

CITY OF CHARLOTTESVILLE

Department of Neighborhood Development Services

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May 22, 2023

Collins Engineering

Attn: Scott Collins, P.E.

200 Garrett Street

Suite K

Charlottesville, VA 22902

RE: Azalea Springs Final Site Plan 2nd Submission.

Dear Applicant:

Thank you for presenting the site plan for the above referenced development on October 14, 2021, and for additional review on April 7, 2023. For the reasons set forth below, the plan is hereby denied. If you wish to pursue approval of a Final Site Plan for this project, please address the deficiencies outlined in this letter and resubmit the plan(s) for review.

City Staff have made a good faith effort to identify all deficiencies within this submission; however, in the event that there remains any other deficiency which, if left uncorrected, would violate local, state or federal law, regulations, or mandatory engineering and safety requirements, such other deficiency shall not be considered, treated or deemed as having been approved. These comments are based on the current submission; future submissions may generate additional comments.

Please revise the plan and resubmit ten (10) paper copies and one (1) electronic copy (PDF) for review. If you have questions, please feel free to contact me at 434-970-3636 or alfelem@charlottesville.gov and I will be happy to assist you.

Sincerely,

Matt Alfele, AICP

City Planner

C: Stanley Martin Companies, LLC., Attn: Lauren G. McCarthy McCarthyLG@stanleymartin.com

Department of Neighborhood Development Services

Planning – Matt Alfele

General (these comments will be included until satisfied, but they do not need a response with each submission. They are only intended to help with tracking milestones).

- a) The Planning Commission shall review the final site plan for approval, per Sections 34-820(d)(5), 34-822(c)(1), and 29-76(a).
2. The City's Agent will not sign the final site plan until:
 - a. Bonds for public improvements, erosion & sediment control, and stormwater management facilities, as applicable, in the amounts approved by the Engineering Division must be submitted and accepted by the City Attorney's Office prior to final site plan approval.
 - b. The subdivision plat must be submitted, approved, and recorded in the City's land records. Per Section 29-76(a), the Planning Commission must approve the preliminary plat for all major subdivisions.
3. Please note: pursuant to state law, whether or not specific improvements depicted on this site plan will satisfy requirements of the Americans With Disabilities Act, or other standards set forth within the Virginia Uniform Statewide Building Code (USBC), is subject to review and determination by the Building Code Official. The Site Plan Agent's approval of this site plan does not constitute any determination that off-street parking, improved surfaces, vertical or horizontal sidewalk clearances, parking space dimensions and slopes, or ingress/egress from parking to building entrances, or any other improvements, comply with ADA requirements or other requirements set forth within the USBC. Relative to requirements of the ADA/ USBC, any deficiencies—even if apparent on this site plan—shall not be considered, treated or deemed as having been approved by the Site Plan Agent. (See, e.g., Sections 34-980, 34-982, 34-896, 34-897, 34-977, et al.).
4. Reminder: per Section 29-260(a), relevant to this development per Section 34-803(d), all site-related improvements shall be completed prior to the first certificate of occupancy for any building, unless a written agreement with the City is completed to lay out specific phasing of site-related improvements. Such agreement shall be signed by all relevant parties and recorded by the applicant.
5. Reminder: Per Section 10-56(a), the Stormwater Maintenance Agreement must be submitted, reviewed, signed, and recorded in the City's land records. Per Section 29-231(c) applicable per Sections 34-827(d)(9) and 34-914, a maintenance easement plat must be prepared to provide access for maintenance and inspection purposes. Per Section 10-56(a)(1), the agreement must be approved and signed prior to approval of the final site plan. Proof of recordation must be submitted prior to the issuance of a land disturbance permit.
6. Reminder: the proposed public roads must be accepted by City Council for maintenance, per Section 29-260(e). Please coordinate with Jack Dawson, City Engineer, on this process.
7. Section 34-1145 allows the boundaries of nonconforming lots to be changed (size, width, or both), so long as no lot becomes MORE nonconforming. Boundary lines of nonconforming lots may be adjusted, so long as no new lot is created. Changes to

nonconforming lots cannot be done by a “boundary line adjustment plat”; the changes must be shown on a SUBDIVISION PLAT (in this case a major subdivision plat) filed and approved in accordance with the subdivision ordinance. (See Section 34-1145(b)(1),(2),(3) and (5)).

8. Changes to the nonconforming lots do not need to be made in a way that requires the resulting lots all to be conforming; however, following the changes, the resulting lots must be LESS nonconforming than the originally platted lots Section 34-1145(b)(1).
9. Any existing unimproved [nonconforming] lot of record, AND (ii) modified lots which remain nonconforming, may be USED for any purpose allowed by the zoning district (in this case, see Section 34-420), provided that all other standards [i.e., standards other than the size and lot width, which can remain nonconforming] of the zoning district are met.
10. The property owners' association shall be established and constituted in accordance with the Virginia Property Owners' Association Act, prior to the final approval, recordation and lease or sale of any lot within the subdivision. The membership of the property owners' association, and the obligations of such association with respect to the common areas, shall be set forth within a declaration, suitable for recording in the land records of the Circuit Court for the City of Charlottesville, meeting the requirements of the Virginia Property Owners' Association Act. The declaration shall detail how the association shall be organized, governed and administered; specific provisions for the establishment, maintenance and operational responsibilities of common areas and the improvements established therein; and the method of assessing individual property owners for their share of costs associated with the common areas. Virginia Code § 55-344. I have the Declaration of Protective Covenants, Conditions, Restrictions and Easements from November 15, 2020, and they were sent to the City Attorney's Office that same month for review. I have not heard back from that department to date. I will continue to press for a review, but please advise if you would like to update these documents or if you are still planning to use the one from November 15, 2020,.
11. One major zoning requirement that is not met (at this time but being proposed): each lot must have its principal frontage on a public street that is improved and has been accepted by the City for maintenance Section 34-1120(a).

Sheet 1 (Cover)

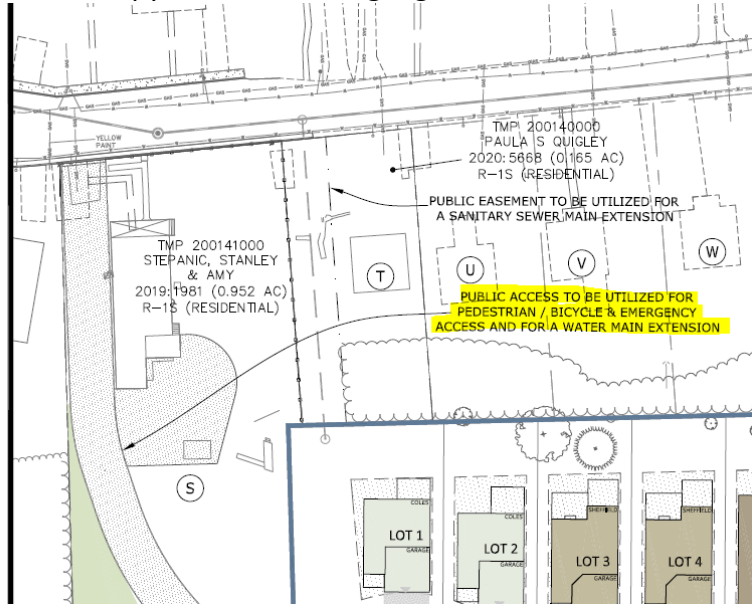
12. Note #2: The City's Utility Department has no record of reviewing or approving a public Utility easement over TMP 200140000. This will need to be addressed through the City's Utility Department.

Sheet 8 and 9

13. **Repeat Comment:** Englewood Drive will need to be renamed per Section 29-181(a)(1). The name “Ingleswood Drive” is already in use in the Albemarle County. The City has no preference on a street name, only that it is not already in use within the City or County.
14. Lot 21, 22, and 44 are partially outside the setback. Please refer to Section 34-1101 for allowable encroachment types and maximum amounts. Also note the building envelope for each dwelling will be examined in more detail with each individual building permit.

Sheet 14A (Offsite Improvements) and sheet 7

15. At the Site Plan Conference on November 17, 2021 and in the application materials that were approved by City Council for a Critical Slope Waiver, the 10' accesses is for Pedestrian/Bicycle and Emergency access with removable bollards. Update the site plan to show the public has rights to this easement outside of just emergency access. Please provide a copy of the deed language with the next submission.



Department of Neighborhood Development Services

Building Official – Chuck Miller

No comments were provided but may be delivered under separate cover.

Department of Public Works

Engineering – Hugh Blake

GENERAL

16. The stormwater wet pond does not meet the requirements for a level 2 wet pond. See BMP Specification No. 14. As one example, the length-to-width ratio does not meet the requirements for a level 1 wet pond. (See relevant design specification for the methods of analysis.) As a result, a level 1 wet pond may be a more-easily achieved goal considering the level 2 requirements are significantly more difficult to achieve. At any rate, review the specification and provide a commensurate design for project.
17. The stormwater wet pond does not meet the requirements for a level 2 wet pond. See BMP Specification No. 14. As one example, the shortest flow path does not meet the requirements for a level 1 wet pond. (See relevant design specification for the methods of analysis.) As a result, a level 1 wet pond may be a more-easily achieved goal considering the level 2 requirements are significantly more difficult to achieve. At any rate, review the specification and provide a commensurate design for project. An explanation of the applicability of stormwater traveling at a right angle after entering the wetland cell would be helpful. (A shorter path than shown is from the outlet into the forebay cell to the outlet structure.)

18. Include in the stormwater narrative for the project the description for the method to achieve the low-flow through the wetland and high-flow through the main cell. See figure 14.1 on sheet 46 of plan set.
19. What design elements are used to provide shading (i.e., prevent excessive warming) for the wet pond; there is a constructed-wetland in Azalea Park a relatively short distance downstream.
20. What is the flow-rate for the pump to dewater the pond in 24 hours?
21. Use the city line-item cost estimates provided by the City Engineer for the bond estimates.
22. The geotechnical report of the area for the proposed wet pond's construction could not be located. See Specification No. 14 for the required geotechnical testing required.
23. The water balance analysis could not be located. See Specification No. 14. Include the analysis with the geotechnical report demonstrating that the proposed wet pond is compatible with this specification.
24. Provide the pump wet-well location. See Specification No. 14.
25. A report investigating wetland locations could not be located. The water associated with the stream is an indicator of suitable conditions for wetland plant species to persist. Where can this report be found?
26. The Stormwater Management Calculations Packet lists an assumption (page 5) that type B soils will be assumed when a mixture of B and D soils are on site. Provide the associated soil reports for this project where your assumptions have been used. (See soils report comment.) Furthermore, analyze B/D soil types according to the location of the soils as appropriate, as required on recently-approved projects where this situation has been relevant. In short do not make this assumption.
27. An aerator for the wet pond is shown; however, the wiring to power the device could not be located. Clarify the aerator's location and support infrastructure.
28. The pond bottom appears to be flat; demonstrate that the pond bottom has 0.5% to 1% internal slope. Include proposed spot grades at multiple locations with appropriate construction tolerances.
29. The detail for the construction of the water quality structure could not be located. Where can this be found?
30. The coefficient of discharge used for orifice analysis uses a value of 0.50, considerably less than the commonly used value: 0.60. Provide documentation that the 0.50 value accurately reflects the non-standard design. State in the structure detail, earlier comment, that non-standard orifice structures are required. Alternatively, use the standard Cd value of 0.60 and size the orifice structures to meet the desired parameters, i.e., flow-rates.
31. Provide the soils reports from the web soil survey database that corresponds with the soils table provided.
32. Add a note (or reference location) to state that stormwater structure 26A is to be maintained by the HOA (or another responsible private party).
33. Provide a note that the date of the base course pavement placement is to be documented and the surface coat shall be placed within twelve months after placement. Otherwise, a lift of IM-19.0A will be placed until the construction of the road is

completed (by milling this layer and placing the surface coat). See the SADM for construction of new streets.

SHEET C1 OF 47

34. Provide a permanent benchmark for the development that can be referenced throughout the construction period. (This will also be utilized with the as-built drawing.) The sanitary sewer manhole-benchmark shown will be demolished as part of the project.

SHEET 24 of 47

35. Provide a landscape plan that is compatible with the SADM. There is at least one readily-apparent location where a tree is proposed to be planted above a stormwater management pipe (lot 44).
36. Review the landscape plan and clarify the compatibility of trees planted in the pond and pre-treatment fore-bay, for example.
37. Review the landscape plan and provide documentation from the Virginia-licensed retaining wall design engineer that trees are allowed to be planted the distances shown from the face of wall. (Shrubs are normally allowed; trees are not.

SHEET 45 of 47

38. Show the access route / road that will be used for maintenance of the wet pond. Adequate maintenance access must extend to the fore-bay, safety bench, riser, and outlet structures and must have sufficient area to allow vehicles to turn around. See design specification 14. The access road shown is for fire department access to the subdivision, which is an acceptable starting point; however, this area is 100 to 200 feet away (depending on how one chooses to measure) from the fore-bay cell.
39. Provide the access road materials, width, and profile grade as described in design specification 14.
40. Include a comprehensive landscaping planting plan, preferably created by a competent professional, i.e., landscape architect familiar with wetlands. A table for the aquatic bench plant species is provided. Where can the planting plan referenced on sheet 46, Facility Planting Specifications, be found?

REPEAT / OPEN COMMENTS

41. Provide a revised E&S C bond estimate; this will be reviewed before plan approval.
42. Provide a revised Stormwater Management Bond Estimate; this will be reviewed before plan approval.
43. Provide a revised Public Improvement Bond Estimate; this will be reviewed before plan approval.
44. Provide an accurately completed (no plan-date, yet) stormwater management agreement; this will be reviewed before plan approval.
45. Provide documentation that the VWP General Permit has been acquired for the filling of the stream and wetland.
46. Provide a report that documents the extent of wetlands on the project site and adjoining parcel impacted by the development project.
47. Provide a retaining wall report for retaining walls that meet the standard for engineering review; see the Standards and Design Manual for requirements for the

reports that need to be approved. Please provide one full-size signed, sealed, and dated plan.

48. Review the VDOT Drainage Manual as part of the design process. For example, a ¼" thick steel plate is shown to be provided for protection of the base of the stormwater manholes; however, this does not satisfy the minimum steel thickness. Please provide a design that meets the minimum requirement.
49. Provide a note that states the entity dedicated the stormwater piping and structures on private property, e.g., private stormwater management easement dedicated to the homeowner, HOA, etc. See Lot 45.

NOTES:

50. Provide retaining wall plans from a professional engineer licensed in the Commonwealth of Virginia (designed, certified, and sealed). No parts of retaining walls, including toes or heels, are allowed to cross property lines without an easement. Similarly, tie-backs, geogrid or any other mechanical soil stabilization materials are not allowed to cross property lines without an approved easement. With respect to materials that cross into the public space, an approved encroachment-easement will be required. The City Council will need to approve this easement.
51. These comments are based on the current submission; future submissions may generate additional comments.
52. Regarding Stormwater Management Maintenance Easements and Agreements: The applicant should be advised that no VSMP plans (any Site Plan with a SWM BMP component) will be approved before easements and associated deeds of agreement providing for the long-term responsibility for, and maintenance of, stormwater management facilities are adequately provided and recorded in the land records. The easements should cover, minimally: all BMP facilities and any channels or conveyances regulating design flows or determining drainage areas to the facilities, with appropriate room for maintenance, inspection access, and replacement as required. Additionally, all areas credited as "Forest/Open Space" in the VRRM spreadsheet shall also be included in a SWM maintenance easement area. Maintenance schedules of all BMP facilities and Forest/Open Space Areas should be provided for in the Final Site Plan, on a SWM plan sheet for inclusion by reference into the Deed of Agreement. A template for the Deed of Easement/Agreement can be downloaded from the city website. The final Deed will require review and approval by PWE and the City Attorney's office. While not required for inclusion in the easement, it should be known other features controlling or limiting BMP DA's (downspouts, roof leader conveyances, roof peaks, fine grading, berms, yard inlets, etc.) are still subject to inspection and enforcement under the VSMP program for compliance. It is suggested a note to this affect be included with the SWM maintenance notes on the SWM plan for end user clarity in regards to maintaining VSMP compliance on the site. (9VAC-870-112, SDAM 5.2.2-E, I, and J)

No comments were provided but may be delivered under separate cover.

Department of Utilities

Utility Engineer – Roy Nester

General:

53. Please note on the plan the VA811 (formerly Miss Utility) ticket number that was used to locate the utilities shown on the plans. Please identify on the plan when it was submitted as well.
54. Repeat Comment: Please provide an easement plat for all off-site public utility easements (PUE). The new PUE shall be dedicated to the City. The existing private easements cannot be “converted” to public, new PUE must be provided. The plat and easement shall be recorded prior to final site plan is approval (comment will remain until addressed with final site plan).
55. Once the site plan is closer to final form, please update all PUE included on the subdivision plat. All new PUE shall be dedicated to the City. The plat and easement shall be recorded prior to final site plan is approval (comment will remain until addressed with final site plan).
56. Repeat Comment: Please review the utility to utility spacing to make sure adequate horizontal clearance is provided everywhere. We require a minimum of 5-feet of horizontal separation between all City utility infrastructure (water, sewer, storm, and gas) and all other lines. Additionally, State Regulations require a minimum of 10-feet of horizontal separation between sanitary sewer and water and this must be provided along Englewood. This separation must be provided at structures (MH, box, vault, etc.) as well. The currently proposed separation in Monte Vista is acceptable.
57. The bond estimate was not reviewed as the water and sewer alignments need to be revised. Once the design is nearing final form, we will review the bond estimate and provide comments.
58. Repeat Comment: Please ensure adequate tree-to-utility spacing is provided everywhere. We require 10-feet of separation between trees and City utility infrastructure (lines, boxes, valves, hydrants, etc.). There appears to be many, many trees proposed along Englewood that are too close to proposed water and sewer infrastructure.
 - a) Sheet 24, a large street tree in front of Lot 4 appears to be too close to the water service line for Lot 5.
 - b) Sheet 24, a large street tree in front of Lot 7 appears to be too close to the water service line for Lot 6.
 - c) Sheet 25, a large street tree in front of Lot 12 appears to be too close to the water service line for Lot 12.
 - d) Sheet 25, a large street tree in front of Lot 19 appears to be too close to an existing stormwater inlet. Please confirm with Public Works Engineering that adequate tree to storm horizontal clearance has been provided.
 - e) Sheet 25, a large street tree in front of Lot 21 appears to be too close to the water service line for Lot 21.

- f) Sheet 25, a large street tree in front of Lot 22 appears to be too close to the water service line for Lot 22.
 - g) Sheet 25, a large street tree in front of Lot 28 appears to be too close to the water service line for Lot 28.
 - h) Sheet 25, a large street tree in front of Lot 30 appears to be too close to the water service line for Lot 30.
 - i) Sheet 25, a large street tree in front of Lot 31 appears to be too close to the water service line for Lot 32.
 - j) Sheet 25, a large street tree along northside of proposed huntsman run way appears to be too close to an existing stormwater inlet. Please confirm with Public Works Engineering that adequate tree to storm horizontal clearance has been provided.
 - k) Sheet 25, a large street tree along southside of proposed huntsman run way appears to close to the water service line for Lot 34.
 - l) Sheet 24, a large street tree in front of Lot 38 appears to be too close to the water service line for Lot 39.
 - m) Sheet 24, a large street tree in front of Lot 44 appears to be too close to a stormwater pipe. Please confirm with Public Works Engineering that adequate tree to storm horizontal clearance has been provided.
59. Please provide separate profiles for the sanitary sewer and water lines. This information can be shown on other profiles, but we need separate profiles for each of these utilities. Additionally, parallel lines should not be displayed as they will cause confusion. Please ensure all crossings are shown and only necessary information is given.
60. Repeat Comment: For all utility profiles, please show all crossings (including service lines), note the station, note the clearance, and identify crossing utility use, material, and size. Please ensure all labels are connected with a leader line to the structure they are referencing.
61. For all utilities plan view, please only include waterline stationing and do not include sewer or street stationing.

Water:

62. All new water domestic water meters shall be 5/8-inch meters served by a ¾-inch type k soft copper service line and ¾-inch corps torp. Please revise the drawings and all notes to reflect this.
63. Repeat Comment: Please provide a separate waterline profile for the line proposed in Englewood Drive. The main can still be shown on sheet 18, but when all water, sewer, and gas service lines are added this profile will become too cluttered. Please show only the water line and applicable crossings and labels. Please do not show sanitary sewer mains or storm sewer mains unless they are crossing the water main.
64. Repeat Comment: For all waterline profiles, please show all connections and note the station, and size. If all water service connections are the same size / material, you can note this on the profile rather than noting the size of every single connection.
65. On sheet 10, for the proposed fire hydrant near station 8+00, the gate valve shall be adjacent to the main.

66. Repeat Comment: On sheet 11, for the proposed fire hydrant in front of on lot 17, the gate valve shall be adjacent to the main.
67. On sheet 11, at approximate waterline station 9+13, please remove the in-line 8-inch gate valve.
68. On sheet 11, at approximate waterline station 10+85, please remove the in-line 8-inch gate valve.
69. On sheet 11, at approximate waterline station 12+27 please remove the proposed fire hydrant assembly in front of Lot 26.
70. On sheet 11, at approximate waterline station 12+32 please remove please remove the 6-inch in-line gate valve.
71. On sheet 11, the fire hydrant at the end of the cul-de-sac, please move the gate valve for this hydrant, so that it is in the sidewalk behind the water service connection for Lot 23. We want this valve as far away as feasible from the hydrant for ease of future maintenance.

Sewer:

72. Repeat Comment: For all utility plan views, please identify all top elevations, invert in elevations, invert out elevations, pipe sizes, and pipe material for all existing and proposed manholes. We believe there were multiple incoming pipes to several existing manholes that the design did not show or otherwise address.
73. For all sewer profiles, please show all connections and note the station, and size. If all sewer service connections are the same size / material, you can note this on the profile rather than noting the size of every single connection. If a service connection occurs at a manhole, then you don't need to note the station but instead make it clear by showing and labeling this with the manhole information.

Fire Department

Assistant Fire Marshal – Stephen Walton

74. In response to Item 106 in the Comment Response Letter, the current minimum diameter requirement for cul-de-sacs is 70 feet. Our current fire department apparatus cannot complete a full 360-degree turnaround in a 60-foot cul-de-sac without performing several maneuvers, which is unacceptable. Therefore, the 60-foot diameter cul-de-sacs will not be approved.

City Manager's Office

ADA Coordinator – Paul Rudacille

No comments were provided but may be delivered under separate cover.

Rivanna Water and Sewer Authority

Engineer

The Final Site Plan submitted April 5, 2023 was reviewed by the Rivanna Water and Sewer Authority and did not generate any comments.

Department of Parks and Recreation

Urban Forester – Steve Gaines

Comments will be provided with the next submission after the Urban Forester meets with the applicants Tree Preservation Team.