

Reference Ordinance 2018-304 with supporting documents (in part).

Good Evening Council Members. I am Joe Cacciotti.

On January 14th, Council passed a City ordinance to allow 59 Townhomes to be built on the 5 ½ acre property located at 9230 Forest Hill Ave. This was passed based on false, incomplete and missing information and reports presented to Council by the Planning Commission and the Developer.

4 citizens spoke in opposition and many more would have, if the icy conditions on January 14th did not occur. Only the developer's representative spoke in favor of this change.

The Planning Commission stated to Council "Staff has not received any letters of support or opposition regarding this request", which is false, when in fact, 15 area residents objected to this development and sent petition letters dated June 28, 2018, to Mark Olinger, Director of Planning. See attached letters.

Both the Planning Commission and Developer failed to notify Council this property is protected within the Chesapeake Bay Act and Resource and Management Protection area and is classified as a Non-Tidal Wetland which requires a 100 foot of buffer surrounding the property and not the 50 and 25 foot buffers that were approved. See attached supporting documents.

Seeing the property as it stands today with standing water, in the wetland area, the majority of trees in the buffer zones and throughout the property will have to be removed due to deadwood and overgrown dead brush, which will clear most of the trees and vegetation in the buffer areas. See attached survey map showing this is a wetland area, as well as recent photographs.

This project does not comply in no manner with the Chesapeake Bay Act and Resource and Management Protection areas or Federal and State Laws. See Chesapeake Bay Preservation Act (§ 62.1-44.15:67-79, Code of Virginia)

In fact, I have been informed that the City of Richmond no longer has anyone assigned as a Chesapeake Bay Act Administrator who would have reviewed the requested change in zoning and pointed out the regulations that must be followed.

The City's manual of the Chesapeake Bay Preservation Program, City Code Sec. 14-231 clearly states Resource Protection areas have restrictions related to Non-Tidal Wetlands. Approximately 35% of the City's land area is within the Chesapeake Bay Preservation areas which this property falls under and clearly the Planning Department is required to follow, but refuses to do so. See Chesapeake Bay Preservation Program, City Code Sec. 14-231

Per the Virginia Game and Inland Fisheries, there are 8 Virginia threatened species in the area that live on or use this property. Endanger species review was not physically surveyed, but was done using an internet search.

Threatened Species

Northern Long Eared Bat, Little Brown Bat, Eastern Big Ear Bat, Tri-colored Bat, Peregrine Falcon, Loggerhead Shrike (Bird), Barking Tree Frog, Atlantic Big Toe (Mussel).

The U.S. Fish and Wildlife Service requires a Biological assessment before any development is done. The U.S. Army Corps of Engineers believe there are jurisdictional aquatic resources and will require review.

The Non-Tidal Wetland area on the property is 22,450 Sqft. and has Stormwater drain runoff from Forest Hill Ave and Evansway Ln that drains onto this property, which was approved by the City and is in violation of the Chesapeake Bay Act. Rainwater from the street does not drain into the City sewer system.

Rezoning was approved without a Water Quality Impact and Stormwater Assessment which is require before any development occurs per the Federal Clean Water Act, City and State codes. Why?

Why was the rezoning approved knowing there are regulations and Federal and State Laws regarding wetlands and threatened and/or endanger species in the area that may or use this property and must be followed?

I and others are requesting Council to resend 2018-304 ordinance and require the Planning Department and the Developer to follow the City Codes and the requirements under the Chesapeake Bay Act along with Federal and State Laws.

The Citizens beside me are in opposition to this property being developed. However, many more who are in opposition and could not attend at this time.

Any Questions?



CITY OF RICHMOND

Department of Planning & Development Review *Staff Report*

ORD. 2018-304: To amend and reordain Ord. No. 75-309-302, adopted Dec. 15, 1975, as most recently amended by Ord. No. 2017-227, adopted Dec. 11, 2017, pertaining to the "Stony Point Community Unit Plan," for the purpose of amending the development standards, as they pertain to Map Section K of the Southern Portion of the Plan, to allow for residential development.

To: City Planning Commission
From: Land Use Administration
Date: November 19, 2018

PETITIONER

Laburnum Properties, LLC

LOCATION

9230 Forest Hill Avenue

PURPOSE

To amend and reordain Ord. No. 75-309-302, adopted Dec. 15, 1975, as most recently amended by Ord. No. 2017-227, adopted Dec. 11, 2017, pertaining to the "Stony Point Community Unit Plan," for the purpose of amending the development standards, as they pertain to Map Section K of the Southern Portion of the Plan, to allow for residential development.

SUMMARY & RECOMMENDATION

The applicant has requested an amendment to the Stony Point Community Plan (Southern Portion) in order to allow the development of up to 59 townhomes on a property located at 9230 Forest Hill Avenue that is currently designated by the Community Unit Plan for church use. The Stony Point Community Unit Plan ordinance and development plan must be amended in order to allow the proposed change from church use to the proposed townhouse development.

Staff finds that the proposed amendment to Map Section K of the Stony Point Community Unit Plan (Southern Portion) to allow the development of townhomes generally conforms to the recommendations of the City of Richmond's Master Plan and is compatible with the other uses allowed in the community unit plan. The additional residences would also support the nearby commercial uses within the Stony Point Community Unit Plan.

Staff finds that the proposed use would not pose an undue burden on the availability of on-street parking in the area, would be buffered from adjacent residential uses and would provide community amenities for its residents.

Staff finds that the proposed amendment would be in keeping with the standards for approval of Preliminary Community Unit Plans established by the City's Zoning Ordinance.

Staff therefore recommends approval of the Resolution to approve the proposed Preliminary Community Unit Plan amendment.

FINDINGS OF FACT

Site Description

The subject property comprises Map Section K of the Stony Point Community Unit Plan (Southern Portion) and as such, is governed by the Stony Point CUP Ordinance (Ord. No. 2017-227). The property is also known as 9230 Forest Hill Avenue, a 5.62 acre unimproved parcel. It fronts Forest Hill Avenue and Evansway Lane in the Huguenot Planning District.

Proposed Use of the Property

The construction of up to 59 townhomes and amenities on the property known as 9230 Forest Hill Avenue. The townhomes fronting Forest Hill Avenue will have rear-loaded garages. The density of the proposed development would be approximately 10 units per acre.

Master Plan

The City of Richmond's Master Plan designates the subject for multi-family (medium density) land use. Primary uses under this recommendation are multi-family dwellings at densities up to 20 units per acre.

Also included are day nurseries and adult day care. The Master Plan also supports residential uses such as schools, places of worship, neighborhood parks and recreation facilities, and limited public and semi-public uses.

Ordinance Conditions

The subject property is located within the R-2 Single-Family Residential zoning district and is noted as Map Section K of the Southern Portion of the Stony Point Community Unit Plan. Development of this property is currently governed by the Stony Point CUP Ordinance (Ord. No. 2017-227) and the 1988 Stony Point CUP Development Plan.

The amended CUP ordinance and amended Development Plan would impose the following conditions on the proposed development. Plans regarding the layout of the site, landscaping, and common area amenities have also been submitted as part of the amendment request.

- Development shall be in substantial conformance with the submitted conceptual layout
- There shall be no more than 59 dwelling units within Map Section K and no more than five units shall be attached in a series.
- Dwelling units shall be located on lots of no less than 1,450 square feet in area
- Building height shall be limited to 38 feet
- There shall be a front yard with a depth of not less than 15 feet and a rear yard with a depth of not less than 10 feet. There shall be side yards of not less than 7 feet except where buildings are attached
- Each unit shall provide a one-car garage and a driveway sufficient for the parking of one vehicle. Additional on-site parking shall be provided
- Units with front loading garages shall use an upgraded type door as described in the ordinance.

- Street trees shall be provided substantially as shown on the submitted plans
- Sidewalks and pedestrian paths shall be installed substantially as shown on the submitted plans.
- Bicycle racks shall be provided.
- Decorative lamp posts shall be provided for each dwelling unit.
- Signage in Map Section K shall be limited to standard signage permitted in all districts and one freestanding sign not exceeding ten feet in height and 25 square feet in area, located substantially as shown on the plans
- A 19 foot wide landscape strip shall be provided along Forest Hill.
- A buffer of no less than 25 feet in width shall be provided along Evansway Lane and a pedestrian access to the Evansway sidewalk may be provided, substantially as shown on the submitted plans
- A buffer of no less than 50 feet in width shall be provided along the western boundary of Map Section K, substantially as shown on the submitted plans.
- A row of evergreen shrubs shall be provided along the 25' and 50' buffers.
- Supplemental plantings will be provided in the common area.
- Foundation planting beds, a minimum of three feet deep, shall be required along the entire front façades of each building, excluding areas for the leadwalk, stoops, driveways and any entryways to porches, patios and garages
- At a minimum, the common area shall include the following recreational amenities: the tot lot and the fire pit seating area in the general design shown on the plans
- Covenants shall be established that include provisions for maintenance and operation of any stormwater system; that address aesthetic design principals of the homes; specific architectural design guidelines; landscaping and maintenance of the 25 foot and 50 foot buffers; and that establish standards for fencing shall be recorded in the Clerk's Office of the Circuit Court of the City of Richmond, Virginia

Surrounding Area

The site abuts single-family dwellings to the west and single-family dwellings are located across Evansville Lane to the north. A portion of Summer Hill Senior Housing abuts to the south. Across Forest Hill Avenue to the south are office uses that are in proximity to the Stony Point Shopping Center. All adjacent properties are zoned R-2 Single-Family Dwelling. Properties to the east and south are within the Southern Portion of the Stony Point Community Unit Plan.

Neighborhood Participation

Staff has not received any letters of support or opposition regarding this request.

Staff Contact: David Watson, Senior Planner, Land Use Administration (804) 646-1036

A. Definitions and Development Standards:

(1) Definitions: For purposes of this ordinance, the following definitions shall apply:

(a) "Northern Map Section L" shall refer to the portion of the Map Section L located north of Line A as shown on the Development Plan dated October 22, 2014.

(b) "Middle Map Section L" shall refer to the portion of Map Section L located south of Line A and north of Line B, as shown on the Development Plan dated October 22, 2014.

(c) "Southern Map Section L" shall refer to the portion of Map Section L located south of Line B, as shown on the Development Plan dated October 22, 2014.

(d) "Northern Map Section M" shall refer to that portion of Map Section M located north of Cherokee Road as shown on the Development Plan dated October 22, 2014.

(e) "Southern Map Section M" shall refer to that portion of Map Section M located south of Cherokee Road as shown on the Development Plan dated October 22, 2014.

(f) "Perimeter Buffers" shall refer to the buffer areas shown on the Development Plan dated October 22, 2014, along the northern, western and southern outer perimeter boundaries of Map Section L. Except along the western boundary of Southern Map Section L adjoining lots fronting on Lochinvar Road and Cheyenne Road and portions of the northern and western boundaries of Northern Map Section L, if Northern Map Section L is used for multifamily residential use, Perimeter Buffers shall be 100 feet in width as shown on the Development Plan dated October 22, 2014, with the exception that such buffers may be increased, solely at the option of the developer, by designation on either the final plan or subdivision plat, as applicable, for the affected portion or portions of Map Sections K and L. An increase of the perimeter buffers in any particular area shall not increase the perimeter buffer in any other area. Along the western boundary of Southern Map Section "L" adjoining lots fronting on Lochinvar Road and Cheyenne

Beth Howell

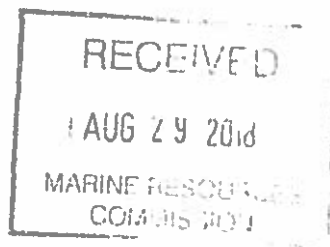
From: Stephanie Oneil
Sent: Wednesday, August 29, 2018 3:08 PM
To: jpa.permits@mrc.virginia.gov
Cc: Holley, Elaine K CIV CENAO CENAD (US)
Subject: Joint Permit Application - Stony Point Landing, Richmond, VA
Attachments: JPA - Stony Point Landing.pdf

Good afternoon,

Please see the attached Joint Permit Application for a SPGP to be issued for a new development on Forest Hill Avenue in Richmond. Please let me know if you have any questions.

Thank you,

Stephanie O'Neil
Environmental Scientist
Youngblood Tyler & Associates
7309 Hanover Green Drive
Mechanicsville, VA 23111
Office: (804) 746-5285
Cell: (703) 727-5749

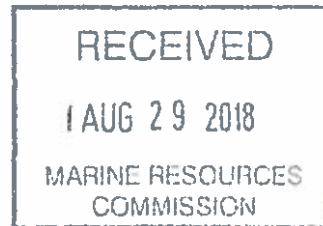




7309 Hanover Green Drive
Mechanicsville, VA 23111
(804) 746-5285
Youngblood-tyler@youngblood-tyler.com

August 29, 2018

Virginia Marine Resources Commission
Habitat Management Division
2600 Washington Avenue 3rd Floor
Newport News, Virginia 23607



RE: Joint Permit Application (JPA)
SPGP
Stony Point Landing
9230 Forest Hill Avenue
Richmond, Virginia 23235

To Whom It May Concern:

Enclosed is the Joint Permit Application (JPA) for the above referenced property for the issuance of an Individual Permit. The enclosed JPA encompasses an application for Stony Point Development for permanent impacts to:

- 0.52 acres of Palustrine Forested Wetlands

See Table 9 for further impact details, enclosed. The proposed impacts are due to road crossings and fill/other structures in wetlands associated to a multifamily residential development. Compensatory mitigation is required due to the total proposed impacts are more than 1/10 acre, cumulative. Total mitigation credits proposed for purchase is 1.04 wetlands credits. Mitigation credits will be purchased through an approved bank or by the in-lieu fee prior to the start of construction.

Copies of this JPA have been submitted to the USACE and the VDEQ. Please contact us if you have any questions or comments regarding the proposed work.

Sincerely,

Environmental Specialist

Enclosures

cc: US Army Corps of Engineers, Elaine Holley
Virginia Department of Environmental Quality

Joint Permit Application (JPA)
SPGP
Stony Point Landing
Richmond, Virginia

Purpose and Need
Avoidance and Minimization

The purpose of this development is to create 13 multifamily townhomes on Forest Hill Avenue in Richmond, VA, totaling 59 individual living units. The land use plan for the City of Richmond indicates that this area is to be used for medium density multifamily residential. The proposed site is currently being rezoned to fit into the city's land use plans as a multifamily-residential site. The proposed site lies within close proximity to multiple schools, Stony Point Fashion Park, Lewis G. Larus Park, and other community amenities, which makes it an attractive location for families to live and work nearby while still residing in city limits. In addition, the site is already adjacent to other residential and commercial development. Given these reasons, the site was chosen as a prime location for residential development.

The location of the wetlands and subject property's location along Forest Hill Avenue unfortunately made it impossible to avoid complete impact of wetlands. First, the City of Richmond will not allow any access to the site along the north side off of Evansway Lane. This made the only road access option to be off of Forest Hill Avenue. Because the site is positioned on a curve on Forest Hill Ave, VDOT had specific location requirements in order for the entry road to be visible by drivers coming in both directions from Forest Hill Ave. They would not allow the entry road to be placed any more to the right or to the left of what is seen on the attached plans in order to comply with safety regulations for line of sight for oncoming traffic. As shown on the plans, the road impacts the majority of the wetland area on the site. The remaining wetlands are impacted by the construction of the townhomes. If these remaining wetlands were left unimpacted, they would become isolated and have no hydrology to support wetland function as the original hydrology source has been impacted already by the required entry road. It was most feasible for townhomes to be designed in this area, as there also needed to be room for a BMP on the site to capture and treat stormwater runoff. Because of the numerous site restrictions, complete impact of wetlands are required.

Joint Permit Application (JPA)
Stony Point Landing
Richmond, Virginia

Threatened and Endangered Species Review

A review of federally threatened and endangered species was conducted using the U.S. Fish and Wildlife Service (Service) Project Reviews in Virginia protocol. A total of zero *federally* threatened species was identified on the Service's Official Species List within the project's action area.

To further review federally listed species, the Virginia Department of Game and Inland Fisheries (DGIF) Fish and Wildlife Information Service (FWIS) database was searched. One (1) *federally* protected species were identified as known or likely to occur within a three-mile radius of the project location: endangered yellow lance (*Elliptio lanceolate*). Three (3) *federally* endangered species were identified as known or likely to occur within a three-mile radius of the project location: endangered James spiny mussel (*Parvaspina collina*), endangered dwarf wedgemussel (*Alasmidonta heterodon*), and endangered Atlantic sturgeon (*Acipenser oxyrinchus*). One (1) *federally* threatened species was identified as known or likely to occur within a three-mile radius of the project location: threatened northern long eared bat (*Myotis septentrionalis*).

A review of the DGIF FWIS database was conducted for *state* threatened and endangered species. A total of eight (8) *additional* species were identified: endangered Little brown Bat (*Myotis septentrionalis*); endangered Rafinesque's eastern big eared bat (*Corynorhinus rafinesquii macrotis*); endangered Tri-colored bat (*Perimyotis subflavus*); threatened peregrine falcon (*Falco peregrinus*); threatened loggerhead shrike (*Lanius ludovicianus*); threatened migrant loggerhead shrike (*Lanius ludovicianus migrans*); threatened barking treefrog (*Hyla gratiosa*); and threatened Atlantic pigtoe (*Fusconaia masoni*).

Lastly, a review of the Virginia Department of Conservation and Recreation Natural Heritage (DCR-NH) database for state listed species was performed and did not return a result within the watershed (Watershed 8 digit HUC: 02080205 Middle James-Willis River/ Subwatershed 12 digit HUC: Middle James) for the selected criteria.

The proposed site is located off of Forest Hill Avenue, south of Stony Point Mall in the city of Richmond. It is surrounded by residential and office buildings and is currently vacant and sparsely forested.

As a result, preliminary 'no effect' or 'not likely to adversely affect' determinations have been made for all identified protected species.



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Virginia Ecological Services Field Office
6669 Short Lane
Gloucester, VA 23061-4410
Phone: (804) 693-6694 Fax: (804) 693-9032
<http://www.fws.gov/northeast/virginiafield>

In Reply Refer To:
Consultation Code: 05E2VA00-2018-SLI-3110
Event Code: 05E2VA00-2018-E-10654
Project Name: Stony Point

July 27, 2018

Subject: Updated list of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). Any activity proposed on National Wildlife Refuge lands must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered

species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan (http://www.fws.gov/windenergy/eagle_guidance.html). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
- USFWS National Wildlife Refuges and Fish Hatcheries

VaFWS Search Report Compiled on 5/2/2018, 4:50:08 PM

[Help](#)

Known or likely to occur within a 3 mile radius around point 37,32,27.3 -77,34,05.2
in 041 Chesterfield County, 087 Henrico County, 760 Richmond City, VA

[View Map of
Site Location](#)

537 Known or Likely Species ordered by Status Concern for Conservation
(displaying first 24) (24 species with Status* or Tier I** or Tier II**)

BOVA Code	Status*	Tier**	Common Name	Scientific Name
060017	FESE	Ia	Spinymussel, James	Parvaspina collina
060003	FESE	Ia	Wedgemussel, dwarf	Alasmidonta heterodon
010032	FESE	Ib	Sturgeon, Atlantic	Acipenser oxyrinchus
050022	FTST	Ia	Bat, northern long-eared	Myotis septentrionalis
050020	SE	Ia	Bat, little brown	Myotis lucifugus
050034	SE	Ia	Bat, Rafinesque's eastern big-eared	Corynorhinus rafinesquii macrotis
050027	SE	Ia	Bat, tri-colored	Perimyotis subflavus
040096	ST	Ia	Falcon, peregrine	Falco peregrinus
040293	ST	Ia	Shrike, loggerhead	Lanius ludovicianus
060173	ST	Ia	Pigtoe, Atlantic	Fusconaia masoni
020002	ST	IIa	Treefrog, barking	Hyla gratiosa
040292	ST		Shrike, migrant loggerhead	Lanius ludovicianus migrans
060029	FP	IIa	Lance, yellow	Elliptio lanceolata
030063	CC	IIIa	Turtle, spotted	Clemmys guttata
010077		Ia	Shiner, bridle	Notropis bifrenatus
040092		Ia	Eagle, golden	Aquila chrysaetos
060084		Ib	Pigtoe, Virginia	Lexingtonia subplana
040213		Ic	Owl, northern saw-whet	Aegolius acadicus
040052		IIa	Duck, American black	Anas rubripes
040029		IIa	Heron, little blue	Egretta caerulea caerulea
040036		IIa	Night-heron, yellow-crowned	Nyctanassa violacea violacea
040320		IIa	Warbler, cerulean	Setophaga cerulea
040140		IIa	Woodcock, American	Scelopax minor
040105		IIb	Rail, king	Rallus elegans

To view All 537 species [View 537](#)

*F=Federal Endangered, FT=Federal Threatened, SE=State Endangered, ST=State Threatened, FP=Federal Proposed,
FC=Federal Candidate, CC=Collection Concern

**I=VA Wildlife Action Plan - Tier I - Critical Conservation Need, II=VA Wildlife Action Plan - Tier II - Very High Conservation Need,
III=VA Wildlife Action Plan - Tier III - High Conservation Need,
IV=VA Wildlife Action Plan - Tier IV - Moderate Conservation Need
Virginia Wildlife Action Plan Conservation Opportunity Ranking:

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "may be" waters of the U.S. and/or that there "may be" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

FOR AGENCY USE ONLY

Notes	<div style="border: 2px solid black; padding: 10px; width: fit-content; margin: auto;"> <p style="font-size: 1.2em; margin: 0;">RECEIVED</p> <p style="font-size: 1.1em; margin: 0;">1 AUG 29 2018</p> <p style="font-size: 0.9em; margin: 0;">MARINE RESOURCES COMMISSION</p> </div>
JPA# 18-1393	

APPLICANTS

PLEASE PRINT OR TYPE ALL ANSWERS. If a question does not apply to your project, please print N/A (not applicable) in the space provided. *If additional space is needed, attach extra 8 1/2 x 11 inch sheets of paper.*

Check all that apply			
Pre-Construction Notification (PCN) <input type="checkbox"/> NWP # _____ <i>(For Nationwide Permits ONLY - No DEQ-VWP permit writer will be assigned)</i>	SPGP <input checked="" type="checkbox"/>	DEQ Reapplication <input type="checkbox"/> Existing permit number _____	Receiving federal funds <input type="checkbox"/> Agency providing funding: _____

PREVIOUS ACTIONS RELATED TO THE PROPOSED WORK (Include all federal, state, and local pre-application coordination, site visits, previous permits, or applications whether issued, withdrawn, or denied)

Historical information for past permit submittals can be found online with VMRC - <https://webapps.mrc.virginia.gov/public/habitat/> - or VIMS - <http://ccrm.vims.edu/permits/newpermits.html>

Agency	Action / Activity	Permit/Project number, including any non-reporting Nationwide permits previously used (e.g., NWP 13)	Date of Action	If denied, give reason for denial
ACOE	Jurisdictional Determination	2014-00017	3/15/2017	approved

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION

The applicant(s) is/are the legal entity to which the permit may be issued (see How to Apply at beginning of form). The applicant(s) can either be the property owner(s) or the person/people/company(ies) that intend(s) to undertake the activity. The agent is the person or company that is representing the applicant(s). If a company, please also provide the company name that is registered with the State Corporation Commission (SCC), or indicate no registration with the SCC.

Legal Name(s) of Applicant(s) Dominion Diversified Real Estate Group, LLC. c/o Mike Melton				Agent (if applicable) Youngblood, Tyler & Associates c/o Stephanie O'Neil		
Mailing address 10001 Patterson Ave, Suite 207				Mailing address 7309 Hanover Green Drive		
City Richmond	State VA	ZIP Code 23238	City Mechanicsville	State VA	ZIP Code 23111	
Phone number w/area code 804-528-5677	Fax		Phone number w/area code 804-746-5285	Fax		
Mobile	E-mail mike@dominiondiversified.com		Mobile 703-727-5749	E-mail soneil@youngblood-tyler.com		
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name and ID number (if applicable)			

Certain permits or permit authorizations may be provided via electronic mail. If the applicant wishes to receive their permit via electronic mail, please provide an e-mail address here: soneil@youngblood-tyler.com

1. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR INFORMATION (Continued)					
Property owner(s) legal name, if different from applicant Laburnum Properties, Inc c/o Steve Quercione			Contractor, if known		
Mailing address 8580 Magellan Pkwy Bldg 4			Mailing address		
City Richmond	State VA	ZIP code 23227	City	State	ZIP code
Phone number w/area code	Fax		Phone number w/area code	Fax	
Mobile	E-mail		Mobile	E-mail	
State Corporation Commission Name and ID number (if applicable)			State Corporation Commission Name ID number (if applicable)		

2. PROJECT LOCATION INFORMATION	
(Attach a copy of a detailed map, such as a USGS topographic map or street map showing the site location and project boundary, so that it may be located for inspection. Include an arrow indicating the north direction. Include the drainage area if the SPGP box is checked on Page 7.)	
Street Address (911 address if available) 9230 Forest Hill Avenue	City/County/ZIP Code Richmond City, 23235
Subdivision	Lot/Block/Parcel # C0011016001
Name of water body(ies) within project boundaries and drainage area (acres or square miles).	
Tributary(ies) to: <u>Powhite Creek</u> Basin: <u>James River</u> Sub-basin: <u>Middle James River</u> (Example Basin <u>James River</u> Sub-basin <u>Middle James River</u>)	
Special Standards (based on DEQ Water Quality Standards 9VAC25-260 et seq.) <u>none</u>	
Project type (check one)	<input checked="" type="checkbox"/> Single user (private, non-commercial, residential) <input type="checkbox"/> Multi-user (community, commercial, industrial, government) <input type="checkbox"/> Surface water withdrawal
Latitude and longitude at center of project site (decimal degrees) <u>37.540931</u> / <u>-77.568211</u> (Example: 37.33164/-77.68200)	
USGS topographic map name <u>Hugenot</u>	
8-digit USGS Hydrologic Unit Code (HUC) for your project site (See http://cfpub.epa.gov/surl/locate/index.cfm) <u>02080205</u> If known, indicate the 10-digit and 12-digit USGS HUCs (see http://dswcapps.dcr.virginia.gov/hidocs/maps/HUEexplorer.htm) <u>0208020506</u> <u>020802050607</u>	
Name of your project (Example: <u>Water Creek driveway crossing</u>) <u>Stony Point Development</u>	
Is there an access road to the project? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No. If yes, check all that apply: <input checked="" type="checkbox"/> public <input type="checkbox"/> private <input type="checkbox"/> improved <input type="checkbox"/> unimproved	
Total size of the project area (in acres) <u>5.65</u>	

2. PROJECT LOCATION INFORMATION (Continued)

Provide driving directions to your site, giving distances from the best and nearest visible landmarks or major intersections

From Richmond, take 195W to Powhite Parkway (VA-76 S) to Chippenham Parkway (VA150-N). Travel approximately 2 miles on Chippenham Parkway, then take the route 147/Huguenot Road ramp. Turn left onto Va-147W/N Huguenot Road. Travel approximately one mile then turn right onto Stony Point Road. Turn left onto Forest Hill Ave. drive .2 miles and site will be on the right

Does your project site cross boundaries of two or more localities (i.e. cities/counties/towns)? Yes No
If so, name those localities

3. DESCRIPTION OF THE PROJECT, PROJECT PRIMARY AND SECONDARY PURPOSES, PROJECT NEED, INTENDED USE(S), AND ALTERNATIVES CONSIDERED (Attach additional sheets if necessary)

- The purpose and need must include any new development or expansion of an existing land use and/or proposed future use of residual land.
- Describe the physical alteration of surface waters, including the use of pilings (#, materials), vibratory hammers, explosives, and hydraulic dredging, when applicable, and whether or not tree clearing will occur (include the area in square feet and time of year)
- Include a description of alternatives considered and measures taken to avoid or minimize impacts to surface waters, including wetlands, to the maximum extent practicable. Include factors such as, but not limited to, alternative construction technologies, alternative project layout and design, alternative locations, local land use regulations, and existing infrastructure
- For utility crossings, include both alternative routes and alternative construction methodologies considered
- For surface water withdrawals, public surface water supply withdrawals, or projects that will alter in-stream flows, include the water supply issues that form the basis of the proposed project.

See Attachment A.

Date of proposed commencement of work (MM/DD/YYYY)
10/15/18

Date of proposed completion of work (MM/DD/YYYY)
unknown

Are you submitting this application at the direction of any state, local, or federal agency? Yes No

Has any work commenced or has any portion of the project for which you are seeking a permit been completed?
 Yes No

If you answered "yes" to either question above, give details stating when the work was completed and/or when it commenced, who performed the work, and which agency (if any) directed you to submit this application. In addition, you will need to clearly differentiate between completed work and proposed work on your project drawings.

Are you aware of any unresolved violations of environmental law or litigation involving the property? Yes No
(If yes, please explain)

4. PROJECT COSTS

Approximate cost of the entire project, including materials and labor: \$ unknown
 Approximate cost of only the portion of the project affecting state waters (channelward of mean low water in tidal areas and below ordinary high water mark in nontidal areas): \$ _____

5. PUBLIC NOTIFICATION (Attach additional sheets if necessary)

Complete information for all property owners adjacent to the project site and across the waterway, if the waterway is less than 500 feet in width. If your project is located within a cove, you will need to provide names and mailing addresses for all property owners within the cove. If you own the adjacent lot, provide the requested information for the first adjacent parcel beyond your property line.
 Failure to provide this information may result in a delay in the processing of your application by VMRC.

Property owner's name	Mailing address	City	State	ZIP code
MISSING INFORMATION				

Name of newspaper having general circulation in the area of the project: _____
 Address and phone number (including area code) of newspaper: _____

Have adjacent property owners been notified with forms in Appendix A? Yes No (attach copies of distributed forms)

6. THREATENED AND ENDANGERED SPECIES INFORMATION

Please provide any information concerning the potential for your project to impact state and/or federally threatened and endangered species (listed or proposed). Attach correspondence from agencies and/or reference materials that address potential impacts, such as database search results or confirmed waters and wetlands delineation/jurisdictional determination. Include information when applicable regarding the location of the project in Endangered Species Act-designated or -critical habitats. Contact information for the U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Virginia Dept. of Game and Inland Fisheries, and the Virginia Dept. of Conservation and Recreation-Division of Natural Heritage can be found on page 4 of this package.

See Attachment B

7. HISTORIC RESOURCES INFORMATION

Note: Historic properties include but are not limited to archeological sites, battlefields, Civil War earthworks, graveyards, buildings, bridges, canals, etc. Prospective permittees should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the USACE from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur unless the USACE, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant.

See Attachment C

Are any historic properties located within or adjacent to the project site? Yes No Uncertain
 If Yes, please provide a map showing the location of the historic property within or adjacent to the project site.

Are there any buildings or structures 50 years old or older located on the project site? Yes No Uncertain
 If Yes, please provide a map showing the location of these buildings or structures on the project site.

Is your project located within a historic district? Yes No Uncertain

If Yes, please indicate which district: _____

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS (Continued)		
Is/Are the Applicant(s) and Owner(s) the same? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
Legal name & title of Applicant <u>DOMINION DIVERSIFIED REAL ESTATE GROUP, LLC</u>	Second applicant's legal name & title if applicable	
Applicant's signature <u>Michael J. Van Winkle, Member</u>	Second applicant's signature	
Date <u>7/10/18</u>	Date	
Property owner's legal name if different from Applicant <u>Steve Qui</u> <u>TREASURER</u>	Second property owner's legal name, if applicable	
Property owner's signature if different from Applicant <u>STEVE QUI</u> <u>TREASURER</u>	Second property owner's signature	
Date <u>8-15-18</u>	Date	
CERTIFICATION OF AUTHORIZATION TO ALLOW AGENT(S) TO ACT ON APPLICANT'S(S) BEHALF (IF APPLICABLE)		
I (we), <u>DOMINION DIVERSIFIED REAL ESTATE GROUP, LLC</u> (and) _____ APPLICANT'S LEGAL NAME(S) - complete the second blank if more than one Applicant		
hereby certify that I (we) have authorized <u>Youngblood-Tyler & Associates</u> (and) _____ AGENT'S NAME(S) - complete the second blank if more than one Agent		
to act on my (our) behalf and take all actions necessary to the processing, issuance, and acceptance of this permit and any and all standard and special conditions attached. I (we) hereby certify that the information submitted in this application is true and accurate to the best of my (our) knowledge.		
Applicant's signature <u>Michael J. Van Winkle, Member</u>	Second applicant's signature, if applicable	
Date <u>7/10/18</u>	Date	
Agent's signature <u>Stephanie Mead</u> Environmental Specialist	Second agent's signature and title, if applicable	
Date	Date	
CONTRACTOR ACKNOWLEDGEMENT (IF APPLICABLE)		
I (we), _____ (and) _____ APPLICANT'S LEGAL NAME(S) - complete the second blank if more than one Applicant		
have contracted _____ (and) _____ CONTRACTOR'S NAME(S) - complete the second blank if more than one Contractor		
to perform the work described in this Joint Permit Application, signed and dated _____		
I (we) will read and abide by all conditions as set forth in all federal, state, and local permits as required for this project. I (we) understand that failure to follow the conditions of the permits may constitute a violation of applicable federal, state, and local statutes and that we will be liable for any civil and/or criminal penalties imposed by these statutes. In addition, I (we) agree to make available a copy of any permit to any regulatory representative visiting the project site to ensure permit compliance. If I (we) fail to provide the applicable permit upon request, I (we) understand that the representative will have the option of stopping our operation until it has been determined that we have a properly signed and executed permit and are in full compliance with all of the terms and conditions.		
Contractor's name or name of firm (printed/typed)	Contractor's or firm's mailing address	
Contractor's signature and title	Contractor's license number	Date
Applicant's signature	Second applicant's signature, if applicable	
Date	Date	

7. HISTORIC RESOURCES INFORMATION (Continued)

Has a survey to locate archeological sites and/or historic structures been carried out on the property?
 Yes No Uncertain

If Yes, please provide the following information: Date of Survey: _____
 Name of firm: _____

Is there a report on file with the Virginia Department of Historic Resources? Yes No Uncertain

Title of Cultural Resources Management (CRM) report: _____

Was any historic property located? Yes No Uncertain

8. WETLANDS, WATERS, AND DUNES/BEACHES IMPACT INFORMATION

Report each impact site in a separate column. If needed, attach additional sheets using a similar table format. Please ensure that the associated project drawings clearly depict the location and footprint of each numbered impact site. For dredging, mining, and excavating projects, use Section 17.

	Impact site number 1	Impact site number 2	Impact site number 3	Impact site number 4	Impact site number 5
Impact description (use all that apply): F=fill EX=excavation S=Structure T=tidal NT=non-tidal TE=temporary PE=permanent PR=perennial IN=intermittent SB=subaqueous bottom DB=dune/beach IS=hydrologically isolated V=vegetated NV=non-vegetated MC=Mechanized Clearing of PFO (Example F NT PE V)	F, NT, V				
Latitude / Longitude (in decimal degrees)	37.540871, -77.568				
Wetland/waters impact area (square feet / acres)	22,450sq ft/0.52 ac				
Dune/beach impact area (square feet)	NA				
Stream dimensions at impact site (length and average width in linear feet, and area in square feet)	NA				
Volume of fill below Mean High Water or Ordinary High Water (cubic yards)	NA				

8. WETLANDS/WATERS IMPACT INFORMATION (Continued)

<p>Cowardin classification of impacted wetland/water or geomorphological classification of stream <i>Example wetland: PFO; Example stream: 'C' channel and if tidal, whether vegetated or non-vegetated wetlands per Section 28.2-1300 of the Code of Virginia</i></p>	PFO				
<p>Average stream flow at site (flow rate under normal rainfall conditions in cubic feet per second) and method of deriving it (gage, estimate, etc.)</p>	NA				
<p>Contributing drainage area in acres or square miles (VMRC cannot complete review without this information)</p>					
<p>DEQ classification of impacted resource(s): Estuarine Class II Non-tidal waters Class III Mountainous zone waters Class IV Stockable trout waters Class V Natural trout waters Class VI Wetlands Class VII http://reg1.state.va.us/cgi-bin/isoap504.exe?000+reg+8V AC25-269-50</p>	Non tidal Waters Class III				
<p>For DEQ permitting purposes, also submit as part of this section a wetland and waters boundary delineation map – see (3) in the Footnotes section in the form instructions.</p>					
<p>For DEQ permitting purposes, also submit as part of this section a written disclosure of all wetlands, open water, or streams that are located within the proposed project or compensation areas that are also under a deed restriction, conservation easement, restrictive covenant, or other land-use protective instrument.</p>					

9. APPLICANT, AGENT, PROPERTY OWNER, AND CONTRACTOR CERTIFICATIONS

READ ALL OF THE FOLLOWING CAREFULLY BEFORE SIGNING

PRIVACY ACT STATEMENT: The Department of the Army permit program is authorized by Section 10 of the Rivers and Harbors Act of 1899, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection Research and Sanctuaries Act of 1972. These laws require that individuals obtain permits that authorize structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the United States, and the transportation of dredged material for the purpose of dumping it into ocean waters prior to undertaking the activity. Information provided in the Joint Permit Application will be used in the permit review process and is a matter of public record once the application is filed. Disclosure of the requested information is voluntary, but it may not be possible to evaluate the permit application or to issue a permit if the information requested is not provided.

CERTIFICATION: I am hereby applying for permits typically issued by the DEQ, VMRC, USACE, and/or Local Wetlands Boards for the activities I have described herein. I agree to allow the duly authorized representatives of any regulatory or advisory agency to enter upon the premises of the project site at reasonable times to inspect and photograph site conditions, both in reviewing a proposal to issue a permit and after permit issuance to determine compliance with the permit.

In addition, I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

18. FILL (not associated with backfilled shoreline structures) AND OTHER STRUCTURES (other than piers and boathouses) IN WETLANDS OR WATERS, OR ON DUNES/BEACHES

Source and composition of fill material (percentage sand, silt, clay, rock):
sandy loam composite

Provide documentation (i.e., laboratory results or analytical reports) that fill material from off-site locations is free of toxics. If not free of toxics, provide documentation of proper disposal (i.e., bill of lading from commercial supplier or disposal site). Documentation is not necessary for fill material obtained from on-site areas.

Explain the purpose of the filling activity and the type of structure to be constructed over the filled area (if any):
The filling on the subject property will be to develop access roads into the residential development and provide grading for buildable lot space.

Describe any structure that will be placed in wetlands/waters or on a beach dune and its purpose:
 NA

Will the structure be placed on pilings? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Total area occupied by any structure: _____ Square Feet
--	--

How far will the structure be placed channelward from the back edge of the dune? <u>NA</u> feet	How far will the structure be placed channelward from the back edge of the beach? <u>NA</u> feet
---	--

APPENDIX C

Chesapeake Bay Preservation Act Information

Please answer the following questions to determine if your project is subject to the requirements of the Bay Act Regulations:

1. Is your project located within Tidewater Virginia? Yes No (See map on page 31) - If the answer is "no", the Bay Act requirements do not apply; if "yes", then please continue to question #2.
2. Please indicate if the project proposes to impact any of the following Resource Protection Area (RPA) features:
 - Tidal wetlands,
 - Nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow,
 - Tidal shores,
 - Other lands considered by the local government to meet the provisions of subsection A of 9VAC25-830-80 and to be necessary to protect the quality of state waters (contact the local government for specific information).
 - A buffer area not less than 100 feet in width located adjacent to and landward of the components listed above, and along both sides of any water body with perennial flow.

If the answer to question #1 was "yes" and any of the features listed under question #2 will be impacted, compliance with the Chesapeake Bay Preservation Area Designation and Management Regulations is required. The Chesapeake Bay Preservation Area Designation and Management Regulations are enforced through locally adopted ordinances based on the Chesapeake Bay Preservation Act (CBPA) program. Compliance with state and local CBPA requirements mandates the submission of a *Water Quality Impact Assessment (WQIA)* for the review and approval of the local government. Contact the appropriate local government office to determine if a WQIA is required for the proposed activity(ies).

The individual localities, not the DEQ, USACE, or the Local Wetlands Boards, are responsible for enforcing the CBPA requirements and, therefore, local permits for land disturbance are not issued through this JPA process. Approval of this wetlands permit does not constitute compliance with the CBPA regulations nor does it guarantee that the local government will grant approval for encroachments into the RPA that may result from this project.

Notes for all projects in RPAs

Development, redevelopment, construction, land disturbance, or placement of fill within the RPA features listed above requires the approval of the locality and may require an exception or variance from the local Bay Act ordinance. Please contact the appropriate local government to determine the types of development or land uses that are permitted within RPAs.

Pursuant to 9VAC25-830-110, *on-site delineation of the RPA is required for all projects in CBPAs*. Because USGS maps are not always indicative of actual "in-field" conditions, they may not be used to determine the site-specific boundaries of the RPA.

Notes for shoreline erosion control projects in RPAs

Re-establishment of woody vegetation in the buffer will be required by the locality to mitigate for the removal or disturbance of buffer vegetation associated with your proposed project. Please contact the local government to determine the mitigation requirements for impacts to the 100-foot RPA buffer.

Pursuant to 9VAC25-830-140 5 a (4) of the Virginia Administrative Code, shoreline erosion projects are a permitted modification to RPAs provided that the project is based on the "best technical advice" and complies with applicable permit conditions. In accordance with 9VAC25-830-140 1 of the Virginia Administrative Code, the locality will use the information provided in this Appendix, in the project drawings, in this permit application, and as required by the locality, to make a determination that:

1. Any proposed shoreline erosion control measure is necessary and consistent with the nature of the erosion occurring on the site, and the measures have employed the "best available technical advice"
2. Indigenous vegetation will be preserved to the maximum extent practicable
3. Proposed land disturbance has been minimized
4. Appropriate mitigation plantings will provide the required water quality functions of the buffer (9VAC25-830-140 3)
5. The project is consistent with the locality's comprehensive plan
6. Access to the project will be provided with the minimum disturbance necessary.

SUPPORTING DATA. Data reviewed for PJD (check all that apply)

Checked items should be included in subject file. Appropriately reference sources below where indicated for all checked items:

- Maps, plans, plots or plat submitted by or on behalf of the PJD requestor:
Map: _____.
- Data sheets prepared/submitted by or on behalf of the PJD requestor.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report. Rationale: _____.
- Data sheets prepared by the Corps: _____.
- Corps navigable waters' study: _____.
- U.S. Geological Survey Hydrologic Atlas: _____.
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: _____.
- Natural Resources Conservation Service Soil Survey. Citation: _____.
- National wetlands inventory map(s). Cite name: _____.
- State/local wetland inventory map(s): _____.
- FEMA/FIRM maps: _____.
- 100-year Floodplain Elevation is: _____.(National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): _____
or Other (Name & Date): _____.
- Previous determination(s). File no. and date of response letter: _____.
- Other information (please specify): _____.

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

HOLLEY ELAINE K. 12290
54639

Signature and date of
Regulatory staff member
completing PJD

Signature and date of
person requesting PJD
(REQUIRED, unless obtaining
the signature is impracticable)¹

¹ Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.

Appendix 2 - PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PJD: 3-15-17

B. NAME AND ADDRESS OF PERSON REQUESTING PJD: Mr. Steve Quiriconi, Laburnum Properties, Inc.

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: 2014-00017 Forest Hill

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:

(USE THE TABLE BELOW TO DOCUMENT MULTIPLE AQUATIC RESOURCES AND/OR AQUATIC RESOURCES AT DIFFERENT SITES)

State: **Virginia** County/parish/borough: City: **Richmond**

Center coordinates of site (lat/long in degree decimal format):

Lat.: **37.5405** Long.: **-77.5678**

Universal Transverse Mercator:

Name of nearest waterbody: **James River**

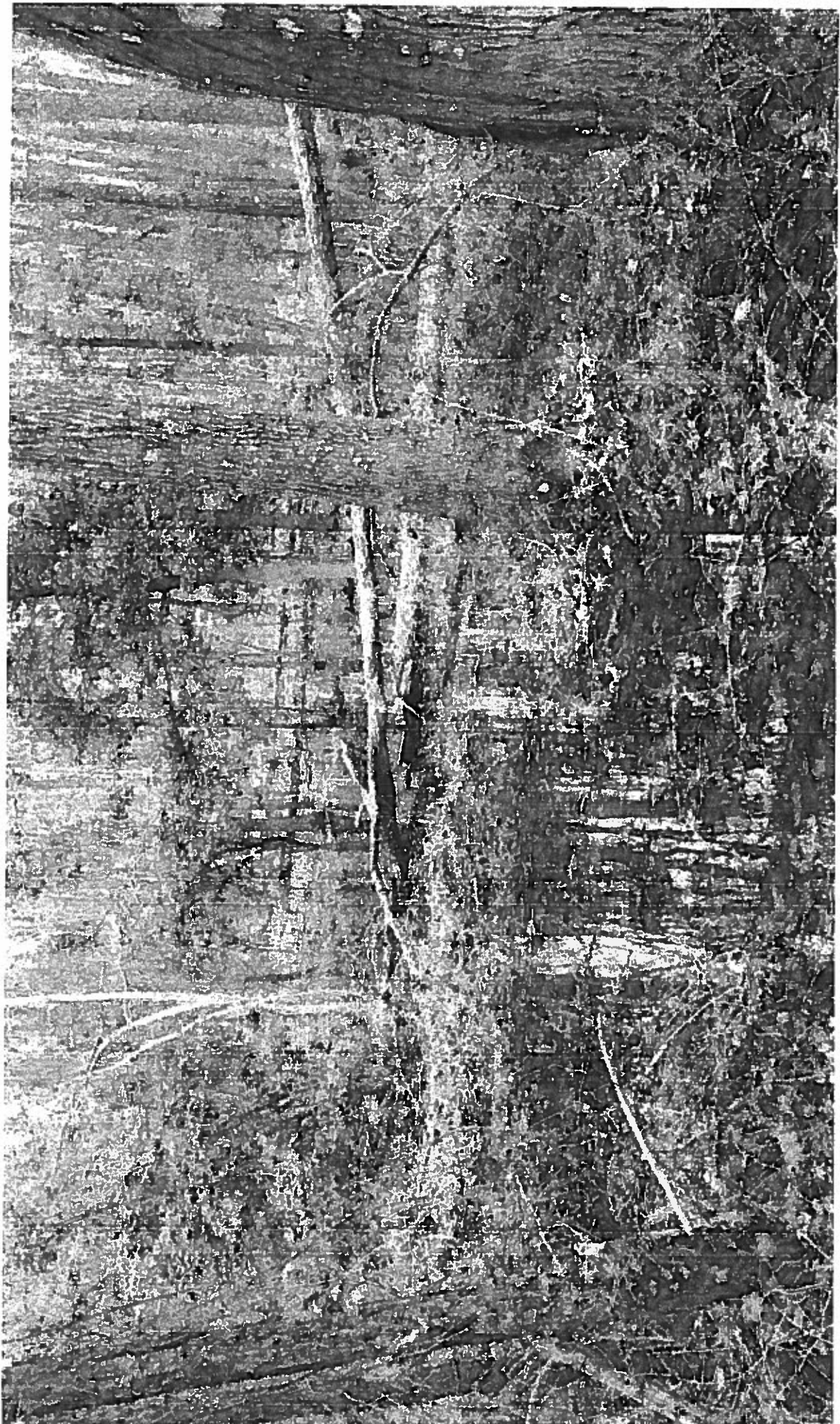
E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

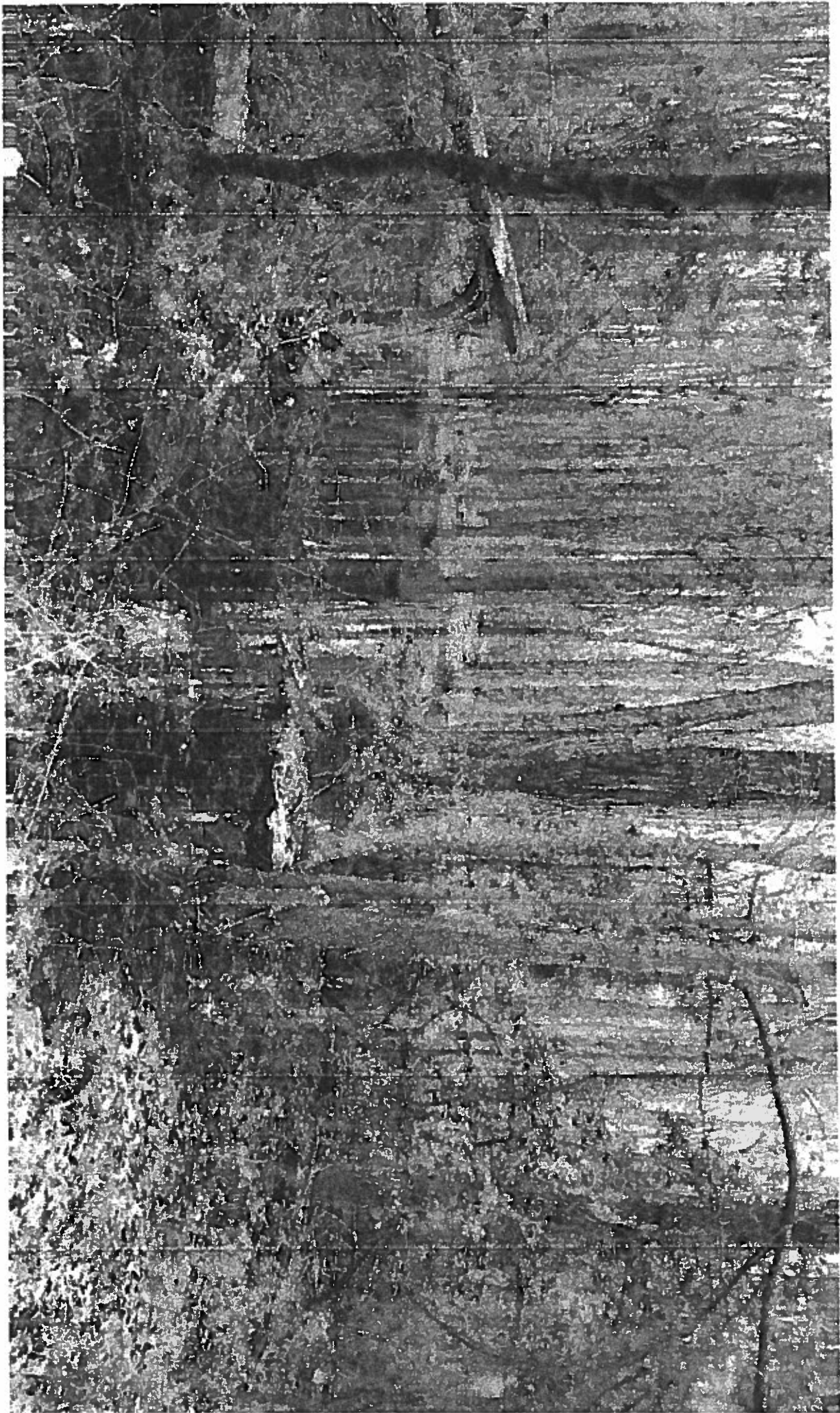
Office (Desk) Determination. Date: 4-3-17

Field Determination. Date(s): 3-31-17

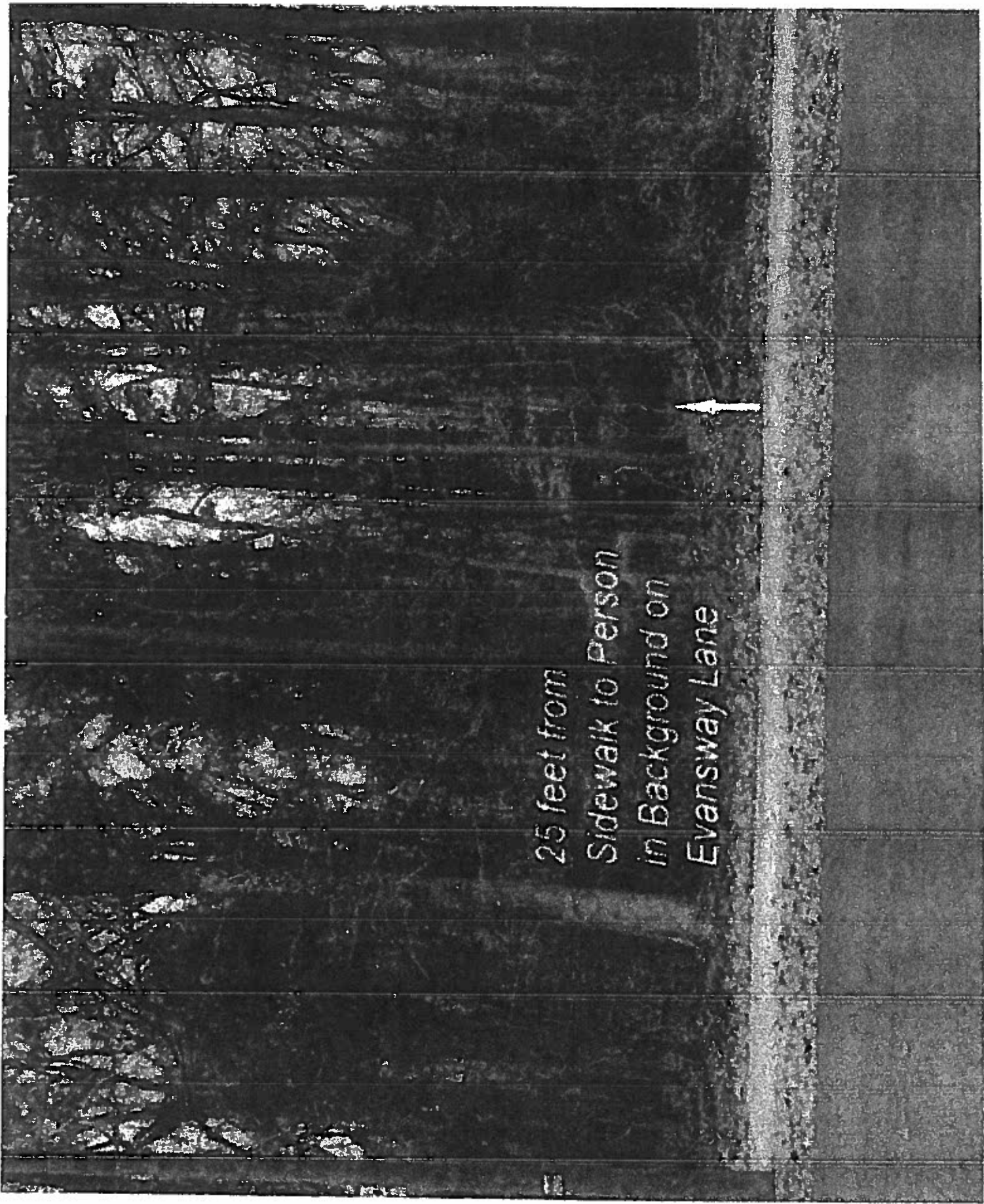
TABLE OF AQUATIC RESOURCES IN REVIEW AREA WHICH "MAY BE" SUBJECT TO REGULATORY JURISDICTION.

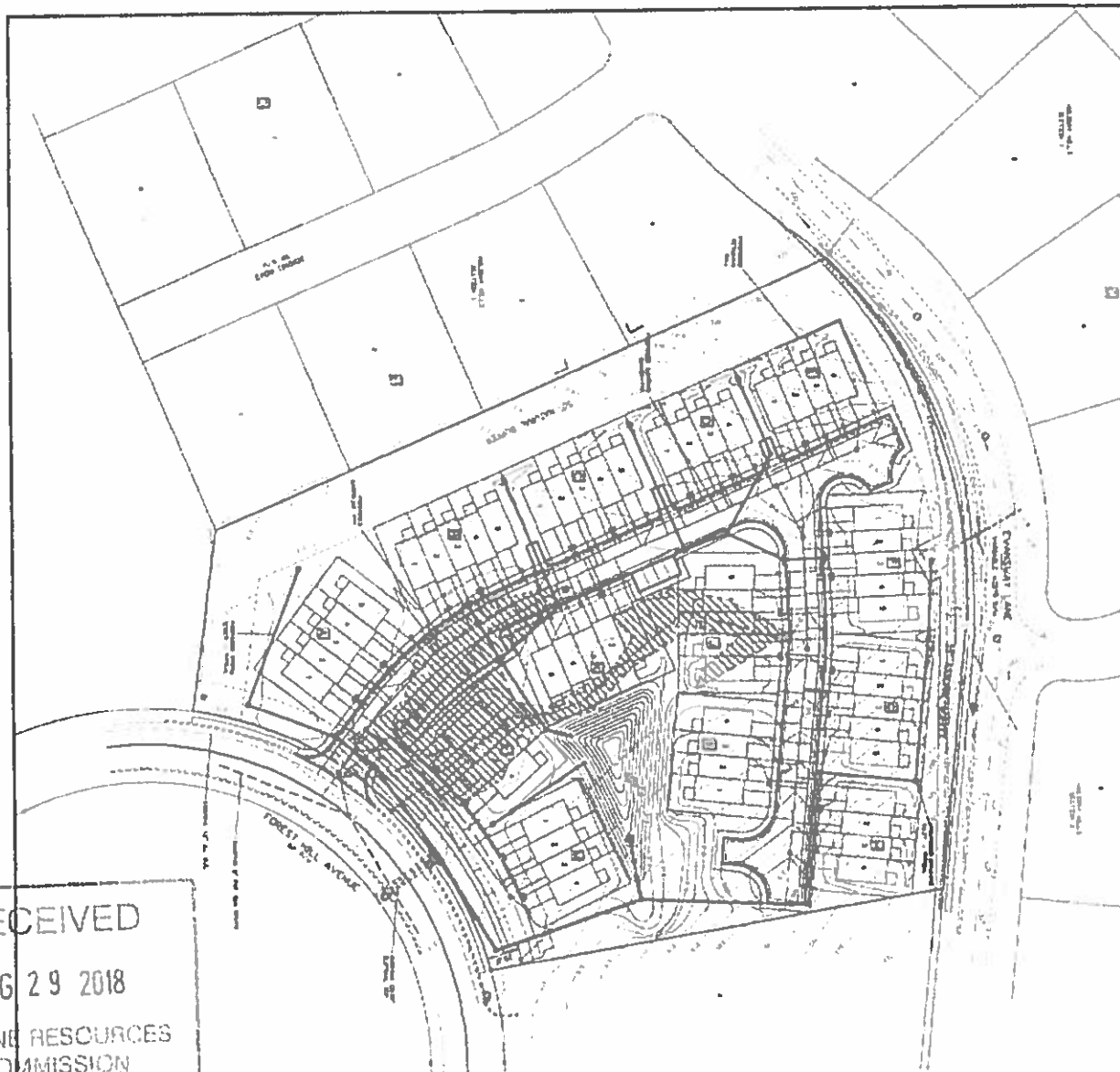
Site number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated amount of aquatic resource in review area (acreage and linear feet, if applicable)	Type of aquatic resource (i.e., wetland vs. non-wetland waters)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
			0.515 Acres	PFO	



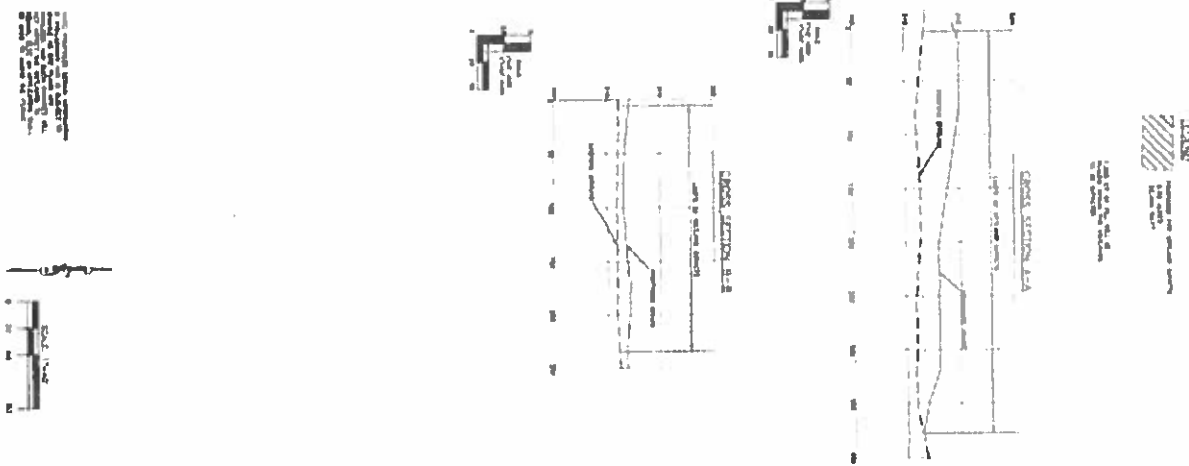


25 feet from
Sidewalk to Person
in Background on
Evansway Lane

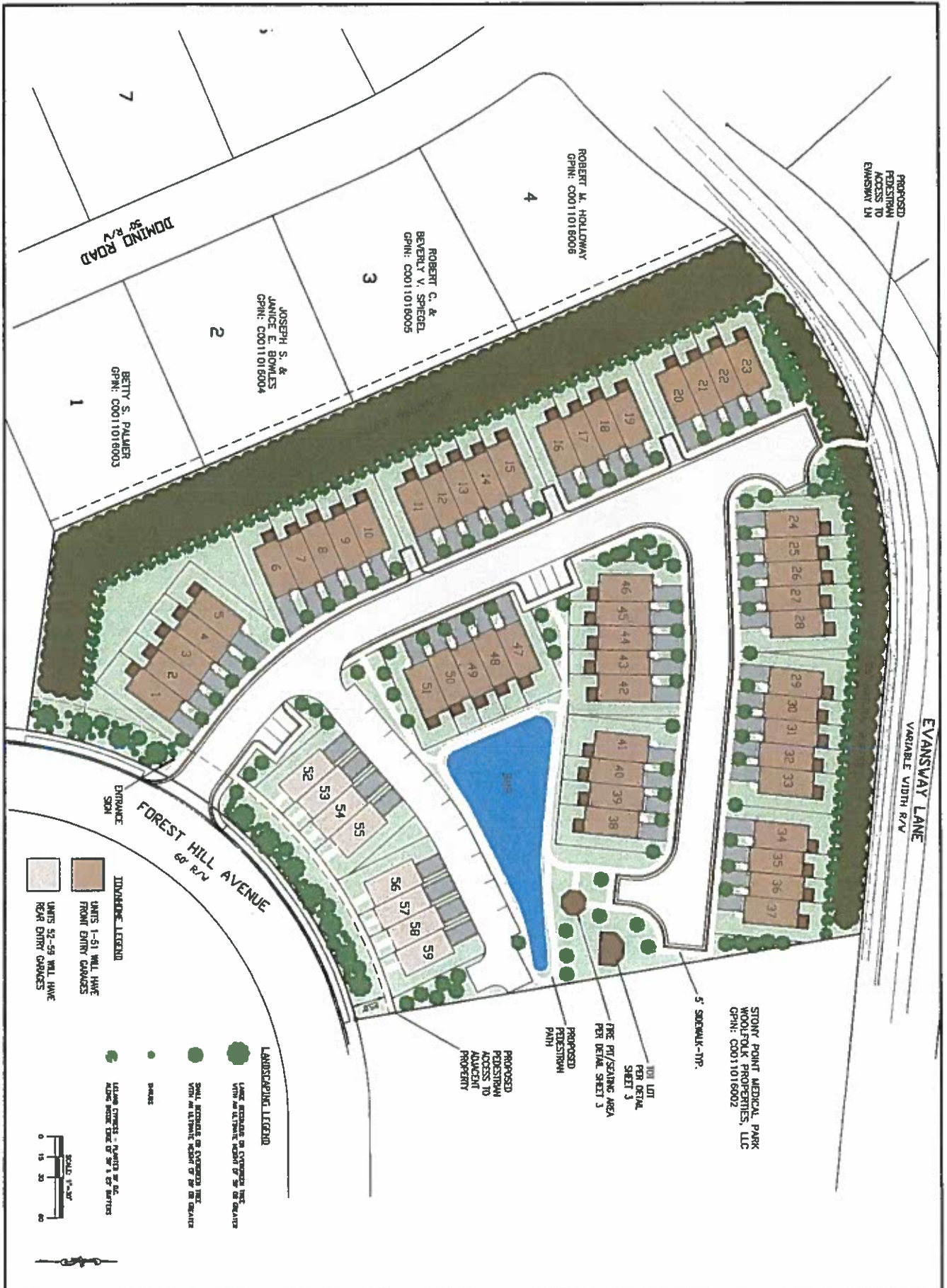




RECEIVED
 1 AUG 29 2018
 MARINE RESOURCES
 COMMISSION



SHEET 1 OF 1	DATE: 08/29/2018 TIME: 10:00 AM PROJECT: STONY POINT LANDING CLIENT: CITY OF RICHMOND, VIRGINIA	DRAWN BY: [Name] CHECKED BY: [Name]	SCALE: AS SHOWN UNIT: FEET	NOTES: 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF RICHMOND ZONING ORDINANCES. 2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.	PROJECT NO.: 18-001 SHEET NO.: 1 OF 1	YOUNGBLOOD, TYLER & ASSOCIATES P.C. CONSULTING ENGINEERS, PLANNERS & SURVEYORS 7300 FARMERSVILLE ROAD, SUITE 200, RICHMOND, VIRGINIA 23292 PHONE: (804) 780-4500 FAX: (804) 780-4501	STONY POINT LANDING FOURTH DISTRICT CITY OF RICHMOND, VIRGINIA



1 BETTY S. PALMER
GPN: C0011018003

2 JOSEPH S. &
JANICE E. BOWLES
GPN: C0011018004

3 ROBERT C. &
REVELY V. SPRENGEL
GPN: C0011018005

4 ROBERT M. HOLLOWAY
GPN: C0011018006

STONY POINT MEDICAL PARK
WOOLFOLK PROPERTIES, LLC
GPN: C0011018002

UNIT LEGEND

UNITS 1-51 WILL HAVE
FRONT ENTRY GARAGES

UNITS 52-59 WILL HAVE
REAR ENTRY GARAGES

LANDSCAPING LEGEND

Large tree symbol: Large tree to be planted in courtyard area with an ultimate height of 50' or greater

Medium tree symbol: Small tree to be planted in courtyard area with an ultimate height of 30' or greater

Shrub symbol: Shrub to be planted in courtyard area with an ultimate height of 10' or greater

Grass symbol: Grass to be planted in courtyard area with an ultimate height of 10' or greater



SHEET 1 OF 3		STONY POINT LANDING SOUTHWEST DISTRICT RICHMOND CITY, VIRGINIA		YOUNGBLOOD, TYLER & ASSOCIATES P.C. CONSULTING ENGINEERS, PLANNERS & SURVEYORS <small>7200 PARKWAY SOUTH DRIVE P.O. BOX 817 MIDDLETOWN, VIRGINIA 22111 PHONE: (804) 744-4000 FAX: (804) 744-7000 E-MAIL: YOUNGBLOOD-TYLER@YOUNGBLOOD-TYLER.COM</small>	
		DATE: 3/7/2018 DRAWN BY: [Name] CHECKED BY: [Name]	CONCEPTUAL LAYOUT	PROJECT NO: [Number]	SHEET NO: [Number]

Ebinger, Matthew J. - PDR

From: paxblu [paxblu@verizon.net]
Sent: Monday, November 19, 2018 12:56 PM
To: Ebinger, Matthew J. - PDR
Subject: Objection to Townhouse Development on Lot 9230 Forest Hill Avenue

Mr. Ebinger,

Thank you for your time and help to send you my comments on the proposed townhouse development in my neighborhood, lot 9230 Forest Hill Avenue.

I am property owner on Domino Road and strongly oppose the approval of this project for the following reason and feel there are sufficient ground to reject this proposal:

- 1) The land surrounding lot 9230 Forest Hill Avenue is residential single family dwellings. My property faces what would be the location of the townhouses and these buildings would be out of place in this location. Three storied buildings would reduce home owner privacy, increase the noise level, light pollution and change the residential character of our neighborhood.
- 2) The added traffic of these 59 townhouse units has the potential to be problematic at the intersection of Forest Hill Avenue and Huguenot Road.
- 3) The creation of 3 story townhouses will likely have a negative effect on the property values of the adjacent single family homes. I would like for the property to be used to sustain or improve the value of the lands around it...not be a detriment.
- 4) The buffer of 50 feet seems greatly reduced from previous plans of 100 feet. A buffer of 100 feet would allow some semblance of maintaining privacy of the current neighborhood.
- 5) It is my concern of the increased density of the population with 59 townhouses. Is this more than the other properties in the area? Density has negative effects on people and neighborhoods. I would like this property to enhance our neighborhood, not bring problems to it.

I oppose changing the zoning on this lot. I would like to see it remain a space for church purposes.

Thank you for this opportunity to share my concerns.

Sincerely,

Elizabeth Higgins
804-272-7907

This email has been checked for viruses by Avast antivirus software.
<https://www.avast.com/antivirus>

Item No. 9-02N1 228-304

June 28, 2018

Mark Olinger, Director
Dept of Planning & Development
City of Richmond
900 E. Broad Street, Room 511
Richmond, VA. 23219

Dear Mr. Olinger ,

Ref. Proposed Townhouse Development
on Lot 9230 Forest Hill Ave.

We the undersigned ,all property owners in the residential zone where this proposed development would be built, strongly oppose approval of this project for the following reasons and feel there are sufficient grounds to reject this proposal :

1. The fact Laburnum Properties original plan provided for a 100 ft buffer when they thought they might build on it for the expansion of Summer Hill and this restriction has remained for 30 yrs, indicates the Planning and Zoning acknowledged the need for the buffer and it should remain.
2. The lot contains wetland restrictions and if allowed to be filled in and built on, would create a ground water problem for adjacent property.
3. The creation of 3 story townhouses within an existing single family residential area is poor planning.
4. The added traffic would increase the existing problem at the intersection of Forest Hill Ave and Huguenot Rd.
5. The creation of 3 story townhouse will have a negative effect on the property values of the adjacent single family homes.
6. The impervious areas created will require a large retention pond but the plan indicates the retention pond will be located within the wetlands area ,which would reduce the retention capacity during heavy rains when the wetland also accumulates water. This results in potential flooding.
7. This area is part of Historic Bon Air even though it was annexed by the city and townhouse developments are out of character with the area.
8. The building area of this lot as proposed far exceeds any other property in the area. SummerHill which has a density of 7820 sq ft/ single story house compared to this proposed lot 4078 sq ft/ three story buildings.

Respectfully,

<u>NAME</u>
<u>Paula Ellis</u>
<u>Shirley Robbins Shirley Robbins</u>

<u>ADDRESS</u>
<u>3116 Lake Terrace Ct Richmond VA 23235</u>
<u>3103 Lake Terrace Ct. Richmond, VA 23235</u>

June 28, 2018

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City of Richmond
900 E. Broad Street, Room 511
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Respectfully,

NAME
Robert M Holloway
ROBERT M HOLLOWAY

ADDRESS
3131 DOMINO RD
RICHMOND VA 23251

June 28, 2018

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Dept of Planning & Development
City of Richmond
900 E. Broad Street, Room 511
Richmond, VA. 23219

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Respectfully,

NAME
Robert Spiegel

ADDRESS
3121 Domino Rd

June 28, 2018

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City of Richmond
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Respectfully,

NAME
Amy Buel
George Buel

ADDRESS
3111 Domino RD
3111 Domino Road.

June 28, 2018

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City of Richmond
900 E. Broad Street, Room 511
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Respectfully,

NAME
B. J. Palmer

ADDRESS
3101 Domino Rd.
Richmond, VA 23235

June 28, 2018

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Dept of Planning & Development
City of Richmond
900 E. Broad Street, Room 511
Richmond, VA. 23219

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Respectfully,

NAME
Jai Remew

ADDRESS
3201 Ashclawn Rd
Richmond, VA 23235

June 28, 2018

Mark Olinger, Director
Dept of Planning & Development
City of Richmond
900 E. Broad Street, Room 511
Richmond, VA. 23219

Dear Mr. Olinger ,

Ref. Proposed Townhouse Development
on Lot 9230 Forest Hill Ave.

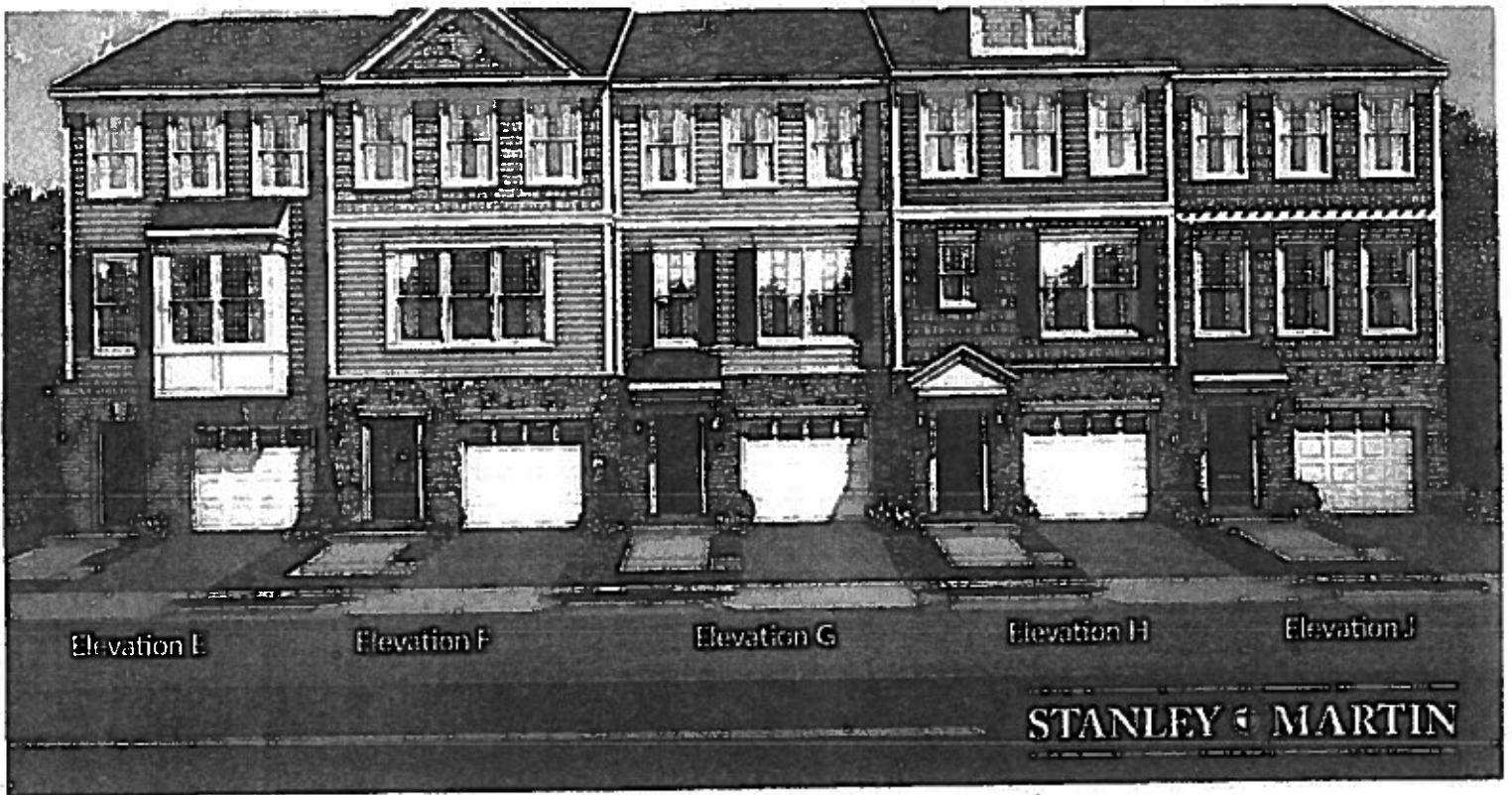
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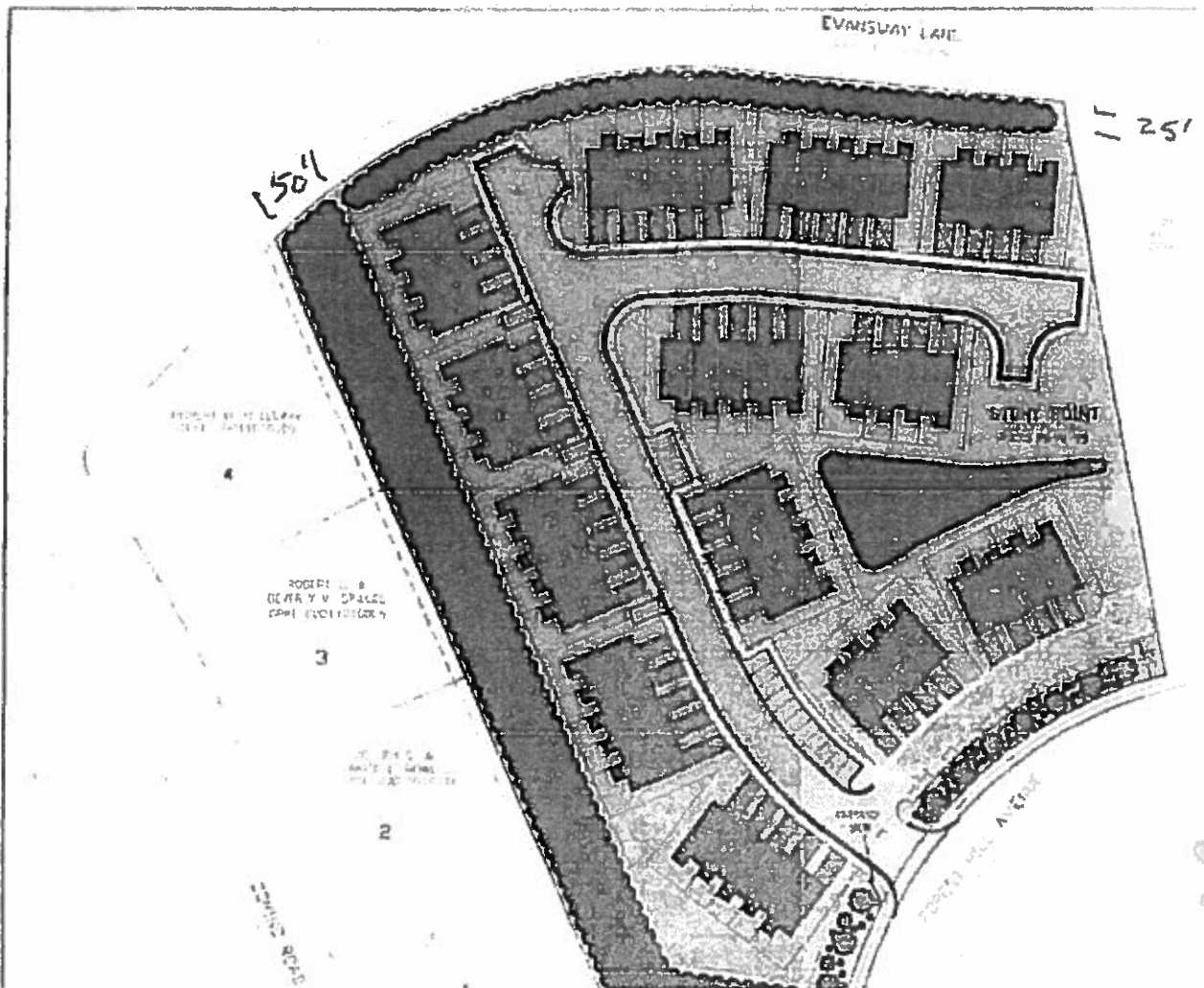
Respectfully,

NAME
Richard J. Wise

ADDRESS
3100 Domino Rd 23235



9230 FOREST HILL AVE.



June 28, 2018

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Dept of Planning & Development
City of Richmond
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Respectfully,

NAME	ADDRESS
<u>Walter Graham</u>	<u>3110 Domino Rd Richmond</u>
<u>Ann Graham ANN GRAHAM</u>	<u>3110 Domino Rd, Richmond 23235</u>

23235

June 28, 2018

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Respectfully,

NAME	ADDRESS
<u>James Sharp</u> James Sharp Jr	<u>3120 Danvers Rd 23235</u>
<u>Carol Sharp</u> CAROL Sharp	<u>3120 Danvers Rd 23235</u>