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January 15, 2016

Rachel Falkenstein, AICP
Senior Planner
Albemarle County Community Development
401 McIntire Road
Charlottesville, Virginia 22902

**RE: *West Glen Subdivision - TM 55C-3-A, 56-115, 55C-3-A1, 56A1-1-25, 56A1-1-26A - Fill in Floodplain -
Special Use Permit Project Narrative***

Dear Rachel,

This letter is to serve as our narrative to accompany the submission of our Special Use Permit request for proposed fill in the floodway and floodplain fringe for a proposed stream crossing to connect Cling Lane to Orchard Drive in accordance with the approval conditions of SP 1990-103.

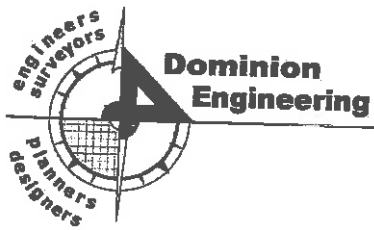
PROJECT PROPOSAL

The applicant is proposing to extend Cling Lane and construct up to 80 detached and attached single family residential units and associated roadways, utilities and stormwater management features on the northeast side of Powell's Creek as was presented at the pre-application meeting held on August 17, 2015 and as was presented at a community meeting with staff and the Crozet Community Advisory Council on December 16, 2015 at the Crozet Library.

The approved Special Use Permit SP 1990-103 limits the Cling Lane development to 30 lots until a second road connection to Orchard Drive is provided. SP 1990-103 required the connection to be made to Orchard Drive. In order to construct this road connection, it is necessary to provide fill in the Powell's Creek floodway and the floodplain fringe. The attached application, cover letter, and plans address the standards of both 30.3.13 and 30.3.14 for floodway and floodplain fringe encroachments.

The applicant has exhausted all other options at making alternate roadway connections and is currently left with the Orchard Drive connection as a last option. The other connections suggested include McComb Street, Pleasant Green Street, Buford Street or Jeremiah Lane. McComb Street is the only one of these streets that is contiguous with the subject parcel. McComb Street is a 30' ROW, which is not sufficiently wide to build a road to VDOT and County standards. Though a private connection or emergency access connection are feasible, staff has determined that neither of these alternatives satisfy the condition of SP 1990-103. Therefore, the connection to Orchard is the only feasible option.

To this end, the applicant is proposing to construct approximately 1200 linear feet of roadway and associated drainage improvements to make the second connection for the proposed West Glen subdivision to Orchard Drive. The Special Use Permit will not be a substantial detriment to adjacent lots since the proposed fill will not raise the 100-year base flood elevation. Also, the character of the R-6 zoning district will not be changed since the proposed Special Use is congruent with the by-right residential use. Furthermore, the Special Use Permit is in harmony with the following:



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- **The purpose and intent of the zoning ordinance.** – The proposed fill in the floodplain is required in order to develop the proposed properties. The proposal has been prepared to meet the special requirements as designated by the County Engineer to address ordinance concerns to include not increasing the base flood elevation, honoring the floodway, preventing erosion and providing adequate mitigation.
- **The use permitted by right in the zoning district** – the proposed fill in the floodplain provides a road connection that is complementary with the uses permitted by right in the R-6 zoning district.
- **The regulations in Section 5 of the zoning ordinance** – Section 5.1.28 allows fill areas in the flood hazard overlay district provided authorization per 30.3 is provided, which has been made part of this application. Also, requirements such as stabilization within 7-days of final grade and completion within one year of project commencement will be addressed by the applicant with the final construction plans.
- **The public health, safety and general welfare** – By meeting all of the applicable zoning ordinance sections for the proposed special use as will be evidenced by final construction plans, no adverse effects to the public health, safety and general welfare are anticipated.

MEETING PUBLIC BENEFIT

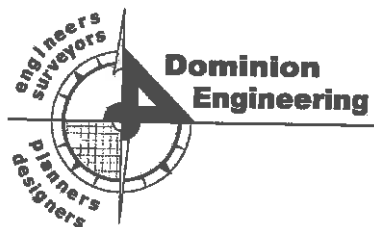
Construction of the road connection to Orchard Drive includes various measures to address the public need. First, as part of the stream buffer mitigation measures, the applicant is proposing to provide 15% Affordable Dwelling Units (ADU). Provision of ADU's will certainly meet a public need to provide additional affordable housing options in the County. Also, providing a second point of access for the existing neighborhood will improve traffic circulation and fire and rescue response times. With the road connection, a pedestrian trail easement is proposed to connect with future development. The pedestrian trail easement will include connections to Cling Lane and Jarmans Gap Road, and including the possibility for future connections to the northwest toward Mint Springs Park.

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The land use plan is consistent with the goals of the Comprehensive Plan. The property is located in the Growth Area as shown on the Crozet Master Plan Land Use Plan with a neighborhood density of 3-6 DU/AC. The proposal is for 4.4 DU/AC so it is within the Comprehensive Plan density range. The area southwest of Powell's Creek is designated as parks and green space. The applicant is proposing a pedestrian trail easement and passive recreation area in this location. The Transportation Plan indicates conceptual street locations connecting Cling Lane to Pleasant Green Street and an extension of Jeremiah Lane through the property. The applicant will stub streets to the property lines so that connections to Pleasant Green Street and/or Jeremiah Lane could be made when the adjoining landowner decides to develop their property. Orchard Drive is the feasible backup option that the applicant is pursuing. The Comprehensive Plan also shows a civic space onsite. The applicant is meeting the intent of the civic space by providing a pedestrian connection the trail easement from the westernmost cul-de-sac, passive recreation area in the stream buffer, a tot lot, and open space throughout the development. Finally, the Comprehensive Plan Neighborhood Model Guidelines recommend an equal balance of complementary, activity-generating land uses located on opposite sides of the stream. The applicant will include buffers and other strategies for stream protection and preserving stream banks and riparian habitat with the final construction plans.

IMPACTS ON PUBLIC FACILITIES AND INFRASTRUCTURE

The proposed development is located in the Development Area and is currently served by public water and sewer. As part of the standard development procedures, a sewer capacity agreement will need to be obtained from the RWSA for the projected wastewater flow. Fire flow calculations will also be provided based on existing water



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system flow and pressure information. The proposed development also considers the existing sanitary sewer infrastructure on the east side of Peach Tree Drive.

IMPACTS ON ENVIRONMENTAL FEATURES

The applicant is proposing a number of mitigation measures to offset potential impacts on environmental features as a result of the road construction within the stream buffer. These measures are described below:

1. **Removal of Existing Dam in Powell's Creek.** The applicant is proposing to remove an approximate 5'-high concrete dam that impounds water in Powell's Creek as shown on the plans. Upon removal of the dam, the applicant proposes to restore the native stream flow patterns. This will serve to restore the riparian habitat that has been altered due to the dam construction and allow aquatic life to travel up and down the stream bed, restoring natural processes currently impossible due to the dam.
2. **Provide armoring stabilization of the streambank with gabion baskets, cutting back of the slope, or other approved means to reduce the further displacement of soils in strategic areas of extreme erosion along Powell's Creek.**
3. **Reforestation in areas along Powell's Creek where tree cover is sparse in locations as shown on the plan.**
4. **Provision of structural (Filterrras, Jellyfish) and/or non-structural (rain gardens, dry/wet swales, filter strips, buffers) BMP facilities downstream of new impervious areas to reduce the non-point solution. The proposed measures will provide additional water quality above and beyond the minimum required.**

We thank you very much for your review of this project and look forward to your thoughtful review and staff report.

Best Regards,


Michael Myers, P.E., C.F.M.

Cc: Charlie Armstrong