May 16, 2006 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06TS0291

LBV Investments
(Elm Crest)

Clover Hill Magisterial District
West line of Courthouse Road

REQUEST: Tentative Subdivision plat approval.

RECOMMENDATION

Staff recommends approval of the request subject to the implementation of the items in the Conditions and Review Notes for the following reason:

The following conditions, when addressed, will bring the tentative plat into compliance with the Subdivision Ordinance.

CONDITIONS

1. The tentative shall be revised and resubmitted for administrative approval in order to address Ordinance requirements as follows:

   a. Please show the roadway classification and design volume for Courthouse Road on the tentative plan sheet. (T)

   b. Additional pavement shall be constructed on Courthouse Road to provide a right turn lane in conjunction with the construction of Elm Crest Drive. (T)

c. Road right of way needs to be expanded adjacent to 210 Courthouse Road, GPIN 744-701-5183, or the area between the road right of way should be deeded to 210 Courthouse Road in order to eliminate the spike strip of right of way. (T)

d. Relocate the fifteen (15) foot tree preservation strip to the northern edge of proposed Elm Crest Drive. (P)

e. Proffer 11 of zoning Case 05SN0199 stipulates the provision of a private ingress and egress easement from proposed subdivision road (Elm Crest Drive?) to parcel 744-702-5914. Please address. (P)

f. On the revised tentative plan, graphically show how lot 49 will be served by public sewer. (U)

g. Graphically show a sixteen (16) foot sanitary sewer easement along the common property line of lots 16 and 17. (U)

h. With respect to the annotation of the right of way of Courthouse Road which projects into the property which reads "existing VDOT SWM pond to be removed and right of way to be vacated." Please clarify what is going on here. Is this something that has been worked out with VDOT or only a proposal? How does the removal of this facility get mitigated? (EE)

i. There is an existing pond on 156 Courthouse Road which has been chronically problematic for the owner. The VDOT pond shown to be removed along with the other existing VDOT SWM pond to the north are a part of an elaborate storm sewer system off Courthouse Road which was designed and implemented with the recent Courthouse Road improvements to address the ongoing problems experienced by the pond on 156 Courthouse Road. Please show the twenty-four (24) inch RCP which discharges into the project from the VDOT SWM pond in this right of way finger. In consideration of potential downstream problems, the Environmental Engineering Department is letting the applicant know and VDOT know that it is against the removal of the BMP and the vacation of the right of way. (EE)

j. Please show the existing twenty-one (21) inch RCP culvert under the driveway just into the church property into which the narrow wetland band running parallel to the parking lot discharges. This drainage course proceeds into a finely manicured lawn area and shallows up to a very shallow cross section providing little or no capacity. The tentative should provide the property ownership of this parcel. Also, a wetlands determination of this drainage course needs to be made. If there is a pipe discharging from the project into this drainage course towards the existing

twenty-one (21) inch RCP, the channel adequacy requirement will extend down through this yet to be identified property to where the backyard lawn returns back to a natural condition. (EE)

k. Please show the existing twenty-four (24) inch RCP into which the wetlands which begin in lot 47, pass through lot 49 and cross the property into the church area drains. In terms of culvert adequacy, this culvert is in all likelihood adequate. What appears to be needed is improvements along the shared property line at the rear of lot 49 to more efficiently direct the water into the invert of this pipe as opposed to potential periodic flooding of the parking lot. With respect to the Smoketree Recreation Association, the Epiphany Catholic Church and the residential property served by the twenty-one (21) inch RCP please note Condition 12. (EE)

l. Please clarify the status of the area on the south side of Elmcrest Drive along the road frontage of lot 50 and east of the tree line. There appears to be an existing parking lot into which a road connection will be made into Elmcrest Drive. There is also a narrow piece of property between Elmcrest Drive right of way and the property to the south at 210 Courthouse Road. With the indication in the general notes that there is no open space, does this mean that this entire area is lot 49 and that there will be an easement in favor of The Most Reverend Walter E. Sullivan to permit the existence of a parking lot on a residentially zoned lot? (EE)

m. To avoid confusion, please slightly adjust the limits of the RPA on lot 50 to coincide with the limits of the wetlands on the intermittent leg and provide a 100 foot conservation buffer double arrow near the property line of 156 Courthouse Road to clarify that the RPA is accurately located off of the perennial leg. (EE)

n. For graphical accuracy the RPA in this vicinity should be shown in its entirety as it is as shown coming up into the existing Ashley Woods SWM/BMP. The RPA will be shown encroaching into 156 Courthouse Road. This may be of significance, particularly with respect to what the allowable backwater elevation for the culvert crossing of this perennial stream would be allowed to be. (EE)

o. Please provide a letter from the recognized wetland expert regarding the accuracy of the wetland's delineation portrayed on the tentative plan that is the basis for the RPA-limits establishment. Suggested wording is, "I have viewed the tentative plan for Elm Crest dated January 23, 2006, by Balzer and Associates and find that it portrays an accurate representation of my field delineation of the wetlands located adjacent to the perennial streams." (EE)

p. There are two (2) substantial drainage areas which frame in the building envelope for lot 50. In both cases, the twenty-five (25) foot setback is measured off of the wetlands limit. There is reason to think that an assessment of the 100 year floodplain limits on these two (2) watercourses will result in a greater encroachment of those lots than that which is occupied by the wetlands. The building envelope for lot 50 will be established by the greater of the encroachment between the wetlands or the floodplain. (EE)

q. With respect to CBPA, the note referring to an off site BMP located in Jessup Farms is not valid. All credits once possessed by this regional BMP have been allotted to other projects. In order to obtain authorization for pollutant removal credit from an offsite BMP, a letter of exception request to the Director of Environmental Engineering must be submitted and approved. (EE)

r. Completion of the preliminary CBPA process is a prerequisite to tentative approval. (EE)

s. An assessment of the topography in relation to the lot layout has revealed several areas of storm water concentration which are in potential conflict with the desire not to have storm drainage problems related to the development of the house and lot. These are engineering issues which should be addressed by the construction plans and not left to the individual builders to deal with. The physical "low" of these drainage corridors should be field located and appropriate engineering proposals with respect to filling, grading, drainage storm sewering and building envelope locations should be made a part of the construction plans. These areas are as follows:

   (a) the accumulation of drainage down a corridor which begins in lot 7 through the rear of lots 8 and 15 through the center of lots 14, 13 and 12. (EE)

t. An assessment of the topography indicates a large portion of the project naturally drains into the existing lake owned by Ashley Woods Community Association. In light of Proffered Condition 17, which seems to preclude the utilization of an ideal approach to stormwater management, the Environmental Engineering Department is requesting that the tentative provide a conceptual representation of the means by which the stormwater from this project will be discharged into existing natural receiving channels that meet all applicable regulations. (EE)

u. Even though the development of Ashley Woods and Finchley predates the inception of the Bay Act, Minimum Standard 19 was in effect but it was

known as General Condition 7 in those days. This lake was the means by which the surrounding development addressed an otherwise inadequate natural drainage system downstream. If the vision is for a storm sewer system to collect all drainage, bypass the lake and discharge downstream of the dam, there is the strong potential for MS19 issues to result in the need for an additional onsite SWM/BMP in the uplands of lot 49 which otherwise could have been addressed by the existing lake. (EE)

v. The wetlands impact of the stream shown at the base of the Ashley Woods SWM/BMP is in recognition of the sanitary sewer to cross the channel to tie into the existing manhole. Since there is a strong likelihood that a storm sewer will also be discharging in this location, the Environmental Engineering Department wants the assurance that the wetland impacts permit that is being sought is not just for a temporary impact of a sewer line crossing but one that permits a sophisticated means of permanent energy dissipation in this location for storm water discharge. This will involve lots of rip rap and if the storm sewer profile permits a workable hydraulic grade line, an Upper Swift Creek Watershed end treatment device will be directed by the Environmental Engineering Department. (EE)

2. Per Section 8-4 of the Erosion Control Ordinance, prior to the issuance of a Land Disturbance Permit, the Environmental Engineering Department shall require copies of applicable correspondence from the USACOE so that it may be determined that all wetlands permits have been received. (EE)

3. Any timbering that is to occur as the first phase of infrastructure construction will be incorporated into the project's erosion-and-sediment control plan narrative and will not commence until the issuance of a land disturbance permit for subdivision construction and proper installation of erosion control measures. (EE)

4. The USACOE jurisdictional wetlands shall be shown on the construction plans and subdivision plat. (EE)

5. The 100-year floodplain surrounding the wetlands in lot 50 will be shown as field located on the construction plans and shall be re-field verified prior to the issuance of a certificate of occupancy. An NBP shall be stipulated for the affected lots. (EE)

6. Prior to construction plan approval, the Environmental Engineering Department must have received documentation that the sub-divider or his representative has notified certain property owners determined by the Department of the proposed adjacent construction. (EE)

7. The areas of storm-water runoff concentration as discussed in the Environmental Engineering Department tentative report dated April 18, 2006 will be field located and shown on the plans. The construction plans shall designate the affected lots with an NBP, and an engineered storm sewer, filling, grading, and drainage plan shall be included in the construction plans. (EE)

8. The sub-divider shall post signs demarking the limits of the RPA so builders and homeowners may be informed as to the limitations imposed on these areas. Specific plans for the exact number and placement of the signs shall be approved by the Environmental Engineering Department. (EE)

9. The erosion and sediment control plan for the project shall call for the placement of polyethylene fence or its equivalent in accordance with STD & SPEC 3.01 of the Virginia Erosion and Sediment Control Handbook along the RPA limits prior to the issuance of a land disturbance permit. (EE)

10. Building envelopes as shown on the tentative plan along with any other directed by the Environmental Engineering Department shall be placed on the construction plans and subdivision plat. (EE)

11. The achievement of adequate surface drainage on lots will be the responsibility of the subdivider. The sale of lots does not absolve the subdivider from this responsibility prior to State acceptance of the streets and for a period of one (1) year after the streets are taken into the State system. (EE)

12. Prior to recordation, the Environmental Engineering Department must have received notification from VDOT that improvements to the State road(s) into which this project intersects and which, have been authorized by an issued Land Use Permit, have been satisfactorily completed. (EE)

13. Unanticipated problems in the existing adjacent downstream developments which in the opinion of the Environmental Engineering Department, are caused by increases in stormwater runoff from the project shall be the responsibility of the subdivider. (EE)

14. The existing VDOT SWM pond which discharges storm water into the project via a twenty-four (24) inch RCP as shown on the tentative plan shall not be removed and the right of way shall not be vacated. (EE)

15. The engineering for the project shall include velocity stabilization and capacity assessments for the drainage course downstream of the existing twenty-one (21) inch RCP as shown on the tentative plan and as directed by the Environmental Engineering Department. (EE)

16. The applicant shall formulate his permit request to the Corps and DEQ in a way which will permit a permanent impact of a portion of the stream with rip rap and other appropriate measures as directed by the Environmental Engineering department in the location below the Ashley Woods SWM/BMP. (EE)

17. The erosion and sediment control plan shall include a separate procedure for the crossing of the stream by the sewer line which will involve among other things temporary damming, pumping, adequate hose length, dirt bags or other measures deemed to be equivalent. (EE)

18. The construction plans shall clearly indicate that the sewer line excavation will not impact the existing dam of the Ashley Woods SWM/BMP in any way. Pre-construction plan approval notification shall include but not be limited to David L. Jefferson and all parties whose lots in Ashley Woods back up to the Ashley Woods SWM/BMP. (EE)

19. Prior to construction plan approval, the Environmental Engineering Department must have received documentation that the sub-divider or his representative has notified certain property owners determined by the Department of the proposed adjacent construction. (EE)

20. This office may require redesign or modifications to the proposed sewer layout, as shown on the tentative plan, once the field work and final design has been completed by the engineer and shown on initial construction plan submittal for review and approval. (U)

21. It is the subdivider's responsibility to see that this proposed development complies with the Chesterfield County Fire Department's required fire flow of 1000 gpm at 20 psi residual. (U)

22. Hydrant locations shown on the tentative plan may not be in acceptable location. Hydrant locations will be evaluated at the time of construction plan review. (F)

23. Standard conditions. (P)

24. All setbacks around cul-de-sacs shall be uniform. (P)

25. All proffered conditions regarding house size from Case 05SN0199 shall be noted on the final check and record plats. (P)

26. Proffered Condition 6 from zoning Case 05SN0199 shall be addressed and approved by Planning at final check plan approval. (P)

27. Prior to recordation the proposed connection of Elm Crest Drive to the existing parking lot on Tax ID 743-701-7043 shall be subject to additional review and approval through the minor site plan process. (P)

28. Prior to recordation a plan depicting the planting and fencing in areas of 100 square feet and greater in clearance along the tree preservation strip, shall be submitted to Planning for approval. (P)

29. Prior to recordation a parcel line modification application shall be submitted, reviewed and approved by Planning to permit the .73 acre as shown on the tentative to be deeded to Tax ID 744-702-5144. (P)

30. Twenty five (25) feet of right of way shall be dedicated along the entire property frontage on Berrand Road, free and unrestricted, to and for the benefit of Chesterfield County in conjunction with recordation of the first section of this tentative. (T)

31. The twenty (20) foot buffer along Berrand Road shall be noted as a no lot access on the final check and record plats for all lots that are adjacent to Berrand Road. (T)

32. All offsite right of way required for road improvements on Courthouse Road shall have the deed book and page number shown on the final check plat and record plat prior to recordation of the first section of this subdivision. (T)

REVIEW NOTES:

A. The use of the public water and sewer system is required by Ordinance. (U)

B. This office may require redesign or modifications to the proposed sewer layout, as shown on the tentative plan, once the field work and final design has been completed by the engineer and shown on initial construction plan submittal for review and approval. (U)

C. The maximum density permitted on this single access development shall be a total of fifty-one (51) residential lots. (P)

D. Standard conditions. (P)

E. Buffers shall comply with Section 17-70. (P)

F. The final check and record plats shall note that there shall be no explicit rights or access to the pond located Tax ID 742-701-3196 given to the lots recorded herein. (P)

H. All improvements to existing transportation facilities required as a result of the impact of this project shall be the responsibility of the developer. Approval of detailed construction plans is a prerequisite to issuance of a land use permit allowing access onto and construction within state maintained rights of way. It should be noted that plan approval at this time does not preclude the imposition of additional requirements at construction plan review. (VDOT)

I. All right of way widths as shown are preliminary and should be so noted. Actual widths shall be determined by roadway design as stipulated in Appendix B of the 2005 Subdivision Street Requirements (SSR). (VDOT)

J. The design of any/all proposed landscape embellishments (i.e., landscaping, hardscaping, signage, lighting, irrigation, fencing, etc.) To be installed within state maintained rights of way must be submitted to VDOT for review in conjunction with the initial submittal of road construction plans. VDOT approval of said plan shall be granted prior to installation. Failure to comply with these requirements may result in the removal of said embellishments prior to state acceptance. (VDOT)

K. All roads to be designed and constructed per current VDOT standards and specifications.(VDOT)

L. The construction of transportation improvements on roadways which are defined as arterials or collectors in Chesterfield County's Thoroughfare Plan, and all internal roads requires the implementation of a comprehensive inspection program to insure compliance with VDOT standards and specifications. Inspection services shall be provided utilizing one of the following options:

A. The applicant may retain the services of a licensed geotechnical engineer to perform the required inspection and testing, or,
B. The applicant may request that VDOT provide inspection services through the establishment of an accounts receivable with the contractor responsible for providing all required material testing.

M. Either option A or B may be used for each category of road at the preference of the developer. (VDOT)

N. The design of private entrance access along curb and gutter streets shall be in accordance with Appendix B of the 2005 SSR. (VDOT)

O. The design and construction of any pedestrian facilities for the proposed VDOT maintenance shall be in accordance with Appendix B of the 2005 SSR (VDOT)

GENERAL INFORMATION

Applicant/Owner:

LBV Investments

Location:

Fronting approximately sixty (60) feet on the west line of Courthouse Road approximately 560 feet north of Smoketree Drive, also fronting approximately 580 feet on the south line of Berrand Road approximately 1,225 feet west of Courthouse Road. Tax IDs 742-702-7055; 743-701-Part of 7043; 743-702-1454 and 1916; and 744-701-1388 (Sheet 6).

Existing Zoning and Land Use:

R-15 – Single family residential; Residence

Size:

38.09 acres

Adjacent Zoning and Land Use:

North - R-15 and A; Single family residential
South - R-15; Smoketree Recreation Center and Epiphany Catholic Church
East - R-15; Single family residential and fire station
West - R-15; Single family residential

BACKGROUND

In accordance with the Chesterfield County Subdivision Ordinance Section 17-32 (1) a.1, the subdivider elected to submit this tentative for review and approval under the Planning Commission review and approval procedure. Section 17-32 (1) a. 1. states:

> Unless otherwise required, completed applications and plats submitted by subdividers to the director of planning, shall be reviewed and approved under the administrative review and approval procedure set forth in subsection (a) of this section unless the subdivider elects to submit the completed application and plat for review and approval under the planning commission review and approval procedure set forth in subsection (b) of this section.

Generally, the Director of Planning refers tentative subdivision plats to the Planning Commission when issues such as impacts to existing wetlands and streams, on or offsite drainage, impacts on

existing traffic congestion are addressed in writing by nearby or adjacent property owners of a development. This case was referred to the Planning Commission at the request of the applicant.

On January 17, 2006, the Planning Commission recommended approval of rezoning Case 05SN0199 to rezone 36.9 acres from agricultural to residential (R-15). (See attached map) during the same meeting, the Planning Commission recommended approval to permit relief to the County's connectivity policy and relief to street access requirements. Subsequently, the Board of Supervisors approved this rezoning case, granted relief to the connectivity policy and granted relief to street access requirements to permit fifty-one (51) residential lots on a single access.

Staff has reviewed the proposed development consisting one (1) existing and fifty (50) residential lots on 38.09 acres. In this case no concerns from adjacent property owners were received, and no written or stated public opposition to this development has been received. Staff has asked for revisions to the tentative to bring it into compliance with the Subdivision Ordinance. As of the date of this report staff had not received that information. Staff recommends approval of this development subject to the Conditions and Review Notes as set forth in this report. The conditions include the requested revisions required to bring this tentative into compliance with the Subdivision Ordinance.

STONEHENGE
DRYSDALE DR
HARWICK DR
R-15
STONEHENGE HILLS
HIXSON PL
HIXSON DR
HIXSON CT
ASHLEY WOODS
R-25
BUNGATE RD
BONDURANT DR
HAZELMERE DR
HEMPSTEAD WAY
VOLLIE RD
FINCHLEY
OLD LEWISTON PL
OLD LEWISTON RD
BONDURANT PL
R-15
NORTHGATE CT
IODIE TER
BERRAND RD
COURTHOUSE RD
REAMS RD
HYLTON PARK
RIDGEFIELD
KIN-REY
REYKIN DR
MOORWOOD RIDGE DR
NATURAL BRIDGE CT
R-9
SMOKETREE DR
SMOKETREE DR
LADY SLIPPER LN
YARROW LN
MAY APPLE TER
SMOKETREE
R-9
BRIARCLIFF
QUEENSWAY RD
QUEENSWAY CT
R-7
HEATHERIDGE
R-9
ROYAL CRESENT DR
BATTENBURG CT
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ELM CREST
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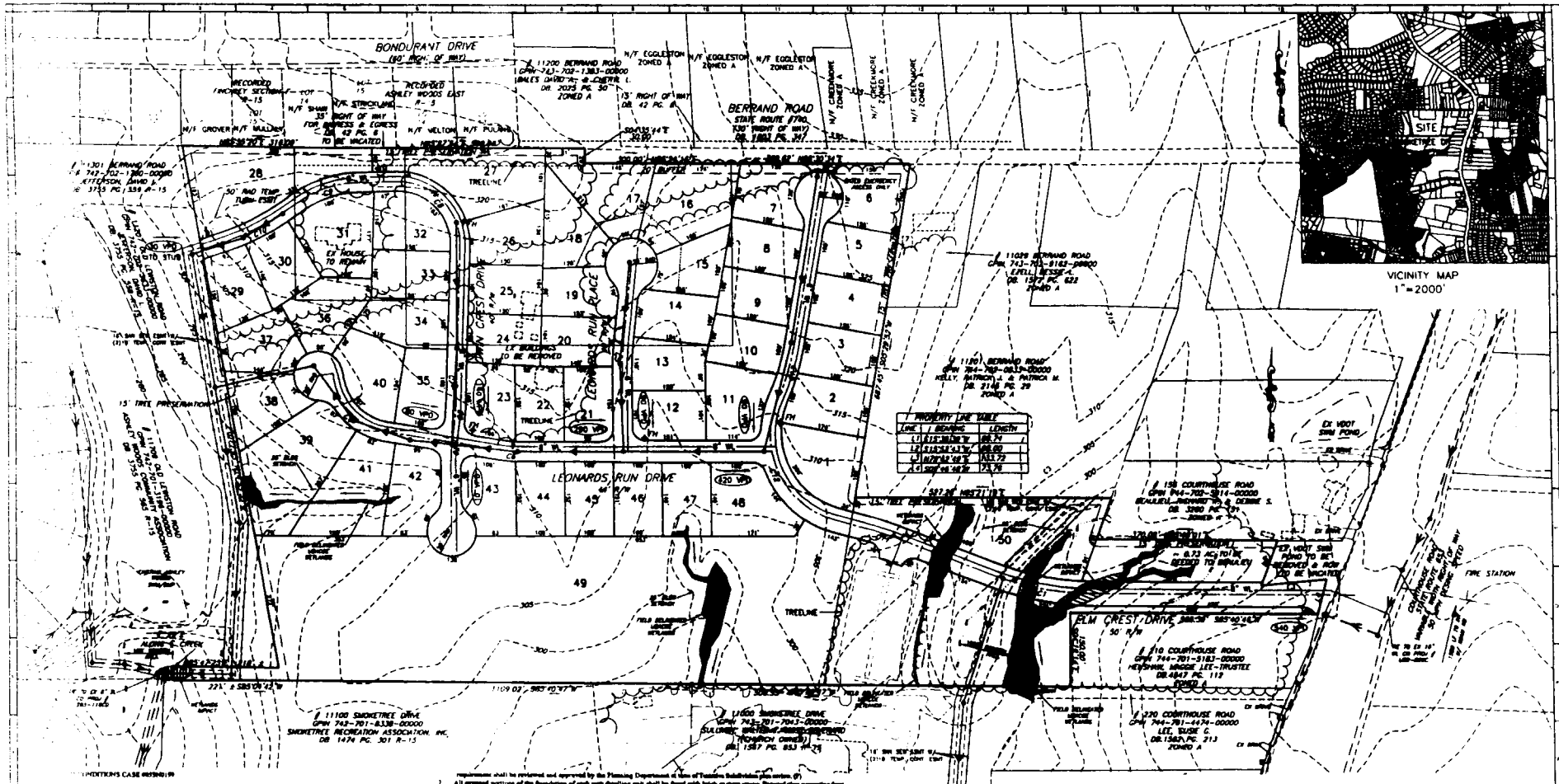

NOTES

1. ALL RIGHT-OF-WAY WIDTHS ARE PRELIMINARY.
2. CBPA COMPLIANCE ACHIEVED BY OFF-SITE BMP LOCATED IN JESSUP FARMS
3. THE DEVELOPER SHALL PERMIT NO MASONRY EMBELLISHED STRUCTURE OVER 6" ABOVE THE TOP OF CURB/EDGE OF PAVEMENT WITHIN THE 10' VDOT CLEAR ZONE MEASURED FROM THE TOP OF CURB/EDGE OF PAVEMENT. A STRUCTURE OF 6" AND LESS IN HEIGHT MAY BE NO CLOSER THAN 2' FROM THE EDGE OF PAVEMENT/BACK OF CURB.
4. WETLAND DELINEATION PROVIDED BY TIM RIGNEY OF BALZER & ASSOCIATES. WETLANDS DELINEATION CONFIRMED BY USACOE.
5. CONTOURS PROVIDED FROM GIS.

GENERAL NOTES

1. OWNER/DEVELOPER:
   LBV INVESTMENTS LLC
   2931 POLO PKWY
   MIDLOTHIAN, VA 23113
   804-594-7201 FAX 804-594-7202
   CONTACT: LEROY VAUGHAN
2. USE: RESIDENTIAL
3. ZONING: R-15, CASE 05SN0199
4. GPIN: 744-701-1388, 743-702-1916
   742-702-7055, 743-702-1454
   743-701-7043 PT
5. SEWER: COUNTY
6. WATER: COUNTY
7. DRAINAGE: CURB & GUTTER
8. NO OF LOTS: 50
9. ACREAGE IN LOTS: 33.06 AC
10. ACREAGE IN R/W: 5.03 AC
11. ACREAGE IN OPEN SPACE: 0.00 AC
12. TOTAL ACREAGE: 38.09 AC
13. MINIMUM LOT SIZE: 15,000 SF
14. MAXIMUM LOT SIZE: 468,270 SF
15. AVERAGE LOT SIZE: 28,750 SF

BALZER

ELM CREST

TENTATIVE

CLOVER HILL DISTRICT
CHESTERFIELD COUNTY, VIRGINIA

DRAWN BY FTC
DESIGNED BY FTC
CHECKED BY FTC
DATE 1/23/06
REVISIONS:

SCALE 1"=100'
SHEET NO
1 OF 1
JOB NO
C0300181

06TS0291-1