



CITY OF RICHMOND

PLANNING COMMISSION

June 6, 2016

**RESOLUTION OF THE RICHMOND CITY PLANNING COMMISSION
APPROVING THE PLAN ENTITLED
“VILLAS AT ARCHER SPRINGS, REVISED TREE PRESERVATION PLAN”,
PERTAINING TO THE SUBDIVISION KNOWN AS VILLAS AT ARCHER SPRINGS, SECTIONS 1
AND 2, LOCATED AT DURYEA DRIVE AND CORLEY HOME DRIVE, ET ALS.**

WHEREAS, Ordinance No. 2012-72-2013-132 contains proffered conditions that state a tree preservation plan shall be submitted to the City Planning Commission for review and approval prior to the approval of the preliminary subdivision plat. All specimen trees exceeding thirty-six (36) inches in diameter or exceeding seventy-five (75) feet in height shall be located on the tree preservation plan and preserved to the extent possible; and

WHEREAS, Ordinance No. 2012-72-2013-132 contains proffered conditions that state a grading plan shall be submitted to the City Planning Commission for review and approval prior to the approval of the preliminary subdivision plat. The grading plan of the site shall be designed to preserve the maximum number of trees possible; and

WHEREAS, on July 7, 2014, the applicant submitted to the Planning Commission a joint tree preservation and grading plan, entitled “Villas at Archer Springs Tree Preservation and Grading Plan,” prepared by Bay Richmond, The Bay Companies, dated April 29, 2014 and revised May 19, 2014, which was approved by the Planning Commission; and

WHEREAS, the subdivision is currently under development and through the course of such development, specimen trees throughout the property have been removed, including specimen trees in the common area (neighborhood park at Corley Home Drive and Corley Home Place) and within Block D. A tree save area within Block D containing specimen trees has also been cleared; and

WHEREAS, the applicant has submitted to the Planning Commission a tree replanting plan, entitled “Villas at Archer Springs Revised Tree Preservation Plan,” prepared by Bay Richmond, The Bay Companies, dated May 31, 2016, in order to remedy the removal of these trees; and

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Richmond, Virginia, in accordance with Ordinance No. 2012-72-2013-132, hereby determines that the tree replanting plan, which shall be amended and approved by the Director of Planning & Development Review, is a sufficient remedy to the removal of specimen trees and trees from tree save areas;

AND, BE IT FURTHER RESOLVED, that the Planning Commission, having considered the tree replanting plan on June 6, 2016, hereby approves said plan subject to an amendment to said plan to be approved by the Director of Planning & Development Review, and subject to the following conditions:

1. Informational signage shall be placed within the Reforestation Areas noting the prohibition of cutting or clearing of such areas.
2. In regards to Reforestation Areas, the Declaration of Covenants, Conditions and Restrictions shall: Require Association to maintain Reforestation Areas and prohibit cutting/clearing of the Reforestation Areas, except to remove dead or diseased tree or shrub. If tree or shrub is removed from Reforestation Area, Association shall plant or cause to be planted a replacement tree or shrub comparable to removed tree or shrub at the next

appropriate planting season. Plantings within Reforestation Area on Block D, Lots 1-6 will be planted upon the written approval of Lot owner and may be relocated or adjusted in number or species upon approval of Lot owner and Director of Planning & Development Review.

3. In regards to Specimen Trees, the Declaration of Covenants, Conditions and Restrictions shall: Require a Lot owner to provide the Association with a certification from a certified arborist regarding the health and/or safety reason for removal of a specimen tree, prior to removal. Upon approval by Association, the Lot owner shall provide written notification to City Arborist and Director of Planning and Development Review, which notice shall include the Association approval and the letter from a certified arborist regarding the health or safety reason for removing the Specimen Tree (Arborist Determination). Regarding the Common Area, the Association may remove a Specimen Tree upon obtaining an Arborist Determination and providing the same to City Arborist and Director of Planning and Development Review. The City Arborist shall review the Arborist Determination to confirm the reasonableness of the conclusion and respond to the Owner or Association within 10 days with specific comments or questions related to the Arborist Determination, or such Arborist Determination shall be deemed approved and the tree may be removed. In the event of an emergency, the owner of a Lot or Association may remove a tree endangering person or property with notice to the Association and the City Arborist and Director of Planning and Development Review as soon as practicable but within twenty-four (24) hours. If a Specimen Tree is removed by an owner on a Lot or the Association within the Common Area located in Block C, a replacement tree shall be planted on the Lot or Common Area having a minimum 2.5" caliper at the time of planting. Specimen Trees that fall naturally are not required to have a tree replanted.

Chairman

Acting Secretary