



Application for a Sidewalk Waiver

Department of Neighborhood Development Services

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

Tax Map and Parcel Number(s) 49-65, 49-72.1, 49-72, 49-73

Address(es) 908 St. Clair Ave., 1133 Otter St., 1221 Landonia Circ., 0 Landonia Circ.

Note: This application is only for a "waiver" to the City's sidewalks, curbs and gutters regulations. Applicants wishing to contribute funds to a sidewalk improvement fund in an amount equivalent to the cost of dedication of land for and construction of the required sidewalk, curb and gutter must use the Funds In Lieu of Sidewalk Application.

Applicant Contact Information

Name Kelsey Schlein

Company Shimp Engineering, P.C.

Phone 434-227-5140

Email kelsey@shimp-engineering.com

Owner Contact Information

Name Mount View Baptist Church (49-65), Route 250 Houses, LLC (49-72 & 49-72.1), Mount View Properties LLC (49-73)

Address 49-65: 908 St. Clair Ave. Charlottesville, VA 22901 | 49-72 & 49-72.1: 205 12th St. NE, Charlottesville, VA 22902 |

Phone Contact applicant 49-73: 338 Rio Road W, Charlottesville, VA 22901

Email Contact applicant

Owner's Signature:

Kelsey Schlein

07/07/2022

Owner *(see attached authorization to submit application)*

Date

Required application materials and fee:

- All required materials. Contact City Planner for more information.
- Correct application fee. Checks payable to "City of Charlottesville".

Note: Incomplete applications will not be processed.

Date Received: <u>7/11/2022</u>	Received by: <u>O. Eubank</u>
Fee: <u>250.00</u>	Cash/Check #: <u>35531</u>

Revision Date: May 19, 2022

0722 00252

January 13, 2022

Charlottesville Dept. of Neighborhood Development Services
610 E Market St.
Charlottesville, VA 22902

Re: AUTHORIZATION TO SUBMIT LAND USE APPLICATIONS

Route 250 Houses LLC, a Virginia limited liability company (the "Owner"), is the Owner of Charlottesville tax parcels 490072000 and 490072100 (the "Property"). The Owner desires to submit land use applications affecting the Property, such as, but not limited to, Zoning Amendment Applications, Site Plan Applications, and other similar land use applications affecting the Property (collectively, the "Land Use Applications"). The Owner hereby authorizes the following individuals and entities to submit Land Use Applications on behalf of the Owner in connection with the Property: Justin M. Shimp and Kelsey Schlein of Shimp Engineering. This authorization includes the authority to take any other steps, and submit any other documentation to the City of Charlottesville necessary to effectuate the Land Use Applications on behalf of the Owner.

ROUTE 250 HOUSES LLC
a Virginia Limited Liability Company

By: Ly C. Appier
[Member]

Date: 1-21-22

January 13, 2022

Charlottesville Dept. of Neighborhood Development Services
610 E Market St.
Charlottesville, VA 22902

Re: AUTHORIZATION TO SUBMIT LAND USE APPLICATIONS

Mount View Baptist Church (the "Owner") is the Owner of Charlottesville tax parcel 490065000 (the "Property"). The Owner desires to submit land use applications affecting the Property, such as, but not limited to, Zoning Amendment Applications, Site Plan Applications, and other similar land use applications affecting the Property (collectively, the "Land Use Applications"). The Owner hereby authorizes the following individuals and entities to submit Land Use Applications on behalf of the Owner in connection with the Property: Justin M. Shimp and Kelsey Schlein of Shimp Engineering. This authorization includes the authority to take any other steps, and submit any other documentation to the City of Charlottesville necessary to effectuate the Land Use Applications on behalf of the Owner.

MOUNT VIEW BAPTIST CHURCH

By: Robert R. Henry
TRUSTEE

Date: January 21, 2022

By: John R. Lowell
TRUSTEE

Date: January 21, 2022

January 13, 2022

Charlottesville Dept. of Neighborhood Development Services
610 E Market St.
Charlottesville, VA 22902

Re: AUTHORIZATION TO SUBMIT LAND USE APPLICATIONS

Mount View Properties LLC, a Virginia limited liability company (the "Owner"), is the Owner of Charlottesville tax parcel 490073000 (the "Property"). The Owner desires to submit land use applications affecting the Property, such as, but not limited to, Zoning Amendment Applications, Site Plan Applications, and other similar land use applications affecting the Property (collectively, the "Land Use Applications"). The Owner hereby authorizes the following individuals and entities to submit Land Use Applications on behalf of the Owner in connection with the Property: Justin M. Shimp and Kelsey Schlein of Shimp Engineering. This authorization includes the authority to take any other steps, and submit any other documentation to the City of Charlottesville necessary to effectuate the Land Use Applications on behalf of the Owner.

MOUNT VIEW PROPERTIES LLC
a Virginia Limited Liability Company

By:  _____ [Partner]

Date: 1/25/22 _____

SHIMP ENGINEERING, P.C.

Design Focused Engineering

Mr. James Freas, Director of Neighborhood Services
City of Charlottesville
PO Box 911
Charlottesville, VA 22902

June 8, 2022

RE: MOUNT VIEW PUD SIDEWALK EXCEPTION REQUEST (SEC. 29-182(j)(5))

Dear Mr. Freas and Members of the Planning Commission,

In accordance with Sec. 182(j)(5) of Chapter 29 – Subdivision of Land of the City Code, we respectfully request an exception from Sec. 29-182(j)(2) which requires sidewalks to be constructed on both sides of every new street; specifically this exception request applies to the eastern side of the street proposed within the existing right-of-way that runs perpendicular to River Vista Avenue. See attached “Exhibit A” which shows the proposed improvements in the right-of-way and the area where sidewalks are not proposed, which is the subject of this exception request. In your evaluation of this request, please consider the following:

Sec. 29-36 – Variations

(a) Whenever this chapter contains provisions for variation or exception to a requirement, the agent or commission in considering a request for a variation or exception, shall consider whether, because of unusual size, topography, shape of the property, location of the property or other unusual conditions (excluding the proprietary interests of the subdivider) the requirement that is proposed to be varied or excepted would result in substantial injustice or hardship and would not forward the purposes of this chapter or serve the public interest.

In the right-of-way that is perpendicular to River Vista Ave, the Mount View PUD proposes the construction of a road to City street standards with the exception of a providing a sidewalk along the eastern edge of the proposed street. The existing right-of-way is 40’ in width and is bound on the east and west by privately owned residential lots. The proposed street will feature a sidewalk along the western side and will feature street trees along the eastern side. There are no residential units proposed to front on this portion of right-of-way and the sidewalk proposed along the western side of the street is well integrated into a larger sidewalk network within the Mount View PUD. The 40’ right-of-way width limits the improvements that can be accommodated within the right-of-way and this limitation is further compounded by the earthwork necessary to design a road in accordance with street standards. Although a sidewalk is not provided on the eastern side of the street, pedestrian connectivity is not compromised within the PUD. There is a clear pedestrian connection running through the site connecting Landonia Circle to River Vista and there are pedestrian connections provided east to west through the site as well, providing connection points to Otter St., Mount View Church, and adjacent properties. In summary, in your consideration of this request please consider the site constraints within the right-of-way, the well-connected pedestrian network elsewhere within the PUD including on the western side of the proposed street, and that no units will be fronting on this portion of the right-of-way.

Sec. 29-182(j)(5)(i-vii)

(i) whether a surface other than concrete is more appropriate for the subdivision because of the character of the proposed subdivision and the surrounding neighborhood;

This consideration is not applicable for this particular request.

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(ii) whether sidewalks on only one (1) side of the street may be appropriate due to environmental constraints such as streams, stream buffers, critical slopes, floodplain, tree cover, or wetlands, or because lots are provided on only one (1) side of the street;

There are no environmental constraints within the right-of-way and there are no residential units proposed on the street. Sidewalks are proposed only on one side of the street due to the right-of-way width and existing site grade which must be reworked within the existing right-of-way to meet City street standards.

(iii) whether the sidewalks reasonably can connect into an existing or future pedestrian system in the area;

The sidewalk proposed on the western portion of the street is well integrated into the internal sidewalk network proposed within the Mount View PUD; there are clear north/south and east/west pedestrian connections provided.

(iv) whether the length of the street is so short and the density of the development is so low that it is unlikely that the sidewalk would be used to an extent that it would provide a public benefit;

The public street portion of the travel way is short; approximately 70' in length and it is not expected for there to be significant vehicular traffic along this portion of right-of-way to the point where it would be unsafe for pedestrians to cross to the western sidewalk within the development.

(v) whether an alternate pedestrian system including an alternative pavement could provide more appropriate access throughout the subdivision and to adjoining lands, based on a proposed alternative profile submitted by the subdivider;

No alternative surfaces are proposed with this request. The pedestrian connections proposed provide access to adjacent streets and properties.

(vi) whether the sidewalks would be publicly or privately maintained;

The majority of the pedestrian connections affiliated with the development will be privately maintained however all improvements proposed within the right-of-way will be publicly maintained.

(vii) whether the waiver promotes the goals of the comprehensive plan, including the applicable neighborhood plan; and

The Mount View PUD promotes many goals of the comprehensive plan; the PUD Development Plan details the various consistencies. This development proposes a well-connected pedestrian network that promotes walkability within and around the proposed PUD. Granting of this waiver will not compromise pedestrian connectivity in this particular location.

(viii) whether waiving the requirement would enable a different principle of the neighborhood plan to be more fully achieved.

Waiving the sidewalk requirement on the eastern side of the proposed street would allow for the construction of these street improvements within the existing 40' right-of-way without encroaching on adjacent properties. These improvements are necessary to provide safe and convenient access to the proposed Mount View PUD.

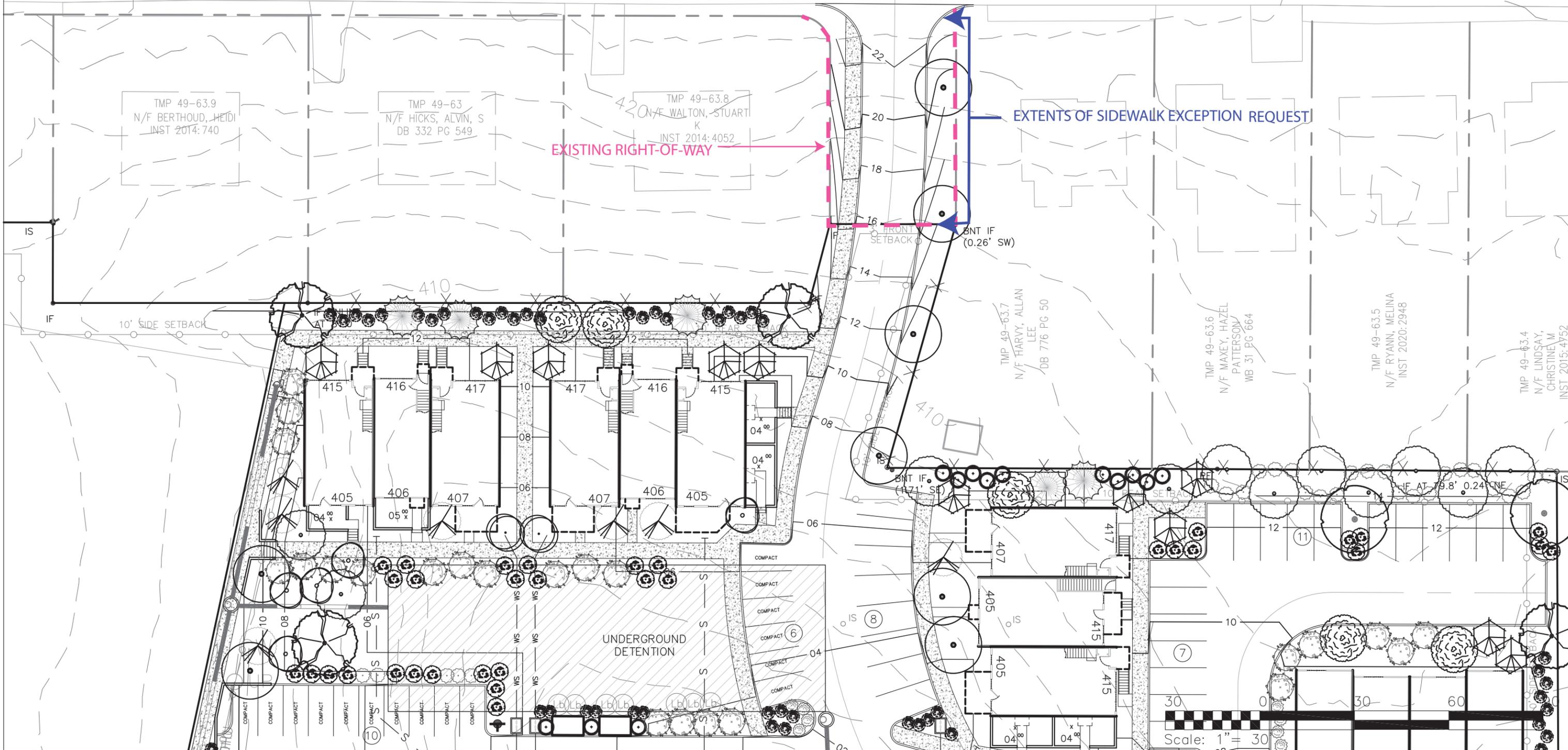
SHIMP ENGINEERING, P.C.
Design Focused Engineering

Thank you for your consideration of this request.

EXHIBIT A

TA AVE.
R/W

RIVER VISTA



EXISTING RIGHT-OF-WAY

EXTENTS OF SIDEWALK EXCEPTION REQUEST

UNDERGROUND DETENTION

