

May 6, 2015 2:00 PM

Dear Planning Commission,

We write regarding ZMA201500002 Franklin Street Steep Slopes. The owner-applicant, TowneBank, is a publicly traded corporation with headquarters in Suffolk VA.

Townebank requests a change in the zoning designation of 37,918 square feet of their property from preserved slopes to managed slopes. This change would allow those slopes to be “disturbed.” We feel this zoning map amendment is entirely unwarranted. It is possible for the property to be marketed and used “as is” without a zoning map amendment.

The purpose and intent of the SSOD (Steep Slopes Overlay District) calls for, “appropriate consideration and care in their design and construction in order to protect the integrity of steep slope areas.” The applicant, in our opinion, has not shown that consideration and care, rather, they are asking you to alter this important overlay by turning away from the plain language of the SSOD ordinance which drove the careful and deliberate designation of these slopes as “preserved” in March 2014.

There are many planning criteria which must come into play for the development of this parcel to represent an overall positive for our region. With this letter we hope to address the following question:

“Do these slopes exhibit more characteristics of managed slopes or preserved slopes?”



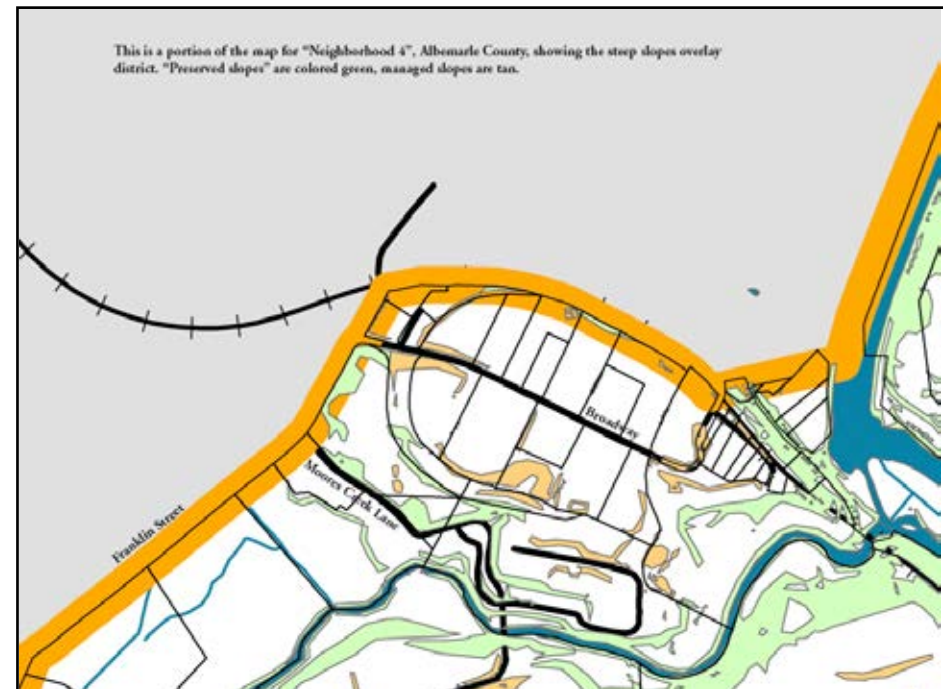
Above, photo taken from the intersection of Broadway and Franklin Street. The hillside pictured contains 28,000+ square feet of existing preserved slope. Below, a portion of the Moore's Creek Environmental Preservation Area which abuts parcel # 07700-00-00-040B0 to the south.



At a later date, when we have had the benefit of seeing the staff report, we will potentially comment on other planning matters related to this project proposal.

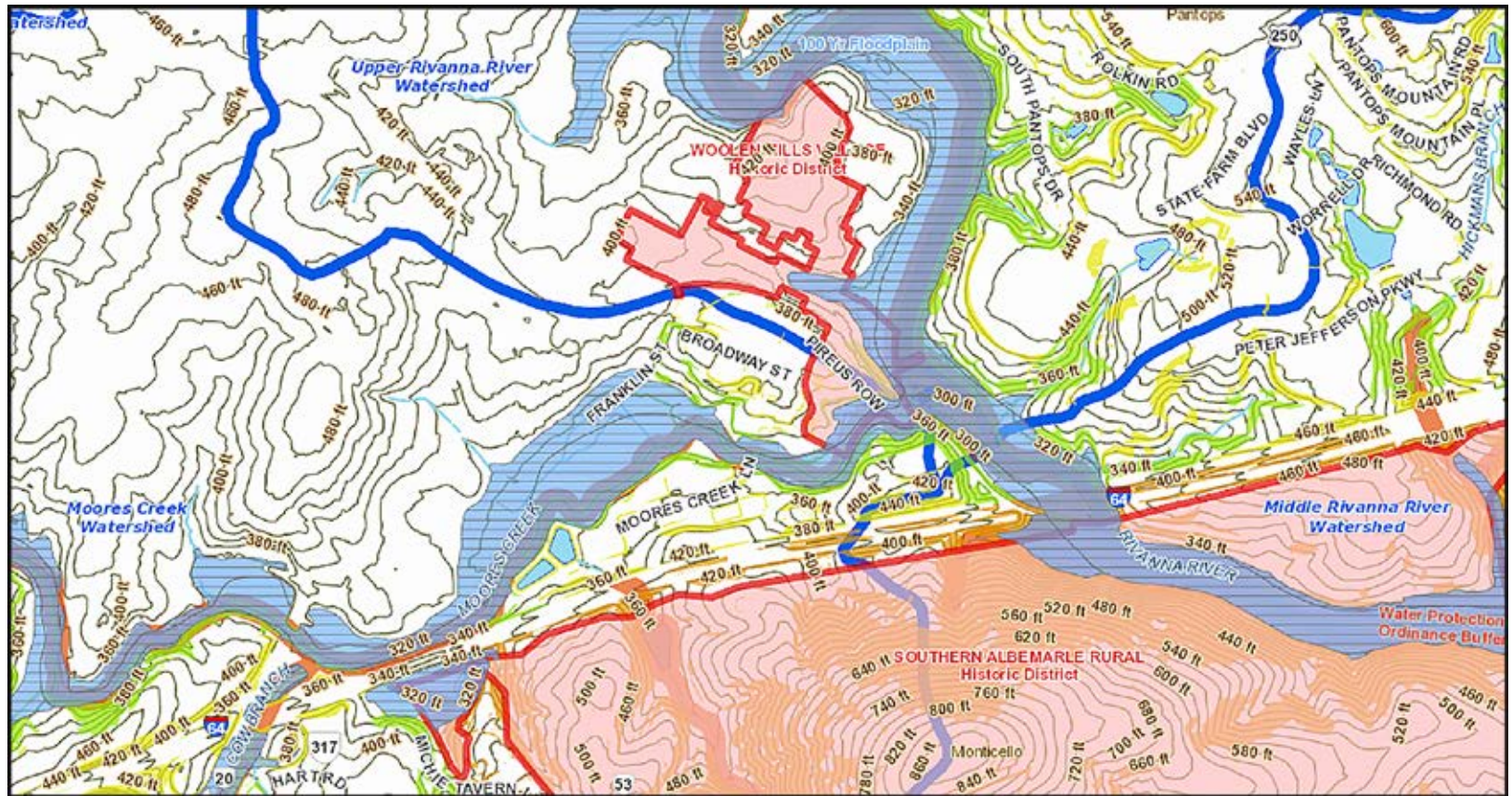
On the pages following is the ordinance language defining preserved slopes (30.7.3) and our comments, supplied in bolded type, addressing why we feel these criteria apply.

(i) the slopes are a contiguous area of ten thousand (10,000) square feet or more or a close grouping of slopes, any or all of which may be less than ten thousand (10,000) square feet but whose aggregate area is ten thousand (10,000) square feet or more;



Yes, there are two areas in excess of ten thousand square feet, of contiguous preserved slopes. Visual documentation may be seen in the form of the Draper Arden Revised Steep Slopes Figure 1 above and the Steep Slopes Overlay District Map, Neighborhood 4 to the right.

(ii) the slopes are part of a system of slopes associated with or abutting a water feature including, but not limited to, a river, stream, reservoir or pond;



Yes. The slopes about the floodplain of the Rivanna River/Moores Creek

(iii) the slopes are part of a hillside system;



As the 1935 Topography by G.E. Sisson, H.B. Smith and R.V. Ford for the U.S. Geological Survey clearly indicates, the slopes proposed to be “managed” are part of a hillside system we know locally as Monticello. They are part of a system of slopes, integral to the topography that creates the intersection of Moores Creek with the Rivanna River. These slopes have existed for millenia.

(iv) the slopes are identified as a resource designated for preservation in the comprehensive plan;

See comp plan map Attachment G –
Neighborhoods 4-7 Slopes Maps

(v) the slopes are identified as a resource in the comprehensive plan;

See SSOD ordinance. Attachment G –
Neighborhoods 4-7 Slopes Maps.

(vi) the slopes are of significant value to the entrance corridor overlay district;

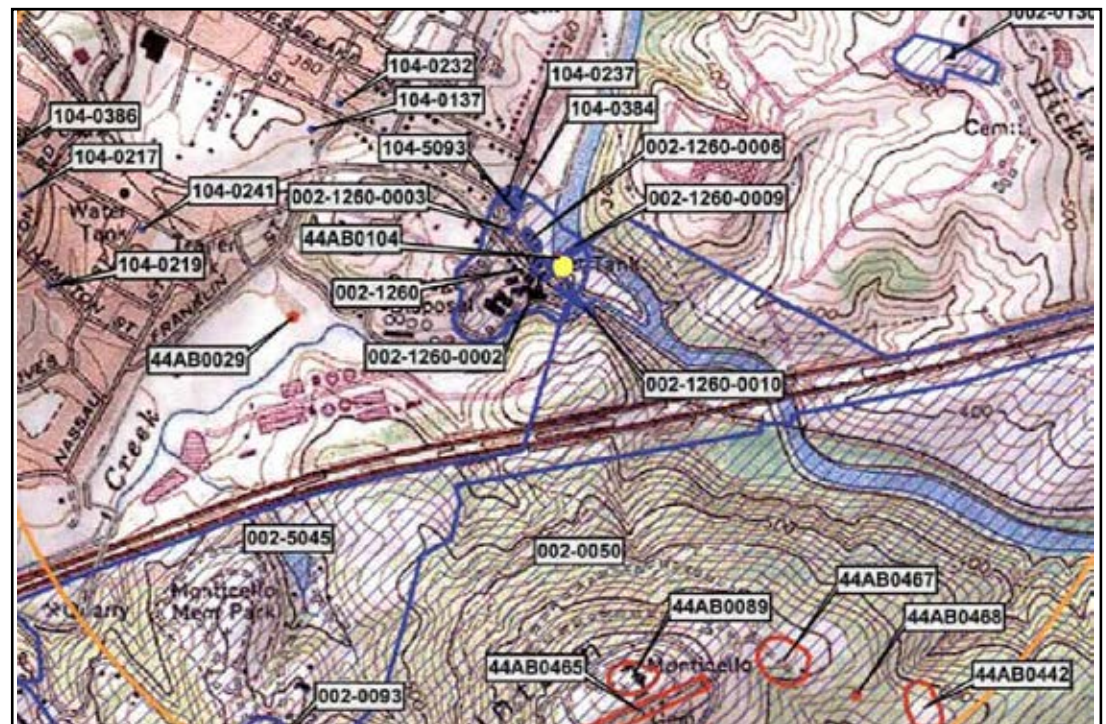
The slopes are of significant value to the Charlottesville Bike-Ped north-south scenic byway route from the Woolen Mills Village Historic District (a cross jurisdictional district listed on the National Register of Historic Places 4/12/10 and on the Virginia Landmarks Register 12/17/09) to the Saunders-Monticello Trail.

Detail of Charlottesville East, Virginia USGS quadrangle depicting previously recorded cultural resources in the area.

In 1978, C.G. Holland identified a Woodland era (A.D. 900-1600) indian village in the floodplain. (See-44AB0029)



the Moore's Creek Environmental Preservation Area is located on the east side of Franklin Street



The applicant believes that the majority of the “preserved slopes” on this site should be considered “managed”, the implication being that the slopes were incorrectly designated as “preserved”. Below find the ordinance language defining managed slopes and our comments, supplied in bold type, supporting why we feel these managed slope criteria do not apply.

Managed slopes. The characteristics of managed slopes are the following:

(i) the contiguous area of steep slopes is limited or fragmented;

The slopes are extensive and not 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 abut the floodplain.

(iii) the slopes are not natural but, instead, are manufactured;



section of the Herndon Haggard Meeks wall

The slopes in question can be clearly seen in the 1935 topo. There has been a cultural (human) presence in this area for thousands of years but its effect on the parcel in question (07700-00-00-040B0) has been minimal.

(iv) the slopes were significantly disturbed prior to June 1, 2012;

Disturbance on this site has been minimal. There is a stone wall that remains from the Herndon Haggard Meeks house (house is visible on the 1937 Aerial above, an extant section of the wall borders Franklin Street). The wall is a cultural asset typical of the Piedmont region and part of the suite of features that makes Franklin Street a scenic byway.

(v) the slopes are located within previously approved single-family residential lots; or

No

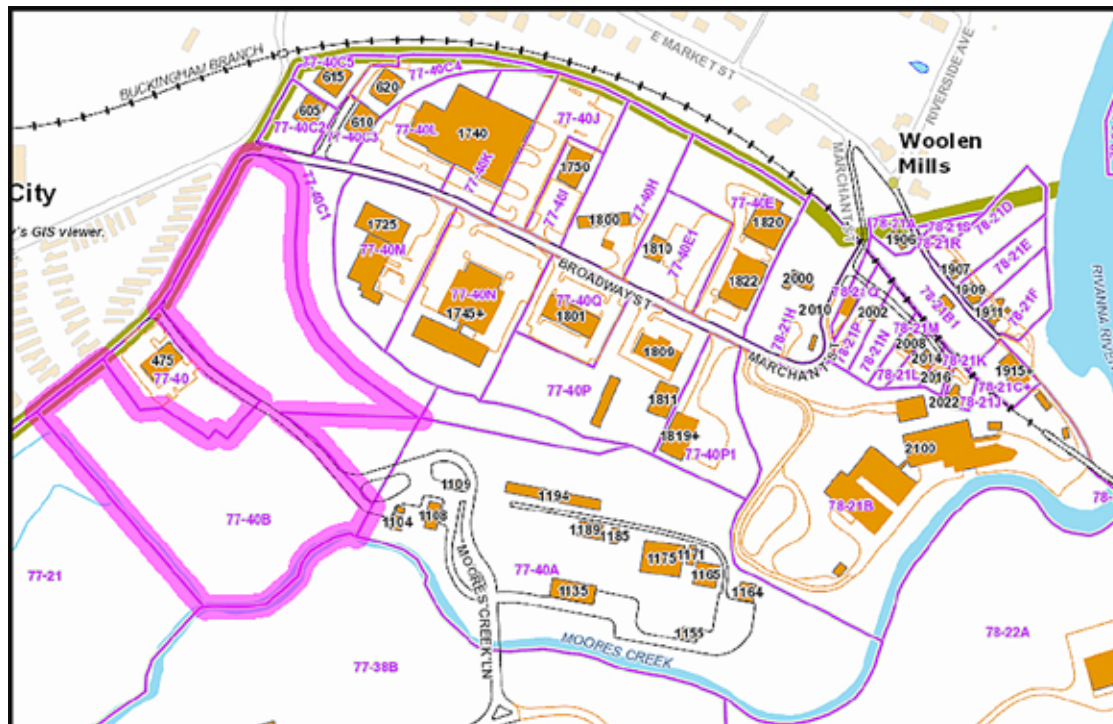
(vi) the slopes are shown to be disturbed, or allowed to be disturbed, by a prior county action.

No

We look forward to seeing the applicant work within the SSOD guidelines.

Thank you,

Woolen Mills Neighborhood Association Board



The Woolen Mills Neighborhood Association was formed in 1980. Bylaws are available on request. The Board is comprised of nine elected members, both County and City residents.

Before the closure of the Woolen Mill (1962) the current "Neighborhood 4" LI area was a park and commons for the use of neighborhood residents.

<http://woolenmillsneighborhood.org/blog/franklin-hill/>