



County of Albemarle
Community Development Department

Khris Taggart, Sr. Planner

ktaggart@albemarle.org

tel: 434-296-5832 ext. 3278

February 11, 2025

Valerie Long
Williams Mullen
323 2nd Street SE
Charlottesville, VA 22902
vlong@williamsmullen.com

RE: 400 Rio Road W SP202400025 Staff Comment Letter

Members of Albemarle County staff and our partner agencies have reviewed your application materials for the Special Use Permit and Special Exception applications noted above. Review comments are provided below, organized by Department, Division, or agency. You have the right to request a public hearing without revision and resubmittal, or to otherwise determine your course of action. (Please see the attached "Action After Receipt of Comment Letter" document for detailed information.) However, we recommend first that the concept plan be revised as described in the ARB action letter so that the project can then be presented to the Planning Commission with a positive recommendation.

As always, CDD staff remain available to provide assistance and discuss this comment letter, and any other aspect(s) of your applications, at your request.

Comments are organized as follows:

- A. Review comments
- B. Community Input
- C. Additional Information

A. Review Comments

Architectural Review Board – See the attached ARB action letter dated January 28, 2025 for ARB comments on the concept plan.

Note that the ARB will review the revised concept plan prior to Planning Commission review.

See below for additional staff review comments identified after the ARB meeting and email on January 22, 2025

1. If existing trees on the west side of the site are located off-site and parcel 45-25G develops in the future, angled views into the storage area could become available. How will visibility of this type be mitigated with this proposal?
2. The concept plan shows the proposed storage area near the north corner of the building outside of the fenced area. This part of the proposed storage area should be deleted from the proposal.
3. Confirm that the proposed planting along the Rio frontage is feasible. Confirm the location of property lines and right-of-way.
4. The Zoning Division has indicated that the non-conforming storage area should be brought into conformity with this proposal. This might be accomplished with appropriate fencing and additional planting east of the building. A rendering showing this area from the street would be helpful.

Additionally, it was noted that there is an additional property owner associated with parcel 45-25C1. Documentation of the owner's authorization to apply for the permit will be needed (but not for ARB review).

WWW.ALBEMARLE.ORG

401 McIntire Road, Suite 228 | Charlottesville, VA 22902-4596

Zoning – Francis MacCall, fmaccall@albemarle.org – See recommendation

1. The rear area of Parcel 25C1 must be brought into conformity with the proposed SP. Subject to ARB recommendations, mitigation necessary for visibility from Rio Road must be provided.
2. The Concept plan should represent the proper ROW of Route 631 Rio Road, per the VDOT ROW expansion from the late 1990s.

Fire Rescue – Howard Lagomarsino, hlagomarsino@albemarle.org – No objection to the special use permit, however:

The storage will need to be arranged and maintained to keep a clear fire lane around the building. Providing a clear fire lane around all sides of the building mitigates any complications of the fencing that secures the “yard” of the facility (in the current state, the fencing provides security for the site and apparatus can access the “yard” through the current vehicle gate).

1. Based on the height of the existing building (less than 30 feet tall), the width of the fire lane must be 20 feet wide, unobstructed
2. The surface must be sufficient to support the weight of fire apparatus weighing up to 75000 lbs.
3. There will need to be clear markings or signage to identify the fire lane to prevent obstructions.
4. The ability to access the yard after hours would be necessary (whether we cut a lock/chain arrangement or utilize a Knox box/key system or some other entry mechanism).

VDOT – Danny Martinez, Danny.Martinez@vdot.virginia.gov – see attached letter.

RWSA – Dyon Vega, DVega@rivanna.org – No objection, see attached letter.

Virginia Department of Health – Alan Mazurowski, Alan.Mazurowski@vdh.virginia.gov – No objection, see attached letter.

Albemarle County Building Inspections – Betty Slough, bslough@albemarle.org – No objection

Albemarle County Transportation Planning – No objection

Albemarle County Engineering Services – No objection

Albemarle County E911 Services – No objection

ACSA – Richard Nelson, rnelson@serviceauthority.org – No objection

Community Input

A community meeting took place at 5:30 PM on February 10, 2025, during the Places29-Hydraulic Community Advisory Committee meeting in the Greer Elementary School Media Center located at 190 Lambs Lane. During the meeting, members of the public raised several concerns. They inquired about the distance and buffer zone of the outdoor storage area from residential properties. Questions were also raised regarding the potential environmental impacts of the materials to be stored, the noise effects on the nearby neighborhood from daily operations, and the condition of the existing site lighting.

B. Additional Information

Action after Receipt of Comments

Please see the attached document “Action After Receipt of Comment Letter.”

Within one week (7 days) of receiving this comment letter, please do one of the following:

1. Request a deferral, as required by Section 33.11, if you will resubmit the application to answer any above questions and provide any additional information. You can request a deferral in writing (by email) which will allow you up to six months to work on revisions to the application. Please note, as discussed at the January 21, 2025 ARB meeting, the ARB will review the revised concept plan prior to Planning Commission review.

2. Proceed to the Planning Commission public hearing. With this option, no additional documents will be accepted and staff will take your project to the Commission as originally submitted, but without recommendation of approval.
3. Withdraw your application. If you wish to withdraw your application at any time, please provide your request in writing (by email).

Staff recommends option 1, request a deferral, so that you can proceed to the Planning Commission with a positive recommendation. Staff will work with you to address the remaining comments and proceed to the scheduled Planning Commission date for a public hearing.

Resubmittal

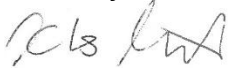
If you choose to resubmit, please email me the revised plan. The first resubmission of the application is free.

Notification and Advertisement Fees

This fee has been paid. No additional fees are required at this time.

Please feel free to contact me by using ktaggart@albemarle.org or 434-269-5832 ext. 3278 for further information.

Sincerely,



Khrista Taggart, Sr. Planner
Planning Division, Department of Community Development

Attachments:

1. Action After Receipt of Comment Letter
2. ARB Comments
3. VDOT Comments
4. RWSA Comments
5. VDH Comments



**DEPARTMENT OF COMMUNITY DEVELOPMENT
ACTION AFTER RECEIPT OF COMMENT LETTER
FIRST SET OF COMMENTS**

State Code requires a 90-day review by the Planning Commission unless the applicant requests deferral. As you will read in this comment letter, staff recommends changes to your project to help you achieve approval. Without these changes, staff cannot recommend approval to the Planning Commission.

If you need more time to make these changes, and if you prefer to move forward to the Planning Commission with a recommendation for approval, you must request deferral. If you choose not to request deferral, staff will take your project to the Commission as originally submitted, but without a recommendation of approval. Instructions for requesting a deferral are outlined below.

Within one week, please do one of the following:

- (1) Request deferral, as required by Section 33.11, if you will resubmit.**
- (2) Proceed to the Planning Commission public hearing.**
- (3) Withdraw your application.**

(1) Deferral requested

To request a deferral, you must submit a request in writing to defer action by the Planning Commission and Board of Supervisors. The request may be made by email. Please note that your request for deferral may not be accepted and the County may retain the initial scheduled hearing date. If your request for deferral is accepted the application will be deemed withdrawn if the application is not reactivated within six months of the request for deferral or within 32 months from the time the application was determined or deemed complete.

(2) Proceed to Planning Commission Public Hearing

At this time, you may request that your application proceed to a public hearing with the Planning Commission. With this option, no additional documents will be accepted and staff will take your project to the Commission as originally submitted, but without a recommendation of approval.

(3) Withdraw Your Application

If at any time you wish to withdraw your application, please provide your request in writing.

* * * * *

Failure to Respond

An application shall be deemed to be voluntarily withdrawn if the applicant requests deferral pursuant to subsection 33.11 and fails to provide within 90 days before the end of the deferral period all of the information required to allow the Board to act on the application, or fails to request a deferral as provided in subsection 33.11.

Fee Payment

Fees paid in cash or by check must be paid at the Community Development Intake Counter. Make checks payable to the County of Albemarle. Do not send checks directly to the Review Coordinator. Fees may also be paid by credit card using the secure online payment system, accessed at <https://www.albemarlecountytaxes.org/payments/default.aspx>.



County of Albemarle
Community Development Department - Planning

Khris Taggart, Sr. Planner I
ktaggart@albemarle.org
Telephone: (434) 296-5832 ext. 3278

January 28, 2025

Valerie Long, Esquire
Williams Mullen
323 Second Street, SE Suite 900
Charlottesville, VA 22902
vlong@williamsmullen.com

RE: **ARB2024-71: 400 Rio Road West** (TMP: 045000000025C0)

Dear Ms. Long,

The Albemarle County Architectural Review Board, at its meeting on Tuesday, January 21, 2025, completed a conceptual review of the above-noted request. The Board offered the following comments for the benefit of the applicant's preliminary submission. Please note that the following comments are those that have been identified at this time. Additional comments may be added or eliminated based on further review and changes to the plan.

Recommended revisions to the Concept Plan to be reviewed by the ARB prior to Planning Commission review:

1. Revise the concept plan to show the area suitable for storage of materials and equipment taller than 8'.
2. Revise the concept plan to show that vegetation near the parcel's eastern and western boundaries will remain.
3. Consider eliminating the Rio Road entrance to the storage area.

Draft Conditions on the Special Use Permit:

1. Materials and equipment must be stored only in areas indicated for storage on the Concept Plan, with materials and equipment taller than 8' located only in the area designated as such on the Concept Plan.
2. Site plan approval is subject to ARB approval of the landscape plan (submitted with the site plan). Landscaping shown on the plan may be required to be in excess of the minimum requirements of the ARB guidelines and/or the Zoning Ordinance to mitigate the visual impacts of the proposed use.
3. Any new lighting is subject to ARB approval. Maximum light levels must not exceed 20 footcandles. The maximum height of pole lights must not exceed 20'. All fixtures must have lamps whose color temperature is between 2000 and 3000 Kelvin. All site- and building-mounted fixtures must be full cutoff.

Recommendations for the Site Plan

1. Include the standard mechanical equipment note on the site plan: Visibility of all mechanical equipment from the Entrance Corridor shall be eliminated.
2. Provide the proposed locations of loading, service, and refuse areas with the site plan. Show how these locations will be screened from the EC.
3. New or relocated chain link fence must not be visible from the Entrance Corridor. Note the locations of any new or moved fence and provide details for all fence types visible from the EC.
4. Provide a lighting plan with the site plan or add a note to the plan stating that no new ground- or building-mounted lighting is proposed.

5. Provide a complete landscaping plan with the site plan. Ensure that the proposed species are on the approved plant list.
6. Consider adding one interior parking lot tree for every ten parking spaces in the employee parking lot.
7. Include the standard plant health note on the landscape plan: All site plantings of trees and shrubs shall be allowed to reach, and be maintained at, mature height; the topping of trees is prohibited. Shrubs and trees shall be pruned minimally and only to support the overall health of the plant.

You may submit your application for preliminary ARB review at your earliest convenience. Application may be made online at <https://www.albemarle.org/government/community-development/apply-for/planning-site-development/architectural-review-board-arb>.

Revised drawings addressing the comments listed above are required. Include updated ARB revision dates on each drawing. Please provide a memo including detailed responses indicating how each comment has been addressed. If changes other than those requested have been made, identify those changes in the memo also. Highlighting the changes in the drawing with "clouding" or by other means will facilitate review and approval. If you have any questions concerning any of the above, please feel free to contact me.

Sincerely,



Khris Taggart, Sr. Planner I

cc: Virginia Telephone & Telegraph Co
W 3rd Street
Farmville, VA 23901
anewman@slnusbaum.com

File



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

Stephen C. Brich, P.E.
Commissioner

1401 East Broad Street
Richmond, Virginia 23219

(804) 786-2701
Fax: (804) 786-2940

January 31, 2025

County of Albemarle
Department of Community Development
401 McIntire Road
Charlottesville, VA 22902

Attn.: Kristopher Taggart

Re: 400 Rio Road West - Outdoor Storage and Display
SP-2024-00025

Mr. Taggart:

The Department of Transportation, Charlottesville Residency Transportation and Land Use Section, has reviewed the above referenced documents as prepared by Timmons Group, and received January 6, 2025, and has the following comments:

1. Existing entrances do not appear to meet current commercial entrance standards under the Road Design Manual, Appendix F.
2. Trees or vegetation should not interfere with intersection sight distance in the existing entrances.

A VDOT Land Use Permit will be required prior to any work within the right of way. The owner/developer must contact the Charlottesville Residency Land Use Section at (434) 422-9373 for information pertaining to this process. If you have further questions, please contact Danny Martinez at (434) 422-9782.

Sincerely,

A handwritten signature in cursive script that reads "Danny Martinez".

Danny Martinez, P.E.
Assistant Resident Engineer-Land Use
Charlottesville Residency

To be filled out by RWSA for ZMA's and SP's

- | | |
|---|-------------------|
| 1. Capacity issues for sewer that may affect this proposal | None Known |
| 2. Requires Rivanna Water and Sewer Authority Capacity Certification | Yes X-No |
| 3. Water flow or pressure issues that may affect this proposal | No |
| 4. "Red Flags" regarding service provision (Use attachments if necessary) | None Known |
-
5. RWSA has a waterline project in the road close to the building. Please coordinate plantings and trees with RWSA. This is for our utility and for construction so we don't have to destroy trees recently planted.



January 10, 2025

Khris Taggart, Senior Planner I
Albemarle County Community Development
401 McIntire Road
Charlottesville, VA 22902

RE: Outdoor Storage & Display
400 Rio Road W
SP202400025
Tax Map: 45-25C & 45-25C1

Mr. Taggart:

As requested, I've reviewed the subject site plan, dated 11/22/24. Since it appears the proposed use will be served by public sewer & water, I have no objections and recommend approval.

If there are any questions or concerns, please give me a call, 434-972-4306.

Sincerely,

Alan Mazurowski
Environmental Health Specialist, Sr.
Blue Ridge Health District
alan.mazurowski@vdh.virginia.gov