



Westlake

SOLAR

ZONING AMENDMENT APPLICATION



May 03, 2021

Steve Sandy
Director of Planning, Franklin County
1255 Franklin Street, STE 103
Rocky Mount, Virginia 24152

Re: Rezoning – Proffer Amendment Application for Westlake Solar

Dear Steve,

Please accept the enclosed rezoning application as a request to facilitate the proposed 20 megawatts solar generation facility development in Franklin County. The rezoning application is required to amend Proffer #1 associated with the prior rezoning of the application property. The amended proffer confirms that the proposed solar facility will be developed in substantial conformance with the conceptual site plan. The proffers approved as part of Case # R-07-10-03 shall continue to bind the portion of the property outside the proposed solar facility.

We have enclosed the completed rezoning application form and a draft voluntary amended proffer statement that would be signed by the property owners and submitted prior to any public hearing.

Please contact me at 703-373-7492 or sanket@energix-us.com should you have any questions or require additional information.

Best regards,

Sanket Kolte
Project Acquisition and Development Analyst
Energix Westlake, LLC and Energix US, LLC
2311 Wilson Blvd. Ste. 640
Arlington, Virginia 22201

Enclosures:
Amended Proffer Statement
Rezoning – Proffer Amendment Application Form



**AMENDED PROFFER STATEMENT FOR CASE # R _____
(AMENDING CASE # R 07-10-03 EDWARD C. PARK, III
LAKE WATCH SPA AND RESORT)**

Dated _____, 2021

Pursuant to Virginia Code § 15.2-2298 and Franklin County Zoning Ordinance § 25-733, SMLVA LLC and SMLVA II LLC, the owners of the property that is the subject of this Application, Tax Map Number: 030, Parcel Number: 20 (the "Property"), voluntarily proffer that the Application will be subject to the following proffered conditions:

1. The 221 acre portion of the Property that is depicted as the "Proposed Solar Facility" shall be in substantial conformance, as determined by the Zoning Administrator, with the "Exhibit for Westlake Solar Field - Franklin County" dated April 8, 2021 (the "Conceptual Site Plan") as described on the metes and bounds description attached hereto as Exhibit A. The Conceptual Site Plan shall control the general development, layout and configuration of the Proposed Solar Facility.
2. Until the Proposed Solar Facility is decommissioned, the Proffers for Case # R 07-10-03 shall not apply to the Solar Project Area.
3. All Proffers for Case # R 07-10-03 shall apply to the remaining 373 acres of the Property outside the boundaries of the Proposed Solar Facility on the Conceptual Site Plan and further described on the metes and bounds description attached hereto as Exhibit B.

The undersigned hereby warrants that all of the owners of a legal interest in the subject property have signed this proffer statement, that they have full authority to bind the property to these conditions, that the proffers contained in this statement are not "unreasonable" as that term is defined by Virginia Code § 15.2-2303.4, and that the proffers are entered into voluntarily.

Should any provision of this proffer statement be determined to be invalid by a court of competent jurisdiction, that determination shall not affect the validity of the remainder of the provisions in this document.

SMLVA LLC

By: _____

Printed Name:

Title:

STATE OF _____

COUNTY OF _____

Acknowledged before me this _____ day of _____, 20__.

Notary Public

My Commission Expires:

Registration No.:



SMLVA II LLC

By: _____
Printed Name:
Title:

STATE OF _____
COUNTY OF _____

Acknowledged before me this _____ day of _____, 20____.

Notary Public

My Commission Expires:
Registration No.:



Exhibit A
Legal Description of Solar Project Area



Exhibit B
Legal Description of Remaining Property



Westlake

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**PROFFER AMENDMENT
APPLICATION**

**FRANKLIN COUNTY
ZONING MAP AMENDMENT APPLICATION**

I/We, Energix Westlake, LLC, as Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Supervisors for a zoning map amendment on the property as described below:

Petitioner's Name: Energix Westlake, LLC

Petitioner's Address: 2311 Wilson Blvd., STE 640, Arlington, VA 22201

Petitioner's Phone Number: 703-373-7492

Petitioner's E-mail: sanket@energix-us.com

Property Owner's Name: SMLVA LLC and SMLVA II LLC

Property Owner's Address: 3086 Custers Rd, Harrisonburg VA 22802

Property Owner's Phone Number: 540-560-1209

Property Owner's E-mail Dkiser9821@aol.com

Physical Address of the Property 14374 Booker T Washington Hwy, Moneta, VA 24121

Directions to Property from Rocky Mount: Get on VA-122 N and drive approximately 15 miles and make right at Westlake Corner

4. Tax Map and Parcel Number: Tax Map: 030.00 Parcel Number: 020.00

5. Magisterial District: Gills Creek

6. Property Information:

A. Size of Property:
592.82 acres

B. Existing Zoning: RPD (Residential Planned Unit Development)

C. Existing Land Use: _____

D. Is property located within any of the following overlay zoning districts: Some part of property on the Western border
___ Corridor District X Westlake Overlay District ___ Smith Mountain Lake Surface District

E. Is any land submerged under water or part of a lake? C Yes X No If yes, explain.
South Eastern part of the property borders the lake

7. Proposed Zoning Map Amendment Information:

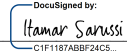
- A. Proposed Land Use: Ground mounted solar facility
- B. Size of Proposed Use: 230 acres
- C. Other Details of Proposed Use: More details on attached narrative

Checklist for completed items:

- Application Form
- Letter of Application
- Concept Plan
- Application Fee

****I certify that this application for a zoning map amendment and the information submitted herein is correct and accurate. I authorize County staff to access this property for purposes related to the review and processing of this application.**

Petitioner's Name (Print): Energix Westlake, LLC

Signature of Petitioner:  Itamar Sarussi, Authorized representative of Energix Westlake, LLC

Date: 04/28/21


Mailing Address: 2311 Wilson Blvd., STE 640, Arlington, VA 22201

Telephone: 703-373-7492

Email Address: sanket@energix-us.com

Owner's consent, if petitioner is not property owner:

Owner's Name (Print): SMLVA LLC and SMLVA II LLC

Signature of Owner:  David Kiser Landowner

Date: 5/3/2021

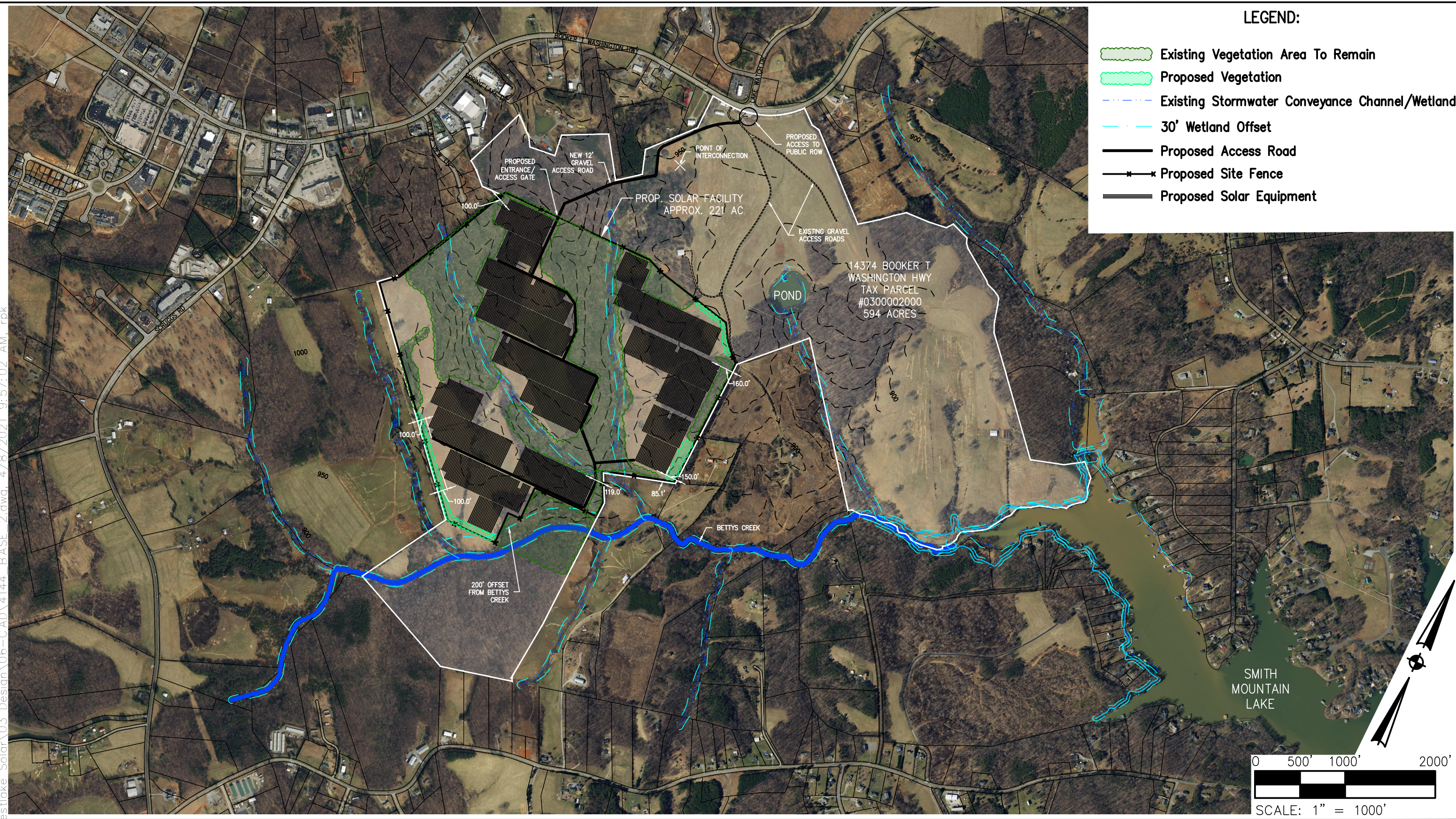


Westlake

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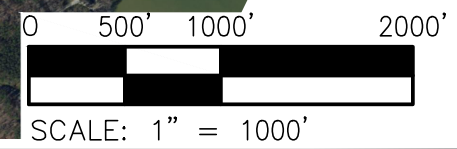
CONCEPT PLAN

I:\4144\Westlake Solar\03 Design\06-CAD\4144-BASE-2.dwg, 4/8/2021 9:57:02 AM, rpk



LEGEND:

- Existing Vegetation Area To Remain
- Proposed Vegetation
- Existing Stormwater Conveyance Channel/Wetland
- 30' Wetland Offset
- Proposed Access Road
- Proposed Site Fence
- Proposed Solar Equipment



Revisions	Date

Mattern & Craig
ENGINEERS SURVEYORS

701 FIRST STREET, S.W.
ROANOKE, VIRGINIA 24016
(540) 345-9342
FAX (540) 345-7691

Issue Date: **APR. 8, 2021**

Drawn By: MLC

Designed By: RPK

Checked By: RPK

Checked Date: 4/8/2021

ENERGIX

**EXHIBIT FOR WESTLAKE
SOLAR FIELD**

FRANKLIN COUNTY, VIRGINIA

Commission Number:
4144

Vertical Scale:
N/A

Horizontal Scale:
1"=1000'

EX-1