



# Albemarle County

## Legislation Details (With Text)

**File #:** 22-441      **Version:** 1      **Name:**  
**Type:** Resolution      **Status:** Public Hearing  
**File created:** 9/25/2022      **In control:** Board of Supervisors  
**On agenda:** 10/19/2022      **Final action:**  
**Title:** ACSA202200003 -- 3756 Richmond Rd. (Former Moose Lodge Building).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Att. A - Location Map, 2. Att.B - Aerial Image, 3. Att. C - Applicant's Request, 4. Att.D - VDH Comments, 5. Att. E - Resolution

Date	Ver.	Action By	Action	Result
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**AGENDA DATE:** 10/19/2022

**TITLE:**

ACSA202200003 -- 3756 Richmond Rd. (Former Moose Lodge Building)

**SUBJECT/PROPOSAL/REQUEST:** Public hearing on a proposed amendment of the Albemarle County Service Authority (ACSA) Jurisdictional Area Boundary to permit water service to Parcels 079A1-00-0B-02700, 079A1-00-0B-02500, and 079A1-00-0B-025A0 (Scottsville District)

**ITEM TYPE:** Regular Action Item

**STAFF CONTACT(S):** Richardson, Walker, Filardo, Rosenberg, Herrick, Rapp, Benish

**PRESENTER (S):** David Benish

**LEGAL REVIEW:** Yes

**REVIEWED BY:** Choose an item.

**BACKGROUND:** The applicant has applied for ACSA Jurisdictional Area designation to allow water service on the site of the former Moose Lodge building, located on the north side of Richmond Road/Route 250, approximately ¼ mile east of the entrance into Glenmore (Glenmore Way). The site is designated Rural Area in the Comprehensive Plan and is in the Scottsville Magisterial District. Richmond Road (Rt. 250) in this area forms the boundary between the Rivanna Village Development Area (south side of Rt. 250) and the Rural Area. The site is zoned Rural Areas (RA), consistent with its Rural Area land use designation in the Comprehensive Plan (Attachments A & B).

The site has been subject to both water quantity and quality issues for several years, as documented in the application, including the supporting consultant's report and previous information from the Virginia Department of Health (VDH) (Attachment C). There have been both water quantity and quality issues from multiple existing wells. The existing building has been unoccupied, except for occasional storage use/activity, since 2015 due to water service issues. A church currently has a contingency contract to purchase the property with the intent to

locate long-term on this site and initially use the existing building for religious assembly use/activities.

**STRATEGIC PLAN:** Infrastructure Investment - Prioritize, plan, and invest in critical infrastructure that responds to past and future changes and improves the capacity to serve community needs.

**DISCUSSION:** The Comprehensive Plan's Community Facilities chapter provides the following guidance concerning delineation of the ACSA Jurisdictional Area and the provision of service in/to the Rural Area:

***Strategy 9a: Continue to provide public water and sewer in jurisdictional areas.***

*Water and sewer jurisdictional areas ensure the County's Growth Management Policy, Land Use Plan, and Develop Area Master Plans are implemented by guiding the direction of public utility placement. The areas also permit these services to be provided in a manner that can be supported by the utility's physical and financial capabilities. The jurisdictional areas are those portions of the County that can be served by water or sewer service, or both, and generally follow the Development Areas boundaries. Delineation and adoption of utility project jurisdictional areas by a local governing body is provided for in Virginia Code §15.2-5111. The boundaries of the Development Areas are to be followed in delineating jurisdictional areas. **Change to these boundaries outside of the Development Areas should only be allowed when: (1) the area to be included is adjacent to existing lines; and (2) public health and/or safety is in danger.** (p.12.29-30) (emphasis added)*

This application meets the two criteria established in the Comprehensive Plan for extending service to sites in the Rural Area. In terms of adjacency to existing lines, water lines have been installed adjacent to this site, across Richmond Road in a development under construction in the Rivanna Village development area (approx. 300 from the Moose Lodge parcel). The existence of service lines on properties across a street from a property subject to a request has been considered to meet the "adjacency" criteria in past ACSA JA reviews.

Regarding the health and/or safety criteria, VDH has evaluated the site. The information submitted by the applicant and the Department's past experience with this site has resulted in the following additional comments (Attachment C):

- The Health Department has issued numerous well construction permits and the area does not seem favorable as a reliable groundwater source.
- Numerous wells drilled on this property are typically very low yielding.
- Additional proposed wells drilled on the property may create issues with required setbacks if a drainfield repair permit is warranted.
- The Health Department has issued numerous Notice of Alleged Violations associated with water quality and unsatisfactory test results.

Based on the information provided by the applicant and the VDH, staff believes that the health and/safety criteria have been met. The existing issues with available water on-site apparently cannot be addressed long-term by drilling additional wells. Extension of public water service is the most viable solution.

Because the existing building is located only on Parcel 079A1-00-0B-02700, there is no building or use on Parcel 079A1-00-0B-02500, and Parcel 079A1-00-0B-025A0 is not subject to a safety concern, staff recommends that water service be provided only to the parcel with the existing building. Given the current condition and character of the structure, staff would recommend that site be designated for limited service, with water service permitted to the existing structure (or its replacement). This designation would allow either the existing building or a new replacement building to be connected to water service.

**BUDGET IMPACT:** There is no direct budget impact from this request. The property owners would bear the cost for water and/or sewer connections.

**RECOMMENDATION:**

Staff recommends that the Board approve an amendment to the Albemarle County Service Authority

Jurisdictional Area to designate Parcel 079A1-00-0B-02700 for Limited Service-Water Service to the existing structure (or its replacement).

**ATTACHMENTS:**

- A - Location Map
- B - Aerial Image of Site
- C - Applicant's Request
- D - Virginia Dept of Health Comments
- E - Resolution