



October 11, 2018

Christopher Perez
County of Albemarle
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, VA 22902

Regarding: Special Exception Request - Oak Hill Convenience Store SDP201800036

Mr. Perez,

Siddh LLC is the owner of Albemarle County's tax map and parcel number 76-52L that is the subject of a final site plan application entitled "Oak Hill Convenience Store." This parcel is zoned both residential and commercial, and the majority of improvements take place on the commercial portion. The plan proposes the removal of 3 existing mobile homes and the addition of 6 fuel pumping stations. There are two areas where the plan conflicts with the County's Ordinance Sec. 21.7(c) *Buffer zone adjacent to residential and rural areas districts*, shown in the attached exhibit.

The ordinance states:

"For the purpose of this subsection, a buffer shall not be required when a commercial zone is across a street from a residential or rural area district. No construction activity including grading or clearing of vegetation shall occur closer than twenty (20) feet to any residential or rural areas district. Screening shall be provided as required in section 32.7.9. The board of supervisors may waive by special exception the prohibition of construction activity, grading or the clearing of vegetation in the buffer in a particular case upon consideration of whether: (i) the developer or subdivider demonstrates that grading or clearing is necessary or would result in an improved site design; (ii) minimum screening requirements will be satisfied; and (iii) existing landscaping in excess of minimum requirements is substantially restored."

In Area A on the attached exhibit, an exception is requested for multiple items. One of the mobile homes and some of the asphalt to be removed are located within the 20' buffer zone adjacent to TMP 76-52P, zoned residential. Additionally, a power pole is proposed within Area A to run underground electric through the site. Dominion has requested that the new pole be located adjacent to the existing, which is already within the buffer area. Finally, a minimum 20' screening buffer is required between the subject parcel and TMP 76-52P. As proposed, the parking lot improvements leave no space to provide this screening buffer unless it is within the buffer adjacent to TMP 76-52P. The intent of this request is to restore the buffer to a state that reflects its original purpose by removing existing asphalt and structures within it and providing screening to the adjacent residential parcel(ii).

Area B also has a conflict with the buffer zone adjacent to a residential district, though this residential district is located on the same property. The plan proposes minimal grading within the buffer in order to channel

stormwater to the intermittent stream near the southern portion of the property(i). No other disturbance in that area is proposed, and existing vegetation will be preserved to satisfy screening requirements.

We request that the Board grant the special exception request to disturb the aforementioned buffer areas adjacent to residential districts in order to meet minimum screening requirements(ii) and channel stormwater(i). Thank you for your consideration of this request.

Best Regards,

A handwritten signature in black ink, appearing to read 'Kendra Patrick', with a stylized flourish at the end.

Kendra Patrick
Shimp Engineering, P.C.