

## Final Agenda

### **PLANNING COMMISSION REGULAR DOCKET TUESDAY, March 10, 2015 – 5:30 P.M. CITY COUNCIL CHAMBERS**

**I. PLANNING COMMISSION GATHERING -- 4:30 P.M. (Held in the NDS Conference Room)**  
Commissioners gather to communicate with staff. (4:30-5:30 P.M.)

**II. REGULAR MEETING -- 5:30 P.M.**

**A. COMMISSIONERS' REPORTS**

**B. UNIVERSITY REPORT**

**C. CHAIR'S REPORT**

**D. DEPARTMENT OF NDS**

**E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA**

**F. CONSENT AGENDA**

(Items removed from the consent agenda will be considered at the end of the regular agenda)

1. Minutes - December 9, 2014 – Regular Meeting (Revised)
2. Minutes - January 27, 2015 – Work-Session
3. Minutes - February 10, 2015 – Pre meeting
4. Minutes - February 10, 2015 – Regular meeting

**III. JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)**

**G. JOINT PUBLIC HEARINGS**

1. **Community Development Block Grant (CDBG) and HOME Funding— 3<sup>rd</sup> Year Action Plan, FY 15-16:** The Planning Commission and City Council are considering projects to be undertaken in the 3<sup>rd</sup> Year Action Plan of the multi-year Consolidated Plan utilizing CDBG & HOME funds for the City of Charlottesville. In Fiscal Year 15-16 it is expected that the City of Charlottesville will receive about \$400,000 in Community Development Block Grant funds and \$66,000 in HOME funds from the Department of Housing and Urban Development HUD. There will also be \$430,851 in CDBG funds from project repayment and an estimated \$35,000 in program income. CDBG funds will be used in the City to conduct facility improvements, pedestrian improvements in 10<sup>th</sup> and Page, Economic Development activities, and several public service projects that benefit low and moderate income citizens. HOME funds will be used to support the housing needs of low and moderate income citizens through homeowner rehabs and down payment assistance.  
**Report prepared by Melissa Thackston, Grants Coordinator.**

**IV. REGULAR MEETING – (continued)**

**H. Critical Slope Waiver Request – Kroger at Seminole Square**

**I. DISCUSSION**

1. Longwood Planned Unit Development Amendment
2. 1725 Jefferson Park Avenue Special Use Permit

## **I. FUTURE MEETING SCHEDULE**

Date and Time	Type	Items
Tuesday March 24, 2015 – 5PM	Work session	Application Process Transient Lodging Facilities Unified Development Ordinance
Tuesday, April 14, 2015 – 4:30 PM	Pre- Meeting	
Tuesday, April 14, 2015 – 5:30 PM	Regular Meeting	201 Garrett Street SUP 1725 JPA SUP Flood Plain Ordinance Update Rezoning – William Taylor Plaza PUD Rezoning -- Longwood PUD Amendment Lochlyn Hill Site Plan

### **Anticipated Items on Future Agendas**

- Transient Lodging Ordinance
- Application Process Ordinance
- Naylor Street Major Subdivision
- Spot Blight – 1810 Yorktown Drive
- Zoning Text Amendment - PUD ordinance updates
- Carlton Avenue – Lot A – Site Plan

**Persons with Disabilities may request reasonable accommodations by contacting  
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**PLEASE NOTE: THIS AGENDA IS SUBJECT TO CHANGE PRIOR TO THE MEETING.**

**PLEASE NOTE: We are including suggested time frames on Agenda items. These times are subject to change at any time during the meeting.**

**MINUTES  
PLANNING COMMISSION MEETING  
December 9, 2014 - 5:30 P.M.  
CITY COUNCIL CHAMBERS**

**Planning Commissioners Present**

Dan Rosensweig – Chairperson  
Tanea Dowell  
Lisa Green  
Kurt Keesecker  
Genevieve Keller  
Jody Lahendro  
John Santoski

**Staff Present**

Ms. Missy Creasy, Planning Manager  
Ms. Lisa Robertson, Chief Deputy City Attorney  
Mary Joy Scala, Preservation and Design Planner  
Brian Haluska, Senior Planner  
Matt Aflele, City Planner

The meeting was called to order by Chairman, Dan Rosensweig at 5:30.

**COMMISSIONERS REPORT**

Mr. Keesecker – Nothing to report

Mr. Santoski – He attended the final Free Bridge Ecological project meeting and the general consensus was it was an interesting exercise and it may not have been the best location to do this ecological project but there were some recommendations for what might happen with Free Bridge. He also attended the MPO Technical Committee meeting and there is unallocated funding for the long range transportation plan and one of the considerations is to use some of the funds for a Free Bridge related project.

Mr. Lahendro – He attended the Parks and Recreation Commission on 11/19. The discussion involved McIntire Park, schematic designs of the park with the visitor's center, the potential botanical garden and the design for the skate park. The two designs were approved for further review by City Council. He said the process for CIP funding was discussed and described.

Mr. Rosensweig – asked about the northern portion of McIntire Park including alternate smaller active use area and if these were included in the master plan?

Mr. Lahendro said there are ponds, walkways and trails and visitors center are being proposed.

Ms. Keller – reported that the PLACE Task Force will be meeting at noon in the NDS conference room on December 11<sup>th</sup>.

Ms. Green – nothing to report

Mr. Palmer – stated that the bike share pilot project is moving forward with about 90 bikes and they hope to have the full project ready by the next semester.

**A. CHAIR'S REPORT** – Mr. Rosensweig said the Housing Advisory Committee met on November 19<sup>th</sup> and talked about two issues of interest to the Planning Commission. One is how best to participate in the Code Audit specifically with regard to affordable housing, and the goals and vision within the housing section of the updated Comprehensive Plan; and two the ongoing work of a subcommittee to examine best practices and incentives for creating more affordable and mixed income housing. They approved a recommendation to Council regarding the scope of a comprehensive housing study. The River Committee met and discussed some next steps guided by Dan Mahon, Albemarle County Parks and Recreation, expanding the boundaries of the proposed planning area to incorporate everything north up to the Native American burial grounds across from the South Fork Soccer Park, and

to the south down to the site of Jack Jouett's crossing at the Rivanna. Everyone thought it was a great suggestion to incorporate all the historic sites along the way. The committee discussed scheduling a meeting to inform citizens what is going on and to get feedback about what are the features, the factors, and the things we hold dear collectively in and adjacent to the Rivanna River. This meeting should be scheduled with the opening of the Lewis and Clark facility at Darden Towe Park. At the next meeting of this committee, plans are to include members of the tourist industry, economic development from the City and the County, and members of the committee asked TJPDC staff to bring forwarded case studies from other cities, towns, and municipalities who have done a similar River type of project. He said Council ask the chairman's of various bodies participating in the Code Audit and Streets That Work initiative to discuss the process moving forward. Four Councilors were in the room joining the chairs of the BAR, Planning Commission, Tree Commission, PLACE Design Task Force to discuss and he felt like it was a very productive meeting. We received an update of the extensive neighborhood out-reach program conducted by the NDS staff and also discussed some higher altitude guiding principles for both the Code Audit and the Streets that Work initiatives. As the process continues we will get a summary of the public out-reach including the up-coming community day this Saturday 13<sup>th</sup> at the Jefferson School.

**B.DEPARTMENT OF NDS** - Ms. Creasy reported that the Saturday event will be held at Carver Recreation Center in the multipurpose room from 8 am – 11:30 am. The meeting will start with a general discussion and presentation and then move into group work, and some report out. We will have a facilitated meeting and hope we will have good attendance. Should anyone need additional information give us a call; and we do have information online at [Charlottesville.org/CompleteStreets](http://Charlottesville.org/CompleteStreets). She said she received Real Estate forms from everybody. Ms. Creasy said it's time to think about the Planning Award nominations so start thinking about who you would like to nominate for those awards. The January work session will be on the 27th and the first item on the agenda is the Unified Development Code Ordinance for discussion; and a place holder for small area plans will be the second part of that discussion.

### **Matters By the Public**

Bill Emory – 1604 E. Market Street in the Woolen Mills, Charlottesville's waterfront, a historic garden neighborhood located at the foot of a world heritage site, cradled by the Rivanna River. I am the secretary of the WMNA and have been authorized by our neighborhood association to welcome Ms. Dowell and Mr. Lahendro to the Planning Commission and invite their active participation in our long running conversation regarding land use in the east end of the City. Staff is working on setting up a January work session to prioritize small area plans. We are on pins and needles regarding this discussion.

In 1988 Planning Commissioner Sue Lewis advised residents of the Woolen Mills to become involved in the discussion of development in our area "before something happens". We took Ms. Lewis advice to heart. We got in the queue. The queue is updated every few years, most recently, with the 2013 revision of the Comprehensive Plan. Before that Woolen Mills neighborhood concerns were voiced in the 2007 and 2001 Comp Plans. How are Small Area Plans and Land Use issues prioritized? What part does community engagement play? At small area plan subcommittees meeting in April and June of this year, the Woolen Mills and the Rivanna Corridor were mentioned dozens of times. These mentions arose from the corridor visions put forward in the Torti-Gallas early in this millennium. The mentions sprung from the incompatibility inherent in adjacent industrial and residential zoning. The mentions arose from the recreational potential of reconnecting Charlottesville with its waterfront, from the possibility seen by the Charlottesville and Albemarle County Planning Commissions of working cooperatively within the Rivanna River Corridor. The mentions arose from a desire to address a gate way to our City, High Street. As a neighborhood we ask that you consider Placekeeping. Presently, the underlying zoning in our neighborhood and in the river corridor doesn't support city's nascent vision for the area. We ask that you deal with underlying zoning in the Woolen Mills neighborhood and the Rivanna Corridor. Planning is preferable to triage. Get law on the ground in advance of development proposals so that we might realize the gifts of this unique area to the larger community.

Emily Walker – 1515A Antoinette Avenue in Johnson Village, is speaking on behalf of other families who live on Antoinette Avenue at the intersection of Shamrock. She said they have reviewed the site plans for Johnson Village Phase III and have two concerns, 1) concerned about construction and equipment in the cul de sac area at



the end of Shamrock road and 2) Michael West (represents our properties) is concerned that the plan for a barrier wall at the end of Shamrock would not serve any purpose because of elevation and his suggestion was to leave a larger barrier of the natural area instead which would be an effective natural barrier as opposed to the wall. She said the elevation would prevent it from being effective and there are a couple of other points he had made which I don't have at this time. Our neighborhood is filled with children playing in the street. We are renters but we have a strong community there and feel that the nature of our neighborhood will be irreversibly changed by the loss of that swath of trees. The forest area and the development we understand are going to change but would be right on our backyards. Please leave a section of trees along the perimeter at the top of Antoinette and the end of Shamrock. Ann Marie Park, 825 Village Road, she is a board member of the HOA for Cherry Hill and Village Place Association. She has worked with the developer over the past few years and it is fair to say that the consensus between the previous site plan and the current plan is under review and contains numerous changes. The current plan is more desirable for the neighbors on Village Place. The changes include moving the clubhouse away from the pool. The long side of the building is not facing the front side of the homes so there is less visual space. If something is going to be built, please use the current plan which is more desirable. Putting a parking lot between the apartment and the homes preserves more of the backyard space.

Heather Walker, 603 Shamrock Road, President of the Johnson Village Association, noted the developers of Village Place and Cherry Hill are the same developers of Phase III and she wants to remind you of the barrier that was supposed to be left between Cherry Hill and Johnson playground but was not left. It was completely clear cut and she wants to make sure there is a wide barrier of trees to protect the homes that are on Antoinette.

#### **F. CONSENT AGENDA**

**(Items removed from the consent agenda will be considered at the end of the regular agenda)**

**1. Minutes - November 11, 2014 – Pre meeting**

**2. Minutes - November 11, 2014 – Regular meeting**

**3. Minutes - November 18, 2014 – Work Session will be brought back for approval next month.**

**4. Site Plan – Rialto Beach PUD**

Ms. Keller approves the Consent Agenda with the exclusion as noted, seconded by Mr. Santoski, motion passes 7-0.

#### **III. JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)**

##### **G. JOINT PUBLIC HEARINGS**

**1. Charlottesville Capital Improvement Program FY 2016-2020:** Consideration of the proposed 5-year Capital Improvement Program totaling \$86,852,483 in the areas of Education, Economic Development, Public Safety & Justice, Facilities Management, Transportation & Access, Parks & Recreation, technology Infrastructure, Storm water Initiatives and General Government Infrastructure. A copy of the proposed CIP is available for review at <http://www.charlottesville.org/Index.aspx?page=3637>.

**Report prepared by Ryan Davidson, Office of Budget and Performance Management.**

The Charlottesville Planning Commission is asked to endorse an \$18.2 million capital improvement budget for the next fiscal year, but also asked the City Council to consider adding more money for new street trees and to encourage the fire department to transition to smaller vehicles. The five-year capital plan totals \$87 million through 2020, though councilors will only adopt the first year of funding when they adopt the total budget in early April. The draft plan for next year allocates \$25,000 for "urban tree preservation and planting" but the City's Tree Commission had asked for more.

Ryan Davidson, City budget analyst explained why a capital improvement oversight committee did not recommend granting their request. He said it is not a reduction but level funding from the previous year, we feel that's adequate for what we can keep alive. He also said paying to plant more trees also would require the city to hire someone to

help make sure the new trees survive, and the committee has to take the impact to the city's operating budget into account.

Jim Tolbert, Director of Neighborhood Development Services stated this is the first year we've considered the impact of ongoing operating costs that come with additions to the capital plan. He also pointed out the \$11 million dollars allocated in the capital plan for a new streetscape for West Main includes money for street trees to be planted as well.

Mr. Tolbert said Council will hold a work session Dec. 18 to review the West Main plan created by the Alexandria-based consultant Rhodeside & Harwell. The capital plan also anticipates spending about \$6.5 million over the period to contribute to a shared district court with Albemarle County.

Mr. Davidson said the money in the capital plan is there as a placeholder though no official decision has been made by either the Council or the Albemarle Board of Supervisors. He stated the funding there is the city's portion of the cost of co-locating the Albemarle and Charlottesville General District courts at the Levy Opera House to keep all the courts in one place.

Ms. Keller stated she wants to be supportive because it is built on generations of investment in Court Square.

#### **Mr. Rosensweig opened the public hearing.**

Bill Emory of 1604 East Market Street spoke in support of increasing the amount of funding in the CIP dedicated to tree planting.

Lena Seville of 808 Alta Vista Avenue spoke in support of increasing the amount of funding in the CIP dedicated to tree planting, and incorporating first-year maintenance cost for new street trees into the cost of planting a tree in the City.

#### **Mr. Rosensweig closed the public hearing.**

Ms. Green said she served on the capital committee this year and it was the most eye-opening thing she's ever done since being on the Planning Commission. She said there's just not enough money to do it all.

Mr. Santoski said that it was nice to hear that the operational expenses for new projects was being taken into account. He asked Mr. Davidson if there were any unfunded projects.

Mr. Davidson said there is about \$58 million dollars in unfunded requests over the five-year period.

Mr. Santoski asked if there was any possibility of increasing the amount of money for bridge replacement.

Mr. Davidson said that the amount in the CIP was the amount Council felt was needed for maintenance and replacement.

Ms. Keller stated that she supported the CIP in general, but wanted to see full funding for the Tree Commission and some of the money earmarked for sidewalks set aside for a Historic and Specialty Paving Survey and Rehabilitation Plan.

Mr. Lahendro noted that the Parks Department and Tree Commission seemed to be at odds regarding additional tree planting in the City.

Mr. Rosensweig said that a conversation has to happen between Council and the Fire Department regarding smaller apparatus and structural changes to the department that would enable the City to permit small street widths. He also mentioned that the amount for parkland acquisition is a small amount for acquisition in urban areas.

Mr. Huja indicated that Council often speaks about parkland acquisition and has been able to fund acquisitions when needed.

Mr. Keesecker said that we appreciated the map that shows the CIP project locations. He stated that roughly \$6 million in the CIP were in the public realm. He also said that it would be nice if the areas designated as small area plans had local funding mechanisms in place to help fund the physical improvements in those areas.

MOTION: To approve the CIP as presented by staff with the following additions enumerated or instructions enumerated by Chair Rosensweig:

- That full funding be considered for the Tree Commission if offsets could be found.

- That some of the funding designated for sidewalks be set aside for a Historic and Specialty Paving Survey and Rehabilitation Plan.
- Revenue generated in strategic investment areas be considered in future CIPs so that the improvements are not just seen as a cost but as a revenue generator.
- Look at urban pocket parks.
- Recommendation to Council that they hold a discussion with the Fire Department regarding smaller fire apparatus.

and I further include in the motion a directive to the Director of NDS that the Planning Commission's recommendations be sent to Council accordance with the Code of Virginia.

Motion by: Commissioner Keller

Seconded: Commissioner Green

VOTE:

"Aye": Commissioners Dowell, Keesecker, Keller, Lahendro, Rosensweig, Santoski, Green

"Nay": None

Abstentions: None

Disqualifications: None

2. **SP-14-10-09 – 722 Preston Ave** - An application pursuant to City Code sec. 34-796 for a special use permit for a mixed-use development to allow for retail space up to 10,000 square feet (gross floor area) on property located within the Central City Mixed Use Corridor Zoning District, located at 722 Preston Avenue, identified on City Tax Map 31 as Parcel 38. The subject property is located within the Central City (CC) Mixed Use Corridor zoning district and is approximately 1.89 acres or 82,328 square feet. The Land Use Plan generally calls for Mixed Use. **Report prepared by Brian Haluska, Senior Planner.**

The Applicant has submitted an application seeking approval of a Special Use Permit in an existing building at 722 Preston Avenue. The Property has additional street frontage on Albemarle Street. The proposed development plan shows locating several businesses in the structure, one of which would be a retail business of greater than 4,000 square feet of gross floor area. The building would have parking for 101 cars located in a surface parking lot adjacent to the building. The Central City Corridor zoning permits retail businesses of up to 4,000 square feet by right, and retail businesses in excess of 4,000 square feet by special use permit. The applicant has requested a special use permit for retail uses up to 10,000 square feet of gross floor area. Land Use and Comprehensive Plan

Staff finds that the proposal is supported by the City's Comprehensive Plan, that the use requested is appropriate for this location, and that the impacts of the development can be addressed through conditions placed on the special use permit.

Staff recommends approval with the following conditions:

1. The maximum gross floor area that a single retail establishment may occupy is 10,000 square feet.
2. All deliveries to the site should be directed to enter and exit via the Preston Avenue entrance.

Ms. Green asked if we did a SUP for bio-tech.

Mr. Haluska said there was a SUP for bio-tech which was a previous plan that was abandoned.

Pete Gergan, 114 Hessian Hills Ridge, said he has been working closely with Mary Joy and Brian Haluska. He said the first business should be opening in the spring. He said the reason he is here is to get 10,000 square feet and a SUP for retailers. He said they have amended their site plan to close the parking lot to Albemarle Street and all of

the deliveries will be coming from Preston. Shawn Tevendale and Blue Ridge Cycling is one of the tenants who we are excited to be in the building

Mr. Lahendro asked is there any kind of deliveries and vehicular traffic off of the side street.

Mr. Gergan said yes, we are completely closing off to the 10<sup>th</sup> and Page neighborhood for any vehicular traffic from the project to the site.

Ms. Green asked if this is a multiple retail establishment.

Ms. Smith asked if there will be pedestrian excess to Albemarle Street.

Mr. Gergan said yes, you will be able to walk the stairs into a parking lot up to Albemarle Street.

### **Opening the public hearing**

Shawn Tevendale, is the owner of Blue Ridge Cycling located currently on Millmont Street. He is moving into the Coke Building. He said one thing they like about the building is the appeal of the location and the size of the building is the focus of being a small business oriented. He said we needed the additional floor footage for us to work from and so part of what we are looking at with this is the ability to go in with the 5200 square feet but also potentially flex up with our space if needed in the future and this is reflected in the 10,000 square feet request to the Planning Commission. We are very focused on the community access to the cycling aspect of this. We excited to be on bikeable routes and bike share lanes. We are also in the process of implementing a bike share program down on the University of Virginia grounds. We are hopefully looking at expanding that so that the bike share program can come over to where we are currently located. We currently employ 8 employees and looking to increase up to 12 in the spring time. We are excited to be moving to Preston, we just need the permit in order to do the square footage.

Marie McDaniel, 803 Anderson Street, She is in favor of this SUP.

### **Public Hearing closed**

Ms. Smith asked the applicant if there any outdoor music.

Mr. Gergan said it could potentially be some outdoor music. Potentially going to be music outside but he doesn't know how much.

Mr. Santoski asked if there were any restrictions on decibel, loudness, and how long music can be played especially if there will be an outdoor beer garden there. If so there could be music in the spring, summer and fall and he said he is not quite sure what the restrictions are.

Mr. Haluska said whatever is covered under the city noise ordinance.

Ms. Green said this is the best use permit for the land but not the applicant and she will not be swayed.

Mr. Keesecker motioned to amend the SUP request to include pedestrian and bike access off of Albemarle into the site seconded by Mr. Lahendro, the amendment passes unanimously.

Ms. Keller motioned to further amend the SUP to increase square footage but limited it to be contained within the existing historic building because it is an individual protected property in the City of Charlottesville, seconded by Mr. Lahendro, the 2<sup>nd</sup> amendment passes unanimously.

Mr. Lahendro moved to recommend approval of a special use permit as requested in SP-14-10-09, subject to 4 conditions, because I find approval of this request is required for the public necessity, convenience, general welfare or good zoning practice. My motion includes a recommendation for the conditions referenced in the staff report dated November 24, 2014, subject to the following revisions: maximum gross floor area that a single retail establishment may occupy is 10,000 square feet, all deliveries to the site should be directed to enter and exit via the Preston Avenue entrance, remove vehicular access to Albemarle Street but keep, a pedestrian and bike excess off of Albemarle street and the use of the SUP be restricted to the existing building, seconded by Ms. Green, motion passes 7-0.

### **3. SP-14-10-10 – 1106 West Main Street:** An application for a special use permit pursuant to City

Code sec. 34-637(2), to allow development of a hotel, at a height of up to 101 feet on the property identified on City Real Property Tax Map 10 as Parcels 64 and 65. The subject parcels, together, consist of approximately 0.458 acres of land having street frontage on West Main Street and 11th Street SW. The subject parcels are located within the West Main South (WMS) Corridor, subject to the West Main Architectural Design Control Overlay District referenced in City Code sec. 34-272, and Parking Modified Overlay Zone referenced in City Code sec. 34-971(e)(3). The Land Use Plan generally calls for Mixed Use. In the WMS zoning district, hotels are uses allowed by right; however, the maximum height allowed by right (without a special use permit) is 70 feet.

**Report prepared by Brian Haluska, Senior Planner.**

The Applicant, Austin Flajser, has submitted an application seeking approval of a Special Use Permit in conjunction with a site plan for a hotel located at 1106 West Main Street. The Property has additional street frontage on 11th Street SW. The proposed development plan shows a 101 foot tall building with 150 hotel rooms and a restaurant. The building would have parking for 90 cars located in structured parking in the building. The West Main South Corridor zoning permits a maximum height of 70 feet by right, and 101 feet by special use permit.

Staff finds that the proposal is supported by the City's Comprehensive Plan, that the increase in height is reasonable at this location and that the impacts of the development can be addressed through conditions placed on the special use permit.

Staff recommends the application be approved with the following conditions:

1. The minimum required setback on 11th Street SW shall be 6 feet.
2. The minimum required stepback on 11th Street SW shall be 0 feet.
3. The frontage on West Main Street will reflect the City's approved West Main Streetscape plan.
4. The design, height, and other characteristics of the Development shall remain essentially the same, in all material aspects, as described within the application materials dated October 21, 2014, submitted to the City for and in connection with SP-14-10-10 ("Application"). Except as the design details of the Development may subsequently be modified to comply with requirements of a certificate of appropriateness issued by the City's BAR, or by any other provision(s) of these SUP Conditions, any substantial change of the Development that is inconsistent with the Application shall require a modification of this SUP.
5. Prior to commencement of any land disturbing activity on the Property, the developer shall hold a meeting with notice to all adjoining property owners and representatives of the University of Virginia, to review the proposed location of construction worker parking, plan for temporary pedestrian and vehicular circulation, and hours and overall schedule for construction activities. The city's director of neighborhood development services shall be provided with evidence that such meeting was held, and of the required notices, prior to the issuance of any building permit for the Development.
6. The developer shall submit a Traffic Control Plan as part of the proposed final site plan, detailing measures proposed to control traffic movement, lane closures, and construction entrances, haul routes, idling of construction vehicles and equipment, and the moving and staging of materials to and from, and (if planned, in public rights-of-way adjacent to the site, during the construction process. This Traffic Control Plan shall be amended, as necessary, and submitted along with any application or a building permit or other development permit applications.
7. The developer shall provide the city's director of neighborhood development services, adjoining property owners and the University of Virginia with written notice of a person who will serve as a liaison to the community throughout the duration of construction of the Development. The name and telephone number, including an emergency contact number, of this individual shall be provided.
8. If the City exists public infrastructure (public streets, sidewalks, curb, gutters, utilities, etc.) is damaged during construction of the Development, then the Property owner shall be responsible for repair and/or reconstruction of the same in accordance with applicable City standards.
9. The developer shall submit a foundation inspection, prior to commencement of construction of the first floor above-grade framing for the Building(s). The foundation inspection shall include
  - (i) the building footprint, as depicted within the approved final site plan, (ii) the top-of-slab elevation and (iii) the first floor elevation. The foundation inspection shall be prepared and sealed by a registered engineer or surveyor,

and shall be approved by the zoning administrator prior to the commencement of construction of the first-floor above-grade framing.

10. Any structural elements that are proposed to extend into the public right-of-way, including, but not necessarily limited to, footings, foundations, tie-backs, etc., must be shown on the proposed final site plan and the property owner shall be required to enter into a written encroachment easement, in a form approved by the City Attorney, suitable for recording in the City's land records. A copy of the recorded instrument shall be submitted to the City along with the first request for a building permit for the development.

11. A Traffic Plan, showing the layout of signs, details, signals, turning lanes, entrances and exits, and pavement markings, shall be submitted to the City as part of the proposed final site plan for the development.

12. The Developer shall be responsible for the cost of constructing, in areas adjacent to the Property, any turning lane(s), traffic signals, or other public street improvements or traffic regulation devices, the need for which is substantially generated by the proposed Development.

13. In the event that the City determines, prior to the issuance of the final certificate of occupancy within the Development, that (i) relocation of any existing on-street parking, or (ii) changes to the direction of traffic on any adjacent street(s), (iii) elimination of any existing turn lane(s), and/or (iv) the addition of on-street parking adjacent to the Development Site, is reasonably necessitated by the proposed Development, then the Developer shall be responsible for the following:

a. The cost of removal of existing signage and of installation of new signs and appurtenances necessary to shift or establish on-street parking, or to change the direction of traffic along the Development site's frontage with any existing public street; and

b. Pavement marking modifications (such as eradication of existing and addition of new markings).

14. The Development shall include one or more off-street loading docks/ areas. To the maximum extent feasible, all loading shall occur off-street, within such docks/ areas. Loading schedules shall be coordinated to facilitate off-street loading and to minimize idling by waiting vehicles. The Applicant has submitted an application seeking approval of a Special Use Permit in conjunction with a site plan for a hotel located at 1106 West Main Street. The Property has additional street frontage on 11<sup>th</sup> Street SW. The proposed development plan shows a 101 foot tall building with 150 hotel rooms and a restaurant. The building would have parking for 90 cars located in structured parking in the building.

Ms. Green asked how the drop off lane would be handled city wide. If we don't have a drop off lane and someone decides they want to do valet parking in the front instead and have valet right in front of the street, how this would be handled by the city.

Mr. Haluska said any sort of regulation regarding on street parking or anything on the street is subject to city regulation including the enforcement of parking regulations. If they wanted a legally established valet where they would not get ticketed or stopped by the police, they should certainly come in and talk to traffic engineering to make sure that arrangements works with the flow of traffic, not disrupting it in anyway. He said if anyone wanted to establish a valet program they would certainly have to talk to the planners first on how they handle the pick-ups if they are using a city street. He said it would need to be signed as such so there would be no confusion that certain on street spaces may be used for that.

Mr. Haluska said stopping in the street is some sort of violation.

Mr. Santoski asked about 11th street. Is there a bike lane on 11th street?

Mr. Haluska said not at this time. He said with the concern from the University having two north bound lanes there and having a left and right turn and if that happen you do not have a dedicated bike lane. It would be looking more like a share road situation. He said right now there is not a striped lane and if you want a dedicated one that's taking space from other potential use. He said he didn't think there was a firm plan that the city has endorsed.

Mr. Santoski asked about the west main streetscape whether or not the side streets coming on to west main were also a part of the over-all plans for that.

Mr. Haluska said he didn't think from a bike lane standpoint. He said they were certainly considered because there is a lot of traffic on Lee Street. There are a lot of people walking from the bus stop.

Mr. Keesecker asked if the conditions #7- 14 have a lot of logistical requirements related to notices repairing damage and loading dock and stuff included in the market plaza discussion. How many of those 7-14 are general

requirements of site plan approval and building permits and normal regulations Is it fair to say that those conditions are a part of the city requirements anyway.

Mr. Haluska said some are and some are not. He said seven is not. Eight would be and nine is not a current requirement. He said ten, eleven, twelve, and fourteen but thirteen was strike by City Counsel.

Ms. Keller asked Mr. Haluska to share his thoughts on the 11<sup>th</sup> street setback and setback on conditions one and two.

Mr. Haluska said the one and two are the request from the applicant and the information he received from the BAR was split on how they saw that and some of them found it appropriate and some didn't. Looking at the street the only structure that gives you a frame of reference is the garage. The university garage has a substantial setback on it. It is not five feet, it is quite a bit.

Mr. Rosensweig asked whether the two floors of commercial had to be on the first floor.

Mr. Haluska said this is one of the things put into the code to create a false front and everything now meets the zoning.

Mr. Huja asked why there are so many different colors on the design.

Ms. Keller questioned if the applicant had considered having your guests dropped off on 11th street.

Mr. Flajser, said yes they had and described by UVA as an important travel artery to and from the hospital and the parking garage. To have a pull off on west main and a sidewalk where currently none does not exist, is not going to be feasible in order to also maintain travel lanes. The University is looking at adding an additional travel lane in that area and certainly if we had a drop off in that location it would be impossible. Even now it would be very tight and would require coming in about two feet on sidewalk we are proposing today. We are proposing to maintain what is there as a bus drop off today and make that a car pull off and have the bus pull off drop off in front of it maintaining on street bus drop off because it is consistent with the new west main plan.

Mr. Keesecker asked have you considered an internal drop off inside the garage on the second level.

Mr. Flajser said this would further confuse the guest where you would have people confused about taking the right on 11<sup>th</sup> and further confused pulling into a garage, an urban drop off location. He said it has been done successful in other urban areas but he thinks that is only in areas where people are more use to that set up.

Mr. Keesecker said there are basically two ways people will be arriving to the hotel either driving a car or taking a taxi and if they are driving themselves they will need to find that garage.

Mr. Santoski looking at the diagram on the illustration, there are two cars in that spot and he is familiar with hotels at peak times more than two cars are trying to pull in and this will back up traffic on West Main Street one way or the other. He said the internal drop off makes a whole lot more sense.

Ms. Smith, City Councilor, stated that in the pictures there appears to be one whole side with no windows on the right side of the building.

Mr. Flajser, said that side is completely glass now rather than parking.

Ms. Smith said she is speaking of the wall face up above.

Mr. Flajser said yes that is windowless because it abuts an adjacent property where they can build up to our line so we will have to accommodate future development on that side.

Ms. Smith asked if the towers being completely different from the bottom are fairly institutional looking, is there a reason for that.

Ms. Cooper stated that their design intent is not for them to look institutional but it is slightly more modern and more contemporary in keeping with some of the more recently approved projects, the ground floor with the more terra cotta coloring, we are trying to pay homage to brick you see but yet taking a slightly more contemporary direction.

Mr. Lahendro said the loading dock and the parking entrance on 11th street right now shows a 36 feet gap in the sidewalk, asked if it possible to have a pedestrian island between the two vehicular entrances.

### **Open Public Hearing**

Morgan Butler – 201 West Main Street, the applicant is seeking to build to the absolute maximum height that can be permitted. Other recent request has been the Flats, 1000 West Main and the standard. All of which were granted Special Use Permits that allowing them to build to the maximum height. I've seen the universal reaction to the Flat, now that it has gone from design drawings to reality, there is a strong sentiment in the community that we need to

be much more careful to what we are permitting on West Main street. Height is only one aspect of scale but is an important one. Tall buildings can be an effective tool for advancing some city goals such as increasing density in appropriate corridors and potentially helping with advancing affordable housing. They can overwhelm nearby buildings and neighborhoods and can suffocate the pedestrian vitality which is another city goal. The communities concerns about height and scale on West Main Street has been channels into the cities ongoing work revisiting the permissible building envelopes along the street. The public last viewed this work late last summer and we understand that it will be the subject of a work session with City Council next week. The proposal will change the maximum permissible building height along this part of West Main Street from 101 feet down to 80 feet and would make other changes to the existing standards to help keep new buildings from overwhelming their surroundings and this proposal hasn't been adopted at this point but the concerns that it embodies in the general direction of which it was pointing namely down are important to keep in mind with this latest request to max out the permissible height. I want it be clear that we are not opposing a tall building on this site and the parking challenge that the applicant has identified might provide some justification why the building needs to go higher. However, we believe the city must get into the habit of requiring a truly compelling justification from applicant for pushing it right up to that maximum height allowance. Notably with the hotel the city isn't even getting some of key justifications that were mentioned during the debates on the flats as well as other proposals, specifically some of the higher residential densities and the potential of advancing the ball on affordable housing. Finally when maximum heights are proposed some of the protective elements such as setbacks and setbacks become more important. We share the concerns of some of the BAR members and some of you have expressed about the applicants request to eliminate the setback and to reduce the setback on 11<sup>th</sup> street where it looks like a canyon would result. It sounded encouraging tonight by the applicant saying it is possible that we would no longer need to eliminate that setback but it's not clear that they are now saying they do plan to have the five foot setback. He said he wanted to make a point in response to the question to staff about staffs views on the necessity on the setback, the response seem to be well the setback doesn't seem to make that much difference anyway so it may not be a huge deal if we let that go. I would suggest another way of looking at this, if a five foot setback is not adequate and this is a Special Use Permit request, you have the discretions to ask for conditions why we don't impose a setback that will make a difference.

Charlie Hurt, Route 20, Scottsville, Va. as The Director of Real Estate Leasing Services, representing the University of Virginia and the Medical Center. He suggested that both on the Battle Building excess to the Children's Hospital has an interior drop off and also the pedestrian bridge from the garage from across the tracks also interior to the parking garage so we are not directing all of the pedestrian traffic into the street. He stated that their institutional interest to this project derive from concerns regarding excess to the hospital, garages, and nearby offices. We are concern about excess by automobile, public transportation and pedestrians. For the past five years the University has invested in over 170,000,000 million dollars, 140,000,000 in the children's hospital, 26,000,000 in the garage, a million dollars on West Main Street improvements and a 5,000,000 pedestrian bridge to cross the tracks. This is to improve our first class medical center. Smooth traffic flow and public transportation all contribute to our success. Maintaining two-way vehicular as well as pedestrian traffic on 11<sup>th</sup> street during construction as well as when the hotel is open is critical to the operation to the health system. The 11<sup>th</sup> street garage has approximately 1,000 spaces due to hospital staff parking in the garage turns over three times a day. This garage also accommodates all patients over flow from the Lee Street garage which has 800 spaces and is generally filled up each day by midmorning. There are approximately 1750 appointments every day at the hospital and this does not include visitors, employees and staff members who work at the hospital. He suggested to take two feet of 11<sup>th</sup> street to accommodate the parking garage may further impact necessary street improvement on 11<sup>th</sup> street. He stated as mentioned trying to make a left handed turn from 11<sup>th</sup> street onto Main Street and in further reducing the existing width on 11<sup>th</sup> street may preclude that left hand turn onto West Main Street. He said part of our goal is to get people to the hospital but to get people on their way as well. The 11<sup>th</sup> street has to excess points 11<sup>th</sup> street and the entrance off Jefferson Park, so unimpeded two way excess on 11<sup>th</sup> street is vital to moving visitors, patients and staff. The University of Virginia Foundation successfully constructed the Battle Building on 11<sup>th</sup> street because we work closely with them to schedule construction delivers during work hours minimizing the impact on health care services and patient staff commutes. Much of the work was completed at night and delivers were carefully planned. We would like for all project approvals by the city to be conditioned by the request for temporary road closures, a one way traffic determination and be coordinated with UVA. We would like for it to be a requirement that goes beyond sharing information and would like to see UVA included as a participant in any request to temporarily close the one way



street construction. He said it is challenging when you bring in a SUP and don't allow significant property owners joining not enough time to present their case so I will close. He continued saying the University would like to have an active voice in any temporary closing of one way actions during construction. We would like the bus stop and the pull off to remain active and in place during the construction and after operation. It is a major through-fare for pedestrians and closing the bus stop will make the pedestrians walk in the street to excess buses seems to disenfranchise those who use public transportation. There are four routes that use that bus stop, four, seven, and nine, thirteen bus stops between 8 and 7. We would like to minimize the fact to close 11<sup>th</sup> street and the sidewalk cause by truck deliveries that do not fully excess into the truck dock.

### **Closed the Public Hearing**

Ms. Keller has concerns about the vehicular drop off on the West Main Streetscape current usage in terms of the City's current plan on streetscape improvements for that area one of her major concerns is the effects on West Main Street. She would like to explore ideas of her colleagues about interior access threw the parking garage. She said she does not think it to be insurmountable in finding this hotel if you are coming from out of town. She said it was interesting to hear from the University on how they handle their garages.

Ms. Dowell asked if we could make this a condition for the Special use Permit.

Ms. Creasy said you could not necessarily be specific about it being internal but you could denote the external and that may limit it to be internal.

Ms. Green said we wanted urban density and we have already approved three. She said when we do a comprehensive plan and get to this point. She said this is a great place for a hotel and she doesn't see any difference in adding this height to this hotel than she would the other three student houses. She said she has concerns about the drop off and doesn't feel it should be any difference from the University. Ms. Green said she likes wide sidewalks and has concerns about the two feet of sidewalk into the right-of-way. She also stated that this is a breath of fresh air to all of the brick. She said she likes the modern design, something different rather than the same we usually have down there.

Ms. Cooper said the existing conditions on 11th Street are less than ideal for pedestrians. She said we see at this corner is really a void in the space and we believe this is a gateway site for the Medical Center. She stated people will be coming to this building from far reaches and may not know this area, therefore, we're very concerned that if there's not a hotel drop-off, that people will just stop in the middle of the road. She also stated the pull-off would be similar to the loading zones at several places farther west, where the street becomes University Avenue.

Ms. Keller said she has concerns for the pedestrian on 11<sup>th</sup> street and the canyon affect and what that does to the pedestrian experience and the dark effect it would have on a street that is so heavily used by pedestrian. She stated she would like to see some pedestrian amenities for 11th street and she thinks she is in favor of the setback and step back along 11<sup>th</sup> street in return for increased height.

Mr. Santoski stated that he agrees with Ms. Keller that 11<sup>th</sup> is his concern that the pedestrian excess ion 11<sup>th</sup> street is not acknowledged. He said he would like to see plantings along the route. He said we trying to be a walkable city then we should be able to walk where we want to walk and not in the canyon or tight up against a building and he is concerned about keeping 11<sup>th</sup> street in the width that it could handle 3 lanes in the future to accommodate the type of traffic that the University of anticipating out of the garage.

Mr. Keesecker said the application is for a reduction on a setback that would normally be 10 feet on 11<sup>th</sup> street. He asks without the SUP, they would have a 5 foot stepback, and they have asked for 6 and 0.

Mr. Rosensweig asked if there are other concerns about impacts of the additional height and the other request for a reduction in setback and stepback.

Mr. Keesecker said only the concerns mentioned so far and he doesn't have any new ones to add.

Mr. Rosensweig said the commissioners can probably craft some conditions to approve ultimately the variance on 11<sup>th</sup> street. Mr. Rosensweig complimented the applicant to the changes to the street wall on West Main and he incorporation of human space on all four levels at least on the west side of the building is a huge success and compliments by making that corner the tower feature by making that corner feature brings it to the front without bringing the whole tower to the front. He would like to memorialize that into a condition. One of our conditions is that the plan conforms to the SUP package, but he would like to incorporate the illustration of the building as well from the power point.

Ms. Robertson said since it's significantly important to you, you should call it out in the conditions and the same thing is true with any additional right-of-way along 11<sup>th</sup> street that they are offering to provide rather than rely on a general reference to the application materials. She stated that the application material as submitted is offering the additional two feet. In this sense, the conditions are memorializing another key component of the application that is of interest to you.

Ms. Smith, Council Member asked if an 8 foot sidewalk goes to a 10 foot sidewalk, does that start changing its potential for multi-use. She said for some reason she thinks that's illegal.

Ms. Creasy said she did not know the specifics about that.

Ms. Robertson said trails and sidewalks are different when you start going to something like a 10 foot sidewalk you more potential for things like outdoor cafes in that type of area, like a small plaza area instead of a true sidewalk.

Ms. Keller said a condition that restricts any vehicular access on the West Main Street corridor up to the building.

Mr. Keesecker said he agrees with Ms. Keller and Mr. Lahendro.

Mr. Santoski agrees with Kurt the biggest point is the drop off entrance on West Main Street.

Mr. Rosensweig said there has to be space for the entrance to the restaurant from West Main Street.

Mr. Huja, Mayor of Charlottesville, suggested that the applicant have a chance to speak.

Mr. Flajser gave a brief round-up of reasons to support the West Main South Corridor zoning permit; at a maximum height of 70 feet by right, and 101 feet by special use permit.

Mr. Lahendro inquired about tress and landscaping on 11<sup>th</sup> street.

Mr. Haluska said this is an ongoing problem having to dis-encouraging trees planted in far too low volume of soil for the tress to thrive. He is not saying it's impossible but be sure to word the condition so that we get trees that are going to do well there without interruption to recognize that there is not a huge amount of room.

Ms. Keller said could we have a condition that there be landscaping and pedestrian amenities that are consistent with the theme of the West Main Street plan.

Ms. Robertson asked if the side streets are referenced in the plan.

Ms. Keller said only in the terms of connectivity and we haven't looked at anything from West Main in a while but if it is vocabulary of landscape material that are consistent with West Main Street then it would work.

Ms. Green move to recommend approval of a special use permit with increased height as requested in SP-14-10-9, subject to conditions, because I find that approval of this request is required for the public necessity, convenience, general welfare or good zoning practice. My motion includes a recommendation as outlined by Ms. Creasy conditions referenced in the staff report dated, subject to the following revisions 1. Subject to approval by the City traffic engineer, the developer shall construct an 8 foot wide sidewalk on the Subject Property's 11th St., S.W. frontage. 2. There will be no pull-off on or along West Main Street for vehicles picking up or dropping off patrons of the building. The Subject Property's frontage on West Main Street will be developed in a manner consistent with the City's approved West Main Streetscape Plan in effect at the time of site plan approval. 3. The design, height, and other characteristics of the Development shall remain essentially the same, in all material aspects, as described within the documents dated October 21, 2014 submitted to the City for and in connection with SP-14-10-10 ("Application"), as supplemented by additional drawings, elevations and other written materials presented to the Planning Commission at its meeting on December 9, 2014 ("12/9/14 Supplemental Materials") (collectively, the "Application Materials"). Except as the design details of the Development may subsequently be modified to comply with requirements of a certificate of appropriateness issued by the City's BAR, or by any other provision(s) of these SUP Conditions, any substantial change of the development that is inconsistent with the information or representations contained within any of the Application Materials shall require a modification of this SUP. 4. Among the 12/9/14 Supplemental Materials is a building elevation ("12/9/14 West Main Elevation") depicting the West Main Street frontage of the development. The proposed development shall adhere to the details depicted on the 12/9/14 West Main Elevation, including, without limitation: a. Space located on the building's second and third floors (located over the area designated within the Application Materials as being planned for a ground-floor restaurant) shall be finished interior space. b. Plantings shall be provided along West Main Street, in the depicted locations. 5. Prior to commencement of any land disturbing activity on the Subject Property, the developer shall hold a meeting with notice and invitation sent to all adjoining property owners, and to representatives of the University of Virginia, for the purpose of reviewing the proposed location(s) of construction worker parking; the plan for temporary pedestrian and vehicular circulation during construction; and the hours and overall schedule for

construction activities. The city's director of neighborhood development services shall be provided with evidence that such meeting was held, and of the required notices, prior to the issuance of any building permit for the development. 6. The developer shall submit a Traffic Control Plan as part of its proposed final site plan, detailing measures proposed for the control of traffic movement, lane closures, construction entrances, haul routes, idling of construction vehicles and equipment, and the moving, storage and staging of excavated and fill materials and building materials to and from the development site during construction. Such plan shall specifically indicate whether any such activities are planned and requested to take place within public rights-of-way adjacent to the site. Following final site plan approval, this Traffic Control Plan may be amended, as necessary, with the approval of the City Engineer and director of neighborhood development services, and the currently-approved Traffic Plan shall be attached to any application for a building permit and to other development permit applications. 7. The developer shall provide the city's director of neighborhood development services, adjoining property owners and the University of Virginia with written notice of an individual who will serve as a liaison to the community throughout the duration of construction of the development. The name and telephone number, including an emergency contact number, of this liaison shall be provided. In the event the identify and/ or contact information of the designated liaison changes prior to completion of construction, the developer shall provide updated information to the director, adjacent property owners, and the University of Virginia.

8. If the City's existing public infrastructure (public streets, sidewalks, curb, gutters, utilities, etc.) is damaged during construction of the development, then the Property owner shall be responsible for repair and/or reconstruction of the same in accordance with applicable City standards.

9. The developer shall submit a foundation inspection, prior to commencement of construction of the first floor above-grade framing for the building(s). The foundation inspection shall include (i) the building footprint, as depicted within the approved final site plan, (ii) the top-of-slab elevation, and (iii) the first floor elevation. The foundation inspection shall be prepared and sealed by a registered engineer or surveyor, and shall be approved by the zoning administrator prior to the commencement of construction of the first-floor above-grade framing.

10. Any structural elements that are proposed to extend into the public right-of-way, including, but not necessarily limited to, footings, foundations, tie-backs, etc., must be shown on the proposed final site plan and the property owner shall be required to enter into a written encroachment easement, in a form approved by the City Attorney, suitable for recording in the City's land records. A copy of the recorded instrument shall be submitted to the City along with the first request for a building permit for the development.

11. The development shall include one or more off-street loading docks/ areas. To the maximum extent feasible, all loading shall occur off-street, within such docks/ areas. Loading schedules shall be established and coordinated to facilitate off-street loading and to minimize idling by loading and unloading of vehicles and by other vehicles traveling in adjacent rights-of-way.

12. There shall be at least two pedestrian entrances to the building on the West Main frontage, and at least one pedestrian entrance to the building on 11th Street SW.

13. The Subject Property's frontage along 11th Street SW shall be landscaped, and the landscape treatment shall provide pedestrian and landscape amenities consistent with the City's approved West Main Streetscape Plan in effect at the time of site plan approval, subject to approval by the City Arborist. This landscape treatment, approved by the City Arborist, shall be included as part of the final site plan for the development.

14. There shall be a dedicated pedestrian entrance/exit from the parking garage; Seconded by Mr. Santoski, motion passes 7-0.

Mr. Lahendro - yes  
 Ms. Keller - yes  
 Ms. Dowell - yes  
 Mr. Keesecker - yes  
 Mr. Santoski - yes  
 Ms. Green - yes  
 Mr. Rosensweig - yes

4. **ZT-14-10-11 – Transient Lodging Facility:** A proposed zoning text amendment, to add a new § 34-1176 to the City's Zoning Ordinance, and to amend and re-ordain § 34-420, § 34- 480, § 34-796 and

§ 34-1200 of the Zoning Ordinance of the City of Charlottesville, to provide a definition of “Transient lodging facility”, and to allow any dwelling unit to be used as a transient lodging facility, subject to compliance with a Provisional Use Permit, within all zoning district classifications where residential uses are allowed. For the purposes of this proposed zoning text amendment, the term “transient lodging facility” generally refers to any dwelling unit offering guest rooms or other lodging rented out for continuous occupancy for fewer than 30 days, excluding any bed and breakfast. The lodging facilities contemplated by this zoning text amendment are temporary stays in dwelling units, such as those offered through services commonly known as “Airbnb”, “HomeAway”, and “Stay Charlottesville”. Currently, such uses would fall within the Zoning Ordinance definition of “hotel/motel” in City Code sec. 34-1200, and are not currently authorized in any residential zoning district.

**Report prepared by Read Brodhead, Zoning Administrator and Matt Alfele, City Planner.**

Ms. Keller questioned transient lodging regarding someone staying in a one room or someone staying in a one bedroom house, will they all be treated the same?

Mr. Alfele stated that is correct they all will be treated the same.

Ms. Dowell asked is this information gathered from AirBnB networks.

Mr. Alfele said yes that why the numbers are in the report, but if you looked on the website today the numbers would be different. We are looking at different models than we have in the past and we are trying to keep it fair to everyone while respecting homeowner right.

Ms. Green asked if the rules are not followed, will there not be another permit issued annually. She asked if the rules are not followed would the permit be revoked.

Mr. Alfele said we would revoke the permit.

Ms. Green said this is listed under all provisional but she doesn’t understand the staff report recommendations. Why separate R1-U since RI-SU is smaller lots and there is more parking. Why wouldn’t you take out of M1? It is still industrial. She said she doesn’t understand the matrix’s that was considered in the staff report and why it is appropriate in some areas and not in others.

Mr. Alfele said we tried to keep it inclusive as possible. The thought behind R1-U is it is the most restricted area and your most typical neighborhoods and the added difficulty of being near the University and there is a lot of stress between those two and so they thought it would be another added level of stress for the neighborhood.

Ms. Green said in looking at the Comprehensive Plan, how the goals match up and encouraging small businesses to enhance the neighborhoods .

Mr. Alfele said he understands her comments but this is just their recommendations.

Ms. Green stated if you are the own a condo can you rent it out?

Mr. Alfele said yes you can if you own the condo.

Ms. Green said since there is no cap on the amount of homes, you can have transient lodging everywhere, especially in the university area. She questioned how you would regulate the 30 days when you are eliminating certain neighborhoods.

Mr. Alfele stated in some areas where enforcement is an issue.

Ms. Dowell asked is this a bigger issue because of the people operating the small businesses or transient lodging are not paying taxes or the transient lodging taxes due to the city and state. She said she didn’t see any reference to taxes being part of the issue.

Mr. Alfele stated that this would fall under getting your business license. He said we have found that the people want to pay their taxes but we cannot enforce taxes in the NDS capacity.

Ms. Creasy said once you get your business license the Commissioner of Revenue will follow up with that portion.

Mr. Santoski said if he wanted to rent out his house as long as he is not in the home can he rent it out.

Mr. Alfele said some do cap a number and certain permits they allow per year or census block. Some will do it on density.

Mr. Santoski said if he rented out his house for three days or 30 days regardless what it’s for and I am not in the house it would fall under this.

Mr. Alfele said you would fall under the “HomeStay”.

Mr. Rosensweig said have there been any additional abuses of this.

Mr. Alfele said some places cap the number of permits per year, some by density and some by amount of census blocks.

Mr. Santoski asked is there protection for the renters.

Ms. Robertson said this goes through the fair housing act and this would be leased through the landlord to the renter.

Mr. Brodhead stated that the majority of complaints are noise and parking around the University area.

### **Opportunity for Public to Speak**

Travis Wilburn, 400 E. Water's Street, He manages many businesses in Stay Charlottesville. He felt there are a lot of discrepancies in the zoning code. He said the people who like to stay with them are people who do not want to go to hotel, families coming together for Christmas, a family for graduation, or just coming to experience Charlottesville. Our company employs 4 full people and 10 part-time people. We have helped various people with short term rental that has experienced repo homes. We have been in this business for seven years. There are folks who will talk to anyone here for free to help this city with regulations that work.

Joyce Kasswandic, 1310 Timber Branch Court, the owner of Guest Houses established in 1976 and she is the third owner of Homestay for many years. The tourist industry has grown home rental is a big part of their business. In looking at the proposal and she thinks it's a good idea. Her main competition has been AirBnB. Is a one bedroom cottage treated the same as a 3 bedroom house. This business was started during UVA weekend. She disagrees that R1-U zone should be excluded. The proposal states we should notify neighbors and she has never notified her neighbors. She does not feel this proposal is going to eliminate all of the problems. She said there are properties not paying taxes that should be enforced. Lastly she said she wants to continue the use of Guest Houses as is.

David Vanderveer, 224 Mulberry Drive, Standards Ville, VA, He is an AirBnB host and no complaints from the neighbors. His guests are fantastic and wonderful people to have around. According to local zoning there should be only 2 people per bedroom. He keeps his property in good condition and has great reviews. He said people that stay longer are usually the noise makers while weekenders are there to get away from noise and be in a peaceful quiet place.

Alana Speidel, 2666 Jefferson Park Circle, we have resided there since 1984. JPA circle is a quiet place to live. The house next to us has changed owners four times and the new owners are a family with two small children. We did not realize the new folks were preparing the house for weekend rentals. About a year later we started to notice large groups of people around the house on weekends. These groups were noisy, using a considerable amount of alcohol while standing around a fire built in a metal container which was about 50 feet from the side of our house. We were told that this house is used for weekend rental without the residents present. We looked online and found a website for rental of 7 bedrooms in the home. Is this in compliance with the city codes? She said this is a business and the question is, is a business acceptable in a residential neighborhood. This can damage the quality of our neighborhood and my security. Gone is the comfort in knowing who the people next door are and the quality of life this affords. Increase noise and vehicular traffic is stressful.

Janet Mathews, 500 Lexington Avenue, she purchase the house from Martha Jefferson Hospital who used it as a boarding house for doctors who were on call. She has renovated it to be a Homestay and has an excellent experience with the management of the property. She was encouraged to comply with all parking regulations, talk to her neighbors in advance and she has never had one complaint. She keeps in close touch with them. She is in favor of regulations and she pays taxes through her business and she will be happy to get a business license but would like an introduction to zoning text after more public discussion.

Martin Killian, University Circle, the neighborhood association is opposed to this because of neighborhood under stress, not enough parking, 8-15 people in a house, football games, and alcohol. The city has known for two years that these houses do not comply with the zoning laws. He said if you enforce this proposal you will not have enough man power to enforce your own laws. He is very much against it.

Karen Doogle, 20 University Circle, She agrees with her neighbors Mr. Killian and Ms. Speidel. She said there is no supervision and there are all kinds of events at these two homes. Everybody invites their friends. There are wedding parties, football games, Fox field, and up to 10-12 cars at one house. She said Mr. Brodhead cannot run around all weekend to check on these houses and it is a huge problem on our circle.

Scott Wiley, 812 Rose Hill Drive, He is a nurse and he lives in town. The ability to rent a house has helped him to continue to afford to live in town. He supports this with some revisions.

Todd Divers, The Commissioner of Revenue, said this is a taxable activity and we have been unable to tax many of these folks for fear of lending legitimacy to an activity that is currently illegal. He said there's a ton of activity out there and we aren't getting any revenue from it. The city is reviewing the issue partially at the request of companies that are facilitating the practice. He feels that most of these people would be happy to pay. This is a big deal from a revenue standpoint.

Greer Murphy, 725 Hinton Avenue, We have lived in our house for 15 years and seen monumental changes in their neighborhood, mostly for the better. About 6 or 8 months ago we were approach by our neighbor which is a driveway away from our house and been a rental. The tenants were very kind but very noisy, meeting with friends, working on their cars and being social with their friends. I have to small children which is a constant nuisance to us. She stated that her family always used transient lodging and found it an enjoyable experience. She said she is the neighbor and certainly understands, but some are doing it correctly and some are not. She supports some rules and regulations that makes this work for everybody but thinks this is a great value to the city for them to pay taxes.

Janice Cavanaugh, 209 Douglas Ave, She has been rented out half of her house for over 6 years and has had great experience and her neighbors are aware of it and certainly agree that there are some bad apples causing havoc on some neighborhoods and has to be dealt with and certainly that if they have three strikes against them they should get their business license taken away. It is a great amenity for family that travels giving more space than a hotel room.

Cynthia Walters, University Circle, the neighborhood is trying to keep its intactness over time. Being close to the University we get a lot of family to rental which starts a trend, so you wonder if you want to be in that neighborhood anymore and what will it look like in 20 years because if it becomes transient all around you, you will not want to be there anymore. She doesn't think this is a good idea long term for the neighborhoods that are under pressure to fall.

### **Closed the Public Input**

Ms. Green agreed with Mr. Killian's concern and said the city needs to take time to get the regulations right to make sure they will hold up in court.

Ms. Green said when you have the regulations, there's something to fall back on. However, the city does not have enough zoning officers to keep up with enforcement.

Ms. Keller said she is opposed to opening up the city to additional business uses in residential areas. She said she thinks temporary rentals will decrease the city's affordable housing stock. She also stated we've heard about people buying houses deliberately to make them transient lodging facilities and those are all houses now where families do not live. The other commissioners agreed the issue needs to be addressed through a change to the zoning code.

Mr. Lahendro said clearly, there is money to be made with this and I can see it growing and I can see the abuses getting worse.

The commissioners discussed Transient Lodging Facility at length, and reported its specific findings and recommendations to City Council.

## **5. Entrance Corridor – Johnson Village Phase III**

The applicant is requesting Entrance Corridor review for the preliminary site plan for 241 units, including 31 townhouse units in four blocks, and 210 multi-family units in six buildings. Townhouse blocks range from 5-12 units. Most of the townhouse units have garages. There are also two freestanding garage/storage buildings. A total of 409 parking spaces are provided: in surface lots, in driveways, in garages, and along Cleveland Avenue. Recreational uses include a clubhouse, pool with paved deck area, two pocket parks with benches, and wooded open space area with 5 ft. wide natural trails. Landscaping consists of large shade trees, understory trees, evergreen trees, and shrubs. The applicant has proposed a well- designed community. The development as presented addresses the criteria outlined in the Entrance Corridor regulations.

The commissioners discussed and agreed on another point of access as a condition the issue needs to be addressed through a change to the zoning code. The staff proposed no conditions. The lights are a part of the ordinance.

Mr. Santoski move to approve the Entrance Corridor certificate of appropriateness application for the Johnson Village PUD Phase 3, with the additional pedestrian connection to Cleveland Avenue, seconded by Mr. Keesecker, motion passes 6-1.

Mr. Lahendro - yes  
 Ms. Keller - yes  
 Ms. Dowell - yes  
 Mr. Keesecker- yes  
 Ms. Green - no  
 Mr. Rosensweig – yes

### **6. Site Plan – Johnson Village Phase III**

The applicant has proposed a well- designed community. The development as presented addresses the criteria outlined in the Entrance Corridor regulations.

Staff recommends approval as submitted.

Ms. Green questioned the critical slopes on this project. She said this new reconfiguration doesn't do that in her opinion.

Scott Collins of Collins Engineering, acting as agent for New Visions Properties, LLC, Inc. is requesting approval of a preliminary site plan to construct 141 dwelling units in a planned unit development at the intersection of 5th Street and Cleveland Avenue. City Council approved a rezoning for a PUD at this site at their March 1, 2004 meeting.

Mr. Collins said he remembers talking about the critical slopes and the biggest problem was they were impacting the slopes for a lot of additional units which was a lot of back and forth discussion on that. They have moved all of the units away from the critical slopes. The impact that is still there is the same footprint of the other critical slopes is the entrance road that comes in. At the very top is two apartment units back up against the top but we have pulled those apartments away from the residents and added a wall back there as well to keep us off the slopes as much as possible.

Ms. Green said so the road impacts the slopes not the building.

Mr. Collins said yes and the site changes elevations from 380 at the entrance up to 465 at the very top so in order to get up to the site.

Ms. Keller said she noticed that there were 3 pages of questions and comments and wondered how they all were addressed.

Mr. Alfele said most of the comments and questioned have been addressed. The engineers have work very close with Hugh Blake, NSD Engineer who has addressed the comments as well.

Mr. Keesecker move to approve conditioned on the satisfaction of remaining comments during the final site plan review and entrance corridor approval, seconded by Mr. Lahendro, passed 6-1.

Mr. Lahendro - yes  
 Ms. Keller - yes  
 Ms. Dowell - yes  
 Mr. Keesecker- yes  
 Ms. Green - no  
 Mr. Rosensweig – yes

Ms. Keller move to adjourn at 12:10 a.m. until the second Tuesday in January, 2015.

MINUTES  
PLANNING COMMISSION WORK SESSION  
Tuesday, January 27, 2015  
5:00 – 7:00

I. PLANNING COMMISSION WORK SESSION

Location: NDS Conference Room, Charlottesville City Hall, 2nd Floor

Members Present: Chair Dan Rosensweig; Commissioners Taneia Dowell, Kurt Keesecker, Genevieve Keller, Jody Lahendro, and John Santoski; UVA representative Bill Palmer

Call to Order: the meeting was called to order by Chair Rosensweig at 5:00 p.m.

AGENDA

2. Unified Development Review Code

Missy Creasy, Assistant Director of NDS, gave a detailed definition of the Unified Development Ordinance (UDO) and explained that it is a local ordinance that combines zoning and subdivision regulations, traditionally set forth within two separate chapters of the City Code, into one location in the City Code. By combining these regulations in one location, the intention of the UDO is 1) to make it simpler for property owners and staff to identify applicable regulations and submission requirements, 2) to remove inconsistencies between two sets of development regulations, where there is no policy or substantive reason for those differences, and 3) to make process and procedure simpler for decision-makers to identify and followed.

Ms. Creasy explained the concept is to merge the development regulations and subdivision ordinances and refer to the consolidated requirements as a “Unified Development Ordinance” (UDO). The present state code will no longer allow localities to mandate a preliminary submission. The City Code will define the requirements for subdivision and zoning final plans in one ordinance.

Lisa Robertson, Chief Deputy City Attorney said now was not the time to discuss substantive provisions of the two ordinances being merged. She said that many of concerns raised by the public and the Commission regarding the UDO relate to existing provisions of the City’s zoning ordinance or subdivision ordinance and are not new within the draft UDO.

Mr. Keller said she was inclined to support this but is concerned about what the submission requirements look like and if it is a really involved process. She asked Ms. Creasy and Ms. Robertson to identify what they envision a submission would be.



Ms. Robertson said she would like to put in a chart without changing substantive requirements or adding something new. She wants to give something that is an easy visualization of what the requirements are now for a preliminary subdivision/final subdivision and preliminary site plan/final site plan and present it in a way that the Commission can see where it overlaps and where it differs. She said it is possible to keep the same submission requirements and just bring everything together.

Ms. Keller said she has concerns with linking this to the Standards and Design Manual because the Commission has talked about revising the manual and it seems to her that that should be done in a comprehensive way and not slide it in a unified ordinance. She felt like that would be premature.

Mr. Rosensweig said he would like to see what it looks like if we vote as a commission.

Ms. Keller said most of the sites that are left in the City are challenging sites which is why she would like to take a look at the Standards and Design Manual.

Ms. Robertson said she wanted to show them that the concept of this could be done without changing any substantive requirements right now. She will give them the second piece which is the submission requirements without necessarily proposing to change anything but try to bring it together to something that is easily reviewed.

Mr. Rosensweig said it might be more productive if commissioners go through and send staff a list of things where they think there may be some substantive changes and have staff respond about whether or not it was where there was discrepancy.

Ms. Creasy thought this was a good idea.

Mr. Santoski asked about what the process would be before the item was publicly advertised.

Mr. Rosensweig concluded with the commissioners will go through and flag substantive details and send those to Ms. Creasy.

#### Public Comment

Heather Walker, 603 Shamrock Road said whenever the City is creating this matrix or guidelines for the developers that outreach to the surrounding neighborhoods should be done much earlier in the process, perhaps before the first site plan is submitted.

Neil Williamson thanked staff for answering a number of questions from Blue Ridge Home Builders Association. If the Planning Commission decides now is the best time to push forward an UDO, he said this will yet be another outside consultant exercise where local understanding of the regulations and policies regarding development operations may become lost in the mirage of charettes and renderings of other localities. It is rather sad that rather than dealing with the substantive issues raised by the very people impacted by the ordinances, the Chief Deputy City Attorney was dismissive of their concerns.

### 3. Small Area Plans

Small Area Plan – Ms. Creasy stated that there was a sub-committee made up of members of the Planning Commission and the PLACE Task Force who met and talked about this item but it was

determined that a broader discussion was needed to take place outside of the smaller group and it made sense to come back to the Planning Commission to talk about it further. There were a number of areas designated in the comprehensive plan as areas for consideration of additional review. Staff has some outlines of some of those areas and why the area was put on the map. In some places it was for more detailed planning and studying the specific area and in some cases it was looking at zoning consideration or a use consideration or something that didn't necessarily require a large project. She stated that there were a number of these things in the plan, some for quite a while, and that people are interested in having the plans move forward. She stated that staff has limited resources with which to work on the small area plans. She mentioned some of the planning effort ongoing currently: the Rivanna River work is definitely getting some traction. There is a group set up as part of a discussion between the City Council and the County Board of Supervisors that is really taking a look at all the many aspects affecting the river area. That group is in the early phases of info gathering, but they have a strong interest in doing something and they haven't pinpointed what that will be yet. In the Hydraulic Road area there is interest in the Planning District Commission in assisting with planning activities there. Staff has a memo from December that outlines some proposals for where staff felt we could go. She stated that the staff is doing quite a bit of regrouping at this point and time, with Mr. Tolbert leaving. She said that the staff will have to step back and look at all of the different things going on right now and that it would be a challenge just trying to manage the things going on and under way right now.

Ms. Keller said she is concerned about the Small Area Plan for the Strategic Investment Area (SIA). She said that the City has endorsed that and while the City cannot move ahead with full scale implementation, it would seem to her that something like the SIA needs to start informing planning decisions and the Commission so when a proposal such as 201 Garret Street comes forward, the SIA should be referenced in the staff report. She said if the City has more info about the Hydraulic area north of 250, if the City has a proposal that whatever information the City has collected at that point, staff should start informing and guiding the staff report and the discussion as a Commission. She said she is concerned that the City has put off too many things and the City won't take advantage of the most up to date information available.

Ms. Creasy stated there is an effort from the SIA standpoint that Economic Development is working on, and staff is trying to keep all of these things going.

Ms. Keller said in terms of suggested heights, if something comes before the Commission and it is a discretionary review for a Special Use Permit or a Planned Unit Development, the most recent information (she hopes) would be pointed out to the Commission.

Mr. Rosensweig said he noticed a difference between what is in this document and what the subcommittee recommendation was north of the bypass. He said he felt there was a "fire burning" on Hydraulic Road in that there is a lot of development pressure there and some transportation initiatives that are going to affect how that area wants to develop. He said that it seems to garner clear consensus that the Commission would like to see the small area plan development there. The Commission wanted to see movement on the River, Preston and Cherry areas. He said the thought process was because West Main is going become something different, the quality of travel is going to be different. He said ultimately it is going to change circulation patterns in the core of town where the western part of the core of town as will the opening of the Meadowcreek Parkway (John Warner Parkway).

Ms. Keller said she thought the first priority was to do growth scale look at Small Area Plans and how they might inter-relate, the connectivity of them and the different characters. She said that it should be

done with a very broad brush, and then focus in on the others. She thought that Hydraulic was at the top of the list because of known transportation improvements there and the perception that there would be redevelopment opportunities there and those could be taken advantage of. She said the Commission thought that Cherry and Preston were important because of their relationship with the opening of the Parkway and the possible changes on West Main. She said there was a connection between the River and Woolen Mills.

Mr. Keesecker commented that he wanted to put a book together to detail some criteria The Commission could use and argue about. He said he is happy to know after going through the process with the discussion they had that seems to be based more on our intuition. The booklet he created, 5 easy pieces, asked if we can view the city through a simplified lens with just five easy-to-describe pieces, each playing an important role in helping to shape the city and organize the conversation regarding efforts to improve it. Mr. Keesecker gave a summation of his booklet for the work session.

Ms. Creasy said that the rights of the people who own property and is something that can't be left behind. She said some things are coming forward for discussion to the Planning Commission concerning pre-application meetings and there are pros and cons to that proposal. She said that staff cannot get the neighborhood involved before it has something to show them. As soon as the City get applications in it has a process to get notifications out.

Ms. Keller said we are seeing a different type of development, she is not sure that we know who our development community is.

#### Public Comment

Mr. Emory said he thought the outcome of meeting would be a recommendation to prioritize the Small Area Plans for Council. In 1988 he gave the Planning Commission an article where Sue Harrison Lewis told the Woolen Mills to get involved with the City's Comprehensive Plan process. Every five years the neighborhood has been bringing items to the City for implementation or planning items and they haven't been able to get any of them done. He said his neighborhood would like for the Commission to plan in the Woolen Mills or the River or between the World Heritage Site bookends. He said that this is a really great area potentially for the City of Charlottesville. The Rivanna Water and Sewer Authority (RWSA) just committed to spend 9 million dollars on odor control down there. He said that we have no corridor or planning. He asked why the City hasn't done an inventory on the properties along the river that we have left. He said we have no vision. He said that we need to at least get some protective land use or zoning on the ground so bad things won't happen. He said he was sorry to see Jim Tolbert leave after 15 years. Everyone has given their rendition of this meeting and the one in the staff memo was Jim's rendition and that he actually has recordings of each meeting if anyone wants a copy. He said he hoped that we can make a unified planning effort. He also asked that the County and the City advocate for lowering of the flood elevation along the river so that it would help a lot of residents who are currently paying flood insurance and would open up new possibilities.

#### Public Comment Closed

Mr. Fenwick said to Mr. Keesecker that this something new and he likes it but be careful because Ms. Creasy has her hands full and we don't really know for how long. We do have tools and justification in the Comprehensive Plan for anything. When neighborhoods bring up an objection, we have a Comp Plan, we have many meetings and a whole lot of public input but the Comp Plan is being used in a way

where it wasn't expected to be used. If we have the tools in place, the Planning Commission, BAR and City Council are responsible for that. Preston Avenue is starting to blossom by itself with the Region 10 and the Coke Building. He said that we're here in this city because what we found here was in place with very little process in place. He said people came here because they liked it and now we're going to change it. He said be very careful in changing it. He said he will be more than happy to do anything to help. He is looking forward to Mr. Keesecker book. Mr. Fenwick said the Planning Commission is more of an approval commission and he encourages better plans and stick to the plans and make the special use permit really special.

Ms. Keller asked if there is an expectation to follow-up on Mr. Emory's comment. Is there an expectation that the Commission would endorse the small area plan?

Ms. Creasy said she didn't think the commission is there yet.

Mr. Keesecker said he thought a larger conversation with Council would seem productive.

Ms. Keller said they should get a time table for that.

Ms. Galvin said there is no rush for all the reasons they have all talked about but the City does need to build in a lot more interaction.

Mr. Keesecker said about a year ago discussion was how would the City evaluate which of these areas would be a priority over the next. He said first we need to list how we are going to prioritize our valuing of these different points in the city. He said first we need to agree that there are points in the city that are worth concentrating effort on and then you can ask what are the qualities of each of those to make them more or less desirable for resources for either Planning, Structural Improvements, Marketing efforts or Economic Development.

Ms. Galvin said this is not only a planning question. She said the City will have to talk to people about stormwater and environmental concerns. It would inform the level of investment that is needed or intensity and focus. Virginia has small area planning all over the place and they have processes and methods and criteria for identifying these areas.

Mr. Lahendro thanked and commended Mr. Keesecker for the information stating it is a great composition.

Work Session adjourned at 7:50 pm

**MINUTES**  
**PLANNING COMMISSION REGULAR MEETING**  
**Tuesday, February 10, 2015**

**I. PLANNING COMMISSION PRE-MEETING (Beginning at 4:30 p.m.)**

Location: NDS Conference Room, Charlottesville City Hall, 2<sup>nd</sup> Floor

Members Present: Chair Rosensweig; Commissioners Lisa Green, Kurt Keesecker, Genevieve Keller, Jody Lahendro, and John Santoski; UVA representative Bill Palmer

Call to Order: the meeting was called to order by Chair Rosensweig at 5:00 p.m.

Chairman Rosensweig asked the Commission if there were any questions about the agenda. The Commission noted several changes to the draft minutes.

Commissioner Green asked about the proposed changes to the Flood Plain Ordinance. Tony Edwards, Development Services Manager, provided some background on the nature of the changes. Ms. Green also asked about a request from the public related to the Flood Insurance Rate Maps (FIRM). Mr. Edwards indicated that the concerns raised by the public regarding the rate maps was not related to the proposed changes the Commission was reviewing this evening.

Commissioner Lahendro asked if the scope of review on the Lochlyn Hill item was limited to block 2B, or could the Commission comment on concerns outside of Block 2B. Brian Haluska, Senior Planner indicated that the question in the memo was from the applicant, but that if the Commission had concerns about the preliminary site plan outside of block 2B, that they could forward those concerns to staff for inclusion in the comments on the site plan as a whole.

Commissioner Keller asked what made staff bring the item to the Planning Commission. Mr. Haluska stated that staff was not sure about whether or not the preliminary site plan met the approved concept plan, and wanted the Commission's input on the matter so they could come to consensus on the appropriate next step.

Commissioner Keesecker asked if there was any construction underway on the City side of the Lochlyn Hill property. Mr. Haluska said there was not except for some earth moving activity associated with the approved Erosion and Sediment Control plan for the portion of the project in Albemarle County.

The meeting ended at 5:22.

Votes: No Vote or other action was taken by the Commission.

Adjournment: At 5:22 p.m. the Chair adjourned the meeting in order to reconvene in City Council Chambers at 5:30 to continue with the Commission's regular monthly agenda.

## **II. ADMINISTRATIVE AGENDA (Beginning at 5:30 p.m.)**

Location: City Council Chambers, Charlottesville City Hall, 2<sup>nd</sup> Floor

Members Present: Chair Rosensweig; Commissioners Tanea Dowell, Lisa Green, Kurt Keesecker, Genevieve Keller, Jody Lahendro, and John Santoski; UVA representative Bill Palmer

Call to Order: the meeting was called to order by Chair Rosensweig at 5:30 p.m.

### **A. Commissioner's Reports:**

Commissioner Lahendro reported the Parks and Rec Advisory Board met on January 21st. The board discussed the McIntire Park Master Plan Design update. The AE Design was revised after the last City Council meeting to show reduced north pond. The south pond remains the same for public reaction. 100% Construction Documents for the pedestrian bridge over the railroad have been completed and they are now being reviewed by the railroad. The Botanical Garden fundraising will start soon. The McIntire Design Review Open House will be held on February 19<sup>th</sup> from 6:00 -8:00 pm in the Parks and Rec office. The design for the park will return to City Council in March. The Advisory Board also received an update on the skate park. An open house was held for the public on January 22nd, and finished documents are scheduled to be completed in early May. Lastly, there was a presentation by Sara Bleach, the manager of the City's therapeutic recreation program. The program is for the disabled over 3 years old and the elderly. It is city and county collaboration and from July to January it served 9,000 people.

The Tree Commission met on January 28<sup>th</sup>. The Commission generally approved the skate park tree plan but will have a site visit before the March City Council meeting and look at again. The first two nominations under the tree conservation ordinance were presented at the second City Council meeting in February. The Jefferson Park Avenue Arboretum project plans to have signage installed before Arbor Day. The Commission has stated the opinion that the Water Street trail has too few trees along the trail. The Commission believes it is due to the City's resistance to convert parking places to tree planting beds. The Commission is going to approach the City to try and get two more parking spaces assigned for more trees to create a canopy along the trail.

Commissioner Keller reported the Thomas Jefferson Planning District Commission was scheduled to meet last week. The meeting is rescheduled for later date. She did not attend Place Task force meeting on January 27. The Place Task Force will meet this Thursday, February 12, and the West Main Street subcommittee will meet on Friday, February 13<sup>th</sup>.

Commissioner Dowell reported attending the Community Development Block Grant meeting on February 4<sup>th</sup>. She said the CBDG delegated funds for the 2015 fiscal year. They awarded AHIP \$40,000, Habitat for Humanity \$23,000, PHA \$23,000. The following programs will tentatively be denoted for \$7,500 based on if they can use the funding because they were not fully funded for what they asked for: The OAR, DSS View Place, and GO Can. GO Can's funding would be to benefit the City of Promise Families. The United Way was also awarded 30,000 to benefit the City of Promise Families. She stated a special meeting is being held on February 23, at 2 pm. This is for CDBG

funds that are coming back into the program from an uncompleted project for \$430,000. This money has to be drawn down before April 1, 2016.

She also attended the Planning Commissioners certification program in Richmond, where she learned a lot of information and is looking forward to the closing session in April.

Commissioner Keesecker reported on the meeting with the Board of Architectural Review on January 20th. Two projects bear mentioning to the Commission. The first is 1000 West Main Street, which came back with a less tall building and they received initial certificate of appropriateness for some changes they had made to the design. They will still look at a few detailed issues with the staff. He said the project approval will be moving ahead.

The second project was the Market Plaza project. This is for the new city market location at 1<sup>st</sup> and Waters Street. The submission reviewed by the BAR did not receive its certificate of appropriateness. There are some questions remaining related to the materials at the top two floors, the 1<sup>st</sup> street stairs and some of the edges around the 1<sup>st</sup> street Plaza side. The applicant's architectural team is coming back with some additional design work for the February 17<sup>th</sup> meeting.

Commissioner Santoski reported he attended MPO Technical Committee meeting. The Committee had four items on their agenda. The primary item was a discussion on House Bill Two. The bill would create a new state process of identifying projects for transportation funding. There was discussion and feedback to be given to the MPO policy board on safety, congestion, mitigation, accessibility, environmental quality and economic development. The Committee was looking at the bill in terms of how it would affect our MPO. The Committee was trying to be very careful to make sure that they could make recommendations that benefit the MPO in the future as opposed to some of the other sections in the state. The other three issues talked about were the unified planning work program for fiscal year 2016, the Long Range Transportation Planning Process and what lessons were learned, and the unallocated funding in the Long Range Transportation Plan.

Commissioner Green reported the Charlottesville Transportation Advisory Commission did not meet in February. The next meeting will be March 5, at 7:00 pm at the Water Street Center.

B. University Report

Bill Palmer reported on the installation of the column capitals on the Rotunda. He also reported on a University wide effort that the Office of the Architect and the Office for Sustainability are working on, their Triennial Stars submission that gives the University recognition and catalogs their sustainability efforts around grounds. It is a comprehensive look at academics and research, operations, public engagement, as well as governance and policy. He reported they will be going out into all parts of the University and getting the information needed, and that the last time they did well and are hoping to build on that result.

C. Chair's Report Chair Rosensweig reported that the Housing Advisory Committee did not meet this month. He announced the upcoming Planning Commission Work Session. The discussion will include the ordinance to allow/regulate Transient Lodging Facility February 24, 2015 at 5:00 pm in

the NDS conference room. Additionally, there will be discussion on the Unified Development Ordinance which might be carried over to March.

2015 Planning Awards – Given to individuals who have made a difference in the future for our City

The Eldon Fields Wood Design Professional – Mr. Mike Osteen

Citizen Planner of the Year – Ms. Bitsy Waters

Herman Key Jr. Access to the Disabled Award – AHIP, Ms. Jennifer Jacobs

Development Neighborhood Effort –Venable-Rugby Neighborhood, Ms. Rachel Lloyd

Neighborhood of the Year –Fifeville Neighborhood, Mr. Michael Signer

Outstanding Sustainable Development - The Southern Environmental Law Center, Mr. Morgan Butler, Mr. Travis Pietila,

Neighborhood Development Services Staff Member of the Year – Ms. Amanda Poncy, Bicycle and Pedestrian Coordinator

D. NDS Department Report: Missy Creasy thanked Heather Poole, Planner for putting together the planning awards, and stated that she did a wonderful job. The department is in the process of transitioning after losing Mr. Tolbert and that the department will miss him. She said NDS is working through the many pending projects. Brian Haluska will be working directly with the Planning Commission and will transition to the dais for the next meeting. He has taken care of much of this meeting.

E. Public Comment (Items Not Scheduled for a Public Hearing on the Regular Agenda):

Rebecca Quinn of 104 4<sup>th</sup> Street said while an email about this meeting was distributed some time ago, today's meeting was not on the City's web page calendar. She said there is a Public Hearing tonight and she wants clarification that notice was published or a statement. Apparently some hearings do not need to be noticed. (City Council had one recently). She said Mr. Chairman you mentioned unified development code. She said there are a lot of codes "kicked around" and wanted to know if that is the same as form based code. She said it would be nice if we all used the same terms. If it is not, she would like to know how it is different.

Bill Emory of 1604 East Market Street said he spoke during Matters from the Public at the December 9<sup>th</sup> meeting. The minutes taken at that meeting captured his comments very well. As you remember the Woolen Mills Neighborhood Association was on pins and needles regarding your January 27, 2015 work session on Small Area Plans.

On January 8, 2015 he said he heard a few very heartening few words from Mr. Tolbert who indicated optimism regarding tackling Woolen Mills zoning in advance of the full Small Area Plan process. On January 9<sup>th</sup>, he heard Jim was leaving.



On January 10th, he wrote Jim and asked for his thoughts and insights on how their neighborhood might best advance toward a solution on our long unresolved zoning and land-use issues. He stated that he has not heard back.

Mr. Emory stated that the Commission's Small Area Plan work session on January 27<sup>th</sup> was a hearty meal, and he is still working to digest all he heard about planning the city. In the interim, he sat in on City Council's February 15<sup>th</sup> budget work session. It sounds like the Capital Improvement Plan funds for Small Area Plans are in danger and experiencing shrinkage. He stated that there are so many balls up in the air: the West Main plan, the Strategic Investment Area, Bike-Pedestrian Master Plan, the Green Infrastructure plan, and the small area plans.

He stated that he was here tonight to underscore the community engagement piece. The Woolen Mills has striven to engage productively, to work in partnership with the Commission, on what is described in the Planning Commission By-Laws section 3.5 paragraph 3 as a non-routine Major Planning Item.

He stated that the Woolen Mills Neighborhood has made formal requests in writing in 2008 and 2012 to amend the Comprehensive Plan to get these changes done.

He said that he has been left wondering what Jim Tolbert's action-idea was, what sort of tactical/surgical zoning code process he envisioned, short of a small area plan, to allow the Woolen Mills to bloom, and thereby enable us to secure the quiet enjoyment of our own homes and the health, safety and welfare of our neighborhood.

Alex Cannon owner of Hearthwood Apartments at 211 Michie Dr. stated that they own 200 affordable housing units in the city of Charlottesville and the proposed critical slope waiver for the Kroger at Seminole Square would basically be in the front yards of about 30 of these houses. She said that when you picture the back of the shopping center, it is actually the front yard of all of these homes. She said she has been talking with Heather Poole who has been very helpful. She said that they are very concerned about the buffer and the slope coming down the hill. There is a dry creek or a swale that is on the Kroger property and they are concerned about what is going to happen with the swale. They are concerned about run off on their property. She said that they were thrilled to see a landscape buffer shown on the plan, but they are concerned about the vertical difference where the tractor-trailers will be turning around above the buildings and that the trees are shown at the bottom of the toe of the slope. The last concern they have is what kind of demolition and compaction will be going on. She said they took some damage when Whole Foods went in. They would appreciate more details.

Ms. Creasy answered several of the questions asked by the Public. She stated that the required notification for the public hearing was published in the newspaper on two different dates. Because the Flood Plain Ordinance changes are an ordinance and not dealing with a specific property, there is not a specific mailing as part of noticing the meeting. She stated that the City sent out the agenda to various parties, neighborhood associations, interested citizens and the media. She stated that the department has a list of hundreds of people who receive notification of activities that are going on. She said that the department does post the agenda and packet materials on the web. She said it sounds like the meeting maybe did not make it onto the main calendar, and that she will look into that.

Ms. Creasy stated that the unified development code is not the same as form based code. There is an effort that the Planning Commission is working on right now in work sessions to merge the subdivision regulations and the site plan regulations into a unified code because most of the regulations overlap one another. She said that this would allow for potentially a more streamlining of applications. The commission is still discussing the potential change and it will come forward at a later date. Ms. Creasy stated that the form based code is a little bit different in that there is a discussion about a specific form based code for the West Main Street area. As part of the West Main study, it will look at the form of the specific sites in that area. These are two different things with a lot of unfamiliar words, and it is a good thing to clarify for those who do not speak the Planners language.

- F. (Items removed from the consent agenda will be considered at the end of the regular agenda)
1. Minutes - January 13, 2015 – Pre meeting& Regular meeting
  2. Minutes - December 9, 2014 – Regular meeting
  3. Zoning Text Initiation –Flood Plain

Commissioner Keesecker had some changes to the minutes on January 13<sup>th</sup> regarding the 201 Garrett Street SUP and a couple of changes to the minutes regarding motions.

Motion: to accept the Consent Agenda and to Approve the Remaining Item on the Consent Agenda with necessary correction.

Motion by: Commissioner Ms. Keller

Seconded: Commissioner Santoski

VOTE: 7-0

“Aye”: Commissioners Dowell, Green, Keesecker, Keller, Lahendro, Rosensweig, Santoski

“Nay”: None

Abstentions: None

Disqualifications: None

### **III. JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)**

#### **G. JOINT PUBLIC HEARINGS**

##### **1. ZT-15-01-01 – Flood Plain Ordinance Amendment**

Tony Edwards, Development Services Manager presented the staff report. Requirement was to update the ordinance. The request to update the ordinance came through the Virginia Department of Conservation of Resources at the behest of the Federal Emergency Management Agency.

Mr. Rosensweig opened the Public Hearing

Rebecca Quinn of 104 4<sup>th</sup> Street said she has been a consultant for 15 years and reviewed hundreds of ordinances. She wrote models for Maryland, Virginia, Florida, and the model that FEMA headquarters just put out that is coordinated with the building code. When she reviewed the City’s ordinance, there are a couple of unique things that are not in the model. She asked has staff identified the significant differences between the two. She said it is pretty laborious to do a

side by side comparison and she doesn't expect Council to wade through all the changes. There are some things in the current ordinance that were removed and she feels they should be deliberate decisions to remove them not simply they're just not in the model. One in particular was added about a year ago by City Council at her suggestion. It had to do with fill in the flood plain and making sure that the applicant specified it was a minimum necessary to achieve the stated purpose. Shortly before the change, someone had placed fill apparently for simply the purpose of getting rid of the fill, perhaps who knows what they will do with it in the future. She said there are some problems with the state model; it defines some terms that are not used. She stated the existing Section #34 does not have definitions. They are in a different part of the zoning ordinance. You may end up with duplicate definitions if you don't delete them elsewhere. She said there are a lot of requirements for buildings that are also in the uniform state building code. She understands that the Commission modified the code to specifically allow local ordinances to prevail but that puts a burden on the public, community, and officials to figure out what those differences are. Two big problems, it defines two terms that are not required by the NIFP. These are terms like repetitive lost structure and the other is severe repetitive lost structure. These are insured properties that have received multiple claims and she was not able to check quickly to see if Charlottesville actually has any. The terms are used in the definition of substantial improvement. She asked if the Commission fully appreciated what that does and if they didn't, then she urged that they really explore it before they adopt it. It is a higher standard and there are complications. The ordinance is written with what FEMA calls "auto-adopt language". FEMA does not recognize Virginia as an auto-adopt state. Her question is "Is this an overlay district in the zoning code, so is it legal to adopt changes as amended without taking specific action."

#### Closed Public Hearing

Mayor Huja asked if all persons affected by this ordinance were notified.

Commissioner Green asked why the Commission didn't see a red-lined copy of the current ordinance. She stated she doesn't understand what was there before and what changes are being made. She understands the flood plain ordinance is what we need for protection, and for residents to be able to have FEMA insurance for our community. She said that the City doesn't want to put people in a hardship by adopting something that they don't know, and that may be more than what is required.

Commissioner Keller said that the City is reviewing the document because of actions of the general assembly affect what the City must do by law, but that she would really like to get guidance in the form of a line by line statement so the Commission knows what they are reviewing. She asked if staff had a copy of Ms. Quinn's remarks and were there any external reviewer or advisors that informed the draft that they have or that staff looked to for guidance.

Ms. Creasy said staff will have a copy of Ms. Quinn's remarks.

Mr. Edwards stated that DCR and FEMA did review the ordinance in its current state.

Commissioner Green asked if there were duplicate definitions somewhere else.

Commissioner Rosensweig said that he was noticing that this is pretty dense work and without a side by side comparison there are some apprehensions by some commissioners to move it forward with a recommendation. He asked if that was the consensus. He said he was sensing that there were substantive items that people have noticed that they have issues with.

Commissioner Lahendro stated he would like to see staff's response to the remarks during the public hearing.

Commissioner Rosensweig asked if the consensus was to send the item back to get more research.

Mayor Huja added that these are crucial issues.

Ms. Creasy stated that this ordinance would not add or delete any properties that are currently under review.

Commissioner Green stated that she would like to see a side by side comparison.

Commissioner Rosensweig stated that he felt that the Commission was moving towards deferring the item to answer some of the questions in the public hearing or to get a summary side by side analysis. He stated he did not want to get into a word by word review because it would be kind of irrelevant because the proposed code is a completely different code section. He asked if the Commission would like to see a summary of all the changes that could come back to the Commission or that they could send it forward with this information provided to Council.

Commissioner Green move to defer the Flood Plain Ordinance Amendment for a more comprehensive review, specifically in the following areas:

1. Clarifying language
2. How would changes be triggered in the district?
3. Side by side comparison (not quickly)
- 4 What changes are proposed?
5. Enhance noticing – a very clear letter to the 270 addresses in the floodplain zone stating you are not required to do anything.

Motion by: Commissioner Green

Seconded: Commissioner Keller

VOTE: 7-0

“Aye”: Commissioners Dowell, Green, Keesecker, Keller, Lahendro, Rosensweig, Santoski

“Nay”: None

Abstentions: None

Disqualifications: None

#### **IV. REGULAR MEETING – (continued)**

##### **H. Critical Slope Waiver Request – Kroger at Seminole Square**

Presentation: Heather Poole, Planner made a verbal presentation to the Commission, summarizing the information set forth within her written report.

Commissioner Keller said the nature addressing the property concerns the other side of the adjacent property a little more sustainable and would help with adjacent property concerns.

Commissioner Green asked what the vertical difference is between the store and the adjacent residential property, how close is the store to the property line, and how far from the parking lot from the store to the parking lot.

Ms. Poole stated between 20 and 39 feet, between 100-120 and 170 feet.

Commissioner Green questioned how far the building would be from the property line. She asked if there would be disturbance across the property line.

Ms. Poole said no.

Commissioner Green asked if there will be gas pumps at this Kroger.

Ms. Poole said that the applicant is not moving the gas pumps from the Hydraulic location.

Commissioner Keesecker asked what the longevity of the existing stormwater pond structure was.

Marty Silman, City Engineer said that the pond was past the point of usefulness.

Applicant Toby Locher, Chesterfield, Va., said he brought forth this application in an effort to build an updated Kroger facility to meet the demands of the community.

Commissioner Rosensweig said that he noted from his fellow commissioners that the primary impact they have discussed is the visual impact on the neighbors.

Commissioner Green said it would probably be more than a visual impact with the trucks pulling in and out of that area, and that typically deliveries are not made during business hours.

Commissioner Rosensweig stated the standards for a review for a critical slope ordinance is fairly simple, whether the disturbance outweighs the public benefits of the undisturbed slope. He asked the Commissioners how they felt in terms of acting on the application.

Commissioner Lahendro stated that he did not feel there was enough information from Kroger and that the apartment complex deserves respect. This development needs to respond to this.

Commissioner Keller asked if there are any ideas of conditions that would protect the adjacent property in a fashion other than the way it was presented to us.

Ms. Poole stated that a condition that increased the amount of screening adjacent to the residential property may be beneficial.

Ms. Creasy said the applicant might want to add to the application, having heard the conversation so far. She noted that the site plan conference for the application was scheduled for next week, and that the conference would be an opportunity for additional input on the plan. She stated that the concerns that had been raised so far were issues that could be addressed in a critical slope waiver process.

Commissioner Keller said she was in favor of a deferral so the applicant can amend the site plan to work out some of these issues.

Commissioner Green asked if there was there any consideration at all to putting the expansion in the front.

Ms. Creasy answered saying the zoning setback does limit the use of the property. Further, the project is an expansion and there were some limitations regarding expansions in the zoning ordinance.

Commissioner Green asked if there was a waiver to help minimize the impact on the critical slopes by moving the building or decrease parking.

Ms. Creasy said that there are some benefits to the proposal, and that many of the operations in the back of the building do not operate as efficiently if the building would be in a different location on the site.

Commissioner Green asked the applicant if the store could limit the deliveries since they are right next to residential development, and limit how the trucks are brought in. The applicant said that they can put conditions to minimize the impact on the apartments.

Chairman Rosensweig stated that he felt the Commission was moving toward a deferral with guidance on the issues the Commission saw in the plan. He said the impacts he had heard were related to the visual impact of the retaining wall and the sound impact of delivery operations. He also said there seemed to be some concern about connectivity between the site and adjacent sites.

Ms. Poole confirmed that there was an informal trail near the site, and there have been discussions between the City and the property owners about formalizing the trail.

Commissioner Keller asked if the issues regarding connectivity could be addressed in the site plan conversation.

Ms. Creasy said that the City's Trails Planner, Chris Gensic was on the site plan review team. She said that staff felt the critical slope waiver request was ready to be brought forth, because of the public benefit of the waiver.

Commissioner Keller stated that she felt it needed to be said that intensifying the commercial use on the property and keeping a grocery store in the area are public benefits.

Commissioner Green said the improvement of the stormwater management on the site is also a public benefit.

Commissioner Santoski he thought the engineering on the critical slopes was done very well, that it is a solid project. The concern that he has is the impact on the adjacent apartments. He thinks the proposal is a real positive, but that impacts a large number of people below the shopping center, and the Commission wants to make the project as good as possible.

Commissioner Keller said that the Commission tries to avoid creating steeper slopes than were on the site initially, and opposed monolithic retaining walls.

Chairman Rosensweig re-stated the concerns the Commission had identified.

Commissioner Lahendro mentioned that the plan showed a compactor, and he wondered how much noise a compactor makes.

Commissioner Rosensweig said he was hearing consensus of a deferral.

I move to defer the steep slope waiver for Tax Map 41B, Parcel 150 and Tax Map 41C Parcel 31, 220, Zan Road.

Motion by: Commissioner Keller

Seconded: Commissioner Santoski

VOTE: 7-0

“Aye”: Commissioners Dowell, Keesecker, Keller, Lahendro, Rosensweig, Santoski, Green

“Nay”: None

Abstentions: None Disqualifications: None

The Commission recognized Alex Cannon owner of Hearthwood Apartments at 211 Michie Dr.

Commissioner Dowell asked Ms. Cannon how the previous grocery store impacted the residents of Hearthwood Apartments.

Ms. Cannon answered that it did not. She stated that they had a number of residents that work in the store. She also said that there is a informal pedestrian pathway because of the residents that shop and work at the store, but that some adjacent businesses were looking for ways to close off pedestrian access.

Commissioner Keller stated that the pedestrian connectivity on the site would be a good thing to have addressed in the site plan process.

Commissioner Keesecker mentioned that there was an overabundance of parking on the site, and only a few natural areas left in the City. He said that while it may not be possible on this site, it is something to keep in mind for the future.

## I. Discussion

### 1. Lochlyn Hill PUD

Presentation: Brian Haluska, Senior Planner

Mr. Haluska presented the item.

Commissioner Santoski stated that the buildings on Block 2B should be small single family homes centralizing around open space. Unless the applicant can show they have met this standard, he is inclined to deny the request.

Commissioner Keller asked if you can quantify the small footprint of the cottages or the replacement houses. She stated that the term cottage is not very specific.

Mr. Haluska pointed to the lot regulations in the code of development, but said the code of development did not have regulations regarding what size of house would be a cottage.

Commissioner Green said the PUD concept plan does say small footprint. She raised the question that if these structures are not cottages and are changed to single family detached, would it be in keeping with the PUD ordinance's preference for a variety of housing types.

Commissioner Santoski said that he continues to be concerned when the Commission gets plans at a conceptual stage and the developer know there are issues with the topography. The developer requests a change in zoning to a PUD, and when the site doesn't work out they want to come back and change it. He said he is not inclined to approve anything other than what the applicant said initially what they were going to do.

LJ Lopez of Milestone Partners, representing Lochlyn Hill Development Group said that this was the third preliminary site plan submission, and that the circumstances of this PUD and rezoning are such that

a conscious decision to come before the Commission was made due to the topography challenge of block 2B. The description of block 2B was not exclusive to cottages. It indicated that a 3<sup>rd</sup> residential use would be provided, but not that the block would be solely populated by cottages. There were engineering challenges with the site, including a slope grade down to Meadow Creek. There were a number of engineering issues related to the road grading and providing a level, flat, usable common area green space that need to be worked through in conjunction with the preliminary site plan. When the cottage block was outlined and defined, he did not recall any discussion about or concern over its layout or composition. He said that now they have a layout and composition, and are looking for direction from the commission that the intent of the PUD has been met with the preliminary plan that is currently going through staff review. He said that what had concerned the applicants throughout the period in staff review was that the preliminary site plan was being denied because of engineering and other technical comments, but also due to lack of clarity and lack of conformance with the PUD plan. The applicant was at odds with the staff and unable to come to some resolution over clarity and resolution to the PUD plan and the site plan's conformance with it. So the plan is before the Commission to have that discussion. He said the PUD plan was not proffered and the PUD flexibility is important in a development that is multi-phased to meet market conditions over time. He said they established the road network, the product types, the densities, the minimums and maximums and where they would be laid out and organized throughout the site. He said the preliminary plan before the Commission meets the intent of the narrative, that there is a flat centralized green space in Block 2B identified as the courtyard with single family and attached small footprint cottage product. The footprints before the Commission are borrowed from the Oakwood Cottages on 5<sup>th</sup> Street SW, just south of West Main Street.

Commissioner Lahendro asked if the footprints that the Commission was seeing now were definitive, or just some sort of representation of something that could go there.

Mr. Lopez said those lots will be sold and built by a third party builder. He said there will be multiple builders for the different product types.

Commissioner Santoski articulated that the code of development does not call for small square footage single family detached homes. He said he didn't see attached residential anywhere in the code of development. He confirmed that it only supports a third residential use. The concept plan did not refer back to single family homes or townhouses or anything else. The concept plan just says sub-block 2B will support the third residential use, cottages, and that they will be small footprint. Mr. Santoski said he thinks the applicant should be asking for a PUD amendment, not just for site plan approval

Commissioner Rosensweig said that he disagrees with Commissioner Santoski. He said that his reading of the concept plan is different, and maybe The Commission could talk about the semantics. He read "it will support a third residential use." He did not see the language of exclusivity there.

Commissioner Keller said she cannot get over the definition of cottages since the original plan of development did not define a cottage. She said a cottage means different things to different people. She said the Commission knew the developer had a range for single family houses. She asked the applicant to inform the Commission as to what the applicant thought the new single family houses would be.

Mr. Lopez explained that the single family large lot on the exterior ranges from 2,000 to 3,500 square feet and could be larger with a basement and 3<sup>rd</sup> story; townhouses averages from 1,600 square feet to 2,500 square feet, single footprint cottage ranges from 800 to 1,600 depending on the basement and 2 ½ story. He said there will be a mixture of attached and detached small footprint cottages. He said in the original plan the concept or language that was up for debate was an additional style of building, the single family detached small footprint cottages. What the applicant has proposed in the preliminary plan that is currently going for review is a mixture within that block: single family detached of a larger size footprint,



single family detached smaller size cottage footprint, and additional single family attached cottage size centralized around a common green

Commissioner Lahendro noted that in comparing the concept plan to the current proposal, the applicant has taken a large open space area and put it into the yards if the single detached houses.

Commissioner Keesecker asked if the Commission was clear on the criteria that it was using to evaluate whether or not the intent complies with the text as it is described in the intent. He stated that he did not have any expectations about where the parcels were going to go. He said he was focusing on the text of 2B that was identified. He asked if that was the criteria the Commission was using to understand whether or not the proposal complied or not.

Mr. Haluska said there are two issues. One is the procedural issue of the code that generates the PUD and the process applicants go through. He said that for the purposes of Lochlyn Hill there is an approved concept plan approved by Council in 2012 that governs what the site plan is going to look like. That concept plan is the zoning that staff and the Commission refer to when evaluating the preliminary site plan, in addition to the PUD ordinance. The plan has to comply with any specific regulations in that code. Those are the standards the staff and Commission are holding this site plan to.

Lisa Robertson, Chief Deputy City Attorney stated that the PUD process essentially creates a new zoning district. She said that Section 34-517 requires the applicant to submit a land use plan and to show the specific land uses and locations, areas, and the type in the PUD plan. She said that Section 34-491 has a provision that states that only those uses shown shall be permitted uses. She said that what the applicant proposes must be shown in the land use plan, either within the narrative or the picture. She said that the Commission's task is to decide if the original approved land use plan -- either within the narrative or in the pictures given to the Commission -- can be interpreted as supporting the proposed site plan.

Commissioner Green replied that if the code is written to what you can do, then if the use is not in the code than the Commission cannot approve it.

Commissioner Keesecker said that he reviewed the request by looking at the component parts of the block, including the road network, green common space centrally located to the site, small footprints, and relegated parking. He said if the courtyard were flipped to be more central to the site, then it would be a proposal he could support.

Commissioner Green stated to applicant that they should have looked at the PUD concept plan before presenting it to the Commission and explained the intent of the PUD.

Commissioner Santoski stated if the applicant submitted a PUD amendment, the City does not have to approve it. The City can make the applicant stick to the original PUD design. The original plan was that the cottages will be a small footprint and a small square footage single family detached home centralized around a common green space. Parking will be relegated from the primary street as much as possible.

Ms. Creasy reminded that the applicant is within their rights to come back with an amendment. She said that instead of having this discussion in the context of a PUD amendment, staff was giving the Commission an opportunity to provide the guidance so that the staff can make sure the next step goes much more smoothly than others have.

Commissioner Lahendro spoke on his responsibility to compare what was approved on the PUD with what was being proposed. He said he could not separate the narrative from the site plan that was approved. He said that the concept plan description of Block 2B can be compared to what is discussed

under Block 2A, Lot 1, where two other types of residential buildings were discussed. He said where the concept plan referred to a third type of residential use, it was referring to the block in question. He said that in looking at the plan, there is no alley shown in Block 2B while there are alleys shown in all other blocks. He stated that a common green space does not mean it has to be flat, and in fact this land is nicely wooded. He said the developer could create woodland cottage on the block and that he would have a hard time supporting a determination that the proposed plan was in line with the approved concept plan.

Frank Stoner of Milestone Partners said it is not a wooded site. He said it was a sewage treatment plant, and that there may be some weed trees growing in this location.

Commissioner Lahendro said he begs to differ with him because he was at the site yesterday and there are some nice trees out there.

Commissioner Rosensweig said he is looking at the language in the concept plan and it says sub block 2B will support a residential use and then the concept plan defines the residential use and to him this supports a 3<sup>rd</sup> residential use.

Commissioner Santoski said his problem is with the PUD. He said the Commission lets folks come before them and then the Commission is willing to make exceptions and say the original approval does not apply any more. Some of the PUDs come back after years and two or three planning commissions ago. He said that the developer should be coming to the Commission to say what they want to do with the PUD and the Commission takes them at face value that they are giving the Commission what the developers are going to do. The applicants can always ask for amendments. The developers may say this is a much better plan than they could have ever done in the first place. He said he feels that the Commission should not say take it and go with it because it's just a PUD and a concept plan. The idea is that it is supposed to be a good concept at the time the Commission saw it two or three years ago with something we would be proud of now. Maybe they have come up with a better idea. Let them bring it back to the City and ask to amend the plan. If the City is going to have a PUD process, the City should make sure they understand and the developer understands it, so that when the applicants do submit a PUD they know that Block 2B is supposed to be fairly set in stone.

Commissioner Rosensweig said it seemed like there was no consensus from the commission to give staff the go ahead to approve the site plan. He said it sounded like there were two potential options 1) a PUD amendment specific for this block, 2) a revised site plan that may be conforming in the eyes of the commission.

Ms. Robertson said that in a site plan the applicant is allowed to show phases of development and can get a preliminary approval of a site plan that shows a proposed final for one phase but only a preliminary approval for other phases. The applicant can then come back and get final approval for different phases. The question is whether the applicant wants a phasing in the site plan and that it is somehow different than the phasing identified in the PUD. They are not required to show the level of detail that is a final site plan. They can come back and get a final site plan for individual phases.

Motion to adjourn by Commissioner Green 8:54 7-0.

# City of Charlottesville

## MEMO



TO: Planning Commission  
FROM: Melissa Thackston, Grants Coordinator  
DATE: March 10, 2015  
SUBJECT: Public hearing for proposed FY 2015-2016 CDBG and HOME Budget  
Allocations for the Annual Plan of the Consolidated Plan

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As part of the CDBG public participation process, the Planning Commission must provide recommendations to City Council on all Community Development Block Grant (CDBG) and HOME Investment (HOME) funding recommendations.

Attached you will find the proposed allocations for FY 15-16 CDBG and HOME programs. These recommendations are based on CDBG Task Force recommendations for Housing and Public Service activities, the Strategic Action Team for Economic Development activities, and 10<sup>th</sup> and Page Priority Neighborhood Task force in light of further evidence of FY 15-16 budget realities.

Also attached you will find copies of meeting minutes where these recommendations were made.

Other attachments include a memo of explanation and a list of all the projects reviewed as a result of the Request for Proposal (RFP) process.

Following the public hearing, staff is asking for a recommendation to City Council concerning the CDBG and HOME budget allocations. This will include the approval of funds to be reprogrammed.

If you have any questions or concerns, please contact Missy Creasy at 970-3182 or [creasym@charlottesville.org](mailto:creasym@charlottesville.org).

Cc: City Council  
Maurice Jones, City Manager  
Missy Creasy, Acting Director of NDS  
Kathy McHugh, Housing Development Specialist  
CDBG Task Force

# City of Charlottesville

## MEMO



TO: Planning Commission  
FROM: Melissa Thackston, Grants Coordinator  
DATE: March 10, 2015  
SUBJECT: Proposed FY 2015-2016 CDBG and HOME Budget Allocations

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### CDBG and HOME Project Recommendations for FY 2015-2016:

The CDBG program has an estimated \$404,324.91 for the 2015-2016 program year; the HOME program has an estimated \$ for the 2015-2016 program year. The CDBG total reflects the \$390,000 Entitlement Grant, \$0 in Reprogramming, and \$72,548.34 in previous years' entitlement available after program income has been applied. The CDBG amount also includes \$430,851 in previous entitlement funding that is available as a result of a cancelled activity. The HOME total consists of an estimated \$67,500, which is the City's portion of the Consortium's appropriation, in addition to \$12,800 for the City's 25% required match, \$8,872.91 in Reprogramming and \$6,182 in program income. Minutes from the meetings are attached which outline the recommendations made. It is important to note that all projects went through an extensive review as a result of an RFP process.

CDBG Facility Programs – A subcommittee of the CDBG Task Force reviewed applications to utilize the entitlement funds that have become available as a result of a canceled activity. Of the applications received and recommended for funding, three are for public facility improvements.

Estimated benefits include facility improvements to one facility serving adults with mental health needs, one facility serving disabled adults, and one facility serving child and families. Beneficiaries to be reported to HUD will be any client that receives services from any of these three facilities in FY 15-16.

Priority Neighborhood – The FY 2015-2016 Priority Neighborhood is the Block by Block area of 10<sup>th</sup> and Page. The 10<sup>th</sup> and Page Priority Neighborhood Task Force has made the following prioritized recommendations for funding: 1. Street crossing improvements on 10<sup>th</sup> St, particularly at 10<sup>th</sup> and Page and 10<sup>th</sup> and West to include possible installation of a lighted crosswalk at 10<sup>th</sup> and Page if deemed necessary by City staff; 2. Pedestrian and Accessibility Improvements on 10<sup>th</sup> St., specifically relocating utility poles out of sidewalk and into curb extensions; 3. Accessibility Improvements/Ramps at all crosswalks; 4. Crosswalk Improvements at 10 ½ St. and West; and 5. Crosswalk Improvements at 8<sup>th</sup> and Preston. Projects will be completed in order of priority until funding is no longer available.

Economic Development – Council set aside FY 15-16 CDBG funding for Economic Development Activities. Members of the Strategic Action Team reviewed applications for Economic Development.

Funds are proposed to be used to provide scholarships, technical assistance, and capital to at least 10 qualified Charlottesville businesses and at least 15 entrepreneurs hoping to launch their own new micro-enterprises.

Public Service Programs – The CDBG Task Force has recommended several public service programs. Programs were evaluated based on Council’s priority for workforce development and on the job training. Programs were also evaluated based on the number of beneficiaries served and the capacity of the agency. Funding will enable the organizations to provide increased levels of service to the community. Further, this year agencies will be targeting program beneficiaries to those who reside within the City of Promise footprint.

Estimated benefits include helping 30 adults gain workforce readiness skills, helping at least 5 adults with direct employment training, providing childcare subsidies for up to 6 families and helping 75 recently released offenders will receive support services to help reduce recidivism. To the greatest extent feasible, all beneficiaries will reside within the City of Promise footprint.

Administration and Planning: To pay for the costs of staff working with CDBG projects, citizen participation, and other costs directly related to CDBG funds, \$78,000 is budgeted.

HOME Funds: The CDBG Task Force recommended funding to programs that support homeowner rehabs and downpayment assistance to first time homebuyers.

Estimated benefits include 4 small homeowner rehabs and downpayment assistance to 4 households.

Program Income/Reprogramming: For FY 2015-2016, the City has \$72,548.34 in previous CDBG EN that has been made available through the application of received Program Income (PI) to be circulated back into the CDBG budget. The City has \$6,182 in HOME PI to be circulated back into the HOME budget. There are also completed CDBG and HOME projects that have remaining funds to be reprogrammed amounting to \$0 CDBG and \$8,872,91 HOME. These are outlined in the attached materials.

Adjusting for Actual Entitlement Amount: Because actual entitlement amounts are not known at this time, the CDBG Task Force and SAT recommend increasing/reducing all recommendations at the same pro-rated percentage of actual entitlement to estimated. No agency will increase more than their initial funding request.

Attachments: Proposed FY 15-16 CDBG and HOME budgets  
Task Force Minutes  
Funds to be reprogrammed  
FY 15-16 RFPs received

**2014-2015 CDBG BUDGET ALLOCATIONS**  
**RECOMMENDED BY CDBG TASK FORCE and SAT: 1/23/14 and 2/7/14**  
**RECOMMENDED BY PLANNING COMMISSION:**  
**RECOMMENDED BY CITY COUNCIL:**

<b>I.</b>	<b>PRIORITY NEIGHBORHOOD</b>		
	A. 10 <sup>th</sup> and Page –		<b>\$263,348.34*</b>
<b>II.</b>	<b>ECONOMIC DEVELOPMENT</b>		
	A. Community Investment Collaborative Scholarships	\$12,500	
	B. Seedplanters Women Entrepreneur Academy	\$25,000	
	C. Office of Economic Development Small Business Development	\$25,200	
	<b>ECONOMIC DEVELOPMENT TOTAL:</b>	<b>\$62,700</b>	
<b>III.</b>	<b>SOCIAL PROGRAMS</b>		
	A. City of Promise – Dual Generation	\$ 7,125	
	B. OAR – Reentry Services	\$ 7,125	
	C. Office Economic Development – GO CNA	\$ 7,125	
	D. Department of Social Services – PACE	\$ 7,125	
	E. United Way – Child Care Subsidies	\$30,000	
	<b>SOCIAL PROGRAMS TOTAL:</b>	<b>\$58,500</b>	(15% EN)
<b>IV.</b>	<b>ADMINISTRATION AND PLANNING:</b>		
	A. Admin and Planning	<b>\$78,000</b>	(20% EN)
<b>V.</b>	<b>BONUS REPAYMENT SURPLUS</b>		
	A. MACAA- Hope House	\$200,000	
	B. On Our Own- Facility Improvements	\$26,850	
	C. ReadyKids- Facility Improvements	\$72,300	
	D. ARC of the Piedmont- Facility Improvements	\$76,900	
	E. TJCLT- Existing Home Land Acquisition	\$54,851	
	<b>SURPLUS TOTAL</b>	<b>\$430,851</b>	
		<b>GRAND TOTAL:</b>	<b>\$893,399.34</b>
		<b>ESTIMATED NEW ENTITLEMENT AMOUNT:</b>	<b>\$390,000.00</b>
		<b>ESTIMATED EN AVAILABLE AFTER PI APPLIED:</b>	<b>\$ 72,548.34</b>
		<b>REPROGRAMMING:</b>	<b>\$ 0.00</b>
		<b>REPAYMENT OF PROJECTS:</b>	<b>\$430,851.00</b>

\* Funding includes program income/reprogrammed funds

**2014-2015 HOME BUDGET ALLOCATIONS**

A. AHIP – Homeowner Rehabs	\$42,734.91
B. Habitat for Humanity – Downpayment Assistance	\$24,560
C. PHA – Downpayment Assistance	\$24,560
D. Administration and Planning – funds from the Planning District	\$ 3,500
<b>TOTAL:</b>	<b>\$95,354.91</b>
<b>ENTITLEMENT AMOUNT:</b>	<b>\$67,500</b>
<b>ESTIMATED EN AVAILABLE AFTER PI APPLIED:</b>	<b>\$ 6,182</b>
<b>REPROGRAMMING:</b>	<b>\$8,872.91</b>
<b>LOCAL MATCH:</b>	<b>\$12,800*</b>

\* Only Entitlement funds (except Admin and Planning amount) require local match

**APPROPRIATION**  
**AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT**  
**Reprogramming of Funds for FY 15-16**

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

**WHEREAS**, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

<b>Program Year</b>	<b>Account Code</b>	<b>Purpose</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>Proposed Revised Appropriation</b>
			\$		\$0
			\$		\$0
			\$		\$0
15-16	P-00001-04-01	Applied to new programs		\$	\$
		<b>TOTALS:</b>	\$	\$	\$

**\*\* At the time of the Planning Commission Meeting, it is too soon to know if there will be any CDBG programs to be reprogrammed. Any funds identified will be included in the April 6, 2015 Council materials.**

**APPROPRIATION**  
**AMENDMENT TO HOME INVESTMENT PARTNERSHIP ACCOUNT**  
**Reprogramming of Funds for FY 15-16**

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the HOME Investment Partnership (HOME) funds; and

**WHEREAS**, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the HOME fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

<b>Program Year</b>	<b>Account Code</b>	<b>Purpose</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>Proposed Revised Appropriation</b>
09-10	19000139	Abundant Life Planning	\$92.34		\$0
11-12	19000168	Tenant Based Rental	\$8,780.57		\$0
15-16		Applied to new programs		\$8,872.91	\$8,872.91
		<b>TOTALS:</b>	<b>\$8,872.91</b>	<b>\$8,872.91</b>	<b>\$8,872.91</b>



## CDBG RFP SUBMISSIONS - FY 2015-16

Organization, (Program Title)	Applicant	Program Description	Funding Requested
AHIP	Jen Jacobs	Small Homeowner Rehabs	\$80,000
Building Goodness in April	Brian Gooch	Homeowner Rehabs	\$20,000
Habitat for Humanity	Dan Rosensweig	Downpayment Assistance	\$80,000
PHA	Karen Reifenberger	Downpayment Assistance	\$40,000
TJCLT	Bob Adams	Land Acquisition	\$40,000

**\$260,000**

80000 -\$180,000

Organization, (Program Title)	Applicant	Program Description	Funding Requested
City of Promise	Sarad Davenport	Adult Career Readiness	\$25,000
Community Attention	Rory Carpenter	Youth Internship Program in health care	\$10,000
Common Ground	Elliott Brown	Complementary Health Services	\$8,000
C4K	Michaela Muttom	Computer Clubhouse	\$25,000
Mediation Center of Charlottesville	Van Parker	Mediator Training	\$2,500
OAR	Pat Smith	Reentry Program	\$20,000
OED	Hollie Lee	GO CNA workforce training	\$17,000
PHAR	Karen Shepard	Career Readiness Program	\$15,000
Social Services	Kelly Logan	VIEW workforce development	\$15,558
United Way	Barbara Hutchinson	Child Care Scholarships	\$30,000
			<b>\$168,058</b>

60000 -\$108,058

Organization, (Program Title)	Applicant	Program Description	Funding Requested
Better World Better	Teri Kent	Mini-grant program	\$20,000
Community Invest. Collob	Stephen Davis	Entrepreneurship-training	\$12,500
C4K	Michaela Muttom	Online Entrepreneurship Program	\$25,938
OED	Jason Ness	ACE program	\$25,200
Seedplanters	Kaye Monroe	DreamBuilders Women Entrepreneurs	\$50,000
Small Steps Collective	Kathy Zentgraf	Rentable Commercial Kitchen Space	\$70,000
			<b>\$203,638</b>
<b>Housing Programs</b>	<b>Public Facilities</b>	<b>Economic Development</b>	<b>Social</b>

125000 -\$78,638

## CDBG Bonus RFP SUBMISSIONS - FY 2015-16

Organization, (Program Title)	Applicant	Funding Requested
AHIP	Jen Jacobs	\$275,000
MACAA	Nancy Kidd	\$200,000
Habitat for Humanity	Dan Rosensweig	\$280,000
PHA	Frank Grosch	\$215,000
TJCLT	Bob Adams	\$80,000
Oasis Village	Karen Beiber	\$150,000
LEAP	Cynthia Adams	\$190,000
ARC of the Piedmont	John Santoski	\$76,900
Ready Kids	Allison Henderson	\$72,300
On Our Own	Erin Tucker	\$26,850
Building Goodness Foundation	Kelly Eplee	\$200,000
		<b>\$1,766,050</b>
<b>Housing Programs</b>	<b>Public Facility</b>	

**CDBG Task Force Meeting Notes**  
**February 4, 2015**  
**10:00**  
**NDS Conference Room**

**Members Present:**

Kathy Harris  
Jennifer McKeever  
Taneaia Dowell  
Kelly Logan  
Mary Alex  
Hollie Lee

**Staff:**

Melissa Thackston  
Kathy McHugh

1. Staff Updates
  - a. Special EN and Review Committee

Staff made the task force aware that a previously funded project is going to be canceled and \$430,851 in CDBG Entitlement funding will be made available for new projects. A special RFP is being held for these funds given the short timeframe needed to award and spend them down. There will be a separate Task Force subcommittee meeting on February 23, 2015 at 2:00 for any interested member to attend to help make funding recommendations.

Staff went over the new score sheet process and explained the implementation of a scoring sheet was based on new HUD guidance staff received at an intensive CDBG training last October. Members were encouraged to provide staff comments on the new process so that next year's process can be improved from the lessons learned this first year of implementation.

2. Complete Score Sheets

Members finished scoring any remaining applications they previously had not scored.

3. Tally Program Scores

Members reported their scores for each application. The application scores were then averaged together into one final group score. These group scores formed the basis of the funding recommendations.

Scores were as follows:

AHIP:	89
Building Goodness in April:	76
Habitat for Humanity:	95
PHA	95
TJCLT:	77

City of Promise:	80
Community Attention:	84
Common Ground:	59
Computers4Kids:	80
Mediation Center:	48
OAR:	91
OED Go CNA:	87
PHAR:	62
DSS PACE:	91
United Way:	86

#### 4. Funding Recommendations

Members decided not to consider any application that received less than 80 points.

The housing applications were discussed first and there was a motion to fund AHIP at \$40,000, Habitat at \$23,000 and PHA at \$23,000. There was a discussion about funding AHIP so much more than the other two applications. Some members argued that the motion could be seen as funding Rehab at \$40,000 and funding Down Payment Assistance at \$46,000. There was also a discussion about how closely the funding recommendation should align with the scores. Most members felt that the scores give a good starting point but a difference of 6 points shouldn't make that much of a difference. It was also pointed out that the down payment applications are able to count the mortgages they leverage, which helped boost their overall scores. After the discussion the motion was called for again, seconded, and the motion passed 5-1-0.

Social applications were discussed next. Members said they were pleased Council took their recommendation to prioritize childcare and were glad to see an agency respond. They were further glad to see the United Way commit to work with City of Promise families. There was a brief discussion of at what level to fund the United Way, but members quickly agreed that this application should receive full funding as many previous task force discussions so heavily focused on the need for childcare.

Members discussed how to recommend funding for the remaining applications. With \$30,000 left to fund, members felt that dividing that amount among too many agencies would greatly lessen the impact of the funding. In light of Council's priorities, the Consolidated Plan, and the Growing Opportunities report, members decided to funding should be targeted at programs that benefit adults. This left City of Promise, OAR, Go CNA, and DSS PACE. It was recommended that each of these agencies receive equal funding of \$7,500 and that to the greatest extent feasible, participants of the programs benefit City of Promise families. A motion was made, seconded, and approved 4-0-2 (with Kelly Logan and Hollie Lee abstaining).

#### 5. Other Business and Public Comment (if any)

CDBG Economic Development Task Force (Strategic Action Team)

Tuesday, January 13, 2015 8:30

Members Present:

Kelly Logan	Cory Demchack
Diane Kuknyo	Chris Engel
Gretchen Ellis	Sue Moffet
Hollie Lee	Jason Ness
Mike Murphy	Melissa Thackston (staff)

Members reviewed applications for funding. Members decided to score only applications they wanted to see funded.

Better World Betty: Score: 43. There was concern that this project really couldn't be shown to either create or retain jobs. It was felt that the need and the outcomes were not strong enough to warrant funding. It was suggested that this project could somehow work as a consultant for OED ACE businesses as just one of many needs businesses may have, but not as a standalone need that should be funded.

CIC: Score: 84 Members liked this proposal, but noted that there were typos and errors and the application seemed boilerplate and poorly written. Members would like to see CIC partner with Kathy Zentgraff and Small Steps if she would be interested.

C4K: Not scored. Members were hesitant to reinvest in this program until outcomes and results from current FY funding were known. They would encourage C4K to reapply in the future once they are able to show outcomes.

Seedplanters: Score: 67. Some members felt that they did not receive satisfactory answers to their follow-up questions and had some concerns about the outcomes of the program. Others pointed out that the clients served require a much more intensive one on one experience. Some members questioned if this application was more life coaching versus economic development. Members asked for additional information about the current success and stability of the businesses created in prior years.

Office of Economic Development: (OED Staff not present during discussion). Score: 90. Members felt that this program has been showing strong outcomes and feel the revised program structure will give increased outcomes with more cost effectiveness.

Small Steps: Not scored. Members were supportive of this idea, but thought the project was not quite ready for CDBG funding. Some members felt that through churches and other non-profits there are commercial kitchen facilities available for use in the community already. Members thought participation with CIC could be very beneficial. All project funding would need to be secured/committed. It would need to be clearer how many jobs would be created/retained either as direct hires to Small Steps or through the other businesses that would rent the space.

Members Recommended funding CIC and OED ACE fully. Members recommended funding Seedplanters in part based on follow up information.

\* Follow up information provided to members with a recommendation of funding at \$25,000. Voting members supported this amount 3-2.

**CDBG Task Force Bonus EN Subcommittee Meeting Notes**  
**February 23, 2015**  
**2:00**  
**NDS Conference Room**

**Members Present:**

Marnie Allen

Mary Alex

**Staff:**

Melissa Thackston

Kathy McHugh

**1. Discuss and recommend funding for bonus entitlement money available**

Applications were discussed and reviewed based on timeliness, ability to easily and fully comply with federal regulations, and impact. The group also indicated a preference to fund applicants and/or projects which do not routinely receive CDBG assistance from the City.

AHIP: Concern about whether they could complete 10 major rehabs within the timeframe. Even with these funds given priority in their spending, AHIP has already received a lot of City investment and has funds available to spend.

MACAA: It was felt that MACAA would be able to identify and purchase a duplex for their HOPE House program within the timeline proposed. Further, the City's Consolidated Plan prioritizes addressing homelessness and the HOPE House provides transitional housing for the homeless. It was suggested that if funds are awarded they be conditioned as follow: Participant selection must follow utilize a housing first approach using HUD best practices in line with TJACH recommendations, and the home will need to be secured with a 15 year deed of trust to insure long-term affordability.

Habitat for Humanity: There were general concerns about the timing of all three proposals. Specifically, 1) Harmony Ridge does not yet have an approved site plan and has not broken ground, 2) acquisition and development of four new opportunities is contingent upon participation by various partners with no firm indication that any are ready to go, and 3) Burnet 2 is underway; however Burnet 3 and Harmony Ridge units are either not yet under construction and/or are subject to site plan approval. The complexities and variables involved are of concern, as are general issues associated with capacity to be able to handle new and on-going projects and meet such a firm deadline.

PHA: This project has already received \$950,000 of City investment. The addition of CDBG funds into this project, only serves to complicate the project for no additional affordable housing units to the City. Further, the project timeline assumes the ability to purchase land in March, 2015 when CDBG funds will not be available until July/August. If funds are not used for acquisition, then demolition and construction would have to be delayed from April 2015 and there are concerns over the time and effort involved with Davis Bacon compliance and ability to close out the project in time.

TJCLT: There were some concerns about the ability to spend the funds in time given the complexities involved with the land trust model. Members really liked the long term affordability that the land trust provides. Any awarded funds would have to be applied to an existing house as the timeline is cleaner.

Oasis Village: This proposal was well received as a concept and members would love to see such a model take off in Charlottesville; however, not yet having site plan approval or a pool of potential buyers already lined up creates too much uncertainty in the timeliness of this application.

LEAP: The City has already invested significant CAHF resources into the Dogwood Housing portfolio. Further, there are concerns about being able to properly document housing affordability for beneficiaries and ascertain compliance with CDBG requirements to principally benefit persons of low-mod income.

ARC of the Piedmont: Project will have to receive appropriate BAR and environmental approvals as well as compliance with Davis Bacon. Generally, the project was well received with clear benefit to low-mod persons.

Ready Kids: Project will have to receive appropriate environmental approvals as well as compliance with Davis Bacon. ReadyKids will be required to collect demographic information on all clients served during the fiscal year to document benefit to low-mod persons.

On Our Own: Project will have to receive appropriate BAR and environmental approvals as well as compliance with Davis Bacon. Generally, the project was well received with clear benefit to low-mod persons.

Building Goodness Foundation: There was much discussion about this application. Ultimately, it was felt that documenting beneficiaries associated with various agencies to be assisted (most of whom are not yet identified at this point) would be too burdensome and murky with HUD and that the project timeline indicates a need to start construction in advance of when CDBG funds will be available. It was suggested that BGF apply in partnership with specific agencies they will work with for future RFPs of funding.

Based on a discussion and review of all proposals, the group recommended approving the following proposals with full funding: MACAA (\$200,000); ARC of the Piedmont (\$76,900); Ready Kids (\$72,300); and On Our Own (\$26,850). TJCLT was recommended to be partially funded with the remaining funds (\$54,801). Specific conditions, as recommended by the group, are included above.



**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**REQUEST FOR A WAIVER:  
CRITICAL SLOPES**

**PLANNING COMMISSION REGULAR MEETING**  
**DATE OF PLANNING COMMISSION MEETING: March 10, 2015**

**Project Planner:** Heather Poole  
**Date of Staff Report:** March 2, 2015  
**Applicant:** Kroger Limited Partnership I  
**Applicant's Representative:** Toby Locher  
**Current Property Owner:** Kroger Limited Partnership I

**Application Information**

**Property Street Address:** 220 Zan Road  
**Tax Map/Parcel #:** Tax Map 41B, Parcel 150, Tax Map 41C Parcel 31 (*Project Area* - 7.35 acres (320,166 SF), total; 203,425.20 SF existing impervious)  
**Total Area of Critical Slopes on Parcel:** 2.26 acres (30.8%)  
**Area of Proposed Critical Slope Disturbance:** (0.97 acres/ 42,253.20 SF)  
**Comprehensive Plan (Land Use Plan) Designation:** Commercial  
**Current Zoning Classification:** HW (Highway Corridor District)  
**Tax Status:** The City Treasurer's office indicates that there are no delinquent taxes owed on the subject properties at the time of the writing of this staff report.

**Background**

Kroger Limited Partnership I requested a waiver from the Critical Slope Ordinance on January 20<sup>th</sup>, 2015. The application was brought before the Planning Commission at its regular meeting on February 10<sup>th</sup>, 2015. While the Planning Commission commended the applicant's proposed design for stormwater control and water quality improvements, the Planning Commission deferred the application stating they wanted the following items further addressed before making their recommendation:

- Visual impact
- Connectivity
- Noise impact

The applicant's resubmittal dated February 25<sup>th</sup>, 2015 includes information to address the Planning Commission's concerns in addition to the proposed stormwater control design.

## **Application Details**

Toby Locher, on behalf of Kroger Limited Partnership I, is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for the expansion of the existing 53,076 SF building found on Tax Map 41B, Parcel 150 (formerly used as a Giant grocery store) into a 97,979 SF Kroger building as part of the existing Seminole Square Shopping Center. The proposed location of the Kroger is on the south eastern portion of the property, and will be connected to existing buildings found on Tax Map 41B, Parcels 152 and 153.

Existing critical slopes areas located on this Property include 2.26 acres/ 30.8 percent of the project site. The applicable definition of “critical slope” is as follows:

Any slope whose grade is 25% or greater, **and** (a) a portion of the slope has a horizontal run of greater than 20 feet, and its total area is 6,000 SF or greater, **and** (b) a portion of the slope is within 200 feet of a waterway. *See City Code Sec. 34-1120(b)(2).*

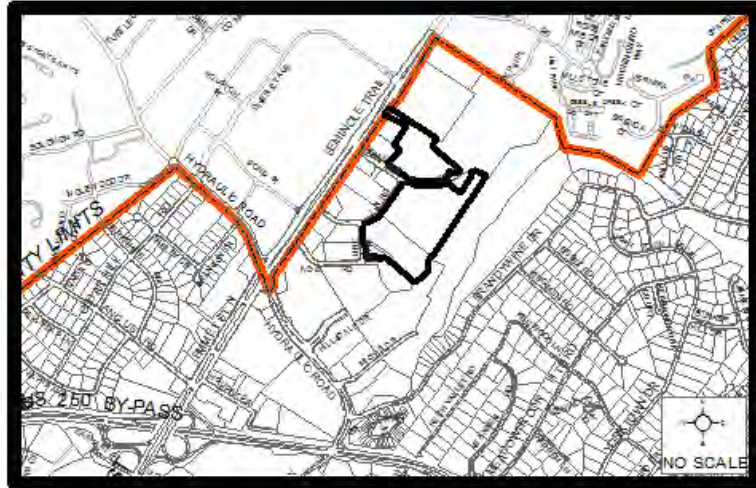
Based on the information presented within the application materials, Staff verifies that the area for which this waiver is sought meets all of the above-referenced components of the definition of “critical slope”. Attached is a diagram showing the details upon which this showing was made in the application.

The application materials also provide the following information relevant to your evaluation of this request:

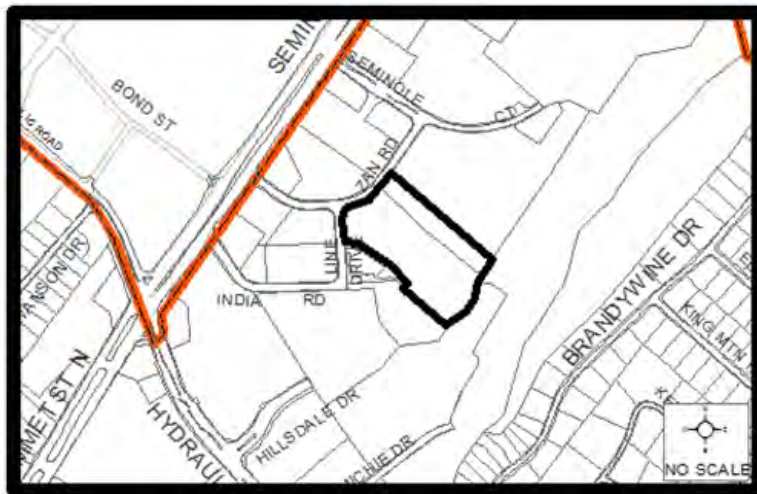
- Large stands of trees: **The applicant has noted trees existing on the manmade slopes, but intends to remove those standing in the location of the proposed stormwater control design. The applicant plans to save portions of the existing wooded area and install new trees in other areas of the critical slope including a landscape buffer between the site and adjacent property.**
- Rock outcroppings: **None.**
- Slopes greater than 60%: **None.**
- Identification/ description of unusual topography or other physical conditions at the site: **None of the topographical features on the site are unusual.**
- Waterway within 200 feet: **Meadow Creek is within 200 feet of the critical slope area.**
- Location of other areas of the Property, outside Critical Slopes areas, that fit the definition of a “building site” and could accommodate this proposed development: **There are other areas of the property that appear to be suitable building sites. The applicant presents their justification as to why these sites were rejected under Finding #2 in the applicant’s narrative and summarized in this report.**

## **Vicinity Map**

### *Seminole Square Shopping Center*



### *Project Area*



## **Standard of Review**

**A copy of Sec. 34-1120(b) (Critical Slopes Regulations) is attached for your reference. The provisions of Sec. 34-1120(b) must guide your analysis and recommendations.**

It is the Planning Commission's ("PC") responsibility, when a waiver application has been filed, to review the application and make a recommendation to City Council as to whether or not the waiver should be granted based off the following:

- (i) The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or
- (ii) Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

If the recommendation is for City Council to grant the requested waiver, the PC may also make recommendations as to the following:

- Whether any specific features or areas within the proposed area of disturbance should remain undisturbed (for example: large stands of trees; rock outcroppings; slopes greater than 60%, etc.)?
- Whether there are any conditions that could be imposed by City Council that would mitigate any possible adverse impacts of the proposed disturbance?

### **Project Review / Analysis**

The applicant indicates the area of critical slopes that would be disturbed by the development along the southern edge of the property. The proposed Kroger building would take up an area previously developed as existing commercial buildings and paved parking area. The rear of the proposed building would extend beyond the current building's footprint into the critical slope area near the property line. The critical slope area proposed for disturbance is currently comprised of existing manmade fill slopes. The applicant wishes to use the area behind the proposed building for delivery and fire truck circulation. The proposed location for circulation is within the critical slope area where the applicant plans to remove portions of the manmade fill slopes.

Each applicant for a critical slopes waiver is required to articulate a justification for the waiver, and to address how the land disturbance, as proposed, will satisfy the purpose and intent of the Critical Slopes Regulations (as found within City Code Sec. 34-1120(b)(1), attached). If it wishes to grant a waiver, the City Council is required to make one of two specific findings: either (1) public [environmental] benefits of allowing disturbance of the critical slope outweigh the benefits afforded by the existing undisturbed slope, see City Code 34-1120(b)(6)(d.i), OR (2) due to unusual physical conditions or existing development of a site, the critical slopes restrictions would unreasonably limit the use or development of the property, see City Code 34-1120(b)(6)(d.ii.). The applicant has provided information in the attached critical slopes waiver application for each item discussed below.

### Applicant's justification for Finding #1

Statement: The applicant states that the public benefits of the rehabilitation of the existing site outweigh the benefits of the undisturbed slope. The applicant provides the following specifics and provides explanation for these public benefits:

- **Stormwater and Erosion Control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas:** The subject property is part of the existing Seminole Square Shopping Center. The entire site (17.58 acres) including the proposed Kroger site (7.35 acres) currently drains to a central, city maintained, 60" reinforced concrete pipe (RCP) that outfalls at the rear of the buildings (southeastern side of the site) into a city-maintained stormwater pond. The applicant plans to remove the existing stormwater pond and replace it with a plunge pool at the outfall of the 60" RCP. The design will serve both the Seminole Square shopping center and the adjacent city-owned parcel downgradient of the site that contains the Meadow Creek shoreline. The applicant states the existing stormwater pond is undersized and causes unnecessary pollutant loading. The applicant believes replacing the pond with the mentioned sediment and stormwater runoff control measures provides greater public benefit than leaving the slope undisturbed.
- **Groundwater Recharge:** In addition to the plunge pool, the applicant plans to install an underground stormwater detention vault that will reduce runoff rates of the added impervious areas and water quality units that will reduce phosphorus to desired levels and aid in the removal of litter, total suspended solids and oils.
- **Reduced stormwater velocity:** The applicant states the proposed plunge pool serve to dissipate energy and reduce velocity.

The applicant has further addressed Planning Commission's following areas of concern in their resubmittal:

- **Visual Impact:** The applicant has proposed an additional seven (7) Japanese Cryptomeria trees to their landscaped area of originally ninety-eight (98) trees varying in species and height (See Exhibit 7). The applicant has also offered to install a double row of evergreen trees to serve as a buffer at the property line (See Exhibit 7, Exhibit 8). Finally, the applicant has proposed to face the retaining wall with vines, a "green screen" grid to accommodate vine growth, and a six (6) foot privacy fence on top of the same wall to help screen the truck delivery dock.
- **Connectivity:** The applicant has committed to working with the City to provide an easement for a multiuse trail along a portion of the property adjacent to Meadow Creek.
- **Noise Impact:** The applicant did not indicate any further solutions to address noise impact other than the proposed screening already mentioned.

Staff Analysis: Staff finds that the proposed stormwater control measures being applied to an area inclusive of the proposed site and adjacent property (city property that is downgradient to Seminole Square and shoreline of Meadow Creek) is a public benefit that outweighs leaving the slope undisturbed where the area is currently served by the city-maintained stormwater pond. It was at the request of the Engineering Staff that the applicant consider removing the pond in its entirety. While the pond serves its purpose to a degree, the pond's size and functionality does not match the runoff it serves; the applicant's retrofits would be more effective in supporting runoff

from this site. A portion of proposed retrofits fall within a Conservation Easement held by the City and The Nature Conservancy. Staff and TNC have met and plan to coordinate with the applicant to ensure any work done within the conservation easement conforms to the objectives set forth in the deed and the overarching goal to promote, protect, and restore Meadow Creek.

Staff agrees the applicant's proposed screening measures will help shield the view of the proposed Kroger building from the adjacent property, Hearthwood Townhome Apartments (Tax Map 41B, Parcel 50). Staff believes the proposed multiuse trail will benefit the residents of Hearthwood Townhome Apartments as well as City residents. This trail will serve as a future connector to the greater multiuse trail proposed in the Meadow Creek Stream Valley Master Plan approved by City Council June 3<sup>rd</sup>, 2013.

#### Applicant's justification for Finding #2

Statement: The applicant states that by prohibiting the disturbance of critical slopes at the proposed site, the City will unreasonably restrict the use of the property, as the existing shape and size of the developed property prohibits the ability to use the site as desired for the new Kroger Grocery Store.

Staff Analysis: Staff does not agree with the argument presented. There are existing commercial buildings on site, and as such have already established a use of the property. The application of the ordinance will not result in significant degradation of the site, nor does it unreasonably restrict the use, reuse or redevelopment of the property. Staff's review of the site suggests that there may exist one or more alternative "building sites" that are outside of the critical slope area that could accommodate a Kroger building.

#### **Staff Recommendation**

Staff believes the applicant's proposed disturbance of critical slopes for the installation of stormwater utilities will improve the stability and quality of the site and is a public benefit that outweighs the benefit of leaving the slope undisturbed. Staff and TNC will continue to work with the applicant to ensure the final stormwater control measures consist of green stormwater elements and conform to the conservation easement. Staff agrees the applicant's proposed screening solutions will help visually protect the adjacent property's residents from the proposed store.

Staff believes the applicant's commitment to providing connectivity will benefit residents of the adjacent property as well as City residents. Staff believes the applicant does meet the criteria for a waiver of the critical slope ordinance and recommends approval of the waiver request subject to the following conditions:

- The developer will provide all information necessary to The Nature Conservancy and will collaborate with the City and TNC to ensure any work done within the conservation easement conforms to the objectives set forth in the deed and the overarching goal to promote, protect, and restore Meadow Creek.
- The property owner will properly maintain the tree canopy within critical slope area to ensure overall tree health and natural beauty.

## Suggest Motions

### **Suggested Motions**

1. "I move to recommend approval of the steep slope waiver for Tax Map 41B, Parcel 150 and Tax Map 41C Parcel 31, 220 Zan Road as requested, with no reservations or conditions, based on a finding that [*reference at least one*]:
  - The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per City Code 34-1120(b)(6)(d.i)
  - Due to unusual physical conditions, or the existing development of the School's property, compliance with the City's critical slopes regulations would prohibit or unreasonably restrict the use or development of the property.
2. "I move to recommend approval of the steep slope waiver for Tax Map 41B, Parcel 150 and Tax Map 41C Parcel 31, 220 Zan Road, based on a finding that [*reference at least one*]:
  - The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per City Code 34-1120(b)(6)(d.i)
  - Due to unusual physical conditions, or the existing development of the property, compliance with the City's critical slopes regulations would prohibit or unreasonably restrict the use or development of the property.And this motion for approval is subject to the following:
  - \_\_\_\_\_ the following features or areas should remain undisturbed [*specify*]
  - \_\_\_\_\_ the following conditions are recommended as being necessary to mitigate the potential adverse impacts of approving the waiver in the location requested: [*specify*]
3. "I move to recommend denial of the steep slope waiver for Tax Map 41B, Parcel 150 and Tax Map 41C Parcel 31, 220 Zan Road."

### **Enclosures**

Application and Narrative  
Critical Slopes Ordinance  
Engineering Department Review  
Conservation Easement  
Meadow Creek Stream Valley Master Plan 2013 Map  
Trail Options Kroger Hillsdale Connector Map





## WAIVER REQUEST FORM

Please Return To: City of Charlottesville  
 Department of Neighborhood Development Services  
 PO Box 911, City Hall  
 Charlottesville, Virginia 22902  
 Telephone (434) 970-3182 Fax (434) 970-3359

For a Critical Slopes Waiver Request, please include one of the following application fees: \$75 for single-family or two-family projects; \$500 for all other project types. *\*additional application form required*  
 For all other Waiver Requests, please include one of the following application fees: \$50 for single-family or two-family projects; \$250 for all other project types.

Project Name/Description	Kroger R-369	Parcel Number	41B015000
Address/Location	220 Zan Road		
Owner Name	Giant Seminole Limited Partnership	Applicant Name	Kroger Limited Partnership I - Toby Locher

Applicant Address: P.O. BOX 14002 ROANOKE, VA 24038  
 Phone (H) \_\_\_\_\_ (W) 804-254-8440 (F) 540-563-3638  
 Email: toby.locher@kroger.com

Waiver Requested (review Zoning Ordinance for items required with waiver submissions):

- |   |  |
|---|--|
| <input type="checkbox"/> Sidewalk                                     | <input type="checkbox"/> Drainage/Storm Water Management   |
| <input type="checkbox"/> *Contact Staff for Supplemental Requirements | <input type="checkbox"/> Off-street Parking  |
| <input type="checkbox"/> Site Plan Review                             | <input type="checkbox"/> Lighting  |
| <input type="checkbox"/> Landscape                                    | <input type="checkbox"/> Signs   |
| <input type="checkbox"/> Setbacks                                     | <input checked="" type="checkbox"/> Critical Slopes <i>*additional application form required</i> |
| <input type="checkbox"/> Communication Facilities                     | <input type="checkbox"/> Other   |
| <input type="checkbox"/> Stream Buffer Mitigation Plan                |  |

Description of Waiver Requested: Waiver to allow disturbance of steep slopes in order to construct a new Kroger grocery store.

Reason for Waiver Request: The existing building must be expanded towards the critical slopes and cannot be avoided.  
 See report for further explanation.

Applicant Signature *Toby Locher*

Date 11/10/14

Property Owner Signature (if not applicant)

*GEMC General Partner  
 Giant Seminole L.P. and  
 Samuel Truitt L.P.*

Date 11/11/14

### For Office Use Only:

Date Received: \_\_\_\_\_

Review Required: Administrative \_\_\_\_\_ Planning Commission \_\_\_\_\_ City Council \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_

Director of NDS

Comments: \_\_\_\_\_



**City of Charlottesville**  
**CRITICAL SLOPES WAIVER REQUEST SUPPLEMENT**

**Please review city zoning ordinance section 34-1120(b) “Critical Slopes” and submit a completed Waiver Application Form with Critical Slopes Supplement.**

**Applicant:** Kroger Limited Partnership I      Contact: Mr. Toby Locher  
PO BOX 14002      Toby.locher@Kroger.com  
Roanoke, VA 24038      804-254-8440

**Property Owner:**  
Giant Seminole Square Limited Partnership

**Project Description: What are you proposing to do on this site?**  
Replace several empty buildings with a new Kroger Grocery Store.

**Existing Conditions:**  
The site is developed as the Seminole Square Shopping Center.

**Total Site Area:**  
17.58 acres (Seminole Square) with the Kroger parcel being 7.35 acres of that.

**Zoning (if applying for rezoning-please note existing and intended change):**  
No rezoning required from current zoning of HW.

**Percentage of Area greater than or equal to 25% slopes: (critical slopes make up**  
2.26 acres of the site’s 17.58 acres, or 12.9 % of the site area.)

This application should be used to explain how the proposed project meets some or all of the requirements as described in Section 34-1120(6) “Modification or waiver.” The applicant is expected to address finding #1 and/or finding #2 and justify the finding by utilizing the “critical slope provisions” as a guide. Completing this application will help staff make their recommendation to the Planning Commission and City Council.

*City Council may grant a modification or waiver, upon making one or more of the following findings:*

**Finding #1: The public benefits of allowing disturbance of critical slope outweigh the public benefits of the undisturbed slope( public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes)**

See attached report.

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**Finding #2. Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.**

[See attached report.](#)

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***Please address how Finding #1 and/or Finding 2# will be met utilizing the “critical slope provisions” noted below.***

**1. Erosion affecting the structural integrity of those features.**

[See attached report.](#)

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**2. Stormwater and erosion-related impacts on adjacent properties.**

[See attached report.](#)

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**3. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.**

[See attached report.](#)

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4. Increased stormwater velocity due to loss of vegetation.  
See attached report.

5. Decreased groundwater recharge due to changes in site hydrology.  
See attached report.

6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.  
See attached report.

Please list all attachments that should be viewed as support to the above explanations.  
See attached report.

Please sign the following statement.

I certify that, to the best of my knowledge, the information I have provided above is based on sound engineering and surveying data and that this site has been carefully inspected and reviewed for the purposes of completing this application accurately. I certify that as the property owner/applicant I have not given false information that may affect the decisions made regarding this development.

Property Owner

Applicant

Please do not write below this line. For office use only.  
Planner's Comments/Recommendations:

February 23rd, 2015

City of Charlottesville  
610 East Market Street  
P.O. Box 911  
Charlottesville, VA 22902

RE: **220 Zan Road – Tax Map 41B015000; Steep Slope Waiver Justification to Support Development of a new Kroger Grocery Store (R369) at Seminole Square Shopping Center**

To Whom It May Concern:

On behalf Kroger Limited Partnership I, and in accordance with Ordinance Section 34-1120b, we wish to submit this request for critical slop waiver to permit the construction of a new Kroger Grocery Store inside of the Seminole Square Shopping Center.

The subject property has a physical address of 220 Zan Road and is part of the existing Seminole Square Shopping Center. The total site area of Seminole Square is 17.58 acres with the new Kroger site consisting of 7.35 acres. Seminole Square is home to several empty buildings and multiple tenants including Big Lots, Office Depot, Marshalls and many more smaller tenants. The site currently drains to a central, city maintained, 60" reinforced concrete pipe (RCP) that outfalls at the rear of the stores (southeastern side of the site) into a city maintained stormwater pond.

Birds Eye View of Existing Site (winter looking north):



The new Kroger building will occupy several existing, empty buildings in the center of the site. The existing buildings will be expanded and remodeled to fit the needs of Kroger. Majority of the site is currently paved or existing building with some on the interior parking areas serving as landscape islands and additionally with landscape strips along the perimeter. Behind the existing buildings on the southern and southeastern side of the site, several manmade fill slopes exist. The area of disturbance for this project will mainly encompass paved areas with placid slopes (1-5% approximately) leading to storm drains located throughout the project site. At the rear of the site a large manmade fill slope exists (facing southeast) with varying height (app. 30') and slope (averaging app. 55%). Additionally a large manmade fill slope exists along the southern boundary (facing north) and drains onto the project site. The slope varies in height (app. 21') and slope (averaging app. 59%) and will remain mostly undisturbed with the exception of the most eastern side which will be disturbed in order to install a new retaining wall. The proposed use of the site requires a small portion of the existing, manmade fill slopes to be removed and replaced with concrete retaining walls in order to facilitate adequate delivery and fire truck circulation.

The critical slopes being impacted appear to be man-made and steeper than typically found where slopes are naturally occurring.

With regard to the goals and objectives of the steep slope regulations we offer the following:

**Finding #1: The public benefits of allowing disturbance of critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes)**

The public benefits of the rehabilitation of the existing site outweigh the benefits of the undisturbed slope. In addition to the benefits described below, the applicant offers the following:

1. The proposed retaining wall serving the truck delivery dock (see attached site plan – Exhibit #2) will be faced with a live covering of vines (see elevation sketch – Exhibit #7).
2. A privacy fence will be installed on top of the same wall to help screen the truck delivery dock.
3. The applicant will work with the city of Charlottesville to provide an easement for a multiuse trail along a portion of applicant's property adjacent to Meadow Creek.
4. The installation of additional plantings on the Cannon/Hearthwood Limited Partnership property adjacent to and south of the subject property will be offered (see Landscape Plan LA-2 – Exhibit #8).

In accordance with ordinance section 34-1120, additional benefits of disturbing the slope will be shown by the explanation of the required "critical slope provisions" below:

**1. Erosion affecting the structural integrity of those features.**

In addition and as stated above, the existing manmade slopes are steeper than would be typically found if naturally occurring elsewhere. Typically, manmade fill slopes are not stable above 50% and the existing slopes appear to average between 55-59%. This excessive slope has the potential to

cause long term erosion, maintenance and stability issues; especially when located inside of a flood plain as this site is.

At the toe of southeastern slope behind the shopping center lies an existing stormwater pond. According to a study entitled "Field Monitoring of Retrofitted Stormwater Basins in the Meadow Creek Watershed" by the University of Virginia dated June 30, 2002, page 8 scouring occurs inside the pond causing unnecessary pollutant loading (erosion). At the request of the city, the pond will be removed and replaced with a riprap lined plunge pool at the outfall of the 60" RCP. The riprap will also be extended to the bank of Meadow Creek in order to transport runoff from the plunge pool with limited soil erosion.

**2. Stormwater and erosion-related impacts on adjacent properties.**

The city owns the neighboring parcel that is adjacent to and downgradient of Seminole Square and is home to the Meadow Creek. The city's property and the shoreline of Meadow Creek will be protected in addition by newly placed riprap to serve as permanent sediment & runoff control extending from the plunge pool to the bank of Meadow Creek. All other neighboring parcels are located at higher elevations and will not be impacted by this site.

**3. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.**

As it currently exists, the site offers little to no improvement in runoff water quality. However, as proposed the Kroger site will not only reduce the runoff rates for the newly added impervious areas by means of a new underground stormwater detention vault but will also provide greatly improved water quality by means of several proprietary water quality units. These water quality units will not only reduce phosphorus to the desired levels but will also aid in the removal of litter, total suspended solids (silt, etc) and oils.

**4. Increased stormwater velocity due to loss of vegetation.**

According to the city, the existing stormwater pond is undersized, erodes and is the source for unnecessary and continued maintenance. Additionally and according to a study entitled "Field Monitoring of Retrofitted Stormwater Basins in the Meadow Creek Watershed" by the University of Virginia dated June 30, 2002, page 8 scouring occurs inside the pond causing unnecessary pollutant loading. Therefore, the city has requested that Kroger remove the pond. In its place a new, low maintenance riprap plunge pool will be constructed to help dissipate the energy and reduce the velocity of the water of the stormwater leaving the city's 60" RCP storm sewer pipe. In order to remove the pond and construct the new plunge pool, the slope will need to be disturbed.

**5. Decreased groundwater recharge due to changes in site hydrology.**

Impervious cover will be increased as part of construction. However, a new underground stormwater vault will be constructed to attenuate and detain runoff from the increased impervious cover. This vault will be designed to retard the timing of release in order to keep the runoff from having a coincidental peak with that of the existing 60" RCP storm sewer. By keeping the peak release of the pond separate from the rest of the site, runoff will have a better chance infiltrating into the ground. In addition, the outfall from the vault is upgradient of the 60" RCP and has an increased path of travel from the outfall to the Meadow Creek; again increasing potential for infiltration. Additionally, the city has requested the installation of a new "plunge pool" as explained above. The plunge pool will hold water b/w rain events to allow additional water the potential to infiltrate into the ground.

**6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.**



It would be difficult to argue that the critical slopes proposed to be disturbed add to the “natural beauty” of the back of the shopping center. They are merely a manmade earthwork (not natural) that enabled the creation of the existing shopping center. What trees that do exist will be removed. However, the slopes and existing trees are starting to be covered by an invasive vine species that needs to be eradicated (see pictures below). Additionally, trees will be planted on-site to beautify the development and the site will now be occupied by a strong, national tenant known for their ability to thrive and should remain viable and well maintained for years to come. If not approved, the site has the potential to remain abandoned and outdated.

Photo taken behind the buildings on the southern end of the existing truck turn around facing West (notice erosion and vines):



Photo taken behind the buildings on the southern end of the existing truck turn around facing South (notice vines behind the fence):





Close up of vines in picture above:





Another picture of invasive vines on the south side of the site:



**Finding #2. Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.**

The existing shape and size of the developed property prohibits the ability to use the site as desired for a new Kroger Grocery Store. It is not reasonably possible to shift the store forward into the existing parking to avoid the existing slopes do to terrain, conformity with the rest of the site and adequate parking and circulation. Additionally, delivery and fire services must be maintained behind the store necessitating the expansion of the existing drive.

**List of attachments:**

Exhibit 1: Survey of Existing Property

Exhibit 2: Site Plan

Exhibit 3: Steep Slope Disturbance

Exhibit 4: Existing Pond Report

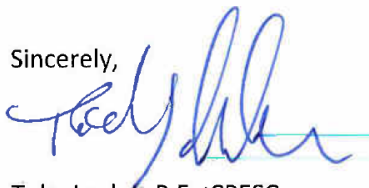
Exhibit 5: Existing VSMP Approval

Exhibit 6: Sight Line Study

Exhibit 7: Conceptual Perspective Elevation

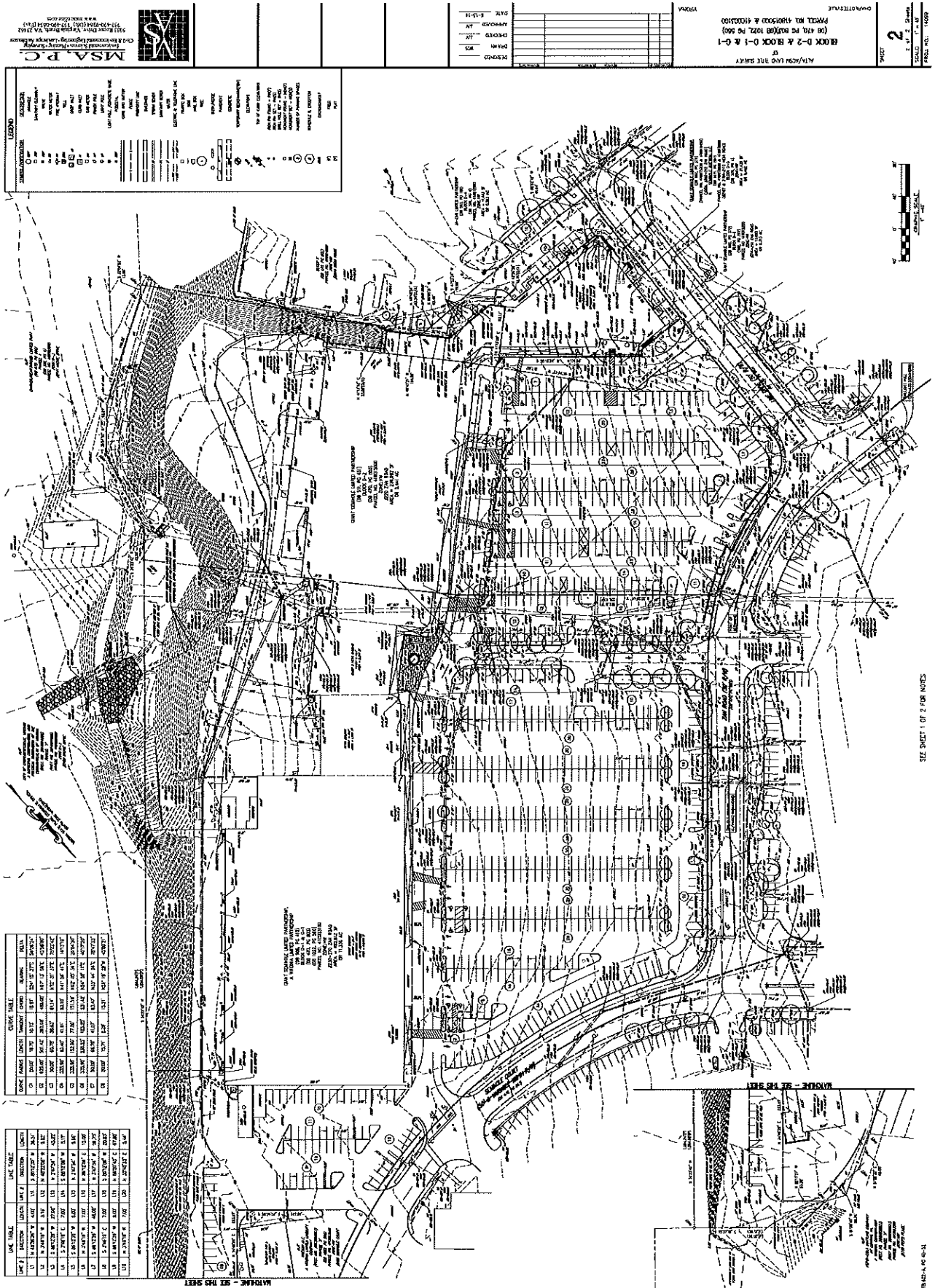
Exhibit 8: Landscape Plan LA-2

Sincerely,



Toby Locher, P.E., CPESC  
Kroger Limited Partnership I

Site Plan Existing Conditions



SEE SHEET 1 OF 2 FOR NOTES

BLANK PAGE









IF YOU DIG VIRGINIA...  
CALL US FIRST!  
UTILITIES PROTECTION CENTER  
IT'S THE LAW  
Know what's below.  
Call before you dig

PROPERTY OWNED BY:  
CITY OF CHARLOTTEVILLE

APPROXIMATE LIMITS OF PLACED  
STEEL SLOPES TO BE DISTURBED  
AND LINED WITH RIPRAP

STREAM BUFFER  
APPROXIMATE 100'

APPROXIMATE LIMITS OF STEEP SLOPES  
TO BE DISTURBED BUT RETAINED

PROPOSED PLUNGE POOL

### LEGEND

- STEEL SLOPE TO BE REMOVED SHADED BLUE
- PROPOSED RETAINING WALL SHADED RED
- PROPOSED RIP-RAP AREA OUTLINED IN GREEN
- PROPOSED UNDERGROUND VAULT IN CYAN
- APPROXIMATE LIMITS OF EXISTING STEEL SLOPE TO BE DISTURBED BUT RETAINED IN CYAN

PROPERTY OWNED BY:  
CANNONHEARTHWOOD LIMITED PART

VICINITY MAP  
SCALE: NONE



KROGER STORE R-369  
200 N. HARRIS  
CHARLOTTEVILLE, VA 20102  
(540) 563-3645



KROGER LIMITED PARTNERSHIP  
P.O. BOX 14002, ROANOKE, VA 24002  
200 N. HARRIS  
CHARLOTTEVILLE, VA 20102  
(540) 563-3645

94,982 S.F. REMODEL/EXPANSION  
7.35 AC



LIMITS OF EXISTING BUILDING  
TO BE REMOVED

APPROXIMATE LIMITS OF STEEP  
SLOPES TO BE REMOVED

## STEEL SLOPE DISTURBANCE EXHIBIT #3

PROPERTY OWNED BY:  
GIANT SEMINOLE LIMITED PARTNERSHIP

RX AND BANK  
DRIVE THRU

SHOPS 'A'  
7,000 SF TO REMAIN

SCALE: 1" = 20'  
0 20 40 60 80 100



STEEL SLOPE  
DISTURBANCE  
EXHIBIT #3

DATE: 01-15-15  
PROJECT NUMBER: 12-517  
SHEET NUMBER: EX. 3

ROBERTSON LOIA ROOF  
ARCHITECTS & ENGINEERS  
3650 Preston Road, Suite 275, Arlington, Texas 76010  
77067-0205, Phone: (817) 441-1415

Due to the Technical Nature of the Kroger  
Report (pages 112-183)

These pages have not been made accessible  
to a Screen Reader.

Call (434) 970-3182 if you would like more  
information on the contents.

July 5, 2002

Final Technical Report: Field Monitoring of Retrofitted Stormwater Basins in the Meadowcreek Watershed  
June 30, 2002

1. The Michie basin has always had a documented spring contributing to the inflow in the basin. Was any attempt made to quantify this flow volume or perform sampling on the spring? Could baseflow adjustment be made to minimize the impact of the spring on the calculations?
2. During the engineering evaluation of the dam at the Michie basin there was evidence of short-circuiting to the far north end of the dam. Additionally, hydraulic evaluation indicated that any storm classified as a 10-year storm or greater would overtop the dam and the riser structure. Were any of these flow conditions present in either the pre- or post-retrofit storms or sampling?
3. The construction of the Michie Drive basin necessitated a complete regrading of the area, with significant land disturbance. No mention was made of the construction completion dates versus the sampling periods. In the case of the Michie Basin construction, replanting was not complete until late February. Until the spring of 2002, there was a severe drought in the area, which undoubtedly impacted the regrowth and maturity of wetlands grasses, plants and trees.

The impact of scour on TSS values can reasonably be expected in a newly resceded area. Does the post-retrofit sampling represent a true "post-retrofit" condition? The status of the two basins during the time of post-retrofit sampling should be discussed, as it may significantly impact the results.

4. Further discussion of the size limitations of the Michie Drive basin may serve to explain why the PA/DA ration cannot be improved by enlarging the basin. It is surrounded on all sides by development, with the inlet and outfall locations fixed along the short axis of the oblong basin. The goal of the retrofit was to improve what currently exists. Additionally, there are large numbers of young children living near the basin, thereby requiring that the basin be maintained as a dry-basin facility.
5. Page 3, Section 2 touches on Charlottesville rainfall data. This statement does not seem to match with rainfall data I have seen for the Charlottesville area. Please expand this explanation.
6. Please explain why the pre- and post-retrofit inflow monitoring points for the Michie Drive basin were changed. Please discuss the potential impact to the data collection.
7. Page 16, Figure 4.2 This photo was taken post-retrofit. As can be seen in the photo, there are still areas where the plant life has not completely reestablished itself from the construction period.
8. Pg. 26, Section 7 The description of what was completed at the basin does not match the construction drawings. Please revise.
9. Pg. 33, Section 7.2.1 The analysis attributes the high TSS values in the Michie basin to the large sand particle sizes rather than the high numbers of particles. What was the particle size distribution? Do the sand particles appear to be from the construction site or transported into the basin via the inlets? Was there varying particle size distributions for each rainfall event?
10. Pg. 54, Item 9 The study recommends the implementation of additional measures to prevent resuspension of the sediment layer in a dry forebay. What type of measures are recommended?

**DRAFT**

**Final Technical Report**  
**Field Monitoring of Retrofitted Stormwater Basins**  
**in the Meadow Creek Watershed**

Submitted to:

Thomas Jefferson Planning District Commission  
P.O. Box 1505  
Charlottesville, VA 22902-1505

Attention : Rochelle Garwood  
Project Manager

Submitted by:

Shaw L. Yu, Ph.D.  
Professor of Environmental Engineering

Mary Froelich, M.S.  
Former Graduate Research Assistant

Jing Li  
Graduate Research Assistant

School of Engineering and Applied Science  
Department of Civil Engineering  
University of Virginia  
Charlottesville, Virginia

June 30, 2002



## ACKNOWLEDGEMENTS

This project was funded by the Virginia Department of Conservation and Recreation (DCR) through the Thomas Jefferson Planning District Commission (TJPDC) under a Section 319 grant of the Clean Water Act. The County of Albemarle, the City of Charlottesville, and the University of Virginia and the TJPDC were collaborators in this research effort.

The authors would like to thank Nancy O'Brien, Rochelle Garwood of TJPDC, David Hirschman of Albemarle County and Jennifer Whitaker of Charlottesville City for their assistance throughout the study. Robert Copper, who managed the project on behalf of DCR, is especially acknowledged for his many comments and suggestions during the course of the project. The authors thank the entire UVA Stormwater Research Group for their help in field sampling and laboratory analysis. The authors would also like to acknowledge Dr. Elizabeth Fassman, a former graduate student, for her assistance in site selection and preparation, training of laboratory personnel and field monitoring.

## ACRONYMS, ABBREVIATIONS, AND SYMBOLS

BMP	Best Management Practice
COD	Chemical Oxygen Demand
DCR	Department of Conservation and Recreation
DEQ	Department of Environmental Quality
EMC	Event Mean Concentration
EPA	Environmental Protection Agency
MDL	Method Detection Limit
MRE	Mass Removal Efficiency
NURP	National Urban Runoff Program
OP	Ortho-Phosphate
SOL	Summation of Loads
SWM	Stormwater Management
TJPDC	Thomas Jefferson Planning District Commission
TN	Total Nitrogen
TP	Total Phosphorus
TSS	Total Suspended Solids
UVA	University of Virginia
VWQS	Virginia Water Quality Standards

## EXECUTIVE SUMMARY

The Upper Rivanna/Meadow Creek/Moores Creek area has long been listed as one of the high nonpoint source pollution areas in Virginia. With continuing urbanization, road building and other developments, the water quality in streams and rivers in the region have been under significant stress. Several previous studies have indicated that stormwater runoff pollution is a major contributor to the poor water quality. Best Management Practices (BMPs) are commonly used for controlling stormwater runoff pollution. BMPs, when properly designed and maintained, can serve not only for flood control but also for a certain degree of pollution removal. However, most of the existing stormwater management facilities in the Meadow Creek Watershed were designed primarily for flood control due to specific local runoff control requirements. Retrofitting of existing facilities to enhance water quality benefits has been considered an effective strategy in dealing with stormwater pollution. Information on the performance of retrofitted stormwater management facilities is rather limited. The present study was initiated in 2000 for the purpose of demonstrating that retrofitting is a viable method of controlling nonpoint sources of pollution in the Meadow Creek region. The Thomas Jefferson Planning District Commission (TJPDC) secured a Section 319 grant from the Virginia Department of Conservation and Recreation (DCR) to start the present project about retrofitting exist stormwater runoff control facilities in Meadow Creek Watershed. The University of Virginia 's Department of Civil Engineering was subcontracted by TJPDC to undertake stormwater-monitoring tasks of this project.

Two detention basins (Hillsdale Drive Basin and Michie Drive Basin) were selected to retrofit and to monitor the water quality benefits gained by implementing the retrofit in the City of Charlottesville and the County of Albemarle of the Meadow Creek Watershed. Based on the characteristics of these two detention basins and the pre-retrofitting sampling results, several retrofit technologies were conducted for both detention basins, which includes the resizing of the outlet structure, installing of the sediment forebay, and planting the vegetation. This report summarizes stormwater-sampling results conducted on these two existing urban detention basins. Baseline data

(dry weather and storm event before retrofit) and data for assessment of detention basin performance after retrofit were provided. Runoff samples were analyzed for total suspended solids (TSS), total phosphorus (TP), ortho-phosphate (OP), total nitrogen (TN), chemical oxygen demand (COD), and metals of zinc, copper and lead. The comparison of the event mean concentrations (EMCs) of these constituents for each monitoring station was presented. The removal efficiency of pollutants for each detention basin was also computed as the percent difference of the mass loading entering and leaving the detention basin. An U.S. methodology was applied to estimate the long-term TSS removal efficiency for each basin.

Results of this study revealed that detention time increased for both detention basins after the retrofit. During the study period, the average detention time increased from 13.1 hours to 36.9 hours for the Hillsdale Drive Basin, and the average detention time for the Michie Drive Basin increased from 3.1 hours to 28.7 hours. This contributes to the improvement in treating stormwater runoff for both basins. As stated before, the water quality of stormwater runoff from this study area was characterized by the event mean concentration (EMC). The average pre-retrofitting effluent EMCs are 56.4 mg/l for TSS, 1.25 mg/l for TP, 0.85 mg/l for OP, 24.0 mg/l for COD, 3 mg/l for TN, and 0.18 mg/l for Zn at Hillsdale Drive Basin. After retrofitting, the average effluent EMCs of this site are 44.0 mg/l for TSS, 1.15 mg/l for TP, 0.35 mg/l for OP, 35.5 mg/l for COD, 1.25 mg/l for TN, and 0.11 mg/l for Zn, respectively. For the Michie Drive Basin, the average pre-retrofitting effluent EMCs are 1324.5 mg/l for TSS, 2.9 mg/l for TP, 1.3 mg/l for OP, 128.4 mg/l for COD, 4.5 mg/l for TN, and 0.42 mg/l for Zn. After retrofitting, the average effluent EMCs are 277.2 mg/l for TSS, 1.67 mg/l for TP, 0.8 mg/l for OP, 82.6 mg/l for COD, 2.67 mg/l for TN, and 0.19 mg/l for Zn, respectively. The calculation results of mass loading removal efficiency at the samples collected period showed that Hillsdale Drive Basin improved 50.6 % for TSS, 7.95 % for TP, 17.3 % for OP, 9.05 % for COD, 16.7 % for TN, and 10.4 % for Zn. For the Michie Drive Basin, the mass loading removal efficiency was not performed since the monitoring volume of outflow exceeded the volume of inflow for the pre-retrofitting sampling. Further research is needed to evaluate the source and extent of inflow water, perhaps from undocumented springs.

Results from four storm events monitored at the study sites indicated that the two detention basins were effective in reducing peak flows during storm events after retrofitting. For the Hillsdale Drive Basin, an average peak reduction of 74% was observed for rainfall events ranging from 0.32 in. to 0.62 in. The most intense storm monitored, with 0.56 in. within one hour, resulted in a peak reduction of 82.7%. Peak flow reduction was increased around 5% after retrofit. For the Michie Drive Basin, the peak flow rate of the outlet exceeded the maximum inflow rate and the reduction of peak flow was 72.5 % after retrofit.

The U.S. Environmental Protection Agency (EPA) methodology was applied to estimate the long-term pollution removal of these two detention basins. On the basis of some certain assumptions, the TSS removal reach 97% under both dynamic and quiescent conditions at the Hillsdale Drive Basin, and the dynamic TSS removal is 55% at the Michie Drive Basin. Results showed that the pond area ratio or PA/DA (pond area: drainage area) played an important role in TSS removal. The PA/DA is 1.25% for the Hillsdale Drive Basin and is 0.52% for the Michie Drive Basin. To achieve 70% or better TSS removal, the PA/DA ratios would need to increase to 2 % or greater at the Michie Drive Basin.

In summary, the following conclusions and recommendations can be made.

- 1). Although the two detention basins were primarily built for flood control, after retrofit, detention time for both basins increased significantly and so did the effectiveness of pollutant removal for some parameters.
- 2). The Hillsdale Drive Basin showed a certain water quality treatment performance before retrofitting. After retrofitting, the increase in water quality benefit was significant. Average mass loading removal efficiency after retrofitting was increased 50.6 % for TSS, 7.95 % for TP, 17.3 % for OP, 9.05 % for COD, 16.7 % for TN, and 10.4 % for Zn when comparing them to those from pre-retrofitting sampling .
- 3). The Michie Drive Basin showed that the pollution removal efficiencies gained by the



retrofit implementation was not as obvious as that for the Hillsdale Drive Basin. Scouring may be one of the reasons that negative removal efficiencies were calculated for this site. Further monitoring is recommended to better evaluate the water quality treatment performance of this basin.

- 4). Data for most parameters showed that the quality of post-retrofit basin outflows from both basins was better than that of pre-retrofit outflows.
- 5). Flow results showed that both detention basins provided a better water quantity control after retrofitting. The reduction of peak flow increased from 69 % for pre-retrofit to 74 % for post-retrofit condition for the Hillsdale Drive Basin, and the reduction of peak flow increased from negative values for pre-retrofit to 72.5 % for post-retrofit conditions for the Michle Drive Basin.
- 6). The performance of detention basins was affected by many factors, such as the characteristics of drainage areas, the topography, size of detention basins, and very prominently, the rainfall intensity. The results of the 06/04/02 sampling effort show the impact of a high-intensity event. High rainfall intensity apparently caused the effluent EMCs to exceed the influent EMCs for the Hillsdale Drive Basin due to perhaps the scouring and/or resuspension of the bottom materials previously deposited in the basin..
- 7). During the monitoring period, sampling data showed a wide-range of variability in pollutant removal efficiencies. To determine the long-term pollutant removal efficiency, a more long-term monitoring effort of, for example., five years, is recommended.
- 8). The small permanent pool was important to the TSS removal for the Hillsdale Drive Basin. However, due to the standing water, a significant amount of trash was seen in the pool and some floating on the water surface. Periodic cleaning, especially after large storms, is recommended.

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## 1. INTRODUCTION AND BACKGROUND

With the development of urbanization, more impervious areas appear and cause dramatic changes about the pollutant loads and hydrology of the watershed. As a result of this urbanization, flooding is more frequent and of higher magnitude, critical wildlife habitats are destroyed, droughts are more severe, and erosion and pollutant transport increase. However, many existing stormwater management facilities can not meet the need of this situation, since many of them were originally designed for flood control and pay little attention to water quality improvement. One of the greatest challenges to water quality control in urban areas is the need to retrofit the existing stormwater management facilities.

Study sites of this project are located on the Meadow Creek Watershed. The Meadow Creek Watershed is part of the Upper Rivanna River/Moores Creek hydrologic unit (H28) in the James River Basin in Central Virginia. Several studies have identified the Meadow Creek Watershed as having impaired water quality. The area is also on the Virginia Department of Environmental Quality's 303(d) TMDL priority list as containing polluted water due to urban nonpoint source runoff. (Fassman, 2000). According to the study performed by Dewberry & Davis in 1996, Meadow Creek has poor water quality, especially during the storm events. The sampling data from both upstream and downstream stations showed that mean stormflow concentration of TP, OP and TSS exceeded the National Urban Runoff Program (NURP) range for residential, commercial, and mixed land. The metals of Copper, Lead, Zinc, and Cadmium exceeded Virginia Water Quality Standards (VWQS) during stormflow (Table 1.1).

As one of Rivanna River's tributaries, Meadow Creek drains a watershed of approximately nine square miles, 30% of which is covered by impervious surfaces. This creates a high pollution potential for urban nutrients and urban erosion. Both the *South Fork Watershed Study* and *State of the Basin* report concluded that Meadow Creek's water quality problems were a result of urban stormwater runoff, and its water

quality problem will eventually affect Rivanna River. It's been estimated that there are about 70 aboveground stormwater facilities in Charlottesville and Albemarle, but they mainly provide flood control function. Many studies called for retrofits of these existing stormwater management (SWM) facilities in the Meadow Creek watershed, including the evaluation of existing SWM, the development of design parameters, and the establishment of a priority list of possible retrofits (Fassman, 2000). Under this situation, In 1998, the Thomas Jefferson Planning District Commission (TJPD) secured a Section 319 grant from the Virginia Department of Conservation and Recreation (DCR) to start a project about retrofitting current stormwater control facilities in the Meadow Creek watershed to seek a method about improving pollution removal efficiency. The County of Albemarle, the City of Charlottesville, and the University of Virginia joined TJPD in this retrofitting research effort.

Table 1.1. The Comparisons of Meadow Creek Stormflow Water Quality Measurements to NURP and Virginia Water Quality Standards (VWQS)

Parameter	Mean Downstream Stormflow Concentration (mg/l)	Mean upstream Stormflow Concentration (mg/l)	NURP range (mg/l)	VWQS Chronic Acute (mg/l)	
Dissolved Reactive Phosphorus	0.259	0.255	0.080-0.143	DEQ Enrichment Standard=0.2	
Total Phosphorus	0.744	0.605	0.201-0.383		
Total Suspended Solids	254	161	67-101		
Arsenic	0.1302	0.1291	0.0010-0.0500*		
Copper	0.0343	0.0258	0.027-0.083	0.007	0.009
Lead	0.0658	0.0455	0.104-0.144	0.001	0.035
Zinc	0.0417	0.1132	0.135-0.226	0.060	0.066
Cadmium	0.0030	0.0040	NR	0.0007	0.0018

Source: South Fork Watershed Study, Dewberry & Davis, April 1997.

\*Range for all study sites; other ranges are for various land use.



## 2. PURPOSE AND SCOPE

Based on the rainfall records of Charlottesville, most rainfall occurs in the summer daily period. Consequently, The retrofit method is planned for stormwater control basins to capture runoff from these smaller storms in Charlottesville, such as a routine summer cloudburst, and to allow and enhance natural pollutant removal mechanisms to halt the flow of contaminants into Meadow Creek. In Charlottesville and Albemarle, most of 70 aboveground stormwater facilities are dry detention basins primarily designed without water quality objectives. Since the budget restrictions did not allow the retrofit of all these facilities; therefore a prioritization methodology was needed to pinpoint the retrofit projects that would yield the greatest number of benefits on the watershed scale. First of all, it is necessary to investigate all major stormwater management facilities, drainage areas in Charlottesville and Albemarle and create a database. Then, each site in the database would be evaluated its effectiveness of stormwater runoff control and prioritized its rank for retrofitting. The prioritized sites would then be retrofitted, each in turn as funding was available, to improve water quality in the Meadow Creek watershed (Skipper, 2001). According to their location, topography, land use, imperviousness and, on the basis of practical and design considerations (e.g. ownership/maintenance responsibility, accessibility, condition, volume needed to detain 10-year storm, and cost of retrofit) (Meadow, 1998), two storm water basins were selected to retrofit and to monitor the water quality benefits obtained by implementing the retrofit in the Meadow Creek watershed. One is in the City of Charlottesville (Michie Drive Basin) and the other is in the County of Albemarle (Hillsdale Drive Basin), both on government-maintained property-for retrofitting.

The Department of Civil Engineering in UVA was subcontracted by TJPDC to perform water quality data collection and analysis at each site before and after retrofitting. The pre-retrofitting data collection was performed in the summer and fall of 2000 for a total of two storm events. The post-retrofitting data collection was performed in the spring and summer of 2002 for a total of four storm events. This

report summarizes the results of stormwater sampling and evaluates the performance of the two detention basins after retrofitting.

As a sub-contractor to TUPDC, the University of Virginia has the following objectives:

- I. To monitor the water quality impacts of the BMP retrofit implementation. The effort includes pre-and post-retrofitting sampling of the selected basins in the Meadow Creek watershed.
- II. To develop a methodology which will permit the transfer of results on BMP performance and water quality impact to other parts of the Meadow Creek watershed and to other watersheds.
- III. To estimate the expected long-term pollution removal efficiency resulting from the retrofit for both detention basins.

Measuring the impact of retrofitting  
comparing the pre and post retrofit results

### 3. LITERATURE REVIEW

Stormwater management facility retrofits involve modifying existing runoff control systems to enhance water quantity and quality control functions and retrofit designers need to know the expected effect of changes in different design parameters on the pollutant removal efficiency of the stormwater management facilities. Further, urban retrofits will involve a wider range of design variations than conventional best management practices (BMPs) installed during new development (Urban, 1994). Thus, it has become more important than ever to assess the effect of various design parameters on BMP performance. For example, a United States Geological Survey study of environmental research needs reports there is an immediate need to develop a coordinated program to address how to carry out water quality retrofits. Their research goals involve identifying elements of existing facilities that may be modified to provide water quality protection, and finding and evaluating existing retrofits (TRB, 2000).

Retrofitting existing stormwater management facilities is a new field of civil engineering, which will presents many challenges and benefits. For detention basins, there are many retrofitting opportunities, which have been used and proved.

### 3.1. Conversion to Allow Extended Detention

Frequently the most feasible retrofit options involve adjustments to existing facilities. Many older systems have some form of a detention pond that would offer several options for improvement. A common retrofit is the conversion of a dry detention basin to a dry extended detention pond or wet pond, which is expected to extend storage time and to achieve the added water quality benefits. Although wet ponds have shown the best pollutant removal performance, in some cases, a dry extended detention pond is preferred. Due to the shorter detention in a dry extended detention basin, there is less risk of releasing warm, anoxic water downstream. In addition, the lack of a permanent pool can allow the land to be used for recreation during dry periods, and in general create a safer environment for area residents. When this is the case, retrofits can address the problem of resuspension of pollutants through the introduction of vegetative cover, regular sediment removal, or the addition of a pre-sedimentation basin. A pre-sedimentation basin (or stilling/settling basin) is a vegetated basin formed by building an underwater barrier dam across each inlet. The resulting basin allows the settling time that would otherwise be absent in a dry detention pond. Like a sediment forebay in a wet pond, stilling basin dissipates the energy of incoming flow and allows larger sediments to settle in an area where they can be easily removed (Price *et al.*, 1995). However, if a sediment forebay is installed in a dry pond, some measures should be taken to prevent a hard "first-flush" from pushing the sediments deposited during the last storm event to the receiving water bodies.

### 3.2. Outlet Modification

The primary method of converting a dry extended detention basin or a wet pond for flood control to a water quality control basin is to modify the outlet structure. The main mechanism of this method is to reduce water release rate and extend detention time and help sediment settle. Outlet modifications can range from simple, low-cost techniques, such as reducing the orifice size by placing a low berm or metal plate in front of the existing outlet, to more extensive measures involving the complete replacement of the outlet and the installation of weirs or perforated risers. For pollutant



removal, the orifice diameter should be sized such that the overflow rate (i.e. release rate/ surface area) is less than the pollutant settling velocity (Schaefer, 1989). Table 3.1 gives typical settling velocities for a range of particle sizes.

Table 3.1. Settling Velocities of Mineral Particles in Still Water (Ferguson, 1998)

Particle Size	Settling Velocity (ft/day)	Time to Settle 1 ft
Gravel	283,000	0.3 seconds
Course sand	28,300	3.0 seconds
Fine sand	2,260	38.0 seconds
Silt	43.6	33.0 minutes
Clay	0.00436	230 days
Colloids	0.0000436	63 years

As a general rule, to provide water quality benefits, the treatment volume of a basin should provide at least 0.5 inches of storage per acre of drainage area (Schaefer, 1989). Figure 3.1 shows the required orifice diameter as a function of drainage area, assuming 0.5 inches of storage in a 5-foot-deep basin. As shown, drainage areas of 60 to 100 acres require a detention facility with a reasonable 6-8 inch outlet to achieve a 24-hr extended detention time. However, for smaller drainage areas, the orifice diameter becomes excessively small and impractical due to an increased susceptibility to clogging (Roesner *et al.*, 1991). In general, the orifice diameter should not be less than 3 inches to prevent clogging. (In an EPA report, clogged low-flow outlets were cited as the primary source of maintenance problems in detention basins (USEPA, 1993).)

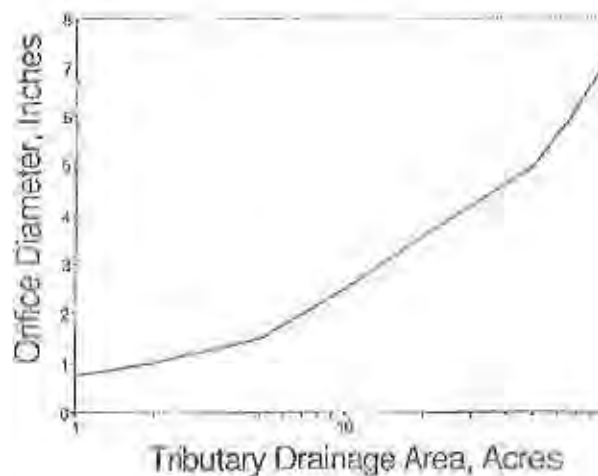


Figure 3.1. Orifice Sizing to Control Det. Basin Discharge (Roesner *et al.*, 1991).

One way to achieve the benefits of improved detention time and reduced release rates, even for smaller watersheds, is the use of perforated pipes, membranes, or gravel at the outlet instead of a single opening. For example, a perforated riser outlet is a vertical section of pipe with many holes and typically wrapped with filter fabric and backfilled with riprap (Lower, 1997). This option can remain unclogged while yielding the equivalent discharge of a single orifice with a less than two-inch diameter (Newman, 1999). A similar answer is the installation of a 100 ft weir at the outlet. Because the width of the notch increases with height, a v-notch weir allows discharge at higher flow rates if the narrower part of the weir becomes clogged at the lower elevations (Lower, 1997). A final solution is an outlet pool (also termed a micropool or bottommarsh) at least three feet deep and with flat side slopes. Gentle slopes provide shoreline stability and allow the establishment of wetland vegetation. In the mean time, the low flow outlet is submerged and less likely to be clogged by floating debris or accumulated sediment, particularly if the pipe is placed on a reversed slope (Price *et al.*, 1995). In an extended detention pond, a micropool also provides some minimal water retention, thus enhancing biological uptake and avoiding resuspension of pollutants with the next storm event.

While a reduced outlet diameter improves the detention time for the water quality design storm, additional modifications must be made to the outlet structure and basin to compensate for the reduced outflow rate during larger storms. One option is outlet structures with two or more orifices that allow water to be released at greater rates as the water level reaches higher stages. For example, consider the following scenario: a 60 inch outlet pipe is installed to accommodate a 100-yr storm; an eight-foot diameter catch basin with two orifices and an open top is installed in front of the pipe; a 13 inch opening above the normal water level imitates the original release rates for small to moderate events; events with a greater than 2-year return period overtop the outlet structure and enter the 60 inch pipe; an emergency overflow embankment with a permanent erosion blanket allows for flows greater than the 100-year design flood; and finally, a 4 inch low flow opening below the normal water level can control flow from a less than 0.45 inch rain, slowing the release rate and allowing detention for the first flush. This structure demonstrates a system that can provide detention of a storm of almost any size (Price *et al.*, 1995). In addition to creating a multiple-release outlet, it may also be necessary to increase the overall basin storage volume to ensure the basin is capable of controlling 25-, 50-, and 100-year events (Roesner *et al.*, 1991).

### 3.3. Regrading and Planting

Decreasing the outlet size of a dry basin may exacerbate a ponding problem. Ponding, a type of basin failure, occurs when standing water remains in a dry facility. As dry detention basins are sometimes used for recreational purposes between storm events, and because standing water may draw mosquitoes, ponding is an important community concern. Ponding can be eliminated by regrading the basin so that the invert of the outlet is lower than all points in the basin, by resetting the outlet itself, or by planting wetland species in low areas. Regrading and the addition of wetland plants are important retrofit techniques for other reasons as well. Regrading to lessen side slopes reduces the chance of erosion, which would create heavy sediment loads on the detention basin. Gradual slopes also allow easier maintenance (i.e. trash pickup and mowing) and reduce the risk of a person's slipping down the slope. Finally, side slopes with a less than 3:1 grade allow plants to establish substantial roots and seed banks,

creating an abundant vegetative cover. Vegetated zones are defined by water inundation periods. For the most stable and functional side slopes, species that can tolerate frequent submersion should be planted at the bottom of the slopes, and plants needing drier environments should be planted at higher elevations (Lower, 1997).

### 3.4. Increasing Length-to-Width Ratios

Planting of wetland vegetation introduces another trade-off to consider when designing a detention basin retrofit. There may be a conflict between the need to maximize detention time and the desire to maintain a diverse plant community. Plants that are completely covered for more than three days are less likely to survive than those submerged for shorter periods (Price *et al.*, 1995). In some cases lengthening the flow path in a basin will allow long detention times while still maximizing the benefits of wetland vegetation. This can be achieved through berms, meandering channels, or the creation of multiple wetland cells or pools (Lower, 1997).

The length-to-width ratio is a measure of the flow path in a basin and can be defined as:

$$L/W_e \quad \text{(Eq.3.1)}$$

where,  $L$  = flow path from inflow point to outflow point

$W_e$  = effective width =  $A/L$

$A$  = pond surface area at normal pool elevation (Schaefer, 1989)

For a wet pond, maximizing the  $L:W$  ensures that incoming runoff displaces the water from previous events. The recommended minimum length-to-width ratios are 3:1 for wet ponds, and 4:1 for dry ponds (Lower, 1997). One method of increasing the  $L:W$  and preventing short-circuiting is to change the inlet/outlet orientation and geometry of a basin. An ideal basin is either long and narrow with the inlet and outlet at opposite ends of its major axis or the basin tapers outward from the inlet to the outlet, thus slowing influent velocity as the cross-section expands (Schaefer, 1989).

### 3.5. Short-Circuiting Prevention

Increasing the length-to-width ratio of a basin is an important measure to prevent short-circuiting. Short-circuiting is the term used to describe situations in which the actual residence time for a runoff parcel is significantly less than the theoretical detention. Any method of velocity dissipation serves to prevent short-circuiting. Retrofits providing this benefit include stilling basins, baffles, and energy dissipaters. Baffles can be easily constructed using materials excavated during grading. Energy dissipaters are shaped such that their hydraulic properties reduce the energy of incoming flow. In a dry extended detention pond, a major step to minimize short-circuiting is the removal of paved low-flow channels (Schaefer, 1989). Low-flow channels allow baseflow and runoff from small storms to flow directly through dry basins with little or no detention. These channels can be replaced with vegetated swales to slow the runoff and to encourage infiltration (Dreher, 1999). Finally, for a wet pond, increasing the pond depth can prevent short-circuiting.

### 3.6. Depth Adjustments

The depth of a basin may influence pollutant removal in several ways. Increasing pond depth can help to prevent wind, density, and velocity currents, which cause short-circuiting and hinder settling. In addition, the large cross-sectional area in a deeper basin serves to lower flow velocity. Finally, basin depth must be sufficient to allow storage of settled sediment without greatly reducing the total storage capacity of the basin (Schaefer, 1989). In general, if an additional volume of 0.5 inches per acre of watershed is added for sediment storage, sediment need only be removed once every 20 years (Ferguson, 1998). However, as previously mentioned, there is a trade-off between increasing basin depth and maintaining a diverse wetland plant community (Price *et al.*, 1995). Furthermore, there are problems with thermal stratification and anoxic conditions if a basin is too deep (Lower, 1997). Shallower pools (with a large surface area for a given volume) expose a larger proportion of the water to air and light, thus supporting the microbial activity that increases the uptake and decomposition of pollutants (Ferguson, 1998). Just as release rate should be based on settling velocities, basin depths should be chosen to maintain flow velocities less than ten times the design



settling velocities of critical pollutants for routine peak flows (Schaefer, 1989). In general, the recommended average depth is between three and six feet (Lower, 1997).

### 3.7. Other BMPs in Series

Finally, detention facilities can be enhanced by placing them in series with other best management practices. Dry detention basins may be combined with infiltration trenches (which typically can only treat the first flush volume) to provide additional peak flow control and pollutant removal (USEPA, 1999). Level spreaders may be used to spread collected flows into sheet flow, thus dissipating the flow velocity and distributing the water evenly across vegetated areas (Townsend *et al.*, 1999). Sand filters and water quality inlets may be used to treat the first flush of runoff before it enters a detention area. For sand filters, pollutants are strained out as the runoff passes through a sand-filled chamber. These filters are best at removing sediment and trace metals, but they have also had success in removing nutrients, BOD and fecal coliform. Sand filters require frequent maintenance to remain effective. Water quality inlets are underground chambers designed to separate out sediment, grit, and oil from parking lot runoff before the water is discharged into a detention basin. These, too, must be cleaned out at least twice a year. Placing other BMPs in series with detention basins increases the longevity of the basins by preventing the basins from filling with settled sediment and by storing the sediment in an area where it will not become resuspended (Lower, 1997).

### 3.8. Design Considerations

#### 3.8.1. Factors Affecting Site Selection and Design

There are many factors to consider when choosing a site for a retrofit and determining which retrofits will provide the most benefits.

##### Physical Factors

- Size and shape of available land
- Types of soil and vegetation
- Wetlands, floodplains, and riparian areas
- Natural drainage ways (not streams)

- Special habitats or geological formations
- Topography, potential for erosion
- Height of water table, depth to bedrock
- Centralized sewer or drinking water systems
- Susceptibility to freezing
- Drainage area, land uses (Shaver, 1999) (USEPA, 1999)

#### Hydrologic Factors

- Recharge areas, availability of supplemental water
- Tidal effects
- Receiving water concerns (e.g. temperature, nutrient levels)
- Runoff volume and flow rates
- Average rainfall frequency, duration, and intensity
- Downstream flooding
- Location of watershed
- Location within watershed (i.e. upper, middle, lower)
- 1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> order streams receiving discharge (Shaver, 1999)

#### Social Factors

- Potential for future development
- Safety concerns
- Community acceptance
- Maintenance accessibility
- Cost of land and other resources
- Local regulations or requirements
- Aesthetic considerations
- Experience of developer or contractor with a given BMP
- Types of pollutants (USEPA, 1999)

Generally, the best candidates for retrofits can often be identified by a few distinguishing site characteristics. First, the site must have a readily identifiable and measurable problem, for example, excessive streambank erosion, high pollutant loads, or frequent flooding. In addition, upstream drainage areas should typically consist of

commercial/industrial and high-density residential areas. Ideally, the retrofit benefits one of the watershed's larger tributaries, thus reducing the number of retrofits needed within the entire watershed to reach management goals. Finally, retrofits should be focused where existing facilities are ineffective (Price *et al.*, 1995).

In selecting a site, it is important to consider the effect of a retrofit on a watershed scale and the potential for several retrofits within one watershed to disrupt one another's effectiveness. For example, at its outlet, a detention basin will reduce the peak flow rate, but the downstream effect depends on how the discharge combines with flows from other tributaries. Delayed peak flows that then overlap downstream may cause new, higher combined peak flows in downstream areas that may not have previously experienced flooding problems. It has been estimated that this happens with 5-10 percent of basins (Ferguson, 1998).

### 3.8.2. Summary of Detention Facility Design Parameters

All of the above factors combine to influence the selection of retrofit design parameters. These decisions, in turn, determine the pollutant removal performance of the BMP. Detention facility design parameters that will affect removal efficiencies include:

- Surface area
- Length-to-width ratio
- Depth
- Maximum volume
- Permanent pool volume
- Local drainage area
- Maximum discharge rate
- Detention time (dry extended detention basin)
- Residence time (wet pond)
- Shoreline slopes
- Percent vegetated area
- Frequency of maintenance
- Forebays, outlet pools, stilling basins, filters



In particular, previous studies have related pollutant removal efficiency to specific pond area (i.e. the ratio of the pond surface area to the local drainage area), the ratio of the permanent pool volume to the volume of runoff from an average storm, and detention time.

#### 4. FIELD SAMPLING METHODS

The research objectives were implemented by sampling the inflow and outflow for each detention ponds during storm events, each monitoring site was equipped with Sigma 900 MAX automatic samplers and a rain gage. During storm events, samplers collected continuous flow, rainfall data, and runoff samples at specific time intervals. Generally, flow weighted composite samples were analyzed and event mean concentrations (EMCs) were used to determine pollutant removal efficiencies.

##### 4.1. Site Characteristics

Two sites (the Hillsdale Drive Basin of the City of Charlottesville and the Michie Drive Basin of the County of Albemarle ) were selected in this research. Table 4.1 summarizes the characteristics of the two sites.

Table 4.1. The Characteristics of the Two Monitoring Sites

Name	Location	BMP type	Runoff type	Drainage Area(acre)
HD Basin	Hillsdale Drive Charlottesville	Detention Pond	Commercial, Forest, Residential area	73.8
MD Basin	Michie Drive Charlottesville	Detention Pond	Commercial, Forest Residential area	79.8

##### 4.1.1. Hillsdale Drive Basin

The Hillsdale Drive dry detention basin, in Albemarle County, drains a 73.8-acre watershed; 42% of the watershed is impervious. The site receives stormwater

runoff from a shopping center, residential and forested areas. An estimated 35% of the watershed is commercial, 35% is multi-family residential, and 30% is forested as determined from a 1996 aerial photograph. Runoff enters the basin through a 60-inch diameter concrete pipe and flows through a tree-lined channel to a 27-inch diameter outlet pipe (24-inch diameter outlet pipe after retrofitting). After retrofitting, a rock check dam was constructed across the channel near the outlet. A small permanent pool of water exists and is surrounded by a variety of wetland plant species. The general view of this site is presented in Figure 4.1 and a topographic map of the site, generated from a November 2000 site survey can be seen from Appendix A.



Figure 4.1. The General View of Hillsdale Drive Basin, Charlottesville

#### 4.1.2 Michie Drive Basin

The Michie Drive basin is a dry detention basin, which is located within the Charlottesville City limits, slightly under a mile from the Hillsdale Drive site. It drains a 79.8-acre watershed; approximately 50% of the watershed is impervious. A 1994

acrial photograph indicates that approximately 73% is commercial and 27% is forested in the watershed. The primary inlet is a 60-inch diameter concrete pipe that empties into a small pool. Water leaving the pool flows through a tree-lined channel to a concrete outlet structure with a small orifice. A second inlet discharges into a side channel that joins the main channel approximately one-third of the way between the pool and the outlet. There is no baseflow in the side channel. For the pre-retrofitting sampling, the second inlet is a 22-inch diameter concrete pipe. For the post retrofitting sampling, the second inlet has been changed, which are close to the main detention pond and a rectangular weir was used for the flow calculation. The basin is designed to remain dry except during a runoff event and the specified detention period afterward. The general view of this site is presented in Figure 4.2. A topographic map of the site, created from a November 2000 site survey, can be seen from Appendix B.

why  
was this  
changed?



Figure 4.2. The General View of Michie Drive Basin, Charlottesville  
(After Construction).

\*

#### 4.2.Preparation of Sampling Sites

First of all, monitoring stations were installed at appropriate inlets and outlets for each site. The site identification numbers are presented in Table 4.2. Each station was equipped with an American Sigma 900MAX automatic sampler. Plywood boxes were used to house the automatic samplers in the field. Then the automatic samplers were calibrated in the UVA Stormwater lab and programmed for sampling and flow measurements at each site in accordance with the *American Sigma Operation and Maintenance Manual for the Sigma 900MAX Portable Sampler* (American Sigma, 1998). The additional calibrations were made in the field when necessary. The sampler intake strainer and depth sensor were secured with a hose clamp and positioned in the mainstream of the inlet and outlets parallel with the flow. Field preparation also included the construction of weirs to measure flows where necessary (i.e. the Michie Drive Basin inlet 2). A tipping bucket rain gage was set up at each site for rainfall record.

Table 4.2. Site ID

<u>Site Description</u>	<u>ID</u>
Hillsdale Dr. Inlet	2901
Hillsdale Dr. Outlet	2902
Michie Dr. Inlet	74301
Michie Dr. Outlet	74302
Michie Dr. Inlet 2	74303

#### 4.3. Sampling Procedure

Storm event sampling was used to assess the pollutant removal of the detention ponds for each site. As mentioned before, American Sigma 900 MAX portable automatic samplers were used to collect samples automatically at specified time interval once the water level rose to a certain height and triggered the samplers. The samplers then measure and record the simultaneous water level, flow rate through depth sensor-a pressure sensitive transducer, and rainfall data were logged by the sampler using the tipping bucket rain gage. Samples were automatically collected at the specified time interval by a high-speed peristaltic pump equipped with a Teflon-lined polyethylene or tygon intake line with a 0.95-cm inner diameter attached to a strainer.

An American Sigma Data Transfer Unit was used to transfer the logged data from each site within maximum 24 hrs. Logged data then transferred to UVA Stormwater lab computer and analyzed and calculated with INSIGHT software.

Stormwater samples were primarily analyzed as flow-weighted composites, which would represent the water quality and provide an average concentration of pollutants for the entire storm event. Once the samples were composited, they were preserved with acid when necessary, in accordance with the laboratory quality assurance/quality control protocol. Samples were sent to the EnviroCompliance Laboratory for metal analysis (pre-retrofitting oil and grease were also sent out for analysis) and the other parameters were analyzed in the UVA Stormwater lab.

#### 4.4. Sampling Strategy

Sampling for this project involved two parts: pre-retrofitting and post-retrofitting. It was conducted under two sets of conditions: dry weather and wet weather.

Pre-retrofitting monitoring began in the spring of 2000 and continued through the fall. Due to the construction of the retrofit and the limitation of weather condition, post-retrofitting sampling was conducted from April to June of 2002. Samples were collected using both grab sampling techniques and the automatic sampler. During the period of monitoring, the data and samples collected from several storms could not be used to analyze pollutant concentrations due to sampler problems. The pre-retrofit sampling was completed with two full baseflow data sets and two full storm event data sets at each basin. Post-retrofitting sampling was completed with three full storm event data sets at the Michie Drive Basin, four full stormwater event data sets at the Hillsdale Drive Basin, and one full baseflow data set for both sites.

Flow was measured at inlets and outlets. Manning Equation with a user defined pipe diameter, slope and roughness coefficient was applied to convert water depth to flow for regular open channels. When weirs were constructed, the weir equation was applied to determine flow for irregular channels.

The Manning formula for open channel flow is:

$$V = (1.49/n) R^{2/3} S^{1/2} \quad (\text{Eq. 4.1})$$



where,

$V$  = channel velocity (ft/s),

$R = A/P$ , the hydraulic radius (ft),

$A$  = cross-sectional area of channel (ft<sup>2</sup>),

$P$  = wetted perimeter of the channel (ft),

$S$  = energy slope, this equals the slope of the channel bed under uniform flow assumptions,

$n$  = roughness coefficient

1.49 = conversion factor from SI units (Bedient *et al.*, 1992).

The average roughness coefficient  $n = 0.013$  is the recommended value for a partly full concrete closed conduit. The following pipe slopes were determined from site surveys: Hillsdale Dr. Inlet (2.38%), Hillsdale Dr. Outlet (0.86%), Michie Dr. Main Inlet (2.92%), Michie Dr. Secondary Inlet (1% estimate for pre-retrofitting), Michie Dr. Outlet (0.13%).

For the Michie Drive Basin inlet2, the post-retrofitting sampling use the weir's equation to calculated the flow. The equation is:

$$Q = [3.27 + 0.04(H/H_c)](L - 0.2H)H^{1.5}, \quad (\text{Eq.4.2})$$

where

$Q$  = discharge, cfs

$H$  = head above weir crest excluding velocity head, ft

$H_c$  = height of weir crest above channel bottom, ft

$L$  = horizontal weir length, ft

#### 4.4.1. Dry-Weather Sampling

Baseflow sampling establishes background pollutant concentrations. This data provides a basis of comparison for storm event samples to better assess the extent of the pollution that is contributed by non-point source urban runoff as opposed to pollutants that are continuously present in the stream (e.g. from routine, point-source discharges). Baseflow samples were collected at a minimum of once every other month after a dry period (i.e. no precipitation) of at least 72 hours. Budget restrictions prohibited more extensive sampling. Dry-weather samples were collected using a grab sampling

technique. At each site, the sampling containers were submerged and filled as close to the location of the automatic sampler strainer as possible. Two dry weather sampling for pre-retrofitting and one for post-retrofitting sampling were conducted in this study.

#### 4.4.2. Wet-Weather Sampling

Storm event sampling consisted of a combination of grab sampling and automatic sampling. Only storm events preceded by at least 72 hours of dry weather were sampled according to the recommendation from Environmental Protection Agency (EPA), to make sure that there are enough contaminants accumulated on the ground. The American Sigma 900MAX sampler was programmed to begin sample collection when the water depth in the channel rose to a given trigger level.

Sampling intervals during the first flush period are shorter than during later periods because the flow magnitudes (and thus pollutant concentrations) change more rapidly in the rising limb of the hydrograph than during the falling limb, or post-peak, portion of the hydrograph.

## 5. LABORATORY ANALYSIS

### 5.1. Analytical Parameters

Based on the available laboratory equipment, cost of analysis, and the recommendations from the NURP (Table 5.1), the following water quality parameters were selected for analysis at each basin: total suspended solids (TSS), total phosphorus (TP), ortho-phosphate (OP), chemical oxygen demand (COD), copper (Cu), zinc (Zn), lead (Pb), total nitrogen (TN). Oil and grease (O&G) was monitored for pre-retrofitting and then stopped due to the low concentrations.

Table 5.1. Recommended Urban Runoff Analytical Parameters

Conventional Parameters	Nutrients	Metals	Biological Parameters
pH	Total Phosphorus*	Copper*	Fecal coliform
Total suspended solids*	Soluble phosphorus	Lead*	
Biological oxygen demand	Total kjeldahl nitrogen*	Zinc*	
Chemical oxygen demand*	Nitrate/nitrite nitrogen		
Settleable solids			
Temperature			

\*Pollutants analyzed for this study

Source:EPA(1991)

## 5.2. Sample Preparation

Samples were collected as soon as possible (within a maximum of 24 hours) after a storm occurred. As mentioned in section 4.3, composite samples were made according to flow-proportional method. Meanwhile, budget restrictions for the overall project (pre- and post-retrofit monitoring) require that samples also be analyzed as flow-weighted composites. The composite samples were then refrigerated and acidified (if required) as indicated in Table 5.2.

Table 5.2. Sample Preservation Requirements

Parameter	Container	Preservation	Analytical Volume Required (mL)	Maximum Holding Time
TSS	Polyethylene	Cool, 4°C	>250	7 days
OP	Polyethylene	Cool, 4°C	5	2 days
TN	Polyethylene	Cool, 4°C H <sub>2</sub> SO <sub>4</sub> pH<2	2	28 day
TP	Polyethylene	Cool, 4°C H <sub>2</sub> SO <sub>4</sub> pH < 2	5	28 days
COD	Polyethylene	Cool, 4°C H <sub>2</sub> SO <sub>4</sub> pH < 2	2	28 days
Cu, Zn, Pb	Polyethylene	Cool, 4°C HNO <sub>3</sub> pH<2	10	6 months
Oil and Grease	Glass	Cool, 4°C H <sub>2</sub> SO <sub>4</sub> pH < 2	>500	1 month

Prior to each sample collection, the polyethylene containers for TSS, OP, TP, TN, COD, and metals were thoroughly washed with a phosphate free detergent, rinsed with



tap water, acid-rinsed with 1:1 HCL, and finally rinsed with deionized water. Glass containers were used for oil and grease analysis to minimize sorption losses.

### 5.3. Analysis Techniques

Metals and O&G analysis were performed by Central Virginia Laboratories & Consultants (CVLC) for the pre-retrofitting sampling. Midway through the post-retrofitting sampling, this analysis was switched to EnviroCompliance Laboratories (EC) for a lower cost. All other constitutes for this project were conducted in the University of Virginia Stormwater Laboratory. Table 5.3 lists methods and procedures used for this study and their equivalents. The table also includes the method detection limit (MDL) for each parameter. Analyses for TP, OP, TN, and COD followed procedures described in the *Hach DR/2000 Spectrophotometer Handbook* (Hach Company, USA, 1991). All experimental techniques comply with the *Standard Methods for the Examination of Water and Wastewater* (Eaton et al., 1995).

Table 5.3. Analytical Parameters and Procedures

Parameter	Method	Procedure (and Equivalents)	MDL (mg/L)	Analyst
TSS	Gravimetric	Standard Methods 2540D	2.5	UVA
TP	Spectrophotometric	Hach Method 8190 (EPA 365.2, SM 45000-PE)	0.1	UVA
OP	Spectrophotometric	Hach Method 8048 (EPA 365.2, SM 4500-PE)	0.1	UVA
COD	Spectrophotometric	Hach Method 8000	5.0	UVA
TN	Spectrophotometric	Hach Method 10071	1	UVA
Cu	Total Copper	EPA 220.1	0.020 (0.05)	CVLC (EC)
Pb	Total Lead	EPA 239.1	0.1 (0.20)	CVLC (EC)
Zn	Total Zinc	EPA 289.1	0.005 (0.02)	CVLC (EC)
O&G	Oil and Grease	EPA 1664	5.0	CVLC

## 6. DATA ANALYSIS AND PRESENTATION

There are three methods that are most commonly used to calculate BMP efficiency. That is, the <sup>①</sup>mass removal efficiency (MRE) method, the <sup>②</sup>event mean concentration (EMC) method, and the <sup>③</sup>summation of loads (SOL) method (Development, 1999). Results will vary depending on the methods used. In general, concentration based techniques yield lower efficiencies than mass-based techniques (CWP Art#64 2000).

### 6.1. Mass Removal Efficiency (MRE) Method

The first method calculates removal efficiency for each individual storm based on a mass balance of the loads entering and leaving the BMP. The mean value over the entire monitoring period is taken as the overall efficiency. The mass removal efficiency for a single event is calculated as:

$$MRE(\%) = \frac{(Volume\ in \times Concentration\ in) - (Volume\ out \times Concentration\ out)}{(Volume\ in \times Concentration\ in)} \times 100$$

(Eq. 6.1)

Several assumptions are made when this method is used. First, it assumes that storm size does not have a big affect on the average BMP performance; all storms are weighted equally. Secondly, any storage and later release of pollutants from a single storm is assumed to be negligible. Being a storm-by-storm analysis, the MRE method does not consider that, for BMPs with a permanent pool, outflow may not be related to inflow. In other words, the outflow may not contain runoff from the current storm. Instead, the outflow may mostly consist of the "old" water that is displaced by the inflow. A possible disadvantage of this method is that both inflow and outflow data must be available for every storm (Development, 1999). In this study, however, both inflow and outflow were collected.

### 6.2. Event Mean Concentration (EMC) Method

The second method to determine pollutant removal is the calculation of the event

mean concentration (EMC) removal efficiency. Event mean concentrations are determined from analyses of flow weighted composite samples or from flow weighting of discrete measurements. When a composite is created, the EMC for the individual event is just the concentration in the composite sample.

When several discrete samples have been analyzed, the EMC for the individual event is defined as:

$$EMC = \frac{\sum_{i=1}^{\# \text{ measurements}} (\text{Volume during period } i) \times (\text{Avg Concentration for period } i)}{\sum_{i=1}^{\# \text{ measurements}} (\text{Volume during period } i)}$$

(Eq. 6.2)

EMC removal for the entire monitoring period is calculated as:

$$EMC \text{ Efficiency}(\%) = \left( 1 - \frac{\text{average outlet EMC}}{\text{average inlet EMC}} \right) \times 100$$

(Eq. 6.3)

The quantity in parentheses is termed the efficiency ratio. Because the EMC efficiency is in terms of average concentrations, and not mean efficiencies on a storm-by-storm basis, corresponding inflow and outflow measurements are not needed. All the data can be used, even if some data points are missing, because the method assumes that some missing outflow or inflow concentrations will not significantly affect the calculated average EMC. Of course this method assumes that if all storms were monitored, the average inlet and outlet EMC's would be similar to those that were monitored. Like the MRE method, for the EMC method, all storms are weighted equally regardless of magnitude. In other words, removal efficiencies achieved for smaller, cleaner storms have the same influence as those relating to larger values (Development, 1999). This characteristic should be especially considered if pollutant levels for some storms are near irreducible concentrations or the action of stormwater washing is intensive. In these

cases, the resulting removal efficiency may be poor, although additional treatment would not add any benefits.

### 6.3. Summation of Loads(SOL) Method

The final efficiency calculation is the summation of loads (SOL) method. The SOL efficiency is based on the total mass entering and leaving the BMP over all monitored events. SOL removal efficiency is calculated as:

*SOL Efficiency*(%) =

$$\left( \frac{\sum_{i=1}^{\# \text{ storms}} \text{Volume in } (i) \times \text{Concentration in } (i) - \sum_{i=1}^{\# \text{ storms}} \text{Volume out } (i) \times \text{Concentration out } (i)}{\sum_{i=1}^{\# \text{ storms}} \text{Volume in } (i) \times \text{Concentration in } (i)} \right) \times 100$$

(Eq. 6.4)

The loads for each storm (which are summed together) may be calculated from EMC's and total volumes or from the sum of multiple discrete measurements over a given storm hydrograph. This method requires monitoring data from a long enough period to accurately represent the entire load entering and leaving the BMP without being affected by temporary storage or export of pollutants. The SOL method assumes that unmonitored storms have similar export ratios (i.e. ratio of inlet load to outlet load) as monitored events, and that, for dry periods, the export ratio again is similar or that pollutant export is negligible. Using this method, the loads from a small number of large storms would dominate the efficiency calculations (Development, 1999).

In this study, due to the limited monitoring data, only mass removal method and event mean concentration were used to evaluate the pollution removal efficiency for both sites during the storm events period. Results of removal efficiency can be seen in section 7.

## 7. RESULTS AND DISCUSSION

During 2001, the retrofit engineering work at both sampling sites were implemented. The Hillsdale Drive basin was modified as described below:

- To install a new riser with a smaller orifice, the bottom outlet pipe diameter has been changed to 24 inches.
- To construct a rock check dam and create a small permanent pool in the outlet.
- To create two wetland zones near the channel and enhance the contaminant removal by plant uptake.

For the Michie Drive basin, a design was proposed to maintain baseflow from the 60-inch pipe and springs in the basin, while providing enhanced detention cells to separately treat the runoff pollutant load for the smaller storm event. To provide water quality benefits, the Michie Drive basin was modified as follows:

- To create "cells" to treat separate water quality issues in the basin individually.  
One is basically a hard-stabilized forebay to treat stormwater from the Heartwood apartments. The second cell also has a hard-stabilized expanding forebay and is along the left bank of the channel through the basin.
- To stabilize and realign the existing perennial channel through the basin. The channel has been moved away from the toe of the slope of the dam and stabilized with vegetation to reduce the bank erosion.
- To retrofit the outlet structure, resize the riser with a smaller orifice, and expand the emergency spillway of the dam.

The cell  
description  
→ stormwater  
retention  
and treatment  
cells  
(16000)

With the modifications described above, it is expected that the basins would have the following enhanced mechanisms that help increase the treatment efficiency for runoff quantity and quality control:

- Hydrology- a smaller orifice size reduces stormwater release rate, lengthens the detention time and tends to decrease the volume of water discharged.
- Creating a permanent pool or meandering path flow to enhance sediment settling and also remove contaminants associated with settleable particles.
- Planting - Vegetation can cover the flow channel and will help to remove contaminants by root uptake. The plant species are important and they should be selected so that the plants can survive both wet and dry conditions.

Obviously, the retrofit work is expected to improve contaminant removal efficiency by particle settling, biological uptake by plants, decay by microorganisms, and filtration.

A total of three dry weather sampling and eight-storm event sampling was conducted through the entire study period. Table 7.1 presented the rainfall statistics for monitoring storm events. Event flow weighted composites were analyzed for TSS, TP, OP, TN, COD, and metals of zinc, copper and lead. Oil and Grease only was analyzed for pre-retrofitting sampling due to the low concentrations.

Table 7.1. Rainfall Statistics for Monitoring Storm Events

Storm	Date	Total Depth (in.)	Total Duration (hr.)	Average Intensity (in./hr)
1	7/24/2000	0.32	7.75	0.04
2	8/10/2000	0.29	0.33	0.87
3	9/19/2000	0.85	4.75	0.18
4	11/14/2000	0.12	2.33	0.06
5	4/19/2002	0.32	1.87	0.17
6	5/4/2002	0.42	7.15	0.06
7	5/18/2002	0.62	2.92	0.21
8	6/4/2002	0.56	0.72	0.78

Table 7.2 gives average runoff concentrations based on a 1983 NURP compilation of over 2,300 monitored storms at 22 sites across the United States (Schueler, 1987), which provides a basis for comparison with results obtained in the present study.



Table 7.2. Average Pollutant Concentrations in Urban Runoff (mg/L) (Schueler, 1987)

TP	SP	TN	Nitrate	TKN	COD	Zn	Pb	Cu
1.41	0.49	3.31	0.96	2.35	90.8	0.176	0.180	0.047

Table 7.3 presents the dry and wet weather samples that were collected. A full data set includes samples from all inlets and the outlet of a particular site. Bar graphs of inflow, outflow and baseflow concentrations are presented to allow a quick comparison of data from each runoff event. The inflow and outflow values for each storm are expressed as event mean concentrations, which were determined from flow-weighted composites. The baseflow values are concentrations from the most recent background sampling period prior to each storm (i.e. the results from the 7/18 /00 baseflow measurements are presented alongside the 7/24/00 and 8/9/00 stormflow concentrations, and the 9/14/00 baseflow values are compared to the concentrations from the 9/19/00 and 11/14/00 storm samples, the 04/09/02 baseflow values are compared to the concentrations from the 04/19/02, 05/04/02, 05/18/02, and 06/04/02 storm water samples.). The baseflow concentrations, which were below or near detection limits for each parameter, were presented in the bar graphs as the values of the detection limits.

Table 7.3. Available Water Quality Data



	Date	Storm/Baseflow	Notes:
	6/5/00	Baseflow	Hillsdale Dr.; TSS only
	6/26/00	Baseflow	Hillsdale Dr.; does not include metals or oil and grease(O&G) analysis
	7/15/00	Storm	Michie Dr. (excluding 74303); does not include metals or O&G
	7/18/00	Baseflow	Both sites; full data set
Pre-Retrofitting	7/19/00	Storm	Hillsdale Dr.; O&G only
	7/24/00	Storm	Hillsdale Dr.; does not include O&G
	8/9/00	Storm	Michie Dr.; full data set
	8/27/00	Storm	Hillsdale Dr.; TSS only
	9/8/00	Baseflow	Both sites; TSS only
	9/14/00	Baseflow	Both sites; doesn't include TSS or O&G
	9/19/00	Storm	Michie Dr.; does not include O&G
	11/14/00	Storm	Hillsdale Dr.; does not include O&G
	4/9/02	Baseflow	Both sites; full data set
	4/19/02	Storm	Both sites.; full data set
Post-Retrofitting	5/4/02	Storm	Hillsdale Dr.; full data set
	5/9/02	Storm	Michie Dr.; (excluding 74303), does not include metals
	5/18/02	Storm	Both sites; full data set
	6/4/02	Storm	Both sites; full data set
	6/13/02	Storm	Michie Dr.; Does not include COD and metals

### 7.1. Detention time

For most detention basins, the dominant factors influencing pollutant removal are considered to be particle settling velocity and the pond size and geometry, which impact the detention time. Numerous literature documents have suggested that the detention time is an important criteria of the performance of detention basins. Usually, the detention time  $T$  can be calculated as follows:

$$T = \text{Total Runoff Volume} / \text{Average Outflow rate} \quad (\text{Eq. 7.1})$$

The actual detention time varies with the storm events due to unsteady situations. In this study, except for the Michie Drive basin under pre-retrofit conditions, the detention time was calculated by dividing the total inflow volume with the average outflow rate. The duration of outlet sampling for pre-retrofit conditions for the Michie Drive basin was used to be the estimated detention time since the volume of outflow exceeded the inflow volume. Table 7.4 presents the results of detention times for both

flow is  
now  
average  
for the  
3/10/02  
pipe

basins. It can be seen from the table that detention time increased for both basins after retrofitting. This will be beneficial for particulate settling and therefore for pollutant removal.

Table 7.4. Calculated detention time for the monitoring storm events at both basins

Basin	Storm Date	Detention Time	Average Detention
Hillsdale Drive Basin		(hr)	Time (hr)
Pre-Retrofitting	7/24/2000	16.1	13.2
	11/14/2000	10.2	
Post-Retrofitting	4/19/2002	26.4	36.9
	5/4/2002	27.8	
	5/18/2002	56.1	
	6/4/2002	37.2	
Michie Drive Basin			
Pre-Retrofitting	8/9/2000	3.1	3.1
	9/19/2000	3.1	
Post-Retrofitting	4/19/2002	57.1	28.7
	5/18/2002	13.0	
	6/4/2002	15.9	

Summary of  
data 1/9/2011  
- 10/1/2011  
- 10/1/2011  
- 10/1/2011

## 7.2. Water Quality Data

### 7.2.1. Total Suspended Solids (TSS)

TSS can cause an increase in turbidity and change in color of water, and also restrict light penetration and thereby damage aquatic habitats. Many studies indicated that total suspended solids is one of the most important contaminants in urban runoff. Figure 7.1 and Figure 7.2 present the pre and post- retrofitting TSS EMCs for the Hillsdale Drive Basin, respectively. Figure 7.3 and Figure 7.4 present the pre and post-retrofitting TSS EMCs at the Michie Drive Basin, respectively.

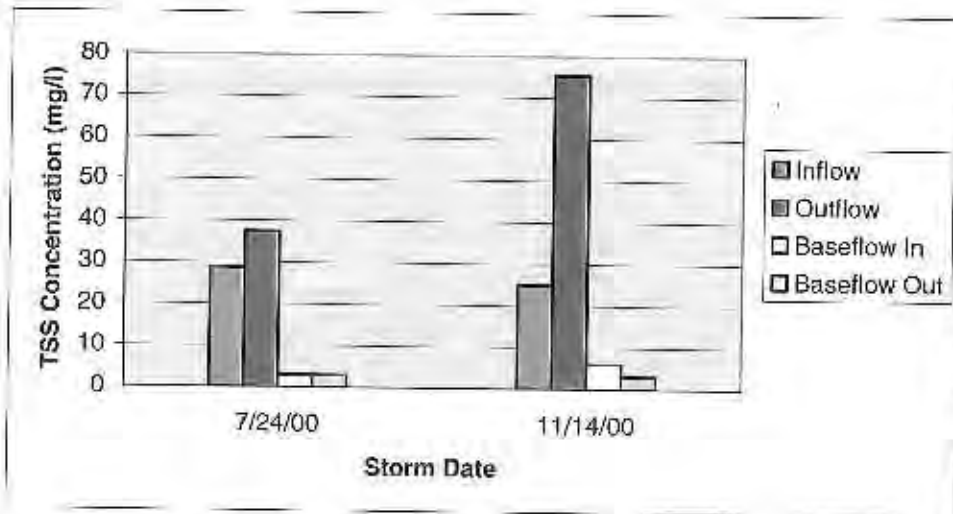


Figure 7.1, Pre-Retrofitting Storm Event TSS EMCs and Baseflow Concentrations at Hillsdale Drive Basin

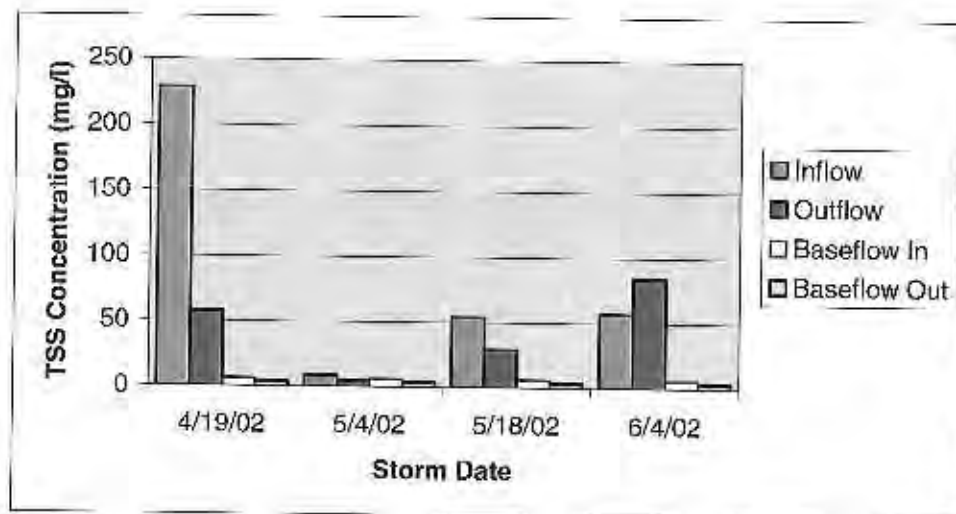


Figure 7.2, Post-Retrofitting Storm Event TSS EMCs and Baseflow Concentrations at Hillsdale Drive Basin

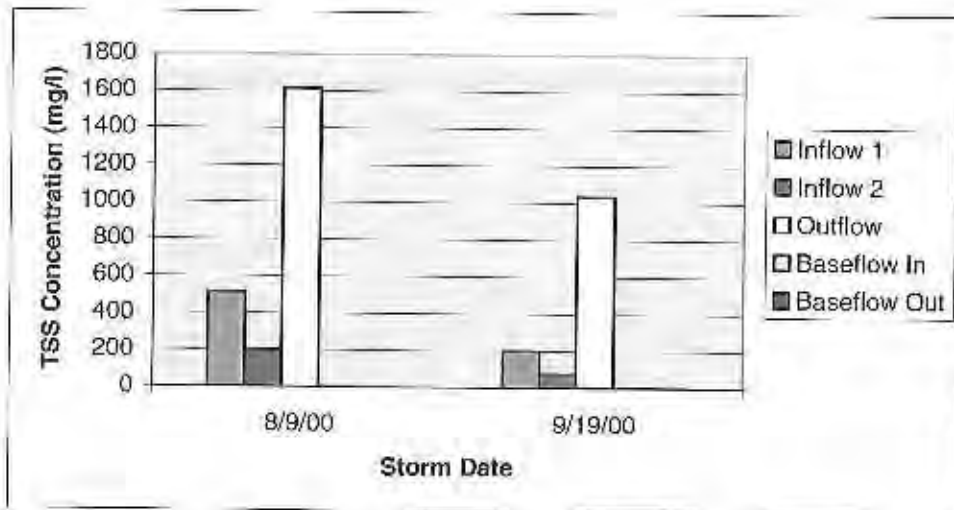
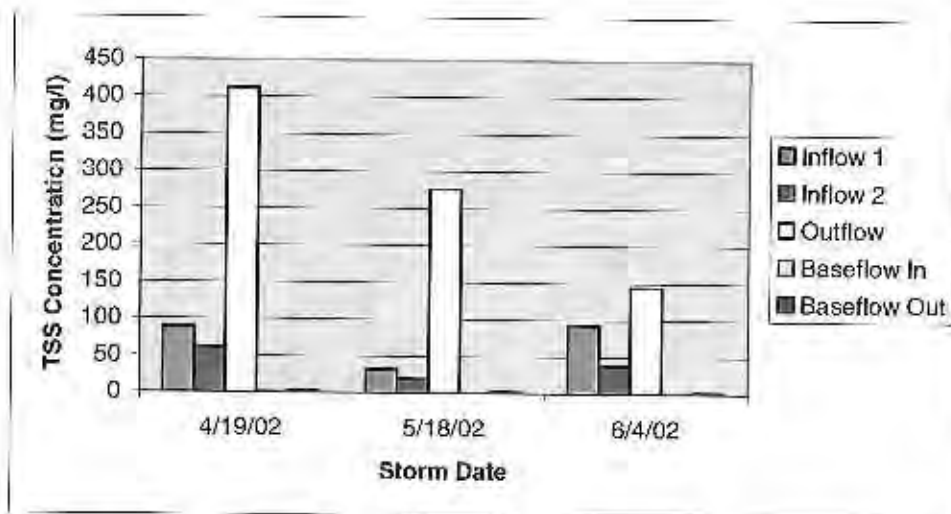


Figure 7.3. Pre-Retrofitting Storm Event TSS EMCs and Baseflow Concentrations at Michie Drive Basin



TSS outflow  
much lower  
may be making  
still picking up  
sediment in the  
basin.  
plant contribution?  
no close to  
construction?

Figure 7.4. Post-Retrofitting Storm Event TSS EMCs and Baseflow Concentrations at Michie Drive Basin

In general, TSS concentration varies widely depending on the condition of the channel, the channel sediment storage, and the stream velocity (Schueler, 1987). High TSS concentrations are expected in areas with open channels, cut banks alternating with sandbars, and fallen trees. High slopes, high watershed imperviousness, and recent or

ongoing construction will also contribute to high TSS concentrations. In contrast, low TSS concentrations are expected when flow paths consist of vegetated swales or storm sewers and in areas with stabilized land uses, low slopes, and low imperviousness (Schueler, 1987). In general, for a 100 acre watershed, Schueler predicts TSS concentrations between 100 and 300 mg/L. Therefore, the measured sediment concentrations at the Hillsdale Drive location seem unusually low (except the storm of 04/19/02). Disturbing the pipe or channel bottom at this site even slightly, however, causes the water to become very murky. Furthermore, storms at this site frequently cause changes to the streambed and shifting sandbars. This suggests that much of the solids transport at this location may be in the form of bedloads, which are not reflected in automatic samples. In contrast, the TSS concentrations at the Michie Drive location are little high. This may be more a factor of the particle size than the channel characteristics. Large particles were not removed during TSS analysis, therefore, the high TSS concentrations at the Michie Drive Basin are primarily due to the large sand particles suspended in the stormflow rather than an extremely high number of sediments.

From the above figures it can be seen that the Hillsdale Drive Basin has a better TSS removal performance after retrofitting and yet the TSS removal improvement for the Michie Drive Basin was rather insignificant. As stated before, a small permanent pool was created at the outlet, which might have contributed to an increase in sediment settling for the Hillsdale Drive Basin. Although a sediment forebay was installed at the Michie Drive Basin to facilitate sediment deposition, it did not function as well as a permanent pool and therefore showed some negative removal efficiencies, which are presumably due to washoff of sediment previously deposited in the forebay area.

#### 7.2.2. Total Phosphorus (TP) and Ortho-Phosphate (OP)

Phosphorus is one of the key elements necessary for growth of plants and animals. However, high level of phosphorus can stimulate aquatic plant growth wildly and cause eutrophication. Several studies showed that phosphorus level in the Meadow Creek Watershed exceeded NURP ranges for urban storm water runoff (see Table 1.1). As shown in Figures 7.5, Figure 7.6, Figure 7.7, and Figure 7.8, total phosphorus levels at both Charlottesville sites are almost near the average runoff concentration of 1.41 mg

PO<sub>4</sub>/L given in Table 7.2 except for the storm event of 9/19/00 for pre-retrofitting. After retrofit, TP level reduced at both sites. However, From Figures 7.9 to 7.12, it can be seen that ortho-phosphate concentrations are higher than the expected average soluble phosphorus (SP) concentration of 0.49 mg PO<sub>4</sub>/L. (OP is a measure of the phosphorus that is most immediately available for biological processes. SP includes OP and a fraction of the organic phosphorus; however, most of the SP is usually ortho-phosphate.) Generally, the Hillsdale Drive basin has a better OP removal performance. TP and OP removal efficiencies were not significant at the Michie Drive basin after retrofitting. Phosphorus levels may be high in commercial areas due to high levels of imperviousness, intensive landscaping, and fertilizer usage.

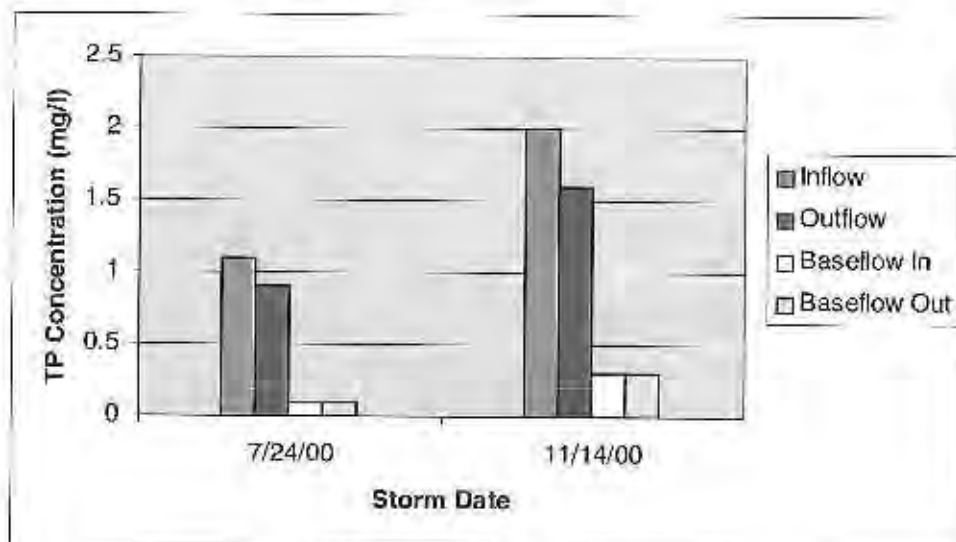


Figure 7.5. Pre-Retrofitting Storm Event TP EMCs and Baseflow Concentrations at Hillsdale Drive Basin

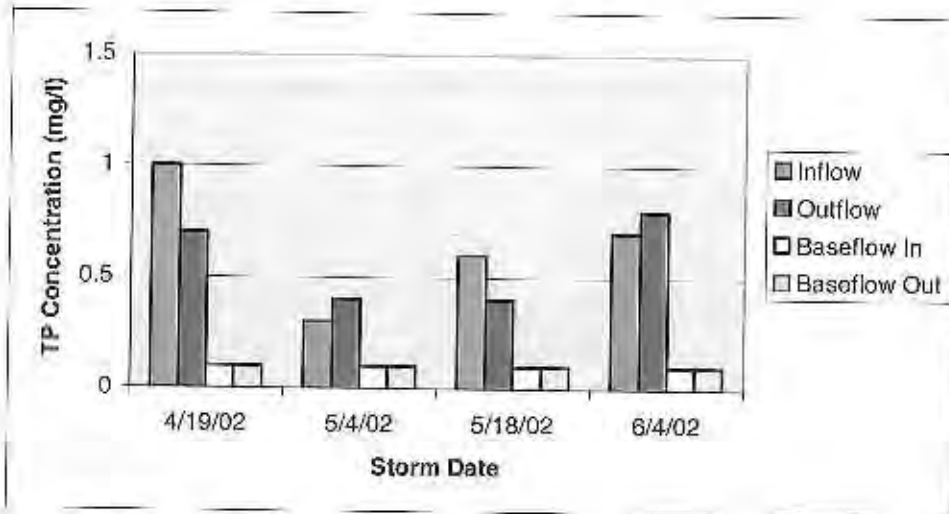


Figure 7.6. Post-Retrofitting Storm Event TP EMCs and Baseflow Concentrations at Hillsdale Drive Basin

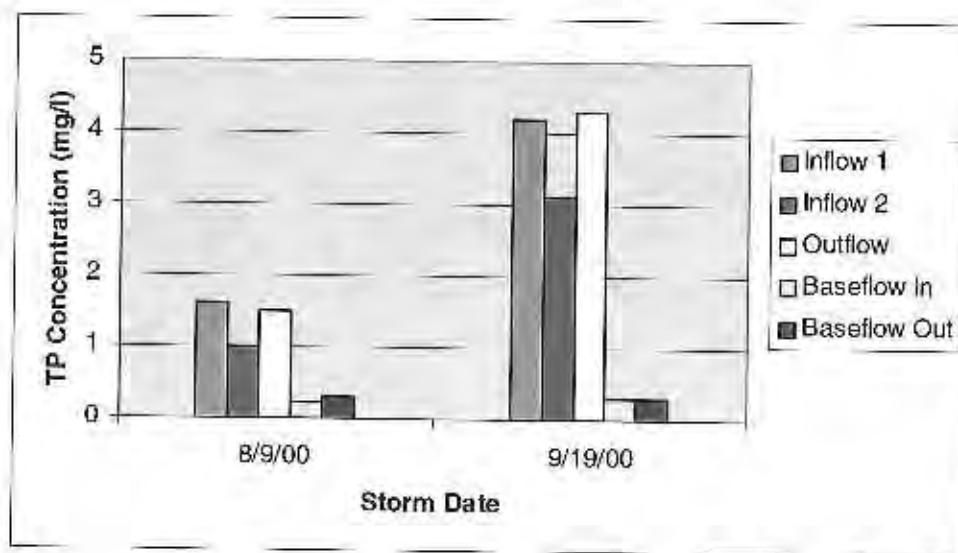


Figure 7.7. Pre-Retrofitting Storm Event TP EMCs and Baseflow Concentrations at Michie Drive Basin



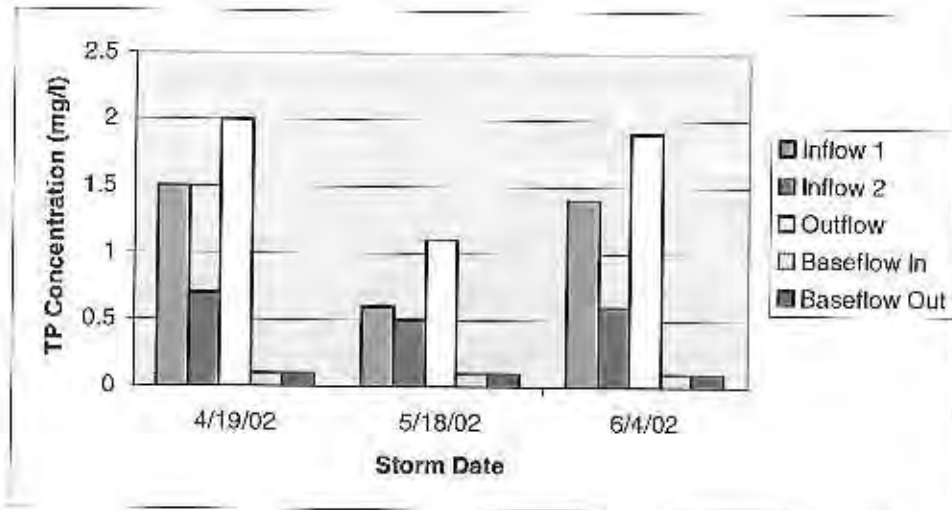


Figure 7.8. Post-Retrofitting Storm Event TP EMCs and Baseflow Concentrations at Michie Drive Basin

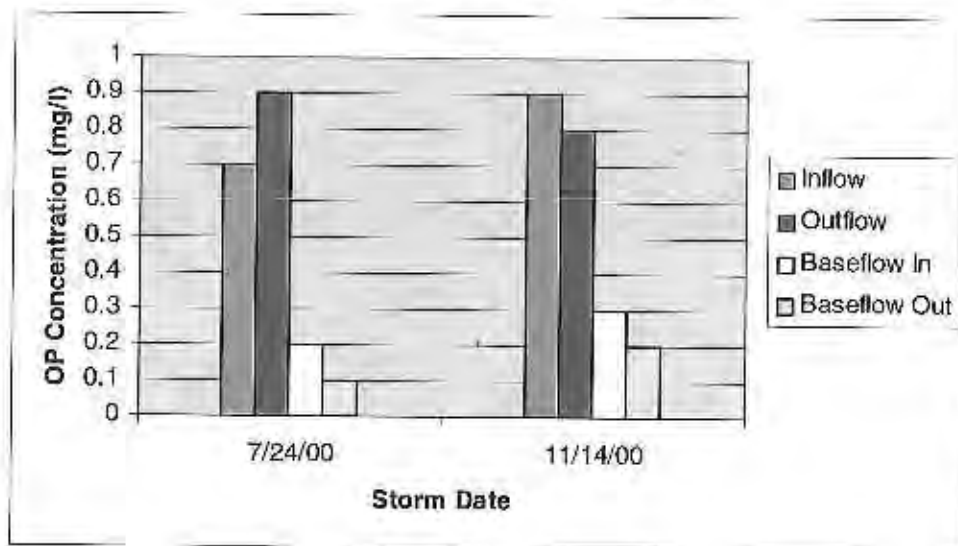


Figure 7.9. Pre-retrofitting Storm Event OP EMCs and Baseflow Concentrations at Hillsdale Drive Basin

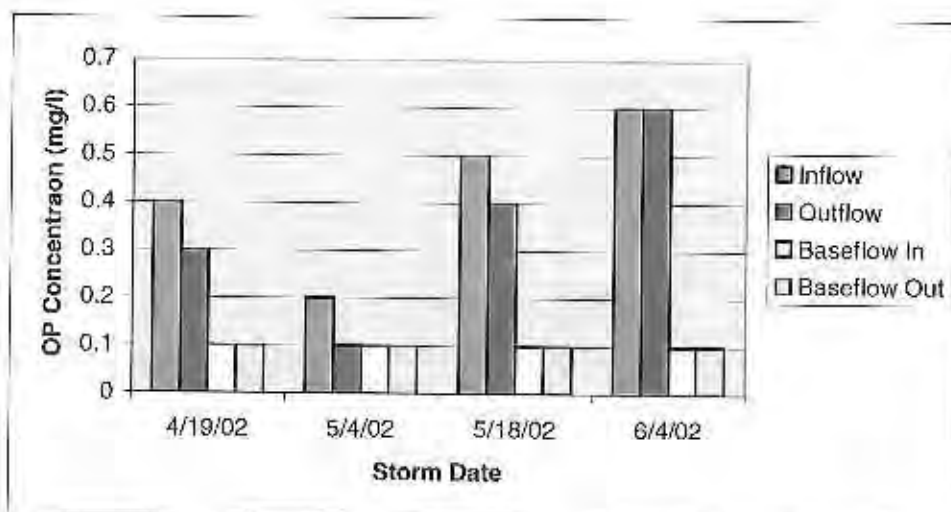


Figure 7.10. Post-retrofitting Storm Event OP EMCs and Baseflow Concentrations at Hillsdale Drive Basin

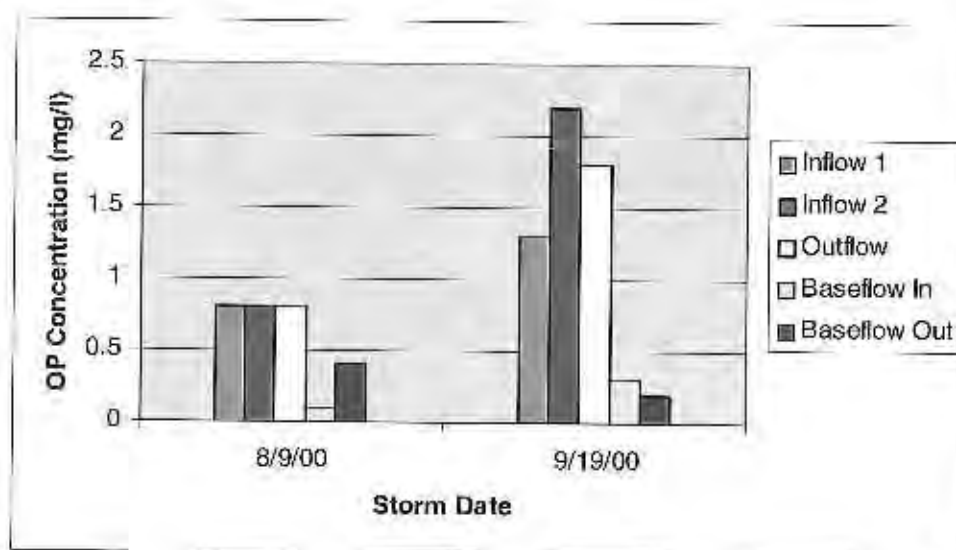


Figure 7.11. Pre-Retrofitting Storm Event OP EMCs and Baseflow Concentrations at Michie Drive Basin

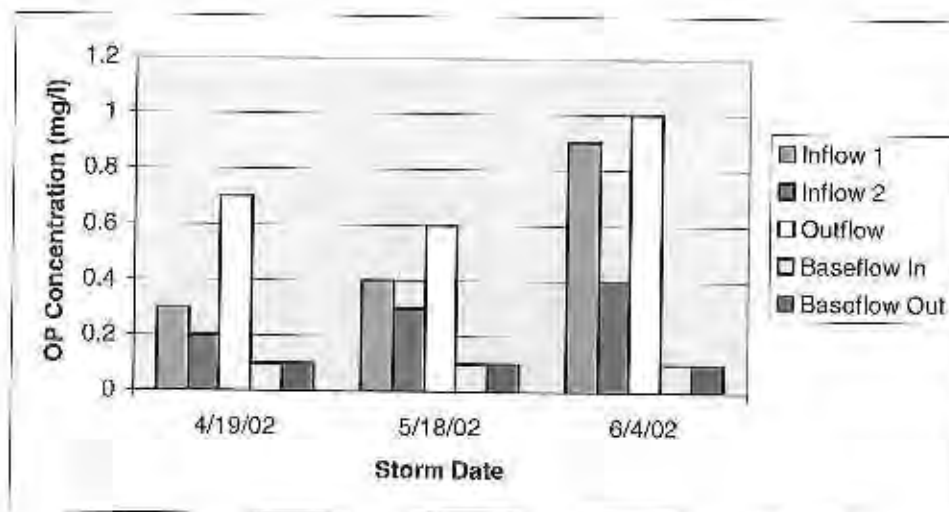


Figure 7.12. Post-Retrofitting Storm Event OP EMCs and Baseflow Concentrations at Michie Drive Basin

### 7.2.3. Total Nitrogen (TN)

The following four figures showed the storm event total nitrogen EMCs at both Charlottesville basins. Most stormflow total nitrogen concentrations are around 2 to 3 mg/l. This value is close to the average urban runoff TN concentration of 3.31 mg/l (Table 7.2). However, it should be noted that the TN concentration at the secondary inlet of the Michie Drive location was exceptionally high for the storm of 9/19/00. Compared with the post-retrofitting sampling results, it was thought that there might have been an unusual, one-time source of nitrogen (e.g. excess fertilizer) coming from upstream of the sampling location on 9/19/00. The results for the Hillsdale Drive Basin, on the other hand, showed a great deal of variability. It is therefore suggested that more monitoring be conducted to assess the TN removal performance for the retrofitted ponds.

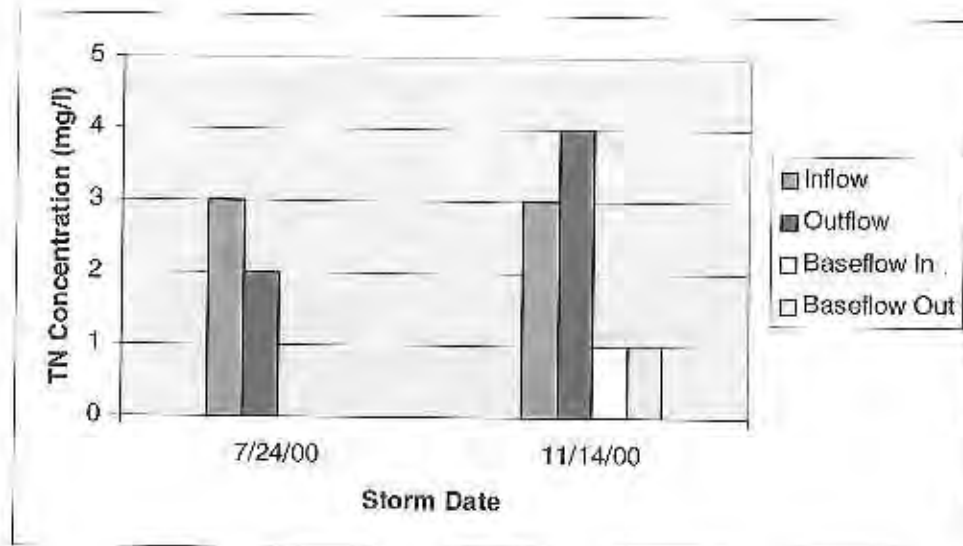


Figure 7.13. Pre-Retrofitting Storm Event TN EMCs and Baseflow Concentrations at Hillsdale Drive Basin

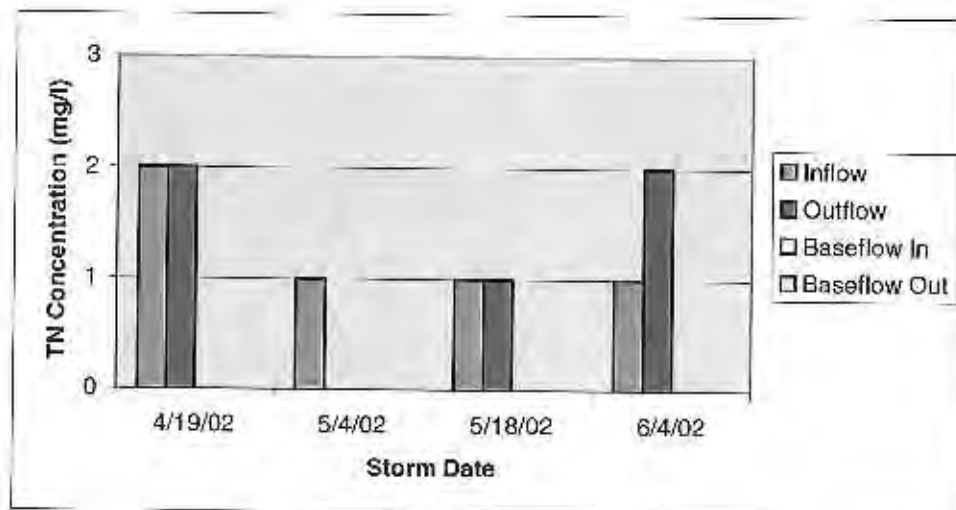


Figure 7.14. Post-Retrofitting Storm Event TN EMCs and Baseflow Concentrations at Hillsdale Drive Basin

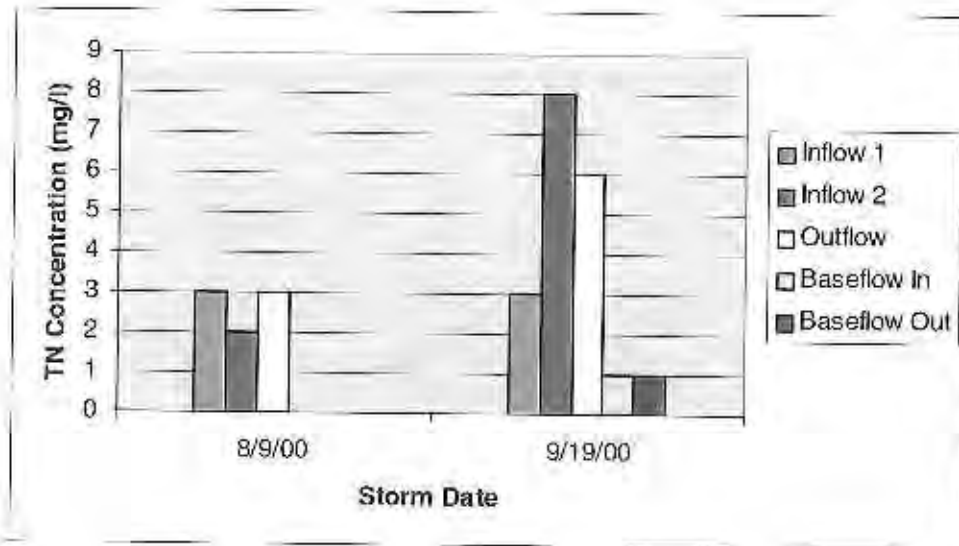


Figure 7.15. Pre-Retrofitting Storm Event TN EMCs and Baseflow Concentrations at Michie Drive Basin

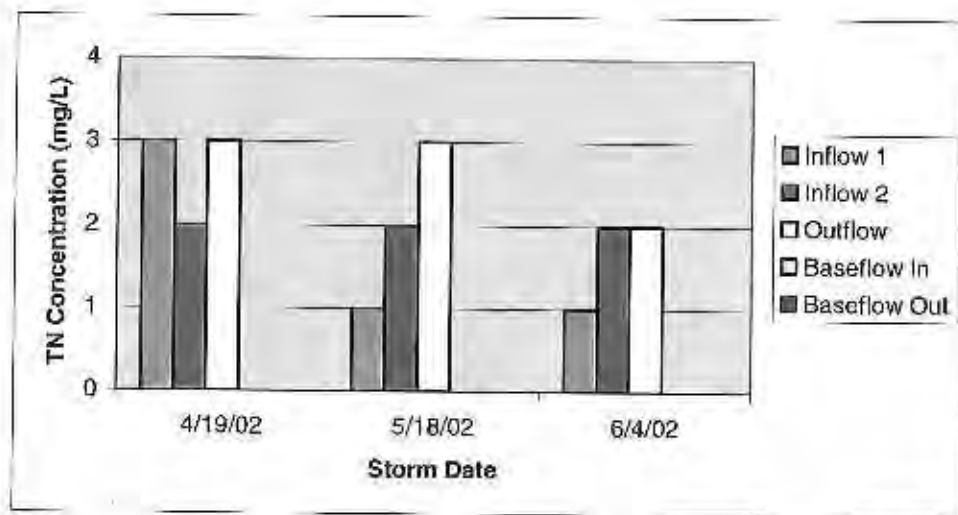


Figure 7.16. Post-Retrofitting Storm Event TN EMCs and Baseflow Concentrations at Michie Drive Basin

#### 7.2.4. Chemical Oxygen Demand (COD)

The chemical oxygen demand test measures the oxidizable matter present in urban runoff. It represents the total amount of oxygen required to oxidize organic to carbon dioxide and water. High levels of COD can lead to anoxic conditions. Figures

7.17 to Figure 7.20 present the EMCs (as determined from flow-weighted composites) of COD at the Hillsdale Drive and Michie Drive basins, respectively. Erosion is a primary factor contributing to both organic matter and sediment in urban runoff (USEPA, 1993). Therefore, it is not surprising that TSS concentrations of the inflows have some relationship with the COD concentrations. When low TSS concentrations were observed at the inlet, the COD concentrations were also low. The relationship between TSS and COD can also be seen when comparing the TSS and COD concentrations at the two study sites. The Michie Drive Basin has high COD levels due to high TSS concentrations. Some stormflow COD concentrations at the Michie Drive Basin are higher than the average urban storm runoff concentration of 90.8 mg/l found in the NURP Study (Table 7.2). On the other hand, the COD concentrations at the Hillsdale Drive Basin were found to be lower.

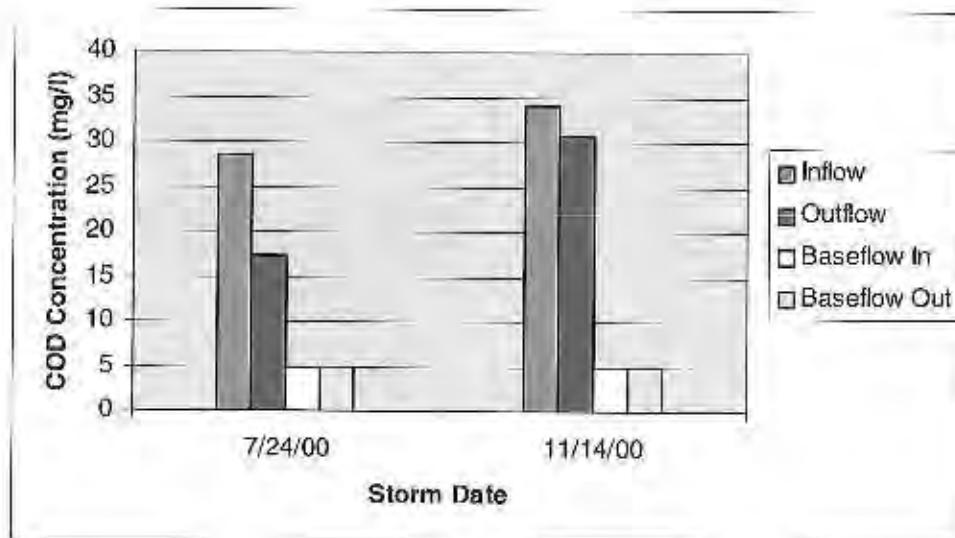


Figure 7.17. Pre-Retrofitting Storm Event COD EMCs and Baseflow Concentrations at Hillsdale Drive Basin

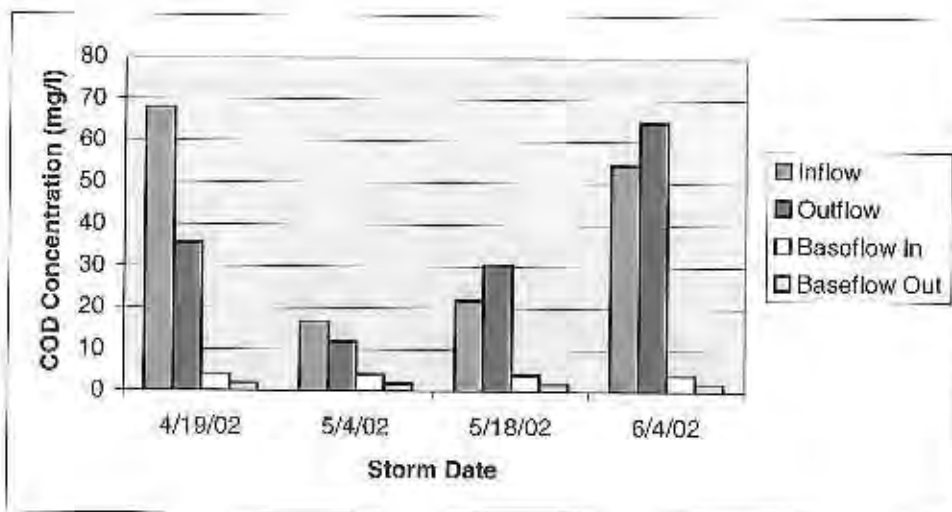


Figure 7.18. Post-Retrofitting Storm Event COD EMCs and Baseflow Concentrations at Hillsdale Drive Basin

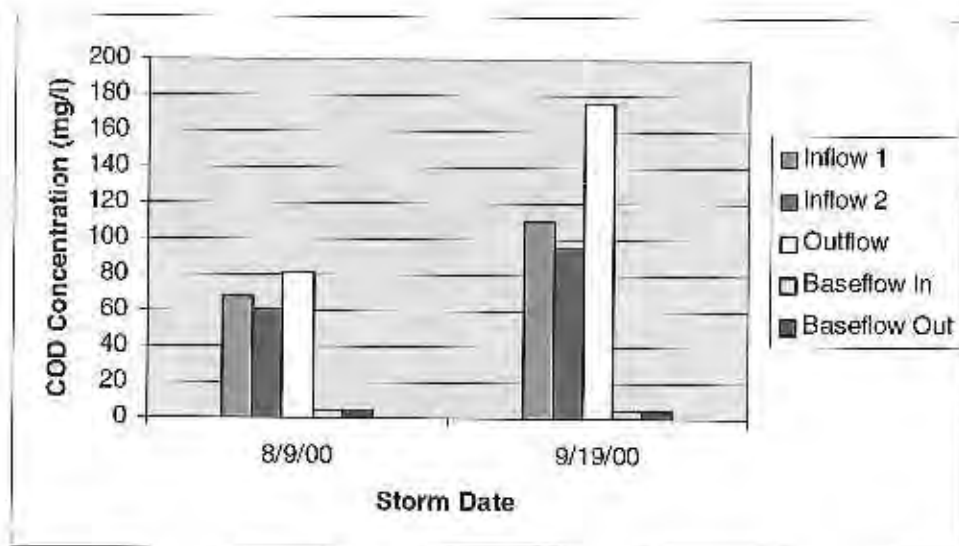


Figure 7.19. Pre-Retrofitting Storm Event COD EMCs and Baseflow Concentrations at Michie Drive Basin



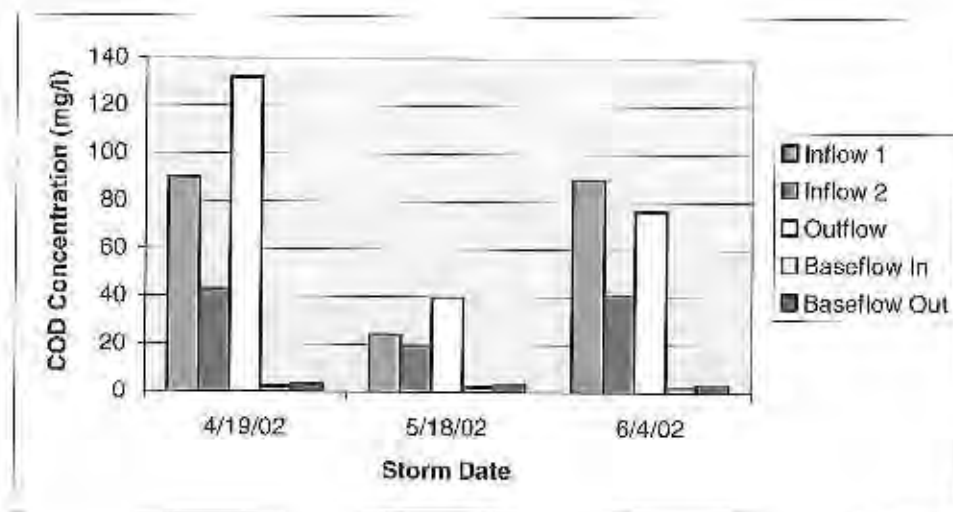


Figure 7.20. Post-Retrofitting Storm Event COD EMCs and Baseflow Concentrations at Michie Drive Basin

#### 7.2.5. Metals

The first set of metals samples sent to Central Virginia Laboratories & Consultants (CVLC) (7/18/00 baseflow and 7/24/00 storm flow) were analyzed using methods with 0.001 mg/L detection limits for Cu and Pb, and an 0.005 mg/L detection limit for Zn. A 0.001 mg/L detection limit is recommended for metals analyses (Strecker, 1999). This reflects the fact that metals become a pollutant at relatively low concentrations. For example, the acute toxicity level of 0.009mg/l for Cu, as specified by Virginia Water Quality Standards, is on the same order of magnitude as the recommended detection limit (Table 1.1). However, unexpectedly, the detection limits for the next set of analyses at CVLC (8/9/00 storm flow) increased to 0.020 mg/L for Cu, and 0.1 mg/L for Pb. These limits are above the VA Water Quality Standards, so, although no metals were detected in the analyses, they may have nevertheless been present at acute levels. In fact, though not reflected by the CVLC analyses, Cu, Pb, and Zn are almost always present at elevated concentrations in urban stormwater runoff. Unfortunately, when metals testing were switched to EnviroCompliance Laboratories, the

precision was lowered still further (detection limits of 0.05 mg/L, 0.20 mg/L, and 0.02 mg/L for Cu, Pb, and Zn respectively).

Despite the limited precision of the metals analyses, some important information still can be drawn from the results. The July pre-retrofitting storm samples at Hillsdale Drive Basin were analyzed with precise detection limits. Although the Cu and Pb inflow concentrations equaled or exceeded chronic levels, they were still an order of magnitude less than the national averages presented in Table 7.2 (0.047 mg/L and 0.180 mg/L respectively). For the next set of storm samples (the August storm at the Michie Drive Basin) the detection limits were not precise enough to allow comparison to the VA Water Quality Standards. However, the detection limits (and therefore the inflow concentrations) were still lower than both the national averages for urban runoff in Table 7.2. For the final pre-retrofitting set of analyses (9/19/00 storm at Michie Drive Basin and 11/14/00 storm at Hillsdale Drive Basin), the detection limits were at or slightly above the expected values from the literature. For the post-retrofit sampling, the concentrations of Cu and Pb are always below the detection limit. Therefore, the only conclusion that can be made is that the flow concentrations of Cu and Pb did not substantially exceed national averages, however, they may still have been present at elevated concentrations.

The results from the zinc analyses consistently exceeded detection limits, thus yielding more useful results. These concentrations are presented in Figures 7.21 and 7.22, Figure 7.23, and Figure 7.24. Every inflow Zn concentration measured in this study exceeded the Virginia Water Quality acute standard. As can be seen, Both sites have good metal removal performance gained by retrofitting implementation (except 6/04/02 of storm in Hillsdale Drive basin).

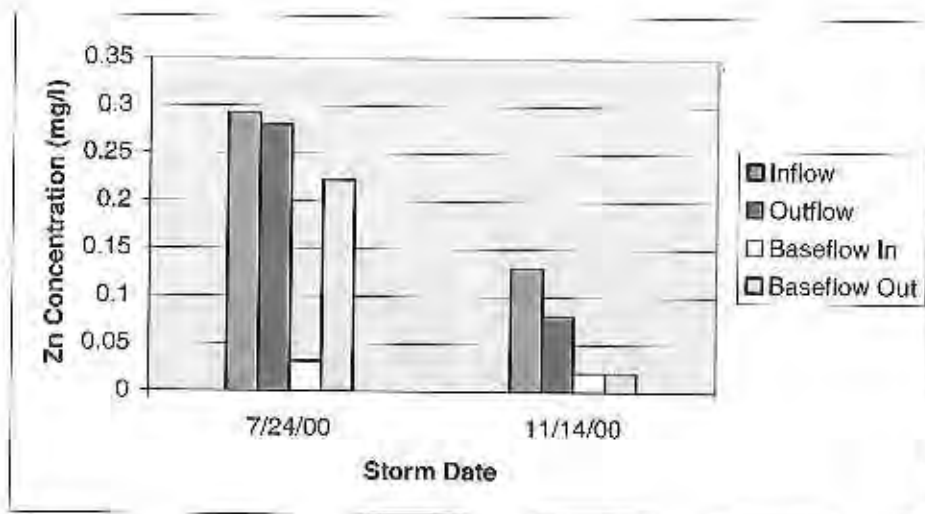


Figure 7.21, Pre-Retrofitting Storm Event Zn EMCs and Baseflow Concentrations at Hillsdale Drive Basin

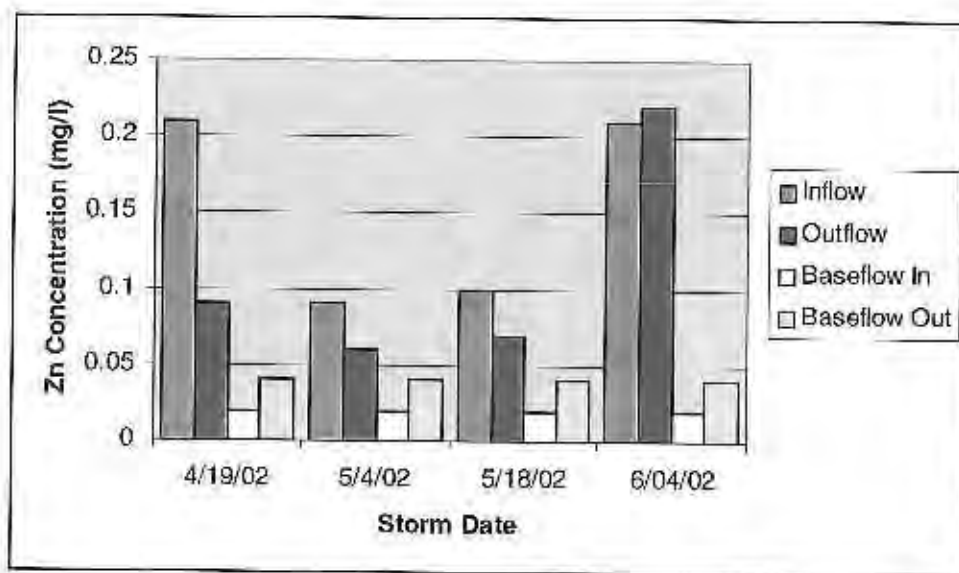


Figure 7.22, Post-Retrofitting Storm Event Zn EMCs and Baseflow Concentrations at Hillsdale Drive Basin

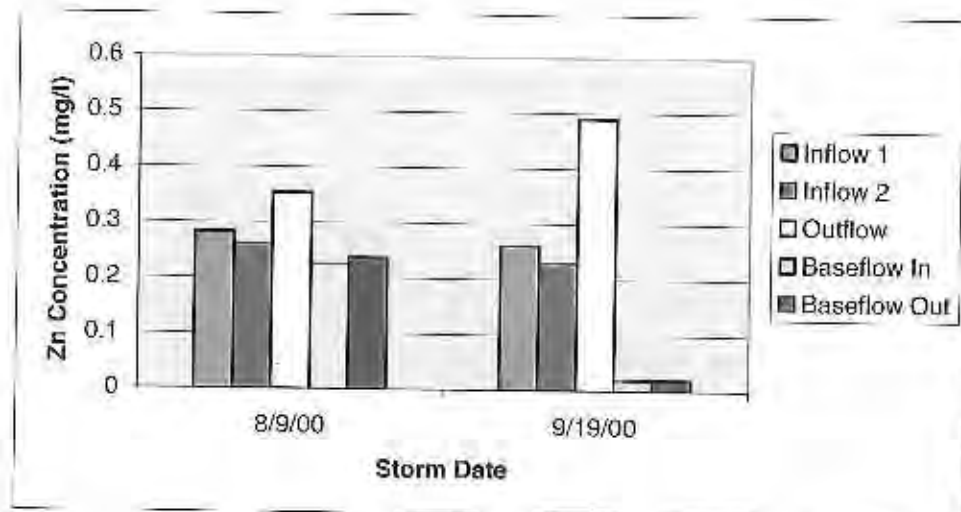


Figure 7.23. Pre-Retrofitting Storm Event Zn EMCs and Baseflow Concentrations at Michie Drive Basin

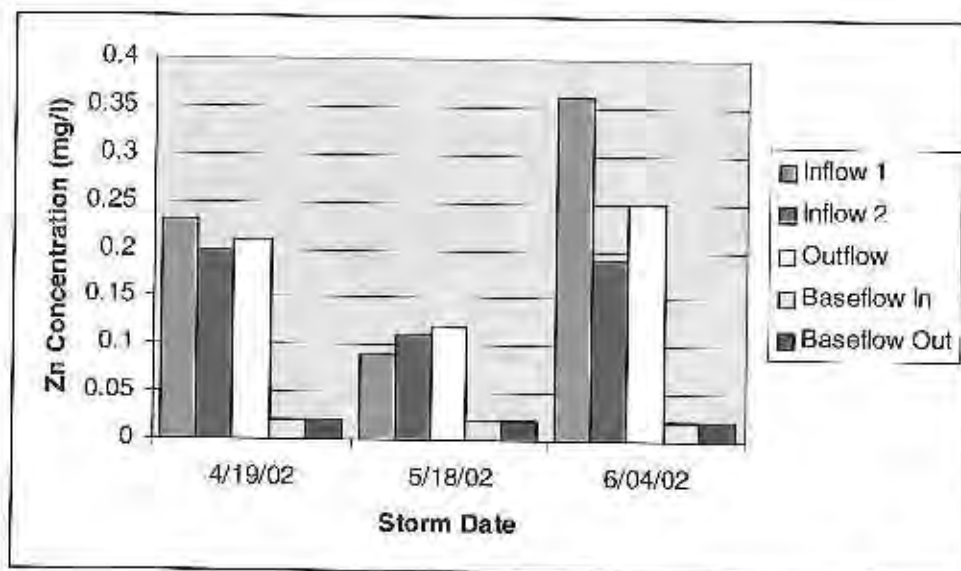


Figure 7.24. Post-Retrofitting Storm Event Zn EMCs and Baseflow Concentrations at Michie Drive Basin

#### 7.2.6. Oil and Grease

With one exception, no hydrocarbons were detected in either the first set of storm samples from each BMP location or in the first set of baseflow samples. Hydrocarbons

were detected in a storm sample from the Michie Drive main inlet, however the value was only slightly above the detection limit of 5.0 mg/L. Therefore, oil and grease sampling was discontinued after these first storms to save the \$30 per sample cost of analysis. For the post-retrofitting samples, The oil and grease are not tested for the same reason.

### 7.3. Mass Removal Efficiency

As stated in Section 6, the mass loading removal efficiency method is an accurate method to assess the performance of BMPs. The amount of pollutant transported,  $M$ , can be calculated by the product of flow,  $Q$ , and concentration,  $C$ . The removal or trapping efficiency of pollutants was computed as the percent difference of the pollutant mass entering and leaving the BMP, as given in Equation 6.1. The pre-retrofitting mass removal efficiency was not calculated in this study due to the fact that the outflow volume was considerably greater than the sum of all inflow volumes. Froelich (2001) discussed the possible reasons for this disparity. For pre-retrofitting, since the slope of the second inlet pipe was not available, the estimated value caused some errors in flow measurements. Ground water contribution may be another reason for this phenomenon. Evidence of a spring near the inlet pool and high dry weather out baseflow provide some information to support it. After retrofitting, the outlet structure was resized and the orifice diameter was reduced, also, a weir was used to calculate the second inlet flow. Table 7.5 presents the calculated mass trapping efficiency during the sample collection period. As can be seen, the mass removal efficiency was improved from average 7.95% of TP to 50.6% of TSS at Hillsdale Drive Basin. For the Michie Drive Basin, the range of mass removal efficiency was from 44.8% to 91.8% except the TSS value of 5/18/02 storm event. Actually, these results only revealed the removal efficiency during the sample collection period. The actual pollutant removal efficiency might be higher or lower than these values due to the variability in rainfall characteristics, etc. It is always desirable, therefore, to implement a long-term sampling program in order to best evaluate the performance of BMPs such as these two detention basins.

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Table 7.5. Calculated Mass Removal Efficiency for Both Detention Basins

Basin	Storm Date	Mass Removal Efficiency (%)					
		TSS	TP	OP	TN	COD	Zn
Hillsdale Drive Basin							
Pre-Retrofitting	7/24/2000	75.1	84.4	75.4	87.3	88.4	81.7
	11/14/2000	8.4	75.7	73	59.5	72.7	81.3
Post-Retrofitting	4/19/2002	96.9	91.5	90.8	87.7	93.6	94.8
	5/4/2002	91.1	77.1	91.4	100	87.9	88.6
	5/18/2002	95.4	94.3	93.2	91.5	88.2	94.1
	6/4/2002	86.0	89.1	90.5	81.1	88.7	90.1
Michie Drive Basin							
Pre-Retrofitting	8/9/2000	NA	NA	NA	NA	NA	NA
	9/19/2000	NA	NA	NA	NA	NA	NA
Post-Retrofitting	4/19/2002	44.8	77.4	71.5	87.8	75.6	91.3
	5/18/2002	-24.5	81.1	82.9	87	82.3	90.6
	6/4/2002	74.9	78.5	82.9	91.8	87.2	90.7

#### 7.4. Summary: Performance of Retrofitted Detention Basins

Since the recorded flows were calculated by using the measured water level and the Manning Equation with user-defined pipe slope and average roughness coefficients, flow computations might include some errors. The study of Strecker (1999) founded that “the error in flow measurements is easily on the order of plus or minus 25% over a range of storms . . . flow measurements for individual storms varied even more”. Removal efficiencies for both sites were calculated for this study by using the percentage change in EMCs and mass loading between the inflow and the outflow stations. The EMC method allows efficiencies to be determined based on the percentage of the total flow at each point along the hydrograph instead of on the flow magnitude. The removal efficiencies for both pre-retrofitting and post-retrofitting sampling are presented in Table 7.6 and Table 7.7.

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Table 7.6. Summary of Pollutant Removal Efficiencies for Pre-Retrofitting

Parameter	Pollutant Removal Efficiency (%)			
	Hillsdale Dr.		Michie Dr.	
	7/24/2000	11/14/2000	8/9/2000	9/19/2000
TSS	-30	-202	-354	-639
TP	18	20	-15	-18
OP	-29	11	0	-3
TN	33	-33	-20	-9
COD	39	10	-25	-72
Cu	86	NA	NA	NA
Pb	23	NA	NA	NA
Zn	4	38	-30	-100

Table 7.7. Summary of Pollutant Removal Efficiencies for Post-Retrofitting

Parameter	Pollutant Removal Efficiency (%)						
	Hillsdale Dr.				Michie Dr.		
	4/19/2002	5/4/2002	5/18/2002	6/4/2002	4/19/2002	5/18/2002	6/4/2002
TSS	75	48.3	45.8	-47.8	-451.6	-986.5	-118.3
TP	30.0	-33.3	33.3	-14.3	-81.8	-100.0	-90.0
OP	25.0	50.0	20.0	0.0	0.0	-71.4	-53.9
TN	0.0	100.0	0.0	-100.0	-20.0	-100.0	-33.3
COD	47.7	29.3	-38.5	-18.8	-98.8	-83.0	-17.1
Cu	NA	NA	NA	NA	NA	NA	NA
Pb	NA	NA	NA	NA	NA	NA	NA
Zn	57.1	33.3	30	-4.8	2.3	-20.0	9.1

In general, when using the EMCs as a basis for performance evaluations, the water quality benefits obtained by retrofit implementations were not significant at both detention basins. However, the mass loading removal efficiency showed water quality improvement during the study period. The removal efficiencies for Cu and Pb for most storms are not available because results were below detection limits. However, even if the Cu and Pb analyses were not available, since they can show acute toxicity in a very low level, the effects of Cu, Pb on the Meadow Creek should not be overlooked. The negative removal efficiencies could be due to scouring and washoff of deposited



materials; the anaerobic environments and irreducible concentrations, etc. Froelich (2001)

Oil and grease monitoring for this study was not completed due to low observed concentrations and the high expenses for laboratory analysis.

### 7.5. Assessment of Long Term Performance

The method for computing the long term performance of detention basins was developed by U.S.EPA (1986). The method is based on sedimentation principles and is used for estimating detention basin efficiency under both dynamic and quiescent conditions.

#### 1). Dynamic Conditions

Under dynamic (storm) conditions, the TSS removal is computed by the following equation:

$$R_d = 1.0 - [1.0 + 1/n \times V_s / (Q/Ar)]^{-n} \quad (\text{Eq. 7.2})$$

Where,

$R_d$  = fraction of suspended removed

$V_s$  = settling velocity of particles

$Q/Ar$  = overflow velocity,

$n$  = turbulence parameters (1 for poor settling performance, >5 for ideal performance)

The long term average removal efficiency of a detention basin under dynamic condition can be calculated by Equation 7.3.

$$R_L = Z \times \{ r / [r - \ln(R_m/z)] \}^{r+1} \quad (\text{Eq. 7.3})$$

Where,

$R_L$  = long term dynamic removal fraction

$R_m$  = mean storm dynamic removal fraction

$r = 1/CV_Q^2$

$CV_Q$  = coefficient of variation of runoff flow rate, ( 1.32 for Virginia)

$Z = 1.0$

#### 2). Quiescent Conditions

The quiescent solids removal should be considered if certain stormwater is retained in the detention basin. To obtain this removal efficiency, a range of effective volume ratios (effective basin volume to mean runoff volume) should be obtained first. Then the removal under quiescent condition ( $R_q$ ) can be obtained.

### 3). Combined Removal

The combined total removal  $R$  under both conditions can be calculated by Equation 7.4.

$$R = 1 - [(1 - R_d) \times (1 - R_q)] \quad (\text{Eq. 7.4})$$

In order to assess the long term performance of these two detention basins, representative regional rainfall statistic values collected by U. S. EPA (1986) were applied in this study. The different runoff coefficients were used based on the different land type (Wanielista and Yousef, 1992). The average pond depth and the pond area were estimated from the topographic maps for both sites. Table 7.8 presents the characteristics of the basin and their drainage areas. Since the Michie Drive Basin is dry detention pond and the water level will drop back to the baseflow levels soon after a storm event, only the removal efficiency under dynamic conditions was computed. The total removal under both dynamic and quiescent conditions were calculated at the Hillsdale Drive Basin. Table 7.9 presents the calculated results for the long-term removal of these two detention basins. Results showed that the performance of the Hillsdale Drive Basin was better than that of the Michie Drive Basin. One of the possible reasons is that the ratio of pond area to the drainage area plays an important role in TSS long-term removal. The higher the ratio is, the greater the removal is. The second reason is there is a permanent pool at the Hillsdale Drive Basin, which contributes to the quiescent removal. In other words, the wet pond will show better performance than dry pond.

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Signed by  
Date: 10/10/02  
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Table 7.8. The Characteristics of Two Detention Basin and Their Drainage Areas

Basin	Drainage Area(acre)	Land Type	Runoff Coefficient C	Weighted C	Average Depth (ft)	Pond Area (ft <sup>2</sup> )
Hillsdale Drive	73.8	35% Commercial	0.9	0.55	5	40336
		35% Multi-family	0.5			
		30% Forested	0.2			
Michie Drive	79.8	73% Commercial	0.9	0.71	3	17960
		27% Forested	0.2			

Table 7.9. The Calculated Long Term Removal for both detention Basins

Basin	PA/SA (%)	Dynamic Removal (%)	Quiescent Removal (%)	Total Removal (%)
Hillsdale Drive	1.25	68	89	97
Michie Drive	0.52	55	NA	NA

## 8. CONCLUSIONS AND SUGGESTIONS

The urban runoff pollution is site specific and highly variable. Meanwhile, there are many factors to affect the pollution removal efficiencies of the stormwater management facilities, such as the location, topography, size, type of the facilities, the characteristics of the drainage area, the contaminant type as well as rainfall intensity and duration.

In summary, the following conclusions and recommendations can be made.

- 1). Although the two detention basins were primarily built for flood control, after retrofit, the detention time for both detention basins increased and the ponds are found to provide a higher pollutant removal efficiencies than those under pre-retrofit conditions. ✓
- 2). The Hillsdale Drive basin showed a limited water quality treatment performance before retrofitting. After retrofitting, the water quality benefit was found to be significant. Average mass loading removal efficiency after retrofitting increased

50.6 % for TSS, 7.95 % for TP, 17.3 % for OP, 9.05 % for COD, 16.7 % for TN, and 10.4 % for Zn when comparing with pre-retrofitting sampling results .

- 3). The Michie Drive basin showed that the pollution removal efficiencies gained by the retrofitting implementation was not significant, Scouring may be one of the reasons that results showed negative removal efficiency for this site. Further monitoring is needed to better evaluate the water quality treatment performance of this basin.
- 4). Most parameters showed that the quality of outflow water from both sites after retrofitting is better than that under pre-retrofitting conditions.
- 5). Flow results showed that both detention basins provided better water quantity control function after retrofitting. The reduction of peak flow was increased from 69 % of pre-retrofitting to 74 % of post-retrofitting at the Hillsdale Drive Basin, and the reduction of peak flow was increased from negative value of pre-retrofitting to 72.5 % of post-retrofitting at the Michie Drive Basin.
- 6). The performance of detention basins was affected by many factors, such as the characteristics of drainage areas, the topography, size of detention basins, and the rainfall intensity. The sampling results of stormwater of 06/04/02 verified it. High rainfall intensity caused the effluent EMCs exceeded the influent EMCs for the Hillsdale Drive Basin due possibly to the scouring and washoff by strong and turbulent inflows.
- 7). During the monitoring period, sampling data were not entirely consistent for pollutant removal efficiencies. To determine the long-term pollutant removal efficiency, further monitoring is recommended.
- 8). The small permanent pool was important to the TSS removal at the Hillsdale Drive basin. However, due to the standing water, trash was observed to accumulate in the pool and float on the water surface. Regular cleaning should be implemented.

especially after significant rainfall events.

- 9). For the Michie Drive basin, some measures should be taken to prevent the scouring and resuspension of the sediment layer at the dry sediment forebay.
- 10). Using the EPA Methodology for estimating the long-term performances of detention facilities, it was found that the Hillsdale Drive detention pond can provide a high removal rate (around 90%) for suspended solids. For the Michie Drive basin the removal rates was estimated as around 50%.

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## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Mailing address: P.O. Box 1105, Richmond, Virginia 23218

Fax: 804-698-4019 - TDD (804) 698-4021

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

(804) 698-4020  
1-800-592-5482

5/23/2014

Great Eastern Management Company  
PO Box 5526  
Charlottesville, VA 22805

**RE: Construction General Permit Coverage #VAR10D825, Seminole Square Development - Commercial shopping center - 101 Seminole Court Charlottesville**

Dear David G Mitchell:

DEQ has received your registration statement for the proposed land-disturbing project under the General Permit for Discharges of Stormwater from Construction Activities (VAR10). The project's date of coverage is either the date of this letter or fifteen business days after the postmark date of the project's complete registration packet submittal to DEQ.

By submission of the registration statement, you acknowledge that the proposed project is eligible for coverage under the General Permit and you have agreed to the conditions in the General Permit including any applicable conditions regarding Total Maximum Daily Loads and impaired waters. Please be aware that §62.1-44.15:35 of the Code of Virginia and the General Permit contain additional requirements if nonpoint nutrient offsets are chosen to meet the post-development nonpoint nutrient runoff compliance requirements. Section §62.1-44.15:35 I requires that the permit issuing authority require that nonpoint nutrient offsets or other off-site options achieve the necessary nutrient reductions **PRIOR TO THE COMMENCEMENT OF THE PERMITTEE'S LAND DISTURBING ACTIVITY.**

A copy of the General Permit is available on the DEQ web page at <http://www.deq.virginia.gov/Portals/0/DEQ/Water/Publications/CGPvar10.pdf>. Print the VAR10 permit and read it carefully as you are responsible for meeting all the permit conditions. The General Permit will expire on June 30, 2014.

Your project specific permit registration number is **VAR10D825**. A copy of this permit coverage letter, registration statement, copy of the VAR10 permit, and the project's Stormwater Pollution Prevention Plan (SWPPP) must be at the construction site from the date of commencement of the construction activity to final stabilization. In addition, DEQ staff conduct periodic site inspections for compliance with the permit.

Additional information is available on the DEQ webpage at: <http://www.deq.virginia.gov/programs/water/stormwatermanagement/vsmpppermits/constructiongeneralpermit.aspx>. For questions, contact the Permit Processor at (804) 698-4039.

Sincerely,

A handwritten signature in cursive script that reads "Frederick K. Cunningham".

Frederick K. Cunningham, Director  
Office of Water Permits



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

(804) 698-4020  
1-800-592-5482

May 23, 2014

Great Eastern Management Company  
PO Box 5526  
Charlottesville, VA 22805

RE: General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10)  
**DEQ General Permit No. VAR10D825**  
Seminal Square Development, Charlottesville  
Reissuance Reminder Letter

Dear Permittee:

The General VPDES Permit for Discharges of Stormwater from Construction Activities (VAR10) was adopted by the State Water Control Board at its December 13, 2013 meeting and will be reissued with an effective date of July 1, 2014. This general VPDES permit provides coverage to stormwater discharges from all qualified construction activities for operators that submit a complete and accurate registration statement and are approved for coverage.

General VPDES permit holders must complete and submit the 2014 registration statement, 2014 permit fee form, and 2014 permit fee on or before June 1, 2014 if they wish to continue coverage under this general permit reissuance. Please note that the Department has extended the due date as allowed per Part III M of the general permit. A copy of the 2014 registration statement and permit fee form can be found on the Department's website at the following location:

<http://www.deq.virginia.gov/programs/water/stormwatermanagement/vsmppermits/constructiongeneralpermit.aspx>

Instructions for completing the 2014 registration statement are included with the registration form. The application fee for this general permit varies, and should be submitted in accordance with the 2014 permit fee form instructions.

Chesapeake Bay Preservation Act land-disturbing activities (i.e., construction activities resulting in land disturbance equal to or greater than 2,500 square feet and less than one acre within areas designated as subject to the Chesapeake Bay Preservation Act) are no longer subject to coverage under the 2014 general permit. Operators of these construction activities are not required to apply for continued coverage under this general permit.

If your land-disturbing activity has been completed and final stabilization has been achieved, please submit a 2009 Notice of Termination form. This form can be found on the Department's website at the link provided above.

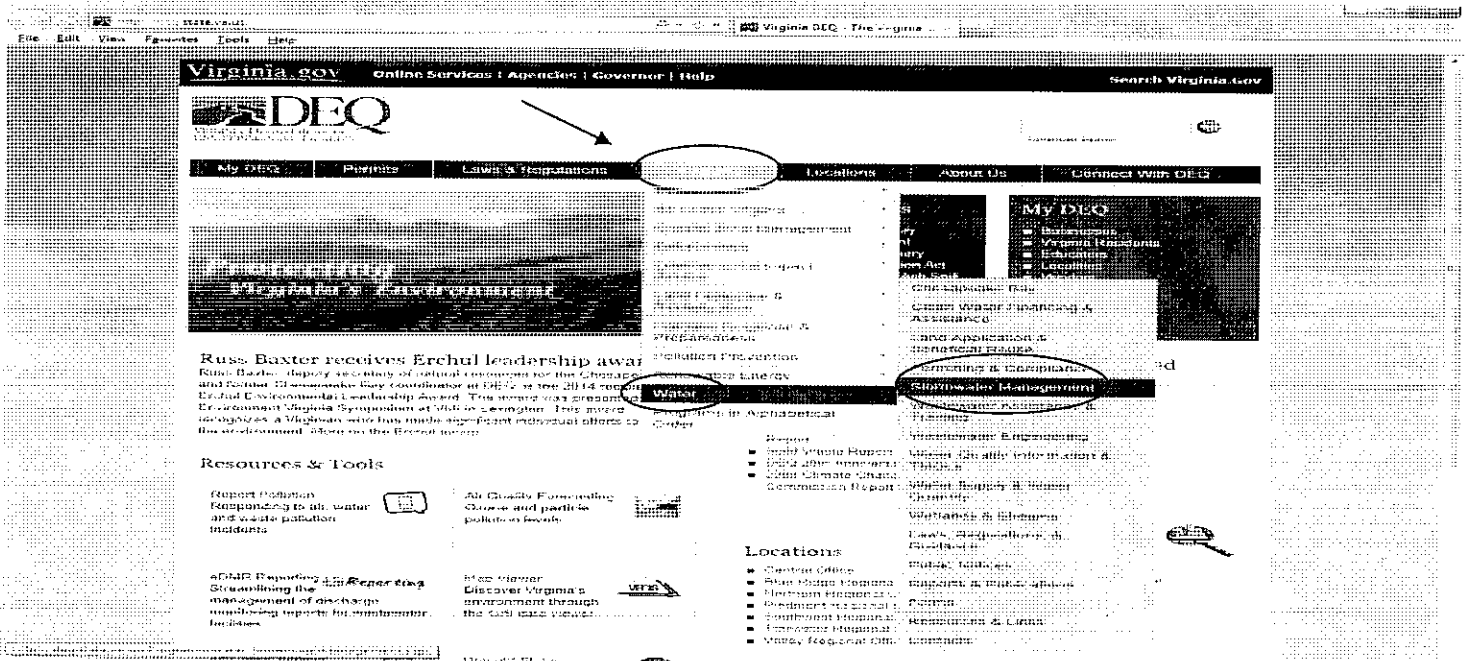
Please contact me at (804) 698-4037 or the Stormwater Permit Processor at (804) 698-4085 if you have any questions.

Respectfully,

Andrew J. Hammond II, PE, HIT  
Office of Stormwater Management

## Step 1:

- Hover mouse pointer over "Programs", then move down and hover over "Water"
- Click on "Stormwater Management", just to the right of "Water"



## Step 2:

- On the right menu bar, click on the "Construction General Permit" link (Fig. 1)
- When directed to the page in Fig. 2, scroll down and select the permit link that applies to you

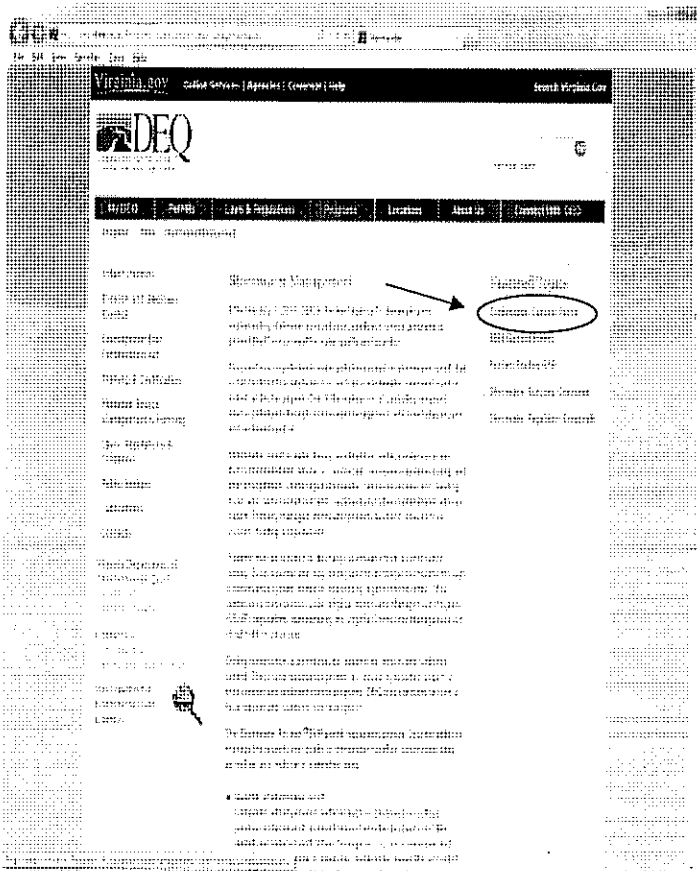


Fig. 1

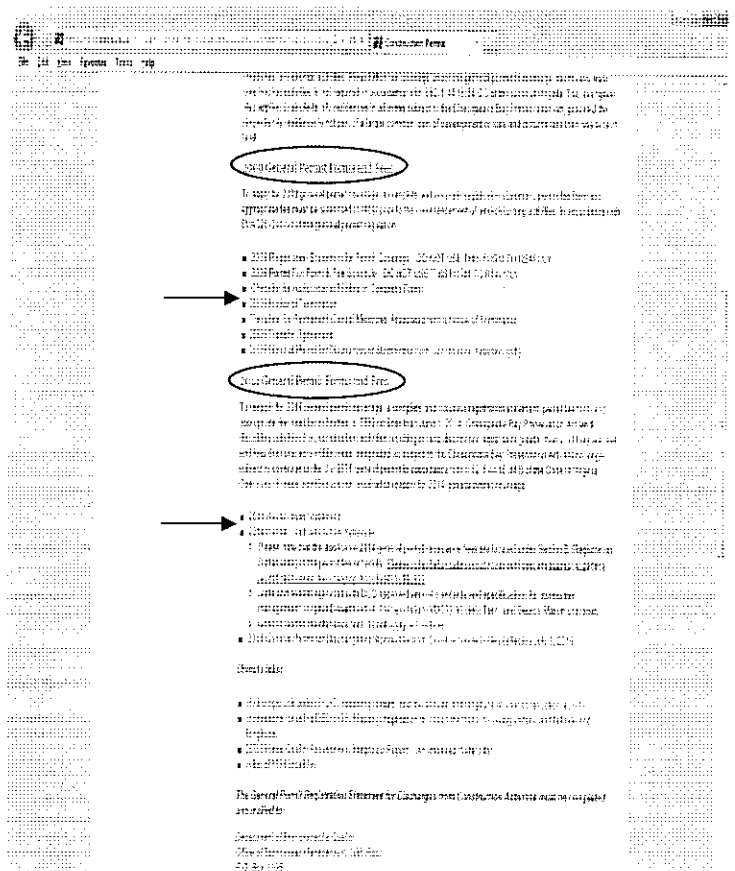
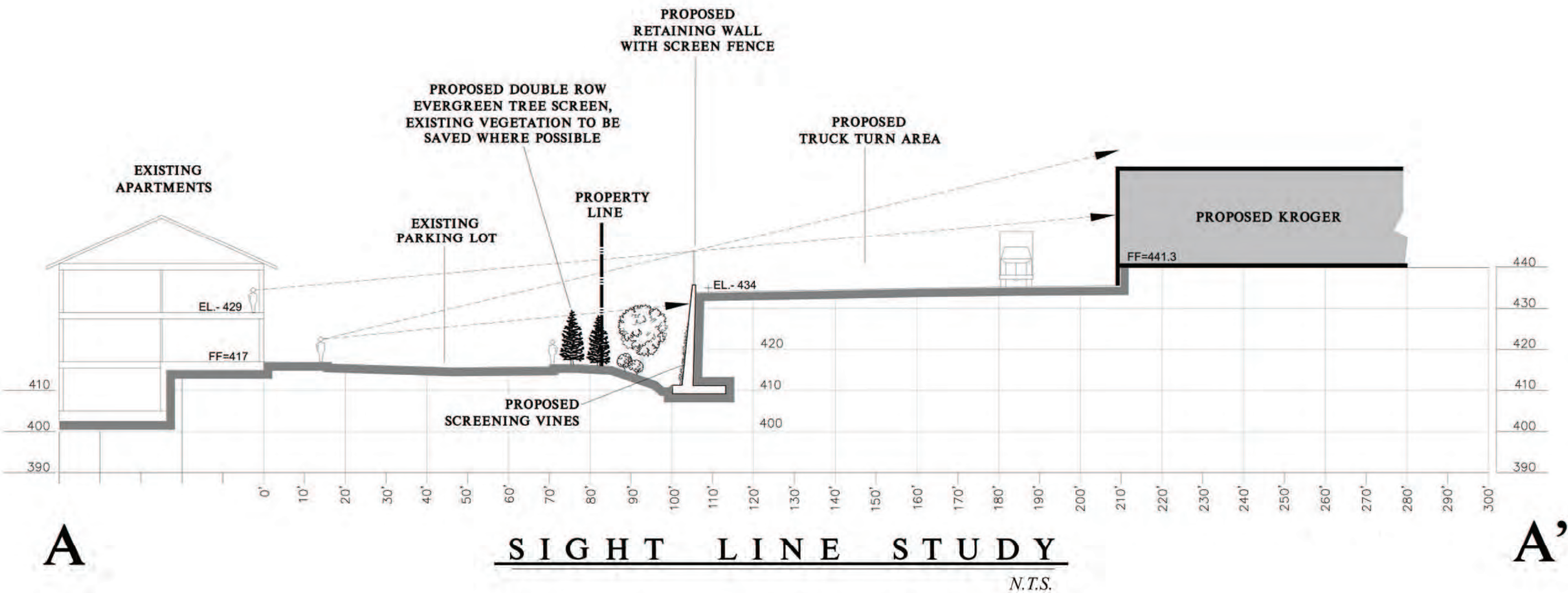


Fig. 2





*SIGHT LINE STUDY*  
**KROGER STORE R-369**

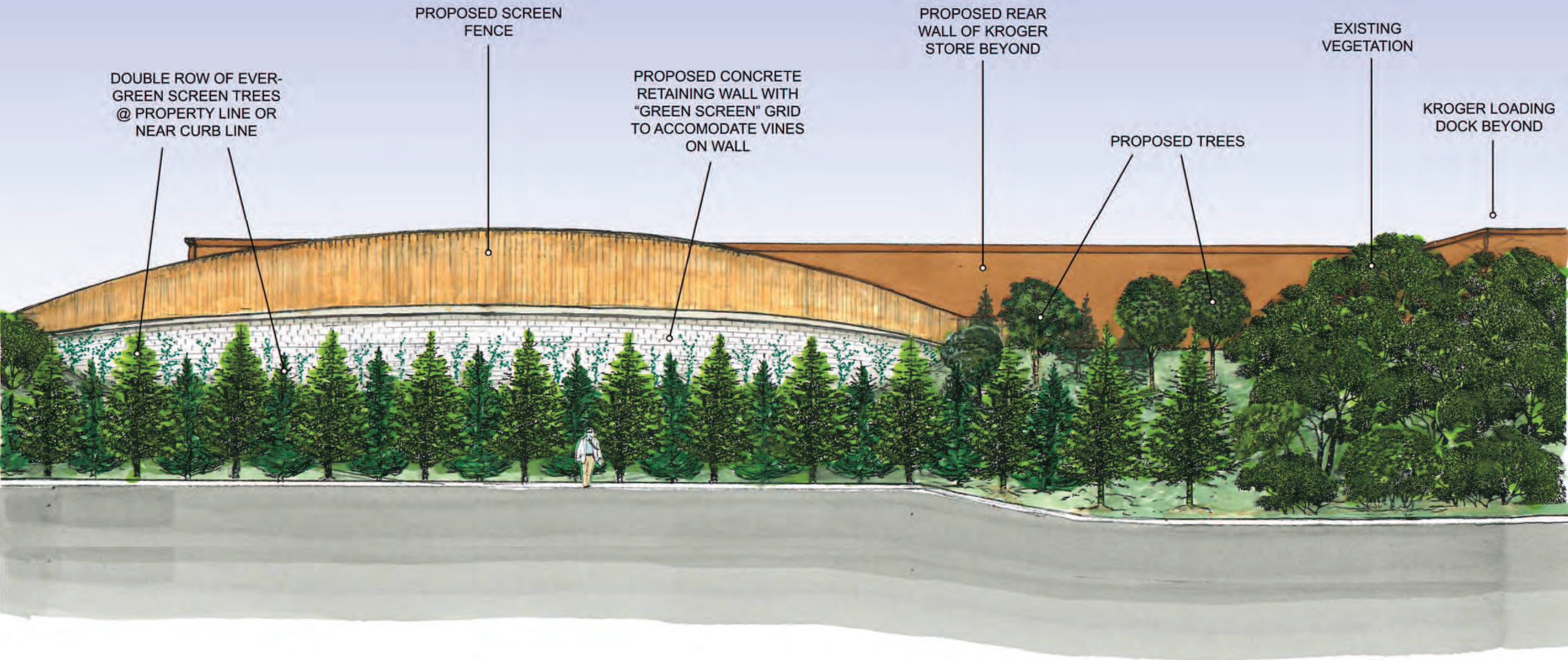
CHARLOTTESVILLE

VIRGINIA

**RLR**  
**ROBERTSON LOIA ROOF**  
ARCHITECTS & ENGINEERS

RLR PROJECT# 12-317  
DATE: 02-24-2015





CONCEPTUAL PERSPECTIVE  
VIEW FROM APARTMENT COMPLEX

KROGER STORE R-369

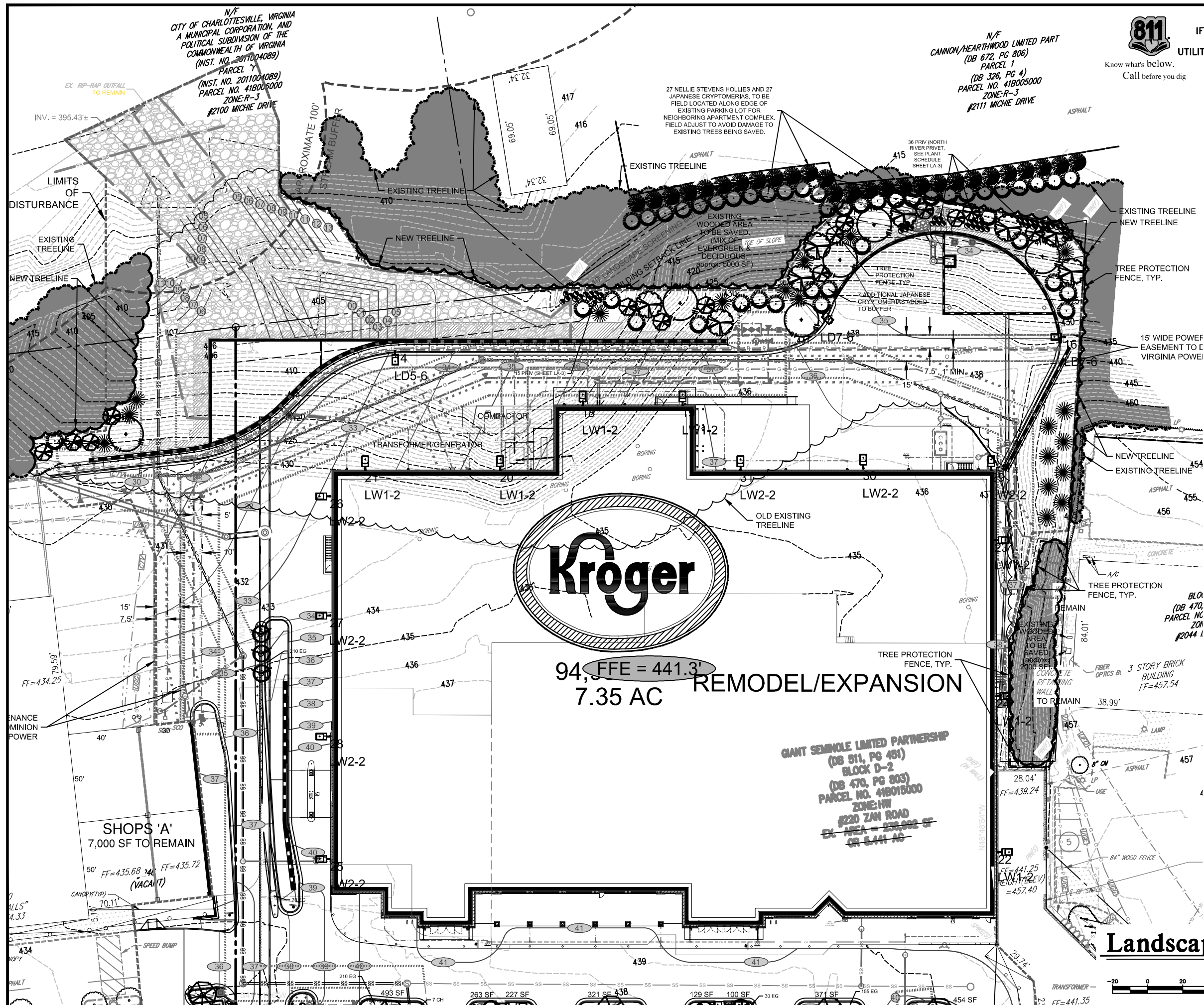
CHARLOTTESVILLE

VIRGINIA

**RLR**  
ROBERTSON LOIA ROOF  
ARCHITECTS & ENGINEERS

RLR PROJECT# 12-317  
DATE: 02-24-2015





**EXISTING TREE SYMBOLS:**

12" DB  
EX. TREE TO BE SAVED

**PROPOSED TREE SYMBOLS:**

- Green Vase Zelkova
- Willow Oak
- Armstrong Red Maple
- Sawtooth Oak
- Loblolly Pine
- Japanese Cryptomeria
- Chinese Pistache
- Arapaho Crape Myrtle
- Nellie Stevens Holly

**SHRUB KEY:**

CODE	COMMON NAME
DBH	DWARF BURFORD HOLLY
CH	CARISSA HOLLY
EG	EMERALD GODDESS LIRIOPE
PRV	NORTH RIVER PRIVET

See Sheet LA-3 for 'Tree Schedule' with total tree quantities, sizes, etc.

See Sheet LA-3 for 'Plant Schedule' with total shrub quantities, sizes, etc.

**811**  
IF YOU DIG VIRGINIA...  
CALL US FIRST!  
UTILITIES PROTECTION CENTER  
IT'S THE LAW

Know what's below.  
Call before you dig

**ROBERTSON LOIA ROOF**  
ARCHITECTS & ENGINEERS  
3460 Preston Ridge Road • Suite 275 • Alpharetta, Georgia 30005  
770-674-2600 • Fax 770-319-0745

**KROGER STORE R-369**  
220 ZAN ROAD  
CHARLOTTEVILLE, VA  
**KROGER LIMITED PARTNERSHIP I**  
P.O. BOX 14002, ROANOKE, VA 24038  
(840) 563-3645

**LANDSCAPE PLAN 2**

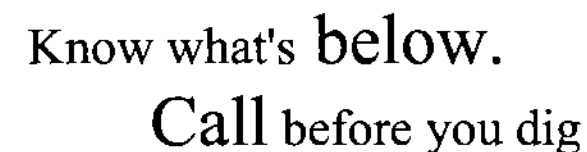
**LA - 2**

**Landscape Plan 2**

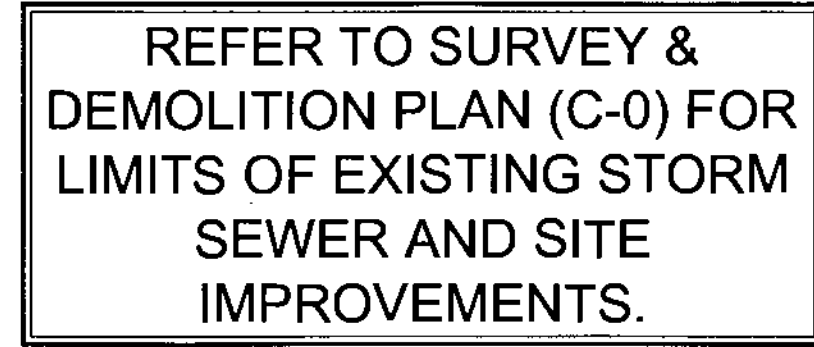
SCALE: 1" = 20'

DATE: 11-10-14  
PROJECT NUMBER: 12-317  
SHEET NUMBER: LA-2





IF YOU DIG VIRGINIA...  
CALL US FIRST!  
UTILITIES PROTECTION CENTER  
IT'S THE LAW



## GRADING NOTES

1. ALL AREAS TO RECEIVE PAVEMENT, STRUCTURES OR FILL MATERIAL SHALL BE STRIPPED OF ORGANIC MATERIAL, TOPSOIL, AND DEBRIS PRIOR TO CONSTRUCTION.
  2. ONCE STRIPPING HAS BEEN COMPLETED, ALL AREAS TO RECEIVE FILL SHOULD BE PROOF-ROLLED IN THE PRESENCE OF A REPRESENTATIVE OF THE SOIL'S ENGINEER. SOFT AREAS ENCOUNTERED DURING PROOF-ROLLING SHALL BE STABILIZED BY COMPACTION OR UNDERCUT.
  3. EARTHMOVING OPERATIONS SHALL BE PERFORMED IN ACCORDANCE TO THE KROGER CONSTRUCTION SPECIFICATIONS:
- "SATISFACTORY SOILS: RECOMMENDED MATERIALS FREE OF ROCK OR GRAVEL LARGER THAN 3/4 INCHES (19MM) IN ANY ORIENTATION, DEBRIS, WASTE, FROZEN MATERIALS, VEGETATION, AND OTHER DETERIORIOUS MATTER.

FILL "UNDER STRUCTURES, BUILDING SLABS, FUTURE EXPANSION AREAS, STEPS, WALKWAYS, AND PAVEMENTS, SCARIFY AND RECOMPACT TOP 6-8 INCHES (203 MM) OF EXISTING SUBGRADE AND EACH LAYER OF BACKFILL OR FILL SOIL MATERIAL AT 98 PERCENT\* OF THE SOILS STANDARD PROCTER (ASTM D 698)."

AND PER THE GEOTECHNICAL REPORT BY DOMINION ENGINEERING ASSOCIATES, INC, DATED 06-13-14. THE STRICTER SHALL CONTROL.

**ADDITIONALLY, REFER TO THE GEOTECHNICAL REPORT FOR SPECIAL EARTHWORK INSTRUCTIONS IN AREAS THAT PREVIOUSLY RECEIVED UNDOCUMENTED FILL INCLUDING**

"IN AREAS WHERE THE BUILDING WILL EXTEND OVER PREVIOUSLY PLACED UNDOCUMENTED FILL, WE RECOMMEND UNDERCUTTING THE EXISTING SUBGRADE SIX FEET BELOW EXISTING GRADE. THIS MATERIAL SHOULD THEN BE PLACED IN THE BUILDING FOOTPRINT IN ACCORDANCE WITH THE RECOMMENDATIONS FOR ENGINEERED FILL AS DESCRIBED IN THIS REPORT. THE UNDERCUT AREA SHOULD EXTEND TEN FEET OUT FROM THE PROPOSED BUILDING PAD.

AN INTERMEDIATE FOUNDATION SYSTEM CONSISTING OF RAMMED AGGREGATE PIERS (RAPs) CAN ALSO BE USED AS AN ALTERNATIVE TO UNDERCUTTING THE PROPOSED BUILDING FOOTPRINT AND RE-COMPACTING THE SUBGRADE. WE RECOMMEND EVALUATING BOTH UNDERCUTTING AND RE-COMPACTING AND SPREAD FOOTINGS SUPPORTED ON SOILS IMPROVED WITH RAPs FOR SUPPORT OF THE PROPOSED BUILDING."

1. ALL SITE PREPARATION SHOULD BE MONITORED BY A REPRESENTATIVE OF THE GEOTECHNICAL ENGINEER. INSPECTIONS AND TESTING FOR ALL UNDERCUT AND FILL OPERATIONS AS WELL AS THE UTILIZATION OF ACCEPTABLE OFF-SITE BORROW MATERIALS SHOULD BE PERFORMED. THE OWNER, AT HIS OPTION, MAY HAVE DENSITY TESTS PERFORMED TO VERIFY THAT SPECIFIC COMPACTION IS OBTAINED.
2. CUT OR FILL SLOPE SHOULD NOT BE STEEPER THAN 2H:1V. ALL PROPOSED SLOPES SHOULD BE OVERBUILT AND CUT BACK TO THE PROPOSED GRADES, EXPOSING THE FIRM COMPACTED MINERALS. THE EXCAVATION FOR THE SLOPES SHOULD BE MONITORED BY A REPRESENTATIVE OF THE GEOTECHNICAL ENGINEER. VERTICAL CUTS EXCEED 5 FEET SHOULD BE BRACED AS REQUIRED BY OSHA REGULATIONS FOR SAFETY.
3. SPOT ELEVATIONS TAKE PRECEDENCE OVER CONTOURS AND SLOPES SHOWN. THE CONTRACTOR SHALL NOTIFY THE ENGINEER OF SPOT ELEVATIONS WHICH DO NOT APPEAR TO BE CONSISTENT WITH THE CONTOURS AND SLOPES. SPOT ELEVATIONS SHOWN ALONG CURB & GUTTER DESIGNATE THE PROPOSED GRADE AT THE LIP OF THE GUTTER UNLESS OTHERWISE NOTED.
4. THE CONTRACTOR SHALL INSTALL APPROPRIATE EROSION CONTROL MEASURES PRIOR TO ANY LAND DISTURBANCE ACTIVITIES.
5. THE CONTRACTOR SHALL ADJUST ALL MANHOLE COVERS, VALVE CHAMBERS, CLEAN OUTS, VAULTS, BOXES, AND GRATES, EXISTING AND PROPOSED, TO "AS-CONSTRUCTED" FINISHED GRADE.
6. IF GRADE ADJUSTMENTS ARE REQUIRED, THE CONTRACTOR SHALL NOTIFY THE ENGINEER TO INVESTIGATE SUCH ADJUSTMENTS.
7. IF A CONFLICT EXISTS BETWEEN PLANS OR/AND SPECIFICATIONS OR/AND SOIL REPORT, THE CONTRACTOR SHALL CONTACT THE ENGINEER IMMEDIATELY FOR CLARIFICATION.
8. PRIOR TO INSTALLATION OF STORM OR SANITARY SEWER, THE CONTRACTOR SHALL VERIFY THE INVERTS OF EXISTING STRUCTURES AND INFORM THE OWNER AND THE ENGINEER OF ANY DISCREPANCIES PRIOR TO CONSTRUCTION.
9. EXISTING DRAINAGE STRUCTURES TO BE INSPECTED AND REPAIRED AS NEEDED AND EXISTING PIPES ARE TO BE CLEANED OUT TO REMOVE ALL SILT AND DEBRIS AFTER CONSTRUCTION.
10. ALL PROPOSED DRAINAGE STRUCTURES & PIPES ARE TO BE INSTALLED PER THE CITY OF CHARLOTTE'SVILLE STANDARDS AND SPECIFICATIONS. ALL REQUIREMENTS FOR PIPES ARE TO BE APPROVED FOR ACCEPTANCE BY THE CITY PRIOR TO BEING BACKFILLED. IF IT IS THE CONTRACTORS RESPONSIBILITY TO ACQUIRE ANY NECESSARY APPROVALS OR SPECIAL INSPECTIONS (INCLUDING THE AS-BUILT SURVEY).
11. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING A MARKED-UP SET OF DESIGN DRAWINGS SHOWING "AS-BUILT" CONDITIONS. THESE "RECORD DRAWINGS" SHALL BE MADE AVAILABLE TO THE DESIGNER AND/OR THE CITY/COUNTY INSPECTOR UPON REQUEST. THE MARK-UPS SHALL BE KEPT ON-SITE AT ALL TIMES AND SHALL BE UTILIZED TO DEVELOP FINAL DESIGN DRAWINGS.
12. THE CONTRACTOR SHALL PROVIDE TO THE ENGINEER OF RECORD, A COPY OF THE FINAL RECORD DRAWING OR FOR EROSION PREVENTION FACILITY SHOWING SIZES AND INVERTS OF ALL STRUCTURE, OUTLET CONTROLS, AND APPURTENANCES AS SPECIFIED IN THE DRAWINGS.
13. THE SEGMENTAL RETAINING WALLS SHALL BE DESIGNED AND PERMITTED BY A REGISTERED PROFESSIONAL ENGINEER WHO SHALL BE UNDER CONTRACT WITH THE CONTRACTOR. 14 DAYS PRIOR TO THE ANTICIPATED START DATE OF THE WALL CONSTRUCTION, THE CONTRACTOR SHALL SUBMIT A PACKAGE TO THE OWNER FOR REVIEW WHICH SHALL INCLUDE: A) PLAN, ELEVATION AND CROSS SECTION VIEWS OF EACH WALL; B) DETAILS FOR CAP, BOLLARDS, CONCRETE COPING, OR BARRIERS CONSTRUCTED AS PART OF THE WALL, CURB, OR DRAINAGE; AND C) BLOCK SAMPLE, IF REQUIRED BY ARCHITECT, FOR COLOR AND TEXTURE REVIEW. THE WALL SHALL BE DESIGNED AND CONSTRUCTED TO ACCOMMODATE DRAINAGE/RUNOFF BASED UPON THE CONDITIONS OF THE DESIGN PLANS AND WITH A MAXIMUM SETBACK OF 0.875" PER FT TALL BLOCK. WALL UNITS SHALL HAVE A VERTICAL FACE.
14. PER KROGER REQUIREMENTS: UNDERGROUND DRAINAGE INTO CATCH BASIN STRUCTURES IS TO BE PROVIDED BY INSTALLING 10' LENGTHS OF 4" DIAMETER PERFORATED PIPE TAPPED INTO INLET STRUCTURES. FOUR (4) SUCH LENGTHS ARE TO BE PROVIDED, ONE EACH FOR EACH INLET AND THE INLET. PIPE IS TO BE LAID ON THE SUBGRADE AND COVERED WITH GRANULAR BASED.

## MATERIAL NOTES

1. STORM SEWER MATERIALS SHALL BE INSTALLED AS SHOWN ON THE PLANS.
2. STORM SEWER MATERIAL DESIGNATIONS SHALL BE FURTHER DEFINED AS FOLLOWS :
  - "RCP" - REINFORCED CONCRETE PIPE, CLASS III PER AASHTO M170 or ASTM C76 AND JOINTS PER ASTM C443
  - "RCP" - REINFORCED CONCRETE PIPE, CLASS V WHERE SPECIFIED PER AASHTO M170 or ASTM C76 AND JOINTS PER ASTM C443
  - "PVC" - SDR 26 PVC PER ASTM D2241 (RAIN LEADERS)
3. PRECAST STRUCTURES MAY BE USED AT THE CONTRACTOR'S OPTION.
4. ALL CONCRETE TO HAVE A MINIMUM 28 DAY COMPRESSIVE STRENGTH OF 4000 P.S.I. UNLESS OTHERWISE NOTED.
5. PROVIDE ANTI-SEEP COLLARS ON ALL PIPES AT OR EXCEEDING 20% SLOPE.
6. PROVIDE WATER-TIGHT JOINTS ON ALL STORM SEWER PIPES AT OR EXCEEDING 20% SLOPE.

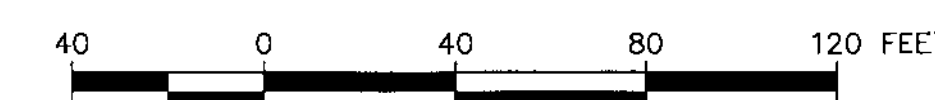
### GRADING SYMBOLS LEGEND

EXISTING CONTOURS  
PROPOSED CONTOURS  
EXISTING SPOT ELEVATION  
PROPOSED SPOT ELEVATION  
EXISTING STORM SEWER (TO RM)  
PROPOSED STORM SEWER

② JUNCTION BOX, JR., VADOT 108.07  
 ② STANDARD CURB DROP INLET, SCD, VADOT 104.03/46.7  
 ② DROP INLET, DI, VADOT 10.01  
 ② DOUBLE DROP INLET, DDI, VADOT 104.31  
 ② TRIPLE DROP INLET, TDI, VADOT 104.31  
 ○ CLEAN OUT, CO  
 〰 HEADWALL, HW

## GRADING PLAN

SCALE: 1" = 40'



**ROBERTSON LOIA ROOF**  
**ARCHITECTS & ENGINEERS**

3460 Preston Ridge Road . Suite 275 . Alpharetta, Georgia 30005  
770-674-2600 . Fax 678-319-0745

PROJECT  
**KROGER STORE R-369**  
220 ZAN ROAD  
CHARLOTTESVILLE, VA

OR  
**KROGER LIMITED PARTNERSHIP I**  
P.O. BOX 14002, ROANOKE, VA 24038  
(703) 567-7300

REVISIONS	
1	REVISE STORMWATER CHAMBER 11-20-14
2	REVISE BUILDING LOCATION 1-15-15


[illegible]

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## DI

# GRA PLA

SH

11-10-14
PROJECT NUMBER

12-317

C-21

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**(b) Critical slopes.**

- (1) *Purpose and intent.* The provisions of this subsection (hereinafter, "critical slopes provisions") are intended to protect topographical features that have a slope in excess of the grade established and other characteristics in the following ordinance for the following reasons and whose disturbance could cause one (1) or more of the following negative impacts:
  - a. Erosion affecting the structural integrity of those features.
  - b. Stormwater and erosion-related impacts on adjacent properties.
  - c. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.
  - d. Increased stormwater velocity due to loss of vegetation.
  - e. Decreased groundwater recharge due to changes in site hydrology.
  - f. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.

These provisions are intended to direct building locations to terrain more suitable to development and to discourage development on critical slopes for the reasons listed above, and to supplement other regulations and policies regarding encroachment of development into stream buffers and floodplains and protection of public water supplies.

- (2) *Definition of critical slope.* A critical slope is any slope whose grade is 25% or greater and:
  - a. A portion of the slope has a horizontal run of greater than twenty (20) feet and its total area is six thousand (6,000) square feet or greater; and
  - b. A portion of the slope is within two hundred (200) feet of any waterway as identified on the most current city topographical maps maintained by the department of neighborhood development services.

Parcels containing critical slopes are shown on the map entitled "Properties Impacted by Critical Slopes" maintained by the department of neighborhood development services. These critical slopes provisions shall apply to all critical slopes as defined herein, notwithstanding any subdivision, lot line adjustment, or other action affecting parcel boundaries made subsequent to the date of enactment of this section.

- (3) *Building site required.* Every newly created lot shall contain at least one (1) building site. For purposes of this section, the term building site refers to a contiguous area of land in slopes of less than 25%, as determined by reference to the most current city topographical maps maintained by the department of neighborhood development services or a source determined by the city engineer to be of superior accuracy, exclusive of such areas as may be located in the flood hazard overlay district or under water.
- (4) *Building site area and dimensions.* Each building site in a residential development shall have adequate area for all dwelling unit(s) outside of all required yard areas for the applicable zoning district and all parking areas. Within all other developments subject to the requirement of a site plan, each building site shall have adequate area for all buildings and structures, parking and loading areas, storage yards and other improvements, and all earth disturbing activity related to the improvements.
- (5) *Location of structures and improvements.* The following shall apply to the location of any building or structure for which a permit is required under the Uniform Statewide Building Code and to any improvement shown on a site plan pursuant to Article VII of this chapter:

- a. No building, structure or improvement shall be located on any lot or parcel within any area other than a building site.
- b. No building, structure or improvement, nor any earth disturbing activity to establish such building, structure or improvement shall be located on a critical slope, except as may be permitted by a modification or waiver.

(6) *Modification or waiver.*

- a. Any person who is the owner, owner's agent, or contract purchaser (with the owner's written consent) of property may request a modification or waiver of the requirements of these critical slopes provisions. Any such request shall be presented in writing and shall address how the proposed modification or waiver will satisfy the purpose and intent of these provisions.
- b. The director of neighborhood development services shall post on the city website notice of the date, time and place that a request for a modification or waiver of the requirements of these critical slopes provisions will be reviewed and cause written notice to be sent to the applicant or his agent and the owner or agent for the owner of each property located within five hundred (500) feet of the property subject to the waiver. Notice sent by first class mail to the last known address of such owner or agent as shown on the current real estate tax assessment books, postmarked not less than five (5) days before the meeting, shall be deemed adequate. A representative of the department of neighborhood development services shall make affidavit that such mailing has been made and file the affidavit with the papers related to the site plan application.
- c. All modification or waiver requests shall be submitted to the department of neighborhood development services, to be reviewed by the planning commission. In considering a requested modification or waiver the planning commission shall consider the recommendation of the director of neighborhood development services or their designee. The director, in formulating his recommendation, shall consult with the city engineer, the city's environmental manager, and other appropriate officials. The director shall provide the planning commission with an evaluation of the proposed modification or waiver that considers the potential for soil erosion, sedimentation and water pollution in accordance with current provisions of the Commonwealth of Virginia Erosion and Sediment Control Handbook and the Virginia State Water Control Board best management practices, and, where applicable, the provisions of Chapter 10 of the City Code. The director may also consider other negative impacts of disturbance as defined in these critical slope provisions.
- d. The planning commission shall make a recommendation to city council in accordance with the criteria set forth in this section, and city council may thereafter grant a modification or waiver upon making a finding that:
  - (i) The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or
  - (ii) Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

No modification or waiver granted shall be detrimental to the public health, safety or welfare, detrimental to the orderly development of the area or adjacent properties, or contrary to sound engineering practices.

- e. In granting a modification or waiver, city council may allow the disturbance of a portion of the slope, but may determine that there are some features or areas that cannot be disturbed. These include, but are not limited to:
  - (i) Large stands of trees;
  - (ii) Rock outcroppings;
  - (iii) Slopes greater than 60%.

City council shall consider the potential negative impacts of the disturbance and regrading of critical slopes, and of resulting new slopes and/or retaining walls. City council may impose conditions as it deems necessary to protect the public health, safety or welfare and to insure that development will be consistent with the purpose and intent of these critical slopes provisions. Conditions shall clearly specify the negative impacts that they will mitigate. Conditions may include, but are not limited to:

- (i) Compliance with the "Low Impact Development Standards" found in the City Standards and Design Manual.
- (ii) A limitation on retaining wall height, length, or use;
- (iii) Replacement of trees removed at up to three-to-one ratio;
- (iv) Habitat redevelopment;
- (v) An increase in storm water detention of up to 10% greater than that required by city development standards;
- (vi) Detailed site engineering plans to achieve increased slope stability, ground water recharge, and/or decrease in stormwater surface flow velocity;
- (vii) Limitation of the period of construction disturbance to a specific number of consecutive days;
- (viii) Requirement that reseeding occur in less days than otherwise required by City Code.

(7) *Exemptions.* A lot, structure or improvement may be exempt from the requirements of these critical slopes provisions, as follows:

- a. Any structure which was lawfully in existence prior to the effective date of these critical slopes provisions, and which is nonconforming solely on the basis of the requirements of these provisions, may be expanded, enlarged, extended, modified and/or reconstructed as though such structure were a conforming structure. For the purposes of this section, the term "lawfully in existence" shall also apply to any structure for which a site plan was approved or a building permit was issued prior to the effective date of these provisions, provided such plan or permit has not expired.
- b. Any lot or parcel of record which was lawfully a lot of record on the effective date of this chapter shall be exempt from the requirements of these critical slopes provisions for the establishment of the first single-family dwelling unit on such lot or parcel; however, subparagraph (5)(b) above, shall apply to such lot or parcel if it contains adequate land area in slopes of less than 25% for the location of such structure.
- c. Driveways, public utility lines and appurtenances, stormwater management facilities and any other public facilities necessary to allow the use of the parcel shall not be required to be located within a building site and shall not be subject to the building site area and dimension requirements set forth above within these critical slopes provisions, provided that the applicant demonstrates that no reasonable alternative location or alignment exists. The city engineer shall require that protective and restorative measures be installed and maintained as deemed necessary to insure that the development will be consistent with the purpose and intent of these critical slopes provisions.

(9-15-03(3); 11-21-05; 1-17-06(7); 1-17-12; 7-16-12)

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



<b>ENGINEERING REVIEW OF APPLICATION FOR A WAIVER: CRITICAL SLOPES</b>
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**Project Review / Analysis (Kroger – Seminole Square)**

The applicant has provided detailed information in the attached narrative for each item discussed below:

**Finding #1:**

The applicant's explanations are summarized below and the format parallels what was provided with the waiver application. *Comments from the Engineering Staff are indicated in italics.*

**1. Erosion affecting the structural integrity of those features:**

The applicant explains the existing slopes are manmade. The applicant also indicates that the City has suggested that the pond be removed as part of this development. *Engineering Staff agrees that the slopes are manmade and is supportive of the concept provided with this application package.*

**2. Stormwater and erosion-related impacts on adjacent properties:**

The applicant states the land down gradient of the slopes will be protected by measures which provide permanent sediment & runoff control. *Engineering Staff agrees that the applicant's method of permanent stabilization will address concerns; however staff will be working closely with the consultant and other departments to achieve a more environmentally sensitive approach. This will occur through the normal plan review process after a determination of the critical slope waiver is made.*

**3. Stormwater and erosion-related impacts to environmentally sensitive areas such as stream and wetlands:**

The applicant states that the existing site offers little to no runoff water quality and that the proposed design will reduce the runoff rates and provides water quality measures. *Engineering Staff agrees that the current site provides little stormwater controls and that the proposed design will meet or exceed the regulatory requirements for water quantity and water quality.*

**4. Increased stormwater velocity due to loss of vegetation:**

The applicant indicates that the pond is undersized and is a source for continued maintenance. *Engineering Staff confirms our request to remove the pond and provide the plunge pool to dissipate energy and reduce velocity.*

**5. Decreased groundwater recharge due to changes in the site hydrology:**

The applicant suggests that the proposed design will increase the opportunity for water to infiltrate into the ground. *Engineering Staff agrees with the theory behind the explanation. The calculations to support the timing of the storms will be reviewed during the final plan submission.*

**6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat:**

The applicant believes there is little natural beauty as the slopes currently exist. *Engineering Staff would add that the existing pond which is proposed to be removed is a very unattractive, unnatural feature that has plagued the City's maintenance crews for many years. As mentioned previously, City staff will be working closely with the consultant to fine tune the proposed design so it satisfies all affected parties.*

**Finding #2**

The applicant explains that site constraints prohibit use of the property unless the slopes are disturbed. *Engineering Staff has no comments regarding this matter.*

**Engineering Recommendation**

Engineering staff recommends approval of the critical slope waiver application as the technical issues regarding disturbance of these critical slopes will be mitigated with the proposed development and the proposed design will meet state and local minimum control requirements for stormwater runoff. In addition, the applicant has shown a willingness to provide additional treatment beyond the regulatory requirements on site and remove the existing pond at the City's request.



This document was prepared by:  
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The Nature Conservancy  
490 Westfield Road  
Charlottesville, Virginia 22901

2012  
002103

Tax Map Parcel(s): Tax Map 41D Parcel 107 (City of Charlottesville)  
Tax Map 41B Parcel 4A (City of Charlottesville)  
Portion of Tax Map 41B Parcel 6 (City of Charlottesville)

### CONSERVATION EASEMENT

THIS DEED OF GIFT OF CONSERVATION EASEMENT ("Conservation Easement"), exempt from all recordation taxes pursuant to Virginia Code §§ 58.1-811(C)(4), (D) and (F), is made on this 10th day of May, 2012, by the CITY OF CHARLOTTESVILLE, VIRGINIA, a municipal corporation, with an address of Post Office Box 911, Charlottesville, Virginia 22902 ("Grantor"), and THE NATURE CONSERVANCY, a non-profit corporation organized and existing under the laws of the District of Columbia, with a local address of 490 Westfield Road, Charlottesville, Virginia 22901 ("Grantee" or "Conservancy").

### RECITALS:

- A. Grantor is the sole owner in fee simple of the property legally described in Exhibit A, attached hereto and incorporated by this reference, which consists of three (3) parcels including Parcel 1 consisting of approximately 1.460 acres (Tax Map 41D Parcel 107) (shown on the plat in Exhibit B), Parcel 2 consisting of 3.33 acres (Tax Map 41B Parcel 4A), and Parcel 3 consisting of 4.421 acres (Portion of Tax Map 41B Parcel 6) located in the City of Charlottesville, Commonwealth of Virginia.
- B. As used herein, the term "Property" shall refer collectively together to Parcel 1, Parcel 2, and Parcel 3, which consists of approximately 9.211 acres in the aggregate, more or less, located in the City of Charlottesville, Commonwealth of Virginia, as described hereinabove.
- C. The Commonwealth of Virginia has authorized the creation of conservation easements pursuant to the Virginia Conservation Easement Act, Virginia Code §10.1-1009 *et seq.* (the "Conservation Easement Act"), and Grantor and Grantee wish to avail themselves of the provisions of that law.
- D. As required under §10.1-1010(E) of the Conservation Easement Act, the use of the Property for open space land conforms to the City of Charlottesville 2007 Comprehensive Plan (the "Comprehensive Plan"), as more particularly set forth in this Paragraph. The Guiding Principles of the Comprehensive Plan state that the Charlottesville community "puts a value on trees, parks, greenspace, stream and biodiversity as adding to the appearance and livability of the City" and "balances the natural and built environments and practices sustainability in its decisions" (Chapter 2). The "Environment" chapter of the Comprehensive Plan includes the goal to "promote, protect and restore riparian (streamside) and stream ecosystems to protect habitat

and water quality for people and animals” (Chapter 8). The Comprehensive Plan outlines specific objectives to reach this goal, including: “promote and participate in existing programs to accept conservation or open-space easements of forested stream-side lands to ensure permanent protection,” “restore degraded stream buffers through voluntary planting programs and the removal of pollution sources and invasive plants,” and “ensure riparian ecosystem health and water quality by repairing failing sewer infrastructure in degraded stream areas and reducing sources of stream bank erosion.” The “Land Use and Urban Design” chapter of the Comprehensive Plan includes the goal to “regulate the use of land to assure the protection, preservation and wise use of the City’s natural, historic and architecturally significant environment” and the specific objective to “continue to monitor development through enforcement of site plan/subdivision review, zoning, soil erosion ordinances and a better system of bonding performance, to ensure protection of limited natural resources and sensitive environmental areas, including designated flood plain areas and rivers” (Chapter 5).

E. The Property contains approximately 2,190 linear feet of frontage on Meadow Creek, 603 linear feet of frontage on tributaries to Meadow Creek, and 0.7 acres of wetlands. Protection of the Property’s frontage on Meadow Creek is consistent with the City of Charlottesville’s Water Protection Ordinance, voluntarily adopted by the City in 2004, which ordinance establishes stream buffers along three City streams, including Meadow Creek, for the purposes of “retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff.” The specific purposes of the Water Protection Ordinance are to:

- “(1) Inhibit the deterioration of public waters and waterways resulting from land disturbing activities;
- (2) Protect the safety and welfare of citizens, property owners, and businesses by minimizing the negative impacts of increased stormwater runoff from new land development and redevelopment;
- (3) Control nonpoint source pollution, erosion and sedimentation, and stream channel erosion;
- (4) Maintain the integrity of existing stream channels and networks for their biological functions, drainage, and natural recharge of groundwater;
- (5) Protect the condition of public waters for all reasonable public uses and ecological functions;
- (6) Provide for the long-term responsibility for and maintenance of stormwater management facilities and best management practices;
- (7) Facilitate the integration of stormwater management and pollution control with other city ordinances and with federal, state and local programs, policies, regulations and guidelines; and
- (8) Prohibit illicit connections and discharges to the City’s municipal storm sewer system.”

F. The Property contains nearly 2,800 linear feet of frontage on Meadow Creek and tributaries to Meadow Creek. Meadow Creek is a tributary of the Rivanna River which joins the James River and flows into the Chesapeake Bay. The Nature Conservancy has identified the Rivanna River watershed as one of the five best examples of a Piedmont freshwater system remaining in Virginia. As stated in the Chesapeake 2000 Agreement, signed by the Governor of

Virginia and the Administrator of the U.S. Environmental Protection Agency, "[t]he Chesapeake Bay is North America's largest and most biologically diverse estuary, home to more than 3,600 species of plants, fish and animals." A goal of the Chesapeake 2000 Agreement is to "expand the use of voluntary and market-based mechanisms such as easements...to protect and preserve natural resource lands." The Commonwealth of Virginia established the Virginia Water Quality Improvement Fund in part to meet its commitments under the Chesapeake 2000 Agreement. The Fund provides grants for projects including "the acquisition of conservation easements related to the protection of water quality and stream buffers."

G. Protection of the Property's frontage on Meadow Creek is consistent with the purposes and policies of the Chesapeake Bay Preservation Act, §§10.1-2100 to 10.1-2116 of the Code of Virginia (the "Chesapeake Bay Preservation Act"), which establishes the Chesapeake Bay Local Assistance Board to promulgate regulations and criteria for land use controls to protect water quality in the Chesapeake Bay and its tributaries, including Meadow Creek, which flows into the Rivanna River, a tributary of the James River.

H. The Commonwealth of Virginia has placed Meadow Creek and a segment of the Rivanna River just downstream of its confluence with Meadow Creek on the Clean Water Act (33 U.S.C. § 1251 *et seq.*) Section 303(d) list of impaired waterways for aquatic life and bacterial impairments. Excessive sedimentation, resulting from urban runoff and streambank erosion, is believed to be a major cause of the aquatic life impairments in Meadow Creek and the Rivanna River. Preventing development of the Property, restoring Meadow Creek, and preserving the forested buffer and wetlands along Meadow Creek will aid in reducing sedimentation and retarding and filtering runoff entering Meadow Creek and the Rivanna River.

I. This Conservation Easement protects Meadow Creek, the Rivanna River, and the Chesapeake Bay by, among other things, restricting development, construction, and disturbance of vegetation on the Property, thus preventing excessive degradation of aquatic habitat. In particular, this Conservation Easement protects the habitat for aquatic species by (i) preserving forested riparian buffers and floodplain wetlands along Meadow Creek, which buffers and wetlands trap sediments, filter run-off, prevent streambank erosion, and generally protect and enhance water quality, and (ii) preventing certain development and uses of the Property, such as the creation of impervious surfaces on the Property, that would increase runoff and pollution and materially impair the habitat for aquatic species in Meadow Creek, the Rivanna River, and the Chesapeake Bay.

J. Conditions on the Property are suitable for aquatic resource restoration. Restoration activities will improve water quality, providing substantial benefits to the ecological process and environmental conditions of Meadow Creek and systems downstream, including the Rivanna River and the Chesapeake Bay.

K. The Property, in its entirety, has ecological value as mitigation as that term is used in conjunction with impacts to aquatic resources in relation to the Clean Water Act, 33 U.S.C. § 1251 *et seq.* ("CWA"), and funds from the Virginia Aquatic Resources Trust Fund (the "Trust Fund") will be used to restore, enhance, or preserve the Property; and, because funds were paid into the Trust Fund on account of impacts permitted under the CWA by the Department of the

Army, the Trust Fund and the United States Army Corps of Engineers ("USACE") are third-party beneficiaries of this Conservation Easement.

L. The characteristics of the Property, its current use and state of improvement, are described in a report entitled "Baseline Report of City of Charlottesville Meadow Creek Conservation Easement (Tax Map Parcel 41D-107, Tax Map Parcel 41B-4A, and Portion of Tax Map Parcel 41B-6)", dated December 8, 2011, as amended, prepared by Grantee for Grantor (the "Baseline Report"). Grantor worked with Grantee to ensure that the report is a complete and accurate description of the Property as of the date of recordation of this Conservation Easement. Grantor and Grantee agree that the Baseline Report will be amended following stream restoration work to document the final restoration plan. The Baseline Report, as amended, will be used by Grantor and Grantee to assure that any future changes in the use of the Property will be consistent with the terms of this Conservation Easement. However, the Baseline Report is not intended to preclude the use of other evidence to establish the present condition of the Property if there is a controversy over its use.

M. Grantor and Grantee have the common purpose of conserving the above-described conservation values of the Property in perpetuity.

**NOW, THEREFORE,** Grantor, for and in consideration of the facts recited above and of the mutual covenants, terms, conditions and restrictions contained herein and as an absolute and unconditional gift, hereby gives, grants, and conveys unto Grantee a Conservation Easement in perpetuity over the Property of the nature and character as follows:

1. **PURPOSES.** The purposes of this Conservation Easement are as follows: to restore and enhance stream and riparian resources; to ensure that the Property will be retained forever predominantly in its natural and scenic condition; to protect water quality within the Rivanna River watershed; to protect native plants, animals, or plant communities on the Property; to protect wetland and aquatic resources; in part to provide ecological value as mitigation for impacts to aquatic resources; to prevent any use of the Property that will significantly impair or interfere with the conservation values of the Property described above, while allowing for traditional uses on the Property that are compatible with and not destructive of the conservation values of the Property, such as hiking, fishing, and picnicking.

Grantor will not perform, nor knowingly allow others to perform, any act on or affecting the Property that is inconsistent with the purposes of this Conservation Easement. Nothing in this Conservation Easement shall require Grantor to take any action to restore the condition of the Property after any act of God or other event over which Grantor had no control, including but not limited to activities of beavers and the unauthorized activities of third parties. Grantor understands that nothing in this Conservation Easement relieves it of any obligation or restriction on the use of the Property imposed by law.

2. **DEFINITIONS.** As used in this Conservation Easement:

A. Existing Improvements and Constructed Features – Those existing structures, facilities, utilities, Trails (defined below), and other man-made additions to the natural environment located on the Property as of the date of recordation of this Conservation Easement and described and depicted in the Baseline Report.

B. Improvements – Improvements consist of any building, structure, or man-made addition to the Property, including but not limited to roads, residences, out-buildings, sheds, barns, tree-houses, house and office trailers, tennis and other recreation courts, and swimming pools placed, built, or constructed on the Property after the date of recordation of this Conservation Easement. For the purposes of this definition, Improvements do not include Trails (defined below), structures and facilities associated with utilities (pipes, valves, manholes, etc.), fences, signs, picnic tables, benches, or movable items not affixed to real estate that have a *de minimis* impact on ground area.

C. Invasive Plants – Plants included on the most current list of Virginia Department of Conservation and Recreation's "Invasive Alien Plant Species of Virginia" or, if such list ceases to be published, a similar list promulgated by the Commonwealth of Virginia or the federal government, which Grantee shall notify Grantor is the list that shall be binding on Grantor for purposes of this Conservation Easement.

D. Stream Mitigation Activities – On Parcel 1, the restoration of approximately 478 linear feet of Meadow Creek (one bank), the preservation of approximately 85 linear feet of a tributary to Meadow Creek, and the enhancement and preservation of a riparian buffer along each of these reaches; on Parcel 2, the restoration of approximately 575 linear feet of Meadow Creek (both banks), the preservation of approximately 324 linear feet of a tributary to Meadow Creek, and the enhancement and preservation of a riparian buffer along each of these reaches; and on Parcel 3, the restoration of approximately 1,137 linear feet of Meadow Creek (both banks), the preservation of approximately 194 linear feet of a tributary to Meadow Creek, and the enhancement and preservation of a riparian buffer along each of these reaches.

E. Trails – Those dirt (or other pervious surface) trails and paths, and associated footbridges over streams or ditches, located within the Property. The locations of existing Trails are described and depicted graphically in the Baseline Report.

3. **PROPERTY USES.** Any activity on or use of the Property inconsistent with the purposes of this Conservation Easement is prohibited. Without limiting the generality of the foregoing, the following is a listing of activities and uses which are expressly prohibited or which are expressly allowed. Grantor and Grantee have determined that the allowed activities do not impair the conservation values of the Property. Additional retained rights of Grantor are set forth in Paragraph 4 below.

3.1 Subdivision. Neither Parcel 1, Parcel 2 nor Parcel 3 shall be divided, subdivided or partitioned, nor shall any of such Parcels be conveyed or pledged for a debt except in its

current configuration as an entity. Provided, however that the separate transfer, conveyance or encumbrance of the entirety of Parcel 1, Parcel 2, or Parcel 3 shall not be considered a subdivision of the Property. Any parcel transferred or conveyed shall remain subject to the terms of this Conservation Easement, and shall not be further divided, subdivided or partitioned.

3.2 Improvements. No new Improvements may be constructed or placed on the Property.

3.3 Existing Improvements and Constructed Features. Grantor shall have the right and is expressly permitted to, and may permit others to, maintain, remodel, operate and repair Existing Improvements and Constructed Features on the Property (including Trails) as described and detailed in the Baseline Report, and in the event of their destruction or obsolescence, to reconstruct or replace any such Existing Improvement or Constructed Feature with another of similar size, function, capacity, location and material. Grantor shall have the right to replace and relocate the existing Trail that is located roughly parallel to Meadow Creek, provided that no trees planted as part of the stream restoration project are removed to replace and relocate the trail, and provided that the relocated Trail: i) is no more than eight (8) feet in width, ii) has a pervious surface, iii) is co-located within the existing utility rights-of-way when reasonably practicable, and iv) in cases where it is not possible to co-locate the Trail within existing utility rights-of-way, is located as far away from Meadow Creek as is reasonably practicable. Extensions of existing utilities shall be considered new utilities covered in Paragraph 3.4.

3.4 Utilities.

(a) New Public Utilities. The construction, installation, relocation, repair, replacement, remodeling, operation and maintenance of public utility structures and facilities placed, built, or constructed on the Property after the date of recordation of this Conservation Easement shall be permitted, provided that: i) to the extent reasonably practicable, the location of such utilities shall be not less than one hundred (100) feet from Meadow Creek unless Grantee and USACE consent to the location of utilities within such 100 foot buffer, which consent shall not be unreasonably withheld; ii) no more land or vegetation shall be disturbed than is reasonably necessary to construct, install, relocate, repair, replace, remodel, operate and maintain the utilities; and iii) construction, installation, relocation, repair, replacement, remodeling, operation and maintenance of such utilities shall comply with applicable federal, state, and local requirements and permits and be conducted in a manner that protects water quality and to the extent reasonably practicable does not damage the stream restoration project. In the event that the stream restoration project is damaged as a result of the activities permitted under this paragraph, the project shall be restored to its status prior to such damage.

(b) New Private Utilities. The construction, installation, relocation, repair, replacement, remodeling, operation and maintenance of private utility structures and facilities placed, built, or constructed on the Property after the date of recordation of this Conservation Easement may be permitted subject to prior written consent of Grantee,



USACE, and Grantor, except that consent shall not be required for maintenance of permitted new private structures and facilities.

- 3.5 New Trails. Grantor shall have the right to construct Trails on the Property after the date of recordation of this Conservation Easement provided (i) new Trails are no more than six (6) feet in width and (ii) no trees planted as part of the stream restoration project and no existing trees (other than Invasive Plants) over two (2) inches in diameter at breast height ("dbh") are removed to construct new Trails. Grantor shall have the right to construct a boardwalk, construct new Trails wider than six (6) feet, and remove trees for the construction of new Trails, subject to prior written consent of Grantee. The reconstruction or replacement of existing Trails is permitted pursuant to Paragraph 3.3.
- 3.6 Recreational Uses. Grantor shall have the right to engage in and permit others to engage in recreational uses of the Property including, without limitation, fishing, hiking, canoeing, kayaking, and bicycling, provided such activities do not cause substantial damage to or removal of the trees or other vegetation on the Property or otherwise harm riparian and aquatic habitats.
- 3.7 Use of Motorized Vehicles. Except for emergency vehicles, and vehicles necessary for or used in connection with restoration activities and maintenance of restoration activities pursuant to Paragraphs 3.16 and 5.3 and other activities expressly permitted under this Conservation Easement, the use of motorized vehicles is prohibited.
- 3.8 Commercial Use and Development. Any commercial or industrial use of, or activity on, the Property is prohibited.
- 3.9 Introduction of Invasive Plants. Grantor shall not introduce Invasive Plants to the Property. However, Grantee may give consent for such introduction to address a defined land management concern, such as short-term erosion mitigation using annual grasses.
- 3.10 Destruction of Vegetation. There shall be no removal, harvesting, destruction or cutting of trees, shrubs or plants. Notwithstanding the foregoing, Grantor shall have the right to (i) remove trees pursuant to Paragraph 3.5, (ii) remove Invasive Plants and diseased or damaged trees, shrubs, or plants, (iii) cut firebreaks, subject to prior written consent of Grantee, except that such consent shall not be required in case of emergency firebreaks, and (iv) cut and remove trees, shrubs or plants to accommodate the activities expressly permitted under this Conservation Easement, including without limitation utility activities pursuant to Paragraph 3.4.
- 3.11 Changes in Topography. Except as necessary to accommodate the activities expressly permitted under this Conservation Easement, including without limitation utility activities pursuant to Paragraph 3.4, and any such activities that are necessary or expedient to accommodate ecological restoration activities in accordance with Paragraphs 3.16 and 5.3, there shall be: (i) no ditching, draining, diking, filling, drilling, excavating, dredging, or removal or placement of topsoil, sand, gravel, rock, minerals, land fill, dredging spoils or other materials; (ii) no change in the topography of the Property; and (iii) no

disturbance of the soil in any manner. In no event shall mining or hydrocarbon extraction be permitted on the Property.

- 3.12 Water Management. Except as necessary or expedient to accommodate ecological restoration activities in accordance with Paragraphs 3.16 and 5.3, there shall be no alteration, pollution, depletion or extraction of surface water, marshes, or subsurface water on the Property, and no activities shall be conducted on the Property that would be detrimental to water purity or that could alter the natural water level or flow in or over the Property. Notwithstanding the foregoing, to the extent necessary to accomplish construction, installation, relocation, repair, replacement, remodeling, operation and maintenance of utility structures and facilities in accordance with Paragraphs 3.3 and 3.4, temporary alteration of flow is permitted, subject to the prior written consent of Grantee and USACE.
- 3.13 Signage. No signs or billboards or other advertising displays are allowed on the Property, except that signs whose placement, number and design do not significantly diminish the scenic character of the Property may be displayed to state the name and address of the Property, to advertise or regulate permitted on-site activities, to provide educational, interpretive or directional information, to advertise the Property for sale or rent, and to post the Property to control unauthorized entry or use.
- 3.14 No Biocides or Fertilizers. There shall be no use of biocides, including but not limited to pesticides, fungicides, rodenticides, and herbicides, except, with prior written consent of Grantee to control Invasive Plants detrimental to the conservation values of the Property or to control household vermin and other small animals that cannot be practically controlled by selective methods. There shall be no use of fertilizers, except as selectively applied to aid in the establishment of native vegetation planted as part of restoration efforts.
- 3.15 No Dumping. There shall be no dumping of trash, garbage, or other unsightly or offensive material, hazardous substances, or toxic waste on the Property. There shall be no placement of underground storage tanks in, on, or under the Property.
- 3.16 Ecological Restoration Activities. If Grantor reasonably determines that such activities are consistent with the purposes of this Conservation Easement, Grantor may, subject in any event to prior written consent of Grantee and USACE, not to be unreasonably withheld, engage, and permit others to engage, in restoration activities, pertaining to, without limitation, wetlands, stream banks and channels, riparian areas, Invasive Plant infestations, or fire regime, and installation of stormwater or other best management practices to protect or enhance environmental quality. Prior to commencement of any activities pursuant to this Paragraph, Grantor shall have the plans and specifications for such activities approved by, and shall obtain all permits necessary for, engaging in such activities from all local, state and federal authorities with jurisdiction over such activities.
- 3.17 Agriculture. No farming, grazing, or other agricultural activities are permitted on the Property.

### 3.18 Consent.

(a) For those activities that require consent, Grantor shall submit plans to Grantee for its review prior to initiation of such activities. The plans shall be sufficiently detailed to allow Grantee to fully evaluate the activity's conformance to the Conservation Easement, including but not necessarily limited to location and extent of the proposed activities. No activity requiring consent may take place until Grantee reviews and approves the plans in writing, and in cases where USACE consent is also required, Grantee reviews and approves the plans in writing and submits the plans to USACE and receives USACE approval in writing. Grantee will review proposed activities and, in cases where USACE consent is also required, Grantee will review the proposed activities with USACE and seek written USACE approval in a timely fashion. The plans will be deemed approved unless Grantee or USACE objects in writing, within sixty (60) days of receipt of complete plans, setting forth with specificity the grounds for objections. Grantee agrees that if the activity is consistent with the terms and provisions of this Conservation Easement, Grantee's approval shall not be unreasonably withheld.

(b) The following paragraphs contain activities that require consent of Grantee and USACE:

- (i) Paragraph 3.4 – a) i) the location of new public utility structures and facilities within 100 feet of Meadow Creek and b) the construction, installation, and relocation of new private utility structures and facilities;
- (ii) Paragraph 3.12 – temporary alteration of flow, to the extent necessary to accomplish construction, installation, relocation, repair, replacement, remodeling, operation and maintenance of utility structures and facilities in accordance with Paragraphs 3.3 and 3.4; and
- (iii) Paragraph 3.16 – engaging and permitting others to engage in ecological restoration activities.

(c) The following paragraphs contain activities that require consent of Grantee only:

- (i) Paragraph 3.5 – construction of a boardwalk, construction of new Trails wider than six (6) feet, or removal of trees (other than Invasive Plants) over two (2) inches in diameter at breast height (“dbh”) for the construction of new Trails;
- (ii) Paragraph 3.9 – introduction of Invasive Plants;
- (iii) Paragraph 3.10(iii) – removal, harvesting, destruction or cutting of trees, shrubs or plants to cut firebreaks, except that such consent shall not be required in case of emergency firebreaks; and

- (iv) Paragraph 3.14 – use of biocides to control Invasive Plants detrimental to the conservation values of the Property or to control household vermin and other small animals that cannot be practically controlled by selective methods.

(d) Prior consent is not required in the case of an emergency situation that threatens public health, safety or welfare. Grantor will notify Grantee of the emergency as soon as practicable and inform Grantee of what steps have been taken to abate the emergency.

- 3.19 Density. Neither the Property nor any portion of it shall be included as part of the gross area of other property not subject to this Conservation Easement for the purposes of determining density, lot coverage, or open space requirements under otherwise applicable laws, regulations or ordinances controlling land use and building density. No development rights that have been encumbered or extinguished by this Conservation Easement shall be transferred to any other lands pursuant to a transferable development rights scheme, cluster development arrangement or otherwise.
- 3.20 Compliance with the Americans with Disabilities Act (ADA). Nothing contained in this Conservation Easement shall prevent or preclude Grantor from complying with the requirements of the ADA. Prior to undertaking any activity required by the ADA that would be inconsistent with the purposes of this Conservation Easement, Grantor will provide notice to Grantee of such activity.

4. **ADDITIONAL RIGHTS RETAINED BY GRANTOR.** Grantor retains the following additional rights:

- 4.1 Existing Uses. The right to undertake or continue any activity or use of the Property permitted by encumbrances currently of record or not prohibited by this Conservation Easement. Prior to making any change in use of the Property, Grantor shall notify Grantee and USACE in writing to allow a reasonable opportunity to determine whether such change would violate the terms of this Conservation Easement. No such change may be made without approval of Grantee and USACE in writing.
- 4.2 Transfer. The right to sell, give, mortgage, lease, or otherwise convey the Property subject to the terms of this Conservation Easement.

5. **GRANTEE'S RIGHTS.** To accomplish the purposes of this Conservation Easement, the following rights are granted to Grantee by this Conservation Easement:

- 5.1 Right to Enforce. The right of Grantee to preserve and protect the conservation values of the Property and enforce the terms of this Conservation Easement.
- 5.2 Right of Entry. The right of Grantee's staff, contractors and associated natural resource management professionals, to enter the Property after prior written notice to Grantor, for the purposes of:

- (i) Performing activities associated with a stream restoration project approved by USACE and Grantee;
- (ii) Inspecting the Property to determine if Grantor is complying with the covenants and purposes of this Conservation Easement;
- (iii) Monitoring and research as described below;
- (iv) Management of Invasive Plants as described below; and
- (v) Enforcing the terms of this Conservation Easement.

Prior written notice is not required if Grantee is entering upon the Property because of an ongoing or imminent violation that could, in the sole discretion of Grantee, substantially diminish or impair the conservation values of the Property, as described in Paragraph 7 herein. Such right of entry shall include the permanent right to cross other lands of Grantor for access to the Property.

5.3 Riparian Area and Stream Restoration Activities. Notwithstanding Paragraph 3, the right of Grantee, its officers, employees, contractors, subcontractors and agents, including representatives of USACE, to enter upon the Property and engage in stream and riparian area restoration activities related to the stream restoration project approved by the Trust Fund on November 16, 2007, December 16, 2008 and December 21, 2009, including, without limitation, construction, removal, reshaping and/or reinforcing of the riparian area adjacent to Meadow Creek and other earthworks, planting of native vegetation and trees, and redirecting of streams or other water bodies. Grantee shall be responsible for obtaining all permits and approvals necessary for engaging in such activities, and Grantor shall consent to, and cooperate with, all efforts to obtain such permits and approvals including, without limitation, execution of all permit applications. All such entries shall be by existing Trails on the Property and Grantee shall repair any Trail, fence or gate damaged as a result of such access to its condition immediately prior to such access. Should access be required across areas where Trails do not exist, Grantee may access such restoration sites across the Property as necessary to accomplish the purposes of this Conservation Easement. Grantee shall repair any damages occasioned by such access. Grantee shall also be responsible for conducting restoration activities in a manner that does not damage utilities or other structures, and shall repair any damages to utilities or other structures occasioned by such activities. Grantee shall keep Grantor's interest in the Property free of any liens arising out of any restoration work performed for, materials furnished to or obligations incurred by Grantee. Nothing in this Conservation Easement authorizes Grantee to undertake restoration activities outside of property owned by Grantor. Grantee will provide Grantor with ten (10) business days' notice if a portion or all of the Property will need to be closed temporarily to the public.

5.4 Monitoring and Research. The right, but not the obligation, to monitor the plant and wildlife populations, plant communities and natural habitats, and success of restoration activities on the Property. Grantor shall cooperate with Grantee in establishing, at no

expense to Grantor, a written monitoring and research plan to direct the monitoring of and research on plant and wildlife populations, plant communities and natural habitats, and success of restoration activities on the Property. Grantor agrees that all monitoring activity, natural resource inventory and assessment work or other natural resource research, conducted by Grantor or others, shall be reported to Grantee.

- 5.5 Management of Invasive Plants. The right, but not the obligation, to control, manage or destroy Invasive Plants that threaten the conservation values of the Property. Grantee will consult with Grantor prior to implementing management activities.

- 5.6 Discretionary Consent. Grantee's consent for activities otherwise prohibited or requiring Grantee's consent under Paragraph 3 above, may be given under the following conditions and circumstances. If, owing to unforeseen or changed circumstances, any of the prohibited activities listed in Paragraph 3 are deemed desirable by both Grantor and Grantee, Grantee may, in its sole discretion, give permission for such activities, subject to the limitations herein. Such requests for permission, and permission for activities requiring Grantee's consent, shall be in writing and shall describe the proposed activity in sufficient detail to allow Grantee to judge the consistency of the proposed activity with the purpose of this Conservation Easement. Grantee may give its permission only if it determines, in its sole discretion, that such activities (i) do not violate the purpose of this Conservation Easement and (ii) either enhance or do not impair any significant conservation interests associated with the Property. Notwithstanding the foregoing, Grantee and Grantor have no right or power to agree to any activities that would result in the change, alteration, modification, amendment or termination of this Conservation Easement. Under no circumstance may activities that require the consent of USACE be allowed without written consent of USACE.

6. **RESPONSIBILITIES OF GRANTOR AND GRANTEE NOT AFFECTED.** Other than as specified herein, this Conservation Easement is not intended to impose any legal or other responsibility on Grantor, or in any way to affect any existing obligation of Grantor as owners of the Property. Among other things, this shall apply to:

- (i) Taxes. Grantor shall be solely responsible for payment of all taxes and assessments levied against the Property.
- (ii) Upkeep and Maintenance. Grantor shall be solely responsible for the upkeep and maintenance of the Property, to the extent it may be required by law. Grantee shall have no obligation for the upkeep or maintenance of the Property. Grantor agrees to maintain adequate liability insurance that covers the Property.

7. **ENFORCEMENT.** If Grantee becomes aware of a violation of the terms of this Conservation Easement, Grantee shall give notice to Grantor of such violation and request corrective action sufficient to abate such violation and restore the Property to its previous condition as documented in the Baseline Report, as amended. Grantor agrees that the Baseline Report, also known as a Baseline Documentation Report, shall be deemed to provide objective information concerning the Property's condition at the time of this grant. Grantor and Grantee



agree that the Baseline Report will be amended following stream restoration to document the final restoration plan. Failure by Grantor to abate the violation and take such other corrective action as may be requested by Grantee within thirty (30) days after receipt of such notice shall entitle Grantee to bring an action at law or equity in a court of competent jurisdiction to enforce the terms of this Conservation Easement; to require the restoration of the Property to its previous condition; to enjoin the non-compliance by temporary or permanent injunction in a court of competent jurisdiction; and/or to recover any damages arising from the noncompliance. Such damages, when recovered, may be applied by Grantee, in its sole discretion, to corrective action on the Property. If the court determines that Grantor has failed to comply with this Conservation Easement, Grantor shall reimburse Grantee for any reasonable costs of enforcement, including costs of restoration, court costs and reasonable attorneys fees, in addition to any other payments ordered by such court.

- 7.1 Emergency Enforcement. If Grantee, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the conservation values of the Property, Grantee may pursue its remedies under this paragraph without prior notice to Grantor or without waiting for the period for cure to expire.
- 7.2 Failure to Act or Delay. Grantee does not waive or forfeit the right to take action as may be necessary to ensure compliance with this Conservation Easement by any prior failure to act.
- 7.3 Violations Due to Causes Beyond Grantor's Control. Nothing herein shall be construed to entitle Grantee to institute any enforcement proceedings against Grantor for any changes to the Property due to causes beyond Grantor's control, such as changes caused by fire, flood, storm, earthquake or the unauthorized wrongful acts of third persons. In the event of violations of this Conservation Easement caused by the unauthorized wrongful acts of third persons, Grantor agrees, upon request by Grantee, to join in any suit or to appoint Grantee its attorney-in-fact for the purposes of pursuing enforcement action, all at the election of Grantee.
- 7.4 Standing. By virtue of Grantee's acquisition of rights under this Conservation Easement, it shall be entitled, at its option, to standing before appropriate courts of law to pursue remedies or other matters which are necessary or incidental to the protection of the Property which is subject to this Conservation Easement.
- 7.5 Enforcement by USACE. In case of a dispute involving a possible violation of the terms of this Conservation Easement, and where Grantee fails to bring an action against Grantor under Paragraph 7 within sixty (60) days of notice of such possible violation, then USACE may pursue enforcement, including bringing an action against Grantor for an injunction seeking compliance with the terms of the restrictions contained in this Conservation Easement, including the restoration of the Property to its status prior to the violation. Nothing herein shall be construed to entitle USACE to institute any enforcement proceedings against Grantor for any changes to the Property due to causes beyond Grantor's control, such as changes caused by fire, flood, storm, earthquake or the unauthorized wrongful acts of third persons, and Grantor shall have no obligation to

restore the Property if it has been damaged due to fire, flood, storm, earthquake or the unauthorized acts of third persons.

8. **RIGHT OF USACE ENTRY.** USACE's staff, contractors and associated natural resource management professionals, shall have the right to enter the Property after prior written notice to Grantor, for the purposes of:

- (a) Performing activities associated with a stream restoration project approved by USACE and Grantee;
- (b) Inspecting the Property to determine if Grantor is complying with the covenants and purposes of this Conservation Easement; and
- (c) Enforcing the terms of this Conservation Easement pursuant to Paragraph 7.5.

Prior written notice is not required if USACE is entering upon the Property because of an ongoing or imminent violation that could, in the sole discretion of USACE, substantially diminish or impair the conservation values of the Property, as described in Paragraph 7 herein. Such right of entry shall include the permanent right to cross other lands of Grantor for access to the Property.

9. **TRANSFER OF CONSERVATION EASEMENT.** The parties recognize and agree that the benefits of this Conservation Easement are in gross and assignable. Grantee shall have the right to transfer or assign this Conservation Easement, subject to Grantor's prior written consent, which shall not be unreasonably withheld, conditioned or delayed, to an organization that at the time of transfer, is a "qualified organization" under Section 170(h) of the U.S. Internal Revenue Code, and the organization expressly agrees to assume the responsibility imposed on Grantee by this Conservation Easement. If Grantee ever ceases to exist or no longer qualifies under Sec. 170(h) or applicable state law, a court with jurisdiction shall transfer this Conservation Easement to another qualified organization having similar purposes that agrees to assume the responsibility.

10. **TRANSFER OF PROPERTY.** Any time the Property, or any interest therein, is transferred by Grantor to any third party, Grantor shall notify Grantee in writing at least thirty (30) days prior to the transfer of the Property, and the document of conveyance shall expressly refer to this Conservation Easement.

11. **AMENDMENT OF CONSERVATION EASEMENT.** This Conservation Easement may be amended only with the written consent of Grantor, Grantee and USACE. Any such amendment shall be consistent with the purposes of this Conservation Easement and with the Virginia Conservation Easement Act, VA Code Ann. § 10.1-1009 *et seq.*, or any regulations promulgated pursuant to that law. Grantor and Grantee have no right or power to agree to any amendment that would diminish the enforceability of this Conservation Easement.

12. **TERMINATION OF CONSERVATION EASEMENT.** Grantor hereby agrees that at the time of the conveyance of this Conservation Easement to Grantee, this Conservation Easement gives rise to a real property right, immediately vested in Grantee.

When a change in conditions takes place which makes impossible or impractical any continued protection of the Property for conservation purposes, and the restrictions contained herein are extinguished by judicial proceeding, Grantee, upon a subsequent sale, exchange or involuntary conversion of the Property, shall be entitled to a portion of the proceeds at least equal to that proportionate value that the cost of replacing the Stream Mitigation Activities bears to the fair market value of the Property as of the date of the sale, exchange or conversion. Grantee's portion of such proceeds, if any, shall be used for stream mitigation purposes as approved by USACE.

13. **EMINENT DOMAIN.** Whenever all or part of the Property is taken in exercise of eminent domain ("taking") by public, corporate, or other authority so as to abrogate the restrictions imposed by this Conservation Easement, Grantor and Grantee shall join in appropriate actions at the time of such taking to recover the full value of the taking and all incidental or direct damages resulting from the taking, which proceeds shall be divided in accordance with the proportionate value of Grantee's and Grantor's interests as described in Paragraph 12, and Grantee's proceeds shall be used for stream mitigation purposes as approved by USACE. All expenses incurred by Grantor and Grantee in such action shall be paid out of the recovered proceeds.

14. **INTERPRETATION.** This Conservation Easement shall be interpreted under the laws of Virginia, resolving any ambiguities and questions of the validity of specific provisions so as to give maximum effect to its conservation purposes.

15. **TITLE.** Grantor covenants and represents that Grantor is the sole owner and is seized of the Property in fee simple and has good right to grant and convey this Conservation Easement; that to its knowledge the Property is free and clear of any and all encumbrances other than those currently of record (e.g., utility easements), including but not limited to, any deeds of trust or mortgages not subordinated to this Conservation Easement, and that Grantee shall have the use of and enjoy all of the benefits derived from and arising out of this Conservation Easement. This Conservation Easement is specifically made subject to: (a) that certain Easement Modification Agreement by and between Cannon/Hearthwood Limited Partnership, a Virginia limited partnership, and Rivanna Water and Sewer Authority ("RWSA") as grantee recorded in the Clerk's Office of the Circuit Court of the City of Charlottesville as Instrument No. 2009002416, (b) that certain Easement Modification Agreement and Deed of Easement by and between Region Ten Community Services Board, Inc., a Virginia non-stock corporation, and RWSA as grantee recorded in the aforesaid Clerk's Office as Instrument No. 2010000162, and (c) that certain Easement Modification Agreement by and between Grantor herein and RWSA as grantee recorded in the aforesaid Clerk's Office as Instrument No. 201104209, as well as any other easements, conditions, restrictions, and reservations contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title to the property hereby encumbered, which have not expired by limitation of time contained therein or have not otherwise become ineffective.

16. **NOTICES.** Any notices required by this Conservation Easement shall be in writing and shall be personally delivered or sent by first class mail, to Grantor and Grantee, respectively, at the following addresses, unless a party has been notified by the other of a change of address.

To Grantor:  
City Attorney  
City of Charlottesville  
Post Office Box 911  
Charlottesville, VA 22902  
Fax: 434-970-3022

To Grantee:  
Legal Department  
The Nature Conservancy  
490 Westfield Road  
Charlottesville, VA 22901  
Fax: 434-817-9381

With a copy to:  
Director of Parks and Recreation  
City of Charlottesville  
Post Office Box 911  
Charlottesville, VA 22902  
Fax: 434-970-3889

With a copy to:  
The Nature Conservancy  
Virginia Field Office  
490 Westfield Road  
Charlottesville, VA 22901  
Fax: 434-979-0370

17. **ENVIRONMENTAL CONDITION.** Grantor warrants that it has no actual knowledge of a release or threatened release of hazardous substances or wastes on the Property.

18. **SEVERABILITY.** If any provision of this Conservation Easement is found to be invalid, the remaining provisions shall not be altered thereby.

19. **PARTIES.** Every provision of this Conservation Easement that applies to Grantor or Grantee shall also apply to their respective heirs, executors, administrators, assigns, and all other successors as their interest may appear. The Trust Fund and USACE are third-party beneficiaries to this Conservation Easement.

20. **RE-RECORDING.** In order to ensure the perpetual enforceability of the Conservation Easement, Grantee is authorized to re-record this instrument or any other appropriate notice or instrument.

21. **MERGER.** The parties agree that the terms of this Conservation Easement shall survive any merger of the fee and easement interest in the Property.

22. **SUBSEQUENT LIENS ON PROPERTY.** No provisions of this Conservation Easement should be construed as impairing the ability of Grantor to use this Property as collateral for subsequent borrowing, provided that any mortgage or lien arising from such a borrowing would be subordinate to this Conservation Easement.

23. **ACCEPTANCE & EFFECTIVE DATE.** As attested by the signature of the authorized representative of The Nature Conservancy affixed hereto, Grantee hereby accepts without reservation the rights and responsibilities conveyed by this Conservation Easement. This Conservation Easement is to be effective the date recorded in the Clerk's Office of the Circuit Court of the City of Charlottesville, Virginia.

24. **MITIGATION CREDIT(S).** All mitigation credits derived from the Property and/or work that has mitigation value with relation to the Trust Fund are to be allocated to, owned by and maintained by Grantee as provided for through the Trust Fund.

By ordinance adopted January 3, 2012, the Mayor was authorized by the City Council to sign this Deed of Gift of Conservation Easement.

TO HAVE AND TO HOLD, this Grant of Conservation Easement unto Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, Grantor and Grantee, intending to legally bind themselves, have set their hands and seals on the date first written above.

GRANTOR:

CITY OF CHARLOTTESVILLE, VIRGINIA,  
a municipal corporation

By: Satyendra Singh Huja  
Mayor, City of Charlottesville

Approved as to Form:

By: Francesca Jordan  
City Attorney or Designee

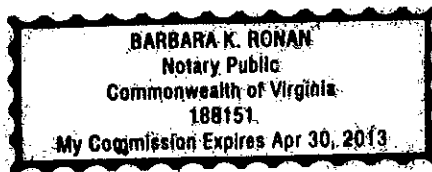
COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF Charlottesville

The foregoing instrument was acknowledged before me this 16<sup>th</sup> day of MAY, 2012, by Satyendra Singh Huja, who is Mayor of the CITY OF CHARLOTTESVILLE, VIRGINIA, a municipal corporation.

Registration No.: 188151

Barbara K. Ronan  
NOTARY PUBLIC

My commission expires:  
4/30/2013



GRANTEE:

THE NATURE CONSERVANCY  
a District of Columbia non-profit corporation

By: George W. Barlow

Its: Assistant Secretary

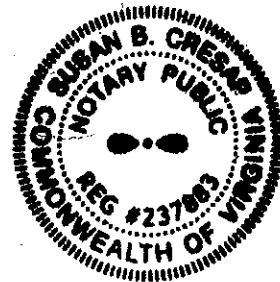
COMMONWEALTH OF VIRGINIA  
COUNTY OF ALBEMARLE

The foregoing instrument was acknowledged before me on the 15<sup>th</sup> day of May, 2012, by George W. Barlow, III, who is Assistant Secretary of THE NATURE CONSERVANCY, a District of Columbia non-profit corporation, on behalf of said corporation.

Registration No.: 237883

Susan B. Cresap  
NOTARY PUBLIC

My commission expires:  
June 30, 2014





## **EXHIBIT A**

### **Legal Description of Tax Map 41D Parcel 107 (Parcel 1)**

All that certain tract or parcel of land containing 1.460 acres, more or less, together with the improvements thereon and all rights privileges, easements and rights of way thereunto belonging or in anywise appertaining, situate in the City of Charlottesville, Virginia, designated as a "Future Street" on Sheet 1 of a 2-page plat dated November 9, 1967, made by William S. Roudabush, Jr., C.L.S., of record in the Clerk's Office of the Circuit Court of the City of Charlottesville, Virginia, in Deed Book 297, Page 161, and as shown on the Plat made by Draper Aden Associates, dated January 19, 2010, last revised December 5, 2011, and recorded herewith. The aforesaid Plat generally depicts such tract or parcel of land and estimates the acreage thereof.

Being the same property conveyed to the Grantor by quitclaim deed dated November 12, 2009 from Glenn T. Forloines, as Trustee in Dissolution of Grover W. Forloines and Son, Inc., of record in the aforesaid Clerk's Office as Instrument No. 20090005118.

### **Legal Description of Tax Map 41B Parcel 4A (Parcel 2)**

All that certain tract or parcel of land, together with the improvements thereon and all rights privileges, easements and rights of way thereunto belonging or in anywise appertaining, situate in the City of Charlottesville, Virginia, containing approximately 3.3 acres, more or less, located east of Hydraulic Road and north of Brandywine Drive, shown and designated as Parcel B on the Plat made by Draper Aden Associates, dated April 21, 2009 last revised August 11, 2010, and recorded with the hereinafter mentioned deed.

Being the same property conveyed to the Grantor by deed from Region Ten Community Services Board, a Virginia non-stock corporation, dated March 7, 2011 and recorded in the Clerk's Office of the Circuit Court of Charlottesville, Virginia, as Instrument No. 2011000963.

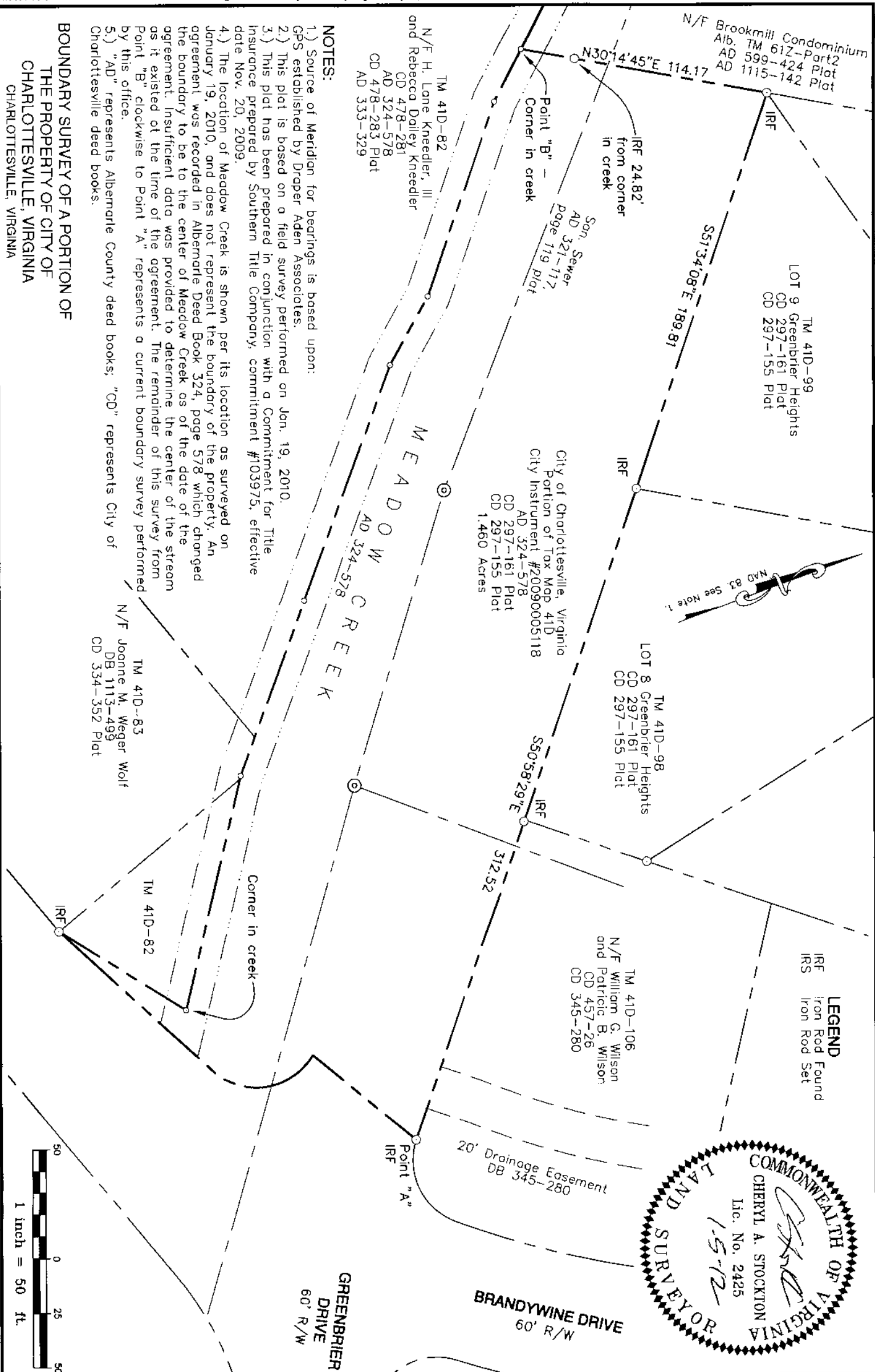
### **Legal Description of Portion of Tax Map 41B Parcel 6 (Parcel 3)**

All that certain tract or parcel of land, together with the improvements thereon and all rights privileges, easements and rights of way thereunto belonging or in anywise appertaining, situate in the City of Charlottesville, Virginia, containing 4.421 acres, more or less, being the greater portion of 4.515 acres, more or less, and more particularly described as Parcel Y on a survey thereof prepared by Roudabush, Gale & Associates, Inc., dated July 29, 2010, and recorded with the hereinafter mentioned deed, and described by metes and bounds according to such survey as follows:

Legal Description of Parcel Y, being a 4.515 Acre portion of the Cannon/Hearthwood property identified as Tax Map 41B, Parcel 5, which portion, pursuant to the hereinafter mentioned deed,

**EXHIBIT B**

Plat of Tax Map 41D Parcel 107 (Parcel 1)



**Draper Aden Associates**

Engineering • Surveying • Environmental Services

700 Harris Street, Suite E  
Charlottesville, VA 22903  
434-295-0700 Fax: 434-295-2105

Blacksburg, VA  
Richmond, VA  
Hampton Roads, VA

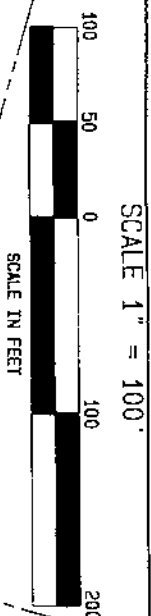
DRAWN CAS  
CHECKED KLC

SCALE 1"=50'  
DATE 01-19-10 REV. 12-05-11

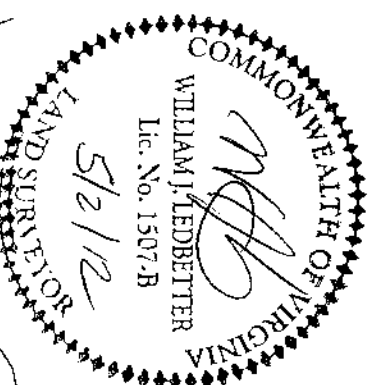
PROJECT: C09241C-01

## **EXHIBIT C**

*Plat of area excluded from Conservation Easement*



TMP 41B-5  
Canon/Hearthwood  
Inst. #2011004089  
DB 572 Pg. 806  
DB 326 Pg. 4 (plot)  
DB 420 Pg. 36 (plot)



NAD 83  
Instr. # 2009002823  
Va. South Zone

CURVE TABLE

LINE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	264.00	21°59'59"	101.37	100.75	N63°14'53"E
C2	320.00	11°29'59"	64.23	64.12	N68°29'53"E
C3	120.00	67°01'04"	140.36	132.50	S37°44'55"W
C4	185.00	31°21'09"	101.23	99.97	S65°34'53"W
C5	400.00	10°35'01"	73.89	73.78	S45°11'49"W
C6	200.00	16°25'43"	57.35	57.15	S42°16'28"W
C7	64.00	63°08'28"	70.53	67.01	S22°25'32"W

LINE TABLE

LINE	BEARING	DISTANCE
L1	S04°14'23"W	26.86
L2	S71°15'27"W	7.33
L3	S39°54'18"W	15.02
L4	S50°29'19"W	28.96
L5	S34°03'36"W	17.54
L6	S02°56'43"E	23.08
L7	S09°08'42"E	27.01
L8	S53°59'46"W	42.50
L9	S51°30'39"W	17.36
L10	N14°49'37"W	26.83

TMP 41B-4  
Region Ten  
Community Services BD Inc.  
DB 771 Pg. 132

TMP 41B-6  
City of Charlottesville  
Inst. #2011004089  
Inst. #2009-5593  
Inst. #2009-5593  
DB 410 Pg. 316 (plot)

San. Sewer Esmt.  
D.B. 241 Pg. 263

San. Sewer Esmt.  
D.B. 326 Pg. 4

Sanitary Sewer  
Tie in Esmt.  
Inst. #2009002416

Sanitary Sewer Esmt.  
Inst. #2009002416

AREA 'B'  
0.094 AC.  
4,100.6 Sf.

AREA 'A'  
0.658 AC.  
28,667.6 Sf.

Meadow Creek

TMP 41A-2.1  
319°11'33"W 304.14  
304.14  
TMP 41A-3  
TMP 41A-4.1  
TMP 41A-4.2  
TMP 41A-4.3  
TMP 41A-4.4  
TMP 41A-4.5  
TMP 41A-4.6

TMP 41A-4  
City of Charlottesville  
DB 813 Pg. 456

EXHIBIT SHOWING

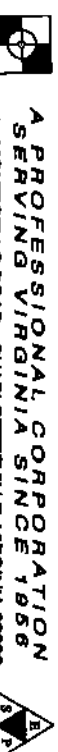
AREA 'A' AND AREA 'B'

PORTIONS OF TAX MAP 41B PARCEL 6

TO BE EXCLUDED FROM CONSERVATION EASEMENT

CHARLOTTESVILLE, VA.

ROUDABUSH, GALE & ASSOCIATES, INC.  
ENGINEERS, SURVEYORS AND LAND PLANNERS



914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902  
PHONE 434-877-0205 - FAX 434-286-8220 - EMAIL INFO@ROUDABUSH.COM

O:\powerell\Tmpro\6053\6053\_CONSERV\_ESMT.pro

MAY 2, 2012

SCALE: 1" = 100'

FILE: #6053-A

SHEET 1 of 1

STATE TAX \$ \_\_\_\_\_ (039)  
 CITY TAX \$ \_\_\_\_\_ (214)  
 TRANS \$ 10 (212)  
 TECH FEE \$ 50 (106)  
 CLERKS FEE \$ 30.00 (301)  
 VSLF \$ 10 (145)  
 STATE FEE \$ \_\_\_\_\_ (036)  
 SEC §1-801  
 STATE TAX \$ \_\_\_\_\_ (038)  
 LOCAL TAX \$ \_\_\_\_\_ (220)  
 LOCAL TAX \$ \_\_\_\_\_ (223)  
 TOTAL \$ 36.00

Admitted to Record in the Clerk's Office of the  
 Circuit Court of the City of Charlottesville,  
 Virginia, On the 18 day of May, 2012  
 at 11:12 o'clock AM and recorded in  
 Deed Book No. \_\_\_\_\_ Page \_\_\_\_\_  
 The taxes imposed by §§58.1-801 and 58.1-  
 802 of the Virginia Code have been paid.

Lezelle A. Dugger, Clerk



COMMONWEALTH OF VIRGINIA



OFFICIAL RECEIPT  
CHARLOTTESVILLE CIRCUIT COURT  
DEED RECEIPT

DATE: 05/18/12 TIME: 11:12:27 ACCOUNT: 540CLRE01202103 RECEIPT: 12000005942  
CASHIER: ARS REG: VF11 TYPE: DG PAYMENT: FULL PAYMENT  
INSTRUMENT : 201202103 BOOK: PAGE: RECORDED: 05/18/12 AT 11:12  
GRANTOR: CITY OF CHARLOTTESVILLE, VIRGINIA EX: N LOC: 01  
GRANTEE: NATURE CONSERVANCY THE EX: N PCT: 100%  
AND ADDRESS : 490 WESTFIELD ROAD CHARLOTTESVILLE, VA, 22901  
RECEIVED OF : THE NATURE CONSERVANCY DATE OF DEED: 05/10/12  
CHECK: \$38.00  
DESCRIPTION 1: PLAT ATTACHED PAGES: 24 OF 0  
2: MANES: 0  
CONSIDERATION: .00 A/VAL: .00 MAP: 410 PARCEL 107  
FIN:  
301 DEEDS 22.50 145 VSLF 1.50  
212 TRANSFER FEE 1.00 103 TECHNOLOGY TRST FND 5.00  
TENDERED : 38.00  
AMOUNT PAID: 38.00  
CHANGE AMT : .00

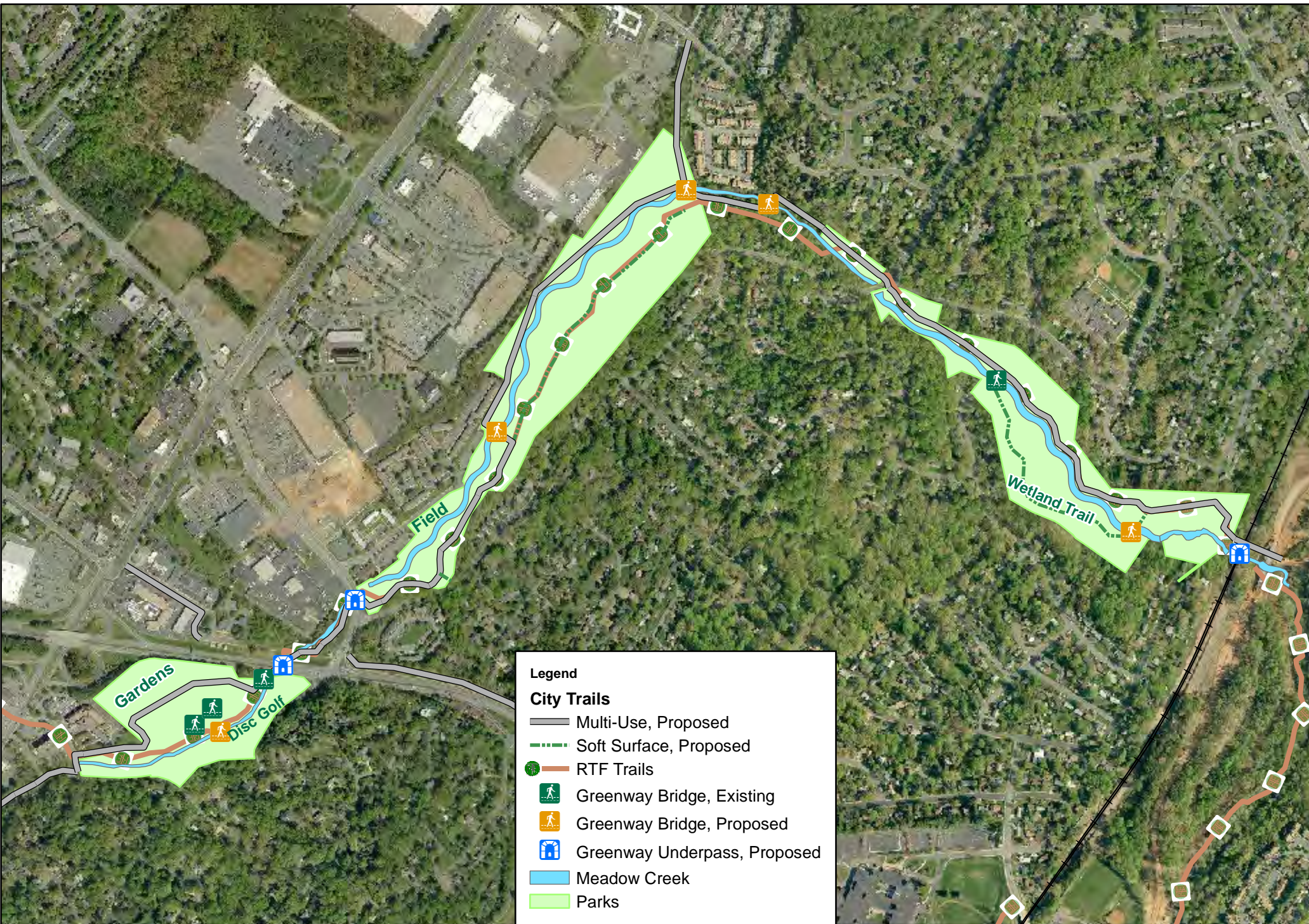
DC-18 (1/90)

CLERK OF COURT: LLEZELLE A. DUGGER



# Meadow Creek Stream Valley Master Plan 2013

Approved by City Council June 3, 2013



Dimension, location, and shape of proposed amenities are approximate



### Legend

-  City Limits
- Elevation Contour Lines - 2ft (2006)



Feet  
0 100 200 300 400  
1:4,514 / 1"=376 Feet

**Title: TrailOptionsKrogerHillsdaleConnector**

**Date: 2/23/2015**

*DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Charlottesville is not responsible for its accuracy or how current it may be.*





**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**PLANNING COMMISSION**

**PRELIMINARY DISCUSSION: REZONING**

**Author of Memo:** Matt Alfele, City Planner

**Date of Meeting:** March 10, 2015

**RE: Amendment of Longwood PUD Development Plan (Longwood Drive & Harris Road)**

**Background**

Richard Spurzem, acting as agent for Neighborhood Investments, LLC. has submitted a rezoning application amending the July 20, 2009 Development Plan for the Longwood Planned Unit Development (PUD).

The proposed Development Plan would increase the existing PUD by 0.20 acres, going from 4.53 acres to 4.73 acres to accommodate an additional five (5) attached residential units. This addition would change the current 13.5 dwelling units per acre (DUA) to 14 DUA. Two thousand (2,000) square feet of open space and ten (10) parking spaces are also elements that have been added to the amended Development Plan. The property is further identified on City Real Property Tax Map 21A, Parcel 104. The site is zoned Two-family (R-2) with road frontage on Longwood Drive and Harris Road. The parcel is 0.20 acres or 8,712 square feet.

**Vicinity Map**



### **Preliminary Analysis**

The applicant has requested to amend the July 20, 2009 Development Plan for the Longwood PUD. The applicant owns Tax Map 21A, Parcel 104 that abuts the existing Longwood development to the North and has frontage on Longwood Drive and Harris Road. The applicant proposes to extend the existing Longwood development onto this parcel and add five (5) townhomes, additional parking, and open space.

On July 20, 2009 City Council approved an ordinance rezoning City Tax Map 20 Parcels 263 through 272 and Tax Map 21A, Parcels 130, 131, 132, 132.1, 144, 144.1, 145, and 146 from R-2 to Planned Unit Development and accepted the March 20, 2009 Proffer statement. A final site plan was approved March 11, 2011 for (61) residential townhomes (including 18 existing townhomes).

### **Questions for Discussion**

- How could (5) residential townhomes effect the corner of Harris Road and Longwood Drive?
- What are the potential impacts to this major intersection and adjacent properties?
- Is the current Proffer Statement (dated March 20, 2009) sufficient in covering this expansion?
- Thought should be given to the incremental expansion of PUDs.

### **Attachments**

Project Narrative

Development Plan

Portion of Final Approved Site Plan dated March 11, 2011 for context

Proffer Statement Dated March 20, 2009



172 South Pantops Drive  
Charlottesville, VA 22911

434.979.8121 (p)  
434.979.1681 (f)  
DominionEng.com

February 23, 2015

Matt Alfele, ASLA  
City Planner  
Neighborhood Development Services  
610 East Market Street  
Charlottesville, VA 22902

**RE: Longwood Drive PUD Amendment - Narrative**

Dear Matt.

This letter shall serve as our project narrative in accordance with Zoning Ordinance Section 34-490 pursuant to 34-517(a)2, for the incorporation of City Tax Map 21A Parcel 104 (0.20 acres) into the existing Longwood Drive PUD (4.53 acres). The density of the resulting PUD will increase from 13.5 DU/Ac to 14.0 DU/AC as the developer is proposing to construct an additional 5 attached residential units, associated parking, and a 2,000-sf open space parcel.

The project is in accord with the requirements of 34-490 in accordance with the following:

(1) To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern;

**Approval of this PUD Amendment will allow for the creation of an aesthetically pleasing 2,000-sf open space parcel and associated street tree and open space plantings. This would not be practical the existing R-2 zone.**

(2) To encourage innovative arrangements of buildings and open spaces to provide efficient, attractive, flexible and environmentally sensitive design.

**The buildings have been broken up so as to maximize the open space area onsite, which conforms in spirit to the arrangement of the buildings in the existing Longwood Drive PUD. There, the attractive arrangement of buildings around open space/park areas adds to the site design. The site and proffers also provide an opportunity to provide pervious pavement in parking areas to meet water quantity/quality criteria.**

(3) To promote a variety of housing types, or, within a development containing only a single housing type, to promote the inclusion of houses of various sizes;

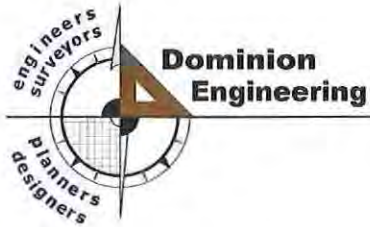
**The proposed PUD is intermingled in a community with a mix of single family detached and duplexes, thereby creating a variety of housing types of various sizes.**

(4) To encourage the clustering of single-family dwellings for more efficient use of land and preservation of open space;

**Each area of the PUD, including the existing PUD, groups the proposed units around an open space/park parcel. Even with its relatively small size, the proposed amendment contains such a park located central to the units.**

(5) To provide for developments designed to function as cohesive, unified projects;





172 South Pantops Drive  
Charlottesville, VA 22911

434.979.8121 (p)  
434.979.1681 (f)  
DominionEng.com

**There is a mix of different housing types on Longwood Drive, to include the approved PUD mix of towns and duplexes on the upper and lower end of Longwood Drive and the existing duplexes to remain in the area in between. The proposed PUD Amendment will unify the upper area of the PUD and to serve as a gateway to the entire PUD development.**

(6) To ensure that a development will be harmonious with the existing uses and character of adjacent property, and/or consistent with patterns of development noted with respect to such adjacent property;

**The proposed PUD Amendment contains only residential units, and is harmonious with the parent PUD and the ongoing construction of new residential units on Harris Drive west of the site. Building materials will be consistent with those of the recently constructed homes on Longwood Drive.**

(7) To ensure preservation of cultural features, scenic assets and natural features such as trees, streams and topography;

**There are no features on this site that are of significant scenic or natural value. The developer will attempt to preserve the existing trees adjacent to Harris Drive if possible. However, in the event these trees can not be saved, the developer will plant suitable street trees in their stead.**

(8) To provide for coordination of architectural styles internally within the development as well as in relation to adjacent properties along the perimeter of the development; and

**The architectural style will match that proposed with the existing PUD development.**

(9) To provide for coordinated linkages among internal buildings and uses, and external connections, at a scale appropriate to the development and adjacent neighborhoods;

**There is an existing sidewalk along the perimeter of the site. The HOA documents will incorporate a provision to allow appropriate access for residents to the open space area.**

(10) To facilitate access to the development by public transit services or other single-vehicle-alternative services, including, without limitation, public pedestrian systems.

**As part of the original PUD, a pedestrian link has been provided to the neighboring Jackson Via Elementary school, located just east of the site.**

We thank you very much for your review of this project and look forward to your thoughtful review and staff report.

Best Regards,



Michael Myers, P.E.

Cc: Richard Spurzem



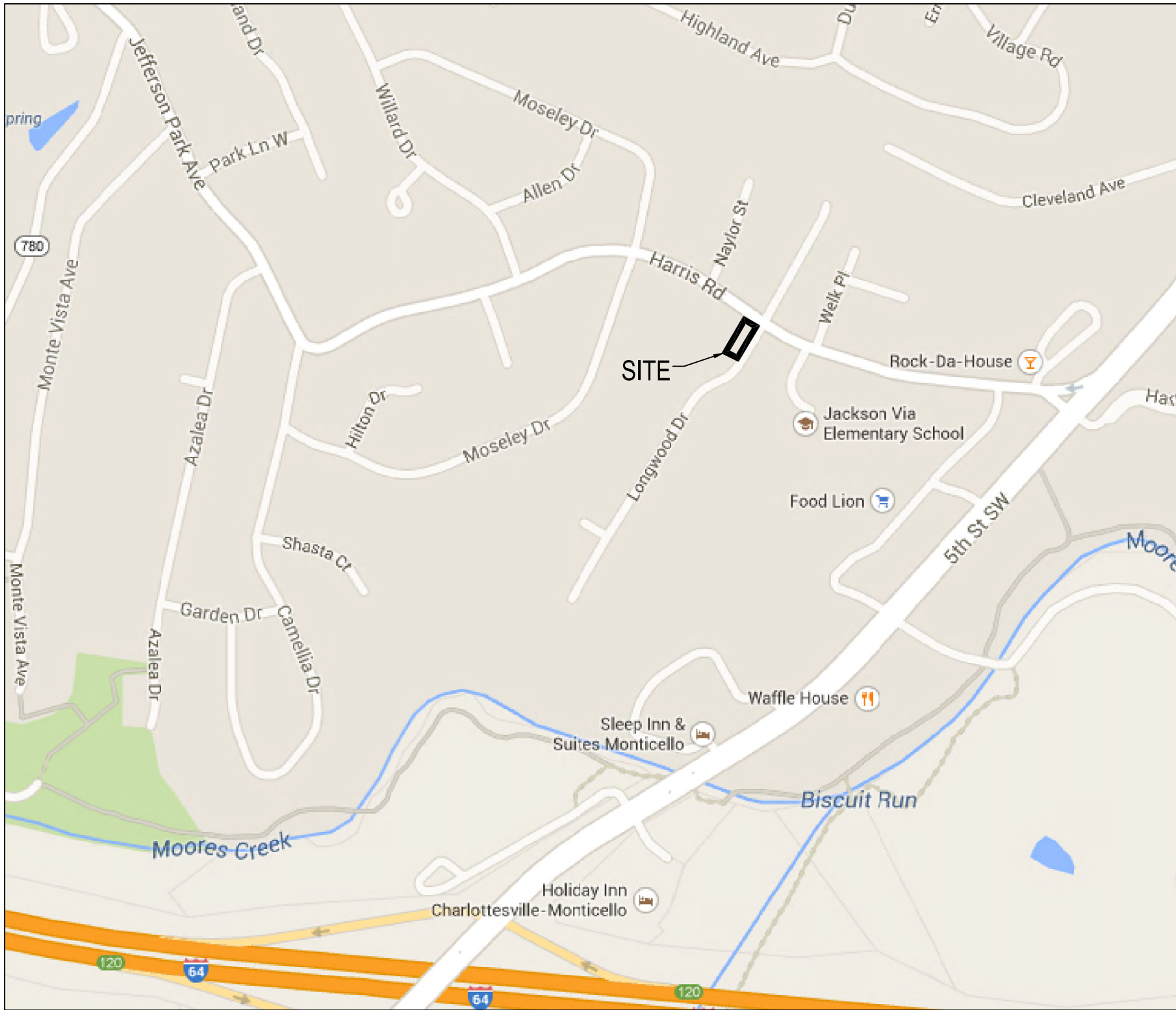
# PLANNED UNIT DEVELOPMENT AMENDMENT FOR LONGWOOD DRIVE TM 21A PARCEL 104

## ADJACENT PARCEL INVENTORY

PIN	GPIN	ParcelNumber	FullAddress	OwnerName	OwnerAddress	OwnerCityState	OwnerZipCode
21A129000	12815	21A129000	HARRIS RD	LODGE CREEK HOMEOWNERS ASSOC	HARRIS ROAD	CHARLOTTESVILLE VA	22903
202271000	13389	202271000	LONGWOOD DR	NEIGHBORHOOD DEVELOPMENT, INC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A130600	17045	21A130600	101 LONGWOOD DR A	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A130500	17046	21A130500	101 LONGWOOD DR B	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A130400	17047	21A130400	101 LONGWOOD DR C	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A130300	17048	21A130300	101 LONGWOOD DR D	PISAKI, JOSEPH & LISA M	2658 QUINCY ADAMS DR	HERNDON VA	20171
21A130200	17049	21A130200	101 LONGWOOD DR E	SEN, JEREMY M	2014 E LONGWOOD DR	CHARLOTTESVILLE VA	22903
21A130100	17050	21A130100	101 LONGWOOD DR F	KASTENMAYER, WALTER W & RUTH W	162 OLD FIFTH CIR	CHARLOTTESVILLE VA	22903
21A146100	17088	21A146100	102 LONGWOOD DR A	BROWNFIELD, ANNA M	102 #A LONGWOOD DR	CHARLOTTESVILLE VA	22903
21A146200	17090	21A146200	102 LONGWOOD DR B	WILCOCKS, DAVID A	102 LONGWOOD DR #B	CHARLOTTESVILLE VA	22903
21A146300	17089	21A146300	102 LONGWOOD DR C	OLSON, JENNIFER K	102 LONGWOOD DR #C	CHARLOTTESVILLE VA	22903
21A146400	17087	21A146400	102 LONGWOOD DR D	CHANG, TELYING	102 #D LONGWOOD DR	CHARLOTTESVILLE VA	22903
21B029000	13164	21B029000	102 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A129100	13122	21A129100	103 LODGE CREEK CIR	WILSON, LLOYD	81 PLEASANTVIEW CT	ZION CROSSROAD VA	22942
21A131600	17055	21A131600	103 LONGWOOD DR A	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A131500	17054	21A131500	103 LONGWOOD DR B	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A131400	17053	21A131400	103 LONGWOOD DR C	YAP, CHAN CHONG	103 #C LONGWOOD DR	CHARLOTTESVILLE VA	22903
21A131300	17052	21A131300	103 LONGWOOD DR D	SPEENCE, DONALD & BARBARA, TRUSTEES	12870 ROCK CREST LN	CHINO HILLS CA	91709
21A131200	17051	21A131200	103 LONGWOOD DR E	WINKLER, MATTHEW P	6820 WINDMERE LN	CROZET VA	22932
21A131100	17056	21A131100	103 LONGWOOD DR F	CHANG, ERIC S & CAROL T TRAN	103-F LONGWOOD DR	CHARLOTTESVILLE VA	22903
21B045000	13460	21B045000	103 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A145000	13460	21A145000	104 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B030000	13174	21B030000	104 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A129200	13099	21A129200	105 LODGE CREEK CIR	F & S PROPERTIES LLC	1109 STONEFIELD LN	CHARLOTTESVILLE VA	22903
21B044000	13138	21B044000	105 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A132000	13383	21A132000	105-A LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A132100	13405	21A132100	105-B LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B031000	13189	21B031000	106 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A144000	13502	21A144000	106-A LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A144100	13521	21A144100	106-B LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A129300	13079	21A129300	107 LODGE CREEK CIR	KENLEY, GREGORY C	107 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A133000	13425	21A133000	107 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B043000	13102	21B043000	107 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A143000	13543	21A143000	108 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A129400	13056	21A129400	108 LODGE CREEK CIR	MILLER, CYNTHIA M	109 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A134000	13470	21A134000	108 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B042000	13066	21B042000	109 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A142000	13565	21A142000	110 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A129500	13034	21A129500	111 LODGE CREEK CIR	CORNEJO, JOSE R & EVA CANAS	111 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A135000	13501	21A135000	111 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B041000	12987	21B041000	111 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A141000	13588	21A141000	112 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A129600	13015	21A129600	113 LODGE CREEK CIR	HILL, ANTOINETTE	113 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A136000	13540	21A136000	113 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B040000	12817	21B040000	113 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A129700	12997	21A129700	115 LODGE CREEK CIR	WILSON, DAVID WILSON	115 LODGE GREEN CT	ALEXANDRIA VA	22312
21A129800	12975	21A129800	117 LODGE CREEK CIR	STEMLER, DOUGLAS J & LAURIE J	117 LODGE CREEK CIR	CHARLOTTESVILLE VA	22903
21A129900	12955	21A129900	119 LODGE CREEK CIR	O'DONNELL, DEREK WILSON	119 LODGE CREEK CIR	CHARLOTTESVILLE VA	22903
21B037000	13069	21B037000	119 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A129100	12940	21A129100	121 LODGE CREEK CIR	BURNETT, KATHLEEN HUGHES	121 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A129100	12897	21A129100	123 LODGE CREEK CIR	DOCKETT, DEBORAH A	123 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A097000	13071	21A097000	212 HARRIS RD	SWISHER, CHERYL C	212 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A120000	13967	21A120000	2512 NAYLOR ST	MOSS, SHELLEY W & BRIDGET L	2512 NAYLOR STREET	CHARLOTTESVILLE VA	22903
21A121A00	13968	21A121A00	2514 NAYLOR ST	RITZERT, TERESA	2514 NAYLOR STREET	CHARLOTTESVILLE VA	22903
21A116000	12787	21A116000	2515 NAYLOR ST	POWELL, SHIRLEY W	2515 NAYLOR STREET	CHARLOTTESVILLE VA	22903
21A121000	13970	21A121000	2516 NAYLOR ST	TEJENDERENA, AGNES	2523 PENNY LN	CHARLOTTESVILLE VA	22903
21A115000	12830	21A115000	2517 NAYLOR ST	SULLIVAN, LISA M	2517 NAYLOR ST	CHARLOTTESVILLE VA	22903
21A122000	13969	21A122000	2518 NAYLOR ST	HELF, LINDA D	141 GROVE LAND	SHIPMAN VA	22971
21A114000	12882	21A114000	2519 NAYLOR ST	MENDOZA, JAIME LOPEZ	2519 NAYLOR STREET	CHARLOTTESVILLE VA	22903
21A123000	12985	21A123000	2520 NAYLOR ST	THORNTON, STEPHEN T	100 BEDFORD PLACE	CHARLOTTESVILLE VA	22903
21A124000	13018	21A124000	2522 NAYLOR ST	THORNTON, STEPHEN T	100 BEDFORD PLACE	CHARLOTTESVILLE VA	22903
21A098000	13090	21A098000	300 HARRIS RD	WILLIAMS, ANDREA T	696 VICTORIAN CT	CHARLOTTESVILLE VA	22901
21A099000	13097	21A099000	302 HARRIS RD	SHAWER, C ASHBY & SUE B	302 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A112000	12958	21A112000	305 HARRIS RD	CRAIG, VIOLET G	305 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A100A00	14700	21A100A00	308 HARRIS RD	BROWN, ANDREW P & JENA N	308 HARRIS RD	CHARLOTTESVILLE VA	22903
21A113000	13043	21A113000	309 HARRIS RD	WHITE, ALICE N	309 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A100B00	14701	21A100B00	310 HARRIS RD	KELSEY, T & N KOCK, TR 310 HARRIS RD LD TR	420 PARK ST	CHARLOTTESVILLE VA	22902
21A100C00	14702	21A100C00	312 HARRIS RD	KELSEY, T & N KOCK, TR 312 HARRIS RD LD TR	420 PARK ST	CHARLOTTESVILLE VA	22902
21A100000	13109	21A100000	400 HARRIS RD	WARD, RICHARD N & CAROL A	7 ORCHARD ROAD	CHARLOTTESVILLE VA	22903
21A125000	13042	21A125000	401 HARRIS RD	PALMER, LEIGHTON ET AL TR FOR BETHANY	401 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A126000	13082	21A126000	401 HARRIS RD	PALMER, LEIGHTON ET AL TR FOR BETHANY	401 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A101000	13179	21A101000	402 HARRIS RD	LONDON-GROSS, ALEXANDRA L	402 HARRIS RD	CHARLOTTESVILLE VA	22903
21A103000	13214	21A103000	406 HARRIS RD	HALL, CHRISTINE K & CHARLES	2559 WABASH RD	DENVER CO	80238
21A127000	13142	21A127000	407 HARRIS RD A&B	PLATT, KENNETH W	407-B HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A104000	13238	21A104000	408 HARRIS RD	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A108000	13280	21A108000	412 HARRIS RD	MORRIS, WILLIAM F & PATRICIA R	412 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21B046000	13231	21B046000	413 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A075000	12892	21A075000	439 MOSELEY DR	DAVIS, CHARLES T & KATHERINE M	439 MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21A074000	12953	21A074000	441 MOSELEY DR	KLOSS, LEIGH A	441 MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21A073000	12999	21A073000	443 MOSELEY DR	PINTER, JEFFREY & HOLLY HENDERSON	38 MAJESTIC AVE	ASHVILLE NC	28806
21A099200	13176	21A099200	500-A MOSELEY DR	RANNING, PATRICK C & JAMES M RAY	4399 RIVERPOINT DRIVE	LEESBURG VA	20176
21A099210	13194	21A099210	500-B MOSELEY DR	HARRIS, JESSE T	500-B MOSELEY DR	CHARLOTTESVILLE VA	22903
21B028000	13229	21B028000	501 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A099190	13182	21A099190	501-A MOSELEY DR	TACKETT, KAREN F & BRENDA J	501-A MOSELEY DR	CHARLOTTESVILLE VA	22903
21A099180	13202	21A099180	501-B MOSELEY DR	RENEER, EDGAR R & RACHEL A LEVY	501 VIRGINIA ST	ASHLAND VA	22026
21A099220	13249	21A099220	502-A MOSELEY DR	SHALIC, ARDON	602 MOSELEY DR #A	CHARLOTTESVILLE VA	22903
21A099230	13236	21A099230	502-B MOSELEY DR	PITTS, KAREN L	11806 FARNBOROUGH RD	HUNTERVILLE NC	28078
21B027000	13244	21B027000	503 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A099170	13225	21A099170	503-A MOSELEY DR	SIEPMANN, THEODORE D	9 PRESCOTT COURT	STERLING VA	20165
21A099160	13245	21A099160	503-B MOSELEY DR	SIEPMANN, THEODORE D	9 PRESCOTT COURT	STERLING VA	20165
21A099240	13249	21A099240	504-A MOSELEY DR	HANSEN, CHRISTOPHER E & MELISSA	504-A MOSELEY DR	CHARLOTTESVILLE VA	22903
21A099250	13284	21A099250	504-B MOSELEY DR	BEVERLY, ANDREW J & SUE A	504-B MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21B026000	13256	21B026000	505 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A099150	13264	21A099150	505-A MOSELEY DR	MOORE, JOHN B, JR	262 YANCEY MILL RD	CROZET VA	22932
21A099140	13265	21A099140	505-B MOSELEY DR	MOORE, JOHN B, JR	262 YANCEY MILL RD	CROZET VA	22932
21A099260	13298	21A099260	506-A MOSELEY DR	COOK, GORDON M	506-A MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21A099270	13334	21A099270	506-B MOSELEY DR	LICHIELLO PROPERTIES, LLC	126 WOODMONT LN	FOREST VA	24551
21B025000	13270	21B025000	507 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21B010000	13304	21B010000	508 HARRIS RD	CITY OF CHARLOTTESVILLE	P O BOX 911	CHARLOTTESVILLE VA	22902
21A099280	13352	21A099280	508-A MOSELEY DR	FERRELL, GREGORY	501 CLIFTON RD	CLIFTON VA	20124
21A099290	13376	21A099290	508-B MOSELEY DR	EDDY, DOUG & HEATHER	508-B MOSELEY DR	CHARLOTTESVILLE VA	22903
21A099400	13394	21A099400	510 MOSELEY DR	CRICKENBERGER, CYRUS DANIEL & NANCY W	510 MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21A099500	13427	21A099500	512 MOSELEY DR	MADER, JANINE CLAIRE	512 MOSELEY DRIVE	CHARLOTTESVILLE VA	22903

ALL PARCELS WITHIN A 500 FT RADIUS OF THIS  
SITE ARE LISTED. INFORMATION TAKEN FOR  
CITY OF CHARLOTTESVILLE ONLINE GIS.

## VICINITY MAP SCALE: 1" = 500'



## PROFFERS

### STATEMENT OF FINAL PROFFER CONDITIONS For the LONGWOOD DRIVE PUD

Dated as of March 20, 2009

#### TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE:

The undersigned is the owner of land subject to the above-referenced rezoning petition ("Subject Property"). The Owner/Applicant seeks to amend the current zoning of the Subject Property subject to certain voluntary development conditions set forth below. In connection with this rezoning application, the Owner/Applicant seeks approval of a PUD as set forth within a PUD Development Plan dated 12/23/2008.

The Owner/Applicant hereby professes and agrees that if the Subject Property is rezoned as requested, the rezoning will be subject to, and the Owner will abide by, the approved PUD Development Plan as well as the following conditions:

- A new pedestrian trail from Longwood Drive to Jackson Via Elementary School parking lot shall be provided substantially as shown on the attached concept plan. The provision of such trail shall be subject to the reasonable approval of the City School Board.
- A new pedestrian trail connecting the out-of-the-sac of Longwood Drive to existing Rivanna Trail system on the property now owned by the City of Charlottesville to the south of the Subject Property shall be provided.
- Funding for improvements to the existing trails from Jackson Via Elementary School to the Rivanna Trail and Rivanna Trail area in roadway to the south of the PUD site will be provided to the City up to the amount of \$20,000.00 within 6 months after site plan approval. Improvements to be so funded shall be commenced within 12 months after the payment of such funding to the City and thereafter completed within a reasonable time.
- Previous paving methods will be used in any newly constructed off-street parking spaces within the PUD site to reduce stormwater runoff into the city stormwater system.
- 15% of dwelling units (calculated to the nearest whole number) within the PUD will be designated as "affordable housing" units. Such "affordable housing" units shall be offered for first sale, for a period of 6 months after the issuance of certificates of occupancy for such units to a households whose income is 80% to 80% of Median Area Income, as defined by the most recent figures generated by the U.S. Department of Housing and Urban Development. The offering price for such units shall be such that the annual cost of housing for such households does not exceed 30% of the household's gross income, including taxes and insurance, together with periodic payments of principal and interest for a purchase money loan from a commercial lender using customary and reasonable underwriting criteria applicable to the Charlottesville area. In the event that the units offered for first sale and not purchased by qualifying households within such 6 months' period, this restriction shall terminate, and the units may thereafter be offered for sale at market prices.
- The Owner will donate the sum of Fifty thousand dollars (\$50,000.00) to the City of Charlottesville for its affordable housing fund.
- The Owner agrees to offer to re-locate any household displaced by the construction of this PUD to another rental unit owned by Owner on Longwood Drive and to pay such the reasonable costs of moving and re-location. Such relocation shall be on rental terms substantially similar to the terms applicable to the unit from which such household is relocated.
- Owner agrees to make available for rent to households with Section 8 vouchers four rental units on Longwood Drive for a period of five years after approval of the PUD application. Owner shall have the right to qualify any prospective tenants who would occupy such units with Section 8 vouchers accordance with Owner's customary tenant selection criteria for similar non-Section 8 units (aside from the income requirement).

## SHEET INDEX

- C1 Cover Sheet
- C2 Survey/Existing Conditions/Overview Plan
- C3 Site Plan/Landscape Plan

## SIGNATURE BLOCK

DIRECTOR OF NEIGHBORHOOD DEVELOPMENT SERVICES DATE

## CONTACT INFORMATION

### APPLICANT / DEVELOPER / BUILDER:

Neighborhood Investments, LLC  
810 Catalpa Ct.  
Charlottesville, VA 22903







DATE: 02/24/15



FINAL SITE PLAN FOR  
LONGWOOD DRIVE PUD

TAX MAP 20, PARCELS 263 THROUGH 272 &  
TAX MAP 21A, PARCELS 144 THROUGH 146  
CITY OF CHARLOTTESVILLE, VIRGINIA

PROFFERS

STATEMENT OF FINAL PROFFER CONDITIONS  
For the LONGWOOD DRIVE PUD

Dated as of March 20, 2009

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF  
CHARLOTTESVILLE:

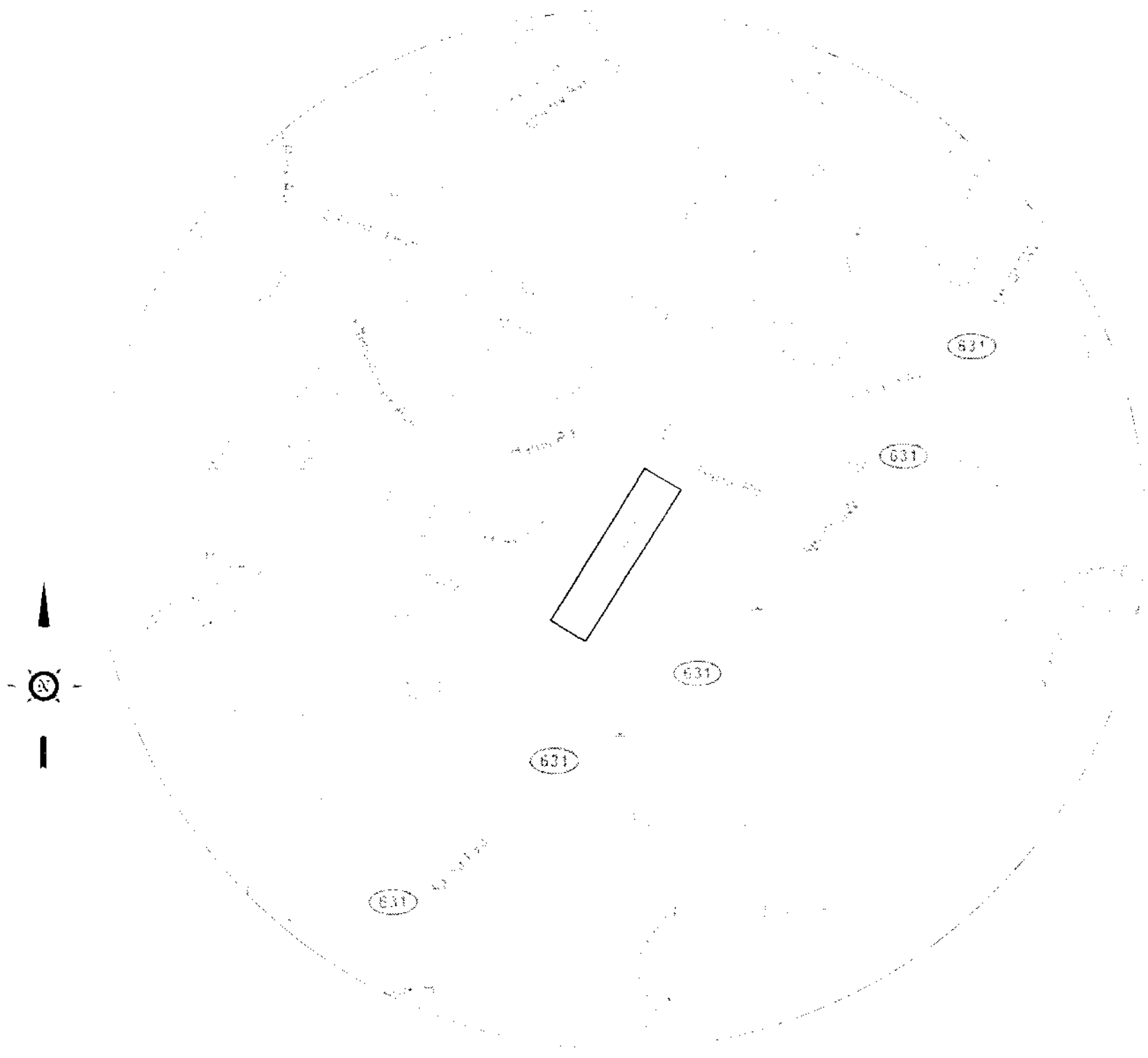
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- Funding for improvements to the existing trails from Jackson Via Elementary School to the Rivanna Trail and Rivanna Trail area in floodway to the south of the PUD site will be provided to the City up to the amount of \$20,000.00 within 6 months after site plan approval. Improvements to be so funded shall be commenced within 12 months after the payment of such funding to the City and thereafter completed within a reasonable time.
- Permitted paving methods will be used in any newly constructed off-street parking spaces within the PUD site to reduce stormwater runoff into the city stormwater system.
- 15% of dwelling units (calculated to the nearest whole number) within the PUD will be designated as "affordable housing" units. Such "affordable housing" units shall be offered for first sale, for a period of 6 months after the issuance of certificates of occupancy for such units to a household whose income is 60% to 80% of Median Area Income, as defined by the most recent figures generated by the U.S. Department of Housing and Urban Development. The offering price for such units shall be such that the annual cost of housing for such households does not exceed 30% of the household's gross income, including taxes and insurance, together with periodic payments of principal and interest for a purchase money loan from a commercial lender using customary and reasonable underwriting criteria applicable to the Charlottesville area. In the event that the units offered for first sale and not purchased by qualifying households within such 6 months' period, this restriction shall terminate, and the units may thereafter be offered for sale at market prices.
- The Owner will donate the sum of Fifty thousand dollars (\$50,000.00) to the City of Charlottesville for its affordable housing fund.
- The Owner agrees to offer to relocate any household displaced by the construction of this PUD to another rental unit owned by Owner on Longwood Drive and to pay such the reasonable costs of moving and relocation. Such relocation shall be on rental terms substantially similar to the terms applicable to the unit from which such household is relocated.
- Owner agrees to make available for rent to households with Section 8 vouchers four rental units on Longwood Drive for a period of five years after approval of the PUD application. Owner shall have the right to qualify any prospective tenants who would occupy such units with Section 8 vouchers in accordance with Owner's customary tenant selection criteria for similar non-Section 8 units (aside from the income requirement).

VICINITY MAP

SCALE: 1"=1000'



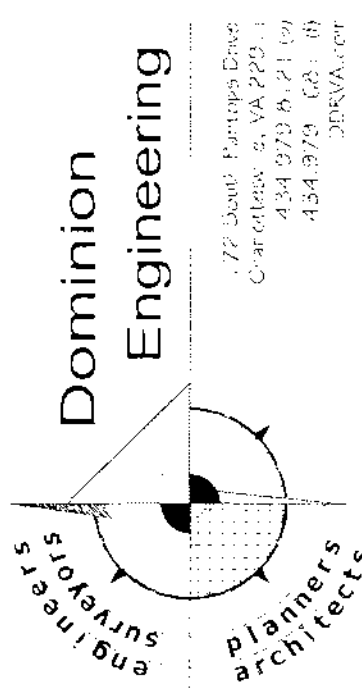
SIGNATURE BLOCK

DATE

DIRECTOR OF NEIGHBORHOOD DEVELOPMENT SERVICES

SHEET INDEX

- C1 - COVER SHEET
- C2 - NOTES, ABBREVIATIONS AND LEGEND
- C3 - EXISTING CONDITIONS / DEMO
- C4 - SITE PLAN AND UTILITIES
- C5 - SITE PLAN AND UTILITIES
- C6 - GRADING AND STORM SEWER
- C7 - GRADING AND STORM SEWER
- C8 - LANDSCAPE PLAN
- C9 - LANDSCAPE PLAN
- C10 - ROAD AND WATERLINE PROFILE
- C11 - UTILITY PROFILES
- C12 - STORM SEWER PROFILES
- C13 - DETAILS
- C14 - DETAILS

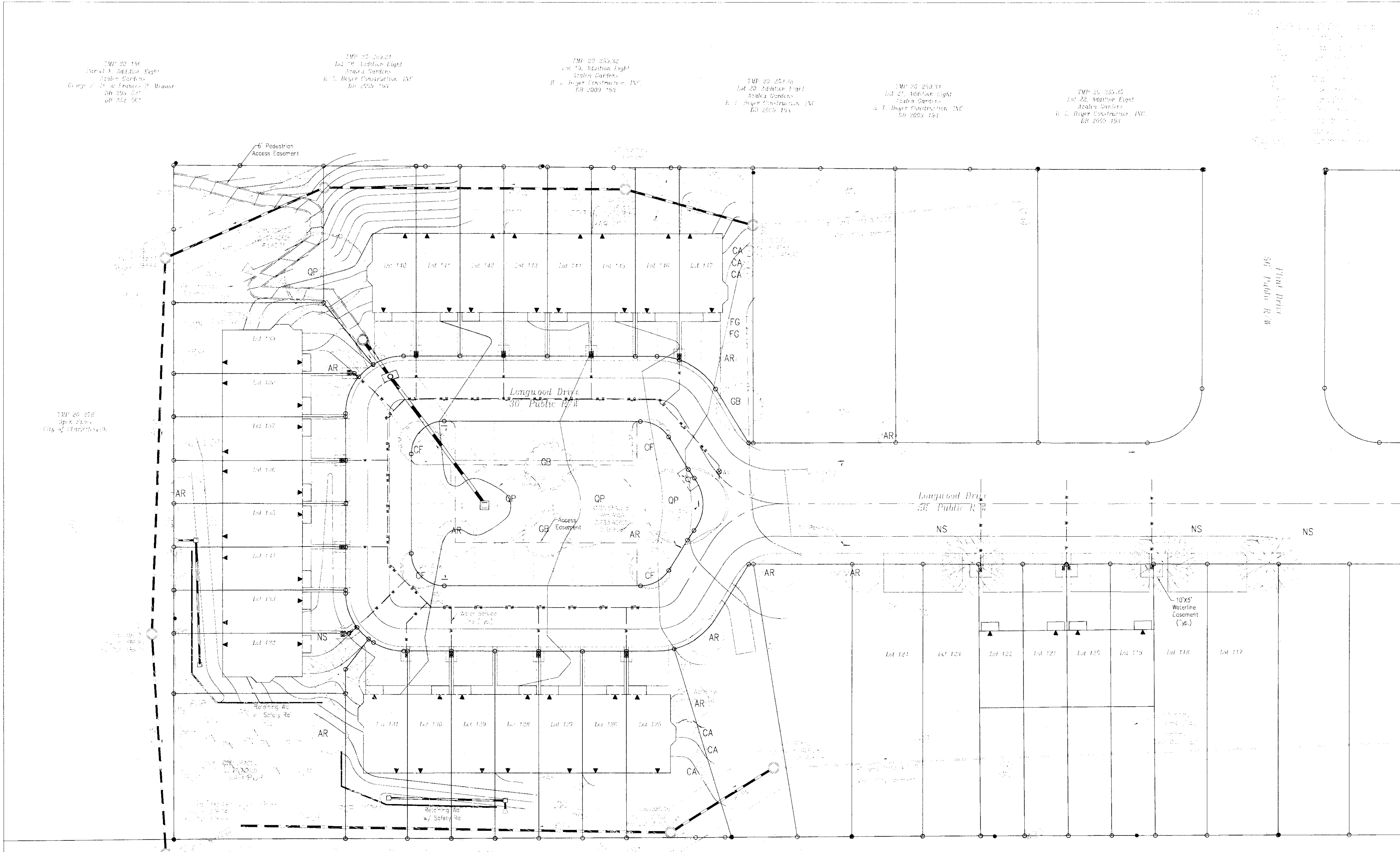


REVISIONS		REVISIONS		NO.	DATE	DESCRIPTION	DATE
NO.	DESCRIPTION	NO.	DESCRIPTION				
1	CITY COMMENTS	1	CITY COMMENTS	1	5/21/10		
2	CITY COMMENTS	2	CITY COMMENTS	2	9/28/10		

FILE NAME	SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
20-263-PS	AS SHOWN	JMS	CWS	NN

PROJECT TITLE	FINAL SITE PLAN FOR LONGWOOD DRIVE PUD CITY OF CHARLOTTESVILLE, VIRGINIA
SHEET TITLE	COVER SHEET

DE PROJECT NO	09.0152
INDEX TITLE	C1
SHEET NO	1 OF 14
DATE	5-5-2010



PROJECT TITLE  
**FINAL SITE PLAN FOR  
LONGWOOD DRIVE PUD  
CITY OF CHARLOTTEVILLE, VIRGINIA**

SHEET TITLE  
**LANDSCAPE PLAN**

DDR PROJECT NO: 09.0152

INDEX TITLE  
**C8**

SHEET NO 8 OF 14

DATE 5-5-2010

Quant. Key Botanical Name Common Name Min. Cal. or Height (S.F.) Area of Canopy (S.F.) Canopy Total (S.F.) Remarks

20	AR	Asteriscium Armstrong	Armstrong Red Maple	2" Ca	53	1080	
11	GB	Ginkgo Biloba Magnan	Magnan Ginkgo	2" Ca	27	357	
8	NS	Nyssa sylvatica	Blackgum	2" Ca	133	1107	
5	QP	Quercus phellos	White Oak	2" Ca	49	2090	
<b>ORNAMENTAL TREES</b>							
5	CF	Cornus Floridaensis	Flowering Dogwood	6" T	124	744	
<b>DECIDUOUS SHRUBS</b>							
15	CA	Clematis integrifolia	Sixteen Candles	36"	16	240	
5	FG	Fothergilla gardenii	Overhanging Fothergilla	36"	3	20	

Canopy Coverage 6.227

Scale 1" = 20'

North Arrow

**Dominion Engineering**  
Professional Engineers  
177 South Page Drive  
Charlottesville, VA 22902  
434.975.4444  
www.dominioneng.com

**Professional Engineer**  
NEAL N. WRIGHT  
Lic No. 22405  
8.12.11

NO.	DATE	NO.	DESCRIPTION
1	5/21/10		
2	8/29/10		

NO.	DATE	NO.	DESCRIPTION

DESIGNED BY	JMS
DRAWN BY	CWS
CHECKED BY	NNW

SCALE: As Shown

FILE NAME: 20-263-PS





**BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA**  
**IN RE: PETITION FOR REZONING (City Application No. \_\_\_\_\_)**  
**STATEMENT OF PRELIMINARY PROFFER CONDITIONS**  
**For the LONGWOOD DRIVE PUD**

**Dated as of March 20, 2009**

**TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE:**

The undersigned is the owner of land subject to the above-referenced rezoning petition ("Subject Property"). The Owner/Applicant seeks to amend the current zoning of the Subject Property subject to certain voluntary development conditions set forth below. In connection with this rezoning application, the Owner/Applicant seeks approval of a PUD as set forth within a PUD Development Plan dated 12/23/2008.

The Owner/Applicant hereby proffers and agrees that if the Subject Property is rezoned as requested, the rezoning will be subject to, and the Owner will abide by, the approved PUD Development Plan as well as the following conditions:

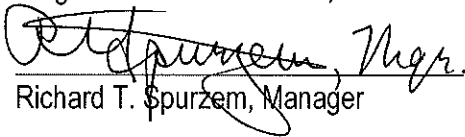
1. A new pedestrian trail from Longwood Drive to Jackson Via Elementary School parking lot shall be provided substantially as shown on the attached concept plan. The provision of such trail shall be subject to the reasonable approval of the City School Board.
2. A new pedestrian trail connecting the cul-de-sac of Longwood Drive to existing Rivanna Trail system on the property now owned by the City of Charlottesville to the south of the Subject Property shall be provided.
3. Funding for improvements to the existing trails from Jackson Via Elementary School to the Rivanna Trail and Rivanna Trail area in floodway to the south of the PUD site will be provided to the City up to the amount of \$20,000.00 within 6 months after site plan approval. Improvements to be so funded shall be commenced within 12 months after the payment of such funding to the City and thereafter completed within a reasonable time.
4. Pervious paving methods will be used in any newly constructed off-street parking spaces within the PUD site to reduce stormwater runoff into the city stormwater system.
5. 15% of dwelling units (calculated to the nearest whole number) within the PUD will be designated as "affordable housing" units. Such "affordable housing" units shall be offered for first sale, for a period of 6 months after the issuance of certificates of occupancy for such units to a households whose income is 60% to 80% of Median Area Income as defined by the most recent figures generated by the U.S. Department of Housing and Urban Development. The offering price for such units shall be such that the annual cost of housing for such households does not exceed 30% of the household's gross income, including taxes and insurance, together with periodic payments of principal and interest for a purchase money loan from a commercial lender using customary and reasonable underwriting criteria applicable to the Charlottesville area. In the event that the units offered for first sale and not purchased by qualifying households within such 6 months' period, this restriction shall terminate, and the units may thereafter be offered for sale at market prices.

6. The Owner will donate the sum of Fifty thousand dollars (\$50,000.00) to the City of Charlottesville for its affordable housing fund.
7. The Owner agrees to offer to re-locate any household displaced by the construction of this PUD to another rental unit owned by Owner on Longwood Drive and to pay such the reasonable costs of moving and re-location. Such relocation shall be on rental terms substantially similar to the terms applicable to the unit from which such household is relocated.
8. Owner agrees to make available for rent to households with Section 8 vouchers four rental units on Longwood Drive for a period of five years after approval of the PUD application. Owner shall have the right to qualify any prospective tenants who would occupy such units with Section 8 vouchers in accordance with Owner's customary tenant selection criteria for similar non-Section 8 units (aside from the income requirement).

**WHEREFORE**, the undersigned Owner stipulates and agrees that the use and development of the Subject Property shall be in conformity with the conditions hereinabove stated and requests that the Subject Property be rezoned as requested in accordance with the Zoning Ordinance of the City of Charlottesville.

Respectfully submitted this 20<sup>th</sup> day of March, 2009.

By Owner: Neighborhood Investments, LLC

  
Richard T. Spurzem, Manager

Owner's Address: P.O. Drawer R,  
Charlottesville, VA 22903

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**PLANNING COMMISSION**

**PRELIMINARY DISCUSSION: REZONING**

**Author of Memo:** Matt Alfele, City Planner

**Date of Meeting:** March 10, 2015

**RE: Special Use Permit request for 1725 Jefferson Park Avenue (Jefferson Park Avenue and Montebello Circle)**

**Background**

Richard Spurzem, acting as agent for Neighborhood Investments, LLC, has submitted a Special Use Permit (SUP) for a multi-family residential structure at 1725 Jefferson Park Avenue. The request is for additional residential density, side yard setback modification, and additional height.

The preliminary site plan proposes (22) units of new multi-family residential, (23) garage parking spaces, (4) surface parking spaces, and (3) offsite parking spaces. The development will be contained to a (6) story building with (4-1/2) stories of housing and (1-1/2) of garage parking. The property is further identified on City Real Property Tax Map 16 Parcel 16. The site is zoned Multifamily (R-3) and is within the Entrance Corridor Overlay District with road frontage on Jefferson Park Avenue and Montebello Circle. The property is approximately (0.385) acres or (16,770) square feet.

**Vicinity Map**



## **Preliminary Analysis**

### **Reason for the Special Use Permit**

The applicant is requesting a Special Use Permit for additional density, side yard setback modification, and additional height. The maximum by-right residential density for R-3 is (21) dwelling units per acre (DUA), with up to (87) DUA permitted by Special Use Permit. The applicant is asking for additional density of (44 – 64) DUA. The by-right height for R-3 is (45) feet. The applicant is requesting a height of (50) feet.

### **Questions for Discussion**

- Massing and Scale – The proposed development calls for a (6) story building fronting on JPA with parking access off Montebello Circle. The building would be adjacent to (2) story multi-family residents, across Montebello Circle from a (3) story multi-family residents, and across JPA from a (6) story and a (3) story multi-family residents.
- Setbacks – Modifications to the setbacks could remove any opportunity to screen the adjacent property to the north.
- Impact to Montebello Circle – The proposed development calls for improvements to Montebello Circle.
- What will be the pedestrian experience be on Jefferson Park Avenue and Montebello Circle?

## **Attachments**

Development Summary  
Preliminary Site Plan



**ATWOOD HENNINGSEN KESTNER  
ARCHITECTS  
INC.**

24 February 2015

Department of Neighborhood Development Services  
Charlottesville, VA 22903

Re: 1725 JPA – UVa Student Housing Apartment Complex Narrative

**Summary:**

The existing building located at 1725 JPA is located east of the intersection of Montebello Circle with frontage on both JPA and Montebello Circle and is within walking distance of the University of Virginia grounds.

The applicant proposes to replace the existing (8) unit multi-family residential structure and associated surface parking areas with a (22) unit multi-family structure consisting of four (4-1/2) stories of housing over (1-1/2) stories of parking. The combined areas total approximately 44,000 SF. The construction type will be wood framing for the residential levels supported by a structural steel and concrete podium.

The applicant proposes to improve the overall pedestrian experience and accessibility of the site and immediate context. This will include such improvements at the streets consisting of low sitting walls along JPA, multiple street trees in planters along JPA, textured landscaping along JPA, the addition of a new sidewalk along Montebello Circle as well as improving the street edge to a uniform 24' dimension and multiple street trees along Montebello Circle.

The exterior of the building will consist of a combination of brick, precast concrete panels, fiber cement siding and trim cladding system. The windows will be double glaze operable windows with clad frames. Steel and wood pergola with an aluminum clad entry canopy will front JPA. See the attached drawing elevations.

This special use permit application is for the increase in density of the property from 1-21 DUA to 44-64 DUA. In addition, the applicant is seeking a special use permit to reduce the side yard setbacks for the property to 5' and a building height modification to allow a building height of 50' in lieu of the 45'.

**General Standards for Issuance of Special Use Permit**

The proposed project will be harmonious with the existing patterns of use and development within the neighborhood with the scale of the project and proposed use. The scale and massing of the proposed building fits with the existing buildings and apartment



units along JPA and Montebello Circle. The proposed use of the new building is allowed in the R-3 district. The proposed use of the building will also conform to a number of aspects of the city's comprehensive plan. These aspects and initiatives include the establishment of a locally-owned and operated business; the encouragement of alternate forms of transportation based on proximity to the university, shopping and transit lines; the creative minimization of the impact of parking facilities and vehicular traffic due to the consolidation of structured parking on site, all accessed from Montebello Circle, the increase of customer diversity for the local shopping area. In addition, the proposed new construction will comply with all applicable building code regulations.

The following summarizes and addresses the potentially adverse impacts on the surrounding neighborhood with the proposed development and the potential mitigation efforts.

1. Traffic Impact - See preliminary site plan prepared by Collins Engineering for traffic counts and trip increase from existing 8 units to proposed 22 units. The proposed development will increase traffic and trip generation over the existing trip generation for the site by about 92 trips/day. These vehicles will park in the structured on-site parking garage under the building. In addition, bicycles and scooters will be provided lockable parking in the same garage.

2. Noise, lights, dust control effects on the natural environment – During the construction activities, there will be adverse effects on the natural environment, but proper construction methods will be implemented to reduce these adverse conditions as much as possible. These conditions should only exist during the construction phase of the project.

3. Displacement of existing residents – The re-development of this parcel for a (22) unit multi-family dwelling would (8) apartment units used for student housing temporarily during the construction period of approximately (10) months.

4. Discouragement of economic development – The proposed modification to the parcel will increase the economic benefit of the site for the city, improving the aged condition of the site, may positively impact surrounding property values as well.

5. Intensity of use in relationship to community facilities – With the increase in impervious area of the site, the re-development, stormwater management will utilize pervious pavers on the parking lot area and a rain garden/bioretenention facility which will collect and treat the runoff from the roof downspouts. See SWM plan and preliminary site plan prepared by Collins Engineering for further detail.

6. Utilities: City water and sewer. See preliminary site plan prepared by Collins Engineering.

7. Reduction of available affordable housing – The re-development of this site will not have a negative effect on affordable housing. These apartment units will be

rented to University students, and used primarily as University housing. The increase in density will allow more students to live close to the University, and should free up more affordable housing outside of this area where students may be presently residing.

8. Impact on school population – The re-development will not have an effect on the school population or school facilities.

9. Effects on Historic District – The parcel is not located within a Charlottesville Historic district. The improvements to the site will be done in accordance with the City approvals. The existing structure itself is not a historical structure and is not a building of interest.

10. Conformity with Federal, state, and local laws – The redevelopment will meet all requirements set forth and required by local, state, and federal regulations.

11. Massing and scale of project – The proposed construction and modifications to the building fit with the neighborhood scale and massing of the existing surrounding buildings.

Overall, the re-development of this parcel to replace the existing (8) unit multi-family residential structure and associated surface parking areas with a (22) unit multi-family structure meets the general requirements and standards of the existing zoning district of the parcel and is in harmony with other adjacent buildings within the zoning district area. The existing zoning allows for this use, the scale and massing on the site is appropriate, the proposed re-development does not appear to have any major additional impacts on the City resources or natural resources, and the proposed use fits well with the surrounding area. Additional information on the proposal can be seen in the preliminary plan and the attached site and architectural plans for the proposed building.



PROJECT DATA:

- THE OWNER/CLIENT OF THIS PROPERTY IS:  
NEIGHBORHOOD INVESTMENTS, LLC  
810 CATALPA COURT  
CHARLOTTESVILLE, VA 22903
- THESE PLANS HAVE BEEN PREPARED BY:  
COLLINS ENGINEERING, LLC  
200 GARRETT STREET, SUITE K  
CHARLOTTESVILLE, VA 22902  
TELEPHONE: (434) 293-3719
- SOURCE OF SURVEY, TOPOGRAPHY & BOUNDARY INFORMATION: COMMONWEALTH LAND SURVEYING IN JANUARY 2015. FIELD VERIFIED BY COLLINS ENGINEERING FEBRUARY, 2015.
- ZONING: R-3 WITH SPECIAL USE PERMIT FOR MODIFICATIONS TO THE SIDE YARD SETBACKS, DENSITY, AND BUILDABLE HEIGHT.
- THIS PROJECT FALLS WITHIN AN ENTRANCE CORRIDOR REVIEW
- TAX MAP AND PARCEL NUMBER: TMP 160016000
- USGS DATUM: NAD 83 (1994)
- LOCATION/ADDRESS OF PROJECT: 1725 JEFFERSON PARK AVENUE, CHARLOTTESVILLE VA 22903
- BUILDING HEIGHT: MAXIMUM BUILDING HEIGHT OF 50 FEET PER SPECIAL USE PERMIT REQUEST
- PROPOSED USE:  
22 UNIT APARTMENT BUILDING  
4 BEDROOM APARTMENTS: 14 UNITS  
2 BEDROOM APARTMENTS: 8 UNITS
- GROSS DENSITY:  
ALLOWED BY-RIGHT: 1-21 DUA = 8 UNITS  
ALLOWED BY SPECIAL USE PERMIT REQUEST: (44-64 DUA) = 24 UNITS  
PROPOSED DENSITY: 22 UNITS (57 UNITS/ACRE)
- TOTAL ACREAGE OF SITE: 0.385 ACRES
- TOTAL PROPOSED LAND DISTURBANCE: 0.385 ACRES
- SITE PHASING: ONE PHASE
- CRITICAL SLOPES: NONE
- PARKING REQUIREMENTS:  
REQUIRED PARKING:  
14 FOUR BDRM UNITS = 28 REQUIRED SPACES  
8 TWO BDRM UNITS = 8 REQUIRED SPACES  
TOTAL REQUIRED SPACES = 36 REQUIRED SPACES  
PROPOSED PARKING:  
29 GARAGE SPACES  
4 SURFACE PARKING SPACES  
3 OFFSITE PARKING SPOTS  
TOTAL PARKING PROVIDED: 36 SPACES  
NOTE: (3) OFFSITE PARKING SPACES SHALL BE PROVIDED ON THE PROPERTY 1721 JPA, ALSO OWNED BY NEIGHBORHOOD INVESTMENTS, LLC. IN ADDITION, THERE IS ALSO OFFSITE PARKING ALONG JPA FOR PARKING AS WELL.
- PUBLIC UTILITIES: THE SITE WILL BE SERVED BY EXISTING PUBLIC WATER AND SEWER. WATER AND WASTE WATER MAIN PROFILES WILL BE PROVIDED WITH THE FINAL SITE PLAN.
- STORMWATER MANAGEMENT AND STORM DRAINAGE: THE STORMWATER RUNOFF RATES, VOLUMES, AND VELOCITIES RESULTING FROM THIS DEVELOPMENT WILL BE IMPROVED PRIOR TO ENTERING THE CITY'S STORM SEWER SYSTEM. THE DEVELOPMENT CURRENTLY PROPOSES THE INSTALLATION OF PERMEABLE PAVEMENT FOR THE EXTERIOR PARKING LOT WITH A DOWNGRADIENT BIOTRETENTION BASIN PROPOSED TO TREAT THE ROOFTOP DRAINAGE. THIS SWM PLAN, OR AN EQUIVALENT SWM PLAN MEETING MINIMUM CITY REQUIREMENTS, SHALL BE PROPOSED AND REVIEWED WITH THE FINAL SITE PLAN.
- STREAM BUFFER: THE DEVELOPMENT OF THIS PROPERTY DOES NOT IMPACT A STREAM BUFFER.
- SIGNAGE: SITE SIGNAGE SHALL BE SUBMITTED UNDER A SEPARATE APPLICATION.
- STREET CLOSURE: A TEMPORARY STREET CLOSURE PERMIT IS REQUIRED FOR CLOSURE OF SIDEWALKS, PARKING SPACES AND ROADWAYS AND IS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER. PARTIAL STREET CLOSURES WILL BE NEEDED FOR THE CREATION OF THE SITE ENTRANCE AT 5TH STREET AND IMPROVEMENTS TO CLEVELAND AVENUE.
- INGRESS AND EGRESS: ACCESS TO THIS PROPERTY SHALL BE PROVIDED VIA STREET ACCESS AT MONTEBELLO CIRCLE.
- BUILDING/LOT SETBACKS:  
FRONT - 25'  
SIDE - 5' (WITH SPECIAL USE PERMIT REQUEST)  
REAR - 25'

- LIGHTING SHALL BE DETERMINED WITH THE FINAL SITE PLAN. LIGHTING SHALL MEET THE CITY DARK SKY ZONING ORDINANCE.
- SITE TRIP GENERATION AND LAND USE ITE CODE. BASED ON THE ITE TRIP GENERATION MANUAL, 8TH EDITION.

APARTMENT (22 UNITS)  
AVERAGE DAILY TRIPS: 146 VPD (73 VPD ENTER/73 VPD EXIT)  
AM PEAK RATE: 12 VPH (3 VPH ENTER/9 VPH EXIT)  
PM PEAK RATE: 14 VPH (10 VPH ENTER/4 VPH EXIT)

WATER FLOW CALCULATIONS  
MAX HOUR Q= $11.4 \times N^{0.544}$ =1500 GPM; PEAK HOUR Q= 136 GPM

SEWER FLOW CALCULATIONS  
22 APARTMENT UNITS X 100 GPD = 2,200 GPD

FIRE FLOW TESTING RESULTS: GPM: 1350 STATIC: 104 PSI RESIDUAL: 100 PSI  
EXISTING VEGETATION: SMALL TREES AND SHRUBS COVER A PORTION OF THE SITE.  
STREAM BUFFER MITIGATION PLAN: NOT APPLICABLE  
CONSERVATION PLAN: NOT APPLICABLE  
PAVED PARKING AND CIRCULATION AREA: 9,490 SF  
IMPERVIOUS AREAS: PREDEVELOPMENT POSTDEVELOPMENT  
BUILDING: 2,565 SF BUILDING: 8,825 SF  
PAVEMENT: 5,505 SF PAVEMENT: 1,120 SF  
SIDEWALKS: 375 SF SIDEWALKS: 3,385 SF

- NOTES:
- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE CONSISTENT WITH THE MUTCD.
  - IFC 505-THE BUILDING STREET NUMBER TO BE PLAINLY VISIBLE FROM THE STREET FOR EMERGENCY RESPONDERS.
  - IFC 506.1-AN APPROVED KEY BOX SHALL BE MOUNTED TO THE SIDE OF THE FRONT OR MAIN ENTRANCE. THE CHARLOTTESVILLE FIRE DEPARTMENT CARRIES THE KNOX BOX MASTER KEY. A KNOX BOX KEY BOX CAN BE ORDERED BY GOING ONLINE TO WWW.KNOXBOX.COM. THE KNOX BOX ALLOWS ENTRY TO THE BUILDING WITHOUT DAMAGING THE LOCK AND DOOR SYSTEM.
  - STRUCTURES WITH FIRE PROTECTION SYSTEMS SHALL INDICATE THE LOCATION OF ANY FIRE LINE TO THE BUILDING(S) AS WELL AS THE LOCATION OF FIRE DEPARTMENT CONNECTIONS.
  - FIRE HYDRANTS, FIRE PUMP TEST HEADER, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES SHALL REMAIN CLEAR AND UNOBSSTRUCTURED BY LANDSCAPING, PARKING OR OTHER OBJECTS. THE FIRE MARSHAL'S OFFICE NO LONGER ALLOWS ANY TYPE OF LANDSCAPING TO BE PLACED IN FRONT OF AND WITHIN 5 FEET OF FIRE HYDRANTS, FIRE PUMP TEST HEADERS, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES.
  - AN APPROVED WATER SUPPLY FOR FIRE PROTECTION SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE.
  - ALL PAVEMENT SHALL BE CAPABLE OF SUPPORTING FIRE APPARATUS WEIGHING 75,000 LBS.
  - IFC 1404.1-SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
  - IFC 1404.2-WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
  - IFC 1410.1-ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
  - IFC 1404.6-CUTTING AND WELDING. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
  - IFC 1414.1-FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
  - REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.
  - OVERHEAD WIRING OR OTHER OBSTRUCTIONS SHALL BE HIGHER THAN 13 FEET 6 INCHES.
  - ALL SIGNS SHALL BE IN ACCORDANCE WITH ARTICLE IX, SECTION 34-1020 CITY CODE.
  - IF THE FLOOR LEVEL OF THE HIGHEST STORY IS MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS, THEN A CLASS I STANDPIPE SYSTEM MUST BE INSTALLED IN ADDITION TO THE SPRINKLER SYSTEM.
  - BUILDINGS FOUR OR MORE STORES IN HEIGHT SHALL BE PROVIDED WITH NOT LESS THAN ONE STANDPIPE FOR US DURING CONSTRUCTION. SUCH STANDPIPES SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS. SUCH STANDPIPES SHALL BE PROVIDED WITH FIRE DEPARTMENT HOSE CONNECTIONS AT ACCESSIBLE LOCATIONS ADJACENT TO USABLE STAIRS. SUCH STANDPIPES SHALL BE EXTENDED AS CONSTRUCTION PROGRESSES TO WITHIN ONE FLOOR OF THE HIGHEST POINT OF CONSTRUCTION HAVING SECURED DECKING OR FLOORING.

LEGEND  
ROADS

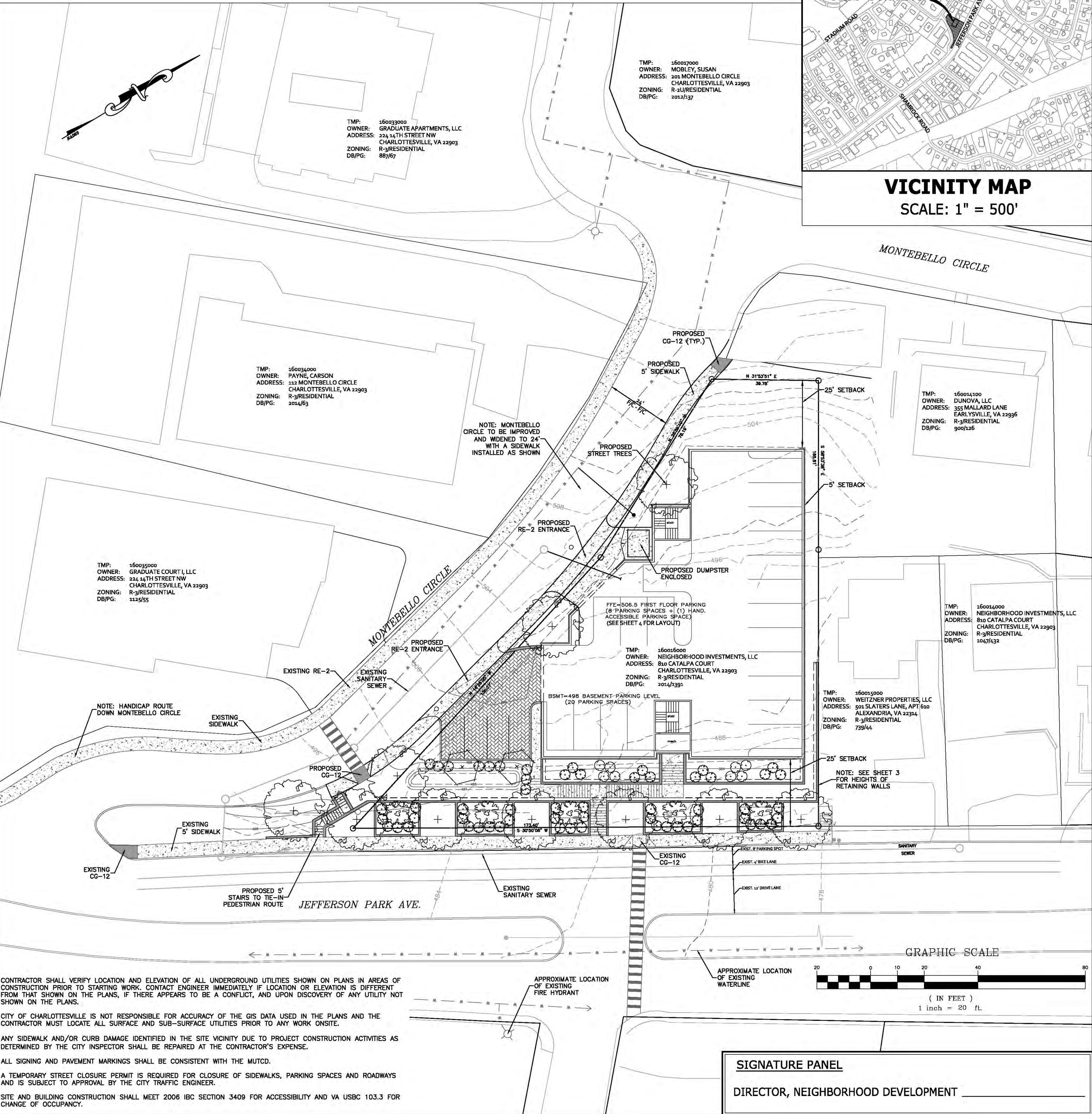
- EXISTING CULVERT
- DROP INLET & STRUCTURE NO. CURB
- CURB & GUTTER
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- PROPOSED PAYER (IMPERVIOUS)
- BENCH MARK
- VOOT STANDARD STOP SIGN
- EXISTING CONTOUR

Sheet List Table		
Sheet Number	Sheet Title	
1	COVER	
2	EXISTING CONDITIONS & DEMOLITION PLAN	
3	SITE & LANDSCAPING PLAN	
4	NOTES & DETAILS	
4	TOTAL SHEETS	

# 1725 JPA APARTMENTS

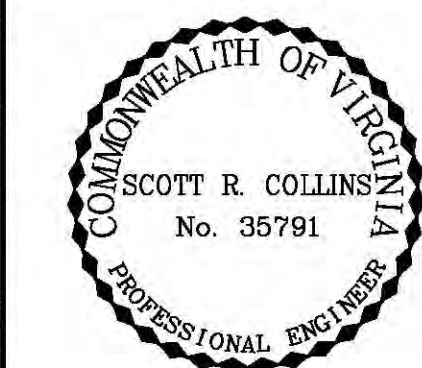
## PRELIMINARY SITE PLAN AND SPECIAL USE PERMIT

### CITY OF CHARLOTTESVILLE, VIRGINIA



SIGNATURE PANEL

DIRECTOR, NEIGHBORHOOD DEVELOPMENT



REVISIONS

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15

COLLINS ENGINEERING

200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

1725 JPA APARTMENTS PRELIMINARY SITE PLAN

COVER

PROJECT  
JOB NO.  
102045  
SCALE  
1"=20'  
SHEET NO.  
1

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DEMOLITION NOTES:

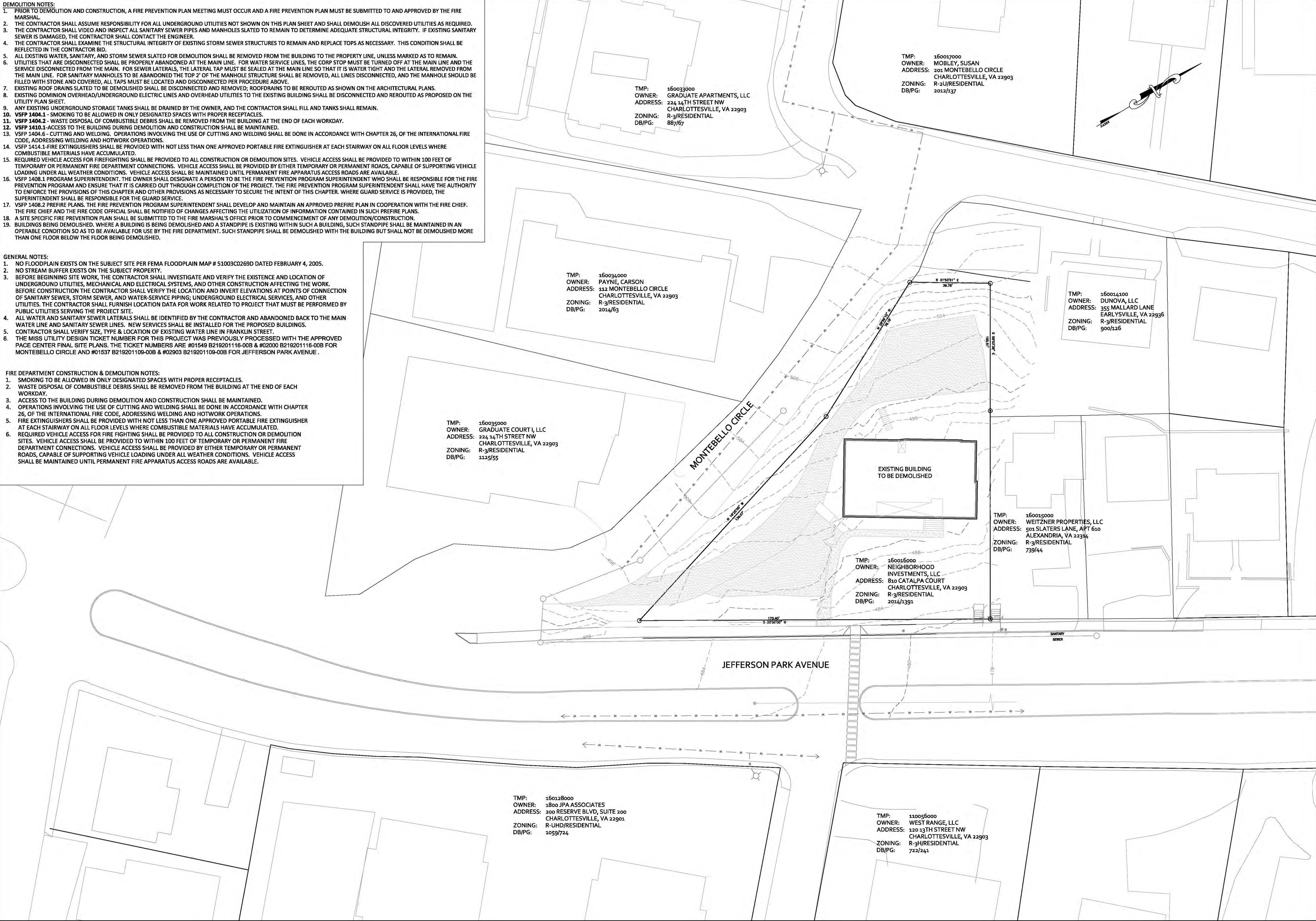
1. PRIOR TO DEMOLITION AND CONSTRUCTION, A FIRE PREVENTION PLAN MEETING MUST OCCUR AND A FIRE PREVENTION PLAN MUST BE SUBMITTED TO AND APPROVED BY THE FIRE MARSHAL.
2. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ALL UNDERGROUND UTILITIES NOT SHOWN ON THIS PLAN SHEET AND SHALL DEMOLISH ALL DISCOVERED UTILITIES AS REQUIRED.
3. THE CONTRACTOR SHALL VIDEO AND INSPECT ALL SANITARY SEWER PIPES AND MANHOLES SLATED TO REMAIN TO DETERMINE ADEQUATE STRUCTURAL INTEGRITY. IF EXISTING SANITARY SEWER IS DAMAGED, THE CONTRACTOR SHALL CONTACT THE ENGINEER.
4. THE CONTRACTOR SHALL EXAMINE THE STRUCTURAL INTEGRITY OF EXISTING STORM SEWER STRUCTURES TO REMAIN AND REPLACE TOPS AS NECESSARY. THIS CONDITION SHALL BE REFLECTED IN THE CONTRACTOR BID.
5. ALL EXISTING WATER, SANITARY, AND STORM SEWER SLATED FOR DEMOLITION SHALL BE REMOVED FROM THE BUILDING TO THE PROPERTY LINE, UNLESS MARKED AS TO REMAIN.
6. UTILITIES THAT ARE DISCONNECTED SHALL BE PROPERLY ABANDONED AT THE MAIN LINE. FOR WATER SERVICE LINES, THE CORP STOP MUST BE TURNED OFF AT THE MAIN LINE AND THE SERVICE DISCONNECTED FROM THE MAIN. FOR SEWER LATERALS, THE LATERAL TAP MUST BE SEALED AT THE MAIN LINE SO THAT IT IS WATER TIGHT AND THE LATERAL REMOVED FROM THE MAIN LINE. FOR SANITARY MANHOLES TO BE ABANDONED THE TOP 2' OF THE MANHOLE STRUCTURE SHALL BE REMOVED, ALL LINES DISCONNECTED, AND THE MANHOLE SHOULD BE FILLED WITH STONE AND COVERED, ALL TAPS MUST BE LOCATED AND DISCONNECTED PER PROCEDURE ABOVE.
7. EXISTING ROOF DRAINS SLATED TO BE DEMOLISHED SHALL BE DISCONNECTED AND REMOVED; ROOFDRAINS TO BE REROUTED AS SHOWN ON THE ARCHITECTURAL PLANS.
8. EXISTING DOMINION OVERHEAD/UNDERGROUND ELECTRIC LINES AND OVERHEAD UTILITIES TO THE EXISTING BUILDING SHALL BE DISCONNECTED AND REROUTED AS PROPOSED ON THE UTILITY PLAN SHEET.
9. ANY EXISTING UNDERGROUND STORAGE TANKS SHALL BE DRAINED BY THE OWNER, AND THE CONTRACTOR SHALL FILL AND TANKS SHALL REMAIN.
10. VSPF 1404.1 - SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
11. VSPF 1404.2 - WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
12. VSPF 1410.1- ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
13. VSPF 1404.6 - CUTTING AND WELDING. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
14. VSPF 1414.1- FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
15. REQUIRED VEHICLE ACCESS FOR FIREFIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.
16. VSPF 1408.1 PROGRAM SUPERINTENDENT. THE OWNER SHALL DESIGNATE A PERSON TO BE THE FIRE PREVENTION PROGRAM SUPERINTENDENT WHO SHALL BE RESPONSIBLE FOR THE FIRE PREVENTION PROGRAM AND ENSURE THAT IT IS CARRIED OUT THROUGH COMPLETION OF THE PROJECT. THE FIRE PREVENTION PROGRAM SUPERINTENDENT SHALL HAVE THE AUTHORITY TO ENFORCE THE PROVISIONS OF THIS CHAPTER AND OTHER PROVISIONS AS NECESSARY TO SECURE THE INTENT OF THIS CHAPTER. WHERE GUARD SERVICE IS PROVIDED, THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR THE GUARD SERVICE.
17. VSPF 1408.2 PREFIRE PLANS. THE FIRE PREVENTION PROGRAM SUPERINTENDENT SHALL DEVELOP AND MAINTAIN AN APPROVED PREFIRE PLAN IN COOPERATION WITH THE FIRE CHIEF. THE FIRE CHIEF AND THE FIRE CODE OFFICIAL SHALL BE NOTIFIED OF CHANGES AFFECTING THE UTILIZATION OF INFORMATION CONTAINED IN SUCH PREFIRE PLANS.
18. A SITE SPECIFIC FIRE PREVENTION PLAN SHALL BE SUBMITTED TO THE FIRE MARSHAL'S OFFICE PRIOR TO COMMENCEMENT OF ANY DEMOLITION/CONSTRUCTION.
19. BUILDINGS BEING DEMOLISHED. WHERE A BUILDING IS BEING DEMOLISHED AND A STANDPIPE IS EXISTING WITHIN SUCH A BUILDING, SUCH STANDPIPE SHALL BE MAINTAINED IN AN OPERABLE CONDITION SO AS TO BE AVAILABLE FOR USE BY THE FIRE DEPARTMENT. SUCH STANDPIPE SHALL BE DEMOLISHED WITH THE BUILDING BUT SHALL NOT BE DEMOLISHED MORE THAN ONE FLOOR BELOW THE FLOOR BEING DEMOLISHED.

GENERAL NOTES:

1. NO FLOODPLAIN EXISTS ON THE SUBJECT SITE PER FEMA FLOODPLAIN MAP # 51003C0269D DATED FEBRUARY 4, 2005.
2. NO STREAM BUFFER EXISTS ON THE SUBJECT PROPERTY.
3. BEFORE BEGINNING SITE WORK, THE CONTRACTOR SHALL INVESTIGATE AND VERIFY THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES, MECHANICAL AND ELECTRICAL SYSTEMS, AND OTHER CONSTRUCTION AFFECTING THE WORK. BEFORE CONSTRUCTION THE CONTRACTOR SHALL VERIFY THE LOCATION AND INVERT ELEVATIONS AT POINTS OF CONNECTION OF SANITARY SEWER, STORM SEWER, AND WATER-SERVICE PIPING; UNDERGROUND ELECTRICAL SERVICES, AND OTHER UTILITIES. THE CONTRACTOR SHALL FURNISH LOCATION DATA FOR WORK RELATED TO PROJECT THAT MUST BE PERFORMED BY PUBLIC UTILITIES SERVING THE PROJECT SITE.
4. ALL WATER AND SANITARY SEWER LATERALS SHALL BE IDENTIFIED BY THE CONTRACTOR AND ABANDONED BACK TO THE MAIN WATER LINE AND SANITARY SEWER LINES. NEW SERVICES SHALL BE INSTALLED FOR THE PROPOSED BUILDINGS.
5. CONTRACTOR SHALL VERIFY SIZE, TYPE & LOCATION OF EXISTING WATER LINE IN FRANKLIN STREET.
6. THE MISS UTILITY DESIGN TICKET NUMBER FOR THIS PROJECT WAS PREVIOUSLY PROCESSED WITH THE APPROVED PACE CENTER FINAL SITE PLANS. THE TICKET NUMBERS ARE #01549 B219201116-00B & #02000 B219201116-00B FOR MONTEBELLO CIRCLE AND #01537 B219201109-00B & #02903 B219201109-00B FOR JEFFERSON PARK AVENUE .

FIRE DEPARTMENT CONSTRUCTION & DEMOLITION NOTES:

1. SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
2. WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
3. ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
4. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
5. FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
6. REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.



CE

COLLINS ENGINEERING

200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

PROJECT

JOB NO.  
102045

SCALE  
1" = 20'

SHEET NO.  
2

EXISTING CONDITIONS & DEMOLITION PLAN

1725 JPA APARTMENTS PRELIMINARY SITE PLAN

200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

REVISIONS

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15

COMMONWEALTH OF VIRGINIA

SCOTT R. COLLINS, P.E.

PROFESSIONAL ENGINEER

No. 35791

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ALL STREET TREES WITHIN THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

1. ALL DUMPSTERS SHALL BE SCREENED WITH AN ENCLOSURE AT A MINIMUM HEIGHT OF ONE (1) FOOT ABOVE THE HEIGHT OF THE DUMPSTER AND WITH A MINIMUM INSIDE CLEARANCE AT THE OPENING OF TWELVE (12) FEET.
2. ALL PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF EIGHTEEN (18) INCHES WHEN PLANTED. PLANTINGS SHALL BE EVENLY SPACED IN A ROW, AT INTERVALS SUFFICIENT TO ALLOW FOR THEIR HEALTHY GROWTH AND DEVELOPMENT.
3. TOTAL JEFFERSON PARK AVENUE ROAD FRONTAGE = 810165  
TOTAL STREET TREES PROVIDED: 6

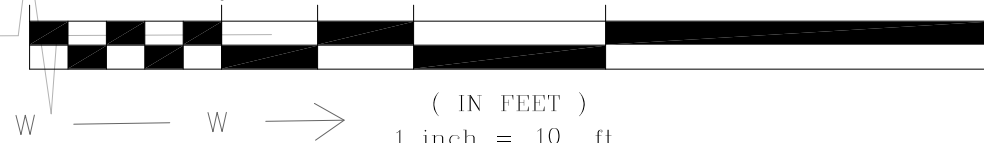
TMP: 160016000  
OWNER: NEIGHBORHOOD INVESTMENTS, LLC  
ADDRESS: 810 CATALPA COURT  
CHARLOTTESVILLE, VA 22903  
ZONING: R-3/RESIDENTIAL  
DB/PG: 2014/1391



PRIMINARY PLANT SCHEDULE						
SYM	BOTANICAL	COMMON NAME	SIZE	CANOPY %	QUANTITY	CANOPY COVERAGE %
<b>TREES</b>						
AR	ALDER RUBRUM	RED MAPLE	2" cal	397	5	3.573
CC	CARPENUS CAROLINIANA	REDBUD	6"-7" hL	725	2	258
<b>SHRUBS</b>						
AD	ADONIS GRANDIFLORA	GLASSY ABELIA	18 hL. max	14	5	73
IC	ILIX CORNUATA DWARF BURFORD	DWARF BURFORD HOLLY	6" hL. max	14	8	112
IG	ILIX GLABRA	INKBERRY HOLLY	6" hL. max	23	58	1.334
<b>TOTAL CANOPY</b>						5.337
<b>REQUIRED SITE COVERAGE: 10% x 16,770 sf = 1,677 sf (5,162 sf PROVIDED)</b>						

JEFFERSON PARK AVENUE

GRAPHIC SCALE



NO.	45	SHEET
SITE & LANDSCAPING PLAN		



GENERAL NOTES:

1. ANY DAMAGE TO EXISTING UTILITIES CAUSED BY CONTRACTOR OR ITS SUBCONTRACTORS SHALL BE CONTRACTOR'S SOLE RESPONSIBILITY AND REPAIRED AT CONTRACTOR'S EXPENSE.
2. THE CONTRACT DOCUMENTS DO NOT GUARANTEE THE EXISTENCE, NON-EXISTENCE OR LOCATION OF UTILITIES. CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OR THE NON-EXISTENCE OF UTILITIES. AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION OR CONSTRUCTION, CONTRACTOR SHALL NOTIFY MISS UTILITY (1-800-552-7001) AND/OR THE RESPECTIVE UTILITY COMPANIES FOR GAS, WATER, SEWER, POWER, PHONE AND CABLE. CONTRACTOR SHALL TIMELY ARRANGE TO HAVE THE VARIOUS UTILITIES LOCATED, AND TO HAVE THEM REMOVED OR RELOCATED, OR TO DETERMINE THE METHOD OF PROTECTION ACCEPTABLE TO THE RESPECTIVE OWNER, IF THE METHOD OF PROTECTION IS NOT OTHERWISE SPECIFIED. CONTRACTOR SHALL CONDUCT ITS WORK IN THE VICINITY OF EXISTING UTILITIES IN ACCORDANCE WITH THE RESPECTIVE UTILITY'S RULES AND REGULATIONS. NO BUILDING OR WALL FOUNDATION SHALL BE CONSTRUCTED WITHIN 10 FEET OF ANY STORM, SANITARY, WATER, OR GAS LINE. ANY COST INCURRED FOR REMOVING, RELOCATIONS OR PROTECTING UTILITIES SHALL BE BORNE BY CONTRACTOR UNLESS INDICATED OTHERWISE. CONTRACTOR SHALL EXCAVATE TO LOCATE BURIED UTILITIES FAR ENOUGH IN ADVANCE OF ITS WORK TO ALLOW FOR HORIZONTAL AND /OR VERTICAL ADJUSTMENTS TO ITS WORK AND/OR THE UTILITIES. NO ADJUSTMENT IN COMPENSATION OR SCHEDULE WILL BE ALLOWED FOR DELAYS RESULTING FROM CONTRACTOR'S FAILURE TO CONTACT AND COORDINATE WITH UTILITIES.
3. WHEN THE WORK GROSSES EXISTING UTILITIES, THE EXISTING UTILITIES SHALL BE ADEQUATELY SUPPORTED AND PROTECTED FROM DAMAGE DUE TO THE WORK. ALL METHODS FOR SUPPORTING AND MAINTAINING THE EXISTING UTILITIES SHALL BE APPROVED BY THE RESPECTIVE UTILITY COMPANY AND/OR THE ENGINEER. CONTRACTOR SHALL EXERCISE CARE TO INSURE THAT THE GRADE AND ALIGNMENT OF EXISTING UTILITIES ARE MAINTAINED AND THAT NO JOINTS OR CONNECTIONS ARE DISPLACED. BACKFILL SHALL BE CAREFULLY PLACED AND COMPACTED TO PREVENT FUTURE DAMAGE OR SETTLEMENT TO EXISTING UTILITIES. ANY UTILITIES REMOVED AS PART OF THE WORK, AND NOT INDICATED TO BE REMOVED OR ABANDONED, SHALL BE RESTORED USING MATERIALS AND INSTALLATION EQUAL TO THE UTILITY'S STANDARDS.
4. CONTRACTOR SHALL NOTIFY LANDOWNERS, TENANTS AND THE ENGINEER PRIOR TO THE INTERRUPTION OF ANY SERVICES. SERVICE INTERRUPTIONS SHALL BE KEPT TO A MINIMUM.
5. CONTRACTOR SHALL COORDINATE WITH THE CITY TO LOCATE SIGNAL LOOP DETECTORS AND CONDUITS IN ORDER TO AVOID DAMAGE TO THEM. CONTRACTOR SHALL REIMBURSE THE CITY FOR REPAIRING ANY DAMAGE TO SIGNAL LOOP DETECTORS AND CONDUITS CAUSED BY CONTRACTOR'S FAILURE TO SO COORDINATE.
6. ALL RECTANGULAR WATER METER BOXES LOCATED IN SIDEWALKS SHALL BE REPLACED WITH ROUND ONES. THESE WILL BE FURNISHED BY THE CITY UPON ONE FULL WORKING DAY NOTIFICATION. THE ADJUSTMENT OF ALL MANHOLE TOPS, WATER VALVE BOXES, GAS VALVE BOXES AND WATER METER BOXES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. COSTS ARE TO BE INCLUDED UNDER THE VARIOUS UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE.
7. THE CONTRACTOR SHALL NOTIFY THE CITY UTILITIES DIVISION AT LEAST TWO FULL WORKING DAYS IN ADVANCE TO ARRANGE GAS SERVICE LINE ADJUSTMENTS TO BE PERFORMED BY THE CITY.
8. ALL WATER METER, VALVES AND FIRE HYDRANT ADJUSTMENTS/RELOCATIONS SHALL BE PERFORMED BY THE CONTRACTOR.

CONCRETE AND ASPHALT

9. ALL FORMS SHALL BE INSPECTED BY THE ENGINEER BEFORE ANY CONCRETE IS PLACED. THE ENGINEER MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO REMOVE AND REPLACE CONCRETE PLACED PRIOR TO OR WITHOUT SUCH INSPECTION.
10. ALL MATERIAL INSIDE FORMS SHALL BE CLEAN AND FREE OF ALL ROCKS AND OTHER LOOSE DEBRIS. SUB-BASE MATERIAL SHALL BE COMPACTED BY MECHANICAL MEANS.
11. CONCRETE SHALL NOT BE PLACED UNLESS THE AIR TEMPERATURE IS AT LEAST 40 DEGREES FAHRENHEIT (°F) IN THE SHADE AND RISING.
12. CONCRETE SHALL NOT BE PLACED UNTIL STEEL DOWELS HAVE BEEN INSTALLED IN EXISTING CONCRETE IN ACCORDANCE WITH CITY STANDARDS.
13. 1/2" PREMOLDED EXPANSION JOINT MATERIAL SHALL BE PLACED AT A MAXIMUM OF 30' INTERVALS ON NEW SIDEWALK, CURB, CURB & GUTTER, AT EACH END OF DRIVEWAY ENTRANCES, AT EACH END OF HANDICAP RAMPS, SOME POINT ON ENTRANCE WALKS AND STEPS ADJUSTMENTS, AND ALONG BUILDINGS AND WALLS WHERE NEW CONCRETE SIDEWALKS ARE PLACED AGAINST THEM.
14. ALL EXISTING CURBS, CURB & GUTTER, SIDEWALK AND STEPS TO BE REMOVED SHALL BE TAKEN OUT TO THE NEAREST JOINT. DEMOLITION AND DISPOSAL COST TO BE INCLUDED IN OTHER UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE FOR THIS WORK.
15. ALL EXISTING GRANITE CURB SHALL REMAIN THE PROPERTY OF THE CITY OF CHARLOTTEVILLE. IT SHALL BE REMOVED AND DELIVERED BY THE CONTRACTOR TO THE CITY'S PUBLIC WORKS COMPLEX. COST TO BE INCLUDED UNDER THE VARIOUS UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE FOR THIS WORK.
16. STREET PAVEMENT STRUCTURE AND PATCHING SHALL BE EXTENDED FROM THE FRONT OF NEW CONCRETE TO THE EXISTING PROJECTION OF THE SOUND STREET EDGE AS DIRECTED BY THE ENGINEER.
17. DRIVEWAY ADJUSTMENTS ARE TO BE DONE IN GENTLE TRANSITIONS RATHER THAN ABRUPT BREAKS AT THE BACK OF WALKS. GRAVEL DRIVEWAYS ABOVE STREET GRADE SHALL BE PAVED FOR A MINIMUM DISTANCE OF 20' BEYOND THE BACK OF THE SIDEWALK OR CURB & GUTTER APRON WHERE APPLICABLE.
18. EXISTING ASPHALT CONCRETE PAVEMENT SHALL BE SAW CUT AND REMOVED AS PER THE SPECIFICATIONS. REMOVAL SHALL BE DONE IN SUCH A MANNER AS TO NOT TEAR, BULGE OR DISPLACE ADJACENT PAVEMENT. EDGES SHALL BE CLEAN AND VERTICAL, ALL CUTS SHALL BE PARALLEL OR PERPENDICULAR TO THE DIRECTION OF TRAFFIC.
19. DISPOSAL OF ALL EXCESS MATERIAL IS THE RESPONSIBILITY OF CONTRACTOR.

DRAINAGE

20. CONTRACTOR SHALL EXERCISE CARE, ESPECIALLY AT INTERSECTIONS AND GUTTER LINES, TO PROVIDE POSITIVE DRAINAGE. ANY AREAS WHERE WATER IS IMPOUNDED SHALL BE CORRECTED BY CONTRACTOR AT NO ADDITIONAL COST. POSITIVE DRAINAGE OF ALL ROADWAY AREAS TO THE STORM DRAIN INLETS OR OTHER ACCEPTABLE DRAINAGE CHANNELS AS NOTED ON THE PLANS IS REQUIRED.
21. CONTRACTOR SHALL MAINTAIN EXISTING STREAMS, DITCHES, DRAINAGE STRUCTURES, CULVERTS AND FLOWS AT ALL TIMES DURING THE WORK. CONTRACTOR SHALL PAY FOR ALL PERSONAL INJURY AND PROPERTY DAMAGE WHICH MAY OCCUR AS A RESULT OF FAILING TO MAINTAIN ADEQUATE DRAINAGE.
22. ALL PIPES, DI'S AND OTHER STRUCTURES SHALL BE INSPECTED BY THE ENGINEER BEFORE BEING BACKFILLED OR BURIED. THE ENGINEER MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO UNCOVER AND RE-COVER SUCH STRUCTURES IF THEY HAVE BEEN BACKFILLED OR BURIED WITHOUT SUCH INSPECTION.
23. ALL CATCH BASINS ENCOMPASSED WITHIN NEW CONSTRUCTION SHALL BE CONVERTED TO DROP INLETS.
24. CLASS 1 RIP RAP MODIFICATIONS ALLOWS FOR A REDUCTION IN STONE DEPTH FROM 2.0' TO A MINIMUM OF 1.0' AS DIRECTED BY THE ENGINEER.
25. REMOVED PIPE SHALL BE THE PROPERTY OF CONTRACTOR AND IF NOT SALVAGED FOR RE-USE, SHALL BE DISPOSED OF LAWFULLY.
26. ALL STORM SEWER PIPE AND DROP INLETS SHALL BE CLEARED OF DEBRIS AND ERODED MATERIAL PRIOR TO FINAL ACCEPTANCE.
27. ALL STORM SEWER PIPE JOINTS SHALL BE SEATED AND SEALED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.
28. ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT TIED INTO EXISTING PIPE SHALL BE TIED INTO NEW PIPE. ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT BLOCKED OR DISRUPTED FROM THEIR PRE-CONSTRUCTION.

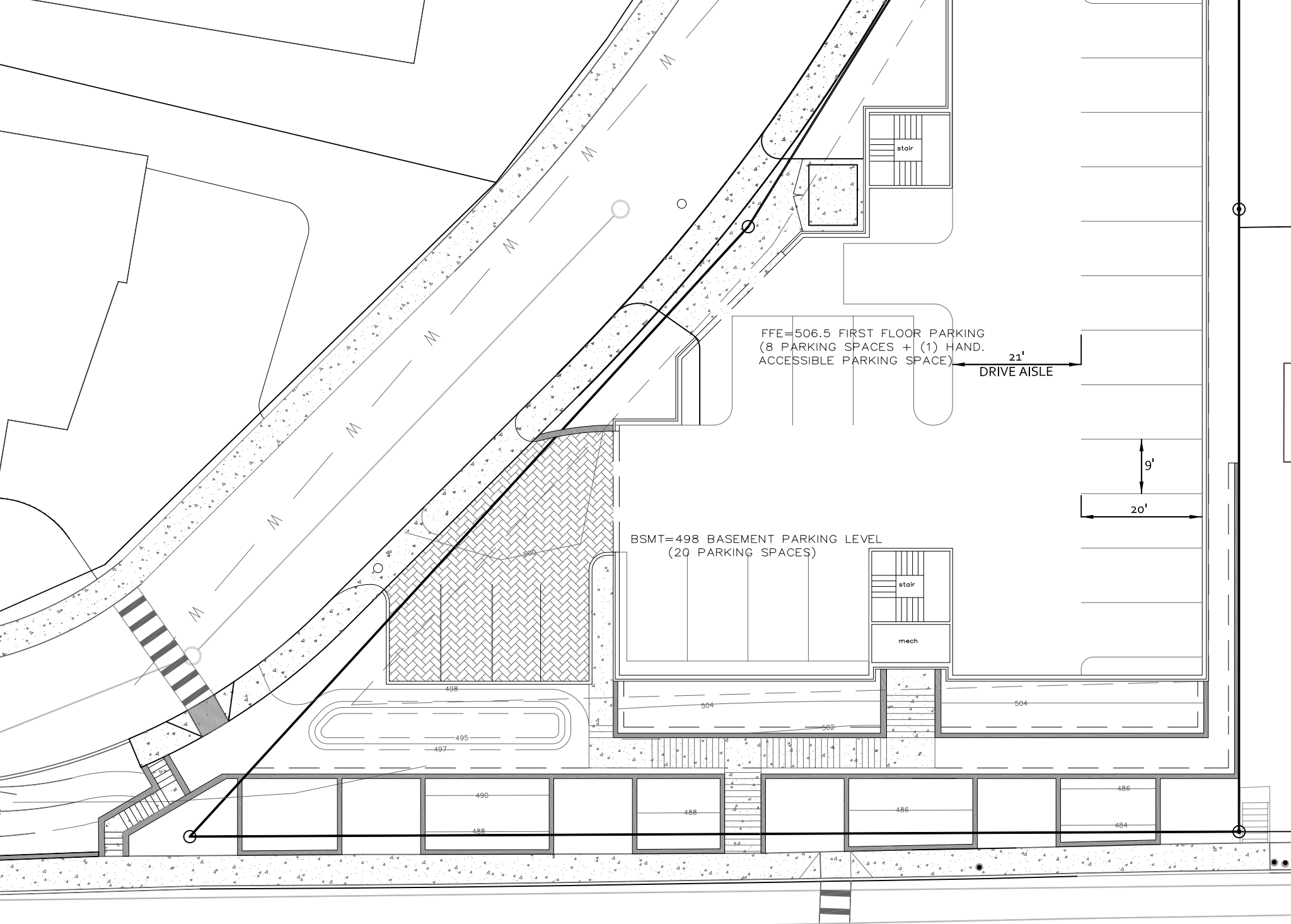
REQUIREMENTS FOR THE INSTALLATION OF GAS MAINS, SERVICES, AND METERS GAS UNIT:

- GAS MAINS
- GAS MAINS WILL BE INSTALLED WHEN THE FOLLOWING CONDITIONS ARE MET IN THE CONSTRUCTION AREA:
1. GRADE IS WITHIN 6 INCHES OF FINAL GRADE OR BASE GRADE IN ROADWAYS.
  2. CURB AND GUTTER MUST BE INSTALLED IF GAS MAIN IS GOING TO BE INSTALLED IN OR NEAR THE ROADWAY.
  3. ALL SANITARY SEWERS, DRAINS, AND STORM SEWERS MUST BE INSTALLED.
  4. A MINIMUM BELOW GROUND PARALLEL SEPARATION IS REQUIRED OF 5 FEET FROM POWER, TELEPHONE, AND CABLE TV AND 10 FEET FROM SANITARY SEWER.
  5. GAS STUBS WILL BE INSTALLED FOR ALL ROAD CROSSINGS IF THE DEVELOPER HAS COMMITTED TO ALL GAS HOMES. OTHERWISE, THE DEVELOPER MAY INSTALL CONDUIT, AT THE DEVELOPER'S EXPENSE, FOR FUTURE ROAD CROSSINGS IN ORDER TO ELIMINATE DISTURBING ASPHALT WHEN SERVICES ARE INSTALLED. THE DEVELOPER SHALL FURNISH AS-BUILT DRAWINGS OF THE CONDUIT PLACEMENT OR PERMANENTLY MARK CONDUIT LOCATIONS. CONDUIT WILL BE FURNISHED BY THE GAS UNIT.

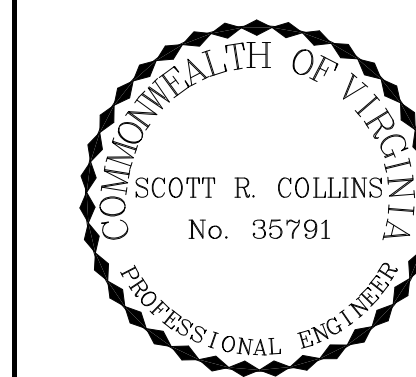
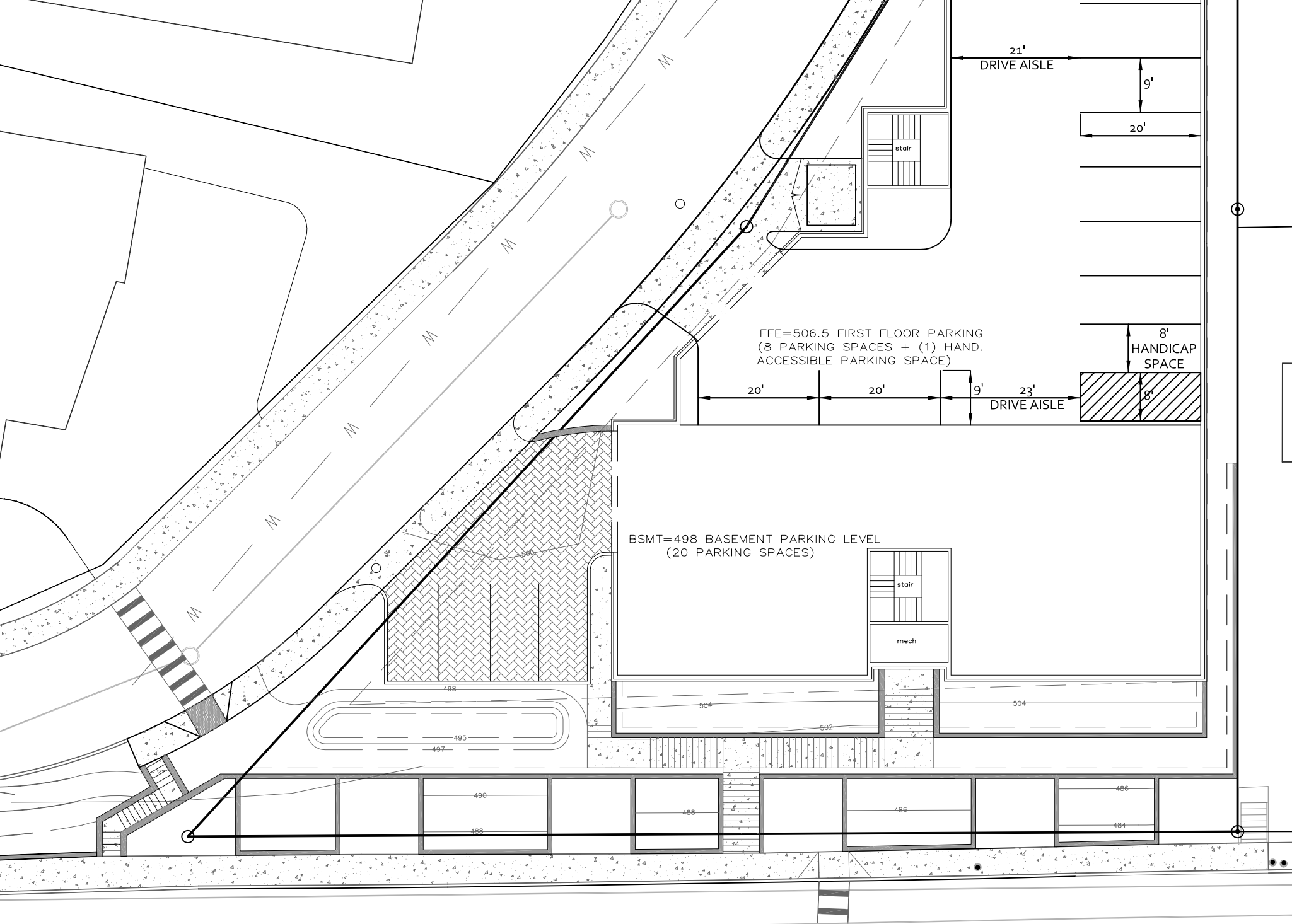
- GAS SERVICES
- GAS SERVICES WILL BE INSTALLED WHEN THE FOLLOWING CONDITIONS ARE MET:
1. GRADE IS WITHIN 6 INCHES BETWEEN THE GAS MAIN AND THE METER LOCATION.
  2. OUTSIDE OF BUILDING (SIDING, BRICK, VENEER, ETC.) IS TO BE FINISHED AROUND THE METER LOCATION.
  3. STREET ADDRESS, TOTAL GAS CONNECTED LOAD, AND CLOSING DATE (IF APPLICABLE) IS REPORTED TO THE GAS UNIT.
  4. A MINIMUM NOTICE OF \_\_\_\_\_ WEEKS AFTER FINAL GRADE IS ESTABLISHED.

- GAS METERS
1. GAS METERS CANNOT BE INSTALLED WITHIN 3 FEET FROM FRESH AIR INTAKES, ELECTRICAL EQUIPMENT (A/C COMPRESSORS), WINDOWS AND DOORS THE OPEN AND SOURCES OF IGNITION.
  2. DELIVERED GAS PRESSURE TO THE CUSTOMER WILL BE 7 INCHES OF WATER COLUMN. HIGHER DELIVERED PRESSURE (PSIG) IS RESTRICTED TO COMMERCIAL AND INDUSTRIAL APPLICATIONS AND MUST BE REQUESTED IN WRITING (WITH APPROPRIATE JUSTIFICATION) AND SUBJECT TO APPROVAL BY THE GAS ENGINEER OR DESIGNEE. LIMITATIONS TO PSIG SERVICE INCLUDE, BUT NOT LIMITED TO, EXTERNAL FUEL LINES (AS IN ROOFTOP UNITS) AND APPROPRIATE APPLIANCE REGULATORS WITH AN INTERNAL RELIEF VENTED TO THE ATMOSPHERE.

BASEMENT PARKING LAYOUT



SECOND LEVEL PARKING LAYOUT



REVISIONS

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15

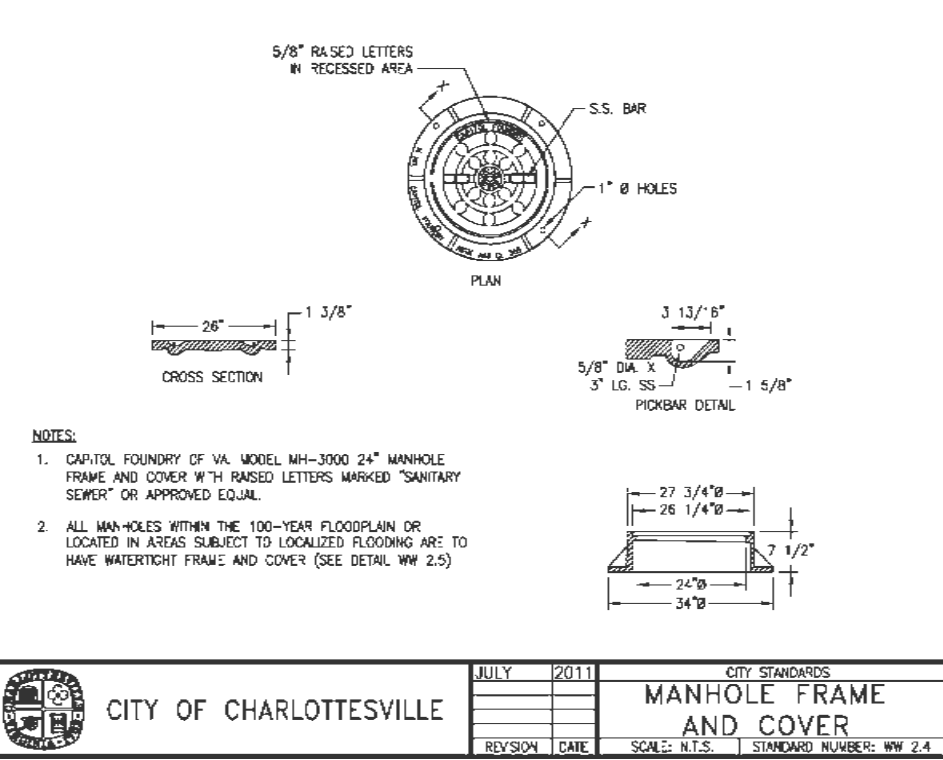
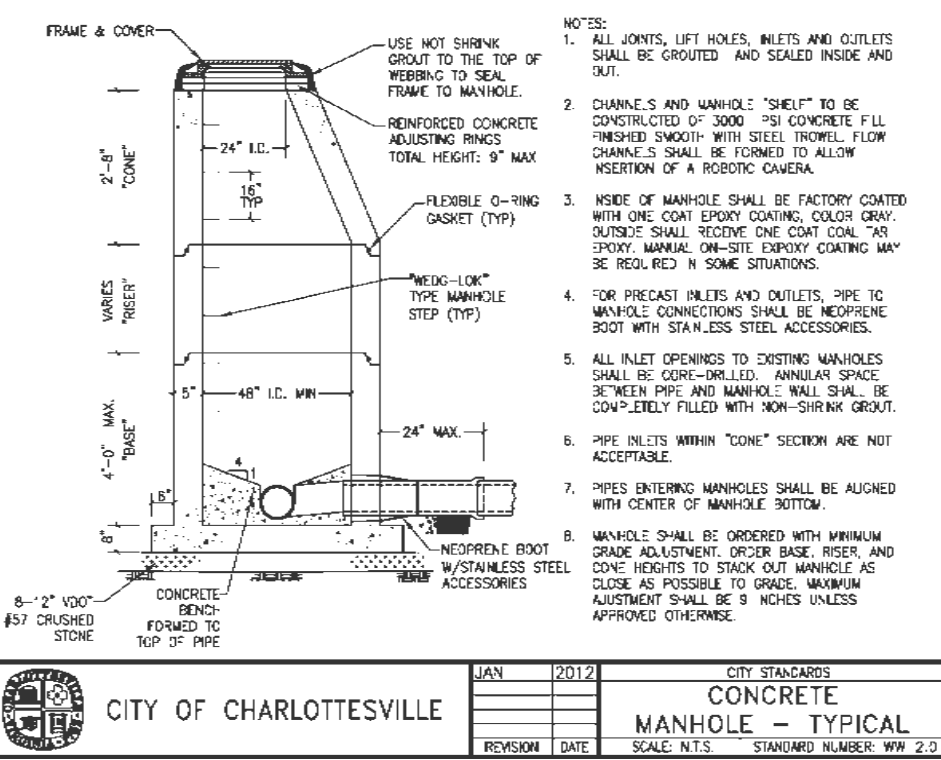
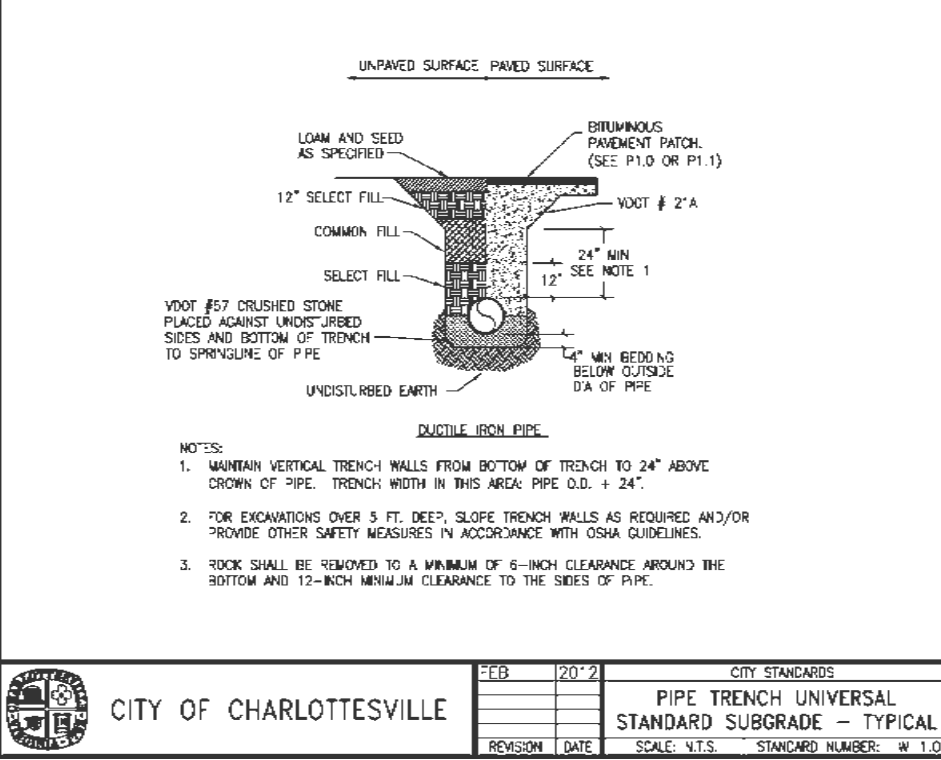
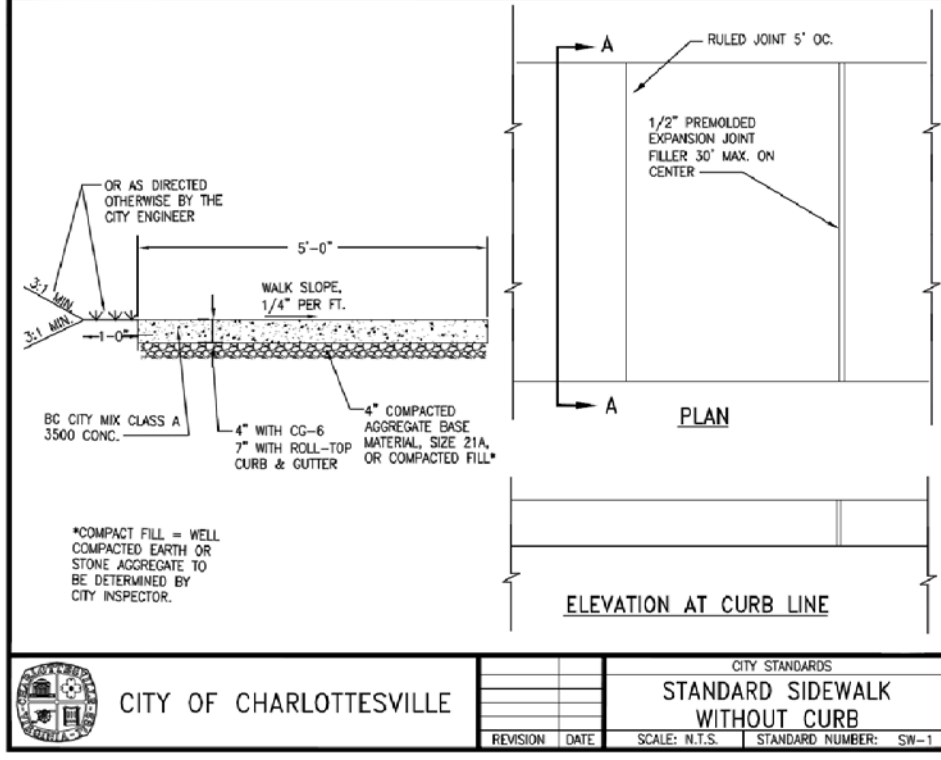
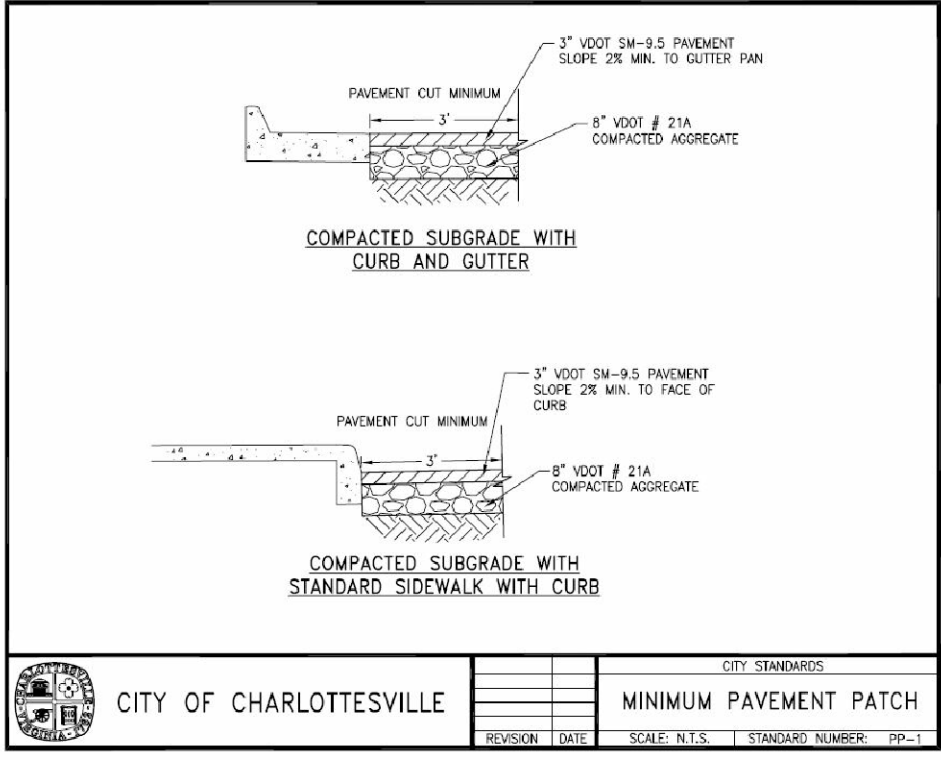
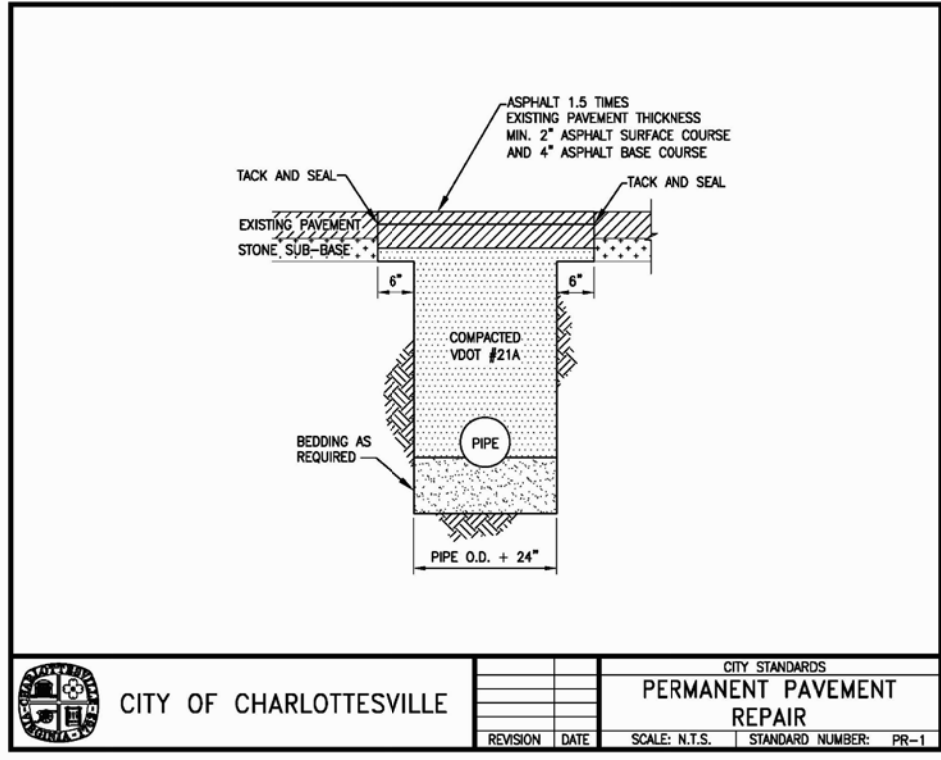
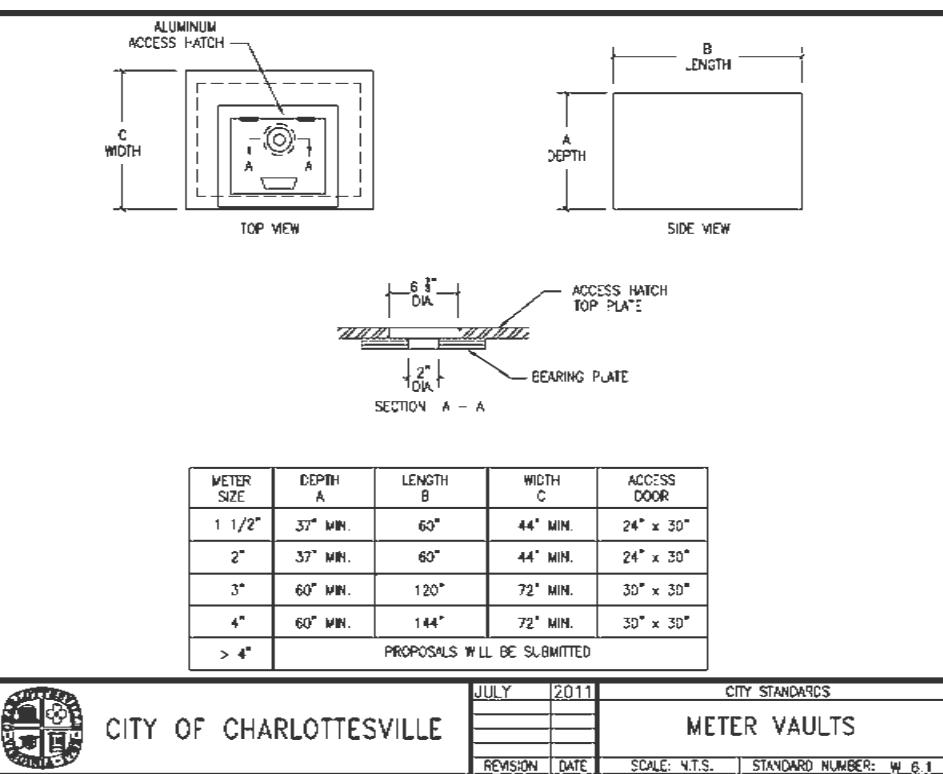
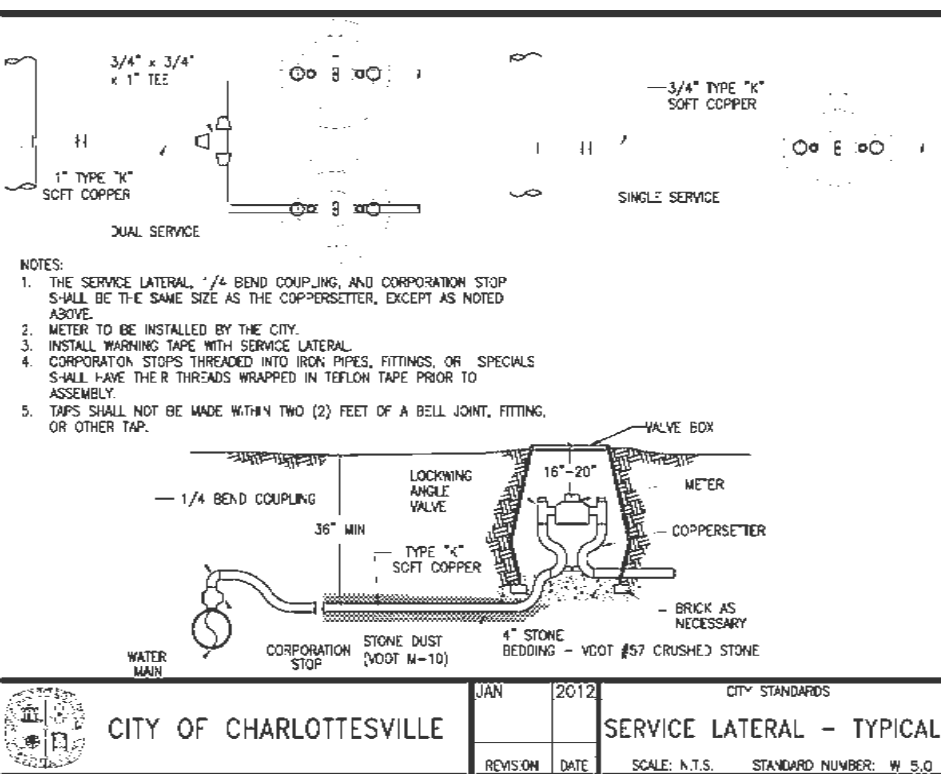
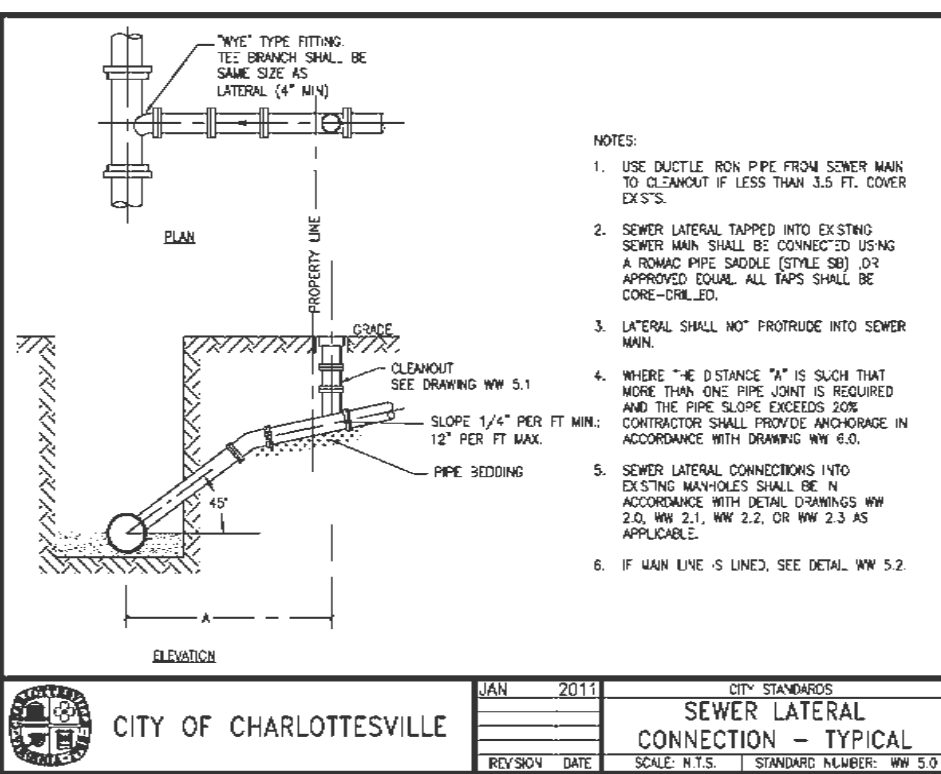
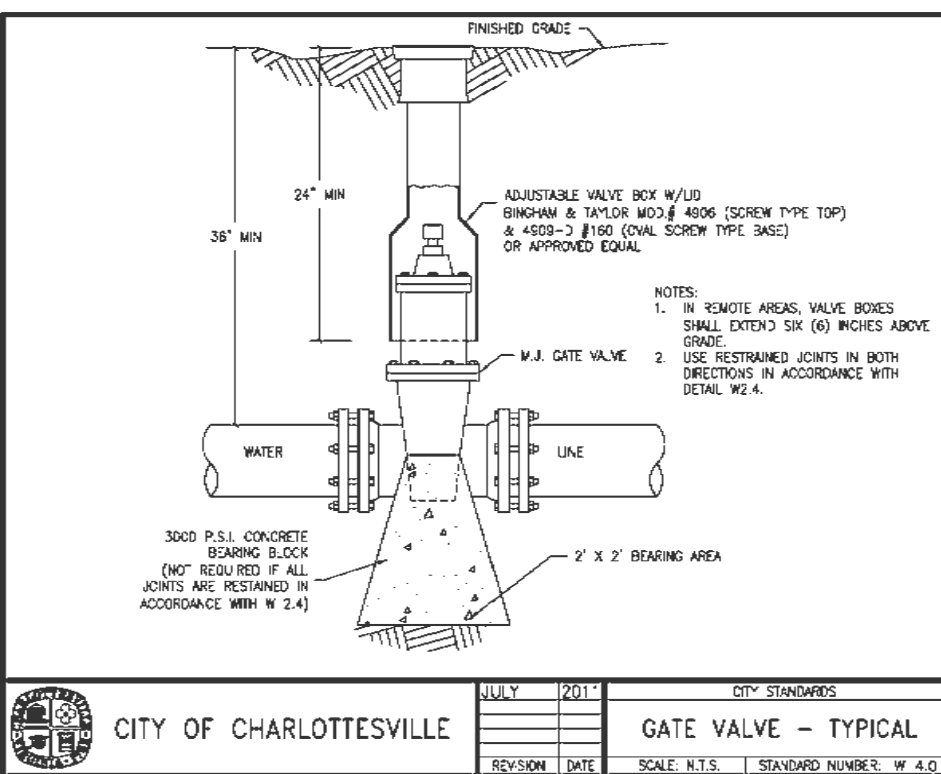
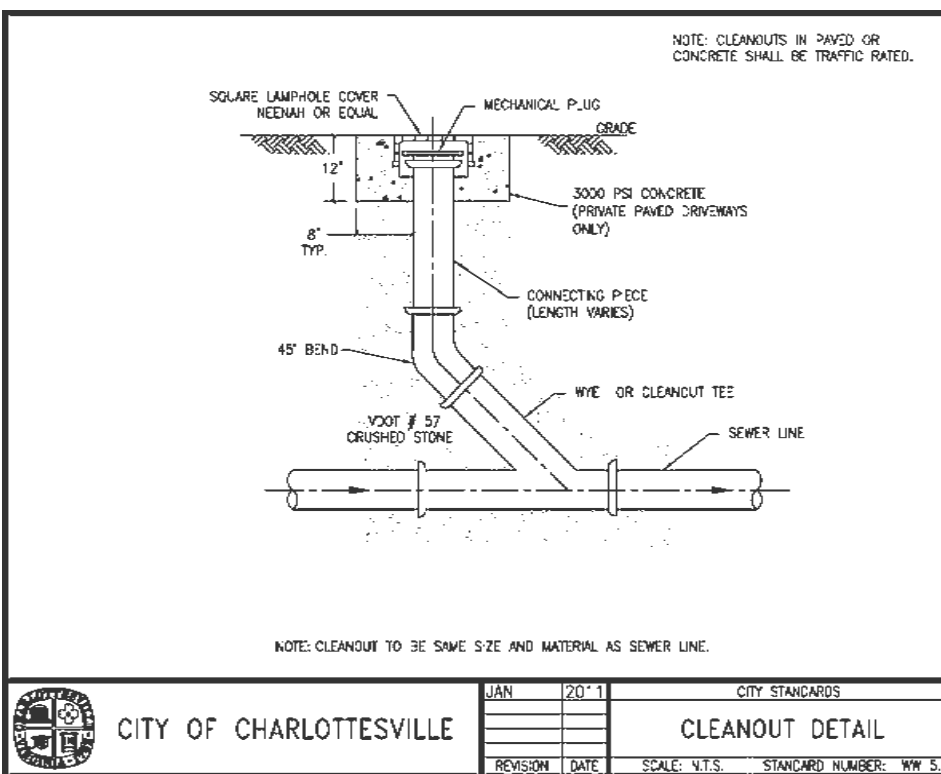
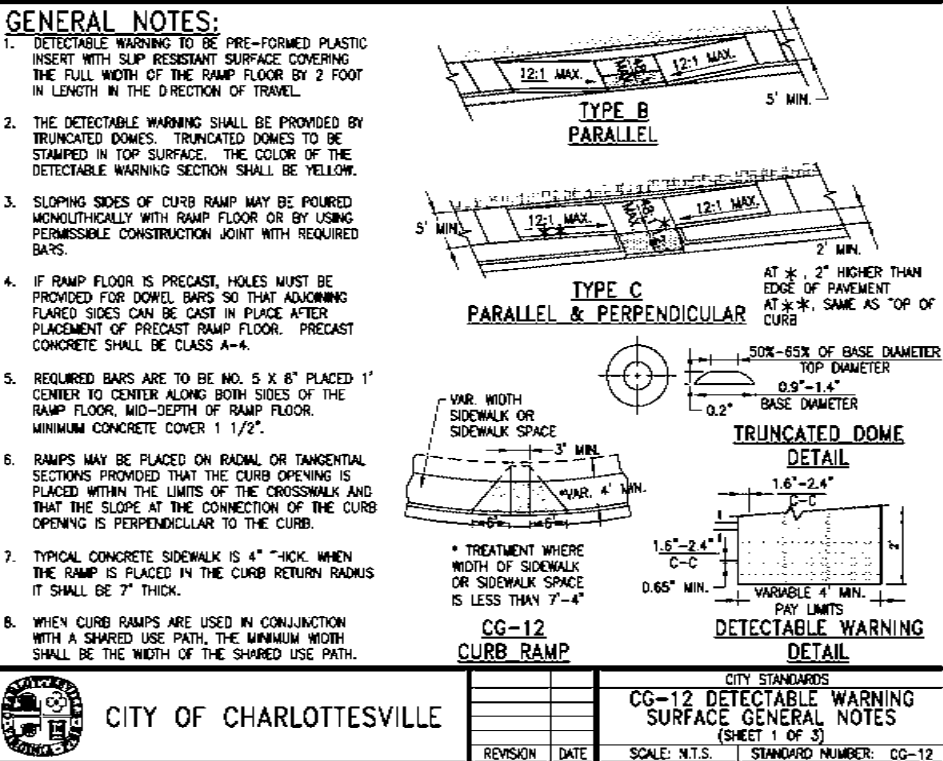
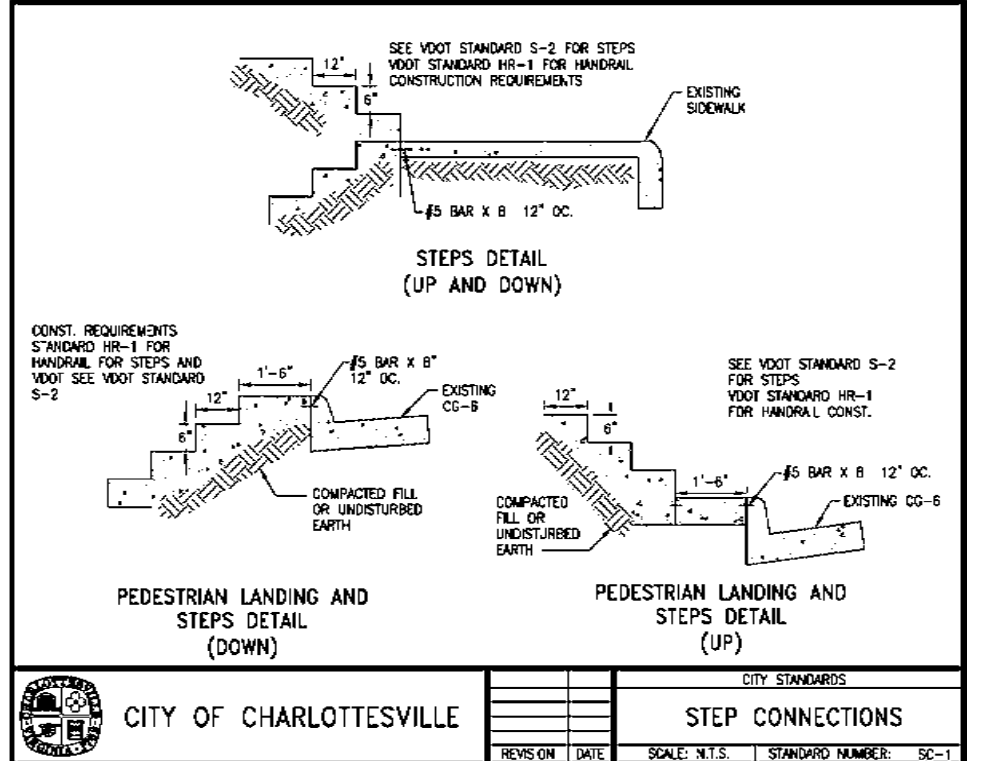
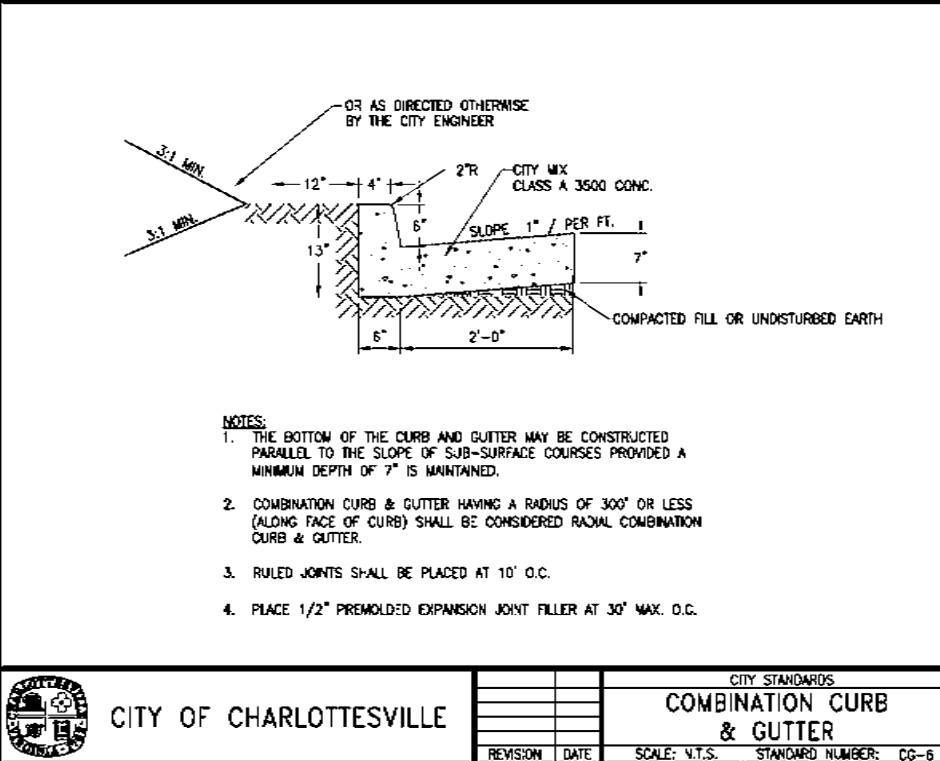
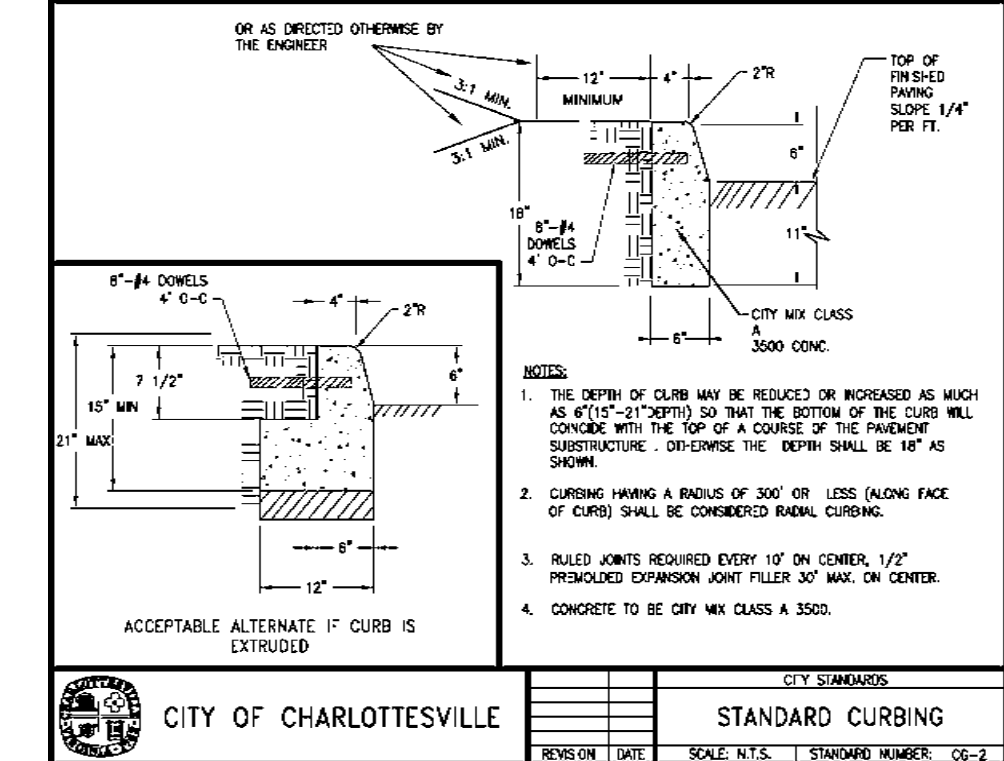
COLLINS ENGINEERING

200 GARRETT STREET, SUITE K - CHARLOTTEVILLE, VA 22902 - 434.293.3719

1725 JPA APARTMENTS PRELIMINARY SITE PLAN

NOTES & DETAILS

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# City of Charlottesville

## MEMO



TO: Planning Commission  
FROM: Melissa Thackston, Grants Coordinator  
DATE: March 10, 2015  
SUBJECT: Public hearing for proposed FY 2015-2016 CDBG and HOME Budget  
Allocations for the Annual Plan of the Consolidated Plan

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As part of the CDBG public participation process, the Planning Commission must provide recommendations to City Council on all Community Development Block Grant (CDBG) and HOME Investment (HOME) funding recommendations.

Attached you will find the proposed allocations for FY 15-16 CDBG and HOME programs. These recommendations are based on CDBG Task Force recommendations for Housing and Public Service activities, the Strategic Action Team for Economic Development activities, and 10<sup>th</sup> and Page Priority Neighborhood Task force in light of further evidence of FY 15-16 budget realities.

Also attached you will find copies of meeting minutes where these recommendations were made.

Other attachments include a memo of explanation and a list of all the projects reviewed as a result of the Request for Proposal (RFP) process.

Following the public hearing, staff is asking for a recommendation to City Council concerning the CDBG and HOME budget allocations. This will include the approval of funds to be reprogrammed.

If you have any questions or concerns, please contact Missy Creasy at 970-3182 or [creasym@charlottesville.org](mailto:creasym@charlottesville.org).

Cc: City Council  
Maurice Jones, City Manager  
Missy Creasy, Acting Director of NDS  
Kathy McHugh, Housing Development Specialist  
CDBG Task Force

# City of Charlottesville

## MEMO



TO: Planning Commission  
FROM: Melissa Thackston, Grants Coordinator  
DATE: March 10, 2015  
SUBJECT: Proposed FY 2015-2016 CDBG and HOME Budget Allocations

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### CDBG and HOME Project Recommendations for FY 2015-2016:

The CDBG program has an estimated \$404,324.91 for the 2015-2016 program year; the HOME program has an estimated \$ for the 2015-2016 program year. The CDBG total reflects the \$390,000 Entitlement Grant, \$0 in Reprogramming, and \$72,548.34 in previous years' entitlement available after program income has been applied. The CDBG amount also includes \$430,851 in previous entitlement funding that is available as a result of a cancelled activity. The HOME total consists of an estimated \$67,500, which is the City's portion of the Consortium's appropriation, in addition to \$12,800 for the City's 25% required match, \$8,872.91 in Reprogramming and \$6,182 in program income. Minutes from the meetings are attached which outline the recommendations made. It is important to note that all projects went through an extensive review as a result of an RFP process.

CDBG Facility Programs – A subcommittee of the CDBG Task Force reviewed applications to utilize the entitlement funds that have become available as a result of a canceled activity. Of the applications received and recommended for funding, three are for public facility improvements.

Estimated benefits include facility improvements to one facility serving adults with mental health needs, one facility serving disabled adults, and one facility serving child and families. Beneficiaries to be reported to HUD will be any client that receives services from any of these three facilities in FY 15-16.

Priority Neighborhood – The FY 2015-2016 Priority Neighborhood is the Block by Block area of 10<sup>th</sup> and Page. The 10<sup>th</sup> and Page Priority Neighborhood Task Force has made the following prioritized recommendations for funding: 1. Street crossing improvements on 10<sup>th</sup> St, particularly at 10<sup>th</sup> and Page and 10<sup>th</sup> and West to include possible installation of a lighted crosswalk at 10<sup>th</sup> and Page if deemed necessary by City staff; 2. Pedestrian and Accessibility Improvements on 10<sup>th</sup> St., specifically relocating utility poles out of sidewalk and into curb extensions; 3. Accessibility Improvements/Ramps at all crosswalks; 4. Crosswalk Improvements at 10 ½ St. and West; and 5. Crosswalk Improvements at 8<sup>th</sup> and Preston. Projects will be completed in order of priority until funding is no longer available.

Economic Development – Council set aside FY 15-16 CDBG funding for Economic Development Activities. Members of the Strategic Action Team reviewed applications for Economic Development.

Funds are proposed to be used to provide scholarships, technical assistance, and capital to at least 10 qualified Charlottesville businesses and at least 15 entrepreneurs hoping to launch their own new micro-enterprises.

Public Service Programs – The CDBG Task Force has recommended several public service programs. Programs were evaluated based on Council’s priority for workforce development and on the job training. Programs were also evaluated based on the number of beneficiaries served and the capacity of the agency. Funding will enable the organizations to provide increased levels of service to the community. Further, this year agencies will be targeting program beneficiaries to those who reside within the City of Promise footprint.

Estimated benefits include helping 30 adults gain workforce readiness skills, helping at least 5 adults with direct employment training, providing childcare subsidies for up to 6 families and helping 75 recently released offenders will receive support services to help reduce recidivism. To the greatest extent feasible, all beneficiaries will reside within the City of Promise footprint.

Administration and Planning: To pay for the costs of staff working with CDBG projects, citizen participation, and other costs directly related to CDBG funds, \$78,000 is budgeted.

HOME Funds: The CDBG Task Force recommended funding to programs that support homeowner rehabs and downpayment assistance to first time homebuyers.

Estimated benefits include 4 small homeowner rehabs and downpayment assistance to 4 households.

Program Income/Reprogramming: For FY 2015-2016, the City has \$72,548.34 in previous CDBG EN that has been made available through the application of received Program Income (PI) to be circulated back into the CDBG budget. The City has \$6,182 in HOME PI to be circulated back into the HOME budget. There are also completed CDBG and HOME projects that have remaining funds to be reprogrammed amounting to \$0 CDBG and \$8,872,91 HOME. These are outlined in the attached materials.

Adjusting for Actual Entitlement Amount: Because actual entitlement amounts are not known at this time, the CDBG Task Force and SAT recommend increasing/reducing all recommendations at the same pro-rated percentage of actual entitlement to estimated. No agency will increase more than their initial funding request.

Attachments: Proposed FY 15-16 CDBG and HOME budgets  
Task Force Minutes  
Funds to be reprogrammed  
FY 15-16 RFPs received

**2014-2015 CDBG BUDGET ALLOCATIONS**  
**RECOMMENDED BY CDBG TASK FORCE and SAT: 1/23/14 and 2/7/14**  
**RECOMMENDED BY PLANNING COMMISSION:**  
**RECOMMENDED BY CITY COUNCIL:**

<b>I.</b>	<b>PRIORITY NEIGHBORHOOD</b>		
	A. 10 <sup>th</sup> and Page –	<b>\$263,348.34*</b>	
<b>II.</b>	<b>ECONOMIC DEVELOPMENT</b>		
	A. Community Investment Collaborative Scholarships	\$12,500	
	B. Seedplanters Women Entrepreneur Academy	\$25,000	
	C. Office of Economic Development Small Business Development	\$25,200	
	<b>ECONOMIC DEVELOPMENT TOTAL:</b>	<b>\$62,700</b>	
<b>III.</b>	<b>SOCIAL PROGRAMS</b>		
	A. City of Promise – Dual Generation	\$ 7,125	
	B. OAR – Reentry Services	\$ 7,125	
	C. Office Economic Development – GO CNA	\$ 7,125	
	D. Department of Social Services – PACE	\$ 7,125	
	E. United Way – Child Care Subsidies	\$30,000	
	<b>SOCIAL PROGRAMS TOTAL:</b>	<b>\$58,500</b>	(15% EN)
<b>IV.</b>	<b>ADMINISTRATION AND PLANNING:</b>		
	A. Admin and Planning	<b>\$78,000</b>	(20% EN)
<b>V.</b>	<b>BONUS REPAYMENT SURPLUS</b>		
	A. MACAA- Hope House	\$200,000	
	B. On Our Own- Facility Improvements	\$26,850	
	C. ReadyKids- Facility Improvements	\$72,300	
	D. ARC of the Piedmont- Facility Improvements	\$76,900	
	E. TJCLT- Existing Home Land Acquisition	\$54,851	
	<b>SURPLUS TOTAL</b>	<b>\$430,851</b>	
		<b>GRAND TOTAL:</b>	<b>\$893,399.34</b>
		<b>ESTIMATED NEW ENTITLEMENT AMOUNT:</b>	<b>\$390,000.00</b>
		<b>ESTIMATED EN AVAILABLE AFTER PI APPLIED:</b>	<b>\$ 72,548.34</b>
		<b>REPROGRAMMING:</b>	<b>\$ 0.00</b>
		<b>REPAYMENT OF PROJECTS:</b>	<b>\$430,851.00</b>

\* Funding includes program income/reprogrammed funds

**2014-2015 HOME BUDGET ALLOCATIONS**

A. AHIP – Homeowner Rehabs	\$42,734.91
B. Habitat for Humanity – Downpayment Assistance	\$24,560
C. PHA – Downpayment Assistance	\$24,560
D. Administration and Planning – funds from the Planning District	\$ 3,500
<b>TOTAL:</b>	<b>\$95,354.91</b>
<b>ENTITLEMENT AMOUNT:</b>	<b>\$67,500</b>
<b>ESTIMATED EN AVAILABLE AFTER PI APPLIED:</b>	<b>\$ 6,182</b>
<b>REPROGRAMMING:</b>	<b>\$8,872.91</b>
<b>LOCAL MATCH:</b>	<b>\$12,800*</b>

\* Only Entitlement funds (except Admin and Planning amount) require local match

**APPROPRIATION**  
**AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNT**  
**Reprogramming of Funds for FY 15-16**

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the Community Development Block Grant (CDBG) funds; and

**WHEREAS**, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the CDBG fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

<b>Program Year</b>	<b>Account Code</b>	<b>Purpose</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>Proposed Revised Appropriation</b>
			\$		\$0
			\$		\$0
			\$		\$0
15-16	P-00001-04-01	Applied to new programs		\$	\$
		<b>TOTALS:</b>	\$	\$	\$

**\*\* At the time of the Planning Commission Meeting, it is too soon to know if there will be any CDBG programs to be reprogrammed. Any funds identified will be included in the April 6, 2015 Council materials.**



**APPROPRIATION**  
**AMENDMENT TO HOME INVESTMENT PARTNERSHIP ACCOUNT**  
**Reprogramming of Funds for FY 15-16**

**WHEREAS**, Council has previously approved the appropriation of certain sums of federal grant receipts to specific accounts in the HOME Investment Partnership (HOME) funds; and

**WHEREAS**, it now appears that these funds have not been spent and need to be reprogrammed, and therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that appropriations made to the following expenditure accounts in the HOME fund are hereby reduced or increased by the respective amounts shown, and the balance accumulated in the Fund as a result of these adjustments is hereby reappropriated to the respective accounts shown as follows:

<b>Program Year</b>	<b>Account Code</b>	<b>Purpose</b>	<b>Proposed Revised Reduction</b>	<b>Proposed Revised Addition</b>	<b>Proposed Revised Appropriation</b>
09-10	19000139	Abundant Life Planning	\$92.34		\$0
11-12	19000168	Tenant Based Rental	\$8,780.57		\$0
15-16		Applied to new programs		\$8,872.91	\$8,872.91
		<b>TOTALS:</b>	<b>\$8,872.91</b>	<b>\$8,872.91</b>	<b>\$8,872.91</b>

## CDBG RFP SUBMISSIONS - FY 2015-16

Organization, (Program Title)	Applicant	Program Description	Funding Requested
AHIP	Jen Jacobs	Small Homeowner Rehabs	\$80,000
Building Goodness in April	Brian Gooch	Homeowner Rehabs	\$20,000
Habitat for Humanity	Dan Rosensweig	Downpayment Assistance	\$80,000
PHA	Karen Reifenberger	Downpayment Assistance	\$40,000
TJCLT	Bob Adams	Land Acquisition	\$40,000

**\$260,000**

80000 -\$180,000

Organization, (Program Title)	Applicant	Program Description	Funding Requested
City of Promise	Sarad Davenport	Adult Career Readiness	\$25,000
Community Attention	Rory Carpenter	Youth Internship Program in health care	\$10,000
Common Ground	Elliott Brown	Complementary Health Services	\$8,000
C4K	Michaela Muttom	Computer Clubhouse	\$25,000
Mediation Center of Charlottesville	Van Parker	Mediator Training	\$2,500
OAR	Pat Smith	Reentry Program	\$20,000
OED	Hollie Lee	GO CNA workforce training	\$17,000
PHAR	Karen Shepard	Career Readiness Program	\$15,000
Social Services	Kelly Logan	VIEW workforce development	\$15,558
United Way	Barbara Hutchinson	Child Care Scholarships	\$30,000
			<b>\$168,058</b>

60000 -\$108,058

Organization, (Program Title)	Applicant	Program Description	Funding Requested
Better World Better	Teri Kent	Mini-grant program	\$20,000
Community Invest. Collob	Stephen Davis	Entrepreneurship-training	\$12,500
C4K	Michaela Muttom	Online Entrepreneurship Program	\$25,938
OED	Jason Ness	ACE program	\$25,200
Seedplanters	Kaye Monroe	DreamBuilders Women Entrepreneurs	\$50,000
Small Steps Collective	Kathy Zentgraf	Rentable Commercial Kitchen Space	\$70,000
			<b>\$203,638</b>
<b>Housing Programs</b>	<b>Public Facilities</b>	<b>Economic Development</b>	<b>Social</b>

125000 -\$78,638

## CDBG Bonus RFP SUBMISSIONS - FY 2015-16

Organization, (Program Title)	Applicant	Funding Requested
AHIP	Jen Jacobs	\$275,000
MACAA	Nancy Kidd	\$200,000
Habitat for Humanity	Dan Rosensweig	\$280,000
PHA	Frank Grosch	\$215,000
TJCLT	Bob Adams	\$80,000
Oasis Village	Karen Beiber	\$150,000
LEAP	Cynthia Adams	\$190,000
ARC of the Piedmont	John Santoski	\$76,900
Ready Kids	Allison Henderson	\$72,300
On Our Own	Erin Tucker	\$26,850
Building Goodness Foundation	Kelly Eplee	\$200,000
		<b>\$1,766,050</b>
<b>Housing Programs</b>	<b>Public Facility</b>	

**CDBG Task Force Meeting Notes**  
**February 4, 2015**  
**10:00**  
**NDS Conference Room**

**Members Present:**

Kathy Harris  
Jennifer McKeever  
Taneaia Dowell  
Kelly Logan  
Mary Alex  
Hollie Lee

**Staff:**

Melissa Thackston  
Kathy McHugh

1. Staff Updates
  - a. Special EN and Review Committee

Staff made the task force aware that a previously funded project is going to be canceled and \$430,851 in CDBG Entitlement funding will be made available for new projects. A special RFP is being held for these funds given the short timeframe needed to award and spend them down. There will be a separate Task Force subcommittee meeting on February 23, 2015 at 2:00 for any interested member to attend to help make funding recommendations.

Staff went over the new score sheet process and explained the implementation of a scoring sheet was based on new HUD guidance staff received at an intensive CDBG training last October. Members were encouraged to provide staff comments on the new process so that next year's process can be improved from the lessons learned this first year of implementation.

2. Complete Score Sheets

Members finished scoring any remaining applications they previously had not scored.

3. Tally Program Scores

Members reported their scores for each application. The application scores were then averaged together into one final group score. These group scores formed the basis of the funding recommendations.

Scores were as follows:

AHIP:	89
Building Goodness in April:	76
Habitat for Humanity:	95
PHA	95
TJCLT:	77

City of Promise:	80
Community Attention:	84
Common Ground:	59
Computers4Kids:	80
Mediation Center:	48
OAR:	91
OED Go CNA:	87
PHAR:	62
DSS PACE:	91
United Way:	86

#### 4. Funding Recommendations

Members decided not to consider any application that received less than 80 points.

The housing applications were discussed first and there was a motion to fund AHIP at \$40,000, Habitat at \$23,000 and PHA at \$23,000. There was a discussion about funding AHIP so much more than the other two applications. Some members argued that the motion could be seen as funding Rehab at \$40,000 and funding Down Payment Assistance at \$46,000. There was also a discussion about how closely the funding recommendation should align with the scores. Most members felt that the scores give a good starting point but a difference of 6 points shouldn't make that much of a difference. It was also pointed out that the down payment applications are able to count the mortgages they leverage, which helped boost their overall scores. After the discussion the motion was called for again, seconded, and the motion passed 5-1-0.

Social applications were discussed next. Members said they were pleased Council took their recommendation to prioritize childcare and were glad to see an agency respond. They were further glad to see the United Way commit to work with City of Promise families. There was a brief discussion of at what level to fund the United Way, but members quickly agreed that this application should receive full funding as many previous task force discussions so heavily focused on the need for childcare.

Members discussed how to recommend funding for the remaining applications. With \$30,000 left to fund, members felt that dividing that amount among too many agencies would greatly lessen the impact of the funding. In light of Council's priorities, the Consolidated Plan, and the Growing Opportunities report, members decided to funding should be targeted at programs that benefit adults. This left City of Promise, OAR, Go CNA, and DSS PACE. It was recommended that each of these agencies receive equal funding of \$7,500 and that to the greatest extent feasible, participants of the programs benefit City of Promise families. A motion was made, seconded, and approved 4-0-2 (with Kelly Logan and Hollie Lee abstaining).

#### 5. Other Business and Public Comment (if any)



CDBG Economic Development Task Force (Strategic Action Team)

Tuesday, January 13, 2015 8:30

Members Present:

Kelly Logan	Cory Demchack
Diane Kuknyo	Chris Engel
Gretchen Ellis	Sue Moffet
Hollie Lee	Jason Ness
Mike Murphy	Melissa Thackston (staff)

Members reviewed applications for funding. Members decided to score only applications they wanted to see funded.

Better World Betty: Score: 43. There was concern that this project really couldn't be shown to either create or retain jobs. It was felt that the need and the outcomes were not strong enough to warrant funding. It was suggested that this project could somehow work as a consultant for OED ACE businesses as just one of many needs businesses may have, but not as a standalone need that should be funded.

CIC: Score: 84 Members liked this proposal, but noted that there were typos and errors and the application seemed boilerplate and poorly written. Members would like to see CIC partner with Kathy Zentgraff and Small Steps if she would be interested.

C4K: Not scored. Members were hesitant to reinvest in this program until outcomes and results from current FY funding were known. They would encourage C4K to reapply in the future once they are able to show outcomes.

Seedplanters: Score: 67. Some members felt that they did not receive satisfactory answers to their follow-up questions and had some concerns about the outcomes of the program. Others pointed out that the clients served require a much more intensive one on one experience. Some members questioned if this application was more life coaching versus economic development. Members asked for additional information about the current success and stability of the businesses created in prior years.

Office of Economic Development: (OED Staff not present during discussion). Score: 90. Members felt that this program has been showing strong outcomes and feel the revised program structure will give increased outcomes with more cost effectiveness.

Small Steps: Not scored. Members were supportive of this idea, but thought the project was not quite ready for CDBG funding. Some members felt that through churches and other non-profits there are commercial kitchen facilities available for use in the community already. Members thought participation with CIC could be very beneficial. All project funding would need to be secured/committed. It would need to be clearer how many jobs would be created/retained either as direct hires to Small Steps or through the other businesses that would rent the space.

Members Recommended funding CIC and OED ACE fully. Members recommended funding Seedplanters in part based on follow up information.

\* Follow up information provided to members with a recommendation of funding at \$25,000. Voting members supported this amount 3-2.

**CDBG Task Force Bonus EN Subcommittee Meeting Notes**  
**February 23, 2015**  
**2:00**  
**NDS Conference Room**

**Members Present:**

Marnie Allen

Mary Alex

**Staff:**

Melissa Thackston

Kathy McHugh

**1. Discuss and recommend funding for bonus entitlement money available**

Applications were discussed and reviewed based on timeliness, ability to easily and fully comply with federal regulations, and impact. The group also indicated a preference to fund applicants and/or projects which do not routinely receive CDBG assistance from the City.

AHIP: Concern about whether they could complete 10 major rehabs within the timeframe. Even with these funds given priority in their spending, AHIP has already received a lot of City investment and has funds available to spend.

MACAA: It was felt that MACAA would be able to identify and purchase a duplex for their HOPE House program within the timeline proposed. Further, the City's Consolidated Plan prioritizes addressing homelessness and the HOPE House provides transitional housing for the homeless. It was suggested that if funds are awarded they be conditioned as follow: Participant selection must follow utilize a housing first approach using HUD best practices in line with TJACH recommendations, and the home will need to be secured with a 15 year deed of trust to insure long-term affordability.

Habitat for Humanity: There were general concerns about the timing of all three proposals. Specifically, 1) Harmony Ridge does not yet have an approved site plan and has not broken ground, 2) acquisition and development of four new opportunities is contingent upon participation by various partners with no firm indication that any are ready to go, and 3) Burnet 2 is underway; however Burnet 3 and Harmony Ridge units are either not yet under construction and/or are subject to site plan approval. The complexities and variables involved are of concern, as are general issues associated with capacity to be able to handle new and on-going projects and meet such a firm deadline.

PHA: This project has already received \$950,000 of City investment. The addition of CDBG funds into this project, only serves to complicate the project for no additional affordable housing units to the City. Further, the project timeline assumes the ability to purchase land in March, 2015 when CDBG funds will not be available until July/August. If funds are not used for acquisition, then demolition and construction would have to be delayed from April 2015 and there are concerns over the time and effort involved with Davis Bacon compliance and ability to close out the project in time.

TJCLT: There were some concerns about the ability to spend the funds in time given the complexities involved with the land trust model. Members really liked the long term affordability that the land trust provides. Any awarded funds would have to be applied to an existing house as the timeline is cleaner.

Oasis Village: This proposal was well received as a concept and members would love to see such a model take off in Charlottesville; however, not yet having site plan approval or a pool of potential buyers already lined up creates too much uncertainty in the timeliness of this application.

LEAP: The City has already invested significant CAHF resources into the Dogwood Housing portfolio. Further, there are concerns about being able to properly document housing affordability for beneficiaries and ascertain compliance with CDBG requirements to principally benefit persons of low-mod income.

ARC of the Piedmont: Project will have to receive appropriate BAR and environmental approvals as well as compliance with Davis Bacon. Generally, the project was well received with clear benefit to low-mod persons.

Ready Kids: Project will have to receive appropriate environmental approvals as well as compliance with Davis Bacon. ReadyKids will be required to collect demographic information on all clients served during the fiscal year to document benefit to low-mod persons.

On Our Own: Project will have to receive appropriate BAR and environmental approvals as well as compliance with Davis Bacon. Generally, the project was well received with clear benefit to low-mod persons.

Building Goodness Foundation: There was much discussion about this application. Ultimately, it was felt that documenting beneficiaries associated with various agencies to be assisted (most of whom are not yet identified at this point) would be too burdensome and murky with HUD and that the project timeline indicates a need to start construction in advance of when CDBG funds will be available. It was suggested that BGF apply in partnership with specific agencies they will work with for future RFPs of funding.

Based on a discussion and review of all proposals, the group recommended approving the following proposals with full funding: MACAA (\$200,000); ARC of the Piedmont (\$76,900); Ready Kids (\$72,300); and On Our Own (\$26,850). TJCLT was recommended to be partially funded with the remaining funds (\$54,801). Specific conditions, as recommended by the group, are included above.

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**REQUEST FOR A WAIVER:  
CRITICAL SLOPES**

**PLANNING COMMISSION REGULAR MEETING**  
**DATE OF PLANNING COMMISSION MEETING: March 10, 2015**

**Project Planner:** Heather Poole  
**Date of Staff Report:** March 2, 2015  
**Applicant:** Kroger Limited Partnership I  
**Applicant's Representative:** Toby Locher  
**Current Property Owner:** Kroger Limited Partnership I

**Application Information**

**Property Street Address:** 220 Zan Road  
**Tax Map/Parcel #:** Tax Map 41B, Parcel 150, Tax Map 41C Parcel 31 (*Project Area* - 7.35 acres (320,166 SF), total; 203,425.20 SF existing impervious)  
**Total Area of Critical Slopes on Parcel:** 2.26 acres (30.8%)  
**Area of Proposed Critical Slope Disturbance:** (0.97 acres/ 42,253.20 SF)  
**Comprehensive Plan (Land Use Plan) Designation:** Commercial  
**Current Zoning Classification:** HW (Highway Corridor District)  
**Tax Status:** The City Treasurer's office indicates that there are no delinquent taxes owed on the subject properties at the time of the writing of this staff report.

**Background**

Kroger Limited Partnership I requested a waiver from the Critical Slope Ordinance on January 20<sup>th</sup>, 2015. The application was brought before the Planning Commission at its regular meeting on February 10<sup>th</sup>, 2015. While the Planning Commission commended the applicant's proposed design for stormwater control and water quality improvements, the Planning Commission deferred the application stating they wanted the following items further addressed before making their recommendation:

- Visual impact
- Connectivity
- Noise impact

The applicant's resubmittal dated February 25<sup>th</sup>, 2015 includes information to address the Planning Commission's concerns in addition to the proposed stormwater control design.



## **Application Details**

Toby Locher, on behalf of Kroger Limited Partnership I, is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for the expansion of the existing 53,076 SF building found on Tax Map 41B, Parcel 150 (formerly used as a Giant grocery store) into a 97,979 SF Kroger building as part of the existing Seminole Square Shopping Center. The proposed location of the Kroger is on the south eastern portion of the property, and will be connected to existing buildings found on Tax Map 41B, Parcels 152 and 153.

Existing critical slopes areas located on this Property include 2.26 acres/ 30.8 percent of the project site. The applicable definition of “critical slope” is as follows:

Any slope whose grade is 25% or greater, **and** (a) a portion of the slope has a horizontal run of greater than 20 feet, and its total area is 6,000 SF or greater, **and** (b) a portion of the slope is within 200 feet of a waterway. *See City Code Sec. 34-1120(b)(2).*

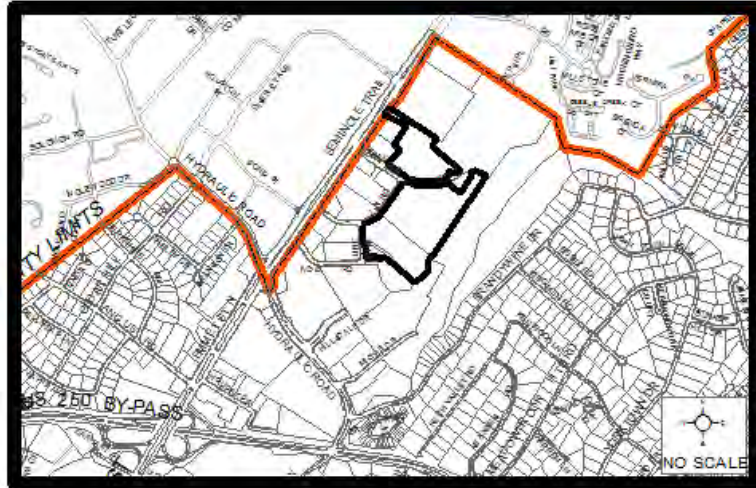
Based on the information presented within the application materials, Staff verifies that the area for which this waiver is sought meets all of the above-referenced components of the definition of “critical slope”. Attached is a diagram showing the details upon which this showing was made in the application.

The application materials also provide the following information relevant to your evaluation of this request:

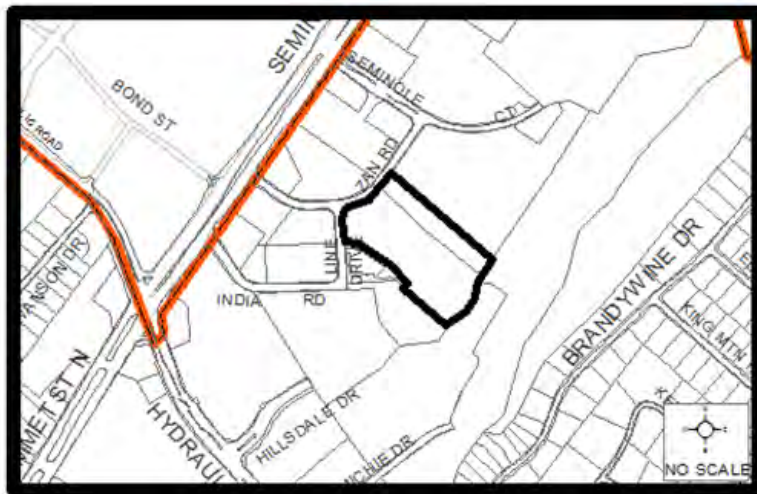
- Large stands of trees: **The applicant has noted trees existing on the manmade slopes, but intends to remove those standing in the location of the proposed stormwater control design. The applicant plans to save portions of the existing wooded area and install new trees in other areas of the critical slope including a landscape buffer between the site and adjacent property.**
- Rock outcroppings: **None.**
- Slopes greater than 60%: **None.**
- Identification/ description of unusual topography or other physical conditions at the site: **None of the topographical features on the site are unusual.**
- Waterway within 200 feet: **Meadow Creek is within 200 feet of the critical slope area.**
- Location of other areas of the Property, outside Critical Slopes areas, that fit the definition of a “building site” and could accommodate this proposed development: **There are other areas of the property that appear to be suitable building sites. The applicant presents their justification as to why these sites were rejected under Finding #2 in the applicant’s narrative and summarized in this report.**

## **Vicinity Map**

### *Seminole Square Shopping Center*



### *Project Area*



## **Standard of Review**

**A copy of Sec. 34-1120(b) (Critical Slopes Regulations) is attached for your reference. The provisions of Sec. 34-1120(b) must guide your analysis and recommendations.**

It is the Planning Commission's ("PC") responsibility, when a waiver application has been filed, to review the application and make a recommendation to City Council as to whether or not the waiver should be granted based off the following:

- (i) The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or
- (ii) Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

If the recommendation is for City Council to grant the requested waiver, the PC may also make recommendations as to the following:

- Whether any specific features or areas within the proposed area of disturbance should remain undisturbed (for example: large stands of trees; rock outcroppings; slopes greater than 60%, etc.)?
- Whether there are any conditions that could be imposed by City Council that would mitigate any possible adverse impacts of the proposed disturbance?

### **Project Review / Analysis**

The applicant indicates the area of critical slopes that would be disturbed by the development along the southern edge of the property. The proposed Kroger building would take up an area previously developed as existing commercial buildings and paved parking area. The rear of the proposed building would extend beyond the current building's footprint into the critical slope area near the property line. The critical slope area proposed for disturbance is currently comprised of existing manmade fill slopes. The applicant wishes to use the area behind the proposed building for delivery and fire truck circulation. The proposed location for circulation is within the critical slope area where the applicant plans to remove portions of the manmade fill slopes.

Each applicant for a critical slopes waiver is required to articulate a justification for the waiver, and to address how the land disturbance, as proposed, will satisfy the purpose and intent of the Critical Slopes Regulations (as found within City Code Sec. 34-1120(b)(1), attached). If it wishes to grant a waiver, the City Council is required to make one of two specific findings: either (1) public [environmental] benefits of allowing disturbance of the critical slope outweigh the benefits afforded by the existing undisturbed slope, see City Code 34-1120(b)(6)(d.i), OR (2) due to unusual physical conditions or existing development of a site, the critical slopes restrictions would unreasonably limit the use or development of the property, see City Code 34-1120(b)(6)(d.ii.). The applicant has provided information in the attached critical slopes waiver application for each item discussed below.

### Applicant's justification for Finding #1

Statement: The applicant states that the public benefits of the rehabilitation of the existing site outweigh the benefits of the undisturbed slope. The applicant provides the following specifics and provides explanation for these public benefits:

- **Stormwater and Erosion Control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas:** The subject property is part of the existing Seminole Square Shopping Center. The entire site (17.58 acres) including the proposed Kroger site (7.35 acres) currently drains to a central, city maintained, 60" reinforced concrete pipe (RCP) that outfalls at the rear of the buildings (southeastern side of the site) into a city-maintained stormwater pond. The applicant plans to remove the existing stormwater pond and replace it with a plunge pool at the outfall of the 60" RCP. The design will serve both the Seminole Square shopping center and the adjacent city-owned parcel downgradient of the site that contains the Meadow Creek shoreline. The applicant states the existing stormwater pond is undersized and causes unnecessary pollutant loading. The applicant believes replacing the pond with the mentioned sediment and stormwater runoff control measures provides greater public benefit than leaving the slope undisturbed.
- **Groundwater Recharge:** In addition to the plunge pool, the applicant plans to install an underground stormwater detention vault that will reduce runoff rates of the added impervious areas and water quality units that will reduce phosphorus to desired levels and aid in the removal of litter, total suspended solids and oils.
- **Reduced stormwater velocity:** The applicant states the proposed plunge pool serve to dissipate energy and reduce velocity.

The applicant has further addressed Planning Commission's following areas of concern in their resubmittal:

- **Visual Impact:** The applicant has proposed an additional seven (7) Japanese Cryptomeria trees to their landscaped area of originally ninety-eight (98) trees varying in species and height (See Exhibit 7). The applicant has also offered to install a double row of evergreen trees to serve as a buffer at the property line (See Exhibit 7, Exhibit 8). Finally, the applicant has proposed to face the retaining wall with vines, a "green screen" grid to accommodate vine growth, and a six (6) foot privacy fence on top of the same wall to help screen the truck delivery dock.
- **Connectivity:** The applicant has committed to working with the City to provide an easement for a multiuse trail along a portion of the property adjacent to Meadow Creek.
- **Noise Impact:** The applicant did not indicate any further solutions to address noise impact other than the proposed screening already mentioned.

Staff Analysis: Staff finds that the proposed stormwater control measures being applied to an area inclusive of the proposed site and adjacent property (city property that is downgradient to Seminole Square and shoreline of Meadow Creek) is a public benefit that outweighs leaving the slope undisturbed where the area is currently served by the city-maintained stormwater pond. It was at the request of the Engineering Staff that the applicant consider removing the pond in its entirety. While the pond serves its purpose to a degree, the pond's size and functionality does not match the runoff it serves; the applicant's retrofits would be more effective in supporting runoff

from this site. A portion of proposed retrofits fall within a Conservation Easement held by the City and The Nature Conservancy. Staff and TNC have met and plan to coordinate with the applicant to ensure any work done within the conservation easement conforms to the objectives set forth in the deed and the overarching goal to promote, protect, and restore Meadow Creek.

Staff agrees the applicant's proposed screening measures will help shield the view of the proposed Kroger building from the adjacent property, Hearthwood Townhome Apartments (Tax Map 41B, Parcel 50). Staff believes the proposed multiuse trail will benefit the residents of Hearthwood Townhome Apartments as well as City residents. This trail will serve as a future connector to the greater multiuse trail proposed in the Meadow Creek Stream Valley Master Plan approved by City Council June 3<sup>rd</sup>, 2013.

#### Applicant's justification for Finding #2

Statement: The applicant states that by prohibiting the disturbance of critical slopes at the proposed site, the City will unreasonably restrict the use of the property, as the existing shape and size of the developed property prohibits the ability to use the site as desired for the new Kroger Grocery Store.

Staff Analysis: Staff does not agree with the argument presented. There are existing commercial buildings on site, and as such have already established a use of the property. The application of the ordinance will not result in significant degradation of the site, nor does it unreasonably restrict the use, reuse or redevelopment of the property. Staff's review of the site suggests that there may exist one or more alternative "building sites" that are outside of the critical slope area that could accommodate a Kroger building.

#### **Staff Recommendation**

Staff believes the applicant's proposed disturbance of critical slopes for the installation of stormwater utilities will improve the stability and quality of the site and is a public benefit that outweighs the benefit of leaving the slope undisturbed. Staff and TNC will continue to work with the applicant to ensure the final stormwater control measures consist of green stormwater elements and conform to the conservation easement. Staff agrees the applicant's proposed screening solutions will help visually protect the adjacent property's residents from the proposed store.

Staff believes the applicant's commitment to providing connectivity will benefit residents of the adjacent property as well as City residents. Staff believes the applicant does meet the criteria for a waiver of the critical slope ordinance and recommends approval of the waiver request subject to the following conditions:

- The developer will provide all information necessary to The Nature Conservancy and will collaborate with the City and TNC to ensure any work done within the conservation easement conforms to the objectives set forth in the deed and the overarching goal to promote, protect, and restore Meadow Creek.
- The property owner will properly maintain the tree canopy within critical slope area to ensure overall tree health and natural beauty.



## **Suggested Motions**

1. "I move to recommend approval of the steep slope waiver for Tax Map 41B, Parcel 150 and Tax Map 41C Parcel 31, 220 Zan Road as requested, with no reservations or conditions, based on a finding that [*reference at least one*]:
  - The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per City Code 34-1120(b)(6)(d.i)
  - Due to unusual physical conditions, or the existing development of the School's property, compliance with the City's critical slopes regulations would prohibit or unreasonably restrict the use or development of the property.
2. "I move to recommend approval of the steep slope waiver for Tax Map 41B, Parcel 150 and Tax Map 41C Parcel 31, 220 Zan Road, based on a finding that [*reference at least one*]:
  - The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per City Code 34-1120(b)(6)(d.i)
  - Due to unusual physical conditions, or the existing development of the property, compliance with the City's critical slopes regulations would prohibit or unreasonably restrict the use or development of the property.

And this motion for approval is subject to the following:

\_\_\_\_\_the following features or areas should remain undisturbed [*specify*]

\_\_\_\_\_the following conditions are recommended as being necessary to mitigate the potential adverse impacts of approving the waiver in the location requested: [*specify*]

3. "I move to recommend denial of the steep slope waiver for Tax Map 41B, Parcel 150 and Tax Map 41C Parcel 31, 220 Zan Road."

## **Enclosures**

Application and Narrative  
Critical Slopes Ordinance  
Engineering Department Review  
Conservation Easement  
Meadow Creek Stream Valley Master Plan 2013 Map  
Trail Options Kroger Hillsdale Connector Map



## WAIVER REQUEST FORM

Please Return To: City of Charlottesville  
Department of Neighborhood Development Services  
PO Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3182 Fax (434) 970-3359

For a Critical Slopes Waiver Request, please include one of the following application fees: \$75 for single-family or two-family projects; \$500 for all other project types. *\*additional application form required*  
For all other Waiver Requests, please include one of the following application fees: \$50 for single-family or two-family projects; \$250 for all other project types.

Project Name/Description Kroger R-369 Parcel Number 41B015000  
Address/Location 220 Zan Road  
Owner Name Giant Seminole Limited Partnership Applicant Name Kroger Limited Partnership I - Toby Locher

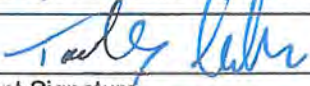
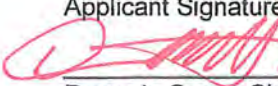
Applicant Address: P.O. BOX 14002 ROANOKE, VA 24038  
Phone (H) \_\_\_\_\_ (W) 804-254-8440 (F) 540-563-3638  
Email: toby.locher@kroger.com

Waiver Requested (review Zoning Ordinance for items required with waiver submissions):

- |   |  |
|---|--|
| <input type="checkbox"/> Sidewalk                                     | <input type="checkbox"/> Drainage/Storm Water Management   |
| <input type="checkbox"/> *Contact Staff for Supplemental Requirements | <input type="checkbox"/> Off-street Parking  |
| <input type="checkbox"/> Site Plan Review                             | <input type="checkbox"/> Lighting  |
| <input type="checkbox"/> Landscape                                    | <input type="checkbox"/> Signs   |
| <input type="checkbox"/> Setbacks                                     | <input checked="" type="checkbox"/> Critical Slopes <i>*additional application form required</i> |
| <input type="checkbox"/> Communication Facilities                     | <input type="checkbox"/> Other   |
| <input type="checkbox"/> Stream Buffer Mitigation Plan                |  |

Description of Waiver Requested: Waiver to allow disturbance of steep slopes in order to construct a new Kroger grocery store.

Reason for Waiver Request: The existing building must be expanded towards the critical slopes and cannot be avoided. See report for further explanation.

Applicant Signature  Date 11/10/14  
Property Owner Signature (if not applicant)  *GEMC General Partner*  
*Giant Seminole L.P. and*  
*Sageel Investors L.P.* Date 11/11/14

For Office Use Only: Date Received: \_\_\_\_\_  
Review Required: Administrative \_\_\_\_\_ Planning Commission \_\_\_\_\_ City Council \_\_\_\_\_  
Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Director of NDS \_\_\_\_\_  
Comments: \_\_\_\_\_

**City of Charlottesville**  
**CRITICAL SLOPES WAIVER REQUEST SUPPLEMENT**

**Please review city zoning ordinance section 34-1120(b) “Critical Slopes” and submit a completed Waiver Application Form with Critical Slopes Supplement.**

**Applicant:** Kroger Limited Partnership I      Contact: Mr. Toby Locher  
PO BOX 14002      Toby.locher@Kroger.com  
Roanoke, VA 24038      804-254-8440

**Property Owner:**  
Giant Seminole Square Limited Partnership

**Project Description: What are you proposing to do on this site?**  
Replace several empty buildings with a new Kroger Grocery Store.

**Existing Conditions:**  
The site is developed as the Seminole Square Shopping Center.

**Total Site Area:**  
17.58 acres (Seminole Square) with the Kroger parcel being 7.35 acres of that.

**Zoning (if applying for rezoning-please note existing and intended change):**  
No rezoning required from current zoning of HW.

**Percentage of Area greater than or equal to 25% slopes: (critical slopes make up**  
2.26 acres of the site’s 17.58 acres, or 12.9 % of the site area.)

This application should be used to explain how the proposed project meets some or all of the requirements as described in Section 34-1120(6) “Modification or waiver.” The applicant is expected to address finding #1 and/or finding #2 and justify the finding by utilizing the “critical slope provisions” as a guide. Completing this application will help staff make their recommendation to the Planning Commission and City Council.

*City Council may grant a modification or waiver, upon making one or more of the following findings:*

**Finding #1: The public benefits of allowing disturbance of critical slope outweigh the public benefits of the undisturbed slope( public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes)**

See attached report.

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**Finding #2. Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.**

[See attached report.](#)

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***Please address how Finding #1 and/or Finding 2# will be met utilizing the “critical slope provisions” noted below.***

**1. Erosion affecting the structural integrity of those features.**

[See attached report.](#)

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**2. Stormwater and erosion-related impacts on adjacent properties.**

[See attached report.](#)

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**3. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.**

[See attached report.](#)

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4. Increased stormwater velocity due to loss of vegetation.  
See attached report.

5. Decreased groundwater recharge due to changes in site hydrology.  
See attached report.

6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.  
See attached report.

Please list all attachments that should be viewed as support to the above explanations.  
See attached report.

Please sign the following statement.

I certify that, to the best of my knowledge, the information I have provided above is based on sound engineering and surveying data and that this site has been carefully inspected and reviewed for the purposes of completing this application accurately. I certify that as the property owner/applicant I have not given false information that may affect the decisions made regarding this development.

Property Owner

Applicant

Please do not write below this line. For office use only.  
Planner's Comments/Recommendations:



February 23rd, 2015

City of Charlottesville  
610 East Market Street  
P.O. Box 911  
Charlottesville, VA 22902

RE: **220 Zan Road – Tax Map 41B015000; Steep Slope Waiver Justification to Support Development of a new Kroger Grocery Store (R369) at Seminole Square Shopping Center**

To Whom It May Concern:

On behalf Kroger Limited Partnership I, and in accordance with Ordinance Section 34-1120b, we wish to submit this request for critical slop waiver to permit the construction of a new Kroger Grocery Store inside of the Seminole Square Shopping Center.

The subject property has a physical address of 220 Zan Road and is part of the existing Seminole Square Shopping Center. The total site area of Seminole Square is 17.58 acres with the new Kroger site consisting of 7.35 acres. Seminole Square is home to several empty buildings and multiple tenants including Big Lots, Office Depot, Marshalls and many more smaller tenants. The site currently drains to a central, city maintained, 60" reinforced concrete pipe (RCP) that outfalls at the rear of the stores (southeastern side of the site) into a city maintained stormwater pond.

Birds Eye View of Existing Site (winter looking north):



The new Kroger building will occupy several existing, empty buildings in the center of the site. The existing buildings will be expanded and remodeled to fit the needs of Kroger. Majority of the site is currently paved or existing building with some on the interior parking areas serving as landscape islands and additionally with landscape strips along the perimeter. Behind the existing buildings on the southern and southeastern side of the site, several manmade fill slopes exist. The area of disturbance for this project will mainly encompass paved areas with placid slopes (1-5% approximately) leading to storm drains located throughout the project site. At the rear of the site a large manmade fill slope exists (facing southeast) with varying height (app. 30') and slope (averaging app. 55%). Additionally a large manmade fill slope exists along the southern boundary (facing north) and drains onto the project site. The slope varies in height (app. 21') and slope (averaging app. 59%) and will remain mostly undisturbed with the exception of the most eastern side which will be disturbed in order to install a new retaining wall. The proposed use of the site requires a small portion of the existing, manmade fill slopes to be removed and replaced with concrete retaining walls in order to facilitate adequate delivery and fire truck circulation.

The critical slopes being impacted appear to be man-made and steeper than typically found where slopes are naturally occurring.

With regard to the goals and objectives of the steep slope regulations we offer the following:

**Finding #1: The public benefits of allowing disturbance of critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes)**

The public benefits of the rehabilitation of the existing site outweigh the benefits of the undisturbed slope. In addition to the benefits described below, the applicant offers the following:

1. The proposed retaining wall serving the truck delivery dock (see attached site plan – Exhibit #2) will be faced with a live covering of vines (see elevation sketch – Exhibit #7).
2. A privacy fence will be installed on top of the same wall to help screen the truck delivery dock.
3. The applicant will work with the city of Charlottesville to provide an easement for a multiuse trail along a portion of applicant's property adjacent to Meadow Creek.
4. The installation of additional plantings on the Cannon/Hearthwood Limited Partnership property adjacent to and south of the subject property will be offered (see Landscape Plan LA-2 – Exhibit #8).

In accordance with ordinance section 34-1120, additional benefits of disturbing the slope will be shown by the explanation of the required "critical slope provisions" below:

**1. Erosion affecting the structural integrity of those features.**

In addition and as stated above, the existing manmade slopes are steeper than would be typically found if naturally occurring elsewhere. Typically, manmade fill slopes are not stable above 50% and the existing slopes appear to average between 55-59%. This excessive slope has the potential to

cause long term erosion, maintenance and stability issues; especially when located inside of a flood plain as this site is.

At the toe of southeastern slope behind the shopping center lies an existing stormwater pond. According to a study entitled "Field Monitoring of Retrofitted Stormwater Basins in the Meadow Creek Watershed" by the University of Virginia dated June 30, 2002, page 8 scouring occurs inside the pond causing unnecessary pollutant loading (erosion). At the request of the city, the pond will be removed and replaced with a riprap lined plunge pool at the outfall of the 60" RCP. The riprap will also be extended to the bank of Meadow Creek in order to transport runoff from the plunge pool with limited soil erosion.

**2. Stormwater and erosion-related impacts on adjacent properties.**

The city owns the neighboring parcel that is adjacent to and downgradient of Seminole Square and is home to the Meadow Creek. The city's property and the shoreline of Meadow Creek will be protected in addition by newly placed riprap to serve as permanent sediment & runoff control extending from the plunge pool to the bank of Meadow Creek. All other neighboring parcels are located at higher elevations and will not be impacted by this site.

**3. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.**

As it currently exists, the site offers little to no improvement in runoff water quality. However, as proposed the Kroger site will not only reduce the runoff rates for the newly added impervious areas by means of a new underground stormwater detention vault but will also provide greatly improved water quality by means of several proprietary water quality units. These water quality units will not only reduce phosphorus to the desired levels but will also aid in the removal of litter, total suspended solids (silt, etc) and oils.

**4. Increased stormwater velocity due to loss of vegetation.**

According to the city, the existing stormwater pond is undersized, erodes and is the source for unnecessary and continued maintenance. Additionally and according to a study entitled "Field Monitoring of Retrofitted Stormwater Basins in the Meadow Creek Watershed" by the University of Virginia dated June 30, 2002, page 8 scouring occurs inside the pond causing unnecessary pollutant loading. Therefore, the city has requested that Kroger remove the pond. In its place a new, low maintenance riprap plunge pool will be constructed to help dissipate the energy and reduce the velocity of the water of the stormwater leaving the city's 60" RCP storm sewer pipe. In order to remove the pond and construct the new plunge pool, the slope will need to be disturbed.

**5. Decreased groundwater recharge due to changes in site hydrology.**

Impervious cover will be increased as part of construction. However, a new underground stormwater vault will be constructed to attenuate and detain runoff from the increased impervious cover. This vault will be designed to retard the timing of release in order to keep the runoff from having a coincidental peak with that of the existing 60" RCP storm sewer. By keeping the peak release of the pond separate from the rest of the site, runoff will have a better chance infiltrating into the ground. In addition, the outfall from the vault is upgradient of the 60" RCP and has an increased path of travel from the outfall to the Meadow Creek; again increasing potential for infiltration. Additionally, the city has requested the installation of a new "plunge pool" as explained above. The plunge pool will hold water b/w rain events to allow additional water the potential to infiltrate into the ground.

**6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.**

It would be difficult to argue that the critical slopes proposed to be disturbed add to the “natural beauty” of the back of the shopping center. They are merely a manmade earthwork (not natural) that enabled the creation of the existing shopping center. What trees that do exist will be removed. However, the slopes and existing trees are starting to be covered by an invasive vine species that needs to be eradicated (see pictures below). Additionally, trees will be planted on-site to beautify the development and the site will now be occupied by a strong, national tenant known for their ability to thrive and should remain viable and well maintained for years to come. If not approved, the site has the potential to remain abandoned and outdated.

Photo taken behind the buildings on the southern end of the existing truck turn around facing West (notice erosion and vines):



Photo taken behind the buildings on the southern end of the existing truck turn around facing South (notice vines behind the fence):





Close up of vines in picture above:





Another picture of invasive vines on the south side of the site:



**Finding #2. Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.**

The existing shape and size of the developed property prohibits the ability to use the site as desired for a new Kroger Grocery Store. It is not reasonably possible to shift the store forward into the existing parking to avoid the existing slopes do to terrain, conformity with the rest of the site and adequate parking and circulation. Additionally, delivery and fire services must be maintained behind the store necessitating the expansion of the existing drive.

**List of attachments:**

Exhibit 1: Survey of Existing Property

Exhibit 2: Site Plan

Exhibit 3: Steep Slope Disturbance

Exhibit 4: Existing Pond Report

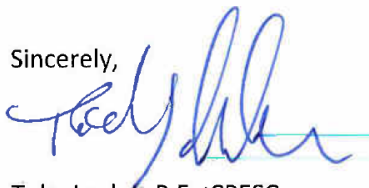
Exhibit 5: Existing VSMP Approval

Exhibit 6: Sight Line Study

Exhibit 7: Conceptual Perspective Elevation

Exhibit 8: Landscape Plan LA-2

Sincerely,

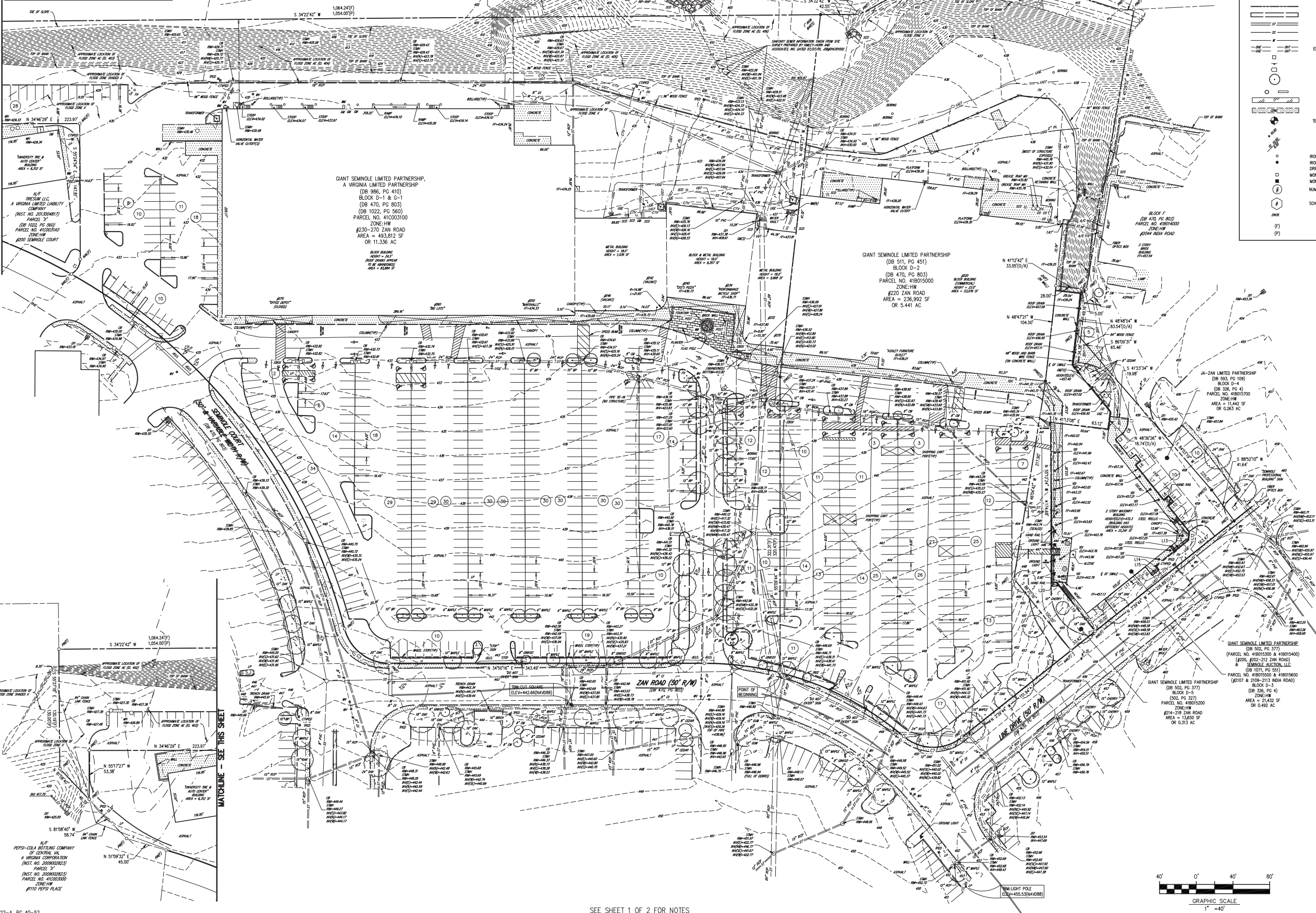


Toby Locher, P.E., CPESC  
Kroger Limited Partnership I



LINE TABLE			LINE TABLE		
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH
L1	N 48°36'26" W	4.00'	L11	S 86°12'39" W	36.31'
L2	N 3°49'19" W	8.16'	L12	N 48°22'08" W	9.02'
L3	S 86°12'39" W	27.00'	L13	N 3°47'54" W	45.22'
L4	S 3°49'19" E	7.00'	L14	S 86°12'06" W	5.17'
L5	S 86°12'39" W	9.00'	L15	N 3°47'54" W	9.66'
L6	N 3°49'19" W	7.00'	L16	N 86°12'06" E	12.00'
L7	S 86°12'39" W	48.00'	L17	N 3°47'54" W	56.75'
L8	S 3°49'19" E	7.00'	L18	S 86°12'06" W	20.83'
L9	S 86°12'39" W	9.00'	L19	N 86°20'43" E	67.80'
L10	N 3°49'19" W	7.00'	L20	N 33°40'33" E	5.44'

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	20.00'	19.70'	10.73'	18.91'	S24°15'27"E	56°26'24"
C2	625.00'	501.42'	265.08'	488.08'	N87°13'58"E	45°58'00"
C3	50.00'	65.78'	38.63'	61.14'	N72°31'37"E	75°22'42"
C4	335.98'	83.40'	41.91'	83.18'	N41°56'41"E	147°13'19"
C5	335.98'	152.90'	77.80'	151.59'	N62°05'36"E	26°04'30"
C6	335.98'	236.25'	123.25'	231.42'	N54°59'11"E	40°17'20"
C7	50.00'	68.76'	41.07'	63.47'	N35°44'04"E	78°47'35"
C8	20.00'	15.71'	8.29'	15.31'	N26°19'29"W	45°00'21"



**MSA, P.C.**  
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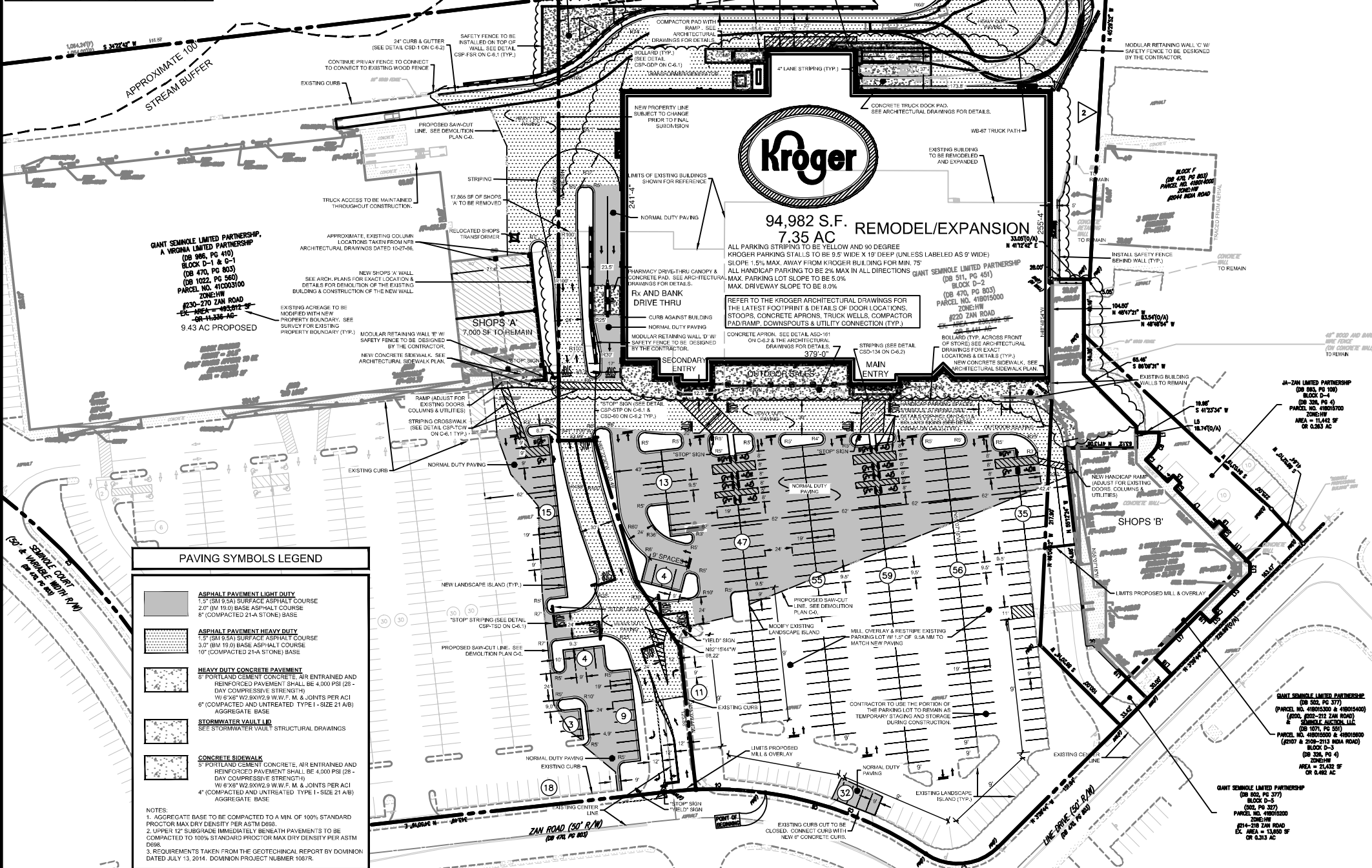
DESIGNED: MWS  
DRAWN: JMW  
CHECKED: JMW  
APPROVED: JMW  
DATE: 6-13-14

ALTA/ASIM LAND TITLE SURVEY  
OF  
BLOCK D-2 & BLOCK D-1 & G-1  
(DB 470, PG 803)(DB 1022, PG 560)  
PARCEL NO. 418015000 & 410003100

SHEET  
2  
2 of 2 Sheets  
SCALE: 1" = 40'  
PROJ. NO.: 14099



LINE TABLE			LINE TABLE			CURVE TABLE						
LINE #	DIRECTION	LENGTH	LINE #	DIRECTION	LENGTH	CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
L1	N 48°36'28" W	4.00'	L11	S 86°12'39" W	38.51'	C1	20.00'	19.70'	10.73'	18.91'	S24° 15' 27"E	56°26'24"
L2	N 3°49'19" W	8.16'	L12	N 48°22'08" W	9.02'	C2	625.00'	501.42'	285.08'	187° 13' 58"E	45°58'00"	
L3	S 86°12'39" W	27.00'	L13	N 3°47'54" W	45.22'	C3	50.00'	65.78'	38.63'	61.14'	N72° 31' 37"E	75°22'42"
L4	S 3°49'19" E	7.00'	L14	S 86°12'08" W	5.17'	C4	335.98'	83.40'	41.91'	83.18'	N41° 56' 41"E	141°31'9"
L5	S 86°12'39" W	9.00'	L15	N 3°47'54" W	9.86'	C5	335.98'	152.80'	77.80'	151.59'	N02° 05' 36"E	28°04'30"
L6	N 3°49'19" W	7.00'	L16	N 86°12'08" E	12.00'	C6	335.98'	236.25'	123.25'	231.42'	N54° 59' 11"E	40°17'20"
L7	S 86°12'39" W	48.00'	L17	N 3°47'54" W	56.75'	C7	50.00'	68.78'	41.07'	63.47'	N35° 44' 04"E	78°47'35"
L8	S 3°49'19" E	7.00'	L18	S 86°12'08" W	20.83'	C8	20.00'	15.71'	8.29'	15.31'	N26° 19' 29"W	45°00'21"
L9	S 86°12'39" W	8.00'	L19	N 06°20'43" E	67.50'							
L10	N 3°49'19" W	7.00'	L20	N 33°40'33" E	5.44'							



PAVING SYMBOLS LEGEND	
	ASPHALT PAVEMENT LIGHT DUTY 1.5" (38.1mm) SURFACE ASPHALT COURSE 2.0" (50.8mm) BASE ASPHALT COURSE 8" (203.2mm) 2-1A STONE BASE
	ASPHALT PAVEMENT HEAVY DUTY 1.5" (38.1mm) SURFACE ASPHALT COURSE 3.0" (76.2mm) BASE ASPHALT COURSE 10" (254.0mm) 2-1A STONE BASE
	HEAVY DUTY CONCRETE PAVEMENT 5" PORTLAND CEMENT CONCRETE, AIR ENTRAINED AND REINFORCED PAVEMENT SHALL BE 4,000 PSI (28-DAY COMPRESSIVE STRENGTH) W/ 6"x6" W2.8XW2.9 W.W.F. M. & JOINTS PER ACI 308 6" (COMPACTED AND UNTREATED TYPE I-SIZE 21 A) AGGREGATE BASE
	STORMWATER VAULT LID SEE STORMWATER VAULT STRUCTURAL DRAWINGS
	CONCRETE SIDEWALK 5" PORTLAND CEMENT CONCRETE, AIR ENTRAINED AND REINFORCED PAVEMENT SHALL BE 4,000 PSI (28-DAY COMPRESSIVE STRENGTH) W/ 6"x6" W2.8XW2.9 W.W.F. M. & JOINTS PER ACI 308 4" (COMPACTED AND UNTREATED TYPE I-SIZE 21 A) AGGREGATE BASE

NOTES:  
1. AGGREGATE BASE TO BE COMPACTED TO A MIN. OF 100% STANDARD PROCTOR MAX DRY DENSITY PER ASTM D698.  
2. UPPER 12" SUBGRADE IMMEDIATELY BENEATH PAVEMENTS TO BE COMPACTED TO 100% STANDARD PROCTOR MAX DRY DENSITY PER ASTM D698.  
3. REQUIREMENTS TAKEN FROM THE GEOTECHNICAL REPORT BY DOMINION DATED JULY 13, 2014. DOMINION PROJECT NUMBER 100/R.

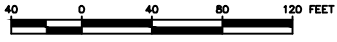


IF YOU DIG VIRGINIA...  
CALL US FIRST!  
UTILITIES PROTECTION CENTER  
IT'S THE LAW

Know what's below.  
Call before you dig

## SITE PLAN

SCALE: 1" = 40'



## VICINITY MAP

SCALE: NONE

## GENERAL NOTES

- ALL WORK AND MATERIALS SHALL COMPLY WITH THE CITY OF CHARLOTTEVILLE, STATE OF VIRGINIA REGULATIONS AND CODES, AS WELL AS ALL O.S.H.A. STANDARDS.
- SITE BOUNDARY, TOPOGRAPHY, UTILITY AND ROAD INFORMATION TAKEN FROM A SURVEY BY MSA, P.C., 9033 ROUSE DRIVE, VIRGINIA BEACH, VA 23462, DATED 06-13-14.
- ACCORDING TO THE SURVEY PREPARED BY MSA, P.C., DATED 06-13-14, "APPROXIMATELY SCALED FROM F.E.M.A. FLOOD MAPS, MSA, P.C. IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THE PROPERTY SHOWN HEREIN. FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL."
- THIS PROPERTY APPEARS TO FALL IN FLOOD ZONES: X, SHADY X & AE (EL. 402-406) COMMUNITY #01-01000. PANEL: 02780 & 02820 DATED: FEBRUARY 4, 2005. FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAPS AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE.
- BUILDING DIMENSIONS SHOWN ON THIS PLAN ARE "LEASE" DIMENSIONS. FOR ACTUAL DIMENSIONS, SEE ARCHITECTURAL PLANS. DIMENSIONS TO CONC. CURB & GUTTER ARE TO "FACE OF CURB".
- SITE WORK CONTRACTOR IS RESPONSIBLE FOR WORK TO WITHIN 5'-0" OF THE BUILDING.
- EXISTING STRUCTURES WITHIN CONSTRUCTION LIMITS ARE TO BE ABANDONED, REMOVED, OR RELOCATED AS INDICATED ON THE PLANS AND IN THE SPECIFICATIONS.
- CONTRACTOR IS TO NOTIFY CITY INSPECTORS 72 HOURS PRIOR TO THE START OF CONSTRUCTION.
- CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
- ALL SIGNAGE SHALL COMPLY WITH THE CITY OF CHARLOTTEVILLE ZONING ORDINANCE. A SEPARATE SIGN PERMIT IS REQUIRED.
- CONSTRUCTION TRAILER USED ON-SITE SHALL BE PERMITTED THROUGH THE CITY OF CHARLOTTEVILLE PLANNING AND ZONING DEPARTMENT.
- CONSTRUCTION EQUIPMENT SHALL NOT BE PARKED IN REQUIRED RIGHT-OF-WAY, AND MUST BE STORED WITHIN SITE. CONSTRUCTION EQUIPMENT SHALL NOT BE PARKED IN AREAS WHICH RESTRICT SIGHT DISTANCE.
- THE EXACT LOCATION OF HANDICAP RAMPS SHALL BE COORDINATED WITH THE ARCHITECTURAL DRAWINGS AND SHALL BE PROVIDED AT THE INTERSECTIONS OF EACH APPLICABLE SIDEWALK, ACCESSIBLE ROUTE, AND ENTRANCE DRIVES.
- ALL SIDEWALKS ARE TO BE INSTALLED PER ADA STANDARDS. SIDEWALKS TO HAVE MAX SLOPE OF 5% AND MAX CROSS SLOPE OF 2%.
- CONTRACTOR SHALL NOTIFY ENGINEER SHOULD ANY FIELD CONDITIONS BE NOTED THAT DIFFER FROM THE SURVEY.
- SITE CONTRACTOR SHALL FURNISH "AS-BUILT" DRAWINGS INDICATING ALL CHANGES AND DEVIATIONS.
- PROJECT LOCATION: 220 ZAN ROAD, IN THE CITY OF CHARLOTTEVILLE, STATE OF VIRGINIA.
- OWNER'S INFORMATION: KROGER LIMITED PARTNERSHIP I.P.O. BOX 14002, ROANOKE, VA 24038, PHONE (757) 471-2045, CONTACT: MR. TOBY LOCHER
- ENGINEER: ROBERTSON LOIA ROOF ARCHITECTS & ENGINEERS, 3460 PRESTON RIDGE ROAD, SUITE 275, ALPHARETTA, GA 30005, PHONE (770) 674-2600, CONTACT: RUSSEL TROESKEN
- SEE THE ARCHITECTURAL DRAWINGS FOR THE EXACT RELATIONSHIP BETWEEN THE EXISTING BUILDING WALLS TO REMAIN AND THE KROGER STORE EXPANSION.

## SITE ANALYSIS

KROGER REMODEL/EXPANSION	94,982 S.F.
SHOPS B (REMAINING)	21,241 S.F.
TOTAL BLDG AREA	116,223 S.F.
EXISTING PARKING	288 SPACES
PROPOSED PARKING	312 SPACES
PROP. PARKING RATIO	2.68 SPACE/M.S.F.
KROGER PARCEL	7.35 ACRES

**ROBERTSON LOIA ROOF**  
ARCHITECTS & ENGINEERS  
3460 Preston Ridge Road • Suite 275 • Alpharetta, Georgia 30005  
770-674-2600 • Fax 678-319-4745

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DOCUMENT

**KROGER STORE R-369**  
220 ZAN ROAD  
CHARLOTTEVILLE, VA  
**KROGER LIMITED PARTNERSHIP I**  
P.O. BOX 14002, ROANOKE, VA 24038  
(840) 563-3645

REVISIONS	DATE	DESCRIPTION
1	11-20-14	REVISE STORMWATER CHAMBER
2	1-15-15	REVISE BUILDING
3	02-24-15	ADD PRIVACY FENCE TO WALL

SITE PLAN

SHEET TITLE	C - 1
DATE	11-10-14
PROJECT NUMBER	12-317
SHEET NUMBER	C - 1







**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**PLANNING COMMISSION**

**PRELIMINARY DISCUSSION: REZONING**

**Author of Memo:** Matt Alfele, City Planner

**Date of Meeting:** March 10, 2015

**RE: Amendment of Longwood PUD Development Plan (Longwood Drive & Harris Road)**

**Background**

Richard Spurzem, acting as agent for Neighborhood Investments, LLC. has submitted a rezoning application amending the July 20, 2009 Development Plan for the Longwood Planned Unit Development (PUD).

The proposed Development Plan would increase the existing PUD by 0.20 acres, going from 4.53 acres to 4.73 acres to accommodate an additional five (5) attached residential units. This addition would change the current 13.5 dwelling units per acre (DUA) to 14 DUA. Two thousand (2,000) square feet of open space and ten (10) parking spaces are also elements that have been added to the amended Development Plan. The property is further identified on City Real Property Tax Map 21A, Parcel 104. The site is zoned Two-family (R-2) with road frontage on Longwood Drive and Harris Road. The parcel is 0.20 acres or 8,712 square feet.

**Vicinity Map**



### **Preliminary Analysis**

The applicant has requested to amend the July 20, 2009 Development Plan for the Longwood PUD. The applicant owns Tax Map 21A, Parcel 104 that abuts the existing Longwood development to the North and has frontage on Longwood Drive and Harris Road. The applicant proposes to extend the existing Longwood development onto this parcel and add five (5) townhomes, additional parking, and open space.

On July 20, 2009 City Council approved an ordinance rezoning City Tax Map 20 Parcels 263 through 272 and Tax Map 21A, Parcels 130, 131, 132, 132.1, 144, 144.1, 145, and 146 from R-2 to Planned Unit Development and accepted the March 20, 2009 Proffer statement. A final site plan was approved March 11, 2011 for (61) residential townhomes (including 18 existing townhomes).

### **Questions for Discussion**

- How could (5) residential townhomes effect the corner of Harris Road and Longwood Drive?
- What are the potential impacts to this major intersection and adjacent properties?
- Is the current Proffer Statement (dated March 20, 2009) sufficient in covering this expansion?
- Thought should be given to the incremental expansion of PUDs.

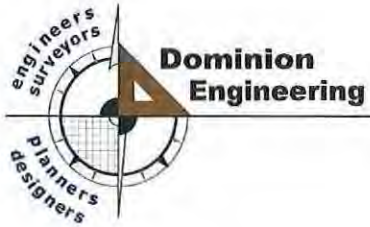
### **Attachments**

Project Narrative

Development Plan

Portion of Final Approved Site Plan dated March 11, 2011 for context

Proffer Statement Dated March 20, 2009



172 South Pantops Drive  
Charlottesville, VA 22911

434.979.8121 (p)  
434.979.1681 (f)  
DominionEng.com

February 23, 2015

Matt Alfele, ASLA  
City Planner  
Neighborhood Development Services  
610 East Market Street  
Charlottesville, VA 22902

**RE: Longwood Drive PUD Amendment - Narrative**

Dear Matt,

This letter shall serve as our project narrative in accordance with Zoning Ordinance Section 34-490 pursuant to 34-517(a)2, for the incorporation of City Tax Map 21A Parcel 104 (0.20 acres) into the existing Longwood Drive PUD (4.53 acres). The density of the resulting PUD will increase from 13.5 DU/Ac to 14.0 DU/AC as the developer is proposing to construct an additional 5 attached residential units, associated parking, and a 2,000-sf open space parcel.

The project is in accord with the requirements of 34-490 in accordance with the following:

(1) To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern;

**Approval of this PUD Amendment will allow for the creation of an aesthetically pleasing 2,000-sf open space parcel and associated street tree and open space plantings. This would not be practical the existing R-2 zone.**

(2) To encourage innovative arrangements of buildings and open spaces to provide efficient, attractive, flexible and environmentally sensitive design.

**The buildings have been broken up so as to maximize the open space area onsite, which conforms in spirit to the arrangement of the buildings in the existing Longwood Drive PUD. There, the attractive arrangement of buildings around open space/park areas adds to the site design. The site and proffers also provide an opportunity to provide pervious pavement in parking areas to meet water quantity/quality criteria.**

(3) To promote a variety of housing types, or, within a development containing only a single housing type, to promote the inclusion of houses of various sizes;

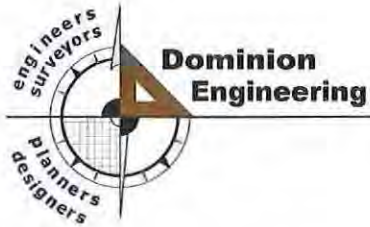
**The proposed PUD is intermingled in a community with a mix of single family detached and duplexes, thereby creating a variety of housing types of various sizes.**

(4) To encourage the clustering of single-family dwellings for more efficient use of land and preservation of open space;

**Each area of the PUD, including the existing PUD, groups the proposed units around an open space/park parcel. Even with its relatively small size, the proposed amendment contains such a park located central to the units.**

(5) To provide for developments designed to function as cohesive, unified projects;





172 South Pantops Drive  
Charlottesville, VA 22911

434.979.8121 (p)  
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DominionEng.com

**There is a mix of different housing types on Longwood Drive, to include the approved PUD mix of towns and duplexes on the upper and lower end of Longwood Drive and the existing duplexes to remain in the area in between. The proposed PUD Amendment will unify the upper area of the PUD and to serve as a gateway to the entire PUD development.**

(6) To ensure that a development will be harmonious with the existing uses and character of adjacent property, and/or consistent with patterns of development noted with respect to such adjacent property;

**The proposed PUD Amendment contains only residential units, and is harmonious with the parent PUD and the ongoing construction of new residential units on Harris Drive west of the site. Building materials will be consistent with those of the recently constructed homes on Longwood Drive.**

(7) To ensure preservation of cultural features, scenic assets and natural features such as trees, streams and topography;

**There are no features on this site that are of significant scenic or natural value. The developer will attempt to preserve the existing trees adjacent to Harris Drive if possible. However, in the event these trees can not be saved, the developer will plant suitable street trees in their stead.**

(8) To provide for coordination of architectural styles internally within the development as well as in relation to adjacent properties along the perimeter of the development; and

**The architectural style will match that proposed with the existing PUD development.**

(9) To provide for coordinated linkages among internal buildings and uses, and external connections, at a scale appropriate to the development and adjacent neighborhoods;

**There is an existing sidewalk along the perimeter of the site. The HOA documents will incorporate a provision to allow appropriate access for residents to the open space area.**

(10) To facilitate access to the development by public transit services or other single-vehicle-alternative services, including, without limitation, public pedestrian systems.

**As part of the original PUD, a pedestrian link has been provided to the neighboring Jackson Via Elementary school, located just east of the site.**

We thank you very much for your review of this project and look forward to your thoughtful review and staff report.

Best Regards,

Michael Myers, P.E.

Cc: Richard Spurzem



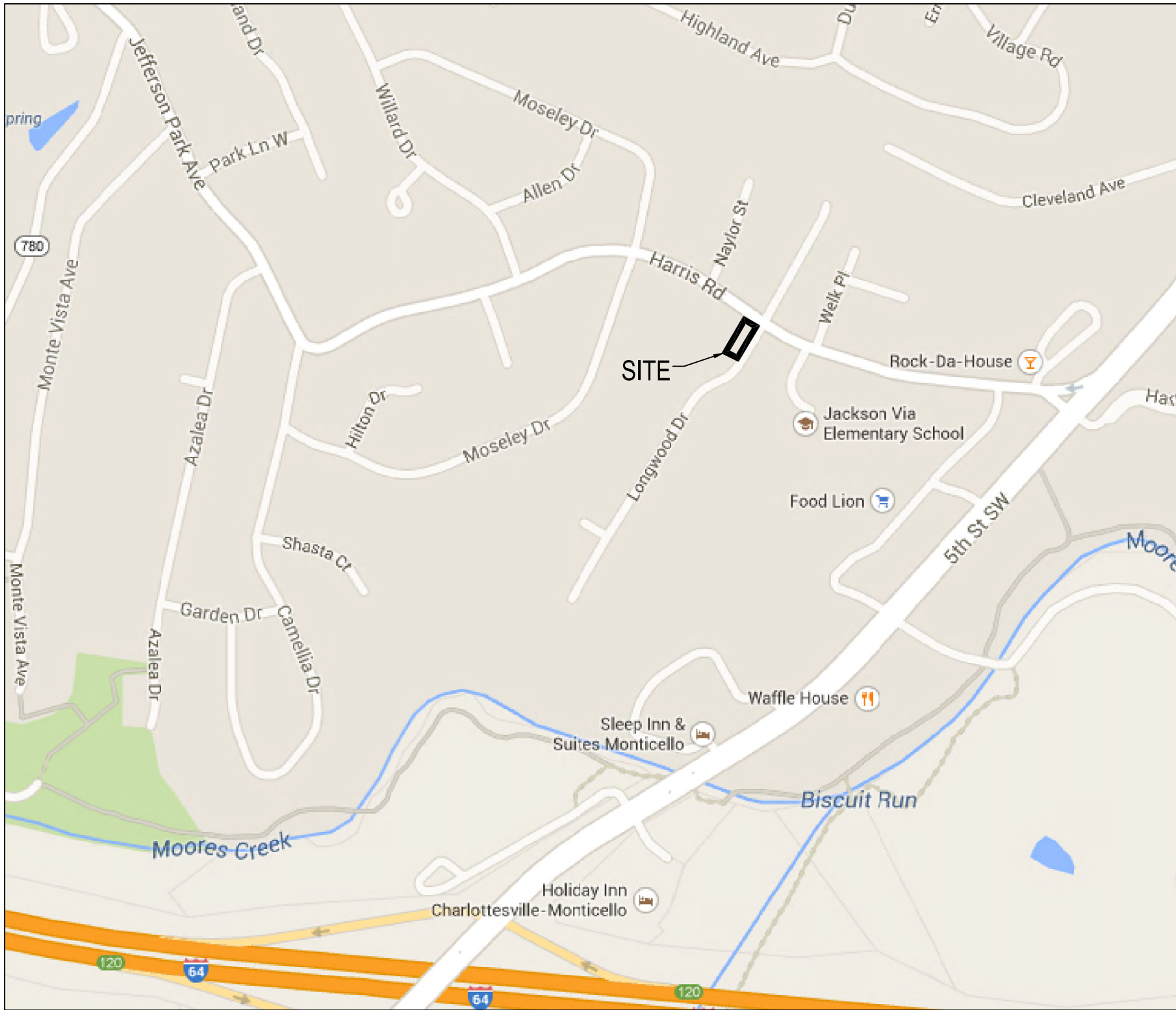
# PLANNED UNIT DEVELOPMENT AMENDMENT FOR LONGWOOD DRIVE TM 21A PARCEL 104

## ADJACENT PARCEL INVENTORY

PIN	GPIN	ParcelNumber	FullAddress	OwnerName	OwnerAddress	OwnerCityState	OwnerZipCode
21A129000	12815	21A129000	HARRIS RD	LODGE CREEK HOMEOWNERS ASSOC	HARRIS ROAD	CHARLOTTESVILLE VA	22903
202271000	13389	202271000	LONGWOOD DR	NEIGHBORHOOD DEVELOPMENT, INC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A130600	17045	21A130600	101 LONGWOOD DR A	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A130500	17046	21A130500	101 LONGWOOD DR B	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A130400	17047	21A130400	101 LONGWOOD DR C	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A130300	17048	21A130300	101 LONGWOOD DR D	PISAKI, JOSEPH & LISA M	2658 QUINCY ADAMS DR	HERNDON VA	20171
21A130200	17049	21A130200	101 LONGWOOD DR E	SEN, JEREMY M	2014 E LONGWOOD DR	CHARLOTTESVILLE VA	22903
21A130100	17050	21A130100	101 LONGWOOD DR F	KASTENMAYER, WALTER W & RUTH W	162 OLD FIFTH CIR	CHARLOTTESVILLE VA	22903
21A146100	17088	21A146100	102 LONGWOOD DR A	BROWNFIELD, ANNA M	102 #A LONGWOOD DR	CHARLOTTESVILLE VA	22903
21A146200	17090	21A146200	102 LONGWOOD DR B	WILCOCKS, DAVID A	102 LONGWOOD DR #B	CHARLOTTESVILLE VA	22903
21A146300	17089	21A146300	102 LONGWOOD DR C	OLSON, JENNIFER K	102 LONGWOOD DR #C	CHARLOTTESVILLE VA	22903
21A146400	17087	21A146400	102 LONGWOOD DR D	CHANG, TELYING	102 #D LONGWOOD DR	CHARLOTTESVILLE VA	22903
21B029000	13164	21B029000	102 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A129100	13122	21A129100	103 LODGE CREEK CIR	WILSON, LLOYD	81 PLEASANTVIEW CT	ZION CROSSROAD VA	22942
21A131600	17055	21A131600	103 LONGWOOD DR A	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A131500	17054	21A131500	103 LONGWOOD DR B	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A131400	17053	21A131400	103 LONGWOOD DR C	YAP, CHAN CHONG	103 #C LONGWOOD DR	CHARLOTTESVILLE VA	22903
21A131300	17052	21A131300	103 LONGWOOD DR D	SPENCE, DONALD & BARBARA, TRUSTEES	12870 ROCK CREST LN	CHINO HILLS CA	91709
21A131200	17051	21A131200	103 LONGWOOD DR E	WINKLER, MATTHEW P	6820 WINDMERE LN	CROZET VA	22932
21A131100	17056	21A131100	103 LONGWOOD DR F	CHANG, ERIC S & CAROL T TRAN	103-F LONGWOOD DR	CHARLOTTESVILLE VA	22903
21B045000	13460	21B045000	103 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A145000	13460	21A145000	104 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B030000	13174	21B030000	104 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A129200	13099	21A129200	105 LODGE CREEK CIR	F & S PROPERTIES LLC	1109 STONEFIELD LN	CHARLOTTESVILLE VA	22903
21B044000	13138	21B044000	105 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A132000	13383	21A132000	105-A LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A132100	13405	21A132100	105-B LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B031000	13189	21B031000	106 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A144000	13502	21A144000	106-A LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A144100	13521	21A144100	106-B LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A129300	13079	21A129300	107 LODGE CREEK CIR	KENLEY, GREGORY C	107 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A133000	13425	21A133000	107 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B043000	13102	21B043000	107 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A143000	13543	21A143000	108 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A129400	13056	21A129400	109 LODGE CREEK CIR	MILLER, CYNTHIA M	109 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A134000	13470	21A134000	109 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B042000	13066	21B042000	109 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A142000	13565	21A142000	110 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A129500	13034	21A129500	111 LODGE CREEK CIR	CORNEJO, JOSE R & EVA CANAS	111 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A135000	13501	21A135000	111 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B041000	12987	21B041000	111 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A141000	13588	21A141000	112 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A129600	13015	21A129600	113 LODGE CREEK CIR	HILL, ANTOINETTE	113 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A136000	13540	21A136000	113 LONGWOOD DR	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21B040000	12817	21B040000	113 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A129700	12997	21A129700	115 LODGE CREEK CIR	WILSON, DAVID WILSON	115 LODGE GREEN CT	ALEXANDRIA VA	22312
21A129800	12975	21A129800	117 LODGE CREEK CIR	STEMLER, DOUGLAS J & LAURIE J	117 LODGE CREEK CIR	CHARLOTTESVILLE VA	22903
21A129900	12955	21A129900	119 LODGE CREEK CIR	O'DONNELL, DEREK WILSON	119 LODGE CREEK CIR	CHARLOTTESVILLE VA	22903
21B037000	13069	21B037000	119 WELK PL	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A129100	12940	21A129100	121 LODGE CREEK CIR	BURNETT, KATHLEEN HUGHES	121 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A129100	12897	21A129100	123 LODGE CREEK CIR	DOCKETT, DEBORAH A	123 LODGE CREEK CIRCLE	CHARLOTTESVILLE VA	22903
21A097000	13071	21A097000	212 HARRIS RD	SWISHER, CHERYL C	212 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A120000	13967	21A120000	2512 NAYLOR ST	MOSS, SHELLEY W & BRIDGET L	2512 NAYLOR STREET	CHARLOTTESVILLE VA	22903
21A121A00	13968	21A121A00	2514 NAYLOR ST	RITZERT, TERESA	2514 NAYLOR STREET	CHARLOTTESVILLE VA	22903
21A116000	12787	21A116000	2515 NAYLOR ST	POWELL, SHIRLEY W	2515 NAYLOR STREET	CHARLOTTESVILLE VA	22903
21A121000	13970	21A121000	2516 NAYLOR ST	TEJENDERENA, AGNES	2523 PENNY LN	CHARLOTTESVILLE VA	22903
21A115000	12830	21A115000	2517 NAYLOR ST	SULLIVAN, LISA M	2517 NAYLOR ST	CHARLOTTESVILLE VA	22903
21A122000	13969	21A122000	2518 NAYLOR ST	HELF, LINDA D	141 GROVE LAND	SHIPMAN VA	22971
21A114000	12882	21A114000	2519 NAYLOR ST	MENDOZA, JAIME LOPEZ	2519 NAYLOR STREET	CHARLOTTESVILLE VA	22903
21A123000	12985	21A123000	2520 NAYLOR ST	THORNTON, STEPHEN T	100 BEDFORD PLACE	CHARLOTTESVILLE VA	22903
21A124000	13018	21A124000	2522 NAYLOR ST	THORNTON, STEPHEN T	100 BEDFORD PLACE	CHARLOTTESVILLE VA	22903
21A098000	13090	21A098000	300 HARRIS RD	WILLIAMS, ANDREA T	696 VICTORIAN CT	CHARLOTTESVILLE VA	22901
21A099000	13097	21A099000	302 HARRIS RD	SHAWER, C ASHBY & SUE B	302 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A112000	12958	21A112000	305 HARRIS RD	CRAIG, VIOLET G	305 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A100A00	14700	21A100A00	308 HARRIS RD	BROWN, ANDREW P & JENA N	308 HARRIS RD	CHARLOTTESVILLE VA	22903
21A113000	13043	21A113000	309 HARRIS RD	WHITE, ALICE N	309 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A100B00	14701	21A100B00	310 HARRIS RD	KELSEY, T & N KOCK, TR 310 HARRIS RD LD TR	420 PARK ST	CHARLOTTESVILLE VA	22902
21A100C00	14702	21A100C00	312 HARRIS RD	KELSEY, T & N KOCK, TR 312 HARRIS RD LD TR	420 PARK ST	CHARLOTTESVILLE VA	22902
21A100000	13109	21A100000	400 HARRIS RD	WARD, RICHARD N & CAROL A	7 ORCHARD ROAD	CHARLOTTESVILLE VA	22903
21A125000	13042	21A125000	401 HARRIS RD	PALMER, LEIGHTON ET AL TR FOR BETHANY	401 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A126000	13082	21A126000	401 HARRIS RD	PALMER, LEIGHTON ET AL TR FOR BETHANY	401 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A101000	13179	21A101000	402 HARRIS RD	LONDON-GROSS, ALEXANDRA L	402 HARRIS RD	CHARLOTTESVILLE VA	22903
21A103000	13214	21A103000	406 HARRIS RD	HALL, CHRISTINE K & CHARLES	2559 WABASH RD	DENVER CO	80238
21A127000	13142	21A127000	407 HARRIS RD A&B	PLATT, KENNETH W	407-B HARRIS ROAD	CHARLOTTESVILLE VA	22903
21A104000	13238	21A104000	408 HARRIS RD	NEIGHBORHOOD INVESTMENTS, LLC	810 CATALPA CT	CHARLOTTESVILLE VA	22903
21A108000	13280	21A108000	412 HARRIS RD	MORRIS, WILLIAM F & PATRICIA R	412 HARRIS ROAD	CHARLOTTESVILLE VA	22903
21B046000	13231	21B046000	413 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A075000	12892	21A075000	439 MOSELEY DR	DAVIS, CHARLES T & KATHERINE M	439 MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21A074000	12953	21A074000	441 MOSELEY DR	KLOSS, LEIGH A	441 MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21A073000	12999	21A073000	443 MOSELEY DR	PINTER, JEFFREY & HOLLY HENDERSON	38 MAJESTIC AVE	ASHVILLE NC	28806
21A092000	13176	21A092000	500-A MOSELEY DR	RANNING, PATRICK C & JAMES M RAY	4399 RIVERPOINT DRIVE	LEESBURG VA	20176
21A092100	13194	21A092100	500-B MOSELEY DR	HARRIS, JESSE T	500-B MOSELEY DR	CHARLOTTESVILLE VA	22903
21B028000	13229	21B028000	501 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A099190	13182	21A099190	501-A MOSELEY DR	TACKETT, KAREN F & BRENDA J	501-A MOSELEY DR	CHARLOTTESVILLE VA	22903
21A099180	13202	21A099180	501-B MOSELEY DR	RENEER, EDGAR R & RACHEL A LEVY	501 VIRGINIA ST	ASHLAND VA	22026
21A099200	13249	21A099200	502-A MOSELEY DR	SHALIC, ARDON	602 MOSELEY DR #A	CHARLOTTESVILLE VA	22903
21A099230	13236	21A099230	502-B MOSELEY DR	PITTS, KAREN L	11806 FARNBOROUGH RD	HUNTERVILLE NC	28078
21B027000	13244	21B027000	503 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A099170	13225	21A099170	503-A MOSELEY DR	SIEPMANN, THEODORE D	9 PRESCOTT COURT	STERLING VA	20165
21A099160	13245	21A099160	503-B MOSELEY DR	SIEPMANN, THEODORE D	9 PRESCOTT COURT	STERLING VA	20165
21A099240	13249	21A099240	504-A MOSELEY DR	HANSEN, CHRISTOPHER E & MELISSA	504-A MOSELEY DR	CHARLOTTESVILLE VA	22903
21A099250	13284	21A099250	504-B MOSELEY DR	BEVERLY, ANDREW J & SUE A	504-B MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21B026000	13256	21B026000	505 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21A099150	13264	21A099150	505-A MOSELEY DR	MOORE, JOHN B, JR	262 YANCEY MILL RD	CROZET VA	22932
21A099140	13265	21A099140	505-B MOSELEY DR	MOORE, JOHN B, JR	262 YANCEY MILL RD	CROZET VA	22932
21A099260	13269	21A099260	506-A MOSELEY DR	COOK, GORDON M	506-A MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21A099270	13334	21A099270	506-B MOSELEY DR	LICHIELLO PROPERTIES, LLC	126 WOODMONT LN	FOREST VA	24551
21B025000	13270	21B025000	507 HARRIS RD	WELK PLACE, LLC	3056 BERKMAR DRIVE	CHARLOTTESVILLE VA	22901
21B010000	13304	21B010000	508 HARRIS RD	CITY OF CHARLOTTESVILLE	P O BOX 911	CHARLOTTESVILLE VA	22902
21A099280	13352	21A099280	508-A MOSELEY DR	PERKINS, GREGORY	501 CLIFTON RD	CLIFTON VA	20124
21A099290	13376	21A099290	508-B MOSELEY DR	EDDY, DOUG & HEATHER	508-B MOSELEY DR	CHARLOTTESVILLE VA	22903
21A099400	13394	21A099400	510 MOSELEY DR	CRICKENBERGER, CYRUS DANIEL & NANCY W	510 MOSELEY DRIVE	CHARLOTTESVILLE VA	22903
21A099500	13427	21A099500	512 MOSELEY DR	MADER, JANINE CLAIRE	512 MOSELEY DRIVE	CHARLOTTESVILLE VA	22903

ALL PARCELS WITHIN A 500 FT RADIUS OF THIS  
SITE ARE LISTED. INFORMATION TAKEN FOR  
CITY OF CHARLOTTESVILLE ONLINE GIS.

## VICINITY MAP SCALE: 1" = 500'



## PROFFERS

### STATEMENT OF FINAL PROFFER CONDITIONS For the LONGWOOD DRIVE PUD

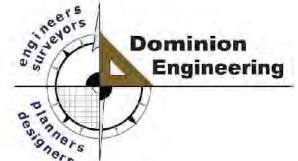
Dated as of March 20, 2009

#### TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE:

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The Owner/Applicant hereby professes and agrees that if the Subject Property is rezoned as requested, the rezoning will be subject to, and the Owner will abide by, the approved PUD Development Plan as well as the following conditions:

- A new pedestrian trail from Longwood Drive to Jackson Via Elementary School parking lot shall be provided substantially as shown on the attached concept plan. The provision of such trail shall be subject to the reasonable approval of the City School Board.
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February 23, 2015  
Matt Alde, AIA  
City Planner  
Neighborhood Development Services  
618 East Market Street  
Charlottesville, VA 22902

#### RE: Longwood Drive PUD Amendment - Narrative

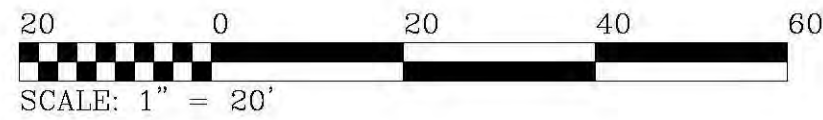
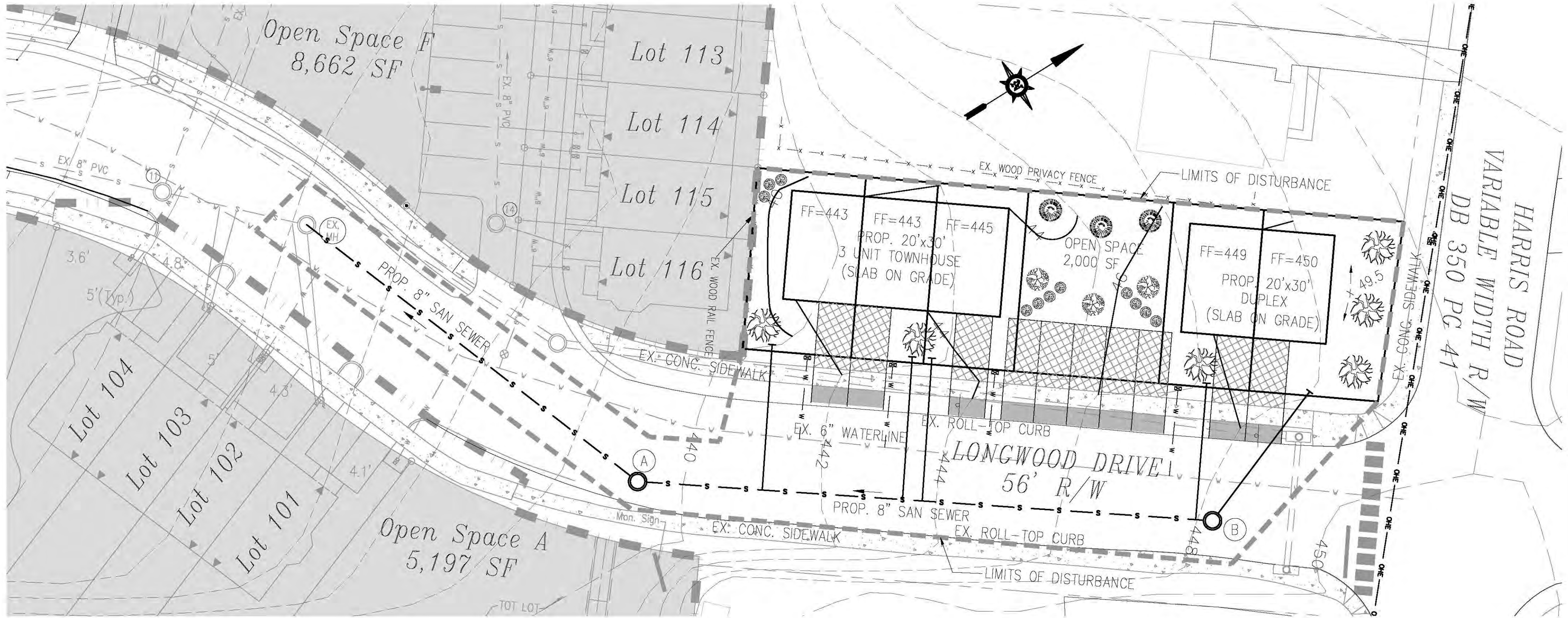
Dear Matt,

This letter shall serve as our project narrative in accordance with Zoning Ordinance Section 34-490 pursuant to 34-517(c)(2), for the incorporation of City Tax Map 21A Parcel .04 (0.20 acres) into the existing Longwood Drive PUD (4.53 acres). The density of the resulting PUD will increase from 13.5 DU/Acre to 14.0 DU/Acre as the developer is proposing to construct an additional 5 attached residential units,









LANDSCAPE PLAN  
SCALE: 1" = 20'

CONSTRUCTION TIMING:  
THE APPLICANT ANTICIPATES A TWO TO THREE MONTH CONSTRUCTION PERIOD TO PROVIDE BUILDING-READY PADS, INCLUDING UTILITY CONSTRUCTION.

LANDSCAPE KEY

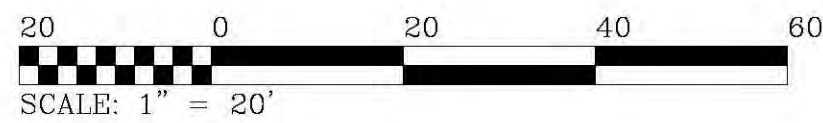
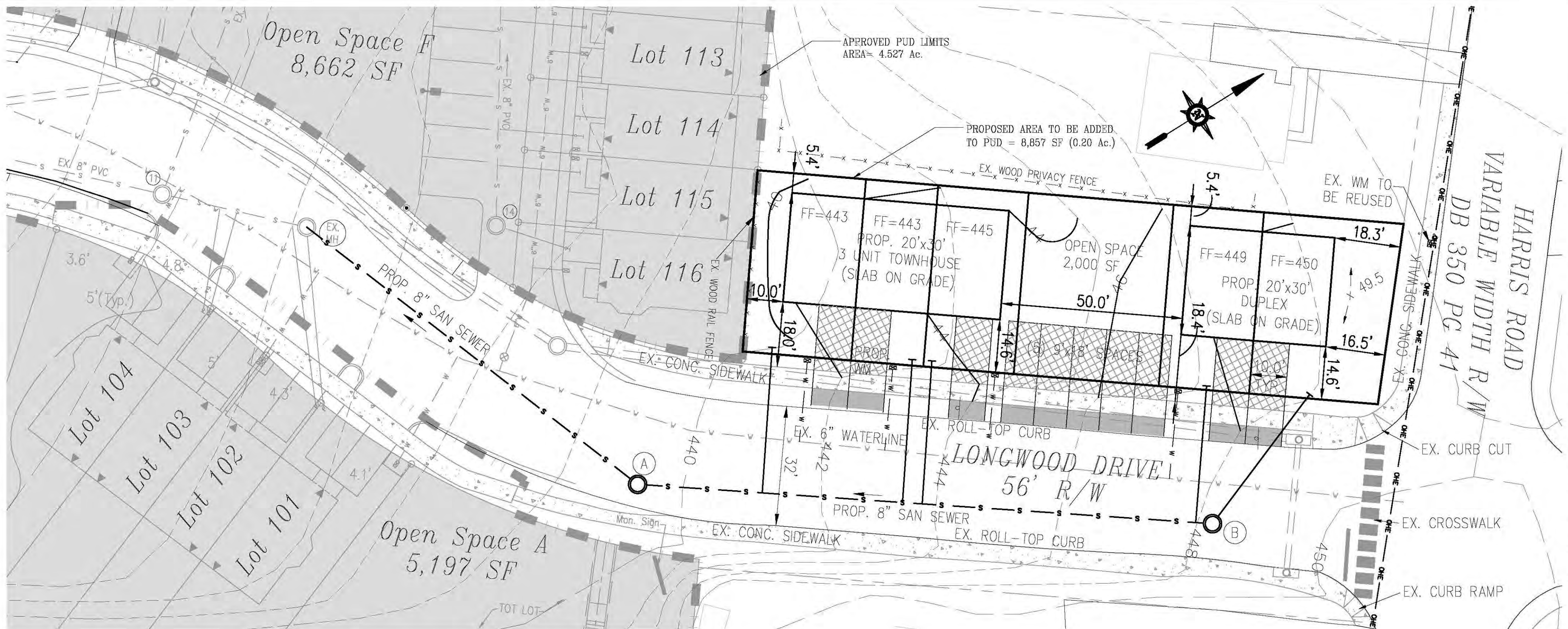
- LARGE DECIDUOUS TREE
- EVERGREEN
- FLOWERING TREE
- SHRUB

SITE TABULATIONS			
UNIT SUMMARY			
	Ac.	UNITS	DENSITY(DU/Ac)
EXISTING PUD	4.53	61	13.5 DU/Ac
PROPOSED AMENDMENT TO PUD	0.20	5	—
TOTAL	4.73	66	14 DU/Ac

PARKING SUMMARY			
EXISTING PUD			
REQUIRED: 118 SPACES			
PROVIDED: 129 SPACES			
FOR AMENDMENT TO PUD			
REQUIRED: 1 SPACE/UNIT = 5 SPACES			
PROVIDED: 10 SPACES			

OPEN SPACE SUMMARY			
	Ac.	%	
EXISTING PUD	0.84	0.84/4.53 = 18.6	> 15% MINIMUM REQUIRED
PROPOSED AMENDMENT TO PUD	0.05	0.05/0.20 = 25.0	> 15% MINIMUM REQUIRED
TOTAL	0.89	0.89/4.73 = 18.8	> 15% MINIMUM REQUIRED

MAX. BUILDING HEIGHT: 35'  
USE: RESIDENTIAL



SITE PLAN  
SCALE: 1" = 20'

- LEGEND
- NEW DRIVEWAY APRON
  - NEW PERVIOUS PAVEMENT

DOMINION  
ENGINEERING

172 South Parkside Drive  
Charlottesville, VA 22911  
434.979.6121  
dominioneering.com

subarea  
planets  
designs

COMMONWEALTH OF VIRGINIA  
MICHAEL F. MYERS  
Lic. No. 33028  
PROFESSIONAL ENGINEER

REVISIONS	NO.	DATE	DESCRIPTION

CHECKED BY: MFM
DRAWN BY: ARC
DESIGNED BY: ARC
SCALE: AS SHOWN
FILE NAME: 14.0112-LONGWOOD-B.dwg

PROJECT TITLE:  
PLANNED UNIT DEVELOPMENT AMENDMENT FOR  
LONGWOOD DRIVE PUD  
CITY OF CHARLOTTESVILLE, VIRGINIA

SHEET TITLE:  
SITE PLAN/LANDSCAPE PLAN

DOM PROJECT NO: 09.0152

INDEX TITLE:  
C3

SHEET NO: 3 of 3

DATE: 02/24/15



FINAL SITE PLAN FOR  
LONGWOOD DRIVE PUD

TAX MAP 20, PARCELS 263 THROUGH 272 &  
TAX MAP 21A, PARCELS 144 THROUGH 146  
CITY OF CHARLOTTESVILLE, VIRGINIA

PROFFERS

STATEMENT OF FINAL PROFFER CONDITIONS  
For the LONGWOOD DRIVE PUD

Dated as of March 20, 2009

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF  
CHARLOTTESVILLE:

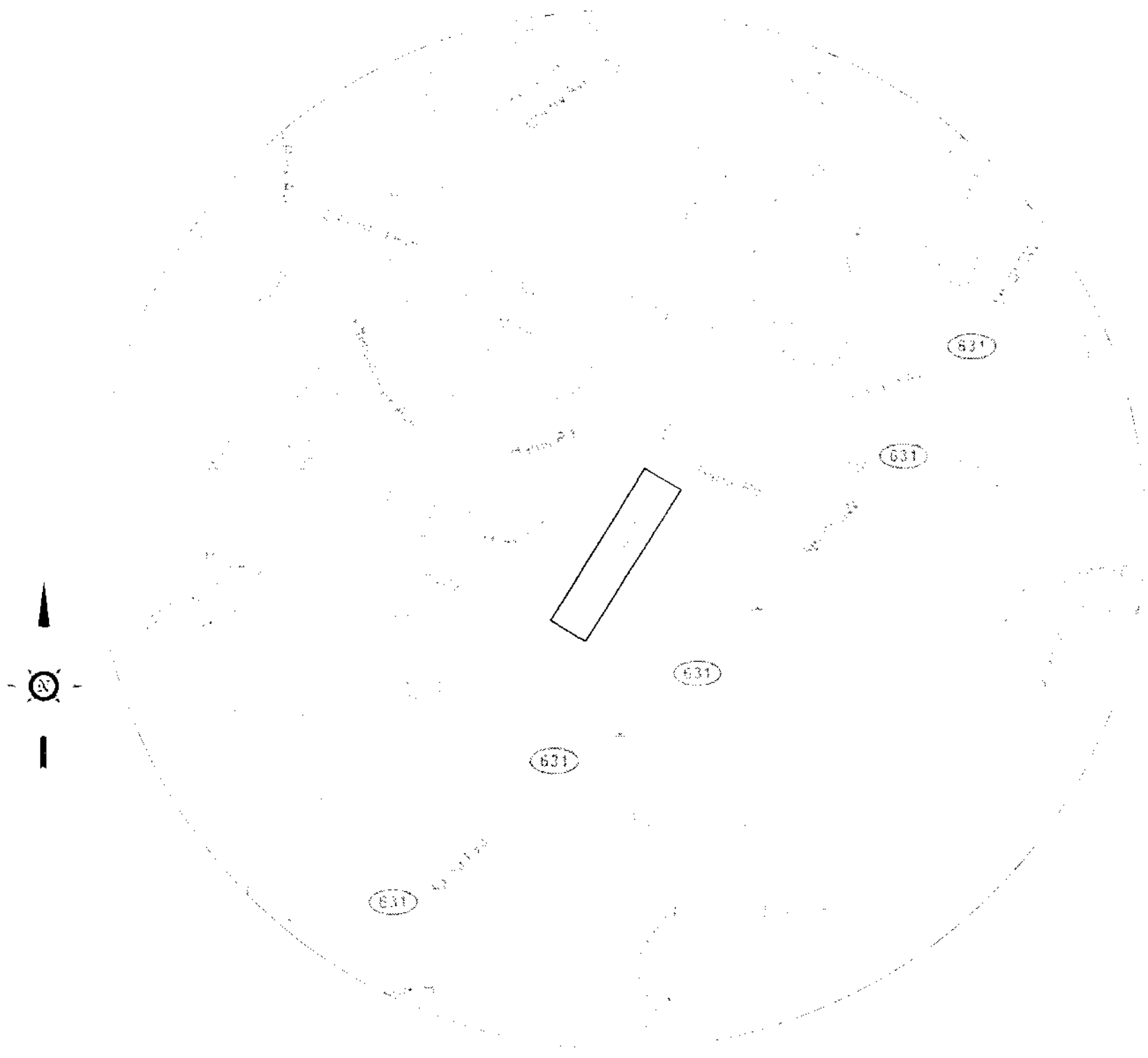
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VICINITY MAP

SCALE: 1"=1000'



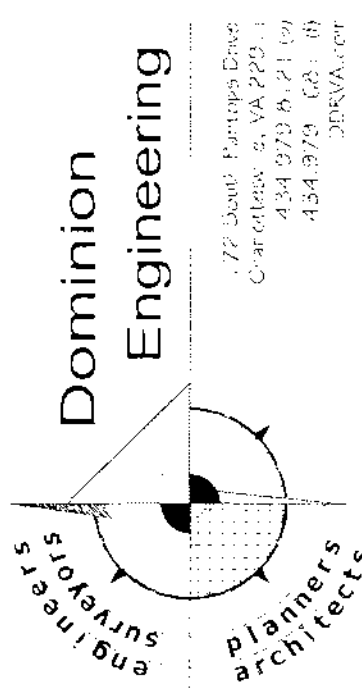
SIGNATURE BLOCK

DATE

DIRECTOR OF NEIGHBORHOOD DEVELOPMENT SERVICES

SHEET INDEX

- C1 - COVER SHEET
- C2 - NOTES, ABBREVIATIONS AND LEGEND
- C3 - EXISTING CONDITIONS / DEMO
- C4 - SITE PLAN AND UTILITIES
- C5 - SITE PLAN AND UTILITIES
- C6 - GRADING AND STORM SEWER
- C7 - GRADING AND STORM SEWER
- C8 - LANDSCAPE PLAN
- C9 - LANDSCAPE PLAN
- C10 - ROAD AND WATERLINE PROFILE
- C11 - UTILITY PROFILES
- C12 - STORM SEWER PROFILES
- C13 - DETAILS
- C14 - DETAILS

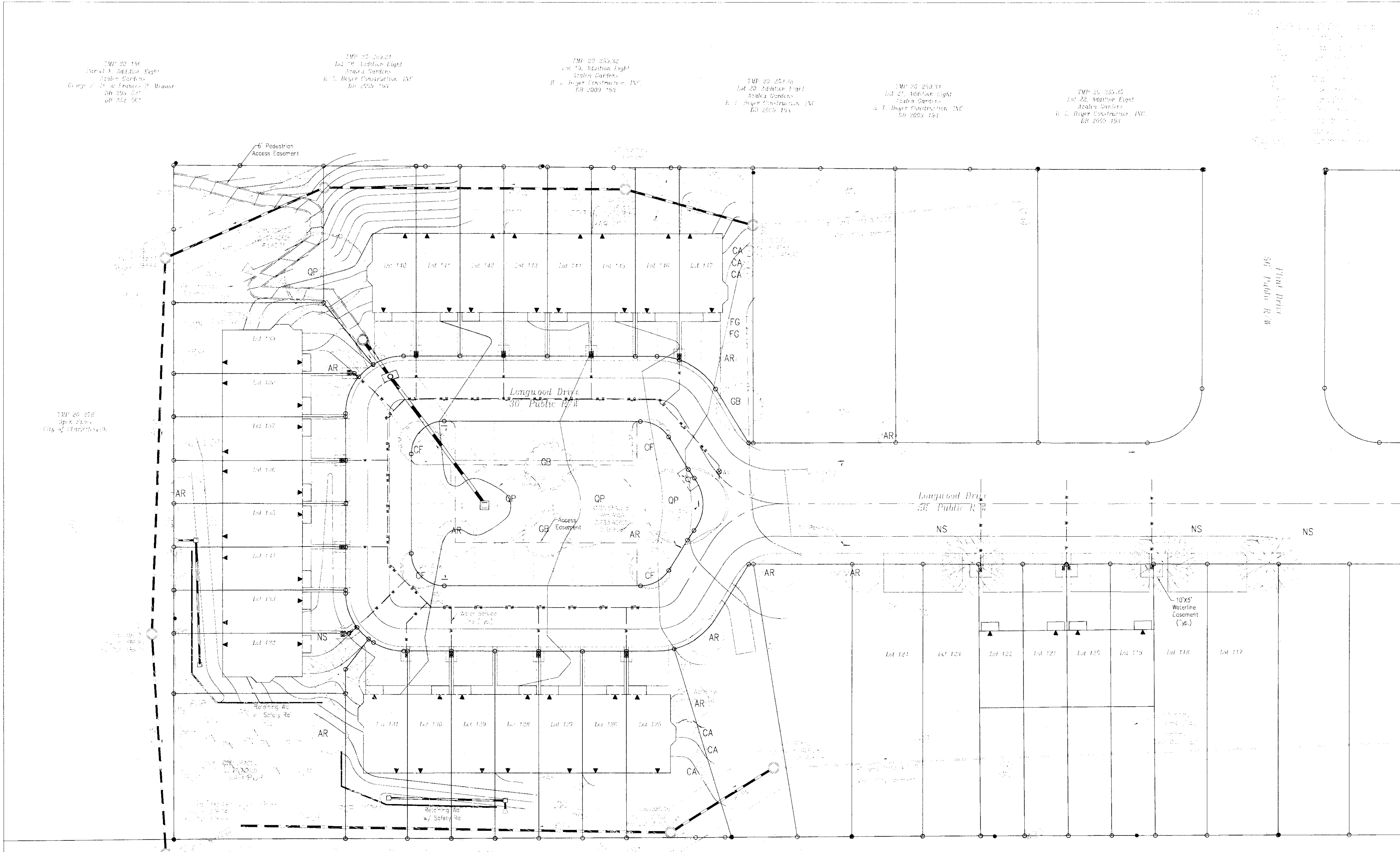


REVISIONS		REVISIONS		NO.	DATE	DESCRIPTION	DATE
NO.	DESCRIPTION	NO.	DESCRIPTION				
1	CITY COMMENTS	1	CITY COMMENTS	1	5/21/10		
2	CITY COMMENTS	2	CITY COMMENTS	2	9/28/10		

FILE NAME	SCALE	DESIGNED BY	DRAWN BY	CHECKED BY
20-263-PS	AS SHOWN	JMS	CWS	NN

PROJECT TITLE	FINAL SITE PLAN FOR LONGWOOD DRIVE PUD CITY OF CHARLOTTESVILLE, VIRGINIA
SHEET TITLE	COVER SHEET

DE PROJECT NO	09.0152
INDEX TITLE	C1
SHEET NO	1 OF 14
DATE	5-5-2010



PROJECT TITLE

FINAL SITE PLAN FOR  
LONGWOOD DRIVE PUD  
CITY OF CHARLOTTEVILLE, VIRGINIA

SHEET TITLE

LANDSCAPE PLAN

DDR PROJECT NO: 09.0162

INDEX TITLE

C8

SHEET NO 8 OF 14

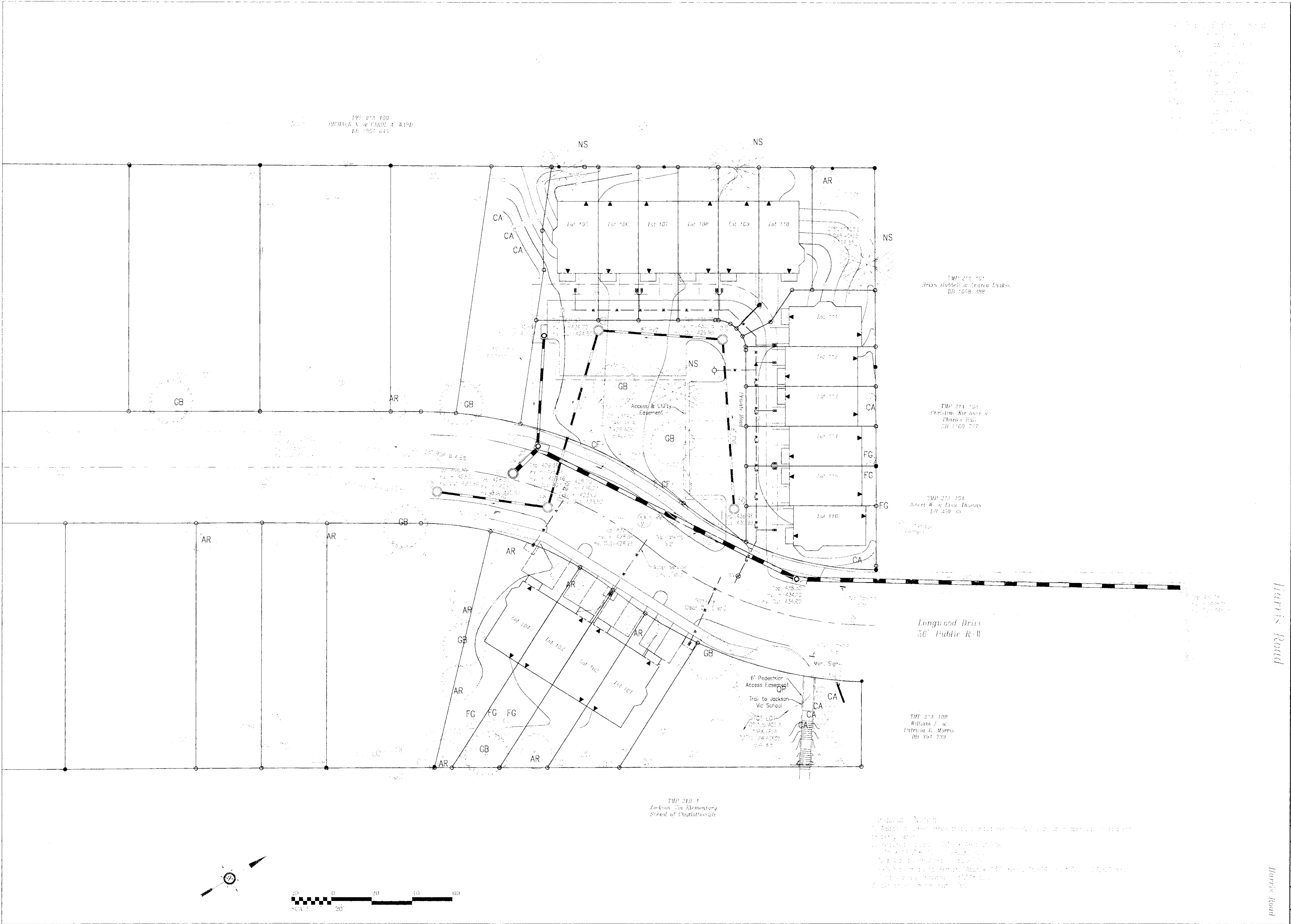
DATE 5-5-2010

Quant. Key Botanical Name Common Name Min. Cal. or Height (S.F.) Area of Canopy (S.F.) Canopy Total (S.F.) Remarks

20	AR	Asteriscium Armstrong	Armstrong Red Maple	2" Ca	53	1080	
11	GB	Ginkgo Biloba Magnan	Magnan Ginkgo	2" Ca	27	957	
8	NS	Nyssa sylvatica	Blackgum	2" Ca	133	1107	
5	QP	Quercus phellos	Willow Oak	2" Ca	49	2090	
ORNAMENTAL TREES							
5	CF	Cornus Floridaensis	Flowering Dogwood	6" T	124	743	
DECIDUOUS SHRUBS							
15	CA	Clematis florida Sixteen Candles	Sixteen Candles	36"	16	240	
5	FG	Fothergilla gardenii	Winter Fothergilla	36"	3	20	
						Canopy Coverage	6.227

Scale: 1" = 20'

North Arrow



PROJECT TITLE

FINAL SITE PLAN FOR  
LONGWOOD DRIVE PUD  
CITY OF CHARLOTTEVILLE, VIRGINIA

SHEET TITLE

LANDSCAPE PLAN

DDR PROJECT NO. 09.0152

INDEX TITLE  
C9

SHEET NO. 9 OF 14

DATE 5-5-2010

NO.

1

2

REVISIONS

DESCRIPTION

CITY COMMENTS

DATE

5/21/10

6/25/10

NO.

1

2

REVISIONS

DESCRIPTION

CITY COMMENTS

DATE

5/21/10

6/25/10

FILE NAME

20\_263-PS

SCALE

AS SHOWN

DESIGNED BY

JMS

CHECKED BY

CWS

APPROVED BY

NNW

DOMINION  
ENGINEERING

PLANNERS  
ARCHITECTS

KEALAN WRIGHT  
Lic. No. 22409  
2017710

COMMUNITY OF VIRGINIA  
PROFESSIONAL LANDSCAPE ARCHITECT



**BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA**  
**IN RE: PETITION FOR REZONING (City Application No. \_\_\_\_\_)**  
**STATEMENT OF PRELIMINARY PROFFER CONDITIONS**  
**For the LONGWOOD DRIVE PUD**

**Dated as of March 20, 2009**

**TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE:**

The undersigned is the owner of land subject to the above-referenced rezoning petition ("Subject Property"). The Owner/Applicant seeks to amend the current zoning of the Subject Property subject to certain voluntary development conditions set forth below. In connection with this rezoning application, the Owner/Applicant seeks approval of a PUD as set forth within a PUD Development Plan dated 12/23/2008.

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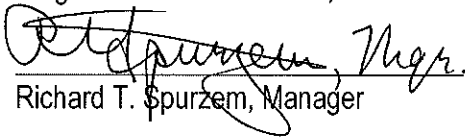
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**WHEREFORE**, the undersigned Owner stipulates and agrees that the use and development of the Subject Property shall be in conformity with the conditions hereinabove stated and requests that the Subject Property be rezoned as requested in accordance with the Zoning Ordinance of the City of Charlottesville.

Respectfully submitted this 20<sup>th</sup> day of March, 2009.

By Owner: Neighborhood Investments, LLC

  
Richard T. Spurzem, Manager

Owner's Address: P.O. Drawer R,  
Charlottesville, VA 22903

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**PLANNING COMMISSION**

**PRELIMINARY DISCUSSION: REZONING**

**Author of Memo:** Matt Alfele, City Planner

**Date of Meeting:** March 10, 2015

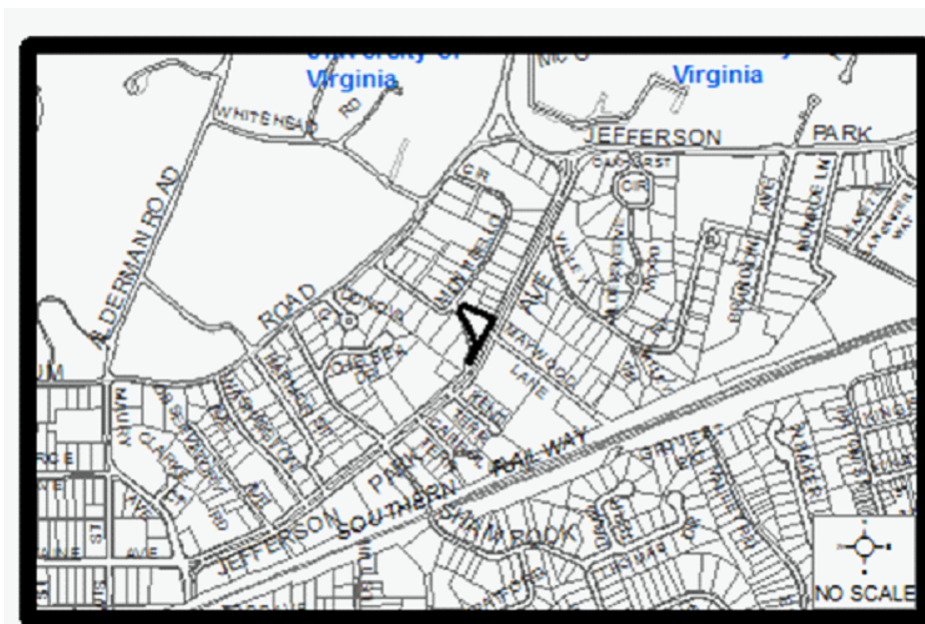
**RE: Special Use Permit request for 1725 Jefferson Park Avenue (Jefferson Park Avenue and Montebello Circle)**

**Background**

Richard Spurzem, acting as agent for Neighborhood Investments, LLC, has submitted a Special Use Permit (SUP) for a multi-family residential structure at 1725 Jefferson Park Avenue. The request is for additional residential density, side yard setback modification, and additional height.

The preliminary site plan proposes (22) units of new multi-family residential, (23) garage parking spaces, (4) surface parking spaces, and (3) offsite parking spaces. The development will be contained to a (6) story building with (4-1/2) stories of housing and (1-1/2) of garage parking. The property is further identified on City Real Property Tax Map 16 Parcel 16. The site is zoned Multifamily (R-3) and is within the Entrance Corridor Overlay District with road frontage on Jefferson Park Avenue and Montebello Circle. The property is approximately (0.385) acres or (16,770) square feet.

**Vicinity Map**



## **Preliminary Analysis**

### **Reason for the Special Use Permit**

The applicant is requesting a Special Use Permit for additional density, side yard setback modification, and additional height. The maximum by-right residential density for R-3 is (21) dwelling units per acre (DUA), with up to (87) DUA permitted by Special Use Permit. The applicant is asking for additional density of (44 – 64) DUA. The by-right height for R-3 is (45) feet. The applicant is requesting a height of (50) feet.

### **Questions for Discussion**

- Massing and Scale – The proposed development calls for a (6) story building fronting on JPA with parking access off Montebello Circle. The building would be adjacent to (2) story multi-family residents, across Montebello Circle from a (3) story multi-family residents, and across JPA from a (6) story and a (3) story multi-family residents.
- Setbacks – Modifications to the setbacks could remove any opportunity to screen the adjacent property to the north.
- Impact to Montebello Circle – The proposed development calls for improvements to Montebello Circle.
- What will be the pedestrian experience be on Jefferson Park Avenue and Montebello Circle?

## **Attachments**

Development Summary  
Preliminary Site Plan



**ATWOOD HENNINGSEN KESTNER  
ARCHITECTS  
INC.**

24 February 2015

Department of Neighborhood Development Services  
Charlottesville, VA 22903

Re: 1725 JPA – UVa Student Housing Apartment Complex Narrative

**Summary:**

The existing building located at 1725 JPA is located east of the intersection of Montebello Circle with frontage on both JPA and Montebello Circle and is within walking distance of the University of Virginia grounds.

The applicant proposes to replace the existing (8) unit multi-family residential structure and associated surface parking areas with a (22) unit multi-family structure consisting of four (4-1/2) stories of housing over (1-1/2) stories of parking. The combined areas total approximately 44,000 SF. The construction type will be wood framing for the residential levels supported by a structural steel and concrete podium.

The applicant proposes to improve the overall pedestrian experience and accessibility of the site and immediate context. This will include such improvements at the streets consisting of low sitting walls along JPA, multiple street trees in planters along JPA, textured landscaping along JPA, the addition of a new sidewalk along Montebello Circle as well as improving the street edge to a uniform 24' dimension and multiple street trees along Montebello Circle.

The exterior of the building will consist of a combination of brick, precast concrete panels, fiber cement siding and trim cladding system. The windows will be double glaze operable windows with clad frames. Steel and wood pergola with an aluminum clad entry canopy will front JPA. See the attached drawing elevations.

This special use permit application is for the increase in density of the property from 1-21 DUA to 44-64 DUA. In addition, the applicant is seeking a special use permit to reduce the side yard setbacks for the property to 5' and a building height modification to allow a building height of 50' in lieu of the 45'.

**General Standards for Issuance of Special Use Permit**

The proposed project will be harmonious with the existing patterns of use and development within the neighborhood with the scale of the project and proposed use. The scale and massing of the proposed building fits with the existing buildings and apartment



units along JPA and Montebello Circle. The proposed use of the new building is allowed in the R-3 district. The proposed use of the building will also conform to a number of aspects of the city's comprehensive plan. These aspects and initiatives include the establishment of a locally-owned and operated business; the encouragement of alternate forms of transportation based on proximity to the university, shopping and transit lines; the creative minimization of the impact of parking facilities and vehicular traffic due to the consolidation of structured parking on site, all accessed from Montebello Circle, the increase of customer diversity for the local shopping area. In addition, the proposed new construction will comply with all applicable building code regulations.

The following summarizes and addresses the potentially adverse impacts on the surrounding neighborhood with the proposed development and the potential mitigation efforts.

1. Traffic Impact - See preliminary site plan prepared by Collins Engineering for traffic counts and trip increase from existing 8 units to proposed 22 units. The proposed development will increase traffic and trip generation over the existing trip generation for the site by about 92 trips/day. These vehicles will park in the structured on-site parking garage under the building. In addition, bicycles and scooters will be provided lockable parking in the same garage.

2. Noise, lights, dust control effects on the natural environment – During the construction activities, there will be adverse effects on the natural environment, but proper construction methods will be implemented to reduce these adverse conditions as much as possible. These conditions should only exist during the construction phase of the project.

3. Displacement of existing residents – The re-development of this parcel for a (22) unit multi-family dwelling would (8) apartment units used for student housing temporarily during the construction period of approximately (10) months.

4. Discouragement of economic development – The proposed modification to the parcel will increase the economic benefit of the site for the city, improving the aged condition of the site, may positively impact surrounding property values as well.

5. Intensity of use in relationship to community facilities – With the increase in impervious area of the site, the re-development, stormwater management will utilize pervious pavers on the parking lot area and a rain garden/bioretenention facility which will collect and treat the runoff from the roof downspouts. See SWM plan and preliminary site plan prepared by Collins Engineering for further detail.

6. Utilities: City water and sewer. See preliminary site plan prepared by Collins Engineering.

7. Reduction of available affordable housing – The re-development of this site will not have a negative effect on affordable housing. These apartment units will be

rented to University students, and used primarily as University housing. The increase in density will allow more students to live close to the University, and should free up more affordable housing outside of this area where students may be presently residing.

8. Impact on school population – The re-development will not have an effect on the school population or school facilities.

9. Effects on Historic District – The parcel is not located within a Charlottesville Historic district. The improvements to the site will be done in accordance with the City approvals. The existing structure itself is not a historical structure and is not a building of interest.

10. Conformity with Federal, state, and local laws – The redevelopment will meet all requirements set forth and required by local, state, and federal regulations.

11. Massing and scale of project – The proposed construction and modifications to the building fit with the neighborhood scale and massing of the existing surrounding buildings.

Overall, the re-development of this parcel to replace the existing (8) unit multi-family residential structure and associated surface parking areas with a (22) unit multi-family structure meets the general requirements and standards of the existing zoning district of the parcel and is in harmony with other adjacent buildings within the zoning district area. The existing zoning allows for this use, the scale and massing on the site is appropriate, the proposed re-development does not appear to have any major additional impacts on the City resources or natural resources, and the proposed use fits well with the surrounding area. Additional information on the proposal can be seen in the preliminary plan and the attached site and architectural plans for the proposed building.



PROJECT DATA:

- THE OWNER/CLIENT OF THIS PROPERTY IS:  
NEIGHBORHOOD INVESTMENTS, LLC  
810 CATALPA COURT  
CHARLOTTESVILLE, VA 22903
- THESE PLANS HAVE BEEN PREPARED BY:  
COLLINS ENGINEERING, LLC  
200 GARRETT STREET, SUITE K  
CHARLOTTESVILLE, VA 22902  
TELEPHONE: (434) 293-3719
- SOURCE OF SURVEY, TOPOGRAPHY & BOUNDARY INFORMATION: COMMONWEALTH LAND SURVEYING IN JANUARY 2015. FIELD VERIFIED BY COLLINS ENGINEERING FEBRUARY, 2015.
- ZONING: R-3 WITH SPECIAL USE PERMIT FOR MODIFICATIONS TO THE SIDE YARD SETBACKS, DENSITY, AND BUILDABLE HEIGHT.
- THIS PROJECT FALLS WITHIN AN ENTRANCE CORRIDOR REVIEW
- TAX MAP AND PARCEL NUMBER: TMP 160016000
- USGS DATUM: NAD 83 (1994)
- LOCATION/ADDRESS OF PROJECT: 1725 JEFFERSON PARK AVENUE, CHARLOTTESVILLE VA 22903
- BUILDING HEIGHT: MAXIMUM BUILDING HEIGHT OF 50 FEET PER SPECIAL USE PERMIT REQUEST
- PROPOSED USE:  
22 UNIT APARTMENT BUILDING  
4 BEDROOM APARTMENTS: 14 UNITS  
2 BEDROOM APARTMENTS: 8 UNITS
- GROSS DENSITY:  
ALLOWED BY-RIGHT: 1-21 DUA = 8 UNITS  
ALLOWED BY SPECIAL USE PERMIT REQUEST: (44-64 DUA) = 24 UNITS  
PROPOSED DENSITY: 22 UNITS (57 UNITS/ACRE)
- TOTAL ACREAGE OF SITE: 0.385 ACRES
- TOTAL PROPOSED LAND DISTURBANCE: 0.385 ACRES
- SITE PHASING: ONE PHASE
- CRITICAL SLOPES: NONE
- PARKING REQUIREMENTS:  
REQUIRED PARKING:  
14 FOUR BDRM UNITS = 28 REQUIRED SPACES  
8 TWO BDRM UNITS = 8 REQUIRED SPACES  
TOTAL REQUIRED SPACES = 36 REQUIRED SPACES  
PROPOSED PARKING:  
29 GARAGE SPACES  
4 SURFACE PARKING SPACES  
3 OFFSITE PARKING SPOTS  
TOTAL PARKING PROVIDED: 36 SPACES  
NOTE: (3) OFFSITE PARKING SPACES SHALL BE PROVIDED ON THE PROPERTY 1721 JPA, ALSO OWNED BY NEIGHBORHOOD INVESTMENTS, LLC. IN ADDITION, THERE IS ALSO OFFSITE PARKING ALONG JPA FOR PARKING AS WELL.
- PUBLIC UTILITIES: THE SITE WILL BE SERVED BY EXISTING PUBLIC WATER AND SEWER. WATER AND WASTE WATER MAIN PROFILES WILL BE PROVIDED WITH THE FINAL SITE PLAN.
- STORMWATER MANAGEMENT AND STORM DRAINAGE: THE STORMWATER RUNOFF RATES, VOLUMES, AND VELOCITIES RESULTING FROM THIS DEVELOPMENT WILL BE IMPROVED PRIOR TO ENTERING THE CITY'S STORM SEWER SYSTEM. THE DEVELOPMENT CURRENTLY PROPOSES THE INSTALLATION OF PERMEABLE PAVEMENT FOR THE EXTERIOR PARKING LOT WITH A DOWNGRADIENT BIOTRETENTION BASIN PROPOSED TO TREAT THE ROOFTOP DRAINAGE. THIS SWM PLAN, OR AN EQUIVALENT SWM PLAN MEETING MINIMUM CITY REQUIREMENTS, SHALL BE PROPOSED AND REVIEWED WITH THE FINAL SITE PLAN.
- STREAM BUFFER: THE DEVELOPMENT OF THIS PROPERTY DOES NOT IMPACT A STREAM BUFFER.
- SIGNAGE: SITE SIGNAGE SHALL BE SUBMITTED UNDER A SEPARATE APPLICATION.
- STREET CLOSURE: A TEMPORARY STREET CLOSURE PERMIT IS REQUIRED FOR CLOSURE OF SIDEWALKS, PARKING SPACES AND ROADWAYS AND IS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER. PARTIAL STREET CLOSURES WILL BE NEEDED FOR THE CREATION OF THE SITE ENTRANCE AT 5TH STREET AND IMPROVEMENTS TO CLEVELAND AVENUE.
- INGRESS AND EGRESS: ACCESS TO THIS PROPERTY SHALL BE PROVIDED VIA STREET ACCESS AT MONTEBELLO CIRCLE.
- BUILDING/LOT SETBACKS:  
FRONT - 25'  
SIDE - 5' (WITH SPECIAL USE PERMIT REQUEST)  
REAR - 25'

- LIGHTING SHALL BE DETERMINED WITH THE FINAL SITE PLAN. LIGHTING SHALL MEET THE CITY DARK SKY ZONING ORDINANCE.
- SITE TRIP GENERATION AND LAND USE ITE CODE. BASED ON THE ITE TRIP GENERATION MANUAL, 8TH EDITION.

APARTMENT (22 UNITS)  
AVERAGE DAILY TRIPS: 146 VPD (73 VPD ENTER/73 VPD EXIT)  
AM PEAK RATE: 12 VPH (3 VPH ENTER/9 VPH EXIT)  
PM PEAK RATE: 14 VPH (10 VPH ENTER/4 VPH EXIT)

WATER FLOW CALCULATIONS  
MAX HOUR Q= $11.4 \times N^{0.544}$ =1500 GPM; PEAK HOUR Q= 136 GPM

SEWER FLOW CALCULATIONS  
22 APARTMENT UNITS X 100 GPD = 2,200 GPD

FIRE FLOW TESTING RESULTS: GPM: 1350 STATIC: 104 PSI RESIDUAL: 100 PSI  
EXISTING VEGETATION: SMALL TREES AND SHRUBS COVER A PORTION OF THE SITE.  
STREAM BUFFER MITIGATION PLAN: NOT APPLICABLE  
CONSERVATION PLAN: NOT APPLICABLE  
PAVED PARKING AND CIRCULATION AREA: 9,490 SF  
IMPERVIOUS AREAS: PREDEVELOPMENT POSTDEVELOPMENT  
BUILDING: 2,565 SF BUILDING: 8,825 SF  
PAVEMENT: 5,505 SF PAVEMENT: 1,120 SF  
SIDEWALKS: 375 SF SIDEWALKS: 3,385 SF

- NOTES:
- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE CONSISTENT WITH THE MUTCD.
  - IFC 505-THE BUILDING STREET NUMBER TO BE PLAINLY VISIBLE FROM THE STREET FOR EMERGENCY RESPONDERS.
  - IFC 506.1-AN APPROVED KEY BOX SHALL BE MOUNTED TO THE SIDE OF THE FRONT OR MAIN ENTRANCE. THE CHARLOTTESVILLE FIRE DEPARTMENT CARRIES THE KNOX BOX MASTER KEY. A KNOX BOX KEY BOX CAN BE ORDERED BY GOING ONLINE TO WWW.KNOXBOX.COM. THE KNOX BOX ALLOWS ENTRY TO THE BUILDING WITHOUT DAMAGING THE LOCK AND DOOR SYSTEM.
  - STRUCTURES WITH FIRE PROTECTION SYSTEMS SHALL INDICATE THE LOCATION OF ANY FIRE LINE TO THE BUILDING(S) AS WELL AS THE LOCATION OF FIRE DEPARTMENT CONNECTIONS.
  - FIRE HYDRANTS, FIRE PUMP TEST HEADER, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES SHALL REMAIN CLEAR AND UNOBSSTRUCTURED BY LANDSCAPING, PARKING OR OTHER OBJECTS. THE FIRE MARSHAL'S OFFICE NO LONGER ALLOWS ANY TYPE OF LANDSCAPING TO BE PLACED IN FRONT OF AND WITHIN 5 FEET OF FIRE HYDRANTS, FIRE PUMP TEST HEADERS, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES.
  - AN APPROVED WATER SUPPLY FOR FIRE PROTECTION SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE.
  - ALL PAVEMENT SHALL BE CAPABLE OF SUPPORTING FIRE APPARATUS WEIGHING 75,000 LBS.
  - IFC 1404.1-SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
  - IFC 1404.2-WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
  - IFC 1410.1-ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
  - IFC 1404.6-CUTTING AND WELDING. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
  - IFC 1414.1-FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
  - REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.
  - OVERHEAD WIRING OR OTHER OBSTRUCTIONS SHALL BE HIGHER THAN 13 FEET 6 INCHES.
  - ALL SIGNS SHALL BE IN ACCORDANCE WITH ARTICLE IX, SECTION 34-1020 CITY CODE.
  - IF THE FLOOR LEVEL OF THE HIGHEST STORY IS MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS, THEN A CLASS I STANDPIPE SYSTEM MUST BE INSTALLED IN ADDITION TO THE SPRINKLER SYSTEM.
  - BUILDINGS FOUR OR MORE STORES IN HEIGHT SHALL BE PROVIDED WITH NOT LESS THAN ONE STANDPIPE FOR US DURING CONSTRUCTION. SUCH STANDPIPES SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS. SUCH STANDPIPES SHALL BE PROVIDED WITH FIRE DEPARTMENT HOSE CONNECTIONS AT ACCESSIBLE LOCATIONS ADJACENT TO USABLE STAIRS. SUCH STANDPIPES SHALL BE EXTENDED AS CONSTRUCTION PROGRESSES TO WITHIN ONE FLOOR OF THE HIGHEST POINT OF CONSTRUCTION HAVING SECURED DECKING OR FLOORING.

LEGEND  
ROADS

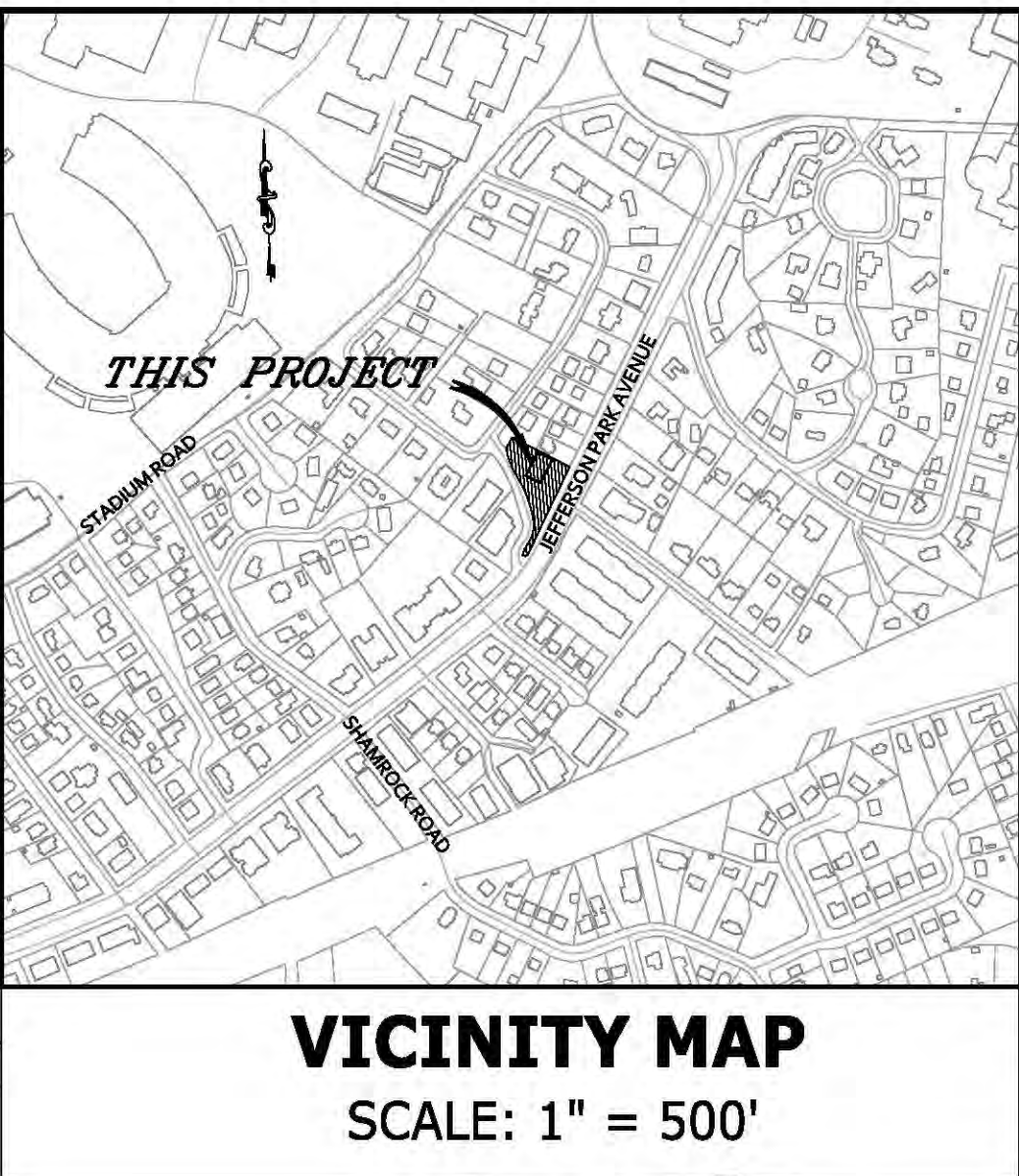
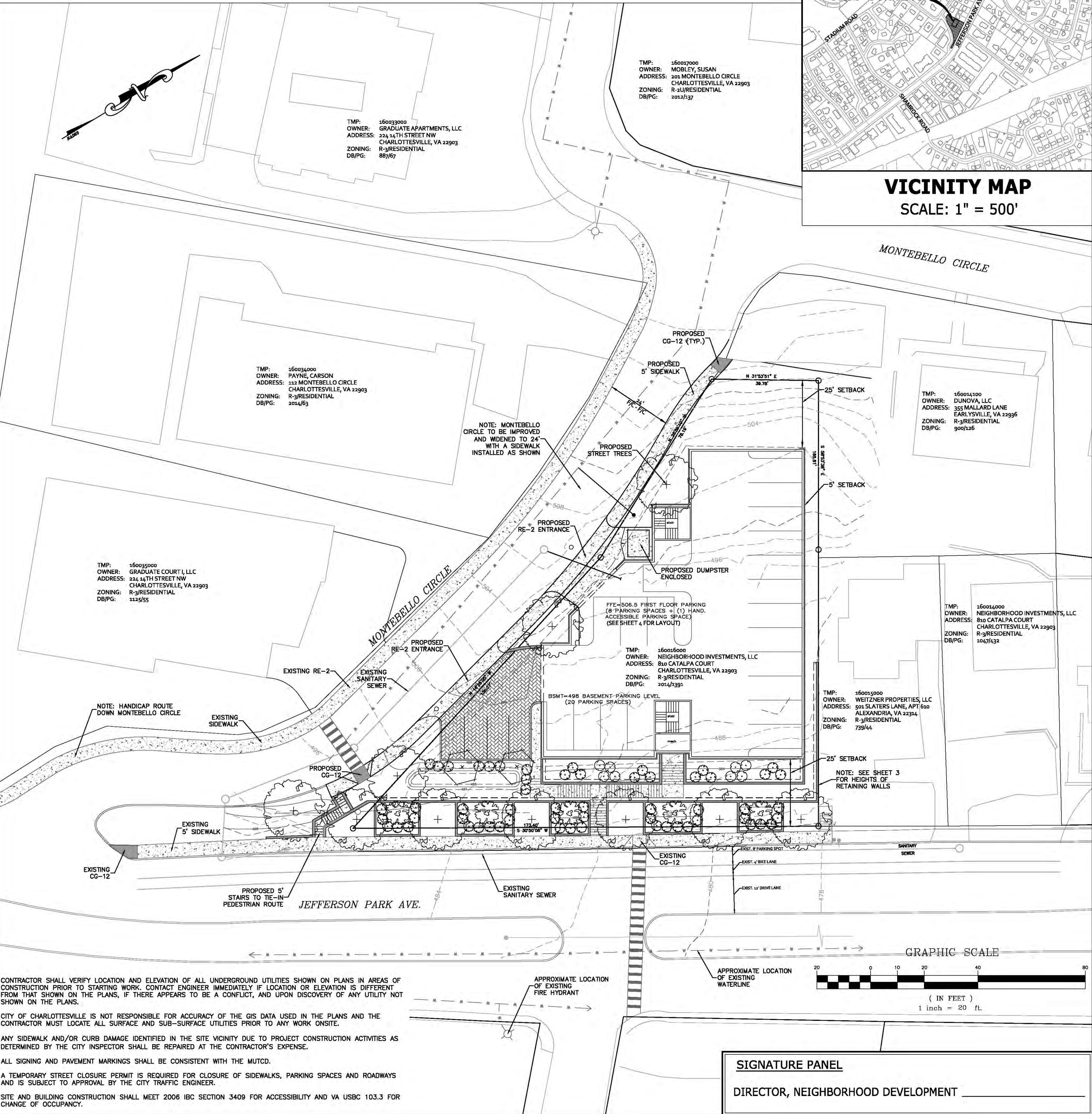
- EXISTING CULVERT
- DROP INLET & STRUCTURE NO. CURB
- CURB & GUTTER
- PROPOSED ASPHALT
- PROPOSED CONCRETE
- PROPOSED PAYER (IMPERVIOUS)
- BENCH MARK
- VOOT STANDARD STOP SIGN
- EXISTING CONTOUR

Sheet List Table		
Sheet Number	Sheet Title	
1	COVER	
2	EXISTING CONDITIONS & DEMOLITION PLAN	
3	SITE & LANDSCAPING PLAN	
4	NOTES & DETAILS	
4	TOTAL SHEETS	

# 1725 JPA APARTMENTS

## PRELIMINARY SITE PLAN AND SPECIAL USE PERMIT

### CITY OF CHARLOTTESVILLE, VIRGINIA



COMMONWEALTH OF VIRGINIA  
SCOTT R. COLLINS  
No. 35791  
PROFESSIONAL ENGINEER

REVISIONS

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15

COLLINS ENGINEERING

200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

1725 JPA APARTMENTS PRELIMINARY SITE PLAN

COVER

SHEET NO. 1

JOB NO. 102045

SCALE 1"=20'

SHEET NO. 1



DEMOLITION NOTES:

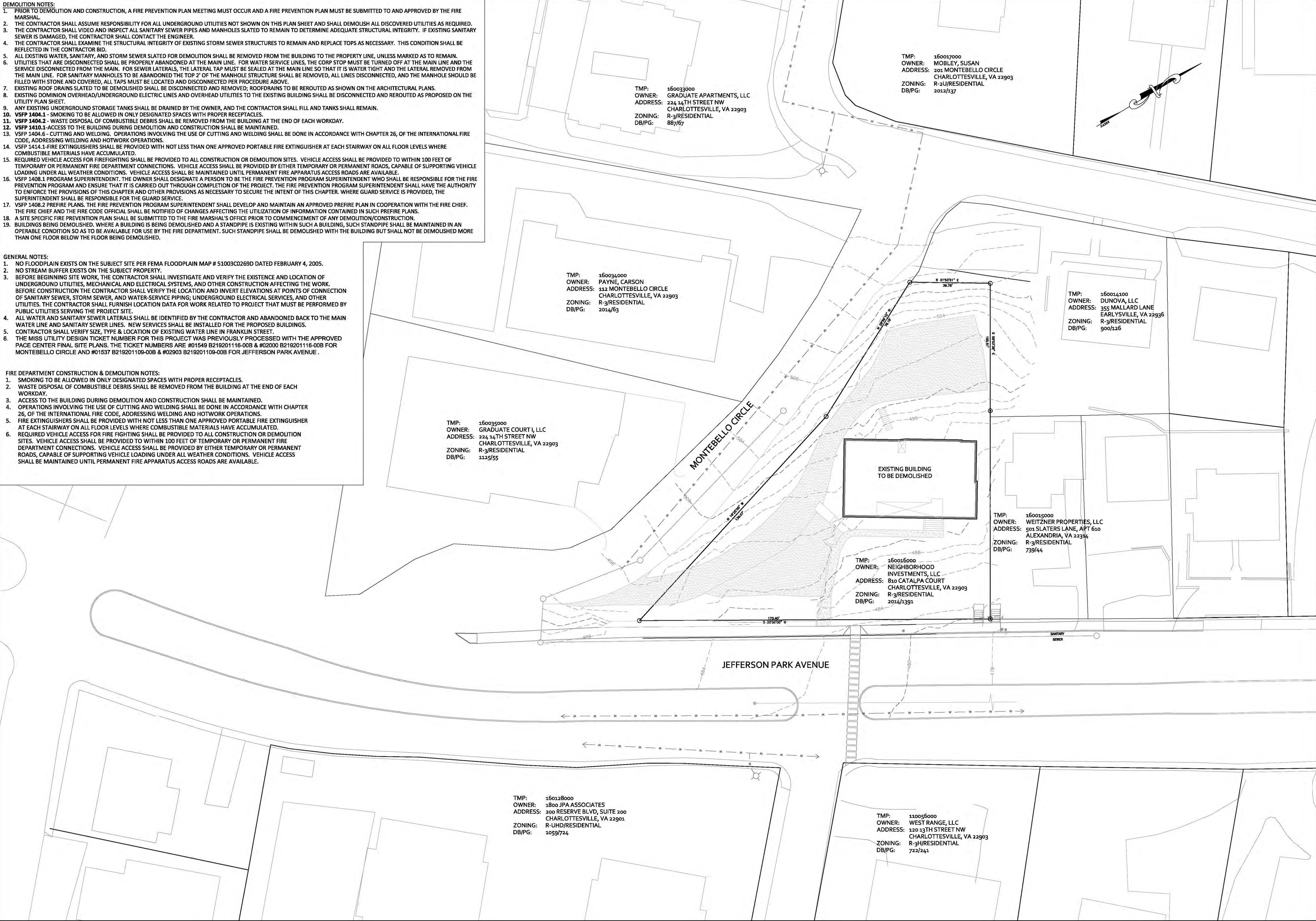
1. PRIOR TO DEMOLITION AND CONSTRUCTION, A FIRE PREVENTION PLAN MEETING MUST OCCUR AND A FIRE PREVENTION PLAN MUST BE SUBMITTED TO AND APPROVED BY THE FIRE MARSHAL.
2. THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ALL UNDERGROUND UTILITIES NOT SHOWN ON THIS PLAN SHEET AND SHALL DEMOLISH ALL DISCOVERED UTILITIES AS REQUIRED.
3. THE CONTRACTOR SHALL VIDEO AND INSPECT ALL SANITARY SEWER PIPES AND MANHOLES SLATED TO REMAIN TO DETERMINE ADEQUATE STRUCTURAL INTEGRITY. IF EXISTING SANITARY SEWER IS DAMAGED, THE CONTRACTOR SHALL CONTACT THE ENGINEER.
4. THE CONTRACTOR SHALL EXAMINE THE STRUCTURAL INTEGRITY OF EXISTING STORM SEWER STRUCTURES TO REMAIN AND REPLACE TOPS AS NECESSARY. THIS CONDITION SHALL BE REFLECTED IN THE CONTRACTOR BID.
5. ALL EXISTING WATER, SANITARY, AND STORM SEWER SLATED FOR DEMOLITION SHALL BE REMOVED FROM THE BUILDING TO THE PROPERTY LINE, UNLESS MARKED AS TO REMAIN.
6. UTILITIES THAT ARE DISCONNECTED SHALL BE PROPERLY ABANDONED AT THE MAIN LINE. FOR WATER SERVICE LINES, THE CORP STOP MUST BE TURNED OFF AT THE MAIN LINE AND THE SERVICE DISCONNECTED FROM THE MAIN. FOR SEWER LATERALS, THE LATERAL TAP MUST BE SEALED AT THE MAIN LINE SO THAT IT IS WATER TIGHT AND THE LATERAL REMOVED FROM THE MAIN LINE. FOR SANITARY MANHOLES TO BE ABANDONED THE TOP 2' OF THE MANHOLE STRUCTURE SHALL BE REMOVED, ALL LINES DISCONNECTED, AND THE MANHOLE SHOULD BE FILLED WITH STONE AND COVERED, ALL TAPS MUST BE LOCATED AND DISCONNECTED PER PROCEDURE ABOVE.
7. EXISTING ROOF DRAINS SLATED TO BE DEMOLISHED SHALL BE DISCONNECTED AND REMOVED; ROOFDRAINS TO BE REROUTED AS SHOWN ON THE ARCHITECTURAL PLANS.
8. EXISTING DOMINION OVERHEAD/UNDERGROUND ELECTRIC LINES AND OVERHEAD UTILITIES TO THE EXISTING BUILDING SHALL BE DISCONNECTED AND REROUTED AS PROPOSED ON THE UTILITY PLAN SHEET.
9. ANY EXISTING UNDERGROUND STORAGE TANKS SHALL BE DRAINED BY THE OWNER, AND THE CONTRACTOR SHALL FILL AND TANKS SHALL REMAIN.
10. VSPF 1404.1 - SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
11. VSPF 1404.2 - WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
12. VSPF 1410.1- ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
13. VSPF 1404.6 - CUTTING AND WELDING. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
14. VSPF 1414.1- FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
15. REQUIRED VEHICLE ACCESS FOR FIREFIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.
16. VSPF 1408.1 PROGRAM SUPERINTENDENT. THE OWNER SHALL DESIGNATE A PERSON TO BE THE FIRE PREVENTION PROGRAM SUPERINTENDENT WHO SHALL BE RESPONSIBLE FOR THE FIRE PREVENTION PROGRAM AND ENSURE THAT IT IS CARRIED OUT THROUGH COMPLETION OF THE PROJECT. THE FIRE PREVENTION PROGRAM SUPERINTENDENT SHALL HAVE THE AUTHORITY TO ENFORCE THE PROVISIONS OF THIS CHAPTER AND OTHER PROVISIONS AS NECESSARY TO SECURE THE INTENT OF THIS CHAPTER. WHERE GUARD SERVICE IS PROVIDED, THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR THE GUARD SERVICE.
17. VSPF 1408.2 PREFIRE PLANS. THE FIRE PREVENTION PROGRAM SUPERINTENDENT SHALL DEVELOP AND MAINTAIN AN APPROVED PREFIRE PLAN IN COOPERATION WITH THE FIRE CHIEF. THE FIRE CHIEF AND THE FIRE CODE OFFICIAL SHALL BE NOTIFIED OF CHANGES AFFECTING THE UTILIZATION OF INFORMATION CONTAINED IN SUCH PREFIRE PLANS.
18. A SITE SPECIFIC FIRE PREVENTION PLAN SHALL BE SUBMITTED TO THE FIRE MARSHAL'S OFFICE PRIOR TO COMMENCEMENT OF ANY DEMOLITION/CONSTRUCTION.
19. BUILDINGS BEING DEMOLISHED. WHERE A BUILDING IS BEING DEMOLISHED AND A STANDPIPE IS EXISTING WITHIN SUCH A BUILDING, SUCH STANDPIPE SHALL BE MAINTAINED IN AN OPERABLE CONDITION SO AS TO BE AVAILABLE FOR USE BY THE FIRE DEPARTMENT. SUCH STANDPIPE SHALL BE DEMOLISHED WITH THE BUILDING BUT SHALL NOT BE DEMOLISHED MORE THAN ONE FLOOR BELOW THE FLOOR BEING DEMOLISHED.

GENERAL NOTES:

1. NO FLOODPLAIN EXISTS ON THE SUBJECT SITE PER FEMA FLOODPLAIN MAP # 51003C0269D DATED FEBRUARY 4, 2005.
2. NO STREAM BUFFER EXISTS ON THE SUBJECT PROPERTY.
3. BEFORE BEGINNING SITE WORK, THE CONTRACTOR SHALL INVESTIGATE AND VERIFY THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES, MECHANICAL AND ELECTRICAL SYSTEMS, AND OTHER CONSTRUCTION AFFECTING THE WORK. BEFORE CONSTRUCTION THE CONTRACTOR SHALL VERIFY THE LOCATION AND INVERT ELEVATIONS AT POINTS OF CONNECTION OF SANITARY SEWER, STORM SEWER, AND WATER-SERVICE PIPING; UNDERGROUND ELECTRICAL SERVICES, AND OTHER UTILITIES. THE CONTRACTOR SHALL FURNISH LOCATION DATA FOR WORK RELATED TO PROJECT THAT MUST BE PERFORMED BY PUBLIC UTILITIES SERVING THE PROJECT SITE.
4. ALL WATER AND SANITARY SEWER LATERALS SHALL BE IDENTIFIED BY THE CONTRACTOR AND ABANDONED BACK TO THE MAIN WATER LINE AND SANITARY SEWER LINES. NEW SERVICES SHALL BE INSTALLED FOR THE PROPOSED BUILDINGS.
5. CONTRACTOR SHALL VERIFY SIZE, TYPE & LOCATION OF EXISTING WATER LINE IN FRANKLIN STREET.
6. THE MISS UTILITY DESIGN TICKET NUMBER FOR THIS PROJECT WAS PREVIOUSLY PROCESSED WITH THE APPROVED PACE CENTER FINAL SITE PLANS. THE TICKET NUMBERS ARE #01549 B219201116-00B & #02000 B219201116-00B FOR MONTEBELLO CIRCLE AND #01537 B219201109-00B & #02903 B219201109-00B FOR JEFFERSON PARK AVENUE .

FIRE DEPARTMENT CONSTRUCTION & DEMOLITION NOTES:

1. SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
2. WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
3. ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
4. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
5. FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
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CE

COLLINS ENGINEERING

200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

PROJECT

JOB NO.  
102045

SCALE  
1" = 20'

SHEET NO.  
2

EXISTING CONDITIONS & DEMOLITION PLAN

1725 JPA APARTMENTS PRELIMINARY SITE PLAN

200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

REVISIONS

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15

COMMONWEALTH OF VIRGINIA

SCOTT R. COLLINS, P.E.

PROFESSIONAL ENGINEER

No. 35791

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CONTRACTOR TO USE EXTREME CARE AND CAUTION AS NOT TO DAMAGE ANY TREES SCHEDULED TO REMAIN OUTSIDE LIMITS OF CONSTRUCTION. PROPERTY LINE SERVES AS LIMITS OF CONSTRUCTION.

NO CONSTRUCTION EQUIPMENT OR STORAGE SHALL OCCUR WITHIN DRIPLINE OF EXISTING TREES. PRIOR TO MOBILIZATION CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT (LA) TO DISCUSS TREE PROTECTION EFFORTS. ALL TREE PROTECTION MEASURES SHALL BE APPROVED BY LA AND/OR TREE ARBORIST BEFORE ANY CONSTRUCTION ACTIVITIES SHALL TAKE PLACE ON-SITE. CONTRACTOR TO MONITOR TREES FOR STRESS AND/OR DAMAGE AND ADVISE LA AND TREE ARBORIST IF ANY OCCUR.

CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT AND/OR TREE ARBORIST 48-HOURS IN ADVANCE OF ANY CONSTRUCTION ACTIVITY NEEDED WITHIN ANY TREE PROTECTION MEASURE. ALL TREE PROTECTION MEASURES SHALL BE REPLACED IN ORIGINAL LOCATION ONCE WORK HAS BEEN COMPLETED. NO WORK SHALL BE DONE WITHIN DRIPLINE OF EXISTING TREES UNLESS APPROVED BY TREE ARBORIST OR LANDSCAPE ARCHITECT PRIOR TO WORK.

ALL WORK TO BE PERFORMED BY THE CONTRACTOR WITHIN THE DRIPLINE OF ANY EXISTING TREE OR TREE PROTECTION AREA SHALL BE DONE IN A MANNER SENSITIVE TO ENSURING NO DAMAGE WILL BE DONE TO THE EXISTING TREES. THE PREFERRED METHOD FOR GRADING SMALL AREAS WITHIN THE DRIPLINE SHALL BE DONE BY HAND. LARGER AREAS TO BE GRADED MAY BE DONE WITH A SMALL BOBCAT/TRACT-HOE. CONTRACTOR TO DISCUSS METHODS OF GRADING WORK WITH LANDSCAPE ARCHITECT AND TREE ARBORIST PRIOR TO COMMENCING ANY SUCH WORK WITHIN DESIGNATED TREE PROTECTION AREAS OR WITHIN EXISTING DRIPLINES.

ALL PLANTS HAVING A QUANTITY GREATER THAN ONE(1) SHALL BE MATCHED AND SUPPLIED FROM THE SAME SOURCE (PER SPECIES).

CONTACT LANDSCAPE ARCHITECT AT THE TIME OF PLANT MATERIAL DELIVERY, BEFORE ANY SUBSTITUTIONS OR CHANGES. IF SCHEDULED TYPES ARE UNAVAILABLE, AND FOLLOWING INSTALLATION, ALL PLANT SUBSTITUTIONS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PLACEMENT OF ORDERS.

LANDSCAPE ARCHITECT SHALL INSPECT AND APPROVE ALL PLANT MATERIAL AT TIME OF DELIVERY AS WELL AS AFTER INITIAL PLACEMENT PRIOR TO PLANTING. CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT 48-HOURS PRIOR TO DELIVERY.

PLANT LOCATIONS TO BE REEVALUATED AND REVISED, IF NECESSARY, AFTER FINISHED GRADING.

MULCH IN PLANTERS AND PLANTING BEDS TO BE CLEAN AND FREE FROM PEST AND DISEASES. MULCH SHALL BE APPLIED TO A 2-INCH DEPTH. MULCH RINGS 24-INCHES MIN. IN DIAMETER ARE TO BE PLACED AROUND ALL TREES NOT LOCATED IN PLANTING BEDS. MULCH TO BE DOUBLE-SHREDDED HARDWOOD.

CONTRACTOR TO VERIFY ALL QUANTITIES BETWEEN PLAN AND PLANT LIST AND REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT IMMEDIATELY PRIOR TO ORDERING.

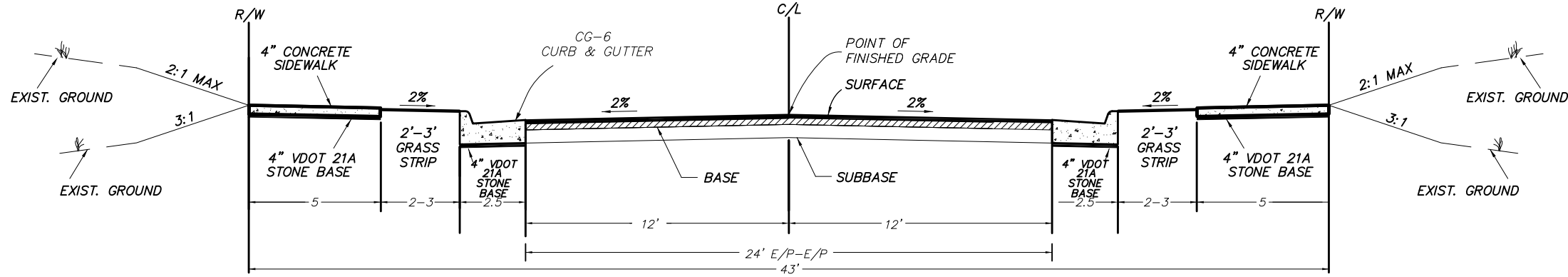
ALL STREET TREES WITHIN THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

SITE NOTES:

1. ALL SIDEWALKS AND WALKWAYS SHALL HAVE A MINIMUM WIDTH OF 5'
2. ALL WALKWAY CROSSINGS SHALL MEET MINIMUM ADA ACCESSIBILITY STANDARDS.
3. CONTRACTOR SHALL OBTAIN A TEMPORARY STREET CLOSURE PERMIT FOR CLOSURE OF SIDEWALKS, PARKING SPACES & ROADWAYS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER PRIOR TO CONSTRUCTION IN THESE EXISTING AREAS.
4. ALL SIGNING & PAVEMENT MARKINGS SHALL BE INSTALLED CONSISTENT WITH MUTCD STANDARDS.

LANDSCAPING NOTES:

1. ALL DUMPSTERS SHALL BE SCREENED WITH AN ENCLOSURE AT A MINIMUM HEIGHT OF ONE (1) FOOT ABOVE THE HEIGHT OF THE DUMPSTER AND WITH A MINIMUM INSIDE CLEARANCE AT THE OPENING OF TWELVE (12) FEET.
2. ALL PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF EIGHTEEN (18) INCHES WHEN PLANTED. PLANTINGS SHALL BE EVENLY SPACED IN A ROW, AT INTERVALS SUFFICIENT TO ALLOW FOR THEIR HEALTHY GROWTH AND DEVELOPMENT.
3. TOTAL JEFFERSON PARK AVENUE ROAD FRONTAGE = 810165'. TOTAL STREET TREES PROVIDED: 6



TYPICAL SECTION (50' R/W)  
MONTEBELLO CIRCLE

TMP: 160035000  
OWNER: GRADUATE COURT I, LLC  
ADDRESS: 224 14TH STREET NW  
CHARLOTTESVILLE, VA 22903  
ZONING: R-3/RESIDENTIAL  
DB/PG: 1125/55

TMP: 160034000  
OWNER: PAYNE, CARSON  
ADDRESS: 112 MONTEBELLO CIRCLE  
CHARLOTTESVILLE, VA 22903  
ZONING: R-3/RESIDENTIAL  
DB/PG: 2014/63

TMP: 160014100  
OWNER: DUNOVA, LLC  
ADDRESS: 355 MALLARD LANE  
EARLYSVILLE, VA 22936  
ZONING: R-3/RESIDENTIAL  
DB/PG: 900/126

TMP: 160015000  
OWNER: WEITZNER PROPERTIES, LLC  
ADDRESS: 501 SLATERS LANE, APT 610  
ALEXANDRIA, VA 22314  
ZONING: R-3/RESIDENTIAL  
DB/PG: 739/44

TMP: 160016000  
OWNER: NEIGHBORHOOD INVESTMENTS, LLC  
ADDRESS: 810 CATALPA COURT  
CHARLOTTESVILLE, VA 22903  
ZONING: R-3/RESIDENTIAL  
DB/PG: 2014/1391

PRELIMINARY PLANT SCHEDULE						
SYM	BOTANICAL	COMMON NAME	SIZE	CANOPY IS ft	QUANTITY	CANOPY COVERAGE IS ft
<b>TREES</b>						
AR	AMER RUBRA	RED MAPLE	2" cal	397	8	3 573
CC	CARPENUS CAROLINANA	REDBUD	6" - 7" HL	124	2	243
<b>SHRUBS</b>						
AD	ALHJA GRANDIFLORA	DOSSY ABELIA	18 ht. tree	14	5	73
IC	IIIK CORNUTA DWARF BURFORD	DWARF BURFORD HOLLY	6" ht. tree	14	8	112
IG	IIIK GLABRA	INKBERRY HOLLY	6" ht. tree	23	58	1 334
<b>TOTAL CANOPY</b>						5 337
<b>REQUIRED SITE COVERAGE: 10% x 16,770 sf = 1,677 sf (5,162 sf PROVIDED)</b>						



REVISIONS

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15

COLLINS ENGINEERING

200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

1725 JPA APARTMENTS PRELIMINARY SITE PLAN

SITE & LANDSCAPING PLAN

JOB NO.	102045
SCALE	1"=30'
SHEET NO.	3

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GENERAL NOTES:

1. ANY DAMAGE TO EXISTING UTILITIES CAUSED BY CONTRACTOR OR ITS SUBCONTRACTORS SHALL BE CONTRACTOR'S SOLE RESPONSIBILITY AND REPAIRED AT CONTRACTOR'S EXPENSE.
2. THE CONTRACT DOCUMENTS DO NOT GUARANTEE THE EXISTENCE, NON-EXISTENCE OR LOCATION OF UTILITIES. CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OR THE NON-EXISTENCE OF UTILITIES. AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION OR CONSTRUCTION, CONTRACTOR SHALL NOTIFY MISS UTILITY (1-800-552-7001) AND/OR THE RESPECTIVE UTILITY COMPANIES FOR GAS, WATER, SEWER, POWER, PHONE AND CABLE. CONTRACTOR SHALL TIMELY ARRANGE TO HAVE THE VARIOUS UTILITIES LOCATED, AND TO HAVE THEM REMOVED OR RELOCATED, OR TO DETERMINE THE METHOD OF PROTECTION ACCEPTABLE TO THE RESPECTIVE OWNER, IF THE METHOD OF PROTECTION IS NOT OTHERWISE SPECIFIED. CONTRACTOR SHALL CONDUCT ITS WORK IN THE VICINITY OF EXISTING UTILITIES IN ACCORDANCE WITH THE RESPECTIVE UTILITY'S RULES AND REGULATIONS. NO BUILDING OR WALL FOUNDATION SHALL BE CONSTRUCTED WITHIN 10 FEET OF ANY STORM, SANITARY, WATER, OR GAS LINE. ANY COST INCURRED FOR REMOVING, RELOCATIONS OR PROTECTING UTILITIES SHALL BE BORNE BY CONTRACTOR UNLESS INDICATED OTHERWISE. CONTRACTOR SHALL EXCAVATE TO LOCATE BURIED UTILITIES FAR ENOUGH IN ADVANCE OF ITS WORK TO ALLOW FOR HORIZONTAL AND /OR VERTICAL ADJUSTMENTS TO ITS WORK AND/OR THE UTILITIES. NO ADJUSTMENT IN COMPENSATION OR SCHEDULE WILL BE ALLOWED FOR DELAYS RESULTING FROM CONTRACTOR'S FAILURE TO CONTACT AND COORDINATE WITH UTILITIES.
3. WHEN THE WORK GROSSES EXISTING UTILITIES, THE EXISTING UTILITIES SHALL BE ADEQUATELY SUPPORTED AND PROTECTED FROM DAMAGE DUE TO THE WORK. ALL METHODS FOR SUPPORTING AND MAINTAINING THE EXISTING UTILITIES SHALL BE APPROVED BY THE RESPECTIVE UTILITY COMPANY AND/OR THE ENGINEER. CONTRACTOR SHALL EXERCISE CARE TO INSURE THAT THE GRADE AND ALIGNMENT OF EXISTING UTILITIES ARE MAINTAINED AND THAT NO JOINTS OR CONNECTIONS ARE DISPLACED. BACKFILL SHALL BE CAREFULLY PLACED AND COMPACTED TO PREVENT FUTURE DAMAGE OR SETTLEMENT TO EXISTING UTILITIES. ANY UTILITIES REMOVED AS PART OF THE WORK, AND NOT INDICATED TO BE REMOVED OR ABANDONED, SHALL BE RESTORED USING MATERIALS AND INSTALLATION EQUAL TO THE UTILITY'S STANDARDS.
4. CONTRACTOR SHALL NOTIFY LANDOWNERS, TENANTS AND THE ENGINEER PRIOR TO THE INTERRUPTION OF ANY SERVICES. SERVICE INTERRUPTIONS SHALL BE KEPT TO A MINIMUM.
5. CONTRACTOR SHALL COORDINATE WITH THE CITY TO LOCATE SIGNAL LOOP DETECTORS AND CONDUITS IN ORDER TO AVOID DAMAGE TO THEM. CONTRACTOR SHALL REIMBURSE THE CITY FOR REPAIRING ANY DAMAGE TO SIGNAL LOOP DETECTORS AND CONDUITS CAUSED BY CONTRACTOR'S FAILURE TO SO COORDINATE.
6. ALL RECTANGULAR WATER METER BOXES LOCATED IN SIDEWALKS SHALL BE REPLACED WITH ROUND ONES. THESE WILL BE FURNISHED BY THE CITY UPON ONE FULL WORKING DAY NOTIFICATION. THE ADJUSTMENT OF ALL MANHOLE TOPS, WATER VALVE BOXES, GAS VALVE BOXES AND WATER METER BOXES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. COSTS ARE TO BE INCLUDED UNDER THE VARIOUS UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE.
7. THE CONTRACTOR SHALL NOTIFY THE CITY UTILITIES DIVISION AT LEAST TWO FULL WORKING DAYS IN ADVANCE TO ARRANGE GAS SERVICE LINE ADJUSTMENTS TO BE PERFORMED BY THE CITY.
8. ALL WATER METER, VALVES AND FIRE HYDRANT ADJUSTMENTS/RELOCATIONS SHALL BE PERFORMED BY THE CONTRACTOR.

CONCRETE AND ASPHALT

9. ALL FORMS SHALL BE INSPECTED BY THE ENGINEER BEFORE ANY CONCRETE IS PLACED. THE ENGINEER MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO REMOVE AND REPLACE CONCRETE PLACED PRIOR TO OR WITHOUT SUCH INSPECTION.
10. ALL MATERIAL INSIDE FORMS SHALL BE CLEAN AND FREE OF ALL ROCKS AND OTHER LOOSE DEBRIS. SUB-BASE MATERIAL SHALL BE COMPACTED BY MECHANICAL MEANS.
11. CONCRETE SHALL NOT BE PLACED UNLESS THE AIR TEMPERATURE IS AT LEAST 40 DEGREES FAHRENHEIT (°F) IN THE SHADE AND RISING.
12. CONCRETE SHALL NOT BE PLACED UNTIL STEEL DOWELS HAVE BEEN INSTALLED IN EXISTING CONCRETE IN ACCORDANCE WITH CITY STANDARDS.
13. 1/2" PREMOLDED EXPANSION JOINT MATERIAL SHALL BE PLACED AT A MAXIMUM OF 30' INTERVALS ON NEW SIDEWALK, CURB, CURB & GUTTER, AT EACH END OF DRIVEWAY ENTRANCES, AT EACH END OF HANDICAP RAMPS, SOME POINT ON ENTRANCE WALKS AND STEPS ADJUSTMENTS, AND ALONG BUILDINGS AND WALLS WHERE NEW CONCRETE SIDEWALKS ARE PLACED AGAINST THEM.
14. ALL EXISTING CURBS, CURB & GUTTER, SIDEWALK AND STEPS TO BE REMOVED SHALL BE TAKEN OUT TO THE NEAREST JOINT. DEMOLITION AND DISPOSAL COST TO BE INCLUDED IN OTHER UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE FOR THIS WORK.
15. ALL EXISTING GRANITE CURB SHALL REMAIN THE PROPERTY OF THE CITY OF CHARLOTTESVILLE. IT SHALL BE REMOVED AND DELIVERED BY THE CONTRACTOR TO THE CITY'S PUBLIC WORKS COMPLEX. COST TO BE INCLUDED UNDER THE VARIOUS UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE FOR THIS WORK.
16. STREET PAVEMENT STRUCTURE AND PATCHING SHALL BE EXTENDED FROM THE FRONT OF NEW CONCRETE TO THE EXISTING PROJECTION OF THE SOUND STREET EDGE AS DIRECTED BY THE ENGINEER.
17. DRIVEWAY ADJUSTMENTS ARE TO BE DONE IN GENTLE TRANSITIONS RATHER THAN ABRUPT BREAKS AT THE BACK OF WALKS. GRAVEL DRIVEWAYS ABOVE STREET GRADE SHALL BE PAVED FOR A MINIMUM DISTANCE OF 20' BEYOND THE BACK OF THE SIDEWALK OR CURB & GUTTER APRON WHERE APPLICABLE.
18. EXISTING ASPHALT CONCRETE PAVEMENT SHALL BE SAW CUT AND REMOVED AS PER THE SPECIFICATIONS. REMOVAL SHALL BE DONE IN SUCH A MANNER AS TO NOT TEAR, BULGE OR DISPLACE ADJACENT PAVEMENT. EDGES SHALL BE CLEAN AND VERTICAL, ALL CUTS SHALL BE PARALLEL OR PERPENDICULAR TO THE DIRECTION OF TRAFFIC.
19. DISPOSAL OF ALL EXCESS MATERIAL IS THE RESPONSIBILITY OF CONTRACTOR.

DRAINAGE

20. CONTRACTOR SHALL EXERCISE CARE, ESPECIALLY AT INTERSECTIONS AND GUTTER LINES, TO PROVIDE POSITIVE DRAINAGE. ANY AREAS WHERE WATER IS IMPOUNDED SHALL BE CORRECTED BY CONTRACTOR AT NO ADDITIONAL COST. POSITIVE DRAINAGE OF ALL ROADWAY AREAS TO THE STORM DRAIN INLETS OR OTHER ACCEPTABLE DRAINAGE CHANNELS AS NOTED ON THE PLANS IS REQUIRED.
21. CONTRACTOR SHALL MAINTAIN EXISTING STREAMS, DITCHES, DRAINAGE STRUCTURES, CULVERTS AND FLOWS AT ALL TIMES DURING THE WORK. CONTRACTOR SHALL PAY FOR ALL PERSONAL INJURY AND PROPERTY DAMAGE WHICH MAY OCCUR AS A RESULT OF FAILING TO MAINTAIN ADEQUATE DRAINAGE.
22. ALL PIPES, DI'S AND OTHER STRUCTURES SHALL BE INSPECTED BY THE ENGINEER BEFORE BEING BACKFILLED OR BURIED. THE ENGINEER MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO UNCOVER AND RE-COVER SUCH STRUCTURES IF THEY HAVE BEEN BACKFILLED OR BURIED WITHOUT SUCH INSPECTION.
23. ALL CATCH BASINS ENCOMPASSED WITHIN NEW CONSTRUCTION SHALL BE CONVERTED TO DROP INLETS.
24. CLASS 1 RIP RAP MODIFICATIONS ALLOWS FOR A REDUCTION IN STONE DEPTH FROM 2.0' TO A MINIMUM OF 1.0' AS DIRECTED BY THE ENGINEER.
25. REMOVED PIPE SHALL BE THE PROPERTY OF CONTRACTOR AND IF NOT SALVAGED FOR RE-USE, SHALL BE DISPOSED OF LAWFULLY.
26. ALL STORM SEWER PIPE AND DROP INLETS SHALL BE CLEARED OF DEBRIS AND ERODED MATERIAL PRIOR TO FINAL ACCEPTANCE.
27. ALL STORM SEWER PIPE JOINTS SHALL BE SEATED AND SEALED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.
28. ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT TIED INTO EXISTING PIPE SHALL BE TIED INTO NEW PIPE. ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT BLOCKED OR DISRUPTED FROM THEIR PRE-CONSTRUCTION.

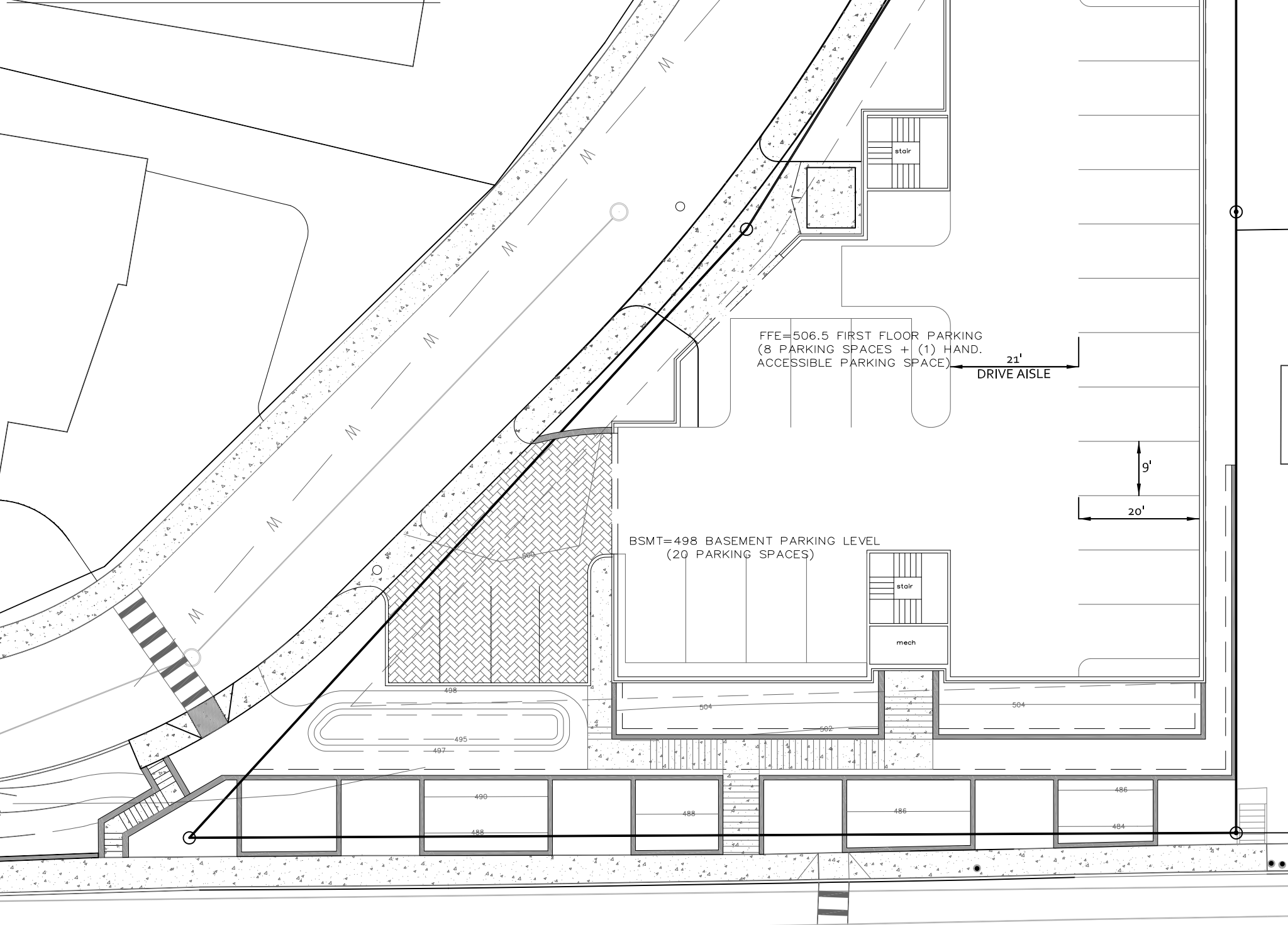
REQUIREMENTS FOR THE INSTALLATION OF GAS MAINS, SERVICES, AND METERS GAS UNIT:

- GAS MAINS
- GAS MAINS WILL BE INSTALLED WHEN THE FOLLOWING CONDITIONS ARE MET IN THE CONSTRUCTION AREA:
1. GRADE IS WITHIN 6 INCHES OF FINAL GRADE OR BASE GRADE IN ROADWAYS.
  2. CURB AND GUTTER MUST BE INSTALLED IF GAS MAIN IS GOING TO BE INSTALLED IN OR NEAR THE ROADWAY.
  3. ALL SANITARY SEWERS, DRAINS, AND STORM SEWERS MUST BE INSTALLED.
  4. A MINIMUM BELOW GROUND PARALLEL SEPARATION IS REQUIRED OF 5 FEET FROM POWER, TELEPHONE, AND CABLE TV AND 10 FEET FROM SANITARY SEWER.
  5. GAS STUBS WILL BE INSTALLED FOR ALL ROAD CROSSINGS IF THE DEVELOPER HAS COMMITTED TO ALL GAS HOMES. OTHERWISE, THE DEVELOPER MAY INSTALL CONDUIT, AT THE DEVELOPER'S EXPENSE, FOR FUTURE ROAD CROSSINGS IN ORDER TO ELIMINATE DISTURBING ASPHALT WHEN SERVICES ARE INSTALLED. THE DEVELOPER SHALL FURNISH AS-BUILT DRAWINGS OF THE CONDUIT PLACEMENT OR PERMANENTLY MARK CONDUIT LOCATIONS. CONDUIT WILL BE FURNISHED BY THE GAS UNIT.

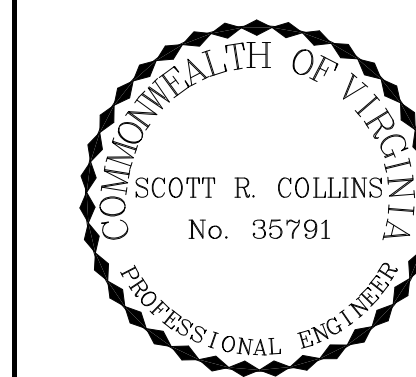
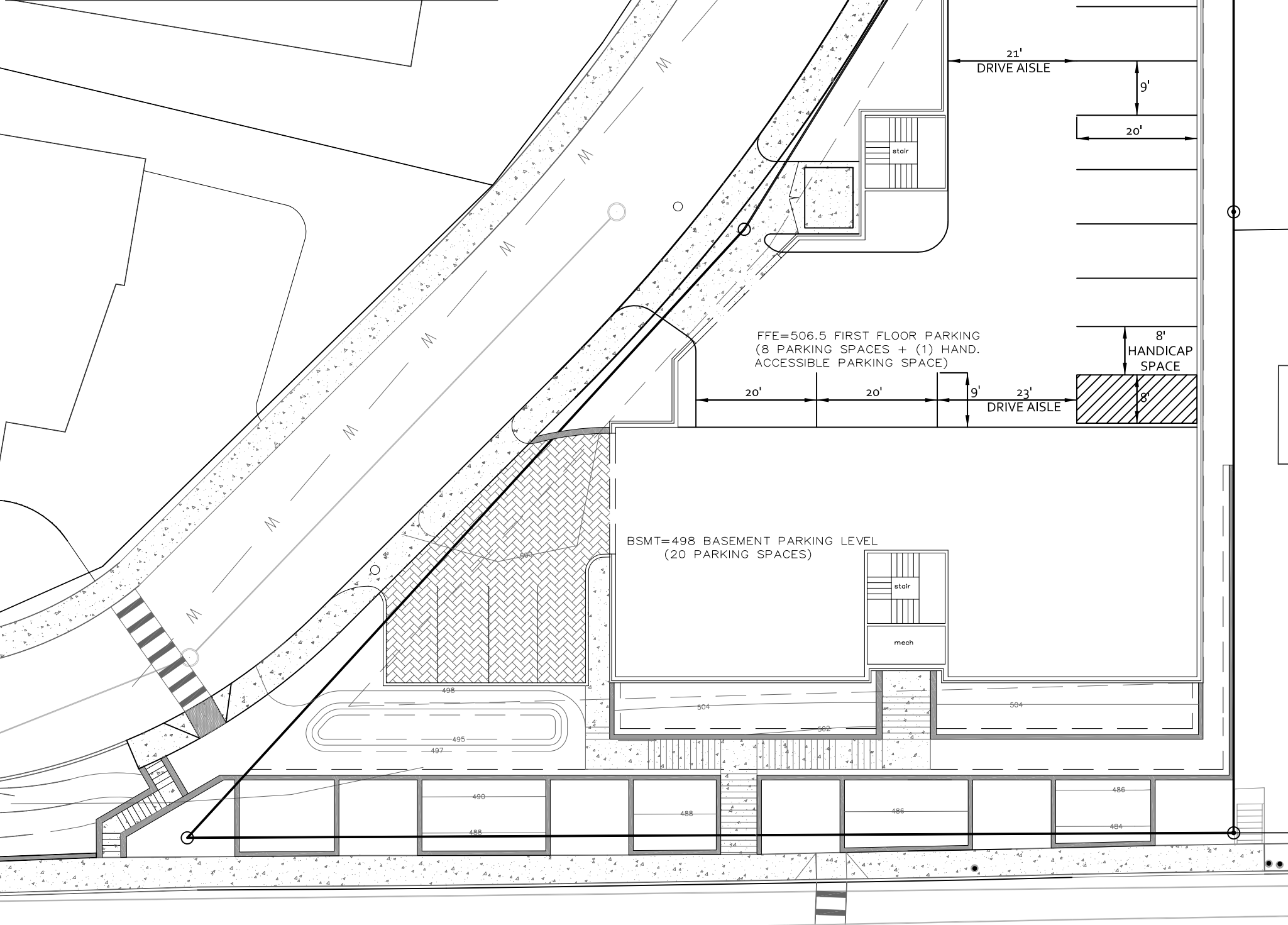
- GAS SERVICES
- GAS SERVICES WILL BE INSTALLED WHEN THE FOLLOWING CONDITIONS ARE MET:
1. GRADE IS WITHIN 6 INCHES BETWEEN THE GAS MAIN AND THE METER LOCATION.
  2. OUTSIDE OF BUILDING (SIDING, BRICK, VENEER, ETC.) IS TO BE FINISHED AROUND THE METER LOCATION.
  3. STREET ADDRESS, TOTAL GAS CONNECTED LOAD, AND CLOSING DATE (IF APPLICABLE) IS REPORTED TO THE GAS UNIT.
  4. A MINIMUM NOTICE OF \_\_\_\_\_ WEEKS AFTER FINAL GRADE IS ESTABLISHED.

- GAS METERS
1. GAS METERS CANNOT BE INSTALLED WITHIN 3 FEET FROM FRESH AIR INTAKES, ELECTRICAL EQUIPMENT (A/C COMPRESSORS), WINDOWS AND DOORS THE OPEN AND SOURCES OF IGNITION.
  2. DELIVERED GAS PRESSURE TO THE CUSTOMER WILL BE 7 INCHES OF WATER COLUMN. HIGHER DELIVERED PRESSURE (PSIG) IS RESTRICTED TO COMMERCIAL AND INDUSTRIAL APPLICATIONS AND MUST BE REQUESTED IN WRITING (WITH APPROPRIATE JUSTIFICATION) AND SUBJECT TO APPROVAL BY THE GAS ENGINEER OR DESIGNEE. LIMITATIONS TO PSIG SERVICE INCLUDE, BUT NOT LIMITED TO, EXTERNAL FUEL LINES (AS IN ROOFTOP UNITS) AND APPROPRIATE APPLIANCE REGULATORS WITH AN INTERNAL RELIEF VENTED TO THE ATMOSPHERE.

BASEMENT PARKING LAYOUT



SECOND LEVEL PARKING LAYOUT



REVISIONS

REVISION DESCRIPTION	INITIAL	SUBMITTAL

DATE	2/24/15
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200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

102045

SCALE 1"=30'

SHEET NO. 4

NOTES & DETAILS

