SKYLINE RIDGE APARTMENTS - REZONING PERMIT

REZONING PERMIT #: (ZMA 2021-00012)
JACK JOUETT MAGISTERIAL DISTRICT

NARRATIVE AND APPLICATION PLAN

Submission Date: SEPTEMBER 20, 2021
Updated: December 6, 2021
Updated: February 10, 2022

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I. Project Overview

The applicant, Woodard Properties, is seeking a zoning map amendment (ZMA) permit to amend the preserved steep slopes within the original approved development area for the Skyline Ridge project. This project is a by-right apartment complex in the R-15 zoning district, located off Ivy Road at the end of Colonnade Drive. The property tax map number is 06000-00-00-040C8, and the property is 4.96 acres. Woodard Properties is a real estate development and property management company located in Charlottesville, Virginia, and they are proposing to construct a maximum of 74 multi-family apartment units on the property.

Woodard Properties received a Land Disturbance permit for the original apartment building and parking lot in 1997 and started the site construction. The site was cleared, erosion and sediment control measures were installed, the site was rough graded creating the apartment building pad and parking lot areas, and some of the utilities to the site were installed. Sometime shortly after this work was completed, the project was paused due to market demands for the apartment building at that time. The disturbed areas were restabilized and the construction team demobilized from the project. Figures 1A through 1E show the aerial photo of the site between 1996 and 2018. From the photos, the clearing and land disturbing operations can be seen in the 2000 and 2002 aerial photos, with the site being restabilized from 2002 to 2010. The 2018 aerial photo shows the current state of the property and the general context map for the site.

At the point when construction stopped on the property in 1998, the property had been graded and the land prepared to start the installation of the footings and concrete pads for the apartment building. The existing critical slopes within the limits of disturbance area on the property had been impacted and graded with the intermediate grading of the site for preparation of the start of the building construction. The original approved site plan included a critical slope waiver for the impacts to the existing critical slopes within the development area of the project. The total land disturbance of the original development was 2.66 acres and the total amount of critical slopes approved by staff for impacts was approximately 41,820 sf (0.96 acres). See Exhibit 1 and Exhibit 2 in the attached development plans for the approved existing conditions of the site when the site plan was approved in 1996 and the total amount of critical slopes approved for impacts with the site plan. Exhibit 3 shows the approved site development plan and grading plan for this project. The site was rough graded based this approved site plan, before stopping and restabilizing the disturbed areas.

In 2014, the Board of Supervisors adopted the Steep Slopes overlay district, which classified preserved slopes and managed slopes on properties within the development area of Albemarle County. When the steep slope overlay district mapping was performed on this site, there were several areas that were classified with slopes over 25%. These areas were classified as preserved slopes across the site, including the 25% slopes created when the site was cleared and rough graded for the apartment project. Exhibit 4 illustrates these areas of critical slopes included in the original limits of disturbance that are now determined as preserved slopes. The applicant is requesting a rezoning amendment to amend the steep slope overlay district on the property to remove the preserved slopes from the original approved development area of the property, with one exception. The applicant will only disturb the preserved slopes above the 700’ contour that are within 30’ of the building envelope. The slopes that exist within the approved development area are manmade slopes and do not have the characteristics of preserved slopes, see the steep slope analysis section on sheet 4 of this application narrative.

II. Existing Conditions & Surrounding Area

The subject property, as shown in Figure 1E on sheet 3, is surrounded by existing apartments on the north and east side of the property. The site is bounded on the western and southern boundaries by (2) single family residences. A water tower owned and operated by the Rivanna Water and Sewer Authority is also located along the southern boundary of the property. The site is located approximately 1200 linear feet south of Ivy Road. Colonnade Drive provides access to the property and the property is located at the end of the cul-de-sac of the roadway. As noted, the development area of the property was cleared and graded in 1997 but has since been restabilized after the construction activity ended. Site vegetation has been reestablished on the property and is predominately wooded. The remnants of the erosion control measures and some of the existing utilities still exist on the property from the land disturbing activity in 1997 and 1998.

From the clearing and grading activity in 1997, the site was cleared and rough graded for the approved apartment building. The building was approved in the location as shown on the approved site development plan, exhibit 3. The apartment building is located just below the 700’ contour elevation, adhering to the mountaintop development requirements. The proposed project will continue to adhere to these requirements. The residential house along the western property line is located on top of Lewis Mountain, which is adjacent to this property. This property is located along the eastern limits of Lewis Mountain.

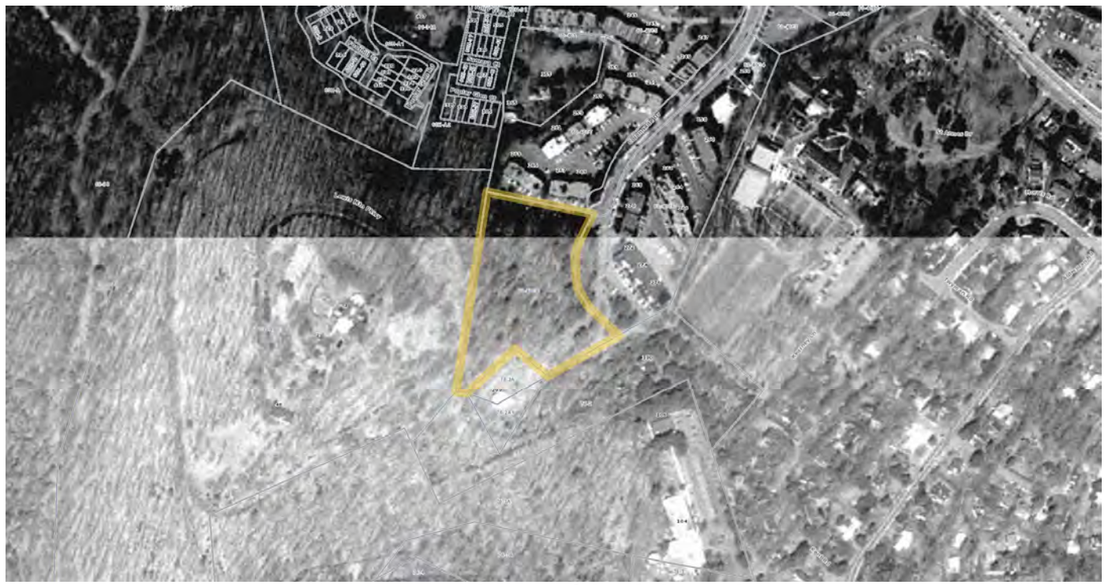


Figure 1A: 1996 Aerial image of the Skyline Ridge property



Figure 1B: 2000 Aerial image of the Skyline Ridge property



Figure 1C: 2002 Aerial image of the Skyline Ridge property

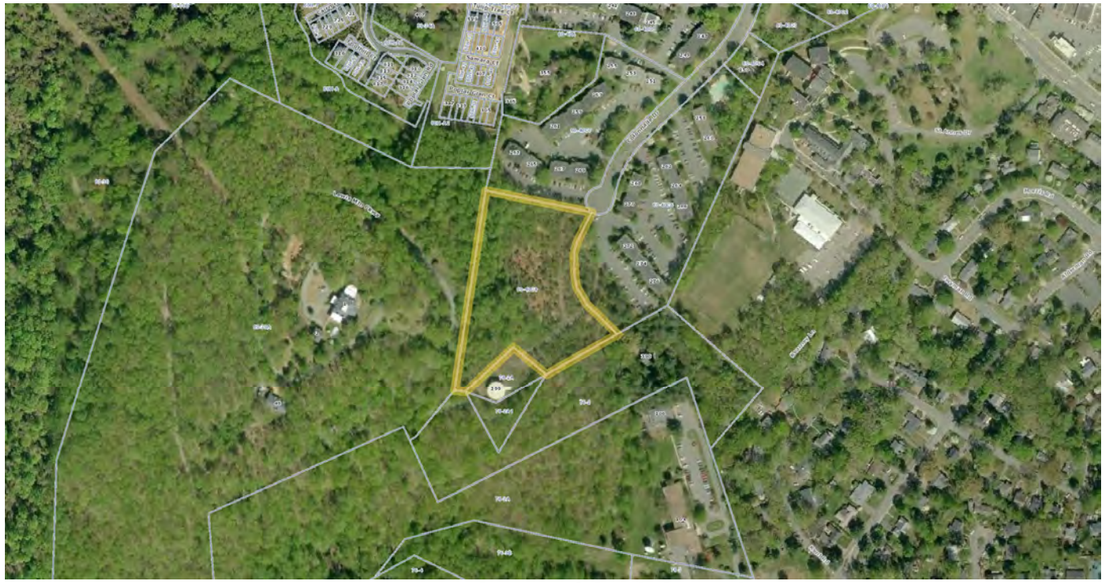


Figure 1D: 2010 Aerial image of the Skyline Ridge property

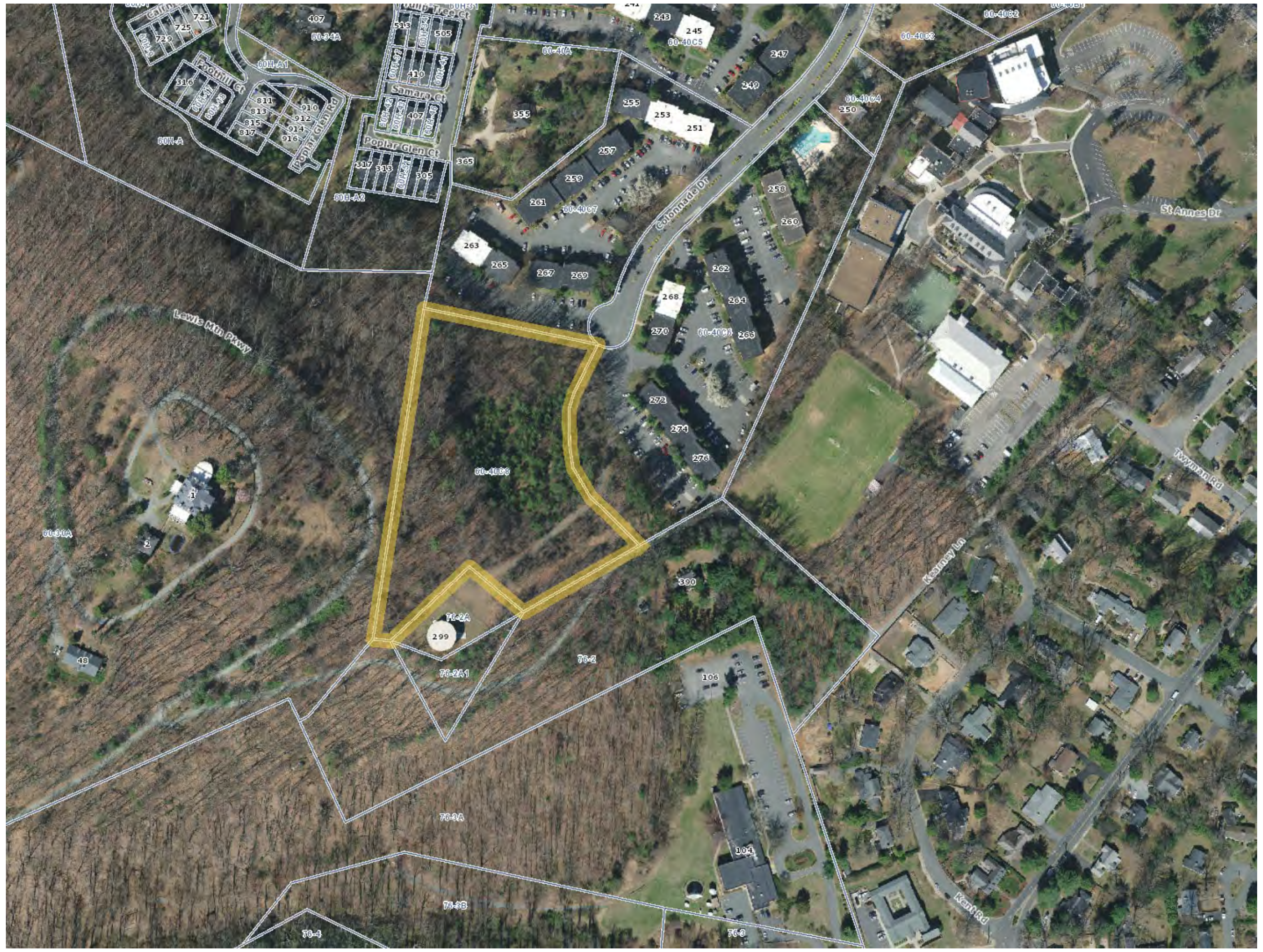


Figure 1E: 2018 Aerial image of the Skyline Ridge property & Context Map

III. <u>Consistency with the Comprehensive Plan</u>

The proposed apartment complex is consistent with the Comprehensive Plan’s designation of Urban Density Residential, as shown in Figure 2: Comprehensive plan on Sheet 5. In addition, the existing zoning of the property, as shown in Figure 3: Zoning Map on Sheet 6, is R-15 residential zoning, allowing 15 dwelling units per acre. The proposed density of the site meets the allowable density for both the Comprehensive plan and the existing R-15 zoning on the property. The Urban Density residential allows 6.01 DUA to 34 DUA on the property. The property also has noted areas of Greenspace, which do not allow for any residential density in these areas. From the 4.96 acres on the property, approximately 2.3 acres are located within the Urban Density residential area, and the remaining 2.66 acres is classified as Greenspace, per the Comprehensive plan. The allowable density for the property, per the Comprehensive plan is 2.3 acres x 34 DUA = 78 dwelling units. The allowable density with the R-15 zoning is 15 DUA x 4.96 acres = 74 dwelling units. The maximum number of dwelling units proposed with the project is 74 units. This complies with both the R15 zoning on the property and the Comprehensive land use designation areas on the property.

The proposed density and multi-family development on the property is consistent with the adjacent properties to the north and east of the site. These properties are also R15 residential and have been developed consistent with the allowable density in the R-15 zoning. The residential property to the south is also located on R-15 zoned property. This property may be redeveloped in the future for higher density under this by-right zoning.

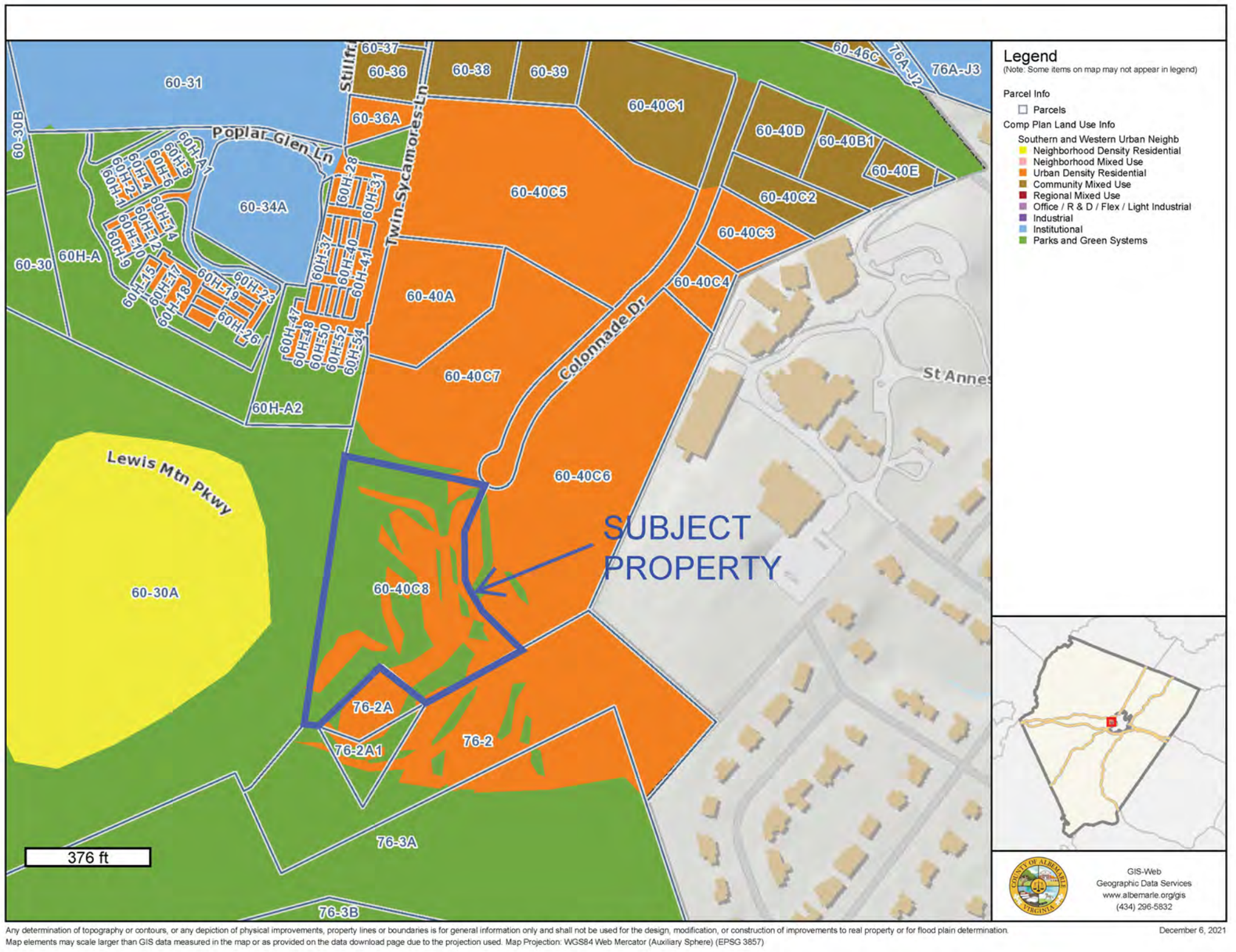


Figure 2: Comprehensive Plan

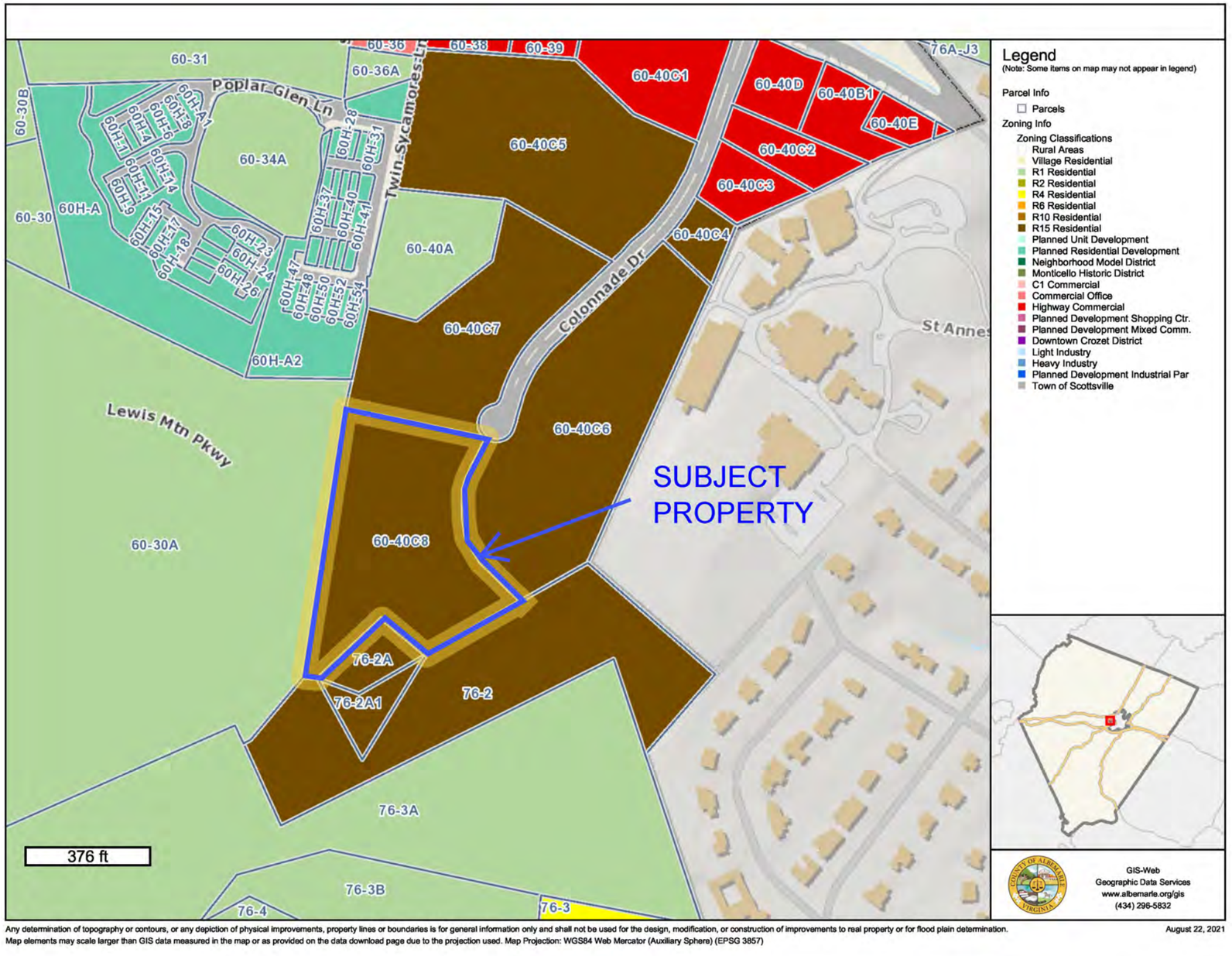

60-31
60-36
60-38
60-39
60-40C1
60-40D
60-40B1
60-40E
60-40C2
60-40C3
60-40C4
60-40C5
60-36A
Poplar Glen Ln
Twin Sycamores Ln
60-30B
60-34A
60-30
60H-A
60-40A
60-40C7
Colonnade Dr
60H-A2
60-40C6
Lewis Mtn Pkwy
SUBJECT
PROPERTY
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60-40C8
76-2A
76-2A1
76-2
76-3A
376 ft
76-3B
76-4
76-3
76A-J3
St Annes
Legend
(Note: Some items on map may not appear in legend)
Parcel Info
Parcels
Zoning Info
Zoning Classifications
Rural Areas
Village Residential
R1 Residential
R2 Residential
R4 Residential
R6 Residential
R10 Residential
R15 Residential
Planned Unit Development
Planned Residential Development
Neighborhood Model District
Monticello Historic District
C1 Commercial
Commercial Office
Highway Commercial
Planned Development Shopping Ctr.
Planned Development Mixed Comm.
Downtown Crozet District
Light Industry
Heavy Industry
Planned Development Industrial Par
Town of Scottsville
GIS-Web
Geographic Data Services
www.albemarle.org/gis
(434) 296-5832
Any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification, or construction of improvements to real property or for flood plain determination.
Map elements may scale larger than GIS data measured in the map or as provided on the data download page due to the projection used. Map Projection: WGS84 Web Mercator (Auxiliary Sphere) (EPSG 3857)
August 22, 2021

Figure 3: Zoning Map

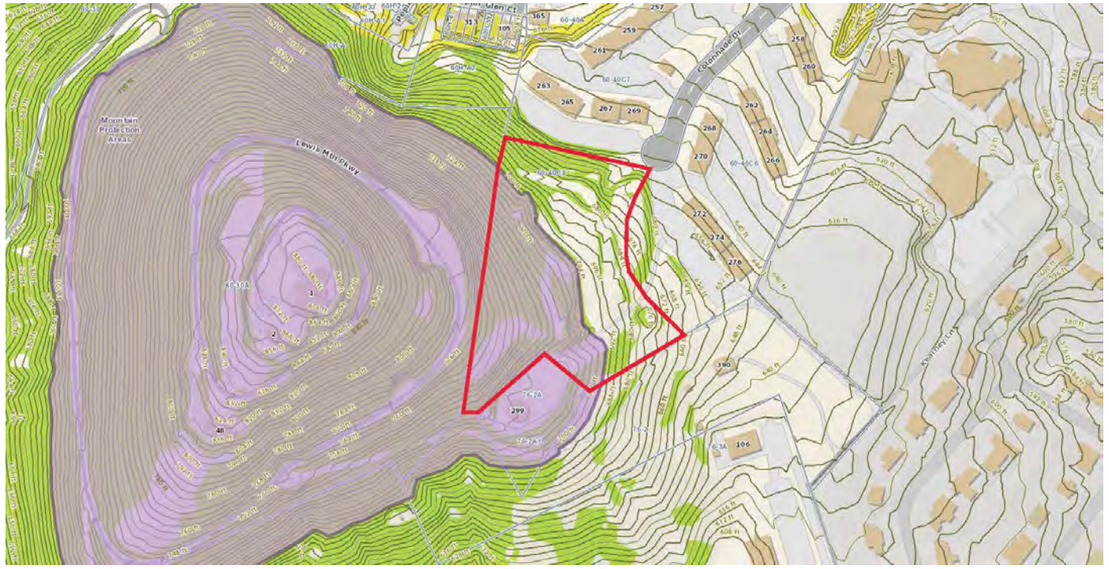


Figure 4: Overall Critical Resources Map

IV. Environmental Impacts

Figure 4 illustrates the existing environmental features on the property in the Overall Critical Resources Map. In addition to the preserved steep slopes on the property as shown in green in Figure 4, there is an existing Mountain Protection Area on the property (shown in purple) starting at the 700' contour elevation. The development, as indicated in the narrative, is proposing to impact the existing steep slopes on the property within the original development area from the approved 1997 site plan, with one exception to the preserved slopes above the 700' contour elevation (within the Mountain Protection Area). Only the preserved slopes above the 700' contour within the previously approved development area and within 30' of the building envelope will be impacted. This is a reduction of the original approved disturbed area to help limit the impacts to the preserved slopes within the Mountain Protection Area. Impacts to the preserved slopes within 30' of the building envelope are necessary for grading, slopes and drainage design, building construction, and reinforced walls with geo-grid. Exhibit 6 illustrates the impact areas to the preserved slopes within 30' of the building envelop and above the 700' contour elevation. These areas are shown as 3 impact areas, classifying the impacts to the existing contour elevations as shown.

The improvements within the development area will stop prior to the existing 700' contour and will not impact the existing Mountain Protection area. The proposed development will preserved all the existing steep slopes outside of the original development area and will also preserve the Mountain Protection Area by not allowing the construction of any structures above the 700 foot contour area.

There are no existing floodplains or water protection buffers located on the property, and the development of this property will not impact any existing floodplains or Water protections areas.

V. Steep Slope Analysis:

The slopes within the original development area on the previously approved site plan meet the requirements of managed slopes, and not preserved slopes. There are number of requirements listed in the Section 30.7.3 of the Albemarle County Zoning ordinance for which steep slopes are classified as managed slopes or preserved slopes. The following is an analysis of the existing steep slopes within the development area and how their characteristics compare the requirements of preserved and managed slopes:

1. The characteristics of the steep slopes are limited or fragmented (managed slopes) verses contiguous area of steep slopes ranging in either a close grouping of slopes or creating an area of 10,000 sf or greater (preserved slopes) – the steep slopes within the development area of the property, as shown in Figure 4 and Exhibit 4, are fragmented across the area and the majority of areas are not greater than 10,000 sf in area. The steep slopes vary across the development area, and match the rough grading of the original site plan.
2. The slopes are part of a system of slopes associated with or abutting a water feature (preserved slopes) verses not be associated with or abutting a water feature (managed slopes) – none of the steep slopes within the approved development area on the property are associated with or abutting any water features, such as ponds, rivers, streams, or reservoirs. These slopes have the characteristics of managed slopes under this requirement.
3. The slopes are part of a hillside system (preserved slopes) verses slopes that are not natural but manufactured – the current steep slopes within the approved development area on the property were created with the rough grading of the site under the previously approved site plan. These slopes are now determined to be manmade or manufactured slopes. There were existing steep slopes within the development area that would have been classified as preserved slopes as they were part of the overall hillside on the property; however, these have been impacted with the previous site development and the new steep slopes are manufactured slopes. The impacts to the preserved slopes above the 700' contour elevation have been limited to impacts within 30' from the building envelope.
4. The slopes were significantly disturbed prior to June 1, 2021 (managed slopes requirement) – yes, the site within the approved development area was cleared and graded in 1998, see the aerial exhibits in Figures 1A through 1D of the clearing and grading of the site from the year 2000 through 2010.
5. The slopes are located within previously approved single-family residential lots (managed slope requirement)– this requirement does not apply as the property was originally cleared and disturbed for an apartment building and associated parking areas.
6. The slopes are shown to be disturbed, or allowed to be disturbed, by a prior county action (managed slope requirement) – yes, the original steep slopes within the approved development area were approved by Albemarle county for impacts with the approved site plan. A critical slopes waiver was approved by the County staff for the project.
7. The slopes are identified as a resource in the comprehensive plan (preserved slopes) – yes, the steep slopes on the property as mapped in 2014 are shown as greenspace areas in the Comprehensive plan.

However, as noted above in the other conditions, these slopes do not have the characteristics of preserved slopes and should not be classified as resource areas in the comprehensive plan.

8. The slopes are of significant value to the entrance corridor overlay district (preserved slope requirement) – no, this condition does not apply to the steep slopes on this property. The property is not located in an Entrance Corridor overlay district and does not impact this overlay district.
9. The slopes have been preserved by a prior county action (preserved slope requirement) – no, the preserved steep slopes within the previously approved development area have not been preserved by a prior county action. On the contrary, the steep slopes within this development area proposed to be impacted were previously approved for impacts by the county for the approved site plan, which has expired.

In exhibit 4, the overall preserved steep slopes, as identified by the Albemarle County GIS, have been shown and delineated on the development plan. The total critical slopes within the proposed area of disturbance are 48,740 SF. The original critical slopes within the disturbed area from the expired approved site plan of 1997 were 41,820 sf, as shown in Exhibit 2. With the rough grading of the site in 1997, the overall critical slopes on the property increased by 6,920 sf.

Based on the field run topo, the critical slopes within the development area have been field verified. Exhibit 5 illustrates the field verified preserved steep slopes within the proposed development area for the project. The total field verified preserved steep slopes are 35,905 sf. This is a decrease of 12,835 sf, or 25% of the preserved steep slopes based on the Albemarle County GIS analysis of the site within the development area. However, it will be necessary to disturb the majority of the remaining 35,905 sf of the field verified preserved steep slopes within the proposed development area for the building and parking for the proposed apartment building. Exhibit 6 illustrates the building and parking envelopes overlaid on the existing topography and preserved steep slopes. As noted in Section IV- Environmental Impacts, exhibit 6 also illustrates the preserved slopes within 30’ of the building envelope and above the 700’ contour elevation that will be impacted for the building/wall construction and grading and drainage design.

VII. Conclusion

As summarized in the narrative, the developer is seeking a rezoning map amendment to amend the steep slopes within the previously approved development area of a final site plan that has expired. The site was graded, based on an approved site plan from 1997, and created steep slopes across the site that match the proposed development plan for the apartment building and parking lot. The developer would like to continue with the project now that there is a demand for the apartment units. They are requesting a zoning amendment to remove the preserved slopes within the development area on the property, changing these steep slopes to managed slopes. The property would then be developed, once a new final site plan and VSMP plan is approved, meeting the requirements of developing on managed slopes. These existing steep slopes have more characteristics matching the managed slope requirements as opposed to the criteria for preserved slopes. In addition, the creation of the steep slopes within the development area is tied to an approved site plan and land disturbance permit. The steep slopes within the development area on the property should be re-classified as managed slopes with this rezoning application for the continuation of the apartment building and parking lot.