

# FLOW TOYOTA & MERCEDES SLOPES REZONING

TMP 78-14, 78-14A, 78-14E  
project ID: 23.067

Submitted 20 May 2024  
Revised 22 October 2024

Sheet 1 of 14



## INDEX OF SHEETS

- 1 - Cover
- 2 - Site & Rezoning Details
- 3 - Project Narrative
- 4 - Project Narrative
- 5 - EXHIBIT: Slopes to be Rezoned
- 6 - EXHIBIT: Historic Aerials
- 7 - EXHIBIT: Historic Aerials
- 8 - EXHIBIT: Slopes Context
- 9 - EXHIBIT: SDP1999-21
- 10 - EXHIBIT: SDP2000-49
- 11 - EXHIBIT: SDP2002-34
- 12 - EXHIBIT: SDP1998-91
- 13 - EXHIBIT: Site Images
- 14 - EXHIBIT: SDP2017-31

FLOW SLOPES REZONING  
SITE + REZONING  
DETAILS  
Sheet 2 of 14

OWNER/APPLICANT

Flow 1357 Richmond LLC  
500 West Fifty Street Suite 1800  
Winston-Salem, NC 27101

Flow 1381 Richmond LLC  
500 West Fifty Street Suite 1800  
Winston-Salem, NC 27101

SUMMARY OF LAND USE REQUEST

Rezoning of 35,180 SF of preserved slopes to managed and removal of proffered conditions approved with ZMA2016-23

PARCEL ID

78-14, 78-14A, 78-14E

ACREAGE

TMP 78-14	6.41 AC
TMP 78-14A	1.57 AC
TMP 78-14E	1.63 AC

STEEP SLOPES

Parcel	EXISTING		PROPOSED	
	SF Preserved Slopes	SF Managed Slopes	SF Preserved Slopes	SF Managed Slopes
78-14	13,946	27,462	0	41,408
78-14A	5,224	2,240	0	7,464
78-14E	16,010		0	16,010
Total	35,180	29,702	0	64,882

ZONING

	Existing Zoning	Comprehensive Plan Designation
TMP 78-14	HC subject to ZMA2016-23 proffered conditions; Steep Slopes: Preserved and Managed	Commercial Mixed Use; Parks & Green Systems
TMP 78-14A	HC; Steep Slopes: Preserved	Community Mixed Use; Parks & Green Systems

TMP 78-14E	HC subject to ZMA2016-23 proffered conditions; Steep Slopes: Preserved	Commercial Mixed Use; Parks & Green Systems
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PROPOSED ZONING

	Proposed Zoning
TMP 78-14	HC; ZMA to remove proffered conditions; Steep Slopes: Managed
TMP 78-14A	HC; Steep Slopes: Managed
TMP 78-14E	HC ZMA to remove proffered conditions; Steep Slopes: Managed

ZONING OVERLAY

Entrance Corridor

LOCATION

Route 250 east, opposite its intersection with Town and Country Ln; steep slopes are located at the rear of the parcels

TMP 78-14, 78-14A, 78-14E

Submitted 20 MAY 2024  
Revised 22 OCTOBER 2024

project: 23.067

# FLOW SLOPES REZONING

## PROJECT NARRATIVE

Sheet 3 of 14

### PROJECT PROPOSAL

Flow 1381 Richmond LLC (“Flow 1381”) is the owner of Albemarle County tax parcel 07800-00-00-014A0 (the “Mercedes Parcel”); Flow 1357 Richmond LLC (“Flow 1357”) is the owner of Albemarle County tax parcels 07800-00-00-01400 and 07800-00-00-014E0 (together, the “Toyota Parcels”). The Mercedes Parcel is the site of a Mercedes auto dealership and the Toyota Parcels are the site of a Toyota auto dealership. Both the Mercedes Parcel and the Toyota Parcel have operated as auto dealerships for decades and have been the subject of various site plans and amendments approved by Albemarle County. Flow 1381 and Flow 1357, (together, the “owners”), which are affiliated with Flow Automotive Group, seek to expand the parking areas of the Mercedes Parcel and the Toyota Parcels to better serve their growing automotive sales and service businesses. To expand parking areas, the owners respectfully request an amendment to ZMA201600023 to remove the proffered conditions approved with that rezoning request (attached hereto as Exhibit A) and to rezone the preserved slopes on both the Mercedes Parcel and the Toyota Parcels to managed slopes to permit land disturbance for the expansion of the parking areas (Image 1 – Slopes to Redesignated, County GIS map).

The Mercedes and Toyota Parcels are located on Route 250, a heavily traveled commercial corridor, and are primarily surrounded by other automobile dealerships. The Toyota Parcels share a boundary to the south with Carriage Hill Apartments and to the east with Albemarle County Service Authority. The properties are zoned highway commercial which permits automobile dealerships by-right; since the properties are within the Entrance Corridor Overlay District any outdoor sales, storage, and display of vehicles is subject to special use permit approval. A rezoning is required to remove the proffers applicable to the Toyota Parcels that were approved with ZMA2016-23 and that establish a 2.47 acre preservation area on a portion of the Toyota Parcels where Flow 1357 seeks to expand parking areas to better serve their business; a rezoning is also required to designate preserved slopes on both the Toyota Parcels and the Mercedes Parcel as managed slopes to permit disturbance to support expansion of the dealerships.

### ZONING HISTORY

According to the Staff Report prepared for ZMA2016-00023, the Toyota Parcel “has been used for vehicle sales and service since at least the mid-1970’s” and “the site plan has been continually amended throughout the 1980’s and 1990’s as the vehicle dealership and services uses were expanded.” Aerial Imagery indicates the site has operated as an auto dealership

since at least 1966 but not before 1957 (IMAGES 2 + 3 Historic Aerials).

The Mercedes Parcel developed as an auto dealership in the late 90s and early 2000s and is subject to SDP199900021 which is a site development plan for the establishment of an automobile dealership.

Below is a chronological list of approvals and applications applicable to the Mercedes Parcel and the Toyota Parcels:

- SDP199900021 Brown Auto Group Site Development Plan – Site development plan to establish a 7,800 SF automobile dealership on the Mercedes Parcel
- SDP200000049 Brown Auto Group Site Plan Amendment – Site development plan amending SDP199900021 (Mercedes Parcel) and SDP199900114 (Toyota Parcel) to establish an interparcel connection between the Mercedes and Toyota parcels at the rear of the site. (Note: SDP 199900114 is not available for viewing on Albemarle County View).
- SDP200200026 Brown Auto Group Major Site Plan Amendment – Site plan amending SDP 99-21 (Mercedes Parcel) and SDP 99-114 (Toyota Parcel) to permit an additional 378 parking spaces at the rear of the parcels (this application was ultimately withdrawn due to inactivity)
- ZMA201600023 – Rezoning to modify a portion of the Steep Slopes Overlay District at the rear of the Toyota Parcels; the request removed approximately .20 acres of preserved slopes and .05 acres of managed slopes while establishing .25 acres of managed slopes. The rezoning was subject to proffered conditions which established a 2.47 acre preservation area. The rezoning was pursued to resolve a zoning violation that was issued for unapproved disturbance within the steep slopes overlay. The disturbance took place prior to the adoption of the steep slopes overlay in 2014 but was not subject to an approved plan. In addition to resolving the zoning violation, ZMA2016-23 sought to rectify an inadvertent error in the Steep Slopes Overlay map which designated what was a former soil stockpile as a preserved slope.
- SDP201700031 – Minor site plan amendment to SDP2000-49 to permit the un-permitted disturbance from years prior by showing the expanded gravel parking area as well as the updated slopes designations as a result of the approval of ZMA2016-23. The Preservation Area, which is required by proffered conditions approved with ZMA2016-23, is also shown.

### JUSTIFICATION FOR RE-DESIGNATION OF SLOPES

There are a mixture of preserved and managed slopes on both the Toyota Parcels and the Mercedes Parcel and this request

specifically seeks to re-designate the 29,956 SF of preserved slopes on the Toyota Parcels and the 5,224 SF of preserved slopes on the Mercedes Parcel to managed slopes as these slopes demonstrate characteristics that are more consistent with the managed slopes designation than preserved slopes. The slopes that are requested to be re-designated are either manufactured; significantly disturbed prior to June 1, 2012; or are shown to be disturbed, or allowed to be disturbed, by prior county action.

The preserved slopes at the rear of the Mercedes Parcel and along the eastern edge of the Toyota Parcels are subject to prior county action as those slopes are part of a system of slopes shown in grading plans that supported the development of Carriage Hill, Honey Car (former Auto Superstore), and the Mercedes dealership (Image 5 - Slopes Context). All of the areas designated as preserved slopes on the rear of the Mercedes Parcel and along the eastern rear edge of the Toyota Parcels that are shown as disturbed on approved County plans were significantly disturbed prior to June 1, 2012. (Images 6-8 Approved Site Plans)

The slopes along the rear and western rear of the Toyota parcels that are designated as preserved are situated in between slopes designated as managed and visual inspection of the slopes indicates prior disturbance at some point, potentially as early as 1966 according to aerial imagery, to support the creation of the gravel pad where cars park today. These slopes also contain a manmade stormwater conveyance channel; this channel is shown as an “existing channel” on SDP201700031. (Image 13)

### CONSISTENCY WITH THE COMPREHENSIVE PLAN

The re-designation of slopes on the Toyota Parcels and the Mercedes Parcel from preserved to managed is consistent with Albemarle County’s Comprehensive Plan in the following ways:

Chapter 6 Economic Development  
*Objective 1: Promote economic development activities that help build on the County’s assets while recognizing distinctions between expectations for the Development Areas and the Rural Area.*

Permitting a re-designation of slopes would allow for established automobile dealerships to expand within the Development Areas and promote local economic development from project planning and construction through stabilization and daily operations.

Chapter 8 Development Areas  
*Strategy 2o: Promote redevelopment as a way to improve and take advantage of existing investment in the Development Areas*  
Re-designating the preserved slopes as managed will help to promote the expansion of existing automobile dealerships in

TMP 78-14, 78-14A, 78-14E

Submitted 20 MAY 2024  
Revised 22 OCTOBER 2024

project: 23.067

FLOW SLOPES REZONING  
PROJECT NARRATIVE

Sheet 4 of 14

the Development Areas.

*Objective 4: Use Development Area land efficiently to prevent premature expansion of the Development Areas*

The slopes to be re-designated are within the Development Areas and would promote the effective use of Development Areas land to support business expansion of established businesses.

*Objective 6: Promote infill and redevelopment that is compatible with surrounding neighborhoods and uses.*

The re-designation of slopes would promote infill development to support existing businesses on previously developed sites. The expansion of parking areas to support the expansion of pre-existing automobile sales and service businesses is directly compatible with surrounding uses, which are predominantly automobile sales and service.

*Strategy 6c Continue to require screening, buffering, and physical separation, where necessary, to promote compatibility of residential and non-residential uses.*

Screening will be provided in accordance with 32.7.9.7 between the Toyota Parcels and Carriage Hill, which is zoned R-15.

*Objective 7: Create thriving, active employment and commercial areas.*

The Toyota Parcels and the Mercedes Parcel are part of an existing commercial area that supports employment opportunities. Permitting the re-designation of slopes will allow for these businesses to expand and continue to grow as employers in the Development Areas.

*Strategy 7a: Continue to ensure that sufficient developable land is available for future commercial and industrial development needs.*

Re-designating the slopes on the Mercedes parcel and Toyota parcels will ensure that there is sufficient developable land to support the business needs of two expanding dealerships.

IMPACTS TO PUBLIC FACILITIES AND INFRASTRUCTURE:

There will be no impacts to public facilities and public infrastructure as a result of this rezoning request.

IMPACTS TO SCHOOLS:

There will be no impacts to schools as a result of this rezoning request.

IMPACTS ON ENVIRONMENTAL FEATURES:

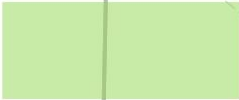
If approved, this rezoning request will permit the disturbance of steep slopes however; many of these slopes were previously disturbed and were not stabilized in a manner consistent with grading regulations for managed slopes as the slopes disturbance pre-dated the adoption of the Steep Slopes Overlay. If the preserved slopes are rezoned to managed, any future land disturbance will be accordance with Albemarle County grading regulations for managed slopes.

TMP 78-14, 78-14A, 78-14E

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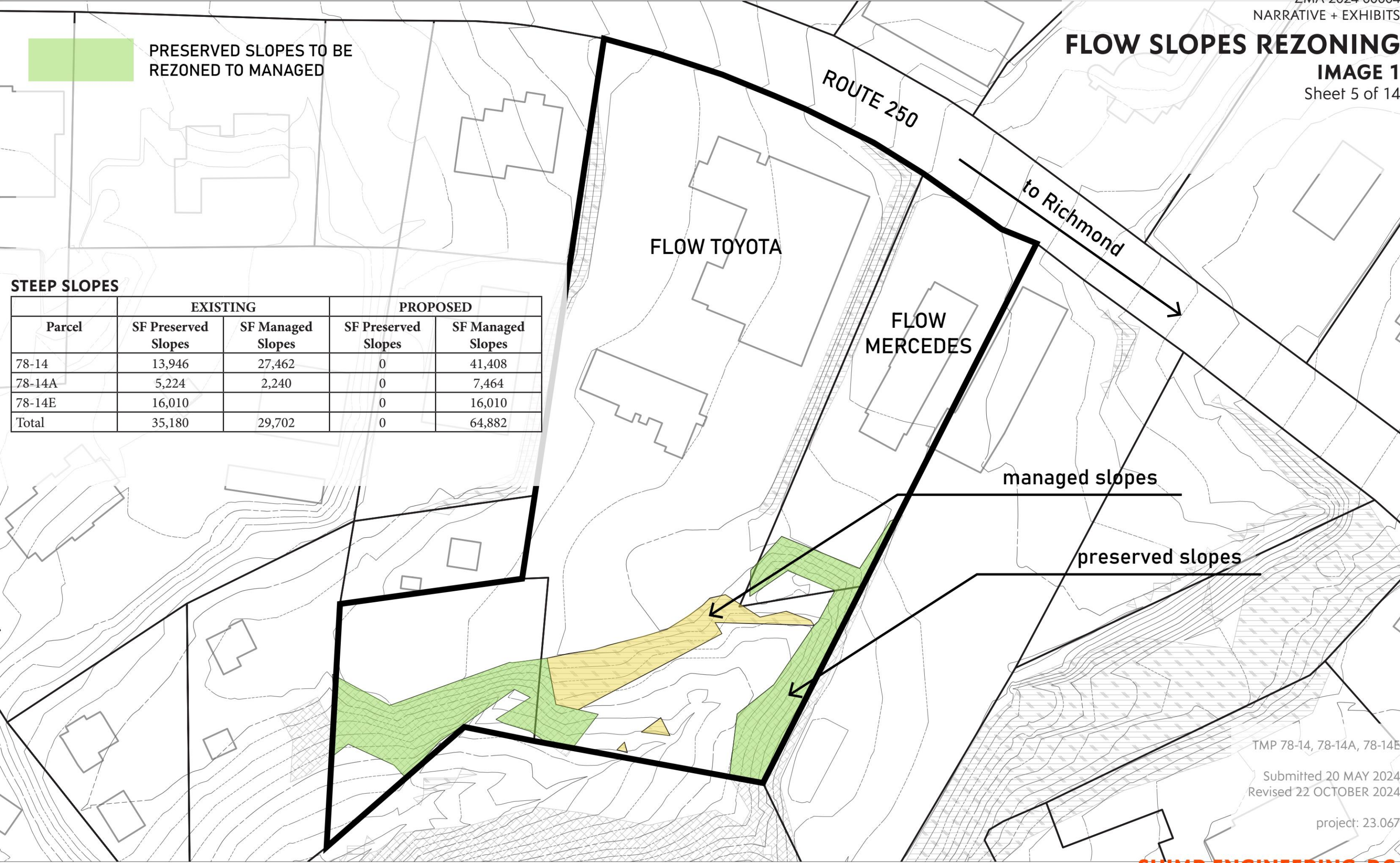
**FLOW SLOPES REZONING**  
**IMAGE 1**  
Sheet 5 of 14



PRESERVED SLOPES TO BE  
REZONED TO MANAGED

**STEEP SLOPES**

Parcel	EXISTING		PROPOSED	
	SF Preserved Slopes	SF Managed Slopes	SF Preserved Slopes	SF Managed Slopes
78-14	13,946	27,462	0	41,408
78-14A	5,224	2,240	0	7,464
78-14E	16,010		0	16,010
Total	35,180	29,702	0	64,882



managed slopes

preserved slopes

TMP 78-14, 78-14A, 78-14E

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**FLOW SLOPES REZONING**  
**IMAGES 2 & 3**

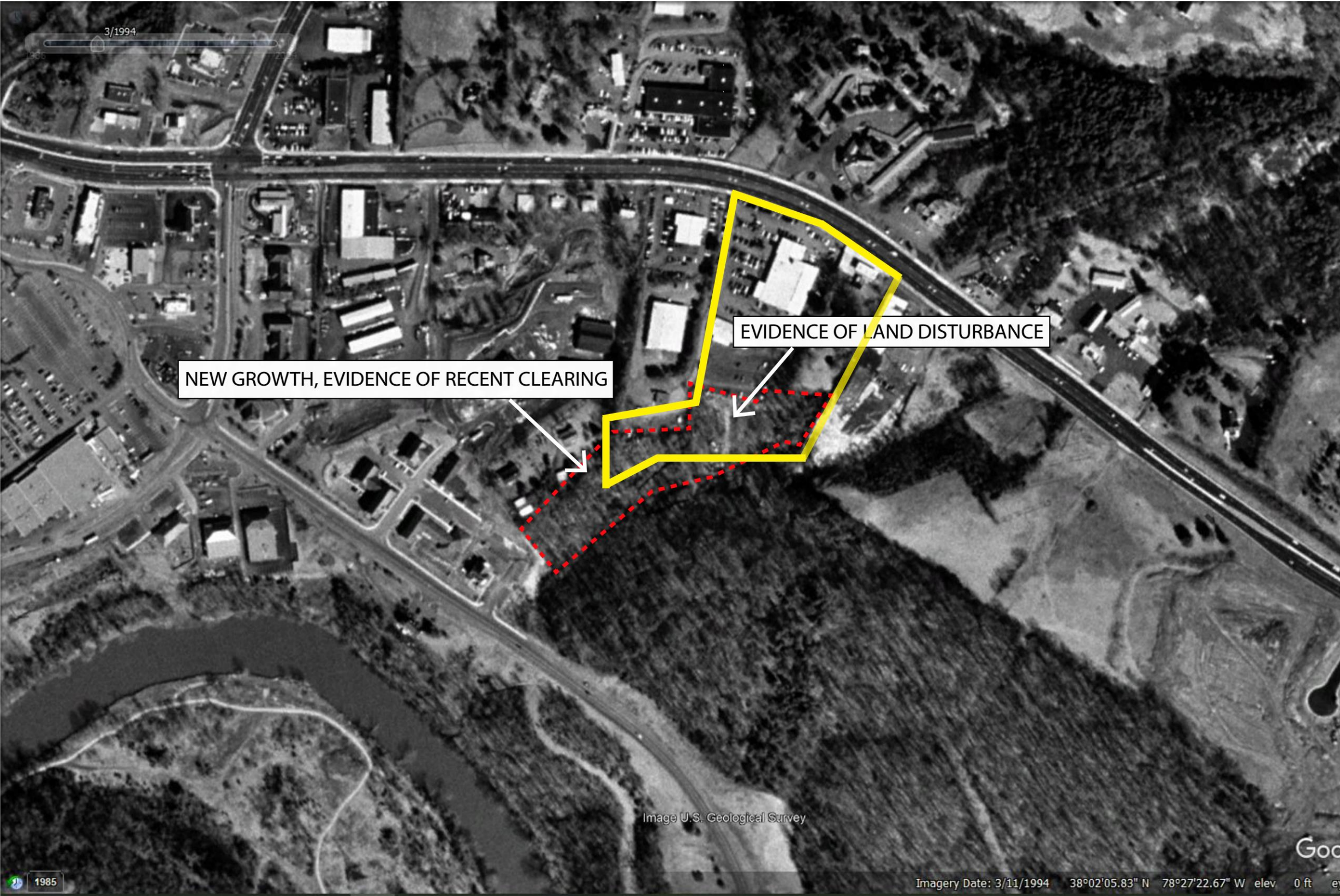
IMAGE 2: 1957 Historic Aerial, Lot boundary is approximate



IMAGE 3: 1966 Historic Aerial, Lot boundary is approximate



**FLOW SLOPES REZONING**  
**IMAGE 4: 1994 HISTORIC**  
**IMAGE**  
Sheet 7 of 14

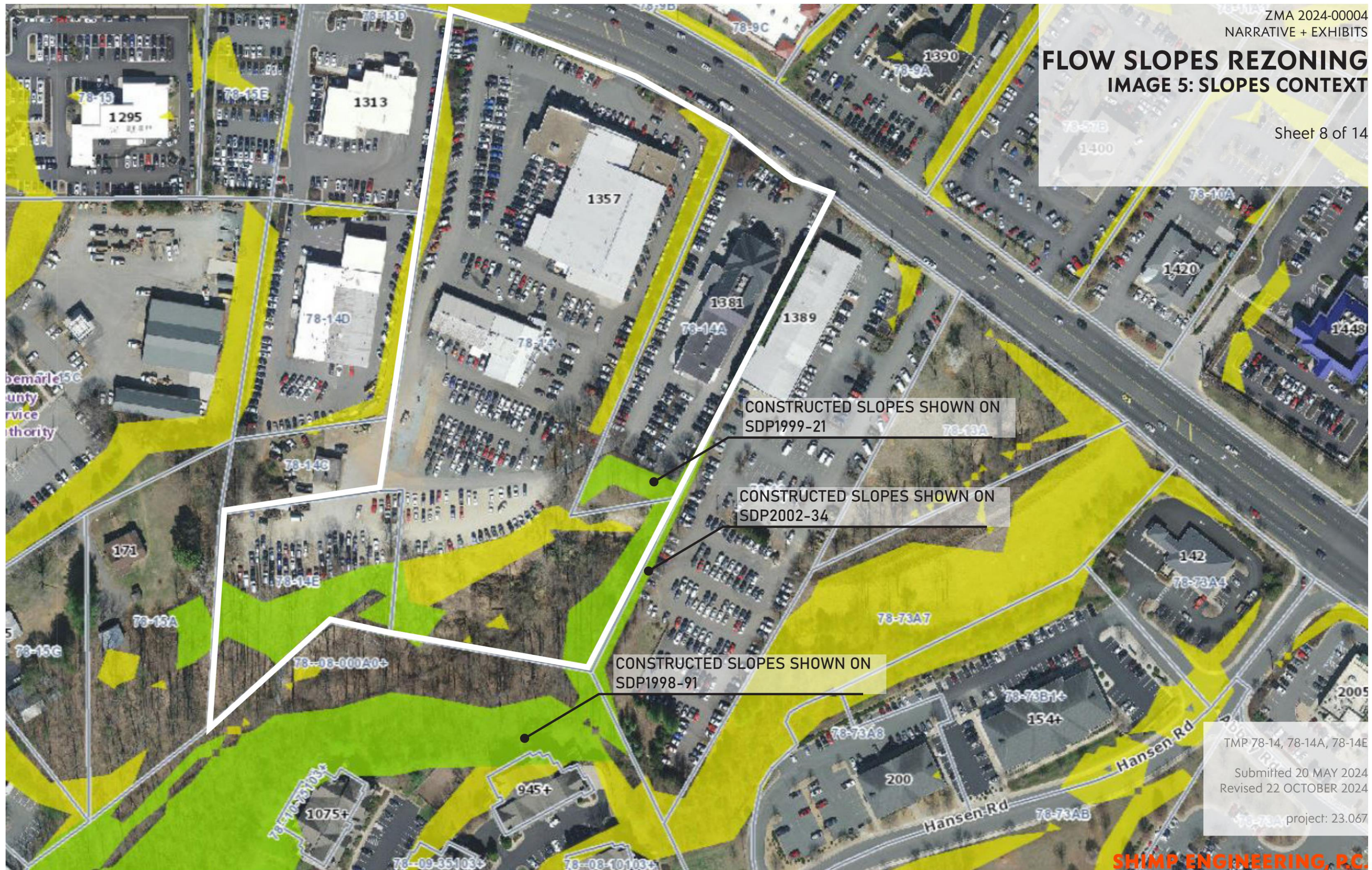


TMP 78-14, 78-14A, 78-14E

Submitted 20 MAY 2024  
Revised 22 OCTOBER 2024

project: 23.067

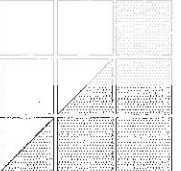
\*Lot Boundaries are Approximate



# FLOW SLOPES REZONING

## IMAGE 6: SDP1999-21

Sheet 9 of 14



DAGGETT  
& GRIGG  
ARCHITECTS

1001 E. MARKET ST., SUITE 200  
CHARLOTTESVILLE, VA.

804/971-8848 FAX 1236-3048

BROWN  
AUTO  
GROUP

ALBEMARLE  
COUNTY  
VIRGINIA

SITE  
DEVELOPMENT  
PLAN

TMP 78-14, 78-14A, 78-14E

REV. 12/22/98  
REV. 11/25/98  
REV. 10/20/98

Submitted 20 MAY 2024  
Revised 22 OCTOBER 2024

project: 23.067

SHEET 2 OF 9

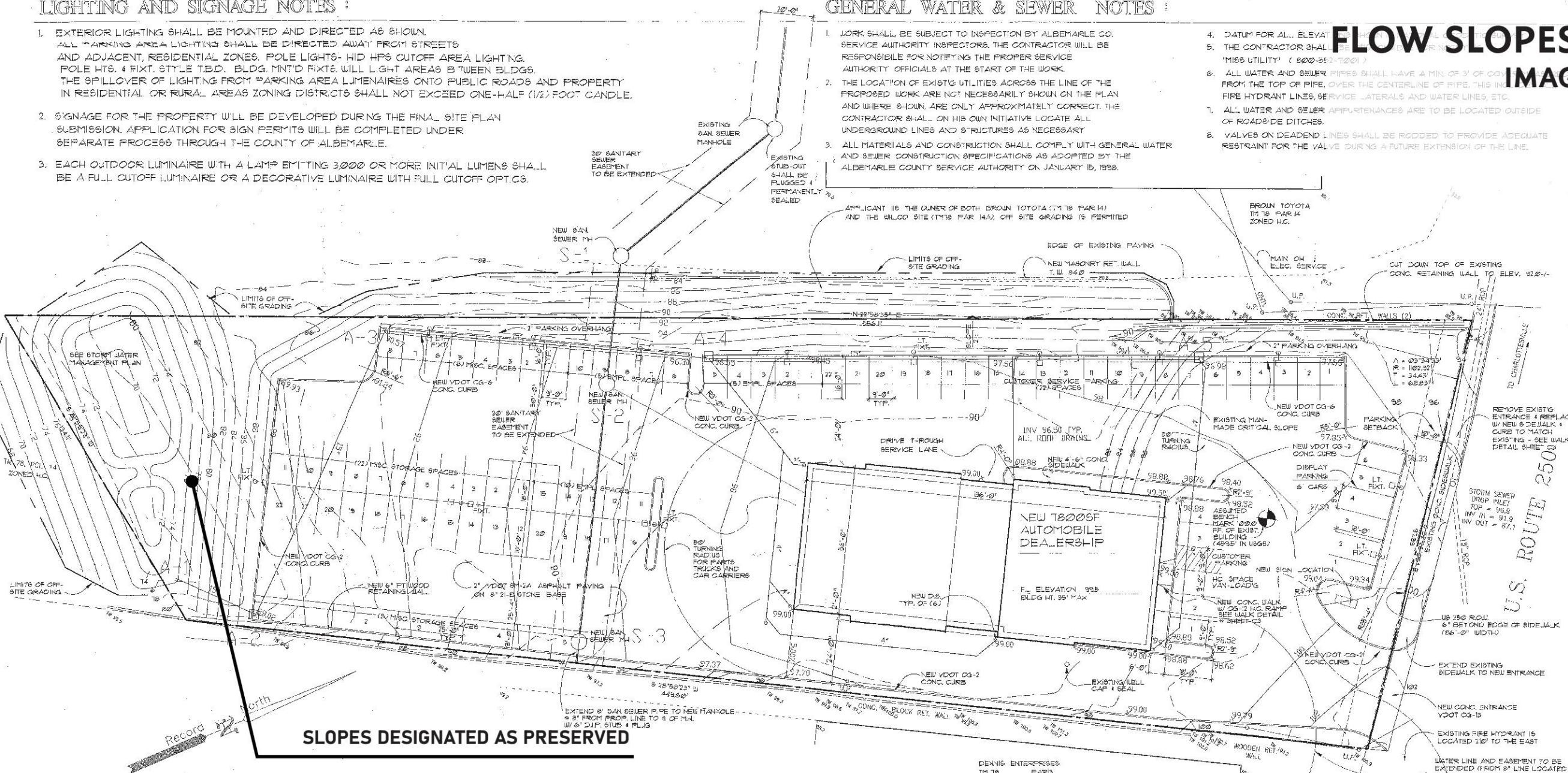
SHIMP ENGINEERING, P.C.

### LIGHTING AND SIGNAGE NOTES :

1. EXTERIOR LIGHTING SHALL BE MOUNTED AND DIRECTED AS SHOWN. ALL PARKING AREA LIGHTING SHALL BE DIRECTED AWAY FROM STREETS AND ADJACENT RESIDENTIAL ZONES. POLE LIGHTS- MID HPS CUTOFF AREA LIGHTING. POLE HTS. & FIXT. STYLE T.B.D. BLDG. MNT'D FIXTS. WILL LIGHT AREAS BETWEEN BLDGS. THE SPILLOVER OF LIGHTING FROM PARKING AREA LUMINAIRES ONTO PUBLIC ROADS AND PROPERTY IN RESIDENTIAL OR RURAL AREAS ZONING DISTRICTS SHALL NOT EXCEED ONE-HALF (1/2) FOOT CANDLE.
2. SIGNAGE FOR THE PROPERTY WILL BE DEVELOPED DURING THE FINAL SITE PLAN SUBMISSION. APPLICATION FOR SIGN PERMITS WILL BE COMPLETED UNDER SEPARATE PROCESS THROUGH THE COUNTY OF ALBEMARLE.
3. EACH OUTDOOR LUMINAIRE WITH A LAMP EMITTING 3,000 OR MORE INITIAL LUMENS SHALL BE A FULL CUTOFF LUMINAIRE OR A DECORATIVE LUMINAIRE WITH FULL CUTOFF OPTICS.

### GENERAL WATER & SEWER NOTES :

1. WORK SHALL BE SUBJECT TO INSPECTION BY ALBEMARLE CO. SERVICE AUTHORITY INSPECTORS. THE CONTRACTOR WILL BE RESPONSIBLE FOR NOTIFYING THE PROPER SERVICE AUTHORITY OFFICIALS AT THE START OF THE WORK.
2. THE LOCATION OF EXIST'G UTILITIES ACROSS THE LINE OF THE PROPOSED WORK ARE NOT NECESSARILY SHOWN ON THE PLAN AND WHERE SHOWN, ARE ONLY APPROXIMATELY CORRECT. THE CONTRACTOR SHALL ON HIS OWN INITIATIVE LOCATE ALL UNDERGROUND LINES AND STRUCTURES AS NECESSARY.
3. ALL MATERIALS AND CONSTRUCTION SHALL COMPLY WITH GENERAL WATER AND SEWER CONSTRUCTION SPECIFICATIONS AS ADOPTED BY THE ALBEMARLE COUNTY SERVICE AUTHORITY ON JANUARY 15, 1998.
4. DATUM FOR ALL ELEVATIONS SHALL BE THE MEAN SEA LEVEL (MSL) (800-353-1201).
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING A "MISS UTILITY" (800-353-1201).
6. ALL WATER AND SEWER PIPES SHALL HAVE A MIN. OF 3' OF COVER FROM THE TOP OF PIPE, OVER THE CENTERLINE OF PIPE. THIS IN FIRE HYDRANT LINES, SERVICE LATERALS AND WATER LINES, ETC.
7. ALL WATER AND SEWER APPURTENANCES ARE TO BE LOCATED OUTSIDE OF ROADSIDE DITCHES.
8. VALVES ON DEADEND LINES SHALL BE RODDED TO PROVIDE ADEQUATE RESTRAINT FOR THE VALVE DURING A FUTURE EXTENSION OF THE LINE.



### SITE DATA:

OWNER	BROWN AUTO GROUP (CONTRACT PURCHASER)
	195 SEMINOLE TRAIL
	CHARLOTTESVILLE VA
SITE	TAX MAP 78, PARCEL 14A / RIVANNA DISTRICT
SITE AREA	69,241 S.F. ± (1.59 ACRES)
ZONING	H C (ENTRANCE CORRIDOR OVERLAY DISTRICT)
SETBACKS	FRONT 30' BLDG / 10' PARKING
	SIDES 0' BLDG / 0' PARKING
DATUM	ASSUMED
PROPOSED USE	A NEW RETAIL AUTO DEALERSHIP WITH A (4) CAR SHOWROOM AND (8) SERVICE BAYS
LAND USE	BUILDING 12,000 S.F. 12%
	PAVING 53,100 S.F. 76.6%
	OPEN 8,341 S.F. 12.2%
EMPLOYEES	20 MAX.

### LANDSCAPE NOTES

1. LANDSCAPE MATERIALS SHALL BE MAINTAINED IN HEALTHY CONDITION. ANY MATERIALS THAT SHOULD DIE SHALL BE REPLACED. ALL DISTURBED AREAS THAT DO NOT RECEIVE PAVEMENT SHALL BE SEEDED OR OTHERWISE STABILIZED IN ACCORDANCE WITH ALBEMARLE COUNTY SOIL EROSION CONTROL ORDINANCE.
2. SUBSTITUTES FOR PLANT MATERIALS SHOWN MAY BE MADE FROM THE LIST OF RECOMMENDED SPECIES AS PER THE ALBEMARLE COUNTY ZONING ORDINANCE.
3. TREE CANOPY TBD
4. ALL AREAS DISTURBED BY CONSTRUCTION, NOT SHOWN TO RECEIVE OTHER TREATMENT, TO RECEIVE PERMANENT SEEDING.
5. INSTALL 12" OF TOPSOIL IN ALL PLANTING BEDS.

### PARKING NOTES

1. 1620 SF DISPLAY PARKING: 1500 = (2) CUSTOMER SPACES REQ. & (4) SPACES PROVIDED
2. 320 SF OFFICE AREA: 200 = (2) SPACES REQ. & PROVIDED
3. (20) EMPLOYEES = (20) SPACES REQ. & PROVIDED
4. (8) SERVICE STALLS x 2 = (18) SPACES REQ. & PROVIDED
5. (44) TOTAL SPACES REQ. & (88) PROVIDED

### UTILITY NOTES :

1. LOCATIONS OF EXISTING UTILITIES ARE TAKEN FROM A SITE SURVEY BY S. L. KEY INC.
2. NEW WATER SERVICE WILL BE EXTENDED FROM EXIST'G 8" LINE APPROX. 2' TO THE EAST

### GENERAL NOTES :

1. THE SITE IS NOT IN A DRINKING WATER RESERVOIR WATERSHED
2. THE SITE IS NOT LOCATED IN A DEFINED 100 YEAR FLOOD RAIN
3. THE SITE IS SERVED WITH PUBLIC WATER AND SEWER
4. VEHICLES SHALL BE DISPLAYED ONLY WHERE SHOWN ON THIS PLAN & SHALL NOT BE ELEVATED SPECIAL USE PERMIT NO. 9P-98-19

### SITE DEVELOPMENT PLAN WILCO PROPERTY BROWN AUTO GROUP

SITE FEATURES AND TOPOGRAPHY BASED ON FIELD WORK PERFORMED BY S. L. KEY INC. ON FEB. 12, 1998

NOTE: WORK ON THIS SITE RESULTS IN AN AMENDMENT TO THE SITE PLAN FOR PARCEL 14 LAST REVISED ON FEB. 3, 1998 REF: SDP 98-003

SCALE: 1" = 20'-0"

## Sheet 10 of 14

Revisions:  
1. 04/13/00 Prelim Plan Checklist Items  
2. 05/30/00 Agency Comments  
3. 06/30/00 County Comments

Project No.: 0006

Checked: RBM

— 300 —

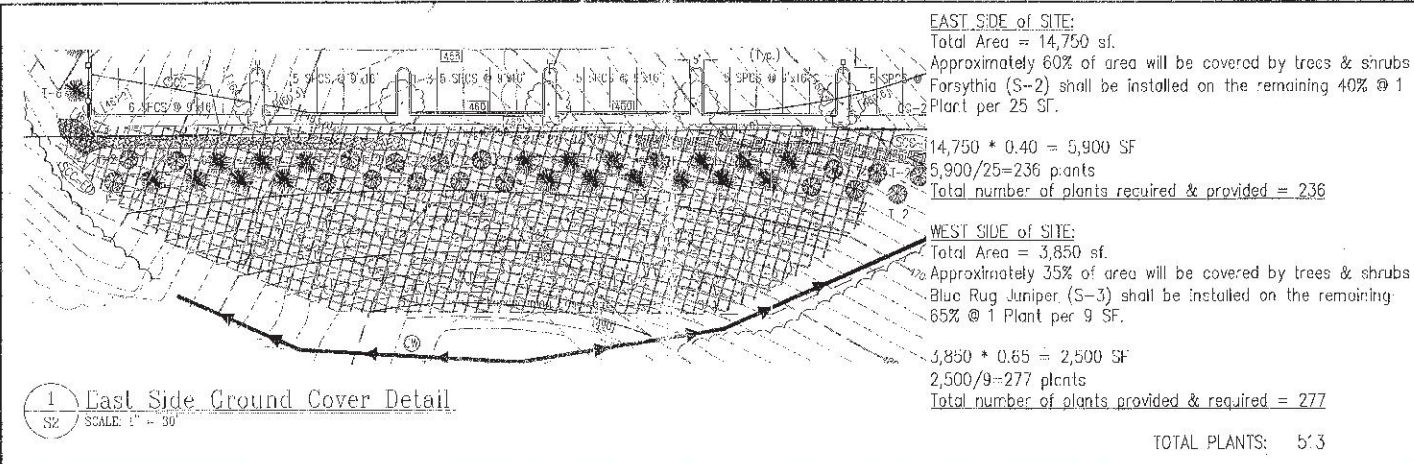
**Additional Notes:**

Contractor to verify quantities and report any discrepancies to the Landscape Architect.  
Notify Landscape Architect 24 hours prior to installation.  
All plant substitutions shall be approved by Albemarle County Water Resource officer prior to installation.

**SHIMP ENG**

FLOW SLOPES REZONING  
IMAGE 8: SDP2002-34

Sheet 11 of 14



**LANDSCAPE REQUIREMENTS**

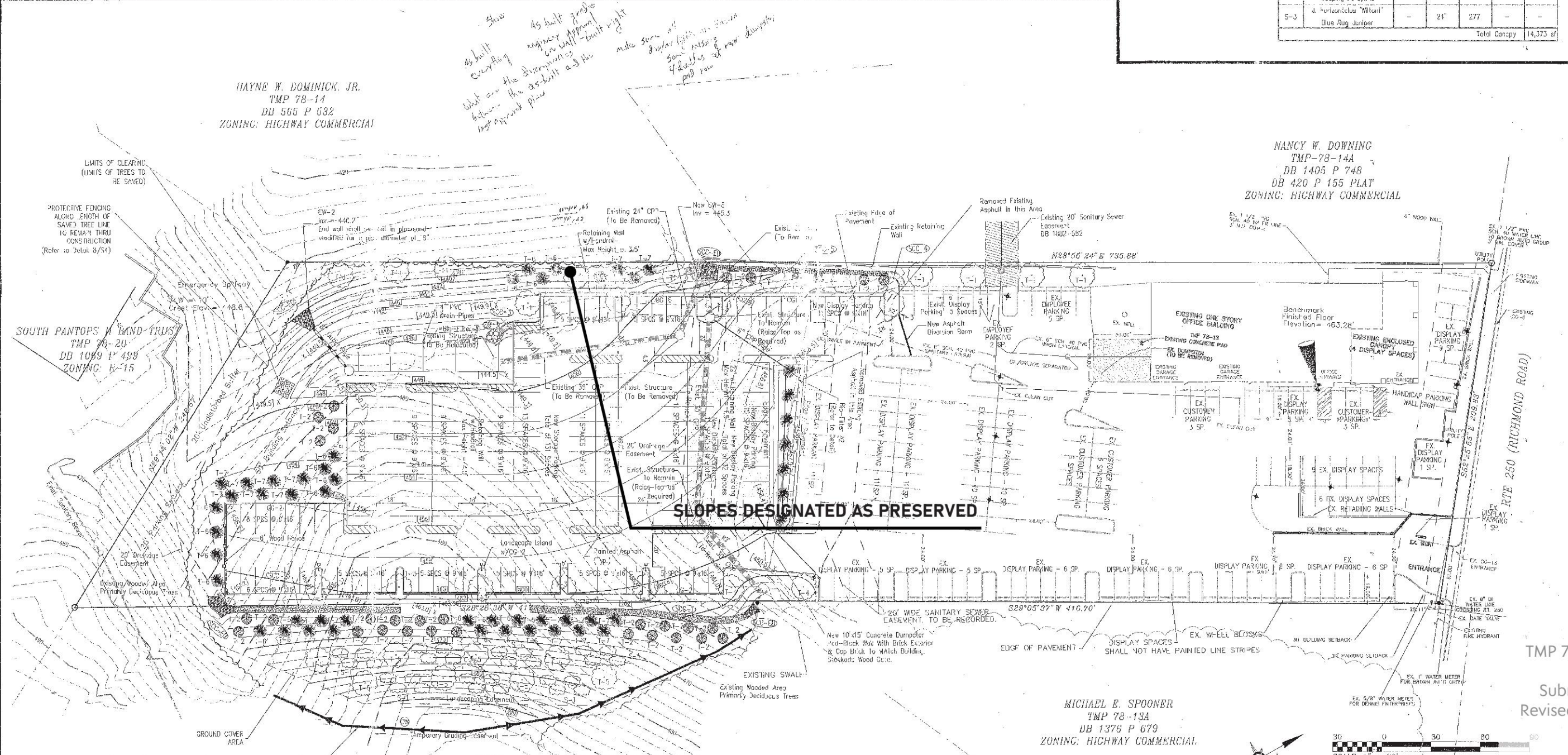
INTERIOR LANDSCAPING:  
CANOPY REQUIRED: 0.05\*86,902 SF = 4,345 SF  
QUANTITY REQUIRED: 1 TREE PER 10 PARKING SPACES  
230/10 = 23 TREES  
CANOPY PROVIDED: 14,373 SF  
QUANTITY PROVIDED: 109 TREES

TOTAL CANOPY:  
REQUIRED: 0.10\* 153,263 SF = 15,326 SF  
CANOPY PROVIDED BY SDP-02-34: 14,373 SF  
CANOPY PROVIDED BY SDP-00-115: 7.9 SF  
TOTAL: 22,392 SF

GROUND COVER: Refer to Details 1/S2 on 2/S2.

**LANDSCAPE SCHEDULE**

ITEM	PLANT	SIZE	QTY	AREA	QTY	AREA
T-1	Liquidambar styraciflua	2 1/2"	31	119 sf	3,889 sf	
T-2	Pinus strobus	6"-7"	31	119 sf	3,889 sf	
T-3	Quercus rubra	2 1/2"	8	335 sf	2,880 sf	
T-4	Red Oak	2 1/2"	2	413 sf	826 sf	
T-5	Eastern White Pine	2 1/2"	2	413 sf	826 sf	
T-6	Amelanchier canadensis	2 1/2"	8	54 sf	452 sf	
T-7	Juniperus virginiana	6"-7"	28	16 sf	448 sf	
S-1	Arctostaphylos uva-ursi	2"	28	-	-	
S-2	W. suspensa Sieboldii	2"	236	-	-	
S-3	Blue Rug Juniper	2"	277	-	-	
				Total Canopy	14,373 sf	



\*Please note that this site plan is not applicable to TMP 78-14 or 78-14A but is included to show grading along the shared property boundary in areas that are now designated as preserved slopes.

TMP 78-14, 78-14A, 78-14E

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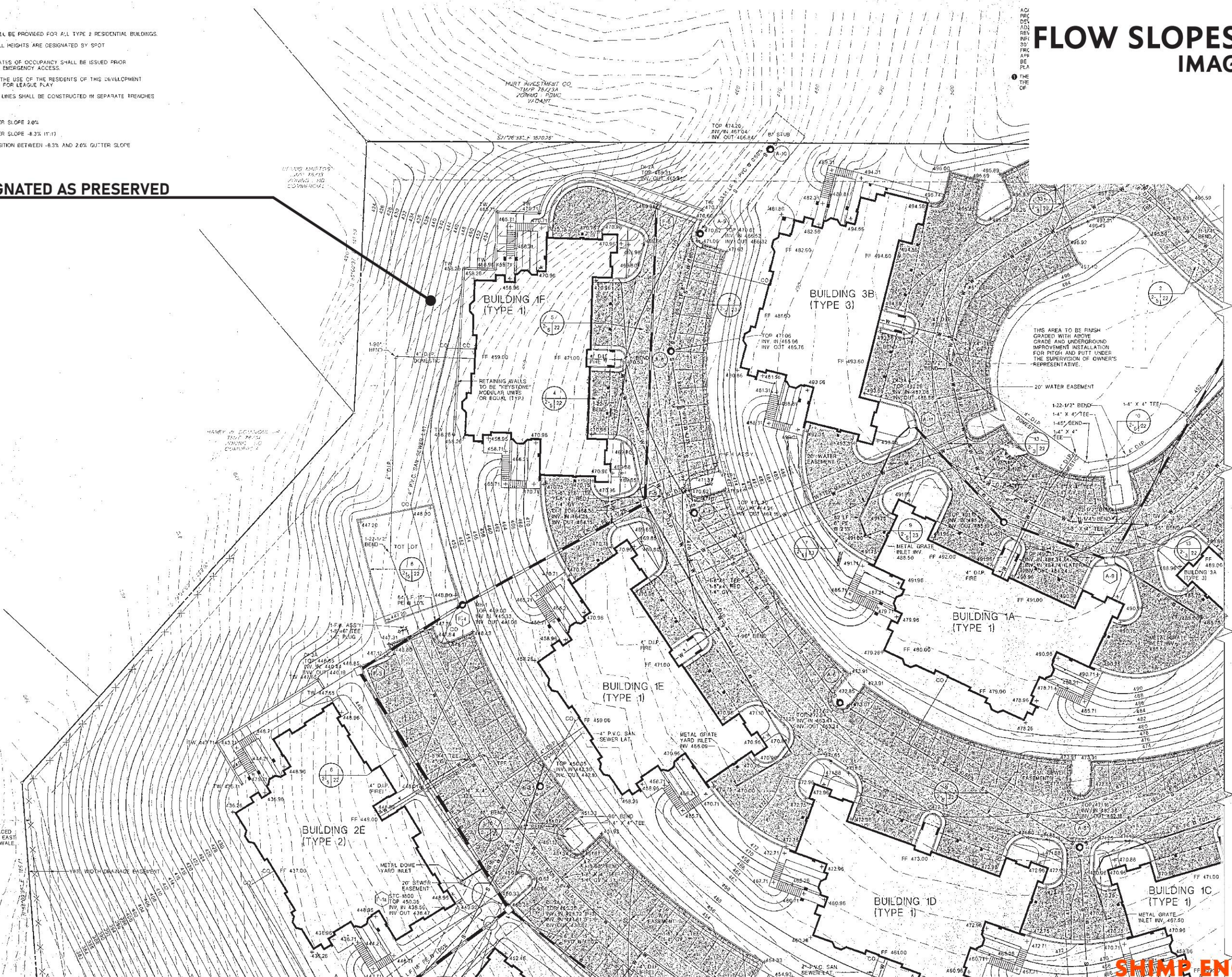
SHIMP ENGINEERING, P.C.

FLOW SLOPES REZONING  
IMAGE 9: SDP1998-91

- NOTES:
- 1. VAN ACCESSIBLE SPACES WILL BE PROVIDED FOR ALL TYPE 2 RESIDENTIAL BUILDINGS.
  - 2. APPROXIMATE RETAINING WALL HEIGHTS ARE DESIGNATED BY SPOT ELEVATIONS ON THE PLAN.
  - 3. NO MORE THAN 49 CERTIFICATES OF OCCUPANCY SHALL BE ISSUED PRIOR TO THE COMPLETION OF THE EMERGENCY ACCESS.
  - 4. BASKETBALL COURT IS FOR THE USE OF THE RESIDENTS OF THIS DEVELOPMENT AND THEIR GUESTS AND NOT FOR LEAGUE PLAY.
  - 5. PUBLIC AND PRIVATE WATER LINES SHALL BE CONSTRUCTED IN SEPARATE TRENCHES.

OUTTER SLOPE 2.0%  
OUTTER SLOPE -8.3% (1:1)  
TRANSITION BETWEEN -8.3% AND 2.0% GUTTER SLOPE

SLOPES DESIGNATED AS PRESERVED



CARRIAGE HILL - PHASE 1

Albemarle County, Virginia

GRADING AND UTILITIES PLAN

Revisions:  
6/18/98 County Comments  
6/17/98 ACSA Comments  
6/22/98 Engineering Comments  
6/23/98 ACSA Comments

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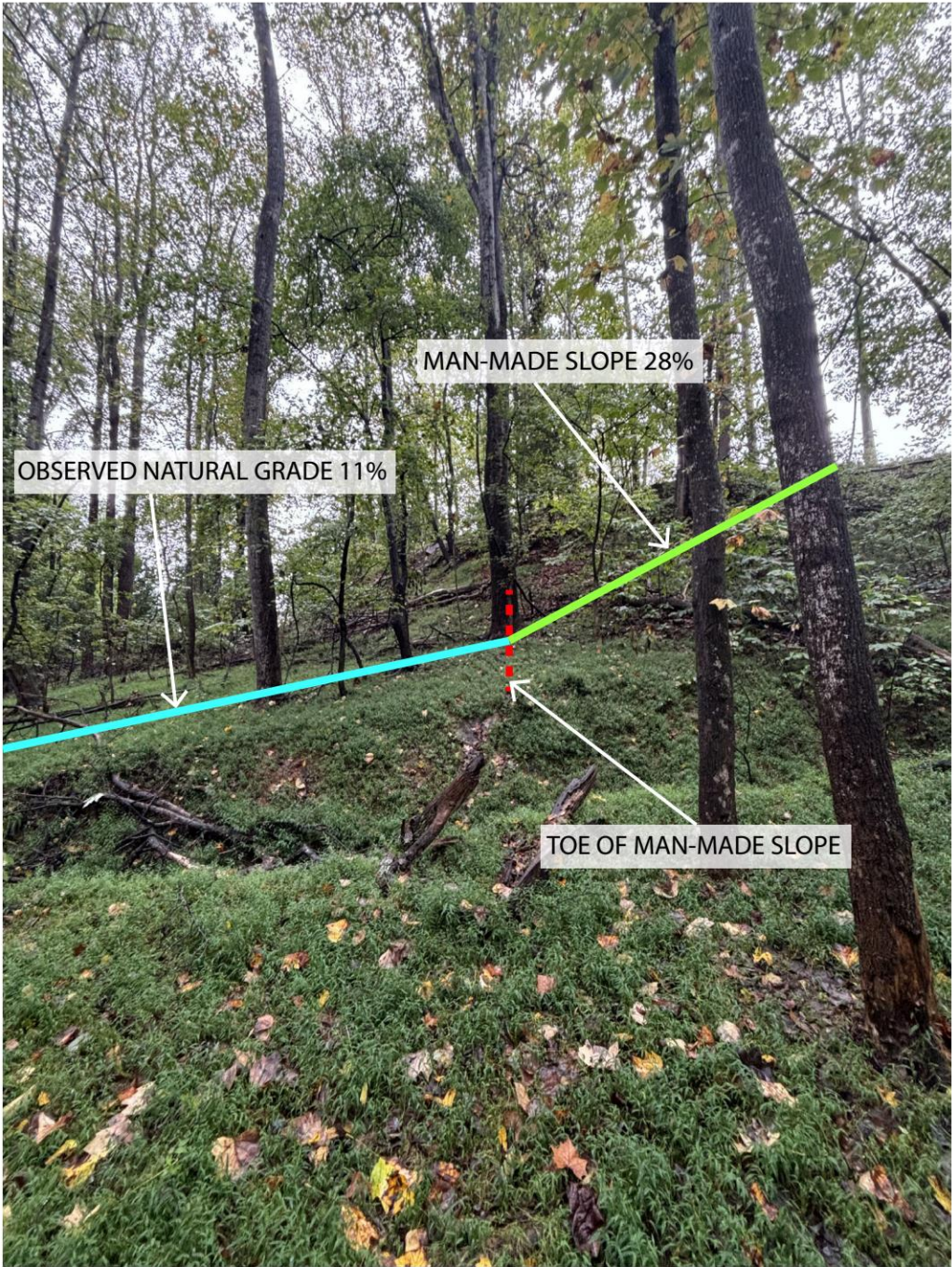
project: 23-067

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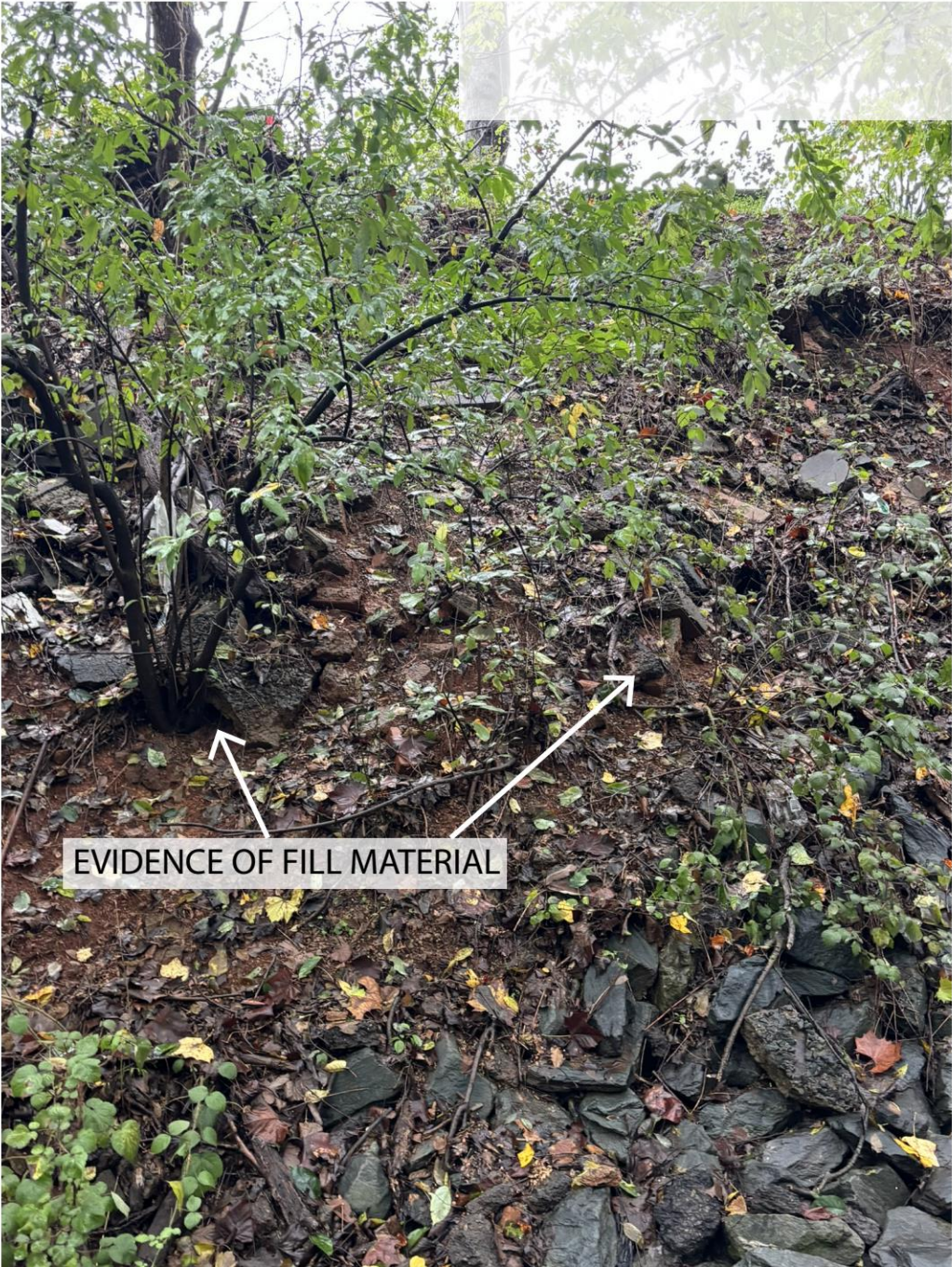
**FLOW SLOPES REZONING**  
**IMAGES 10-12: SITE IMAGES**



**IMAGE 10: Location of Site Images**



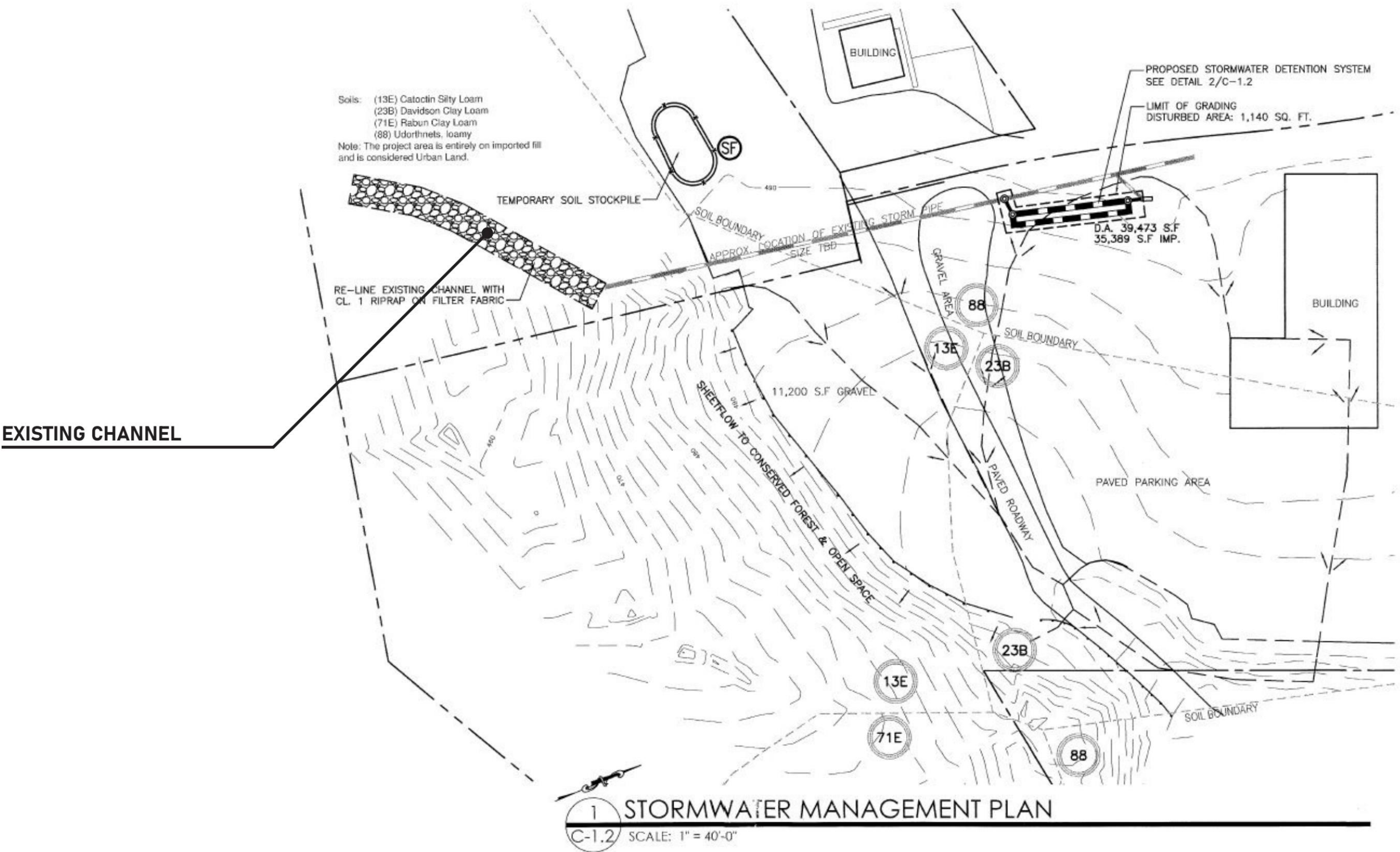
**A.**



**B.**

FLOW SLOPES REZONING  
IMAGE 13: SDP2017-31

Sheet 14 of 14



TMP 78-14, 78-14A, 78-14E

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Revised 22 OCTOBER 2024

project: 23.067

FLOW SLOPES REZONING  
EXHIBIT A - ZMA2016-23

ZMA # 201600023  
December 5, 2017

PROFFER STATEMENT

Date: December 5, 2017

ZMA #201600023

Tax Map and Parcel Number(s): PORTIONS OF ALBEMARLE COUNTY TAX MAP PARCELS 07800-00-00-01400, 07800-00-00-014E0, 07800-00-00-014C0 and 07800-00-00-014A0

Owner(s) of Record: UMANSKY PROPERTIES TOC, LLC, a Delaware limited liability company (formerly owned by Virginia's First Family of Fine Cars, Inc. and S & B Realty Venture, L.L.C.) and UMANSKY PROPERTIES MBOC, LLC, a Delaware limited liability company (formerly owned by S & B Realty Venture, L.L.C.) (the "Owner(s)").

Rezoning request for Application Plan (the "Application Plan") entitled "BROWN TOYOTA AND MERCEDES DEALERSHIPS 1357 & 1381 Richmond Road Charlottesville, VA 22911 RE-ZONING APPLICATION PLAN" prepared by B. Clark Gathright, LLC, dated August 17, 2017, last revised on September 26, 2017.

UMANSKY PROPERTIES TOC, LLC, a Delaware limited liability company is the owner(s) of Tax Map and Parcel Number 07800-00-00-01400 and 07800-00-00-014E0 (the "Property") which is the subject of rezoning application, a project known as "BROWN TOYOTA" (the "Project").


In order to accomplish the rezoning, a site plan amendment is required be made to the above Property and to Tax Map and Parcel Number 07800-00-00-014C0 owned by UMANSKY PROPERTIES TOC, LLC, a Delaware limited liability company and to Tax Map and Parcel Number 07800-00-00-014A0 owned by UMANSKY PROPERTIES MBOC, LLC, a Delaware limited liability company.

Pursuant to Section 33.3 of the Albemarle County Zoning Ordinance, the owners, or their duly authorized agent, hereby voluntarily proffer the conditions listed below which shall be applied to their property, if rezoned to the zoning district identified above. These conditions are proffered as a part of the requested rezoning and it is agreed that: (1) the rezoning itself gives rise to the need for the conditions; and (2) such conditions have a reasonable relation to the rezoning request.

1. Development shall be in general accord with Plan entitled "BROWN TOYOTA AND MERCEDES DEALERSHIPS 1357 & 1381 Richmond Road Charlottesville, VA 22911 MINOR SITE PLAN AMENDMENT" prepared by B. Clark Gathright, LLC, dated May 16, 2017, last revised on September 26, 2017, the primary features of which include: The proffered site plan will include a platted 2.47 acre preservation area for stormwater management and water quality purposes (see the attached plat dated September 28, 2017, captioned "New Forest/.Open Space Preservation Area TMP 78-14 and 78-14E Albemarle County" made by

Commonwealth Land Surveying, LLC). The site plan also delineates the current preserved and managed slopes areas that will be used to amend the County Zoning Maps.

OWNER:  
UMANSKY PROPERTIES TOC, LLC, a Delaware limited liability company

By:   
Danny Umansky, CEO

Date signed: 12/5/17

OWNER:  
UMANSKY PROPERTIES MBOC, LLC, a Delaware limited liability company

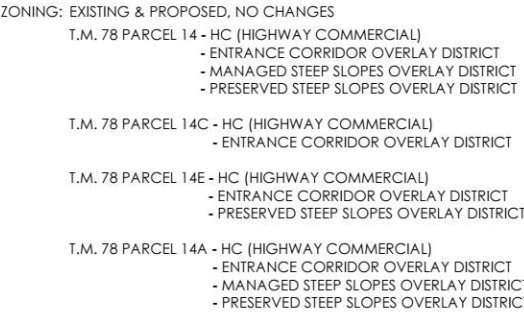
By:   
Danny Umansky, CEO

Date signed: 12/5/17

TMP 78-14, 78-14A, 78-14E

Submitted 20 MAY 2024  
Revised 22 OCTOBER 2024

project: 23.067



STEP	PRE-DEVELOPMENT (A.C.)		POST-DEVELOPMENT (A.C.)		NET CHANGE	
PARCEL	PRESERVED	MANAGED	PRESERVED	MANAGED	PRESERVED	MANAGED
T.M. 78 PARCEL 14	0.51	0.26	0.27	0.48	-0.24	+0.22
T.M. 78 PARCEL 14A	0.10	0.06	0.10	0.06	0	0
T.M. 78 PARCEL 14E	0.42	0	0.41	0	-0.01	0
T.M. 78 PARCEL 14C	0	0	0	0	0	0