

Mechum's Trestle

99 Bloomfield Road • Charlottesville, VA 22902

February 17, 2015

Ms. Megan Yaniglos
Senior Planner
County of Albemarle
Department of Community Development
401 McIntire Road, North Wing
Charlottesville, Virginia 22902-4596

SUBJECT: Mechum's Trestle (SDP2014-052); Special Use Permit Request

REFERENCE: Mechum's Trestle Tier 3 Groundwater Assessment, attached

Dear Ms. Yaniglos:

This letter is sent to address the need for a Special Use Permit (SUP) in conjunction with a site plan application for the 1.39 acre property located at Tax Map 57, Parcel 31A. As stipulated in County code, water usage exceeding 400 gallons per site acre per day requires a special use permit prior to site plan approval. Based on the contemplated use as a restaurant site, this letter and supporting documents will estimate the daily water usage, and provide justification for why this water usage can be supported and sustained by the local aquifer system, without detrimental impact to nearby users.

We continue to believe that the most compelling support for granting this SUP request is the fact that this site has been used as a restaurant for the majority of its lifetime as a commercial property. It has supported a 'fast-casual' diner, a high-end fine dining restaurant, and most everything in between. Its last use as a restaurant site, back in the early 1990's, ended when it could no longer be supported by its septic field, and the restaurant was forced to employ a 'pump and haul' vendor. At this time, efforts were initiated to gain access to public sewer, a process that is detailed below.

We have found no evidence with the Virginia Department of Health, or the Office of Drinking Water, to indicate that wells on this site in the past were unable to support the water usage needs of a restaurant. We believe that this fact, in addition to the Tier 3 Groundwater Assessment attached, will support our SUP request.

PROJECT PROPOSAL

The initial site plan submission associated with this Special Use Permit application is for the construction of a 4,000 square foot restaurant, a size consistent with past use. While the property has a long history as the location of multiple restaurants over the years, and while its zoning classification (C-1) supports this use by right, the site has been unoccupied for over 20 years due to complications associated with

restoration of an approved site plan. Despite diligent efforts by this owner to pursue restoration of a restaurant use at the site, the property remains an underused and unattractive asset on an entrance corridor to Albemarle County. It is intended that a new site plan, to follow this SUP request, will once again transform this highly visible piece of property into both an attractive landmark, consistent with the 'look and feel' of the setting, as well as an additional, productive element of the commercial tax base.

Historically, water needs for the restaurants located on the property were met by at least two previous wells, which have long been abandoned. While connection to public water has been investigated by this owner, and discussed with RWSA, the distance to the nearest tap site makes connection both prohibitively expensive, as well as detrimental to treated water quality.

Permission to drill a new well on the site was granted by Virginia Department of Health, Office of Drinking Water, Lexington Field Office, on August 19, 2013, and subsequently renewed on September 10, 2014 (see attachment). Extensive soil testing was performed at the time to ensure that the well site was suitable for construction of a well to be utilized as a public drinking water supply, in accordance with Virginia *Waterworks Regulations*. As with any well site approval issued by this office, extensive testing for both water production and quality must be performed after drilling, and prior to use.

Estimated Water Usage

Concurrent with the application process supporting the previously approved site plan on this property, the County Board of Supervisors approved a Service Authority Jurisdictional Amendment on December 2, 1992, allowing for extension of public sewer to the property. On July 12, 1995, the BOS further clarified their approval of the public sewer extension to serve the equivalent of a 100-seat restaurant generating not more than 5,000 gallons of effluent per day. This clarification was rendered based on a Virginia Department of Health statement that restaurant usage would generate 50 gallons of effluent per day, per seat.

Recent discussions with Steve Kvech, District Engineer in the Office of Drinking Water/Lexington Field Office, confirmed that this standard (50 gallons per seat per day) is still used by his office to estimate the water usage associated with restaurants. Based on our associated site plan, we also anticipate that the seating capacity of the proposed restaurant will be 100 seats, which results in a water usage estimate of 5,000 gallons per day.

This usage estimate equates to 3.5 gallons per minute. While the property's potential groundwater availability is addressed in the attached Tier III Groundwater Assessment "Key Findings" letter, Mr. Kvech elaborated on various methods to ensure that water production in this rate range could be easily managed to address peak demand usage required to operate a 100-seat restaurant. Per Mr. Kvech, examples of these methods can be found currently in use to serve peak water demands in restaurants and breweries along Route 151 in Nelson County.

CONSISTENCY OF PROJECT WITH COMPREHENSIVE PLAN, AND POTENTIAL IMPACTS

The property is located at the intersection of Routes 240 and 250, and lies in close proximity (< 1 mile) to the Crozet Community, as designated by the Comprehensive Plan. The proposed project is consistent

with the Comprehensive Plan insofar as it entails the continuing, by-right use of a nonconforming property.

As mentioned, this parcel remains undeveloped due to its unique and challenging features. With the approval of this SUP, as well as the underlying project, the public will benefit aesthetically by removing an eyesore from the entrance corridor, and economically through increased tax revenues.

Neither this project proposal, nor the underlying granting of this SUP, would have any negative impact on public facilities or infrastructure. While the Board of Supervisors has already considered and approved the suitability of this site and its attendant use for access to public sewer, public water use is not a viable option for the reasons set forth above. VDOT has indicated that (aside from its desire to focus on prevention of motorists from entering the parking lot from a path other than the existing entrance) it would support the project. The regular use and maintenance of the parking lot and landscaping should address VDOT's desire.

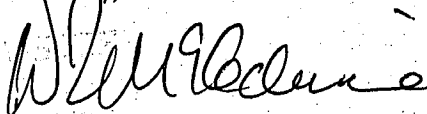
From an environmental perspective, the continued use of the existing, nonconforming parking lot will not negatively impact the environmental features of either the property, nearby parcels, or surface water bodies. To the contrary, this currently vacant land is regularly used without permission by unknown third parties as an illicit dumping ground for garbage, tires, appliances and fill dirt, which is detrimental to the general environmental quality in the area, which activity would certainly cease upon the implementation of this project allowing for more regular and productive use of the property. Other than decorative and safety lighting located on the proposed building, no other lighting will be used to illuminate the parking lot.

In addition to the existing parking lot, the site is currently occupied by a non-conforming structure that is neither useful nor attractive. Over the years, it has been targeted by vandals and graffiti artists, further degrading the attractiveness of this parcel. Our underlying project proposal will replace this structure with an edifice that is both attractive as well as useful.

No proffers are being proposed for this project proposal.

We appreciate this opportunity to provide support for our proposal, and respectfully ask that this Special Use Permit be granted. Please let us know if you require any additional information for their consideration.

Sincerely;

A handwritten signature in black ink, appearing to read 'William McKechnie', written over a horizontal line.

William McKechnie
Member
Mechum's Trestle, LLC