



December 28, 2018

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Albemarle County
210 McIntire Road
Charlottesville, VA 22901

**RE: ZONING MAP AMENDMENT APPLICATION FOR
TMP 07700-00-00-040B0
WOOLEN MILLS LIGHT INDUSTRIAL PARK**

The applicant is requesting the rezoning of a strip of land that is the site of an abandoned railroad track. Much of the land in this section is less than a 25% slope, and that portion that is steeper than 25% can be readily seen to be manmade – an embankment created by the railroad in order to build a siding to serve the now defunct woolen mill. We are not requesting any change of the zoning for the preserved slopes along Broadway, Franklin, or Moore's Creek lane, thereby preserving the buffer for the neighbors (including the old stone wall). Once the by-right (already approved and permitted) development is built, the strip of land in question will be an island surrounded by buildings, pavement, and storm water management systems. The fact that it is man-made, coupled with the fact that its disturbance would not be detrimental to the public health safety or welfare, and its preservation will not forward the purposes of the critical slopes ordinance, make it a suitable candidate for re-zoning. Therefore, this Zoning Map Amendment (ZMA) will be limited only to the preserved slopes that are on TMP 07700-00-00-040B0 and parallel the northern curved property line between TMP 07700-00-00-040B0 and TMP 07700-00-00-040M0. Refer to the Rezoning Application Plan for the Preserved Slopes to be rezoned to Managed Slopes.

A. PROJECT PROPOSAL

The purpose of this ZMA is to rezone a 19,635 SF (0.45 acre) area of Preserved Slope Zoning to Managed Slope Zoning. The Rezoning Application Plan shows the limits of the area to be rezoned. Although the total area marked preserved and which is requested to be rezoned is 19,635 s.f., field observations and the county gis confirm that much of this strip is in fact at a less than 25% grade, and that furthermore the sections that do exceed 25% are manmade.

The Preserved Slopes are located within the properties, consequently this rezoning would not have any affect on the public need or benefit.

B. CONSISTENCY WITH THE COMPREHENSIVE PLAN

TMP 77-40B is located in Neighborhood 4 of the Southern and Western Urban Neighborhoods development area.

The Comprehensive Plan designates the future land use Classification of TMP 77-40B as Parks and Green Systems. Chapter 11 of the Comprehensive Plan calls for a new pedestrian or multi-purpose path through this parcel but does not designate this parcel as a location for a public park or greenway trail. The proposed rezoning will allow for a new pedestrian or multi-use path through the parcel.

The proposed use for the rezoned area will be light industrial buildings, and associated parking, which is a by-right use for this parcel.

How Managed Slopes Were Created:

The majority of the rezoned area is located within the boundaries of the former TMP 77-40C1. This parcel was owned by CSX Transportation as recorded in DB 274-70. TMP 77-40C1 was conveyed to Yves Delorme, Inc. in DB 3088-272. A legal description for TMP 77-40C1 is included in DB 3088-272. TMP 77-40C1 was then conveyed to Elemental Ecotech, LLC in DB 4797-428. TMP 77-40C1 was then combined with TMP 77-40B in DB 4893-401. Copies of these deeds are enclosed with this narrative.

The Application plan shows the former boundary line for TMP 77-40C. The plan also shows two Railroad Right-of-way Monuments that were located during a recent field survey. There is also visible evidence of rails and ties from an abandoned railroad. This is more than enough evidence a railroad was constructed on this property.

The application plan also shows the existing contours for TMP 77-40B. The contours on the parent tract of TMP 77-40B indicates gently rolling grades that have smooth horizontal and vertical transitions, which is indicative of natural grading. The contours throughout TMP 77-40C1 have areas that are flat and areas that have abrupt horizontal and vertical transitions, which is indicative of manufactured grading. Grading that is typical for linear road and railroad projects.

Responses to Section 18-30.7.3 Characteristics of Managed Slopes:

- i. The contiguous area of steep slopes is limited or fragmented. **The slopes are fragmented.**
- ii. The slopes are not associated with or abutting a water feature, including, but not limited to, a river, stream, reservoir or pond. **The slopes are not associated with or abutting a water feature.**
- iii. The slopes are not natural but, instead are manufactured. **The slopes were manufactured during the construction of the railroad.**
- iv. The slopes were significantly disturbed prior to June 1, 2012; **The railroad was constructed prior to June 1, 2012.**
- v. The slopes are located within previously approved single-family residential lots; **Not Applicable.**
- vi. The slopes are shown to be disturbed, or allowed to be disturbed, by a prior county action. **Not Applicable.**

Section 18-30.7.5 Design Standards:

If the Preserved Steep Slope area is rezoned to Managed Slopes, then the following design standards will be used to land disturbances and construction activity.

1. Retaining walls shall be incorporated into the design of building walls where feasible.
2. Cut and fill shall be rounded off to eliminate sharp angles.
3. Cut and fill slopes within the Managed Slope Zoning shall be no steeper than a 3:1 slope.

Comprehensive Plan -Appendix 8: Neighborhood Goal #11:

1. Building foundations shall be used as retaining walls where feasible.
2. Cut and fill slopes within the Managed Slope Zoning shall be no steeper than a 3:1 slope.
3. Where feasible, small retaining walls, less than 6-feet in height, on stepped terraces shall be used around parking areas.
4. Steep slopes will not be constructed near neighboring properties.

C. IMPACTS ON PUBLIC FACILITIES AND PUBLIC INFRASTRUCTURE

The rezoned area on TMP 77-40B is located within the parcel. There are no public facilities or public infrastructure near this area, consequently, this rezoning will not have any impact on these facilities.

D. IMPACTS ON ENVIRONMENTAL FEATURES.

The only environmental features near the rezoned area are the stream buffer for Moore's Creek and the Flood Hazard Overlay District. Both of these features are located over 250-feet away from the rezoned area. Erosion control measures will be used to prevent sediment from construction activities getting to these features. A permanent flow equalization basin will be constructed as shown on the approved site plan (SDP201600076) to prevent any increase in storm water run-off from entering these features after construction is completed.

E. PROPOSED PROFFERS TO ADDRESS IMPACTS

This ZMA does not require any proffers as indicated on the checklist

Please let me know if you need additional information.

Sincerely,

Timothy Miller, P.E., L.S.
Principal

ZMA 201800017

ZONING MAP AMENDMENT
FOR
WOOLEN MILLS
LIGHT INDUSTRIAL PARK

TMP 07700-00-00-040B0
ELEMENTAL ECOTECH, LLC
809 BOWLING AVE, UNIT C
CHARLOTTESVILLE, VA 22902

ENGINEER
MERIDIAN PLANNING GROUP, LLC
440 PREMIER CIRCLE, STE 200
CHARLOTTESVILLE, VA 22901

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