



MEMORANDUM

To: Planning Commission Members

From: Rodney Rhodes, Senior Planner

Date: April 13, 2023

RE: April 20, 2023 Planning Commission Meeting

The Staunton Planning Commission will hold a meeting on **Thursday, April 20, 2023, at 5:30 P.M.** The meeting will be held in Rita S. Wilson Council Chambers located on the first floor of City Hall, 116 W Beverley Street.

If you cannot attend this meeting, please contact the Community Development Department, Planning and Zoning Division at (540) 332-3862, by **noon on Wednesday, April 19, 2023.**

The field trip for this meeting will be held on **Tuesday, April 18, 2023 at 4:00 p.m.** Commission members and staff will meet at the Parks and Recreation Office at Montgomery Hall Park.

The Planning Commission meeting will be held in person. The public will be able to listen to the audio feed online at <https://www.ci.staunton.va.us/departments/planning-zoning-division> or on the public access television station (Comcast channel 7). Those members of the public wishing to participate will be able to do so in person or via Zoom using the link provided on the City's website. The appropriate page of the website can be accessed using the link above.

AGENDA

		Action Taken
1.	Call to Order	

2.	Approval of Minutes of the March 16, 2023 Meeting	
3.	New Business A. Public Hearing and Consideration of a Request by Anamaria Dixon to Rezone 610 New Hope Road from B-1, Local Business District Conditional, to B-1, Local Business District Conditional. The Purpose of the Rezoning is to Change the Uses Permitted Under the Conditional Zoning of the Property. B. Public Hearing and Consideration of a Request by Scott Goldenberg to Amend Chapter 18.120, Yard, Building Setback, and Open Space Exceptions of Title 18, Zoning, of the Staunton City Code to Allow Attached or Detached Private Garages to be Constructed in a Front Yard with a Minimum Required Setback from the Edge of Pavement of the Public Street of Either 18 or 23 Feet, Depending on Certain Circumstances. C. Public Hearing and Consideration of a Request by Flying Rock Property LLC, to withdraw 801 Commerce Road, containing approximately 96.823 acres, from the Bells Lane Agricultural-Forestal District. D. Public Hearing and Consideration of a Request by Flying Rock Property LLC, for a Special Use Permit Under the Provisions of SCC 18.75.040(1), Uses Permitted on Review, of the I-1, Light Industrial District, of Title 18 Zoning, of the Staunton City Code. E. Public Hearing and Consideration of a Request by the City of Staunton to Vacate, Discontinue and Abandon that Portion of a Developed Public Right-of-Way Identified as .009 Acres, Lying in an Area on Village Drive in the City of Staunton, Virginia.	

4.	Old Business	
5.	Other Business	
6.	Update on Actions of City Council	
7.	Matters from the Public	
8.	Adjournment (Next Meeting is Mary 18, 2023)	

MINUTES
STAUNTON PLANNING COMMISSION
March 16, 2023
5:30 p.m.
City Council Chambers

PRESENT: Judith Wiegand, Chair
Jessica Robinson, Vice Chair
Adam Campbell
Daniel Hansen
Joseph Mills

ALSO PRESENT: Rodney Rhodes, Senior Planner
Tim Hartless, City Planner
Michele Edwards, Council Liaison
Kiley Kesecker, Clerk of Council

Chair Judith Wiegand called the March 16, 2023 meeting of the Staunton Planning Commission to order.

APPROVAL OF MINUTES

Mr. Mills moved to approve the minutes of the February 16, 2023 Planning Commission meeting as presented.

The motion was seconded by Mr. Campbell and carried as follows:

Ms. Wiegand	aye	Mr. Mills	aye
Ms. Robinson	abstain	Mr. Campbell	aye
Mr. Hansen	aye		

NEW BUSINESS

3-A) Public Hearing and Consideration of a Request by Kelly Grantier for a Special Use Permit at 114 W Johnson Street to Allow Living Quarters on the Ground Level

Ms. Robinson recused herself from the dais due to tangential involvement with the request.

Senior Planner Rodney Rhodes stated that Kelly Grantier is requesting a Special Use Permit at 114 West Johnson Street to construct a residential apartment unit in the rear portion of the ground floor of the existing building. The property is located on the south side of West Johnson Street directly across from the Johnson Street parking garage. The building appears to have been constructed sometime between 1921 and 1929 and was originally used for a veterinary practice. Ms. Grantier acquired the property in February, 2019, and renovated the exterior and two residential units on the second floor. Now, she is requesting a Special Use Permit for a rear portion of the ground floor while the front portion will remain a business use. The property is zoned B-2, General Business District, and residential use on the ground and basement levels of buildings is permitted only by Special Use Permit. This property is also part of the Beverley Historic District.

Staff has conducted a review of the request and has not identified any issues. This is a change of use in the zoning code as well as the building code and a building permit will be required. This property is in the central business parking exempt area so off-street parking will not be required. There would be a total of three units within the building, two on the second floor and one on the ground floor. The nearest public parking is either the Wharf parking lot or the Johnson Street garage, both of which are in proximity. The rear of this building has limited access and limited visibility which would make commercial use of the space difficult. Surrounding zoning is all B-2, General Business District.

The City of Staunton, Virginia, Comprehensive Plan 2018-2040, Future Land Use Map, designates this area as commercial. The requested Special Use Permit is not consistent with the commercial designation. Ordinarily, staff would not be supportive of a request for residential use on the ground floor of a building in the City's central business district; however, the rear of this building has limited access and limited visibility which makes deliveries difficult and hinders customer access. This makes commercial use of the space difficult. A residential use of this portion of the building appears to be a reasonable request.

Ms. Wiegand asked if commissioners had any questions for staff.

Commissioners had no questions.

The public hearing was opened.

Applicant Kelly Grantier was present to answer questions from the Commission.

Commissioners had no questions.

There being no one else wishing to speak, the public hearing was closed.

On the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, Mr. Mills moved that Planning Commission recommend approval of a Special Use Permit at 114 West Johnson Street with the following conditions:

1. The ground floor of the structure shall be used for only one residential unit.
2. The unit must be accessed from the rear of the building.
3. The portion of the ground floor facing W Johnson Street must continue to be used for commercial purposes.

The motion was seconded by Mr. Campbell and carried as follows:

Ms. Wiegand	aye	Mr. Mills	aye
Ms. Robinson	recused	Mr. Campbell	aye
Mr. Hansen	aye		

3-B) Public Hearing and Consideration of a Request by David and Michelle Wise to Rezone a portion of 1007 Seth Drive From R-3, Medium Density Residential Conditional, to I-1, Light Industrial District Conditional

Mr. Hansen recused himself from the dais due to involvement with the property as a land surveyor.

City Planner Tim Hartless stated that David and Michelle Wise have requested to rezone a 0.957 acre portion of 1007 Seth Drive from R-3, Medium Density Residential District Conditional, to I-1, Light Industrial District Conditional. The applicants own an adjacent business, EZ Self Storage, that they wish to expand. Storage as a principal use, is only permitted in industrial zoning. The property is located on the west side of Seth Drive between EZ Self Storage and the Wingate Apartment complex. The area is a mixed-use area of conditional I-1, B-1 and R-3 zonings known as Middlebrook Park. EZ Self Storage was constructed in 2020. In 2022, the owners submitted a site plan for an expansion of the facility. Site Plan approval is pending the outcome of this rezoning request and a subsequent plat.

Staff has considered the request and has identified no issues. A building permit and associated trade permits will be required for the proposed expansion of the storage facility. If the 0.957 acres portion is rezoned, a plat will be required to divide it from 1007 Seth Drive and add it to the EZ Self Storage property. The applicant proposes the same conditional zoning that already exists for Middlebrook Park. This conditional zoning was approved in 2003 with the Middlebrook Park Development. The proffers include special buffers between zoning districts and special lighting and sign requirements to ensure that the business and industrial uses are compatible with the surrounding low density residential uses along Middlebrook Avenue. Surrounding zoning is I-1, Light Industrial District Conditional and R-3, Medium Density Residential District Conditional.

The City of Staunton Comprehensive Plan, 2018-2040, Future Land Use Map, designates this area as Planned Business. Originally, as part of the creation of Middlebrook Park, this area was zoned B-1 Local Business District Conditional, but most of the area was later rezoned to I-1 Light Industrial District Conditional. The Future Land Use Map needs to be updated to reflect this change. During the next Comprehensive Plan update, staff will recommend that the designation of this area be changed to Planned Industrial.

Ms. Wiegand asked if commissioners had any questions for staff.

Commissioners had no questions.

The public hearing was opened.

Representing the applicant, William Moore with Balzer & Associates was present to answer questions from the Commission.

Mr. Campbell asked if Lacy B. King Way will continue to be the sole access point for the expansion. Mr. Hartless stated that the existing entrance would continue to be the only entrance and exit from the property.

Ms. Robinson clarified that proposed lot 3E will be the newly combined lot.

There being no one wishing to speak, the public hearing was closed.

On the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, Mr. Campbell moved that Planning Commission recommend approval of a

rezoning of a 0.957 acre portion of 1007 Seth Drive from R-3, Medium Density Residential District Conditional, to I-1, Light Industrial District Conditional

The motion was seconded by Ms. Robinson and carried as follows:

Mr. Campbell	aye	Mr. Mills	aye
Ms. Robinson	recused	Ms. Wiegand	aye
Mr. Hansen	aye		

3-C) Public Hearing and Consideration of an Amendment to SCC 18.55, B-1, Local Business District, and 18.75, I-1, Light Industrial District, and 18.10 Definitions, of Title 18, Zoning, to Allow Pet Boarding Facilities in all Business and Industrial Districts

Mr. Hartless stated that Kalem Hillman has requested a Zoning Code Amendment to allow pet boarding facilities. After consideration of his request, staff suggested that the use should be limited to business and industrial districts. Mr. Hillman has applied for the text amendment and has been working with Planning and Zoning Staff finalize the draft language. At its February 16 meeting, Planning Commission gave authorization to proceed with the amendment. Since the February meeting, staff has continued to work on the amendment language and some changes have been made. The City Attorney and Animal Control Officers have reviewed the amendment. The changes from the February version include:

- Creation of a definition for “outdoor pet run”
- “f” - Adjustment of hours a pet may be outside (was dawn to dusk and now is from 8 a.m. to 8 p.m.)
- “h” – All new pet boarding facilities are subject to review and approval by the Zoning Administrator
- “I” – Requires compliance with section 6.10.180 of the City Code which requires a kennel license.

Mr. Hartless added that staff believes that with the changes outlined above, this ordinance gives a clear frame work for operators and will protect the areas surrounding pet boarding facilities from any negative impacts.

Ms. Wiegand asked if commissioners had any questions for staff.

Commissioners had no questions.

The public hearing was opened.

Applicant Kalem Hillman was present to answer questions from the Commission.

Commissioners had no questions.

There being no one else wishing to speak, the public hearing was closed.

On the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, Ms. Robinson moved that Planning Commission recommend approval of amendments to SCC 18.55, B-1, Local Business District, and 18.75, I- 1, Light Industrial District, and 18.10, Definitions.

The motion was seconded by Mr. Campbell and carried as follows:

Mr. Campbell	aye	Mr. Mills	aye
Ms. Robinson	aye	Ms. Wiegand	aye
		Mr. Hansen	aye

OLD BUSINESS

A. Update by Frazier Associates on the on the Revisions to the Entrance Corridor Overlay District Design Guidelines

Bill and Kathleen Frazier of Frazier Associates presented an update on the revisions to the entrance corridor overlay district design guidelines.

OTHER BUSINESS

There was no other business to discuss.

UPDATE ON ACTIONS OF CITY COUNCIL

Mr. Rhodes stated that at its last meeting, City Council approved zoning code amendments to section 18.120 to allow an undeveloped and unaccepted street to serve as a primary access to a single-family dwelling, and section 18.125 to provide an exemption for some single-family dwellings from the required parking and sealed-surface requirements. He added that City Council also approved the final plat and the extension of public utilities for Village Drive for Villages at Staunton.

MATTERS FROM THE PUBLIC

There was no one present wishing to speak.

ADJOURNMENT

Ms. Wiegand stated that the next Planning Commission meeting would be held on April 20, 2023.

Upon a motion properly made, seconded and unanimous, the meeting adjourned at 6:48 p.m.

Kiley A. Kesecker
Clerk of Council

**PLANNING
COMMISSION**



**AGENDA
BRIEFING**

Staunton, VA

Meeting Date:	April 20, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	3-A	
Ordinance #		
Department:	Community Development – Planning and Zoning	
Subject:	Public Hearing and Consideration of a Request by Anamaria Dixon to Rezone 610 New Hope Road from B-1, Local Business District Conditional, to B-1, Local Business District Conditional. The Purpose of the Rezoning is to Change the Uses Permitted Under the Conditional Zoning of the Property.	

Background: Anamaria Dixon has applied for a rezoning of 610 New Hope Road. The property is currently zoned B-1, Local Business District Conditional, and Ms. Dixon proposes to change the conditions of the zoning and has proposed new proffers to replace and expand what was previously approved. The property contains 12.634 acres and is a portion of the 2000 plus acre farm settled and owned by John Lewis. According to the City's real estate records, the house contains over 7,000 SF of gross floor area of which over 4,000 SF is finished living space. The property was annexed into the City in 1986 and was zoned R-1, Low Density Residential, until 1996 when it was rezoned to B-1, Local Business District Conditional for the stated purpose of allowing the property to be used as a Bed and Breakfast.

Current Conditional Zoning:

The current conditional zoning includes (attachment 2):

Permitted Uses:

1. Living and sleeping quarters on levels above the ground floor
2. Boarding House
3. Horse stables
4. Gift shop for the convenience of the guests
5. Signs

Use Permitted on Review:

1. Living and sleeping quarters in detached accessory buildings and on the ground and basement floor of the main building

Unaware of the conditional zoning and assuming the property had a standard B-1 zoning, Ms. Dixon acquired the property in November of 2000 and has used the property as a residence and liturgical arts studio. Now, Ms. Dixon wishes to sell the property and during that process has become aware of the conditional zoning and limited uses. As a result, she has submitted this request to expand the permitted uses.

Analysis: The applicant has proposed 17 of the 37 uses typically permitted in B-1. Most of the more intensive and larger traffic generating uses such as hotels, retail stores, schools, and gasoline service stations have been removed. Restaurants have been retained as a permitted use but seating has been limited to 40 seats and hours of operations and days of operation have been limited. Any newly proposed use would be subject to site plan approval. Landscape, screening, and parking would be required at the rate prescribed by the zoning code.

Zoning to the north, east, and west is R-1, Low Density Residential District, and to the south is I-1, Light Industrial District. In November 2021, a Special Use Permit was issued at 575 New Hope Road, to the northwest of this property, for use as a children's day camp and recreational facility.

The *"Generalized Land Use and Development Guide, Future Land Use Map" Staunton, Virginia, Comprehensive Plan 2018 – 2040*, designates this area as Low Density Residential. This designation is characterized as detached single-family dwellings with a maximum density of 1 to 5 units per acre. The proposed rezoning is not consistent with this designation; however, the property consists of over 12 acres and is not located within an A-1, Agricultural-Forestal District where long term farming would be an option. The use of such a large piece of land for one single-family dwelling is impractical. Given the historic importance of the house and property, some flexibility in zoning is necessary to ensure that there is an economically feasible use for the property. For this reason, staff is supportive of the rezoning request.

Attachments:

- Attachment 1—Application for Zoning Classification Change - Rezoning
- Attachment 2—Current Conditional Zoning of the Property
- Attachment 3—Vicinity Map, 914 Middlebrook Avenue
- Attachment 4—Map of Current Zoning
- Attachment 5—Map of Proposed Rezoning
- Attachment 6—2018-2040 Future Land Use Map of the Area

Recommendation: Staff recommends endorsement of the requested conditional rezoning.

Suggested Motion: "On the basis that the rezoning would serve the interests of public necessity, convenience, general welfare, and good zoning practice, I move that Planning Commission recommend approval of the rezoning of 610 New Hope Road from B-1, Local Business District Conditional, to B-1, Local Business District Conditional, with the expanded list of uses proffered by the applicant.



Application for Rezoning

 COMMUNITY DEVELOPMENT
 Planning & Zoning Division
Applicant: ANAMARIA R. DIXON Date: APRIL 3, 2023Address: 610 NEW HOPE ROAD; STAUNTON, VA 24401Telephone #s: Primary: 540-255-3998 Secondary: _____Email address: annie@dixonstudio.com

If the applicant is NOT the owner of the property in question, explain. A copy of a pending contract or option agreement shall be attached hereto and made a part of this application.

Name of person to be notified in addition to the applicant and/or property owner:

Name: N/A

Address: _____

Phone #: _____

Email address: _____

Location of property:

610 NEW HOPE ROAD; STAUNTON, VA 24401

Legal description of property:

STATELINE PLANT PROPERTY - TRACT 8, 12.634 ACPurpose of request: EXPAND USES PERMITTED IN CURRENT ZONINGMap Provided: YES ☒ NO ☐Present zoning classification of property: B1 CONDITIONALRequested zoning classification: SEE ATTACHED.List permits pending approval of this rezoning: N/AFee Paid (\$250) YES ☒ NO ☐ *check or cash only

Applicant must provide 19 copies of complete application

Signature of applicant: [Signature]
(Owner / Agent)

Application for Rezoning

Bellefonte

c. 1732



*a proposal for economic & aesthetic sustainability
to ensure the preservation of this
historically significant property in Staunton, Virginia*

April 2023

The Location

Situated halfway between Beverley Street downtown and interstate exit 222, Bellefonte is easily accessible to locals and tourists alike. This area of New Hope Road runs parallel to Richmond Road but maintains its bucolic nature while experiencing controlled growth since its annexation from the county a few decades ago. Overlooking a working farm, single family homes and subdivisions are located to the east; a church, a landscape contractor and a future YMCA facility are located to the west.

The History

Bellefonte is an important historic property within the city of Staunton. **Settled by John Lewis** of northern Ireland in 1732, it was named for the spring which flowed in the midst of a vast landscape. This spring, now seen from the road, still runs year round, supplying fresh water to the home as well as to the whole of Staunton via Lewis Creek.

The center portion of the home was built in 1834, by Daniel Patterson, local road contractor, farmer, and lawyer. A map of the property, created by the firm of **Jedediah Hotchkiss** in 1866 for then landowner **Maj. John Harman**, hangs in the home, documenting the friendship of **two of Staunton's most famous citizens** who served together under Stonewall Jackson, the former as cartographer and the latter as quartermaster.

In the first half of the 20th century, the **Commonwealth owned and improved the property** to serve as the warden's residence; a back wing was constructed, along with impressive stone retaining walls, and electricity and plumbing were added inside. The home was back in private ownership in the latter half of the century and expanded with the addition of two side wings by a **resident architect**, followed by the addition of more bathrooms, and then operated as a **bed & breakfast**. Blueprints from both major projects survive as part of the provenance of the home.

Since the beginning of the 21st century, Bellefonte has been enjoyed as a private residence by another transplant from Northern Ireland, and employed as a liturgical **arts studio** with a newly constructed building and small staff. National patrons and international suppliers of Dixon Studio have visited the property, and the business has **brought nine conferences to town**, filling the historic downtown hotel each time.

The Future

Bellefonte was established almost 300 years ago as a colonial homestead and has been maintained since by entrepreneurs who have continued a long tradition of making a living on this land with a variety of businesses adapted to their time and place in Staunton, from farming to law, from trades and crafts to hospitality. As its third century comes to a close, the property has shrunk in acreage and grown in sq.ft. while residential, institutional, and commercial development increases nearby.

The current owner is requesting the business uses permitted under the conditional zoning be expanded, to **encourage new entrepreneurs to invest in the property in ways that will preserve its history and beauty, appropriately contribute to the modern economy of Staunton, and appeal to both citizens and tourists.**

In order to encourage the preservation of the historic home and the surrounding pastoral acreage, the owner is requesting that in addition to the current uses permitted under the conditional B1 zoning, the following uses listed in the B1 local district zoning be permitted.

These are similar and compatible small businesses (many of which are or could be limited by scope and/or hours) that would value and incorporate the history and the beauty of the property within their brand, providing both an incentive and the means to preserve the architecture and the setting.

- (1) Living and/or sleeping quarters shall be a permitted use when constructed above the ground and basement floors. No living and/or sleeping quarters shall be permitted in any detached accessory building or structure on the same lot to the rear of any other building.
- (2) Auction houses.
- (3) Veterinary establishments; provided, that all animals shall be kept inside sound proof air-conditioned buildings.
- (5) Bakeries employing not more than five persons and when products are sold only at retail on the premises.
- (6) Barbershops, beauty parlors, chiropody, massages, or similar personal service shops.
- (7) Catering ~~and delicatessen~~ business.
- (9) Clubs and lodges.
- (10) Custom dressmaking, millinery, tailoring or similar retail trades employing not more than five persons on the premises.
- (13) Eating and drinking establishments ***with no more than 40 seats and open to the public no more than 4 days a week for no more than 8 hours a day.***
- (14) ~~Food stores~~, fruit or vegetable stands.
- (16) Garden centers, greenhouses, and nurseries.
- (21) Offices, business or professional only.
- (22) Personal or business service establishments.
- (26) Restaurants, tea rooms, ~~drive-in eating stands~~ ***with no more than 40 seats, open to the public no more than 4 days a week for no more than 8 hours a day.***
- (28) Accessory buildings and uses customarily incidental to permitted uses not otherwise prohibited in this district which comply with Chapter 18.110 SCC.
- (29) No wholesale or jobbing shall be carried on, and no merchandise shall be stored other than that to be sold at retail on the premises; provided, further, that not more than 30 percent of the floor area of any building shall be devoted to reserve stock storage purposes incidental to such primary use.
- (32) Name plate and sign, as regulated in Chapter 18.140 SCC.

The owner is not requesting the following B1 permitted uses to be included in any change to the current B1-conditional zoning, as they do not align with the goals of preserving the history and pastoral beauty of the property:

(4) Banks.

(8) Churches.

(11) Drugstore.

(12) Automobile service establishments including gasoline service stations and automatic car-washing establishments.

(15) Funeral homes.

(17) Laundry and/or cleaning pick-up station, or self-service laundry and dry cleaning.

(18) Milk distribution stations, but not involving any bottling on the premises.

(19) Monument sales.

(20) Motels, motor courts and hotels.

(23) Pet shops.

(24) Public buildings and ground other than elementary and high schools.

(25) Prefabricated and shell house sales.

(27) Shops for repair of bicycles, shoes, watches, locks, electrical equipment, or other similar commodities employing not more than five persons on the premises and not involving the conduct of any manufacturing on the premises.

(30) Open storage uses which shall comply with the following provisions:

(a) All open storage and display of merchandise, material, and equipment shall be screened by adequate ornamental fencing or evergreen planting at the side and rear of the lot on which said open storage or display occurs; provided, however, that screening shall not be required in excess of seven feet in height.

(b) All of the lot used for parking of vehicles, for the storage and display of merchandise, and all driveways used for vehicle ingress and egress shall be constructed and maintained in such a manner that no dust will be produced by continued use.

(c) All servicing of vehicles carried on as an incidental part of the sales operation shall be conducted within a completely enclosed building.

(d) Outdoor lighting, when provided, shall have an arrangement of reflectors and an intensity of lighting which will not interfere with adjacent land uses or the use of adjacent streets, and shall not be of a flashing or intermittent type.

- (31) Stores or shops for the conduct of retail business which do not maintain gasoline dispensing services.
- (33) Amusement and recreation establishments except open-air drive-in theaters.
- (34) Stores for the conduct of retail business which are not gasoline service stations but which do maintain gasoline dispensing services incidental to their primary business provided they meet the requirements of Chapter 18.145 SCC.
- (35) Elementary or high schools, public or private. Living or sleeping quarters shall be permitted in the same building with the school use.
- (36) Colleges or universities, public or private.
- (37) Co-location of telecommunication antenna and related equipment as regulated in SCC 18.185.020(4). (Zoning ordinance Art. 4, § 8).

The B1 regulations would remain in effect as follows:

18.55.030 Area regulations.

The following requirements shall apply to all uses permitted in this district:

- (1) Front Yard. All buildings shall setback from the street right-of-way lines not less than 20 feet.
- (2) Side Yard. On the side of a lot adjoining a residential district, there shall be a side yard of not less than 25 feet. There shall be a side yard setback from an intersecting street of not less than 25 feet. In all other cases a side yard for a commercial building shall not be required.
- (3) Rear Yard. None, except when abutting a residential or professional district and then there shall be a minimum rear yard, alley, service court, or combination thereof, of not less than 25 feet in depth, and all of the service areas of all buildings shall be completely screened from public view with permanent ornamental screening materials.
- (4) Maximum Lot Coverage. No building or buildings shall cover more than 50 percent of the lot area. (Ord. 2019-20. Zoning ordinance Art. 4, § 8).

18.55.040 Height regulations.

No building shall exceed two and one-half stories, or 35 feet in height, except as provided in Chapter 18.115 SCC. (Zoning ordinance Art. 4, § 8).

18.55.050 Off-street parking.

Off-street parking is as regulated in Chapter 18.125 SCC. (Zoning ordinance Art. 4, § 8).

The owner requests that the following B1 uses be permitted, subject to future review as per B1 zoning:

18.55.060 Uses permitted on review.

The following uses may be permitted on review by the planning commission in accordance with provisions contained in Chapter 18.210 SCC:

(1) Group house.

(2) Medical care facility.

(3) The following uses may be permitted on review by the city council in accordance with provisions contained in Chapter 18.210 SCC; however, this subsection shall not be considered to be a use permitted on review for purposes in Chapters 18.50 and 18.55 SCC:

Living and/or sleeping quarters in detached accessory buildings and on the ground and basement floors of main buildings.

A proposed use under this chapter is to be considered on its own merits using the following criteria as a guide:

(a) The design of the existing building or the proposed building to be built.

(b) The historical significance of the structure on the lot or the historical significance of structures in the immediate vicinity.

(c) The amount of business usage that has at that time already developed in the immediate vicinity of the lot.

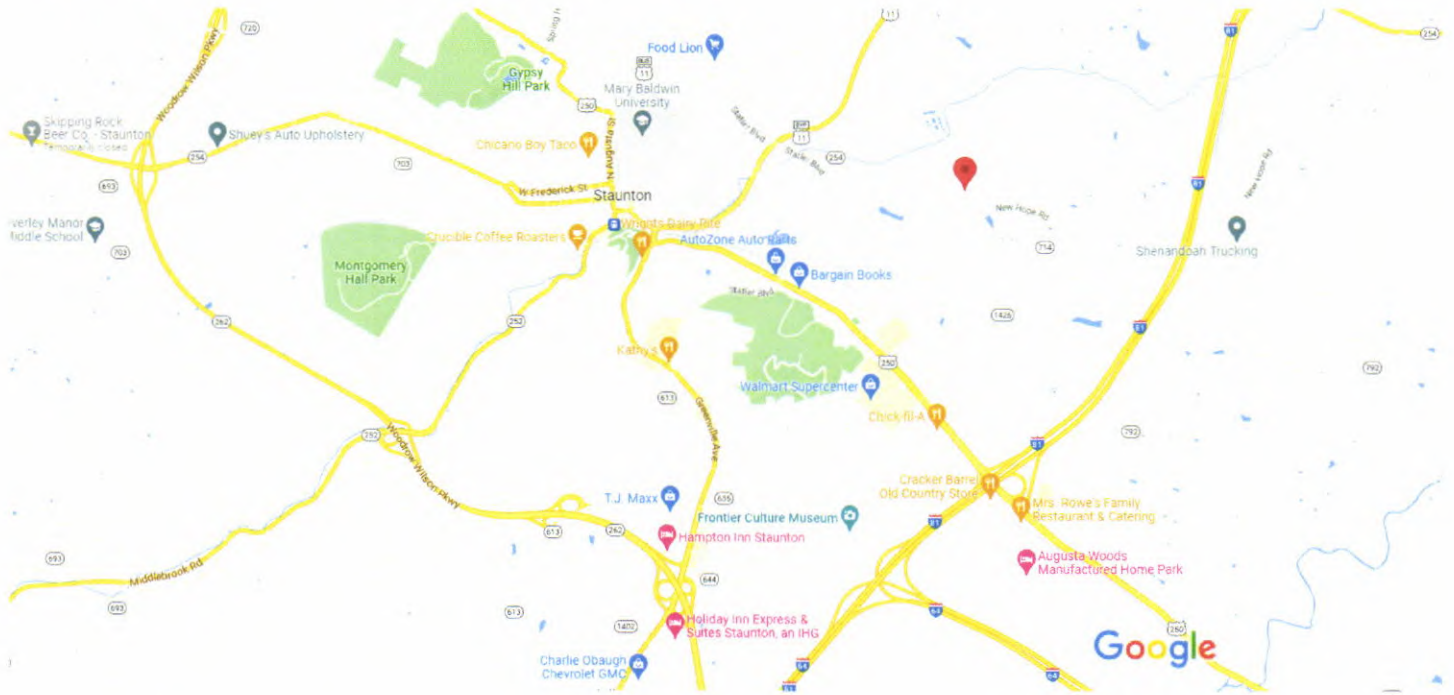
(d) The anticipated immediate new business development expected in the vicinity.

(e) Lot size, topography conditions.

(4) Day nurseries, private. (Zoning ordinance Art. 4, § 8).

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Google Maps 610 New Hope Rd



Map data ©2023 Google 2000 ft



610 New Hope Rd



Directions



Save



Nearby



Send to
phone



Share



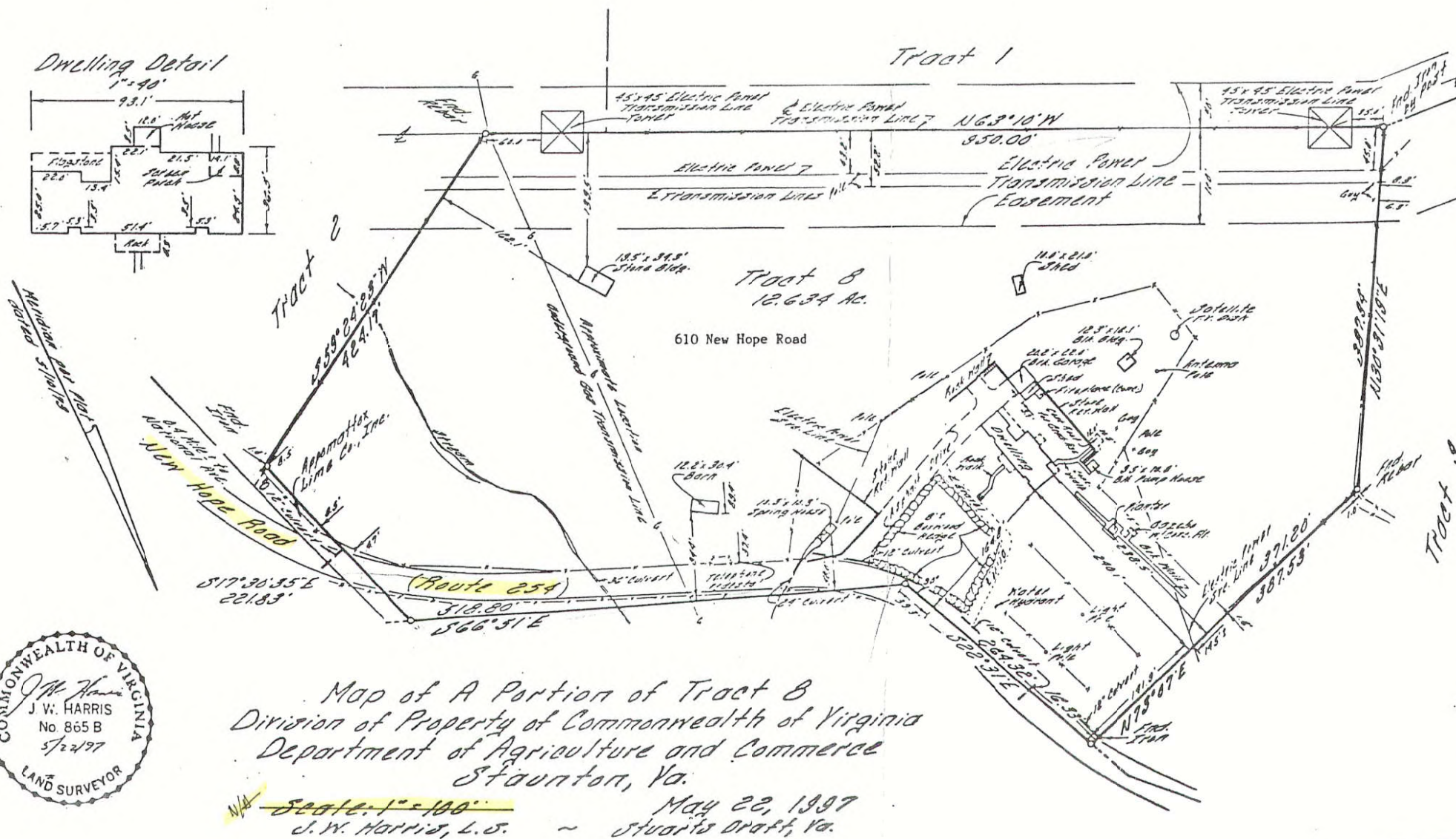
610 New Hope Rd, Staunton, VA 24401

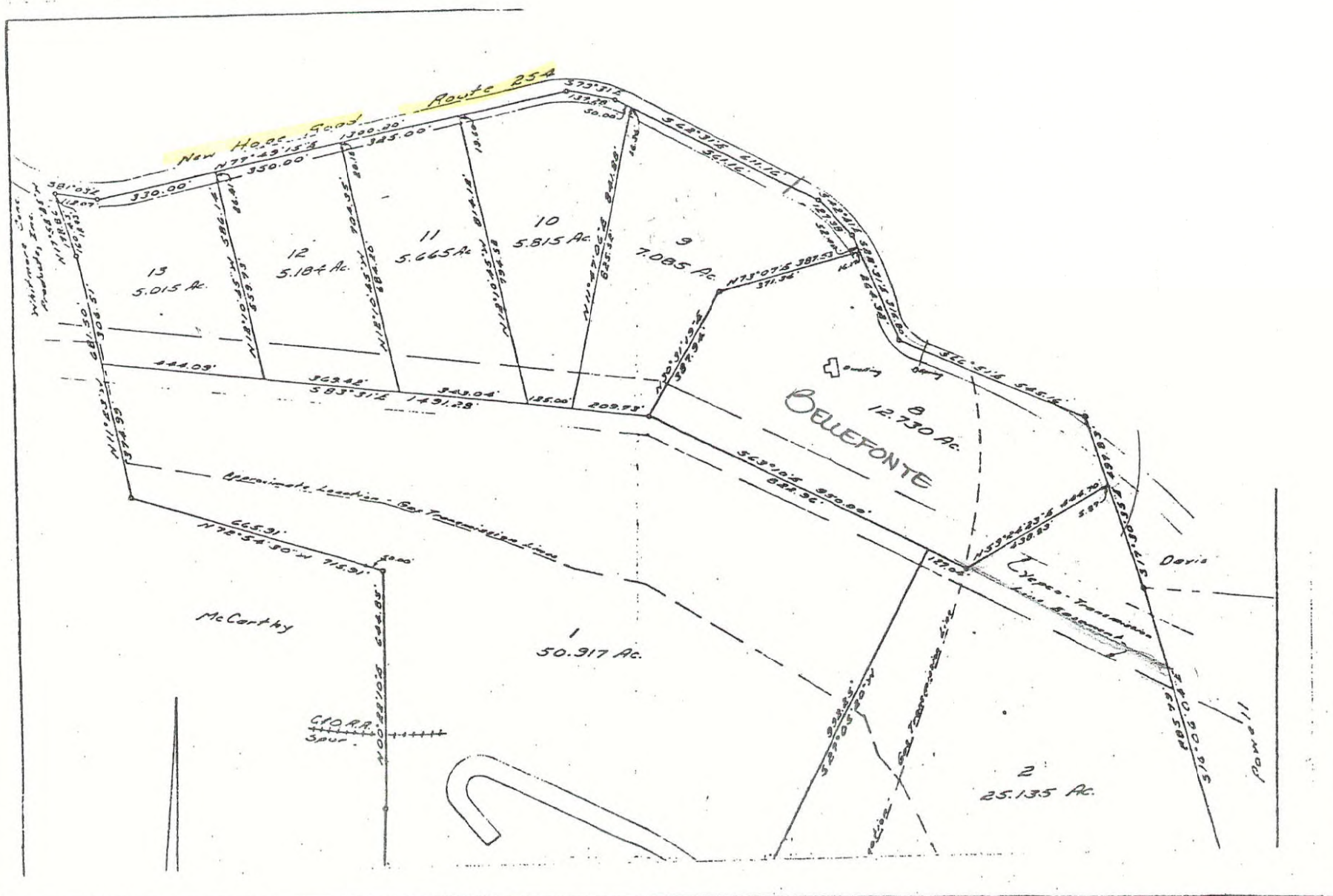


5X26+47 Staunton, Virginia

Photos

This survey was prepared for: John N. & Jennifer L. Canton





Attachment 2

ORDINANCE REZONING 12.634 ACRES OF LAND IN THE CITY OF
STAUNTON, VIRGINIA, FROM R-1 LOW DENSITY RESIDENTIAL TO
CONDITIONAL B-1 LOCAL BUSINESS DISTRICT.

BE IT ORDAINED by the Council for the City of Staunton, Virginia,
that the parcel of land being 12.634 acres located in the City of
Staunton and described as follows:

All that certain lot or parcel of land, together with all
improvements thereon and appurtenances thereto belonging,
formerly situate in Beverley Manor District, Augusta County,
Virginia, but by annexation effective January 1, 1987, now
situate in the City of Staunton, Virginia, known by present house
numbering as 610 New Hope Road, described as Tract Number Eight
(8), containing 12.730 acres, on a "Plat of Division of Property
of Commonwealth of Virginia, Department of Agriculture and
Commerce," dated May 10, 1973, made by J. W. Harris, L.S., a copy
of which is recorded in the Clerk's Office of the Circuit Court
of Augusta County in Deed Book 608, page 502, LESS, HOWEVER, a
parcel of land 20 ft. in width located at the eastern extremity
of Lot 8 conveyed to Appomattox Lime Company by deed dated May
15, 1974, and recorded in Deed Book 623, page 39. Said parcel
contains 12.634 acres as shown on the attached map.

Being the same real estate conveyed to Dean H. Woodard and Ann W.
Woodard by deed of John H. Flinton and Cynthia E. Palmer, dated
August 27, 1987, recorded in the Clerk's Office of the Circuit
Court of the City of Staunton, Virginia, in Deed Book 279, page
204, and the same is hereby rezoned from R-1 Low Density Residen-
tial to Conditional B-1 Local Business District.

ADOPTED ON FIRST READING:

February 8, 1996
DATE

G. John Avoli
MAYOR

ATTEST:

Deborah L. Sutton
CITY CLERK

APPLICATION FOR CONDITIONAL REZONING PURSUANT TO
ARTICLE VII, SECTION 5 (F) OF THE ZONING CODE
OF THE CITY OF STAUNTON, VIRGINIA

A. PLAN FOR DEVELOPMENT OF B-1 CONDITIONAL ZONE ON ROUTE 254

1. GENERAL DESCRIPTION:

This application is offered in order to provide for development of an area as defined on the attached plat, in a manner which is compatible with the residential nature of the surrounding neighborhood. It is the intention of this application to eliminate from the permitted uses under Article IV, Section 7 of the Zoning Code of the City of Staunton (hereinafter the Code) all uses which would detract from or have a potentially negative impact upon, the surrounding residential area.

2. PERMITTED USES:

a. Living and/or sleeping quarters shall be a permitted use when constructed above the ground and basement floors.

b. Boarding House, but not to provide accommodations for more than nine (9) guests at any given time.

c. Horse stables, provided no more than three (3) horses are kept at any one time.

d. Retail gift shop business for the convenience of the guests of the building, provided, there shall be no entrance to such place of business except from inside of the building; there shall be no exterior advertising for said retail shop on the premises nor any outside marketing for said shop.

e. Detached single-family dwellings, but not including trailer houses or mobile homes.

f. Signs as regulated by Article V, Section 8 of the Code.

g. The following uses may be permitted on review by the City Council in accordance with provisions contained in Article VII, Section 4; however, this sub-section shall not be considered to be a use permitted on review for purposes in Article IV, Section 7 and 8:

(i) Living and/or sleeping quarters in detached accessory buildings and on the ground and basement floors of main buildings.

Except as set out under this subparagraph, all other uses, whether permitted or permitted upon review, as set out under Article IV, Section 7 of the Code, shall be specifically prohibited, unless otherwise permitted under this application.

3. CONSTRUCTION OF THIS APPLICATION:

In construing this application, all terms set out herein shall be controlling. Any matters not set forth or defined in this application shall not be incorporated in the conditions imposed and adopted for the conditional rezoning of the described property.

Dean Woodard (SEAL)
DEAN H. WOODARD

Ann Woodard (SEAL)
ANN W. WOODARD

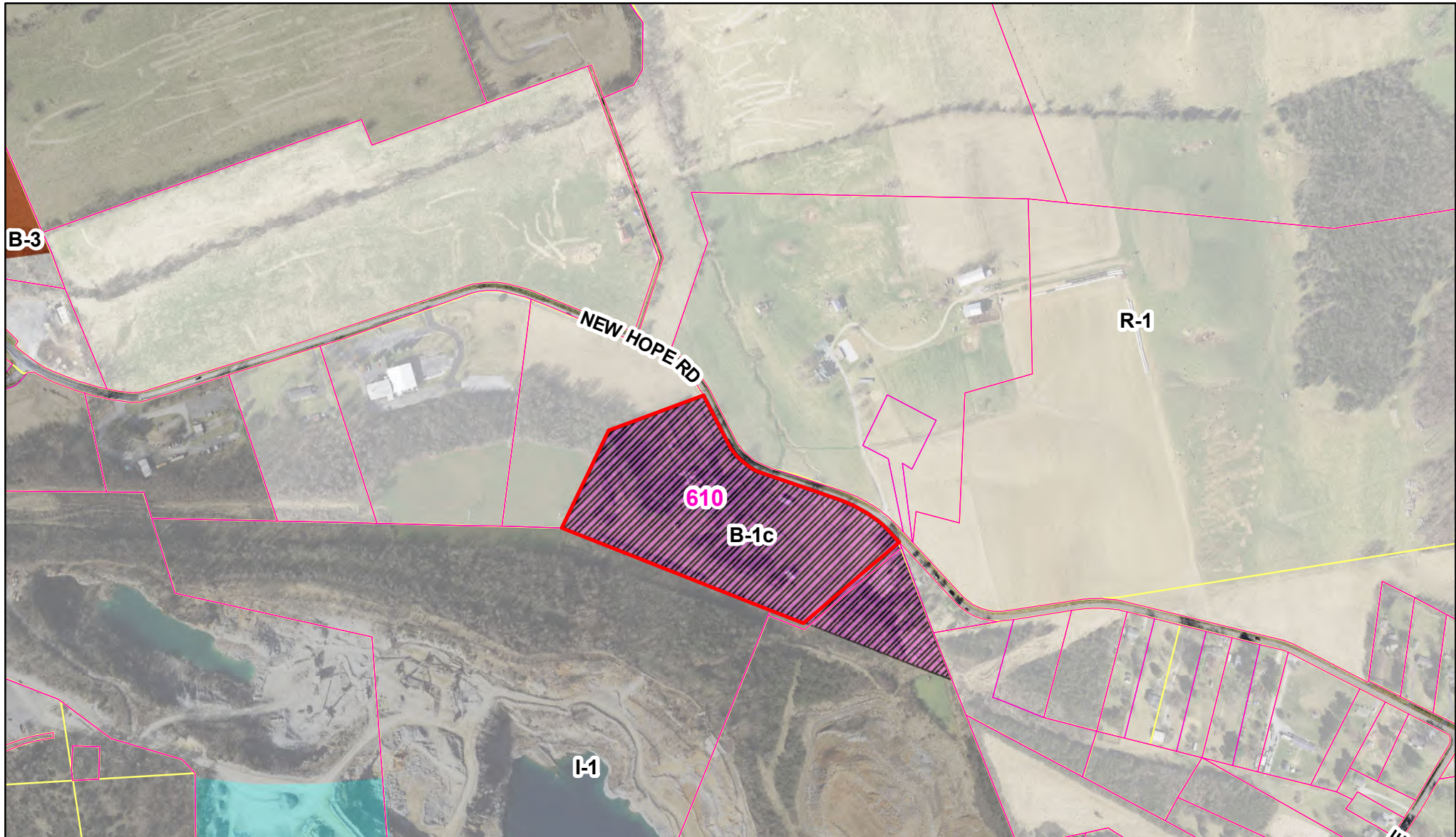
Vicinity Map: 610 New Hope Rd

Attachment 3



Current Zoning: 610 New Hope Rd

Attachment 4



0 250 500 1,000 Feet

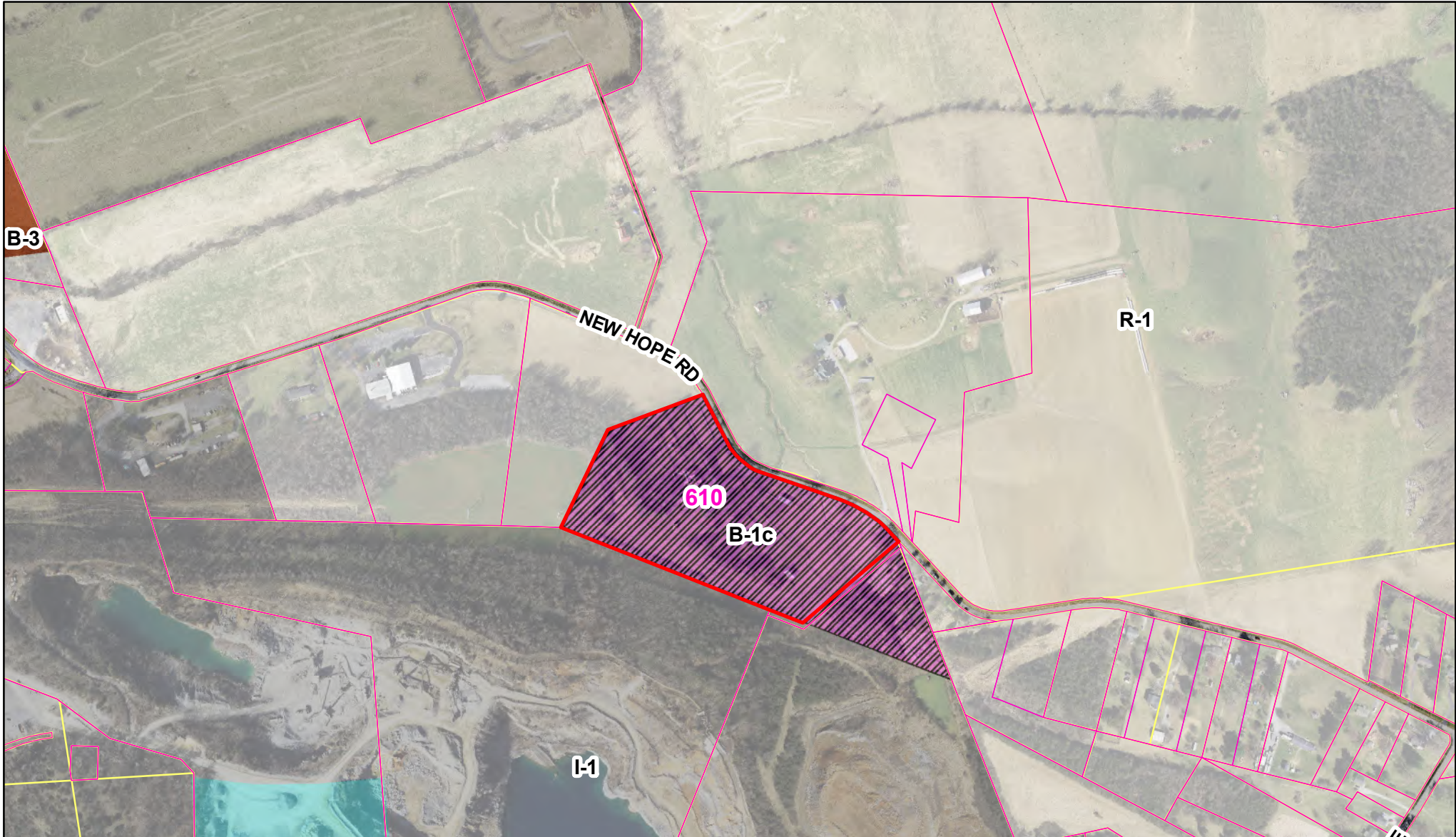
Zoning

B-1	B-3	I-2	R-1
B-1(conditional)	B-5	I-2(conditional)	R-2
B-2	HE-1	I-3(conditional)	R-2(conditional)
B-2(conditional)	I-1	P-1	R-3
		I-1(conditional)	P-1(conditional)
			R-3(conditional)
			R-4(conditional)

Additional Layers

- Selected Property
- Parcels
- Lot_Lines

Proposed Rezoning: 610 New Hope Rd Attachment 5



0 250 500 1,000 Feet

Zoning

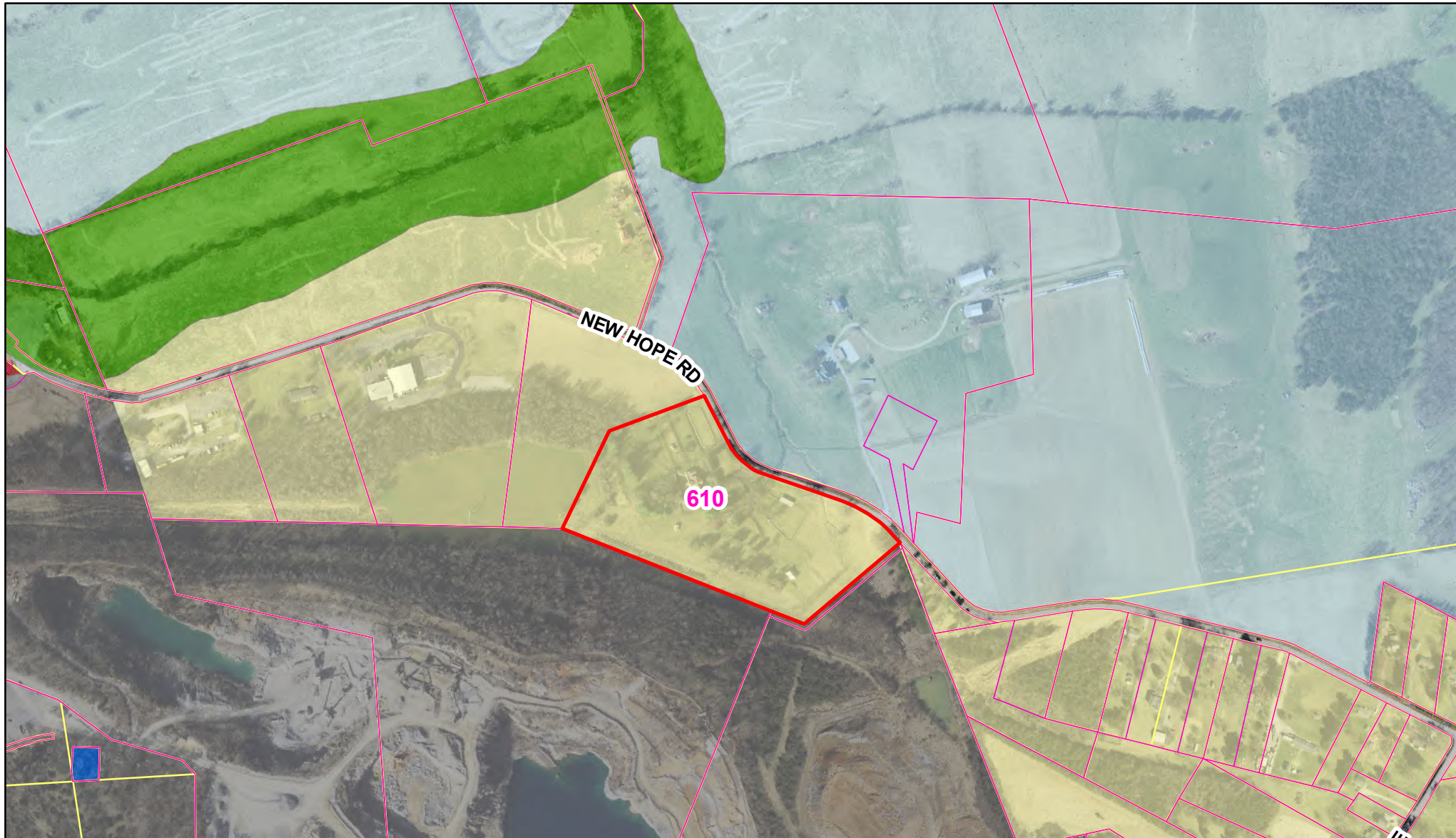
B-1	B-3	I-2	R-1
B-1(conditional)	B-5	I-2(conditional)	R-2
B-2	HE-1	I-3(conditional)	R-2(conditional)
B-2(conditional)	I-1	P-1	R-3
		I-1(conditional)	P-1(conditional)
			R-3(conditional)
			R-4
			R-4(conditional)

Additional Layers

- Selected Property
- Parcels
- Lot_Lines

Future Land Use: 610 New Hope Rd

Attachment 6



Future Land Use

- CONSERVATION/RECREATION/OPEN SPACE
- PLANNED FARM DEVELOPMENT
- PUBLIC/SEMI-PUBLIC

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- MEDIUM DENSITY PLANNED RESIDENTIAL
- HIGH DENSITY RESIDENTIAL

- TRADITIONAL NEIGHBORHOOD DEVELOPMENT
- LOW DENSITY PLANNED RESIDENTIAL
- NEIGHBORHOOD RESIDENTIAL
- PROFESSIONAL

- PLANNED BUSINESS
- BUSINESS
- PLANNED INDUSTRIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL

Additional Layers

- Selected Property
- Parcels
- Lot_Lines

**PLANNING
COMMISSION**



AGENDA BRIEFING

Staunton, VA

Meeting Date:	April 20, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	3-B	
Ordinance #		
Department:	Community Development – Planning and Zoning	
Subject:	Public Hearing and Consideration of an Amendment to SCC 18.120.010(4), of Chapter 18.120, Yard Building Setback, and Open Space Exceptions, of Title 18, Zoning, to Allow a Reduced Front Setback for Attached Private Garages in Certain Situations.	

Background: Staff has received a request from Scott Goldenberg to amend Chapter 18.120, Yard, Building Setback, and Open Space Exceptions. Currently, the Zoning Code requires that any garage, attached or detached, must be setback at least 25 feet from a front property line. The proposed amendment provides an exception to allow attached private garages to be constructed with a reduced front setback. Planning Commission gave authorization to proceed with the amendment at its November 2022 meeting.

The exception is limited to properties that have already been developed with single-family dwellings which are nonconforming to the minimum required front setback. So, any property currently developed with a single-family dwelling which meets the minimum front setback would not be eligible. Likewise, any new single-family dwelling would be required to meet all setback requirements and therefore would not be eligible.

Staff has been working with Mr. Goldenberg and Daniel Hansen, of Balzer and Associates, to craft the draft language (attachment 1). The City Attorney has reviewed the draft language. The amendment would allow for a minimum setback of 18 feet measured from the rear edge of the public sidewalk. The parking chapter of the zoning code (Chapter 18.125) requires a parking space to be a minimum of 9 feet wide and 18 feet long so an 18-foot setback coincides with the requirements for an adequate parking space and should allow a car to park in front of

the garage without blocking the sidewalk. In cases where a sidewalk does not exist, the minimum setback required would be 23 feet to the edge of the city maintained public street. This would give enough room for an 18-foot long parking space and still allow room for a standard 5 foot sidewalk to be installed at a later date.

The amendment would allow flexibility for owners of properties in older residential neighborhoods while still providing for the safety of pedestrians and site lines for motorists.

Attachment:

Attachment 1—Draft Amendment

Recommendation: Staff recommends that Planning Commission endorse the proposed amendment.

Suggested Motion: On the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, I move that Planning Commission recommend approval of the proposed amendment to Chapter 18.120, Yard, Building Setback, and Open Space Exceptions.

18.120.010 (4)(h)

An attached or detached private garage which faces on a street shall not be located closer than 25 feet to a street right-of-way line.

- (i) The following shall provide an exception to the minimum front setback requirement for attached private garages:

Regardless of any other provision set forth in Title 18, any lot which includes a single-family dwelling that is nonconforming to the minimum required front setback for the zoning district, any attached private garage which faces on a street shall not be located closer than 18 feet to the rear edge of the public sidewalk on the street right-of-way line that the garage door opening faces, regardless of the orientation of the main dwelling. In cases where a public sidewalk does not exist, an attached private garage shall not be located closer than 23 feet to the nearest edge of the city maintained public street pavement that the garage door opening faces, regardless of the orientation of the main dwelling.

**PLANNING
COMMISSION**



AGENDA BRIEFING

Staunton, VA

Meeting Date:	April 20, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	3-C and 3-D	
Ordinance #		
Department:	Community Development – Planning and Zoning	
Subject:	C. Public Hearing and Consideration of a Request by Flying Rock Property LLC, to withdraw 801 Commerce Road, containing approximately 96.823 acres, from the Bells Lane Agricultural-Forestal District D. Public Hearing and Consideration of a Request by Flying Rock Property LLC, for a Special Use Permit Under the Provisions of Staunton City Code Section 18.75.040(1), for the Development of a Solar Energy Facility at 801 Commerce Road	

Background: In 2022, Oikos Solar Systems Inc., applied for zoning text amendments; to Chapter 18.10 to define a Solar Energy Facility, and to Chapter 18.75 to permit Solar Energy Facilities by Special Use Permit in the I-1, Light Industrial District and I-2, Heavy Industrial District. The amendments were approved by City Council on July 28, 2022. The zoning text amendments did not include any development standards for Solar Energy Facilities. Therefore, each application is considered on a case-by-case basis, with specific conditions placed on approved requests through the Special Use Permit (SUP) process.

Project Proposal:

The applicant proposes to develop a 96.823-acre property at 801 Commerce Road with a 15.75 MW utility scale solar energy facility and a 5 MW community scale solar energy facility. The

original Special Use Permit application (Attachment 1), dated January 13, 2023, also included a 5.5 MW utility scale battery energy storage facility; however, this has been withdrawn from the application and is no longer under review by the Commission. Any future requests for battery energy storage facilities in conjunction with the solar energy facilities will require, either a new Special Use Permit application or an application to amendment to the current SUP under consideration by the Commission. Either process will require public notifications and hearings in accordance with Section 15.2-2204 of the Code of Virginia.

Character of the Area:

The property is predominately rolling open terrain with several stream beds and two ponds. The property has not been used for agricultural production, but has been used for decades for grazing of cattle. The adjoining properties to the north and east are zoned I-1, Light Industrial District. The adjoining property to the west is zoned B-2, General Business District Conditional and the property to the south is zoned R-1, Low Density Residential District. Neighboring land uses include, offices and facilities of the Virginia Department of Transportation and the Virginia State Police, pasture land, the site of the City's former wastewater treatment plant and future activity fields for the YMCA. Residential development in the vicinity is scattered.

Proposed Withdrawal of 801 Commerce Road from the Bells Lane Agricultural District:

On November 28, 2022, the applicant requested that 801 Commerce Road be removed from the Bells Lane Agricultural District in order to develop the site with a solar energy facility (Attachment 2). Land within the overlay district shall be used solely for agricultural and forestal products and production. Therefore, removal of the property from the agricultural District is a precursor to developing the property with a solar energy facility.

The Bell's Lane Agricultural District consists of approximately 1,700 acres, bounded generally on the west by Commerce Road, on the north by State Route 262, on the east by Interstate 81, and on the south by Route 254. The Bell's Lane Agricultural District was established by City Council on January 1, 1997, and was most recently renewed, for a 10-year period, in 2020. In 1998 a 12-acre parcel was removed from the Agricultural District.

The request to withdraw the property from the district was considered by the Staunton Agricultural and Forestal Advisory Committee on February 6, 2023 and February 24, 2023. The committee members were also afforded the opportunity to visit the site in advance of their second meeting. The committee noted in their report (Attachment 3):

The City Ordinance 18.95, which establishes Ag/Forestal Districts, does not give a purpose statement or general description which could help guide the Committee in their determination. However, language in the Code of Virginia does lay out state policy that specifies considerations in establishing and maintaining Ag/Forestal Districts. Code section 15.2-4401 states, "It is state policy to encourage localities of the Commonwealth to conserve and protect and to encourage the development and improvement of their agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also a state policy to encourage localities of the Commonwealth to conserve and protect agricultural and forestal lands as valued natural ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, aesthetic quality, and other environmental purposes. It is the purpose of this chapter to provided a means by which localities may protect and

enhance agricultural and forestal lands of local significance as a viable segment of the local economy and as an important economic and environmental resource.”

18.095.060(2) of the City Zoning Code states, “No land within a district shall be removed except with the approval of the Council of the City of Staunton, upon a showing of good and reasonable cause.”

The Virginia Code or case law does not define good and reasonable cause explicitly. It only says that a good and reasonable cause cannot be arbitrary or capricious and cannot be willfully unreasonable.

The general purpose of Land Use Taxation in Virginia is to preserve agricultural, horticulture, forestry, and open space lands and to allow for the timely development of land.

Soil maps from the City show that only a small portion of the property is considered prime agricultural soil. The bulk of the property is primarily silty clay loam with very high runoff and 30% rock outcrops.

After careful deliberations on the matter, the committee on a 3-2 vote, recommended approval of the applicant’s request to remove the property from the Bells Lane Agricultural District.

Section 18.95.040 of the Staunton Zoning Code notes:

These districts are overlay districts and upon termination of any of the districts or withdrawal of any parcel from a district, when permitted, the underlying zoning with its rules and regulations shall continue to be in effect.

The property is zoned I-1, Light Industrial District as is therefore subject to all the regulations and restrictions of that District.

Special Use Permit for the Development of a Solar Energy Facility:

Details of the Proposal:

The proposal is to develop a solar-energy electrical generation facility and associated collector substation producing approximately 20.75 megawatts. The proposal includes a 15.75 MW utility scale solar facility and a 5 MW community scale solar facility. Attachment 4 contains the narrative submitted by the applicant describing the details of the proposal. Attachment 5 is a concept plan of the proposed project. Staff will not restate all the submitted information in this report and refers readers to the application and attachments for detailed information on the proposal.

Community Meetings:

The applicant held two informal community meetings, February 22, 2023, and April 5, 2023, that were attended by approximately 20-30 people. Comments received included: concerns about visual impacts, property value impacts, stormwater impacts and decommissioning.

Analysis of the Special Use Permit Request:

When conducting an analysis of the Special Use Permit request one should do so in the context of

the underlying I-1, Light Industrial District zoning of the property. Section 18.75.010 of the Staunton Zoning Code describes the district as such:

These districts are composed of land and structures used for light manufacturing or wholesaling, or suitable for such uses, where the use and its operation do not directly adversely affect nearby residential and business uses. These districts are usually separated from residential areas by business areas or by natural barriers. The district regulations are designed to allow a wide range of industrial activities subject to limitations designed to protect nearby residential and business districts.

Uses permitted by right in the I-1 Light Industrial District include:

- Building material sales yard and lumber yard, including the sale of rock, sand, and gravel.
- Contractor's equipment storage yard or plant, or rental of equipment commonly used by contractors.
- Freighting or trucking yard or terminal.
- Outdoor storage facilities for coal, coke, building materials, sand, gravel, stone, lumber; open storage of construction contractor's equipment and supplies.
- Public utility service yard or electrical receiving or transforming station.
- Auction house.
- Tire recapping or retreading.
- Co-location of telecommunication antenna and related equipment.

The following uses when conducted within a completely enclosed building:

- The manufacture, compounding, processing, packaging, assembling or treatment of various products.
- Automobile assembling, painting, upholstering, rebuilding, reconditioning, body and fender works, truck repairing and overhauling and battery manufacturing.
- The sale, storage and sorting of junk, waste, discarded or salvage materials, machinery, or equipment.
- Blacksmith shop and machine shop.
- Wholesale or warehouse enterprise.

Any of the above noted uses could be permitted on the site upon the administrative approval of a site plan. The approval would not be subject to public review, Planning Commission input or City Council authorization.

Visual Impacts

The most apparent impact of the proposal is the visual impact on the adjacent and nearby properties. The applicant has proposed a 50-foot vegetative screening buffer for the solar panels and equipment from the right-of-way and from any non-industrial zoned property. This far exceeds the 10-foot vegetative buffer requirement for any of the by-right industrial uses. Due to the elevated railroad, parallel to Commerce Road, there will be very limited views of the solar panels for the motoring public along this street. However, due to the topography of the site and other properties in the vicinity, even with a 50-foot vegetative buffer, the solar panels will be viewable along sections of New Hope Road and from elevated locations in the vicinity. Visual

simulations have been prepared and are included as Attachment 6. (Note: Visual simulations show a 10' vegetative buffer – not the 50' vegetative buffer on the current proposal.) The solar panels will not be visible from any of the City's National Register Historic Districts; however, they will be visible from the John Lewis grave site (located on private property).

Impact on Adjoining Property Value

The applicant has noted that “when properly screened and set back from surrounding residences and properties, studies have shown that solar arrays have no negative impact on property values...studies have shown that solar arrays can mildly increase property values given that they are quiet, do not generate traffic and further reduce residential development.” As previously noted, due to the topography of the area, it is impractical to screen the solar panels from all surrounding properties; however, development of the site with a solar energy facility would preclude the property from being developed with industrial uses that would be more incongruous with the surrounding area. The use of adjacent properties for agriculture, state offices and facilities, and recreational facilities will not be impacted by the proposed solar energy development.

Environmental Impacts

An Environmental Resource Impact Analysis was prepared by Timmons Group and is provided as Attachment 7. The project will be located outside of the 50-foot Riparian buffer and flood plain. It will be developed in conformance with all applicable federal, state, and local laws and regulations. Conformance with the laws and regulations will be verified through the site plan review process. Grading on the site will be limited to areas for access roads, substation, inverter locations, and stormwater management facilities. The area under the individual solar panels will not be graded.

Decommissioning Plans

Unlike with most industrial uses, it is practical to decommission a solar energy facility at the end of its useful life and restore the land to its pre-development condition. The Timmons Group prepared Decommissioning Plans for the solar energy facilities (Attachment 8). The Decommissioning Plans provide specifics on when the projects will be decommissioned, how the land will be restored, who is responsible to do the work and how much the plans will cost to implement. City staff has reviewed the Decommissioning Plans and find them to be very thorough and generally acceptable; however, staff has reservations about the estimated value of the salvaged material. Therefore, staff recommends that surety is provided to cover the entire cost of implementing the Decommission Plans, without a credit for the estimated value of the salvage material.

Public Facilities and Public Infrastructure

The applicant notes that “while the Project will increase the tax base provided to the City, it will not have any significant draw on public resources such as schools, sewer and water, roads, or other public services and facilities.” Access to the site is from an existing entrance that serves VDOT and the State Police offices. Temporary traffic control measures will be implemented during construction; however, once operational, the site is not expected to generate more than one or two trips per week. A Transportation Overview was provided and is included as Attachment 9.

Review for Compliance with the Comprehensive Plan

As a solar energy facility, the proposal is subject to a Compliance with the Comprehensive Plan Review as required by the Code of Virginia (15.2-2232). A compliance review considers whether

the general location, character, and extent of a proposed public facility are in substantial accord with the adopted Comprehensive Plan. It is reviewed by the Planning Commission, and the Commission's findings are forwarded to City Council.

The property is designated as Planned Farm Development area in the Future Land Use Map of the *City of Staunton, Virginia, Comprehensive Plan 2018-2040*. While solar energy facilities are not identified as a goal or an objective for the Planned Farm Development areas, it helps the City meet other Comprehensive Plan goals and objectives related to renewable energy.

The *City of Staunton Comprehensive Plan, 2018-2040* supports green energy such as solar in following areas of the plan:

Open Space/Environment

Goal – Practice good stewardship of the environmental resources within and surrounding the City by protecting environmentally sensitive areas, preserving open space and natural habitat (including dark skies), minimizing pollution of all kinds, and encouraging sustainability and conservation practices.

Objective - Promote energy conservation practices and the potential use of alternative energy sources.

Public Services and Government

Goal - Ensure quality and effective public services that meet the needs of citizens and the business community that is balanced with the City's economic base and resources.

Utilities and Infrastructure

Objective - Encourage green and sustainable initiatives and integrate emerging technologies that promote use of efficient and renewable energy.

For the above noted reasons staff finds that the proposal is consistent with the Comprehensive Plan.

Shared Solar Subscription

"The applicant will establish a 12-month period during which only Staunton residents may be enrolled in the program. Arcadia (third-party servicing company) will conduct a marketing campaign to promote and advertise the program to city residents. Any Staunton resident may enroll, regardless of income, during the initial 12-month period (Attachment 10)." While the monetary benefit of participating in the program is minimal, it offers residents an opportunity to participate in renewable energy without the expense of installing individual solar panels. The program would also benefit residents that are not able to install solar panels on their property for various other reasons. The potential benefit of community/shared solar facilities for residents in historic districts has been a topic of discussion.

Summary:

This application has been reviewed for compliance with the factors to be considered when acting on a Special Use Permit. It is staff's opinion that the proposal, with appropriate conditions, meets the requirements of the Zoning Code for approval. The primary impacts associated with the project are with construction and visual impacts. It is estimated that the construction will last approximately 6-12 months so the impact is of a limited duration. While the visual impacts will

remain, it is arguable that the visual impacts of the proposed project are less than other permitted uses of the property. The proposed project is unique in that it requires minimal grading of the site and the site can, and will, be returned to its pre-existing condition at the end of the facility's useful life.

Recommendations:

Staff recommends that the Planning Commission follow the recommendation of the Staunton Agricultural-Forestal Advisory Committee and recommend approval of removing 801 Commerce Road from the Bell's Lane Agricultural District. The reason for removing the property from the district is not arbitrary or capricious or willfully unreasonable. Only 7% of the property is considered prime agricultural soil. The property has not been used for crop production, but has only been used for grazing of cattle.

Based on the findings contained in the staff report, staff recommends that the Planning Commission recommend approval of the Special Use Permit for the development of 801 Commerce Road with a solar energy facility with the following conditions:

1. Development and use must be in general accord with the plans prepared by Timmons Group titled "Staunton PV – UT, LLC & Staunton PV – UT + ESS, LLC" dated 4/14/23 (hereinafter "Concept Plan") and included as Attachment 5, as determined by the Zoning Administrator. To be in general accord with the Concept Plan, development and use must reflect the following major elements as shown on the Concept Plan: a. Location of solar development envelopes, b. Location of collector station, and c. Retention of wooded vegetation in stream buffers. Land disturbance shall be limited to the areas within the proposed fenced areas as shown on the Concept Plan. The location of the proposed entrance and access to the solar facility shall not be subject to this condition. Grading of the site shall be limited to areas for access roads, substation, inverter locations, and stormwater management facilities. The area under the individual solar panels shall not be graded. Minor modifications, with the approval of the Zoning Administrator to the Concept Plan that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance, and State or Federal laws.
2. Landscaping and screening locations must be substantially the same as shown on the Concept Plan. Additional landscaping and screening may be required during site plan review if required for compliance. Planting materials shall be approved by the Zoning Administrator during site plan review.
3. All inverters, solar panels and collector station must be set back at least fifty (50) feet from rights-of-way and from all adjoining properties not zoned industrial.
4. The facility shall utilize only panels that employ anti-glare technology, anti-reflective coatings, and other available mitigation techniques, all that meet or exceed industry standards, to reduce glint and glare. The

applicant shall provide written certification from a qualified expert acceptable to the City that the facility's panels incorporate and utilize anti-glare technology and anti-reflective coatings and reduce glint and glare levels that meet or exceed industry standards.

5. The decommissioning and site rehabilitation plan (hereinafter "Decommissioning Plan") prepared by Timmons Group and submitted with the Special Use Permit application, shall be subject to review and approval by the City Attorney and the City Public Works Director and shall be in a form and style so that it may be recorded in the office of the Circuit Court of the City of Staunton.
6. Prior to issuance of a grading permit, the Decommissioning Plan must be recorded by the applicant in the office of the Circuit Court of the City of Staunton. Surety must be posted to cover the full cost of implementing the Decommissioning Plan. No credit is provided for the estimated salvage value of the materials.
7. The Decommissioning Plan and estimated costs must be updated every five years, upon change of ownership of either the property or the project's owner, or upon written request from the Zoning Administrator. Any changes or updates to the Decommissioning Plan must be recorded in the office of the Circuit Court of the City of Staunton. The surety shall be adjusted to cover any estimated increase in cost.
8. The Zoning Administrator must be notified in writing within 30 days of any change in ownership or the abandonment or discontinuance of the use.
9. All physical improvements, materials, and equipment (including fencing) related to solar energy generation, both above ground and underground, must be removed entirely, and the site must be rehabilitated as described in the Decommissioning Plan, within 180 days of the abandonment or discontinuance of the use.
10. If the construction of the solar energy facility, for which this special use permit is issued, is not commenced within 3 years after City Council approval, the permit must be deemed abandoned and the authority granted thereunder shall terminate.
11. Products used to clean panels are limited to water, and biodegradable cleaning products.
12. No above ground wires except for those associated with the panels and attached to the panel support structure and those associated with tying into the existing overhead transmission wires.
13. Prior to activation of the site the applicant must provide training to Fire/Rescue. This training must include documentation of onsite materials and equipment, proper firefighting and lifesaving procedures and material handling procedures.

14. The project areas shall be enclosed by security fencing not less than six feet in height and equipped with an appropriate antilimbing device. Fencing must be installed on the interior of the vegetative buffer required so that it is screened from the ground level view of adjacent property owners. The wildlife corridors shall not be enclosed with fencing.
15. The property owner must grant the Zoning Administrator, or designee, access to the facility for inspection purposes within 30 days of the Zoning Administrator requesting access.
16. Outdoor lighting for the facility shall be permitted only during maintenance periods; regardless of the lumens emitted, each outdoor luminaire must be fully shielded.
17. Ground mounted solar energy generation facilities shall not exceed a height of eighteen (18) feet, which shall be measured from the highest natural grade below each solar panel. This limit shall not apply to the collector station, utility poles and the interconnection to the overhead electric utility grid. The lowest surface of the panel shall be a minimum of eighteen (18) inches above grade.
18. The project area shall be seeded with appropriate pollinator-friendly native plants, shrubs, trees, grasses, and wildflowers. The project must achieve VA Pollinator-Smart Certification as contained in the Virginia PollinatorSmart Solar program.
19. The applicant shall establish a 12-month period during which only Staunton residents may be enrolled in the Shared Solar Program.

Attachments:

Attachment 1—Special Use Permit Application

Attachment 2—Request to withdraw 801 Commerce Road from the Bell's Lane Agricultural District

Attachment 3—Report of the Agricultural and Forestal Advisory Committee

Attachment 4—Special Use Permit Narrative

Attachment 5—Revised Concept Plan by Timmons Group

Attachment 6—Visual Simulations

Attachment 7—Environmental Resource Impact Analysis by Timmons Group

Attachment 8—Decommissioning Plans by Timmons Group

Attachment 9—Transportation Overview by Timmons Group

Attachment 10—Supplement Regarding Shared Solar Subscription

Attachment 11—Panel Diagram

Attachment 12—Inverter Diagram

Attachment 13—Substation Photo

Attachment 14—Distribution Line Map

Exhibit 1—Vicinity Map: 801 Commerce Rd

Exhibit 2—Agricultural-Forestal District Map

Exhibit 3—Current Zoning Map:801 Commerce Rd

Exhibit 4—Future Land Use Map: 801 Commerce Rd

Suggested Motions:

On the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, I move that Planning Commission **recommend approval** of the request to remove 801 Commerce Road from the Bell's Lane Agricultural -Forestal District.

On the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, and for the reasons noted in the staff briefing, I move that the Planning Commission affirm that the proposed solar energy facility is in substantial accord with the adopted Comprehensive Plan.

On the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, I move that Planning Commission **recommend approval** of the Special Use Permit to develop 801 Commerce Road with a 15.75 MW utility scale solar energy facility and a 5 MW community scale solar energy facility with the conditions noted by staff.



DEPARTMENT OF PLANNING &
INSPECTIONS
116 W. BEVERLEY STREET | P.O. BOX
58 | STAUNTON, VA 24402
540.332.3862 (OFFICE)
540.332.3807 (FAX)

APPLICATION FOR SPECIAL USE PERMIT

DATE: January 13, 2023

NAME OF APPLICANT: Staunton PV-UT, LLC and Staunton PV-CS, LLC

ADDRESS OF APPLICANT: c/o Oikos Solar System, Inc., 11011 Richardson Rd., Ashland, VA 23005

PHONE #: c/o Lori H. Schweller, Williams Mullen, 323 2nd St. SE, Ste 900, Charlottesville, VA 22902
434-951-5728

E-MAIL ADDRESS: LSchweller@williamsmullen.com and Oikos.danny@gmail.com

IF APPLICANT IS **NOT** THE OWNER OF THE PROPERTY IN QUESTION, EXPLAIN. A COPY OF A PENDING CONTRACT OR OPTION AGREEMENT MUST BE ATTACHED HERETO AND MADE A PART OF THIS APPLICATION. The property owner is Flying Rock Property, LLC, an affiliate of Oikos Solar System, Inc.

LOCATION OF PROPERTY: 801 Commerce Road, Staunton, Virginia

MAP PROVIDED: YES ☒ NO ☐ SITE PLAN PROVIDED: YES ☒ NO ☐

FEE PAID: YES ☒ NO ☐ **check or cash only*

PRESENT ZONING OF THE PROPERTY: I-1 Light Industrial

APPLICABLE SECTION OF ZONING CODE STATING USE IS PERMITTED ON REVIEW:
Chapter 18.75 and Chapter 18.10

ARE PUBLIC UTILITIES AVAILABLE AND ADEQUATE FOR PROPOSED USE? IF **NO**, EXPLAIN HOW UTILITIES WILL BE PROVIDED:
yes

LEGAL DESCRIPTION OF PROPERTY: Please see attached legal description; the parcels have been combined, as shown on the attached consolidation plat.

DETAILED DESCRIPTION OF PROPOSED USE (DRAWINGS MUST BE INCLUDED IF NEW CONSTRUCTION, ADDITIONS, OR CHANGES TO THE EXTERIOR OF THE PROPERTY ARE PROPOSED).

Please see attached Special Use Permit Application Narrative for PIN 10413 with exhibits.

SIGNATURE: _____

Direct Dial: 434-951-5728
lschweller@williamsmullen.com

November 28, 2022

Via Email and U.S. Mail

Rodney Rhodes, Zoning Administrator
City Hall
116 W. Beverley Street
P.O. Box 58
Staunton, VA 24402

Re: REQUEST TO WITHDRAW PROPERTY FROM THE AGRICULTURAL-FORESTAL DISTRICT; Oikos Staunton Solar Project, 801 and 809 Commerce Road, Staunton, VA

Dear Mr. Rhodes:

City of Staunton real estate tax records indicate that Flying Rock Property, LLC acquired the following property on August 23, 2022 by deed recorded in the Clerk's Office as Instrument No. 220002665:

1. 809 Commerce Road, PID 10140, containing 1.24 acres
2. 801 Commerce Road, PID 10413, containing 65.50 acres
3. 569 New Hope Road, PID 10418, containing 31.19 acres

These three parcels were combined by recordation of a boundary line adjustment plat, dated September 13, 2022, prepared by EGS & Associates, Inc. The newly-created parcel is referred to herein as the "Property."

Flying Rock Property, LLC is affiliated with Staunton PV-UT, LLC and Staunton PV-CS, LLC (collectively, the "Applicant"), which intend to file application materials for appropriate land use approvals for Solar Energy Facilities on the Property.

The Applicant proposes a solar facility up to 15.75 MWac, a 5 MWac shared solar facility, and a 5.5 MWac battery electric storage system (collectively, the "Projects") on the Property, which is zoned I-1 Industrial. We understand that the Property, though in the I-1 District, is designated as Agricultural-Forestal. The Applicant requests to withdraw the entire Property from the Agricultural-Forestal district in order to develop and operate the Projects.

We thank you for your consideration of this request and look forward to working with the City on this project.

Very truly yours,



Lori H. Schweller

cc: Dan Chung, Oikos Solar System, Inc.

Attachment 3

REPORT OF THE AGRICULTURAL & FORESTAL ADVISORY
COMMITTEE
on the
PROPOSED WITHDRAWAL OF 801 COMMERCE ROAD
OWNED BY
FLYING ROCK PROPERTY, LLC
FROM THE
BELLS LANE AGRICULTURAL DISTRICT

The Agricultural & Forestal Advisory Committee of The City of Staunton, Virginia

Stephen Talley, Chairman

Faye Cooper, Vice-Chairman

Steven Beam

Presley W. Moore, III

Charles Haney, Jr., Staunton City Assessor

Mark Robertson, Council Liaison

Background

- A. On November 28, 2022, a representative of Flying Rock Property LLC, owner of a 96.823-acre property now described as 801 Commerce Road in Staunton, Virginia (PID 10413), requested that Staunton remove the property from the Bells Lane Agricultural District.
- B. The owner and their affiliates request that the City remove the property from the Agricultural District, subjecting the property to underlying I-1 zoning and allowing the owners to apply for a special use permit to develop and operate a solar energy facility.

Salient Points

- A. The City Ordinance 18.95, which establishes Ag/Forestal Districts, does not give a purpose statement or general description which could help guide the Committee in their determination. However, language in the Code of Virginia does lay out state policy that specifies considerations in establishing and maintaining Ag/Forestal Districts. Code section 15.2-4401 states, "It is state policy to encourage localities of the Commonwealth to conserve and protect and to encourage the development and improvement of their agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also state policy to encourage localities of the Commonwealth to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, aesthetic quality, and other environmental purposes. It is the purpose of this chapter to provide a means by which localities may protect and enhance agricultural and forestal lands of local significance as a viable segment of the local economy and as an important economic and environmental resource."

- B. 18.095.060(2) of the City zoning code states, "No land within a district shall be removed except with the approval of the Council of the City of Staunton, upon a showing of good and reasonable cause."
- C. The Virginia Code or case law does not define good and reasonable cause explicitly. It only says that a good and reasonable cause cannot be arbitrary or capricious and cannot be willfully unreasonable.
- D. The general purpose of Land Use Taxation in Virginia is to preserve agricultural, horticulture, forestry, and open space lands and to allow for the timely development of land.
- E. Soil maps from the City show that only a small portion of the property is considered prime agricultural soil. The bulk of the property is primarily silty clay loam with very high runoff and 30% rock outcrops.

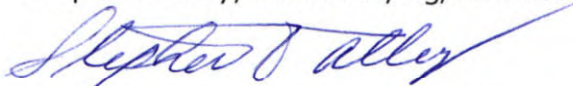
Committee Action

The Committee met on February 6, 2023, and February 24, 2023, to discuss the request. Flying Rock Property LLC permitted the Committee to visit the site. Most Committee members visited individually or as a group between the meetings. Oikos Solar Systems, a partner in this venture, had a public informational meeting that some members attended. Representatives of the zoning department were also at our meetings to answer zoning-related questions. Representatives of Flying Rock Properties and Oikos Solar Systems addressed our meeting on February 24, 2023.

Issues brought up and discussed were: the loss of agriculture and open space lands, the effect on the District as a whole if the City removes the property from the District, personal properties rights, income to the City and its uses, the impact on neighboring properties, the benefits of solar power, the perception that the Committee did not have enough time to consider their decision properly, other possible future uses of the industrial zoned property, the absence of guidelines that could inform decision making, what happens when and if Oikos Solar Systems decommissions a solar operation, the extent to which the solar operation developer is willing to install conservation practices and habitat enhancements, and the quality of the soil on the property for farming.

Stephen Beam made the motion to allow the removal of the 96.823 acres at 801 Commerce Road from the Bells Land Agricultural District. Charley Haney seconded the motion. The Committee voted to recommend approval of the applicant's request (three in favor: two opposed).

Stephen Talley, Chairman, Ag/Forestal Committee



Chairman Agriculture/Forestal Advisory Committee

Oikos Staunton Utility Solar Project and Oikos Staunton Community Solar Project

Special Use Permit Application Narrative

Parcel ID Number 10413

INTRODUCTION

Staunton PV-UT, LLC and Staunton PV-CS, LLC (collectively, the “Applicant”) are affiliates of Oikos Solar Systems, Inc., based in Ashland, Virginia. Oikos Solar Systems, Inc. introduced a zoning ordinance amendment to Staunton City Code (“SCC”) Chapter 18.75 to make Solar Energy Facilities permitted by Special Use Permit in the I-1 Light Industrial District and I-2 Heavy Industrial District and to add a definition for Solar Energy Facility to SCC Chapter 18.10. Staunton City Council approved the amendments on July 28, 2022. Flying Rock Property, LLC, a Virginia limited liability company, an affiliate of the Applicant, has purchased property on Commerce Road in the City of Staunton in order to develop and operate Solar Energy Facilities.

PROJECT PROPOSAL

The Applicant proposes two Solar Energy Facilities (collectively, the “Project”) within the 95.1-acre Project property:

1. A 15.75 MW utility scale solar facility with estimated 5.5 MW battery storage¹; and
2. A 5 MW community solar facility²

The point of interconnection with the Dominion power lines is located in the Dominion easement within the railroad right-of-way that runs alongside Commerce Road. The point of connection is also part of the Solar Energy Facilities submitted for approval under the special use permit.

The Project property (the “Property”) is a single parcel (PID 10413) with the address of 801 Commerce Road. The Property was created by consolidating three parcels, as shown on the plat prepared by EGS

¹ To be finalized following 100% design.

² The term “community solar” is used interchangeably with the term “shared solar.” The Community Solar project will be developed under the Shared Solar program per Virginia State Code Section 56-594.3 and related regulations.

& Associates, Inc., dated September 13, 2022, recorded in the City of Staunton land records with a deed of consolidation as Instrument No. 220003442 (See Exhibit A).

Enclosed as Exhibit B to this Special Use Permit Application is a Concept Plan prepared by Timmons Group, dated January 6, 2023, which depicts the perimeter of the Project area, screening, setbacks, fencing, access, panel areas, points of interconnection, inverters, collector station, and environmental features. The Project area will include the following fenced areas:

1. Utility Scale Solar Array Area of approximately 59.4 acres (43.4 acres*);
2. Community Scale Solar Array Area of approximately 30.5 acres (13.6 acres);
3. Utility Scale Battery Energy Storage System Area of approximately 2.1 acres (0.866 acre); and
4. Collector Substation Area of approximately 3.1 acres (0.77 acre).

*The acreage in parentheses is the fenced area for such component.

The Community Solar project is being developed to participate in the Shared Solar Program, adopted by the General Assembly in 2020. This program allows Dominion Energy customers the opportunity to subscribe to shared solar facilities to reduce their energy bills. A minimum of 30% of the initial Shared Solar Program's megawatts must be allocated to low-income customers. The Applicant plans to subscribe as many low-income subscribers as are interested in the program, up to 100% of its subscribers. Staunton's electricity is provided by Dominion Energy and Shenandoah Valley Electric Cooperative. Currently, the Shared Solar Program operates in conjunction with Dominion Energy, and discussions are ongoing to expand it to other electric power providers. For further information, below is a description of the Shared Solar Program from [Dominionenergy.com](https://www.dominionenergy.com):

"During its 2020 Session, the Virginia General Assembly enacted Chapters 1238 (HB 1634) and 1264 (SB 629) of the 2020 Virginia Acts of Assembly. These Acts of Assembly added a new section to the Virginia Code numbered [56-594.3](#). The section established the Shared Solar Program, which provides customers of Dominion Energy Virginia the opportunity to participate in shared solar projects.

Under the program, retail customers may purchase subscriptions in a shared solar facility owned by a subscriber organization (SO). The Code defines shared solar facility as a facility that, among other things, generates electricity by means of a solar photovoltaic device with a nameplate capacity that does not exceed 5,000 kilowatts of alternating current, is located in Dominion Energy's service territory in Virginia, and is located on a single parcel of land. Customers that purchase a subscription will receive a bill credit for the proportional output of the shared solar facility attributable to that subscriber, subject to a minimum bill notwithstanding the bill credit. Subscriptions must be sized such that the estimated bill credits do not exceed the subscriber's average annual bill for the account to which the subscription is attributed."

The Applicant intends to construct the Utility Scale and Community Solar projects at the same time, following site plan approval and necessary permitting from the Department of Environmental Quality.

CHARACTER AND USE OF SURROUNDING PARCELS

The surrounding land uses include agricultural, Virginia Department of Transportation (VDOT) offices and facility, Virginia State Police offices and facility, Gaie Lea event property, and single family

residential. The operation of solar facilities in this area would not affect the viability of these existing uses, nor future uses within the area as further discussed below.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Like much of the property in the northeast quadrant of the City annexed from Augusta County in 1986, the Property is designated as Planned Farm Development within the Comprehensive Plan. The parcel is zoned I-1 Light Industrial.

The proposed Project meets the following specific goals and objectives of the City's Comprehensive Plan:

Planning

Goal: Encourage appropriate new development that is well-planned, compatible, incorporates mixed uses when appropriate, and contributes to the resource base of the city.

Public Service and Government

Goal: Ensure quality and effective public services that meet the needs of citizens and the business community that is balanced with the City's economic base and resources.

Objective: Utilities and Infrastructure

- *Encourage green and sustainable initiatives and integrate emerging technologies that promote use of efficient and renewable energy.*

PUBLIC NEED AND BENEFIT

Economic Development and Direct Revenue to the City

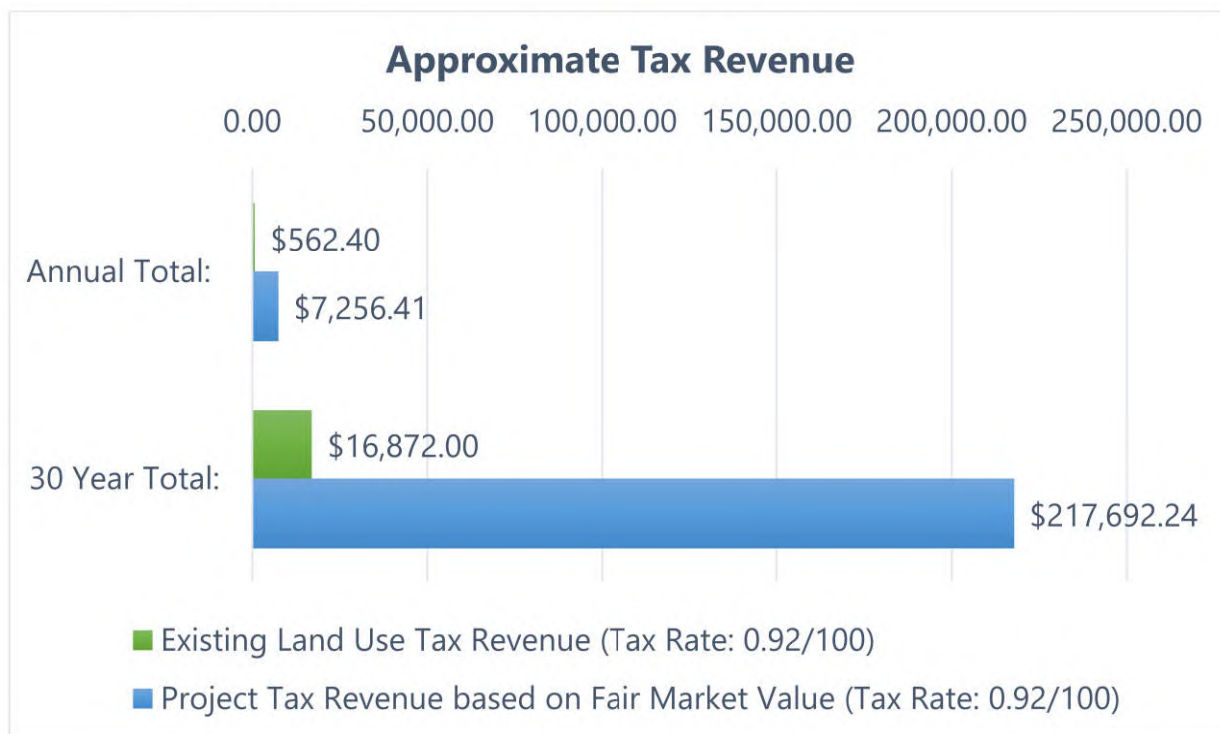
The City will benefit directly from the Project in the form of increased tax revenue, both from real property tax and from personal property taxation. In addition to direct revenue from taxes, there are other economic benefits to consider. The largest of these is jobs directly attributable through the construction of the Project. Upon reaching construction, the Project would contribute to support local jobs by sourcing local contractors and subcontractors wherever possible, from fence installers, to panel electricians, civil engineers, and construction laborers.

After construction of the solar project, it is anticipated that the real property taxation will increase due to the increased value placed on the Project. Below is the current estimate of the approximate revenue that will be provided to the City from the Project:

- \$52,437.98 one-time rollback tax after removal of the property from land use
- \$6,694.01 in additional annual tax revenue (\$200,820.36 over 30 years)*

*This figure is simply the difference in 2022 taxes between land use and fair market value assessments at the 2022 tax rate. Real estate property assessments and tax rates are subject to change annually.

Therefore, the estimated difference between land use and fair market value taxes over a 30 year period are for illustrative purposes only.



Another consideration is the amount of public services that accompany this additional tax revenue base. While the Project will increase the tax base provided to the City, it will not have any significant draw on public resources such as schools, sewer and water, roads, or other public services and facilities.

POTENTIAL IMPACTS OF THE PROPOSED PROJECT

Visual Impact to Adjacent Properties and Vegetative Screening

The Project will be sited and screened so as to not impact adjacent landowners. The western boundary of the Property lies along the railroad right-of-way where existing trees create an approximately 200' wide buffer between Commerce Road and the Property. Single-family residential lots are located across Commerce Road further to the west. To mitigate further any visual impact to these residential property owners and to travelers on Commerce Road, an entrance corridor, the Applicant will plant an additional 10' wide vegetative buffer within the 25' front setback required by Sec. 18.75.030(1) along the entirety of the western property boundary to screen visibility of the Project from views from the west.

To the north of the Property is the Gaie Lea event venue. The home and event areas are over 1,500 feet away from the Project. There is existing screening by mature trees along the stream comprising the Property's northeast property boundary, as well as along the south side of the existing pond on the Gaie Lea property. Also immediately north of the Project east of Commerce Road is a Virginia Department of Transportation office and a Virginia State Police office, with multiple buildings and parking lots.

To the west and south are existing agricultural parcels, some containing farmhouses. The southern parcel boundary has trees along Lewis Creek, but the Applicant will plant a 10' vegetative buffer within the 50' setback between the Project and the common boundary line with the YMCA parcel, which is zoned A-1 Agricultural, as well as along the southwest boundary in order to further mitigate any impact to the adjacent owners. The nearest residence to the west is approximately 2,000 feet from the Project.

Pursuant to the standards of Section 18.175.060, the 10'-wide landscaped buffer may consist of a double staggered row of evergreen trees.

Access to the Project

As shown on the plat (Exhibit A), the Property has appurtenant easements of right-of-way for access at both the northern and southern boundaries. Primary access to the Project will be from Commerce Road on the VDOT/State Police driveway, over which the Property owner has an easement. If needed, access is available from New Hope Road over three access easements.

Real Estate

When properly screened and set back from surrounding residences and properties, studies have shown that solar arrays have no negative impact on property values across the Commonwealth of Virginia. Oikos will provide screening, and the Project is not anticipated to have any negative impact on surrounding property values. In fact, studies have shown that solar arrays can mildly increase property values given that they are quiet, do not generate traffic, and reduce further residential development.

Glint and Glare

Solar panels are designed to absorb light, rather than reflect it and therefore produce less glint and glare than snow or concrete.

Lighting

All lighting will comply with the City's Zoning Ordinance requirements and will be kept to the minimum necessary to ensure the safe operation of the facility.

Noise Analysis

Solar facilities produce negligible noise when operating, such that any noise produced becomes inaudible at approximately one hundred (100) feet from the noise producing components. These components include inverters that produce decibel levels that will not be heard from adjacent properties. The solar inverters have a manufacturer listed noise rating of sixty-five (65) decibels at one meter away from the inverter. The CDC reports this level of noise as comparable to an air conditioner, washing machine, or dishwasher. The inverters on the site will be setback at least one hundred (100) feet from property lines. At one hundred (100) feet away from the inverter the noise is reduced to approximately thirty-five (35) decibels which is comparable to the noise of a refrigerator hum.

There will be some noise increase during construction of the facility. It is estimated that the construction will last approximately 6-12 months.

Vegetative Buffer

A representative of City Planning & Zoning met with a representative of the Applicant at the site to discuss required and suggested screening. The concept plan incorporates vegetative buffering where required along the southwest and southeast boundaries bordering on parcels zoned A-1 and B-3 and a corner abutting an R-1 designated district. As recommended, additional buffering is proposed along the entire western boundary with Commerce Road to mitigate potential impacts along the entrance corridor. Existing mature vegetation along the Property boundaries will provide additional screening. The proposed vegetative screening and species descriptions are provided on Sheet C4.0 of the Concept Plan.

Security

The Project components will be completely enclosed in perimeter fencing of not less than 6 feet and will include barbed wire at the top. The fencing will serve to prevent unauthorized persons from entering the Project site and will protect the system components from damage from wildlife. Locked gates will be installed to allow for ingress and egress of authorized personnel.

Temporary fencing will be installed, as necessary for safety and security, during construction. Access will be limited to authorized personnel, including designated City officials.

Public Facilities & Public Infrastructure

As stated above, the Project will not have any impacts to roads or schools. Timmons Group representatives have met on-site with Virginia Department of Transportation officials to review the proposed project and access location. See Exhibit C for a summary of this discussion. Site access will be from the existing entrance and access that serves the Virginia Department of Transportation offices. Temporary traffic control measures that meet VDOT and the City's best management practices, will be employed during construction. Once operational, there will be no daily staff at the Project site and site visits are expected to be limited to approximately one or two times per week or less.

It is not anticipated that the Project would impact other City services such as Fire/Rescue and Police. All project gates will have a Knox Box that will be accessible to Fire/Rescue and Police should the need to access the project area arises.

Environmental Resources

An Environmental Resource Impact Analysis, dated November 22, 2022, prepared by Timmons Group, is provided as Exhibit D.

Streams, Flood plain, and Wetlands

The Project has been designed to ensure that there will be minimal impact on any identified streams, ponds, flood plain, or wetlands within the Special Use Permit Area. The Project will be located outside of the 50-foot Riparian buffer and designated flood plain. The Project will not impact any flood plain or wetlands, with minor impact to the streams for the designated crossings, and will be developed and constructed in conformance with all applicable federal, state, and local laws and regulations including

the Clean Water Act, and VA-DEQ Stormwater Management Program Regulations. During the site planning phase of the project, a wetland delineation will offer more precise wetland and stream locations, as well as their classifications.

Grading and Stormwater Management

All stormwater management plans will be in conformance with all applicable local laws and regulations, as well as with the VA-DEQ Stormwater Management Program Regulations.

Prime Agricultural Soils

Enclosed as Exhibit E is a map showing the types of farmland soils on the Property. The majority of the Project (93%) is located on non-prime agricultural soils.

DECOMMISSIONING PLAN

Each solar energy facility within the Project will be decommissioned at the end of its useful life, which will be the earlier of when (a) the Project Owner determines the solar energy facility is at the end of its useful life, or (b) the facility generates no electricity for a continuous period of one year. At least 60 days prior to the commencement of decommissioning activities, the Project Owner will notify the City of Staunton officials. The Project Owner (the "Owner") will perform decommissioning activities for that solar energy facility pursuant to the respective decommissioning plan included with the application as Exhibit E. Decommissioning includes the removal and disposal of all equipment and materials relating to the operation of a solar energy facility including:

- Removal of all racking, panels, and electrical equipment
- Removal of all cabling above 36" below grade
- Removal of all above ground cabling
- Removal of all concrete foundations
- Removal of all internal roadways and fencing

Any existing vegetation and buffering will remain in place, and disturbed areas will be covered with topsoil. Minimal grading as necessary will be completed, though virtually none is anticipated except for areas where access roads are removed, and the soil will be decompacted to allow for productive agricultural use. All refuse and materials will be removed from the site and disposed of according to applicable laws and regulations. Where possible, materials will be recycled, salvaged, or reused. The decommissioning plan is designed to restore the property to allow for a productive agricultural use.

For details, please see the two Decommissioning Plans, prepared by Timmons Group, enclosed as Exhibit F(a) and Exhibit F(b).

EXHIBITS

- A. Consolidation Deed and Plat for Flying Rock Properties, LLC, dated September 13, 2022
- B. Concept Plan dated January 6, 2023
- C. Timmons Group Transportation Overview Memorandum, dated January 5, 2023

- D. Environmental Resource Impact Analysis, dated November 22, 2022
- E. Farmland Soils Map
- F. (a) Decommissioning Plan for Utility-Scale Facility, dated January 2, 2023
 - (b) Decommissioning Plan for Community Solar Facility, dated January 2, 2023

(101643387.4)

OIKOS STAUNTON UTILITY SOLAR PROJECT & OIKOS STAUNTON COMMUNITY SOLAR PROJECT

15.75 MWAC UTILITY SCALE SOLAR ELECTRIC POWER GENERATION FACILITY &
5 MWAC COMMUNITY SOLAR ELECTRIC POWER GENERATION FACILITY

SPECIAL USE PERMIT STAUNTON, VIRGINIA

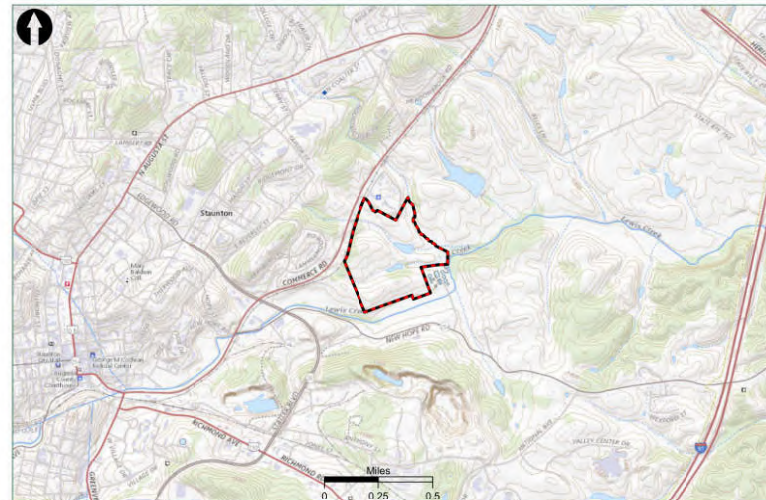


TABLE OF CONTENTS	
SHEET	DESCRIPTION
C1.0	COVER SHEET
C2.0	PARCEL AND ZONING MAP
C3.0	CONCEPT PLAN
C4.0	AERIAL TOPOGRAPHY MAP
C5.0	LANDSCAPING DETAILS

STAUNTON PV-UT, LLC STAUNTON PV-CS, LLC

DEVELOPER

Oikos Solar System, Inc.
11011 Richardson Rd.
Ashland, VA 23005-3418

TIMMONS GROUP

ENGINEER

1001 Boulders Parkway, Suite 300
Richmond, VA 23225
TEL 804.200.6538

PROPERTY OWNER

Flying Rock Property, LLC
13407 Westwell Drive
Midlothian, Virginia 23113

PRELIMINARY CONCEPT PLANS PREPARED BY TIMMONS GROUP

JANUARY 6, 2023



OIKOS SOLAR SYSTEM, INC.
845 GLAZEBROOK AVENUE
RICHMOND, VA 23225

STAUNTON SOLAR PROJECT
STAUNTON, VIRGINIA

DATE: 01/06/2023
PROJECT NUMBER: 49034.004
PROJECT NAME: STAUNTON SOLAR PROJECT
DESIGNED BY: W. HART

REVISIONS

NO.	DATE	DESCRIPTION

PROJECT NUMBER: 49034.004

PROJECT NAME: STAUNTON SOLAR PROJECT

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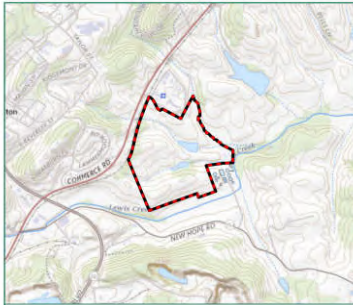
PROJECT NUMBER: 49034.004

PROJECT NAME: STAUNTON SOLAR PROJECT

DESIGNED BY: W. HART

DATE: 01/06/2023

PROJECT NUMBER: 49034.004



Legend

Project Study Limits - 95.1 Acres

City of Staunton Tax Parcels

Parcel Zoning Code

B-1

B-1(conditional)

B-2

B-3

B-5 outline

HE-1

I-1

I-2

P-1

R-1

R-2

R-3

R-3(conditional)

R-4

Staunton Solar Project Parcels	
Map Identifier	Parcel Identifier
1	10413
Staunton Solar Adjacent Parcels	
Map Identifier	Parcel Identifier
2	11356
3	6460
4	5154
5	1532
6	8435
7	5455
8	6197
9	10410
10	1533
11	6198
12	1534
13	6199
14	10420
15	10456
16	10377
17	10180
18	6461
19	10146

NOTES:

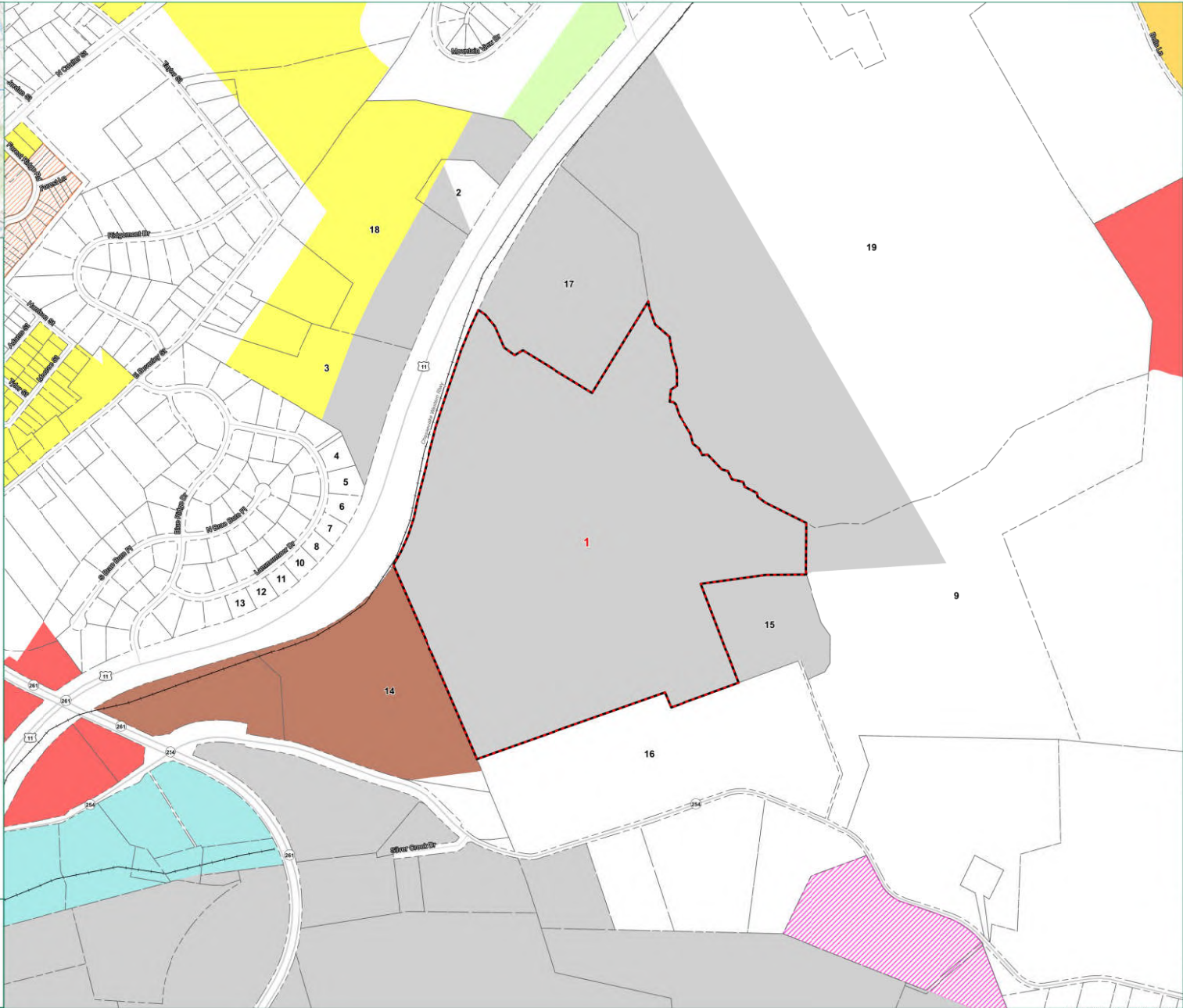
Project Limits have been previously surveyed.

Site layout is for design purposes only.

Not for construction.

Zoning Map from City of Staunton GIS.

Parcel limits from City of Staunton GIS.



TIMMONS GROUP
YOUR VIRGINIA ASPIRES THROUGH Ours.
1001 Boulevard Parkway, Suite 200
Falls Church, VA 22044
www.timmons.com

OIKOS SOLAR SYSTEM, INC.
8435 GLAZEBROOK AVENUE
RICHMOND, VA 23228

STAUNTON SOLAR PROJECT
STAUNTON, VIRGINIA

DATE: 01/06/2023
PROJECT NUMBER: 49034-004
PROJECT NAME: STAUNTON SOLAR PROJECT
DESIGNED BY: TIGHEB BY: W. HART

DATE:

Notes and comments are provided for the project. The project is subject to change and the project is subject to change. The project is subject to change and the project is subject to change.

REVISIONS	
NO.	DESCRIPTION

PROJECT DESCRIPTION
PARCEL & ZONING
MAP

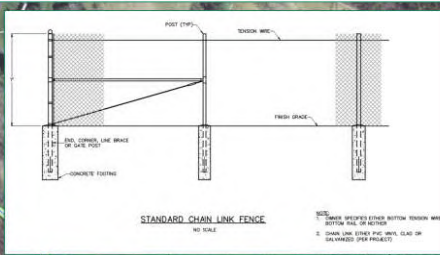
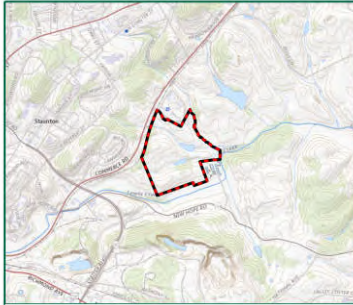
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1" = 300'

C2.0

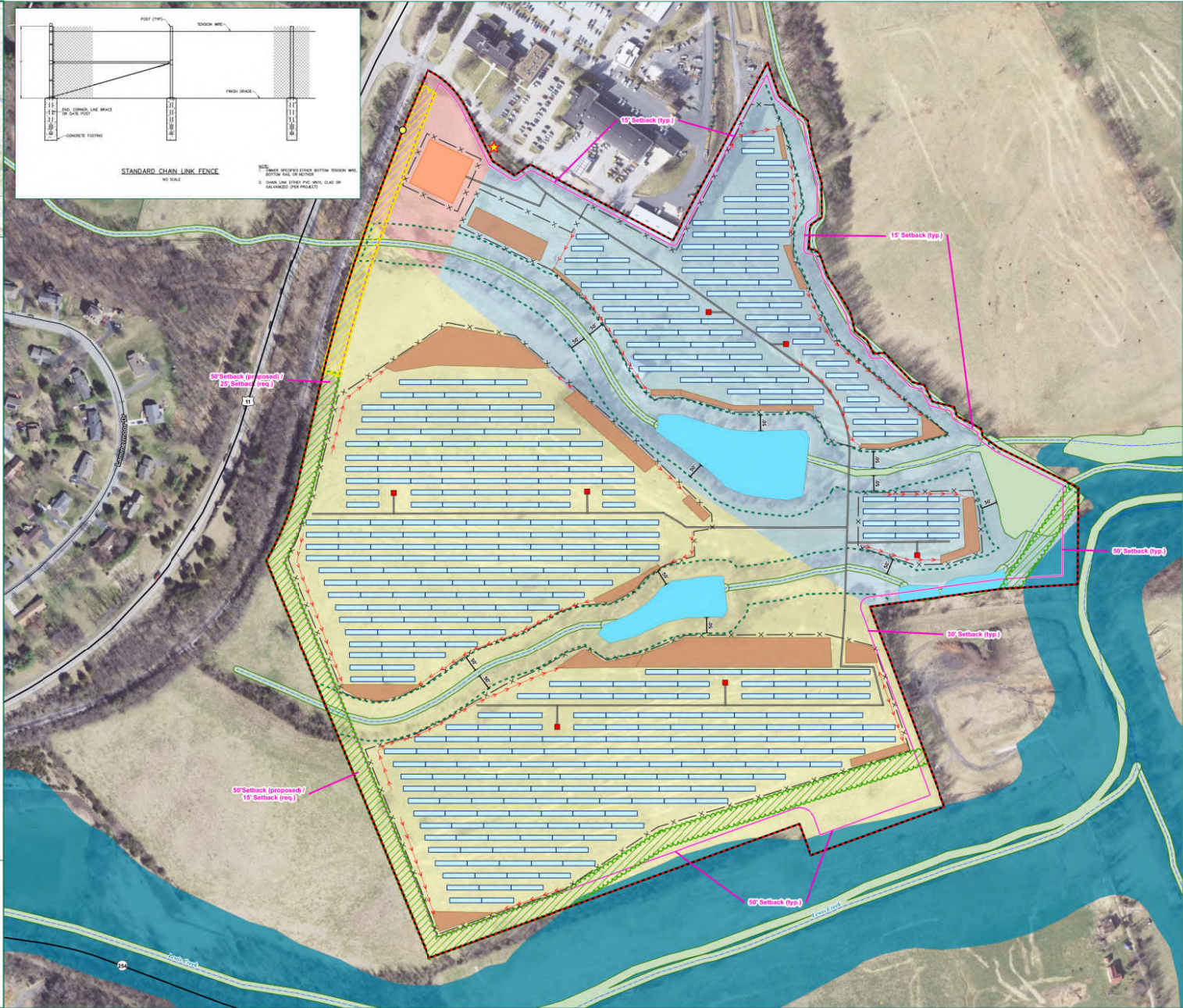
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- Legend**
- Project Study Limits - 95.1 Acres
 - Property Setbacks - See Notes
 - Project Entrance
 - Point of Interconnection
 - Inverters
 - Solar Arrays
 - Collector Substation
 - Stormwater Diversion Ditch
 - Stormwater Basins
 - Fence - 59.0 Acres
 - National Hydrography Dataset - Streams
 - 50' Riparian Buffer
 - National Wetlands Inventory - Wetlands
 - FEMA Flood Zone
 - Area of Required Vegetative Screening (50' Wide)
 - Area of Voluntary Additional Vegetative Screening (50' Wide)
- Operating Sections**
- Utility Scale Solar Array Area - 15.75 MWac - 59.4 Acres
 - Community Scale Solar Array Area - 5.5MWac - 32.6 Acres
 - Collector Substation Area - 3.1 Acres

NOTES

- PROJECT LIMITS HAVE BEEN SURVEYED.
- CONCEPT PLAN IS FOR DESIGN PURPOSES ONLY. NOT FOR CONSTRUCTION.
- PROPERTY SETBACKS MEET THE ZONING ORDINANCE: 15 LF SETBACK FROM ALL SIDES, 25 LF SETBACK FROM STREET / FRONT YARD, 30 LF SETBACK FROM REAR AND 50 LF SETBACK FROM ALL ADJACENT RESIDENTIAL ZONED PARCELS. THE SETBACK ALONG COMMERCIAL ROAD HAS BEEN WIDENED TO 50 LF TO ACCOMMODATE A LARGER VEGETATIVE SCREENING BUFFER.
- STREAMS AND WATERBODIES FROM NATIONAL HYDROGRAPHY DATASET.
- FLOOD ZONE FROM FEMA NATIONAL FLOOD ZONE LAYER.
- WETLANDS FROM NATIONAL WETLANDS INVENTORY.
- AERIAL IMAGERY FROM VGIN.
- A 50 LF RIPARIAN BUFFER WILL BE MAINTAINED FROM THE EDGE OF DELINEATED WETLANDS AND STREAMS.



TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS
1801 Boulevard Parkway, Suite 200
TVA, TN 37624
www.timmons.com

OKOS SOLAR SYSTEM, INC.
8405 GLAZEBROOK AVENUE
RICHMOND, VA 23228

STAUNTON SOLAR PROJECT
STAUNTON, VIRGINIA

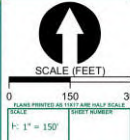
DATE: 04/04/2023
PROJECT NUMBER: 49034_004
PROJECT NAME: STAUNTON SOLAR PROJECT
DESIGNED BY / ISSUED BY: WE HART

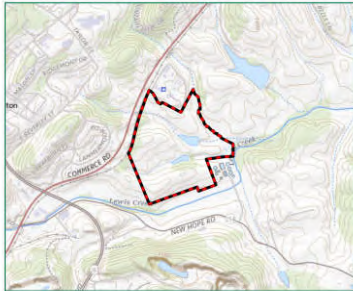
NOTES:
Project Limits have been surveyed.
Concept plan is for design purposes only.
Not for construction.
15' setbacks from all sides, 25' setbacks from street / front yard, 30' setbacks from rear and 50' setbacks from all adjacent residential zoned parcels.
Streams and waterbodies from National Hydrography Dataset.
Flood Zone from FEMA National Flood Zone Layer.
Wetlands from National Wetlands Inventory.
Aerial Imagery from VGIN.

Scale: 1" = 150'

REVISIONS	
NO.	DESCRIPTION

CONCEPT PLAN





- Legend**
- Project Study Limits - 95.1 Acres
 - Limits of Disturbance - 61.3 Acres
 - Conceptual Stormwater Basins
 - Conceptual Stormwater Diversion Ditch
 - 10' Topographic Contours (Existing)
 - Major
 - Minor

NOTES

1. THE LIMITS OF DISTURBANCE IS CONCEPTUAL AND WILL BE FINALIZED DURING THE SITE PLAN STAGE. STORMWATER FACILITIES WILL ALSO BE FINALIZED AT THE SITE PLAN STAGE.
2. STORMWATER BASINS AND DIVERSION DITCHES SHOWN ARE CONCEPTUAL AND WILL BE ENGINEERED AT THE SITE PLAN STAGE.
3. SPECIFIC LOCATION OF TOPSOIL TO BE REMOVED AND PRESERVED WILL BE IDENTIFIED ON THE FINAL CONSTRUCTION EROSION AND SEDIMENT CONTROL STORMWATER MANAGEMENT PLANS THAT WILL BE REQUIRED FOR THIS PROJECT. TOPSOIL STRIPPED DURING GRADING SHALL BE STOCKPILED, STABILIZED, AND REPLACED DURING FINAL GRADING AND PRIOR TO THE INSTALLATION OF PANELS. SOIL STOCKPILES WILL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH 9VAC25-640-40.
4. PERMANENT OR TEMPORARY SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT FOR LONGER THAN 14 DAYS.
5. DURING CONSTRUCTION OF THE PROJECT, SOIL STOCK PILES AND BORROW AREAS SHALL BE STABILIZED OR PROTECTED WITH SEDIMENT TRAPPING MEASURES. THE APPLICANT IS RESPONSIBLE FOR THE TEMPORARY PROTECTION AND PERMANENT STABILIZATION OF ALL SOIL STOCKPILES ON SITE AS WELL AS BORROW AREAS AND SOIL INTENTIONALLY TRANSPORTED FROM THE PROJECT SITE.



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YOUR VISION. ACTIVATED. THROUGH OURS.
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Richmond, VA 23220
www.timmons.com

OKOS SOLAR SYSTEM, LLC
8400 GLAZEBROOK AVENUE
RICHMOND, VA 23228

STAUNTON SOLAR PROJECT
STAUNTON, VIRGINIA

DATE: 01/06/2023
PROJECT NUMBER: 49034.004
PROJECT NAME: STAUNTON SOLAR PROJECT
DESIGNED BY: TOSCANI BY: W. HART

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITTING	01/06/2023
2	ISSUED FOR PERMITTING	01/06/2023
3	ISSUED FOR PERMITTING	01/06/2023
4	ISSUED FOR PERMITTING	01/06/2023
5	ISSUED FOR PERMITTING	01/06/2023
6	ISSUED FOR PERMITTING	01/06/2023
7	ISSUED FOR PERMITTING	01/06/2023
8	ISSUED FOR PERMITTING	01/06/2023
9	ISSUED FOR PERMITTING	01/06/2023
10	ISSUED FOR PERMITTING	01/06/2023

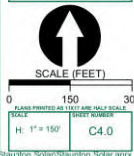
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8	ISSUED FOR PERMITTING	01/06/2023
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10	ISSUED FOR PERMITTING	01/06/2023

REVISIONS

NO.	DESCRIPTION	DATE
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8	ISSUED FOR PERMITTING	01/06/2023
9	ISSUED FOR PERMITTING	01/06/2023
10	ISSUED FOR PERMITTING	01/06/2023

DESIGN DESCRIPTION
AERIAL TOPOGRAPHY MAP



Y:\85249034.004-Staunton_Solar\GIS\Staunton Solar\Staunton solar.aprx

- * SCREENING SHALL CONSIST OF A PLANTING STRIP, EXISTING VEGETATION, A SLIGHTLY OPAQUE WALL OR FENCE, OR COMBINATION THEREOF.
- * WHERE ONLY VEGETATIVE SCREENING IS PROVIDED, SUCH SCREENING STRIP SHALL BE PLANTED WITH FIVE (5) FEET WIDE IN THE BUSINESS AND PROFESSIONAL DISTRICTS AND 10 FEET WIDE IN THE INDUSTRIAL DISTRICTS AS REQUIRED BY CITY ORDINANCE.
- * SUPPLEMENTAL SCREENING UP TO 50' WIDE HAS BEEN PROPOSED, AS SHOWN IN THE CONCEPT SCHEMATIC BELOW.
- * VEGETATIVE SCREENING MAY CONSIST OF A DOUBLE STAGGERED ROW OF EVERGREEN TREES PLANTED AT FIVE (5) FEET WIDE IN THE BUSINESS AND PROFESSIONAL DISTRICTS.
- * WHERE A FENCE OR A WALL IS PROVIDED, IT SHALL BE A MINIMUM OF SIX FEET IN HEIGHT.
- * PLANTINGS SHALL BE REQUIRED AT INTERVALS ALONG SUCH A FENCE OR WALL.

- FOLLOWING INITIAL IMPLEMENTATION OF NOXIOUS WOOD AND INVASIVE SPECIES MANAGEMENT PLAN, PREPARE SITE SOIL CONDITIONS FOR SEEDING.
- SEED DISTURBED AREAS WITHIN THE PROJECT AREA, DISTURBED AREAS WITHIN THE SETBACK, AND INSTALLED VEGETATIVE BUFFERS WITH APPROPRIATE POLLINATOR-FRIENDLY NATIVE PLANTS, SHRUBS, GRASSES, FORBES, AND WILDFLOWERS.
- FOLLOWING COMPLETION OF CONSTRUCTION, THE POLLINATOR-SMART DESIGNATED AREA OF THE PROJECT AREA SHALL RECEIVE PROMPT SEEDING WITH APPROPRIATE POLLINATOR-FRIENDLY NATIVE PLANTS, SHRUBS, TREES, GRASSES, AND WILDFLOWERS AND IN SUCH A MANNER AS TO PREVENT ANY INVASIVE WEED GROWTH AND WEED INFRINGEMENT WITHIN THE PROJECT AREA. AT THE BEGINNING OF THE NEXT PLANTING SEASON OVERSEED THE PROJECT AREA, SETBACKS AND BUFFERS WITH APPROPRIATE POLLINATOR-FRIENDLY NATIVE PLANTS, SHRUBS, TREES, GRASSES, FORBS AND WILDFLOWERS, FOLLOWING VIRGINIA POLLINATOR-SMART PROGRAM BEST PRACTICES OR ANY SUCH OTHER PROGRAM AS APPROVED BY COUNTY STAFF IN CONSULTATION WITH THE DEPARTMENT OF ENVIRONMENTAL QUALITY NATIVE PLANT FINDER SYSTEM.
- SEED DISTURBED AREAS WITH A TEMPORARY MIXTURE AS NEEDED TO MEET STATE REGULATIONS FOR EROSION AND SEDIMENT CONTROL, DURING THE NEXT SUITABLE SEEDING PERIOD (SPRING OR FALL), SOON GROUNDCOVER TO ESTABLISH PERMANENT VEGETATIVE COVER.
- OPTIMAL SEED GERMINATION OCCURS AFTER OCTOBER 15 AND BEFORE APRIL 15. IF SEEDING IS CONDUCTED OUTSIDE OF OPTIMAL SEED GERMINATION PERIODS, PLANT A MIXTURE OF APPROPRIATE COVER CROPS WITH PERMANENT SEED MIXTURE TO SUPPORT SOIL STABILIZATION AND EROSION AND SEDIMENT CONTROL, DURING SEED ESTABLISHMENT PERIOD.
- USE RECOMMENDED SEED TYPES (SPECIFIC TO MIXTURE) AND PROPER SEED PACKING FOR OPTIMAL GERMINATION AND SEED ESTABLISHMENT.
- ONCE ESTABLISHED, MOVING OF THE POLLINATOR HABITATS SHALL OCCUR AFTER THE END OF EVERY MIGRATORY SEASON IN ORDER TO RESEED THESE AREAS. THE INTENT OF THIS PROVISION IS TO ENSURE AT LEAST TEN PERCENT OF THE TOTAL ACREAGE OF THE FACILITY IS CULTIVATED IN SUCH A MANNER TO ENCOURAGE POLLINATOR HABITATS IN ORDER TO HELP MAINTAIN THE RURAL, AGRICULTURAL NATURE OF THE COUNTY.

100 LINEAR FEET

SOLAR ARRAYS

PROPOSED SECURITY FENCE:
6' HT. CHAIN LINK WITH
BARBED WIRE (TYP)

50' W BUFFER

EVERGREEN TREES PLANTED
IN GROUPS OF 2-3

FLOWERING TREES
PLANTED IN GROUPS OF 2-3

SHRUBS PLANTED IN
GROUPS OF 2-3

SPACING VAR
BY SPECIES

PROPERTY LINE

BOTANICAL NAME / COMMON NAME
KALMIA LATIFOLIA / MOUNTAIN LAUREL
PHYSOCARPUS OPULIFOLIUS / NINEBARK
SAMBUCUS CANADENSIS / COMMON ELDERBERRY
VIBURNUM DENTATUM / SOUTHERN ARROW-WOOD
VIBURNUM
ILEX OPACA / AMERICAN HOLLY
CHIONANTHUS VIRGINIANUS / FRINGE TREE
AMELANCHIER CANADENSIS / SERVICEBERRY

- ONGOING MONITORING IS REQUIRED TO MANAGE WEEDS AND INVASIVE SPECIES.
- USE PROPER EQUIPMENT FOR ALL CONTROL MEASURES:
 - TRACTOR MOUNTED BRUSH HOG FOR HEAVY MOWING (MINIMUM PLANT HEIGHT 23"-4") AND HIGH MOWING (MINIMUM PLANT HEIGHT 26"-38")
 - TRACTOR-MOUNTED, TRUCK-MOUNTED, OR ATV- MOUNTED SPRAYER FOR BROADCAST APPLICATIONS
 - BACKPACK STYLE SPRAYER OR OTHER DEVICE FOR SPOT SPRAYING APPROPRIATE TO THE CLASS OF SPECIES
- AREAS UNDER AND AROUND ALL STRUCTURES ARE REQUIRED TO BE SOLAR ARRAYS MAY REQUIRE USE OF HAND-HELD EQUIPMENT
- GRAZING BY RUMINANTS (USUALLY GOATS OR SHEEP) WHERE PRACTICAL, AND APPROPRIATE TO PLANT SPECIES PRESENT
- REMOVE SHRUBS AND WOODY VINES BY THEIR ROOT SYSTEMS. ALTERNATIVELY, PRUNE THE PLANTS AT GROUND LEVEL.
- REMOVE PROBLEMATIC PLANTS WITH FLOWERS OR SEEDS MANUALLY, PLACE FIRST IN HEAVY PLASTIC BAG, AND TRANSPORT TO A DESIGNATED DISPOSAL SITE. DO NOT DISPOSE OF AT LOCAL TRANSFER STATION, UNLESS THERE IS A DESIGNATED AREA FOR INVASIVE PLANT SPECIES DISPOSAL.
- OBTAIN AN ON-SCENE CHEMICAL CONTROL TREATMENTS UNDER THE DIRECT SUPERVISION OF A VIRGINIA CERTIFIED PESTICIDE APPLICATOR OR REGISTERED TECHNICIAN.
- DO NOT APPLY HERBICIDE WHEN RAINFALL IS EXPECTED WITHIN 48 HOURS OR WIND SPEEDS EXCEED 10 MPH.

- COMPLETE SITE INVENTORY OF NOXIOUS WEED SPECIES AND INVASIVE SPECIES.
- DEVELOP A MANAGEMENT PLAN THAT PRIORITIZES CONTROL OBJECTIVES.
- IMPLEMENT REMOVAL AND CONTROL MEASURES ACCORDING TO MANAGEMENT PLAN.
- REMOVAL AND CONTROL STRATEGIES SHOULD BE IMPLEMENTED TO BEGIN MANAGEMENT PRIOR TO SEEDING.

- **WINTER**
 - REVIEW AND REVISE MANAGEMENT PLANS FOR THE UPCOMING YEAR BASED ON OBSERVATIONS FROM THE PRIOR YEAR.
 - PRUNE AS NECESSARY AND SEASONALLY APPROPRIATE.
 - DURING THE ESTABLISHMENT PERIOD, YEARS 1, 2, AND 3: DURING LATE WINTER OR EARLY SPRING, MOW SEEDED AREAS WHEN VEGETATION GROWS TO 18 INCHES BENEATH THE PANELS OR 2 TO 2.5 FEET ELSEWHERE. MOW TO A HEIGHT OF 12 INCHES. AFTER THE ESTABLISHMENT PERIOD, THIS SHOULD BECOME THE ONCE-A-YEAR MOWING OR RN AS NEEDED MOWING.
- **SPRING**
 - WEED MANUALLY OR SPOT SPRAY TO TREAT WEEDS, IDEALLY ONCE PER MONTH.
 - DURING THE ESTABLISHMENT PERIOD, YEARS 1, 2, AND 3: IF NOT DONE IN WINTER, MOW SEEDED AREAS WHEN VEGETATION GROWS TO 18 INCHES BENEATH THE PANELS OR 2 TO 2.5 FEET ELSEWHERE. MOW TO A HEIGHT OF 12 INCHES.
 - WATER AS NEEDED, ESPECIALLY DURING PERIODS OF DROUGHT.
 - REMOVE AND DISPOSE OF DISEASED AND DAMAGED PLANT MATERIAL, PARTICULARLY THOSE THAT CONTAIN OR COULD CONTAIN PESTS.
- **SUMMER**
 - WEED MANUALLY OR SPOT SPRAY TO TREAT WEEDS, IDEALLY ONCE PER MONTH.
 - WATER AS NEEDED, ESPECIALLY DURING PERIODS OF DROUGHT.
 - REMOVE AND DISPOSE OF DISEASED AND DAMAGED PLANT MATERIAL, PARTICULARLY THOSE THAT CONTAIN OR COULD CONTAIN PESTS.
- **FALL**
 - DURING THE ESTABLISHMENT PERIOD, YEARS 1 AND 3: IF NOT DONE IN WINTER, MOW SEEDED AREAS WHEN VEGETATION GROWS TO 18 INCHES BENEATH THE PANELS OR 2 TO 2.5 FEET ELSEWHERE. MOW TO A HEIGHT OF 12 INCHES. THE SECOND OR LAST MOWING SHOULD BE IN OCTOBER.
 - REMOVE AND DISPOSE OF DISEASED AND DAMAGE PLANT MATERIAL, PARTICULARLY THAT WHICH CONTAINS OR COULD CONTAIN PESTS.
 - LEAVE GROUNDCOVER ALONE FOR THE PURPOSE OF CREATING SEASONAL INTEREST IN THE LANDSCAPE AND WINTER HABITAT AND FOOD SOURCES FOR WILDLIFE. DO NOT DEADHEAD OR CUT DOWN STANDING VEGETATION, INCLUDING GRASSES AND FORBS. AN EXCEPTION IS FOR SPECIES THAT SEED AGGRESSIVELY, IN THAT CASE, DEADHEAD TO PREVENT THESE PLANTS FROM SELF-SEEDING. IF A DECISION IS MADE TO CUT DOWN ANY VEGETATION, LEAVE THE CLIPPINGS ON THE GROUND TO SERVE AS MULCH (EXCEPT FOR AGGRESSIVE, NOXIOUS, OR INVASIVE PLANTS, WHICH SHOULD BE PROPERLY REMOVED FROM THE SITE).
 - IDENTIFY PROBLEM AREAS AND DISCUSS WITH THE PRIOR GROWING SEASON TO INCORPORATE INTO MAINTENANCE AND MANAGEMENT PLANS FOR THE UPCOMING SEASON. PLAN OUT AND SCHEDULE SPECIFIC MAINTENANCE TASKS.

BOTANICAL NAME	COMMON NAME	SEEDS RATE: POUNDS PER ACRE
AVENA SATIVA	GRAIN OATS	50-100
SETARIA ITALICA	GERMAN MILLET	50
SECALE CEREALE	GRAIN RYE	50-100

Ernst Solar Farm Seed Mix - ERNMX-186	
Botanical Name	Common Name
45.50 % <i>Festuca rubra</i>	Crested Red Fescue
15.00 % <i>Festuca ovina</i> var. <i>durantensis</i> , 'Jelly'	Hard Fescue, 'Jelly'
15.00 % <i>Festuca ovina</i> var. <i>durantensis</i> , 'Gladstone'	Hard Fescue, Gladstone
10.00 % <i>Festuca rubra</i> ssp. <i>commutata</i>	Crested Fescue
5.00 % <i>Poa pratensis</i> , 'Killy'	Kentucky Bluegrass, 'Killy'
5.00 % <i>Poa pratensis</i> , 'Maverick'	Kentucky Bluegrass, 'Maverick'
4.50 % <i>Trifolium repens</i> , Dutch	White Clover, Dutch

	Ernst Conservation Seeds Inc.	QUOTE NUMBER	G247887			
	8884 Mercede Pike Meadvile, PA 16335-9275 Phone (814) 336-2405, toll-free 877-8322, Fax (814) 336-5191 sales@ernstseed.com	Quote Date	7/30/2011			
BILL TO: Trimmons Group 1001 Boulder's Parkway Suite 300 Richmond, VA 23225 Phone 804-200-6500 Fax 804-560-1648 Email ben.sagara@trimmons.com		Quote Number Quote Date Page Number	1 of 1			
SHIP TO: Trimmons Group 1001 Boulder's Parkway Suite 300 Richmond, VA 23225 Phone: 804-200-6500						
Customer POF#	Customer ID#	Shipping Method	UPS Shipper #			
EM G79232 KK	TIMM002	UPS Ground				
		Terms	Salesperson ID			
		Credit Card				
Bar Qty	PLS Qty	UOM	Item Number	Description	Unit Price	Ext. Price
4.000	EACH	NATURAL SEED MIX			\$0.00	\$0.00
2.343	2178 LB PLS	PANSHG01		Rounded Paniclegrass	\$31.00000	\$68.70
1.493	1227 LB PLS	BDJCR002		Silvados Grama, Bulwer	\$14.00000	\$17.18
5.155	4366 LB PLS	SCNCR001		Little Bluestem, Canopy	\$11.00000	\$56.70
0.000	EA	TOTAL		MIX NOTES	\$0.00000	\$0.00

\$21.18 per PLS lb with a 5% custom mixing fee
Included
7.761 lb total

[illegible][illegible]

Attachment 6



OIKOS
SOLAR SYSTEM, INC

Staunton Solar
(View from Commerce Road)

VP1

AT PLANTING

01/12/2023

STAUNTON, VA

Visualization by Timmons

OIKOS
SOLAR SYSTEM, INC



Staunton Solar
(View from Commerce Road)

VP1

AT MATURITY

01/12/2023

STAUNTON, VA

Visualization by Timmons



OIKOS
SOLAR SYSTEM, INC



Staunton Solar
(View from New Hope Road)

VP2

AT PLANTING

01/12/2023

STAUNTON, VA

Visualization by Timmons

OIKOS
SOLAR SYSTEM, INC



Staunton Solar
(View from New Hope Road)

VP2

AT MATURITY

01/12/2023

STAUNTON, VA

Visualization by Timmons

OIKOS
SOLAR SYSTEM, INC



Staunton Solar
(View from Staunton Alliance Church)

VP3

AT PLANTING

03/28/2023

STAUNTON, VA

Visualization by Timmons



OIKOS
SOLAR SYSTEM, INC



Staunton Solar
(View from Staunton Alliance Church)

VP3

AT MATURITY

03/28/2023

STAUNTON, VA

Visualization by Timmons



OIKOS
SOLAR SYSTEM, INC

PHOTOS AT PEDESTRIAN LEVEL



Staunton Solar
(Aerial View from Lammemoor Dr.)

VP4

AT MATURITY

03/28/2023

STAUNTON, VA

Visualization by Timmons

MEMORANDUM

TO: City of Staunton Planning and Zoning Department

FROM: Timmons Group on behalf of Staunton PV-UT, LLC and Staunton PV-CS, LLC

DATE: November 22, 2022

RE: Staunton Solar Environmental Resource Impact Analysis

Timmons Group, on behalf of Staunton PV-UT, LLC and Staunton PV-CS, LLC (Staunton Solar), has conducted a limited environmental review of resources that may be present in the vicinity of the proposed project location. This environmental review includes national and state forests, national and state parks, wildlife management areas, conservation easements, recreational areas, and cultural and historic resources.

Federal, State, and Local Conservation and Recreation Lands

Staunton Solar does not intersect any federal, state, or recreational lands. Staunton Solar does intersect with one conservation easement that is managed by the Valley Conservation Council (VCC). There 2 other conservation easements that are located within one mile of the proposed project location. These two are managed by the Department of Historical Resources (DHR) and the VCC. See Attachment 1: Protected Lands Map.

Wetlands and Streams

Wetlands and streams are present on site. As the project progresses, more precise locations of wetlands and streams will be delineated and verified by the United States Army Corps of Engineers (USACE). If wetland or stream impacts are unavoidable, the Applicant will obtain the appropriate USACE permit for any unavoidable impacts to USACE jurisdictional wetlands and streams.

Wetlands and streams form a natural wildlife corridor, and as they will generally not be impacted by the project, will remain as interior corridors for wildlife utilization. Wetlands and streams are generally outside the fenced area so free passage of wildlife will be allowed for the duration of the project. The Virginia Department of Wildlife Resources advises that interior passages through solar projects helps reduce potential impacts to wildlife, to which this project will adhere. See Attachment 2: Environmental Inventory Map.

Cultural and Historical Resources

The Project is not expected to have any impacts to cultural and historical resources due to the amount of cultural work required at the state permitting level. In-depth cultural surveys conducted by qualified professionals will be submitted for approval and concurrence by the Virginia Department of Historic Resources (VDHR).

There are three previously recorded architectural resources within one-half mile of the project. All three architectural resources (DHR ID # 007-5086, 007-0414, and 007-005) have been evaluated by VDHR and have been listed as Not Eligible for the National Register of Historic Places (NRHP) and the Virginia Landmarks Register (VLR). See Attachment 3: Cultural Resources Review.

Landscaping

The Virginia Department of Conservation and Recreation (VDCR) recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator species.

Attachments

- Attachment 1 Public Lands and Easements Map
- Attachment 2 Environmental Inventory Map
- Attachment 3 Cultural Resources Review

Prepared By:



Attachment 8

Staunton PV-UT, LLC.

Decommissioning Plan

City of Staunton, Virginia

Date: 1/2/2023

This cost estimate was not based on detailed construction drawings, but is typical for a project of this size and type. The listed equipment quantities are subject to change based on the actual installed facilities.

Prepared For:

Oikos Solar System, Inc.

**Staunton PV-UT
Decommissioning Plan**

CLIENT NAME	Staunton PV-UT, LLC
PROJECT NAME	Oikos Staunton Utility Solar Project
LOCATION	801 & 809 Commerce Rd, 569 New Hope Road, City of Staunton, Virginia
PROJECT	Solar PV Electric Generating Facility and Energy Storage Facility

Rev.	Date	Description	Prepared	Checked	Approved
0	11/15/2022	Released for Client Use	NBF	KJ	LW
1	12/05/2022	Released for Client Use	NBF	KJ	LW
2	01/02/2023	Released for Client Use	NBF	KJ	LW

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1 Introduction

Oikos Staunton Utility Solar (the “Project”) is a Solar Energy Facility, as defined by Section 18.75.040(2) of the Staunton Zoning Ordinance (the “Facility”) up to 15.75 MWac Solar plus 5.5 MWac Battery ESS with DC coupling proposed by Staunton PV-UT, LLC (the “Project Owner”). The Project will be located in the City of Staunton, at 801 & 809 Commerce Rd, Virginia. The project area will span approximately 61.5 acres and will connect to a 34.5 kV Transmission Distribution line owned by local Dominion Energy Virginia.

This Decommissioning and Restoration Plan (the “Plan”) has been prepared in conjunction with the special use permit application for a Solar Energy Facility in the City of Staunton, Virginia.

The Project will also comply with any applicable municipal, state and federal regulations. The Plan assumes decommissioning and restoration will occur at the end of the Project’s expected useful life of forty (40) years. An overview of all activities related to the removal of the Project’s equipment and panels, appurtenant structures, and for restoration of the site to its previous condition (as much as reasonably practicable) can be found in the Plan.

Within 12 months of initiating the decommissioning, the Project Owner will safely have the relevant components removed from the land and will then restore the site as described below.

This Plan lays out the procedures for restoring the site to its original use, based on the recent historical land use of the property or other economical land uses as desired by the relevant landowner, at the end of the Facility’s operational life. The Plan describes procedures for the removal of Facility components. The components of the Facility are described in detail in the Exhibit to the CUP application (the “Concept Plan”).

2 Project Components

The Conceptual Site Plan provides detailed information regarding the anticipated location and description of the Facility components. The Facility generally consists of the equipment and infrastructure listed below:

- Steel Piers and Racking
- PV Panels
- ESS Battery DC coupling
- Inverters
- Electrical Collection underground Feeder.
- Access Roads
- Fencing, Gating, and Safety Features
- Operations and Maintenance (O&M) Building (TBD)
- Weather Stations
- Project Point of Interconnection Switching Facility

3 Regulatory Compliance

Prior to the commencement of decommissioning, the Project Owner will perform the appropriate due diligence requirements and obtain the necessary City, County, state, and federal approvals to complete decommissioning activities. To mitigate any environmental impact from decommissioning, the Project Owner will assess the necessary permits and approvals in the future regulatory environment to maintain regulatory compliance. Anticipated types of evaluations may include the following:

- Review of on-site jurisdictional status and potential impacts to wetlands and waterbodies to comply with the Clean Water Act.
- Consultation with the United States Fish and Wildlife Service to evaluate compliance with the Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and any other relevant regulations at the time of decommissioning.
- Consultation with the Virginia Department of Environmental Quality for compliance with any pertinent state regulatory requirements.
- Completion of a Phase I Environmental Site Assessment in support of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) protection.
- Development and implementation of a Stormwater Pollution Prevention Plan (SWPPP).
- City of Staunton building, road, discharge, or erosion control permits (as necessary).
- Special state or local hauling permits (as necessary).

4 Decommissioning

The Project will be decommissioned at the end of its useful life, which will be the earlier of when (a) the Project Owner determines the Project is at the end of its useful life, or (b) the facility generates no electricity for a continuous period of 1 year. At least 60 days prior to the commencement of decommissioning activities, the Project Owner will notify the City of Staunton officials. The following general decommissioning activities will occur:

Decommissioning Sequence

1. Obtain required site permits from Authority Having Jurisdiction (AHJ)
2. Disconnect all utility grid power
3. Move all disconnects to the off position
4. Disconnect all above ground wirings, cables, and electrical connections
5. Remove all PV Modules
6. Remove all ESS Battery DC coupling
7. Remove inverters, mounting equipment, and posts

8. Remove all electrical switchgear, transformers, and their foundations
9. Remove Data Acquisition System (DAS) equipment, feeders, and conduit
10. Remove all above ground mounting equipment components and posts
11. Excavate and remove Underground feeders and conduit
12. Remove all MV feeders and utility poles
13. Removal of Collector Substation
14. Removal of weather station
15. Remove access road
16. Remove all fencing
17. Fill/Grade/Seed as needed

Some components may be left in place under certain circumstances. Electrical lines that will not impact future use of the Project Area (at least 3 feet in depth) may be left in place per renewable industry practices. Steel piles, where full removal is unattainable, may be cut and left in place at a depth of 3 feet or greater below the ground surface. Additionally, landowners may desire that certain improvements such as fencing, or access roads remain in place for their use. The Project Owner will obtain a written request from the landowner for any improvement to remain in place.

5 Materials, Recycling, and Disposal

Many components of the Facility, such as racking, wiring, piles, and panels, retain value over time. Panels, while slightly less efficient than when installed, may be reused elsewhere, or their components may be broken down and recycled. Recycling of solar panels and equipment is rapidly evolving and can be handled through a combination of sources such as certain manufacturers, e.g., PV Cycle (an international waste program founded by and for the PV industry), or waste management companies. More than 90 percent of the semiconductor material and glass can be reused in new modules and products. Other waste materials that hold no value will be recycled or disposed of via a licensed solid waste disposal facility.

6 Site Restoration

Following the completion of decommissioning activities, it is anticipated that the site will primarily be converted back to the pre-construction land uses. The land will be graded as necessary, though minimal grading is expected to be required, and decompacted to allow for productive agricultural use. Following completion of the decommissioning activities, the site will be reseeded as necessary with native grasses. Decommissioning of the Facility, including the removal of materials followed by site restoration, should be completed in approximately 12 months.

7 Decommissioning Cost Estimate

7.1 OPINION OF PROBABLE DECOMMISSIONING COST

Detailed Project Description: The Project is a fixed tilt solar electric generating facility, consisting of 27 modules per string, that will be installed in City of Staunton, VA.

Table 7-1A: PV Estimated Decommissioning Cost:

PV Module Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
# Solar Panels 540 W	37,950	EA	\$5	\$189,750	Disassembly, Haul Offsite
SUBTOTAL				\$189,750	
Foundations Structural Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
# Panel Support Steel Piles	8,304	EA	\$12	\$99,650	Disassembly, Haul Offsite
# Panel Racks	1,406	EA	\$100	\$140,556	Disassembly, Haul Offsite
SUBTOTAL				\$240,205	
Electrical Equipment Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
Inverters Sungrow SG3150	5	EA	\$3,000	\$15,000	Disassembly, Haul Offsite
MV Transformers, 3200 KVA	5	EA	\$5,000	\$25,000	Disassembly, Haul Offsite
POI (Circuit Breaker, Disconnect/ Meter, Pad, Grounding System and Wiring)	1	LOT	\$15,000	\$15,000	Disassembly, Haul Offsite
55SUBTOTAL				\$55,000	
Electrical Wires Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
MV Conductor	16,800	FT	15	\$252,000	Removal, Non-Excavation
DC/LC Conductor	168,000	FT	\$1.0	\$168,000	Removal, Non-Excavation
SUBTOTAL				\$420,000	
Fence/Land, Removal/Restoration	QUANTITY	UNITS	Unit Cost	Total	Comment
Fence Perimeter	12,600	FT	\$1	\$12,600	Disassembly, Haul Offsite
Site Remediation	61.5	Acre	\$4,000	\$246,000	Disturbed Area Only
Storm Water Management Ponds	2	EA	\$5,000	\$10,000	Restoration
Engineering & permitting				\$70,000	Budgeted
SUBTOTAL				\$338,600	

PV Summary of Cost Estimates	
PV Module Removal	\$189,750
Foundations Structural Removal	\$240,205
Electrical Equipment Removal	\$55,000
Electrical Wires Removal	\$420,000
Fence/land, Removal/Restoration	\$338,600
SUBTOTAL TOTAL	\$1,243,555

Table 7-1B: BESS Estimated Decommissioning Cost:

BESS Module Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
# BESS Foundation Pad	5	EA	\$500	\$2,500	Disassembly, Haul Offsite
SUBTOTAL				\$2,500	
Electrical Equipment Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
Inverters (Coupled with PV)	0	EA			
Battery Skid (Four Hour Battery)	5	EA	\$4,000	\$20,000	Disassembly, Haul Offsite
SUBTOTAL				\$20,000	
Electrical Wires Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
MV Conductor (no Need)	0	FT	0	\$0	Removal, Non-Excavation
DC Conductor	2,500	FT	\$2	\$5,000	Removal, Non-Excavation
SUBTOTAL				\$5,000	

BESS Summary of Cost Estimate	
BESS Foundations Structural Removal	\$2,500
Electrical Equipment Removal	\$20,000
Electrical Wires Removal	\$5,000
SUBTOTAL	\$27,500

Data Sources:

1. Material List and Quantities: Based on schematic design.
2. Unit Price Values: Based on R.S. Means and typical quantities for various components.

7.2 OPINION OF PROBABLE SALVAGE VALUE COST

There should be opportunity to reclaim metal scrap value from electrical equipment. Yard equipment such as bus work, circuit breakers, and power transformers contain a significant amount of conductive material such as copper and aluminum. Dead-end and other steel structures contain a significant amount of steel. Rubble from the foundation demolition and all other materials would be sent to landfill at cost. The scrap value of the substation is presented in Table 7-2.

Timmons Group considers that there is a resale market for substation transformers. Therefore, the transformer could be sold as operational second-hand equipment instead of being scrapped. This scenario has been considered.

Table 7-2A PV Estimated Salvage Value:

PV Module (At: \$.3/W before Removal and Hauling)	QUANTITY	UNITS	Estimated New Cost/Unit	Estimated New Total Cost	Estimated Salvage Value 10% of New Cost
# Solar Panels 540 W (\$.3W X450) =\$162	37,950	LOT	\$162	\$6,147,900	\$614,790
Foundations Structural (at:\$.20/LB before Removal and Hauling)	QUANTITY	UNITS	Estimated Weight LB- EA	Estimated Salvage Value	Estimated Salvage Value
# Panel Support Steel Piles	8,304	EA	100	\$0.20	\$166,083.15
#Rack Steel	1,406	EA	2,000	\$0.20	\$562,222.22
SUBTOTAL					\$728,305.37
Electrical Equipment	QUANTITY	UNITS	Estimated New Cost/Unit	Estimated New Total Cost	Estimated Salvage Value 20% of New Cost
MV Transformers 3,200 KVA	5	EA	\$95,000	\$475,000	\$95,000
Electrical Wires/Cables	QUANTITY	UNITS	Estimated New Cost/Unit	Estimated New Total Cost	Estimated Salvage Value 10% of New Cost
MV Conductor (only 10% of total)	16,800	FT	\$15	\$252,000	\$25,200
DC/LC Conductor	168,000	FT	\$2	\$336,000	\$33,600
SUBTOTAL					\$58,800
Fence	QUANTITY	UNITS	Estimated Weight LB.	Estimated Salvage Value	Estimated Salvage Value
Fence Perimeter (1.3 lb. per square ft, 6ft height)	12,600	FT	98,280	\$0.54	\$53,071.20
Fence Post every 10 ft (9 ft length, 2.3 lb.Ft)	1,260	FT	26,082	\$0.54	\$14,084.28
SUBTOTAL					\$67,155.48

PV Summary of Salvage Values Estimate	
PV Module	\$614,790
Foundations Structural	\$728,305
Electrical Equipment	\$95,000
Electrical Wires	\$58,800
Fence	\$67,155
SUBTOTAL TOTAL	\$1,564,051

Table 7-2B BESS Estimated Salvage Value:

BESS Equipment	QUANTITY	UNITS	Estimated New Cost/Unit	Estimated New Total Cost	Estimated Salvage Value 10% of New Cost
Cubical/Batteries	5.5	MWdc/4h	\$350,000	\$1,750,000	\$175,000
Electrical Wires/cables	QUANTITY	UNITS	Estimated New Cost/Unit	Estimated New Total Cost	Estimated Salvage Value 10% of New Cost
DC Conductor	2,500	FT	\$5	\$12,500	\$1,250
SUBTOTAL					\$1,250

BESS Summary of Salvage Values Estimate	
BESS Equipment	\$175,000
Electrical Wires	\$1,250
SUBTOTAL TOTAL	\$176,250

7.3 NET DECOMMISSIONING COST

The net decommissioning cost for the Project is calculated by subtracting the salvage value from the total of the disassembly and removal costs. As noted in Table 7-1A., 7-1B and Table 7-2A, 7-2B the total estimated decommissioning costs will be \$1,297,455 and Table 7-2 the total estimated salvage value of Project components will be \$1,740,301. The estimated net decommissioning cost will be a (\$442,846) negative return.

Summary of Estimate	
Estimated Decommissioning Cost PV	\$1,243,555
Estimated Decommissioning Cost BESS	\$27,500
Grand Total Decommissioning Cost	\$1,268,055
Estimated Salvage Value PV	\$1,564,051
Estimated Salvage Value BESS	\$176,250
Grand Total Salvage Value	\$1,740,301
ESTIMATED NET COST	(\$472,246)

Note: Negative values, in parenthesis, are positive returns to the Project.

7.4 DECOMMISSIONING ASSUMPTIONS

1. To develop a cost estimate for the decommissioning of the Project, Timmons Group made the following assumptions, with and costs were estimates based on current pricing, technology, and regulatory requirements. The assumptions are listed in order from top to bottom of the estimate spreadsheet. We developed time and materials-based estimates considering composition of work crews. When materials have a salvage value at the end of the project life, the construction activity costs, and the hauling/freight cost are separated from the disposal costs or salvage value to make future revisions to salvage values more transparent.
2. Decommissioning year is based on a 10-year initial period for the financial security. The projected life of the project is 40 years.
3. This Cost Estimate is based on the Timmons Group data request forwarded November 2022.
4. Common labor will be used for the majority of the tasks except for heavy equipment operation. Pricing is based on local Southeast US labor rates.
5. Permit applications required include the preparation of a Stormwater Pollution Protection Plan (SWPPP) and a Spill Prevention Control and Countermeasure (SPCC) Plan.
6. Road gravel removal was estimated on a time and material basis using a 16 foot width and an 8 inch thickness for the access roads. Substation aggregate is included in the substation quantities. Since the material will not remain on site, a hauling cost is added to the removal cost. Road aggregate can often be disposed of by giving to landowners for use on driveways and parking areas.

Many landfills will accept clean aggregate for use as “daily cover” and do not

charge for the disposal.

7. Grade Road Corridor reflects the cost of mobilizing and operating light equipment to spread and smooth the topsoil stockpiled on site to replace the aggregate removed from the road.
8. Erosion and sediment control along road reflects the cost of silt fence on the downhill side of the road and surrounding all on-site wetlands.
9. Topsoil is required to be stockpiled on site during construction, therefore this topsoil is available on site to replace the road aggregate, once removed. Subsoiling cost to decompact roadway areas is estimated as \$500 per acre (based on previous bid prices), and revegetation on removed road area, which includes seed, fertilizer, lime, and care until vegetation is established is \$2,500 per acre. The majority of the project area is “over-seeded” since the decommissioning activities are not expected to eliminate the existing grasses and vegetation under the arrays or heavily compact the soils. Over-seeding does not include fertilizer and lime and is estimated at \$4,000 per acre.
10. Fence removal includes loading, hauling, and recycling or disposal. Fences and posts weigh approximately 2.3 pounds per foot.
11. Array support posts are generally lightweight “I” beam sections installed with a piece of specialized tracked equipment. Crew productivity is approximately 240 posts per day, and the same crew and equipment should have a similar productivity removing the posts, resulting in a per post cost of approximately \$12. We assume a cost of \$12.00 per post to include hauling fees and contingencies.
12. A metal recycling facility (FEA Salvage and Recycling) is located in Orange, Virginia and is relatively close to the project site. Steel scrap pricing was acquired from www.scrapmonster.com.
13. The solar panels rated 540 watts can easily be disconnected, removed, and packed by a three-person crew at a rate we estimate at 12 panels per hour.
14. No topsoil is planned to be removed from the site during decommissioning and most of the site will not have been compacted by heavy truck or equipment traffic so the site turf establishment cost is based on RS Means unit prices for applying lime, fertilizer, and seed at the price of per acre plus an allowance for some areas to be decompact.
15. There is an active market for reselling and recycling electrical transformers and inverters with several national companies specializing in recycling. We have assumed a 20% recovery of these units based on field experience with used transformers as opposed to trying to break them down into raw material components.
16. The underground collection lines are assumed to be aluminum conductor.
17. Care to prevent damage and breakage of equipment, PV modules, inverters, capacitors, and SCADA must be exercised, but removal assumes unskilled common labor under supervision.

The estimated salvage values are derived from years of experience decommissioning and upgrading electric substations, overhead transmission and distribution hardware and underground distribution hardware that would include but not be limited to substation and pad mounted transformers, overhead and underground conductors, poles, fencing, ground grid conductors, control housings, circuit breakers (high and medium voltage), protective relaying, and other hardware items. These individual items have high salvage value either as stand-alone components to be reused or recycled and sold as used items. These items also have a relatively high salvage value as pure scrap for steel, copper and other commodities.

For all medium voltage transformers, breakers and other items, Southeastern Transformer Company in Dunn, NC provides complete repair, upgrading and recycling and resale for all items mentioned above. Their website is: <https://www.setransformer.com>. They have a national presence.

For any and all recycling and upgrading, Solomon Corporation offers the same set of services for transformer repair and recycling and complete substation decommissioning services. With seven different locations, Solomon is one of several vendors that can decommission and recycle the components as noted above. Their website is: <https://www.solomoncorp.com/>. Solomon Corporation is only one of many transmission and distribution recycle and decommissioning shops that do this mainly to harvest the components.

For recycling conductor, General Cable and Southwire both utilize extensive scrap procurement programs to reuse copper and aluminum conductor harvested from projects such as this one to supplement and reduce their raw material costs.

Here is the link to the General Cable program which only increases the salvage values found in this Plan: General Cable Recycling <https://es.generalcable.com/na/us-can/socialresponsibility/sustainability/recycling>

As for solar panels, they are in demand as salvageable items either in whole or for their raw material. According to the International Renewable Energy Agency (IRENA), more than 90% of all the materials are high grade silicon, aluminum and glass and are typically harvested to produce new panels. This is far less expensive than buying unprocessed raw materials for production.

The base industry assumption is that since solar panels are expected to retain about 75% of their production capability after 35 years of use, a salvage value of 10% of original cost is a low estimate of their expected value and as we note in assumption. This considers possible technology improvements and undervalues the anticipated salvage value of the panel's raw materials.

The Solar Energy Industries Association (SEIA) has an approved set of PV recycling vendors that specialize in doing this today and they can be found at: <https://www.seia.org/initiatives/seia-national-pv-recycling-program>.

First Solar, which has been active in the solar industry since its inception, takes solar

modules and recycles 90% of the semiconductor material which is then reused in new modules. 90% of the glass product can be reused as new glass products, including panels and fiber optic cable. We can conclude that realistically the estimated 10% salvage value is low and reflects a conservative figure. Information about First Solar's recycling program is at: <http://www.firstsolar.com/en/Modules/Recycling>.

8 Financial Assurance

The Project Owner will post a financial surety if required by the City of Staunton zoning ordinance. Based on industry trends, the projected and actual costs of decommissioning are expected to go down over time based on improvements both to best practices in calculating these costs and the decommissioning process itself. The Project Owner will reevaluate decommissioning costs with a qualified engineering consultant every five years during the life of the Project.

Prepared By:



Staunton PV-CS, LLC.

Decommissioning Plan

City of Staunton, Virginia

Date: 1/2/2023

This cost estimate was not based on detailed construction drawings, but is typical for a project of this size and type. The listed equipment quantities are subject to change based on the actual installed facilities.

Prepared For:

Oikos Solar System, Inc.

**Staunton PV-CS
Decommissioning Plan**

CLIENT NAME	Staunton PV-CS, LLC
PROJECT NAME	Oikos Staunton Shared Solar Project
LOCATION	801 & 809 Commerce Rd, City of Staunton, Virginia
PROJECT	Solar PV Electric Generating Facility

Rev.	Date	Description	Prepared	Checked	Approved
0	11/15/2022	Released for Client Use	NBF	KJ	LW
1	12/5/2022	Released for Client Use	NBF	KJ	LW
2	01/02/2022	Released for Client Use	NBF	KJ	LW

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1 Introduction

Oikos Staunton Shared Solar (the “Project”) is a Solar Energy Facility, as defined by Section 18.75.040(2) of the Staunton Zoning Ordinance (“Facility”) up to 5 MWac proposed by Staunton Solar, LLC (the “Project Owner”). The Project will be located in the City of Staunton, at 801 & 809 Commerce Rd, Virginia. The project area will span approximately 30.5 acres and will connect to a 34.5 kV Transmission Distribution line owned by local Dominion Energy Virginia.

This Decommissioning and Restoration Plan (the “Plan”) has been prepared in conjunction with the special use permit application for a Solar Energy Facility in the City of Staunton, Virginia.

The Project will also comply with any applicable municipal, state and federal regulations. The Plan assumes decommissioning and restoration will occur at the end of the Project’s expected useful life of forty (40) years. An overview of all activities related to the removal of the Project’s equipment and panels, appurtenant structures, and for restoration of the site to its previous condition (as much as reasonably practicable) can be found in the Plan.

Within 12 months of initiating the decommissioning, the Project Owner will safely have the relevant components removed from the land and will then restore the site as described below.

This Plan lays out the procedures for restoring the site to its original use, based on the recent historical land use of the property or other economical land uses as desired by the relevant landowner, at the end of the Facility’s operational life. The Plan describes procedures for the removal of Facility components. The components of the Facility are described in detail in the Exhibit to the CUP application (the “Concept Plan”).

2 Project Components

The Conceptual Site Plan provides detailed information regarding the anticipated location and description of the Facility components. The Facility generally consists of the equipment and infrastructure listed below:

- Steel Piers and Racking
- PV Panels
- Inverters
- Electrical Collection underground Feeder
- Access Roads
- Fencing, Gating, and Safety Features
- Operations and Maintenance (O&M) Building (TBD)
- Weather Stations
- Project Point of Interconnection Switching Facility

3 Regulatory Compliance

Prior to the commencement of decommissioning, the Project Owner will perform the appropriate due diligence requirements and obtain the necessary City, state, and federal approvals to complete decommissioning activities. To mitigate any environmental impact from decommissioning, the Project Owner will assess the necessary permits and approvals in the future regulatory environment to maintain regulatory compliance. Anticipated types of evaluations may include the following:

- Review of on-site jurisdictional status and potential impacts to wetlands and waterbodies to comply with the Clean Water Act.
- Consultation with the United States Fish and Wildlife Service to evaluate compliance with the Endangered Species Act, Migratory Bird Treaty Act, Bald and Golden Eagle Protection Act, and any other relevant regulations at the time of decommissioning.
- Consultation with the Virginia Department of Environmental Quality for compliance with any pertinent state regulatory requirements.
- Completion of a Phase I Environmental Site Assessment in support of Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) protection.
- Development and implementation of a Stormwater Pollution Prevention Plan (SWPPP).
- City of Staunton building, road, discharge, or erosion control permits (as necessary).
- Special state or local hauling permits (as necessary).

4 Decommissioning

The Project will be decommissioned at the end of its useful life, which will be the earlier of when (a) the Project Owner determines the Project is at the end of its useful life, or (b) the facility generates no electricity for a continuous period of 1 year. At least 60 days prior to the commencement of decommissioning activities, the Project Owner will notify the City of Staunton officials. The following general decommissioning activities will occur:

Decommissioning Sequence

1. Obtain required site permits from Authority Having Jurisdiction (AHJ)
2. Disconnect all utility grid power
3. Move all disconnects to the off position
4. Disconnect all above ground wirings, cables, and electrical connections
5. Remove all PV Modules
6. Remove inverters, mounting equipment, and posts
7. Remove all electrical switchgear, transformers, and their foundations

8. Remove Data Acquisition System (DAS) equipment, feeders, and conduit
9. Remove all above ground mounting equipment components and posts
10. Excavate and remove Underground feeders and conduit
11. Remove all MV feeders and utility poles
12. Removal of Collector Substation
13. Removal of weather station
14. Remove access road
15. Remove all fencing
16. Fill/Grade/Seed as needed

Some components may be left in place under certain circumstances. Electrical lines that will not impact future use of the Project Area (at least 3 feet in depth) may be left in place per renewable industry practices. Steel piles, where full removal is unattainable, may be cut and left in place at a depth of 3 feet or greater below the ground surface. Additionally, landowners may desire that certain improvements such as fencing, or access roads remain in place for their use. The Project Owner will obtain a written request from the landowner for any improvement to remain in place.

5 Materials, Recycling, and Disposal

Many components of the Facility, such as racking, wiring, piles, and panels, retain value over time. Panels, while slightly less efficient than when installed, may be reused elsewhere, or their components may be broken down and recycled. Recycling of solar panels and equipment is rapidly evolving and can be handled through a combination of sources such as certain manufacturers, e.g., PV Cycle (an international waste program founded by and for the PV industry), or waste management companies. More than 90 percent of the semiconductor material and glass can be reused in new modules and products. Other waste materials that hold no value will be recycled or disposed of via a licensed solid waste disposal facility.

6 Site Restoration

Following the completion of decommissioning activities, it is anticipated that the site will primarily be converted back to the pre-construction land uses. The land will be graded as necessary, though minimal grading is expected to be required, and decompacted to allow for productive agricultural use. Following completion of the decommissioning activities, the site will be reseeded as necessary with native grasses. Decommissioning of the Facility, including the removal of materials followed by site restoration, should be completed in approximately 12 months.

7 Decommissioning Cost Estimate

7.1 OPINION OF PROBABLE DECOMMISSIONING COST

Detailed Project Description: The Project is a fixed tilt solar electric generating facility, consisting of 27 modules per string, that will be installed in City of Staunton, VA.

Table 7-1: Estimated Decommissioning Cost:

PV Module Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
# Solar Panels 540 W	12,050	EA	\$5	\$60,250	Disassembly, Haul Offsite
SUBTOTAL				\$60,250	
Foundations Structural Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
# Panel Support Steel Piles	2,637	EA	\$12	\$31,641	Disassembly, Haul Offsite
# Panel Racks	446	EA	\$100	\$44,630	Disassembly, Haul Offsite
SUBTOTAL				\$76,271	
Electrical Equipment Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
Inverters Sungrow SG3150	2	EA	\$3,000	\$6,000	Disassembly, Haul Offsite
MV Transformers, 3200 KVA	2	EA	\$5,000	\$10,000	Disassembly, Haul Offsite
POI (Circuit Breaker, Disconnect/ Meter, Pad, Grounding System and Wiring)	1	LOT	\$15,000	\$15,000	Disassembly, Haul Offsite
SUBTOTAL				\$31,000	
Electrical Wires Removal	QUANTITY	UNITS	Unit Cost	Total	Comment
MV Conductor	5,600	FT	15	\$84,000	Removal, Non-Excavation
DC/LC Conductor	56,000	FT	\$1.0	\$56,000	Removal, Non-Excavation
SUBTOTAL				\$140,000	
Fence/Land, Removal/Restoration	QUANTITY	UNITS	Unit Cost	Total	Comment
Fence Perimeter	4,500	FT	\$1	\$4,500	Disassembly, Haul Offsite
Site Remediation	30.5	Acre	\$4,000	\$122,000	Disturbed Area Only
Storm Water Management Ponds	2	EA	\$5,000	\$10,000	Restoration
Engineering & permitting				\$45,000	Budgeted
SUBTOTAL				\$181,500	

Summary of Cost Estimates	
PV Module Removal	\$60,250
Foundations Structural Removal	\$76,271
Electrical Equipment Removal	\$31,000
Electrical Wires Removal	\$140,000
Fence/land, Removal/Restoration	\$181,500
ESTIMATED GRAND TOTAL	\$489,021

Data Sources:

1. Material List and Quantities: Based on schematic design.
2. Unit Price Values: Based on R.S. Means and typical quantities for various components.

7.2 OPINION OF PROBABLE SALVAGE VALUE COST

There should be opportunity to reclaim metal scrap value from electrical equipment. Yard equipment such as bus work, circuit breakers, and power transformers contain a significant amount of conductive material such as copper and aluminum. Dead-end and other steel structures contain a significant amount of steel. Rubble from the foundation demolition and all other materials would be sent to landfill at cost. The scrap value of the substation is presented in Table 7-2.

Timmons Group considers that there is a resale market for substation transformers. Therefore, the transformer could be sold as operational second-hand equipment instead of being scrapped. This scenario has been considered.

Table 7-2 Estimated Salvage Value:

PV Module (At: \$.3/W before Removal and Hauling)	QUANTITY	UNITS	Estimated New Cost/Unit	Estimated New Total Cost	Estimated Salvage Value 10% of New Cost
# Solar Panels 540 W (\$.3W X450) =\$162	12,050	LOT	\$162	\$1,952,100	\$195,210
Foundations Structural (at:\$.20/LB before Removal and Hauling)	QUANTITY	UNITS	Estimated Weight LB- EA	Estimated Salvage Value	Estimated Salvage Value
# Panel Support Steel Piles	2,637	EA	100	\$0.20	\$52,735.23
#Rack Steel	446	EA	2,000	\$0.20	\$178,518.52
SUBTOTAL					\$231,253.75
Electrical Equipment	QUANTITY	UNITS	Estimated New Cost/Unit	Estimated New Total Cost	Estimated Salvage Value 20% of New Cost
MV Transformers 3,200 KVA	2	EA	\$95,000	\$190,000	\$38,000

Electrical Wires/Cables	QUANTITY	UNITS	Estimated New Cost/Unit	Estimated New Total Cost	Estimated Salvage Value 10% of New Cost
MV Conductor (only 10% of total)	5,600	FT	\$15	\$84,000	\$8,400
DC/LC Conductor	56,000	FT	\$2	\$112,000	\$11,200
SUBTOTAL					\$19,600
Fence	QUANTITY	UNITS	Estimated Weight LB.	Estimated Salvage Value	Estimated Salvage Value
Fence Perimeter (1.3 lb. per square ft, 6ft height)	4,500	FT	35,100	\$0.54	\$18,954.00
Fence Post every 10 ft (9 ft length, 2.3 lb/Ft)	450	FT	9,315	\$0.54	\$5,030.10
SUBTOTAL					\$23,984.10

Summary of Salvage Values Estimate	
PV Module	\$195,210
Foundations Structural	\$231,254
Electrical Equipment	\$38,000
Electrical Wires	\$19,600
Fence	\$23,984
ESTIMATED GRAND TOTAL	\$508,048

7.3 NET DECOMMISSIONING COST

The net decommissioning cost for the Project is calculated by subtracting the salvage value from the total of the disassembly and removal costs. As noted in Table 7-1 and Table 7-2 the total estimated decommissioning costs will be \$467,021 and Table 7-2 the total estimated salvage value of Project components will be \$508,048. The estimated net decommissioning cost will be a (\$41,027) Negative return.

Summary of Estimate	
Estimated Decommissioning Cost	\$489,021
Estimated Salvage Value	\$508,048
ESTIMATED NET COST	(\$18,027)

Note: Negative values, in parenthesis, are positive returns to the Project.

7.4 DECOMMISSIONING ASSUMPTIONS

1. To develop a cost estimate for the decommissioning of the Project, Timmons Group made the following assumptions, with and costs were estimates based on current pricing, technology, and regulatory requirements. The assumptions are listed in order from top to bottom of the estimate spreadsheet. We developed time and materials-based estimates considering composition of work crews. When materials have a salvage value at the end of the project life, the construction activity costs, and the hauling/freight cost are separated from the disposal costs or salvage value to make future revisions to salvage values more transparent.
2. Decommissioning year is based on a 10-year initial period for the financial security. The projected life of the project is 40 years.
3. This Cost Estimate is based on the Timmons Group data request forwarded November 2022.
4. Common labor will be used for the majority of the tasks except for heavy equipment operation. Pricing is based on local Southeast US labor rates.
5. Permit applications required include the preparation of a Stormwater Pollution Protection Plan (SWPPP) and a Spill Prevention Control and Countermeasure (SPCC) Plan.
6. Road gravel removal was estimated on a time and material basis using a 16 foot width and an 8 inch thickness for the access roads. Substation aggregate is included in the substation quantities. Since the material will not remain on site, a hauling cost is added to the removal cost. Road aggregate can often be disposed of by giving to landowners for use on driveways and parking areas. Many landfills will accept clean aggregate for use as “daily cover” and do not charge for the disposal.
7. Grade Road Corridor reflects the cost of mobilizing and operating light equipment to spread and smooth the topsoil stockpiled on site to replace the aggregate removed from the road.
8. Erosion and sediment control along road reflects the cost of silt fence on the downhill side of the road and surrounding all on-site wetlands.
9. Topsoil is required to be stockpiled on site during construction, therefore this topsoil is available on site to replace the road aggregate, once removed. Subsoiling cost to decompact roadway areas is estimated as \$500 per acre (based on previous bid prices), and revegetation on removed road area, which includes seed, fertilizer, lime, and care until vegetation is established is \$2,500 per acre. The majority of the project area is “over-seeded” since the decommissioning activities are not expected to eliminate the existing grasses and vegetation under the arrays or heavily compact the soils. Over-seeding does not include fertilizer and lime and is estimated at \$4,000 per acre.

10. Fence removal includes loading, hauling, and recycling or disposal. Fences and posts weigh approximately 2.3 pounds per foot.
11. Array support posts are generally lightweight “I” beam sections installed with a piece of specialized tracked equipment. Crew productivity is approximately 240 posts per day, and the same crew and equipment should have a similar productivity removing the posts, resulting in a per post cost of approximately \$12. We assume a cost of \$12.00 per post to include hauling fees and contingencies.
12. A metal recycling facility (FEA Salvage and Recycling) is located in Orange, Virginia and is relatively close to the project site. Steel scrap pricing was acquired from www.scrapmonster.com.
13. The solar panels rated 540 watts can easily be disconnected, removed, and packed by a three-person crew at a rate we estimate at 12 panels per hour.
14. No topsoil is planned to be removed from the site during decommissioning and most of the site will not have been compacted by heavy truck or equipment traffic so the site turf establishment cost is based on RS Means unit prices for applying lime, fertilizer, and seed at the price of per acre plus an allowance for some areas to be decompacted.
15. There is an active market for reselling and recycling electrical transformers and inverters with several national companies specializing in recycling. We have assumed a 20% recovery of these units based on field experience with used transformers as opposed to trying to break them down into raw material components.
16. The underground collection lines are assumed to be aluminum conductor.
17. Care to prevent damage and breakage of equipment, PV modules, inverters, capacitors, and SCADA must be exercised, but removal assumes unskilled common labor under supervision.

The estimated salvage values are derived from years of experience decommissioning and upgrading electric substations, overhead transmission and distribution hardware and underground distribution hardware that would include but not be limited to substation and pad mounted transformers, overhead and underground conductors, poles, fencing, ground grid conductors, control housings, circuit breakers (high and medium voltage), protective relaying, and other hardware items. These individual items have high salvage value either as stand-alone components to be reused or recycled and sold as used items. These items also have a relatively high salvage value as pure scrap for steel, copper and other commodities.

For all medium voltage transformers, breakers and other items, Southeastern Transformer Company in Dunn, NC provides complete repair, upgrading and recycling and resale for all items mentioned above. Their website is: <https://www.setransformer.com>. They have a national presence.

For any and all recycling and upgrading, Solomon Corporation offers the same set of services for transformer repair and recycling and complete substation decommissioning services. With seven different locations, Solomon is one of several vendors that can decommission and recycle the components as noted above. Their website is: <https://www.solomoncorp.com/>. Solomon Corporation is only one of many transmission and distribution recycle and decommissioning shops that do this mainly to harvest the components.

For recycling conductor, General Cable and Southwire both utilize extensive scrap procurement programs to reuse copper and aluminum conductor harvested from projects such as this one to supplement and reduce their raw material costs.

Here is the link to the General Cable program which only increases the salvage values found in this Plan: General Cable Recycling <https://es.generalcable.com/na/us-can/socialresponsibility/sustainability/recycling>

As for solar panels, they are in demand as salvageable items either in whole or for their raw material. According to the International Renewable Energy Agency (IRENA), more than 90% of all the materials are high grade silicon, aluminum and glass and are typically harvested to produce new panels. This is far less expensive than buying unprocessed raw materials for production.

The base industry assumption is that since solar panels are expected to retain about 75% of their production capability after 35 years of use, a salvage value of 10% of original cost is a low estimate of their expected value and as we note in assumption. This considers possible technology improvements and undervalues the anticipated salvage value of the panel's raw materials. The Solar Energy Industries Association (SEIA) has an approved set of PV recycling vendors that specialize in doing this today and they can be found at: <https://www.seia.org/initiatives/seia-national-pv-recycling-program>.

First Solar, which has been active in the solar industry since its inception, takes solar modules and recycles 90% of the semiconductor material which is then reused in new modules. 90% of the glass product can be reused as new glass products, including panels and fiber optic cable. We can conclude that realistically the estimated 10% salvage value is low and reflects a conservative figure. Information about First Solar's recycling program is at: <http://www.firstsolar.com/en/Modules/Recycling>.

8 Financial Assurance

The Project Owner will post a financial surety if required by the City of Staunton zoning ordinance. Based on industry trends, the projected and actual costs of decommissioning are expected to go down over time based on improvements both to best practices in calculating these costs and the decommissioning process itself. The Project Owner will reevaluate decommissioning costs with a qualified engineering consultant every five years during the life of the Project.

Attachment 9

To: Lori Schweller (Williams Mullen)
From: W. Scott Dunn, AICP, PTP
RE: Oikos Staunton Solar Project, Staunton, VA – Transportation Overview
Date: January 5, 2023
Copy: Rick Thomas (TG); Lauren Wheeler (TG)

Staunton PV-UT, LLC and Staunton PV-CS, LLC are pursuing the development of a solar facility in Staunton, VA. Oikos Staunton Solar is located on the east side of US Route 11 (Commerce Road), immediately south of the Virginia Department of Transportation (VDOT) Staunton District and Virginia State Police (VSP) offices. The project encompasses a total of 95 acres and will be served by one (1) entrance off the existing public right-of way that serves the aforementioned VDOT/VSP offices; this entrance will serve both construction-related traffic and operations/maintenance activities.

A pre-application meeting was held on November 16, 2022 with representatives from the City of Staunton. At this meeting, no traffic concerns were raised related to the construction of the site or operations/maintenance activities. It was recommended that the owner/applicant coordinate with VDOT prior to project submission.

A subsequent project meeting was held on December 16, 2022 with VDOT representatives (Adam Campbell, Kevin Linhares, Jeff Lineberry) to introduce the project and receive comments. The following was discussed:

- There are no VDOT requirements associated with the site for the CUP process. VDOT will comment on the site plan when it is forwarded by the City.
- With respect to site access:
 - The entrance should be located prior to the access gate at the front entrance.
 - The preferred entrance location is opposite the VSP parking area.
 - The site layout should accommodate traffic freely entering the site and accessing a staging/parking area; the objective is to avoid congestion on the public ROW and across the RR tracks.
- VDOT will inform VSP of this project; no direct coordination from solar team is required.
- The site plan should include a truck wash area to minimize debris on the road.
- The railroad (RR) is a Buckingham Branch short line that runs between Staunton and Harrisonburg:
 - There are no signals/arms present at the crossing.
 - There are 3-4 trains/day.
 - There has been one (1) accident at the crossing; no one was injured.
- Documents indicate ROW is public, but it is recommended to coordinate with RR on the solar project and associated traffic.

Following the meeting with VDOT, Williams Mullen coordinated with Tom Dorr of EGS Surveying on Flying Rock's consolidation plat. Mr. Dorr agreed that the northern access easement was reserved for future dedication as a public right-of-way but that it has not been taken into a public street system. He reiterated that it will be important to check with the RR regarding the crossing.

Timmons Group attempted to contact a representative from Buckingham Branch Railroad (Brandon Shumaker, Supervisor of Projects, and Grant Administration) by both phone and email. Messages provided a brief description of the project and requested Buckingham Branch's input. To date, no response has been received.

SUPPLEMENT REGARDING SHARED SOLAR SUBSCRIPTION

Oikos Staunton Utility Solar Project and Oikos Staunton Community Solar Project *Special Use Permit Application*

Staunton PV-UT, LLC and Staunton PV-CS, LLC (collectively, the “Applicant”), which are affiliates of Oikos Solar Systems, Inc., submitted an application for a special use permit for a Utility Solar Facility comprising a 15.75 MW utility-scale project and a 5 MW community solar project on January 13, 2023.

The community solar project¹ is enabled by the Virginia Shared Solar Program adopted with the 2020 Clean Economy Act. Currently, the program is approved for 150 MW in the Dominion Energy territory. Solar developers have registered for 123 MW of the available capacity; it is widely anticipated that the General Assembly will expand the program. At least 30% of the Shared Solar subscribers must be low-income residents, as defined by the enabling statutes.²

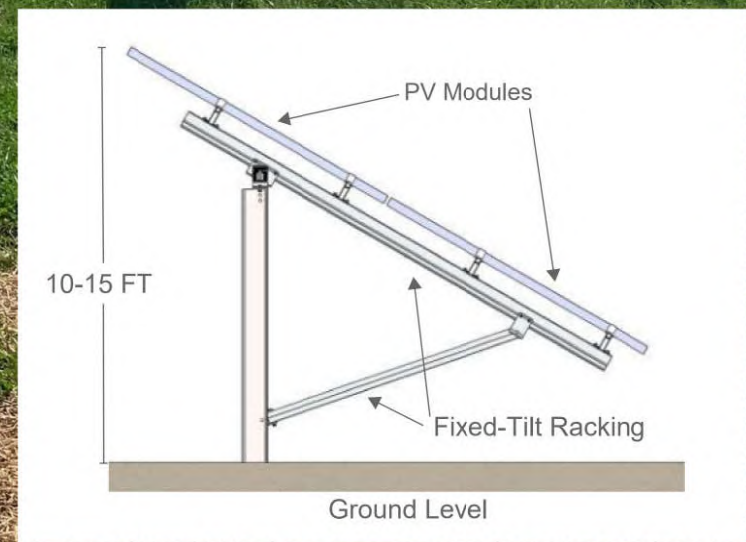
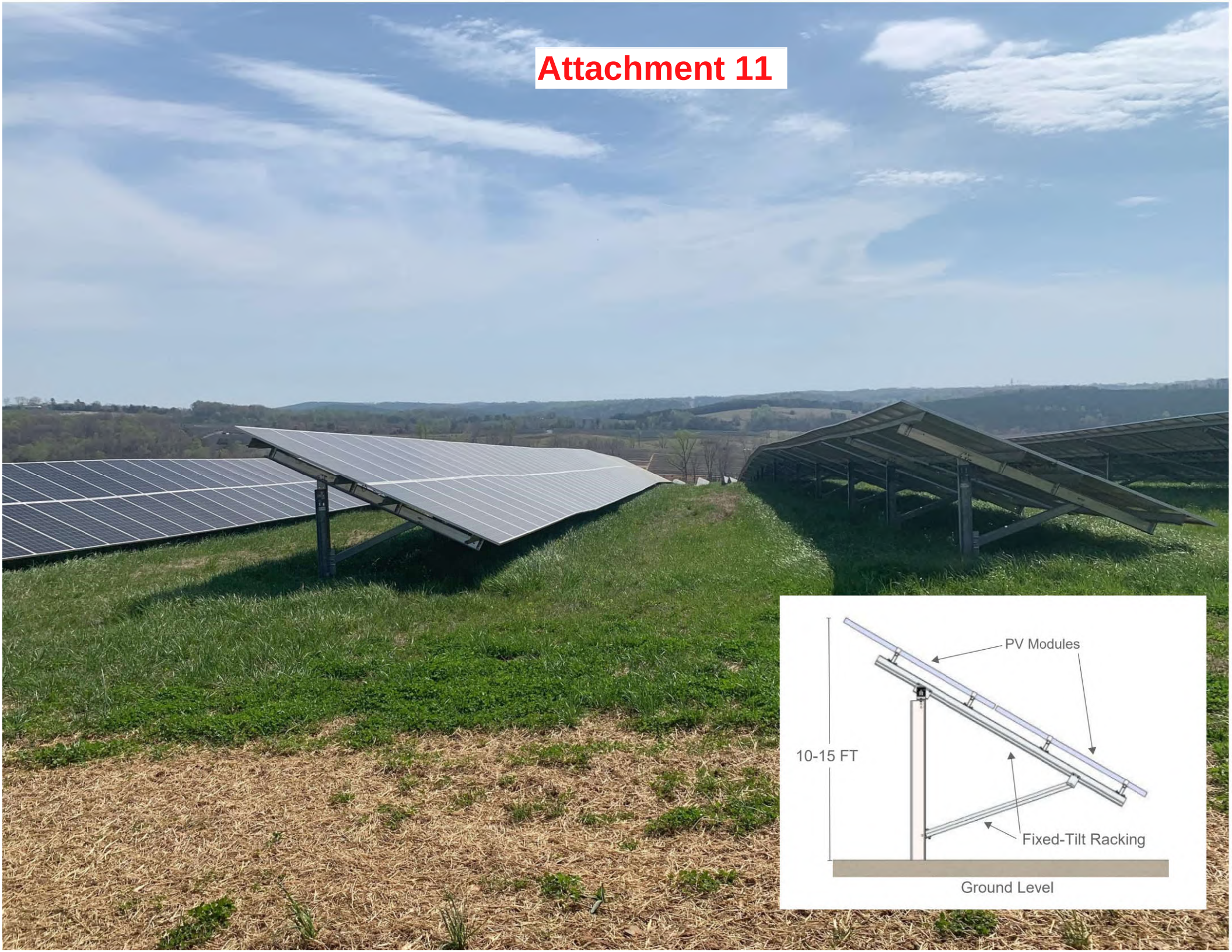
The City has requested information about how Staunton residents will be able to take advantage of the community solar project’s energy production. General information about the program and subscribing can be found at this link (scc.virginia.gov/pages/Shared-Solar) on the State Corporation Commission’s website and on the Dominion Energy website here: www.dominionenergy.com/virginia/renewable-energy-programs/community-solar, but this narrative explains the Applicant’s plan specifically prepared for the City of Staunton.

The Applicant has engaged Arcadia, which is a third-party servicing company, to manage subscriptions. The Applicant has arranged for an unusually long exclusivity period for Staunton residents. However, because of the relatively small population of the City, Arcadia expects that not all subscribers for the project will be Staunton residents. Also, the percentage of City residents that would fit the low median income range also lowers the likely percentage of project subscribers who will meet the low-income definition. The Applicant will establish a 12-month period during which *only* Staunton residents may be enrolled in the program. Arcadia will conduct a marketing campaign to promote and advertise the program to City residents. Any Staunton resident may enroll, regardless of income, during that initial 12-month period. After the initial 12 months, if not fully subscribed, Arcadia will open subscriptions to remaining Dominion territory in Virginia, but limited to 100% low-income customers. The Applicant desires to serve as many low-income customers as possible--ideally, at least 50%--but, again, will not limit subscriptions *within the City* to low-income customers.

¹ Virginia statutes use the term “shared solar,” but this program is frequently referred to as “community solar” in Virginia and elsewhere, and Dominion uses the term “community solar” for its program. The terms are interchangeable.

² “Low-income customer” means any person or household whose income is no more than 80% of the median income of the locality in which the customer resides. The median income of the locality is determined by the U.S. Department of Housing and Urban Development. 20VAC5-340-20.

Attachment 11



Attachment 12



Attachment 13



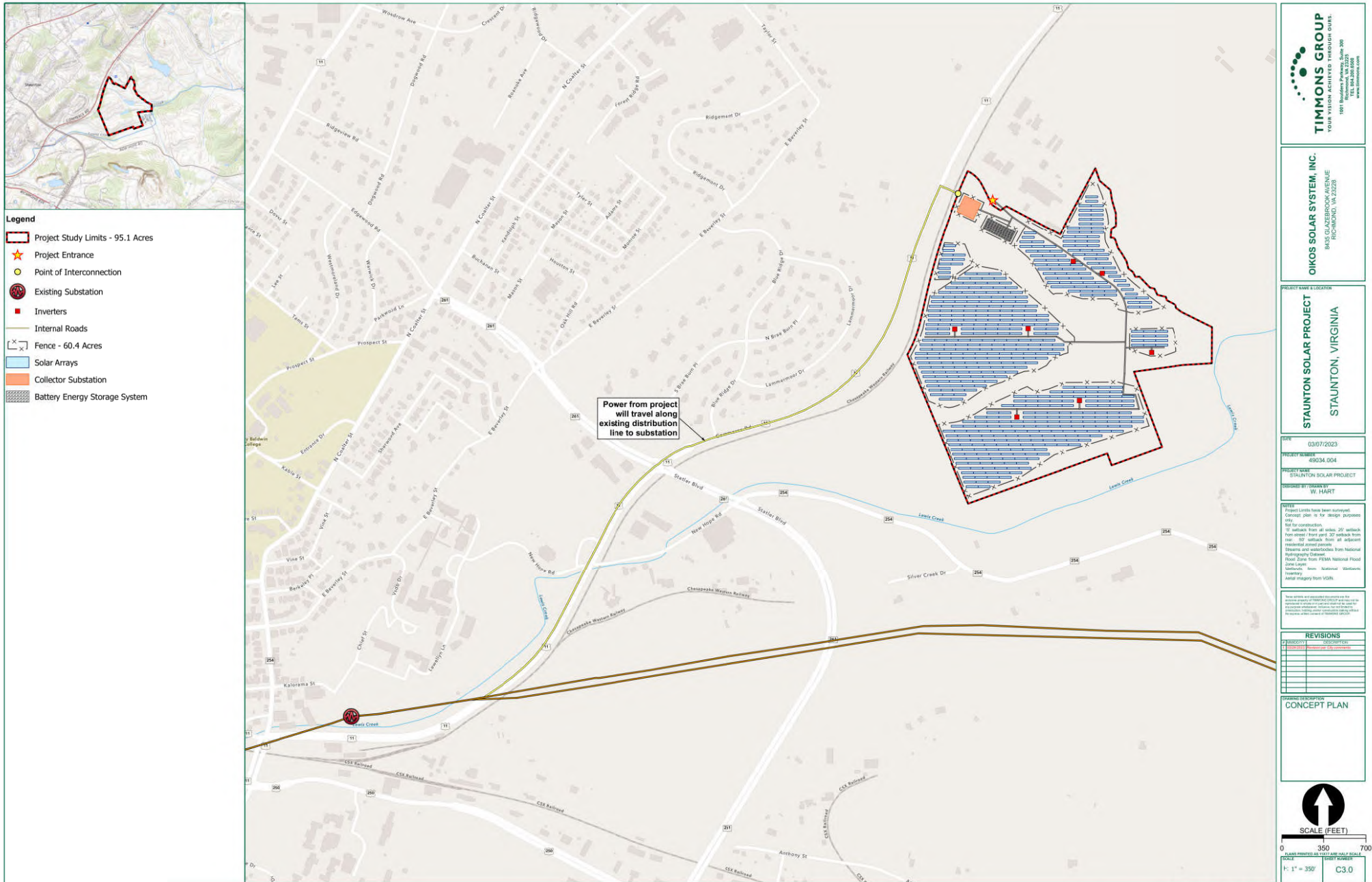
SUBSTATION NOTES

1. MAJOR COMPONENTS ARE SIMILAR TO OTHER EXISTING SUBSTATION IN THE REGION AND INCLUDE:

- MAIN POWER TRANSFORMER
- COLLECTION LINE FEEDERS AND BREAKERS
- UNDERGROUND TRANSMISSION LINE RISER
- HIGH VOLTAGE BREAKER
- METERING/RELAYING TRANSFORMERS
- DISCONNECT SWITCHES
- EQUIPMENT ENCLOSURE

• LIGHTNING MAST (TALLEST STRUCTURE AT ~50-65 FEET)
2. ESTIMATED BUILDING COMPONENT HEIGHTS RANGE FROM 10-15' HEIGHTS PER TYPICAL SUB-STATION DESIGN, WITH THE EXCEPTION OF THE PROPOSED LIGHTNING PROTECTION MAST AT 50-60'
3. THE PROJECT SUBSTATION/COLLECTION YARD WILL BE NO MORE THAN 350 LF BY 350 LF.

Attachment 14



Vicinity Map: 801 Commerce Rd

Exhibit 1



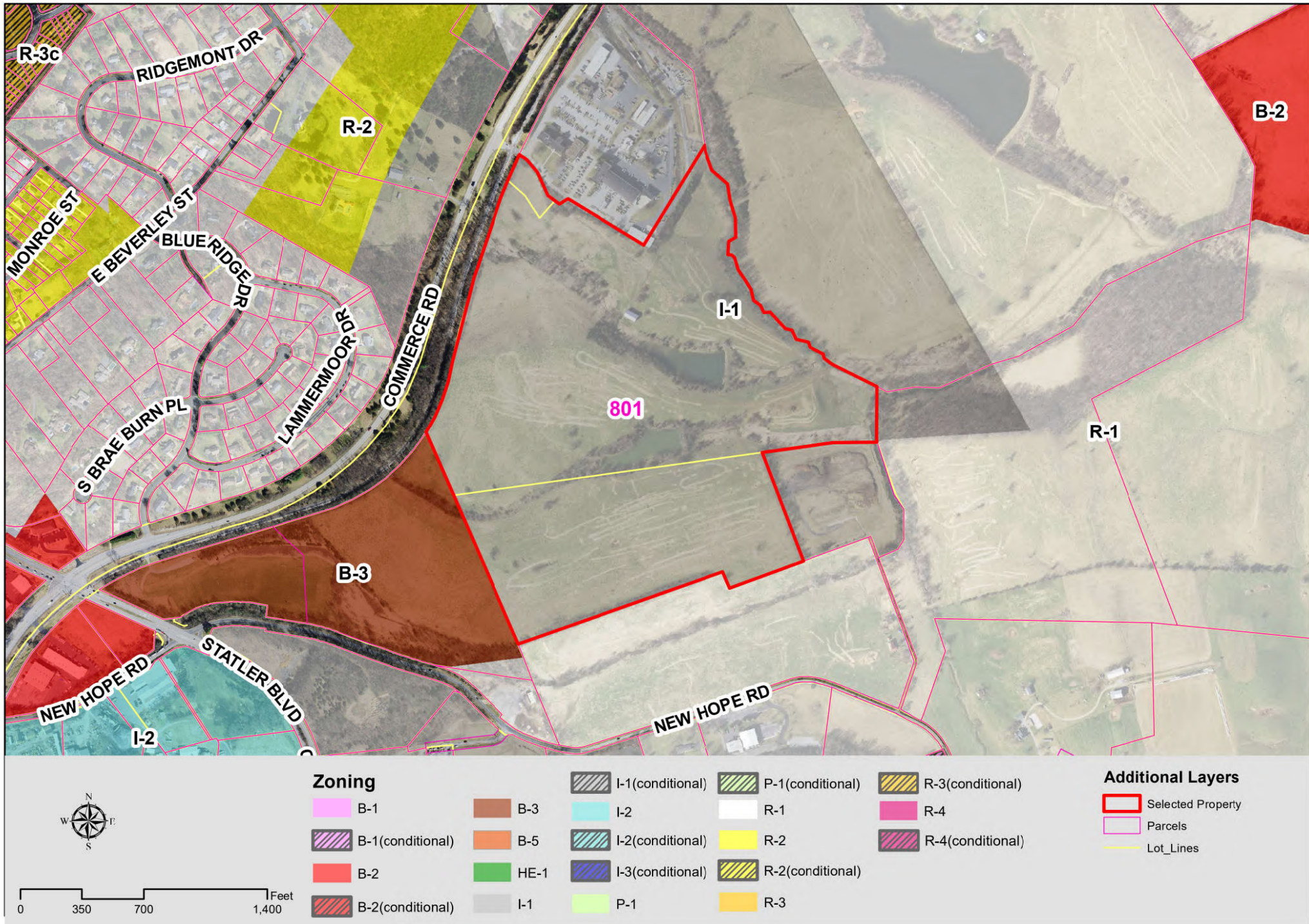
Agricultural-Forestal District in the Area

Exhibit 2



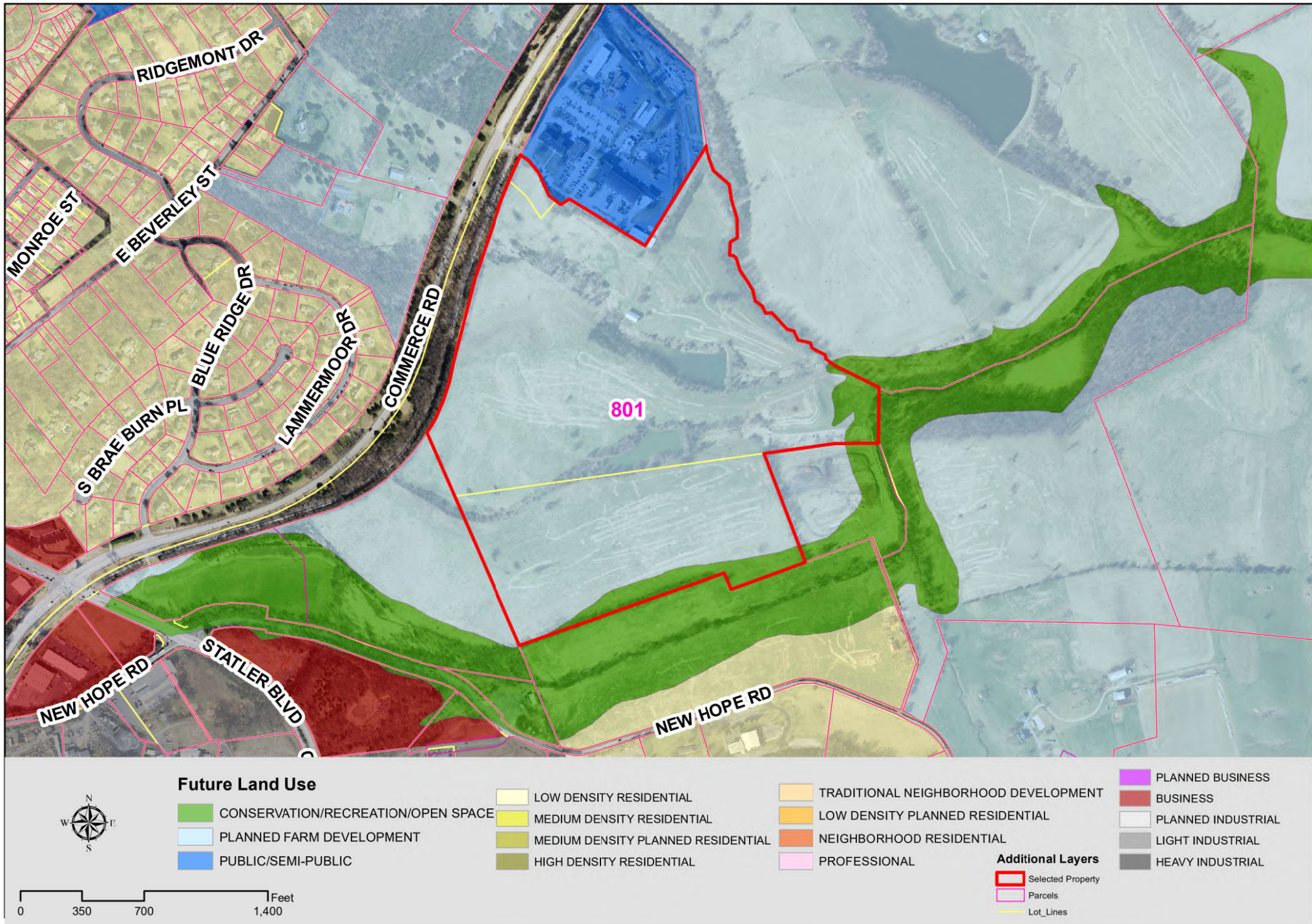
Underlying Zoning - 801 Commerce Road

Exhibit 3



Future Land Use: 801 Commerce Rd

Exhibit 4



**PLANNING
COMMISSION**



AGENDA BRIEFING

Staunton, VA

Meeting Date:	April 20, 2023	Staff Members: Rodney Rhodes Tim Hartless
Item #	3-E	
Ordinance #		
Department:	Community Development – Planning and Zoning	
Subject:	Public Hearing and Consideration of a Request by the City of Staunton to Vacate, Discontinue and Abandon a .009 Acre Portion of Village Drive.	

Background: In January of 2023, City Council approved, a final plat for an extension of Village Drive. During review of the final plat, staff determined that a small portion of existing Village Drive right-of-way should be vacated. This portion of right-of-way contains a section of public sidewalk adjacent to 106 Village Drive. During construction of the street and sidewalk extension, the grade change created issues connecting the existing side walk to the new sidewalk. To resolve the issue, a new section of sidewalk was poured within the existing right-of-way and the old section of sidewalk was retained solely for the purpose of access to 106 Village Drive. Since the purpose of the sidewalk is now solely to access 106 Village Drive, the City wishes to vacate it. If the vacation is approved, the section of sidewalk would become privately owned and part of the 106 Village Drive property. This will relieve the City of any obligation or responsibility for maintenance of this section of sidewalk in the future.

Attachments:

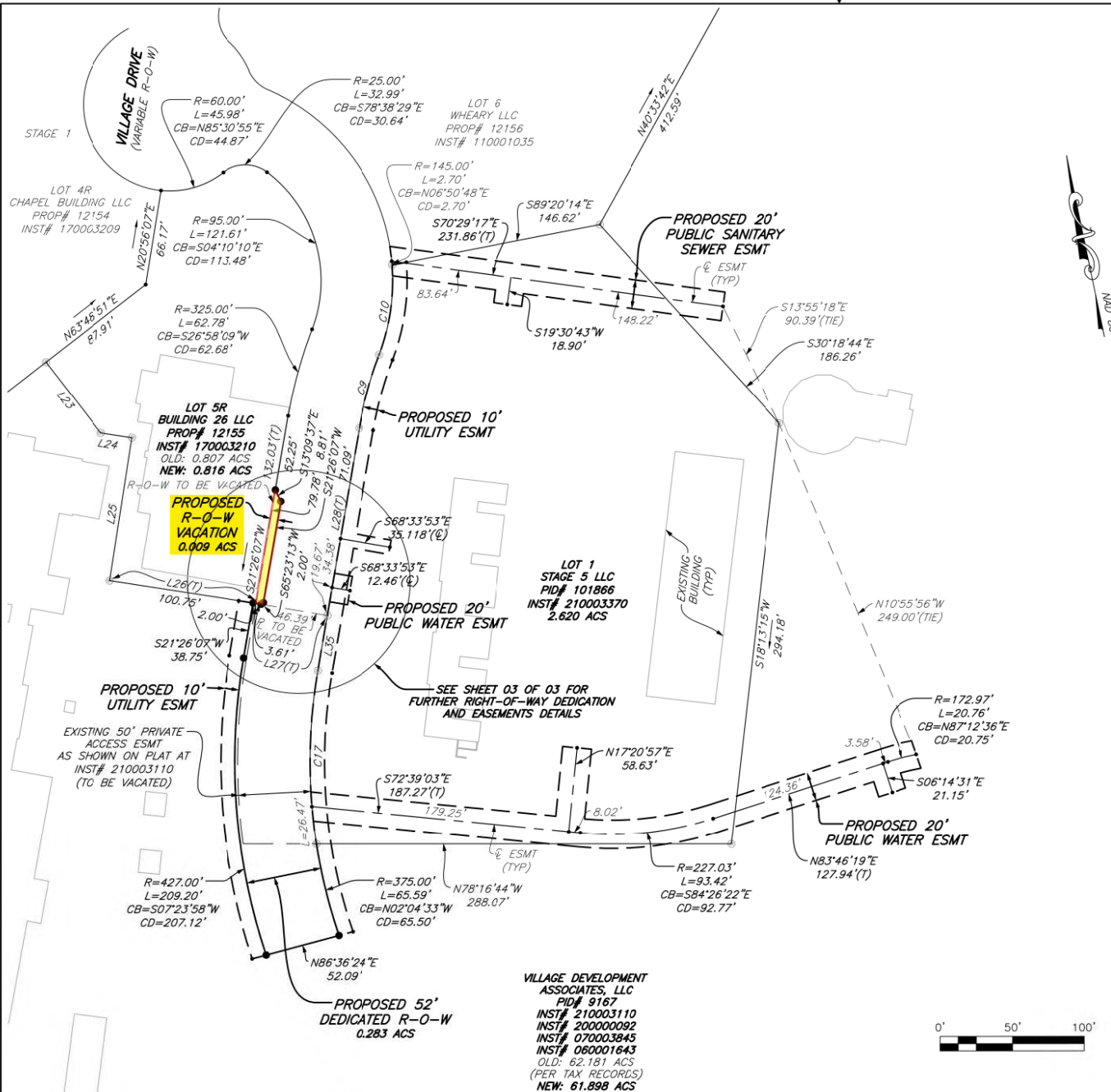
Attachment 1—Plat Showing Area to be Vacated

Attachment 2—Draft Ordinance of Vacation

Recommendation: Staff recommends that Planning Commission endorse the proposed vacation.

Suggested Motion: On the basis that it would serve the interests of public necessity, convenience, general welfare, and good zoning practice, I move that Planning Commission recommend approval of a vacation of a .009 acre portion of Village Drive.

Attachment 1



SUBJECT PROPERTY OWNERS' INFORMATION:

BUILDING 26 LLC
116 E FRANKLIN ST LLC
RICHMOND, VA 23219

STAGE 5 LLC
P.O. BOX 32
STAUNTON, VA 24402

VILLAGE DEVELOPMENT ASSOCIATES, LLC
116 E FRANKLIN ST LLC,
RICHMOND, VA 23219

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S52°59'52"W	147.00'	L18	S68°29'57"E	64.74'
L2	S31°44'31"E	70.00'	L19	N21°30'03"E	120.52'
L3	S58°15'29"W	86.00'	L20	N82°20'50"E	70.90'
L4	N31°44'31"W	52.00'	L21	S69°27'30"E	40.83'
L5	N14°02'27"E	85.48'	L22	N63°48'51"E	95.16'
L6	S83°15'15"W	43.61'	L23	S25°57'15"E	62.56'
L7	S62°35'15"W	64.31'	L24	S69°27'30"E	21.85'
L8	S66°00'30"E	45.00'	L25	S20°32'30"W	100.27'
L9	N19°26'02"E	101.33'	L26	S69°27'30"E	102.75'
L10	S73°43'46"E	198.63'	L27	S68°33'53"E	50.00'
L11	S49°44'28"W	21.59'	L28	N21°26'07"E	132.03'
L12	S40°15'32"E	50.00'	L29	S00°56'44"E	52.13'
L13	N49°44'28"E	50.00'	L30	N69°27'30"W	54.98'
L14	N40°15'32"W	17.09'	L31	S24°21'28"W	31.17'
L15	N16°17'09"E	125.03'	L32	S03°24'34"E	51.20'
L16	S68°29'57"E	106.96'	L33	S71°59'02"E	69.54'
L17	N21°30'03"E	128.65'	L34	S21°30'03"W	74.94'
			L35	N21°26'07"E	38.78'

CURVE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	1065.92'	263.59'	S79°18'30"E	262.92'
C2	184.54'	66.57'	S72°55'16"W	66.21'
C3	379.35'	103.84'	S70°25'45"W	103.52'
C4	40.91'	46.17'	N69°23'46"W	43.76'
C5	1488.39'	240.53'	N28°37'17"E	240.27'
C6	25.00'	15.02'	S32°31'50"W	14.79'
C7	25.00'	39.27'	S85°15'31"E	35.36'
C8	95.00'	93.75'	N11°59'11"W	90.00'
C9	275.00'	53.12'	N26°58'09"E	53.04'
C10	145.00'	63.58'	N19°56'32"E	63.07'
C11	1519.89'	178.63'	N24°54'21"E	178.53'
C12	91.50'	116.90'	N58°06'54"E	109.11'
C13	609.46'	259.21'	N82°31'53"E	257.26'
C14	536.48'	305.79'	N86°40'38"E	301.67'
C15	145.00'	90.83'	N54°18'08"W	89.35'
C16	1000.00'	116.53'	N68°54'30"W	116.47'
C17	375.00'	121.09'	N12°11'05"E	120.56'

REV: 02-27-2023
REV: 11-17-2022
DATE: 10-31-2022
SCALE: 1" = 50'
JOB: 34210008.00
DRAWN BY: DEN



SHEET 02 OF 03

PLAT SHOWING
RIGHT-OF-WAY DEDICATION, SANITARY SEWER
EASEMENT, AND WATERLINE EASEMENTS AT
VILLAGES AT STAUNTON

CITY OF STAUNTON, VIRGINIA
PLANNERS / ARCHITECTS / ENGINEERS / SURVEYORS
RICHMOND / RICHMOND / NEW RIVER VALLEY / SHENANDOAH VALLEY / LYNCHBURG
104 Industry Way, Suite 102 / Staunton, Virginia 24401 / Phone (540) 248-3220 / www.balzer.co



Ordinance No. 2023-_____

**AN ORDINANCE VACATING, DISCONTINUING AND ABANDONING
THAT PORTION OF A DEVELOPED PUBLIC RIGHT-OF-WAY
IDENTIFIED AS “.009 ACRES OF PROPOSED R-O-W VACATION,” LYING IN AN
AREA ON VILLAGE DRIVE IN THE CITY OF STAUNTON, VIRGINIA**

RECITALS

A. There exists a developed 0.009 acre public right-of-way lying in an area on Village Drive, to the northeast of Parcel ID 12155, owned by Building 26 LLC (Owner), as represented and shown on the attached “Plat Showing Right-of-Way Dedication, Sanitary Sewer Easement, and Waterline Easements at Villages at Staunton,” dated February 27, 2023, prepared by Daniel E. Hansen, Balzer & Associates, Inc.;

B. The 0.009 acre right-of-way contains a privately constructed sidewalk that is used for private access to the building located on Parcel ID 12155;

C. This proposed portion of right-of-way to be vacated is a portion of the variable width right-of-way which was previously dedicated to the City of Staunton, Virginia, as shown on Instrument Number 070003845, recorded in the Clerk’s Office of the Circuit Court of the City of Staunton, Virginia;

D. A request to vacate the 0.009 acre right-of-way was made by the City of Staunton, Virginia, in coordination with the Owner;

E. Public hearings were held by the Staunton Planning Commission and Staunton City Council, after proper advertisement and notice, pursuant to Virginia Code Sections 15.2-2006, 15.2-2204, and 15.2-2270 for the vacation and abandonment of that 0.009 acre public right-of-way, as shown on the plat attached hereto and made a part hereof; and

F. Virginia law authorizes the City of Staunton to alter or vacate such public right-of-way conditionally;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Staunton, Virginia, that the rights of the public in the 0.009 acre portion of the right-of-way, as shown on the attached plat titled “Plat Showing Right-of-Way Dedication, Sanitary Sewer Easement, and Waterline Easements at Villages at Staunton,” dated February 27, 2023, prepared by Daniel E. Hansen, Balzer & Associates, Inc., are hereby, upon recordation, VACATED AND ABANDONED and all the City’s right, title and interest otherwise, if any, is relinquished and to the extent permitted by law, is conveyed, transferred and assigned to Building 26 LLC.

Nothing contained in this ordinance shall be deemed, construed, or applied in any manner as a waiver of the sovereign or other immunity of the City of Staunton, Virginia, to the extent that such immunity would otherwise obtain.

Introduced:
Adopted:
Effective Date:

Stephen W. Claffey, Mayor

ATTEST:

Kiley A. Kesecker,
Clerk of Council