Director of Media

SUFFOLK CITY COUNCIL

MEETING OF JUNE 3, 2015

WORK SESSION

Begins at 5:00 p.m.

REGULAR SESSION

Begins at 7:00 p.m.

SUFFOLK CITY COUNCIL
WORK SESSION
June 3, 2015
5:00 p.m.
City Council Chamber

1. Parks and Recreation Master Plan Update

2. Hampton Roads Sanitation District Holland Road 24-inch Interceptor Force Main Project Update

3.* Appointments

4.* General Report for City Council

* Proposed Items for Closed Session

AGENDA: **June 3, 2015, Work Session**

ITEM: **Parks and Recreation Master Plan Update**

Lakita Watson, Director of the Department of Parks and Recreation, will provide an overview of the Parks and Recreation Master Plan, along with Neelay Bhatt, of Pros Consulting LLC.

AGENDA: **June 3, 2015, Work Session**

ITEM: **Hampton Roads Sanitation District Holland Road 24-inch Interceptor Force Main Project Update**

As part of the Hampton Roads Sanitation District (HRSD) Federal Decree, HRSD has completed design of a new 24-inch interceptor force main serving the City of Suffolk's Holland Road corridor. Upon completion, this project will replace the existing undersized HRSD and City sewer force main system along Constance Road and Holland Road, and assist in eliminating high pressures experienced by the City's pump stations during wet weather events. In addition, the new interceptor force main will provide sufficient capacity for continued future development along the Holland Road Corridor.

The Holland Road 24-inch Interceptor Force Main Project extends from HRSD's existing system on Constance Road at Katherine Street to the City's existing 24-inch force main system on Holland Road east of the intersection of Faulk Road. Construction will be performed in two phases and start this summer.

The Director of Public Utilities will provide a status report to City Council on the project.

SUFFOLK CITY COUNCIL AGENDA
June 3, 2015
7:00 p.m.
City Council Chamber

1. **Call to Order**

2. **Nonsectarian Invocation**

3. **Approval of the Minutes**

4. **Special Presentations**

5. **Removal of Items from the Consent Agenda and Adoption of the Agenda**

6. **Agenda Speakers**

7. **Consent Agenda –** An ordinance to authorize the transfer of Urban Formula funds from the Bridge Road and Bennett's Pasture Road Intersection Project to the Bridge Road and Lee Farm Lane Intersection Project

8. **Consent Agenda –** An ordinance to appropriate excess Risk Fund Revenues received during Fiscal Year 2014-2015 and/or funds from the Risk Fund Balance not to exceed $510,000 for use in addressing additional contributions to Other Post-Employment Benefits (OPEB)

9. **Consent Agenda –** An ordinance amending Chapter 38, Article II of the Code of the City of Suffolk for the purpose of replacing the term "rescue" with "emergency medical services" in accordance with changes to the Code of Virginia

10. **Consent Agenda –** An ordinance amending Section 38-32 of the City Code concerning the Department of Fire and Rescue in reference to Departmental rules and regulations for the purpose of removing the language referencing the Fire and EMS Commission

11. **Consent Agenda –** An ordinance amending Section 38-38 of the City Code concerning the recognition of fire and rescue organizations as part of the safety program of the City

12. **Public Hearing –** An ordinance to authorize a quitclaim deed between the City of Suffolk, Grantor and Running in Clogs, LLC and Carter Casket Co, Don W. Carter, et al., Grantees for property located at 1928 Holland Road, Tax Map Parcel 33B*18F

13. **Ordinance –** An ordinance to rezone and amend the official zoning map of the City of Suffolk in order to amend the approved proffered conditions pertaining to the exterior architectural design and building material used for construction of the remaining residential units within the Prentis Place development for property located at 315 West Constance Road

14. **Ordinance** – An ordinance to grant relief from the ten (10) year post conveyance holding period for a parcel of land identified as Tax Map 78*26*3*2 created through a family transfer conveyance in accordance with Section 31-514 of the Unified Development Ordinance

15. **Ordinance** – An ordinance to grant relief from the ten (10) year post conveyance holding period for a parcel of land identified as Tax Map 78*26*3*3 created through a family transfer conveyance in accordance with Section 31-514 of the Unified Development Ordinance

16. **Ordinance** – An ordinance to rezone and amend the official zoning map of the City of Suffolk, to change the zoning from B-2, General Commercial zoning district, (Conditional), to MUD, Mixed Use Development Overlay zoning district, (Conditional) for property located at 1900 N. Main Street, Zoning Map 25, Parcel 45; RZ09-14 (Conditional)

17. **Resolution** – A resolution supporting the Virginia Housing Development Authority's (VHDA) financing of the Meridian at Obici Place Multi-Family Apartment Project

18. **Staff Reports**

19. **Motion** – A motion to schedule a public hearing for the June 17, 2015 City Council meeting, regarding authorizing the issuance and sale of General Obligation Public Improvement Bonds, Series 2015

20. **Motion** – A motion to schedule a Work Session for June 17, 2015, at 4:00 p.m., unless cancelled

21. **Non-Agenda Speakers**

22. **New Business**

23. **Announcements and Comments**

24. **Adjournment**

Work Session of the Suffolk City Council was held in was held in the City Council Chamber, 442 West Washington Street, on Wednesday, May 20, 2015, 5:00 p.m.

PRESENT
Council Members -
Linda T. Johnson, Mayor, presiding
Leroy Bennett, Vice Mayor
Michael D. Duman
Roger W. Fawcett
Donald Z. Goldberg
Timothy J. Johnson
Curtis R. Milteer, Sr.
Lue R. Ward, Jr.

Patrick G. Roberts, Interim City Manager
Helivi L. Holland, City Attorney
Erika S. Dawley, City Clerk

ABSENT
None

SUFFOLK EXECUTIVE AIRPORT QUARTERLY REPORT

Utilizing a PowerPoint presentation, Economic Development Director Kevin Hughes gave a report on the above referenced item.

CAPITAL IMPROVEMENT PROJECTS UPDATE

Utilizing a PowerPoint presentation, Public Works Director Eric Nielsen supplied an update on the above referenced item.

Referring to the presentation, Council Member Fawcett called for information on the timeline for the Nansemond Parkway and Wilroy Road Intersection Improvements Construction of Right Turn Lane project. Public Works Director Nielsen explained that construction would likely start in the summer of 2016.

Referring to the presentation, Council Member Duman queried about the timeline for the Holland Road Widening project. Public Works Director Nielsen indicated that City staff is working with state and federal officials in order to receive the required notice to proceed as it relates to the 183 parcels that will need to be acquired for the project. He added that it is anticipated that all of the parcels will be acquired within two years.

Referring to the presentation, Vice Mayor Bennett asked about the timeline for the Nansemond Parkway Roadway Widening project. Public Works Director Nielsen reported that the City is working with Hampton Roads Sanitation District Commission to determine the need to replace the force main in the area prior to construction. He added, as of next week, the design phase will be 60 percent complete and, in best case scenario, construction would start in spring of 2016.

CLOSED MEETING

City Clerk Dawley presented the following Closed Session motion for City Council's consideration:

Council Member Fawcett, on a motion seconded by Vice Mayor Bennett, moved that City Council convene in a closed meeting for the following purposes, by the following roll call vote:

1. Pursuant to Virginia Code Section 2.2-3711(A)(1), the discussion, consideration, or interviews of prospective candidates for appointment; and the assignment, appointment, and performance of specific public officers or appointees of the City, specifically the appointments as shown on the attached list for vacancies or term expirations for Community Policy and Management Team, Fine Arts Commission, Hampton Roads Planning District Commission, Historic Landmarks Commission, Human Services Advisory Board, Library Advisory Board, Local Board of Building Code Appeals, Parks and Recreation Advisory Commission, Planning Commission, Sister Cities Commission, Suffolk Clean Community Commission, Suffolk Clean Community Commission Keep Suffolk Beautiful Executive Board, Suffolk Redevelopment and Housing Authority Board of Commissioners, Western Tidewater Water Authority and Wetlands Board.

AYES:	Mayor L. Johnson, Vice Mayor Bennett, and Council Members Duman, Fawcett, Goldberg, T. Johnson, Milteer and Ward	8
NAYS:	None	0

City Council convened in Closed Meeting at 5:40 p.m. The Closed Meeting concluded at 5:48 p.m.

Teste: _____
Erika S. Dawley, MMC, City Clerk

Approved: _____
Linda T. Johnson, Mayor

Special Presentations

Removal of Items from the Consent Agenda and Adoption of the Agenda

Agenda Speakers

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Consent Agenda** - An ordinance to authorize the transfer of Urban Formula funds from the Bridge Road and Bennett's Pasture Road Intersection Project to the Bridge Road and Lee Farm Lane Intersection Project

The Bridge Road and Bennett's Pasture Road Intersection and the Bridge Road and Lee Farm Lane Intersection improvements are currently under construction. During construction a number of minor field condition changes have been identified on the Bridge Road and Lee Farm Lane intersection project necessitating the need for additional construction funds for the project. This ordinance will provide for the transfer of remaining funds of $30,000 for the Bennett's Pasture Road intersection project to the Lee Farm Lane intersection project in order to complete construction.

Attached for Council's consideration is an ordinance to authorize the transfer of Urban Formula funds in the amount of $30,000 from the Bennett's Pasture Road Intersection Project to the Lee Farm Lane Intersection Project and required local funds support of $600 which will be provided for in the approved FY16 Capital budget.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENTS:

Ordinance
Email from VDOT confirming the transfer request

ORDINANCE NUMBER _____

AN ORDINANCE TO AUTHORIZE THE TRANSFER OF URBAN FORMULA FUNDS FROM THE BRIDGE ROAD AND BENNETT'S PASTURE ROAD INTERSECTION PROJECT TO THE BRIDGE ROAD AND LEE FARM LANE INTERSECTION PROJECT

WHEREAS, the Council of the City of Suffolk has appropriated and committed funds in prior years for the Bridge Road and Bennett's Pasture Road Intersection project and the Bridge Road and Lee Farm Lane Intersection project; and,

WHEREAS, the Bridge Road and Bennett's Pasture Road Intersection project currently has Urban Formula funding available for transfer in the amount of $30,000; and the required $600 local match will be available for transfer in the approved FY16 Capital budget, and;

WHEREAS, the Bridge Road and Lee Farm Lane Intersection Project currently has an identified construction funding shortfall of approximately $30,600 and requires additional funding in order to complete construction of the improvements;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Suffolk, Virginia that:

1. The sum of $30,000 be, and is hereby, transferred as follows:

Revenue Transfers (From)/To:.

310-41100-2170_424030.140	CMAQ Bridge Rd/ Bennett's Pasture Rd Inter Imp	$ (30,000)
310-41100-2167_424030.140	CMAQ Bridge Rd/Lee Farm Lane Inter Impr	30,000
		$ 0

Expenditure Transfers (From)/To:

310-41100-2170_53850.140	Construction Contracts VDOT Funds	$(30,000)
310-41100-2167_53850.140	Construction Contracts VDOT Funds	30,000
		$ 0

2. The sum of $600 local fund match will be transferred on or after July 1 as follows:

Revenue Transfers (From)/To:

310-41100-2170_441050.165	Bridge Rd/ Bennett's Pasture Rd Inter Imp	$ (600)
310-41100-2167_441050.165	Bridge Rd/Lee Farm Lane Inter Impr	600
		$ 0

Expenditure Transfers (From)/To:

310-41100-2170_53850.165	Construction Contracts Tr Fr General Fund	$ (600)
310-41100-2167_53850.165	Construction Contracts Tr Fr General Fund	600
		$ 0

2. The transfer totaling $30,600 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037, as amended. The City Manager is hereby authorized and directed to do all things necessary to effectuate this action.

3. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to form:

_____, Deputy City Attorney
Helivi L. Holland, City Attorney

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Consent Agenda** – An ordinance to appropriate excess Risk Fund Revenues received during Fiscal Year 2014-2015 and/or funds from the Risk Fund Balance not to exceed $510,000 for use in addressing additional contributions to Other Post-Employment Benefits (OPEB)

Attached for Council's consideration is an ordinance to appropriate excess Risk Fund Revenues received and/or funds from the Risk Fund Balance not to exceed $510,000 for additional contributions to OPEB to fully fund the annual required contribution.

BUDGET IMPACT:

Adoption of the attached ordinance will increase the appropriated revenues and expenditures of the Risk Fund by $510,000 for designation and appropriation to Other Post-Employment Benefits.

RECOMMENDATION:

Adopt the attached ordinance

ATTACHMENT:

Ordinance

ORDINANCE NUMBER_____

AN ORDINANCE TO APPROPRIATE EXCESS RISK FUND REVENUES RECEIVED DURING FISCAL YEAR 2014-2015 AND/OR FUNDS FROM THE RISK FUND BALANCE NOT TO EXCEED $510,000 FOR USE IN ADDRESSING ADDITIONAL CONTRIBUTIONS TO OTHER POST-EMPLOYMENT BENEFITS (OPEB)

WHEREAS, it is anticipated that there will be excess Risk Fund Revenues received during Fiscal Year 2014-2015 and/or funds available in the Risk Fund Balance; and,

WHEREAS, any excess Risk Fund Revenues and/or funds from the Risk Fund Balance will be available for utilization by the City; and,

WHEREAS, funds in the amount of $510,000 need to be appropriated from the excess revenues for Fiscal Year 2014-2015 and/or funds from the Risk Fund Balance in order to provide additional contributions to Other Post-Employment Benefits.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

1. The Fund amount not to exceed $510,000 is hereby appropriated for use as referenced in this ordinance and the budget approved by Ordinance Number 14-O-037 as amended. The City Manager be, and hereby is authorized and directed to do all things necessary to effectuate this action.

2. This ordinance shall be effective upon passage and shall not be published.

READ AND PASSED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to form:

_____, Deputy City Attorney
Helivi L. Holland, City Attorney

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Consent Agenda -** An ordinance amending Chapter 38, Article II of the Code of the City of Suffolk for the purpose of replacing the term "rescue" with "emergency medical services" in accordance with changes to the Code of Virginia

In order to be in compliance with changes in the Code of Virginia that take effect July 1, 2015, references in City Code to the Department of Fire and Rescue shall be amended to read the Department of Fire and Emergency Medical Services. The Code of Virginia mandates that the term "rescue" or "rescue squad" be changed to "emergency medical services" or "emergency medical services agency". Several changes are being made to Chapter 38 of the City Code in which the term "rescue" or "rescue squad" is being replaced with "emergency medical services" or "emergency medical services agency" in order to match the terminology being used in the Code of Virginia.

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING CHAPTER 38, ARTICLE II OF THE CODE OF THE CITY OF SUFFOLK FOR THE PURPOSE OF REPLACING THE TERM "RESCUE" WITH "EMERGENCY MEDICAL SERVICES" IN ACCORDANCE WITH CHANGES TO THE CODE OF VIRGINIA

BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that Sections 38-31, 38-33, 38-34, 38-35, 38-36, 38-37, 38-39 and 38-40 of Chapter 38, "Fire Prevention and Protection" of the Code of the City of Suffolk, Virginia, is hereby amended to read as follows:

Sec. 38-31. - Created; composition; duties.

(a) There is created a department of fire and ~~rescue~~ emergency medical services, which shall be composed of the fire companies and ~~rescue squads~~ emergency medical services agencies located throughout the city, both career and volunteer, and headed by a chief of fire and ~~rescue~~ emergency medical services.

(b) Duties of the department of fire and ~~rescue~~ emergency medical services shall include but are not limited to:

(1) The prevention of fires through public education, inspections and code enforcement;

(2) The suppression of fires through various extinguishment methods;

(3) The mitigation of the uncontrolled release of hazardous materials;

(4) Pre-hospital emergency medical care of patients (basic and advanced life support);

(5) Rescues at accidents/entrapments, mass casualty incidents, or any other incident involving ill or injured patients.

* * *

Sec. 38-33. Chief and personnel appointed by city manager.

There shall be appointed by the city manager a chief of the department of fire and ~~rescue~~, emergency medical services, deputy chiefs, battalion chiefs, captains, lieutenants, and such other personnel as he deems necessary in order to adequately protect the city against fires, accidents and medical emergencies.

Sec. 38-34. - Powers and duties of chief; reports to city manager; absence.

(a) The chief of the department of fire and ~~rescue~~ emergency medical services shall oversee all fire companies and ~~rescue squads~~ emergency medical services agencies in the city, and also the apparatus used for the associated duties of the department. He shall have general charge of all property of the city connected with the department, and shall be responsible for the maintenance and care of all property and equipment used by his department. He shall be responsible for the prevention of fires and the protection of life and property against fires, accidents and medical

emergencies; the planning and directing of all fire fighting, fire prevention and emergency medical services activities; the performance of miscellaneous public services of an emergency nature; and management of personnel and all operations of the department of fire and ~~rescue~~ emergency medical services. The chief of the department of fire and ~~rescue~~ emergency medical services shall make an annual report to the city manager detailing the activities of the department for the preceding year.

(b) The chief of the department of fire and ~~rescue~~ emergency medical services shall also serve as the fire marshal. He shall enforce the fire prevention code and shall have all the powers and duties of a fire marshal as described in Title 27, Chapter 3, of the Code of Virginia, 1950, as amended. The term "fire official" or "code official" shall mean the fire chief or the chief's duly authorized representative. As the fire marshal, the chief may appoint such deputies or assistants as may be necessary. These deputies or assistants shall have the same powers as the fire marshal, provided they have met all requirements set forth in said chapter for the exercise of such power, at his direction or in his absence.

(c) The chief of the department of fire and ~~rescue~~ emergency medical services shall also perform such other duties, in any department, as the city council may impose upon him.

(d) In the absence of the chief of the department of fire and ~~rescue~~ emergency medical services, the next ranking officer present shall have his powers and fill his position.

Sec. 38-35. Volunteer fire fighting organizations.

No volunteer ~~rescue squad,~~ emergency medical service ~~organization~~ agency or other organization providing similar type services, or volunteer fire fighting organization shall be established in the city without the prior approval of the city council.

Sec. 38-36. – Authorized participation in volunteer fire fighting organizations.

Any person 16 years of age or older, with parental or guardian approval, is authorized to participate in volunteer fire fighting organizations pursuant to rules of the department of fire and ~~rescue~~ emergency medical services.

Sec. 38-37. Composition and rules and regulations of volunteer fire companies ~~and rescue squads.~~ and volunteer emergency medical services agencies.

Each volunteer fire company and ~~rescue squad~~ volunteer emergency medical services agency within the city shall consist of such officers and members as are provided for in its constitution and bylaws. Volunteer agencies shall set rules and regulations for their perspective agencies as set forth by their constitution and bylaws. No rule or regulation shall conflict with the intent of the City Code. Equipment titled to or owned by the volunteer agencies listed in section 38-38 shall remain as such with control and maintenance remaining with said agencies.

* * *

Sec. 38-39. Authority of chief when answering alarm or extinguishing fire.

(a) While the department of fire and ~~rescue~~ emergency medical services is in the process of answering an alarm of fire or operating at an emergency incident where there is imminent danger or the actual occurrence of fire or explosion or the uncontrolled release of hazardous materials that threaten life or property or returning to the station, the chief of fire and ~~rescue~~ emergency medical services, or his designee, shall have the authority to maintain order at the emergency incident or its vicinity, direct the actions of fire fighters at the incident, keep bystanders or other persons at a safe distance from the incident and emergency equipment, facilitate the speedy movement and operation of emergency equipment and fire fighters, cause an investigation to be made of the origin and cause of the incident and, until the arrival of a police officer, direct and control traffic, in person or by deputy, and facilitate the movement of traffic. The chief of the department of fire and ~~rescue~~ emergency medical services shall display his fire fighter's badge or other proper identification. This authority shall extend to the activation of traffic control signals designated to facilitate the safe egress and ingress of emergency equipment at a fire station.

(b) Any person refusing to obey the orders of the chief of the department of fire and ~~rescue~~ emergency medical services or his designee at the time, given pursuant to this section, shall be guilty of a class 4 misdemeanor, punishable as provided in subsection 1-14(4). The chief of the department of fire and ~~rescue~~ emergency medical services shall have the power to make arrests for violation of the provisions of this section.

Sec. 38-40. Interference with firefighters, equipment, etc.

(a) It shall be unlawful for any person to assault or injure any member of the department of fire and ~~rescue~~ emergency medical services who is in the performance of official duties.

(b) It shall be unlawful to interfere with, obstruct or restrict the mobility of, or block the path of travel of any fire-rescue department emergency vehicle or other firefighting or rescue equipment, or to interfere with a fire-rescue department member in the discharge of his duty, or to interfere with, obstruct or hamper any fire-rescue department operation.

(c) It shall be unlawful for any person to damage, deface or render inoperable any fire-rescue department emergency vehicle or firefighting or rescue equipment or apparatus without lawful authority.

(d) Any person violating any provision of this section shall be guilty of a class 1 misdemeanor, punishable as provided in subsection 1-14(1).

BE IT FURTHER ORDAINED that this Ordinance shall be in effect upon its passage.

READ AND PASSED: _____

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

Deputy City Attorney
Helivi L. Holland, City Attorney

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Consent Agenda –** An ordinance amending Section 38-32 of the City Code concerning the Department of Fire and Rescue in reference to Departmental rules and regulations for the purpose of removing the language referencing the Fire and EMS Commission

With regard to the creation of departmental rules and regulations, under Section 38-32 of the City Code, reference to the Fire and EMS Commission, which is composed of the chief administrative officers of the volunteer agencies, creates redundancy and is therefore being removed.

In order to be in compliance with changes in the Code of Virginia that take effect July 1, 2015, references in City Code to the Department of Fire and Rescue shall be amended to read the Department of Fire and Emergency Medical Services. Several changes are being made to Chapter 38 of the City Code in which the term "rescue" or "rescue squad" is being changed to "emergency medical services" or "emergency medical services agency" in order to match the terminology being used in the Code of Virginia.

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING SECTION 38-32 OF THE CITY CODE CONCERNING THE DEPARTMENT OF FIRE AND RESCUE IN REFERENCE TO DEPARTMENTAL RULES AND REGULATIONS FOR THE PURPOSE OF REMOVING THE LANGUAGE REFERENCING THE FIRE AND EMS COMMISSION

BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that Section 38-32 of Chapter 38, "Fire Prevention and Protection" of the Code of the City of Suffolk, Virginia, is hereby amended to read as follows:

Sec. 38-32. Departmental rules and regulations.

The chief of the department of fire and ~~rescue~~ emergency medical services, after comment from the chief administrative officers of the volunteer agencies, ~~and the fire and EMS commission,~~ with the approval of the city manager, shall make rules and regulations concerning the operation of the department of fire and ~~rescue~~ emergency medical services; the conduct of its officers, employees and members; and their uniforms, equipment, training and procedures.

BE IT FURTHER ORDAINED that this Ordinance shall be in effect upon its passage.

READ AND PASSED:

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

Deputy City Attorney
Helivi L. Holland, City Attorney

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Consent Agenda -** An ordinance amending Section 38-38 of the City Code concerning the recognition of fire and rescue organizations as part of the safety program of the city

In Section 38-38 of the City Code, Suffolk Volunteer Fire Company is being removed as a recognized volunteer agency as they are no longer providing fire and emergency medical services in the city.

In order to be in compliance with changes in the Code of Virginia that take effect July 1, 2015, references in City Code to the Department of Fire and Rescue shall be amended to read the Department of Fire and Emergency Medical Services. Several changes are being made to Chapter 38 of the City Code in which the term "rescue" or "rescue squad" is being changed to "emergency medical services" or "emergency medical services agency" in order to match the terminology being used in the Code of Virginia.

ORDINANCE NUMBER _____

AN ORDINANCE AMENDING SECTION 38-38 OF THE CITY CODE CONCERNING THE RECOGNITION OF FIRE AND RESCUE ORGANIZATIONS AS PART OF THE SAFETY PROGRAM OF THE CITY

BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that Section 38-38 of Chapter 38, "Fire Prevention and Protection" of the Code of the City of Suffolk, Virginia, is hereby amended to read as follows:

Sec. 38-38. Recognition of certain organizations as part of safety program of the city.

The following volunteer fire companies and ~~rescue squads~~ volunteer emergency medical services agencies, which have been authorized and chartered to perform public service in the city are recognized as part of the official safety program of the city for purposes of the line-of-duty act, Code of Virginia § 15.2-1511:

~~(1) Suffolk Volunteer Fire Company.~~
(~~2~~1) Nansemond-Suffolk Volunteer Rescue Squad, Inc.
(~~3~~2) Chuckatuck Volunteer Fire Department, Inc.
(~~4~~3) Driver Volunteer Fire Department, Inc.
(~~5~~4) Holland Volunteer Fire Department.
(~~6~~5) Whaleyville Volunteer Fire Department.

BE IT FURTHER ORDAINED that this Ordinance shall be in effect upon its passage.

READ AND PASSED:

TESTE: _____
Erika S. Dawley, City Clerk

Approved as to Form:

Deputy City Attorney
Helivi L. Holland, City Attorney

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Public Hearing** – An ordinance to authorize a quitclaim deed between the City of Suffolk, Grantor and Running in Clogs, LLC, et al., Grantees for property located at 1928 Holland Road, Tax Map Parcel 33B*18F

The property owner and developer of the new 7-11 convenience store that is being constructed at the intersection of Holland and Kenyon Roads, identified as 1928 Holland Road, Tax Parcel Number 33B*18F, has requested that the City, as grantor, execute a quitclaim deed relinquishing any interest that it may have in a 38' wide access easement across the property, as referenced in Plat Cabinet 3, Slide 122A and 122B. It is staff's opinion that it was never intended for the City of Suffolk to have an interest in the referenced access easement; however, the property owner has requested the quitclaim deed to clear any title matters that may result based on a note on the subdivision plat that established the easement.

RECOMMENDATION:

- Staff recommends approval of the attached ordinance.

ATTACHMENTS:

- Public Hearing Notice
- Ordinance
- Quitclaim Deed
- Exhibit A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF SUFFOLK, VIRGINIA, WILL HOLD A PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE AUTHORIZING A QUITCLAIM DEED BETWEEN THE CITY OF SUFFOLK, VIRGINIA GRANTOR AND RUNNING IN CLOGS, LLC AND CARTER CASKET CO., DON W. CARTER, ET. AL., GRANTEES IN REGARD TO A 38' WIDE ACCESS EASEMENT IDENTIFIED IN PLAT CABINET 3, SLIDE 122A AND 122B IN THE CLERKS OFFICE OF THE CIRCUIT COURT OF THE CITYOF SUFFOLK, VIRGINIA.

A COPY OF THE PROPOSED ORDINANCE IS AVAILABLE FOR INSPECTION IN THE PLANNING AND COMMUNITY DEVELOPMENT OFFICE LOCATED AT 442 W. WASHINGTON STREET, SUFFOLK, VIRGINIA.

THE PUBLIC HEARING, AT WHICH ALL INTERESTED PERSONS ARE ENCOURAGED TO SPEAK, WILL BE HELD DURING COUNCIL'S REGULAR MEETING BEGINNING AT 7:00 P.M. ON JUNE 3, 2015, IN THE CITY COUNCIL CHAMBERS LOCATED IN THE MUNICIPAL BUILDING AT 442 WEST WASHINGTON STREET, SUFFOLK, VIRGINIA.

ANY INTERESTED PARTY WHOSE PARTICIPATION IN THIS MEETING WOULD REQUIRE ACCOMMODATION OF A DISABILITY SHOULD CONTACT PATRICK ROBERTS, INTERIM CITY MANAGER, AT (757) 514-4001.

ORDINANCE NUMBER_____

AN ORDINANCE TO AUTHORIZE A QUITCLAIM DEED BETWEEN THE CITY OF SUFFOLK, GRANTOR AND RUNNING IN CLOGS, LLC, ET. AL., GRANTEES FOR PROPERTY LOCATED AT 1928 HOLLAND ROAD, TAX MAP PARCEL 33B*18F

WHEREAS, it has been determined that the City of Suffolk may have an interest in a 38' wide access easement across property identified as Tax Map Parcel 33B*18F, further identified in Plat Cabinet 3, Slide 122A and 122B and further identified on the attached Exhibit "A"; and,

WHEREAS, it has been requested that the City relinquish any rights it may have to the referenced easement by the execution of a quitclaim deed between the City of Suffolk, Grantor and Running in Clogs, LLC, et al., Grantees; and,

WHEREAS, the City Council held a public hearing on June 3, 2015 to consider the request to execute a quitclaim deed in reference to the 38' wide access easement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. The City Council hereby authorizes the execution of a quitclaim deed in substantially the same form as the attached, relinquishing whatever rights it may have to the 38' wide access easement as referenced in Exhibit "A".

Section 2. The City Manager is authorized to execute the quitclaim deed and all necessary documents as evidence of the City's conveyance.

Section 3. BE IT FURTHER ORDAINED that this ordinance shall be effective upon its passage and shall not be published.

READ AND PASSED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:

_____, Deputy City Attorney
Helivi L. Holland, City Attorney

Prepared by:
Stephen R. Romine
Virginia State Bar# 19555
LeClairRyan, P.C.
999 Waterside Drive, Suite 2100
Norfolk, Virginia 23510

Exempt from recordation taxes Pursuant to Virginia Code § 58.1-811 (A)(3).

Tax Map/Parcel ID#:

QUITCLAIM DEED

THIS QUITCLAIM DEED ("this Deed") made this ____ day of _____, 2014, by and between the **CITY OF SUFFOLK, VIRGINIA,** a municipal corporation of the Commonwealth of Virginia, "Grantor," and **RUNNING IN CLOGS, LLC,** a Texas limited liability company, and **CARTER CASKET CO, ELEANOR P. CARTER, OWEN HOLMES CARTER, ALICE FAYE K. MILTEER, BETTY C. DUBOSE, DON WAYNE CARTER, DELMAR YATES CARTER, KENNETH BUTLER KING, HERBERT ELTON BYRUM, EXECUTOR OF THE ESTATE OF ACENE CARTER BYRUM, JOY CARTER JOHNSON, FOY CARTER GWALTNEY, AND PEGGY CARTER HOLLEY**, collectively "Grantees." **SOUTHWEST BANK** has joined in this Deed for the sole purpose of acknowledging its consent, and shall be indexed as "Grantee."

WHEREAS, Grantees are the owners of those certain tracts of land, more particularly described as:

Tract 1: Parcel C – Resubdivision of Property of S. Martin Carter, et als., Plat dated April 16, 2001, and recorded January 14, 2002, in Plat Cabinet 3, Slide 122A and 122B.

Tract 2: Parcel D – Resubdivision of Property of S. Martin Carter, et als., Plat dated April 16, 2001, and recorded January 14, 2002, in Plat Cabinet 3, Slide 122A and 122B.

Tract 3: Parcel E – Resubdivision of Property of S. Martin Carter, et als., Plat dated April 16, 2001, and recorded January 14, 2002, in Plat Cabinet 3, Slide 122A and 122B.

Tracts 1-3 are collectively known as the "Property."

WHEREAS, by that certain Resubdivision of Property of S. Martin Carter, et als., Plat dated April 16, 2001, and recorded January 14, 2002, in Plat Cabinet 3, Slide 122A and 122B, in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia, Grantor acquired a 38' wide access easement across the Property for use by Grantor and dedicated for Parcels D & E, and certain other rights appurtenant to same ("the Easement"); and

WHEREAS, Grantees are negotiating and executing a separate easement agreement between themselves which would grant similar access rights to Grantees, and, as a result, Grantees have requested that Grantor vacate the Easement and;

WHEREAS, the City Council of the City of Suffolk authorized a quitclaim conveyance of any interest it may have in the Easement to Grantees.

That for and in consideration of a sum of ONE DOLLAR ($1.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, Grantor does quitclaim, grant and convey unto the said Grantees, its successors and assigns forever, all of its interest described as:

> All the certain strip of land shown as "38' Access Easement hereby dedicated for Parcels D & E" on that certain plat entitled "Resubdivision of Property of S. Martin Carter, et als., @ Kenyon Road (RTE 738) & Holland Road (RTE 58)" dated April 16, 2001, and recorded January 14, 2002, in Plat Cabinet 3, Slide 122A and 122B, in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia, and also depicted as "38' Access Easement" on Exhibit A attached hereto.

TO HAVE AND TO HOLD whatever interest the Grantor may possess in said easement unto the Grantees, its successors and assigns, forever.

As a result of the quitclaim contained herein, all rights of Grantor and of the public in the Easement are hereby VACATED.

Executed as of this _____ day of _____, 2015.

GRANTOR:
City of Suffolk, Virginia,

By: _____
Patrick Roberts, Interim City Manager

Attest:

_____
City Clerk

COMMONWEALTH OF VIRGINIA
CITY OF SUFFOLK, to-wit:

The foregoing instrument was acknowledged before me this ___ day of _____, 2015, by Patrick Roberts, Interim City Manager, and _____, City Clerk, on behalf of the City of Suffolk, Virginia.

My commission expires: _____
Notary Registration No. _____

_____
Notary Public

Approved as to Form:

_____
Associate City Attorney

After Recording Return To:
Running in Clogs, LLC
1211 S. White Chapel Blvd.
Southlake, TX 76092

Accepted and Agreed to by Grantees:

PARCEL C OWNER:

RUNNING IN CLOGS, LLC,
a Texas limited liability company

By:_____
B. Jason Keen, Manager

STATE OF TEXAS §
§
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 23 day of October, 2014, by B. Jason Keen, Manager of Running in Clogs, LLC, a Texas limited liability company, on behalf of said company.

Kimberly Banks
Notary Public, State of Texas

KIMBERLY ANN BANKS
NOTARY PUBLIC
STATE OF TEXAS
EXPIRES
DEC. 18, 2014

PARCEL D OWNER:

CARTER CASKET CO

By:_____
Name:_____
Title:_____

STATE OF _____ §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2014, by _____, _____ of _____, on behalf of said _____.

_____
Notary Public, State of _____

Accepted and Agreed to by Grantees:

PARCEL C OWNER:

RUNNING IN CLOGS, LLC,
a Texas limited liability company

By:_____
B. Jason Keen, Manager

STATE OF TEXAS §
§
COUNTY OF TARRANT §

This instrument was acknowledged before me on the _____ day of _____, 2014, by B. Jason Keen, Manager of Running in Clogs, LLC, a Texas limited liability company, on behalf of said company.

_____
Notary Public, State of Texas

PARCEL D OWNER:

CARTER CASKET CO

By: Don Wayne Carter
Name: Don Wayne Carter
Title: Vice Pres.

STATE OF Virginia §
City/ §
COUNTY OF Suffolk §

This instrument was acknowledged before me on the 24th day of October, 2014, by Don Wayne Carter, Vice President of Carter Casket Co, on behalf of said Carter Casket Co.

CYNTHIA WISE TURNER
NOTARY PUBLIC
MY COMMISSION NUMBER 4116783
COMMONWEALTH OF VIRGINIA

Cynthia Wise Turner
Notary Public, State of Virginia

My commission expires: 9/30/18

PARCEL E OWNER:

Eleanor P. Carter

Eleanor P. Carter

STATE OF S.C. §
§
COUNTY OF Richland §

This instrument was acknowledged before me on the 24 day of Oct, 2014, by Eleanor P. Carter.

STACEY ASHE NOTARY PUBLIC JUNE 11, 2023 STATE OF SOUTH CAROLINA

Stacey Ashe

Notary Public, State of S.C.

Owen Holmes Carter

Don Wayne Carter

Delmar Yates Carter

Alice Faye K. Milteer, by O. Holmes Carter, her attorney-in-fact

Kenneth Butler King

Herbert Elton Byrum, Executor of the Estate of Acene Carter Byrum

PARCEL E OWNER:

_____
Eleanor P. Carter

STATE OF _____ §
§
COUNTY OF _____ §

This instrument was acknowledged before me on the _____ day of _____, 2014, by Eleanor P. Carter.

_____
Notary Public, State of _____

Owen Holmes Carter
Owen Holmes Carter

Don Wayne Carter
Don Wayne Carter

Delmar Yates Carter
Delmar Yates Carter

Alice Faye K. Milteer, by O. Holmes Carter,
Alice Faye K. Milteer, by O. Holmes Carter,
her attorney-in-fact her attorney-in-fact

Kenneth Butler King
Kenneth Butler King

Herbert Elton Byrum, Executor of the Estate of
Herbert Elton Byrum, Executor of the Estate of
Acene Carter Byrum

Joy Carter Johnson

Foy Carter Gwaltney

Betty C. Dubose, by O. Holmes Carter,
her attorney-in-fact

Peggy Carter Holley

STATE OF Virginia §
City/ §
COUNTY OF Suffolk §

This instrument was acknowledged before me on the 24th day of October, 2014, by ~~by~~ Owen Holmes Carter, individually and as attorney- in-fact for Alice Faye K. Milteer and Betty C. DuBose, Don Wayne Carter, AND Delmar Yates Carter, Kenneth Butler King, Herbert Elton Byrum, Executor of the Estate of Acene Carter Byrum, Joy Carter Johnson, Foy Carter Gwaltney, and Peggy Carter Holley by their attorney-in-fact, Jesse J. Johnson, Jr.

CYNTHIA WISE TURNER
NOTARY PUBLIC
MY COMMISSION NUMBER 4116783
COMMONWEALTH OF VIRGINIA

Cynthia Wise Turner
Notary Public, State of Virginia
My commission expires: 9/30/18

CONSENT OF LIENHOLDER

THE UNDERSIGNED, being the holder of a Deed of Trust (herein so called) recorded on December 1, 2014, at Document Number 201412010001942 40 of the circuit Clerk of the City of Suffolk, Virginia, hereby (a) consents to the terms and conditions of the foregoing Quitclaim Deed, (b) agrees that a foreclosure of the Deed of Trust or any other liens or security interests of the undersigned will not extinguish or otherwise affect the rights and interests under the foregoing Quitclaim benefitting the Parcels herein or benefitting the Parcels Owners, and (c) represents that the person executing and delivering this Consent of Lienholder on behalf of the undersigned has the authority to do so.

SOUTHWEST BANK

By: _____
Name: _____
Title: _____

STATE OF TEXAS §

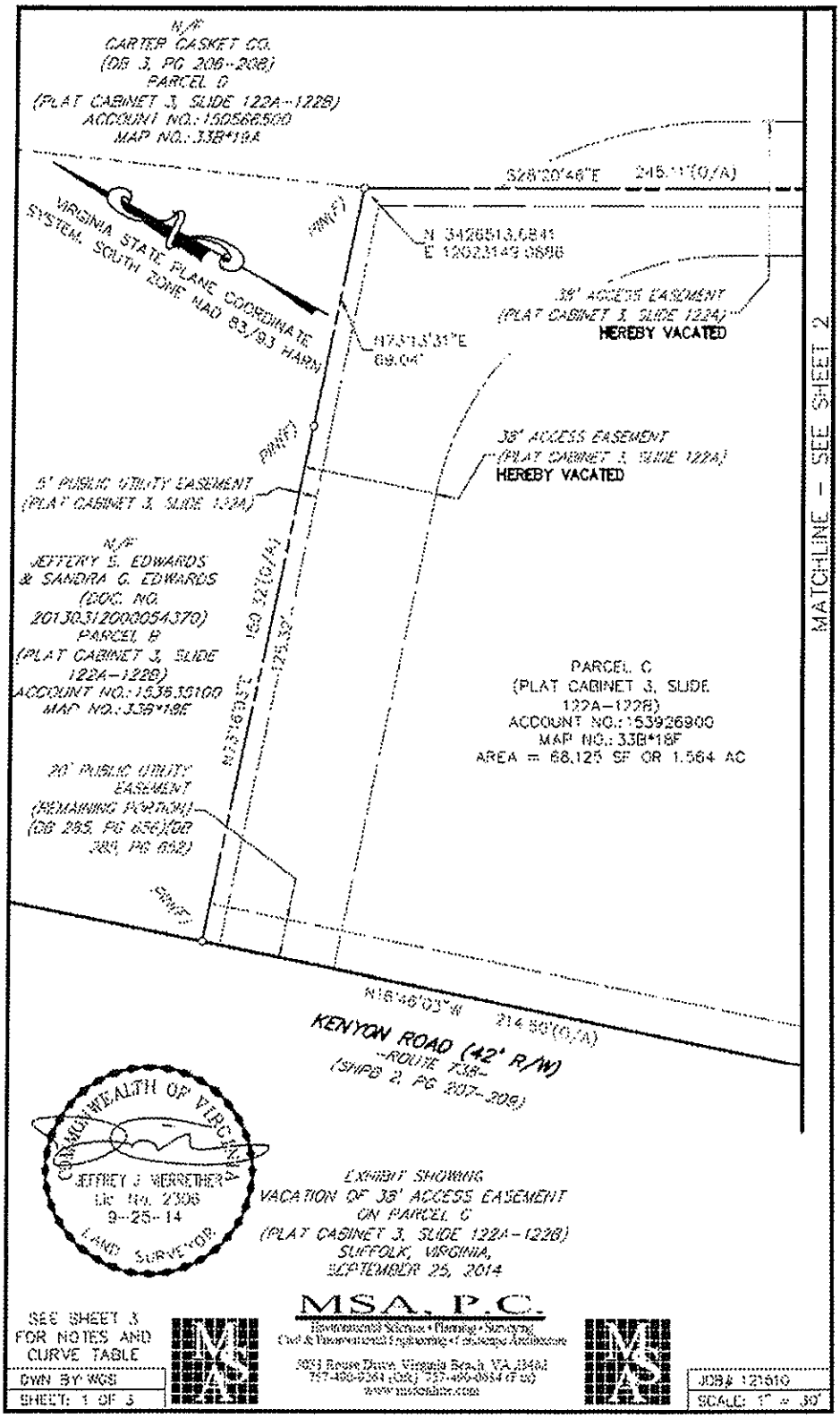
COUNTY OF TARRANT §

This instrument was acknowledged before me on the 7th day of November, 2014, by Alec Barry, the President of SOUTHWEST BANK, on behalf of said bank.

Heather Amon
Notary Public, State of Texas

HEATHER AMON
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Exp. 10-23-2016

Exhibit A


N/F
CARTER CASKET CO.
(DB 3, PG 206-208)
PARCEL C
(PLAT CABINET 3, SLIDE 122A-122B)
ACCOUNT NO.: 150566500
MAP NO.: 33B*19A
S28°20'46"E 245.11'(O/A)
VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE NAD 83/93 HARN
N 3426513.0841
E 12023149.0898
38' ACCESS EASEMENT
(PLAT CABINET 3, SLIDE 122A)
HEREBY VACATED
N73°13'31"E
69.04'
38' ACCESS EASEMENT
(PLAT CABINET 3, SLIDE 122A)
HEREBY VACATED
5' PUBLIC UTILITY EASEMENT
(PLAT CABINET 3, SLIDE 122A)
N/F
JEFFERY E. EDWARDS
& SANDRA G. EDWARDS
(DOC. NO.
201303120000054370)
PARCEL B
(PLAT CABINET 3, SLIDE
122A-122B)
ACCOUNT NO.: 1536.35100
MAP NO.: 33B*18E
N33°16'03"E 150.32'(A)
125.32'
PARCEL C
(PLAT CABINET 3, SLIDE
122A-122B)
ACCOUNT NO.: 153926900
MAP NO.: 33B*18F
AREA = 68,125 SF OR 1.564 AC
20' PUBLIC UTILITY
EASEMENT
(REMAINING PORTION)
(DB 285, PG 656)(DB
285, PG 652)
N16°46'03"W 214.50'(O/A)
KENYON ROAD (42' R/W)
-ROUTE 738-
(SHPB 2, PG 207-209)
MATCHLINE - SEE SHEET 2
COMMONWEALTH OF VIRGINIA
JEFFREY J. HERRETHER
LIC. NO. 2306
9-25-14
LAND SURVEYOR
EXHIBIT SHOWING
VACATION OF 38' ACCESS EASEMENT
ON PARCEL C
(PLAT CABINET 3, SLIDE 122A-122B)
SUFFOLK, VIRGINIA,
SEPTEMBER 25, 2014
SEE SHEET 3
FOR NOTES AND
CURVE TABLE
DWN BY: WGS
SHEET: 1 OF 3
MSA, P.C.
JOB# 121010
SCALE: 1" = 30'

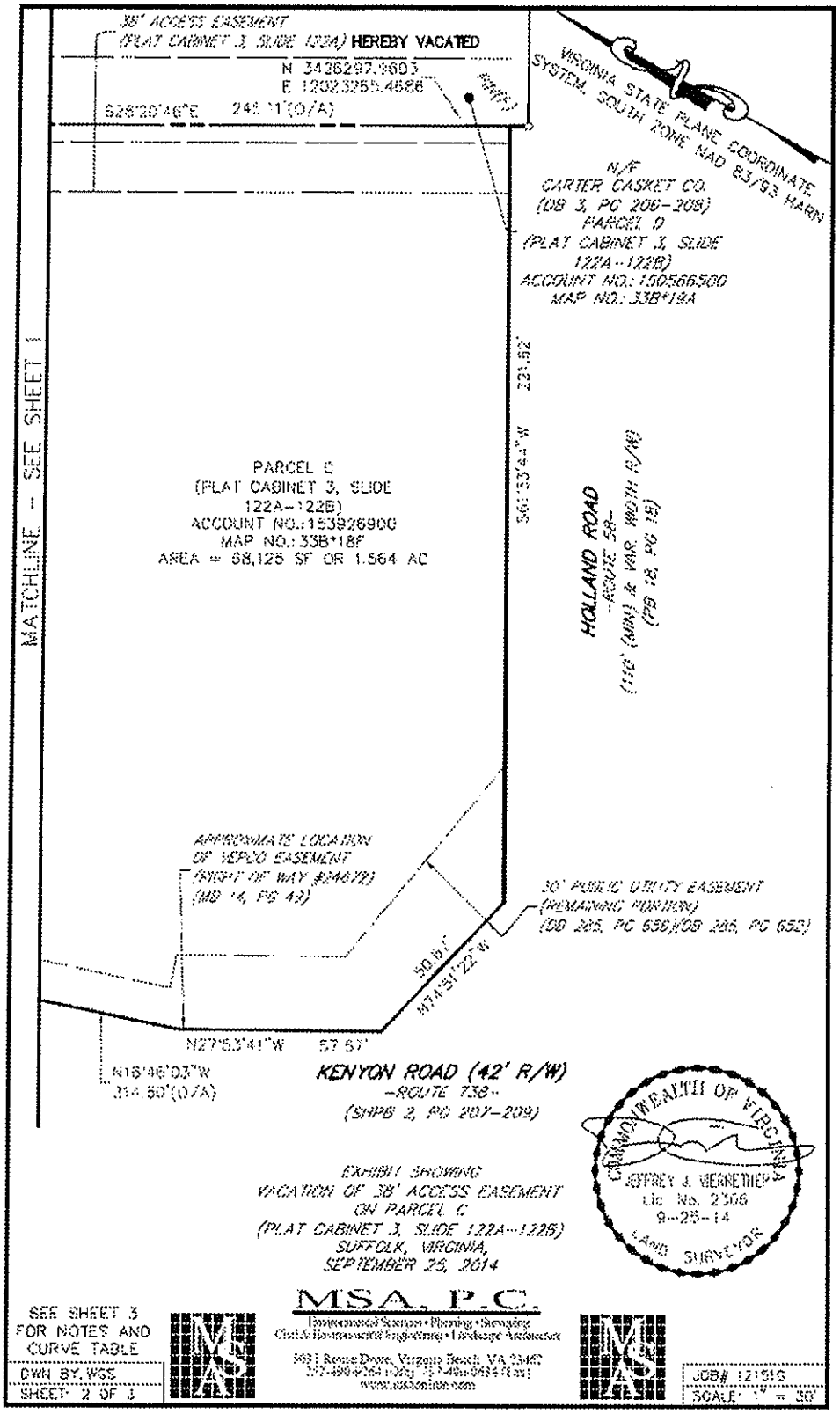


EXHIBIT SHOWING
VACATION OF 38' ACCESS EASEMENT
ON PARCEL C
(PLAT CABINET 3, SLIDE 122A-122B)
SUFFOLK, VIRGINIA,
SEPTEMBER 25, 2014

SEE SHEET 3
FOR NOTES AND
CURVE TABLE

DWN BY: WGS
SHEET 2 OF 3

MSA, P.C.
Environmental Sciences • Planning • Surveying
Civil & Environmental Engineering • Landscape Architecture
968 Rosemont Drive, Virginia Beach, VA 23462
757-490-9284 (Voice) 757-490-9494 (Fax)
www.msaonline.com

JOB# 121513
SCALE: 1" = 30'

1. THIS EXHIBIT WAS CREATED WITH THE BENEFIT OF A TITLE REPORT PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, ORDER NO. 4178521, EFFECTIVE DATE: DECEMBER 17, 2012 AT 8:00 A.M.

2. CURRENT OWNER PER CITY OF SUFFOLK TAX ASSESSOR IS: ELEANOR P. CARTER ET ALS (DOC. NO. 200900224000018520).

3. THIS EXHIBIT DOES NOT CONSTITUTE A BOUNDARY SURVEY. PROPERTY LINES WERE ESTABLISHED FROM RECORDED PLATS AND DEEDS.

4. THE PURPOSE OF THIS EXHIBIT IS TO VACATE THE EXISTING 38' ACCESS EASEMENT.

EXHIBIT SHOWING
VACATION OF 38' ACCESS EASEMENT
ON PARCEL C
(PLAT CABINET 3, SLIDE 122A-122B)
SUFFOLK, VIRGINIA,
SEPTEMBER 25, 2014

COMMONWEALTH OF VIRGINIA
JEFFREY J. WERRETHER
Lic. No. 2706
9-25-14
LAND SURVEYOR

MSA, P.C.
Environmental Science • Planning • Surveying
Civil & Environmental Engineering • Landscape Architecture
5481 Kerns Drive, Virginia Beach, VA 23462
757-490-9284 (Ph.) 757-490-0634 (Fax)
www.msainc.com

DWN BY: WGS
SHEET: 3 OF 3

JOB# 121513
SCALE: 1" = 30'

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS MADE BY ME AT THE DIRECTION OF THE OWNERS AND THAT THIS SUBDIVISION IS ENTIRELY WITHIN THE BOUNDARIES OF THE LAND OWNED BY THEM AND THAT STEEL PINS AS SHOWN IN THE ACCOMPANYING LEGEND HAVE BEEN PLACED AND THAT THEIR ACTUAL LOCATIONS ARE CORRECTLY SHOWN AND THAT THE PLAT DETAILS MEET THE STANDARDS FOR PLATS AS ADOPTED UNDER VC §42.1-82 OF THE VIRGINIA PUBLIC RECORDS ACT (§42.1-78, et seq.)

SIGNED: _____
WILLIAM C. GERWITZ, LAND SURVEYOR, VA NO. 1579

COMMONWEALTH OF VIRGINIA
WILLIAM C. GERWITZ
NO. 871
1/7/02
LAND SURVEYOR

THE PROPERTIES EMBRACED WITHIN THE LIMITS OF THIS RESUBDIVISION WERE CONVEYED OR DEDICATED TO S. MARTIN CARTER, ET ALS BY DEED FROM LOTTIE B. CARTER (A.K.A. NANCY CHARLOTTE CARTER) IN DEED BOOK 66, PAGE 181, DATED DECEMBER 29, 1980 AND IN WILL BOOK 25, PAGE 376, AND TO S. MARTIN & ELEANOR CARTER BY DEED FROM HERBERT O. & LOTTIE B. CARTER IN DEED BOOK 72, PAGE 413, DATED OCTOBER 22, 1979, ALL HAVING BEEN RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF SUFFOLK, VIRGINIA.

THIS SUBDIVISION OF PROPERTY, "RESUBDIVISION OF PROPERTIES OF S. MARTIN CARTER, ET ALS @ KENYON ROAD (RTE 738) AND HOLLAND ROAD (RTE 58)", AS IT APPEARS ON THIS PLAT, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS.

OWNER: _____ 12-31-2001
BY: SELLARS MARTIN CARTER — DATE
132 KENYON ROAD
SUFFOLK VA 23434
(757) 539-6133

OWNER: _____ 12-31-2001
BY: O. HOLMES CARTER — DATE
1912 HOLLAND ROAD
SUFFOLK VA 23434
(757) 539-8045

OWNER: _____ 12-31-2001
BY: DON WAYNE CARTER — DATE
P.O. BOX 6075
SUFFOLK VA 23433
(757) 539-4440

OWNER: _____ 12-31-2001
BY: DELMAR YATES CARTER — DATE
641 TURLINGTON ROAD
SUFFOLK VA 23434
(757) 539-6133

OWNER: _____ 12-31-2001
BY: KENNETH B. KING — DATE
6502 HOLLAND ROAD
SUFFOLK VA 23437
(757) 657-6109

OWNER: _____ 12-31-2001
BY: ALICE FAYE K. WEITZER — DATE
FREEDOM VALLEY ROAD
FORT SMITH AK 72921
(501) 632-0375

OWNER: _____ 12-31-2001
BY: ARLENE C. BYRUM — DATE
3201 LAUREL SPRING ROAD
SPRING GROVE VA 23881
(804) 834-2117

OWNER: _____ 12-31-2001
BY: JOY C. JOHNSON — DATE
317 NORTHBROOKE AVENUE
SUFFOLK VA 23434
(757) 539-8514

OWNER: _____ 12-31-2001
BY: FOY C. GWALTNEY — DATE
651 FREEMAN MILL ROAD
SUFFOLK VA 23438
(757) 986-4440

TOTAL AREA ENCOMPASSED BY THIS SUBDIVISION: 25.432 ACRES

THE UNDERSIGNED CERTIFIES THAT THE SUBDIVISION AS IT APPEARS ON THIS PLAT CONFORMS TO THE APPLICABLE REGULATIONS RELATING TO THE SUBDIVISION OF LAND AND IS ACCORDINGLY APPROVED.

BY SUCH APPROVAL, THE UNDERSIGNED DOES NOT CERTIFY AS TO THE CORRECTNESS OF THE BOUNDARY, STREETS, OR OTHER LINES SHOWN ON THIS PLAT.

APPROVED: _____ DATE: 1/14/02
AGENT, CITY OF SUFFOLK, VIRGINIA

1. THESE PROPERTIES ARE LOCATED IN FLOOD HAZARD ZONES A & X AS SHOWN ON THE DEPARTMENT OF H.U.D. FLOOD INSURANCE RATE MAP FOR THE CITY OF SUFFOLK, VIRGINIA, COMMUNITY PANEL NUMBER 510156 0022 B, REVISED MAP DATED NOVEMBER 18, 1990.
2. ALL RIGHT-OF-WAYS AND EASEMENTS ARE HEREBY DEDICATED TO THE CITY OF SUFFOLK, VIRGINIA.
3. THERE SHALL BE A MINIMUM 5' EASEMENT ALONG THE REAR AND SIDE PROPERTY LINES OF ALL LOTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.
4. THESE PARCELS ARE ZONED RLM AND B-2.
5. THE TOTAL AREA ENCOMPASSED BY THIS SUBDIVISION IS 25.432 ACRES.
6. FURTHER DEVELOPMENT OF PARCEL C MAY REQUIRE ADDITIONAL R/W DEDICATION ALONG PARCELS D & E FOR TURN LANE IMPROVEMENTS, APPURTENANCES AND FACILITIES.

OWNER: _____ 12-31-2001
BY: BETTY C. DUBOSE — DATE
633 SOUTH CENTER STREET
THOMASTON GA 30286
(706) 646-2842

OWNER: _____ 12-31-2001
BY: PERRY C. HOLLEY — DATE
119 MILITARY HIGHWAY
SUFFOLK VA 23434
(757) 934-1285

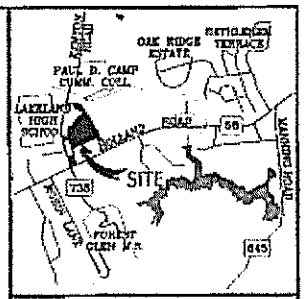
STATE OF VIRGINIA
CITY OF Suffolk, TO WIT:

I, Henry B. Wassum, A NOTARY PUBLIC, IN AND FOR THE CITY AND STATE AFORESAID DO HEREBY CERTIFY THAT THE ABOVE PERSONS, WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING HAVE ACKNOWLEDGED THE SAME BEFORE ME IN THE CITY AND STATE AFOREMENTIONED.

GIVEN UNDER MY HAND THIS 31st DAY OF December, 2001.

Henry B. Wassum
NOTARY PUBLIC
MY COMMISSION EXPIRES 11-30-2004

LOT NUMBER	LOT AREA (sq. ft.)	ADDT. AREAS (sq. ft.)	LOT AREA (acre)
A	618019.6		14.211
	INCLUDES LAKE AREA OF: 75717.2		1.378
B	33808.2		0.776
C	68117.8		1.564
D	21955.1		2.944
E	128253.0		0.505
F	52381.8		1.203
G	81718.5		1.876
H	29250.8		0.672
J	60304.9		1.384
	INCLUDES EASEMENT AREA OF: 2980.5		0.068
TOTAL R/W DEDICATED	13069.9		0.300
TOTAL	1,107,810.6		25.432



LOCATION MAP SCALE 1" = 2000'

P5561

TWF/wcg

TESTE: [illegible]

SHEET 1 OF 2

RESUBDIVISION OF

PROPERTIES OF S. MARTIN CARTER, ET. ALS.

@ KENYON ROAD (RTE 738) & HOLLAND ROAD (RTE 58)

HOLY NECK BOROUGH — SUFFOLK, VIRGINIA
SCALE: N/A — 16 APRIL, 2001

KELLAM-GERWITZ ENGINEERING, INC.

Plat Cabinet 3 Slide 122A

501015_resub.dwg HS-1999-104

EXHIBIT A

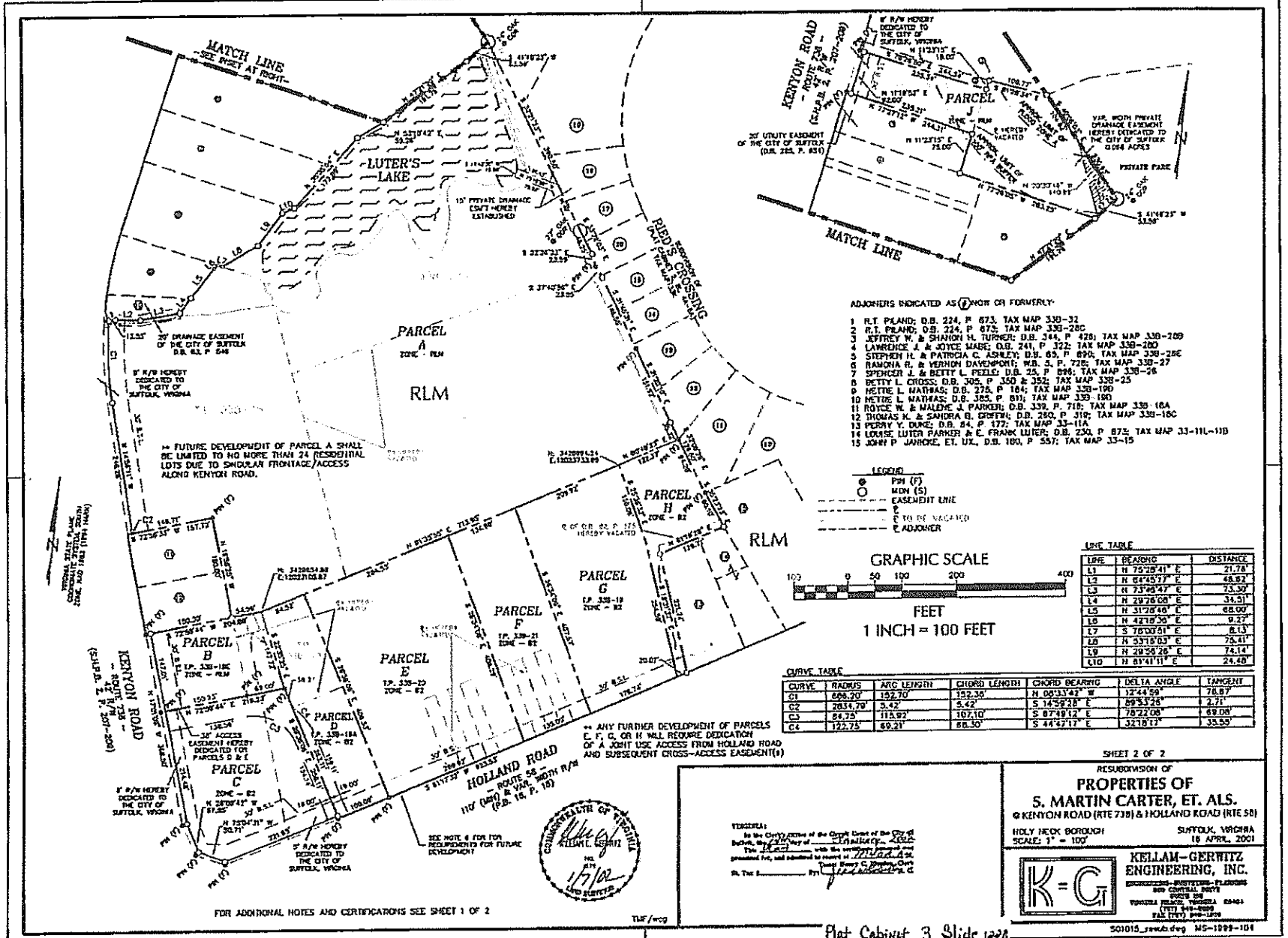

MATCH LINE
-SEE INSET AT RIGHT-
LUTER'S LAKE
15' PRIVATE DRAINAGE EASM'T HEREBY ESTABLISHED
RED'S CROSSING
PARCEL A
ZONE - RLM
RLM
20' DRAINAGE EASEMENT OF THE CITY OF SUFFOLK D.B. 62, P. 548
8' R/W HEREBY DEDICATED TO THE CITY OF SUFFOLK, VIRGINIA
** FUTURE DEVELOPMENT OF PARCEL A SHALL BE LIMITED TO NO MORE THAN 24 RESIDENTIAL LOTS DUE TO SINGULAR FRONTAGE/ACCESS ALONG KENYON ROAD.
PARCEL H
ZONE - B2
PARCEL G
T.P. 33B-19
ZONE - B2
PARCEL F
T.P. 33B-21
ZONE - B2
PARCEL E
T.P. 33B-22
ZONE - B2
PARCEL D
T.P. 33B-18A
ZONE - B2
PARCEL B
T.P. 33B-18C
ZONE - RLM
PARCEL C
ZONE - B2
KENYON ROAD
- ROUTE 738 -
(V.S.P.B. 2, P. 207-208)
HOLLAND ROAD
- ROUTE 58 -
110' (MIN) & VAR. WIDTH R/W
(P.B. 16, P. 18)
** ANY FURTHER DEVELOPMENT OF PARCELS C, F, G, OR H WILL REQUIRE DEDICATION OF A JOINT USE ACCESS FROM HOLLAND ROAD AND SUBSEQUENT CROSS-ACCESS EASEMENT(s)
SEE NOTE 6 FOR FOR REQUIREMENTS FOR FUTURE DEVELOPMENT
30' ACCESS EASEMENT HEREBY DEDICATED FOR PARCELS D & E
5' R/W HEREBY DEDICATED TO THE CITY OF SUFFOLK, VIRGINIA
8' R/W HEREBY DEDICATED TO THE CITY OF SUFFOLK, VIRGINIA
VIRGINIA STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD 1983 (1994 HARN)
COMMONWEALTH OF VIRGINIA
KELLAM L. GERWITZ
No. 1171
LAND SURVEYOR
1/7/02
FOR ADDITIONAL NOTES AND CERTIFICATIONS SEE SHEET 1 OF 2
TMF/wcg
KENYON ROAD
- ROUTE 738 -
(V.S.P.B. 2, P. 207-208)
8' R/W HEREBY DEDICATED TO THE CITY OF SUFFOLK, VIRGINIA
20' UTILITY EASEMENT OF THE CITY OF SUFFOLK (D.B. 285, P. 851)
PARCEL J
ZONE - RLM
HEREBY VACATED
VAR. WIDTH PRIVATE DRAINAGE EASEMENT HEREBY DEDICATED TO THE CITY OF SUFFOLK 0.094 ACRES
PRIVATE PARK
MATCH LINE
ADJOINERS INDICATED AS (F) NOW OR FORMERLY:
1 R.T. PILAND; D.B. 224, P. 673; TAX MAP 33B-32
2 R.T. PILAND; D.B. 224, P. 673; TAX MAP 33B-28C
3 JEFFREY W. & SHANON M. TURNER; D.B. 344, P. 428; TAX MAP 33B-20B
4 LAWRENCE J. & JOYCE MABE; D.B. 241, P. 322; TAX MAP 33B-28D
5 STEPHEN H. & PATRICIA C. ASHLEY; D.B. 65, P. 890; TAX MAP 33B-28E
6 RAMONA R. & VERNON DAVENPORT; W.B. 3, P. 728; TAX MAP 33B-27
7 SPENCER J. & BETTY L. PEELE; D.B. 25, P. 896; TAX MAP 33B-26
8 BETTY L. CROSS; D.B. 305, P. 350 & 352; TAX MAP 33B-25
9 METTIE L. MATHIAS; D.B. 275, P. 184; TAX MAP 33B-19D
10 METTIE L. MATHIAS; D.B. 385, P. 811; TAX MAP 33B-19D
11 ROYCE W. & MALEVE J. PARKER; D.B. 339, P. 718; TAX MAP 33B-18A
12 THOMAS K. & SANDRA G. GRIFFIN; D.B. 280, P. 319; TAX MAP 33B-18C
13 PERRY Y. DUKE; D.B. 84, P. 177; TAX MAP 33-11A
14 LOUISE LUTER PARKER & E. FRANK LUTER; D.B. 230, P. 873; TAX MAP 33-11L-11B
15 JOHN P. JANNOE, ET. UX., D.B. 180, P. 557; TAX MAP 33-15
LEGEND
PIN (F)
MON (S)
EASEMENT LINE
℄
℄ TO BE VACATED
℄ ADJOINER
GRAPHIC SCALE
100 0 50 100 200 400
FEET
1 INCH = 100 FEET
LINE TABLE
LINE | BEARING | DISTANCE
L1 | N 75°28'41" E | 21.78'
L2 | N 64°45'17" E | 48.82'
L3 | N 73°46'47" E | 73.30'
L4 | N 29°26'08" E | 34.31'
L5 | N 31°26'46" E | 68.00'
L6 | N 42°19'36" E | 9.27'
L7 | S 76°00'01" E | 8.13'
L8 | N 53°16'03" E | 75.41'
L9 | N 29°56'26" E | 74.14'
L10 | N 61°41'11" E | 24.48'
CURVE TABLE
CURVE | RADIUS | ARC LENGTH | CHORD LENGTH | CHORD BEARING | DELTA ANGLE | TANGENT
C1 | 688.20' | 152.70' | 152.36' | N 06°33'42" W | 12°44'59" | 76.87'
C2 | 2831.79' | 5.42' | 5.42' | S 14°59'28" E | 89°53'25" | 2.71'
C3 | 86.75' | 115.92' | 107.10' | S 87°49'12" E | 76°22'08" | 69.08'
C4 | 122.75' | 69.21' | 68.30' | S 44°47'17" E | 32°18'17" | 35.55'
SHEET 2 OF 2
VIRGINIA:
In the Circuit Court of the City of Suffolk
Date: 1/7/02
Clerk
RESUBDIVISION OF
PROPERTIES OF
S. MARTIN CARTER, ET. ALS.
@ KENYON ROAD (RTE 738) & HOLLAND ROAD (RTE 58)
HOLY NECK BOROUGH
SCALE: 1" = 100'
SUFFOLK, VIRGINIA
16 APRIL, 2001
KELLAM-GERWITZ ENGINEERING, INC.
501015_resub.dwg MS-1999-104
Plat Cabinet 3 Slide 1208

EXHIBIT A

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Ordinance** – An ordinance to rezone and amend the official zoning map of the City of Suffolk in order to amend the approved proffered conditions pertaining to the exterior architectural design and building material used for construction of the remaining residential units within the Prentis Place development for property located at 315 West Constance Road.

Attached for your consideration is an ordinance amending the approved proffered conditions for the Prentis Place development located between West Constance Road and Prentis Street. Prentis Place was conditionally rezoned on December 21, 2005 via Rezoning Request RZ02-05 (Conditional). Attached to the rezoning were proffered conditions pertaining to the use, design, and development of the property. At the July 18, 2012 City Council meeting, City Council voted to approve an ordinance amending the approved proffered conditions associated with the project at the request of a previous developer.

This applicant wishes to amend proffer number two (2) to strike the required option to add dormers and second floor porches to the units that do not have them depicted in the previously proffered renderings and to specify a requirement that the raised slab foundations will sit 18 inches minimum above final grade. Proffer number two (2) now reads, "The design of the remaining units to be constructed shall substantially conform to the attached renderings. Units shall have a raised-slab foundation consistent in appearance with the existing units. The top of the raised slab to sit 18 inches minimum above final grade." The applicant further wishes to strike a portion of proffer number three (3) that requires the exterior of all buildings (excluding windows and doors) to contain no less than 75% brick and any sided areas to be constructed of hardy-plank siding. Proffer number three (3) now reads, "The fronts of all townhomes will consist of a brick veneer. The sides and rear of all townhomes will be constructed of a hardi-plank or similar cement board material."

The applicant notes these changes to the approved proffers for Prentis Place are a result of the applicant not currently having a product that substantially conforms to the previously proffered renderings and an overall shift in the market that reflects buyer's preference for price point over materials.

In accordance with the Code of Virginia and Section 31-305(b) (3) of the Unified Development Ordinance, where an amendment to proffered conditions is requested by the profferer, and where such amendment does not affect conditions of use or density, such requests shall be forwarded directly to City Council initially for consideration without a public hearing. Once so amended, the proffered conditions shall continue to be an amendment to the zoning ordinance provisions of the Unified Development Ordinance and may be enforced by the Zoning Administrator pursuant to the applicable provisions of the Code of Virginia (Section 15.2-2200, et. seq.)

Out of the 60 units approved for development, eight (8) units have been constructed at the time of this application. Prior to submittal of the rezoning request, the applicant met with the four (4) current property owners within the development to review the proposal and garner their support

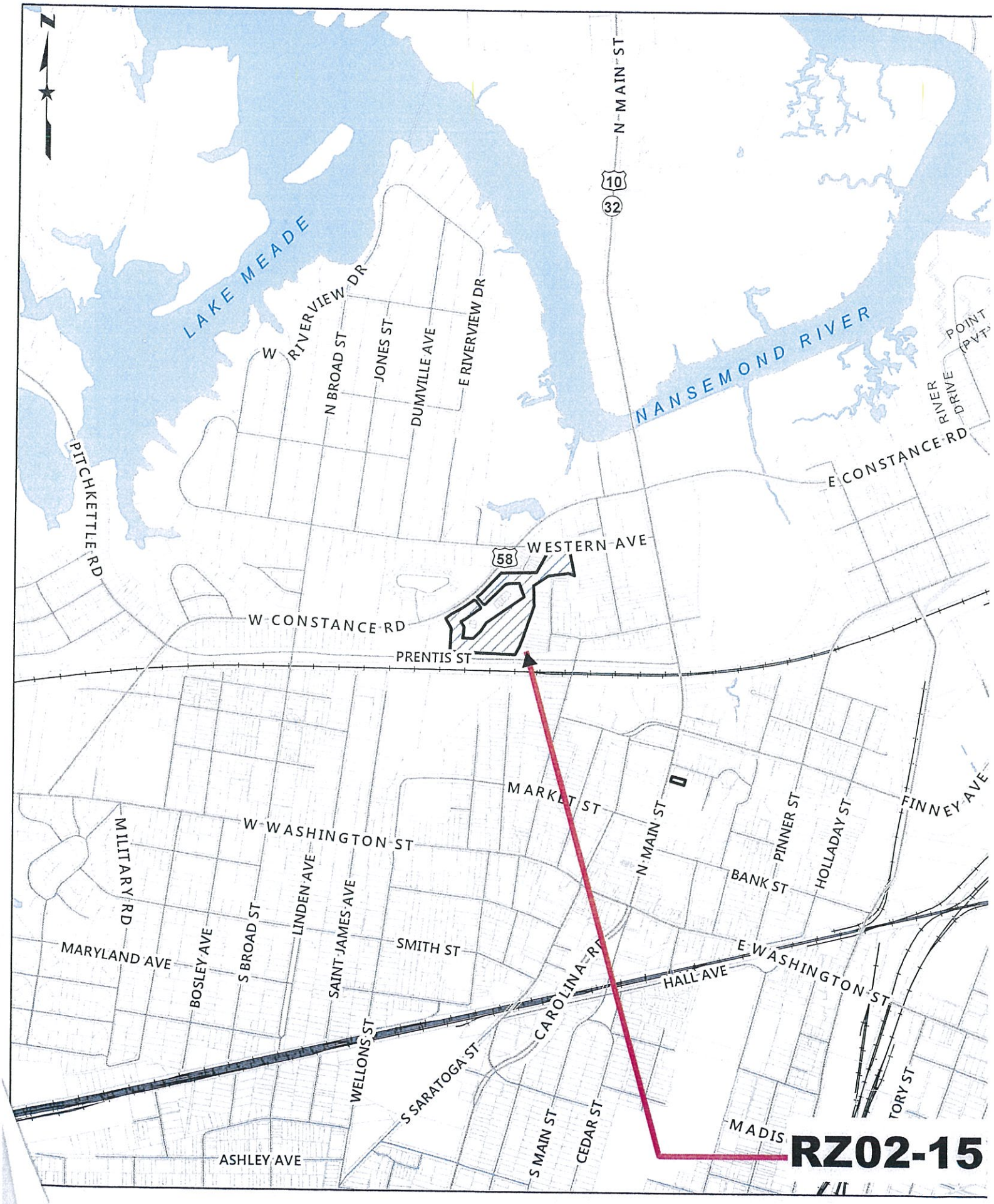
for the project. The letters of support are included with this proposal. During the review process for this rezoning request, a fifth property owner purchased a residence within the development. The applicant has subsequently met with the latest property owner to review the proposal. This particular homeowner did not provide a letter of support.

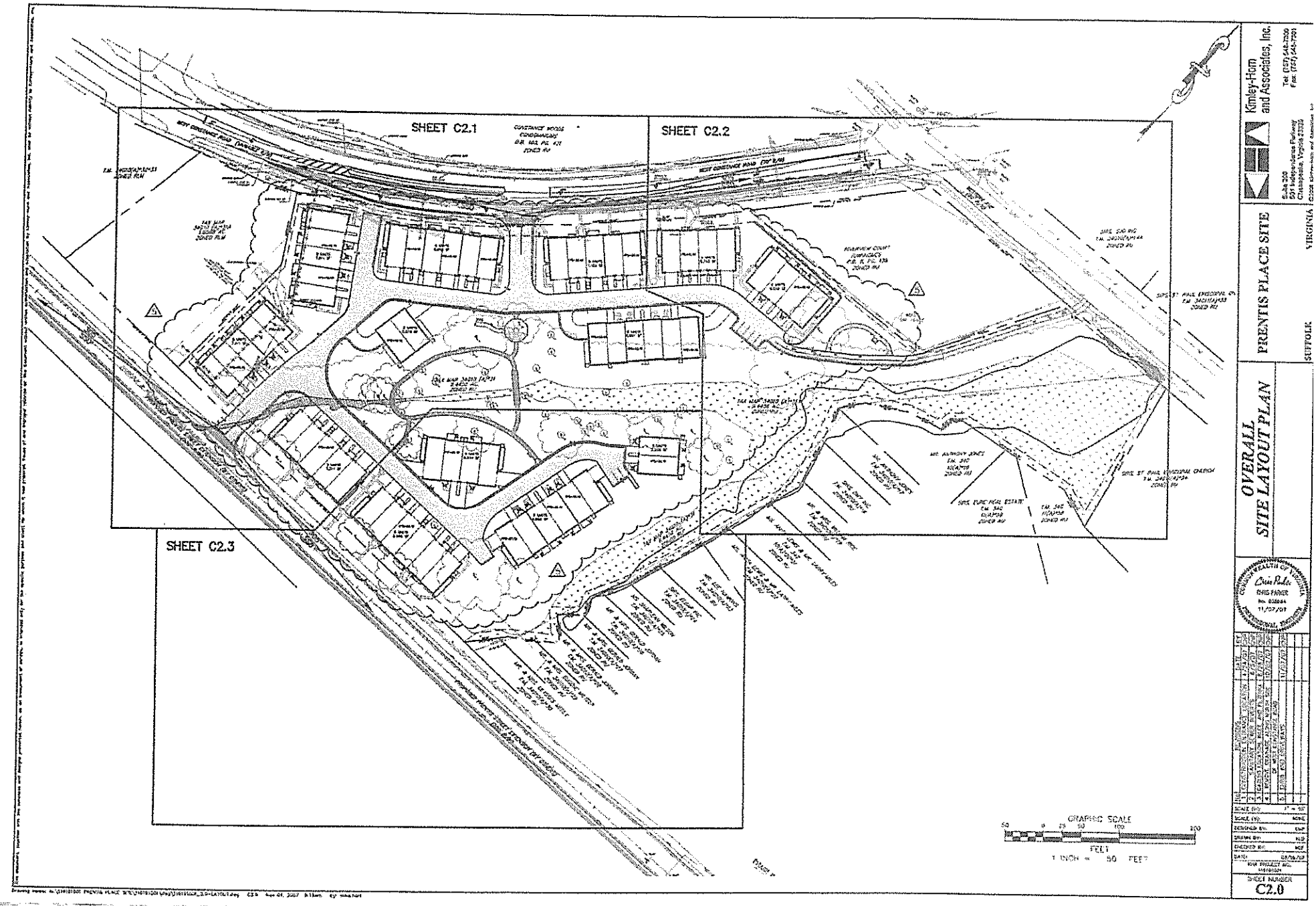
Staff is recommending that the revised proffers be approved.

ATTACHMENTS:

- General Location Map
- Overall Site Layout from Approved Site Plan
- Applicant's Narrative
- Existing Homeowners' Letters of Support
- Proposed Ordinance
- Exhibit A- Zoning/Land Use Map
- Exhibit B- Schedule of Proffer Modifications, June 3, 2015
- Exhibit C- Architectural Renderings

General Location Map




SHEET C2.1
SHEET C2.2
SHEET C2.3
GRAPHIC SCALE
FEET
1 INCH = 50 FEET
Kimley-Horn and Associates, Inc.
PRENTIS PLACE SITE
SUFFOLK
VIRGINIA
OVERALL
SITE LAYOUT PLAN
SHEET NUMBER
C2.0

RZ02-15

May 27th, 2015

Mr. Jacob Dorman, Principle Planner – Comprehensive Planning
City of Suffolk, VA
442 W. Washington St.
Suffolk, VA 23434

RE: Prentis Place Proffer Modification

Dear Jacob:

Please use this narrative as an attached description to our colored drawings that we are proffering for Prentis Place.

Regarding the interior floor plans and how they relate to the drawings submitted:

We will be selling 3 floor plans at Prentis Place. The product series is called the "Composer Series" and is made up of the Beethoven, Mozart, and Strauss floor plans.

Each customer will have the luxury of choosing which floor plan best meets their family's needs as far as size and price. Each building is unlimited in the variety of floor plans within it. The 2, 4, 5 and 6 unit buildings at Prentis Place can be made up of any combination of floor plans. For example, a 4 unit building might be the combination of 3 Beethoven's and 1 Mozart or perhaps 2 Strauss and 2 Mozarts.

Regarding the exterior elevations and how they relate to the drawings submitted:

Although each building will have a variety of different interior floor plans within it, the fronts of each building are predetermined and will not change. We submitted our strip elevations to reveal what each example will look like from the front of the building.

Unlike the pre-determined fronts of each building, the side and rear elevations can change depending on which interior floor plan is selected. Different floor plans on the inside result in different window locations on the sides and back of each building. We

RZ02-15

submitted individual side and back elevations to show every possibility in regards to these vantage points.

As expressed in our application, the sides and rear of each building will have a Hardi Plank veneer with all fronts being a full brick veneer.
We felt this description might minimize the complexity in review of our plans. Offering 3 interior floor plans allows us to serve a wider range of the market. Keeping the pre-determined fronts of the building consistent allow us to ensure the full brick front buildings remain architectural pleasing and keep the curb appeal that we have intended.

Sincerely,

Eric Shirey

Land Manager – Ryan Homes
1305 Executive Blvd
Suite 100
Chesapeake, VA 23320

To Whom it may concern:

I MORRIS BARROS, Acknowledge that Ryan Homes has interest in the completion of my Community, "Prentis Place". After conversing directly with Ryan Homes and having a chance to review Ryan Homes intensions, I approve of the necessary modifications needed in order for Ryan Homes to build their product in Prentis Place.

Sincerely,

Current Owner

Date 3/3/15

Address 315 W. CONSTANCE RD UNIT 219
SUFFOLK, VA 23434

RZ02-15

To Whom it may concern:

I Jerry L Raby, Acknowledge that Ryan Homes has interest in the completion of my Community, "Prentis Place". After conversing directly with Ryan Homes and having a chance to review Ryan Homes' intentions, I approve of the necessary modifications needed in order for Ryan Homes to build their product in Prentis Place.

Sincerely,

Current Owner

Date 3/27/15

Address 315 West Cantstanceld Unit 313

RZ02-15

To Whom it may concern:

I Helen F. Newcomb, Acknowledge that Ryan Homes has interest in the completion of my Community, "Prentis Place". After conversing directly with Ryan Homes and having a chance to review Ryan Homes' intentions, I approve of the necessary modifications needed in order for Ryan Homes to build their product in Prentis Place.

Sincerely,

Current Owner

Helen F. Newcomb

Date 3/27/15

Address 315 W. Constance Rd. Unit 307

RZ02-15

To The City of Suffolk, City Hall, VA 23434

Planning Department.

To Whom it may concern

We Kelly Anne Blount and Lee Roy Blount, owners of Plot 217, Prentis Place, 315 West Constance Road, Suffolk, VA 23434 , Acknowledge that Ryan Homes has interest in the completion of my Community, "Prentis Place". After conversing directly with Ryan Homes and having had a chance to review Ryan Homes promises and detailed intensions we hereby approve of the necessary modifications needed in order for Ryan Homes to build their product in Prentis Place. We offer this approval on the basis that the city obtain reasonable time limits , to be confirmed ,for the completion of the two planned phases ie Buildings named as Phase 3,4,5, & Phase 6 ,7, 12.

Sincerely,

Current Owners

Kelly Anne Blount

Lee Roy Blount

Date 28th March 2016

RZ02-15

ORDINANCE NUMBER _____

AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK IN ORDER TO AMEND THE APPROVED PROFFERED CONDITIONS PERTAINING TO THE EXTERIOR ARCHITECTURAL DESIGN AND BUILDING MATERIAL USED FOR CONSTRUCTION OF THE REMAINING RESIDENTIAL UNITS WITHIN THE PRENTIS PLACE DEVELOPMENT FOR PROPERTY LOCATED AT 315 WEST CONSTANCE ROAD

WHEREAS, Eric Shirey of Ryan Homes, applicant, on behalf of Rialto Capital, property owner(s), has requested the rezoning of a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Zoning Map 34G10(A) Parcel 31, which land is depicted on Exhibit "A"; and

WHEREAS, the proposed amendments to the proffered conditions are made pursuant to Section 15.2-2302 of the Code of Virginia and Section 31-305(b)(3) of the Unified Development Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Zoning/ Land Use Map", and Exhibit "B", "Schedule of Proffer Modifications, June 3, 2015", Exhibit "C", "Architectural Renderings", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

A. Council finds that the proposed rezoning is reasonable and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;

2. the Comprehensive Plan;

3. the suitability of the property for various uses;

4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by the population and economic

studies and other studies;

6. the transportation requirements of the community;

7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;

9. the preservation of flood plains;

10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values;

12. the encouragement of the most appropriate use of land throughout the City; and,

13. the expressed purpose of the City's Unified Development Ordinance as set out in Section 31-102 of the Unified Development Ordinance, 1998, as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended.

B. The Suffolk City Council makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;

2. the proffered conditions have a reasonable relationship to the rezoning; and

3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 3. Rezoning.

A. The conditions proffered in the attached Exhibit "B" be, and they are hereby, accepted.

Section 4. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court of the City of Suffolk, Virginia.

This ordinance shall be effective upon passage and shall not be published or codified.

READ AND PASSED:_____

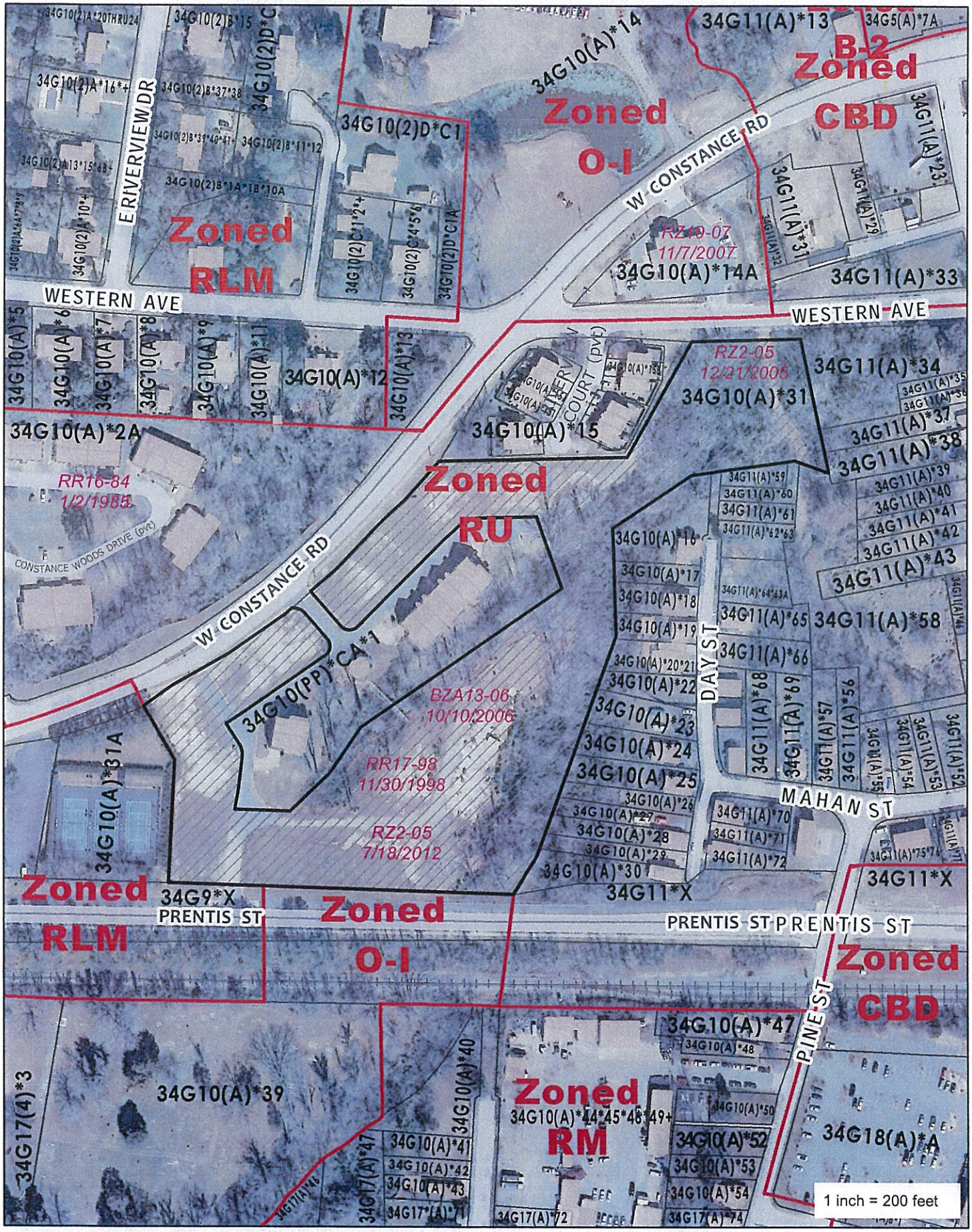
TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:

_____, Deputy City Attorney
Helivi L. Holland, City Attorney

EXHIBIT A

RZ02-15 ZONING / LAND USE MAP



Aerial Imagery Sources: VGIN/VITA VMBP 2013 Orthophotography and/or ESRI http://goto.arcgisonline.com/maps/World_Imagery Date: 4/3/2015

EXHIBIT B

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below. I hereby waive any right to challenge, in any judicial or administrative proceedings, the legality of such conditions or to assert a claim for compensation resulting from such conditions (except where compensation is expressly provided for in the conditions) under federal or Virginia Law.

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map 34G10, Block A, Parcel Number *31:

Schedule of Proffer Modifications June 3rd, 2015

(1) The units to be constructed adjacent to Prentis Street and West Constance Road shall front on those streets and be rear-loaded units from within Prentis Place, as shown on the attached layout plan.

(2) The design of the remaining units to be constructed shall substantially conform to the attached renderings~~, with the option to add dormers and second floor porches to the units that do not have them depicted in the renderings~~. Units shall have a raised-slab foundation consistent in appearance with the existing units. The top of the raised slab to sit 18" minimum, above final grade.

(3) ~~The exterior of all buildings (excluding windows and doors) shall contain no less than 75% brick. Any sided areas will be constructed with hardi-plank siding~~. The fronts of all townhomes or units will consist of a brick veneer. The sides and rear of all townhomes or units will be constructed of a hardi plank or similar cement board material.

(4) Steps will be constructed of brick, and the project will incorporate wrought iron (or similar look of alternative materials such as aluminum), as appropriate.

(5) Garages shall have decorative doors.

(6) All roofs shall be constructed using architectural shingles, and cornices shall be constructed on maintenance-free materials.

(7) Site lighting will be provided with decorative lamps.

(8) Street and drive isle crossings will be stamped and marked asphalt comparable to the Constance and Main intersection.

(9) Driveways, curbs and sidewalks within the project shall have an exposed aggregate finish.

(10) Landscaped areas shall be sodded and irrigated.

(11) Trash collection for the project shall be provided by a private trash collection service.

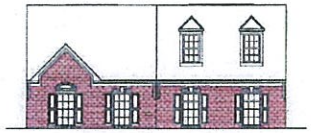
(12) Wrought iron (or similar looking alternative materials such as aluminum) decorative fences 42-48 inches in height shall be constructed along West Constance Road and Prentis Street.

Signed:

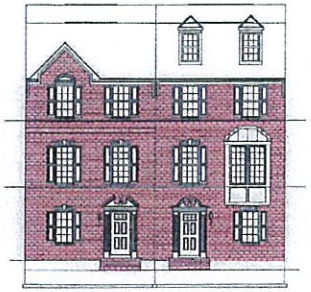
(Applicant)	Eric Shirey (Printed Name)	5/14/15 (Date)
(Property Owner)	FRANK LIANO (Printed Name)	5·14·15 (Date)
(Property Owner)	JONATHAN HORONITZ (Printed Name)	5·14·15 (Date)

Exhibit C

Shown dormer windows are optional



PARTIAL ELEVATION W/ OPTIONAL 4' CEILING SECOND FLOOR

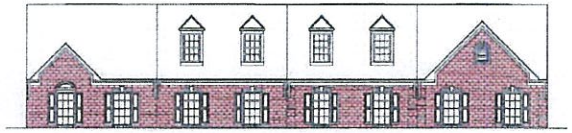


PARTIAL ELEVATION W/ OPTIONAL PORCH

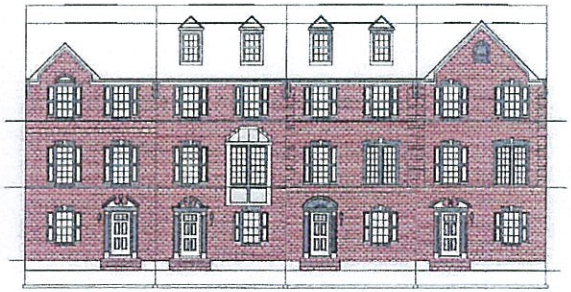
1 / A1 2 - UNIT BUILDING

SCALE: 1/8" = 1'-0"

Shown dormer windows are optional



PARTIAL ELEVATION W/ OPTIONAL 4' CEILING SECOND FLOOR



PARTIAL ELEVATION W/ OPTIONAL PORCH

2 / A1 4 - UNIT BUILDING

SCALE: 1/8" = 1'-0"

NVR

NVR, Inc.
Architecture & Engineering
11 Park Place, Suite 914
Paterson, NJ 07501

SHEET NO. A-1

NVR
COLONIAL SERIES II
TOWNHOME
BUILDING STYLE ELEVATIONS
2 & 4 UNIT BUILDING
WITH OPTIONAL
BRICK VENEER FULL BUILDING
BASEMENT LEVEL ENTRY

26

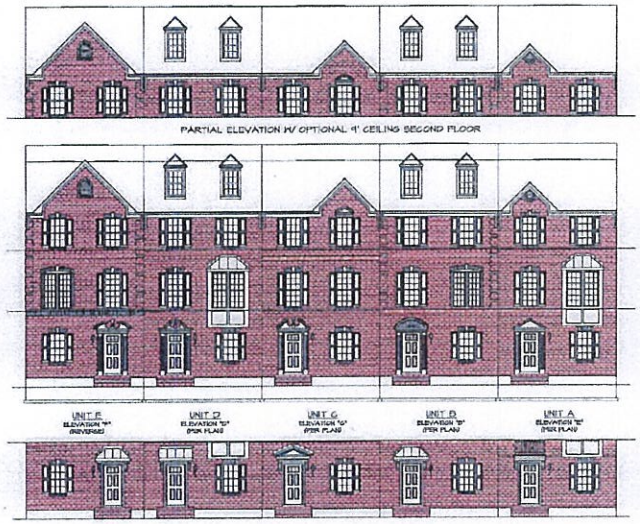
SHT NO. C-26
VERSION 0
DRAWN BY CLG
DATE 4/27/12
DR. BY
CK. BY
APP. BY

REVISIONS

REV. NO.	DATE

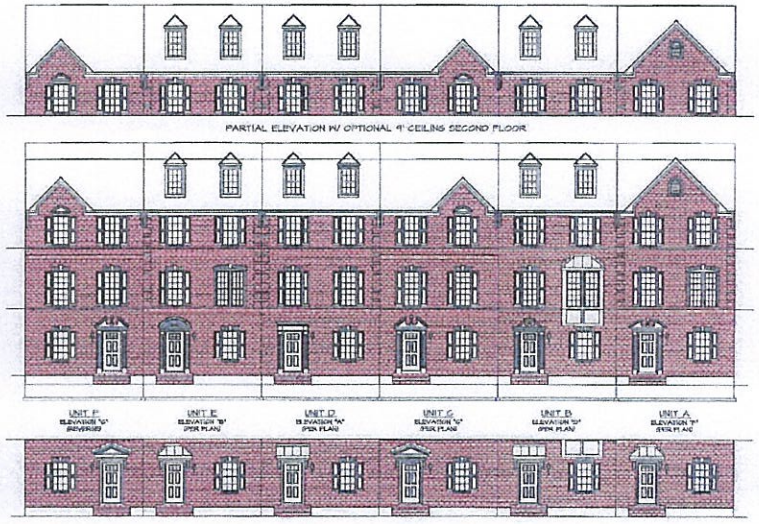
Exhibit C

Shown dormer windows are optional



5 - UNIT BUILDING

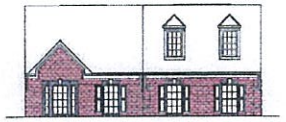
Shown dormer windows are optional



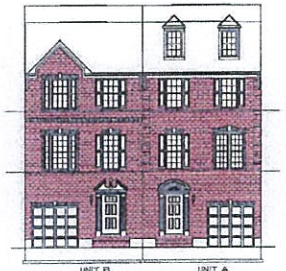
6 - UNIT BUILDING

RZ02-15

Shown dormer windows are optional



PARTIAL ELEVATION W/ OPTIONAL 4' CEILING SECOND FLOOR



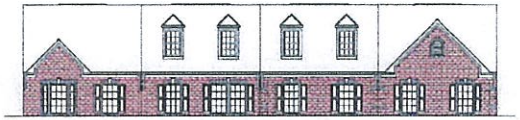
PARTIAL ELEVATION W/ OPTIONAL PORCH

2 - UNIT BUILDING

SCALE: 1/8" = 1'-0"

BRICK VENEER PARTIAL END STACK

Shown dormer windows are optional



PARTIAL ELEVATION W/ OPTIONAL 4' CEILING SECOND FLOOR

PARTIAL ELEVATION W/ OPTIONAL PORCH

4 - UNIT BUILDING

SCALE: 1/8" = 1'-0"

BRICK VENEER FULL END STACK

Ryan Homes

MODEL: COMPOSER SERIES

DRAWING TITLE: EXTERIOR ELEVATIONS 2 & 4-UNIT BUILDING

OPTION DESCRIPTION: BASEMENT LEVEL ENTRY W/ GARAGE

SET NO. C-0092

VERSION: 00

DRAWN BY: C.J.B.

DATE: 12/20/11

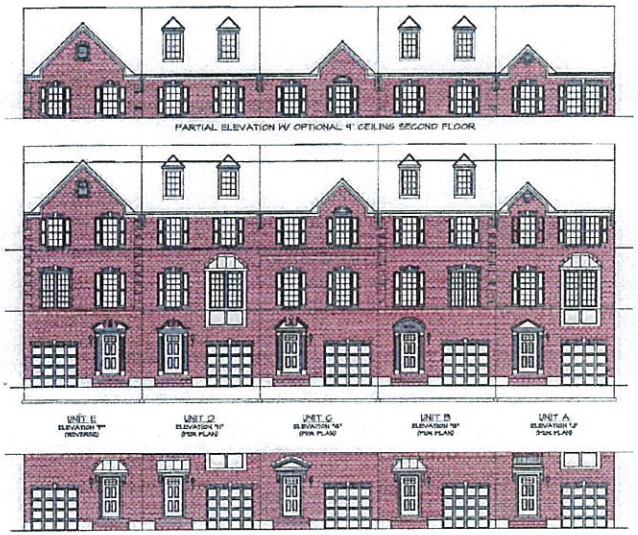
SCALE: 1/8"=1'-0"

SHEET NO. A-1

62.2

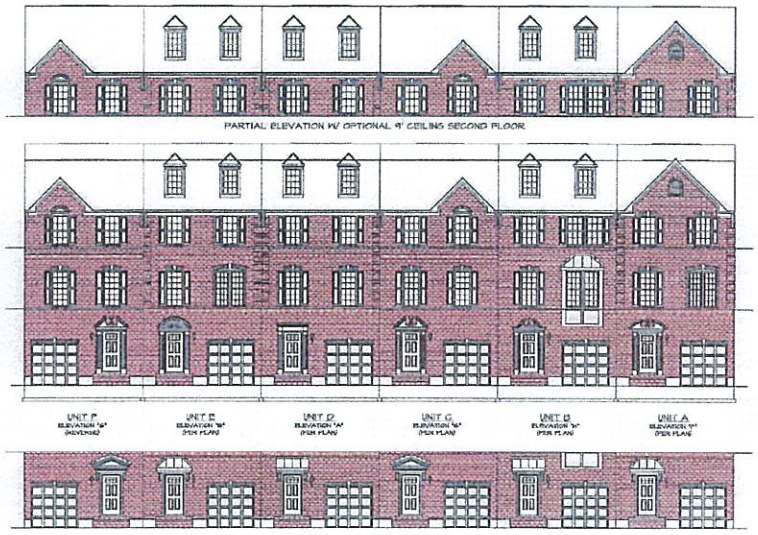
Exhibit C

Shown dormer windows are optional



5 - UNIT BUILDING

Shown dormer windows are optional

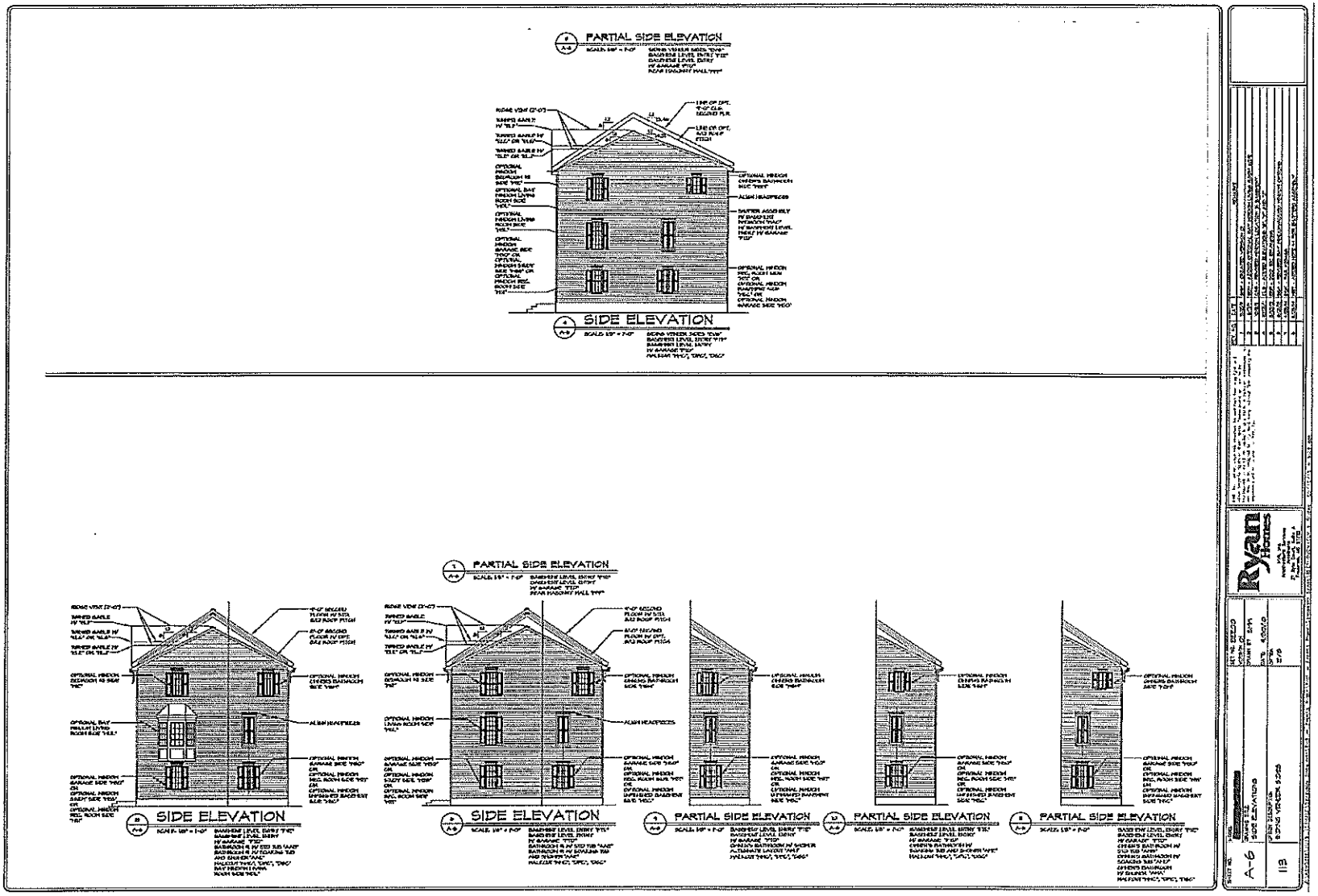


6 - UNIT BUILDING

Ryan Homes

MODEL: COMPOSER SERIES
DRAWING TITLE: BELOW GRADE ENTRY ELEVATIONS
6-UNIT BUILDING
OPTION DESCRIPTION: BASEMENT LEVEL ENTRY W/ GARAGE
SHEET NO. A-1
652

RZ02-15


PARTIAL SIDE ELEVATION
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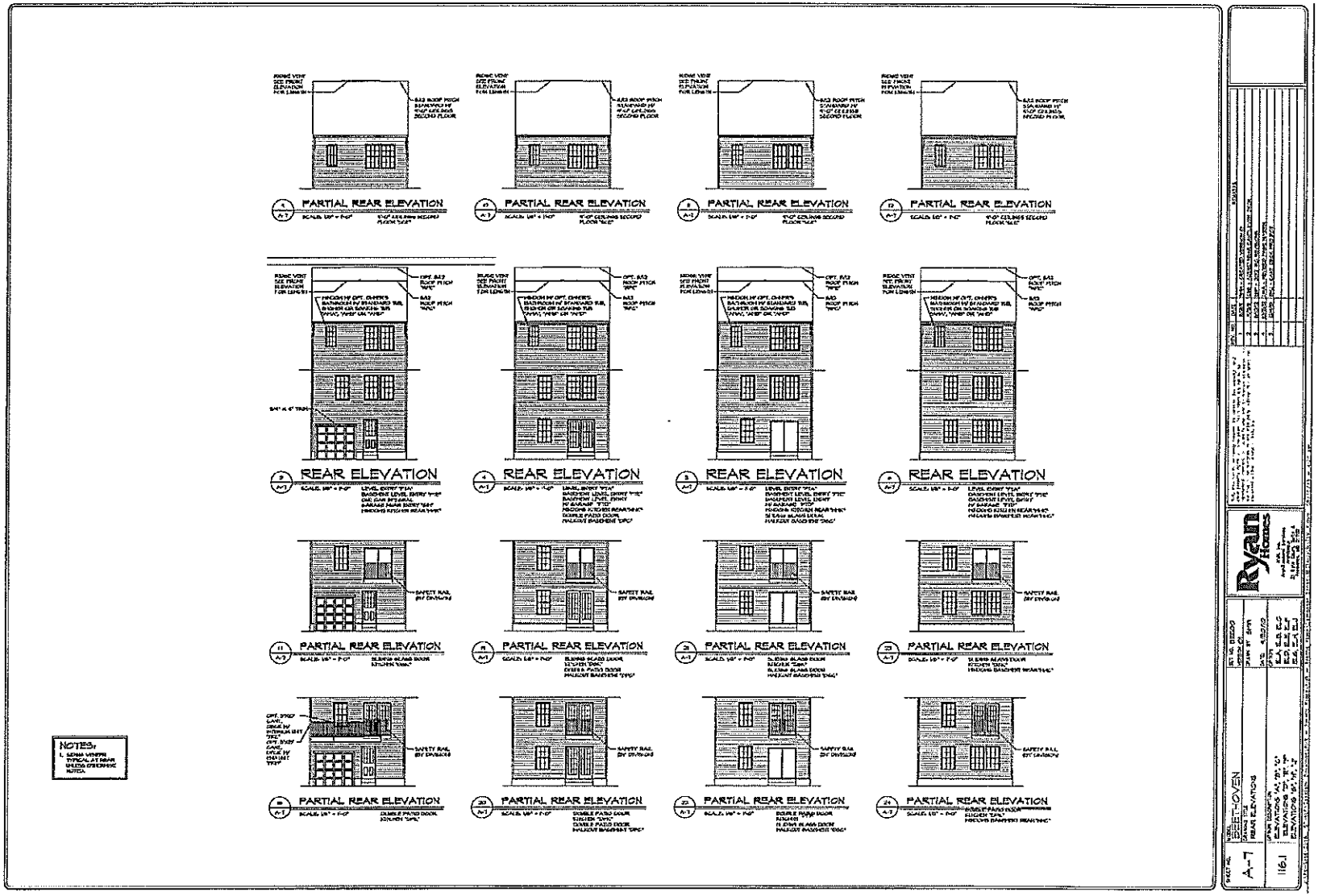
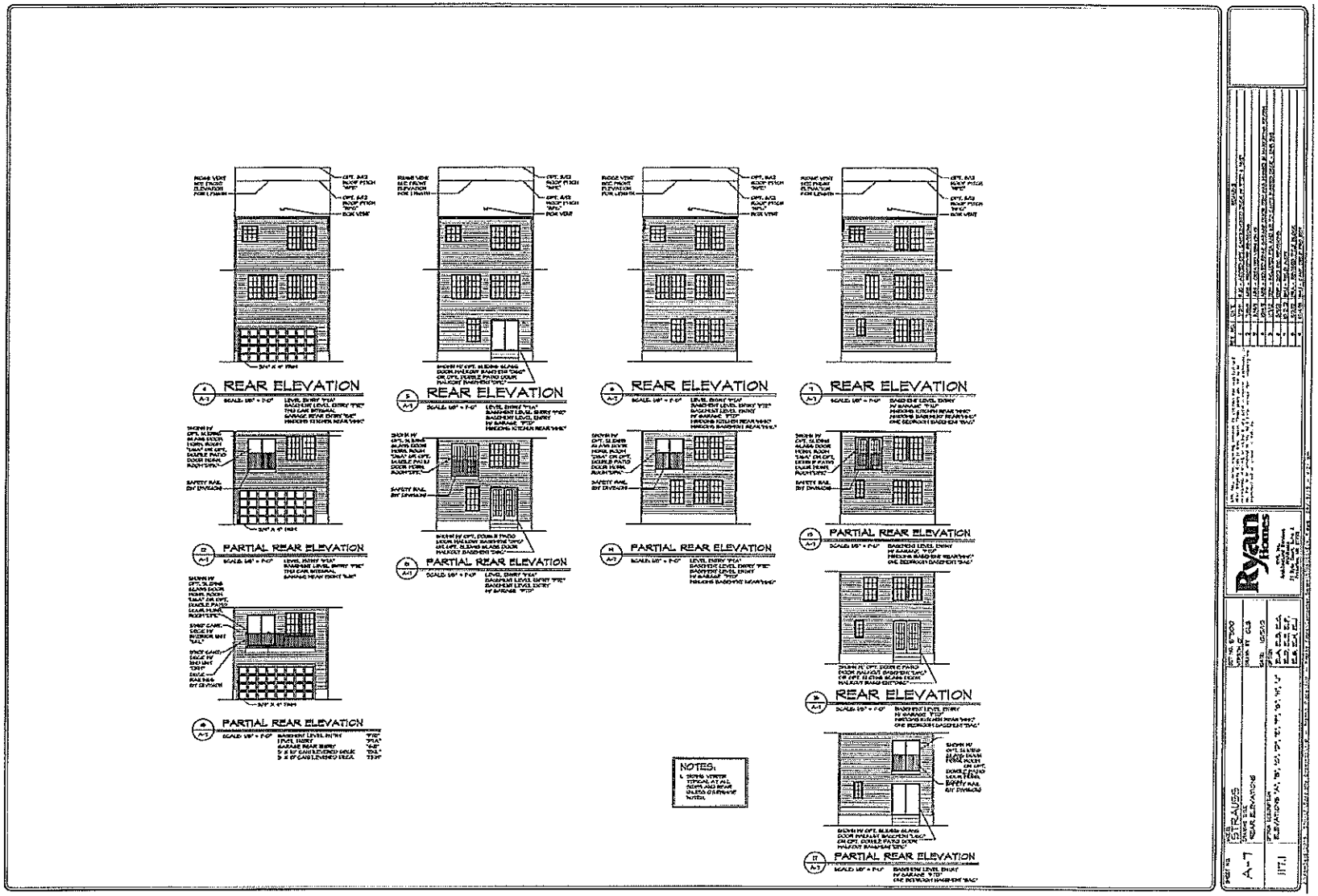
Ryan Homes
A-6
SIDE ELEVATIONS


PARTIAL REAR ELEVATION
REAR ELEVATION
NOTES:
Ryan Homes
BEETHOVEN
REAR ELEVATIONS
A-7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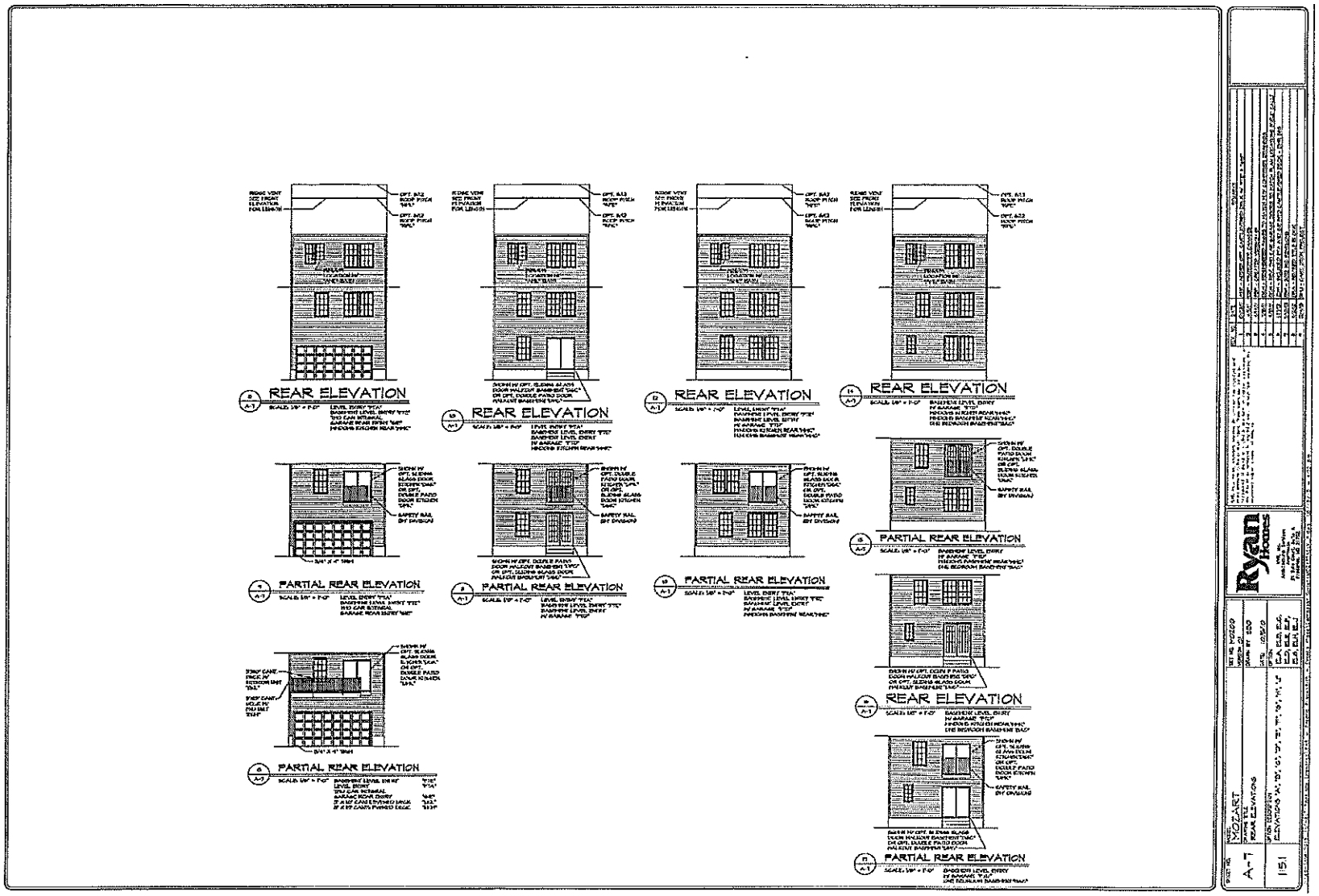
NOTES:
Ryan Homes
A-7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PARTIAL REAR ELEVATION
Ryan Homes
MOZART
A-7
REAR ELEVATIONS
1151

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Ordinance** – An ordinance to grant relief from the ten (10) year post conveyance holding period for a parcel of land identified as Tax Map Parcel 78*26*3*2 created through a family transfer conveyance in accordance with Section 31-514 of the Unified Development Ordinance

Vickie Meads, the applicant, has applied for relief, due to a change in circumstances, from the ten (10) year post conveyance holding period for a parcel created through a family transfer subdivision conveyance. Code Section 31-514(b)(3) of the Unified Development Ordinance (UDO) stipulates that upon application from a family transfer recipient, if City Council finds that a change in circumstances has occurred that was not anticipated upon receipt of the family transfer parcel and the proposed conveyance must be made to satisfy a financial obligation that was not contemplated at the time of the transfer of the lot through the family transfer provisions and that cannot be satisfied from other assets, City Council may grant relief from the ten (10) year post conveyance holding period.

Ms. Meads received the current parcel she owns (Tax Map 78*26*3*2) via a family transfer conveyance and family transfer subdivision plat that was approved on April 28, 2008 and recorded on May 8, 2008, and a deed of conveyance that was recorded on May 8, 2008. In that regard, the required ten (10) year post conveyance holding period will expire on May 8, 2018. A letter dated April 27, 2015 from Vickie Meads (copy attached) addresses the change in circumstances that has caused the need for the requested relief.

Based on the review of the record of the family transfer application, it does not appear that this request is an attempt to circumvent the ordinance requirements. It does appear from the information contained in the letter from Vickie Meads that a change in circumstance has occurred and staff recommends **approval** of the requested relief.

ATTACHMENTS:

- Letter from Vickie Meads, Applicant, dated April 27, 2015
- Proposed Ordinance
- Exhibit A – Zoning/Land Use Map
- Deed of Gift – Robert E. Hall to Vickie Meads
- Family Transfer Plat – FT5-08

27 April 2015

To Whom It May Concern:

I am writing this letter in reference to the Family Land transfer that was giving to us in 2008 by Robert E. Hall. Due to the death of 2 of our family members, and severe health problems with our Father, we need to down size and sell his home at 4000 Adams Swamp Road, and move him in with us. We will need to find a home that will accommodate both of our families and to do this will mean the selling out of our present property at 3984 Adams Swamp Road and relocating.

We are asking that you consider our request to release us from the Family Land Transfer clause that we are under. Having to remain at this location could cause serious hardship with our family.

Thank you,

Roger and Vickie Meads

We can be contacted at:

757-986-3009 Home
757-802-1039 Cell
vmmeads@yahoo.com

RECEIVED
APR 27 2015
PLANNING

ORDINANCE NUMBER_____

AN ORDINANCE TO GRANT RELIEF FROM THE TEN (10) YEAR POST CONVEYANCE HOLDING PERIOD FOR A PARCEL OF LAND IDENTIFIED AS TAX MAP PARCEL 78*26*3*2 CREATED THROUGH A FAMILY TRANSFER CONVEYANCE IN ACCORDANCE WITH SECTION 31-514 OF THE UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, Vickie Meads received a parcel of land on April 28, 2008 through a family transfer conveyance in accordance with Section 31-514 of the Unified Development Ordinance; and,

WHEREAS, the property is identified as Tax Map Number 78*26*3*2, 3984 Adams Swamp Road; and,

WHEREAS, Vickie Meads, applicant, has requested relief from the ten (10) year post conveyance holding period for a parcel received through a family transfer conveyance in accordance with Section 31-514 (b)(3) of the Unified Development Ordinance, due to a change of circumstance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Findings.

Council finds that a change in circumstance has occurred that was not anticipated upon receipt of the family transfer parcel and the proposed conveyance must be made to satisfy a financial obligation that was not contemplated at the time of the transfer of the lot through the family transfer provisions and that cannot be satisfied from other assets.

Section 2. Relief Granted.

The ten (10) year post conveyance holding period is hereby released for Parcel 78*26*3*2.

Section 3. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 4. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

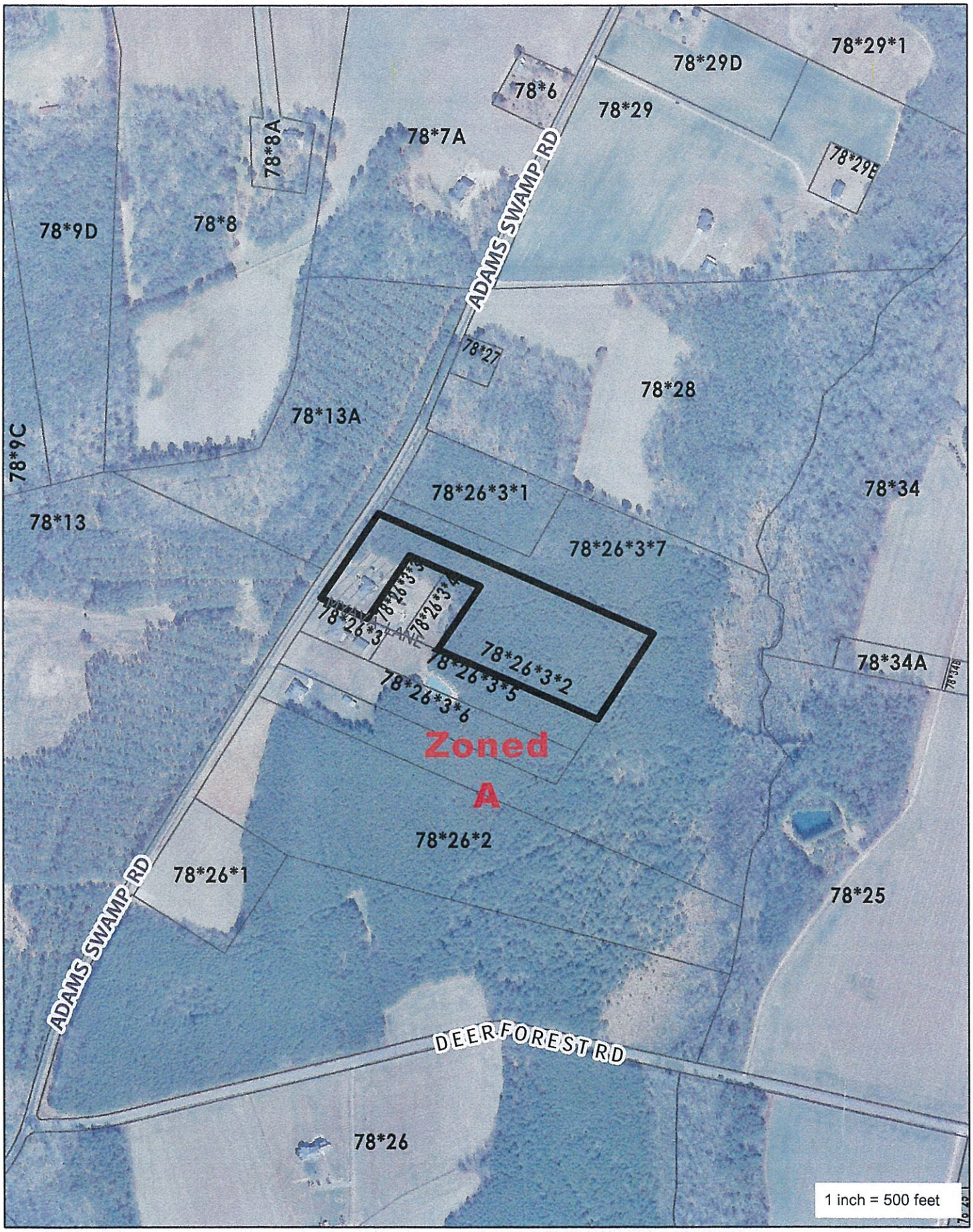
READ AND PASSED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:

_____, Deputy City Attorney
Helivi L. Holland, City Attorney

TAX MAP 78*26*3*2, PARCEL ID 056000245 ZONING / LAND USE MAP



Aerial Imagery Sources: VGIN/VITA VMBP 2013 Orthophotography and/or ESRI http://goto.arcgisonline.com/maps/World_Imagery Date: 5/20/2015

TITLE INSURANCE IS UNKNOWN

PREPARED BY KREGER & MCBRIDE
357 JOHNSTOWN ROAD
P.O. BOX 1996
CHESAPEAKE, VIRGINIA 23327 TAX PARCEL: 056000245

THIS DEED OF GIFT made on this 7th day of January, 2008 between ROBERT E. HALL, party of the first part, Grantor, and VICKY MARIE MEADS, party of the second part, Grantee; Grantee's mailing address: 2126 Chesterfield Loop, Chesapeake, Virginia 23323.

W I T N E S S E T H

That for and in consideration of the sum of ten dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part does hereby grant and convey, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the said party of the second part, the following described property, to-wit:

> ALL THAT certain lot, piece or parcel of land with the buildings and improvements thereon, situate, lying and being in the City of Chesapeake, Virginia, being known, numbered and designated as Lot numbered two (2), as shown on that certain plat entitled "Family Transfer Plat Showing Subdivision of the property of Robert Eugene Hall, located on Adams Swamp Road, Whaleyville Borough, City of Suffolk, Virginia", Scale 1"=150', dated December 1, 2007, made by J.D. Vann, Surveyor, and which said plat is duly recorded simultaneously in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia.
>
> IT BEING a portion of the same property which was conveyed to Robert E. Hall, by deed from Robert I. Henson and Deborah A. Henson, husband and wife, dated September 6, 2007 and recorded in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia in Instrument Number 20070907000163510.
>
> THIS CONVEYANCE IS EXEMPT FROM RECORDING TAXES PURSUANT TO SECTION 58.1-811 (D) OF THE 1950 CODE OF VIRGINIA AS AMENDED.

20080508000065400 Pg. 2 OF 3
City of Suffolk
05/08/2008 09:41:05 AM DG
W. Randolph Carter,Jr., Clerk

This conveyance is made subject to easements, conditions and restrictions of record insofar as they may lawfully affect the property.

WITNESS the following signature(s) and seal(s):

ROBERT E. HALL

STATE OF VIRGINIA
CITY OF CHESAPEAKE, to-wit:

Acknowledged before me this 7TH day of January, 2008 by ROBERT E. HALL.

Notary Public

My Commission Expires: 5-31-08

ANNALIZA D. NACUA
NOTARY
ID # 288582
PUBLIC
COMMONWEALTH OF VIRGINIA

20080508000065400 Pg. 3 OF 3
City of Suffolk
05/08/2008 09:41:05 AM DG
W. Randolph Carter,Jr., Clerk

I/WE ROBERT EUGENE HALL (FATHER) HEREBY CERTIFY THAT (LOT 1)
IS FOR THE PURPOSE OF SALE OR GIFT TO SANDRA SUE HALL (DAUGHTER)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (FATHER) HEREBY CERTIFY THAT (LOT 2)
IS FOR THE PURPOSE OF SALE OR GIFT TO VICKY MARIE MEADS (DAUGHTER)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

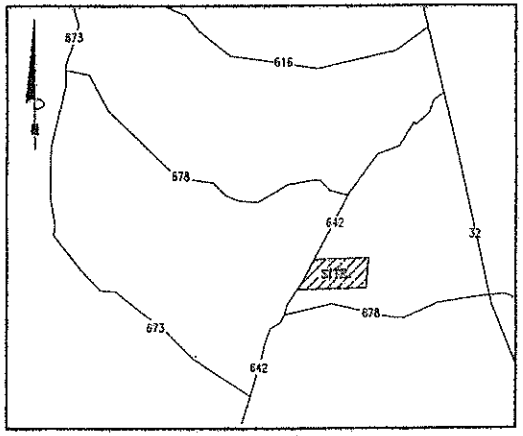
I/WE ROBERT EUGENE HALL (GRANDFATHER) HEREBY CERTIFY THAT (LOT 3)
IS FOR THE PURPOSE OF SALE OR GIFT TO ASHLEY MARIE CAPRIO (GRANDDAUGHTER)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (GRANDFATHER) HEREBY CERTIFY THAT (LOT 4)
IS FOR THE PURPOSE OF SALE OR GIFT TO TIFFANY DAWN MEADS (GRANDDAUGHTER)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (GRANDFATHER) HEREBY CERTIFY THAT (LOT 5)
IS FOR THE PURPOSE OF SALE OR GIFT TO BRANDON SCOTT HALL (GRANDSON)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (GRANDFATHER) HEREBY CERTIFY THAT (LOT 6)
IS FOR THE PURPOSE OF SALE OR GIFT TO ROBERT SCOTT HALL (GRANDSON)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (FATHER) HEREBY CERTIFY THAT (LOT 7)
IS FOR THE PURPOSE OF SALE OR GIFT TO SCOTT STEPHEN HALL (SON)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.



SITE MAP
1"=3000'

1. COORDINATE VALUES AND GRID BEARING ARE REFERENCED TO CITY OF SUFFOLK GEODETIC CONTROL NETWORK. CONTROL DISK S012 & S013. BENCHMARK S013

VIRGINIA STATE PLANE COORDINATE SYSTEM
(NAD83-SOUTH ZONE)

NOTE - WETLANDS WERE DETERMINED BY JERRY S. QUESENBERRY, CPSS #123
CORP OF ENGINEERS CERTIFIED WETLANDS DELINEATOR
DATE - APRIL, 2006
700 CANTERBURY CT.
FRANKLIN, VA 23851
TEL. NO. 757-562-0602

FAMILY TRANSFER PLAT
SHOWING SUBDIVISION OF THE PROPERTY OF

ROBERT EUGENE HALL

LOCATED ON ADAMS SWAMP ROAD
WHALEYVILLE BOROUGH
CITY OF SUFFOLK, VIRGINIA
DEC. 1, 2007

COMMONWEALTH OF VIRGINIA
J.D. VANN
No. 001943
4-18-08
LAND SURVEYOR

I HEREBY CERTIFY THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN ZONE "X & A" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 510156 0049 B, DATED NOV. 16, 1990.

J.D. Vann L.S.

ZONING DISTRICT "A"

THE LOTS CREATED BY THIS FAMILY TRANSFER PLAT SHALL BE TITLED IN THE NAME OF THE IMMEDIATE FAMILY MEMBER FOR WHOM THE SUBDIVISION IS MADE FOR A PERIOD OF NO LESS THAN TEN (10) YEARS UNLESS SUCH LOTS ARE SUBJECT TO INVOLUNTARY TRANSFER SUCH AS BY FORECLOSURE, DEATH, JUDICIAL SALE, CONDEMNATION OR BANKRUPTCY.

NO EXISTING STRUCTURES ON PROPERTY AT THIS TIME.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.

THERE SHALL BE A MINIMUM FIVE FOOT (5') EASEMENT PROVIDED ALONG THE REAR AND SIDE PROPERTY LINES AT ALL LOTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

WHERE SEPTIC TANKS ARE TO BE INSTALLED THERE MUST BE AN APPROVAL ON AN INDIVIDUAL LOT BASIS BY THE LOCAL HEALTH DEPARTMENT AT THE TIME AN APPLICATION IS MADE FOR A SEPTIC TANK PERMIT. APPROVAL OF THIS PLAT BY THE CITY OF SUFFOLK DOES NOT ASSURE THAT THE INDIVIDUAL PARCELS ARE SUITABLE FOR SEPTIC TANK SYSTEMS.

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS MADE BY ME AT THE DIRECTION OF THE OWNERS AND THAT THE SUBDIVISION IS ENTIRELY WITHIN THE BOUNDARIES OF THE LAND OWNED BY THEM AND THAT STEEL PINS, AS SHOWN ON THIS PLAT BY SMALL CIRCLES, HAVE ACTUALLY BEEN PLACED AND THEIR LOCATION IS CORRECTLY SHOWN AND THAT THE PLAT DETAILS MEET THE STANDARDS FOR PLATS AS ADOPTED BY THE VIRGINIA CODE SECTION 42.1-82 OF THE VIRGINIA PUBLIC RECORDS ACT (SECT. 42.1-76, ET SEQ.)
DATE DEC. 1, 2007.

J.D. Vann, L.S.

THIS SUBDIVISION OF PROPERTY, AS IT APPEARS ON THIS PLAT, IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS.

DATE 4/21/08 OWNER Robert Eugene Hall

STATE OF VIRGINIA
CITY OF SUFFOLK - TO WIT:

I, Corina C. Merrick, A NOTARY PUBLIC IN AND FOR THE CITY AND STATE AFORESAID HEREBY CERTIFY THAT THE ABOVE PERSONS WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING HAVE ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY AND STATE AFORESAID.
GIVEN UNTO MY HAND THIS 21st DAY OF April, 20 08.

MY COMMISSION EXPIRES 11/31/09 Corina C Merrick 431022
NOTARY PUBLIC NOTARY REGISTRATION NO.

THE UNDERSIGNED CERTIFY THAT THIS SUBDIVISION, AS IT APPEARS ON THIS PLAT, CONFORMS TO THE APPLICABLE REGULATIONS RELATING TO THE SUBDIVISION OF THE LAND AND IS ACCORDINGLY APPROVED. BY SUCH APPROVAL, THE UNDERSIGNED DO NOT CERTIFY AS TO THE CORRECTNESS OF THE STREETS, BOUNDARIES OR OTHER LINES AS SHOWN ON THIS PLAT.

DATE April 28, 2008 Gerald Taylor
AGENT - CITY OF SUFFOLK, VIRGINIA

OWNER - ROBERT EUGENE HALL
2126 CHESTERFIELD LOOP
CHESAPEAKE, VIRGINIA 23323
TEL. NO. 757-673-4838

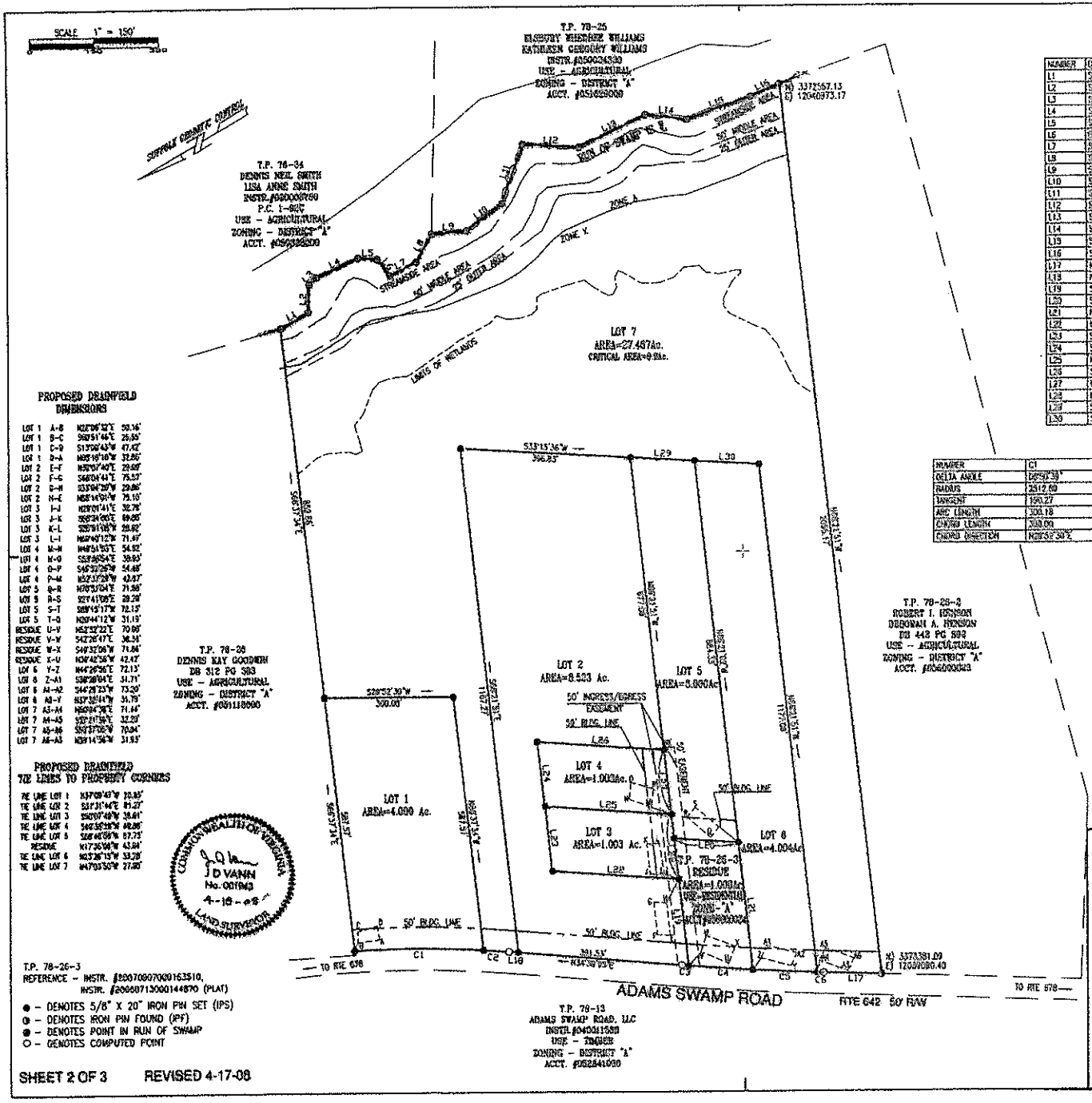
J.D. VANN - LAND SURVEYOR
25095 NEW MARKET ROAD
COURTLAND VA, 23837
757-562-4923

JOB #07-300-N

2008052000006304 Pg 5 OF 7
City of Suffolk
05/08/2008 08:41:01 PM
J. Randolph Carter Jr., Clerk

SHEET 1 OF 3 REVISED 4-17-08

FT-2008-05_1



T.P. 78-26-3
REFERENCE - INSTR. #200708070009163510,
INSTR. #200607130001144870 (PLAT)

● - DENOTES 5/8" X 20" IRON PIN SET (IPS)
◐ - DENOTES IRON PIN FOUND (IPF)
● - DENOTES POINT IN RUN OF SWAMP
○ - DENOTES COMPUTED POINT

SHEET 2 OF 3 REVISED 4-17-08

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S07°41'51"W	74.23'
L2	S57°15'06"E	63.93'
L3	N02°34'28"E	33.71'
L4	N25°54'08"W	186.41'
L5	S33°11'53"W	45.27'
L6	S61°18'19"W	48.33'
L7	N02°32'16"E	67.50'
L8	S29°28'08"E	71.71'
L9	S34°59'10"W	61.53'
L10	S00°12'19"E	102.26'
L11	S40°09'28"E	144.10'
L12	S23°00'30"W	131.07'
L13	S04°00'42"W	172.02'
L14	S28°36'51"W	93.33'
L15	S16°07'06"W	155.94'
L16	S52°07'43"W	74.49'
L17	N31°59'09"E	139.00'
L18	N04°39'09"E	21.95'
L19	S66°21'51"E	300.00'
L20	S33°55'28"W	150.22'
L21	N66°21'51"W	284.47'
L22	N33°55'28"E	296.00'
L23	S66°21'51"E	150.00'
L24	S66°21'51"E	150.00'
L25	N33°55'28"E	296.00'
L26	S33°55'28"W	296.00'
L27	N66°21'51"W	150.00'
L28	N66°21'51"W	150.00'
L29	S33°15'36"W	150.13'
L30	S33°15'36"W	150.00'

CURVE TABLE

NUMBER	C1	C2	C3	C4	C5	C6
DELTA ANGLE	06°52'39"	01°21'15"	00°03'44"	01°19'44"	01°19'38"	00°03'50"
RADIUS	2512.60	2512.60	6483.29	6474.33	6474.40	6481.91
TANGENT	150.27	59.79	3.53	75.06	75.01	6.90
ARC LENGTH	300.18	59.39	7.05	150.12	150.00	11.80
CHORD LENGTH	300.00	59.39	7.05	150.15	150.00	11.80
CHORD DIRECTION	N03°57'38"E	N33°05'28"E	N39°37'13"E	N33°55'28"E	N33°55'28"E	N33°53'08"E

AREA TABLE

T.P. 78-26-3	50.000 Ac.
LESS LOT 1	4.000 Ac.
LESS LOT 2	8.523 Ac.
LESS LOT 3	1.003 Ac.
LESS LOT 4	1.003 Ac.
LESS LOT 5	3.000 Ac.
LESS LOT 6	4.004 Ac.
LESS LOT 7 (8.0Ac. CRITICAL AREA)	27.467 Ac.
REMAINING AREA	
T.P. 78-26-3 (RESIDUE)	1.000 AC.

FAMILY TRANSFER PLAT
SHOWING SUBDIVISION OF THE PROPERTY OF

ROBERT EUGENE HALL

LOCATED ON ADAMS SWAMP ROAD
WHALEYVILLE BOROUGH
CITY OF SUFFOLK, VIRGINIA
SCALE 1"=150' DEC. 1, 2007

J.D. VANN - LAND SURVEYOR
25085 NEW MARKET ROAD
COURTLAND VA, 23837
757-562-4923

JOB #07-300-N

200805000006528 Pg 6 of 7
City of Suffolk
05/08/2008 02:41:01 PM PM
W. Randolph Carter Jr., Clerk

ST-1000-05-2

THIS PLAT SHOWS AN ENLARGED VIEW OF THE 50' INGRESS/EGRESS EASEMENT.

SUFFOLK GEODETIC CONTROL

LOT 2
AREA=8.523 Ac.

LOT 4
AREA=1.005Ac.

LOT 3
AREA=1.003 Ac.

LOT 5
AREA=3.000Ac.

LOT 6
AREA=4.004Ac.

T.P. 78-26-3
RESIDUE
AREA=1.000Ac.
NON-RESIDENTIAL
ZONE-"A"
ACCT#[illegible]

L26 L24 L25 L33 L22 L37 L36 L20 L21 L19

MYAVA LANE

50' EASEMENT

50' BLDG. LINE

PROPOSED DRAINFIELD

60.0

TE LINE

50' INGRESS/EGRESS EASEMENT (MYAVA LANE)

391.53'
N34°39'05"E

C 3 C 4

ADAMS SWAMP ROAD RTE 642 50' R/W

FAMILY TRANSFER PLAT
SHOWING SUBDIVISION OF THE PROPERTY OF

ROBERT EUGENE HALL

LOCATED ON ADAMS SWAMP ROAD
WHALEYVILLE BOROUGH
CITY OF SUFFOLK, VIRGINIA
SCALE 1"=40' DEC. 1, 2007

COMMONWEALTH OF VIRGINIA
J D VANN
No. 001943
4-18-08
LAND SURVEYOR

T.P. 78-26-3
REFERENCE – INSTR. #200709070001635 10,
INSTR. #200607130001448 70 (PLAT)

● – DENOTES 5/8" X 20" IRON PIN SET (IPS)
◐ – DENOTES IRON PIN FOUND (IPF)
⊗ – DENOTES POINT IN RUN OF SWAMP
○ – DENOTES COMPUTED POINT

SCALE 1" = 40'

J.D. VANN – LAND SURVEYOR
25085 NEW MARKET ROAD
COURTLAND VA, 23837
757-562-4923

JOB #07-300-H

City of Suffolk
Pg 7 of 7
Randolph Carter, Jr., Clerk

SHEET 3 OF 3 REVISED 4-17-08

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Ordinance** – An ordinance to grant relief from the ten (10) year post conveyance holding period for a parcel of land identified as Tax Map Parcel 78*26*3*3 created through a family transfer conveyance in accordance with Section 31-514 of the Unified Development Ordinance

Ashley Caprio, the applicant, has applied for relief, due to a change in circumstances, from the ten (10) year post conveyance holding period for a parcel created through a family transfer subdivision conveyance. Code Section 31-514(b)(3) of the Unified Development Ordinance (UDO) stipulates that upon application from a family transfer recipient, if City Council finds that a change in circumstances has occurred that was not anticipated upon receipt of the family transfer parcel and the proposed conveyance must be made to satisfy a financial obligation that was not contemplated at the time of the transfer of the lot through the family transfer provisions and that cannot be satisfied from other assets, City Council may grant relief from the ten (10) year post conveyance holding period.

Ms. Caprio received the current parcel she owns (Tax Map 78*26*3*3) via a family transfer conveyance and family transfer subdivision plat that was approved on April 28, 2008 and recorded on May 8, 2008, and a deed of conveyance that was recorded on May 8, 2008. In that regard, the required ten (10) year post conveyance holding period will expire on May 8, 2018. A letter dated April 27, 2015 from Ashley Caprio (copy attached) addresses the change in circumstances that has caused the need for the requested relief.

Based on the review of the record of the family transfer application, it does not appear that this request is an attempt to circumvent the ordinance requirements. It does appear from the information contained in the letter from Ashley Caprio that a change in circumstance has occurred and staff recommends **approval** of the requested relief.

ATTACHMENTS:

- Letter from Ashley Caprio, Applicant, dated April 27, 2015
- Proposed Ordinance
- Exhibit A – Zoning/Land Use Map
- Deed of Gift – Robert E. Hall to Ashley Caprio
- Family Transfer Plat – FT5-08

27 April 2015

To Whom It May Concern:

I am writing this letter to request a release of the Land Transfer Clause that we are currently under at 111 MyAva Lane. The land was given to us by our Grandfather Robert E. Hall in 2008. The reason for the request is because of the hardship that has been placed upon our family. Due to the recent death of family members, and illness of my Grandfather we have had to depend upon my parents as our primary childcare. This illness has forced my parents to try and sell my Grandfathers house and move in with them. This would mean they must sell their house and relocate to a larger home to facilitate the 2 families making it a real hardship on our family trying to provide proper childcare.

I also recently was promoted at my job in which I may need to drive a considerable farther distance to work from our current location. Being able to relocate closer to my husband's and my job would bring much less stress upon us with our daily commute.

Thank you,

Zach and Ashley Caprio

Contact information:
757-986-3066 Home
757-535-0195 Cell

RECEIVED
APR 27 2015
PLANNING

ORDINANCE NUMBER_____

AN ORDINANCE TO GRANT RELIEF FROM THE TEN (10) YEAR POST CONVEYANCE HOLDING PERIOD FOR A PARCEL OF LAND IDENTIFIED AS TAX MAP PARCEL 78*26*3*3 CREATED THROUGH A FAMILY TRANSFER CONVEYANCE IN ACCORDANCE WITH SECTION 31-514 OF THE UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, Ashley Caprio received a parcel of land on April 28, 2008 through a family transfer conveyance in accordance with Section 31-514 of the Unified Development Ordinance; and,

WHEREAS, the property is identified as Tax Map Number 78*26*3*3, 111 MyAva Lane; and,

WHEREAS, Ashley Caprio, applicant, has requested relief from the ten (10) year post conveyance holding period for a parcel received through a family transfer conveyance in accordance with Section 31-514 (b)(3) of the Unified Development Ordinance, due to a change of circumstance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Findings.

Council finds that a change in circumstance has occurred that was not anticipated upon receipt of the family transfer parcel and the proposed conveyance must be made to satisfy a financial obligation that was not contemplated at the time of the transfer of the lot through the family transfer provisions and that cannot be satisfied from other assets.

Section 2. Relief Granted.

The ten (10) year post conveyance holding period is hereby released for Parcel 78*26*3*3.

Section 3. Severability.

It is the intention of the City Council that the provisions, sections, paragraphs, sentences, clauses and phrases of this ordinance are severable; and if any phrase, clause, sentence, paragraph, section and provision of this ordinance hereby adopted shall be declared unconstitutional or otherwise invalid by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, sections and provisions of this ordinance, to the extent that they can be enforced notwithstanding such determination.

Section 4. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court.

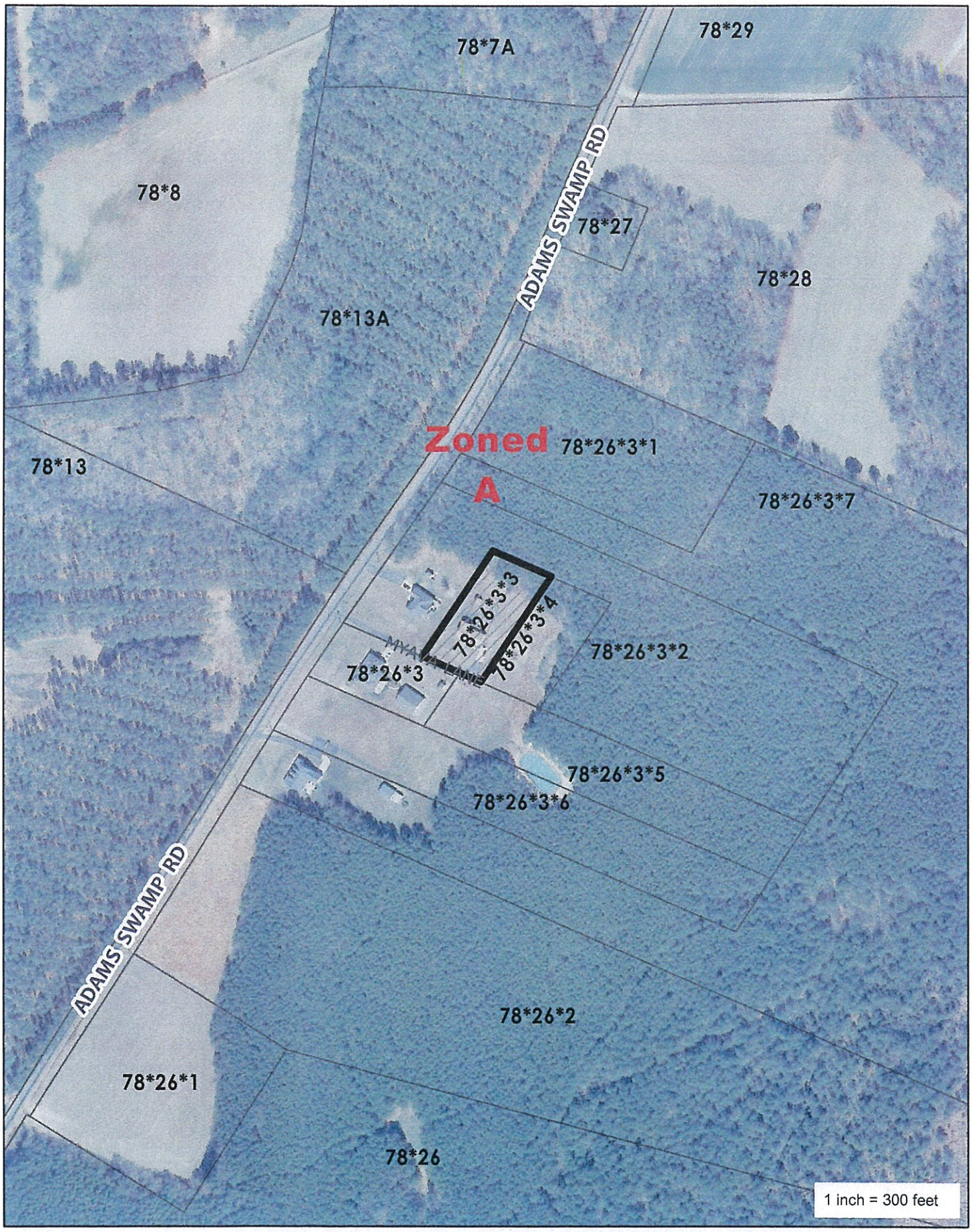
READ AND PASSED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:

_____, Deputy City Attorney
Helivi L. Holland, City Attorney

TAX MAP 78*26*3*3, PARCEL ID 056000246 ZONING / LAND USE MAP



Aerial Imagery Sources: VGIN/VITA VMBP 2013 Orthophotography and/or ESRI http://goto.arcgisonline.com/maps/World_Imagery Date: 5/20/2015

TITLE INSURANCE IS UNKNOWN

PREPARED BY KREGER & MCBRIDE
357 JOHNSTOWN ROAD
P.O. BOX 1996
CHESAPEAKE, VIRGINIA 23327 TAX PARCEL: 056000246

THIS DEED OF GIFT made on this 7th day of January, 2008 between ROBERT E. HALL, party of the first part, Grantor, and ASHLEY MARIE CAPRIO, party of the second part, Grantee; Grantee's mailing address: 2126 Chesterfield Loop, Chesapeake, Virginia 23323.

W I T N E S S E T H

That for and in consideration of the sum of ten dollars ($10.00), cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the said party of the first part does hereby grant and convey, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the said party of the second part, the following described property, to-wit:

> ALL THAT certain lot, piece or parcel of land with the buildings and improvements thereon, situate, lying and being in the City of Chesapeake, Virginia, being known, numbered and designated as Lot numbered three (3), as shown on that certain plat entitled "Family Transfer Plat Showing Subdivision of the property of Robert Eugene Hall, located on Adams Swamp Road, Whaleyville Borough, City of Suffolk, Virginia", Scale 1"=150', dated December 1, 2007, made by J.D. Vann, Surveyor, and which said plat is duly recorded simultaneously in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia.
>
> IT BEING a portion of the same property which was conveyed to Robert E. Hall, by deed from Robert I. Henson and Deborah A. Henson, husband and wife, dated September 6, 2007 and recorded in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia in Instrument Number 20070907000163510.
>
> THIS CONVEYANCE IS EXEMPT FROM RECORDING TAXES PURSUANT TO SECTION 58.1-811 (D) OF THE 1950 CODE OF VIRGINIA AS AMENDED.

20080508000065410 Pg. 2 OF 3
City of Suffolk
05/08/2008 09:41:06 AM DG
W. Randolph Carter,Jr., Clerk

This conveyance is made subject to easements, conditions and restrictions of record insofar as they may lawfully affect the property.

WITNESS the following signature(s) and seal(s):

ROBERT E. HALL

STATE OF VIRGINIA
CITY OF CHESAPEAKE to-wit:

Acknowledged before me this 7TH day of JANUARY, 2008 by ROBERT E. HALL.

Notary Public

My Commission Expires: 5-31-08

ANNALIZA D. NACUA
NOTARY
ID # 288582
COMMONWEALTH OF VIRGINIA
PUBLIC

I/WE ROBERT EUGENE HALL (FATHER) HEREBY CERTIFY THAT (LOT 1)
IS FOR THE PURPOSE OF SALE OR GIFT TO SANDRA SUE HALL (DAUGHTER)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (FATHER) HEREBY CERTIFY THAT (LOT 2)
IS FOR THE PURPOSE OF SALE OR GIFT TO VICKY MARIE MEADS (DAUGHTER)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

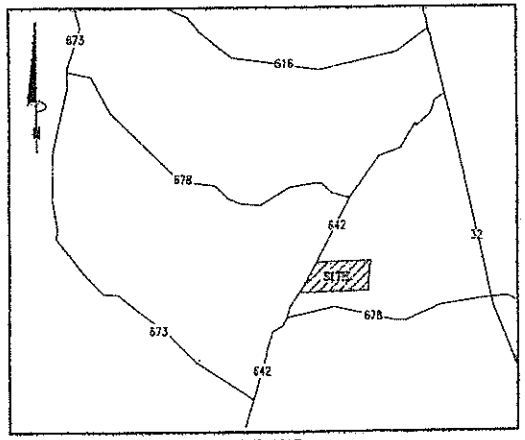
I/WE ROBERT EUGENE HALL (GRANDFATHER) HEREBY CERTIFY THAT (LOT 3)
IS FOR THE PURPOSE OF SALE OR GIFT TO ASHLEY MARIE CAPRIO (GRANDDAUGHTER)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (GRANDFATHER) HEREBY CERTIFY THAT (LOT 4)
IS FOR THE PURPOSE OF SALE OR GIFT TO TIFFANY DAWN MEADS (GRANDDAUGHTER)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (GRANDFATHER) HEREBY CERTIFY THAT (LOT 5)
IS FOR THE PURPOSE OF SALE OR GIFT TO BRANDON SCOTT HALL (GRANDSON)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (GRANDFATHER) HEREBY CERTIFY THAT (LOT 6)
IS FOR THE PURPOSE OF SALE OR GIFT TO ROBERT SCOTT HALL (GRANDSON)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.

I/WE ROBERT EUGENE HALL (FATHER) HEREBY CERTIFY THAT (LOT 7)
IS FOR THE PURPOSE OF SALE OR GIFT TO SCOTT STEPHEN HALL (SON)
WHO IS A MEMBER OF MY IMMEDIATE FAMILY AS DEFINED IN SECTION 15.2-2244 OF THE CODE OF VIRGINIA.



SITE MAP
1"=2000'

1. COORDINATE VALUES AND GRID BEARING ARE REFERENCED TO CITY OF SUFFOLK GEODETIC CONTROL NETWORK. CONTROL DISK S012 & S013. BENCHMARK S013

VIRGINIA STATE PLANE COORDINATE SYSTEM
(NAD83-SOUTH ZONE)

NOTE – WETLANDS WERE DETERMINED BY JERRY S. QUESENBERRY, CPSS /123
CORP OF ENGINEERS CERTIFIED WETLANDS DELINEATOR
DATE – APRIL, 2006
700 CANTERBURY CT.
FRANKLIN, VA 23851
TEL. NO. 757-559-0602

I HEREBY CERTIFY THAT THE PROPERTY SHOWN ON THIS PLAT IS LOCATED IN ZONE "X & A" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY-PANEL NUMBER 510156 0040 B, DATED NOV. 18, 1980.

J.D. Vann L.S.

ZONING DISTRICT "A"

THE LOTS CREATED BY THIS FAMILY TRANSFER PLAT SHALL BE TITLED IN THE NAME OF THE IMMEDIATE FAMILY MEMBER FOR WHOM THE SUBDIVISION IS MADE FOR A PERIOD OF NO LESS THAN TEN (10) YEARS UNLESS SUCH LOTS ARE SUBJECT TO INVOLUNTARY TRANSFER SUCH AS BY FORECLOSURE, DEATH, JUDICIAL SALE, CONDEMNATION OR BANKRUPTCY.

NO EXISTING STRUCTURES ON PROPERTY AT THIS TIME.

THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT.

THERE SHALL BE A MINIMUM FIVE FOOT (5') EASEMENT PROVIDED ALONG THE REAR AND SIDE PROPERTY LINES AT ALL LOTS FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

WHERE SEPTIC TANKS ARE TO BE INSTALLED THERE MUST BE AN APPROVAL ON AN INDIVIDUAL LOT BASIS BY THE LOCAL HEALTH DEPARTMENT AT THE TIME AN APPLICATION IS MADE FOR A SEPTIC TANK PERMIT. APPROVAL OF THIS PLAT BY THE CITY OF SUFFOLK DOES NOT ASSURE THAT THE INDIVIDUAL PARCELS ARE SUITABLE FOR SEPTIC TANK SYSTEMS.

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS MADE BY ME AT THE DIRECTION OF THE OWNERS AND THAT THE SUBDIVISION IS ENTIRELY WITHIN THE BOUNDARIES OF THE LAND OWNED BY THEM AND THAT STEEL PINS, AS SHOWN ON THIS PLAT BY SMALL CIRCLES, HAVE ACTUALLY BEEN PLACED AND THEIR LOCATION IS CORRECTLY SHOWN AND THAT THE PLAT DETAILS MEET THE STANDARDS FOR PLATS AS ADOPTED BY THE VIRGINIA CODE SECTION 42.1-82 OF THE VIRGINIA PUBLIC RECORDS ACT (SECT. 42.1-76, ET SEQ.)
DATE DEC. 1, 2007.

J.D. Vann L.S.

FAMILY TRANSFER PLAT
SHOWING SUBDIVISION OF THE PROPERTY OF
ROBERT EUGENE HALL
LOCATED ON ADAMS SWAMP ROAD
WHALEYVILLE BOROUGH
CITY OF SUFFOLK, VIRGINIA
DEC. 1, 2007

COMMONWEALTH OF VIRGINIA
J.D. VANN
No. 001949
4-18-08
LAND SURVEYOR

THIS SUBDIVISION OF PROPERTY, AS IT APPEARS ON THIS PLAT, IS WITH FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS.

DATE 4/21/08 OWNER [signature]

STATE OF VIRGINIA
CITY OF SUFFOLK – TO WIT:

I, Cathie C. Myrick, A NOTARY PUBLIC IN AND FOR THE CITY AND STATE AFORESAID HEREBY CERTIFY THAT THE ABOVE PERSONS WHOSE NAMES ARE SIGNED TO THE FOREGOING WRITING HAVE ACKNOWLEDGED THE SAME BEFORE ME IN MY CITY AND STATE AFORESAID.
GIVEN UNTO MY HAND THIS 21st DAY OF April, 20 08.

MY COMMISSION EXPIRES 4/31/09 Cathie C. Myrick #310077
NOTARY PUBLIC NOTARY REGISTRATION NO.

THE UNDERSIGNED CERTIFY THAT THIS SUBDIVISION, AS IT APPEARS ON THIS PLAT, CONFORMS TO THE APPLICABLE REGULATIONS RELATING TO THE SUBDIVISION OF THE LAND AND IS ACCORDINGLY APPROVED. BY SUCH APPROVAL, THE UNDERSIGNED DO NOT CERTIFY AS TO THE CORRECTNESS OF THE STREETS, BOUNDARIES, OR OTHER LINES AS SHOWN ON THIS PLAT.

DATE April 28, 2008 [signature]
AGENT – CITY OF SUFFOLK, VIRGINIA

OWNER – ROBERT EUGENE HALL
2126 CHESTERFIELD LOOP
CHESAPEAKE, VIRGINIA 23323
TEL. NO. 757-673-4838

J.D. VANN – LAND SURVEYOR
25085 NEW MARKET ROAD
COURTLAND VA, 23837
757-562-4923

JOB 07-300-H

200805000006560 Pg 5 OF 7
City of Suffolk
05/06/2008 09 41 01 AM
J. Randolph Carter Jr., Clerk

SHEET 1 OF 3 REVISED 4-17-08

FT-2008-05_1

SCALE 1" = 150'

T.P. 78-25
ELBERT WEBSTER WILLIAMS
KATHLEEN GREGORY WILLIAMS
INSTR. #050024300
USE - AGRICULTURAL
ZONING - DISTRICT "A"
ACCT. #081039000

T.P. 78-24
DENNIS NEIL SMITH
LISA ANNE SMITH
INSTR. #060009760
P.C. 1-90C
USE - AGRICULTURAL
ZONING - DISTRICT "A"
ACCT. #056938500

SUFFOLK CORPORATE CONTINUE

RUN OF SWAMP C.L.

STRANGE AREA

50' WIDE AREA

50' OUTER AREA

ZONE A

ZONE X

LIMITS OF WETLANDS

LOT 7
AREA=27.467Ac.
CRITICAL AREA=0.0Ac.

N) 3171557.13
E) 12040973.17

N) 3173381.09
E) 12039030.40

T.P. 78-28
DENNIS KAY GOODWIN
DB 312 PG 383
USE - AGRICULTURAL
ZONING - DISTRICT "A"
ACCT. #061110000

T.P. 78-26-2
ROBERT I. HENSON
DEBORAH A. HENSON
DB 443 PG 303
USE - AGRICULTURAL
ZONING - DISTRICT "A"
ACCT. #056000033

S33°15'36"W — 396.23'

L29 L30

S20°52'30"W — 300.00'

LOT 1
AREA=4.000 Ac.

LOT 2
AREA=8.523 Ac.

LOT 5
AREA=5.000Ac.

50' INGRESS/EGRESS EASEMENT

50' BLDG. LINE

LOT 4
AREA=1.001Ac.

LOT 3
AREA=1.003 Ac.

LOT 6
AREA=4.004Ac.

T.P. 78-26-3
RESIDUE
AREA=1.000Ac.
USE-RESIDENTIAL
ZONE - "A"
ACCT. #[illegible]

50' BLDG. LINE

10 RIE 678

C1 C2 L18 C3 C4 C5 C6 L17

N33°33'09"E 391.55'

ADAMS SWAMP ROAD

RTE 642 50' R/W

10 RIE 678

T.P. 78-13
ADAMS SWAMP ROAD, LLC
INSTR. #040001588
USE - TIMBER
ZONING - DISTRICT "A"
ACCT. #056841000

PROPOSED DRAINFIELD DIMENSIONS

LOT 1	A-B	N32°06'32"E	58.16'
LOT 1	B-C	S88°51'44"E	26.55'
LOT 1	C-D	S12°02'43"W	47.02'
LOT 1	D-A	N85°16'16"W	32.26'
LOT 2	E-F	N30°07'40"E	29.45'
LOT 2	F-G	S60°04'41"E	75.97'
LOT 2	G-H	S33°04'30"W	29.86'
LOT 2	H-E	N86°44'01"W	75.13'
LOT 3	I-J	N29°04'41"E	32.78'
LOT 3	J-K	S88°34'00"E	69.95'
LOT 3	K-L	S85°51'00"W	28.92'
LOT 3	L-I	N62°40'12"W	71.47'
LOT 4	M-N	N48°51'55"E	54.82'
LOT 4	N-O	S32°55'54"E	30.93'
LOT 4	O-P	S45°32'26"W	56.86'
LOT 4	P-M	N52°37'08"W	42.97'
LOT 5	Q-R	N30°03'04"E	71.98'
LOT 5	R-S	S21°41'06"E	28.28'
LOT 5	S-T	S80°19'17"W	72.15'
LOT 5	T-Q	N30°44'12"W	31.19'
RESIDUE	U-V	N52°53'22"E	70.85'
RESIDUE	V-W	S42°26'47"E	36.35'
RESIDUE	W-X	S42°32'06"W	71.84'
RESIDUE	X-U	N38°42'56"W	42.42'
LOT 6	Y-Z	N44°26'56"E	72.13'
LOT 6	Z-A1	S30°28'04"E	31.71'
LOT 6	A1-A2	S44°28'25"W	73.20'
LOT 6	A1-Y	N32°35'11"W	35.78'
LOT 7	A3-A4	N60°04'38"E	71.44'
LOT 7	A4-A5	S55°21'30"E	32.20'
LOT 7	A5-A6	S34°37'10"W	70.84'
LOT 7	A6-A3	N38°14'50"W	31.83'

PROPOSED DRAINFIELD TIE LINES TO PROPERTY CORNERS

TIE LINE LOT 1	S57°08'47"W	74.85'
TIE LINE LOT 2	S31°31'44"E	91.27'
TIE LINE LOT 3	S50°07'45"W	35.81'
TIE LINE LOT 4	S40°52'38"W	69.85'
TIE LINE LOT 5	S56°45'58"E	57.75'
RESIDUE	N17°30'00"W	43.84'
TIE LINE LOT 6	N23°26'15"W	33.28'
TIE LINE LOT 7	N47°03'50"W	27.45'

COMMONWEALTH OF VIRGINIA
J.D. VANN
No. 001943
4-16-08
LAND SURVEYOR

T.P. 78-26-3
REFERENCE - INSTR. #200709070001635 10,
INSTR. #200607130001446 70 (PLAT)

● - DENOTES 5/8" X 20" IRON PIN SET (IPS)
◐ - DENOTES IRON PIN FOUND (IPF)
◉ - DENOTES POINT IN RUN OF SWAMP
○ - DENOTES COMPUTED POINT

SHEET 2 OF 3 REVISED 4-17-08

LINE TABLE

NUMBER	BEARING	DISTANCE
L1	S06°31'31"W	74.37'
L2	S57°15'28"E	82.93'
L3	S12°14'28"E	23.71'
L4	S50°54'08"W	186.41'
L5	S13°11'59"W	45.27'
L6	S87°15'19"W	48.33'
L7	N02°55'58"E	67.50'
L8	S25°20'08"E	71.31'
L9	S24°52'19"W	61.92'
L10	S06°12'19"E	100.29'
L11	S42°05'28"E	144.19'
L12	S57°28'36"W	131.07'
L13	S04°28'42"W	172.02'
L14	S38°45'51"W	98.33'
L15	S10°57'01"W	165.54'
L16	S07°07'43"W	74.47'
L17	N51°50'00"E	139.00'
L18	N54°30'00"E	21.95'
L19	S88°21'51"E	600.00'
L20	S23°55'28"W	186.21'
L21	N66°21'01"W	294.47'
L22	N33°55'38"E	289.60'
L23	S66°21'51"E	150.00'
L24	S66°21'51"E	150.00'
L25	N33°55'38"E	290.00'
L26	S33°55'38"W	290.00'
L27	N66°21'51"W	150.00'
L28	N66°21'51"W	150.00'
L29	S33°15'36"W	100.15'
L30	S33°15'36"W	150.00'

CURVE TABLE

NUMBER	C1	C2	C3	C4	C5	C6
DELTA ANGLE	00°50'38"	01°21'15"	00°03'44"	01°19'44"	01°15'38"	00°05'26"
RADIUS	2512.69	2512.69	6491.23	6474.35	6474.40	6491.91
TANGENT	150.27	29.79	3.53	75.00	73.81	3.53
ARC LENGTH	300.18	59.39	7.05	150.19	150.00	11.00
CHORD LENGTH	300.00	59.39	7.05	150.15	150.00	11.00
CHORD DIRECTION	N28°52'30"E	N33°55'38"E	N33°33'26"E	N33°35'26"E	N33°35'47"E	N33°33'02"E

FAMILY TRANSFER PLAT
SHOWING SUBDIVISION OF THE PROPERTY OF

ROBERT EUGENE HALL

LOCATED ON ADAMS SWAMP ROAD
WHALEYVILLE BOROUGH
CITY OF SUFFOLK, VIRGINIA
SCALE 1"=150' DEC. 1, 2007

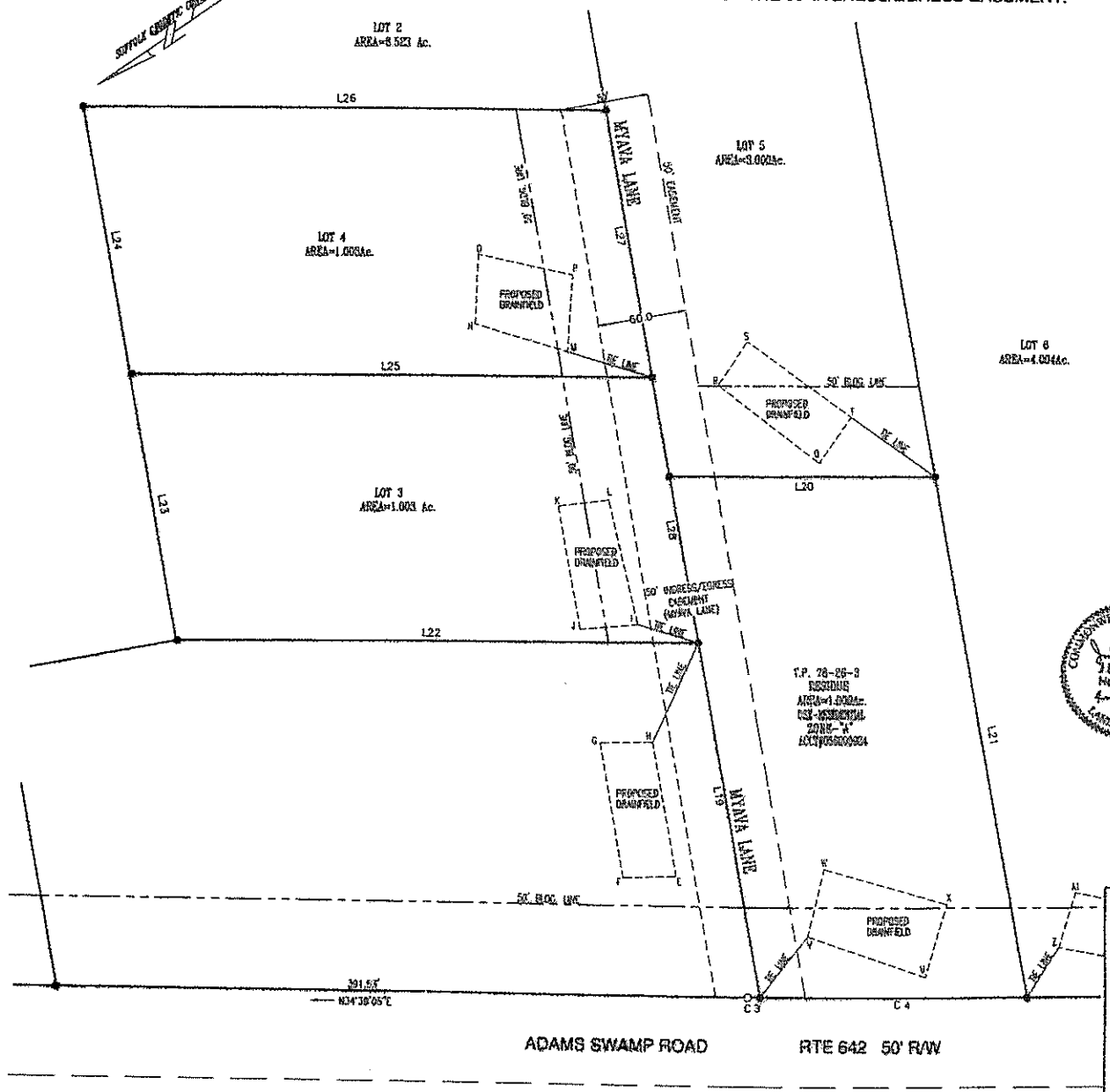
J.D. VANN - LAND SURVEYOR
25085 NEW MARKET ROAD
COURTLAND VA, 23837
757-562-4923

JOB #07-300-H

200800000002038 Pg 6 of 7
City of Suffolk
05/07/2008 09:41:01 AM
W. Randolph Carter Jr. Clerk

67-Map-05-2

THIS PLAT SHOWS AN ENLARGED VIEW OF THE 50' INGRESS/EGRESS EASEMENT.



FAMILY TRANSFER PLAT
SHOWING SUBDIVISION OF THE PROPERTY OF

ROBERT EUGENE HALL

LOCATED ON ADAMS SWAMP ROAD
WHALEYVILLE BOROUGH
CITY OF SUFFOLK, VIRGINIA
SCALE 1"=40' DEC. 1, 2007

COMMONWEALTH OF VIRGINIA
J.O. VANN
No. 001943
4-15-08
LAND SURVEYOR

T.P. 78-25-3
REFERENCE - INSTR. #200709070001635 10,
INSTR. #200607130001446 70 (PLAT)

■ - DENOTES 5/8" X 20" IRON PIN SET (IPS)
◑ - DENOTES IRON PIN FOUND (IPF)
⊕ - DENOTES POINT IN RUN OF SWAMP
○ - DENOTES COMPUTED POINT

SCALE 1" = 40'

J.O. VANN - LAND SURVEYOR
25089 NEW MARKET ROAD
COURTLAND VA. 23837
757-562-4023

JOB #07-300-M

City of Suffolk
05/08/2008 09 41 01 AM PM
W. Randolph Carter, Jr., Clerk

SHEET 3 OF 3 REVISED 4-17-08

PT-2008-05-2

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Ordinance** – An ordinance to rezone and amend the official zoning map of the City of Suffolk, to change the zoning from B-2, General Commercial zoning district, (Conditional), to MUD, Mixed Use Development Overlay zoning district, (Conditional) for property located at 1900 N. Main Street, Zoning Map 25, Parcel 45; RZ09-14 (Conditional)

Attached for your consideration is information pertaining to Rezoning Request, RZ09-14 (Conditional), Obici Place, submitted by W. Dave France of Kimley-Horn and Associates, Incorporated, agent, on behalf of Kevin Hughes, Director, Department of Economic Development, applicant, on behalf of the Suffolk Economic Development Authority, property owner(s), to rezone and amend the official zoning map of the City of Suffolk to change the zoning from B-2, General Commercial zoning district, (Conditional), to MUD, Mixed Use Development Overlay zoning district, (Conditional), for property located at 1900 N. Main Street, Zoning Map 25, Parcel(s) 45. The affected area is further identified as being located in the Suffolk Voting Borough, zoned B-2, General Commercial zoning district (Conditional). The 2035 Comprehensive Plan designates this area as a part of the Central Growth Area, Core Support Use District.

The Planning Commission, at their meeting of April 21, 2015, voted 5 to 3 to approve a resolution recommending **approval** of this request.

Following the closure of the public hearing on this matter, City Council, at your meeting of May 20, 2015 tabled action on this request until your meeting of June 3, 2015 so that additional information could be provided to City Council in regard to the following items:

1. Status of the potential relocation of the Virginia Department of Transportation District Headquarters and Maintenance Facility.

2. Explanation of the Phase II Environmental Impact Assessment, specifically regarding arsenic and its impact, if any, on the proposed Mixed Use Development Project or park.

3. Status of the Parks and Recreation Master Plan.

4. Additional information in regard to the traffic impacts on N. Main Street in particular between the Mixed Use Development proposal and the potential traffic generation from the properties current B-2, General Business District zoning classification.

5. Additional information in regard to assurances of the quality of both the residential and commercial components of the proposed Mixed Use Development proposal.

6. Additional information in regard to student generation rates.

Staff will provide a presentation in regard to the above referenced matters at your meeting.

ATTACHMENTS:

- Staff Report
- Proposed Ordinance
- Exhibit A - Planning Commission Recommendation
- Exhibit B – Proffered Conditions
- Exhibit C – Zoning/Land Use Map and Boundary Exhibit
- Exhibit D – Obici Place Design Guidelines

STAFF REPORT

DESCRIPTION

REZONING REQUEST: Rezoning Request, RZ09-14, (Conditional), submitted by W. Dave France of Kimley-Horn and Associates, Incorporated, agent, on behalf of Kevin Hughes, Director, Department of Economic Development, applicant, on behalf of the Suffolk Economic Development Authority, property owner(s), to rezone and amend the official zoning map of the City of Suffolk to change the zoning from B-2, General Commercial zoning district, (Conditional), to MUD, Mixed Use Development Overlay zoning district, (Conditional), for property located at 1900 N. Main Street, Zoning Map 25, Parcel(s) 45. The affected area is further identified as being located in the Suffolk Voting Borough, zoned B-2, General Commercial zoning district, (Conditional). The 2035 Comprehensive Plan designates these areas as a part of the Central Growth Area, Core Support Use District.

APPLICANT: W. Dave France of Kimley-Horn and Associates, Incorporated, agent, on behalf of Kevin Hughes, Director, Department of Economic Development, applicant, on behalf of the Suffolk Economic Development Authority, property owner(s)

LOCATION: 1900 N. Main Street and is further identified as Zoning Map 25, Parcel 45

PRESENT ZONING: B-2, General Commercial zoning district, (Conditional)

EXISTING LAND USE: Vacant commercial parcel

PROPOSED LAND USE: MUD, Mixed Use Development Overlay zoning district, (Conditional), consisting of multi-family residential, commercial and retail uses.

SURROUNDING LAND USES:

North – Automobile Sales and Service (zoned B-2)
South – Office - VDOT (zoned B-2)
East – Single-family residential (zoned RLM)
West – (across North Main Street) Single-family residential (zoned RLM)

COMPREHENSIVE PLAN: The City's 2035 Comprehensive Plan identifies this property as being located within the Central Growth Area, Core Support Use District.

CHESAPEAKE BAY PRESERVATION AREA DESIGNATION: The property is located within the City's Chesapeake Bay Preservation Area Overlay District and is designated as a Resource Management Area (RMA), a Resource Protection Area (RPA) and an Intensely Developed Area (IDA).

PUBLIC NOTICE: This request has been duly advertised in accordance with the public notice requirements set forth in Section 15.2-2204 of the Code of Virginia, as amended, and with the applicable provisions of the Unified Development Ordinance.

CASE HISTORY: The subject property is the former home of the Louise Obici Memorial Hospital. In 2002, a new hospital opened on Godwin Boulevard and the subject property was placed on the market for sale. In 2003, the hospital and ancillary buildings were demolished. The City purchased the property in 2005. In 2006, the property was rezoned from B-2, General Commercial to MUD, Mixed Use Development, for Robinson Development, who proposed a Master Development Plan of commercial and residential uses. Six proffers were offered in regard to the design and build-out of the property. The developer was unable to fulfill the requirements of the Mixed Use Development and the property reverted back to the City in September of 2008. The City transferred the property to the Economic Development Authority in 2013 in order to market the site and find a potential developer. In May of 2013, City Council approved rezoning this property from MUD, Mixed Use Development, to B-2, General Commercial (Conditional).

It should be noted that the Economic Development Authority (EDA) is a Virginia political subdivision established for the public purpose of which is to assist in economic development. The EDA's purpose is to promote, maintain and expand Suffolk's economic development in order to increase employment opportunities for residents and expand the tax base through the retention of existing businesses and the attraction of new business.

STAFF ANALYSIS

ISSUE:

The applicant is requesting a change in zoning from B-2, General Commercial zoning district, (Conditional), to MUD, Mixed Use Development Overlay zoning district (Conditional) for a 27.54 acre vacant parcel, previously occupied by Louise Obici Memorial Hospital. This parcel is located on N. Main Street, adjacent to the Commonwealth of Virginia owned Virginia Department of Transportation Regional Office Headquarters and an automobile dealership. The applicant is seeking the conditional rezoning for the purpose of developing the site for a mixed use development, as defined by the Unified Development Ordinance. The current B-2 zoning would not allow for the proposed use of mixed use development; however, the use would be permitted under the proposed MUD district.

The proposed MUD would feature approximately 224 multi-family residential units, 30,000 square feet of office and commercial space, and 52,500 square feet of retail space. The commercial and retail style development will be situated along the frontage of N. Main Street and a residential multi-family style development is intended for the rear portion of the property. The development will also include an internal public street having two connections to N. Main Street.

CONSIDERATIONS AND CONCLUSIONS:

In accordance with Appendix B, Section B-4 of the Unified Development Ordinance, rezoning applications must include a statement of the reasons for seeking an amendment to the zoning maps of the City of Suffolk. Supplemental information provided by the applicant indicates that the reason for this rezoning request is that under the current B-2 zoning designation, the proposed mixed use development pattern would not be permitted. The subject parcel is situated on N. Main St. which, as a minor arterial, is intended to carry a major portion of traffic entering and leaving an urban area as well as the majority of through-traffic. In addition, the applicant indicates that the proposed MUD zoning for this parcel would allow for an important redevelopment opportunity along an essential city corridor and

create a more pedestrian friendly neighborhood center incorporating residential, commercial and open space.

1. Comprehensive Plan

The subject property is located within the Central Growth Area's Core Support Use District. The purpose of this district is to provide a significant level of residential and ancillary retail and business activity to support the high density mixed-use core. Additionally, the densities and types of uses in this district should encourage walkable mixed use neighborhoods. The parcel under consideration is appropriate for a mixed use development district given the conceptual uses proposed. This parcel has approximately 1,333 feet of road frontage along North Main Street, which is identified as a minor arterial in the 2035 Comprehensive Plan.

Policy 2-1 of the 2035 Comprehensive Plan states the following: *Keep development focused in designated Growth Areas of the City.* This policy is supported by Action 2-1A, which states, *Ensure that the City's land use regulations support higher density/intensity development in focused Growth Areas.* This property is within the Core Support Use District in the Central Growth Area and as such, according to the 2035 Comprehensive Plan, there should be no perceptible break between the Core Support District and the Mixed Use Core. The purpose of the Core Support Use District is to provide residential and retail or business uses in support of the Mixed Use Core and provide a level of density high enough to encourage walkable neighborhoods. Typical uses intended for the Core Support Use District include, but are not limited to: mixed use developments, including big box retail/office/residential uses, and neighborhood level retail and convenience uses within pedestrian walksheds. Additionally, densities within the Core Support Use District should allow for mixed use as the predominant development type and buildings with no or shallow setbacks and formal streetscape landscaping should relate to the pedestrian scale environment. Furthermore, the availability of transit-oriented and pedestrian features creates additional modes of transportation to and from the mixed-use development thus increasing transportation options in the area.

Policy 2-2 of the 2035 Comprehensive Plan states the following: *Assure that development occurs in a predictable and orderly manner.* This policy is supported by Action 2-2B, which states, *Develop and maintain incentives in land use regulations that support traditional neighborhood designs.* Chapter 3, Place Types, of the 2035 Comprehensive Plan speaks directly to the concept of place-making. Place types recognize that certain characteristics within a use district should be concentrated in key locations appropriate to the context of the individual use district. The Design Guidelines accompanying the rezoning request intend this project to be designed as a *Traditional Neighborhood Center*, which is a supported place type within the Core Support Use District. Specifically, this type of development is generally size limited, walkable, and accessible by all modes of transportation. As proposed, this traditional neighborhood center has multiple street connections, a "*main street*" feel with buildings fronting the street, limited setbacks, and includes public open space in addition to the street and sidewalk network.

Policy 4-1 of the 2035 Comprehensive Plan states the following: *Provide opportunities for residents to adopt a lifestyle that is less dependent on auto travel.* This policy is supported by Action 4-1B, which states, *Promote implementation of mixed-use development where facilities, infrastructure, and markets will sustain investment.* As required by the UDO, a market study

accompanied this rezoning request and indicated that both the residential and commercial components are well-situated to capitalize on a need for affordable rental housing and impressive retail growth in the city, respectively. Additionally, this rezoning request provides for improvement in the overall walkability of this section of North Main Street by including opportunities to connect the surrounding neighborhoods via crosswalks and new sidewalks.

Policy 4-4 of the Comprehensive Plan states the following: *The City will employ appropriate regulatory and financial incentives to ensure that access to and within the central core areas supports private sector initiatives.* This policy is supported by Action 6-4B, which states, *Interconnectivity of the street, sidewalk, and trail system within the Mixed Use Core, the Core Support, and the Inner Ring Suburban Districts should be implemented with both public and private resources.* Given the proximity of this project to two (2) regional parks within the City's overall parks system, the potential to increase the accessibility of those resources is improved with this development. Lake Meade and Constants Wharf Parks are only approximately .5 and just over 1 mile, respectively, from this proposed project. Significant resources have been spent improving both of these parks in recent years. The improvements along North Main Street in conjunction with this rezoning will improve the connectivity of the entire corridor.

Policy 4-5 of the Comprehensive Plan states the following: *Provide facilities and policies that ensure adequate multi-modal access throughout the growth areas of the City.* This policy is supported by Action 4-5G, which states, *Assure the incorporation of transit related features in conjunction with design and construction of road improvements.* This rezoning proposes to be transit supportive by adding a transit stop along North Main Street. Additionally, the development's internal sidewalk network will connect directly with the transit stop increasing accessibility to the development for transit riders and pedestrians alike.

2. Unified Development Ordinance

The Unified Development Ordinance specifies the three-fold purpose of Mixed Use Development Overlay zoning:

1) *To provide for the orderly development of land while permitting flexibility in the design, construction, and processing of mixed use developments of a quality which could not be achieved by traditional development under conventional zoning concepts*
2) *Implement the policies of the Comprehensive Plan to co-locate jobs and housing, provide for mixed use centers, and to provide neighborhood retail within communities.*
3) *While conventional zoning districts and their requirements set forth in the UDO are reasonable, there may be circumstances in which it is in the community's best interests to allow unique and/or creative mixed use development designs and techniques that:*
    a. *Revitalize older commercial corridors;*
    b. *Increase opportunities for infill development with mixed use projects;*
    c. *Encourage development that is less auto dependent; and*
    d. *Encourage mixed use pedestrian oriented development patterns where residents have services, shops, jobs, open space, and access to transit within walking distance of their homes.*

The regulations identify specific criteria for the establishment of the district. Key criteria include:

1) *Minimum District Size and Applicability;*
As an urban infill site located within the Central Growth Area, this proposed rezoning is not subject to minimum district size requirements. A *traditional neighborhood cent*er in the Core Support Use District can be as small as a few storefronts or a multiple blocks-long neighborhood *main street.*

2) *Professional Design Team;*
As required by the UDO, the design team must consist of a licensed architect or planner with AICP certification, a certified nurseryman or landscape architect and a professional engineer. The design team associated with this rezoning request comports with the credentialing requirements set forth in the UDO.

3) *Jobs to Housing Ratio;*
The UDO requires that no site plan for a MUD be approved unless designated floor area for non-residential districts yield not less than 1.0 employee for each residential dwelling unit. This can be calculated by dividing the total floor area in the zoning district by the square footage per employee factor. Using that calculation, the Fiscal Impact Analysis submitted as part of this rezoning request shows that 270 jobs will be created upon completion of the project. As proposed, the subject development achieves the required jobs to housing ratio of 1.0.

4) *Market Study Summary;*
The market study measures the market demand for the proposed development by uses proposed within the development such as residential, office, retail, and service uses. This development proposes to be a mix of multi-family residential, retail, and commercial uses. According the to the Market Study submitted as part of this rezoning, the project aims to capitalize on the growing retail market in Suffolk based upon factors that include trade area, traffic counts, and quality of development. It also figures to satisfy a growing need for affordable rental housing in the area. The proposed development will include approximately 80,000 square feet of office and retail space and 224 market rate apartments.

5) *Traffic Impact Analysis (TIA);*
Typically mixed use developments have the potential to achieve trip reductions through internal capture of vehicle trips. The traffic study shall address any trip reductions anticipated. The TIA submitted as part of this application indicates that the current B-2 zoning of the subject property could produce approximately 7,830 trips per day. In contrast, the proposed mixed use development results in approximately 4,477 trips per day. This translates to an overall reduction of approximately 3,300 trips per day. Additional traffic improvements such as a raised median in N. Main Street and coordinated signal timing are also proposed as part of this rezoning application. Additionally, pedestrian safety improvements will be incorporated throughout the development and along N. Main Street.

6) *Adequate Public Facilities*
This proposal includes improvements to the public water, sewer and street networks, the addition of onsite stormwater management, and discusses potential impacts to the school system.

7) *Design Guidelines*
The proposed design guidelines will regulate development of the MUD. As an urban infill project, establishing a MUD creates a unique opportunity to revitalize a previously vacant property by improving the walkability of and transition to the existing neighborhoods and developments surrounding the site. Key architectural design guidelines required as part of this rezoning application include massing, façade treatment, streetscape, pedestrian orientation, street sections, and transit-oriented features.

3. Adequate Public Facilities

The purpose and intent of the adequate public facilities ordinance is to ensure that public facilities are available to support new development and associated impacts and that each public facility meets or exceeds the Level of Service standards established by the 2035 Comprehensive Plan and the Unified Development Ordinance. No rezoning request should be approved which would cause a reduction in the levels of service standards for any public facility impacted. The public facilities impacted by the proposed development are discussed individually below:

Public Water and Sanitary Sewer
Water is available to the site and adequate to handle the domestic and fire supply needs for this project. Domestic water level of service estimates are based on the conceptual land use plan. The average daily demands are based on the Hampton Roads Regional Technical Standards (RTS) planning estimates of numbers of employees at the facilities based on theoretical square footages that are extrapolated from the available development areas. General land use types include retail, office, commercial and residential within the subject rezoning. Using RTS guidelines for estimating flow, a total average daily flow of 84,640 GPD and peak design flow of 173 GPM was calculated for this development. New distribution mains will be looped through the site within the publicly dedicated roadways. Fire protection demand will be based on Internation Fire Code (IFC). IFC uses the building size and the construction type to determine the required fire flow for each building. The code also provides up to a 75% reduction in the required fire flow for sprinkled buildings. According to the IFC, the subject rezoning will require 16,000 gallons per minute in external flow in a fire scenario. A detailed water model will be prepared with master planning and infrastructure design after completion of a successful rezoning. The Department of Public Utilities has determined there is adequate capacity of water to serve the subject property.

Sanitary sewer is currently available. The sewer level of service estimate indicates an average design flow of 84,640 GPD and a peak demand of 173 GPM. This level of service estimate is for onsite flows generated by the proposed development only. Pump Station #12, which sits directly across the street from this project and currently experiences some capacity issues, will be improved and relocated onsite as part of a capital project commensurate with the redevelopment of the site. Reservation of dedicated property within the development to the Public Utilities Department for the construction of a new regional pump station is proposed as a proffered condition. The Department of Public Utilities recommends approval of this rezoning request after determining that adequate public facilities are available to serve the development and an appropriate level of service will be achieved.

Stormwater Management
Portions of the property are located within a Resource Management Area (RMA), Resource Protection Area (RPA) and an Intensely Developed Area (IDA) and are subject to the applicable

provisions of the stormwater management regulations. A Major Water Quality Impact Assessment (MWQIA) and Stormwater Management Plan was completed as part of this rezoning package. The intent of the project is to treat stormwater runoff via a single, centralized best management practice (BMP) which will treat approximately 15 acres of impervious and pervious site drainage. Additionally, the design guidelines under which development will occur, allow for low-impact BMPs as part of the overall, comprehensive stormwater management strategy. Through the design and site plan process, and prior to development, the availability and adequacy of needed stormwater management facilities will be assured.

Streets

A traffic impact study was submitted with this request. The study shows that the proposed creation of a mixed use development will result in an increase in traffic volume of 4,477 trips per day along the corridor. However, the study also shows that when the trip generation rate of the proposed missed use development noted above is compared to the trip generation rate of 7,830 trips per day for a by-right development of the site based on the current B-2, General Commercial zoning the proposed mixed use development will result in approximately 3,300 fewer trips per day.

The development itself will create two (2) connections to North Main Street. One, the main entrance, will align with Northgate Lane and be signalized. The other, a right-in, right-out entrance, will align with Edgewood Avenue and serve as the internal feeder road to the site. Improvements to North Main Street in the form of signalization improvements and median construction will be necessitated by the development of this project. Furthermore, the design standards accompanying this request speak to significant streetscaping internal to the development. The alignment of the signalized main entrance at Northgate Lane and the North Main Street traffic safety improvements are offered as proffers which accompany this request. The addition of sidewalks and other pedestrian improvements along the frontage of and internal to the site will create a more pedestrian friendly experience. New crosswalks will help pedestrians safely traverse North Main Street to reach their intended destination.

As proffered by the applicant, proposed corridor improvements and access management strategies through standardized median crossover spacing, traffic signal timing, and the mitigation of existing traffic conflicts made to address future traffic volumes, will ensure the continued availability and adequacy of the N. Main Street corridor between Constance Road and Godwin Boulevard. Additionally, critical intersections are anticipated to operate at an acceptable level of service with coordinated signal timing improvements along North Main Street.

Traffic Engineering has reviewed the Traffic Impact Analysis (TIA) and recommends approval of this request. Specific roadway design will be addressed through the submittal of engineering plans contingent on the approval of the rezoning.

Schools

It should be noted that mixed use developments do not generate students at a rate comparable to conventional development patterns. Mixed use developments have the potential to achieve reduced student generation rates. Accordingly, the Adequate Public Facilities report shall address anticipated student generation rates specific to the individual mixed use development.

The subject property is located in Elementary School Attendance Zone 2, Middle School

Attendance Zone 2, and High School Attendance Zone 3. The proposed rezoning request will result in an increase in student generation to the public school system. The residential component of this request will generate approximately 38 students overall according to the Adequate Public Facilities Report. The proposed rezoning will result in the addition of approximately 19 elementary, 10 middle, and 9 high school students to the public school system. These numbers were calculated using a student generation rate based on a comparison of similar multi-family projects in Hampton Roads. Currently there is adequate capacity at the elementary and middle school levels with each having an existing surplus in capacity of 327 and 292 students, respectively. In contrast, currently at the high school level there is a deficiency in capacity of 65 students. The City of Suffolk has allocated approximately $52 million dollars towards the construction of two new public schools as part of the 2016-25 Capital Improvement Plan (CIP). The planned improvements are slated for the first five (5) years of the ten (10) year plan with the opening of each school scheduled for the 2017-2018 or 2018-2019 school years. This is in addition to a number of other maintenance and major school improvement projects totaling $156 million scheduled for the latter years of the CIP, which includes monies toward a new high school. In total, through the adopted CIP, the City has expressed its intention to expend $214.7 million dollars in support of the advancement and availability of additional school capacity at the elementary, middle, and high school levels.

Open Space

The proposed redevelopment of the subject property will include the addition of public open space and create vital new connections to existing public infrastructure. Located approximately .5 (1/2) mile from Lake Meade Park, which the Suffolk Parks and Recreation Department considers a regional park, development of the subject property will result in transportation improvement along N. Main Street to include the addition of new sidewalks and crosswalk, improved connectivity within the development itself and to the surrounding neighborhoods, and create additional transportation options within the corridor.

The subject parcel will be required to maintain public open space onsite. The design guidelines, which accompany this request, detail minimum open space requirements for the residential and non-residential components of the property. Minimum open space within the residential component of the MUD will comply with Section 31-602(c)(2) and Section 31-607 of the UDO. A minimum of 200 square feet of usable common open space shall be provided for each dwelling unit for active recreation needs of residents. The administrator may waive up to 50 percent of that requirement if the development is within 1,000 feet of a public park as measured along a public sidewalk, trail, or bikeway or if the development includes active recreation amenities such as pools, tennis courts, or playgrounds. The minimum open space requirement in for the commercial district shall be 10 percent of the total parcel area.

Those same guidelines also provide direction on specific placement of plazas, special paved areas and sidewalk in order to define the level of connectivity within the development. Special disposition is also provided for outdoor dining and public art in an effort to promote the opportunity for further placemaking within the subject property. The standards set in the design guidelines will meet open space needs and requirements.

4. Environmental Site Assessment

As required, the applicant performed a Phase I Environmental Site Assessment. Based on the results of which, the applicant also completed a limited Phase II Environmental Site Assessment.

The report concluded that, while a regulatory exceedance was reported for petroleum hydrocarbons, "*the overall impact of the detected contaminants appears to be mitigated by the absence of exposure to pathways to impacted soils.*" The testing firm recommends the current owner/operator of the site report the findings to the Virginia Department of Environmental Quality (DEQ). No further sampling or assessment was considered warranted.

5. Fiscal Impact Study

The Economic Development Authority (EDA) is a Virginia political subdivision established for the public purpose of which is to assist in economic development. The EDA's purpose is to promote, maintain and expand Suffolk's economic development in order to increase employment opportunities for residents and expand the tax base through the retention of existing businesses and the attraction of new business.

As proposed, the project will develop 30,000 square feet of office/commercial space and 52,500 square feet of retail space totaling 82,500 square feet of non-residential floor area. The applicant submitted a fiscal impact study that showed development will produce a total of 270 jobs upon completion and $153,470 in real estate and $312,500 in sales taxes per year. Development of the site would be in phases with the residential and road construction work beginning in summer of 2015 if the rezoning request is approved. The balance of construction would likely be completed by 2018.

6. Proffered Conditions

The applicant has proffered conditions in support of this rezoning request. The proffers include the following:

1) The main entrance into the Obici Place site from Main Street shall be designed to align with Northgate Lane.

2) An allocation of land sufficient for the construction and access of a typical City of Suffolk regional sewer pump station shall be reserved on the Obici Place site. The location allocated shall reasonably meet with the requirements requested by the City of Suffolk Public Utilities Department while concurrently avoiding or minimizing impacts considered being detrimental to the parcel's overall development.

3) Obici Place Design Guidelines, prepared by WPL & Kimley-Horn, dated April 7, 2015.

4) North Main Street traffic safety improvements along the Obici Place property frontage, to include raised median and a new traffic signal, in accordance with the Traffic Impact Study prepared by Kimley-Horn, dated February 18, 2015.

RECOMMENDATION

This conditional rezoning request is consistent with the policies of the 2035 Comprehensive Plan which encourages mixed use developments in the Core Support Use District that create additional connectivity

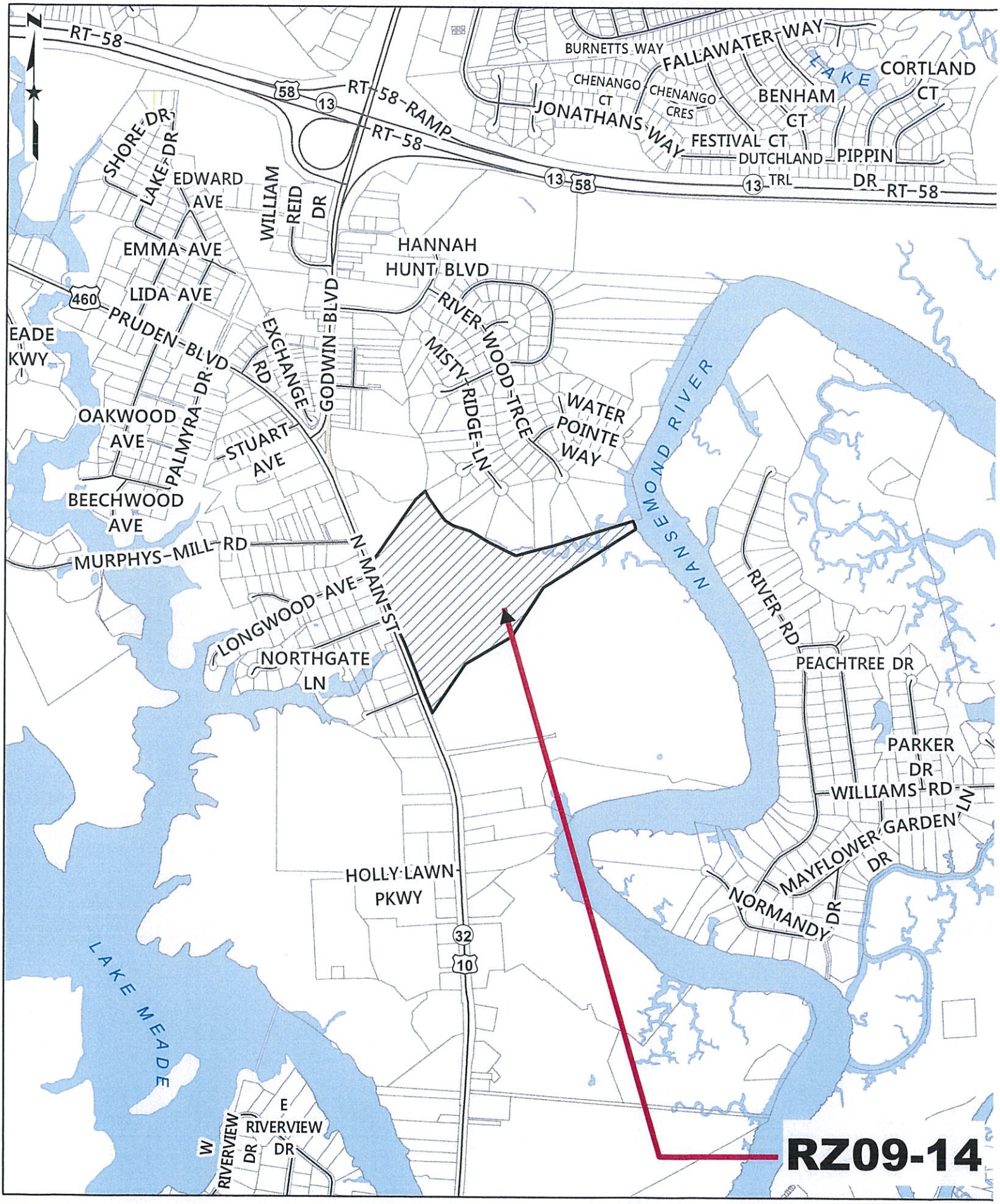
and walkability to the existing communities surrounding the subject property. This request is compatible with the surrounding uses contained in the surrounding neighborhood, increases transportation options within a vital corridor and improves the overall safety of motorists and pedestrians alike in addition to revitalizing a vacant property. Based on a technical review of public facilities necessary to serve the development, it has been determined that adequate public facilities will be available with the improvements discussed in the Adequate Public Facilities section. All requirements of the UDO in Section 31-419, as they relate to the MUD overlay zoning, appear to be met and staff recommends **approval** of this conditional rezoning application with the submitted proffers.

The Planning Commission, at their meeting of April 21, 2015, voted 5 to 3 to approve a resolution recommending **approval** of this request.

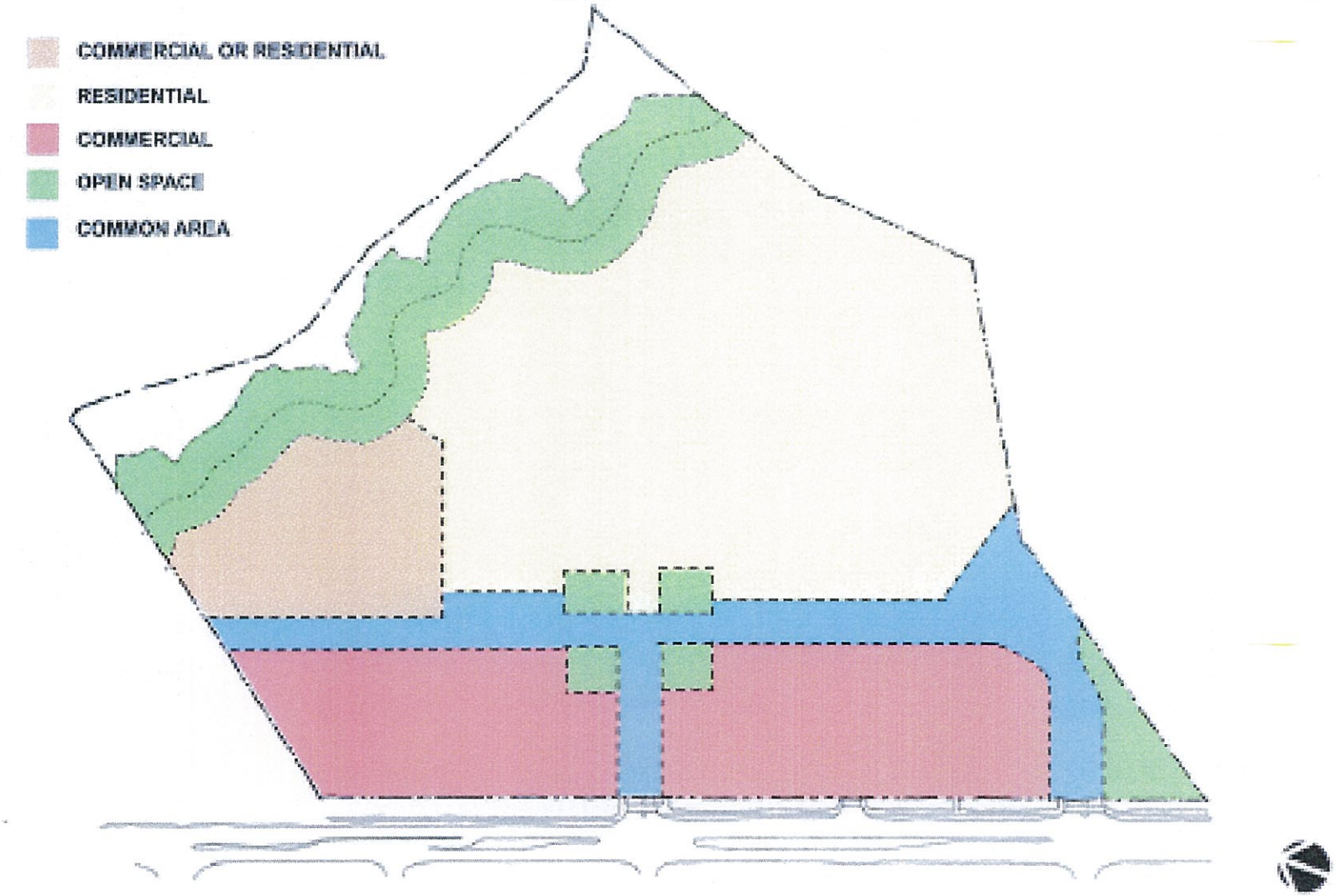
Attachments

- Proposed Ordinance
- Exhibit A - Planning Commission Recommendation
- Exhibit B - Proffered Conditions
- Exhibit C - Zoning/Land Use Map
- Exhibit D - Obici Place Design Guidelines

General Location Map



Obici Place Major Areas



RZ09-14

ORDINANCE NO. _____

AN ORDINANCE TO REZONE AND AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SUFFOLK, TO CHANGE THE ZONING FROM B-2, GENERAL COMMERCIAL ZONING DISTRICT, (CONDITIONAL), TO MUD, MIXED USE DEVELOPMENT OVERLAY ZONING DISTRICT, (CONDITIONAL), FOR PROPERTY LOCATED AT 1900 NORTH MAIN STREET, ZONING MAP 25 PARCEL 45; RZ09-14 (CONDITIONAL)

WHEREAS, W. Dave France of Kimley-Horn and Associates, Incorporated, agent, on behalf of Kevin Hughes, Director, Department of Economic Development, applicant, on behalf of the Suffolk Economic Development Authority, property owner(s), has requested the rezoning of a certain tract of land situated in the City of Suffolk, Virginia, which land is designated on the Zoning Map of the City of Suffolk, Virginia, as Tax Map 25 Parcel 45, which land is depicted on Exhibit "C"; and,

WHEREAS, the proposed rezoning and amendment to the official zoning map have been advertised and reviewed by the Planning Commission in compliance with the requirements of state law; and,

WHEREAS, the Planning Commission has made a recommendation as stated in Exhibit "A"; and,

WHEREAS, a public hearing before City Council was duly advertised as required by law and held on the 20th day of May, 2015, at which public hearing the public was presented with the opportunity to comment on the proposed rezoning.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Suffolk, Virginia, that:

Section 1. Exhibits.

Exhibit "A", "Planning Commission Recommendation", Exhibit "B", "Proffered Conditions", Exhibit "C", "Zoning/Land Use Map", and Exhibit "D", "Obici Place Design Guidelines", which are attached hereto, are hereby incorporated as part of this ordinance.

Section 2. Findings.

A. Council finds that the proposed rezoning is reasonable and warranted due to a change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;

2. the Comprehensive Plan;

3. the suitability of the property for various uses;

4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by the population and economic studies and other studies;

6. the transportation requirements of the community;

7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;

9. the preservation of flood plains;

10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values;

12. the encouragement of the most appropriate use of land throughout the City; and,

13. the expressed purpose of the City's Unified Development Ordinance as set out in Section 31-102 of the Unified Development Ordinance, 1998, as amended, and Section 15.2-2283 of the Code of Virginia, (1950), as amended.

B. The Suffolk City Council makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;

2. the proffered conditions have a reasonable relationship to the rezoning; and

3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 3. Rezoning.

A. The conditions proffered in the attached Exhibit "B" be, and they are hereby, accepted.

B. The property, as it is shown on the attached Exhibit "C" be, and is hereby, conditionally rezoned and the official zoning map be, and it is hereby, amended.

C. The foregoing rezoning and amendment to the official zoning map are expressly made subject to the performance of the conditions hereby proffered and accepted and these conditions remain in effect until a subsequent amendment changes the zoning of the property; however, such conditions shall continue if the subsequent amendment is part of a comprehensive implementation of a new or substantially revised zoning ordinance.

Section 4. Recordation.

A certified copy of this ordinance shall be recorded, by the applicant, in the name of the property owner as grantor in the office of the Clerk of Circuit Court of the City of Suffolk, Virginia.

This ordinance shall be effective upon passage and shall not be published or codified.

READ AND PASSED:_____

TESTE:_____
Erika S. Dawley, City Clerk

Approved as to Form:

Deputy City Attorney
Helivi L. Holland, City Attorney

EXHIBIT A

RESOLUTION NO. 15-04-2

CITY OF SUFFOLK PLANNING COMMISSION
A RESOLUTION TO PRESENT A REPORT AND RECOMMENDATION TO CITY COUNCIL RELATING TO REZONING REQUEST RZ09-14 (CONDITIONAL) TO CHANGE THE ZONING FROM B-2, GENERAL COMMERCIAL ZONING DISTRICT, (CONDITIONAL), TO MUD, MIXED USE DEVELOPMENT OVERLAY ZONING DISTRICT, (CONDITIONAL), FOR PROPERTY LOCATED AT 1900 NORTH MAIN STREET, ZONING MAP 25 PARCEL 45

WHEREAS, W. Dave France of Kimley-Horn and Associates, Incorporated, agent, on behalf of Kevin Hughes, Director, Department of Economic Development, applicant, on behalf of the Suffolk Economic Development Authority, property owner(s), has requested a change in zoning from B-2, General Commercial Zoning District, to MUD, Mixed Use Development Zoning District (Conditional); and

WHEREAS, the procedural requirements for the consideration of this request by the Planning Commission have been met;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Suffolk, Virginia, that:

Section 1. Findings.

A. The Suffolk Planning Commission finds that the proposed rezoning is reasonable, and warranted due to change in circumstances affecting the property, and has considered the following factors and finds that the proposed rezoning does not conflict with:

1. the existing use and character of property within the City;

2. the Comprehensive Plan;

3. the suitability of the property for various uses;

4. the trends of growth or change;

5. the current or future requirements of the community as to land for various purposes as determined by the population and economic studies and other studies;

6. the transportation requirements of the community;

7. the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services;

8. the conservation of natural resources;

9. the preservation of flood plains;

10. the preservation of agricultural and forestal land;

11. the conservation of properties and their values;

12. the encouragement of the most appropriate use of land throughout the City; and

13. the expressed purpose of the City's Unified Development Ordinance as set out in Section 31-102 of the Code of the City of Suffolk (1998), as amended, and Section 15.2-2283 of the Code of Virginia (1950), as amended ("Va. Code").

B. The Suffolk Planning Commission makes the following specific findings to the conditions of the rezoning:

1. the proposed rezoning itself gives rise to the need for the proffered conditions;

2. the proffered conditions have a reasonable relationship to the rezoning; and

3. the proffered conditions are in conformity with the 2035 Comprehensive Plan as adopted by City Council on April 1, 2015.

Section 2. Recommendation to Council.

The Planning Commission recommends to City Council that the request, RZ09-14, be:

_X_ a. Granted as submitted, and that the City Council adopt the proposed Ordinance without modification.

___ b. Denied, and that Council not adopt the proposed Ordinance.

___ c. Granted with the modifications set forth on the attached listing of specific recommendations, and that Council adopt the proposed Ordinance with such modifications.

READ AND ADOPTED: April 27, 2015

TESTE: Scott Milks

EXHIBIT B

I hereby voluntarily proffer that the development of the property owned by me proposed for reclassification under this application shall be in strict accordance with the conditions set forth below.

The following conditions (add additional sheets if necessary) are voluntarily proffered for the reclassification of property identified as Tax Map 25*45. Block_____. Parcel Number_____:

- The main entrance into the Obici Place site from Main Street shall be designed to align with Northgate Lane.
- An allocation of land sufficient for the construction and access of a typical City of Suffolk regional sewer pump station shall be reserved on the Obici Place site. The location allocated shall reasonably meet with requirements requested by the City of Suffolk Public Utilities Department while concurrently avoiding or minimizing impacts considered being detrimental to the parcel's overall development.
- Obici Place Design Guidelines, prepared by WPL & Kimley Horn, dated April 7, 2015.
- North Main Street traffic safety improvements along the Obici Place property frontage, to include raised median and a new traffic signal, in accordance with the Traffic Impact Study prepared by Kimley Horn, dated February 18, 2015.

Signed:

(Applicant)	Kevin Hughes (Printed Name)	4/15/15 (Date)
(Property Owner)	JAMES HAROLD FAULK (Printed Name)	4/15/15 (Date)
(Property Owner)	(Printed Name)	(Date)

Exhibit C

RZ09-14 ZONING/LAND USE MAP

Exhibit D

Prepared for:

Suffolk Economic Development Authority

Prepared by:

Kimley»Horn

FINAL 4/7/2015

OBICI PLACE

Design Guidelines

RZ09-14

Design Team:

CARROLL COLLINS, III, AICP

DAVE FRANCE, P.E.

JARROD KATZER, PLA, ASLA, VNLA

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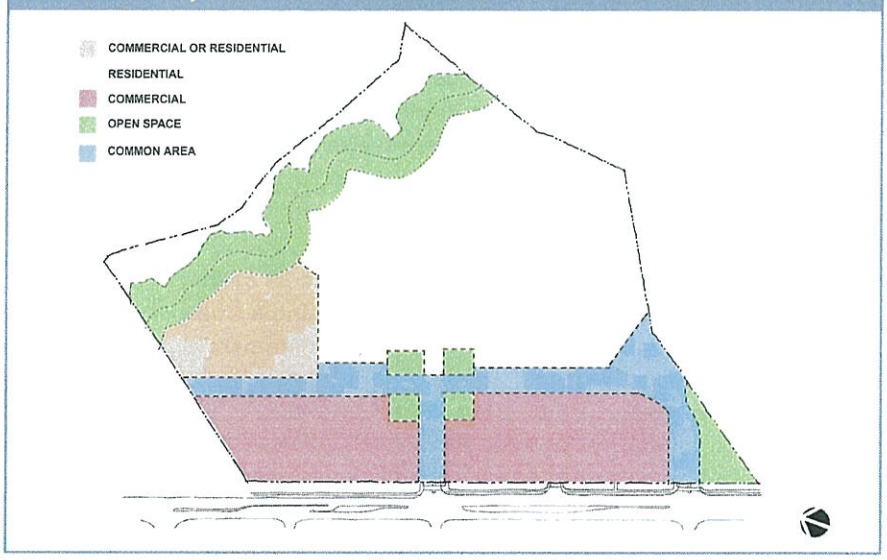
Introduction

Obici Place is envisioned to be a combination of commercial and residential elements with the potential for institutional use. By virtue of these design guidelines a development at Obici Place will attain a level of quality not necessarily afforded by conventional zoning standards. The designed proximity of residential and commercial components establishes a unique environment advantageous to those living, working, and visiting Obici Place. A variety of retail and other uses will provide an assortment of convenient services for the residents thereby creating a true walkable community that is closely positioned to retail and commercial services, plus existing park amenities. In turn, jobs created on site can potentially be filled by those same residents further enhancing the quality of life through added health benefits, traffic relaxation, and reduced pollution. This site's location along the Main Street corridor represents an opportunity to rejuvenate previously developed land into a pedestrian oriented augmentation of the City's Core Support use district and that will be supported by public transportation. Its location between the Central Suburban/Urban Growth Area's Mixed Use Core and the Route 58 Bypass makes this site viable for redevelopment. Such an improvement will repurpose valuable land left unoccupied for a number of years and will reestablish an identity for the Obici area. It is these attributes and goals that make this plan an ideal candidate for Mixed Use Development zoning commensurate with Section 31-419 of the Unified Development Ordinance. This development will provide an ideal setting for the citizens of and visitors to the City of Suffolk.

Existing Site Aerial

Obici Place Major Areas



The project is viable because it draws from outside areas, rather than scavenging off of existing businesses in the Core. In this way, it supports the Comprehensive Plan for the Core by not degrading it but rather drawing people closer to it through redevelopment of the Core Support district. Obici Place creates a walkable project in a corridor that is not currently particularly walkable. The redevelopment of the site will help connect the existing neighborhood to nearby parks, shopping, and public spaces via new interconnected public improvements and safety features. Obici Place is enabling to future redevelopment opportunities and is the start of something, not the end.

As detailed in the Market Study submitted with the rezoning application, the site is well positioned in the market for mixed use development. The EDA is currently under contract with a residential developer to fully implement the residential component of the project. The site is attractive and well located in regard to access and proximity to employment, community services, shopping, medical, and transportation routes which provide extended access to points throughout the MSA. The location, rents, and amenity package appeal to moderate and higher income families and professionals. Recent residential growth throughout the City makes it a boon market for retail development as the retail development follows this growth in "rooftops." The retailers currently along the North Main Street corridor pull from a retail trade area that represents a population of more than 100,000 and draw business from not only Suffolk but northeastern North Carolina. This project will enhance

the development of employment centers in the Core Support district desired by the Comprehensive Plan. Office development, which has been relatively flat across the region since the great recession, accounted for an impressive 11 percent of new jobs in the Suffolk economy in 2013. The Obici Place development will give new opportunities for further growth in the office market in the Core Support district as again the population growth in the City fuels the need for new and expanded employment centers, especially in the medical and institutional categories that have been active and successful in recent years in the Central Suburban/Urban Growth Area.

Obici Place is located less than a mile north of the North Main Street/ Route 58 Interchange, and is sited in the Core Support Use district within the Central Growth Area as described by the City's 2026 and proposed 2035 Comprehensive Plan. This development will occupy the site of the former Obici Hospital. As seen in the existing site aerial, it is bordered to the north by an automotive dealership, to the south by a Virginia Department of Transportation (VDOT) complex, to the east by a tributary to the Nansemond River, and to the west by North Main Street. Existing residential neighborhoods sit further out to the east of the Nansemond River and to the west of North Main Street.

The site is currently covered with dilapidated asphalt parking. With the exception the thick tree canopy lining the Nansemond river tributary, only a few mature trees grow within and around the existing asphalt coverings. Turf grass makes up the remainder of material covering the site.

GENERAL LAYOUT

Obici Place will feature two main styles of development. One will be residential and the other commercial. The specific layout and configuration of sites within those areas will be left to the site design process. For the purposes of preparing the required reports associated with the rezoning, assumptions were made about a conceptual plan of development. This is meant as a framework for analysis and is not to be interpreted as a prescriptive plan of development.

The site will be accessed by two breaks along North Main Street. The more southerly of these access points will be opposite Edgewood Avenue. This intersection will not be signalized and will be right-in-right-out. The second access point will be a signalized intersection and be constructed opposite of Northgate Lane.

Obici Place offers pedestrian-friendly and accessible modes of transportation, which matches the Place Type known as Traditional Neighborhood Center as prescribed by the comprehensive plan.

Both the commercial and residential component will be of a high quality nature. Due to limited building heights and a surface parking-only nature, land cover not dedicated to building footprint will be largely dedicated to vehicular storage and conveyance. Given this appropriation of available land it is critically important to articulate amenity and character within the interstitial spaces to convey an all-important sense of place. The following pages will be an expression and directive in support of the planning and construction that will deliver on this edict.

Open space offers a variety of benefits in the form of cultural preservation, stress management and increased property values on adjacent lands just to name a few. The City of Suffolk's Comprehensive Plan spells out the initiative to establish, enhance, and preserve open space. The Obici Place development will provide opportunity for several open space configurations. A mini-park is envisioned at the southern end of the site between the main entrance and the VDOT complex. Linear parks are anticipated parallel to the internal feeder road. This arrangement will serve both residential and commercial components positioned on either side. Office buildings may incorporate small park-like areas along their periphery. The land immediately adjacent to a stormwater pond as well as the interstitial spaces between residential buildings will afford open space specifically to Obici Place residents. A distinctive asset in open space quality exists with the marsh-front, wooded land to the northeast. Connection between these spaces and those found outside Obici Place is instrumental to the City's goals. Private open spaces lead to smaller public open spaces. Pathways will then lead to larger neighborhood and regional public open spaces. All will be accessible by multiple modes of travel depending on place type, including pedestrian, bike, public transit, or private vehicle. A system of sidewalks, crosswalks, and trails will connect Obici Place's open spaces with each other and with existing open spaces such as the Constant's Wharf and Marina or Lake Meade Park.

These design guidelines are organized in direct response to, and in the order enumerated by those topics prescribed by Section 31-419 (i) and (j) of the City of Suffolk's Unified Development Ordinance.

Massing

NON-RESIDENTIAL USES

The commercial district buildings in Obici Place will possess a village scale and character sensitive to the scale and livability of the adjacent multi-family residential development. The buildings shall be designed at a moderate scale appropriate to both pedestrians and automobiles, and should encourage walkability as part of the Core Support District. Street front functional and visual continuity shall be maintained, and all projects shall be sympathetic in form, scale, and height to adjacent structures. Structures higher than one story shall be designed to minimize their visual bulk and relate to the human scale of pedestrians on the street. Multi-tenant complexes shall be designed to emphasize an overall sense of project and place, rather than the prominence of individual tenants. Buildings shall be oriented to North Main Street. If placement behind structures is not possible or practical, the preferred parking placement is adjacent to the structures in order to maintain the presence of active uses along North Main Street.

Buildings that Relate to a Pedestrian Scale

Building Shape, Form, and Placement

A. Buildings should be located in areas of high visibility from North Main Street and should be oriented along the right-of-way while taking into consideration pedestrian and automobile accessibility. Frontages should align along the street or parking lot while still allowing varying setbacks for facades and the accommodation for outdoor cafes and public amenities such as plazas and promenades.

Accessibility

B. Every effort shall be made to space buildings no fewer than 10 feet and no more than 70 feet apart when located along a right-of-way.

C. Drive-through operations shall be strategically placed to avoid stacking traffic onto adjacent roadways. They should be located on corner parcels when possible and should be built out to both fronting property lines.

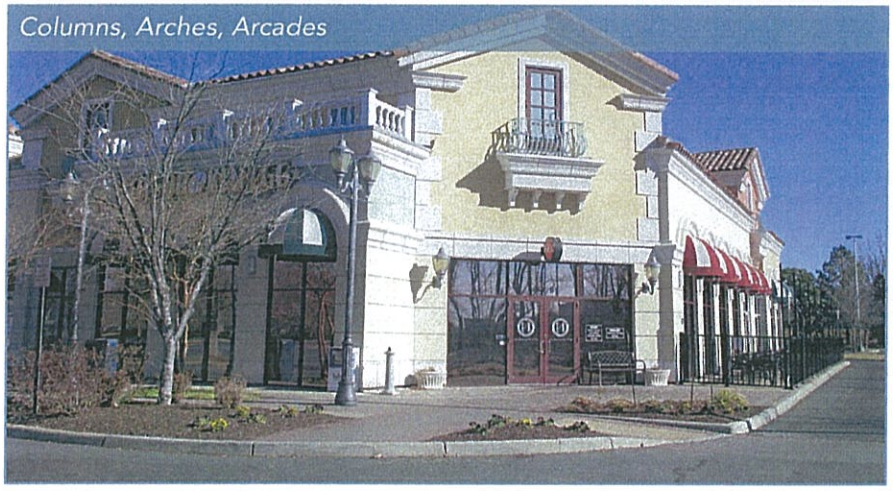
D. Orient buildings to avoid blank walls and service areas which are visible. When blank walls are unavoidable, add pilasters, trellises, and/or lattices along with planting to make the facades more attractive. The blank wall/space also could be articulated by the provision of blank window openings trimmed with frames, sills, and lintels. See Façade Treatments section.

E. Avoid building design which consists largely of boxes with applied design elements.

F. Standalone buildings shall have façade treatments on all four sides.

G. Break overall building masses and large wall surfaces into segments with either varying setbacks, the application of projecting elements onto the façade wall, or through the addition of other architectural elements such as colonnades, loggias, etc. See Façade Treatments section.

Blank Walls


Columns, Arches, Arcades

H. Buildings of smaller mass shall be located within the field of the block between larger buildings or anchor tenants. Anchor tenants should be located at corners or along arterials.

I. Double-fronted buildings are encouraged along the right-of-way of North Main Street.

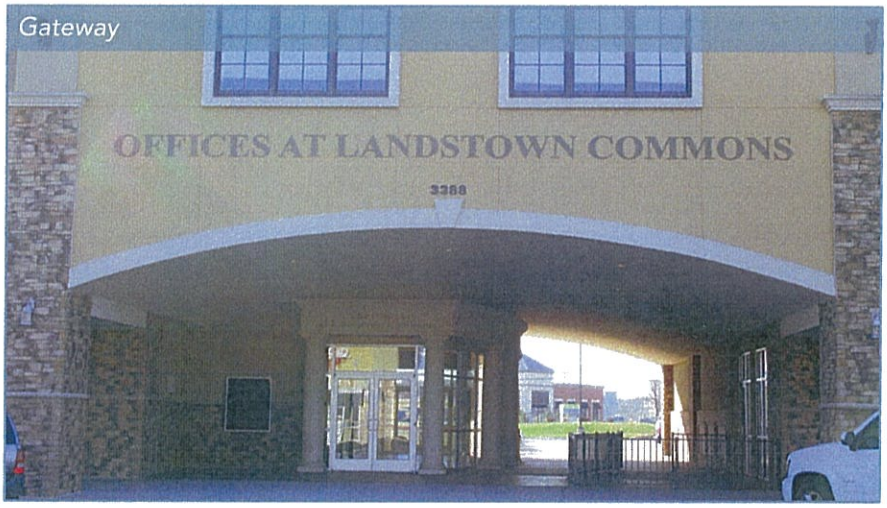
J. Locating building massing to establish gateways at main entrances is preferable. The placement of buildings should create view corridors into the development.

K. The placement of buildings at odd or irregular angles to public rights-of-way is discouraged. Where building orientation is placed at an odd or irregular angle to the right-of-way, appropriate pedestrian scale landscape and hardscape features shall be incorporated to create and maintain a walkable and pedestrian-friendly environment.

L. Corner buildings should take advantage of their prominent locations with angled, rounded, or recessed corner entrances or other small setbacks. Buildings shall be oriented to public rights-of-way or access roads that share the same context as the public rights-of-way. At the signalized intersection with Northgate Lane, the buildings shall be built out to the Main Street and entrance road property lines.

Building Scale

A. Varied building and parapet heights shall be provided, although extreme differences in building height adjacencies will be avoided. There is a need to provide a visual transition between varying heights that contribute to a pleasant overall rhythm of the frontage.

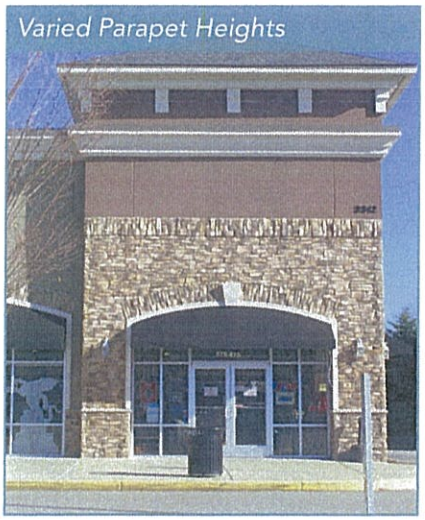


Gateway

View Corridor

B. The buildings shall be designed at a moderate scale appropriate to both pedestrians and automobiles, with one- to two-story buildings in the commercial district.

C. Two-story structures shall be designed to relate to the human scale of pedestrians on the street by using differing façade treatments at the pedestrian level. The greatest level of detail is required at the pedestrian level.


Varied Parapet Heights

D. A building wall's height should not be less than one-fourth of the width of the street environment or open space being enclosed. The height of the walls should generally not exceed the width of the space they enclose, unless the walls are stepped back to open views of the sky above. Enclosure provided by higher walls will only be used to create a more intimate outdoor room, and in these cases additional amenities or furnishings should be provided to create an inviting social space.

Roof Configuration

A. All roof equipment must be screened to minimize its visual impact on views from public rights-of-way.

B. Locate equipment in recessed roof wells or hide equipment behind parapet walls so that it cannot be seen from the street.

C. Roof screens should be constructed from materials as similar to the building walls as possible, and should be designed to appear as an

Varied Building Heights

architecturally integrated part of the building rather than an added-on element.

D. In cases where mechanical wells or parapets of sufficient height to screen equipment are not possible, equipment will be clustered and placed as far as possible from building edges. The visible equipment will be painted a color that will blend the equipment visually with the backdrop (e.g., pale blue for elements seen against the sky.)

RESIDENTIAL USES

The residential portions of Obici Place will be designed to feel like a neighborhood that is safe and secure, yet allows access to all the amenities and features close to home. New building elements that relate to the size of a person will be used. A visual transition between the commercial district and the residential district will be taken into account when designing for building shape, form, and massing.

A. Include elements such as bays, trellises, horizontal banding, and ornamentation to provide a sense of human scale. See Façade Treatment section.

B. Building elements should visually relate to each other and to the whole building in simple and organized ways. Avoid incongruent arrangements, such as when upper floors bear little compositional relationship to the ground floor, or when multiple roof forms do not relate to how the building is organized.

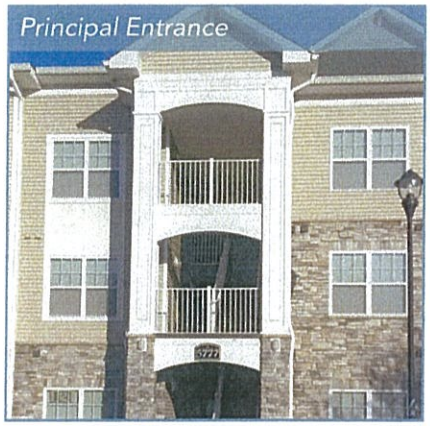
Visual Transition from Commercial to Residential Districts

C. Multi-family buildings shall be designed at a moderate scale appropriate to both pedestrians and automobiles, with a maximum of four stories in the residential district.

D. The minimum distance between buildings shall be 15 feet.

E. Principal entrances should be highlighted and the size of openings should generally reflect the size and importance of the associated interior space.

F. Porches and balconies should be used to serve as a transition between public and private spaces.


Principal Entrance

Off-Street Parking

Porches and Balconies

Small Plazas and Open Spaces

G. Selected small plazas and open spaces may be provided for gathering areas, and pedestrian connectivity to both the residential area and the commercial development should be included.

H. Buildings should be generally oriented along the drive aisles while taking into consideration pedestrian, automobile accessibility, and amenities such as plazas and promenades.

I. The placement of buildings should create view corridors into the development.

J. The placement of buildings at odd or irregular angles to rights-of-way is discouraged. Where building orientation is placed at an odd or irregular angle to the right-of-way, appropriate pedestrian-scale landscape and hardscape features shall be incorporated to create and maintain a walkable and pedestrian-friendly environment.

Façade Treatment

NON-RESIDENTIAL USES

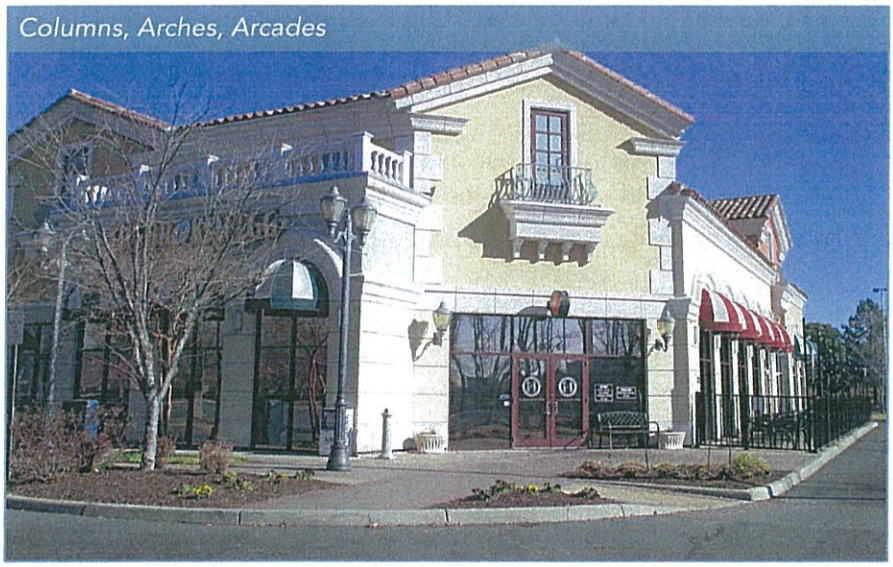
Buildings are encouraged to be mainly of masonry construction (stucco, brick, or stone), with window and door openings designed as individual units. The main facades should incorporate architectural elements that create a better human scale. These elements can include but are not limited to columns, arches, arcades, and articulation of individual storefronts within the larger facade. Elements which enhance the pedestrian walking zones such as arcades, overhangs, and awnings are strongly encouraged. Buildings throughout the commercial district should face the street, with strong pedestrian orientation, providing opportunities for window shopping, outdoor dining, and clear, inviting front doors.

Styles

A. Maintain continuity of design, materials, color, form, and architectural detail for all elevations of a building that are visible from public areas or adjacent residences.

B. Where continuity of design is difficult to achieve, substantial planting will be provided to screen the area.

C. The greatest amount of detail should be presented at the street-level. Features that may be incorporated include overhangs, raised cornices, parapets, arcades, arches, canopies, recesses or projections, display windows, etc.


Columns, Arches, Arcades

D. Flat roofs located behind parapet walls are encouraged. These roofs provide a location for mechanical equipment where it can be hidden from view. Designers are encouraged to articulate the parapet wall as of a means of adding interest to the building facade. Other roof configurations, including pitched roofs, shed roofs over arcades, and pitched roofs on entry-point towers are also encouraged.

E. Use applied and integrated design elements, such as exposed rafter tails on sloped roofs, cornice moldings, or applied medallions.

Street Level Detail

Frontage and Fenestration

A. Consistent fenestration among buildings should be maintained. Rhythms carried throughout the block, such as those established by storefront, window, and door spacing, shall be kept similar to other rhythms of adjacent buildings.

B. Building design should provide a base, middle, and top. As well as providing visual order to the building, this encourages a pedestrian scale and a sense of comfort to the pedestrian.

C. The height of the base should be proportional to the overall height of the building.

D. Linear elements and horizontal projections shall continue visually from one building to another although they need not align precisely.

E. Façade design should vary, rather than presenting a single face along the frontage. Treat commercial street-facing facades which exceed 50 feet in length as though they were constructed on individual parcels no wider than 50 feet.

Storefront Rhythm

Facade Design Should Vary

F. Wall plane projections or recesses should have a depth of at least 3 percent of the length of the façade, and should extend at least 20 percent of the length of the facade.

G. Windows, doorways, bays, and pediments should not vary more than 10 percent in size from windows, doorways, bays, and pediments in adjacent buildings.

H. The size of facades facing the public right-of-way or parking lot should be similar in area and height-to-width ratio. The largest façade should not vary more than 30 percent in size from the smallest façade.

I. Buildings on corner lots should address the corners with main entrances, chamfered, or curved building corners. Articulating the building corners with windows, towers, turrets, etc. is encouraged.

J. Buildings should have their main entrances along the street where the most pedestrians will be entering, but double-frontage buildings are allowed and encouraged.

K. The front doors of buildings shall reflect the scale, placement, and proportions of adjacent buildings; recessed entrances are encouraged. The size of entries facing the public right-of-way or parking lot should not vary by more than 30 percent in size and shall not vary more than 30 percent from grade elevation.

L. Doors and entryways of buildings shall be compatible with the overall style and character of the façade.

Articulated Building Corner

M. A minimum of 50 percent of a required entrance must be transparent.

N. Windows shall complement the architectural style of the building.

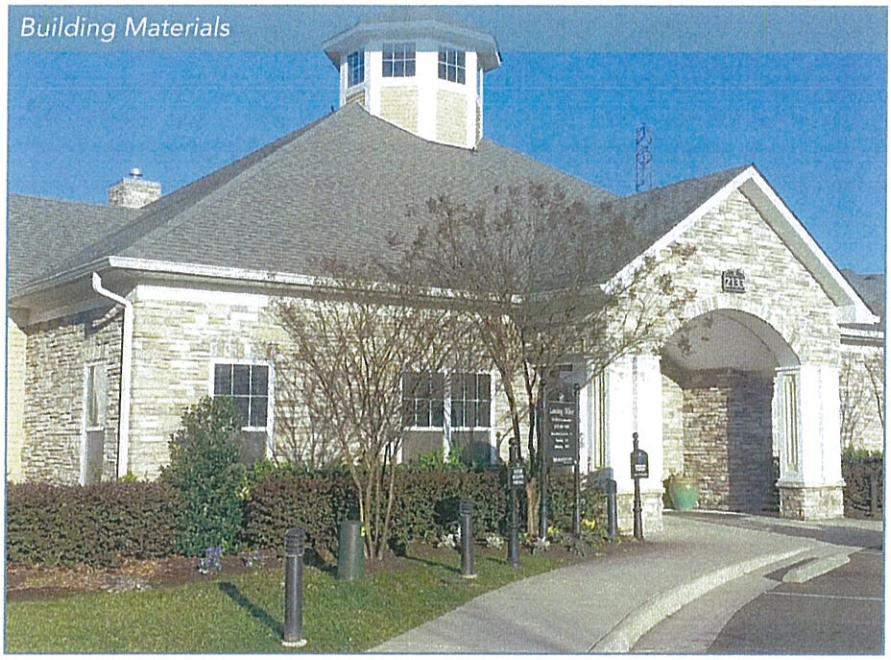
O. Ground floor windows can be used for displays. However, business owners shall allow full and unobstructed views into their businesses. Completely obstructing windows from the interior of a building with shelving, display cases, signage, or other objects is not permitted. Instead low or pass-through displays will be designed.

P. The minimum percentage of windows and doors that must cover a street-facing ground story façade is measured between 2 feet and 12 feet above the ground elevation. The percentage of transparency required is between 60 percent and 90 percent.

Materials

A. The buildings should be constructed of masonry building materials such as stucco, brick, architectural concrete (e.g., architectural grade pre-cast concrete, cast stone, or pre-cast concrete finished with an elastomeric coating system), or natural stone. These materials shall be used on all sides of the building. Many other high-quality materials also are allowed, such as ceramic tiles and high quality coated architectural metal panel systems (above the first story only).

B. Secondary or accent exterior building materials may be stainless steel, copper, bronze, brass, or painted steel. Mortar and caulking colors shall be compatible with the predominant material.



C. Certain materials are discouraged as wall materials, including woods that will rot, fluted block, EIFS, or Dryvit (except on upper story).

D. Doors and windows should be glass and aluminum (painted) storefront, high-quality steel and glass systems, high-quality woods such as plantation grown teak or mahogany, and brass, bronze, or stainless steel.

E. Window glazing shall be clear or slightly tinted. Dark, mirrored, or reflective glass is not permitted.

F. Flashing, gutters, and downspouts are encouraged to be designed as one internal, non-visible system of the building.

G. Colors selected will be that of the materials permitted above, or a range of earth tones achieved from the use of the appropriate building components.

H. Color should be used to unite the elements of a façade and to highlight architectural features. However, the colors on individual buildings should complement and be compatible with the predominant hues of nearby buildings. Darker or lighter hues may be used as accent trim.

RESIDENTIAL USES

Residential uses are encouraged throughout Obici Place. Primary building entrances should be at or near the sidewalk. Residential entrances that face streets or pedestrian paths, whether shared or for individual dwellings, should be accompanied by a covered porch, stoop, veranda, or other features that highlight entry points, offer rain protection, and encourage interaction between neighbors.

Frontage and Fenestration

A. Primary building entrances will be visibly emphasized, architecturally embellished, and accessible from a street and sidewalk to the extent feasible.

B. Ground floor units should be elevated above finished grade to provide a sense of privacy and security from the street.

C. Entrances that cannot face a public street and sidewalk should face an internal pedestrian path that connects directly to a street and sidewalk. Internal pedestrian paths may be accompanied by courtyards or plazas.

D. Visually prominent exterior corridors that provide access to multiple units on upper floors are discouraged.

E. Front doors (individual or shared) should have a substantial appearance. Avoid flush face doors. Front doors leading to the outside should generally incorporate panels, windows, or be accompanied by adjacent windows so occupants can see out.

Primary Building Entrance

F. Railings, balustrades, posts, and columns should be similar in form and color throughout the development. Posts and columns should have a substantial architectural appearance.

G. Gabled, hipped, or shed roof types should be used and may be accompanied by dormers.

H. Eaves should be incorporated into the design to create shadow. Deep eaves are encouraged when gabled, hipped, and shed roofs are used.

I. Long building fronts will use projections or recesses, compose windows, space chimneys, and/or use other devices to set a rhythm at smaller intervals. The maximum width (as measured horizontally along the building's exterior) without building modulation shall be 50 feet.

J. Bay windows, cornices, and other architectural projections are encouraged.

K. All buildings should clearly express a base, middle, and top.

L. The design of the base should convey its loadbearing function, such as through the use of materials such as brick or stone, darker colors, or deep joints in masonry or stucco.

M. The middle of a building can be much taller than the base or top, and should have the appearance of being lighter than the base through the use of color and materials.

Base, Middle, Top Clearly Expressed

N. The top creates a prominent visual termination for the building, and can add interest through carefully considered roof forms, cornices, eaves, and parapets. Roof pitch, and its materials, size, and orientation are all distinct features that contribute to the character of a roof.

O. Uninterrupted exterior surfaces exceeding 35% of the total span are prohibited. Blank walls devoid of fenestration are prohibited.

P. Clear glass windows should face streets, plazas, courtyards and/or pedestrian passages. Recess windows from façade or trim to add shadow and visual interest.

Materials

A. High-quality, durable materials that age well should be used. Materials and applications that will discolor should be avoided.

B. Exterior finishes should be wood, brick, stucco, architectural pre-cast stone, masonry, natural stone, cement board (e.g., Hardy-plank), or heavy vinyl. Metal panels (including corrugated metal), reflective glass, and glass curtain walls shall not be used.

Exterior Finishes

C. Select base colors that blend with the predominant colors and features of surrounding buildings and landscape. Don't detract from buildings in the vicinity, especially if they are designated as architecturally or historically significant.

D. Bolder colors should be reserved as accents for building details, ornamentation, or special features to reduce the perceived bulk of structures.

E. Consider articulating or emphasizing building corners with quoins, medallions, brick, or stonework.

F. Double-hung, awning, or casement type windows are preferred. Window frames should be wood, vinyl, fiberglass, or colored clad metal. Bare metal should not be used except when used intentionally as a modern, industrial, agricultural, or vernacular expression. Glass should be clear and non-reflective, and mirrored glass should not be used.

Streetscape

Obici Place will have three vehicular travel ways requiring their own signature look and feel. This section will discuss articulation of the immediate periphery and the median contents of those travel ways. Crosswalks also will be discussed in this section. Please refer to the Streets section of these guidelines for all other roadway related matters including Street Sections.

These three principal travel ways are:

- North Main Street
- Central access road opposite Northgate Lane
- Internal feeder road

The internal feeder road will have two vocabularies . The first of these will cover the site access point opposite Edgewood Avenue. The second will cover the larger portion of this feeder road interior to the site.

A. North Main Street

These standards will focus on the east side of North Main Street and the median. For future developments west of North Main Street, consideration should be given to emulating the standards set forth in this guideline. The forgoing standards will be in addition to the City of Suffolk's standards for roadway construction and plant material. The North Main Street streetscape will have five zones:

1. The medians will vary in width as necessitated by traffic control. Vegetation should be applied for back-of-curb to back-of-curb distances greater than 3 feet, 6 inches wide. Widths less than 3

feet, 6 inches will be infilled with concrete flush with the top-of-curb per standard roadway construction techniques. Vegetation will be applied in the appropriate locations not planned with other standard roadway appurtenances. Shrub and groundcover plant material will not exceed 2 feet, 6 inches in height, either as a product of pre-existing maintenance guidelines or in their natural, mature growth. Trees with canopies will not be greater than 20 feet in mature spread and will be limbed to maintain views. Vegetation will be placed to encourage the use of crosswalks but not to restrict emergency pedestrian egress from travel lanes. Vegetation in the form of turf is allowable commensurate with municipal maintenance resources.

2. Excepting intersection areas, a turf zone not less than 4 feet wide will be designated between the back-of-curb and sidewalk. Standard roadway appurtenances such as signs and utility pedestals may occupy this zone. Vegetation other than turf is not permitted. The slope between sidewalk and back-of-curb will not exceed 5 percent and turf will be flush with both sidewalk and top-of-curb with no mounding or berming in between.
3. A concrete sidewalk not less than 5 feet wide will be constructed along the entire Obici Place frontage with North Main Street. This walk will be constructed within the North Main Street right-of-way.
4. The zone between the sidewalk and on-site improvements will consist of lateral walks connecting the frontage walk with on-site walks, utilities in support of Obici Place improvements, berming, tree, shrub, and groundcover planting as necessary for screening or aesthetic structure and signage. Street trees also will be placed within this zone. Items to be screened will include not less than three tiers of shrub and groundcover material with the species closest to the screened item being the tallest in its habit and evergreen in its persistence.
5. Crosswalks make up the fifth zone of this streetscape arrangement. The finish and pattern used on the sidewalk should continue onto the curb ramp with the exception of the detectable warning devices prescribed by accessibility standards. For paired ramps at an intersection, a two curb ramp (non-shared) configuration will be employed as a measure of safety. With any curb ramp, flared sides will only be employed when those flared sides abut a paved walking surface at the top edge. A curb-return (non-flared side) configuration will be used otherwise. Crosswalk finishes within the travel way will consist of stamped concret or concrete or brick paver configuration in a continuous herring bone field and of a color distinguishable from the travel lane pavement. Crosswalks should continue through the nose of the median in lieu of running in front of the nose to provide an additional measure of protection for pedestrians.

B. Central Access Road Opposite Northgate Lane

The intersection of this travel way with North Main Street will be signalized. This streetscape will be characterized by its traffic calming needs given the five crosswalks crossing its travel lanes. Two lanes in will become a left-straight lane and a right-only lane. One lane out will become the same. The central access road streetscape will have five zones:

1. Median construction along the central access road will commensurate with standards established in item A.1., with the exception of land cover standards associated with a variable width median, the minimum tree canopy spread, and the allowance for turf. The adjustments to item A.1. are as follows: median width will be non-variable and will be planted with tree species having canopies not exceeding 15 feet in mature spread, shrubs, and groundcover plantings. Turf and concrete infill are not permitted. Signage and utility pedestals are permitted in support of Obici Place.
2. A variable width, vegetated zone will be incorporated between back-of-curb and sidewalk. This zone will be populated with tree species having canopies not exceeding 15 feet in mature spread, shrubs, and groundcover plantings as appropriate for the width at a given point. Turf and concrete infill are not permitted whereas signage and utility pedestals are permitted in support of Obici Place.
3. A sidewalk not less than 5 feet wide will be constructed from intersection to intersection on both sides of the travel way. This walk will be constructed with a concrete or brick paver. A brick paver configuration will be in a continuous herring bone field, and bound with a minimum 9 inch concrete band flush with the paver surface and surrounding grade. This sidewalk will be constructed within the central access road right-of-way.

4. The zone between the sidewalk and adjacent improvements will consist of lateral walks connecting to adjacent walks or building aprons; utilities in support of Obici Place improvements; appropriately sized tree, shrub, and groundcover planting as necessary for screening; adorning building foundations; or aesthetic structure. Signage also is permitted. Items to be screened will incorporate species evergreen in their persistence and appropriate for the height of the item being screened.
5. Crosswalk construction will commensurate with standards established in item A.5.

C. Internal Feeder Road (Opposite Edgewood Avenue at Site Access Point)

The internal feeder road at the site access point will have five zones:

1. Median construction along this portion of the internal feeder road will commensurate with standards established in item A.1., with the exception of land cover standards associated with a variable width median, the minimum tree canopy spread, and the allowance for turf. The adjustments to item A.1. are as follows: median width will be non-variable and will be planted with tree species having canopies not exceeding 15 feet in mature spread, shrubs, and groundcover plantings. Turf and concrete infill are not permitted. Signage and utility pedestals are permitted in support of Obici Place.
2. A variable width, vegetated zone will be incorporated between back-of-curb and sidewalk. This zone will be populated with shrub, groundcover, or turf plantings as appropriate for the width at a given point. Concrete infill is not permitted. The area south of back-of-curb and within the right-of-way will be constructed with a sidewalk and a turf-only verge between sidewalk and back-of-curb. Within the open space to the south, trees with canopies not exceeding a 20 feet in mature spread, shrubs, and groundcovers are encouraged and turf will be permitted as infill. Signage and utility pedestals are permitted in all areas within this zone in support of Obici Place.
3. A concrete sidewalk not less than 5 feet wide will be constructed on both sides of this site access point.
4. The zone between the sidewalk and adjacent improvements will consist of lateral walks connecting to adjacent walks; utilities in support of Obici Place improvements; appropriately sized tree, shrub, and groundcover planting as necessary for screening; adorning building foundations; or aesthetic structure. Signage and utilities also are permitted. Items to be screened will include not less than three tiers of shrub and groundcover material with the species closest to the screened item being the tallest in its habit and evergreen in its persistence.

5. Crosswalk construction will commensurate with standards established in item A.5.

D. Internal Feeder Road (interior to the site)

This streetscape will help join the residential and non-residential components of this development. This section of the feeder road will consist of two opposing travel lanes, two parking lanes, and no median. The Internal Feeder Road streetscape will have four zones:

1. A concrete sidewalk not less than 5 feet wide will be constructed immediately adjacent the parallel, on-street parking. This sidewalk will extend to adjacent intersections and will connect with trail systems and residential sidewalk systems. This side walk will be constructed within the Feeder Road right-of-way. As this concrete sidewalk reaches the intersection with the Central Access Road, it will be constructed with concrete or brick paver. A brick configuration will be in a continuous herring bone field and bound with a minimum 9 inch concrete band flush with the paver surface and surrounding grade.
2. Shoulders protrude between parallel parking end points and access points. These shoulders may accommodate a crosswalk with vegetation or only vegetation in the form of shrubs and groundcovers. Turf or concrete infill is not allowed.
3. The zone beyond the sidewalk (leading to parking areas to the west and residential areas to the east) will accommodate features such as brick or concrete paver sitting areas. These areas will be furnished with benches, trash receptacles, screened with evergreen shrubs, and fitted with pergolas. This zone will also be vegetated with canopy trees, flowering trees, shrubs, groundcovers and turf. Utility pedestals are permitted in all areas within this zone in support of Obici Place. Items to be screened will incorporate species evergreen in their persistence and appropriate for the height of the item being screened.

Vegetated Sidewalk

4. Crosswalk construction will be commensurate with standards established in item A.5.

E. The following items apply to all streetscapes where prescribed in the zones above:

1. Standard roadway appurtenances such as signs and utility pedestals will be placed in accordance with the Signs section and the Utility section of this guideline, plus the City of Suffolk and VDOT standards.
2. Pavement surfaces will be constructed in accordance with current City of Suffolk Public Works standards.
3. Utilities will be screened with respect to clear zones, if applicable.
4. Site distance triangles will be recognized at all intersections.
5. Planting will be in accordance with the Landscape Design section of these guidelines.
6. Planting guidelines will be in addition to the City of Suffolk Landscape standards when placed within public right-of-way. Street trees will be placed within public right-of-way in accordance with City prescribed street tree species. Where conflicts between these guidelines and City right-of-way standards exist, City standards will prevail.

Entrance Median

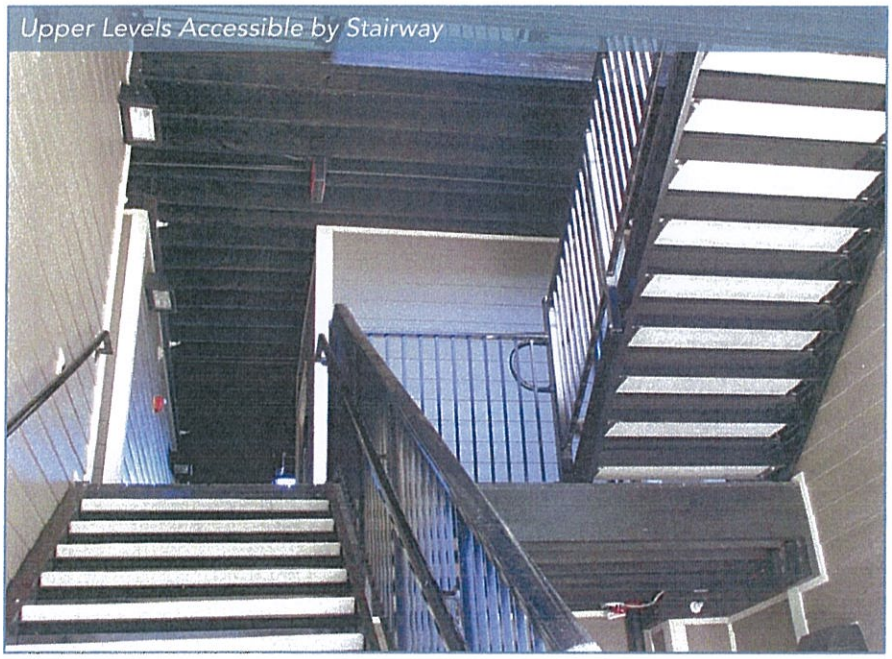
Entrance Lanes

Pedestrian Orientation

The non-residential areas of the development may be a mix of single and multi-story buildings. In two-story buildings, retail should be placed on the first floor to encourage pedestrian access. In single-story buildings, pedestrian access is implied.

The residential development will include both three- and four-story buildings. Second-story and above levels will be made accessible with the use of staircases in each building. Elevators are encouraged for enhanced accessibility to second-story and above levels.

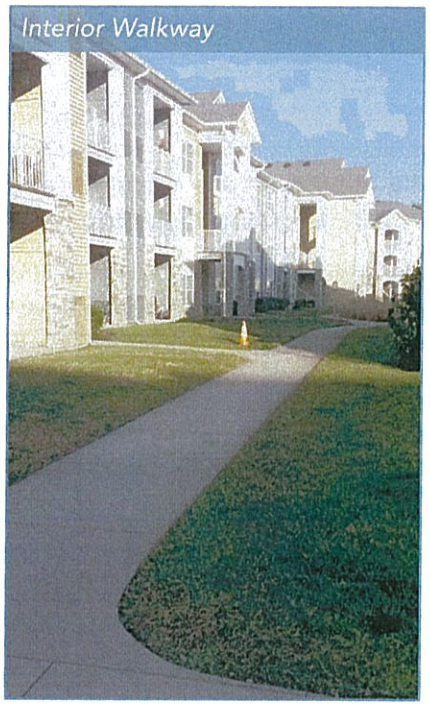
For any use, ADA guidelines will further ensure ease of pedestrian movement both within the building, the building's curtilage, and within the paved surfaces on site.


Upper Levels Accessible by Stairway

A. Buildings

1. Buildings entrances will be located within 75 feet of any parking area.
2. Access to buildings from exterior paved surfaces will comply with ADA guidelines and International Building Code (IBC) regulations.
3. All buildings, regardless of use, will be connected with a system of walks, crosswalks, ramps, and building aprons.

Crosswalk and Sidewalk


Interior Walkway

B. Walks

All walks within and outside of right-of-way will be constructed in accordance with current City of Suffolk Public Works standards.

1. Walk material will include concrete or brick paver configuration in a continuous herring bone field, and bound with a minimum 9 inch concrete band flush with the paver surface and surrounding grade.
2. As an alternative, standard concrete walks may be constructed. Efforts should be made to include paver accenting within standard concrete walk construction.
3. Walks in the non-residential areas will be a minimum of 5 feet wide.
4. Walks in the residential areas will be a minimum of 5 feet wide.
5. Walks will include the top-of-curb in their width calculation when they abut curbing.
6. Every effort will be made to ensure no walk exceeds a 1:20 longitudinal slope. Where walks exceed this slope they will be fitted with a handrail.
7. No walk will exceed a 1:12 longitudinal slope.
8. Walks will be laterally sloped sufficient to ensure proper drainage.
9. Walks will be constructed and maintained free of obstructions and trip hazards.

C. Other Paved Surfaces

Other paved surfaces include but are not limited to courts, aprons, plazas, or any paved surface intended for pedestrian use and conveyance that are not considered walks. All paved surfaces within and outside of the right-of-way will be constructed in accordance with current City of Suffolk Public Works standards.

1. Other paved surfaces used will not exceed a 1:20 slope and will ideally conform to a range of 1:50 to 1:33 slope.
2. Other paved surfaces intended for pedestrian use will be sloped sufficient to ensure proper drainage.
3. Other paved surfaces will consist of concrete or brick paver configuration in a continuous herring bone field, and bound with a minimum 9 inch concrete band flush with the paver surface and surrounding grade. Other paved surfaces will be constructed and maintained free of obstructions and trip hazards.
4. Other paved surfaces within the residential area may deviate from item C.3. in the interest of creating spatial character.
5. Other paved surfaces will be connected to the walk system.
6. Stamped pavement in the public right-of-way shall be color-dyed concrete.

Paved Surfaces

D. Outdoor Furnishings and Amenities

1. Pedestrian-oriented furnishing and amenities such as benches, trash receptacle, and pedestrian lighting will be placed judiciously throughout Obici Place in accordance with standard design practice. Refer to the Utilities section for additional guidelines on lighting.
2. Furnishings and amenities will be selected with pedestrian comfort and convenience in mind. Style can vary between the residential and non-residential areas only. See the Structures and Furnishings section for guidelines on furnishings.

Pedestrian-Oriented Furnishings

Ground Floor Uses

For buildings containing multiple stories, the ground floor is typically reserved for commercial, retail, and office uses. The upper stories are typically residential but also can be used for commercial and office uses. Corner and end-unit buildings should be larger tenant anchors. Auto-dependent, regional uses and smaller, neighborhood-oriented stores can be accommodated in the Obici Place commercial district. In the residential district, ground floor residential units should be elevated above finished grade to provide more privacy from the street and sidewalk.

NON-RESIDENTIAL

A. Mixed-use
B. Office
C. Neighborhood-scale retail
D. Community facilities
E. Civic buildings
F. Outdoor common areas

RESIDENTIAL

A. Multi-family
B. Single-family attached
C. High-density single-family detached
D. Outdoor common areas
E. Clubhouse and resident amenity facilities

The designations above represent broad use categories. Please see the Land Use section of these guidelines for a complete list of specific uses that may be appropriate for the ground floor.

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Access

Obici Place will be accessed predominantly via personal automobile from North Main Street, also known as Route 460 business. Once on site, pedestrian circulation will become the primary means of accessing various amenities and facilities.

A. Auto Access

Automobiles can primarily access Obici Place via entranceways which are sited opposite of Edgewood Avenue and Northgate Lane.

1. The entranceway opposite Edgewood Avenue will provide sufficient space for users to access the internal feeder drive of Obici Place. Parallel parking spaces and surface lot entrances will be accessed from this feeder drive, allowing for automobile parking and subsequent pedestrian dispersal.
2. The Northgate Lane entranceway will guide traffic to the center of the Obici Place development. Traffic will have sufficient access to the northern and southern outparcel areas and will be able to access the residential component to the east. This entranceway may be perceived as the primary entrance to the site.
3. Parking lots will have designated entrances along the internal feeder drive of Obici Place. Appropriately sited ADA-compliant parking spaces will provide no less than the minimum required number of accessible spaces in the parking lots per ADA guidelines.

B. Public Transit

A bus route will introduce an alternate option for site access.

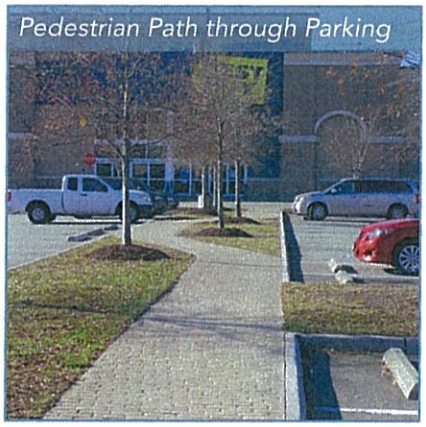
1. The bus route will be located along North Main Street.
2. The bus stop will be designated with adequate signage, a noted bus schedule, an open fronted shelter, and appropriate seating.
3. A City bus should access the designated stop multiple times throughout the day, and should follow a route that leads to places of interest and connects with additional City bus routes.
4. The bus stop and City bus will be compliant with any and all ADA accessibility requirements.

C. Pedestrian Access

Obici Place should be as walkable as possible to encourage use by pedestrians.

1. Parking lots should have designated and apparent pedestrian walkways to guide users through the lots to site amenities.
2. Curb cuts and ramps should be appropriately placed to increase ease of access for users with disabilities.
3. Sidewalks and crosswalks will provide an unobstructed path guiding pedestrians to site components such as residential and outparcel structures, public transit areas, seating areas, bike racks, open spaces and alike."

Raised Crosswalk


Pedestrian Path through Parking

Curb Cut Ramp

Landscape Design

TREES

Trees are an integral part of any development since they provide scale, spatial definition, shade, groundwater stabilization, evapotranspiration, and other social and ecological benefits to a site. Trees bring a remarkable sense of value to any real estate, and depending on the species selected and their location, they can extend the architecture of the building into the site and make outdoor spaces generally more interesting and enjoyable. Trees should be regarded as essential building materials for any outparcel or residential land development. The following standards apply to trees in Obici Place:

A. Trees should be planted on an established spacing and coordinated with the pavement design and lighting.

B. Trees will be located to promote shade and to create a uniform street edge or pleasing composition for the overall site.

C. Trees will be placed in large, linear tree verges where possible in lieu of tree wells which restrict tree root growth and deter longevity of the trees.

D. Street trees shall be spaced evenly along the right-of-way and spaced at regular intervals at no more than 50 feet apart.

Trident Maple Tree

London Plane Tree

E. For areas where trees are restricted to tight spaces, compacted soils, or tree pits, the use of structural and horticultural soils will be used to promote better tree health. Use root barrier where trees come closer than 4 feet to a sidewalk or curb to reduce root upheaval and cracking of the pavement structures.

F. If tree grates are required, ensure grates are ADA compliant and that the tree pit soil elevations are several inches below the grate.

G. Plant sizes shall follow the City's Landscape Standards. Refer to Article 6, Section 31-603 of the Unified Development Ordinance.

H. Small ornamental and flowering trees shall be spaced no more than 18 feet apart.

I. Small ornamental trees and columnar-shaped trees shall not be used in parking lot islands since they do not efficiently shade the pavements as compared to the larger street trees.

J. Plantings and trees in particular, shall be coordinated with lighting and underground utilities.

K. Mulch rings or earthen saucers around trees shall be eliminated when trees are installed within plant beds.

L. Tree root crown shall be located no more than 1 inch above the adjacent mulch grade.

M. Trees will be fully installed within a mulch bed and not mounded up significantly higher than adjacent grade.

N. The City's Unified Development Ordinance, Article 6, Section 31-603 Landscaping Standards are incorporated into these guidelines by reference.

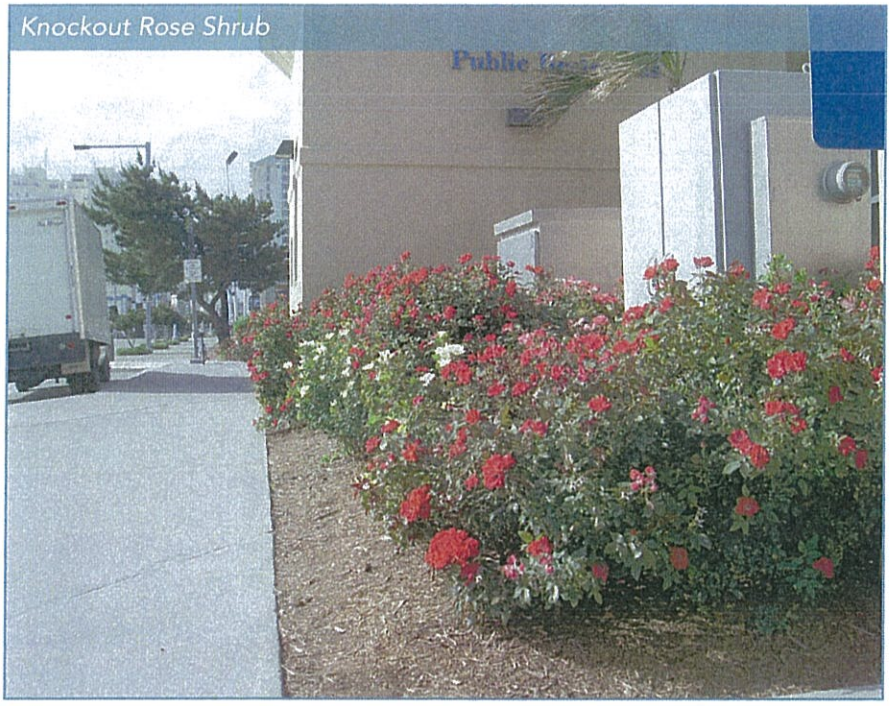
SHRUBS, GROUNDCOVERS, PERENNIALS, AND ANNUALS

The plant palette for general development should be simple and consistent. It should be supplemented with other plant options for interest, but some basic plant species and compositions should be carried throughout the site. Below are some basic requirements for shrub plantings:

A. Each plant bed should have a low evergreen shrub as a foundation to the planting composition.

B. Plants should be arranged in masses and should be maintained to preserve the original design intent—i.e., shrubs should not be sheared individually when in hedge form or in a mass of same shrub species.

C. Shrub bed finished elevations will be kept equal to the turf surrounding it. In cases where they are adjacent to pavements they will be recessed by at least 1 inch to help avoid or slow down the messy buildup of mulch from seasonal topdressing.



Knockout Rose Shrub

D. Planting shall be staged in order to provide adequate scale to the plant bed and allow visibility of plantings behind front rows of the bed.

E. Pruning and maintenance should be considered during design in an effort to promote selective pruning versus indiscriminate topping of small trees or shrubs.

F. Ornamental grasses are encouraged, provided they are not overly used. These plants can complement the evergreen plant material in the winter months and provide a sense of movement from windblown tassels.

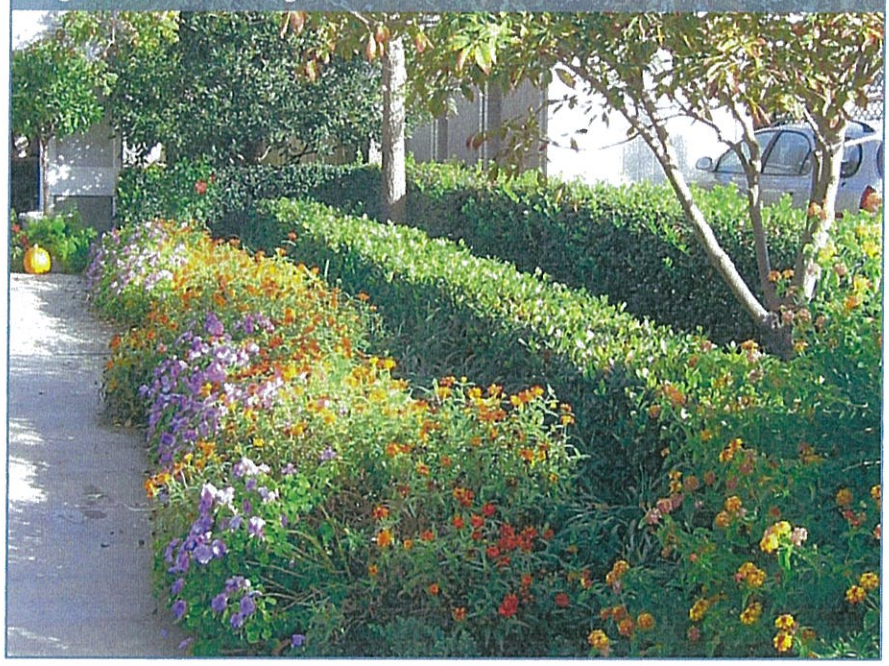
G. Mature sizes of plants shall be considered during design to ensure that overcrowding of plant masses don't become a problem with pests, disease, and unsightly patches where plants have to be removed prematurely.

H. Perennials are encouraged at special areas in shrub beds, but they should not remain the key plant in any composition due to their seasonal interest.

I. Annuals should be considered as part of the planting composition in the most active areas and visible places in Obici Place. Their color and seasonal replacement will ensure interest for people who live, work, or visit the development site.

J. All plant beds should use a high-grade aluminum or steel bed edge to reinforce bed geometry during the life of each site.

Staged (Tiered) Planting



Continuous Hedge

K. Shredded hard wood mulch shall be 3-inches deep in order to eliminate possibilities of floating or blowing away and to reduce early rot potential.

L. Plants will not be socket-planted but will be installed in a continuous bed, excavated, and backfilled with prepared soil mixtures.

TURF

Turf should be considered as part of the earthwork trade for any major open lawn areas since it is so highly dependent on the grading contractor to finish the final ground elevations and contouring of topsoil on site. Turf may be used sparingly on this site, and smaller quantities should be implemented using sod. The following design guidelines should be adhered to when using turf at Obici Place:

A. Turf will be Common Bermuda or a City-approved cultivar thereof.

B. Sod should be used for small areas for immediate impact.

C. If seeding a larger area of turf, hydro-seeding may be considered as an effective way to encourage germination and rapid establishment of a turf crop.

D. All turf should be graded to drain onto itself, and all pavements, where practicable, should drain onto turf in order to reduce potential freeze over of sheet flow during inclement weather and to avoid sedimentation onto pavements during heavy rains.

Staged (Tiered) Planting - Residential Area

IRRIGATION

Irrigation can be beneficial for planting compositions, particularly at the beginning stages of plant growth. Over time, it will dissipate and breakdown as plants begin to rely less and less on it. Irrigation guidelines for Obici Place are:

A. Irrigation should be considered in the most public areas of a site, such as an entrance area, active open space, or foundation planting at building frontages.

B. Irrigation shall be designed with manageable zones visible from the controller and turf areas should be separated from shrub beds. Irrigation types also should be separated by zone, such as drip irrigation separated from spray heads.

C. Irrigation will be sourced by a well if iron content proves low enough not to stain or if it can be effectively filtered out, otherwise a meter should be coordinated with individual taps.

D. Any irrigation system proposed should include a rain sensor.

E. Spray should be controlled and aimed carefully away from pavements. Overlapping of spray areas should be avoided.

F. Drip emitters and hoses shall be buried entirely below the mulch in plant beds, and observation wells should be placed strategically to confirm proper function of the drip lines without having to unbury the line.

G. Private irrigation systems used in the public-right-of-way will be owned, operated, and maintained by the property owner's association and will be subject to approval by Public Works.

PLANT PALETTE

Plant materials selected for developments within Obici Place may vary from one development site to another, but an overall basic set of plants should resonate throughout the entire project area in order to help unify one area to another. The following plant palette is presented as a general starting point for development planting plans and is not all-inclusive by any means:

Common name	Latin name
Trees	
American Holly	Ilex opaca
Bald Cypress	Taxodium distichum
Dahoon Holly	Ilex cassine
Honey Locust	Gleditsia triacanthos
Live Oak	Quercus virginiana
London Plane	Platanus acerfolia
Sweetbay Magnolia	Magnolia virginiana
Treform Yaupon Holly	Ilex vomitoria
Trident Maple	Acer buergeranum
Shrubs	
Dwarf Pittosporum	Pittosporum tobira Wheeleri'
Dwarf Yaupon Holly	Ilex vomitoria 'nana'
Indian Hawthorn	Rhaphiolepis indica
Southern Wax Myrtle	Myerica cerifera

Common name	Latin name
Upright Inkberry Holly	Ilex glabra 'nigra'
Soft Touch Holly	Ilex crenata 'Soft Touch'
Hummingbird Sweetspire	Clethra alnifolia 'Humingbird'
Groundcover	
Creeping Lilyturf	Liriope spicata
Shore Juniper	Juniperus conferta
Grasses	
Switchgrass	Panicum virgatum
Muhly Grass	Muhlenbergia capillaris
Perennials	

Ground Cover—Liriope Spicata

Common name	Latin name
Happy Returns Daylily	Hemerocallis 'Happy Returns'
Purple Cone Flower	Echinacea purpurea
Black-eyed Susan	Rudbeckia hirta

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Loading and Trash Collection

Obici Place will provide adequate loading and trash collection facilities in accordance with requirements set forth in the City of Suffolk's Unified Development Ordinance. Loading and trash areas will be accorded for at every commercial building within the Obici Place project limits.

A. Municipal Standards

1. Loading dimensional standards, screening and material requirements will be per Section 31-606 (b) of the City of Suffolk's Unified Development Ordinance.

B. Non-Residential, Outparcel Loading and Trash Collection Guidelines

1. Loading and trash collection areas will be screened from on-site and off-site views.
2. Screening walls will be used to screen loading and trash areas and will consist of the same material used on the building façade for which the loading and trash collection area is serving.
3. Vegetation may be used to soften screening walls and will be of a species providing dense cover, evergreen in its persistence, and reaching a minimum mature height of 8 feet and minimum mature spread of not less than 6 feet. Screening plant material will be placed on greater than 4 feet on-center.
4. Loading and trash collection areas shall be provided within the same screened space where ever possible.

Dumpster Screening Vegetation

Opaque Steel Doors

5. All loading and trash collection areas will be gated using opaque, steel material.
6. Loading and trash collection operations or facilities will not be located within parking bays, parking drive isles, parking lot islands, primary building entrance aprons, walks, crosswalks, unpaved areas, or any other area not designated for the use of loading and trash collection.
7. Number of trash collection containers will be a product of anticipated or actual volumes and privately contracted service frequency.
8. Loading and trash collection areas will be surfaced with concrete and constructed in accordance with the City of Suffolk Public Facilities Manual.
9. Multi-tenant buildings will maintain a shared trash collection facility.

C. Residential Trash Collection Guidelines

1. Trash facilities will use a single compactor located adjacent to the site utility building.
2. Trash collection areas will be screened from on-site and off-site views.
3. Screening walls will consist of the same material used on the building façade for which the loading and trash collection area is serving.

4. Capacity of compactor will be a product of anticipated or actual volumes and privately contracted service frequency.
5. As an alternative, site space may be allotted for individual dumpster areas. Should this alternative be employed the following guidelines will apply:
   a. Trash collection areas will be screened from on-site and off-site views.
   b. Fence material will consist of opaque, vinyl material.

Opaque Vinyl Enclosure

   c. All loading and trash collection areas will be gated using opaque, vinyl material.
   d. Screening vegetation will be of a species providing dense cover, evergreen in it persistence, and reaching a minimum mature height of 8 feet and minimum mature spread of not less than 6 feet. Screening plant material will be placed on greater than 4 feet on-center.
   e. Trash collection operations or facilities will not be located within parking bays, parking drive isles, primary building entrance aprons, walks, crosswalks, unpaved areas, or any other area not designated for the use of trash collection.
   f. Number of trash collection containers will be a product of anticipated or actual volumes and privately contracted service frequency.
   g. Trash collection areas will be surfaced with concrete and constructed in accordance with the City of Suffolk Public Facilities Manual.

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Canopies

The use of canopies and awnings over pedestrian walkways are encouraged to provide shade and rain protection. Canopies and awnings also bring the added advantage of adding interest to a facade with shape and color as well as provide visual cues for various businesses and establishments.

A. Awnings and canopies may be integrated into the façade of all commercial buildings within Obici Place and shall be in character with the architectural style of the building.

B. Awnings shall be properly placed above entrances and may extend over storefront windows. They will only be located on the first story. Awnings and canopies shall be installed in fixed positions and shall not be retractable.

C. Back lit awnings and canopies, shingle and mansard canopies, and plastic awnings are prohibited.

D. Canopies should frame building entrances and awnings should extend over windows. Awnings and canopies shall be positioned at least 8 feet above the sidewalk. Posts that support a canopy shall not interfere with the clear movement zone of the sidewalk.

E. The color of awnings and canopies shall complement and enhance the overall color scheme of the building façade.

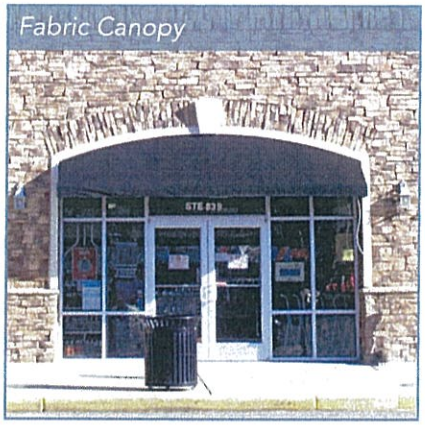
Canopies Should Frame Building Entrances

F. Canopies and awnings shall be made of a canvas or durable, fire-resistant fabric material that can be easily cleaned and shall include color retention properties. Hard plastic or other materials that could be cracked or broken are prohibited. They also may be made of metal and/or glass treated to withstand oxidation, corrosion, and deterioration from airborne salts.

G. Awnings and canopies that become windblown or torn shall be repaired immediately.

H. Awnings shall maintain a consistent design and rhythm along the length of an establishment's façade.

I. The width of an awning would typically extend to the width of a window and shall not extend outward more than 4 feet from the face of the building.


Fabric Canopy

Metal Awning

Consistent Design and Rhythm of Awnings

Streets

Obici Place will have three vehicular travel ways. For discussion on the immediate travel way periphery, median contents, and crosswalks at Obici Place please refer to the Streetscape section of these guidelines.

These three principal travel ways are:

- North Main Street (existing public right-of-way)
- Central Access Road opposite Northgate Lane (proposed public right-of-way)
- Internal Feeder Road (proposed public or private right-of-way)

Additional travel ways within the residential and non-residential areas of Obici Place will be accommodated with the use of typical parking lot drive aisles.

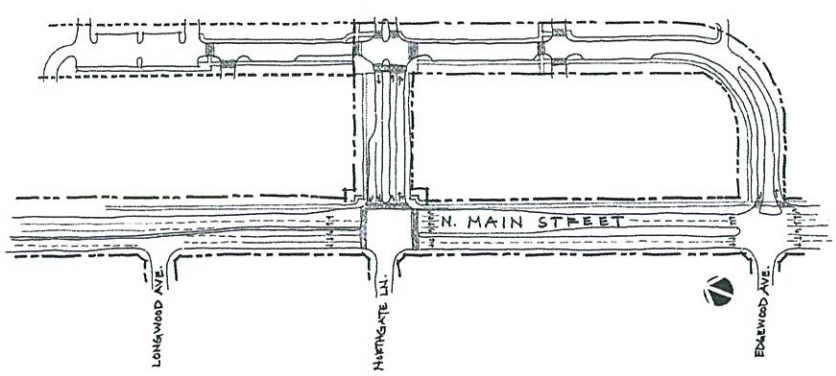
As discussed in the Streetscape section, the internal feeder road will have two vocabularies. The first of these will cover the site access point opposite Edgewood Avenue. The second will cover the larger portion of this feeder road interior to the site.

It is understood that the built extents of the travel ways may differ from the layouts depicted in these guidelines.

A. North Main Street

North Main Street is an existing public right-of-way serving the frontage to Obici Place. As discussed previously, North Main Street will have curb breaks for the right-in-right-out feeder road and the central access road.

North Main Street



(A) NORTH MAIN STREET

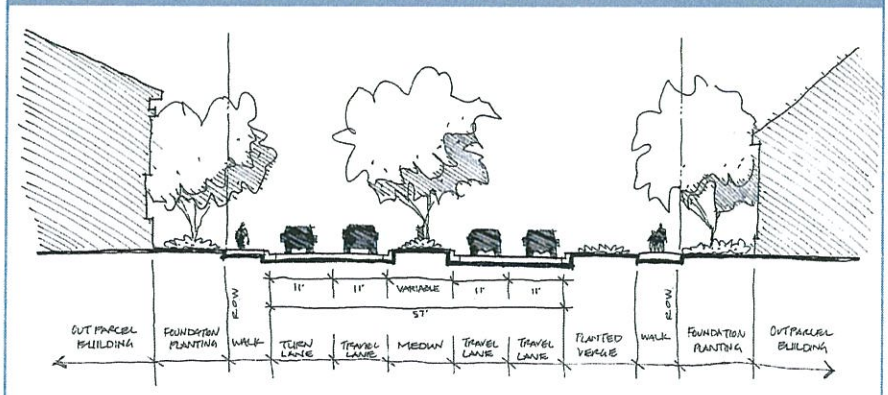
1. The northbound side will consist of two straight-only travel lanes. Right turn lanes will be incorporated in accordance with the approved traffic impact study. Left-turn travel lanes will be accorded in service to existing residential feeder roads to the west as traffic needs may require.
2. A planted median will be constructed with North Main Street improvements. This median will diminish in width as necessary to create left-turn travel lanes.
3. The southbound side will consist of one straight-only travel lane with one right-straight lane serving through traffic and existing residential feeder roads to the west as traffic needs may require. Left-turn travel lanes serving the Central Access Road and the Internal Feeder Road will be accorded in service to Obici Place.
4. Improvements to this travel way may necessitate the adjustment of the right-of-way property line fronting Obici Place.
5. Transit stop will be accommodated along North Main Street.

B. Central access road opposite Northgate Lane

The intersection of this travel way with North Main Street will be signalized. This streetscape will be characterized by its traffic calming needs given the five crosswalks crossing its travel lanes.

1. Travel lane appropriation will be limited to what is essential to site ingress and egress.
2. Vehicular ingress will consist of two lanes in becoming a left-straight lane and a right-only lane.
3. Vehicular egress will consist of a single lane becoming a left-straight lane and a right-only lane.

Central Access Opposite Northgate Lane



B CENTRAL ACCESS ROAD
(OPPOSITE NORTHGATE LANE)

4. At the intersection of the Central Access Road and the Internal Feeder Road a stamped concrete or concrete or brick paver configuration will be installed in a continuous field between the four crosswalks (in the "box"). This field will utilize square pavers, match the material and color of those pavers found in the crosswalks, and will be laid in a 45-degree orientation with overall Internal Feeder Road direction of travel.

C. Internal feeder road (accessed opposite Edgewood Avenue)

The intersection of this travel way with North Main Street will be unsignalized.

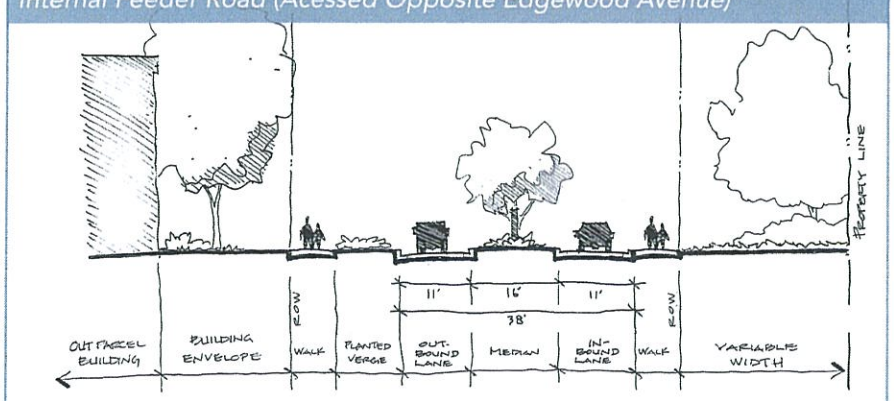
1. Vehicular ingress will be one in-bound lane at the intersection. The in-bound lane will become a straight lane and right-only lane. The straight lane will serve the Obici Place internal feeder road and the right-only lane will be dedicated to the VDOT complex to the south.
2. Vehicular egress will consist of a single lane becoming a right-only lane.

D. Internal Feeder Road (Interior to Site)

This portion of the Internal Feeder Road will serve and separate the residential and outparcel components.

1. Vehicular ingress and egress will consist of two opposing lanes running in a north-south orientation.
2. Parking lanes will be dedicated adjacent the travel lanes on the west side of the street. These lanes will augment the site's parking needs and act as traffic calming.
3. Walks will be provided on both sides of the internal feeder road.

Internal Feeder Road (Acessed Opposite Edgewood Avenue)

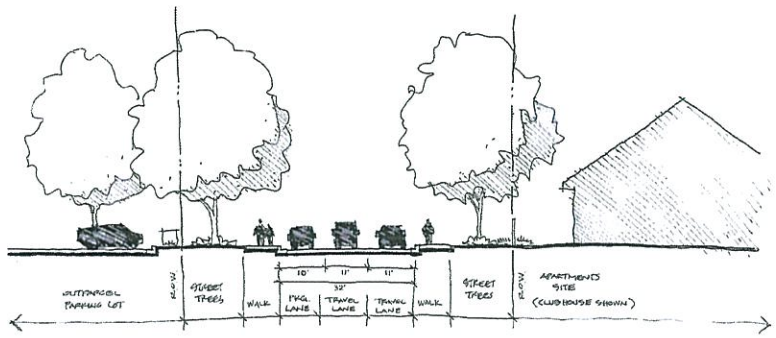


C INTERNAL FEEDER ROAD
(SITE ACCESS OPPOSITE EDGEWOOD AVENUE)

E. The following items apply to all travel ways:

1. Standard roadway appurtenances such as signs and utility pedestals will be placed in accordance with the Signs and Utility sections of this guideline, and in compliance with City of Suffolk and VDOT standards.
2. All paved surfaces within the right-of-way will be constructed in accordance with current City of Suffolk Public Works standards.
3. Final travel lane configuration will be subject to the approved Traffic Impact Study for Obici Place, which will take precedence over this Design Criteria.

Internal Feeder Road (Interior to Site)



D INTERNAL FEEDER ROAD
(INTERIOR TO THE SITE)

4. Crosswalks should continue through the nose of the median in lieu of running in front of the nose to provide an additional measure of protection for pedestrians.
5. Sections depicted are recommended but are subject to modification to meet site development needs as approved by the City Traffic Engineer.

Transit-Oriented Features

Obici Place will be accessed predominantly via personal automobile from North Main Street, also known as Route 460 Business. Once on site, pedestrian circulation will become the primary means of accessing various amenities and facilities. The City of Suffolk is encouraging a Focused Growth Approach in its Comprehensive Plan that will focus on development patterns that allow for additional future transportation options. Currently, Suffolk Transit provides bus service along North Main Street with connections to the downtown core service area as well as hospitals, medical centers, schools, shopping, and other services. A transit stop will be planned along North Main Street. Adequate space for transit vehicle turnarounds and bus stations should be reserved. Facilities for non-motorized transportation, including bicycles, should also be designed.

BUS ROUTES

A. Currently two bus routes serve North Main Street, the Green route and the Red route. The closest bus stop is located near the Farm Fresh across the street and south of Obici Place.

BUS STOPS

A. A new city bus stop should be proposed along the existing North Main Street right-of-way in front of Obici Place.

B. The bus stops/shuttle stops should be designated with adequate signage, a noted schedule, an open fronted shelter, and appropriate seating and lighting.

C. The bus stop will be compliant with any and all ADA accessibility requirements.

Bus Stop with Shelter

BICYCLE FACILITIES

A. Bicycle racks may be located near the entrances of buildings, in plazas, or near parking lots. They shall not obstruct pedestrian flow and movement and should be sufficiently illuminated.

B. Bicycle racks should be of durable material and finish. Stainless steel is highly recommended as a low-maintenance option. They should be securely anchored in a concrete base.

C. Bike lanes should be considered within the internal street network of Obici Place.

Bus Stop Signage

Bike Rack

Land Use

A. Uses permitted by right:

- Dwelling, multi-family, and apartment buildings
- Mixed-use dwelling
- Amusement center, indoor
- Assembly, public
- Civic building
- Cultural uses, including museums and art galleries
- Entertainment, indoor
- Health club
- Hotel
- Library
- Medical clinics and dental offices
- Medical counseling centers (non-residential)
- Parks, neighborhood parks/open space
- Recreation, outdoor
- Schools, dance/art/music
- Offices
- Retail sales and service
- Animal sales and care (indoor only)
- Arts, craft and boutique
- Bakery (less than 5,000 square feet)
- Book store
- Business services
- Coffee houses
- Convenience stores (non-fuel station)
- Department stores
- Fruit and vegetable stand (as part of a store front operation, outdoor display limited to 10 foot x 10 foot area or established Farmers Market)
- Hardware store (outdoor display limited to 10 foot x 10 foot area)
- Pharmacy
- Rental services, indoor display/storage
- Repair services, small appliance

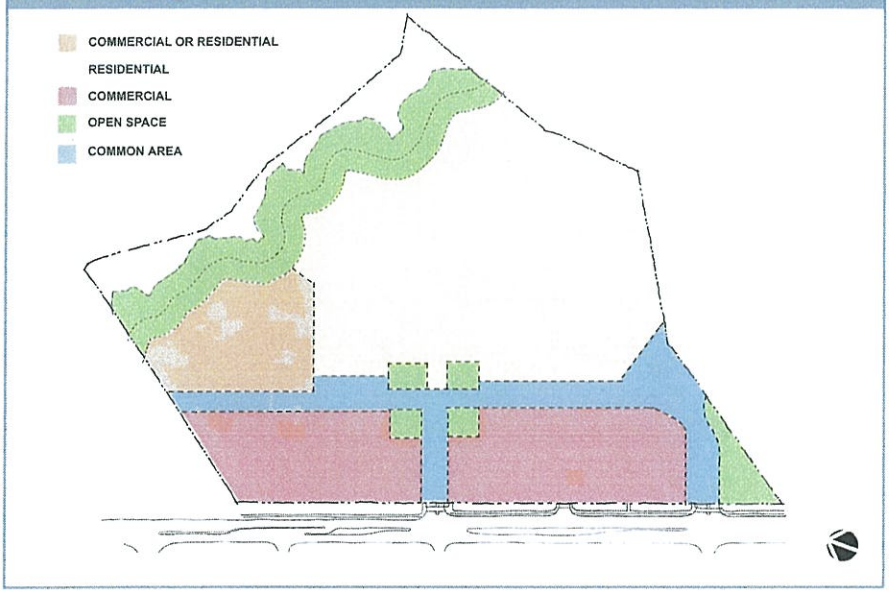
- Restaurants, sit-down/delicatessen
- Services, general
- Services, personal
- Grocery stores
- Theaters
- Motion picture and video production
- Research and development, laboratories
- Research and development, offices
- Farmers Market
- Winery or micro-brewery
- Satellite dishes (Less than 36 inches in diameter)
- Automobile sales, repair (major, minor), and wash (as part of Duke Automotive or its successors)
- Drive-through uses, as accessory to financial institution, food service, pharmacy, or clothing services
- Dry cleaning (for drop-off and pick-up only)

B. Uses permitted by conditional-use permit:

- Day care
- Entertainment, outdoor
- Convenience retail center
- Bars and night clubs
- Catering, as accessory to restaurants
- Schools, business, or trade

Commensurate with the City of Suffolk's Unified Development Ordinance Section 31-701(a), accessory uses and structures shall be permitted in any zoning district, but only in connection with, incidental to, and on the same lot with a principal use or structure that is lawfully permitted within such district. Accessory buildings or uses shall not be constructed or established on a lot until construction of the principal building has commenced or its primary use established. Accessory buildings shall not be used for dwelling purposes, except as provided in 31-701(b).

Land Use Diagram



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Yards and Heights

A. Yards and Heights Table

	Minimum Front Yard	Maximum Front Yard	Minimum Side Yard	Maximum Side Yard	Minimum Rear Yard	Maximum Rear Yard	Non-Residential	Residential
Maximum Building Height	-	-	-	-	-	-	50 ft	60 Ft
Obici Place Parcels adjacent proposed public and private right-of-ways	0 Ft	25 Ft	0 Ft	10 Ft	0 Ft	10 Ft	-	-
Outparcels adjacent North Main Street	0 Ft	25 Ft	0 Ft	10 Ft	0 Ft	10 Ft	-	-

Acceptable encroachments within setbacks will be commensurate with the City of Suffolk's Unified Development Ordinance Section 31-407(e)

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Parking

Obici Place will provide adequate parking to site users in accordance with parking requirements set forth in the City of Suffolk's Unified Development Ordinance. Parking areas will be accessed internally from the internal feeder road as well as right-in-right-out breaks along North Main Street.

These two principal parking types are:

- Surface parking, off-street
- Surface parking, on-street

A. Municipal Standards

1. Parking dimensional standards, parking rate requirements, shared parking allocation, and acceptable surfacing material will comply with Section 31-606 of the City of Suffolk's Unified Development Ordinance.

B. Parking Guidelines

These standards will focus on the parking areas that support the residential and non-residential outparcel areas.

1. Parking will be constructed in accordance with the City of Suffolk Public Facilities Manual.
2. Shared parking arrangements between uses are encouraged within this development. See item A.1.

On-Street Parallel Parking

3. Parking bays will flank residential drive aisles in a double-loaded fashion where feasible.
4. Drive aisles will be two-way to ensure adequate width for entering and exiting a parking space. Stall configuration shall be 90 degrees throughout the site to compliment two-way vehicular movement.
5. Proximity of parking areas to buildings will be per City of Suffolk's Unified Development Ordinance.
7. Dead-ended parking drive aisles should be avoided wherever possible. When unavoidable, a backing area will be provided.
8. Drive aisles and parking bays will be surfaced with asphalt in accordance with the City of Suffolk Public Facilities Manual. As an alternative, parking bays only may be surfaced with permeable pavers with a condition that this treatment (to include style and color of paver) will extend to all parking areas within the residential or non-residential areas. If the alternative is selected, a concrete band no less than 12 inches wide and flush with the surrounding pavement will separate permeable pavers from the asphalt drive isles. Permeable pavement (porous concrete, asphalt, and alike) is not permitted.
9. Crosswalk surfacing within parking areas will subscribe to the crosswalk standards established in the Streetscape section of these guidelines.
10. On-street, parallel parking will subscribe to the City of Suffolk's Unified Development Ordinance.
11. Parking shelters will be permitted for residential areas only.

On-Street Parallel Parking

Residential Parking Shelter

Commercial Parking

12. Appropriate knock-out spacing and rhythm should be considered to compliment aesthetic structure within parking areas. Where overhead features, building structure, or utility conflicts do not compete planting knock-outs should include a large canopy tree.
13. Parking bays will average one planter island for every 10 parking spaces. For example, 20 spaces can occur in a run with an island at each end.
14. Large canopy and flowering trees should be included within interior parking lot green space where feasible.
15. Trees will subscribe to the City of Suffolk's recommended tree species list.
16. Shrubs and groundcover planting is recommended for interior parking lot green space but turf or mulch infill is acceptable.

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Density

Obici Place will be designed as two distinct components. The residential area must adhere to a density following a "unit per acre" calculation, and the outparcel component must comply with "floor area ratios."

A. Residential

1. A minimum density of 8 units per acre and a maximum of 25 units per acre are established in the City of Suffolk Development Ordinances.

B. Outparcel

1. Commercial development will adhere to the maximum floor area ratio outlined in the City of Suffolk code. The maximum ratio is 3:1.

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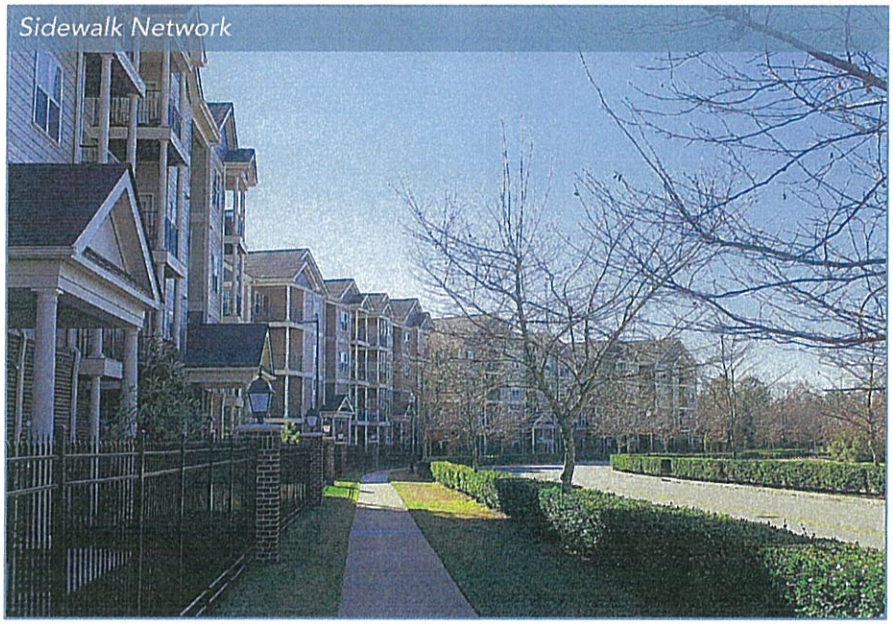
Open Space

Obici Place should contain usable public open space such as plazas, centrally-located greens, public squares, outdoor dining in commercial areas, playgrounds in residential areas, and focal features. Each open space shall be constructed when the nearest commercial or residential element is built. Parking lots, driveways, other vehicular areas, and buildings are not considered open space. An interconnected network of sidewalks should lead to the public open spaces from housing, parking, shopping, dining, and offices. Open space should be usable and functional, and enhance properties and their values. Land close to developed areas or adjacent to businesses should be reserved for plazas, central parks, greens, or squares.

Plaza

Public Square


Sidewalk Network

MINIMUM OPEN-SPACE RATIOS

A. Minimum open-space ratios for the multi-family residential district will be per Section 31-602(c)(2) as below and Section 31-607 of the City of Suffolk's Unified Development Ordinance.

   1. A minimum of 200 square feet of usable common open space shall be provided for each multi-family dwelling unit to provide for active recreational needs of residents. Usable open space excludes parking areas, land within a floodway, water bodies, and land with slope that is greater than 15 percent. Open space provided pursuant to this requirement shall be accessible to all residents of the development and shall measure at least 30 feet across its narrowest dimension.
   2. The administrator may waive up to 50 percent of the open-space requirement if the development satisfies one of the following criteria:
      a. All units are located within 1,000 feet of a public park as measured along a public sidewalk, trail, or bikeway; or
      b. The development includes active recreation amenities for residents such as pools, tennis courts, or playgrounds.

B. Minimum open-space requirements for the commercial district shall be 10 percent of the total commercial area.

PLAZAS AND SPECIAL PAVED AREAS

A. Pedestrian walkways for the commercial district shall be per Section 31-606(a)(12) as below:

   1. Sidewalks at least 5 feet in width shall be provided along all sides of the lot that abut a public street.

Pedestrian Walkway

2. Continuous internal pedestrian walkways, no fewer than 5 feet in width, shall be provided from the public sidewalk or right-of-way to the principal customer entrance of all principal buildings on the site. At a minimum, walkways shall connect focal points of pedestrian activity including transit stops, street crossings, building and store entry points, and shall feature adjoining landscaped areas that include trees, shrubs, seating areas, flower beds, ground covers, or other such materials for no less than 50 percent of its length.
3. Sidewalks, no less than 5 feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such sidewalks shall be located at least 5 feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades or entryways are part of the facade.
4. Internal pedestrian walkways, provided in conformance with part 2 above , shall provide weather protection features such as awnings or arcades within 15 feet of all customer entrances.
5. All internal pedestrian walkways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, or scored concrete to enhance pedestrian safety and comfort as well as the attractiveness of each walkway.

B. Outdoor plaza material and design shall be coordinated with the adjacent building architecture.

C. Plazas may be located near a main entrance or between buildings and may include amenities such as fountains, plantings, lighting, decorative paving, or seating. Amenities will not interfere with pedestrian access to building entrances, sidewalks, or parking lots.

Fountain

OUTDOOR DINING AND CAFES

A. Outdoor dining areas shall be coordinated with the adjacent building architecture and shall not extend beyond the lease space.

B. Outdoor dining areas and cafes shall be positioned to allow an eight-foot sidewalk area for pedestrians, be placed adjacent to the corresponding building, and shall meet all ADA standards.

C. Durable and high-quality furnishings should be selected.

D. Outdoor dining areas that serve alcohol must be surrounded by a barrier in all cases. One barrier access point is allowed and shall be controlled by the restaurant establishment. Restaurant and eating establishment owners will maintain compliance with Virginia Alcohol and Beverage Control standards for serving alcohol outside of enclosed businesses.

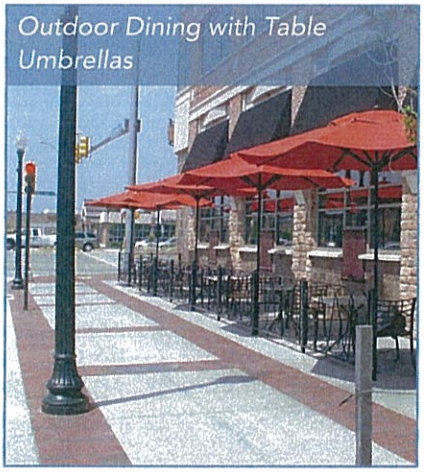
E. Generally barriers should be 36 inches in height, and must be free-standing, stable, and removable.

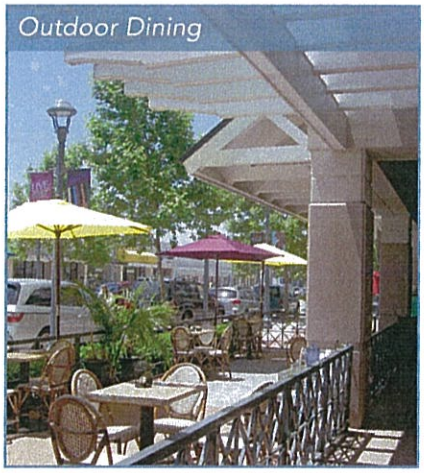
F. Fences or planters may be used as barriers. Sectional fencing shall be composed of metal, wood, brick, or stone and painted or finished in the owner's choice of color to compliment the building architecture. Sectional fencing may be also be composed of aircraft cable, fabric, steel, or iron elements.

G. Barriers should not be permanently attached to any structure or sidewalk and should be well-balanced and difficult for pedestrians to topple, trip over, or remove.

H. Planters and the plants they contain should be well-maintained and kept free of litter and debris. Planters shall contain living plants. Planters should be no more than 36 inches in height.

I. Canopies, awnings, or table umbrellas are encouraged and may be used to provide shading and screening for the diners.


Outdoor Dining with Table Umbrellas


Outdoor Dining

J. A range of furniture styles, colors, and materials are permitted, however furniture and fixtures must be clean and free of fading, corrosion, splinters, dents, tears, and chipped paint. Acceptable materials include metals, finish grade woods, and sturdy recycled materials. Chairs may incorporate fabric elements or may be upholstered but should be maintained in clean conditions. Water-resistant fabrics are strongly encouraged.

K. Umbrellas should be suitable for outdoor patio use. Canvas is preferred. When open, umbrella canopies should be between 7 and 10 feet tall.

OUTDOOR FURNITURE

A. Outdoor furniture shall be of a durable material and finish. All exposed metals will be coated or otherwise treated to withstand oxidation/ corrosion, abrasion, and damage from airborne salts. Maintenance will be required at regular intervals. All outdoor furniture shall be set level and shall be securely fastened to a concrete base.

B. Selection of outdoor furniture shall be unified throughout both the commercial and residential districts in order to create a cohesive development.

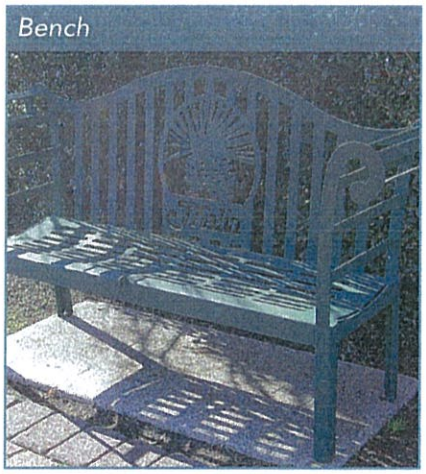
C. Benches and seating areas should be utilized in plazas, transit stops, building entrances, squares and other open-space locations. Seating areas shall not obstruct pedestrian flow and movement.

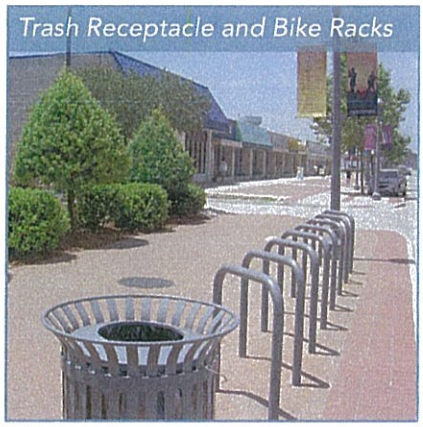
D. Benches shall have intermediate armrests.

E. Trash receptacles shall be distributed throughout both the commercial and residential districts. They shall be placed at corners, in plazas, and at mid-block locations along lengthy streets.

F. Trash receptacles will be coordinated with other outdoor furniture selections. They should be securely anchored to a concrete base.

Bench


Bench


Trash Receptacle and Bike Racks

Bollards

G. Bicycle racks should be of durable material and finish. Stainless steel is highly recommended as a low-maintenance option. They should be securely anchored in a concrete base.

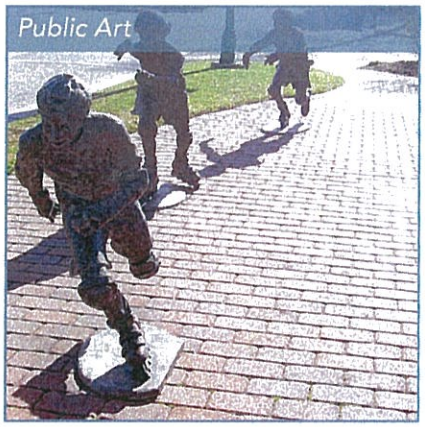
H. Bicycle racks may be located near the entrances of buildings, in plazas, or near parking lots. They shall not obstruct pedestrian flow and movement and should be sufficiently illuminated.

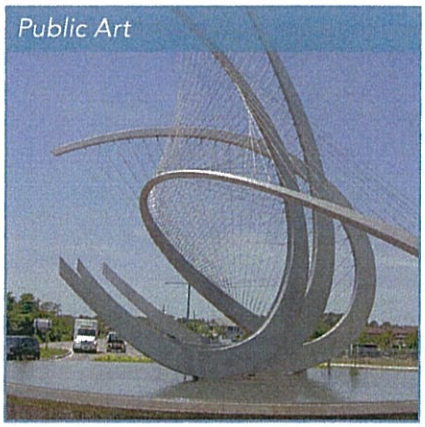
I. Bollards should be decorative metal, stone, or textured concrete. They may be permanent or removable and should be coordinated with building architecture and other outdoor furnishings.

PUBLIC ART

A. Public art can include anything from traditional sculptures, paintings, and mosaics to manhole covers, paving patterns, lighting, or other elements created by an artist.

B. Businesses can commission their own public art piece, or a committee can be established between local businesses and other representatives of the community in order to commission a public art project.


Public Art


Public Art

Signs

SITE SIGNAGE

Signage for the Obici Place site will be clear and concise. It should lend to the character of the overall place with uniformity throughout the different development pads and a hierarchy of scale, which speaks to visitors arriving by foot or by car. The following site sign criteria identifies the signage required for development within Obici Place.

A. General Site Signage Criteria

1. Site signs should be incorporated with the planting, paving, and lighting designs as much as practical, except for incidental signs such as temporary advertisements or sandwich board A-frame signs.
2. Light poles and building columns may be used for mounting way-finding and regulatory signs as appropriate.
3. Materials such as select grade painted wood, sheet aluminum, and graffiti and tamper-resistant materials are encouraged for site sign faces. Other highly durable sign materials such as ceramics, aluminum, steel, acrylic, or fiberglass should be considered.
4. Sign graphics should be capable of rendering high-resolution full color images, photographs, colorful diagrams, and bold text in all weather conditions. They will have UV coatings that are long lasting and resistant to graffiti, fingerprints, dirt, oil, and other substances, and they should be strong and durable and virtually unbreakable. They should comprise one solid continuous piece or several interlocking tiled pieces for larger signs.
5. Sign frames and bases should not be prone to peel, fade, crack, or rust.
6. Except as noted in this document, site signage for commercial uses shall meet the minimum requirements of the Suffolk Unified Development Ordinance, Section 31-714, (L), "Signs Permitted in General Business Districts."
7. Except as noted in this document, all other site signage shall meet the minimum requirements of the Suffolk Unified Development Ordinance, Section 31-714,"Signs."

B. Main Entrance Sign

1. The main entrance to Obici Place shall consist of masonry or decorative concrete structures and signage, including a focal point, base planting, and lighting.
2. Sign graphics and lettering should be adequately sized for legibility for pedestrians and vehicles traversing Main Street.

Main Entrance Sign

3. Signs shall be planned to a height that does not block visibility at corners of roadway intersections and limited to 15 feet in height. Signs shall be sited entirely on private property.
4. Sign lettering shall be of sufficient height so as plant materials will not obscure legibility of the lettering upon plant maturity.
5. Maximum sign area shall be in accordance with the Unified Development Ordinance, Section 31-714, paragraph L.

C. Secondary Entrance Sign

1. The secondary entrance sign structure shall match the main entrance sign in material, style, and context, except that it shall remain proportionally smaller.
2. The sign may list the Obici Place tenants.
3. The sign will be lit and planted.
4. Each side of the sign is limited to 24 square feet in area.
5. The secondary entrance sign is limited to 12 feet in height.

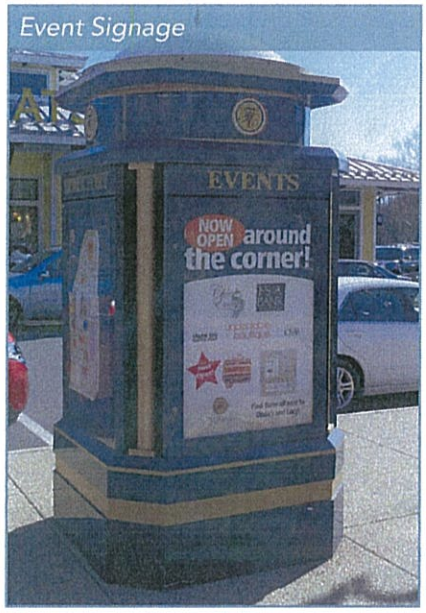
D. Residential Entry Sign

1. The residential entry sign shall consist of masonry wall and/or pier structures matching the material, style, and context of the main and secondary entrance signs.
2. The residential entry sign is limited to 12 square feet in area.
3. It is limited to 8 feet in height.
4. The sign will be lit and planted.

E. Pedestrian Way-Finding Signs

1. Pedestrian way-finding signs are limited to 3 square feet in area.
2. Maximum height shall not exceed 6 feet.

Site Directory Signage



Event Signage

F. Directory Signs

1. A directory sign may be located on site and central to the retail development being proposed.
2. One directory sign may be located at each major intersection of the internal feeder road.
3. Directory signs are limited to 18 square feet in area and 6 feet in height.
4. Lighting for the signs is required.

G. Directional/Informational Signs

1. Directional/informational signs for pedestrians shall not exceed 3 square feet in area.
2. Directional/informational signs shall meet ADA requirements for design, access, and visibility.
3. Signs shall be lit.

BUILDING SIGNAGE

The building signage criteria will serve to guide the overall scale, proportion, and location of signs for a variety of building and leasing scenarios fitting primarily one- and two-story retail/office structures at Obici Place.

A. General Building Signage Criteria

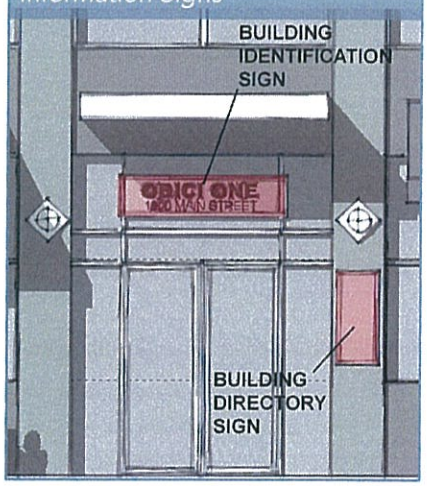
1. Names, marks, emblems, or logos less than 2 square feet in area are not included in the calculation of any sign area.

2. First floor tenants are permitted three signs total from the following sign types: major tenant signs, storefront signs, window signs, awning signs, and blade signs.
3. Signage on a corner which establishes a visual presentation to two streets shall be counted as two signs. Corner signs are only available for tenants that are leasing the corner space.
4. First floor tenants must lease 50 feet or more of continuous building frontage in order to qualify for major tenant signage.
5. Except as noted in this document, building signage for commercial uses shall meet the minimum requirements of the Suffolk Unified Development Ordinance, Section 31-714, (L), "Signs Permitted in General Business Districts."
6. Except as noted in this document, all other building signage shall meet the minimum requirements of the Suffolk Unified Development Ordinance, Section 31-714, "Signs."

B. Building Directory Sign

1. A building directory sign attaches to the face of a building and only lists the building occupants.
2. Only one building directory sign per public lobby entrance is permitted.
3. No building directory sign are permitted above the first floor of any building.
4. Building directory signs are limited to 4 square feet in area.
5. Second floor tenants are permitted to have identification on building directory signs.
6. All tenant identification shall be uniform and in-keeping with the general character of the building directory sign.

Building Directory and Information Signs



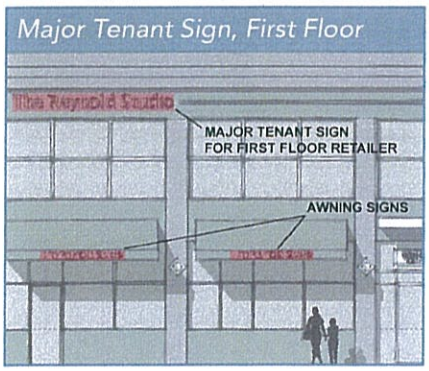
C. Building Identification Sign

1. A building identification sign is a building-attached wall sign reserved for general identification of a building, inclusive of the building name and address.
2. Only one building identification sign is permitted per lobby entrance.

3. Building identification signs are limited to 8 square feet in area.
4. Building identification signs may be located adjacent to building lobby entrances between 4 and 20 feet above grade.

D. Major Tenant Sign

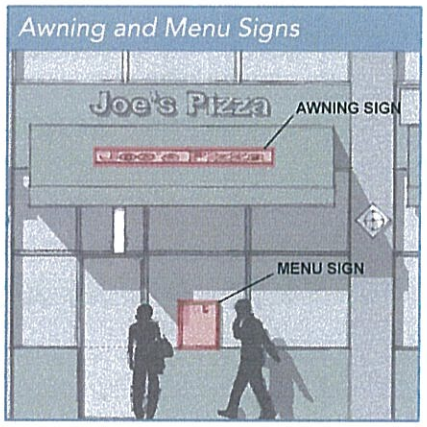
1. A major tenant sign is a building-attached wall sign reserved for the principal tenant occupying the subject building.
2. Major tenant signs are limited to 1.5 square feet in area for every linear foot of frontage, but shall not be greater than 60 square feet in area.
3. Only one major tenant sign shall be permitted per tenant per primary building face.
4. Major tenant signs are to be located below the roofline/parapet of one- and two-story buildings and generally above the space being leased.



E. Storefront Signs

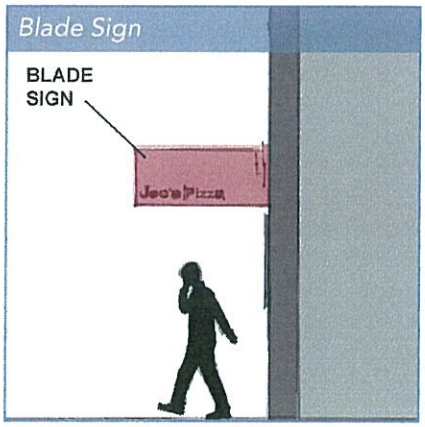
1. A storefront sign is a building-attached wall sign reserved for the tenants occupying the ground floor of the subject building.
2. Storefront signs shall be located above entry doors and beneath second floor windows.
3. Only one storefront sign is permitted per tenant per primary building face.
4. Storefront signs are limited to 30 square feet in area.

F. Awning Signs

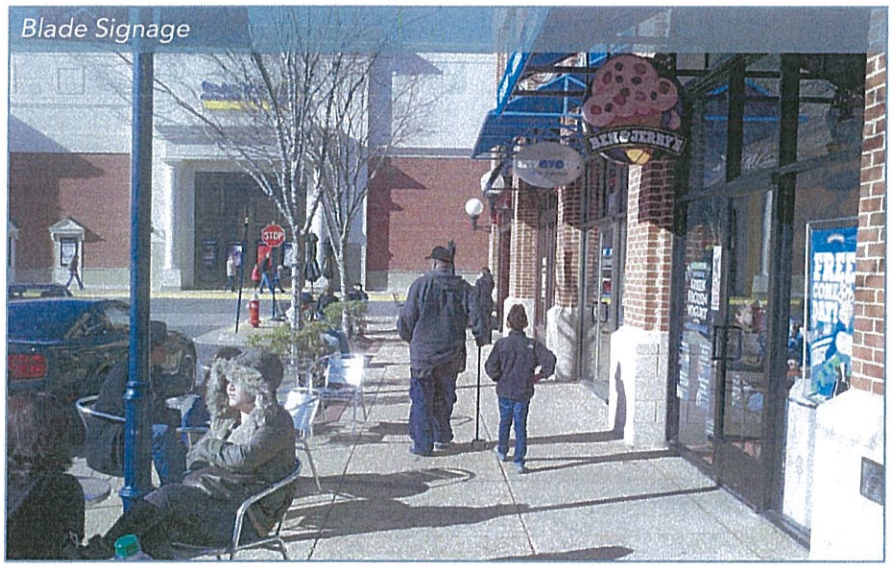


1. An awning sign is any sign mounted in any way to any kind of building awning.
2. Awning signs are limited to 9 square feet in area or 25 percent of the awning, whichever is smallest.
3. Only one name, emblem, logo, or inscription is permitted per awning.
4. Awnings will not cover any portion of upper floor windows.
5. Awning signs shall not be installed lower than 8 feet above grade.

G. Blade Signs



1. Blade signs are suspended signs, projected signs, marquee signs, or signs otherwise supported in a manner presenting perpendicular to the building face.
2. Blade signs are limited to 10 square feet in area.
3. Blade signs shall be installed no lower than 8 feet and no higher than 14 feet above grade.
4. Blade signs shall not extend more than 5 feet from the face of the building.



Blade Signage

H. Menu Signs

1. Menu signs are similar to preview boards. They are mounted to the face of a building for pedestrians to review food menus prior to building or cafe entry. As opposed to menu boards, menu signs are neither for vehicular drive-through nor ordering food.
2. Only one menu sign is permitted per eating/drinking establishment.
3. Menu signs are limited to 4 square feet in area and shall meet ADA requirements for design and access.
4. Items on menu signs shall be uniform, and the menu sign shall be in-keeping with the overall design of the eating/drinking establishment.

I. Window Signs

1. A window sign is any writing or imagery visible from the outside within any type of window frame and positioned anywhere within 4 feet of the window.
2. Window signs are limited to 20 square feet in area or 10 percent of the total area of the window, whichever is less.
3. Window signs may be located anywhere within the fenestration opening.

RENTAL/REAL ESTATE SIGNS

Temporary, non-illuminated signs for advertising the sale, lease, or rental of a developed or undeveloped site are generally permitted in the City's sign ordinance. Below are further criteria which apply specifically to Obici Place.

A. Undeveloped Sites
   1. Only one free-standing sign is permitted on each undeveloped parcel.
   2. The sign area will not exceed 12 square feet per sign.
   3. The sign height is limited to 6 feet above adjacent grade.

B. Developed Sites
   1. Only one sign is permitted per each commercial unit to be leased.
   2. Only one sign is permitted per each on-site residential leasing office.
   3. Signs shall be no more than 6 square feet in area.
   4. Signs shall be removed upon execution of a lease or sale agreement for the unit or parcel.
   5. Maximum height shall not exceed 6 feet.

PROHIBITED SIGNS

The following signs are prohibited at Obici Place and are further defined as listed in the City Sign Ordinance, Section 31-714(c).

A. Discontinued Business Signs
B. Permanent High intensity Signs
C. Snipe Signs
D. Signs Resembling Official Signs and Signals-Signs imitating or resembling official traffic or government signs or signals
E. Signs on Vehicles
F. Signs announcing Illegal Activities
G. Signs Above Roof Lines
H. Portable Signs
I. Off-Premises Signs

Other signs specifically prohibited in Obici Place include:

A. Electronic Message Boards
B. Illuminated Blade-type signs
C. Real estate signs for individual residential units

Structures and Furnishings

A. Structures

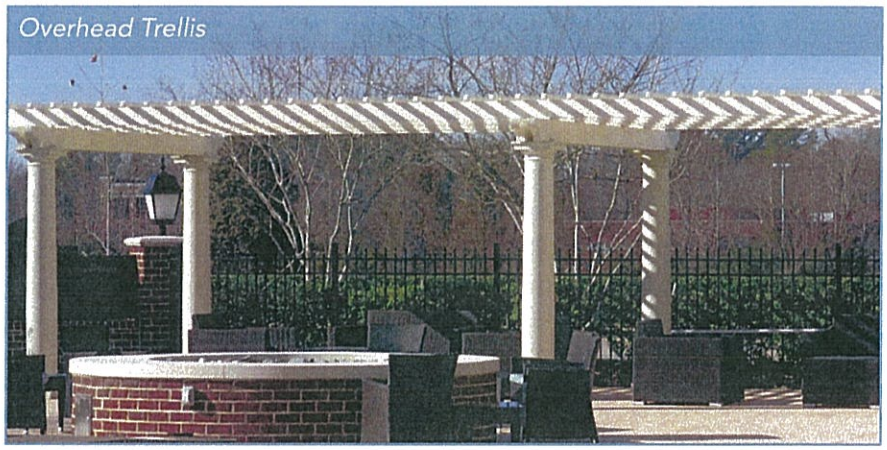
Structures at Obici Place include but are not limited to fences, railings, and walls. These elements are critical for defining pedestrian spaces and providing security, comfortable grading for pavements, and safety. They define the vertical plane and allow users to gain better orientation when navigating a site. The following criteria shall apply to these structures:

1. Walls shall maintain positive drainage away from their foundations, and retaining walls shall have a wall drain and weeps to reduce surcharging and efflorescence.
2. Screen walls shall maintain a height equal to the element being screened up to 8 feet high.
3. Exposed metal shall be treated to withstand oxidation, corrosion, and deterioration from airborne salts in coastal environments.
4. Fencing may comprise metal, masonry, cedar wood, or an approved composite material.
5. Metal fence options may include stainless steel rod, iron picket, painted steel, or cast aluminum, all of which shall remain compatible with the surrounding materials proposed for buildings within Obici Place.

Fence Column

Fence Planting

6. Metal trellises may be acceptable for decorative purposes, but shall not be used for dumpster screening.
7. Chain link fence is not permitted.


Overhead Trellis

B. Street Furnishings

Street furnishings are an essential component of Obici Place. Items such as benches, bike racks, trash receptacles, pet waste stations, and bollards will distinguish the human scale of the large outdoor environment. Combined with site lighting, planting, and signage, these components help to define the nature and character of the pedestrian experience while providing convenience, safety, and comfort. These details will help create a sense of place and help to establish the character of Obici Place.

1. Street lighting, benches, trash receptacles, and bike rack amenities should be coordinated within the overall plan for coherent character. Sub-areas, such as outparcels within the project site, may have slightly differing themes, but these themes should strongly resemble each other in their materials, colors, and forms throughout.
2. Benches, trash receptacles, and bike racks should be located regularly throughout the site. They should be designed for heavy use, and they should be fixed to the ground surface.
3. Iron or concrete bollards may be used to protect and define important pedestrian-oriented areas.
4. Trash receptacles should reside in an area convenient for trash pickup, but should be discrete to the view of vehicular and pedestrian traffic. They should be located at street intersections, near retail storefronts, and in community and neighborhood pocket parks. However, the receptacles should be coordinated with plant material and strategically positioned behind walks or near entrance planting.

Bench and Trash Receptacle

5. Benches should be located in pairs and should be positioned for conversation and good viewing. When on streets, benches should face the storefronts or away from the streets in more vehicle-dominated environments. They should be located so that they do not impede pedestrian flow, and they should be coordinated with shade when exposed to southern aspects. Benches should be located on level concrete pads for comfortable seating and easy maintenance underneath them. Benches should be located at bus stops.
6. Bicycle racks should be located at multiple pocket parks and commercial areas. They should be carefully situated near the street access points but behind the entrance planting and walkways. Clusters of "Inverted U" racks or equivalent should be used.
7. Bus shelters also can comprise street furnishings and can be designed so as to infuse public art into the streetscape.

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Utilities

WATER

Water supply to the site and to each individual building is a necessity that often goes unnoticed by the general public, as long as water continues to come out of the tap. The coordination and design involved in getting adequate water flow and pressure to a large site with multiple buildings can be challenging, especially when multiple construction phases occur with build-outs and lot configurations that are only schematically planned when the water mains are installed along streets. Quantity, sizes, and locations of water meters are just some of the below ground elements that have real impacts to above ground amenities such as pavements, planting, lighting, and development footprint. Utility easements, when required, often delineate large areas that cannot have any number of these amenities encroaching into it. Other elements such as backflow preventers, hydrants, post indicator valves, and fire department connections can dictate many of the site aesthetic elements if they are not coordinated early in a building project. Below are some general guidelines for the design of on-site water systems in order to minimize conflicts and retain design intent during construction of Obici Place:

A. Locate domestic meters, combo meters, and detector checks in the public right-of-way when practicable. When located on a private site and public easement are involved, ensure coordination of plant materials, fences, and pavements so that the easement doesn't appear as a gap in the desired design treatment.

Post Indicator Valve and Fire Department Connection

Screened Backflow Preventer

B. Locate any backflow preventers and/or booster pumps inside the building(s) being served.

C. Backflow preventers not able to fit in the building shall be screened from public view with plant material tall enough to hide the device or the surrounding hotbox if one is being used.

D. Coordinate locations of hydrants and other in-line water apparatuses early in the site design in order that trees, lighting, and pavements are not in conflict with these elements.

E. Irrigation, if proposed, should be sourced by meter or by well if iron content of the groundwater is low enough to prevent staining or if an iron removal system can be effectively administered to the water. Irrigation meter or wellhead, controllers, electrical panel, and valve boxes, shall be located inconspicuously.

SANITARY

Site sanitary is less flexible than water distribution since it usually relies on gravity lines which cannot bend around other conflict utilities the way a pressurized water line can. Considering the shallow depths which often limit the routing of sanitary piping and the maximum lengths required for cleanout of such pipes, manholes have a limited range for their locations. With this in mind, site elements need to be coordinated early with other elements in order to ensure that overall design efforts are not thwarted by incidental changes or oversight of these elements. Requirements for sanitary-related items on the site include the following:

A. Manhole lids shall not be located over top of sidewalks unless they can be largely centered and are decorative in nature, walkable, and ADA compliant.

B. Private pump stations should be screened by plant material and located away from general public view to the extent possible. Alarm indicators for pump stations should be visible, however, the structures and associative equipment should be coordinated with other site elements in order to appear better integrated with the overall site.

C. Sanitary cleanouts shall be located uniformly along the frontage of long buildings and coordinated so that they are within planted areas if possible. Cleanout located in pavements should be coordinated so that they are flush with pavements, centered within pavement fields, and colorized to complement or match the pavement.

Decorative Manhole Cover

Pump Station

LIGHTING

The City regulates street lighting for public rights-of-way and will require that minimum standards are met for any portions of the project site that are planned or are later determined to be public streets. It is important to recognize the differences between lighting requirements for public roadways versus private roadways and development sites. Roadway lighting for small collector streets usually requires small roadway or pedestrian lights primarily for illuminating roadways and driveways, parked cars, and pedestrian activity. These lights, often provided through Dominion Virginia Power, consist of a high pressure sodium light source which renders a yellowish color where it illuminates. Fixtures are often limited to the *Ultra* style or the *Colonial* style with low-mounting heights for improved pedestrian visibility and scale. Without the benefit of using cutoff fixtures, shielding, or shading, it is normal for these lights to have some minimal amount of light spill over onto private lots. Roadway lighting for private streets may take on different characteristics than public street lighting. These differences are evident in terms of light source, spacing, and style, often matching or at least complementing the adjoining development lots.

Proper site lighting provides for the safety and accessibility of outdoor spaces at night. Fixtures should be selected for lighting capacity as well as architectural quality that will lend a sense of place and articulation to the site. To the maximum extent possible, light fixtures should be selected for consistency throughout the planned project area. They should be designed as cutoff fixtures to minimize light pollution and glare. They also should offer a true color rendition in lieu of yellow (high pressure sodium) street lights. Some pedestrian lights may be timer-controlled to discourage late night access to certain areas as well as to conserve energy, while other areas may use low-level pedestrian accent lighting to illuminate pathways and special pavements during nighttime activities. These could range from low-voltage lighting to solar-powered fixtures.

A. All pedestrian areas and vehicular areas on site are to be lighted.

B. Light emitting diode (LED) lighting is recommended for this site due to its low energy use, low long-term maintenance costs, and increasing availability.

C. Site lighting should have the following specifications:

   1. 4100 Kelvin (color), 80-100 CRI
   2. Bulb Life: 100,000 to 150,000 hours
   3. Wattage: 80 to 100 (max)
   4. Lumens: 6800 to 8500 (determines brightness)
   5. Max Min: 10 FC or less (less equals more uniform lighting)

Bollard Lighting

Wall-Mounted Lighting

D. Site lighting should meet the following parameters:
   1. Coordinate with trees in parking lot islands so that tree branch growth will not obscure lighting at mature growth.
   2. Locate poles in parking lot islands when practicable (coordinate with trees).
   3. Locate light poles behind parking lot curbs instead of in the middle of parking stalls.
   4. Coordinate location of electrical transformers in unobtrusive areas of the site.

E. Lighting style and color rendition shall be consistent throughout Obici Place.

F. Fixtures for street, site, and low-level pedestrian lighting should complement one another.

G. Tool-less entry fixtures should be used for ease of maintenance.

H. Building-mounted lighting fixtures shall coordinate with street and site lighting in terms of illumination areas as well as fixture style and lamp.

I. Lighting of building facades and signage is encouraged, provided that unwanted glare is shielded from neighboring businesses and homes.

J. Light poles should be direct-bury fiberglass or better material.

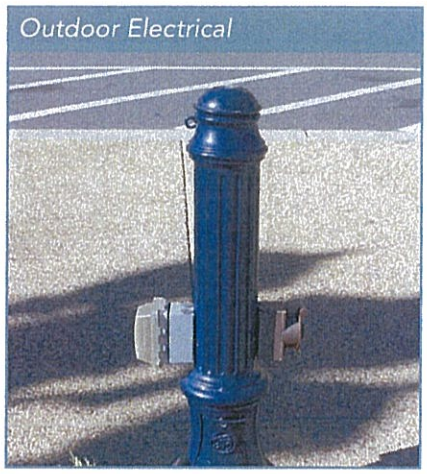
K. Pole-mounted lighting for pedestrians should range between 12 feet and 16 feet above grade.

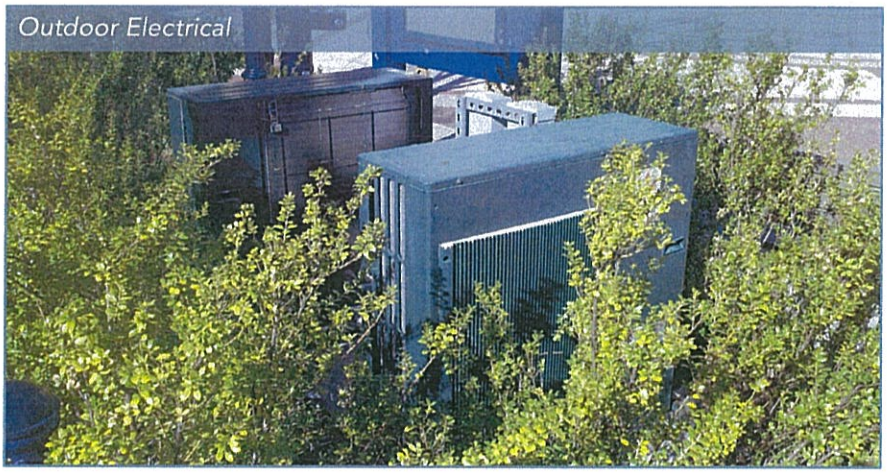
L. Light poles may be used for regulatory or wayfinding signs provided they are minimized and mounted cleanly.

M. Banners may be located on light poles if bracket arms are cleanly attached.

N. Pedestrian lighting also may include bollard lighting, recessed in-ground fixtures, low-level accent lighting, and wall mounted lighting provided character of the fixtures complement the overall site aesthetic and are coordinated with other light fixtures on the site.

Cooper Fixture with Banners


Outdoor Electrical


Outdoor Electrical

Dominion Virginia Power (DVP) has supplied the Cooper-type fixture for pole-mounted lighting styles on various other municipal site and roadway developments. This is one of the more modern lights offered by DVP. This fixture would lend itself well to Obici Place since it resembles the classic acorn-shaped Colonial fixtures. Any similar light fixture recommended would be well suited to reflect this style; however, selections are often limited to DVP standards. Special lighting fixtures that deviate from their inventory may require a special lighting agreement with DVP if they are to maintain these lights.

OTHER ELECTRICAL UTILITIES

Other than lighting, there are other site electrical utilities that support building and site development which merit attention and care in order to prevent conflicts with other site elements. These elements include generators; transformers for lighting and for buildings, meters, junction boxes, underground conduits; and switches. General considerations should be made for these items which include the following parameters:

A. Generators will be screened substantially with a wall or fence structure to reduce noise and block general site lines. Plant material should be used to soften the screening structure surrounding the generator. Any screening will need to account for minimal air circulation and safety clearance requirements. Screen walls or fence material should be integrated into the building and should generally match in materials and color.

B. Transformers should be planned and located early to coordinate with plant materials, sidewalks, curbs, and other site amenities in order that these items are not left to resolve during construction. Transformers shall be screened with plant material, and screening should allow room for minimal clearances mandated by the power company.

C. Meters shall be screened from public view and shall be integrated with the buildings.

D. Junction boxes and related electrical switches and wiring boxes and devices shall be screened from view with plant material and they should be located off of pavements.

E. Conduits will be located behind walks for ease of access and maintenance. They shall be sleeved under all pavement crossings.

F. Power pedestals should be located inconspicuously where outdoor power may be required.

OTHER SITE-RELATED UTILITIES

Other private franchise utilities may include gas, fiber optic, phone, cable television, and other communications lines. They shall be planned to coordinate with electrical and other underground and above ground utilities and site amenities. Criteria for these elements are as follows:

A. Gas meters shall be screened from view.

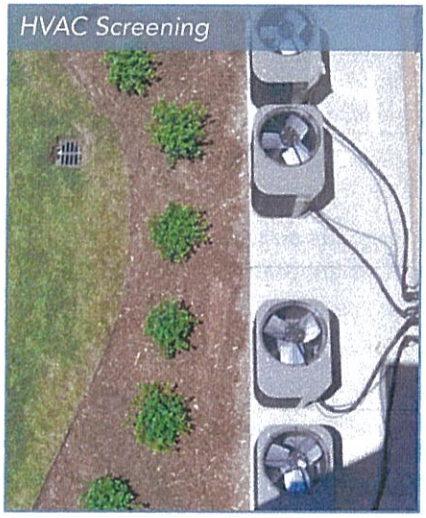
B. All communication, information cables and lines, and their above-ground pedestals shall be planned and located in advance of construction and screened with plant material.

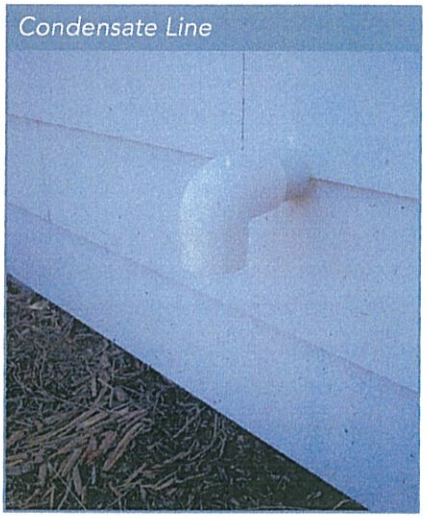
OTHER BUILDING-RELATED UTILITIES

Other building-related utility elements may include heat pumps, chillers, and related building systems that exit the building envelope to the site. These elements shall meet the following requirements:

A. Heating ventilation and air conditions (HVAC)units shall be located on roofs or behind the building fronts and depending on location screened with plant material and/or decorative barriers or fencing to match building materials and color. Air circulation clearances shall be maintained, and areas in between units shall be on a maintainable surface such as concrete or gravel.

B. Condensate drain lines exiting buildings from condensate buildup in air handlers shall be coordinated with plant material and drainage so that plant beds are not drowned out and runoff does not drain across pavements.


HVAC Screening


Condensate Line

Grading, Drainage, and Stormwater Management

The stormwater management pond for Obici Place shall serve as a regional stormwater management plan for the entire development. The developer shall incorporate public open spaces and focal elements into the overall design of the pond and its surrounding spaces.

Due to the intended nature of the Obici Place development, new impervious surfaces will create a need for a comprehensive stormwater management strategy. This development will be designated as an Intensely Developed Area (IDA). Sheet flow from roof structures and surface parking lots will create the majority of stormwater runoff. Runoff will be collected and guided via City-standard curb and gutter, until it encounters a curb cut or drain inlet. The design of an adequate storm system should be coordinated during design development to ensure a cohesive stormwater management strategy. Practices such as installing permeable pavers or utilizing bio-retention beds should be considered to reduce the overall site runoff.

Natural Drainage

Permeable Pavers

A. Strategy

The stormwater management pond will collect most of the stormwater from the entire Obici Place site via underground storm pipes as well as limited surface runoff from the immediate areas surrounding the pond. The wet pond shall be designed as a passive recreational amenity serving as both stormwater mitigation and open space for the nearby residents. Features to be incorporated into the design of the wet pond are lighting, an aerator fountain, native plantings, pathways, and seating areas for users to enjoy.

B. Standards

1. The stormwater pond shall reside under private ownership and maintenance.
2. A 10-foot wide aquatic/safety bench shall be provided in the pond.
3. A 10-foot wide safety/access bench shall be provided. Access shall be provided to the overflow structure.
4. Basin side slopes shall have 3:1 slopes or shallower.
5. Fencing is not required.
6. All buildings may be located up to 25 feet from the 100-year high-water elevation of the pond.
7. Decks, patios, walkways, and roadways may be located closer than 25 feet provided that appropriate safety measures are incorporated.
8. Vegetative perimeter yards or barriers and buffer yards shall be provided where open space areas are adjacent to the pond.

Overflow Structure

Wet Pond

9. Where planting is provided, the plantings shall be complementary to the other planting areas throughout Obici Place providing a pleasant environment for the use of residents and visitors to enjoy the open air and water views during, perhaps, a weekend family picnic.

10. All stormwater management facilities must be designed in accordance with Virginia Stormwater BMP Clearinghouse Design Specifications.

C. Alternative BMP Designs and Innovations

1. The developer may propose alternative BMP designs and innovations that will accomplish the same water quality and quantity benefits as the proposed wet pond detailed in Section A and B if the proposed design meets the following criteria:

   a. The design solution is regional and comprehensive in nature.

   b. The design solution is allowed under the then current versions of the referenced regulatory documents in this section.

   c. The design solution adequately addresses replacing the aesthetic value of the pond being displaced through equal or better provision of open spaces and amenities.

The following documents are incorporated into this document by reference:

1. Virginia Stormwater Management Handbook; most current edition
2. City of Suffolk Unified Development Ordinance Article 6, Section 31-611.

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EXHIBIT D

Prepared for: Suffolk Economic Development Authority

Prepared by: wpl

Kimley»Horn

OBICI PLACE Design Guidelines

FINAL 4/7/2015

RZ09-14

AGENDA: June 3, 2015, Regular Session

ITEM: **Resolution** – A resolution supporting the Virginia Housing Development Authority's (VHDA) financing of the Meridian at Obici Place Multi-Family Apartment Project

Waverton Development, Inc. is proposing to construct a 224-unit multi-family housing development called Meridian at Obici Place at the Obici Place Mixed Use Development located along the 1900 block of North Main Street. This is the first phase of development to occur within this Mixed Used Development project, which is seeking rezoning approval for a mixed-use zoning district at the June 3, 2015 City Council meeting. The apartment developer has advised the City that the project will be financed by the sale of taxable bonds issued through the Virginia Housing Development Authority (VHDA). The program requires 20% of the apartments to be leased to families making no more than 80% of the area median income ($56,320), and the remaining 80% of the apartments to be leased with no maximum income limits for prospective residents.

Waverton Associates is seeking an endorsement of their VHDA funding mechanism.

In that regard, attached is a Resolution supporting the Virginia Housing Development Authorities Financing of the project.

ATTACHMENTS:

- Resolution
- Exhibit A – Meridian at Obici Place Project Rendering

RESOLUTION NUMBER _____

A RESOLUTION SUPPORTING THE VIRGINIA HOUSING DEVELOPMENT AUTHORITY'S (VHDA) FINANCING OF THE MERIDIAN AT OBICI PLACE MULTI-FAMILY APARTMENT PROJECT

WHEREAS, the City Council of the City of Suffolk, desires to make the determination required by Section 36-55.30:2(B) of the Code of Virginia of 1950, as amended, in order for the Virginia Housing Development Authority to finance the economically mixed project (the "Project") shown on Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Suffolk, Virginia that:

1. The ability to provide residential housing and supporting facilities that serve persons or families of lower or moderate income will be enhanced if a portion of the units in the Project are occupied or held available for occupancy by persons and families who are not of low and moderate income; and

2. Private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the surrounding area of the Project and will induce other persons and families to live within such area and thereby create a desirable economic mix of residents in such area.

This resolution shall be effective upon its adoption and shall not be published.

READ AND ADOPTED: _____

TESTE: _____
Erika S. Dawley, City Clerk

APPROVED AS TO FORM:

Deputy City Attorney
Helivi L. Holland, City Attorney

Exhibit A Meridian at Obici Place Project Rendering

Staff Reports

AGENDA: **June 3, 2015, Regular Session**

ITEM: **Motion** – A motion to schedule a public hearing for the June 17, 2015 City Council meeting, regarding authorizing the issuance and sale of General Obligation Public Improvement Bonds, Series 2015

RECOMMENDATION:

Schedule a public hearing for the June 17, 2015, City Council meeting

Motion to Schedule a Work Session

Non-Agenda Speakers

New Business

Announcements and Comments