



**APPLICATION  
FOR RELIEF FROM REQUIREMENTS OF THE  
CHESPEAKE BAY PRESERVATION PROGRAM  
EXCEPTIONS, WAIVERS, EXEMPTIONS AND  
BUFFER ENCROACHMENTS**

To:

The Bureau of Permits and Inspections  
Department of Community Development  
900 E. Broad Street, Room 110  
Richmond, Virginia 23219  
Phone (804) 646-6440 Fax (804) 646-6948

Date: 8/09/2017

Type of Relief Requested (check one)

☒ Exception

☐ Waiver

☒ Encroachment

☐ Exemption

Please attach required documents.

Requests for exceptions also require an application fee payable to "City of Richmond".

Property Address(es): 3005 Riverside Drive, Richmond, VA 23225

Tax Parcel No(s): S0000501032

Brief Description of Exception: N/A

**Applicant/Contact Person:** Amelia Wehunt

**Mailing Address:** 1001 Boulders Parkway, Suite 300, Richmond, VA 23225

Telephone: ( 804 ) 200-6544 Fax: ( 804 ) 560-1438

**Email address:** amelia.wehunt@timmons.com

**Property Owner:** City of Richmond Department of Parks, Recreation, and Community Facilities

**Mailing Address:** 4201 Riverside Drive, Richmond, VA 23225

Telephone: ( 804 ) 646-5829 Fax: (        )       

**Property Owner's Signature:** *Matthew Smith*

The signatures of all owners of the property are required. Please attach additional sheets as required. If a legal representative signs for a property owner, please attach an executed power of attorney.

**Project Information (check appropriate boxes)**

**Current Use of Property (check one)–**

- |   |   |
|---|---|
| <input type="checkbox"/> Vacant Land to be developed                              | <input type="checkbox"/> Commercial/Office/Industrial   |
| <input type="checkbox"/> Single Family Residential                                | <input type="checkbox"/> Parking or other paved surface |
| <input checked="" type="checkbox"/> Other: <u>City-owned maintenance facility</u> | <input type="checkbox"/> Multi-family residential       |

**Subdivision Name, Lot and Section Number:** \_\_\_\_\_

**Lot was last recorded:**

- ☒ Prior to October 1989  
☐ Between October 1989 and February 2002  
☐ After February 2002

**Area of Property (square footage)**

Within RPA: 909,148 sf      Outside RPA: 1,698,762 sf      Total: 2,607,910 sf

**Activity requiring relief is located in (check all that apply)**

- ☒ Resource Protection Area Buffer land ward 50 feet  
☒ Resource Protection Area Buffer seaward 50 feet  
☐ Slopes greater than \_\_\_\_ percent  
☐ Wetlands  
☐ Resource Management Area

**Activity requiring relief involves (check all that apply)**

- |   |   |
|---|---|
| <input type="checkbox"/> Construction of New principal structure          | <input checked="" type="checkbox"/> Paved pathways          |
| <input checked="" type="checkbox"/> Accessory (detached) structure        | <input checked="" type="checkbox"/> Tree/vegetation removal |
| <input type="checkbox"/> Addition to principal structure                  | <input checked="" type="checkbox"/> Utilities               |
| <input checked="" type="checkbox"/> Parking area, or driveway, or roadway | <input type="checkbox"/> Other: _____                       |

**Total square footage of RPA Impacted:** 12,925 sf

**Are there any additional approvals or permits from local, state, or federal agencies required for any portion of this project (zoning variances, wetland permits, etc)?**

- ☐ No  
☒ Yes, Please describe: RSMP Permit

**Description of the Activity and reason for the request:**

Site improvements to the existing equipment and material storage yard as well as the addition of three new warehouse/flex space buildings for additional storage and educational training purposes. The small warehouses are being installed as an initiative to ensure that the City-owned property complies with MS-4 requirements.

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For **Exceptions**, Please complete the following

**APPLICANT'S JUSTIFICATION FOR THE REQUESTED EXCEPTION**

In accordance with Section 50-340(c) (1) of the Richmond City code, An exception cannot be granted unless specific findings are made. Please describe how the particular CBPA exception request would meet these six findings:

1. The requested exception to the criteria is the minimum necessary to afford relief;
2. Granting the exception will not confer upon the applicant any special privileges that are denied by the ordinance to other property owners who are subject to its provisions and who are similarly situated;
3. The exception request is in harmony with the purpose and intent of the Ordinance and is not of substantial detriment to water quality;
4. The exception request is not based upon conditions or circumstances that are self-created or self-imposed;
5. Reasonable and appropriate conditions are imposed, as warranted, to prevent the proposed activity from causing degradation of water quality;
6. Other findings and conditions, required by the City have been met.

N/A See Attached Narrative

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For **EXCEPTIONS** and **ENROACHMENTS**, please complete the following.

Describe all mitigation measures, including BMPs and vegetation enhancement\*,

1. The proposed project has been specifically designed to improve upon existing conditions while also making sure to not create additional harmful impacts to existing topography, soils, hydrology or geology.
2. The cut/fill balance meets the requirements of the floodplain management ordinance. refer to C7.0 for cut/fill calculations. Fill material will be supplied from excess cut material, provided it is suitable for use. Any additional cut will be disposed of at a landfill or other approved location.
3. The proposed gravel diaphragms will improve water quality by minimizing sedimentation build-up and will return channelized flow back to sheet flow.
4. The site will be graded to direct water flow towards three proposed gravel diaphragms.
5. The project will have minimal impact on existing vegetation. A small portion of vegetation will be removed and any land disturbed by construction will be stabilized after construction is completed according to the erosion and sediment control plan. Refer to sheet C3.0 for e&s details.
6. A complete Erosion and Sediment Control Plan has been prepared to ensure proper erosion and stormwater runoff control throughout the construction.
7. The necessary grading measures were minimized to avoid major environmental impacts.
8. The proposed project has been designed to minimize required vegetation clearing, cut and fill earthwork and disturbance of surrounding natural areas. All denuded areas will be stabilized according to the Erosion and Sediment Control Plan.
9. Landscaping has been provided in areas where existing vegetation will be disturbed. Refer to Landscaping Plan for further detail.

- Note: all vegetation enhancement should be in accordance with the Riparian Buffers Modification and Mitigation Manual available at [www.dcr.virginia.gov/chesapeake\\_bay\\_local\\_assistance/publica.shtml#Anchor-18776](http://www.dcr.virginia.gov/chesapeake_bay_local_assistance/publica.shtml#Anchor-18776)

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Do not mark below this line

Fee Required \$ \_\_\_\_\_

**Approvals**

Program Administrator \_\_\_\_\_ Date \_\_\_\_\_

City Planning Commission \_\_\_\_\_ Date \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Exception Request Compliance Narrative**  
**JRPS Warehouses**

*a. The requested exception to the criteria is the minimum necessary to afford relief;*

The JRPS headquarters and city maintenance storage yard is currently located on a parcel bordered on one side by the railroad and the other by the James River, leaving little room for modifications. The proposed warehouse space buildings will provide the minimum area required for storage, maintenance operations, and educational training. The proposed project has been specifically designed to improve upon existing conditions while also making sure to not create additional harmful impacts to existing topography, soils, hydrology or geology.

*b. Granting the exception will not confer upon the applicant any special privileges that are denied by this division to other property owners who are subject to its provisions and who are similarly situated;*

No new operations are intended at the site. The formalizing of existing storage facilities will provide a benefit to the environment by providing a better level of protection to vehicles and equipment currently stored within the RPA and floodplain of the James River.

*c. The exception is in harmony with the purpose and intent of this division and is not of substantial detriment to water quality;*

Maintenance operations are completed in the existing single-story building, with storage in shipping containers connected by a constructed roof and in exterior stockpile locations. The proposed structures will provide a beneficial level of protection for the surrounding environment, as vehicles and equipment will be stored inside and will not be subject to impacts from rainwater and most flood waters. Beyond the proposed project's design are mitigation measures which will also serve to minimize harmful impacts to existing environmental conditions. A complete erosion and sediment control plan has been prepared to ensure proper erosion and stormwater runoff control through the construction process. The necessary grading measures were minimized to avoid major environmental impacts. The proposed project has been designed to minimize required vegetation clearing, cut and fill earthwork and disturbance of surrounding natural areas. All denuded areas will be stabilized according to the erosion and sediment control plan. Landscaping has been provided in areas where existing vegetation will be disturbed.

*d. The exception request is not based upon conditions or circumstances that are self-created or self-imposed;*

The site is bordered on one side by the railroad and the other by the James River, located within the RMA, RPA and floodplain of the James River, and as such has little room for site improvements outside of regulated areas. The existing JRPS headquarters and warehouses were constructed in their current location to meet the needs and goals of the park system. The mission of the Friends of JRPS, in partnership with the City of Richmond Department of Parks & Recreation, is to provide ongoing support for conservation, enhancement, and recreational enjoyment of the James River Park, while protecting its natural and historic environments. As such, the location of the headquarters within the park and in a natural setting, is in keeping with the goals of the organization. Educational programs provided at the existing facility offer attendees an opportunity to learn about the Park's unique

ecology by placing them in the heart of the environment. Construction of the existing facilities was completed prior to the establishment of the Clean Water Act and current restrictions.

*e. Reasonable and appropriate conditions are imposed, as warranted, that will prevent the allowed activity from causing a degradation of water quality; and*

No additional operations are intended as a result of the implementation of these site improvements. Rather, the proposed structures and associated site restoration will formalize and upgrade the site operations. The site design has incorporated multiple aspects to provide water quality and maintain environmental conditions.

- Land moving operations have been minimized by providing a cut-fill balance that meets the requirements of the floodplain management ordinance.
- Sheet flow will be maintained to the greatest extent feasible through the installation of gravel diaphragms which will also provide water quality treatment by minimizing sedimentation build-up. Existing drainage outfall patterns and stream circulation patterns will be maintained. The project will have minimal impact on existing vegetation.
- A small portion of vegetation will be removed for the construction of improvements and post-construction disturbed land will be stabilized and restored with natural plantings.
- Water quality will be improved through the use of vegetative ("green") roofs and permeable pavement.

*f. Other findings, as appropriate and required by the City, are met*

Design plans have been revised to address comments provided by the City during the site plan review process. Specific trees to be removed have been identified and a landscape mitigation plan was incorporated into the project plans. Stormwater runoff calculations, floodplain capacity analysis, soils information, and erosion control measures have all been included in the design plans reviewed by the City.