113

APPLICANT RESPONSES
FEBRUARY 25, 2022

RE: Project Number CON2021-00012
Construction Plan Application, Giles Farm Sec.

13Dear Mr. Schurman:

Review of the Construction Plan, received November 15, 2021, has been completed by Planning. Attached or listed below you will find pertinent comments from the Planning Department. Other agency comments may be sent directly to you.

Please be advised that after the second site plan submission, if subsequent submissions are required, the third submittal will require a \$250.00 review fee, and the fee for each subsequent submittal after the third will increase in increments of \$100, not to exceed a maximum of \$450.00. This fee is waived for non-profit organizations.

Space has been provided after each comment for your response. Remember to include a copy of this letter with your response, and a letter noting any changes that have been made to the plans other than the ones noted by staff. Please make the following additions and/or corrections to your site plan:

Site Plan:

1. On all sheets, please add TrakiT #: CON2021-00012 to the bottom right corner of each sheet. (§ 26-319)

How Addressed:

Revised: _____ Sheet(s): All.

2. *On the cover page, 35 lots are listed as being in this section. On the approved conceptual plan there were only 34 lots listed in this section. Please provide a lot count for each section to ensure compliance with the approved conceptual plan from the zoning case associated with this project.*

How Addressed:

Lot 29 removed. 34 lots provided. Sheet(s): All.

3. *Please correct notes 6&24 on the cover page under General Notes to reflect these plans are for section 13, not section 10.*

How Addressed:

Revised. Sheet(s): 1.0

4. *While the cover page lists total acreage counts for this section and for the open space; the amount of that area which is in the RPA and in an area with slopes greater than 35% is not listed. These figures are needed to confirm that this section complies with density and open space requirements.*

How Addressed:

Areas added to #13 in General Notes. Sheet(s): 1.0

5. *Please submit a complete tree protection plan that meets the guidelines set forth in the Hanover County Zoning Ordinance (§ 26-192). **Detail Attached***

How Addressed:

Detail added to sheet 13.2. Sheet(s): 13.2

6. *On the Cover Sheet please include the Overlay Districts that this project is located in (Suburban Development Overlay).*

How Addressed: under zoning on cover sheet

See #7 on cover. Sheet(s): _____

7. *Please provide required approval of street names from Plan RVA. A PDF copy of their approval should be included on the plans. This would be needed for; Sycamore Grove Way, Clover Bottom, and Chatham Green Court.*

How Addressed: Will provide

Will provide. Sheet(s): N/A

8. *Please add the street names to the overall plan on sheet 2.0 as well as any other pages this information was not included on.*

How Addressed:

Road names added. Sheet(s): 2.0

9. *Please note on all sheets that Halifax Green Drive is misspelled as "Hailfax" and needs to be corrected.*

How Addressed:

Revised.

Sheet(s): All

10. Please label the location of the future road extension sign. While the detail was included on sheet 13.1, the location needs to be indicated on the Road & Utility plans at the end of Sycamore Grove Way.

How Addressed:

Barricade/callout added to plan.

Sheet(s): 3.0

11. *There are a number of open space amenities that were included on the conceptual plan but are not listed on the construction plan for this section. This would include a missing "playfield" behind lots 14&15; A missing "playfield" an "Unimproved Community Parking Area" and a "Park Area" behind lots 23,24,27,28; missing pedestrian paths; and other amenities approved on the conceptual plan. Please include all approved amenities. A detail has been included indicating all proffered amenities from the conceptual plan that are not present on this construction plan. **Detail Attached***

How Addressed:

Those were conceptual, amenities shown as intended.

Sheet(s): 2.0, 3.0, 3.1

12. *Please provide the pedestrian path that travels from the restored Lake Jane and continues northwest through the easement behind lots 35,36,28,27,26. This is the area that is supposed to have the "Unimproved Community Parking Area." This path is then supposed to extend to the other open space that is absent a playing field behind lots 14&15. All open and common spaces must be connected by pedestrian paths. This path needs to also show continuity with the other previously approved sections. (§ 26-61)(b)(2) **Detail Attached***

How Addressed:

Trail added. Prefer not to have parking area.

Sheet(s): 3.0, 3.1

13. *Please add the gravel access drive leading to the previously mentioned parking area as it was shown on the approved conceptual plan. **Detail attached***

How Addressed:

Prefer not to have parking area, no need for gravel access.

Sheet(s): 3.0, 3.1

14. *Please label the access gate listed on sheet 2.0 and include it on all other relevant sheets. A detail of this access gate needs to be included as well.*

How Addressed:

No gate is listed on sheet 2.0.

Sheet(s): 2.0

15. *Please include the dimensions of all the "Playfields" shown.*

How Addressed:

Dimensions labeled.

Sheet(s): 3.1

16. *Please include two separate curb and gutter details on sheet 13.0. One detail for sidewalks within the right of way and one without sidewalks need to be included.*

comment letter.

If any revisions have been made to the plan in addition to those required to address agency review comments, please provide sufficient explanation and indicate where on the plan they appear. This explanation may be annotated on the agency review letter or submitted in a separate letter.

Please provide the following items with the next and each subsequent resubmittal:

- Application for Construction Plan Approval - Resubmittal*
- Paper copies of the plan sets (folded no larger than 8 ½" x 11"), in accordance with the resubmittal checklist*
- Annotated review comment letters or comment response letters*
- Blue Site Plan review sign posted on property (return with 1st resubmittal), for site plans only*

Revised Construction Plan submitted without the information listed above will not be distributed for review until such time as the information is received by the Planning Department. Upon receiving approval of this CONSTRUCTION PLAN, two (2) signed paper copies will be returned to you.

Should you have any further questions on the process, comments, or Construction Plan requirements, please contact me at (804) 365-6171.

Sincerely,

*Stephen R Pyzowski
Planner*

MARIANNE RAE MINTON, REZ2023-00046
MARCH 31, 2022 PLANNING COMMENTS,
GILES SECTION 13

BOARD OF SUPERVISORS

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PLANNING DEPARTMENT

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CODE COMPLIANCE SUPERVISOR

KRISTY MORTON
BUSINESS & OPERATIONS MANAGER

P. O. Box 470
HANOVER, VIRGINIA 23069
PHONE 804-365-6171
FAX: 804-365-6232

March 31, 2022

Brad Schurman
Balzer & Assoc, Inc.
15871 City View Dr., Suite 200
Midlothian, VA 23113

RE: Project Number CON2021-00012
Construction Plan Application, Giles Farm Section 13

Dear Brad:

Review of the Construction Plan (resubmittal), received March 23, 2022, has been completed by Planning. Attached or listed below you will find pertinent comments from the Planning Department. Other agency comments may be sent directly to you.

Please be advised that a \$350 resubmittal fee will be required with your next submission.

Space has been provided after each comment for your response. Remember to include a copy of this letter with your response, and a letter noting any changes that have been made to the plans other than the ones noted by staff. Please make the following additions and/or corrections to your site plan:

1. Please provide bond estimates for the following improvements. If these have already been shown on the plan, please indicate the location in your resubmittal responses.
 - Sidewalks within right of way
 - Pedestrian trails within common open space
 - Street Tree Plantings (already received under separate cover)
 - Open Space Plantings
 - Temporary Turn around sign
 - Common Space Amenities (see comment 2)

2. Staff has reviewed the proposed open space amenity plan against the approved conceptual plan and has the following comments. These comments summarize the items discussed with Jason Fenchuk via telephone on March 25, 2022.
 - The trail connecting the two open space areas behind Lots 15, 24-26 may be removed in favor of sidewalk connections within the ROW.
 - Extend the sidewalk on Halifax Green Drive, along Lots 15 and 16 to connect to the Open Space.
 - The Open Space area behind Lot 29 is acceptable with the two play fields.
 - The grading plan should be updated to show the grading of the playfields and the new limits of disturbance. A note on the plans stating the fields will be graded is not sufficient.
 - The Open Space area at the terminus of Halifax Green Drive as a park area is acceptable.
 - The plan must be revised to show substantial amenity improvements to this park area. A single bench is not sufficient. A detail of the park area should be provided, showing the amenities to be installed as well as specification sheets for those amenities.
3. Label the location of the temporary turnaround sign at the terminus of Sycamore Grove Way on Sheet 2.0 and 3.0.
4. On Sheet L01, please make notes regarding plantings within XX' of utilities consistent. Notes in the lower left hand corner reference both 8' and 10' separation.

With your submittal of a revised Construction Plan, please provide written confirmation that each review comment from all agencies has been addressed and indicate where on the plan this appears. In instances that the comment is not or cannot be addressed, please acknowledge so, and indicate the reason. If you respond in a separate letter, please tie the response to the corresponding comment number of the comment letter.

If any revisions have been made to the plan in addition to those required to address agency review comments, please provide sufficient explanation and indicate where on the plan they appear. This explanation may be annotated on the agency review letter or submitted in a separate letter.

Please provide the following items with the next and each subsequent resubmittal:

- Application for Construction Plan Approval - Resubmittal
- Paper copies of the plan sets (folded no larger than 8 ½" x 11"), in accordance with the resubmittal checklist
- Annotated review comment letters or comment response letters
- Resubmittal Fee (4th Review - \$350); checks made payable to Hanover County

Revised Construction Plan submitted without the information listed above will not be distributed for review until such time as the information is received by the Planning Department. Upon receiving approval of this Construction Plan, two (2) signed paper copies will be returned to you.

Should you have any further questions on the process, comments, or Construction Plan requirements, please contact me at (804) 365-6171.

Sincerely,

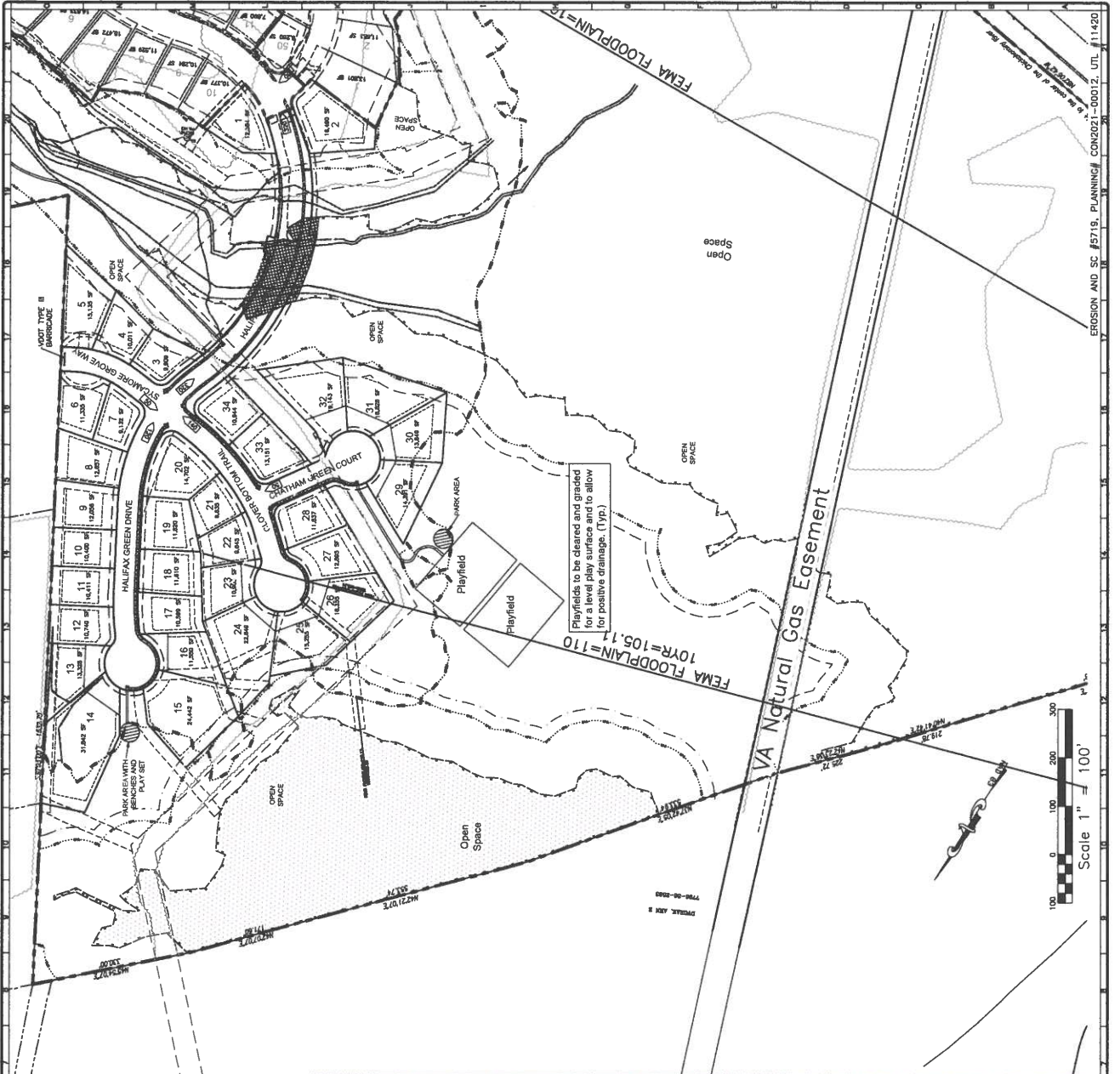
A handwritten signature in blue ink, appearing to read "Mary B. Pennock". The signature is fluid and cursive, with the first name "Mary" being the most prominent.

Mary B. Pennock
Deputy Director of Planning

Cc: Jason Fenchuk, East West Partners

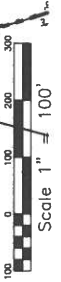
MARIANNE RAE MINTON, REZ2023-00046

SHEET 2.0 APPROVED CONSTRUCTION PLAN
GILES SECTION 13 AND HALIFAX GREEN DRIVE
PARK PHOTOS



DEVELOPMENT BOND ESTIMATES:
 SUBDIVISION: \$45,000
 OPEN SPACE PLANTINGS: \$4,200
 SIGN TURN-AROUND SIGN: \$1,000
 THREE HOUSES: \$60,000

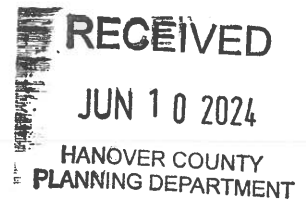
PARK AREA EQUIPMENT EXAMPLE











Re: Marianne Rae Minton, REZ2023-00046 - Road Cash Proffers

From: Robert Nelson (ranelsonjr1@verizon.net)

To: spdibble@hanovercounty.gov; fmherzberg@hanovercounty.gov; smdavis@hanovercounty.gov; dgfloyd@hanovercounty.gov; rmhudson@hanovercounty.gov; foprichard@hanovercounty.gov; jsstoneman@hanovercounty.gov; jmhunter@hanovercounty.gov; ajpompei@hanovercounty.gov; brmchugh@hanovercounty.gov; jevidunas@hanovercounty.gov

Date: Monday, June 10, 2024 at 09:02 AM EDT

Dear Madam Chair Dibble, Vice Chairman Herzberg, Supervisor Davis, Supervisor Floyd, Supervisor Hudson, Supervisor Prichard, and Supervisor Stoneman; Senior Director of Planning and Community Development Hunter, Deputy Director Pompei, and Mr. McHugh; Transportation Engineer Vidunas;

The developer of Minton has proposed road cash proffers of \$3,841 per single family home/lot. This is the Charleston Ridge 2 road cash proffer before a credit for its Atlee Station Road (ASR) road improvements (Minton is making no ASR road improvements) and formed the basis for the Board's approval of its proffers. It was derived in an 8/30/2023 Excel spread sheet using the proffer model.

The proffer model can be used to derive a proffer for Minton. The Charleston Ridge 2 road cash proffer calculated under the proffer model, however, cannot be used for Minton. It would be totally incorrect to do so.

Attached are two Excel spreadsheets - the 8/30/2023 proffer model used by Mr. Vidunas and the Board to calculate the Charleston Ridge 2 road cash proffers; and an updated proffer model adding Minton and calculating its road cash proffers. The results are shown on the sheet titled "Sliding Hill Road Corridor" in both Excels.

Proffer Models and Major Differences between Charleston Ridge 2 and Minton. Road cash proffers are derived based on Average Daily Traffic (ADTs) tied to traffic impacts on candidate road projects. In this case, the candidate road projects are ASR Phase 2 widening (\$31.8 million cost) and ASR Phase 3 widening (\$32.9 million cost). The proffer model derives a cash amount per ADT for these two projects. It is calculated by dividing the cost for each ASR widening project by the present and future ADTs applicable to each project. The cost per ADT is then used to calculate the road cash proffer for a proposed development.

A single family detached home (9.5 ADT) generates more traffic than an apartment

(4.48 ADT). A road cash proffer amount derived for an apartment development cannot be used for single family detached home development, like Minton or Giles.

Another difference is of major importance here. Charleston Ridge 2 is at the north end of ASR, and its traffic study assumes 70% of its traffic will use its entrance/exit on Kings Acre Road. Thus, only 30% of Charleston Ridge 2's traffic impacts ASR! That's 1.35 ADT per apartment unit for ASR Phase 3 widening and 0.67 ADT per apartment for ASR Phase 2 widening. They are the Board approved numbers in the 8/30/2023 proffer model for the Charleston Ridge 2 apartments.

Minton is near the south end of ASR. However, unlike Charleston Ridge 2, 100% of Minton's and Giles' traffic must use ASR. That's 9.5 ADT per single family home/lot for ASR Phase 2 widening and 4.75 ADT per single family home/lot for ASR Phase 3 widening. They are the Board approved numbers in the 8/30/2023 proffer model for the remaining single family homes/lots at Giles. The Minton numbers will be exactly the same.

Road cash proffers are derived based on candidate road project costs per ADT. ASR road cash proffers will be higher per unit for Minton than Charleston Ridge 2 because Minton's ADTs for a single family home/lot are much higher than Charleston Ridge 2's ADTs for an apartment.

Updated Minton Proffer Model and Calculation of Road Cash Proffers. Under the updated proffer model, Minton should pay total road cash proffers of \$26,595 per single family home/lot - \$9,123 for ASR Phase 3 widening and \$17,471 for ASR Phase 2 widening. Minton should pay a total of \$425,514 in road cash proffers for its 16 single family homes/lots. The numbers related to Minton are highlighted in yellow in the updated proffer model Excel attached.

As noted above, the ADTs for Minton's 16 single family homes are based on the remaining lots shown as "Giles Farm (detached)" in both Excels. Existing traffic on ASR, including Giles and other developments, is shown in the "Charleston Ridge II TIA PHV" line based on traffic counts in its TIA and is the same in both models.

The following should be noted. First, the \$26,595 proffer is the result of the major differences in ADT's between Minton and Charleston Ridge 2 discussed above. Second, project funding sources and amounts are irrelevant in the proffer model; and that has always been true. Third, based on recent quarterly road project reports and a presentation at the Board's retreat, the cost of both ASR widening projects has increased significantly over the amounts shown in the proffer models. The

\$26,595 amount would be higher if current cost estimates were used.

Confirmation of Minton Road Cash Proffers using the 8/30/2023 Proffer Model.

The 8/30/2023 proffer model can be used to check the updated Minton road cash proffers. If one takes the cost per ADT for ASR Phase 3 (\$1,929) and ASR Phase 2 (\$1,855) in the 8/30/2023 proffer model and multiplies them by the applicable Minton ADTs for ASR Phase 3 (76 ADTs) and ASR Phase 2 (152 ADTs), the total road cash proffer for Minton's 16 single family homes/lots would be \$428,564 or \$26,785 per single family home/lot. The difference between this amount and \$26,595 reflects the addition of Minton and its ADTs in the updated proffer model. The calculations in the updated Minton proffer model are consistent with the 8/30/2023 proffer model.

Conclusions. For road cash proffer purposes, the applicant pretends Minton is being "annexed" to Charleston Ridge 2 and should be considered Charleston Ridge "Phase 3." This is fiction, pure fantasy land. Minton is being annexed to Giles, can be considered Giles Phase 2, and should be analyzed on that basis. The applicant's proposed road cash proffer of \$3,841 is arbitrary, capricious, and unreasonable. The Board cannot approve it and should deny Minton's rezoning.

If the proffer model is applied to Minton, the road cash proffer would be \$26,595 per single family home/lot. Alternatively, based on the Board's January 28, 2015 ordinance approving road cash proffers for Giles (C-10-07, Am. 1-14) and the Board's July 2020 Honey Meadows precedent, one can use the Giles \$6,671 single family home/lot road cash proffer for Minton. Both are reasonable and supported.

This email will be filed with the planning department. The 8/23/2023 and updated Minton proffer model Excels are attached below.

Thank you for your consideration. Bob Nelson, Ashland District



Proffer Model (Charleston Ridge II) 8-30-23 - Updated For Minton Rezoning June 2024.xlsx
85.5kB



Proffer Model (Charleston Ridge II) 8-30-23.xlsx
85.1kB

McHugh, Brendan R.

From: LISA MORGAN <lmorgan10362@comcast.net>
Sent: Sunday, May 19, 2024 8:06 AM
To: Biernot, Gretchen W.
Subject: Fwd: Re: Giles Farm - Planning/Permit Process

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Please copy the email below to all of the supervisors!

----- Original Message -----

From: LISA MORGAN <lmorgan10362@comcast.net>
To: "Parker IV, Clifton L." <CLParker@hanovercounty.gov>, "dgfloyd@hanovercounty.gov" <dgfloyd@hanovercounty.gov>
Date: 05/19/2024 8:00 AM EDT
Subject: Re: Giles Farm - Planning/Permit Process

Mr. Parker,

I have been meaning to call you in reference to the above. I have decided to send you this email 1st. The following list are major issues that we have had in our subdivision:

1. The section that I live in includes townhomes and villa's. They are in the front section of the subdivision. The sprinkler system in our section was installed incorrectly. Based on the amount of houses and zones, the system should have had two main feeds. But, the developer only installed one feed. Both of the sprinkler companies that have maintained the system, agree that the system was installed incorrectly. This work was not on a permit and was approved by the management company. The homeowners need somebody to look out for them.
2. Giles Farm has two ponds. The pond in the back of the subdivision was advertised as a fishing pond. The pond was stocked with fish even though the developer knew the water was only 1 - 2 feet deep. The state requirement for a fishing pond is 6 - 8 feet deep. The permit for this project was a pond to control water flow not a fishing pond as advertised. The homeowners need somebody to look out for them.
3. The third major issue was the play ground near the club house. The developer installed a play ground that rivalled the "Bad News Bears" playground. It was built out of wood cut from trees in that area. Within a few months the play ground became very dangerous with exposed nails and non-commercial grade equipment. After numerous homeowner complaints and Hanover County involvement most of the playground was replaced. The remaining part of the playground is now falling apart and is very dangerous because it is about 8 feet off of the ground. Most of this structure is not built to any type of building code. I contacted the building inspectors office and they told me that they would not inspect this structure. The homeowners need somebody to look out for them.

The homeowners in Giles Farm are asking Hanover County to improve the permit process, so it includes all parts of a subdivision, in detail, so the homeowners can be protected from rouge builders and developers.

Thanks for your time!
Bruce Morgan

On 05/01/2024 7:36 AM EDT Parker IV, Clifton L.
<clparker@hanovercounty.gov> wrote:

I'm In my office most every morning 6-9am.
Best time for calls.
I travel a lot so if I'm driving and not with clients I also take calls.
804-310-0398

I also recommend you speak to your HOA president and or reach out to Shurm for any questions.

Sent from my iPhone

On Apr 29, 2024, at 3:08 PM, LISA MORGAN
<lmorgan10362@comcast.net> wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

That would be great! Danielle Floyd and myself have had some conversations about this process.
Bruce Morgan

On 04/29/2024 6:37 AM EDT Parker IV, Clifton L.
<clparker@hanovercounty.gov> wrote:

Coffee one morning?

Sent from my iPhone

On Apr 26, 2024, at 8:12 AM, LISA MORGAN
<lmorgan10362@comcast.net>
wrote:

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Mr. Parker,

Did you receive a copy of my February 25 and April 11 letter/emails? I would like to set down and review your departments permit process. The homeowners in Giles firmly believe that your department can help prevent some of our issues that we have had in our subdivision.

Bruce Morgan



Matt Sanders
Board Member, Giles Farm HOA
9311 Janeway Drive
Mechanicsville, VA 23116
(804) 922-2995
msanders@htrsi.com

April 18, 2024

Hanover County Planning Commission

P.O. Box 470
Hanover, VA 23069
RE: REZ2023-00046, MARIANNE RAE MINTON

Planning Commission,

I'm here today as both a Giles resident, and resident HOA board member for the Giles Homeowners Association.

Personally, I've been a resident of Hanover County most of my life, attended elementary, middle, and high school in the Chickahominy district (Cool Spring, Chickahominy, Atlee, respectively) – and have either lived, or owned property in six subdivisions within the district during that time. My wife and I have two kids at Cool Spring Elementary School (go Dolphins) – and outside of the neighborhood and our careers, spend alot of time at the balls fields at Atlee Little League, and hold volunteer board member positions for Blue Star Youth Football and Cheer – just down the street from here at Courthouse Park (go Cowboys). I share all of this with you all to signal how embedded my family is within this community, and how much we care about the future of the district, and the county.

As for why I'm here tonight, I'm speaking on behalf of the (5) board members for the Giles Homeowners Association, and the large majority of homeowners in Giles, in support of the proposed rezoning application and future development of 16 single family homes. Our support is based on the following:

- We believe this rezoning/development fits the spirit of intended use for the target area based on Hanover County's Comprehensive Plan
- To our understanding, the number of homes in the proposed development (16) has negligible impact to Giles amenities, transportation (roads), and schools
 - Transportation improvements are already underway for Atlee Station Road (available on county's website)
 - To our understanding, public school enrollment impacts have been vetted already and are negligible
- The developer has engaged with the Giles HOA, Giles residents, and Chickahominy district residents in good faith to provide transparency into their plans and intended use, and also to maintain the standards of the Giles Community – while adding like-kind amenities

As both a Giles resident and speaking on behalf of the Board for the Giles Homeowners Association, I'd encourage the Planning Committee to approve the application.

Thank you so much for your time, and your service to making Hanover one of the best places to live.

Matt Sanders
804-922-2995

Marianne Rae Minton, REZ2023-00046 - Road Cash Proffers and Transportation Policy

From: Robert Nelson (ranelsonjr1@verizon.net)

To: spdibble@hanovercounty.gov; fmherzberg@hanovercounty.gov; smdavis@hanovercounty.gov; dgfloyd@hanovercounty.gov; rmhudson@hanovercounty.gov; foprichard@hanovercounty.gov; jsstoneman@hanovercounty.gov; jmhunter@hanovercounty.gov; ajpompei@hanovercounty.gov; brmchugh@hanovercounty.gov

Date: Monday, May 6, 2024 at 09:06 AM EDT

RECEIVED

MAY 06 2024

HANOVER COUNTY
PLANNING DEPARTMENT

Dear Madam Chair Dibble, Vice Chairman Herzberg, Supervisor Davis, Supervisor Floyd, Supervisor Hudson, Supervisor Prichard, and Supervisor Stoneman; Senior Director of Planning and Community Development Hunter, Deputy Director Pompei, and Mr. McHugh;

The developer of Minton's proposed 16 single family homes claims it has no responsibility to pay road cash proffers for improvements to Atlee Staff Road (ASR). At the Planning Commission meeting, planning staff supported that request, citing the 40 lot minimum in the Business and Residential Development Road Improvements Transportation Policy (Transportation Policy).

The Transportation Policy was adopted in March 2013 and revised in June 2016 to comply with changes in state law. It links road cash proffers for business and residential development to a list of candidate road projects which was last revised and approved by the Board on July 28, 2021 (Board minutes, pp. 22-23). Minton creates traffic impacts for two needed road improvement projects to widen ASR on the candidate project list: Phase 2 between Warren Ave. and Kings Charter Drive (\$31.2 million) and Phase 3 between Kings Charter Drive and Sliding Hill Road (\$35.5 million). See attached 7/28/2021 Board action item and candidate project list. The 1st Q 2024 county road report shows that the estimated cost for Phase 2 widening has increased to \$37.0 million. Under state law, reasonable road cash proffers can be approved to address an identifiable portion of a need for road improvements in a rezoning involving one or more residential dwelling units.

The Board has approved road cash proffers for a subdivision addition of less than 40 lots. In July 2020, the Board approved the rezoning of a 4 acre addition to Honey Meadows for 19 single family lots and homes, resulting in a subdivision of 292 lots. Honey Meadows and the 19 single family home rezoning were integrated, and the Board approved a \$3,491 road cash proffer for all homes in the addition. Commonwealth Lands, LLC, REZ2019-00033 (7/22/2020), Board minutes, pp. 45-50 at 48. The \$3,491 road cash proffer was the same as the proffer previously approved for single family homes in Honey Meadows. Virginia Land Development LLC, et al. (Honey Meadows), C-34-02, Am. 1-13 (10/23/2013), Board minutes, pp. 17-23 at 20.

Giles and Minton are integrated and cannot be separated. Minton must have access to Giles subdivision roads and its public water and sewer system. In fact, without Giles, it would be impossible to approve Minton as an RS development. There is no other RS development alternative.

A road cash proffer of \$6,671 has been or will be collected on every one of the 320 single family homes in Giles. Giles Farm, LLC, et al., C-10-07, Am. 1-14 (1/28/2015), Board minutes, pp. 11-17 at 11 (\$6,671 for detached single family homes); Hanover Development, LLC, et al. (Giles Farm LLC), C-10-07 (1/26/2011), Board minutes, pp. 27-48 at 28 (442 total residential homes - 320 single family homes, 122 townhouses). The road cash proffer for Giles single family homes can and should be assessed on Minton's single family homes.

Where a rezoning cannot be separated from an approved subdivision, non-discriminatory road cash proffers can be approved for the entire subdivision. Giles is a subdivision of 442 residential homes without Minton and 458 residential homes with Minton. Single family homes in Giles are 320 without Minton and 336 with Minton. The 40 lot minimum in the Transportation Policy is properly based on the number of residential dwelling units in the entire subdivision.

\$6,671 is the identifiable portion of ASR road improvements for single family homes in Giles before and after Minton. This reasonable road cash proffer complies with state law and the Transportation Policy and is solidly grounded in the Board's rezoning decision adding a section to Honey Meadows.

The staff report notes the Minton rezoning request is not an amendment, but the proposed Minton development will be integrated into the Giles homeowners association. Planning Commission Staff Report, p. 5. These observations understate the truth. Minton can only be developed as an addition to Giles. Minton and Giles are fully integrated. The two are one and cannot be separated.

Conclusions. A road cash proffer equal to the Giles road cash proffer of \$6,671 per single family home is justified for each of Minton's 16 single family homes. This logical, common sense approach applies to subdivision additions where road cash proffers have been approved and the entire subdivision has more than 40 lots. A \$6,671 road cash proffer is reasonable, consistent with state law, and supported by the Board's approval of road cash proffers for an addition to Honey Meadows.

This email with the attachment will be filed in this case for inclusion in the Board packet.

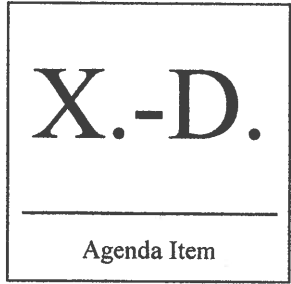
Let me know if you have any questions. Thank you for your consideration. Bob Nelson, Ashland District



Board Action Item - Approved Candidate Project List, July 28, 2021 Meeting.pdf

783.7kB

**BOARD ACTION ITEM – APPROVED CANDIDATE
PROJECT LIST, JULY 28, 2021 MEETING**



County of Hanover

Board Meeting: July 28, 2021

Subject: Request for Adoption of Road Project Priorities and Candidate Project List

Summary of Agenda Item: In accordance with the adopted Transportation Policy (revised June 27, 2016) the Roads Committee reviews annually and updates the "Candidate Project List". This year, considering past project accomplishments and new funding available from the local share of the Central Virginia Transportation Authority (CVTA) the update of road project priorities and the associated "Candidate Project List" is substantial.

In addition, the state is looking to partner with the CVTA to complete a segment of the Fall Line Trail from Ashland to Henrico. The CVTA has endorsed using regional CVTA funding to provide match to complete the project. This would benefit Hanover County though the use of approximately 4.12 million dollars of regional transportation dollars.

At the July 12, 2021 meeting the Roads Committee recommended the board adopt the attached "Candidate Project List" including support of the CVTA proposal to fund the Fall Line Trail using regional funds. The roads committee also recommended that staff prepare a funding plan and schedule to accomplish the projects utilizing anticipated revenues from various sources including the new CVTA funding.

County Administrator's Recommended Board Motion: Motion to adopt the attached Candidate Project List, including the CVTA proposal to fund the Fall Line Trail using dedicated regional funds and direct staff to prepare a funding plan and schedule utilizing anticipated revenue from various sources including the new CVTA funding to accomplish the projects.

Candidate Project List

Project	Category	Description	Est. Cost	Current Est.	Funding Status	Status
360/ Lee Davis Road	Capacity / Op Eff / Safety	Widen 360 Improve intersection	\$25,311,118	\$28,811,118	\$25,133,118	\$25,133,580
Pole Green Rd Widening	Capacity	Widen from 2 to 4 lanes between Bell Creek Rd and Rural Point Rd	\$11,000,000	\$19,955,092	\$20,535,548	Underway
Attee Station Rd Widening Ph II	Capacity	Widen from 2 to 4 lanes between Warren Ave. and Kings Charter Drive	\$20,000,000	\$31,200,000	\$31,813,173	Underway
Sliding Hill / Peakes / Ashcake Roundabout	Capacity/ Safety	Convert 4 way intersection to Roundabout	\$7,501,325	\$7,501,325	\$7,501,325	Funded
Rural Safety / Paving Projects	Safety	Trench widen / overlay	\$3.5 million/ yr.			
Atlee Station Rd Widening Ph III	Capacity	Widen from 2 to 4 lanes between Kings Charter Drive and Sliding Hill Rd	\$20,000,000	\$35,470,000	\$0	
Lewistown / Ashcake Roundabout	Operational Efficiency/Safety	Convert the T intersection to a Roundabout	\$5,635,000			
Rt 301 Thru Lane South	Capacity / Safety	Add a new third lane under RR bridge	\$1,215,000			
Route 1 / Route 30 Continuous T	Capacity / Safety	Convert unsignalized T intersection to a continuous T (signalized)	\$4,136,000			
Creighton / Walnut Grove Roundabout	Capacity / Safety	Convert the T intersection to a Roundabout	\$5,500,000			
Atlee / Old 360 Roundabout	Operational Efficiency/Safety	Convert signalized intersection to roundabout	\$6,500,000			
Greenwood / Blanton / Ashland Rd Roundabout	Safety	Convert multilane approach intersection to roundabout	\$5,500,000			
Economic Development	Economic Development	Projects to be approved by Board Agreement	\$1 million / yr.			
Bike / Ped Infil. Grant Match - Transportation Alternatives funding	Transportation Alternatives	Match funding for federal competitive grant application to create more walkable communities and infil gaps	\$50,000			
Paper Street Paving / Maintenance	County Maintenance	Maintenance of substandard public roads	\$50,000			
Dedicated Regional Funds						
Fall Line Trail	Regional CVTA Priority	Town of Ashland (Hanover) to Londale Recreational Center (Henrico)	\$12,000,000			

Petition

To: Hanover County Board of Supervisors and Planning Department

Reasons: The Community of Giles Farm Rejects the rezone of GPIN 7796-55-5154 from Agricultural District to Residential District for the creation of 16 single Family Building lots. (REZ2023-00046)

#	Printed Name	Address	Signature
1.	Bruce Morgan	9141 Spring Green Lp	Bruce Morgan
2.	John Powers	9153 SPRING GREEN LP	J Powers
3.	SANDEEP DEVARAM	9590 SYCAMORE GLADE ^{way}	Sandeep Devaram
4.	PRAKASH RAVULURI	9524 HALIFAX GREEN	P. Prakash
5.	BREE POLITO	9520 HALIFAX GREEN	Bree Polito
6.	Kathleen Powers	9153 SPRING GREEN ID	Kathleen Powers
7.	SHREETAN PANDEY	9522 HALIFAX GREEN	A.P.
8.	VENKARU KOMALAGANI	9536 HALIFAX GREEN	K. V.
9.	RAJESH KUNAPARATHU	9540 HALIFAX GREEN	Rajesh
10.	VENKATA IRRINKI	9544 HALIFAX GREEN	V. Irrinki
11.	CHAITANYA LAKSHMI	9527 HALIFAX GREEN	Chaitanya Lakshmi
12.	ABHITTI KOLLAMBATHU	9523 HALIFAX GREEN	A. K.
13.	BRANDON POPE	9572 CLOVER BOTTOM RD	Brandon Pope
14.	KRISTEN POPE	9572 CLOVER BOTTOM RD	Kristen Pope
15.	R. MAHENDAR REDDY	9571 CLOVER BOTTOM RD	R. Mahendar Reddy
16.	MUTHUKUMAR SUNDAR	9567 CLOVER BOTTOM RD	M. S.
17.	PRASANNA GUDDETI	9563 CLOVER BOTTOM RD	P. Prasnna Gudde
18.	KYLE KUPPER	9589 chatham green rd.	Kyle Kupper
19.	P. Ravindra	9555 clover Bottom Rd	P. Ravindra
20.	E. Brown	9129 Hunters Crest Ln	E. Brown
21.	L. Henney	9129 Hunters Crest Ln	L. Henney
22.	KATHY DUNK	9121 Hunters Crest	Kathy Dunk
23.	THOMAS R BAILES	9125 HUNTERS CREST LN	Thomas R Bailes
24.	Martha Smith	9129 Spring Green Loop	Martha Smith
25.	Anand Sunde	9548 Halifax Green	A. Sunde

Petition

To: Hanover County Board of Supervisors and Planning Department

Reasons: The Community of Giles Farm Rejects the rezone of GPIN 7796-55-5154 from Agricultural District to Residential District for the creation of 16 single Family Building lots. (REZ2023-00046)

26.	Lisa Morgan	9141 Spring Green Loop	Lisa Morgan
27.	Tim Reed	9108 Hunters Creste	Tim Reed
28.	GLEN + VANESSA GROOMS	9111 Hunters Creste Lane	Glen Grooms
29.	Tom Duran	9104 Hunters Creste	Tom Duran
30.	WARREN BROWN	9317 WILLIES WAY TR	Warren Brown
31.	Peter & Joyce Bonghwin	9133 S.P.G.	Peter Bonghwin
32.	Dore & Tricia Williams	9121 Sp. Gr. Loop	Dore Williams
33.	HARVEY A. SMITH	9129 SPR GR. LOOP	Harvey A. Smith
34.	Donald K. Bechtel	8981 Spring Green Loop	Donald K. Bechtel
35.	SHERI DePuy	9113 Spring Green Loop	Sheri DePuy
36.	Dena DePuy	9113 Spring Green Loop	Dena DePuy
37.	Steve Holloway	9053 Spring Green Loop	Steve Holloway
38.	Robert Robinson	9082 Spring Green Loop	Robert Robinson
39.	Allison Piyun	8984 Spring Green Loop	Allison Piyun
40.	Prinyadar Devi	9594 Sycamore Grove Way	Prinyadar Devi
41.	Angil May	9201 Fairfield Farm	Angil May
42.	Robin Johnson	9113 Inshaw Ct.	Robin Johnson
43.	Diane Laabs	8985 Spring Green Loop	Diane Laabs
44.	ALAN COBB	9124 Hunters Creste	Alan Cobb
45.	Steve Spott	9157 Spring Green Loop	Steve Spott
46.	Vandhi Pottabathub	9598 Sycamore Grove	Vandhi Pottabathub
47.	Ryan Davis	9202 Halifax Green	Ryan Davis
48.	Shelley McLamb	9161 Spring Green Loop	Shelley McLamb
49.	Hari ta Kannbhamp ^{ah}	9244 Fairfield Farmet	Hari ta Kannbhamp
50.	Jacquelyn Harris	9425 Pleasant Hill	Jacquelyn Harris
51.	Bojapati Jayanth	9597 Sycamore Grove Way	Bojapati Jayanth

Petition

To: Hanover County Board of Supervisors and Planning Department

Reasons: The Community of Giles Farm Rejects the rezone of GPIN 7796-55-5154 from Agricultural District to Residential District for the creation of 16 single Family Building lots. (REZ2023-00046)

52.	Michael Curry	9020 Airwell Ct.	
53.	Yunio Ferrer	7009 Akland Ct	
54.	Ravinder Chikkarajju	9210 Giles Pond Dr	causa.
55.	Vinod Ravera	9255 GILES POND DR	
56.	SRIPAL ADAMALA	9262 GILES POND DR	
57.	Venkata Pagidimarri	9201 Ida Springs Pl	
58.	Pinki Singh	9240 Dentons Tavern Way	
59.	ATAY ADDULA	9203 GILES POND	
60.	LAN PHAN	9433 Pleasant Level	
61.	TANZIN KHAN	9215 Halifax Green Dr	
62.	Cyprien Tchatchou	9429 Pleasant level road	
63.	NAGARAJU PAIDA	9275, GILES POND DR	
64.	Laghu D	9263 Giles pond Dr	
65.	Gme McNeill	9283 Giles Pond Dr	
66.	Sean O'Donnell	9081 Spring Greenloop	
67.	Clifford Phipps	9312 JANEWAY DR.	
68.	CAROLYN PHIPPS	9312 JANEWAY DR.	
69.	Balakrishnan Muthusamy	9231 Halifax Green Dr	
70.	ASHOK RAMASUBBU	9593 Syalamore Grove way	
71.	Mary Dingle	9336 Willies Way TRC	
72.	Bill Dingle	9336 Willies Way TRC	
73.	DOUG LAABS	8985 SPRING GREEN LOOP	
74.	MICHAEL J HOSI	9349 WILLIES WAY TRC	
75.	Jane Long	9145 Spring Greenloop	
76.	Samir Serak	9239 Dentons Tavern	
77.	GANESH KASHYAP RUPY	9247 Halifax Green Dr	

Petition

To: Hanover County Board of Supervisors and Planning Department

Reasons: The Community of Giles Farm Rejects the rezone of GPIN 7796-55-5154 from Agricultural District to Residential District for the creation of 16 single Family Building lots. (REZ2023-00046)

78.	Neil Smith	4071 White Plains Ct 23116	Neil D Smith
79.	Christy Cooper	9327 Taneway Dr 23116	Christy Cooper
80.	Breck MacArthur	9112 Spring Green loop 23116	Breck MacArthur
81.	Suail Navazam	9256 Denton Parkway	
82.	Rosemarie Kovarsik	9137 Spring Green loop	Rosemarie Kovarsik
83.	Thomas Jobe	9101 Spring Green loop	Thomas Jobe
84.	Melania Jobe	9101 Spring Green loop	Mel Jobe
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McHugh, Brendan R.

From: Pompei, Andrew J.
Sent: Friday, April 12, 2024 9:42 AM
To: Hunter, Jo Ann M.; Pennock, Mary B.; Biernot, Gretchen W.; McHugh, Brendan R.
Subject: FW: Giles Farm - REZ2023-004

From: Martha Smith <martha.smith83@gmail.com>
Sent: Thursday, April 11, 2024 11:15 PM
To: Pompei, Andrew J. <AJPompei@hanovercounty.gov>; Floyd, Danielle G. <DGFloyd@hanovercounty.gov>
Subject: Giles Farm - REZ2023-004

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Good evening -

My husband and I live in a townhome in Giles. I believe ours was the fourth home to close in Giles, in August of 2019. We were here before the playgrounds, pool, nature trails, "stocked ponds for fishing", and clubhouse. While we did not have amenities, we had many promises of what was to come. Being at a time in our lives when we wanted to downsize and have a maintenance free lifestyle while not living in a 55+ community, we thought Giles was the perfect place to be.

I am not in favor of developing the 16 lots in the back of the neighborhood near the end of Halifax Green Drive. I know 16 homes is not many when you consider we already have 400+ townhomes and single-family homes, but it is the things that may come along with these 16 homes and the already existing issues in the neighborhood that have not been resolved that concern me.

Giles was developed with the existing number of homes in mind. I fear that developing the 16 lots will open the door to further development of the 100 or so acres around Giles. At 2-3 homes per acre, it could mean many additional homes, people, and much more traffic. Perhaps some would need to use the existing roads in Giles to access their homes, we know the residents in the proposed 16 homes definitely will. Additional residents will create more traffic on a main road where far too many people already speed. It is a huge challenge getting in and out of the neighborhood with both entrances onto Atlee Station Road and no stoplights. People from Giles and people who are not Giles residents park in the lanes of Halifax Green to pick up their children from the school bus in the afternoons, completely blocking a travel lane. Traffic here is already a nightmare, I do not want to imagine how bad it could become.

Giles' "resort style amenities", publicly advertised by the original developers, have not met the expectations and promises made. If the 16 homes are built, we will have 16 additional families using the three-lane pool that cannot support a swim team and is too small for a neighborhood of this size. The children in these families will want to play on the playground(s) and enjoy the athletic fields, which are yet to be seen. The structures on the original playground were built using trees cut down to clear the space for the playground, not out of treated lumber, metal, or plastic, with many things being held together by flimsy rope and inappropriate nails. Within several months, these structures were falling apart and the area was deemed unsafe. While East West replaced most structures, with no help from Willie Goode who took his money and ran without consequence or care, at least one structure that was left from the original playground is now falling to pieces. We are still waiting on the second playground.

The additional 16 families will want to enjoy the "two stocked ponds" that are not deep enough to sustain aquatic life. One pond seems to be partially drained or dried up and overgrown. As residents of the neighborhood, these families should be able to enjoy all that Giles has to offer and all that was promised, but those of us already here are still struggling to do so.

My understanding is that homeowners, whose lots are adjacent to the now undeveloped land where the 16 homes would be built, paid a premium on their lots to have privacy. I can only imagine the frustration these people must feel knowing their privacy will be destroyed.

Hanover County does not seem to have people who follow up on plans submitted by developers to assure they meet codes, plan for adequate infrastructure, or see that plans are followed though as approved. Willie Goode, the developer of our section of Giles, has not been held accountable for the things he did not provide even though they were promised verbally and in writing. The pond he was responsible for is a murky mess that floods walkways and properties when it rains. An extremely inadequate irrigation system was installed for the entire Spring Green Loop townhome area, one of the things covered by our HOA dues, making it impossible to set up an irrigation schedule due to having more zones than the system can possibly handle. Parts of the system have been completely turned off, causing plants, trees, and shrubs to die. The HOA must now decide whether our dues can cover replacement costs, something written in the provisions with our contracts. Mr. Goode did not have irrigation installed in many of the common areas and this affects the curb appeal of the neighborhood. It is disheartening knowing the county did not hold Mr. Goode accountable for adequate planning and for providing what residents paid for. Will the developer of the 16 lots be held accountable for what is supposed to be done? Will inspectors make sure things are done correctly and to code?

I will only briefly mention the MANY unimaginable issues we have had with our townhome that county inspectors should have caught while construction was taking place – a huge one foot by two foot hole in a wall that was not repaired and was covered with a mirror (no wall behind it), areas of the exterior walls completely missing insulation, insufficient (by code) insulation in the attic, pipes installed on the outside of the insulation rather than on the inside toward the living area, the wrong size HVAC system installed (double the required size for a home this size), wiring with nails driven through it, and more. I may be wrong, but I thought Hanover County was supposed to have inspectors who look for such things to be up to code and safe. If so, they completely blew it where our townhome is concerned. If inspectors are overworked and unable to catch such gross mistakes, then there is no reason to keep adding to the number of homes they need to inspect. Please note that we purchased an already built unit and were not part of the building process. All of our issues supposedly passed inspections and were discovered once we moved in.

The prospective developer, the original and current developers, and Hanover County failed the Giles homeowners and residents of Staple Lane by not informing us of what was being proposed and approved until it was all done. It makes me fearful of what is to come and distrustful of how the County does things.

Please stop and consider the people already living in Giles and on Staple Lane, and do not move forward with the development of the 16 additional lots.

Thank you for your time.

Martha Smith
9129 Spring Green Loop
Mechanicsville, VA 23116

McHugh, Brendan R.

From: Pompei, Andrew J.
Sent: Monday, April 15, 2024 8:19 AM
To: McHugh, Brendan R.; Biernot, Gretchen W.
Subject: FW: Giles Farm REZ2023-0046

From: Michael C <001mcurry@gmail.com>
Sent: Saturday, April 13, 2024 5:17 PM
To: Pompei, Andrew J. <AJPompei@hanovercounty.gov>; Floyd, Danielle G. <DGFloyd@hanovercounty.gov>
Subject: Giles Farm REZ2023-0046

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear Pompei and Floyd:

I'm against the rezoning because the Giles community has already become overcrowded. Just getting in and out of the community during rush hour is difficult due to no traffic lights at the corner of Atlee Road, and a silly roundabout will not fix the problem. Unfortunately, the county commissioners are definitely asleep at the wheel as the infrastructure is not keeping up with the growth. There is no intelligent planning and Ryan Homes was allowed to skip infrastructure improvements: water and sewer improvements, road expansions, traffic lights, sidewalks along the roads, street lights in the Giles community are non-existent, grants to the sheriff department so they could hire more personnel, and the list goes on.

Please share this information with the county commissioners. Thank you for your time.

Best Regards,

Michael Curry
Tel: 571-471-2650
001mcurry@gmail.com

RECEIVED

APR 15 2024

HANOVER COUNTY
PLANNING DEPARTMENT

Marianna Rae Minton, REZ2023-00046

From: Robert Nelson (ranelsonjr1@verizon.net)

To: acabbott@hanovercounty.gov; clparker@hanovercounty.gov; bheizer@hanovercounty.gov;
epiverson@hanovercounty.gov; lleadbetter@hanovercounty.gov; wemartin@hanovercounty.gov;
fimcghee@hanovercounty.gov; jmhunter@hanovercounty.gov; ajpompei@hanovercounty.gov;
brmchugh@hanovercounty.gov

Cc: foprichard@hanovercounty.gov; dgfloyd@hanovercounty.gov

Date: Monday, April 15, 2024 at 02:16 PM EDT

Dear Commissioner Parker, Commissioner Abbott, Commissioner Heizer, Commissioner Iverson, Commissioner Leadbetter, Commissioner Martin, and Commissioner McGhee; Senior Director of Planning and Community Development Hunter, Deputy Director Pompei, and Mr. McHugh;

After reviewing the staff report (SR), I have the following comments and concerns with this rezoning application. The Planning Commission should deny or defer a recommendation on the application until the issues discussed below are fully addressed and resolved.

1. Road Cash Proffers. While the staff report hints at this issue, neither the applicant nor staff discuss it. SR, p. 5 - relationship with Giles development, transportation. The proffers certainly do not address road improvements. SR, pp. 8, 45-47.

A study of the pro rata share of the Minton rezoning for the costs of widening Atlee Station Road between Warren Ave. and Kings Charter Drive (Phase 2) and between Kings Charter Drive and Sliding Hill Road (Phase 3) has not been performed. Moreover, every single family lot and home in Giles has paid or will pay a road cash proffer of \$6,671. SR, p. 5 - Giles, C-10-07, Am. 1-14 (1/28/2015), Board of Supervisors (Board) minutes, pp. 11-17. Absent a cost responsibility study, a road cash proffer of \$6,671 should be assessed and paid for each Minton lot and home, indexed for inflation between the date of Board approval and the date of issuance of a certificate of occupancy.

This recommendation is supported for the following reasons:

* *Atlee Station Road (ASR) widening - Phase 2 and Phase 3*. The staff report references Phase 2 widening but omits any reference to its cost and

fails to mention Phase 3 at all. SR, p.5. The most recent county quarterly report (1st Q 2024) shows that the estimated cost of Phase 2 widening has increased to \$37.048 million from \$31.810 million (4th Q 2023). See, attached ASR widening pages from the two most recent quarterly reports. Moreover, an estimated cost of \$32.9 million for Phase 3 was used to compute road cash proffers for Charleston Ridge 2 LLC. See discussion below. Minton should pay its pro rata share of ASR widening costs, but no cost responsibility study has been performed.

* *Minton and Giles are necessarily and completely integrated.* The staff report suggests that the county has no role, and a decision to annex Minton into Giles is a private HOA matter. SR, pp. 1, n. 1; p. 33 - HOA letter. On the contrary, the Planning Commission and the Board have a responsibility to determine whether Minton is integrated with Giles and make decisions accordingly.

Minton has no road access to Atlee Station Road except through the existing Giles road system, and its residents will have to use ASR as well. SR, p. 5. County water capacity and service and sewer capacity and service are only available from Giles. SR, p. 7. If the Giles road system and county public utilities did not exist, Minton would not have been proposed and could not be approved as an RS subdivision.

Minton and Giles are necessarily and completely integrated. Like Giles single homes, Minton single family lots and homes should pay road cash proffers in a minimum amount of \$6,671 indexed for inflation.

* *Board decisions.* In addition to the Board's January 2015 decision in Giles, the following cases discuss road improvement and cash proffers for subdivisions and additions to subdivisions along Atlee Station Road. All these decisions support road cash proffers for Minton.

Honey Meadows. In July 2020, the Board amended the conceptual plan for Honey Meadows, approved rezoning a 4 acre parcel, and added a section of 19 lots and homes to the subdivision. The developer of Honey Meadows had previously paid for the construction of a proffered traffic signal at ASR/Honey Meadows Road, and the 19 lot section has dual access to Honey Meadows and the Taylor Farm subdivision. Single family road cash proffers of \$3,471 per lot and home were approved for the new section, consistent with the approved Honey Meadows road cash proffers for single family lots and homes. Commonwealth Lands, LLC, REZ2019-00033 (7/22/2020),

Board minutes, pp. 45-50 at 48; Virginia Land Development LLC, et al. (Honey Meadows), C-34-02, Am. 1-13 (10/23/2013), Board minutes, pp. 17-23 at 20.

Summer Duck. In December 2014, the Board approved a \$6,671 road cash proffer, an amount equal to the amended Giles single family proffer, for 68 single family lots and homes in a new subdivision. E. Tyree Chappell Estate, C-7-14 (12/10/2014), Board minutes, pp. 34-41 at 36, 39.

Taylor Farm. In May 2017, the Board approved a 125 single family and townhouse subdivision along Honey Meadows Road and ASR. In lieu of road cash proffers of \$8,491 for single family homes and \$5,795 for townhouses, the developer agreed to construct significant road improvements on Honey Meadows Road between the traffic signal and the entrance to the Honey Meadows subdivision and on Atlee Station Road between the traffic signal and the entrance to Chickahominy Middle School. Cool Springs Company, C-34-15 (5/24/2017), Board minutes, pp. 36-44 at 41.

Charleston Ridge 2 LLC. In December 2023, the Board approved a \$3,362 road cash proffer per apartment for a 162 apartment development at the north end of Atlee Station Road. Charleston Ridge 2 LLC, REZ2023-00022 (12/13/2023), Board minutes at pp. 23-25 at 24. Based on FOIA responses, the proffer was calculated based on the project's impact on Atlee Station Road. Specifically, the road cash proffer was based on estimated costs of \$31.805 million for Phase 2 and \$32.915 million for Phase 3 widening of ASR and included a credit for applicant ASR road improvements in the vicinity of its project.

Here, by contrast, Minton seeks a free ride. Its only road improvement is the extension of Sycamore Grove Way necessary for future Minton homeowners. As proposed, no road cash or road improvement proffers will be made by Minton on Atlee Station Road. Minton's free ride request is contrary to every recent Board decision involving road proffers on Atlee Station Road.

Granting Minton's request would be unjust, unreasonable, and unduly discriminatory to the developers of all recent subdivisions along ASR. It would also be preferential to Minton based on Giles and Summer Duck where a road cash proffer of \$6,671 was paid for each lot and home.

2. Traffic study. The staff report states:

"The applicant has provided a letter from an engineer verifying that the road improvements completed as recommended in the Giles Farm Phase 1 Traffic Impact Analysis [TIA] address the anticipated traffic impact of this proposal [Minton]." SR, pp. 5, 30.

It isn't clear when the Giles "Phase 1" TIA was prepared, the assumptions in it, or whether and how it was used in the Giles rezoning case. The undated letter in the staff report provides no detail.

The statement in the staff report is unsupported and incorrect. Based on representations in the Taylor Farm TIA by the same firm which prepared the Giles TIA, the Giles TIA is dated April 12, 2010 and was based on three points of access from Giles to ASR - two new ones for Giles and an existing one at Warren Avenue. To allow the use of Warren Avenue, the Giles TIA proposed to connect to Coleman Rd. and Howard Drive in the Atlee Manor subdivision. Hanover Development LLC, et al. (Giles Farm LLC), C-10-07 (1/26/2011), Board minutes, pp. 27-48 at 29.

The Board decided not to allow Giles traffic to access its subdivision via Warren Avenue and Coleman Rd. and Howard Drive. It approved an amended concept plan which denied the use of these connections for the Giles subdivision. Board 1/26/2011 minutes at 43-44, 48. The result was that the Giles TIA understated the traffic impact at the only approved ASR access points - the two for Giles - by failing to reflect the traffic the TIA had assumed would exit/enter the subdivision via Warren Avenue.

The Giles TIA did not address the anticipated traffic impact from the amended Giles conceptual plan at its two approved ASR access points. There is also no evidence that the Giles TIA anticipated the traffic from the proposed 16 single family Minton project.

3. Failure to proffer the conceptual plan. The staff report summarizes and discusses the conceptual plan. SR, pp. 3-5. However, the proffers contain no reference to the conceptual plan. SR, pp. 8, 45-47.

Section 26-67 of the county code, governing RS zoning districts, states:

"1. Conceptual plan. The property shall be developed and improvements including landscaping installed in substantial conformity with a conceptual

plan (the "plan") approved by the Board as part of the approval of the district."

The section contains four pages with detailed provisions on conceptual plans and related issues. In addition to subsection 1, the other subsections discuss open and common space areas; conceptual plan, standards for review; and ownership and maintenance.

The applicant's failure to proffer its conceptual plan, and the staff's apparent agreement with that decision, cannot stand. For an RS subdivision so completely tied to Giles, Minton should not have the option of claiming that its conceptual plan does not bind it; and a future construction plan can vary or depart from the conceptual plan without limitation. Any Planning Commission recommendation or Board decision approving Minton should contain an ordinance promise and proffer to abide by the conceptual plan.

4. Cool Spring Elementary School (CSES) overcapacity and overcrowding. The staff report admits that CSES is over its capacity of 768 and provides projected enrollment of 810 (2024-2025), 835 (2025-2026), and 851 (2026-2027). SR, p, 6. Attached is a position paper I filed last December in two dockets discussing the reasons for CSES overcapacity and overcrowding. I won't repeat the analysis, but it highlights county school and planning failures for many years.

What follows is an update and response to the staff report. Unless otherwise noted, all enrollment data is as of September 30th. Also attached are CSES excerpts from a school staff presentation at a School Board work session on February 29, 2024.

* CSES actual enrollment was 639 (2020-2021), 722 (2021-2022), 773 (2022-2023), and 802 (2023-2024) - a 163 student, 25.5% increase in three years. CSES current enrollment is 819, already above the 810 school projection for 2024-2025.

* CSES projected enrollment is 867 (2027-2028) and 903 (2028-2029). That's another 101 student increase over the actual 2023-2024 enrollment of 802 by 2028-2029 - a 12.6% in five years. CSES will be over capacity by 135 students in 2028-2029.

* Student enrollment at CSES from Giles was 184 on 9/30/2023. It has increased every year and will likely increase in the future with Giles existing

and new homes. This does not include students from Minton's new homes, remaining new homes at Honey Meadows, and the new apartments at Charleston Ridge 2 (starting in January 2028).

* The schools will eliminate online learning for the 2024-2025 school year, adding up to 112 students to county schools.

* Total county student enrollment has fallen from its peak of 18,844 (2006-2007) to 16,820 (2023-2024). The county has achieved the unthinkable - an overcrowded and overcapacity CSES in the face of a 2,000 decline in total county student enrollment.

* Learning cottages or trailers with four classrooms are proposed to address overcrowding at CSES. Apparently no teachers or home rooms will be added - students per classroom will increase. The trailers will create an open, campus style school with new security concerns. The Board and the School Board have made it a priority to replace open, campus style elementary schools. While learning cottages are unfortunately necessary at CSES in the short term, one should not pretend that they are a desirable or appropriate long term solution at CSES or anywhere else in the county.

If approved, Minton students will attend CSES, nowhere else. On this record, school problems should not be created; CSES excellence should not be further compromised. The application should be denied until CSES overcapacity and overcrowding is addressed.

This email and attachments will be filed with the planning department. Thank you for your consideration. Bob Nelson, Ashland District



ASR Widening - 4th Q 2023, 1st Q 2024 Road Reports.pdf
962.1kB



Schools Position Paper.pdf
2MB



School Board 2-29-2024 Work Session - CSES Actual and Projected Enrollment.pdf
1.8MB

ATLEE STATION ROAD WIDENING PHASE 2
4TH Q 2023 AND 1ST Q 2024 ROAD REPORTS



Quarterly Project Status Report
Oct. – Dec. 2023

Hanover PM: J. Vidunas
VDOT PM: C. Crouch

Project: **Atlee Station Rd Widening (Ph. 2) (Warren Ave. to Kings Charter Dr.)**
VDOT Project #0637-042-914
UPC 115195

Project Scope: Wide from 2 to a 4-lanes between Warren Ave. and Kings Charter Dr. to include access management, bike and pedestrian improvements.

Six-Year Plan Priority: 1.03

Cost (\$1,000's):

Phase	Managed by	10/27/2022	8/18/2023	Status
Preliminary Engineering	DPW	\$ 2,010	\$ 2,010	Underway
Right-of-Way / Utilities	DPW	\$ 2,684	\$ 2,694	Pending
Construction	DPW	\$ 27,105	\$ 27,105	Pending
Total		\$ 31,800	\$ 31,810	

Previous/Proposed Allocations (\$1,000's):

Source	Previous	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29	Total	BTC
Sec.	\$ 351							\$ 351	
RSTP					\$ 3,945	\$ 2,981	\$ 3,953	\$ 10,879	
Rev. Sh.	\$ 4,676	\$ 3,421						\$ 8,097	
CVTA-Local			\$ 1,500	\$ 3,000	\$ 500			\$ 5,000	
Proffers	\$ 6,005	\$ 715	\$ 515	\$ 415				\$ 7,650	
Total	\$ 11,032	\$ 4,136	\$ 2,015	\$ 3,415	\$ 4,445	\$ 2,981	\$ 3,953	\$ 31,977	\$ (167)

Activities Last Quarter (Oct. – Dec.):

- Held design public hearing on 10/18
- Met with school representatives to review student pedestrian access to schools
- Coordinated with Dominion, Verizon and SEGRA pursuant to the development of relocation plans and estimates

Activities Next Quarter (Jan. – Mar.):

- Revise proposed pedestrian and bicycle facilities based on public hearing comments and input from schools
- Seek VDOT design approval

Comments:

Major Milestones	Status	Baseline	Revised	Actual
Authorize PE	Complete	8/30/21	--	8/30/21
Scope Project	Pending	12/22	3/24	--
Conceptual Plan (10% Design) Submission	Complete	4/22	--	3/4/22
PFI Plan (30% Design) Submission	Complete	8/22	--	9/27/22
Utility Field Inspection (UFI)	Pending	3/23	--	--
Public Hearing Plan (60% Design) Submission	Complete	3/23	--	3/30/23
NEPA CE – FHWA Approval for Public Review	Complete	12/22	7/23	8/4/23
Design Public Hearing	Complete	6/23	10/18/23	10/18/23
Public Hearing Plan (90% Design) Submission	Pending	1/24	--	--
R/W Acquisition (Authorization)	Pending	3/24	4/24	--
R/W Acquisition (NTP)	Pending	3/24	4/24	--
R/W Acquisition (clear)	Pending	11/25	11/25	--
Utility Relocation (complete)	Pending	12/26	7/27	--
PAC Plan (100% Design) Submission	Pending	6/25	11/24	--
Ad Date	Pending	4/27	11/27	--
Begin Construction	Pending	7/27	2/28	--
End Construction	Pending	12/28	12/29	--



Quarterly Project Status Report
Jan. – Mar. 2024

Hanover PM: J. Vidunas
VDOT PM: C. Crouch

Project: Atlee Station Rd Widening (Ph. 2) (Warren Ave. to Kings Charter Dr.)
VDOT Project #0637-042-914
UPC 115195

Project Scope: Wide from 2 to a 4-lanes between Warren Ave. and Kings Charter Dr. to include access management, bike and pedestrian improvements.

Six-Year Plan Priority: 1.03

Cost (\$1,000's):

Phase	Managed by	8/18/2023	3/8/2024	Status
Preliminary Engineering	DPW	\$ 2,010	\$ 2,384	Underway
Right-of-Way / Utilities	DPW	\$ 2,694	\$ 1,995	Pending
Construction	DPW	\$ 27,105	\$ 32,669	Pending
Total		\$ 31,810	\$ 37,048	

Previous/Proposed Allocations (\$1,000's):

Source	Previous	FY 24	FY 25	FY 26	FY 27	FY 28	FY 29	Total	BTC
Sec.	\$ 351							\$ 351	
STBG	\$ 1,088				\$ 3,945	\$ 2,981	\$ 3,953	\$ 11,967	
Rev. Sh.	\$ 4,676	\$ 3,421			\$ 1,903			\$ 10,000	
CVTA-Local			\$ 1,500	\$ 3,000	\$ 500	\$ 2,323		\$ 7,323	
Proffers	\$ 6,005	\$ 715	\$ 515	\$ 415				\$ 7,650	
Total	\$ 12,120	\$ 4,136	\$ 2,015	\$ 3,415	\$ 6,348	\$ 5,304	\$ 3,953	\$ 37,291	\$ (243)

Activities Last Quarter (Jan. – Mar.):

- Finalized the roundabout video simulation model
- Completed the VDOT scoping report for the bicycle & pedestrian facilities

Activities Next Quarter (Apr. – Jun.):

- Obtain VDOT design approval
- Obtain VDOT right-of-way authorization and notice-to-proceed
- Begin preliminary right-of-way acquisition activities

Comments:

Major Milestones	Status	Baseline	Revised	Actual
Authorize PE	Complete	8/30/21	--	8/30/21
Scope Project	Pending	12/22	3/24	--
Conceptual Plan (10% Design) Submission	Complete	4/22	--	3/4/22
PFI Plan (30% Design) Submission	Complete	8/22	--	9/27/22
Utility Field Inspection (UFI)	Pending	3/23	--	--
Public Hearing Plan (60% Design) Submission	Complete	3/23	--	3/30/23
NEPA CE – FHWA Approval for Public Review	Complete	12/22	7/23	8/4/23
Design Public Hearing	Complete	6/23	10/18/23	10/18/23
Public Hearing Plan (90% Design) Submission	Pending	1/24	--	--
R/W Acquisition (Authorization)	Pending	3/24	4/24	--
R/W Acquisition (NTP)	Pending	3/24	4/24	--
R/W Acquisition (clear)	Pending	11/25	11/25	--
Utility Relocation (complete)	Pending	12/26	7/27	--
PAC Plan (100% Design) Submission	Pending	6/25	11/24	--
Ad Date	Pending	4/27	11/27	--
Begin Construction	Pending	7/27	2/28	--
End Construction	Pending	12/28	12/29	--

DECEMBER 11, 2023 SCHOOLS POSITION PAPER
FILED SE2023-00024 AND REZ2023-00022

RECEIVED

DEC 11 2023

SCHOOLS POSITION PAPER

HANOVER COUNTY
PLANNING OFFICE

This position paper discusses the school issues in Hanover County School Board (Cool Spring Elementary), SE2023-00024 and Charleston Ridge 2, LLC, REZ2023-00022. These cases are on the Board of Supervisors (Board) agenda for the December 13th meeting.

Chronology is extremely important in these cases. This position paper starts there followed by discussion and conclusions.

CHRONOLOGY

Taylor Farm – December 2015 to June 2018. In December 2015, the developer of the Taylor Farm subdivision proposed 168 dwelling units (du), the maximum, on 42 acres across from Cool Spring Elementary School (CSES). At that time, Giles – 442 du, Honey Meadows – 282 du, and Summerduck – 68 du had all been approved within 0.3 mile of CSES and the three school complex. Summerduck and Honey Meadows were being developed but not Giles. At a July 2016 community meeting, concerns with school capacity were raised and ignored. In September 2016, the Planning Commission (PC) recommended approval 6-1 (Commissioner Leadbetter no). Commissioner Hadra read a prepared statement and included it verbatim in the minutes. Residents were outraged. Contentious community meetings were held over the next 9 months. The developer was required to reduce the number of du by 43 to 125 du and make other changes. In May 2017, the Board approved Taylor Farm 5-2 (Supervisors Prichard and Wyatt no). Giles started development in 2017. Clearing began for Taylor Farm in June 2018.

Hanover County Public Schools (HCPS) Capital Planning Study (CPS) – May – June 2018. The CPS was a comprehensive evaluation of Hanover's schools prepared by a consultant for HCPS in May 2018. The Board and the School Board held a joint meeting in June 2018 to review it. The Executive Summary recommended new school replacement construction totaling \$261 million and school renovations totaling \$34 million, all in 2018 dollars. CPS, pdf p. 6. Renovations were recommended at Elmont ES, Mechanicsville ES, and Pearson's Corner ES based on "safety and security concerns" with the "campus-style buildings." CPS, pdf pp. 42, 48, 54. In the case of Mechanicsville ES, three trailer classrooms would be replaced with a single modular building and a renovation to "add a 3-classroom addition." CPS, pdf pp. 44, 66.

Standards for Assessing Residential Development Impacts on Schools – Summer 2018. In the Lake District rezoning case, the developer proposed many one bedroom apartments and challenged the county's use of the average 0.54 student per du standard for calculating impacts on public school enrollment. HCPS provided the developer with extensive data on public school enrollment. Data for the Honey Meadows subdivision

showed 216 du and 195 students enrolled in county public schools – 0.90 student per du! This data showed the county average of 0.54 student per du was a ridiculously low number to use for new development near CSES and its three school complex. Development had started at Giles and Taylor Farm, 567 du total, and was ongoing at Honey Meadows and Summerduck. The Honey Meadows data was a huge red flag for county planning and school personnel. Odds were high CSES would become an overcapacity school, but no contingency planning was done. We now know the proposed destination for these children - the CSES learning cottage.

HCPS School Enrollment Monitoring – December 2018 to December 2022. HCPS monitors public school enrollment and provides a publicly available report to the School Board in December on enrollment by school and in total as of September 30th. From 2018 to 2020 (COVID year), actual 9/30 enrollment at CSES was in a narrow range between 639 and 659. In December 2021, CSES actual 9/30/2021 enrollment spiked to 722 students, a huge increase of 83 students, and the highest enrollment of any elementary school in the county. HCPS now projected CSES would be over its capacity of 768 by 2023. In December 2022, HCPS did not report actual CSES enrollment but showed CSES had a projected 9/30/2023 county enrollment of 822, again the highest in the county. It would be at 107% of capacity in 2023 and was projected to be at 119.3% of capacity in 2027. The publicly available data demonstrates that HCPS knew it had major enrollment and capacity problems at CSES back in 2021 and certainly by 2022, primarily driven by new residential development. Nothing was done until the CSES special exception request was filed to add the learning cottage in late September 2023.

Approved FY2024 County Budget – April 2023. In the FY2024 budget, the county announced a major new initiative – the replacement of the three campus-style elementary schools - Elmont ES, Mechanicsville ES, and Pearson’s Corner ES. One campus-style ES would be replaced in FY2028 at a projected cost of \$45 million and the other two in the 10 year capital budget. FY2024 Budget, pp. 37, 285. By adding an 8 classroom learning cottage – 16% of the new CSES classroom total of 50, CSES will become a campus-style elementary school, a major step backwards for the school and students who attend it. Just as obvious, the county is willing to spend at least \$135 million to replace the three other campus-style elementary schools in the next ten years. By contrast, CSES gets a learning cottage and the safety and security concerns of a campus-style setting. The school and its students receive back of the hand treatment from the county.

Charleston Ridge 2 – late June 2023 - date. In late June, the developer of the existing Charleston Ridge apartments filed an application for 162 apartments at the north end of

Atlee Station Road and the CSES enrollment area. As with the existing development, children from Charleston Ridge 2 would attend CSES and the three school complex. A community meeting was held on September 7th, and I raised the issue of CSES student enrollment and capacity based on recent HCPS reports. The planning report states, "Cool Spring was at capacity last year and may [?] have exceeded capacity in 2023 [811 students shown], and the enrollment is expected to grow each year through the current forecasted years ending in 2026." The report also provides data on the existing Charleston Ridge development showing limited enrollment impacts (0.09 student per du) on the three school complex. This data, which reflects many one bedroom apartments, confirms the planning folly in using the county average of 0.54 student per du to project school enrollment impacts for all residential development.

Hanover County School Board Special Exception – late September 2023 – date. The special exception application to add the learning cottage was filed by the School Board in late September 2023, but no community meetings were held by the School Board before or after the filing. A planning report was first prepared for the Board's December 13th meeting. A community meeting was then held on December 7th. Staff "will present a summary of the meeting at the Board of Supervisors meeting."

DISCUSSION

In my view, the purpose of the December 7th community meeting was to declare an emergency and inform the community of decisions already made for CSES. County government was simply checking a box. Information on current CSES class and grade size to determine overcrowding impacts was not provided. Most questions were answered with variations of TBD, to be determined. The questions included what grades or classes would be housed in the learning cottage, how long one would be needed, capital expenditures and operating costs, integration of the learning cottage with CSES, staffing, school operational impacts, and property value concerns. As far as property values, based on zoning and county property records, there are 2,950 residential homes in subdivisions in the CSES enrollment area. Very conservatively estimated at \$350,000 per residential home, that's \$1.03 billion in residential property assessments.

School personnel were vague in discussing the future or alternatives to the CSES learning cottage. Given the sad chronology, guarded answers are perhaps understandable. HCPS relative disinterest in these matters, however, does not support Board acquiescence to a course of action, the CSES learning cottage, which surfaced in late September or provide a reason to condone planning failure, delay, and lack of timely and meaningful citizen engagement.

Addition to CSES. The Board should deny the special exception for a learning cottage, which the staff report depicts as ugly. A learning cottage at CSES is unacceptable, a campus-style school should not be created. Instead, 8 classrooms should be added to the CSES building, and money budgeted in year 1 of the FY2025 capital budget. CSES is the only overcapacity school in the county. Design and construction of an addition to CSES will cost a fraction of the \$45 million per school cost to replace the three other campus-style elementary schools and eliminate the security and safety concerns of a campus-style setting. Unlike a learning cottage, a permanent CSES addition would also reset the school's capacity higher and avoid 120% of capacity redistricting issues. An addition to CSES is needed, and the money would be well spent.

Charleston Ridge 2 Denial. Remaining residential construction at Giles and Honey Meadows has received zoning and construction plan approvals. Most homes are permitted and under construction, but subdivision lots and new homes remain to be sold and occupied. Families who purchase new homes and move into these two nearby subdivisions (and other existing subdivisions in the CSES enrollment area) should send their children to the three school complex. The same reasoning applies to the existing Charleston Ridge development which was approved for 172 apartments on a 4-3 vote. Kings Acres Partners, LLC, C-2-13 (May 22, 2013). The developer has the option of constructing a fifth building with 35 du. If he exercises that option and obtains necessary construction approvals, children will attend CSES and the three school complex.

Charleston Ridge 2 is in a different category. The rezoning application is pending Board action. Approval would trigger a process where apartments would be constructed and students enrolled in CSES. While CSES and three school complex enrollment impacts would be limited, school and county planning have consistently failed to accurately determine and respond to enrollment data and trends. Until the county has a handle on the situation, which it clearly doesn't, denial of Charleston Ridge 2 avoids adding students to an overcapacity school. A rezoning application can be refiled when CSES enrollment falls below its 768 student capacity or an addition increases school capacity.

CONCLUSIONS

For the reasons set forth above, the Board should deny Hanover County School Board (Cool Spring Elementary), SE2023-00024 and Charleston Ridge 2, LLC, REZ2023-00022 based on school impacts.

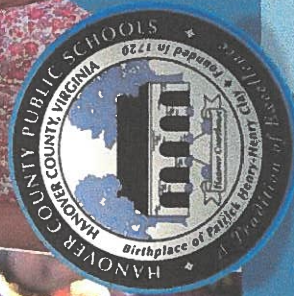
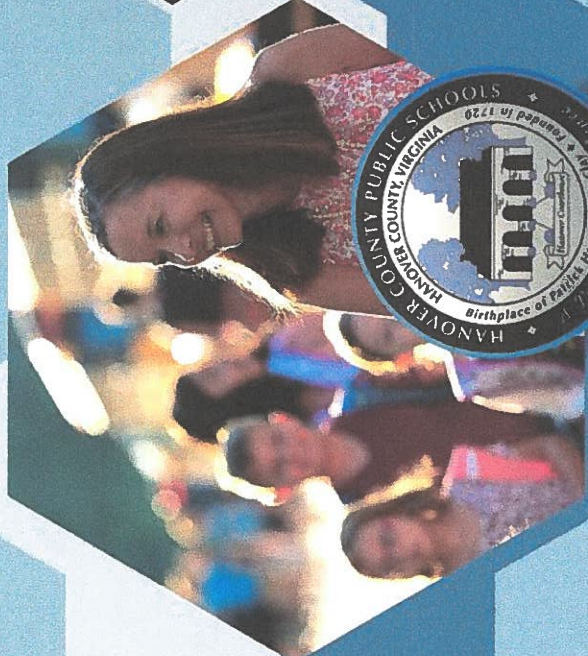
December 11, 2023

Bob Nelson, Ashland District

**COOL SPRING ES OVERCROWDING EXCERPTS
SCHOOL BOARD WORK SESSION – FEB. 2024**

Cool Spring Elementary Overcrowding

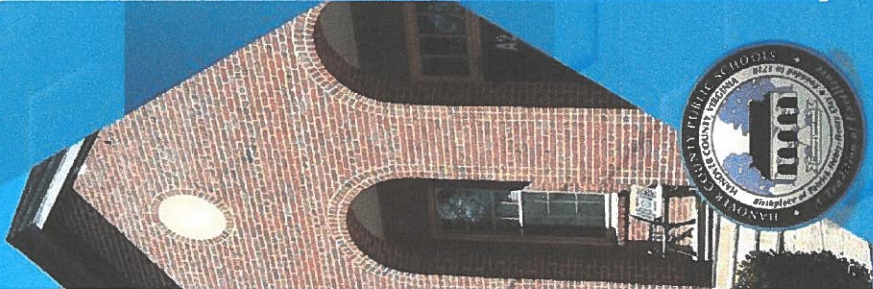
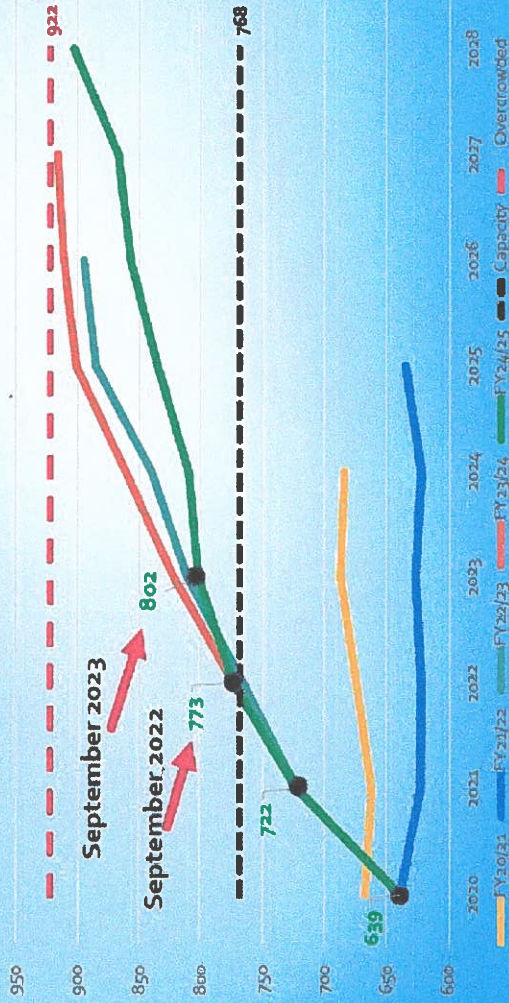
Hanover County Public Schools
School Board Work Sessions
February 29, 2024



Inspire. Empower. Lead.

Capacity and Enrollment

Projected 5-Year Enrollment by Year: Cool Spring Elementary
 (● Indicates Actual Enrollment)



Inspire. Empower. Lead.

Projected Enrollment: CSES



Inspire. Empower. Lead.

Pompei, Andrew J.

From: LISA MORGAN <lmorgan10362@comcast.net>
Sent: Thursday, April 11, 2024 11:15 AM
To: Pompei, Andrew J.; Parker IV, Clifton L.
Subject: REZ2023-00046 (Minton) - Rezoning Request - Giles Farm Subdivision

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The following information is an update to the above rezoning request and my previous letter. Over the last couple of months, I have been going door to door to talk to homeowners about the above request for rezoning. I talked to approximately 100 homeowners and most did not want the rezoning approved. I received a total of 84 signatures. The reasons they are against the rezoning is as follows:

1. The unethical and possibly illegal decision by the HOA board to make this agreement with another outside developer. The temporary board members include the existing subdivision developer and 2 homeowners that the developer selected. The homeowners within Giles were not part of the vote to make this decision.
2. Several of the homeowners on or near the proposed rezoning (Sycamore Grove Way) paid extra for their private lots. Paying extra for upgraded lots was a common practice in Giles and I feel confident that the existing developer was aware of this practice.
3. Atlee Station Road has too much traffic when school is open and rush hour traffic. It is very hard for homeowners to leave and enter the subdivision during this 3 to 4 hour daily time period.
4. All of the schools in this area are over crowded.
5. The entrance to the subdivision was designed for residential traffic not for construction traffic. Over the last 4 years, there was continuous damage to the entrance because of the large construction trucks.

Thanks,
Bruce Morgan
804-297-4737

Biernot, Gretchen W.

From: Pompei, Andrew J.
Sent: Wednesday, April 10, 2024 9:24 AM
To: Dave Williams
Subject: RE: Giles Farm REZ2023-0046

Good Morning!

Thank you for providing comments. These comments will be included in the packet distributed to the Planning Commission prior to next week's meeting, which is scheduled for Thursday, April 18 (6:00 p.m.) at the County Administration Building.

Best,
Andrew

Andrew J. Pompei, CZA, AICP
Hanover County Planning Department
Deputy Director of Planning
(804) 365-6871
ajpompei@hanovercounty.gov

From: Dave Williams <djwelmo@gmail.com>
Sent: Wednesday, April 10, 2024 7:32 AM
To: Pompei, Andrew J. <AJPompei@hanovercounty.gov>
Subject: Giles Farm REZ2023-0046

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

April 10, 2024

To: Hanover County Planning Commission

I am writing to you regarding the rezoning of land for 16 additional homes in the Giles subdivision. My family has been here since the beginning of this community. We have seen it develop and grow through its many stages. It was a relief to see the sign on Atlee Station Road announce the final lots were being sold. The current rezoning for an additional 16 homes was a real surprise to us residents, especially those that bought on what appeared to be a cul de sac in the lower section. That was a prime selling point, and one of the many broken promises to homeowners made by the developers of this community. Now, those neighbors will be living on a through street according to the maps, with many more than the 16 prospective homes to be built when more land parcels are sold. This is a decision that we homeowners have had no say in at all!

Whoever is bargaining with the prospective developers has decided that a new amenity is the price to pay to our community in exchange for this new addition. The original amenities are yet to be completed as

promised. The lower pond needs dredging and the upper pond needs a circulating pump installation finished. The playgrounds and zip line are also not completed. The pool is already beyond capacity in many neighbors' opinion. We have one developer absent from their responsibility in the upper section as regards the pond and irrigation, and the other is dragging their feet about getting the lower pond in the advertised condition and completing the original playground. It looks like we are the victims of bait and switch-told one thing, then delivered something much less, or nothing at all. Now, more homes will be added, which will increase the already overtaxed roads and amenities.

The supervisors and numerous municipal authorities have been contacted about the many issues that we have faced in this community over the past five years. It appears that the developers can do what they want and are not answerable to anyone. This will continue unchecked unless they are held accountable by stopping their continued expansion in this neighborhood.

There are several key reasons why this should be denied. The critical one is the lack of road access that already exists. As I found out when I contacted the road department, our entrance was made for residential use, not the huge commercial trucks and equipment that is required to construct this size of a project. The trucks must run over the curb and lawn to get into the development. With the proposed roundabout coming in the next few years, this is going to increase the congestion dramatically at this intersection. The only other access point is by the other townhouses, which is not suitable for the big trucks either, because they must then maneuver through the neighborhoods' narrow streets and a roundabout to get to Halifax Green.

For critical safety reasons, we need another means of entering and exiting our neighborhood. According to the plans proposed, traffic coming out of Giles from the Hill Fork exit will only be able to turn right onto Atlee Station Road. Then they will have to use the roundabout to head north. So, with more than 420 homes already having access issues, traffic will only get more congested when the roundabout is completed.

We were sold a townhome that would be maintenance free, no yardwork or watering needed. We could see the type of amenities promised that would come to this neighborhood from the signs that were posted to attract people to buy homes here. Trees, fishing ponds, playgrounds, a zip line, a pool and a beautiful community center were in the future as part of what we had to anticipate as our community grew. We have seen several of those promises meet with a snag when it came to fulfilling them. One striking example was the main playground by the community center. Instead of a safe, maintainable playground as pictured/promised/ expected, we were surprised to see one made from the salvaged trees that were cut down to make way for the houses. It was a novel idea, but it was a nightmare when it came to a safe place to have children play. We are still trying to get some of that playground corrected before someone gets injured.

That is just one example of the developer trying to squeak by, doing as little as possible or nothing at all, leaving the completion of the amenities they promised to the homeowners.

Please, seriously consider looking at the rezoning of this land with the concerns of the homeowners in mind. These concerns need to be addressed to keep Hanover a county where its' residents have confidence their concerns are being heard, and they have a say in how it grows.

Thank you for your time and attention.

Dave Williams

9221 Spring Green Loop

Mechanicsville, VA 23116

804-754-5299

djwelmo@gmail.com

McHugh, Brendan R.

From: Lan Phan <lphan9339@gmail.com>
Sent: Wednesday, March 6, 2024 9:27 AM
To: McHugh, Brendan R.
Subject: Petition to keep Shurm Builders out of Giles

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

My name is Lan Phan, owner of 9433 Pleasant Level Road, Mechanicsville, VA 23116. I recently retired from the Navy HQ Maryland. This home will be my forever home. The following are my concerns of building 16 more homes and 167 acres additional to my Giles Farm Subdivision:

1. Too Heavy Traffic (very bad now) and schools are already overcrowded.
2. Should the 167 acres be rezoned in the future? The only access road is through Giles!
3. Long term cost of additional amenities
4. Very unsafe for us to suffer from the noise, overcrowded traffic. and increase HOA fees

Please take these concerns under consideration and help us to make Giles Farm a favorable place to live. Please contact me if there are any questions. Thank you very much.

Sincerely,
Lan Phan
240-434-2165

February 25, 2024

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FEB 29 2024

**HANOVER COUNTY
PLANNING DEPARTMENT**

To It May Concern:

I have been a resident of Hanover County for 23 years. My family moved here from Northern Virginia and settled in Ash Creek. Four years ago, my wife and I decided to downsize and made the choice to stay in Hanover County. We were very excited to find just what we thought was a perfect fit for retirees. We decided to purchase a Villa in the Giles Farm subdivision. We have made lots of new friends and we have had many fun experiences. Several of the residents in our new community have moved to Hanover from surrounding counties. Giles did a great job of advertising and appearing to focus on amenities community relationships. Unfortunately, more than just a few neighbors have been very disappointed about what appeared to be positive selling points.

The following are the items of most concern:

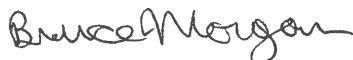
- Maintenance-Free Living - We purchased a Villa built by Ryan Homes. They are in front of the neighborhood. One of the selling points for our home was it was supposed to be maintenance - free. The main issue we have been dealing with since the first day is we still do not have a sprinkler system that can service the maintenance -free homes and grounds. The developer was allowed off bond but these issues were not resolved.
- The Giles Farm subdivision had a list of amenities that were very attractive. One of the main things that interested us were the ponds. The pond in the back of the subdivision was advertised with signs hanging along the main road stating there would be a fishing pond. The pond was even stocked with fish even though the developer knew the water was only 1-2 feet deep. They even built a pier like the photos in the advertisements.
- The common areas in the front of the subdivision behind the HH Hunt townhomes were left with concrete, screening and in a condition that nothing will grow. On top of the condition of the ground left by the developers there is not adequate sod, grass, and a sprinkler system to prevent continuous red-silt run-off into the pond. The current appointed board members and developer refuse to address the issue.

- The community has been anxiously waiting for the development to be complete but at the same time very concerned that the items still left unaddressed were not taken care of. Then in January, we were notified that our HOA board members made a verbal agreement with Shurm Homes to build 16 additional homes as an annex to an existing court. The street affected by this is Sycamore Grove Way. The residents who live on that circle/court paid extra money to be in that private area. This same type of dishonesty was ironically used with everyone who bought on a pond or area that backs to woods, throughout the subdivision. This type of false advertising needs to be stopped in Hanover County.

A significant number of homeowners are very concerned about this possible rezoning due to the major traffic issues on Atlee Station and Atlee roads near Atlee High School since the subdivision only has 2 exits for over 400 homes and the already increased attendance #'s in Atlee High School, Chickahominy and Cool Spring Elementary. They feel very strongly that the School Board and our county representatives need to know what is going on within this community. There is a petition being circulated to propose that zoning on this proposed building is not approved.

I appreciate the work that you do and hope that you will pay close attention to these concerns.

Thank You,



Bruce W. Morgan
(804-297-4737)

Proffers

The undersigned, Sidney & Sidney Developments LLC, the Applicant, and Marianne Minton, Owner of the parcel designated as parcel ID # 7796-55-5154 (“the Property”), voluntarily agrees for itself, the owner’s agents, personal representatives, successors and assigns (collectively the “Property Owner”) that, in the event the Property is rezoned from A-1 to RS(c), the development and use of the Property must be subject to the following conditions:

1. Brick or Stone Foundations. All visible portions of exterior foundations must be constructed of brick or stone. No cinder block, cement block, solute block, or asbestos shingle will be permitted for the finish exterior of any structures. All homes must be built on crawl space foundations or basements.

2. Building Materials and Guidelines: All homes will be built in conformance with the existing architecture and design standards of the Giles Farm subdivision. Acceptable siding materials include brick, stone, masonry, fiber cement siding (such as HardiPlank, HardieShingle, and HardieTrim), engineered wood siding (such as LP SmartSiding), or premium-quality vinyl siding with a minimum thickness of 0.044 inches or other comparable material as approved by the Planning Department at time of plans review. Dutch lap and plywood siding are not permitted. Other materials may be used for trim, architectural decorations, or design elements provided they blend with the architecture of the dwelling unit. Where a dwelling borders more than one street, all street-facing facades must be finished in the same materials. Elevations will generally conform (incorporating similar, but not necessarily identical, design elements, style, and materials) with the conceptual elevations in Exhibit B.

3. Tree Preservation in Common Areas. Existing trees with a caliper greater than 5 inches that are within the Common Areas will not be removed except for dead or diseased trees or parts thereof. This does not prevent the removal of trees necessary for the construction of drainage or public utility improvements or recreation amenities shown on the conceptual plan. Prior to land disturbance, all tree protection measures must be installed and then inspected by the representative of the Planning Department, with the applicant notifying the Planning Department when such measures are installed and ready for inspection.

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JUN 06 2024
HANOVER COUNTY
PLANNING DEPARTMENT

4. Amenities. Open spaces shall have either public seating, pedestrian stop zones, dog station, walking trails or a combination thereof. At least two of these features will be included with each open space area noted as #1 and #2 on the conceptual plan titled Giles Farm, Phase 2, sheet entitled Open Space Requirements prepared by Balzer and Associates (last dated March 20, 2024).
5. Restrictive Covenants. The applicant agrees that the proposed development will become part of the Giles Homeowners' Association and be bound by restrictive covenants that are in substantial conformity with those applied to the adjacent section of Giles, including maintenance of open space, to the extent such restrictions do not conflict with these proffers. Restrictive covenants and/or other recorded documentation related to incorporation into the Giles Homeowners' Association must allow residents within the proposed development to access existing recreational amenities within Giles and allow residents of existing sections of Giles to use recreational amenities constructed with the proposed development. Restrictive covenants in conformance with the requirements of this proffered condition, along with documents incorporating the proposed development into the Giles Homeowners' Association, must be approved by the Planning Director or his/her designee prior to approval of the subdivision plat, with these documents recorded the same day as the subdivision plat.
6. Transportation: Prior to issuance of a Certificate of Occupancy, Owner agrees to pay Hanover County \$3,841.00 per single family dwelling built on the Property. The funds must be used for the purpose of completing off-site transportation improvements on Atlee Station Road, Atlee Road (between Atlee Station Road and U.S. Route 301), and U.S. Route 301 (between Atlee Road and Interstate 295) or other road projects in proximity of this development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013, and revised July 27, 2016.

SIDNEY & SIDNEY DEVELOPMENTS LLC, a
Virginia limited liability company

By: [Signature] (SEAL)
Name: Kyle Burns
Its: Manager

STATE OF Virginia
COUNTY OF Hanover

On this 5th day of June, 2023, before me, a Notary Public in and for the state and county aforesaid, personally appeared Kyle Burns, who acknowledged he is the MANAGER of the **SIDNEY & SIDNEY DEVELOPMENTS LLC.**, and who executed the foregoing instrument for the purposes therein contained on behalf of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

My commission expires: 9/30/2028
Reg. No.: 8118221

[Signature]
Notary Public



&

Owner:
By: [Signature] (SEAL)
Name: Marianne Minton

STATE OF Virginia
COUNTY OF Hanover

On this 5th day of June, 2023, before me, a Notary Public in and for the state and county aforesaid, personally appeared Marianne Minton who acknowledged he is the owner of the **MARIANNE MINTON.**, and who executed the foregoing instrument for the purposes therein contained on behalf of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

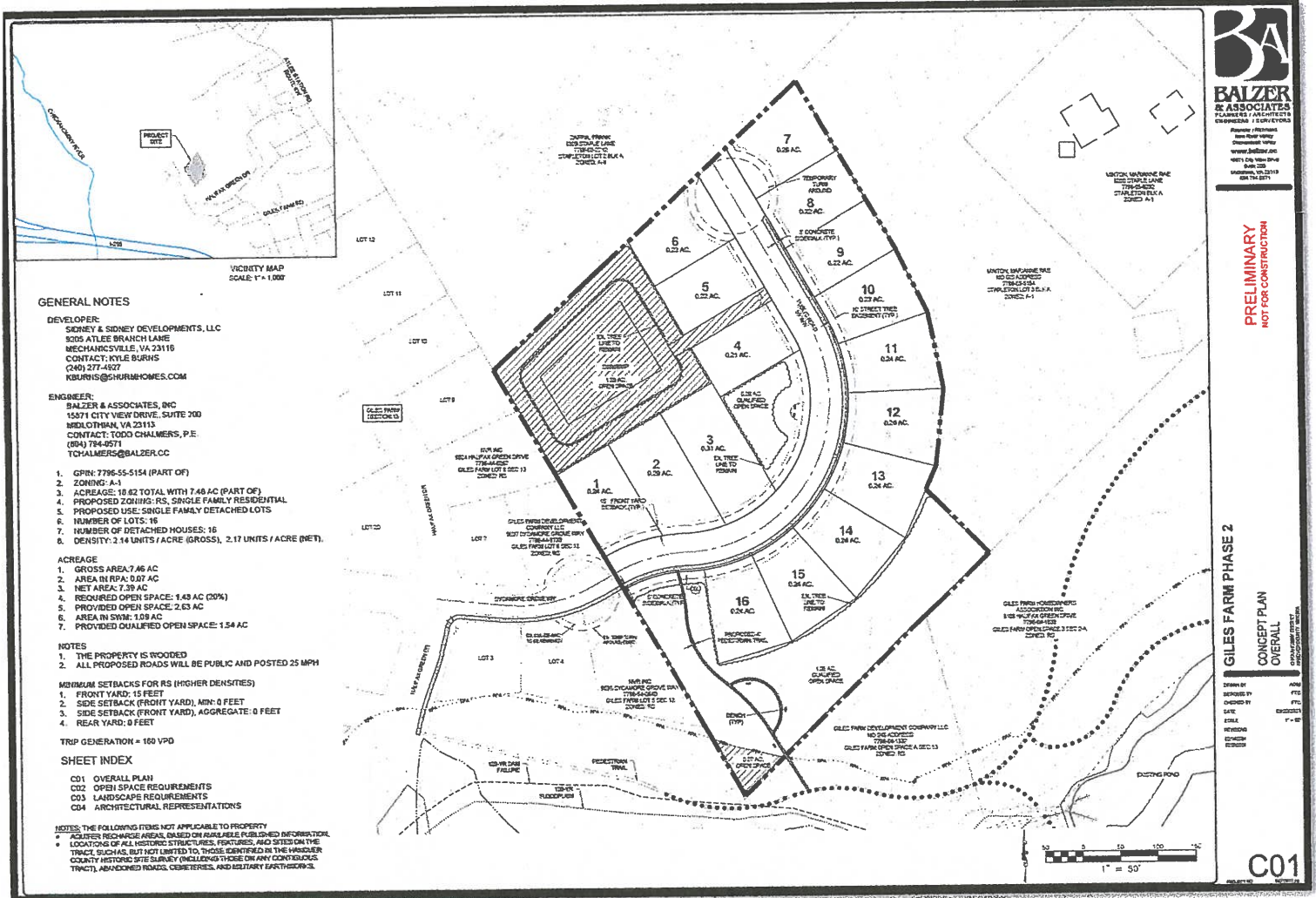
My commission expires: 9/30/2028
Reg. No.: 8118221

[Signature]
Notary Public



Exhibit A

Site plan



BALZER & ASSOCIATES
 PLANNERS / ARCHITECTS / ENGINEERS - FLUOR CORP

PRELIMINARY
 NOT FOR CONSTRUCTION

GILES FARM PHASE 2
 CONCEPT PLAN
 OVERALL

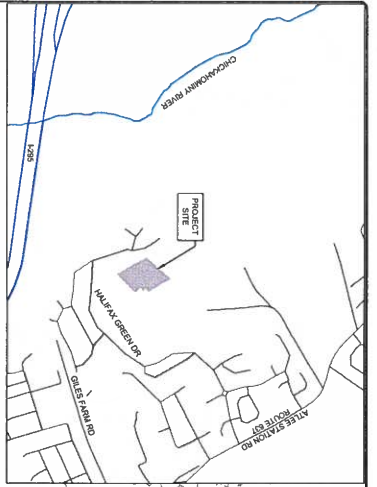
DATE: 11/19/2013
 TIME: 10:00 AM
 DRAWN BY: JTB
 CHECKED BY: JTB
 APPROVED BY: JTB

Exhibit B
Conceptual Elevations





Conceptual Plan



GENERAL NOTES

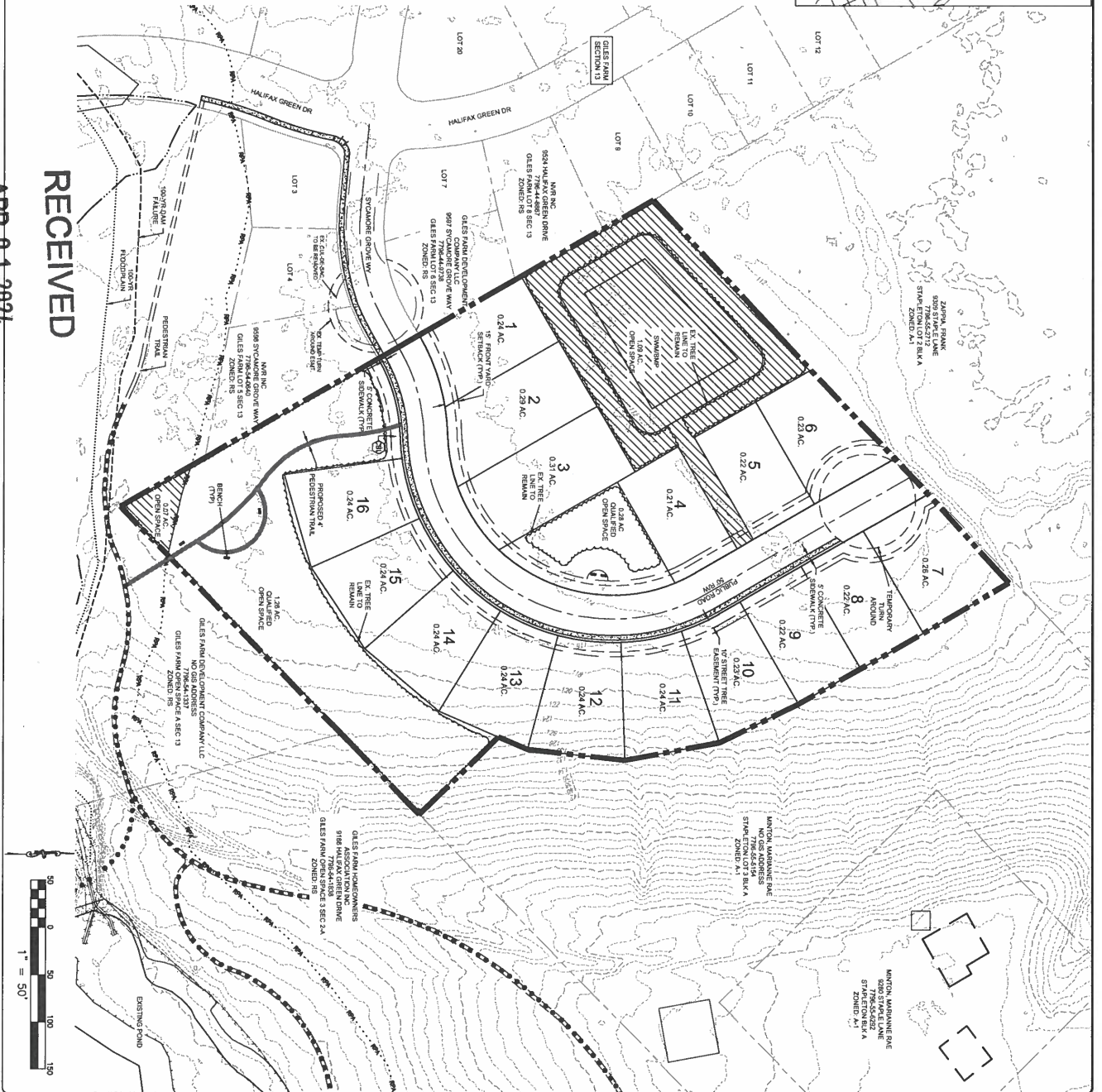
DEVELOPER:
 SIDNEY & SIDNEY DEVELOPMENTS, LLC
 9205 ATLEE BRANCH LANE
 MECHANICSVILLE, VA 23116
 CONTACT: KYLE BURNS
 (240) 277-4827
 KBURNS@SHURHOMES.COM

ENGINEER:
 BALZER & ASSOCIATES, INC.
 15871 CITYVIEW DRIVE, SUITE 200
 MIDLOTHIAN, VA 23113
 CONTACT: TODD CHALMERS, P.E.
 (804) 794-0571
 TCHALMERS@BALZER.CC

1. GPN: 7795-95-5154 (PART OF)
 2. ZONING: A-1
 3. ACREAGE: 18.82 TOTAL WITH 7.46 AC (PART OF)
 4. ACREAGE: 11.36 TOTAL WITH 5.36 AC (PART OF)
 5. PROPOSED USE: SINGLE FAMILY DETACHED LOTS
 6. NUMBER OF LOTS: 16
 7. NUMBER OF DETACHED HOUSES: 16
 8. DENSITY: 2.14 UNITS / ACRE (GROSS), 2.17 UNITS / ACRE (NET).
- AGREEMENT:**
1. GROSS AREA: 7.46 AC
 2. AREA IN RPA: 0.07 AC
 3. REFINED OPEN SPACE: 1.48 AC (20%)
 4. PROVIDED OPEN SPACE: 2.63 AC
 5. AREA IN SWM: 1.09 AC
 6. PROVIDED QUALIFIED OPEN SPACE: 1.54 AC

- NOTES:**
1. THE PROPERTY IS WOODED
 2. ALL PROPOSED ROADS WILL BE PUBLIC AND POSTED 25 MPH
- MINIMUM SETBACKS FOR RS (HIGHER DENSITIES)**
1. SIDE SETBACK (FRONT YARD): MIN. 0 FEET
 2. SIDE SETBACK (FRONT YARD): AGGREGATE: 0 FEET
 3. REAR YARD: 0 FEET
- TRIP GENERATION = 860 VPD

- SHEET INDEX**
- C01 OVERALL PLAN
 - C02 OPEN SPACE REQUIREMENTS
 - C03 LANDSCAPE REQUIREMENTS
 - C04 ARCHITECTURAL REPRESENTATIONS
- NOTES:** THE FOLLOWING ITEMS NOT APPLICABLE TO PROPERTY
- ACQUIFER RECHARGE AREAS, BASED ON AVAILABLE PUBLISHED INFORMATION.
 - FLOOD HAZARD ZONING, BASED ON AVAILABLE PUBLISHED INFORMATION.
 - TRACT, SUCH AS, BUT NOT LIMITED TO, FEDERAL RESERVATIONS, MINES OR OTHER COUNTY HISTORIC SITE SURVEY, INCLUDING THOSE ON ANY CONTIGUOUS TRACT, ABANDONED ROADS, CEMETERIES, AND MILITARY EARTHWORKS.



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APR 01 2024

HANOVER COUNTY
 PLANNING DEPARTMENT

PROJECT NO. 23020010
C01



DATE	BY	DESCRIPTION
04/01/2024	TJC	DESIGNED BY
04/01/2024	TJC	DRAWN BY
04/01/2024	TJC	CHECKED BY
04/01/2024	TJC	SCALE
04/01/2024	TJC	REVISIONS
04/01/2024	TJC	DATE

GILES FARM PHASE 2
 CONCEPT PLAN
 OVERALL

CHICKENHATCH DISTRICT
 HANOVER COUNTY VIRGINIA

PRELIMINARY
 NOT FOR CONSTRUCTION

BALZER & ASSOCIATES, INC.
 15871 CITYVIEW DRIVE, SUITE 200
 MIDLOTHIAN, VA 23113
 (804) 794-0571
 WWW.BALZER.CC

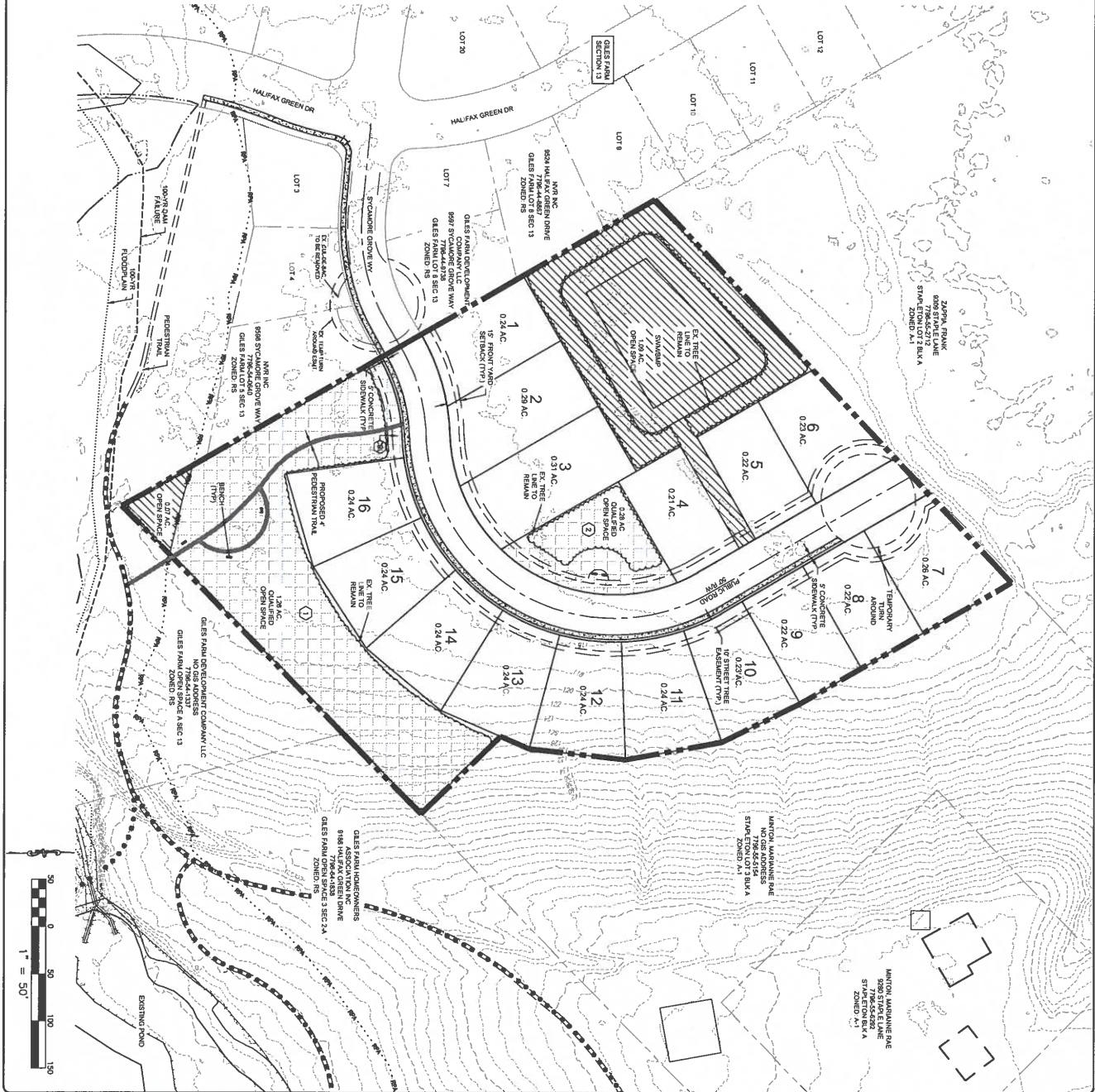
MEMBER: National Society of Professional Engineers
 Virginia Society of Professional Engineers
 National Fire Protection Association
 International Brotherhood of Firefighters
 International Brotherhood of Teamsters

LEGEND

- OPEN SPACE
- QUALIFIED OPEN SPACE

1 MAIN AREA W/ TRAIL = 1.28 AC
 2 NATURAL AREA = 0.28 AC
 TOTAL AREA = 1.54 AC

GENERAL AREA OF CLUSTER MAIL BOX UNIT
 (WILL BE PROVIDED & DESIGNED AS
 REQUIRED BY THE US POSTAL SERVICE)



GILES FARM PHASE 2

CONCEPT PLAN
OPEN SPACE REQUIREMENTS

CHK/CHK/CHK DISTRICT
 HANOVER COUNTY, VIRGINIA

DATE: 09/05/2023
 SCALE: 1" = 50'
 REVISIONS: 01/24/23
 DRAWN BY: ACD
 CHECKED BY: PFC
 DATE: 09/05/2023

PRELIMINARY
NOT FOR CONSTRUCTION

BALZER & ASSOCIATES
 PLANNERS / ARCHITECTS
 ENGINEERS / SURVEYORS
 14000 W. WOODBRIDGE AVENUE
 CHARLOTTESVILLE, VA 22902
 WWW.BALZER.CC
 1-800-828-2000
 540-971-3333
 540-971-3334

C02
 PROJECT NO. 20230230

GENERAL NOTES

LANDSCAPING AND LIGHTING SHALL BE REVIEWED AND APPROVED DURING PLANS REVIEW.

10' WIDE STREET TREE EASEMENT PROVIDED ALONG BOTH SIDES OF STREET

LENGTH = 1,530 FEET

STREET TREES REQUIRED = 1,530 / 50 = 31 TREES

STREET TREES PROVIDED = 31 TREES

STREET TREES = NYSSA SYLVATICA WILDFIRE - BLACK GUM

OPEN SPACE AND BUFFER LANDSCAPING

LARGE TREES = ACER RUBRUM - RED MAPLE

GINKGO BILوبا - MAIDENHAIR TREE

SMALL TREES = ADEL ANCHER CANADENSIS - SERVICEBERRY

CERCIS CANADENSIS - EASTERN REDBUD

SHRUBS = ILEX CORNUTA 'CARISSA' - CARISSA HOLLY

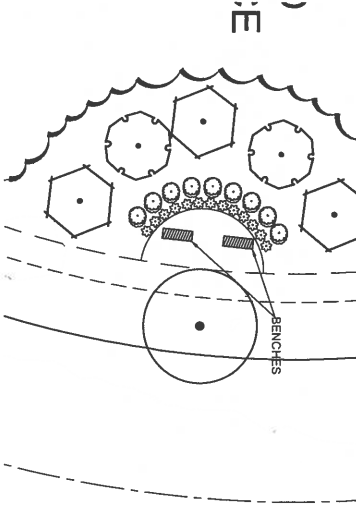
DEUTZIA GRACILIS 'NINKO' - SLENDER DEUTZIA

LIGUSTRUM JAPONICUM - JAPANESE PRIVET

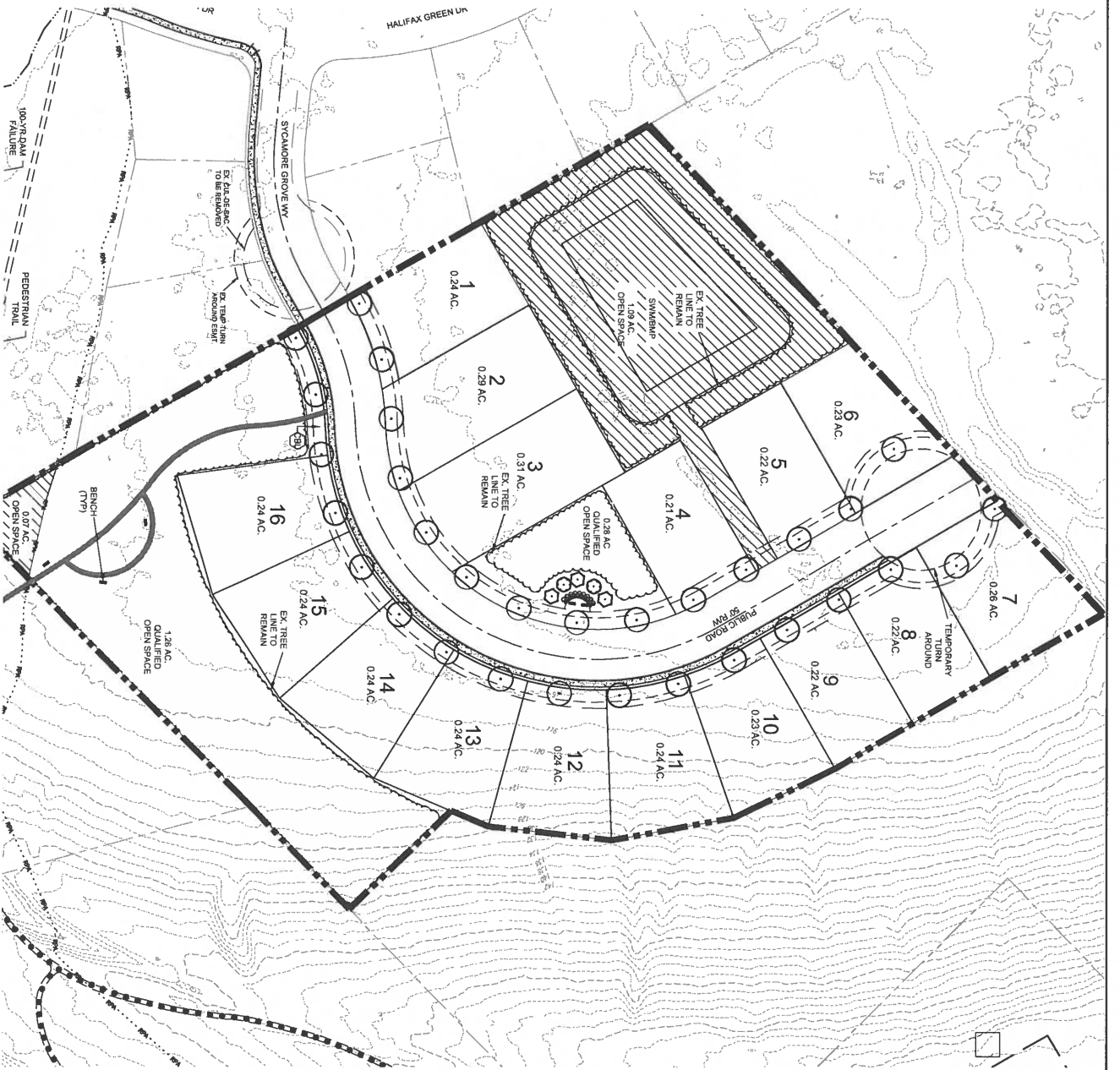
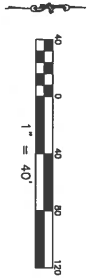
SYRINGA X BLOOMERANG - LILAC

ORNAMENTAL GRASS = PANICUM VIRGATUM 'CHERRYBONE SKY' - SWITCH GRASS

MULLEBERGIA CAPILLARIS - PINK MOULY GRASS



NOTE:
THE CENTRALIZED SPACE SHALL BE PROGRAMMED WITH PUBLIC SEATING AND CONCENTRATED PLANT DESIGN. COMMON SPACE SHALL BE REVIEWED AND APPROVED DURING PLANS REVIEW.



GILES FARM PHASE 2

CONCEPT PLAN
STREET TREE AND OPEN SPACE LANDSCAPING

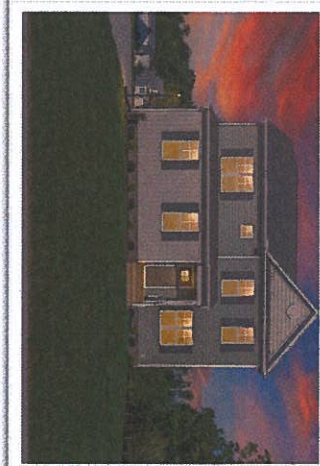
CHICKENHAY DISTRICT
HANOVER COUNTY, VIRGINIA

DRAWN BY: ACD
DESIGNED BY: PFC
CHECKED BY: PFC
DATE: 5/20/2018
SCALE: 1" = 40'
REVISIONS: 01/20/2018
02/20/2018

PRELIMINARY
NOT FOR CONSTRUCTION

BAITZER & ASSOCIATES
ENGINEERS & SURVEYORS
FREDERICK, MARYLAND
10000 WOODBURN AVENUE
WWW.BAITZER.CC
10871 SHILOH ROAD
MIDDLEBURG, VA 22642
TEL: 540.361.2000
FAX: 540.361.2001

PROJECT NO. **C03**



ARCHITECTURAL FEATURES MAY INCLUDE: COULDE & REVERSE GABLE, EXTENDED COVERED FRONT PORCH, GABLE PENONANT, SIDE LOAD GARAGE, TRIANGLE PORCH, FRONT DOOR SILENT, BRICK ACCENT, SHED ROOF, ROUND, SQUARE PORCH COLUMNS, FRONT LOAD GARAGE, SHAKER SIDING, ACCENT, STANDING SEAM METAL ROOF, SHED ROOF, DORMER (1, 2 OR 3 WINDOWS), GARAGE DOOR WINDOWS, STONE, ACCENT, STONE PILLAR BASE, DIMENSIONAL SHINGLES, FRONT DOOR GLASS INSERT, CRAFTSMAN COLUMNS, BRICK STEPS, AND COURTYARD ENTRY GARAGE.

BUILDING MATERIAL SELECTION:
 SIDING MATERIAL: BRICK, HARD-LANK, STONE, VINYL, PRECAST CONCRETE COMPOSITE, ENGINEERED WOOD COMPOSITE
 ROOF MATERIAL: ASPHALT SHINGLE, DIMENSIONAL ASPHALT SHINGLE, CEDAR SHAKE SHINGLE, COMPOSITE SLATE, STANDING SEAM METAL (PAINTED OR UNPAINTED), SLATE
 TRIM: WOOD, PVC, COMPOSITE, ALUMINUM, VINYL
 DOORS: WOOD (STAINED OR PAINTED), METAL, VINYL, COMPOSITE

NOTES:
 ALL HOMES WILL BE BUILT IN CONFORMANCE WITH THE EXISTING ARCHITECTURE AND DESIGN STANDARDS OF THE GILES FARM COMMUNITY.
 ELEVATIONS SHOW ARE REPRESENTATIVE OF SOME OF THE STYLES OF SINGLE-FAMILY HOMES TO BE BUILT AS PART OF THE PROJECT.
 ELEVATIONS AND STYLES MAY CHANGE WITH THE APPROVAL OF THE PLANNING STAFF.

WHEN THE BUILDING PERMITS ARE SUBMITTED, THEY SHALL INCLUDE AN 8'5" X 11' ELEVATION RENDERING OF THE PROPOSED HOUSE THAT HIGHLIGHTS AT LEAST 3 OF THE ARCHITECTURAL FEATURES SHOWN ON THE ATTACHED ELEVATIONS. NO MORE THAN TWO ADJACENT HOUSES SHALL BE CONSTRUCTED WITH THE SAME ELEVATION AND THE SAME MATERIALS FOR THE PURPOSES OF THIS PROFFER. A VARIATION IN THE COLOR OR TYPE OF ONE OR MORE SIDING MATERIALS SHALL BE INTERPRETED AS BEING CONSTRUCTED AS USING DIFFERENT MATERIAL.

GILES FARM PHASE 2
 CONCEPT PLAN
 ARCHITECTURAL REPRESENTATIONS

CHICKENORBY DISTRICT
 HANOVER COUNTY, VIRGINIA

DRAWN BY: AAD
 DESIGNED BY: FFC
 SCALE: 9/8/2020
 REVISIONS: 14
 DATE: 02/20/21

PRELIMINARY
 NOT FOR CONSTRUCTION

BALZER & ASSOCIATES
 ENGINEERS / ARCHITECTS / SUBCONTRACTORS

10000 Old Dominion Blvd
 Suite 1000
 Fairfax, VA 22031
 (703) 261-1000
 www.balzer.com

PROJECT NO. **C04**
 250500210

Ordinance

ORDINANCE REZ2023-00046

OWNER OF RECORD: MARIANNE RAE MINTON

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 26th day of June 2024, and advertised in the Mechanicsville Local once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended with conditions by the rezoning of the property described as GPIN 7796-55-5154(part), consisting of approximately 7.46 acres, and located at the terminus of Sycamore Grove Way (private road) approximately 230 feet east of its intersection with Halifax Green Drive (private road), from A-1, Agricultural District, to RS(c), Single-Family Residential District with conditions, subject to the following conditions, which were proffered by the applicant on June 6, 2024, and accepted by the Board:

1. Brick or Stone Foundations. All visible portions of exterior foundations must be constructed of brick or stone. No cinder block, cement block, solute block, or asbestos shingle will be permitted for the finish exterior of any structures. All homes must be built on crawl space foundations or basements.
2. Building Materials and Guidelines: All homes will be built in conformance with the existing architecture and design standards of the Giles Farm subdivision. Acceptable siding materials include brick, stone, masonry, fiber cement siding (such as HardiPlank, HardieShingle, and HardieTrim), engineered wood siding (such as LP SmartSiding), or premium-quality vinyl siding with a minimum thickness of 0.044 inches or other comparable material as approved by the Planning Department at time of plans review. Dutch lap and plywood siding are not permitted. Other materials may be used for trim, architectural decorations, or design elements provided they blend with the architecture of the dwelling unit. Where a dwelling borders more than one street, all street-facing facades must be finished in the same materials. Elevations will generally conform (incorporating similar, but not necessarily identical, design elements, style, and materials) with the conceptual elevations in Exhibit B.
3. Tree Preservation in Common Areas. Existing trees with a caliper greater than 5 inches that are within the Common Areas will not be removed except for dead or diseased trees or parts thereof. This does not prevent the removal of trees necessary for the construction of drainage or public utility improvements or recreation amenities shown on the conceptual plan. Prior to land disturbance, all tree protection measures must be installed and then inspected by the representative

of the Planning Department, with the applicant notifying the Planning Department when such measures are installed and ready for inspection.

4. Amenities. Open spaces shall have either public seating, pedestrian stop zones, dog station, walking trails or a combination thereof. At least two of these features will be included with each open space area noted as #1 and #2 on the conceptual plan titled Giles Farm, Phase 2, sheet entitled Open Space Requirements prepared by Balzer and Associates (last dated March 20, 2024).
5. Restrictive Covenants. The applicant agrees that the proposed development will become part of the Giles Homeowners' Association and be bound by restrictive covenants that are in substantial conformity with those applied to the adjacent section of Giles, including maintenance of open space, to the extent such restrictions do not conflict with these proffers. Restrictive covenants and/or other recorded documentation related to incorporation into the Giles Homeowners' Association must allow residents within the proposed development to access existing recreational amenities within Giles and allow residents of existing sections of Giles to use recreational amenities constructed with the proposed development. Restrictive covenants in conformance with the requirements of this proffered condition, along with documents incorporating the proposed development into the Giles Homeowners' Association, must be approved by the Planning Director or his/her designee prior to approval of the subdivision plat, with these documents recorded the same day as the subdivision plat.
6. Transportation: Prior to issuance of a Certificate of Occupancy, Owner agrees to pay Hanover County \$3,841.00 per single family dwelling built on the Property. The funds must be used for the purpose of completing off-site transportation improvements on Atlee Station Road, Atlee Road (between Atlee Station Road and U.S. Route 301), and U.S. Route 301 (between Atlee Road and Interstate 295) or other road projects in proximity of this development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013, and revised July 27, 2016.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of _____, seconded by _____, the members of the Board of Supervisors voted to approve Ordinance REZ2023-00046, as follows:

Vote:

Ms. Dibble – Chair
Mr. Herzberg – Vice-Chair
Mr. Davis
Ms. Floyd
Mr. Hudson
Ms. Prichard
Mr. Stoneman

Public Hearings:

Planning Commission: April 18, 2024

Board of Supervisors: May 22, 2024 and June 26, 2024

Adopted: June 26, 2024

This is to certify that the above is a true copy of REZ2023-00046 adopted by the Hanover County Board of Supervisors on June 26, 2024.

Dated: _____

John A. Budesky
County Administrator/Clerk Hanover County
Board of Supervisors