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**COUNTY OF LOUISA**  
**COMMUNITY DEVELOPMENT DEPARTMENT**

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**TO:** Board of Supervisors

**FROM:** Staff

**SUBJECT:** REZ2023-03, Rezoning of approximately 8.322 acres of tax map parcel 42-4C from Industrial Growth Area Overlay District (IND GAOD) to Residential General (R-2) and a Conditional Use Permit (CUP) for Multi-Family Dwellings.

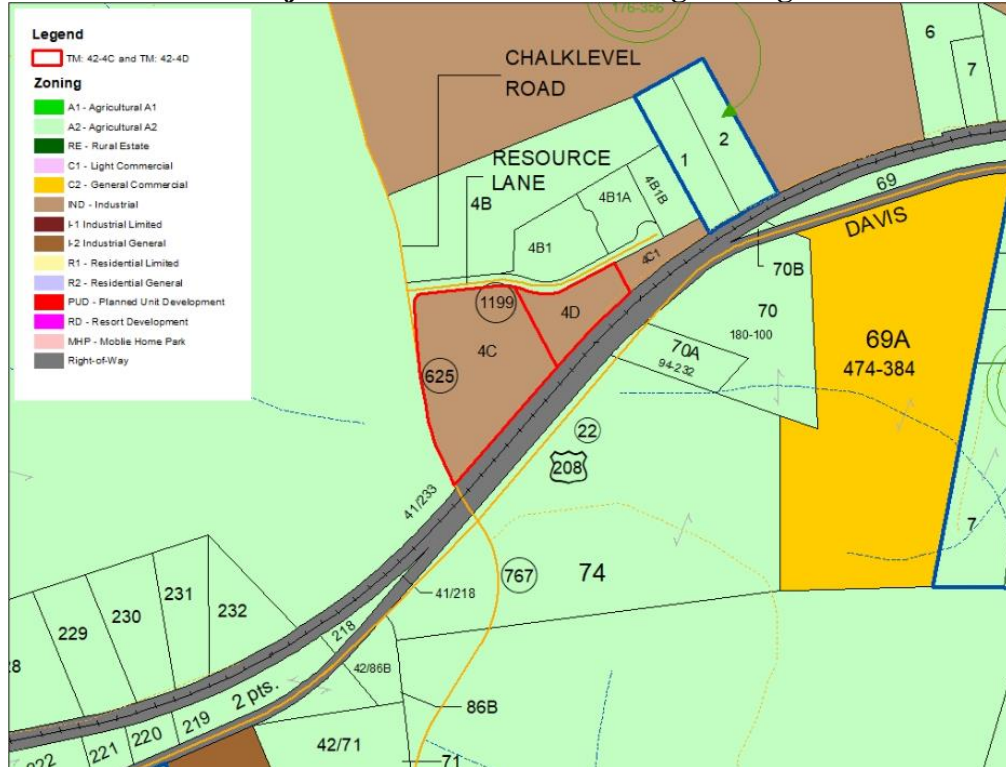
**APPLICANTS/OWNERS:** Fluvanna-Louisa Housing Foundation

**DATE:** July 24, 2023

The Board of Supervisors will meet to review this request on Monday, August 7, 2023, at 6:00 P.M. in the Louisa County Public Meeting Room.

INFORMATION SUMMARY	
TAX MAP AND PARCEL #:	42-4C (Project) 42-4D (shared utility easement, access, and stormwater)
TOTAL ACREAGE:	8.322
ELECTION DISTRICT:	Mineral
CURRENT ZONING:	Industrial Growth Area Overlay District (IND GAOD)
SURROUNDING ZONING:	Agricultural (A-2), Industrial (IND GOAD), and General Commercial (C-2) <b>Exhibit A</b>
EXISTING USE(S):	Mostly wooded, vacant
FUTURE LAND USE	Industrial (Mineral Growth Area)
REQUESTED USE(S):	Rezoning 8.322 acres to R-2 and Conditional Use Permit for 25 Multi-Family Dwelling Units.
EXISTING LAND USE PERMIT(S):	REZ2005-13 A-2 to IND REZ2012-02 Proffer Amendments REZ2015-04 Proffer Amendments REZ2021-02 Proffer Amendments

## Exhibit A Subject Parcels and Surrounding Zoning



### APPLICANT/OWNERS (42-4C Project):

Fluvanna-Louisa Housing Foundation  
144 Resource Lane Suite A  
Louisa, VA 23093

### APPLICANT/OWNERS (42-4D Site access, Stormwater, utility access):

Louisa County Resource Council  
144 Resource Lane Suite A  
Louisa, VA 23093

### PROPERTY LOCATION:

The property is located in the southeast quadrant of Chalk Level Road (Route 652) and Resource Lane (Route 1199) and is further identified as tax map parcel 42-4C and 42-4D (companion project parcel), in the Mineral Election District. The subject properties are located in the Mineral Growth Area and are designated as Industrial on the 2040 Louisa County Comprehensive Plan Future Land Use Map.

### PARCEL HISTORY:

The subject property was originally zoned Agricultural (A-2). In 2006, the Board of Supervisors voted to approve a request for a conditional rezoning of approximately 799.327 acres from

Agricultural (A-2) to Industrial (IND) for multiple parcels including 42-4C. The mass rezoning of multiple properties was for the creation of the Cooke Industrial Business Park. As a result, REZ13-05 had nine (9) original proffers and a list of excluded uses.

## Exhibit B Cooke Industrial Business Park Concept Plan

### conceptual master plan

December 7, 2025



 415 Port Centre Parkway, Suite 101, Portsmouth, Virginia 23704, 757/388/8882

**Cooke Industrial Rail Park**  
louisa county, virginia

The 2012 proffer amendments were approved to align the original proffers and proposed future development with the newly adopted 2012 Comprehensive Plan and Transportation Plan that would change the main access to the industrial park and to also provide for uses by issuance of a conditional use permit that were originally excluded.

The 2015 proffer amendment was for specific parcels, to remove the proffered 100-foot buffer on the subject parcel only and to provide alternative setbacks and buffers to allow development of the subject parcel (TMP 42-4C).

In September of 2021 the Louisa County Industrial Development Authority requested a proffer amendment for proffers 11 and 12 to allow for solar facility utility-scale to be applied for inside the Cooke Industrial Park. The Board of Supervisors voted on February 4, 2022 to approve a request for a conditional use permit for a majority of the parcels that make up the Cooke Industrial Business Park and several parcels outside of the park. The 2022 Conditional Use Permit created the Two Oaks Solar Project, however, the subject parcels 42-4C (Project) and 42-4D (Resource Council) were not part of the Two Oaks Solar Project. The approval letters for these projects can

be found in Enclosure 2.

## **CONFORMANCE REVIEW:**

The subject properties are located in the Mineral Growth Area and are designated as Industrial on the 2040 Louisa County Comprehensive Plan Future Land Use Map (Exhibit B). The primary goal of the Comprehensive Plan (the “2040 Plan”) is to preserve and protect rural heritage. To accomplish this goal, higher density housing should be focused in growth areas where utilities may be present or extended. Placing this project in a more rural area of the County would not support the Comprehensive Plan nor provide support services for the project.

The proposed Project is centrally located between the Town of Louisa and the Town of Mineral. The Louisa County Resource Council, which can provide services and support to residents in need, adjoins the subject parcel. The proposed project’s proximity to the high school, middle school, library, and two fire stations is ideal for residents of the proposed project starting careers in those fields. The 2040 Comprehensive Plan acknowledges that “affordable land and available jobs in the County are important to ensure that residents can work close to home.”

The Implementation Option section of the 2040 Plan states “Other County ordinances and polices need a review, in order to allow for implementation of 2040 Comprehensive Plan” and lists workforce housing as one of the implementation items. The Cooke Industrial Business Park envisioned in 2006 was not developed. The proposed rezoning and conditional use permit for multi-family housing that is affordable and adds housing for seniors and young workers is an example of reviewing County ordinances and plans for the current needs of the citizens of Louisa than was previously planned.

The subject property is currently zoned Industrial Growth Area Overlay District (IND GAOD) within an area of the County comprised of rural, residential, and industrial uses. The Louisa County Industrial Air Park hosting many industrial users, the County’s main airport, and other civic uses, are located nearby. Other nearby uses include two utility scale solar projects, and parcels zoned General Agricultural (A-2) in and around the Mineral Growth Area that are currently used for timber, farming, or single-family dwellings. Staff’s opinion is that proposed affordable housing project would not change the character of the surrounding area in a detrimental way due to the nature of the subject property, established character of Resource Lane, Growth Area Overlay District design standards, and the proffered conditions. The property has been listed and available for industrial development since the rezoning in 2006.

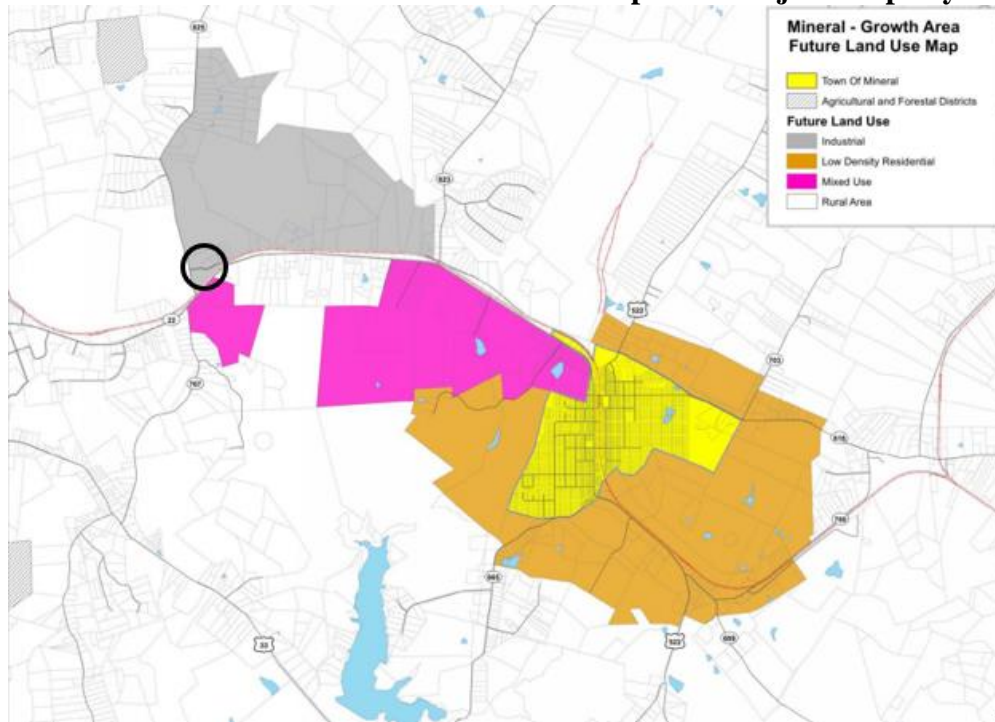
### **1. Louisa County Land Development Regulations**

The Land Development Regulations (LDR) defines a *Dwelling/residence, multi-family* as: “A structure containing three or more dwelling units. Included in the use type would be garden apartments, low rise apartments, apartments for elderly housing and condominiums.”

Section 86-391 Residential General (R-2) within a Growth Area district’s Statement of Intent defines the district as being “composed of certain quiet, low density residential uses plus certain open areas where similar development appears likely to occur. The regulations for this district are designed to stabilize and protect the essential characteristics of the district, to promote and encourage a suitable environment for family life where there are children, and to prohibit activities

of a commercial nature. In order to enhance compatibility between dwellings of different types, protect the natural environment, and achieve attractive and well-coordinated designs for building groups, dwelling types other than single-family dwelling, detached are to be permitted only with a conditional use permit.” The applicant is applying for both a rezoning and conditional use permit for construction of twenty-five (25) multi-family dwelling units to provide housing for senior citizens, and local workers of Louisa County.

**Exhibit C**  
**Louisa Growth Area Future Land Use Map with Subject Property**



**I. Special Exception to Additional standards for the growth area overlays Section 86-123 and 86-124. (To be heard by the Board of Supervisors only)**

Applicant requests a Special Exception from the requirements of *Sec. 86-123. - Landscaping, buffering and screening (a) Commercial and civic uses; multifamily dwellings:*

*(1) Landscaping.*

*(b) Ornamental and shade trees—No less than one ornamental or shade tree will be placed in groupings around the site for every 2,500 square feet of the development area.*

*(d) Shrubs—No less than eight shrubs shall be required for every required tree.*

**Staff Analysis of Buffer Modification Request (Board Only):**

The Applicant suggests the Project contains sufficient existing vegetation to maintain an opaque screen around the perimeter of the project. The Project is in an area with limited visibility due to the surrounding land uses of a railroad track and the Louisa Resource Council campus buildings. The portion of the project adjacent to Resource Lane and Chalk Level Road would be sufficiently shielded from view and consistent with the rural character of the area with the use of existing vegetation. Due to the preliminary nature of the project and limited funding available for project implementation, the

applicant requests to provide only one ornamental shade tree for every 5,000 feet of development area and only four shrubs per every required tree.

Staff is of the opinion that a decreased landscaping requirement combined with conditions requiring the Master Gardeners Club to be involved in the project would enable sufficient native plantings. Staff recommends incorporating a community garden component for Project residents, if the Board of Supervisors agrees to a decreased landscape requirement. The existing proffers require a thirty (30) foot vegetative buffer within the sixty (60) foot setback to Chalklevel Road and Resource Lane.

Applicant requests a special exception from the requirements of *Sec. 86-124 site design and architectural guidelines (3) building materials to allow for the use of cement board siding and vinyl siding.*

Staff Analysis of Architectural Guidelines Modification Request (Board Only):

Due to the preliminary nature of the project and limited funding available for project implementation, the applicant requests the ability to use cement board siding and vinyl siding for the residences. These materials are common for residential use and staff recommends the use of these requested materials due to the existing and planned mature vegetation surrounding the Project.

**II. Section 86-43 Intent, requirements, conditions, and procedures:**

In determining imposed conditions, the governing body shall take into consideration the intent of this chapter and may impose reasonable conditions that:

**(1) Abate or restrict noise, smoke, dust, or other elements that may affect surrounding property.**

Staff Analysis: The Louisa County Land Development Regulations set standards for these items.

**(2) Establish setback, side, and front yard requirements necessary for orderly development and to prevent traffic congestion.**

Staff Analysis: The Louisa County Land Development Regulations and prior rezoning proffers set standards for these items.

**(3) Provide for adequate parking and ingress and egress to public streets or roads.**

Staff Analysis: The Louisa County Land Development Regulations set standards for these items.

**(4) Provide adjoining property with a buffer or shield from view of the proposed use if such use is considered detrimental to adjoining property.**

Staff Analysis: The Louisa County Land Development Regulations and prior rezoning proffers set standards for these items.

**(5) Tend to prevent such use from changing the character and established pattern of development of the community.**

Staff Analysis: The proposed use will enhance the pattern of development in the community by providing housing to essential workers and those in need within in Louisa County. Development pattern enhancement can be accomplished by providing a multifamily option in an area that currently only contains industrial and agriculturally zoned properties.

**NEIGHBORHOOD MEETING RESULTS:**

A Neighborhood Meeting was held in the Louisa County Public Meeting Room on June 7, 2023 at 4:00PM. No citizens near the subject properties attended. Members of another rezoning application (REZ2023-03, located on Route 22 west of the Town of Louisa) were in attendance that afternoon and commented that they believed the project would benefit the community.

### **PLANNING COMMISSION MEETING RESULTS:**

The Planning Commission voted on July 13, 2023, to recommend approval to the Board of Supervisors on the requested rezoning and conditional use permit by a vote of 5 to 0.

### **III. Rezoning and Conditional Use Permit for the Fluvanna-Louisa Housing Foundation (FLHF):**

Staff recommends approval of the rezoning request from Industrial Growth Area Overlay District (IND GAOD) to General Residential (R-2) and the requested Conditional Use Permit for multi-family dwellings with the following ten (10) Conditional Use Permit conditions for the Fluvanna-Louisa Housing Foundation (FLHF), and any successors, assignees, current, or future lessee, sub-lessee, owner, or operator, as follows:

1. Project Parcel. Parcel 42-4C will be permitted to construct a maximum of (twenty-five) 25 multifamily dwelling units.
2. Adjacent Parcel. The applicant will be permitted to use and install utility easements, stormwater management areas, and access points on the adjacent parcel 42-4D with permission from the Resource Council (current owner). The Resource Council will be provided with a copy of the site plan by the applicant during the site plan review process for comment.
3. Requirements. The Fluvanna-Louisa Housing Foundation (FLHF) will provide affordable housing per the requirements of United States Department of Housing and Urban Development (HUD) and Thomas Jefferson Planning District Commission (TJPDC) agreements for HOME funding to Louisa County residents in need to include two (2) primary groups:
  - a. Seniors below (sixty) 60% Annual Medium Income (AMI).
  - b. Essential Workers, those working in critical jobs who cannot find housing in the area due to low availability and high rents – these workers will fall into necessary requirements per HUD restrictions, primarily under (eighty) 80% AMI.
4. Rental Rates. FLHF, as property manager, will charge rental rates per the guidelines required by HUD and any other applicable entities involved. These have traditionally been (thirty) 30% of the renter's income as opposed to the market rate rent.
5. Annual Reporting.
  - a. FLHF will report to the county on an annual basis the resident demographic income requirements and overall progress of the construction process and, thereafter, the occupancy rate of the site.
  - b. FLHF will report to the Thomas Jefferson Planning District Commission Regional Housing Partnership or successor regional programs on an annual basis the resident demographic income requirements and overall progress of the construction process and, thereafter, the occupancy rate of the site.

6. Accessibility and Maintenance. The project will provide affordable housing that is handicapped accessible and well maintained.
7. Collaboration. FLHF will work with the senior residents to provide access to local services and transportation by continuing to work closely with other agencies providing services, such as the Louisa County Resource Council, Jefferson Area Board for Aging (JABA), Monticello Area Community Action Agency (MACAA), and PACE.
8. Community Involvement. FLHF will seek out community partners for this project reaching out to organizations such as:
  - a. Louisa County Public Schools Career and Technical Education (CTE) Program to educate students on housing construction, development and site design, project management, landscape design.
  - b. Master Gardeners and local nurseries to provide assistance in landscape design, implementation, and maintenance with a desire to achieve a largely native planting landscape.
  - c. Local Businesses and individuals to contribute to the project.
9. Project Site Plan Requirements. FLHF will seek out community partners for this project reaching out to organizations such as:
  - a. The project will follow all site plan and erosion and sediment control requirements of the Louisa County Land Development Regulations.
  - b. The project will provide a nature path for residents.
  - c. The project will provide a perimeter tree buffer of no less than 60 feet deep around the entire project.
  - d. Fireworks will not be permitted to be stored or used in the development.
  - e. Abandoned or inoperable vehicles will be removed from the property.
  - f. Basic maintenance of vehicles such as oil changes and brake changes will not be permitted on site.

Enclosures (4)

1. Application
2. Previous Proffers and Approvals
3. Fire & EMS Comment Email
4. VDOT Comment Letter