

RESOLUTION

Granting a critical slope waiver for a residential development referred to as “Belmont Condominiums”

WHEREAS Belmont & Carlton Holdings, LLC (“Landowner”) is the owner of certain land identified within the City of Charlottesville Real Estate Assessor’s records as Real Estate Parcel Identification Nos. 570020000, 570002100, 570004000, 570006000, 570007100, 570007300, 570007500, 570007700, 570007900, 570002000, 570003000, 57005000, 570007000, 570007200, 570007400, 570007600, 570007800, 570010000, said parcels having current street addresses of 1003-1005 Carlton Avenue, 0 Walnut Street, 730 – 732 Walnut Street, 735 Walnut Street, and 0 Cherry Street (collectively, the “Subject Property”); and

WHEREAS the Subject Property contains critical slopes, over and within an area of approximately 0.988 acre, which is approximately 16% of the combined area of the various parcels that constitute the Subject Property, and Landowner is requesting a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6)(b), in connection with the Owner’s plan to construct a mixed use development on the Subject Property (the “Project”); and

WHEREAS the Project is described in more specific detail within the application materials submitted in connection with waiver application no. P22-0039, as required by City Code §34-1120(b)(6) (collectively, the “Application Materials”); and

WHEREAS the Planning Commission considered and recommended approval of this application at their October 11, 2022 meeting, subject to conditions proposed within the Staff Report and modified as discussed in the meeting; now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that a waiver is hereby granted of the critical slopes requirements for the Project, to allow for the development of the Project as described within the Application Materials, subject to the following conditions:

(1) Erosion and sediment control (ESC) plans for the Project shall include, at a minimum, four (4) stages/phases of ESC controls. The first phase shall include “Initial/Preliminary Controls”. Outfalls from any proposed sediment traps shall be established with rigorous independent ESC controls, early in the sequence, prior to the establishment of a sediment trap and associated conveyances.

(2) Any channels/diversions that convey ‘clear’ water shall be stabilized with sod on the ‘clear water’ side immediately after installation.

(3) A “Super Silt Fence” (chain linked backing) shall be installed where perimeter silt fence is specified.

(4) Any disturbance occurring outside of conveyances to a sediment trap, in either sequence or space, planned or unforeseen, shall be immediately stabilized with sod (for pervious areas, utilities should have other “same day stabilization”).

(5) At no time shall concentrated water be directed toward the areas of critical slopes, without adequate conveyance down and beyond the slopes to an acceptable outfall.

(6) To document the landowner's representations within the Application Materials regarding intended onsite water quality measures, the Stormwater Management Plan for the Project shall include either (a) a design for onsite water quality provided by a facility, or (b) facilities that are either i) designed in accordance with the BMP Clearinghouse “2013 Draft Design Specifications for Practices 1-15”, or ii) proprietary Manufactured Treatment Device(s) approved by the Virginia Department of Environmental Quality (“DEQ”) as of the date the stormwater management plan for the Project is submitted for the City’s review. The facility or facilities should provide 125 percent of the onsite Phosphorus removal required by the Virginia Water Quality requirements for the development Project. Compliance with the 125 percent will be demonstrated by accurate project data set forth within a completed Virginia Runoff Reduction Method (“VRRM”) spreadsheet for the project.