

**RESOLUTION TO APPROVE
SP 2016-03 WEST GLEN**

WHEREAS, Crozet Development Solutions, LLC is the owner of Tax Map and Parcel Numbers 055C0-03-00-000A0, 056A1-01-00-02500, 056A1-01-00-026A0, 05600-00-00-11500, and 055C0-03-00-000A1, collectively, the "Property"; and

WHEREAS, a special use permit was approved by the Board for this property on July 1, 1991 (SP 1990-103 Orchard Acres) to allow fill in the floodplain for the construction of the existing stream crossing across Powell's Creek and the construction of Cling Lane, including a condition requiring that a second access to Orchard Drive be provided prior to further development of the property; and

WHEREAS, the Owner filed an application for a special use permit to allow fill in the floodplain to construct a second stream crossing over Powell's Creek in order to further develop the Property in accordance with the above-referenced SP 1990-103 condition, and the application is identified as Special Use Permit 2016-03 West Glen ("SP 2016-03"); and

WHEREAS, on June 21, 2016, after a duly noticed public hearing, the Albemarle County Planning Commission recommended approval of SP 2016-03; and

WHEREAS, on September 14, 2016, the Albemarle County Board of Supervisors held a duly noticed public hearing on SP 2016-03.

NOW, THEREFORE, BE IT RESOLVED that, upon consideration of the foregoing, the transmittal summary and staff report prepared for SP 2016-03 and all of their attachments, the information presented at the public hearing, and the factors relevant to a special use permit in Albemarle County Code §§ 18-30.3.11 and 18-33.8, the Albemarle County Board of Supervisors hereby approves SP 2016-03, subject to the conditions attached hereto.

* * *

I, Travis O. Morris, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of ____ to ____, as recorded below, at a regular meeting held on _____.

Acting Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____
Mr. Sheffield	_____	_____

SP-2016-03 WEST GLEN
Conditions

1. The culverts under Cling Lane Extended shall be in general accord with the attached drawing titled "Special Use Permit Plans for West Glen Subdivision" (the "Plan") prepared by Dominion Engineering with a revision date of June 3, 2016. To be in general accord with the Plan, development shall reflect the general size, arrangement, and location of the culverts, as well as maintaining no increase of the 100 year flood elevation outside of the West Glen Subdivision property. Modifications to the plan, which do not conflict with the elements above may be approved subject to the review and approval of the County Engineer.
2. Prior to final road plan approval or permitting of a land disturbance in the floodplain, the applicant shall obtain from the Federal Emergency Management Agency (FEMA) a conditional letter of map revision (CLOMR or CLOMA), and prior to road acceptance the applicant shall obtain from FEMA a letter of map revision (LOMR or LOMA). In addition, the applicant shall copy the County Engineer on all correspondence with FEMA. Construction and installation of the culverts shall be in compliance with approved road plans and the FEMA approved CLOMR or CLOMA.
3. Any residential lots and associated streets resulting from the subdivision of the Property, with the exception of the stream crossing and roadway identified on the attached plan as Cling Lane Extended, shall be located outside of the 100 foot stream buffer, Flood Hazard Overlay District and preserved slopes on the Property. Lots may be permitted to be located within the landward 10 feet of the 100 foot stream buffer only if the lots are adjacent to approved stormwater management facilities located within the landward 50 feet of the stream buffer. Approval of lots located within the stream buffer shall be subject Subdivision Agent approval.
4. The net density of the Property shall not exceed 6 units per acre, in accordance with the Crozet Master Plan. Net density shall be calculated by subtracting the area within the Flood Hazard Overlay District, the 100 foot stream buffer, and areas of preserved slopes from the total acreage of the Property.
5. Prior to issuance of a grading permit to allow installation of the stream crossing or with submittal of the final subdivision plat, whichever comes first, the applicant shall submit an easement plat dedicating to the County the area identified for a greenway trail on the Plan.
6. If the construction of the stream crossing for which this Special Use Permit is issued is not commenced by September 14, 2021, the permit shall be deemed abandoned and the authority granted thereunder shall thereupon terminate.