

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	August 1, 2022
Action Required:	Adoption of Ordinance to designate 415 and 415-B 10 <sup>th</sup> Street N.W. an Individually Protected Property
Presenter:	Jeffrey Werner, Historic Preservation and Design Planner
Staff Contacts:	Jeffrey Werner, Historic Preservation and Design Planner
Title:	<b>415 and 415-B 10th Street NW - Designation of Property as an Individually Protected Property (1 of 2 readings)</b>

### **Background**

Per Sec. 34-274, City Council may make additions and deletions to the list of *protected properties* and, in evaluating such requests, consider the recommendations of the Planning Commission and the Board of Architectural (BAR).

Following discussions during the June 14, 2022 Planning Commission meeting, including the property owner's expression of consent for IPP designation for 415/415-B 10<sup>th</sup> Street NW, an approximately 0.19-acre parcel with three existing structures—referred to as the church, the parish hall, and the rectory--at the NE corner of 10th Street, NW and Grady Avenue, staff prepared for the Planning Commission and the BAR an evaluation of the property and draft language for the zoning text and map amendments.

On July 12, 2022, the Commission recommended and on July 19, 2022, the BAR recommended that Council approve the zoning text and zoning map amendments to designate the property an Individually Protected Property.

### **Proposed Actions**

Revise §34-273. *Individually protected properties* as follows:

Add 415/415-B 10<sup>th</sup> Street NW to the list of protected properties, and direct the zoning administrator to modify the Zoning Map referenced within §34-1 to note that, per the provisions of 34-273(b) the property at 415/415-B 10<sup>th</sup> Street N.W. is, by virtue of its designation as an individually protected property, added as a Minor Design Control District.

### **Discussion**

#### **Overview of Staff Analysis**

Staff prepared and submitted to the Planning Commission (July 12, 2022) and the BAR (July 19, 2022) an evaluation of the property applying the eight criteria under Sec. 274(b) and for consistency

with the 2021 Comprehensive Plan. Staff recommended designation due to the property's special historic, cultural, and architectural significance and that designation will meet the Comprehensive Plan goals to support the recognition of historic properties and seek historic designation as a means to protect those resources. The Commission and the BAR concurred, approving motions recommending that Council approve the IPP designation.

### **Planning Commission**

On July 12, 2022, the City's Planning Commission, following an advertised public hearing and after consideration of the criteria in Sec. 34-274(b), approved the following:

Recommend that City Council approve ZT-22-00001 and ZM-22-00001 amending and reenacting the Zoning Map incorporated within Section 34-1 of the Charlottesville City Code, 1990, as amended, by the rezoning of 415/415-B 10th Street NW (Parcel 4-46) to add a historic overlay district designation to the property, and also amending and reenacting Section 34-273 of the Charlottesville City Code, 1990 as amended, to add this property to the City's list of Individually Protected Properties.

### **Board of Architectural Review**

On July 19, 2022, the City's Board of Architectural Review, following an advertised public hearing and after consideration of the criteria in Sec. 34-274(b), approved the following:

Having reviewed the criteria for designation of Individually Protected Properties per City Code Section 34-274, I move the BAR recommend that City Council approve the request to designate 415/415-B 10th Street NW (Parcel 4-46) an Individually Protected Properties.

### **Alignment with City Council's Vision and Strategic Plan**

The proposed rezoning supports City Council's vision for *Arts and Culture*: Our community has world-class performing, visual, and literary arts reflective of the unique character, culture, and diversity of Charlottesville. Charlottesville cherishes and builds programming around the evolving research and interpretation of our historic heritage and resources....

It also contributes to Goal 2 of the Strategic Plan: Be a safe, equitable, thriving, and beautiful community; and Objective 2.5: Provide natural and historic resources stewardship.

### **Community Engagement**

On April 27, 2022, the applicant held a community meeting at the Brick Cellar inside Dairy Market at 946 Grady Avenue at 6:00 pm. Ten members of the public attended the meeting. The meeting was recorded and is available to the public through the developer. Several members of the public stated their preference that the owner seek historic designation of the Subject Property to ensure the building on the site would remain.

On June 10, 2022, the City's Historic Resources Committee sent to the Planning Commission and City Council a letter requesting they "initiate the process necessary to establish 415 10th Street, NW, as a locally designated historic property, with the church, parish hall, and rectory as contributing structures."

On July 12, 2022, the City's Planning Commission, reviewed the request at an advertised public hearing.

On July 19, 2022, the City's Board of Architectural, reviewed the request at an advertised public hearing.

**Budgetary Impact**

No budgetary impact.

**Recommendation**

The Planning Commission voted to recommend City Council approve the proposed designation, and the BAR voted to recommend City Council approve the proposed designation. Staff recommends City Council approve the proposed Ordinance.

*Suggested Motion: "I move the ORDINANCE amending City Code Section 34-273(b) to add Tax Map 4 Parcel 46 (address 415 and 415-B Tenth Street, N.W.) as an individually protected property and minor architectural design control district"*

**Alternatives**

City Council may, by motion, decide to deny the proposed designation.

**Attachments**

1. 415 10th St NW ZTA ZMA for IPP (PC final June 29)\_Staff Report and attachments
2. Ordinance - 415 10th Street IPP for CC