AGENDA
BEDFORD COUNTY PLANNING COMMISSION
County Administration Board Room
122 E. Main Street, Bedford, VA
Tuesday, July 21, 2015
7:00 p.m. – Regular meeting

Regular Meeting

1. Approval of Agenda

2. Citizen Comment Period

3. Public Hearings
   a) Special Use Permit SU150010
      Marina Properties VI, LLC
      Conversion of restaurant building to multi-family dwellings
   b) Special Use Permit SU150009
      Blue Ridge Montessori School
      Educational Facilities, Primary/Secondary

4. Old Business

5. New Business

6. Adjourn
SPECIAL USE PERMIT
SU150010

Marina Properties VI, LLC
Conversion of restaurant building to multi-family dwellings

Presenter: Mark Jordan
540-586-7616 ext 1394
540-586-2059 (fax)
mjordan@bedfordcountyva.gov
Memorandum

TO: Bedford County Planning Commission
FROM: Mark E. Jordan, CZO, Planner
DATE: July 7, 2015
SUBJECT: Special Use Permit Application #SU150010: Marina Properties VI, LLC

SYNOPSIS
Ben Shrader, P.E., on behalf of Marina Properties VI, LLC is requesting a special use permit for the conversion of an existing 2,400 sq. ft. restaurant building into five (5) multi-family dwellings (Condominiums). The proposed conversion will consist of five (5) residential condominiums on 0.642 acres of a 3.255 acre parcel, along with associated parking. The property is identified as Tax Map Number 257C1-1-E and is zoned Planned Commercial Development (PCD). Multi-family dwellings are permitted in the PCD district by Special Use Permit, thereby requiring approval of this application request.

BACKGROUND

APPLICANT/OWNER
The applicant and owner are Marina Properties VI, LLC, 208 Tomahawk Industrial Park, Lynchburg, VA 24502.

ENGINEER
The engineer/agent for the applicant is Ben Shrader, P.E., Shrader Engineering and Land Surveying, Inc., PO Box 647, Bedford, VA, 24523.

LOCATION
The property is located at 16111 Smith Mountain Lake Parkway, Huddleston, VA, 24104

PERMIT REQUEST
The applicant requests approval of a special use permit for the conversion of an existing 2,400 sq. ft. restaurant building into multi-family dwellings. Multi-family dwellings require approval of a special use permit in the PCD (Planned Commercial Development) district.

ANALYSIS

Site History
The existing restaurant building and other amenities are part of the Sportsman’s Marina. The existing restaurant building was constructed in 1968, along with the existing boat slips, dock, and
boat ramp. An existing 722 wooden building/deck was constructed in 2008, and previously contained a small snack bar. The site also contains a small retail store and a gasoline pump.

**Zoning/Land Use Compatibility**

The subject parcel is zoned Planned Commercial Development (PCD). The parcel to the immediate right (Belview Bay Condominiums) is also zoned PCD and contains sixteen condominium units with a community pool. The parcel to the immediate left is vacant, and is zoned Low Density Residential (R-1). The parcels across the road along Smith Mountain Lake Parkway contain single family dwellings, and are also zoned Low Density Residential (R-1).

**Zoning Ordinance**

The proposed use is classified as “Multi-Family Dwellings” which is permitted by special use in the PCD district, subject to the use and design standards of Article IV, Section 30-82-11 of the Zoning Ordinance. The use definition from Article II (Definitions) reads:

Dwelling, multifamily: A building or portion thereof which contains three (3) or more dwelling units for permanent occupancy, regardless of the method of ownership.

Included in the use would be garden apartments, low and high rise apartments, and apartments for elderly housing.

The proposed use is five (5) multi-family dwellings that will contain a total of thirteen (13) bedrooms. Two (2) parking spaces are required per unit, for a total of ten (10) parking spaces. The site is in compliance with the minimum parking requirements. Additionally, the site will continue to operate as a Marina. A Marina is defined as "Shall mean and include, but not be limited to, any installation operating under public or private ownership, which provides dockage or moorage for boats (exclusive of paddle, canoe, or rowboats). Provides through sale, rental, or fee basis, any boat, equipment, storage supplies, or service (fuel, electricity, water, sewage, food, or repairs) for convenience of the public or its lessee, renters, or users of its facilities. Overnight accommodation on houseboats shall be allowed. Boat washes and restaurant facilities shall be permitted. Also allowed are laundry facilities, bathhouses, picnic areas, and playgrounds”.

Paragraph (b) 1-3 of Section 30-82-11 requires a minimum front yard setback of thirty (30) feet from the street right-of-way for all structures. Additionally, all principal structures require a minimum side yard setback of twenty (20), along with a minimum rear yard setback of twenty-five (25) feet. Per the concept plan, the existing structure is in compliance with the minimum required front and rear yard setback. The side setback for the existing structure is fourteen (14) feet from the left side property line, which is less than the minimum required side yard setback of twenty (20) feet. If the Special Use Permit is approved, the applicant may request an Administrative Variance to reduce the minimum required side yard setback requirement.

Paragraph (b) 7 of Section 30-82-11 requires specific standards for open space and recreational areas. Open space and recreational areas cannot be located within any front, side, or rear yard setback area, and are required to have a horizontal dimension of at least fifty (50) feet and contain tot lots, gazebos, picnic tables, etc. Additionally, the PCD district standards require compliance with the AV district standards for multi-family dwellings. The minimum lot size is 20,000 sq. ft. for the first dwelling unit, plus 5,000 sq. ft. for each additional unit. Five (5)
condominium units are proposed, which requires a total square footage of 80,000 sq. ft. The total acreage of the parcel is 3.225 acres; therefore, the request is in compliance with this requirement.

If approved, the uses proposed on the site as shown on the concept plan would require site plan approval to ensure compliance with the Zoning Ordinance for the Article IV, Section 30-82-11 standards.

**Comprehensive Plan**

The Bedford County 2025 Comprehensive Plan contains several goals and objectives that are relevant to this special use permit request. They include:

**Housing:**

* A variety of safe, sanitary and affordable housing for all County residents

**Land Use:**

* An orderly, efficient, and compatible growth and land use pattern that is sensitive to the natural environment

9.4 Commercial and industrial development compatible with existing and planned residential development

The Future Land Use map identifies the subject parcel as Residential. The Comprehensive Plan Land Use designation is excerpted below:

**Residential**

Residential areas located in close proximity to urban services and roads capable of handling higher traffic volumes. These are areas for single-family detached and attached units and apartments/condominiums. Small-scale neighborhood and/or lifestyle commercial (such as small convenience markets and marinas) are allowed where appropriate in this zone. Clustering of housing units is supported in this district.
**Project Impacts**

This project was reviewed by the Technical Review Committee on June 25, 2015. The following information reflects county agency comments from that meeting:

**Environmental**

A Land Disturbance Permit will be required for all grading activity within 200’ of the shoreline of Smith Mountain Lake. Additionally, the applicant will need a Bedford County stormwater permit if one (1) acre or more will be disturbed.

**Transportation (VDOT)**

According to VDOT’s 2014 traffic data, the AADT (average annual daily traffic) on Smith Mountain Lake Parkway (Route 626) from the end at Parkway Marina to Planters Drive (Route 656), 2.15 miles in length is 450 vehicles. The site also contains a marina with boats slips (40+), a boat storage area, and a small retail store with a gasoline pump. Staff estimates that all three uses, including the proposed condominiums would generate a total of 24 vehicles per peak hour, and a total of 192 vehicles per day, per the ITE Trip Generation Manual, 7th Edition. If the proposal generates more than 5,000 vehicle trips per day at the site's connection to a state controlled highway, a VDOT 527 review is required. The project does not meet this threshold; therefore, a Traffic Impact Study is not required by either VDOT standards or Bedford County TIS standards.

**Utilities**

The site will be served by Public Water from the Bedford Regional Water Authority (BRWA) and a Private Septic System. The proposed capacity will be evaluated by the BRWA upon submission of the site plan.

**Health Department**

Preliminary Engineering Reports and conferences between the Engineer and VDH indicate that the existing Sewage Disposal System 109-11-0054 was upgraded in 2011, and is of satisfactory capacity to properly dispose of wastewater flows associated with the proposed condominium project and the Marina Facility. Pre-treatment of the sewage effluent will be required to comply with the VDH Sewage Handling and Disposal Regulations. The Marina Facility must come into compliance with VDH Marina Regulations. The Marina must install a bathhouse that conforms to the Sewerage Fixture requirements of the VDH Marina Regulations.

**Public Facilities**

The proposed use will not affect parks, schools or libraries.

**Aesthetic/Visual**

The existing building is visible from Smith Mountain Lake Parkway, and is setback approximately 120’ from the right-of-way. A 6’ wide planting strip is required between the existing parking area and Smith Mountain Lake Parkway. Within the 6’ wide planting strip, one (1) large deciduous tree, large evergreen tree, or small deciduous tree shall be required every
twenty-five (25) feet within the planting strip. Additionally, one (1) evergreen shrub is required every five (5) linear feet within the planting strip.

CONDITIONS
In accordance with Section 30-19-3 (B) of the Zoning Ordinance, the Planning Commission may recommend to the board of supervisors any conditions necessary to ensure the proposal meets the specific and general standards for the proposed use. Staff has not proposed any additional conditions for consideration beyond those required by the zoning ordinance.

ATTACHMENTS
1. Location Map
2. Zoning Map
3. Future Land Use Map
4. Aerial Photograph
5. Application & Concept Plan
6. Article III, Section 30-57 (PCD, Planned Commercial Development District)
7. Article IV, Section 30-82-11 (Multi-Family Dwelling)
8. Health Department comments dated June 25, 2015
10. VDOT comments dated July 6, 2015
General Information:

Section 30-19: Special uses are established in recognition that in addition to uses permitted by right, certain uses may, depending upon their scale, design, location, and conditions imposed by the Board of Supervisors be compatible with existing and future uses in a district. A special use permit application may be initiated by:

1) Resolution of the Board of Supervisors;
2) Motion of the Planning Commission;
3) Petition of the owner, contract purchaser with the owner's written consent, or the owner's agent of the property for which a special use permit is requested.

Application Procedure:

- Consultation with Planning Staff: You are required to meet with a planner to discuss feasibility of request prior to submission.
- Planning Commission: The Planning Commission will hold an advertised public hearing and review the application in order to make and forward an advisory recommendation to the Board of Supervisors.
- Board of Supervisors: The Board of Supervisors will hold a public hearing and review the application in order to make a decision on the request. In granting the special use permit, the Board of Supervisors may attach any conditions necessary to insure that the proposal meets the specific and general standards for the proposed use.

Please make sure the following items are included BEFORE submitting:

- **Application Fee:** $300.00 (checks made payable to Bedford County). Applicant is also responsible for the costs of all public notifications including sign posting, mailings and legal advertisements.

- **Concept Plan:** A concept plan (one 24 x 36 copy and twenty-four 11 x 17 copies) prepared by a professional engineer, architect or surveyor must be submitted with application. (A PDF version submitted via email is also desired). The plan shall include at a minimum what is required of a site development plan in Article V of the Zoning Ordinance and address any potential land use or design issues arising from the request. It is the responsibility of the applicant to demonstrate that the proposed use will be in harmony with the zoning district and surrounding area. If the proposed development is to be constructed in phases, all phases shall be shown at the time of the original application.
BEDFORD COUNTY
Special Use Permit Application

Please print in blue or black ink or typewrite. If not applicable, write N/A.

APPLICANT INFORMATION

Note: If applicant is not the property owner, an owner's authority letter must be submitted with application.

Applicant Name: Marina Properties, LLC
Address: 16111 Smith Mtn Lake Parkway, Huddleston, VA 24104
Phone: 434-515-2535 Fax: ______________ Email: ______________

Property Owner Name: Marina Properties LLC
Address: 208 Tomahawk Dr, Lynchburg VA 24502
Phone: ______________ Fax: ______________ Email: ______________

Authorized Agent/Contact Person: Sevir Peryode
Address: 40 House Road, Grottoes, VA 24441, 5499
Phone: 540-249-8667 Fax: ______________ Email: ______________

Engineer: Shrode Engineering & Land Surveying, Inc
Address: PO Box 447 Bedford, VA 24523
Phone: 540-586-4290 Fax: 540-586-5407 Email: benr@shrodeengineer.com

PROJECT INFORMATION

Location/Address of Property (directions from Bedford County Administration Building): 5.122 to Meneta Loft
Go by Whitehouse Rd, 626 Smith Mtn. Lake Parkway To Hall on Right.

Tax Map Number(s): 257C1-1-E
Magisterial District: Lakes Election District: 2
Size of Parcel(s): In acres 3.256 In sq. ft.
Amount of area to be utilized 0.642 Ac., Multi Family 2.63 Existing Marina Commercial

Does the parcel meet the minimum requirements contained in the Article IV use and design standards for the use? (V) Yes ( ) No

Current Zoning: PCD Current Land Use: Commercial

Proposed Land Use (from Permitted Use Table, Sec. 30-79-2): Multi Family (20%) Marina (80%)

Please describe the proposed project or purpose of the request. Convert Existing Restaurant Building into 5 Residential Condo Units

Bedford County Department of Community Development
122 East Main Street, Suite G-03 • Bedford, VA 24523 • Phone (540) 586-7616 • Fax (540) 586-2059

2/1/14
JUSTIFICATION FOR SPECIAL USE PERMIT

The Planning Commission will study the special use request to determine the need and justification for the change in terms of public health, safety and general welfare. Please answer the following questions as thoroughly as possible. Attach additional paper if necessary.

Please explain how the request furthers the purposes of the Zoning Ordinance (Section 30-3) as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

This project will create a harmonious community by replacing a restaurant that has exceeded its useful time with a multifamily use identical to the next door use.

Please explain how the project conforms to the general guidelines and policies contained in the Bedford County Comprehensive Plan.

This project promotes optimal development pattern that more closely matches area trends as they have changed during recent decades.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire/rescue.

Water - Public water will be used for multi-family units. Adequate supply available.

Sewer - Pretreatment system will result in clean wastewater being disposed to existing drainfield.

Fire/rescue roads - Virtually unchangeable in demand restaurant to multi-family, Parks, Rec, Schools - possible small to no impact as likely residents would be retired or transient seasonal residents.

CERTIFICATION

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.

Owner/Agent Signature: B. R. Shrader Date: 6-4-15

Print Name: B. R. Shrader

Bedford County Department of Community Development
122 East Main Street, Suite G-03 • Bedford, VA 24523 • Phone (540) 586-7816 • Fax (540) 586-2059
2/1/14
OWNERS AUTHORITY LETTER

STATE OF VIRGINIA
CITY/COUNTY OF Bedford

This 4th day of June, 2015,

Jeffrey Graff, Manager of
I, Marina Properties VI, LLC, the owner of 25719601

(Describe land by Parcel Identification Number) make, constitute, and appoint B. R. Shrader

my true and lawful agent and in my name, place, and stead giving unto said B. R. Shrader

full power and authority to do and perform all acts and make all representation necessary, without any limitations whatsoever, to make application for said rezoning/special use permit/variance (circle one). The right, powers, and authority of said agent herein granted shall commence and be in full force and effect on June 4th, 2015, and shall remain in full force and effect thereafter until actual notice, by certified mail, return receipt requested, is received by the Bedford County Department of Community Development stating that the terms of this power have been revoked or modified.

Jeffrey Graff, Manager

COMMONWEALTH OF VIRGINIA:

City
County of

Subscribed and sworn to before me this 5th day of June, 2015, in my County and State aforesaid, by the aforesaid Principal.

Dawn S. Nichols
Notary Public

My Commission Expires: July 31, 2017 Reg. 7234572

Office Use Only

Filo/Case Number Date Accepted

Z:\Planning\Forms\Owner Authority Letters\OWNERS AUTHORITY LETTER - Rezoning-SUP-Variance.doc
Sec. 30-57. - PCD Planned commercial development district.

Sec. 30-57-1. Purpose.

The intent of the planned commercial development (PCD) district is to promote the efficient use of commercial land by allowing a wide range of land uses of various densities and flexible application of development controls. The goals may be accomplished while also protecting surrounding property, the natural features, and scenic beauty of the land.

The planned commercial development district is provided in recognition that many commercial, office, and residential establishments seek to develop within unified areas, usually under single ownership or control. Because these concentrations of retail, service, and office establishments are generally stable and offer unified internal arrangement and development, potentially detrimental design effects can be recognized and addressed during the review of the development. For these reasons, the provisions for the PCD allow greater development latitude. Districts should be proposed and planned for areas that provide for adequate development and expansion space, controlled access points, landscaped parking areas, and public utilities. Development of the PCD will take place in general accordance with an approved master plan, which may allow for clustering of uses and densities in various areas of the site.

Planned commercial development districts should be a visual asset to the community. Buildings within the district are to be architecturally similar in style and the relationship among individual establishments should be harmonious. The site should be well landscaped and parking and loading areas are to be screened.

Sec. 30-57-2. Permitted uses.

Permitted uses shall be as listed in section 30-79. However, no use shall be permitted except in conformity with the uses specifically included in the final master plan as approved pursuant to section 30-57-6. Existing or proposed residential uses shall be limited to not more than thirty (30) percent of the total acreage contained within the parcel, at the time of enactment of this ordinance.

Sec. 30-57-3. Site development regulations.

(a) Each planned commercial development shall be subject to the following site development standards:

1. Minimum acreage required to create a new planned commercial district or a planned commercial development within an existing planned commercial district shall be five (5) acres or contiguous land or land which is adjacent to an existing planned commercial development.

2. Minimum lot sizes for allowable uses in this district shall be as shown for the same use in article IV. Townhouses and two-family dwellings shall comply with the requirements as set forth for an R-2 zoning district in article IV. Multifamily dwellings shall comply with the requirements as set forth for an AV zoning district in article IV. Single-family dwellings shall comply with the site development regulations as set forth for an R-2 zoning district in article III.

3. Minimum front setbacks: All structures proposed to front on existing public streets external to the PCD shall be located a minimum of thirty (30) feet from the existing public right-of-way.

4. Lots within the PCD shall comply with the buffer yard requirements of section 30-92-4 of this ordinance and the minimum standards as set forth below.

5. Lot coverage:
   a. Lots served by a private well and sewage disposal system:
      1. Area: One and one-half (1.5) acres (sixty-five thousand three hundred forty (65,340) square feet).
      2. Frontage: One hundred (100) feet on a publicly owned and maintained street.
   b. Lots served by either public water or sewer, or both:
      1. Area: Twenty thousand (20,000) square feet.
      2. Frontage: Seventy-five (75) feet on a publicly owned and maintained street.
   c. Maximum lot coverage shall be determined through the preliminary development plan process but in no case shall exceed seventy-five (75) percent.

6. Public streets in the PCD district shall be built in accordance with VDOT and Bedford County standards. In reviewing the PCD preliminary master plan, the planning commission may recommend, and the board of supervisors may approve, one (1) or more private streets within the proposed district. Private street standards, specifications and a proposed maintenance agreement shall be submitted with the preliminary master plan.
(7) The applicant may propose a reduction to the number of parking spaces required by this ordinance for each use type, if justified. This proposal will be reviewed with consideration given to potential future uses of the site, parking demand and expansion potential.

(8) Maximum height of structures: Forty-five (45) feet. Structures may exceed the height limitation provided a special use permit is approved in accordance with section 30-13.

(9) Utilities shall be placed underground.

(10) Arrangement of areas:
   a. The location and arrangement of structures, parking, access drives, outdoor lighting, signs and other uses and developments within the PCD, in addition to achieving these development standards, shall be accomplished in accordance with an approved final master plan to assure compatibility with the existing and future land use in the vicinity.
   b. Areas designed for future expansion or not intended for immediate improvement or development shall be specified as reserve areas on the preliminary development plan. The future use and the limitations on future use of such area shall be specified, or else such areas shall not be included as part of the PCD application. Reserve areas included in the PCD shall be landscaped or otherwise maintained in a neat and orderly manner.

(11) In order to promote safe ingress and egress for the development, the minimum separation distance between entrances to the public right-of-way shall be three hundred (300) feet. Additional access between adjoining lots, such as frontage roads and shared parking lots, are strongly encouraged.

(12) Fire prevention systems and hydrants: The placement of fire hydrants or other fire prevention systems shall be reviewed by the local fire marshal to insure compliance with the standards set forth by the National Fire Protection Association, or NFPA.

(Ord. of 9-8-2003; Ord. of 9-13-2004)

Sec. 30-57-4. Site development recommendations.

(a) The planned commercial development district should be designed and developed to be a visual asset to Bedford County. Since the relationship of the development and community and the prospects for economic success of the project have much to do with the physical character of the development, these following factors shall be considered in reviewing a planned commercial district application:

   (1) The principal entrance into the PCD district should be sufficiently landscaped to comply with the purposes of this district. In addition, the first one hundred (100) linear feet of street, leading through this principal entrance into the PCD, should have a landscaped median of sufficient width and planting density to meet the purposes of this district.

   (2) Parking within the PCD should be located to the side or rear of the principal structures on the lot, wherever feasible. During review, consideration will be given to topographical constraints, innovative site design, buffering and landscaping factors.

Sec. 30-57-5. Relationship to existing development regulations.

All zoning regulations shall apply to the development of the PCD district, unless modified by the board of supervisors in the approval of the final master plan.

Sec. 30-57-6. Application process.

(a) (1) The time frames outlined in section 30-57 are the maximum time frames mandated by the Code of Virginia. Bedford County will make every reasonable effort to complete the application process within a shorter time frame.

   (2) In areas presently designated PCD, planned commercial development district, no amendment to this ordinance or rezoning is required to develop a planned commercial development and the planned commercial development plan may be approved administratively as the site development plan, provided the other requirements of this section are met.

   (3) Where planned commercial developments are proposed in areas not zoned accordingly, an amendment to this ordinance or a rezoning is required and the provisions of the subsection shall apply.

(b) Prior to submitting a formal application for review and approval under these provisions, the applicant and county staff shall meet to discuss the requirements of section 30-57. The purpose of the meeting is to obtain a mutual understanding of the application requirements and process. The applicant is encouraged to submit information on the scope and nature of the proposal to allow staff to become familiar with the proposal in advance of the meeting.
(c) Any application to rezone land to the PCD designation, shall constitute an amendment to the zoning ordinance pursuant to section 30-14. The written and graphic information submitted by the applicant as part of the application process shall constitute proffers pursuant to section 30-15 of this ordinance. Once the board of supervisors has approved the final master plan, all accepted proffers shall constitute conditions pursuant to section 30-15.

(d) To initiate an amendment, the applicant shall complete a rezoning application. This information shall be accompanied by graphic and written information, which shall constitute a preliminary master plan. All information submitted shall be of sufficient clarity and scale to clearly and accurately identify the location, nature, and character of the proposed district. At a minimum the information shall include:

1. A legal description and plat showing the site boundaries, and existing street lines, lot lines, and easements.
2. Existing zoning, land use and ownership of each parcel proposed for the district.
3. A general statement of planning objectives to be achieved by the PCD district, including a description of the character of the proposed development, the existing and proposed ownership of the site, the market for which the development is oriented, and objectives towards any specific human-made and natural characteristics located on the site.
4. A description and analysis of existing site conditions, including information on topography, historic resources, natural water courses, floodplains, unique natural features, tree cover areas, known archeological resources, etc.
5. The proposed conceptual location and number of structures within each land use of the proposed development.
6. The gross square footage for each use type proposed in the PCD.
7. The proposed size, location and use of other portions of the tract, including landscaping and parking.
8. A traffic circulation plan, including the location of access drives, parking and loading facilities, pedestrian walks, and the relationship to existing and proposed external streets and traffic patterns. General information on the trip generation, ownership, maintenance and proposed construction standards for these facilities should be included. A traffic impact analysis may be required by the zoning administrator.
9. If a reduction to the number of parking spaces is requested, a justification for this request shall be submitted. Based on adequate justification, the planning commission may recommend, and the board may approve such a reduction.
10. Reserved.
11. The proposed schedule of site development. At a minimum, the schedule should include an approximate commencement date for construction and a proposed build-out period.
12. Generalized statements pertaining to architectural design principles and guidelines shall be submitted in sufficient detail to provide information on building designs, orientations, styles, lighting plans, signage plans, landscaping, etc.
13. Signage in the proposed PCD shall be in accordance with article V.

(e) The completed rezoning application and supporting preliminary master plan materials shall be submitted to the planning commission for review and analysis. The planning commission shall review this information and make a report of its findings to the board of supervisors. The planning commission shall as part of its review hold a public hearing pursuant to Code of Virginia, § 15.2-2204, as amended. The proposed district shall be posted with signs indicating the date and time of the planning commission public hearing.

(f) The planning commission shall make a report of its findings to the board of supervisors within ninety (90) days of the receipt of the materials, unless the applicant requests, or agrees to an extension of this time frame. The planning commission’s report shall recommend approval, approval with modifications, or disapproval of the preliminary master plan. Failure of the planning commission to make a report of its findings to the board of supervisors within this period shall constitute a planning commission recommendation of approval.

(g) If the planning commission recommends denial of the preliminary master plan, or approval with modification, the applicant shall, if requested, have sixty (60) days to make any modifications. If the applicant desires to make any modifications to the preliminary master plan, the board of supervisors review and action shall be delayed until such changes are made and submitted for review.

(h) The board of supervisors shall review the preliminary master plan, and after holding a public hearing act to approve or deny the plan within ninety (90) days. Approval of the preliminary master plan shall constitute acceptance of the plan’s provisions and concepts as proffers pursuant to section 30-15 of this ordinance. The plan approved by the board of supervisors shall constitute the final master plan for the PCD. Once approved by the board of supervisors, the zoning administrator shall authorize the revisions to the official zoning map to indicate the establishment of the PCD district.
Sec. 30-57-7. Revisions to final master plan.

(a) Major revisions to the final master plan shall be reviewed and approved following the procedures and requirements of section 30-57-6. Major revisions include, but are not limited to changes such as:

1. Any significant increase in the density of the development;
2. Substantial change in circulation or access;
3. Substantial change in grading or utility provisions;
4. Substantial changes in the mixture of land uses;
5. Substantial change in architectural or site design features of the development;
6. Any other change that the zoning administrator finds is a major divergence from the approved final master plan.

(b) All other changes in the final master plan shall be considered minor amendments. The zoning administrator, upon receipt of a written request of the owner, may approve such minor amendments.

1. If the zoning administrator fails to act on a request for a minor amendment to the master plan within fifteen (15) calendar days, it shall be considered approved.
2. A request which is disapproved by the zoning administrator shall be considered a major amendment and shall be subject to the approval process outlined above for such amendments.

Sec. 30-57-8. Approval of preliminary and final site development plans.

(a) Following the approval of the final master plan, the applicant or authorized agent, shall be required to submit preliminary and final site development plans for approval. Final site development plans for any phase or component of the PCD that involves the construction of structures or facilities, shall be approved prior to the issuance of a building and zoning permit, and the commencement of construction.

(b) It is the intent of this section that subdivision review under the subdivision regulations be carried out simultaneously with the review of a PCD under section 30-52-8. The plans required under this section shall be submitted in a form which will satisfy the requirements of the subdivision regulations, as determined by the zoning administrator.

(c) Preliminary and final site development plans submitted for review shall be in compliance with the final master plan approved by the board of supervisors. Bedford County Department of Planning shall review and approve or disapprove any final site development plan within sixty (60) days of its submittal.

(d) No planned commercial development district shall be approved and no work shall be authorized on construction until all property included in the final master plan is in common ownership.

Sec. 30-57-9. Failure to begin development.

Unless an extension is granted by the zoning administrator, failure of the applicant to submit a preliminary site development plan for at least one (1) portion of the planned commercial development district within twenty-four (24) months of the approval of the final master plan, shall constitute an application on the part of applicant to rezone the PCD to the district designations in effect prior to the approval of the final master plan.

Sec. 30-57-10. Control following approval of final development plans.

The zoning administrator shall periodically inspect the site and review all building permits issued for the development to ensure compliance with the submitted development schedule.

(Ord. of 2-26-2001, App. A; Ord. of 7-8-2002)
(1) The zoning administrator may be authorized to allow manufactured homes (Class A) in an R-1 district if the following standards and guidelines are met:

a. Seventy (70) percent of the homes in the surrounding area are manufactured homes or manufactured homes (Class A).

b. Fifty (50) percent of the parcels in the surrounding area have functioning housing units on them.

c. Surrounding area for subsections (1)a. and (1)b. above, shall be defined as a platted subdivision of record, as it existed as of December 1, 2013, containing twenty-five (25) lots or more or an area encompassing one thousand five hundred (1,500) feet from each property line, whichever is greater. Consistent with the above statement of intent, the expansion of areas for the permitting of manufactured homes as contemplated by this subsection shall not be allowed by the creation of new lots, the expansion of existing subdivision boundaries, or by any other means deemed by the zoning administrator to circumvent this regulation.

(Ord. No. O120913-10, 12-9-2013)

Sec. 30-82-10. Reserved.

Sec. 30-82-11. Multifamily dwelling.

(a) Intent. The following minimum standards are intended to accommodate multifamily dwellings, ensuring adequate separation and other design characteristics to create a safe and healthy residential environment while protecting adjoining uses which are less intensive.

(b) General standards:

(1) Minimum front yard setback: Thirty (30) feet from any street right-of-way for all structures.

(2) Minimum side yard setback: Twenty (20) feet for principal structures.

(3) Minimum rear yard setback: Twenty-five (25) feet for principal structures.

(4) Additional setbacks in the form of a buffer yard shall be required in accordance with article V where the property adjoins a less intensive zoning district.

(5) Each multifamily building shall be separated by forty (40) feet between facing living areas. This separation may be reduced to twenty (20) feet when both multifamily buildings contain windowless walls.

(6) Where buildings are placed at right angles (ninety (90) degrees) to one another and both interior walls are windowless, the minimum separation of buildings shall be twenty (20) feet.

(7) Standards for open space and recreational areas required below:

a. Shall be in addition to any buffer yard required under article V of this ordinance;

b. Shall be in addition to, and not be located in, any required front, side or rear yard setback;

c. Shall have a horizontal dimension of at least fifty (50) feet, except that areas with a horizontal distance of not less than twenty (20) feet shall be counted as open space provided such areas contain facilities such as, but not limited to, bikeways, exercise trails, tot lots, gazebos, picnic tables, etc.;
d. Shall not include proposed street rights-of-ways, open parking areas, driveways, or sites reserved for other specific uses; and

e. Shall be of an appropriate nature and location to serve the residents of the multifamily development.

(c) Additional standards in the AV district:

1. Minimum lot size: Twenty thousand (20,000) square feet for the first dwelling unit, plus five thousand (5,000) square feet for each additional unit.

2. Maximum density: Eight (8) dwelling units per acre.

3. When adjoining a lot containing a single-family dwelling, a Type C buffer yard as described in article V shall be provided.

4. Common open space and recreational areas required: Five (5) percent of the total lot area for parcels of two (2) to five (5) acres, and ten (10) percent for parcels over five (5) acres. No open space is required for parcels under two (2) acres.

(d) Additional standards in the R-3 district:

1. Minimum lot size: Seven thousand two hundred (7,200) square feet for the first dwelling unit, plus three thousand six hundred thirty (3,630) square feet for each additional unit.

2. Maximum density: Twelve (12) dwelling units per acre.

3. The property shall be served by public sewer and water.

4. Common open space and recreational areas required: Five (5) percent of the total lot area for parcels of two (2) to five (5) acres, and ten (10) percent for parcels over five (5) acres. No open space is required for parcels under two (2) acres.

(e) Additional standards in the R-4 district:

1. Minimum lot size: Seven thousand two hundred (7,200) square feet for the first dwelling unit, plus one thousand eight hundred fifteen (1,815) square feet for each additional unit.

2. Maximum density: Twenty-four (24) dwelling units per acre.

3. The property shall be served by public sewer and water.

4. Common open space and recreational areas required: Five (5) percent of the total lot area for parcels of two (2) to five (5) acres, and ten (10) percent for parcels over five (5) acres. No open space is required for parcels under two (2) acres.

(f) General standards in the C-1 district, independent of the general standards above:

1. The multifamily use shall be allowed only in the same structure as, and in conjunction with, an associated civic, office or commercial use type.

2. The civic, office or commercial use type must occupy at least fifty (50) percent of the gross floor area of the structure.

Sec. 30-82-12. Single-family, detached (zero lot line option).

(a) Intent. The following zero lot line provisions are intended to offer greater flexibility in providing a variety of housing options to meet the changing demands and needs of the
public, while providing standards which afford a reasonable degree of protection for surrounding properties.

(b) In the R-1, R-2, R-3 or R-4 districts and residential use types in the PCD, PRD and PID, within a common development, one (1) interior yard per lot may be equal to zero (0) for single-family detached dwellings, subject to the following additional criteria:

1. Minimum tract size of the common development: Three (3) acres or on tracts less than three (3) acres with a special use permit from the board of zoning appeals pursuant to article I.

2. The minimum lot size, frontage and front and rear yard setbacks required in the district regulations may be reduced up to twenty (20) percent, provided:
   a. The lot is an interior lot and does not adjoin a lot outside of the common development designated for zero lot line use; or
   b. The lot adjoins a Type C or greater buffer yard; or
   c. The lot adjoins land zoned as commercial or industrial.

3. Minimum side yard opposite the zero yard: Fifteen (15) feet.

4. No two (2) dwelling units built under these provisions shall be attached along the common property line (See Single-family, attached).

5. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.

6. No windows, doors, or other openings shall be permitted in the wall of a building which faces the designated zero lot line within five (5) feet of the property line.

7. A perpetual five (5) foot wall-maintenance easement shall be provided on the lot adjacent to the zero lot line property line. This easement shall be kept clear of structures or any other improvement which would infringe on the use of the easement, with the exception of freestanding walls and fences. This easement shall be shown on the plat and incorporated into each deed transferring title to the property.

8. A copy of the plat approved by the subdivision agent of the county shall be submitted to the zoning administrator. The zoning administrator shall make the appropriate notation on the official zoning map that the affected lots have been approved for zero lot line dwellings.


(a) Intent. The following provisions are intended to offer greater flexibility in providing a variety of housing options to meet the changing demands and needs of the public. The standards below are intended to accommodate new developments of attached single-family dwellings, as well as to allow attached single-family dwellings as in-fill development on scattered sites in existing residential areas.

(b) General standards within a common development containing three (3) or more acres:

1. The minimum lot size, frontage and front and rear yard setbacks required in the district regulations may be reduced up to twenty (20) percent, provided:
   a. The lot is an interior lot and does not adjoin a lot outside of the common development designated for attached single-family dwellings; or
TRC Comments

VDH – Bedford County Health Department

Sportsman Condos

1) Bedford Regional Water Authority (BRWA) Public Water connection to proposed Condominiums

2) Existing Onsite Water Well may be utilized to serve the Sportsman Marina Facility

3) The proposed Condominium will be connected to existing VDH Permitted onsite Sewage Disposal System 109-11-0054 was upgraded in 2011. The existing Marina Facility will be connected to existing VDH Permitted onsite Sewage Disposal System 109-11-0054. Sewage Disposal System 109-11-0054 has a design capacity of 2100 Gallons per Day.

4) Preliminary Engineering Reports and Conferences between the Engineer and VDH indicate that the existing sewage disposal system 109-11-0054 is of satisfactory capacity to properly dispose of wastewater flows associated with the proposed Condominium Project and the Marina Facility. Pretreatment of the sewage effluent will be required to comply with VDH Sewage Handling and Disposal Regulations.

5) The Marina Facility must come into compliance with VDH Marina Regulations. The existing Marina Facility has a current build-out of approximately 35 slips. The Marina must install a Bathhouse that conforms to the Sewerage Fixture requirements as designated in Table 1 of the VDH Marina Regulations.

6) If the TikiBar Establishment is to be utilized, sanitary facilities and any associated wastewater flows shall be incorporated into the design.
7) Any existing onsite groundwater wells will need to be properly abandoned in accordance with VDH Private Well Regulations and a VDH Well Abandonment Permit (NO FEE) will be required.

8) Any existing onsite septic tank(s) must be pumped by a certified sewage hauler and crushed in-place or removed (NO VDH PERMIT REQUIRED).

---

Todd Fowler  
Environmental Health Supervisor  
VIRGINIA DEPARTMENT OF HEALTH  
Bedford County Health Department  
600 Bedford Avenue  
Bedford, VA 24523  
Phone: (540) 586-7952 (EXT 127)  
Fax: (540) 586-7991
<table>
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**Attachments:**
- GIS Map: Yes
- Existing Water/Sewer Utilities Information: Yes
- Existing Easement Information: N/A
- BRWA Plat Checklist Policy: Available Online
- BRWA Site Plan Review Checklist Policy: Yes
- BRWA Water Review Checklist Policy: Available Online
- BRWA Sewer Review Checklist Policy: N/A
- BRWA Location of Utilities Policy: Available Online
- BRWA Surveyed As-Built Requirements Policy: Available Online
- BRWA Wastewater Lift Station Requirements Policy: N/A
- BRWA Rate Schedule: Available Online
- BRWA Developer Checklist: Available Online

**Other:**
- Waiver Request Response Letter dated 5/15/15: Yes
- FH Flow Test Results dated: Yes
- Landscaping List: Yes

**Additional Comments:**
See attached.

**Meeting Notes:**

Comments by Foster, Steve
1. Please include a note on the Site Plan that the site is being served by public water from the BRWA. If both public water and private well are to be used please clarify with a note on the Site Plan indicating what facilities utilize public water and what facilities will use private well. Please be advised that physical cross-connection between a private water source and public BRWA water is prohibited.

2. Please include a note on the Site Plan that the site is being served by private septic.

3. Please provide the following information on the Site Plan for METERED PUBLIC WATER:
   - Meter Size Requested _______
   - Total Fire Flow Demand ________ gpm
   - Total Domestic Flow Demand ________ gpm
   - Total Combined Flow Demand ________ gpm
   - Minimum Sustained Pressure Needed at Total Combined Flow __________ psi

4. If fire suppression is not supplied through a METERED PUBLIC WATER CONNECTION, the fire flow demand should be listed as 0 gpm on the Site Plan for BRWA purposes.

5. If it is being requested that BRWA provide water for fire suppression purposes through a metered public water connection, then the meter must be a Fire Flow Meter Vault installed as a Developer Project with BRWA in accordance with Std Details FM-1 and FM-2.

6. For meter size 2-inch or smaller please include a note or call out on the Site Plan stating to be installed by BRWA. Proposed meter should be located at the property line (or VDOT R/W line), shown and called out on the Site Plan.

7. For meter size larger than 2-inch a Fire Flow Meter Vault will be required as a Developer Project with BRWA. Meter vault should be shown on the Site Plan referencing BRWA Std Details FM-1 and FM-2. Meter vault location is to be outside VDOT R/W in a BRWA easement to be provided/obtained by the Developer.

8. Please be advised of water/sewer separation requirements and address as necessary on the Site Plan. See attached Waiver Request Response Letter dated 5/15/15.

9. Please be advised that trees are not to be placed within 10-ft of the water meter. See attached landscaping list for acceptable plantings and clearances from BRWA infrastructure.

10. Please include a scale (or state NTS) for the vicinity map on the Site Plan.

END
Mark Jordan  
Office of Community Development  
122 E. Main St, Suite G-03  
Bedford, VA 24523  

Subject: TRC Comments – Marina Properties VI, LLC - Moneta – SUP SU150010 Concept Plan  
Rte. 626 – Smith Mountain Lake Parkway - TM# 257C1-1-E  
Bedford County  

Dear Mark,  

The Bedford Residency has completed a review of the concept plan received on June 19, 2015, for the above referenced project and has following comments:  

1. Please include a traffic impact narrative for the proposed site based on the 9th Edition ITE. Also be sure to include all adjacent land uses that utilize the entrance and note any improvements on the site plan. It would also be beneficial to note the existing land use traffic generation for comparison with the proposed.  

2. Items that will need to be verified on the site plan:  
   a. Intersection sight distance at the existing entrance location.  
   b. Posted or un-posted speed limit of Route 626 – Smith Mountain Lake Parkway.  
   c. Detail of the existing entrance and any proposed improvements.  

If you have any questions, please call Will Yeager or me at 540-586-7941.  

Sincerely,  

Brian Casella, PE, LS  
Area Land Use Engineer  
Bedford Residency  
SRT/lbc  

CY: Ben Shadrer-Shadrer Engineering and Land Surveying  
LD – Correspondence File
SPECIAL USE PERMIT
SU150009

Blue Ridge Montessori School Educational Facility,
Primary/Secondary

Presenter: Jordan Mitchell
540-586-7616 ext 1393
540-586-2059 (fax)
jmitchell@bedfordcountyva.gov
MEMORANDUM

TO: Planning Commission

FROM: Jordan Mitchell, Planner

DATE: July 6, 2015

SUBJECT: Special Use Permit #SU150009: Blue Ridge Montessori School

SYNOPSIS
The Blue Ridge Montessori School is requesting a Special Use Permit for an “Educational Facility, Primary/Secondary” use on 7.2 +/- acres of a 13.84 acre parcel. The project is located in Election District #3.

BACKGROUND

APPLICANT
The applicant for this request is the Blue Ridge Montessori School (C/o Robin Boling), 1071 Woodberry Square Place, Lynchburg, Virginia, 24502. The applicant is under contract to purchase the property if the request is approved.

OWNER
The property is owned by Long Meadows, Inc., P.O. Box 4338, Lynchburg, Virginia, 24502.

ENGINEER
The engineer for the applicant is Ty Mosby, Berkley Howell & Associates, 306 Enterprise Drive, Suite C, Forest, Virginia, 24551.

LOCATION
The property (Tax Map #135-A-73) is a pipestem lot located on Thomas Jefferson Road (Route 811) with the pipestem portion of the lot located next to 4028 Thomas Jefferson Road and across from 1029 Foxmoor Place. The subject property is approximately 13.84 acres in size according to the County records and the Concept Plan.

PERMIT REQUEST
The applicant has requested approval of a Special Use Permit to utilize 7.2 +/- acres of Tax Map #135-A-73 for an “Educational Facilities, Primary/Secondary” use. Improvements to the property associated with this request include multiple buildings totaling 21,600 square feet (footprint), two (2) greenhouses, gardens, storage building, chicken coup/yard, four (4) playground areas, ½ regulation playing field (no lighting), walking trail, picnic pavilion, and a
picnic area. The concept plan shows two means of access (Option A or Option B) to the property from Thomas Jefferson Road (Route 221).

Approximately 250 students (ages 6 months through 8th grade) with a staff of 35 employees is anticipated for the school. Impacts on public facilities (fire/rescue, transportation, water/sewer) are expected to be minimal. The school will utilize staggered pickup and drop off times in order to reduce any increase in traffic on Thomas Jefferson Road and nearby roadways. The applicant intends to keep approximately 6 acres of woodlands to preserve the natural character of the county and to provide a vegetative buffer for the adjoining properties.

**ANALYSIS**

**Zoning/Land Use Compatibility**

The subject parcel (Tax Map #135-A-73) is zoned R-2 (Medium Density Residential District). Surrounding properties are zoned R-2 and R-1 (Low Density Residential District). Surrounding land uses are predominantly residential (single family dwellings) with some properties that currently are vacant or in agricultural use. Recreational fields for the Forest Youth Athletic Association (FYAA) are also located nearby at 3372 Thomas Jefferson Road.

Generally, an “Educational Facility, Primary/Secondary” use may be compatible with the R-2 zoning district and surrounding area given that a special use permit with applicable general standards (S*) is required to establish the use in the zoning district. In addition to general standards, conditions can be placed on a special use permit to mitigate adverse impacts to aid the proposed use’s compatibility with the surrounding area.

**Zoning Ordinance**

The proposed use is classified as “Educational Facility, Primary/Secondary”, which is permitted in the R-2 zoning district with the approval of a special use permit with general use standards (S*). The use definition from Article II (Definitions) reads:

**Educational Facility, Primary/Secondary** – A public, private or parochial school offering instruction at the elementary, junior and/or senior high school levels in the branches of learning and study required to be taught in the public schools of the Commonwealth of Virginia.

The subject parcel is defined as a pipestem lot by the Zoning Ordinance. The definition of a pipestem from Article II (Definitions) reads:

**Lot, Pipestem** – A “panhandle” or “flag” shaped lot with its widest point set back from the road at the rear of another lot (called the pipe). Pipestem lots are also referred to as panhandle lots or flag lots.
Section 30-100-4A of the Zoning Ordinance prohibits any building or structure from being permitted in the stem portion of the lot. The applicant is able to meet this requirement as the applicant intends to use the stem portion of the lot as access to the property (Option A).

Section 30-83-6A in Article IV of the Zoning Ordinance contains the use and design standards for an “Educational Facilities, Primary/Secondary” use (attached). The applicant is able to fully meet all of the general standards for the use listed. Should the existing buffer not meet the general standard for buffering of the ½ regulation playing field, the applicant will supplement the existing buffer with plantings so that the requirement is met.

**Comprehensive Plan**

The 2025 Bedford County Comprehensive Plan recognizes the Blue Ridge Montessori School as the only private school located in Bedford County. The goal and intent of Chapter 10 – Education is “exceptional educational programs for all citizens in facilities that enhance the learning process”.

**Project Impacts**

This project has been reviewed by County agencies, the following information reflects their comments:

**Environmental**

Erosion & sediment control measures and stormwater management regulations will apply to the development of the site. A Virginia Stormwater Management Permit (VSMP), Stormwater Pollution Prevention Plan (SWPPP), Stormwater Maintenance Agreement (SWMA), and Erosion and Sediment Control (ESC)/Stormwater Maintenance (SWM) surety will be required for the project.

**Transportation**

A commercial entrance will be required that must meet Virginia Department of Transportation (VDOT) standards. VDOT will require a traffic narrative for the proposed site based on the Institute of Transportation Engineers Trip Generation Manuel, 9th edition. Access Management exemption may not be needed for the full access entrance as proposed.

**Utilities**

The site will be served by public water and sewer. Any existing on-site well(s) will be properly abandoned and any existing on-site septic tank(s) must be pumped and crushed in place or removed.
Public Facilities

Application will provide for a private school option (expanded) in the community that could lessen the burden on the public school system. Fire/rescue impacts would be minimal at most.

Aesthetic/Visual

The proposed use and improvements will have some visual impact to the adjoining residential properties. The applicant is proposing to keep an existing buffer around the perimeter of the property in order to limit the amount of visual/aesthetic impacts. However, the impact of the perimeter buffering will vary given that the proposed buffer depth may vary along the perimeter of the property but shall be at least 20 feet in width (Condition #3).

CONDITIONS

In accordance with Section 30-19-3 (C) of the Zoning Ordinance, the Board of Supervisors may attach and Planning Commission may recommend) any conditions necessary to ensure the proposal meets the specific and general standards for the proposed use. The following conditions are recommended by staff:

1. Section 30-83-6A General Standards shall apply in perpetuity until the “Educational Facilities, Primary/Secondary” use has been discontinued.
2. The agricultural components that are essential to the Blue Ridge Montessori Schools academic curriculum shall be allowed through Section 30-88-3(A5).
3. A minimum 20 foot buffer yard of the existing vegetation shall remain along the perimeter of the subject parcel. This requirement is in addition to any other landscaping required by the Zoning Ordinance to established an “Educational Facilities, Primary/Secondary” use.

ATTACHMENTS

1. Location Map
2. Zoning Map
3. Aerial Map (2011 VBMP)
4. Special Use Permit Application
5. Concept Plan
6. Section 30-42, R-2 Medium Density Residential District
7. Section 30-83-6, “Educational Facilities, Primary/Secondary”, General Standards
8. Section 30-88-3, Accessory uses; Civic use types
9. Section 30-100-4, Pipestem lots; prohibition of irregular lots
Section 30-19: Special uses are established in recognition that in addition to uses permitted by right, certain uses may, depending upon their scale, design, location, and conditions imposed by the Board of Supervisors, be compatible with existing and future uses in a district. A special use permit application may be initiated by:

1) Resolution of the Board of Supervisors;
2) Motion of the Planning Commission;
3) Petition of the owner, contract purchaser with the owner's written consent, or the owner's agent of the property for which a special use permit is requested.

APPLICATION PROCEDURE:

- **Consultation with Planning Staff:** You are required to meet with a planner to discuss feasibility of request prior to submission.
- **Planning Commission:** The Planning Commission will hold an advertised public hearing and review the application in order to make and forward an advisory recommendation to the Board of Supervisors.
- **Board of Supervisors:** The Board of Supervisors will hold a public hearing and review the application in order to make a decision on the request. In granting the special use permit, the Board of Supervisors may attach any conditions necessary to insure that the proposal meets the specific and general standards for the proposed use.

Please make sure the following items are included **BEFORE** submitting:

- **Application Fee:** $300.00 (checks made payable to Bedford County). Applicant is also responsible for the costs of all public notifications including sign posting, mailings and legal advertisements.

- **Concept Plan:** A concept plan prepared by a professional engineer, architect or surveyor must be submitted with the application in both hard copy and digital (.pdf format) versions. The plan shall include at a minimum what is required of a site development plan in Article V of the Zoning Ordinance and address any potential land use or design issues arising from the request. It is the responsibility of the applicant to demonstrate that the proposed use will be in harmony with the zoning district and surrounding area. If the proposed development is to be constructed in phases, all phases shall be shown at the time of the original application.
Bedford County
Special Use Permit Application

APPLICANT INFORMATION

Note: If applicant is not the property owner, an owner's authority letter must be submitted with application.

Applicant Name: Blue Ridge Montessori School, C.O. Robin Boling, (Contract Buyer)
Address: 1071 Woodberry Square Place, Lynchburg, Va. 24502
Phone: 434-525-0061 Fax: 434-525-8856 Email: brmsinfo4u@gmail.com

Property Owner Name: Long Meadows, Inc., (Seller)
Address: PO Box 4338, Lynchburg, Va. 24502
Phone: Fax: Email: 

Authorized Agent/Contact Person: Blue Ridge Montessori School, C.O. Robin Boling, (Contract Buyer)
Address: 1071 Woodberry Square Place, Lynchburg, Va. 24502
Phone: 434-525-0061 Fax: 434-525-8856 Email: brmsinfo4u@gmail.com

Engineer: Berkley Howell & Assoc., Bill Berkley, Ty Mosby
Address: 306 Enterprise Drive, Suite C, Forest, Va. 24551
Phone: 434-385-7548 Fax: 434-385-6178 Email: tmosby@berkleyhowell.com

PROJECT INFORMATION

Location/Address of Property (directions from Bedford County Administration Building): Rte 460 East, Lon Thomas Jefferson Road, on Rd at Foxmoor Place.

Tax Map Number(s): 135-A-73

Magisterial District: Jefferson District Election District: District 3

Size of Parcel(s): In acres 13.84 In sq. ft. 

Amount of area to be utilized 7.2 +/- Acres

Does the parcel meet the minimum requirements contained in the Article IV use and design standards for the use? ( ) Yes ( ) No

Current Zoning: R-2 Current Land Use: Vacant

Proposed Land Use (from Permitted Use Table, Sec. 30-79-2): Educational Facility, Primary/Secondary

Please describe the proposed project or purpose of the request. See Attachment Number 1
JUSTIFICATION FOR SPECIAL USE PERMIT

The Planning Commission will study the special use request to determine the need and justification for the change in terms of public health, safety and general welfare. Please answer the following questions as thoroughly as possible. Attach additional paper if necessary.

Please explain how the request furthers the purposes of the Zoning Ordinance (Section 30-3) as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

See Attachment Number 2

Please explain how the project conforms to the general guidelines and policies contained in the Bedford County Comprehensive Plan.

See Attachment Number 3

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire/rescue.

See Attachment Number 4

CERTIFICATION

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.

Owner/Agent Signature: [Signature]

Date: 5-28-15

Print Name: Robin M. Boling
BLUE RIDGE MONTESSORI SCHOOL

APPLICATION AND JUSTIFICATION FOR SPECIAL USE PERMIT

1. We request the approval of the special use permit to allow a Primary/Secondary Educational Facility in the R-2 Medium Density Residential District. The Blue Ridge Montessori School will utilize multiple buildings totaling approximately 21,600sf (footprint). The facility will serve approximately 250 students with a staff of 35 employees. The facility will utilize a combination of paved and "green" parking. The school will have amenities such as playing field, play grounds, picnic area, gardens, and greens houses. The playing field will not utilize lights. A storage building is proposed to store maintenance items such as lawn mowers.

2. The Blue Ridge Montessori School is proposed in a residential area of Bedford County. The school will support both the purpose of the Zoning Ordinance and specifically the Residential District by offering a high quality educational opportunity for the local children. Children within the community are presented with a challenging education from 6 month old through eighth grade. Located on a 13.8 acre site, the school is proposed with a combination of existing woods and vegetative buffer for a harmonious blend with the community. Approximately 6 acres of woodlands will remain to preserve the beautiful natural character of Bedford County.

3. As per the Comprehensive Plan and Future Land Use map, the area is noted for residential use. Bedford County recognizes that a high quality education is important for the continued growth of the children. School facilities are a necessity in the area of residential development. The Blue Ridge Montessori School will provide a private school option for the community. The Comprehensive Plan also notes the preservation of the character and natural environment of Bedford County. The facility is proposed with a combination of greenspace and woods to create a harmonious natural esthetic design. With the preservation of the existing creek and wetlands, the children will be able to enjoy a picnic lunch while appreciating the beauty of Bedford County.

4. The Blue Ridge Montessori School will have minor impacts on the property, adjoining property, and public services and facilities. Specifically, the facility is contained within the overall 13.8 acre parcel and will be buffered with a combination of supplemented vegetation and existing woods. The facility will be served by public water and sewer. With only 285 total students and staff, there will be only a minor increase on water and sewer demands. As a private school, the facility may reduce impacts on the public school system. While there will be a slight increase in traffic on Thomas Jefferson Road, and within the surrounding area, the impacts are expected to be minimal since the school has staggered pickup and drop times. Fire and Rescue are available in the area of Goode and Forest, but the school is expected to cause minimal drain on resources.
Sec. 30-42. - R-2 Medium density residential district.

Sec. 30-42-1. Purpose.

The purpose of the R-2, Medium density district is to establish areas in the county within the urban service area where existing low-middle to middle density residential development (typically three (3) to six (6) units per acre) is primarily located and land areas which appear generally appropriate for such development. The R-2 district is intended to provide reasonable protection to existing single-family residential neighborhoods, while accommodating a diversity of alternative housing options. R-2 areas are designated based on access to roads, sewer and water, and schools with suitable capacity to accommodate development at the stated density. Older neighborhoods where smaller platted lot sizes exist are also included where opportunities exist for additional in-fill development.

Sec. 30-42-2. Permitted uses.

Permitted uses shall be as listed in section 30-79.

Sec. 30-42-3. Site development regulations.

General standards. For additional, modified, or more stringent standards for specific uses, see article IV, Use and Design Standards.

(a) Minimum lot requirements:

1. All lots served by private well and sewage disposal systems:
   a. Area: One (1) acre (forty-three thousand five hundred sixty (43,560) square feet).
   b. Frontage: One hundred (100) feet on a publicly owned and maintained street.
   c. Lot width: One hundred (100) feet.

2. Lots served by either public sewer or water:
   a. Area: Twenty thousand (20,000) square feet.
   b. Frontage: Seventy-five (75) feet on a publicly owned and maintained street.
   c. Lot width: Seventy-five (75) feet.

3. Lots served by both public sewer and water:
   a. Area: Ten thousand (10,000) square feet.
   b. Frontage: Sixty (60) feet on a publicly owned and maintained street.
   c. Lot width: Sixty (60) feet.

(b) Minimum setback requirements:

1. Front yard:
   a. Principal structures: Thirty (30) feet.
   b. Accessory structures: Thirty (30) feet or behind the front building line, whichever distance is less.

2. Side yard:
   a. Principal structures: Ten (10) feet.
   b. Accessory structures: Ten (10) feet when between front and rear building lines and three (3) feet when behind the rear building line and ten (10) feet when in front of the front building line.

3. Rear yard:
a. Principal structures: Twenty-five (25) feet.
b. Accessory structures: Three (3) feet.

(4) Where a lot fronts on more than one (1) street, front yard setbacks shall apply to all streets.

(5) The expansion of a legally established nonconforming structure into the required side or rear yard shall be permitted provided the expansion does not encroach into the required yard any greater than the existing encroachment.

(c) **Maximum height of structures:**

   (1) Height limitations:

      a. Principal structures: Thirty-five (35) feet
      b. Accessory structures: Thirty-five (35) feet.

(d) **Maximum coverage:**

   (1) Building coverage: Thirty (30) percent of the total lot area for all buildings and seven (7) percent for accessory buildings.

   (2) Lot coverage: Fifty (50) percent of the total lot area.

(Ord. of 2-26-2001, App. A; Ord. of 6-10-2013, pt. II)
Sec. 30-83. - Civic uses.

Sec. 30-83-6. Educational facilities, college/university, primary/secondary.

(a) General standards:

(1) Any outdoor activity area, ball field or court, or stadium which adjoins a residential use type shall be landscaped with one (1) row of small evergreen trees in accordance with article V along the property line adjoining the residential use type. Where nighttime lighting of such areas is proposed large evergreen trees shall be required in a location appropriate to screen adjoining residences.

(2) Any area constructed in conjunction with an educational facility intended for the overnight storage of school buses which adjoins a residential use type shall provide Type C buffer yard as specified in article V of this ordinance.

(b) In the AR district, the maximum building coverage shall be twenty (20) percent and the maximum lot coverage fifty (50) percent of the total lot area.
Sec. 30-88. - Accessory uses and structures.

As defined in article II, accessory uses and structures may be commonly found and associated with principal use types. Principal uses which are allowed by right or by special use may include accessory uses and activities, provided such accessory uses and activities are appropriate and incidental to the principal use, and provided they are designed and located in accordance with the intent and provisions of this ordinance.

Sec. 30-88-3. Accessory uses: Civic use types.

(a) Civic use types may include the following accessory uses, activities or structures on the same site or lot:

(1) Parking for the principal use.

(2) Accessory dwellings commonly associated with or necessitated by the location and operation of the principal use.

(3) Food services operated incidental to the principal use and operated primarily for the convenience of employees, residents, or users of the principal use. Typical examples include cafeterias and dining halls.

(4) Convenience commercial facilities clearly incidental to the principal use and operated primarily for the convenience of employees, residents, and users of the principal use. Typical examples include museum gift shops, college bookstores, or snack bars clearly incidental to the principal use.

(5) Other uses and activities necessarily and customarily associated with purpose and function of civic use types, as determined by the zoning administrator.

(6) Construction office or trailer associated with active construction on a site. A construction office or trailer shall be removed from an active construction site within thirty (30) days of issuance of the final certificate of occupancy for the project.
Sec. 30-100. - Miscellaneous.

Sec. 30-100-4. Pipestem lots; prohibition of irregular lots.

(a) On pipestem lots, as defined in article II, no building or structure shall be permitted in the stem portion of the lot. In addition, the front lot line of such lots, for the purposes of the front yard setback requirement, shall be that line of the pipe portion of the lot closest to and parallel to the street right-of-way.

(b) The creation of irregular lots, as defined in article II of this ordinance, shall be prohibited. No lot shall be platted or modified pursuant to the provisions of the Bedford County Subdivision Ordinance, that due to its geometric characteristics, result in the creation of an irregular lot.