SHIMP ENGINEERING P.C.

PROJECT MANAGEMENT
CIVIL ENGINEERING
LAND PLANNING

Ms. Paty Saternye, Senior Planner
Albemarle County Community Development
401 McIntire Road
Charlottesville, VA 22902

October 16, 2018
March 1, 2019 (Revised)

RE: SP201800067 (Northside Material Recovery Facility)
Additional Request for Modification or Waiver (Section 18-5.1.51(a) and (b))
Outdoor Activities in Industrial Districts

This is a request for a wiaver of the requirements of Section 18-5.1.51(a), and a modification of the requirements of Section 18-5.1.51(b) of the Albemarle County Zoning Ordinance. Section 18-5.1(a) allows the commission to modify or waive in an individual case, any such requirement in section 5 upon finding:

"that such requirement would not forward the purposes of this chapter or otherwise serve the public health, safety, or welfare or that a modified regulation would satisfy the purposes of this chapter to at least an equivalent degree as the specified requirement..."

Please consider the following justification for these requests:

Section 18-5.1.51

Except as otherwise expressly permitted for a particular use, each use permitted by right or by special use permit in an industrial district shall be subject to the following:

a. ***All manufacturing, compounding, assembling, processing, packaging, or other industrial business activity shall be conducted within a completely enclosed building.***

The Owner is proposing a recycling processing center, a by right use, which crushes, screens, and sorts asphalt, concrete, and other inert masonry products for reuse. This heavy industrial use requires numerous storage areas ranging from 3,000 to 35,000 square feet. The effective square footage of the required structures would be 85,000 square feet with building heights in excess of 60 feet. Due to the weight and structure of the inert material that is processed, buildings are not necessary to contain the material and existing and proposed vegetation screening, consistent with the requirements of Section 32.7.9.7 of the zoning ordinance, will provide a more effective screening of the use from adjoining and nearby roads and from an adjoining R-4 Residential district. Furthermore, the Owner has agreed to limit the height of the storage piles to a maximum of 28 feet and 24 feet as specified on Sheet C5 of the Initial Site Development Plan for the Northside Material Recovery Facility (SDP201800067), prepared by Shimp Engineering, with original date of September 3, 2018 and current revision date of November 26, 2018. This height limitation will significantly reduce the visibility of the use from the U.S. 29 entrance corridor. The Owner requests the removal of the requirement for activity to be conducted within a completely enclosed building.

b. No outdoor activity, including the location of internal access roads, shall be established, conducted or used within one hundred (100) feet of a residential or agricultural district.

The Owner is asking for, in the paragraph above, a modification of the requirement to allow storage piles or recycled product to be located within the one hundred (100) feet activity buffer. The storage piles will still be limited by the fifty (50) feet outdoor storage setback (which may eliminate the need for this request). A new 8' tall screening berm with evergreen plantings will be provided along the boundary with the adjacent residential property. Internal access roads will not be located within the 100 feet outdoor activity buffer. The Owner requests a modification of the requirement for a 100 feet outdoor activity buffer to allow storage piles which meet the requirements of the 50 feet outdoor storage setback.

c. ***No activity shall be conducted outdoors between 7:00 p.m. and 7:00 a.m.***

The Owner is not requesting a waiver or modification of this requirement.

Please feel free to contact us if you have any questions or concerns regarding this request, the proposed use, or the justification provided herein.

Thank you for your consideration of this request.

Regards,

J. Kelly Strickland

Kelly Strickland
Shimp Engineering PC
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SHIMP ENGINEERING PC

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401 McIntire Road
Charlottesville, VA 22902

September 7, 2018
March 11, 2019 (revised)

RE: SP201800067 (Northside Material Recovery Facility)
Request for Modification or Waiver (Section 18-5.1.52(A), (C), and (E))
Outdoor Storage in Industrial Districts

This is a request for a modification of the requirements of Section 18-5.1.52(a), a waiver of the requirements of Section 18-5.1.52(c), and a waiver of the requirements of Section 18-5.1.52(e) of the Albemarle County Zoning Ordinance. Section 18-5.1(a) allows the commission to modify or waive in an individual case, any such requirement in section 5 upon finding:

"that such requirement would not forward the purposes of this chapter or otherwise serve the public health, safety, or welfare or that a modified regulation would satisfy the purposes of this chapter to at least an equivalent degree as the specified requirement..."

Please consider the following justification for these requests:

Section 18-5.1.52

Except as otherwise expressly permitted for a particular use, the outdoor storage of parts, materials and equipment in an industrial district shall be subject to the following:

a. Storage areas shall be screened by a solid wall or fence, including solid entrance and exit gates, not less than seven (7) feet nor more than ten (10) feet in height.

The Owner is asking for a modification of this requirement. The heavy industrial use proposed for this site is the reclamation of inert materials (asphalt, concrete, and masonry products) and the areas proposed for

storage of this material range from 3,000 to 35,000 square feet. A 7-10 ft wall or fence would serve no purpose in screening these storage piles from view. Existing and proposed vegetation screening, consistent with the requirements of Section 32.7.9.7 of the zoning ordinance, will provide a more effective screening of the use from adjoining and nearby roads. In place of a wall or fence adjacent to the residential adjoining properties the owner proposes to substitute an 8' berm with evergreen plantings on top of the berm as screening. Furthermore, a gate would serve no purpose to screen the proposed use from adjacent industrial uses, served by Northside Drive, however a fence for security purposes will be provided along the border with the adjacent residential use to prevent neighbors from entering the industrial activity area. The Owner requests a modification of the requirement for solid entrance and exit gates as outlined above.

b. ***No wall or fence screening a storage area shall encroach into a sight distance triangle.***

The Owner is asking for, in the paragraph above, a modification of the requirement for a wall or fence. If the request is granted, any landscape screening would be provided in accordance with this requirement (b).

c. ***The parts, materials and equipment stored in a storage area shall not be stacked higher than the screening wall or fence.***

Parts and equipment are not stacked in conjunction with the operation of this use, however, reclaimed inert material (asphalt and concrete) needs to be unloaded from trucks and stored in piles on the site. As mentioned previously, the piles will range from 3,000 to 35,000 square feet in size and it is not feasible to limit the height of these piles to 10 feet. Landscape screening, proposed as a modification to the requirement for a fence, will provide more effective screening of the material piles.

This is a by-right heavy industrial use on a parcel zoned for such use, located in an industrial park, created for similar uses. The requirement (c), restricting the height of stacked material, serves no public health, safety, or welfare purpose in this particular application and we are requesting a waiver of this requirement.

Reclaimed and processed material shall not be stacked higher than 28 feet and 24 feet as specified on Sheet C5 of the Initial Site Development

Plan for the Northside Material Recovery Facility (SDP201800067), prepared by Shimp Engineering, with original date of September 3, 2018 and current revision date of March 11, 2019. Additionally, mechanical conveyors will be used to lift the material onto the piles and these conveyors may reach 31 feet in height as shown on Sheet C5 through C7.

d. ***No outdoor storage shall be located within fifty (50) feet of a residential or agricultural district.***

There is a property north of the site that is zoned R-4 Residential. This property shares approximately 118 feet of boundary with the industrial site. A buffer is proposed in accordance with Section 32.7.9.7 and no outdoor storage is proposed within fifty (50) feet of this boundary. The Owner does not request a modification or waiver of this requirement.

e. ***The outdoor storage of recyclable materials at a recycling collection or recycling processing center is prohibited.***

Should the proposed use, the reclamation of inert materials (asphalt and concrete) qualify as a recycling processing center, the Owner requests a waiver of this requirement. We assume that this requirement serves the public health, safety, and welfare by preventing household trash from being stored outside of containers, where it can be carried away by animals and wind. As the proposed use does not involve the storage or processing of household (or similar) waste, a waiver of this requirement for the proposed use would have no effect on the public health, safety, or welfare.

Please feel free to contact us if you have any questions or concerns regarding this request, the proposed use, or the justification provided herein.

Thank you for your consideration of this request.

Regards,

J. Kelly Strickland

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Ms. Paty Saternye, Senior Planner
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401 McIntire Road
Charlottesville, VA 22902

March 11, 2019

RE: SP201800067 (Northside Material Recovery Facility)
Request for Special Exception (Section 26.5 (C))
Disturbance of buffer zone adjacent to district other than commercial or industrial district.

This is a request for a special exception in accordance with Section 26.5 (D) of the Zoning Ordinance. The Board of Supervisors may authorize a disturbance in the buffer required to be maintained under Section 26.5 subsection (c) by special exception.

"The board shall consider whether disturbance is necessary or would result in an improved site design, provided that: (i) minimum screening requirements are met; and (ii) existing landscaping in excess of minimum requirements is substantially restored."

Please consider the following justification for these requests:

The purpose for the disturbance is to provide an 8 FT berm with evergreen plantings within the 30 FT buffer zone. The proposed disturbance will improve the screening of the facility and reduce the noise level at the property line.

There is an existing stand of trees within the 30 FT buffer, however these trees are primarily small caliper deciduous trees and do not provide a significant screen from the adjoining residential use. An 8 FT berm and new evergreen screening which meets or exceeds County guidelines will greatly improve the quality of the buffer.

Please feel free to contact us if you have any questions or concerns regarding this request, the proposed use, or the justification provided herein.
Thank you for your consideration of this request.

Regards,

J. Kelly Strickland

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PROJECT MANAGEMENT
CIVIL ENGINEERING
LAND PLANNING

Ms. Paty Saternye, Senior Planner
Albemarle County Community Development
401 McIntire Road
Charlottesville, VA 22902

March 1st, 2019

RE: SP201800067 (Northside Material Recovery Facility)
Request for Modification or Waiver (Section 18-4.18.04)

This is a request for a waiver of the requirements of Section 18-4.18.04 of the Albemarle County Zoning Ordinance. Section 18-4.18.07 allows the commission to modify or waive the standard set forth in Section 4.18.04 upon finding:

"that strict application of the standard would cause undue hardship and no forward the purposes of this chapter or otherwise serve the public health, safety, or welfare or that alternatives proposed by the owner would satisfy the purposes of this section 4.18 at least to an equivalent degree."

Please consider the following justification for this request:

Section 18-4.18.04

Except as provided in section 4.18.05, it shall be unlawful for any person to operate or cause to be operated, any source such that the sound originating from that source causes a sound level that exceeds the sound levels in the receiving zone, measured pursuant to section 4.18.03, as set forth below:

Receiving Zone	Time Period	Noise Level (dBA)
Rural Areas and Residential	Daytime Nighttime	60 55
Public Space or Institutional	Daytime Nighttime	60 55
Commercial	Daytime Nighttime	65 65
Industrial	Daytime Nighttime	70 70

Sound level tests were performed for this site at six (6) locations, indicated on the provided exhibit. It was determined that the levels at Location 2 exceeded the Maximum Sound Level of 70 dB for Industrial Receiving Zones during the extent of the 5-minute test. The average Total Sound Level at this location is 72.67 dB with a recorded maximum of 75.8 dB and a recorded minimum of 70.6 dB. The excessive sound originates from the operation of a vibratory screening machine, used to screen recycled asphalt and concrete materials. The vibratory screening machine is located near the center of the site, maximizing distance to each of the neighboring properties. The neighboring property, T.M. 32-67, receiving the sound level above 70 dB is an automotive body shop owned and operated by the same individuals as the proposed Northside Material Recovery Facility. For this purpose, there is no concern in regards to acceptance from the neighboring property.

Therefore, we would like to request a waiver of the requirements of Section 18-4.18.04 of the Albemarle County Zoning Ordinance.

Please feel free to contact us if you have any questions or concerns regarding this request, the proposed use, or the justification provided herein.

Thank you for your consideration of this request.

Regards,

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