



## Case #24-16-REZ: South Creek Village LLC

Staff Report Prepared for the Planning Commission

Submitted by Ligon Webb, Director of Planning

Staff Report Prepared on December 20, 2024

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### I. PUBLIC HEARINGS

Planning Commission: January 7, 2025  
Board of Supervisors: To be determined

### II. IDENTIFICATION AND LOCATION INFORMATION

Request	Rezone ~ 26.8-acres from Agricultural 10 (A-10) to Village Center Planned Development (VC-PD) with proffered conditions and replace proffers on ~2.8-acres zoned Heavy Industrial (I-2).
Existing Zoning	Agricultural 10 (A-10) and Heavy Industrial (I-2)
Parcel Size	26.8-acres (A-10) and 2.8-acres (I-2)
Parcel Tax Map	41-86D (A-10) and 42E-4-25 (
Open Space	The VC-PD zoning district is a Planned Development (PD) zoning district which requires a “Master Plan” that shows the overall open space. The submitted Master Plan shows ~ 9.5 acres in open space (parks, buffers) or 35% of the site.
Applicant	South Creek Village LLC
Owner	Shirley Brown (41-86D), South Creek Properties LLC (42E-4-25)
Location of Property	2206 Batterson Road (Directly North of Anderson Highway and East of Flat Rock Elementary School)
Electoral District	District 1
2021 Future Land Use Plan	Gateway Business

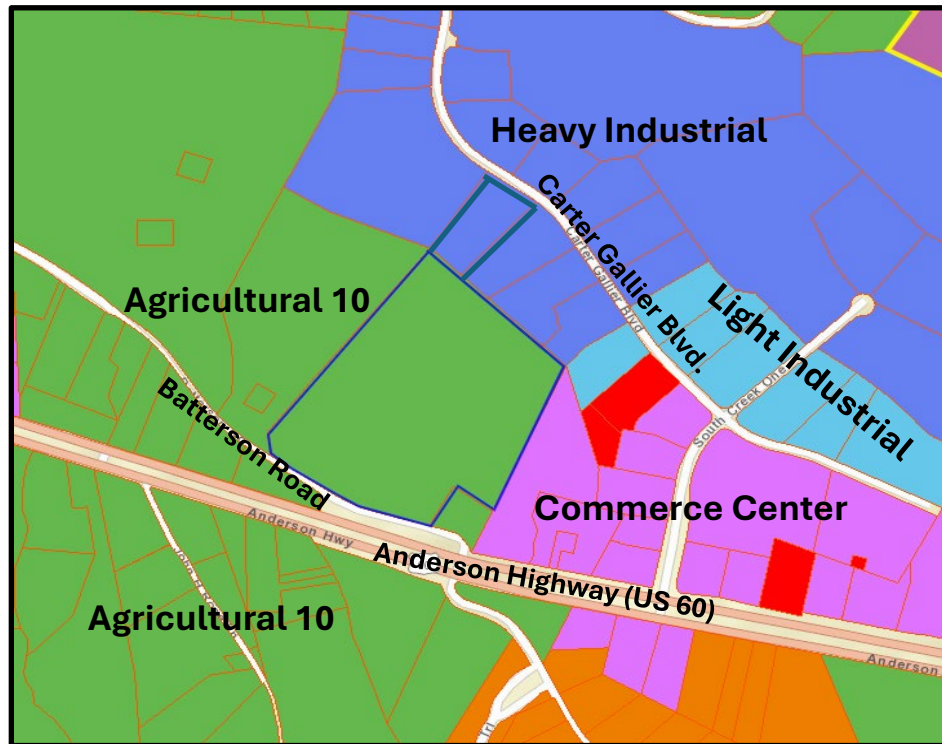
Adjacent Zoning/2021

North: I-2/Heavy Industrial

South: A-10/Agricultural 10

East: I-1, CC/Light Industrial, Commerce Center

West: A-10/Agricultural 10



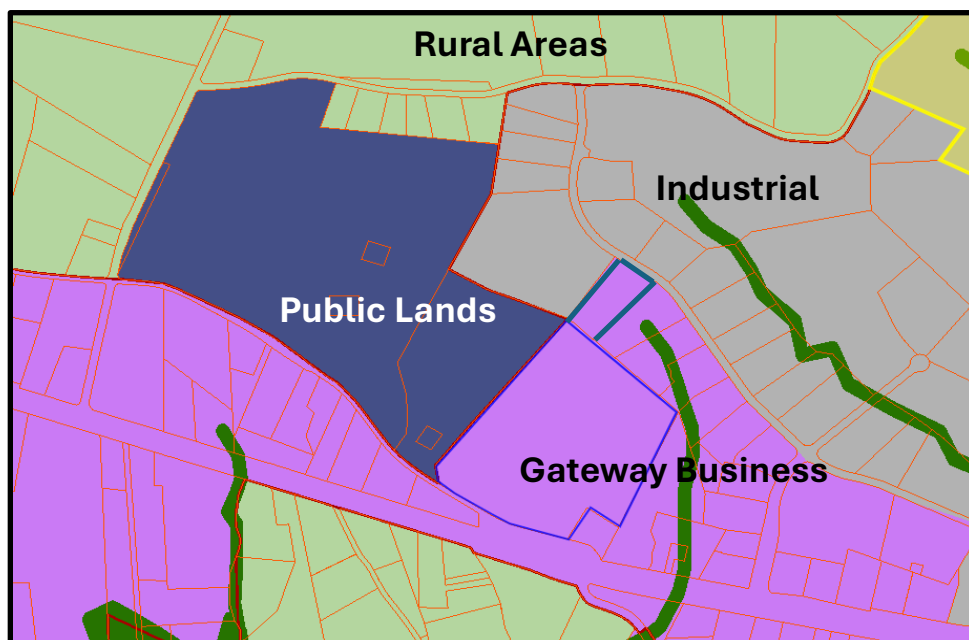
Future Land Use Plan

North: Gateway Business, Industrial

South: Gateway Business, Rural Areas

East: Gateway Business

West: Public Lands



### **III. EXECUTIVE SUMMARY**

South Creek Village LLC has submitted a rezoning application (**see attachment 1**) to rezone 26.8 acres located at 2206 Batterson Road (Tax Map Number 41-86D) from Agricultural 10 (A-10) to Village Center Planned Development (VC-PD) and to replace the existing proffers on Tax Map Number 42E-4-25 (**see attachment 5**). The Village Center Planned Development (VC-PD) District promotes mixed-use centers that emphasizes a walkable, “small town” feel with buildings oriented toward a central focal point, and a mix of commercial, office, service, public, and residential uses. Development is coordinated with infrastructure availability to support a cohesive, high-quality design.

The rezoning application includes survey, a proffer statement, planned development (PD) plan (master plan), phasing plan, conceptual plan and conceptual home images. This rezoning request is being heard with a concurrent request (24-17-CPA) to amend the 2021 Comprehensive Plan’s future land use map designation for the 26.8-acre property from "Gateway Business" to "Neighborhood Residential." The Master Plan for South Creek Village includes up to 4 dwelling units per acre, with a mix of single-family detached homes and up to 2.5 acres of commercial uses. However, if a building permit for the commercial area as shown on the submitted Master Plan as “Land Bay A” is not issued within three years of rezoning approval, this commercial area may be subdivided for residential use. Therefore, the total number of residential lots could be between 92 and 99 lots – depending on if the commercial area is developed or not. The property will be served by County water and sewer utilities, with connections planned through extensions of existing infrastructure along US 60.

The Master Plan emphasizes community amenities and pedestrian connectivity, featuring internal trails, a community garden, a dog park, and linear park areas. Approximately 35% of the site will be preserved as open space. The design standards include maximum lot coverage limits, setback requirements, and roads designed to meet current VDOT street acceptance standards. The proposed Village Center Planned Development aims to create a cohesive, mixed-use neighborhood that aligns with the requested comprehensive plan amendment.

### **IV. PROPERTY DESCRIPTION**

The 26.8-acre property (TM 41-86D) located at 2206 Batterson Road is currently zoned Agricultural 10 (A-10). The 2.8-acre property (TM 42E-4-25) is currently zoned Heavy Industrial (I-2) and fronts Carter Gallier Blvd. The 26.8-acre parcel contains a single-family dwelling and associated accessory structures, and the 2.8-acre parcel is undeveloped.

The properties are bordered by a variety of land uses. To the north there is an industrial park with developed and undeveloped lots; to the east, a commercial property containing a gas station and restaurant; to the south, a single-family dwelling and buffering between Anderson Highway; and to the west, Flat Rock Elementary School.

The site presents few environmental constraints, as it is free from floodplains, wetlands, and streams. However, the presence of shrink-swell soils will require mitigation through appropriate building designs to ensure structural integrity.





## V. EXISTING CONDITONS

The 26.8-acre property is currently improved by a single-family dwelling and several accessory support structures which are accessed via a private driveway to Batterson Road. The lot is approximately 60 percent heavily wooded, with the remaining 40 percent consisting of open fields. There are no streams or wetlands located on the parcel, making the site largely free of significant environmental constraints. The 2.8-acre property is currently undeveloped and is mostly wooded.

### Property Visuals





## VI. LAND USE ANALYSIS

The proposed South Creek Village development is designed as a residential community featuring detached single-family dwellings with a maximum density of four units per acre. Residential lots will have a minimum area of 3,500 square feet and adhere to defined setbacks, including 20 feet for front-loaded garages and 10 feet for rear-loaded garages, a 10-foot rear setback, and a 5-foot side setback. Structures are limited to a maximum height of 35 feet.

The surrounding area reflects a mix of uses. To the west, the site directly borders Flat Rock Elementary School and a commercial area to the east, while there are developed and undeveloped heavy industrial lots to the north. A key feature of the proposal is an internal pedestrian trail network, which includes a direct connection to Flat Rock Elementary School and provides the potential for future connectivity to Powhatan High School via an easement for a potential County-constructed trail.

The development proposes a phasing plan (**see attachment 1 – phasing plan**) which outlines the development schedule for the South Creek Village project. The plan is divided into three phases:

Phase 1: Residential Lots 1 through 41 and commercial lots

Phase 2: Residential lots 42-92

Phase 3: If the commercial component is not developed, then residential lots 93-99

The development incorporates approximately 9.5 acres of open space, accounting for 35% of the total site. This space includes a linear park, a community garden, a dog park, and a network of 5-foot-wide trails suitable for walking and jogging. These amenities enhance the livability of the community and foster connectivity within and beyond the development.



Pedestrian connectivity is provided throughout the development via a pedestrian trail system which also shows a stub connection to the adjoining Flat Rock Elementary School property (TM 41-86B1). Although not depicted on the Master Plan, the submitted proffers include a provision for a potential pedestrian trail to connect to the development's northwestern boundary with Flat Rock Elementary School's property to "Public Road A" (as shown on the Master Plan) if the County opts to connect the development to Powhatan County High School through the elementary school property.

It is important to note, as shown on the submitted Master Plan, the exact alignment and design of the connection to Flat Rock Elementary School will be subject to detailed review during the Site Plan submittal process in coordination with school administration. Additionally, the possibility of a northern connection via a separate trail connecting the development directly to Powhatan County High School will also be considered during Site Plan review.

## **VII. PUBLIC SERVICE ANALYSIS (Review by County Departments and State Agencies)**

### Powhatan County Public Schools (Summary by Planning Director)

As of the 2024-2025 academic year, Powhatan County Public Schools (PCPS) serve 4,081 students across five schools. This reflects a decrease from the 4,222 students reported in the 2023-2024 academic year.

#### *Facility Utilization Rates (utilizing 2023 – 2024 school enrollment data):*

Powhatan High School: Previously at 92.33% utilization; current rate may be slightly lower due to decreased enrollment.

Pocahontas and Flat Rock Elementary Schools: Previously operating at approximately 88% utilization; current rates may have decreased correspondingly.

Powhatan Elementary School: Previously at 77% utilization; current rate may have decreased.

Powhatan Middle School: Previously at 82% utilization; current rate may have decreased.

The proposed South Creek Village development is expected to add approximately 50 students to the PCPS system.

While the potential addition of 50 students from the South Creek Village development represents a modest increase in enrollment, it is unlikely to strain the current capacities of PCPS facilities. However, ongoing monitoring and proactive planning are recommended to ensure that all schools can accommodate future changes in student populations effectively.

### Building Official

Demolition of existing structures will require a demolition permit, including the in-ground swimming pool. Compaction tests may be required for developed areas of existing structures being demolished.

Existing well and septic systems will need to be abandoned and/or removed in accordance with approvals from the Virginia Department of Health.

The buildings will need to meet the applicable requirements of the adopted code based on when permits are applied for.

The proposed parcel is marked as having the potential of moderate shrink/swell soil conditions. Structures being located within these areas, based on the County GIS, will require a soil analysis with engineered footing design.

Street signs must be in place prior to inspection requests being made for any Building Permit. All inspection requests must have addressing in place at the time of inspection.

Additional comments may be made once building permits are applied for.

### Department of Public Works

The property is located within the Water and Wastewater Service District with water and sanitary sewer mains located within 300' of the parcel. The proposed buildings will be required to connect to the county's water and sewer systems per county ordinance Sec. 80-112.

### Fire/Rescue

Comments pending.

### VDOT

Virginia Department of Transportation (VDOT) outlines the agency's review of the proposed rezoning (**see attachment 4**) and its potential impacts on traffic flow. VDOT's response indicates that they do not foresee significant issues with the proposed access points for the development, although they suggest that further coordination with VDOT may be necessary during the Site Plan review phase.

### VDH

It appears that there is an existing private well on the property, which is located within the area of the proposed house lots. If the owner intends to abandon the well, they must apply for a well abandonment permit at the Health Department. Once the permit is issued, the owner will need to follow the guidelines provided and permanently abandon the well.



## VIII. TRANSPORTATION ANALYSIS

VDOT reviewed the proposed rezoning and the associated traffic impacts, confirming that both proposed access points to the development on Batterson Road and Carter Gallier Boulevard meet the necessary spacing standards outlined in VDOT's design criteria. VDOT notes that the southern entrance on Batterson Road meets the minimum spacing requirement of 335 feet from a major collector road, while the northern entrance on Carter Gallier Boulevard complies with the minimum spacing of 225 feet for a 25-mph rural collector road. VDOT emphasizes that while no significant traffic issues are expected, coordination with the agency will be necessary during the Site Plan phase to ensure compliance with safety standards and access management.

The applicant's Turn Lane Warrant Analysis (**see attachment 2**) focuses solely on the Batterson Road entrance, estimating the traffic generated by the proposed development, including 878 Average Daily Trips (ADT) from 93 single-family homes and 429 ADT from the commercial component. The analysis predicts 129 vehicle trips during the PM peak (4:00 p.m. – 6:00 p.m.), with 76 vehicles entering and 53 vehicles exiting the site. Based on these projections, the analysis concludes that a right turn lane is not needed but a taper lane is required on both sides of the entrance/exit.

Since the turn lane analysis does not include the Carter Gallier Boulevard entrance, it is important to note that this northern entrance will also serve as a principal point for ingress and egress to the development, likely alleviating some of the traffic burden from the Batterson Road entrance. This northern access point is strategically located to provide convenient connections to surrounding roadways, including Old Church Road and Judes Ferry Road to the north, as well as easy access to US 60 via South Creek One and Judes Ferry Road. This northern entrance offers a direct route to signalized intersections on US 60 (Judes Ferry Road and South Creek One), improving traffic flow and enhancing connectivity to key regional roads.

### Summary

The proposed "right-in/right-out" channelized entrance onto Batterson Road will serve as the primary access point for the development, providing a controlled and efficient point of ingress/egress with no other entry/exit routes on this road. The Carter Gallier Boulevard entrance is expected to assist in dispersing traffic more evenly, offering a direct route to US 60 via two signalized intersections (Judes Ferry Road and South Creek One), which further enhances the connectivity of the development. This northern entrance also provides a clear and efficient route for vehicles traveling north to Old Church Road and Judes Ferry Road, while reducing the need for vehicles to enter the school zone during peak school hours.

Additionally, the internal roads within the development will be constructed in accordance with VDOT standards and once completed, will be dedicated to VDOT for maintenance. This ensures that the internal road network will be properly maintained and integrated into the county's overall transportation infrastructure.

## **IX. PROFFER ANALYSIS**

The developer has submitted a set of proffers for the South Creek Village rezoning proposal, which outlines various commitments and restrictions to guide the development. These proffers include limitations on permissible uses, architectural standards, provisions for pedestrian connectivity, community amenities, and transportation improvements. Below is a detailed summary of the key proffers, with specific attention to Proffer 2, transportation access, architectural considerations, and the planned infrastructure.

### Transportation Improvements

The proffers outline the transportation improvements described in the previous section, ensuring safe and efficient access to the development. There are two primary access points: one to Batterson Road and the other to Carter Gallier Boulevard. Together, these access points are designed to distribute traffic more evenly and improve access to surrounding areas, enhancing the overall transportation network for the development.

### Use Limitations and Restrictions (Proffer 2)

Proffer 2 restricts uses within the development, eliminating several potentially high-traffic and disruptive commercial and accessory uses from the commercial area (Land Bay A), helping to maintain a neighborhood-focused environment. Specifically, the following uses are prohibited:

- Automotive services, such as gas stations (Use 20)
- Banks with drive-through facilities (Use 21)
- Car washes (Use 22)
- Convenience stores (Use 23)
- Discount stores (Use 24)
- Fast food restaurants (Use 53)
- Liquor stores (Use 67)
- Motels and hotels (Use 81)
- Outdoor storage (Use 82)
- Pawn shops (Use 84)
- Public utility uses (Use 86)
- Recycling centers (Use 87)
- Tobacco shops (Use 88)
- Warehousing (Use 89)

### Conformance to the Master Plan

As part of the proffered commitments, the development will generally conform to the Master Plan. This ensures that the development will follow the layout and design elements as shown in the Master Plan, which includes the location of residential units, the commercial area, open spaces, and infrastructure. By adhering to this plan, the developer commits to maintaining a consistent design and layout throughout the development process.

### Architectural Standards

Proffer 8 addresses the architectural design of the proposed structures. These renderings depict the aesthetic quality of the residential and commercial buildings.

### Pedestrian Connectivity and Green Spaces

The proffers also outline the inclusion of a comprehensive internal pedestrian trail system, which will connect key areas within the development. These trails are intended to promote walkability and create a more accessible community for residents. In addition to the trail system, the development will include several areas of green space and parks that will contribute to the overall livability of the community.

Furthermore, there is a potential northern trail connection to Public Road A, which would improve access to surrounding areas and enhance pedestrian connectivity to other parts of the county. This connection aligns with the broader goal of creating a well-integrated, walkable community.

### Homeowners Association (HOA) Management

To ensure long-term maintenance and care of the community's amenities, common areas, parks, and trails will be managed by a Homeowners Association (HOA). This proffer ensures that these shared spaces are properly maintained and remain an asset to the community over time.

### Summary

The proffers submitted for South Creek Village provide a framework for the development, with a focus on maintaining a residential, neighborhood-friendly atmosphere. The proffered restrictions on uses, the commitment to conforming to the Master Plan, and the planned inclusion of pedestrian trails, green spaces, and parks all contribute to the development's focus on quality of life for residents. Additionally, the establishment of an HOA for managing common areas ensures that the community's amenities are well-maintained for the long term. The transportation improvements, with strategic access to both Batterson Road and Carter Gallier Boulevard, will significantly enhance traffic flow and reduce congestion, benefiting both the development and surrounding areas.

## **X. COMPREHENSIVE PLAN ANALYSIS**

The rezoning proposal includes a request to amend the County's Future Land Use Map (24-17-CPA), which currently designates the properties as "Gateway Business". The applicant seeks to re-designate the 26.8-acre property to "Neighborhood Residential", to be in line with the proposed residential development of single-family detached homes and, potentially, a small-scale commercial area. This amendment is being heard concurrently with the rezoning application, and the request for this amendment is examined in relation to the broader objectives and policies outlined in the 2021 Powhatan County Comprehensive Plan.

### Land Use Designation and Growth Areas

The 2021 Comprehensive Plan identifies key growth areas where development is encouraged, including areas along major corridors like US 60. The "Gateway Business" designation currently covers the subject properties, reflecting an intention for future commercial and business development, especially in locations with direct access to major roadways like US 60. This designation fits within the County's broader vision of providing land for economic growth along key transportation corridors, which is intended to accommodate both residential and commercial uses.

However, the applicant's request to change the land use designation to "Neighborhood Residential" reflects a shift in the intended use of the site. This residential focus aligns with the County's stated growth management objectives, which aim to balance economic development with the preservation of the County's rural character. The subject parcel's proximity to existing schools and its lack of direct access to US 60 may make the site a better fit for residential development, serving as a buffer between existing commercial areas and the schools. Also, the property's future land use designation changed from Village Center to Gateway Business in 2019.

### Housing Needs

Housing is a key issue addressed in the 2021 Comprehensive Plan. The Plan recognizes that Powhatan County's population is growing, and there is a need for a variety of housing options to meet the needs of current and future residents. The housing stock in Powhatan has historically been dominated by single-family detached homes on larger lots, with limited options for smaller sized homes on smaller lots. As the population ages, particularly with projections showing an increase in residents over the age of 65, there is a demand for diverse housing types, including those suited for aging in place.

In Chapter 5: Housing, the Comprehensive Plan emphasizes the need for a range of housing types, particularly in areas with access to public utilities. This is consistent with the South Creek Village proposal, as it offers detached single-family homes and could



potentially include smaller-scale commercial development to meet local needs. The proposed development aligns with Objective HS.1 and Strategy HS.2, which encourage housing in areas where infrastructure, such as public water and sewer services, are available. The subject property is in an area that can be served by public water and sewer, making it suitable for the proposed residential development.

#### Housing Strategy and Infrastructure

The Plan also calls for affordable housing strategies to be incorporated into new developments, especially in growth areas such as this one. By supporting mixed-use developments that provide housing in proximity to services, including existing commercial establishments, the rezoning proposal helps meet the County's goals of making housing more accessible. The inclusion of pedestrian trails, parks, and green spaces in the proposed development further supports the goals of promoting livable communities that are designed for residents at all stages of life, including older adults who may seek housing options close to essential services.

#### Economic Development Considerations

The Gateway Business designation currently reflects the County's focus on economic development along major corridors like US 60. However, the Comprehensive Plan also emphasizes the importance of balanced development and the need for the County to accommodate growth while maintaining its rural character. This means that while economic development is a priority, there must also be careful consideration of how residential development is integrated into the overall land use strategy.

The proposed re-designation of the property to "Neighborhood Residential" supports the broader economic development goals by providing housing options that are aligned with the County's growing demand for residential properties, which in turn supports local businesses and the workforce. Additionally, the proposed small-scale commercial component within the development can provide local services that benefit residents and could reduce the need for long commutes to other parts of the County or region.

#### Summary

The proposed rezoning to VC-PD is consistent with the housing objectives of the 2021 Comprehensive Plan. The request to amend the land use designation to Neighborhood Residential reflects a strategic shift to accommodate the County's growing demand for residential housing in appropriate locations with access to public utilities while maintaining a balance between development and the preservation of rural character. The proposal aligns with the County's housing goals by providing housing options in a designated growth area, with access to infrastructure. Additionally, the development's design, which includes pedestrian trails, parks, and a homeowner's association for

ongoing maintenance, further supports the Plan's vision of livable communities and sustainable growth.

It is also important to note that the Future Land Use Map has evolved over the years, with updates in the 2010, 2019, and 2021 Comprehensive Plans. These changes reflect the County's dynamic approach to land use planning, adapting to the needs of the community as they evolve. Ultimately, the Future Land Use Map is a tool subject to the discretion of the Board of Supervisors, which has the authority to amend the map as necessary to meet current and future needs.

## **XI. STAFF RECOMMENDATION**

The Planning Director **recommends approval** of the rezoning application, contingent upon the approval of the proposed amendment to the County's Future Land Use Map. If the proposed amendment to the Future Land Use Map is not approved, the Planning Director would **recommend denial** of the rezoning application, as the rezoned property would then conflict with the area's designation on the Future Land Use Map.

Although amending the Future Land Use Map is not required under state code, it is reasonable to conclude that if the map is amended for the reasons stated in this report, approving the rezoning application would logically follow. Conversely, denial of the rezoning would be consistent with maintaining the existing Future Land Use Map designation if the amendment is not approved.

The proposed development is believed to align with the County's goals of fostering balanced growth and providing diverse housing options, particularly homes on smaller lot sizes. These factors are critical within the context of the County's broader growth management strategy and its efforts to address the evolving needs of the community.

## **XII. PLANNING COMMISSION MOTION**

**Approve/Deny:** Based on public necessity, convenience, general welfare, or good zoning practice, I move the Commission recommend **approval/denial** of rezoning case 24-16-REZ for 26.8-acres on Batterson Road, Tax Map Number 41-86D, from Agriculture-10 (A10) to Village Center Planned Development (VC-PD) and to replace the proffers on 2.8-acres on Tax Map Number 42E-4-25, with proffered conditions, as presented.

## **XIII. PLANNING COMMISSION VOTE**

AYE NAY Mr. Hall, District 1

AYE NAY Ms. Bowlin, District 2

AYE NAY Ms. Winall, District 3

AYE NAY Mr. Hughes, District 4

AYE NAY Mr. Hatcher, District 5

### **ATTACHMENTS**

1. Application, Survey, Proffers (Textual Statement, Statement of Planning, Master Plan, Phasing Plan, Conceptual Plan, Conceptual Home Images
2. Traffic Study
3. Neighborhood Meeting Summary
4. VDOT correspondence
5. 2003 Rezoning Approval and Proffers Covering TM 42E-4-25
6. South Creek Village – Economic Impact Statement (Submitted by applicant)

**END OF DOCUMENT**



## REZONING

For Office Use Only

Case Number

24-16-REZ

### Applicant Information

Name of Applicant	South Creek Village LLC, c/o Josh Thigpen
Mailing Address	7305 Hancock Village Drive, #340 Midlothian, VA 23832
Phone Number	(814) 777-1283
Email Address	Josh@tcdevelopmentllc.com

### Owner Information

(Complete this section if the applicant is not the current property owner)

Name of Owner	Shirley Brown (TM 041-86D)
Mailing Address	2206 Batterson Road Powhatan, VA 23139
Phone Number	804-598-4958
Email Address	shirleyfb1945@gmail.com

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the application (see form entitled *Consent of Owner(s) to Request Rezoning*).

If there are multiple owners, all owners must sign the application or provide other documentation consenting to the application (see form entitled *Ownership Disclosure*).

### Applicant Representative

(Complete this section if correspondence should be directed to someone other than the applicant)

Name of Representative	Balzer and Associates - Chris Shust / Anne Miller
Mailing Address	15871 City View Drive, Suite 200 Midlothian, VA 23113
Phone Number	(804) 794-0571
Email Address	cshust@balzer.cc / amiller@balzer.cc





# REZONING

For Office Use Only

Case Number

24-16-REZ

## Applicant Information

Name of Applicant	South Creek Village LLC, c/o Josh Thigpen
Mailing Address	7305 Hancock Village Drive, #340 Midlothian, VA 23832
Phone Number	(814) 777-1283
Email Address	Josh@tcdevelopmentllc.com

## Owner Information

(Complete this section if the applicant is not the current property owner)

Name of Owner	South Creek Properties LLC (TM 042E-4-25)
Mailing Address	Elizabeth Meyer PO Box 128 Midlothian, VA 23113
Phone Number	807-647-7543
Email Address	elizabethmeyer@taylorlongproperties.com

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the application (see form entitled *Consent of Owner(s) to Request Rezoning*).

If there are multiple owners, all owners must sign the application or provide other documentation consenting to the application (see form entitled *Ownership Disclosure*).

## Applicant Representative

(Complete this section if correspondence should be directed to someone other than the applicant)

Name of Representative	Balzer and Associates - Chris Shust / Anne Miller
Mailing Address	15871 City View Drive, Suite 200 Midlothian, VA 23113
Phone Number	(804) 794-0571
Email Address	cshust@balzer.cc / amiller@balzer.cc

Parcel Information	
Tax Map Number	041-86D & 042E-4-25
Physical Address	2206 Batterson Road & 2151 Carter Gallier Blvd
General Description of Property Location	North side of Batterson Road; west of Batterson Road & Route 60 intersection
Election District	1 Subletts/Manakin/Flat Rock
Total Acreage	29.64 acres (TM 041-86D=26.8; TM 042E-4-25=2.84)
Current Zoning	Agricultural-10 & Heavy Industrial
Requested Zoning	VC-PD & Heavy Industrial
Acreage to Be Rezoned	26.8 acres to VC-PD; 2.84 acres to remain Heavy Industrial Only proffers #1, #7 and #10 shall apply to TM 042E-4-25
Countywide Future Land Use: Land Use Designation	Gateway Business (Proposed Amendment to Neighborhood Residential)

Proposed Use	
Describe Proposed Use	Residential subdivision with single family lots, open space, and commercial/residential "Land Bay A" as shown on the concept plan
Amount of Dedicated Open Space (Acreage + % of Site)	9.5 acres (minimum) 35% of site
If this request is approved, will new lots be created?	Yes
If this request is approved, will new structures be constructed?	Yes
Are there existing structures on the subject property?	Yes
Will the proposed use connect to public water and/or sewer?	Yes - both public water & sewer

A conceptual plan that shows the general configuration of the proposed development, including land uses, general building types, density/intensity, resource protection areas, pedestrian and vehicular circulation, open space, public facilities, and phasing, should be submitted with the application.



<b>Planned Development Districts: Proposed Standards</b> (Complete this section only if requesting rezoning to one of the Village Growth Area: Planned Development Districts, which include VR-PD, VC-PD, and CC-PD. All of this information should also be included within the PD master plan and/or textual statement.)		
Proposed Density	Up to 4 du/ac	
Amount of Dedicated Open Space (Acreage + % of Site)	9.5 acres (minimum) 35% of site	
<b>Dimensional Standards</b>	Please see Textual Statement	
Floor Area Ratio (FAR): Max.		
Lot Area: Min. (Sq. Ft.)		
Lot Width: Min. (Ft.)		
Impervious Surfaces: Max. (% of District Area)		
Individual Building Size: Max. (Sq. Ft.)		
Building Height: Max. (Ft.)		
Yard Depths or Setbacks: Min. (Ft.)	Front	
	Side	
	Rear	
Setback from Abutting Single-Family Residential Uses: Min. (Ft.)		
Permitted Uses	Provide a list of all permitted uses with the PD District.	
Master Plan	A master plan that shows the general configuration of the proposed development, including land uses, general building types, density/intensity, resource protection areas, pedestrian and vehicular circulation, open space, public facilities, and phasing, should be submitted with the application.	


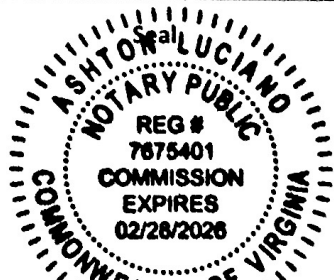
## List of Adjacent Property Owners


Tax Map No.	Owner Name	Mailing Address
041-86B1	POWHATAN COUNTY SCHOOL BOARD	4290 ANDERSON HIGHWAY POWHATAN VA 23139
042E-4-25 042E-4-24 042E-4-23	SOUTH CREEK PROPERTIES LLC	PO BOX 128 MIDLOTHIAN VA 23113
042E-1-9	CLEAN CUT SAWING AND DRILLING	1687 ANDERSON HWY POWHATAN VA 23139
041-86E	FREUND EMILY CHRISTINA & LAURA CRESPIN	P O BOX 63 POWHATAN VA 23139
041-86A	BEVINS CHARLES E & GILA MULLINS C/O GILA MULLINS EVERETT	3420 AUBUSSON TRACE ALPHARETTA GA 30022
041-86	BAKER DWIGHT ESTEN	68 PERKINS ROAD CARTERSVILLE VA 23027

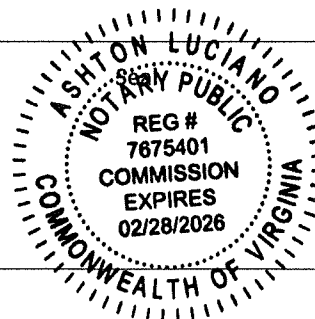
Note: Adjacent properties include those across roadways, waterways, railroads, and municipal boundaries.



<b>Statement of Validity of Information</b>		
Every applicant shall sign the following document to substantiate the validity of submitted information.		
<p>I, being duly sworn, depose and say that I am the Lessee/Owner of the property involved in the application. If I am not the Lessee/Owner, I will provide written certification from the owner granting me the right to submit this application.</p> <p>I declare that I have familiarized myself with the rules and regulations pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.</p>		
Signature of Applicant		
Name of Applicant (Printed)	Josh Thigpen, South Creek Village LLC	
Commonwealth of Virginia County of <u>Chesterfield</u> , to wit:  Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>Josh Thigpen</u> , whose name is signed to the above, on this <u>7</u> day of <u>November</u> 20 <u>24</u> .		
Notary Public	Ashton Luciano	
Commission Expires	02/28/2026	
Notary Number	7675401	

<b>Proffer Statement</b>	See separate attachment	
<p>In accordance with § 15.2-2303 and Article II of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property or the applicant of this rezoning request, the conditions listed below. I hereby acknowledge that the rezoning of the subject property gives rise to the need for these conditions.</p> <p>(Note: If text for all proffered conditions does not fit on this page, additional proffered conditions may be attached to the application as separate pages.)</p>		
<b>Proffer #1</b>		
<b>Proffer #2</b>		
<b>Proffer #3</b>		
<b>Proffer #4</b>		
<b>Signature of Applicant</b>		
<b>Name of Applicant (Printed)</b>	Josh Thigpen, South Creek Village LLC	
<p>Commonwealth of Virginia  County of <u>Chesterfield</u>, to wit:</p> <p>Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>Josh Thigpen</u>, whose name is signed to the above, on this <u>20</u> day of <u>December</u> 20<u>24</u>.</p>		
<b>Notary Public</b>	<u>Ashton Luciano</u>	
<b>Commission Expires</b>	<u>02/28/2026</u>	
<b>Notary Number</b>	<u>7675401</u>	

Ownership Disclosure	
<p>List below the names and addresses of <u>all</u> owners or parties in interest of the land subject to this request.</p> <p>If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.</p>	
Name	Address
Josh Thigpen South Creek Village LLC	7305 Hancock Village Drive, #340 Midlothian, VA 23832
John Costello South Creek Village LLC	7305 Hancock Village Drive, #340 Midlothian, VA 23832
<p>I, <u>Josh Thigpen, South Creek Village LLC</u>, do hereby swear and affirm to the best of my knowledge and belief, the above information is true and that I am the applicant requesting rezoning for Tax Map <u>041-86D</u>.</p> <p>If the information listed above changes at any time while this request is being considered, I will provide Powhatan County with an updated list of owners.</p>	
Signature of Applicant	
Name of Applicant (Printed)	Josh Thigpen, South Creek Village LLC
<p>Commonwealth of Virginia County of <u>Chesterfield</u>, to wit:</p> <p>Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>Josh Thigpen</u>, whose name is signed to the above, on this <u>7</u> day of <u>November</u> 20<u>24</u>.</p>	
Notary Public	Ashton Luciano
Commission Expires	02/28/2026
Notary Number	7675401



**Consent of Owner(s) to Rezoning Request**

If the applicant is not the owner, the applicant must provide written documentation that the current property owner consents to the rezoning application and that the applicant may submit proffered conditions on the property owner's

I, Shirley Brown, am the owner of the property subject to this rezoning request and consent to the request submitted by South Creek Village LLC (Applicant) to rezone Tax Map 041-86D from Agricultural-10 (Current Zoning District) to VR-PD (Requested Zoning District).

Signature of Owner

Shirley F. Brown

Name of Owner (Printed)

Shirley F. Brown

Commonwealth of Virginia

County of Powhatan, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Shirley F. Brown, whose name is signed to the above, on this 28<sup>th</sup> day of June 2024.

Notary Public

Patrick Albert

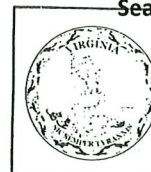
Commission Expires

Feb 29, 2028



Notary Number

8117805

Seal



Patrick Joel Albert  
Notary Public  
Commonwealth of Virginia  
Registration No. 8117805  
My Commission Exp. February 29, 2028

<b>Applicant's Permission for Inspection of Property</b>		
I, <u>Josh Thigpen, South Creek Village LLC</u> , hereby grant access to the Director of Community Development, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application.		
Signature of Applicant		
Name of Applicant (Printed)	Josh Thigpen, South Creek Village LLC	
Commonwealth of Virginia County of <u>Chesterfield</u> , to wit:		
Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by <u>Josh Thigpen</u> , whose name is signed to the above, on this <u>7</u> day of <u>November</u> 20 <u>24</u> .		
Notary Public	<u>Ashton Luciano</u>	
Commission Expires	<u>02/28/2026</u>	
Notary Number	<u>7675401</u>	





December 20, 2024

### Proffer Statement

In accordance with § 15.2-2303 and Article II of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property or the applicant of this rezoning request, the conditions listed below. I hereby acknowledge that the rezoning of the subject property gives rise to the need for these conditions.

1. Master Plan. Development of the Property shall generally conform to the Planned Development (PD) Plan, titled "South Creek Village" prepared by Balzer and Associates, dated November 6, 2024, with respect to the general layout of roads, lots, and open space. The master plan is conceptual in nature and may vary based on final engineering and environmental studies or as otherwise approved by the Planning Director, or assignee, at the time of plans review.
2. Uses. The uses listed as permitted uses, accessory uses, and/or temporary uses in the Village Center Planned Development (VC-PD) District in the Zoning Ordinance shall be permitted and subject to compliance with any referenced use-specific standards and all other applicable regulations of that chapter, except for the following uses shall be prohibited:

#### Sec. 83-291. - Permitted uses.

- (1) Forestry and logging
- (2) Dwelling, duplex
- (4) Dwelling, multifamily
- (6) Dwelling, three- or four-family
- (7) Dwelling, townhouse
- (11) Rooming or boarding house
- (12) Telecommunications tower
- (20) College or university
- (21) Private school
- (22) Public school
- (23) Vocational or trade school
- (24) Courthouse facility
- (53) Nightclub
- (67) Convenience store
- (81) Automotive painting or body shop
- (82) Automotive repair and servicing
- (84) Gas station
- (86) Tire sales and mounting
- (87) Vehicle/equipment sales or rental
- (88) Hotel or motel
- (89) Recycling drop-off center

#### Sec. 83-302. - Accessory uses.

- (2) Amateur radio antenna
- (11) Fuel oil or bottled gas distribution or storage, limited
- (22) Small wind energy system

3. Land Bay Uses. Land Bay A, as shown on the Planned Development (PD) Plan, shall be occupied by commercial uses as permitted in the Village Center Planned Development (VC-PD) District, except for those prohibited in Proffered Condition 2. Provided, however, if a building permit for commercial tenant(s) is not issued from the Powhatan County Building Inspection Department within three (3) years of the date of this zoning approval, Land Bay A may be subdivided into single family lots.
4. Buffer. A fifty (50) foot buffer shall be provided between single family lots and Batterson Road along the southern property line as generally shown on the Concept Plan; provided, however, no buffer shall be required between a commercial user and Batterson Road within Land Bay A.
5. Streetscape. Street trees and VDOT standard sidewalks shall be provided on both sides of internal public streets. The exact design and location shall be reviewed and approved during plans review.
6. Cash Proffer. The applicant, sub-divider, or assignee(s) shall pay \$5,000.00 per dwelling unit to Powhatan County for infrastructure improvements within the County of Powhatan. Each payment shall be made prior to the issuance of a certificate of occupancy for a dwelling unit unless state law modifies the timing of the payment. Should Powhatan County impose impact fees at any time during the life of the development that are applicable to the property, the amount paid in cash proffers shall be in lieu of or credited toward, but not in addition to, any impact fees, in a manner determined by the county.
7. Access. Direct vehicular access from the Property to Batterson Road shall be limited to one (1) access, which shall be designed and constructed as a channelized right-in/right-out access, with appropriate tapers to ensure safe and efficient traffic flow. Access to Carter Gallier Boulevard shall be provided via the adjoining parcel identified as Tax Map 42E-4-25 and shall be designed and constructed as a Commercial Entrance in accordance with VDOT's *Access Management Design Standards for Entrances and Intersections* Standards. The exact locations and designs of both access points shall be reviewed and approved by the Virginia Department of Transportation (VDOT) as part of the Site Plan submittal process.
8. Architecture.
  - a. Development of the residential dwellings shall generally be consistent with (incorporating similar, but not necessarily identical design elements, style and materials) the conceptual elevations, titled "Conceptual Home Images", unless otherwise approved by the Director of Planning during plans review. The residential dwellings shall be consistent with the color palette as shown in the Countywide Development Guidebook, dated October 2018.
  - b. Development of the commercial within Land Bay A, including the color palette, shall generally be consistent with Classical Revival, Craftsman, Folk Victorian and/or Piedmont Vernacular styles as depicted and described in the Countywide Development Guidebook, dated October 2018, unless otherwise approved by the Director of Planning during plans review.

- c. Any determination as to whether a particular building complies with this proffered condition shall be made by the Planning Director and/or Zoning Administrator at their sole discretion.
9. Signage. Any signage associated with the development shall be designed as follows:
- a. If constructed, freestanding signage oriented towards Batterson Road shall be designed as a monument sign with a brick and/or stone base that is consistent with the color palette of the building architecture within the development, with a maximum height of eight (8) feet and a maximum area of fifty (50) square feet.
  - b. All building-mounted signage shall be externally illuminated or utilize halo illumination. Internal illumination is prohibited.
10. Internal Roads. All internal roads, except for the private alley as shown on the Master Plan, shall be public and subject to VDOT's Secondary Street Acceptance Requirements.
11. Pedestrian Trail System.
- a. A minimum five (5) foot wide hardscaped (asphalt or concrete) pedestrian trail system shall be provided throughout the development as generally shown on the Master Plan. Pervious materials may be used for any portion of the trail system in environmentally sensitive areas or as approved by the Planning Department in connection with plan approval.
  - b. The proposed lots in the northwest corner of the subject property may be adjusted to allow for a minimum five (5) foot wide pedestrian trail connection from Public Road A to the shared boundary line with the adjacent property identified as Tax Map 041-86B1; provided, however, this connection shall not result in a loss of any viable lots.
  - c. The pedestrian trails shall be provided concurrent with the phase of development that the trails are intended to serve as generally shown on the Development Phasing Plan.
  - d. The exact location of any pedestrian trail may be determined by the Owner in connection with plans review. The exact design, material and location of pedestrian trails shall be approved by the Planning Department in connection with plan approval.
12. Homeowner's Association. A homeowner's association, as defined by the Zoning Ordinance, shall be established and be responsible for properly maintaining and repairing on-site improvements recorded in open space, including, but not limited to, the private alley, pedestrian trail system, and pedestrian scale amenities.

Textual Statement

This is a request to rezone approximately 26.8± acres (Tax Map Number 041-86D) from Agricultural-10 (A-10) District to Village Center Planned Development (VC-PD) District. The accompanying proffer statement and following dimensional standards shall apply to the Property.

- I. Development of the single family detached lots shall conform to the following dimensional standards:
  - a. Density shall not exceed four (4) residential dwelling units per acre.
  - b. Minimum lot area: 3,500 square feet.
  - c. Lot Coverage: all buildings, including accessory buildings, on any lot shall not cover more than seventy (70) percent of the lot's area.
  - d. Minimum lot width: Thirty-five (35) feet.
  - e. Front Loaded Garage Unit Setbacks (Minimum).
    - i. Front Yard Setback: Twenty (20) feet in depth
    - ii. Side Yard Setback: Five (5) feet in width
    - iii. Rear yard Setback: Ten (10) feet in depth.
    - iv. Corner Side Setback: Five (5) feet in width.
  - f. Rear Loaded Garage Unit Setbacks (Minimum).
    - i. Front Yard Setback: Ten (10) feet in depth.
    - ii. Side Yard Setback: Five (5) feet in width.
    - iii. Rear yard Setback: Twenty (20) feet in depth.
    - iv. Corner Side Setback: Five (5) feet in width.
  - g. Structure Height (Maximum): Thirty-five (35) feet.
- II. Development of any commercial use within Land Bay A shall conform to the following dimensional standards:
  - a. Minimum lot area: 10,000 square feet.
  - b. Minimum lot width: Fifty (50) feet.
  - c. Maximum impervious surfaces (% of District Area): 60%
  - d. Maximum individual building size: 10,000 square feet.
  - e. Structure Height (Maximum): Thirty-five (35) feet.
  - f. Front Yard Depth (Minimum)
    - i. Along Batterson Road: Fifty (50) feet for principal building and thirty-five (35) feet for parking and/or accessory structures.
    - ii. Abutting internal/local roads: Ten (10) feet for any type of building and parking.
  - g. Side Yard Depth (Minimum): Ten (10) feet for any type of building and parking.
  - h. Rear Yard Depth (Minimum): Ten (10) feet for principal building and parking and three (3) feet for accessory uses and structures.
  - i. Corner Side Yard (Minimum): Ten (10) feet for any type of building and parking.
  - j. Setback from Abutting Single-Family Residential Uses (Minimum): Ten (10) feet for any type of building and parking.

### Statement of Planning

The vision for South Creek Village (Property known as 2206 Batterson Road) is to provide a residential community with cluster style lots for single family detached homes to provide more attainable housing within an area near key amenities, including Flat Rock Elementary School and Powhatan High School located directly west of this property. It is anticipated that most of the homes will provide 3 to 4 bedrooms in each dwelling unit, but it could range from 2 to 5 bedrooms depending on the floor plan, builder and housing market. The design of the community includes a considerable amount of open space set-asides, both passive and active, considers the existing environmental features on the property, and provides a minimum fifty (50) foot buffer between Batterson Road and residential lots creating additional privacy for future residents. The open space includes a linear park and focal point with trail systems for pedestrians, a community garden area, a dog park, and the preservation of natural features. A proposed trail to the adjacent elementary school is shown on the PD Plan to provide connectivity to existing public facilities within the immediate area.

Land Bay A, as shown on the PD Plan for South Creek Village, is reserved for commercial uses as permitted in the VC-PD District to accommodate and encourage the unified development of small-scale, mixed-use village centers as described in the purpose for the Village Center Planned Development (VC-PD) District. This area could accommodate up to 5,000 or 10,000 square feet of commercial, with a maximum individual building size of 10,000 sf per the dimensional standards. The proffer statement prohibits certain commercial uses for the property, but the end user(s) of the nonresidential use will be market driven. Given the parcel's characteristics and lack of direct frontage on Route 60, the applicants have provided for the potential change in land use for Land Bay A to ensure the property does not stay vacant or stagnant for a long period of time. If a building permit for commercial tenant(s) is not issued from the Powhatan County Building Inspection Department within three (3) years of the date of zoning approval for this property, Land Bay A may be subdivided into single family lots. This is to ensure a cohesive community is developed and sustained long term.

While not part of the rezoning proposal, the adjacent parcel identified as Parcel Number 042E-4-25 is part of the overall project as it will provide a second access to South Creek Village by way of Carter Gallier Boulevard. The property is currently zoned industrial, and the applicants envision a commercial use for the parcel which would be connected to the residential community via the public road with sidewalks as shown on the PD Plan.

The proposed residential development is expected to generate significant tax revenue, including real estate and sales taxes, which will help support both new and existing businesses in nearby commercial areas. Additionally, the development will contribute to the Dutoy Creek Wastewater Treatment Plant by increasing the volume of residential wastewater, enhancing the facility's operational efficiency. The added flow will not only improve overall plant performance but is also projected to reduce current operational costs. Moreover, the development will address the local housing shortage, providing much-needed options for employers seeking to expand their workforce, thereby fostering economic growth in the region.



PD PLAN SUMMARY

APPLICANT: SOUTH CREEK VILLAGE LLC  
TAX MAP NUMBER: 041-86D  
PHYSICAL ADDRESS: 2206 BATTERSON ROAD  
TOTAL ACREAGE: 26.8 ACRES

VILLAGE CENTER PLANNED DEVELOPMENT (VC-PD)

RESIDENTIAL: DWELLING, SINGLE-FAMILY DETACHED  
MIN: 24.3± ACRES  
MAX: 26.8± ACRES  
MAX DENSITY: 4 UNITS PER ACRE

NONRESIDENTIAL: MIN: 0 ACRES  
MAX: 2.5± ACRES  
COMMERCIAL (LAND BAY A)

SEWER: COUNTY  
WATER: COUNTY

LEGEND

WOUS

WETLANDS

TRAIL SYSTEM

LAND BAY A

PASSIVE OPEN SPACE

ACTIVE OPEN SPACE

APPROX. 574 LINEAR FEET OF INTERMITTENT STREAM  
APPROX. 221 LINEAR FEET OF EPHEMERAL CHANNEL

APPROX. 45,390 SQUARE FEET OF WETLANDS

MIN. 5' WIDE PEDESTRIAN TRAILS (JOGGING AND WALKING)

SEE NOTE 1

6± ACRES (NATURAL FEATURES, FORMAL PLANTINGS  
AND GARDENS, REQUIRED LANDSCAPE AREAS)

3.5± ACRES (DOG PARK, TRAIL SYSTEM)

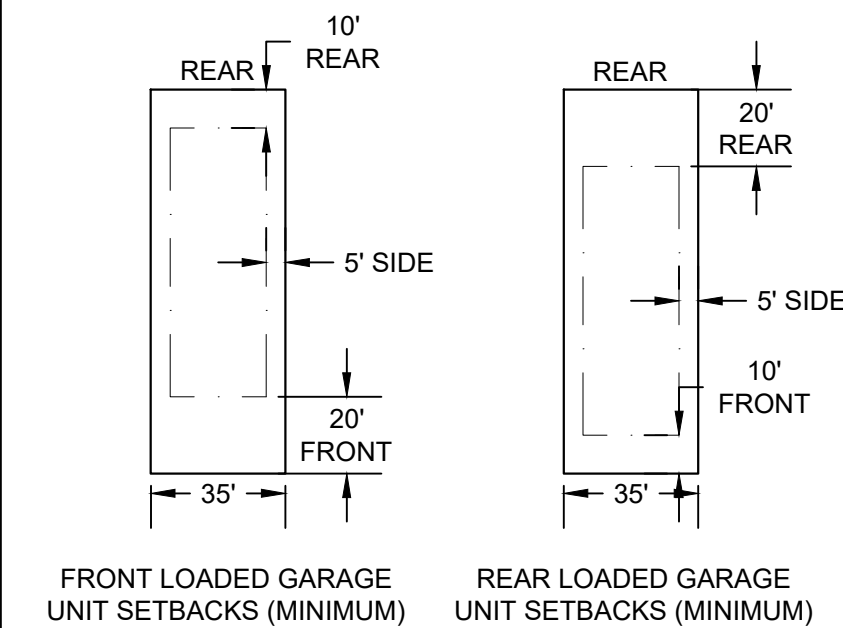
9.5± TOTAL ACRES OF OPEN-SPACE SET-ASIDE  
(35% OF TOTAL SITE ACREAGE)

NOTES:

- IF A BUILDING PERMIT FOR COMMERCIAL TENANT(S) IS NOT ISSUED FROM THE POWHATAN COUNTY BUILDING INSPECTION DEPARTMENT WITHIN THREE (3) YEARS OF THE DATE OF THIS ZONING APPROVAL, LAND BAY A MAY BE SUBDIVIDED INTO SINGLE FAMILY LOTS.
- EXISTING SANITARY SEWER AND WATERLINE LOCATED IN ROUTE 60 WILL BE EXTENDED TO SUBJECT PROPERTY TO SERVE DEVELOPMENT. EXACT DESIGN AND LOCATION OF EXTENSION SHALL BE REVIEWED & APPROVED DURING PLANS REVIEW.
- STORMWATER COMPLIANCE ACHIEVED THROUGH ON-SITE SWM / BMP AS GENERALLY SHOWN IN PLAN VIEW.
- TOPOGRAPHY IS LIDAR FROM GEOSPATIAL DATA.
- PEDESTRIAN TRAILS, A PAVILION, HARDSCAPE AREAS, BENCHES AND LANDSCAPING SHALL BE PROVIDED WITHIN THE FOCAL POINT AND LINEAR PARK. EXACT DESIGN, LOCATION, AND MATERIALS OF SUCH AMENITIES SHALL BE REVIEWED & APPROVED DURING PLANS REVIEW.
- EXCEPT FOR THE PRIVATE ALLEY, ALL PROPOSED ROADS ARE GS-SSAR WITH DESIGN SPEED FOR 25 MPH. THIS PROJECT IS COVERED UNDER THE 2011 SSAR REGULATIONS FOR STREET ACCEPTANCE.
- BICYCLE PATHWAYS NOT PROVIDED. ONLY PEDESTRIAN ACCOMMODATIONS VIA INTERNAL PEDESTRIAN TRAIL SYSTEM WITH STUB CONNECTION TO SCHOOL PROPERTY AND SIDEWALKS ALONG BOTH SIDES OF ALL PUBLIC ROADS.

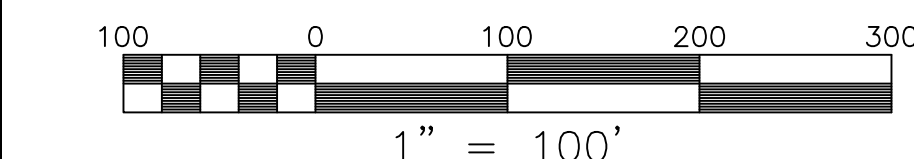
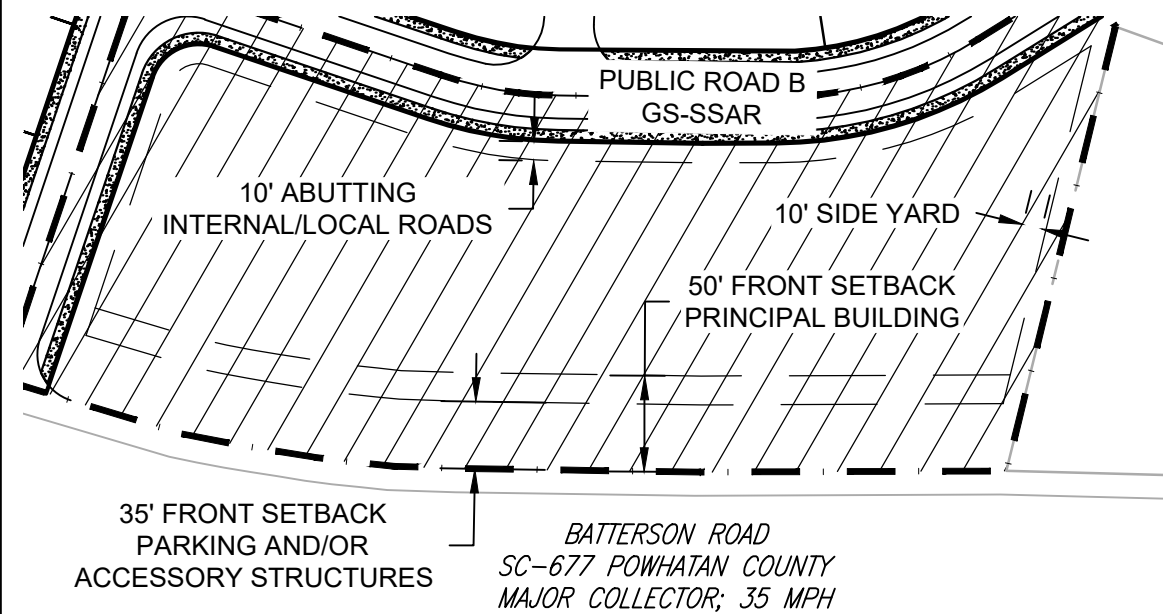
SINGLE FAMILY DETACHED LOT DIMENSIONAL STANDARDS

MINIMUM LOT AREA: 3,500 SF  
MAX LOT COVERAGE: 70%  
MAX STRUCTURE HEIGHT: 35'



COMMERCIAL DIMENSIONAL STANDARDS (LAND BAY A)

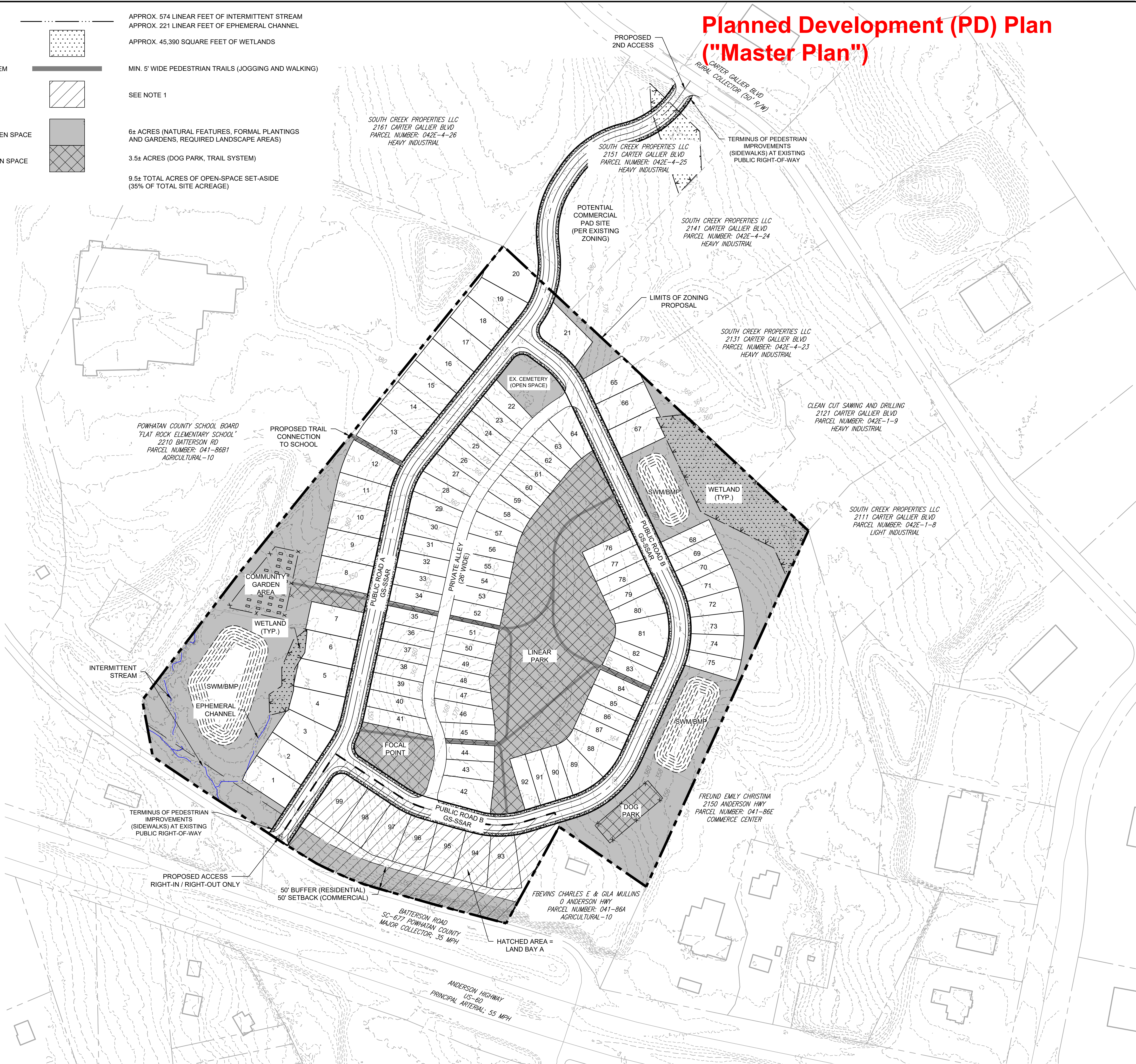
MINIMUM LOT AREA: 10,000 SF  
MINIMUM LOT WIDTH: 50'  
MAX IMPERVIOUS SURFACES: 60% (% OF DISTRICT AREA)  
MAX BUILDING SIZE: 10,000 SF (INDIVIDUAL BUILDING)  
MAX STRUCTURE HEIGHT: 35'



DATA SOURCE: LOCAL GOVT GIS, FEMA, FWS, USDA, USGS, VDEM, VDOT.

CONCEPT PLAN NOTE: THIS PLAN IS FOR CONCEPTUAL PLANNING PURPOSES AND HAS BEEN PREPARED USING COMPILED INFORMATION. A CURRENT FIELD SURVEY HAS NOT BEEN PERFORMED TO VERIFY ALL EXISTING CONDITIONS ON-SITE. SUBJECT TO CHANGE BASED ON FULL ENGINEERING AND PLANS REVIEW

# Planned Development (PD) Plan ("Master Plan")



**BALZER  
& ASSOCIATES**  
PLANNERS / ARCHITECTS  
ENGINEERS / SURVEYORS

Roanoke / Richmond  
New River Valley  
Shenandoah Valley  
**www.balzer.cc**  
15871 City View Drive  
Suite 200  
Midlothian, VA 23113  
804.794.0571

PRELIMINARY  
NOT FOR CONSTRUCTION

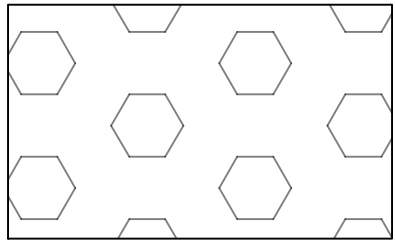
SOUTH CREEK VILLAGE

PLANNED DEVELOPMENT (PD) PLAN

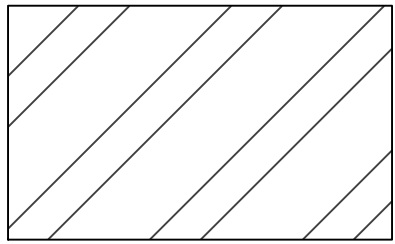
ELECTION DISTRICT 1  
POWHATAN COUNTY, VIRGINIA

DRAWN BY: AGM  
DESIGNED BY: FTC  
CHECKED BY: FTC  
DATE: 11/06/2024  
SCALE: 1" = 100'  
REVISIONS:

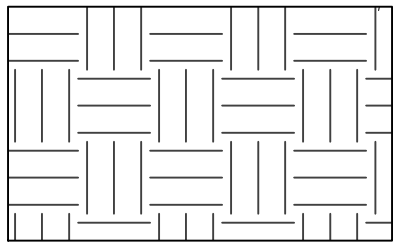




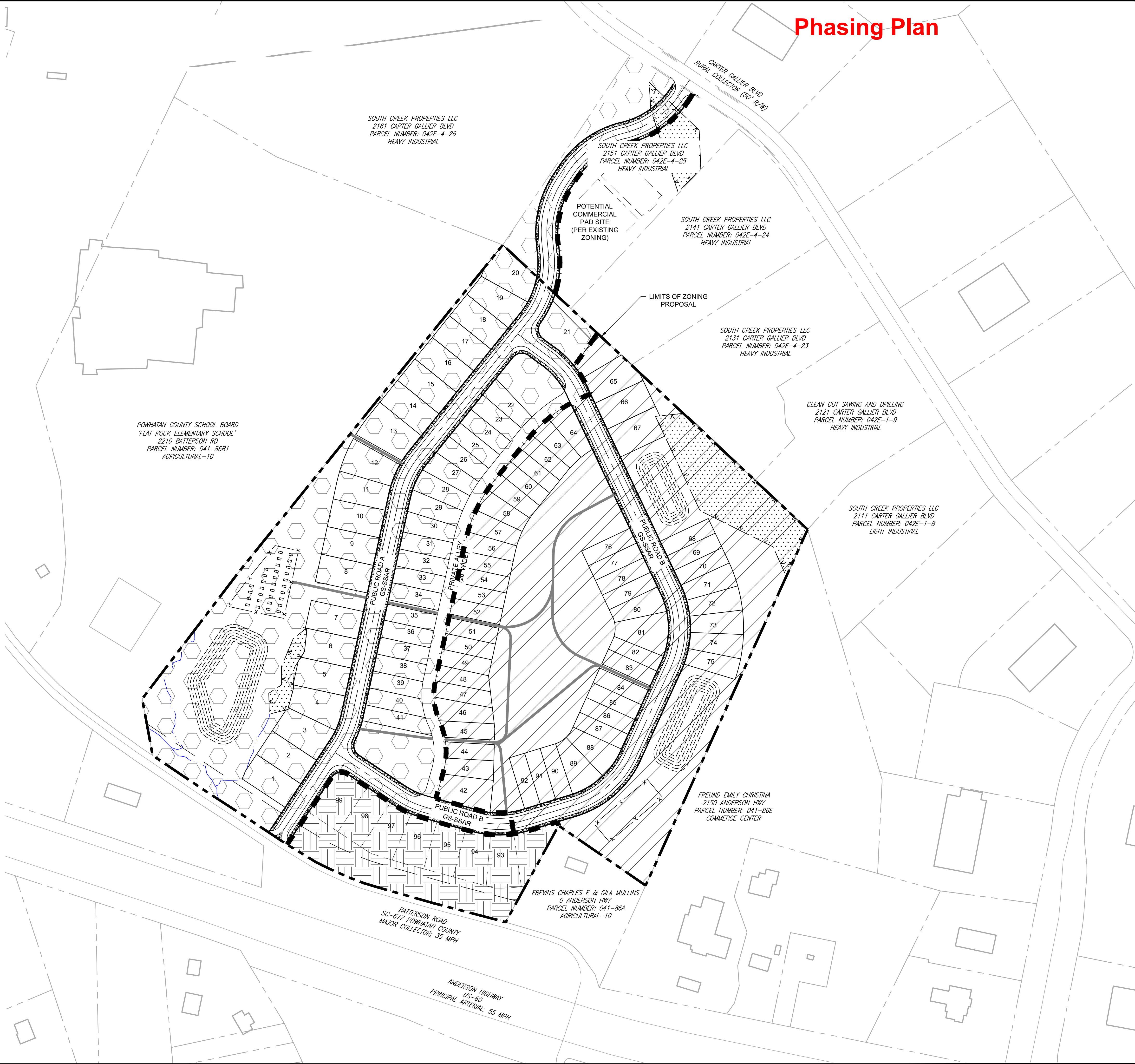
PHASE 1: LOTS 1 - 41



PHASE 2: LOTS 42 - 92



IF COMMERCIAL: PHASE 1  
IF RESIDENTIAL: PHASE 3  
(LOTS 93 - 99)  
SEE LAND BAY 'A' PROFFER



Phasing Plan



**BALZER  
& ASSOCIATES**  
PLANNERS / ARCHITECTS  
ENGINEERS / SURVEYORS

Roanoke / Richmond  
New River Valley  
Shenandoah Valley  
**www.balzer.cc**  
15871 City View Drive  
Suite 200  
Midlothian, VA 23113  
804.794.0571

PRELIMINARY  
NOT FOR CONSTRUCTION

**SOUTH CREEK VILLAGE**  
**PLANNED DEVELOPMENT (PD) PLAN**  
**DEVELOPMENT PHASING PLAN**

ELECTION DISTRICT 1  
POWHEATAN COUNTY, VIRGINIA

DRAWN BY	AGM
DESIGNED BY	FTC
CHECKED BY	FTC
DATE	11/06/2024
SCALE	1" = 100'
REVISIONS	



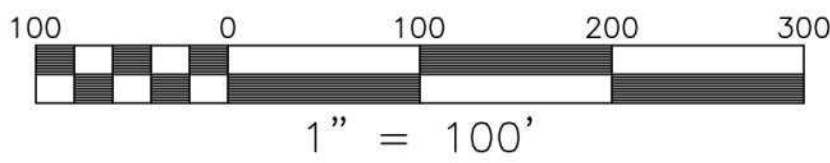
Conceptual Plan/Overview



NOTE: THIS PLAN IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE BASED ON FULL ENGINEERING.

UTILITY NOTE: EXISTING SANITARY SEWER AND WATERLINE LOCATED IN ROUTE 60 WILL BE EXTENDED TO SUBJECT PROPERTY TO SERVE DEVELOPMENT. EXACT DESIGN AND LOCATION OF EXTENSION SHALL BE REVIEWED AND APPROVED DURING PLANS REVIEW.

SOUTH CREEK VILLAGE



JOB NO. 54240254.00  
11/07/2024  
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# Conceptual Home Images:





# Conceptual Home Images:





# Conceptual Home Images:





# Conceptual Home Images:





# Attachment 2



15871 CITY VIEW DRIVE SUITE 200  
MIDLOTHIAN, VIRGINIA 23113  
PHONE: (804) 794-0571 FAX: (804) 794-2635

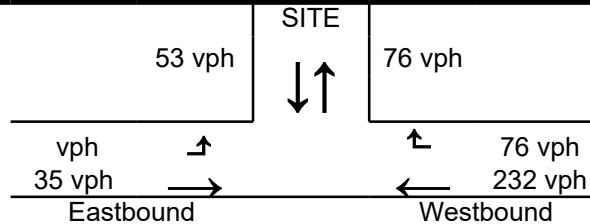
PROJECT: **BATTERSON RD**  
PROJECT NO: **54240106**  
CREATED BY: **FTC**  
DATE: **11/18/2024**

## ULTIMATE DEVELOPMENT

### BATTERSON ROAD ENTRANCE 35 MPH - Entrance PM

**Trip Generation, 10th Edition**  
Institute of Transportation Engineers

#### Residential / Lodging



Land Use #	Description	Units/ Rooms	AM Peak Hour (7 to 9 AM)			PM Peak Hour (4 to 6 PM)			ADT
			Enter	Exit	Total	Enter	Exit	Total	
210	Single-Family Detached	93	17	52	69	58	34	92	878
820	Shopping Center	10,000	6	4	10	18	19	37	429

Assume 100% of trips on from Batterson Road

#### STEP 1

PM PEAK TRIPS: 129 (PMT)

#### STEP 2

P.M. TRIPS ENTERING SITE: 76  
P.M. TRIPS EXITING SITE: 53

#### STEP 3

EXISTING AVERAGE ANNUAL DAILY TRAFFIC: 1,600 (AADT) (VDOT 2024 number)  
K factor = 0.167 (Assume 0.10 if no VDOT data exists)  
TWO-WAY PEAK HOURLY VOLUME: 267 (PHV)

#### STEP 4 DIRECTIONAL SPLIT

VDOT HISTORICAL DIRECTIONAL FACTOR: 0.870 (If No VDOT data. Assumed % based on adjacent roadways.)

WESTBOUND DIRECTION OF PHV: 232 EASTBOUND DIRECTION OF PHV: 35

PROPOSED RIGHT TURN DIRECTIONAL %: 100% LEFT TURN DIRECTIONAL %: 0%  
RIGHT TURN TRIPS ENTERING: 76 LEFT TURN TRIPS ENTERING: 0

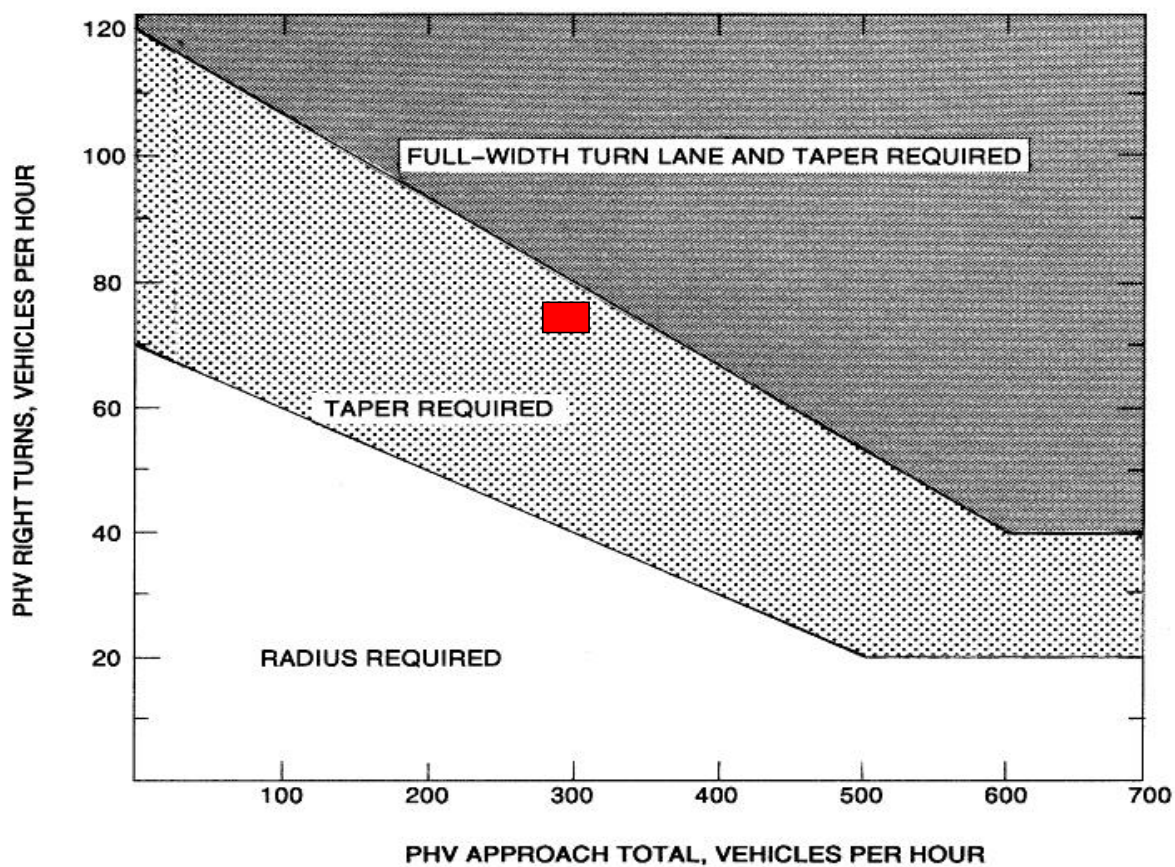
#### STEP 5 RIGHT TURN LANE DIRECTION

ADVANCING TOTAL VOLUME: 308  
RIGHT TURN VOLUME: 76

#### STEP 6 LEFT TURN LANE DIRECTION

ADVANCING TOTAL VOLUME: 35  
OPPOSING TOTAL VOLUME: 308  
LEFT TURN VOLUME: 0  
PERCENT OF LEFT TURNS: 0.0%

# BATTERSON ROAD RIGHT TURNLANE ANALYSIS



## LEGEND

PHV - Peak Hour Volume (also Design Hourly Volume equivalent)




Intersection: BATTERSON Road and New Entrance

100%

Approach: Westbound Right

Access Category: UC

Analysis Scenario: Ultimate

PHV Approach	308
	PM
PHV Right	76
Symbol	

**BALZER**  
& ASSOCIATES

Conclusion: Right Turn Lane Not Required

# Attachment 3

## Summary of Neighborhood Meeting

The applicants hosted a community meeting the evening of August 7, 2024, at the Village Building in Powhatan County. Approximately a dozen (12) people showed up to hear the presentation and share their thoughts on the case. The Director of Planning, Ligon Webb, Supervisor Donati and Commissioner Hall were all in attendance.

The applicants' representatives from Balzer and Associates gave a presentation about the proposal and opened it up for discussion. Below are bullet points outlining the main comments and concerns raised during the meeting.

## Main Comments/Questions

- Request for sidewalks in this general area to connect the schools to South Creek / Food Lion shopping center – referenced prior plans from Powhatan County.
- Expressed concern with traffic in the area, specifically during school hours because accidents have occurred at the intersection. Concerned with putting more traffic on the roads due to new housing.
- Discussed how the concept plan shows two (2) accesses, one (1) to Batterson Road and one (1) to Carter Gallier Boulevard giving two different routes for people.
- Asked about any road improvements for that area. The Judes Ferry Road improvement was discussed and how it is slated for construction in 2026.
- Asked about redirecting all traffic to Carter Gallier Boulevard or at least restrict access on Batterson Road.
- Discussed capacity of water to handle this project and how water comes from Chesterfield.
- Discussed capacity of the wastewater treatment plant.
- Expressed concern with cost of infrastructure for this project – who pays for it? Will there be an impact to the existing taxpayers with all the development coming?
- Asked about Powhatan's Capital Improvement Plan (CIP) – what is in the plan?
- Asked how this development will affect schools – are the schools over capacity now?
- Asked if there would be a commercial component with the residential.
- Someone noted that this was the lesser of 2 evils as they would rather see residential then heavy commercial or industrial uses.
- Expressed concern with pedestrian connectivity to the Elementary School.



## COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION  
RICHMOND DISTRICT  
2430 Pine Forest Drive  
COLONIAL HEIGHTS, VA 23834  
[www.VDOT.Virginia.gov](http://www.VDOT.Virginia.gov)

Stephen C. Brich, P.E.  
COMMISSIONER

December 19, 2024

Mr. Ligon Webb  
Planning Director  
Powhatan County  
3834 Old Buckingham Road, Suite F  
Powhatan, Virginia 23139-7051

REFERENCE:       **24-16-REZ South Creek Village, LLC (Batterson Road)**  
                          **(District: Subletts/Manakin/Flat Rock)**  
                          **Date VDOT Received:       10/25/24**  
                          **Tax Map numbers 41-86D**  
                          **Located on North side of Anderson Hwy, (Rt. 60)**  
                          **2206 Batterson Road, Rt. 677, Major Collector, ADT= 950, 35 MPH**  
                          **Carter Gallier Blvd., Rt. 1343, Local, 25 MPH**

Dear Mr. Webb:

The Virginia Department of Transportation has reviewed the request submitted by South Creek Village, LLC for rezoning of the parcel at TM #41-86D from Agricultural A10 to Village Center-Planned Development (VC-PD) in order to develop 99 single family dwelling units, and (up to) 7 commercial lots, and a Commercial/Residential Land Bay "A" as shown on conceptual plan. The property is located on the north side of Batterson Road, west of the intersection of Batterson Road and Anderson Highway (Rt. 60). The site shall be served by two entrances, an existing full access southern entrance on Batterson Road modified to be a right in and right out and a proposed entrance to the north on Carter Gallier Boulevard. The County's 2021 Comprehensive Plan designates the subject property as Gateway Business on the Countywide Future Land Use Map.

Based upon the submitted Conceptual Plan and traffic study the roadways appear to be Public with Private Alleys. The subject parcel adjoins the parcel where Flat Rock Elementary School is located to the west and the development proposes to connect to Batterson Road and to Cater Gallier Blvd. The connection to Carter Gallier is via an adjoining industrial zoned parcel Number 042E-4-25 Owned by South Creek Properties LLC that is not subject to this rezoning request.

The VDOT requirement of the 2011 Subdivision Street Acceptance Requirements (SSAR) for connectivity (Two Access Points of access) and the Public Service requirement for Multiple Connections in Multiple Directions. Appear to be met in order to be accepted for state maintenance.

The proposed southern entrance on Batterson Road appears to meet the Minimum Spacing Standards of 335' for a Major Collector 35 MPH from the existing and proposed entrances. The proposed northern entrance on Carter Gallier Blvd. was originally designed and classified as a local street by VDOT. Powhatan County may classify this portion of Carter Gallier Boulevard as a Rural Collector. The minimum VDOT spacing of 225' for a collector at 25 MPH may be required from the existing and proposed entrances. Regardless, the entrance appears to meet this Minimum Spacing Standards of 225' for a Collector 25 MPH.

VDOT Chesterfield Residency Land Use offers the following recommendations and conditions regarding the requested rezoning for Tax Map # 41-86D:

1. A TIA is not required by VDOT, but may be requested by the county to support the proposed zoning.
2. Based on the conceptual plan provided:
  - a. Any proposed marked crosswalk outside of a signalized intersection will need to meet VDOT TE-IIM 384.1 requirements.
3. A Site Plan is required to be submitted and approved for the proposed development that clearly details any proposed access to Batterson Road and Carter Gallier Blvd. Note that any proposed commercial entrances must comply with the requirements of 24VAC30-73-70 – Commercial Entrance Design.
4. Updated Turn Lane Warrants shall be required as part of the site plan review. The Traffic Study indicates an analysis of right in and left out warrant analysis. Revise the Traffic Study accordingly. The conceptual plan indicates a right-in and right-out channelizing island to mitigate this issue and Proffer Number 7 Access *“Direct vehicular access from the Property to Batterson Road shall be limited to one (1) access, which shall be designed and constructed to prohibit left-in / left-out access, with the exact location and design of the access approved by the Transportation Department during plans review”*.
5. *Landscaping, signage and lighting within the Right of Way shall be reviewed as part of the site plan.*

**The Virginia Department of Transportation takes no exception to this rezoning request for the identified proposed use of this property.**

Should you have any questions, or need any additional information, please do not hesitate to contact me at (804) 674-2906, or Dustin Dunnagan at (804) 674-2384.

24-16-REZ South Creek Village, LLC – Batterson Rd.

December 19, 2024

Page 3 of 3

Sincerely,



Paul G. Bodie, P.E..

Trans. Engr.I/Chesterfield Residency Land Use

Virginia Department of Transportation

804-674-2906

Paul.Bodie@VDOT.Virginia.gov

CC:	Bret Schardein	- Powhatan Co. Administrator
	Jonas Eppert	- Powhatan Co. Env. Coord
	Charity Gold	- Powhatan Co. Planner II
	Anne Miller	- Balzer & Associates

## COUNTY OF POWHATAN



3834 Old Buckingham Rd. • Suite E  
Powhatan, VA 23139

(804) 598-5621  
(804) 598-5877 Fax

Department of Planning &  
Community Development

Paul J. Grasewicz, AICP  
Director

February 11, 2003

Mr. Richard B. Gallier, Sr.  
Carter Gallier Enterprises, LLC  
1545 Standing Ridge Drive  
Suite D  
Powhatan, VA 23139

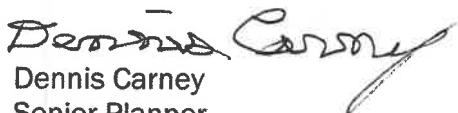
RE: Request to rezone with conditions; from Agricultural (A-1) and Residential  
Utility to C-1 Commercial for the first 1,050 feet (approximately 31.5 acres);  
and; the remaining 150.37 acres from A-1 Agricultural to I-2 Heavy Industrial.  
Case #03-01-REZ-C  
Tax Map # 41A(1A)3, 41A(1A)4, 41A(1A)4A, Part of 41-1, 42-2, 42-7A

Dear Mr. Gallier:

At last night's meeting (February 10), the Board of Supervisors approved the request  
referenced above with the attached proffered conditions.

Should you have any questions about any of the conditions, please give me a call at  
598-5692.

Sincerely,

  
Dennis Carney  
Senior Planner



Proffers are due in this office by \_\_\_\_\_ Month \_\_\_\_\_ Day to be considered at the next Public meeting.

Continuation Sheet Attached? Yes X No \_\_\_\_\_

**STATEMENT OF PROFFER**

CASE # 03-010-REZ-C

Pursuant to Section 15.2-2298 of the Code of Virginia and Article 24 of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property which is the subject of this rezoning request, the following conditions:

1. The conceptual Plan titled South Creek Dated November 26, 2002, revised January 23, 2003, and prepared by Balzer and Associates shall substantially control the layout of the project's features such as the perimeter buffers and stream buffers.
2. The rezoning to C - Commercial would be for a distance of one thousand and fifty (1,050) feet north of the property line fronting and running parallel on U.S. Route 60 on the portions of the parcels noted in this application. The remainder of the subject parcels would be rezoned to I-2 Heavy Industrial. However, the uses on any parcel that is created within this rezoning request that is adjacent to present Tax Map Parcel 41-86B (the parcels on which the County Schools are being built) shall be limited to the uses in the I-1nLight Industrial District of the Powhatan County Zoning Ordinance.
3. All utilities shall be underground except for any existing utility lines or in the case of any industrial user with power requirements such as 3-phase power that would make underground service impractical.

I hereby Acknowledge that the Rezoning of the Subject Property gives rise to the need for these conditions.

Richard B. Gallier, Sr.  
Owner of Record - Signature

Date

Richard B. Gallier, Sr.  
Type or print name

COMMONWEALTH OF VIRGINIA,  
COUNTY OF Chesterfield, to wit:

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid by Richard B. Gallier, Sr., whose name is signed to the above, on this 23 day of January 2003.

Notary Public Joellen Boylin

My Commission expires: 9/30/03

Proffers are due in this office by \_\_\_\_\_ Month \_\_\_\_\_ Day to be considered at the next Public meeting.

Continuation of STATEMENT OF PROFFER, Page 2

CASE # 03-010-REZ-C

Pursuant to Section 15.2-2298 of the Code of Virginia and Article 24 of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property which is the subject of this rezoning request, the following conditions:

4. Roads shown on the conceptual plan by Balzer and Associates designated as main roads shall have curb and gutter and will be built to applicable Virginia Department of Transportation standards.
5. All roads will be built to VDOT standards. Roads may be recorded without the subdivision of individual parcels.
6. Outside storage shall be permitted but must be screened subject to Powhatan County Zoning Ordinance requirements.
7. The following uses shall be excluded from the development of the I-2 Heavy Industrial portion of this request; battery manufacture, junkyard and wood preserving operations.
8. Natural vegetative buffers, supplemented as required by the Planning Department to maintain visual screening and building setbacks shall be provided in accordance with the Zoning Ordinance except those indicated on the conceptual plan by Balzer and Associates dated November 26, 2002.
9. Turn lanes and tapers shall be 75% complete to VDOT specifications at the Route 60 entrance prior to the approval of any occupancy permit for the subject property.
10. Twenty-five (25) feet of right of way measured from the existing centerline of Old Church Road shall be dedicated to the County of Powhatan.
11. Signs shall be installed at both sides on the Old Church Road entrance/exit prohibiting access by large trucks.
12. A wetlands delineation shall be provided for review by the Monacan Soil and Water Conservation District. Such delineations shall be shown both on the subject property for verification and on the preliminary plat at the time of approval.
13. Storm water management shall be designed to consider the entire project.
14. Water system design and installation, including fire flows and fire hydrants spacing, shall be in accordance with standard Fire Department practices.

Proffers are due in this office by \_\_\_\_\_ Month \_\_\_\_\_ Day to be considered at the next Public meeting.

Continuation of STATEMENT OF PROFFER, Page 2

CASE # 03-10-REZ-C

Pursuant to Section 15.2-2298 of the Code of Virginia and Article 24 of the Powhatan County Zoning Ordinance, I do hereby voluntarily proffer, as the owner of record of the property which is the subject of this rezoning request, the following conditions:

15. Final plats for lot(s) and for roads shall be reviewed and approved by the Powhatan County Planning Department according to the Subdivision Ordinance. The preliminary plat shall be updated with the details of each final plat and submitted to the Planning Department with each final plat.
16. Prior to the developments access to Old Church Road the applicant shall improve that portion of Old Church Road from the High School entrance to the development entrance as required by VDOT based on the traffic impact created by the new development.
17. The 50' front parking setback on the main internal access road within the commercially zoned property shall be permitted to be reduced to 25' with the provision of the landscape requirements of Section 15A.8 1) a-f of the Powhatan County Zoning Ordinance.