

#### CITY COUNCIL AGENDA Monday, October 2, 2017

5:00 p.m. Closed session as provided by Section 2.2-3712 of the Virginia Code

Second Floor Conference Room (annual performance evaluation of City Manager;

consultation with legal counsel regarding probable litigation)

7:00 p.m. Regular Meeting - CALL TO ORDER

Council Chambers

PLEDGE OF ALLEGIANCE

**ROLL CALL** 

AWARDS/RECOGNITIONS ANNOUNCEMENTS

School Yard Garden; Domestic Violence Awareness Month;

Imagine a Day Without Water; Energy Efficiency Day

CITY MANAGER RESPONSE TO MATTERS BY THE PUBLIC (Independent Review Update with Timothy Heaphy)

MATTERS BY THE PUBLIC

Public comment is provided for up to 15 speakers at the beginning of the meeting (limit 3 minutes per speaker.) Pre-registration is available for up to 10 spaces, and pre-registered speakers are announced

by noon the day of the meeting. The number of speakers is unlimited at the end of the meeting.

**1. CONSENT AGENDA**\* (Items removed from consent agenda will be considered at the end of the regular agenda.)

a. Minutes for September 18, 2017

b. APPROPRIATION: Risk Management Fund Line of Duty Act (LODA) Insurance Reimbursement – \$28,200

(2<sup>nd</sup> of 2 readings)

c. APPROPRIATION: Fiscal Year 2018 Fire Programs Aid to Locality Funding (Firefund) Appropriation – \$145,343

(2<sup>nd</sup> of 2 readings)

d. APPROPRIATION: Virginia Homelessness Solutions Grant (VHSP) – \$477,151 (2<sup>nd</sup> of 2 readings)

e. APPROPRIATION: State Of Good Repair (SGR) for bridge repairs –\$10,079,968.00 (1<sup>st</sup> of 2 readings) Virginia Juvenile Community Crime Control Act Grant – \$452,704 (1<sup>st</sup> of 2 readings)

g. APPROPRIATION: Virginia Department of Health Special Nutrition Child and Adult Care Food Program –

\$32,000 (1<sup>st</sup> of 2 readings)

h. RESOLUTION: Seminole Square Shopping Center – Critical Slopes Waiver (1<sup>st</sup> of 1 reading)

i. RESOLUTION: Pepsi Bottling Plant – Critical Slopes Waiver (1<sup>st</sup> of 1 reading)

j. RESOLUTION: Special Use Permit (SUP) for Automobile Sales at 1530 E. High Street (1<sup>st</sup> of 1 reading)

k. RESOLUTION: Washington Park / Madison Avenue bicycle connector path (1<sup>st</sup> of 1 reading) deferred to 10/16

2. **RESOLUTION\***: Honorary Street Naming – Heather Heyer Way (1<sup>st</sup> of 1 reading) – 15 mins

3. RESOLUTION\*: Meadow Creek Valley Trail Bridge Grant - \$375,000 (1st of 1 reading) - deferred to 10/16

4. RESOLUTION\*: 250 Bypass Commuter Path Grant - \$250,000 (1st of 1 reading) - deferred to 10/16

**5. ORDINANCE\*:** Solar Energy Systems Zoning Text Amendment (2<sup>nd</sup> of 2 readings) – 15 mins

**6. RESOLUTION\*:** Loan Extension for Dogwood Properties – \$850,000 (1<sup>st</sup> of 1 reading) – 20 mins

7. RESOLUTION\*: Implementation Plan for the Charlottesville Supplemental Rental Assistance Program

(CSRAP) -- \$900,000 - 20 mins

**8. REPORT ONLY:** RWSA Quarterly Update (no verbal presentation)

**OTHER BUSINESS** 

**MATTERS BY THE PUBLIC** 

#### **GUIDELINES FOR PUBLIC COMMENT**

# We welcome public comment; it is an important part of our meeting.

Time is reserved near the beginning and at the end of each regular City Council meeting for Matters by the Public.

#### Please follow these guidelines for public comment:

- If you are here to speak for a **Public Hearing**, please wait to speak
  on the matter until the report for that item has been presented and
  the Public Hearing has been opened.
- Each speaker has **3 minutes** to speak. Please give your name and address before beginning your remarks.
- Please do not interrupt speakers, whether or not you agree with them.
- Please refrain from using obscenities.
- If you cannot follow these guidelines, you will be escorted from City Council Chambers and not permitted to reenter.

### CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date:

September 18, 2017

Action Required:

Approve Appropriation

Presenter:

Chris Cullinan, Director of Finance

Staff Contacts:

Chris Cullinan, Director of Finance

Jessica Rice, Risk Management Specialist

Title:

Risk Management Fund Line of Duty Act (LODA)

**Insurance Reimbursement – \$28,200** 

<u>Background:</u> The City's insurer, Virginia Municipal League (VML), provided a check in the amount of \$28,200, as reimbursement for the City's FY 18 out-of-pocket payments to the Virginia Department of Human Resource Management for Line of Duty Act accepted claim benefits.

<u>Discussion:</u> The City has an insurance policy with Virginia Municipal League for coverage of LODA claims and associated benefits as outlined in the Code of Virginia. Currently, the City's insurance policy is providing coverage for benefits of one accepted claim. Prior to July 1, 2017, the claimant was obtaining medical coverage through the City's self-funded healthcare program, and VML issued payment directly to the City for that insurance coverage.

Beginning on July 1, 2017, a new law took effect which mandated all LODA benefit recipients to obtain medical insurance from the Commonwealth of Virginia. Additionally, Local Government agencies are now billed directly for the recipient's medical insurance. The City is issuing \$2,350 to the Virginia Department of Human Resource Management each month to pay for the claimant's medical insurance. VML has advanced payment for the annual total of the City's estimated payments to the Commonwealth.

#### **Community Engagement:** N/A

Alignment with City Council's Vision and Strategic Plan: Approval of this agenda item aligns directly with goal number 5 of the City's Strategic Plan, to be a well-managed responsive organization, and specifically pertains to 5.1 Integrate effective business practices and strong fiscal policies.

**<u>Budgetary Impact</u>**: Funds appropriated into Charlottesville's Risk Management operating budget will off-set the cost of mandated payments to Virginia Department of Human Resource Management, and will utilize an insurance policy for which the City pays premiums.

**Recommendation:** Approve appropriation.

<u>Alternatives</u>: City Council may choose not to appropriate \$28,200 to the Risk Management Fund which will result in an operating loss for the Fund.

**Attachments**: N/A

#### **APPROPRIATION**

## Risk Management Fund Line of Duty Act (LODA) Insurance Reimbursement \$28,200

**WHEREAS,** the City's insurer, Virginia Municipal League (VML), provided a check in the amount of \$28,200, as reimbursement for the City's FY 18 out-of-pocket payments to the Virginia Department of Human Resource Management for Line of Duty Act (LODA) accepted claim benefits.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that \$28,200 is hereby appropriated in the following manner:

#### **Revenues - \$28,200**

Fund: 711 Cost Center: 2061001000 G/L Account: 451110

#### Expenditures - \$28,200

Fund: 711 Cost Center: 2061001000 G/L Account: 530135



#### CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: September 18, 2017

Action Required: Appropriation

Presenter: Mike Rogers, Deputy Chief – Operations, Charlottesville Fire Dept.

Staff Contacts: Mike Rogers, Deputy Chief – Operations, Charlottesville Fire Dept.

Title: Fiscal Year 2018 Fire Programs Aid to Locality Funding (Firefund)

Appropriation - \$145,343

**Background:** The Code of Virginia provides for the collection of an annual levy each fiscal period from the insurance industry. Such levy is collected by the State Corporation Commission, and the amounts collected are then transferred into the Fire Program Fund (Firefund). These aid to locality monies are then distributed to the jurisdictions to supplement the localities funding for fire service based training, training supplies, training equipment, prevention activities, and some response equipment. This is an annual allotment of funding. All usage and any carryovers are reported out to the Department of Fire Programs at the end of the fiscal period before the next fiscal period monies are granted. The City of Charlottesville has been awarded \$145,343 in these funds for FY 2018.

**<u>Discussion</u>**: The Aid to Locality monies are distributed annually to aid departments in their training, prevention, and equipment efforts. While the monies cannot be used to directly/indirectly supplant or replace other locality funds, they help us to provide for additional firefighting training resources, logistics, courses, and equipment as outlined in the Department of Fire Programs Aid to Locality allowable uses chart.

Alignment with Council Vision Areas and Strategic Plan: The Aid to Locality/Firefund allocation supports the City's mission "We provide services that promote equity and an excellent quality of life in our community" by providing supplemental training and equipment funding for fire prevention, firefighting, hazardous materials, and technical rescue. With this additional funding being put towards these purposes we are better able to prepare our responders to deliver emergency services and/or information to the citizens, students, business community members, and guests of the City.

The assistance from this annual funding allotment also aligns with Goal 2.1, Reduce adverse impact from sudden injury and illness and the effects of chronic disease, as well as the elements within Goal 5 - A Well-managed and Responsive Organization.

#### **Community Engagement: N/A**

**<u>Budgetary Impact</u>**: There is no impact to the General Fund, as these are grant funds. The FY 2018 disbursement is slated to transfer to the City's grant fund in September.

**Recommendation:** Staff recommends approval and appropriation of grant funds.

<u>Alternatives</u>: If Aid to Locality funding is not appropriated, the Fire Department will not be able to utilize this supplemental funding to help support its training, prevention, and equipment efforts.

Attachments: N/A

#### **APPROPRIATION**

# Fiscal Year 2018 Fire Programs Aid to Locality Funding (Firefund) Appropriation - \$145,343

**WHEREAS,** the Virginia Department of Fire Programs has awarded a grant to the Fire Department, through the City of Charlottesville, specifically for fire service applications;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that a total of \$145,343.00 be appropriated in the following manner:

#### Revenues - \$145,343

\$145,343 Fund: 209 I/O: 1900010 G/L Account: 430110

**Expenditures - \$145,3432** 

\$145,343 Fund: 209 I/O: 1900010 G/L Account: 599999

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$145,343 from the Virginia Department of Fire Programs.



### CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: September 18, 2017

Action Required: Approval and Appropriation

Presenter: Kaki Dimock, Director, Human Services

Staff Contacts: Kaki Dimock, Director, Human Services

Leslie Beauregard, Assistant City Manager

Title: Virginia Homelessness Solutions Grant (VHSP) - \$477,151

#### **Background:**

The Department of Human Services in coordination with the Thomas Jefferson Area Coalition for the Homeless ("TJACH") and the Service Provider Council ("SPC"), applied for and received the Virginia Homelessness Solutions Grant ("VHSP") from the Virginia Department of Housing and Community Development ("DHCD") for \$477,151.

#### **Discussion:**

The City of Charlottesville has staff from Human Services, Social Services, and Neighborhood Development Services all taking a leadership role in the governance of TJACH. The VHSP Grant is an important resource in our community's efforts to end homelessness. The grant provides services in seven key areas.

- 1. **Rapid Rehousing:** The Haven is the sub-recipient of the VHSP funds for Rapid Re-Housing. Supportive Services will be provided to all recipients of financial subsidies for up to 24 months. A small portion of the rapid re-housing funds will be used to address the needs of women experiencing homelessness as a result of domestic violence. The remainder will be used to serve the most vulnerable households experiencing homelessness based on evidence-based decision-making tools. This category will also fund ¼ of a position for Housing Navigation to supplement the investment made by the local governments during the Agency Budget Review Team (ABRT) process.
- 2. **Prevention:** The Haven will provide prevention services and subsidies to individuals and families in order to avoid the need for emergency shelter stays. Rental subsidies and utility payments will be provided to those individuals and families determined eligible through the use of a validated, structured decision-making tool. Priority will be given to those households with a previous experience of literal homelessness. The Haven will use a service approach focused on providing the least amount of subsidy necessary to avoid literal homelessness and will make use of all available informal and mainstream resources in this effort. Ongoing eligibility for subsidies will be assessed every 90 days,

- at a minimum. Monthly case management will be provided to develop and implement a housing stability plan.
- 3. Shelter: PACEM is the recipient of VHSP funds for shelter. PACEM will continue to provide emergency, low barrier shelter beds during the winter months for the Charlottesville area. With ten years of experience as a DHCD grantee, PACEM offers the community 60 emergency beds (55 ongoing plus 5 thermal triage beds) between late October and early April when the risk of freezing is tangible for those on the streets. Annually, PACEM shelters between 200 and 225 adults. As a last resort, low barrier shelter, PACEM does not screen for substance use, mental health status, or criminal record, and provides shelter to registered sex offenders. The Families in Crisis program in the Albemarle County Public Schools is an additional recipient in this category. The program is meant to ensure the enrollment, attendance, and the success of homeless children and youth in school. In addition, emergency services, referrals for health services, transportation, school supplies, and costs related to obtaining school records may be provided.
- 4. Homeless Management Information System ("HMIS"): The City of Charlottesville as the award recipient will ensure that HMIS data is complete through an agreement with TJACH to have the Executive Director ensure data quality. Our Continuum of Care ("CoC") has a well-populated database for individuals experiencing homelessness. HMIS collaboration provides real-time monitoring of the needs and progress of individuals and households facing homelessness. Collaborative use of HMIS among TJACH CoC Service Providers expedites communication and reduces the need to interface disparate documentation systems.
- 5. Coordinated Assessment process: TJACH, with service delivery through The Haven, will establish and publicize a daily central intake process for individuals and families in need of prevention, outreach, or shelter services. These assessments will be based on the agreed-upon Coordinated Assessment Packet developed through the Community Case Review which includes required demographic data elements, a vulnerability assessment, and release of information forms. Based on information gathered through the coordinated assessment process, clients will be referred to prevention services, emergency shelter services, housing navigation services, rapid re-housing services or permanent supportive housing resources. TJACH has made a commitment to using best-practice approaches and validated, structured decision-making tools to determine which resources will be most effective for people experiencing homelessness. These tools include the Shinn/Greer brief screener for access to prevention services, the Vulnerablity Index for Service Provision and Decision-Making Assessment Tool (VI-SPDAT) for access to rapid re-housing services, and the Community Case Review for collaborative problem-solving when the correct resource is not evident or available.
- 6. Continuum of Care Planning: TJACH will act as the lead agency of homelessness, conducting an annual Point in Time homeless census and submitting an annual Housing Inventory Chart. TJACH will track progress made on the goals of the Community Plan to End Homelessness, revising this plan as directed by the TJACH Governance Board. TJACH will support the operation of the Community Case Review, identifying a convener and anchor agencies willing to work collaboratively on the development of housing stabilization plans for people who have been housed through rapid re-housing

services. TJACH will review sub-contractor invoices, collect documentation, establish monitoring protocols and submit monthly invoices to the City for activities conducted under the VHSP.

7. <u>Administration:</u> The City of Charlottesville as the award recipient is eligible for an administrative fee. Staff proposes that we pass these dollars through to TJACH to support the planning efforts of the Coalition.

#### **Community Engagement:**

This grant and plan are the product of extensive engagement of the service provider community for persons experiencing homelessness. This partnership is reflective of the new governance model for TJACH and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (IMPACT).

#### Alignment with City Council's Vision and Strategic Plan:

This grant advances the City of Charlottesville's Strategic Plan goal #1 of "An Inclusive Community of Self-sufficient Residents". Specifically, it will facilitate the objective of increasing affordable housing options. This item primarily aligns with Council's vision for Quality Housing Opportunities for All. Outcomes will demonstrate a coordinated assessment process, individuals and families linked to housing and other resources, and the length of time homelessness was experienced. This grant also fosters the ideals of Community of Mutual Respect and Economic Sustainability by providing services to vulnerable citizens and promoting self-sufficiency.

#### **Budgetary Impact:**

This grant will be entirely State, and Federal pass-through funds. No local match is required. There is no budget impact for the City of Charlottesville. All funds will be distributed to subrecipients for service provision.

#### **Recommendation:**

Staff recommends approval and appropriation of grant funds.

#### **Alternatives**:

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing homelessness: shelter, prevention funds, rapid rehousing, HMIS, and administration.

#### **Attachments:**

Appropriation; Sub Grant agreement and amendment

# APPROPRIATION Virginia Homelessness Solutions Grant \$477,151

**WHEREAS,** The City of Charlottesville, through the Department of Human Services, has received the Virginia Homelessness Solutions Grant from the Virginia Department of Housing and Community Development in the amount of \$477,151;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$477,151 is hereby appropriated in the following manner:

#### Revenues

\$405,225	Fund: 209	IO: 1900290 (VHPS)	G/L: 430110 State Grants
\$ 71,926	Fund: 209	IO: 1900290 (VHSP)	G/L: 430120 Federal Pass-Thru State

#### **Expenditures**

\$477,151 Fund: 209 IO: 1900290 (VHSP) G/L: 530550 Contracted Services

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon receipt of \$477,151 in funds from the Virginia Department of Housing and Community Development.

# GRANT AGREEMENT VIRGINIA HOMELESS SOLUTIONS PROGRAM Program Year 2017-2018

#### 18-VHSP-008

This Grant Agreement is made by and between the Virginia Department of Housing and Community Development ("DHCD"), and City of Charlottesville ("Grantee") for the period July 1, 2017 to June 30, 2018 in the amount of \$477,151. Included in the amount is \$405,225 in state general funds to be expended for shelter operations, prevention/diversion activities, rapid re-housing activities, centralized/coordinated entry, CoC planning, HMIS, and/or administration as indicated in the DHCD approved budget. Also included is \$71,926 in federal funds to be expended for rapid re-housing and/or administration expenses incurred September 1, 2017 — March 31, 2018. Rapid re-housing activities are to be divided according to the chart below.

Rapid Re-housing	Allocation
State Rapid Re-housing	\$120,222
Federal Rapid Re-housing	\$71,778

The Grantee was identified as part of the community's emergency response system to homelessness in the 2016-2018 Virginia Homeless Solutions Program (VHSP) application submitted by the lead agency (or designee) of the continuum of care (CoC) or balance of state local planning group (LPG). Activities funded through this grant will be provided at the Grantee location(s) identified in DHCD's Centralized Application Management System (CAMS).

DHCD administers the Commonwealth of Virginia's homeless services resources through the VHSP. The Grant, which is the subject of this Agreement, is comprised of state funds through State General Fund appropriations and an allocation from the United States Department of Housing and Urban Development (HUD) authorized under the Emergency Solutions Grant for federal fiscal year 2017; the federal grant number is E17DC510001 and the Catalog of Federal Domestic Assistance (CFDA) number is 14.231. The Grant is subject to the terms, guidelines and regulations set forth in the 2016-2018 Virginia Homeless Solutions Program Guidelines document, any subsequent amendments, the CoC/LPG proposal as amended through negotiations with DHCD, the DHCD approved Grantee budget, HUD regulations 24 CFR Part 576, as amended, which are incorporated by reference as part of this Agreement, the laws of the Commonwealth of Virginia and federal law.

#### I. Scope of Services

The VHSP goals are to assist households experiencing homelessness to quickly regain stability in permanent housing and to prevent households from becoming homeless. This funding will support coordinated community-based activities that are designed to reduce the overall length of homelessness in the community, the number of households becoming homeless, and the overall rate of formerly homeless households returning to homelessness.

VHSP funds may be used for one or more of the following activities as detailed in the VHSP guidelines and must coincide with the VHSP year one request submitted by the CoC/LPG lead agency and approved by DHCD:

- Shelter Operations
- Rapid Re-Housing
- Prevention/Diversion
- Centralized/Coordinated Assessment System
- CoC Planning
- HMIS
- Administration
- HOPWA Assistance (HOPWA activities will be covered by a separate grant agreement)

#### II. Conditions

#### A. Service Provision

The Grantee is responsible for coordination of VHSP activities with other CoC/LPG VHSP Grantees and mainstream resources. The Grantee must assure non-duplication of services with other VHSP Grantees.

#### B. Reimbursement

Funds are disbursed on a reimbursement basis. Grantees must submit remittances in DHCD's CAMS and be able to provide documentation that the work, services, or cost occurred within the grant period and the expenses were paid appropriately by the Grantee.

Grantees may elect to submit remittances on a monthly or bi-monthly basis. The option selected should be adhered to throughout the year. Supporting documentation must clearly indicate the period for which the reimbursement is requested.

#### C. Reporting

Grantees must submit the following reports:

#### **Quarterly Reports**

The Grantee must submit quarterly reports no later than the tenth day of the month following the end of the quarter as indicated below:

Report Period	Due Date
July 1, 2017- September 30, 2017	October 10, 2017
October 1, 2017 - December 31, 2017	January 10, 2018
January 1, 2018 - March 31, 2018	April 10, 2018

Grantees are required to submit reports for all three quarters regardless of when grant funds are fully expended. Submission of the quarterly reports implies approval from the executive director and is considered final. DHCD reserves the right to withhold reimbursement payments if the Grantee fails to submit the quarterly reports in accordance with the prescribed schedule.

#### Year End Report

The Grantee must submit a year end report no later than the fifth day of July, 2018.

#### D. Continuum of Care Participation

Grantees must actively participate in the Homeless Management Information System (HMIS) and regional continuum of care or balance of state local planning groups. In addition, Grantees must assure full participation in annual point-in-time and housing inventory counts.

#### E. Accounting

The Grantee must adhere to Generally Accepted Accounting Principles (GAAP). The Grantee shall establish and maintain separate accounts within its existing accounting system or set up accounts independently. The Grantee shall record in its accounting system all grant payments received pursuant to the grant and all other match funds provided for, accruing to, or otherwise received on account of the grant.

All costs charged to the grant shall be supported by properly executed payrolls, timesheets, contracts, or vouchers evidencing in proper detail the nature and propriety of the charges. All checks, payrolls, contracts, vouchers, or other accounting documents pertaining in whole or in part to the grant shall be clearly identified, readily accessible, and separate and distinct from all other such documents. Such documents shall reside at the offices of the grantee.

#### F. DHCD Notification

Grantee must notify DHCD of any potentially illegal act, such as misuse of grant funds or fair housing violations, immediately upon knowledge of such act. In addition, Grantee must notify DHCD should any other local, federal or state agency uncover evidence of any potentially illegal act. Grantee must notify DHCD if there is a change in agency management and/or fiscal personnel. Failure to do so will constitute a finding and may result in repayment of funds by the Grantee, the de-obligation of current funding and the preclusion of future funding.

#### G. Audit

All grantees, sub-grantees, CHDOs, and sub-recipients, localities, developers, or any other organizations that receive funding during a specific program year are required to submit one of the following financial documents: Financial Statement\*\*, Reviewed Financial Statement prepared by an independent Certified Public Accountant (CPA), Audited Financial Statement prepared by an independent CPA or an OMB A-133 Audit (Single Audit) prepared by an independent CPA. Please see the table below to determine which document your organization is required to submit.

The threshold requirements outlined below are the minimal standards required by DHCD. We strongly encourage all organizations receiving funds from DHCD to undertake the highest level of financial management review to ensure practices and procedures are fully examined and evaluated.

Threshold Requirement	Document	
Total annual	Financial Statement prepared by	
expenditures ≤\$100,000 –	organizations**	
regardless of source		
Total annual	Reviewed Financial Statement prepared by an	
expenditure between \$100,001	Independent Certified Public Accountant (CPA)	
and \$300,000 – regardless of		
source		
Total annual expenditures	Audited Financial Statement prepared by an	
> \$300,000 - regardless of	Independent CPA	
source		
Federal expenditures	OMB A-133 Audit (Single Audit) prepared by an	
≥\$750,000	Independent CPA	

<sup>\*\*</sup>Does not require preparation by a CPA

Entities shall file the required financial document in the Centralized Application and Management System (CAMS) within nine (9) months after the end of their fiscal year or 30 (thirty) days after it has been accepted (Reviewed Financial Statement, Audited Financial Statement, and OMB A-133 Audit only) -whichever comes first.

The full DHCD Audit Policy, including an explanation of the specific document requirements, can be found online at: http://www.dhcd.virginia.gov/images/DHCD/DHCD\_Audit\_Policy.pdf.

#### H. Compliance

Grantees with outstanding audit findings, IRS findings, DHCD monitoring findings or other compliance issues are not eligible to receive allocations. DHCD will work with all interested parties toward the resolution of unresolved matters, where appropriate.

#### I. Maintenance of Records

Records shall be readily accessible to DHCD, appropriate state and federal agencies, and the general public during the course of the grant agreement and shall remain intact and accessible for five years thereafter. The exception is in the event that any litigation claim or audit is started before expiration of the five year period, the records shall be retained until such action is resolved.

#### J. Costs Incurred Prior To Grant Agreement Execution

No costs incurred prior to the start of the contract period shall be eligible for reimbursement with grant funds, unless incurred costs are authorized in writing by DHCD.

#### K. Expenditure Review

DHCD will monitor expenditure rates to ensure state resources are maximized. Failure to expend funds proportionately throughout the contract period may result in the de-obligation of funds. DHCD reserves the right to de-obligate funds at any time during the contract period and reallocate as deemed appropriate within the CoC/LPG or statewide based on compliance, performance, need, and available funding.

#### L. Termination, Suspension, Conditions

If through any cause, the Grantee fails to comply with the terms, conditions or requirements of the contract documents, DHCD may terminate or suspend this Agreement by giving written notice of the same and specifying the effective date of termination or suspension at least five (5) days prior to such action.

In the case of contract violation by the Grantee, DHCD may request that all or some of the grant funds be returned, even if the Grantee has already expended the funds. The Grantee agrees to return such funds as requested by DHCD within 30 days of the written request.

#### M. Subsequent Contracts

The Grantee shall remain fully obligated under the provisions of the Grant Agreement notwithstanding its designation of any subsequent or third parties for the undertaking of all or part of the activities for which the Grant assistance is being provided to the Grantee.

The Grantee agrees to ensure that any contractor or subcontractor who is not the Grantee shall comply with all the lawful requirements of the Grantee necessary to ensure that the project for which this assistance is being provided under this Agreement are carried out in accordance with the Grantee's Assurances and Certifications.

#### N. Default

A default is any unapproved use of grant funds. Upon due notice to the Grantee of the occurrence of any such default and the provision of a reasonable opportunity to respond, DHCD may take one or more of the following actions: (1) direct the Grantee to submit progress schedules for completing approved activities:

- (2) issue a letter of warning advising the Grantee of the default, establishing a date by which corrective actions must be completed and putting the Grantee on notice that more serious actions will be taken if the default is not corrected or is repeated;
- (3) direct the Grantee to suspend, discontinue or not incur costs for the affected activity;
- (4) require the Grantee to reimburse DHCD for costs inappropriately charged to the program;
- (5) other appropriate action including, but not limited to, any remedial action legally available, such as affirmative litigation seeking declaratory judgment, specific performance, damages, temporary or permanent injunctions and any other available remedies.

No delay or omissions by DHCD in exercising any right or remedy available to it under the Agreement shall impair any such right to remedy or constitute a waiver or acquiescence in any Grantee default.

#### O. Conflict of Interest

Grantees shall ensure that the provision of any type or amount of assistance may not be conditional on an individual's or family's acceptance or occupancy of housing owned by the grantee, the sub-grantee, a parent organization, or subsidiary. Grantees/sub-grantees, parent organizations, or subsidiaries may not administer rapid re-housing or prevention assistance and use the assistance for households residing in units owned by the grantee/sub-grantee, parent organization, or subsidiary.

Individuals (employees, agents, consultants, officers, or elected or appointed officials of the grantee or sub-grantee) may not both participate in decision-making related to determining eligibility and receive any financial benefit. This financial benefit may not be received by the specific individual, any member of his/her immediate family or a business interest. The restriction applies throughout tenure in the position and for a one-year period following tenure.

#### P. Religious Influence

The Grantee shall perform activities and all financial and stabilization services in a manner that is free from religious influence.

#### III. Additional Assurances

- **A.** Grantee will give the DHCD, the Comptroller, HUD and any other authorized state or federal representatives access to and the right to examine all records, books, papers, or documents related to the Grant.
- B. In accordance with federal law, grantee will provide that no person shall be discriminated against on the basis of race, color, religion, sex, or national origin, in any phases of employment or in any phase of service delivery.

#### IV. Additional Certifications:

The Grantee certifies that it will comply with the following:

- (a) Freedom of Information Act (5 U.S.C 552) and Virginia Freedom of Information Act;
- (b) Virginia Fair Employment Contracting Act;
- (c) Fair Housing Act (42 U.S.C. 3601-20), and implementing measures under:
  - 24 CFR 100 (discriminatory conduct under Fair Housing Act);
  - Executive Order 11063 and regulations at 24 CFR 107 (preventing discrimination on basis of race, color, creed, or national origin);

- 24 CFR Part 8 (prohibiting discrimination against handicapped individuals):
- Title VIII of Civil Rights Act of 1968 as amended (prohibiting discrimination based on race, color, national origin, religion, sex, familial status [including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18], and disability)
- (e) Age Discrimination Act of 1975 (42 U.S.C. 6101-07) and implementing regulations at:
  - 24 CFR 146 (nondiscrimination on basis of age in HUD programs);
  - Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794);
- (f) 24 CFR 574.320 (Federal rent standards for rental assistance, requiring rents to be charged no greater than appropriate Fair Market Rent levels);
- (g) 24 CFR Part 35 (Federal lead-based paint provisions, requiring visual inspections and stabilization of paint before commencement of occupancy);
- (h) Adhere to Executive Orders 11625, 12432, and 12138, that Grantee must make efforts to encourage participation of minority and women-owned business enterprises in connection with funded activities;
  - Encourage participation of locally-owned enterprises in connection with funded activities;
- (i) McKinney-Vento Homeless Assistance Program Regulations;
- (j) Anti-lobbying Certification;
- (k) Drug Free Workplace.

#### If requested by DHCD:

- 1. A Grantee that is a unit of local government agrees to assume the status of a responsible Federal official under the National Environmental Policy Act (NEPA) of 1969 and other provisions of Federal law as specified at 24 CFR 58 and 58.5 and agrees to comply with these NEPA regulations.
- 2. All Grantees that are not units of local government agree to assist DHCD in carrying out 24 CFR 58 and 58.5.

The Agreement is hereby executed by the parties on the date set forth below their respective signatures as follows:

#### Virginia Department of Housing and Community Development

Pamela G Kestner Digitally signed by Pamela G Kestner Obter-Planela G Kestner Obter-Planela G Kestner Obter-Planela G Kestner, on Department of Housing and Community Development, on-Planela G Kestner, on Department of Housing and Community Development, on-Planela G Kestner, Observation of Planela G Kestner, Deputy Director
July 1, 2017 Date
<u>City of Charlottesville</u>
Signature
Michael C. Murphy Name (printed or typed)
Assistant City Manager Title
7/24/17

Date

# CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



**Agenda Date**: October 2, 2017

**Action Required**: Approve Appropriation of Funds

**Presenter:** Marty Silman, City Engineer

**Staff Contacts:** Marty Silman, City Engineer

Tony Edwards, Neighborhood Development Services Manager

**Title:** State Of Good Repair (SGR) for bridge repairs –

Appropriation of \$10,079,968.00

**Background:** The Code of Virginia authorizes the Commonwealth Transportation Board to use funds allocated to state of good repair purposes for reconstruction of structurally deficient locally owned bridges. The Commonwealth Transportation Board (CTB) approved the prioritization process and methodology for selecting SGR Bridge projects at their June 14, 2016 meeting. The State of Good Repair Program was planned to begin in FY2021. However, based on a more positive revenue outlook, VDOT began using funding through the State of Good Repair Program beginning this year (starting in FY2017).

The City submitted applications for each of our structurally deficient bridges and was fortunate to receive 100% funding for 4 of our structurally deficient bridges.

<u>Discussion</u>: Staff is requesting that \$10,079,968.00 be appropriated to new project accounts for each of the 4 bridges that were awarded funding. *The appropriation is needed to allocate the state funding that will be received on a reimbursement basis.* 

The breakdown for the projects that were awarded the SGR funding is as follows:

- Route 250 Bypass over Route 29 Business \$3,847,554
- Route 250 Bypass over Rugby Ave \$2,488,292
- Route 250 Bypass over Norfolk Southern Railroad \$1,303,496
- Melbourne Road over Norfolk Southern Railroad \$2,440,626

Repairs are bridge specific, but range from minor work to address erosion around bridge abutments to full bridge deck replacement. In general, repairs consist of various items such as bearings, anchor bolts, beams, painting, railing, concrete, etc.

Each of the bridges awarded for funding are classified as structurally deficient for one or more items (deck, superstructure or substructure). It should be noted that while these bridges may be classified

as structurally deficient they are adequate to support the required loads of today's vehicles. Structurally deficient is classified as a score of 0-4 out of 10. None of the bridges have a rating below 4. Following the improvements, each bridge should be off the structurally deficient list with a minimum rating of 5 or greater.

<u>Community Engagement</u>: Because this funding is specific to repair of existing bridge structures, no community engagement is anticipated. However, we will issue notices and project updates to keep users and the surrounding residents apprised of the project status and traffic impacts.

<u>Alignment with City Council's Vision and Priority Areas</u>: Approval of this agenda item will help meet the City's commitment to create "a connected community" by improving our existing transportation infrastructure.

**Budgetary Impact:** There is no match requirement as the grant applications awarded are based on 100% funding. Acceptance of this funding will allow existing bridge repair funding to be used on other structures.

**<u>Recommendation</u>**: Staff recommends approval of appropriation and creation of a new project number/account for each bridge.

**Alternatives:** N/A

**<u>Attachment</u>**: Appropriation

## APPROPRIATION State of Good Repair Program - \$10,079,968.00

**WHEREAS,** a total of \$10,079,968.00 in state funds for the State of Good Repair Program requires appropriation;

**WHEREAS,** a total of \$0.00 in matching city funds are for the State of Good Repair requires transferring;

**WHEREAS**, the total appropriation will be allocated to the following projects (and associated project numbers listed below):

- Route 250 Bypass over Route 29 Business \$3,847,554
- Route 250 Bypass over Rugby Ave **\$2,488,292**

Revenues

- Route 250 Bypass over Norfolk Southern Railroad \$1,303,496
- Melbourne Road over Norfolk Southern Railroad \$2,440,626

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby appropriated in the following manner:

Kevenues			
\$ 3,847,554	Fund: 426	WBS: P-00953	G/L Account: 599999
\$ 2,488,292	Fund: 426	WBS: P-00954	G/L Account: 599999
\$ 1,303,496	Fund: 426	WBS: P-00955	G/L Account: 599999
\$ 2,440,626	Fund: 426	WBS: P-00956	G/L Account: 599999
Expenditure	<u>s</u>		
\$ 3,847,554	Fund: 426	WBS: P-00953	G/L Account: 430110
\$ 2,488,292	Fund: 426	WBS: P-00954	G/L Account: 430110
\$ 1,303,496	Fund: 426	WBS: P-00955	G/L Account: 430110
\$ 2,440,626	Fund: 426	WBS: P-00956	G/L Account: 430110



## CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: October 2, 2017

Action Required: Appropriation

Presenter: Rory Carpenter, Human Services Department

Staff Contacts: Rory Carpenter, Human Services Department

Kaki Dimock, Human Services Department

Title: Virginia Juvenile Community Crime Control Act Grant (VJCCCA) -

\$452,704

#### **Background:**

In July 2010, the City of Charlottesville became the fiscal agent for the Virginia Juvenile Community Crime Control Act (VJCCA) funds for both Charlottesville and Albemarle County. This funding stream was established by the 1995 Virginia General Assembly to create balanced, community-based systems of sanctions, programs and services for juvenile offenders. These funds are used to support the Community Attention programs. In Fiscal Year 2018, \$292,058 in VJCCCA funds will be received from the Virginia Department of Juvenile Justice with a required local maintenance of effort of \$52,231 from Albemarle County, and \$108,415 from the City. The grant period is from July 1, 2017 through June 30, 2018.

#### **Discussion:**

The VJCCCA grant funds the delinquency prevention and youth development services provided by Community Attention for Charlottesville/Albemarle youth involved in the juvenile justice system. These services include the following programs: the Teens GIVE service learning program that provides community service opportunities during both the school year and the summer; the Community Supervision Program that provides pro-social skills training like anger management, individual and group counseling services and case management services for youth on electronic monitoring; the Community Attention Youth Internship Program (CAYIP) paid internship program; and the Juvenile Court Case Manager position providing supervision and case management services for youth identified by the court as truant.

#### Alignment with City Council's Vision and Strategic Plan:

The VJCCCA grant aligns with the City of Charlottesville's Strategic Plan - Goal 2: A Healthy and Safe City Objective 2.3: Improve community health and safety outcomes by connecting residents with effective resources.

Community Attention's VJCCCA funded programs provide community based services that prevent delinquency and promote the healthy development of youth. Expected outcomes include decreased delinquent behavior during and after program participation.

#### **Community Engagement:**

The VJCCCA funded programs engage youth involved in the juvenile justice system and their families by providing delinquency prevention and youth development programs. The programs also engage and coordinate with other local agencies and organizations in the provision of services to the youth.

#### **Budgetary Impact:**

There is no impact on the General Fund. The funds will be expensed and reimbursed to the VJCCCA Fund. The required City contribution has already been appropriated as part of the Fiscal Year 2018 Council Adopted Budget so no new funds are required to cover the match.

#### **Recommendation:**

Staff recommends approval and appropriation of funds.

#### **Alternatives**:

If the VJCCCA funds are not appropriated, Community Attention would have to serve fewer youth and eliminate programs and staff.

#### **Attachments**:

Appropriation

# APPROPRIATION Virginia Juvenile Community Crime Control Act Grant (VJCCCA) \$452,704

**WHEREAS**, the City of Charlottesville has been awarded \$292,058 from the Virginia Department of Juvenile Justice; and

**WHEREAS**, this grant requires local maintenance of effort funds in the amount of \$52,231 from Albemarle County and \$108,415 from the City; and

WHEREAS, the grant award covers the period from July 1, 2017 through June 30, 2018.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of \$452,704 is hereby appropriated in the following manner:

#### Revenue – \$452,704

\$292,058	Fund: 220	Cost Center:	3523001000	G/L Account: 430080
\$52,231	Fund: 220	Cost Center:	3523001000	G/L Account: 432030
\$108,415	Fund: 220	Cost Center:	3523001000	G/L Account: 498010

#### **Expenditures - \$452,704**

\$ 52,832	Fund: 220	Cost Center:	3523001000	G/L Account: 519999
\$399,872	Fund: 220	Cost Center:	3523001000	G/L Account: 530010

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$292,058 from Virginia Department of Juvenile Justice, and \$52,231 from Albemarle County.





#### CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA

Agenda Date: October 2, 2017

Action Required: Approval and Appropriation

Presenter: Riaan Anthony, Park and Recreation Management Specialist

Staff Contacts: Riaan Anthony, Park and Recreation Management Specialist

Vic Garber, Manager, Recreation Division

Title: Virginia Department of Health Special Nutrition Program

Child and Adult Care Food Program - \$32,000

#### **Background:**

The City of Charlottesville, through Parks and Recreation, has received approval for a reimbursement of up to \$32,000 from the Virginia Department of Health-Special Nutrition Program to provide free dinner to children 18 and under attending our drop-in afterschool programs through their Child and Adult Care Food Program.

#### **Discussion:**

Charlottesville Parks and Recreation will operate an afterschool meals program for 36 weeks, during the course of the regular school year. There are currently 4 locations, Friendship Court, Greenstone on 5<sup>th</sup>, South First Street and Westhaven Community Centers that serve children 18 years and under. The reimbursement will cover the costs of a nutritious dinner at these locations, which also have an educational/enrichment component Most of the children served receive free or reduced meals during the school year. Over 300 children will be served each week during the months of September toMay.

The dinners are purchased through the City of Charlottesville School Food Service. The Parks and Recreation Department pays the bills to the City of Charlottesville Food Service and is then reimbursed by the Virginia Department of Health Special Nutrition Programs.

#### **Community Engagement:**

N/A

#### Alignment with City Council's Vision and Strategic Plan:

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be America's Healthiest City and it contributes to Goal 2 of the Strategic Plan - Healthy and Safe City. Children will receive a nutritious dinner, hopefully replacing a meal that did not exist or providing a healthier balanced option for them.

#### **Budgetary Impact:**

The funds will be expensed and reimbursed to a Grants Fund.

#### **Recommendation:**

Staff recommends approval and appropriation of funds

#### **Alternatives**:

If money is not appropriated, the free dinner program will not be offered to youth, most of whom receive free or reduced meals during the school year.

#### APPROPRIATION

# Virginia Department of Health Special Nutrition Program Child and Adult Care Food Program \$32,000

WHEREAS, the City of Charlottesville, through Parks and Recreation, has received approval for reimbursement up to \$32,000 from the Virginia Department of Health Special Nutrition Program to provide free dinner to children attending select drop-in afterschool centers; and

**WHEREAS,** the grant award covers the period from period October 1, 2017 through September 30, 2018;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$32,000, received from the Virginia Department of Health Special Nutrition Program is hereby appropriated in the following manner:

#### <u>Revenue – \$ 32,000</u>

Fund: 209 Internal Order: 1900292 G/L Account: 430120

#### Expenditures - \$32,000

Fund: 209 Internal Order: 1900292 G/L Account: 530670

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$32,000 from the Virginia Department of Health Special Nutrition Program.



#### CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: October 2, 2017

Action Required: Consideration of a Critical Slope Waiver

Presenter: Heather Newmyer, City Planner, Neighborhood Development Services

Staff Contacts: Heather Newmyer, City Planner, Neighborhood Development Services

Title: Seminole Square Shopping Center Critical Slope Waiver

#### **Background:**

On August 15, 2017, Scott Collins, on behalf of Great Eastern Management, is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for the construction of two, segmented retaining walls, totaling 1180' in length, along the northern portion of the Seminole Square Shopping Center property, containing existing slopes greater than or equal to 25%. The applicant states the reason for the critical slope waiver request is to accommodate redevelopment of the Seminole Square Shopping Center. The applicant states Seminole Square is proposing to modify and redevelop other portions of the property with landscaping improvements, future building sites to help create a more attractive shopping center along Hillsdale Drive; and, as a result of the improvements in conjunction with Hillsdale Drive, parking is being proposed in the North Wing to accommodate parking spaces that are lost due to proposed improvements/construction of Hillsdale Drive. The site plan proposes 88 new parking spaces and supporting retaining walls located to the North and directly behind existing buildings at Seminole Square should the critical slope waiver be approved (14 new spaces located behind the existing Plaza Azteca on Tax Map 41C Parcel 3.3 and 74 new spaces and retaining walls located behind the series of retail buildings on the north side of Seminole Square on Tax Map 41C Parcel 3.1).

Existing critical slopes areas located on this Property include 1.56 acres/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).

<u>Note:</u> This application has been through several submittals starting in January 26, 2013. For a more detailed history of the application process, please see the Memo provided on the first page of Attachment 2 – Planning Commission Staff Report dated August 28, 2017.

Since the January 26, 2013 submission, the applicant has provided in an on-going process:

- The engineering analysis required by the City to show how the proposed retaining walls would impact the existing stormwater management facility. The City Engineering Department has determined the proposed modification (addition of retaining walls) to the existing stormwater management facility would not adversely impact the facility.
- A Concept Plan (Titled "Concept Plan Exhibit Series" included in Attachment 2) showing a series of future improvements (landscaping islands, future building pad site, improved pedestrian connections)
- A Trailway Exhibit (Titled "Proposed Seminole Square and Pepsi Trailway Exhibit" included in Attachment 2) showing (i) the addition of an eight (8) foot multi-purpose travel way (constructed to the City of Charlottesville design standards) and variable width greenway (13' 25' in width) between the proposed parking areas and the retaining wall system, (ii) An access and construction easement to the City of Charlottesville in order for Parks and Recreation to construct a connection from Meadow Creek to the Shopping Center.

(This addition to the application was most recent in efforts to eliminate Planning Commission's concern that this proposal would encroach on an existing green amenity that is in close proximity to the restored Meadow Creek where there might be a missed opportunity for connectivity.)

#### **Discussion:**

Per Sec. 34-1120(b)(6)(3), <u>City Council</u> (in granting a modification or waiver) 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: large stand of trees, rock outcroppings and slopes greater than 60%. The Subject Property's critical slope

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

- Large stands of trees: The critical slopes are heavily vegetated where approximately 90% of the area contains vegetation. The proposal indicates that approximately 0.77 acres (33,500 SF) of the critical slope area's vegetation would be disturbed and 0.63 acres (27,500 SF) of the critical slope area's vegetation preserved.

  Note: The Landscape Plan proposes 12,488 SF or 0.29 acres of new plantings, including a series of evergreen shrubs to screen retaining walls. The proposed cover meets and exceeds the 10% cover requirement per Sec. 34-869 which equates to 9670 SF cover required for the project area.
- Rock outcroppings: None.
- Slopes greater than 60%: None.

<u>City Council</u> 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.

\*Please see the staff report (Attachment 2) for a more detailed analysis on the above mentioned

\*Please see the staff report (Attachment 2) for a more detailed analysis on the above mentioned features and also includes the Critical Slope Ordinance for reference.

The <u>Planning Commission</u> considered the most recent version of this application dated August 15, 2017 at their regular meeting on September 12, 2017.

Planning Commission reviews the critical slope waiver based off of Finding 1, noted in Code Sec. 34-1120(b)(6)(d.i) as, "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 Finding 2 noted in Code Sec. 34-1120(b)(6)(d.ii) as, "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."

<u>Staff</u> noted the following in their staff analysis regarding the critical slope waiver request:

- The overall site has an excess of parking with what the City parking regulations require (proposed parking that takes into account Hillsdale Drive and future improvements shown in Concept Plan 1,027 spaces or 179 spaces over City requirements). While staff recognizes the excess in the number of parking spaces as a result of this project may serve a future need as the development of this site improves and changes over time, staff reserves the concern that this site has an excess of parking.
- The series of improvements (landscape improvements, future building site and pedestrian connection improvements) shown in the Concept Exhibit Series will provide a public benefit by reducing impervious area, increase connectivity and improve the overall aesthetics with increased tree cover/large trees lining the improved building fronts. Staff's only concern is that the improvements shown in the Concept Plan are not tied directly to the current site plan amendment currently under review in association with this critical slope waiver request. The current site plan amendment is limited to the parking additions to the North Wing, the retaining walls and proposed multiuse trail/greenway/variable easement. Staff has included in the proposed resolution a condition that any future site plan amendment specific to this site must comply with the improvements shown in the Concept Plan series provided in this application.
- The proposed trail, greenway and variable easement shown in the Proposed Seminole Square and Pepsi Trailway Exhibit provides a public benefit by creating increased connectivity to Route 29 and a future connection from Meadow Creek to the shopping center.

In light of the listed concerns above, staff recommended that should the Planning Commission choose to recommend approval, they do so based on <u>Finding 1</u> with the following seven (7) conditions:

- (1) The existing stormwater easement that was created in 1985 be vacated, as there is no apparent reason that the City should be maintaining any part of this private facility. Vacation of the existing easement could also serve as a public benefit by taking the maintenance burden of a private facility off of the public tax dollar.
- (2) A detailed survey by a licensed professional should be provided following construction to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- (3) The improvements depicted in the Concept Plan Exhibit Series dated 'received January 13, 2017' (Seminole Square Shopping Center Base Exhibit, Parking Calculation, Impervious Calculation) attached to this critical slope waiver request shall be incorporated in the site plan amendment submitted for future redevelopment of the site and further reflect staff's recommended modifications prior to site plan approval:
  - a. Eliminate the proposed pedestrian crossing along Hillsdale given its proximity to the signalized intersection

- b. Ensure proposed pedestrian areas meet ADA standards (including curb ramps, minimum width and cross-slope)
- c. Ensure proposed bicycle racks are located close to building entrance, visible from the multi-use trail, and the number of racks meet the standards outlined in Sec. 34-881.
- (4) Construction begins after the Hillsdale Road extension project is complete.
- (5) Proposed 8' trail: is asphalt, includes a buffer no less than three (3) feet from parking lot and the proposed fence's type and height is determined with Parks and Recreation Department prior to site plan approval.
- (6) The 10' easement proposed to encompass the 8' trail is strictly for maintenance of the trail itself and not the retaining wall. The easement documentation shall be worked out with City Parks, NDS and City Attorney's staff prior to site plan approval.
- (7) The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining walls located on the Seminole Square site require adjustment due to development activities on either the Seminole Square property or the Pepsi property.

The <u>Planning Commission</u> discussed the following in regards to this application at their September 12, 2017 meeting:

- If the improvements proposed (e.g. trail and greenway) equate to a public benefit at the expense of encroaching on stormwater facility
- If the stormwater facility, having slopes that are "man-made," is a feature that, if preserved, would outweigh the property owner's proposal to disturb the critical slopes in order to adapt to Hillsdale Drive and make the desired improvements to the shopping center

#### **Citizen Engagement:**

There was no public input regarding this application.

#### Alignment with City Council's Vision and Priority Areas:

The proposed pedestrian improvements and proposed multiuse trail/greenway/variable easement align with the City Council Vision of **A Connected Community** and **Strategic Plan, Goal 3.3**, "provide a variety of transportation and mobility options."

Allowing for the shopping center to expand and re-allocate space for future building and aesthetic improvements aligns with the City Council **Strategic Plan, Goal 4.3,** "*Grow and retain viable businesses.*"

#### **Budgetary Impact:**

N/A

#### **Recommendation:**

The Planning Commission considered this matter at their September 12, 2017 meeting.

The Commission took the following action:

Mr. Santoski moved to recommend approval of the critical slope waiver with conditions for Tax Map 41C, Parcel 3.1 (Seminole Square Shopping Center), based on a finding that 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 per City Code 34-1120(b)(6)(d.ii).

Planning Commission recommended the following conditions as being necessary to mitigate the potential adverse impacts of approving the waiver in the location requested:

- 1. The existing stormwater easement that was created in 1985 be vacated, as there is no apparent reason that the City should be maintaining any part of this private facility. Vacation of the existing easement could also serve as a public benefit by taking the maintenance burden of a private facility off of the public tax dollar.
- 2. A detailed survey by a licensed professional should be provided following construction to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- 3. The improvements depicted in the Concept Plan Exhibit Series dated 'received January 13, 2017' (Seminole Square Shopping Center Base Exhibit, Parking Calculation, Impervious Calculation) attached to this critical slope waiver request shall be incorporated in the site plan amendment submitted for future redevelopment of the site and further reflect staff's recommended modifications prior to site plan approval:
  - a. Eliminate the proposed pedestrian crossing along Hillsdale given its proximity to the signalized intersection
  - b. Ensure proposed pedestrian areas meet ADA standards (including curb ramps, minimum width and cross-slope)
  - c. Ensure proposed bicycle racks are located close to building entrance, visible from the multi-use trail, and the number of racks meet the standards outlined in Sec. 34-881.
- 4. Construction begins after the Hillsdale Road extension project is complete.
- 5. Proposed 8' trail: is asphalt, includes a buffer no less than three (3) feet from parking lot and the proposed fence's type and height is determined with Parks and Recreation Department prior to site plan approval.
- 6. The 10' easement proposed to encompass the 8' trail is strictly for maintenance of the trail itself and not the retaining wall. The easement documentation shall be worked out with City Parks, NDS and City Attorney's staff prior to site plan approval.
- 7. The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining walls located on the Seminole Square site require adjustment due to development activities on either the Seminole Square property or the Pepsi property.

Ms. Dowell seconded the motion. The Commission voted 4-2 (Green-Lahendro) to recommend approval of the critical slope waiver.

#### **Alternatives**:

City Council has several alternatives:

- (1) by motion, take action to approve the attached resolution (granting a waiver of critical slope provisions as recommended by the Planning Commission);
- (2) by motion, request changes to the attached Resolution, and then approve a waiver of critical slope provisions
- (3) by motion, defer action on the waiver of critical slope provisions
- (4) by motion, deny the requested waiver of critical slope provisions.

### **Attachment**:

- (1) Proposed Resolution approving a Critical Slope Waiver
- (2) Planning Commission Staff Report dated August 28, 2017 with Application Materials attached

#### RESOLUTION APPROVING A REQUEST FOR WAIVER OF CRITICAL SLOPES PROVISIONS PURSUANT TO CITY CODE SECTION 34-1120(B)(6) FOR SEMINOLE SQUARE SHOPPING CENTER

**WHEREAS**, Towers Limited Partnership, owner of property designated on City Tax Map 41C, Parcel 3.1, consisting of approximately 18.81 acres of land, and known as Seminole Square Shopping Center (the "Property"), seeks a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6) in connection with the construction of two (2) segmented retaining walls, totaling 1,180' in length, along the northern portion of the Property (the "Project"); and

**WHEREAS**, the Planning Commission considered this request at their regular meeting on September 12, 2017, and recommended approval of the request, with conditions, to waive the critical slopes requirements, pursuant to City Code Sec. 34-1120(b)(6); and

**WHEREAS**, upon consideration of the information and materials provided by the applicant, and the recommendation of the Planning Commission, the City Council finds and determines pursuant to City Code Sec. 34-1120(b)(6)(d)(ii) that due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of the Project, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the request by Towers Limited Partnership for a waiver of the critical slopes requirements for the above-described Project on the Property, is hereby granted, conditioned upon the following:

- 1. The Applicant shall petition City Council to vacate the existing 1985 stormwater easement, in order to transfer the burden of maintenance of the stormwater facility from the City to the owner of the Property.
- 2. A detailed survey by a licensed professional should be provided following construction of the retaining wall to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- 3. The improvements depicted in the Concept Plan Exhibit Series attached to the critical slopes waiver request shall be incorporated in any site plan amendment for future redevelopment of the Property, including the following modifications recommended by staff:
  - a. Elimination of the proposed pedestrian crossing along Hillsdale Drive given its proximity to the signalized intersection;
  - b. Proposed pedestrian areas shall meet ADA standards (including curb ramps, minimum width and cross-slope); and

- c. Proposed bicycle racks shall be located close to the building entrance, visible from the multi-use trail, and the number of bicycle racks shall meet the standards outlined in City Code Sec. 34-881 (in effect on the date of this SUP approval).
- 4. Construction shall not begin until after the Hillsdale Road extension project is complete.
- 5. The proposed 8' wide greenbelt trail shall be asphalt, and include a buffer no less than three (3) feet from the parking lot, and the proposed type and height of the fence will be determined by Parks & Recreation staff prior to site plan approval.
- 6. Proposed 10' wide easement encompassing the 8' wide greenbelt trail shall be for maintenance of the trail itself and not for any improvements placed within the easement by the Property Owner (i.e. the retaining wall), which shall be maintained by the Property owner. A deed of easement from the Property owner to the City, in form approved by the City Attorney, for the greenbelt trail shall be signed prior to site plan approval.
- 7. The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining wall located on the Seminole Square site require adjustment due to the development activities on either the adjoining Pepsi property or the Seminole Square property.

## City of Charlottesville

Department of Neighborhood Development Services Memorandum



To: City of Charlottesville Planning Commission

From: Heather Newmyer, AICP Date of Memo: August 28, 2017

RE: Seminole Square Critical Slope Waiver Request Updated August 2017

#### **Background**

On **January 26, 2013**, Scott Collins, on behalf of Towers Limited Partnership, requested a waiver from Section 34-1120(b) of the City Code, relating to the construction of two, segmented retaining walls, totaling 1180' in length, along the northern portion of the Seminole Square Shopping Center property, containing existing slopes greater than or equal to 25%. The critical slope waiver request went before the Planning Commission on June 11, 2013 where the Planning Commission deferred the application due to there being a lack of information which included the need for an engineering analysis showing the proposed retaining wall would not decrease the capacity of the existing stormwater management facility (basin).

On March 30, 2016, Scott Collins, on behalf of Great Eastern Management, resubmitted the critical slope waiver request described above with the addition of an engineering analysis (Attachment 5) in efforts to show how the proposed retaining walls would affect the existing basin using current conditions. A site plan amendment proposing additional parking for the shopping center was resubmitted at the same time as the critical slope waiver request and is currently under review by staff, having gone through several rounds of staff comments. Engineering staff has worked with the applicant through the review of the site plan amendment and critical slope waiver request to acquire the engineering analysis needed for staff to make a recommendation. In addition, staff met with the applicant November 17, 2016 to discuss the critical slope waiver request and its relation to the overall future development plan for Seminole Square Shopping Center.

On March 14, 2017, the March 2016 application went before the Planning Commission. The engineering analysis provided by the applicant indicated the proposed modification (addition of retaining walls) to the existing stormwater management facility would not adversely impact the facility; this was a major concern in the review of the January 2013 request. One of staff's concerns was the project area already being "over parked" per City standards without the proposed additional parking of this request. The applicant noted that although the overall site has surplus parking, the parking relative to the North Wing and the building's square footages is not enough and that part of the plan is to add additional buildings in the future that will take away parking in the area that fronts Hillsdale. While staff noted the Concept Plan submitted with the waiver request depicted reduced impervious area, provided increased connectivity and increased tree cover lining the building fronts, staff also noted the concern that the

Concept Plan was not tied directly to the current site plan in review for the retaining walls/additional parking and that there was no set date for when a site plan amendment showing the Concept Plan improvements would be submitted for review and constructed. The Planning Commission voiced their concern that this proposal would encroach on an existing green amenity that is in close proximity to the restored Meadow Creek and there was a missed opportunity for connectivity. The Planning Commission recommended denial of the critical slope waiver for Tax Map 41C, Parcel 3.1, Seminole Square Shopping Center with a vote 4-2 (Santoski-Keesecker).

Following the Planning Commission's recommendation, the applicant withdrew their current application prior to it moving on to City Council. On August 15, 2017, Scott Collins, on behalf of Great Eastern Management, submitted an *updated* critical slope waiver request in efforts to respond to Planning Commissions concerns voiced in March 2017. The updated critical slope waiver request includes the same information presented in the March 2017 application, except: (i) a modified Critical Slope Waiver Request Supplement and (ii) the addition of an eight (8) foot multi-purpose travel way (constructed to the City of Charlottesville design standards) and variable width greenway (13' – 25' in width) between the proposed parking areas and the retaining wall system (See Attachment 3 – Proposed Seminole Square & Pepsi Trailway Exhibit).

The staff report (Attachment 1) providing analysis on this request is significantly the same as the staff report provided at the March 14, 2017 Planning Commission meeting. Additional analysis provided regarding the modified critical slope waiver request supplement and the proposed trail, greenway and public easement will be reflected in the text in the color **blue** for ease of finding new analysis based off of the updated information given by the applicant. In addition, the suggested motions are included at the end of the staff report for Planning Commission to follow.

#### **Attachments**

- 1) Staff Report, August 29, 2017
- 2) Critical Slopes Waiver Request Supplement, August 15, 2017
- 3) Proposed Seminole Square & Pepsi Trailway Exhibit
- 4) Concept Plan Exhibit Series Seminole Square Shopping Center Base Exhibit, Parking Calculation, Impervious Calculation, dated 'received January 13, 2017'
- 5) Seminole Basin Routing Report by Townes Site Engineering
- 6) Critical Slopes Ordinance
- 7) Engineering Department Review
- 8) Seminole Square Expansion Site Plan, January 16, 2017





## REQUEST FOR A WAIVER: CRITICAL SLOPES

PLANNING COMMISSION REGULAR MEETING
DATE OF PLANNING COMMISSION MEETING: September 12, 2017

Project Planner: Heather Newmyer, AICP Date of Staff Report: August 29, 2017

**Applicant:** David Mitchell, Great Eastern Management **Applicant's Representative:** Scott Collins, Collins Engineering

**Current Property Owner:** Towers Limited Partnership

#### **Application Information**

Property Street Address: 129, 151, 159, 167, 123, 175, & 185 Seminole Court

Tax Map/Parcel #: Tax Map 41C, Parcel 3.1

**Total Square Footage/Acreage Site:** 819,364 SF (18.81 acres) **Total Area of Critical Slopes on Parcel:** 1.56 acres (8%)

Area of Proposed Critical Slope Disturbance: 0.86 acres (4.6%) 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.

#### **Application Details**

Scott Collins, on behalf of Great Eastern Management, is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for the construction of two, segmented retaining walls, totaling 1180' in length, along the northern portion of the Seminole Square Shopping Center property, containing existing slopes greater than or equal to 25%. The applicant states the reason for the critical slope waiver request is to accommodate redevelopment of the Seminole Square Shopping Center. The applicant states Seminole Square is proposing to modify and redevelop other portions of the property with landscaping improvements, future building sites to help create a more attractive shopping center along Hillsdale Drive; and, as a result of the improvements in conjunction with Hillsdale Drive, parking is being proposed in the North Wing to accommodate parking spaces that are lost due to proposed improvements/construction of Hillsdale Drive. The site plan proposes 88 new parking spaces and supporting retaining walls located to the North and directly behind existing buildings at Seminole Square should the critical slope waiver be approved (14 new spaces located behind the existing Plaza Azteca on Tax Map 41C Parcel 3.3 and 74 new spaces and retaining walls located behind the series of retail buildings on the north side of Seminole Square on Tax Map 41C Parcel 3.1).

Existing critical slopes areas located on this Property include 1.56 acres/8% percent of the project site. The applicable definition of "critical slope" is as follows:

Any slope whose grade is 25% or greater, <u>and</u> (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, <u>and</u> (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".

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

- Large stands of trees: The critical slopes are heavily vegetated where approximately 90% of the area contains vegetation. The proposal indicates that approximately 0.77 acres (33,500 SF) of the critical slope area's vegetation would be disturbed and 0.63 acres (27,500 SF) of the critical slope area's vegetation preserved.
  - Note: The Landscape Plan (Attachment 8) proposes 12,488 SF or 0.29 acres of new plantings, including a series of evergreen shrubs to screen retaining walls. The proposed cover meets and exceeds the 10% cover requirement per Sec. 34-869 which equates to 9670 SF cover required for the project area.
- Rock outcroppings: None.
- Slopes greater than 60%: None.
- Identification/ description of unusual topography or other physical conditions at the site: There
  is currently an existing stormwater management facility in the critical slopes area. There is a
  stormwater management easement in the critical slopes area up to the 416 contour elevation
  that was granted to the City in 1985, however the reason why the City has a stormwater
  easement on a facility that benefits private property owners and does not receive water from
  City owned property is unknown to staff. In addition, there is not currently an adequate
  means to access the easement area to perform maintenance and construction of the retaining
  walls will further decrease accessibility to the facility.
- Waterway within 200 feet: A stream that feeds into 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:
  - The proposed 88 parking spaces that are proposed in conjunction with the proposed retaining walls are to serve Seminole Square Shopping Center, specifically the series of retail buildings to the North of the property. The applicant states portions of the existing parking will be impacted due to Hillsdale Drive Extension (HDE). HDE is responsible for the North Wing's net loss of 56 parking spaces and the Kroger site's net loss of 16 spaces. Overall, HDE will remove 72 parking spaces. The applicant states that, in addition to HDE's impact, the applicant's proposed landscaping and building improvements (See Concept Plan Exhibit Series, Attachment 4) will impact parking.

The applicant has provided a Base Exhibit in the Concept Plan Exhibit Series (Attachment 4) reflecting the parking calculation for the existing breakdown of uses (taking the proposed Kroger building into account; final site plan approved August 2, 2016) versus the proposed parking (taking into account the future Kroger building, HDE, and the applicant's series of

proposed landscape/future building improvements). Because this property contains a mix of uses, similar to Barracks Road Shopping Center, staff looks at parking calculations for the whole shopping center taking into account each use. This method was previously used for the now approved Kroger site plan located in the same shopping center (Please note: Kroger has recently indicated it will not be locating in this shopping center; however, the site plan has not been withdrawn and remains valid until August 2, 2021). Below is a breakdown for existing parking, proposed parking, and parking required per City Code Sec. 34-984:

Total Existing Parking (with Kroger building) = <u>1,030 spaces</u>

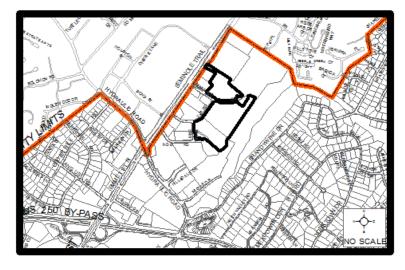
Total Proposed Parking (with series of landscape improvements/future building) = <u>1,027 spaces</u>

Parking required per City Code Sec. 34-984: 848 spaces

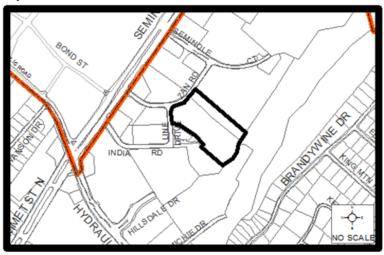
The applicant states the proposed parking is to accommodate parking spaces that are lost due to the proposed site improvements (Attachment 4) and construction of Hillsdale Drive and is aimed to bring the shopping center back to its total parking pre-Hillsdale. According to City parking requirements, the shopping center is "over-parked" and it could be argued there is a "building site" outside of the critical slope area. Please see the Project Review/Analysis section below for more discussion.

#### **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 is located to the north of the existing shopping center, where the slopes are predominately man made. The applicant states these slopes were created over thirty years ago when the property was first developed.

#### Attachment 1

The critical slopes area contains an existing stormwater management facility and stream that leads to Meadow Creek. The City holds a stormwater management easement for the stormwater management facility up to the 416 contour elevation, which was designed to accommodate a 100-year flood event. The area of critical slopes accounts for 8% of the total site area (18.8 acres), where less than an acre (0.86 acre) of critical slopes would be disturbed.

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 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 both Finding #1 and Finding #2.

#### Applicant's justification for Finding #1

\*Staff items in bold

The applicant states that with the development and pending opening of Kroger Grocery new stores as well as the construction of Hillsdale Drive through the property, the owners of Seminole Square are in the planning process of modifying and redeveloping other portions of the property for landscaping improvements, building renovations and new building construction (Note: one building pad site is featured in Attachment 4) with the goal of creating a shopping center that will interact better with the newly constructed Hillsdale Drive. The applicant states that with the installation of the retaining walls to support additional parking, the parking that would have been lost will be accommodated for and will allow for overall site improvements. The "proposed landscaping improvements within the shopping center will reduce the heat island affect from the sea of asphalt within the Seminole Square shopping center" and "development areas will be established, with open space and landscaping areas around the future building pads." The applicant further states, "these building areas will be located along Hillsdale Drive, helping to screen the existing parking areas when the future buildings are constructed (See Attachment 4). The applicant also states the plan proposes to provide increased connectivity within the entire shopping center by proposing sidewalks and ADA routes that will connect to Hillsdale Drive, Seminole Court, adjacent properties and other locations within the shopping center.

In addition to the shopping center improvements, the applicant is proposing to construct an eight (8) foot asphalt multi-purpose trail along the northern property line between the retaining walls and new parking area as shown in the exhibit (Attachment 3). The multi-purpose trail is proposed to be located within a variable width Greenway (13'-25') that will include large shade trees, ornamental trees and shrubs to shade the trail. The applicant notes a 10 foot easement that covers the trail will be dedicated to the City working with the Parks and Recreation Department. The applicant states the trail will provide a mid-block connection for pedestrians from Route 29 through the Seminole Square Shopping Center, connect to the multi-purpose trail along Hillsdale, and provide a future connection to the Meadow Creek trail system. The applicant is proposing in addition to the 8' trail and 13'-25' greenway a variable width

access and construction easement to the City of Charlottesville in order for Parks and Recreation to construct a connection from Meadow Creek to the Shopping Center.

While staff sees that the combination of Hillsdale Drive land acquisition, the future site improvement (landscaping/future building pads, where one future building pad is depicted on Attachment 4) and proposed parking behind the north wing buildings will lead to a post-construction total number of parking spaces that nearly equal what the total number of parking spaces was pre-development (existing: 1,030 spaces vs. proposed: 1,027 spaces), staff recognizes the site will be 179 spaces over what the City parking regulations require.

The applicant provided exhibits entitled Seminole Square Shopping Center Base Exhibit, Parking Calculation, and Impervious Calculation, collectively "Concept Plan Exhibit Series," (See Attachment 4) that propose a series of improvements to the site. The applicant states they will not move forward with the proposed improvements shown in the Concept Plan Exhibit Series (landscaping islands, future building pad site, and pedestrian connections) without the critical slope waiver. The applicant states their reason for this is the waiver will allow for the construction of additional parking spaces that bring the total number of parking spaces for the shopping center close to the total number of spaces pre-Hillsdale Drive Extension and pre-development of proposed improvements. It is the owners' desire to maintain that level of parking.

Staff notes that the new building site shown on Attachment 4 would require compliance with City code landscape cover requirements for the area disturbed. While portions of the proposed landscaped areas shown in Attachment 4 would be required for the new building site, staff notes there are improvements depicted outside of the new construction site shown that are not required by the developer. Staff believes these improvements would improve the site's overall aesthetics as well as provide an environmental benefit (the proposed plan reduces the site's impervious area from 0.55 acre to 0.34 acre: 10.6% non-impervious cover).

\*Staff does want to note the concern that the Concept Plan is not tied directly to the current site plan in review, which only shows the retaining walls/additional parking. There was no set date for when a site plan amendment showing the Concept Plan improvements would be submitted for review and constructed. There is a proposed condition should the Planning Commission choose to recommend approval of this waiver request that at the very least notes any future site plan amendment submitted for this site would have to comply with the improvements shown in the Concept Plan. Please see Staff Recommendation section below.

<u>Proposed trail, greenway and variable easement:</u> Staff agrees that the proposed trail, greenway and variable width easement to Charlottesville Parks and Recreation Department does provide a public benefit by creating increased connectivity with increased vegetation to enhance the remaining green space after the retaining walls are constructed. The applicant has met with the Charlottesville Parks and Recreation Department where Parks staff is amenable to these improvements, with only the following concerns:

- Trail should not be too close to proposed parking so there is no vehicle parking intrusion (3' buffer recommended)
- . Specify on site plan the trail material as being asphalt
- Work with Parks Department to agree on fence type and height to ensure safety

<sup>\*</sup>These concerns have been addressed in proposed conditions in the Staff Recommendation section.

Staff believes the façade of the backs of the buildings that will face the proposed trail are an important piece of the proposal as they will either engage or disengage pedestrians. The buildings, specifically the corners closest to Hillsdale Drive, should be articulated in such a way to engage and invite pedestrians to travel along this trail. Although this is not necessarily an issue that is considered at the critical slope waiver request, staff mentions it as this site is within the Entrance Corridor and is subject to review of the Entrance Corridor Review Board (ERB) per Sec. 34-309(a)(3).

Staff highlights additional factors addressed by the applicant below. The full justification can be found in Attachment 2.

Stormwater and erosion-related impacts on adjacent properties: The applicant states the modification to the existing stormwater management facility with the addition of retaining walls will not adversely impact the facility. Engineering staff has reviewed the supplemental engineering analysis provided by the applicant and agrees with this statement. The applicant states that there is an easement in favor of the City for stormwater management. While there is an existing stormwater easement dedicated to the City for maintenance, the easement in itself is a burden to the City as it requires maintenance of a facility that primarily treats runoff from non-City owned property. City efforts should be dedicated to facilities that were constructed to City standard, are maintainable and serve the City and/or general public. This easement does none of these and it is staff's recommendation that the easement be vacated as a condition of this critical slope waiver, if granted. The applicant states there is existing erosion along the bank and that the proposed retaining walls will eliminate this erosion potential. Engineering staff would like to point out that the term 'bank' in this case is likely a reference to the slopes leading to the stream. While there may be some spot areas where erosion is occurring along the slopes, any stream bank erosion that is occurring will continue to exist as the walls are located above the top of the stream bank.

## Stormwater and erosion-related impacts to environmentally sensitive areas such as stream and wetlands:

The applicant states that no streams or wetlands are proposed to be impacted with the filling operations.

The applicant has incorporated additional erosion and sediment control measures and has conceived a sequence that will limit disturbed area to the stream. These items will aid in protecting the stream below these critical slopes, however, staff recognizes there is always the possibility that, despite a designer and contractor's best efforts, Mother Nature can overcome any manmade effort.

Increased stormwater velocity due to loss of vegetation: The applicant states stormwater velocity due to the loss of vegetation and impervious area will be mitigated with the modification of the stormwater management outlet structure which will result in detaining the post-development condition for 10-year storm event peak outflow to the 10-year peak flow for the pre-development conditions. The structure will provide detention, prior to releasing the flow into the existing channel. Engineering staff confirms this will comply with code requirements.

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

The applicant states the addition of the parking area to the north allows for the center to accommodate these proposed site improvements while still providing the necessary parking for the center and the tenants and that without the extension of the property, the proposed improvements could not be

completed for the center. If the improvements were constructed on the property (future building and landscape improvements) and the retaining wall and 88 spaces were not constructed, the total parking for the site would equal 939 spaces, still achieving and exceeding what is required by City code (848 spaces). Staff believes the justification for Finding #2 is invalid.

#### **Staff Recommendation**

Engineering staff has confirmed the addition of the retaining wall will not adversely impact the existing stormwater management facility based off of the supplemental engineering analysis provided by the applicant. Engineering staff has confirmed the application has incorporated additional erosion and sediment measures and conceived a sequence that will limit the disturbed area to the stream. These items will aid in the protecting the stream below the critical slopes.

Because of these confirmations, staff is able to consider whether there is a public benefit associated with this proposal. While staff recognizes the excess in the number of parking spaces as a result of this project may serve a future need as the development of this site improves and changes over time, staff reserves the concern that this site has an excess in parking per City Code. Staff believes the following factors present a stronger argument for a public benefit in Finding #1 than the original submission in January 2013; where Finding #1 is the public benefit of allowing disturbance of the critical slope that outweighs the benefits afforded by the existing undisturbed slope:

- Vacation of the existing stormwater management easement would serve as a public benefit to the City by taking the maintenance burden of a private facility off of the public tax dollar.
- The improvements shown on the Concept Plan Exhibit Series (Attachment 4) will provide a public benefit by reducing impervious area from 0.55 acre to 0.34 acre resulting in 10.6% nonimpervious cover of the 3.20 acres shown for improvements. The proposed improvements also provide increased connectivity throughout the site and improved aesthetics with increased tree cover/large trees lining the improved building fronts. Staff believes these combined improvements provide a public benefit that outweighs a parking number that exceeds City code requirements as the applicant is unwilling to provide such improvements without increased parking. Staff's only modifications to the Concept Plan Exhibit Series would be to eliminate the proposed pedestrian crossing along Hillsdale given its proximity to the signalized intersection and to ensure that 1) proposed pedestrian areas meet ADA standards (including curb ramps, minimum width and cross-slope) and 2) proposed bicycle racks are located close to building entrance, visible from the multi-use trail, and the number of racks meet the standards outlined in Sec. 34-881. Staff reserves concern that the improvements shown in the Concept Plan Exhibit Series are not tied to the site plan amendment currently under review in association with this critical slope waiver request and there is no indication of when such improvements would occur on-site in the future.

Should Planning Commission **recommend approval** of the critical slope waiver, staff recommends the following conditions be part of the recommendation:

- 1. The existing stormwater easement that was created in 1985 be vacated, as there is no apparent reason that the City should be maintaining any part of this private facility. Vacation of the existing easement could also serve as a public benefit by taking the maintenance burden of a private facility off of the public tax dollar.
  - \*Alternatively, if the critical slope waiver is granted and the easement is not vacated, it is recommended that an access road be constructed as part of the wall construction so that

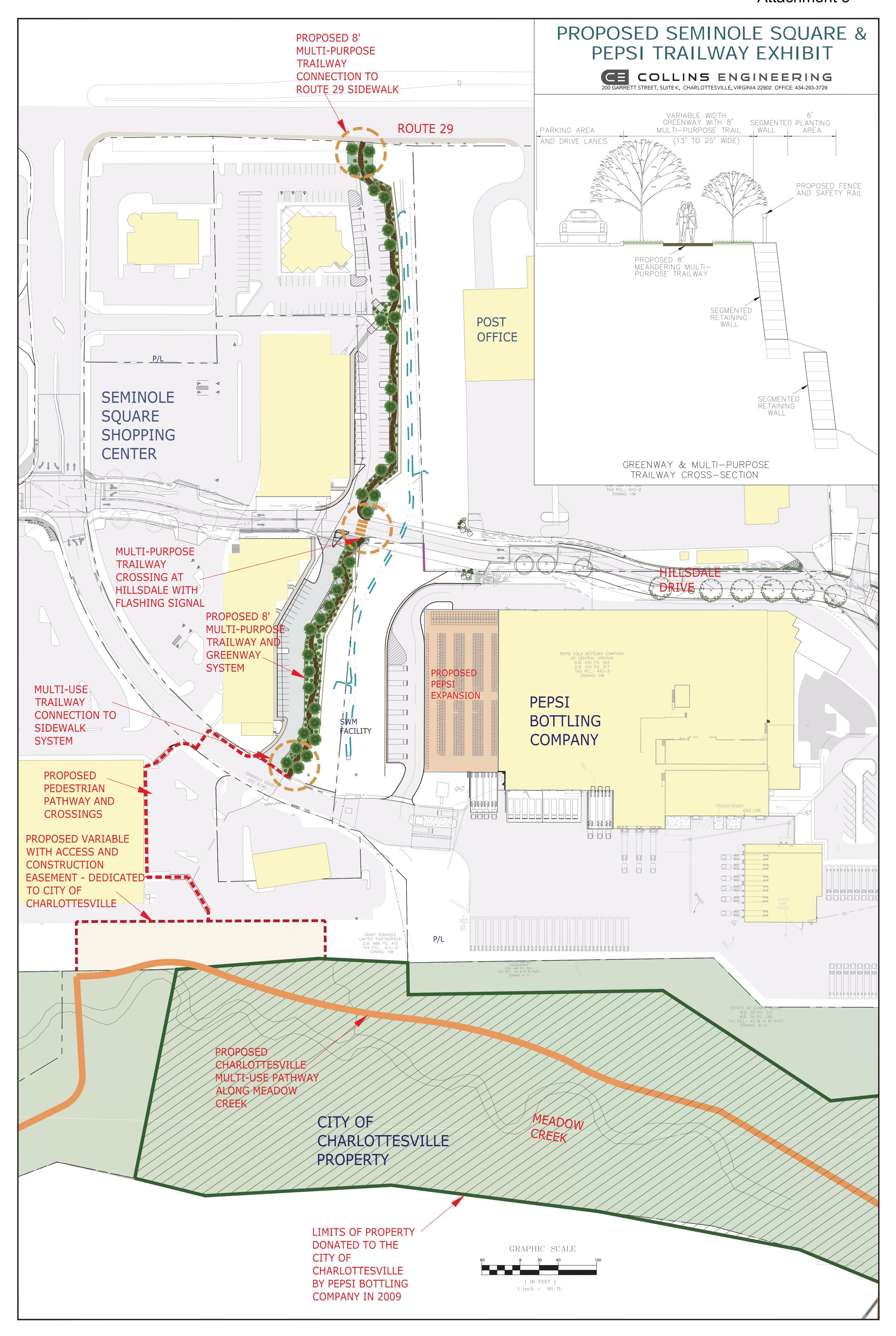
maintenance can actually be performed by the City. The existing easement would also have to be expanded to include the access road.

- 2. A detailed survey by a licensed professional should be provided following construction to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- 3. The improvements depicted in the Concept Plan Exhibit Series dated 'received January 13, 2017' (Seminole Square Shopping Center Base Exhibit, Parking Calculation, Impervious Calculation) attached to this critical slope waiver request shall be incorporated in the site plan amendment submitted for future redevelopment of the site and further reflect staff's recommended modifications prior to site plan approval:
  - a. Eliminate the proposed pedestrian crossing along Hillsdale given its proximity to the signalized intersection
  - b. Ensure proposed pedestrian areas meet ADA standards (including curb ramps, minimum width and cross-slope)
  - c. Ensure proposed bicycle racks are located close to building entrance, visible from the multi-use trail, and the number of racks meet the standards outlined in Sec. 34-881.
- 4. Construction begins after the Hillsdale Road extension project is complete.
- 5. Proposed 8' trail: is asphalt, includes a buffer no less than three (3) feet from parking lot and the proposed fence's type and height is determined with Parks and Recreation Department prior to site plan approval.
- 6. The 10' easement proposed to encompass the 8' trail is strictly for maintenance of the trail itself and not the retaining wall. The easement documentation shall be worked out with City Parks, NDS and City Attorney's staff prior to site plan approval.
- 7. The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining walls located on the Seminole Square site require adjustment due to development activities on either the Seminole Square property or the Pepsi property.

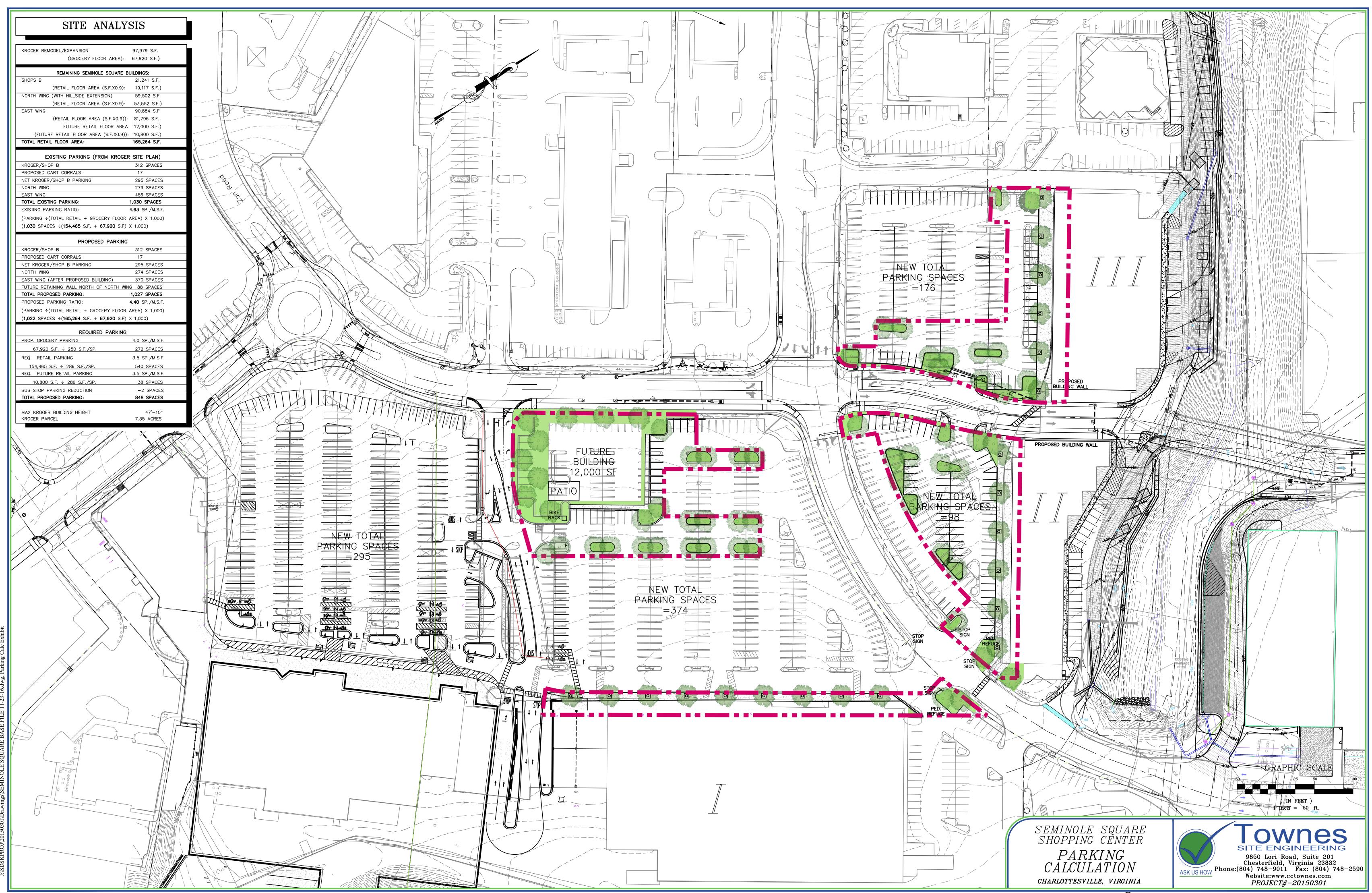
#### **Suggested Motions**

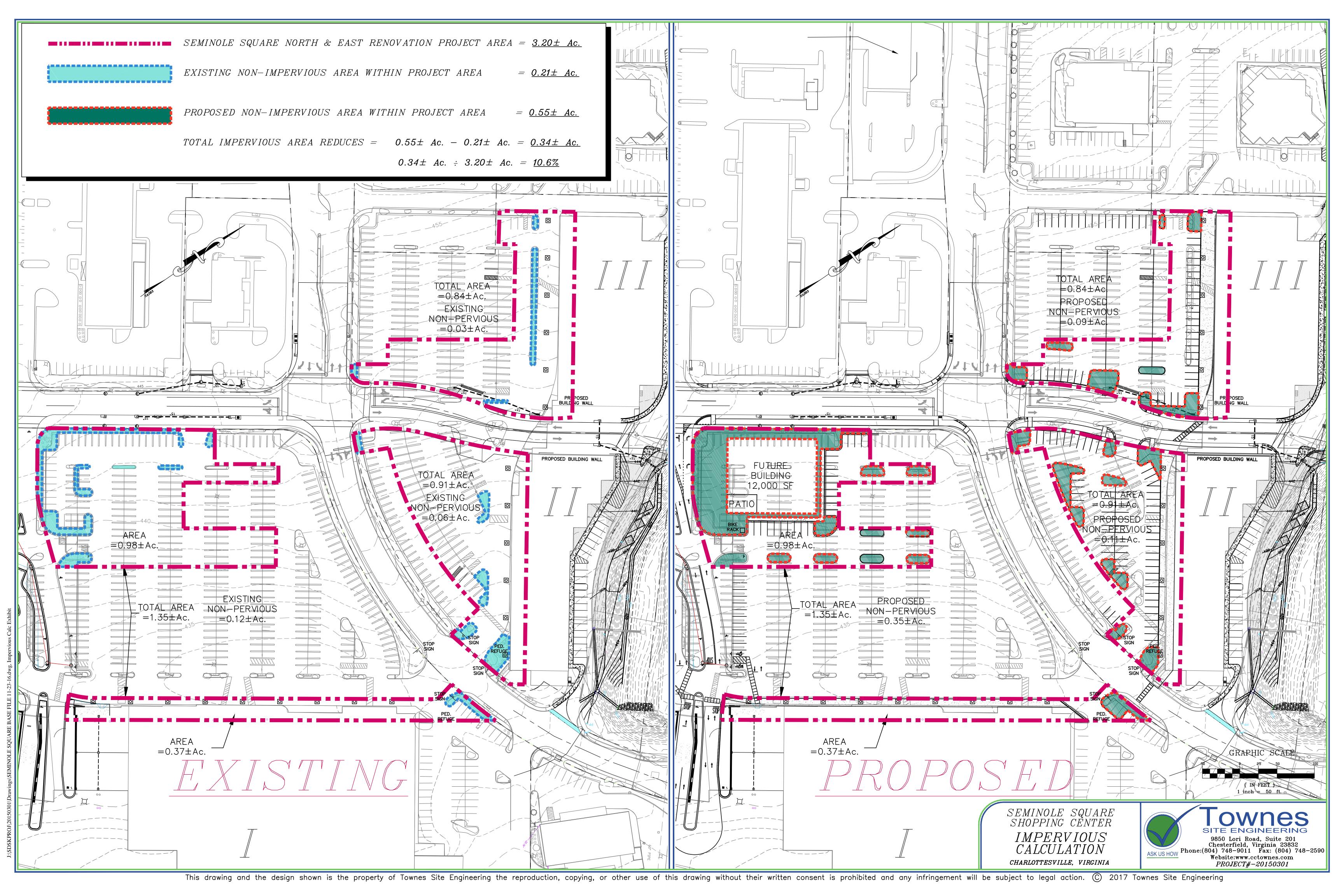
- 1. "I move to recommend approval of the critical slope waiver for Tax Map 41C, Parcel 3.1, Seminole Square Shopping Center as requested, with no reservations or conditions, based on a finding that [reference at least one]:
  - The public benefits of allowing the disturbance outweigh the benefits afforded 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 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]











January 13, 2017

City of Charlottesville Neighborhood Development Services Marty Silman, P.E. City Engineer \*The full report (over 1,000 pages), includes Models 1-5 referenced in the summary below and is available at Neighborhood Development Services. Please contact newmyerh@charlottesville.org if you would like access to full copy.

RE: Seminole Square and Pepsi-Cola Bottling Company Plant Expansion Seminole Basin - Stormwater Report Narrative

Dear Mr. Silman,

The routing calculations submitted for the Seminole Basin is to evaluate the impact of the proposed Seminole Square and Pepsi-Cola Bottling Company Expansion projects on the Seminole Basin.

This report is to accompany the routing calculations for the five (5) models submitted for the Seminole Basin, Revised 1-12-17, prepared by Townes Site Engineering. The five models are discussed in details in this report.

Should you have any questions regarding this report or the associated basin routing calculations please do not hesitate to contact me, I am available at your convenience.

Sincerely,

Mona R. Gabriel, P.E.

Associate, Project Manager



#### **Routing Narrative**

HydroCAD 10.00-12 was used to evaluate the effects of the proposed Seminole Square Expansion and Pepsi-Cola Bottling Company Plant Expansion projects on the Seminole Basin. Five models have been developed to demonstrate the following:

- Model 1: determine the allowable peak flow rates for the existing/Pre-Development Conditions.
- Model 2: evaluate the impact of the proposed Seminole Square Parking Lot Expansion on the Seminole Basin.
- Model 3: evaluate the impact of the proposed Pepsi-Cola Bottling Company Expansion on the Seminole Basin.
- Model 4: evaluate the impact of the two proposed expansion projects combined (Seminole Square and Pepsi-Cola Expansions) on the Seminole Basin.
- Model 5: determine the modification to the outfall structure required to maintain the 10-year peak discharge for the post-development condition below the 10-year peak discharge for the pre-development condition. The 48" outfall pipe needs to be modified to be 47.50" to detain the 10-year peak discharge for the post-development condition to the 10-year peak flow for the pre-development conditions.

A summary table is provided below to demonstrate the findings of the five (5) aforementioned models:

	Seminole Square Basin Pre-Devlopment and Post-Development Comparison Table									
Event	Pre-Developed Conditions (Allowable Outflow)		Expansi	eminole Square  Expansion Post  Expansion Post  Expansion Expans		Bottling Seminole Sq y Plant Pepsi-Cola Ex n Post- Post-Deve Conditions Conditi		Expansions veloped	Seminole Square and Pepsi- Cola Expansions Post- Developed Conditions with Modified Outfall Structure	
$\sim$	Outflow	W.S.E.	Outflow	W.S.E.	Outflow	W.S.E.	Outflow	W.S.E.	Outflow	W.S.E.
2-Year	201.37	416.48	201.77	416.5	201.37	416.48	201.77	416.5	198.92	416.54
10-Year	254.07	422.93	254.79	423.03	254.52	422.99	255.27	423.1	251.39	423.28
25-Year	271.42	425.42	272.72	425.62	272.25	425.55	273.64	425.75	269.58	425.98
100-Year	289.54	428.2	291.51	428.51	290.8	428.4	292.92	428.74	288.77	429.03

Albemarle Place Stormwater Management Plan by WW Associates dated 03/30/10 and revised 5/20/11 was used to determine the contributing drainage area draining to the Seminole basin from the sites west of Route 29. A copy of sheet C-13 (Post-Development Drainage Area Map) and sheet C-29B (East Contributory Drainage Area) from the aforementioned plan set is attached to this correspondence for ease of reference. The following is a summary of the sub-areas and the associated storm sewer structures or facilities that each sub-area is draining to:

- <u>8S drains to 7P:</u> 8S is the drainage area for the Commonwealth Facility which drains to an existing 36" outfall pipe (7P) as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.



- <u>3S:</u> represents the areas west of Stonefield that drain to the 60" by-pass pipe. These areas are sub-areas No. 8-14 as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>7R:</u> represents the 60" RCP Diversion Pipe for Offsite Drainage as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>5s:</u> represents the Albemarle Place North Post areas that drain to the Stormwater Management Facility. These areas include sub-areas 17A, 19A, 20, 21, 22, 23 & 27 as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>6P:</u> represents the permanent North Stormwater Management Facility as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- **9R:** represents the 72" by-pass pipe system under Route 29 that outfalls into the Seminole Basin as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>11R:</u> represents the existing 42" pipe system under Route 29 that outfalls into the Seminole Basin as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>4S:</u> represents sub-areas 15, 18 and 17 from the Sperry Site that outfall to the existing 42" pipe system under Route 29 as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>2S:</u> is the contributing drainage area from the Seminole Square Shopping Center that drains to the Seminole Basin. It is the summation of sub-areas 30, 31, 32, 33 and 34 as shown on sheet C-29B (East Contributory Drainage Area) from the aforementioned plan set by WW Associates.
- 13p: represents Seminole Basin.

Sec. 34-1120. - Lot regulations, general.

- (a) Frontage requirement. Every lot shall have its principal frontage on a street or place (i) that has been accepted by the city for maintenance, or (ii) that a subdivider or developer has been contractually obligated to install as a condition of subdivision or site plan approval and for which an adequate financial guaranty has been furnished to the city. Except for flag lots, stem lots, and cul-de-sac lots, or other circumstances described within the city's subdivision ordinance, no lot shall be used, in whole or in part, for any residential purpose unless such lot abuts a street right-of-way for at least the minimum distance required by such subdivision ordinance for a residential lot.
- (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 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:
  - 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



# ENGINEERING REVIEW OF APPLICATION FOR A WAIVER: CRITICAL SLOPES

#### **Project Review / Analysis (Seminole Square Expansion)**

The applicant has provided detailed information in the attached narrative for each item discussed below:

#### **Existing Conditions:**

- The applicant mentions that there is currently an existing stormwater management easement in this area up to the 416 contour elevation. This easement was granted to the City in 1985, however the reason why the City has a stormwater easement on a facility that benefits private property owners and does not receive water from City owned property is unknown to staff. In addition, there is not currently an adequate means to access the easement area to perform maintenance and construction of these walls will further decrease accessibility to the facility. Engineering Staff recommends that this stormwater management easement be vacated as part of this critical slope waiver, if approved. If the waiver is granted and the easement is not vacated, it is staff's recommendation that a maintenance access road be constructed as part of the wall construction.

#### **Project Description**

- Engineering Staff has no comments regarding this statement.

#### Finding #1:

- The applicant existing erosion along the bank and how the walls will eliminate this erosion potential.
  - Engineering Staff would like to point out that the term 'bank' in this case is likely a reference to the slopes leading to the stream. While there may be some spot areas where erosion is occurring along the slopes, any stream bank erosion that is occurring will continue to exist as the walls are located above the top of stream bank.
- The applicant offers a 10' foot easement dedicated to the City of Charlottesville. It needs to be made clear in those documents that the easement is strictly for maintenance of the trail itself and not the retaining wall. The City will not accept any maintenance of the wall.

Erosion affecting the structural integrity of those features:

- Engineering Staff has no comments regarding this statement.

#### Stormwater and erosion-related impacts on adjacent properties:

- The applicant states that there is an easement in favor of the City for stormwater management. While there is an existing stormwater easement dedicated to the City for maintenance, the easement in itself is a burden to the City as it requires maintenance of a facility that primarily treats runoff from non-City owned property. City efforts should be dedicated to

facilities that were constructed to City standard, are maintainable and serve the City and/or general public. This easement does none these and it is staff's recommendation that the easement be vacated as a condition of this critical slope waiver, if granted.

Stormwater and erosion-related impacts to environmentally sensitive areas such as stream and wetlands:

- The applicant states that no streams or wetlands are proposed to be impacted with the filling operations.

The applicant has incorporated additional erosion and sediment control measures and has conceived a sequence that will limit disturbed area to the stream. These items will aid in protecting the stream below these critical slopes, however, there is always the possibility that, despite a designer and contractor's best efforts, Mother Nature can overcome any manmade attempt to control runoff.

Increased stormwater velocity due to loss of vegetation:

- Engineering Staff has no comments regarding this statement.

Decreased groundwater recharge due to changes in the site hydrology:

- Engineering Staff has no comments regarding this statement.

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:

- Engineering Staff has no comments regarding this statement.

#### **Engineering Recommendation**

Engineering staff recommends approval of the critical slope waiver application with the following conditions:

- The existing stormwater easement that was created in 1985 be vacated, as there is no apparent reason that the City should be maintaining any part of this private facility. If the critical slope waiver is granted and the easement is not vacated, it is recommended that an access road be constructed as part of the wall construction so that maintenance can actually be performed by the City. The existing easement would also have to be expanded to include the access road. Vacation of the existing easement could also serve as a public benefit by taking the maintenance burden of a private facility off of the public tax dollar.
- A detailed survey by a licensed professional should be provided following construction to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- The maintenance easement for the trail must be clear that the retaining walls, handrails, guardrails, or other associated features will not be maintained by the City.
- The previously submitted stormwater routing analysis for the existing stormwater basin between Seminole Square and Pepsi will need to be revised if the retaining walls require adjustment to accommodate the trail.

## PROJECT DATA:

THE OWNER/CLIENT OF THIS PROPERTY IS: TOWERS LIMITED PARTNERSHIP ET. AL. GREAT EASTERN MANAGEMENT PO BOX 5526

THESE PLANS HAVE BEEN PREPARED BY:

TELEPHONE: (434) 293-3719 FACSIMILE: (434) 293-2813

SOURCE OF SURVEY/INFORMATION: SURVEY FOR THIS SITE PLAN AMENDMENT IS FROM THE FIELD SURVE CONDUCTED BY COMMONWEALTH LAND SURVEYING, LLC DATED AUGUST 4, 2011 AND UPDATED OCTOBER, 2012

BY JENNINGS STEPHENSON, P.C. IN JANUARY OF 2007. THE BUILDING LOCATION AND ITS ADJACENT CURB, SIDEWALK AND PAVEMENT WERE PROVIDED BY TOWNES ENGINEERING IN 2015. STORM SEWER RIM & INVERT ELEVATIONS LOCATED IN SEMINOLE SQUARE IS PROVIDED BY A LICENSED LAND SURVEYOR AT MERIDIAN PLANNING

ZONING: TMP 41C-3.1: HW- HIGHWAY CORRIDOR ZONING (NO DISTURBANCE TO ENTRANCE CORRIDOR UNAFFECTED WESTERN PORTION OF PARCEL UNDER ENTRANCE CORRIDOR DESIGNATION)

IMPACT THE STREAM BUFFER LOCATED ON THE ADJACENT PROPERTY PROPOSED USE: THE CONSTRUCTION OF A RETAINING WALL SYSTEM BEHIND SEMINOLE SQUARE SHOPPING

CENTER FOR THE INSTALLATION OF PARKING AREAS. TOTAL ACREAGE OF SITE: 18.806 ACRES PER CITY GIS

CRITICAL SLOPES: THERE ARE EXISTING MAN-MADE CRITICAL SLOPES ON THE SUBJECT PROPERTY. THE AMOUNT OF CRITICAL SLOPES AND IMPACTED CRITICAL SLOPES ARE SHOWN ON SHEET 2. A WAIVER HAS BEEN

PARKING SUMMARY: PROPOSED PARKING SHALL BE IN ACCORDANCE WITH CITY CODE OF ORDINANCES, SECTION 34-984 AND SHALL ACCOMMODATE THE EXISTING & FUTURE DEVELOPMENT'S NEEDS. PLEASE SEE BELOW FOR A COMPLETE ANALYSIS OF THE SHOPPING CENTER'S PARKING PLAN:

## Site Analysis

Site Alialysis	
Kroger Remodel/Expansion	97,979 sf
(Grocery Floor Area)	67,920 sf
Remaining Seminole Square I	Buildings
Shops B	21,241 sf
(Retail Floor Area, 0.90 x sf)	19,117 sf
North Wing- with Hillside Dr. Extension	59,502 sf
(Retail Floor Area, 0.90 x sf)	53,552 sf
East Wing	90,884 sf
(Retail Floor Area, 0.90 x sf)	81,796 sf
Future Retail Floor Area	12,000 sf
(Future Retail Floor Area, 0.90 x sf)	10,800 sf
	165,264 sf
Existing Parking (From Kroger	Site Plan)
Kroger / Shop B	312 sp.
Proposed Cart Corrals	17
Net Kroger/Shop B Parking	295 sp.
North Wing	279 sp.
East Wing	456 sp.
Total Existing Parking:	1,030 sp.
Existing Parking Ratio:	<b>4.63</b> sp./msf
(Parking / (Total Retail + Grocery Floor A	rea) x 1,000)
(1030 sp. / 154,465 sf + 67920 sf) x 1,000	)
Proposed Parking	
Kroger / Shop B	312 sp.
Proposed Cart Corrals	17
Net Kroger / Shop B Parking	295 sp.
North Wing	274
East Wing (After Proposed Building)	370
Proposed Parking with this Parcel	74
Proposed Parking at Plaza Azteca	14
Total Proposed Parking	1,027 sp.
Proposed Parking Ratio	4.40
(Parking / (Total Retail + Grocery Floor A	rea) x 1,000)
(1027 sp. / 165,264 sf + 67,920 sf) x 1,000	0
Required Parking	
Proposed Grocery Parking	4 sp./msf
67,920 sf / 250 sf/sp	272 sp.
Required Retail Parking	,
154,465 sf / 286 sf/sp	540 sp.
Required Future Retail Parking	,
10,800 sf / 286 sf/sp.	38 sp.
· · · · · · · · · · · · · · · · · · ·	•

Total Proposed Parking 848 sp.

PUBLIC UTILITIES: THE SITE WILL BE SERVED BY EXISTING PUBLIC WATER AND SEWER STORMWATER MANAGEMENT AND STORM DRAINAGE:

Bus Stop Parking Reduction

THE PROPOSED EXPANSION HONORS THE EXISTING DRAINAGE PATTERNS. AN EXISTING SWM FACILITY (LAT. 38.065079 LONG. -78.484650) WILL CONTINUE TO ATTENUATE AND DETAIN FLOWS FROM THE SEMINOLE SQUARE SHOPPING CENTER FOR STORMWATER QUANITY COMPLIANCE. THIS PLAN PROPOSES TO MODIFY THE EXISTING OUTLET STRUCTURE TO ENSURE MINIMUM REQUIREMENTS ARE MET. PLEASE SEE THE ATTACHED STORMWATER MANAGEMENT CALCULATIONS BY TOWNES ENGINEERING FOR EVIDENCE OF THIS COMPLIANCE. STORMWATER QUALITY REQUIREMENTS WILL BE MET THROUGH THE PURCHASING OF WATER QUALITY CREDITS. COMPLIANCE WITH PART IIB WILL BE ACHIEVED WITH THIS

AREAS DEDICATED FOR PUBLIC USE: CURRENTLY, THERE IS NO LAND ON THIS PROPERTY THAT IS PROPOSED TO

BE RESERVED OR DEDICATED FOR PUBLIC USE. SUBJECT PARCEL 41C-3.1 LOT COVERAGE AND PROPOSED USES:

TOTAL LOT AREA: 18.806 ACRES EXISTING LOT COVERAGE= UNCHANGED, WITH THE EXCEPTION OF A 6,360 sf REDUCTION IN A BUILDING FOOTPRINT TO ALLOW ACCESS FOR THE HILLSDALE DRIVE ALIGNMENT.

PROPOSED IMPERVIOUS AREAS= 21,965 sf OPEN SPACE AREA TOTAL: UNCHANGED AT THIS TIME

WATER DEMAND: EXISTING WATER DEMAND UNCHANGED. SIGNAGE: THE CURRENT SIGNAGE FOR THE PROPERTY IS EXISTING AND SHALL REMAIN, AND NO CHANGES TO

THE CURRENT SIGNAGE IS PROPOSED WITH THIS PLAN. INGRESS AND EGRESS: UNCHANGED - FUTURE DEVELOPMENT WILL INCLUDE THE HILLSDALE DRIVE EXTENSION

PER APPROVED MASTERPLAN. BUILDING/LOT SETBACKS:

HW-HIGHWAY CORRIDOR ZONING: PRIMARY STREET: 5' MIN. AND 30' MAXIMUM

> 20' ADJACENT TO LOW DENSITY RESIDENTIAL DISTRICT NO SETBACK ADJACENT TO SIMILAR DENSITY DISTRICT

LINKING STREET: 5' MIN., 20' MAX.

SITE TRIP GENERATION: UNCHANGED NO FIRE HYDRANTS ARE PROPOSED, HOWEVER THERE ARE THREE EXISTING FIRE HYDRANTS THAT SURROUND THE EXISTING BUILDING. ALSO, THE ADJACENT PROPERTY CONTAINS TWO FIRE HYDRANTS. FIRE HYDRANT #08250 MAINTAINED A STATIC PRESSURE OF 90 PSI WHILE FIRE HYDRANT #08255 WAS OPENED AND RELEASED A FLOW OF 1,275 GPM.

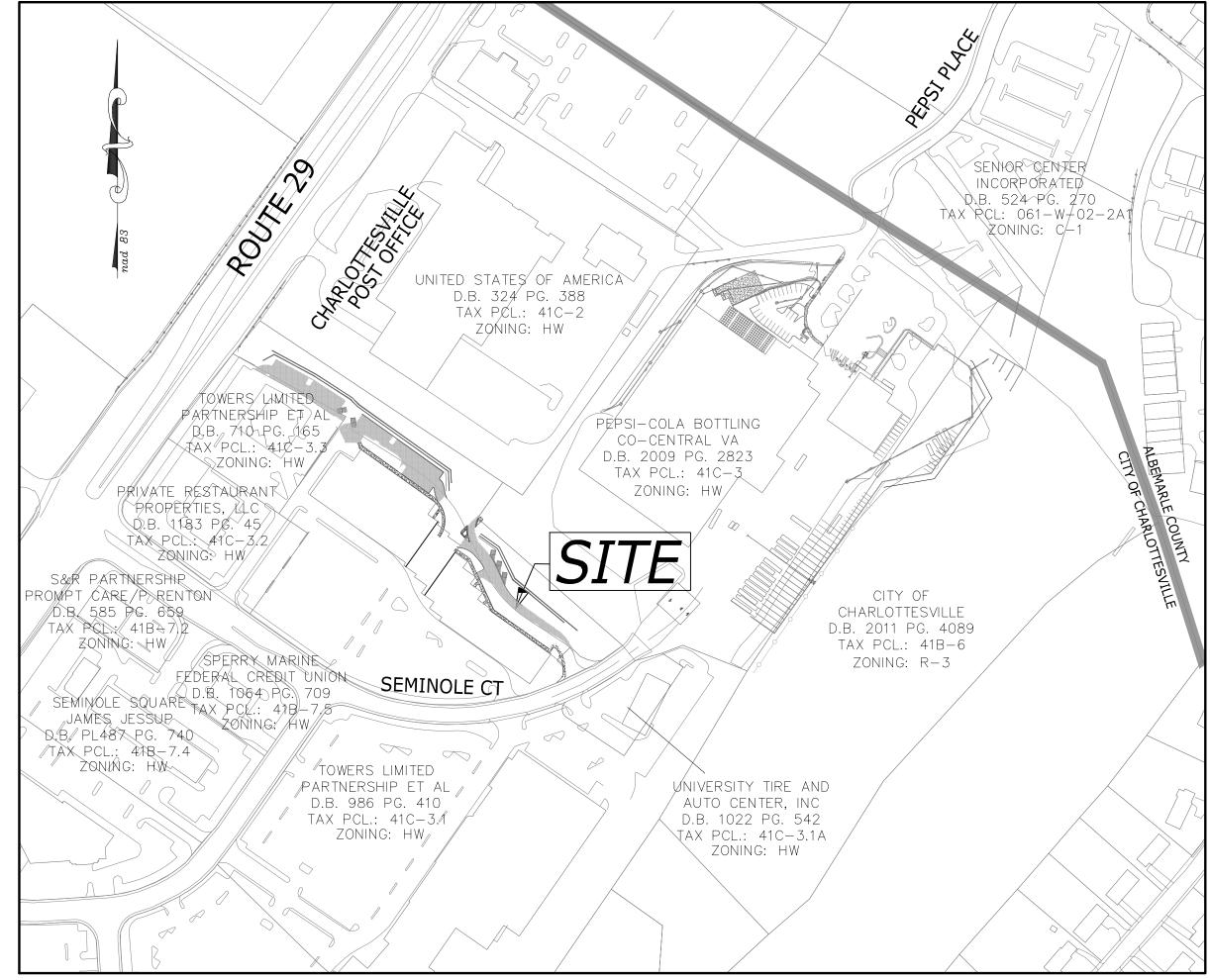
CONTRACTOR SHALL BE REQUIRED TO PROVIDE ADEQUATE PEDESTRIAN BARRIERS AND PEDESTRIAN CIRCULATION DURING CONSTRUCTION SHOULD CONSTRUCTION OCCUR AFTER HILLSDALE DRIVE EXTENSION'S COMPLETION.

COLLINS ENGINEERING SHALL NOT HAVE AUTHORITY OVER CONTRACTOR'S WORK, SAFETY PRECAUTIONS, SCHEDULES, OR COMPLIANCE WITH LAWS AND REGULATIONS. WE SHALL NOT ASSUME RESPONSIBILITY FOR ANY CONSTRUCTION BEGUN PRIOR TO PLAN APPROVAL

# SEMINOLE SQUARE EXPANSION

# SITE PLAN AMENDMENT, EROSION & SEDIMENT CONTROL AND STORMWATER MANAGEMENT PLAN

# CITY OF CHARLOTTESVILLE, VIRGINIA



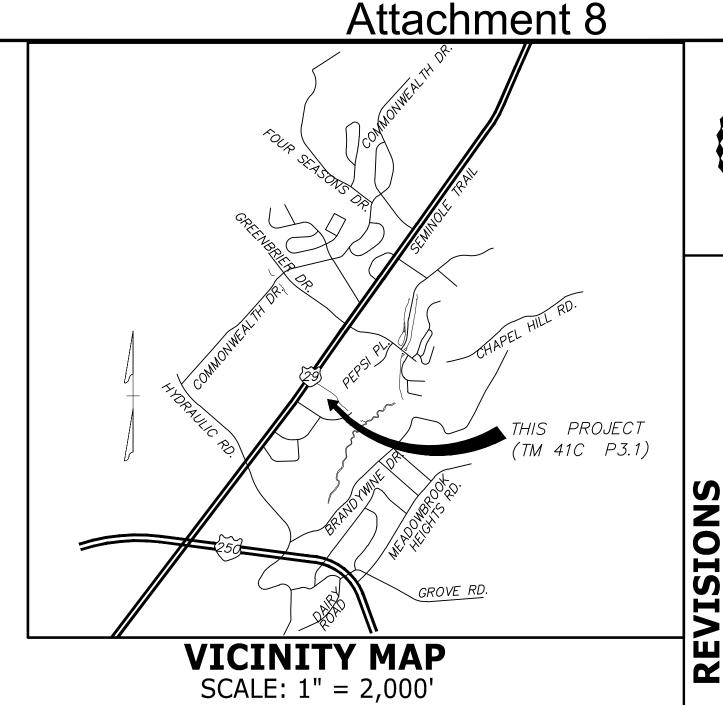
# **SHEET LAYOUT**

SCALE: 1'' = 200'

# OWNER & DEVELOPER

TOWERS LIMITED PARTNERSHIP ET. AL. GREAT EASTERN MANAGEMENT P.O. BOX 5526 CHARLOTTESVILLE, VA 22905

BMP DATA FOR THIS PROJECT:	
BMP OWNERSHIP INFORMATION:	TOWERS LIMITED PARTNERSHIP ET. AL. GREAT EASTERN MANAGEMENT PO BOX 5526 CHARLOTTESVILLE, VA 22905
TYPE/DESCRIPTION OF BMP INSTALLED:	AN EXISTING, ONSITE SWM FACILITY IS PROPOSED TO PROVIDE QUANTITY TREATMENT. WATER QUALITY CREDITS ARE PROPOSED TO BE PURCHASED FOR QUALITY COMPLIANCE.
GEOGRAPHIC LOCATION & HYDROLOGIC UNIT CODE	BEHIND EXISTING SEMINOLE SQUARE SHOPPING CENTER, 195 SEMINOLE CT., CHARLOTTESVILLE, VA 22901; LATITUDE 38.065176°, LONGITUDE -78.484748°; HUC 12 #020802040401 JR14; HYDROLOGIC SOIL GROUP TYPE 88- FILL)
WATERBODY THE BMP IS ULTIMATELY DISCHARGING INTO:	MEADOW CREEK; PART OF THE SOUTH FORK RIVANNA RIVER RESERVOIR
# OF ACRES TREATED BY BMPs:	A 4.19 ac. SUBAREA WITH 3.50 ac. OF IMPERVIOUS AREA IS TREATED VIA THE EXISTING STORMWATER MANAGEMENT BASIN (QUANTITY). ALSO, 1.39 lbs/yr OF NUTRIENT CREDITS IS REQUIRED (QUALITY) TO BE PROPOSED FOR COMPLIANCE
DESCRIPTION OF REQUIRED MAINTENANCE & OPERATION:	EXISTING STORMWATER MANAGEMENT BASIN: THE MAINTENANCE PROGRAM FOR THE WATER QUANTITY SHALL BE CLEANING OUT THE BASIN ANNUALLY, OR AS NECESSARY, AND ENSURING THE FACILITY IS FREE OF TRASH AND DEBRIS. MAINTENANCE TO ALSO INCLUDE INSPECTION, AND REPAIR AS NECESSARY, OF ALL PIPES, JOINTS, TRASHRACKS AND OUTLET STRUCTURES.
OWNER'S SIGNATURE AGREEING TO MAINTAIN FACILITY:	



## **SHEET INDEX**

TITLE	SHEET
COVER SHEET	1
EXISTING CONDITIONS	2
SITE & UTILITY PLAN	3
GRADING PLAN	4
NOTES, DETAILS & CALCULATIONS	5
DRAINAGE AREAS, PROFILES & DETAILS	6
EROSION & SEDIMENT CONTROL NARRATIVE & NOTES	7
PHASE I EROSION & SEDIMENT CONTROL PLAN	8
PHASE II EROSION & SEDIMENT CONTROL PLAN	9
PHASE III EROSION & SEDIMENT CONTROL PLAN	10
EROSION & SEDIMENT CONTROL DETAILS	11
HILLSDALE DRIVE EXTENSION OVERLAID WITH PROPOSED DEVELOPMENT	12
HILLSDALE DRIVE EXTENSION OVERLAID WITH PROPOSED DEVELOPMENT	12
STORMWATER MANAGEMENT PLAN	13
LANDSCAPING PLAN	14
TOTAL SHEETS:	15

NOTE	<u>S</u> :											
1.	ALL	SIGNAGE	AND	PAVEMENT	MARKINGS	SHALL	ΒE	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.
- FIRE HYDRANTS, FIRE PUMP TEST HEADER, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES SHALL REMAIN CLEAR AND UNOBSTRUCTED 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
- ALL PAVEMENT SHALL BE CAPABLE OF SUPPORTING FIRE APPARATUS WEIGHTING 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.
- 10. 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.
- 11. 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.
- 13. OVERHEAD WIRING OR OTHER OBSTRUCTIONS SHALL BE HIGHER THAN 13 FEET 6 INCHES. 14. ALL SIGNS SHALL BE IN ACCORDANCE WITH ARTICLE IX, SECTION 34-1020 CITY CODE.

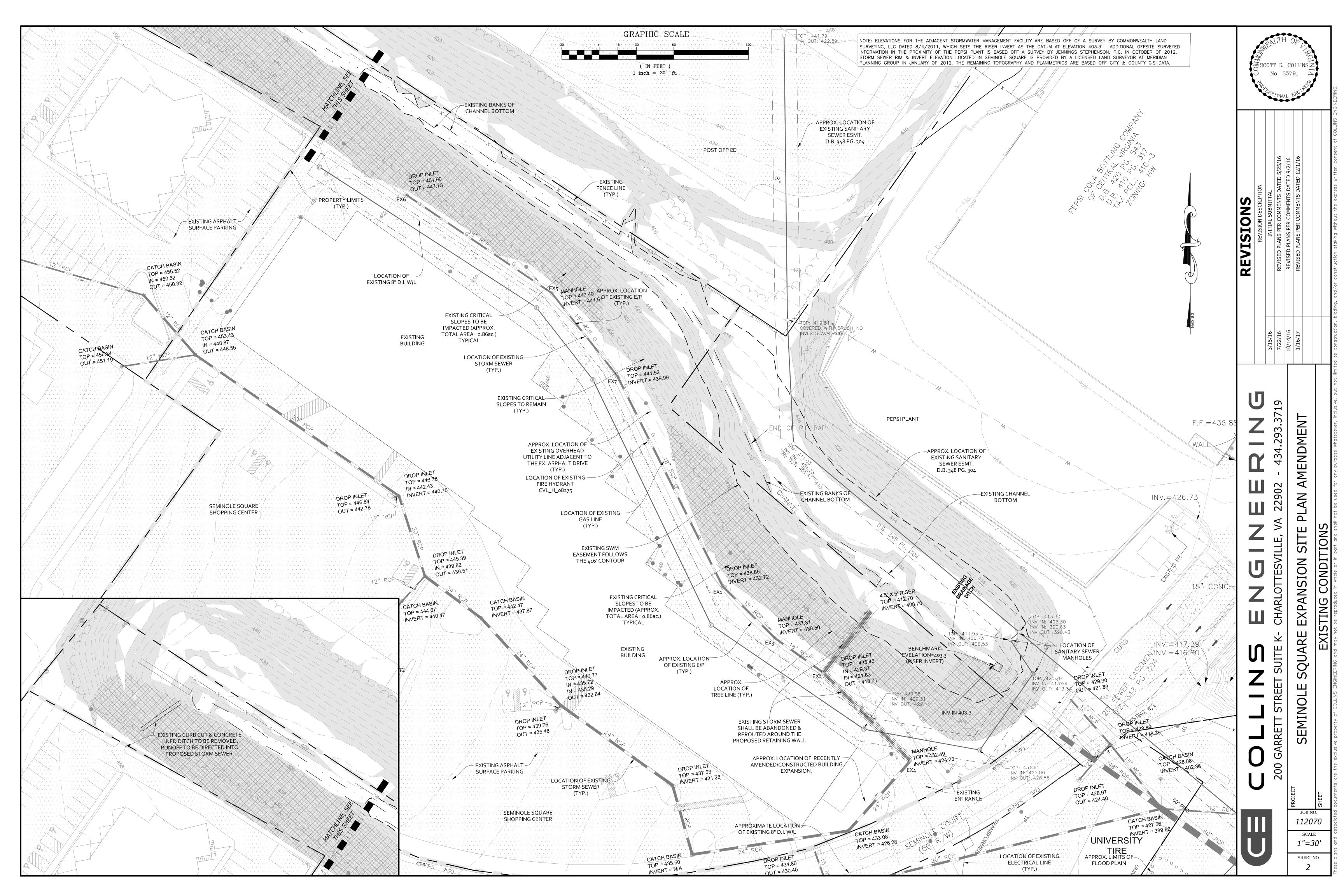
DIRECTOR, NEIGHBORHOOD DEVELOPMENT

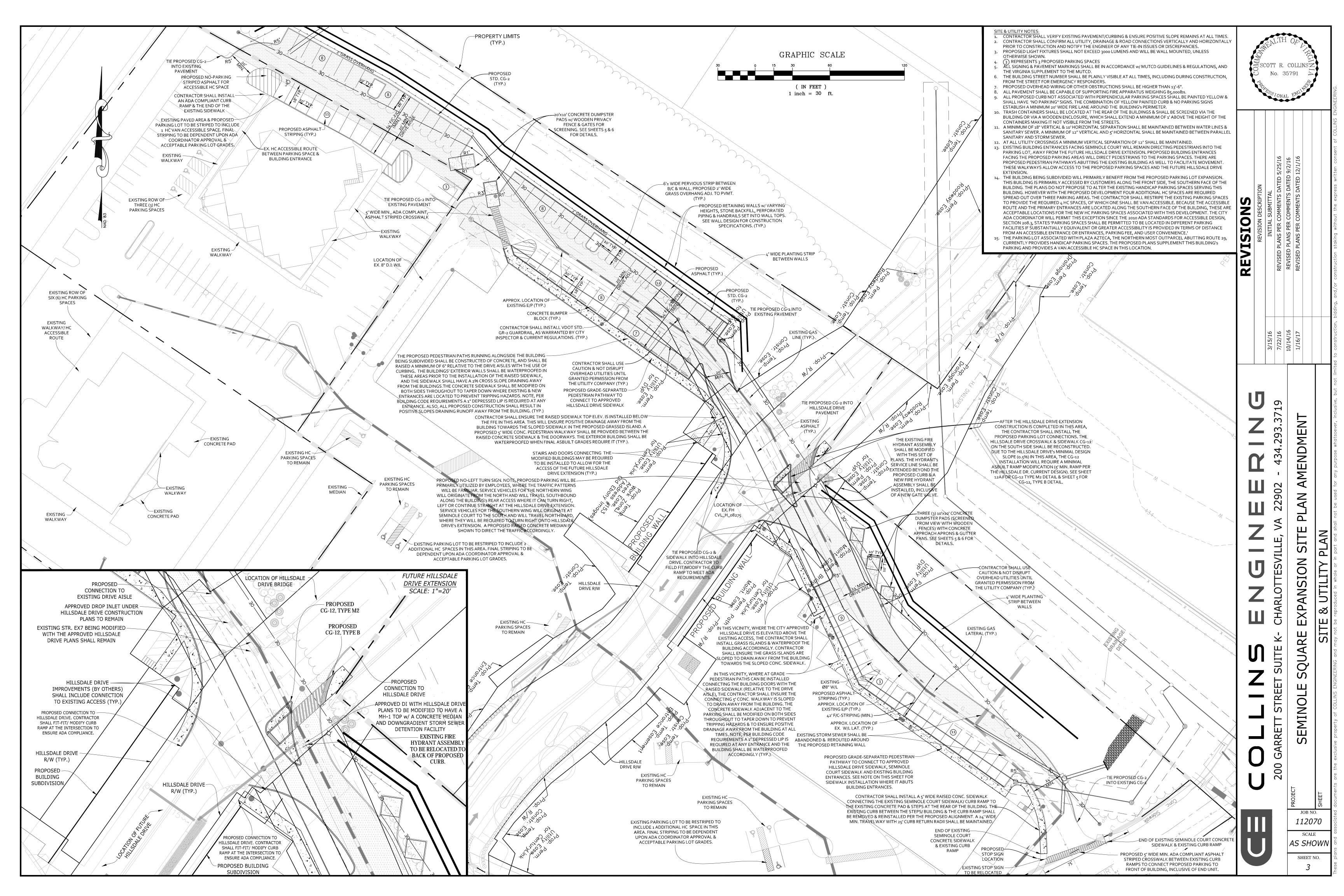


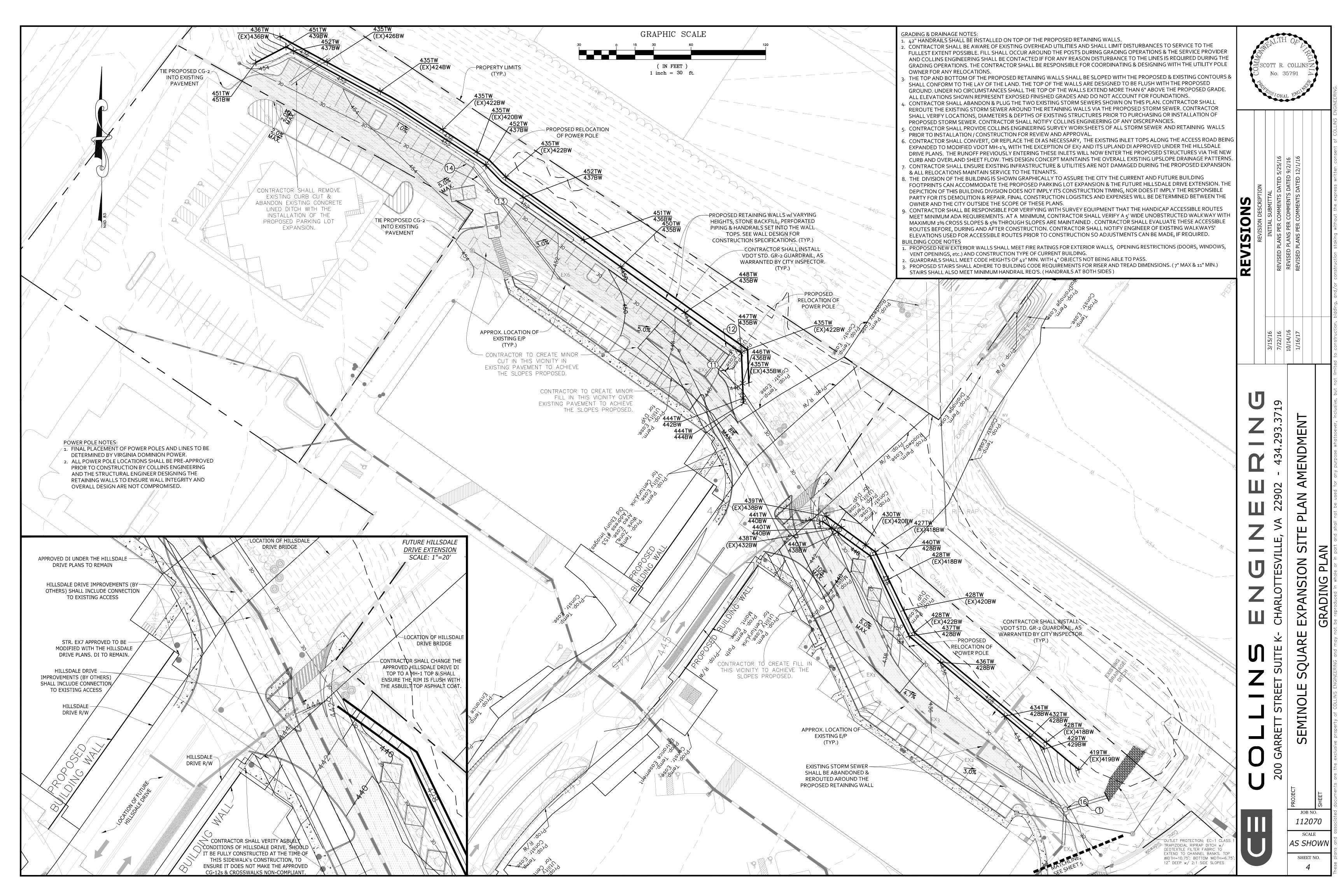
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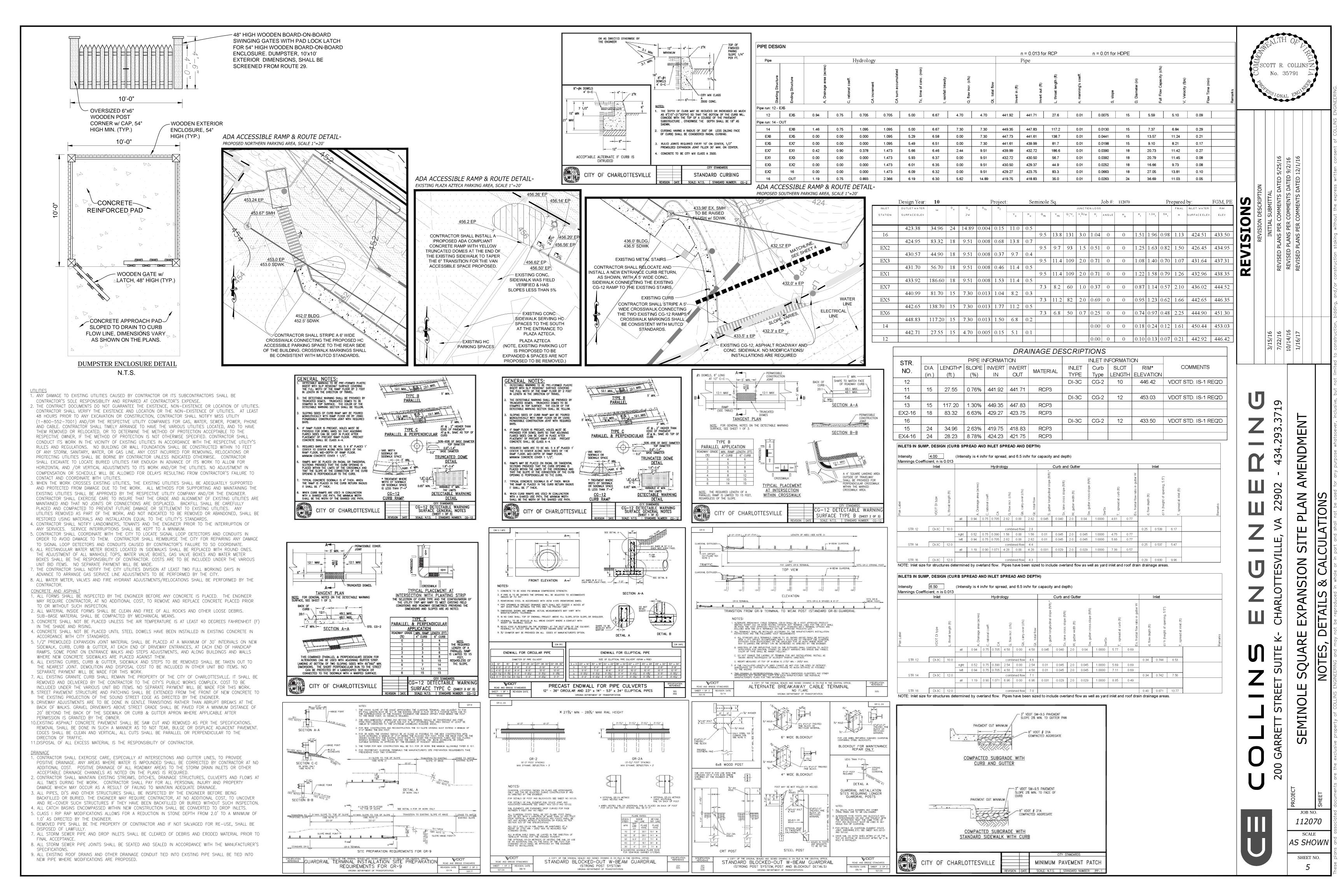
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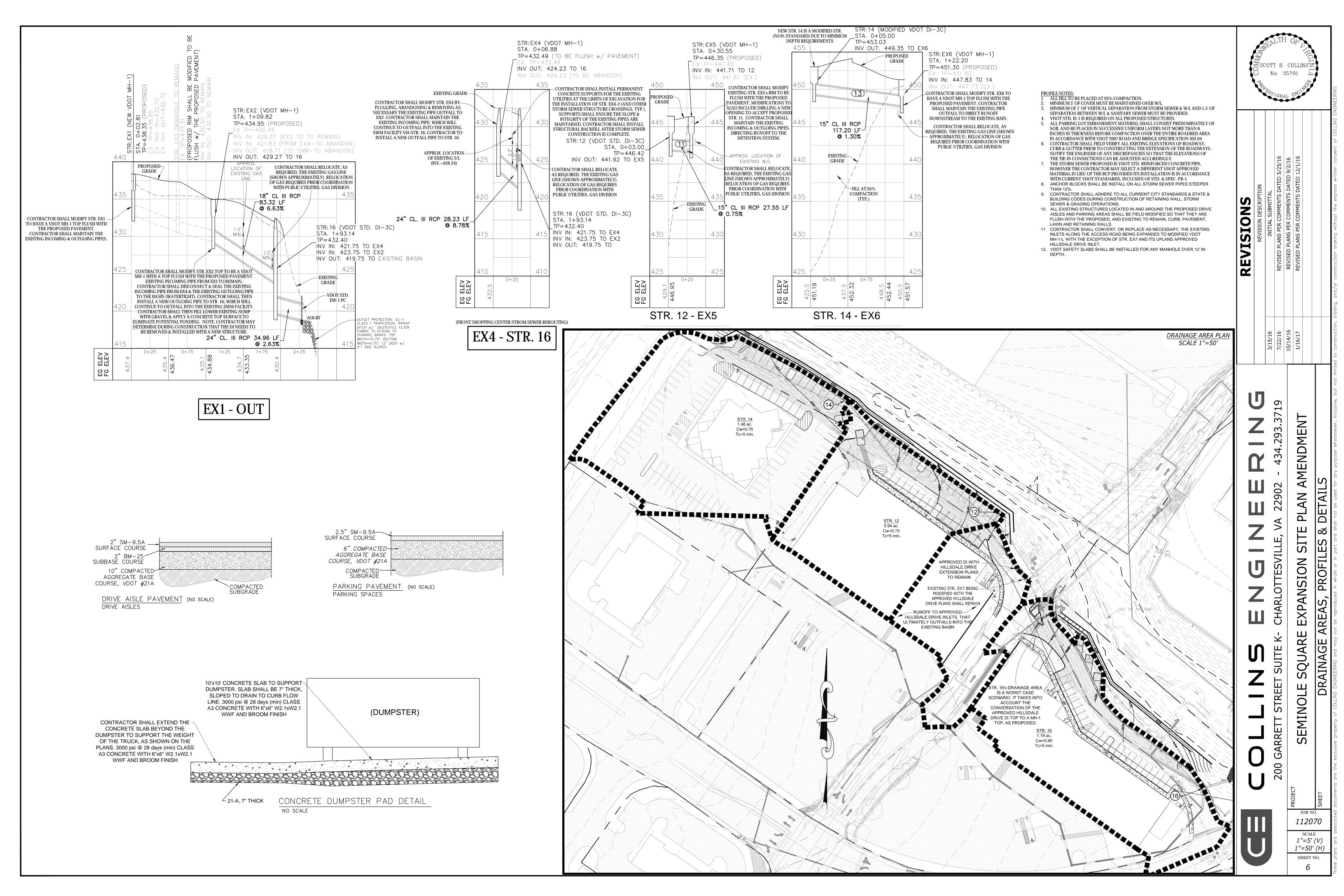
SIGNATURE PANEL

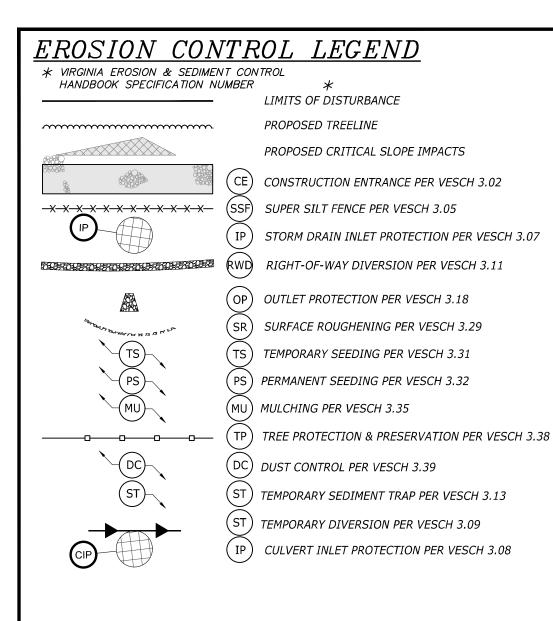


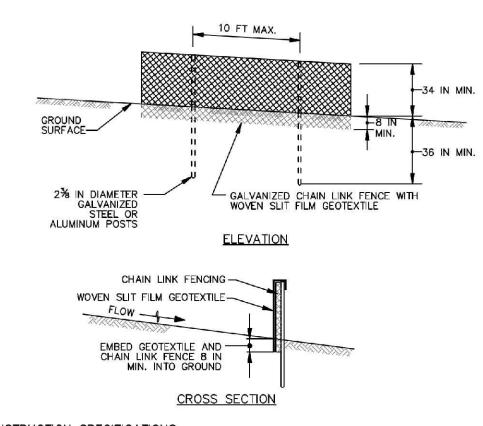






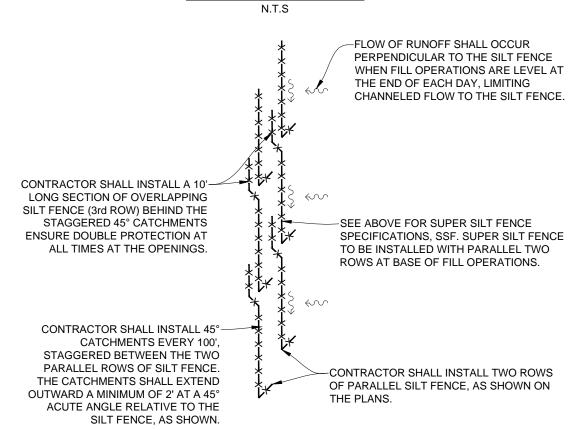






- INSTALL 2% INCH DIAMETER GALVANIZED STEEL POSTS OF 0.095 INCH WALL THICKNESS AND SIX FOOT LENGTH SPACED NO FURTHER THAN 10 FEET APART, DRIVE THE POSTS A MINIMUM OF 36 INCHES
- 2. FASTEN 9 GAUGE OR HEAVIER GALVANIZED CHAIN LINK FENCE (23/8 INCH MAXIMUM OPENING) 42 INCHES IN HEIGHT SECURELY TO THE FENCE POSTS WITH WIRE TIES OR HUG RINGS.
- 3. FASTEN WOVEN SLIT FILM GEOTEXTILE AS SPECIFIED IN SECTION H-1 MATERIALS, SECURELY TO THE UPSLOPE SIDE OF CHAIN LINK FENCE WITH TIES SPACED EVERY 24 INCHES AT THE TOP AND MID SECTION. EMBED GEOTEXTILE AND CHAIN LINK FENCE A MINIMUM OF 8 INCHES INTO THE GROUND.
- WHERE ENDS OF THE GEOTEXTILE COME TOGETHER, THE ENDS SHALL BE OVERLAPPED BY 6 INCHES, FOLDED, AND STAPLED TO PREVENT SEDIMENT BY PASS.
- 5. EXTEND BOTH ENDS OF THE SUPER SILT FENCE A MINIMUM OF FIVE HORIZONTAL FEET UPSLOPE AT 45 DEGREES TO THE MAIN FENCE ALIGNMENT TO PREVENT RUNOFF FROM GOING AROUND THE ENDS
- 6. PROVIDE MANUFACTURER CERTIFICATION TO THE INSPECTION/ENFORCEMENT AUTHORITY SHOWING THAT GEOTEXTILE USED MEETS THE REQUIREMENTS IN SECTION H-1 MATERIALS.
- REMOVE ACCUMULATED SEDIMENT AND DEBRIS WHEN BULGES DEVELOP IN FENCE OR WHEN SEDIMENT REACHES 25% OF FENCE HEIGHT. REPLACE GEOTEXTILE IF TORN. IF UNDERMINING OCCURS, REINSTALL CHAIN LINK FENCING AND GEOTEXTILE.

## DETAIL FOR SUPER SILT FENCE WITH CHAIN LINK BACKING & TWO PARALLEL ROWS



- THE OWNER/CLIENT OF THIS PROPERTY IS: OWERS LIMITED PARTNERSHIP ET AL GREAT EASTERN MANAGEMENT P O ROX 5526
- CHARLOTTESVILLE, VA 22905 2. THESE PLANS HAVE BEEN PREPARED BY: COLLINS ENGINEERING. INC 200 GARRETT STREET SUITE K CHARLOTTESVILLE, VA 22902
- TELEPHONE: (434) 293-3719 FACSIMILE: (434) 293-2813 5. SOURCE OF INFORMATION/SURVEY: ELEVATIONS FOR THE ADJACENT STORMWATER MANAGEMENT FACILITY ARE BASED OFF OF A SURVEY BY COMMONWEALTH LAND SURVEYING, LLC DATED 8/4/2011, WHICH SETS THE RISER INVERT AS THE DATUM AT ELEVATION 403.3'. ADDITIONAL OFFSITE SURVEYED INFORMATION IN THE PROXIMITY OF THE PEPSI PLANT IS BASED OFF A SURVEY BY JENNINGS STEPHENSON, P.C. IN JANUARY OF 2007. THE REMAINING TOPOGRAPHY AND PLANIMETRICS ARE BASED OFF CITY & COUNTY GIS DATA. FIELD VERIFIED BY
- TMP 41C-3.1: HW-HIGHWAY CORRIDOR ZONING (NO DISTURBANCE TO ENTRANCE CORRIDOR - UNAFFECTED WESTERN PORTION OF PARCEL UNDER ENTRANCE CORRIDOR DESIGNATION
- 7. TAX MAP AND PARCEL NUMBER: TMP 41C-3.1
- 8. USGS DATUM: NAD 83 (1994) 9. LOCATION/ADDRESS OF PROJECT:
- 129 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 151 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 159 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 167 SEMINOLE COURT. CHARLOTTESVILLE, VA 22901

COLLINS ENGINEERING IN SUMMER OF 2012.

- 123 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 175 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 185 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 10. TOTAL ACREAGE OF SITE: 18.806 ACRES
- TOTAL PROPOSED LIMITS OF DISTURBANCE: 2.22 ACRES 12. SITE PHASING: THE SITE CONSTRUCTION AND E&S WILL OCCUR IN THREE PHASES.
- 13. PUBLIC UTILITIES: THE SITE WILL BE SERVED BY EXISTING PUBLIC WATER AND \* COLLINS ENGINEERING SHALL NOT HAVE AUTHORITY OVER CONTRACTOR'S WORK,

REGULATIONS. WE SHALL NOT ASSUME RESPONSIBILITY FOR ANY CONSTRUCTION

## STARTED PRIOR TO PLAN APPROVAL EROSION & SEDIMENT CONTROL

SAFETY PRECAUTIONS, SCHEDULES, OR COMPLIANCE WITH LAWS AND

STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. STRUCTURAL PRACTICES USED IN THIS SECTION CONSIST OF THE FOLLOWING:

A STABILIZED PAVED CONSTRUCTION ENTRANCE WITH A WASH RACK LOCATED AT POINTS OF VEHICULAR INGRESS AND EGRESS ON A CONSTRUCTION SITE. TO REDUCE THE AMOUNT OF MUD TRANSPORTED ONTO PAVED PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF. CONSTRUCTION ENTRANCES SHALL BE INSTALLED AS SHOWN ON THE PLANS TO REDUCE THE AMOUNT SEDIMENT TRANSPORTED ONTO PUBLIC ROADWAYS.

A TEMPORARY SEDIMENT BARRIER CONSISTING OF A SYNTHETIC FILTER FABRIC STRETCHED ACROSS AND ATTACHED TO SUPPORTING POSTS AND ENTRENCHED, TO INTERCEPT AND DETAIN SMALL AMOUNTS OF SEDIMENT FROM DISTURBED AREAS DURING CONSTRUCTION OPERATIONS IN ORDER TO PREVENT SEDIMENT FROM LEAVING THE SITE, AND TO DECREASE THE VELOCITY OF SHEET FLOWS AND LOW-TO-MODERATE LEVEL CHANNEL FLOWS. THE SILT FENCE BARRIERS SHALL BE INSTALLED DOWN SLOPE OF AREAS WITH MINIMAL GRADES TO FILTER SEDIMENT LADEN RUNOFF FROM SHEET FLOW AS INDICATED. THEY SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND MAINTAINED IN ACCORDANCE WITH THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK (VESCH).

A SEDIMENT FILTER OR AN EXCAVATED IMPOUNDING AREA AROUND A STORM DRAIN DROP INLET OR CURB INLET. TO PREVENT SEDIMENT FROM ENTERING STORM DRAINAGE SYSTEMS PRIOR TO PERMANENT STABILIZATION OF THE DISTURBED AREA. INLET PROTECTION APPLIES WHERE STORM DRAIN INLETS ARE TO BE MADE OPERATIONAL BEFORE PERMANENT STABILIZATION OF THE CORRESPONDING DISTURBED DRAINAGE AREA.

A SEDIMENT FILTER LOCATED AT THE INLET TO STORM SEWER CULVERTS. OR IN THIS CASE THE ORIFICE OPENING IN THE RISER LOCATED IN THE BASIN ADJACENT TO THIS DEVELOPMENT. CIP TO PREVENT SEDIMENT FROM ENTERING. ACCUMULATING IN AND BEING TRANSFERRED BY THE OUTFALL PIPE AND ASSOCIATED DRAINAGE SYSTEM PRIOR TO PERMANENT STABILIZATION OF A DISTURBED PROJECT AREA. TO PROVIDE EROSION CONTROL AT ITS INLET DURING THE PHASE OF A PROJECT WHERE ELEVATION AND DRAINAGE PATTERNS CHANGE, CAUSING ORIGINAL CONTROL MEASURES TO BE INEFFECTIVE OR IN NEED OR REMOVAL. THIS IS TO BE IMPLEMENTED IMMEDIATE SINCE THE ORIFICE OPENING AND ITS ASSOCIATED DRAINAGE SYSTEM WILL CONTINUE TO BE OPERATIONAL PRIOR TO PERMANENT STABILIZATION OF THE DISTURBED AREA.

3.11 TEMPORARY RIGHT-OF-WAY DIVERSION: A RIDGE OF COMPACTED SOIL OR LOOSE ROCK OR GRAVEL CONSTRUCTED ACROSS DISTURBED RIGHTS-OF-WAY AND SIMILAR SLOPING AREAS. TO SHORTEN THE FLOW LENGTH WITHIN A SLOPING RIGHT-OF-WAY, THEREBY REDUCING THE EROSION POTENTIAL BY DIVERTING STORM RUNOFF TO A STABILIZED OUTLET. GENERALLY,

EARTHEN DIVERSIONS ARE APPLICABLE WHERE THERE WILL BE LITTLE OR NO

CONSTRUCTION TRAFFIC WITHIN THE RIGHT-OF-WAY. GRAVEL STRUCTURES ARE MORE APPLICABLE TO ROADS AND OTHER RIGHTS-OF-WAY WHICH ACCOMMODATE VEHICULAR TRAFFIC.

PROVIDING A ROUGH SOIL SURFACE WITH HORIZONTAL DEPRESSIONS CREATED BY OPERATING A TILLAGE OR OTHER SUITABLE IMPLEMENT ON THE CONTOUR, OR BY LEAVING SLOPES IN A ROUGHENED CONDITION BY NOT FINE-GRADING THEM. THESE SHALL BE PERFORMED ON SLOPES IN EXCESS OF 3:1.

THE ESTABLISHMENT OF A TEMPORARY VEGETATIVE COVER ON DISTURBED AREAS BY SEEDING WITH APPROPRIATE RAPIDLY GROWING ANNUAL PLANTS. TO REDUCE EROSION AND SEDIMENTATION BY STABILIZING DISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE FOR A PERIOD OF MORE THAN 30 DAYS. TO REDUCE DAMAGE FROM SEDIMENT AND RUNOFF TO DOWNSTREAM OR OFF-SITE AREAS, AND TO PROVIDE PROTECTION TO BARE SOILS EXPOSED DURING CONSTRUCTION UNTIL PERMANENT VEGETATION OR OTHER EROSION CONTROL MEASURES CAN BE

THE ESTABLISHMENT OF PERENNIAL VEGETATIVE COVER ON DISTURBED AREAS BY PLANTING SEED. TO REDUCE EROSION AND DECREASE SEDIMENT YIELD FROM DISTURBED AREAS. TO PERMANENTLY STABILIZE DISTURBED AREAS IN A MANNER THAT IS ECONOMICAL, ADAPTABLE TO SITE CONDITIONS, AND ALLOWS SELECTION OF THE MOST APPROPRIATE PLANT MATERIALS. TO IMPROVE WILDLIFE HABITAT. TO ENHANCE NATURAL BEAUTY. UPON COMPLETION OF CONSTRUCTION ACTIVITIES, ALL AREAS WILL RECEIVE A PERMANENT VEGETATIVE COVER.

APPLICATION OF PLANT RESIDUES OR OTHER SUITABLE MATERIALS TO THE SOIL SURFACE. TO PREVENT EROSION BY PROTECTING THE SOIL SURFACE FROM RAINDROP IMPACT AND REDUCING THE VELOCITY OF OVERLAND FLOW. TO FOSTER THE GROWTH OF VEGETATION BY INCREASING AVAILABLE MOISTURE AND PROVIDING INSULATION AGAINST EXTREME HEAT AND COLD. AREAS WHICH HAVE BEEN PERMANENTLY SEEDED SHOULD BE MULCHED IMMEDIATELY FOLLOWING SEEDING. AREAS WHICH CANNOT BE SEEDED BECAUSE OF THE SEASON SHOULD BE MULCHED USING ORGANIC MUI CH. MUI CH MAY BE USED TOGETHER WITH PLANTINGS OF TREES, SHRUBS, OR CERTAIN GROUND COVERS WHICH DO NOT PROVIDE ADEQUATE SOIL STABILIZATION BY THEMSELVES. CAN BE USED IN CONJUNCTION WITH

3.38 TREE PRESERVATION AND PROTECTION:
PROTECTION OF DESIRABLE TREES FROM MECHANICAL OR OTHER INJURY DURING LAND DISTURBING AND CONSTRUCTION ACTIVITY. TO ENSURE THE SURVIVAL OF DESIRABLE TREES WHERE THEY WILL BE EFFECTIVE FOR EROSION AND SEDIMENT CONTROL, WATERSHED PROTECTION, LANDSCAPE BEAUTIFICATION, DUST AND POLLUTION CONTROL, NOISE REDUCTION, SHADE AND OTHER ENVIRONMENTAL BENEFITS WHILE THE LAND IS BEING CONVERTED FROM FOREST TO URBAN-TYPE USES. APPLIES IN TREE-INHABITED AREAS SUBJECT TO LAND DISTURBING

REDUCING SURFACE AND AIR MOVEMENT OF DUST DURING LAND DISTURBING DEMOLITION AND CONSTRUCTION ACTIVITIES. TO PREVENT SURFACE AND AIR MOVEMENT OF DUST FROM EXPOSED SOIL SURFACES AND REDUCE THE PRESENCE OF AIRBORNE SUBSTANCES WHICH MAY PRESENT HEALTH HAZARDS, TRAFFIC SAFETY PROBLEMS OR HARM ANIMAL OR PLANT LIFE. DUST CONTROL MEASURES SHALL BE EMPLOYED TO PREVENT SURFACE AND AIR MOVEMENT OF DUST DURING CONSTRUCTION. MEASURES EMPLOYED SHALL BE IN ACCORDANCE WITH THE VESCH.

## EROSION CONTROL NOTES

- ES-1: UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE <u>VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK</u> AND VIRGINIA REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL
- ES-2: THE PLAN APPROVING AUTHORITY MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRE-CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION.
- ES-3: ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING. ES-4: A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL
- BE MAINTAINED ON THE SITE AT ALL TIMES. ES-5: PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING BUT NOT LIMITED TO, OFF-SITE BORROW OR WASTE AREAS), THE CONTRACTOR SHALL SUBMIT A
- SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE PLAN APPROVING AUTHORITY. ES-6: THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND
- SEDIMENTATION AS DETERMINED BY THE PLAN APPROVING AUTHORITY. ES-7: ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED. ES-8: DURING DEWATERING OPERATIONS, WATER WILL BE PUMPED INTO AN
- APPROVED WATER FILTERING DEVICE. ES-9: THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER EACH RUNOFF-PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.

## EROSION CONTROL NOTES

- THE PLAN APPROVING AUTHORITY MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRE-CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION. ALL EROSION AND SEDIMENT CONTROL MEASURES WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA
- EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL REGULATIONS. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS
- THE FIRST STEP IN CLEARING. A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE
- MAINTAINED ON THE SITE AT ALL TIMES. PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING, BUT NOT LIMITED TO, OFF-SITE BORROW OR WASTE AREAS). THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE PLAN APPROVING AUTHORITY. THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION
- CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY THE PLAN APPROVING AUTHORITY. ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL
- FINAL STABILIZATION IS ACHIEVED. DURING DEWATERING OPERATIONS, WATER WILL BE PUMPED INTO AN APPROVED
- FILTERING DEVICE. THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER EACH RUNOFF-PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.
- ALL FILL MATERIAL TO BE TAKEN FROM AN APPROVED, DESIGNATED BORROW AREA. ALL WASTE MATERIALS SHALL BE TAKEN TO AN APPROVED WASTE AREA. EARTH FILL SHALL BE INERT MATERIALS ONLY, FREE OF ROOTS, STUMPS, WOOD, RUBBISH, AND OTHER DEBRIS
- 12. BORROW OR WASTE AREAS ARE TO BE RECLAIMED WITHIN 7 DAYS OF COMPLETION PER ZONING ORDINANCE SECTION 5.1.28. ALL INERT MATERIALS SHALL BE TRANSPORTED IN COMPLIANCE WITH CURRENT CITY
- REGULATIONS BORROW, FILL OR WASTE ACTIVITY INVOLVING INDUSTRIAL-TYPE POWER EQUIPMENT SHALL BE LIMITED TO THE HOURS OF 7:00 AM TO 9:00 PM. 15. BORROW, FILL OR WASTE ACTIVITY SHALL BE CONDUCTED IN A SAFE MANNER THAT
- MAINTAINS LATERAL SUPPORT, OR ORDER TO MINIMIZE ANY HAZARD TO PERSONS, PHYSICAL DAMAGE TO ADJACENT LAND AND IMPROVEMENTS, AND DAMAGE TO ANY PUBLIC STREET BECAUSE OF SLIDES, SINKING, OR COLLAPSE. 16. THE DEVELOPER SHALL RESERVE THE RIGHT TO INSTALL, MAINTAIN, REMOVE OR CONVERT TO PERMANENT STORMWATER MANAGEMENT FACILITIES WHERE APPLICABLE ALL
- EROSION CONTROL MEASURES REQUIRED BY THIS PLAN REGARDLESS OF THE SALE OF ANY LOT, UNIT, BUILDING OR OTHER PORTION OF THE PROPERTY. 17. TEMPORARY STABILIZATION SHALL BE TEMPORARY SEEDING AND MULCHING. SEEDING IS TO BE APPLIED AT 50-100 LBS/ACRE FROM SEPTEMBER 1 TO FEBRUARY 15 AND SHALL CONSIST OF A 50/50 MIX OF ANNUAL RYEGRASS AND CEREAL WINTER RYE. FROM FEBRUARY 16 TO APRIL 30 SEEDING SHALL BE APPLIED AT 60-100 LBS/ACRE AND CONSIST OF ANNUAL RYE GRASS. FROM MAY 1 TO AUGUST 31 SEEDING SHALL BE

APPLIED AT 50 LBS/ACRE AND CONSIST OF GERMAN MILLET. STRAW MULCH IS TO BE

- APPLIED AT 70-90 LBS PER 1,000 SF. ALTERNATIVES ARE SUBJECT TO APPROVAL BY THE EROSION CONTROL INSPECTOR. 18. PERMANENT STABILIZATION SHALL BE LIME AND FERTILIZER, PERMANENT SEEDING, AND MULCH. AGRICULTURAL GRADE LIMESTONE SHALL BE APPLIED AT 90LBS/1000SF. INCORPORATED INTO THE TOP 4-6 INCHES OF SOIL. FERTILIZER SHALL BE APPLIED AT 1000LBS/ACRE AND CONSIST OF A 10-20-10 NUTRIENT MIX. PERMANENT SEEDING SHALL BE APPLIED AT 150LBS/ACRE AND CONSIST OF 128 LBS KENTUCKY 31 FESCUE AND 2 LBS RED TOP GRASS, AND 20 LBS SEASONAL NURSE CROP PER TABLE 3.32-D BELOW. STRAW MULCH IS TO BE APPLIED AT 70-90 LBS PER 1.000SF. ALTERNATIVES
- ARE SUBJECT TO APPROVAL BY THE EROSION CONTROL INSPECTOR. 19. MAINTENANCE: ALL MEASURES ARE TO BE INSPECTED WEEKLY AND AFTER EACH RAINFALL. ANY DAMAGE OR CLOGGING TO STRUCTURAL MEASURES IS TO BE REPAIRED IMMEDIATELY. SILT TRAPS ARE TO BE CLEANED WHEN 50% OF THE WET STORAGE VOLUME IS FILLED WITH SEDIMENT. ALL SEEDED AREAS ARE TO BE RESEEDED WHEN NECESSARY TO ACHIEVE A GOOD STAND OF GRASS. SILT FENCE AND DIVERSION DYKES WHICH ARE COLLECTING SEDIMENT TO HALF THEIR HEIGHT MUST BE CLEANED AND REPAIRED IMMEDIATELY
- 20. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE REMOVED WITHIN 30 DAYS OF FINAL SITE STABILIZATION, WHEN MEASURES ARE NO LONGER NEEDED. SUBJECT TO APPROVAL BY THE EROSION CONTROL INSPECTOR.
- . THE E&S INSPECTOR HAS THE AUTHORITY TO ADD OR DELETE E&S CONTROLS AS NECESSARY IN THE FIELD AS SITE CONDITIONS CHANGE. IN ADDITION, NO SEDIMENT BASIN OR TRAP CAN BE REMOVED WITHOUT WRITTEN AUTHORIZATION.

## DESCRIPTION OF EROSION & SEDIMENT CONTROL MEASURES:

EROSION AND SEDIMENT CONTROL MEASURES:

IT IS ANTICIPATED TO USE A CONSTRUCTION ENTRANCE, SUPER SILT FENCE, SURFACE ROUGHENING, INLET PROTECTION, A RIGHT-OF-WAY DIVERSION. TEMPORARY AND PERMANENT SEEDING, TREE PROTECTION FENCING, AND DUST CONTROL TO CONTROL SURFACE DRAINAGE AND EROSION. TEMPORARY SEEDING WILL BE USED IMMEDIATELY FOLLOWING ALL LAND DISTURBANCE ACTIVITIES. TEMPORARY STOCKPILE AREAS WILL BE MAINTAINED FROM TOPSOIL THAT WILL BE STRIPPED FROM AREAS TO BE GRADED AND STORED FOR LATER SPREADING. STOCKPILE LOCATIONS SHALL BE ON SITE AND SHALL BE STABILIZED WITH A TEMPORARY VEGETATIVE COVER. PERMANENT SEEDING WILL BE PERFORMED FOR ALL AREAS WHICH WILL NO LONGER BE EXCAVATED AND WHERE CONSTRUCTION ACTIVITIES HAVE CEASED. PERMANENT SEEDING SHALL ALSO BE PERFORMED FOR ALL DENUDED AREAS WHICH WILL BE LEFT DORMANT FOR A YEAR OR MORE. SELECTION OF SEED MIXTURE WILL DEPEND ON THE TIME OF YEAR APPLIED. TEMPORARY SEEDING WILL BE PERFORMED FOR ALL DENUDED AREAS WHICH WILL BE LEFT DORMANT FOR MORE THAN SEVEN DAYS. THESE AREAS SHALL BE SEEDED WITH FAST GERMINATING VEGETATION IMMEDIATELY FOLLOWING GRADING OF THOSE AREAS. SELECTION OF SEED MIXTURE WILL DEPEND ON THE TIME OF

3.02 CONSTRUCTION ENTRANCE - A CONSTRUCTION ENTRANCE WILL BE INSTALLED AT THE PROPOSED ENTRANCE ALONG SEMINOLE COURT TO PROTECT THE STREET.

3.05 SILT FENCE - SUPER SILT FENCE WILL BE INSTALLED ALONG THE DOWNSTREAM BOUNDARIES OF THE SITE EAST OF THE PROJECT. 3.07 STORM DRAIN INLET PROTECTION — INLET PROTECTION TO BE INSTALLED AT EACH EXISTING STORM BOX IN THE VICINITY. AS WELL AS ON EACH PROPOSED STORM INLET AS SHOWN ON THE PLANS.

3.11 TEMPORARY RIGHT-OF-WAY DIVERSION - A RIGHT-OF-WAY DIVERSION SHALL BE INSTALLED AT THE PROPOSED ENTRANCE TO THE SITE. 3.15 TEMPORARY SLOPE DRAIN - FLEXIBLE 6" SLOPE DRAINS WILL BE PLACED AS SHOWN ON THE PLANS.

3.29 SURFACE ROUGHENING - SURFACE ROUGHENING SHALL BE APPLIED TO ALL STEEP SLOPES IN EXCESS OF 3:1 3.31 TEMPORARY SEEDING — TEMPORARY SEEDING SHALL BE INSTALLED WHERE

SHOWN ON THE PLANS. 3.32 PERMANENT SEEDING — PERMANENT SEEDING SHALL BE INSTALLED WHERE SHOWN ON THE PLANS.

3.35 MULCHING — APPLICATION OF PLAN RESIDUES OR OTHER SUITABLE MATERIALS TO THE SOIL SURFACE. 3.38 TREE PRESERVATION AND PROTECTION — TREE PROTECTION FENCING SHALL BE INSTALLED AROUND THOSE TREES AND BUSHES MARKED TO BE PRESERVED

WHERE SHOWN ON THE PLANS. 3.39 DUST CONTROL - DUST CONTROL SHALL BE INSTALLED WHERE SHOWN ON THE PLANS.

## STORMWATER MANAGEMENT:

THE PROPOSED EXPANSION AN EXISTING, ONSITE STORMWATER MANAGEMENT BASIN TO PROVIDE STORMWATER QUANTITY TREATMENT. STORMWATER QUALITY COMPLIANCE WILL BE ACHIEVED THROUGH THE PURCHASING OF PHOSPHOROUS REMOVAL CREDITS. ALSO NOTE THE POST-DEVELOPMENT DRAINAGE PATTERNS HAVE NOT BEEN MODIFIED, AND CONTINUE TO FLOW IN THE SAME DIRECTION & LOCATION AS THE PRE-DEVELOPMENT CONDITIONS.

## MAINTENANCE:

IN GENERAL, DURING CONSTRUCTION THE RLD OR CONTRACTOR ON-SITE WILL CHECK ALL EROSION AND SEDIMENT CONTROL MEASURES DAILY AND AFTER EACH SIGNIFICANT RAINFALL. MONITORING REPORTS WILL BE REQUIRED FROM THE RLD IF NEEDED. SPECIFIC ATTENTION WILL BE GIVEN TO THE FOLLOWING ITEMS:

- a. SEDIMENT BASINS AND/OR TRAPS WILL BE CLEANED AND MAINTAINED IN ACCORDANCE WITH THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK b.ALL GRAVEL OUTLETS WILL BE CHECKED REGULARLY FOR SEDIMENT BUILDUP THAT WILL PREVENT PROPER DRAINAGE. IF THE GRAVEL IS CLOGGED BY SEDIMENT, THE
- GRAVEL WILL BE REMOVED AND CLEANED, OR IT WILL BE REPLACED. c. ALL SILT FENCE BARRIERS WILL BE CHECKED REGULARLY FOR UNDERMINING OR DETERIORATION OF THE FABRIC AND REPAIRED AS REQUIRED. SEDIMENT SHALL BE REMOVED WHEN THE LEVEL OF SEDIMENT DEPOSITION REACHED HALF WAY TO THE TOP OF THE BARRIER.
- d.ALL SEEDED AREAS WILL BE CHECKED REGULARLY TO SEE THAT A GOOD STAND IS MAINTAINED. AREAS SHOULD BE FERTILIZED AND RESEEDED AS NEEDED. IN CASE OF EMERGENCY, THE PRIMARY CONTACT FOR THE PROJECT WILL BE THE RLD OR CONTRACTOR ON-SITE. IN ADDITION, THE ENGINEER, MR. SCOTT COLLINS MAY BE CONTACTED AT 434-987-1631. UPON COMPLETION OF THE PROJECT, THE OWNER WILL BE RESPONSIBLE FOR SITE MAINTENANCE.

## EROSION CONTROL NOTES & NARRATIVE

FOR THE SEMINOLE SQUARE SHOPPING CENTER. THIS PLAN PROPOSES TO INSTALL PARKING SPACES & DRIVE AISLES ALONG THE EASTERN BOUNDARY OF THE SITE UTILIZING PROPOSED RETAINING WALLS. THE PROJECT WILL BEGIN CONSTRUCTION IN THE FALL OF 2016 AND CONCLUDE IN THE WINTER OF 2016/2017. THE TIME FOR COMPLETION WILL BE APPROXIMATELY 6 MONTHS. PORTIONS OF STORM SEWER ARE PROPOSED TO BE REROUTED AROUND THE RETAINING WALL. AND THE STORMWATER MANAGEMENT SHEET PROVIDES A DETAILED DESCRIPTION OF THE IMPERVIOUS

EXISTING SITE CONDITIONS: THE AREA EAST OF THE EXISTING SEMINOLE SQUARE SHOPPING CENTER IS CURRENTLY PAVED AND DRAINED WITH CURB AND GUTTER. THE AREA OF THE PARKING EXPANSION IS CURRENTLY SLOPING TO THE EAST, WOODED, AND DRAINS TO AN EXISTING MANMADE SWM FACILITY, WHICH IS ADJACENT TO THE SITE AND PROTECTED WITH A STORMWATER MANAGEMENT EASEMENT.

THE PORTION OF THE SITE PROPOSED TO BE DISTURBED IS CURRENTLY CAPTURED BY AN EXISTING DRAINAGE DITCH AND STORMWATER MANAGEMENT FACILITY. THIS FACILITY RELEASES DRAINAGE TO THE EXISTING MEADOW CREEK WATERWAY.

THE PROPOSED DEVELOPMENT RESULTS IN A MINOR INCREASE IN IMPERVIOUS AREA. THE PROPOSED GRADED AREAS WILL BE SEEDED WHERE IT IS NOT IMPERVIOUS.

THE EASTERN PORTION OF THE SITE DISTURBANCE SHALL REMAIN ABOVE THE 416 CONTOUR. NO DISTURBANCE SHALL OCCUR AT OR BELOW THE 416 CONTOUR DUE TO AN EXISTING SWM EASEMENT. SEE THE ESC AND SWM PLAN SHEETS FOR ACREAGES.

ADJACENT AREAS:

THIS SITE IS BORDERED BY ROUTE 29 TO THE NORTHWEST, THE PEPSI—COLA PLANT AND THE POST OFFICE TO THE NORTH AND NORTHEAST, MEADOW CREEK TO THE SOUTHEAST, AND A SHOPPING CENTER AND HYDRAULIC ROAD TO THE SOUTH & SOUTHWEST. THE DRAINAGE FROM THE PROPOSED DEVELOPMENT DRAINS TO MEADOW CREEK, BUT IS INTERCEPTED BY STORM SEWER AND AN EXISTING STORMWATER MANAGEMENT FACILITY. THE CONTRACTOR SHALL ENSURE THAT NO RUNOFF ESCAPES THE SITE. SUPER SILT FENCE, DUST CONTROL, INLET CONTROL, AND A RIGHT-OF-WAY DIVERSION SHALL BE UTILIZED TO AVOID CONTAMINATION OF ADJACENT PROPERTIES OFFSITE LAND DISTURBANCE:

NO OFFSITE LAND DISTURBANCE IS PROPOSED BEYOND WHAT IS PROPOSED WITH THIS SET OF PLANS. HOWEVER OFFSITE FILL IS REQUIRED FOR THIS DEVELOPMENT. THE CONTRACTOR SHALL ENSURE THAT ALL OFFSITE BARROW AREAS HAVE AN APPROVED E&S PLAN AS REQUIRED BY THE LOCALITY.

THERE ARE NO SOIL BOUNDARIES WITHIN THE PROJECT LIMITS. SOILS ARE URBAN SOIL, SEE SOIL DESCRIPTION THIS PAGE & LABEL ON PHASE I OF THE ESC PLAN. CRITICAL AREAS:

THE PROPOSED DEVELOPMENT SHALL PRESERVE AND PROTECT THE EXISTING DRAINAGE DITCH AND SWM EASEMENT TO THE EAST OF THE WORK, AS WELL AS THE EXISTING CRITICAL SLOPES TO REMAIN. APPROXIMATELY 1.56ac. OF THE SITE'S 18.8ac (8%) HAS SLOPES GREATER THAN OR EQUAL TO 25%. TREE PROTECTION FENCING SHALL BE INSTALLED AS A FIRST STEP IN LAND DISTURBANCE. GRADING AND DIGGING OPERATIONS SHALL REMAIN WITHIN THE SUBJECT PARCEL. WITHIN EXISTING EASEMENTS OR BY THE DIRECTION AND PERMISSION OF OFFSITE OWNERS. THE EXISTING SWM BASIN LOCATED BETWEEN THIS DEVELOPMENT AND THE SEMINOLE SQUARE SHOPPING CENTER IS ALSO A CRITICAL AREA. THIS BASIN WILL CONTINUE TO FUNCTION AS A REGIONAL BASIN AND WILL PROVIDE TREATMENT FOR THE PROPOSED IMPROVEMENTS. EXTRA ATTENTION AND CAUTION SHALL BE GIVEN TO THIS BASIN TO ENSURE SEDIMENT IS NOT DEPOSITED INTO THE FACILITY. THE PROPOSED PLANS REFLECT THESE ADDED PRECAUTIONS.

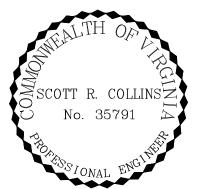
## SOIL DESCRIPTION

91 - URBAN LAND-0% TO 25% SLOPES. SOURCE MATERIAL RESIDUUM WEATHERED FROM GRANITE AND GNEISS. 10 INCHES TO DENSE MATERIAL. LINEAR CONVEX DOWN AND ACROSS-SLOPE SHAPE. VERY LOW TO HIGH KSAT O TO 13.04 IN/HR. (SEE ESC PLAN FOR SOIL BOUNDARY & NAME)

REFERENCE: WEB SOIL SURVEY ONLINE DATABASE, FOUND AT http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

## EROSION CONTROL NOTES & NARRATIVE SEQUENCE OF CONSTRUCTION:

- PHASE I 1. NOTIFY THE CITY OF CHARLOTTESVILLE AND PUBLIC WORKS DEPARTMENT TO SCHEDULE A PRE-CONSTRUCTION MEETING AS REQUIRED.
- 2. FLAG AND SPRAY PAINT THE LIMITS OF DISTURBANCE AND INSTALL TREE PROTECTION FENCING AND SILT FENCE. NOTE, SUPER SILT FENCE WITH CHAIN LINK BACKING SHALL BE INSTALLED WITH TWO PARALLEL ROWS AT THE BASE OF THE FILL OPERATIONS, AS SHOWN ON THE PLANS.
- 3. CONTRACTOR SHALL THEN INSTALL INLET PROTECTION ON THE EXISTING INLETS, FOLLOWED BY A A GRAVEL BERM RIGHT-OF-WAY DIVERSION AND A WASHRACK FOR THE CONSTRUCTION ENTRANCE. 4. INSTALL THE PAVED CONSTRUCTION ENTRANCE AND WASH RACK LOCATED AT THE PROPOSED TRUCK ENTRANCE AS SHOWN ON THE PLANS. CONSTRUCTION ENTRANCE TO BE INSTALLED WHERE CONSTRUCTION VEHICLE ROUTES INTERSECT PAVED PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY (VEHICULAR) TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PUBLIC ROAD SURFACE, THE ROAD SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTING TO A SEDIMENT CONTROL DISPOSAL AREA. STREET
- WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER. CONTRACTOR SHALL ENSURE THE CONSTRUCTION ENTRANCE/WASH RACK DRAINS TO AN ADEQUATE E&SC MEASURE. 5. NO EROSION CONTROL MEASURES MAY BE REMOVED DURING THE CONSTRUCTION PROCESS WITHOUT THE APPROVAL FROM THE INSPECTOR ON THE PROJECT.
- 6. INSTALL ANY REMAINING E&SC CONSTRUCTION MEASURES AS SHOWN ON THE EROSION CONTROL PHASE I SHEET. PERIMETER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP WITH ANY LAND DISTURBANCE ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE.
- PHASE II 7. ONCE ALL THE PHASE I EROSION CONTROL MEASURES HAVE BEEN INSTALLED AND THE CITY INSPECTOR HAS APPROVED THEM, THE CONTRACTOR SHALL BEGIN PHASE II. CONTRACTOR SHALL COMMENCE WITH THE INSTALLATION OF THE SILT FENCE SURROUNDING THE STOCKPILE LOCATIONS. NOTE, THE CONTRACTOR SHALL ENSURE THE BARROW SITE HAS A CURRENT APPROVED E&S PLAN, AS REQUIRED BY THE LOCALITY.
- 8. NEXT THE CONTRACTOR SHALL BEGIN CLEARING FOR THE INSTALLATION OF THE RETAINING WALLS. THE CLEARING, GRADING, FILLING AND WALL CONSTRUCTION FOR THIS PROJECT SHALL OCCUR AT TWO DIFFERENT TIMES. THIS CONSTRUCTION SHALL BE COMPLETED AT ONE AREA/WALL BEFORE PROGRESSING TO THE CONSTRUCTION OF THE SECOND WALL/AREA. SURFACE ROUGHENING SHALL BE APPLIED TO ALL EXPOSED EARTHEN AREAS THAT ARE SLOPED AT THE END OF EACH DAY WHEN RAINFALL IS ANTICIPATED IN THE FORECAST.
- 9. THE CONSTRUCTION OF THE WALLS SHALL OCCUR AFTER THE CLEARING, WHILE SIMULTANEOUSLY FILLING THE AREA. WORK ASSOCIATED WITH THE CONSTRUCTION OF THE RETAINING WALL SYSTEM SHALL OCCUR ON THE TOP SIDE TO REDUCE POTENTIAL IMPACTS TO THE DOWNSTREAM CHANNEL & SHALL INCLUDE THE DIVERSIONS SHOWN ON THE ESC PLAN SHEET. THE CONTRACTOR SHALL ENSURE THE UPLAND CURB ACTING AS A DIVERSION IS MAINTAINED AND IS FUNCTIONAL. THE CONTRACTOR SHALL ALSO ENSURE THE TOP ELEVATION OF THE RETAINING WALL AT THE END OF EACH WORK DAY IS ABOVE THE ADJACENT FILL AREAS. THIS SEQUENCING OF CONSTRUCTION WILL ALLOW THE WALL TO ACT AS A SEDIMENT TRAPPING DEVICE. THE INSTALLATION OF THE RETAINING WALLS SHALL OCCUR DURING A PERIOD OF EXTENDED DRY WEATHER TO REDUCE THE RISK OF EROSION.
- 10. SEDIMENT TRAPS #1 AND #2 SHALL ALSO BE INSTALLED IMMEDIATELY AFTER THE FINAL WALL AND E&S PHASE II FILL GRADES ARE ACHIEVED. THE INSTALLATION OF THE TRAPS SHALL OCCUR SEPARATELY AND SHALL OCCUR AT THE TIME OF THEIR RESPECTIVE (SEPARATE) CONSTRUCTION.
- 11. ONCE THE STAGGERED CONSTRUCTION HAS BEEN COMPLETED FOR THE RETAINING WALLS AND FILLING OPERATIONS HAVE CEASED, THE CONTRACTOR SHALL BEGIN THE STABILIZATION OF THE RECENTLY DISTURBED AREA IMMEDIATELY AND CAN BEGIN INSTALLATION OF THE STORM SEWER. PHASE III
- 12. CONTRACTOR CAN COMPLETE ANY REMAINING DEMOLITION. CLEARING, AND GRADING OF THE SITE, THIS INCLUDES THE BUILDING & PAVEMENT RECONFIGURATIONS. 13. THE CONTRACTOR SHALL THEN BEGIN THE FINAL INSTALLATION OF THE PARKING LOT, STORM SEWER.
- CURB & PAVEMENT. ANY EXISTING UTILITY RELOCATIONS REQUIRED SHALL BE COORDINATED WITH THE UTILITY COMPANIES. THE RELOCATION OF THE POWER POLES WILL BE REQUIRED AT THIS TIME AS WELL. 14. THE CONSTRUCTION OF THE PROPOSED STORM SEWER STRUCTURES 11 & 12 SHALL BE DELAYED AS LONG AS POSSIBLE SO THAT THE SEDIMENT TRAPS CAN REMAIN FUNCTIONAL AS LONG AS IS REASONABLE. THE CONTRACTOR SHALL NOT REMOVE THE SEDIMENT TRAPS WITHOUT PRIOR APPROVALS
- 15. STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES, AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION.
- 16. PERMANENT SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 30 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR.
- 17. MAINTAIN ALL EROSION CONTROL MEASURES AS SPECIFIED IN THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK, REMOVING ONLY WHEN APPROVED BY THE LOCAL PROGRAM ADMINISTRATOR IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK.
- 18. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED BY THE LOCAL PROGRAM ADMINISTRATOR. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION. THE PURPOSE OF THIS LAND DISTURBANCE ACTIVITY IS TO CREATE A PARKING EXPANSION AREA 19. ONCE THE SITE IS STABILIZED AND THE INSPECTOR HAS GIVEN APPROVAL, THE CONTRACTOR CAN REMOVE THE REMAINING EROSION CONTROL MEASURES.



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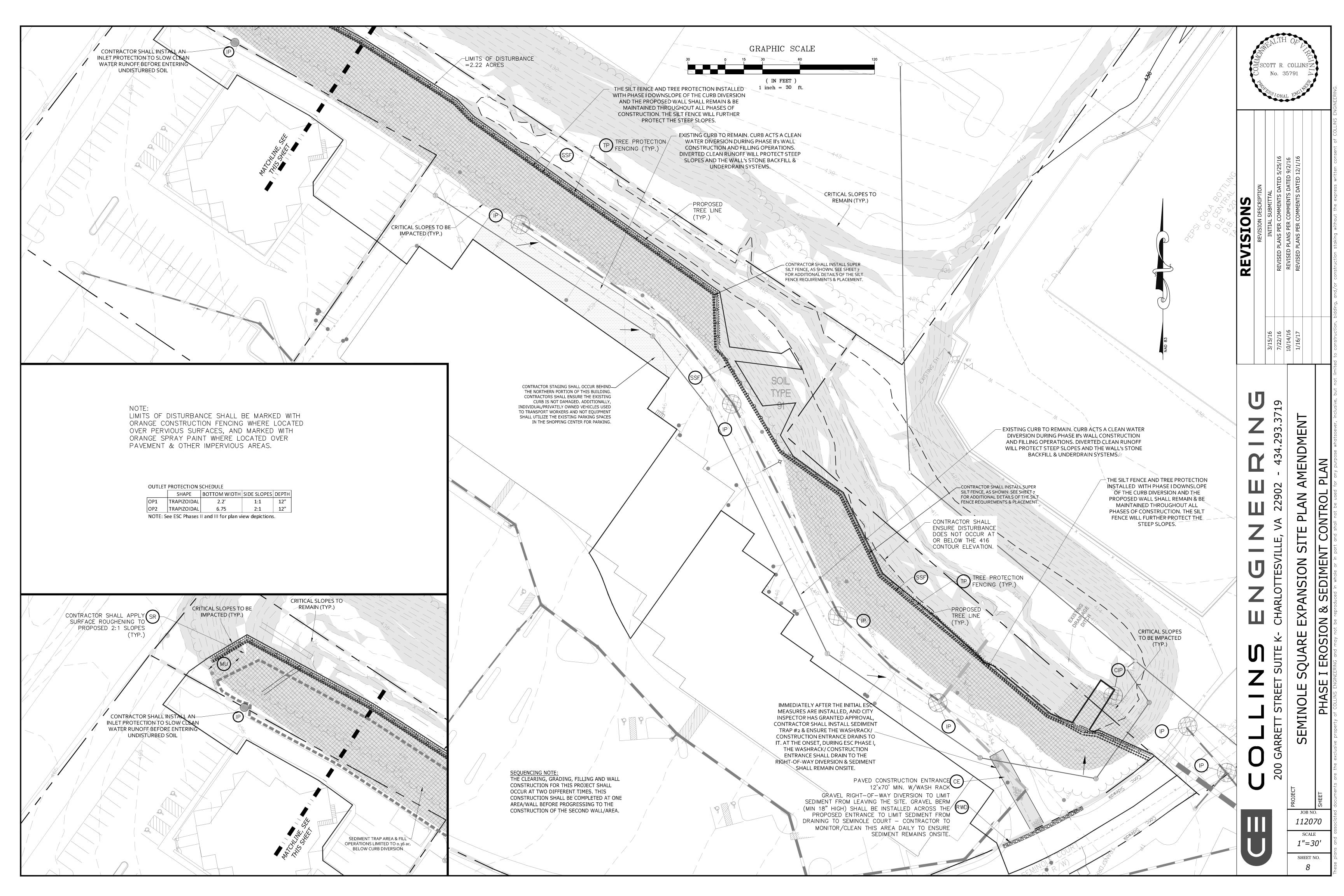
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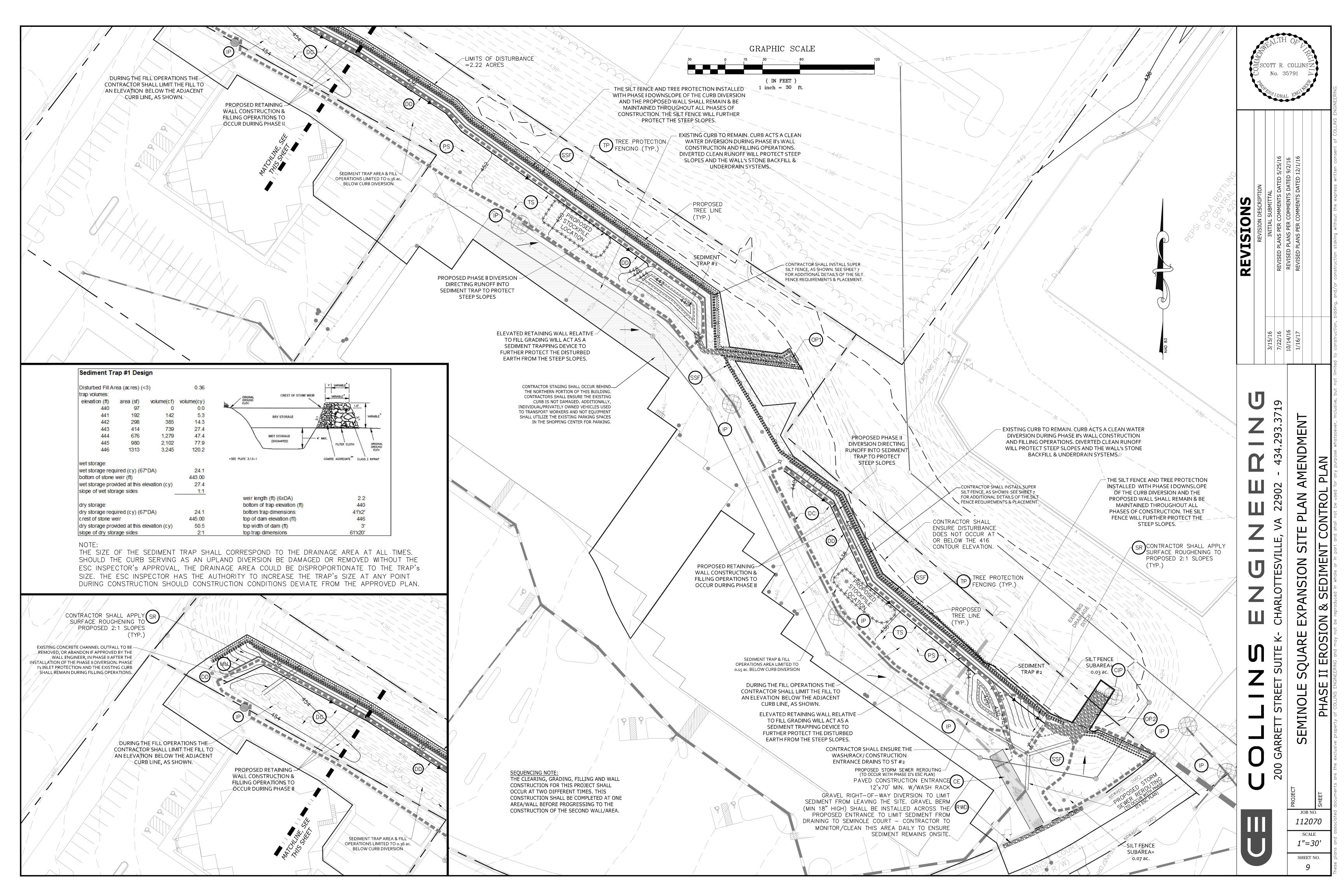
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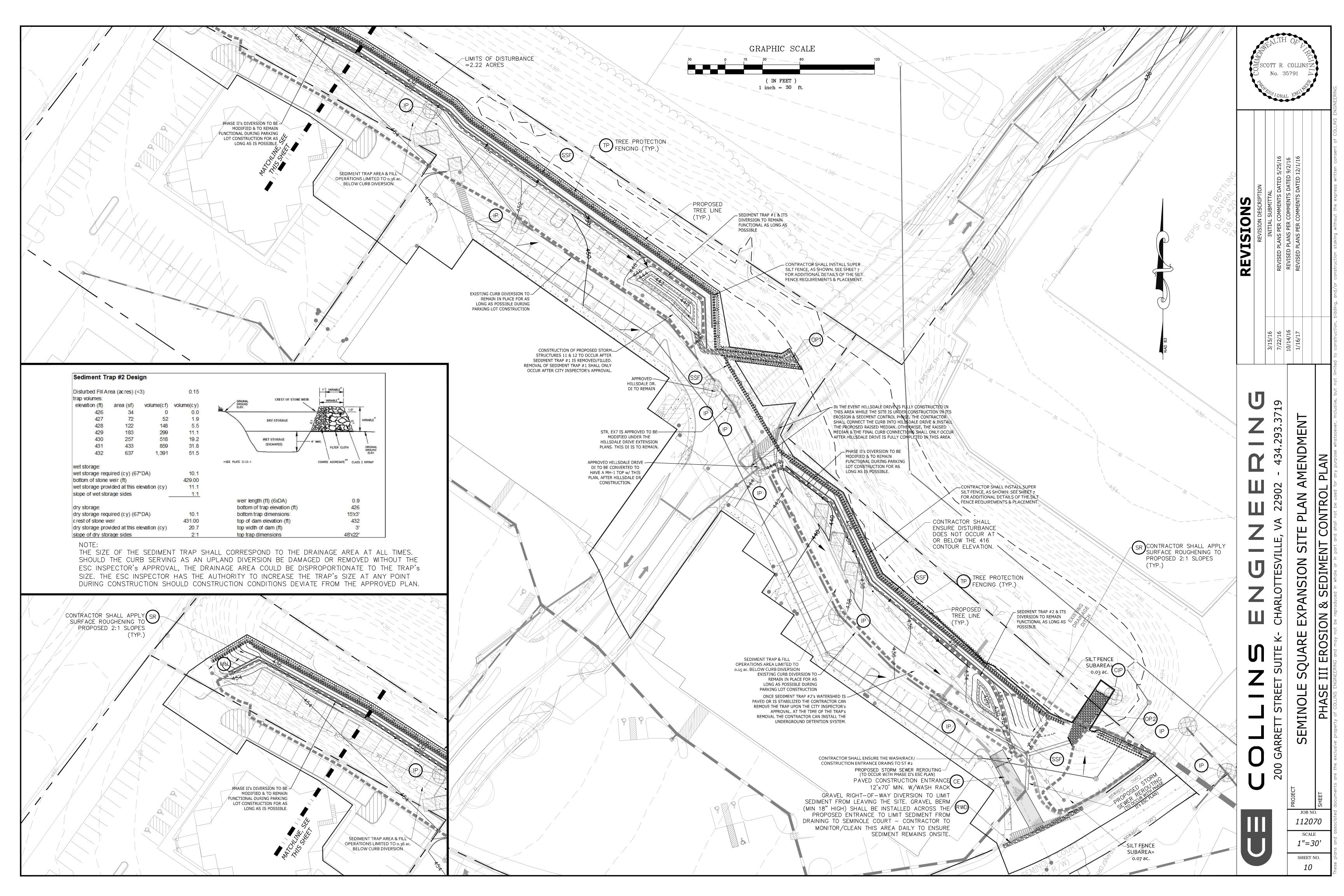
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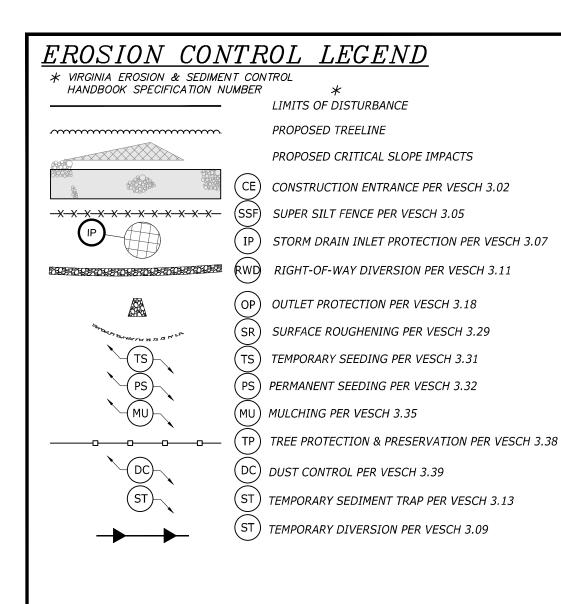
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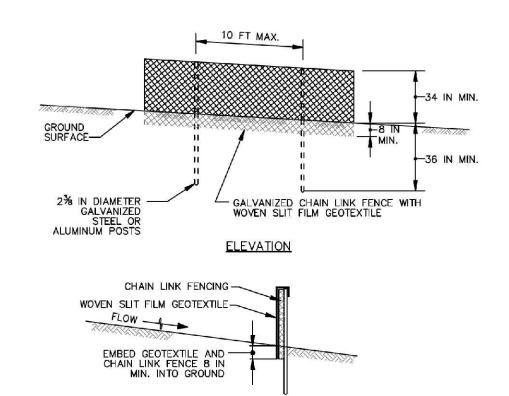
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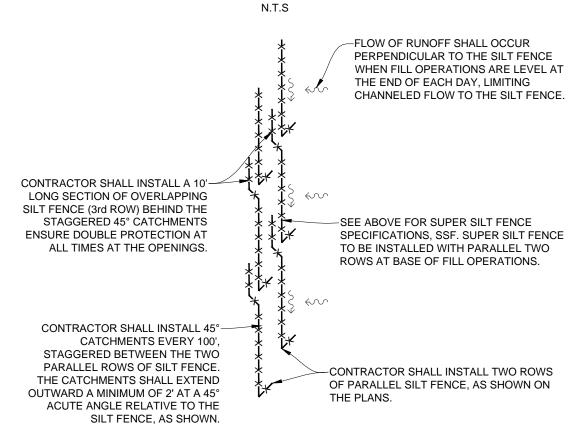


- INSTALL 2% INCH DIAMETER GALVANIZED STEEL POSTS OF 0.095 INCH WALL THICKNESS AND SIX FOOT LENGTH SPACED NO FURTHER THAN 10 FEET APART, DRIVE THE POSTS A MINIMUM OF 36 INCHES
- 2. FASTEN 9 GAUGE OR HEAVIER GALVANIZED CHAIN LINK FENCE (23/8 INCH MAXIMUM OPENING) 42 INCHES IN HEIGHT SECURELY TO THE FENCE POSTS WITH WIRE TIES OR HUG RINGS.

CROSS SECTION

- 3. FASTEN WOVEN SLIT FILM GEOTEXTILE AS SPECIFIED IN SECTION H-1 MATERIALS, SECURELY TO THE UPSLOPE SIDE OF CHAIN LINK FENCE WITH TIES SPACED EVERY 24 INCHES AT THE TOP AND MID SECTION. EMBED GEOTEXTILE AND CHAIN LINK FENCE A MINIMUM OF 8 INCHES INTO THE GROUND.
- WHERE ENDS OF THE GEOTEXTILE COME TOGETHER, THE ENDS SHALL BE OVERLAPPED BY 6 INCHES, FOLDED, AND STAPLED TO PREVENT SEDIMENT BY PASS.
- 5. EXTEND BOTH ENDS OF THE SUPER SILT FENCE A MINIMUM OF FIVE HORIZONTAL FEET UPSLOPE AT 45 DEGREES TO THE MAIN FENCE ALIGNMENT TO PREVENT RUNOFF FROM GOING AROUND THE ENDS
- 6. PROVIDE MANUFACTURER CERTIFICATION TO THE INSPECTION/ENFORCEMENT AUTHORITY SHOWING THAT
- GEOTEXTILE USED MEETS THE REQUIREMENTS IN SECTION H-1 MATERIALS. REMOVE ACCUMULATED SEDIMENT AND DEBRIS WHEN BULGES DEVELOP IN FENCE OR WHEN SEDIMENT
- REACHES 25% OF FENCE HEIGHT. REPLACE GEOTEXTILE IF TORN. IF UNDERMINING OCCURS, REINSTALL CHAIN LINK FENCING AND GEOTEXTILE.

## DETAIL FOR SUPER SILT FENCE WITH CHAIN LINK BACKING & TWO PARALLEL ROWS



- THE OWNER/CLIENT OF THIS PROPERTY IS: OWERS LIMITED PARTNERSHIP ET AL GREAT EASTERN MANAGEMENT P O ROX 5526
- CHARLOTTESVILLE, VA 22905 2. THESE PLANS HAVE BEEN PREPARED BY: COLLINS ENGINEERING. INC 200 GARRETT STREET SUITE K CHARLOTTESVILLE, VA 22902
- TELEPHONE: (434) 293-3719 FACSIMILE: (434) 293-2813 5. SOURCE OF INFORMATION/SURVEY: ELEVATIONS FOR THE ADJACENT STORMWATER MANAGEMENT FACILITY ARE BASED OFF OF A SURVEY BY COMMONWEALTH LAND SURVEYING, LLC DATED 8/4/2011, WHICH SETS THE RISER INVERT AS THE DATUM AT ELEVATION 403.3'. ADDITIONAL OFFSITE SURVEYED INFORMATION IN THE PROXIMITY OF THE PEPSI PLANT IS BASED OFF A SURVEY BY JENNINGS STEPHENSON, P.C. IN JANUARY OF 2007. THE REMAINING TOPOGRAPHY AND PLANIMETRICS ARE BASED OFF CITY & COUNTY GIS DATA. FIELD VERIFIED BY COLLINS ENGINEERING IN SUMMER OF 2012.
- TMP 41C-3.1: HW-HIGHWAY CORRIDOR ZONING (NO DISTURBANCE TO ENTRANCE CORRIDOR - UNAFFECTED WESTERN PORTION OF PARCEL UNDER ENTRANCE CORRIDOR DESIGNATION
- 7. TAX MAP AND PARCEL NUMBER: TMP 41C-3.1
- 8. USGS DATUM: NAD 83 (1994) 9. LOCATION/ADDRESS OF PROJECT:
- 129 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 151 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 159 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 167 SEMINOLE COURT. CHARLOTTESVILLE, VA 22901
- 123 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 175 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901 185 SEMINOLE COURT, CHARLOTTESVILLE, VA 22901
- 10. TOTAL ACREAGE OF SITE: 18.806 ACRES TOTAL PROPOSED LIMITS OF DISTURBANCE: 2.22 ACRES
- 12. SITE PHASING: THE SITE CONSTRUCTION AND E&S WILL OCCUR IN THREE PHASES. 13. PUBLIC UTILITIES: THE SITE WILL BE SERVED BY EXISTING PUBLIC WATER AND
- \* COLLINS ENGINEERING SHALL NOT HAVE AUTHORITY OVER CONTRACTOR'S WORK. SAFETY PRECAUTIONS, SCHEDULES, OR COMPLIANCE WITH LAWS AND REGULATIONS. WE SHALL NOT ASSUME RESPONSIBILITY FOR ANY CONSTRUCTION

## STARTED PRIOR TO PLAN APPROVAL EROSION & SEDIMENT CONTROL

STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. STRUCTURAL PRACTICES USED IN THIS SECTION CONSIST OF THE FOLLOWING:

A STABILIZED PAVED CONSTRUCTION ENTRANCE WITH A WASH RACK LOCATED AT POINTS OF VEHICULAR INGRESS AND EGRESS ON A CONSTRUCTION SITE. TO REDUCE THE AMOUNT OF MUD TRANSPORTED ONTO PAVED PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF. CONSTRUCTION ENTRANCES SHALL BE INSTALLED AS SHOWN ON THE PLANS TO REDUCE THE AMOUNT SEDIMENT TRANSPORTED ONTO PUBLIC ROADWAYS.

A TEMPORARY SEDIMENT BARRIER CONSISTING OF A SYNTHETIC FILTER FABRIC STRETCHED ACROSS AND ATTACHED TO SUPPORTING POSTS AND ENTRENCHED, TO INTERCEPT AND DETAIN SMALL AMOUNTS OF SEDIMENT FROM DISTURBED AREAS DURING CONSTRUCTION OPERATIONS IN ORDER TO PREVENT SEDIMENT FROM LEAVING THE SITE, AND TO DECREASE THE VELOCITY OF SHEET FLOWS AND LOW-TO-MODERATE LEVEL CHANNEL FLOWS. THE SILT FENCE BARRIERS SHALL BE INSTALLED DOWN SLOPE OF AREAS WITH MINIMAL GRADES TO FILTER SEDIMENT LADEN RUNOFF FROM SHEET FLOW AS INDICATED. THEY SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND MAINTAINED IN ACCORDANCE WITH THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK (VESCH).

A SEDIMENT FILTER OR AN EXCAVATED IMPOUNDING AREA AROUND A STORM DRAIN DROP INLET OR CURB INLET. TO PREVENT SEDIMENT FROM ENTERING STORM DRAINAGE SYSTEMS PRIOR TO PERMANENT STABILIZATION OF THE DISTURBED AREA. INLET PROTECTION APPLIES WHERE STORM DRAIN INLETS ARE TO BE MADE OPERATIONAL BEFORE PERMANENT STABILIZATION OF THE CORRESPONDING DISTURBED DRAINAGE AREA.

3.11 TEMPORARY RIGHT-OF-WAY DIVERSION: A RIDGE OF COMPACTED SOIL OR LOOSE ROCK OR GRAVEL CONSTRUCTED ACROSS

DISTURBED RIGHTS—OF—WAY AND SIMILAR SLOPING AREAS. TO SHORTEN THE FLOW LENGTH WITHIN A SLOPING RIGHT-OF-WAY, THEREBY REDUCING THE EROSION POTENTIAL BY DIVERTING STORM RUNOFF TO A STABILIZED OUTLET. GENERALLY, EARTHEN DIVERSIONS ARE APPLICABLE WHERE THERE WILL BE LITTLE OR NO CONSTRUCTION TRAFFIC WITHIN THE RIGHT-OF-WAY. GRAVEL STRUCTURES ARE MORE APPLICABLE TO ROADS AND OTHER RIGHTS-OF-WAY WHICH ACCOMMODATE VEHICULAR TRAFFIC.

PROVIDING A ROUGH SOIL SURFACE WITH HORIZONTAL DEPRESSIONS CREATED BY OPERATING A TILLAGE OR OTHER SUITABLE IMPLEMENT ON THE CONTOUR, OR BY LEAVING SLOPES IN A ROUGHENED CONDITION BY NOT FINE-GRADING THEM. THESE SHALL BE PERFORMED ON SLOPES IN EXCESS OF 3:1.

THE ESTABLISHMENT OF A TEMPORARY VEGETATIVE COVER ON DISTURBED AREAS BY SEEDING WITH APPROPRIATE RAPIDLY GROWING ANNUAL PLANTS. TO REDUCE EROSION AND SEDIMENTATION BY STABILIZING DISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE FOR A PERIOD OF MORE THAN 30 DAYS. TO REDUCE DAMAGE FROM SEDIMENT AND RUNOFF TO DOWNSTREAM OR OFF-SITE AREAS, AND TO PROVIDE PROTECTION TO BARE SOILS EXPOSED DURING CONSTRUCTION UNTIL PERMANENT VEGETATION OR OTHER EROSION CONTROL MEASURES CAN BE ESTABLISHED.

THE ESTABLISHMENT OF PERENNIAL VEGETATIVE COVER ON DISTURBED AREAS BY PLANTING SEED. TO REDUCE EROSION AND DECREASE SEDIMENT YIELD FROM DISTURBED AREAS. TO PERMANENTLY STABILIZE DISTURBED AREAS IN A MANNER THAT IS ECONOMICAL, ADAPTABLE TO SITE CONDITIONS, AND ALLOWS SELECTION OF THE MOST APPROPRIATE PLANT MATERIALS. TO IMPROVE WILDLIFE HABITAT. TO ENHANCE NATURAL BEAUTY. UPON COMPLETION OF CONSTRUCTION ACTIVITIES, ALL AREAS WILL RECEIVE A PERMANENT VEGETATIVE COVER.

APPLICATION OF PLANT RESIDUES OR OTHER SUITABLE MATERIALS TO THE SOIL SURFACE. TO PREVENT EROSION BY PROTECTING THE SOIL SURFACE FROM RAINDROP IMPACT AND REDUCING THE VELOCITY OF OVERLAND FLOW. TO FOSTER THE GROWTH OF VEGETATION BY INCREASING AVAILABLE MOISTURE AND PROVIDING INSULATION AGAINST EXTREME HEAT AND COLD. AREAS WHICH HAVE BEEN PERMANENTLY SEEDED SHOULD BE MULCHED IMMEDIATELY FOLLOWING SEEDING. AREAS WHICH CANNOT BE SEEDED BECAUSE OF THE SEASON SHOULD BE MULCHED USING ORGANIC MULCH. MULCH MAY BE USED TOGETHER WITH PLANTINGS OF TREES, SHRUBS, OR CERTAIN GROUND COVERS WHICH DO NOT PROVIDE ADEQUATE SOIL STABILIZATION BY THEMSELVES. CAN BE USED IN CONJUNCTION WITH TFMPORARY SEEDING.

3.38 TREE PRESERVATION AND PROTECTION:
PROTECTION OF DESIRABLE TREES FROM MECHANICAL OR OTHER INJURY DURING LAND DISTURBING AND CONSTRUCTION ACTIVITY. TO ENSURE THE SURVIVAL OF DESIRABLE TREES WHERE THEY WILL BE EFFECTIVE FOR EROSION AND SEDIMENT CONTROL, WATERSHED PROTECTION, LANDSCAPE BEAUTIFICATION, DUST AND POLLUTION CONTROL, NOISE REDUCTION, SHADE AND OTHER ENVIRONMENTAL BENEFITS WHILE THE LAND IS BEING CONVERTED FROM FOREST TO URBAN-TYPE USES. APPLIES IN TREE-INHABITED AREAS SUBJECT TO LAND DISTURBING ACTIVITIES.

3.39 DUST CONTROL:
REDUCING SURFACE AND AIR MOVEMENT OF DUST DURING LAND DISTURBING, DEMOLITION AND CONSTRUCTION ACTIVITIES. TO PREVENT SURFACE AND AIR MOVEMENT OF DUST FROM EXPOSED SOIL SURFACES AND REDUCE THE PRESENCE OF AIRBORNE SUBSTANCES WHICH MAY PRESENT HEALTH HAZARDS, TRAFFIC SAFETY PROBLEMS OR HARM ANIMAL OR PLANT LIFE. DUST CONTROL MEASURES SHALL BE EMPLOYED TO PREVENT SURFACE AND AIR MOVEMENT OF DUST DURING CONSTRUCTION. MEASURES EMPLOYED SHALL BE IN ACCORDANCE WITH THE VESCH.

## EROSION CONTROL NOTES

- ES-1: UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE <u>VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK</u> AND VIRGINIA REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL
- ES-2: THE PLAN APPROVING AUTHORITY MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRE-CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION.
- ES-3: ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING. ES-4: A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL
- BE MAINTAINED ON THE SITE AT ALL TIMES. ES-5: PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING BUT NOT LIMITED TO, OFF-SITE BORROW OR WASTE AREAS), THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND
- APPROVAL BY THE PLAN APPROVING AUTHORITY. ES-6: THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND
- SEDIMENTATION AS DETERMINED BY THE PLAN APPROVING AUTHORITY. ES-7: ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED.
- APPROVED WATER FILTERING DEVICE. ES-9: THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER EACH RUNOFF-PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.

ES-8: DURING DEWATERING OPERATIONS, WATER WILL BE PUMPED INTO AN

## EROSION CONTROL NOTES

- THE PLAN APPROVING AUTHORITY MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRE-CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION. ALL EROSION AND SEDIMENT CONTROL MEASURES WILL BE CONSTRUCTED AND
- EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL REGULATIONS. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS

MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA

- THE FIRST STEP IN CLEARING. A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE MAINTAINED ON THE SITE AT ALL TIMES.
- PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING, BUT NOT LIMITED TO, OFF-SITE BORROW OR WASTE AREAS). THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE PLAN APPROVING AUTHORITY. THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION
- DETERMINED BY THE PLAN APPROVING AUTHORITY. ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL

CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS

- FINAL STABILIZATION IS ACHIEVED. DURING DEWATERING OPERATIONS, WATER WILL BE PUMPED INTO AN APPROVED
- FILTERING DEVICE. THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER EACH RUNOFF-PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY. ALL FILL MATERIAL TO BE TAKEN FROM AN APPROVED, DESIGNATED BORROW AREA.
- ALL WASTE MATERIALS SHALL BE TAKEN TO AN APPROVED WASTE AREA. EARTH FILL SHALL BE INERT MATERIALS ONLY, FREE OF ROOTS, STUMPS, WOOD, RUBBISH, AND OTHER DEBRIS
- 12. BORROW OR WASTE AREAS ARE TO BE RECLAIMED WITHIN 7 DAYS OF COMPLETION PER ZONING ORDINANCE SECTION 5.1.28. ALL INERT MATERIALS SHALL BE TRANSPORTED IN COMPLIANCE WITH CURRENT CITY
- BORROW, FILL OR WASTE ACTIVITY INVOLVING INDUSTRIAL-TYPE POWER EQUIPMENT SHALL BE LIMITED TO THE HOURS OF 7:00 AM TO 9:00 PM. 15. BORROW, FILL OR WASTE ACTIVITY SHALL BE CONDUCTED IN A SAFE MANNER THAT MAINTAINS LATERAL SUPPORT, OR ORDER TO MINIMIZE ANY HAZARD TO PERSONS,

REGULATIONS

PUBLIC STREET BECAUSE OF SLIDES, SINKING, OR COLLAPSE. THE DEVELOPER SHALL RESERVE THE RIGHT TO INSTALL, MAINTAIN, REMOVE OR CONVERT TO PERMANENT STORMWATER MANAGEMENT FACILITIES WHERE APPLICABLE ALL EROSION CONTROL MEASURES REQUIRED BY THIS PLAN REGARDLESS OF THE SALE OF ANY LOT, UNIT, BUILDING OR OTHER PORTION OF THE PROPERTY.

PHYSICAL DAMAGE TO ADJACENT LAND AND IMPROVEMENTS, AND DAMAGE TO ANY

- 17. TEMPORARY STABILIZATION SHALL BE TEMPORARY SEEDING AND MULCHING. SEEDING IS TO BE APPLIED AT 50-100 LBS/ACRE FROM SEPTEMBER 1 TO FEBRUARY 15 AND SHALL CONSIST OF A 50/50 MIX OF ANNUAL RYEGRASS AND CEREAL WINTER RYE. FROM FEBRUARY 16 TO APRIL 30 SEEDING SHALL BE APPLIED AT 60-100 LBS/ACRE AND CONSIST OF ANNUAL RYE GRASS. FROM MAY 1 TO AUGUST 31 SEEDING SHALL BE APPLIED AT 50 LBS/ACRE AND CONSIST OF GERMAN MILLET. STRAW MULCH IS TO BE APPLIED AT 70-90 LBS PER 1,000 SF. ALTERNATIVES ARE SUBJECT TO APPROVAL BY
- THE EROSION CONTROL INSPECTOR. PERMANENT STABILIZATION SHALL BE LIME AND FERTILIZER, PERMANENT SEEDING, AND MULCH. AGRICULTURAL GRADE LIMESTONE SHALL BE APPLIED AT 90LBS/1000SF, INCORPORATED INTO THE TOP 4-6 INCHES OF SOIL. FERTILIZER SHALL BE APPLIED AT 1000LBS/ACRE AND CONSIST OF A 10-20-10 NUTRIENT MIX. PERMANENT SEEDING SHALL BE APPLIED AT 150LBS/ACRE AND CONSIST OF 128 LBS KENTUCKY 31 FESCUE AND 2 LBS RED TOP GRASS, AND 20 LBS SEASONAL NURSE CROP PER TABLE 3.32-D BELOW. STRAW MULCH IS TO BE APPLIED AT 70-90 LBS PER 1.000SF. ALTERNATIVES ARE SUBJECT TO APPROVAL BY THE FROSION CONTROL INSPECTOR
- MAINTENANCE: ALL MEASURES ARE TO BE INSPECTED WEEKLY AND AFTER EACH RAINFALL. ANY DAMAGE OR CLOGGING TO STRUCTURAL MEASURES IS TO BE REPAIRED IMMEDIATELY. SILT TRAPS ARE TO BE CLEANED WHEN 50% OF THE WET STORAGE VOLUME IS FILLED WITH SEDIMENT. ALL SEEDED AREAS ARE TO BE RESEEDED WHEN NECESSARY TO ACHIEVE A GOOD STAND OF GRASS. SILT FENCE AND DIVERSION DYKES WHICH ARE COLLECTING SEDIMENT TO HALF THEIR HEIGHT MUST BE CLEANED AND REPAIRED IMMEDIATELY.
- 20. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE REMOVED WITHIN 30 DAYS OF FINAL SITE STABILIZATION, WHEN MEASURES ARE NO LONGER NEEDED. SUBJECT TO APPROVAL BY THE EROSION CONTROL INSPECTOR.
- . THE E&S INSPECTOR HAS THE AUTHORITY TO ADD OR DELETE E&S CONTROLS AS NECESSARY IN THE FIELD AS SITE CONDITIONS CHANGE. IN ADDITION, NO SEDIMENT BASIN OR TRAP CAN BE REMOVED WITHOUT WRITTEN AUTHORIZATION.

## DESCRIPTION OF EROSION & SEDIMENT CONTROL MEASURES:

EROSION AND SEDIMENT CONTROL MEASURES:

IT IS ANTICIPATED TO USE A CONSTRUCTION ENTRANCE, SUPER SILT FENCE, SURFACE ROUGHENING, INLET PROTECTION, A RIGHT-OF-WAY DIVERSION. TEMPORARY AND PERMANENT SEEDING, TREE PROTECTION FENCING, AND DUST CONTROL TO CONTROL SURFACE DRAINAGE AND EROSION. TEMPORARY SEEDING WILL BE USED IMMEDIATELY FOLLOWING ALL LAND DISTURBANCE ACTIVITIES. TEMPORARY STOCKPILE AREAS WILL BE MAINTAINED FROM TOPSOIL THAT WILL BE STRIPPED FROM AREAS TO BE GRADED AND STORED FOR LATER SPREADING. STOCKPILE LOCATIONS SHALL BE ON SITE AND SHALL BE STABILIZED WITH A TEMPORARY VEGETATIVE COVER. PERMANENT SEEDING WILL BE PERFORMED FOR ALL AREAS WHICH WILL NO LONGER BE EXCAVATED AND WHERE CONSTRUCTION ACTIVITIES HAVE CEASED. PERMANENT SEEDING SHALL ALSO BE PERFORMED FOR ALL DENUDED AREAS WHICH WILL BE LEFT DORMANT FOR A YEAR OR MORE. SELECTION OF SEED MIXTURE WILL DEPEND ON THE TIME OF YEAR APPLIED. TEMPORARY SEEDING WILL BE PERFORMED FOR ALL DENUDED AREAS WHICH WILL BE LEFT DORMANT FOR MORE THAN SEVEN DAYS. THESE AREAS SHALL BE SEEDED WITH FAST GERMINATING VEGETATION IMMEDIATELY FOLLOWING GRADING OF THOSE AREAS. SELECTION OF SEED MIXTURE WILL DEPEND ON THE TIME OF

3.02 CONSTRUCTION ENTRANCE - A CONSTRUCTION ENTRANCE WILL BE INSTALLED AT THE PROPOSED ENTRANCE ALONG SEMINOLE COURT TO PROTECT THE STREET.

3.05 SILT FENCE - SUPER SILT FENCE WILL BE INSTALLED ALONG THE DOWNSTREAM BOUNDARIES OF THE SITE EAST OF THE PROJECT. 3.07 STORM DRAIN INLET PROTECTION — INLET PROTECTION TO BE INSTALLED AT EACH EXISTING STORM BOX IN THE VICINITY. AS WELL AS ON EACH PROPOSED STORM INLET AS SHOWN ON THE PLANS.

SHALL BE INSTALLED AT THE PROPOSED ENTRANCE TO THE SITE. 3.15 TEMPORARY SLOPE DRAIN - FLEXIBLE 6" SLOPE DRAINS WILL BE PLACED AS SHOWN ON THE PLANS.

3.11 TEMPORARY RIGHT-OF-WAY DIVERSION - A RIGHT-OF-WAY DIVERSION

3.29 SURFACE ROUGHENING- SURFACE ROUGHENING SHALL BE APPLIED TO ALL STEEP SLOPES IN EXCESS OF 3:1 3.31 TEMPORARY SEEDING — TEMPORARY SEEDING SHALL BE INSTALLED WHERE SHOWN ON THE PLANS.

3.32 PERMANENT SEEDING — PERMANENT SEEDING SHALL BE INSTALLED WHERE SHOWN ON THE PLANS. 3.35 MULCHING — APPLICATION OF PLAN RESIDUES OR OTHER SUITABLE

MATERIALS TO THE SOIL SURFACE. 3.38 TREE PRESERVATION AND PROTECTION — TREE PROTECTION FENCING SHALL BE INSTALLED AROUND THOSE TREES AND BUSHES MARKED TO BE PRESERVED WHERE SHOWN ON THE PLANS.

3.39 DUST CONTROL - DUST CONTROL SHALL BE INSTALLED WHERE SHOWN ON THE PLANS.

## STORMWATER MANAGEMENT:

THE PROPOSED EXPANSION AN EXISTING, ONSITE STORMWATER MANAGEMENT BASIN TO PROVIDE STORMWATER QUANTITY TREATMENT. STORMWATER QUALITY COMPLIANCE WILL BE ACHIEVED THROUGH THE PURCHASING OF PHOSPHOROUS REMOVAL CREDITS. ALSO NOTE THE POST-DEVELOPMENT DRAINAGE PATTERNS HAVE NOT BEEN MODIFIED, AND CONTINUE TO FLOW IN THE SAME DIRECTION & LOCATION AS THE PRE-DEVELOPMENT CONDITIONS.

## MAINTENANCE:

IN GENERAL, DURING CONSTRUCTION THE RLD OR CONTRACTOR ON-SITE WILL CHECK ALL EROSION AND SEDIMENT CONTROL MEASURES DAILY AND AFTER EACH SIGNIFICANT RAINFALL. MONITORING REPORTS WILL BE REQUIRED FROM THE RLD IF NEEDED. SPECIFIC ATTENTION WILL BE GIVEN TO THE FOLLOWING ITEMS:

- a. SEDIMENT BASINS AND/OR TRAPS WILL BE CLEANED AND MAINTAINED IN ACCORDANCE WITH THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK b.ALL GRAVEL OUTLETS WILL BE CHECKED REGULARLY FOR SEDIMENT BUILDUP THAT WILL PREVENT PROPER DRAINAGE. IF THE GRAVEL IS CLOGGED BY SEDIMENT, THE GRAVEL WILL BE REMOVED AND CLEANED, OR IT WILL BE REPLACED.
- c. ALL SILT FENCE BARRIERS WILL BE CHECKED REGULARLY FOR UNDERMINING OR DETERIORATION OF THE FABRIC AND REPAIRED AS REQUIRED. SEDIMENT SHALL BE REMOVED WHEN THE LEVEL OF SEDIMENT DEPOSITION REACHED HALF WAY TO THE TOP OF THE BARRIER.
- d.ALL SEEDED AREAS WILL BE CHECKED REGULARLY TO SEE THAT A GOOD STAND IS MAINTAINED. AREAS SHOULD BE FERTILIZED AND RESEEDED AS NEEDED. IN CASE OF EMERGENCY, THE PRIMARY CONTACT FOR THE PROJECT WILL BE THE RLD OR CONTRACTOR ON-SITE. IN ADDITION, THE ENGINEER, MR. SCOTT COLLINS MAY BE CONTACTED AT 434-987-1631. UPON COMPLETION OF THE PROJECT, THE OWNER WILL BE RESPONSIBLE FOR SITE MAINTENANCE.

## EROSION CONTROL NOTES & NARRATIVE

IE PURPOSE OF THIS LAND DISTURBANCE ACTIVITY IS TO CREATE A PARKING EXPANSION AREA FOR THE SEMINOLE SQUARE SHOPPING CENTER. THIS PLAN PROPOSES TO INSTALL PARKING SPACES & DRIVE AISLES ALONG THE EASTERN BOUNDARY OF THE SITE UTILIZING PROPOSED RETAINING WALLS. THE PROJECT WILL BEGIN CONSTRUCTION IN THE FALL OF 2016 AND CONCLUDE IN THE WINTER OF 2016/2017. THE TIME FOR COMPLETION WILL BE APPROXIMATELY 6 MONTHS. PORTIONS OF STORM SEWER ARE PROPOSED TO BE REPOUTED AROUND THE RETAINING WALL, AND THE STORMWATER MANAGEMENT SHEET PROVIDES A DETAILED DESCRIPTION OF THE IMPERVIOUS AREAS.

<u>EXISTING SITE CONDITIONS:</u>

THE AREA EAST OF THE EXISTING SEMINOLE SQUARE SHOPPING CENTER IS CURRENTLY PAVED AND DRAINED WITH CURB AND GUTTER. THE AREA OF THE PARKING EXPANSION IS CURRENTLY SLOPING TO THE EAST, WOODED, AND DRAINS TO AN EXISTING MANMADE SWM FACILITY, WHICH IS ADJACENT TO THE SITE AND PROTECTED WITH A STORMWATER MANAGEMENT EASEMENT.

THE PORTION OF THE SITE PROPOSED TO BE DISTURBED IS CURRENTLY CAPTURED BY AN EXISTING DRAINAGE DITCH AND STORMWATER MANAGEMENT FACILITY. THIS FACILITY RELEASES DRAINAGE TO THE EXISTING MEADOW CREEK WATERWAY.

THE PROPOSED DEVELOPMENT RESULTS IN A MINOR INCREASE IN IMPERVIOUS AREA. THE PROPOSED GRADED AREAS WILL BE SEEDED WHERE IT IS NOT IMPERVIOUS.

THE EASTERN PORTION OF THE SITE DISTURBANCE SHALL REMAIN ABOVE THE 416 CONTOUR. NO DISTURBANCE SHALL OCCUR AT OR BELOW THE 416 CONTOUR DUE TO AN EXISTING SWM EASEMENT.

SEE THE ESC AND SWM PLAN SHEETS FOR ACREAGES.

THIS SITE IS BORDERED BY ROUTE 29 TO THE NORTHWEST, THE PEPSI-COLA PLANT AND THE POST OFFICE TO THE NORTH AND NORTHEAST. MEADOW CREEK TO THE SOUTHEAST, AND A SHOPPING CENTER AND HYDRAULIC ROAD TO THE SOUTH & SOUTHWEST. THE DRAINAGE FROM THE PROPOSED DEVELOPMENT DRAINS TO MEADOW CREEK, BUT IS INTERCEPTED BY STORM SEWER AND AN EXISTING STORMWATER MANAGEMENT FACILITY. THE CONTRACTOR SHALL ENSURE THAT NO RUNOFF ESCAPES THE SITE. SUPER SILT FENCE, DUST CONTROL, INLET CONTROL, AND A RIGHT-OF-WAY DIVERSION SHALL BE UTILIZED TO AVOID CONTAMINATION OF ADJACENT PROPERTIES OR WATERWAYS.

OFFSITE LAND DISTURBANCE. NO OFFSITE LAND DISTURBANCE IS PROPOSED BEYOND WHAT IS PROPOSED WITH THIS SET OF PLANS. HOWEVER OFFSITE FILL IS REQUIRED FOR THIS DEVELOPMENT. THE

CONTRACTOR SHALL ENSURE THAT ALL OFFSITE BARROW AREAS HAVE AN APPROVED E&S PLAN AS REQUIRED BY THE LOCALITY. THERE ARE NO SOIL BOUNDARIES WITHIN THE PROJECT LIMITS. SOILS ARE URBAN SOIL. SEE SOIL DESCRIPTION THIS PAGE & LABEL ON PHASE I OF THE ESC PLAN.

THE PROPOSED DEVELOPMENT SHALL PRESERVE AND PROTECT THE EXISTING DRAINAGE DITCH AND SWM EASEMENT TO THE EAST OF THE WORK, AS WELL AS THE EXISTING CRITICAL SLOPES TO REMAIN. APPROXIMATELY 1.56ac. OF THE SITE'S 18.8ac (8%) HAS SLOPES GREATER THAN OR EQUAL TO 25%. TREE PROTECTION FENCING SHALL BE INSTALLED AS A FIRST STEP IN LAND DISTURBANCE. GRADING AND DIGGING OPERATIONS SHALL REMAIN WITHIN THE SUBJECT PARCEL, WITHIN EXISTING EASEMENTS OR BY THE DIRECTION AND PERMISSION OF OFFSITE OWNERS.

## SOIL DESCRIPTION

91 - URBAN LAND-0% TO 25% SLOPES. SOURCE MATERIAL RESIDUUM WEATHERED FROM GRANITE AND GNEISS. 10 INCHES TO DENSE MATERIAL. LINEAR CONVEX DOWN AND ACROSS-SLOPE SHAPE. VERY LOW TO HIGH KSAT O TO 13.04 IN/HR. (SEE ESC PLAN FOR SOIL BOUNDARY & NAME)

REFERENCE: WEB SOIL SURVEY ONLINE DATABASE, FOUND AT http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

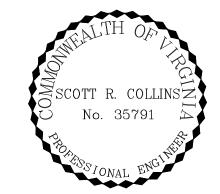
## EROSION CONTROL NOTES & NARRATIVE <u>SEQUENCE OF CONSTRUCTION:</u>

- PHASE I 1. NOTIFY THE CITY OF CHARLOTTESVILLE AND PUBLIC WORKS DEPARTMENT TO SCHEDULE A PRE-CONSTRUCTION MEETING AS REQUIRED.
- 2. FLAG AND SPRAY PAINT THE LIMITS OF DISTURBANCE AND INSTALL TREE PROTECTION FENCING AND SILT FENCE. NOTE, SUPER SILT FENCE WITH CHAIN LINK BACKING SHALL BE INSTALLED WITH TWO PARALLEL ROWS AT THE BASE OF THE FILL OPERATIONS, AS SHOWN ON THE PLANS.

3. CONTRACTOR SHALL THEN INSTALL INLET PROTECTION ON THE EXISTING INLETS, FOLLOWED BY A A

- GRAVEL BERM RIGHT-OF-WAY DIVERSION AND A WASHRACK FOR THE CONSTRUCTION ENTRANCE. 4. INSTALL THE PAVED CONSTRUCTION ENTRANCE AND WASH RACK LOCATED AT THE PROPOSED TRUCK ENTRANCE AS SHOWN ON THE PLANS. CONSTRUCTION ENTRANCE TO BE INSTALLED WHERE CONSTRUCTION VEHICLE ROUTES INTERSECT PAVED PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY (VEHICULAR) TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PUBLIC ROAD SURFACE, THE ROAD SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTING TO A SEDIMENT CONTROL DISPOSAL AREA. STREET WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER. CONTRACTOR SHALL
- ENSURE THE CONSTRUCTION ENTRANCE/WASH RACK DRAINS TO AN ADEQUATE E&SC MEASURE. 5. NO EROSION CONTROL MEASURES MAY BE REMOVED DURING THE CONSTRUCTION PROCESS WITHOUT THE APPROVAL FROM THE INSPECTOR ON THE PROJECT.
- 6. INSTALL ANY REMAINING E&SC CONSTRUCTION MEASURES AS SHOWN ON THE EROSION CONTROL PHASE I SHEET. PERIMETER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP WITH ANY LAND DISTURBANCE ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE.
- PHASE II 7. ONCE ALL THE PHASE I EROSION CONTROL MEASURES HAVE BEEN INSTALLED AND THE CITY INSPECTOR HAS APPROVED THEM, THE CONTRACTOR SHALL BEGIN PHASE II. CONTRACTOR SHALL COMMENCE WITH THE INSTALLATION OF THE SILT FENCE SURROUNDING THE STOCKPILE LOCATIONS. NOTE, THE CONTRACTOR SHALL ENSURE THE BARROW SITE HAS A CURRENT APPROVED E&S PLAN, AS REQUIRED BY THE LOCALITY.
- 8. NEXT THE CONTRACTOR SHALL BEGIN CLEARING FOR THE INSTALLATION OF THE RETAINING WALLS. THE CLEARING, GRADING, FILLING AND WALL CONSTRUCTION FOR THIS PROJECT SHALL OCCUR AT TWO DIFFERENT TIMES. THIS CONSTRUCTION SHALL BE COMPLETED AT ONE AREA/WALL BEFORE PROGRESSING TO THE CONSTRUCTION OF THE SECOND WALL/AREA. SURFACE ROUGHENING SHALL BE APPLIED TO ALL EXPOSED EARTHEN AREAS THAT ARE SLOPED AT THE END OF EACH DAY WHEN RAINFALL IS ANTICIPATED IN THE FORECAST.
- 9. THE CONSTRUCTION OF THE WALLS SHALL OCCUR AFTER THE CLEARING, WHILE SIMULTANEOUSLY FILLING THE AREA. WORK ASSOCIATED WITH THE CONSTRUCTION OF THE RETAINING WALL SYSTEM SHALL OCCUR ON THE TOP SIDE TO REDUCE POTENTIAL IMPACTS TO THE DOWNSTREAM CHANNEL & SHALL INCLUDE THE DIVERSIONS SHOWN ON THE ESC PLAN SHEET. THE CONTRACTOR SHALL ENSURE THE UPLAND CURB ACTING AS A DIVERSION IS MAINTAINED AND IS FUNCTIONAL. THE CONTRACTOR SHALL ALSO ENSURE THE TOP ELEVATION OF THE RETAINING WALL AT THE END OF EACH WORK DAY IS ABOVE THE ADJACENT FILL AREAS. THIS SEQUENCING OF CONSTRUCTION WILL ALLOW THE WALL TO ACT AS A SEDIMENT TRAPPING DEVICE. THE INSTALLATION OF THE RETAINING WALLS SHALL OCCUR DURING A PERIOD OF EXTENDED DRY WEATHER TO REDUCE THE RISK OF EROSION.
- 10. SEDIMENT TRAPS #1 AND #2 SHALL ALSO BE INSTALLED IMMEDIATELY AFTER THE FINAL WALL AND E&S PHASE II FILL GRADES ARE ACHIEVED. THE INSTALLATION OF THE TRAPS SHALL OCCUR SEPARATELY AND SHALL OCCUR AT THE TIME OF THEIR RESPECTIVE (SEPARATE) CONSTRUCTION.
- 11. ONCE THE STAGGERED CONSTRUCTION HAS BEEN COMPLETED FOR THE RETAINING WALLS AND FILLING OPERATIONS HAVE CEASED, THE CONTRACTOR SHALL BEGIN THE STABILIZATION OF THE RECENTLY DISTURBED AREA IMMEDIATELY AND CAN BEGIN INSTALLATION OF THE STORM SEWER.
- PHASE III 12. CONTRACTOR CAN COMPLETE ANY REMAINING DEMOLITION. CLEARING, AND GRADING OF THE SITE, THIS INCLUDES THE BUILDING & PAVEMENT RECONFIGURATIONS.
- 13. THE CONTRACTOR SHALL THEN BEGIN THE FINAL INSTALLATION OF THE PARKING LOT, STORM SEWER. CURB & PAVEMENT. ANY EXISTING UTILITY RELOCATIONS REQUIRED SHALL BE COORDINATED WITH THE UTILITY COMPANIES. THE RELOCATION OF THE POWER POLES WILL BE REQUIRED AT THIS TIME AS WELL. 14. THE CONSTRUCTION OF THE PROPOSED STORM SEWER STRUCTURES 11 & 12 SHALL BE DELAYED AS
- LONG AS POSSIBLE SO THAT THE SEDIMENT TRAPS CAN REMAIN FUNCTIONAL AS LONG AS IS REASONABLE. THE CONTRACTOR SHALL NOT REMOVE THE SEDIMENT TRAPS WITHOUT PRIOR APPROVALS
- 15. STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS, DIKES, AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION. 16. PERMANENT SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER
- FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 30 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR. 17. MAINTAIN ALL EROSION CONTROL MEASURES AS SPECIFIED IN THE VIRGINIA EROSION AND SEDIMENT
- CONTROL HANDBOOK, REMOVING ONLY WHEN APPROVED BY THE LOCAL PROGRAM ADMINISTRATOR IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. 18. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS
- AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED BY THE LOCAL PROGRAM ADMINISTRATOR. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE PERMANENTLY STABILIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION. 19. ONCE THE SITE IS STABILIZED AND THE INSPECTOR HAS GIVEN APPROVAL, THE CONTRACTOR CAN

REMOVE THE REMAINING EROSION CONTROL MEASURES.



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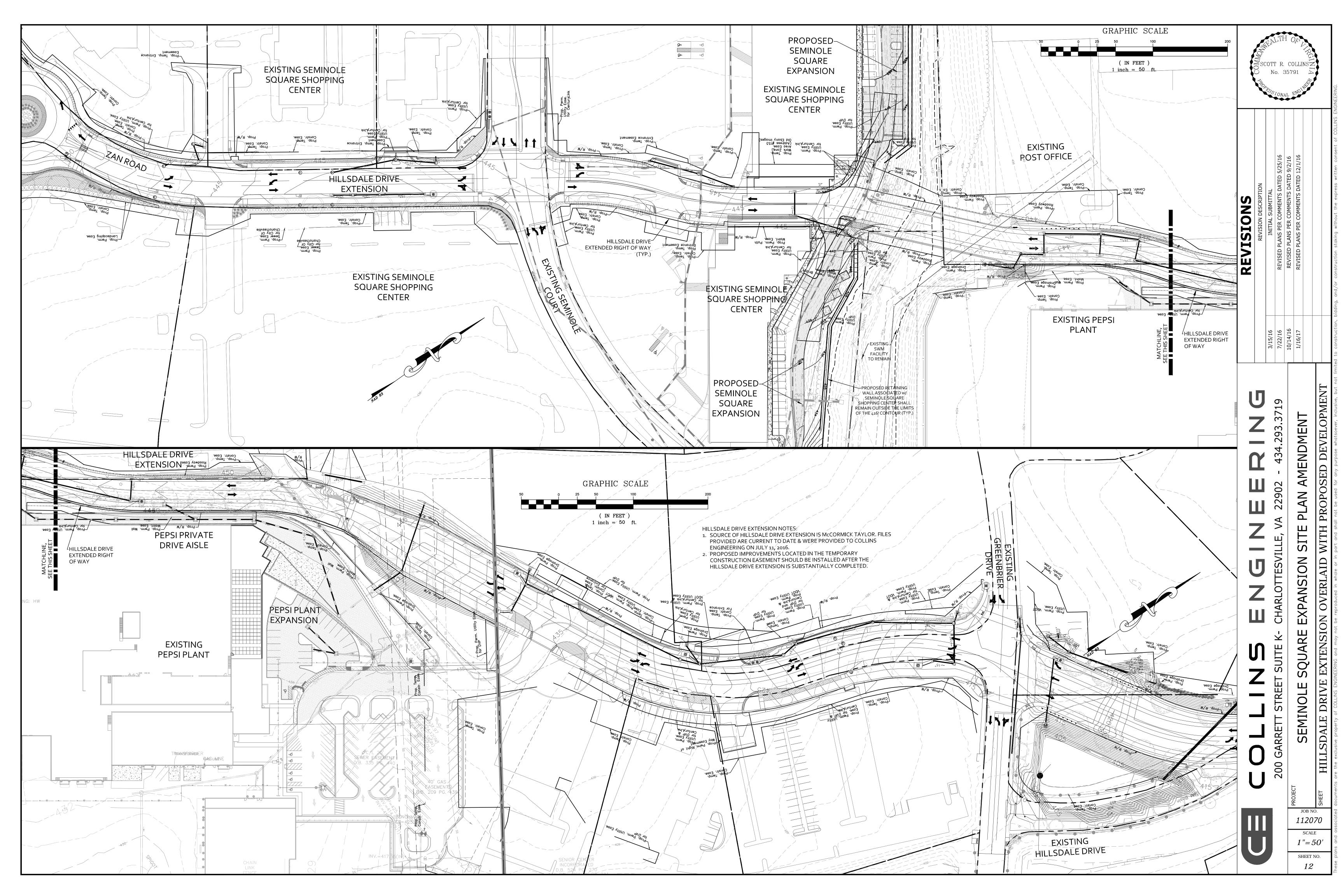
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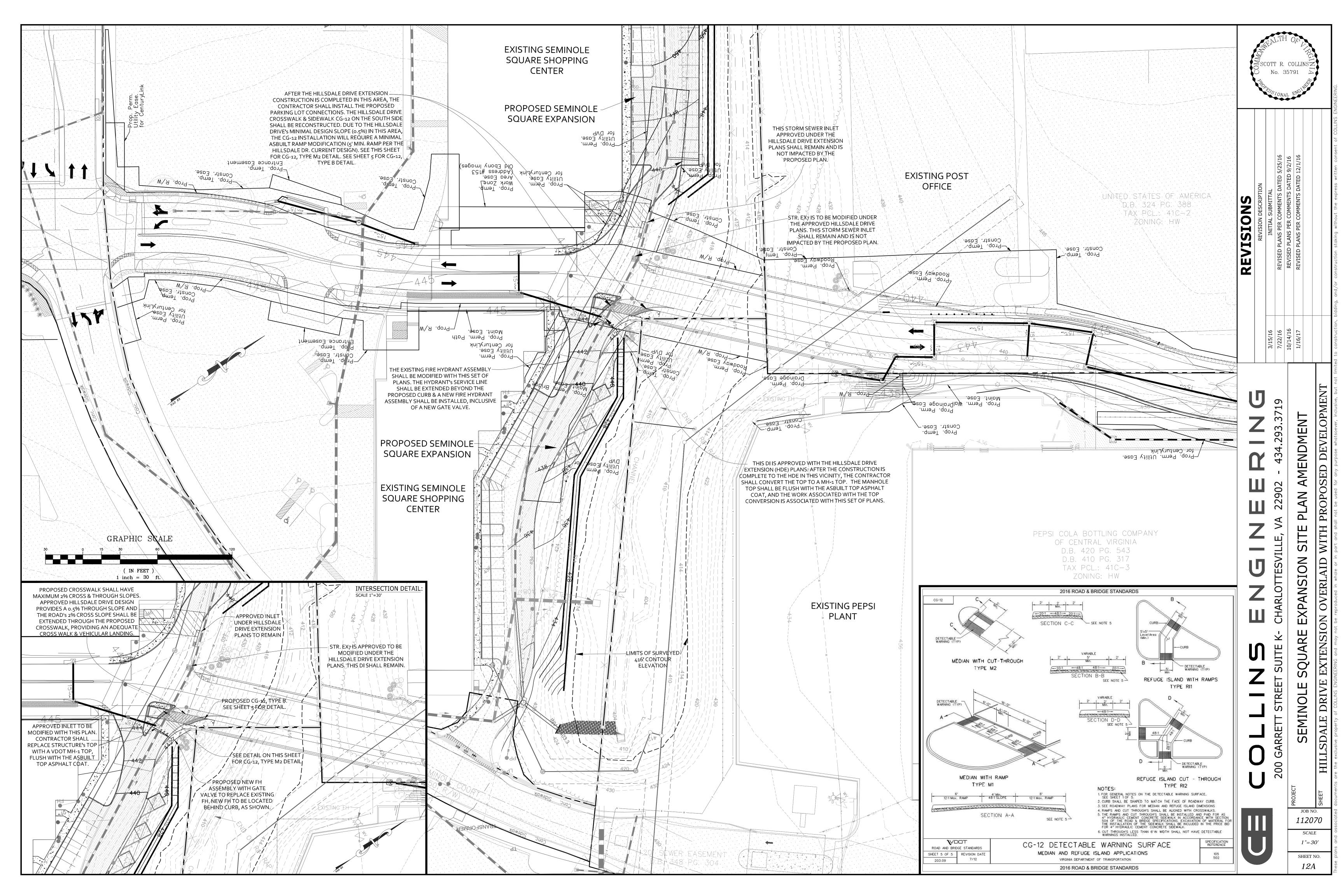
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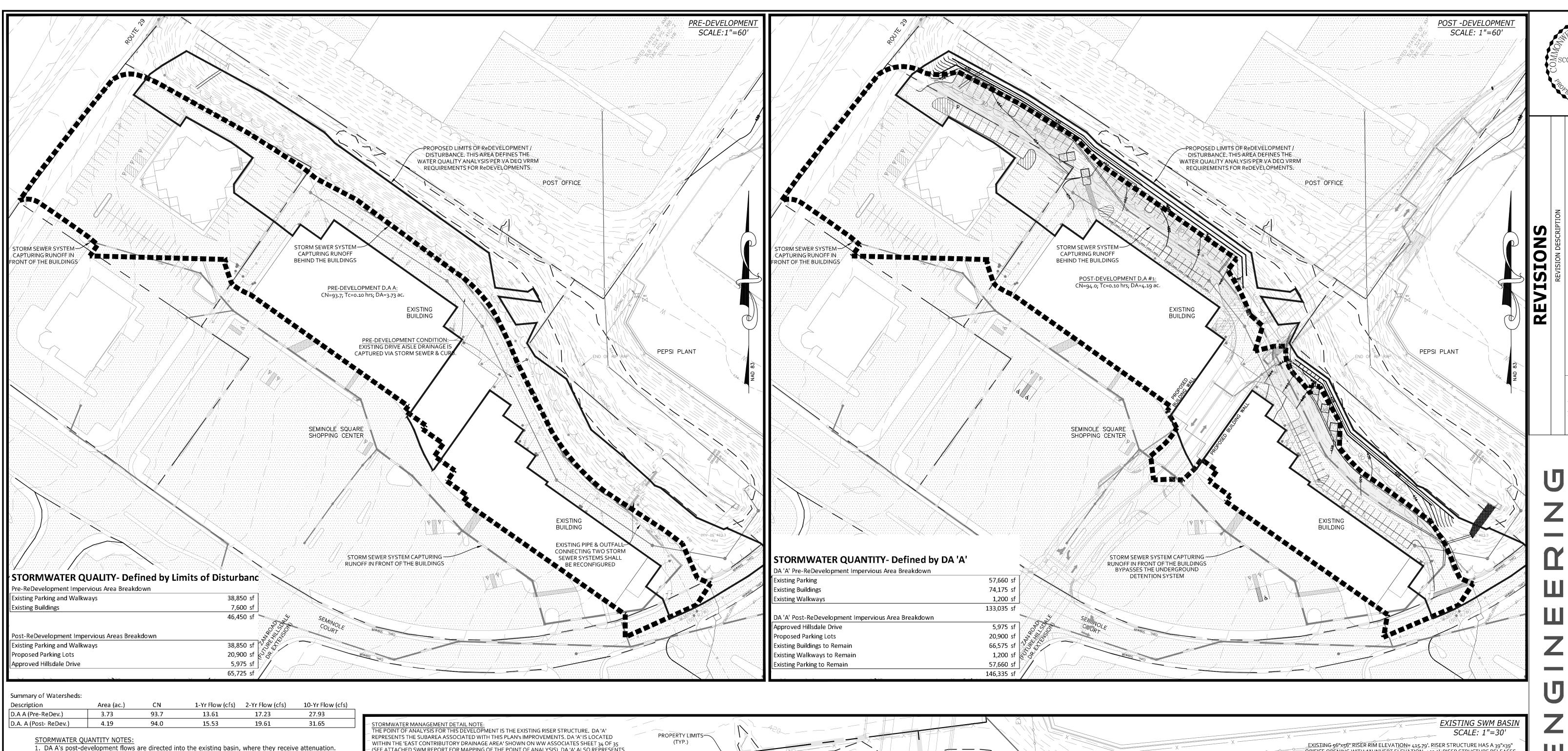
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112070 SCALE

SHEET NO.







1. DA A's post-development flows are directed into the existing basin, where they receive attenuation. 2. Detention & compliance with 9VAC25-870-66 is met through the existing detention basin. Townes Engineering has provided routing calculations reducing the post-development flows to levels less than or equal to pre-development flows. These post-development flows are released into a nonerosive adequate channel (existing concrete pipe with a riprap outfall) to Meadow Creek, which is where post-development DA A is 1% of Meadow Creek's overall watershed and the adequate

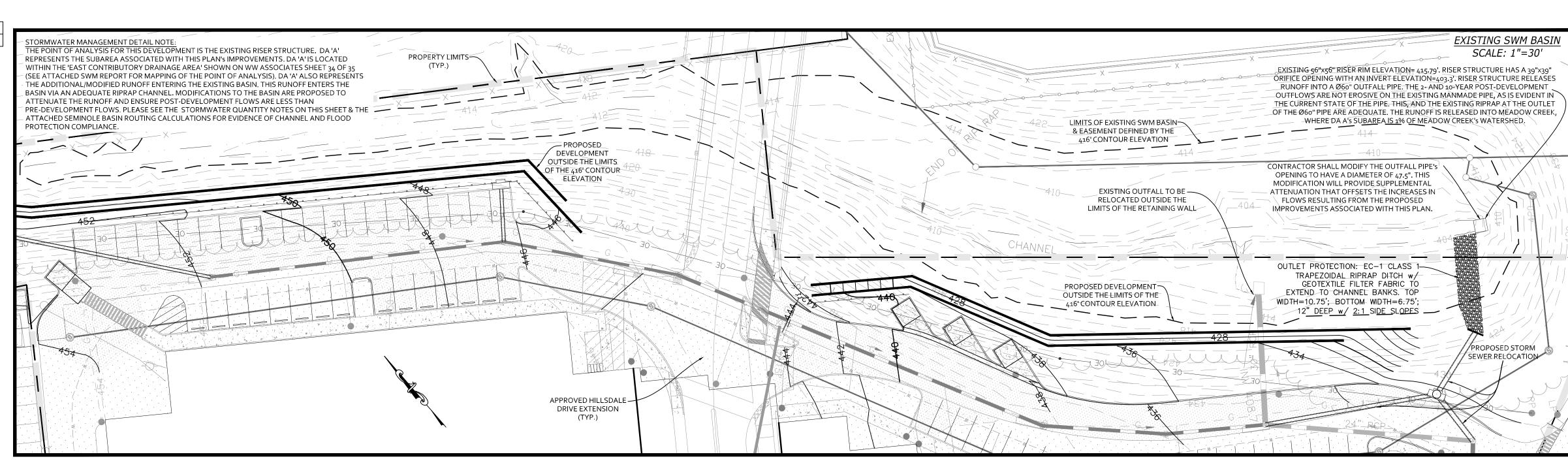
channel analysis can end. Please see the attached calculations from Townes Engineering for final stormwater quantity compliance. (Section B.1.a, B.4.a, C.2.a and C.3.a)

## STORMWATER MANAGEMENT NARRATIVE:

THE STORMWATER RUNOFF RATES, VOLUMES, AND VELOCITIES RESULTING FROM THIS DEVELOPMENT WILL BE IMPROVED PRIOR TO BEING RELEASED FROM THE ONSITE, EXISTING SWM BASIN. PLEASE SEE THE ATTACHED STORMWATER MANAGEMENT CALCULATIONS FROM TOWNES ENGINEERING FOR EVIDENCE OF THIS.

STORMWATER DETENTION:
THE PROPOSED DEVELOPMENT IS GENERALLY LOCATED OVER EXISTING IMPERVIOUS AREAS. WHERE PROPOSED IMPERVIOUS AREAS ARE LOCATED OVER PERVIOUS AREAS, THE DRAINAGE AND ITS UPLAND SHEET FLOW WILL BE DETAINED VIA THE EXISTING, ONSITE SWM BASIN. THE FACILITY'S ATTENUATION WILL REDUCE THE RELEASE RATES ABOVE AND BEYOND MINIMUM REQUIREMENTS AFTER PROPOSED MODIFICATIONS ARE MADE TO THE EXISTING OUTLET STRUCTURE. THROUGH THESE MEASURES THIS DEVELOPMENT WILL MEET MINIMUM MS-19 AND PART IIB STORMWATER QUANTITY REQUIREMENTS.

STORMWATER QUALITY:
THIS DEVELOPMENT IS IN COMPLIANCE WITH PART IIB REQUIREMENTS AND MEETS MINIMUM WATER QUALITY REQUIREMENTS THROUGH THE PURCHASING OF PHOSPHOROUS REMOVAL CREDITS FOR QUALITY TREATMENT. 1.39 lbs./yr. ARE REQUIRED TO BE PURCHASED FOR COMPLIANCE. PLEASE SEE THE ATTACHED CALCULATIONS FOR ADDITIONAL INFORMATION.



**ENDMENT** 

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PLAN

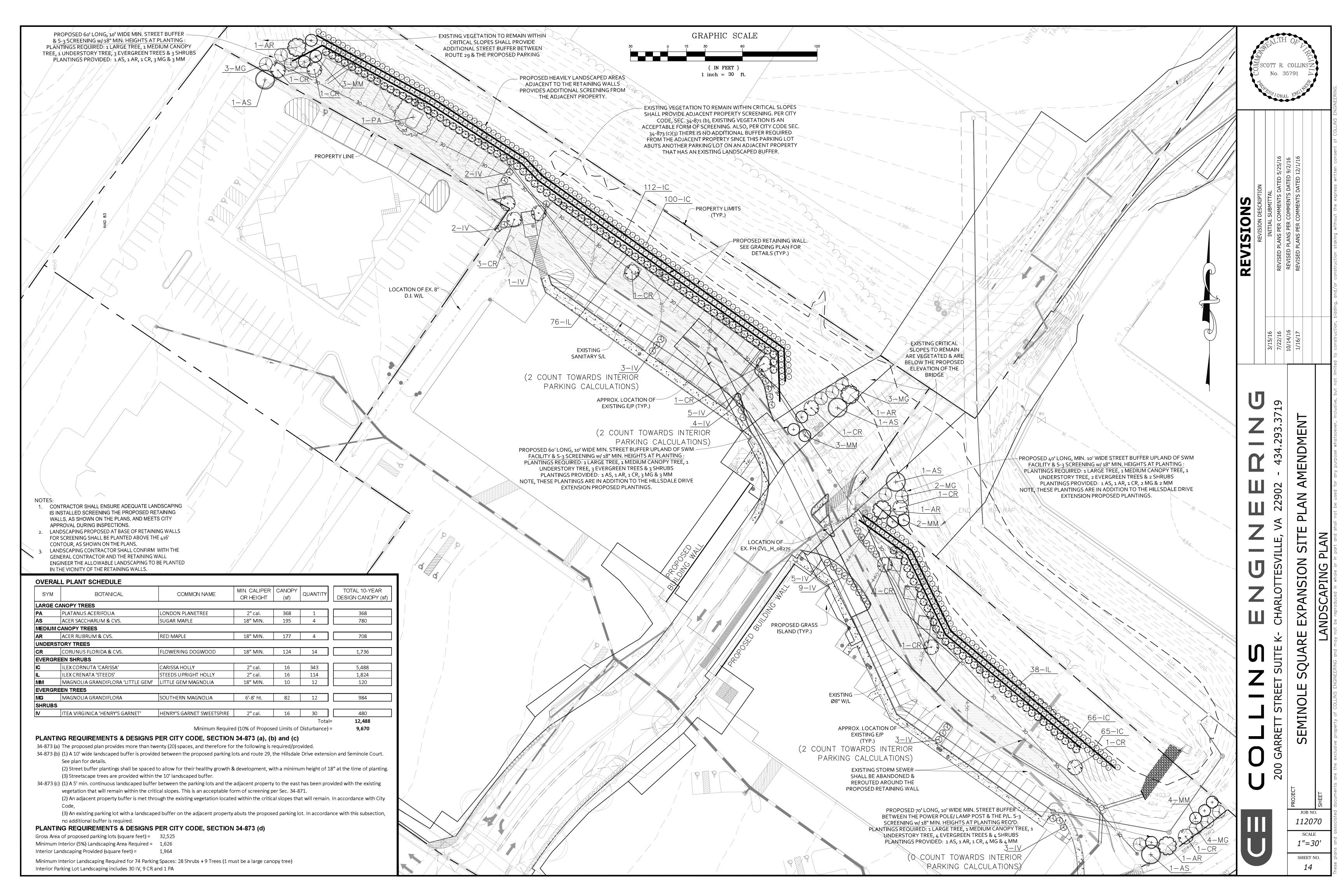
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SITE **EXPANSION** CHARLOT SQUARE SEMINOLE

SCALE

112070 AS SHOWN

SHEET NO.





## CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: October 2, 2017

Action Required: Consideration of a Critical Slope Waiver

Presenter: Heather Newmyer, City Planner, Neighborhood Development Services

Staff Contacts: Heather Newmyer, City Planner, Neighborhood Development Services

Title: Pepsi Plant Expansion Critical Slope Waiver

### **Background:**

On <u>August 15, 2017</u>, Scott Collins, on behalf of Pepsi Bottling Company, is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for the construction of a 365' long retaining wall, containing existing slopes greater than or equal to 25%. The applicant states the reason for the critical slope waiver request is to allow for expansion of the existing warehouse/office and loading area to accommodate the plant's future growth.

Existing critical slopes areas located on this Property include 1.76 acres/11.5% 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).

<u>Note:</u> This application has been through several submittals starting in January 26, 2013. For a more detailed history of the application process, please see the Memo provided on the first page of Attachment 2 – Planning Commission Staff Report dated August 28, 2017.

Since the January 26, 2013 submission, the applicant has provided in an on-going process:

- The engineering analysis required by the City to show how the proposed retaining walls would impact the existing stormwater management facility. The City Engineering Department has determined the proposed modification (addition of retaining walls) to the existing stormwater management facility would not adversely impact the facility.
- A Trailway Exhibit (Titled "Proposed Seminole Square and Pepsi Trailway Exhibit" included in Attachment 2) showing (i) the addition of an eight (8) foot multi-purpose travel way (constructed to the City of Charlottesville design standards) and variable width greenway (13' 25' in width) between the proposed parking areas and the retaining wall system, (ii) An access and construction easement to the City of Charlottesville in order for Parks and Recreation to construct a connection from Meadow Creek to the Shopping Center.

(This addition to the application was most recent in efforts to eliminate Planning Commission's concern that this proposal would encroach on an existing green amenity that is in close proximity to the restored Meadow Creek where there might be a missed opportunity for connectivity.)

### **Discussion:**

Per Sec. 34-1120(b)(6)(3), <u>City Council</u> (in granting a modification or waiver) 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: large stand of trees, rock outcroppings and slopes greater than 60%. The Subject Property's critical slope

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

- Large stands of trees: The critical slopes are heavily vegetated where approximately 90% of the area contains vegetation. The proposal indicates that approximately 0.23 acres (10,000 SF) of the critical slope area's vegetation would be disturbed and 1.35 acres (58,800 SF) of the critical slope area's vegetation preserved.

  Note: The Landscape Plan proposes 8,762 SF or 0.20 acres of new plantings, including a series of evergreen shrubs to screen retaining walls. The proposed cover meets and slightly exceeds the 10% cover requirement per Sec. 34-869 which equates to 8,581 SF cover required for the project area.
- Rock outcroppings: None.
- Slopes greater than 60%: None.

<u>City Council</u> 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.

\*Please see the staff report (Attachment 2) for a more detailed analysis on the above mentioned

\*Please see the staff report (Attachment 2) for a more detailed analysis on the above mentioned features and also includes the Critical Slope Ordinance for reference.

The <u>Planning Commission</u> considered the most recent version of this application dated August 15, 2017 at their regular meeting on September 12, 2017.

Planning Commission reviews the critical slope waiver based off of Finding 1, noted in Code Sec. 34-1120(b)(6)(d.i) as, "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 Finding 2 noted in Code Sec. 34-1120(b)(6)(d.ii) as, "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."

Staff noted the following in their staff analysis regarding the critical slope waiver request:

- While the proposed trail, greenway and variable easement provides a public benefit by creating increased connectivity to Route 29 and a future connection from Meadow Creek to the shopping center, staff had concern that the improvements were proposed on a different property than the property owned by Pepsi (the improvements are proposed to locate on Seminole Square Shopping Center's property; Tax Map 41C, Parcel 3.1)
- Other than stating in the application "the owner is proposing to assist" with the 8' trail, the applicant didn't provide detail of how this is proposed to occur

At the Planning Commission meeting, the applicant clarified the retaining walls were moved as part of the applicant's proposal in order to accommodate (allow space) for the trail, greenway and variable easement.

In light of the listed concerns above, staff recommended that should the Planning Commission choose to recommend approval, they do so based on <u>Finding 1</u> with the following four (4) conditions:

- (1) The existing stormwater easement that was created in 1985 be vacated, as there is no apparent reason that the City should be maintaining any part of this private facility. Vacation of the existing easement could also serve as a public benefit by taking the maintenance burden of a private facility off of the public tax dollar.
- (2) A detailed survey by a licensed professional should be provided following construction to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- (3) Construction begins after the Hillsdale Road extension project is complete.
- (4) The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining walls located on the Seminole Square site require adjustment due to development activities on either the Seminole Square property or the Pepsi property.

The <u>Planning Commission</u> discussed the following in regards to this application at their September 12, 2017 meeting:

- If the improvements proposed (e.g. trail and greenway) equate to a public benefit at the expense of encroaching on stormwater facility
- If the stormwater facility, having slopes that are "man-made," is a feature that, if preserved, would outweigh the property owner's proposal to disturb the critical slopes in order to adapt to Hillsdale Drive and make the desired improvements to the shopping center

## **Citizen Engagement:**

There was no public input regarding this application.

## Alignment with City Council's Vision and Strategic Plan:

The proposed pedestrian improvements and proposed multiuse trail/greenway/variable easement align with the City Council Vision of **A Connected Community** and **Strategic Plan, Goal 3.3**, "provide a variety of transportation and mobility options."

Allowing for the plant expansion aligns with the City Council **Strategic Plan, Goal 4.3,** "Grow and retain viable businesses."

### **Budgetary Impact:**

## **Recommendation:**

The Planning Commission considered this matter at their September 12, 2017 meeting.

The Commission took the following action:

Mr. Santoski moved to recommend approval of the critical slope waiver with conditions for Tax Map 41C, Parcel 3 (Pepsi Bottling Plant), based on a finding that 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 per City Code 34-1120(b)(6)(d.ii).

Planning Commission recommended the following conditions as being necessary to mitigate the potential adverse impacts of approving the waiver in the location requested:

- 1. The existing stormwater easement that was created in 1985 be vacated, as there is no apparent reason that the City should be maintaining any part of this private facility. Vacation of the existing easement could also serve as a public benefit by taking the maintenance burden of a private facility off of the public tax dollar.
- 2. A detailed survey by a licensed professional should be provided following construction to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- 3. Construction begins after the Hillsdale Road extension project is complete.
- 4. The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining walls located on the Seminole Square site require adjustment due to development activities on either the Seminole Square property or the Pepsi property.

Mr. Clayborne seconded the motion. The Commission voted 4-2 (Green-Lahendro) to recommend approval of the critical slope waiver.

### **Alternatives**:

City Council has several alternatives:

- (1) by motion, take action to approve the attached resolution (granting a waiver of critical slope provisions as recommended by the Planning Commission);
- (2) by motion, request changes to the attached Resolution, and then approve a waiver of critical slope provisions
- (3) by motion, defer action on the waiver of critical slope provisions
- (4) by motion, deny the requested waiver of critical slope provisions.

### **Attachment**:

- (1) Proposed Resolution approving a Critical Slope Waiver
- (2) Planning Commission Staff Report dated August 28, 2017 with Application Materials attached

# RESOLUTION APPROVING A REQUEST FOR WAIVER OF CRITICAL SLOPES PROVISIONS PURSUANT TO CITY CODE SECTION 34-1120(B)(6) FOR THE PEPSI BOTTLING PLANT AT 1150 PEPSI PLACE

**WHEREAS,** Pepsi Bottling Company, owner of property designated on City Tax Map 41C, Parcel 3, consisting of approximately 15.3 acres of land, and known as the Pepsi Bottling Plant (the "Property"), seeks a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6) in connection with the construction of a 365' long retaining wall on the Property (the "Project"); and

**WHEREAS**, the Planning Commission considered this request at their regular meeting on September 12, 2017, and recommended approval of the request, with conditions, to waive the critical slopes requirements, pursuant to City Code Sec. 34-1120(b)(6); and

**WHEREAS**, upon consideration of the information and materials provided by the applicant, and the recommendation of the Planning Commission, the City Council finds and determines pursuant to City Code Sec. 34-1120(b)(6)(d)(ii) that due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of the Project, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the request by Pepsi Bottling Company for a waiver of the critical slopes requirements for the above-described Project on the Property, is hereby granted, conditioned upon the following:

- 1. The Applicant shall petition City Council to vacate the existing 1985 stormwater easement, in order to transfer the burden of maintenance of the stormwater facility from the City to the owner of the Property.
- 2. A detailed survey by a licensed professional should be provided following construction of the retaining wall to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- 3. Construction shall not begin until after the Hillsdale Road extension project is complete.
- 4. The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining wall located on the Pepsi site require adjustment due to the development activities on either the adjoining Seminole Square property or the Pepsi property.

## City of Charlottesville

Department of Neighborhood Development Services Memorandum



To: City of Charlottesville Planning Commission

From: Heather Newmyer, AICP Date of Memo: August 28, 2017

RE: Pepsi Plant Expansion Critical Slope Waiver Request Updated August 2017

### **Background**

On **January 26, 2013**, Scott Collins, on behalf of Pepsi Bottling Company, requested a waiver from Section 34-1120(b) of the City Code to allow for the construction of a 365' long retaining wall along the southern portion of the Pepsi Bottling Company property. The Planning Commission deferred the application due to there being a lack of information which included the need for an engineering analysis showing the proposed retaining wall would not decrease the capacity of the existing stormwater management facility (basin).

On March 30, 2016, Scott Collins, on behalf of Pepsi Bottling Company, resubmitted the critical slope waiver request described above with the addition of an engineering analysis (Attachment 4) in efforts to show how the proposed retaining walls would affect the existing basin using current conditions. A site plan amendment proposing to expand the existing plant's office/warehouse space and loading area was submitted at the same time as the critical slope waiver request and is currently under review by staff, having gone through several rounds of staff comments. Engineering staff has worked with the applicant through the review of the site plan amendment and critical slope waiver request to acquire the engineering analysis needed for staff to make a recommendation.

On March 14, 2017, the March 2016 critical slope waiver application went before the Planning Commission. The engineering analysis provided by the applicant indicated the proposed modification (addition of retaining walls) to the existing stormwater management facility would not adversely impact the facility; this was a major concern in the review of the January 2013 request. Planning Commission discussed the applicant's justifications as not being enough to outweigh leaving the critical slopes undisturbed. The applicant originally listed Hillsdale Drive extension as the public benefit noting approximately 1 acre of property was necessary for the new road. Staff noted that the City compensated the landowner for this land, so this can't be used as a "public benefit" justification for a critical slope waiver. Staff did note that a vacation of the existing stormwater management easement would serve as a public benefit to the City by taking the maintenance burden of a private facility off of the public tax dollar; however, because Planning Commission did not believe this to be enough to outweigh leaving the critical slopes undisturbed, Planning Commission recommended denial with a vote 4-2 (Santoski-Keesecker).

Following the Planning Commission's recommendation, the applicant withdrew their current application prior to it moving on to City Council. On August 15, 2017, Scott Collins, on behalf of Great Eastern Management, submitted an *updated* critical slope waiver request in efforts to respond to Planning Commissions concerns voiced in March 2017. The updated critical slope waiver request includes the same information presented in the March 2017 application, except: (i) a modified Critical Slope Waiver Request Supplement and (ii) the addition of an eight (8) foot multi-purpose travel way (constructed to the City of Charlottesville design standards) and variable width greenway (13' – 25' in width) between the proposed parking areas and the retaining wall system (See Attachment 3 – Proposed Seminole Square & Pepsi Trailway Exhibit).

The staff report providing analysis on this request is significantly the same as the staff report provided at the March 2017 Planning Commission meeting. Additional analysis provided regarding the modified critical slope waiver request supplement and the proposed trail, greenway and public easement is reflected in the text in the color **blue** for ease of finding new analysis based off of the updated information given by the applicant. In addition, the suggested motions are included at the end of the staff report for Planning Commission to follow.

## **Attachments**

- 1) Staff Report, August 29, 2017
- 2) Critical Slopes Waiver Request Supplement, August 15, 2017
- 3) Proposed Seminole Square & Pepsi Trailway Exhibit
- 4) Seminole Basin Routing Report by Townes Site Engineering
- 5) Critical Slopes Ordinance
- 6) Engineering Department Review
- 7) Pepsi Plant Expansion Site Plan, January 16, 2017

## 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: September 12, 2017

Project Planner: Heather Newmyer, AICP Date of Staff Report: August 29, 2017 Applicant: Pepsi Bottling Company

Applicant's Representative: Scott Collins, Collins Engineering

**Current Property Owner:** Pepsi Bottling Company

### **Application Information**

Property Street Address: 1150 Pepsi Place Tax Map/Parcel #: Tax Map 41C, Parcel 3

Total Square Footage/Acreage Site: 666,468 SF (15.3 acres)
Total Area of Critical Slopes on Parcel: 1.76 acres (11.5%)
Area of Proposed Critical Slope Disturbance: 0.26 acres (1.7%)
Comprehensive Plan (Land Use Plan) Designation: Industrial
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.

#### **Application Details**

Scott Collins, on behalf of Pepsi Bottling Company, is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for the construction of a 365' long retaining wall, containing existing slopes greater than or equal to 25%. The applicant states the reason for the critical slope waiver request is to allow for expansion of the existing warehouse/office and loading area to accommodate the plant's future growth.

Existing critical slopes areas located on this Property include 1.76 acres/11.5% percent of the project site. The applicable definition of "critical slope" is as follows:

Any slope whose grade is 25% or greater, <u>and</u> (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, <u>and</u> (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".

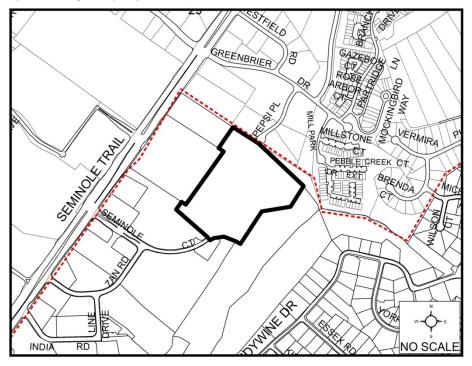
#### Attachment 1

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

- Large stands of trees: The critical slopes are heavily vegetated where approximately 90% of the area contains vegetation. The proposal indicates that approximately 0.23 acres (10,000 SF) of the critical slope area's vegetation would be disturbed and 1.35 acres (58,800 SF) of the critical slope area's vegetation preserved.
  Note: The Landscape Plan (Attachment 7) proposes 8,762 SF or 0.20 acres of new plantings, including a series of evergreen shrubs to screen retaining walls. The proposed cover meets and slightly exceeds the 10% cover requirement per Sec. 34-869 which equates to 8,581 SF cover required for the project area.
- Rock outcroppings: None.
- Slopes greater than 60%: None.
- Identification/ description of unusual topography or other physical conditions at the site: There is currently an existing stormwater management facility in the critical slopes area. There is a stormwater management easement in the critical slopes area up to the 416 contour elevation that was granted to the City in 1985, however the reason why the City has a stormwater easement on a facility that benefits private property owners and does not receive water from City owned property is unknown to staff. In addition, there is not currently an adequate means to access the easement area to perform maintenance and construction of the retaining walls will further decrease accessibility to the facility.
- Waterway within 200 feet: A stream that feeds into 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:
   The applicant states due to growing production demands on the Charlottesville Pepsi Plant,
  - the proposed expansion along the southern portion of the property is necessary. However, staff is of the opinion that this statement does not address whether or not there is a location outside of the critical slopes area for a "building site" since there is an existing operation onsite, and the applicant also notes starting in 2006, various expansions have occurred to the original building and operation without having to disturb the slopes.

#### **Vicinity Map**

#### Pepsi Bottling Company



### **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 is located to the south of the existing plant, and the applicant states that slopes are predominately man made. The applicant states these slopes were created over thirty years ago when the property was first developed. The critical slopes area contains an existing stormwater management facility and a stream that leads to Meadow Creek. The City holds a stormwater management easement for the stormwater management facility up to the 416 contour elevation, which was designed to accommodate a 100-year flood event. The area of critical slopes accounts for 11.5% of the total site area (15.3 acres), where it is proposed that less than an acre (0.26 acre) of critical slopes would be disturbed.

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 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 Finding #1.

### Applicant's justification for Finding #1

\*Staff items in bold

The applicant references a 2006 master plan for the Pepsi Plant in Charlottesville where several expansions have already occurred as result of the master plan's findings (e.g. expansion of loading docks, building expansion to the north). The applicant states a piece of the master plan includes expansion of the warehouse as proposed in the current site plan amendment and, based off of production demands in 2017, Pepsi Bottling Company sees this as a necessity to move forward with business. The applicant states without the ability to accommodate the area for warehouse expansion and loading truck circulation, the plant might have to relocate.

The applicant notes the Pepsi Bottling Company provides the following public benefits: it is a large employer to the Charlottesville Community and the expansion will create additional employment opportunities in Charlottesville, it sponsors community events, and it has made contributions to public building projects throughout the area.

The applicant states the owner is also proposing to assist with the construction of the eight (8) foot asphalt multi-purpose trail proposed along the northern property line of the North Wing Seminole Square Shopping Center, Tax Map 41C Parcel 3.1(See Attachment 3). The multi-purpose trail is proposed to be located within a variable width Greenway (13'-25') that will include large shade trees, ornamental trees and shrubs to shade the trail. The applicant notes a 10 foot easement that covers the

trail will be dedicated to the City working with the Parks and Recreation Department. The applicant states the multi-purpose trail provides additional pedestrian connections and a trail network, connecting Hillsdale Drive to Meadow Creek trail and Route 29.

Staff is concerned with attributing the public benefit of the proposed 8' trail to Pepsi Bottling Company for the following reasons:

- The trail and proposed easement is not on the property owned by Pepsi (the easement being granted to the City will be through a different parcel of land Tax Map 41C Parcel 3.1 (Seminole Square Shopping Center)). The applicant has not offered information demonstrating a relationship between the impacts of the proposed development on Pepsi's land and the offsite trail project. Since the off-site trail project is already planned to occur, it is also unclear how that trail project might mitigate impacts of development on the Pepsi site in addition to mitigating impacts on the Seminole Square development.
- Other than stating "the owner is proposing to assist" with the construction of the 8' trail, the applicant has provided no concrete detail of how this is proposed to occur.

The public benefits referenced in 34-1120(b)(6)(d)(i) are environmental in nature, and staff hesitates to recommend an application that does not offer any on-site mitigation of the environmental impacts of slope disturbance, even while recognizing that retaining an existing business is of economic importance to the community.

Staff highlights additional factors addressed by the applicant below. The full justification can be found in Attachment 2.

Stormwater and erosion-related impacts on adjacent properties: The applicant states the modification to the existing stormwater management facility with the addition of retaining walls will not adversely impact the functionality of the facility. Engineering staff has reviewed the supplemental engineering analysis provided by the applicant and agrees with this statement. The applicant states that there is an easement in favor of the City for stormwater management. While there is an existing stormwater easement dedicated to the City for maintenance, the easement in itself is a burden to the City as it requires maintenance of a facility that primarily treats runoff from non-City owned property. City efforts should be dedicated to facilities that were constructed to City standard, are maintainable and serve the City and/or general public. This easement does none of these and it is staff's recommendation that the easement be vacated as a condition of this critical slope waiver, if granted.

The applicant states there is existing erosion along the bank and that the proposed retaining walls will eliminate this erosion potential. Engineering staff would like to clarify that the term 'bank' in this case is referencing stabilization of the slopes leading to the stream. While there may be some spot areas where erosion is occurring along the slopes, any *stream bank erosion* that is occurring will continue to exist because the proposed retaining walls are located above the top of the stream bank.

## Stormwater and erosion-related impacts to environmentally sensitive areas such as stream and wetlands:

The applicant states that no streams or wetlands are proposed to be impacted with the filling operations.

The applicant has incorporated additional erosion and sediment control measures and has conceived a sequence that will limit disturbed area to the stream. These items will aid in protecting the stream below these critical slopes, however, staff recognizes there is always the possibility that, despite a designer and contractor's best efforts, Mother Nature can overcome any manmade effort.

Increased stormwater velocity due to loss of vegetation: The applicant states stormwater velocity due to the loss of vegetation and impervious area will be mitigated with the modification of the stormwater management outlet structure which will result in detaining the post-development condition for 10-year storm event peak outflow to the 10-year peak flow for the pre-development conditions. The structure will provide detention, prior to releasing the flow into the existing channel. Engineering staff confirms this will comply with code requirements.

#### **Staff Recommendation**

Engineering staff has confirmed the addition of the retaining wall will not adversely impact the existing stormwater management facility based off of the supplemental engineering analysis provided by the applicant. Engineering staff has confirmed the application has incorporated additional erosion and sediment measures and conceived a sequence that will limit the disturbed area to the stream. These items will aid in the protecting the stream below the critical slopes. Because of these confirmations, staff is able to consider whether there is a public benefit associated with this proposal.

The public benefits referenced in 34-1120(b)(6)(d.)(i) are environmental in nature, and staff hesitates to recommend approval of an application that does not offer any on-site mitigation of the environmental impacts of slope disturbance, even while recognizing that retaining an existing business is of economic importance to the community.

Staff believes that, though retaining an existing business is of economic importance to the community, provision of jobs is of benefit, the public benefits referenced in Sec. 34-1120(b)(6)(d)(i) are environmental in nature and staff is hesitant to recommend approval of an application that does not offer any on-site mitigation of the environmental impacts of slope disturbance. It is also difficult to say if the trail proposed on a *separate property* is truly a justification. If the applicant is required per a condition of the critical slope waiver to vacate of the existing stormwater management easement currently held by the City, staff believes this would serve as a public benefit to the City by taking the maintenance burden of a private facility off of the public tax dollar and presents a stronger argument for a public benefit in Finding #1 than the original submission in January 2013. However, staff is concerned with the use of the proposed trail as an additional justification by the applicant for Finding #1 in light of it being off of the Subject Property and would like to know what prevents an environmental benefit being provided on-site specifically tailored to the impacts of Pepsi's proposed development.

Should Planning Commission **recommend approval** of the critical slope waiver, staff recommends the following conditions be part of the recommendation:

- 1. The existing stormwater easement that was created in 1985 be vacated, as there is no apparent reason that the City should be maintaining any part of this private facility. Vacation of the existing easement could also serve as a public benefit by taking the maintenance burden of a private facility off of the public tax dollar.
  - \*Alternatively, if the critical slope waiver is granted and the easement is not vacated, it is recommended that an access road be constructed as part of the wall construction so that maintenance can actually be performed by the City. The existing easement would also have to be expanded to include the access road.
- 2. A detailed survey by a licensed professional should be provided following construction to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- 3. Construction begins after the Hillsdale Road extension project is complete.

#### Attachment 1

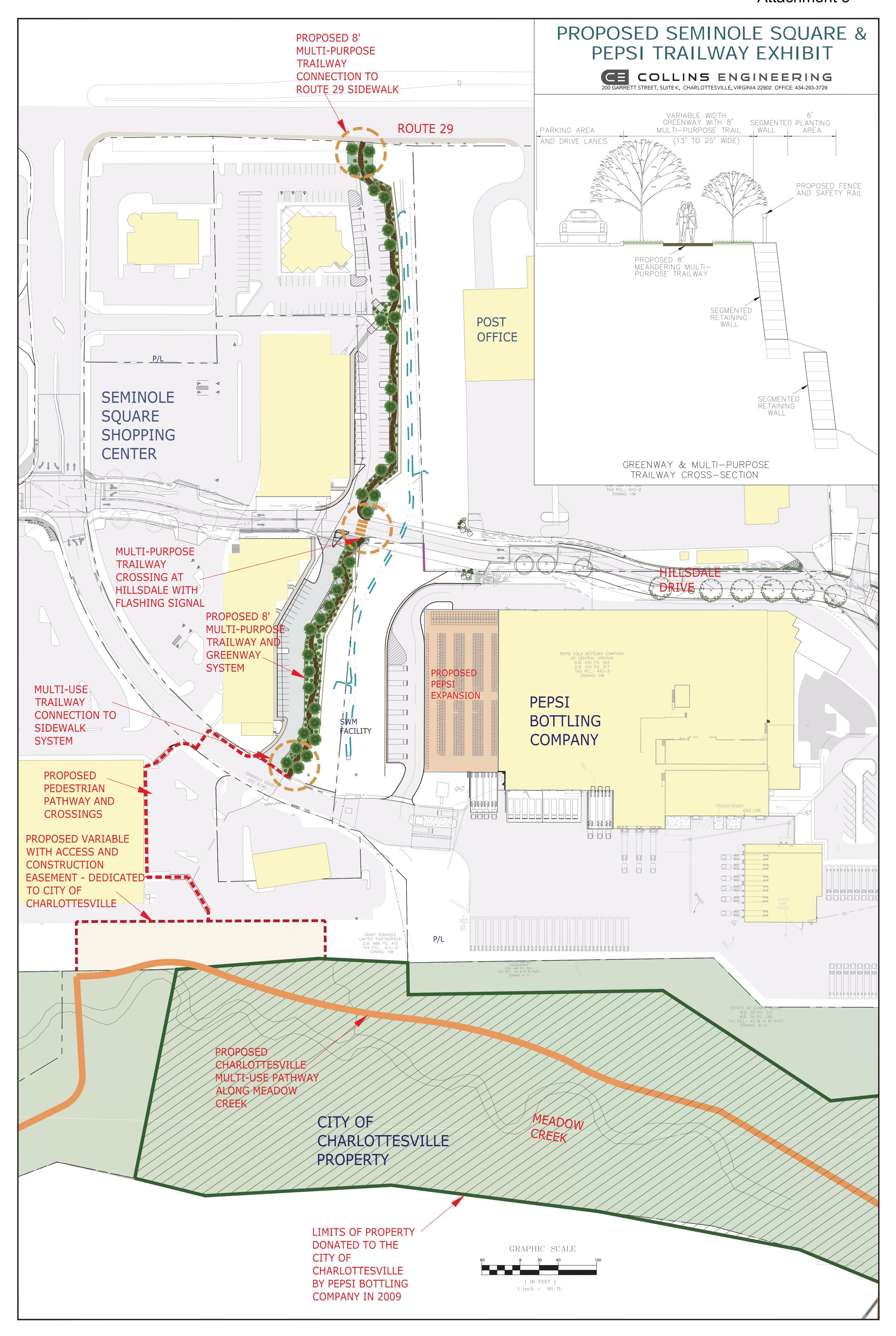
4. The previously submitted routing analysis for the existing stormwater basin between Seminole Square and Pepsi shall be revised and resubmitted to Engineering staff should the retaining walls located on the Pepsi site require adjustment due to the development activities on either the Seminole Square property or the Pepsi property.

### **Suggested Motions**

- 1. "I move to recommend approval of the critical slope waiver for Tax Map 41C, Parcel 3, Pepsi Bottling Plant 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 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]

2. "I move to recommend denial of the steep slope waiver for Tax Map 41C, Parcel 3, Pepsi Bottling Plant."





January 13, 2017

City of Charlottesville Neighborhood Development Services Marty Silman, P.E. City Engineer \*The full report (over 1,000 pages), includes Models 1-5 referenced in the summary below and is available at Neighborhood Development Services. Please contact newmyerh@charlottesville.org if you would like access to full copy.

RE: Seminole Square and Pepsi-Cola Bottling Company Plant Expansion Seminole Basin - Stormwater Report Narrative

Dear Mr. Silman,

The routing calculations submitted for the Seminole Basin is to evaluate the impact of the proposed Seminole Square and Pepsi-Cola Bottling Company Expansion projects on the Seminole Basin.

This report is to accompany the routing calculations for the five (5) models submitted for the Seminole Basin, Revised 1-12-17, prepared by Townes Site Engineering. The five models are discussed in details in this report.

Should you have any questions regarding this report or the associated basin routing calculations please do not hesitate to contact me, I am available at your convenience.

Sincerely,

Mona R. Gabriel, P.E.

Associate, Project Manager



## **Routing Narrative**

HydroCAD 10.00-12 was used to evaluate the effects of the proposed Seminole Square Expansion and Pepsi-Cola Bottling Company Plant Expansion projects on the Seminole Basin. Five models have been developed to demonstrate the following:

- Model 1: determine the allowable peak flow rates for the existing/Pre-Development Conditions.
- Model 2: evaluate the impact of the proposed Seminole Square Parking Lot Expansion on the Seminole Basin.
- Model 3: evaluate the impact of the proposed Pepsi-Cola Bottling Company Expansion on the Seminole Basin.
- Model 4: evaluate the impact of the two proposed expansion projects combined (Seminole Square and Pepsi-Cola Expansions) on the Seminole Basin.
- Model 5: determine the modification to the outfall structure required to maintain the 10-year peak discharge for the post-development condition below the 10-year peak discharge for the pre-development condition. The 48" outfall pipe needs to be modified to be 47.50" to detain the 10-year peak discharge for the post-development condition to the 10-year peak flow for the pre-development conditions.

A summary table is provided below to demonstrate the findings of the five (5) aforementioned models:

Seminole Square Basin Pre-Devlopment and Post-Development Comparison Table										
Event	Pre-Developed Conditions (Allowable Outflow)		Seminole Square Expansion Post Developed Conditions		Pepsi-Cola Bottling Company Plant Expansion Post- Developed Conditions		Seminole Square and Pepsi-Cola Expansions Post-Developed Conditions		Seminole Square and Pepsi- Cola Expansions Post- Developed Conditions with Modified Outfall Structure	
$\sim$	Outflow	W.S.E.	Outflow	W.S.E.	Outflow	W.S.E.	Outflow	W.S.E.	Outflow	W.S.E.
2-Year	201.37	416.48	201.77	416.5	201.37	416.48	201.77	416.5	198.92	416.54
10-Year	254.07	422.93	254.79	423.03	254.52	422.99	255.27	423.1	251.39	423.28
25-Year	271.42	425.42	272.72	425.62	272.25	425.55	273.64	425.75	269.58	425.98
100-Year	289.54	428.2	291.51	428.51	290.8	428.4	292.92	428.74	288.77	429.03

Albemarle Place Stormwater Management Plan by WW Associates dated 03/30/10 and revised 5/20/11 was used to determine the contributing drainage area draining to the Seminole basin from the sites west of Route 29. A copy of sheet C-13 (Post-Development Drainage Area Map) and sheet C-29B (East Contributory Drainage Area) from the aforementioned plan set is attached to this correspondence for ease of reference. The following is a summary of the sub-areas and the associated storm sewer structures or facilities that each sub-area is draining to:

- <u>8S drains to 7P:</u> 8S is the drainage area for the Commonwealth Facility which drains to an existing 36" outfall pipe (7P) as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.



- <u>3S:</u> represents the areas west of Stonefield that drain to the 60" by-pass pipe. These areas are sub-areas No. 8-14 as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>7R:</u> represents the 60" RCP Diversion Pipe for Offsite Drainage as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>5s:</u> represents the Albemarle Place North Post areas that drain to the Stormwater Management Facility. These areas include sub-areas 17A, 19A, 20, 21, 22, 23 & 27 as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>6P:</u> represents the permanent North Stormwater Management Facility as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- **9R:** represents the 72" by-pass pipe system under Route 29 that outfalls into the Seminole Basin as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>11R:</u> represents the existing 42" pipe system under Route 29 that outfalls into the Seminole Basin as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>4S:</u> represents sub-areas 15, 18 and 17 from the Sperry Site that outfall to the existing 42" pipe system under Route 29 as shown on sheet C-13 (Post-Development Drainage Area Map) from the aforementioned plan set by WW Associates.
- <u>2S:</u> is the contributing drainage area from the Seminole Square Shopping Center that drains to the Seminole Basin. It is the summation of sub-areas 30, 31, 32, 33 and 34 as shown on sheet C-29B (East Contributory Drainage Area) from the aforementioned plan set by WW Associates.
- 13p: represents Seminole Basin.

Sec. 34-1120. - Lot regulations, general.

- (a) Frontage requirement. Every lot shall have its principal frontage on a street or place (i) that has been accepted by the city for maintenance, or (ii) that a subdivider or developer has been contractually obligated to install as a condition of subdivision or site plan approval and for which an adequate financial guaranty has been furnished to the city. Except for flag lots, stem lots, and cul-de-sac lots, or other circumstances described within the city's subdivision ordinance, no lot shall be used, in whole or in part, for any residential purpose unless such lot abuts a street right-of-way for at least the minimum distance required by such subdivision ordinance for a residential lot.
- (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.
    - 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:
  - 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)





## ENGINEERING REVIEW OF APPLICATION FOR A WAIVER: CRITICAL SLOPES

## **Project Review / Analysis (Pepsi Bottling Company Expansion)**

The applicant has provided detailed information in the attached narrative for each item discussed below:

#### **Existing Conditions:**

- The applicant mentions that there is currently an existing stormwater management easement in this area up to the 416 contour elevation. This easement was granted to the City in 1985, however the reason why the City has a stormwater easement on a facility that benefits private property owners and does not receive water from City owned property is unknown to staff. In addition, there is not currently an adequate means to access the easement area to perform maintenance and construction of these walls will further decrease accessibility to the facility. Engineering Staff recommends that this stormwater management easement be vacated as part of this critical slope waiver, if approved. If the waiver is granted and the easement is not vacated, it is staff's recommendation that a maintenance access road be constructed as part of the wall construction.

### **Project Description**

- Engineering Staff has no comments regarding this statement.

#### Finding #1:

- The applicant existing erosion along the bank and how the walls will eliminate this erosion potential.
  - Engineering Staff would like to point out that the term 'bank' in this case is likely a reference to the slopes leading to the stream. While there may be some spot areas where erosion is occurring along the slopes, any stream bank erosion that is occurring will continue to exist as the walls are located above the top of stream bank.
- The applicant offers a 10' foot easement dedicated to the City of Charlottesville.

  It needs to be made clear in those documents that the easement is strictly for maintenance of the trail itself and not the retaining wall. The City will not accept any maintenance of the wall.

Erosion affecting the structural integrity of those features:

- Engineering Staff has no comments regarding this statement.

### Stormwater and erosion-related impacts on adjacent properties:

- The applicant states that there is an easement in favor of the City for stormwater management. While there is an existing stormwater easement dedicated to the City for maintenance, the easement in itself is a burden to the City as it requires maintenance of a facility that primarily treats runoff from non-City owned property. City efforts should be dedicated to

facilities that were constructed to City standard, are maintainable and serve the City and/or general public. This easement does none these and it is staff's recommendation that the easement be vacated as a condition of this critical slope waiver, if granted.

Stormwater and erosion-related impacts to environmentally sensitive areas such as stream and wetlands:

- The applicant states that no streams or wetlands are proposed to be impacted with the filling operations.

The applicant has incorporated additional erosion and sediment control measures and has conceived a sequence that will limit disturbed area to the stream. These items will aid in protecting the stream below these critical slopes, however, there is always the possibility that, despite a designer and contractor's best efforts, Mother Nature can overcome any manmade attempt to control runoff.

Increased stormwater velocity due to loss of vegetation:

- Engineering Staff has no comments regarding this statement.

Decreased groundwater recharge due to changes in the site hydrology:

- Engineering Staff has no comments regarding this statement.

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:

- Engineering Staff has no comments regarding this statement.

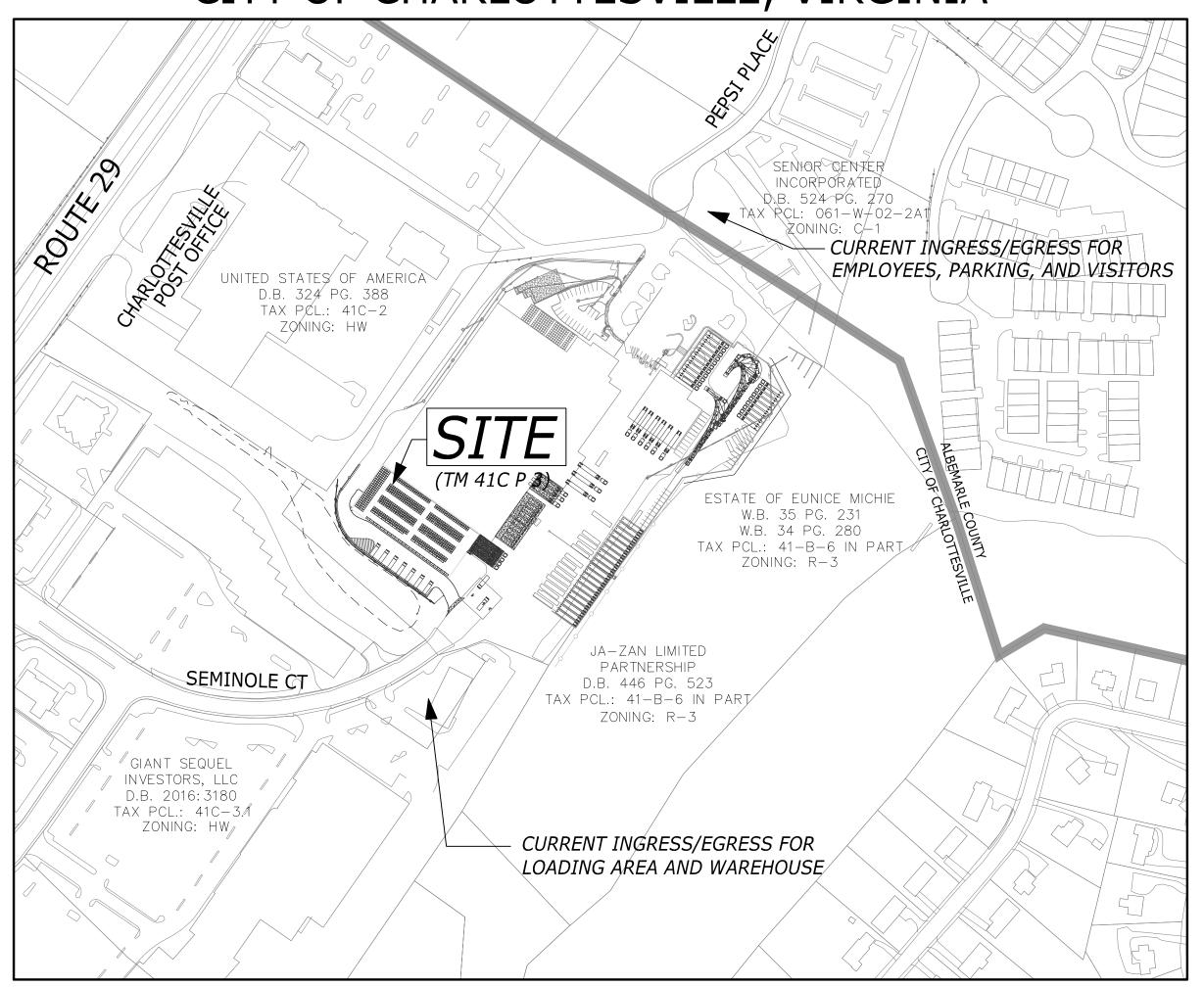
## **Engineering Recommendation**

Engineering staff recommends approval of the critical slope waiver application with the following conditions:

- The existing stormwater easement that was created in 1985 be vacated, as there is no apparent reason that the City should be maintaining this private facility. If the critical slope waiver is granted and the easement is not vacated, it is recommended that an access road be constructed as part of the wall construction so that maintenance can actually be performed by the City. The existing easement would also have to be expanded to include the access road. Vacation of the existing easement could also serve as a public benefit by taking the maintenance burden of a private facility off of the public tax dollar.
- A detailed survey by a licensed professional should be provided following construction to capture any deviation from the approved plans. Upon completion of the as-built survey, the stormwater routing analysis should be verified using the as-built data.
- The maintenance easement for the trail must be clear that the retaining walls, handrails, guardrails, or other associated features will not be maintained by the City.
- The previously submitted stormwater routing analysis for the existing stormwater basin between Seminole Square and Pepsi will need to be revised if the retaining walls require adjustment to accommodate the trail.

EROSION & SEDIMENT CONTROL, STORMWATER MANAGEMENT & SITE PLAN AMENDMENT

## CITY OF CHARLOTTESVILLE, VIRGINIA

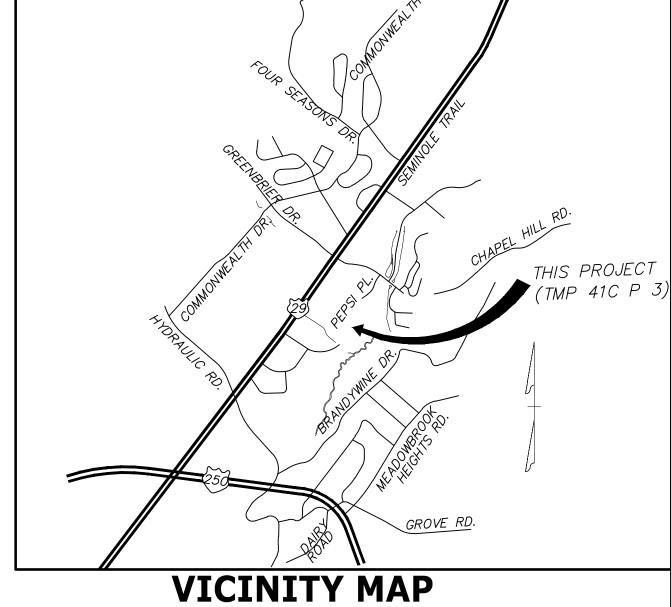


SHEET LAYOUT SCALE: 1" = 200'

# OWNER & DEVELOPER

PEPSI-COLA BOTTLING COMPANY 1150 PEPSI PLACE CHARLOTTESVILLE, VA 22901

BMP OWNERSHIP INFORMATION:	PEPSI COLA BOTTLING COMPANY 1150 PEPSI PLACE CHARLOTTESVILLE, VA 22901
TYPE/DESCRIPTION OF BMP INSTALLED:	AN EXISTING, ONSITE SWM FACILITY IS PROPOSED TO PROVIDE QUANTITY TREATMENT. WATER QUALITY CREDITS ARE PROPOSED TO BE PURCHASED FOR QUALITY COMPLIANCE.
GEOGRAPHIC LOCATION (HYDROLOGIC UNIT CODE)	BEHIND PROPOSED DEVELOPMENT & EXISTING SEMINOLE SQUARE SHOPPING CENTER, 195 SEMINOLE CT., CHARLOTTESVILLE, VA 22901; LATITUDE 38.065176°, LONGITUDE -78.484748°; HUC 1 #020802040401 JR14; HYDROLOGIC SOIL GROUP TYPE 88- FILL)
WATERBODY THE BMP IS ULTIMATELY DISCHARGING INTO:	MEADOW CREEK; PART OF THE SOUTH FORK RIVANNA RIVER RESERVOIR
# OF ACRES TREATED BY BMPs:	1.30 ac. IS DETAINED VIA THE EXISTING, ONSITE SWM FACILITY
DESCRIPTION OF REQUIRED MAINTENANCE:	THE MAINTENANCE PROGRAM FOR THE WATER QUANTITY SHALL BE CLEANING OUT THE BASIN ANNUALLY, OR AS NECESSARY, AND ENSURING THE FACILITY IS FREE OF TRASH AND DEBRIS.  MAINTENANCE TO ALSO INCLUDE INSPECTION, AND REPAIR AS NECESSARY, OF ALL PIPES, JOINTS, TRASHRACKS AND OUTLET STRUCTURES.
OWNER'S SIGNATURE AGREEING TO MAINTAIN FACILITY:	

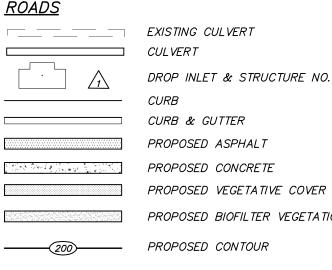


Attachment 7

## SCALE: 1'' = 2,000'**SHEET INDEX**

**COVER SHEET EXISTING CONDITIONS** DRAINAGE PLAN & COMPUTATIONS PROFILES & VEHICULAR MOVEMENT LIGHTING PLAN TOTAL SHEETS

## **LEGEND**



PROPOSED VEGETATIVE COVER PROPOSED BIOFILTER VEGETATION

TBC DENOTES TOP/BACK OF

CURB T/B DENOTES TOP OF BOX

PROPOSED SPOT ELEVATION

EC-3A DITCH EC-2 DITCH \_\_\_\_\_ DEPTH OF EC-2 DITCH

EARTH DITCH DRIVEWAY CULVERT BENCH MARK CLEARING LIMITS

VDOT STANDARD STOP SIGN

EXISTING CONTOUR

- - - - 200 - - - -

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

3. IFC 506.1-AN APPROVED KEY BOX SHALL BE MOUNTED TO THE SIDE OF THE FRONT OR MAIN ENTRANCE. TH 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

FIRE HYDRANTS, FIRE PUMP TEST HEADER, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES SHALL REMAIN CLEAR AND UNOBSTRUCTED 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 WEIGHTING 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 IFC 1410.1—ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.

DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND 11. 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

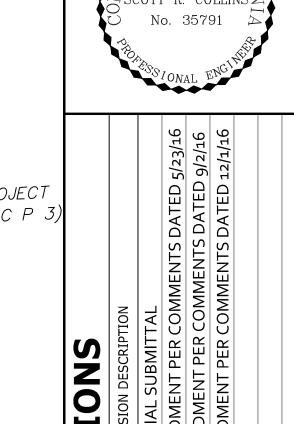
IFC 1404.6—CUTTING AND WELDING. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE

ACCUMULATED. 12. 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. 13. 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

SIGNATURE PANEL

DIRECTOR, NEIGHBORHOOD DEVELOPMENT



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112069 SCALE SHEET NO.

**D** 

OWNED/LEASED VEHICLES: 72 TRUCKS/CARS/TRAILERS = 72 SPACES LOADING SPACES: 16 SPACES = 16 SPACES CAR SPACES: 84 SPACES OWNED/LEASED VEHICLE SPACES (WITHIN YARD): 70 SPACES LOADING SPACES: 22 SPACES OFFICE SPACE: 8000 GSF @ 1 SPACE/400 SF = 21 SPACES ADDITIONAL PLANT AND WAREHOUSE SPACE: 30,332 = 76 SPACES ADDITIONAL 30 NEW EMPLOYEES = 15 SPACES ADDITIONAL VEHICLE SPACES: APPROX. 11 VEHICLES = 11 SPACES ADDITIONAL LOADING SPACES: APPROX. 10 VEHICLES = 10 SPACES

CAR SPACES: 75 NEW SPACES + 69 EXISTING SPACES = 144 CAR SPACES HANDICAP SPACES: INCLUDED WITH CAR SPACES (4 SPACES) OWNED/LEASED VEHICLE SPACES (WITHIN YARD): 107 SPACES LOADING SPACES: 10 SPACES + 16 SPACES = 26 LOADING SPACES TOTAL SPACES PROVIDED: 277 SPACES THERE ARE 273 SPACES REQUIRED, AND 277 SPACES PROVIDED. (APPROVED WITH ORIGINAL FINAL SITE PLAN)

SOURCE OF SURVEY/INFORMATION: SURVEY FOR THIS SITE PLAN AMENDMENT IS FROM THE FIELD SURVEY CONDUCTED B'

ZONING: TMP 41C-3: HW- HIGHWAY CORRIDOR ZONING (NOT LOCATED IN THE ENTRANCE CORRIDOR)

PRESERVED ARE SHOWN ON SHEET 2 AND A WAIVER HAS BEEN REQUESTED FOR THE DISTURBANCES.

BUFFER LOCATED ON THE ADJACENT PROPERTY. WHICH IS ALSO OWNED BY THE APPLICANT.

BUILDING HEIGHT: EXISTING BUILDING: 20' (2 STORIES). SEE NOTE #25 BELOW. PROPOSED USE: PEPSI-COLA BOTTLING COMPANY PLANT AND WAREHOUSE

PARKING REQUIREMENTS: (APPROVED WITH ORIGINAL FINAL SITE PLAN)

1 SPACE/2 EMPLOYEES

SPACE/400 GSF OF AREA DEVOTED TO OFFI

1 SPACE/COMPANY VEHICLE STORED ON-SITE

2007. THE MISS UTILITY TICKET NUMBER IS B227901423-00B AND THE SITE WAS FIELD VERIFIED ON JULY 8, 2016.

COMMONWEALTH LAND SURVEYING, LLC DATED AUGUST 4, 2011 AND UPDATED OCTOBER, 2012. ADDITIONAL OFFSITE SURVEYED NFORMATION IN THE PROXIMITY OF THE PEPSI PLANT IS BASED OFF A SURVEY BY JENNINGS STEPHENSON, P.C. IN JANUARY OF

FLOODPLAIN: A PORTION OF THIS PROPERTY IS LOCATED IN ZONES 'X' AND 'AE' AS SHOWN ON THE FEMA FLOOD INSURANCE RATE IAP NUMBER 51003C, PANEL 0278D, DATED FEBRUARY 4, 2005. THE PROPOSED DEVELOPMENT DOES NOT IMPACT THE 100-YEAR

CRITICAL SLOPES: THERE ARE EXISTING CRITICAL SLOPES ON THE SUBJECT PROPERTY. THE CRITICAL SLOPES TO BE IMPACTED AND

OFFICE SPACE: 4,800 GSF @ 1 SPACE/300 SF + 1 HAND. SPACE/25 SPACES = 16 SPACES

MAXIMUM WORKING SHIFT: 72 PERSONS @ 1 SPACE/2 EMPLOYEES = 36 SPACES

STREAM BUFFER: THE PROPOSED IMPROVEMENTS OF THIS PROPERTY AS SHOWN ON THE PLAN SHALL NOT IMPACT THE STREAM

FINAL SITE PLAN AMENDMENT PARKING SPACES PROVIDED: 13 NEW TRUCKS SPACES PROVIDED FOR A NEW TOTAL OF 290 SPACES THERE ARE 273 SPACES REQUIRED, AND 290 SPACES PROVIDED

PUBLIC UTILITIES: THE PLANT IS SERVED BY EXISTING PUBLIC WATER AND SEWER. THE CURRENT AND PROPOSED EXPANSIONS OF THE FACILITY WILL NOT RELOCATE THE EXISTING UTILITIES TO THE BUILDING, BUT A FIRE HYDRANT WILL NEED TO BE RELOCATED AND THE ADJACENT WATER SHALL BE REROUTED.

STORMWATER MANAGEMENT AND STORM DRAINAGE: STORMWATER QUANTITY TREATMENT WILL BE ACHIEVED VIA STORMWATER ATTENUATION IN THE EXISTING, ONSITE STORWMATER MANAGEMENT FACILITY. STORMWATER QUALITY COMPLIANCE WILL BE ACHIEVED THROUGH THE PURCHASING OF NUTRIENT CREDITS. THE MAINTENANCE PROGRAM FOR THE WATER QUANTITY SHALL BE CLEANING OUT THE BASIN ANNUALLY, OR AS NECESSARY, AND

ENSURING THE FACILITY IS FREE OF TRASH AND DEBRIS. MAINTENANCE TO ALSO INCLUDE INSPECTION, AND REPAIR AS NECESSARY OF ALL PIPES, JOINTS, TRASHRACKS AND OUTLET STRUCTURES. AREAS DEDICATED FOR PUBLIC USE: CURRENTLY, THERE IS NO LAND ON THIS PROPERTY THAT IS PROPOSED TO BE RESERVED OR

DEDICATED FOR PUBLIC USE. SUBJECT PARCEL 41C-3 LOT COVERAGE AND PROPOSED USES: TOTAL LOT AREA: 15.3 ACRES BUILDING AREA TOTAL: 4.20 ACRES (27.5%)

BUILDING AREA (EXISTING): 3.54 ACRES BUILDING AREA (PROPOSED): 0.66 ACRES PARKING/TRAVEL/SIDEWALK AREA TOTAL: 4.86 ACRES (31.7%) PARKING/TRAVEL/SIDEWALK AREA (EXISTING): 5.30 ACRES

PARKING/TRAVEL AREA (PROPOSED): -0.44 AC NET; 0.23 ACRES ADDED; 0.67 ACRES REMOVED OPEN SPACE AREA TOTAL: 6.24 ACRES (40.8%)

WATER DEMAND: PUBLIC WATER PROVIDED VIA THE CITY EXISTS ONSITE & THE PROPOSED EXPANSION WILL UTILIZE THE EXISTING SIGNAGE: THE CURRENT SIGNAGE FOR THE PROPERTY IS EXISTING AND SHALL REMAIN, AND NO CHANGES TO THE CURRENT SIGNAGE IS PROPOSED WITH THIS PLAN.

INGRESS AND EGRESS: CURRENTLY, PEPSI-COLA TRUCKS INGRESS AND EGRESS THE PROPERTY BY WAY OF SEMINOLE COURT AND EMPLOYEES INGRESS AND EGRESS MAINLY BY WAY OF PEPSI PLACE AND GREENBRIAR ROAD. NO CHANGES TO THE CURRENT INGRESS AND EGRESS OF THE PROPERTY ARE PROPOSED WITH THE PROPOSED AND FUTURE EXPANSIONS OF THE SITE AS SHOWN ON THE PROPERTY. THERE IS AN EXISTING 30' ACCESS EASEMENT EASEMENT TO THE NORTHEAST OF THE PROPERTY THAT SHALL ALSO REMAIN. THIS ACCESS EASEMENT IS ALSO PART OF THE CITY/COUNTY CURRENT PLAN FOR THE PLACES 29 CORRIDOR

BUILDING/LOT SETBACKS: HW-HIGHWAY CORRIDOR ZONING: PRIMARY STREET: 5' MIN. AND 30' MAXIMUM

PROJECT DATA:

CHARLOTTESVILLE, VA 22906

TELEPHONE: (434) 293-3719 FACSIMILE: (434) 293-2813

20' ADJACENT TO LOW DENSITY RESIDENTIAL DISTRICT NO SETBACK ADJACENT TO SIMILAR DENSITY DISTRICT

LINKING STREET: 5' MIN. AND 20' MAX. BUILDING & HEIGHT REGULATIONS: 0' MIN. & 80' MAX. (THE EXISTING BUILDING HAS A PITCHED ROOF FOR DRAINAGE. THE EXISTING BUILDING IS 2 STORIES AND IS 20' TALL WHERE IT

ABUTS THE PROPOSED EXPANSION. THE PROPOSED BUILDING HEIGHT SHALL MATCH THE ABUTTING EXISTING BUILDING HEIGHT, 20'. THIS PROPOSED 20' BUILDING HEIGHT IS LESS THAN THE MAXIMUM 80' REQUIREMENT.) SITE TRIP GENERATION: TRAFFIC IMPACT NUMBERS ARE BASED ON THE ITE TRIP GENERATION MANUAL, 8TH EDITION. CODE 140 WAS USED FOR THE INDUSTRIAL SPACE WITH 250 EXPECTED EMPLOYEES. RATE - 533 VPD (2.13 VPD/EMPLOYEE \* 250 EMPLOYEES)

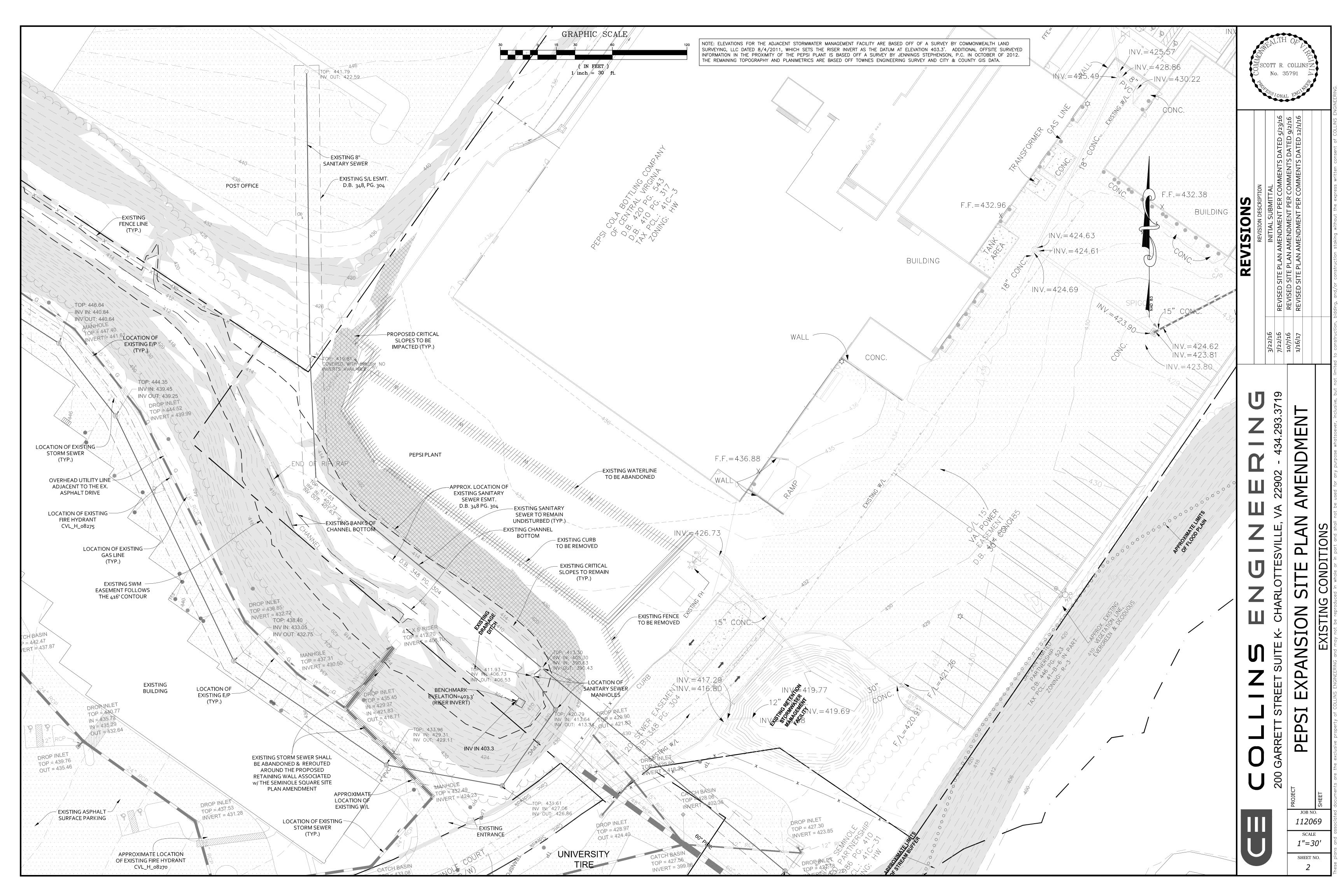
AM PEAK: RATE - 100 VPH (73 VPH ENTER/27 VPH EXIT) PM PEAK: RATE - 90 VPH (40 VPH ENTER/50 VPH EXIT)

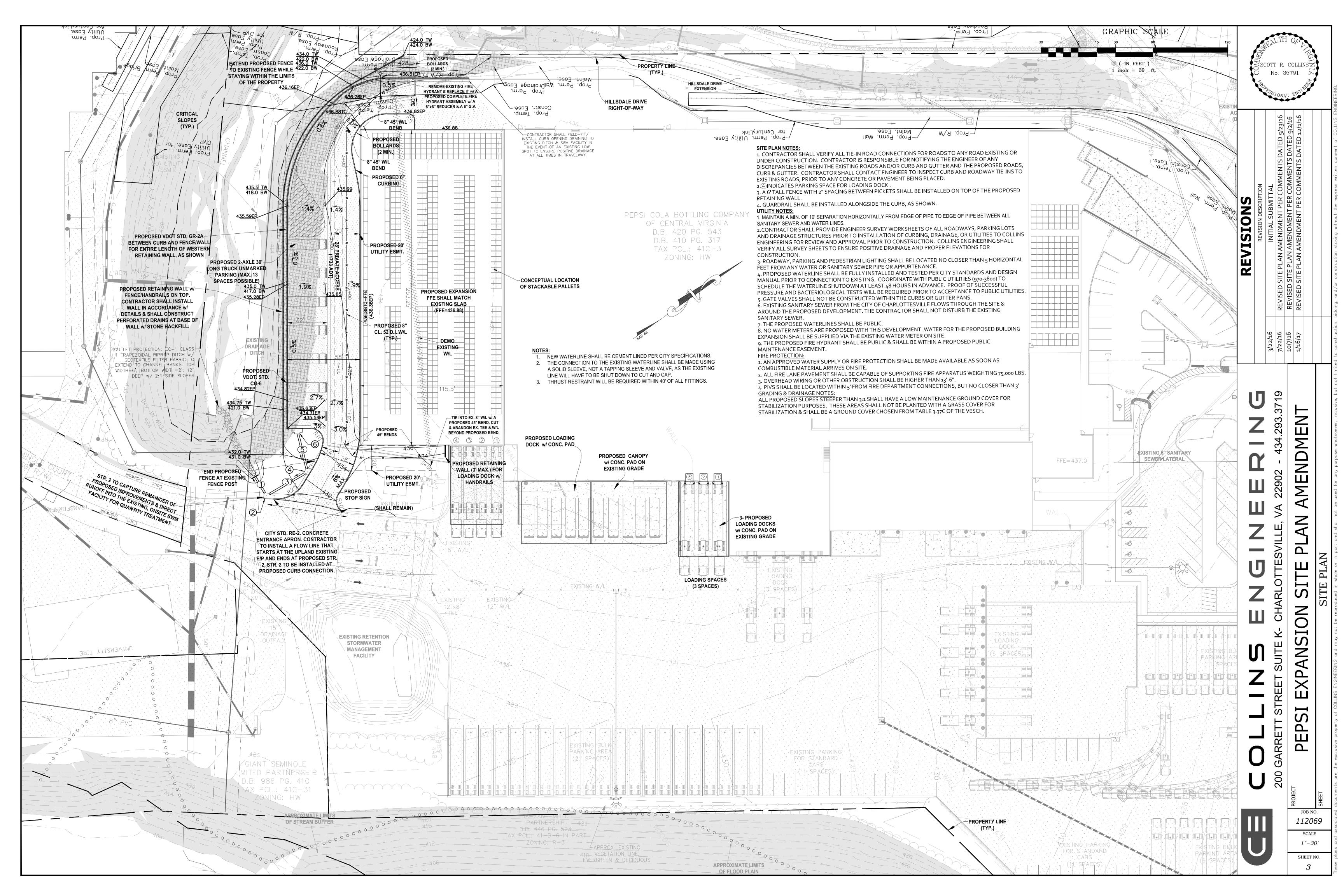
AN EXISTING FIRE HYDRANT SHALL BE UTILIZED TO THE SOUTH & A PROPOSED FIRE HYDRANT TO THE NORTH WILL REPLACE AN THE APPROVED ADDITIONAL IMPERVIOUS LOADING RESULTING FROM THE ORIGINAL SITE PLAN IS 55,996sf.

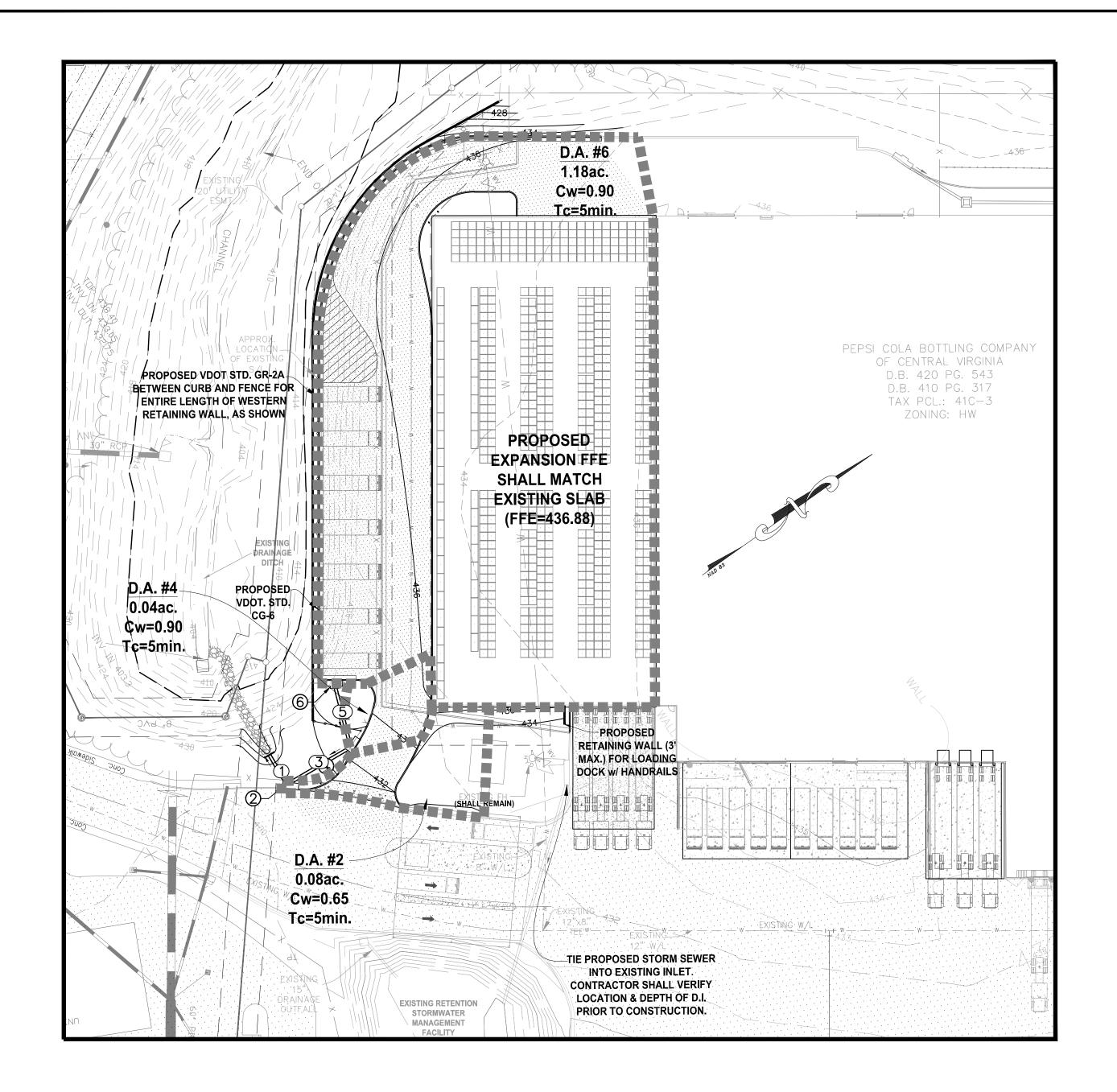
THE CONTRACTOR SHALL BE REQUIRED TO PROVIDE ADEQUATE PEDESTRIAN BARRIERS AND PEDESTRIAN CIRCULATION DURING

COLLINS ENGINEERING SHALL NOT HAVE AUTHORITY OVER CONTRACTOR'S WORK, SAFETY PRECAUTIONS, SCHEDULES, OR COMPLIANCE WITH LAWS AND REGULATIONS. WE SHALL NOT ASSUME RESPONSIBILITY FOR ANY CONSTRUCTION BEGUN PRIOR TO PLAN

CONSTRUCTION SHOULD HILLSDALE DRIVE EXTENSION BE BUILT PRIOR TO THIS PROPOSED EXPANSION.







INLETS O	ı	•	7																							
Intensity Mannings (		4.00	-	(Intensi	ty is 4	in/hr fo	or spre	ad, and	d 6.5 in/	hr for ca	pacity a	and de	epth)													
Marirings (	Joennoi	Inlet	0.013			Hydrol	ogy				Curb a	nd Gu	tter					Inlet								
	Plan Label	VDOT DI type	L, throat length (ft)	A, Drainage area (acres)	C, rational coeff.	CA	Q, flow incr. (cfs)	Qb, carry-over (cfs)	Qt, total flow	S, gutter longitudinal slope (ft/ft)	Sx, lane cross slope (#/#)	W, gutter width (ft)	Sw, gutter cross-slope (ft/ft)	Sw/Sx	T, spread at curb (ft)	Eo, frontal flow ratio in gutter W	a, 12W(Sw-Sx)+ 2"l∝al depr. (in)	S'w = a/(12W)	Se = Sx+S'w(Eo)	Lt, require throat length (ft)	٦/ ٦	E, inlet efficiency	Qi, flow intercepted	Qb, carry-over	carry-over to inlet	Remarks
2		3B	6.0	0.08	0.65	0.052	0.21	0.00	0.21	0.05	0.02	2.0	0.083	4.17	2.74	0.99	3.52	0.15	0.17	4.70	1.28	1.00	0.21	0.00	-	
4		3B	6.0	0.04	0.90	0.036	0.14	0.00	0.14	0.07	0.02	2.0	0.083	4.15	2.24	1.00	3.51	0.15	0.17	4.44	1.35	1.00	0.14	0.00	-	

INLETS ON GRA	DE, DES	SIGN (C	URB S	PREA	D AND	INLET	CAPT	URE)																		
•	6.50	<del>-</del>	(Intensi	ty is 4	in/hr fo	or sprea	ad, and	6.5 in/	hr for ca	pacity a	nd de	pth)														
Mannings Coeffic	<u>ient, n is</u>	0.013																								
	Inlet				Hydrol	ogy				Curb ar	nd Gut	ter					Inlet									
Plan Label	VDOT DI type	L, throat length (ft)	A, Drainage area (acres)	C, rational coeff.	CA	Q, flow incr. (cfs)	Оb, сапу-over (cfs)	Ot, total flow	S, gutter longitudinal slope (ft/ft)	Sx, lane cross slope (ft/ft)	W, gutter width (ft)	Sw, gutter cross-slope (ft/ft)	SW/Sx	T, spread at curb (ft)	Eo, frontal flow ratio in gutter W	a, 12W(Sw-Sx)+ 2"local depr. (in)	S'w = a/(12M)	Se = Sx+S'w(Eo)	Lt, require throat length (ft)	[-/tt	E, inlet efficiency	Qi, flow intercepted	Qb, carry-over	carry-over to inlet		Remarks
2	3B	6.0	0.08	0.65	0.052	0.34	0.00	0.34	0.05	0.02	2.0	0.083	4.1500	3.28	0.98	3.512	0.1463	0.1634	5.80	1.03	1.00	0.34	0.00	-		
4	3B	6.0	0.04	0.90	0.036	0.23	0.00	0.23	0.07	0.02	2.0	0.083	4.1500	2.69	0.99	3.512	0.1463	0.1649	5.47	1.10	1.00	0.23	0.00	-	1	

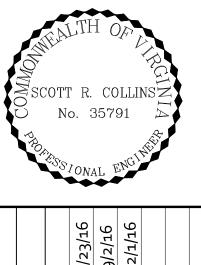
-	Design Year:	10			]	Project	:	Peps	si Expa	nsion				Job#:	112069			Pr	epared	by:	FGM, P
INLET	OUTLET WATER	Lo	D <sub>o</sub>	Q.	Sfo	Hf						JUNCTI	DNLOSS	3					FINAL	INLET WATER	RIM
STATION	SURFACEELEV			ZW			٧,	Н,	O IN	V IN	Q <sub>i</sub> *V <sub>i</sub>	V,42g	H,	ANGLE	Н	Hŧ	1.3 H	.5 H	Н	SURFACE ELEV	. ELEV
	426.79	17.83	15	7.63	0.014	0.25	6.2	0.2													
2									7.3	6.0	43	0.5	0.19	0	0	0.34	0.45	0.22	0.47	427.26	430.2
	427.26	38.22	15	7.30	0.013	0.49	6.0	0.1													
4									7.1	5.8	41	0.5	0.18	90	0.3617	0.68	NA	0.34	0.83	428.09	432.4
	429.80	33.81	15	7.08	0.012	0.41	5.8	0.1													
6													0.00	106	0	0.13	NA	0.06	0.47	430.27	434.7

					J.N.	112	2069		PROJ	ECT	Pepsi	Expans	sion					
L&D 229								-	(	COUNTY	Charlo	ttesville	:					
	STO	RM S	EWE	9 DES	GIGN C	OMPL	ITATI	ONS				DESIGNI	ED BY	FGM,	PE		1/12/2017	
												CHECKE	DBY	FGM, PE		DATE	1/12/2017	
		AREA	RUN-			INLET	RAIN-	RUN-						FULL			RUN-	
FROM	то	DRAIN.	OFF	CA	CA	TIME	FALL	OFF	INV.	INV.				FLOW	VEL.	FLOW	OFF	VEL.
		"A"	COEF.	INCRE-	ACCUM-	tc	l-10 yr.	Q	ELEV.	ELEV.	LEN.	SLOPE	DIA.	RATE	10 yr.	TIME	100 yr.	100 yr.
		acres	С	MENT	ULATED	min.	in/hr	c.f.s.	IN	OUT	ft.	%	in.	c.f.s.	f.p.s.	sec.	c.f.s.	f.p.s.
- 1 -	-2-	-3-	- 4-	- 5 -	-6-	-7-	-8-	-9-	- 10 -	- 11 -	- 12 -	- 13 -	- 14 -	- 15 -	- 16 -	- 17 -	- 18 -	- 19 -
6	4	1.18	0.9	1.06	1.06	5.00	6.67	7.08	430.75	428.80	33.81	5.77%	15.00	15.52	12.31	2.7	9.3	13.1
4	2	0.04	0.9	0.04	1.10	5.05	6.65	7.30	428.70	426.25	38.22	6.41%	15.00	16.35	12.85	3.0	9.6	13.9
2	EX DI	0.08	0.65	0.05	1.15	5.10	6.64	7.63	426.15	425.79	17.83	2.00%	15.00	9.14	8.31	2.1	10.0	8.2

					L	PRAINAGE	DESCF	RIPTIC	NS			
STR.			PIPE II	VFORMAT	ION			INL	.ET INFORN	MATION		
NO.	DIA.	LENGTH*	SLOPE	INVERT	INVERT	MATERIAL	INLET	Curb	INLET	SLOT	RIM*	COMMENTS
IVO.	(in.)	(ft.)	(%)	IN	ОЛ	WATERIAL	TYPE	Туре	STATION	LENGTH	ELEVATION	
6							DI-3C	CG-6	93.34	10	434.71	VDOT STD. IS-1 REQ'D
5	15	33.81	5.77%	430.75	428.80	RCP3						
4							DI-3B	CG-2	125.83	6	432.42	VDOT STD. IS-1 REQ'D
3	15	38.22	6.41%	428.70	426.25	RCP3						
2							DI-3B	CG-2	160.00	6	430.20	VDOT STD. IS-1 REQ'D
1	15	17.83	2.00%	426.15	425.79	RCP3						

Inter	•	4.00	]								<b>H)</b> capacity	and de	pth)								
IVIAIII	nings Coeffic	Inlet	0.013				Hydro	loav				Curb ar	nd Gut	ter					Inlet		
Plan Label		VDOT DI type	L, throat length (ft)		A, Drainage area (acres)	C. rational coeff.	CA	Q, flow incr. (cfs)	Qb, сату-over (cfs)	Ot, total flow	S, gutter longitudinal slope (ft/ft)	Sx, lane cross slope (ft/ft)	W, gutter width (ft)	Sw, gutter cross-slope (ft/ft)	XS/MS	T, spread at curb (ft)	Eo, frontal flow ratio in gutter W	d, flow depth (ft)	d / h (height of opening, 5.5")	T, spread at inlet (ft)	Remarks
				all	1.18	0.90	1.062	4.25	0.00	4.25	0.005	0.045	2.0	0.083	1.84	7.87	0.57				
	STR 6	DI-3C	10.0					comb	ined flow	4.2								0.32	0.708	7.21	

Mannings Coefficio	ient, n is i Inlet	0.013			Hy	drology			I										
	Inlet				Hy	drology			1										
			l							Curb ar	nd Gut	ter					Inlet		
בים	VDOT DI type	L, throat length (ft)		A, Drainage area (acres)	C, rational coeff.	CA Q. flow incr. (cfs)	Оb, сапу-over (cfs)	Qt, total flow	S, gutter longitudinal slope (fl/ft)	Sx, lane cross slope (ft/ft)	W, gutter width (ft)	Sw, gutter cross-slope (ft./ft)	XS/MS	T, spread at curb (ft)	Eo, frontal flow ratio in gutter W	d, flow depth (ft)	d / h (height of opening, 5.5")	T, spread at inlet (ft)	( )   ( )
			all	1.18	0.90 1.0	6.90	0.00	6.90	0.005	0.0450	2.0	0.083	1.84	9.44	0.51				



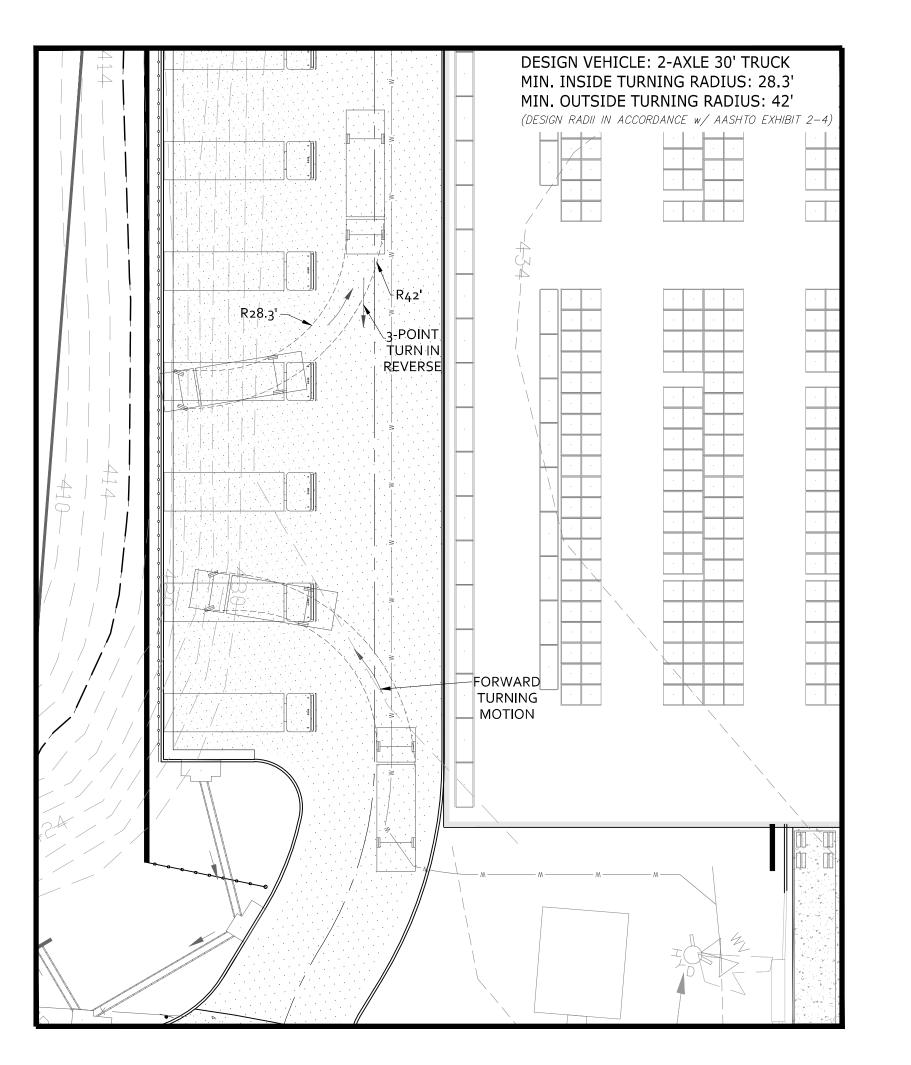
REVISIONS

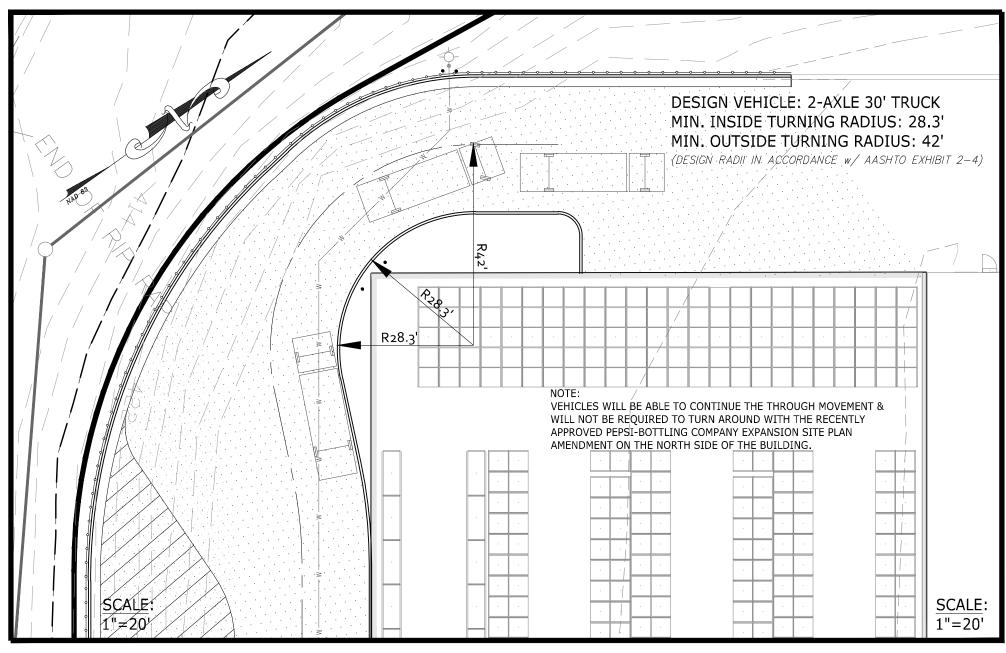
DALABANDAR SALVOI	200 GARRETT STREET SUITE K- CHARLOTTESVILLE, VA 22902 - 434.293.3719	PEPSI EXPANSION SITE PLAN AMENDMENT
	• •	ַלַ ן

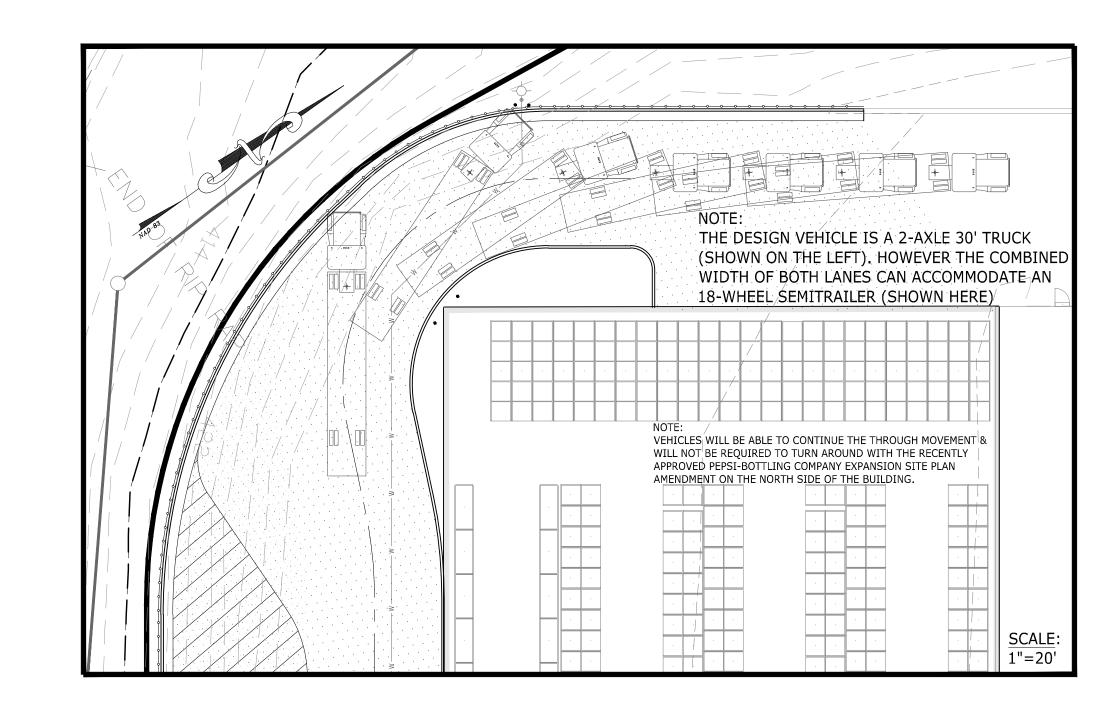
112069

1"=40'

SHEET NO.





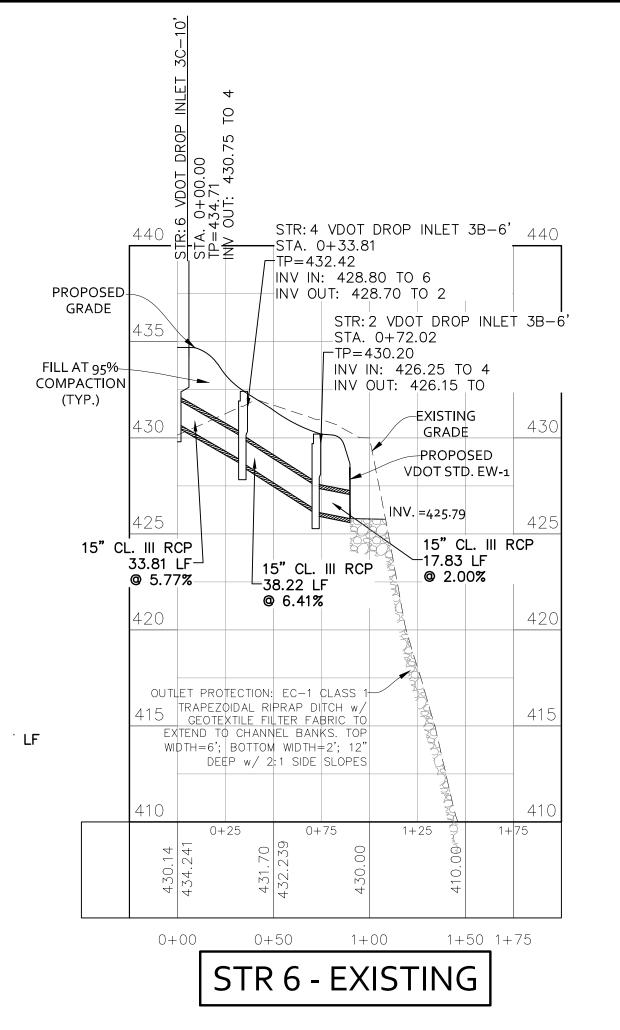


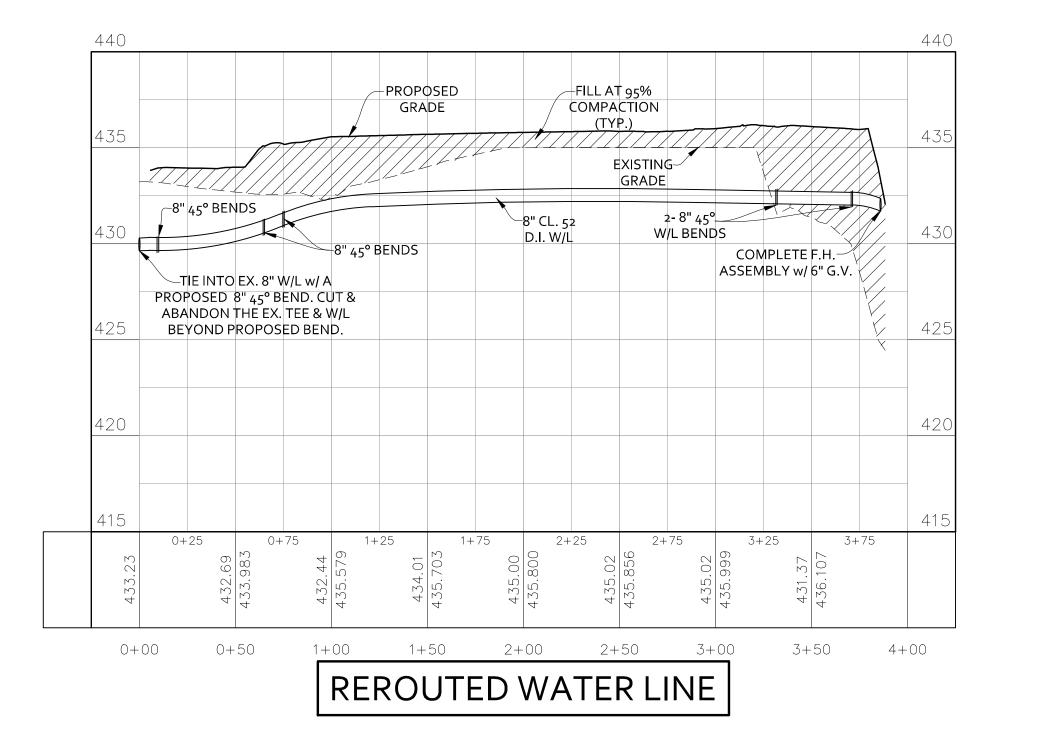
NOTE: ALL ROADWAY EMBANKMENT MATERIAL SHALL CONSIST PREDOMINANTLY OF SOIL AND BE PLACED IN SUCCESSIVE UNIFORM LAYERS NOT MORE THAN 8 INCHES IN THICKNESS BEFORE COMPACTION OVER THE ENTIRE ROADBED AREA IN ACCORDANCE WITH VDOT 2007 ROAD AND BRIDGE SPECIFICATION 303.04.

NOTE: MINIMUM 3' OF COVER MUST BE MAINTAINED OVER W/L NOTE: MINIMUM 1' OF VERTICAL SEPARATION FROM STORM SEWER & W/L

NOTE: VDOT STD. IS-1 REQUIRED ON ALL STRUCTURES

NOTE: ALL PIPE IS CLASS III RCP, UNLESS NOTED OTHERWISE. NOTE: ALL FILL SHALL BE PLACED 95% COMPACTION AND TESTED BY A GEOTECHNICAL ENGINEER TO ENSURE COMPACTION IS REACHED AND MAINTAINED.







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> 112069 SCALE

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AS SHOWN

SHEET NO.

. ANY DAMAGE TO EXISTING UTILITIES CAUSED BY CONTRACTOR OR ITS SUBCONTRACTORS SHALL BE CONTRACTOR'S SOLE RESPONSIBILITY AND REPAIRED

AT CONTRACTOR'S EXPENSE. . THESE PLANS 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 A PUBLIC STORM, SANITARY OR WATER LINE, OR WITHIN 10' OF A GAS LINE. ANY COST INCURRED FOR REMOVING, RELOCATING 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

. WHEN THE WORK CROSSES 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. . CONTRACTOR SHALL NOTIFY LANDOWNERS, TENANTS AND THE ENGINEER PRIOR TO

TO A MINIMUM. . IF DEEMED REQUIRED BY THE CITY INSPECTOR, 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

THE INTERRUPTION OF ANY SERVICES. SERVICE INTERRUPTIONS SHALL BE KEPT

CONTRACTOR'S FAILURE TO SO COORDINATE. i. 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.

. 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.

B. ALL WATER METER, VALVES AND FIRE HYDRANT ADJUSTMENTS/RELOCATIONS SHALL BE PERFORMED BY THE CONTRACTOR.

.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

2.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.

CONCRETE SHALL NOT BE PLACED UNLESS THE AIR TEMPERATURE IS AT LEAST 40 DEGREES FAHRENHEIT (F) IN THE SHADE AND RISING. 4.CONCRETE SHALL NOT BE PLACED UNTIL STEEL DOWELS HAVE BEEN INSTALLED IN EXISTING CONCRETE IN ACCORDANCE WITH CITY STANDARDS & ALL BUILDING

5.1/2" 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. 4.ALL EXISTING CURBS, CURB & GUTTER, SIDEWALK AND STEPS TO BE REMOVED

SHALL BE TAKEN OUT TO THE NEAREST JOINT. 5.ALL EXISTING GRANITE CURB, IF APPLICABLE, 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.

6.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 WHERE APPLICABLE 7.ASHPLAT/CONCRETE ADJUSTMENTS ARE TO BE DONE IN GENTLE TRANSITIONS

RATHER THAN ABRUPT BREAKS AT THE BACK OF WALKS. 8.EXISTING ASPHALT & CONCRETE PAVEMENT SHALL BE SAW CUT AND REMOVED IN ACCORDANCE WITH CITY & STATE REQUIREMENTS & ALL CURRENT CODES & REGULATIONS. 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

9.DISPOSAL OF ALL EXCESS MATERIAL IS THE RESPONSIBILITY OF CONTRACTOR.

.CONTRACTOR SHALL EXERCISE CARE, ESPECIALLY AT INTERSECTIONS AND GUTTER LINES, TO PROVIDE POSITIVE DRAINAGE. ANY AREAS WHERE WATER IS IMPOUNDED BE CORRECTED BY CONTRACTOR AT NO ADDITIONAL COST. POSITIVE DRAINAGE OF ALL PAVED AND GRADED AREAS TO THE STORM DRAIN INLETS OR OTHER ACCEPTABLE DRAINAGE CHANNELS ARE REQUIRED

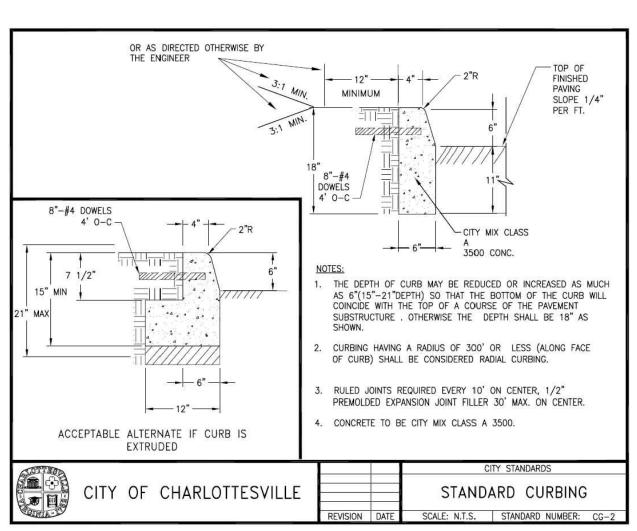
2.CONTRACTOR SHALL MAINTAIN EXISTING STREAMS, DITCHES, DRAINAGE STRUCTURES, CULVERTS AND FLOWS AT ALL TIMES DURING THE WORK. CONTRACTOR SHALL PAY FOR ALL PERSONAL INJURY AND PROPERTY DAMAGE WHICH MAY OCCUR AS A RESULT OF FAILING TO MAINTAIN ADEQUATE DRAINAGE 3.ALL PIPES, DI'S AND OTHER STRUCTURES SHALL 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

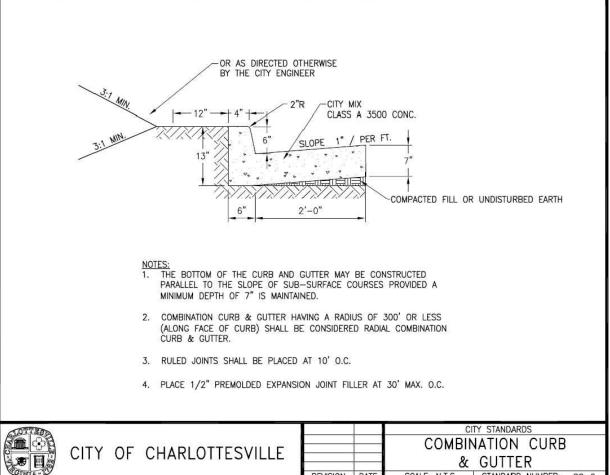
4.ALL CATCH BASINS ENCOMPASSED WITHIN NEW CONSTRUCTION SHALL BE CONVERTED TO DROP INLETS.

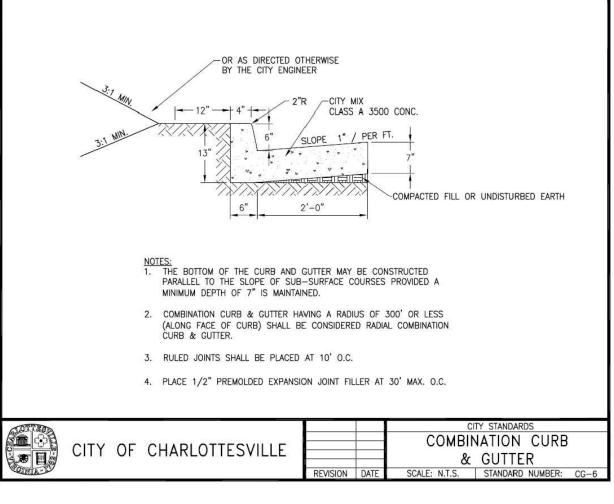
5.CLASS I RIP RAP MODIFICATIONS ALLOWS FOR A REDUCTION IN STONE DEPTH FROM 2.0' TO A MINIMUM OF 1.0' WHEN DIRECTED BY THE ENGINEER. 6.REMOVED PIPE SHALL BE THE PROPERTY OF CONTRACTOR AND IF NOT SALVAGED FOR RE-USE, SHALL BE DISPOSED OF LAWFULLY. 7.ALL STORM SEWER PIPE AND DROP INLETS SHALL BE CLEARED OF DEBRIS AND

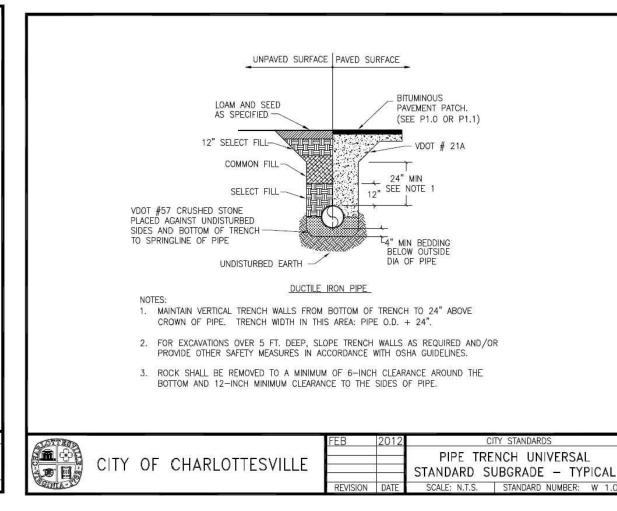
ERODED MATERIAL PRIOR TO FINAL ACCEPTANCE. 8.ALL STORM SEWER PIPE JOINTS SHALL BE SEATED AND SEALED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.

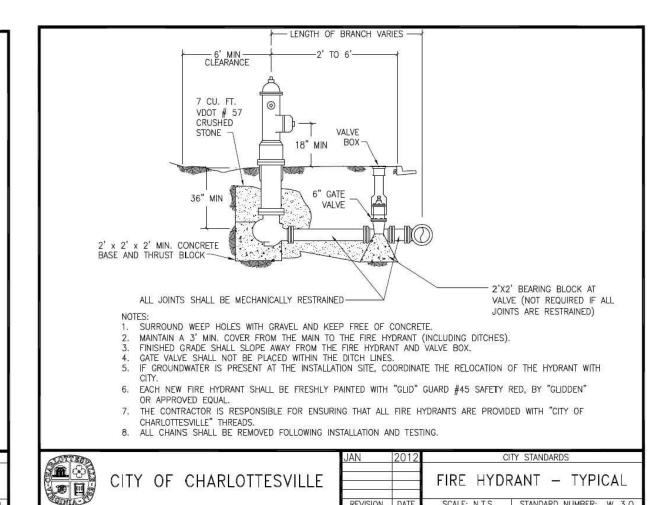
9.ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT TIED INTO EXISTING STORM SEWER SHALL REMAIN OR BE REROUTED TO PROPOSED STORM SEWER, UNLESS OTHERWISE NOTED ON THE PLANS.

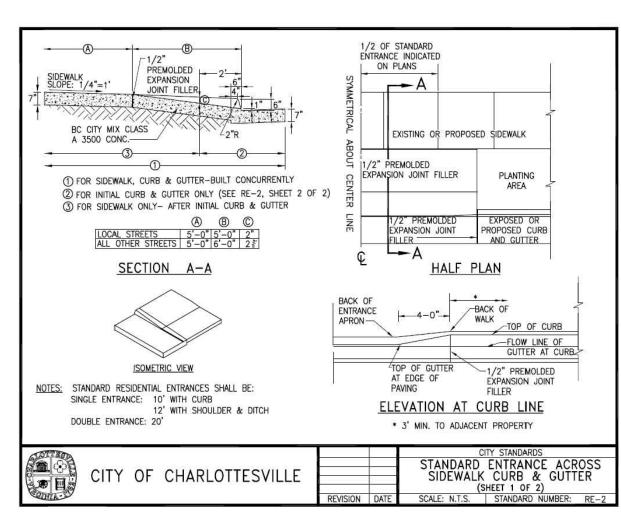


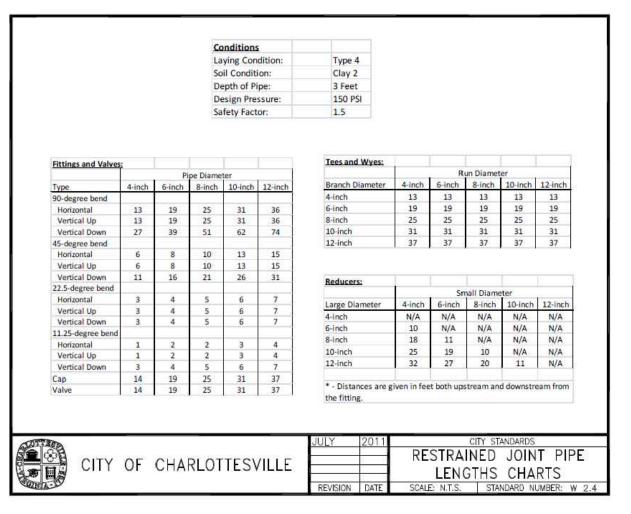


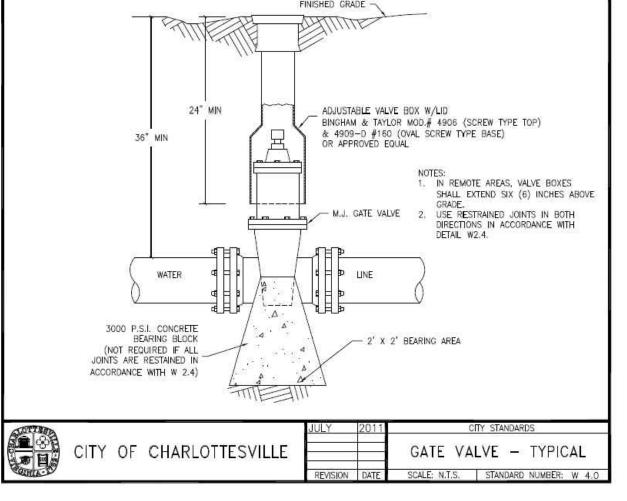


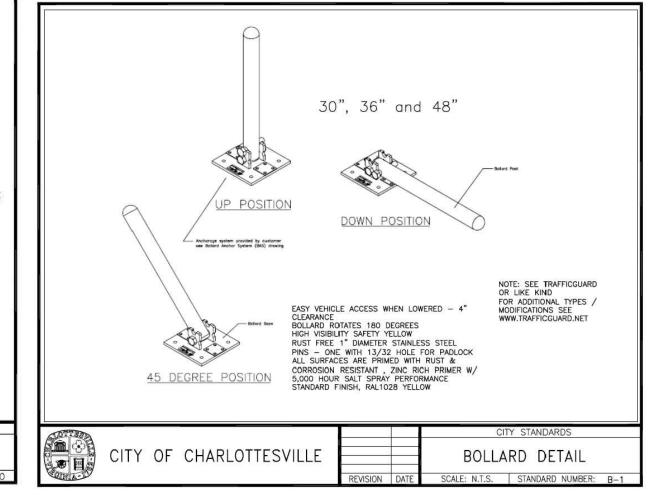


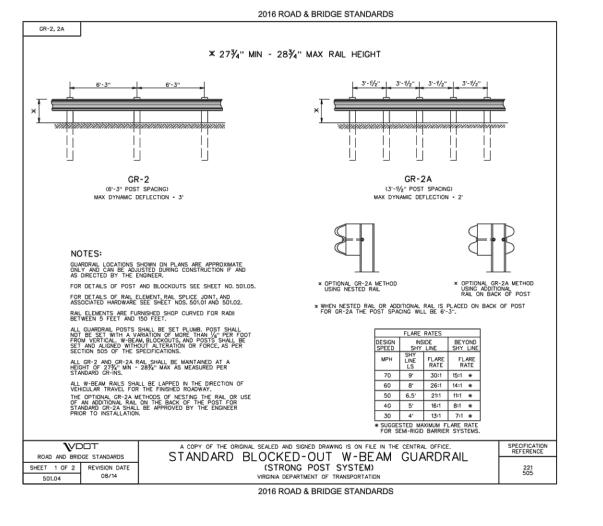












Retaining Wall Notes:

proposed plans.

at which point the minimum height shall be 48".

10. Picket spacing shall be 3  $\frac{7}{8}$ " wide to 2".

7. All work shall comply with current Virginia uniform statewide building code.

9. Railing shall withstand a concentrated load of 350+lbs at a minimum.

3. Plans & retaining walls approved for permit subject to approval of construction.

notify the engineer prior to purchasing & installation of the retaining wall infrastructure.

1. The contractor shall generate a separate final design/cutsheets of the retaining wall system performed by a structural engineer for construction. The

3. The retaining wall details, dimensions and sizes shown on the Collins Engineering plans are an approximation. These values are subject to change with the structurally engineered walls, by others, and are provided for informational purposes only to assist with price and quantity estimations.

4. Concrete extension footers for block retaining walls may be required. This is possible for the entire length of the wall, but is most likely only required for

5. The retaining wall elevations shown reflect exposed design elevations and do not account for additional wall depths for the foundation. Any steep grading

6. Guardrails are required for decks, porches & walls elevated more than 30" in height. Guardrails must be a minimum of 42" tall, unless surrounding a pool,

11. The final design of the retaining walls proposed & sealed with these plans shall be confirmed by the contractor with their manufacturer's licensed professional structural engineer, and certified, to ensure compliance with proposed product. Should any concerns be discovered the contractor shall

between, below and/or above walls shall be taken into consideration with the final design. Steep grades can minimize wall heights, however wall heights and asbuilt grades may vary during the construction process and all final elevations are to be provided by the structural engineer meeting the intent of the

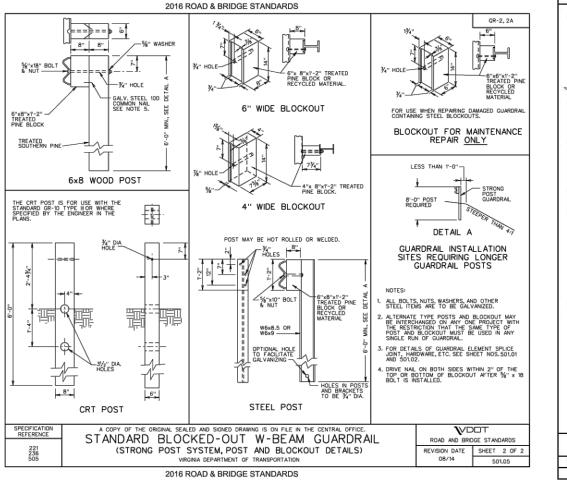
requirements are required for the entire length of the walls. The retaining walls shall also be reinforced with geogrid strips if applicable.

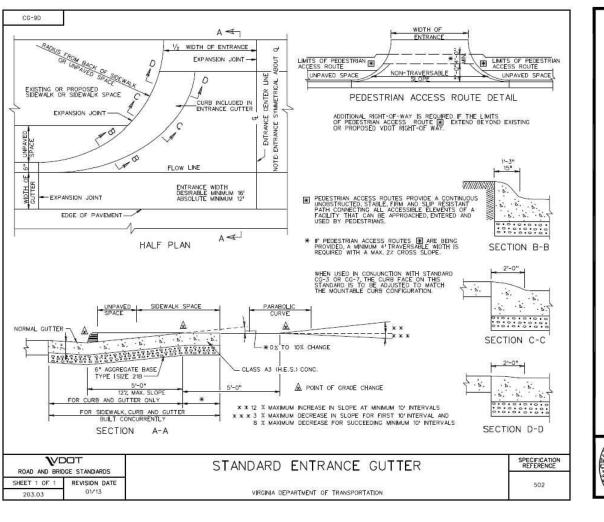
wall heights in excess of 15 feet. An appropriately compacted foundation with backfilled stone and drain pipes in accordance with manufacturer & design

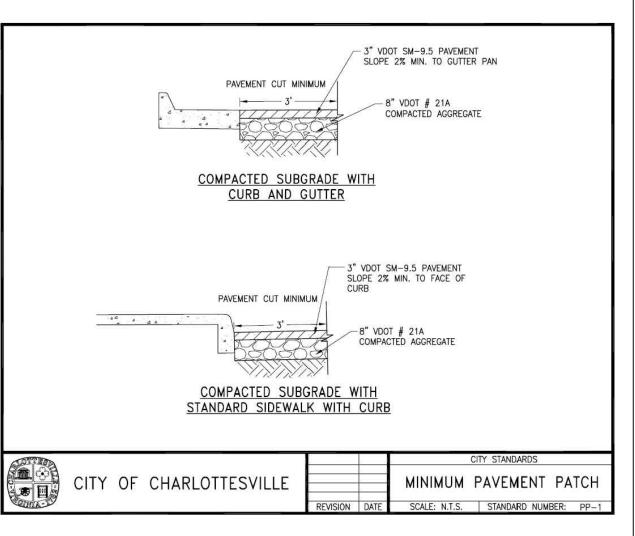
retaining wall designs shown on these plans are approximate in nature and are subject to change with the final design performed by a licensed

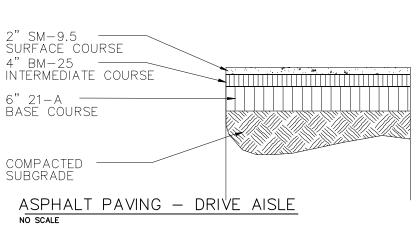
professional structural engineer. This applies to all retaining walls shown on this set of plans.

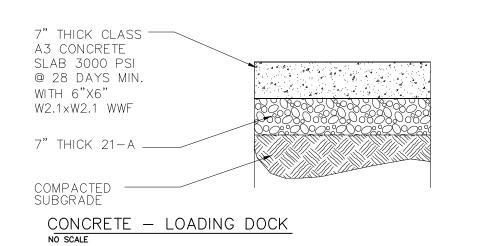
2. Contractor shall notify Collins Engineering with the final designs of the retaining walls prior to construction for verification.











BASE COURSE	
COMPACTED SUBGRADE	
ASPHALT PAVING —	DRIVE AISLE

Pavement Design																
					RF=	1.0										
Location	ADT	HCV	Design	CBR	SSV	Dr	Surface	h	a	Base	b	a	Sub-base	h	a	Dp
		1	ADT													
Proposed Drive Aisle	533	30	833	4	4	14.12	SM-9.5	2	2.25	BM-25	4	2.15	21A	6	0.6	16.7

1. Pavement calculations shown are for the drive aisle. See SWM plan for permeable paver design/parking area. 2. Contractor to bore any existing pavement being utilized and ensure the above specifications are met and are in accordance with City standards.

3. Traffic impact numbers are based on the ite trip generation manual, 8th edition. Code 140 was used for the industrial space with 250 expected employees. The adt is 533, the am hour peak trips are 100, and the pm hour peak trips are 90.



112069 SCALE NONE SHEET NO.

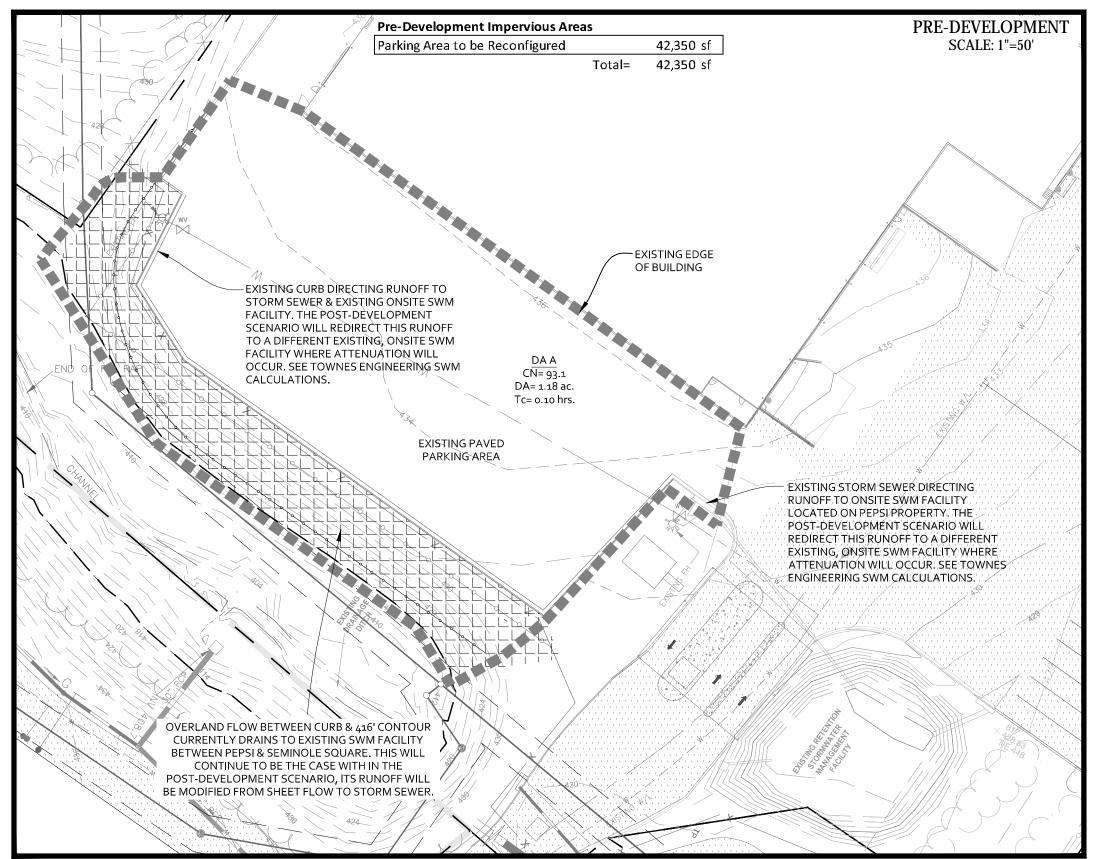
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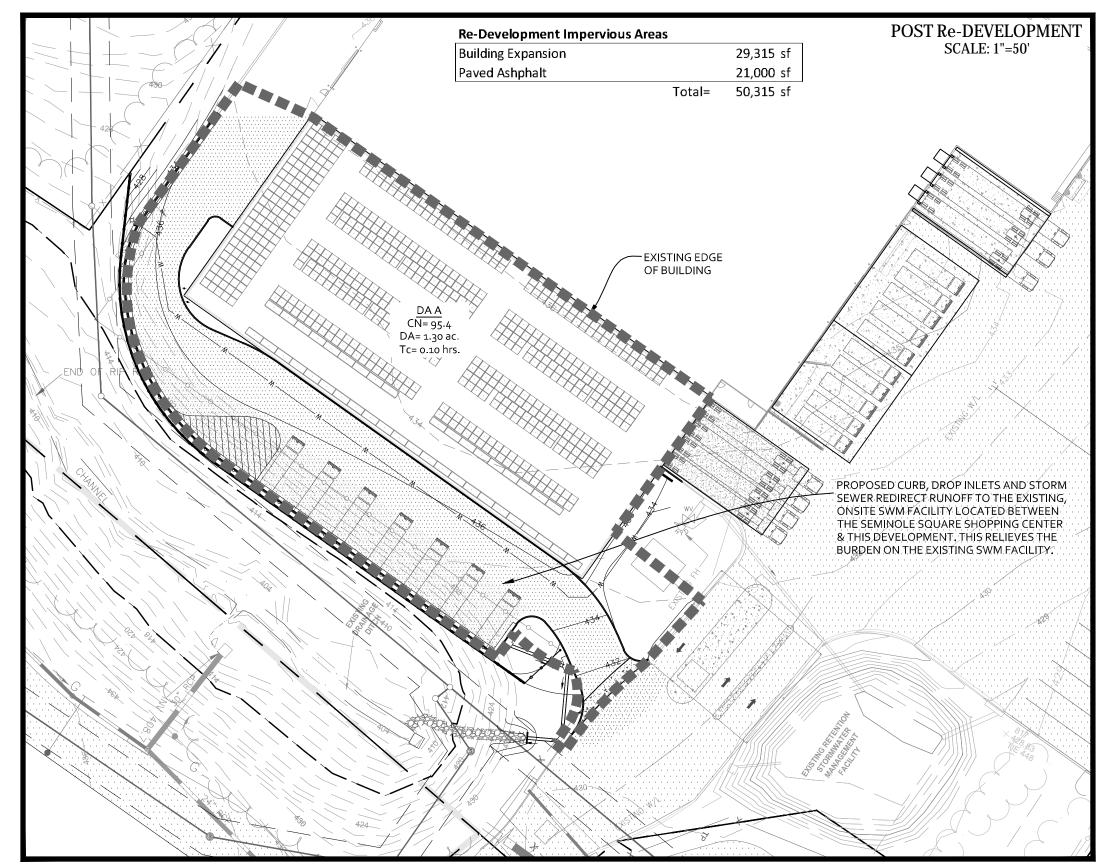
SCOTT R. COLLINS

No. 35791

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4





### WATERSHED SUMMARY

	CN	Area, ac.	1-year Flow, cfs	2-year Flow, cfs	10-year Flow, cfs
Pre-Development	93.1	1.18	5.06	5.41	8.84
Re-Development	95.4	1.30	6.05	6.45	10.27

### STORMWATER QUANTITY NOTES: 1. DA A's post-development flows are redirected into the existing basin, where they receive attenuation.

2. Detention & compliance with 9VAC25-870-66 is met through the existing detention basin. Townes Engineering has provided routing calculations reducing the post-development flows to levels less than or equal to pre-development flows. These post-development flows are released into a nonerosive adequate channel (existing concrete pipe with a riprap outfall) to Meadow Creek, which is where post-development DA A is 1% of Meadow Creek's overall watershed and the adequate channel analysis can end. Please see the attached calculations from Townes Engineering for final stormwater quantity compliance. (Section B.1.a, B.4.a, C.2.a and C.3.a)

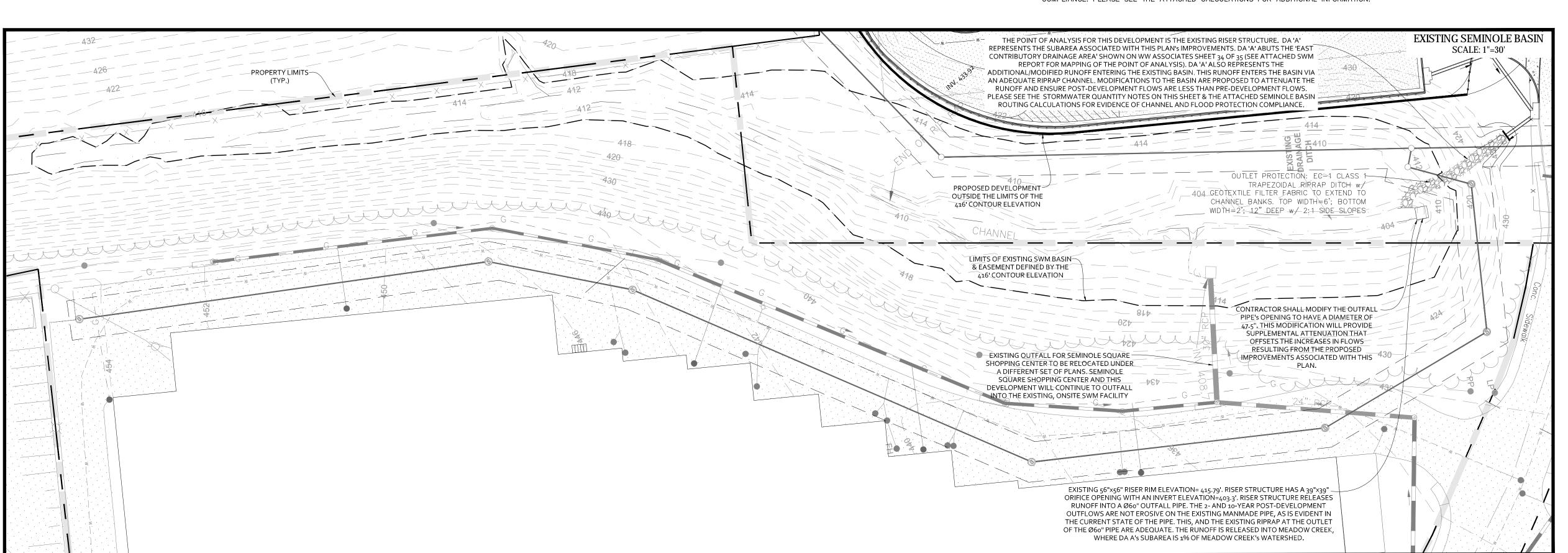
### STORMWATER MANAGEMENT NARRATIVE:

THE STORMWATER RUNOFF RATES, VOLUMES, AND VELOCITIES RESULTING FROM THIS DEVELOPMENT WILL BE IMPROVED PRIOR TO ENTERING THE CITY'S STORM SEWER SYSTEM. PLEASE SEE THE ATTACHED DETENTION CALCULATIONS FROM TOWNES ENGINEERING FOR EVIDENCE OF THIS. SUMMARIES OF THIS COMPLIANCE CAN BE VIEWED ON THIS SWM SHEET AS WELL.

PRE-DEVELOPMENT IMPERVIOUS AREAS EXISTING PAVED AREAS: POST-ReDEVELOPMENT BUILDING EXPANSION: PAVED ASPHALT: O49 ac.
TOTAL= 1.16 ac.

STORMWATER DETENTION:
THE PROPOSED DEVELOPMENT IS GENERALLY LOCATED OVER EXISTING IMPERVIOUS AREAS. WHERE PROPOSED IMPERVIOUS AREAS ARE TO BE LOCATED OVER PERVIOUS AREAS, APPROPRIATE ATTENUATION WILL BE PROVIDED FOR VIA THE EXISTING, ONSITE SWM FACILITY LOCATED BETWEEN THE SQUARE SHOPPING CENTER AND THE DEVELOPMENT. PLEASE SEE THE ROUTING CALCULATIONS PERFORMED BY TOWNES ENGINEERING FOR EVIDENCE OF COMPLIANCE AND POST-DEVELOPMENT FLOWS ≤ PRE-DEVELOPMENT FLOWS. THROUGH THESE MEASURES THIS DEVELOPMENT MEETS MINIMUM MS-19 AND PART IIB STORMWATER QUANTITY REQUIREMENTS.

STORMWATER QUALITY:
THIS DEVELOPMENT IS IN COMPLIANCE WITH PART IIB REQUIREMENTS AND MEETS MINIMUM WATER QUALITY REQUIREMENTS THROUGH THE PURCHASING OF PHOSPHOROUS REMOVAL CREDITS FOR QUALITY TREATMENT. 0.66 lbs./yr. ARE REQUIRED TO BE PURCHASED FOR COMPLIANCE. PLEASE SEE THE ATTACHED CALCULATIONS FOR ADDITIONAL INFORMATION.





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7-	R COMMENTS DATED 5/23/16	R COMMENTS DATED 9/2/16	R COMMENTS DATED 12/1/16	

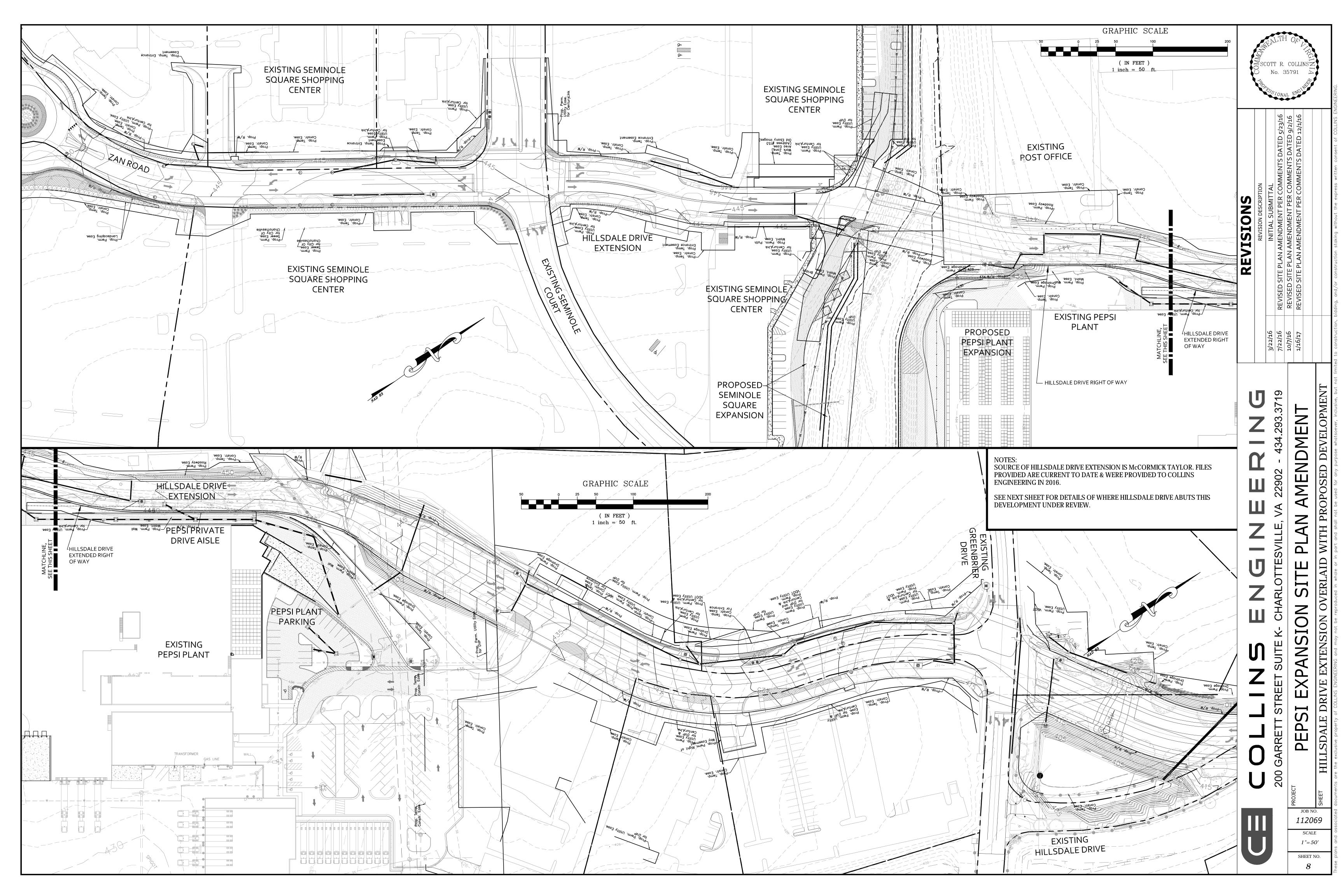
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REVISED SITE PLAN AMENDMENT PER COMMENTS D	7/22/16
INITIAL SUBMITTAL	3/22/16
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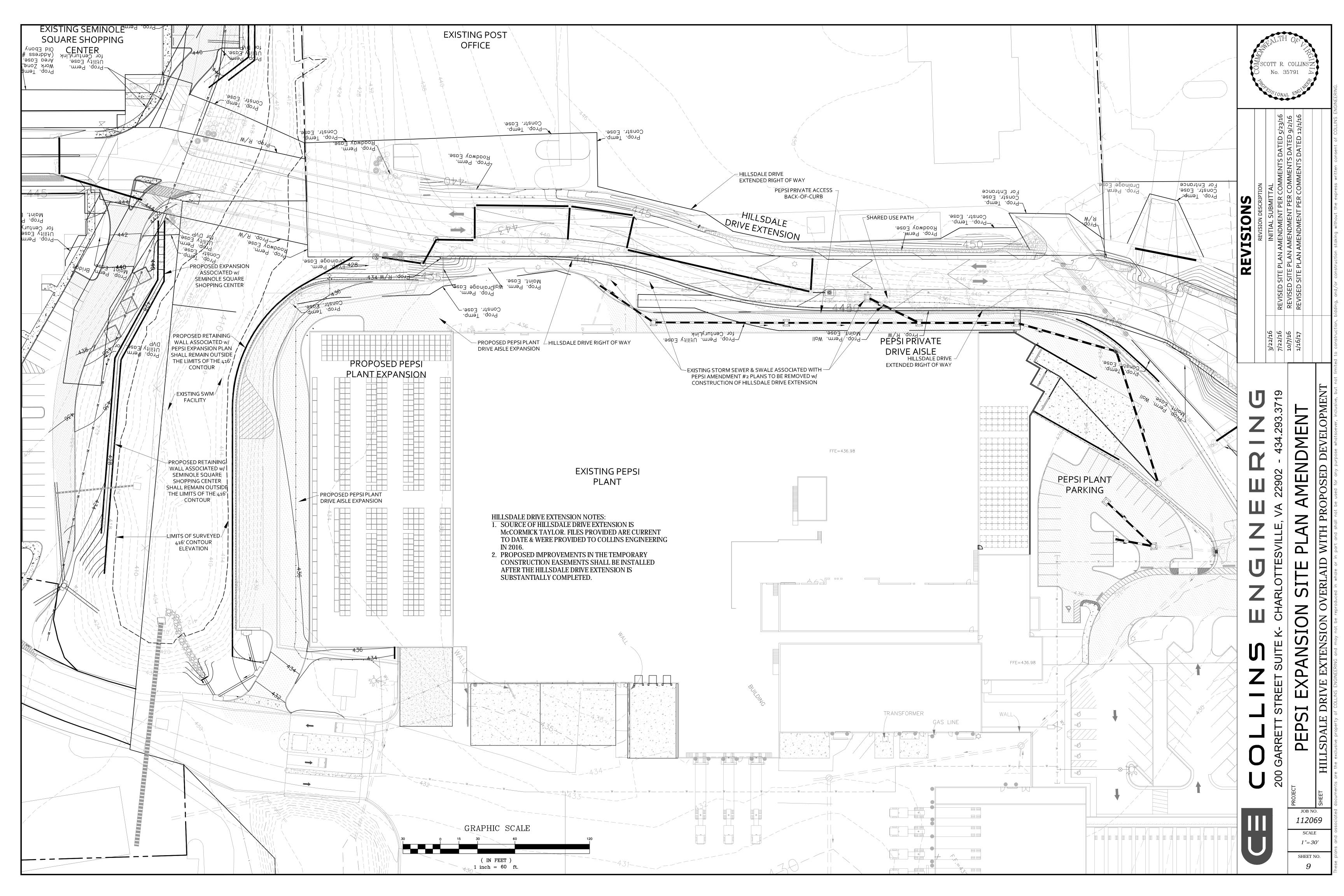
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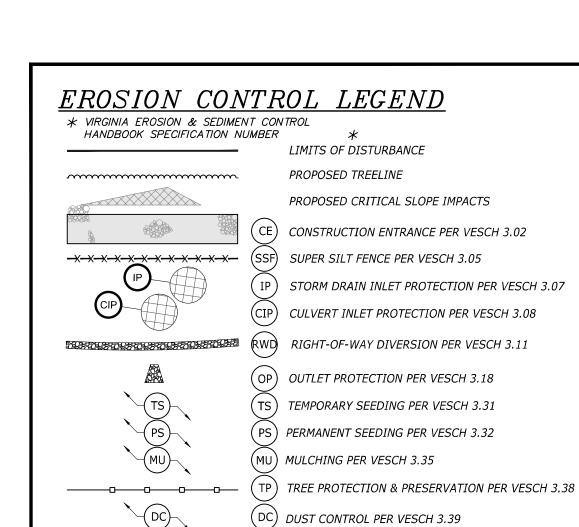
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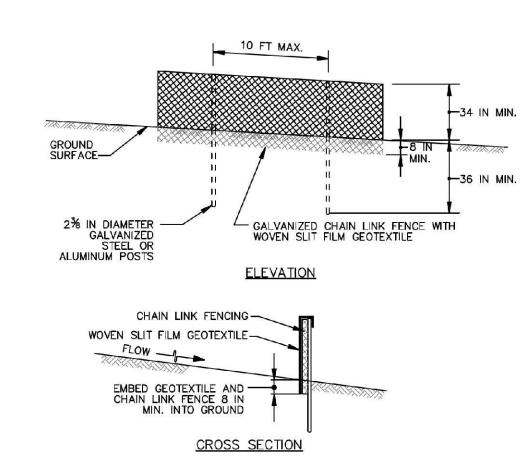
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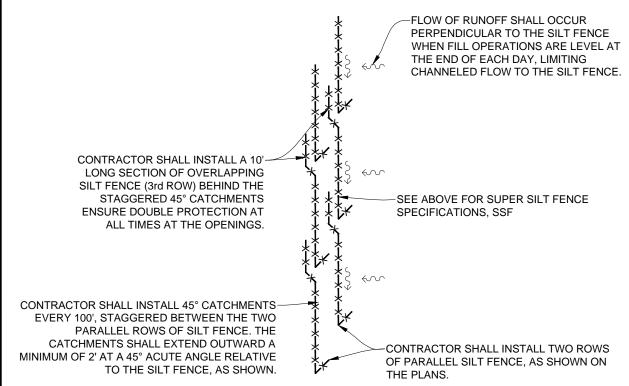


(DC) DUST CONTROL PER VESCH 3.39

(SR) SURFACE ROUGHENING PER VESCH 3.29

### CONSTRUCTION SPECIFICATIONS

- INSTALL 2% INCH DIAMETER GALVANIZED STEEL POSTS OF 0.095 INCH WALL THICKNESS AND SIX FOOT LENGTH SPACED NO FURTHER THAN 10 FEET APART. DRIVE THE POSTS A MINIMUM OF 36 INCHES
- FASTEN 9 GAUGE OR HEAVIER GALVANIZED CHAIN LINK FENCE (23/8 INCH MAXIMUM OPENING) 42 INCHES IN HEIGHT SECURELY TO THE FENCE POSTS WITH WIRE TIES OR HUG RINGS.
- 3. FASTEN WOVEN SLIT FILM GEOTEXTILE AS SPECIFIED IN SECTION H-1 MATERIALS, SECURELY TO THE UPSLOPE SIDE OF CHAIN LINK FENCE WITH TIES SPACED EVERY 24 INCHES AT THE TOP AND MID SECTION, EMBED GEOTEXTILE AND CHAIN LINK FENCE A MINIMUM OF 8 INCHES INTO THE GROUND.
- 4. WHERE ENDS OF THE GEOTEXTILE COME TOGETHER, THE ENDS SHALL BE OVERLAPPED BY 6 INCHES, FOLDED, AND STAPLED TO PREVENT SEDIMENT BY PASS.
- 5. EXTEND BOTH ENDS OF THE SUPER SILT FENCE A MINIMUM OF FIVE HORIZONTAL FEET UPSLOPE AT 45 DEGREES TO THE MAIN FENCE ALIGNMENT TO PREVENT RUNOFF FROM GOING AROUND THE ENDS
- OF THE SUPER SILT FENCE. 6. PROVIDE MANUFACTURER CERTIFICATION TO THE INSPECTION/ENFORCEMENT AUTHORITY SHOWING THAT
- GEOTEXTILE USED MEETS THE REQUIREMENTS IN SECTION H-1 MATERIALS.
- . REMOVE ACCUMULATED SEDIMENT AND DEBRIS WHEN BULGES DEVELOP IN FENCE OR WHEN SEDIMENT REACHES 25% OF FENCE HEIGHT. REPLACE GEOTEXTILE IF TORN. IF UNDERMINING OCCURS, REINSTALL CHAIN LINK FENCING AND GEOTEXTILE.



### GENERAL NOTES

- THE OWNER/CLIENT OF THIS PROPERTY IS: PEPSI COLÁ BOTTLING COMPANY OF CENTRAL VIRGINIA 1150 PFPSI PLACE P.O. BOX 9035
- CHARLOTTESVILLE. VA 22906 THESE PLANS HAVE BEEN PREPARED BY: COLLINS ENGINEERING, INC 200 GARRETT STREET SUITE P CHARLOTTESVILLE, VA 22902
- TELEPHONE: (434) 293-3719 FACSIMILE: (434) 293-2813 5. SOURCE OF INFORMATION: CITY OF CHARLOTTESVILLE GIS DATA & SURVEY PROVIDED BY JENNINGS STEPHENSON, PC.
- 6. SOURCE OF SURVEY: TOPOGRAPHY AND BOUNDARY INFORMATION BY JENNINGS STEPHENSON, P.C. IN JANUARY 2007. FIELD VERIFIED BY COLLINS ENGINEERING IN THE SUMMER OF 2012.
- 7. ZONING: TMP 41C-3: HW- HIGHWAY CORRIDOR ZONING (NOT LOCATED IN THE ENTRANCE CORRIDOR
- TMP 41B-6: R-3 RESIDENTIAL TAX MAP AND PARCEL NUMBER: TMP 41C-3 AND 41B-6
- USGS DATUM: NAD 83 (1994)
- 10. LOCATION/ADDRESS OF PROJECT: PEPSI COLA BOTTLING COMPANY OF CENTRAL VIRGINIA. 1150 PEPSI PLACE, CHARLOTTESVILLE, VA 22906 '. TOTAL ACREAGE OF SITE: 15.3 ACRES
- 12. SITE PHASING: THE SITE CONSTRUCTION WILL OCCUR IN ONE PHASE. E&S SHALL OCCUR IN TWO PHASES. 13. PUBLIC UTILITIES: THE SITE WILL BE SERVED BY EXISTING PUBLIC WATER AND SEWER. PROPOSED PUBLIC SANITARY SEWER WILL CONVEY SEWAGE THROUGH AND FROM THE DEVELOPMENT. A MAINTENANCE AND ACCESS EASEMENT HAS BEEN PROVIDED FOR
- THE PUBLIC UTILITIES. 14. PROPOSED LIMITS OF DISTURBANCE= 1.99 ac.
- \* COLLINS ENGINEERING SHALL NOT HAVE AUTHORITY OVER CONTRACTOR'S WORK. SAFETY PRECAUTIONS, SCHEDULES, OR COMPLIANCE WITH LAWS AND REGULATIONS. WE SHALL NOT ASSUME RESPONSIBILITY FOR ANY CONSTRUCTION STARTED PRIOR TO

## EROSION & SEDIMENT CONTROL

STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. STRUCTURAL PRACTICES USED IN THIS SECTION CONSIST OF THE FOLLOWING:

A STABILIZED PAVED CONSTRUCTION ENTRANCE WITH A WASH RACK LOCATED AT POINTS OF VEHICULAR INGRESS AND EGRESS ON A CONSTRUCTION SITE. TO REDUCE THE AMOUNT OF MUD TRANSPORTED ONTO PAVED PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF. CONSTRUCTION ENTRANCES SHALL BE INSTALLED AS SHOWN ON THE PLANS TO REDUCE THE AMOUNT SEDIMENT TRANSPORTED ONTO PUBLIC ROADWAYS.

3.05 SILT FENCE:
A TEMPORARY SEDIMENT BARRIER CONSISTING OF A SYNTHETIC FILTER FABRIC STRETCHED ACROSS AND ATTACHED TO SUPPORTING POSTS AND ENTRENCHED, TO INTERCEPT AND DETAIN SMALL AMOUNTS OF SEDIMENT FROM DISTURBED AREAS DURING CONSTRUCTION OPERATIONS IN ORDER TO PREVENT SEDIMENT FROM LEAVING THE SITE, AND TO DECREASE THE VELOCITY OF SHEET FLOWS AND LOW-TO-MODERATE LEVEL CHANNEL FLOWS. THE SILT FENCE BARRIERS SHALL BE INSTALLED DOWN SLOPE OF AREAS WITH MINIMAL GRADES TO FILTER SEDIMENT LADEN RUNOFF FROM SHEET FLOW AS INDICATED. THEY SHALL BE INSPECTED IMMEDIATELY AFTER EACH RAINFALL AND MAINTAINED IN ACCORDANCE WITH THE VIRGINIA EROSION & SEDIMENT CONTROL

HANDBOOK (VESCH).

A SEDIMENT FILTER OR AN EXCAVATED IMPOUNDING AREA AROUND A STORM DRAIN DROP INLET OR CURB INLET. TO PREVENT SEDIMENT FROM ENTERING STORM DRAINAGE SYSTEMS PRIOR TO PERMANENT STABILIZATION OF THE DISTURBED AREA. INLET PROTECTION APPLIES WHERE STORM DRAIN INLETS ARE TO BE MADE OPERATIONAL BEFORE PERMANENT STABILIZATION OF THE CORRESPONDING DISTURBED DRAINAGE

### 3.08 CULVERT INLET PROTECTION: A SEDIMENT FILTER LOCATED AT THE INLET TO STORM SEWER CULVERTS, OR IN THIS

CASE THE ORIFICE OPENING IN THE RISER LOCATED IN THE BASIN ADJACENT TO THIS DEVELOPMENT. CIP TO PREVENT SEDIMENT FROM ENTERING, ACCUMULATING IN AND BEING TRANSFERRED BY THE OUTFALL PIPE AND ASSOCIATED DRAINAGE SYSTEM PRIOR TO PERMANENT STABILIZATION OF A DISTURBED PROJECT AREA. TO PROVIDE EROSION CONTROL AT ITS INLET DURING THE PHASE OF A PROJECT WHERE ELEVATION AND DRAINAGE PATTERNS CHANGE, CAUSING ORIGINAL CONTROL MEASURES TO BE INEFFECTIVE OR IN NEED OR REMOVAL. THIS IS TO BE IMPLEMENTED IMMEDIATE SINCE HE ORIFICE OPENING AND ITS ASSOCIATED DRAINAGE SYSTEM WILL CONTINUE TO BE OPERATIONAL PRIOR TO PERMANENT STABILIZATION OF THE DISTURBED AREA.

<u>3.11 TEMPORARY RIGHT-OF-WAY DIVERSION:</u> A RIDGE OF COMPACTED SOIL OR LOOSE ROCK OR GRAVEL CONSTRUCTED ACROSS DISTURBED RIGHTS-OF-WAY AND SIMILAR SLOPING AREAS. TO SHORTEN THE FLOW LENGTH WITHIN A SLOPING RIGHT-OF-WAY, THEREBY REDUCING THE EROSION POTENTIAL BY DIVERTING STORM RUNOFF TO A STABILIZED OUTLET. GENERALLY, EARTHEN DIVERSIONS ARE APPLICABLE WHERE THERE WILL BE LITTLE OR NO CONSTRUCTION TRAFFIC WITHIN THE RIGHT-OF-WAY. GRAVEL STRUCTURES ARE MORE APPLICABLE TO ROADS AND OTHER RIGHTS-OF-WAY WHICH ACCOMMODATE VEHICULAR

### 3.29 SURFACE ROUGHENING: PROVIDING A ROUGH SOIL SURFACE WITH HORIZONTAL DEPRESSIONS CREATED BY

OPERATING A TILLAGE OR OTHER SUITABLE IMPLEMENT ON THE CONTOUR, OR BY LEAVING SLOPES IN A ROUGHENED CONDITION BY NOT FINE-GRADING THEM. THESE SHALL BE PERFORMED ON SLOPES IN EXCESS OF 3:1.

THE ESTABLISHMENT OF A TEMPORARY VEGETATIVE COVER ON DISTURBED AREAS BY SEEDING WITH APPROPRIATE RAPIDLY GROWING ANNUAL PLANTS. TO REDUCE EROSION AND SEDIMENTATION BY STABILIZING DISTURBED AREAS THAT WILL NOT BE BROUGHT TO FINAL GRADE FOR A PERIOD OF MORE THAN 30 DAYS. TO REDUCE DAMAGE FROM SEDIMENT AND RUNOFF TO DOWNSTREAM OR OFF-SITE AREAS, AND TO PROVIDE PROTECTION TO BARE SOILS EXPOSED DURING CONSTRUCTION UNTIL PERMANENT VEGETATION OR OTHER EROSION CONTROL MEASURES CAN BE ESTABLISHED.

3.32 PERMANENT STABILIZATION: THE ESTABLISHMENT OF PERENNIAL VEGETATIVE COVER ON DISTURBED AREAS BY PLANTING SEED. TO REDUCE EROSION AND DECREASE SEDIMENT YIELD FROM DISTURBED AREAS. TO PERMANENTLY STABILIZE DISTURBED AREAS IN A MANNER THAT IS ECONOMICAL, ADAPTABLE TO SITE CONDITIONS, AND ALLOWS SELECTION OF THE MOST APPROPRIATE PLANT MATERIALS. TO IMPROVE WILDLIFE HABITAT. TO ENHANCE NATURAL BEAUTY. UPON COMPLETION OF CONSTRUCTION ACTIVITIES, ALL AREAS WILL RECEIVE A PERMANENT VEGETATIVE COVER.

APPLICATION OF PLANT RESIDUES OR OTHER SUITABLE MATERIALS TO THE SOIL SURFACE. TO PREVENT EROSION BY PROTECTING THE SOIL SURFACE FROM RAINDROP IMPACT AND REDUCING THE VELOCITY OF OVERLAND FLOW. TO FOSTER THE GROWTH OF VEGETATION BY INCREASING AVAILABLE MOISTURE AND PROVIDING INSULATION AGAINST EXTREME HEAT AND COLD. AREAS WHICH HAVE BEEN PERMANENTLY SEEDED SHOULD BE MULCHED IMMEDIATELY FOLLOWING SEEDING. AREAS WHICH CANNOT BE SEEDED BECAUSE OF THE SEASON SHOULD BE MULCHED USING ORGANIC MULCH. MULCH MAY BE USED TOGETHER WITH PLANTINGS OF TREES, SHRUBS, OR CERTAIN GROUND COVERS WHICH DO NOT PROVIDE ADEQUATE SOIL STABILIZATION BY THEMSELVES. CAN BE USED IN CONJUNCTION WITH TEMPORARY SEEDING.

# 3.38 TREE PRESERVATION AND PROTECTION: PROTECTION OF DESIRABLE TREES FROM MECHANICAL OR OTHER INJURY DURING LAND

MEASURES EMPLOYED SHALL BE IN ACCORDANCE WITH THE VESCH.

DISTURBING AND CONSTRUCTION ACTIVITY. TO ENSURE THE SURVIVAL OF DESIRABLE TREES WHERE THEY WILL BE EFFECTIVE FOR EROSION AND SEDIMENT CONTROL, WATERSHED PROTECTION, LANDSCAPE BEAUTIFICATION, DUST AND POLLUTION CONTROL, NOISE REDUCTION. SHADE AND OTHER ENVIRONMENTAL BENEFITS WHILE THE LAND IS BEING CONVERTED FROM FOREST TO URBAN-TYPE USES. APPLIES IN TREE-INHABITED AREAS SUBJECT TO LAND DISTURBING ACTIVITIES.

#### REDUCING SURFACE AND AIR MOVEMENT OF DUST DURING LAND DISTURBING DEMOLITION AND CONSTRUCTION ACTIVITIES. TO PREVENT SURFACE AND AIR MOVEMENT OF DUST FROM EXPOSED SOIL SURFACES AND REDUCE THE PRESENCE OF AIRBORNE SUBSTANCES WHICH MAY PRESENT HEALTH HAZARDS, TRAFFIC SAFETY PROBLEMS OR HARM ANIMAL OR PLANT LIFE. DUST CONTROL MEASURES SHALL BE

EMPLOYED TO PREVENT SURFACE AND AIR MOVEMENT OF DUST DURING CONSTRUCTION.

### EROSION CONTROL NOTES

- ES-1: UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE CONSTRUCTED AND MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE <u>VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK</u> AND VIRGINIA REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL REGULATIONS.
- ES-2: THE PLAN APPROVING AUTHORITY MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRE—CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION.
- ES-3: ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING. ES-4: A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE MAINTAINED ON THE SITE AT ALL TIMES.
- ES-5: PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING BUT NOT LIMITED TO, OFF-SITE BORROW OR WASTE AREAS), THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND
- APPROVAL BY THE PLAN APPROVING AUTHORITY. ES-6: THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS DETERMINED BY THE PLAN APPROVING AUTHORITY.
- ES-7: ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL FINAL STABILIZATION IS ACHIEVED. ES-8: DURING DEWATERING OPERATIONS, WATER WILL BE PUMPED INTO AN
- APPROVED WATER FILTERING DEVICE. ES-9: THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER EACH RUNOFF-PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY.

### EROSION CONTROL NOTES

- 1. THE PLAN APPROVING AUTHORITY MUST BE NOTIFIED ONE WEEK PRIOR TO THE PRE-CONSTRUCTION CONFERENCE, ONE WEEK PRIOR TO THE COMMENCEMENT OF LAND DISTURBING ACTIVITY, AND ONE WEEK PRIOR TO THE FINAL INSPECTION.
- MAINTAINED ACCORDING TO MINIMUM STANDARDS AND SPECIFICATIONS OF THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK AND VIRGINIA REGULATIONS VR 625-02-00 EROSION AND SEDIMENT CONTROL REGULATIONS.

2. ALL EROSION AND SEDIMENT CONTROL MEASURES WILL BE CONSTRUCTED AND

- 3. ALL EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE PLACED PRIOR TO OR AS THE FIRST STEP IN CLEARING. 4. A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN SHALL BE
- MAINTAINED ON THE SITE AT ALL TIMES. 5. PRIOR TO COMMENCING LAND DISTURBING ACTIVITIES IN AREAS OTHER THAN INDICATED ON THESE PLANS (INCLUDING, BUT NOT LIMITED TO, OFF-SITE BORROW OR WASTE AREAS), THE CONTRACTOR SHALL SUBMIT A SUPPLEMENTARY EROSION CONTROL PLAN TO THE OWNER FOR REVIEW AND APPROVAL BY THE PLAN APPROVING AUTHORITY.

6. THE CONTRACTOR IS RESPONSIBLE FOR INSTALLATION OF ANY ADDITIONAL EROSION

CONTROL MEASURES NECESSARY TO PREVENT EROSION AND SEDIMENTATION AS

- DETERMINED BY THE PLAN APPROVING AUTHORITY. ALL DISTURBED AREAS ARE TO DRAIN TO APPROVED SEDIMENT CONTROL MEASURES AT ALL TIMES DURING LAND DISTURBING ACTIVITIES AND DURING SITE DEVELOPMENT UNTIL
- FINAL STABILIZATION IS ACHIEVED. 8. DURING DEWATERING OPERATIONS, WATER WILL BE PUMPED INTO AN APPROVED FILTERING DEVICE.
- 9. THE CONTRACTOR SHALL INSPECT ALL EROSION CONTROL MEASURES PERIODICALLY AND AFTER EACH RUNOFF-PRODUCING RAINFALL EVENT. ANY NECESSARY REPAIRS OR CLEANUP TO MAINTAIN THE EFFECTIVENESS OF THE EROSION CONTROL DEVICES SHALL BE MADE IMMEDIATELY. 10. ALL FILL MATERIAL TO BE TAKEN FROM AN APPROVED, DESIGNATED BORROW AREA.
- . ALL WASTE MATERIALS SHALL BE TAKEN TO AN APPROVED WASTE AREA. EARTH FILL SHALL BE INERT MATERIALS ONLY, FREE OF ROOTS, STUMPS, WOOD, RUBBISH, AND OTHER DEBRIS
- 12. BORROW OR WASTE AREAS ARE TO BE RECLAIMED WITHIN 7 DAYS OF COMPLETION PER ZONING ORDINANCE SECTION 5.1.28. 13. ALL INERT MATERIALS SHALL BE TRANSPORTED IN COMPLIANCE WITH CURRENT CITY
- 14. BORROW, FILL OR WASTE ACTIVITY INVOLVING INDUSTRIAL-TYPE POWER EQUIPMENT SHALL BE LIMITED TO THE HOURS OF 7:00 AM TO 9:00 PM. 15. BORROW. FILL OR WASTE ACTIVITY SHALL BE CONDUCTED IN A SAFE MANNER THAT MAINTAINS LATERAL SUPPORT, OR ORDER TO MINIMIZE ANY HAZARD TO PERSONS, PHYSICAL DAMAGE TO ADJACENT LAND AND IMPROVEMENTS, AND DAMAGE TO ANY
- PUBLIC STREET BECAUSE OF SLIDES, SINKING, OR COLLAPSE. 16. THE DEVELOPER SHALL RESERVE THE RIGHT TO INSTALL, MAINTAIN. REMOVE OR CONVERT TO PERMANENT STORMWATER MANAGEMENT FACILITIES WHERE APPLICABLE ALL EROSION CONTROL MEASURES REQUIRED BY THIS PLAN REGARDLESS OF THE SALE OF
- ANY LOT. UNIT. BUILDING OR OTHER PORTION OF THE PROPERTY. 17. TEMPORARY STABILIZATION SHALL BE TEMPORARY SEEDING AND MULCHING. SEEDING IS TO BE APPLIED AT 50-100 LBS/ACRE FROM SEPTEMBER 1 TO FEBRUARY 15 AND SHALL CONSIST OF A 50/50 MIX OF ANNUAL RYEGRASS AND CEREAL WINTER RYE. FROM FEBRUARY 16 TO APRIL 30 SEEDING SHALL BE APPLIED AT 60-100 LBS/ACRE AND CONSIST OF ANNUAL RYE GRASS. FROM MAY 1 TO AUGUST 31 SEEDING SHALL BE APPLIED AT 50 LBS/ACRE AND CONSIST OF GERMAN MILLET. STRAW MULCH IS TO BE APPLIED AT 70-90 LBS PER 1,000 SF. ALTERNATIVES ARE SUBJECT TO APPROVAL BY THE EROSION CONTROL INSPECTOR.
- 18. PERMANENT STABILIZATION SHALL BE LIME AND FERTILIZER, PERMANENT SEEDING, AND MULCH. AGRICULTURAL GRADE LIMESTONE SHALL BE APPLIED AT 90LBS/1000SF. INCORPORATED INTO THE TOP 4-6 INCHES OF SOIL. FERTILIZER SHALL BE APPLIED AT 1000LBS/ACRE AND CONSIST OF A 10-20-10 NUTRIENT MIX. PERMANENT SEEDING SHALL BE APPLIED AT 150LBS/ACRE AND CONSIST OF 128 LBS KENTUCKY 31 FESCUE AND 2 LBS RED TOP GRASS, AND 20 LBS SEASONAL NURSE CROP PER TABLE 3.32-D BELOW. STRAW MULCH IS TO BE APPLIED AT 70-90 LBS PER 1,000SF. ALTERNATIVES ARE SUBJECT TO APPROVAL BY THE EROSION CONTROL INSPECTOR 19. MAINTENANCE: ALL MEASURES ARE TO BE INSPECTED WEEKLY AND AFTER EACH
- RAINFALL. ANY DAMAGE OR CLOGGING TO STRUCTURAL MEASURES IS TO BE REPAIRED IMMEDIATELY. SILT TRAPS ARE TO BE CLEANED WHEN 50% OF THE WET STORAGE VOLUME IS FILLED WITH SEDIMENT. ALL SEEDED AREAS ARE TO BE RESEEDED WHEN NECESSARY TO ACHIEVE A GOOD STAND OF GRASS. SILT FENCE AND DIVERSION DYKES WHICH ARE COLLECTING SEDIMENT TO HALF THEIR HEIGHT MUST BE CLEANED AND
- REPAIRED IMMEDIATELY 20. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES ARE TO BE REMOVED WITHIN 30 DAYS OF FINAL SITE STABILIZATION, WHEN MEASURES ARE NO LONGER NEEDED. SUBJECT TO APPROVAL BY THE EROSION CONTROL INSPECTOR.
- 21. THE E&S INSPECTOR HAS THE AUTHORITY TO ADD OR DELETE E&S CONTROLS AS NECESSARY IN THE FIELD AS SITE CONDITIONS CHANGE. IN ADDITION, NO SEDIMENT BASIN OR TRAP CAN BE REMOVED WITHOUT WRITTEN AUTHORIZATION.

### SOIL DESCRIPTION

REGULATIONS

- 91 URBAN LAND (URBAN SOIL/FILL)-PER THE UNITED STATES DEPARTMENT OF AGRICULTURE, NATURAL RESOURCES CONSERVATION SERVICE, THIS SOIL WAS ESTIMATED BASED ON OBSERVATIONS, DESCRIPTIONS AND TRANSECTS OF THE MAPUNIT. (SEE PHASE I EROSION & SEDIMENT CONTROL PLAN VIEW DEPICTION)
- REFERENCE: WEB SOIL SURVEY ONLINE DATABASE, FOUND AT http://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx

### DESCRIPTION OF EROSION & SEDIMENT CONTROL MEASURES:

EROSION AND SEDIMENT CONTROL MEASURES:

IT IS ANTICIPATED TO USE A CONSTRUCTION ENTRANCE, SUPER SILT FENCE, INLET PROTECTION. A RIGHT-OF-WAY DIVERSION. TEMPORARY AND PERMANENT SEEDING, TREE PROTECTION FENCING, AND DUST CONTROL TO CONTROL SURFACE DRAINAGE AND EROSION. TEMPORARY SEEDING WILL BE USED IMMEDIATELY FOLLOWING ALL LAND DISTURBANCE ACTIVITIES. TEMPORARY STOCKPILE AREAS WILL BE MAINTAINED FROM TOPSOIL THAT WILL BE STRIPPED FROM AREAS TO BE GRADED AND STORED FOR LATER SPREADING. STOCKPILE LOCATIONS SHALL BE ON SITE AND SHALL BE STABILIZED WITH A TEMPORARY VEGETATIVE COVER. PERMANENT SEEDING WILL BE PERFORMED FOR ALL AREAS WHICH WILL NO LONGER BE EXCAVATED AND WHERE CONSTRUCTION ACTIVITIES HAVE CEASED. PERMANENT SEEDING SHALL ALSO BE PERFORMED FOR ALL DENUDED AREAS WHICH WILL BE LEFT DORMANT FOR A YEAR OR MORE. SELECTION OF SEED MIXTURE WILL DEPEND ON THE TIME OF YEAR APPLIED. TEMPORARY SEEDING WILL BE PERFORMED FOR ALL DENUDED AREAS WHICH WILL BE LEFT DORMANT FOR MORE THAN SEVEN DAYS. THESE AREAS SHALL BE SEEDED WITH FAST GERMINATING VEGETATION IMMEDIATELY FOLLOWING GRADING OF THOSE AREAS. SELECTION OF SEED MIXTURE WILL DEPEND ON THE TIME OF YEAR APPLIED. 3.02 CONSTRUCTION ENTRANCE - A CONSTRUCTION ENTRANCE WILL BE INSTALLED AT THE PROPOSED ENTRANCE ALONG SEMINOLE COURT TO PROTECT THE STREET.

3.05 SILT FENCE — SUPER SILT FENCE WILL BE INSTALLED ALONG THE DOWNSTREAM BOUNDARIES OF THE SITE WEST AND SOUTH OF THE PROJECT. 3.07 STORM DRAIN INLET PROTECTION — INLET PROTECTION TO BE INSTALLED AT EACH EXISTING STORM BOX IN THE VICINITY, AS WELL AS ON EACH PROPOSED STORM INLET AS SHOWN ON THE PLANS.

3.11 TEMPORARY RIGHT-OF-WAY DIVERSION - A RIGHT-OF-WAY DIVERSION SHALL BE INSTALLED AT THE PROPOSED ENTRANCE TO THE SITE. 3.31 TEMPORARY SEEDING - TEMPORARY SEEDING SHALL BE INSTALLED WHERE SHOWN ON THE PLANS.

3.32 PERMANENT SEEDING - PERMANENT SEEDING SHALL BE INSTALLED WHERE SHOWN ON THE PLANS.

3.35 MULCHING — APPLICATION OF PLAN RESIDUES OR OTHER SUITABLE MATERIALS TO THE SOIL SURFACE. 3.38 TREE PRESERVATION AND PROTECTION — TREE PROTECTION FENCING SHALL BE INSTALLED AROUND THOSE TREES AND BUSHES MARKED TO BE PRESERVED

WHERE SHOWN ON THE PLANS. 3.39 DUST CONTROL - DUST CONTROL SHALL BE INSTALLED WHERE SHOWN ON THE PLANS.

### STORMWATER MANAGEMENT:

STORMWATER QUANTITY TREATMENT WILL BE ACHIEVED VIA STORMWATER ATTENUATION IN THE STONE BASE'S VOID SPACES BENEATH THE PERMEABLE PAVERS. STORMWATER QUALITY COMPLIANCE WILL BE ACHIEVED THROUGH THE PURCHASING OF NUTRIENT CREDITS.

### MAINTENANCE:

IN GENERAL, DURING CONSTRUCTION THE RLD OR CONTRACTOR ON—SITE WILL CHECK ALL EROSION AND SEDIMENT CONTROL MEASURES DAILY AND AFTER EACH SIGNIFICANT RAINFALL. MONITORING REPORTS WILL BE REQUIRED FROM THE RLD IF NEEDED. SPECIFIC ATTENTION WILL BE GIVEN TO THE FOLLOWING ITEMS: a. SEDIMENT BASINS AND/OR TRAPS WILL BE CLEANED AND MAINTAINED IN ACCORDANCE WITH THE VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK.

- b.ALL GRAVEL OUTLETS WILL BE CHECKED REGULARLY FOR SEDIMENT BUILDUP THAT WILL PREVENT PROPER DRAINAGE. IF THE GRAVEL IS CLOGGED BY SEDIMENT, THE GRAVEL WILL BE REMOVED AND CLEANED, OR IT WILL BE REPLACED. c. ALL SILT FENCE BARRIERS WILL BE CHECKED REGULARLY FOR UNDERMINING OR DETERIORATION OF THE FABRIC AND REPAIRED AS REQUIRED. SEDIMENT SHALL BE REMOVED WHEN THE LEVEL OF SEDIMENT DEPOSITION REACHED HALF WAY TO THE TOP OF THE BARRIER.
- d. ALL SEEDED AREAS WILL BE CHECKED REGULARLY TO SEE THAT A GOOD STAND IS MAINTAINED. AREAS SHOULD BE FERTILIZED AND RESEEDED AS NEEDED. IN CASE OF EMERGENCY, THE PRIMARY CONTACT FOR THE PROJECT WILL BE THE RLD OR CONTRACTOR ON-SITE. IN ADDITION, THE ENGINEER, MR. SCOTT COLLINS MAY BE CONTACTED AT 434-987-1631. UPON COMPLETION OF THE PROJECT, THE OWNER WILL BE RESPONSIBLE FOR SITE MAINTENANCE.

## EROSION CONTROL NOTES & NARRATIVE

THE PURPOSE OF THIS LAND DISTURBANCE ACTIVITY IS TO EXPAND THE EXISTING PEPSI-COLA BOTTLING PLANT, AND CREATE ADDITIONAL PARKING AND CIRCULATION AREA TO THE SOUTH-WEST OF THE SITE. THE PROJECT WILL BEGIN CONSTRUCTION APPROXIMATELY IN THE SPRING OF 2017 AND CONCLUDE IN THE FALL OF 2017. THE TIME FOR COMPLETION WILL BE APPROXIMATELY 6 MONTHS. **EXISTING SITE CONDITIONS:** 

THE AREA OF THE PROPOSED BUILDING EXPANSION IS CURRENTLY PAVED. A SMALL PORTION OF THE CIRCULATION AREA DISTURBANCE OCCURS WITHIN AN EXISTING FORESTED AREA. THE SITE IS FLAT WHERE PAVED AND DRAINS TO EXISTING CURB AND STORM SEWER. THE FORESTED AREA WITH MAN-MADE SLOPES DRAIN SOUTH-WEST TO AN EXISTING DRAINAGE DITCH ADJACENT TO THE SITE. ADDITIONALLY, THE WESTERN PORTION OF THE SITE DISTURBANCE SHALL REMAIN ABOVE THE 416 CONTOUR. NO DISTURBANCE SHALL OCCUR AT OR BELOW THE 416 CONTOUR DUE TO AN EXISTING SWM FASFMFNT.

THE PORTION OF THE PROPERTY PROPOSED TO BE DISTURBED WILL BE TREATED BY THE PURCHASING OF NUTRIENT CREDITS AND THE ATTENUATION OF STORMWATER IN THE PERMEABLE PAVERS' STONE BASE'S VOID SPACE. AFTER TREATMENT OF THIS DEVELOPMENT. THE RUNOFF WILL BE DIRECTED TO A SECONDARY DOWNSTREAM SWM FACILITY THAT EXISTS ON THE PEPSI PROPERTY. THIS SECONDARY FACILITY IS NOT PROPOSED WITH THIS PLAN, IS NOT BEING MODIFIED AND IS NOT ACCOUNTED FOR IN THE SWM ANALYSIS PROVIDED. THE END RESULT IS A MORE CONSERVATIVE DESIGN.

AFTER CONSTRUCTION THE PROPOSED DEVELOPMENT WILL RESULT IN A MINOR INCREASE IN IMPERVIOUS AREA WITH REDUCED STORMWATER RUNOFF EXITING THE PROPERTY.

### AD<u>JACENT AREAS:</u>

THIS SITE IS BORDERED BY MEADOW CREEK TO THE EAST, A SHOPPING CENTER TO THE SOUTH, THE POST OFFICE TO THE WEST, AND OFFICES TO THE NORTH. MOST OF THE DRAINAGE FROM THE PROPOSED DEVELOPMENT DRAINS TO MEADOW CREEK, BUT IS INTERCEPTED BY CURB AND GUTTER, STORM SEWER, AND A STORMWATER MANAGEMENT FACILITY. THE CONTRACTOR SHALL ENSURE THAT NO RUNOFF ESCAPES THE SITE. SUPER SILT FENCE, DUST CONTROL, INLET CONTROL, AND A RIGHT-OF-WAY DIVERSION SHALL BE UTILIZED TO AVOID CONTAMINATION OF ADJACENT PROPERTIES OR WATERWAYS. **OFFSITE LAND DISTURBANCE:** THE SANITARY SEWER CONNECTION SHALL OCCUR WITHIN AN EXISTING ACCESS

EASEMENT. NO OTHER OFFSITE LAND DISTURBANCE IS PROPOSED.

THERE ARE NO SOIL BOUNDARIES WITHIN THE PROJECT LIMITS. SOILS ARE URBAN LAND, SEE SOIL DESCRIPTION THIS PAGE. <u>CRITICAL AREAS:</u>

THE PROPOSED DEVELOPMENT SHALL PRESERVE AND PROTECT THE EXISTING DRAINAGE DITCH AND SWM EASEMENT TO THE SOUTH OF THE WORK, AS WELL AS THE EXISTING CRITICAL SLOPES TO REMAIN TO THE FULLEST EXTENT POSSIBLE. APPROXIMATELY 1.76ac. OF THE SITE's 15.3ac (11.5%) HAS SLOPES GREATER THAN OR EQUAL TO 25%. TREE PROTECTION FENCING SHALL BE INSTALLED AS A FIRST STEP IN LAND DISTURBANCE. GRADING AND DIGGING OPERATIONS SHALL REMAIN WITHIN THE SUBJECT PARCEL OR EXISTING EASEMENTS. THE EXISTING SWM BASIN LOCATED BETWEEN THIS DEVELOPMENT AND THE SEMINOLE SQUARE SHOPPING CENTER IS ALSO A CRITICAL AREA. THIS BASIN WILL CONTINUE TO FUNCTION AS A REGIONAL BASIN AND WILL PROVIDE TREATMENT FOR THE PROPOSED IMPROVEMENTS. EXTRA ATTENTION AND CAUTION SHALL BE GIVEN TO THIS BASIN TO ENSURE SEDIMENT IS NOT DEPOSITED INTO THE FACILITY. THE PROPOSED PLANS REFLECT THESE ADDED PRECAUTIONS.

### EROSION CONTROL NOTES & NARRATIVE

### <u>SEQUENCE OF CONSTRUCTION:</u>

PHASE 1: NOTIFY THE CITY OF CHARLOTTESVILLE AND PUBLIC WORKS DEPARTMENT TO SCHEDULE A

PRE-CONSTRUCTION MEETING AS REQUIRED. PHASE 1: FLAG THE INITIAL LIMITS OF DISTURBANCE AND INSTALL TREE PROTECTION FENCING. PHASE 1: NO EROSION CONTROL MEASURES MAY BE REMOVED DURING THE CONSTRUCTION PROCESS

WITHOUT THE APPROVAL FROM THE INSPECTOR ON THE PROJECT. 4. PHASE 1: INSTALL THE PAVED CONSTRUCTION ENTRANCE AND WASH RACK LOCATED AT THE PROPOSED TRUCK ENTRANCE AS SHOWN ON THE PLANS. CONTRACTOR SHALL ENSURE THE WASH RACK/CONSTRUCTION ENTRANCE DRAINS TO AN ADEQUATE E&S MEASURE. CONSTRUCTION ENTRANCE TO

BE INSTALLED WHERE CONSTRUCTION VEHICLE ROUTES INTERSECT PAVED PUBLIC ROADS, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY (VEHICULAR) TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PUBLIC ROAD SURFACE, THE ROAD SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FROM THE ROADS BY SHOVELING OR SWEEPING AND TRANSPORTING TO A SEDIMENT CONTROL DISPOSAL AREA. STREET WASHING SHALL BE ALLOWED ONLY AFTER SEDIMENT IS REMOVED IN THIS MANNER.

5. PHASE 1: INSTALL THE INITIAL E&S PHASE I CONSTRUCTION MEASURES AS SHOWN ON THE EROSION CONTROL SHEET. THIS INCLUDES TREE PROTECTION, A CONSTRUCTION ENTRANCE, INLET PROTECTION, A GRAVEL BERM RIGHT-OF-WAY DIVERSION, SILT FENCE FOR THE STOCKPILE LOCATION AND SUPER SILT FENCE AS SHOWN ON THE PLAN. PERIMETER MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP WITH ANY LAND DISTURBANCE ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE.

6. PHASE 1: ONCE THE PERIMETER EROSION CONTROL PHASE 1 MEASURES HAVE BEEN INSTALLED AS SHOWN ON THE EROSION CONTROL PHASE 1 PLAN, AND THE CITY INSPECTOR HAS APPROVED THESE MEASURES, LAND DISTURBANCE MAY BEGIN.

7. PHASE 1A: ONCE ALL THE EROSION CONTROL PHASE 1 ITEMS HAVE BEEN INSTALLED AS SHOWN ON THE EROSION CONTROL PHASE 1 PLAN AND THE CITY INSPECTOR HAS APPROVED THE EROSION CONTROL MEASURES, THE CONTRACTOR SHALL BEGIN CLEARING AND GRADING, THE PARKING LOT EXPANSION AND WALL CONSTRUCTION SHALL OCCUR NEXT AND SHALL OCCUR PRIOR TO THE DEMOLITION OF THE EXISTING PARKING AREA. THE EXISTING CURB SHALL REMAIN AT THIS TIME. THIS WILL ALLOW THE EXISTING CURB TO ACT AS A DIVERSION, LIMITING IMPERVIOUS RUNOFF FROM ENTERING THE FILL AREA. THE CONTRACTOR SHALL ALSO FILL THE AREA IN A MANNER THAT ENSURES THE FILL LOCATIONS ARE LEVEL VERTICALLY AT THE END OF EACH DAY. SUCH A PRACTICE WILL LIMIT CHANNELED FLOW AND PROMOTE SHEET FLOW TO THE SILT FENCE. IN THE EVENT THE CONTRACTOR REQUIRES OFFSITE FILL MATERIAL, THE CONTRACTOR SHALL ENSURE THE BARROW SITE HAS A CURRENT APPROVED E&S PLAN. AS REQUIRED BY THE LOCALITY. WORK ASSOCIATED WITH THE CONSTRUCTION OF THE PARKING LOT EXPANSION AND AND RETAINING WALL SYSTEM SHALL OCCUR ON THE TOP SIDE AS INDICATED ON THE PLANS TO REDUCE POTENTIAL IMPACTS TO THE DOWNSTREAM CHANNEL. DURING THIS TIME THE EXISTING PARKING AREA SHALL BE USED AS A STAGING AREA FOR THE WALL MATERIALS AND CONSTRUCTION EQUIPMENT. UPON COMPLETION OF THE RETAINING WALL CONSTRUCTION AND ROUGH GRADING OF THE PARKING LOT EXPANSION, THE CONTRACTOR SHALL FINALIZE THE PARKING LOT SUBGRADE TO THE FULLEST EXTENT POSSIBLY AND INSTALL THE STONE BASE FOR THE ASPHALT & PERMEABLE PAVERS.

8. PHASE 2: ONCE PHASE IA OF THE EROSION & SEDIMENT CONTROL PLAN IS COMPLETE, THE CONTRACTOR SHALL INSTALL THE INITIAL E&S PHASE II CONSTRUCTION MEASURES AS SHOWN ON THE EROSION CONTROL PHASE II SHEET. MEASURES INTENDED TO TRAP SEDIMENT SHALL BE CONSTRUCTED AS A FIRST STEP WITH ANY LAND DISTURBANCE ACTIVITY AND SHALL BE MADE FUNCTIONAL BEFORE UPSLOPE LAND DISTURBANCE TAKES PLACE. AT THIS TIME THE REMAINING DEMOLITION, CLEARING, AND GRADING OF THE SITE CAN OCCUR. CONTRACTOR SHALL ENSURE STONE BASE MEETS MANUFACTURER'S STANDARDS & SHALL CLEAN & REPLACE THE STONE AS NEEDED PRIOR TO ASPHALT PAVING. PHASE 2: COMPLETE DEMOLITION AND ROUGH GRADE THE REMAINDER OF THE SITE.

10. PHASE 2: INSTALL THE PROPOSED WATERLINE REROUTING AND PROPOSED STORM STRUCTURES. INLET PROTECTION SHALL BE APPLIED TO NEW STORM STRUCTURES. 11. PHASE 2: STABILIZATION MEASURES SHALL BE APPLIED TO EARTHEN STRUCTURES SUCH AS DAMS,

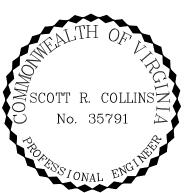
DIKES, AND DIVERSIONS IMMEDIATELY AFTER INSTALLATION. 12. PHASE 2: INSTALL THE REMAINING PROPOSED UTILITIES, CURB AND GUTTER AND BEGIN BUILDING EXPANSION AND DOCK/LOADING AREA CONSTRUCTION. FINAL COAT OF ASPHALT SHALL BE INSTALLED AFTER THE MAJORITY OF THE CONSTRUCTION HAS OCCURRED TO PREVENT DAMAGE TO THE PARKING

LOT FROM HEAVY CONSTRUCTION EQUIPMENT.

13. PHASE 2: PERMANENT SOIL STABILIZATION SHALL BE APPLIED TO DENUDED AREAS WITHIN SEVEN DAYS AFTER FINAL GRADE IS REACHED ON ANY PORTION OF THE SITE. TEMPORARY SOIL STABILIZATION SHALL BE APPLIED WITHIN SEVEN DAYS TO DENUDED AREAS THAT MAY NOT BE AT FINAL GRADE BUT WILL REMAIN DORMANT (UNDISTURBED) FOR LONGER THAN 30 DAYS. PERMANENT STABILIZATION SHALL BE APPLIED TO AREAS THAT ARE TO BE LEFT DORMANT FOR MORE THAN ONE YEAR. 14. PHASE 2: MAINTAIN ALL EROSION CONTROL MEASURES AS SPECIFIED IN THE VIRGINIA EROSION AND

SEDIMENT CONTROL HANDBOOK, REMOVING ONLY WHEN APPROVED BY THE LOCAL PROGRAM ADMINISTRATOR IN ACCORDANCE WITH THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK. 15. PHASE 2: ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED WITHIN 30 DAYS AFTER FINAL SITE STABILIZATION OR AFTER THE TEMPORARY MEASURES ARE NO LONGER NEEDED, UNLESS OTHERWISE AUTHORIZED BY THE LOCAL PROGRAM ADMINISTRATOR. TRAPPED SEDIMENT AND THE DISTURBED SOIL AREAS RESULTING FROM THE DISPOSITION OF TEMPORARY MEASURES SHALL BE

PERMANENILY STABILIZED TO PREVENT FURTHER EROSION AND SEDIMENTATION. 16. PHASE 2: ONCE THE SITE IS STABILIZED AND THE INSPECTOR HAS GIVEN APPROVAL, THE CONTRACTOR CAN REMOVE THE REMAINING PHASE 2 EROSION CONTROL MEASURES.



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SCOTT R. COLLINS No. 35791
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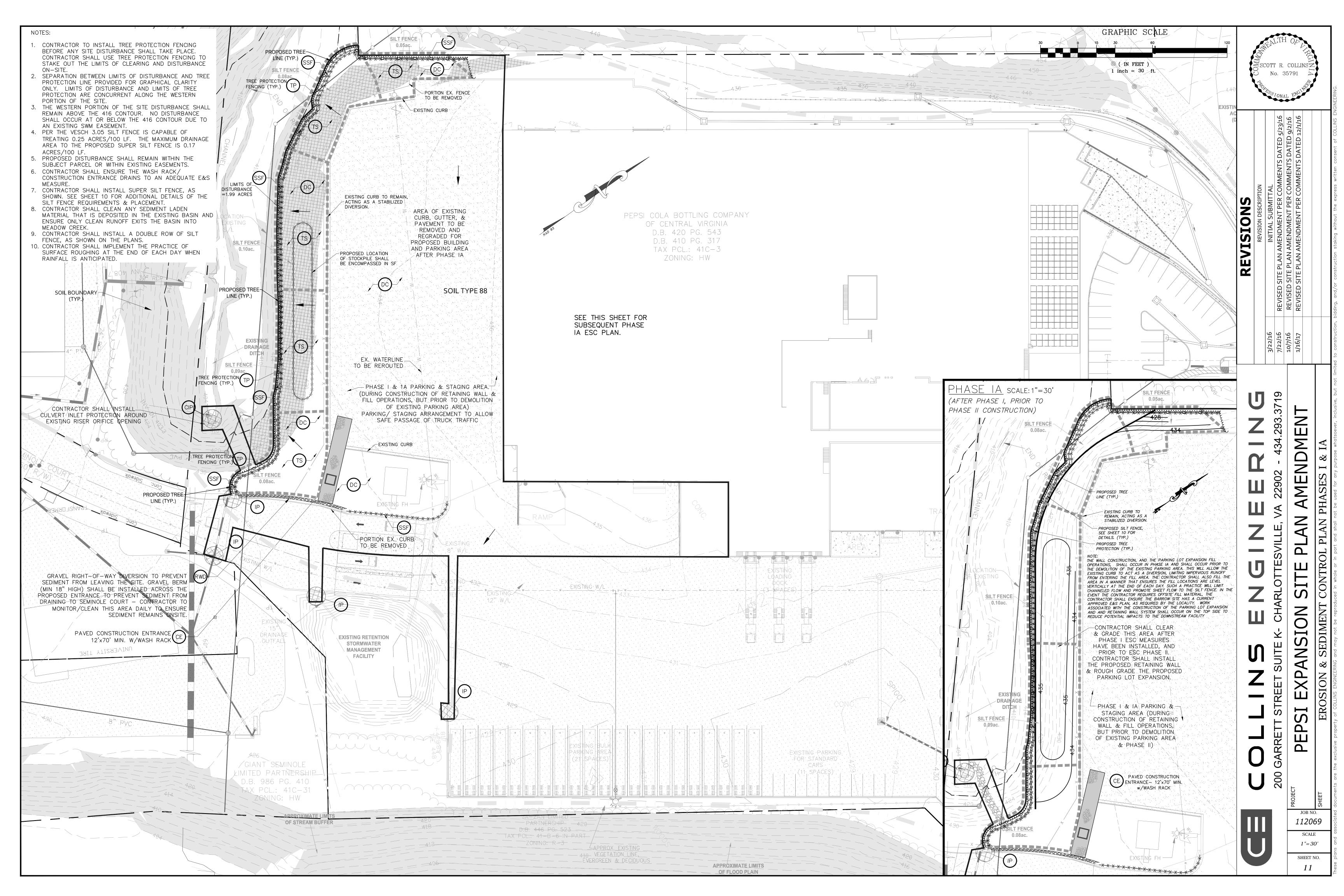
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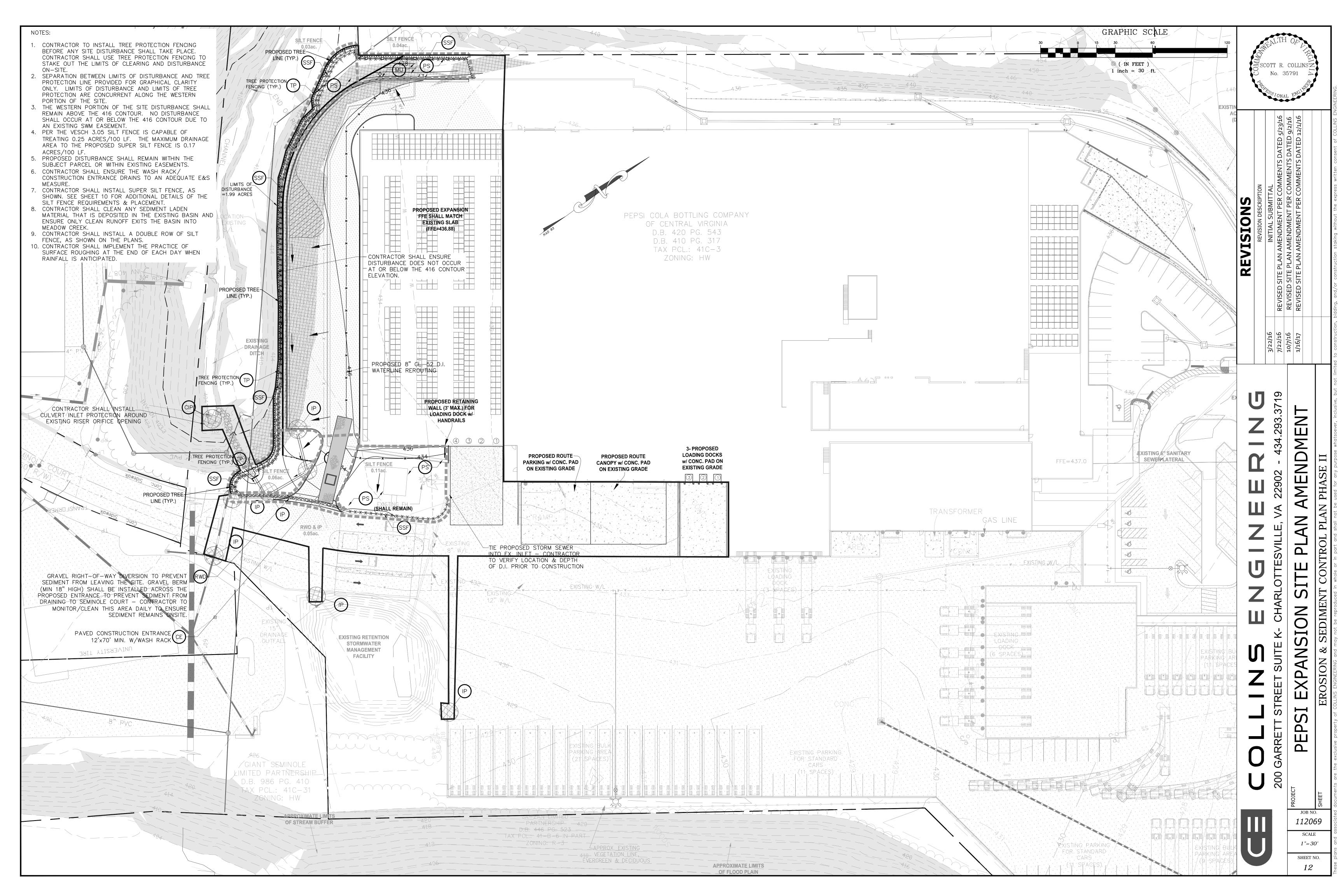
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112069 SCALE

SHEET NO.





	RA	TES:	F200000000		
MULCHES:	Per Acre	Per 1000 sq. ft.	NOTES:		
Straw or Hay	or Hay 1½ - 2 tons (Minimum 2 tons for winter cover) 70 - 90 lbs.		Free from weeds and coar matter. Must be anchored Spread with mulch blower or by hand.		
Fiber Mulch	Minimum 1500 lbs.	35 lbs.	Do not use as mulch for winter cover or during hot, dry periods.* Apply as slurry.		
Corn Stalks	4 - 6 tons	185 - 275 lbs.	Cut or shredded in 4-6" lengths. Air-dried. Do not use in fine turf areas. Apply with mulch blower or by hand.		
Wood Chips	4 - 6 tons	185 - 275 lbs.	Free of coarse matter. Airdried. Treat with 12 lbs nitrogen per ton. Do not use in fine turf areas. Apply with mulch blower, chip handler, or by hand.		
Bark Chips or yds. 1-2 cu. yds. Shredded Bark		Free of coarse matter. Air dried. Do not use in fine turf areas. Apply with mulch blower, chip handler or by hand.			

\* When fiber mulch is the only available mulch during periods when straw should be used, apply at a minimum rate of 2000 lbs./ac. or 45 lbs./1000 sq. ft.

TREE PROTECTION FENCE - CHAIN LINK TREE PROTECTION -FENCE AT CRZ. (LIMITS OF CRITICAL ROOT ZONE) DETERMINING THE CRITICAL ROOT ZONE POST AND FENCE DETAIL THE CRITICAL ROOT ZONE OF A TREE TO BE SAVED SHALL BE THE MINIMUM AREA PROTECTED WITH TREE PROTECTION FENCING. TREE PROTECTION DETAIL CITY OF CHARLOTTESVILLE CHAIN LINK FENCE

Source: Va. DSWC

1992

VDOT #1 ----

COARSE AGGREGATE

TEMPORARY RIGHT-OF-WAY

DIVERSIONS

TYPICAL GRAVEL STRUCTURE

TYPICAL EARTHEN STRUCTURE

Plate 3.11-1

3.11

### TABLE 3.31-C TEMPORARY SEEDING PLANT MATERIALS, SEEDING RATES, AND DATES

SPECIES	SEEDING RATE		NORTH <sup>a</sup>		SOUTH <sup>b</sup>		4 <sup>b</sup>		
	Acre	1000 ft <sup>2</sup>	3/1 to 4/30	5/1 to 8/15	8/15 to 11/1	2/15 to 4/30	5/1 to 9/1	9/1 to 11/15	PLANT CHARACTERISTICS
OATS (Avena satīva)	3 bu. (up to 100 lbs., not less than 50 lbs.)	2 lbs.	х	2	78	x	0	۰	Use spring varieties (e.g., Noble)
RYE <sup>d</sup> ( <u>Secale cereale</u> )	2 bu. (up to 110 lbs., not less than 50 lbs.)	2.5 lbs.	х	**	х	х	(\ <b>e</b> si	х	Use for late fall seedings, winter cover. Tolerates cold and low moisture.
GERMAN MILLET (Setaria italica)	50 lbs.	approx. 1 lb.	*	х	*	*	х	850	Warm-season annual. Dies at firs frost. May be added to summer mixes.
ANNUAL RYEGRASS <sup>e</sup> ( <u>Lolium multi-florum</u> )	60 lbs.	1½ lbs.	х	*	х	х	17 <b>%</b>	х	May be added in mixes. Will mow out of most stands.
WEEPING LOVEGRASS (Eragrostis curvula)	15 lbs.	51/2 ozs.	7.5	х	100	9	х	949	Warm-season perennial. May bunch. Tolerates hot, dry slopes and acid, infertile soils. May be added to mixes.
KOREAN LESPEDEZA <sup>c</sup> ( <u>Lespedeza stipulacea</u> )	25 lbs.	approx. 1½ lbs.	х	х	8	х	х	55	Warm season annual legume. Tolerates acid soils. May be added to mixes.

Northern Piedmont and Mountain region. See Plates 3.22-1 and 3.22-2. Southern Piedmont and Coastal Plain.

May be used as a cover crop with spring seeding.

May be used as a cover crop with fall seeding.

X May be planted between these dates. May not be planted between these dates.

Source: Va. DSWC

OVERFLOW - FILTERED WATER SEDIMENT -2"x4" WOOD STUD -CURB INLET CURB INLET GRAVEL\* FILTER

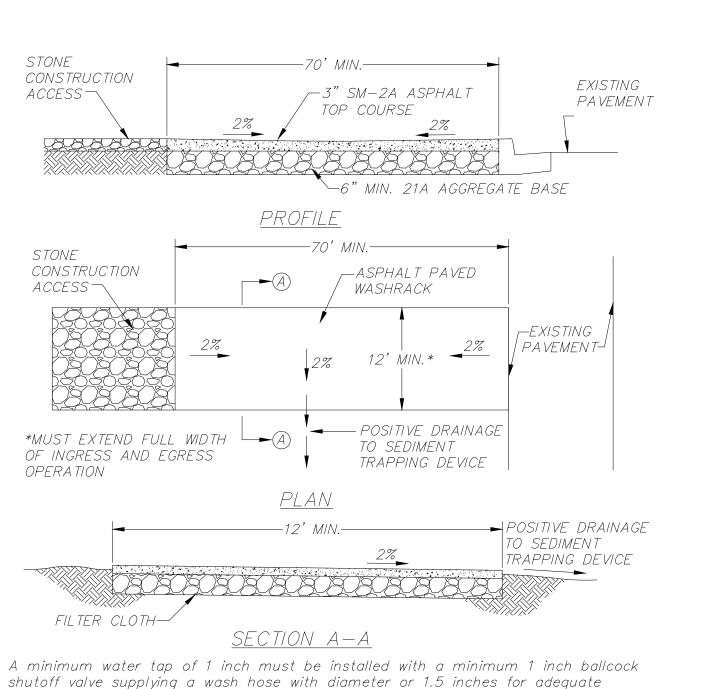
(IP)	BLOCK & GRAVEL CURB INLET (3.07-8)
	<u>SEDIMENT FILTER</u>
	NO SCALE

GENERAL SLOPE (3:1 OR LESS)	TOTAL LBS PER ACRE
KENTUCKY 31 FESCUE	128 LBS.
RED TOP GRASS SEASONAL NURSE CROP	2 LBS. 20 LBS.
SEASONAL NURSE CROP	150 LBS
FEBRUARY 16 THROUGH APRIL MAY 1 THROUGH AUGUST 15 AUGUST 16 THROUGH OCTOBER NOVEMBER THROUGH FEBRUARY 15	ANNUAL RYE FOXTAIL MILLET ANNUAL RYE WINTER RYE
NOTES:	

1. LIME AND FERTILIZER NEEDS SHALL BE DETERMINED BY SOIL TESTS AND APPLIED IN ACCORDANCE WITH VESCH STD. 3.32. 2. SEEDINGS TO BE MULCHED IMMEDIATELY UPON COMPLETION OF SEED APPLICATION, IN ACCORDANCE W/ VESCH STD 3.35.

## PERMANENT SEEDING SCHEDULE

(STD. & SPEC. 3.32 OF VIRGINIA EROSION & SEDIMENT CONTROL HANDBOOK, 3RD ED.)



constant pressure. Wash water must be carried away from the entrance to an

PAVED WASH RACK

NO SCALE

entering storm drains, ditches or watercourses.

approved settling area to remove sediment. All sediment shall be prevented from

**TABLE 3.39-A** ADHESIVES USED FOR DUST CONTROL Application Water Dilution Type of (Adhesive: Water) Gallons/Acre Nozzle Adhesive Anionic 1,200 7:1 Asphalt Emulsion Coarse Spray 235 Latex Emulsion 12.5:1 Fine Spray 300 4:1 Resin in Water Fine Spray Acrylic Emulsion (Non-Traffic) 7:1 450 Coarse Spray

3.5:1

Source: Va. DSWC

Acrylic Emulsion

(Traffic)

22902 CH

350

Coarse Spray

Δ 200

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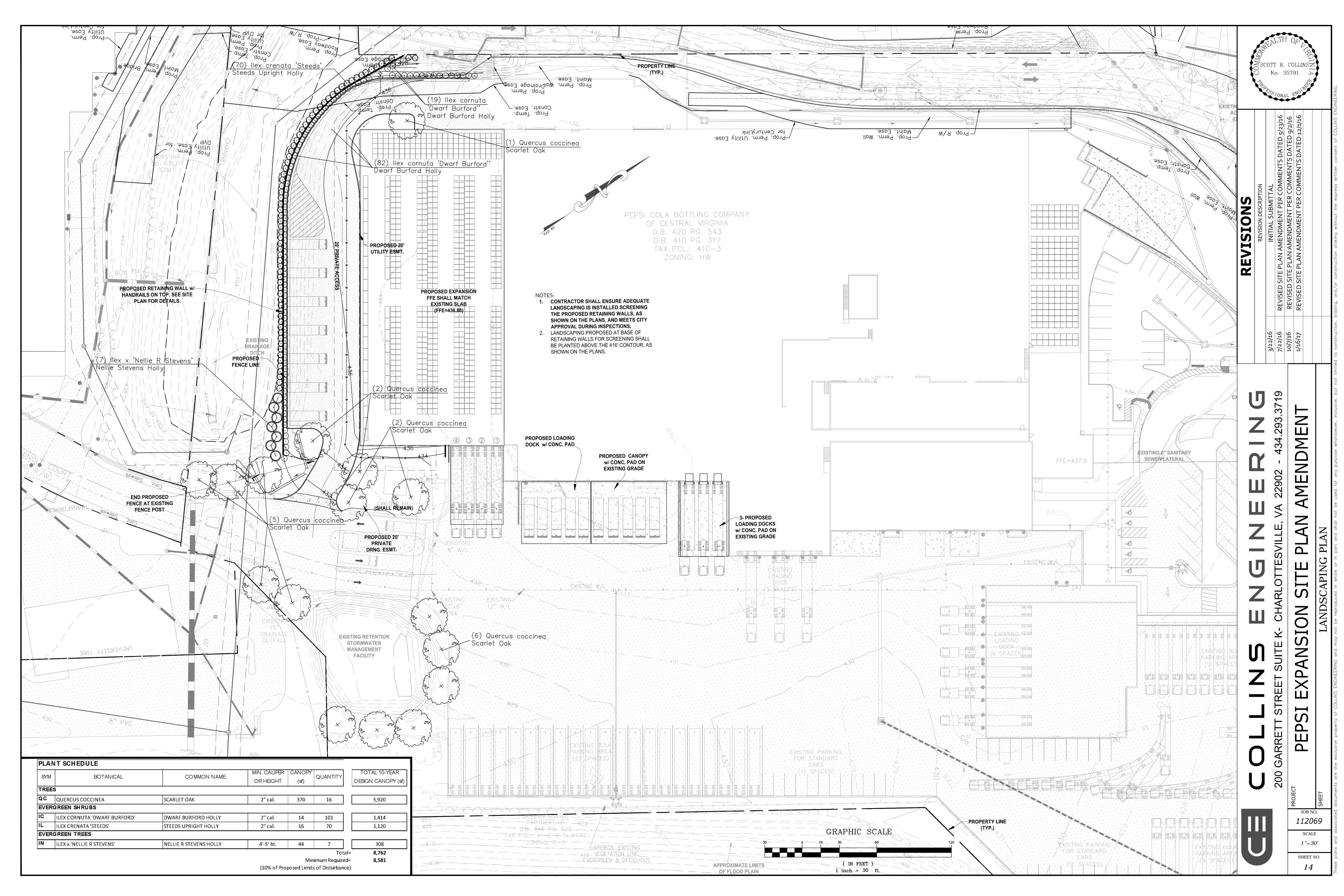
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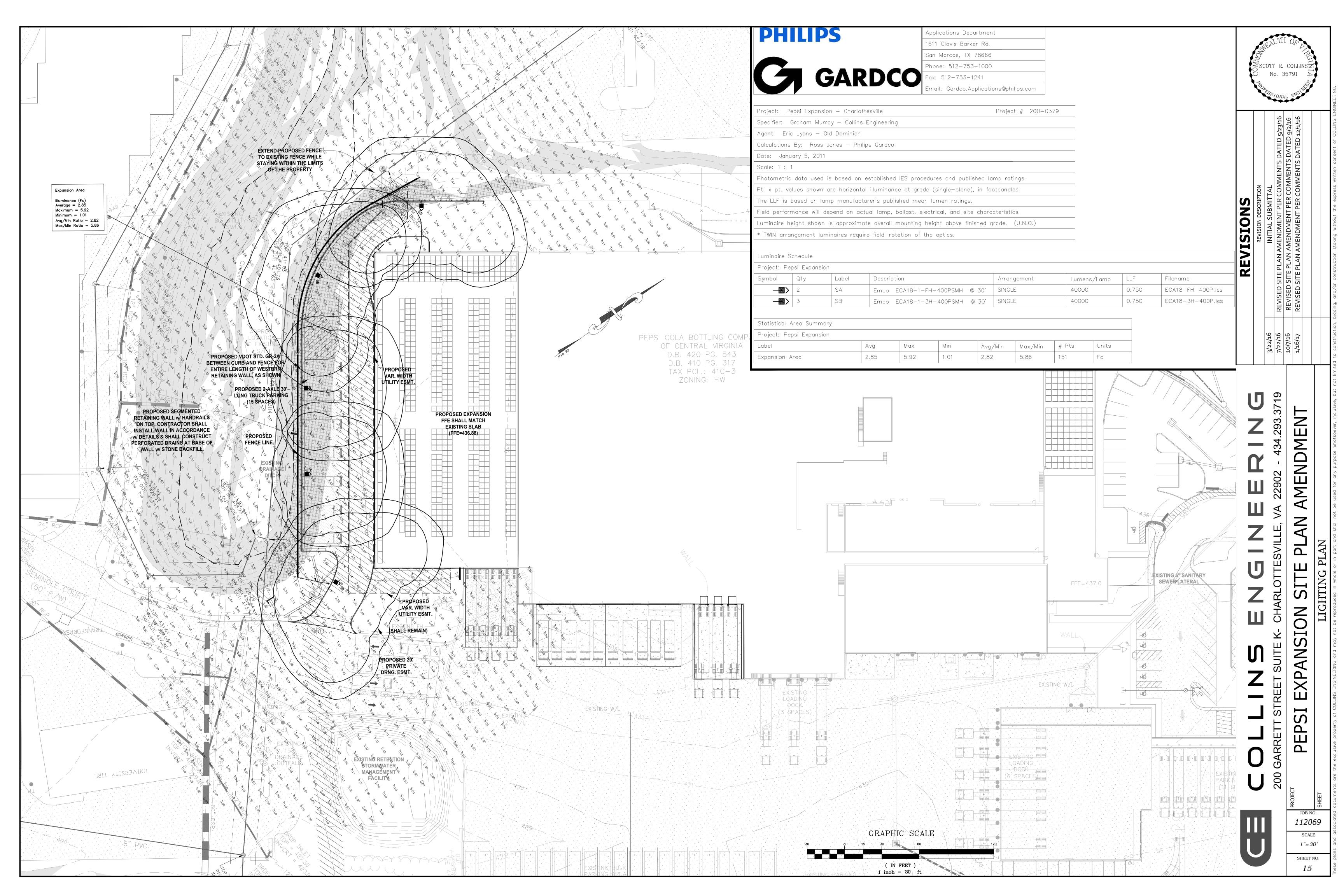
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### CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



Agenda Date: October 2, 2017

Action Required: Consideration of a Special Use Permit

Presenter: Carrie Rainey, City Planner, Neighborhood Development Services

Staff Contacts: Carrie Rainey, City Planner, Neighborhood Development Services

Title: SP17-00004 Special Use Permit (SUP) for Automobile Sales at

1530 E. High Street

### **Background:**

Amir Zandinejad, acting as the representative of E. Grant and Barbara H. Cosner, has submitted an application for automobile sales use at 1530 E. High (Tax Map 50, Parcel 15). The applicant requests a Special Use Permit (SUP) pursuant to City Code Sec. 34-796, which states that automobile sales are allowed in the Central City (CC) Corridor with an SUP. The application describes a small dealership that would begin with three (3) to five (5) vehicles on site for sale, and grow to no more than 15 vehicles. The applicant proposes to utilize the existing building on the subject property with no expansions and minor modifications, such as paint.

The full application package submitted for the September 12, 2017 Joint Public Hearing and subsequent Planning Commission recommendation can be viewed at: <a href="http://www.charlottesville.org/home/showdocument?id=55991">http://www.charlottesville.org/home/showdocument?id=55991</a>

### **Discussion:**

Please see the staff report prepared for the September 12, 2017 Joint Public Hearing (Attachment B) for more information. Among the matters discussed by the Planning Commission at their September 12, 2017 meeting were the following:

- How the current update to the Comprehensive Plan and potential changes to the code of ordinances may affect the E. High Street area in the future.
- Non-conformance of E. High Street with the Streets that Work Plan and whether those standards can be applied to this application.

- The existing billboards located on the subject property, and whether advertising for the proposed automobile sales use is allowed.
- Whether a provisional SUP could be granted that limited the period of time for which the SUP would be allowed.
- The similarity of the proposed use with the existing uses on the corridor.
- A desire to retain Entrance Review Board review pertaining to the required certificate of occupancy for the Entrance Corridor Overlay District regulations.

Staff recommended to Planning Commission on September 12, 2017 that a request for automobile sales could be approved with the conditions noted in the staff report (Attachment B).

### Alignment with Council Vision Areas and Strategic Plan:

The project supports City Council's Vision Area of "Economic Sustainability" by providing a new locally owned small business.

The project supports City Council's Strategic Plan "An Inclusive Community of Self-sufficient Residents" goal by contributing to objective 1.4 "Enhance financial health of residents" by allowing the establishment of a small local business. The project supports City Council's Strategic Plan "A Strong, Creative and Diversified Economy" goal by contributing to objective 4.2 "Attract and cultivate a variety of businesses" through revitalization of an existing vacant parcel with a new commercial use.

#### **Community Engagement:**

City Council held a joint public hearing with the Planning Commission on September 12, 2017. The public hearing was heavily attended, and many attendees spoke. Two (2) citizens spoke regarding the application. One speaker asked for confirmation that adequate parking would be available on site for customers visiting the subject property (staff confirmed the conceptual plan included in the application materials demonstrated compliance with parking requirements in Z.O. Sec. 34-984). One speaker noted the importance of considering pedestrian movement in relationship to the existing curb cuts on the subject property.

### **Budgetary Impact:**

No direct budgetary impact is anticipated as a direct result of approving an SUP for the applicant's parcel.

### **Planning Commission Recommendation:**

The Planning Commission took the following action:

Mr. Santoski recommended approval of the SUP with conditions as it will serve the interest of public necessity, convenience, general welfare and good zoning practice.

Ms. Dowell seconded the motion. The Commission voted 7-0 to recommend approval of the SUP for automobile sales with the conditions included in the draft resolution (Attachment A).

### **Alternatives**:

City Council has several alternatives:

- (1) by motion, take action to approval the attached resolution for the special use permit (as recommended by the Planning Commission);
- (2) by motion, take action to approve the special use permit with modified conditions;
- (3) by motion, take action to deny the special use permit; or
- (4) by motion, defer action consideration of the special use permit.

### **Attachments**:

- A. Proposed Resolution
- B. Staff Report, dated September 1, 2017

# RESOLUTION APPROVING A SPECIAL USE PERMIT TO AUTHORIZE AUTOMOBILE SALES AT 1530 EAST HIGH STREET

WHEREAS, E. Grant and Barbara H. Cosner ("Applicant") are the owners of certain property located at 1530 East High Street, identified on City Tax Map 50 as Parcel 15 (Tax Map Parcel 500015000) and containing approximately 0.321 acres ("Subject Property"), pursuant to City Code Sec. 34-796, has requested City Council to approve a special use permit to authorize the sale of automobiles on the Subject Property (the proposed "Special Use"). The Subject Property is within the City's Central City Corridor (Mixed Use) zoning district, with frontage on East High Street; and

**WHEREAS**, the requested Special Use is generally described within the Applicant's application materials submitted in connection with SP17-00004, including: (ii) the original application materials dated July 7, 2017; (ii) the application narrative; and (iii) the preliminary site plan (collectively, the "Application Materials"); and

**WHEREAS**, the Applicant proposes to utilize the existing building on the Subject Property with minor modifications and provide the required five (5) parking spaces pursuant to City Code Sec. 34-984; and

**WHEREAS,** the Planning Commission reviewed the original application materials dated July 7, 2017, and the City's Staff Report pertaining thereto, and following a joint public hearing, duly advertised and conducted by the Planning Commission and City Council on September 12, 2017, the Commission voted to recommend that City Council approve the requested Special Use; and

**WHEREAS**, upon consideration of: the comments received during the joint public hearing, the Planning Commission's recommendation, and the Staff Report, as well as the factors set forth within Sec. 34-157 of the City's Zoning Ordinance, this Council finds and determines that granting the requested special use permit subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

**BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, pursuant to City Code Sec. 34-796, a special use permit is hereby approved and granted to authorize automobile sales on the property at 1530 East High Street, subject to the following conditions:

- 1. At no time shall more than fifteen (15) vehicles being offered for sale be present on the Subject Property.
- 2. Notwithstanding any contrary provision of the Charlottesville City Code, 1990, as amended, storage of inoperable vehicles, as defined within City Code Sec. 5-150(a)(1), is prohibited on the Subject Property.

- 3. The Subject Property shall not be used as an "automobile graveyard" or "junkyard" as those terms are defined in Virginia Code Sec. 33.2-804.
- 4. No improvements shall be commenced prior to approval of any required permits, which can include: permit, final site plan, and certificate of appropriateness for improvements to the existing building.
- 5. The applicant shall provide plantings along East High Street in conformance with City Code Sec. 34-778(b)(1), the installation of which is subject to approval by the City Floodplain Administrator.
- 6. All outdoor lighting and light fixtures shall be full cut-off luminaires. The spillover light from luminaires onto public roads and onto property adjacent property shall not exceed one-half (½) foot candle. A spillover shall be measured horizontally and vertically at the property line or edge of right-of-way or easement, whichever is closer to the light source.
- 7. No outdoor storage of automobile tires or other accessory elements associated with automotive uses is permitted on the Subject Property.

### **CITY OF CHARLOTTESVILLE**





### APPLICATION FOR A SPECIAL USE PERMIT

# JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC HEARING

DATE OF HEARING: September 12, 2017 APPLICATION NUMBER: SP17-00004

**Project Planner:** Carrie Rainey

Date of Staff Report: September 1, 2017

**Applicant:** E. Grant and Barbara H. Cosner

Applicant's Representative(s): Amir Zandinejad

Current Property Owner: E. Grant and Barbara H. Cosner

#### **Application Information**

Property Street Address: 1530 E High Street ("Subject Property")

Tax Map/Parcel #: Tax Map 50 Parcel 15

**Total Square Footage/ Acreage Site:** Approx. 0.321 acres (13,983 square feet)

Comprehensive Plan (General Land Use Plan): Mixed Use

**Current Zoning Classification:** Central City Mixed Use Corridor ("CC")

**Tax Status:** Parcel is up to date on payment of taxes

Completeness: The application generally contains all of the information required by Zoning

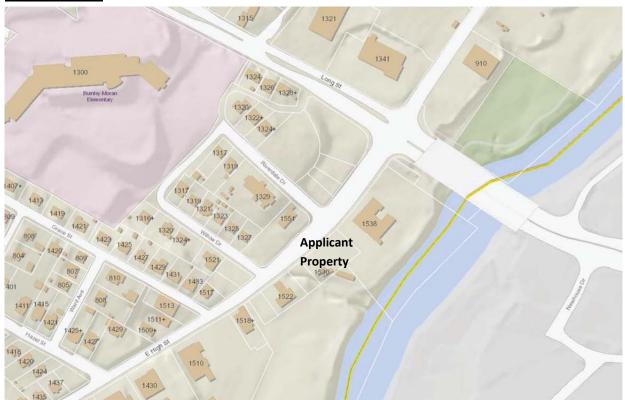
Ordinance (Z.O.) Secs. 34-41(d), and 34-158(a) and (b).

### **Applicant's Request (Summary)**

The applicant requests a Special Use Permit (SUP) pursuant to Z.O. Sec. 34-796, which states that automobile sales are permitted with an SUP. The subject property has street frontage on E. High Street. The application narrative (Attachment A) describes a small dealership that would begin with three (3) to five (5) vehicles on site for sale, and grow to no more than 15 vehicles.

The applicant proposes to utilize the existing building on the subject property with no expansions and minor modifications, such as paint. However, as the property is currently vacant, parking must be provided pursuant to Z.O. Sec. 34-971 and complete a site plan pursuant to Z.O. Sec. 34-802(a) to establish the use. The preliminary site plan is found in Attachment C.

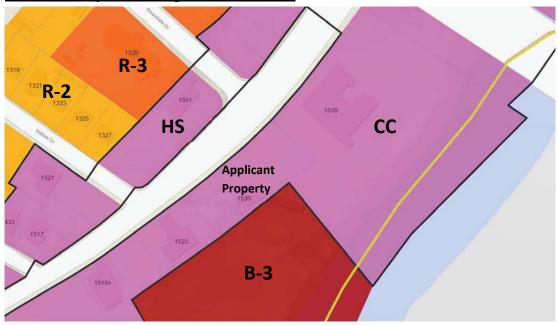
### **Vicinity Map**



### **Context Map 1**



### **Context Map 2- Zoning Classifications**



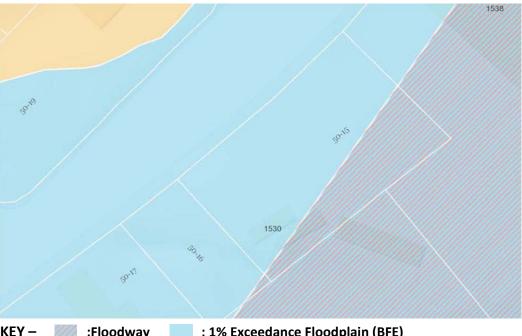
KEY - B-3: Commercial, CC: Central City Mixed Use, HS: High Street Mixed Use, R-2: Two-Family Residential, R-3: Multifamily Residential

Context Map 3- General Land Use Plan, 2013 Comprehensive Plan



KEY -Purple: Mixed Use, Yellow: Low Density Residential, Blue: Public or Semi-Public

**Context Map 4- Environmental Factors** 



KEY -: 1% Exceedance Floodplain (BFE) :Floodway

### **Standard of Review**

City Council may grant an applicant a special permit or special use permit (SUP), giving consideration to a number of factors set forth within Zoning Ordinance Sec. 34-157. If Council finds that a proposed use or development will have potentially adverse impacts, and if Council identifies development conditions that could satisfactorily mitigate such impacts, then Council may set forth reasonable conditions within its SUP approval. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to (i) whether or not Council should approve a proposed SUP and if so, (ii) whether there are any reasonable development conditions that could mitigate potentially adverse impacts of the propose use or development.

Section 34-157 of the City's Zoning Ordinance lists a number of factors that Council will consider in making a decision on a proposed SUP. Following below is staff's analysis of those factors, based on the information provided by the applicant.

## (1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood.

The properties immediately surrounding the subject property are described as:

Direction	Use	
North	Automobile Repair/Servicing	СС
South	Restaurant	СС
East	Vacant	B-3
West	Restaurant	HS

The buildings immediately surrounding the subject property are one (1) to two (2) story buildings, primarily functioning as commercial businesses. The subject property and adjacent properties are mostly covered in asphalt paving with small building footprints relevant to the parcel sizes. Properties south of the subject property, fronting on E High Street, range from restaurants and retail stores to automobile repair shops and automobile sales. Properties north of the subject property, fronting on Long Street and River Road, include retail stores and automobile focused businesses such as part or tire sales and car washes. One (1) block west of the subject property, most properties are R-2 Two-Family Residential where buildings tend to remain below two (2) stories. Burnley Moran Elementary School is located less than a quarter (1/4) mile west of the subject property.

The applicant proposes no additional buildings or major site modifications. The application narrative states the existing building will be painted and the subject property cleaned up.

Staff Analysis: The proposed use of the property is automobile sales. The immediate surrounding area is a mix of automobile-focused businesses, service shops, restaurants, and retail stores. The proposed use is harmonious with the existing patterns of use and development within the corridor. The established residential zone west of the corridor is not likely to be impacted by increases in traffic due to the proposed automobile sales use. The Traffic Engineer has reviewed the application and determined the sale of no more than 15 vehicles will not have an adverse impact on existing traffic patterns.

### (2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan.

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is attached as Attachment A.

Below are specific areas of the Comprehensive Plan for which the development is in compliance:

#### a. Land Use

- **1.1:** Examine opportunities in the following areas [...] High Street/Martha Jefferson [..]
- **2.2**: Encourage small businesses that enhance existing neighborhoods and employment centers.
- **3.2**: [...] Provide opportunities for nodes of activity to develop, particularly along mixed-use corridors.

Below are specific areas of the Comprehensive Plan for which the development may not be in compliance:

### b. Land Use

**3.2:** Enhance existing neighborhood commercial centers and create opportunities for others in areas where they will enhance adjacent residential areas. [...]

#### Comprehensive Plan

The 2013 Comprehensive Plan identified several specific areas of the city where additional study may be warranted, through Small Area Plans. Included in this list is the High Street/Martha Jefferson area (wherein the subject property is located). The Comprehensive Plan states that "the relocation of Martha Jefferson Hospital is responsible for the new and transitional uses that are developing for both the former hospital as well as other properties in this neighborhood and differ from the vision created in previous plans. This area has been identified for study to include the Little High neighborhood and the area extending from

High Street to River Road to evaluate the most appropriate urban design solutions for continued residential uses and economic development." However, a Small Area Plan for this area has not yet begun.

The General Land Use Plan calls for the subject property and areas immediately north, west, and south of the subject property to be Mixed Use land use. The General Land Use Plan calls for Low Density Residential land uses immediately east of the subject property (on property zoned B-3 Commercial), and in close proximity west of the subject property (see Context Map 3 above). The Comprehensive Plan describes Mixed Use areas as "zones in the City where developments of moderate or high intensity are encouraged, and where a large variety of uses may be permitted, including many commercial uses, residential uses, and some limited research and manufacturing where appropriate."

### Streets that Work Plan

The May 2016 Streets that Work Plan (approved September 2016 as an amendment to the Comprehensive Plan) labels E. High Street as a *Mixed Use B* typology, and nearby streets such as Willow Drive and Riverdale Drive a *Local Street* typology. The full plan can be viewed at: <a href="http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/streets-that-work/streets-that-work-plan">http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/streets-that-work/streets-that-work-plan</a>

Mixed Use B streets are characterized as able to support high levels of walking, bicycling, and transit as they connect important destinations within the City and surrounding county. The Streets that Work Plan recommends a minimum clear zone width of seven (7) feet for sidewalks, which are noted along with a curbside buffer zone (the area between the curb and sidewalk) as the highest priority items in the Mixed Use B typology. The subject property is also served by a generally complete (but mostly un-buffered) sidewalk network immediately adjacent to the subject property and within the vicinity of the subject property. Existing sidewalks are generally five (5) or less in width.

Staff Analysis: Several goals in the Comprehensive Plan speak to a desire to encourage small business and provide activity along mixed use corridors. The applicant proposes to reactivate a vacant property with a small business in line with the existing uses of the corridor. E. High Street in the vicinity of the subject property is not in compliance with the Streets that Work plan, as described above. However, high traffic volumes and the necessity for multiple vehicular travel lanes in the immediate vicinity make improvements to the frontage of the subject property difficult. Any improvements to the E. High Street corridor would also fall under the

(3) Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations.

The applicant proposes no new buildings or structures.

### (4) Potential adverse impacts, including, but not necessarily limited to:

#### a) Traffic or parking congestion

#### Traffic

The City Traffic Engineer has reviewed the application materials, and requires no traffic impact analysis for a proposed automobile sales use with no more than 15 vehicles.

E. High Street and Long Street are both identified as principal arterial roads and are high volume roads. The Virginia Department of Transportation (VDOT) 2016 annual average daily traffic volume estimates indicates E. High Street in the vicinity of the subject property carries 20,000 vehicles per day (AADT). Long Street (Route 250) carries 42,000 vehicles per day (AADT) in the vicinity of the subject property.

Staff Analysis: The City Traffic Engineer has reviewed the application and has found the proposed use of automobile sales with up to 15 vehicles will not create an adverse effect on traffic on surrounding City streets.

#### Vehicular Access

Current vehicular ingress and egress to the subject property includes two (2) access points on E High Street, as seen in photographic images in the narrative and site plan (Attachments A and C).

Staff Analysis: The City Traffic Engineer has reviewed the application and will not require any modifications to the existing ingress/egress driveways.

#### Parking

Z.O. Sec 34-984 states motor vehicle sales (without service facilities) require one (1) parking space per 300 square feet or gross floor area. As shown on the site plan (Attachment C), the gross floor area of 15 vehicles is approximately 975 square feet (assuming 65 square feet of area for each vehicle). The existing building floor area is approximately 375 square feet. This results in 1,350 square feet of gross floor area, requiring five (5) parking spaces.

*Staff Analysis:* Based on the information provided in the site plan, it appears that the minimum parking requirements of the zoning ordinance can be met for the proposed development.

### Other Modes of Transportation

Charlottesville Area Transit (CAT) bus stops are located within a quarter (1/4) mile of the subject property at Hazel Street. The subject property is also served by a generally complete (but mostly un-buffered) sidewalk network immediately adjacent to the subject property and within the vicinity of the subject property. Crosswalks in the general vicinity are typically unmarked. However, the crosswalk immediately south of the subject property at E. High Street and Willow Drive has high visibility markings and flashing pedestrian warning signs. In the recently approved update to the Bicycle and Pedestrian Master Plan, E. High Street was noted as a location recommended for bicycle lanes. The Plan also identified the intersection of E. High Street and Long Street as needing pedestrian improvements.

Staff Analysis: The proposed sale of up to 15 automobiles may result in a minor increase in pedestrian traffic or CAT ridership. Staff believes the potential increases will not adversely impact the existing pedestrian facilities or CAT system.

### b) Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment

The proposed automobile dealership of no more than 15 vehicles may result in increased noise, odor, or fumes as a result of the operation of vehicles for customer testing purposes and the general positioning of vehicles.

#### Floodplain Hazard Protection Overlay District

The subject property is partially in the floodway (see Context Map 4 above), which is defined by Z.O. Sec. 34-1200 to be the channel of a river or other

The applicant does not propose any new construction with this application. Should the property owner wish to construct on the subject property in the future, the provisions of the Flood Hazard Protection Overlay District division of the zoning ordinance (Z.O. Secs. 34- 240 through 34-261) shall apply. Among other requirements, this division requires applicants proposing new construction and land disturbance in the floodway to demonstrate through engineering analysis that the proposed encroachments will not result in any increased flood levels, erosion, or peak flows. Non-residential construction within the floodplain must either be floodproof or set at least one (1) foot above the base flood elevation (BFE). No use, activity, or developments shall be established or conducted within the floodway or floodplain except upon approval of a permit by the Floodplain Administrator pursuant to Z.O. Sec. 34-256(a)

Staff Analysis: The potential impacts to the floodway and floodplain will be analyzed and considered in detail by the Floodplain Administrator and BZA, should Council approve the SUP request. No activity or improvements will be permitted unless it is confirmed that there will be no adverse effect, pursuant to the requirements of the Flood Hazard Protection Overlay District.

### c) Displacement of existing residents or businesses

The subject property and existing building are vacant.

### d) Discouragement of economic development activities that may provide desirable employment or enlarge the tax base

The subject property is currently vacant. As such, the proposed automobile sales use will increase economic activity and may enlarge the tax base.

## e) Undue density of population or intensity of use in relation to the community facilities existing or available

The City's Comprehensive Plan identifies community facilities as fire protection, police enforcement, and emergency response services; public utilities and infrastructure; and public parks and recreation opportunities. The applicant has not adequately discussed this issue within its comprehensive plan analysis required by Z.O. Sec. 34-41(d)(2). In that aspect, the application is not sufficiently detailed.

However, the applicant does indicate in the proposed project narrative (Attachment A) the redevelopment of the site will include plantings along E. High Street to "soften and improve the pedestrian experience." If this representation is important to the Commission, staff recommends including a condition that these improvements be depicted within the final site plan.

Staff Analysis: The proposed automobile sales use may result in some increased demand on physical facilities and services provided. Impacts such as those on the City's water and sewer facilities can be adequately evaluated and addressed during the site plan and certificate of occupancy processes. A preliminary review of the proposal indicates the City's existing water and sewer facilities are adequate to serve the proposed development.

The proposed use is unlikely to have an impact on amenities such as public parks or recreation opportunities, as the applicant proposes no residential units or additional residential density to the corridor.

### f) Reduction in the availability of affordable housing in the neighborhood

No residential units currently exist on the subject property. The proposed use of automobile sales will not trigger the requirement for compliance with Z.O. Sec. 34-12. (Affordable dwelling units).

### g) Impact on school population and facilities

No residential units are proposed for the subject property. Therefore, there will be no resulting impact on school populations or facilities.

#### h) Destruction of or encroachment upon conservation or historic districts

The subject property is not within a conservation or historic district.

## i) Conformity with federal, state and local laws, as demonstrated and certified by the applicant

Based on the information contained within the application, the proposed use would likely comply with applicable federal and state laws. As to local ordinances (zoning, water protection, etc.), it generally appears that this project, as detailed in the application, can be accommodated on this site in compliance with applicable local ordinances. The potential impacts to the floodway and floodplain will be analyzed and considered in detail by the Floodplain Administrator and BZA, should Council approve the SUP request.

#### j) Massing and scale of project

No new buildings or structures are proposed in conjunction with this SUP application. The subject property and adjacent properties are mostly covered in asphalt paving with small building footprints relevant to the parcel sizes.

Staff Analysis: The existing building on the subject property is harmonious in scale and mass with the surrounding area.

## (5) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;

In 1949 the property was zoned B Business District. In 1958 the property was zoned B-2 Business District. In 1976 the property was zoned B-3 Commercial District. In 1991 the property was zoned B-3 Commercial District. In 2003 the property was zoned CC Central City Corridor.

The intent of the Central City Corridor (CC) district is to facilitate the continued development and redevelopment of the quality medium scale commercial and mixed use projects currently found in those areas. The district allows single use development, but encourages mixed use projects. The regulations are designed to encourage use of and emphasize proximity to natural features or important view sheds of natural features. Development allowed is of a scale and character that is appropriate given the established development that surrounds the district. (Z.O. Sec. 34-541(11)).

The subject property is also directly across the street from properties zoned High Street Corridor (HS) district. The intent of the HS district states that areas included within this district represent a section of High Street that has historically developed around medical offices and support services, as well as neighborhood-oriented service businesses such as auto repair shops and restaurants. The regulations within this district encourage a continuation of the scale and existing character of uses established within this district, and are intended to facilitate infill development of similar uses. (Z.O. Sec. 34-541(7)).

Staff Analysis: While the applicant does not propose a mixed use project as encouraged by the district, the applicant does propose to re-activate a vacant property with a commercial use that is a similar scale and character to the surrounding uses. The potential floodway and floodplain regulations of the subject property will be a limiting factor in future development of the site. The proposed use provides activation of the subject property and is in harmony with the intent of both the CC and HS districts.

# (6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and

Based on the information contained within the application, the proposed development would likely comply with applicable local ordinances. However, final determinations cannot

be made prior to having the details required for final site plan approval. The Planning Commission approves preliminary site plans reflecting proposed development of property that is subject to a SUP pursuant to Z.O. Sec. 34-820(d)(2). The Commission may wish to designate the staff to administratively review and approve the site plan, if administrative review is determined to be appropriate.

(7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

The subject property is located within an entrance corridor overlay district, pursuant to Z.O. Sec. 34-307(a)(10). The entrance corridor review board (ERB) issues certificates of appropriateness (COA) when a site plan is required, pursuant to Z.O. Sec. 34-309(c). A site plan is required for the proposed use, pursuant to Z.O. Sec. 34-802(a). However, the applicant proposes to paint the existing building and update fixtures, which typically does not require a site plan and would receive an administratively approved COA, pursuant to Z.O. Sec. 34-309(a)(2). The ERB may wish to designate the staff to administratively review and approve the COA, if administrative review is determined to be appropriate.

### **Public Comments Received**

Community Meetings Required by Z.O. Sec. 34-41(c)(2)

The applicant held a community meeting on July 26, 2017 beginning at 5:00pm at CitySpace (100 5<sup>th</sup> Street NE). Property owners within 500 feet, the Martha Jefferson Neighborhood Association, the Woolen Mills Neighborhood Association, and the Little High Neighborhood Association were notified of the meeting per requirements in Z.O. Sec. 34-41(c)(2). The letter provided by the applicant, in addition to the sign in sheets from the meeting, can be found in Attachment D. No one except the applicant and City staff attended the community meeting.

#### **Other Comments**

One citizen noted by phone she is concerned with the proximity of the proposed automobile dealership to Burnley Moran Elementary School, particularly the increase in traffic as related to the automobile sales use.

### **Staff Recommendation**

Staff recommends it is reasonable to permit automobile sales at this location, if proper conditions are applied. The Planning Commission may wish to designate the staff to administratively review and approve the site plan. The ERB may wish to designate the staff to administratively review and approve the COA.

### **Recommended Conditions**

Staff is of the opinion that, if this landowner's request for a special use permit to allow "automobile sales" per City Code §34-796 is approved then the following conditions are necessary as reasonable safeguards to assure the public safety, convenience, general welfare and good zoning practice:

- 1. At no time shall more than 15 vehicles being offered for sale be present on the subject property.
- 2. Notwithstanding any contrary provision of the Charlottesville City Code (1950), as amended, storage of inoperable vehicles is prohibited on the subject property. For the purpose of this special use permit, the term "inoperable motor vehicle" shall have the meaning set forth within City Code §5-150(a)(1).
- 3. The subject property shall not be used as an "automobile graveyard" or "junkyard" as those terms are defined in Virginia Code §33.2-804.
- 4. No improvements shall be commenced prior to approval of any required permits which can include: Development in the Floodplain permit, final site plan, and certificate of appropriateness for improvements to the existing building.
- 5. The applicant shall provide plantings along E. High Street in conformance with City Code §34-778(b)(1), the installation of which is subject to approval by the City Floodplain Administrator.
- 6. All outdoor lighting and light fixtures shall be full cut-off luminaires. The spillover light from luminaires onto public roads and onto property adjacent property shall not exceed one-half (½) foot candle. A spillover shall be measured horizontally and vertically at the property line or edge of right-of-way or easement, whichever is closer to the light source.

### **Suggested Motions**

1. I move to recommend approval of **SP17-00004** to permit automobile sales at the subject property, subject to the conditions recommended by staff, because I find that the proposed use, if conducted in accordance with the conditions, will serve the interests of public necessity, convenience, the general welfare, or good zoning practice.

OR,

2. I move to recommend denial of **SP17-00004**.

### **Attachments**

- A. Updated Special Use Permit Narrative received July 7, 2017
- **B.** Special Use Permit Application received July 7, 2017
- C. Site Plan received August 31, 2017
- D. Community Meeting Materials received July 14, 2017

### CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



**Agenda Date**: October 2, 2017

**Action Required**: Vote on Resolution

**Staff Contacts**: Alex Ikefuna, Director of NDS

**Presenter:** Alex Ikefuna, Director of NDS

Title: Honorary Street Name Designation – Heather Heyer Way

### **Background:**

On August 12, 2017, Ms. Heather D. Heyer was struck down by a vehicle near the corner of 4<sup>th</sup> Street and Water Street in Downtown Charlottesville, while exercising her peaceful First Amendment right to speech. The terror attack that resulted in Ms. Heyer's death, and serious injuries to dozens more, shocked our community and touched the heart and soul of not only Charlottesville, but the entire country.

#### **Discussion:**

On August 21, 2017, the City Council expressed an interest in memorializing Ms. Heyer by designating a portion of 4<sup>th</sup> Street, SE and NE, from East Water Street to East Market Street as Heather Heyer Way. This honorary designation would pay tribute to Ms. Heyer's dedication to justice, fairness and positive social change.

Ms. Heyer was a young woman that believed in equal rights for all. At the time of her death, Ms. Heyer was a paralegal in a local law firm. Her family has established the Heather D. Heyer Foundation to honor her memory. According to the foundation, donations received by the foundation will be used to provide scholarships to individuals that are interested in positive social change. For more information on the foundation, please visit <a href="https://www.heatherheyerfoundation.com">www.heatherheyerfoundation.com</a>.

#### **Alignment with City Council's Vision and Priority Areas:**

According to the City's honorary Street name policy, "honorary street name designations should be limited to individuals, or events that have made an important and lasting contribution to the City of Charlottesville or represent a key part of its history. The street to be designated should have a connection to the individual/event and his/her contribution." Heather D. Heyer epitomized

City Council Agenda

RE: Honorary Street Name Designation

this provision, as her life was taken prematurely on this street on August 12, for standing up for social justice and racial equality.

Approval of this agenda item is consistent with the City's commitment to create "a community of mutual respect" by recognizing the important contributions of community members both past and present. This request also aligns with Goal 1.5 of the City's 2018 – 2020 Strategic Plan of "intentionally address issues of race and equity;" a goal that Heather D. Heyer lived and died for.

### **Location Map:**

Attached

### **Citizen Engagement:**

No public engagement was held; however, Ms. Heyer's mother has given her support and approval for the honorary designation. The community has also expressed a desire to honor Ms. Heyer in several ways, and this designation would be in keeping with community spirit.

### **Budgetary Impact:**

There is a cost of \$500 per designation to cover the cost of sign material and fabrication. The installation and on-going maintenance will be completed by City staff.

### **Recommendation:**

Staff recommends approval of the resolution to give this street an honorary designation.

### **Attachment:**

Resolution.

Map.

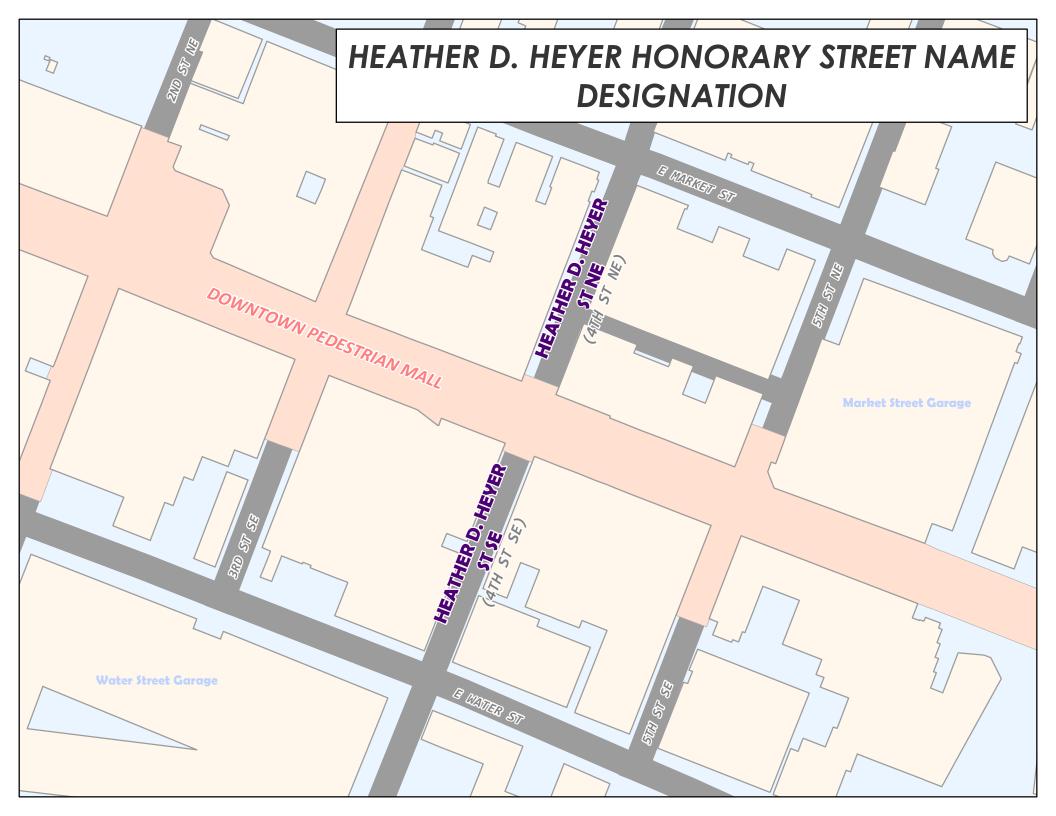
#### RESOLUTION

## Honorary Street Name Designation – Heather Heyer Way 4<sup>th</sup> Street, SE and NE between East Water Street and East Market Street

WHEREAS, City Council adopted a policy for Honorary Street Name Designation; and

**WHEREAS,** City staff has reviewed the application for appropriateness and verified the historical information;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that 4<sup>th</sup> Street, SE and NE between East Water Street and East Market Street shall bear the honorary name Heather Heyer Way.



## CITY OF CHARLOTTESVILLE, VIRGINIA. CITY COUNCIL AGENDA.



Agenda Date: October 2, 2017

Action Required: Second Reading: Ordinance

Presenter: Susan Elliott, Climate Protection Program Coordinator

Staff Contacts: Susan Elliott, Climate Protection Program Coordinator

Kristel Riddervold, Environmental Sustainability Manager

Missy Creasy, Assistant Director, NDS

Mary Joy Scala, Preservation and Design Planner, NDS

Title: Zoning Text Amendment for Solar Energy Systems (2<sup>nd</sup> of 2 Readings)

#### **Procedural Background**

On May 1, 2017, City Council initiated a zoning text amendment to expressly allow solar energy systems. The City Council referred the proposed amendments to the Charlottesville Planning Commission for review and recommendations. A joint public hearing was conducted by City Council and the Planning Commission on May 9, 2017.

Planning Commission Recommendation—On June 13, 2017, the Planning Commission voted to recommend that City Council should approve the attached amendments to the Zoning Ordinance in order to authorize solar energy systems subject to appropriate regulations. As a condition of their approval, the Planning Commission has also recommended that, prior to a Second Reading of the proposed Ordinance, City Council should request the Board of Architectural Review and Entrance Corridor Review Board to weigh in as to whether any additional zoning text amendments might be necessary in order to ensure that those design review bodies will have authority, under their respective ordinance provisions, to review the compatibility of each different type of solar energy system that might have a significant impact on a major design control district, a conservation district or an entrance corridor.

Board of Architectural Review and Entrance Corridor Review Board—The Board of Architectural Review (BAR) discussed solar energy systems (SES) at their July 18, 2017 meeting, and the Entrance Corridor Review Board (ECRB) discussed SES at their August 8, 2017 meeting. Both boards provided recommendations to City Council as detailed in the attachments and summarized in the "Recommendation" section below.

City Council –  $1^{st}$  of 2 Readings – On July 5, 2017, the proposed ordinance was brought to City Council for the  $1^{st}$  of 2 readings. Due to the late hour, Council chose to hear the presentation and ask questions but to postpone discussion until the  $2^{nd}$  reading.

#### **Executive Summary of Proposed Text Amendments**

The proposed zoning text amendment is intended to establish the underlying zoning code for all zoning districts and to maintain any additional review or restrictions as applicable by overlay zoning or design control districts.

A summary of the proposed text adjustments are explained in this report. Additional attachments include a table summarizing the proposed code language, birds-eye-view diagrams for "low-density residential districts" and "all other zoning districts", images of example solar energy system installations and configurations, and further information regarding topics such as the reflectivity of solar PV panels.

Why is a Zoning Text Amendment for Solar Energy Systems Needed?

There is an increasing demand for solar energy systems within Charlottesville, Virginia, and the country. The City's current zoning code does not reference solar energy system installations directly. Therefore, City Environmental Sustainability Division staff recommends certain revisions and the addition of a new section to the zoning code to clarify allowable locations and heights for solar energy systems. The recommendations are based on national best practices, a review of the existing zoning code for structures and uses of similar sizes and forms, and input from the local solar industry. This proposal aims to clarify that solar energy systems are allowed by-right as accessory in all zoning districts and provide some clear guidance on how and where these systems are installed in the city. This proposal maintains that solar energy systems will remain subject to any additional design controls as applicable (e.g. entrance corridor properties and protected historic properties will continue to require review from the Planning Commission and Board of Architectural Review).

This work supports the *Streets That Work* Code Audit, responds to recommendations from the 2015 *Smart Growth America* (SGA) Technical Assistance assessment, and is consistent with the cooperative MOU for Collaboration between the City and County Regarding the Environment. While City staff has received limited community concerns regarding our solar PV practices and processes, SGA described the lack of reference in the code text as a barrier due to the potential ambiguity it presents.

Furthermore, the City is participating in the national SolSmart program (SolSmart) – background on SolSmart provided later in this Memo. The City has been awarded Bronze level designation as a 'solar-friendly community' and is pursuing Silver level, which requires that zoning code clearly allows solar energy systems as an accessory use by-right in all major zoning districts. SGA and SolSmart both recommend that solar PV be clarified in the zoning code.

#### Considerations in Drafting the Proposed Ordinance:

Environmental Sustainability staff worked cooperatively with our SolSmart Advisor, NDS, and the City Attorney's office to draft the proposed ordinance attached to this Memo. Considerations included:

- current conditions accepted for installations

- existing zoning code allowances for related items, such as appurtenances and accessory structures
- best practices specific to solar PV (rather than other types of mechanical equipment)
- experienced-based feedback from the local solar installation industry
- sample model codes from SolSmart and the Virginia Department of Environmental Quality
- comments from the Planning Commission meeting on May 9, 2017

#### **Proposed Changes to the Ordinance**

The full text of the proposed ordinance amendments is attached as well some reference diagrams and example images. The specific recommended changes to the ordinance are:

#### Sec. 34-1101. Appurtenances

Proposed edits to this section aim to improve clarity on allowable placement of solar energy systems in relationship to building height maximums, minimum required yards, and setbacks from lot lines. Also proposed is eliminating the use of the unclear term *appurtenance*.

#### Sec. 34-1108: Standards for solar energy systems

This is a <u>new</u> section being proposed to provide clear standards for solar energy systems, which are currently not directly addressed in the code. This section proposes height maximums, location restrictions, safety requirements, and references to other applicable codes – such as the state building and fire code – for solar energy systems. Also includes that solar energy systems may be attached and incorporated into building façades such as roof tiles, shutters, canopies (e.g. 'building integrated solar')

#### Sec. 34-1146. Nonconforming structures, permitted changes.

The proposed changes aim to clarify that solar energy systems are allowed on nonconforming buildings or structures.

#### Sec. 34-1147. Expansion of nonconforming uses or structures.

The proposed changes provide clarity on the consideration of solar energy systems for expansion of nonconforming uses and structures.

#### Sec. 34-1200. Zoning—Definitions

The definition of *Accessory building, structure, or use* currently lists common examples of accessory buildings and structures, but does not clarify examples of accessory uses. The proposed changes include adding examples equipment or fixtures as accessory uses, which include heating, electrical and mechanical equipment, utility service lines and meters, and solar energy systems. Furthermore, a definition of *solar energy systems* is added to clarify the use of the term throughout the Zoning Ordinance.

#### **Background on the SolSmart Program**

In March 2016, the City of Charlottesville earned SolSmart Early Adopter status and began

pursuing 'solar-friendly community' designation. By participating in the SolSmart program, Charlottesville's primary aims are to:

- 1) Receive national recognition for the good work that Charlottesville does as a Green Leader
- 2) Move forward on the solar photovoltaic (PV) Smart Growth America recommendations and the Code Audit portion of "Streets That Work"
- 3) Improve our processes and policies where it makes sense

SolSmart is funded by the US Department of Energy and is supported by – amongst other organizations – The Solar Foundation, the National League of Cities and the International City/County Management Association. SolSmart assists localities to adopt local government best practices and policies that contribute to reducing the soft costs of solar photovoltaic (PV) system installations. Solar PV systems use solar panels to generate electricity. While the hardware costs (e.g. equipment costs) for solar PV have reduced significantly over the past 5 years, nationwide studies have shown that soft costs (e.g. permitting, inspections, and financing costs) can amount to 60% of a solar PV system's installation costs.

As a result of a successful joint application from the City of Charlottesville and the County of Albemarle, the localities were awarded free technical assistance in the form of an on-site SolSmart Advisor for a period of up to 6 months through July 2017 to assist both the City and the County in achieving their SolSmart designation goals. One of the primary focuses of the SolSmart Advisor's work with the City was to assist staff in reviewing local zoning code and drafting proposed updates related to solar energy systems.

#### **Discussion**

- 1) The proposed zoning text amendment is intended to establish the underlying zoning code for all zoning districts and to maintain any additional review or restrictions as applicable by overlay zoning or design control districts. Upon review by the ECRB and the BAR of SES, possible placements of SES on properties, and the proposed SES zoning text amendment, several points were concluded (see attachment for further detail):
  - No amendments are warranted to the entrance corridor ordinance,
  - Amendments are recommended to the historic conservation district and architectural design control district ordinances,
  - In the proposed zoning text amendment, under Sec 34-1101 a (2), "in aggregate" should be added to the text so it would not be interpreted that each type of item could, by itself, cover 25% of the roof.
- 2) Local solar PV industry practitioners who have aligned themselves as members of the recently-launched Charlottesville Renewable Energy Alliance (CvilleREA) reviewed the originally proposed zoning text amendment and supported the draft without concern. A couple of CvilleREA members subsequently noted that the 15 foot height maximum could be restrictive for parking lot solar canopies. Staff and these members are willing to work together on a zoning text amendment proposal to address this specific application for solar energy systems.

- 3) The City has been awarded Bronze level designation in the SolSmart program and is pursuing Silver level. Silver level designation requires that zoning code clearly allows solar energy systems as an accessory use by-right in all major zoning districts. Passage of the proposed solar zoning text amendment would meet this requirement.
- 4) Through discussion with members of the public who provided comment in response to the presentations at the Planning Commission meetings, it was suggested that the City consider passing the proposed solar zoning text amendment with an enactment clause to postpone it going into effect until after the items 1 and 2, listed above, could be addressed.
- 5) Additional zoning text amendments can be initiated by either City Council or the Planning Commission. Amendments initiated by City Council require that the proposed amendment be returned to Council with Planning Commission review within 100 days.

#### Alignment with Council Vision Areas and Strategic Plan

This action aligns with:

- City Council Vision: A Green City
- Strategic Plan Goals 2, 3, and 4
- Comprehensive Plan
  - o Chapter 4, Goal 5
  - o Chapter 4, Goal 6 (Strategies 1, 2, and 4)
  - o Chapter 5, Goal 8, Strategy 7
  - o Community Value 3 and Value 5

Additionally, it is consistent with the City's commitments to reduce greenhouse gas emissions, including those recently reiterated in the June 19, 2017 Climate Resolution, the previously referenced cooperative MOU for Collaboration between the City and County Regarding the Environment, *Streets That Work* Code Audit, and 2015 *Smart Growth America* (SGA) Technical Assistance recommendations.

#### **Community Engagement**

Growing demand and interest in local solar PV installations has been observed over the past 3 years as demonstrated through the popular Solarize Charlottesville campaigns led by the Local Energy Alliance Program (LEAP) and subsequent increased market activity and requests for solar PV electrical permits. Staff has received comments observing that allowance of solar energy systems is not clear in the zoning ordinance.

Staff worked with local solar PV industry practitioners who have aligned themselves as members of the recently-launched Charlottesville Renewable Energy Alliance (CvilleREA) to review the proposed zoning text amendment and provide comments. Staff also incorporated comments from the public and the Planning Commissioners provided at the May 9, 2017 Planning Commission meeting.

#### **Budgetary Impact**

No additional funding is required.

#### **Recommendation**

Staff recommends that City Council adopt the proposed zoning text amendments (ZTA) for solar energy systems and direct staff to propose ordinance amendments to address recommendations noted by the BAR, the ECRB, and in relation to parking canopy structures.

#### **Alternatives**

Council can choose to:

- 1. Adopt the proposed solar energy systems ZTA and direct staff <u>to address</u> the recommendations noted by the BAR, the ECRB, and in relation to parking canopy structures, either:
  - a. as separate processes, or
  - b. by seeking an enactment clause to the solar energy systems ZTA.

Additionally, Council could provide direction as to whether staff should return proposals to the Planning Commission, or, to the City Council.

- 2. Adopt the proposed solar energy systems ZTA and direct staff to not address the recommendations noted by the BAR, the ECRB, and in relation to parking canopy structures.
- 3. Maintain the current zoning code and not support the recommended zoning text amendments.

#### **Attachments:**

- Ordinance with the proposed zoning text amendments
- Supplemental reference materials including:
  - Summary Table proposed zoning text
  - Diagrams showing proposed allowable locations for solar energy systems in low density residential zoning districts and in all other zoning districts
  - o Pictures of Example Solar Energy Systems
- Addendum from the City's Preservation and Design Planner detailing comments and recommendations from the BAR and the ECRB

#### **ORDINANCE**

TO AMEND AND RE-ENACT THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, CHAPTER 34 (ZONING), SECTIONS 34-1101, 34-1146, 34-1147, and 34-1200, AND TO ADD A NEW SECTION 34-1108, TO EXPRESSLY AUTHORIZE SOLAR ENERGY SYSTEMS

WHEREAS, in accordance with Virginia Code §15.2-2286(A)(7), the Charlottesville City Council previously initiated amendments of the Zoning Ordinance of the City of Charlottesville, Chapter 34 of the Code of the City of Charlottesville (1990), as amended ("Zoning Ordinance"), to expressly allow permit solar energy systems, and City Council referred the proposed amendments to the Charlottesville Planning Commission for review and recommendations, in accordance with Virginia Code §15.2-2285; and

**WHEREAS**, a public hearing was conducted jointly by City Council and the Planning Commission on May 9, 2017 following public notice as required by law; and

**WHEREAS**, on June 13, 2017, the Planning Commission voted to recommend that City Council should approve certain proposed amendments to the Zoning Ordinance, to expressly authorize solar energy systems subject to appropriate regulations, finding that such amendments are required by the public necessity, convenience, general welfare or good zoning practice; and

WHEREAS, this City Council concurs with the Planning Commission that the proposed zoning text amendments are required by the public necessity, convenience, general welfare or good zoning practice, and further, Council finds that the proposed amendments have been designed to give reasonable consideration to the purposes set forth within Virginia Code §15.2-2283 and have been drawn with reasonable consideration given to the matters set forth within Virginia Code §15.2-2284;

**NOW, THEREFORE**, this City Council does hereby amend and re-enact the Code of the City of Charlottesville (1990), as amended, as follows:

Strikeout text = existing provisions proposed to be deleted

Blue font text = new provisions proposed to be added

1. Chapter 34, Article X (Definitions), Section 34-1200 is amended and re-enacted, as follows:

#### Sec. 34-1200: Zoning--Definitions

Accessory building, structure or use means a building, structure or use located upon the same lot as the principal use, building, or structure, the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common residential accessory buildings and structures. Heating, electrical and mechanical equipment, utility service lines and meters, solar energy systems, and related equipment, are equipment or fixtures used accessory to a building or structure located on the same lot.

Solar Energy System means equipment used primarily for the collection and use of solar energy for water heating, space heating or cooling, or other application requiring an energy source.

2. Chapter 34, Article IX (General Regulations) is hereby amended and re-enacted as follows:

Sec. 34-1101. – <u>Exclusions from building height and minimum yard</u> requirements Appurtenances.

- (a) **None of the following** An appurtenance to a building or structure shall not be counted in measuring the height of a building or structure:
  - (1) rooftop solar energy systems, subject to the provisions of 34-1108;
  - (b) (2) rooftop heating, electrical, and mechanical equipment, or elevator returns, which are necessary for or in connection with the proper operation of a building in accordance with USBC requirements, provided that no such equipment or elevator return, as installed No rooftop appurtenance shall: (i) itself measure more than eighteen (18) feet in height above the building, or (ii) cover more than twenty-five (25) percent of the roof area of a building;
  - (3) Telecommunications equipment, subject to the provisions of 34-1070 et seq.;
  - (4) Chimneys constructed or attached to the side of a building, which extend above the level of the roof deck of a building to a height required by the USBC or VSFPC;
  - (c) (5) Other equipment or structures constructed or installed above the roof deck of a building, so long as they: (i) comply with the height and area requirements set forth in paragraph (2) above, and (ii) contain no Within a rooftop appurtenance, no enclosed space that is shall be designed for or that can be used as any type of habitable residential space. The provisions of this paragraph shall not preclude open-air space on a building rooftop from being used accessory to the primary use of the building.

(b)(d)Each of the following appurtenances may encroach into minimum required yards as specified:

- (1)Window sills, roof overhangs, belt courses, cornices and ornamental features may encroach into a required yard by no more than twelve (12) inches.
- (2)Open lattice-enclosed fire escapes, fireproof outside stairways, and the ordinary projections of chimneys and flues may encroach into a required rear yard by no more than five (5) feet.
- (3)Chimneys or flues being added to an existing building may encroach into a required side yard, but not closer than five (5) feet to the side lot line.

- (4)Elevator shafts, and <u>heating</u>, <u>electrical and</u> mechanical equipment, <u>which are if</u> screened in accordance with the requirements of Section 34-872, <u>may encroach into a required side or rear yard</u>.
- (5) Handicapped ramps meeting ADA standards may encroach into a required yard.
- (6) Solar energy systems may encroach into required front, side and rear yards, subject to the provisions of sec. 34-1108 (limitations on placement in front of buildings). No solar energy system shall be placed closer than five (5) feet to any lot line.

(6)Except as otherwise provided above:

- (7) a.-Uncovered and unenclosed structures (such as decks, porches, stoops, etc.) attached to a building, and appurtenances which have a maximum floor height of three (3) feet above the finished grade, may encroach into any required yard, but not closer than five (5) feet to any lot line and no more than ten (10) feet into a required front yard; however, no such structure or improvement appurtenance, shall occupy more than thirty (30) percent of a rear yard.
- (8) b. Any appurtenance to a For any single- or two-family dwelling, an unenclosed structure attached to the façade of the dwelling, and having a height greater than three (3) feet above finished grade, may encroach into a required front yard by up to ten (10) feet, but no closer than five (5) feet to a front lot line.; however, Any such structure such appurtenance shall comply be in compliance with the applicable side yard setback(s).
- (c) e. No enclosed structure that is attached to any building appurtenance, regardless of height (including but not limited to a screened-in porch), shall encroach into any required yard.

#### Sec. 34-1108. Standards for solar energy systems

The following requirements apply to solar energy systems:

- (1) Solar energy systems shall be installed in compliance with applicable provisions of the USBC and the VSFPC.
- (2) A solar energy system may be installed on the roof of any building or structure, whether principal or accessory.
  - (i). The height of a solar energy system installed on the roof of a single- or two-family dwelling, or on the roof of an accessory building or structure on the same lot as such dwelling, may extend up to five (5) feet above the highest point of the roof of the building or structure on which it is installed.

- (ii). Except as limited by subparagraph (i), above, a rooftop solar energy system may extend up to fifteen (15) feet above the highest point of the roof of the building or structure on which it is installed.
- (3) A solar energy system may be attached and incorporated as part of any building façade (for example: roof tiles, window shutters, canopies, etc.).

#### (4) Placement in front of buildings:

- (i) Within required front yards--Within a required front yard, a solar energy system may be incorporated as part of any structure allowed by Sec. 34-1101(b)(7) and Sec. 34-1101(b)(8). Otherwise, no solar energy system shall be located within a required front yard.
- (ii) Within other areas forward of the front building façade—Within a low-density residential zoning district, except as provided in subparagraph (i), above, no solar energy system may be located forward of an imaginary line extending along the exterior façade of a residential building, parallel to the front lot line and extending between the side lot lines. In all other zoning districts, a solar energy system may be located in an area between the front building façade and the required front yard.
- (5) Except as provided in paragraph (2)(i), above, a solar energy system, together with its support, shall not itself exceed a height of fifteen (15) feet unless otherwise required by the USBC or VSFPC for a specific use.

#### Sec. 34-1146. Nonconforming structures, permitted changes.

- (a) A nonconforming structure may be changed, altered, repaired, restored, replaced, relocated or expanded only in accordance with the provisions of this section <u>and of sec. 34-1147</u>, and subject to all approvals required by law.....
- ....(e) A solar energy system may be placed on or attached to on a nonconforming building or structure.

#### Sec. 34-1147. - Expansion of nonconforming uses or structures.

- (a) Nonconforming uses or structures may expand only in accordance with the provisions of this section. Whenever a percentage limitation is placed on expansion, that limitation shall be the total expansion allowed, in increments of any size that add up to the total, or all at once. All expansion shall occur on the lot occupied by the nonconforming use or structure, inclusive of any permitted consolidations or re-subdivisions.
- (b) Nonconforming uses, other than structures, may be expanded on an area of a lot not originally devoted to the nonconforming use, provided such expansion meets all current requirements of this chapter applicable only to the expansion. The placement or installation of a solar energy system on a building or lot shall not be deemed an expansion of a nonconforming use.
- (c) Nonconforming structures.
  - (1) Nonconforming single-family dwelling. The structure may be expanded as provided within this subsection. New or expanded residential accessory structures (such as storage sheds, garages, swimming pools, etc.) may be permitted. Expansion of the dwelling, and new or expanded accessory structures, shall meet all zoning ordinance requirements, including height, yard and setbacks, for the zoning district in which located; except that extension of an existing front porch that encroaches into a front yard required by this ordinance shall be permitted to the side yard(s), so long as such extension will not result in an increase in the front yard encroachment. A single-family detached dwelling that is nonconforming because it encroaches into any required yard(s) may be expanded as long as the expansion will not result in an increase in the yard encroachment(s). However, expansions in height to existing nonconforming single-family dwellings, which do not meet current setback requirements, shall be permitted only if: (i) the dwelling is only being increased in height, and (ii) the footprint of the dwelling will remain unchanged by the proposed expansion in height. Such expansion will not required to meet more restrictive setbacks enacted since the date the dwelling became nonconforming; however, all other zoning regulations for the district in which the dwelling is located shall apply.
  - (2) Nonconforming structures, other than single-family dwellings. Where the use of a nonconforming structure is permitted by right, or with a special use or provisional use permit, in the zoning district in which the structure is located, then expansion of a nonconforming structure may be approved provided that: (i) yard, setback, screening and buffering, and height standards applicable to the proposed expansion are met; (ii) all applicable sign regulations are met, and (iii) such expansion does not exceed twenty-five (25) percent of the gross floor area of the existing structure. For any proposed expansion exceeding twenty-five (25) percent of the gross floor area of the existing structure, all development standards applicable to the property as a whole shall be met.
  - (3) The placement or installation of a solar energy system on a building or lot shall not be deemed an expansion of a nonconforming building or structure, and the area occupied by any such system shall not be included within the calculation of percentages of expansion pursuant to paragraphs (c)(2) or (e) of this section.
  - (4) Where a nonconforming structure is utilized for or in connection with a nonconforming use, then no expansion of the nonconforming structure shall be approved unless the zoning administrator certifies that:
    (i) expansion of the nonconforming structure would not result in expansion of the nonconforming use, or
    (ii) expansion of the nonconforming structure would result in expansion of the nonconforming use, but expansion of the nonconforming use would meet the requirements of section 34-1147(b), above.
  - (5) (4)Prior to the approval of any expansion of a nonconforming use or structure, nonconforming status shall be verified by the zoning administrator.
- (d) In the event of any permitted expansion of a nonconforming structure, all signs located on the property shall be brought into full compliance with current zoning ordinance requirements.
- (e) Permitted expansions for nonresidential, nonconforming uses that require special or provisional use permits are required to obtain special or provisional use permits only when such expansions exceed twenty-five (25) percent of the gross floor area of the existing structure.

## Solar Energy Systems – Zoning Text Amendment – Summary Chart

General Provisions for All Solar Energy Systems:					
Defined as:	Uses accessory to the use of the building, structure or use being served; for purposes of the city's zoning ordinance, they are not considered to be buildings or structures.  Solar Energy System means equipment used primarily for the collection and use of solar energy for water heating, space heating or cooling, or other application requiring an energy source.	Sec. 34-1200			
Shall be:	Installed in compliance with applicable provisions of the Uniform Statewide Building Code (USBC) and the Virginia Statewide Fire Prevention Code (VSFPC).	Sec. 34-1108(1)			

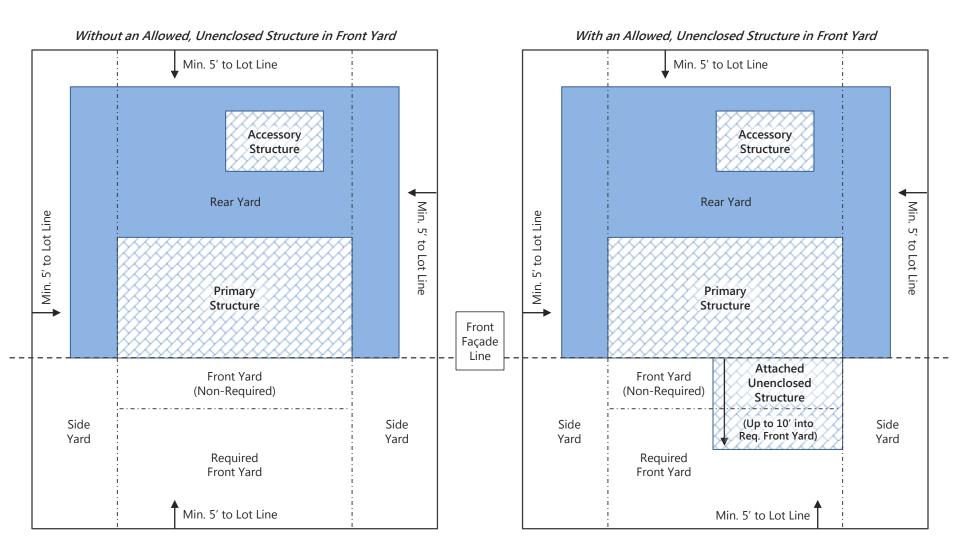
Rooftop Systems:					
	May be installed on the roof of any building or structure, whether principal or accessory	Sec. 34-1108(2)			
Height:	Single- or two-family dwellings: May extend up to five (5) feet above the highest point of the roof of the building or structure on which it is installed	Sec. 34-1108(2)	Example: Angled solar installation on single- or two-family dwellings with flat roofs		
	All other uses:  May extend up to fifteen (15) feet above the highest point of the roof of the building or structure on which it is installed		Examples: Parking garage solar canopies and rooftop canopy on commercial flat roof		
	unless otherwise required by the USBC or VSFPC for a specific use.	Sec. 34-1108(5)			
	Excluded from measuring the height of a building or structure, subject to the provisions of Sec. 34-1108	Sec. 34-1101(a)(1)			
Perimeter Setback:	9	Sec. 34-1108(1) – via reference to USBC and VSFPC			

Non-Rooftop Systems (e.g. systems that are ground-mounted or incorporated into a building or structure):					
	May be attached and incorporated as part of any building façade	Sec. 34-1108(3) * New Addition	Examples: roof tiles, window shutters, canopies		
Setbacks:	Min. 5 feet from any lot line	Sec. 34-1101(b)(6) * New Addition			
	A clear, brush-free area of 10 feet shall be required for ground-mounted photovoltaic arrays. (VSFPC 605.11.4)	Sec. 34-1108(1) – via reference to USBC and VSFPC			
Height:	Together with its support, shall not itself exceed a height of fifteen (15) feet unless otherwise required by the USBC or VSFPC for a specific use	Sec. 34-1108(5)	Examples: parking canopies, pole-mounted solar panels, outdoor seating canopies, incorporated in decks and porches		
Placement in Yards:	May encroach into required front, side, and rear yards, subject to the provisions of Sec. 34-1108	Sec. 34-1101(b)(6)  * Adjusted to reference Sec. 34- 1108 for all yard provisions			
	Required Front Yards:  May be located within a required front yard only when incorporated as part of an allowed structure per Sec. 34-1101(b)(7) and Sec. 34-1101(b)(8).	Sec. 34-1108(4) * New Addition			
	Note: Attached and unenclosed structures that are allowed in required front yards are defined in Sec. 34-1101(b)(7) and Sec. 34-1101(b)(8). No adjustments to these sections are included in this proposal.				
	Low-Density Residential Zoning Districts: Not allowed in any front or side yard between the line of the front building façade and the front lot line, unless incorporated as part of an allowed structure as defined in Sec. 34-1101(b)(7) and Sec. 34-1101(b)(8).				
	All Other Zoning Districts: Allowed between the front building façade and the required front yard.				

## **Low-Density Residential Districts**

Solar Energy Systems Allowed

Solar Energy Systems Allowed on Structures



Diagrams Show: Proposed Sec. 34-1101(b)(6) and Sec. 34-1108(4)

Existing Sec. 34-1101(b)(7) and Sec. 34-1101(b)(8)

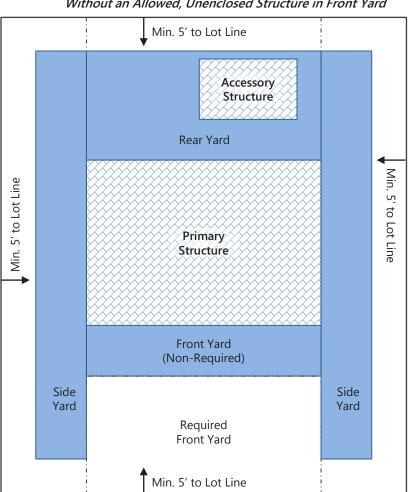
## All Zoning Districts Except Low-Density Residential

(Commercial, Mixed Use, etc. Does not include Low-Density Residential.)

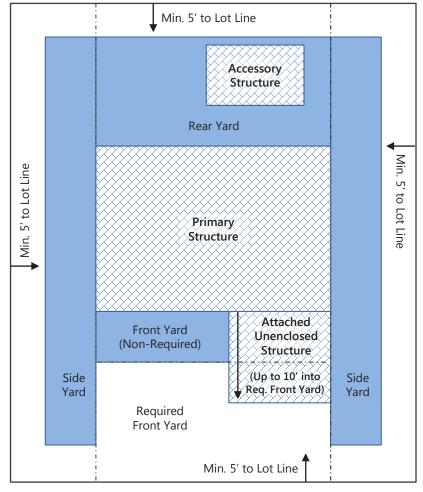
Solar Energy Systems Allowed

Solar Energy Systems Allowed on Structures

Without an Allowed, Unenclosed Structure in Front Yard



With an Allowed, Unenclosed Structure in Front Yard



Proposed Sec. 34-1101(b)(6) and Sec. 34-1108(4) Diagrams Show:

Existing Sec. 34-1101(b)(7) and Sec. 34-1101(b)(8)

### **Examples of allowable rooftop solar energy systems on accessory structures**



# Examples of allowable rooftop solar energy systems up to 5 feet in height above highest point of the roof

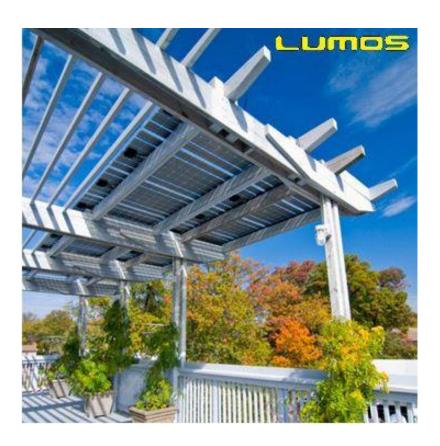






Tilted solar energy systems on sloped or flat roofs

# Examples of allowable rooftop solar energy systems up to 15 feet in height above highest point of the roof





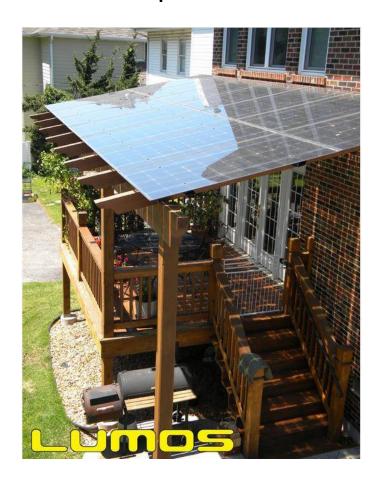
**Rooftop Canopies** 

# Examples of allowable rooftop solar energy systems up to 15 feet in height above highest point of the roof



**Parking Garage Canopies** 

### Examples of allowable solar energy systems incorporated into building facade



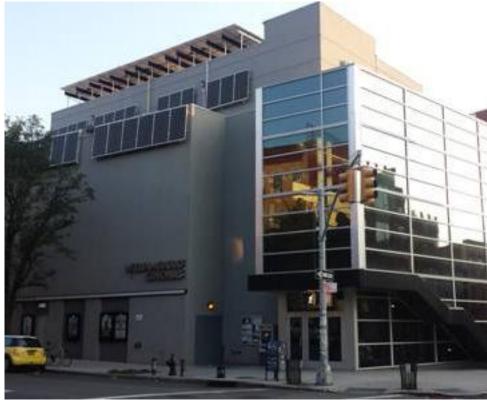


Building-integrated solar energy systems in residential districts

## Examples of allowable solar energy systems incorporated into building facade



Building-integrated solar energy systems in non-residential districts



#### Examples of allowable solar energy systems incorporated into building facade



**Building-Integrated Solar Energy Systems in non-residential districts** 

Examples of allowable solar energy systems mounted on an attached, unenclosed structure that is allowed to encroach into the required front yard



# Example of solar energy system that is <u>NOT ALLOWED</u> between building setback line and the adjacent front lot line



### Examples of allowable solar energy systems up to 15 feet in height



#### Examples of allowable solar energy systems up to 15 feet in height



ConnecTables are installed at UVA and Albemarle High School



Two pole-mounted solar energy systems are installed at Charlottesville High School

### Examples of allowable solar energy systems up to 15 feet in height



**Ground-mounted solar energy systems in non-residential districts** 





**CHARLOTTESVILLE RESIDENCE ROOFTOP SOLAR ENERGY SYSTEM** 



**CHARLOTTESVILLE RESIDENCE ROOFTOP SOLAR ENERGY SYSTEM** 



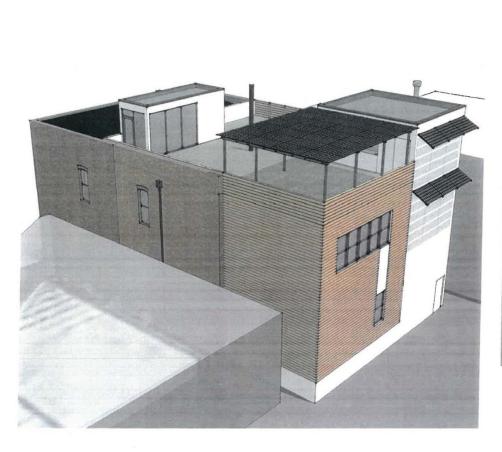
## **RESIDENTIAL GROUND-MOUNTED SOLAR ENERGY SYSTEM**



## **SOLAR CANOPY**



**CHARLOTTESVILLE MULTI-FAMILY RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM** 





WOLF ACKERMAN DESIGN

**COMMON HOUSE** 



**CHARLOTTESVILLE COMMERCIAL ROOFTOP SOLAR CANOPY – in a Historic District** 

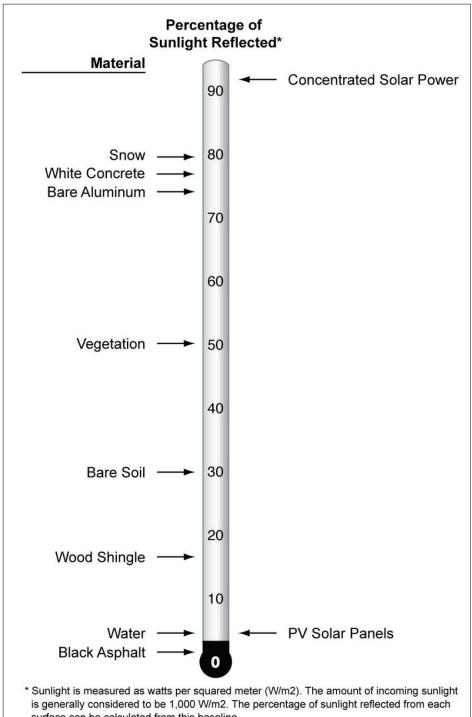


## **CHARLOTTESVILLE FACILITIES MAINTENANCE BUILDING**



### **ALBEMARLE COUNTY PARKING SOLAR CANOPY**

#### REFLECTIVITY OF PHOTOVOLTAIC SOLAR PANELS COMPARED TO OTHER BUILDING MATERIALS



surface can be calculated from this baseline.

FIGURE 11 Reflectivity scale graphic (courtesy: HMMH).

#### <u>Attachment to Council Memo regarding Solar Energy Systems ZTA – Second Reading</u> Impacts of proposed amendments on historic and design review

#### **Background:**

On May 1, 2017, City Council initiated a zoning text amendment to expressly allow solar energy systems. The City Council referred the proposed amendments to the Charlottesville Planning Commission for review and recommendations. A joint public hearing was conducted by City Council and the Planning Commission on May 9, 2017.

On June 13, 2017, the Planning Commission voted to recommend that City Council should approve the amendments to the Zoning Ordinance in order to authorize solar energy systems subject to appropriate regulations. As a condition of their approval, the Planning Commission has also recommended that, prior to a Second Reading of the proposed Ordinance, City Council should request the BAR and Entrance Corridor Review Board to weigh in as to whether any additional zoning text amendments might be necessary in order to ensure that those design review bodies will have authority, under their respective ordinance provisions, to review the compatibility of each different type of solar energy system that might have a significant impact on a major design control district, a conservation district or an entrance corridor.

#### **Discussion:**

The Entrance Corridor Review Board discussed SES at their August 8, 2017 meeting and recommended the following to City Council: that they make no revisions to the ordinance concerning the entrance corridor review process because it does not appear to be affected by the new solar ordinance, but that they give good credence to the recommendations of the BAR and they draft amendments in accordance with their concerns.

The Board of Architectural Review discussed SES at their July 18, 2017 meeting and recommended the following:

- In general, the BAR wants to encourage solar energy systems but still wants to review them as they have been doing.
- In historic conservation districts, ordinance changes are needed in order to continue to review solar panels that are visible additions to a building. They are clearly additions to the historic fabric.
- In ADC districts it is unclear whether the BAR can continue to review freestanding solar structures that are too small to require a building permit. Ordinance changes may be necessary for the BAR to continue to be able to review them.
- The BAR wanted to alert the Planning Commission that, everywhere, not only in historic districts, a 15-ft solar structure (for instance on a parking garage) could cover the entire rooftop of a building which would change the massing. They did not know if that would be an issue.
- Under Sec 34-1101 a (2) it was suggested that "in aggregate" be added to the text so it would not be interpreted that each type of item could, by itself, cover 25% of the roof.

#### **Recommendations:**

The Preservation and Design Planner recommends the following:

- 1. No zoning amendments are needed to allow continued design review of solar installations in entrance corridor districts. However, when the Entrance Corridor Guidelines are updated, they should be amended to include specific guidelines that address solar installations.
- 2. The Board of Architectural Review wants to encourage solar energy systems but still wants to review them. Within historic conservation districts, because rooftop solar panel installations cannot be considered "additions," the historic conservation district ordinance should be amended to specifically allow review when solar panels are proposed on a roof visible from the frontage street.
- 3. The current ordinance language regarding what requires review in ADC districts is fairly inclusive. The only type of solar installation that may not be addressed is a solar panel placed on the ground without any structure. It is recommended that the ADC ordinance be amended to include review of these installations.
- 4. Under Sec 34-1101 a (2) "in aggregate" should be added to the text so it would not be interpreted that each type of item could, by itself, cover 25% of the roof.



## CITY OF CHARLOTTESVILLE, VIRGINIA CITY COUNCIL AGENDA



**Agenda Date**: October 2, 2017

**Action Required**: Approval of Resolution

**Presenter**: Stacy Pethia, Housing Program Coordinator

**Staff Contacts**: Stacy Pethia, Housing Program Coordinator

Title: Dogwood Housing Loan Extension

#### **Background:**

By resolution approved September 7, 2007, the Charlottesville City Council approved a loan of \$850,000 to Piedmont Housing Alliance (PHA) to assist Woodard Properties LLC in the purchase of fifty-seven (57) residential rental units, commonly known as Dogwood Housing. The terms of the loan were zero interest for five years, with the original principal amount of the note due and payable if any of the units were sold, transferred, devised or otherwise disposed of during the five year period (based on a formula tied to the assessed value of each property) or by October 31, 2012. On August 20, 2012, City Council approved extension of the loan, through October 31, 2017. The terms of the loan remained the same, and the note continued to be secured by a recorded second lien Deed of Trust executed between Dogwood Properties of Charlottesville, LLC and PHA.

Keith Woodard, on behalf of Dogwood Properties of Charlottesville, LLC, is requesting the City extend the loan for another five (5) years at zero interest.

#### **Discussion:**

Since the 2007 purchase of the fifty-seven (57) residential units comprising Dogwood Properties, and in accordance with the intent of the original \$850,000 loan to Woodard Properties LLC, Dogwood Properties of Charlottesville LLC has offered the above referenced units as affordable housing. On June 30, 2017, at the request of Dogwood Properties, staff met with Keith Woodard and Amanda Hester (property manager for Dogwood) to discuss the City's potential interest in extending the loan agreement for an additional five (5) year period, as well as a number of Dogwood Properties staff concerns related to the current loan terms. Specifically, they requested City staff work with them to streamline many of the processes associated with the loan terms.

The promissory note (dated October 31, 2007) associated with the original loan outlined conditions related to the definition of affordable housing to be applied to the Dogwood Properties rental units, the rents to be charged to each household leasing units from Dogwood Properties, and the maximum amount monthly rents could be increased each year. These conditions are as follows:

Borrower covenants and agrees that the properties listed on Exhibit A shall, during the term of this Note or any extension thereof, be leased as affordable rental housing. As used herein, the term "leased as affordable rental housing" shall mean (i) leased to families with a household income no greater than eighty percent (80%) of the Charlottesville area median household income; and (ii) that the amount of rent charged to each household, or the amount of rent paid by each household that is the beneficiary of a rent subsidy, shall not increase by more than five percent (5%) of per annum.

With the August 20, 2012 extension of the loan, the terms of the promissory note were amended to more clearly define the amount of rent to be charged each household as:

(ii) that for families receiving Tenant Based Rental Assistance (TBRA) through Housing Choice vouchers or other programs, that the rent charged be based on the fair market rent values as established through the TBRA administrator; and (iii) that the amount of rent paid by all other tenant families be limited to no more than 30% of their gross annual income and that the rental rate charged for each unit, shall not increase by more than five percent (5%) per annum, up to an amount equal to 30% of the tenant's gross income.

The terms of the promissory note were further amended, via City Council resolution dated November 2, 2015. These changes were initiated at the request of Dogwood Properties and developed in partnership with City staff. The new terms further define the rent amounts to be charge each tenant household:

- 2. That for families not receiving tenant based renal assistance through Housing Choice vouchers or other programs where the rent is set by other program regulations: (i) that for households with incomes at 50% AMI or less the rent charged shall comply with HUD Low HOME rent limits, as revised from time to time; and (ii) that for households with incomes greater than 50% AMI but less than 80% AMI, the rent charged shall comply with HUD High HOME rent limits, as revised from time to time; and
- 3. That for families receiving tenant based rental assistance through Housing Choice vouchers or other programs that the rent charged be based on the fair market rent values as established through the rental assistance provider and relevant program regulations.

The 2015 amendments also included a two-year grace period for tenants who become income-ineligible while leasing an affordable rental housing unit from Dogwood Properties. Additionally, Dogwood Properties has also agreed to a number of additional terms. These include: 1) allowing the City to inspect individual rental units associated with Dogwood Properties to ensure they meet the Department of Housing and Urban Development's (HUD) Housing Quality Standards, and 2) submitting a report, by December 31<sup>st</sup> of each year, providing the following information for each rental unit in Dogwood Properties:

Unit Address

- Number of Bedrooms
- Current Rent
- Occupant Household Size
- Occupant Household Income
- Change of occupancy with date of change (if applicable)
- Rent at end of previous occupancy (if applicable)
- Rent at beginning of new occupancy (if applicable)
- Household size of new occupant (if applicable)
- Household income of new occupant (if applicable)
- Percent of Current Household Income to Rent Amount

After reviewing the current loan terms and additional conditions, staff agrees with the need to not only streamline the processes associated with the loan terms, but to clarify some of the terms themselves. To that end, should City Council decide to approve an extension of the Dogwood loan, staff recommends amending the loan terms to include the following:

#### 1. Qualifying Households

• Dogwood Properties will continue to lease units to households earning no more than 80% of Area Median Income (AMI).

#### 2. Tenant Portion of Rent

The standard measure of housing affordability is housing that costs no more than 30% of a household's gross annual income. For household's receiving rental assistance through the federal Housing Choice Voucher (HCV) program or other rental assistance program, this level of affordability is protected through program regulations. Dogwood Properties agreed to apply, and has been applying, this housing affordability standard to all Dogwood Property tenant households throughout their tenancy. Strict adherence to this policy often results in tenants, experiencing slight (up to 5%) increases in their rentto-income ratio, being forced to move from their Dogwood home. To help ensure lower-income families are able to enjoy housing stability, staff recommends increasing the allowable tenant share of rent (for non-rent assisted households) be raised from 30% of gross household income to 35% of gross household income. A precedent for this rent-to-income ratio increase can be found in HUD authorized changes to HCV program regulations through the Moving to Work (MTW) demonstration program. Under this program, MTW designated housing authorities are to (with HUD approval) waive HCV and Public Housing program regulations to meet local needs. Of the 38 housing authorities with MTW status, 19 have been approved to waive the 30% of household income cap on program participant households' share of rent in an effort to increase housing choice among program participating households. Staff recommends the following tenant rent-share terms be included in the new loan terms, if the loan renewal is approved:

• Dogwood Properties will ensure tenants pay no more than 30% of their household income at time of initial lease-up.

• Allow all non-rent assisted tenants with household incomes between 50% - 80% of AMI to pay up to 35% of their income towards their rent.

#### 3. Annual Rent Increases

• This shall remain at no more than 5% per annum.

#### 4. Income Certifications

- Dogwood Properties will verify household income for all new tenants to ensure they meet the income qualifications for housing, and that the appropriate rent limit is used.
- After the initial income qualification is established, Dogwood Properties will recertify all non-rent assisted tenants' household incomes at least once every 24 months.
- For all tenants receiving assistance through the Housing Choice Voucher program or another rental assistance program, Dogwood Properties will provide the City with copies of each household's annual recertification letter.

Again, the HUD approved changes to the HCV program by MTW housing authorities provides precedent for biennial income certifications. MTW housing authorities implementing biennial recertifications do so for two primary reasons. The first is to decrease program administrative burdens. More importantly, the change to biennial recertifications acts as a means to encourage employment among program participating households by ensuring a household's share of their monthly rent does not immediately increase with modest increases in wages. These same reasons apply to the proposed changes in loan terms outlined above.

#### 5. Over-Income Households

• Continue to provide a 2-year grace period for over-income households.

#### 6. Inspections

• Dogwood Properties will allow the City to conduct annual inspections of all rental units not inspected annually under the Housing Choice Voucher program, or another rental assistance program.

#### 7. Reporting

- Dogwood Properties will continue to submit a report by December 31<sup>st</sup> of each year.
- The report will include all of the information currently provided (as outlined above) with the addition of one data point:
  - o Amount of rental assistance received (if applicable)

Since the purchase of Dogwood Housing in 2007, Dogwood Properties has continued to provide a valuable source of affordable rental housing options to the Charlottesville community. Staff believes that, with the agreed upon changes discussed above, Dogwood Housing will continue to benefit our lower-income neighbors into the future. As such, staff recommends renewing the 2007 loan – with the amended loan terms – for an additional five years.

#### **Community Engagement:**

There has been no public process regarding this loan.

#### Alignment with City Council's Vision and Priority Areas:

This item aligns directly with Council's vision to provide Quality Housing Opportunities for All.

#### **Budgetary Impact:**

This item could have an impact on the CAHF in that denial of the requested loan extension would result in repayment of \$850,000 in affordable housing funds.

#### **Recommendation:**

Staff recommends the loan be renewed for an additional 5 year period with the above referenced loan terms.

#### **Alternatives:**

N/A

#### **Attachments:**

Resolution Dogwood Rental Spreadsheet

# RESOLUTION APPROVING EXTENSION OF LOAN AGREEMENT OF DOGWOOD PROPERTIES, LLC LOAN AGREEMENT

**WHEREAS**, on February 1, 2013, the City of Charlottesville approved issuance of an \$850,000 loan to Dogwood Properties of Charlottesville, LLC ("Recipient") to assist with the purchase of 57 rental units to serve as affordable housing; and

WHEREAS, the Recipient has requested a five (5) year extension to the Loan Agreement; and

**WHEREAS**, the Recipient has requested they be allowed to modify some of the terms of the Loan Agreement;

**NOW, THEREFORE,** City and Recipient agree to amend the Agreement, as follows:

- 1. All non-rent assisted tenants with household incomes between 50% 80% of AMI shall be allowed to pay up to 35% of their household income towards their rent without risk of losing their housing.
- 2. After the initial household income qualification is established, Recipient will recertify all non-rent assisted tenants' household incomes at least once every 24 months.
- 3. For all tenants receiving assistance through the Housing Choice Voucher program or another rental assistance program, Recipient will provide the City with copies of each household's annual recertification letter.
- 4. Recipient shall add the following data point to the report submitted to the City each December:
  - Amount of rental assistance received (if applicable)
- 5. Extend term of the Loan Agreement to October 31, 2022.

All provisions of the Loan Agreement not specifically amended by this Amendment shall remain in full force and effect.

**IN WITNESS WHEREOF**, the parties hereto have executed this Amendment as of the day and year written above.

#### Dogwood Housing - Household Information as of Dec. 2016

Address	# of Bedrooms	Total 2016 Rent	December 2016 Rent	December 2015 Rent	% Change in Rent	# in Household	2016 Income	Income when qualified	Housing Assistance? (Y/N)	Percent of Income to Rent 2016	Percent of Income when Qualified	Change in Occupancy	Additional Info
353 10th St. Cottage	Studio	\$8,208	\$699	\$679	2.95%	2	\$9,036	\$0	Y	90.84%	#DIV/0!		IRC Refugees*
353 10th St., Apt. A	2	\$4,145	\$829	\$789	New Tenant	4	\$0	\$0	Y	#DIV/0!		8/1/16	IRC Refugees
353 10th St., Apt. B	2	\$5,193	\$799	\$770	New Tenant	3	\$0	\$0	Y	#DIV/0!		6/16/16	IRC Refugees
353 10th St., Apt. C	2	\$5,439	\$799	\$799	New Tenant	2	\$30,000	\$30,000	N	18.13%		5/7/16	
353 10th St., Apt. D	2	\$9,588	\$799	\$799	0.00%	1	\$34,907	\$34,841	N	27.47%	27.52%		
406 12th St., Apt. A	3	\$10,068	\$839	\$839	0.00%	7	\$22,200	0	Υ	45.35%	#DIV/0!		IRC Refugees
406 12th St., Apt. B	3	\$9,988	\$839	\$829	1.21%	1	\$11,244	N/A	Υ	88.83%			Orig. DW Res./CRHA
406 12th St., Apt. C	3	\$4,670	\$839	\$829	New Tenant	6	\$550	N/A	Υ	849.09%		7/5/16	IRC refugees
406 12th St., Apt. D	3	\$5,034	\$839	\$829	New Tenant	3	\$40,040	\$40,040	Υ	12.57%	25.14%	7/1/16	
1110 Gordon, Apt. A	3	\$10,008	\$839	\$829	1.21%	1	\$32,100	N/A	N	31.18%			Original Dogwood resider
1110 Gordon, Apt. B	3	\$5,705	\$839	\$825	New Tenant	5	\$1,300	N/A	Υ	438.85%		6/7/16	IRC refugees
1110 Gordon, Apt. C	3	\$9,960	\$830	\$825	0.61%	7	\$46,200	N/A	Υ	21.56%			IRC refugees
1110 Gordon, Apt. D	3	\$3,882	\$839	\$839	New Tenant	2	\$40,000	N/A		9.71%		8/8/16	
1112 Gordon, Apt. A	3	\$2,378	\$849	\$839	New Tenant	5	\$2,500	0	Υ	95.12%	#DIV/0!	10/7/16	IRC refugees
1112 Gordon, Apt. B	3	\$8,732	\$839	\$829	New Tenant	3	\$33,720	\$34,989	Υ	25.90%		2/14/16	
1112 Gordon, Apt. C	3	\$8,733	\$839	\$829	New Tenant	2	\$18,460	\$18,460	Y	47.31%		2/2/16	Alb. County Housing
1112 Gordon, Apt. D	3	\$10,068	\$839	\$839	0.00%	5	\$49,000	N/A	Y	20.55%			IRC refugees
517 Ridge, Apt. A	1	\$7,875	\$675	\$650	3.85%	1	\$14,040	0	Y	56.09%			Alb. County Housing
517 Ridge, Apt. B	1	\$566	\$649	\$649	0.00%	2	\$30,596	\$30,596	N	1.85%	25.45%	12/7/16	
517 Ridge, Apt. C	1	\$8,388	\$699	\$699	0.00%	1	\$26,960	\$26,000	N	31.11%			
517 Ridge, Apt. D	1	\$8,080	\$675	\$665	1.50%	1	\$10,036	N/A	Y	80.51%			Orig. DW Res./Region Te
517 Ridge, Apt. E	1	\$4,614	\$699	\$675	New Tenant	1	\$32,000	\$32,000	Υ	14.42%	26.21%	6/13/16	
517 Ridge, Apt. F	1	\$630	\$699	\$650	New Tenant	1	\$33,700	\$33,700	N	1.87%	24.89%	12/5/16	
517 Ridge, Apt. G	1	\$7,810	\$699	\$689	New Tenant	1	\$35,750	\$35,750	Y	21.85%		1/25/16	
517 Ridge, Apt. H	1	\$4,777	\$699	\$660	New Tenant	1	\$35,000	\$35,000	N	13.65%		6/6/16	
517 Ridge, Apt. I	1	\$8,218	\$689	\$679	1.47%	1	\$9,000	\$0	Y	91.31%			Region Ten
711 Ridge, Apt. A	3	\$10,249	\$899	\$899	New Tenant	7	\$43,900	0		23.35%		1/20/16	IRC refugees
711 Ridge, Apt. B	3	\$6,323	\$899	\$885	New Tenant	6		\$0	Y	#DIV/0!		5/31/16	IRC refugees
711 Ridge, Apt. C	2	\$7,281	\$615	\$615	New Tenant	2	\$32,490	\$0	Y	22.41%	#DIV/0!	1/6/16	IRC refugees
618 Dice Street	3	\$10,780	\$915	\$875	4.57%	4	\$16,539	\$12,996	Y	65.18%			PHA
618 1/2 Dice Street	1	\$7,540	\$650	\$640	New Tenant	1	\$30,000	\$30,000	Y	25.13%		1/14/16	
302 10 1/2 Street	2	\$9,698	\$810	\$799	1.38%	1	\$9,036	\$0	Υ	107.33%	#DIV/0!		CRHA
304 10 1/2 Street	2	\$9,840	\$850	\$820	3.66%	2	\$14,484		Y	67.94%	#DIV/0!		CRHA
1005 Page Street	1	\$7,920	\$670	\$650	3.08%	1	\$11,100	N/A	Y	71.35%	,		Orig. DW Res./CRHA
1007 Page Street	1	\$8,880	\$760	\$730	4.11%	1	\$9,036	N/A	Y	98.27%			Region Ten
1009 Page Street	1	\$6,780	\$575	\$560	2.68%	1	\$26,000	N/A	N	26.08%			Original Dogwood resider
1019 Page Street	2	\$8,790	\$740	\$725	2.07%	1	\$9,036	N/A	Y	97.28%			Orig. DW Res./CRHA
1114 Gordon, Apt. A	2	\$2,218	\$899	\$840	New Tenant	4	\$720	N/A	Y	308.06%		10/18/16	IRC refugees
1114 Gordon, Apt. A	3	\$10,725	\$900	\$885	1.69%	4	\$37,950	\$32,240	N	28.26%		10/10/10	inc rerugees
361 10th St., Apt. A	2	\$10,725	\$850	\$825	3.03%	2	\$37,950	\$32,240 N/A	Y	#DIV/0!		+	Orig. DW Res./CRHA
361 10th St., Apt. A	2	\$10,000	\$850	\$825	New Tenant	1	\$0 \$41,477	IN/A	N N	#DIV/U! 12.06%	#DIV/0!	7/15/16	Orig. DW Res./CRHA
						_	\$41,477	NI / A			#טוע/ט!	//15/10	Original Danis and 11
414 10th St, Apt. A	3	\$9,780	\$815	\$815	0.00%	6	ćo	N/A	N	#DIV/0!			Original Dogwood resider
414 10th St, Apt. B	3	\$10,200	\$850	\$850	0.00%	2	\$0	\$0	Y	#DIV/0!		40/4/55	Alb. County Housing
601 11th St, Apt. A	2	\$2,432	\$829	\$820	New Tenant	4	\$0	N/A	Υ	#DIV/0!		10/4/16	IRC Refugees
601 11th St, Apt. B	2	\$3,316	\$829	\$800	New Tenant	2	\$15,400	ļ.,	N	21.53%		9/1/16	Alb. County Housing
313 4th Street	2	\$9,948	\$829	\$829	0.00%	3	\$43,000	\$37,080	N	23.13%	26.83%		
315 4th Street	2	\$4,123	\$859	\$829	3.62%	2	\$40,335	\$40,335	N	10.22%	25.56%	8/8/16	
629 Booker, Apt. A	2	\$10,325	\$875	\$850	2.94%	1	\$9,036	\$9,339	Υ	114.27%		1	CRHA

	# of	Total 2016	December	December	% Change in	# in	2016	Income when	Housing Assistance?	Percent of	Income when	Change in	
Address	Bedrooms	Rent		2015 Rent		Household	Income	qualified	(Y/N)	Rent 2016	Qualified	Occupancy	Additional Info
629 Booker, Apt. B	2	\$9,796	\$850	\$799	6.38%	4	\$16,640	\$13,843	Υ	58.87%	73.68%		VHDA
721 Nalle, Apt. A	3	\$10,943	\$930	\$899	3.45%	6	\$31,200	N/A	Υ	35.07%			IRC Refugees
721 Nalle, Apt. B	3	\$10,993	\$940	\$899	4.56%	2	\$36,168	\$40,216	N	30.39%	28.05%		
306 7 1/2 St., Apt. A	3	\$3,397	\$999	\$915	New Tenant	7	\$4,080	N/A	Υ	83.26%	9/19/2016		IRC Refugees
306 7 1/2 St., Apt. B	2	\$9,979	\$860	\$829	3.74%	1	\$43,000	\$41,000	N	23.21%			
332 7 1/2 St., Apt. A	3	\$1,457	\$930	\$899	New Tenant	2	\$40,000	\$40,000	N	3.64%	27.90%	11/14/16	
332 7 1/2 St., Apt. B	2	\$5,802	\$849	\$799	New Tenant	3	\$38,000	\$38,000	N	15.27%	26.81%	6/6/16	
801 Harris, Apt. A	2	\$4,591	\$799	\$785	New Tenant	1	\$8,000	\$8,000	N	57.39%	119.85%	7/7/16	Region Ten
801 Harris, Apt. B	2	\$9,468	\$789	\$789	0.00%	1	\$32,000	\$31,930	N	29.59%	29.65%		
407 Ridge, Apt. A	3	\$10,800	\$900	\$900	0.00%	3	\$34,000	\$27,000	Υ	31.76%	40.00%		CRHA
407 Ridge, Apt. B	2	\$10,480	\$890	\$850	4.71%	2	\$12,000	N/A	Y	87.33%			IRC refugees - college scholarships

#### CITY OF CHARLOTTESVILLE, VIRGINIA. CITY COUNCIL AGENDA



**Agenda Date**: October 2, 2017

**Action Required**: Resolution

**Staff Contacts**: Stacy Pethia, Housing Program Coordinator

**Presenter**: Stacy Pethia, Housing Program Coordinator

Title: Implementation Plan for the Charlottesville Supplemental

Rental Assistance Program (CSRAP) -- \$900,000

#### **Background:**

On June 19, 2017, City Council approved the Housing Advisory Committee's recommendation for the creation of a supplemental rental assistance program for the City of Charlottesville. At that time, Council members instructed City staff to develop an implementation strategy for the program; that strategy is presented below.

#### **Discussion:**

The Charlottesville Supplemental Rental Assistance Program, or CSRAP, will provide monthly tenant-based rental assistance for Extremely Low-Income households, defined as those households earning 30% or less of Area Median Income as determined by the US Department of Housing and Urban Development annually. The program will be managed by the Charlottesville Redevelopment and Housing Authority in accordance with the Federal Housing Choice Voucher Program (HCVP) rules and regulations, as well as with the City of Charlottesville's Housing Policy 1. Please refer to the Electronic Code of Federal Regulations website for current Housing Choice Voucher Program regulations:

https://www.ecfr.gov/cgi-bin/text-idx?SID=de72eabaef1db2d5df2946063f2206df&mc=true&tpl=/ecfrbrowse/Title24/24cfr982\_ma in 02.tpl

Subparts E-L are most relevant to the CSRAP including program regulations related to household eligibility (Subpart E), leasing a unit (Subpart G), Housing Quality Inspections (Subpart I), and rental assistance payments (Subpart K). The City's Housing Policy 1, which provides reporting guidance for recipients of Charlottesville Affordable Housing Funds grants, is attached.

CSRAP assistance will be issued according to the following priorities:

- 1. Ten (10) CSRAP rental assistance vouchers will be issued to households experiencing homelessness;
- 2. Twenty (20) CSRAP rental assistance vouchers will be issued to households enrolled in a local self-sufficiency program; AND
- 3. The remaining CSRAP rental assistance vouchers shall be issued to HCVP eligible household w Charlottesville Supplemental Rental Assistance Program (CSRAP) who are i) on the CRHA's HCVP waiting list at the time of the CSRAP voucher issuance, and who also live or work in the City of Charlottesville.

To help ensure housing stability for households on the CRHA's HCVP waiting list who accept CSRAP vouchers, those families will remain on the HCVP waiting list and retain their ranking on that list. If one of these households are selected for the HCVP program, they will be given the opportunity to replace their CSRAP subsidy with a Housing Choice Voucher.

The program varies from the Federal HCVP in the following ways:

- 1. CSRAP vouchers will not be eligible for portability outside of the City of Charlottesville without approval from the CRHA. Should approval be granted for a household to use their CSRAP voucher assistance outside of the City, the assistance must be used to rent housing only within Albemarle County. This allowance will assist households, having trouble locating affordable rental units that meet HUD Housing Quality Standards, utilize their rental assistance voucher.
- 2. CSRAP participating households will not experience an increase in their portion of the monthly rent (set at 30% of household income) more than once every two years.
- 3. The CRHA shall reexamine household income and family composition of the CSRAP participating household at least once every 24 months.

In terms of program administration, the following rules apply:

1. The CSRAP will be funded through annual appropriations from the Charlottesville Affordable Housing Fund in the amount of \$900,000 or an amount determined to be sufficient for program continuation. To help determine the annual funding amount, the CRHA will submit an annual estimate of the amount of money needed during the upcoming fiscal year, based on the rental assistance payments of households enrolled in the program at that time and an estimate of any rent increases for those households, as well as estimates of the cost of desired expansion of the program, to the City's Housing Program Coordinator.

2. As households are enrolled in the program, the City's Housing Program Coordinator will encumber CAHF funds in an amount equal to 24 months of rental assistance payments plus a ten percent (10%) contingency fee to cover the cost of any increases in the amount of CSRAP rental assistance. Funds will be transferred to the CRHA on a quarterly basis.

To ensure CSRAP funds are serving target populations, and the program is structured to operate efficiently, the Housing Program Coordinator will evaluate the program annually, based on household statistics submitted by the CRHA on a quarterly basis. Results of these analyses will be used to create an annual report to City Council providing program updates, as well as determine the extent to which the CSRAP is meeting program goals.

#### **Community Engagement:**

- Housing Advisory Committee approved recommendation of CSRAP to City Council March 15, 2017
- HAC Policy Subcommittee proposed creation of CSRAP March 2, 2017

#### Alignment with City Council Vision and Strategic Plan:

This program aligns directly with Strategic Plan Goal 1.3: Increase affordable housing options.

#### **Budgetary Impact:**

Tis program will use funds previously appropriated to the Charlottesville Affordable Housing Fund (CAHF). The program, if approved at the recommended funding level, would decrease the funds available in the CAHF by \$900,000.

#### **Recommendation**

Staff recommends City Council approve the attached Charlottesville Supplemental Rental Assistance Program (CSRAP) Grant Agreement at the requested level of program funding.

#### **Alternatives:**

City Council could choose to approve the CSRAP at a different level of program funding. Or, Council could choose to not fund the program at all, which may impact the City's ability to increase the number of supported affordable housing units within the City of Charlottesville.

#### **Attachments**:

Resolution

Charlottesville Supplemental Rental Assistance Program Grant Agreement Housing Policy 1

#### **RESOLUTION**

Allocation of Charlottesville Affordable Housing Fund (CAHF) for the Charlottesville Supplemental Rental Assistance Program (CSRAP) -- \$900,000

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville, Virginia that the sum of \$900,000 be allocated from previously appropriated funds in the Charlottesville Affordable Housing Fund (CAHF) to the Charlottesville Supplemental Rental Assistance Program (CSRAP).

Fund: 426 Project: CP-084 G/L Account: 530670

Charlottesville Supplemental Rental Assistance Program (CSRAP) \$900,000

# GRANT AGREEMENT Charlottesville Supplemental Rental Assistance Program (CSRAP)

#### I. PURPOSE OF THE PROGRAM

- A. The City of Charlottesville has authorized the transfer of up to \$900,000.00 from Charlottesville Affordable Housing Fund (CAHF) to the Charlottesville Redevelopment and Housing Authority (CRHA) for use within the Fiscal Year ending June 30, 2018, upon the following conditions: (i) the funding shall be used exclusively by CRHA to provide vouchers to individuals who are part of Extremely Low-Income Households, defined as those households earning 30% or less of Area Median Income as determined by the US Department of Housing and Urban Development annually within the City of Charlottesville, including, but not limited to, those who are homeless, elderly and/or disabled individuals, or those enrolled in a self-sufficiency program; and (ii) the administration of this funding by CRHA shall be in accordance with the terms of this document, and shall be referred to as the "Charlottesville Supplemental Rental Assistance Program" ("CSRAP").
- B. The City is authorized by Va. Code §36-7 to provide money to a housing authority, to enable or assist the authority to carry out its purposes.

#### II. PROGRAM FUNDING

The CSRAP shall be funded through the Charlottesville Affordable Housing Fund (CAHF).

#### III. ADMINISTRATION

Unless provided otherwise in this program outline, the CRHA shall administer the CSRAP in accordance with federal Housing Choice Voucher Program (HCVP) rules and regulations, as amended, and the City of Charlottesville's Housing Policy 1, as amended.

For purposes of administration of the CSRAP, the term "household" shall mean and include any one (1) or more individual(s) who comprise a single housekeeping unit.

#### IV. ADMISSIONS/PREFERENCES AND THE WAITING LIST

A. Eligible Households shall be selected and admitted from the CRHA's existing HCVP waiting list in accordance with the HCVP rules and regulations established by the CRHA for selection and admission for tenant-based housing assistance through the CSRAP unless specified otherwise in this outline. Only Extremely Low Income Households shall be issued CSRAP vouchers. A Household can apply to participate in the CSRAP Program if individual(s) within the Household live or work within the City of Charlottesville at the time of the application; however, CSRAP vouchers shall be issued only to subsidize

rental payments owed by a Household for rental of a dwelling located within the City of Charlottesville, except as per the provision in Section V.B.iii.

- B. The CRA shall issue the CSRAP vouchers according to the following priorities:
  - (i) Ten (10) CSRAP rental assistance vouchers will be issued to Households who are homeless.
  - (ii) Twenty (20) CSRAP rental assistance vouchers will be issued to Households enrolled in a local self-sufficiency program.
  - (iii) The remainder of the CSRAP funded vouchers (i.e., those not issued in accordance with Sections IV.B(i) or IV.B(ii), above) shall be issued to HCVP eligible households, if the individual(s) within those Households live or work in the City of Charlottesville, and if the Household(s) is or are on the CRHA's HCVP waiting list at the time of the issuance of a CSRAP voucher.
- C. Households on the CRHA's HCVP waiting list who accept CSRAP voucher(s) shall remain on the HCVP waiting list, and shall retain their ranking on that list. If an individual or household on the HCVP waiting list is selected by CRHA for the HCVP program, CRHA shall offer that Household the opportunity to replace any CSRAP subsidy being received with an HCV.

#### V. TENANT-BASED HOUSING ASSISTANCE

- A. CSRAP vouchers shall be administered as tenant-based housing assistance, in accordance with the CRHA's HCVP rules and regulations (except as otherwise specifically provided in this grant agreement).
- B. Notwithstanding any CRHA HCVP rule or regulation to the contrary, (see Section V.A, above), the following rules apply specifically to the CSRAP:
  - (i) Vouchers shall not be eligible for portability as such term is defined and utilized in 24 C.F.R. §§ 982.351 and 982.353, as amended.
  - (ii) Households receiving a CSRAP voucher shall have 90 days to locate, and lease, a rental housing unit within the City of Charlottesville.
  - (iii) Should a Household be unable to locate a rental unit that it can afford (based on the 30% required contribution referenced in subparagraph (iv), following below) within the City of Charlottesville within the initial 90-day CSRAP voucher term, the CRHA may grant one 90-day extension, or may allow recipient household to search for rental housing within Albemarle County.
  - (iv) Household receiving a CSRAP voucher shall be required to contribute 30% of the monthly adjusted gross income of that Household toward rent each month. The Household's required rent contribution shall be determined at the time the

Household is accepted into the CSRAP, and thereafter shall not be increased more than once every 24 months; regardless of whether or not the rent contribution is increased during any 24 month period, CRHA shall continue to verify and keep records as to the Household income, report income to the City, and comply with the requirements within this Grant Agreement.

- (v) CSRAP vouchers shall be provided monthly. The monthly housing assistance payment shall be equal to the applicable HCVP payment standard for bedroom size for the Charlottesville area, as established annually by the Virginia Housing and Development Authority, minus the tenant's portion of the rent.
- (vi) The CRHA shall reexamine the income and family composition of each Household receiving CSRAP vouchers, at least once every 24 months. Any Household that experiences a decrease in income may request a reexamination and adjustment of the requirement for 30% monthly income participation (see subparagraph (iv), above) at any time.

#### VI. CONTINUING ELIGIBILITY FOR CSRAP FUNDING

- A. Subject to availability of CSRAP funds and the terms of this Grant Agreement, CSRAP vouchers may be issued to a Household so long as the Household is in compliance with the CSRAP Program Rules and the CRHA's HCVP rules and regulations (as amended).
- B. CSRAP-assisted Households shall be entitled to the Informal Hearing Procedures for Applicants and Participants of the Housing Choice Voucher and Moderate Rehabilitation Programs as defined by 24 CFR §982.54(d)(12) and (13) as amended, as administered by the CRHA.

#### VII. PROGRAM FUNDING

- A. The City's Housing Program Coordinator has verified that funding is available and has been appropriated by City Council to the CAHF to support the CSRAP through June 30, 2018. CSRAP may continue so long as funding from the CAHF is available and has been appropriated by City Council in amounts sufficient to support continuation of the CSRAP in subsequent fiscal year(s).
- B. Each year, in accordance with a schedule established by the City's Budget Director, CRHA shall prepare and submit to the City an estimate of the amount of money needed during the ensuing fiscal year for the CSRAP, based on the Households then participating in the CSRAP at that time, and based on CRHA's estimate of any rent increases for those participating Households, and (at CRHA's option) CRHA's estimates of the cost of any desired expansion of the CSRAP to additional participants during the ensuing fiscal year.
- C. Upon determining that a Household is eligible to participate in the CSRA Program, CRHA shall prepare an Invoice in an amount necessary to provide funding for rental payments sufficient to provide rental Assistance for that Household through the end of the then-current calendar year quarter. CRHA shall transmit the Invoice to the City's

Housing Program Coordinator. Each initial Invoice shall be accompanied by the following (and the City shall not release any funds to CRHA pursuant to the Invoice, unless and until all of the required information has been received by the City):

- (i) A copy of the Household's voucher, lease approval form, rent portions notice, rental unit information (including address and monthly rent), unit inspection report, and Household information (including income, size, composition), and
- (ii) a copy of an invoice or other statement of rent from the Household's landlord, identifying the monthly rental amount for that Household, at time of initial lease-up.

Upon determining that the Invoice is accurate and that all required information has been received, the City's Housing Program Coordinator shall (i) initiate a transfer of CAHF Funding to CRHA in the amount requested by the Invoice, and (ii) shall encumber CAHF funds in an amount sufficient to provide monthly rental assistance to that Household, plus a ten percent (10%) contingency fee to cover any increases in the rental assistance amount, through the end of a twenty-four (24) month period from the date the Invoice is received. Except the specific amounts disbursed per the Invoice, subsequent funds for that Household shall be disbursed to CRHA in accordance with paragraph (D), following below.

Invoices for new Housesholds as outlined in Paragraph C above will be paid to CRHA within 30 day of receipt of invoice and required documentation.

- (D) 30 days prior to the end of each calendar year quarter (specifically: on November 30, February 28, May 31, and August 31 each calendar year), the CRHA will submit to the City of Charlottesville, an itemized Quarterly Invoice, listing each recipient Household participating in the CSRA Program as of the date of such Invoice, and specifying the amount of monthly rent required for each Household (both household rent portion and rental assistance amount) for the calendar year quarter next succeeding the date of the Quarterly Invoice. Each such Quarterly Invoice shall add up each of the amounts required for the CSRA Program for the upcoming quarter, and shall give a total amount necessary to satisfy the Program commitments for that upcoming calendar year quarter.
- (E) Each itemized Quarterly Invoice referenced in Paragraph (D), above, shall be accompanied by the following information (in addition to the information required by paragraph (D), above) and this information shall be presented in the form of a Quarterly Report in an Excel Spreadsheet or other format mutually acceptable to both CRHA and the City's Housing Program Coordinator. Each Quarterly Report shall providing program and household statistics, including but not necessarily limited to:
  - Date voucher issued
  - Date voucher extended (if applicable)
  - Date unit leased
  - Name (head of household)
  - Unit Address

- Total Monthly Rent
- Amount of Monthly Rental Assistance Provided
- Household Income
  - %AMI
- Employment Status
- Number of Wage Earners
- Household Composition
  - Number of Adults
  - Number of Children
  - Number of Children Under 5-years
  - Number of Elderly (65 years+)
  - Number of Disabled
  - Race/Ethnicity

OFFERED BY: City of Charlottesville

No funds will be released pursuant to any new Purchase Order received from CRHA, unless and until all required Quarterly Reports have been received.

Payments to CRHA for the CRASP vouchers will be due to CRHA within 30 days of completed Quarterly Invoice and Report referenced in Paragraph D and E above.

(vi) All reports shall be submitted to the City of Charlottesville's Housing Program Coordinator.

Ву:	-
Date:	
ACCEPTED BY: Charlottesville Redev	elopment and Housing Authority
By:	-
Date:	_

# City of Charlottesville Objectives for Use of Charlottesville Affordable Housing Fund (CAHF) and Criteria/Priorities for Award of Funds Housing Policy 1 – as recommended by HAC on 9/17/14 ADOPTED BY CITY COUNCIL ON OCTOBER 20, 2014

#### **General Information**

There are three housing policies that comprise the recommendations of the Housing Advisory Committee (HAC). Policy 1, written to address appropriate usage of the Charlottesville Affordable Housing Fund (CAHF), was originally adopted by City Council on November 3, 2008, with a focus on the following topics: 1) funding categories, 2) target populations, 3) criteria for review of applications, and 4) affordability definition. The revised policy, as contained herein, has refined the text to include: 1) general information; 2) consideration of other City efforts; 3) definitions of all pertinent terms, 4) guidelines for use of CAHF; 5) accountability and tracking; and 6) how to apply for CAHF and potential use of funds.

Policy 2 involves "Incentives the City can provide to Encourage Development with Affordable Housing Units" and Policy 3 covers "Criteria for Awarding Multi-Family Incentive Funds/Strategic Investment Funds Revolving Loan Fund. Both policies were adopted at the same time as Policy 1, but neither is included herein as these are separate documents.

More than five years have passed since the policy was first adopted and the national and local housing markets have undergone significant changes during this time. Accordingly, the HAC has identified an update of this housing policy as essential to ensuring that City housing policies are current and relevant to help inform CAHF funding decisions.

The City of Charlottesville currently utilizes the annual Capital Improvement Program (CIP) budget process to fund its affordable housing efforts through the CAHF. This process is initiated on an annual basis through the submittal of a request from the City's Housing Development Specialist (Neighborhood Development Services) to the Budget Office. The amount of the annual request is based on the funding recommendations contained in Table 8 of the report entitled "City of Charlottesville 2025 Goals for Affordable Housing" (2025 Housing Goal - as adopted on February 1, 2010).

In addition to CIP funds, the City also has an Affordable Dwelling Unit ordinance (codified at City Code §34-12) that provides for payments in lieu of providing actual affordable units when rezoning or special use permits of a specified level of density are required. While the City would prefer that developers provide actual units either on or off site, the State enabling legislation for this ordinance is written such that it is unlikely that units will be built, because the CAHF contribution level is generally less expensive and does not require a 30 year compliance period after funds are provided.

Lastly, the final source of CAHF funds is voluntary contributions made through proffers. As the frequency and amounts are highly unpredictable, there is no way to quantify the impact of proffered contributions; however, this is also a source of funds for the CAHF.

This policy is applicable to all funds appropriated into the CAHF, regardless of their source (unless otherwise specified herein or by directive from City Council).

#### **Consideration of Other City Efforts**

**City Council Vision for Housing:** Quality Housing Opportunities for All - Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities. Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit oriented housing at employment and cultural centers. We have revitalized

public housing neighborhoods that include a mixture of income and housing types with enhanced community amenities. Our housing stock is connected with recreation facilities, parks, trails, and services.

**Comprehensive Plan:** The current City of Charlottesville Comprehensive Plan (as adopted on August 13, 2013) provides the legal basis for all land use and policy decisions related to housing in the City. The goals and objectives included in the Comprehensive Plan must therefore be taken into consideration with any and all CAHF decisions, realizing that each project will differ and that competing values will have to analyzed on a case by case basis.

**2025 Housing Goal Report**: According to the subject report, the City has adopted the following as its goal for supported affordable housing in the City:

#### "Increase the ratio of supported affordable units to 15% of total housing units by 2025."

The 2025 report states that CAHF dollars should be leveraged to the maximum extent feasible. Table 8 of the 2025 Housing Goal (which establishes yearly funding levels necessary to reach the 2025 goal) is based on the assumption that the City will contribute 8.4% of the funds needed to preserve or create supported affordable housing, while the remaining 91.6% will be provided by other sources.

#### Definitions1

**Affordable and/or Affordable Housing<sup>2</sup>:** Housing for occupant(s) at or below 80% of **Area Median Income** who are paying no more than 30 percent of income for Gross Housing Costs, including utilities.<sup>3</sup> Income calculations should be based on 24 CFR Part 5, unless otherwise required by another funder.

Applicant: An organization seeking financial assistance from the Charlottesville Affordable Housing Fund.

**Area Median Income (AMI):** Median family income limits as adjusted by the U.S. Department of Housing and Urban Development (HUD) annually by family size.

**Asset-Based Community Development:** A methodology that seeks to identify and use the strengths within communities as a means for sustainable development (i.e., development that meets the needs of the present without compromising the ability of future generations to meet their own needs).

Beneficiary: Persons, households or families who benefit from funding received by a Recipient.

**Comparable Substitution:** Housing unit committed as a **Supported Affordable Unit** in lieu of another **Supported Affordable Unit** lost due to any event resulting in a loss of **Supported Affordable Unit** status.

**Gross Housing Costs:** For renters, the sum of contract rent and utility costs. For homeowners, the sum of mortgage, utilities, home insurance (including flood if required), private mortgage insurance, property taxes, and home owner association dues.

**Levels of Affordability:** Tiers of Affordable Housing defined in terms of **AMI**. Families earning: between 120 and 80 percent AMI are considered "moderate-income"; between 80 and 50 percent AMI, "low-income"; between 50 and 30 percent AMI, "very low-income" and below 30 percent AMI, "extremely low-income."

<sup>&</sup>lt;sup>1</sup> Words and terms included within the definitions section are capitalized throughout this document for ease of reference. Within the definitions section, defined words/terms are also holded.

<sup>&</sup>lt;sup>2</sup> The City of Charlottesville has a variety of programs (other than CAHF) that support affordable and Supported Affordable Unit efforts; however, affordable and/or Supported Affordable Unit are defined specifically within each program based on the target Level of Affordability.

<sup>&</sup>lt;sup>3</sup> In the case of rental units and compliance with Code of VA 58.1-3295, properties financed with 26 USC §42, 26 USC §142(d) 24 CFR §983, 24 CFR §236, 24 CFR §241(f), 24 CFR§221(d)(3) or any successors thereof meet the local definition of affordable rental as noted herein.

**People-Based Financial Supports:** Funds provided to **Recipients** for use by income qualified beneficiaries that allow them to secure a Supported Affordable Unit (e.g., Housing Choice Vouchers or down payment/mortgage assistance).

**Project-Based Financial Supports:** Funds provided to **Recipients** that produce or rehabilitate a **Supported Affordable Unit** at a specific location to achieve **Levels of Affordability** (e.g., Low Income Housing Tax Credit projects, Project Based Vouchers and land trusts).

**Project-Based Legal Supports:** Legal controls that limit the income of **Beneficiaries**, the amount of rent charged, or resale price of a home (e.g., deed restrictions, regulatory compliance/affordability period, liens, or other).

Recipient: An organization receiving financial assistance from the Charlottesville Affordable Housing Fund.<sup>4</sup>

**Residency:** Having a physical presence in the City of Charlottesville, with the intent to remain in the City either temporarily or permanently. Qualification is not based on a length of stay or time requirement.<sup>5</sup>

**Special Needs Population:** Person(s) with a physical or mental impairment that substantially limits one or more major life activities, to include elderly, abused/battered spouses and/or children, children aging out of foster care, homeless persons, and chronic homeless persons.

**Supported Affordable Unit (SAU):** Housing unit that achieves one or more **Levels of Affordability** using various sources of public funding and mechanisms including, but not limited to: HUD, VHDA, the City of Charlottesville, Housing Choice Vouchers (Section 8), and/or deed restrictions. **SAUs** can be rental properties or owner-occupied dwellings. **Levels of Affordability** can be achieved through multiple mechanisms, such as **People-Based Financial Supports**, **Project-Based Financial Supports** and **Project-Based Legal Supports**, which can be combined.

#### **Guidelines for Use of CAHF**

The City's intent for CAHF funding is to: (1) create incentives and opportunities to provide new Supported Affordable Units<sup>6</sup> that would not otherwise exist and (2) to preserve existing Affordable Housing and to help maintain affordable units at a risk of being lost without the provision of such funds. To this end, the City realizes that flexibility is important. The following shall inform the use of limited funding, with respect to both preferences for awarding and general requirements for use of CAHF.

- Preference is for projects that either preserve or provide additional Supported Affordable Units toward the City's 2025 Housing Goal.
- Applicants must clearly achieve one or more goals/objectives of the current Comprehensive Plan (or future updated versions).
- Additional consideration will be given to projects that support the City Council Vision for Housing and achieve objectives/goals of the Strategic Action Team (SAT) Growing Opportunities Report, the Strategic Investment Area (SIA) Report, or various Small Area Plans /other reports as developed by or on behalf of the City of Charlottesville.
- To the maximum extent feasible, CAHF should be paired with other City programs to maximize financial viability of projects. Current programs include: reduced water/sewer connection fee; tax

3

<sup>&</sup>lt;sup>4</sup> A Recipient could be a direct Beneficiary in some cases if funding is provided directly. This will only be allowed when provided by the Code of Virginia and incorporated into the City of Charlottesville Code of Ordinances.

<sup>5</sup> Residency definition is based on program requirements for SNAP (i.e., Supplemental Nutritional Assistance Program, a.k.a. food stamps).

<sup>&</sup>lt;sup>6</sup> New supported affordable refers to either physically new or newly supported affordable (existing) units.

exemptions for housing improvements; free paint program; special tax rate for certain energy efficient buildings; and Design for Life C'ville.

- Efficient use of resources must be considered relative to the amount of CAHF provided. Leverage as provided by the Applicant and CAHF cost per Supported Affordable Unit will be taken into consideration. Priority will be given to those programs / projects that leverage the most funds and require the least subsidy.
- Funding can be used for mixed income Project-Based Financial Supports and People-Based Financial Supports <sup>7</sup>; however, strong preference is for applications that benefit the lowest level of AMI, as defined herein to include extremely low income (30% AMI or less) and very low income (between 50 and 30 percent AMI), and low income (up to 60 percent AMI).
- In order to realize the City's vision of offering housing that is affordable and attainable for people of all income levels, preference is for approaches that address the Levels of Affordability that are in the shortest supply based on the demonstrated need. To the maximum extent feasible, the City should have housing stock sufficient to meet the needs of people across the income spectrum.
- Applicants are encouraged to provide opportunities for meaningful neighborhood participation and use Asset-Based Community Development strategies.
- Applicants must demonstrate their own financial viability as well as the financial feasibility of the project.
- Each project will be evaluated with respect to its readiness to proceed based on status of site control, zoning, financial commitments, construction drawings, and other commonly used indicators, with preference given to those projects most likely to commence in a timely manner or to those projects where CAHF funding will expedite the process.
- Funding requests will be evaluated with respect to the leverage the CAHF investment creates, and/or any proposed legal mechanisms requiring compliance and/or repayments that will be used to achieve continuing Levels of Affordability.
- Project-Based approaches will conform to the City policy for energy efficiency and incorporation of Universal Design features, as adopted on April 21, 2008 (updated on April 21, 2014).
- Funding can only be provided to non-profit organizations which have been designated as such by the U.S. Internal Revenue Service or to the Charlottesville Redevelopment and Housing Authority (CRHA). Only exceptions explicitly allowed by Code of Virginia and incorporated into the City of Charlottesville Code of Ordinances will be otherwise allowed.
- Recipients must be in compliance with all federal, state, and local laws/regulations.
- Beneficiaries of funds should primarily be City residents and/or be employed in the City.<sup>8</sup> Recipients will be required to track and report on previous Residency to ensure compliance.
- CAHF assistance must be used to support projects located within the City limits of Charlottesville, unless approved by City Council.

<sup>&</sup>lt;sup>7</sup> 100% AMI is defined as the current median family income for a family of four for the City of Charlottesville as adjusted by HUD. Percentage adjustments for family size are 70% for one person, 80% for two persons, 90% for three persons, 108% for five persons, 116% for six persons, 124% for seven person and 132% for eight persons. For each person in excess of eight, the four-person income limit should be multiplied by an additional eight percent (e.g., for 9 persons multiple by 140%). Income limits are rounded to the nearest \$50. This is consistent with the methodology used for calculation of HUD income limits.

<sup>&</sup>lt;sup>8</sup> Exceptions to preferences are 1) the homeless, 2) persons who lived in the City during the previous 2 years, and 3) conflicting funding requirements that have no Residency preferences.

- Funding will be primarily reserved for access to or the creation, preservation, and development of Supported Affordable Units.
- Since market forces and demographics are subject to change, CAHF assistance may also be used on a limited basis to explore and encourage new models that are intended to enable affordable and/or Supported Affordable Units in the City.

#### **Accountability and Tracking**

#### Assistance for Rental Housing and Housing Rehabilitation

The purpose of CAHF support for rental housing or housing rehabilitation is to increase the availability of Supported Affordable Unit rental options and also to allow qualified owners<sup>9</sup> to make essential repairs to maintain existing Affordable Housing and expand the City's base of Supported Affordable Units.

#### **Accountability Measures**

Project-Based: Projects should have a supported mechanism in place to ensure affordability. The affordability period will vary depending upon the amount of CAHF assistance provided and the type of project, as shown below.

TYPE OF PROJECT	CAHF ASSISTANCE <sup>10</sup>	AFFORDABILITY PERIOD*
Housing Rehabilitation	<\$5,000 (per unit)	1 year
	\$5,001 - \$10,000	3 years
	\$10,001 - \$ 15,000	5 years
	\$15,001 - \$25,000	10 years
	\$25,001 - \$40,000	15 years
	\$40,001 - \$55,000	20 years
	\$55,001 - \$70,000	25 years
	\$70,001 and over	30 years
Rental Housing*		
	New Construction of Rental Housing	20 years
	Rehabilitation / Refinancing of Rental Housing	15 years

<sup>\*</sup> Period of Affordability is further subject to Federal and/or other funding requirements. If the period required by other funding is shorter than required by CAHF or if foreclosure or other provisions exclude the use of an affordability period, then CAHF will subordinate accordingly. It will be the responsibility of the Recipient to request subordination. If the period is longer than required by CAHF, then the longer term will be used.

Affordability Period: The CAHF Recipient (or current owner should the property sell) of Project-Based Financial Supports for rental housing will be responsible for ensuring the affordability of assisted projects

<sup>\*\*</sup>Rental Housing affordability periods are consistent with the HUD HOME program guidelines.

<sup>&</sup>lt;sup>9</sup> Qualified owners can refer to either an owner occupied unit where the household meets specified income limits or to owners of rental units where assistance is provided for the benefit of income qualified tenants.

<sup>&</sup>lt;sup>10</sup> CAHF assistance amounts will be revisited to ensure reasonableness. Housing rehabilitation amounts will be reviewed and updated every 5 years. Changes shall be indexed to annual percentage changes in the Consumer Price Index for Housing in the South Urban Region as published by the Bureau of Labor Statistics, using the month/year of adoption of this policy as a start date. Rental Housing figures will be revised based on changes to the HOME regulations as promulgated by HUD.

during the required affordability period, as shown in the above table. The affordability period may be reduced by the City for a rental housing project that will significantly increase the number of Supported Affordable Units. In no event shall the affordability period be less than 10 years. Should affordability be lost during this period, the Recipient or current owner will be responsible for repayment of funds. The amount of repayment will be reduced for each year of compliance. The annual reduction will be equal to the amount of assistance divided by the number of years in the affordability period (e.g., \$300,000/20 = \$15,000). For CAHF assistance of \$300,000 for a new construction of rental housing project that remains supported affordable for 10 years, the amount of repayment would be \$150,000. Alternatively, the Owner and/or Recipient may commit comparable other units to be SAUs for the remainder of the term (i.e., Comparable Substitution).

People-Based: The CAHF Recipient of People-Based Financial Supports shall only use funds for income qualified Beneficiaries, as determined and agreed to by the City .

#### CAHF Tracking Measures<sup>11</sup>

Project-Based: Within 30 days of receiving a certificate of occupancy for the project, the Recipient shall submit to the City an initial report which indicates the address of each Supported Affordable Unit within the project. On June 30 of every year thereafter during the applicable affordability period, the Recipient (or current owner should the property sell) will submit an annual report that indicates the address of all Supported Affordable Units, including those designated as a Comparable Substitution.

People-Based: The CAHF Recipient of People-Based Financial Supports for rentals shall report to the City on an annual basis the addresses of Supported Affordable Units occupied by Beneficiaries who received CAHF support (or support through recycling of CAHF funds).

#### Assistance for Homeownership

The purpose and intent of CAHF support for projects including supported affordable homeownership is to create opportunities to help bolster the inventory of Supported Affordable Units and/or help low-income residents earn equity.

In reviewing applications for CAHF funds to assist with homeownership, the City will consider, among other factors:

- Applicant's demonstrated history of providing Affordable Housing and/or Supported Affordable units
- Applicant's plan for continuing to provide additional Affordable Housing and Supported Affordable Units in the future
- Any mechanisms for maintaining affordability periods of the unit over time
- Any mechanisms for helping families earn savings through mortgage payments and appreciated value
- Any mechanisms for sharing appreciation upon resale with the non-profit agency
- Any mechanisms for sharing appreciation upon resale with the City
- Any mechanisms for recycling funds back into future Supported Affordable Units via reinvestment, return of funds to the CAHF or to another affordable housing fund (as agreed to by the City)
- Other creative mechanisms that help promote equity earning among low-income homeowners and/or leverage funding for future low-income housing opportunities

#### **Accountability Measures**

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<sup>&</sup>lt;sup>11</sup> There is no specified reporting format; therefore, any report providing the requested information may be used as long as the Supported Affordable Units are identified by address.

Project-Based: Funds received by the Recipient upon the sale of a designated Supported Affordable Unit shall be used by the Recipient to create access to additional Supported Affordable Units according to the Recipient's Form 990 or shall be returned to the City as part of an appreciation-sharing agreement, unless otherwise authorized by the City. The Recipient shall notify the City following the sale of a designated Supported Affordable Unit and shall designate the fund into which the proceeds (or portion thereof) have been placed.

People-Based: Funds received by the Recipient upon the sale of a designated unit shall be used by the Recipient to create access to additional Supported Affordable Units according to the Recipient's Form 990 or shall be returned to the City as part of an appreciation-sharing agreement, unless otherwise authorized by the City. The Recipient shall notify the City following the sale of a designated unit and shall designate the fund into which the proceeds (or portion thereof) have been placed.

#### CAHF Tracking Measures<sup>12</sup>

Project-Based: Within 30 days of closing on a Supported Affordable Unit that received Project-Based Financial Supports from CAHF, the Recipient will identify the unit as a Supported Affordable Unit in a notification submitted to the City that contains the address of the designated unit. On June 30 of every year thereafter, the Recipient shall submit a report that indicates the addresses of all Supported Affordable Units, including those that have secured Supported Affordable Unit status from the fund designated by the Recipient to receive proceeds from the sale of another Supported Affordable Unit(s)within the project or that are subject to Project-Based Legal Supports.

People-Based: Within 30 days of closing on a Supported Affordable Unit where the Beneficiary received People-Based Financial Supports from CAHF, the Recipient will identify the unit as a Supported Affordable Unit in a notification submitted to the City that contains the address of the designated unit. On June 30 of every year thereafter, the Recipient will submit a report that indicates the addresses of all Supported Affordable Units, including newly designated units that have secured Supported Affordable Unit status from the fund designated by the Recipient to receive proceeds from the sale of another Supported Affordable Unit(s).

#### How to Apply for CAHF & Potential Use of Funds<sup>13</sup>

Applications for CAHF will be accepted on a continual basis, with no set deadline. Applicants are strongly urged to communicate with City staff in advance to discuss their proposed project. If demand for funds exceeds available funds, then Applicants will be advised and preferences contained herein will help determine funding recommendations to City Council. The following is a list of potential uses for the CAHF; however, this list is not meant to be exclusive.

- Redevelopment of CRHA Properties
- Rental Housing
- Homeownership
- Down Payment & Closing Cost Assistance or Foreclosure Assistance
- Homeowner and/or Rental Rehabilitation
- Loan Program and/or Revolving Loan Fund

There is no specified reporting format; therefore, any report providing the requested information may be used as long as the Supported Affordable Units are identified by address

<sup>13</sup> All potential uses of funds are subject to the Code of Virginia and the City of Charlottesville Code of Ordinances.

- Single Room Occupancy or Boarding House
- Energy Efficiency Upgrades
- Rental Subsidies
- Land Acquisition and Assembly in support of Supported Affordable Units and/or mixed income housing
- Land Development in support of Supported Affordable Units and/or mixed income housing
- Predevelopment Expenses when in support of a Supported Affordable Units project (e.g., feasibility analyses, market studies, A&E fees, environmental and/or geotechnical studies, relocation payments, appraisal costs, legal fees, permits, etc.)<sup>14</sup>
- Efforts involving the use of Low Income Housing Tax Credits, shared equity, community land trust and deed restrictions are encouraged to ensure long term affordability
- Initiatives that preserve and/or expand housing opportunities for the Special Needs Population.
- Preservation of existing Affordable Housing to provide Supported Affordable Units
- Other projects as allowable under Virginia Code.

#### Other Uses of CAHF Funds

- Funding exceptions are possible; however, use of funds for programmatic purposes should only be allowed when a determination has been made that 2025 housing goal progress is on track or ahead of schedule. Even in these instances, programmatic uses should be limited to one time expenses that are provided through ADU payments or proffers.
- Funding can be used for data collection to better understand housing issues/needs and to study Affordable Housing stock and Supported Affordable Unit issues as they relate to accomplishment of the 2025 housing goal. Funding should be limited to no more than 10% of the annual amount awarded to CAHF through the CIP process.
- Funding may also be used for administration purposes related to HAC meetings, educational purposes, public outreach, staff training, and other minor expenses related to furthering Supported Affordable Unit efforts. This amount should be limited to 1% of the annual amount appropriated to the CAHF.

A cost share of 50% will be required for predevelopment initiatives unless these are City directed/requested. Repayment of funds will not be required if a project is deemed infeasible as a result of predevelopment efforts; however, the Recipient will be required to share/disclose all findings with the City.





## Rivanna Water & Sewer Authority Rivanna Solid Waste Authority

695 Moores Creek Lane Charlottesville, Virginia 22902-9016 434.977.2970 • 434.293.8858 Fax www.rivanna.org

#### **MEMORANDUM**

TO: THE HONORABLE CHARLOTTESVILLE CITY COUNCIL

FROM: BILL MAWYER, EXECUTIVE DIRECTOR

RIVANNA WATER & SEWER AUTHORITY RIVANNA SOLID WASTE AUTHORITY

SUBJECT: QUARTERLY UPDATE

**DATE:** October 2, 2017

This quarterly update to provide information on drinking water, wastewater and solid waste projects currently in the planning, design or construction phases for the Rivanna Authorities. A general overview of the current and upcoming Capital Improvement Projects follows:

1. Odor Reductions at Moores Creek Wastewater Plant

Scope: Provide two clarifier covers, one air scrubber, wastewater containment pipe, and chemical neutralizers.

Status: Clarifier covers and chemical neutralizers have reduced odor levels. Construction of permanent facilities continues.

Completion: February 2018
Cost: \$10 million

2. Rivanna Wastewater Pump Station

Scope: Replace existing pump station and increase wastewater pumping capacity from

25 to 53 million gallons per day. Completion: July 2017 Cost: \$32 million

3. Granular Activated Carbon Facilities

Scope: Add GAC contactors at all five water treatment plants to minimize disinfection

byproducts in our drinking water.

Completion: December 2017 Cost: \$29 million

4. Water Treatment Plant Improvements

Scope: Replace equipment which has reached end-of-service life at the South Rivanna,

Observatory, and Crozet Water Treatment Plants.

Completion: 2017-2022 Cost: \$20 million 5. South Fork Rivanna to Ragged Mountain Reservoir Pipeline Right-of-Way

Scope: Determine alignment and acquire rights-of-way for pipeline to transfer raw water between the South Rivanna Reservoir to Ragged Mountain Reservoir, as set forth by the community water supply plan.

Completion: 2017-2021 Cost: \$2.3 million

6. Avon Street to Pantops Water Main

Scope: Provide a drinking water main between water storage tanks located on Pantops and Avon Street to improve hydraulic connectivity between the two tanks.

Completion: 2017-2023 Cost: \$13 million

7. Replace Ivy Transfer Station

Scope: Provide 11,600 sq. ft waste transfer station and demolish the existing transfer station.

Construction: 2017-2018 Cost: \$3 million

8. Strategic Plan

Scope: Create a Strategic Plan for the Authorities for the next five years to fifty years. Status: Six strategic goals have been drafted by the Project Steering Committee (PSC). Goal Teams are preparing implementation details to achieve each goal over the next five years. The PSC will conduct a Strategy Workshop to review the Goal Team recommendations and implementation details on October 12. Raftelis will provide an outline of the draft Strategic Plan for discussion by both Rivanna Boards in a joint work session during the regular Board meetings on November 14. We are on schedule to complete the Strategic Plan during the Board meeting on December 19.

Completion: December 2017

Cost: \$82,195

cc: RSWA Board of Directors RWSA Board of Directors