

## Agenda

### PLANNING COMMISSION REGULAR DOCKET TUESDAY, June 12, 2018 at 5:30 P.M. CITY COUNCIL CHAMBERS

#### **I. Commission Pre-Meeting (Agenda discussion(s))**

*Beginning:* 4:30 p.m.

*Location:* City Hall, 2nd Floor, NDS Conference

#### **II. Commission Regular Meeting**

*Beginning:* 5:30 p.m.

*Location:* City Hall, 2nd Floor, Council Chambers

##### **A. COMMISSIONERS' REPORTS**

##### **B. UNIVERSITY REPORT**

##### **C. CHAIR'S REPORT**

##### **D. DEPARTMENT OF NDS**

##### **E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA**

##### **F. CONSENT AGENDA**

(Items removed from the consent agenda will be considered at the end of the regular agenda)

1. Minutes – March 13 & 14, 2018 – Pre- meeting and Regular meeting
2. Minutes – April 10, 2018 - Pre- meeting and Regular meeting
3. Zoning Text Initiation – Temporary Construction Laydown and Temporary Parking Areas

#### **III. JOINT MEETING OF COMMISSION/ COUNCIL**

*Beginning:* 6:00 p.m.

*Continuing:* until all public hearings are completed

*Format:* (i) Staff Report, (ii) Applicant, (iii) Hearing

**1. SP18-00002 – 946 Grady Avenue (Dairy Central)** – Landowner Dairy Holdings, LLC, by its agent, has submitted an application seeking approval of a Special Use Permit (SUP) to allow for a mixed use development that will contain multiple buildings (some mixed-use buildings, some single-use buildings). The purpose of the SUP is to authorize residential density up to 60 dwelling units per acre, per City Code Section 34-780(b) within the entire mixed use development site and to authorize an increase in the maximum permitted building height from 50 feet to 65 feet per City Code Section 34-777(2). The Subject Property is identified on City Real Property Tax Map 31 Parcel 60 (Tax Map Parcel ID number 310060000) and has an area of approximately 4.35 acres. The Subject Property has frontage on Grady Avenue, Preston Avenue, 10<sup>th</sup> Street NW and West Street. The Subject Property is zoned “CC” (Central City Corridor), contains an Individually Protected [Historic] Property, and is situated within an Entrance Corridor Overlay Zoning District. If a residential density of 60 DUA is granted, that will allow a total of 261 dwelling units within the development site (under the current zoning, only 187 dwelling units could be developed (43 DUA, max)). The Comprehensive Plan Land Use Map calls for this area to be used and developed for mixed-uses. The Comprehensive Plan specifies that density of residential development should be greater than 15 DUA in this location. Information pertaining to request may be viewed online at <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services> or obtained from the Department of Neighborhood

Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in this special use permit petition may contact Brian Haluska by email ([haluska@charlottesville.org](mailto:haluska@charlottesville.org)) or by telephone (434-970-3186).

**2. ZM18-03-01 – Parking Modified Zone Amendments** – A proposed amendment to City’s Official Zoning Map to include within the Parking Modified Zone referenced in City Code § 34-971(e)(3) the following locations: the site of Friendship Court (Tax Map Parcel ID number: 280112000); the site of the Charlottesville Redevelopment and Housing Authority’s (CRHA) Crescent Halls building (Tax Map Parcel ID number: 280218000); the site of the CRHA’s Avon/Levy site located at 405 Levy Avenue and 405 Avon Street (Tax Map Parcel ID numbers: 580115000 and 580114000); and the CRHA’s 6th Street site located at 6th Street SE and Monticello Avenue (Tax Map Parcel ID number: 270019000). The purpose of the Parking Modified Zone is to reduce the number of on-site parking requirements for non-residential developments, exclude affordable dwelling units from the calculation of required parking spaces; and to provide multiple mechanisms for satisfying on-site parking requirements.

Charlottesville City Council and the Charlottesville Planning Commission will jointly conduct a public hearing, to receive public comment on the above proposed zoning text amendment. The proposed zoning text amendments and related materials are available for inspection at the Charlottesville Dept. of Department of NDS, 610 East Market Street, Charlottesville, 22902. Tel. 434-970-3182. Staff contact: Brenda Kelley, Email: [kellybr@charlottesville.org](mailto:kellybr@charlottesville.org).

**3. ZT18-04-01: Restaurants: Drive-through windows in Highway Corridor** - A proposed amendment to the text of the City’s Zoning Ordinance, City Code section 34-796 to authorize restaurants with drive through windows in the Highway Corridor (HW) Mixed Use Zoning District with a special use permit.

Charlottesville City Council and the Charlottesville Planning Commission will jointly conduct a public hearing, to receive public comment on the above proposed zoning text amendment. The proposed zoning text amendments and related materials are available for inspection at the Charlottesville Dept. of Department of NDS, 610 East Market Street, Charlottesville, 22902. Tel. 434-970-3182. Staff contact: Heather Newmyer, Email: [newmyerh@charlottesville.org](mailto:newmyerh@charlottesville.org)

**4. ZT18-05-02 – Mixed Use Development Standards** - A proposed amendment to the text of the City’s Zoning Ordinance, Article VI (Mixed Use Districts), Division 1 (General), to specify that, in the event that any mixed use zoning district allows additional height for a mixed-use building, or allows additional residential density for a mixed use development the following requirements must be met by the building or development, in order to be eligible for the bonus height or development:

- If a zoning district allows additional height for a mixed-use building, then residential and non-residential uses shall each occupy at least 12.5% of the Gross Floor Area of the proposed building, unless different percentages are specified within the regulations for that zoning district.
- If a zoning district allows for additional residential density for a mixed-use building, then residential and non-residential uses shall each occupy at least 12.5% of the Gross Floor Area within the proposed building, unless different percentages are specified within the regulations for that zoning district.
- If a zoning district allows for additional residential density for a mixed-use development or project, then residential and non-residential uses shall each occupy at least 12.5% of total Gross Floor Area of the buildings within the proposed development or project, unless different percentages are specified within the regulations for that zoning district.

Charlottesville City Council and the Charlottesville Planning Commission will jointly conduct a public hearing, to receive public comment on the above proposed zoning text amendment. The proposed zoning text amendments and related materials are available for inspection at the Charlottesville Dept. of Department of NDS, 610 East Market Street, Charlottesville, 22902. Tel. 434-970-3182. Staff contact: Missy Creasy, Email: [creasym@charlottesville.org](mailto:creasym@charlottesville.org)

**IV. COMMISSION’S ACTION ITEMS**

*Continuing:* until all action items are concluded

1. Entrance Corridor Review Board
  - a. 916, 920 East High Street & 325 10<sup>th</sup> Street NE (10<sup>th</sup> & High)
  - b. Lexington Avenue and East High Street - Tarleton Oak
  - c. 2025 Fontaine Ave/Colony Plaza
  
2. Site Plan - Sunrise Park PUD Phase IV
  
3. 0 Carlton
  - a. Critical Slope Waiver
  - b. Special Use Permit

**V. FUTURE MEETING SCHEDULE/ADJOURN**

Tuesday, June 26, 2018 – 5:00 PM	Work Session	Comprehensive Plan
Tuesday, July 10, 2018 – 4:30 PM	Pre- Meeting	
Tuesday, July 10, 2018 – 5:30 PM	Regular Meeting	<u>Rezoning</u> - 1206 Carlton Avenue <u>Entrance Corridor</u> - Seminole Square shopping center <u>Minutes</u> – April 24, 2018 – Work Session

**Anticipated Items on Future Agendas**

Zoning Text Amendments –Off-street parking facilities requirements along streets designated as “framework streets” (initiated May 8, 2018)  
SUP –MACAA (1021 Park Street), 167 Chancellor Street  
Rezoning and Special Permit - 918 Nassau Street (Hogwaller Farm Development)  
PUD - ZM18-00002- 1335, 1337 Carlton Avenue (Carlton Views PUD)  
 513 Rugby Road

**Persons with Disabilities may request reasonable accommodations by contacting [ada@charlottesville.org](mailto:ada@charlottesville.org) or (434)970-3182**

**PLEASE NOTE: THIS AGENDA IS SUBJECT TO CHANGE PRIOR TO THE MEETING.**

**PLEASE NOTE: We are including suggested time frames on Agenda items. These times are subject to change at any time during the meeting.**

**LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY  
5/1/2018 TO 5/31/2018**

**1. Preliminary Site Plans**

**2. Final Site Plans**

- a. Montessori School of Charlottesville 1602 Gordon Avenue (TMP 9-13) – May 4, 2018
- b. Extra Space – 2307 Hydraulic Road (TM 40C P 46) – May 21, 2018

**3. Site Plan Amendments**

**4. Subdivision**

- a. BLA – 1639 & 1643 Keith Valley Road (TM41A P 41 & 42) - May 8, 2018
- b. Burnet Commons Phase III & Oakwood Cemetery (TMP 27-1) – May 8, 2018

Minutes  
PLANNING COMMISSION REGULAR DOCKET  
TUESDAY, March 13, 2018 and Wednesday March 14, 2018 – 5:30 P.M.  
CITY COUNCIL CHAMBERS  
NDS Conference Room

I. Commission Pre-Meeting (Agenda discussion(s))

*Beginning:* 4:30 p.m.

*Location:* City Hall, 2nd Floor, NDS Conference

Members Present: Chairman Lisa Green, Commissioners John Santoski, Genevieve Keller, Jody Lahendro, and Taneaia Dowell

Members Absent: Corey Clayborne

Chair Green called the meeting to order at 5:00pm and Ms. Creasy provided an overview of the agenda.

Commissioner Keller asked if a work session could be held to discuss the draft comp plan chapters prior to John and Kurt rotating off the Commission. It was determined that this discussion would be included on the April 24<sup>th</sup> work session and chapter champions would be asked to attend as well as Commissioners starting in June.

Chair Green asked if there was any desire to remove any items from the consent agenda. It was noted not at this time.

Ms. Creasy provided an explanation of the actions needed for the Comprehensive Plan amendment request. Commissioner Solla-Yates asked about the public process to determine Scenario one. Commissioner Keesecker, who was a member of the committee, provided background information.

Questions were asked concerning the public hearing on Nassau Street including a request for information on the status of the County application.

II. Commission Regular Meeting

*Beginning:* 5:30 p.m.

*Location:* City Hall, 2nd Floor, Council Chambers

Members Present: Chairman Lisa Green, Commissioners Genevieve Keller, Jody Lahendro, Kurt Keesecker, John Santoski and Taneaia Dowell

Members Absent: Corey Clayborne

A. COMMISSIONERS' REPORTS

Commissioner Lahendro: reported he attended the Housing Advisory Committee, 1/17

- Staff reported on progress to update the Consolidated Plan & Analysis of Impediments to Fair Housing Choice. This is a plan created and managed by the city and TJ HOME Consortium which includes representatives from the TJ Planning Commission region. HUD requires periodic updates to this plan that guides the use of Federal grants that assist low to moderate income persons.

HAC, 2/21

- Mostly an organizational meeting to establish five committees which will be responsible for the bulk of HAC's work.
- Appointed committee members
- Discussed vacancies and relevant organizations not currently represented
- Planning and Coordination Council Technical Committee (PACC/Tech), 1/18
- Reports by city, county and UVA representatives on current projects
- Presentation on "Transportation and Transit Priorities" by TJ Planning District Commission.

- Focused on Metropolitan Planning Organization's Strategic Plan, completed in 2017 and available on website.

Tree Commission, 2/6

- Unable to attend

Tree Commission, 3/6

- Arbor Day ceremony at Venable School, 4/27, 10:00 am.
- Current CIP proposed to Council: 1) Downtown Mall cultural landscape report \$50K; 2) Tree planting \$50K; 3) Downtown Mall tree preservation \$100K; 4) Tree maintenance in P&R operations \$50K
- Subcommittee planning neighborhood meeting.

Commissioner Keller: reported she attended the monthly meeting of the Thomas Jefferson Planning District Commission in which we renewed the director's contact and we approved the annual resolution for the ride share program. The statistics say if people who commute would ride share once a week, we would reduce our single vehicle trips by 20%. She also attended the PLACE Task Force meeting this month, and she is sharing that there are several members of the task force who are very interested in helping the Planning Commission with its community engagement chapter.

Commissioner Dowell: reported on Tuesday, January 16<sup>th</sup> she attended the CDBG Task Force meeting where they went through all of the applications for the grant, and decided based on a point metric system which should receive funding and how it should be allocated. She said we found as task members that those who are applying for grants should try to answer the questions as accurately as possible, in hopes that the scores are higher and would make it a little easier for the task force. She said we enjoy what we do and look forward to next year.

Commissioner Keesecker: reported he attended two meetings. The first one was a series of meetings related to Hydraulic and 29 efforts for the Small Area Plan with TJPDC, VDOT and our County colleagues. There was an open house last Thursday, March 8<sup>th</sup> at CHS that took community comments and it was well attended. Some of the data is being compiled now and will be available on the Hydraulic and 29 website very soon. We as the Planning Commission will meet with City Council on March 22, 2018 to have a presentation and to discuss that plan in more detail. He said the open house last week presented three options that are being considered by the steering committee with two recommended for consideration and one less preferred but all three were presented and a lot of the comments that are coming back are either confirming or fine tuning the recommendations by the Advisory Council. When we meet with City Council, one thing we need to keep in mind is to help with the scoring of the funding of the project at Hydraulic and 29. The City will have to undertake an urban development area designation for that area. We have UDA's in the city now but Hydraulic and 29 is not one of them. To be able to increase the possibility of that project being scored higher in the smart scale process, staff will be helping us understand what designating a new UDA would mean. He met with the Master Planning Council that is a joint city, UVA and the County which met on March 7<sup>th</sup>. He said the last time we met there was a question about the softball field in the University Circle or Lambeth Field area which has now been taken off the table by the Board of Visitors. We were given a presentation by the Office of the Architect and staff on four capital programs that the University is presently pursuing. One of them is Brandon Ave which we are familiar with because it involves the street closing. The second is the Ivy corridor which is from Emmet Street to Alderman, and there are options that are being considered, but it is a considerable change in uses there by that big parking garage. The third one was the work at Ivy Mountain which is property a little further West on 250 for an orthopedics center extensively on some property up the side of the slope, and the last is a Master Plan for the Athletics District which includes a softball field that is currently being looked at on the corner of Massey and Copley. It is where the current practice soccer field is. He said other studies are ongoing at the University including an academic space study, an administrative space study and a parking and transit study that might play well and give us some information for our Comp Plan going forward.

Commissioner Santoski: reported next Monday the Belmont Bridge Steering Committee is meeting from 6-8 at City Space and next Monday March 20<sup>th</sup>, a public meeting at TJPDC in the Water's Street Center will be held for the City

of Charlottesville and the Thomas Jefferson Home Consortium to make a new plan for its federal housing resources from 5-6:30 pm.

B. UNIVERSITY REPORT, Brian Hogg: reported on the recent Board of Visitors meeting. They did vote to locate the new softball field at the corner of Massey. The design will be reviewed by the Board in June, and they hope to have that facility opened by the 2020 season. As part of the planning for the athletic complex, the Board has also approved the demolition of University Hall. He said they are working to document the building. There will be substantial abatement before it's removed. The Board of Visitors did design Ivy Mountain and reviewed a design at their meeting a couple of weeks ago. We are also looking forward to discussions with the city staff on the smart scale plan for Emmet Street meeting; and there will be a meeting next Friday to kick that off.

Gennie Keller: reported she recently had an opportunity to review the building committee minutes from the University and found them quite interesting and illuminating. She wonders if the planning commission could perhaps have an annual or semi-annual meeting with the City, County and the University to try to revive some of the spirit of the three party agreement to think about these very significant projects that are coming from the University that are going to affect the entire region particularly transportation, housing and other things. This could be something to think about as we are going through the Comp Plan process to try to make reference because the University is our major employer both in the City and in the region. She said what happens there really affect us and vice versus. She said maybe we should be more aware of what's coming down the pipeline in the building committee.

CHAIR'S REPORT, Lisa Green: She attended the Rivanna Steering Committee meeting to discuss the next steps to move forward based off the Technical Review Committee for the Rivanna River Corridor. They have done a lot of technical work on historical sites, environmental sites, critical resource map, and existing parks and trails. She said they will be looking at more connections, proposed boat launches and bridges. This was the initial meeting to try to go over what the Technical Committee had done and there is a web page. Open the TJPDC web page and look for Rivanna River Corridor web page. She reported the next day she went to an E. High Streetscape project meeting. It is a project related to part of E. High and 9<sup>th</sup>: and some of Market Street that is adjacent to the Belmont Bridge project. It was submitted for and received Smart Scale funding. It will cover from 9<sup>th</sup> and Market, up to 7<sup>th</sup> street and 9<sup>th</sup> down to Lexington in that intersection; and all the way down to 10<sup>th</sup> on E. High. There is a project website for this as well. On April 21<sup>st</sup>, there will be a neighborhood summit where you can come and give your ideas and look at where things are now, take a walking tour, and a streetscape summit (like an open house). There will be a metro-quest survey much like the Belmont Bridge survey but that won't open up until mid-April around the 13<sup>th</sup> or 14<sup>th</sup>. The Citizens Transportation Advisory Commission meeting was cancelled in February due to weather, and the next meeting is Wednesday March 21, 2018 at the Water Street Center from 7-9 pm. On March 22<sup>nd</sup>, we will have a joint meeting with City Council.

C. DEPARTMENT OF NDS Missy Creasy: said regarding the March 22<sup>nd</sup> meeting, we have not received any specific materials and if we do receive something we will let you guys know. In the ad, I did put the link to the project so that folks can peruse that for the information. She said you will get a preview tomorrow night of the Hydraulic 29 transportation portion and then have the joint session on the 22<sup>nd</sup>. At your April meeting materials will come forward for adoption as a UDA, and we could accept the entire city as a UDA because of the density allowance, so, we won't have any problem complying and adopting the plan as part of the Comprehensive Plan. Regular work session for March 27<sup>th</sup> is the only meeting scheduled to brief/prepare for our May meetings. We are sorting through comments and trying to synthesize those. We received a number of comments on this process, and have incorporated those into one document. We will reserve the 27<sup>th</sup> for you to think about it and we'll talk about it some tomorrow night. The May dates are scheduled and advertised and the first one is May 1<sup>st</sup>.

D. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA  
1011 E Jefferson Street

1. Greg Jackson: 1121 Little High Street said The Little High Neighborhood Association's position and complaint is simply the substantial changes that occurred after the Planning Commission (PC) meeting of 10/11/16 warranted a modification of the SUP and therefore should have gone back to Planning Commission rather than forward to the City Council (CC) meeting of 7/5/17. Can a project change substantially in an appeal process? If so, then the system/procedure is flawed and invalid. If so please provide the appropriate language that supports this process. Ms. Robertson briefly addressed this and cited Va. Code § 15.2-2285 as justification. Our interpretation of Va. Code § 15.2-2285. Is it only relates to the legislative process for building a zoning code or ordinance by –right. The Planning Commission of each locality' does not address working within an existing code or ordinance for a specific project approval. Paragraph C has been cited to us by NDS (Ms. Robertson was not as specific) and states that: 'the governing body may make appropriate changes or corrections in the ordinance or proposed amendment.' The applicant is not a governing body, the change in question is substantial and not appropriate, and it involves a SUP appeal and not an ordinance or proposed amendment. Please clarify how this applies or direct us to the correct code/language. The majority of the citizens (without connections to the project...) and the Planning Commission were alarmed by the substantial changes that occurred after the City Council called for it to go back to the Planning Commission. The neighborhood wanted the 11th street massing to come down but was shocked by the 10th Street massing going up to 5 stories. It is a misnomer to claim it was to address concerns that had been expressed regarding the massing and scale of the building. This change in height is in fact above the stated maximum height of 45' of the B-1 zoning. The developer's team used a loophole that is now, as noted by Ms. Robertson, no longer allowed by the city.

2. Kate Bennis – said she wrote her social work thesis on SINGLE WOMEN WITH SEVERLY DISABLED CHILDREN WHO LIVE IN POVERTY.

She was trying to figure out why some had access to services like housing, ambulance transportation to hospital for appointments, even one month respite care for their children every summer. While others had their funding cut, were told to go back to work for 7.00/hour which would mean they had to find and pay for in-home nursing at 28.00/hour. They were falling further and further into poverty and had no support or safety net. She did everything she could to figure this out, so she read and learned rules and regulations, and talked to the Department of Social Services and advocated for my clients. I simply could not figure out what made the difference between those who got great help and those who did not. She wondered, is it the Color of their skin? The level of education? Did they do better if they spoke English as first language? You know what I found? Klara. If you were lucky enough to have Klara as your Department of Social Services Case Manager, you got services. You had an advocate inside the system who had the authority to make decisions and allocate funds. Done.

Recently a Neighborhood Association faced with sudden growth and development asked learn from us WHAT HAPPENED at 1011 East Jefferson Street?

HOW DID WE END UP WITH:

- 1) a 5 story building in an area where recommended height is half that—2 ½ floors.
- 2) 126 units in area zoned for 30 units
- 3) NO promise of mixed use in B1 business district “established to provide service-type businesses and offices.”
- 4) NO promise of affordable units on site—the developer says they may put the units in cheaper building.
- 5) EVEN THOUGH the MIXED USE and AFFORDABLE UNITS were the main issues cited by the 3 City Council members as the reason they APPROVED the SUP?

WHAT HAPPENED?

How is it that something so egregious, so out of proportion, and with hundreds of citizen voices opposing it, the Planning Commission opposing it, get the go-ahead from the City Council?

Who is supposed to be monitoring this process for the residents? Who is our Advocate? Who is our Klara?

WHAT HAPPENED?

I have learned that the rules and regulations, the zoning codes, terms such as “appropriate,” “transitional,” “harmonious,” “substantial,” and even how to measure height, are left largely up to interpretation. As we know, NDS,



Planning Commission, and City Council are often unclear on the definitions. The developers and owners can spend their working hours and their money to hire brilliant legal representation—they can buy their own Klara. And of course, there is nothing ethically wrong with a business trying to maximize profit—that's their job. What is ethically wrong is a government system that does not balance the inherent power and persuasion that comes with money and maintains a process that favors business over the people. We are asking for those who are listening to do the right thing by the city, to have clear boundaries with industry, and to bring back the SUP for 1011 East Jefferson Street for another public hearing at Planning Commission and then back to City Council for another vote.

3. Michael Payne: said he is speaking on participatory budgeting and the community engagement section of the Comprehensive Plan. The City Council has approved a pilot program for participatory budgeting this year and codifying it in the Comprehensive Plan could provide a great way to have it be more of a permanent part of community engagement in Charlottesville. Also exploring and really having the community land trust as part of the Comprehensive Plan and strategy for affordable housing. He said he is not sure of a public hearing, but he has some concerns regarding Hogwaller Farm development project that the changes in the Special Use Permit request does not fit with the plan right now in terms of transitioning low density residential to Highway Corridor and then transferring low density residential into more higher density into the Comprehensive plan allows for. Likewise there are some issues in Albemarle County where the Special Use Permits he has requested are not providing enough area for streams and that is just a major concern when that comes up later tonight.

4. Ms. Creasy presented the schedule for the public meetings occurring in May:

Tuesday, May 1, 2018  
6pm-8pm  
Buford Middle School, Cafeteria

Thursday, May 10, 2018  
12pm-2pm  
City Space, Main Meeting Room

Saturday, May 12, 2018  
10am-12pm  
Central Library, McIntire Room

Tuesday, May 29, 2018  
5:30-7:30pm  
Belmont Arts Collaborative  
221 Carlton Rd Suite 3, Charlottesville, VA 22902

#### E. CONSENT AGENDA

(Items removed from the consent agenda will be considered at the end of the regular agenda)

1. Minutes – January 9, 2018 – Pre- meeting and Regular meeting
2. Minutes – November 28, 2017 - Work Session
3. Minutes – January 3, 2018 - Work Session
4. Minutes –January23, 2018 – Work Session

Commissioner Santoski moved to accept the Consent Agenda, Seconded by Commissioner Keesecker, motion passes  
6-0.

Vice Mayor Heather Hill gaveled in City Council.

### III. JOINT MEETING OF COMMISSION/ COUNCIL

Beginning: 6:00 p.m.

Continuing: until all public hearings are completed

Format: (i) Staff Report, (ii) Applicant, (iii) Hearing

#### Staff Report

#### 1. Community Development Block Grant (CDBG) and HOME Funding—Report prepared by Tierra Howard, Grants Coordinator.

As part of the CDBG public participation process, the Planning Commission must provide recommendations to City Council on all Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funding recommendations. Attached you will find the proposed allocations for FY 18-19 CDBG and HOME programs. These recommendations are based on CDBG Task Force recommendations for Housing and Public Service activities, the Strategic Action Team for Economic Development activities, and the Belmont and Ridge Street Priority Neighborhood Task Force. Also attached you will find copies of meeting minutes where you can find the recommendations. We were expecting \$388,000 in CDBG funds as well as HOME funds with the city required match. Recommendations came from Council to designate Belmont and Ridge Street to be priority neighborhoods and the action plan identifies how to allocate funds to these neighborhoods. For Economic Development, \$45,000 is recommended in the first year of the action plan.

#### Questions:

Chair Green: asked what is the timing for the neighborhoods that are receiving the funding? How does Council want to divide the funds?

Ms. Howard: said the budgeting process is similarly to the review of undertaken by the CDBG Task Force but with neighborhood representatives.

Commissioner Santoski recused himself from the vote because the Arc of the Piedmont was one of the agencies that had applied for funding. He said he wanted to let folks know that this is a really good process to go through and CDBG/HOME funding has been a benefit to the Arc in the past. He said sometimes we forget the people with disabilities who live in our communities who are some of our lowest income and most vulnerable populations. The CDBG funding has been very beneficial to help maintain those folks in our community from day to day. We have all of these conversations about affordable housing and the disability community has not done as well to remind folk that often the disabled fall well below the poverty level in many categories.

Open the Public Hearing. There were no speakers.

Closed the public Hearing

Commissioner Keller thanked Ms. Dowell for being our representative. She was the representative for several years and it takes a lot of time but it is a very valuable program. She ditto's what Commissioner Santoski said.

Commissioner Dowell moved to approve the fiscal year 2018/2019 CDBG & HOME Budget Allocations as recommended by the CDBG Task Force and Strategic Action Team as outlined in the Planning Commission Packet for March 13, 2018, with the following conditions:

That the City adjusts for actual CDBG entitlement amounts as received from HUD in which funding allocations will be increased/reduced at the same pro-rated percentage actual entitlement to be estimated and no agency will increase more than their initial funding request; seconded by Commissioner Keller, motion passes 5-0-1. (Commissioner Santoski recused from the vote)

2. SP18-00001 - 901 River Road SUP Request - Robert High Development, LLC, contract purchaser, and landowner River Road Plaza, LLC, have submitted an application seeking approval of a Special Use Permit (SUP) request for the property located at 901 River Road with road frontage on River Road and Belleview Avenue.

Staff Report: Heather Newmyer said the item before you tonight is a request for a special use permit for a self-storage company at property addressed 901 River Road, Tax Map 49 Parcel 98 ("Subject Property"). The Subject Property is a little over 2 acres and is zoned Industrial Corridor. Throughout the City's Zoning Ordinance, there are certain uses listed that require a special use permit in order to be permitted within a particular zoning district – where a special use permit allows for additional regulation beyond general requirements should the SUP be approved. In the Industrial Corridor District - a special use permit is required for a self-storage company according to Sec. 34-480. When reviewing special use permits for recommendation of approval or denial, Planning Commission is to look for:

- Whether the proposed development will be harmonious with existing patterns of use and development
- Whether the proposed use conforms to the city's comprehensive plan
- Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed
- Whether the proposed use of development will have potential adverse impacts on the surrounding neighborhood and, if so, whether there are reasonable conditions of approval that would mitigate such impacts.

Applicants Justin Shimp, Valerie Long, Robert High gave a PowerPoint presentation.

Valerie Long: representing the applicant: said she was not involved in the project from the beginning so she cannot take credit for all of the changes that they have made. All of the changes are 1) they went to the committee meetings and were very well received and incorporated much of the feedback from that meeting into their application; 2) they also incorporated the very specific feedback that they received from the commission at their prior meeting about the absence of uses. Staff found that to be a good addition and we agree. She said there have been some questions about mixed use and does this count as mixed use. Please keep in mind the zoning in this district is industrial corridor; it is not one of the cities mixed use zoning districts so the applicant volunteered to include that and we do think it makes sense but she asks that you keep in mind not to analyze it in the context of a typical mixed use district because it is not one. It is a very industrial area. She said this area needs a face-lift.

Open the Public Hearing There were no speakers.

Closed the Public Hearing

### Discussion

Commissioner Dowell: said we have a lengthy agenda tonight so we need to keep the applicant report to the 10 minutes allotted. She said this plan is much better than what came to us the first time. She noted that Ms. Long continued to state zoning and if we go off the definition of mixed use based on the zoning in the city then it should be residential and commercial not a mix of commercial uses.

Commissioner Keesecker: said the zoning is industrial and the special use permit is for a use that is not allowed in industrial. He said there is no requirement in industrial zoning that a mix of uses is present but one of the criteria for the Comp Plan was a mix of uses.

Ms. Creasy: said a mixed use and a mix of uses is a nuance of wording but can be different. Mixed use in the code has a specific definition which notes a combination of residential and some other use whereas a mix of uses in the Comprehensive Plan is a bit broader.

Commissioner Lahendro: said yes it is mostly an industrial neighborhood; a lot of activity going in and out, businesses conducting business, an underutilized area but it is still active. He then looks at this proposed use; 107,000 square feet. He does not see it comparable to the uses in this neighborhood.

Commissioner Keller: agrees with Commissioner Lahendro regarding the lack of activity. It is a SUP and there are reasons why storage units would be only allowed by special use. This is an area that has potential to realize something more significant in the future than warehousing. She doesn't think her opinion of this project has changed since the last time we reviewed it.

Commissioner Santoski: said it is pretty well summed up; it is zoned for industrial use and he can see where self-storage units seem to fit in with the general area and looking at the facts, the general land use specifies business and technology. He said once it goes in there, it is in there for many years and the ability of that being transformed into something else is probably not going to be happening soon. That is why a special use permit is attached to storage units. He is not favoring the SUP.

Commissioner Santoski moved to recommend denial of SP-1800001 seconded by Commissioner Lahendro, motion passes 6-0.

3. ZM17-00003 – 0 Monticello Road- Henningsen Kestner Architects, on behalf of Richard Spurzem, the owner of the property, has submitted a rezoning petition for 0 Monticello Road, which is also identified on City Real Property Tax Map 61 as Parcel 265.A ("Subject Property").

Staff Report: Carrie Rainey: The applicant is requesting a rezoning of the Subject Property to the R-1S single-family "small lot" district to better fit within the surrounding predominantly residential neighborhood and to accommodate the construction of a single family detached dwelling. The Subject Property is currently zoned M-I commercial district, which is a district established to allow for light industrial uses with minimum impacts to the environment. The 2013 Comprehensive Plan Land Use Map indicates the Subject Property should be a high-density residential use. The small lot size and frontage makes the development of high density residential multi-family use difficult. Staff finds the proposed rezoning is not consistent with the Comprehensive Plan Land Use Map, but may contribute to other goals within the Land Use chapter of the Comprehensive Plan, including Goal 2.1: When considering changes to land use regulations, respect nearby residential areas.

#### Open the Public Hearing

Deborah Jackson: said she is representing the Belmont Carlton Neighborhood Association. She said we have no objection to this but we would like more interactive community engagement with all developments that go on within Belmont Carlton. This particular one was 9:00 in the morning on a week day and it's difficult for residents and the community to be engaged in discussion in a meeting at that time. We have asked in our letter for the PLACE Design Task Force take a look at what the protocols are around involving the community.

Councilor Bellamy: asked why did you choose to have a community meeting at 9:00 a.m. on a week day?

Mr. Henningsen: said we knew they had meeting on the second Monday of the month. We had a conflict and we didn't want to wait until the next one. We tried to schedule a meeting at the very beginning of the day or the very end of the day so it would not be inconvenience for someone to be out of town.

Councilor Bellamy: Did you have any participants?

Mr. Henningsen: yes, we had the property owners who were supportive of our request. We had the President and Vice-president of the neighborhood association who we presented the project to and they didn't seem to have any objections or questions. Later we gave them the materials that we presented so they could present it at the

neighborhood meeting. We told them if there were any questions or anything we would be happy to answer. That wasn't intentional.

Councilor Bellamy: said it is important that as we move forward with development that we try to fit the schedules of the residents and the people in the community as opposed to have them fit your schedule because you are actually coming into their space.

#### Closed the Public Hearing

Commissioner Keller: said it seems reasonable other than the loss of the critical slope waiver but that is something inherent in our code and we can't address that. It is a very small lot and doesn't seem that the neighborhood has great objections and the objections they have would probably apply to almost any other lot on that street were it to re-develop under its current zoning to its maximum allowable limits.

Chair Green: said this looks like it makes sense but it does not conform to our Comprehensive Plan.

Commissioner Dowell: said what he is proposing is harmonious with the neighborhood but also knowing that we need housing; would there be any way to get higher density on such a small lot.

Ms. Creasy: said maybe we could get an explanation to why it is zoned the way it is. This parcel is a residue of the larger M-I parcel that is beside it. It has been zoned M-I for a very long time. She is not sure when that piece was chopped off, but has had the same zoning and classification since 1958, though the majority of that time it was a part of that larger M-I parcel.

Ms. Rainey: said while the application is not part of the general land use plan; in the Comprehensive Plan, staff noted several areas of the Comprehensive Plan which the rezoning maybe in line with the goals within the land use, housing and transportation, and historical and designs chapters.

Commissioner Lahendro move to recommend approval of this application to rezone the subject property (Tax Map 61, Parcel 265.A) from M-I zoning district to R-1S zoning district, on the basis that the proposal would serve the interests of the general public and good zoning practice; Seconded by Commissioner Dowell, motions passes 6-0

4. SP17-00003 – 0 Carlton Road – Stony Point Design/Build, LLC, as the owner of the Subject Property, has submitted an application seeking approval of a Special Use Permit (SUP) request to allow for multi-family residential use up to 21 dwelling units per acre per City Code Section 34-480 and a reduction of the minimum required front yard setback from 20-feet to 0-feet per City Code Section 34-162(a) at 0 Carlton Road, also identified on City Real Property Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2 ("Subject Property"). The Subject Property has frontage on Carlton Road and Monticello Road. The site is zoned M-I Industrial. The property is approximately 0.623 acres or 27,138 square feet. A residential density of 19.26 units per acre is proposed (up to 21 DUA by SUP can be requested) for a total of 12 units. The Land Use Plan calls for High-Density Residential. The Comprehensive Plan specifies density greater than 15 units per acre

Chair Green: said on your application plan, you show that the bulbout is across the street. Is that your plan?

Applicant: said that one exists and was put in by the city 3 years ago.

Chair Green: questioned have you experienced that street about 8:00 am or 4:30-5:00 pm?

Applicant: yes.

Commissioner Keesecker: asked them to talk about the mix of housing types that were mentioned and about the townhomes.

Applicant: On top of the commercial space we have 8 one bedroom apartments; they are small (about 800 sq. ft.). Subject to approval of the project, his concept was to have 4 townhouses and single family housing. Due to constraints of the site, we will need to condo the units. They are referred to in the staff report as condominium essentially selling them as townhouses.

### Open the Public Hearing

Morgan Butler, Southern Environmental Law Center: We came tonight primarily to learn more about the proposal but also feel compelled to raise some environmental concerns based on our review of the application packet available online. I first want to point out that we're not opposed to higher-density residential or mixed-use development on this site. Indeed, we feel it would offer some nice advantages compared to many of the uses allowed by-right on these parcels. However, this is a challenging site to develop from an environmental standpoint and an even more challenging site to develop intensely and we have pretty serious concerns about the impact to critical slopes shown in the applicant's plans. Even with pushing the building site right up to the property line as requested in the application, one of the site plan sheets indicates that over 70% of the critical slopes on the site – or roughly 10,000 of the 14,000 square feet of slopes – would be disturbed. As a result, we questioned whether this site is an appropriate one for this much land disturbance. With no critical slope waiver having been submitted, it's difficult at this point to weigh the different factors articulated in the critical slopes waiver provisions, or to assess mitigation strategies that could potentially help justify a waiver though it does seem clear from the applicant's low-impact development worksheet and the staff report that no LID stormwater measures are being considered. So even though we're not opposed to the proposed uses, we do think it's important for the Commission to have a good sense of whether you could recommend the critical slopes waiver needed for this project before you recommend approval of the special use permit, and we don't see how there is enough information available at this point to make that call in an informed way.

Deborah Jackson: from the Belmont Carlton Neighborhood Association, referencing again from the same letter, said we would like to recognize and applaud Mr. Shimp for how often he has been to our neighborhood association and come back and engaged us and has been a terrific model and I wanted to make sure he was recognized here. She said she was interested in hearing about the community gathering space and she is interested in what that would be because there is a need from time to time for a place that people can meet for neighborhood meetings and for things that need discussion. She said it is not appropriate to use Belmont Carlton logo on your presentation.

### Closed the Public Hearing

Commissioner Keller: expressed how we previously had some discussion in pre-meeting about the critical slope waiver application and why that was not part of this submission. It seems to me in the past generally paired, and that does concern her. She would like for staff to shed some more light on that.

Ms. Creasy: said it is a timing issue. The applicant has three different things that need to take place in order to fully move forward with their application. They have chosen to come forward and see what the response would be on the SUP for moving forward with the other pieces of the application, but it does create a conundrum that the information isn't present and maybe used in this information for the SUP. Staff has set up the report in such a way that there are a number of conditions that would be recommended if Planning Commission recommended move forward with the SUP and those would include successfully obtaining of both the right of way and the critical slope waiver. If those were not obtained then the special use permit would not be able to move forward because they would not have the land and that is a potential option.

Chair Green: asked if the approval of the SUP offers the opportunity to tear down all of the trees prior to getting a critical slope waiver.

Ms. Creasy: said no because you would have to have the critical slope waiver and the right of way acquisition in order to have a complete site plan and in order to get a land disturbance permit you would have a complete site plan and an E&S plan. The rules and the laws are different than in the circumstance that you are noting which is good overall for a lot of factors.

Commissioner Keller: said she would like to know moving into the motion stage could there be a SUP depending on success completion of a critical slope waiver.

Chair Green: said if the critical slope waiver did not happen then this approval would be recommending approval based on these conditions.

Ms. Creasy: said those conditions are completely outlined for consideration and recommending approval based on these conditions. If you can't meet these criteria then you don't have an SUP and you cannot have an approved site plan unless you have the critical slope waiver or you have the acquisition because you won't have an approval.

Ms. Rainey said the applicant has requested if the 10 feet setback is being considered they would be allowed to defer regarding that issue.

Chris Henry said thanks for your consideration. The things they are bringing to this corner for this project as proposed right now with a Special Use Permit as opposed to any other case or project that we would conceive of that was on the list is public improvements to the already busy intersection, wider sidewalks, street trees, eyes on the street, creating a safer intersection, creating a neighborhood gathering place. Those are the things on the table right now that wouldn't otherwise be. It is an unpleasant place to be right now because of the existing state of that site. He would argue that we are trying to make some pretty dramatic improvement to it. Our major concern with the conditions imposed in this report with the setback specifically is with that every foot of setback is pushing this building away from the street going into critical slope and in our opinion we are decreasing the vibrancy of that public space so we ask the Commission to consider that carefully. That is one of the main reasons we are proposing that this project be located as proposed. We think the critical slope waiver is appropriate at the site plan phase, asking to do that first and then go to this process. We need to know where the building is going to go because it impacts where the critical slopes are.

Commissioner Keller moved to defer this application, for a Special Use Permit -at 0 Carlton Road to permit multi-family development; Seconded by Commissioner Lahendro, motioned passes 4-2.  
(Opposed: Commissioner Keesecker and Commissioner Santoski)

5. ZM-17-00004 - 1206 Carlton Avenue – Justin Shimp (Shimp Engineering) on behalf of Chris Hulett (owners of 1206 Carlton Ave) has submitted a rezoning petition for 1206 Carlton Avenue (Subject Property). The rezoning petition proposes a change in zoning from the existing R-2 Two- family Residential to R-3 Multi-family with no proffered development conditions. The Subject Property is further identified on City Real Property Tax Map 57 Parcels 127. The applicant is proposing to rezone the subject property from R-2 to R-3 and is congruently requesting a Special Use Permit for increased density and modified setbacks to facilitate the development of an apartment building with six (6) two-bedroom units and supporting parking. Under the current zoning the subject property could accommodate one (1) two-family dwelling. If rezoned to R-3 the subject property DUA would be:

By-right: twenty-one (21) DUA = five (5) units on the subject property  
Special Use Permit (maximum) eighty-seven (87) DUA = twenty-two (22) units on the subject property. The proposed development, as described in the SUP application (SP17-00008), will allow a maximum of six (6) dwelling units (0.26 acres X 24 = 6 units based on preliminary data).

There is a rezoning and a SUP for this site. If the rezoning does not move forward with a positive recommendation, the SUP cannot have a positive recommendation.

Mr. Shimp: said I think we need more housing like this in the city, because when you look at what's around, you've got big projects like City Walk, and they're nice, I suppose, and they're expensive, and it doesn't cater to all the housing needs we have in the community.

Commissioner Lahendro: said this is the kind of housing we've been talking about in our Comprehensive Plan process of the city needing that small complexes can help increase the overall housing supply.

### Open the Public Hearing

1. Peter Krebs: said there has been discussion about this piece and how it fits within the building contract. He is here not to support the applicant, but he points out that the social context of the street without doing intense research, he is guessing that it's market affordable which is pretty rare multi-family. So when talking about the building topology being consistent, he thinks it also directs the building to be used in a way that is socially consistent too. There is a school maybe 100 meters away from there, until Kathy's Produce closed, there would have been a grocery store within 75 meters from there. Hopefully we will have that again. When we think about what we could do for affordability for the market this seems like from where he sits, a pretty good idea. It seems like it could be pretty cool.

2. Deborah Jackson: said she is not speaking about this specifically, we don't object to it, but we would like to bring attention to it. She said that these projects while filled with good intentions are being built in our neighborhoods with narrow streets, limited and narrow sidewalks and in some cases a scarce on-street parking. We feel that for these and future projects to be successfully integrated into our neighborhood, a strong financial commitment from the city is necessary to improve the pedestrian and vehicle infrastructure to support them thereby easing the burden on the existing neighborhood fabric. These little pockets are being developed without the overall intention being paid to the infrastructure, and somehow attention to the entire fabric is what we would like to have attention paid to. We are also delighted for the discussion of the Community Development Block Grants because all 4 of these projects are located within designated low to moderate percentage income block grants. Three of them are in block grants with the 2<sup>nd</sup> highest to lowest medium income percentages and again this area of the city is often overlooked, and has great potential and deserves your attention and funding.

### Close the Public Hearing

### Discussion

Commissioner Keesecker said -Mr. Krebs makes some good points in the long term. He referenced the Jason Pearson teeter totter diagram which gives us threw some sticky things, the Comp Plans things are put in place in 2003 – 2013 intended for this area, weighing that to what is on the ground.

Commissioner Keller: asked what the rent would be?

Mr. Shimp explained that while affordable housing was not required on the property, the intention was affordability. The proposed residential density is not enough to trigger the city's requirements. He said he had been working with the housing folks, and the affordable rate for two bedrooms must be \$1,100 a month, referring to federal guidelines on affordability. As I see this project, it's right in that range.

Commissioner Dowell: said maybe that's affordable to some people, but for most people who are needing this housing, \$1,100 for a small two-bedroom is not affordable,



Commissioner Santoski said he agrees with Ms. Keller. Creating unusual spots, it is the same issue where neighbors say approving the project with parking a block away. Push people toward mass transit, and walking places faster than taking the bus. Where are you going to put the cars? Honestly that is not happening, parking along Carlton creates more animosity with Belmont. Please take into consideration about the parking.

Chair Green: said she lives near the project site and asked were there any considerations based off of the entire community of children that walk to Clark Elementary School from there, since there is only sidewalk on one side of Carlton Avenue, and you have to cross the street there in order to gain access to the school?

Ms. Creasy said that the traffic engineer who had looked at the project for the city was not concerned about the location. This is a very small site with very low traffic impacts, reading from the traffic engineer's statement.

Commissioners were focused on potential traffic issues within the project on Carlton Avenue. The development would have seven parking spaces, with an entrance from the street, and an exit on a private alley.

Commissioner Lahendro: said this is not the only street like this in the city. I live on a street that is supposedly a two-lane street, but parking on one side blocked it down to one lane. People go too fast and there are no sidewalks. He thought offering fewer parking spaces would push residents to walk, bike, or ride a bus to work. I don't know that I want to see a city that has apartments surrounded by asphalt all over the place.

Commissioner Santoski said that perspective was not realistic. He said if you have two people living in an apartment, in most cases both people have an automobile. Most people are not going to give up their cars right away. He said that he had heard about parking concerns from many residents in downtown Belmont after the establishment of The Local, Mas Tapas, and other restaurants. Residents say that customers park in front of their houses, leaving homeowners to park elsewhere. Something like this actually has less parking than it needs and you're putting it on a narrow street and you're pushing everybody else into the surrounding neighborhoods. Commissioner Santoski moved to recommend denial of this application to rezone the subject property from R-2 to R-3, on the basis that the proposal would not service the interests of the general public and good zoning practice. Seconded by Commissioner Dowell, motion passes 4-2. (Commissioners Jody Lahendro and Kurt Keesecker voted no)

SP17-00008 - 1206 Carlton Avenue – Justin Shimp (Shimp Engineering) on behalf of Chris Hulett (owners of 1206 Carlton Ave) has submitted an application seeking approval of a Special Use permit (SUP) for 1206 Carlton Avenue (Subject Property). The SUP application proposes increasing the density from a By-Right 21 Dwelling Units per Acres (DUA) to 24 DUA (per City Code Section 34-420) and adjusting the southeastern side setback from 10' to 8' (per City Code Section 34-162(a)). The applicant is requesting a rezoning (see petition ZM-17-00004) and a SUP to build a 6 unit apartment. The Subject Properties are further identified on City Real Property Tax Map 57 Parcels 127. The Subject approximately 0.26 acres. The Land Use Plan calls for Low Density Residential.

The applicant is proposing an apartment building with six (6) two-bedroom units and seven (7) parking spaces. The modification to the side yard requirement is to accommodate a one-way driveway to the north of the apartment building.

Commissioner Keller move to recommend denial of this application for a Special Use Permit in the R-2 to R3, on the basis that the first motion failed. Seconded by Commissioner Santoski, motion passes 6-0.

Planning Commission is in recess at 9:50 pm. to return tomorrow night March 14<sup>th</sup> at 5:00 pm

PLANNING COMMISSION REGULAR DOCKET

Continued WEDNESDAY, March 14, 2018 at 5:30 P.M. CITY COUNCIL CHAMBERS

Commission Pre-Meeting (Agenda discussion(s))

Beginning: 5:00 p.m.

Location: City Hall, 2nd Floor, NDS Conference

IV. COMMISSION'S ACTION ITEMS

Continuing: until all action items are concluded – beginning at 5:30 P.M.

Matters By the Public - None

1. Site Plan – 1011 East Jefferson Street Site Plan

Staff Report: Carrie Rainey

Scott Collins of Collins Engineering, LLC, acting as agent for Jefferson Medical Building Limited Partnership and Great Eastern Management, is requesting approval of a preliminary site plan to construct a mixed-use building with up to 127 residential units at 1011 E Jefferson (TMP 54- 127). City Council approved a Special Use Permit (SP16-00001) with conditions for additional residential density on July 5, 2017.

Chair Green: stated we have a conceptual plan and we have a preliminary site plan and our charge tonight is to determine whether this preliminary site plan is in substantial accord with what was submitted.

Ms. Creasy: said staff provides you with a standard of review and approval of a site plan is a ministerial function over which the Planning Commission has little or no discretion.

Commissioner Keller: said she had voted against the permit, and she expected the neighborhood would be disappointed. However, city staff had convinced her that the commission's choices were limited. She noted that after a conversation with our City Attorney, and those of Ms. Rainey earlier this evening have convinced her that this is in compliance sufficiently with what council approved against our recommendations. She said we really have no choice rather than to vote on this tonight.

Commissioner Keller: asked could you summarize any changes of other members of staff, review the site plan for consistency with Council.

Ms. Rainey: said the driveway or private driveway additional plantscape has been added point to point to the property shown in the driveway that is the only difference.

Commissioner Lahendro moved to recommend approval of a preliminary site plan to construct a mixed-use building with up to 127 residential units at 1011 E Jefferson (TMP 54- 127). on the basis that the proposal would service the interests of the general public and good zoning practice, Seconded by Commissioner Keller, recognizing the considerable effort by the neighborhood in the gray areas when ordinances changes, motion passes 5-0.

1. Entrance Corridor Review Board (ERB) – 912 East High Street

The applicant: Justin Shimp – wants to provide the following changes to the office building:

- a. Paint the building white; using an appropriate paint
- b. replace with a new awning over the north entrance
- c. hard brick, fire brick, unlike boulder brick

d. a lime paint permeable

Commissioner Lahendro made a motion to accept as presented, seconded by Commissioner Keesecker, to include an appropriate paint, better paint allows moisture vapor line base paint, hard brick, fire brick, unlike boulder brick, stopping moisture behind it and damage the brick take a lot of abuse, a lime paint permeable; motion passes 3-2. (Commissioner Keller and Chair Green voting no)

2. Dairy Central - 946 Grady Avenue: Ashley Davies of Williams Mullen; acting as agent for Dairy Holdings, LLC-Dairy Central]

Reported by Brian Haluska, Principal Planner

Applicant has also asked for a recommendation from EC on SUP request. The SUP permits a maximum building height 55 feet and request 25 feet, the maximum is 43 dwelling per acre, application 60 dwelling per acre.

Stony Point Design Build is pursuing an adaptive re-use of the 81 year old building. According to Chris Henry and Mr. Lee Quill the development plan is to convert the retail space on the ground floor into a food hall space for vendor-occupied food stalls. An additional floor of office space will be on top of the Monticello Dairy Building with an underground garage.

Under the plans for the first phase, the ground floor retail level would be converted into a food hall that will be known as the Dairy Market. This hall would be in the center of the structure and would have several stalls for food vendors. Space for two restaurants would be included on either end of the building. Two new retail spaces would front Grady Avenue. The existing second-floor office space will be restored and expanded with new contemporary steel and glass additions to the east, west and south.

One addition would be a one-story office building that would encroach on the protected part of the building. A three-story office building would be built to the rear of the structure and would include limited parking in a basement level. This basement level would also include community space as well as two places for nonprofits to rent.

Commissioner Keller: said she met with the applicant and requested a tour of the building as part of an assignment she gave to a class she is teaching at UVA. She and her students toured the building while speaking with the applicant was to understand the BAR process as part of the assignment. She was not aware that it was going to come to the Planning Commission for a special use permit or for entrance corridor review. She was approaching it solely as a historic preservation project and so she does have some detailed information about it but that doesn't affect how she may or may not vote tonight and was not her intent at that time to meet with an applicant because she wasn't aware of his future plans.

Commissioner Dowell: said she is glad they are providing affordable housing; if you are not granted the SUP are you still going to provide onsite affordable housing?

Mr. Henry said no.

Mr. Henry: said we plan to set up a street network off 10<sup>th</sup> and West Street.

Commissioner Keesecker: said he thought it was a well presented presentation

Commissioner Green: said the access is right off Grady.

Applicant: said there is an extension off here, and a large parking area and then the parking has an entrance off to West Street.

Chair Green: asked you are not proposing that be one way in and one way out.

Applicant: said it is a two way.

Commissioner Keesecker: asked to describe what is going on in the courtyard you have created off of West Street.

Applicant: said the massing and breaking down of scale and stepback of the 10 feet puts a massive wall against residential which is normally something we do not do. It is important to break-down the scale and the massing and the articulation of these buildings up against a residential character and residential buildings. Even though part of this is still commercial right here on the corner. He said this is intended to be open space which would allow more breathing for bringing light and air into the project of these units. We can see entrances to the ground floor units along a number places even along 10<sup>th</sup> Street. We are putting units that have entrances to the exterior exits of projects having a door, and putting eyes on the street where people can interact. When walking along West Street, it is 4 stories and the 5<sup>th</sup> story here is a lower scale and you see the open space which has a much more which should be appropriate and is appropriate for a residential scale as opposed to a street wall. We will have small lawns which will make a very nice streetscape along 10<sup>th</sup> Street.

Commissioner Santoski: Tell us about the space on the corner of West and 10<sup>TH</sup> and the space on the corner of West and Wood (the north south alley).

Mr. Henry: The community room is in phase one, actually it's with an entrance onto Preston Avenue and that is to activate it as part of the retail and commercial experience. We want people using that space for as many hours of the day as possible. This corner of 1500 feet is broken out as retail space and that idea came out of a community meeting where people told us there used to be a corner store or corner market. The first floor of the building is designed with ceiling height of 12 or 13 feet. A retail use would fit perfectly on the corner of 10<sup>th</sup> and West. It would be low intensity neighborhood oriented.

Commissioner Keller: asked would there be any entrances accessible to and from West Street.

Mr. Henry: the corner would have an entrance. Through our community conversations over the past year, we learned that there is a lack of accessible, local, and affordable meeting space for community groups like the 10th and Page Neighborhood Association and City of Promise. The Dairy Central team has designed the first level of the historic Monticello Dairy building to satisfy this need. The plan as currently drawn includes a 1,902 square-foot community/event room with modern A/V equipment and with access to a kitchen and conference room. This space will be available free of charge for monthly 10th and Page Neighborhood Association meetings, and available at a low rental rate for other community groups as the need arises.

Commissioner Keller: Would there be any entrances to any portion of this corner that would have an entrance on it?

Mr. Henry: said careful attention has been paid to the location of entrances and exits from parking areas to encourage drivers into entering and exiting the project primarily along Grady Avenue and 10th Street rather than West Street. Traffic engineers have concluded that the existing infrastructure can handle the additional traffic with minimal impact to current levels of service.

Commissioner Dowell: asked is there a reason why this huge project is only going to have affordable housing if you get the additional height and density especially considering the neighborhood you are building in?

Mr. Henry: said it is extremely expensive from an investment standpoint to be bringing a project like this forward to provide this many housing units in a city that needs housing at all price points. The more units you can put into a project the more opportunity to actually bring the cost of all the units down that allows us to do that.

Commissioner Dowell: said the SUP should be an additional count for affordable units, that is why she is having a hard time supporting the SUP.

Ms. Davies: said Mr. Henry is very committed to being part of the solution to Charlottesville's growing housing affordability problem under the formula prescribed by the City's Affordable Housing Ordinance in Section 34-12. The project would require 5 affordable dwelling units to be built (on or offsite), or some equivalent amount paid to the City's affordable housing fund. Dairy Central has committed to building these 5 units plus an additional 15 units, for a total of 20 units, on-site, at 80% of AMI as a condition of SUP approval. This equates to 4 times the amount required by City ordinance and represents 30% of the additional units that would be provided as a result of this Special Use Permit request.

Additionally, the team is proposing that the City partner with the us to further increase affordability of the on-site units by providing a 10-year real estate tax abatement of 50% per year. The reduction of the real estate tax burden on the project would allow some of the 20 on-site units to be offered for rents at 40-60% of AMI, providing affordability on a variety of levels. The 4.35 acre development does not have any existing residents, and therefore, there will be no displacement of residents from this site. Increasing real estate tax assessments reflect rising property values.

Chair Green: said to take time to look at shared parking.

Mr. Henry: said the project team is in discussion with the city Parking Manager to analyze the feasibility of dedicating some portion of these spaces for public use, allowing for a reduced parking burden on future development sites along Preston Avenue. Additionally, the Dairy Central project will be constructed in phases, allowing for adjustments to parking needs as the project develops. The Dairy Central team has also heard concerns about overflow parking competing with local residents for limited on-street parking spaces surrounding the building. The project team understands this concern and is willing to support the neighborhood in petitioning for additional permitted parking on neighborhood streets with adequate enforcement from the City traffic police.

Gavel out of Planning Commissioner  
Gavel into Entrance Corridor

#### ERB – Recommendation on SUP request:

Discussion and Recommendations: Before City Council takes action to permit the proposed use; they must consider the ERB's opinion whether there are any adverse impacts to the entrance corridor (EC) district that could be mitigated with conditions. A special use permit is an important zoning tool that allows City Council to impose reasonable conditions to make a use more acceptable in a specific location, and to "protect the welfare, safety and convenience of the public."

In staff opinion, the proposed SUP request for additional density and height will not have an adverse impact on the EC district. The added density does not impact the building visually; and the additional height will comply with the Entrance Corridor guidelines for Building Mass, Scale and Height; especially in light of the width of the adjacent public right-of-way.

The required entrance corridor review will address visually important elements, including the landscape plan, building materials and type of windows.

Commissioners Lahendro moved to find that the proposed special use permit to allow additional density and height at 946 Grady Avenue will not have an adverse impact on the Preston Avenue Entrance Corridor district Seconded by Commissioner Keesecker, motion passes 5-0.

Gavel out of Entrance Corridor  
Gavel back to Planning Commissioner

Recess 7:40 pm  
Return 7:50 pm

### Preliminary Discussion - 140 Emmet Street North

The Subject Property is located within one of the City's Entrance Corridors, is in close proximity to the University of Virginia as well as the 14 acre-site that will house the future redevelopment by UVA once their Ivy Corridor planning process is complete, and is an area that experiences high volumes of vehicular and pedestrian traffic. Because of the factors mentioned, how the Subject Property's redevelopment creates a sense of place and tailors its design to the pedestrian experience is important. In addition, the Subject Property's location is of importance in the City's Smart Scale Emmet Streetscape Project, a planning process that kicked off in February 2018. The Emmet Streetscape Project is for the design of streetscape improvements along Emmet Street from the intersection of University Avenue and Ivy Road to Arlington Boulevard.

Heather Newmyer report: 1) Special Use Permit – The preliminary proposal calls for a 7-story building that will exceed the maximum height allowed by-right in the URB Zoning District. The maximum height allowed in the URB District is sixty (60) feet; however, per Sec. 34-757, up to eighty (80) feet is allowed in this zoning district via a special use permit. a. Per Sec. 34-157(7), the Entrance Corridor Review Board (ERB) is to provide a recommendation to City Council regarding if the SUP request would have an adverse impact to the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate such impacts.

Mr. Vipul Patel, site owner said on May 4 a fire burned the family-owned Excel Inn & suites. He expressed how this continues to be a difficult time for his family, but this is an opportunity for a new beginning. He said his family purchased the Inn in 1981. He said there were many offers for the property, but he decided to keep it and build something new. Patel's proposal features the Gallery Court Hotel that has 72 rooms and 92 parking spaces with seven stories. As the site is located in an Urban Corridor Mixed Use District, the developers must petition City Council for a special use permit to build above 60 feet. The developers must also receive a certificate of appropriateness from the Charlottesville Board of Architectural Review that verifies the building fulfills certain design requirements.

The submitted project description says the proposed name dates back to the 1950s, when the hotel on the property was known as the Gallery Court Motor Hotel. The background information for the project also says Martin Luther King Jr. stayed at the hotel on the property when he came to speak at the University in 1963.

The maximum building height allowed by right in the zoning district is limited to 60 feet. The city is examining the area closely as part of the streetscape project that aims to improve landscaping and automobile, bicycle and pedestrian infrastructure in the area.

Daniel Hyer: said the scale of this building should be appropriate given the context of what is happening on this corridor. We are aware of this coordination and integration of items and we are willing to play ball and make this corridor something that could be great.

Neal Bott: Architect, said he calls this UVA contemporary. We are using limestone looking stone and the middle will be brick and aluminum glass windows and the top would be metal panel in a lighter color. The building is 7 stories and the first two levels will be the garage on Ivy Rd. The third level will be the public level of the hotel. The upper 4 stories will be the guest rooms. They want to make the garage look part of the building so the windows are very similar to the hotel windows, the only difference is the grills in them. All of the hotel functions will be on the ground level.

Eugene Young, said we are locating the sidewalk to appropriate the public space in order to activate the street edge. He said the landscape facing toward Emmet Street is a buffer strip to integrate the infrastructure engaged with Lambeth Apartments and grounds. He went on to give some history of Dr. Martin Luther King, who spoke at Cabell Hall on March 1963; a few weeks later he was arrested in Birmingham; May 30<sup>th</sup> the sit in at Buddy's segregated restaurant across the street from the hotel occurred and about a month after that the "I have dream speech" took place. He said all of this occurred in a span of about 3 months. He said they are considering not making a memorial but an illusion to what happened here. There is a possibility to put a quote in the arch sit wall as people can gather and sit. That is their intention for the sidewalk.

Commissioner Keesecker: asked if you can tell us about the roof space.

Mr. Young: said at the sky level the rooms are L-shaped and part of the garage roof top to 1) reduce the impervious area on the roof so we scale back the stormwater management requirement; 2) when you are viewing down on the roof you are not just looking at all of the infrastructure.

Chair Green: asked is there an occupied roof designated as a terrace or the roof top bar?

Mr. Young: said yes it is designated to serve guest as a terrace or a roof top bar. , Realizing parking is essential, we have a 1-1 ratio for guests. We do what we call a hot breakfast, a conference room, and are not marketing the site as a bar.

Commissioner Lahendro: said there is parking on the top level, and is this parking under the green roof.

Mr. Patel : said the parking deck is not visible from anywhere else. The covered areas are all for the parking. The roof for the parking is on the back side and that is where the green roof would be located.

Chair Green said when they are ready to come back on a formal agenda to us requesting a SUP on the consent agenda will be an item that says the SUP will not adversely affect the Entrance Corridor just as we just discussed. When they are ready considering whether we approve the SUP or with conditions or not; they will come back with an Entrance Corridor Review with materials, etc. At that time we will have a vote.

## 5. Hydraulic/29 Transportation Plan Presentation – Alex Ikefuna

The City of Charlottesville and Albemarle County expressed interest in a joint Small Area Plan to address land use and transportation issues in the Hydraulic-Route 29 Intersection Area. Because of the inter-jurisdictional interests, the City, County and the Charlottesville-Albemarle Metropolitan Planning Organization (TJMPO) in partnership with the Virginia Department of Transportation (VDOT), expressed a mutual interest in establishing an agreeable framework for coordinating and providing planning and engineering studies necessary to provide a Transportation and Land Use Development Plan for this geographic area. The main area of study includes the Route 29 Hydraulic, Route 250 Bypass and Hillsdale highway intersections and surrounding that directly influence current and future traffic, bicycle and pedestrian travel patterns within this portion of the Route 29 Solutions Program encompassing approximately 600 acres; 300 acres in the City and 300 acres in the County. The area is bounded by Greenbrier Drive/Whitewood Road in the North, US Highway 250 in the South, Meadow Creek in the East and North Berkshire Road in the West.

The transportation plan will be presented to the Planning Commission in April, at its regular monthly meeting and will include a request to formally endorse the land use and transportation plans. This will subsequently go to the City Council for consideration. What scenario 1, 2 or 3 option 3 at that point.

The City intends to partner with the Thomas Jefferson Metropolitan Planning Organization and Albemarle County in submitting application for Smart Scale funding to implement the intersection improvement this summer.

All related information on the process can be accessed at: [www.route 29 solutions.org](http://www.route29solutions.org).

Motion by Commissioner Dowell to adjourn until the second Tuesday in April, Second by Commissioner Keesecker.  
Adjourn 9:10



## Agenda

### PLANNING COMMISSION REGULAR DOCKET

TUESDAY, April 10, 2018 at 5:30 P.M.  
CITY COUNCIL CHAMBERS

#### **I. Commission Pre-Meeting (Agenda discussion(s))**

*Beginning:* 4:30 p.m.

*Location:* City Hall, 2nd Floor, NDS Conference

Members Present: Chairman Lisa Green, Commissioners John Santoski, Genevieve Keller, Jody Lahendro, and Taneaia Dowell

Members Absent: Corey Clayborne

Chair Green called the meeting to order at 5:00pm and Ms. Creasy provided an overview of the agenda.

Commissioner Keller asked if a work session could be held to discuss the draft comp plan chapters prior to John and Kurt rotating off the Commission. It was determined that this discussion would be included on the April 24<sup>th</sup> work session. Chapter champions would be asked to attend as well as the new Commissioners starting in June.

Chair Green asked if there was any desire to remove any items from the consent agenda. It was noted not at this time.

Ms. Creasy provided an explanation of the actions needed for the Comprehensive Plan amendment request. Commissioner Solla-Yates asked about the public process to determine Scenario one. Commissioner Keesecker, who was a member of the committee, provided background information.

Questions were asked concerning the public hearing on Nassau Street including a request for information on the status of the County application.

#### **II. Commission Regular Meeting**

*Beginning:* 5:30 p.m.

*Location:* City Hall, 2nd Floor, Council Chambers

Members Present: Chairman Lisa Green, Commissioners Genevieve Keller, Jody Lahendro, Kurt Keesecker, John Santoski and Taneaia Dowell

Members Absent: Corey Clayborne

##### **A. COMMISSIONERS' REPORTS**

Commissioner Lahendro: reported he attended the Tree Commission on April 3, 2018 and the following items were discussed:

- Glad to see CIP funding requests recommended by P&R for tree preservation and planting are being presented to Council, without changes, following staff review.
- P&R is currently testing a data visualization software package. The Data Manager presented a map demo of city trees using five measures created by the Tree Commission's Data Committee. Starting with base information from the last tree canopy survey, and imputing GIS data on tree changes, demo can show type, number, and provide the location of new and lost trees. It can also track EAB sightings and treatments, and identify opportunities for new tree planting. P&R is exploring other uses for software to track all department assets such as benches, trash cans, playground equipment, etc.
- The Tree Commission Planting Committee is pursuing an initiative to encourage residents in Belmont to plant trees. Belmont has some of the sparsest tree coverage in the city. TC and CATS made a presentation to Belmont-Carlton neighborhood association last night to obtain its endorsement and collaboration in this effort.
- This year's Arbor Day celebration will be held on Friday, 4/27, at 10a.m. at Venable Elementary school. The gathering will be held at large southern red oak in front of school. Kids will have their own celebration at 8am that morning.

Commissioner Keller: reported she attended the Community Engagement Subcommittee of the PLACE Design Task Force which has met twice since forming in early March. Our near term goal is to facilitate the creation of the

Community Engagement Chapter of the Comprehensive Plan. Due to the holistic nature of Community Participation, we propose that this Chapter be the Introductory Chapter of the Comprehensive Plan to serve as a framework to guide the following chapters. Community Participation should also be fully integrated into the Introduction and Community Value sections of the Comprehensive Plan. The subcommittee would like the following questions used at the community meetings:

- Describe a memorable community engagement experience (preferably in the City of Charlottesville). Where does it fit in this spectrum?
- What are your thoughts and feelings about the current state of community engagement in Charlottesville?
- What is your vision for the future of Charlottesville's community engagement? What would you like to see happen?

We think the May Comp Plan meetings should be followed by a large public meeting devoted entirely to this chapter. We would like to help plan this meeting. We envision it to be based on the comments collected during table discussions.

Commissioner Dowell: no report

Commissioner Solla-Yates: no report

Commissioner Santoski: no report

Commissioner Keesecker: reported he attended the Hydraulic Small Area Plan Advisory Committee which met on March 22nd and was able to reach consensus on a recommendation for the intersection conceptual design. We'll learn more about the land use and transportation plans in the presentation later on our agenda tonight, so I will hold on any further description until that item is before us. I've enjoyed being a member of the committee and will be happy to answer any questions I can as we consider and discuss this important effort.

- B. UNIVERSITY REPORT.** Brian Hogg: reported that the University Advisory Board is very pleased that City Council approved the Brandon Avenue project and are moving forward with that now. We have started the project for the second building on that property which will be a new student health and wellness center and that will be at the southern end of Brandon Avenue just adjacent to the dormitory that is under construction now. We hope that will finish a year after the dormitory does.
- C. CHAIR'S REPORT:** Lisa Green reported the CTAC meeting that she was supposed to have attended was snowed out which is rescheduled for tomorrow evening April 12<sup>th</sup> at the Water Street Center from 7:00 – 8:30. Upcoming committee assignments are coming forth and she has a couple of commissioners to speak with.
- D. DEPARTMENT OF NDS:** Missy Creasy said in addition to some new committee assignments we are working towards a new vice chair and some changes coming up in June. We have our work session on April 24<sup>th</sup> which the agenda will include UVA coming to present on the Ivy Corridor Study. The commission will be working to prep for the May community meetings and planning to look at the current chapter drafts and have discussion and dialogue prior to the May sessions. We will be inviting our new colleagues in June and hopefully having some good discussion prior to the May workshops. We have four workshops happening in May and they are open to the public at a variety of times and places to get feedback on both the draft chapters of the Comprehensive Plan as well as the draft land use map that the Planning Commission has been working on for quite a while. All of the information is on line and it has also been in the media. Our first meeting is on May 1<sup>st</sup> at 6:00 at Buford School. We have lost our other member of the GIS team, Zack Lofton who will be moving to Austin Texas, so we are recruiting for his position now. We going to be a little bit low on the mapping of things, but have everything for the May work sessions set and we are ready to go.
- E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA:** none
- F. CONSENT AGENDA**  
(Items removed from the consent agenda will be considered at the end of the regular agenda)

1. Minutes – February 27, 2018 - Work Session
2. Minutes – March 28, 2018 - Work Session
3. Subdivision - Paynes Mill
4. Site Plan - William Taylor Plaza Phase II

Commissioner Keesecker motioned to approve the Consent Agenda, seconded by Commissioner Lahendro, motion passes 7-0.

Planning Commission recessed for 10 minutes for 6 pm Public Hearings  
Planning Commission returned at 6:02

Council Gaveled into their meeting by Vice-Chair Heather Hill

### III. JOINT MEETING OF COMMISSION/ COUNCIL

*Beginning:* 6:00 p.m.

*Continuing:* until all public hearings are completed

*Format:* (i) Staff Report, (ii) Applicant, (iii) Hearing

#### 1. Hogwaller Farm

ZM-18-00001 – (918 Nassau Street) (Hogwaller Farm Development) – Justin Shimp (Shimp Engineering) on behalf of Charles Hurt and Shirley Fisher (owners) has submitted a rezoning petition for Tax Map 61 Parcels 79.17, 79.18, & 79.19, 918 Nassau Street, and a portion of Tax Map 61 Parcel 79 (Subject Properties). The rezoning petition proposes a change in zoning from the existing R-2 Two-family Residential to HW Highway Corridor with proffered development conditions. The proffered conditions include limiting height to 35' max and removing some uses from the HW Corridor use matrix. Uses prohibited on the Subject Properties include, but are not limited to auto, medical, office, and large scale retail. The Subject Properties are further identified on City Real Property Tax Map 61 Parcels 79, 79.17, 79.18, 79.19, & 79.201. The Subject Properties is approximately 0.8 acres. The Land Use Plan calls for Low Density Residential. The Comprehensive Plan specifies density no greater than 15 units per acre.

Commissioner Keesecker: asked were you able to get any clarification on the mechanics of fill in a floodplain as shown on the site plan.

Mr. Alfele: said he did, and I did forward the inquiry on to Tony Edwards and Marty Silman but did not hear back from them. In previous conversations that is typically handled at final site plan and would be handled to follow all state and local regulations.

Commissioner Lahendro: asked if there are design controls for R2 district and would there be if it is rezoned to Highway?

Mr. Alfele said correct, this is not an entrance corridor or an architectural control district.

Chair Green: said throughout the staff report there were some concerns about the Streets That Work and the access to the County property having to go through the city and the traffic concerns; if there is that much of a concern for our Streets That Work, then why is part of our recommended conditions suggesting bike ped facilities. She said if we are concerned about cars then why are we not concerned about our bike/pedestrians.

Mr. Alfele: said the concern was what kind of equipment would be entering the farm and if we are talking about large semis, is it better to have a separate entrance instead of sharing that with the residents of the apartments, pedestrian, and bike traffic. That was the concern of not knowing as to when you say farm, what kind of equipment you could have coming and going and sharing the same entrance.

Chair Green: asked is there any access at all to that county property that doesn't go through this property?

Mr. Alfele: said not that he is aware of.

Chair Green: asked what is the zoning of the county property?

Mr. Alfele: said the county is zoned light industrial and the applicant is seeking a re-zoning to rural areas and he understands that in talking to his counterpart in the county that will be going for a public hearing next month.

Chair Green: said when this was reviewed, if this did not get approved by the county from light industrial to rural area, what is then the use of the greenhouse and farm structure on city property.

Mr. Alfele: those would be by right uses under the highway zoning if it was re-zoned.

Commissioner Keller: asked for a definition to what a farm store would be.

Mr. Alfele: a farm store falls under retail under the 4,000 square feet but there is no definition for farm store.

Commissioner Keller: asked because if it were to be rezoned, there would be wide latitude for what could be offered for sale under that category.

Commissioner Keller: said in the staff report says there are still some uses that still could produce some unknown outcomes and she is unclear to what those uses might be, and would like for you to elaborate on that.

Mr. Alfele: said the uses being proffered out, which is attachment C, there are still quite a few uses that are left in the use matrix they could do and staff's concern was they were trying to proffer out to get the development they wanted, this urban farm, but they did leave these urban uses that fall outside the spectrum that could be utilized and there are some examples in the report.

Mr. Alfele: said Urban Farm housing, working, and farming is a different different model that we have not seen in the city.

Commissioner Keller: asked why would staff find an urban farm one that could greatly benefit this area of the city.

Chair Green: asked what is the definition of urban farm?

Mr. Alfele: said the city does not have a definition of an urban farm, but a combination of housing, working, farming, all within in that one area would be a very unique different model than we've seen in the city. It could be a definite advantage to the city.

Commissioner Keller: asked does the Commonwealth of Virginia definition of farm and farming activities as they apply to municipalities such as Charlottesville. She said she read in media about various events and activities associated with bonifide farm uses in the county and wonder if we are subject to that same legislation in the city. If something calls itself a farm and but it is in the highway corridor zoning district would it be considered a farm or not.

Ms. Robertson, City Attorney, said our zoning ordinance doesn't permit agricultural uses per-say not the same way as the county does. We have somethings that are similar, but our zoning ordinance does not provide for agricultural use and is not a permitted use, it is a prohibited use.

Mr. Alfele: said what the applicant has put together is a development which includes portion outside of the city which would be the farming component. In the city they are just asking for a rezoning to highway corridor for the density. The highway corridor has a zero density.

Commissioner Lahendro: asked would staff analysis and recommendation change if it knew that the county portion of the development was refused for re-zoning.

Mr. Alfele: said he didn't think so because that component of the actual farming, you could still have those components of a green- house, farm store or a retail store and the density and the county portion would stay industrial and doesn't get developed or gets developed something not connected to this later on.

Commissioner Keller: so this could be any kind of a store, it could be an outlet store, a country store model that served a number of food items but still under the store category as many of the country stores do, but really a barbeque place or a sandwich shop but the Health department doesn't consider them a restaurant.

Mr. Alfele: said yes as long as the component stays under the 1000 square feet.

Ms. Creasy said that is the request that we received from the applicant and this is not something you can do today in that area which is why the applications is coming forward. She said we will have some good dialogue as we continue through the discussion.

Commissioner Keller: said she is also concerned about Rives Park wonder why there wouldn't be considered to have an impact.

Mr. Alfele: said you are looking at 30 units so it would be a minimal impact on the park. He did talk with Chris Gensic over in Parks and Recreation on this. The Bike and Trail master plan goes into the County on the back of this parcel, again not in the City, but does touch the county portion and goes around the south

Commissioner Santoski: said this has been zoned R2 for the last 60 years and the development along Nassau Street; why would we want to go to highway designation when this has long been basically R2 area.

Mr. Alfele: said this is something the Planning Commission should look at tonight, there are some very clear guidelines in your

rezoning application that say no, but there is possibility that it could add to other areas of the Comp Plan.

Commissioner Santoski: said since there is a long history of that area being R2 that might trump whatever else goes on since there are a lot of unknowns to what is going to happen with the County and their rezoning to go down that path. Do we go first and the County follow us or we say no; and the County decide what they want to do. It can always come back to us.

Mr. Alfele: said the County is concerned with Moore's Creek how farming could affect that.

Councilor Gavin: is there anywhere in the Comprehensive Plan that advocates for commercial farming within the city limits and is it designated anywhere in the future land use map.

Mr. Alfele: No, definitely the future land use map doesn't have any indication for agricultural uses and nothing in the Comprehensive Plan (that he can think of) speaks to that directly. It is being proposed; however, that is a good point that the applicant can speak to because one of the things that staff was concerned about was when you say farming that is a whole range of activities.

Councilor Galvin: said she is assuming that this is commercial farming because there is an establishment for retail, to sell what is produced on this farm.

Councilor Gavin: said when it is for sale it is a commercial enterprise and she doesn't know if there has ever been commercial farming in Charlottesville in our current comprehensive zoning.

#### Presentation: Justin Shimp

Justin Shimp said the idea of an urban farm fits the historical character of Hogwaller and contemporary culture, particularly the farm-to-table restaurant scene and organic, down-to-earth lifestyles. He stated a lot of people of the millennial generation are interested in that kind of lifestyle, which I think is good. Not everybody should be out working the rat race. You need to take some time and play with dirt. He said yes it is hard to make a living that way, and it's become a little bit easier because the restaurants are looking to source local produce and there's a market for it, however it may or may not work, but the vision would be you could live here and have your own plot of land and make a supplemental income growing vegetables in this little hub of local produce.

The development of about a dozen affordable housing units farther up Nassau Street is expected to begin later this year, according to plans by the Thomas Jefferson Community Land Trust and Habitat of Humanity of Greater Charlottesville. He stated he still needs the city and county to agree to the zoning changes and for the city to OK a special-use permit. On the Albemarle side, he will have trouble with county regulations regarding stream buffers. In the county rezoning application, he proposes a 35-foot stream buffer along Moores Creek. Current stream buffer requirements in the county's ordinance exempt activities such as agriculture, silviculture and horticulture from the stream buffer requirements.

Mr. Shimp: said people were concerned about the traffic: this is not semis, this a couple of boxed trucks a week in and out because it is a scale of produce.

Commissioner Solla-Yates: said he did not see any affordable unit proffers for this request but he does see discussion of one unit and another unit.

Mr. Shimp: said our units are quite small so we don't triple our FAR. He has another SUP that is on hold that we are working on some right of way issues. We thought we would agree to do off site there but at a rate of 2-1 so we would provide that one requires barely one, we would take two if we could move them off site over here as we double the ratio for exchange move them off site essentially.

Commissioner Solla-Yates: had to questions from the public: 1) would you consider surface parking permit and tucking some underneath the buildings; 2) and what about green roofs.

Mr. Shimp: said the parking under the building is too expensive, are not wealthy fit the lifestyle; we actually want all of the run off we can get because if it is clean for example from the roof he could use that for the gardens.

Mr. Shimp: said this is proposed to be a plant farm, but maybe have chickens and a few goats.

Commissioner Keesecker: asked him to speak in connection to Rives Park Street, from your property since it does align with the entrance.

Mr. Shimp: said we will put sidewalks all along the streets, and yes we can do a crosswalk.

### Open the Public Hearing

1. Rebecca Quinn: 104 4<sup>th</sup> Street, She likes the idea of an urban farm because in a perfect world we would let our rivers be rivers and our flood plains be flood plains. She said just last fall she was biking along Nassau Street and said there are only three houses on that side, wouldn't it be nice to buy them and turn them into open space and then she looked up and noticed that Charlie Hurt owns most of it. There is a saying in my profession, I am a certified flood plain manager and that is what she does all day every day for state and federal government agencies. There is a saying that Mother Nature does not read the FEMA maps. The caution is not to envision them with too much precision. She has seen people say 330 feet and we will elevate to 330 feet above sea level and of course what the applicant is proposing will increase the roughness in the flood way, even though it is sort of a backwater situation not all flooding is 1%, there could be more frequent flooding that could be exacerbated. Thank you for including my email in the packet. The city requirements when it does get to the site plan, does look at requiring examination of alternatives to using fill. The applicant first of all said 10 feet of fill, but there are portions on this parcel that are at 320 and the BFE is 330 and the free board is an additional foot so there could be 10 feet of fill unless alternatives are used. She does think that access to our waterways and paths should always be a part of our consideration. As she bikes along Nassau Street she might would like to have a little farm stand to stop and buy just picked produce. She thinks it is a really cool concept she hopes over the life of these buildings that people will still want to grow and eat local.
2. Bob Woodall: 1013 Linden Avenue, we have a very small frontage on Linden Avenue. Is it the understanding of the City that the Applicant will commit to the rezoning if granted even if the Special Use Permit is not approved? Will the Planning Commission and City Council take actions in concurrence with the rezoning request the Applicant has before Albemarle County? It seems some of the comments by City staff note a possible benefit to the surrounding community by providing access to locally produced agricultural products. However, they also note the Planning Commission should look at the development as a whole as activities on the county portion of the project will directly impact City lots and roads. He said although the Applicant has restricted by-right use of some facility use types, there are some that have not been excluded that might have a detrimental impact and destabilize the current single-family nature of Nassau Street. The proposed massing of the buildings along Nassau Street in conjunction with the proposed Highway Corridor zoning requirements will result in a visual blight on the single-family homes along the street.

### Closed the Public Hearing

Commissioner Solla-Yates: said he had a question about broader land use map ideas; the land use map that we have implies enormous granularity to the part of a parcel, is that intended? Did we have that clear specific idea in terms of what should be here?

Ms. Creasy: are you talking about the draft land use map that the Commission is working on. The current land use map calls for low density for this area. She said that map was based on parcels than lines and the description is pretty broad so the land use map is one of many criteria that you all are able to consider in your decision making. The criteria there does not necessarily fall in line with what is being proposed.

Commissioner Keller: said this was very intriguing and left her with more questions than answers, and a lot of thought went into combining these uses for this particular parcel but because of the discomfort she feels with some of the possible outcomes and the lack of the conformity with the land use plan and the other portion of the Comprehensive Plan, just to move this along sense we spent a lot of time on questions, I would like to move this along to recommend denial of this Seconded by Commissioner Santoski.

Commissioner Keesecker: said he would rather see a deferral and allow the applicant to see if there are opportunities to either pin down some of the questions that are coming from the county side of the equation or maybe reconsider. His main concern is the proffer statement has too many holes in it.

Commissioner Lahendro: said he cannot support this.

Commissioner Dowell: thinks it's a good idea but cannot support it.

Commissioner Stolla-Yates: doesn't think it would be so bad.

Commissioner Dowell: said the vision overall is a good; but here is her hang-up. Mr. Shimp is about to defer and we are going to send a letter to the county thing, wait on their opinion but it seems like we are having heartburn over the rezoning in the City portion because we want to control the retail aspect but he may not always be the owner.

Chair Green: suggested using the words mitigate impacts of potential retail.

Commissioner Dowell: said we are doing a lot of discussion, when really in her opinion, that was the hand-up and if he is not coming to us with R3 zoning is there really a need to defer. The rezoning of this property of commercial use, no longer the owner of the property, is all of this necessary?

Chair Green: explained how Commissioner Keesecker had read the potential uses that might impact in a negative way the neighborhood that maybe have been left out or over looked or hopefully eliminated.

Mr. Alfele: asked do you want to ask the County what the retail component is for the City side?

Commissioner Dowell: said her concern is that through the rezoning of this property and the mitigation of the potential impact of commercial use or what if he changes his mind to what he wants to do or no longer the owner of the property and if he is not coming back with a different type of zoning or rezoning request then is all of this necessary.

Commissioner Keesecker moved to withdraw the present motion to deny; Seconded by Commissioner Solla-Yates, 5-2 (Commissioner Keller and Commissioner Santoski voting no)

The applicant asked for a deferral, all approved the deferral. Accepted the deferral.

**2. CP18-00001: Comprehensive Plan Amendment – Hydraulic Small Area Plan and Urban Development Area Designation -** The Planning Commission and City Council will jointly conduct a public hearing on a proposed amendment to the 2013 Comprehensive Plan, to include the contents of the Hydraulic Small Area Plan, with the proposed small area including territory within the City of Charlottesville as defined below. The purpose of the Hydraulic Small Area Plan is to provide an intentional strategy to focus on land use associated with the US Route 29 corridor as the primary framework to inform future transportation solutions. It is intended to be a guide for new development and redevelopment within the defined Small Area toward a preferred model for growth and urban form, as well as to inform transportation solutions to support this growth. The proposed Small Area is located within the jurisdictions of both the City of Charlottesville and Albemarle County, providing an opportunity for a model of collaboration in community planning. Given that continued pressure for growth associated with this desirable location is anticipated, the Hydraulic Small Area Plan seeks to identify opportunities for a more sustainable mixed-use development pattern that departs from the historic, suburban patterns that dominate the area today.

#### Report prepared by Alex Ikefuna, NDS Director

He presented the design team for this project and staff that prepared the staff report. If you recall the small area plan is a compliment to this project was present to the Planning Commission in November 2017. There has been joint meetings between the Planning Commission and the County following the Planning Commission and City Council as well as several other engagement processes. This project started in Feb. 2017. It was a joint project between the City and the County that came together with support from Virginia Department of Transportation to create a joint land use and transportation plan design to make improvement at the intersection of Hydraulic and US 29. There were 12 members of the Planning panel that includes representative from the Planning Commission from the County, Planning Commissioner from the City, City Council and the Board of Supervisors and the business owners along these particular corridors.

Tonight we have the members of the planning and engineering team with a presentation that covers the land use element and transportation concentration with the Planning Commission to review and take necessary action.

Staff is asking the Commission to approve the Hydraulic and US 29 small area plan.

Hal Jones, Project Manager from Virginia Department of Transportation

Sal Musarra, Vice President at Kimley-Horn

Open the Public Hearing – No speakers were present.

Closed the Public Hearing

Council is recessed

Commissioner Solla-Yates: asked did you collect demographics on participants.

Mr. Ikefuna: said no we did not collect demographic information on the participants however, the attendees at the various meetings were seniors and the reason for that is most of them are homeowners in the near neighborhoods. We made an extensive effort to have the residents who live on Michie Drive attend these meetings. We were successful in terms of the focus groups that at the end of the day they did not attend the general meeting. We had a few minority participation and a targeted outreach to the residential areas right behind Seminole Square. We did not document the data in terms of socio-economic distribution of the participants. In general we did have mostly seniors.

Commissioner Solla-Yates: said there were some lessons learned, what were they.

Mr. Ikefuna: said there was an express request from the legacy neighborhood around the project activity area that they did not want any improvement which would open it up for an increase in traffic. The planning team obliged the request and they didn't consider any major improvement to the neighborhood like Angus Road. That was a good lesson we can apply to our other projects. We have to improve how we outreach to what he calls "LEP" Limited English Population. Trying to get them out to attend the meetings is difficult. In order to engage the LEP, we had to reach out to the international refugee committee for assistance.

Commissioner Keller said this is a case where long range planning really works.

### Suggested Motions for Amendment of Comprehensive Plan Text and Map

Commissioner Santoski moved to approve the Hydraulic Small Area Plan as recommended by the Hydraulic Planning Advisory Panel and to append the Hydraulic-29 Small Area Plan, dated April 10, 2018, along with the applicable goals, policies, projects, and maps, as an appendix to the 2013 Comprehensive Plan. I further move to designate the Area and related map as an Urban Development Area (UDA) in accordance with the Code of Virginia, section §15.2-223.1; Seconded by Commissioner Lahendro, motion passes 7-0.

**3. CP18-00002: Comprehensive Plan Amendment - Hydraulic Road and US 29 Transportation Improvement Plan:** The Planning Commission and City Council will jointly conduct a public hearing on a proposed amendment to the 2013 Comprehensive Plan, to include the contents of the Hydraulic Road and US 29 Transportation Improvement Plan. Following the joint public hearing, the Planning Commission may recommend to City Council that it should approve the recommended Hydraulic Road and US 29 Transportation Improvement Scenario and as presented, make recommendations for changes to the recommended Hydraulic Road and US 29 Transportation Improvement Scenario and recommend approval of the Hydraulic Road and US 29 Transportation Improvement Scenarios with the recommended changes, or disapprove the recommended Hydraulic Road and US 29 Transportation Improvement Scenario as a Comprehensive Plan amendment. Report prepared by Alex Ikefuna, NDS Director.

Commissioner Dowell move to approve the Hydraulic-29 Transportation Plan, which includes Scenario 1-Grade Separated Interchange at the Hydraulic Road/Route 29 Intersection, as recommended by the Hydraulic Planning Advisory Panel and to append the Hydraulic-29 Transportation Plan, dated April 10, 2018, along with the applicable goals, policies, projects, maps and scenario to the 2013 Comprehensive Plan to include the scenario, seconded by Commissioner Keesecker, motion passes 7-0.

Resolution: motion to adopt the resolution as the transmittal to City Council as it is in the packet, 7-0.

Adjournment: 8:44 p.m.



**RESOLUTION  
OF THE CHARLOTTESVILLE PLANNING COMMISSION  
RECOMMENDING AMENDMENT OF THE CITY'S COMPREHENSIVE  
PLAN TO INCLUDE THE HYDRAULIC SMALL AREA PLAN**

WHEREAS, in joint cooperation with Albemarle County and the Thomas Jefferson Planning District Commission, the City of Charlottesville has developed a proposed Small Area Plan referred to as the 2018 Hydraulic-29 Small Area Plan, which has been developed to serve as an Urban Development Area, as defined in Virginia Code §15.2-2223.1 ("Proposed Small Area Plan"); and


WHEREAS, the Proposed Small Area Plan contains two elements: land use and transportation;

WHEREAS, after notice given as required by law, the City's Planning Commission and City Council on April 10, 2018, jointly conducted a public hearing on the Proposed Small Area Plan;

NOW THEREFORE, BE IT RESOLVED that this Planning Commission hereby recommends to the City Council that it should adopt the 2018 Hydraulic-29 Small Area Plan, designate the territory within the boundaries of said plan as an Urban Development Area, and incorporate it as an amendment to the City's Comprehensive Plan. The 2018 Hydraulic-29 Small Area Plan is hereby certified to the City Council for its consideration in accordance with City Code Section 34-27 (b).

Adopted by the Charlottesville Planning Commission, the 10<sup>th</sup> day of April 2018.

Attest:

  
Secretary, Charlottesville Planning Commission

Attachment: Hydraulic-29 Small Area Plan

[http://www.route29solutions.org/documents/hydraulic\\_small\\_area\\_plan\\_final\\_report\\_2018-apr-03.pdf](http://www.route29solutions.org/documents/hydraulic_small_area_plan_final_report_2018-apr-03.pdf)

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**REQUEST FOR INITIATION OF  
ZONING TEXT AMENDMENTS**

**PLANNING COMMISSION REGULAR MEETING**  
**DATE OF PLANNING COMMISSION MEETING: June 12, 2018**

**Author of Staff Report:** Craig Fabio, Assistant Zoning Administrator

**Date of Staff Report:** May 22, 2018

**Origin of Request:** Response to Development Requests

**Applicable City Code Provisions:** Sec. 34-201 to 34-202, Sec. 34-420, Sec. 34-480, Sec. 34-796 and Sec. 34-1190 to 34-1196

**Initiation Process**

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by ordinance, amend, supplement, or change the city's zoning district regulations, district boundaries, or zoning district classifications of property. A zoning text amendment may be initiated by: (1) Resolution of the City Council; or (2) Motion of the Planning Commission. (See City Code §34-41(a), which is based on Virginia Code §15.2-2286(a) (7)). For the reasons discussed in this Staff Memo, it is the recommendation of City Staff that there is an urgent need for an amendment to the city's zoning ordinance to include provisions for management of construction activities, and Staff asks the Planning Commission to review the proposed amendments and consider formally initiating them for consideration through a public hearing process.

**Discussion**

Within the City of Charlottesville, construction has become increasingly difficult to complete entirely within the boundaries of the property that is being developed. It is not uncommon for a developer to request the use of private, and sometimes public, property adjacent or near the project for material lay down, staging of machinery and supplies or parking. Currently, the City of Charlottesville Zoning Ordinance has no provisions that allow use of off-site [private property] locations for construction staging activities (use of public rights-of-way is a separate City administrative procedure [street closing], not a zoning issue). Amending the Temporary Use Permit provisions already set forth in the City Code would enable Staff to approve such requests and establish parameters which the developer must adhere to.

The proposed additions to the City of Charlottesville Zoning Ordinance would allow for Temporary Construction Yards and Temporary Surface Parking Lots. There are presently several projects in review that are seeking these allowances if they are available.

### **Standard of Review**

If initiated, the Planning Commission shall review and study each proposed amendment to determine:

- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
- (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
- (3) Whether there is a need and justification for the change; and
- (4) When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the Commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification. City Code § 34-42

### **Appropriate Motions**

- (1) For approval: the Planning Commission may decide to initiate a zoning text amendment, by making the following motion:

“I move to *initiate* considerations of amendments to City Code Chapter 34 (Zoning Ordinance), Article IX, Division 10, to authorize temporary construction yards and surface parking lots by Temporary Use Permits because I find that consideration of the proposed amendment is required by public necessity, convenience, general welfare or good zoning practice.

- (2) Decline to initiate the process. (No motion is needed; if the Commission does not adopt a motion to initiate, then the proposal will not proceed)

## Proposed Code Language

# Temporary Use Permit Additional Allowances: Temporary Construction Yard Temporary Parking Facilities

Existing Code

**Proposed Code**

Previous Code, Needs Amending

### **Sec. 34-201. - In general.**

- (a) There are certain temporary uses that by their nature require additional regulation, beyond the general requirements applicable to a particular zoning district, in order to protect the welfare, safety and convenience of the public. The impacts of temporary uses are of a nature that is generally quantifiable and subject to mitigation by imposition of specifically articulated standards. Such uses may be allowed to locate within designated zoning districts under the controls, limitations and regulations of the temporary use permit established by this division.
- (b) The zoning administrator may approve a temporary use permit **under the provisions of** this division, after concluding that the proposed temporary use complies with the standards prescribed within this division and within Article IX, Division 10, ~~including:~~
  - ~~(1) Outdoor assemblies, section 34-1191;~~
  - ~~(2) Outdoor sales, section 34-1192;~~
  - ~~(3) Amusement enterprises, section 34-1193.~~
- (c) The zoning administrator shall have no authority to vary, modify, or waive any of the regulations or standards prescribed **within this division** for any **specific** use ~~for which a temporary use is required~~, except that the zoning administrator may **identify waive some or all** application submission requirements ~~that to the extent such requirements~~ do not apply **in relation to a particular application in a given situation.**

### **Sec. 34-202. - Application.**

- (a) An application for a temporary use permit may be made by any person who is a property owner, or by any lessee or contract purchaser of a property.
- (b) The application shall be filed with the zoning administrator on forms provided by the department of neighborhood development services. All information required for evaluation of the application in accordance with the standards of this division shall be supplied and the applicant shall remit the fee established by city council for such permit. No application shall be deemed filed until all submission requirements are deemed by the zoning administrator to have been met.
- (c) The applicant shall provide a plat or drawing showing the location of all signs, structures, outdoor furniture, parking, equipment and lighting to be utilized on a lot or parcel in connection with a proposed temporary use;
- (d) The zoning administrator may require a bond or other suitable guarantee sufficient: (i) to ensure that signs, trash, temporary structures and debris will be removed from the site and from the immediate vicinity of the site; (ii) that the activity will not remain for longer than a temporary period; and (iii) to ensure compliance with applicable provisions of city ordinances. Such bond or guarantee shall be not

less than one hundred dollars (\$100.00) nor more than one hundred thousand dollars (\$100,000.00), depending on the nature and extent of the proposed use.

- (1) The bond or other guarantee shall be forfeited to the city if the site is not adequately cleared of all trash, debris, signs and temporary structures.
  - (2) The bond or guarantee shall be forfeited to the city if the activity remains on the site after expiration of the permit.
  - (3) The bond shall be forfeited to the city if violations of any applicable city ordinances are established.
- (e) Not more than five (5) temporary use permits shall be issued for the same lot or parcel of land in any calendar year. Each event or activity authorized by a temporary use permit shall be separated by a period of not less than twenty-one (21) consecutive days. No temporary use permit shall be issued to an applicant unless and until at least twenty-one (21) days after a permit issued to that applicant for an adjacent lot or parcel has expired.
- (f) Only one (1) temporary use permit shall be active on any lot or parcel at any time.
- (g) All temporary uses and any appurtenant structures, signs, goods and other features must be set back from an adjacent right-of-way by at least twenty (20) feet.
- (h) All activities to be conducted pursuant to a temporary use permit shall be in compliance with (i) the standards set forth within Article IX, sections 34-1190 through 34-119~~5~~<sup>5</sup>, as applicable; and (ii) all applicable city ordinances, permits and approvals, including, without limitation: occupancy permits, peddler's licenses, sign permits, BAR certificates of appropriateness, etc.
- (i) Use of all buildings and structures shall be in compliance with all applicable building code regulations.

## **DIVISION 10. - TEMPORARY USE PERMITS**

### **Sec. 34-1190. - General standards.**

- (a) In addition to the standards set forth within this division for specific temporary uses, all uses authorized by a temporary use permit must satisfy the following requirements:
- (1) As part of the application for a temporary use permit, an applicant shall provide a written plan containing, at a minimum, the following information:
    - a. Site ~~sketch~~ **diagram** showing the boundaries of the subject site; the tax map and parcel numbers for the subject site and adjacent property owners; the name of the owner of the subject property, and the name(s) of all adjacent property owners; the zoning district classifications of the subject site and each adjacent property; and a layout of the structures, parking and other pertinent features of the proposed temporary use.
    - b. Written permission of the owner of the subject property (if different than the applicant) authorizing the applicant to use the subject property for the temporary use.
    - c. Proof that the applicant and/or owner of the subject property have obtained, or will obtain, all licenses, permits and other governmental approvals required by any federal, state or local laws or regulations, required for or in connection with the proposed temporary use.
    - d. Other information deemed necessary by the zoning administrator in order to evaluate the application.
  - (2) A temporary use must be permitted within the zoning district where it will be located.

### **Sec. 34-1191. - Temporary outdoor assemblies.**

Temporary outdoor assemblies authorized by temporary use permit shall include the following conditions:

- (1) Must take place only between the hours of 9:00 a.m. and 9:00 p.m. on a given day.
- (2) Must provide parking for persons expected to attend the event, no fewer than one (1) space per four (4) persons of the capacity of the site, as determined by the zoning administrator.
- (3) Must meet all applicable requirements of the state building and fire prevention codes.

**Sec. 34-1192. - Temporary outdoor sales.**

Temporary outdoor sales authorized by temporary use permit shall include the following conditions:

- (1) May not be located or conducted in a manner that will reduce or eliminate the availability of any required off-street parking spaces for the subject property.
- (2) May not be located within any yard subject to a landscaping or buffer/screening requirement.
- (3) Must, with respect to any lighting utilized, comply with applicable provisions of Division 3, sections 34-1000, et seq., of this article.
- (4) Must meet all applicable requirements of the state building and fire prevention codes.

**Sec. 34-1193. - Amusement enterprises (circuses, carnivals, etc.).**

Temporary amusement enterprises authorized by temporary use permit shall include the following conditions:

- (1) Must provide parking sufficient to accommodate the number of persons expected to attend the event, as determined by the zoning administrator based on other, similar events.
- (2) Must, in all aspects (including, without limitation, the erection of tents and rides) be conducted in accordance with applicable requirements of the state building and fire prevention codes.
- (3) Shall not be approved to take place at any site within three hundred (300) feet of a low-density residential zoning district.
- (4) Must, with respect to any lighting utilized, comply with applicable provisions of Division 3, section 34-1000, et seq. of this article.

**Sec. 34-1194. - Temporary family health care structures.**

- (a) Temporary family health care structures shall be a permitted accessory use in single family residential zoning districts on lots zoned for single-family detached dwellings if such structure (i) is used by a caregiver in providing care for a mentally or physically impaired person, and (ii) is on property owned or occupied by the caregiver as his residence. For purposes of this section, "caregiver" and "mentally or physically impaired person" shall have the same meaning as defined in Virginia Code § 15.2-2292.1.

(b) ~~Any person proposing to install such structure shall first obtain a temporary use permit.~~

(c) ~~In addition to the specific requirements of a temporary family health care structure found in Virginia Code section 15.2-2292.1 34-1200 herein, such a temporary use permit for a temporary family health care structures shall include must meet the following minimum conditions requirements:~~

- (1) Only one (1) such structure shall be allowed on a lot or parcel of land.
- (2) The applicant must provide evidence of compliance with this section to the city one (1) year from the date of installation, and every year thereafter, as long as such structure remains on the property. Such evidence will involve inspection by the city of such structure at reasonable times.
- (3) The applicant must comply with all applicable requirements of the Virginia Department of Health.
- (4) No signage advertising or otherwise promoting the existence of the structure shall be permitted anywhere on the property.

- (5) Such structure shall be removed within thirty (30) days of the time from which the mentally or physically impaired person is no longer receiving, or is no longer in need of, the assistance provided for in this section.
- (6) The zoning administrator may revoke any permit granted hereunder if the permit holder violates any provision of this section, in addition to any other remedies that the city may seek against the permit holder, including injunctive relief or other appropriate legal proceedings to ensure compliance.

### **Sec. 34-1195. - Temporary construction yard.**

- (a). **Temporary permit; renewal.** A temporary permit may be issued in all zoning districts by the zoning administrator for yards located outside the public right-of-way which support a temporary construction project (including projects for the maintenance or repair of streets or structures). Such permit shall be valid for a period not exceeding eighteen (18) months, provided that the standards set out below are followed. A permit may be renewed for additional twelve-month periods, provided that there is continued compliance with the standards set out below.
- (b). **Site diagram details.**
  1. In addition to the requirements set forth in Sec. 34-1190(a)(1)a, a site diagram for a temporary construction yard shall identify the general location and extent of the activities and structures of the yard, including vehicle storage areas, contractor's office, watchman's trailer, construction equipment sheds, etc. The diagram shall also show or describe a restoration plan for the site, setting out how the site will appear sixty (60) days after the expiration or termination of the temporary use permit.
  2. The temporary parking lot must be screened from the adjacent right(s)-of-way and adjacent properties. At minimum screening must meet S-3 requirements set forth in the City of Charlottesville Zoning Ordinance.
- (c). **Maintenance requirement.**
  1. All areas of such yard, as well as its access roads, shall be treated and maintained in such manner as to prevent dust or debris from blowing or spreading onto adjoining properties or onto any public right-of-way. Such yards shall be maintained in a clean and orderly condition. Material and construction residue and debris shall not be permitted to accumulate. Grass and weeds shall be maintained at a height not exceeding six (6) inches.
  2. In the event that the permit holder fails to so maintain the site and fails to remedy all deficiencies within thirty (30) days after written notice of violation of these maintenance requirements has been issued by the zoning administrator, the zoning administrator may declare the permit void and require restoration of the site as provided for below.
- (d). **Termination of use; restoration.** The yard shall be closed and all buildings, structures, materials, supplies and debris associated with the yard's activities shall be completely removed and the area properly seeded or otherwise restored with appropriate vegetation within sixty (60) days from the date that the permit issued by the zoning administrator has expired or has been revoked by the zoning administrator.

### **Sec. 34-1196. – Temporary Surface Parking Lots.**

Temporary surface parking lots shall be permitted with a temporary use permit within a commercial, Industrial or Mixed Use District, necessitated by and ongoing construction project. Any temporary use permit for this use shall contain the following conditions, at a minimum.

1. When there is any established use on the site of the proposed surface parking lot, a clear physical separation of the uses shall be provided.

2. Addition of a temporary surface parking lot to a lot shall not create any zoning violations for the lot, or any uses of the lot. (For example, establishment of a temporary surface parking lot may not reduce required open space, or result in a reduction of required parking spaces, for that lot, or for within a development that includes the lot).
3. Ingress and egress to the temporary parking, and the layout of the surface parking lot, must meet all applicable requirements of the state building and fire prevention codes.
4. The temporary surface parking lot shall provide erosion and sediment control, and stormwater management, in accordance with federal, state and local stormwater regulations and requirements. The addition of a temporary surface parking lot may require amendments to an existing environmental permit.
5. Ingress and egress to the temporary parking, and the layout of the surface parking lot, must meet all applicable requirements of the state building and fire prevention codes.
6. The temporary surface parking lot, Property must comply with all Federal, State and Local regulations regarding storm water and erosion and sediment control.
7. Permits are valid for no longer than six (6) months, but may be renewed not more than three (3) times. Under no circumstances shall the Temporary Use continue for more than sixty (60) days beyond completion of the associated project. Prior to any renewal, the zoning administrator shall verify that the use is compliant with all applicable zoning requirements and conditions.
8. Signage indicating the temporary nature of the use shall be required. All signage must comply with the sign regulations within Article IX. Generally Applicable Regulations, Division 4. Signs.
9. Parking surface must comply with requirements in Sec. 34-981 of the City of Charlottesville Zoning Ordinance and any additional requirements within the City of Charlottesville Standards and Design Manual.
10. The temporary parking lot must be screened from the adjacent right(s)-of-way and adjacent properties. At minimum screening must meet S-3 requirements set forth in the City of Charlottesville Zoning Ordinance.
11. Any lighting used for the construction yard must comply with applicable provisions of Division 3, sections 34-1000, et seq., of this article.



**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**

**APPLICATION FOR A SPECIAL USE PERMIT**

**PLANNING COMMISSION AND CITY COUNCIL**  
**JOINT PUBLIC HEARING**

**DATE OF MEETING: June 12, 2018**  
**APPLICATION NUMBER: SP18-00002**

**Project Planner:** Brian Haluska, Principal Planner

**Presenter:** Brian Haluska, Principal Planner

**Date of Staff Report:** March 29, 2018 (Revised May 30, 2018)

**Applicant:** Ashley Davies, Williams Mullen, acting as agent

**Current Property Owner:** Dairy Holdings, LLC

**Application Information**

**Property Tax Map/Parcel # and Street Addresses:** Tax Map 31, Parcel 60 (946 Grady Avenue)

**Total Square Footage/Acreage Site:** 4.386 acres

**Comprehensive Plan (Land Use Plan) Designation:** Mixed-Use

**Current Zoning Classification:** Central City Corridor with Individually Protected Property and Entrance Corridor Overlays

**Tax Status:** The City Treasurer's office confirms that the taxes for the properties were current as of the drafting of this report.

**Applicant's Request**

Special Use Permit for:

1. **Height** up to 65 feet, per City Code Sec. 34-777(2), and modification of streetwall regulations, per City Code 34-778
2. **Density** up to 60 dwelling units per acre, per City Code Sec. 34-780(b)

## Vicinity Map



## Background/ Details of Proposal

The Applicant has submitted an application for a Special Use Permit in conjunction with a site plan for a new mixed-use development located at 946 Grady Avenue. The Property has additional street frontage on 10<sup>th</sup> Street NW, Preston Avenue and West Street. The proposed development plan shows a four phase project broken down as follows:

**Phase 1:** Renovation and expansion of the existing Monticello Dairy Building on Grady Avenue. 58,283 square feet of office space, 7,076 square feet of retail, 1,369 square foot brewing operation, and 16,643 square foot restaurant operation with associated seating. Maximum Building height of 45.7 feet.

**Phase 2:** New 202,305 square foot mixed use building at the corner of 10<sup>th</sup> Street NW and West Street. 175 residential units and 1,358 square feet of commercial retail space. Maximum building height of 65 feet. 20 of the residential units in this building would meet the City's definition of affordable housing.

**Phase 3:** New 61,000 square foot residential building on West Street. 75 residential units. Maximum building height of 65 feet.

**Phase 4:** New 114,000 square foot commercial building with structured parking on Preston Avenue.

The plan for the development shows 471 parking spaces over the entire site.

The Central City Corridor zoning permits a maximum height of 50 feet by right, and 80 feet by special use permit. The maximum density permitted by right in a mixed-use development is 43 units per acre, and up to 120 units per acre by special use permit.

## **Land Use and Comprehensive Plan**

### **EXISTING LAND USE; ZONING AND LAND USE HISTORY:**

The properties are currently used as commercial and light industrial uses, along with surface parking lots.

Section 34-541 of the City Code describes the purpose and intent of the Water Street Corridor zoning district:

“The intent of the Central City Corridor district is to facilitate the continued development and redevelopment of the quality medium scale commercial and mixed use projects currently found in those areas. The district allows single use development, but encourages mixed use projects. The regulations are designed to encourage use of and emphasize proximity to natural features or important view sheds of natural features. Development allowed is of a scale and character that is appropriate given the established development that surrounds the district.”

**Zoning History:** In 1929, the property was mostly zoned **A-1 Residential, with some B-1 Business**. In 1949, the property was zoned **B-1 Business**. In 1958, the property was zoned **B-3 Business**. In 1976, the property was zoned **B-3 Business**. In 1991, the property was zoned **B-3 Business**. In 2003, the property was rezoned to **Central City Corridor**.

### **SURROUNDING LAND USES AND ZONING DISTRICTS**

**North:** Immediately north of the property are several single-story commercial structures zoned Central City Corridor with Entrance Corridor Overlay. These buildings are used for retail and restaurant uses. One block further north is the Rose Hill neighborhood. These properties are zoned R-1S Residential.

**South:** Immediately south of the property are multi-story structures that house a mix of uses. These properties are zoned B-3 Business and R-1S Residential. Further south is the 10<sup>th</sup> and Page neighborhood, which is zoned R-1S.

**East:** Immediately adjacent to the east is a commercial building zoned Central City Corridor. Further east are commercial properties along Preston Avenue. These properties are zoned Central City Corridor with Entrance Corridor Overlay.

**West:** Immediately adjacent to the west are several one and two-story structures that are used for residential purposes. The lone exception is the property at the corner of Grady Avenue and 10<sup>th</sup> Street NW, which is a church under ownership of the applicant. These properties are zoned R-1S Residential.

## **NATURAL RESOURCE AND CULTURAL FEATURES OF SITE:**

The site does not have any notable natural resources. The site is almost entirely impervious and is made up of buildings and surface parking. The Monticello Dairy Building is designated as an Individually Protected Property due to its significance as a historic structure.

## **COMPREHENSIVE PLAN ANALYSIS:**

The Comprehensive Plan is generally supportive of high density, mixed-use developments along the major corridors in the City, especially along Preston Avenue. The Comprehensive Plan also contains language that supports creation of housing opportunities for all residents of the City. Lastly, the Comprehensive Plan places a strong emphasis on supporting development that is multi-modal, particularly developments that encourage biking and walking.

Specific items from the Comprehensive Plan that support the proposal are as follows:

### **Land Use**

- When considering changes to land use regulations, respect nearby residential areas. (Land Use, 2.1)
- Enhance pedestrian connections between residences, commercial centers, public facilities and amenities and green spaces. (Land Use, 2.3)
- Enhance existing neighborhood commercial centers and create opportunities for others in areas where they will enhance adjacent residential area. Provide opportunities for nodes of activity to develop, particularly along mixed-use corridors. (Land Use, 3.2)

### **Economic Sustainability**

- Continue to encourage private sector developers to implement plans from the commercial corridor study. (Economic Sustainability, 6.6)

### **Housing**

- Achieve a mixture of incomes and uses in as many areas of the City as possible. (Housing, 3.3)
- Promote housing options to accommodate both renters and owners at all price points, including workforce housing. (Housing, 3.6)
- Offer a range of housing options to meet the needs of Charlottesville's residents, including those presently underserved, in order to create vibrant residential areas or reinvigorate existing ones. (Housing, Goal 7)
- Ensure that the City's housing portfolio offers a wide range of choices that are integrated and balanced across the City to meet multiple goals including: increased sustainability, walkability, bikeability, and use of public transit, augmented support for families with children, fewer pockets of poverty, sustained local commerce and decreased student vehicle use. (Housing, Goal 8)
- Encourage mixed-use and mixed-income housing developments. (Housing, 8.1)

- Encourage housing development where increased density is desirable and strive to coordinate those areas with stronger access to employment opportunities, transit routes, and commercial services. (Housing, 8.3)
- Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity. (Housing, 8.5)

**Transportation**

- Encourage a mix of uses in priority locations, such as along identified transit corridors and other key roadways, to facilitate multimodal travel and increase cost effectiveness of future service. (Transportation, 2.4)
- Promote urban design techniques, such as placing parking behind buildings, reducing setbacks and increasing network connectivity, to create a more pedestrian friendly streetscape and to reduce speeds on high volume roadways. (Transportation, 2.6)
- Encourage the development of transit-oriented/supportive developments. (Transportation 6.6)

**Historic Preservation and Urban Design**

- Facilitate development of nodes of density and vitality in the City’s Mixed Use Corridors, and encourage vitality, pedestrian movement, and visual interest throughout the City. (Historic Preservation and Urban Design, 1.3)

Specific items from the Comprehensive Plan that do not support the proposal are as follows:

**Land Use**

- When considering changes to land use regulations, respect nearby residential areas. (Land Use, 2.1)

**Housing**

- Consider the range of affordability proposed in rezoning and special use permit applications, with emphasis on provision of affordable housing for those with the greatest need. (Housing, 3.5)

**Public and Other Comments Received**

**PUBLIC COMMENTS**

The City held a preliminary site plan review conference for Phase 1 of the project on November 15, 2017. Four members of the public attended along with the applicant.

The applicant held a public meeting regarding their SUP request on January 29, 2018. 58 members of the public signed in at the meeting. The primary focus of the meeting was affordable housing, but the applicant notes that many other topics were covered, and that the community

meeting space located in Phase 1 of the project was created in part because of feedback from the neighborhood about the lack of meeting space in the 10<sup>th</sup> and Page area.

## **COMMENTS/RECOMMENDATIONS OF THE ERB**

The Entrance Corridor Review Board considered the Special Use Permit request at their meeting on March 13, 2018, and took the following action:

Mr. Lahendro moved to find that the proposed special use permit to allow additional density and height at 946 Grady Avenue will not have an adverse impact on the Central City Entrance Corridor district on Preston Avenue. Mr. Keesecker seconded the motion.

The Board voted 5-0 to approve the motion. Mr. Santoski and Mr. Clayborne were not present.

## **IMPACT ON CITY SERVICES:**

### **Public Works (Water and Sewer):**

Staff does not anticipate any problems with serving the projected demands. The site plan will require a letter of acceptance from the Rivanna Water and Sewer Authority prior to final approval.

**Public Works (Storm Drainage/Sewer):** The proposed project will develop an area of land that is currently almost entirely impervious surface, and the resulting development will be required to provide Stormwater management and treatment in accordance with current state regulations and engineering standards. The applicant is required to provide a stormwater management plan as part of a final site plan submission. A preliminary site plan is required to detail the developer's "Stormwater concept" prepared by a professional engineer or landscape architect, in accordance with current provisions of City Code 34-34-827(d)(9).

## **Staff Analysis and Recommendation**

### **ANALYSIS**

### **Assessment of the Development as to its relation to public necessity, convenience, general welfare, or GOOD ZONING PRACTICE:**

The City has zoned Preston Avenue to encourage mixed-uses and higher residential densities, as Preston has substantial transportation infrastructure that can support increased intensity of use. This is especially true of the existing pedestrian infrastructure along Preston, and the fact that a Charlottesville Area Transit bus line currently serves the area.

### **Assessment of Specific Potential Impacts of the Proposed Development:**

- 1. Massing and scale of the Project, taking into consideration existing conditions and conditions anticipated as a result of approved developments in the vicinity.**

The site is bordered on two sides by R-1S zoning that permits a maximum height of 35 feet. The Central City Corridor permits a maximum by-right height of 50 feet, which serves as a transition from the lower heights of the R-1S zones to the more intense development desired along a major corridor like Preston Avenue.

The applicant's request for additional height is mitigated by a proposed condition from the applicant of an increased setback requirement along the West Street frontage. The applicant has included additional details regarding the shading caused by the additional height requested.

**2. Traffic or parking congestion on adjacent streets.**

The proposed project will impact traffic on the streets adjacent to the building, especially 10<sup>th</sup> Street NW. The project will also continue to stress the Grady/Preston/10<sup>th</sup> intersection that already has been identified as a problematic intersection.

The SUP request does not result in a marked increase in traffic over the by right limits of development on the site.

**3. Noise, lights, dust, odor, vibration**

The proposed project represents a use that is similar to surrounding uses in terms of impacts from lights, dust, odor and vibration. Vibration from parking cars will be internal to the site. The lighting external to the building will be required to meet the City's lighting regulations.

**4. Displacement of existing residents or businesses**

The proposal will displace any existing businesses as the existing structure in Phase 1 is renovated. The remaining phases would not result in any displacement, as these phases impact parking lots, or business operations that have already relocated.

**5. Ability of existing community facilities in the area to handle additional residential density and/or commercial traffic**

This proposed residential use will not present an undue burden on community facilities, although the construction of the residential portion of the project may increase demand on the facilities in Washington Park. Additionally, discussions with the Superintendent of Schools have indicated that new apartment complexes in the City are one of several factors that have caused an increase in school enrollment, as the new apartments attract renters currently in low-density residential areas of the City, and the vacated units are backfilled by families with school age children.

**6. Impact (positive or negative) on availability of affordable housing**

The proposed project would increase the availability of affordable housing, as the property is currently not used for residential purposes, and the applicant is proposing to include on-site affordable units to meet the requirements of the City's Affordable Dwelling Unit Ordinance.

## **RECOMMENDATION**

Staff finds that the impacts associated with the increased density and height in the special use permit request can be accommodated by the site and recommends that the application be approved subject to the following conditions:

1. As used within these conditions, the term “applicant shall include the applicant’s successors and assigns.
2. The design, height, density and other characteristics of the Development shall remain essentially the same, in all material aspects, as described within the application materials dated January 23, 2018, submitted to the City and in connection with SP-18-00002 (“Application”). Except as the design details of the development may subsequently be modified to comply with the requirements of a certificate of appropriateness issued by the City’s BAR, modified to comply with the requirements of entrance corridor review by the City’s Entrance Corridor Review Board, or by any other provision(s) of these SUP Conditions, any substantial change of the Development that is inconsistent with the Application shall require a modification of this SUP.
3. Along 10<sup>th</sup> Street NW the 5<sup>th</sup> floor of the structure shall be stepped back a minimum of 10 feet from the face of the building for floors 1-4, as shown on sheet 9 of the Dairy Central Phase 2 and 3 Special Use Permit Exhibits, dated May 22, 2018.
4. Along West Street the 5<sup>th</sup> floor of the structures shall be stepped back a minimum of 45 feet from the property line, as shown on sheet 9 of the Dairy Central Phase 2 and 3 Special Use Permit Exhibits, dated May 22, 2018.

## **Attachments**

1. Copy of City Code Sections **34-157** (General Standards for Issuance) and **34-162** (Exceptions and modifications as conditions of permit)
2. Copy of City Code Section **34-541** (Mixed-Use Districts – Intent and Description)
3. Suggested Motions
4. Larger Vicinity Map
5. Application and Supporting documentation from the Applicant
  - a. Application and Narrative
  - b. SUP Design Package dated May 22, 2018
    - i. <http://www.charlottesville.org/home/showdocument?id=61929>
    - ii. <http://www.charlottesville.org/home/showdocument?id=61931>



## Attachment 1

### Sec. 34-157. General standards for issuance.

(a) In considering an application for a special use permit, the city council shall consider the following factors:

- (1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood;
- (2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan;
- (3) Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations;
- (4) Whether the proposed use or development will have any potentially adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts. Potential adverse impacts to be considered include, but are not necessarily limited to, the following:
  - a. Traffic or parking congestion;
  - b. Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;
  - c. Displacement of existing residents or businesses;
  - d. Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;
  - e. Undue density of population or intensity of use in relation to the community facilities existing or available;
  - f. Reduction in the availability of affordable housing in the neighborhood;
  - g. Impact on school population and facilities;
  - h. Destruction of or encroachment upon conservation or historic districts;
  - i. Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and,
  - j. Massing and scale of project.
- (5) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;
- (6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and
- (7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

(b) Any resolution adopted by city council to grant a special use permit shall set forth any reasonable conditions which apply to the approval.

**Sec. 34-162. Exceptions and modifications as conditions of permit.**

(a) In reviewing an application for a special use permit, the city council may expand, modify, reduce or otherwise grant exceptions to yard regulations, standards for higher density, parking standards, and time limitations, provided:

(1) Such modification or exception will be in harmony with the purposes and intent of this division, the zoning district regulations under which such special use permit is being sought; and

(2) Such modification or exception is necessary or desirable in view of the particular nature, circumstances, location or situation of the proposed use; and

(3) No such modification or exception shall be authorized to allow a use that is not otherwise allowed by this chapter within the zoning district in which the subject property is situated.

(b) The planning commission, in making its recommendations to city council concerning any special use permit application, may include comments or recommendations regarding the advisability or effect of any modifications or exceptions.

(c) The resolution adopted by city council to grant any special use permit shall set forth any such modifications or exceptions which have been approved.

## **Attachment 2**

### **Sec. 34-541. Mixed use districts—Intent and description.**

- (1) *Downtown Corridor.* The intent of the Downtown Corridor district is to provide for a mixture of commercial and residential uses, and encourage such development by right, according to standards that will ensure harmony with the existing commercial environment in the city's downtown area. Ground-floor uses facing on primary streets should be commercial in nature. The area within this zoning district is the entertainment and employment center of the community and the regulations set forth within this district are designed to provide appropriate and convenient housing for persons who wish to reside in proximity to those activities. Within the Downtown Corridor district the following streets shall have the designations indicated:

*Primary streets:* All streets are primary.

*Linking streets:* None.

- (2) *Downtown Extended Corridor.* Historically, the areas within the Downtown Extended district contained manufacturing uses dependent upon convenient access to railroad transportation. In more recent times, use patterns within this area are similar to those within the Downtown district. The intent of this district is to encourage an inter-related mixture of high-density residential and commercial uses harmonious with the downtown business environment, within developments that facilitate convenient pedestrian and other links to the Downtown area. Within the Downtown Extended district, the following streets shall have the designations indicated:

*Primary streets:* Garrett Street, Monticello Avenue, 6th Street, Market Street, Carlton Road and 10th Street, N.E.

*Linking streets:* Avon Street, Dice Street, 1st Street, 4th Street, Gleason Street, Goodman Street, Oak Street, and Ware Street.

- (3) *North Downtown Corridor.* The Downtown North Corridor district is the historic center of the City of Charlottesville, and contains many historic structures. In more recent years this area has also developed as the heart of the city's legal community, including court buildings and related law and professional offices, and commercial and retail uses supporting those services. Within this area, residential uses have been established both in single-use and in mixed-use structures. Many former single-family dwellings have been converted to office use. The regulations for this district are intended to continue and protect the nature and scale of these existing patterns of development. Within the Downtown North Corridor district, the following streets shall have the designations indicated:

*Primary streets:* 8th Street, N.E. (between High Street and Jefferson Street), 5th Street, N.E., 1st Street, 4th Street, N.E., High Street, Jefferson Street, Market Street, 9th Street, 9th Street, N.E., 2nd Street, N.E., 2nd Street, N.W., 7th Street, N.E., 6th Street, N.E., and 3rd Street, N.E.

*Linking streets:* East Jefferson Street (east of 10th Street, N.E.), 8th Street, 11th Street, N.E., Lexington Street, Locust Street, Maple Street, Sycamore Street.

- (4) *West Main North Corridor.* The West Main North district is established to provide low-intensity mixed-use development at a scale that respects established patterns of commercial and residential development along West Main Street and neighborhoods adjacent to that street. When compared with the area further south along West Main Street, lots within this area are smaller and older, existing buildings (many of them historic in character) have been renovated to accommodate modern commercial uses. Within this district, established buildings are located in close proximity to the street on which they front, and one (1) of the primary goals of this district is to provide a uniform street wall for pedestrian-oriented retail and commercial uses. Within the West Main Street North district, the following streets shall have the designations indicated:

*Primary streets:* 4th Street, 14th Street, 10th Street, Wertland Street, and West Main Street.

*Linking streets:* Cream Street, Commerce Street, 8th Street, Elsom Street, 7th Street, 6th Street, 10½ Street and, 12th Street.

- (5) *West Main South Corridor.* Property on the south side of West Main Street are much deeper, and generally larger in size, than those to the north, and established non-commercial uses typically are separated from adjacent residential neighborhoods by railroad tracks and street rights-of-way. The purpose of this zoning district is to encourage pedestrian-friendly mixed-use development, at an intensity slightly greater than that to the north of West Main. The permitted uses and building heights, those allowed by-right and by special permit, respect the scenic character of the West Main Street corridor. Within the West Main Street South district, the following streets shall have the designations indicated:

*Primary streets:* Jefferson Park Avenue, 9th/10th Connector, Ridge Street, 7th Street, and West Main Street.

*Linking streets:* Dice Street, 11th Street, 5th Street, 4th Street, and 7th Street.

- (6) *Cherry Avenue Corridor.* This zoning classification establishes a district designed to encourage conservation of land resources, minimize automobile travel, and promote employment and retail centers in proximity to residential uses. It permits increased development on busier streets without fostering a strip-commercial appearance. It is anticipated that development will occur in a pattern consisting of ground-floor commercial uses, with offices and residential uses located on upper floors. This district is intended to promote pedestrian-oriented development, with buildings located close to and oriented towards the sidewalk areas along primary street frontages. Within the Cherry Avenue Corridor district the following streets shall have the designations indicated:

*Primary streets:* Cherry Avenue, 9th/10th Connector.

*Linking streets:* 4th St., 5th St., Delevan St., Estes St., Grove St., King St., Nalle St., 9th St., 6th St., 6½ St., 7th St.

- (7) *High Street Corridor.* The areas included within this district represent a section of High Street that has historically developed around medical offices and support services, as well as neighborhood-oriented service businesses such as auto repair shops and restaurants. The regulations within this district encourage a continuation of the scale and existing character of uses established within this district, and are intended to facilitate infill development of similar uses. Within the High Street corridor district the following streets shall have the designations indicated:

*Primary streets:* East High Street and Meade Avenue.

*Linking streets:* 11th Street, Gillespie Avenue, Grace Street, Grove Avenue, Hazel Street, Moore's Street, Orange Street, Riverdale Drive, Stewart Street, Sycamore Street, Ward Avenue, and Willow Street.

- (8) *Neighborhood Commercial Corridor district.* The intent of the Neighborhood Commercial Corridor district is to establish a zoning classification for the Fontaine and Belmont commercial areas that recognize their compact nature, their pedestrian orientation, and the small neighborhood nature of the businesses. This zoning district recognizes the areas as small town center type commercial areas and provides for the ability to develop on small lots with minimal parking dependent upon pedestrian access. The regulations recognize the character of the existing area and respect that they are neighborhood commercial districts located within established residential neighborhoods. Within this district the following streets shall have the designations indicated:

*Primary streets:* Bainbridge St., Carlton Ave., Douglas Ave., Fontaine Ave., Garden St., Goodman St., Hinton Ave., Holly St., Lewis St., Maury Ave., Monticello Rd., and Walnut St.

*Linking streets:* None.

- (9) *Highway Corridor district.* The intent of the Highway Corridor district is to facilitate development of a commercial nature that is more auto oriented than the mixed use and neighborhood commercial corridors. Development in these areas has been traditionally auto driven and the regulations established by this ordinance continue that trend. This district provides for intense commercial development with very limited residential use. It is intended for the areas where the most intense commercial development in Charlottesville occurs. Within this district the following streets shall have the designations indicated:

*Primary streets:* Bent Creek Road, Carlton Rd., Emmet Street, 5th Street, Harris Road, Hydraulic Road, Monticello Ave., and Seminole Trail.

*Linking streets:* Angus Road, East View Street, Holiday Drive, India Road, Keystone Place, Knoll Street, Linden Avenue, Line Drive, Michie Drive, Mountain View Street, Seminole Circle, and Zan Road.

- (10) *Urban Corridor.* The intent of the Urban Corridor district is to continue the close-in urban commercial activity that has been the traditional development patterns in these areas. Development in this district is both pedestrian and auto oriented, but is evolving to more of a pedestrian center development pattern. The regulations provide for both a mixture of uses or single use commercial activities. It encourages parking located behind the structure and development of a scale and character that is respectful to the neighborhoods and university uses adjacent. Within this district the following streets shall have the designations indicated:

*Primary streets:* Barracks Road, Emmet Street, and Ivy Road.

*Linking streets:* Arlington Boulevard, Cedars Court, Copeley Drive, Copeley Road, Earhart Street, Massie Road, Meadowbrook Road, Millmont Street and Morton Drive.

- (11) *Central City Corridor.* The intent of the Central City Corridor district is to facilitate the continued development and redevelopment of the quality medium scale commercial and mixed use projects currently found in those areas. The district allows single use**

development, but encourages mixed use projects. The regulations are designed to encourage use of and emphasize proximity to natural features or important view sheds of natural features. Development allowed is of a scale and character that is appropriate given the established development that surrounds the district. Within the Central Corridor district the following streets shall have the designations indicated:

***Primary streets:* East High Street, Harris Street, Long Street, Preston Avenue, Rose Hill Drive, 10th Street, Preston Avenue, and River Road.**

***Linking streets:* Albemarle Street, Booker Street, Caroline Avenue, Dale Avenue, 8th Street, Forest Street, 9th Street, and West Street.**

(12)*Water Street Corridor District.* The intent of the Water Street Corridor District is to provide for a mix of commercial, retail and entertainment uses in a way that complements and supports the Downtown Pedestrian Mall area. As the Downtown Pedestrian Mall develops, the natural spillover will be to this area. While not a complete pedestrian zone, it contains many characteristics thereof. Development therefore should blend the pedestrian scale with a slightly more automobile oriented feel to achieve this supportive mixed-use environment.

*Primary streets:* All.

*Linking streets:* None.

(13)*South Street Corridor District.* Adjacent to the downtown area and wedged against the railroad tracks is a small grouping of large historic homes, many of which have been converted to offices and/or apartments. In order to preserve the rich character and style of these few remaining structures from another era, the South Street Corridor District has been created. This district is intended to preserve the historic pedestrian scale, recognizing the importance of this area to the history of the downtown area.

*Primary streets:* South Street.

*Linking streets:* None.

(14)*Corner District.* The Corner District is established to provide low-intensity missed-use development to primarily serve the area surrounding the University of Virginia. It encourages development at a scale that respects the established character of the historic commercial area adjacent to the central grounds of the University. Within the district two- and three-story buildings front the streets establishing a pedestrian scale for retail and commercial uses.

*Primary streets:* University Avenue, West Main Street, Wertland Street, Elliewood Avenue 13th Street and 14th Street.

*Linking streets:* Chancellor Street, 12th Street, 12½ Street and 13th Street.

### **Attachment 3**

#### **Approval without any conditions:**

I move to recommend approval of this amendment to special use permit SP-18-00002 as requested, because I find that approval of this request is required for the public necessity, convenience, general welfare or good zoning practice.

OR

#### **Approval with conditions:**

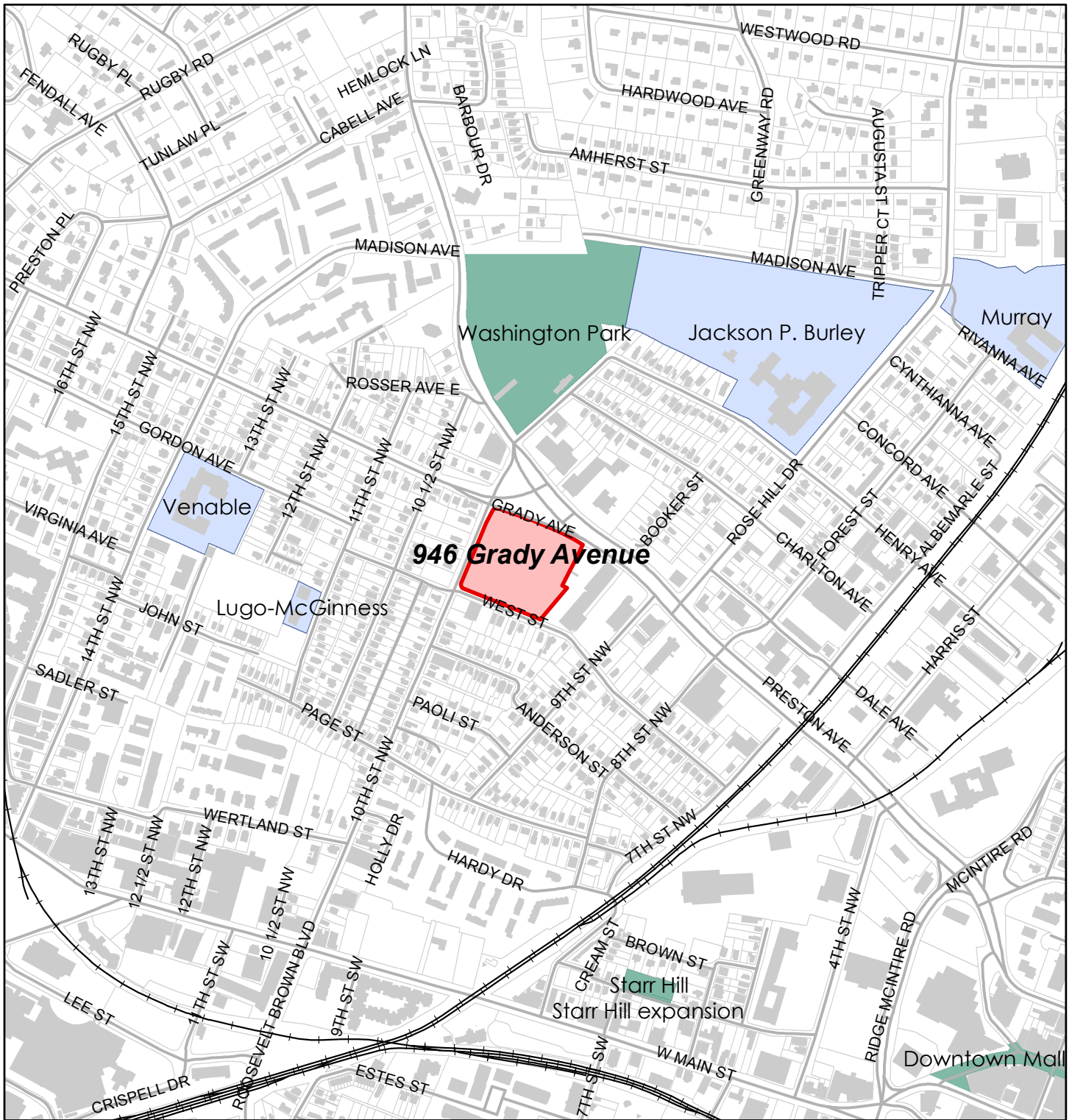
I move to recommend approval of this amendment to special use permit SP-18-00002, subject to conditions, because I find that approval of this request is required for the public necessity, convenience, general welfare or good zoning practice. My motion includes a recommendation for the conditions referenced in the staff report dated, subject to the following revisions:

*[List desired revisions]*

#### **Denial Options:**

I move to recommend denial of this application for an amendment to the special use permit;

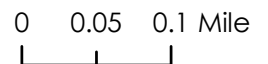
# Vicinity Map — 946 Grady Avenue



Map By: Zack Lofton, NDS, City of Charlottesville 3/29/2018  
Data Source: City of Charlottesville SDE 3/29/2018  
Projection Information: Lambert Conformal Conic, NAD83, Virginia State Plane South



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# City of Charlottesville

## Application for Special Use Permit

**Project Name:** Dairy Central, Phase 2-4

**Address of Property:** 946 Grady Avenue, Charlottesville VA

RECEIVED

**Tax Map and Parcel Number(s):** 310060000

JAN 23 2018

**Current Zoning District Classification:** CC with Overlays

**Comprehensive Plan Land Use Designation:** Mixed Use

NEIGHBORHOOD DEVELOPMENT SERVICES

**Is this an amendment to an existing SUP?** No

**If "yes", provide the SUP #:** \_\_\_\_\_

**Applicant:** Ashley Davies, Williams Mullen

**Address:** 321 East Main Street, Suite 400, Charlottesville, VA 22902

**Phone:** 434-951-5725 **Email:** adavies@williamsmullen.com

**Applicant's Role in the Development (check one):**

Owner      x Owner's Agent      Designer      Contract Purchaser

**Owner of Record:** Dairy Holdings, LLC, Chris Henry

**Address:** 200 Garrett Street, Suite O, Charlottesville, VA 22902

**Phone:** (540) 353-0183 **Email:** chenry@stonypointdb.com

### Reason for Special Use Permit:

- Additional height: 65 feet
- Additional residential density: 260 units, or 60 units per acre
- Authorize specific land use (identify) \_\_\_\_\_
- Other purpose(s) (specify City Code section): \_\_\_\_\_

### (1) Applicant's and (2) Owner's Signatures

(1) Signature \_\_\_\_\_ Print \_\_\_\_\_ Date \_\_\_\_\_

Applicant's (Circle One): LLC Member    LLC Manager    Corporate Officer (specify) \_\_\_\_\_

Other (specify): \_\_\_\_\_

(2) Signature Chris Henry Print Chris Henry Date 1/22/18

Owner's (Circle One): LLC Member    LLC Manager    Corporate Officer (specify) \_\_\_\_\_

Other (specify): \_\_\_\_\_



# City of Charlottesville

## Pre-Application Meeting Verification

Project Name: Dairy Central Phase 2

Pre-Application Meeting Date: 12/22/2017

Applicant's Representative: Chris Henry

Planner: Brian Haluska

**Other City Officials in Attendance:**

Brennen Duncan, Mandy Brown, Mary Joy Scala, Cammie Mess

The following items will be required supplemental information for this application and must be submitted with the completed application package:

1. Traffic Study ← currently underway. will be submitted separately per approval by B. Duncan.
2. Building Elevations
3. Photo Simulations of the proposed building in context with the surrounding properties.
4. \_\_\_\_\_
5. \_\_\_\_\_

Planner Signature: Brian J. Haluska



# City of Charlottesville

## Application Checklist

Project Name: Dairy Central SUP

I certify that the following documentation is ATTACHED to this application:

- 34-158(a)(1): a site plan (ref. City Code 34-802(generally); 34-1083(communications facilities))
- 34-158(a)(3): Low-impact development (LID) methods worksheet (required for developments that include non-residential uses, and developments proposing 3 or more SFDs or TFDs)
- 34-158(a)(4): a building massing diagram, and building elevations (required for applications proposing alteration of a building height or footprint, or construction of any new building(s))
- 34-158(a)(5) and 34-12: affordable housing data. (i) how many (if any) existing dwelling units on the property are an "affordable dwelling unit" by the city's definitions? (ii) Will existing affordable units, or equivalent affordable units, remain following the development? (iii) What is the GFA of the project? GFA of residential uses? GFA of non-residential uses?
- 34-157(a)(1) Graphic materials that illustrate the context of the project, and a narrative statement as to compatibility with existing patterns of use and development
- 34-157(a)(2) Narrative statement: applicant's analysis of conformity with the Comprehensive Plan
- 34-157(a)(3) Narrative statement: compliance with applicable USBC provisions
- 34-157(a)(4) Narrative statement identifying and discussing any potential adverse impacts, as well as any measures included within the development plan, to mitigate those impacts
- 34-158(a)(6): other pertinent information (narrative, illustrative, etc.)
- All items noted on the Pre-Application Meeting Verification. *Traffic Study to be submitted separately.*

### Applicant

Signature *Ashley Davies* Print Ashley Davies Date 1/23/18

By Its: \_\_\_\_\_

(For entities, specify: Officer, Member, Manager, Trustee, etc.)



# City of Charlottesville

## LID Checklist

Project Name: DAIRY CENTRAL PHASE 2, 3, AND 4

LID Measure	LID Checklist Points	Points
<b>Compensatory Plantings</b> (see City buffer mitigation manual). 90% of restorable stream buffers restored.	5 points or 1 point for each 18% of the total acreage	
<b>Pervious pavers</b> for parking and driveways with stone reservoir for storage of 0.5 inches of rainfall per impervious drainage area. Surface area must be >1,000 ft. <sup>2</sup> or ≥ 50% of the total parking and driveway surface area.	7 points or 1 point for each 7% of parking and driveway surface area.	
<b>Shared parking</b> (must have legally binding agreement) that eliminates >30% of on-site parking required.	5 points or 1 point for each 6% of parking surface eliminated.	5
<b>Impervious Disconnection.</b> Follow design manual specifications to ensure adequate capture of roof runoff (e.g. cisterns, dry wells, rain gardens)	8 points	
<b>Bioretention.</b> Percent of site treated must exceed 80%. Biofilter surface area must be ≥ 5% of impervious drainage area.	8 points or 1 point for each 10% of site treated.	
<b>Rain gardens.</b> All lots, rain garden surface area for each lot ≥ 200 ft. <sup>2</sup> .	8 points or 1 point for each 10% of lots treated.	
<b>Designed/constructed swales.</b> Percent of site treated must exceed 80%, achieve non-erosive velocities, and able to convey peak discharge from 10 year storm.	8 points or 1 point for each 10% of site treated.	
<b>Manufactured sand filters, filter vaults</b> (must provide filtering rather than just hydrodynamic). Percent of site treated must exceed 80%. Sizing and volume for water quality treatment based on manufacturer's criteria.	8 points or 1 point for each 10% of site treated.	5
<b>Green rooftop</b> to treat ≥ 50% of roof area	8 points	
<b>Other LID practices</b> as approved by NDS Engineer.	TBD, not to exceed 8 points	
<b>Off-site contribution</b> to project in City's water quality management plan. This measure to be considered when on site constraints (space, environmentally sensitive areas, hazards) limit application of LID measures. Requires pre-approval by NDS Director.	5 points	
<b>Total Points</b>		<b>10</b>

### Applicant's Signature

Signature  Print Ashley Davies Date 1/23/18



# City of Charlottesville

## Community Meeting

Project Name: Dairy Central SUP

Section 34-41(c)(2) of the Code of the City of Charlottesville (adopted October 19, 2015) requires applicants seeking rezonings and special use permits to hold a community meeting. The purpose of a community meeting is to provide citizens an opportunity to receive information about a proposed development, about applicable zoning procedures, about applicable provisions of the comprehensive plan, and to give citizens an opportunity to ask questions. **No application for a rezoning shall be placed on any agenda for a public hearing, until the required community meeting has been held and the director of neighborhood development services determines that the application is ready for final review through the formal public hearing process.**

By signing this document, the applicant acknowledges that it is responsible for the following, in connection to the community meeting required for this project:

1. Following consultation with the city, the applicant will establish a date, time and location for the community meeting. The applicant is responsible for reserving the location, and for all related costs.
2. The applicant will mail, by U.S. mail, first-class, postage pre-paid, a notice of the community meeting to a list of addresses provided by the City. The notice will be mailed at least 14 calendar days prior to the date of the community meeting. The applicant is responsible for the cost of the mailing. At least 7 calendar days prior to the meeting, the applicant will provide the city with an affidavit confirming that the mailing was timely completed.
3. The applicant will attend the community meeting and present the details of the proposed application. If the applicant is a business or other legal entity (as opposed to an individual) then the meeting shall be attended by a corporate officer, an LLC member or manager, or another individual who can speak for the entity that is the applicant. Additionally, the meeting shall be attended by any design professional or consultant who has prepared plans or drawings submitted with the application. The applicant shall be prepared to explain all of the details of the proposed development, and to answer questions from citizens.
4. Depending on the nature and complexity of the application, the City may designate a planner to attend the community meeting. Regardless of whether a planner attends, the City will provide the applicant with guidelines, procedures, materials and recommended topics for the applicant's use in conducting the community meeting.
5. On the date of the meeting, the applicant shall make records of attendance and shall also document that the meeting occurred through photographs, video, or other evidence satisfactory to the City. Records of attendance may include using the mailing list referred to in #1 as a sign-in sheet (requesting attendees to check off their name(s)) and may include a supplemental attendance sheet. The City will provide a format acceptable for use as the supplemental attendance sheet.

Applicant: Ashley Davies

By:

Signature [Signature] Print Ashley Davies Date 1/23/18

Its: \_\_\_\_\_ (Officer, Member, Trustee, etc.)

see attached LLC documents



# City of Charlottesville

## Disclosure of Equitable Ownership

Section 34-8 of the Code of the City of Charlottesville requires that an applicant for a special use permit make complete disclosure of the equitable ownership "real parties in interest") of the real estate to be affected. Following below I have provided the names and addresses of each of the real parties in interest, including, without limitation: each stockholder or a corporation; each of the individual officers and directors of a corporation; each of the individual members of an LLC (limited liability companies, professional limited liability companies); the trustees and beneficiaries of a trust, etc. Where multiple corporations, companies or trusts are involved, identify real parties in interest for each entity listed.

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Attach additional sheets as needed.

**Note:** The requirement of listing names of stockholders does not apply to a corporation whose stock is traded on a national or local stock exchange and which corporation has more than five hundred (500) shareholders.

**Applicant:** 

**By:**

Signature  Print Ashley Davies Date 1/23/18

Its: \_\_\_\_\_ (Officer, Member, Trustee, etc.)



# City of Charlottesville

## Fee Schedule

Project Name: Dairy Central SUP

Application Type	Quantity	Fee	Subtotal
Special Use Permit		\$1800	\$ 1800.00
Special Use Permit (Family Day Home for 6-12 Children)		\$500	
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
<b>TOTAL</b>			\$ 1800.00

### Office Use Only

Amount Received: \_\_\_\_\_ Date Paid \_\_\_\_\_ Received By: \_\_\_\_\_

Amount Received: \_\_\_\_\_ Date Paid \_\_\_\_\_ Received By: \_\_\_\_\_

Amount Received: \_\_\_\_\_ Date Paid \_\_\_\_\_ Received By: \_\_\_\_\_

Amount Received: \_\_\_\_\_ Date Paid \_\_\_\_\_ Received By: \_\_\_\_\_



# City of Charlottesville

## Owner's Authorizations

(Not Required)

### Right of Entry- Property Owner Permission

I, the undersigned, hereby grant the City of Charlottesville, its employees and officials, the right to enter the property that is the subject of this application, for the purpose of gathering information for the review of this Special Use Permit application.

Owner: Chris Henry - Dairy Holdings, LLC Date 1/23/18

By (sign name): [Signature] Print Name: Chris Henry

Owner's: LLC Member LLC Manager Corporate Officer (specify): COO

Other (specific): \_\_\_\_\_

### Owner's Agent

I, the undersigned, hereby certify that I have authorized the following named individual or entity to serve as my lawful agent, for the purpose of making application for this special use permit, and for all related purposes, including, without limitation: to make decisions and representations that will be binding upon my property and upon me, my successors and assigns.

Name of Individual Agent: \_\_\_\_\_

Name of Corporate or other legal entity authorized to serve as agent: \_\_\_\_\_

Owner: \_\_\_\_\_ Date: \_\_\_\_\_

By (sign name): \_\_\_\_\_ Print Name: \_\_\_\_\_

Circle one:

Owner's: LLC Member      LLC Manager      Corporate Officer (specify): \_\_\_\_\_

Other (specific): \_\_\_\_\_



**WRITTEN CONSENT OF THE MANAGER  
OF DAIRY HOLDINGS, LLC  
IN LIEU OF SPECIAL MEETING**

Effective Date: March 3, 2017

The undersigned, being the sole manager of Dairy Holdings, LLC, a Virginia limited liability company (the "*Company*"), does hereby consent to in writing and adopt the following resolutions, and the actions represented or authorized by such resolutions, pursuant to the terms of the Operating Agreement of the Company (the "*Operating Agreement*"):

**WHEREAS**, the undersigned has determined it to be in the best interests of the Company to appoint a President and CEO, one or more Executive Vice Presidents, a Treasurer/CFO and a Secretary and to establish a description of the duties of such positions.

**NOW THEREFORE, BE IT RESOLVED** that the Manager does hereby create the offices of President and CEO, Executive Vice President, Treasurer/CFO and Secretary with the following duties and authority:

(a) The President and CEO shall have general charge of the business, affairs and property of the Company and general supervision of its other officers and agents. The President and CEO shall have full power and authority on behalf of the Company to attend, act and vote at any meeting of security holders of any corporations, partnerships, limited liability companies or other business entities in which the Company may hold securities. At such meeting(s), the President and CEO shall possess and may exercise any and all rights and power incident to the ownership of such securities which the Company might have possessed and exercise if it had been present. The President and CEO shall have authority to sign and execute in the Company name all appropriate agreements, mortgages, bonds, contracts and other instruments. The Company may from time to time confer like powers and authority upon any other person or persons.

(b) Each Executive Vice President shall perform such executive, supervisory and management functions and duties as may be assigned to him from time to time by the President and CEO. Each Executive Vice President shall have authority to sign and execute in the Company name all appropriate agreements, mortgages, bond, contracts and other instruments, except (i) in cases in which the signing or execution thereof shall be expressly delegated by the President and CEO to some other officer or agent of the Company, and (ii) as set forth below in these resolutions. Each Executive Vice President shall perform such other duties and have such other powers as may from time to time be prescribed by the President and CEO.

(c) The Treasurer/CFO shall have the custody of the Company funds and other valuable effects, including securities, and shall keep full and accurate accounts of receipts and disbursements in books belonging to the Company, shall deposit all moneys and other valuable effects in the name and to the credit of the Company in such depositories as may from

time to time be designated by the President and CEO, taking proper vouchers for such disbursements, and shall render to the President and CEO, whenever the President and CEO may require it, an account of all his transactions as the Treasurer/CFO and of the financial condition of the Company.

(d) The Secretary shall record all votes and the proceedings of the Company in a book to be kept for that purpose. The Secretary shall give, or cause to be given, notice of all meetings of the Members and Manager, and shall perform such other duties as may from time to time be prescribed by the President and CEO. The Secretary shall have custody of the seal of the Company, if any, and shall have authority to affix the same to any instrument requiring it, and, when so affixed, the seal may be attested by the Secretary's signature.

**FURTHER RESOLVED**, that each of the following individuals is hereby appointed to the office set forth beside his name below:

Paul B. Manning	President and CEO
Christopher Alan Henry	General Manager and COO
James C. Reebals	Executive Vice President and CFO
Russell T. Schundier	Executive Vice President and Secretary

**FURTHER RESOLVED**, that each of the President/CEO and Treasurer/CFO of the Company, acting alone, is hereby authorized to open an account or accounts for and in the name of the Company with such bank or banks in the Commonwealth of Virginia, and in any other state, country or other jurisdiction, as he or she may determine to be necessary or advisable in conducting the affairs of the Company, and to deposit therein funds coming into the possession of the Company; that all such banks are hereby authorized and directed to pay checks and other orders for the payment of money drawn on the name of the Company when signed by the President/CEO or the Treasurer/CFO of the Company or by any employee designated in writing by the President/CEO, and no such bank shall be required, in any case, to make inquiry respecting the application of any instrument executed by virtue of this resolution, or of the proceeds therefrom, nor be under any obligation to see to the application of such instrument or proceeds; and that all resolutions required by such banks in connection with such accounts that are consistent with the foregoing are hereby adopted;

**FURTHER RESOLVED**, that any officer of the Company may execute documents to effectuate or facilitate the business of the Company; provided, however, that, notwithstanding anything to the contrary herein, (i) no officer shall commit the Company to any expense or other commitment in an amount in excess of \$1,000 without the prior approval and consent of the President/CEO or the Treasurer/CFO, and (ii) any authority granted to any officer herein shall be subject to any direction or limitation as may be given to any one or more officers from time to time by the President/CEO;

**FURTHER RESOLVED**, that the Manager and each of the officers of the Company, acting alone, be, and hereby are, authorized, empowered, and directed, on behalf of the Company and in its name, to take any and all actions as such Manager or officer, in his or her sole

discretion, deems necessary or proper to carry out the intent or purposes of the foregoing resolutions;

**FURTHER RESOLVED**, that the actions heretofore taken by either Manager or any officer of the Company in connection with any matters described in the foregoing resolutions, the transactions contemplated thereby, all other exhibits, agreements, certificates and documents to be executed in connection therewith are hereby ratified and confirmed; and

**FURTHER RESOLVED**, that the foregoing resolutions shall supersede and replace in their entirety any resolutions previously adopted appointing officers of the Company or establishing the duties or authority of such officers, and any individual named as an officer in any prior resolutions that is not named above is hereby removed as an officer of the Company.

IN WITNESS WHEREOF, the undersigned being the sole manager of the Company, in lieu of a meeting, has executed this Written Consent effective as of the date first set forth above.

**MANAGER:**

**TIGER LILY CAPITAL, LLC**

By: \_\_\_\_\_

Name: Paul B. Manning

Title: Manager

# Dairy Central Project Narrative

Special Use Permit Request

May 23, 2018

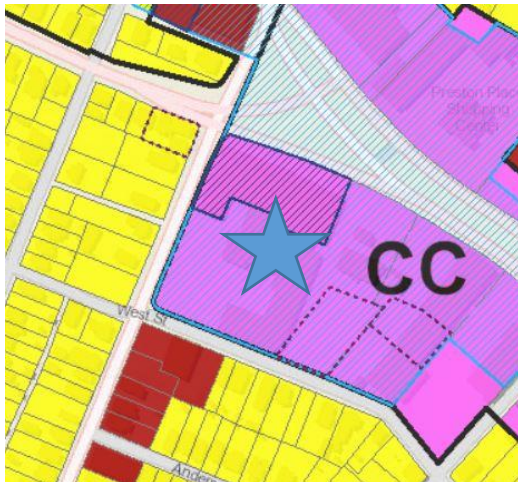
## PROJECT PROPOSAL

### *Introduction*

On behalf of our client, Dairy Holdings, LLC (the “Owner”), who are the owners and developers of the property commonly known as the Monticello Dairy, located at 946 Grady Avenue, in Charlottesville, Virginia (the “Property”), we request approval for a Special Use Permit for additional height and density for the residential component of the project, Phase 2 and 3. Phases 1 and 4 are being developed by-right.

The Property is further identified on City of Charlottesville Tax Maps as Parcel 310060000 with an acreage of approximately 4.35 acres and is bound by Grady Avenue, 10<sup>th</sup> Street and West Street. The Property is part of the Central City Mixed Use zoning district (“CC”). Within the CC zoning district, building heights of up to 50 feet are allowed by right, with up to 80 feet allowed by Special Use Permit. Also within the CC district, 43 dwelling units per acre are permitted for mixed use developments and up to 120 dwelling units per acre are permitted with a Special Use Permit.

**ZONING MAP**



**LAND USE MAP**



Dairy Central is a multi-phase mixed use redevelopment of the former home of the Monticello Dairy. The vision of the Dairy Central redevelopment is to repurpose the historically designated, Jeffersonian Dairy building into a Food Hall and Office Space in Phase 1. This local business was a significant employer and remained in operation for much of the 20<sup>th</sup> century, offering home delivery of dairy products throughout the City. This Phase 1 portion of the project is being developed by-right. On January 17, 2018, the Board of Architectural Review unanimously approved a Certificate of Appropriateness for this portion of the redevelopment. The Applicant’s design team includes Cunningham Quill Architects, Water Street Studio for Landscape Architecture and Timmons Group for Engineering.

Dairy Central Phases 2 and 3 include the primarily residential portions of the mixed-use development. Phase 4 accommodates the required parking to support the proposed uses and includes a retail component, both of which will be developed by-right.

### *Special Use Permit Request*

- For Phases 2 and 3 of the project, we request a modest increase to the by-right density of the site from 43 dwelling units per acre to a maximum 60 dwelling units per acre.
- With this Special Use Permit, we also request a small additional building height increase from 50 feet up to 65 feet to allow for a 5th floor that is set back 45 feet from West Street on each of the residential buildings, as demonstrated on the attached massing studies provided by Cunningham Quill Architects.
- Owner is providing 20 affordable dwelling units on site.

By approving this request and allowing a very modest increase to height and density for the residential portions of this mixed-use development, the City will receive the benefit of a significant increase in affordable housing units, with 20 units provided, as well as much needed 1 and 2-bedroom market rate units within walking distance to the Downtown and University areas. By increasing housing supply and offering various levels of pricing, we can begin to address the housing shortage in Charlottesville.

Adding businesses and new multifamily housing along the Preston Avenue Corridor demonstrates the value that the Owner places on the City's limited land area, as well as their commitment to growth that is aligned with existing infrastructure and facilities, and aligned with the Comprehensive Plan's vision and policies.

### *Zoning Ordinance Requirements*

Pursuant to Sec. 34-157 of the City of Charlottesville Zoning Ordinance, City Council shall consider the following factors when considering an application for a Special Use Permit (*Applicant response in italics*):

- (1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood;
- *Dairy Central Phase 2 is consistent with the pattern or use and development that is anticipated for Preston Avenue, a major mixed-use corridor within walking distance to UVA and the Downtown Mall. The intersection of 10th Street and Preston Avenue is well aligned to become a node of activity.*
  - *The 2001 Torti Gallas Corridor Study observes Preston Avenue's "significant redevelopment potential. Higher density development along the corridor could create more of a pedestrian orientation, especially if a variety of uses, including residential, are developed along the corridor."*
  - *The 2016 Streets that Work plan designates Preston Avenue as Mixed-Use A and 10th Street as Neighborhood A. Both street sections are appropriate for more intensive use than single family residential. Additionally, the Streets that Work plan identifies Preston/Grady and Preston/10th as priority intersections for multimodal and safety improvements. Very little planning at this intersection has taken place since its adoption as a priority in 2016.*

(2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan;

- *The Grady/Preston intersection is designated as a viable mixed-use growth corridor in the 2013 Comprehensive Plan.*
- *All parcels adjacent to the Grady/Preston intersection are zoned in conformance with the future land use map.*
- *See the attached document for a list of all applicable Comprehensive Plan goals.*
- *During the public outreach portion of the 2018 Comprehensive Plan update Preston Avenue ranked second to downtown as the community's preference for both new residential development and the creation of employment centers. If anything, capacity for development in both sectors should be added to this corridor.*
- *The Project includes 1 and 2 bedroom apartments, a high demand unit type with little to no vacancy in the downtown area. This unit type tends to attract young professionals and retirees, meaning there is less impact on public facilities such as schools.*
- *The Project also has a total affordable housing component requirement of approximately 6 units. The applicant intends to more than triple this requirement and provide 20 affordable housing units.*

(3) Whether the proposed use or development of any buildings or structures will comply with all applicable building code regulations;

- *The Project will comply with all applicable building code regulations.*

(4) Whether the proposed use or development will have any potentially adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts. Potential adverse impacts to be considered include, but are not necessarily limited to, the following:

a. Traffic or parking congestion;

- *A Traffic Study is forthcoming and will be submitted separately.*
- *The Project has been carefully designed to minimize any impacts to the adjacent 10<sup>th</sup> and Page Neighborhood. In particular, parking garages are hidden from the public realm and all entrances and exits are internal to the site and primarily feed to 10<sup>th</sup> Street and Grady Avenue, thereby discouraging traffic along West Street.*
- *Adequate parking is provided for the mix of uses on site, and the project is located within walking distance to the downtown area, UVA and transit stops for other destinations, which will result in fewer vehicular trips.*

b. Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;

- *No adverse impacts are anticipated.*

c. Displacement of existing residents or businesses;

- *Dairy Central is a mixed-use development that creates opportunity for new businesses to locate within the new Food Hall and Office Space. Office space is also provided for area non-profits.*
- *The existing property did not have a residential element, therefore no displacement of residents.*

d. Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;

- *Dairy Central provides opportunities for economic development on a variety of levels within the heart of Charlottesville. The stalls within the Food Hall provide a low barrier to entry for small business owners. The lower level of the Dairy Building provides community gathering space that will be available for neighborhood meetings as well as office space for area non-profits. New office space is designed for the rear portion of the Dairy Building and a small neighborhood commercial component is shown at the corner of 10<sup>th</sup> Street and West Street. The applicant is also collaborating with the community to try to provide a daycare across 10th Street from the Property.*

e. Undue density of population or intensity of use in relation to the community facilities existing or available;

- *Since 2000, Preston Avenue has been envisioned as an area where higher density development is appropriate. The 2013 Land Use Plan supports higher density and a mix of uses at this location. By providing housing opportunities in this centralized area that is walkable and accessible to transit, undue pressure can be relieved within the low-density areas of the 10th and Page neighborhood.*

f. Reduction in the availability of affordable housing in the neighborhood;

- *Dairy Central Phase 2 and 3 will substantially increase the availability of affordable housing in the 10th and Page area. As mentioned previously, the applicant intends to provide affordable units on site and more than triple the City requirement of 6 units. By providing 20 units, the applicant is able to match with a single project the 20 units that were created by the City Affordable Housing Fund in all of 2017.*

g. Impact on school population and facilities;

- *Dairy Central Phase 2 and 3 is anticipated to have minimal impact on school population and facilities. According to National Multifamily Housing Coalition's tabulation of data from the American Housing Survey, one and two bedroom apartments are typically attractive to single people, couples without children, and empty nesters, which is why apartment units generate one-half to one-third the number of school age children than the same number of single family homes. The Project is envisioned to primarily have one and two bedroom units.*

**Number of Children per 100 Housing Units**

	Single Family	Apartment
Overall Average	51	31
New Construction	64	29
High Income Apt	-	12
Low Income Apt	-	37

Source: National Multifamily Housing Council tabulations of American Housing Survey data

h. Destruction of or encroachment upon conservation or historic districts;

- *Dairy Central is actively preserving and repurposing the historic sections of the Monticello Dairy building as part of Phase 1 of the redevelopment. The Board of Architectural Review unanimously approved a Certificate of Appropriateness for this work on January 17, 2018.*

i. Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and,

- *The Project will conform with all federal, state and local laws.*

j. Massing and scale of project.

- *The massing and scale of the Project is demonstrated by the attached conceptual elevations, renderings and massing studies. As shown, the Phase 2 and Phase 3 buildings are sensitive to the more residential character of West Street by providing only residential uses along this frontage of the Property. In addition, building heights are kept to 4 stories for the portions of buildings that are closest to adjacent lower density residential areas, with the minimal areas containing a 5<sup>th</sup> story pulled into the central portion of the site away from West Street.*
- *The Buildings step down toward West Street, recognizing the smaller scale of the street and residential character as one gets closer to the neighborhood.*
- *The design of the building, as well as its articulation, further breaks down the scale of the development and creates an active residential street front along West Street that supports pedestrian safety and interaction. The residential building is designed with two landscaped garden courtyards and ground level units have individual doors opening to the street as well as the courtyards, rather than having just a single building entry. This serves to activate the streetscape and reduce the scale of building.*

(4) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;

*The Property is located within a mixed-use zoning district. As stated in Section 34-540,* The purpose of the mixed-use zoning districts is to encourage mixed-use development within appropriate areas of the city, located along or adjacent to streets or highways found by the city council to be significant routes of access to the city. Objectives of mixed use districts include the following:

(i) creation of a dynamic street life, encouraging the placement of buildings close to property lines, and/or heavily landscaped yard areas, in order to engage pedestrians and de-emphasize parking facilities;

- *Dairy Central, through an engaging mix of uses, thoughtful placement of buildings and intentional creation of outdoor spaces, will promote a dynamic street life that is responsive to the context along the various frontages of the Property.*

(ii) encouragement of mixed-use development;

- *Dairy Central has a full range and mix of uses, including the Food Hall, Office Space, Community Gathering Space, Non-Profit Offices, Neighborhood Retail, Parking and Residential.*

(iii) facilitation of development that demonstrates an appropriateness of scale;



- *The mass of the residential building is lower along the West Street frontage. The scale of the building is carefully broken down through the use of outdoor courtyards and apartments with entrances on the street.*
- *The Phase 2 building is carefully broken down into three wings which greatly reduces its scale and appearance on the West Street frontage.*

(iv) encouragement of development that offers creative minimization of the impact of parking facilities and vehicular traffic;

- *Parking for Phases 1 and 2 is accommodated under the building with an entrance that is internal to the property. Thus, the parking is hidden from public view and the frontages along 10th Street and West Street can remain entirely devoted to the pedestrian and neighborhood experience.*
- *The location of the garage entrance encourages the use of 10<sup>th</sup> Street and Grady as site exits, thus directing cars away from West Street and the neighborhood.*
- *Parking for Phases 3 and 4 will be accommodated in structured parking along Grady Avenue.*

(v) encouragement of landscaped spaces available for pedestrian use (e.g., pocket parks, tree-lined streets and walkways);

- *Water Street Studio has designed the outdoor spaces of the site with a careful attention to detail by providing a variety of experiences. There are ample public outdoor seating areas at the Food Hall and tree-lined streets and alleys.*

(vi) encouragement of alternate forms of transportation (e.g., pedestrian travel, bicycle paths, use of public transit);

- *Dairy Central is ideally situated to promote an urban lifestyle which allows for choice in mode of transportation. The centralized location of the Property makes it walkable and bikeable to most areas within the City. Bike storage and parking is available on site. The project is also easily accessible to public transportation and provides adequate parking for those wishing to use their car.*

(vii) encouragement of neighborhood-enhancing economic activity;

- *The Food Hall in Phase 1 will be a hub of neighborhood activity and a place to gather and support local vendors. Phases 2,3 and 4 will support this economic activity. The potential for a small neighborhood-scaled retail space is shown for the corner of 10th and West Streets and the parking structure of Phase 4 will have a retail component, which will contribute to neighborhood-enhancing economic activity.*
- *The Owner is pursuing New Market Tax Credits as a means to subsidize non-profit rents in Phase 1 of the Project as well the creation of a culinary arts community teaching component within the Food Hall.*

(viii) encouragement of home ownership; and

- *The residential component of Dairy Central will be primarily one and two bedroom apartments. By providing an opportunity for new rental options, we can wisely utilize our limited land resources and reduce pressure to redevelop low density residential areas.*

(ix) encouragement of neighborhood participation in the development process.

- *The Owner has been meeting with the 10th and Page Neighborhood Association over the past year to create an ongoing dialogue regarding the multi-phased development. The relationship with the Neighborhood Association has helped shape the project thus far and will continue to inform the design as we work through the Special Use Permit process. The next Community meeting is scheduled for January 29<sup>th</sup>, and we anticipate additional meetings during the review process. The applicant has also worked extensively with a Community Advisory Committee, appointed by the 10<sup>th</sup> and Page neighborhood, with the meetings in February, March, May and June.*

(6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and

- *Dairy Central will meet all applicable regulations.*

(7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

- *Dairy Central Phase 1, as designed by Cunningham Quill Architects and Water Street Studio, received a unanimous vote in support of a Certificate of Appropriateness from the Board of Architectural Review on January 17, 2018. The remainder of the Property falls within an Entrance Corridor district; therefore, the Entrance Corridor Review Board will review both the Special Use Permit request and all future submittals for Certificates of Appropriateness for new construction.*

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**DAIRY CENTRAL - PHASE 2 AND 3**  
**SPECIAL USE PERMIT PLANNING COMMISSION**  
**MAY 22, 2018**

## MEETINGS + STAKEHOLDER MEETINGS - EXTENSIVE COMMUNITY ENGAGEMENT

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA

### PUBLIC MEETINGS

- Community Meeting #1: 11/20/2017
- Community Meeting #2: 1/29/2018
- Site Plan Review Meeting: 11/15/2017
- 10th and Page Neighborhood Association Meeting: 7/25/2017
- 10th and Page Neighborhood Association Meeting: 9/26/2017
- 10th and Page Neighborhood Association Meeting: 12/13/2017
- BAR Pre-Application Meeting #1: 9/19/2017
- BAR Pre-Application Meeting #2: 11/21/2017
- BAR Certificate of Appropriateness Meeting: 1/17/2018
- Neighborhood Advisory Committee Meeting: 2/21/2018 continuing monthly
- Neighborhood Advisory Committee Meeting: 3/20/2018
- Rose Hill Neighborhood Association Meeting: 3/27/2018
- Neighborhood Advisory Committee Meeting: 5/14/2018
- Neighborhood Advisory Committee Meeting 6/4/2018

### STAKEHOLDER MEETINGS

- City of Promise
- Habitat for Humanity
- PB&J Foundation
- Albermale Housing Improvement Program
- Second Season
- Neighborhood Businesses
- Charlottesville City Council Members
- Charlottesville Planning Commissioners
- Charlottesville Economic Development Authority
- Charlottesville Redevelopment and Housing Authority
- Charlottesville School Division
- Piedmont Virginia Community College
- GO Charlottesville Skilled Trades Academy

COMMUNITY MEETING #1



## PROJECT HIGHLIGHTS + COMMUNITY BENEFITS

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA

- Affordable housing
- Community meeting space
- Office space for non-profits
- Job creation
- Educational opportunities
- Pedestrian safety
- Green building

Phase 1: Targeting LEED Silver

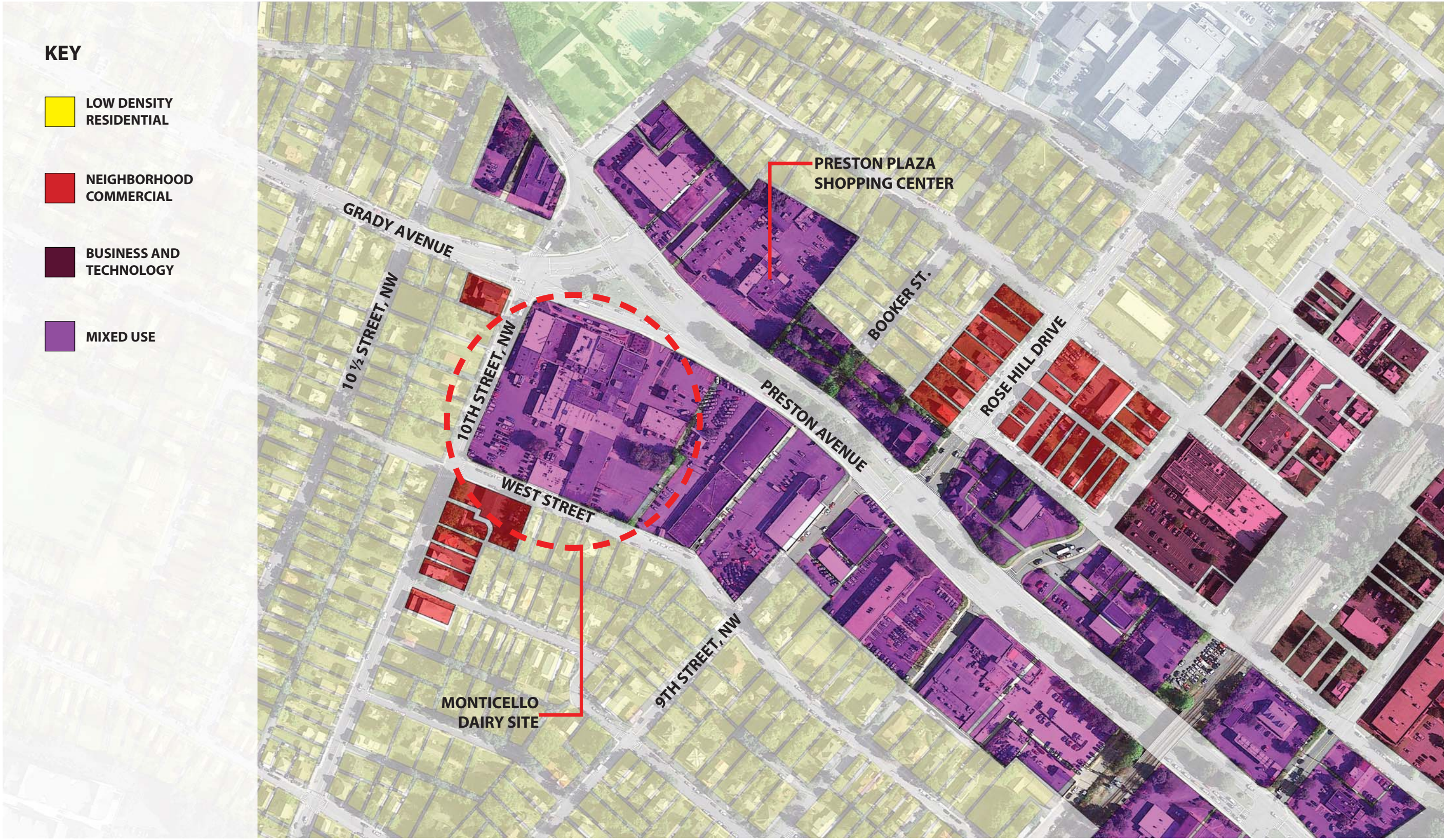
Phase 2: Targeting Earthcraft Multifamily

COMMUNITY MEETING #2



# EXISTING SITE & CONTEXT

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



# GRADY + PRESTON AVENUE CONTEXT PHOTOGRAPHS

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



1. AERIAL VIEW OF THE SITE FROM THE NORTH-WEST



2. AERIAL VIEW OF THE SITE FROM THE NORTH



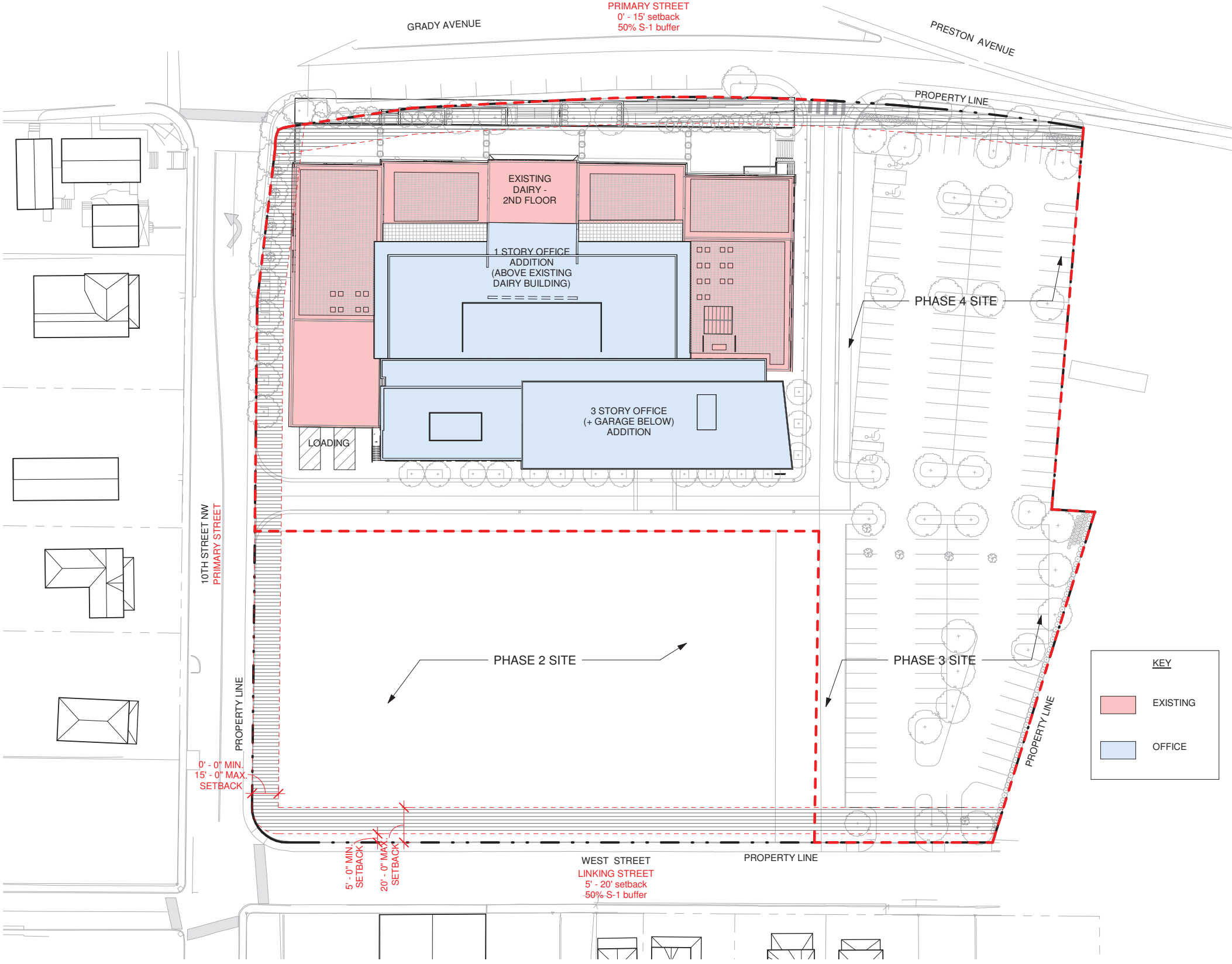
3. AERIAL VIEW OF THE SITE FROM THE NORTH-EAST



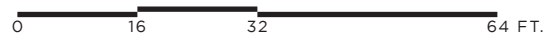
4. DAIRY BUILDING FROM GRADY AVENUE + WOOD STREET

# PHASING DIAGRAMS: PHASE ONE (APPROVED BY B.A.R. ON 01.17.18)

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



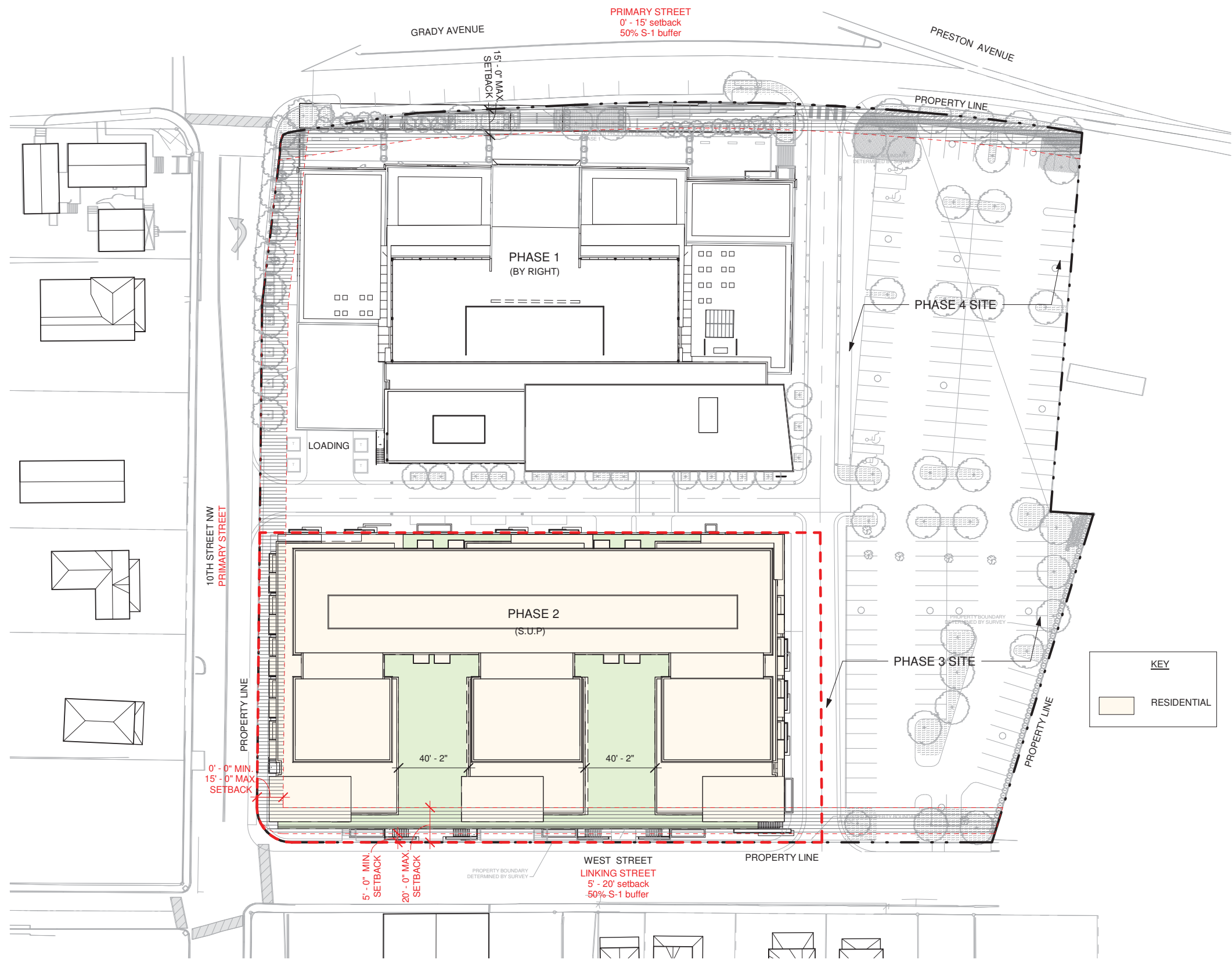
1 PHASE ONE PLAN





# PHASING DIAGRAMS: PROPOSED PHASE TWO

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



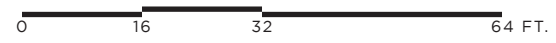
## Phase 2 Residential

Total Units: +/- 175  
(based on projected unit sizes and mix)

Total GSF: +/- 228,700

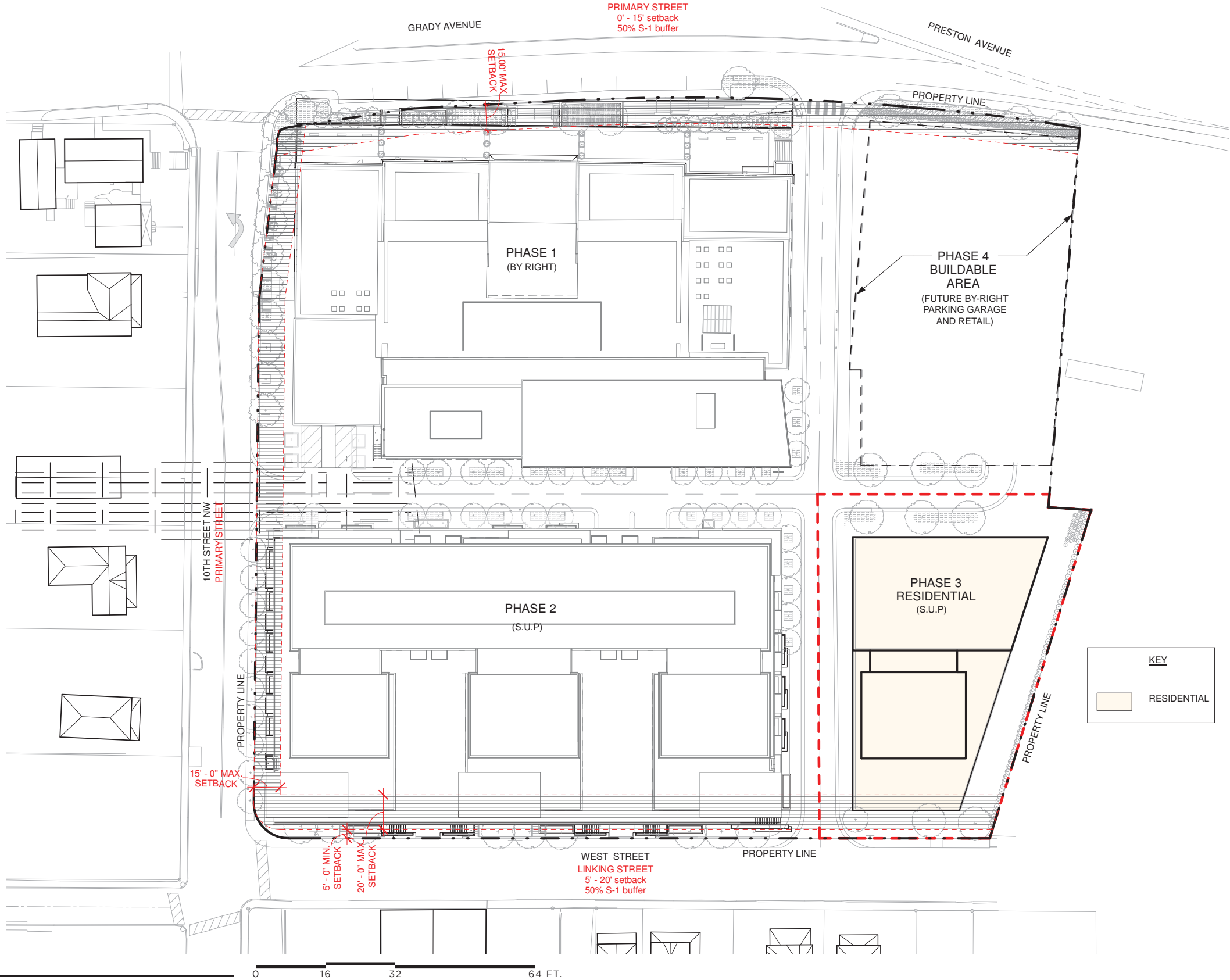
Bldg. Height: 60'-0" to 65'-0"

1 PHASE TWO PLAN



# PHASING DIAGRAMS: PROPOSED PHASE THREE

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



## Phase 3 Residential

Total Units: 60-75  
(based on projected unit sizes and mix)

Total GSF: +/- 65,000

Bldg. Height: 60'-0" to 65'-0"

# PHASE 2 AND 3 MASSING DIAGRAM - TRANSITION FROM COMMERCIAL CORRIDOR TO RESIDENTIAL NEIGHBORHOOD

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA

## MASSING/HEIGHT KEY

**BY-RIGHT:**  
50' MAX. BUILDING HEIGHT  
(PROPOSING 4 STORIES WITHIN BY-RIGHT HEIGHT)

**SPECIAL USE PERMIT:**  
80' MAX. BUILDING HEIGHT  
(ASKING FOR 65' HEIGHT - 15' ABOVE BY-RIGHT 50')  
5 STORIES TOTAL WITH STEPBACKS



# PHASE 2 AND 3 DENSITY DIAGRAM - TRANSITION FROM COMMERCIAL CORRIDOR TO RESIDENTIAL NEIGHBORHOOD

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA

## UNITS KEY

### BY-RIGHT:

BY-RIGHT UNITS ALLOWED  
43 DUA = 187 UNITS

PHASE 2 = +/- 175 UNITS

### SPECIAL USE PERMIT:

SUP DENSITY REQUESTED:  
60 DU / ACRE = 261 UNITS MAX.

REQUESTING 74 UNITS  
BY SPECIAL USE PERMIT

OF THESE 74 NEW UNITS, 20 WILL  
BE AFFORDABLE UNITS (27%)

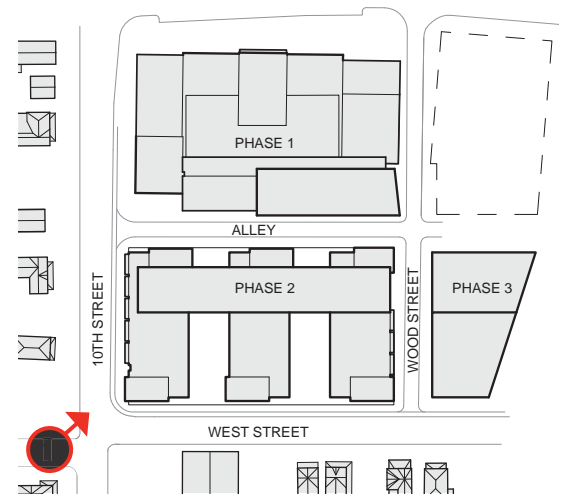
PHASE 3 = 60-75 UNITS

\*NOTE: CC ZONING ALLOWS FOR  
UP TO 120 DUA BY SUP, OR 522  
UNITS TOTAL.



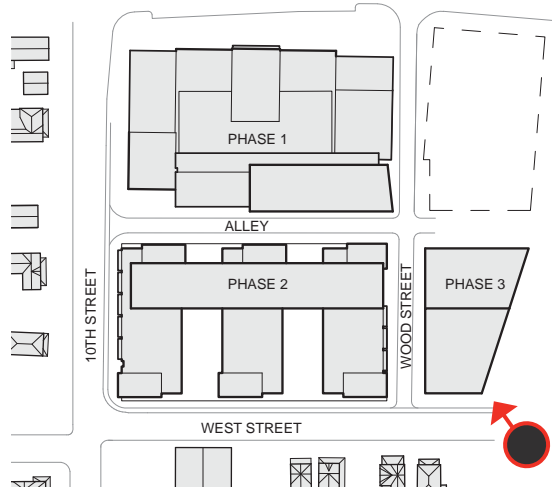
# BUILDING BIRD'S EYE PERSPECTIVE (LOOKING NORTH-EAST)

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



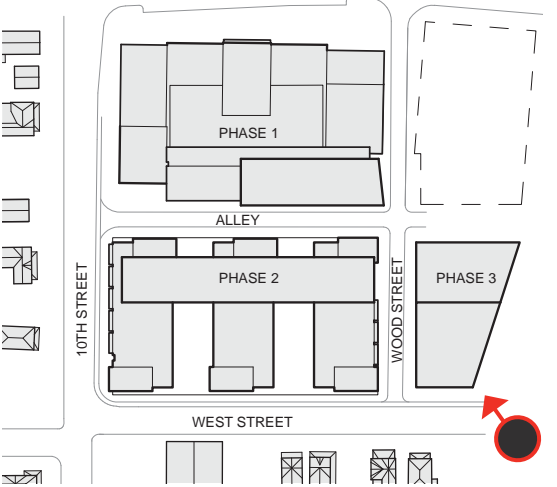
# BUILDING BIRD'S EYE PERSPECTIVE (LOOKING NORTH-WEST)

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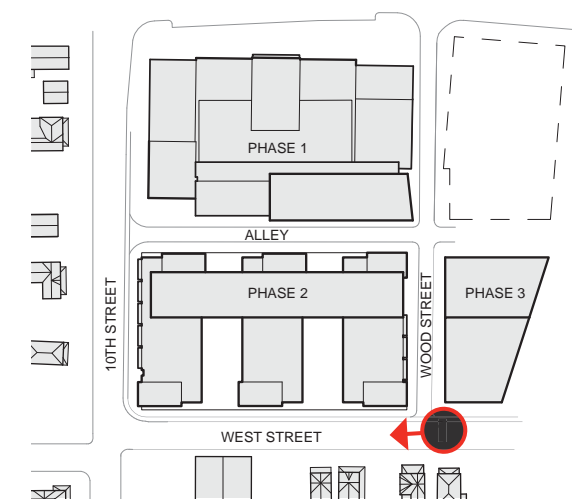
# BUILDING BIRD'S EYE PERSPECTIVE (LOOKING NORTH-WEST)

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



# BUILDING PERSPECTIVE AT WEST STREET

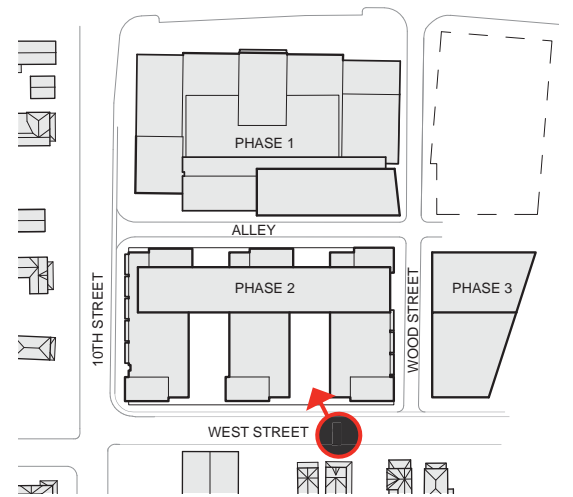
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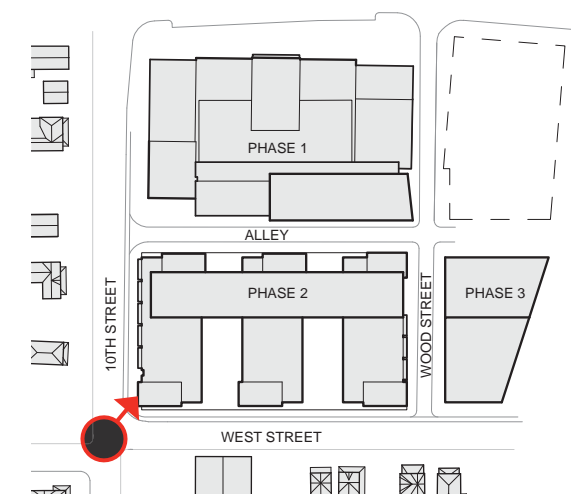
# BUILDING PERSPECTIVE ON WEST STREET LOOKING NORTH

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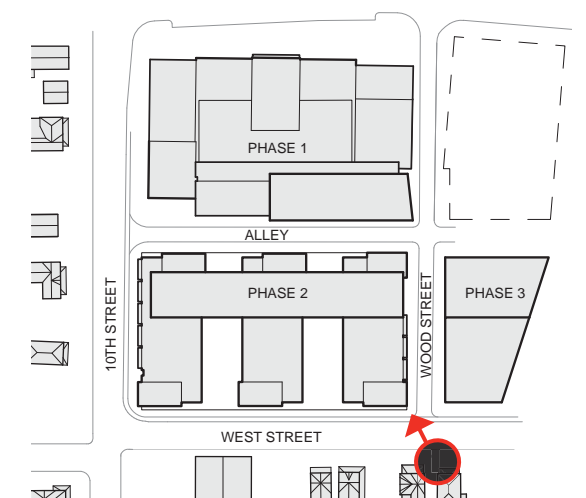
# BUILDING PERSPECTIVE ON 10TH STREET AT WEST STREET

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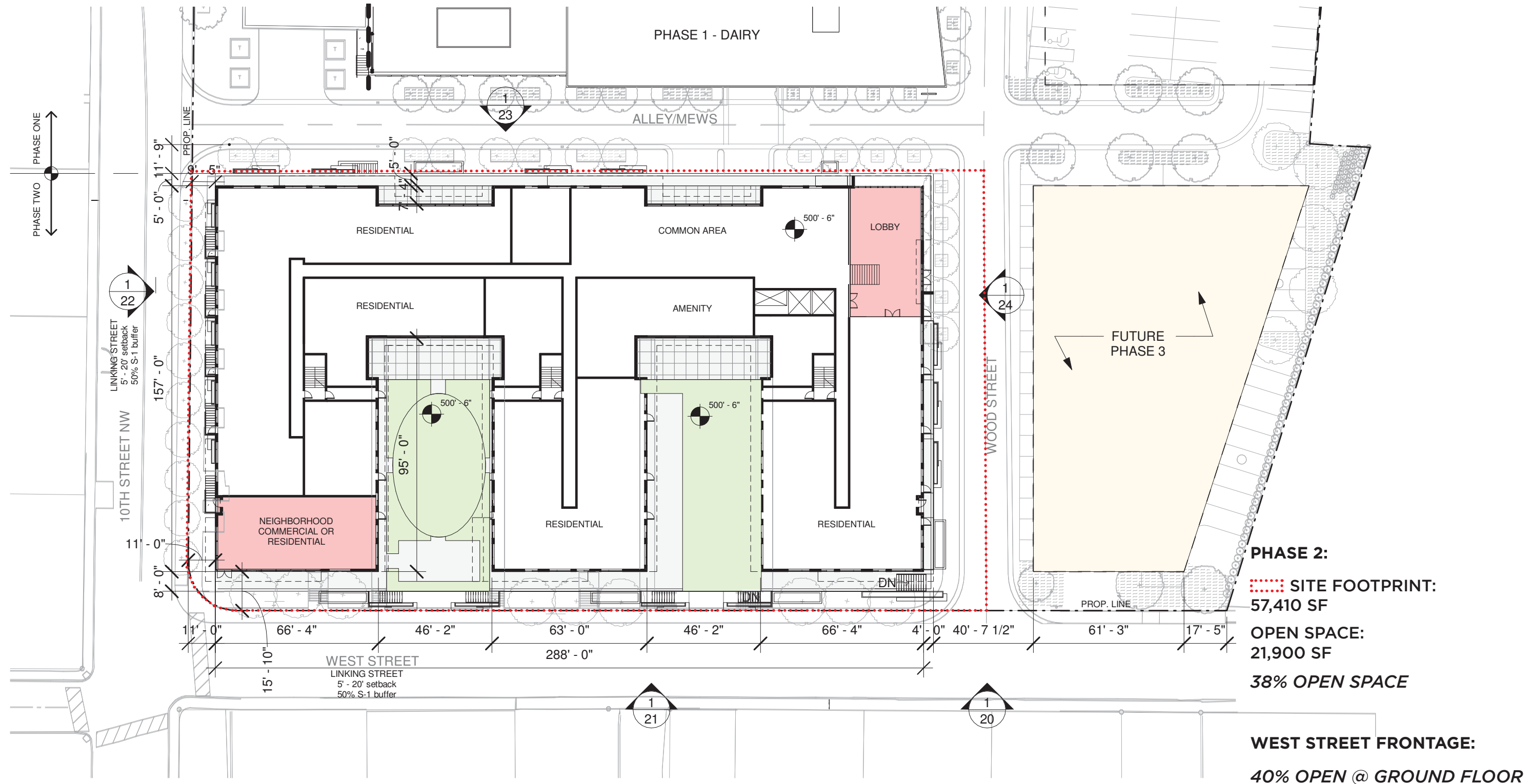
# BUILDING PERSPECTIVE ON WEST STREET LOOKING NORTH

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



# LEVEL 1 PLAN

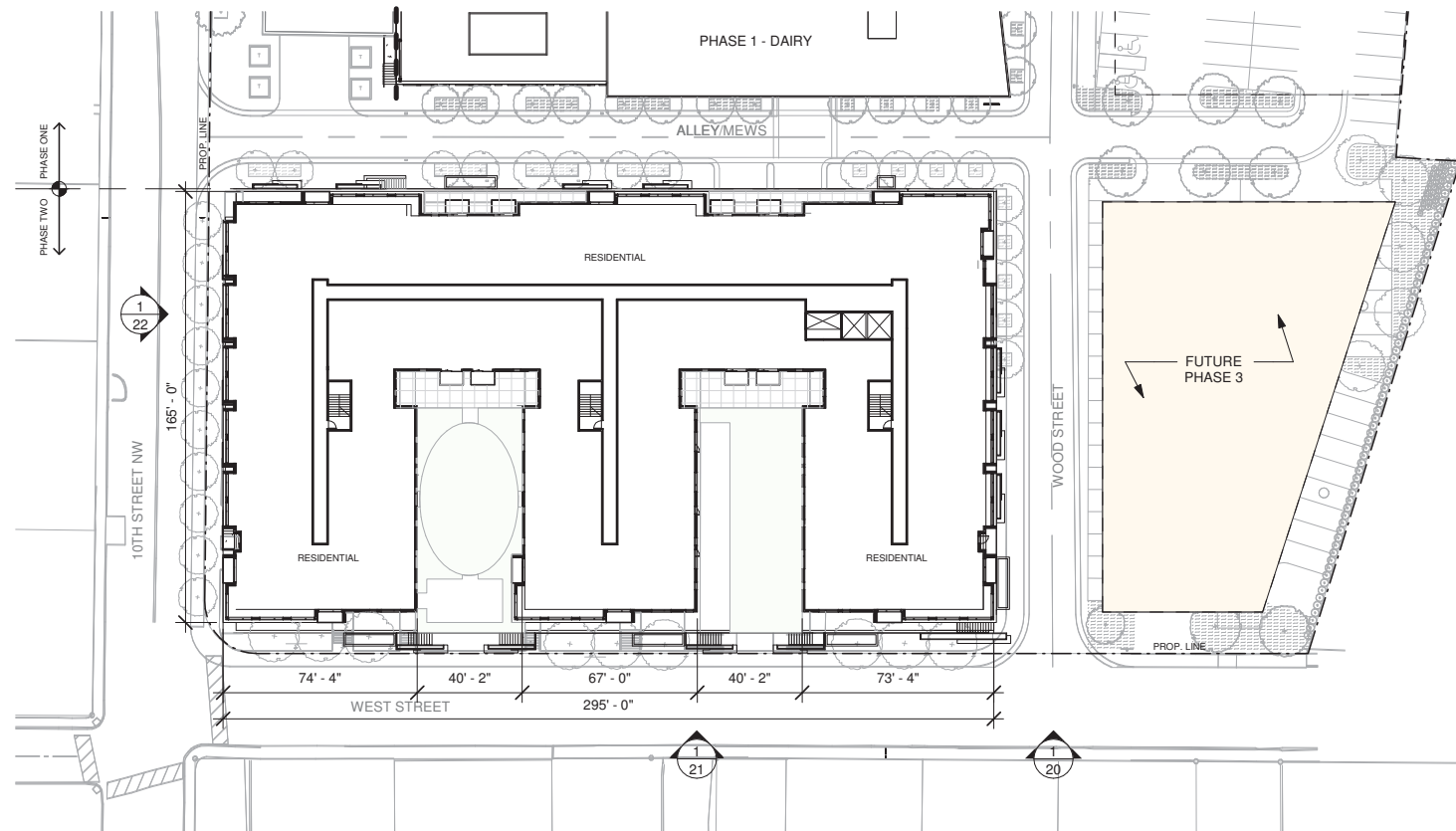
MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



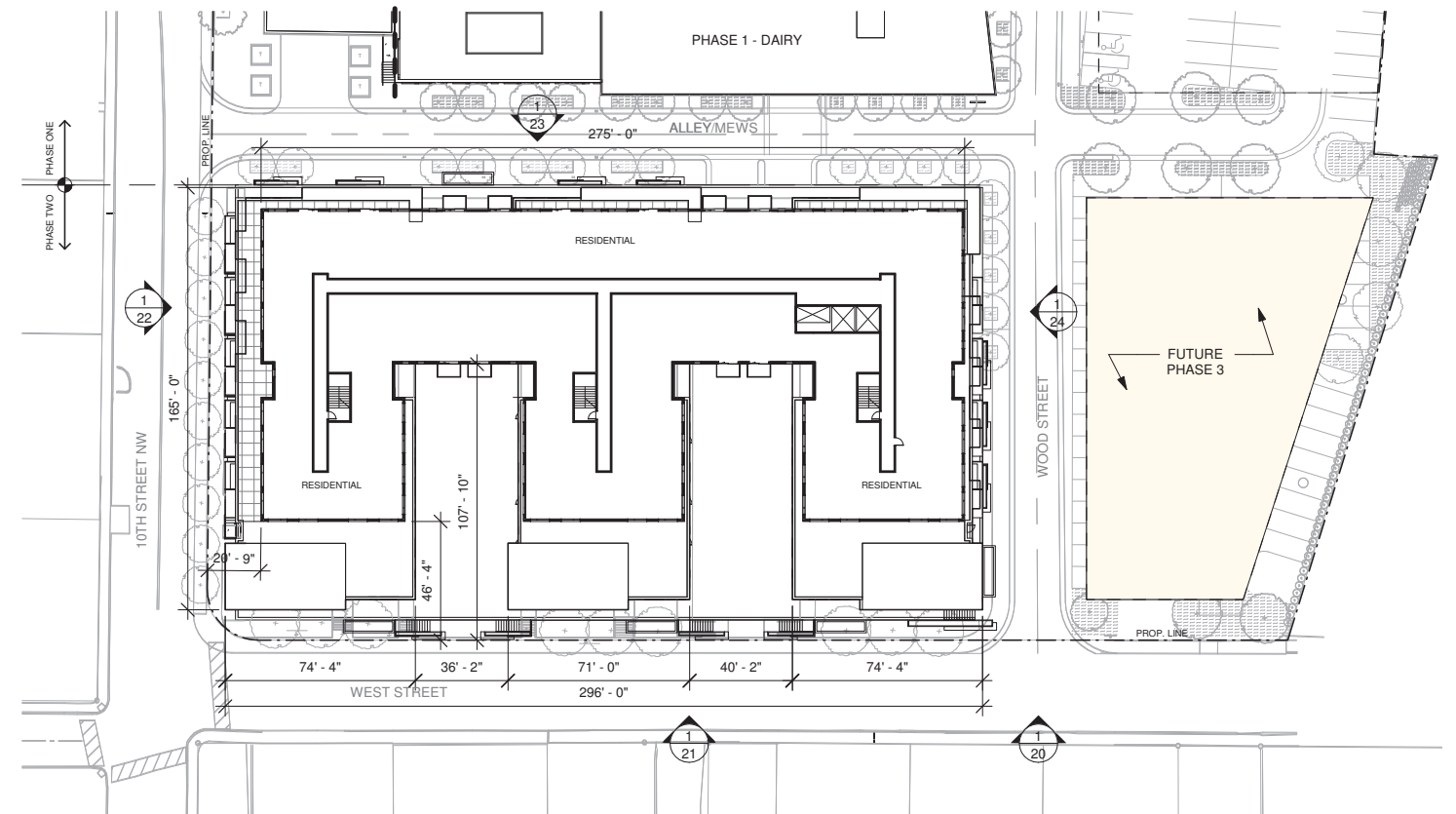
1 PROPOSED LEVEL 1 PLAN  
 SCALE: 1" = 40'-0"

# PROPOSED PLANS

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



1 PROPOSED LEVELS 2-4 TYPICAL PLAN

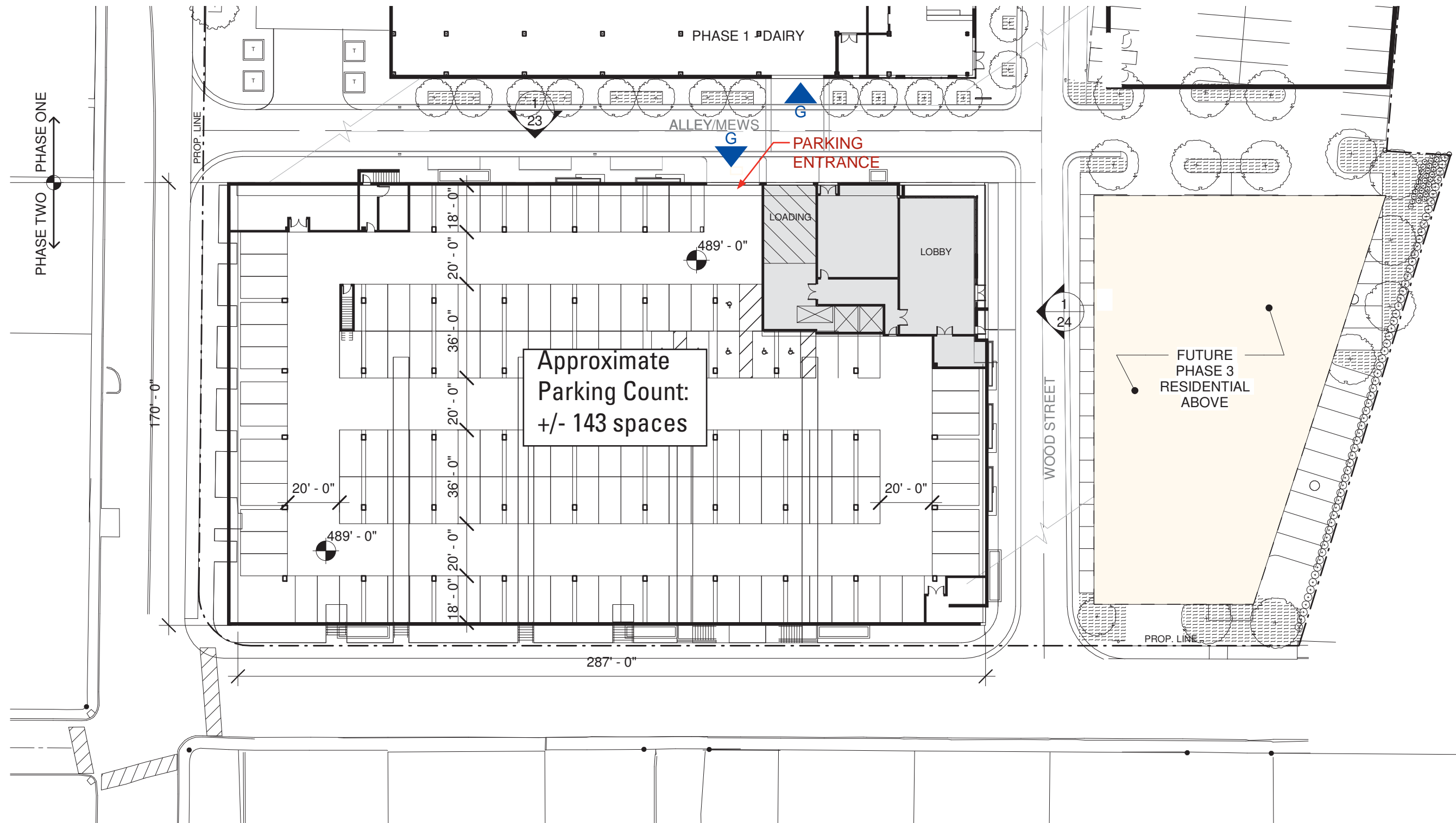


2 PROPOSED LEVELS 5 PLAN



# GARAGE PLAN

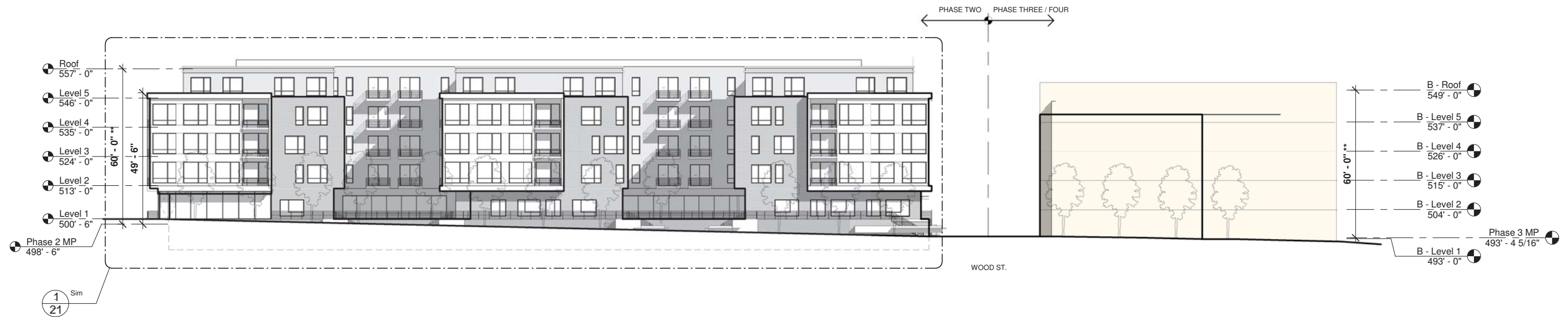
MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



1 PROPOSED GARAGE PLAN  
SCALE: 1" = 40'-0"

# OVERALL SOUTH ELEVATION

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



**\*\*NOTE: GROUND-LEVEL FLOOR-TO-FLOOR MAY VARY FROM 11'-0" TO 14'-0", AFFECTING BUILDING HEIGHT FROM 60'-0" TO 65'-0".**

**1** PROPOSED OVERALL SOUTH ELEVATION @ WEST STREET  
SCALE: 1"= 40'-0"

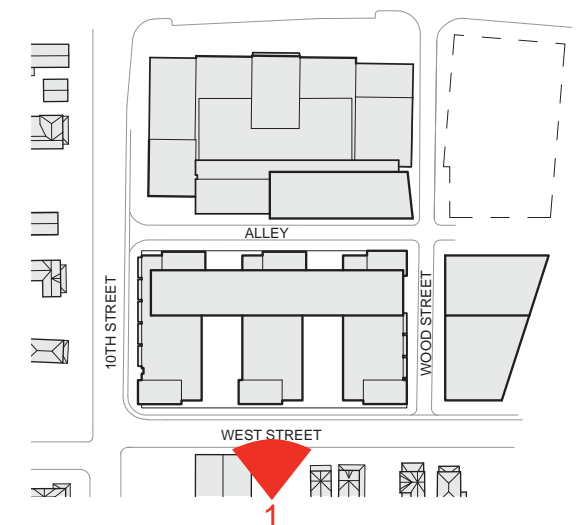
NOTE:

-PHASE TWO MEASURING POINT IS BASED ON AVERAGE CURB HEIGHT ALONG 10TH STREET, NW.

-10TH STREET, NW IS THE PRIMARY STREET FOR PHASE TWO.

-PHASE THREE MEASURING POINT IS BASED ON AVERAGE CURB HEIGHT ALONG WEST STREET, NW.

-WEST STREET, NW IS THE PRIMARY STREET FOR PHASE THREE.



# SOUTH ELEVATION

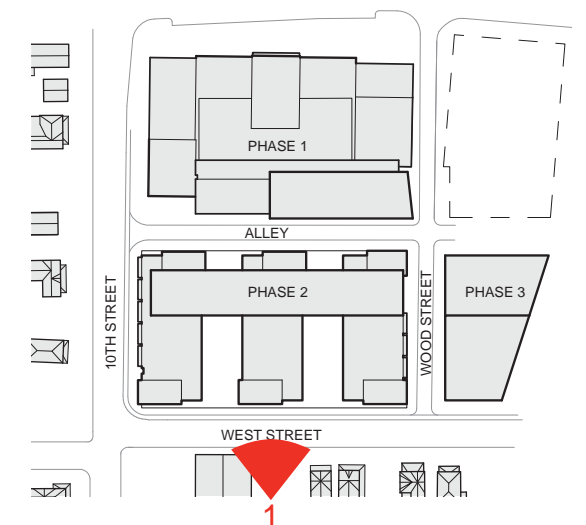
MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



**\*\*NOTE: GROUND-LEVEL FLOOR-TO-FLOOR MAY VARY FROM 11'-0" TO 14'-0", AFFECTING BUILDING HEIGHT FROM 60'-0" TO 65'-0".**

## 1 PROPOSED SOUTH ELEVATION SCALE: 1"= 20'-0"

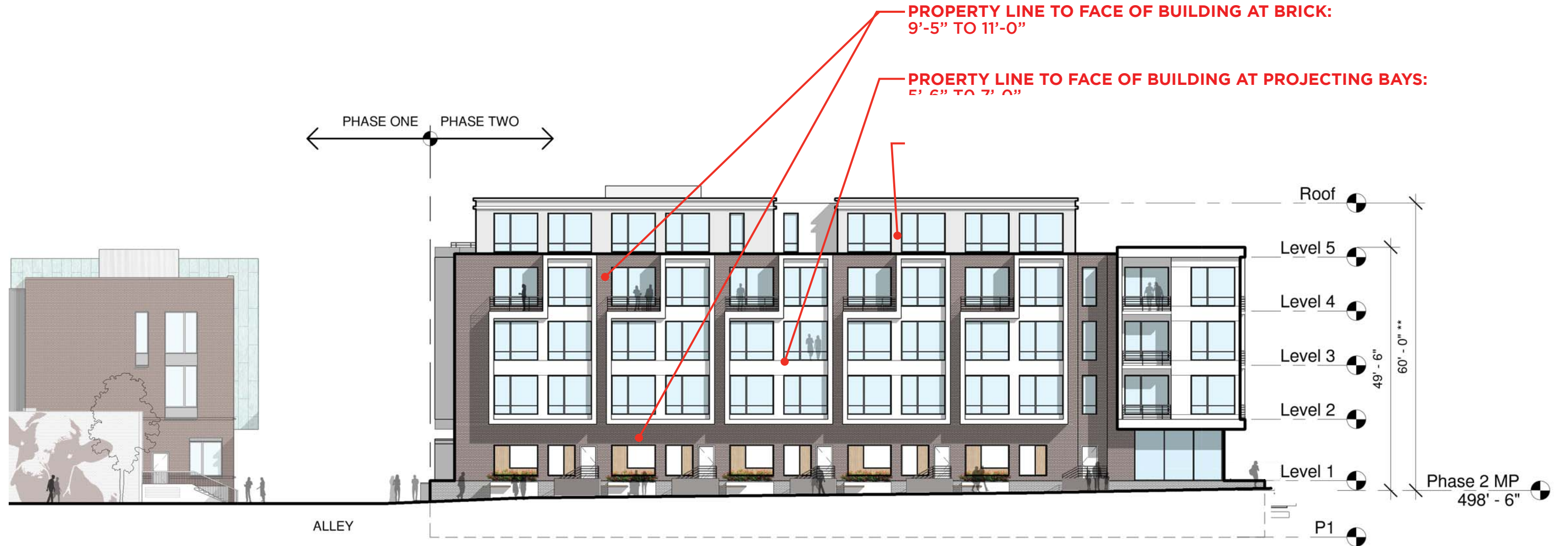
NOTE:  
-PHASE TWO MEASURING POINT IS BASED ON AVERAGE CURB HEIGHT ALONG 10TH STREET, NW.  
-10TH STREET, NW IS THE PRIMARY STREET FOR PHASE TWO.





# WEST ELEVATION

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA

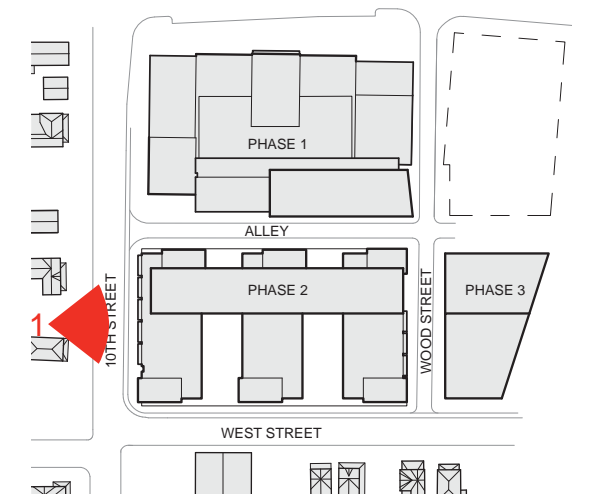


**\*\*NOTE: GROUND-LEVEL FLOOR-TO-FLOOR MAY VARY FROM 11'-0" TO 14'-0", AFFECTING BUILDING HEIGHT FROM 60'-0" TO 65'-0".**

**1** PROPOSED WEST ELEVATION @ 10TH STREET NW  
SCALE: 1"= 20'-0"

NOTE:  
-PHASE TWO MEASURING POINT IS BASED ON AVERAGE CURB HEIGHT ALONG 10TH STREET, NW.

-10TH STREET, NW IS THE PRIMARY STREET FOR PHASE TWO.



# NORTH ELEVATION

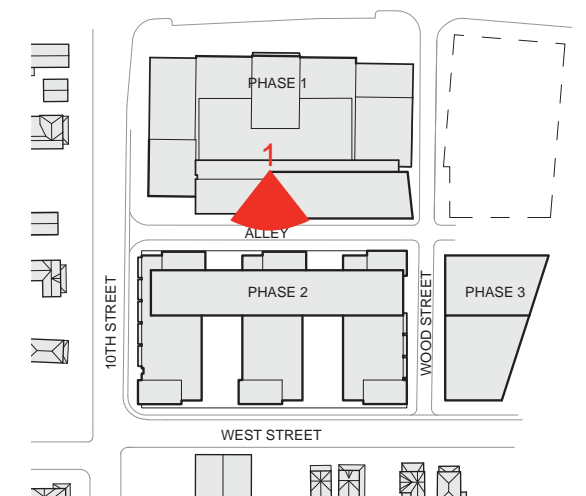
MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



**\*\*NOTE: GROUND-LEVEL FLOOR-TO-FLOOR MAY VARY FROM 11'-0" TO 14'-0", AFFECTING BUILDING HEIGHT FROM 60'-0" TO 65'-0".**

**1** PROPOSED NORTH ELEVATION  
SCALE: 1"= 20'-0"

NOTE:  
-PHASE TWO MEASURING POINT IS BASED ON AVERAGE CURB HEIGHT ALONG 10TH STREET, NW.  
  
-10TH STREET, NW IS THE PRIMARY STREET FOR PHASE TWO.



# EAST ELEVATION

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA



**\*\*NOTE: GROUND-LEVEL FLOOR-TO-FLOOR MAY VARY FROM 11'-0" TO 14'-0", AFFECTING BUILDING HEIGHT FROM 60'-0" TO 65'-0".**

**1** PROPOSED EAST ELEVATION  
SCALE: 1" = 20'-0"

NOTE:  
-PHASE TWO MEASURING POINT IS BASED ON AVERAGE CURB HEIGHT ALONG 10TH STREET, NW.  
-10TH STREET, NW IS THE PRIMARY STREET FOR PHASE TWO.

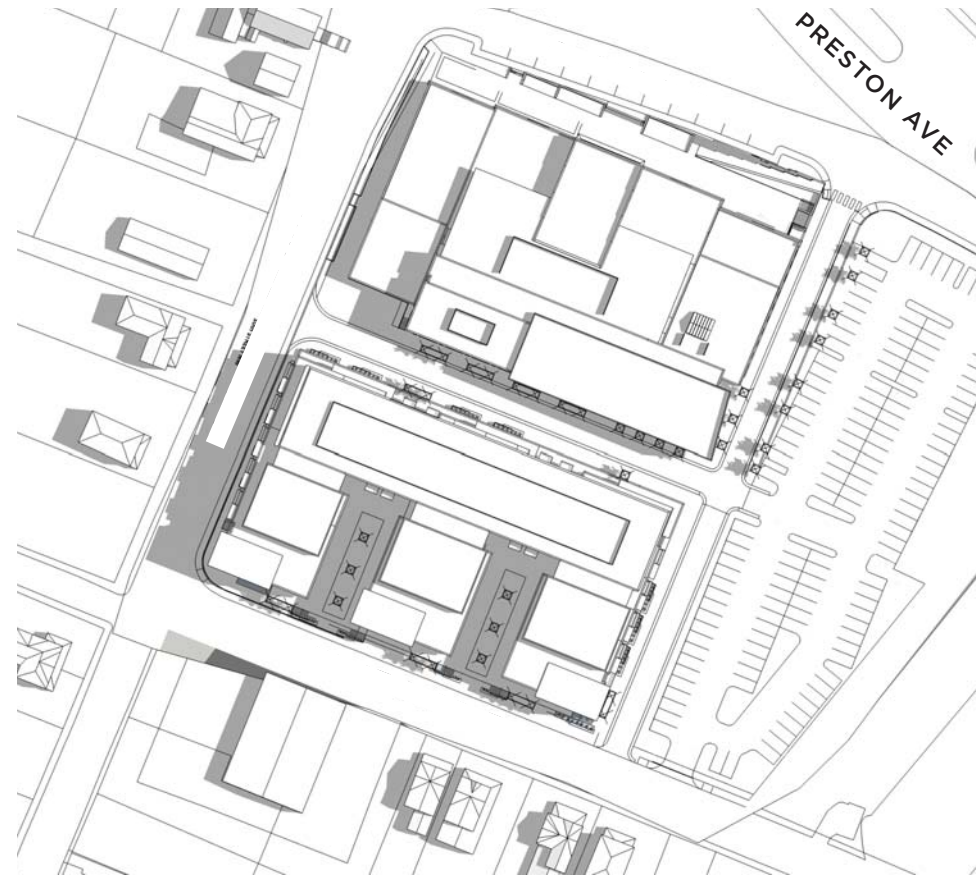
ALLEY



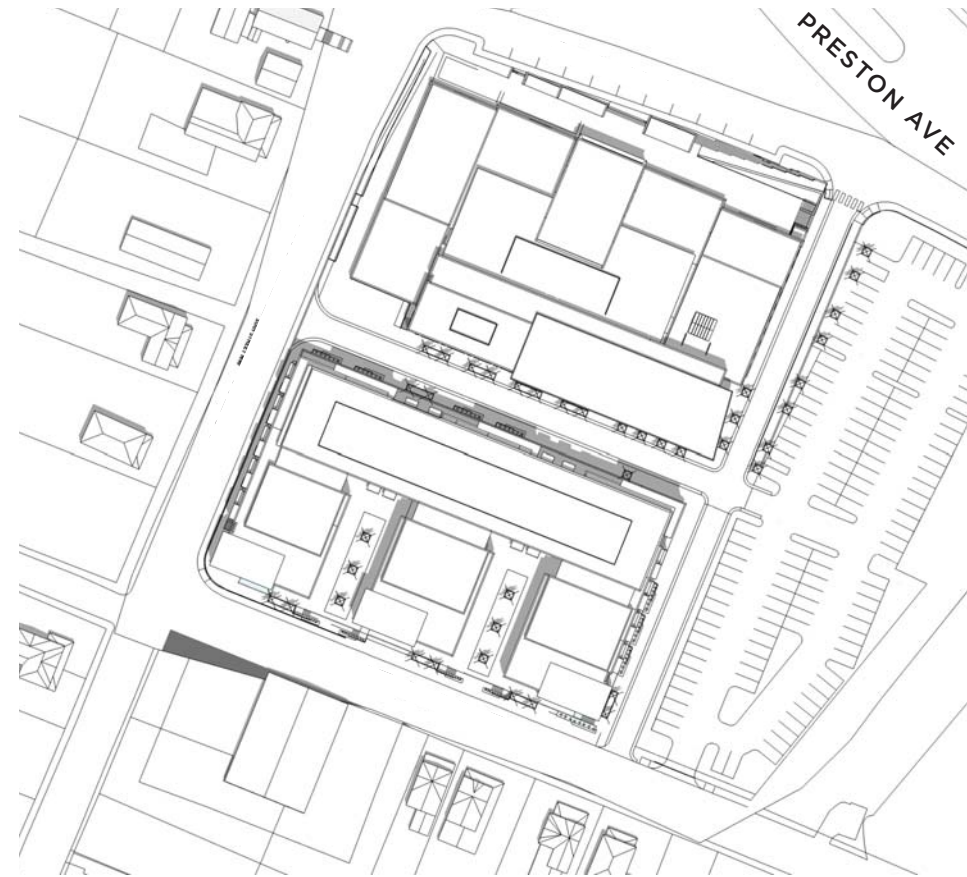
# SOLAR STUDY

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA

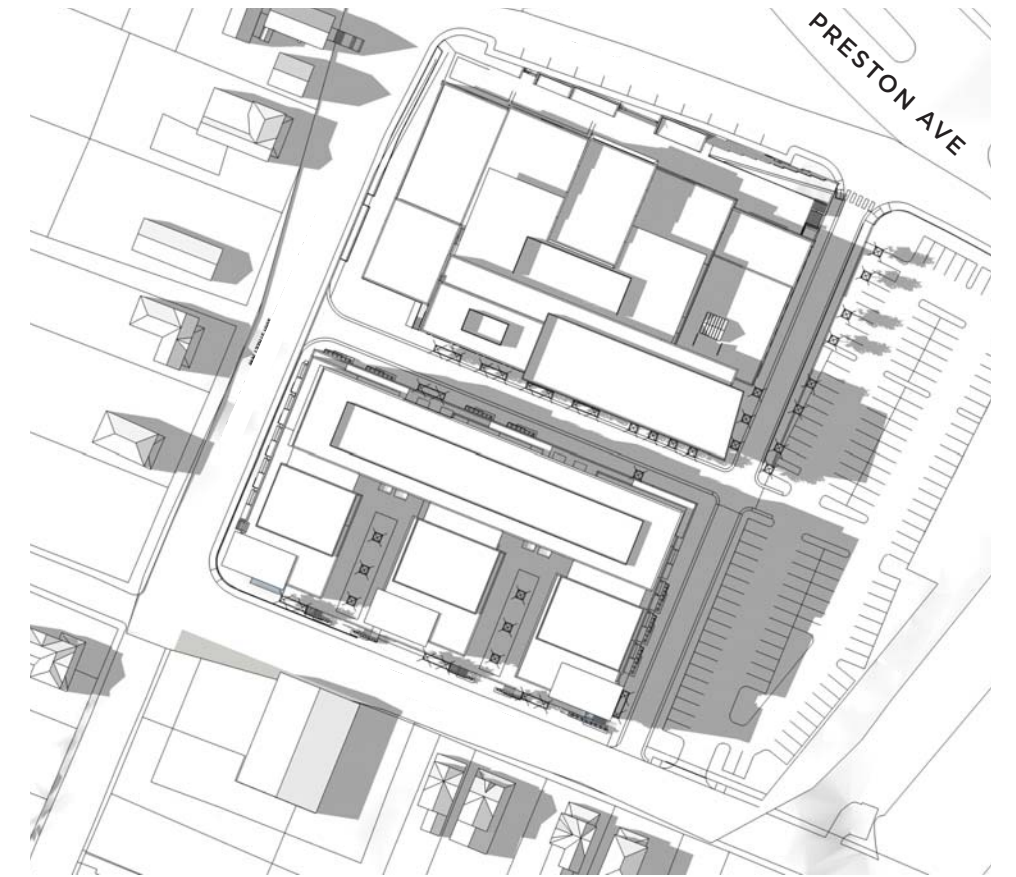
JUNE 21



9AM



12 PM



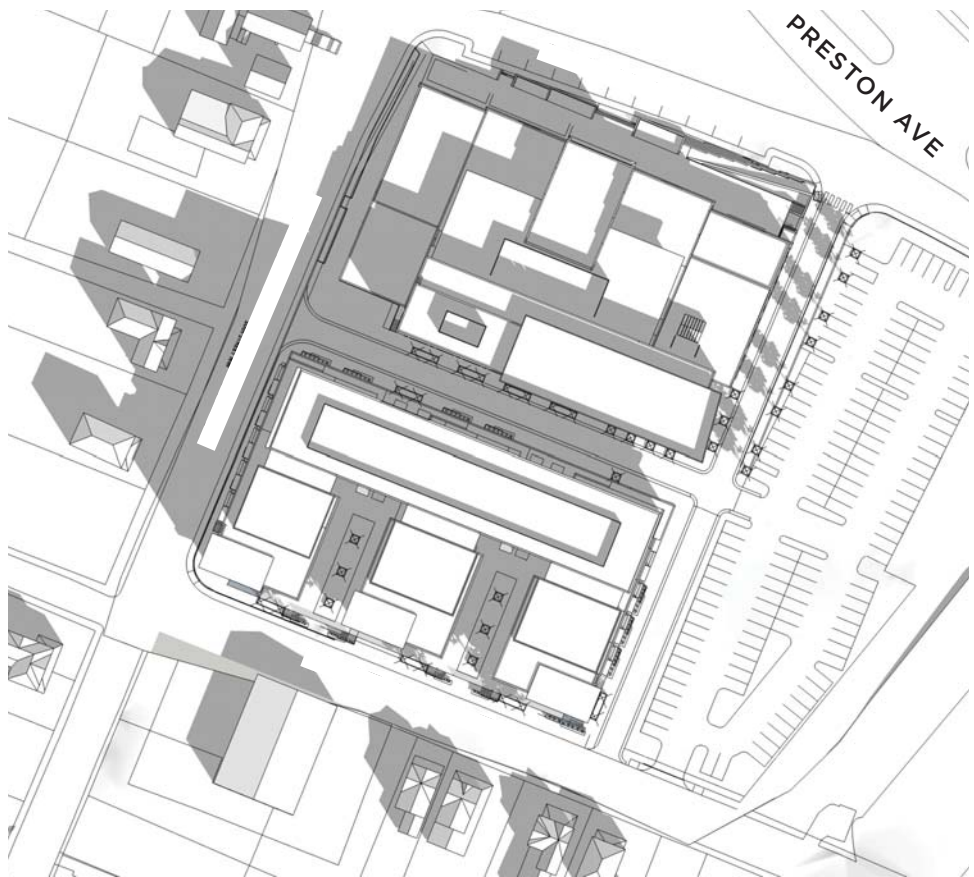
5PM



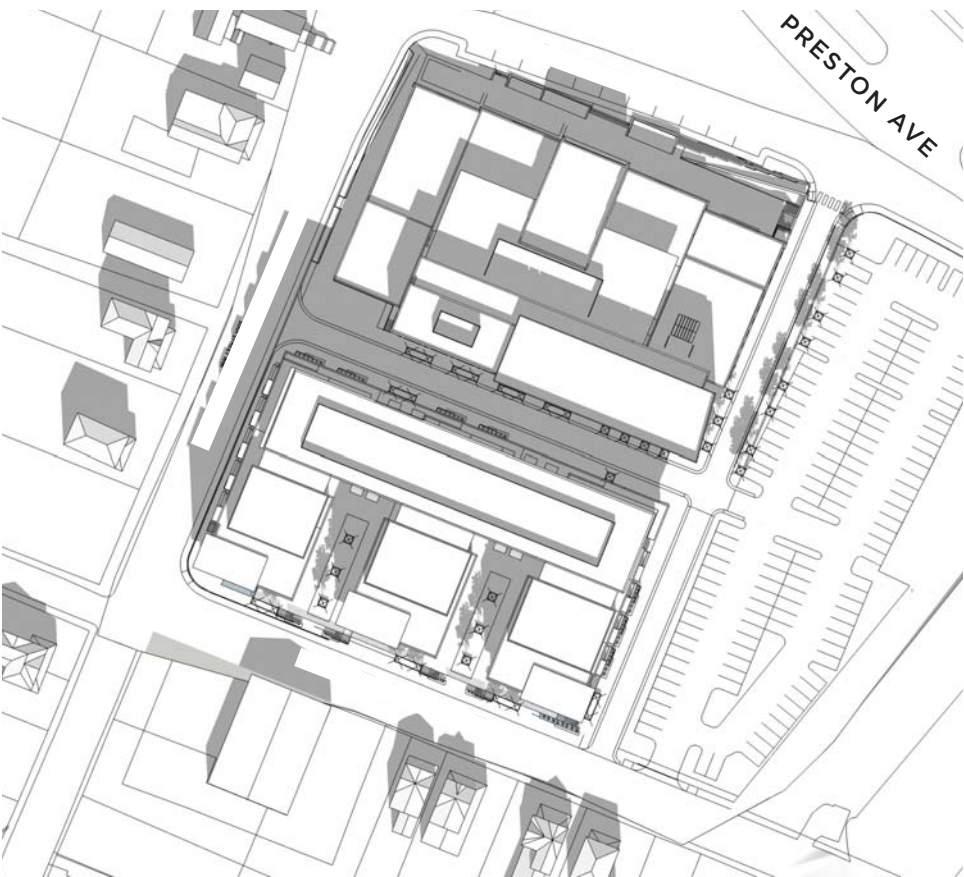
# SOLAR STUDY

MONTICELLO DAIRY - PHASE 2 AND 3 | 946 GRADY AVENUE | CHARLOTTESVILLE, VA

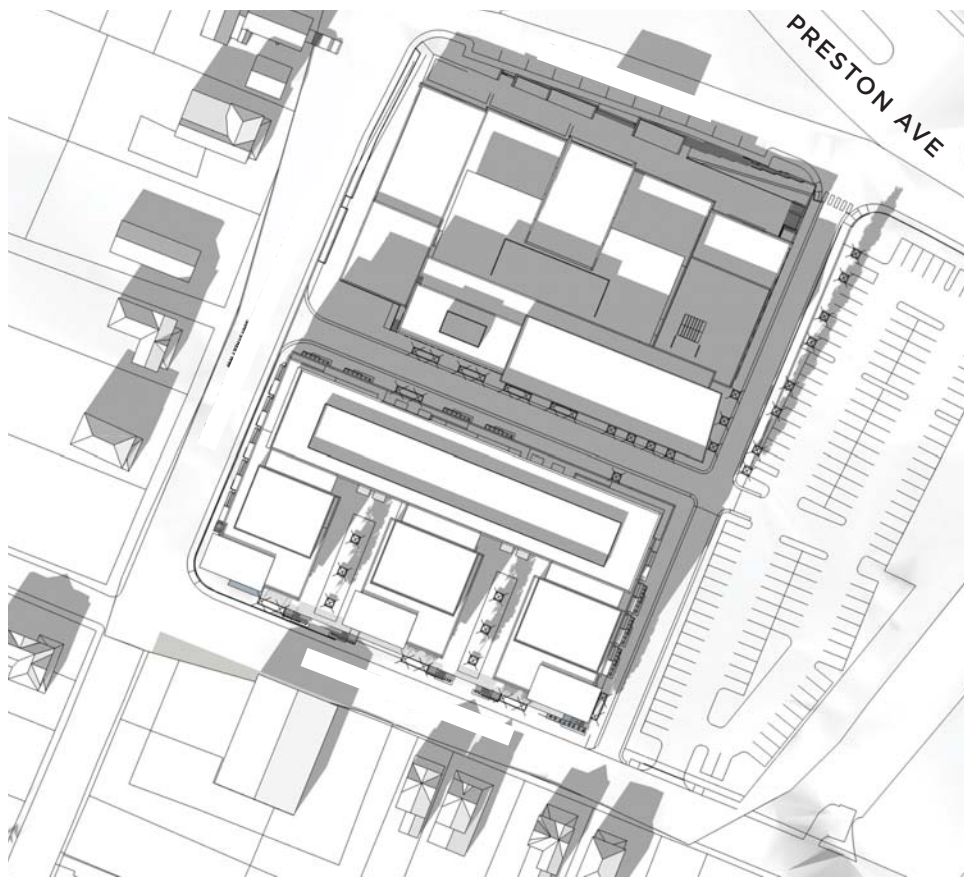
DECEMBER 21



10 AM



12 PM



3 PM





## PROJECT HIGHLIGHTS + COMMUNITY BENEFITS

- Affordable housing
- Office space for non-profits
- Educational opportunities
- Community meeting space
- Job creation
- Pedestrian safety

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**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**APPLICATION FOR ZONING MAP AMENDMENT**

**PLANNING COMMISSION AND CITY COUNCIL**  
**JOINT PUBLIC HEARING**

**DATE OF HEARING: Tuesday, June 12, 2018**  
**APPLICATION NUMBER: ZM18-03-01**  
**Parking Modified Zone Amendments**

**Project Planner:** Brenda Kelley  
**Date of Staff Report:** May 15, 2018  
**Applicant:** City of Charlottesville  
**Current Property Owner:** Multiple

- 400-426 Garrett Street (aka Friendship Court)  
Property owner: NHTE Piedmont Garrett Square LMT Part
- 500 1<sup>st</sup> Street S (aka Crescent Halls)  
Property owner: Charlottesville Redevelopment and Housing Authority
- 715 6<sup>th</sup> Street SE (6<sup>th</sup> Street site)  
Property owner: Charlottesville Redevelopment and Housing Authority
- 405 Levy Avenue and 405 Avon Street (Avon/Levy site)  
Property owner: Charlottesville Redevelopment and Housing Authority

**Application Information**

**Property Street Address:** Multiple addresses: 400-426 Garrett Street; 500 1<sup>st</sup> Street S; 715 6<sup>th</sup> Street SE; 405 Levy Avenue; 405 Avon Street

**Tax Map/Parcel Numbers:** Multiple: 280112000; 280218000; 270019000; 580115000; 580114000

**Total Square Footage/Acreage Site:** Approximately 22.529 acres

**Comprehensive Plan (Land Use Plan) Designation:** Mixed Use

**Current Zoning Classification:** DE – Downtown Extended; R-3 - Multifamily

**Tax Status:** all tax payments are up to date

**Applicant's Request**

City Council initiated review of a zoning map amendment to extend the boundaries of the Parking Modified Zone to include the five parcels referenced above.



During discussions on redevelopment with Piedmont Housing Alliance (PHA; Friendship Court) and Charlottesville Redevelopment and Housing Authority (CRHA), both organizations have represented that they want and need to build the necessary parking to meet their respective future demands, but neither organization wants to build more than is necessary. The costs of parking construction, especially in structured parking, has been identified as an overly burdensome cost that will weigh on each organizations' ability to achieve the desired additional affordable housing during redevelopment.

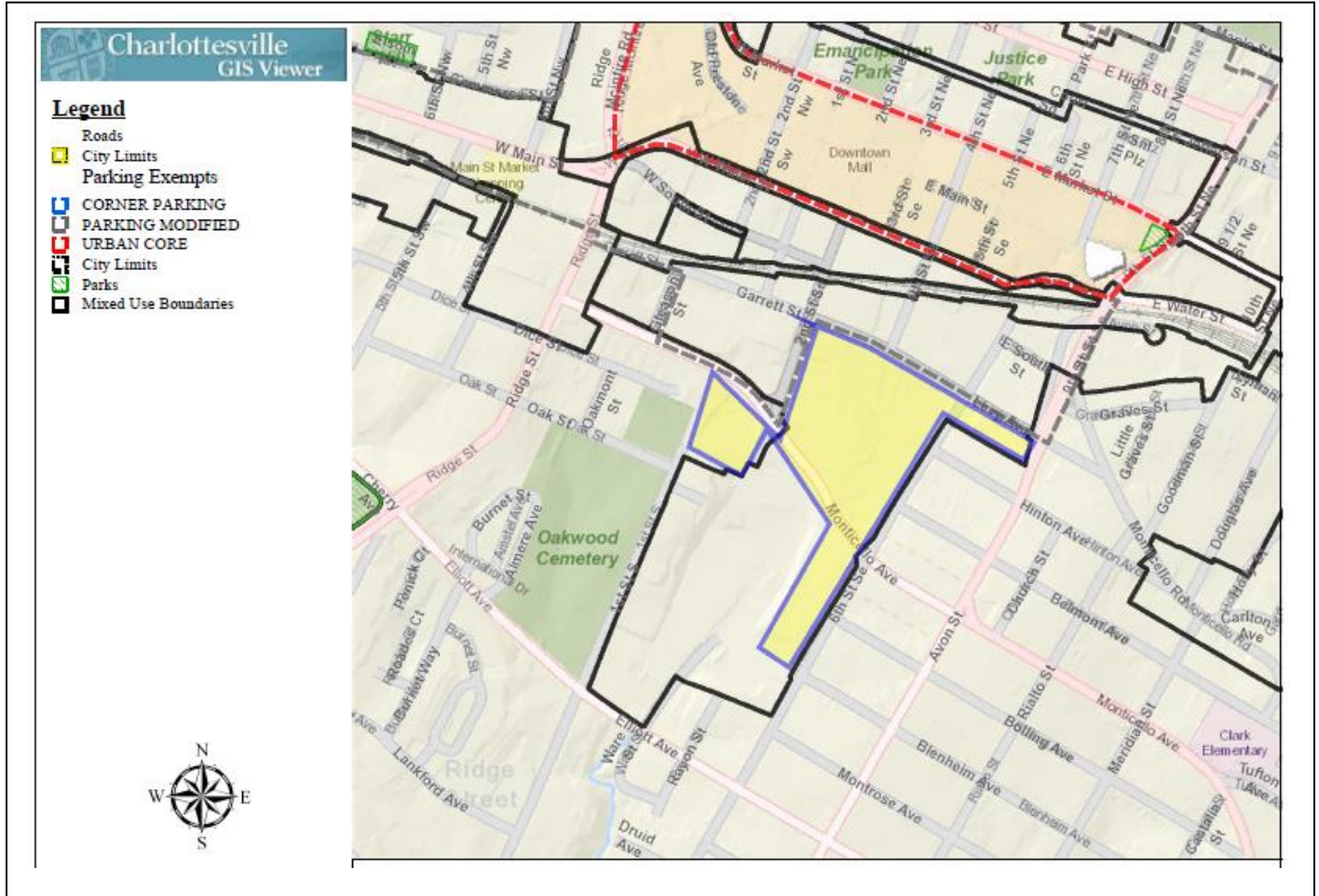
The objective of this request is to reduce the on-site parking requirements to provide each organization the flexibility they need to meet parking demand, plan well and reduce overall costs of redevelopment in order to construct more affordable housing units on Friendship Court, and the Charlottesville Redevelopment and Housing Authority's (CRHA) Crescent Halls site, Avon/Levy site and 6<sup>th</sup> Street site.

The City's Parking Modified Zone is established to provide some flexibility to specified parking requirements in an urban development area as shown on the City of Charlottesville Zoning Map, and as pursuant to Sec. 34-971(e)(3), (4) and (5) (attached as **EXHIBIT #1 – applicable code sections**).

**Approval of this request will not require that the property owners construct less parking; it simply provides the flexibility of the owners to plan for less parking, depending on their parking demand and needs.**

**EXHIBIT #2** is provided to show the current Parking Modified Zoning boundary (south of the Downtown Mall). **EXHIBIT #3** is provided to show the properties requested to be included in the Parking Modified Zone. **EXHIBIT #4** is provided to show nearby bus routes in relation to the properties to be included in the Parking Modified Zone. **EXHIBIT #5** is provided to show sample scenario comparisons of parking requirements under current and Parking Modified Zone requirements.

## Vicinity Map



## Standard of Review

City council may, from time to time, designate properties and areas for inclusion within a *Parking Exempt District*. Any such designation must follow the process for an amendment to the city's zoning ordinance and zoning map, including a public hearing and notification. City council shall consider the recommendations of the Planning Commission.

The Planning Commission must make an advisory recommendation to the City Council. Council may amend the zoning district boundaries of these properties upon finding that the proposed amendment would serve the interests of “*public necessity, convenience, general welfare, or good zoning practice.*” To advise Council as to whether those interests would be served, the Planning Commission should inquire as follows: (1) The initial inquiry should be whether the *existing* zoning of the property is reasonable; (2) the Commission should then evaluate whether the *proposed* zoning classification is reasonable. One factor relevant to the reasonableness of a particular zoning district classification is whether that classification is consistent with the City’s

Comprehensive Plan designation for the property. Other relevant factors include: the existing use and character of the subject property and adjacent properties; suitability of the property for various uses; zoning classification(s) of adjacent properties; the intent and purposes of the proposed zoning district classification; trends of growth and change (including, without limitation, recent patterns of development of other circumstances which may have changed since the current zoning classification was originally enacted).

### **Executive Summary**

City Council initiated review of a zoning map amendment to extend the boundaries of the *Parking Modified Zone* to include five parcels currently zoned DE and R-3. The underlying zoning would not change. The Planning Commission is being asked to make a recommendation to City Council regarding the proposed designation.

The intent of the *Parking Modified Zone* is to allow flexibility in addressing vehicle parking; to present a variety of strategies to solve parking issues; and to encourage walking and alternate modes of transportation.

The following is intended to be a summary of the effects of a *Parking Modified Zone*:

- Provision of parking for a development in the parking modified zone shall be computed using the provisions of sections 34-984 and 34-985 (see attached).
- Only if a development requires more than twenty (20) parking spaces pursuant to section 34-984 of this Code shall parking be required as follows:
  - non-residential developments shall provide 50% of the required parking, and
  - residential developments shall provide one (1) space per unit.
- Parking requirements may be fulfilled by the property owner or developer through any of the following alternatives:
  - On site;
  - Within one thousand (1,000) feet of the site, subject to all other conditions of section 34-973;
  - By payment into a city parking fund in a standard amount per space established by city council;
  - By making a one-time contribution for transit improvements equivalent to the cost of each required parking space in a standard amount per space established by city council; or by
  - Implementation of alternative transportation improvements equivalent to the cost of each required parking space in a standard amount per space established by city council, as approved by planning commission.
- Affordable housing units (as defined by city council in its adopted affordable housing policy) created in any development shall not be included in the parking calculation, and parking shall not be required as a result of any such units as long as they remain affordable.
- In addition to provision or parking as required herein, all developments requiring a site plan shall provide bicycle storage facilities, other than bicycle racks, in accordance with section 94-881.

## **Project Review**

### **Piedmont Housing Alliance Parking Survey**

Piedmont Housing Alliance commissioned a professional survey of on-site parking counts and parking counts of adjacent public on-street parking. This information is attached in more detail in **EXHIBIT #6**. In general, a summary of the parking survey results are as follows:

#### **Internal Parking:**

- There are currently 150 units on site. With 188 marked spaces, that equates to 1.25 spaces/unit.
- The peak internal parking demand (113 occupied spaces) occurred at 7:30 AM on a weekday.
  - This equates to a maximum parking demand of 0.75 spaces/unit
  - approximately 39.8% of the spaces are not occupied
- Generally, during the late night/early morning hours, the parking demand was in the 105-113 range.
- Generally, during the middle of the weekday and Saturday, the parking demand was in the 80-95 range.
  - This equates to a maximum parking demand of 0.63 spaces/unit
  - approximately 49.4% of the spaces are not occupied
  - The data above reflects both resident and Friendship court visitor parking. Currently, property management only has 78 registered cars by residents.

#### **On-Street Parking:**

- The peak on street parking demand occurs from 11 AM to 1 PM during the week and on Saturday with demand in the 90-100 range.
- The on-street parking demand falls dramatically in the late night/early morning hours with demand in the 30-50 range.
  - This indicates that the majority of on-street parking is not related to the existing residential units.

## **Overall Analysis**

### **1. Current Use of the Property.**

One of five of the parcels is currently a surface parking lot; the remaining four are currently residential or non-profit use.

### **2. Proposed Use of the Property.**

The proposed use of the property is anticipated to be residential or mixed use. The allowable uses for the properties will not change if the Parking Modified Zone designation is added. All properties that are subject of this request will be required to receive all regulatory approvals through the city's (and other agency's) approval process(es) prior to redevelopment.

### 3. Zoning History

Year(s) built: 400-426 Garrett Street – 1978; 500 1<sup>st</sup> Street S - 1976; 715 6<sup>th</sup> Street SE - 1980; 405 Levy Avenue – n/a; 405 Avon Street - 1950

#### Zoning History

Parcel	1928	1949	1958	1976	1991	Current
Friendship Court (400-426 Garrett Street)	B-2, Business	C, Industrial	M-1, Restricted Industrial	B-2, Business M-1, Restricted Industrial R-3, Residential Multiple Dwellings	R-3 Residential Multiple Dwelling	DE, Downtown Extended
Crescent Halls (500 1 <sup>st</sup> Street S)	B-2, Business	C, Industrial	M-1, Restricted Industrial	R-3, Residential Multiple Dwellings	R-3 Residential Multiple Dwelling	R-3, Multifamily
6 <sup>th</sup> Street site (715 6 <sup>th</sup> Street SE)	B-2, Business	C, Industrial	M-1, Restricted Industrial	R-3, Residential Multiple Dwellings	R-3 Residential Multiple Dwelling	DE, Downtown Extended
Avon/Levy site (405 Levy Avenue/405 Avon Street)	B-2, Business	C, Industrial	M-1, Restricted Industrial	B-2, Business	B-2, Business	DE, Downtown Extended

### 4. Character and Use of Adjacent Properties

The current character of the subject parcels are more suburban than urban at this time, but redevelopment of the sites is anticipated to promote urban neighborhood characteristics, more consistent with the development patterns on adjacent properties.

Direction	Use	Zoning
North	Mixed use; residential; office/commercial	DE with Parking Modified Zone
East	Mixed use; residential; office/commercial	DE; R-1S; B-2
South	Mixed use; residential	DE; R-1S
West	Mixed use; residential; office/commercial	DE; R-1S with Parking Modified Zone

### 5. Reasonableness/Appropriateness of Current Zoning

The current DE and R-3 zoning is reasonable, appropriate, and consistent with the character of the area. The current underlying zoning designations would not change.

**6. Reasonableness/Appropriateness of Proposed Zoning**

The proposed Parking Modified zoning district designation is an *overlay* zoning district, meaning it would add conditions if reduced parking requirements were utilized, but the current underlying zoning designations would not change. Due to the urban characteristics and proposed mixed-use, mixed-income, public housing, subsidized housing, and affordable housing uses proposed during redevelopment, the proposed request is consistent with the character of the area. The properties generally located to the north and/or west of the subject properties are currently designated Parking Modified Zone.

**7. Consistency with Comprehensive Plan**

The Comprehensive Plan Land Use Plan for this area recommends Mixed Use. This request is supported by the following Comprehensive Plan elements:

Land Use

Goal 5: Innovation – Explore progressive & innovative land use, design standards & zoning regulations to accomplish the city’s vision.

5.7 Revise the zoning ordinance so that zoning classifications are based on intensity of use (as defined by density, height and maximum size of allowable use) as well as the type of use.

5.8 Be aware of and learn from applicable experiences, policies, procedures, ordinances and plans of other municipalities in Virginia and the United States.

Housing

Goal 1: Housing’s Impact on City Goals & Vision – Evaluate the impact of housing decisions on other city goals and city vision with the understanding that any regulatory land use changes may affect housing because of the city’s limited geographic size of only 10.4 square miles. (All such changes must be considered within the context of City Council’s goal of achieving a minimum 15% supported affordable housing throughout the city by 2025.)

1.1 Consider the effect of housing decisions when considering the proximity of existing units and the effects of unit location on associated infrastructure.

1.2 Evaluate the effect of reduced transportation costs and improved energy efficiency on housing affordability.

1.3 Evaluate the effects new developments have on transit, the environment, density, open space configuration, commuter costs and affordable housing.

Goal 2: Maintain & Improve Housing Stock – Maintain & improve the city’s existing housing stock for all residents.

2.1 Preserve and improve the quality and quantity of the existing housing stock through the renovation, rehabilitation and/or expansion of existing units as a means of enhancing neighborhood stability.

2.5 Promote the use of rapid rehousing and permanent supportive housing options by providing support to programs and organizations serving the homeless and near-homeless populations, as well as those with challenges that would otherwise prevent independent living.

Goal 3: Grow the City's Housing Stock – Grow the city's housing stock for residents of all income levels.

3.1 Continue to work toward the City's goal of 15% supported affordable housing by 2025.

3.2 Incorporate affordable units throughout the City, recognizing that locating affordable units throughout the community benefits the whole City.

3.3 Achieve a mixture of incomes and uses in as many areas of the City as possible.

3.4 Encourage creation of new, on-site affordable housing as part of rezoning or residential special use permit applications.

3.5 Consider the range of affordability proposed in rezoning and special use permit applications, with emphasis on provision of affordable housing for those with the greatest need.

Goal 5: Support Partnerships – Support projects and public/private partnerships (i.e private, nonprofits, private developers and governmental agencies) for affordable housing, including workforce housing and mixed-use, and mixed-income developments. Also, support projects that promote economic development and job creation, especially but not exclusively, in relatively underinvested, financially depressed areas.

5.5 Support redevelopment of public and/or other subsidized housing to re-integrate those properties into existing neighborhoods, consistent with other Comprehensive Plan objectives/strategies. Where applicable, support resident bill of rights as formally adopted.

5.7 Support housing programs at the local and regional level that encourage mixed-income neighborhoods and discourage the isolation of very low and low income households.

Goal 6: Importance of Incentives – Establish a series of incentives to create new housing.

6.2 Evaluate effects of all land use regulations on affordable and mixed-use housing to ensure that they will not unduly restrict mixed-income and mixed-use redevelopment. Provide ongoing evaluation of all policies and ordinances relative to housing.

### Transportation

Goal 2: Land Use & Community Design – Improve transportation options and quality of life through land use and community design techniques.

2.4 Encourage a mix of uses in priority locations, such as along identified transit corridors and other key roadways, to facilitate multimodal travel and increase cost-effectiveness of future service.

### Historic Preservation & Urban Design

Goal 1: Urban Design – Continue Charlottesville’s history of architectural and design excellence by maintaining existing traditional design features while encouraging creative, context-sensitive, contemporary planning & design.

1.4 Develop pedestrian-friendly environments in Charlottesville that connect neighborhoods to community facilities, to commercial areas and employment centers, and that connect neighborhoods to each other, to promote a healthier community.

Goal 9: Sustainable Reuse – Capture the embodied energy of existing buildings by encouraging adaptive reuse and more efficient use of existing structures.

9.1 Develop an inventory of underutilized properties within the City limits and develop strategies (such as rezoning, rehabilitation, and development incentives) that will move these properties back into productive uses that will support increased commercial or residential uses.

9.2 Collaborate with local organizations to steward the movement of underutilized properties back into productive and sustainable uses. As appropriate, create policy and financial incentives to encourage this process.

## **8. Potential Uses of the Property**

The potential uses of the properties will not change with the Parking Modified Zone designation. The underlying zoning district designations would remain the same.

### **Public Comments Received:**

May 16, 2018 - Piedmont Housing Alliance held a public meeting regarding redevelopment of Friendship Court at CitySpace. Invitations to this meeting were mailed in advance to residents and property owners within 500’ of Friendship Court. At this meeting, the public was informed of this request for a zoning map amendment to include the property in the Parking Modified Zone. Though there were some questions (informational in nature) during the meeting, there were no expressed concerns or public comments regarding the Parking Modified Zone received during the meeting.

May 30, 2018 – At their Board of Commissioners May meeting, the Charlottesville Redevelopment and Housing Authority (CRHA) briefly discussed this item. While there was not a quorum at this meeting, the attending Board members offered full support of this request. There were no expressed concerns regarding this item received during public comments.

### **Staff Recommendation:**

In direct support of the City of Charlottesville Strategic Plan, approval of this request seeks to provide strategic and good zoning practice options for redevelopment of existing public and



subsidized housing, as well as development of additional affordable housing close to employment centers and convenient to neighborhood amenities and public transportation service. Objective 1.3 of Goal 1: An Inclusive Community of Self-sufficient Residents, states “Increase affordable housing options”. Costs of construction is directly related to costs of housing, which in turn directly relates to quality of life. A significant cost of development in urban areas is the cost of building structured parking. Any reductions to this cost can be directly related to reduced housing costs. By including four of the city’s public and subsidized housing sites within the Parking Modified Zone, flexibility will be afforded to the property owners/developers to plan for and build less parking, depending on their parking demand and needs, especially due to the proximity of accessible public transportation.

Additionally, as previously mentioned, many Comprehensive Plan elements directly identify support for redevelopment of public, subsidized and affordable housing, and mixed-use development, and more specifically:

Housing 2.5: Promote the use of rapid rehousing and permanent supportive housing options by providing support to programs and organizations serving the homeless and near-homeless populations, as well as those with challenges that would otherwise prevent independent living.

Housing 3.1: Continue to work toward the City’s goal of 15% supported affordable housing by 2025.

Housing 6.2: Evaluate effects of all land use regulations on affordable and mixed-use housing to ensure that they will not unduly restrict mixed-income and mixed-use redevelopment. Provide ongoing evaluation of all policies and ordinances relative to housing.

Staff recommends approval of amending the zoning map to extend the boundaries of the Parking Modified Zone to include Friendship Court and Charlottesville Redevelopment and Housing Authority’s Crescent Halls, Avon/Levy and 6<sup>th</sup> Street properties. Staff recommends the extended boundaries to include the properties as identified on Exhibit #3.

As part of their motion, the Planning Commission should also confirm the referenced list of parcels to be included within the proposed Parking Modified Zone boundary.

**Suggested Motions:**

1. “I move to recommend that City Council approve this petition to amend the zoning map to extend the boundaries of the Parking Modified Zone to include the properties included in this request and as shown on Exhibit #3, on the basis that the rezoning would serve the interests of public necessity, convenience, general welfare or good zoning practice. (OR)
2. “I move to recommend that City approve this petition to amend the zoning map to extend the boundaries of the Parking Modified Zone to include only the following properties... ( - list specific properties - ), on the basis that the rezoning would serve the interests of public necessity, convenience, general welfare or good zoning practice. (OR)

3. “I move to recommend that City Council deny this petition for a zoning map amendment to extend the boundaries of the Parking Modified Zone.”

**Attachments:**

- Exhibit #1 Applicable Code Sections (Sections 34-881; 34-971; 34-973; 34-984 and 34-985)
- Exhibit #2 Current Parking Modified Zone Boundary
- Exhibit #3 Properties to be included within the Parking Modified Zone
- Exhibit #4 Locations of transit center, nearby bus routes and bus stops
- Exhibit #5 Sample scenario comparisons of parking requirements under current and Parking Modified Zone requirements
- Exhibit #6 Piedmont Housing Alliance (Friendship Court) Parking Survey results

**EXHIBIT #1**  
**Applicable Code Sections**

**Sec. 34-881. – Bicycle storage facilities**

Adequate bicycle storage facilities may be required for sororities, fraternities, dormitories, boarding houses and similar uses, multi-family dwelling structures with five (5) or more units, and all nonresidential uses utilized by the public, where such facilities are deemed by the director of neighborhood development services or the planning commission to be in the public interest. No such facilities may be required in excess of the following standards:

- (1) *Sororities, fraternities, dormitories, etc.:* One (1) bicycle space per five hundred (500) square feet of bedroom area.
- (2) *Multifamily dwellings:* One (1) bicycle space for every two (2) dwelling units.
- (3) *Nonresidential uses:* One (1) bicycle space for every one thousand (1,000) square feet of public space.

**Sec. 34-971. - Applicability.**

(a) Off-street parking and loading spaces shall be provided in accordance with the provisions of this division, at the time of construction, erection, alteration, enlargement or change in use of any building, structure or use. Thereafter, such spaces shall be maintained and kept available for such use, to the extent of the minimum number of spaces required hereunder, unless there is a change of use or floor area.

(b) Any use for which the required amount of parking was approved as of December 15, 1975 shall be considered as conforming as to the parking requirements, so long as the use remains unchanged. Otherwise, only those uses for which parking or loading space was approved and provided prior to the effective date of this chapter shall be considered in conformance with this division, provided the intensity of such use remains unchanged.

(c) For enlargements of existing structures equal to or greater than 25% of the structure's gross floor area, required parking must equal the sum of those spaces prior to the enlargement and the number of spaces required by these regulations for any additional use area, unless waived by city council. Where the enlargement is less than 25% of structure's gross floor area no additional parking is required.

(d) For a change of use within an existing structure where there is no enlargement of the existing structure, no additional parking is required.

(e) The following three (3) parking zones shall be subject to the specific requirements set forth hereunder:

(1) The Urban Core Parking Zone is established as designated on the most recently approved City of Charlottesville Zoning Map. Provision of parking shall not be required for a development in the Urban Core Parking Zone unless such development requires a special use permit for increased residential density above that allowed by right. Parking required pursuant to Article IX shall be provided for all additional units allowed as a result of the increased density, unless such requirement is waived by council. Parking requirements may be fulfilled by the property owner or developer through any of the alternatives outlined in subsection (4) below.

(2) The Corner Parking Zone is established as designated on the most recently approved City of Charlottesville Zoning Map. Provision of parking shall not be required for a development in the Corner Parking Zone unless such development

requires a special use permit for increased residential density above that allowed by right. Parking required pursuant to Article IX shall be provided for all additional units allowed as a result of the increased density, unless such requirement is waived by council. Parking requirements may be fulfilled by the property owner or developer through any of the alternatives outlined in subsection (4) below.

(3) The Parking Modified Zone is established as designated on the most recently approved City of Charlottesville Zoning Map. Provision of parking for a development in the parking modified zone shall be computed using the provisions of sections [34-984](#) and [34-985](#). Only if a development requires more than twenty (20) parking spaces pursuant to [section 34-984](#) of this Code shall parking be required as follows: non-residential developments shall provide 50% of the required parking, and residential developments shall provide one (1) space per unit. Parking requirements may be fulfilled by the property owner or developer through any of the alternatives outlined in subsection (4) below. Affordable housing units (as defined by city council in its adopted affordable housing policy) created in any development shall not be included in the parking calculation, and parking shall not be required as a result of any such units as long as they remain affordable.

(4) Required parking in the Urban Core Parking Zone, Corner Parking Zone, and the Parking Modified Zone shall be provided either:

- a. On site;
- b. Within one thousand (1,000) feet of the site, subject to all other conditions of [section 34-973](#);
- c. By payment into a city parking fund in a standard amount per space established by city council;
- d. By making a one-time contribution for transit improvements equivalent to the cost of each required parking space in a standard amount per space established by city council; or by
- e. Implementation of alternative transportation improvements equivalent to the cost of each required parking space in a standard amount per space established by city council, as approved by planning commission.

(5) In addition to provision of parking as required herein, all developments requiring a site plan within the Urban Core Parking Zone, Corner Parking Zone, and the Parking Modified Zone shall provide bicycle storage facilities, other than bicycle racks, in accordance with [section 34-881](#).

**Sec. 34-973. – Off-site locations permitted, subject to conditions.**

All off-street parking spaces shall be located on the same lot as the use or structure to be served, except as follows:

- (1) Off-site spaces shall be within one thousand four hundred (1,400) feet of the use or structure served. For the purpose of this requirement, distance from parking spaces to the use or structure served shall be measured in a straight line from the nearest parking space to the use served.
- (2) Off-site parking spaces may be located in a different zoning district than the use or structure served, if permitted by right or by special use permit in such zoning district.

- (3) An off-site location must either: (i) be located on land in the same ownership as that of the use or structure served, or in the case of cooperative provision of parking space, in the ownership of at least one (1) of the participants in such provisions, or (ii) be subject to arrangements (such as long-term lease, recorded easement, etc., providing the required parking arrangements for a period of at least twenty-five (25) years) as will assure the availability of such space for the duration of the use or structure to be served.
- (4) No changes shall be made to any off-site parking lot that would reduce the parking available for a use or structure served by such lot, unless alternate parking arrangements are made to provide an equivalent number of spaces.
- (6) The use or structure must supply at least 40% of its required spaces on-site.
- (7) All required handicapped parking spaces must be located on site unless space limitations do not permit the provision of the required handicapped spaces, and the owner of the use or structure to be served by such spaces demonstrates that the proposed use can be adequately served by existing designated on-street handicapped space(s) within seventy-five (75) feet of such use or structure.
- (8) All required loading spaces for a use or structure must be located on site, except as provided in [section 34-983](#) (off-street loading area requirements).

**Sec. 34-983. – Off-street loading areas.**

- (a) In addition to any required off-street parking spaces, there shall be provided adequate off-street space for loading and unloading vehicles owned or leased and regularly used in the operation of any commercial (business or industrial) use. In addition, when any such vehicles are to be parked on-site when not loading or unloading, there shall be provided adequate parking spaces to accommodate the maximum number of vehicles that may be reasonably expected to be parked on the site of such use at any one (1) time.
- (b) Each loading space shall have a minimum dimension of twelve (12) by thirty-five (35) feet, and a vertical clearance of at least fourteen (14) feet.
- (c) Loading requirements shall not apply under the following circumstances: (i) space limitations do not permit the provision of off-street loading areas, and (ii) the owner of the use or structure demonstrates that the proposed use can be adequately served by an existing designated on or off-street loading facility within two hundred (200) feet of the use served.
- (d) Loading spaces may be provided cooperatively for two (2) or more uses, subject to the approval by the director of neighborhood development services of the appropriate legal instruments (a long-term lease, recorded easement, etc.) to ensure the permanent availability of off-street loading for all such uses.

**Sec. 34-984. - Off-street parking requirements—Specific uses.**

Use	Size or Type	Required Spaces
<b>Residential uses</b>		
Single-family (attached or detached) and two-family		1 space/dwelling unit

dwelling		
Townhouse dwellings		
	1—3 bedrooms	1 space/dwelling unit
	4+ bedrooms	1 space/dwelling unit
Multifamily dwellings (See special provisions of section 34-353(d)(2))		
	Efficiency; 1 bedroom unit	1 space/unit
	2 bedroom unit	1 space/unit
	3 bedroom unit	2 spaces/unit
	4 bedroom unit	2 spaces/unit
	Each bedroom in excess of 4	1 additional space per bedroom for each 10 units with more than 4 bedrooms
Rooming house, boarding house, bed and breakfast		0.3 space/per bedroom
Fraternities, sororities		2.5 spaces per 3 bedrooms
Residential treatment facilities	1—8 beds	2 spaces/facility, plus 1 space/non-resident employee
Family day homes	1—5 children	1 space/non-resident employee, plus parking required for the dwelling
Adult care	Nursing homes	1 space/4 beds; plus 1 space/employee, based on largest shift
	Assisted living	1 space/3 beds, plus 1 space/employee, based on largest shift

<b>Non-Residential Uses, Institutional, Educational or Civic in Nature</b>		
Assembly—theaters, auditoriums, stadiums, amphitheatres, places of worship, etc.	With fixed seats	1 space/6 seats—On street parking within 1,000 feet of the building except in residential area, may be used toward fulfilling this requirement
	No fixed seats	1 space/200 sq. ft. of assembly space
Clinics	Medical or dental	1 space/400 sq. ft. of GFA
	Veterinary	1 space/examination room, plus 1 space/employee, based on largest shift
Clubs, private		1 space/4 persons allowed at maximum occupancy
Day care		1 space/per 1.5 employee
Funeral homes and ambulance service companies, private		1 space/5 persons, based on maximum occupancy of assembly space; plus 1 space/employee, based on largest shift; plus 1 space/company vehicle stored on-site
Hospitals		1 space/5 beds, plus 1 per emergency or out-patient exam table
Museums, art galleries, libraries or similar uses		1 space/400 sq. ft. of GFA
<b>Educational Facilities</b>		
Preschool, playschool, nursery school, kindergarten		1 space/classroom
Elementary schools		1 space/classroom
High schools		1 space/employee, based on largest shift, plus 1 space per 5 students

Colleges and universities		1 space/2 students
Arts		1 space/2 students
Vocational/training		1 space/2 students
<b>Recreational Uses</b>		
Amusement arcades		1 space/4 persons, based on maximum occupancy
Bowling alleys		2 spaces/alley
Golf course		2 spaces per hole
Indoor recreation facilities (e.g., health/sport club, tennis club, swimming club, yoga studio, dance studio, etc.)		1 space/4 persons based on maximum occupancy
Outdoor recreation facilities (parks, playgrounds, ball courts, etc.)		1 space/600 sq. ft. of usable recreational area
<b>Office Uses</b>		
General office use		1 space/500 sq. ft. of GFA
Medical		7 spaces/practitioner, or 1 space/200 sq. ft. of GFA, whichever is greater 3 spaces per examination or treatment room, plus 1 space per employee on largest shift including doctor
Financial institutions		3.5 spaces/1,000 sq. ft. of GFA
<b>Retail Commercial</b>		
Antique shop		1 space/600 sq. ft. of GFA



Bakery	Without tables/seating	1 space/350 sq. ft. of GFA
	With tables/seating	1 space/250 sq. ft. of seating area
Communications equipment sales (mobile/wireless telephones, satellite television dishes, computers, etc.)		1 space/500 sq. ft. of GFA, plus 1 space/employee, based on largest shift
Convenience store		1 space/400 sq. ft. of GFA. Storage space may be deducted from GFA
Fuel sales, service stations	Without convenience store; no servicing of vehicles	1 space per 400 sq. ft. of office space
	With convenience stores; no servicing of vehicles	1 space/400 sq. ft. of GFA
Furniture sales	Without storage/stockroom	1 space/1,000 sq. ft. of GFA of showroom
General, retail sales (applicable where no other specific standard is set forth)		3.5 spaces/1,000 sq. ft. of GFA. Storage space may be deducted from square footage.
Grocery stores and pharmacies		1 space/250 sq. ft. of GFA. Storage space may be deducted from GFA
Hardware, paint store		1 space/1,000 sq. ft. of GFA. Storage may be deducted from gross floor area.
Home improvement center		1 space/1,000 sq. ft. of GFA; plus 1 space for every 2 employees, based on largest shift, minimum 2 spaces
<b>Motor Vehicle Uses</b>		
Motor vehicles, sales of	With service facilities	1 space/300 sq. ft. of GFA; plus 2 spaces per service bay

	Without service facilities	1 space/300 sq. ft. of GFA
Motor vehicles, parts and equipment sales	Without service facilities	3.5 spaces/1,000 sq. ft. of GFA
Motor vehicle service bays		3 spaces per service bay
<b>Consumer Services</b>		
General standard		1 space/275 sq. ft. of GFA of the use
Car washes	All	1.5 spaces/bay; plus 1 space per employee, based on largest shift
Hotel, motel, motor lodge	Generally	1 space/guest room; plus additional spaces as required for other uses within the facility (e.g., restaurants, convenience stores, etc.)
Motor vehicles, repair and servicing of	Without sales	1 space per 400 sq. ft. of office space. Spaces for cars to be repaired need not be striped. 2 spaces per service bay
Restaurants	Generally	1 space/250 sq. ft. of seating area
	Restaurant, drive-in (with seats)	1 space per 125 sq. ft. of public floor area, 1 space per 400 sq. ft. of space not open to public; plus required stacking spaces
	Restaurants, drive-in (without seats)	1 space per 60 sq. ft. of GFA; plus required stacking spaces
<b>Industrial Uses</b>		
Generally		1 space/400 sq. ft. of GFA devoted to office space; plus 1 space/2 employees; plus 1 space for each company vehicle stored on site

	Industrial uses—75% or more devoted to long term storage (storage for periods longer than 30 days)	General standards apply; plus 1 space/2,500 sq. ft. of GFA
<b>Additional Requirements</b>		
Outdoor sales, display or service area for any use	In combination with all other requirements	1 space per 2,000 sq. ft. of area devoted to such use
Outdoor storage; warehousing, for any use	In combination with all other requirements	1 space per 5,000 sq. ft. of area devoted to such use

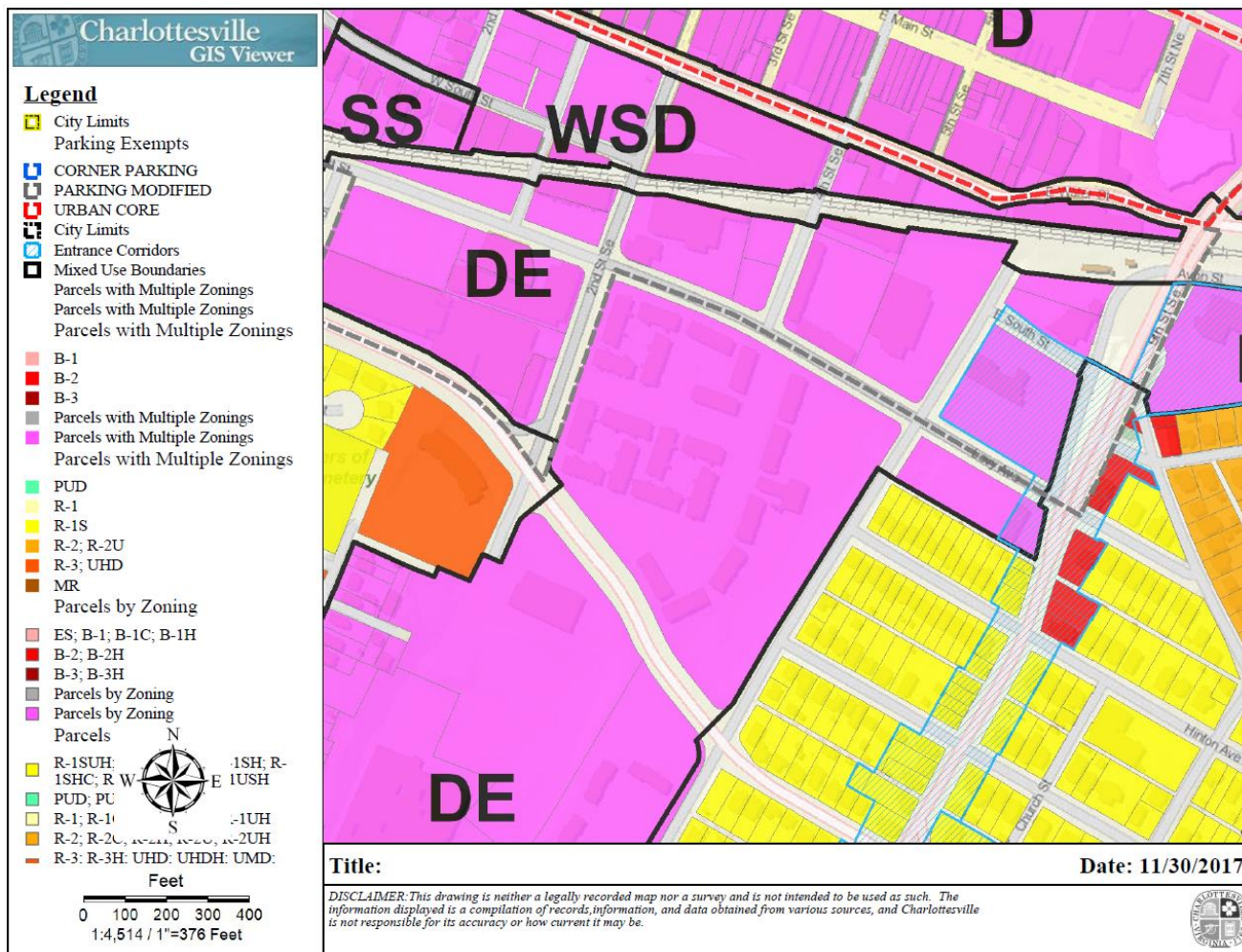
**Sec. 34-985. - Rules for computing required spaces.**

- (a) The number of required spaces shall be computed as follows:
- (1) "Floor area" shall mean gross floor area of the referenced use or structure, unless otherwise specified.
  - (2) Where fractional spaces result, the parking spaces required shall be computed to the nearest whole number.
  - (3) The parking space requirements for a use not specifically mentioned in this chapter shall be the same as required for the most similar use mentioned.
  - (4) When any lot or building is used for two (2) or more purposes, or contains two (2) or more types of spaces for which separate parking requirements are specified (e.g., areas with tables versus areas without tables; areas with service facilities versus areas without service facilities, etc.), the number of parking spaces required shall be the sum of the requirements for the various individual uses or areas, computed separately in accordance with this division, except as provided in section 34-974 (cooperative parking arrangements).
- (b) Certain reductions in the number of required parking spaces for a particular use shall be allowed, under the following circumstances:
- (1) When cooperative parking arrangements are shared by two (2) or more uses, as set forth within section 34-974 (cooperative parking arrangements).
  - (2) Where a use is located within three hundred (300) feet of a bus stop on an existing city bus route, the number of parking spaces required for such use shall be reduced by: (i) four (4) spaces for uses located within the Downtown North, Downtown South, High Street, Central City, Neighborhood, and Cherry Avenue Corridor Mixed Use Districts, and within the McIntire/Fifth Street Residential Corridor District; or (ii) two (2) spaces for uses located within any other zoning districts. Where a use is located within three hundred one (301) to six hundred (600) feet of a bus stop on an existing city bus route, a similar reduction of spaces shall be granted, in an amount equal to one-half (½) of the number(s) specified in clauses (i) and (ii), above. Upon finding that a use is more than three hundred (300) feet away from a bus stop in an existing bus route, but that such use is located on the same block as the bus stop, the director of neighborhood development services may grant the reduction specified within clause (i), above.

- (3) Where bicycle lockers are provided on-site, the number of required off-street parking spaces shall be reduced by: (i) two (2) spaces for every five (5) lockers, for uses located within the Downtown North, Downtown South, High Street, Central City, Neighborhood, and Cherry Avenue Corridor Mixed-Use Districts, and within the McIntire/Fifth Street Residential Corridor District; or (ii) one (1) space for every five (5) lockers for uses located within any other zoning districts.
- (4) Where parking lots provide for clearly marked spaces for vans with three (3) or more occupants, such spaces shall count as three (3) parking spaces. These spaces shall be marked with a sign containing the conditions of the space use.
- (5) For non-residential uses, where on-site showers and locker rooms are available for use by employees, the number of required parking spaces may be reduced by four (4) spaces, for uses located within the Downtown North, Downtown South, High Street, Central City, Neighborhood, and Cherry Avenue Corridor Mixed-Use Districts, and within the McIntire/Fifth Street Residential Corridor Districts; or two (2) spaces for uses located within any other zoning districts.
- (6) The total number of required parking spaces may not be reduced as a result of any bonus(es) listed in paragraphs (1) through (5), above, by more than: (i) thirty-five (35) percent, for uses located within the Downtown North, Downtown South, High Street, Central City, and Neighborhood Commercial, Corridor Districts, and within the McIntire/Fifth Street Residential Corridor District; or (ii) twenty (20) percent, for uses located within any other zoning districts, provided that none of the bonuses listed in paragraphs (1) through (5) above may be applied to reduce the parking requirement specified within Article VI, Division 7, section 34-662(c) (reduced parking requirements for the Cherry Avenue Corridor District).

# EXHIBIT #2

## Current Parking Modified Zone Boundary

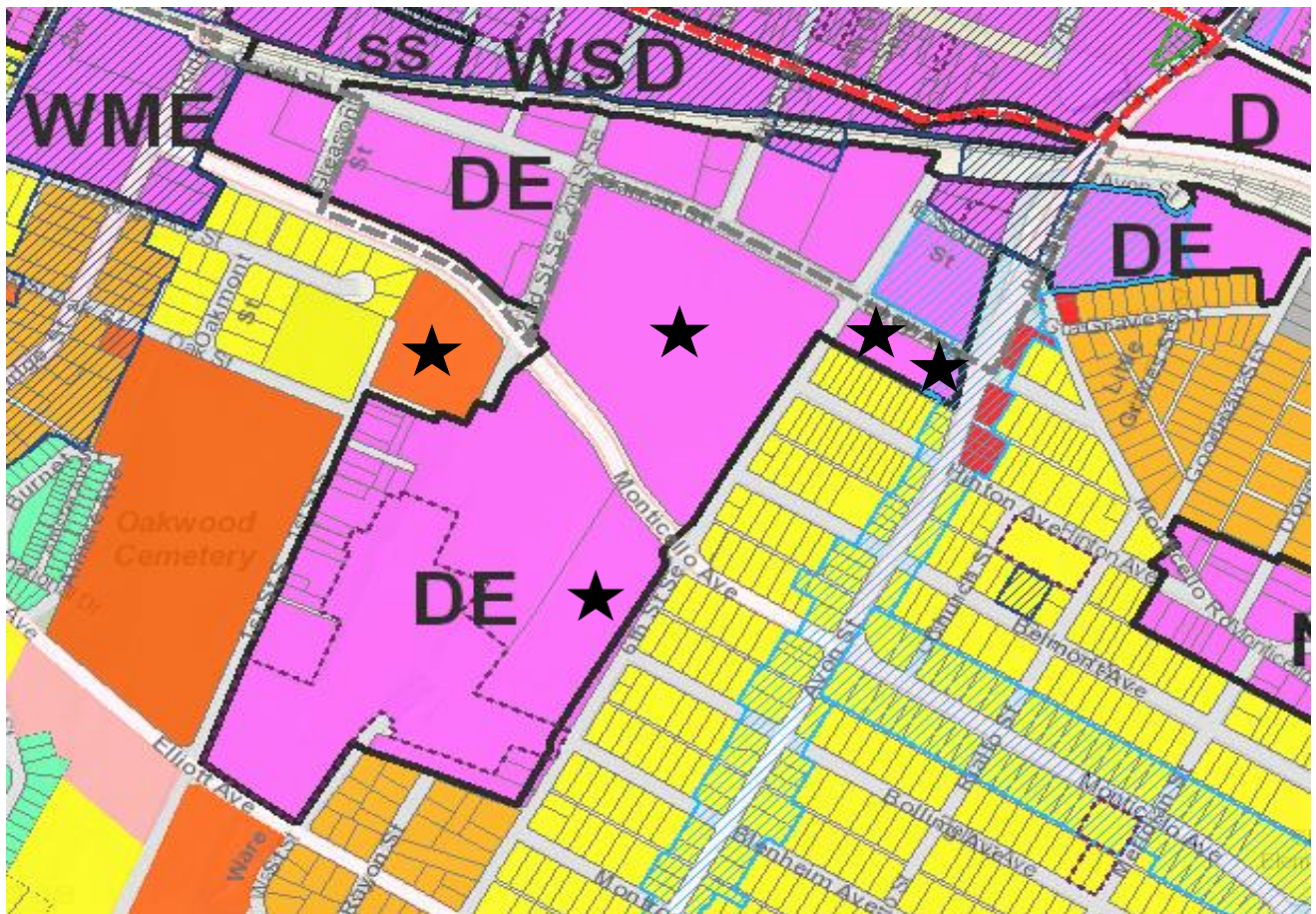


### EXHIBIT #3

Properties to be included within the Parking Modified Zone

5 properties identified by ★

(gray dashed line designates existing Parking Modified Zone boundary)



## EXHIBIT #4

### Locations of transit center, nearby bus routes and bus stops

Note - Seven (7) bus stop(s) within close proximity of properties. Sites within approximately 1,300-2,000 feet of transit center (walking/bicycling distance – north on 4<sup>th</sup> Street SE, east on Water Street).



## EXHIBIT #5

### Sample scenario comparisons of parking requirements under current and Parking Modified Zone requirements

	<b>Current city code parking requirements</b> Multifamily dwellings (See special provisions of <a href="#">section 34-353(d)(2)</a> )		<b>Parking Modified Zone parking requirements</b>	
	Required	Calculation	Required	Calculation
<u>Scenario 1</u>  60 dwelling units:  20 efficiency units  20 1-bedroom units  20 2-bedroom units	Efficiency, 1-bedroom unit: 1 space/unit 2-bedroom unit: 1 space/unit 3-bedroom unit: 2 spaces/unit 4-bedroom unit: 2 spaces/unit Each bedroom in excess of 4: 1 additional space per bedroom for each 10 units with more than 4 bedrooms	60 parking spaces required	Residential development: 1 space/unit  *Note: parking for affordable housing units shall not be required as long as the units remain affordable (see Section 34-971(e)(3))	60 parking spaces required (maximum*)
<u>Scenario 2</u>  300 dwelling units:  100 1-bedroom units  100 2-bedroom units  100 3-bedroom units	Efficiency, 1-bedroom unit: 1 space/unit 2-bedroom unit: 1 space/unit 3-bedroom unit: 2 spaces/unit 4-bedroom unit: 2 spaces/unit Each bedroom in excess of 4: 1 additional space per bedroom for each 10 units with more than 4 bedrooms	400 parking spaces required	Residential development: 1 space/unit  *Note: parking for affordable housing units shall not be required as long as the units remain affordable (see Section 34-971(e)(3))	300 parking spaces required (maximum*)



## EXHIBIT #6

### Piedmont Housing Alliance (Friendship Court) Parking Survey results

Parking Demand			
Internal		On-Street	
Existing spaces	188	Existing spaces*	104
Day/time	Count	Day/time	Count
7:30am weekday	113		
Late night/early morning	105-113	Late night/early morning	30-50
Middle weekday	80-95	11am-1pm weekday	90-100
Middle Saturday	80-95	11am-1pm Saturday	90-100
Peak Demand			
7:30am weekday	113	11am-1pm weekday/Saturday	90-100

\*Existing on-street supply adjacent to Friendship Court:

6 <sup>th</sup> Street (unmarked):	28
Garrett Street (unmarked):	34
2 <sup>nd</sup> Street (unmarked):	19
Monticello Avenue (marked):	23

All on-street parking supply/counts reflect the side of the street adjacent to the development only. For unmarked spaces, we calculated the total distance available for parking and divided by the standards 20' length for parallel parking spaces.

The counts were conducted on a typical **weekday** from:

- 7:00 AM to 9:00 AM
- 11:00 AM to 1:00 PM
- 10:00 PM to 12:00 AM

The counts were also conducted on a typical **Saturday** from:

- 10:00 AM to 1:00 PM.

The time of the counts was chosen to ensure the counts captured the peak parking demands of residential uses.

#### Internal Parking:

- There are currently 150 units on site. With 188 marked spaces, that equates to 1.25 spaces/unit.
- The peak internal parking demand (113 occupied spaces) occurred at 7:30 AM on a weekday.
  - This equates to a maximum parking demand of 0.75 spaces/unit
- Generally, during the late night/early morning hours, the parking demand was in the 105-113 range.

- Generally, during the middle of the weekday and Saturday, the parking demand was in the 80-95 range.

On-Street Parking:

- The peak on street parking demand occurs from 11 AM to 1 PM during the week and on Saturday with demand in the 90-100 range.
- The on-street parking demand falls dramatically in the late night/early morning hours with demand in the 30-50 range.
  - This indicates that the majority of on-street parking is not related to the existing residential units.

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**REQUEST FOR A ZONING TEXT AMENDMENT**

**JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC  
HEARING**

**DATE OF PLANNING COMMISSION MEETING: June 12, 2018**

**Author of Staff Report:** Heather Newmyer, AICP

**Date of Staff Report:** May 31, 2018

**Application Number/Description:** ZT18-04-01: Restaurants: Drive-through windows in Highway Corridor

**Applicable City Code Provisions:** §34- 41 (Amendments to the Zoning Ordinance), §34-796 (Use matrix – mixed use corridor districts)

**Executive Summary**

This is a proposed zoning text amendment to amend §34-796 to allow restaurants with drive-through windows to be allowed by special use permit in the City’s Highway Corridor (HW) Mixed Use Districts. Staff recommends that the use be permitted by special use permit in the HW District as the intent of this district is to provide for the “intense commercial development with very limited residential use” in the “areas where the most intense commercial development in Charlottesville occurs” (ref. Sec. 34-541 – Mixed use districts - intent and description), as opposed to other mixed use districts within the City. By allowing this use via the special permit process, City Council reserves the authority to protect adjacent properties and/or zoning districts from potential impacts associated with the use, such as noise, lighting and business hours.

**Background**

At the April 16, 2018 City Council meeting, a zoning text amendment was initiated for consideration of allowing restaurants with drive-through windows to be allowed by special use permit in the HW District (Attachment 1). The request was brought to staff by Ashley Davies of Williams Mullen Law Firm on behalf of Alan Taylor, Riverbend Development, who is the applicant for 1801 Hydraulic (K-Mart site) redevelopment project titled “Hillsdale Place.”

**Project Description:** The current final site plan application is under administrative review by City staff and includes Tax Map 41B Parcels 1 and 2 with road frontage on Hydraulic Road, Seminole Trail (Route 29), Hillsdale Drive and India Road. The site plan proposes i) to reduce existing buildings on-site (held by K-Mart and Gold’s Gym currently) from 121,197 SF to 77,000 SF in preparation for new retail tenants and ii) provide parking, utility and landscape improvements on-site. The Subject Property is zoned HW, EC (Highway Corridor District, Entrance Corridor Overlay (Note: The site received a

Certificate of Appropriateness (COA) from the Entrance Corridor Review Board (ERB) on December 15, 2017). The general usage specified in the Comprehensive Plan for the Subject Property is Mixed Use.

While the current final site plan proposes only renovations to the existing building on-site, Riverbend Development has indicated the desire to include in their future redevelopment plans a restaurant with a drive-through window, which currently is not allowed within the HW District.

**Please note:** While the request was made on behalf of one developer, this consideration is for the entirety of the HW District throughout the City; and, should the ZTA be approved, any developer who wishes to include a restaurant with a drive-through window as a use on a property within the HW District would require a special use permit be approved by City Council prior to the use being allowed on said property.

**Relevant Code Sections:**

**§34-1200:** The *restaurant* definition under §34-1200 includes “fast food restaurant” which is one at which patrons order and receive food orders at a counter or **window** for consumption either on or off-premises.

**§34-157:** When considering an application for a special use permit, there is a higher level of review that is conducted by staff, the Planning Commission and City Council as opposed to when a use is allowed by-right. Within Sec. 34-157, there is a list of factors that are considered prior to approving or denying such request. These factors include:

- Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood
- Whether the proposed use or development and associated public facilities will substantially conform to the city’s comprehensive plan
- Whether the proposed use or development of any buildings or structures will comply with all applicable building code regulations
- Whether the proposed use or development will have any potentially adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts (then the section goes onto list potential adverse impacts such as traffic, noise, lighting, etc.)
- Whether the proposed use or development will be in harmony with the purposes of the specific zoning district which it will be placed
- Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and
- When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

## **Study Period and Public Hearing**

Once an amendment has been initiated by City Council, it is deemed referred to the Planning Commission for study and recommendation (City Code §34-41(d)). From the time of initiation, the planning commission has **100 days** in which to make its recommendation to City Council, or else it will be deemed to be a recommendation of approval.

## **Standard of Review**

As per §34-42 of the City Code, the planning commission shall review and study each proposed amendment to determine:

- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
- (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
- (3) Whether there is a need and justification for the change; and
- (4) When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.

## **Proposed Zoning Text Change**

Revise the Mixed Use (§34-796) matrix as follows:

- Place an “S”, which indicates special use permit required, in the row labeled “Drive-through windows” under the heading “Restaurants:” located in the Non-residential: General and Misc. Commercial section, under the HW zoning district column.

## **Standard of Review Analysis**

- 1. Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;**

### **Land Use Chapter:**

The Comprehensive Plan Land Use Chapter lists goals that include but are not limited to: establishing a mix of use throughout Charlottesville, being context sensitive to surrounding neighborhoods, highlighting pedestrian connections between residences, commercial centers, public facilities, amenities and green spaces, and providing opportunities for employment centers and nodes of activity along mixed-use corridors.

The areas within the City that are zoned HW District fall under the Land Use category Mixed Use, which is described as “areas intended to ... encourage development of a moderate or high intensity, and where a large variety of uses will be permitted, including many

commercial uses, residential uses, and some limited research and manufacturing where appropriate.”

**Land Use Staff Analysis:** Staff finds that the proposed amendment to allow for restaurants with drive-through windows is consistent with the Land Use general guidelines mentioned above given that:

- The areas within the City zoned HW District fall under the Mixed Use land use category, which is called to encourage “many commercial uses”
- Allowing restaurants with drive-through windows in the HW District by special use permit will require a higher level of review than if the use was allowed by-right. Staff believes because of the higher level of review, which includes a number of factors that have to be considered when reviewing a special use permit as well as the ability to include conditions that help mitigate potential adverse impacts, there is flexibility and more liberty in review to help guide development that would conform to many of the general guidelines given in the Land Use Chapter that speak to urban design, context sensitivity, and connectivity. Should the ZTA be approved, developers wishing to include a restaurant with a drive-through window in the HW District would be required to include in their design how the project complies with the Comprehensive Plan and its goals. In addition to that, Staff, Planning Commission and Council can recommend conditions that help mitigate potential adverse impacts and help provide for a better design overall. For example, increased buffering, increased screening for parking that is relegated to the back of the building, limited business hours to prevent noise issues, wider sidewalks, café seating areas, requiring the drive-through window/order area to not be visible from the right-of-way, etc., would provide for a drive-through window design that is more context sensitive, follows urban design guidelines, and fits more into what is desired for a commercial use in the City. Furthermore, if an application is presented that does not comply with the Comprehensive Plan, Council has the ability to deny such request. Given the higher level of review and built in flexibility, staff believes the proposed amendment is consistent with the Comprehensive Plan.

Below, staff goes into further detail regarding the Comprehensive Plan Land Use Chapter’s small area plans and how these areas relate to the proposed amendment; however, the above analysis is the overall analysis given for the Land Use Chapter.

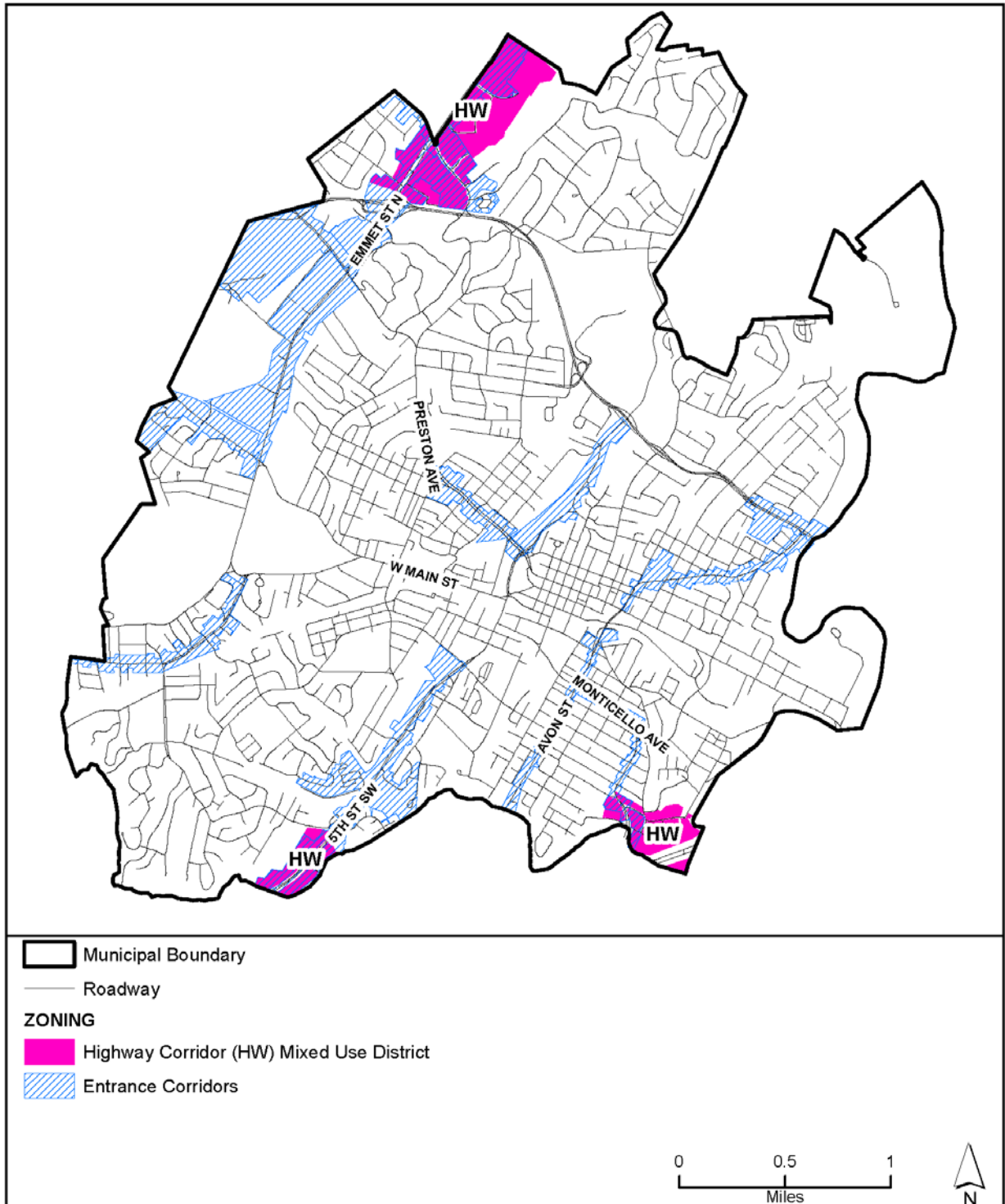
**Land Use Small Areas:**

Within the Land Use Chapter of the 2013 Comprehensive Plan, there are several specific areas identified for future small area plans with the goal in mind that the resulting small area plans will provide the basis for future planning, urban design and investment decisions.

There are three corridors within the City fall under the HW District zoning: i) Emmet St north of the 250 Bypass, ii) a portion of 5<sup>th</sup> Street extended, and iii) a portion of Monticello Avenue (See Map 1).

# MAP 1:

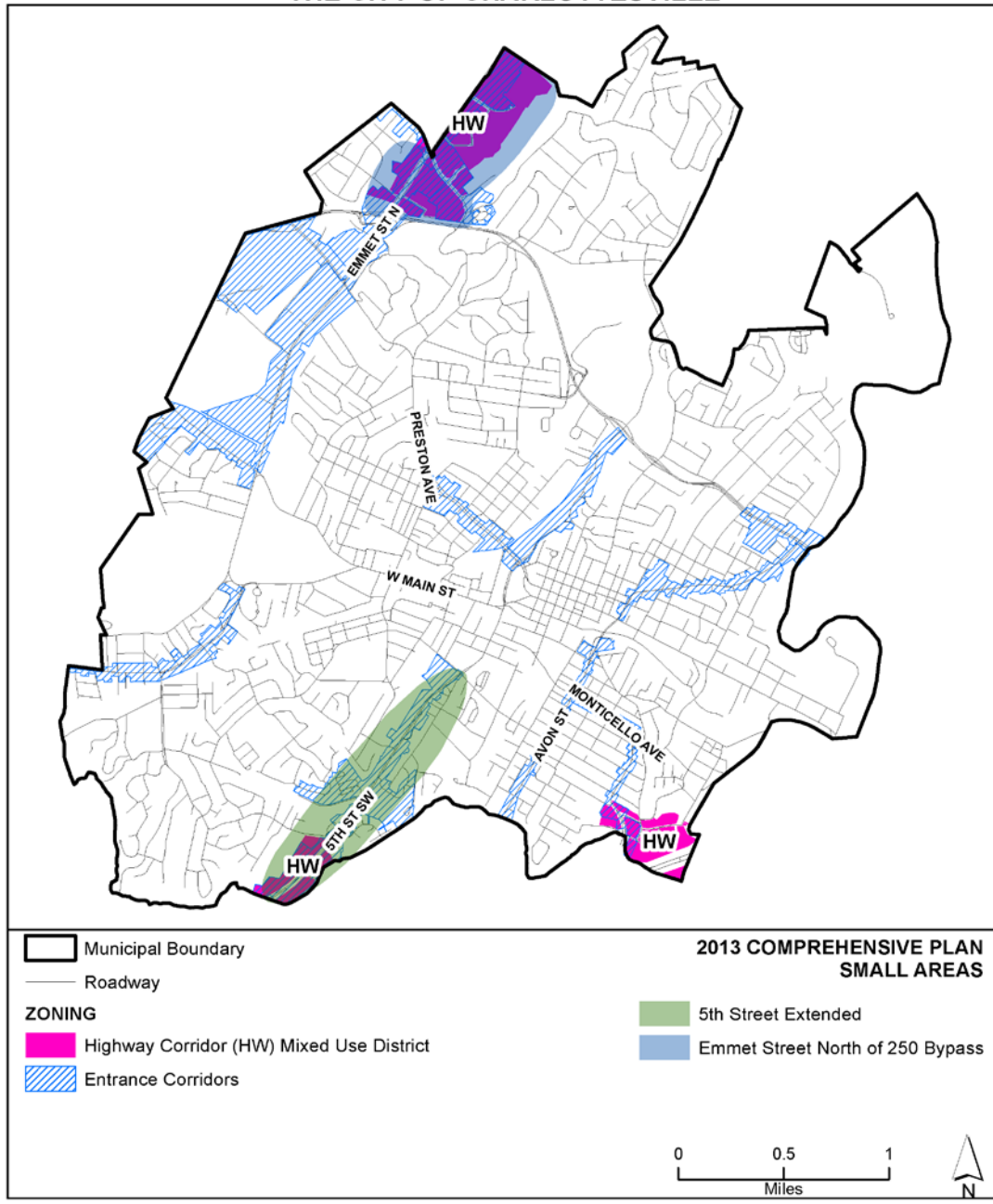
## HIGHWAY CORRIDOR MIXED USE DISTRICTS IN THE CITY OF CHARLOTTESVILLE



Two of these corridors fall under areas called out as small area plans in the 2013 Comprehensive Plan: Emmet Street north of 250 Bypass and 5<sup>th</sup> Street Extended. See Map 2.

**MAP 2:**

**2013 COMPREHENSIVE PLAN SMALL AREAS THAT  
OVERLAY HIGHWAY CORRIDOR MIXED USE DISTRICTS IN  
THE CITY OF CHARLOTTESVILLE**





The 2013 Comprehensive Plan provides the following descriptions of the following areas that are intended for future small area plans:

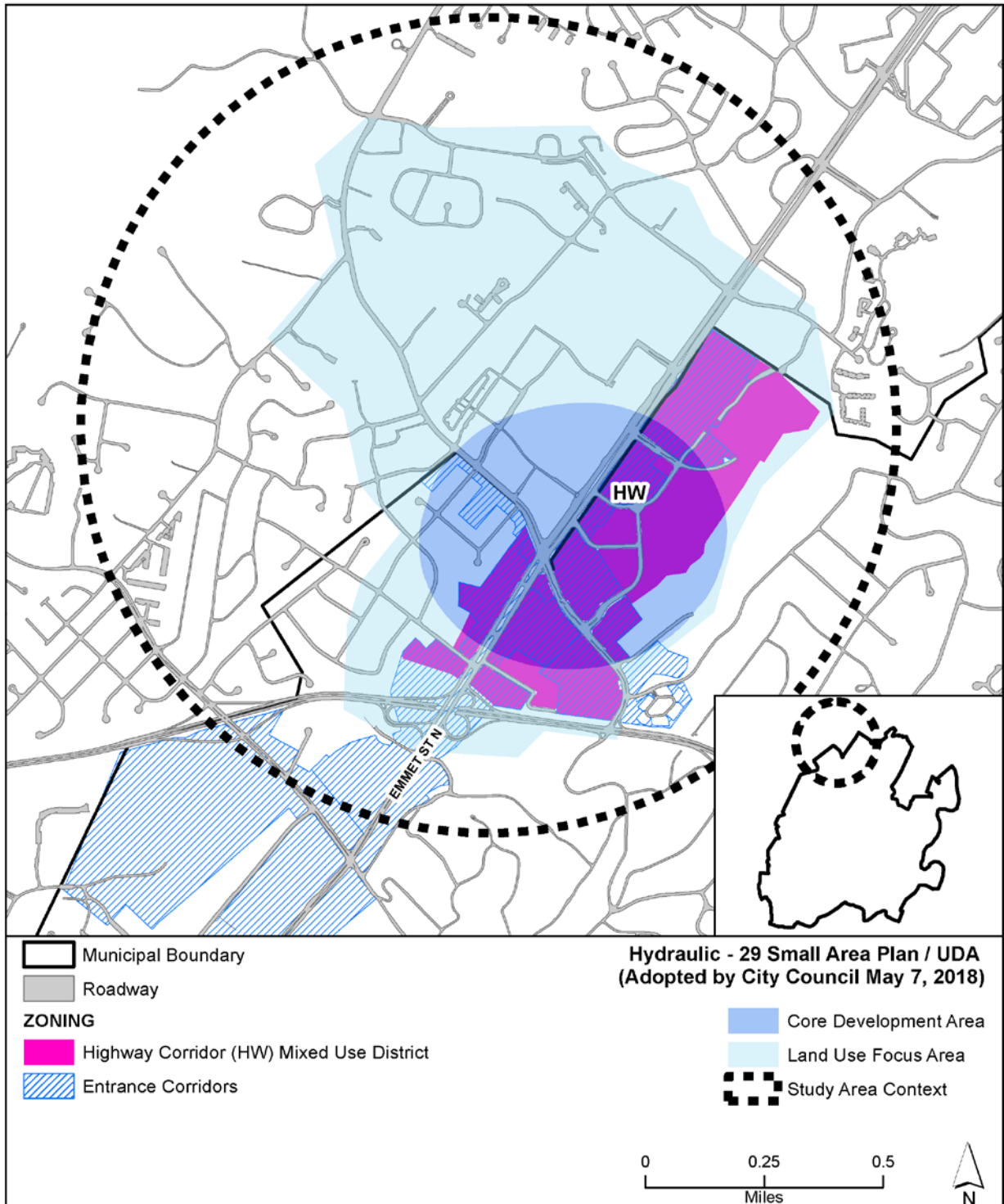
Emmet Street north of 250 Bypass: This area possesses considerable potential for new placemaking because of road network and traffic pattern changes, the development of the Stonefield commercial and residential development in the County, and future redevelopment of the K-Mart site and Michie Drive CRHA site. This area provides an expanded opportunity for dense, urban development at a major gateway to the city.

5<sup>th</sup> Street Extended: The construction of the Avon/5<sup>th</sup> Connector and the resultant big box center will change traffic patterns in this area and is likely to stimulate increased commercial activity near this city/county edge. Planning and design studies for this area may identify urban design opportunities more consistent with the city's desire for walkable, bikeable, and transit-supported development.

While the 5<sup>th</sup> Street Extended area does not yet have a formal small area attached to the above description, the Emmet Street north of the 250 Bypass area does as of May 2018. On May 7, 2018, City Council adopted the Hydraulic-29 Small Area Plan as well as designated the area as an Urban Development Area (UDA) (See Attachment 2 for the Resolution, Attachment 4 for UDA State Code). Map 3, shown below, depicts the boundaries of the Hydraulic-29 Small Area Plan/UDA which correspond to the boundaries shown in the full report that was also approved on May 7, 2018 (Attachment 3). Now part of the Comprehensive Plan, this small area plan is to act as the basis for future planning, design and investment decisions.

MAP 3:

2018 HYDRAULIC-29 SMALL AREA PLAN  
THAT OVERLAYS HIGHWAY CORRIDOR MIXED USE DISTRICTS IN  
THE CITY OF CHARLOTTESVILLE



A high-level overview of some of the recommendations and guidelines from this plan include:

- Road Framework Plan which includes proposed roads (p. 58, Attachment 3)
- Conceptual Bicycle/Pedestrian Plan which includes proposed multi-modal facilities (p. 60 of Attachment 3)
- Conceptual Open Space, Parks and Natural Systems Plan (p. 61 of Attachment 3)
- Conceptual Land Use Plan (p. 71 of Attachment 3)
- Conceptual Core Area Plan (p. 85 of Attachment 3)

The Conceptual Land Use Plan within the Hydraulic-29 Plan calls for the following land uses in the areas zoned HW District along Emmet St: Mixed Use Commercial, Commercial, Mixed Use Residential, and Mixed Use Office/Institutional (see p. 71 of Attachment 3).

#### **Land Use Small Areas Staff Analysis:**

Provided below is a more detailed analysis that is broken down into the three sections referencing the three corridors in the City zoned HW District.

- i) HW Districts along Emmet St north of the 250 Bypass: One of the corridors the HW District falls within is along Emmet St north of the 250 Bypass, an area called out in the 2013 Comprehensive Plan for future small area plans. On May 7, 2018, the Hydraulic-29 Small Area Plan was adopted as an amendment to the Comprehensive Plan by Council as a plan that provides more detailed guidance in the Emmet St north of the 250 Bypass area as mentioned above. Staff recognizes there is a high level of detail and guidance provided in the recently adopted Hydraulic-29 Small Area Plan that speaks to future roadways, multimodal connections, open spaces and land use recommendations. Any new development being proposed that falls within the Hydraulic-29 small area plan should incorporate elements of the small area plan and comply.

The majority of the areas zoned HW District on the City's current zoning map are called out in the Hydraulic-29 Plan for land use that is mixed use commercial or mixed use residential. The proposed zoning text amendment that would allow a restaurant with a drive-through window would not necessarily go against the recommended land uses; however, staff would not feel comfortable allowing this use by-right as there are many other factors than land use compatibility that come into play when applying implementation of a small area plan (e.g. compliance with future roads, multimodal connections, open spaces, etc).

Allowing a restaurant with a drive-through window *by special use permit* in the HW District allows for the higher level of review prescribed in Sec. 34-157, where many factors are weighed prior to a recommendation being made, one of which is compliance with the Comprehensive Plan. As such, any special use permit application for this use at a property falling within the Hydraulic-29 Small Area Plan would be required to show compliance with the elements prescribed in the Hydraulic-29 Small Area Plan as part of the application per Sec. 34-157(a)(2).

Staff believes the amendment would be consistent with the small area plan due to the special use permit application process having the built in required compliance with the Comprehensive Plan (Sec. 34-157(a)(2)), the discretion for Council to provide conditions that prevent any negative impacts to adjacent communities can be minimized, or the ability to deny a special use permit request if the application request is found non-compliant to elements of the small area plan, etc.

- ii) HW Districts along 5<sup>th</sup> Street Extended: While the Comprehensive Plan does not include a more detailed small area plan for the 5<sup>th</sup> Street Extended area, the description provided within the Comprehensive Plan states there will be “increased commercial activity” near the city/county edge. The description also states this area is desired for walkable, bikeable, and transit-supported development.

Because of the future desire for this area to identify urban design opportunities that allow for more walkable, bikeable and transit-oriented development, staff believes allowing restaurants with drive-through windows by-right would prevent such opportunities. However, staff recognizes that this is one of the three corridors total in the City identified as a Highway Corridor that carries higher volumes of vehicular traffic, and, therefore, would be appropriate to house a more auto-oriented use. The special use permit process allows for a higher level of review, requires compliance with the Comprehensive Plan, discretion for adding conditions that minimize negative impacts, and allows for the ability to deny the use request altogether. Because of this, staff believes that allowing this use by special use permit would either ensure compliance with the Comprehensive Plan goals for this area OR allow the ability for the request to be denied if compliance is not met. Allowing the more auto-oriented use via special use permit also recognizes that this area does carry more vehicular traffic and is one of three areas called out by the City as a Highway Corridor.

- iii) Monticello Avenue: The third area of the City zoned HW District is near the southeastern city/county edge and includes a portion of Monticello Avenue (Route 20) that runs through the city/county edge. This area is not called out as a small area in the 2013 Comprehensive Plan. In addition to Monticello Avenue, this area includes streets such as Linden Avenue, Monticello Road, Keystone and Mountain View Street. This area contains a mixture of uses that include residential uses (condominiums, townhomes, single-family residential homes) and commercial uses (gas station, Moose’s By The Creek restaurant, Albemarle Heating & Air, Jaunt, a private tree business, roofing business, and more). Because of this area’s proximity to Route 20 and I 64, staff sees this area as being appropriate for potentially housing a restaurant with a drive-through window; however, staff believes allowing this use by special use permit is vital in protecting the existing residential uses of the area because there are pockets within the overall area that are predominately residential and would not be appropriate unless it was shown by the applicant that conditions would adequately mitigate potential adverse impacts.

### **Economic Sustainability Chapter**

The Comprehensive Plan Economic Sustainability Chapter lists goals that include but are not limited to: work strategically to continue to develop and implement land use policies and regulations that ensure the availability of sites for businesses to locate and expand as well as generate successful businesses.

**Economic Sustainability Staff Analysis:** Staff believes the amendment is consistent with goals prescribed in the Economic Sustainability Chapter of the Comprehensive Plan as this amendment would open up the opportunity for a use to available locations in the HW District in the zoning district that staff believes is most appropriate to house this type of commercial use.

### **Streets That Work**

The Streets That Work Plan was adopted by City Council on September 6, 2016 as an amendment to the City's Comprehensive Plan. The Streets That Work Plan includes design guidelines that provide guidance for all elements of the public right-of-way and include design recommendations specific to the street types given for the City's framework streets. For example, in the *Mixed Use A Street Typology* (both Emmet St N of 250 Bypass and 5<sup>th</sup> Street Extended classified as Mixed Use A) prioritize bicycle facilities, >7' sidewalks and 3'-6' curbside buffers.

Streets That Work Plan also identifies that Charlottesville's principal arterial roadways carry a disproportionate amount of the traffic in and through the city, whereas 74% of roads in Charlottesville have an average annual daily traffic (AADT) count below 1,000, which is relatively low. The roads that include the highest traffic volumes are shown below in Table 1 of this report, taken from Chapter 3 of the Streets That Work Plan. Please note all three of the HW District corridors are along roads with the highest traffic volumes in the City and the 29 N/Seminole Trail corridor (250 Bypass to North City Limits) is the highest with 60,000 AADT (2014).

**TABLE 1: AVERAGE ANNUAL DAILY TRAFFIC ON CHARLOTTESVILLE'S MAJOR ROADS<sup>1</sup>**

Road Name	Segment	Number of Through Travel Lanes	AADT VDOT, 2012	AADT VDOT 2014 <sup>8</sup>
29 N/Seminole Trail	250 Bypass to North City Limits	6	59,000	60,000
250 Bypass	Hydraulic Road to Dairy Road	4	42,000	37,000
29 N/Emmet Street	Barracks Road to 250 Bypass	4	31,000	29,000
Preston Avenue	Grady Avenue to Market Street	4	21,000	20,000
Ridge Street	Dice Street to Main Street	2	22,000	20,000
E High Street	Gillespie Avenue to 250 Bypass	2	19,000	18,000
5th Street	South City Limits to Cherry Avenue	4	18,000	17,000
Monticello Avenue	South City Limits to Meridian Avenue	2	15,000	14,000
Avon Street/9 <sup>th</sup> Street NE	Monticello Avenue to High Street	2-4	14,000	13,000
W Main Street	Jefferson Park Avenue to McIntire Road	2	13,000	12,000

<sup>1</sup>City of Charlottesville. *Streets That Work Plan*. Adopted September 2016.  
 < <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/streets-that-work/streets-that-work-plan>>

**Streets That Work Staff Analysis:** Staff believes the proposed amendment is consistent with the Streets That Work Plan because of the following:

- The proposed amendment would allow for a use that is more auto-oriented in three areas that are identified as carrying the highest traffic volumes throughout the City. By allowing this use in the higher volume areas of the City, staff believes there is opportunity to localize the use in the appropriate areas in the City while protecting other areas in the City with less intensive commercial uses.
- Since Streets That Work was adopted in September 2016, there have been many developers who have incorporated the recommendations in STW that are given for the street type their project fronts on. Staff has found that in cases where there is a higher level of review on such projects (e.g. Entrance Corridor, Special Use Permit), the developer is more likely to comply with the recommended guidelines found in Streets That Work. In some cases, there are conditions included as part of the higher level of review that requires the developer to comply with certain guidelines found within STW. A few examples of recent projects that have been approved or are in review that include street elements that follow the design parameters found in STW are:
  - the CVS at Barracks and Emmet (required Entrance Corridor review; site plan **approved/under construction**)
  - Zaxby's restaurant located at 1248 Emmet St (required Special Use Permit for restaurant drive-through window; **approved/ construction complete**).
  - Hillsdale Place (1801 Hydraulic Rd) (required Entrance Corridor Review; site plan still **in review**) *\*Note: Developer showing 10' multiuse trails and 5' curbside buffers along Hydraulic and Seminole Trail– this was also vetted through TJPDC as this review ran while Hydraulic-29 Small Area Plan was being developed*

Staff brings up the above mentioned examples to show that there have been successes in implementing Streets That Work in part to the higher level of reviews in place for certain development projects. Staff believes the proposed amendment is consistent with Streets That Work Plan as it would allow the use by special use permit, allowing for the higher level of review and required compliance with the Comprehensive Plan, which includes Streets That Work.

**2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;**

The purpose of the Highway Corridor Mixed Use District is expressed in Sec. 34-541 as “to facilitate development of a commercial nature that is **more auto oriented than the mixed use and neighborhood commercial corridors. Development in these areas has been traditionally auto driven and the regulations established by this ordinance continue that trend. This district provides for intense commercial development with very limited residential use. It is intended for the areas where the most intense commercial development in Charlottesville occurs.**

**Staff Analysis:** The purposes of the chapter would be furthered by the amendment. An approved amendment would not only encourage economic development but also better align the district with its intent, where it is stated that this district is “traditionally auto driven” and

is intended for the “most intense commercial development in Charlottesville.” Staff believes that by focusing this auto-oriented use to the City’s high volume corridors, this could help relieve pressure from other zoning districts throughout the City that are intended for mixed use and pedestrian centered development patterns (e.g. the Urban Corridor (URB) Mixed Use District).

In addition, by permitting the use through a special use permit, adjacent properties and neighborhoods can be protected while having their character and stability enhanced. In allowing the uses by special use permit, neighborhood participation in the development process is also encouraged through a public hearing.

**3. Whether there is a need and justification for the change;**

Staff believes there is a justification for the change because the zoning text amendment, if approved, would be allowing an auto-oriented use by special use permit in areas in the City that experience the highest volumes of traffic and where the zoning district’s intent expressly states these areas are traditionally auto-driven. As stated before, by allowing this type of use in this zoning district, this could help relieve pressure from other zoning districts that are intended for a variety of uses that are more pedestrian focused and less intensive.

**4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities.**

This zoning text amendment does not include a change in the zoning district classification of any particular property. The zoning text amendment proposes to allow for a use by special use permit throughout the entirety of the HW District.

Staff believes that allowing a restaurant with a drive-through window by special use permit in the HW District ensures a built-in review process that’s aim is to protect adjacent properties from potential negative impacts; and, furthermore, provide a way to deny such request if, in the end, a specific location is not appropriate.

**Public Comment**

No public comment has been received at this time.

**Recommendation**

As noted in the Streets That Work Plan, the three areas zoned as Highway Corridor (see Map 1) are roads that carry the highest traffic volumes within the City (See Table 1). One corridor in particular, 29 N/Seminole Trail, carries the highest volumes in the City, totaling at 60,000 average annual daily traffic (AADT) according to VDOT in 2014. The three areas zoned as Highway Corridor run up against both the northern city limits (Emmet St north of 250 Bypass to



northern city limits) and the southern city limits (5<sup>th</sup> St Extended and Monticello Avenue) where much of the traffic is using these roads as a means to enter the City from the County and beyond. Given that these areas not only carry the most traffic but the zoning district specifically calls for these areas to house more auto oriented uses than other mixed use and neighborhood corridors and limit the most intense commercial development in Charlottesville within this district, staff finds the proposed amendment to be appropriate.

Staff recognizes, as mentioned in detail above, that two out of the three areas zoned for Highway Corridor are within the City's identified small areas as called out in the 2013 Comprehensive Plan: i) Emmet St north of the 250 Bypass and ii) 5<sup>th</sup> Street Extended. Within the Emmet St north of the 250 Bypass area, the Hydraulic-29 Small Area Plan has just been adopted in May 2018 by City Council. The Hydraulic-29 Small Area Plan provides more detailed guidance that speaks to future roadways, multimodal connections, open spaces and land use recommendations. The majority of the areas zoned HW District are called out in the Hydraulic-29 Small Area Plan for land use that is mixed use commercial or mixed use residential. Both the Emmet St north of the 250 Bypass (which includes the adopted Hydraulic-29 Small Area Plan) and the 5<sup>th</sup> Street Extended areas speak to future urban design opportunities, multimodal connections, and more walkable, bikeable and transit oriented development. While staff would not feel comfortable allowing the proposed use by-right as there are many factors to consider other than land use compatibility within these identified areas (e.g. compliance with multimodal connections, open spaces, future roadways, etc.), staff believes allowing this use by special use permit allows for a higher level of review, requires compliance with the Comprehensive Plan (which includes not only the small area plan guidance but the above mentioned Streets That Work Design Guidelines as well), discretion for adding conditions that minimize negative impacts, and allows for the ability to deny the use request altogether.

Allowing the more auto-oriented use *via special use permit* retains the ability (through the higher level of review) to shape a drive-through development that is more context sensitive, follows the urban design guidelines and goals given in the Comprehensive Plan, including those more detailed guidelines prescribed in the small area plans, and provide for a more desirable commercial use in the City. In addition, the proposed amendment acknowledges that these areas carry the highest volumes of vehicular traffic in the City and are called out to house the most intense commercial development in order to limit it elsewhere throughout the City.

Staff recommends that the zoning text amendment be approved by the Planning Commission and City Council as written to allow restaurants with drive-through windows by special use permit in the HW – Highway Corridor zone.

### **Appropriate Motions**

1. "I move to recommend approval of this zoning text amendment to amend and re-ordain Section 34-796 of the Code of The City of Charlottesville, 1990, as amended, to allow restaurants with drive-through windows by special use permit in the Highway Corridor on the basis that the changes would serve the interests of (*public necessity, convenience, general public welfare and/or good zoning practice*)."

2. “I move to recommend approval of this zoning text amendment to amend and re-ordain Section 34-796 of the Code of The City of Charlottesville, 1990, as amended, to allow restaurants with drive-through windows by special use permit in the Highway Corridor on the basis that the changes would serve the interests of (*public necessity, convenience, general public welfare and/or good zoning practice*) with the following additions and modifications:”
  - a.
  - b.
  
3. “I move to recommend denial of this zoning text amendment to amend and re-ordain Section 34-796 of the Code of The City of Charlottesville, 1990, as amended, to allow restaurants with drive-through windows by special use permit in the Highway Corridor on the basis that the changes would not serve the interests of (*public necessity, convenience, general public welfare and/or good zoning practice*) for the following reasons: ....”
  - a.
  - b.

### **Attachments**

- 1) ZTA Initiation April 16, 2018
- 2) Hydraulic-29 Small Area Plan Resolution, Adopted May 8, 2018
- 3) Hydraulic-29 Small Area Plan Final Report, Adopted May 8, 2018  
Follow link: <https://bit.ly/2JmlUZF>
- 4) §15.2-2223.1 – Urban Development Area (UDA) State Code

**RESOLUTION**  
**Initiating Zoning Text Amendments**  
**for the Highway Corridor (HW) Mixed Use District**

**WHEREAS**, the intent of the Highway Corridor District is to facilitate development of a commercial nature that is more auto oriented than other mixed use corridor zoning designations; and

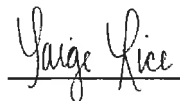
**WHEREAS**, restaurants with drive-through windows are allowed by special use permit in the Cherry Avenue (CH), High Street (HS), Urban Corridor (URB), and the Central City (CC) mixed use districts; and

**WHEREAS**, a joint City Council/Planning Commission work session on the Hydraulic Small Area Plan has considered the need for such use (drive-through restaurant) to be allowed by special use permit in the Highway Corridor mixed use district; and

**WHEREAS**, Council finds that the public necessity, convenience, general welfare or good zoning practice requires consideration of a zoning text amendment to the Highway Corridor (HW) Mixed Use District designation to allow restaurants with drive-through windows to be allowed by special use permit;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Charlottesville that the zoning text amendment referenced above within this Resolution is hereby initiated by City Council, and the Planning Commission is directed to review the proposed text amendment, conduct a joint public hearing with City Council to allow affected persons to be heard on these matters, and then report its findings and recommendations back to City Council within 100 days of the date of this Resolution.

Approved by Council  
April 16, 2018



Clerk of Council


**RESOLUTION**  
**APPROVING AN AMENMENT TO THE CITY COMPREHENSIVE PLAN BY**  
**INCORPORATION THE 2018 HYDRAULIC-29 SMALL AREA PLAN, AND**  
**DESIGNATING THE AREA AS AN URBAN DEVELOPMENT AREA (UDA)**

WHEREAS, on April 10, 2018, after notice was given as required by law, the Charlottesville Planning Commission and Charlottesville City Council conducted a public hearing on a proposed amendment to the 2013 Comprehensive Plan for the City of Charlottesville, to include the contents of the proposed 2018 Hydraulic-29 Small Area Plan, and designation of the area as an Urban Development Area (UDA); and

WHEREAS, on April 10, 2018, the Planning Commission adopted a resolution recommending approval by the City Council of the Comprehensive Plan Amendment, and certifying a copy of the Comprehensive Plan Amendment to Council for its consideration; now, therefore,

BE IT RESOLVED that, upon consideration of the Comprehensive Plan Amendment, the City Council hereby adopts the 2018 Hydraulic-29 Small Area Plan as an amendment to the City's Comprehensive Plan. The City Council further designates the area as an Urban Development Area (UDA) in accordance with the Code of Virginia, section §15.2-223.1. The Neighborhood Development Services staff shall post on the City's website notice of Council's adoption of this Update, along with a copy of the approval Update.

Approved by Council  
May 7, 2018

  
\_\_\_\_\_

Clerk of Council

## § 15.2-2223.1. Comprehensive plan to include urban development areas

A. For purposes of this section:

"Commercial" means property devoted to usual and customary business purposes for the sale of goods and services and includes, but is not limited to, retail operations, hotels, motels and offices. "Commercial" does not include residential dwelling units, including apartments and condominiums, or agricultural or forestal production, or manufacturing, processing, assembling, storing, warehousing, or distributing.

"Commission" means the Commission on Local Government.

"Developable acreage," solely for the purposes of calculating density within the urban development area, means land that is not included in (i) existing parks, rights-of-way of arterial and collector streets, railways, and public utilities and (ii) other existing public lands and facilities.

"Population growth" means the difference in population from the next-to-latest to the latest decennial census year, based on population reported by the United States Bureau of the Census. In computing its population growth, a locality may exclude the inmate population of any new or expanded correctional facility that opened within the time period between the two censuses.

"Urban development area" means an area designated by a locality that is (i) appropriate for higher density development due to its proximity to transportation facilities, the availability of a public or community water and sewer system, or a developed area and (ii) to the extent feasible, to be used for redevelopment or infill development.

B. Any locality may amend its comprehensive plan to incorporate one or more urban development areas.

1. Urban development areas are areas that may be appropriate for development at a density on the developable acreage of at least four single-family residences, six townhouses, or 12 apartments, condominium units, or cooperative units per acre, and an authorized floor area ratio of at least 0.4 per acre for commercial development, any proportional combination thereof, or any other combination or arrangement that is adopted by a locality in meeting the intent of this section.

2. The urban development areas designated by a locality may be sufficient to meet projected residential and commercial growth in the locality for an ensuing period of at least 10 but not more than 20 years, which may include phasing of development within the urban development areas. Where an urban development area in a county with the urban county executive form of government includes planned or existing rail transit, the planning horizon may be for an ensuing period of at least 10 but not more than 40 years. Future residential and commercial growth shall be based on official estimates of either the Weldon Cooper Center for Public Service of the University of Virginia, the Virginia Employment Commission, the United States Bureau of the Census, or other official government projections required for federal transportation planning

purposes.

3. The boundaries and size of each urban development area shall be reexamined and, if necessary, revised every five years in conjunction with the review of the comprehensive plan and in accordance with the most recent available population growth estimates and projections.

4. The boundaries of each urban development area shall be identified in the locality's comprehensive plan and shall be shown on future land use maps contained in such comprehensive plan.

5. Urban development areas, if designated, shall incorporate principles of traditional neighborhood design, which may include but need not be limited to (i) pedestrian-friendly road design, (ii) interconnection of new local streets with existing local streets and roads, (iii) connectivity of road and pedestrian networks, (iv) preservation of natural areas, (v) mixed-use neighborhoods, including mixed housing types, with affordable housing to meet the projected family income distributions of future residential growth, (vi) reduction of front and side yard building setbacks, and (vii) reduction of subdivision street widths and turning radii at subdivision street intersections.

6. The comprehensive plan shall describe any financial and other incentives for development in the urban development areas.

7. A portion of one or more urban development areas may be designated as a receiving area for any transfer of development rights program established by the locality.

C. No locality that has amended its comprehensive plan in accordance with this section shall limit or prohibit development pursuant to existing zoning or shall refuse to consider any application for rezoning based solely on the fact that the property is located outside the urban development area.

D. Localities shall consult with adjacent localities, as well as the relevant planning district commission and metropolitan planning organization, in establishing the appropriate size and location of urban development areas to promote orderly and efficient development of their region.

E. Any county that amends its comprehensive plan pursuant to subsection B may designate one or more urban development areas in any incorporated town within such county, if the council of the town has also amended its comprehensive plan to designate the same areas as urban development areas with at least the same density designated by the county. However, if a town has established an urban development area within its corporate boundaries, the county within which the town is located shall not include the town's projected population and commercial growth when initially determining or reexamining the size and boundary of any other urban development area within the county.

F. To the extent possible, federal, state and local transportation, housing, water and sewer facility, economic development, and other public infrastructure funding for new and expanded facilities shall be directed to designated urban development areas or to such similar areas that accommodate growth in a manner consistent with this section.

2007, c. [896](#);2009, c. [327](#);2010, cc. [465](#), [528](#);2011, c. [561](#);2012, cc. [192](#), [518](#), [805](#), [836](#).

The chapters of the acts of assembly referenced in the historical citation at the end of this section

may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**CITY OF CHARLOTTESVILLE, VIRGINIA  
PLANNING COMMISSION AND CITY COUNCIL  
JOINT PUBLIC HEARING AND MEETING AGENDA**



Agenda Date:	<b>June 12, 2018</b>
Action Required:	Vote to Recommend Approval or Denial of Zoning Text Amendment
Presenter:	Lisa Robertson, Chief Deputy City Attorney
Staff Contacts:	Lisa Robertson; Mike Stoneking (PLACE); Missy Creasy
<b>Title:</b>	<b>Zoning Text Amendments Proposing Clarifications of Provisions within Article VI of the Zoning Ordinance (Mixed Use Districts)</b>

**Background:**

In November 2016, the City Attorney’s Office provided a Legal Audit of the Zoning Ordinance. Among the deficiencies noted within the Legal Audit (page 11 of 17) is the fact that there are several mixed-use corridor districts in which bonus building height, or bonus residential density, is offered, but there is no guidance within the ordinance as to how “significant” each mixed use component (i.e., residential and non-residential) needs to be in order to qualify for the bonus. This deficiency was discussed by the city attorney’s office staff and the planning commission in a series of workshop meetings in 2017. In the opinion of the City Attorney’s office, this situation represents poor zoning practice.

In the summer of 2017 the Planning Commission adopted a resolution authorizing the City Attorney’s office to proceed to draft several categories of zoning text amendments deemed most urgent. This particular issue was among those which were considered most urgent. After that resolution was adopted, however, PLACE organized a working group of local design professionals, attorneys and developers who requested an opportunity to brainstorm a different way to achieve the goals of the bonus provisions. The efforts of the working group were in earnest; however, they ultimately did not agree on an approach that would solve the significant loopholes that exist in the current ordinance.

In March 2018 Mike Stoneking, on behalf of PLACE, transmitted a Memo to the City Attorney’s Office (copied to Lisa Green, PC Chair, Kathy Galvin, City Councilor, and to PLACE members) requesting that staff request the Planning Commission to consider the recommended short-term fix proposed by the City Attorney’s Office.

**Discussion:**

Attached is a proposed ordinance, seeking to include within the introductory, “general” provisions of Chapter 34, Article VI (Mixed Use Corridor Districts) a section addressing how to interpret the term “mixed use” for purposes of determining eligibility for bonus height or density provisions.

The proposed amendments specify a minimum percentage (12.5%) of GFA that must be met by each category of use (residential, and non-residential) within a mixed-use building, development



or project—IF there is otherwise no percentage specified within the regulations for a particular mixed use zoning district.

The attached ordinance also proposes two housekeeping changes to the existing ordinance:

- (1) Moving provisions that reference the “purpose and intent” of a specific mixed use zoning district into the Division that contains the regulations for that district, AND moving the provisions which establish “primary” and “linking” streets for a specific district (and which related specifically to the setbacks for those districts) into the Division for that specific zoning district.
- (2) Making the list of additional regulations at the end of “Division 1” more accessible to read and understand.

**Community Engagement:**

As noted, the provisions of the November 2016 Legal Audit were discussed at a series of public meetings and workshops of the Planning Commission throughout 2017. Also, the provisions of this proposed text amendment are currently the subject of a public hearing scheduled for June 12, 2018.

**Budgetary Impact:**

None

**Recommendation:**

The City Attorney’s Office recommends approval of the proposed zoning text amendments.

**Possible Motion:** “I move to recommend approval of the proposed zoning text amendments (ZT18-05-02) because the amendments are required by public necessity, convenience, general welfare or good zoning practice.”

**Alternatives:**

The proposed text amendment was initiated for a public hearing process, by motion of the Planning commission; following a public hearing the proposed text amendment must be forwarded (with a recommendation of either approval or denial) by the Planning Commission to City Council for final action. If the Planning Commission decides not to recommend approval, then it may either: (1) send the package to City Council for final action, with a recommendation of denial,

**Possible Motion:** “I move to recommend that City Council should decline to approve the proposed zoning text amendments (ZT18-05-02).”

**or** (2) vote to withdraw the proposed zoning text amendment.

Possible Motion: “I move that the Planning Commission withdraw its initiation of ZT-  
\_\_\_\_\_.”

**Attachments:**

- Proposed Ordinance
- PLACE Correspondence

**PROPOSED AMENDMENTS TO CITY CODE, CHAPTER 34 (ZONING), ARTICLE VI. MIXED USE  
CORRIDOR DISTRICTS, DIVISION 1. - GENERAL PROVISIONS**

**Sec. 34-540. - Purpose of article.**

- (a) The purpose of this article is to encourage mixed-use development within appropriate areas of the city, located along or adjacent to streets or highways found by the city council to be significant routes of access to the city. Objectives of these districts include the following: (i) creation of a dynamic street life, encouraging the placement of buildings close to property lines, and/or heavily landscaped yard areas, in order to engage pedestrians and de-emphasize parking facilities; (ii) encouragement of mixed-use development; (iii) facilitation of development that demonstrates an appropriateness of scale; (iv) encouragement of development that offers creative minimization of the impact of parking facilities and vehicular traffic; (v) encouragement of landscaped spaces available for pedestrian use (e.g., pocket parks, tree-lined streets and walkways); (vi) encouragement of alternate forms of transportation (e.g., pedestrian travel, bicycle paths, use of public transit); (vii) encouragement of neighborhood-enhancing economic activity; (viii) encouragement of home ownership; and (ix) encouragement of neighborhood participation in the development process.
- (b) The districts in which such development is encouraged fall, generally, into two (2) categories:
- (1) *Commercial/residential mixed use districts.* With little remaining vacant land, the city's continued vitality depends upon its ability to attract and facilitate a harmonious mixture of commercial and residential development and redevelopment. Generally, each of these zoning districts seeks to encourage a mixture of residential, commercial and cultural uses within a single building, or within multiple related buildings and structures. Of particular importance is the creation of corridors to serve as vital centers for economic growth and development while at the same time encouraging development that is friendly to pedestrians and alternate modes of transportation characteristic of an urban setting.
  - (2) *Commercial/industrial mixed use districts.* Each of these zoning districts seeks to provide an area in which important industrial uses, of limited scale, may be located, but in which opportunities for incorporation of related or harmonious commercial uses can be facilitated.

**Sec. 34-541. Application of the term "mixed-use" for determining bonus height or density.**

**Comment [RL1]:** This new Sec. 34-541 is proposed

**Where a provision of any mixed use zoning district included within this article allows additional height for a "mixed use building", or allows additional residential density for a "mixed use building", "mixed use development" or "mixed use project", the following requirements must be met for such building, development or project to become entitled to the additional height or density unless different percentages are specified within the division containing the regulations for the applicable district:**

**(1) where a provision allows additional height for a "mixed use building", residential and non-residential uses shall each occupy at least 12.5% of the gross floor area (GFA) of the mixed use building;**

**(2) where a provision allows additional residential density for a "mixed use building", residential and non-residential uses shall each occupy at least 12.5% of the gross floor area (GFA) of the mixed use building; and**

**(3) where a provision allows for additional residential density for a "mixed use development" or "mixed use project", residential and non-residential uses shall each occupy at least 12.5% of the total gross floor area (GFA) of the buildings comprising the proposed development or project.**

**Sec. 34-541. Mixed use districts—Intent and description.**

(1) **Downtown Corridor.** The intent of the Downtown Corridor district is to provide for a mixture of commercial and residential uses, and encourage such development by right, according to standards that will ensure harmony with the existing commercial environment in the city's downtown area. Ground-floor uses facing on primary streets should be commercial in nature. The area within this zoning district is the entertainment and employment center of the community and the regulations set forth within this district are designed to provide appropriate and convenient housing for persons who wish to reside in proximity to these activities. Within the Downtown Corridor district the following streets shall have the designations indicated:

*Primary streets:* All streets are primary.

*Linking streets:* None.

(2) **Downtown Extended Corridor.** Historically, the areas within the Downtown Extended district contained manufacturing uses dependent upon convenient access to railroad transportation. In more recent times, use patterns within this area are similar to those within the Downtown district. The intent of this district is to encourage an inter-related mixture of high density residential and commercial uses harmonious with the downtown business environment, within developments that facilitate convenient pedestrian and other links to the Downtown area. Within the Downtown Extended district, the following streets shall have the designations indicated:

*Primary streets:* Garrett Street, Monticello Avenue, 6th Street, Market Street, Carlton Road and 10th Street, N.E.

*Linking streets:* Avon Street, Dice Street, 1st Street, 4th Street, Gleason Street, Goodman Street, Oak Street, and Ware Street.

(3) **North Downtown Corridor.** The Downtown North Corridor district is the historic center of the City of Charlottesville, and contains many historic structures. In more recent years this area has also developed as the heart of the city's legal community, including court buildings and related law and professional offices, and commercial and retail uses supporting those services. Within this area, residential uses have been established both in single use and in mixed-use structures. Many former single-family dwellings have been converted to office use. The regulations for this district are intended to continue and protect the nature and scale of these existing patterns of development. Within the Downtown North Corridor district, the following streets shall have the designations indicated:

*Primary streets:* 8th Street, N.E. (between High Street and Jefferson Street), 5th Street, N.E., 1st Street, 4th Street, N.E., High Street, Jefferson Street, Market Street, 9th Street, 9th Street, N.E., 2nd Street, N.E., 2nd Street, N.W., 7th Street, N.E., 6th Street, N.E., and 3rd Street, N.E.

*Linking streets:* East Jefferson Street (east of 10th Street, N.E.), 8th Street, 11th Street, N.E., Lexington Street, Locust Street, Maple Street, Sycamore Street.

(4) **West Main West Corridor.** The land use and lots on West Main Street west of the railroad bridge are generally larger in size than those east of the bridge. The West Main West district ("WMW") is established to provide the opportunity for large scale redevelopment that may alter established patterns of commercial and residential development along West Main Street and that will respect the character of neighborhoods in close proximity. Within this district, the purpose of zoning regulations is to facilitate redevelopment while at the same time creating a walkable, mixed use "main street" setting that encourages vibrant pedestrian activity. The following streets shall have the designations indicated:

a. Where only one (1) street abuts a lot, that street is considered the primary street.

b. Where more than one (1) street abuts a lot, the following are considered primary streets:

**Comment [RL2]:** The current Sec. 34-541 is proposed to be deleted, with each of its subparts to be moved (verbatim) into the divisions corresponding with the applicable zoning district.

**Comment [RL3]:** Proposal: move these provisions, VERBATIM, into Division 2 (Regulations—Downtown Corridor ("D")) so that all of the provisions relating to this Zoning District will be in one place, all together.

Each of the following provisions (2) through (14) would similarly be moved to the Division corresponding with the referenced zoning district

**Comment [RL4]:** Move verbatim to Division 3

**Comment [RL5]:** Move verbatim to Division 4

**Comment [RL6]:** Move verbatim to Division 5

- (i) ~~West Main Street;~~
- (ii) ~~Roosevelt Brown Boulevard;~~
- (iii) ~~Jefferson Park Avenue;~~
- (iv) ~~Wertland Street;~~
- (v) ~~10th Street NW.~~

c. ~~Where a lot with multiple street frontages on the primary streets listed in subsection b. exists, each frontage is considered a primary street.~~

d. ~~Where a lot has multiple street frontages, streets not listed in subsection b. above will be considered a linking street.~~

(5) ~~**West Main East Corridor.** The land use and lots on West Main Street east of the railroad bridge are smaller than those west of the bridge, containing existing buildings (including historic buildings) that have been renovated to accommodate modern commercial uses. Established buildings are located in close proximity to the street on which they front. Within this district, the purpose of zoning regulations is to encourage a continuation of the established pattern and scale of commercial uses, and to encourage an extension of a walkable, mixed use "main street" setting eastward from the railroad bridge, continuing into the area where the West Main Street Corridor transitions into the city's downtown. Within the West Main Street East district ("WME"), the following streets shall have the designations indicated:~~

**Comment [RL7]:** Move verbatim to Division 6

a. ~~Where only one (1) street abuts a lot, that street is considered the primary street.~~

b. ~~Where more than one (1) street abuts a lot, the following are considered primary streets:-~~

- (i) ~~West Main Street;~~
- (ii) ~~Commerce Street;~~
- (iii) ~~South Street;~~
- (iv) ~~Ridge Street;~~
- (v) ~~7th Street SW;~~
- (vi) ~~4th Street NW.~~

c. ~~Where a lot with multiple street frontages on the primary streets listed in subsection b. exists, each frontage is considered a primary street.~~

d. ~~Where a lot has multiple street frontages, streets not listed in subsection b. above will be considered a linking street.~~

(6) ~~**Cherry Avenue Corridor.** This zoning classification establishes a district designed to encourage conservation of land resources, minimize automobile travel, and promote employment and retail centers in proximity to residential uses. It permits increased development on busier streets without fostering a strip commercial appearance. It is anticipated that development will occur in a pattern consisting of ground floor commercial uses, with offices and residential uses located on upper floors. This district is intended to promote pedestrian oriented development, with buildings located close to and oriented towards the sidewalk areas along primary street frontages. Within the Cherry Avenue Corridor district the following streets shall have the designations indicated:~~

**Comment [RL8]:** Move verbatim to Division 7

~~*Primary streets:* Cherry Avenue, 9th/10th Connector.~~

~~*Linking streets:* 4th St., 5th St., Delevan St., Estes St., Grove St., King St., Nalle St., 9th St., 6th St., 6½ St., 7th St.~~

(7) ~~**High Street Corridor.** The areas included within this district represent a section of High Street that has historically developed around medical offices and support services, as well as neighborhood-oriented service businesses such as auto repair shops and restaurants. The regulations within this~~

**Comment [RL9]:** Move verbatim to Division 8

district encourage a continuation of the scale and existing character of uses established within this district, and are intended to facilitate infill development of similar uses. Within the High Street corridor district the following streets shall have the designations indicated:

*Primary streets:* East High Street and Meade Avenue.

*Linking streets:* 11th Street, Gillespie Avenue, Grace Street, Grove Avenue, Hazel Street, Moore's Street, Orange Street, Rivordale Drive, Stewart Street, Sycamore Street, Ward Avenue, and Willow Street.

- (8) **Neighborhood Commercial Corridor district.** The intent of the Neighborhood Commercial Corridor district is to establish a zoning classification for the Fontaine and Belmont commercial areas that recognize their compact nature, their pedestrian orientation, and the small neighborhood nature of the businesses. This zoning district recognizes the areas as small town center type commercial areas and provides for the ability to develop on small lots with minimal parking dependent upon pedestrian access. The regulations recognize the character of the existing area and respect that they are neighborhood commercial districts located within established residential neighborhoods. Within this district the following streets shall have the designations indicated:

*Primary streets:* Bainbridge St., Carlton Ave., Douglas Ave., Fontaine Ave., Garden St., Goodman St., Hinton Ave., Holly St., Lewis St., Maury Ave., Monticello Rd., and Walnut St.

*Linking streets:* None.

- (9) **Highway Corridor district.** The intent of the Highway Corridor district is to facilitate development of a commercial nature that is more auto oriented than the mixed use and neighborhood commercial corridors. Development in these areas has been traditionally auto driven and the regulations established by this ordinance continue that trend. This district provides for intense commercial development with very limited residential use. It is intended for the areas where the most intense commercial development in Charlottesville occurs. Within this district the following streets shall have the designations indicated:

*Primary streets:* Bent Creek Road, Carlton Rd., Emmet Street, 5th Street, Harris Road, Hydraulic Road, Monticello Ave., and Seminole Trail.

*Linking streets:* Angus Road, East View Street, Holiday Drive, India Road, Keystone Place, Knoll Street, Linden Avenue, Line Drive, Michie Drive, Mountain View Street, Seminole Circle, and Zan Road.

- (10) **Urban Corridor.** The intent of the Urban Corridor district is to continue the close in urban commercial activity that has been the traditional development patterns in these areas. Development in this district is both pedestrian and auto oriented, but is evolving to more of a pedestrian center development pattern. The regulations provide for both a mixture of uses or single use commercial activities. It encourages parking located behind the structure and development of a scale and character that is respectful to the neighborhoods and university uses adjacent. Within this district the following streets shall have the designations indicated:

*Primary streets:* Barracks Road, Emmet Street, and Ivy Road.

*Linking streets:* Arlington Boulevard, Cedars Court, Copeley Drive, Copeley Road, Earhart Street, Massie Road, Meadowbrook Road, Millmont Street and Merton Drive.

- (11) **Central City Corridor.** The intent of the Central City Corridor district is to facilitate the continued development and redevelopment of the quality medium scale commercial and mixed use projects currently found in these areas. The district allows single use development, but encourages mixed use projects. The regulations are designed to encourage use of and emphasize proximity to natural features or important view sheds of natural features. Development allowed is of a scale and character that is appropriate given the established development that surrounds the district. Within the Central Corridor district the following streets shall have the designations indicated:

Comment [RL10]: Move verbatim to Division 9

Comment [RL11]: Move verbatim to Division 10

Comment [RL12]: Move verbatim to Division 12

Comment [RL13]: Move verbatim to Division 15

~~Primary streets: East High Street, Harris Street, Long Street, Preston Avenue, Rose Hill Drive, 10th Street, Preston Avenue, and River Road.~~

~~Linking streets: Albemarle Street, Booker Street, Caroline Avenue, Dale Avenue, 8th Street, Forest Street, 9th Street, and West Street.~~

- (12) ~~**Water Street Corridor District.** The intent of the Water Street Corridor District is to provide for a mix of commercial, retail and entertainment uses in a way that complements and supports the Downtown Pedestrian Mall area. As the Downtown Pedestrian Mall develops, the natural spillover will be to this area. While not a complete pedestrian zone, it contains many characteristics thereof. Development therefore should blend the pedestrian scale with a slightly more automobile-oriented feel to achieve this supportive mixed-use environment.~~

**Comment [RL14]:** Move verbatim to Division 11

~~Primary streets: All.~~

~~Linking streets: None.~~

- (13) ~~**South Street Corridor District.** Adjacent to the downtown area and wedged against the railroad tracks is a small grouping of large historic homes, many of which have been converted to offices and/or apartments. In order to preserve the rich character and style of these few remaining structures from another era, the South Street Corridor District has been created. This district is intended to preserve the historic pedestrian scale, recognizing the importance of this area to the history of the downtown area.~~

**Comment [RL15]:** Move verbatim to Division 13

~~Primary streets: South Street.~~

~~Linking streets: None.~~

- (14) ~~**Corner District.** The Corner District is established to provide low-intensity mixed-use development to primarily serve the area surrounding the University of Virginia. It encourages development at a scale that respects the established character of the historic commercial area adjacent to the central grounds of the University. Within the district two and three-story buildings front the streets establishing a pedestrian scale for retail and commercial uses.~~

**Comment [RL16]:** Move verbatim to Division 14

~~Primary streets: University Avenue, West Main Street, Wermland Street, Elliewood Avenue 13th Street and 14th Street.~~

~~Linking streets: Chancellor Street, 12th Street, 12½ Street and 13th Street.~~

#### **Sec. 34-542. - Additional regulations.**

**Comment [RL17]:** Housekeeping changes proposed for this section

**Other zoning regulations may also apply to uses, construction and development within the zoning districts included within this article. Without limitation, such other zoning regulations include the following For additional regulations governing use and development of land within a mixed-use corridor zoning district, refer to:**

- (1) Article VIII, sections 34-850, et seq. (Landscaping and Other Developments Subject to Site Plans)
- (2) Article IX (General Regulations), including, without limitation:
  - (i) Off-Street Parking (sections 34-970, et seq.),
  - (ii) Outdoor Lighting (sections 34-1000, et seq.),
  - (iii) Sign Regulations (sections 34-1020, et seq.),
  - (iv) Buildings and Structures (sections 34-1100, et seq.),

(v) Lots and Parcels (sections 34-1120, et seq.),

(vi) Approvals of residential dwellings (section 34-1125), **and**

(vi) **and** Mixed-use density calculation **and required notations on subdivision plats, site plans, building permits and certificates of occupancy for a mixed use development** (section 34-1126).

**Secs. 34-543—34-555. - Reserved.**

Memorandum  
March 9, 2018

From: PLACE Design Task Force  
To:  
Lisa Robertson.

cc: Lisa Green, Chair Planning Commission, Kathy Galvin, City Council, PLACE

Re: Mixed Use.

Dear Lisa,

At the February 8<sup>th</sup> meeting of PLACE we discussed your proposed provisional zoning ordinance text amendment as shown below: (full copy of your memo under separate cover in email).

**Proposal 1 for Consideration:**

Where a provision of any mixed use zoning district included in this article allows additional height for a mixed-use building, or allows additional residential density for a mixed use building, development, or project, the following requirements must be met for the building, development, or project to be entitled to the additional height or density:

- Where the provision allows for additional height for a mixed-use building, residential and non-residential uses shall each occupy at least 12.5% of the Gross Floor Area of the proposed building.
- Where the provision allows for additional residential density for a mixed-use building, residential and non-residential uses shall each occupy at least 12.5% of the Gross Floor Area within the proposed building unless different percentages are specified within the division containing the regulations for the applicable mixed-use zoning district.
- Where the provision allows for additional residential density for a mixed-use development or project, residential and non-residential uses shall each occupy at least 12.5% of total Gross Floor Area of the buildings comprising the proposed development or project unless different percentages are specified within the division containing the regulations for the applicable mixed-use zoning district.

There were only five PLACE members in attendance but we unanimously agreed to support this provisional change. Final change is subject to a completed Zoning Audit.

Supporting discussion:

- This was a targeted, surgical change pointed at only two areas in the mixed -use section where no definition existed, The Corner having no standard for the density bonus and Downtown Extended having no standard for the height bonus.
- No other districts or definitions were changed.
- 12.5% is a precedent already- in the Cherry Street district.

Dissenting discussion:

- Perhaps 12.5 % is too low as 25% is used elsewhere in the ordinance.
- A proper mix might be best determined by measuring the benefit to the community and by looking through a cultural lens rather than a profit model.



Additional discussion was held regarding part two of your memo:

**Proposal 2 for Consideration (“Companion” Amendments)**

Within mixed-use buildings, developments, and projects, off-street parking facilities must meet the following requirements **along streets designated as “framework streets”** in the Streets That Work element of the Comprehensive Plan:

- Within structures containing parking: (i) any floor at street-level [of a framework street] shall be devoted to a permitted use other than parking; or (ii) any parking use at the street level [of a framework street] shall be concealed from view from the [framework] street using liner retail, residential, commercial, or office space.
- Entrances to surface parking lots and structured parking shall not be located along the framework street, but shall be located along non-framework streets or alleys.
- Surface parking lots must be located behind buildings and screened from the framework street with landscape elements [*or could specify S-2 or S-3 screen here*].

PLACE could not reach consensus to support this in its current form.

Supporting discussion:

- Relegating parking and parking structure entrances away from framework streets is a good idea and should be fleshed out on a neighborhood-specific basis.
- Concealing surface lots and parking structures has merit.

Dissenting Discussion:

- This might be a strong companion piece to the mixed-use definition might be better situated as a spate piece.
- More specific study is required to be sure the above listed notions are practicable throughout.

Submitted:

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Mike Stoneking March 9, 2018



**CITY OF CHARLOTTESVILLE  
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES  
STAFF REPORT TO THE ENTRANCE CORRIDOR REVIEW BOARD (ERB)**

**ENTRANCE CORRIDOR (EC)  
CERTIFICATE OF APPROPRIATENESS**

**DATE OF PLANNING COMMISSION MEETING: June 12, 2018**

**Project Name:** 10<sup>th</sup> & East High Street, Medical Office Building

**Planner:** Jeff Werner, AICP

**Applicant:** Great Eastern Management

**Applicant's Representative:** David Mitchell

**Applicant's Relation to Owner:**

**Application Information**

**Property Street Address:** 916, 920 E High Street and 325 10<sup>th</sup> Street NE

**Property Owner:** Martha Jefferson Hospital

**Tax Map/Parcel #:** Tax Map 53, Parcels 273, 274 and 275 (Online Records: 530273000, 530274000, and 530275000)

**Total Square Footage/Acreage Site:** 1.066 acres

**Comprehensive Plan (Land Use Plan) Designation:** Mixed Use

**Current Zoning Classification:** DN, Downtown North Corridor with Entrance Corridor (EC) Overlay

**Entrance Corridor Overlay District:** §34-307(a)(10) East High Street/9th Street from Long Street to East Market Street, Sub-area C

**Current Usage:** Two one-story buildings formerly occupied by medical offices (buildings to be demolished) with surface parking

**Background**

The ERB reviews Entrance Corridor Certificate of Appropriateness applications for new construction.

- 2017: A preliminary Site Plan and ERB application were submitted. In September, staff sent Site Plan comments to the applicant. The ERB application was deferred by applicant.
- April 2018: Revised ERB application submitted, including an updated preliminary Site Plan to be used as information only. A final Site Plan must be submitted for approval.
- May 8, 2018: ERB voted 4-0 to deny approval of the COA.
- May 16, 2018: Applicant met, at NDS, with two ERB members to discuss design revisions.
- Note: Additional right-of-way through dedication by the applicant is being discussed.



**Applicant’s Request**

Applicant is requesting a certificate of appropriateness to construct a two- and three-story medical office building and a two-story rear parking deck with 176 spaces (90 at lower level, 86 at upper level). The irregularly shaped building is mainly three stories, with a two-story segment on High Street and a two-story surround on the rear façade. There are three entrances into the building: from East High Street, from the upper parking deck, and from the lower parking area. The NE corner of the building (at the 10<sup>th</sup>/High intersection) is notched to provide space for an existing large tree. Two two-way vehicular entrances are proposed: The East High Street access ramps up to the upper parking deck; the 10th Street NE access ramps down to the lower parking deck. The 10th Street access aligns with Little High Street (opposite).

Building materials for the three-story main building consist of brick veneer with brick soldier course and precast concrete accent bands. The cornice is aluminum composite panels. The punched windows have precast concrete lintels. Further breaking up the brick facade, near each corner, aluminum composite spandrel panels separate the second and third story windows.

The two-story sections (at High Street and the surround at the upper parking deck) consist of stone veneer and precast concrete lintels. The tall windows have aluminum sunshades. Cable-supported awnings with standing seam metal roofing cover the 1<sup>st</sup> floor windows and entries. The High Street entry area is framed by a low brick wall with precast cap and metal railing. Concrete stairs from East High Street sidewalk allow access to the entry and a landscaped patio area that extends along the front of the two story entry surround.

All windows and glazed doors to be insulated, low-e glass.

On the main building is an appurtenance (8’-10” above the parapet) clad with aluminum composite panels.

The entry into the lower parking area [from 10th Street] features a stone veneer surround capped with precast concrete. The precast accent band at the first floor level [of the main building] and, slightly below it, the brick soldier course accent band continue onto the eastern elevation of the lower parking area [facing 10<sup>th</sup> Street]. Brick pilasters, capped with precast concrete and each with a wall-mounted light, frame unglazed openings into the lower parking area. At the upper parking deck, metal railings span between the pilasters. (Behind the railing, facing the parking surface, are horizontal vehicular barricades.) At the SE corner of the parking structure, a concrete stair with metal railing allows access from the 10<sup>th</sup> Street sidewalk to the upper parking deck. At the top of the stairs are a series of bollard lights.

At the SW corner of the upper parking deck is a brick dumpster enclosure (brick to match the building) with a wooden gate.

Additional landscaping:

- 24 Crepe Myrtle trees in planters on the upper parking deck
- Four Yoshino Cherry trees along East High Street
- Six Yoshino Cherry trees along 10th Street (south of the parking structure entry)
- Five Allee Elm along 10<sup>th</sup> Street (north of the parking structure entry)
- One Allee Elem on East High Street (at the NE corner)
- A mix of Sweetspire and Inkberry Holly plants in planting beds along the north and east elevations.

Signage at the High Street entry is shown for illustration only.

The Lighting Plan on the updated preliminary Site Plan indicates four pole lights (two fixtures on each pole) at the upper parking deck, seven bollard lights at SE corner of the upper parking deck, eight wall lights on the brick pilasters of the parking structure (Note: these are not shown on the preliminary Site Plan), and eight wall lights on the building—four at the rear (south) elevation at the upper parking deck, including two at the building entrance; two at the west elevation at the driveway to the upper parking deck; two located at the main building entrance at East High Street.

### **Standard of Review**

The Planning Commission serves as the entrance corridor review board (ERB) responsible for administering the design review process in entrance corridor overlay districts. This development project requires a site plan, and therefore also requires a certificate of appropriateness from the ERB, pursuant to the provisions of §34-309(a)(3) of the City's Zoning Ordinance. The ERB shall act on an application within 60 days of the submittal date, and shall either approve, approve with conditions, or deny the application. Appeal would be to City Council.

### **Standards for considering certificates of appropriateness:**

In conducting review of an application, the ERB must consider certain features and factors in determining the appropriateness of proposed construction, alteration, etc. of buildings or structures located within an entrance corridor overlay district. Following is a list of the standards set forth within §34-310 of the City Code:

#### **§34-310(1): Overall architectural design, form, and style of the subject building or structure, including, but not limited to: the height, mass and scale;**

The irregularly shaped building is approximately 120' wide x 100' deep. Measured from the NW corner, the two-story piece on East High Street and the surround at the parking deck are 32'-6" in height to top of cornice; the three-story main building is 48'-6" in height to top of cornice; the appurtenance is 57'-4" in height.

The rear parking deck is approximately 175' in length along 10<sup>th</sup> Street NE and 145' in width.

**Staff Analysis:** A building of this height, mass and scale is appropriate in this location. The massing of the parking structure is unchanged, however modifications to the east elevation have mitigated its impact on the streetscape.

**e§34-310(2): Exterior architectural details and features of the subject building or structure;**

The brick walls are articulated with accent bands of brick soldier course and precast concrete. A precast concrete accent band also continues onto stone veneer entries and onto the parking structure. All facades have a generous amount of glazing; on the windows of the two-story sections have aluminum sunshades.

There are three pedestrian entrances: from the lower and upper parking areas and from East High Street.

Signage is shown for illustration only.

**Staff Analysis:** The building is well-articulated. The modifications to the parking structure--including the stairs, soldier course and precast accents bands, the pilasters and railings, and the stone surround at the lower parking area entry--are welcome improvements.

Lighting Plan indicates that all lighting will comply with Dark Sky requirements and lamp type will create a “unified cool white lighting across the site.” Pole lights will be 20’ above the parking deck. Wall fixtures to be bronze in color; no heights are indicated. Photometric analysis proposed fixtures and locations indicates little to no lateral light transmission. At the parking structure, the addition of wall lights along 10<sup>th</sup> Street and the bollard lights at the stairs will enhance that streetscape and pedestrian experience.

Signage requires separate permits, and must be mounted below the second floor window sill height. On a corner property three signs are permitted, with the aggregate area in an entrance corridor not to exceed 75 square feet total. If the signage is lit, it must be white.

**§34-310(3): Texture, materials and color of materials proposed for use on the subject building or structure;**

The proposed building materials consist of:

- Walls: Brick veneer and stone veneer
- Accent banding and lintels: soldier course brick and precast concrete
- Cornices and Appurtenance: Aluminum composite panels
- Windows: Aluminum storefront/curtain wall window systems with 1” insulated low-e glazing. The tall windows at the two-story sections will have aluminum sunshades.
- Awnings: Cable-supported, standing seam metal.
- Light fixtures: Bronze

**Staff Analysis:** The mix of building materials is appropriate, however material specifications are needed. All glass must be specified as clear, with minimum 70% visible light transmittance (VLT).

**§34-310(4): Design and arrangement of buildings and structures on the subject site;**

The building has been pulled as close to the intersection as possible. The area between the building and sidewalks is landscaped, with the main entrance fronting on High Street.

The building is notched at the 10<sup>th</sup> and High intersection to provide space for an existing tree. Additional landscaping will include Allee Elm street trees at the NE corner and a segment of the east elevation, with smaller, Yoshimo Cherry trees along East High Street and along 10<sup>th</sup> Street at the parking structure. Both street facing elevations will have planting beds of Sweetspire and Inkberry Holly.

Two two-way vehicular entrances are proposed. The East High Street access will ramp up to the upper

parking deck; the 10th Street NE access will ramp down to the lower parking deck. The 10th Street access aligns with Little High Street (opposite).

**Staff Analysis:** The design and arrangement of the building on the site is appropriate. The addition of a patio area at the East High enhances the streetscape and improves the public entry. Along 10<sup>th</sup> Street, at the parking structure, the addition of stairs and wall lighting, the use of railing to open up the brick facade, the addition of planters on the upper parking deck, and adding a stone surround to the lower parking entry are welcome revisions that will enhance the streetscape. The use of smaller trees along portions of both streets is appropriate given the limited space (along East High) and the presence of overhead lines (along 10th).

**§34-310(5): The extent to which the features and characteristics described within paragraphs (1)-(4), above, are architecturally compatible (or incompatible) with similar features and characteristics of other buildings and structures having frontage on the same EC street(s) as the subject property.**

**Staff Analysis:** The goals are to make the site function well for the users of this site and the entrance corridor, and to have an attractive development that is compatible with its surrounding context. Compared to existing buildings and structures fronting this East High Street EC, this is a prominent site. The new building will allow the continued and updated use of this site as a medical facility that has long served the local and regional community. With the revisions, the proposed building scale and materials are appropriate for and compatible with the EC.

**§34-310(6): Provisions of the Entrance Corridor Design Guidelines.**

Relevant sections of the guidelines include:

**Section 1 (Introduction)**

The Entrance Corridor design principles are expanded below:

**• Design for a Corridor Vision**

New building design should be compatible (in massing, scale, materials, colors) with those structures that contribute to the overall character and quality of the corridor. Existing developments should be encouraged to make upgrades consistent with the corridor vision. Site designs should contain some common elements to provide continuity along the corridor. New development, including franchise development, should complement the City's character and respect those qualities that distinguish the City's built environment.

**• Preserve History**

Preserve significant historic buildings as well as distinctive architecture from more recent periods. Encourage new contemporary design that integrates well with existing historic buildings to enhance the overall character and quality of the corridor.

**• Facilitate Pedestrian Access**

Encourage compact, walkable developments. Design pedestrian connections from sidewalk and car to buildings, between buildings, and between corridor properties and adjacent residential areas.

**• Maintain Human Scale in Buildings and Spaces**

Consider the building scale, especially height, mass, complexity of form, and architectural details,

and the impact of spaces created, as it will be experienced by the people who will pass by, live, work, or shop there. The size, placement and number of doors, windows, portals and openings define human scale, as does the degree of ground-floor pedestrian access.

- **Preserve and Enhance Natural Character**

Daylight and improve streams, and retain mature trees and natural buffers. Work with topography to minimize grading and limit the introduction of impervious surfaces. Encourage plantings of diverse native species.

- **Create a Sense of Place**

In corridors where substantial pedestrian activity occurs or is encouraged, or where mixed use and multi-building projects are proposed, one goal will be creating a sense of place. Building arrangements, uses, natural features, and landscaping should contribute, where feasible, to create exterior space where people can interact.

- **Create an Inviting Public Realm**

Design inviting streetscapes and public spaces. Redevelopment of properties should enhance the existing streetscapes and create an engaging public realm.

- **Create Restrained Communications**

Private signage and advertising should be harmonious and in scale with building elements and landscaping features.

- **Screen Incompatible Uses and Appurtenances:**

Screen from adjacent properties and public view those uses and appurtenances whose visibility may be incompatible with the overall character and quality of the corridor, such as: parking lots, outdoor storage and loading areas, refuse areas, mechanical and communication equipment, Where feasible, relegate parking behind buildings. It is not the intent to require screening for utilitarian designs that are attractive, and/or purposeful.

- **Respect and Enhance Charlottesville's Character**

Charlottesville seeks new construction that reflects the unique character, history, and cultural diversity of this place. Architectural transplants from other locales, or shallow imitations of historic architectural styles, for example, are neither appropriate nor desirable. Incompatible aspects of franchise design or corporate signature buildings must be modified to fit the character of this community.

### Section 2 (Streetscape)

Staff Analysis: The proposed streetscape features are appropriate. Given the limited space between the building and the street, the use of Yoshino Cherry trees along the west segments of East High Street is appropriate—versus Red Maple. Where the spacing allows it, the larger Allee Elm street trees—with the existing street tree--will wrap around the NW corner of the building forming a shaded streetscape. The use of the smaller Yoshino Cherry trees along the remaining segment of 10th Street is appropriate with the presence of overhead lines.

The addition of a patio area at the East High entrance enhances the streetscape. Along 10<sup>th</sup> Street, at the parking structure, the addition of stairs and wall lighting, the use of railing to open up the brick wall, façade, and the revised parking area entry are welcome revisions that will enhance the streetscape.

### Section 3 (Site):

**Staff Analysis:** The site features are appropriate.

Section 4 (Buildings):

**Staff Analysis:** The building design is appropriate.

Section 5 (Individual Corridors):

High Street Vision

The southeast side of High Street from Long Street to the light at Meade Avenue shares similar characteristics with the Long Street corridor. Properties here have potential to be redeveloped at an urban scale with shallow setbacks, higher density, and mixed uses. The natural character of the river should be preserved, and riverfront properties may incorporate the river as a site amenity. Future infill and redevelopment on the northwest side of High Street from Riverdale Drive to Locust Avenue and on the southeast side of High Street from Meade Avenue to 10th Street should complement the smaller scale of the abutting residential neighborhoods on either side. The retail areas of this part of the corridor will continue to provide basic service-business functions until redeveloped into a mix of uses including residential. This area may be considered for nearby offsite or shared parking in the future, due to the small parcel sizes and convenience to transit and the downtown area. *From Locust Avenue to Market Street there will be opportunities for denser development. The area surrounding Martha Jefferson Hospital is a potential historic district. A pedestrian environment should be encouraged along the entire corridor with sidewalks, landscaping and transit stops.*

**Public Comments Received**

No public comments have been received to date.

**Staff Recommendations**

The ERB may have additional comments on the design, and may wish to ask the applicant to defer so that a revised design may be considered. The following conditions of approval are recommended if the ERB chooses to approve the design:

1. The ERB should view material samples. Cut sheets for materials should be submitted.
2. All glass must be specified as clear, with minimum 70% visible light transmittance (VLT).
3. Signage requires separate permits and approvals. All signage shall appear to be lit white at night.
4. Rooftop mechanical equipment will be screened within appurtenance.

**Suggested Motion**

1. "I move to approve with staff's recommended conditions the Entrance Corridor Certificate of Appropriateness application for the new medical office building and parking deck at 916, 920 East High Street and 325 10<sup>th</sup> Street NE."

**Alternate Motion**

1. "I move to defer (or deny) the Entrance Corridor Certificate of Appropriateness application for the new medical office building and parking deck at 916, 920 East High Street and 325 10<sup>th</sup> Street NE until the following concerns are addressed....."

**Attachments:**



Innovate Architecture-Interiors submittal dated May 22, 2018: Design narrative (2 pages) and proposed building elevations and renderings (19 pages).

Collins Engineering, Preliminary Site Plan: Sheets #1 (Cover, dated 5/22/2018); #2 (Existing Conditions and Demo, dated 4/17/2018); #3 (Site, Utility and Landscaping, dated 5/22/2018); #4 (Notes and Details, dated 4/17/2018); #5 (Stormwater Management Plan, dated 4/17/2018); and #6 (Lighting, dated 5/22/2018).

Photographs showing similar architectural elements nearby.



# Entrance Corridor Review Application (EC) Certificate of Appropriateness

Please Return To:  
City of Charlottesville  
Department of Neighborhood Development Services  
P.O. Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3130

**Please submit one (1) hard copy and one (1) digital copy of application form and all attachments.  
Please include application fee as follows: New construction project \$375; Additions and other projects requiring ERB approval \$125; Administrative approval \$100.  
Make checks payable to the City of Charlottesville.**

The Entrance Corridor Review Board (ERB) meets the second Tuesday of the month.  
Deadline for submittals is Tuesday 3 weeks prior to next ERB meeting by 3:30 p.m.

Owner Name MARTHA JEFFERSON HOSPITAL Applicant Name GREAT EASTERN MANAGEMENT  
Project Name/Description 10TH & HIGH STREET MEDICAL OFFICE BLDG Parcel Number 530273000, 530274000  
& 530275000  
Project Street Address 10TH & HIGH STREET

### Applicant Information

Address: 2619 HYDRAULIC RD  
CHARLOTTESVILLE, VA 22905  
Email: david@southern-classic.com  
Phone: (W) 434-296-4141 (C) \_\_\_\_\_

### Property Owner (if not applicant)

Address: 590 PETER JEFFERSON PARKWAY  
CHARLOTTESVILLE, VA 22911  
Email: cwgabori@sentara.com  
Phone: (W) \_\_\_\_\_ (C) \_\_\_\_\_

### Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct.

[Signature] 5/21/18  
Signature Date  
David Mitchell  
Print Name GEMC Date

### Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Print Name \_\_\_\_\_ Date \_\_\_\_\_

Description of Proposed Work (attach separate narrative if necessary): NARRATIVE ATTACHED

Attachments (see reverse side for submittal requirements): ENGINEERING PLAN AND ARCHITECTURAL RENDERINGS

### For Office Use Only

Received by: \_\_\_\_\_ Approved/Disapproved by: \_\_\_\_\_  
Fee paid: \_\_\_\_\_ Cash/Ck. # \_\_\_\_\_ Date: \_\_\_\_\_  
Date Received: \_\_\_\_\_ Conditions of approval: \_\_\_\_\_



# design narrative

## **PROPOSED MEDICAL OFFICE BUILDING**

10<sup>th</sup> and High Street  
Charlottesville, Virginia

The design for the proposed medical office building at the corner of 10<sup>th</sup> and High Streets in Charlottesville, Virginia is predicated on the relationship between the building and the site. The building mass is pulled toward the street and responds to the acute angle formed by the intersecting roads on this corner site. The three story building mass is broken down along the High Street façade by a two story element that helps to address the pedestrian scale at street level. Along High Street, the regular framework created by the stone façade and the generous glazing present a welcoming image for the building toward the street.

At the corner of the site, a significant area for landscaping has been created to help soften the edge formed by the acute angle of the intersecting streets. The lush corner landscaping is framed by the rectilinear three-story brick mass that fronts 10<sup>th</sup> Street and the two-story stone and glass façade addressing High Street.

The slope of the site provides an opportunity to enter the two-story parking behind the building at separate levels. From the north-east corner of the site, an entrance will be provided to the upper parking deck. As the site slopes down along High Street and continues down 10<sup>th</sup> Street, an entrance to the lower parking level will align with Little High Street. There will also be a pedestrian entrance on High Street toward the corner near the intersection with 10<sup>th</sup> Street.

The building materials have been selected to blend into Charlottesville's existing urban aesthetic and have been arranged and applied in such a manner to help reduce the massing of the building while providing visual interest. This is in direct response to the adjacent CFA Institute located across High Street. While attempting to respect the historic nature of the City of Charlottesville, it is also important for the building to project an image of the cutting edge health care services being provided on site. Many traditional details are interpreted

with modern materials. A precast concrete accent band and taller windows at the base of the building help to separate the ground floor of the building from the upper stories. The second and third floors are punctuated with traditionally proportioned windows. At these levels, the brick mass is further articulated by a series of double soldier course brick accent bands. Aluminum panels finished to approximate the color of the precast accent band are used above the head of the punched windows as a modern take on a traditional stone lintel and between the windows on the ends of the building to help define the corners. The building uses a series of aluminum sunshades to create depth along the street facade. The flat roof and rooftop mechanical equipment will be hidden from view by an aluminum composite panel appurtenance.



# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



existing conditions/adjacent buildings

May 22, 2018



# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

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10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia





# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

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10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



concept images

May 22, 2018



north elevation

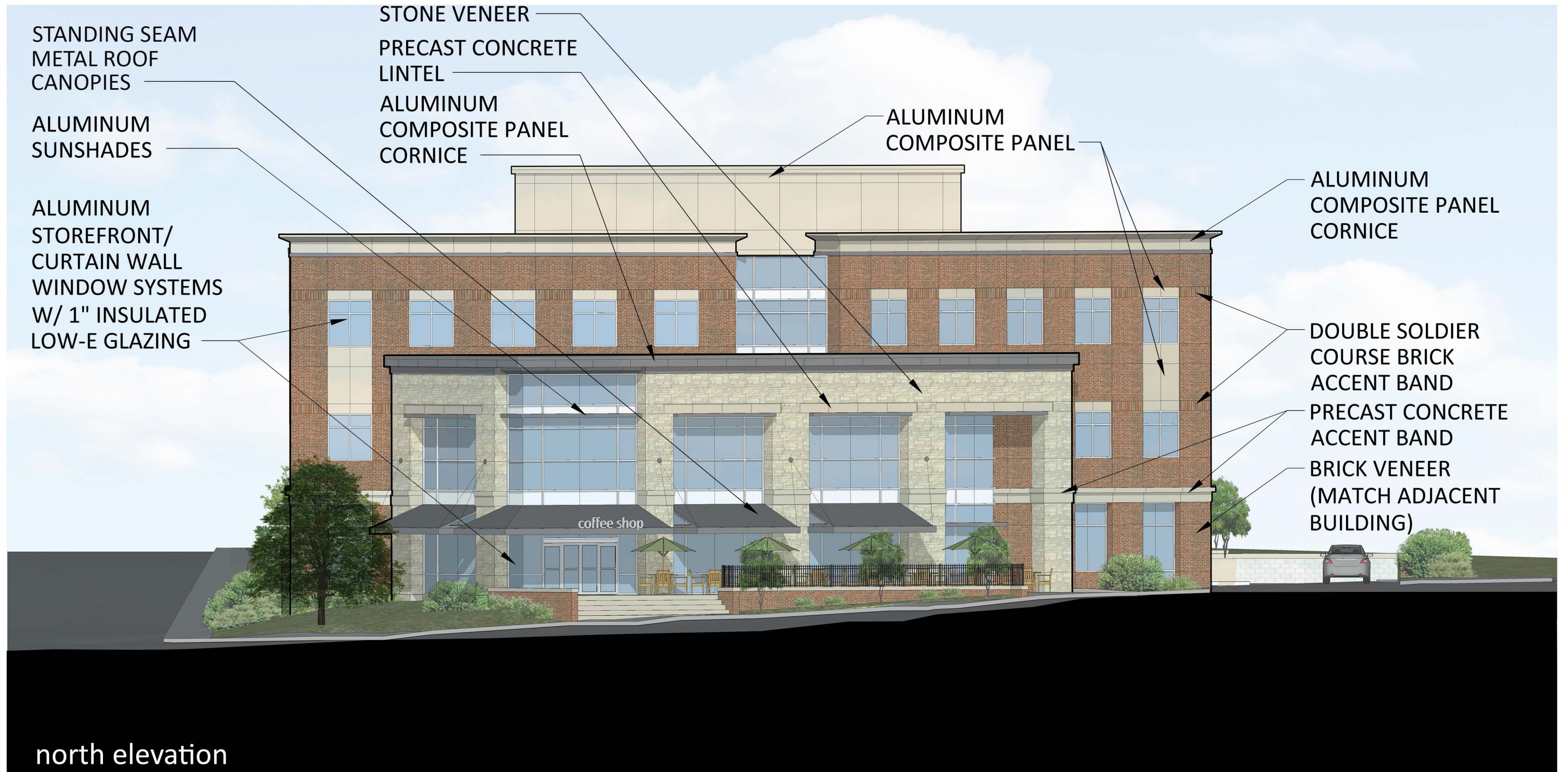
# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



east elevation

# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



building elevations

May 22, 2018

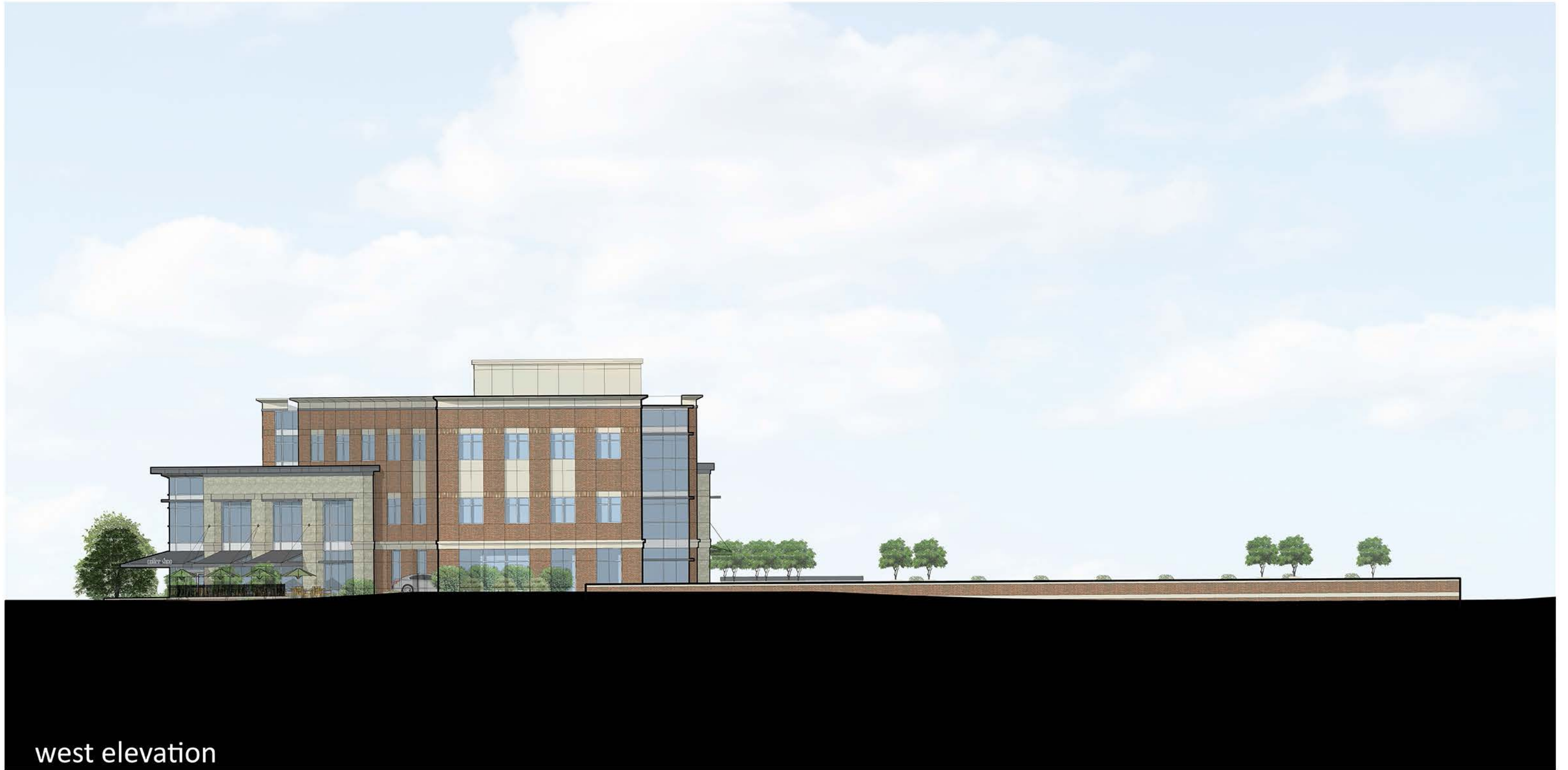




south elevation

# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



west elevation

# PROPOSED MEDICAL OFFICE BUILDING

10th and High Street  
Charlottesville, Virginia



building elevations

May 22, 2018



# PROPOSED MEDICAL OFFICE BUILDING

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10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

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10th and High Street  
Charlottesville, Virginia



# PROPOSED MEDICAL OFFICE BUILDING

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10th and High Street  
Charlottesville, Virginia



existing conditions/adjacent buildings

May 22, 2018



# PROPOSED MEDICAL OFFICE BUILDING

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10th and High Street  
Charlottesville, Virginia

10th and East High Medical Building — Proposed Metal Railing



# 10TH AND HIGH STREET MEDICAL OFFICE BUILDING

## PRELIMINARY SITE PLAN

### CITY OF CHARLOTTEVILLE, VIRGINIA

#### GENERAL NOTES:

OWNER: MARTHA JEFFERSON HOSPITAL  
590 PETER JEFFERSON PARKWAY  
CHARLOTTEVILLE, VA 22902

ENGINEER: COLLINS ENGINEERING  
200 GARRETT STREET, SUITE K  
CHARLOTTEVILLE, VA 22902  
TELEPHONE: (434) 293-3719

PROJECT: TWP 530273000 918 EAST HIGH STREET, 920 EAST HIGH STREET & 325 & 311 10TH STREET NE, CHARLOTTEVILLE, VA 22902

TOTAL ACREAGE OF SITE: INTERSECTION OF 10TH STREET AND HIGH STREET  
TOTAL ACREAGE: 1.23 ACRES  
EXISTING ZONING: DN (DOWNTOWN NORTH CORRIDOR) WITH ERB OVERLAY  
EXISTING USE: MEDICAL OFFICE BUILDINGS AND PARKING  
PROPOSED USE: MEDICAL OFFICE BUILDING WITH SMALL COMMERCIAL SPACE ON HIGH STREET & PARKING STRUCTURE (28,100 SF)  
STORMWATER MANAGEMENT: EXISTING SITE IS PRIMARILY IMPERVIOUS. UNDERGROUND DETENTION AND YARD SWALES ARE PROPOSED FOR STORMWATER QUALITY AND DETENTION FOR THE SITE TO PROVIDE WATER QUALITY ON THE SITE AND TO REDUCE THE POST DEVELOPMENT RUNOFF RATES, VOLUMES, AND VELOCITIES FROM THE SITE. ADDITIONAL WATER QUALITY REQUIREMENTS SHALL BE MITIGATED WITH NUTRIENT CREDITS.

SETBACKS: FRONT: NO MINIMUM, 15' MAXIMUM (PRIMARY STREET) & 10' MINIMUM, 20' MAXIMUM (LINKING STREET)  
SIDE: NONE REQUIRED (ADJACENT TO EXISTING DN PROPERTY)  
REAR: NONE REQUIRED (ADJACENT TO EXISTING DN PROPERTY)

MAXIMUM HEIGHT: PROPOSED 3 STORY BUILDING (BUILDING MEETS THE MAXIMUM HEIGHT REQUIREMENTS IN ACCORDANCE WITH THE DN REGULATIONS - MAX BUILDING HEIGHT 3 STORES FOR CORNER LOT)  
STAIRBACKS ARE REQUIRED AFTER 3 STORES (NO STAIRBACKS ARE PROPOSED WITH THIS BUILDING)

GROSS FLOOR AREA: 36,000 +/- SF  
SITE PHASING: PROJECT TO BE DEVELOPED IN (1) PHASE  
AFFORDABLE UNITS: NOT APPLICABLE  
FLOODPLAIN: THERE ARE NO FLOODPLAIN LIMITS WITHIN THE SUBJECT PROPERTY PER FEMA MAP#5100302289D, PANEL #0289D DATED FEBRUARY 4, 2005.

USGS DATUM: NAD 83  
SURVEY: BOUNDARY OF THE SITE AND TOPOGRAPHY WAS PROVIDED BY COMMONWEALTH LAND SURVEYING, MARCH 2017.  
MISS UTILITY TICKET NUMBER: #01549 B219201116-008  
UTILITIES: THE SITE WILL BE SERVED BY PUBLIC WATER AND SEWER.

CRITICAL SLOPES: NONE THAT MEET THE CONDITIONS OF THE CITY ORDINANCE SECTION 34-1120.  
AREAS PUBLIC USE: CURRENTLY, THERE IS NO LAND ON THIS PROPERTY THAT IS PROPOSED FOR PUBLIC USE.  
WATER DEMANDS/FIRE FLOW: CURRENTLY THERE IS A FIRE HYDRANT AT THE INTERSECTION OF EAST HIGH STREET AND 10TH STREET NE AND A FIRE HYDRANT ACROSS EAST HIGH STREET FROM THE NORTHERN SIDE OF THE PROPERTY. THE BUILDING WILL ALSO HAVE A SPRINKLER SYSTEM FOR FIRE PROTECTION.

PUBLIC UTILITIES: THE SITE WILL BE SERVED BY EXISTING PUBLIC WATER AND SEWER. WATER AND WASTEWATER MAIN PROFILES WILL BE PROVIDED WITH THE FINAL SITE PLAN.  
PROPOSED LAND DISTURBANCE: 1.0± AC (EROSION CONTROL PLAN TO BE SUBMITTED WITH FINAL SITE PLAN)

INGRESS AND EGRESS: ACCESS TO UPPER LEVEL BUILDING PARKING GARAGE SHALL BE FROM EAST HIGH STREET AND ACCESS TO THE LOWER PARKING LEVEL SHALL BE FROM 10TH STREET.  
LIGHTING PLAN: LIGHTING PLAN IS INCLUDED WITH THE PRELIMINARY DRAWINGS. ALL LIGHTING SHALL BE FULL OBLIQUE SHIELDING OUTDOOR LIGHTING, WHICH SHALL NOT EMIT LIGHT ABOVE THE LINE OF SIGHT TO THE LIGHT SOURCES WHEN VIEWED FROM THE PROTECTED PROPERTIES. THE SHIELD SHALL BLOCK DIRECT ILLUMINATION OF PROTECTED PROPERTIES AND THE FIXTURE SHALL COMPLETELY CONCEAL AND RECESS THE LIGHT SOURCE FROM ALL VIEWING POSITIONS EXCEPT THOSE POSITIONS PERMITTED TO RECEIVE ILLUMINATION. SPILLOVER LIGHT FROM LUMINAIRES ONTO PUBLIC ROADS AND ONTO ADJACENT PROPERTY SHALL NOT EXCEED (1/2) FOOT CANDLES.

SITE TRIP GENERATION AND LAND USE PER ITE CODE 9TH EDITION:

EXISTING MEDICAL OFFICE BUILDINGS (10,000± SF)	PROPOSED MEDICAL OFFICE BUILDING (36,000 SF)
WEEKDAY DAILY TRIPS (VPI): 181(ENTER)/181(EXIT)	WEEKDAY DAILY TRIPS (VPI): 650(ENTER)/650(EXIT)
AM PEAK HOUR (VPI): 19(ENTER)/19(EXIT)	AM PEAK HOUR (VPI): 69(ENTER)/69(EXIT)
PM PEAK HOUR (VPI): 10(ENTER)/26(EXIT)	PM PEAK HOUR (VPI): 38(ENTER)/82(EXIT)

STREAMS/BUFFERS: SITE CONTAINS NO EXISTING WATER COURSES, STREAM BUFFERS OR FLOOD PLANS. THIS SITE DRAINS TO THE EXISTING MOORES CREEK STREAM AND WATERSHED.

EXISTING VEGETATION: LANDSCAPING AND TREES AROUND THE EXISTING BUILDING AND PARKING LOT

PARKING REQUIREMENTS: PARKING REQUIRED: MAX. BETWEEN (1 SPACE/200 SF OF GFA) OR 3 SPACES/EXAM ROOM + EMPLOYEES  
VEHICLE PARKING REQUIRED: 36,000 SF / 200 = 180 PARKING SPACES REQUIRED, OR 40 EXAM ROOMS X 3 SPACES/ROOM + 58 EMPLOYEES = 178 SPACES  
BICYCLE PARKING REQUIRED: 1 SPACE/20,000 SF (2 MINIMUM)  
PARKING PROVIDED: PARKING TOTAL PROVIDED (PODIUM PARKING - 2 LEVELS): 195 SPACES TOTAL (INC. 5 ON-STREET SPACES)  
NOTE: NO MORE THAN 50% OF THE TOTAL PARKING SPACES WILL BE SURFACE PARKING OPEN TO THE SKY.

IMPERVIOUS AREA: BUILDING = 4,300 SF  
DRIVEWAY/PARKING DECK = 28,050 SF  
SIDEWALK = 2,100 SF  
OPEN GRASS AREA = 11,115 SF  
TOTAL PAVED PARKING & CIRCULATION: GARAGE PARKING (2 LEVELS) TOTAL AREA = 62,100 SF  
DRIVEWAY ACCESS = 2,393 SF

SIGNAGE: THE PROPOSED BUILDING SHALL BE SUBMITTED UNDER A SEPARATE APPLICATION  
TRASH REMOVAL: THE PROPOSED BUILDING SHALL HAVE AN EXTERIOR DUMPSTER AS SHOWN. THE DUMPSTER ENCLOSURE SHALL BE BRICK TO MATCH THE BUILDING WITH A WOODEN FENCE FOR ACCESS.  
STREET CLOSURE: A TEMPORARY STREET CLOSURE PERMIT IS REQUIRED FOR CLOSURE OF SIDEWALKS, PARKING SPACES, AND ROADWAYS AND IS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER. PARTIAL STREET CLOSURES WILL BE NEEDED FOR THE CREATION OF THE SITE ENTRANCES AND 10TH STREET IMPROVEMENTS.

CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES SHOWN ON PLANS IN AREAS OF CONSTRUCTION PRIOR TO STARTING WORK, CONTACT ENGINEER IMMEDIATELY IF LOCATION OR ELEVATION IS DIFFERENT FROM THAT SHOWN ON THE PLANS, IF THERE APPEARS TO BE A CONFLICT, AND UPON DISCOVERY OF ANY UTILITY NOT SHOWN ON THE PLANS.

ANY SIDEWALK AND/OR CURB DAMAGE IDENTIFIED IN THE SITE VICINITY DUE TO PROJECT CONSTRUCTION ACTIVITIES AS DETERMINED BY THE CITY INSPECTOR SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.

ALL SIGNING AND PAVEMENT MARKINGS SHALL BE CONSISTENT WITH THE MUTCD.

A TEMPORARY STREET CLOSURE PERMIT IS REQUIRED FOR CLOSURE OF SIDEWALKS, PARKING SPACES AND ROADWAYS AND IS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER.

SITE AND BUILDING CONSTRUCTION SHALL MEET 2006 IRC SECTION 3409 FOR ACCESSIBILITY AND VA USBC 103.3 FOR CHANGE OF OCCUPANCY.

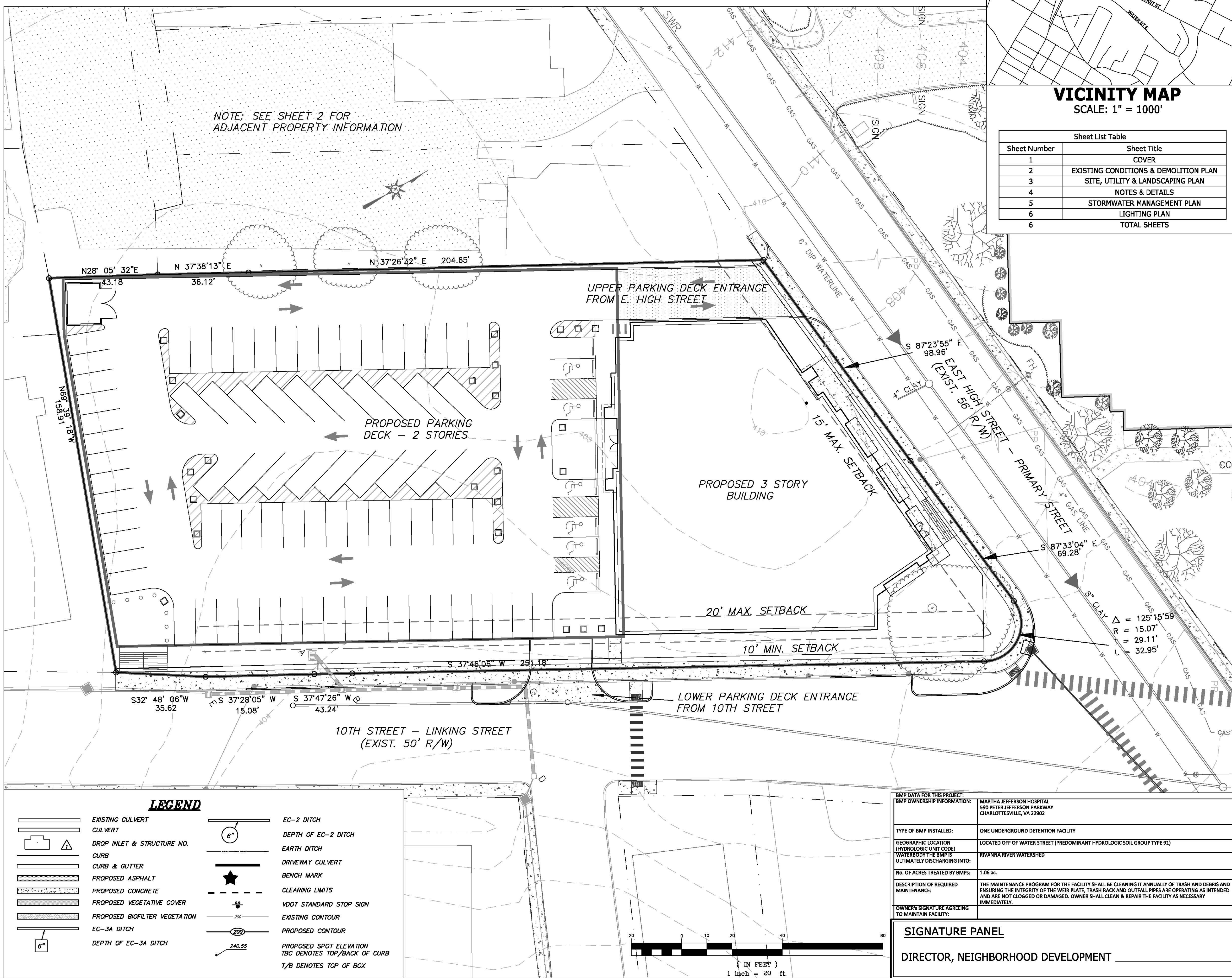
FIRE DEPARTMENT NOTES:

- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE CONSISTENT WITH THE MUTCD.
- IF 505-THE BUILDING STREET NUMBER TO BE PLAINLY VISIBLE FROM THE STREET FOR EMERGENCY RESPONDERS.
- IF 508-1-A APPROVED KEY BOX SHALL BE MOUNTED TO THE SIDE OF THE FRONT OR MAIN ENTRANCE. THE CHARLOTTEVILLE FIRE DEPARTMENT CARRIES THE KNOX BOX KEY BOX CAN BE ORDERED BY GOING ONLINE TO WWW.KNOXBOX.COM. THE KNOX BOX ALLOWS ENTRY TO THE BUILDING WITHOUT DAMAGING THE LOCK AND DOOR SYSTEM.
- STRUCTURES WITH FIRE PROTECTION SYSTEMS SHALL INDICATE THE LOCATION OF ANY FIRE LINE TO THE BUILDING(S) AS WELL AS THE LOCATION OF FIRE DEPARTMENT CONNECTIONS.
- FIRE HYDRANTS, FIRE PUMP TEST HEADERS, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES SHALL REMAIN CLEAR AND UNOBSTRUCTED BY LANDSCAPING, PARKING OR OTHER OBJECTS. THE FIRE MARSHAL'S OFFICE NO LONGER ALLOWS ANY TYPE OF LANDSCAPING TO BE PLACED IN FRONT OF AND WITHIN 5 FEET OF FIRE HYDRANTS, FIRE PUMP TEST HEADERS, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES.
- AN APPROVED WATER SUPPLY FOR FIRE PROTECTION SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE.
- ALL PAVEMENT SHALL BE CAPABLE OF SUPPORTING FIRE APPARATUS WEIGHING 75,000 LBS.
- IF 1404.1-SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
- IF 1404.2-WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
- IF 1410.1-ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
- IF 1404.6-CUTTING AND WELDING. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
- IF 1414.1-FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
- REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.
- OVERHEAD WIRING OR OTHER OBSTRUCTIONS SHALL BE HIGHER THAN 13 FEET 6 INCHES.
- ALL SIGNS SHALL BE IN ACCORDANCE WITH ARTICLE 1K SECTION 34-1020 CITY CODE.
- VSFP 905.3.1 - A CLASS 1 STANDPIPE SYSTEM MUST BE INSTALLED IN ADDITION TO THE SPRINKLER SYSTEM SINCE THE FLOOR LEVEL OF THE HIGHEST STORY IS MORE THAN 30 FEET ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS.
- VSFP 903.5.2 - A SECONDARY WATER SUPPLY TO THE BUILDING'S FIRE PUMP IS REQUIRED SINCE THE PROPOSED BUILDING HAS AN OCCUPIED FLOOR LOCATED MORE THAN 75' ABOVE THE LOWEST LEVEL OF THE FIRE DEPARTMENT VEHICLE ACCESS.
- VSFP 331.1 - WHERE A BUILDING HAS BEEN CONSTRUCTED TO A HEIGHT GREATER THAN 50 FEET OR FOUR (4) STORES, AT LEAST ONE TEMPORARY LIGHTED STAIRWAY SHALL BE PROVIDED UNLESS ONE OR MORE OF THE PERMANENT STAIRWAYS ARE ERRECTED AS THE CONSTRUCTION PROGRESSES.
- VSFP 331.1 - BUILDINGS FOUR OR MORE STORES IN HEIGHT SHALL BE PROVIDED WITH NOT LESS THAN ONE STANDPIPE FOR US DURING CONSTRUCTION. SUCH STANDPIPES SHALL BE INSTALLED WHEN THE PROGRESS OF CONSTRUCTION IS NOT MORE THAN 40 FEET IN HEIGHT ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT ACCESS. SUCH STANDPIPES SHALL BE PROVIDED WITH FIRE DEPARTMENT HOSE CONNECTIONS AT ACCESSIBLE LOCATIONS ADJACENT TO USABLE STAIRS. SUCH STANDPIPES SHALL BE EXTENDED AS CONSTRUCTION PROGRESSES TO WITHIN ONE FLOOR OF THE HIGHEST POINT OF CONSTRUCTION HAVING SECURED DECKING OR FLOORING.
- GUARDRAILS REQUIRED AT THE TOP OF ALL RETAINING WALLS WITH A GRADE DIFFERENCE EXCEEDING 30".
- HANDRAILS REQUIRED AT BOTH SIDES OF STAIRS.
- 5' SIDE SETBACKS HAVE A RESTRICTIVE BUILDING CODE REQUIREMENT FOR 1/4 OPENINGS AND EXTERIOR WALL FIRE RATINGS. THESE CALCULATIONS WILL BE SHOWN ON THE BUILDING AND ARCHITECTURAL PLANS.
- A MINIMUM OF 9" HEIGHT CLEARANCE IS REQUIRED AT PARKING GARAGE DOORS AND CLEARANCE AT HANDICAP PARKING SPACES. THIS CLEARANCE WILL BE SHOWN ON THE BUILDING AND ARCHITECTURAL PLANS.



VICINITY MAP  
SCALE: 1" = 1000'

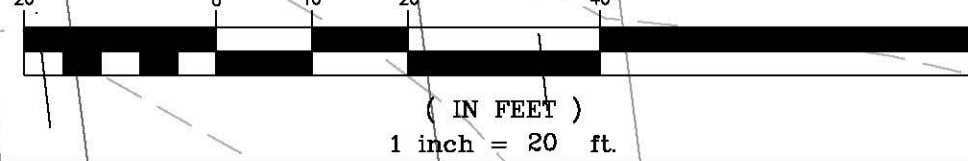
Sheet Number	Sheet Title
1	COVER
2	EXISTING CONDITIONS & DEMOLITION PLAN
3	SITE, UTILITY & LANDSCAPING PLAN
4	NOTES & DETAILS
5	STORMWATER MANAGEMENT PLAN
6	LIGHTING PLAN
6	TOTAL SHEETS



NOTE: SEE SHEET 2 FOR ADJACENT PROPERTY INFORMATION

**LEGEND**

	EXISTING CULVERT		EC-2 DITCH
	CULVERT		DEPTH OF EC-2 DITCH
	DROP INLET & STRUCTURE NO.		DRIVEWAY CULVERT
	CURBS & GUTTER		BENCH MARK
	PROPOSED ASPHALT		CLEARING LIMITS
	PROPOSED CONCRETE		VDOT STANDARD STOP SIGN
	PROPOSED VEGETATIVE COVER		EXISTING CONTOUR
	PROPOSED BIOFILTER VEGETATION		PROPOSED CONTOUR
	EC-3A DITCH		PROPOSED SPOT ELEVATION
	DEPTH OF EC-3A DITCH		T/B DENOTES TOP OF BOX



BMP DATA FOR THE PROJECT:	
BMP OWNERSHIP INFORMATION:	MARTHA JEFFERSON HOSPITAL 590 PETER JEFFERSON PARKWAY CHARLOTTEVILLE, VA 22902
TYPE OF BMP INSTALLED:	ONE UNDERGROUND DETENTION FACILITY
GEOGRAPHIC LOCATION (HYDROLOGIC UNIT CODE)	LOCATED OFF OF WATER STREET (PREDOMINANT HYDROLOGIC SOIL GROUP TYPE 9)
WATERBODY THE BMP IS ULTIMATELY DISCHARGING INTO:	RYANNA RIVER WATERSHED
No. OF ACRES TREATED BY BMPs:	1.06 ac.
DESCRIPTION OF REQUIRED MAINTENANCE:	THE MAINTENANCE PROGRAM FOR THE FACILITY SHALL BE CLEANING IT ANNUALLY OF TRASH AND DEBRIS AND ENSURING THE INTEGRITY OF THE WEIR PLATE, TRASH RACK AND OUTFALL PIPES ARE OPERATING AS INTENDED AND ARE NOT CLOGGED OR DAMAGED. OWNER SHALL CLEAN & REPAIR THE FACILITY AS NECESSARY IMMEDIATELY.
OWNER'S SIGNATURE AGREEING TO MAINTAIN FACILITY:	

**SIGNATURE PANEL**  
DIRECTOR, NEIGHBORHOOD DEVELOPMENT

#### REVISIONS

REVISION	DATE	DESCRIPTION
INITIAL SUBMITTAL	4/24/17	
REVISIONS TO THE PRELIMINARY PLAN BASED ON SEPT. 12 COMMENTS	10/11/17	
RESUBMISSION OF THE PRELIMINARY SITE PLAN FOR ERB REVIEW	04/17/18	
RESUBMISSION OF THE PRELIMINARY SITE PLAN FOR ERB REVIEW	05/22/18	

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PROJECT: 10th & HIGH STREET - PRELIMINARY SITE PLAN

SHEET: COVER

JOB NO: 162125  
SCALE: 1" = 20'  
SHEET NO: 1

PROFESSIONAL ENGINEER: SCOTT R. COLLINS, No. 35791, COMMONWEALTH OF VIRGINIA

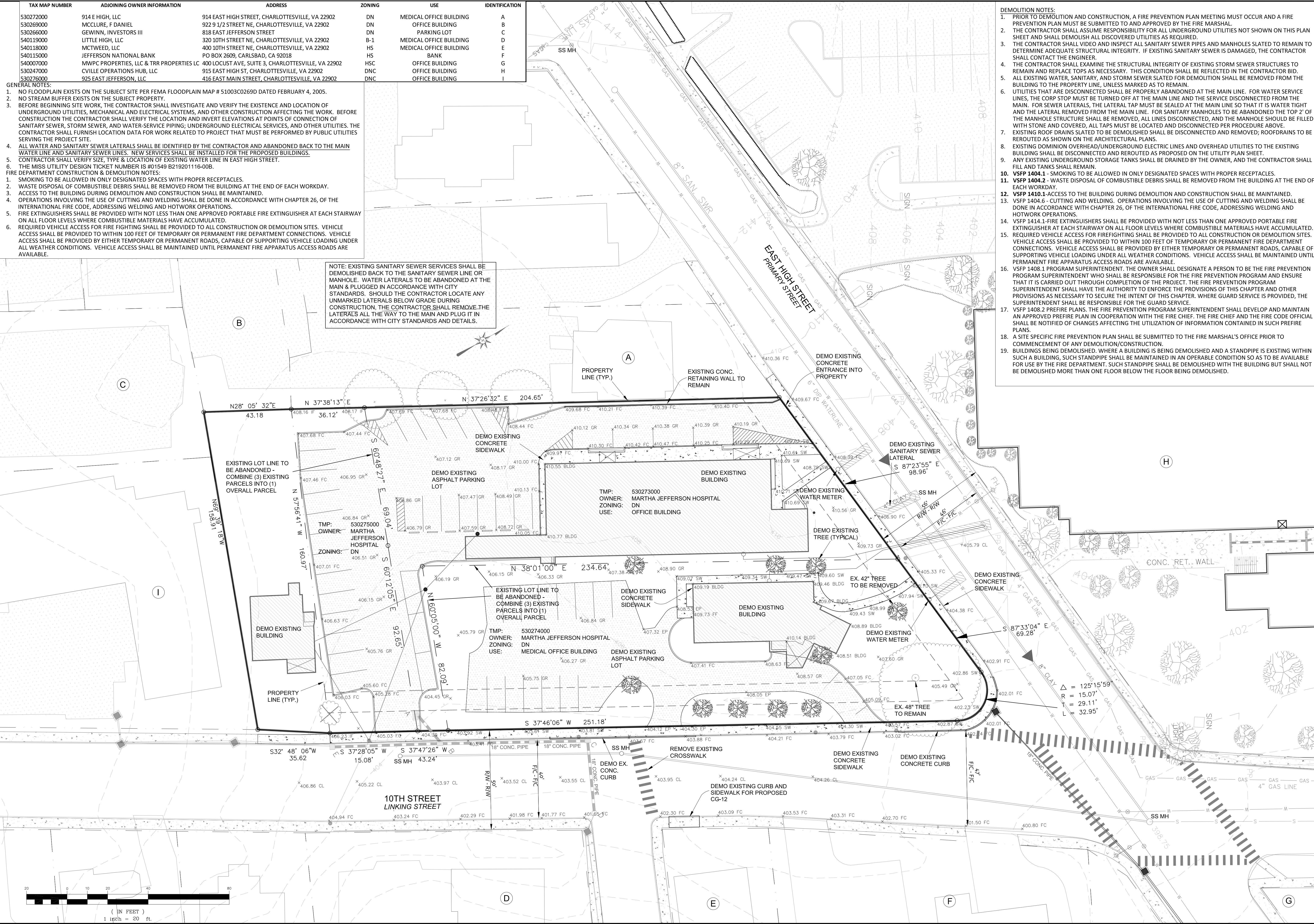
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TAX MAP NUMBER	ADJOINING OWNER INFORMATION	ADDRESS	ZONING	USE	IDENTIFICATION
530272000	914 E HIGH, LLC	914 EAST HIGH STREET, CHARLOTTEVILLE, VA 22902	DN	MEDICAL OFFICE BUILDING	A
530269000	MCCLURE, F DANIEL	922 9 1/2 STREET NE, CHARLOTTEVILLE, VA 22902	DN	OFFICE BUILDING	B
530266000	GEWINN, INVESTORS III	818 EAST JEFFERSON STREET	DN	PARKING LOT	C
540119000	LITTLE HIGH, LLC	320 10TH STREET NE, CHARLOTTEVILLE, VA 22902	B-1	MEDICAL OFFICE BUILDING	D
540118000	MCTWEED, LLC	400 10TH STREET NE, CHARLOTTEVILLE, VA 22902	HS	MEDICAL OFFICE BUILDING	E
540115000	JEFFERSON NATIONAL BANK	PO BOX 2609, CARLSBAD, CA 92018	HS	BANK	F
540007000	MWPC PROPERTIES, LLC & TRR PROPERTIES LC	400 LOCUST AVE, SUITE 3, CHARLOTTEVILLE, VA 22902	HSC	OFFICE BUILDING	G
530247000	CVILLE OPERATIONS HUB, LLC	915 EAST HIGH ST, CHARLOTTEVILLE, VA 22902	DNC	OFFICE BUILDING	H
530276000	925 EAST JEFFERSON, LLC	416 EAST MAIN STREET, CHARLOTTEVILLE, VA 22902	DNC	OFFICE BUILDING	I

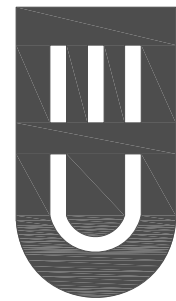
- GENERAL NOTES:**
- NO FLOODPLAIN EXISTS ON THE SUBJECT SITE PER FEMA FLOODPLAIN MAP # 51003C0269D DATED FEBRUARY 4, 2005.
  - NO STREAM BUFFER EXISTS ON THE SUBJECT PROPERTY.
  - BEFORE BEGINNING SITE WORK, THE CONTRACTOR SHALL INVESTIGATE AND VERIFY THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES, MECHANICAL AND ELECTRICAL SYSTEMS, AND OTHER CONSTRUCTION AFFECTING THE WORK. BEFORE CONSTRUCTION THE CONTRACTOR SHALL VERIFY THE LOCATION AND INVERT ELEVATIONS AT POINTS OF CONNECTION OF SANITARY SEWER, STORM SEWER, AND WATER-SERVICE PIPING; UNDERGROUND ELECTRICAL SERVICES, AND OTHER UTILITIES. THE CONTRACTOR SHALL FURNISH LOCATION DATA FOR WORK RELATED TO PROJECT THAT MUST BE PERFORMED BY PUBLIC UTILITIES SERVING THE PROJECT SITE.
  - ALL WATER AND SANITARY SEWER LATERALS SHALL BE IDENTIFIED BY THE CONTRACTOR AND ABANDONED BACK TO THE MAIN WATER LINE AND SANITARY SEWER LINES. NEW SERVICES SHALL BE INSTALLED FOR THE PROPOSED BUILDINGS.
  - CONTRACTOR SHALL VERIFY SIZE, TYPE & LOCATION OF EXISTING WATER LINE IN EAST HIGH STREET.
  - THE MISS UTILITY DESIGN TICKET NUMBER IS #01549 B219201116-00B.
- FIRE DEPARTMENT CONSTRUCTION & DEMOLITION NOTES:**
- SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
  - WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
  - ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
  - OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
  - FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
  - REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.

NOTE: EXISTING SANITARY SEWER SERVICES SHALL BE DEMOLISHED BACK TO THE SANITARY SEWER LINE OR MANHOLE. WATER LATERALS TO BE ABANDONED AT THE MAIN & PLUGGED IN ACCORDANCE WITH CITY STANDARDS. SHOULD THE CONTRACTOR LOCATE ANY UNMARKED LATERALS BELOW GRADE DURING CONSTRUCTION, THE CONTRACTOR SHALL REMOVE THE LATERALS ALL THE WAY TO THE MAIN AND PLUG IT IN ACCORDANCE WITH CITY STANDARDS AND DETAILS.



- DEMOLITION NOTES:**
- PRIOR TO DEMOLITION AND CONSTRUCTION, A FIRE PREVENTION PLAN MEETING MUST OCCUR AND A FIRE PREVENTION PLAN MUST BE SUBMITTED TO AND APPROVED BY THE FIRE MARSHAL.
  - THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ALL UNDERGROUND UTILITIES NOT SHOWN ON THIS PLAN SHEET AND SHALL DEMOLISH ALL DISCOVERED UTILITIES AS REQUIRED.
  - THE CONTRACTOR SHALL VIDEO AND INSPECT ALL SANITARY SEWER PIPES AND MANHOLES SLATED TO REMAIN TO DETERMINE ADEQUATE STRUCTURAL INTEGRITY. IF EXISTING SANITARY SEWER IS DAMAGED, THE CONTRACTOR SHALL CONTACT THE ENGINEER.
  - THE CONTRACTOR SHALL EXAMINE THE STRUCTURAL INTEGRITY OF EXISTING STORM SEWER STRUCTURES TO REMAIN AND REPLACE TOPS AS NECESSARY. THIS CONDITION SHALL BE REFLECTED IN THE CONTRACTOR BID.
  - ALL EXISTING WATER, SANITARY, AND STORM SEWER SLATED FOR DEMOLITION SHALL BE REMOVED FROM THE BUILDING TO THE PROPERTY LINE, UNLESS MARKED AS TO REMAIN.
  - UTILITIES THAT ARE DISCONNECTED SHALL BE PROPERLY ABANDONED AT THE MAIN LINE. FOR WATER SERVICE LINES, THE CORP STOP MUST BE TURNED OFF AT THE MAIN LINE AND THE SERVICE DISCONNECTED FROM THE MAIN. FOR SEWER LATERALS, THE LATERAL TAP MUST BE SEALED AT THE MAIN LINE SO THAT IT IS WATER TIGHT AND THE LATERAL REMOVED FROM THE MAIN LINE. FOR SANITARY MANHOLES TO BE ABANDONED THE TOP 2' OF THE MANHOLE STRUCTURE SHALL BE REMOVED, ALL LINES DISCONNECTED, AND THE MANHOLE SHOULD BE FILLED WITH STONE AND COVERED, ALL TAPS MUST BE LOCATED AND DISCONNECTED PER PROCEDURE ABOVE.
  - EXISTING ROOF DRAINS SLATED TO BE DEMOLISHED SHALL BE DISCONNECTED AND REMOVED; ROOFDRAINS TO BE REROUTED AS SHOWN ON THE ARCHITECTURAL PLANS.
  - EXISTING DOMINION OVERHEAD/UNDERGROUND ELECTRIC LINES AND OVERHEAD UTILITIES TO THE EXISTING BUILDING SHALL BE DISCONNECTED AND REROUTED AS PROPOSED ON THE UTILITY PLAN SHEET.
  - ANY EXISTING UNDERGROUND STORAGE TANKS SHALL BE DRAINED BY THE OWNER, AND THE CONTRACTOR SHALL FILL AND TANKS SHALL REMAIN.
  - VSFP 1404.1 - SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
  - VSFP 1404.2 - WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
  - VSFP 1410.1 - ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
  - VSFP 1404.6 - CUTTING AND WELDING. OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
  - VSFP 1414.1 - FIRE EXTINGUISHERS SHALL BE PROVIDED WITH NOT LESS THAN ONE APPROVED PORTABLE FIRE EXTINGUISHER AT EACH STAIRWAY ON ALL FLOOR LEVELS WHERE COMBUSTIBLE MATERIALS HAVE ACCUMULATED.
  - REQUIRED VEHICLE ACCESS FOR FIRE FIGHTING SHALL BE PROVIDED TO ALL CONSTRUCTION OR DEMOLITION SITES. VEHICLE ACCESS SHALL BE PROVIDED TO WITHIN 100 FEET OF TEMPORARY OR PERMANENT FIRE DEPARTMENT CONNECTIONS. VEHICLE ACCESS SHALL BE PROVIDED BY EITHER TEMPORARY OR PERMANENT ROADS, CAPABLE OF SUPPORTING VEHICLE LOADING UNDER ALL WEATHER CONDITIONS. VEHICLE ACCESS SHALL BE MAINTAINED UNTIL PERMANENT FIRE APPARATUS ACCESS ROADS ARE AVAILABLE.
  - VSFP 1408.1 PROGRAM SUPERINTENDENT. THE OWNER SHALL DESIGNATE A PERSON TO BE THE FIRE PREVENTION PROGRAM SUPERINTENDENT WHO SHALL BE RESPONSIBLE FOR THE FIRE PREVENTION PROGRAM AND ENSURE THAT IT IS CARRIED OUT THROUGH COMPLETION OF THE PROJECT. THE FIRE PREVENTION PROGRAM SUPERINTENDENT SHALL HAVE THE AUTHORITY TO ENFORCE THE PROVISIONS OF THIS CHAPTER AND OTHER PROVISIONS AS NECESSARY TO SECURE THE INTENT OF THIS CHAPTER. WHERE GUARD SERVICE IS PROVIDED, THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR THE GUARD SERVICE.
  - VSFP 1408.2 PREFIRE PLANS. THE FIRE PREVENTION PROGRAM SUPERINTENDENT SHALL DEVELOP AND MAINTAIN AN APPROVED PREFIRE PLAN IN COOPERATION WITH THE FIRE CHIEF. THE FIRE CHIEF AND THE FIRE CODE OFFICIAL SHALL BE NOTIFIED OF CHANGES AFFECTING THE UTILIZATION OF INFORMATION CONTAINED IN SUCH PREFIRE PLANS.
  - A SITE SPECIFIC FIRE PREVENTION PLAN SHALL BE SUBMITTED TO THE FIRE MARSHAL'S OFFICE PRIOR TO COMMENCEMENT OF ANY DEMOLITION/CONSTRUCTION.
  - BUILDINGS BEING DEMOLISHED. WHERE A BUILDING IS BEING DEMOLISHED AND A STANDPIPE IS EXISTING WITHIN SUCH A BUILDING, SUCH STANDPIPE SHALL BE MAINTAINED IN AN OPERABLE CONDITION SO AS TO BE AVAILABLE FOR USE BY THE FIRE DEPARTMENT. SUCH STANDPIPE SHALL BE DEMOLISHED WITH THE BUILDING BUT SHALL NOT BE DEMOLISHED MORE THAN ONE FLOOR BELOW THE FLOOR BEING DEMOLISHED.

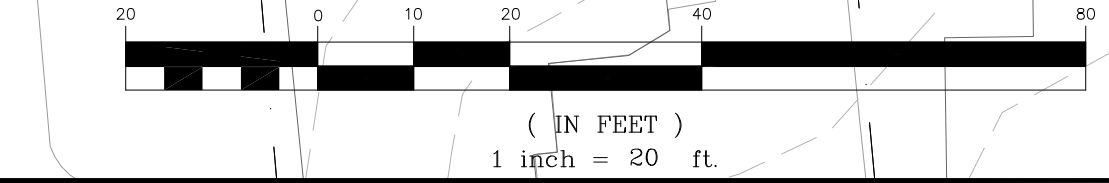
REVISIONS	
DATE	REVISION DESCRIPTION
4/24/17	INITIAL SUBMITTAL
10/11/17	REVISIONS TO THE PRELIMINARY PLAN BASED ON SEPT. 12 COMMENTS
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**10th & HIGH STREET - PRELIMINARY SITE PLAN**  
**EXISTING CONDITIONS AND DEMOLITION PLAN**

PROJECT SHEET  
JOB NO. 162125  
SCALE 1" = 20'  
SHEET NO. 2



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PRELIMINARY PLANT SCHEDULE						
SYM	BOTANICAL	COMMON NAME	SIZE	CANOPY (sf)	QUANTITY	CANOPY COVERAGE (sf)
<b>TREES</b>						
PY	PRUNUS YEDOENSIS	YOSHINO CHERRY	6'-7' HT.	99	10	990
UP	ULMUS PARVIFOLIA 'ALLEE'	ALLEE ELM	2" cal	366	6	2,196
CM	LAGERSTROEMIA INDICA	CREPE MYRTLE	2 gal		24	N/A
<b>SHRUBS</b>						
IG	ILEX GLABRA	INKBERRY HOLLY	18 ht. min	23	20	460
IH	ITEA VIRGINICA 'HENRY'S GARNET'	SWEETSPICE	18 ht. min	26	45	1,170
<b>EXISTING TREES</b>						
1	EXISTING LARGE STREET TREES		15"-24"	450	1	450
<b>TOTAL CANOPY</b>						5,266
<b>REQUIRED SITE COVERAGE: 10% x 52,320sf = 5,232 sf (5,266 sf PROVIDED)</b>						

**SITE NOTES:**

- ALL SIDEWALKS AND WALKWAYS SHALL HAVE A MINIMUM CLEAR WIDTH OF 5'.
- ALL WALKWAY CROSSINGS SHALL MEET MINIMUM ADA ACCESSIBILITY STANDARDS.
- CONTRACTOR SHALL OBTAIN A TEMPORARY STREET CLOSURE PERMIT FOR CLOSURE OF SIDEWALKS, PARKING SPACES & ROADWAYS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER PRIOR TO CONSTRUCTION IN THESE EXISTING AREAS.
- ALL SIGNING & PAVEMENT MARKINGS SHALL BE INSTALLED CONSISTENT WITH MUTCD STANDARDS.
- RAMPS OVER 30" IN ELEVATION CHANGE REQUIRE HANDRAILS.

**LANDSCAPING NOTES:**

- ALL DUMPSTERS SHALL BE SCREENED WITH AN ENCLOSURE AT A MINIMUM HEIGHT OF ONE (1) FOOT ABOVE THE HEIGHT OF THE DUMPSTER AND WITH A MINIMUM INSIDE CLEARANCE AT THE OPENING OF TWELVE (12) FEET.
- ALL PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF EIGHTEEN (18) INCHES WHEN PLANTED. PLANTINGS SHALL BE EVENLY SPACED IN A ROW, AT INTERVALS SUFFICIENT TO ALLOW FOR THEIR HEALTHY GROWTH AND DEVELOPMENT.
- TOTAL 10TH STREET AND EAST HIGH STREET ROAD FRONTAGE = 530'.  
TOTAL STREET TREES REQUIRED: 14  
STREET TREES PROVIDED: (14) PROPOSED STREET TREES
- NOTE: NO TREES TO BE MAINTAINED BY THE CITY OF CHARLOTTESVILLE
- LARGE STREET TREES SHALL BE PLANTED WITHIN A PLANTING STRIP WITH A MINIMUM OF 8' WIDE AND SOIL VOLUME OF 900 CF PER TREE, WITH A SPACING OF 30' MIN.
- FIRE HYDRANTS, FIRE PUMP TEST HEADERS, FIRE DEPARTMENT CONNECTIONS AND FIRE SUPPRESSION SYSTEM CONTROL VALVES SHALL REMAIN CLEAR & UNOBSTRUCTED BY LANDSCAPING, PARKING AND OTHER OBJECTS. LANDSCAPING IN THESE VICINITIES SHALL NOT ENCRoACH WITHIN A FIVE (5) FOOT RADIUS ON MATURITY.

**BUILDING NOTES:**

CONTRACTOR TO USE EXTREME CARE AND CAUTION AS NOT TO DAMAGE ANY TREES SCHEDULED TO REMAIN OUTSIDE LIMITS OF CONSTRUCTION. PROPERTY LINE SERVES AS LIMITS OF CONSTRUCTION.

NO CONSTRUCTION EQUIPMENT OR STORAGE SHALL OCCUR WITHIN DRIPLENE OF EXISTING TREES. PRIOR TO MOBILIZATION CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT (LA) TO DISCUSS TREE PROTECTION EFFORTS. ALL TREE PROTECTION MEASURES SHALL BE APPROVED BY LA AND/OR TREE ARBORIST BEFORE ANY CONSTRUCTION ACTIVITIES SHALL TAKE PLACE ON-SITE. CONTRACTOR TO MONITOR TREES FOR STRESS AND/OR DAMAGE AND ADVISE LA AND TREE ARBORIST IF ANY OCCUR.

CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT AND/OR TREE ARBORIST 48-HOURS IN ADVANCE OF ANY CONSTRUCTION ACTIVITY NEEDED WITHIN ANY TREE PROTECTION MEASURE. ALL TREE PROTECTION MEASURES SHALL BE REPLACED IN ORIGINAL LOCATION ONCE WORK HAS BEEN COMPLETED. NO WORK SHALL BE DONE WITHIN DRIPLENE OF EXISTING TREES UNLESS APPROVED BY TREE ARBORIST OR LANDSCAPE ARCHITECT PRIOR TO WORK.

ALL WORK TO BE PERFORMED BY THE CONTRACTOR WITHIN THE DRIPLENE OF ANY EXISTING TREE OR TREE PROTECTION AREA SHALL BE DONE IN A MANNER SENSITIVE TO ENSURING NO DAMAGE WILL BE DONE TO THE EXISTING TREES. THE PREFERRED METHOD FOR GRADING SMALL AREAS WITHIN THE DRIPLENE SHALL BE DONE BY HAND. LARGER AREAS TO BE GRADED MAY BE DONE WITH A SMALL BOBCAT/TRACT-HOE. CONTRACTOR TO DISCUSS METHODS OF GRADING WORK WITH LANDSCAPE ARCHITECT AND TREE ARBORIST PRIOR TO COMMENCING ANY SUCH WORK WITHIN DESIGNATED TREE PROTECTION AREAS OR WITHIN EXISTING DRIPLENES.

ALL PLANTS HAVING A QUANTITY GREATER THAN ONE(1) SHALL BE MATCHED AND SUPPLIED FROM THE SAME SOURCE (PER SPECIES).

CONTACT LANDSCAPE ARCHITECT AT THE TIME OF PLANT MATERIAL DELIVERY. BEFORE ANY SUBSTITUTIONS OR CHANGES, IF SCHEDULED TYPES ARE UNAVAILABLE, AND FOLLOWING INSTALLATION, ALL PLANT SUBSTITUTIONS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PLACEMENT OF ORDERS.

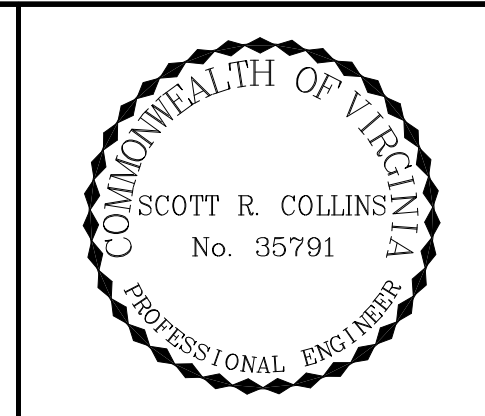
LANDSCAPE ARCHITECT SHALL INSPECT AND APPROVE ALL PLANT MATERIAL AT TIME OF DELIVERY AS WELL AS AFTER INITIAL PLACEMENT PRIOR TO PLANTING. CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT 48-HOURS PRIOR TO DELIVERY.

PLANT LOCATIONS TO BE REEVALUATED AND REVISED, IF NECESSARY, AFTER FINISHED GRADING.

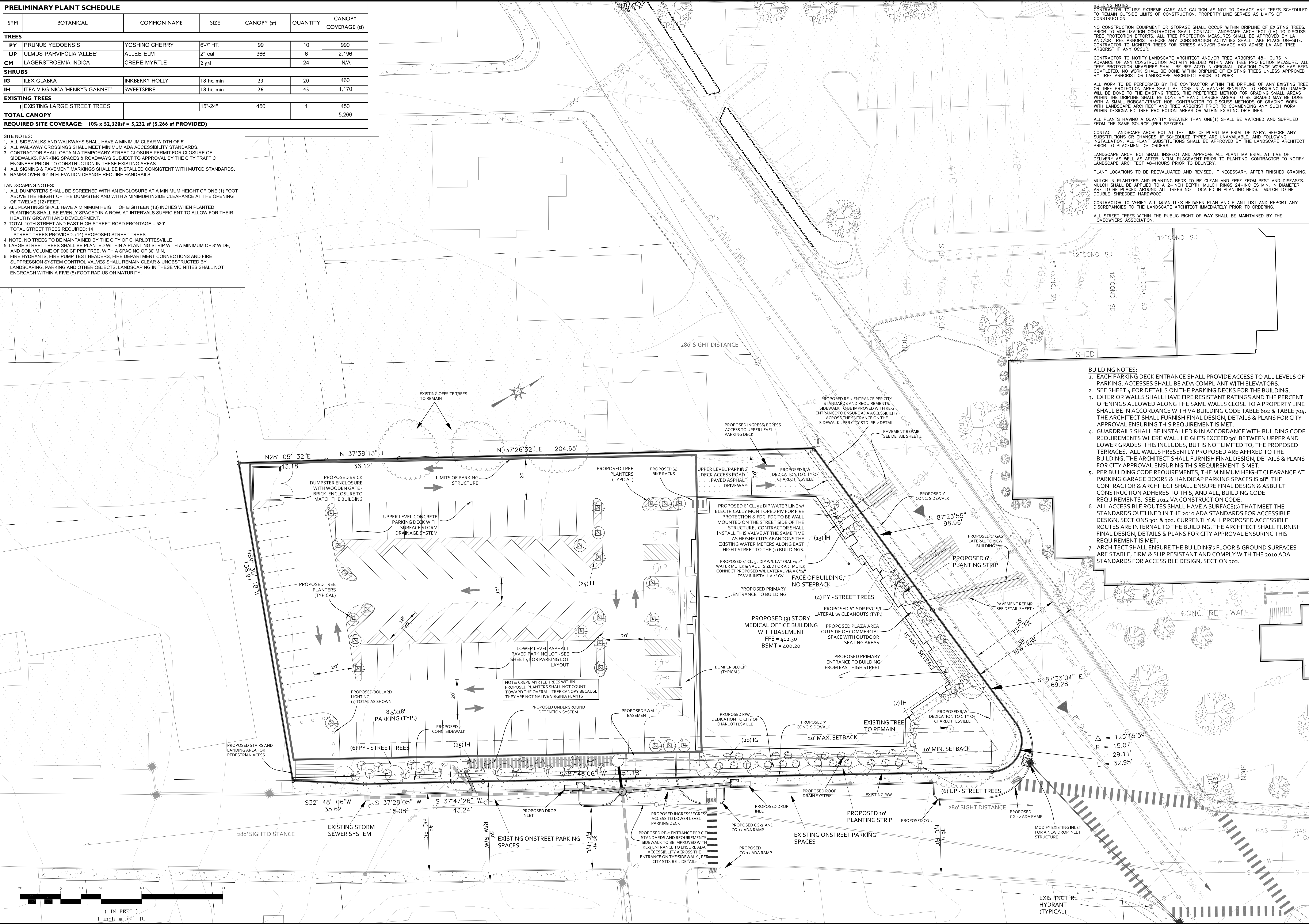
MULCH IN PLANTERS AND PLANTING BEDS TO BE CLEAN AND FREE FROM PEST AND DISEASES. MULCH SHALL BE APPLIED TO A 2-INCH DEPTH. MULCH RINGS 24-INCHES MIN. IN DIAMETER ARE TO BE PLACED AROUND ALL TREES NOT LOCATED IN PLANTING BEDS. MULCH TO BE DOUBLE-SHREDDED HARDWOOD.

CONTRACTOR TO VERIFY ALL QUANTITIES BETWEEN PLAN AND PLANT LIST AND REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT IMMEDIATELY PRIOR TO ORDERING.

ALL STREET TREES WITHIN THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.



REVISIONS	
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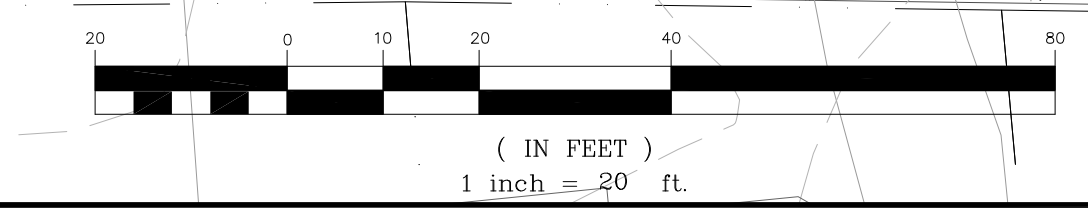
**BUILDING NOTES:**

- EACH PARKING DECK ENTRANCE SHALL PROVIDE ACCESS TO ALL LEVELS OF PARKING. ACCESSES SHALL BE ADA COMPLIANT WITH ELEVATORS.
- SEE SHEET 4 FOR DETAILS ON THE PARKING DECKS FOR THE BUILDING.
- EXTERIOR WALLS SHALL HAVE FIRE RESISTANT RATINGS AND THE PERCENT OPENINGS ALLOWED ALONG THE SAME WALLS CLOSE TO A PROPERTY LINE SHALL BE IN ACCORDANCE WITH VA BUILDING CODE TABLE 602 & TABLE 704. THE ARCHITECT SHALL FURNISH FINAL DESIGN, DETAILS & PLANS FOR CITY APPROVAL ENSURING THIS REQUIREMENT IS MET.
- GUARDRAILS SHALL BE INSTALLED & IN ACCORDANCE WITH BUILDING CODE REQUIREMENTS WHERE WALL HEIGHTS EXCEED 30" BETWEEN UPPER AND LOWER GRADES. THIS INCLUDES, BUT IS NOT LIMITED TO, THE PROPOSED TERRACES. ALL WALLS PRESENTLY PROPOSED ARE AFFIXED TO THE BUILDING. THE ARCHITECT SHALL FURNISH FINAL DESIGN, DETAILS & PLANS FOR CITY APPROVAL ENSURING THIS REQUIREMENT IS MET.
- PER BUILDING CODE REQUIREMENTS, THE MINIMUM HEIGHT CLEARANCE AT PARKING GARAGE DOORS & HANDICAP PARKING SPACES IS 98". THE CONTRACTOR & ARCHITECT SHALL ENSURE FINAL DESIGN & ASBUILT CONSTRUCTION ADHERES TO THIS, AND ALL BUILDING CODE REQUIREMENTS. SEE 2012 VA CONSTRUCTION CODE.
- ALL ACCESSIBLE ROUTES SHALL HAVE A SURFACE(S) THAT MEET THE STANDARDS OUTLINED IN THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN, SECTIONS 302 & 302. CURRENTLY ALL PROPOSED ACCESSIBLE ROUTES ARE INTERNAL TO THE BUILDING. THE ARCHITECT SHALL FURNISH FINAL DESIGN, DETAILS & PLANS FOR CITY APPROVAL ENSURING THIS REQUIREMENT IS MET.
- ARCHITECT SHALL ENSURE THE BUILDING'S FLOOR & GROUND SURFACES ARE STABLE, FIRM & SLIP RESISTANT AND COMPLY WITH THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN, SECTION 302.

**COLLINS ENGINEERING**  
 200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434-293.3719

**10th & HIGH STREET - PRELIMINARY SITE PLAN**  
 SITE, UTILITY AND LANDSCAPING PLAN

PROJECT SHEET  
 JOB NO. 162125  
 SCALE 1" = 20'  
 SHEET NO. 3

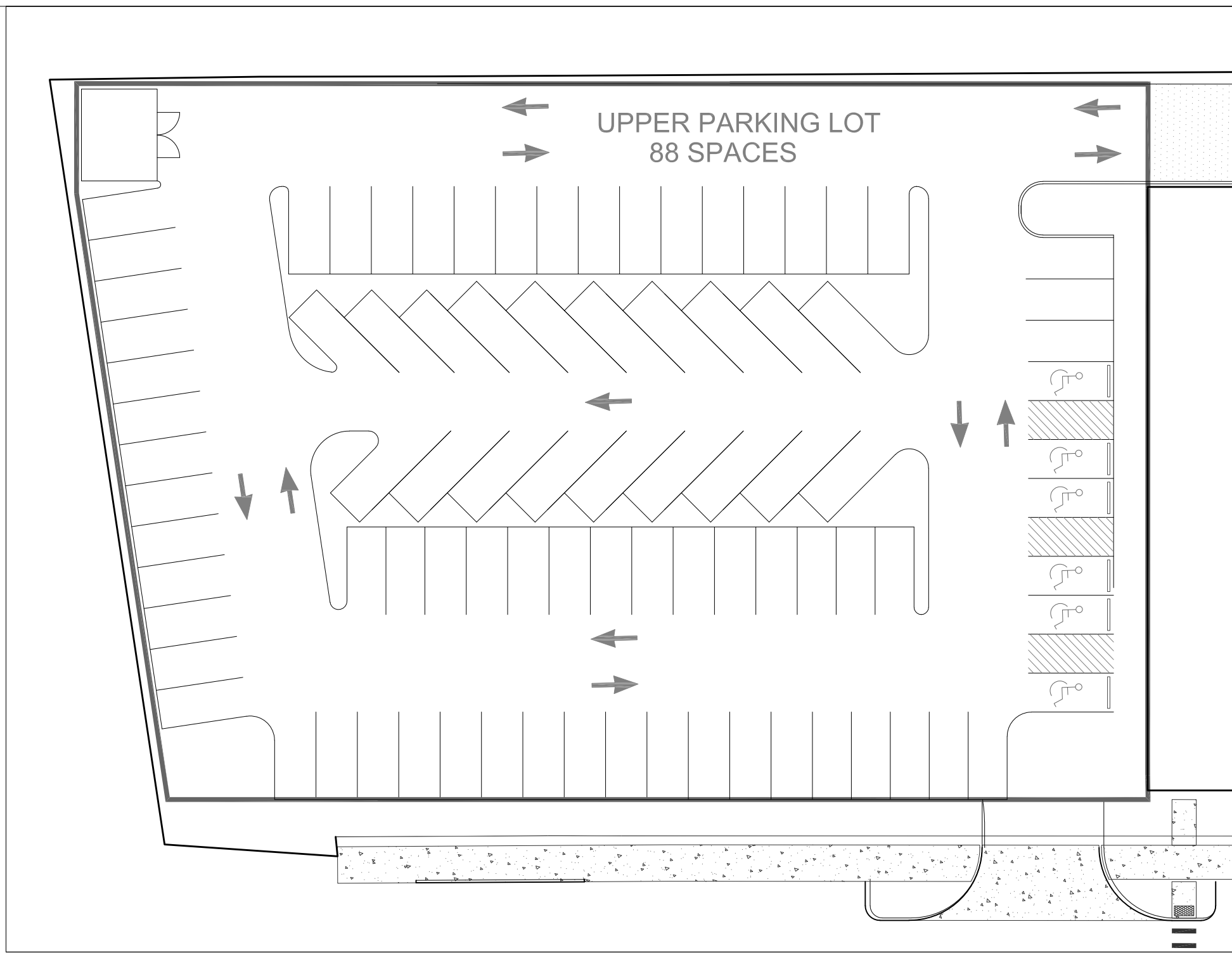


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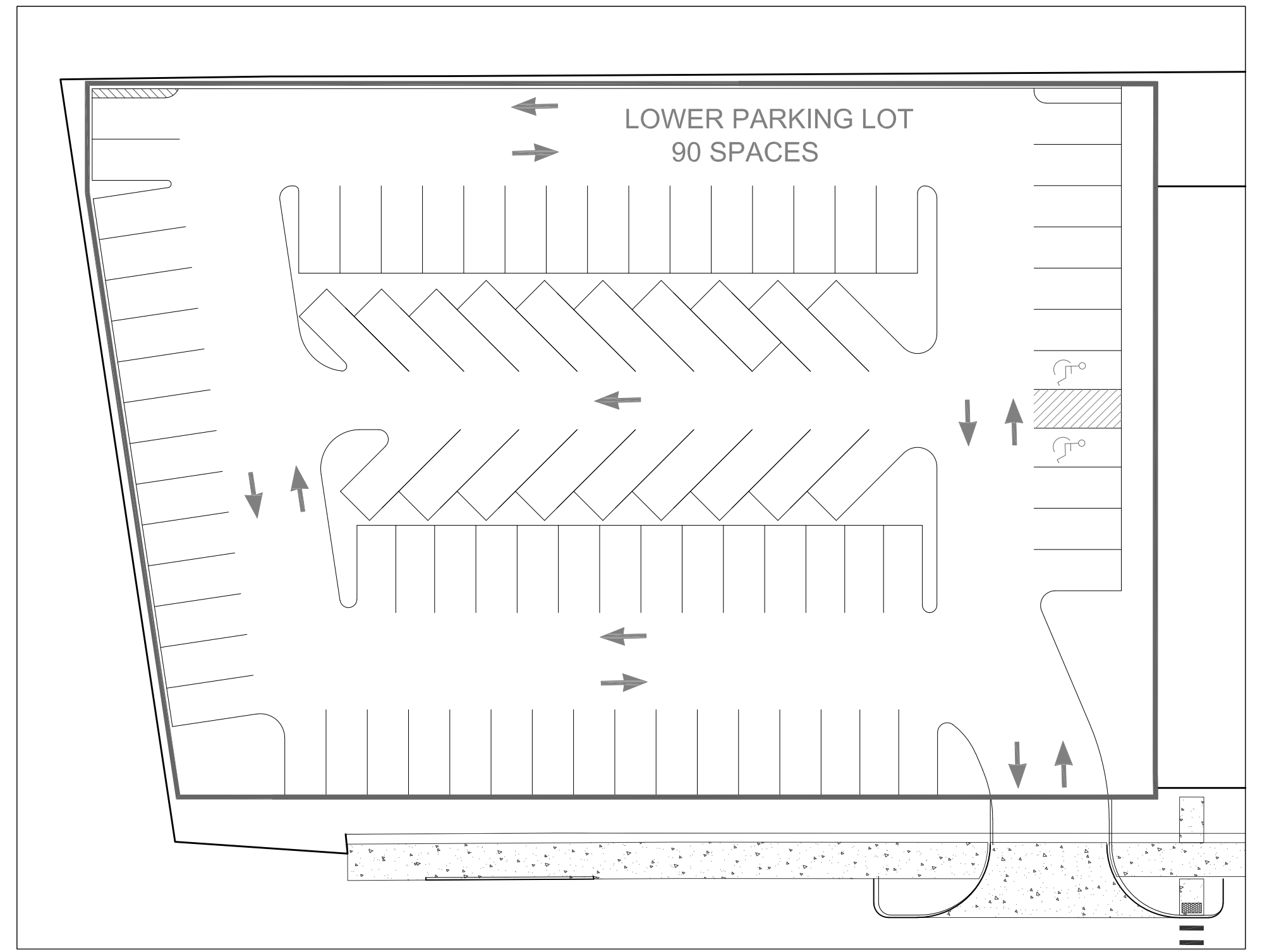
GENERAL NOTES:

- UTILITIES
1. ANY DAMAGE TO EXISTING UTILITIES CAUSED BY CONTRACTOR OR ITS SUBCONTRACTORS SHALL BE CONTRACTOR'S SOLE RESPONSIBILITY AND REPAIRED AT CONTRACTOR'S EXPENSE.
2. THE CONTRACT DOCUMENTS DO NOT GUARANTEE THE EXISTENCE, NON-EXISTENCE OR LOCATION OF UTILITIES. CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF THE NON-EXISTENCE OF UTILITIES. AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION OR CONSTRUCTION, CONTRACTOR SHALL TIMELY ARRANGE TO HAVE THE VARIOUS UTILITIES LOCATED, AND TO HAVE THEM REMOVED OR RELOCATED, OR TO DETERMINE THE METHOD OF PROTECTION ACCEPTABLE TO THE RESPECTIVE OWNER, IF THE METHOD OF PROTECTION IS NOT OTHERWISE SPECIFIED.

- CONCRETE AND ASPHALT
9. ALL FORMS SHALL BE INSPECTED BY THE ENGINEER BEFORE ANY CONCRETE IS PLACED. THE ENGINEER MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO REMOVE AND REPLACE CONCRETE PLACED PRIOR TO OR WITHOUT SUCH INSPECTION.
10. ALL MATERIAL INSIDE FORMS SHALL BE CLEAN AND FREE OF ALL ROCKS AND OTHER LOOSE DEBRIS. SUB-BASE MATERIAL SHALL BE COMPACTED BY MECHANICAL MEANS.
11. CONCRETE SHALL NOT BE PLACED UNLESS THE AIR TEMPERATURE IS AT LEAST 40 DEGREES FAHRENHEIT (F) IN THE SHADE AND RISING.



UPPER LEVEL PARKING PLAN



LOWER LEVEL PARKING PLAN

REQUIREMENTS FOR THE INSTALLATION OF GAS MAINS, SERVICES, AND METERS GAS UNIT:

- GAS MAINS
GAS MAINS WILL BE INSTALLED WHEN THE FOLLOWING CONDITIONS ARE MET IN THE CONSTRUCTION AREA:
1. GRADE IS WITHIN 6 INCHES OF FINAL GRADE OR BASE GRADE IN ROADWAYS.
2. CURB AND GUTTER MUST BE INSTALLED IF GAS MAIN IS GOING TO BE INSTALLED IN OR NEAR THE ROADWAY.
3. ALL SANITARY SEWERS, DRAINS, AND STORM SEWERS MUST BE INSTALLED.
4. A MINIMUM BELOW GROUND PARALLEL SEPARATION IS REQUIRED OF 5 FEET FROM POWER, TELEPHONE, AND CABLE TV AND 10 FEET FROM SANITARY SEWER. GAS STUDS WILL BE INSTALLED FOR ALL ROAD CROSSINGS IF THE DEVELOPER HAS COMMITTED TO ALL GAS HOMES. OTHERWISE, THE DEVELOPER MAY INSTALL CONDUIT, AT THE DEVELOPER'S EXPENSE, FOR FUTURE ROAD CROSSINGS IN ORDER TO ELIMINATE DISTURBING ASPHALT WHEN SERVICES ARE INSTALLED. THE DEVELOPER SHALL FURNISH AS-BUILT DRAWINGS OF THE CONDUIT PLACEMENT OR PERMANENTLY MARK CONDUIT LOCATIONS. CONDUIT WILL BE FURNISHED BY THE GAS UNIT.

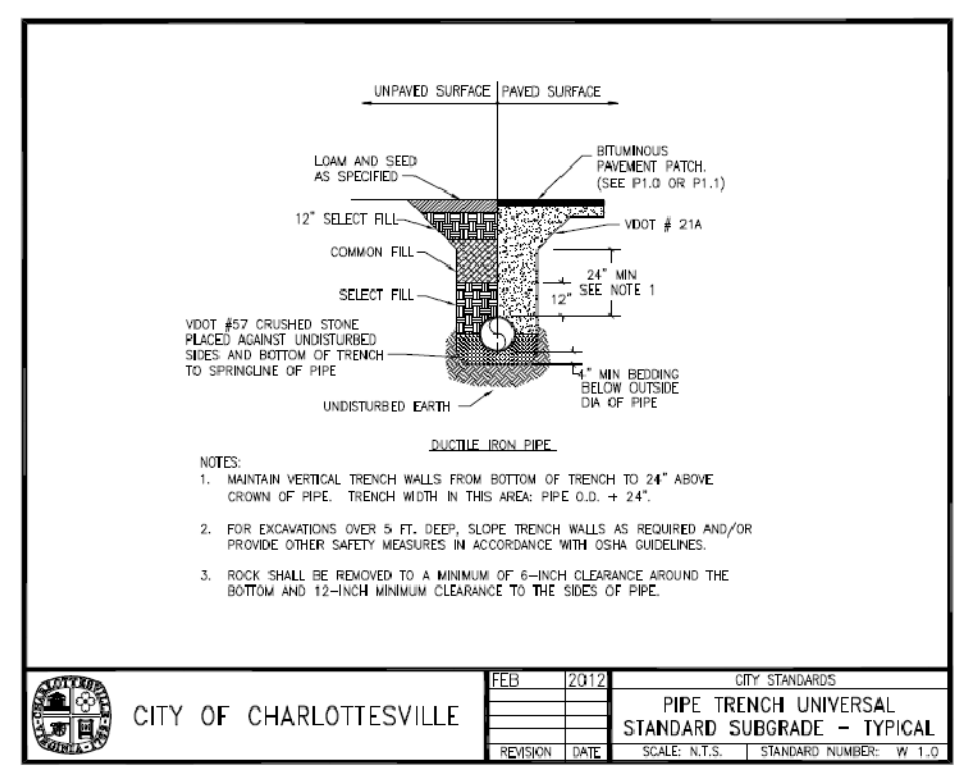
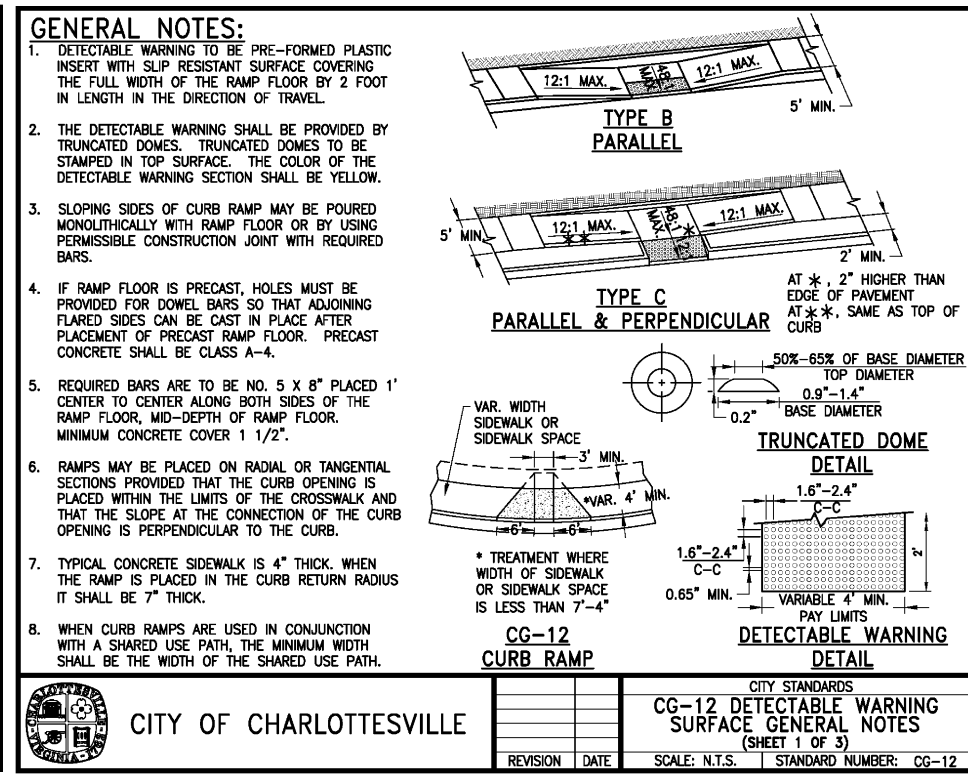
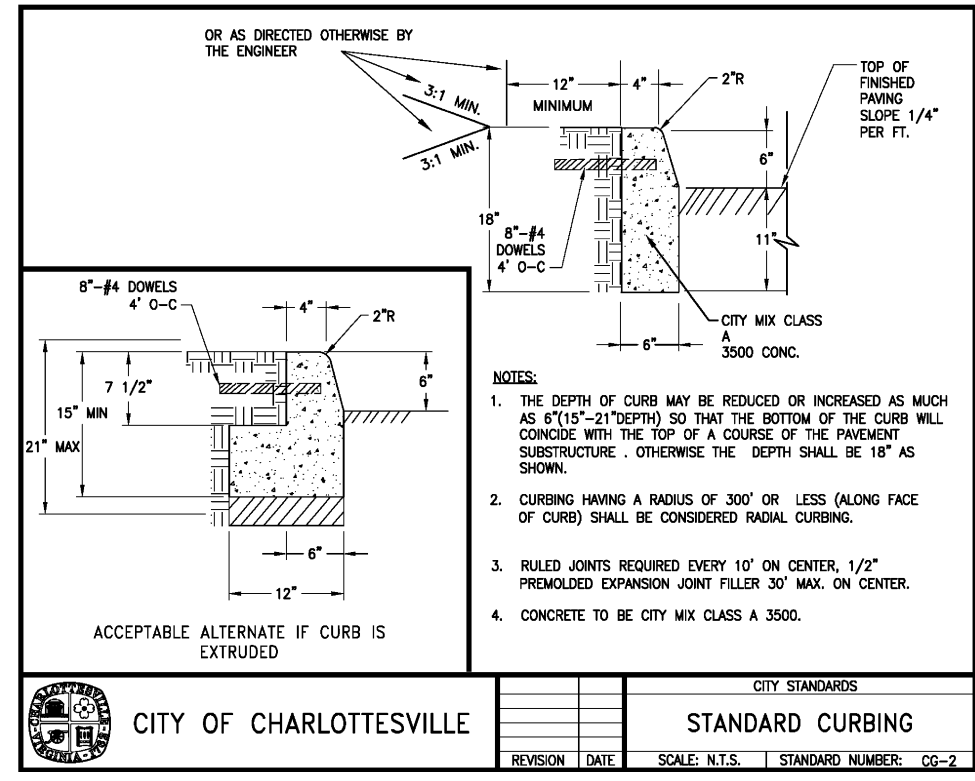
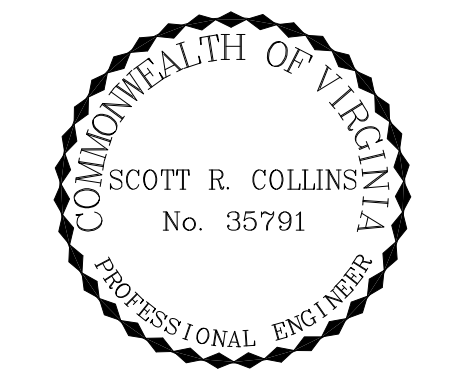
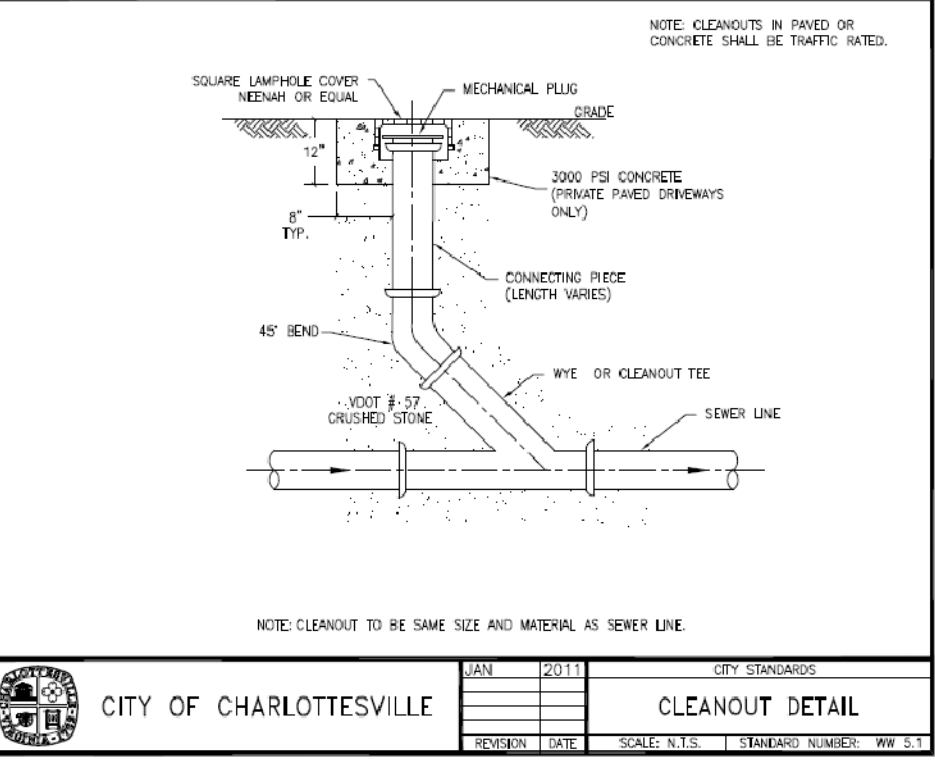
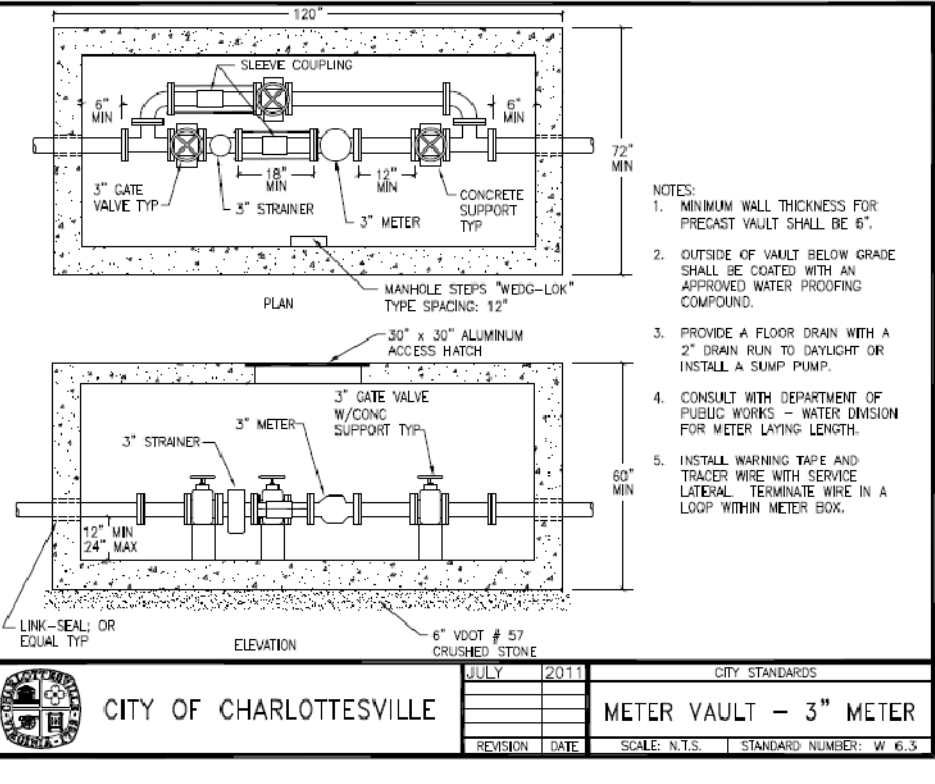
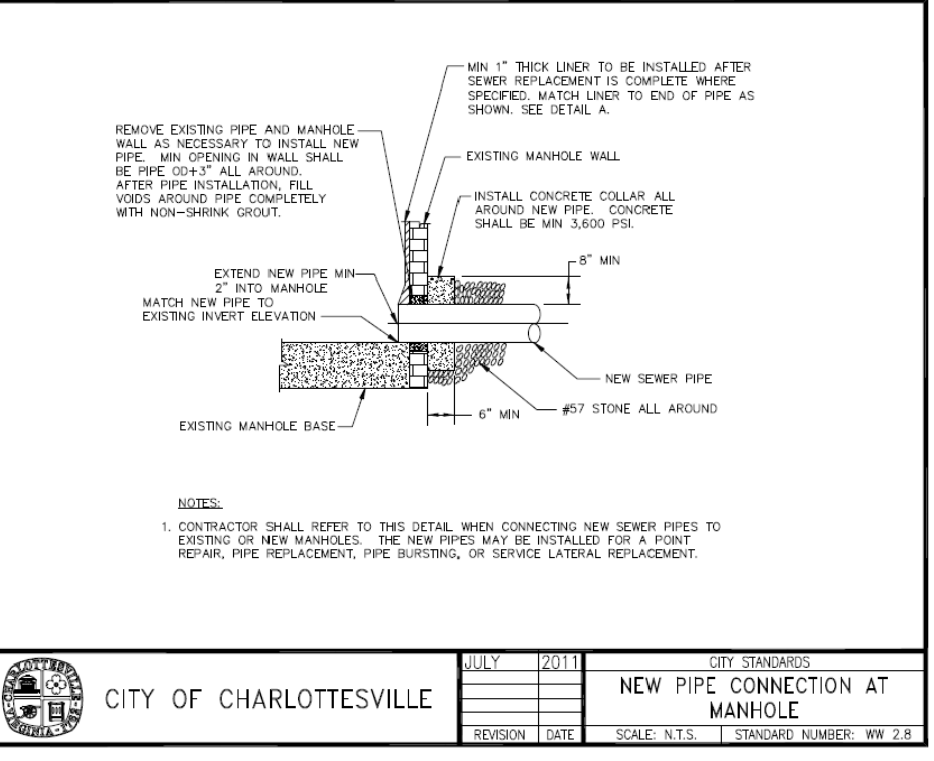
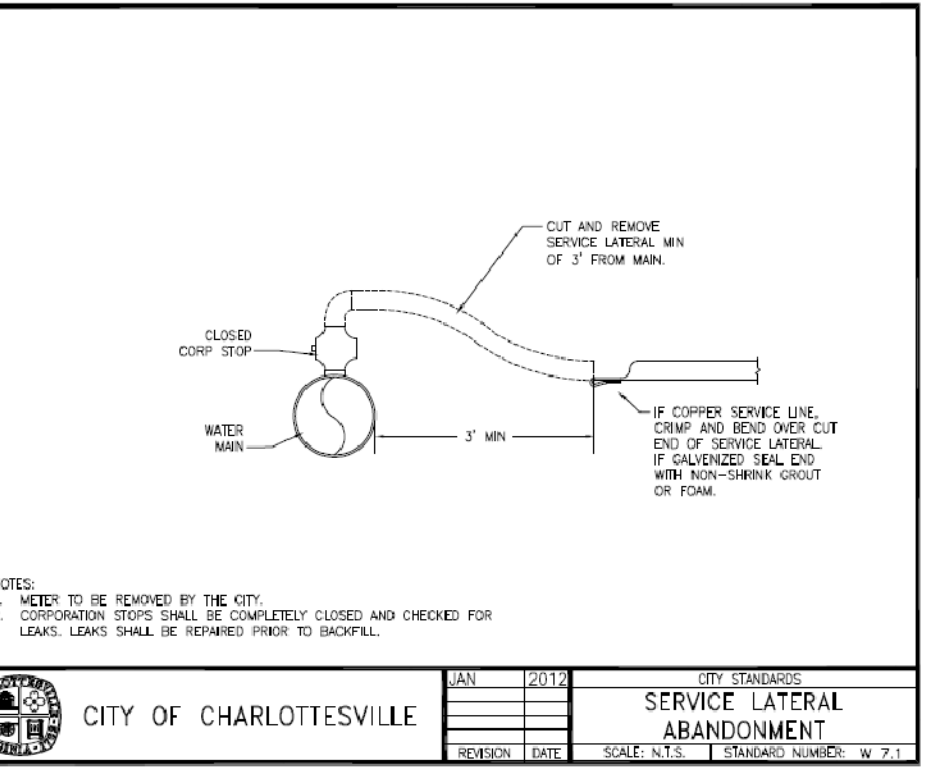
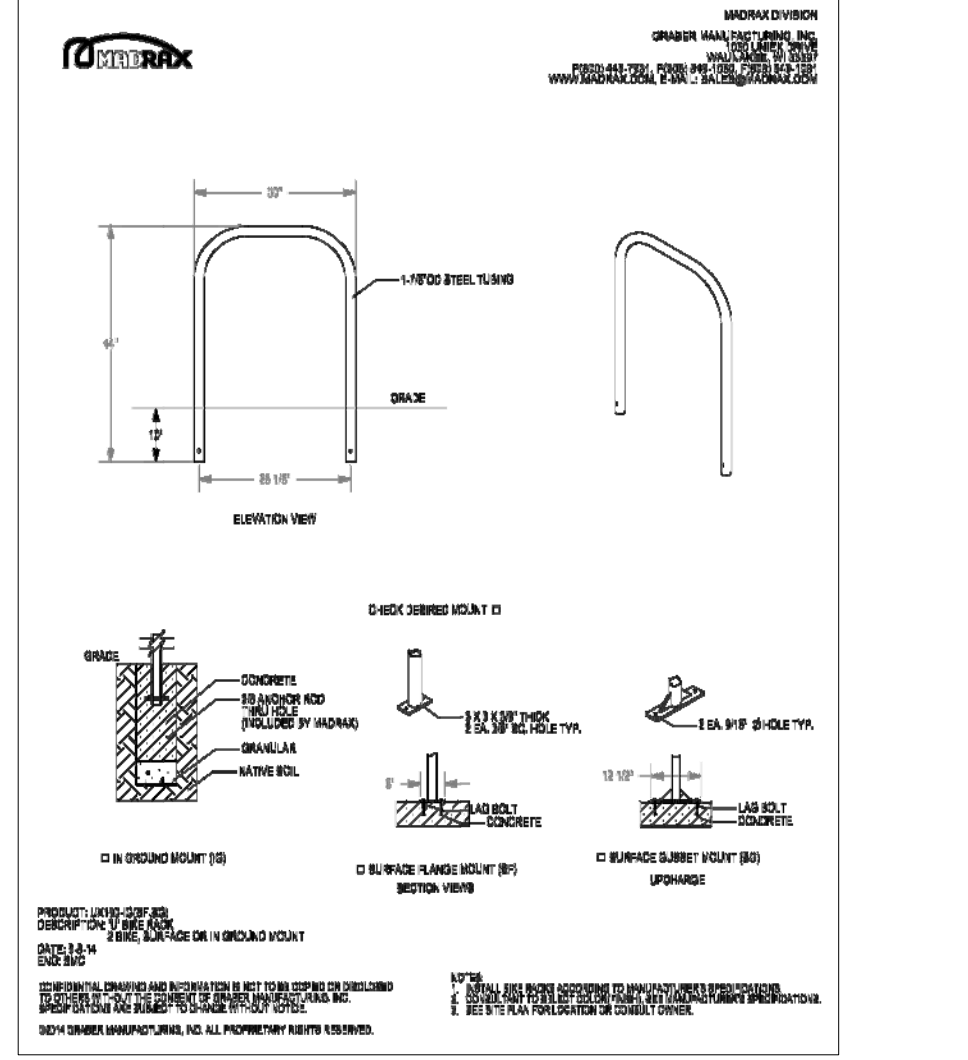
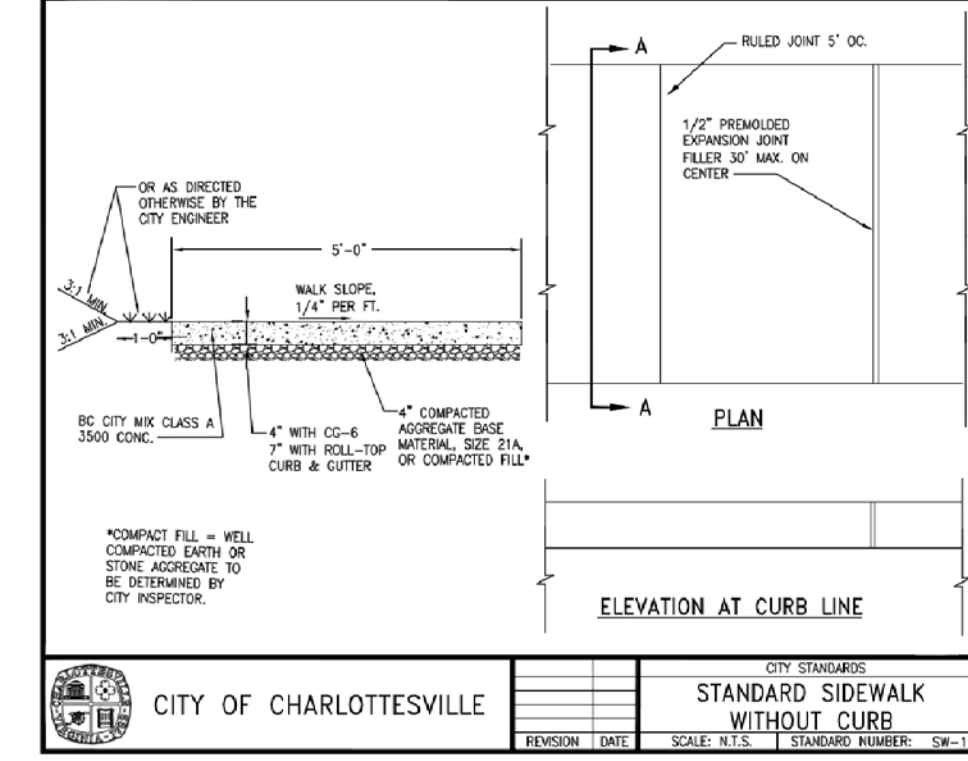
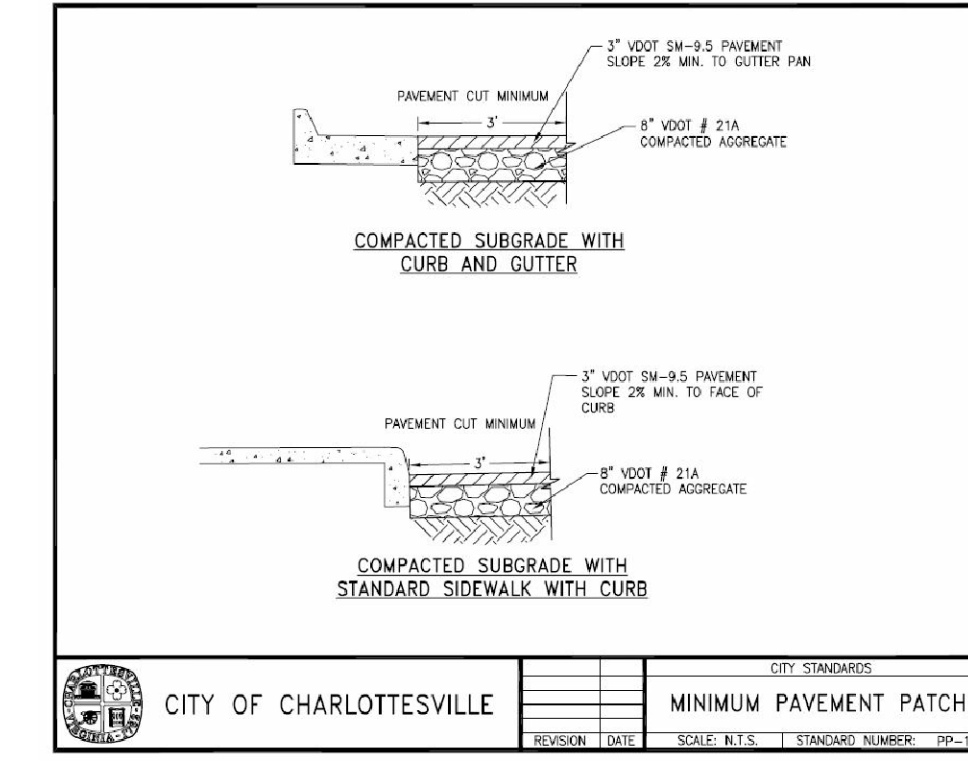
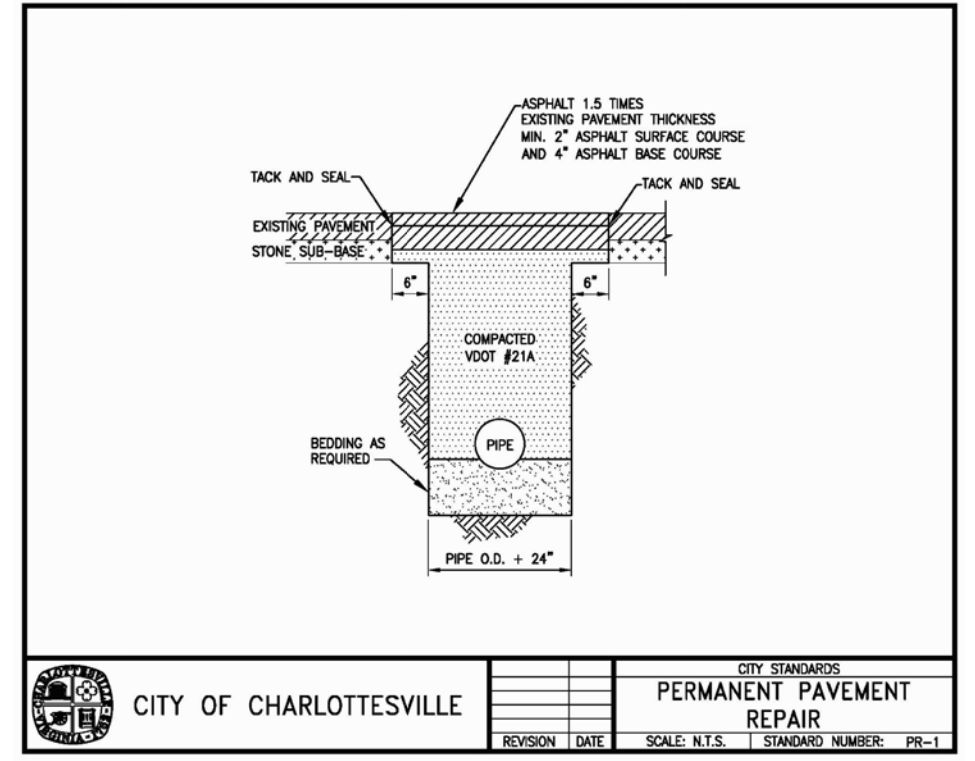
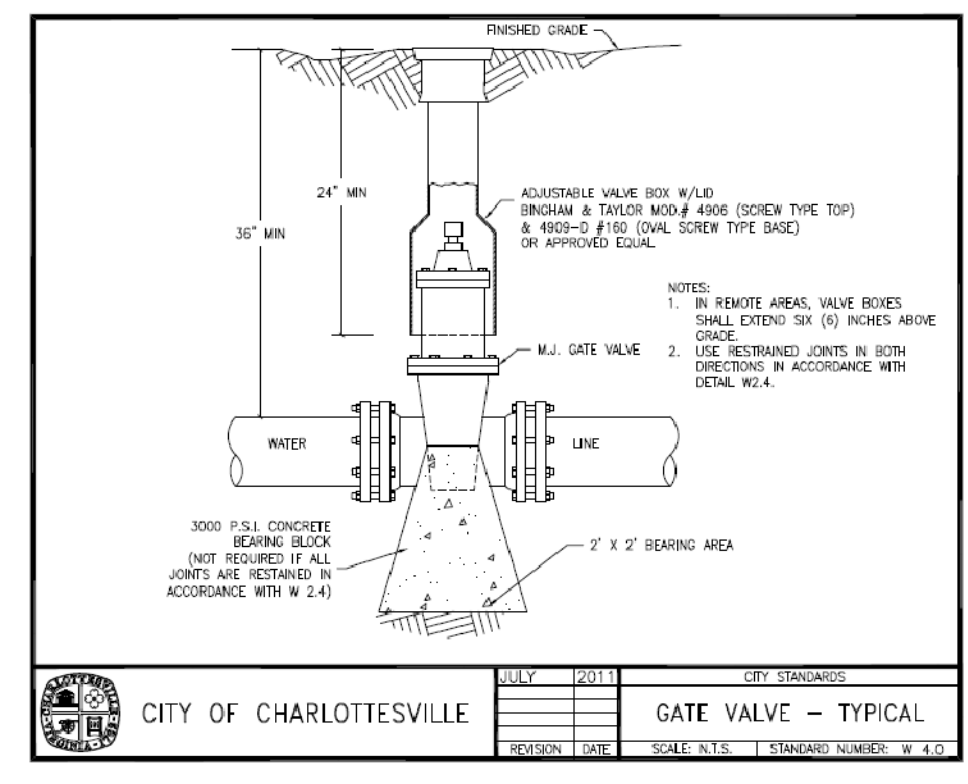
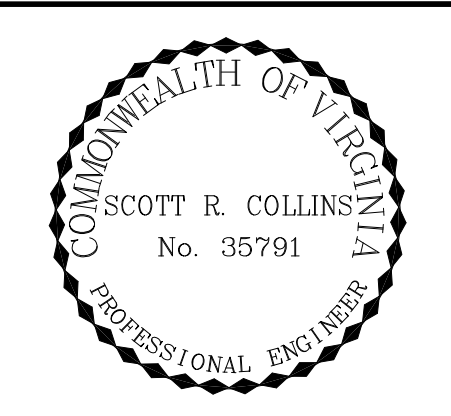


Table with columns for Conditions, Depth of Pipe, and Safety Factor. It lists various pipe materials and sizes with their corresponding safety factors.



REVISIONS table with columns for DATE, REVISION DESCRIPTION, and INITIALS. It lists revisions to the preliminary site plan.



### REVISIONS

DATE	REVISION DESCRIPTION
4/24/17	INITIAL SUBMITTAL
10/11/17	REVISIONS TO THE PRELIMINARY PLAN BASED ON SEPT. 12 COMMENTS
04/17/18	RESUBMISSION OF THE PRELIMINARY SITE PLAN FOR ERB REVIEW

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**10th & HIGH STREET - PRELIMINARY SITE PLAN**  
**STORMWATER MANAGEMENT PLAN**

PROJECT	JOB NO.
	162125
	SCALE
	AS SHOWN
SHEET	SHEET NO.
	5

**Proposed Impervious Area Summary (DA A)**

Existing Offsite Buildings	18,950 sf
Existing Onsite Building	0 sf
Existing Offsite Drives / Parking	40,200 sf
Existing Onsite Drives / Parking	0 sf
Proposed Onsite Building	9,370 sf
Proposed Onsite Drive aisle / Parking	30,150 sf
<b>Total</b>	<b>98,670 sf</b>

**Existing Impervious Area Summary (DA A)**

Existing Offsite Buildings	18,950 sf
Existing Onsite Building	7,950 sf
Existing Offsite Drives / Parking	40,200 sf
Existing Onsite Drives / Parking	23,775 sf
<b>Total</b>	<b>90,875 sf</b>

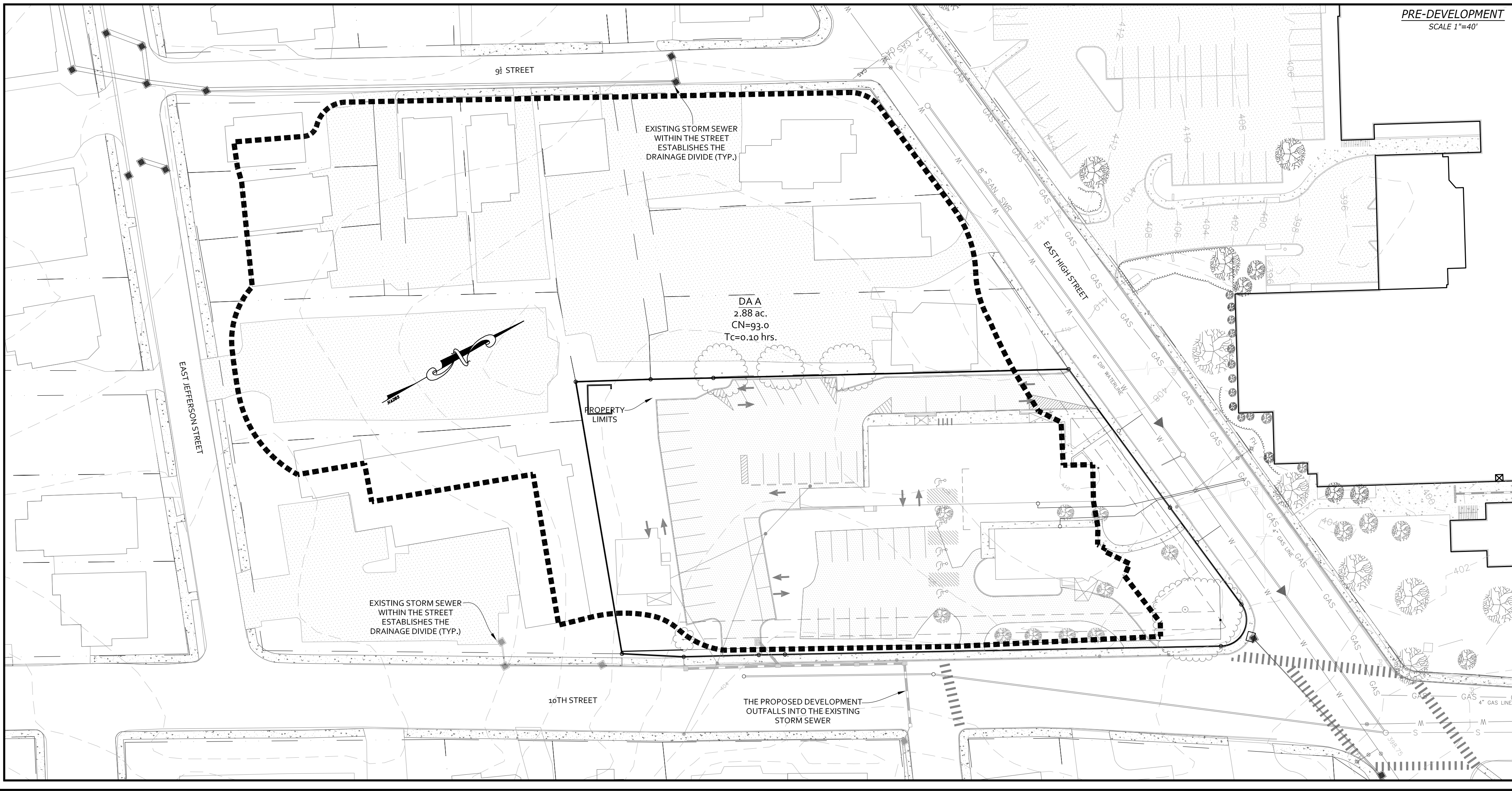
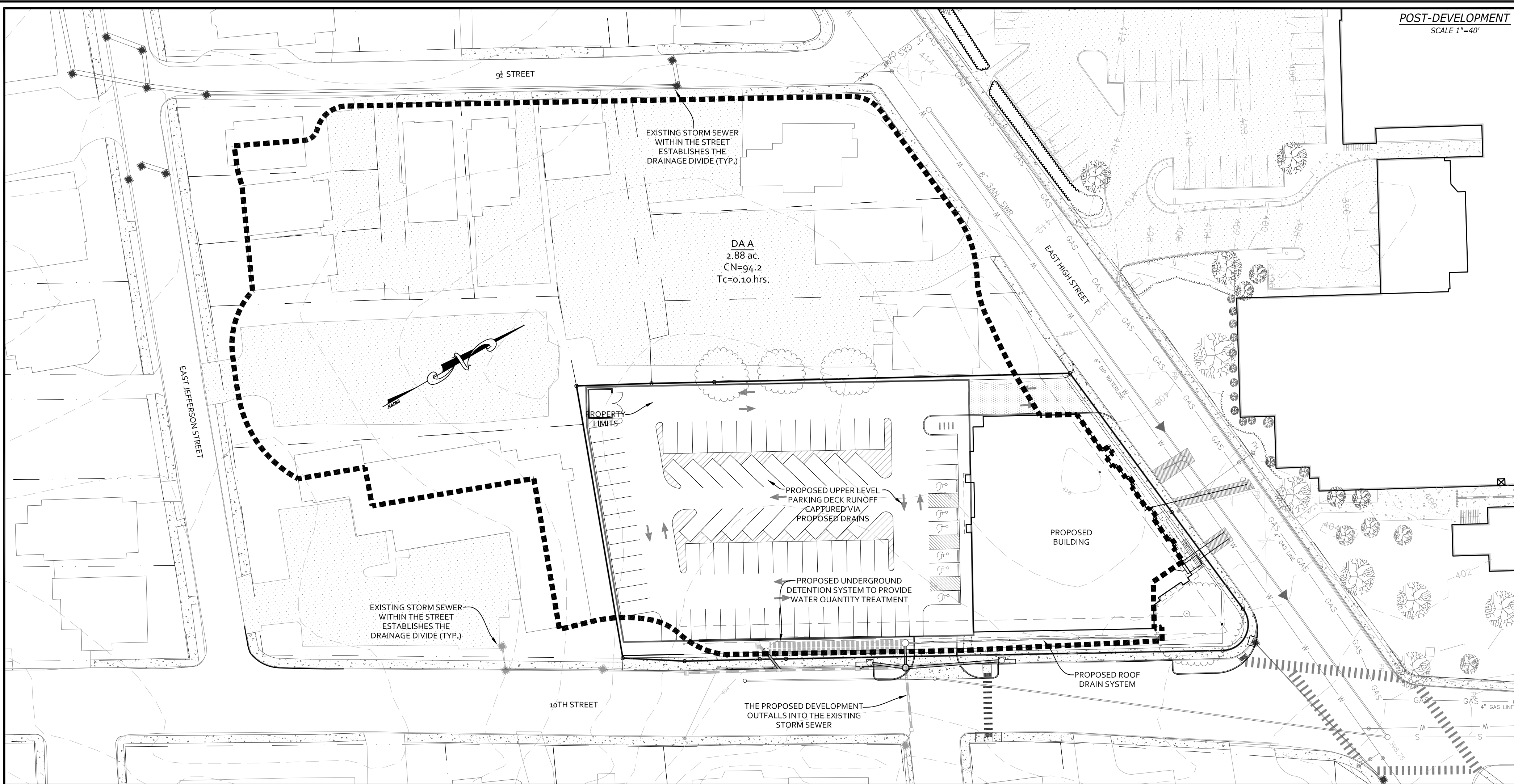
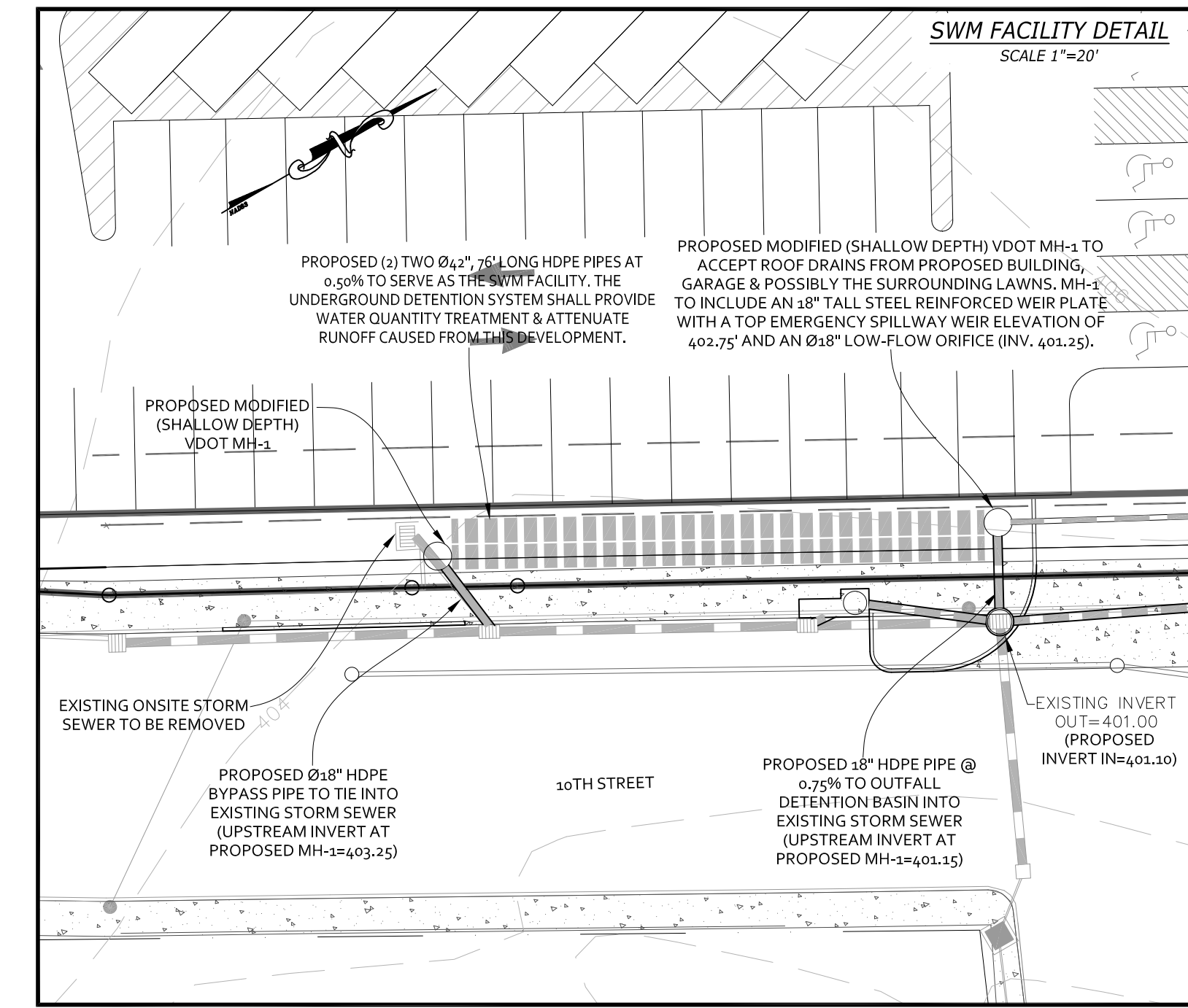
**WATERSHED SUMMARY**

	CN	Area, ac.	1-year Flow, cfs	2-year Flow, cfs	10-year Flow, cfs
DA A (Present)	93.0	2.88	10.29	13.06	21.34
DA A (Proposed)	94.2	2.88	8.21	10.67	17.44

**STORMWATER MANAGEMENT NARRATIVE:**  
 THE PROPOSED STORMWATER MANAGEMENT PLAN COMPLIES WITH PART IIB COMPLIANCE. THE STORMWATER RUNOFF RATES, VOLUMES, AND VELOCITIES RESULTING FROM THIS DEVELOPMENT WILL BE IMPROVED PRIOR TO ENTERING THE CITY'S STORM SEWER SYSTEM. PLEASE SEE THE ATTACHED STORMWATER MANAGEMENT CALCULATIONS PACKET FOR EVIDENCE OF THIS. SUMMARIES OF THIS COMPLIANCE CAN BE VIEWED ON THIS SHEET AS WELL.

**STORMWATER DETENTION:**  
 CURRENTLY ALL OF THE EXISTING IMPERVIOUS AREAS ON THIS SITE FLOW TO THE CITY STORM SEWER SYSTEM UNTREATED. THE PROPOSED PLAN WILL CHANGE THIS AND WILL CAPTURE THE MAJORITY OF THE PARCEL. THE PROPOSED PLAN INCREASES THE IMPERVIOUS FOOTPRINT BY APPROXIMATELY 7,800 SF. THIS INCREASE IN IMPERVIOUS AREA IS OFFSET BY THE PROPOSED UNDERGROUND DETENTION SYSTEM. THE DETENTION SYSTEM PROVIDES STORAGE VOLUMES USED TO ATTENUATE THE INCREASE IN RUNOFF. FURTHERMORE, THE PROPOSED DETENTION SYSTEM RESTRICTS THE PEAK 1-YEAR SCS TR-55 DESIGN FLOW TO A LEVEL LESS THAN THE MAXIMUM ALLOWED PER 9 VAC 25-870-66.

**STORMWATER QUALITY:**  
 STORMWATER QUALITY IS MET FOR THIS DEVELOPMENT THROUGH THE PURCHASING OF NUTRIENT CREDITS, 0.25 LBS/YR. OF PHOSPHOROUS INCLUDING, BUT NOT LIMITED TO CONSTRUCTION, BIDDING, AND/OR CONSTRUCTION STAKING WITHOUT THE EXPRESS WRITTEN CONSENT OF COLLINS ENGINEERING.



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### LIGHT FIXTURES "W"

#### NOTES:

- LAMP TYPE SHALL BE LED WHITE LIGHT TO CREATE A UNIFIED COOL WHITE LIGHTING ACROSS THE SITE.
- FIXTURES SHALL BE BRONZE IN COLOR.

DATE: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
 TYPE: \_\_\_\_\_  
 FIXTURE: \_\_\_\_\_  
 PROJECT: \_\_\_\_\_

**FCW1020**  
 Die-Cast Aluminum Exterior Architectural Wall Mount

#### ORDERING

FINISH	FINISH	LED OPTICS	ACCESSORIES
4000K	120W	PL	100 200 300
2700K	100 200 300	MM G12	200 MM G12
4000K	2700K	1200 Lumens/ft²	1200 Lumens/ft²

#### SPECIFICATION

**MOUNTING**  
 Mounts directly to standard outlet box.

**CONSTRUCTION**  
 Marine grade, corrosion resistant, heavy walled, high pressure die-cast aluminum.  
 Lens is 1/4" thick clear tempered glass.  
 Forward throw reflector is semi-specular aluminum formed for maximum reflectance.  
 Gasketed silicone to provide maximum protection against contaminants. Captive and recessed stainless steel, tamper resistant hex socket screws.

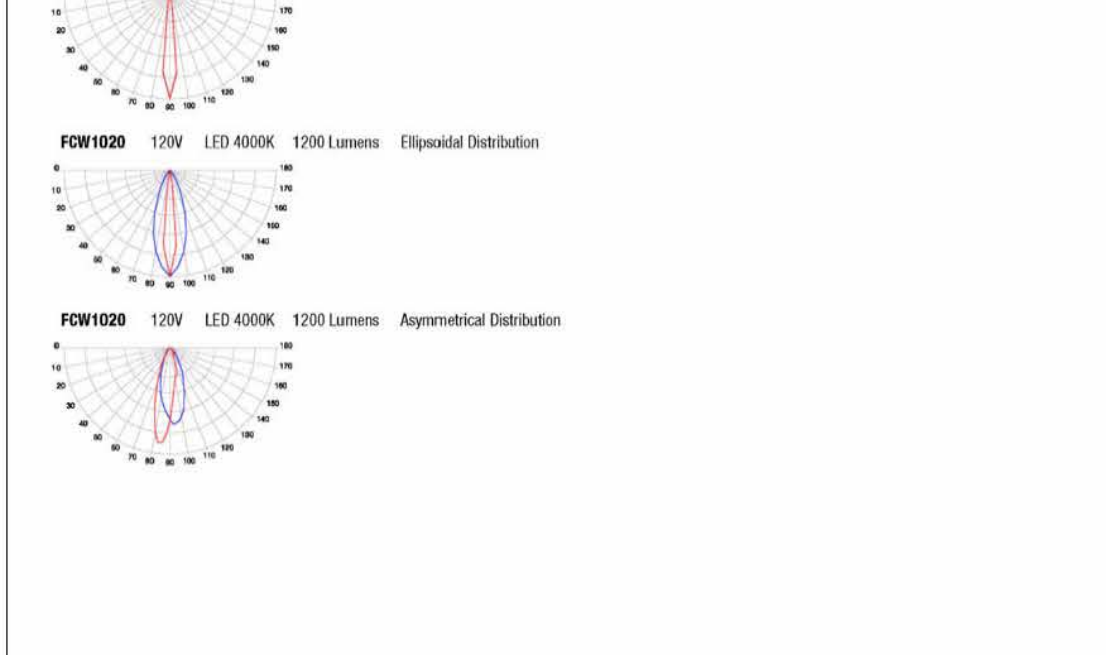
**LED**  
 • Stated minimum lumens are delivered out of the luminaire. LED lifetime is greater than or equal to 70,000 hours with the lumen depreciation greater than L70. All of our luminaires are tested to LM80 with a minimum CRI of 80 and color consistency of step 4 MacAdam Ellipse. Integral power supply standard. Input voltage 120V or 277V. Consult factory for dimming, all RGB color changing and any single color options.

**FINISH**  
 • Six stage chemical pre-treatment process that includes iron phosphate, to prepare the substrate for a UV stable, super durable standard polyester powder coat.  
 • Optional e-coat process is added to the standard finish including zinc phosphate for a 5 year limited warranty.

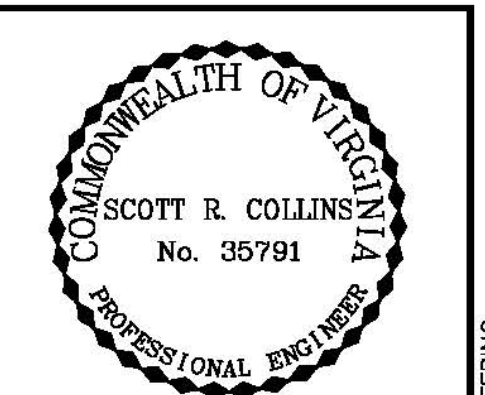
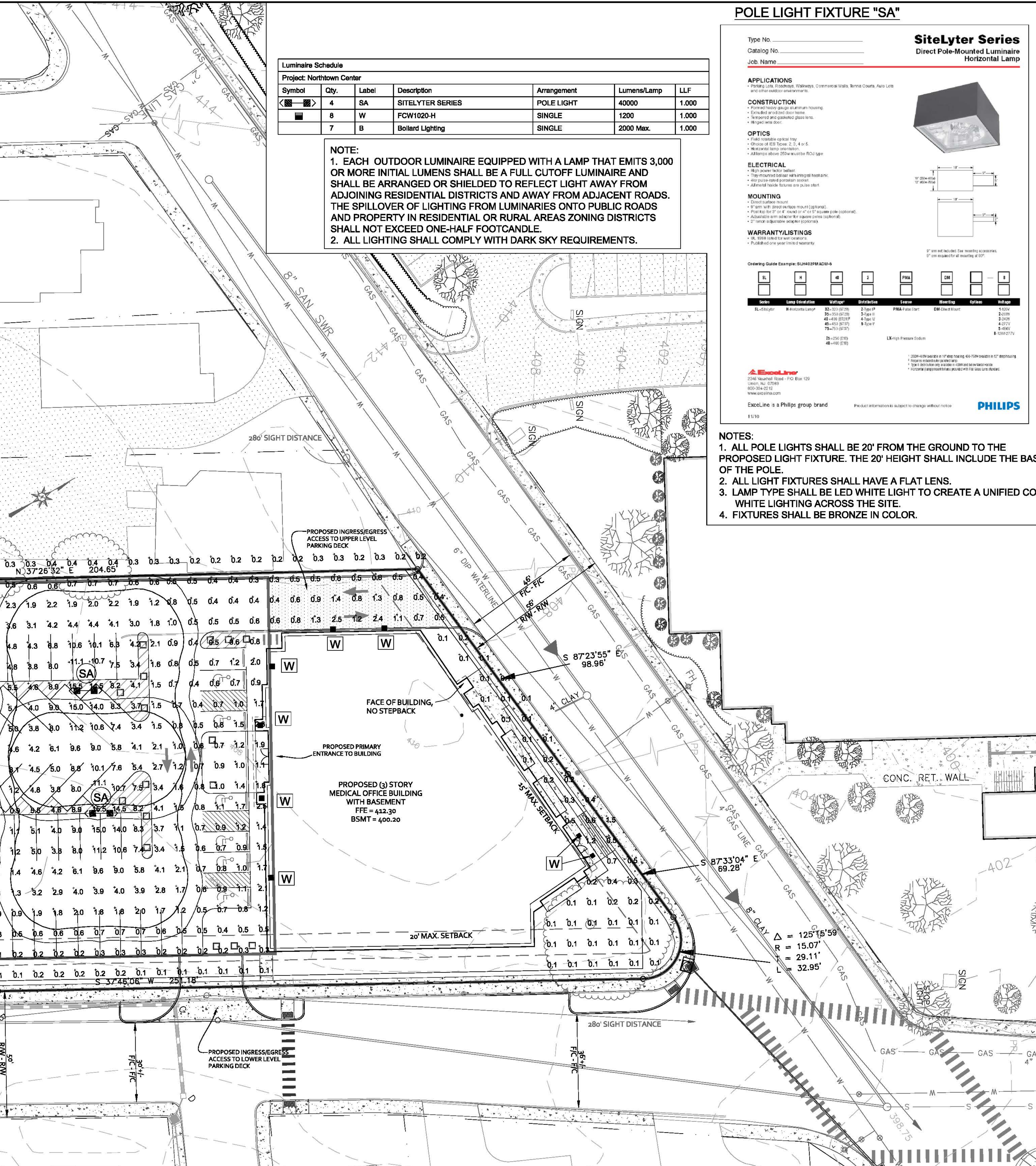
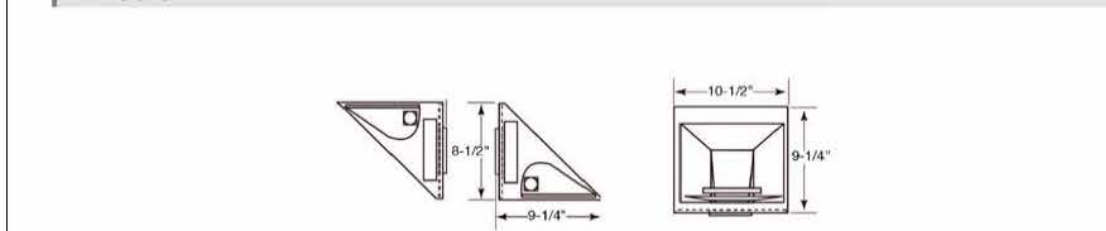
**ELECTRICAL**  
 • Socket PL Four pin pig-in type compact fluorescent lamp holder (lamp by other) 40-G12 single (200/400), pulse raise 4KV porcelain socket.  
 • Ballast PL Fluorescent high power factor electronic, UL listed ballast standard. Ballast has a manufacturer issued 5 year warranty. Electronic universal voltage 120V or 277V is standard. Please consult factory for other voltage options.

**LISTING**  
 • UL & cUL listed for wet location in up or down position. IP65 rating.

#### PHOTOMETRY



#### DIMENSIONS



### REVISIONS

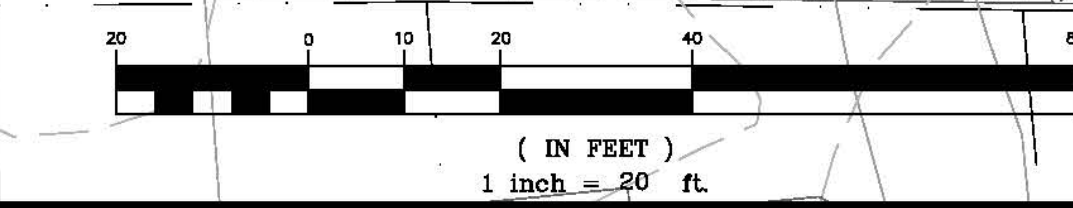
DATE	REVISION DESCRIPTION
04/24/17	INITIAL SUBMITTAL
04/17/17	REVISIONS TO THE PRELIMINARY PLAN BASED ON SEPT. 13 COMMENTS
04/17/18	RESUBMISSION OF THE PRELIMINARY SITE PLAN FOR EIR REVIEW
05/22/18	RESUBMISSION OF THE PRELIMINARY SITE PLAN FOR EIR REVIEW

- NOTES:**
- ALL POLE LIGHTS SHALL BE 20' FROM THE GROUND TO THE PROPOSED LIGHT FIXTURE. THE 20' HEIGHT SHALL INCLUDE THE BASE OF THE POLE.
  - ALL LIGHT FIXTURES SHALL HAVE A FLAT LENS.
  - LAMP TYPE SHALL BE LED WHITE LIGHT TO CREATE A UNIFIED COOL WHITE LIGHTING ACROSS THE SITE.
  - FIXTURES SHALL BE BRONZE IN COLOR.

**CE COLLINS ENGINEERING**  
 200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

**PROJECT:** 10th & HIGH STREET - PRELIMINARY SITE PLAN  
**SHEET:** LIGHTING PLAN

**JOB NO.:** 162125  
**SCALE:** 1" = 20'  
**SHEET NO.:** 6





Precast accent bands with brick, punched windows - 701 East Water Street



820 East High Street



Metal spandrel panels, precast accent band  
CFA Institute, East High Street



Entry surround at City Hall



Railing with brick piers at City Hall Annex



Downtown Mall, Market Street Parking Garage: Cable-supported awnings with standing seam metal





**ENTRANCE CORRIDOR  
CERTIFICATE OF APPROPRIATENESS**

**DATE OF PLANNING COMMISSION MEETING: June 12, 2018**

**Project Name:** Tarleton Oak  
**Planner:** Jeff Werner, AICP  
**Applicant:** Tarleton Oak, LLC  
**Applicant's Representative:** Jennifer Feist

**Application Information** (Only for parcels within the Entrance Corridor)

**Property Street Address:** 815 East High Street  
**Property Owner:** Tarleton Oak, LLC  
**Tax Map/Parcel #:** 530197000  
**Total Square Footage/Acreage Site:** 0.424 acres  
**Comprehensive Plan (Land Use Plan) Designation:** Mixed Use  
**Current Zoning Classification:** DN with Entrance Corridor (EC) Overlay  
**Entrance Corridor Overlay District:** East High Street, Sub Area C  
**Current Usage:** Service Station

**Property Street Address:** 411 Lexington Avenue  
**Property Owner:** Tarleton Oak, LLC  
**Tax Map/Parcel #:** 530198000  
**Total Square Footage/Acreage Site:** 0.172 acres  
**Comprehensive Plan (Land Use Plan) Designation:** Mixed Use  
**Current Zoning Classification:** DNC with Entrance Corridor (EC) Overlay  
**Entrance Corridor Overlay District:** East High Street, Sub Area C  
**Current Usage:** Residential

**Background**

- No prior EC applications for these parcels
- May 2018: BAR reviewed section of project within the Martha Jefferson Historic Conservation District. Approved COA for Phase I elements.

**Project Area:** Tarleton Oak encompasses almost the entire block bounded by East High Street, Lexington Avenue, Maple Street, and 8<sup>th</sup> Street NE. 801 East High Street, an IPP at the block's southwest corner, is not part of the project.

**EC Component:** The project area is in excess of two acres, however only the southeast corner—approximately 0.6 acres—lies within the East High Street Entrance Corridor, with approximately 280 feet of frontage along the EC. This corner is composed of two parcels: 815 East High Street and 411 Lexington Avenue. (411 Lexington Avenue is also a contributing structure to the Martha Jefferson Neighborhood Historic Conservation District. Architectural Survey is attached.)

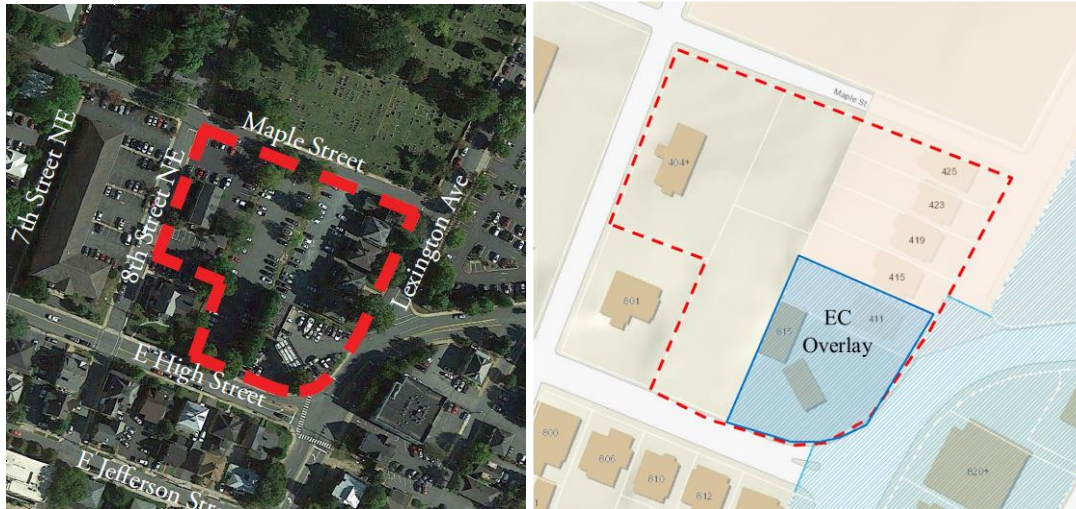
(Note: Approximately 0.75 acres at the northeast corner of this project lies within the Martha Jefferson Neighborhood Historic Conservation District: 411, 415, 419, 423, and 425 Lexington Avenue. All are

contributing structures to the HC. No changes to the five structures are proposed. 411 Lexington Avenue also lies with the EC.)

**Existing conditions (within the Entrance Corridor Overlay)**

815 East High Street: 0.4 acres. Zoned DN. Built in 1964, the two structures on the site are currently used as a service station/repair garage. (Buildings to be demolished.)

411 Lexington Ave: 0.172 acres. Zoned DNC. Built in 1924. Currently used as residence. (Building to be retained.)



**Applicant's Request**

Demolition of existing service station/repair garage at the southeast corner of the project site, fronting on East High Street. (Project also requires demolition of existing building at the northwest corner, 404 8<sup>th</sup> Street NE, which is not within the EC.)

Construction of a five-story office building, fronting on High Street, and an associated, two level parking structure at the northwest corner, fronting on Maple Street and 8<sup>th</sup> Street NE. (Note: This new building is almost entirely within the EC. Only a portion of the new parking structure--the southeast corner—is within the EC, but it is located behind the new office building.)

Five residences fronting on Lexington Avenue will be retained, with alterations only at the rear of each parcel, including landscaping and the eastern edge of the parking garage. Of these parcels, only 411 Lexington Avenue is within the EC.

The parking structure will have approximately 296 parking spaces. Staircase on both 8<sup>th</sup> Street and Maple Street enter the parking facility. Phase 2 of the project anticipates a two story residential structure on top of the parking structure.

(Note: The following focuses primarily on the five story building, the only new structure that lies within the Entrance Corridor Overlay.)

The proposed five story building is designed as a contemporary interpretation of Charlottesville's architectural forms with an emphasis on the hybridization of Palladian and Contemporary styles. The building will have three predominant elevations (from west to east):

- Facing south along East High (approximately 135 feet);

- Facing southeast at a 45-degree angle, it fronts on East High Street as it turns the corner at the signalized intersection with 9<sup>th</sup> Street (approximately 120 feet).
- Facing east, the building again turns 45-degrees with a single bay (approximately 24 feet).

The building's facade features a series of Palladian styled pieces. The overall design features a four story, predominantly brick façade with punched windows. The fourth floor is separated by a decorative cornice above and below. The fifth floor is set back, stuccoed, with punched windows, this floor forms a signifying detail with a change in materiality and a railed terrace with plantings; the terrace provides communal space; the step back and change in color and materiality provides a break in the building's massing and scale.

The south facing elevation features a three bay façade, predominantly brick with punched windows for the first four floors, and the set back fifth floor.

The southeast facing elevation features a central galleria framed by two bays. The two bays continue the architectural rhythm of the south facing elevation. The galleria and archway welcomes and guides pedestrians from the street and through the building, leading to the landscaped area behind and providing access to the parking structure. Above the arch, the fourth and fifth floor facade features brick pilasters and a flat pediment that enclose the set back fifth floor terrace.

The east facing elevation continues the building's primary façade elements and a metal entry portico at the first floor featuring pilasters and entablature.

The west elevation, perpendicular to East High Street—and outside of the EC--also features three bays and the primary façade elements of the other elevations.

Rooftop appurtenances will screen mechanical equipment.

### **Standard of Review**

The Planning Commission serves as the entrance corridor review board (ERB) responsible for administering the design review process in entrance corridor overlay districts. This development project requires a site plan, and therefore also requires a certificate of appropriateness from the ERB, pursuant to the provisions of §34-309(a)(3) of the City's Zoning Ordinance. The ERB shall act on an application within 60 days of the submittal date, and shall either approve, approve with conditions, or deny the application. Appeal would be to City Council.

### **Standards for considering certificates of appropriateness:**

In conducting review of an application, the ERB must consider certain features and factors in determining the appropriateness of proposed construction, alteration, etc. of buildings or structures located within an entrance corridor overlay district. Following is a list of the standards set forth within §34-310 of the City Code:

#### **§34-310(1): Overall architectural design, form, and style of the subject building or structure, including, but not limited to: the height, mass and scale;**

**Staff Analysis:** The massing, scale, and height are consistent with the guidelines and appropriate for this site.

#### **§34-310(2): Exterior architectural details and features of the subject building or structure;**

**Staff Analysis:** The architectural features, design, and materials and the new building's orientation to the corner are consistent with the guidelines and appropriate for this gateway site.

**§34-310(3): Texture, materials and color of materials proposed for use on the subject building or structure;**

**Staff Analysis:** The proposed building materials/colors are consistent with the guidelines and appropriate for this site.

- Brick: façade, pilasters and accent bands
- Stucco: fifth floor façade, rooftop equipment screening
- Precast concrete: sills, architrave at third and fourth floors, accent band at first floor, galleria arch.
- Metal: fifth floor railing, spandrel panels at second and third floor windows, cornice, possibly at pergola.
- Wood: pergola at fifth floor terrace.
- Windows and door: unspecified
- Landscaping: Within the EC footprint, five large canopy street trees. Abutting the building will be planting beds with shrubs and grasses mixed with ornamental trees.
- Lighting: Ten site lighting fixtures are indicated at the sidewalk along East High Street—spacing is approximately 30 feet. (Similar site lighting fixtures are noted along 8<sup>th</sup> Street, Maple Street, and at the sides and rear of the office building.)
- Paving: Sidewalk to be city standard. Entrance gallery floor to be 12' x 18" granite pavers. Open space behind building to have 12' x 24" concrete pavers.

**§34-310(4): Design and arrangement of buildings and structures on the subject site;**

**Staff Analysis:** The design and arrangement of the new building and parking structure, the preservation and incorporation of historic structures into the project, the interior area landscaping, and the streetscape elements are all consistent with the guidelines appropriate for this prominent corner site. The project will include site connectivity both between the office building and through the block between High Street, Maple Street and 8<sup>th</sup> Street.

**§34-310(5): The extent to which the features and characteristics described within paragraphs (1)-(4), above, are architecturally compatible (or incompatible) with similar features and characteristics of other buildings and structures having frontage on the same EC street(s) as the subject property.**

**Staff Analysis:** The goals are to make the site function well for the users of this site and the corridor, and to have an attractive development that is compatible with its surrounding context. The office building has a moderate setback along East High Street and Lexington Avenue, providing permeable pedestrian walkways, as well as incorporating streetscape along the front façade. At the corner of East High Street and Lexington Avenue, the center of the proposed building is mitered at a 45 degree angle, and features a considerable setback, offering and welcoming pedestrians into this buildings main threshold. The proposed building is located within an entry corridor, and has high volume of automobile traffic. The parking garage has two entry points; one is located on 8<sup>th</sup> Street, NE and the other entry is located on Maple Street.

The combined elements of this project are generally consistent with the guidelines and therefore this project is appropriate for this site.

**§34-310(6): Provisions of the Entrance Corridor Design Guidelines.**

Relevant sections of the guidelines include:

**Section 1 (Introduction)**

The Entrance Corridor design principles are expanded below:

- **Design for a Corridor Vision:** New building design should be compatible (in massing, scale, materials, colors) with those structures that contribute to the overall character and quality of the

corridor. Existing developments should be encouraged to make upgrades consistent with the corridor vision. Site designs should contain some common elements to provide continuity along the corridor. New development, including franchise development, should complement the City's character and respect those qualities that distinguish the City's built environment.

- **Preserve History:** Preserve significant historic buildings as well as distinctive architecture from more recent periods. Encourage new contemporary design that integrates well with existing historic buildings to enhance the overall character and quality of the corridor.
- **Facilitate Pedestrian Access:** Encourage compact, walkable developments. Design pedestrian connections from sidewalk and car to buildings, between buildings, and between corridor properties and adjacent residential areas.
- **Maintain Human Scale in Buildings and Spaces:** Consider the building scale, especially height, mass, complexity of form, and architectural details, and the impact of spaces created, as it will be experienced by the people who will pass by, live, work, or shop there. The size, placement and number of doors, windows, portals and openings define human scale, as does the degree of ground-floor pedestrian access.
- **Preserve and Enhance Natural Character:** Daylight and improve streams, and retain mature trees and natural buffers. Work with topography to minimize grading and limit the introduction of impervious surfaces. Encourage plantings of diverse native species.
- **Create a Sense of Place:** In corridors where substantial pedestrian activity occurs or is encouraged, or where mixed use and multi-building projects are proposed, one goal will be creating a sense of place. Building arrangements, uses, natural features, and landscaping should contribute, where feasible, to create exterior space where people can interact.
- **Create an Inviting Public Realm:** Design inviting streetscapes and public spaces. Redevelopment of properties should enhance the existing streetscapes and create an engaging public realm.
- **Create Restrained Communications:** Private signage and advertising should be harmonious and in scale with building elements and landscaping features.
- **Screen Incompatible Uses and Appurtenances:** Screen from adjacent properties and public view those uses and appurtenances whose visibility may be incompatible with the overall character and quality of the corridor, such as: parking lots, outdoor storage and loading areas, refuse areas, mechanical and communication equipment, Where feasible, relegate parking behind buildings. It is not the intent to require screening for utilitarian designs that are attractive, and/or purposeful.
- **Respect and Enhance Charlottesville's Character:** Charlottesville seeks new construction that reflects the unique character, history, and cultural diversity of this place. Architectural transplants from other locales, or shallow imitations of historic architectural styles, for example, are neither appropriate nor desirable. Incompatible aspects of franchise design or corporate signature buildings must be modified to fit the character of this community.

**Staff Analysis:** The combined elements of this project are consistent with the EC design principles. Retaining the five structures within the Martha Jefferson Neighborhood HC is to be commended.

### Section 2 (Streetscape)

**Staff Analysis:** Within the EC footprint, the streetscape will have a sidewalk featuring five large canopy street trees. Abutting the building will be planting beds with shrubs and grasses mixed with ornamental trees. Ten site lighting fixtures will illuminate this segment of sidewalk. The street trees, landscaping, articulated building façade, and night lighting will enhance the pedestrian experience.

### Section 3 (Site):

**Staff Analysis:** Landscaping includes: five large canopy trees along the main façade (East High Street), small flowering tree, shrubs and grasses, site lighting fixtures, and moveable seating and tables. The inner courtyard proposed features granite pavers, concrete pavers, moveable seating and tables, a brick

serpentine wall, and catenary lighting spanning from the office building to the wall bounding the above ground parking.

Section 4 (Buildings):

**Staff Analysis:** The proposed building features traditional architectural forms and features, while still considering contemporary designs and interpretations of Charlottesville’s eclectic architectural history and vernacular. Phase I of this project features well-articulated building masses connected by a galleria and a two story parking facility behind the main office structure.

Section 5 (Individual Corridors):

High Street Vision

The southeast side of High Street from Long Street to the light at Meade Avenue shares similar characteristics with the Long Street corridor. Properties here have potential to be redeveloped at an urban scale with shallow setbacks, higher density, and mixed uses. The natural character of the river should be preserved, and riverfront properties may incorporate the river as a site amenity. Future infill and redevelopment on the northwest side of High Street from Riverdale Drive to Locust Avenue and on the southeast side of High Street from Meade Avenue to 10th Street should complement the smaller scale of the abutting residential neighborhoods on either side. The retail areas of this part of the corridor will continue to provide basic service-business functions until redeveloped into a mix of uses including residential. This area may be considered for nearby offsite or shared parking in the future, due to the small parcel sizes and convenience to transit and the downtown area. *From Locust Avenue to Market Street there will be opportunities for denser development. The area surrounding Martha Jefferson Hospital is a potential historic district. A pedestrian environment should be encouraged along the entire corridor with sidewalks, landscaping and transit stops.*

Sub-Area C: 9th Street from High to Market Street

Ninth Street between High and Market Streets delineates the northern edge of the central downtown area. Gas stations are located at both ends of the corridor. Early-twentieth-century residences converted to professional use for either the adjacent court complex or Martha Jefferson Hospital are intermingled with offices and banks of more recent construction.

- Streetscape: Mixed-use, mixed-scale, mixed setback, concrete median, 4 lanes, overhead utilities, cobra-head lights, concrete sidewalks.
- Site: Parking in front of several structures, large trees on private sites, some edge landscaping, mixed private site lighting. Tree planting and consistent sidewalks in this area have started to create a more pedestrian-oriented environment.
- Buildings: 1-3 stories, several older residences, 2 gas stations.

Recommended General Guidelines

- Provide streetscape improvements to give this section of corridor better definition as it meets the downtown
- Improve edge conditions of site with plantings
- Relate new infill architectural design more to existing character of older buildings

Guidelines Specific to the Zoning

North Downtown Corridor: The Downtown North Corridor district is the historic center of the City of Charlottesville and contains many historic structures. In more recent years, this area has also developed as the heart of the city’s legal community, including court buildings and related law and professional offices, and commercial and retail uses supporting those services. Within this area, residential uses have been established both in single-use and in mixed-use structures. Many former single-family dwellings have

been converted to office use. The regulations for this district are intended to continue and protect the nature and scale of these existing patterns of development.

- Height regulations: Minimum height: 2 stories. Maximum height: see street wall regulations.
- Streetwall regulations: Building height—streetwall: Primary street frontage: 5 stories, maximum. Linking street frontage: 3 stories, maximum. Corner lots (when one frontage is a linking street): 3 stories, maximum.
- Setbacks: Primary street frontage: No minimum; 15 feet, maximum. Linking street frontage (30-foot width): 10 feet minimum; 20 feet, maximum. Fifty percent (50%) of any setback shall be planted with an S-1 type landscaped buffer. Side and Rear, adjacent to any low density residential district: 20 feet, minimum. Side and Rear, adjacent to any other zoning district: none required.
- Stepback: When any facade of a building or structure faces an adjacent low-density residential district, the maximum height of such facade shall be three (3) stories. After 3 stories there shall be a minimum stepback of 15 feet along at least 70% of the length of such facade.
- Buffer regulations: Adjacent to any low density residential district, side and rear buffers (S-1 type) shall be required, 10 feet, minimum.

### **Public Comments Received**

The only public comments received to date were during the May 15 BAR meeting.

- Concern was expressed for the project's impact on the five historic structures on Lexington Avenue--all are in the project area; only 411 Lexington is in the EC; and the IPP at 801 East High Street—not in the project area.

### **Staff Recommendations**

The ERB's charge is to make a determination on the appropriateness only of the changes proposed at two parcels within the Entrance Corridor overlay. However, the successful design of this project will be the sum of its individual parts—not separately evaluated as unrelated corners and streetscape segments. This evaluation cannot be piecemeal. Staff encourages the ERB to discuss the components of the requested COA in the context of this entire project, particularly, but not limited to, the landscape and pedestrian elements that will unify the project.

Staff recommends approval of the requested COA with the following considerations.

1. The ERB should view material samples. Cut sheets for materials should be submitted, including light fixtures.
2. Per the EC Guidelines, stucco material such as EIFS should be avoided.
3. All glass must be specified as clear, with minimum 70% visible light transmittance (VLT).
4. Signage requires separate permits and approvals. All signage shall appear to be lit white at night.
5. Require that rooftop mechanical equipment will be screened within appurtenance.
6. Consider recommendations offered by the BAR:
  - a. Increase number of street trees along Maple Street and 8th Street
  - b. Soften the transition between the project and 801 East High Street, a city-designated IPP.
  - c. Consider use of trees from the Tarleton Oak.

### **Suggested Motion**

1. "I move to approve a Certificate of Appropriateness for the components of the Tarleton Oak project, 815 east high Street, that lie within the East High Street Entrance Corridor with the following modifications...
- 2... with the following recommendations..."



### **Attachments:**

Glave & Holmes Architecture ERB submission for Tarleton Oak, dated April 17, 2018: Cover and Sheets 1 through 19.

### **Addenda**

#### **BAR Comments from May 15, 2018:**

- Consider additional street trees along both Maple Street and 8<sup>th</sup> Street NE. Overhead wires and underground utilities may limit options at 8<sup>th</sup> St., but consider appropriate species [versus large street trees]. Along Maple Street, planned tree spacing is too wide.
- Consider parallel parking on Maple Street and 8<sup>th</sup> Street.
- Complements for incorporating the five Lexington Street houses into the plan. Design of the building and parking garage provide breathing room for the Lexington Avenue houses. The mix of high and low rise buildings works well. [In next phase] stick to ideal of a well-articulated building mix that includes the houses.
- Consider modifying/modulating the interface between the new building and the residences on Lexington Ave.
- Improvement of an underutilized site at a key intersection. Design has the look of a civic building more than a private office building; design contributes to the city. The scale and massing are appropriate.
- Compliments on permeability of the site.
- Encourage some level of retail, include spaces for public seating.
- Concern about impact on 801 East High. Coordinate grading and landscaping to soften transition.
- Parking Garage:
  - Benign in Phase I, but in Phase II it becomes more prominent; possibly too large. Don't try to make the garage and Phase II look separate; make it continuous but break up the façade.
  - Maple Street elevation. Consider breaking up the building blocks; possibly a courtyard or belvedere that is permeable from Maple Street to the main building's breezeway and interior open space.
  - More trees along Maple Street, benches and landscape plantings. Make 8<sup>th</sup> Street inviting for pedestrians and invite them to walk through the site—from Maple to High.



# Entrance Corridor Review Application (EC) Certificate of Appropriateness

Please Return To:  
City of Charlottesville  
Department of Neighborhood Development Services  
P.O. Box 911, City Hall  
Charlottesville, Virginia 22902  
Telephone (434) 970-3130

**Please submit one (1) hard copy and one (1) digital copy of application form and all attachments.  
Please include application fee as follows: New construction project \$375; Additions and other projects requiring ERB approval \$125; Administrative approval \$100.  
Make checks payable to the City of Charlottesville.**

The Entrance Corridor Review Board (ERB) meets the second Tuesday of the month.  
Deadline for submittals is Tuesday 3 weeks prior to next ERB meeting by 3:30 p.m.

Owner Name	Tarleton Oak, LLC	Applicant Name	Tarleton Oak, LLC
Project Name/Description	Tarleton Oak Development	Parcel Number	530197000, 530196000, 530195000, 530194100, 530198000, 530199000, 530200000, 530201000, 530202000
Project Street Address	815 East High Street, Charlottesville, 22902		

### Applicant Information


Address: 427 Park Street, Charlottesville VA, 22902  
\_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: (W) \_\_\_\_\_ (C) \_\_\_\_\_

### Property Owner (if not applicant)

Address: Same as owner  
\_\_\_\_\_  
Email: \_\_\_\_\_  
Phone: (W) \_\_\_\_\_ (C) \_\_\_\_\_

### Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct.

	<u>4.17.2010</u>
Signature	Date
<u>Jennifer D. Feist</u>	<u>4.17.2010</u>
Print Name	Date

### Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission.

_____ Signature	_____ Date
_____ Print Name	_____ Date

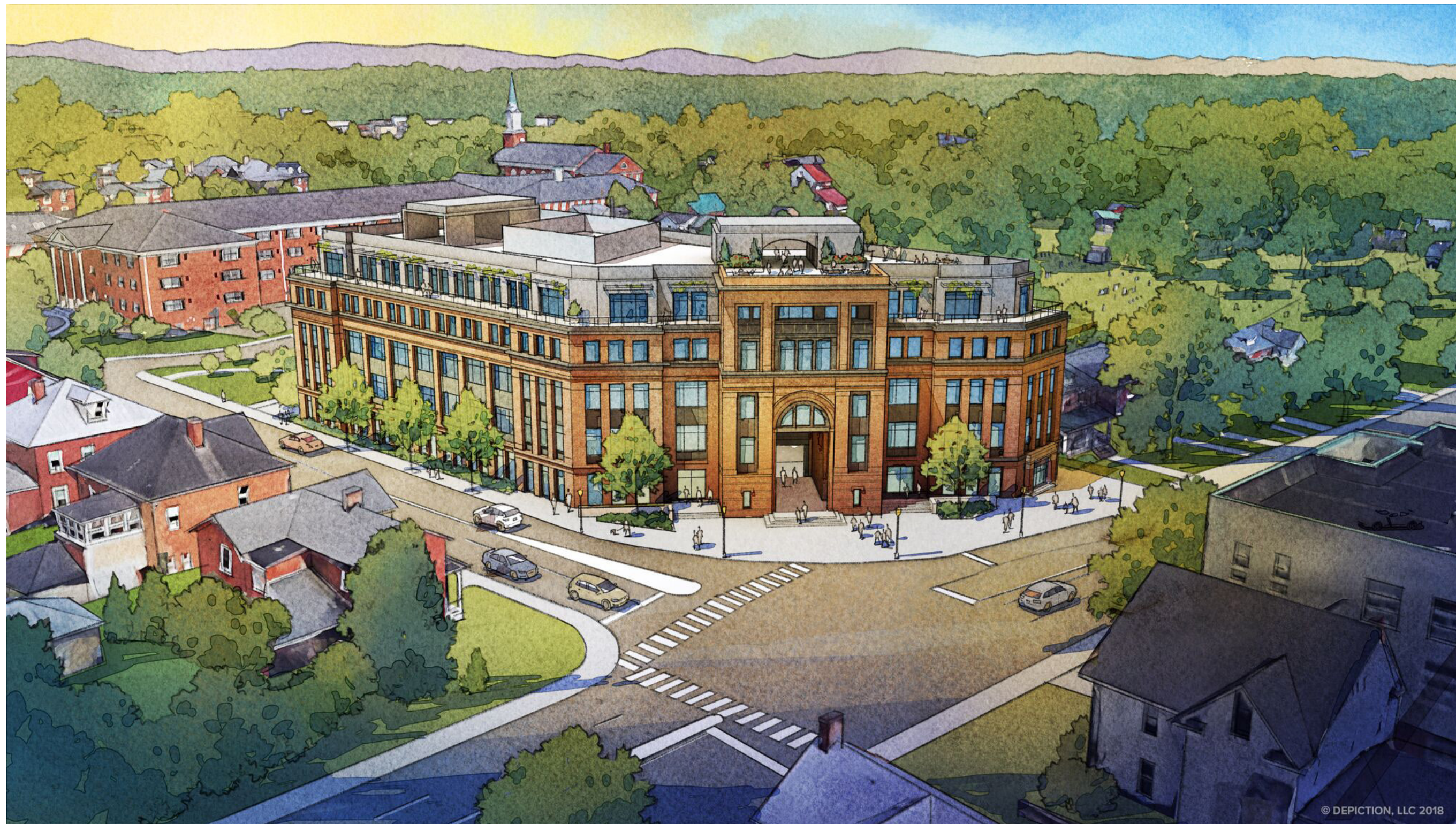
**Description of Proposed Work (attach separate narrative if necessary):** Narrative attached separately.

**Attachments (see reverse side for submittal requirements):** 3 copies of the ERB Submittal Package. CD containing digital version of the submittal package and application.

### **For Office Use Only**

Received by: \_\_\_\_\_  
Fee paid: \_\_\_\_\_ Cash/Ck. # \_\_\_\_\_  
Date Received: \_\_\_\_\_

Approved/Disapproved by: \_\_\_\_\_  
Date: \_\_\_\_\_  
Conditions of approval: \_\_\_\_\_



Aerial Perspective  
5/4/2018

# Tarleton Oak

*Tarleton Oak, LLC*





TARLETON OAK  
Tarleton Oak, LLC

**Entrance Corridor Review Board**

*Submission Date: April 17, 2018*

**Table of Contents**

1. Location Map and Project Information
2. Site Context
3. Site Context
4. Site Context
5. Demolition Site Plan
6. Site and Landscape Plan
7. Site Materials and Plantings
8. Office Building Ground Floor Plan
9. Office Building Second Floor Plan
10. Office Building Third Floor Plan
11. Office Building Fourth Floor Plan
12. Office Building Fifth Floor Plan
13. Office Building Roof Plan
14. Office Building South Entry Elevation
15. Office Building High Street Elevation
16. Office Building High Street Elevation with Context
17. Office Building West Elevation
18. Office Building North Entry Elevation
19. Office Building Lexington Avenue Elevation with Context

**Project Narrative:**

Phase I of the Project includes a five-story office building that fronts on High Street, with a total building area of approximately 86,110 GSF and an associated parking structure consisting of two levels – one below grade and one elevated with approximately 92,406 GSF. The parking structure fronts both 8th Street and Maple Street with a capacity of approximately 296 parking spaces. The project will include site connectivity both between the office building and through the block between High Street, Maple Street and 8th Street.

**Project Information:**

Existing Zoning: Downtown North Corridor (DN)

Additional Overlay Districts: Entrance Corridor, Historic Conservation District, Parking Modified Zone

Total Site Area: 2.75 Acres

Actual Height:  
Office Building: 5 Stories / 60'-0"  
Parking Garage: 1 Story

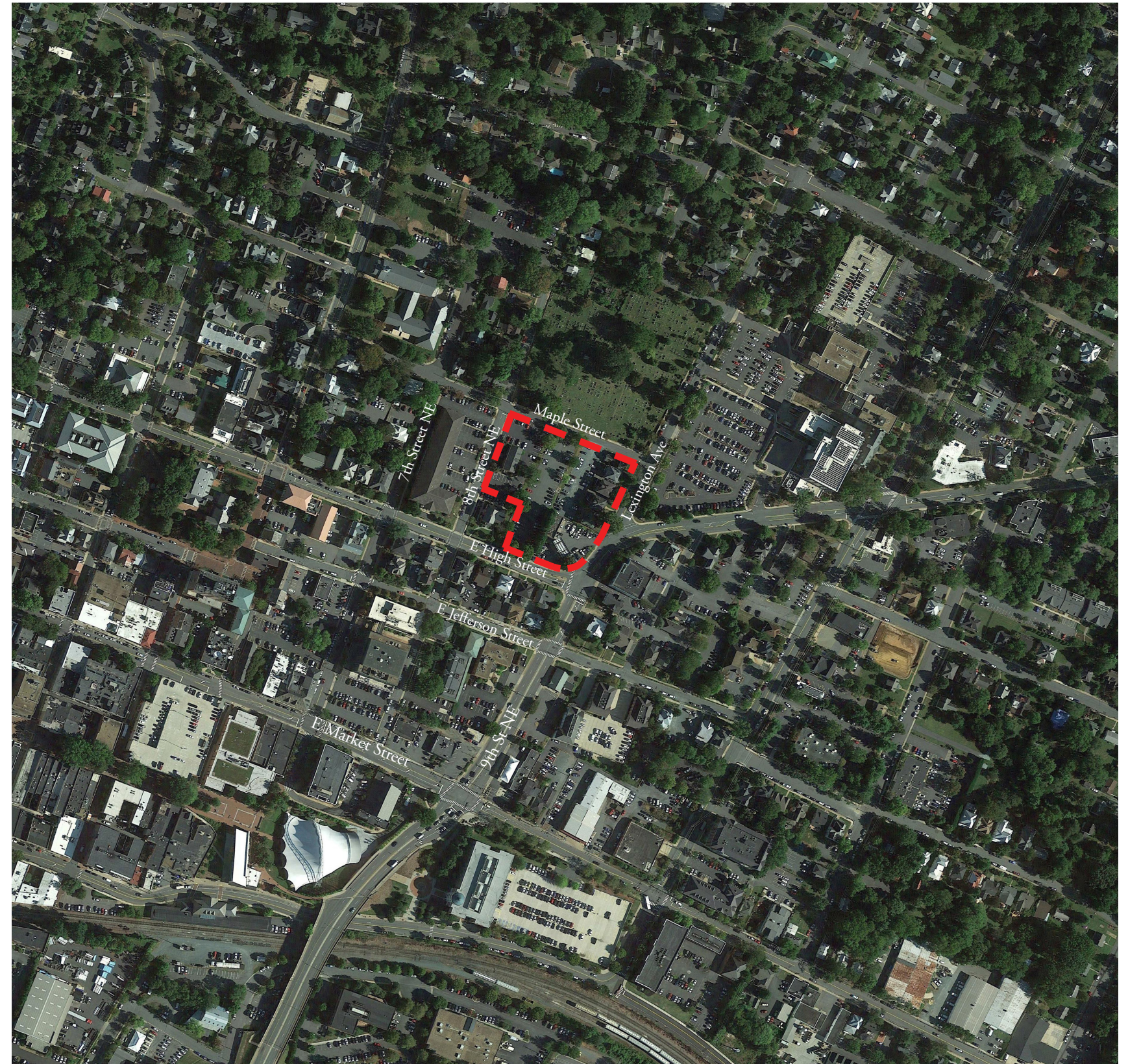
Permitted Height:  
Primary Street Frontage: 5 Stories / 60'-0"  
Linking Street Frontage: 3 Stories / 45'-0"  
Corner Lot with Linking Street Frontage: 3 Stories / 45'-0"

Required Setbacks:  
Primary Street Frontage: 0'-0" Min. / 15'-0" Max.  
Linking Street Frontage: 10'-0" Min. / 20'-0" Max.  
Side / Rear (Adj. to Other Zoning Districts): None

Parking Required:  
Office: 86,110 X 1 Space/1,000 SF GFA = 86.11 Spaces

Parking Provided:  
Parking Garage: 296 Spaces

Gross Building Area	
Phase I	
Office Building	
First Floor Plan (incl. Breezeway)	18,190 GSF
Second Floor Plan	18,190 GSF
Third Floor Plan	18,190 GSF
Fourth Floor Plan (incl Terrace)	17,730 GSF
Fifth Floor Plan	13,810 GSF
<b>Total Office</b>	<b>86,110 GSF</b>
Parking Garage	
Basement Parking Level Plan	46,203 GSF
Upper Parking Level Plan	46,203 GSF
<b>Total Parking Garage</b>	<b>92,406 GSF</b>
<b>Total Phase I</b>	<b>178,516 GSF</b>



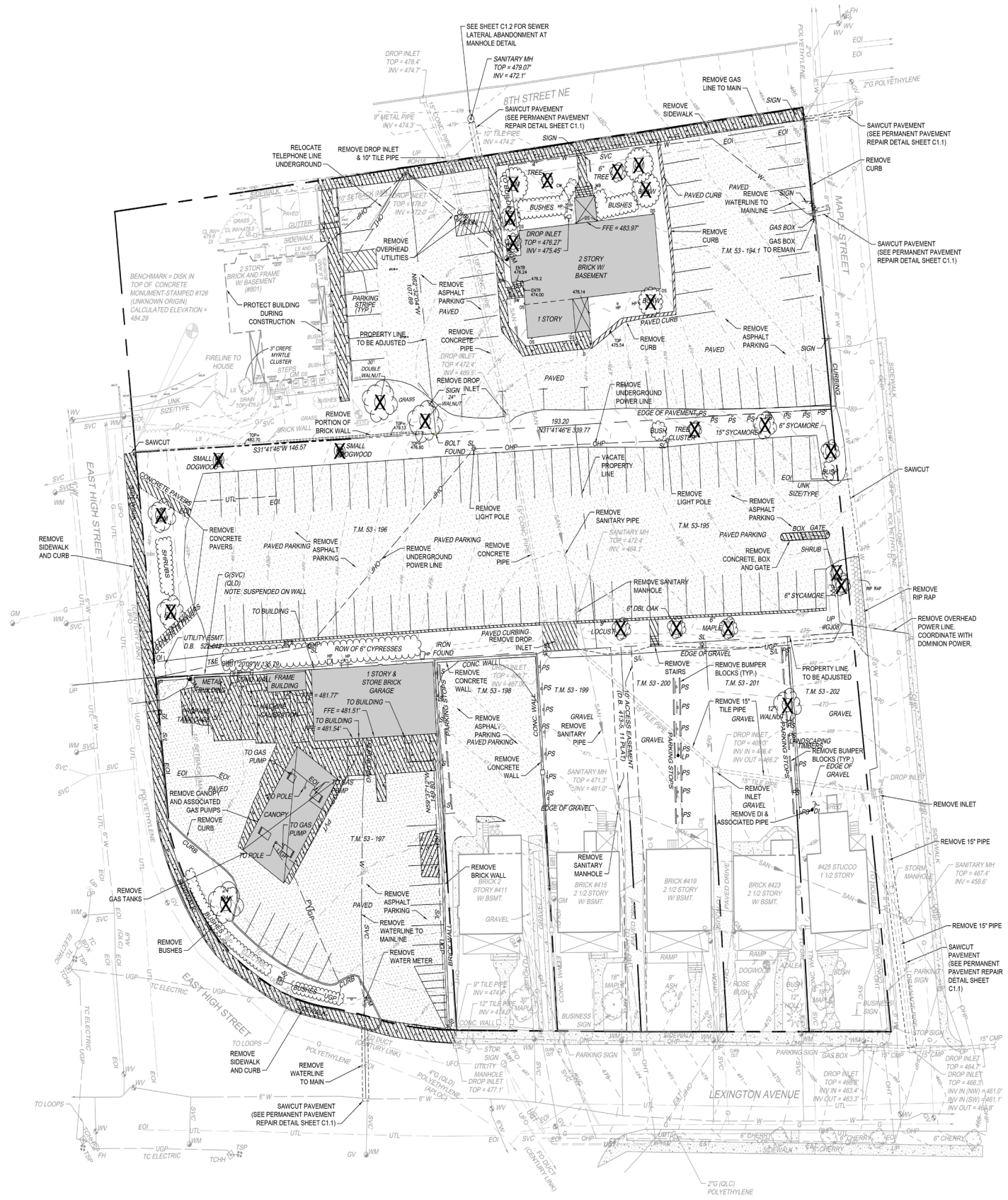
Downtown Charlottesville, VA











Note: Structures to be demolished are shown in solid grey.

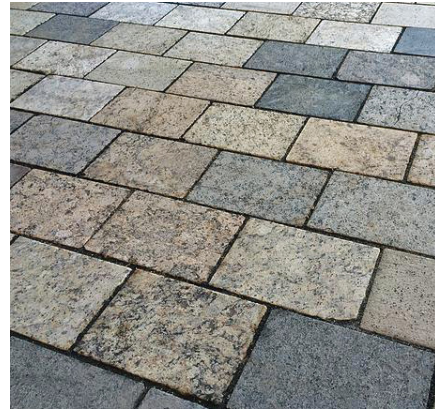


- KEY**
1. GRANITE PAVERS - 12"x18" WITH THERMAL FINISH
  2. CONCRETE PAVERS - 12"x24"
  3. CITY STANDARD CONCRETE PAVING
  4. SITE LIGHTING FIXTURE
  5. CATENARY LIGHTS
  6. SQUARE CONCRETE PLANTERS
  7. TAPERED CONCRETE PLANTERS
  8. BRICK WALL
  9. BENCH (LOOP OR ORNAMENTAL ARMS)
  10. MOVABLE SEATING AND TABLES
  11. LARGE CANOPY TREE
  12. SMALL FLOWERING TREE (PARKING DECK PLANTERS)
  13. SMALL FLOWERING TREE
  14. SHRUBS & GRASSES

**CITY OF CHARLOTTESVILLE REQUIREMENTS; DOWNTOWN NORTH CORRIDOR, ENTRANCE CORRIDOR**

ORDINANCE	REQUIREMENTS	CALCULATIONS	REQUIRED	PROVIDED
SEC. 34-869 (b)(1)	SITE TREE CANOPY COVERAGE; TEN (10) PERCENT CANOPY AT TWENTY (2) YEARS	2.75 ACRES = 119,790 SF 119,790 SF - 67,053 SF BUILDING = 52,737 SF 10% OF 52,737 SF = 5,374 SF COVERAGE REQUIRED	5,374 SF COVERAGE REQUIRED	11 LARGE TREES @ 250 SF EACH = 2,750 SF 24 SMALL TREES @ 150 SF EACH = 3,600 SF TOTAL = 6,350 SF
SEC. 34-870 (c)(1)	STREETSCAPE TREE: ONE (1) LARGE TREE SHALL BE REQUIRED FOR EVERY FORTY (40) FEET OF ROAD FRONTAGE, OR PORTION THEREOF	346 LF OF ROAD FRONTAGE 346 LF / 40 = 8.65 LARGE TREES REQUIRED	9 LARGE TREES AT ROAD FRONTAGE	9 LARGE TREES AT ROAD FRONTAGE

PAVING



GRANITE PAVERS - 12"x18" WITH THERMAL FINISH

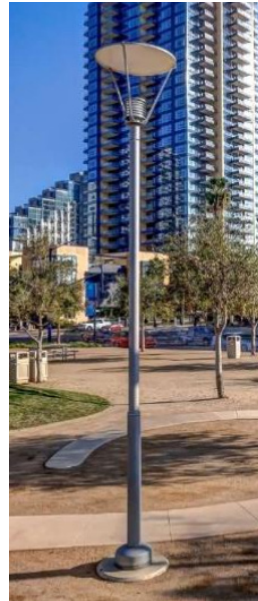


CONCRETE PAVERS - 12"x24"



CITY STANDARD CONCRETE PAVING

SITE ELEMENTS



SITE LIGHTING FIXTURE



CATENARY LIGHTS



SQUARE CONCRETE PLANTERS  
(PARKING DECK) 48" X 48"



TAPERED CONCRETE PLANTERS  
(PARKING DECK) 20", 26", 34" DIA.



BRICK WALL



BENCH (LOOP OR ORNAMENTAL ARMS)  
25" X 72" X 32", WOOD AND METAL



MOVABLE SEATING AND TABLES  
POWDERCOATED ALUMINUM - VARIOUS SIZES

LARGE CANOPY TREES



AMERICAN ELM 'PRINCETON'  
ULMUS AMERICANA 'PRINCETON'



LONDON PLANETREE  
PLATANUS X ACERFOLIA



AMERICAN LINDEN  
TILIA AMERICANA

SMALL FLOWERING TREES:  
PARKING DECK PLANTERS



BLACKHAW VIBURNUM  
VIBURNUM PRUNIFOLIUM



WINGED SUMAC  
RHUS COPALLINUM

SMALL FLOWERING TREES



KOUSA DOGWOOD  
CORNUS KOUSA



SERVICEBERRY  
AMELANCHIER ARBOREA

SHRUBS & GRASSES



DWARF FOTHERGILLA  
FOTHERGILLA GARDENII



RED TWIG DOGWOOD  
CORNUS ALBA 'SIBIRICA'



COMMON RUSH  
JUNCUS EFFUSUS



JAPANESE PIERIS  
PIERIS JAPONICA



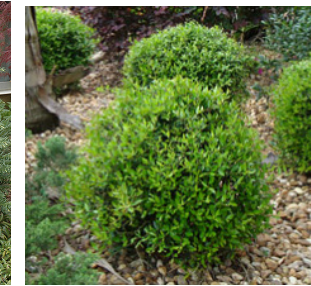
FEATHER REED GRASS  
CALAMAGROSTIS X ACUTIFLORA KARL FOERSTER



INKBERRY HOLLY  
ILEX GLABRA 'COMPACTA'



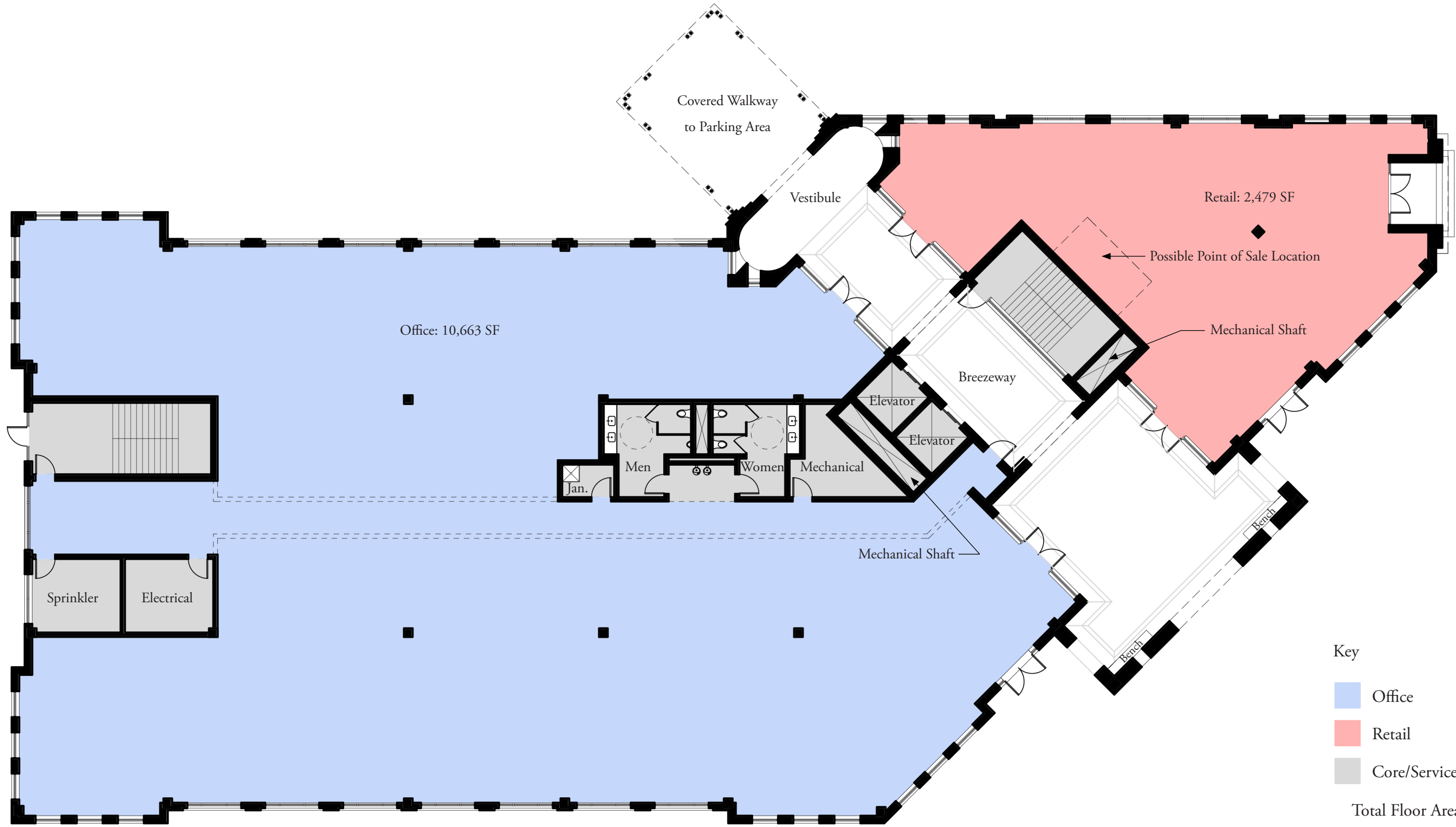
JAPANESE PLUM YEWE  
CEPHALOTAXUS HARRINGTONIA DUKE GARDENS



DWARF BOXWOOD  
BUXUS SEMPERVIRENS 'SUPFRUITICOSA'



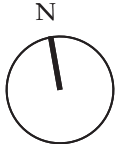
VIRGINIA SWEETSPIRE  
ITEA VIRGINICA 'SPIRCH'



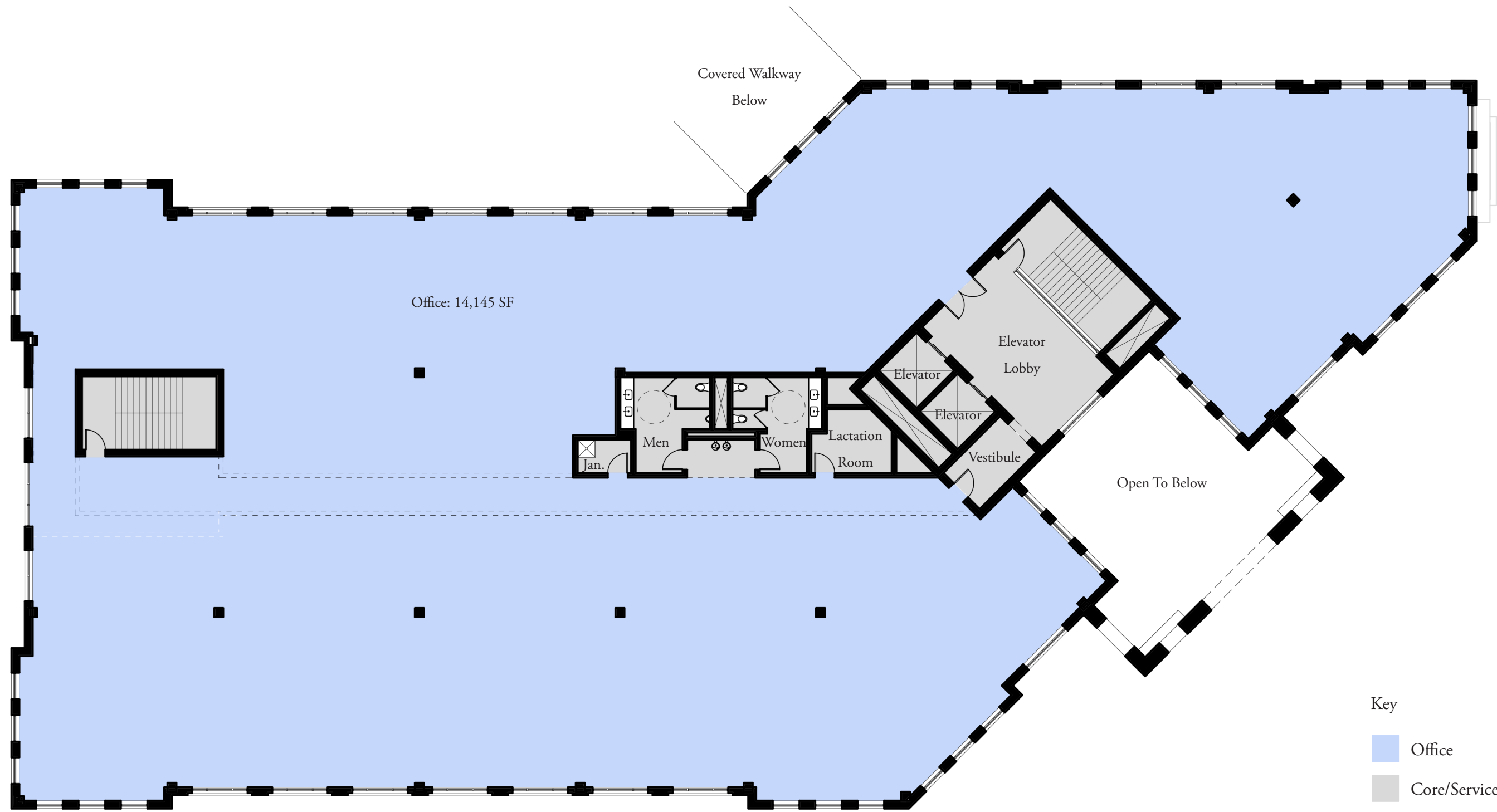
Key		
<span style="color: blue;">■</span>	Office	10,663 SF
<span style="color: red;">■</span>	Retail	2,553 SF
<span style="color: grey;">■</span>	Core/Service	2,037 SF
	<b>Total Floor Area</b>	<b>15,179 SF</b>

Gross Area 18,190 SF (Outside Face of Exterior Wall)

Scale 1/16" = 1'-0"



Ground Floor Plan



Office: 14,145 SF

Covered Walkway  
Below

Elevator  
Lobby

Elevator

Elevator

Vestibule

Open To Below

Jan.

Men

Women

Lactation  
Room

Key

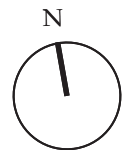
Office 14,145 SF

Core/Service 2,217 SF

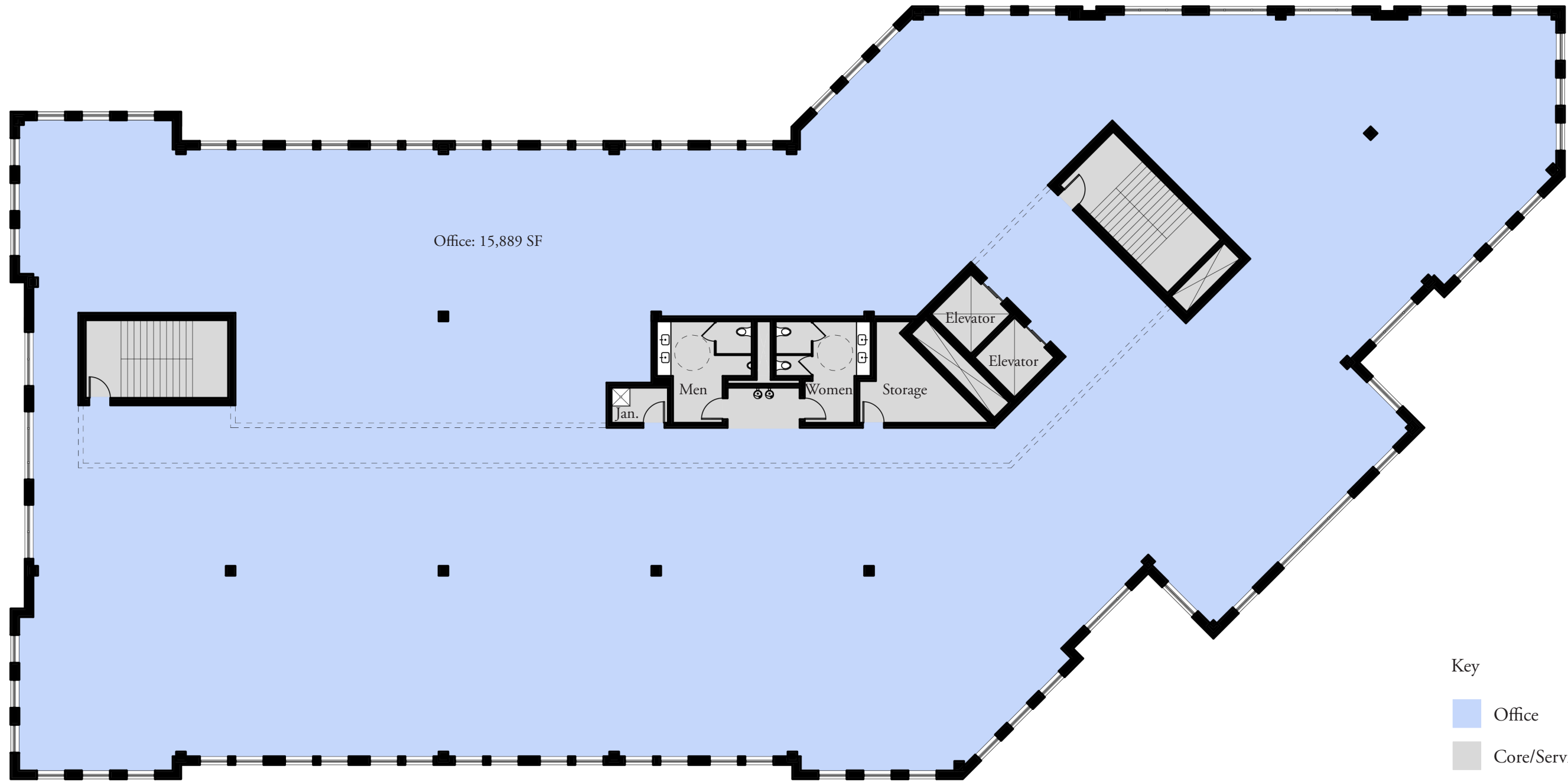
Total Floor Area 16,362 SF

Gross Area 18,190 SF (Outside Face of Exterior Wall)

Scale 1/16" = 1'-0"



Second Floor Plan



Office: 15,889 SF

Jan.

Men

Women

Storage

Elevator

Elevator

Key

Office 15,889 SF

Core/Service 1,589 SF

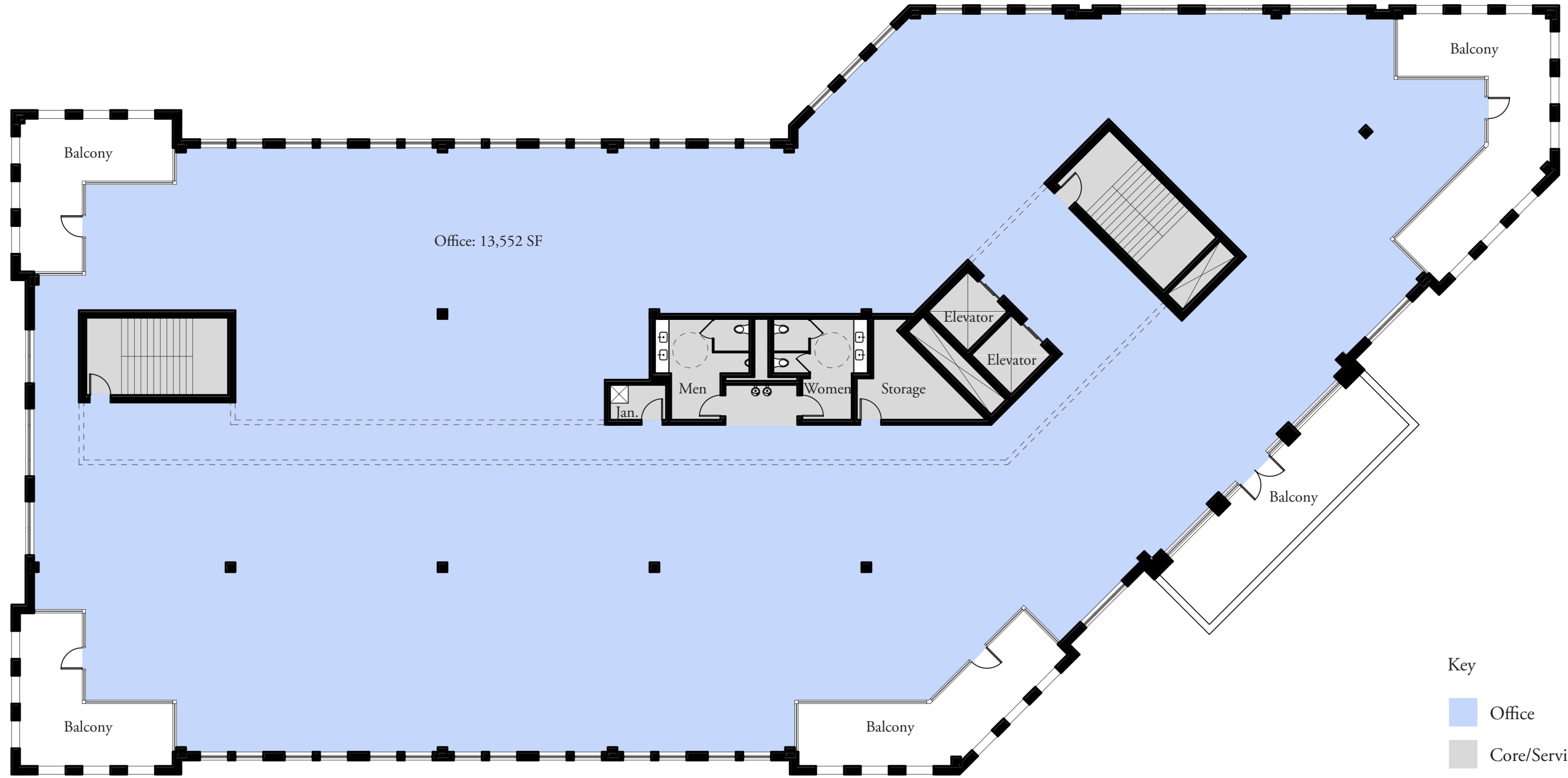
Total Floor Area 17,478 SF

Gross Area 18,190 SF (Outside Face of Exterior Wall)

Scale 1/16" = 1'-0"



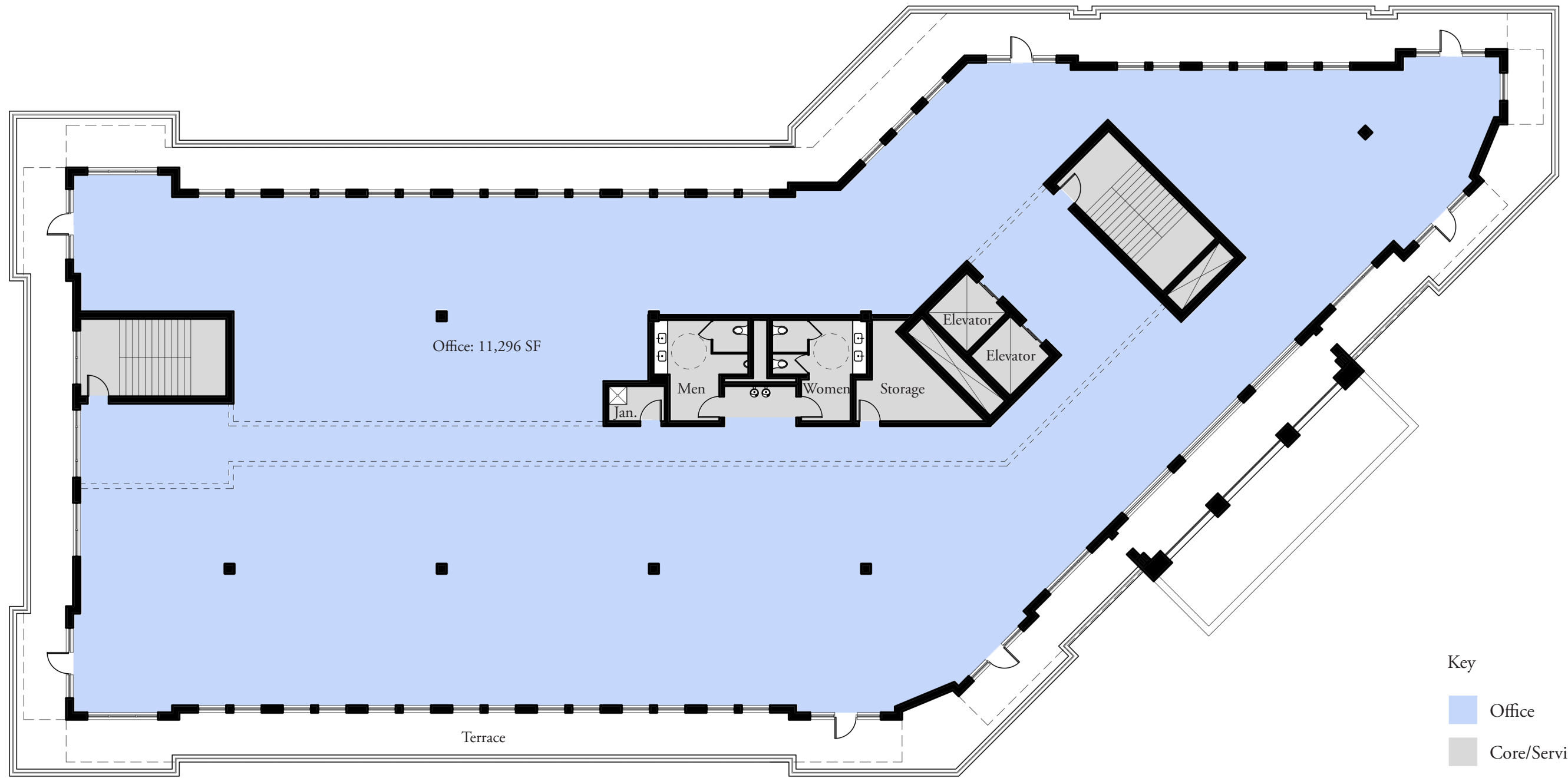
Third Floor Plan



Key		
<span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span>	Office	13,552 SF
<span style="display:inline-block; width:15px; height:15px; background-color:lightgrey; border:1px solid black;"></span>	Core/Service	1,589 SF
	Total Floor Area	15,141 SF

Gross Area 17,730 SF (Outside Face, Incl. Balcony)  
 Scale 1/16" = 1'-0"

Fourth Floor Plan



Office: 11,296 SF

Jan.

Men

Women

Storage

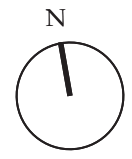
Elevator

Elevator

Terrace

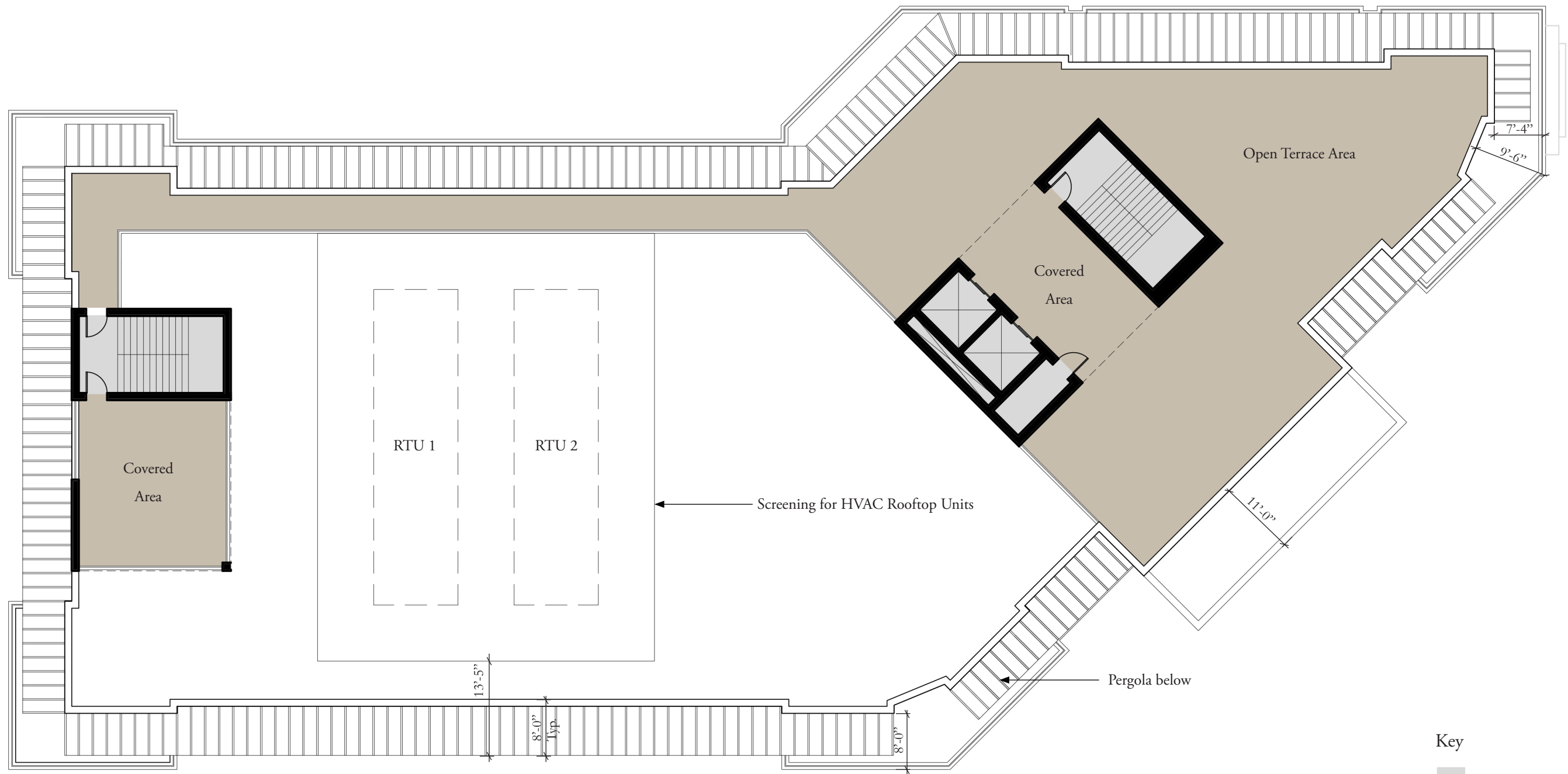
Key		
	Office	11,296 SF
	Core/Service	1,584 SF
		Total Floor Area 12,880 SF

Gross Area 13,810 SF (Outside Face of Exterior Wall)  
 Scale 1/16" = 1'-0"



Fifth Floor Plan





Key		
	Core/Service	996 SF
	Roof Terrace	3,854 SF

Roof Plan

Scale 1/16" = 1'-0"



South Entry Elevation

Scale 1/16" = 1'-0"





High Street Elevation

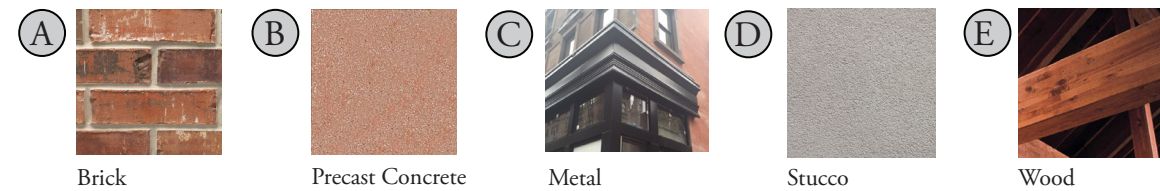
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High Street Elevation with Context

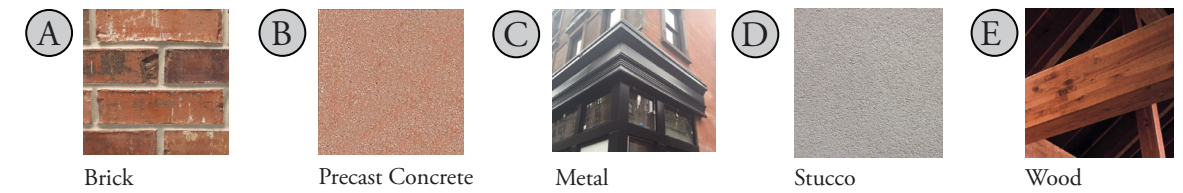
0' 5' 10' 20'





West Elevation

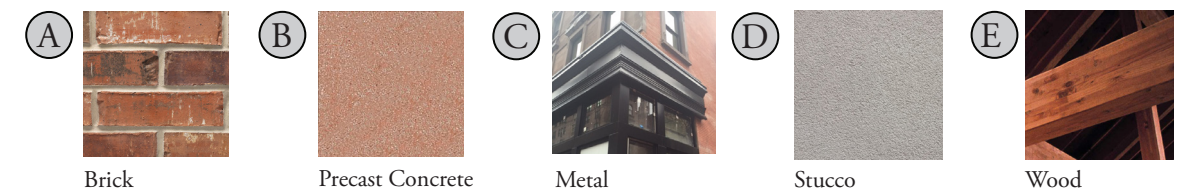
Scale 1/16" = 1'-0"





North Entry Elevation

Scale 1/16" = 1'-0"





Lexington Avenue Elevation with Context



CITY OF CHARLOTTESVILLE  
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES  
STAFF REPORT TO THE ENTRANCE CORRIDOR REVIEW BOARD (ERB)



**ENTRANCE CORRIDOR  
CERTIFICATE OF APPROPRIATENESS**

**DATE OF PLANNING COMMISSION MEETING: June 12, 2018**

**Project Name:** Continuum Home Health  
**Planner:** Jeff Werner, AICP  
**Applicant:** University of Virginia  
**Applicant's Representative:** Kevin Silson  
**Applicant's Relation to Owner:** Owner's representative

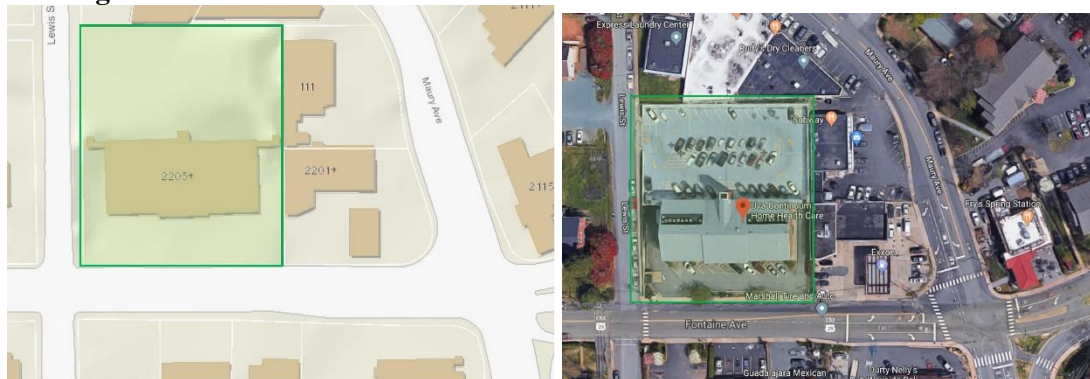
**Application Information**

**Property Street Address:** 2205 Fontaine Avenue  
**Property Owner:** Liebig International, Inc.  
**Tax Map/Parcel #:** 170.042.000  
**Total Square Footage/Acreage Site:** 0.92 acres  
**Comprehensive Plan (Land Use Plan) Designation:**  
**Current Zoning Classification:** Neighborhood Commercial Corridor (NCC) with Entrance Corridor (EC) Overlay  
**Entrance Corridor Overlay District:** Fontaine Avenue/JPA, Sub-Area B  
**Current Usage:** Office building with a compounding pharmacy facility

**Background**

There are no prior EC proposals related to this property.

**Existing conditions**



Constructed in 1988, this is an existing, three story, brick structure of approximately 24,000 square feet. The design is a contemporary take on colonial revival architecture. The front (south) faces Fontaine Avenue. The rear (north) faces a two story parking structure.

The building has a gable roof with asphalt shingles, a cross gable on the rear elevation. The building façade is separated into three equal bays; the roof of the center bay slightly elevated above the east and



west bays. On the south face of the center bay is a third floor balcony featuring a metal railing and ornamental metal columns.

A brick soldier course between the second and third floors surrounds the building. The east and west gable ends have no doors or windows; near the roof line each has a white, louvered attic vent. The eave and cornice trim is simple and unadorned, painted white.

Front elevation: Building access is at the first floor, street level, featuring a series of storefront windows and doors. Each set of window panels and doors are covered by a blue, metal canopy with white trim. The second floor consists of eighteen double-hung windows. At the east and west bays, these windows are topped with a brick jack arch; at the center bay, the half-circle windows have a brick round arch. On the third floor, the east and west bays each have four, paired double-hung windows; the center bay has four double doors opening to the balcony. All third floor openings are topped with a brick, running bond flat arch. All of the south façade doors, windows and trim are white.

Rear elevation (not visible from the EC): All floors feature a series of windows and doors, painted white, consistent with the staircase and wooden columns supporting the third floor pedestrian corridor.

### **Applicant's Request**

UVa Operates a compounding pharmacy at 2005 Fontaine Avenue that produces chemotherapy drugs for approximately 1,000 home patients living in the central Virginia area. UVa is required to renovate the existing pharmacy in order to meet the newly adopted United States Pharmacopeial Convention regulation USP 800, which controls the design and operation of compounding pharmacies. The UVa Pharmacy will be moved to two adjacent suites on the first floor, requiring the installation of a new mechanical system that includes a new exhaust fan and air handlers with large volume outdoor air and particulate filters. It is not feasible to install the support ductwork – a fresh air duct, a relief air duct, and an exhaust duct – within the building, which necessitates installing them on the building's east and west elevations.

**East elevation:** Install a 2'-9" deep by 11'-6" wide by 30'-9" tall metal clad box to cover a fresh air duct (the intake opening must be 20' above the ground), a relief air duct, and an exhaust duct. Horizontal pipes running to the condenser--located in the parking structure--will be similarly clad within a 4" deep by 24" high box. (Note: The design might be modified so as to remove the two supporting posts. Applicant is reviewing.)

**West elevation:** Install a 1'-6" deep by 2'-0" wide by 19'-0" tall metal siding box to cover a proposed fresh air duct (the opening must be 20' above the ground) required to serve portions of the first floor.

The metal cladding at both elevations will be a prefinished, channeled, heavy gauge metal product. The applicant has suggested a gray color (see sample panel), however they are willing to accept ERB guidance on alternatives from the product catalog.

Note: To possibly reduce visibility, staff discussed with the applicant the option of installing the ducts with no metal cladding. While somewhat reducing the mass, without cladding the numerous mounting brackets and attachments would be visible. The exposed ductwork would require field painting, versus the factory-finished, and more durable metal cladding.

### **Standard of Review**

The Planning Commission serves as the entrance corridor review board (ERB) responsible for administering the design review process in entrance corridor overlay districts. This development project

requires a site plan, and therefore also requires a certificate of appropriateness from the ERB, pursuant to the provisions of §34-309(a)(3) of the City's Zoning Ordinance. The ERB shall act on an application within 60 days of the submittal date, and shall either approve, approve with conditions, or deny the application. Appeal would be to City Council..

**Standards for considering certificates of appropriateness:**

In conducting review of an application, the ERB must consider certain features and factors in determining the appropriateness of proposed construction, alteration, etc. of buildings or structures located within an entrance corridor overlay district. Following is a list of the standards set forth within §34-310 of the City Code:

**§34-310(1): Overall architectural design, form, and style of the subject building or structure, including, but not limited to: the height, mass and scale;**

N/A. No changes are proposed to the building's height, massing, scale or overall design

**§34-310(2): Exterior architectural details and features of the subject building or structure;**

N/A. No new architectural details or features are proposed.

**§34-310(3): Texture, materials and color of materials proposed for use on the subject building or structure;**

The visible component of the proposed ductwork will be finished metal, with a color scheme to be determined. The color choice(s) falls between matching/complimenting the brick and contrasting with the brick. There are merits to each.

A complimentary color would help to mask the ductwork, mitigating the visual impact, but it cannot camouflage it.

A contrasting color would prove more visible; however it would distinguish the new work from the original building design. If opted for, the color selected need not be muted, but possibly vibrant; suggesting this work is a design element and not hidden ductwork.

Painting the ductwork as faux brick or using a synthetic covering that simulates masonry is possible, but such solutions often produce a more-visible result. Additionally, compared to the proposed metal, faux masonry materials are more susceptible to damage and deterioration.

The EC Design Guidelines offer no specific direction for this type of alteration, but suggestions regarding colors and materials might be helpful:

- *Coordinating materials within a development can tie together buildings of different sizes, uses, and forms while contrasting materials or textures within a large building may add visual interest and reduce its apparent scale. Modern construction materials offer choices that can provide many different looks and textures.*
- *Use material changes to help reduce mass and provide visual interest.*
- *Use quality materials consistently on all visible sides of commercial, office and multi-family residential buildings.*
- *Avoid the use of building materials with long-term maintenance problems, such as EIFS (exterior insulation and finishing systems), or vinyl siding. Sustainable, utilitarian building materials such as*

*concrete block, metal siding or cementitious panels may be appropriately used for a contemporary design.*

**Staff Analysis:** This is the attachment of exterior ductwork onto the non-prominent elevations of a rather ordinary 1980s building, not the addition of a new architectural element or a change in materials or color, etc. Furthermore, only the ductwork on the east elevation represents a significantly visible alteration— versus the far smaller box on the west elevation. The guidelines suggest that contrasting materials, colors, and forms can contribute to a building’s aesthetic. Staff suggests that the use of the uniform, more-durable, metal cladding with the appropriate color would be acceptable and within the guidelines. Staff discourages an attempt to blend this work with the brick, instead offering two color options for consideration:

- A neutral off-white or gray. Muted, not too light, otherwise it will appear white.
- A significant contrast using a deep grey or other dark color. (For example, on a color wheel the contrasting colors for the red/orange bricks would be something in the green to blue range.)

**§34-310(4): Design and arrangement of buildings and structures on the subject site;**

N/A. No changes are proposed to the building’s relationship to the site.

**§34-310(5): The extent to which the features and characteristics described within paragraphs (1)-(4), above, are architecturally compatible (or incompatible) with similar features and characteristics of other buildings and structures having frontage on the same EC street(s) as the subject property.**

**(See Staff Analysis above)**

**§34-310(6): Provisions of the Entrance Corridor Design Guidelines.**

Relevant sections of the guidelines include:

**Section 1 (Introduction)**

The Entrance Corridor design principles are expanded below:

**• Design for a Corridor Vision**

New building design should be compatible (in massing, scale, materials, colors) with those structures that contribute to the overall character and quality of the corridor. Existing developments should be encouraged to make upgrades consistent with the corridor vision. Site designs should contain some common elements to provide continuity along the corridor. New development, including franchise development, should complement the City’s character and respect those qualities that distinguish the City’s built environment.

**• Preserve History**

Preserve significant historic buildings as well as distinctive architecture from more recent periods. Encourage new contemporary design that integrates well with existing historic buildings to enhance the overall character and quality of the corridor.

**• Facilitate Pedestrian Access**

Encourage compact, walkable developments. Design pedestrian connections from sidewalk and car to buildings, between buildings, and between corridor properties and adjacent residential areas.

**• Maintain Human Scale in Buildings and Spaces**

Consider the building scale, especially height, mass, complexity of form, and architectural details, and the impact of spaces created, as it will be experienced by the people who will pass by, live, work, or shop there. The size, placement and number of doors, windows, portals and openings define human scale, as does the degree of ground-floor pedestrian access.

**• Preserve and Enhance Natural Character**

Daylight and improve streams, and retain mature trees and natural buffers. Work with topography to minimize grading and limit the introduction of impervious surfaces. Encourage plantings of diverse native species.

**• Create a Sense of Place**

In corridors where substantial pedestrian activity occurs or is encouraged, or where mixed use and multi-building projects are proposed, one goal will be creating a sense of place. Building arrangements, uses, natural features, and landscaping should contribute, where feasible, to create exterior space where people can interact.

**• Create an Inviting Public Realm**

Design inviting streetscapes and public spaces. Redevelopment of properties should enhance the existing streetscapes and create an engaging public realm.

**• Create Restrained Communications**

Private signage and advertising should be harmonious and in scale with building elements and landscaping features.

**• Screen Incompatible Uses and Appurtenances:**

Screen from adjacent properties and public view those uses and appurtenances whose visibility may be incompatible with the overall character and quality of the corridor, such as: parking lots, outdoor storage and loading areas, refuse areas, mechanical and communication equipment, Where feasible, relegate parking behind buildings. It is not the intent to require screening for utilitarian designs that are attractive, and/or purposeful.

**• Respect and Enhance Charlottesville’s Character**

Charlottesville seeks new construction that reflects the unique character, history, and cultural diversity of this place. Architectural transplants from other locales, or shallow imitations of historic architectural styles, for example, are neither appropriate nor desirable. Incompatible aspects of franchise design or corporate signature buildings must be modified to fit the character of this community.

Section 2 (Streetscape)

N/A. No changes proposed to the Streetscape.

Section 3 (Site):

N/A. No changes proposed to the Site.

Section 4 (Buildings):

**(See Staff Analysis above)**

Section 5 (Individual Corridors):

Fontaine Avenue/Jefferson Park Avenue from the corporate limits to Emmet Street

This corridor transitions quickly from accommodating highway speed autos to more congested auto, transit, pedestrian and bicycle traffic. Foremost considerations are traffic calming, provisions for pedestrian safety, and pedestrian amenities such as sidewalks, landscaping and transit stops. The neighborhood center, Maury Avenue intersection, is currently a bustling, mixed use pedestrian activity area that newer developments strive to emulate. The pedestrian and mixed use characteristics of this neighborhood intersection should not be lost as redevelopment occurs. New mixed use and apartment project design should reflect the character and importance of this major entrance to the City and the University. Historic assets to be protected include the JPA median that formerly accommodated a trolley line, the Fry Spring's Service Station, and the Oakhurst-Gildersleeve Neighborhood. This corridor is a potential location for public way-finding signage.

Sub-Area B: Lewis Street to Maury Avenue

Description

- *Streetscape:* Mixed-use, auto-oriented on three corners, curb cuts, overhead utilities, cobra-head lights, road widens, no crosswalks, no streetscape amenities.
- *Site:* Pole-mounted signs, front yards used for parking.
- *Buildings:* 1-2 story houses converted to commercial uses, restaurants, 3-story new infill.

Recommended General Guidelines

- Develop commercial sites into higher density mixed-use projects
- Upgrade streetscape amenities with underground utilities, streetlights and plantings

Guidelines Specific to the Zoning

(NCC) Neighborhood Commercial Corridor district: The intent of the Neighborhood Commercial Corridor district is to establish a zoning classification for the Fontaine and Belmont commercial areas that recognize their compact nature, their pedestrian orientation, and the small neighborhood nature of the businesses. This zoning district recognizes the areas as small town center type commercial areas, and provides for the ability to develop on small lots with minimal parking dependent upon pedestrian access. The regulations recognize the character of the existing area and respect that they are neighborhood commercial districts located within established residential neighborhoods.

**Public Comments Received**

No public comments have been received to date.

**Staff Recommendations**

Staff suggests that the use of the uniform, metal cladding with the appropriate color would be acceptable and within the guidelines; appropriate for the EC, but only in limited application such as this. Staff discourages an attempt to blend this work with the brick, instead offering two color options for consideration:

- A neutral off-white or gray. Muted, not too light, otherwise it will appear white.
- A significant contrast using a deep grey or other dark color. (For example, on a color wheel the contrasting colors for the red/orange bricks would be something in the green to blue range.)

### **Suggested Motion**

1. "I move to approve a Certificate of Appropriateness for the proposed exterior ductwork at the east and west elevations of 2205 Fontaine Avenue, located within the Fontaine Avenue/JPA Entrance Corridor....as presented and with the proposed color, ...
2. ...with the following conditions and color recommendation...

### **Attachments:**

Applicant's submittal information (8 pages)

Photo of metal cladding sample.

Pages from color catalog.



Entrance Corridor Review Application (EC)
Certificate of Appropriateness

Please Return To:
City of Charlottesville
Department of Neighborhood Development Services
P.O. Box 911, City Hall
Charlottesville, Virginia 22902
Telephone (434) 970-3130

RECEIVED

MAY 22 2018

NEIGHBORHOOD DEVELOPMENT SERVICES

Please submit one (1) hard copy and one (1) digital copy of application form and all attachments.
Please include application fee as follows: New construction project \$375; Additions and other projects requiring ERB approval \$125; Administrative approval \$100.
Make checks payable to the City of Charlottesville.

The Entrance Corridor Review Board (ERB) meets the second Tuesday of the month.
Deadline for submittals is Tuesday 3 weeks prior to next ERB meeting by 3:30 p.m.

Owner Name Liebig International, Inc. Applicant Name University of Virginia
Project Name/Description Continuum Home Health Parcel Number 170.042.000
Project Street Address 2205 Fontaine Avenue/Colony Plaza

Applicant Information

Address: 1003 West Main Street
Charlottesville, VA
Email: pks3k@virginia.edu
Phone: (W) 243.8032 (C) 434.962.5023

Property Owner (if not applicant)

Address: Post Office Box 7902
Charlottesville, VA
Email: liebiganchors@earthlink.net
Phone: (W) 434.979.7115 (C)

Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct.

Signature: [Handwritten Signature] Date: 5/22/18
Print Name: Kevin Silson Date: 5/22/18

Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission.

Liebig International, Inc.
By: [Handwritten Signature] Date:
Hitrud Mahturff, Authorized Agent
Print Name: Hitrud Mahturff Date:

Description of Proposed Work (attach separate narrative if necessary): SEE ATTACHED

Attachments (see reverse side for submittal requirements):

For Office Use Only
Received by: [Handwritten Signature]
Fee paid: \$125.00 Cash/Ck. # VISA
Date Received: 5/22/2018
Approved/Disapproved by:
Date:
Conditions of approval:
Revised 2016 P18-0096

City of Charlottesville  
**Entrance Corridor Review Application**  
Certificate of Appropriateness Attachment

University of Virginia  
Continuum Home Health  
Colony Plaza Building  
2205 Fontaine Avenue

June 12, 2018

## DESCRIPTION OF PROPOSED WORK

### **Background:**

UVA operates a compounding pharmacy at 2005 Fontaine Avenue that produces chemotherapy drugs for approximately 1,000 home patients living in the central Virginia area. UVA is required to renovate the existing pharmacy in order to meet the newly adopted United States Pharmacopeial Convention regulation USP 800, which controls the design and operation of compounding pharmacies. The UVA pharmacy will be moved to two adjacent suites on the first floor, and will require the installation of a new mechanical system, which will include a new exhaust fan and air handlers with large volume of outdoor air and particulate filters. Unfortunately, it is impossible to install the new support ductwork - a fresh air duct, a relief air duct and an exhaust duct - within the building, which necessitates installing them on the ends of the building.

**East end of building:** Proposed work consists of installing a 2'-9" deep by 11'-6" wide by 30'-9" tall metal siding box to cover the proposed fresh air duct (the opening must be 20' above the ground), a relief air duct and an exhaust duct. Proposed work also includes a 4" deep by 24" high metal box cover over the horizontal pipes running to the condenser, located on the upper deck of the parking garage.

**West end of building:** Proposed work consists of installing a 1'-6" deep by 2'-0" wide by 19'-0" tall metal siding box to cover a proposed fresh air duct (the opening must be 20' above the ground) required to serve portions of the first floor.

## ATTACHMENTS

- Location map
- Site plan
- East elevation – close-up
- East elevation – view from street
- West elevation – close-up
- West elevation – close-up
- Metal siding sample
- Metal siding color chart



**UNANIMOUS CONSENT IN LIEU OF  
MEETING OF BOARD OF DIRECTORS  
OF  
LIEBIG INTERNATIONAL, INC.**

The undersigned, being the sole director of Liebig International, Inc. ("Corporation"), a Virginia corporation, executes this unanimous written consent in lieu of a meeting for the purpose of adopting the following resolutions:

WHEREAS, the Corporation is the owner of the Colony Plaza building at 2205 Fontaine Avenue, Charlottesville, Virginia ("Building"); and

WHEREAS, the Corporation is contemplating entering into a lease of certain space in the Building to the Rector and Visitors of the University of Virginia ("UVA"); and

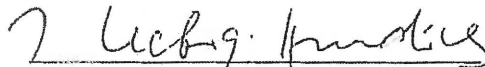
WHEREAS, if the parties reach agreement and a lease is executed, UVA intends to perform certain work on the Building that requires approval of a certificate of appropriateness by the City of Charlottesville Entrance Corridor Review Board; and

WHEREAS, the Corporation is willing to consent to UVA filing an Entrance Corridor Review Application prior to the completion of lease negotiations:

NOW THEREFORE it is hereby RESOLVED that the Corporation consents to UVA's Entrance Corridor Review Application (EC) Certificate of Appropriateness ("Application") and Hiltrud McInturff ("Authorized Agent") is authorized and directed, on behalf of the Corporation, to sign the Application to evidence the Corporation's consent.

RESOLVED FURTHER, that the Authorized Agent is authorized and directed to take such further actions or to authorize the taking of such further actions as may be necessary or appropriate in connection with the Application and that the Authorized Agent is authorized to provide any and all certifications deemed by her to be appropriate to evidence the proper authorization of any and all actions authorized by these resolutions.

DATE: 05/20/2018

  
Dr. Ingrid Liebig-Hundius

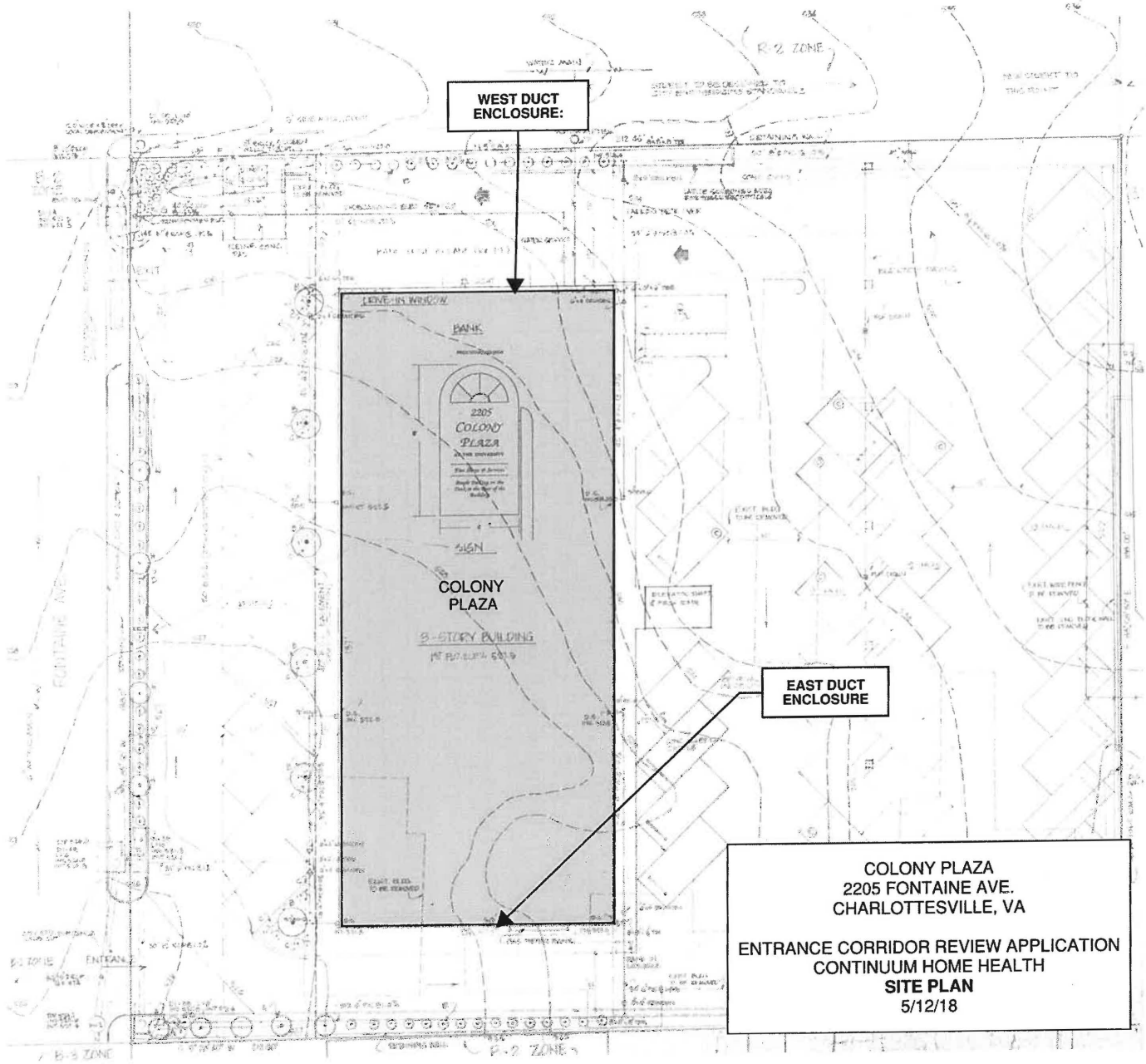
WEST DUCT ENCLOSURE:

EAST DUCT ENCLOSURE



COLONY PLAZA  
2205 FONTAINE AVE.  
CHARLOTTESVILLE, VA

ENTRANCE CORRIDOR REVIEW APPLICATION  
CONTINUUM HOME HEALTH  
LOCATION PLAN  
5/12/18



**WEST DUCT ENCLOSURE:**

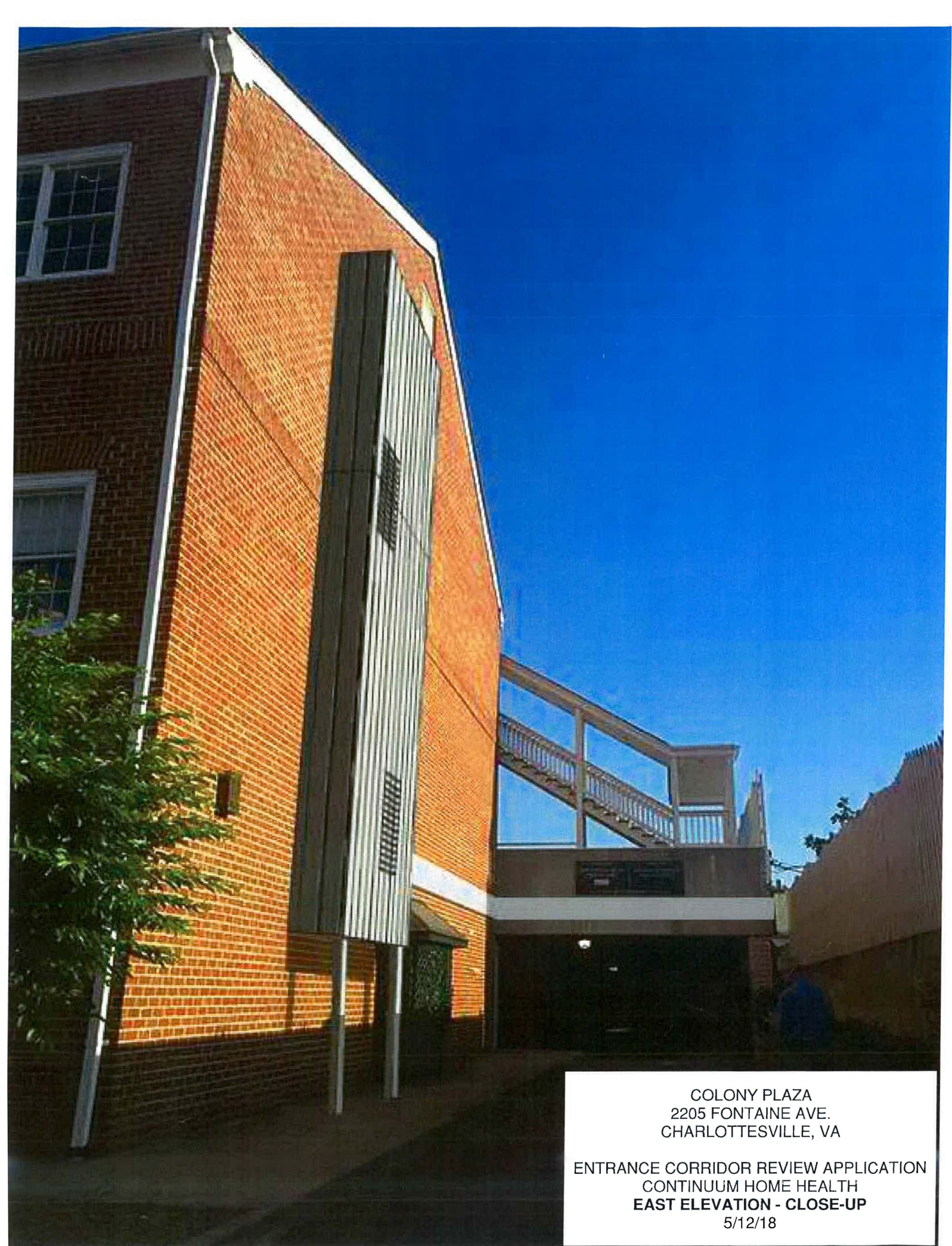
**EAST DUCT ENCLOSURE**

**COLONY PLAZA  
2205 FONTAINE AVE.  
CHARLOTTESVILLE, VA  
ENTRANCE CORRIDOR REVIEW APPLICATION  
CONTINUUM HOME HEALTH  
SITE PLAN  
5/12/18**



COLONY PLAZA  
2205 FONTAINE AVE.  
CHARLOTTESVILLE, VA

ENTRANCE CORRIDOR REVIEW APPLICATION  
CONTINUUM HOME HEALTH  
**EAST ELEVATION - VIEW FROM STREET**  
5/12/18



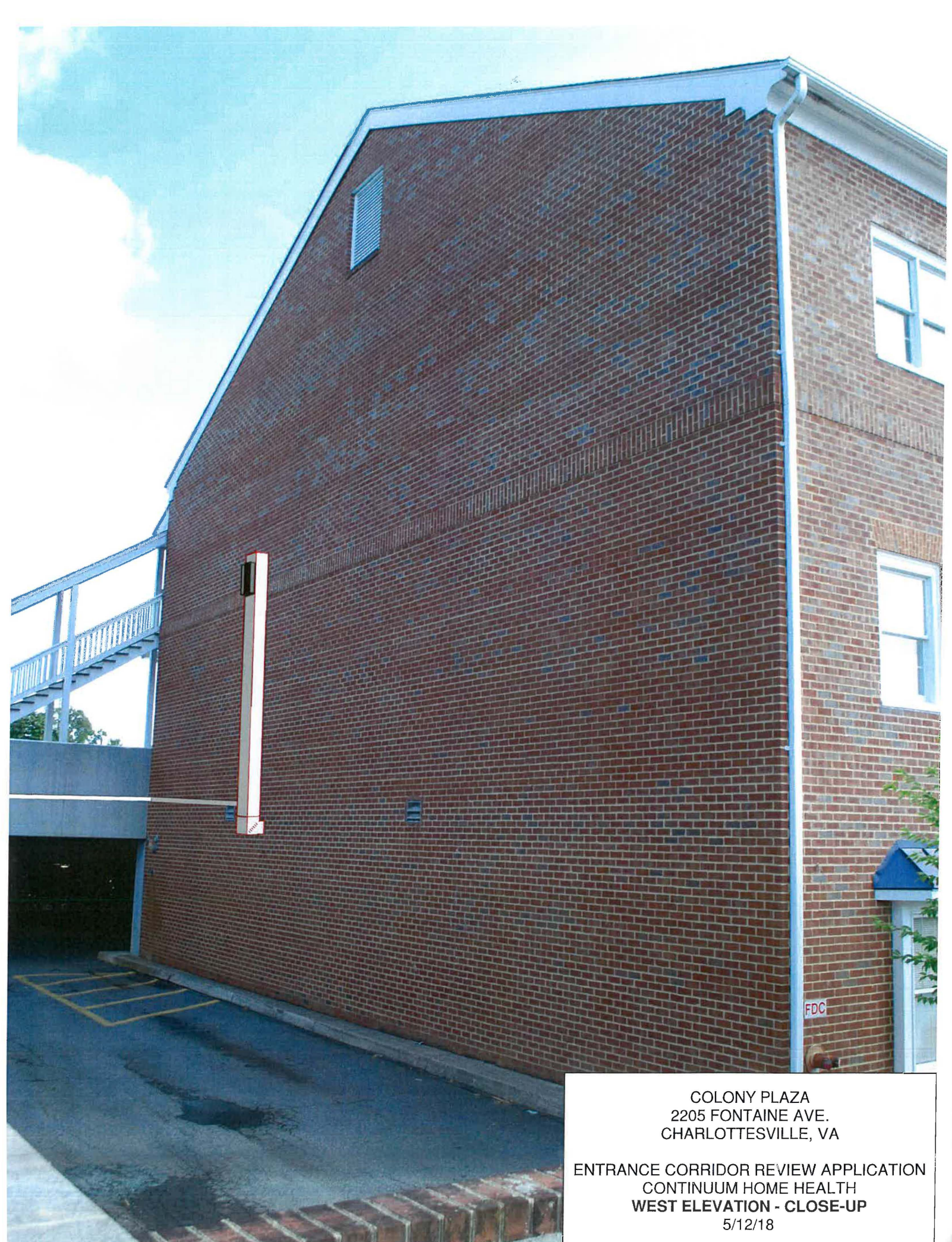
COLONY PLAZA  
2205 FONTAINE AVE.  
CHARLOTTESVILLE, VA

ENTRANCE CORRIDOR REVIEW APPLICATION  
CONTINUUM HOME HEALTH  
**EAST ELEVATION - CLOSE-UP**  
5/12/18



COLONY PLAZA  
2205 FONTAINE AVE.  
CHARLOTTESVILLE, VA

ENTRANCE CORRIDOR REVIEW APPLICATION  
CONTINUUM HOME HEALTH  
WEST ELEVATION - VIEW FROM STREET  
5/12/18



COLONY PLAZA  
2205 FONTAINE AVE.  
CHARLOTTESVILLE, VA

ENTRANCE CORRIDOR REVIEW APPLICATION  
CONTINUUM HOME HEALTH  
**WEST ELEVATION - CLOSE-UP**  
5/12/18



Photo was NOT taken at the 2205 Fontaine Avenue.





REIMAGINE METAL  
COLOR THAT TRANSFORMS

## CUSTOM COLOR

### COATING SYSTEM

**Custom Color** coatings are durable PVDF based finishes available in 2-coat and 3-coat systems. These color coatings offer a bright, vibrant color to any architectural application. If your color choice is not found among our standard colors, contact CENTRIA for a custom color match.

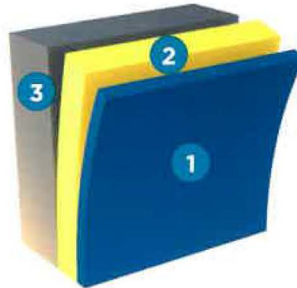


1. 0.5 mil [12.7 micron] nominal PVDF Clear Coat\* (where required)
2. 0.8 mil [20 micron] nominal PVDF Color Coat\*
3. 0.2 mil [5.1 micron] nominal Primer
4. Metal Substrate

## ALLURA™ EARTH TONE SERIES

### COATING SYSTEM

**Allura** is a premium PVDF coating that provides a matte, low-gloss finish, combined with a subtle aggregate texture.



1. 0.8 mil [20 micron] Color Coat
2. 0.2 mil [5.1 micron] nominal PVDF Primer
3. Metal Substrate

### ALLURA SERIES COLORS



781 Adobe

782 Lava Rock

783 Sienna

784 Clay

785 Sedona

## ALLUSION™ FAUX FINISH SERIES

### COATING SYSTEM

**Allusion** is a pre-finished coating that simulates expensive natural finishes accurately and cost-effectively.



1. 45 mil [11.5 micron] nominal PVDF Clear Top Coat
2. 0.05 mil [12.7 micron] nominal PVDF printed ink finish
3. 65 mil [16.6 micron] nominal Color Base Coat (also acts as Primer)
4. Metal Substrate

### ALLUSION SERIES COLORS



761 Light Oak

762 Dark Oak

763 Rust†

764 Slate

765 Antique Bronze



766 Blue Zinc

767 Red Zinc

768 Crystal Zinc†

769 Green Zinc†

†Stock color

Non-stock colors may be subject to a minimum quantity requirement or small order charges. Please consult CENTRIA.

## STANDARD BACKER COLOR



5913 Polyester Arctic Ice  
Interior Use Only

Unless specified otherwise, CENTRIA will provide a standard backer coat on the reverse side of single skin panels. Color may vary.

Polyester Arctic Ice is the standard finish offering for the interior surfaces of foam panels. Other finishes available upon request.

# SUNDANCE™ MICA AND METALLIC SERIES

## COATING SYSTEMS

**Sundance Mica** is a 2-coat system that provides a pearlescent appearance. Sundance Mica is a high performance PVDF finish that is an excellent, cost effective alternative to metallic finish systems requiring clear coats.



1. 0.8 mil [20 micron] nominal PVDF Color Coat\*
2. 0.2 mil [5.1 micron] nominal Primer
3. Metal Substrate

**Sundance AM** is a polyvinylidene fluoride (PVDF) 3-coat system that incorporates metal flakes in the color coat. A clear top coat protects the metal flakes and results in an outstanding metallic effect.



1. 0.5 mil [12.7 micron] nominal PVDF Clear Coat\*
2. 0.8 mil [20 micron] nominal PVDF Color Coat\*
3. 0.2 mil [5.1 micron] nominal Primer
4. Metal Substrate

**Cost of CENTRIA coatings may vary depending on specific color and finish selection.**

**Colors shown in this brochure are for preliminary selection only. Printed colors can vary from actual painted metal samples before final selection.**

**CENTRIA panel finishes are applied using the coil coating process. Metallic and mica finishes may exhibit some directionality in the coating color. When specifying micas and metallic colors directionality of the coating must be considered during estimating, fabricating, and installation.**

## SUNDANCE SERIES COLORS

Sundance Series Colors are scintillating micas and bright metallics that create truly dynamic aesthetics for your building. The appearance of Sundance Series colors can change as the sun moves across the sky, making color an active facet of your design.

### SUNDANCE MICA 2-COAT



9946 Silversmith

9947 Gray Velvet

9948 Champagne Bronze

9949 Copper

9987 Bronze II



9951 Champagne Pearl

9989 Platinum

9988 Brick II

9954 Jade

9955 Blue

### SUNDANCE AM ALUMINUM METALLIC 3-COAT



9956 XL Rosalind Rose

9957 XL Silver

9958 XL Champagne Gold

9959 XL Light Bronze

9960 XL Medium Gray



9962 XL Silver Gray

9963 XL Copper Metallic

9964 XL Medium Bronze

9965 XL Dark Bronze

9967 XL Pewter

## KOLORSHIFT™ IRIDESCENT SERIES

### KOLORSHIFT SERIES COLORS

Kolorshift Series is an iridescent polyvinylidene (PVDF) architectural coating that offers a whole new world of design possibilities. The color of the metal surface will change depending on the viewing angle or direction of sunlight. The result is a continuous iridescent color gradient.



731 Hemlock

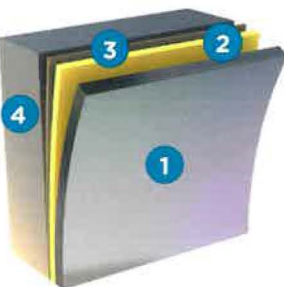
732 Dusty Rose

733 Green Shimmer

734 Purple Rain

735 Lightning Storm

### COATING SYSTEM



1. 0.8 mil [20 micron] nominal PVDF Top Coat\*
2. 0.5 mil [12.7 micron] nominal Base Coat
3. 0.2 mil [5.1 micron] nominal Primer
4. Metal Substrate

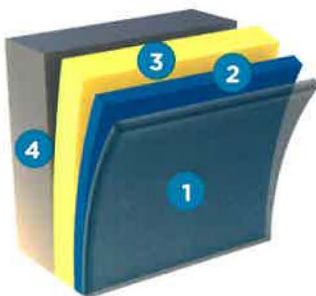
**Versacor® ELITE** Coating Systems are premium, high-build, multi-layer metal coating systems that provide the highest levels of protection in the harshest climatic or environmental conditions.

**Versacor ELITE PF** features a solid color PVDF top coat. **Versacor Elite MX** has a PVDF pearlescent effect top coat. Both coatings are excellent for corrosive architectural applications and abrasion resistance.



1. 0.8 mil [20 micron] nominal PVDF Top Coat
2. 2.0 mil [50.8 micron] nominal Versacor Elite Barrier Coat Primer
3. Metal Substrate — G-90 galvanized steel, aluminum

**Versacor ELITE AM®** combines the superior corrosion resistance of the Versacor Elite barrier coat with a PVDF metallic color coat and the extra protection of another clear coat.



1. 0.5 mil [12.7 micron] nominal Clear Coat
2. 0.8 mil [20 micron] nominal PVDF Metallic Effect Color Coat
3. 2.0 mil [50.8micron] nominal Versacor Elite Barrier Coat
4. Metal Substrate — G-90 galvanized steel, aluminum

## PRISMATIC SERIES COLORS

Available in a wide range of colors and Fluorofinish, Duragard and Versacor Elite Coating Systems.



### What is Reverse Side Coating Protection?

As an added layer of protection for exterior walls, 2-mil-thick [50.8 micron] Versacor barrier coat with a 0.5 mil [12.7 micron] polyester topcoat (5913 Arctic Ice) is applied to the interior liner of the metal substrate to protect against corrosion.

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**APPLICATION FOR APPROVAL OF A FINAL SITE PLAN**

**PLANNING COMMISSION REGULAR MEETING**

**DATE OF HEARING: June 12, 2018**

**Project Planner:** Carrie Rainey

**Date of Staff Report:** June 5, 2018

**Development:** Sunrise Park PUD Phase IV (Tax Map 56 Parcel 85.W)

**Applicant:** Reid Murphy, Building Management Company

**Applicant's Representative(s):** David Robinson, Roudabush, Gale & Associates

**Current Property Owner:** Building Management Company

**Applicable City Code Provisions:** 34-800 – 34-828 (Site Plans)

**Zoning District:** PUD Planned Unit Development

**Reason for Planning Commission Review:** Site plans associated with a property is zoned PUD (Planned Unit Development) are subject to review by the Planning Commission.

**Vicinity Map**



**Context Map 1**



**Context Map 2- Zoning Classifications**



**KEY – Green: PUD, Yellow: R1-S, Light Orange: R-2, Orange: R-3, Red: B-2, Grey: M-I**

## **Standard of Review**

Approval of a site plan is a ministerial function, as to which the Planning Commission has little or no discretion. When an applicant has submitted a site plan that complies with the requirements of the City's Site Plan Ordinance, then approval of the plan must be granted. In the event the Planning Commission determines there are grounds upon which to deny approval of a site plan, the motion must clearly identify the deficiencies in the plan, that are the basis for the denial, by reference to specific City Code sections and requirements. Further, upon disapproval of a site plan, the Planning Commission must identify the modifications or corrections that would permit approval of the plan.

## **Summary**

David Robinson of Roudabush, Gale & Associates, acting as agent for Building Management Company, is requesting approval of a final site plan amendment (Attachment 1) to construct a multi-family building with 22 residential units within the Sunrise Park PUD development at 0 Carlton Avenue (TMP 56-85.W). The property is identified in the Sunrise Park PUD Development Plan (Attachment 5) as the NE Block. The NW, SW, and SE Blocks and infrastructure improvements of the development have been completed through previous phases of construction.

Per Proffer 13 of the Sunrise Park PUD Development Plan, the Planning Commission shall consider the preliminary architecture plans in conjunction with the site plan to ensure the proposed building is harmonious in character with adjacent properties. The preliminary architecture plans (Attachments 2 and 3) include a Building Height Diagram to show compliance with Proffer 3, which states the highest point of the building on the NE Block shall not exceed the highest point of the building on the NW Block. Photographs of adjacent properties are included in Attachment 4.

## **Site Plan Compliance**

Site plans are reviewed for compliance with City codes and standards. An overview of site plan requirements and the location of those items on the site plan are outlined below.

## **Site Plan Requirements**

### **A. Compliance with applicable zoning district regulation**

#### **Planned Unit Development District ("PUD") (per Sections 34-490 - 34-519)**

The property is zoned PUD Planned Unit Development District. The project complies with all requirements of the PUD Planned Unit Development District and the Sunrise Park PUD Development Plan.

**B. Compliance with the City's Erosion and Sediment Control ordinance, Chapter 10**

The applicant's erosion and sediment control plan is shown on **Sheet 8**.

**C. Compliance with General Standard for site plans (Sections 34-800 - 34-828)**

1. General site plan information, including but not limited to project, property, zoning, site, and traffic information: **Found on Sheet 1.**
2. Existing condition and adjacent property information: **Found on Sheet 2.**
3. Phasing plan: **This project will be constructed in one phase and is the fourth phase of the Sunrise Park PUD development per Sheet 2.**
4. Topography and grading: **Found on Sheet 4.**
5. Existing landscape and trees: **Found on Sheet 2.**
6. The name and location of all water features: **N/A.**
7. One hundred-year flood plain limits: **N/A.**
8. Existing and proposed streets and associated traffic information: **No new roads are proposed.**
9. Location and size of existing water and sewer infrastructure: **Found on Sheet 2.**
10. Proposed layout for water and sanitary sewer facilities and storm drain facilities: **Found on Sheets 4 and 6.**
11. Location of other existing and proposed utilities and utility easements: **Found on Sheets 2 and 4.**
12. Location of existing and proposed ingress to and egress from the property, showing the distance to the centerline of the nearest existing street intersection: **Found on Sheet 3.**
13. Location and dimensions of all existing and proposed improvements: **Found on Sheets 3, 4, 5, and 6.**
14. All areas intended to be dedicated or reserved for public use: **Not applicable.**
15. Landscape plan: **Found on Sheet 7.**
16. Where deemed appropriate by the director due to intensity of development:
  - a. Estimated traffic generation figures for the site based upon current ITE rates: **Not applicable.**
  - b. Estimated vehicles per day: **Not applicable.**



**D. Additional information to be shown on the site plan as deemed necessary by the director or Commission in order to provide sufficient information for the director or Commission to adequately review the site plan.**

The Sunrise Park PUD Development Plan includes the following proffers, which are provided on **Sheet 1** of the site plan. As applicable, conformance to proffers as related to the site plan and architectural plans is noted.

1. The hours of operation for all non-residential uses of the property shall be limited to the hours between 7 a.m. and 10 p.m.
2. Not more than twenty one (21) principle buildings shall be erected on the property, of which, not more than nine (9) buildings shall be erected in the SW block nor more than ten (10) buildings in the SE blocks. All structures, including buildings, will cover no more than thirty five percent (35%) of the property. **Found on Sheet 1 in Land Use Notes.**
3. The highest point of any parapet, or the midpoint of any sloped roof, constructed in the NE block shall not extend above a level horizontal plane extending from the highest point of the parapet of the building constructed in the NW block. The Owner shall establish this dimension and any site plan (preliminary or final) for proposed development of the NE block shall depict the horizontal plane as determined in relation to both the NE block and the building constructed in the NW block. **Found on Building Height Diagram (Attachment 3).**
4. Not more than seventy (70) dwelling units may be constructed on the property. **Found on Sheet 1 in Land Use Notes.**
5. Not more than 12,800 square feet of the total building square footage shall be non-residential. **Found on Sheet 1 in Land Use Notes.**
6. The rezoned property shall be landscaped in general accordance with the General Development Plan prepared by Roudabush, Gale & Associates and dated July 27, 2016. All plantings in each phase shall be planted prior to the issuance of a certificate of occupancy for the structure to be erected on the rezoned property. All landscaping and plantings shall be maintained and replaced on an annual basis as necessary. **Found on Sheet 7.**
7. The applicant shall construct a sidewalk in conformance with City standards along Midland Street in the location shown on the PUD Development Plan.
8. Ingress to, and egress from, the property shall be as shown on the PUD Development Plan. Individual driveway entrances to single family attached units from Carlton Avenue, Rives Street, Nassau Street, and Midland Street are strictly prohibited. **Found on Sheet 3 (previously built condition).**

9. Commemoration of the structure located at 1106 Carlton Avenue shall be constructed on site.
10. Not less than four (4) units shall be designated as deeply affordable rental housing or affordable homeownership opportunities in the multifamily building on the NW block. The initial annual rent for each deeply affordable rental unit shall not exceed thirty percent (30%) of twenty-five percent (25%) of the then current AMI. A for-sale, affordable unit is defined as a residential unit affordable to households with incomes less than sixty percent (60%) AMI. Both the designated deeply affordable rental and affordable homeownership units in the multifamily building on the NW block shall be subject the terms and conditions of the PUD Development Plan and shall remain deeply affordable or affordable through December 31, 2025.
11. Not less than twenty (20) units total shall be designated as affordable housing. These units may be created as a for-sale, affordable unit or a designated affordable rental unit. A for-sale, affordable unit is defined as a residential unit affordable to households with incomes less than sixty percent (60%) AMI. The initial annual rent for a designated affordable rental unit shall not exceed thirty percent (30%) of sixty percent (60%) of the then current AMI. In each subsequent calendar year, the monthly “net rent” (i.e., the amount of rent that does not include tenant paid utilities) may be increased by three percent (3%). A designated affordable rental shall be subject the terms and conditions of the PUD Development Plan and remain affordable, as described above, through December 31, 2025.
12. In order to ensure that the site functions as a cohesive, unified project, a site plan shall be submitted for the entire property. This proffer does not prohibit the Owner from constructing the planned improvements in multiple phases.
13. In order to ensure that the proposed buildings are harmonious with the character of the adjacent properties, the Owner shall submit preliminary architecture with the site plan. The preliminary architecture will be considered part of the site plan submittal and will be subject to review and approval by the Planning Commission.  
**Found in architectural plans (Attachment 2). Photographs of existing buildings are included in Attachment 4 for reference.**

**E. Compliance with Additional Standards for Specific Uses (Sections 34-930 - 34-938)**

No improvements regulated by these sections are proposed.

### **Public Comments Received**

Staff has received no correspondence from members of the public regarding the site plan or architectural plans for Phase IV of the Sunrise Park PUD development.

### **Recommendation**

Staff notes the buildings on the properties surrounding the Sunrise Park PUD development encompass a variety of architectural styles, massing, and details (see Attachment 4). Staff finds the architectural style of the proposed building to be similar to the existing building in the NW Block in terms of scale, modulation, window placement, and the design of balconies. Staff recommends approval of the site plan and preliminary architectural plans.

### **Attachments**

1. Final Site Plan dated May 23, 2018
2. Preliminary Architecture Plans, dated March 30, 2017
3. Building Height Diagram, dated October 4, 2017
4. Images of Existing Sunrise Park PUD Buildings, dated May 24, 2018
5. Sunrise Park PUD Development Plan, dated January 17, 2018

# Sunrise Park PUD - Phase IV Final Site Development Plan Charlottesville, VA

**ROUDABUSH, GALE & ASSOCIATES, INC.**  
ENGINEERS, SURVEYORS AND LAND PLANNERS  
A PROFESSIONAL CORPORATION  
SERVING VIRGINIA SINCE 1956  
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902  
PHONE 434-977-0205 - FAX 434-296-5220 - EMAIL INFO@ROUDABUSH.COM

**Final Site Plan Notes**

Development: Sunrise Park  
Owner(s): Sunrise Park LLC  
c/o Habitat For Humanity of Greater Charlottesville  
501 Grove Avenue  
Charlottesville, VA 22902  
Developer(s): KG Associates  
PO Box 5207  
Charlottesville, VA 22905  
Individual(s) who prepared the plan: David M. Robinson, PE  
914 Monticello Road  
Charlottesville, VA 22902  
Parcels: Tax Map 56 Parcels 84, 85, 85.1, 85.2, 86.1, 86.2, and 86.3  
Zoning: PUD with proffers

Minimum setbacks & building separation: 5' minimum setbacks on all sides  
10' minimum building separations  
0' along common walls

Requested waivers, variations and substitutions approved with the Preliminary Site Plan:

- Section 34-827(c) The preliminary site plan shall be prepared to an engineering scale of 1/20, unless, in the determination of the director a different scale will allow a better representation of the development.  
A final plan scale of not more than 1"=30' will be allowed at the request of Brian Haluska, City Planner.
- The off-street parking requirements for this project were waived by Planning Commission under section 34-406 of the City Code. The waiver acknowledged that additional onstreet parking will be constructed by this project along Midland and the two internal streets.

A description of all variances, zoning proffers, and bonus factors are provided in the approved Code of Development and include the following proffers:

- The hours of operation for all non-residential uses of the property shall be limited to the hours between 7 a.m. and 10 p.m.
- Not more than twenty one (21) principle buildings shall be erected on the property, of which, not more than nine (9) buildings shall be erected in the SW block nor more than ten (10) buildings in the SE blocks. All structures, including buildings, will cover no more than thirty five percent (35%) of the property.
- The highest point of any parapet, or the midpoint of any sloped roof, constructed in the NE block shall not extend above a level horizontal plane extending from the highest point of the parapet of the building constructed in the NW block. The Owner shall establish this dimension and any site plan (preliminary or final) for proposed development of the NE block shall depict the horizontal plane as determined in relation to both the NE block and the building constructed in the NW block.
- Not more than seventy (70) dwelling units may be constructed on the property.
- Not more than 12,800 square feet of the total building square footage shall be non-residential.
- The rezoned property shall be landscaped in general accordance with the General Development Plan prepared by Roudabush, Gale & Associates and dated July 27, 2016. All plantings in each phase shall be planted prior to the issuance of a certificate of occupancy for the structure to be erected on the rezoned property. All landscaping and plantings shall be maintained and replaced on an annual basis as necessary.
- The applicant shall construct a sidewalk in conformance with City standards along Midland Street in the location shown on the PUD Development Plan.
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- In order to ensure that the site functions as a cohesive, unified project, a site plan shall be submitted for the entire property. This proffer does not prohibit the Owner from constructing the planned improvements in multiple phases.
- In order to ensure that the proposed buildings are harmonious with the character of the adjacent properties, the Owner shall submit preliminary architecture with the site plan. The preliminary architecture will be considered part of the site plan submittal and will be subject to review and approval by the Planning Commission.

**Land Use Notes (Phase IV)**

- Total land Disturbed = 0.41 Ac
- Pre-development Impervious Area = 0.05 Ac
- Post-development Impervious Area = 0.36 Ac
- The following written schedules regulate which uses can be accommodated on the site.

Block	Acreage	Dominant land Use	Non-residential SF	Residential Units
NE	0.41	MF	0	22

Block	Green	Recreational	Hardscape	Subtotal	Road	Building	Total
NE	4146	0	5267	9413	9807	7465	26,685

- The 22 residential units for the NE Block is less than the maximum number of residential units (24) set in the PUD Development Plan.
- The percent of open space for the entire PUD development is 19%.
- The lot coverage is 74% impervious cover and 26% (3290 sf) green space.
- Building Coverage Calculations:  
NW = 5400 NE = 7465 SW = 9600 SE = 11200 TOTAL AREA = 98656  
(5400 + 7465 + 9600 + 11200) / 98656 = 34%
- Total number of residential units:  
NW = 16 NE = 22 SW = 16 SE = 14 TOTAL UNITS = 68
- The 14 bicycle parking spaces for the NE Block is greater than the total number required for this development (11) noted in Sec. 34-881.

**Construction Notes**

- A Temporary Street Closure Permit is required for closure of sidewalks, parking spaces and roadways and is subject to approval by the City Traffic Engineer.
- Datum reference: Nail in Power Pole (Elev. 400.48). Benchmark tied to City BM #50, North end, bottom step, East front Clark School, chiseled cross in square. Recovered April 1987 and transferred to a Brass Disk at the top of the steps leading to the parking lot on Carlton at the rear of #904 Monticello Road (Elev. 463.24).
- Source of topography and survey: Field run topo and boundary locations performed Jan. 20, 2004. Irons set Feb. 3, 2004. Utility routings marked by Accumark and field located by RG & A. August 3-8, 2007.
- It is the contractor's responsibility to field verify the exact location of all existing utilities and to contact Miss Utility prior to any digging (811 or 800-552-7001).
- All water and sewer appurtenances and construction specifications are to be in accordance with the current requirements of the City Public Works Department.
- All paving, drainage related materials and construction methods shall conform to current specifications and standards of the City of Charlottesville Design Manual unless otherwise noted.
- Erosion and siltation control measures shall be provided in accordance with the approved erosion control plan and shall be installed prior to any clearing, grading or other construction.
- All slopes and disturbed areas are to be fertilized, seeded and mulched. The maximum allowable slope is 2:1 (horizontal:vertical). Where reasonably obtainable, lesser slopes of 4:1 or better are to be achieved.
- All traffic control signs shall conform with the Virginia Manual for Uniform Traffic Control Devices.
- Unless otherwise noted all concrete pipe shall be reinforced concrete pipe - Class III.
- All excavation for underground pipe installation must comply with OSHA Standards for the Construction Industry (29 CFR Part 1926).
- Pavement cut permission will need to be obtained from Public Service; inspections for public infrastructure will need to be scheduled 24-hours in advance of anticipated work (NDS Engineering and Public Utilities).
- These plans do not guarantee the existence, non-existence or location of utilities. Contractor shall verify the existence and location or the non-existence of utilities. At least 48 hours prior to any excavation or construction, Contractor shall notify MISS UTILITY (1-800-552-7001) and/or the respective utility companies for gas, water, sewer, power, phone and cable. Contractor shall timely arrange to have the various utilities located, and to have them removed or relocated, or to determine the method of protection acceptable to the respective owner, if the method of protection is not otherwise specified. Contractor shall conduct its work in the vicinity of existing utilities in accordance with the respective utility's rules and regulations. Any cost incurred for removing, relocating or protecting utilities shall be borne by Contractor unless indicated otherwise. Contractor shall excavate to locate buried utilities far enough in advance of its work to allow for horizontal and/or vertical adjustments to its work and/or the utilities. No adjustment in compensation or schedule will be allowed for delays resulting from Contractor's failure to contact and coordinate with utilities.

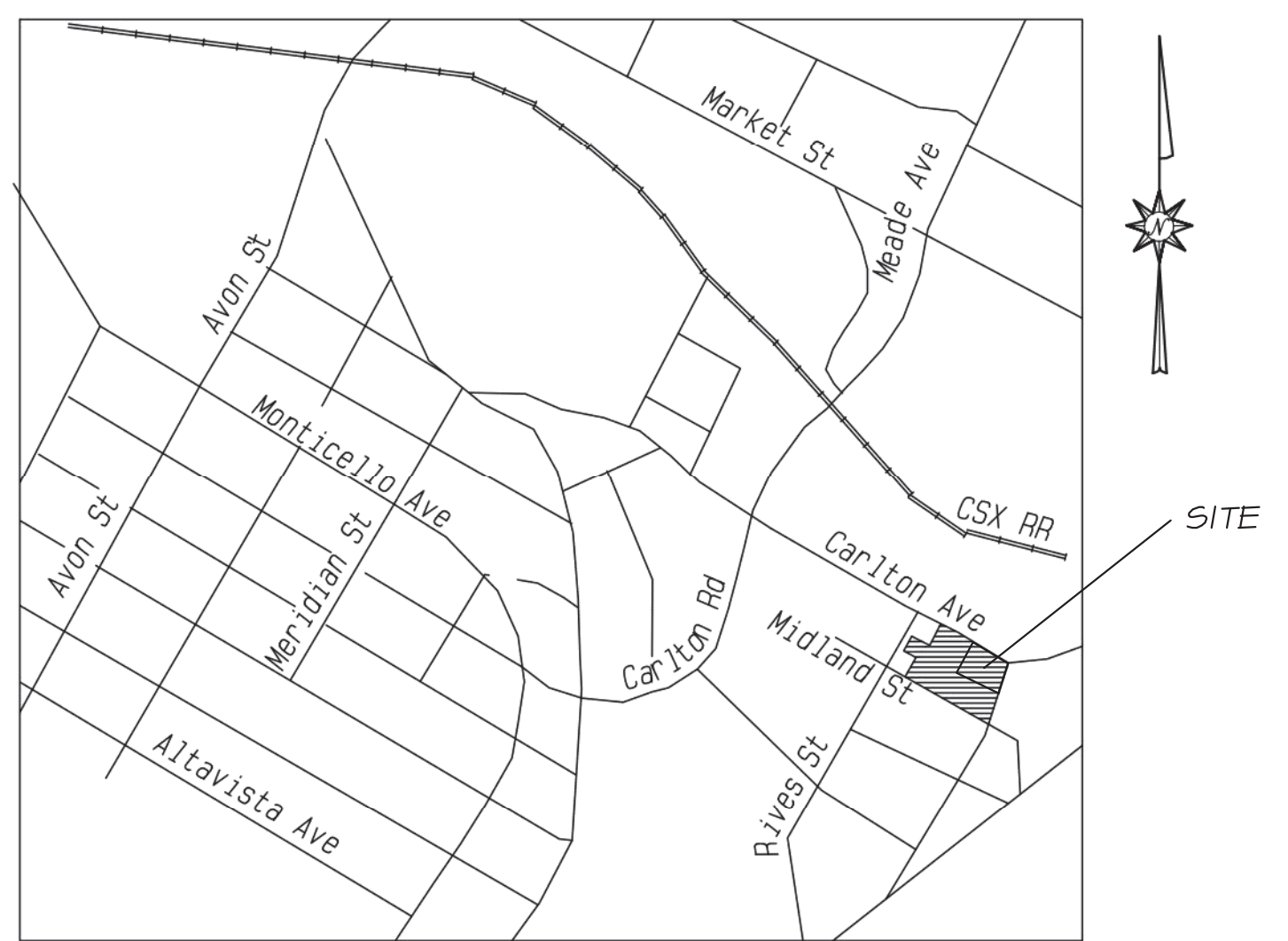
**Sheet Index**

Cover Sheet	1
Existing Conditions	2
Layout Plan	3
Utility & Grading Plan	4
Drainage Area Plan	5
Utility Profiles	6
Landscape Plan	7
Erosion & Sediment Control Plan	8
Details	9
Details	10

**APPROVAL**

Director, Neighborhood Development Services \_\_\_\_\_ Date \_\_\_\_\_

Vicinity Map (1" = 1000')



**REVISIONS**

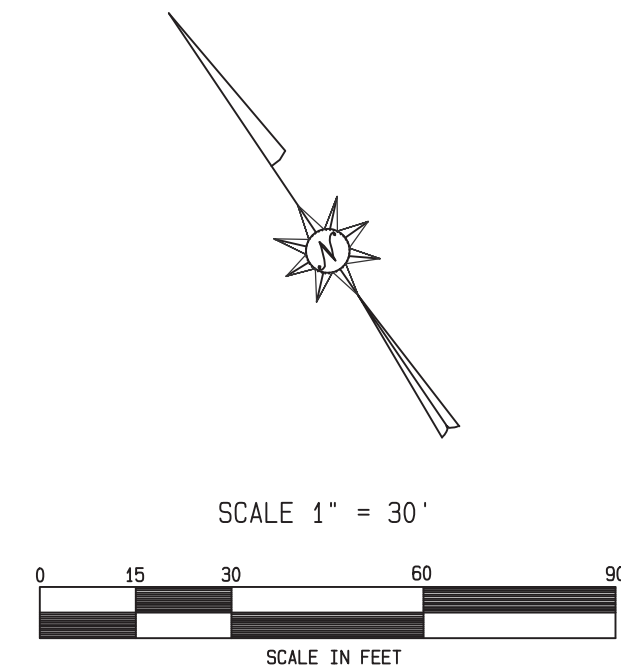
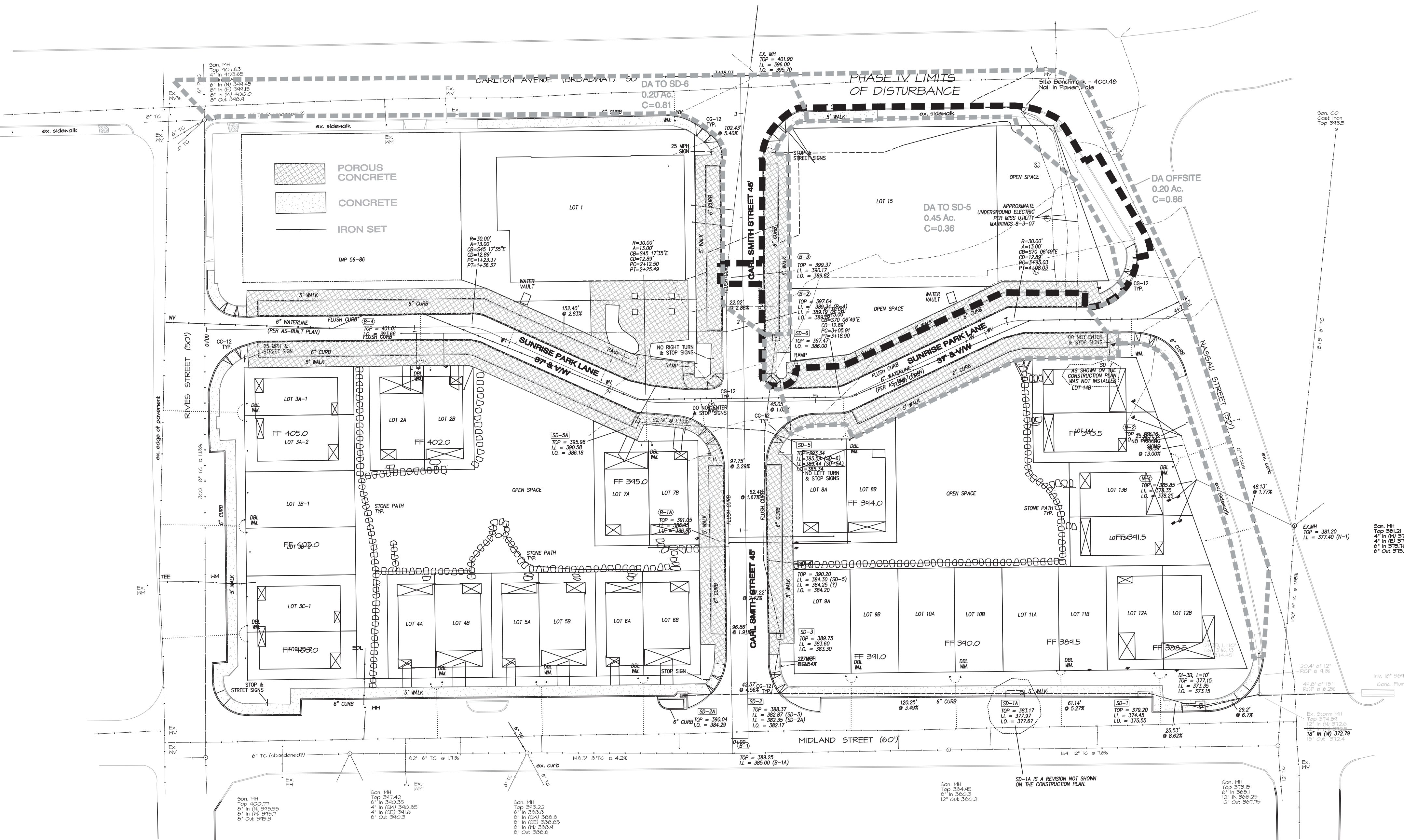
10/9/17	CITY COMMENTS
2/16/18	CITY COMMENTS
4/30/18	CITY COMMENTS
5/11/18	CITY COMMENTS
5/23/18	ADDL BIKE RACKS

**ISSUED:**  
4/17/2017

**SUNRISE PARK PUD  
PHASE IV FINAL SITE PLAN  
COVER SHEET**  
CHARLOTTESVILLE, VIRGINIA

**FILE NUMBER**  
8174

**SHEET**  
1 OF 10



**NOTES**

1. Topo from survey performed Jan. 20, 2004 & Sunrise Park PUD planned contours. Irons set Feb. 3, 2004.
2. Boundary reproduced from plat recorded at Instrument #2011-03487 by RG&A on Nov. 9, 2011.
3. All existing onsite water and sewer service lines and private infrastructure not from Phase I, II, or III to be removed. Connections are to be removed to the public main.
4. All remaining existing structures and improvements not from Phase I, II, or III to be removed.
5. Site Benchmark - 400.48 Nail in Power Pole. Benchmark tied to City BM #50, North end, bottom step, East front Clark School, chiseled cross in square. Recovered April 1987 and transferred to a Brass Disk at the top of the steps leading to the parking lot on Carlton at the rear of #904 Monticello Road - Elev. 463.24

**Phasing Note:**  
 Phase I encompasses Lots 4-6, their utility connections and the on-street parking directly in front of the lots. Phase II encompasses Lot 1 and portions of the water and sanitary lines as shown on the Phase II Site Plan. Phase III is the final buildout of the site and involves all remaining improvements shown, with the exception of Lot 15. This plan set, Phase IV, encompasses Lot 15 and its utility connections.

**REVISIONS**

10/9/17	CITY COMMENTS
2/16/18	CITY COMMENTS
4/30/18	CITY COMMENTS
5/11/18	CITY COMMENTS
5/23/18	ADDL BIKE RACKS

**ISSUED:**  
4/17/2017

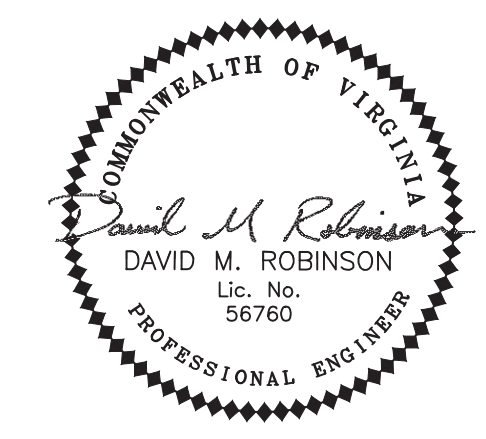
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1" = 30'

**CONTOUR INTERVAL**  
2 FOOT

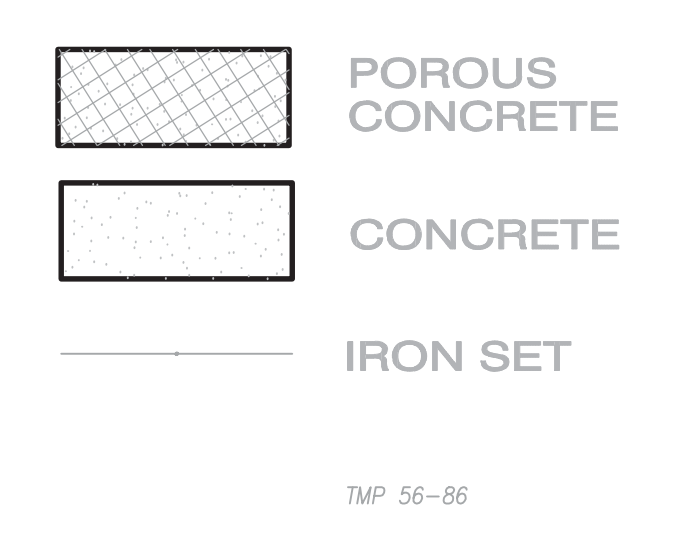
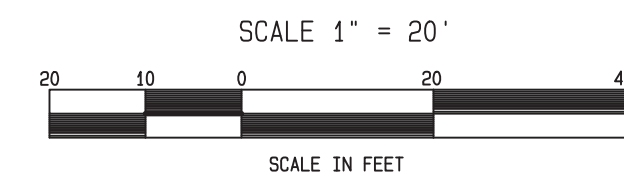
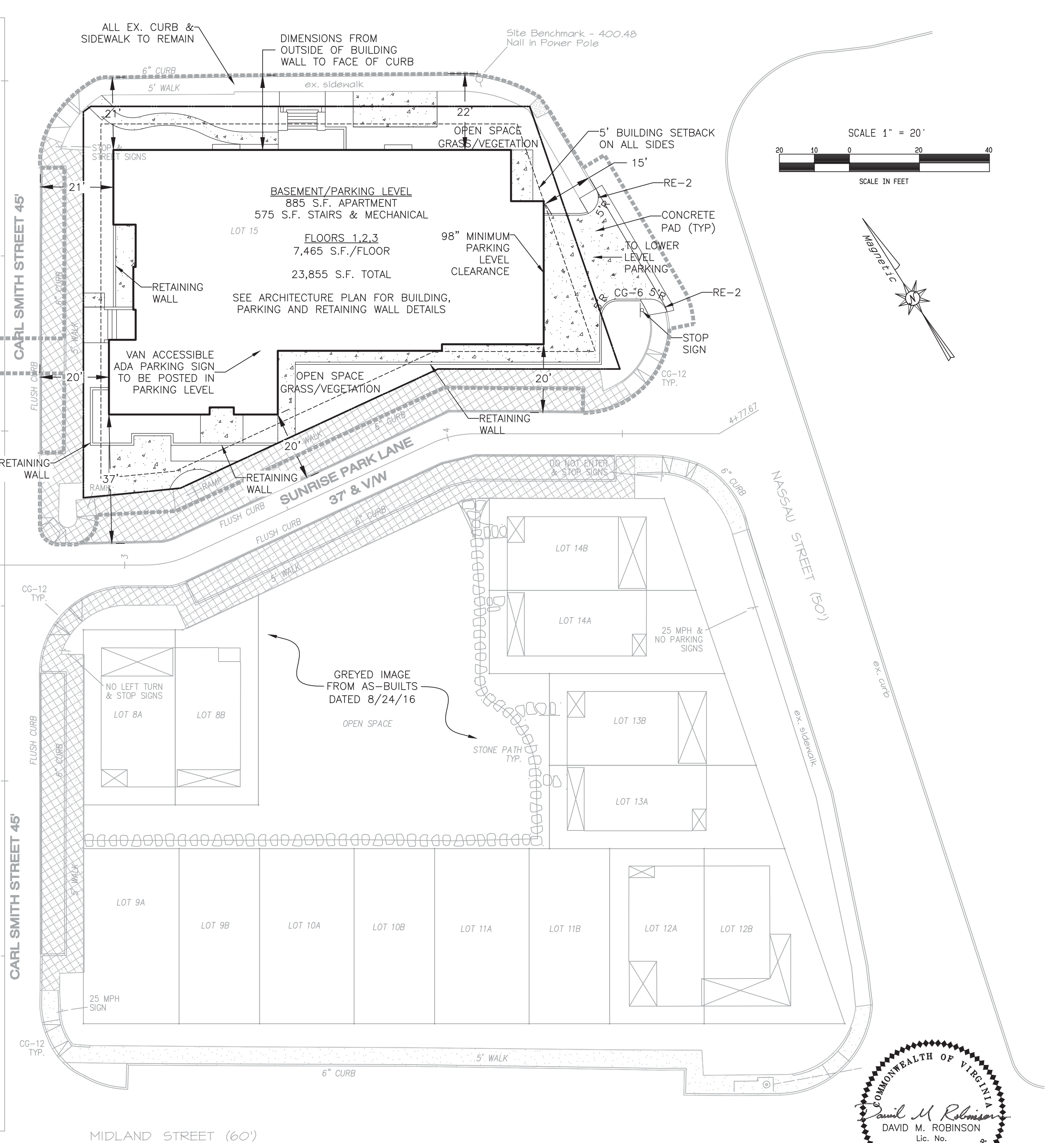
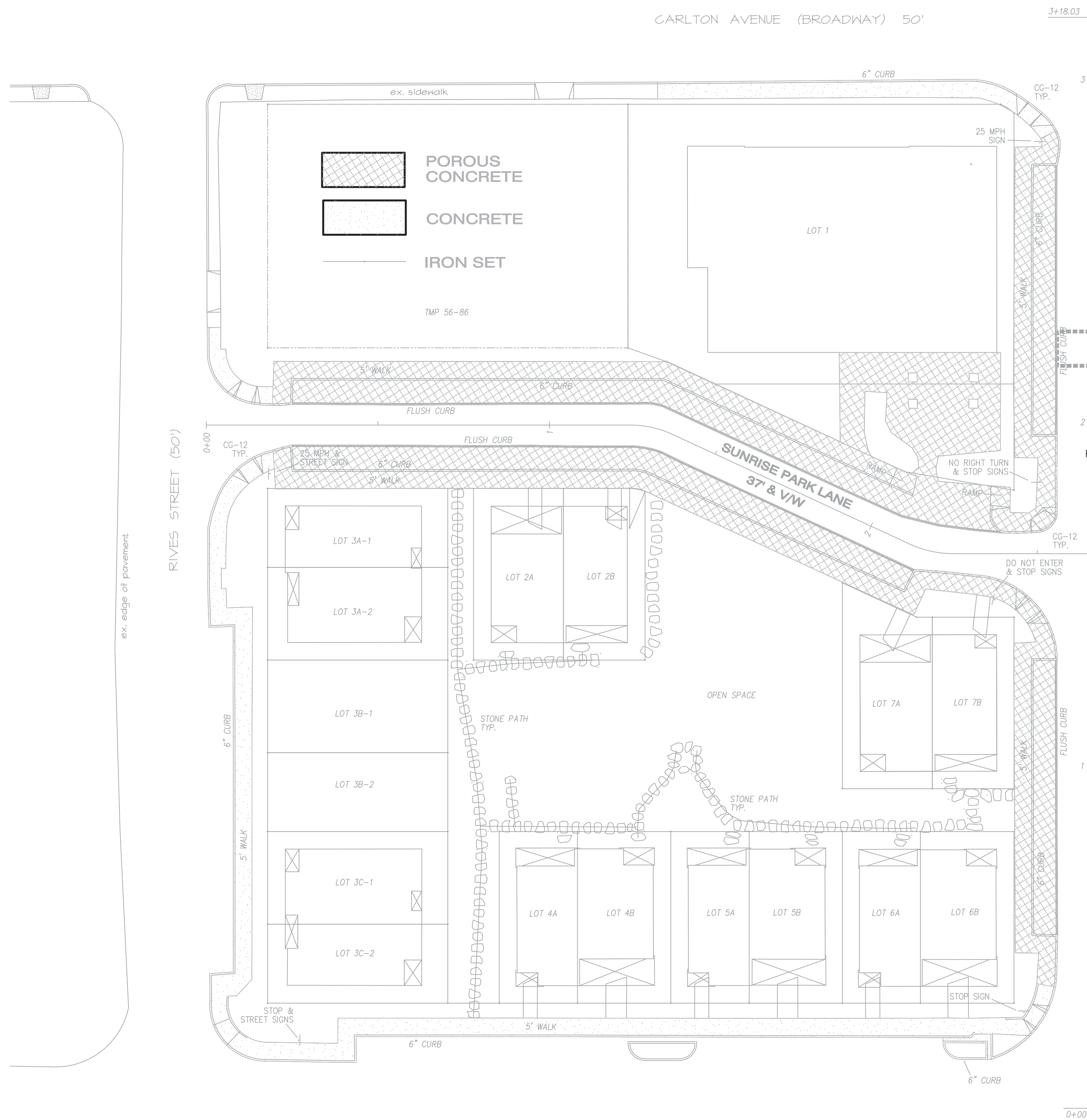
**SUNRISE PARK PUD  
 PHASE IV FINAL SITE PLAN  
 EXISTING CONDITIONS**

**FILE NUMBER**  
8174

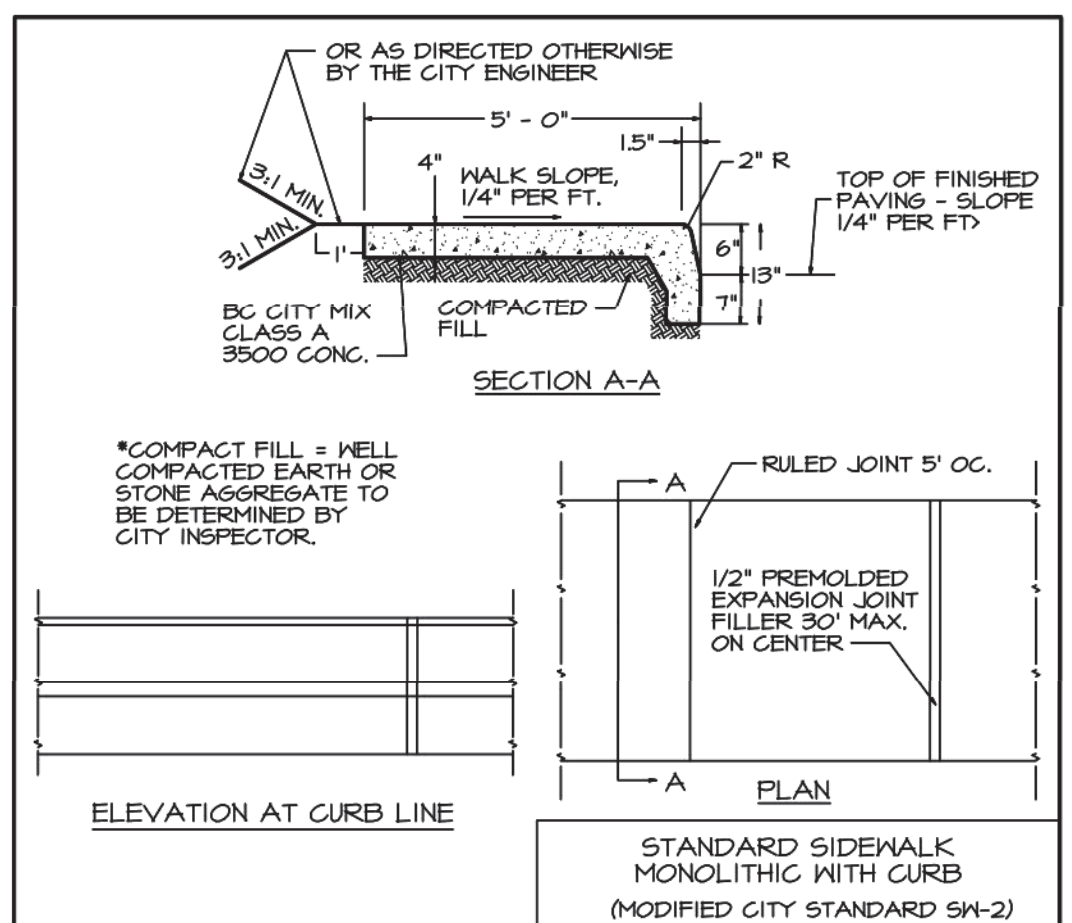
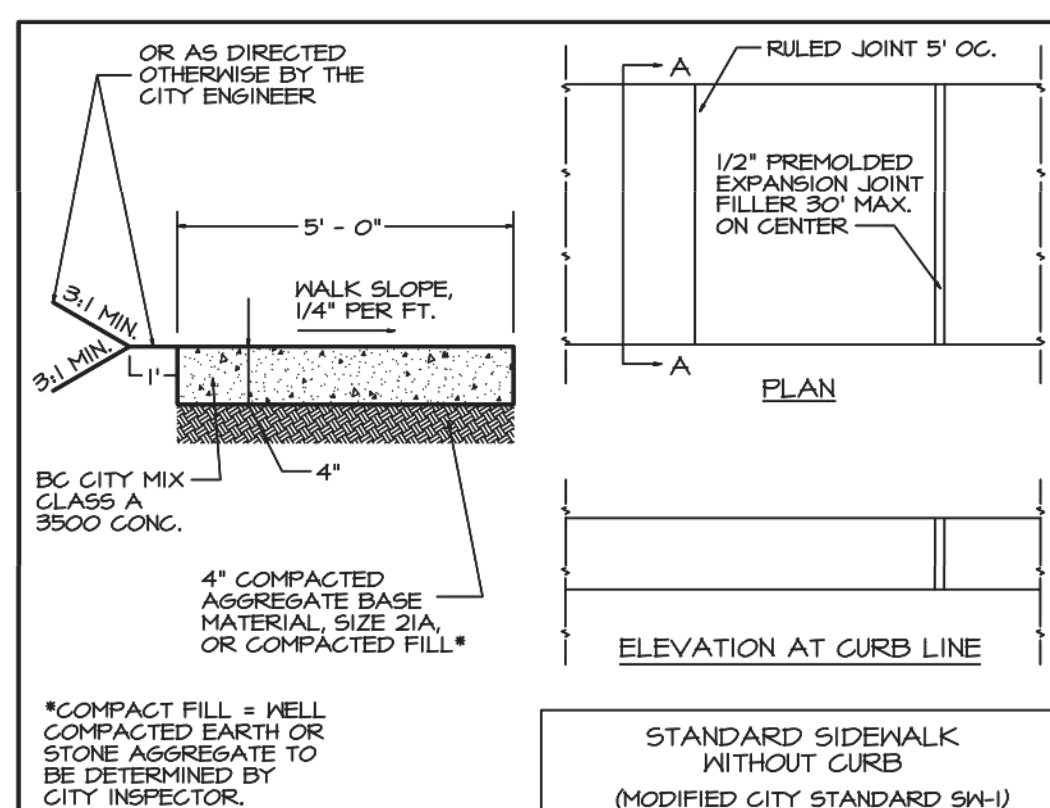
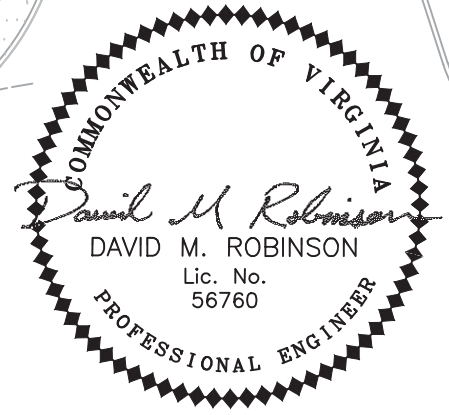
**SHEET**  
2 OF 10



CARLTON AVENUE (BROADWAY) 50'

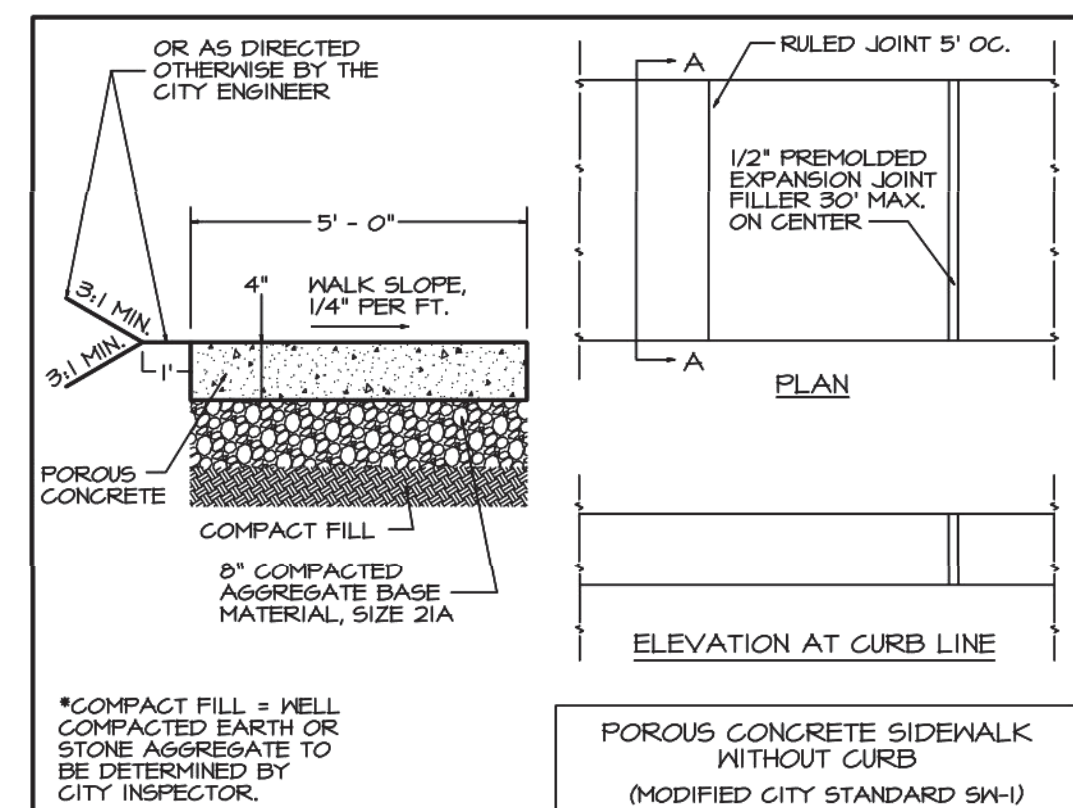
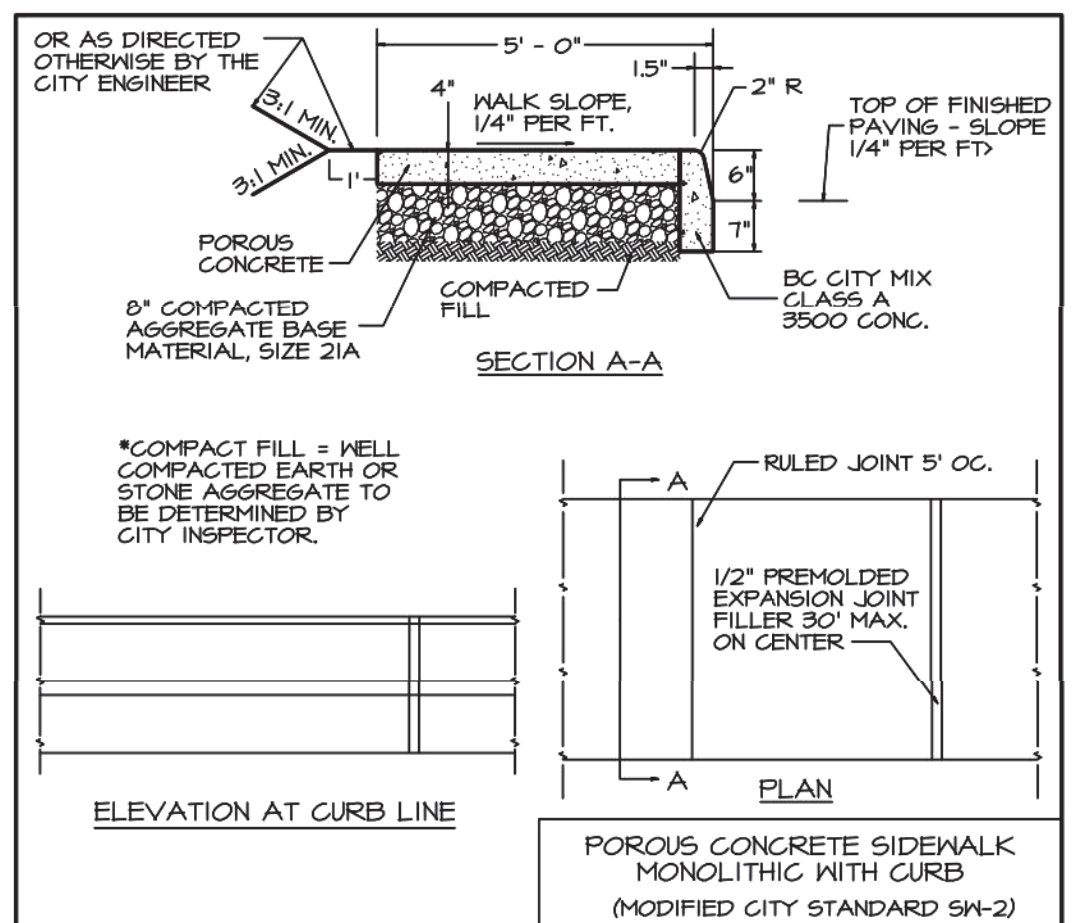


MIDLAND STREET (60')



NOTES:  
All sidewalk within the right-of-way are to be constructed in accordance with the Modified SW-2 detail.  
All sidewalk located outside the right-of-way are to be privately maintained and constructed in accordance with the Modified SW-1 detail.

NOTES:  
All sidewalk located outside of the right-of-way is to be privately maintained.  
HC access is provided to Lots 1 & 15 at the rear of the buildings across the landscaped surfaces.  
No proposed improvements to right-of-way in this phase. Refer to Phase III for traffic count and parking calculations.  
Retaining walls with difference in grade of more than 30" require guard rail the top.  
The contractor will be responsible for any damage to the sidewalk and will be required to upgrade to current standards.



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REVISIONS

10/9/17	CITY COMMENTS
2/16/18	CITY COMMENTS
4/30/18	CITY COMMENTS
5/11/18	CITY COMMENTS
5/23/18	ADDL BIKE RACKS

ISSUED:  
4/17/2017

SCALE  
1" = 20'

CONTOUR INTERVAL  
2 FOOT

**SUNRISE PARK PUD  
PHASE IV FINAL SITE PLAN  
LAYOUT**

FILE NUMBER  
8174

SHEET  
3 OF 10

**REVISIONS**

10/9/17	CITY COMMENTS
2/16/18	CITY COMMENTS
4/30/18	CITY COMMENTS
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**ISSUED:**  
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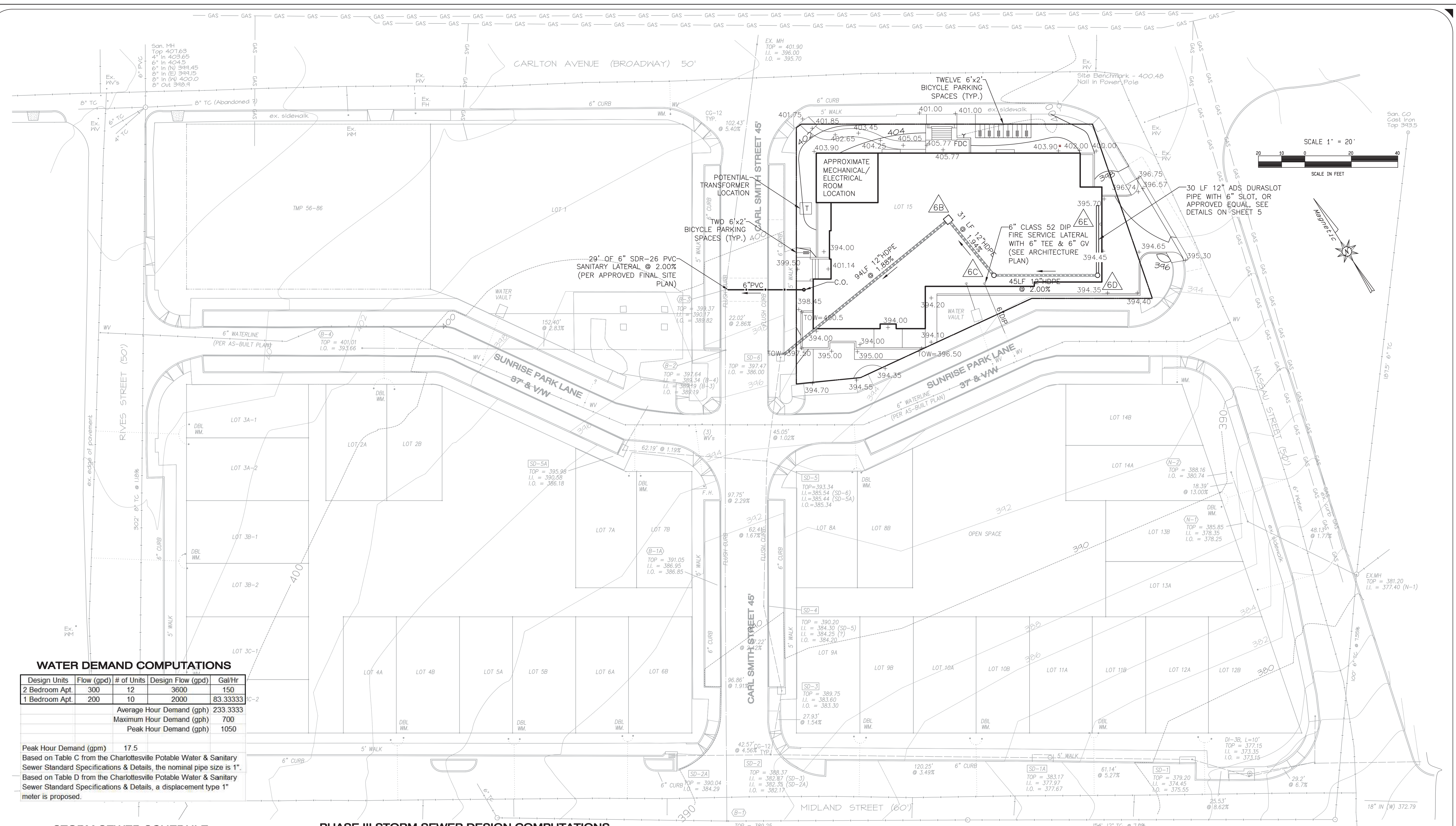
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1" = 20'

**CONTOUR INTERVAL**  
2 FOOT

**SUNRISE PARK PUD  
 PHASE IV FINAL SITE PLAN  
 GRADING & UTILITIES**

**FILE NUMBER**  
8174

**SHEET**  
4 OF 10



**WATER DEMAND COMPUTATIONS**

Design Units	Flow (gpd)	# of Units	Design Flow (gpd)	Gal/Hr
2 Bedroom Apt.	300	12	3600	150
1 Bedroom Apt.	200	10	2000	83.33333
Average Hour Demand (gph)		233.3333		
Maximum Hour Demand (gph)		700		
Peak Hour Demand (gph)		1050		

Peak Hour Demand (gpm) 17.5  
 Based on Table C from the Charlottesville Potable Water & Sanitary Sewer Standard Specifications & Details, the nominal pipe size is 1".  
 Based on Table D from the Charlottesville Potable Water & Sanitary Sewer Standard Specifications & Details, a displacement type 1" meter is proposed.

**STORM SEWER SCHEDULE**

STRUCTURE	DESCRIPTION	TOP	LENGTH	INV. IN	INV. OUT	SLOPE
EX-SD-6	DI-3A	397.47	93	388.75	387	1.88%
SD-6B	DI-1	393.5	31	389.6	389	1.94%
SD-6C	24" CLEANOUT	393.8	45	390.6	389.7	2.00%
SD-6D	24" CLEANOUT	394.6	30	394	393.1	3.00%
SD-6E	ADS TRENCH DRAIN	394	30	394	393.1	3.00%

**PHASE III STORM SEWER DESIGN COMPUTATIONS**

Appendix 9B-2 LD-229 Storm Drain Design Computations

FROM POINT	TO POINT	AREA DRAIN ACRES	CA	INLET TIME MINUTES	RAINFALL IN/HR	RUN-OFF COEF.	Q CFS	INVERT ELEVATIONS FT	LENGTH FEET	SLOPE %	DIA IN	CAPACITY CFS	VEL FPS	FLOW TIME MINUTES	n-Value	REMARKS
1	2	0.02	0.02	0.37	5	7.1	2.43	388.75	16.9	0.01	18	7.0	5.4	0.11	0.07	
2	3	0.02	0.02	0.37	5	7.1	2.43	389.6	16.9	0.01	18	7.0	5.4	0.11	0.07	
3	4	0.02	0.02	0.37	5	7.1	2.43	390.6	16.9	0.01	18	7.0	5.4	0.11	0.07	
4	5	0.02	0.02	0.37	5	7.1	2.43	393.5	16.9	0.01	18	7.0	5.4	0.11	0.07	
5	6	0.02	0.02	0.37	5	7.1	2.43	394.6	16.9	0.01	18	7.0	5.4	0.11	0.07	

- NOT CONSTRUCTED PER AS-BUILTS DATED AUG. 24, 2016.
- NOTES:**
- ALL EXISTING ONSITE WATER AND SEWER SERVICE LINES AND PRIVATE INFRASTRUCTURE TO BE REMOVED. CONNECTIONS ARE TO BE REMOVED TO THE PUBLIC MAIN.
  - ALL SEWER LATERALS TO BE 6" PVC.
  - ALL WATER SERVICES TO BE 1" COPPER TO 1" METERS.
  - SEE PHASE III PLANS FOR STORMWATER MANAGEMENT CALCULATIONS.
  - BIKE RACKS TO BE INVERTED U-SHAPED WITH A HORIZONTAL TOP BAR.

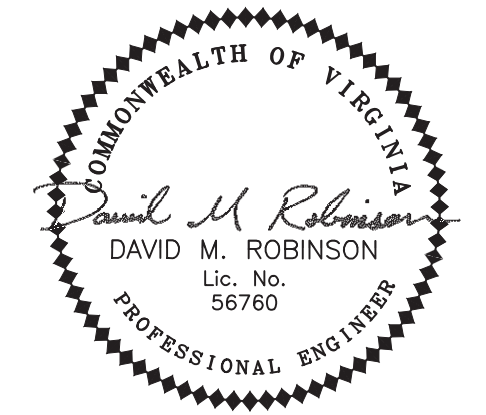
**PHASE IV STORM SEWER DESIGN COMPUTATIONS**

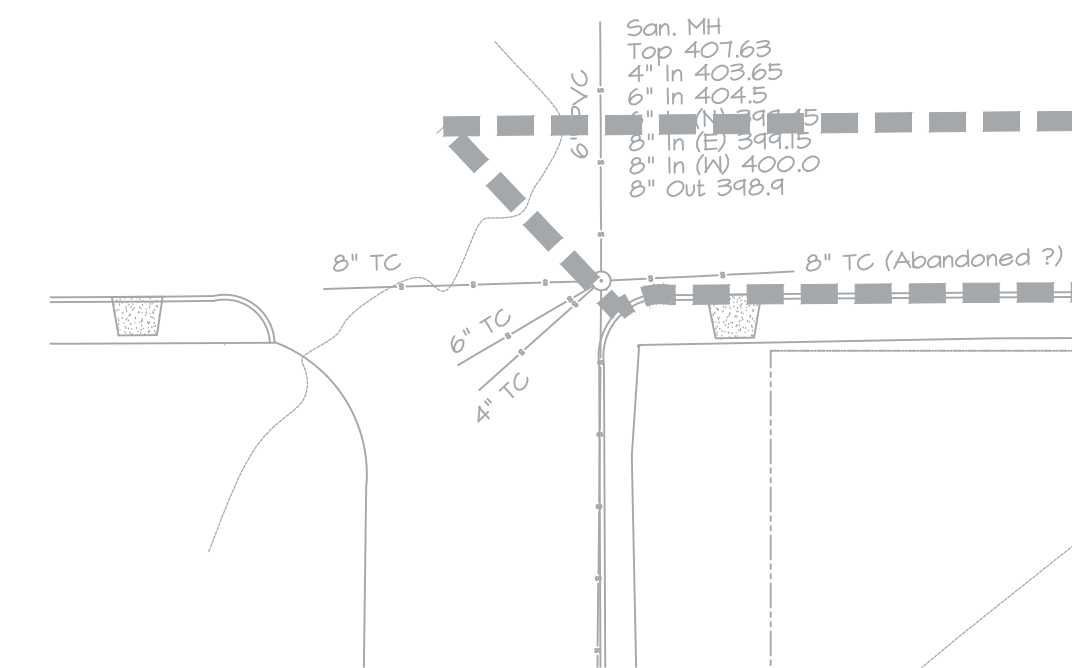
Storm Sewer DOT Report

FROM POINT	TO POINT	AREA DRAIN ACRES	CA	INLET TIME MINUTES	RAINFALL IN/HR	RUN-OFF COEF.	Q CFS	INVERT ELEVATIONS FT	LENGTH FEET	SLOPE %	DIA IN	CAPACITY CFS	VEL FPS	FLOW TIME MINUTES	n-Value	REMARKS
6B	6C	0.03	0.03	0.03	5.00	7.10	0.19	394.00	38.0	3.00	12	6.70	1.59	0.14	0.012	
6C	6E	0.00	0.00	0.00	0.03	5.14	7.10	0.19	390.60	389.70	45.0	2.00	12	5.47	0.23	0.012
6E	6F	0.00	0.00	0.00	0.03	5.37	7.10	0.19	389.60	389.00	31.0	1.94	12	5.38	0.16	0.012
6F	6	0.18	0.90	0.16	0.19	5.54	7.10	1.34	388.75	387.00	93.0	1.88	12	5.31	0.27	0.012
6	5	0.22	0.82	0.18	0.37	5.81	7.10	2.62	386.00	385.54	45.0	1.92	15	7.89	1.36	0.012
5	4	0.19	0.64	0.08	0.45	5.95	7.10	3.22	385.81	384.35	63.0	2.32	15	10.68	1.52	0.012

**SANITARY SEWER DEMAND COMPUTATIONS**

Manhole	Station	Inv. In.	Inv. Out	Pipe Length	Slope	Size	Station	MH Depth	Prop. Gd. Elev.	Exposed Rim (ft)	Center Length	Tributary Units	Peak Unit Flow (GPD)	Tributary Flow (GPD)	Accum. Flow (GPD)	Accum. Flow (CFS)	Peaking Factor	Peak Flow (CFS)	Pipe Capacity (CFS)	% of Capacity	Peak Flow Velocity	Manning's n-Value	
MH					2.08%	6						12	300	5600	5600	0.0087	4.0	0.0347	0.275	12.61%	1.88	PVC	0.014





Disturbed Area = 3.63 Acres  
 Impervious Area (pre) = 79,230sf = 1.82 acres  
 Impervious Area (post) = 87,230sf = 2.00 acres  
 I(pre) = 1.82/3.63 = 50%  
 I(post) = 2.01/3.63 = 55%  
 I(watershed) = 16%

Situation 3, I(pre) > I(watershed)  
 $L = [0.05 + (0.009 \times I)] \times A \times 2.28$   
 $L(\text{pre}) = [0.05 + (0.009 \times 50)] \times 3.63 \times 2.28 = 4.14$  pounds per year  
 $0.9L(\text{pre}) = 3.73$  pounds per year  
 $L(\text{watershed}) = [0.05 + (0.009 \times 16)] \times 3.63 \times 2.28 = 1.61$  pounds per year  
 $L(\text{post}) = [0.05 + (0.009 \times 55)] \times 3.63 \times 2.28 = 4.51$  pounds per year  
 $RR = L(\text{post}) - 0.9L(\text{pre}) = 4.51 - 3.73 = 0.78$  pounds per year

$EFF = (RR/L(\text{post})) \times 100 = (0.78/4.51) \times 100 = 17\%$  required pollutant removal efficiency

BMP - Porous Concrete  
 Area (BMP) = 1.57 acres  
 Impervious Area (BMP) = 0.69 acres  
 I(BMP) = 0.69/1.57 = 44%  
 Eff(BMP) = 65%

$L(\text{BMP}) = [0.05 + (0.009 \times 44)] \times 1.57 \times 2.28 = 1.60$  pounds per year  
 $L(\text{removed}) = Eff(\text{BMP}) \times L(\text{BMP}) = 0.65 \times 1.60 = 1.04$  pounds per year

VERIFY:  $L(\text{removed}) \geq RR$   
 $1.04 \geq 0.78$

**WATER QUANTITY CALCULATIONS**

The total site area is 3.63 acres. Stormwater quantity requirements were calculated using the Rational Formula.

Post-development C  
 $0.95 \times 2.01$  acres impervious area / 3.63 acres of total area = 0.52  
 $0.50 \times 0.37$  acres perv. concrete / 3.63 acres of total area = 0.05  
 $0.35 \times 1.25$  acres grass lawn / 3.63 acres of total area = 0.12  
 Composite C = 0.69

Pre-development C  
 $0.95 \times 1.59$  acres impervious area / 3.63 acres of total area = 0.42  
 $0.50 \times 0.23$  acres gravel / 3.63 acres of total area = 0.03  
 $0.35 \times 1.81$  acres grass lawn / 3.63 acres of total area = 0.17  
 Composite C = 0.62

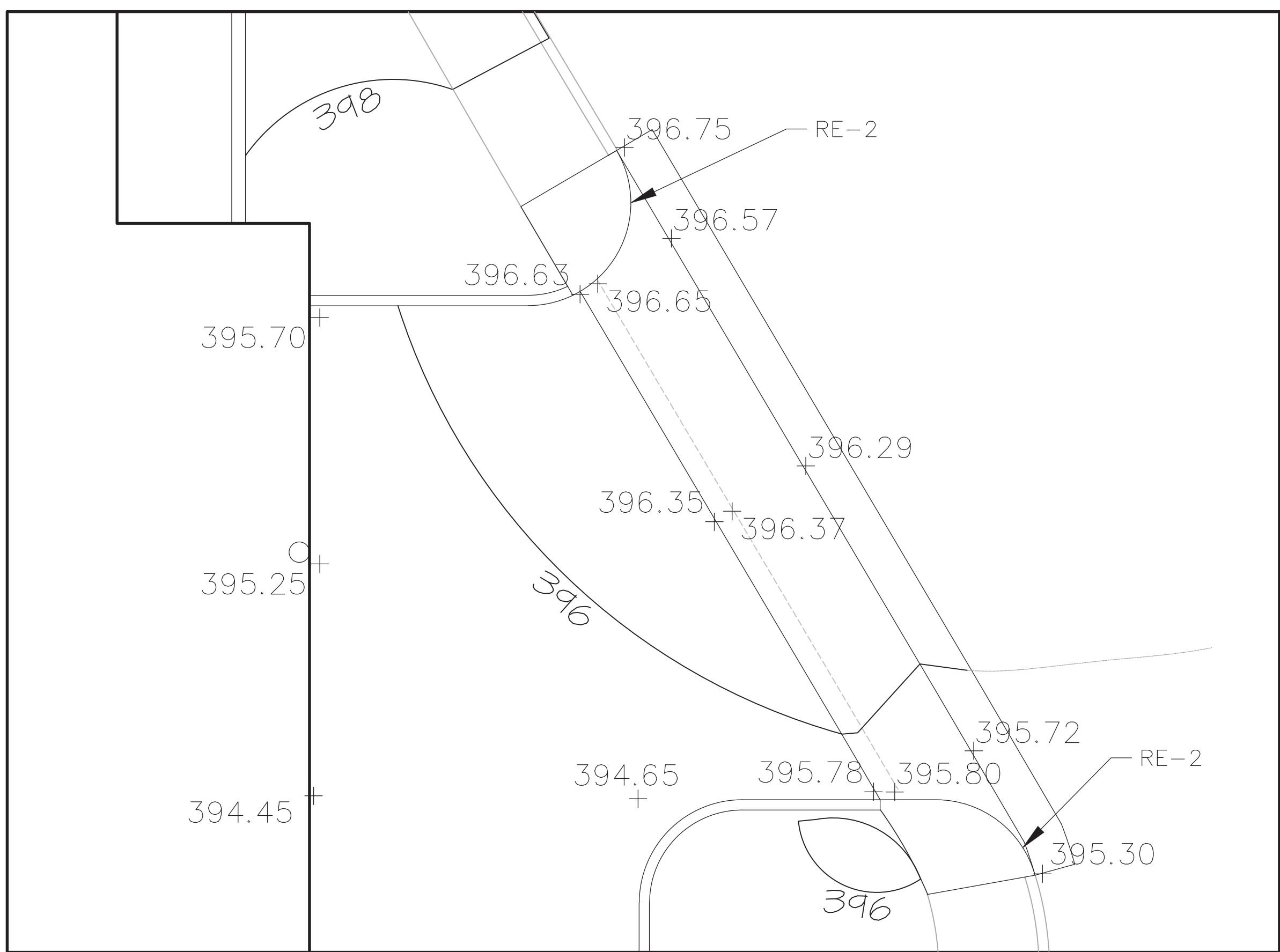
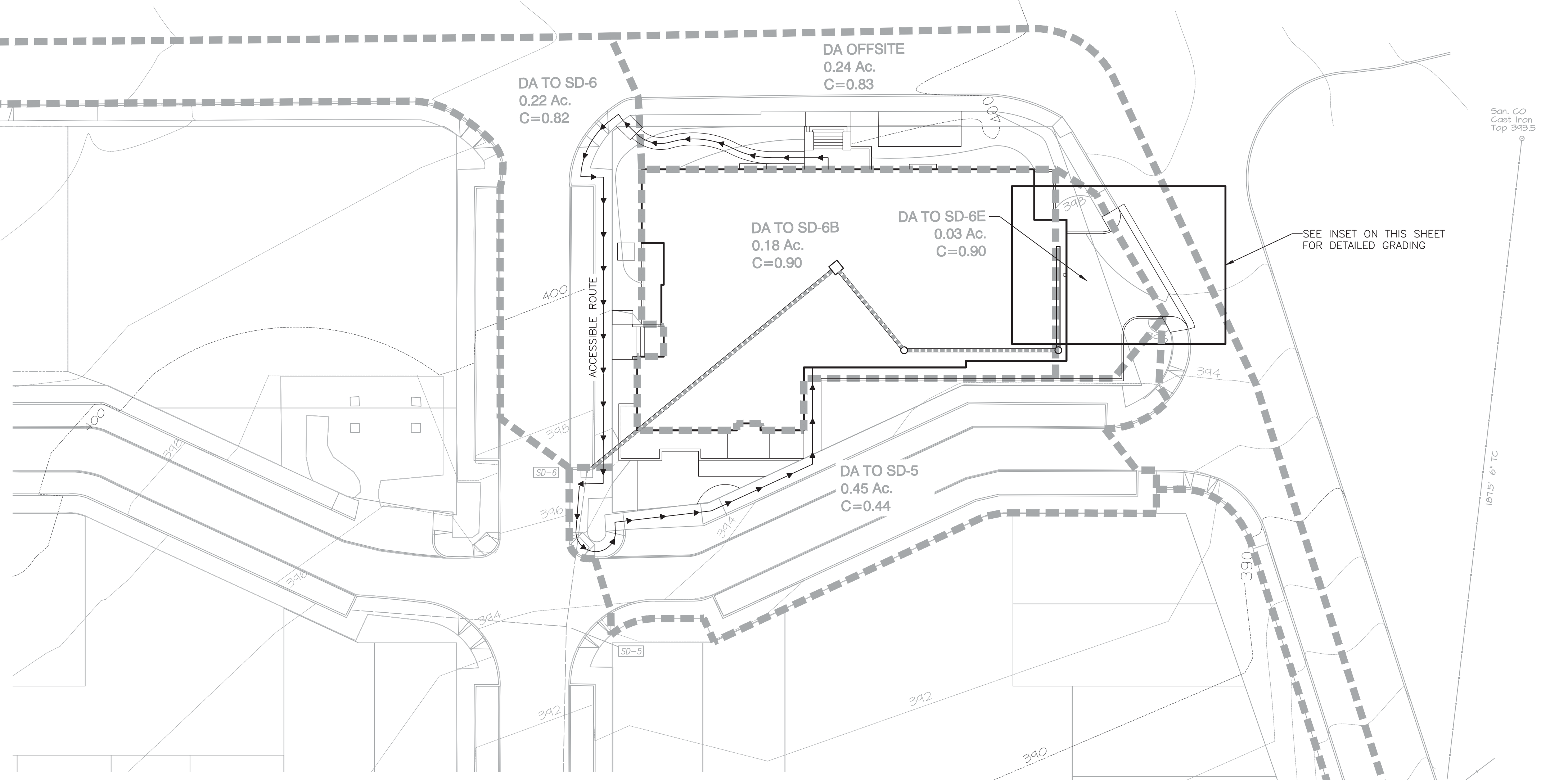
$T_c(\text{post}) = 5$  minutes     $T_c(\text{pre}) = 7$  minutes  
 $I_{2 \text{ year}} = 5.47$  in/hr     $I_{2 \text{ year}} = 4.80$  in/hr  
 $I_{10 \text{ year}} = 7.10$  in/hr     $I_{10 \text{ year}} = 6.37$  in/hr

Post-development  
 $Q_{2 \text{ year}} = 0.69 \times 5.47 \times 3.63 = 13.70$  cfs  
 $Q_{10 \text{ year}} = 0.69 \times 7.10 \times 3.63 = 17.78$  cfs

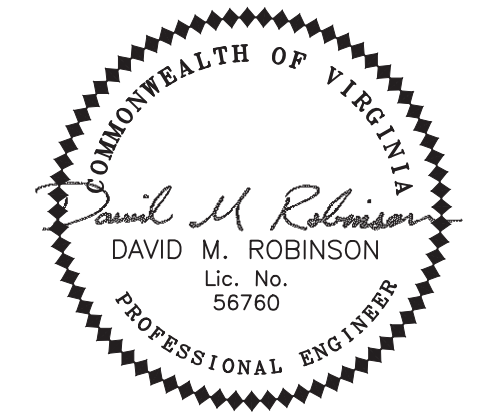
Pre-development  
 $q_{2 \text{ year}} = 0.62 \times 4.80 \times 3.63 = 10.80$  cfs  
 $q_{10 \text{ year}} = 0.62 \times 6.37 \times 3.63 = 14.33$  cfs

Modified Rational Direct Method  
 Storage Requirements (Chapter 5, Va. SWM Handbook)  
 Volume required for the 10-year storm = 2,060 cf

Area of pervious concrete = 16,230 sf  
 Thickness of aggregate = 8 in  
 Volume of aggregate = 10,820 cf  
 Effective storage volume = 5,410 cf  
 Void Ratio = 0.4  
 Volume of water able to be stored = 2,164 cf



**INSET SCALE**  
 1" = 5'



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REVISIONS	
10/9/17	CITY COMMENTS
2/16/18	CITY COMMENTS
4/30/18	CITY COMMENTS
5/11/18	CITY COMMENTS
5/23/18	ADDL BIKE RACKS

ISSUED:  
 4/17/2017

SCALE  
 1" = 20'

CONTOUR INTERVAL  
 2 FOOT

**SUNRISE PARK PUD  
 PHASE IV FINAL SITE PLAN  
 GRADING & UTILITIES**  
 CHARLOTTESVILLE, VIRGINIA

FILE NUMBER  
 8174

SHEET  
 5 OF 10



**PHASE IV HYDRAULIC GRADE LINE COMPUTATIONS**

INLET NUMBER	OUTLET NO.	Di	Di	Lo	So	Hf	Vo	Ho	Qi	Vi	QII (Multiple of)	Max. QII	V <sup>2</sup> /2g	Hf	Angle	Hd <sub>ent</sub>	Hf	L <sup>3</sup> /98	Q <sup>2</sup> /76	Final H	INLET NO.	RAI
6	386.54 (0.80)	1.25	1.81	45.00	0.00	0.02	4.93	0.09	1.41	5.74	0.07	0.07	0.07	0.18	11.00	0.07	0.35	0.45	0.17	0.25	386.79	397.47
6B	387.80 (0.80)	1.00	1.41	93.00	0.00	0.05	5.74	0.13	0.19	3.20	0.04	0.04	0.16	0.06	89.00	0.11	0.29	0.38	0.15	0.24	388.04	393.50
6C	389.80 (0.80)	1.00	0.19	31.00	0.01	0.17	3.20	0.04	0.19	3.20	0.04	0.04	0.16	0.06	89.00	0.11	0.21	0.27	0.30	0.27	390.07	393.80
6D	390.50 (0.80)	1.00	0.19	45.00	0.01	0.24	3.20	0.04	0.19	3.59	0.09	0.09	0.20	0.07	89.00	0.14	0.25	0.32	0.22	0.36	390.86	394.60
6E	393.22	1.00	0.19	30.00	0.00	0.13	3.59	0.05	0.00	0.00	0.00	0.00	0.00	0.00	89.00	0.00	0.00	0.00	0.00	0.16	393.38	394.60

\*Outlet WSEL for 6E determined by adding the calculated flow depth to the invert elevation

- NOTES:
- ALL PROPOSED HDPE STORM SEWER PIPE GREATER THAN 8 FEET DEEP IS TO BE DOUBLE WALL, H=20 LADING, N=12 ADS PIPE, OR APPROVED EQUAL.
  - TRENCH DRAIN IS TO BE ADS DURASLOT PIPE WITH 6" SLOT, OR APPROVED EQUAL.

**PHASE IV INLET COMPUTATIONS**

STRUCTURE	AREA DRAIN ACRES	AREA - ROOF DRAINS ACRES	RUN-OFF COEF. C	CA	RAINFALL IN./HR.	RUN-OFF, Q CFS	SLOPE %	PERIMETER	AREA	PONDING DEPTH, FT	SPREAD	REMARKS
6E	0.03	---	0.90	0.03	4	0.11	1.00	60.29	4.38	0.01	1.13	
6C*	0.19	0.02	0.90	0.02	4	0.07	1.00	9.00	2.33	0.03	3.05	
					6.5	0.18				0.02	1.56	
					6.5	0.12				0.04	4.22	

\*ADJUSTED DRAINAGE AREA FOR 6C DETERMINED BY SUBTRACTING THE AREA UNDER THE BUILDING FOOTPRINT

ADS, Inc. Drainage Handbook Specifications • 1-44

**ADS DURASLOT® PIPE SPECIFICATION**

**Scope**  
This specification describes 4- through 36-inch (100 to 900 mm) ADS DURASLOT pipe for use in surface drain applications.

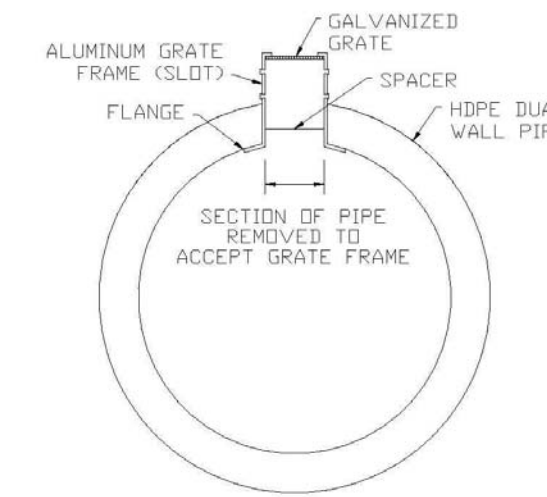
**Pipe Requirements**  
DURASLOT pipe, as manufactured by Hill Construction Products and Services (HCPS) and distributed by ADS, Inc., shall have a smooth interior and annular exterior corrugations with an aluminum slot mounted longitudinally along the length of the pipe to accept the grate frame while maintaining the original pipe diameter.

- 4- through 10-inch (100 to 250mm) pipe shall meet AASHTO M252, Type S.
- 12- through 36-inch (300 to 900 mm) pipe shall meet AASHTO M294, Type S or ASTM F2306.
- Manning's "n" value for use in design shall be 0.012.

The aluminum grate frame shall be manufactured from 0.063" tempered commercial aluminum meeting the requirements of ASTM B209, consisting of two parallel plates separated by spacers spanning the slot on 6" centers. The grate shall be 1/2" #13 galvanized steel meeting the requirements of ASTM F1287, Type 2, Class 2. The grate shall have a diamond-shaped opening and be ADA compliant. The flange at the bottom of the aluminum grate shall be riveted to the pipe with a minimum of two rivets per linear foot.

**Fittings**  
DURASLOT fittings shall be modified from fittings which conform to AASHTO M252, AASHTO M294, or ASTM F2306.

**Installation**  
Installation shall be in accordance with HCPS recommended installation instructions. Contact your local ADS representative or visit [www.ads-pipe.com](http://www.ads-pipe.com) for a copy of the latest installation guidelines.



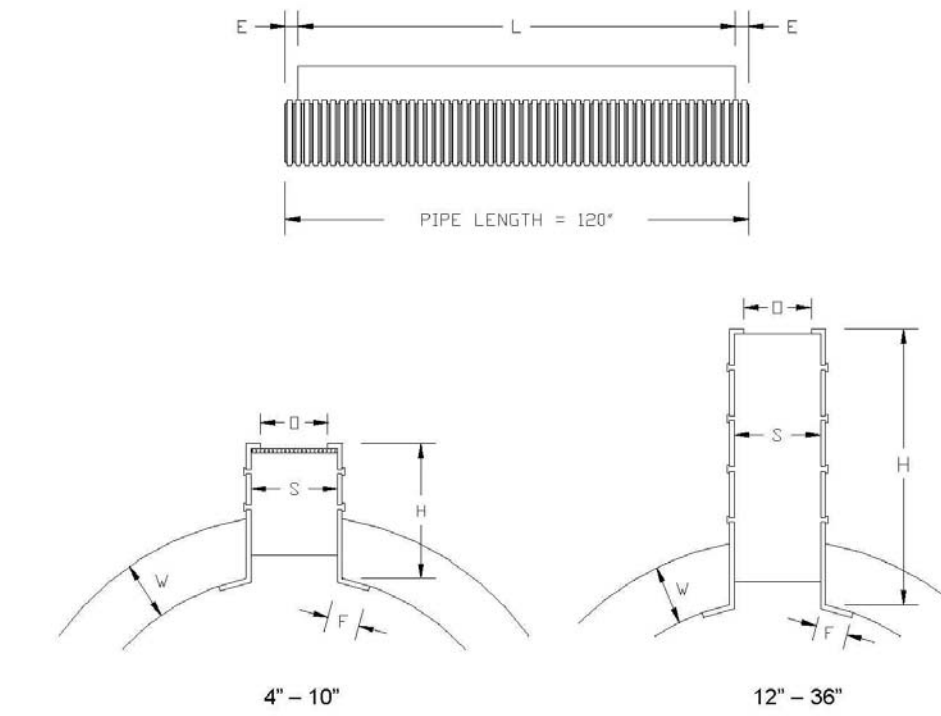
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ADS, Inc. Drainage Handbook Specifications • 1-45

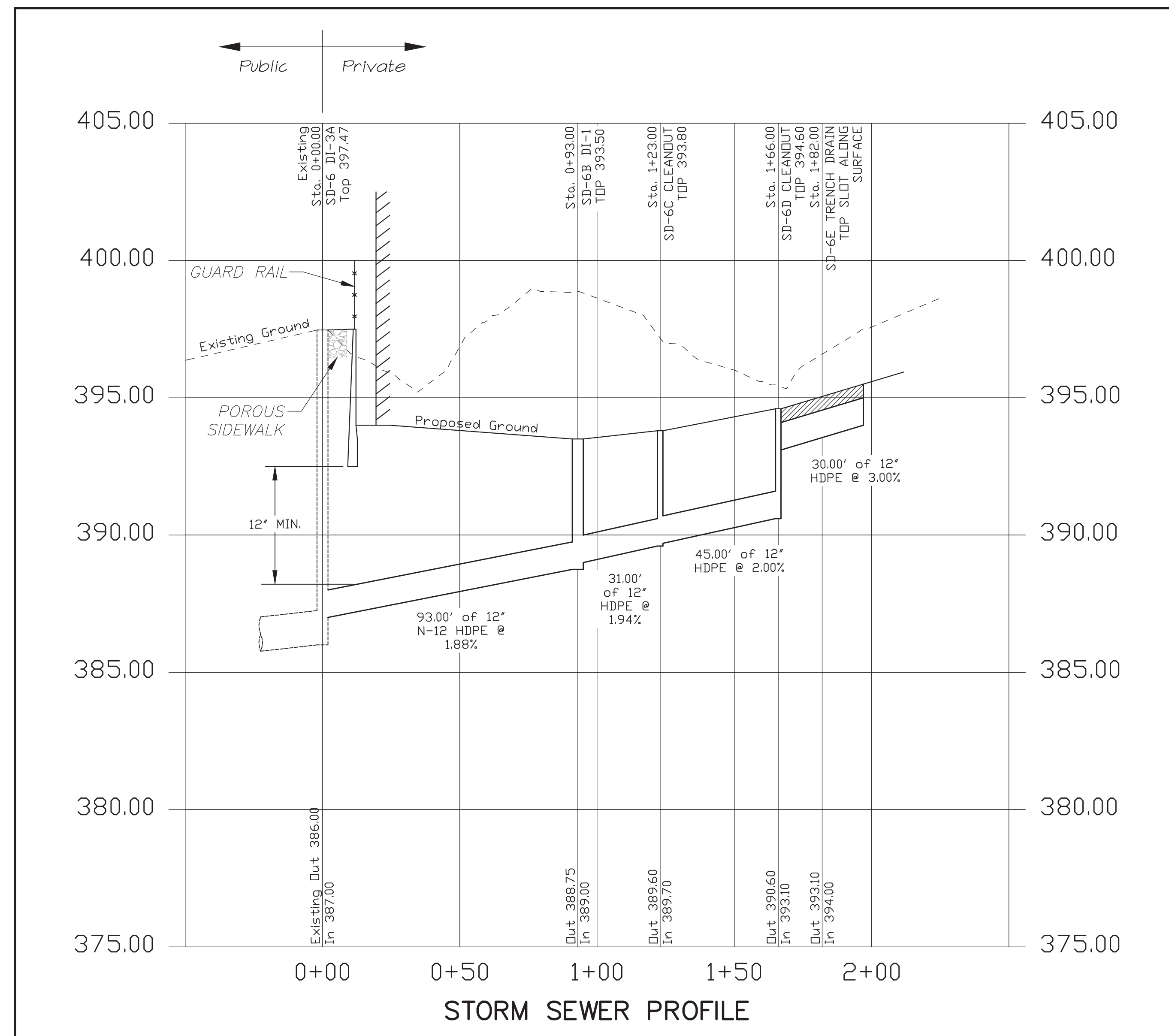
**ADS DURASLOT® DIMENSIONS**

L (Drain Grate Length) E (Pipe End Length)	Nominal Pipe Diameter											
	4"	6"	8"	10"	12"	15"	18"	24"	30"	36"		
H (2.5" slot)	2.75"	3"	3"	3"	3.5"	3.75"	4"	4.75"	5"	5.25"		
W (6.0" slot)	6.25"	6.5"	6.5"	6.5"	7"	7"	7"	7.25"	8.25"	8.25"		
W (Pipe Width w/ Corrugation)	0.34"	0.40"	0.61"	0.73"	1.15"	1.30"	1.57"	1.86"	2.65"	2.85"		
F (Flange Length)	0.5"	0.75"	0.75"	0.75"	0.75"	0.75"	1.0"	1.0"	1.0"	1.0"		
S (Opening Width)	1.20"	1.75"	1.75"	1.75"	1.75"	1.75"	1.75"	1.75"	1.75"	1.75"		
B (Slot Width)	1.75"	2.25"	2.25"	2.25"	2.25"	2.25"	2.25"	2.25"	2.25"	2.25"		

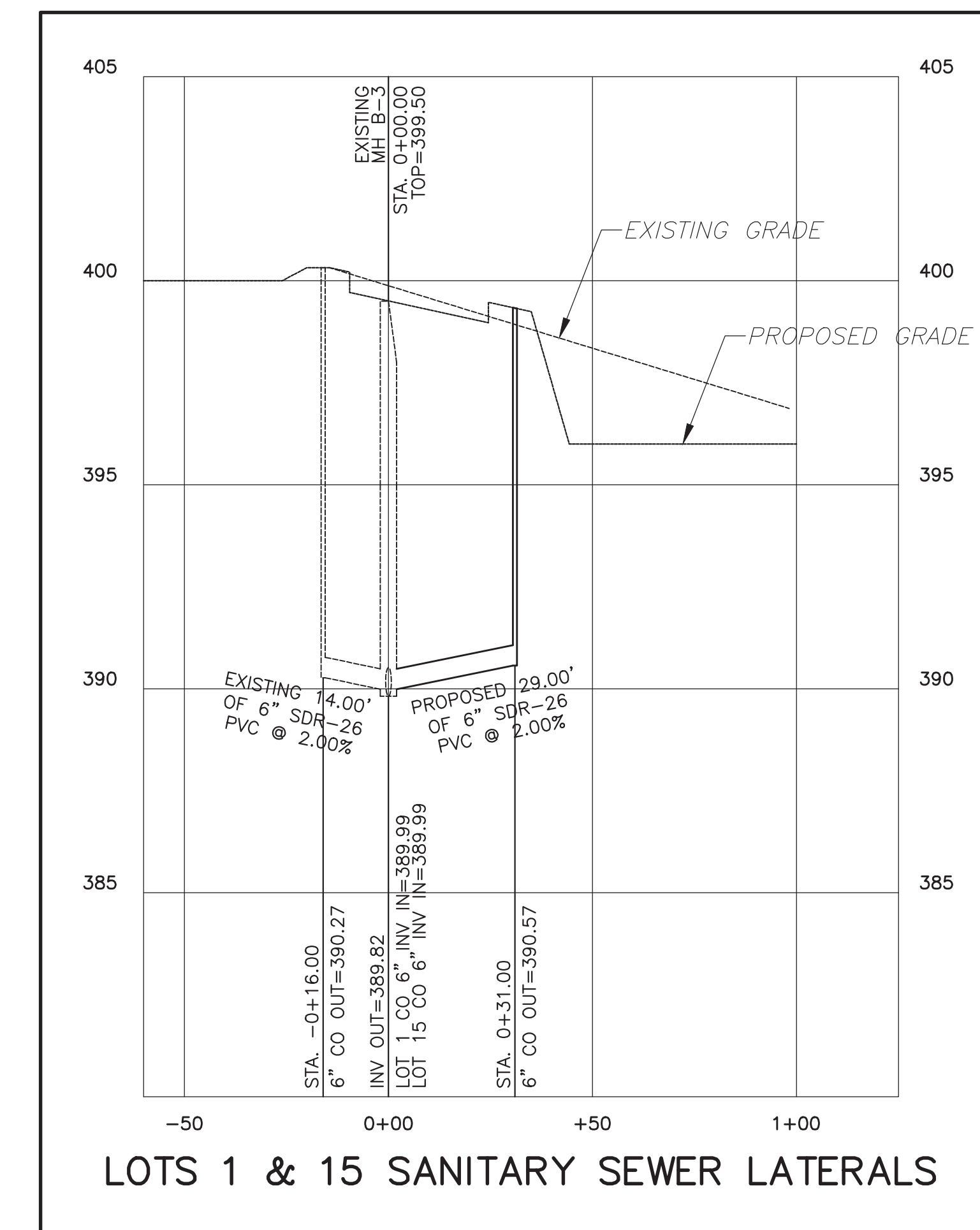
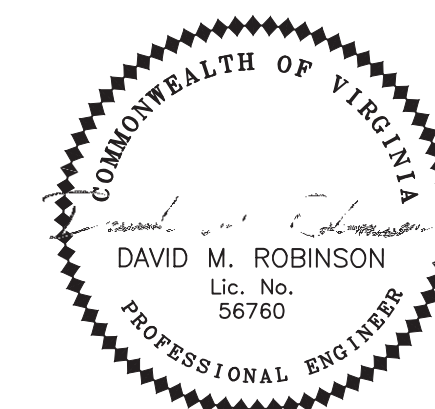
\* In stock - standard sizes



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- NOTES:
- 24" minimum cover on all sanitary lines.
  - 36" minimum cover on all water lines.
  - 12" minimum separation between storm and sewer lines.
  - 18" minimum separation between water and sewer lines.
  - Where 18' of vertical separation cannot be obtained, the sewer shall be constructed of AWWA specified water pipe (DIP) and pressure tested in place without leakage prior to backfilling in accordance with SCAT regulations.
  - Lateral and discharge pipe crowns to match.



- REVISIONS**
- 10/9/17 CITY COMMENTS
  - 2/16/18 CITY COMMENTS
  - 4/30/18 CITY COMMENTS
  - 5/11/18 CITY COMMENTS
  - 5/23/18 ADDL BIKE RACKS

ISSUED:  
4/17/2017

SCALE  
1"=50' HORZ.  
1"=5' VERT.

**SUNRISE PARK PUD  
PHASE IV FINAL SITE PLAN  
PROFILES**

CHARLOTTESVILLE, VIRGINIA

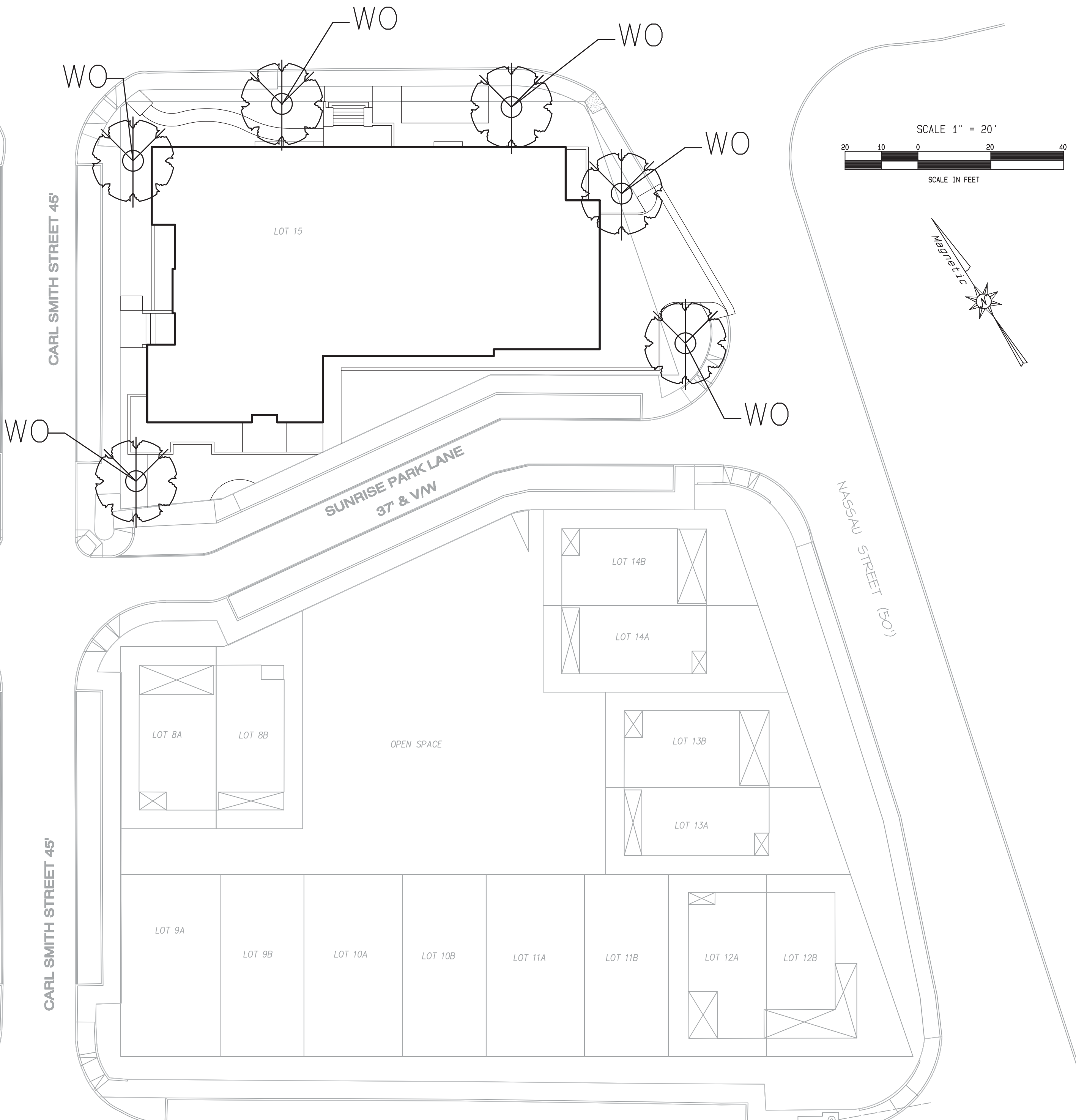
FILE NUMBER  
8174

SHEET  
6 OF 10

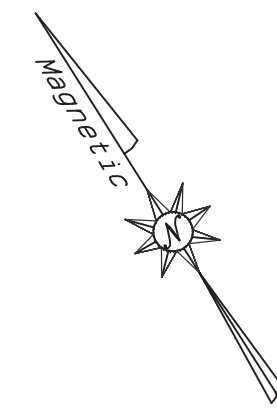
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CARLTON AVENUE (BROADWAY) 50'

RIVES STREET (50')



SCALE 1" = 20'  
SCALE IN FEET



Plant Schedule

QNTY.	KEY	BOTANICAL NAME	COMMON NAME	SIZE	COMMENT	Canopy Area (SF)	Canopy Coverage (Total SF)
6	WO	Quercus phellos	WILLOW OAK	2" Cal.	B&B	424	2,544
TOTAL							2,544

NOTE: INSTALL TREES AFTER CONSTRUCTION AT THE APPROPRIATE TIME OF THE YEAR.

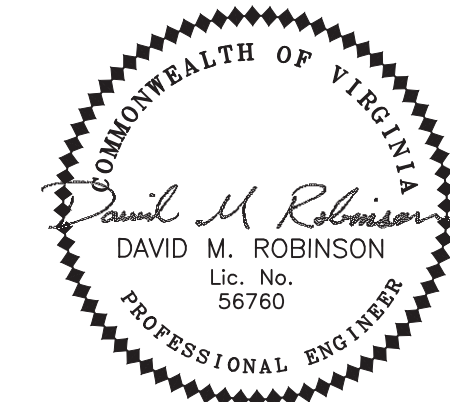
Tree Canopy Coverage

THE EXISTING TREE CANOPY COVERAGE FOR LOT 15 AND ITS SURROUNDING OPEN SPACES BOUND BY SUNRISE PARK LANE, CARL SMITH STREET, NASSAU STREET AND CARLTON AVENUE IS CALCULATED TO BE 2,544 SF (6 RO @ 424 SF).

THE PROPOSED TREE CANOPY COVERAGE FOR THE SAME AREA IS 2,544 SF. WE ARE PROPOSING SIX (6) WILLOW OAKS IN ORDER TO BE CONSISTENT WITH THE APPROVED SITE PLAN.

General Notes & Minimum Standards

- TREES SHOWN HEREON WERE SELECTED FROM THE CITY OF CHARLOTTESVILLE TREE PACKET. SUBSTITUTIONS MUST BE APPROVED BY THE LANDSCAPE ARCHITECT.
- PLANT LIST TOTALS ARE FOR CONVENIENCE ONLY AND SHALL BE VERIFIED PRIOR TO BIDDING.
- TIMING OF INSTALLATION: ALL LANDSCAPING SHALL BE INSTALLED BY THE FIRST PLANTING SEASON FOLLOWING THE ISSUANCE OF THE FIRST CERTIFICATE OF OCCUPANCY WITHIN THE DEVELOPMENT, OR PHASE THEREOF.
- ALL TREES TO BE PLANTED SHALL MEET THE SPECIFICATION OF THE AMERICAN ASSOCIATION OF NURSERYMEN. PLANTING SHALL BE DONE IN ACCORDANCE WITH EITHER THE STANDARDIZED LANDSCAPE SPECIFICATIONS JOINTLY ADOPTED BY THE VIRGINIA NURSERYMEN'S ASSOCIATION, THE VIRGINIA SOCIETY OF LANDSCAPE DESIGNERS OR THE VIRGINIA CHAPTER OF THE AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS, OR THE ROAD AND BRIDGE SPECIFICATIONS OF THE VIRGINIA DEPARTMENT OF TRANSPORTATION.
- CONTRACTOR SHALL ASCERTAIN LOCATION OF ALL UTILITIES PRIOR TO EXCAVATION. PRIOR TO COMMENCING ANY WORK, CONTACT "MISS UTILITY" AT 1-800-552-7001.
- ALL PLANT MATERIAL TO BE GUARANTEED DURING INSTALLATION AND UNTIL FINAL PROJECT ACCEPTANCE. ANY PLANT MATERIAL WHICH DIES, IS DAMAGED OR DISEASED, OR IS UNHEALTHY AND IN UNSIGHTLY CONDITION, OR OTHER CAUSES DUE TO CONTRACTOR'S NEGLIGENCE SHALL BE REPLACED IMMEDIATELY AT THE CONTRACTOR'S EXPENSE.
- ALL SITE PLANTINGS OF TREES AND SHRUBS SHALL BE ALLOWED TO REACH, AND BE MAINTAINED AT MATURE HEIGHT. THE TOPPING OF TREES IS PROHIBITED. SHRUBS AND TREES SHALL BE PRUNED MINIMALLY AND ONLY TO SUPPORT THE OVERALL HEALTH OF THE PLANT.



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REVISIONS
10/9/17 CITY COMMENTS
2/16/18 CITY COMMENTS
4/30/18 CITY COMMENTS
5/11/18 CITY COMMENTS
5/23/18 ADDL BIKE RACKS

ISSUED:  
4/17/2017

SCALE  
1" = 20'

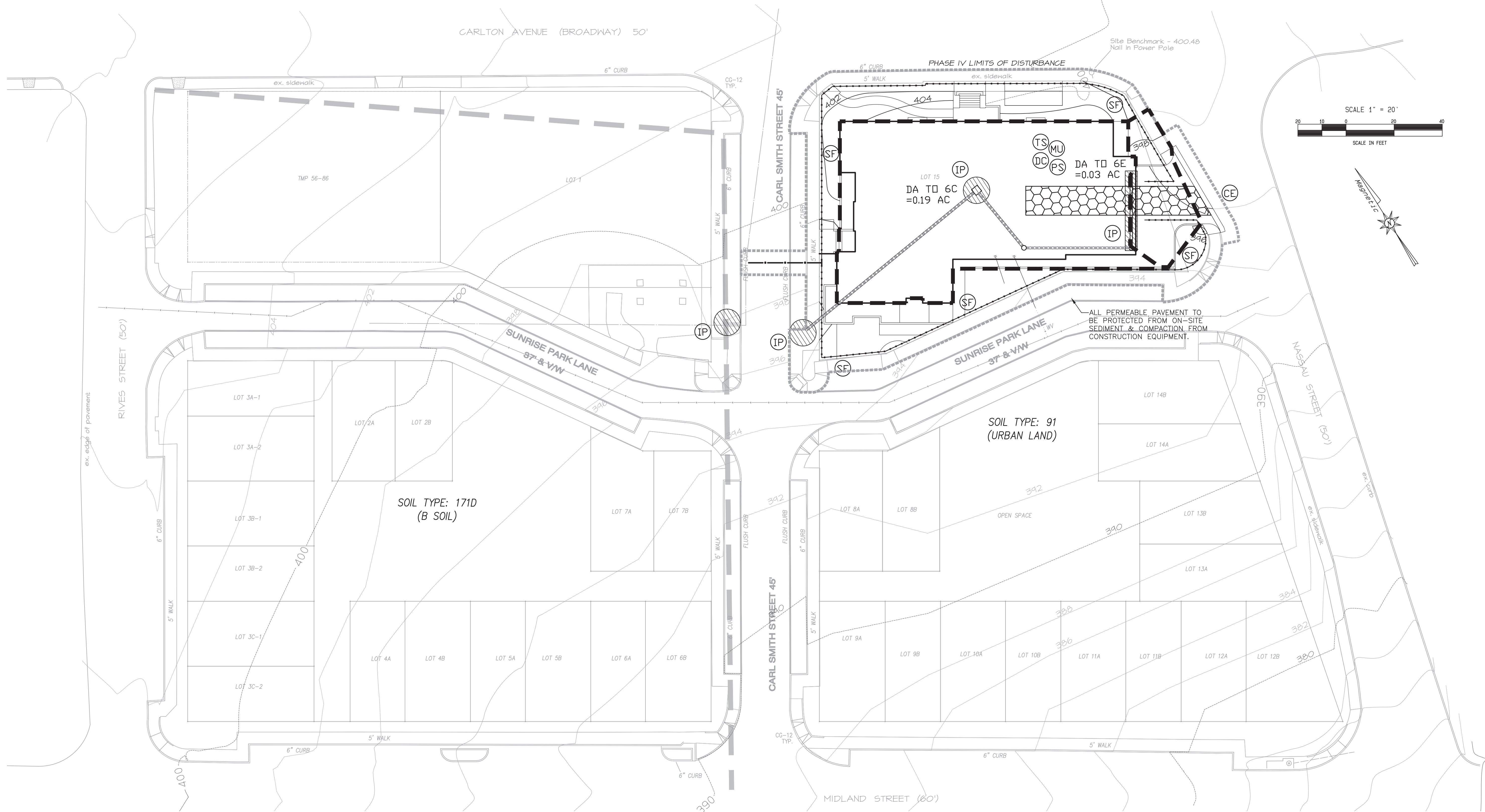
CONTOUR INTERVAL  
2 FOOT

SUNRISE PARK PUD  
PHASE IV FINAL SITE PLAN  
LANDSCAPE PLAN

FILE NUMBER  
8174

SHEET  
7 OF 10

CHARLOTTESVILLE, VIRGINIA



**EROSION CONTROL LEGEND**

CE = CONSTRUCTION ENTRANCE, 3.02	
SF = SILT FENCE, 3.05	
IP = INLET PROTECTION, 3.07	
TS = TEMPORARY SEEDING, 3.31	
PS = PERMANENT SEEDING, 3.32	
MU = MULCHING, 3.35	
DC = DUST CONTROL, 3.39	
DRAINAGE DIVIDE	
SOIL TYPE BOUNDARY	

**GENERAL EROSION CONTROL NOTES:**

1. ALL PROPOSED STRUCTURAL MEASURES SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE VIRGINIA E&SC HANDBOOK, LATEST EDITION.
2. THE GENERAL SITE CONTRACTOR SHALL BE RESPONSIBLE FOR INSTALLATION AND MAINTENANCE OF THE TEMPORARY EROSION CONTROL MEASURES AND FINAL ROW IMPROVEMENTS. THE BUILDER SHALL BE RESPONSIBLE FOR PERMANENT SEEDING AND STABILIZATION OF THE LOT AND OPEN SPACES.
3. DUST CONTROL, TEMPORARY SEEDING, MULCHING, AND PERMANENT SEEDING TO BE USED ON ALL DISTURBED AREAS AS PER THE ESC NARRATIVE. CONTRACTOR TO USE SPECIAL CAUTION TO PROTECT EXISTING POROUS PAVEMENT. CONTRACTOR TO PROVIDE VACUUM CLEANING OF PAVEMENT BY VAC TRUCK.

**E&SC SEQUENCING:**

THE SILT FENCING, INTENDED TO TRAP SEDIMENT ALONG THE PERIMETER OF THE PROJECT, SHALL BE MADE FUNCTIONAL BEFORE ANY UPSLOPE LAND DISTURBANCE TAKES PLACE. WHERE CONSTRUCTION VEHICLES ENTER ONTO THE PUBLIC STREET FROM THE CONSTRUCTION SITE, PROVISIONS SHALL BE MADE TO MINIMIZE THE TRANSPORT OF SEDIMENT BY VEHICULAR TRACKING ONTO THE PAVED SURFACE. WHERE SEDIMENT IS TRANSPORTED ONTO A PUBLIC ROAD SURFACE, THE ROAD SHALL BE CLEANED THOROUGHLY AT THE END OF EACH DAY. SEDIMENT SHALL BE REMOVED FOR THE ROADS BY SHOVELING OR SWEEPING.

UPON SUFFICIENT COMPLETION OF THE SITE IMPROVEMENTS AND SITE STABILIZATION, PERMISSION SHALL BE OBTAINED FROM THE EROSION CONTROL OFFICER TO REMOVE STRUCTURAL MEASURES.



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**REVISIONS**

10/9/17	CITY COMMENTS
2/16/18	CITY COMMENTS
4/30/18	CITY COMMENTS
5/11/18	CITY COMMENTS
5/23/18	ADDL BIKE RACKS

**ISSUED:**  
4/17/2017

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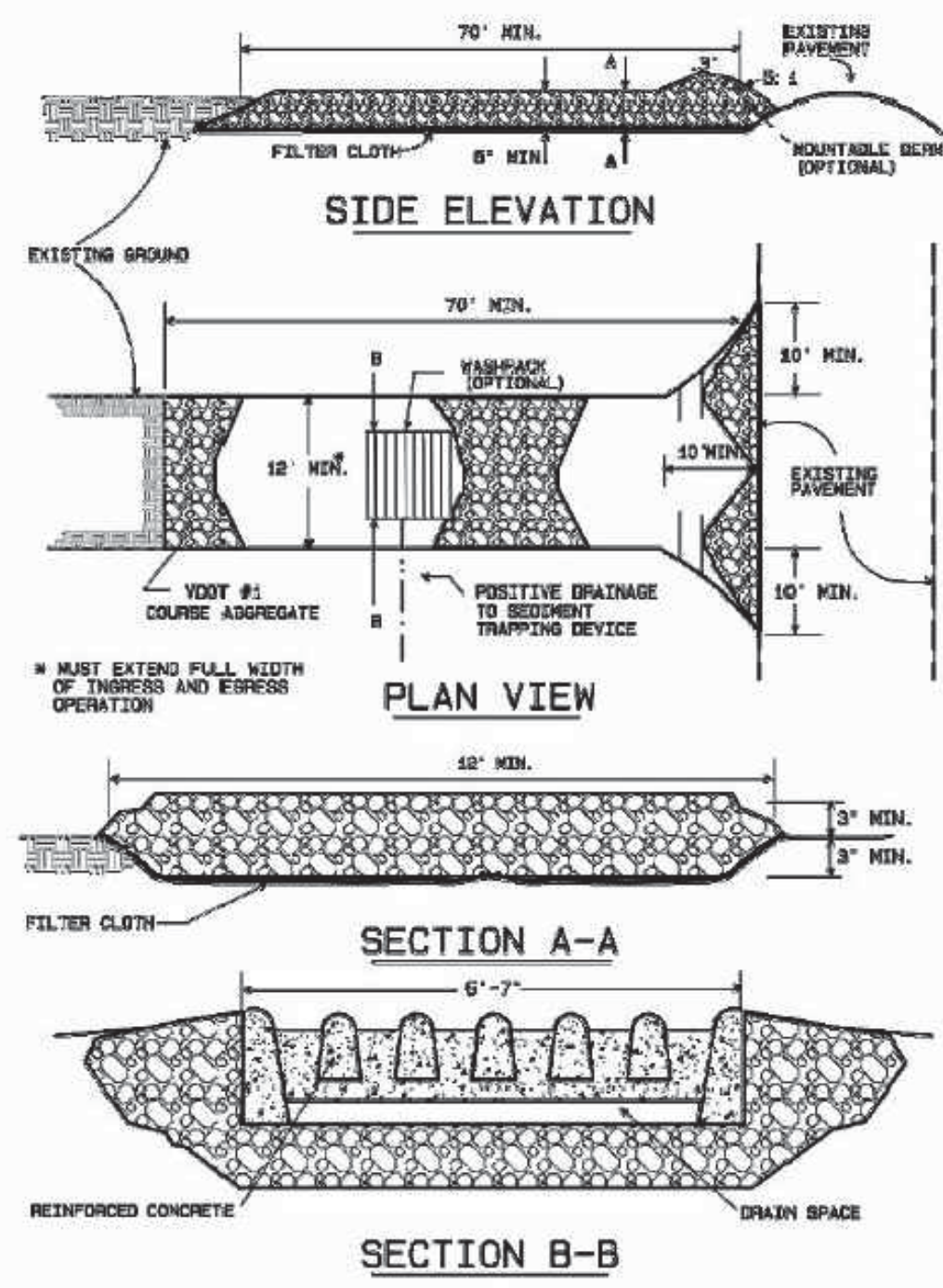
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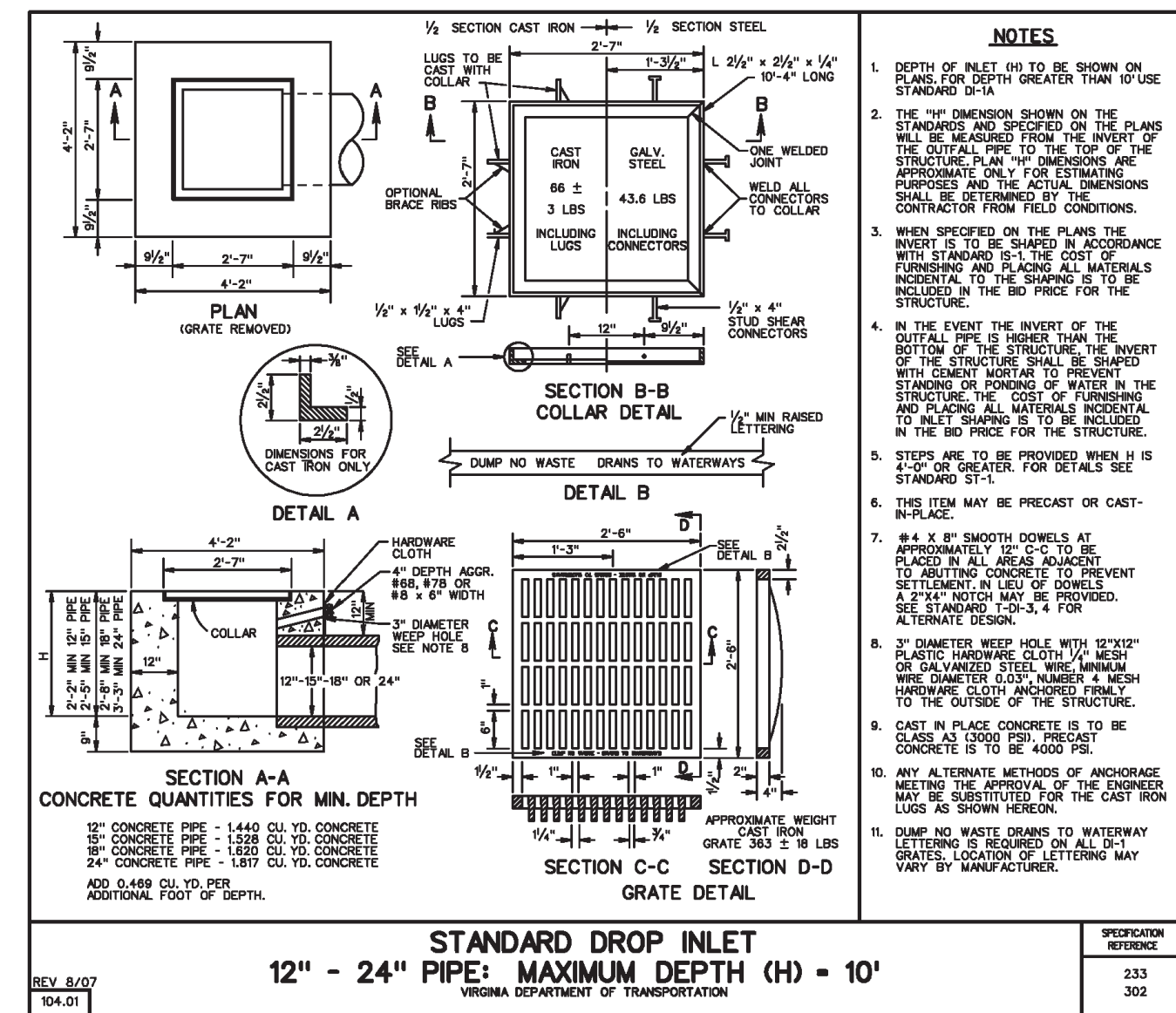
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**SHEET**  
8 OF 10

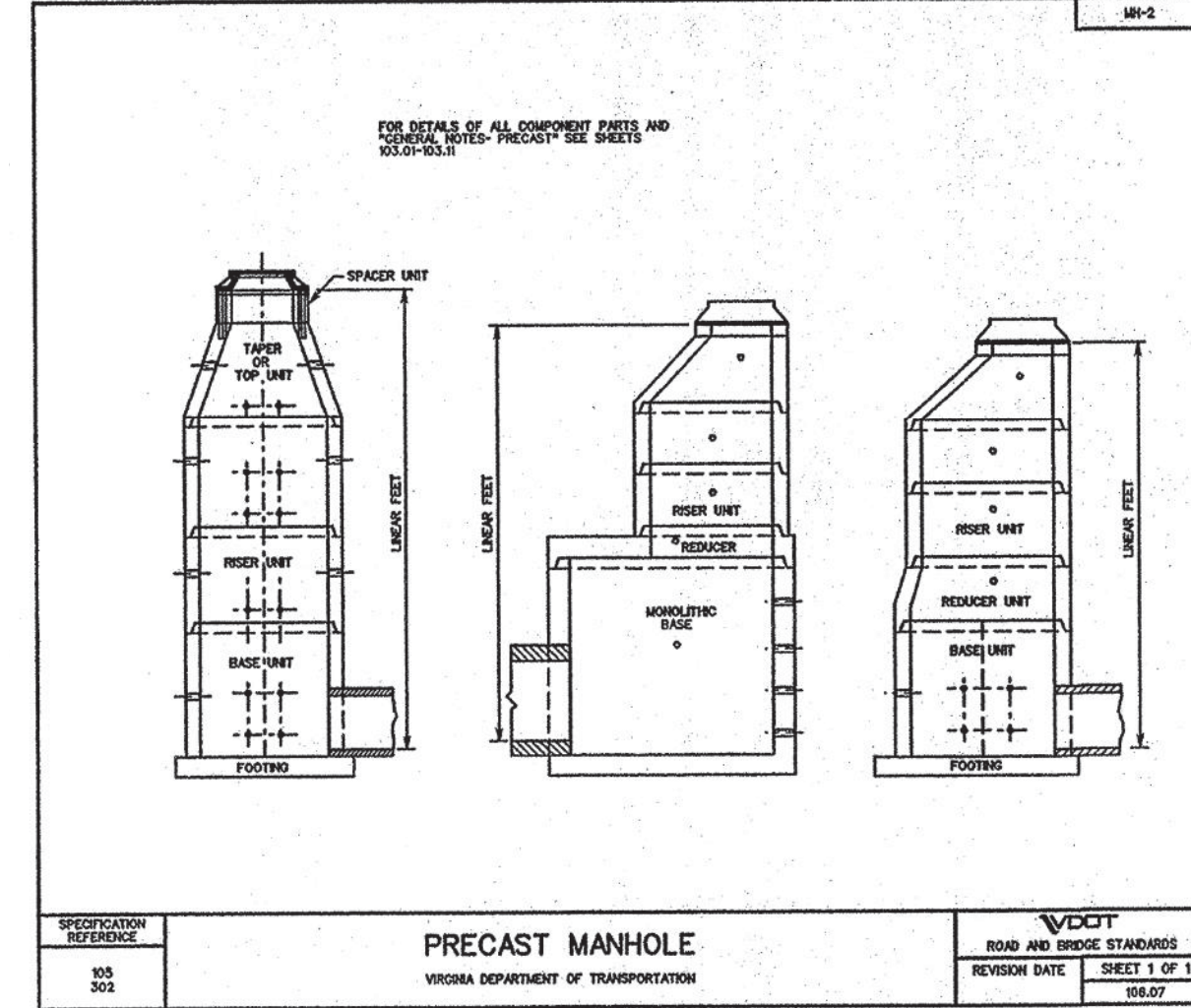
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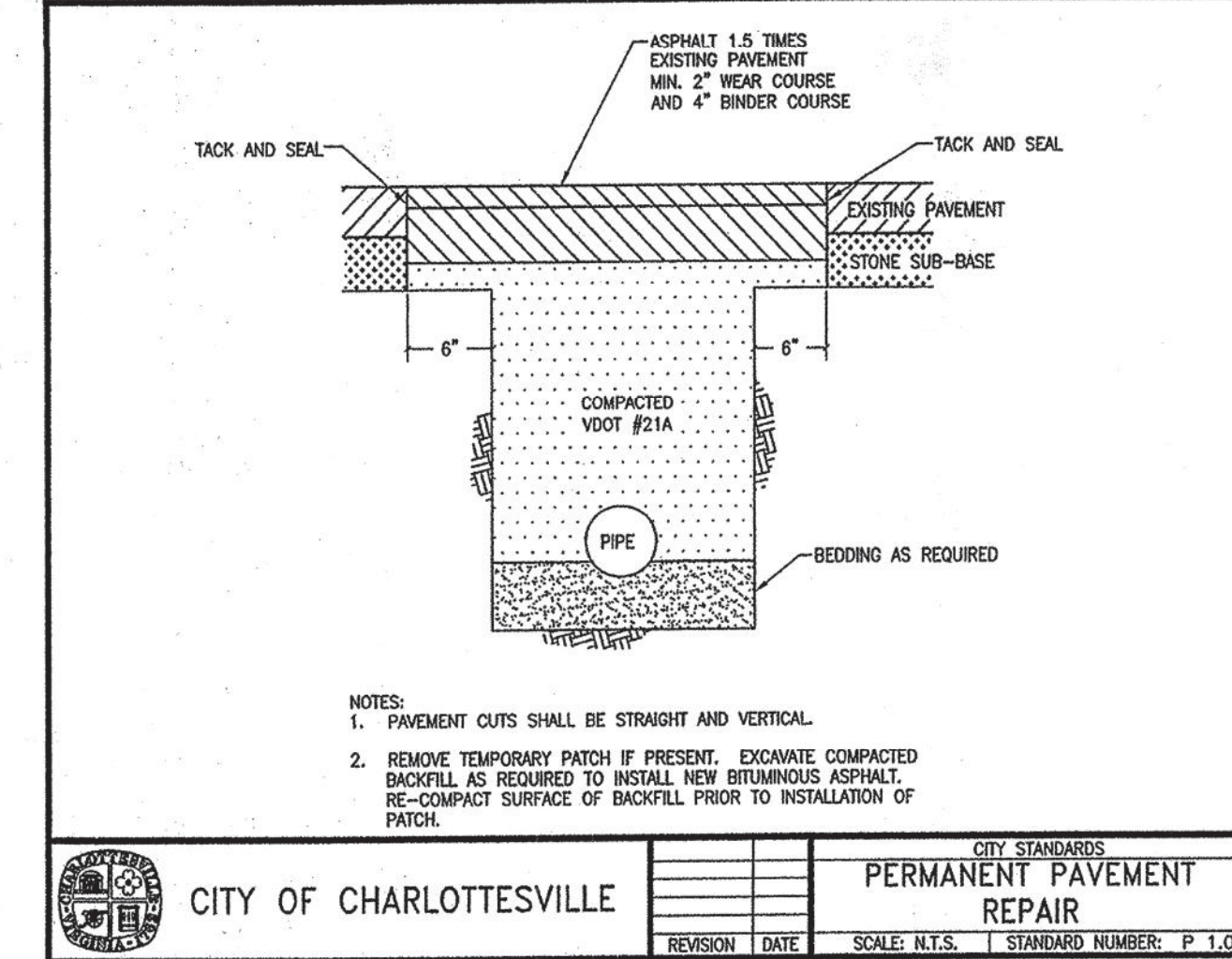
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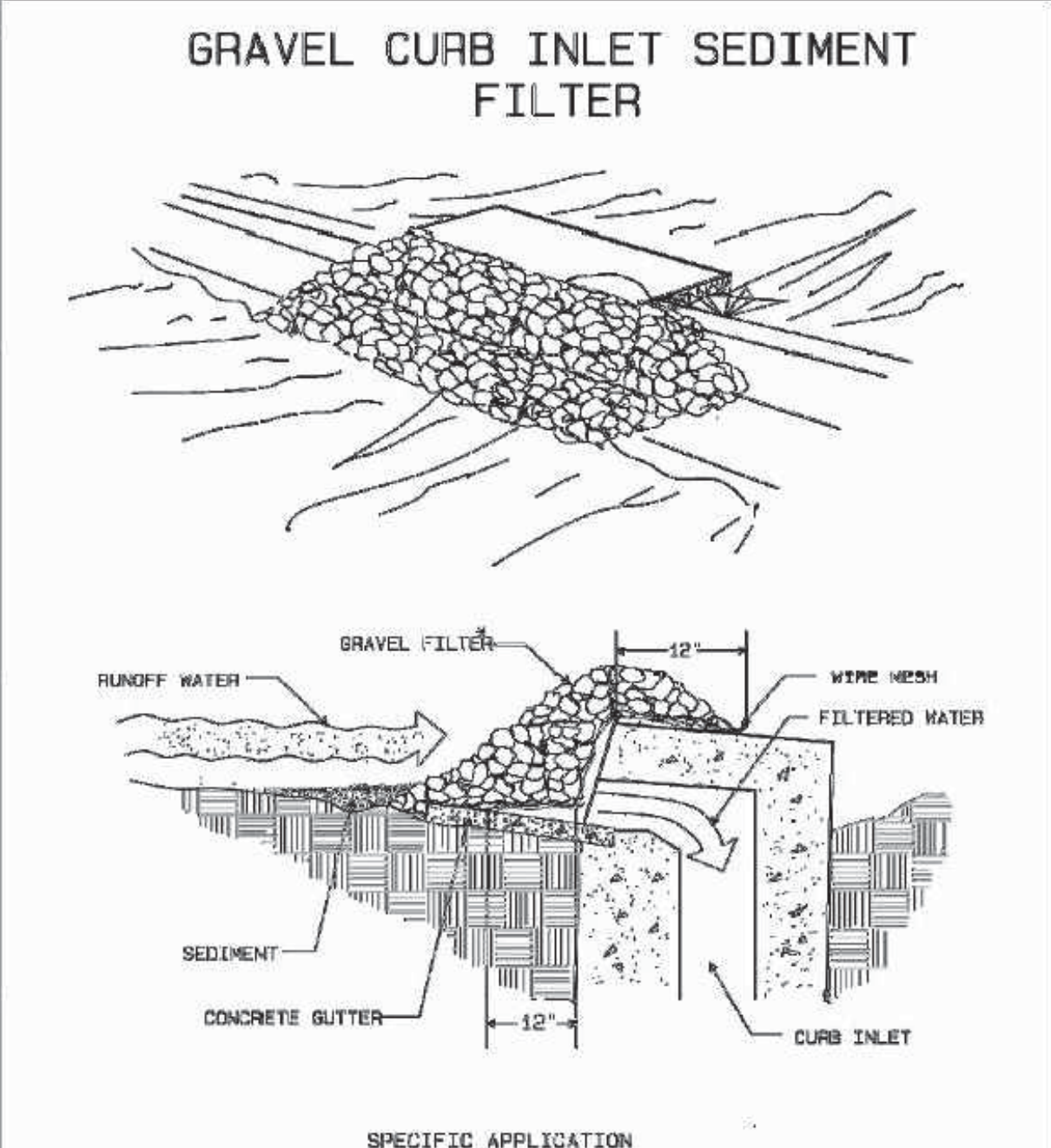
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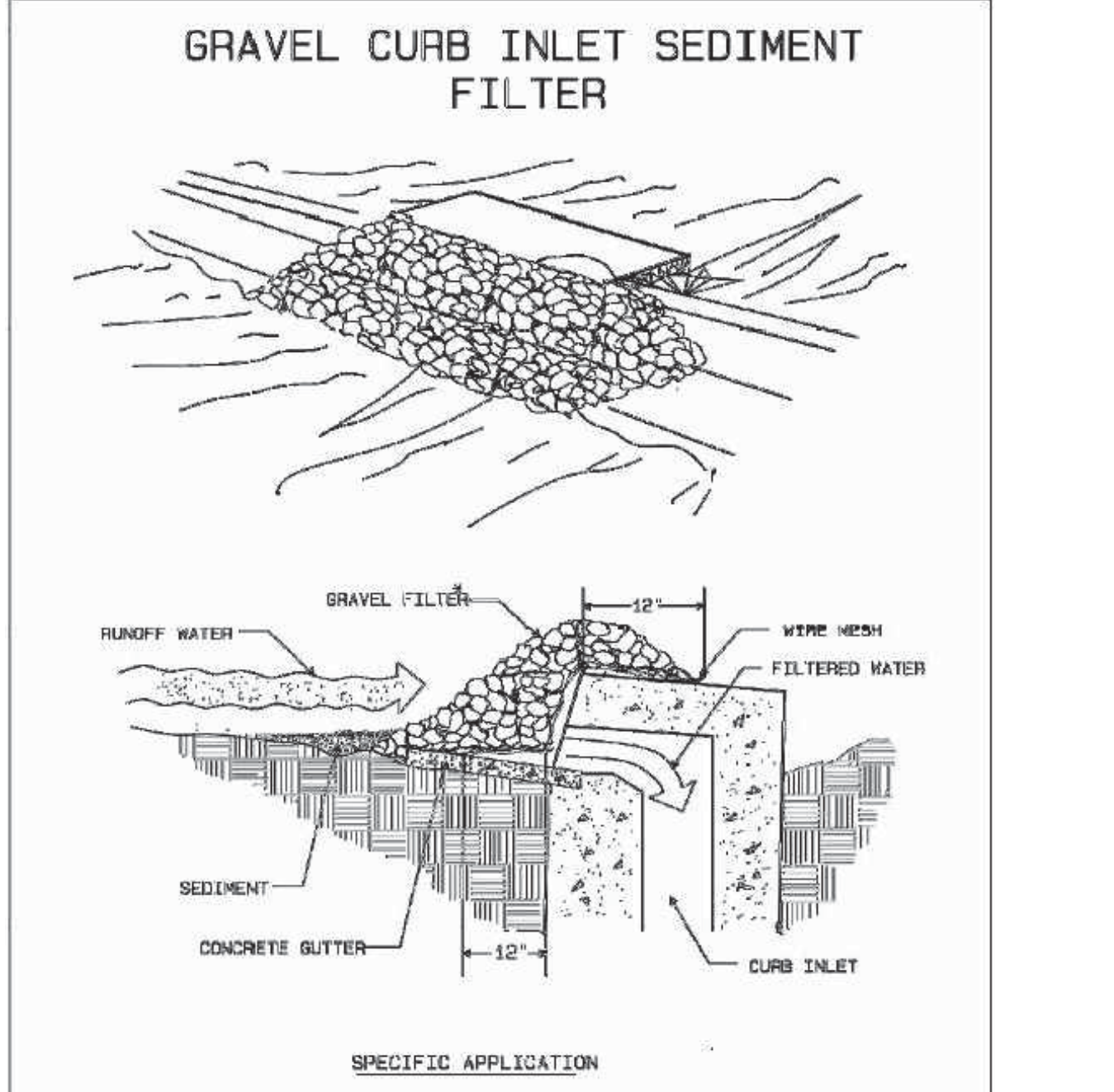
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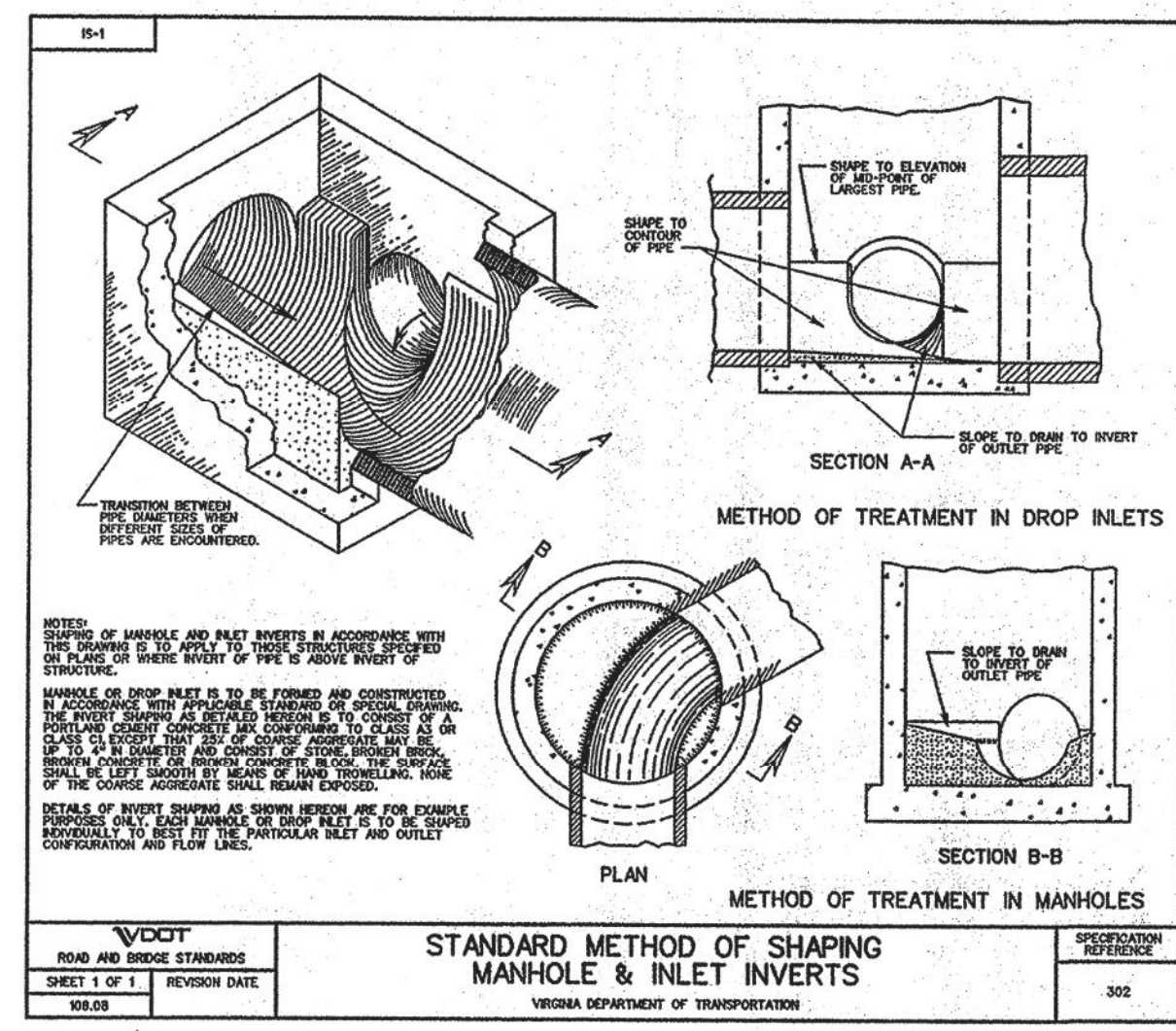
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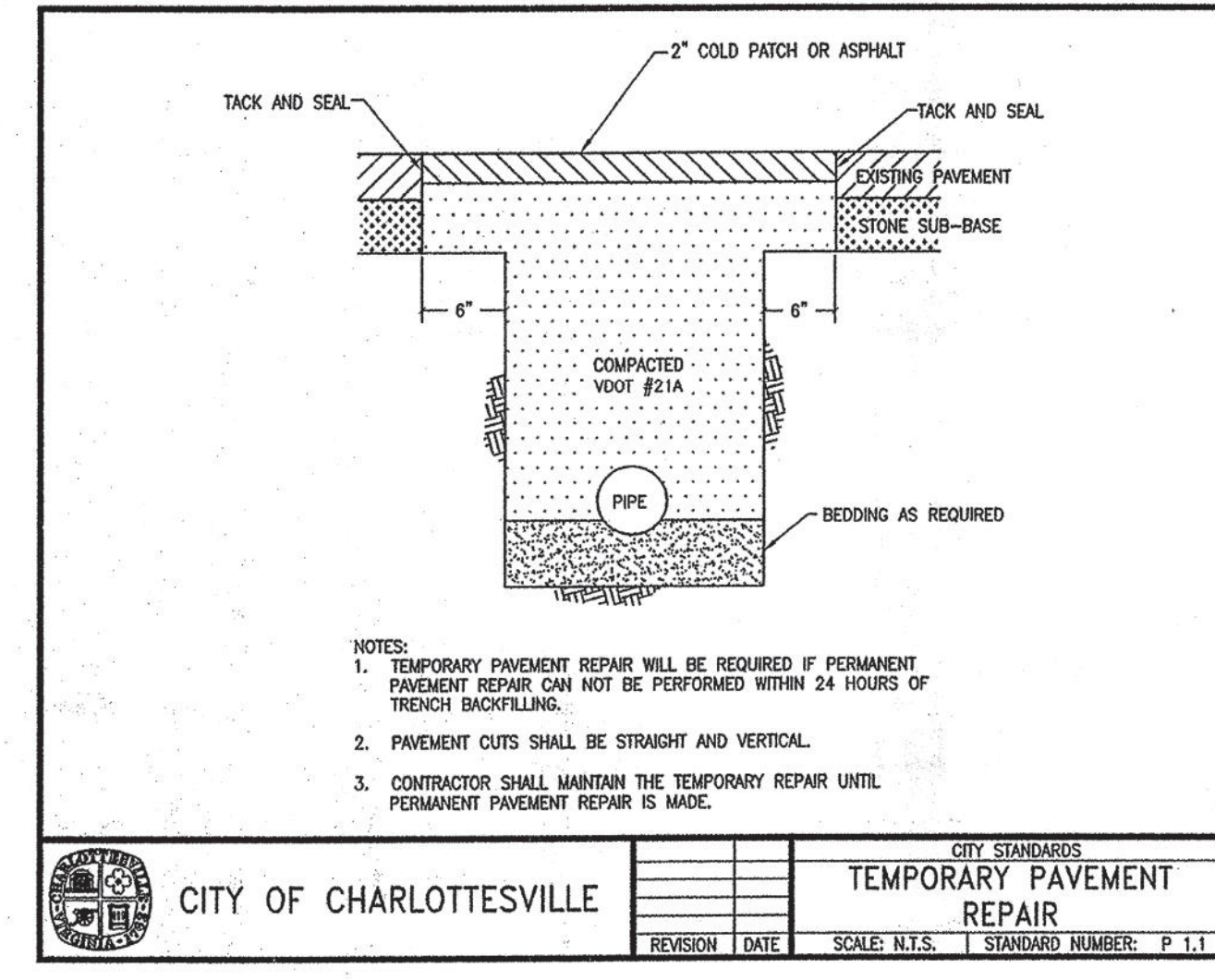
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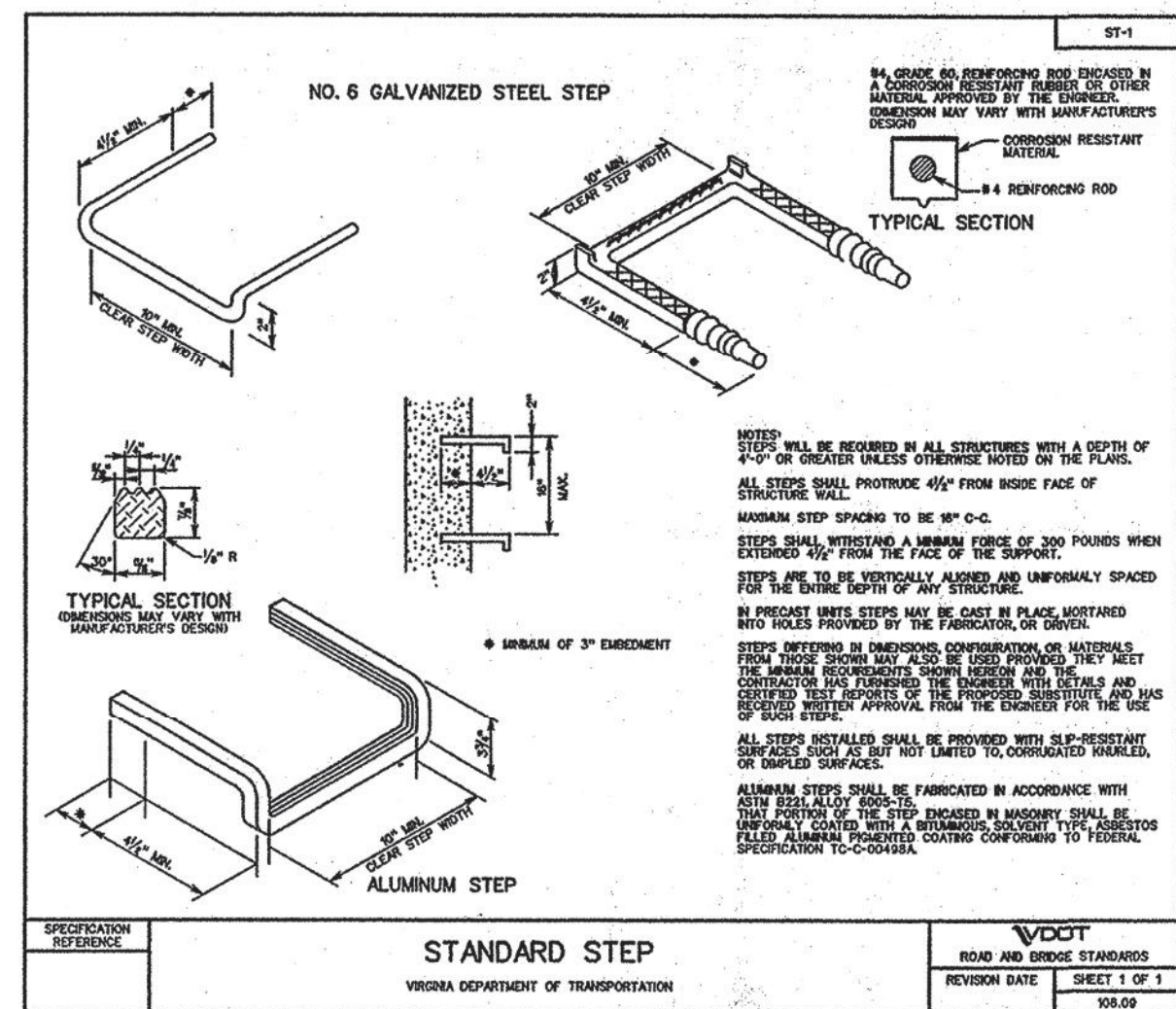
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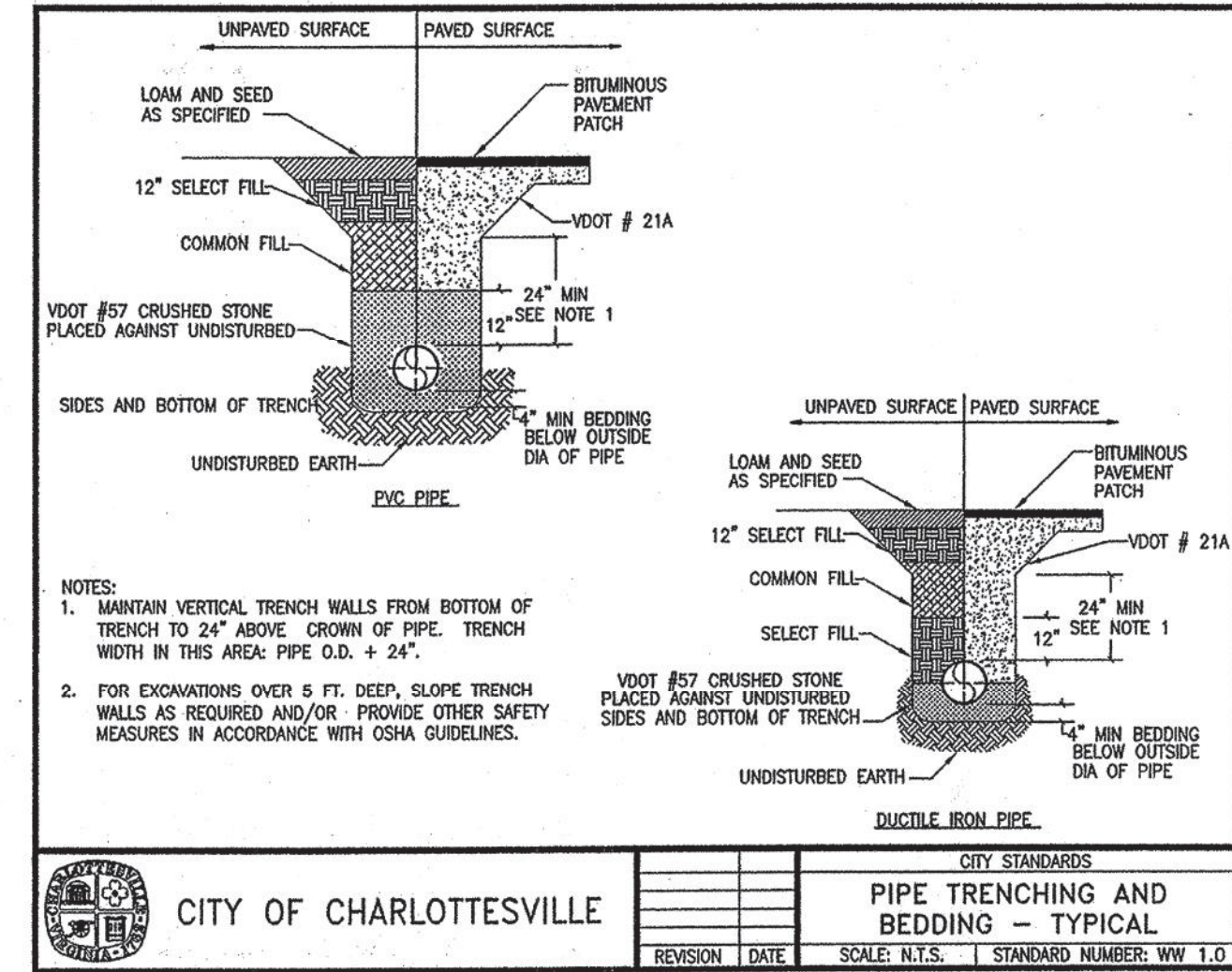
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VOOT ROAD AND BRIDGE STANDARDS SHEET 1 OF 1



VOOT ROAD AND BRIDGE STANDARDS SHEET 1 OF 1



VOOT ROAD AND BRIDGE STANDARDS SHEET 1 OF 1

**General Construction Notes**

- General Conditions of the Contract entitled, General Provisions, published by the City of Charlottesville and as amended by Supplemental Conditions shall be made a part of the Contract documents and shall apply to all Contractors and Subcontractors.
- All Contractors and Subcontractors will be held to have examined and made themselves familiar with the articles of the General Conditions and the modifications and Supplemental Conditions thereof.
- Unless otherwise indicated, in cases where a water service lateral or sewer service lateral is permanently taken out of service or abandoned (aka demolished) such as in the case of the demolition of a building, the contractor is responsible for removing the service line to the main. In the case of a water service abandonment, the contractor shall remove all service lines to the corporation stop and shut off the corporation stop. In the case of a sanitary service abandonment, the contractor shall remove all service line to the main and plug the tap and/or repair the main to the satisfaction of the City of Charlottesville. The contractor is responsible for any and all permits required to perform the work and repairing surfaces as per these standards.



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PHONE 434-977-0205 - FAX 434-296-5220 - EMAIL INFO@ROUDABUSH.COM

**REVISIONS**

10/9/17	CITY COMMENTS
2/16/18	CITY COMMENTS
4/30/18	CITY COMMENTS
5/11/18	CITY COMMENTS
5/23/18	ADDL BIKE RACKS

ISSUED: 4/17/2017

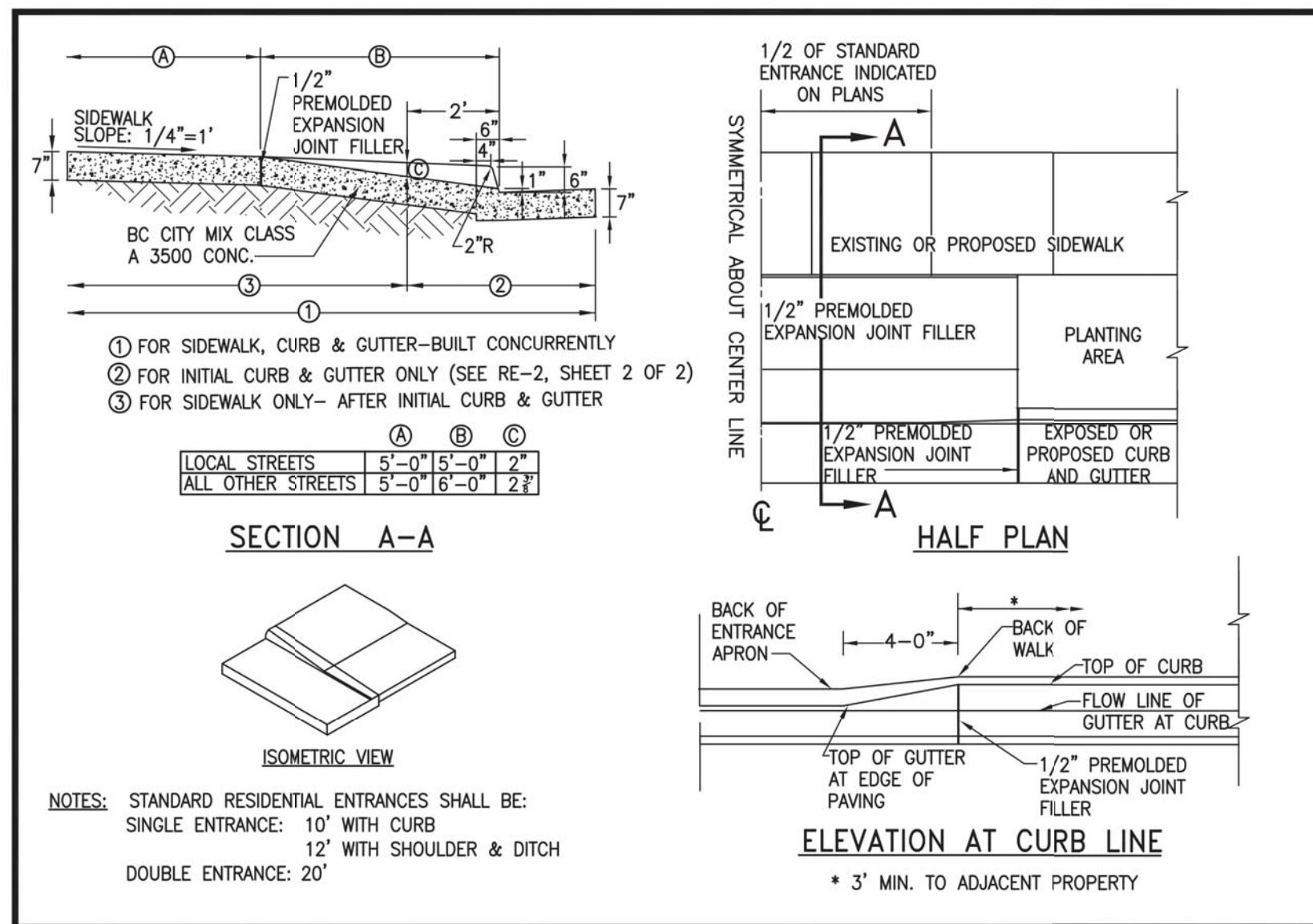
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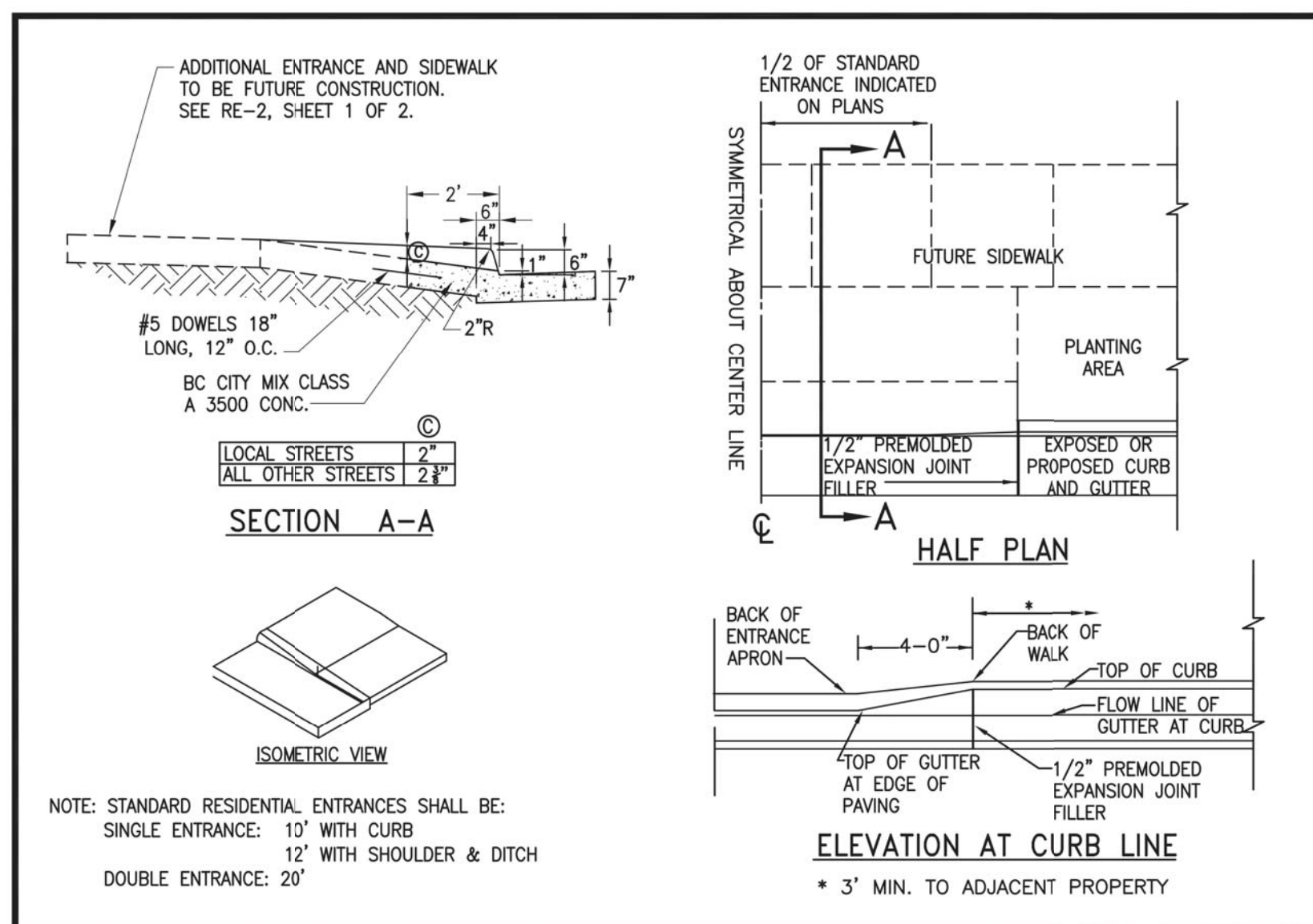
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PHASE IV FINAL SITE PLAN  
DETAILS**

FILE NUMBER 8174

SHEET 9 OF 10

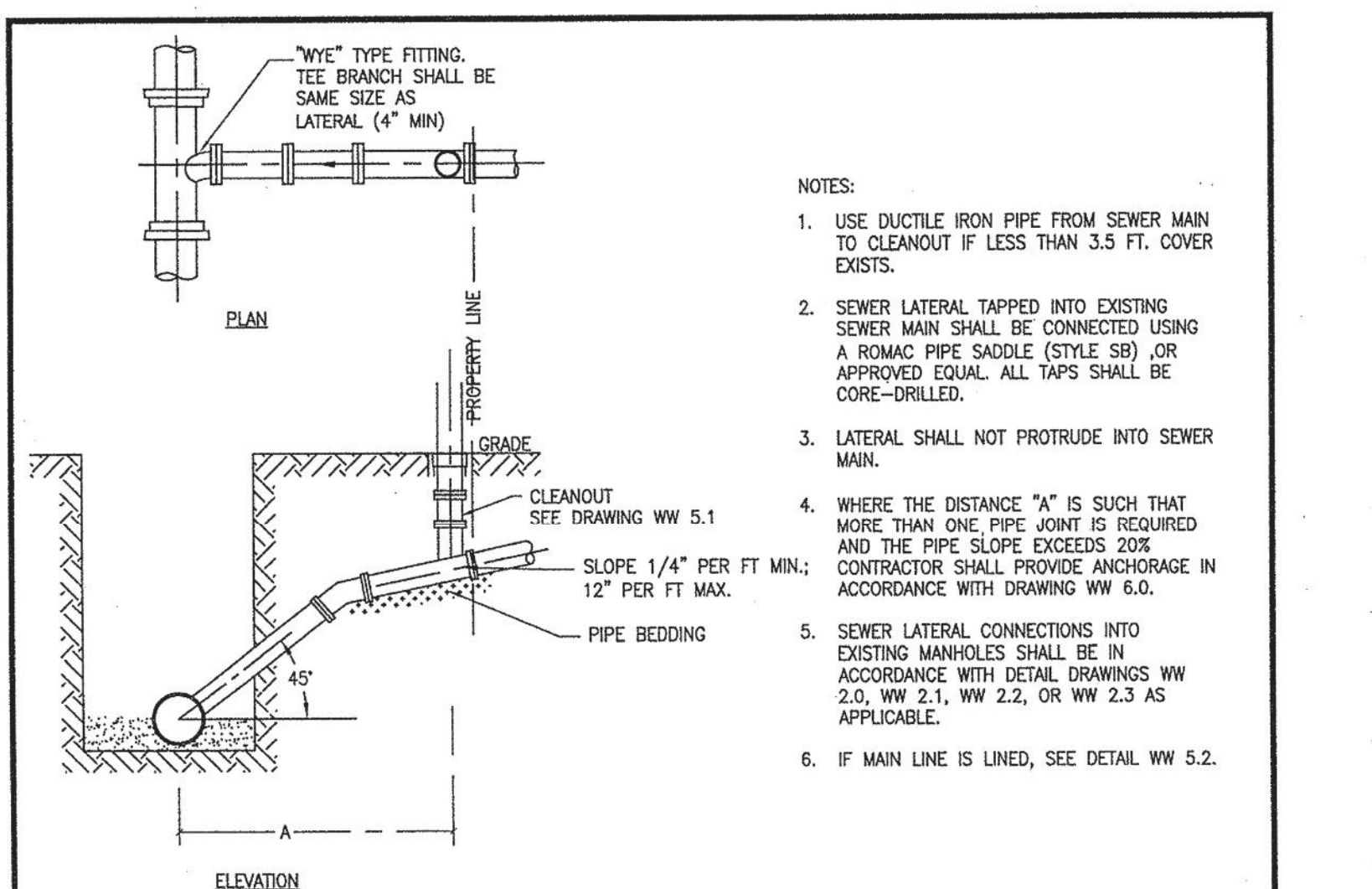


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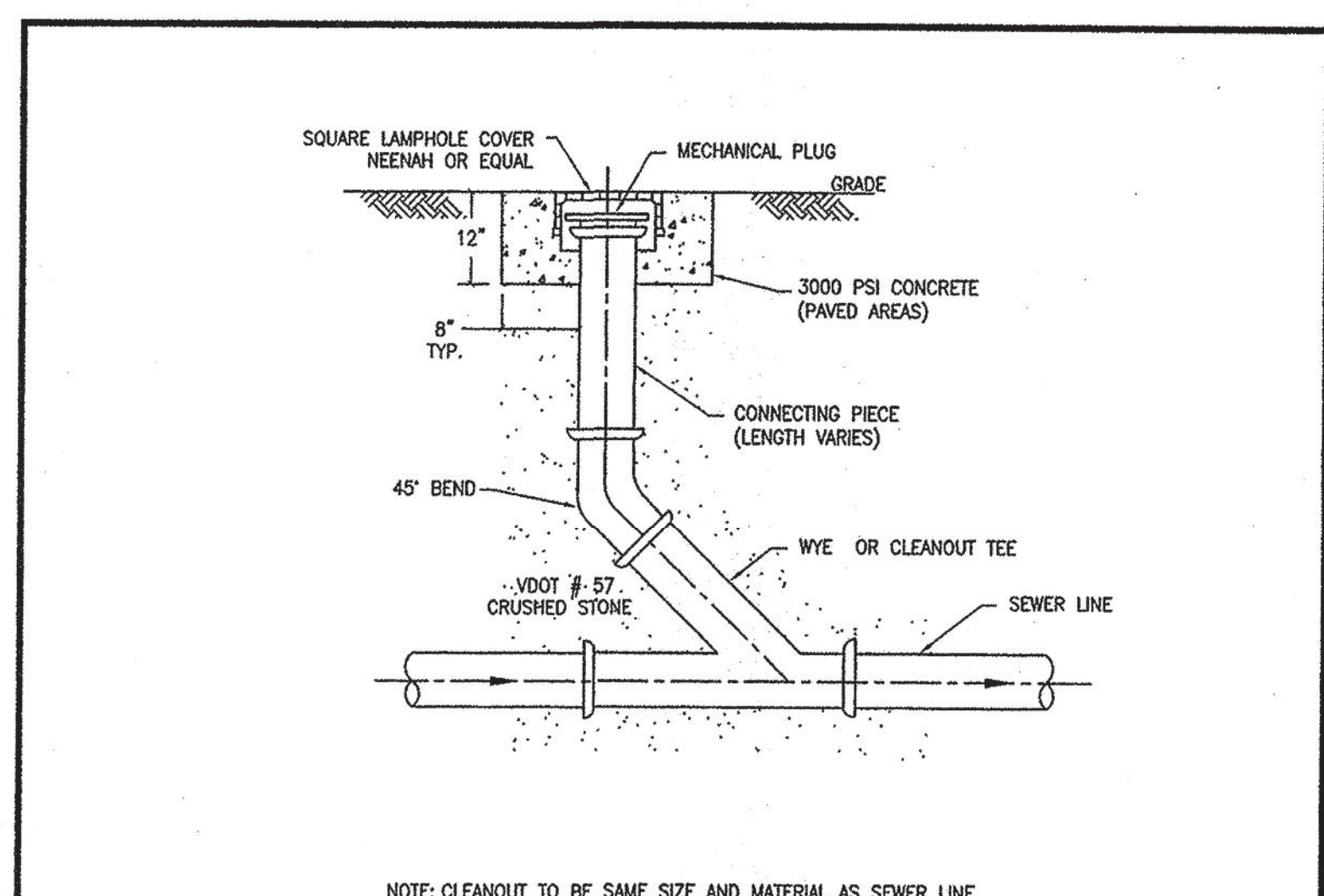


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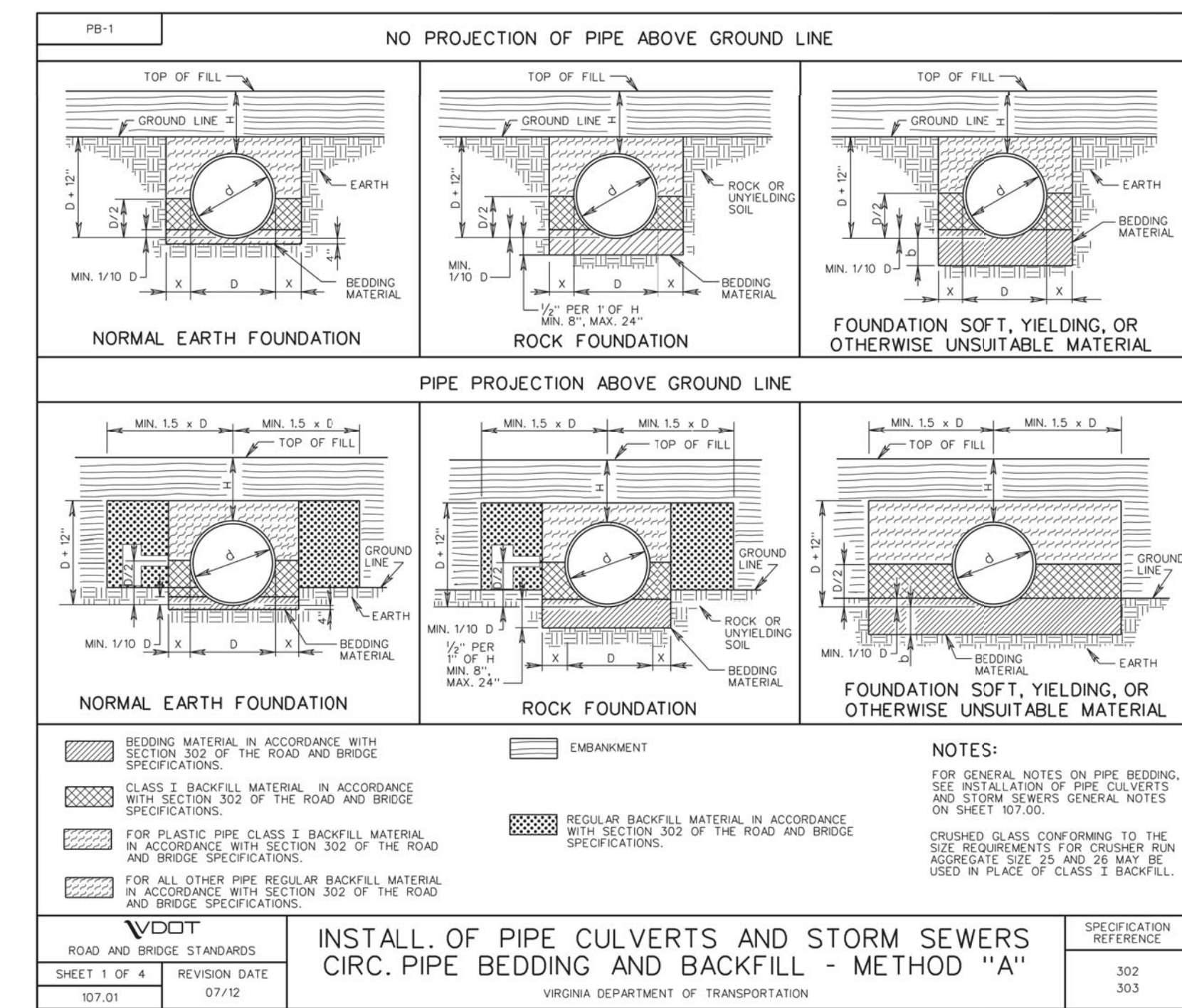
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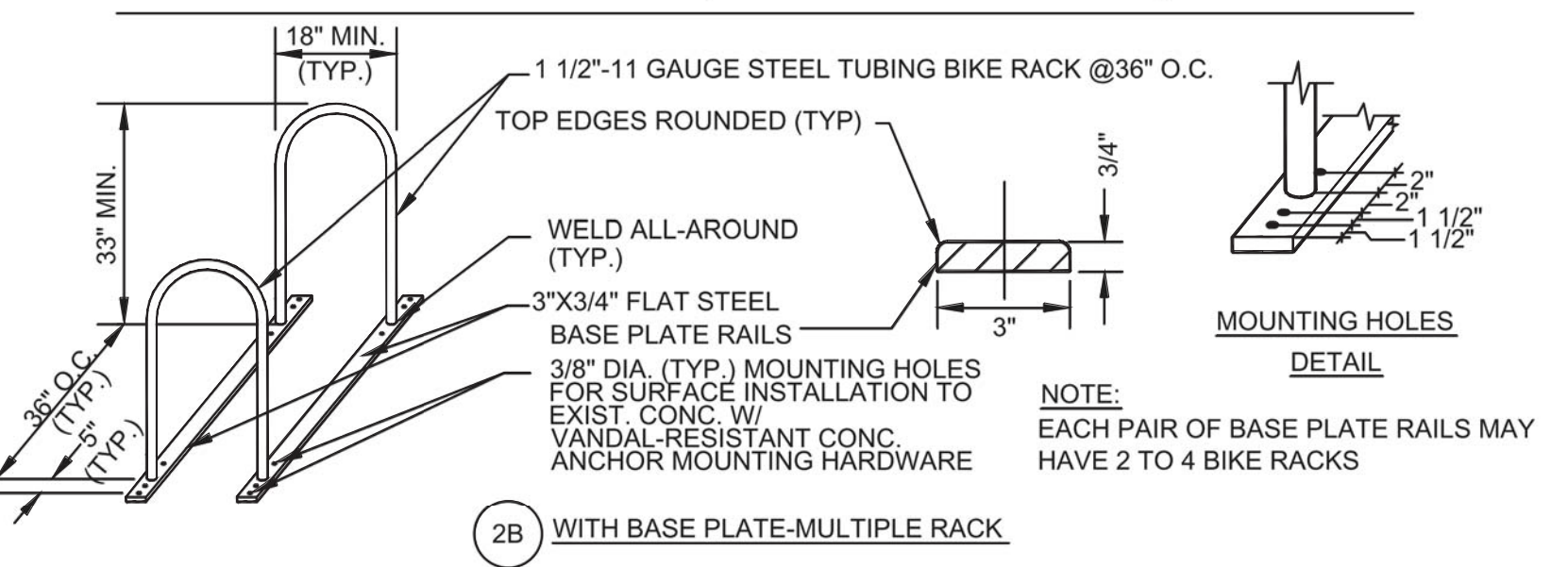
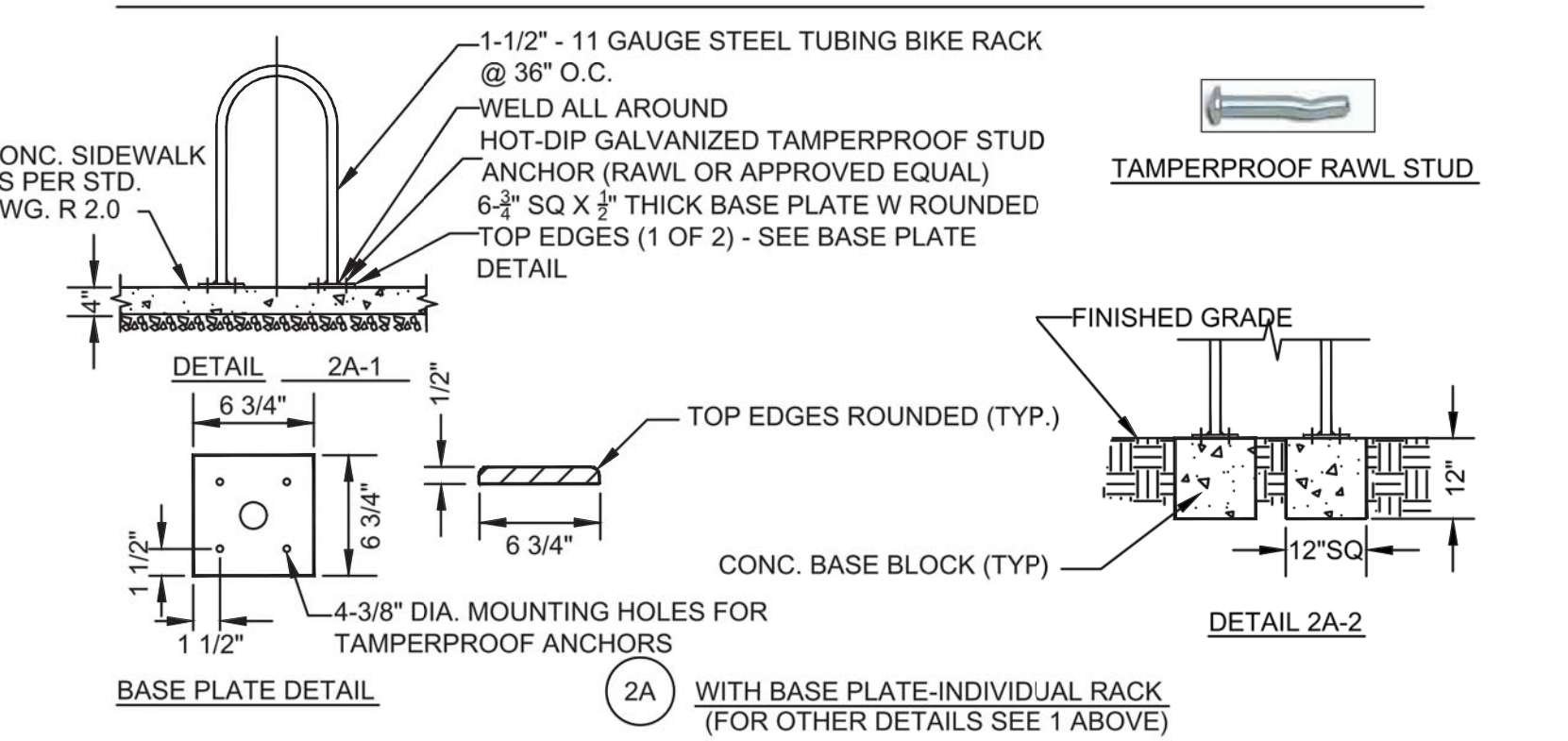
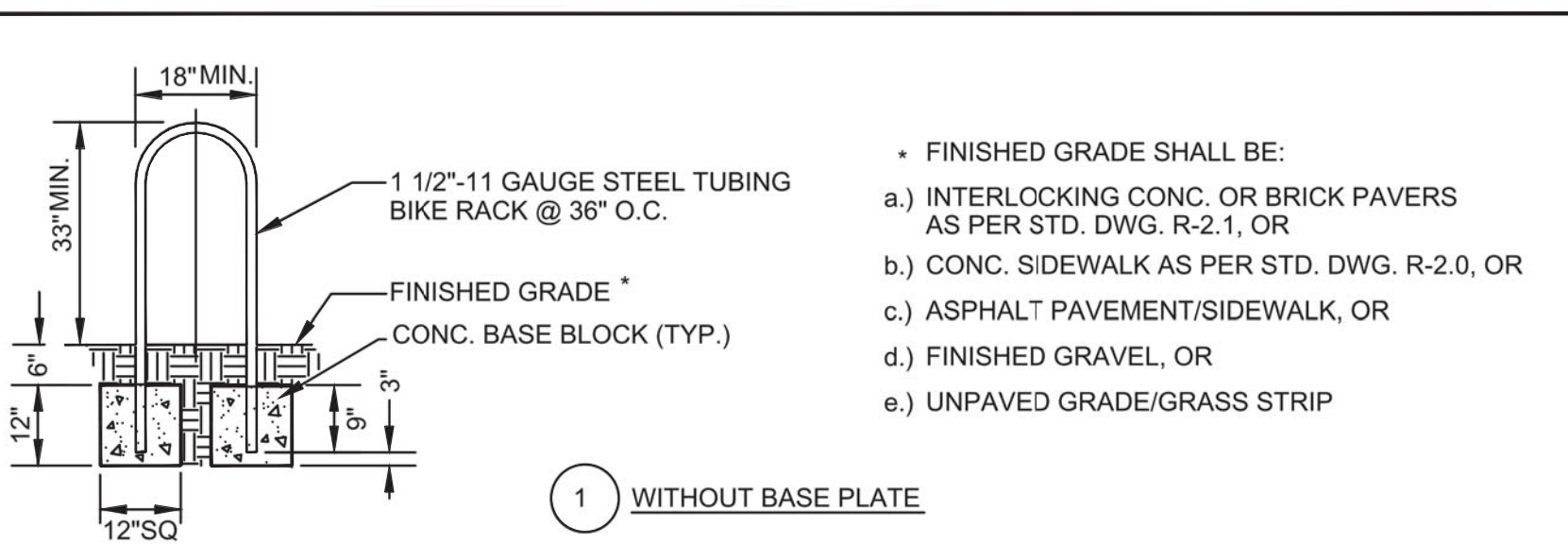
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CITY STANDARDS	
CLEANOUT DETAIL	
REVISION	DATE
SCALE: N.T.S.	STANDARD NUMBER: WW 5.1



ROAD AND BRIDGE STANDARDS	
SHEET 1 OF 4	
REVISION DATE	07/12
VIRGINIA DEPARTMENT OF TRANSPORTATION	



BIKE RACK OR APPROVED EQUAL	
Rack spacing	07/11/2013
REVISION & DATE	
DRAWING NO. R-8.0	



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REVISIONS	
10/9/17	CITY COMMENTS
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4/30/18	CITY COMMENTS
5/11/18	CITY COMMENTS
5/23/18	ADDL BIKE RACKS

ISSUED:  
4/17/2017

SCALE

CONTOUR INTERVAL

SUNRISE PARK PUD  
 PHASE IV FINAL SITE PLAN  
 DETAILS

FILE NUMBER  
8174

SHEET  
10 OF 10











BUILDING MANAGEMENT COMPANY

DATE	CONSTRUCTION

DATE	PRE-CONSTRUCTION

03.30.2017	80% CD SET
02.08.2017	DD SET

SHEET TITLE  
NORTH &  
SOUTH  
ELEVATIONS

3/16" = 1'-0"

JOB NO. - \_\_\_\_\_  
Office Use Only \_\_\_\_\_

SHEET NO. A-3.1





**STONEKING VON STORCH**  
ARCHITECTS

P.O. BOX 1332 CHARLOTTESVILLE, VIRGINIA 22902  
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**BUILDING  
MANAGEMENT  
COMPANY**

DATE	CONSTRUCTION

DATE	PRE-CONSTRUCTION
03.30.2017	80% CD SET
02.08.2017	DD SET

**SHEET TITLE**  
**EAST &  
WEST  
ELEVATIONS**  
  
3/16"=1'-0"

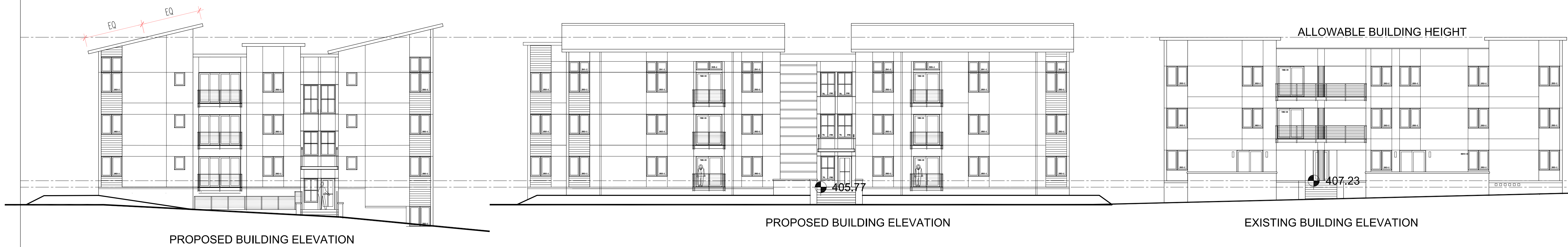
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Office Use Only

**SHEET NO.** **A-3.2**



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BUILDING  
MANAGEMENT  
COMPANY



PROPOSED BUILDING ELEVATION

PROPOSED BUILDING ELEVATION

EXISTING BUILDING ELEVATION

DATE	CONSTRUCTION

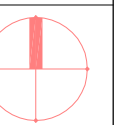
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10.04.2017	SITE PLAN SUBMISSION
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SHEET TITLE  
SUNRISE  
APARTMENTS

BUILDING  
HEIGHT

JOB NO. -



SHEET NO.

# Sunrise Park PUD Photographs for Surrounding Context, May 24, 2018

## NW Block of Sunrise Park PUD

Figure 1: From Carlton Avenue



Figure 2: From Carl Smith Street



Figure 3: From Carlton Avenue



Figure 4: From Carl Smith Street



**NE Block of Sunrise Park PUD**

Figure 1: From Rives Street



**SE Block of Sunrise Park PUD**

Figure 1: From Sunrise Park Lane





**Properties North of Sunrise Park PUD**

Figure 1: From Nassau Street



**Properties South of Sunrise Park PUD**

Figure 1: From Midland Street



**Properties East of Sunrise Park PUD**

Figure 1: From Nassau Street



**Properties West of Sunrise Park PUD**

Figure 1: From Carlton Avenue



# Sunrise Park – A Planned Unit Development

---



August 2009

Rev. September 22, 2009

Rev. October 5, 2009

Amended April 26, 2011

Amended December 22, 2015

Amended August 15, 2016

Amended January 17, 2018

**OWNER:**

Sunrise Park LLC  
c/o Habitat for Humanity of Greater Charlottesville  
919 West Main St  
Charlottesville, VA 22903

**SUBMITTED BY:**

Habitat for Humanity of Greater Charlottesville  
919 W Main Street  
Charlottesville, Va 22902

# Table of Contents

---

## Introduction

Background.....	4
General Purpose and Intent .....	4
PUD Objectives .....	5
Core Values, Goals and Vision .....	6
Project’s relationship to the Belmont Neighborhood Plan (2007) .....	6
Existing Conditions .....	7
Exhibit 1: Sunrise Resident Petition for Parking .....	8
Exhibit 2: Police Calls for Service Data .....	9
Exhibit 3: Existing Conditions 2008 .....	10

## PUD Development Plan

General Development Plan .....	11
Land Use Plan .....	11
Table 1: Land Use .....	11
Land Uses permitted/Prohibited by Block .....	11
Exhibit 4: General Development Plan .....	12
Exhibit 5: Proposed Land Use Plan .....	12
Table 2: Residential and Related Uses by Block.....	14
Table 3: Non-Residential Uses (General and Miscellaneous Commercial) by Block.....	14
Table 4: Non-Residential Uses (Retail) by Block.....	16
Table 5: Non-Residential Uses (Industrial) by Block.....	16

Description of Land Use Mix .....	17
Table 6: Open Space .....	17
Location and Acreage of Required Open Space .....	17
Ownership of Common Areas .....	18
Historic Structures and Sites .....	18
Sensitive Areas .....	18
<b>Built Form Standards</b>	
Purpose and Intent.....	19
Lot Regulations.....	19
Build to Lines .....	19
Attachment Zone.....	19
Special Regulations for Build to Lines .....	20
Side and Rear Yard Setback Regulations .....	20
Other.....	20
Landscape Standards .....	21
Exhibit 6: General Landscape Plan.....	22
Street and Streetscape Standards .....	23
Parking Standards .....	24
Table 7: Sample Parking Calculation .....	24
Phasing.....	25
Exhibit 7: Phasing Plan .....	26
Affordable Housing .....	27
Proffers Proposed in Connection with PUD.....	28

# Introduction

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## **Background**

In April of 2011, the City of Charlottesville approved the rezoning of six contiguous properties (Tax Map 56, Parcels 84, 85.1, 85.2, 86.1, 86.2 and 86.3) on 2.26348 acres from R-2, B-2 and B-3 to PUD. This approved PUD is known as Sunrise Park and is currently a thriving, sustainable, mixed-income, mixed-use infill development in the Belmont-Carlton neighborhood of Charlottesville that is approximately 70% built out.

A potential purchaser for the second multifamily building located on the NE block of the site (see Exhibit 4) approached Habitat in 2015 with intent to construct the building as approved in the original 2011 PUD rezoning. Habitat, in accordance with the organization's values of community engagement and asset based development, brought the proposal to the community for input and approval. Overwhelmingly, the community was in favor of the development, but requested that the building be equipped with accessory parking to serve the new residents and to alleviate pressure on the existing parking infrastructure in the community.

In the intervening years between the original PUD approval in 2011 and present day, several factors have changed the initial assumptions made around parking demand. Because of the financial stability offered by homeownership, several of the residents at Sunrise have been able to establish new small businesses, which have increased their transportation needs. In addition the original, and majority elderly, residents of Sunrise Mobile Home Park who were rehoused through deeply affordable life estates in the original redevelopment of Sunrise have continued to age and need both access to services like Jaunt, and, due to declining health and increased limits in mobility, reliable and proximate parking. Another factor in the increased demand on parking provided on-site at Sunrise is the removal by the city of some of the surrounding street parking opportunities that were available when the project was first envisioned in 2011.

At a community meeting held on July 20<sup>th</sup>, 2015, the attending Sunrise Park residents unanimously signed a petition requesting the addition of an accessory parking (Exhibit 1). The concept plan for the multifamily building was also brought to the Belmont Carlton Neighborhood Association on December 14<sup>th</sup>, 2015 and met with support from the community members in attendance there. Resoundingly, residents present at that meeting cited Sunrise as a cornerstone development for the Belmont neighborhood and an example of positive infill redevelopment in the city of Charlottesville.

When the request to add accessory parking to the NE block to serve the proposed multifamily building was brought to city staff, they felt unable to administratively approve this change and requested a full rezoning package be submitted by Habitat for review. This document is a response to that request, and language from the original 2011 Sunrise PUD has been revised to reflect technical on-the-ground realities such as

changes to tax map parcel numbers, ownership of land and the alteration of language pursuant to the PUD requirements of Chapter 34, Article V, Division 3 Procedures of the Charlottesville City Code. Changes also include a memorialization of the increase in affordable housing units pursuant to development and the explicit by-right allowance of accessory parking in the NE block of Sunrise as requested by the community. This document constitutes Sunrise Park's plan of development. All other requirements for rezoning are addressed in accompanying documents.

## **General Purpose and Intent**

This zoning amendment has been carefully considered in relation to the review standards utilized by the Planning Commission as outlined in Sec. 34-42(a) of the Zoning Ordinance:

- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
  - In accordance with principals set forth in the 2013 comprehensive plan, Sunrise Park is designed to create a strong sense of place and quality public space through communal "big back yards" and a front porch culture that encourages interactions between residents from all walks of life. The neighborhood has also prioritized successful, sustainable housing opportunities through deeply affordable rentals and affordable homeownership opportunities that replaced an aging, untenable stock of mobile homes. The design of multi-modal interior streets that prioritize the pedestrian but create safe and convenient linkages to existing road infrastructure further the transportation goals of the comprehensive plan, and the on-street parking and relegated accessory parking proposed in this amendment provide the necessary infrastructure to support the needs of the existing community without diminishing the aesthetics or character of the neighborhood
- (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
  - Sunrise Park has proven to be a successful addition to the Belmont neighborhood, offering secure tenure housing for a vulnerable population and stabilizing a previously insecure block. Ensuring the successful build-out of the neighborhood by approving this rezoning request will only further guarantee the success of this neighborhood
- (3) Whether there is a need and justification for the change; and
  - The alteration from the original PUD rezoning to allow by-right accessory parking in the NE block of Sunrise is in direct response to the needs and requests of the residents of Sunrise
- (4) When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.
  - The development of Sunrise PUD has had an empirically positive affect on the surrounding neighborhood. Reports from Charlottesville City Police show that calls for service have been reduced to almost non-existent levels (Exhibit 2) and an Economic Impact Study conducted by

the Weldon Cooper Center at UVA showed that since redevelopment there has been a 10 times increase in tax revenue from this parcel for the city of Charlottesville. This has occurred without resident displacement. In addition as part of this rezoning petition, both Public Works and the Fire Marshall have re-examined and re-stated that all utilities and fire flow infrastructure present are sufficient to support the full development of Sunrise Park.

### **PUD Objectives**

As envisioned in the PUD requirements of Sec 34-490 of the Zoning Ordinance, the Plan of Development for Sunrise Park has been designed to further the following principles:

- (1) To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern;  
As a mixed-use, mixed-income neighborhood, Sunrise Park is a diverse and environmentally responsible development that is responsive to the existing residential fabric of the Belmont neighborhood. The diversity of scale and typology of housing provided by the Sunrise PUD plan has ensured a varied and organic built form that compliments the existing surroundings.
- (2) To encourage innovative arrangements of buildings and open spaces to provide efficient, attractive, flexible and environmentally sensitive design.  
Sunrise Park has been developed with an emphasis on relegating service areas with streets that are designed to prioritize the pedestrian with an emphasis on slow vehicular movement and contiguous sidewalk infrastructure. Porches line both the big back yards and the streets to create opportunities for passive interactions between neighbors and create a sense of place and encourage community engagement and safety through eyes on public spaces. In addition, internal sidewalks and parking aisles utilize a pervious paving system that reduces the environmental impact typically associated with impervious paving.
- (3) To promote a variety of housing types, or, within a development containing only a single housing type, to promote the inclusion of houses of various sizes;  
Sunrise Park includes single family attached and multi-family housing types, providing a wide mix of housing types and incomes. Undeveloped market-rate parcels at Sunrise provide further opportunity to be developed as single family detached homes if that opportunity arises.
- (4) To encourage the clustering of single-family dwellings for more efficient use of land and preservation of open space;  
The single family attached and two-family homes in the SE and SW blocks of Sunrise Park are oriented to prioritize shared open space, forming a perimeter around two “big back yards” that serve as play and gathering space for the neighborhood.
- (5) To provide for developments designed to function as cohesive, unified projects;  
The big back yards and shared hardscaped areas provide the basic framework for community interaction, as do the front porches and balconies provided for each

residential living space. In addition there is a community room on site that allows for public workshops and varied social events in the community building.

- (6) To ensure that a development will be harmonious with the existing uses and character of adjacent property, and/or consistent with patterns of development noted with respect to such adjacent property;  
The two proposed multi-family buildings in the NE and NW quadrants of the neighborhood negotiate the shift in scale from single family residential housing to the larger more industrial warehouse structures across Carlton Avenue. The configuration of the building on the NE block is oriented to establish a strong urban edge and relegate accessory parking to the basement level, thereby buffering it from the pedestrian experience and the shared common areas. The single family attached product in the SE and SW quadrants blend seamlessly with the existing character of the surrounding neighborhood.
- (7) To ensure preservation of cultural features, scenic assets and natural features such as trees, streams and topography;  
There is very little change in topography over the course of the site, but the two multi-family buildings in the NE and NW block take advantage of the change in elevation from Carlton Avenue to the center of the site by situating a community room and communal patio at the basement level of the condo building in the NW block, and tuck-under accessory parking at the basement level of the building proposed for the NE block.
- (8) To provide for coordination of architectural styles internally within the development as well as in relation to adjacent properties along the perimeter of the development; and  
The single family attached units respond to the architecture of the adjacent properties by utilizing a modernized Virginia farmhouse style. The multifamily buildings mimic the more modern, industrial aesthetic of the warehouse buildings to the North of the site. In addition, a homeowners association has been established to own and maintain the internal open spaces and to coordinate the internal architectural standards.
- (9) To provide for coordinated linkages among internal buildings and uses, and external connections, at a scale appropriate to the development and adjacent neighborhoods;  
Sidewalks and greenways provide coordinated linkages between open spaces and community spaces internal to the development, allowing for natural and accessible pathways for residents. In addition, external connections are created through public sidewalks along all major street frontages that serve the larger community and provide safe, effective connections from the Belmont neighborhood to downtown Charlottesville.
- (10) To facilitate access to the development by public transit services or other single-vehicle-alternative services, including, without limitation, public pedestrian systems.  
The development is situated approximate to existing bus lines for easy access to jobs and recreation. In addition the internal and external streets feature continuous sidewalks for ease of pedestrian access.

## ***Core Values, Goals and Vision***

Sunrise Park LLC is a mixed-use, mixed-income, sustainable redevelopment on approximately 2.44 acres of land. Sunrise Park was designed to complement the existing character of the Belmont neighborhood and provide a visual transition from the commercial and industrial uses north of Carlton Avenue to the residential uses bordering the remainder of the site.

The Project vision was the product of an extensive participatory community planning process which established the following core values:

- Redevelopment of the trailer park without displacing its current residents
- Original residents will be offered temporary housing while construction takes place
- Create a mixture of incomes
- Create a mixture of residential and non-residential uses
- Sustainable building methods
- The design builds on the strengths of the existing trailer court including the concepts that have become known as the “Big Backyard” and “Easy Street”
- The design links into the fabric of the Belmont neighborhood
- The Project will serve as a model for other Habitat for Humanity chapters, across the globe

Incorporating the Habitat for Humanity model of volunteer-built housing, Habitat of Greater Charlottesville created homeownership opportunities for all eligible Sunrise residents while also providing low-cost rental units for the others.

The final master plan and proposed development approach represent the optimum balance of these core values within the following project goals:

- Sustainable project economics
- Local market conditions
- Habitat of Greater Charlottesville partner family demographics
- Habitat for Humanity volunteer-built housing model
- Habitat for Humanity International building standards

The mixed-use, mixed-income nature of Sunrise Park supports the growing economic and social diversity of the Belmont neighborhood without compromising its prized character; newcomers live side-by-side with those who have called Sunrise home for more than 30 years. For-sale market rate housing strengthens the neighborhood and helps create a financially sustainable model that future developments can use in other areas where low-income families are in danger of displacement.

The final design was the only design which could be phased such that the original Sunrise residents remained on site while their future housing was constructed. The Development Team considered this one

of their greatest achievements. Keeping these residents on site throughout the project not only ensured consistency in their lives, but helped to quickly fold Sunrise Park into the fabric of the Belmont neighborhood.

Sunrise Park is a trailblazing project that has preserved the deeply affordable housing stock, created additional affordable units, and provided market rate housing opportunities in a setting characterized by high quality open spaces, access to public transportation, and a unique sense of place.

## ***The Project’s Relationship to the Belmont Neighborhood Plan***

The core values and project goals for Sunrise Park echo many of the design concerns identified in the ***Belmont Neighborhood Plan (2007)*** including the need for:

### **CENTERS**

- To increase neighborhood participation
- To push PUD developers to contribute amenities to the larger neighborhood
- To provide good parking with mixed-use centers
- For mixed-use area to have services, not just entertainment
- To promote community building
- To maintain the lively pedestrian feel and front porch life of the neighborhood
- For new development not to exclude local needs
- To promote safety by design
- For a clear link of centers throughout Belmont via pedestrian, bike and public transit

### **CONNECTIVITY**

- To address accessibility for pedestrians, automobiles, and parking within the neighborhood
- For a holistic vision of the neighborhood that is followed particularly pertaining to parking and the pedestrian environment
- For new development to include better connectivity
- To increase pedestrian and bike connectivity within and outside the neighborhood
- To coordinate transit to bring people to neighborhood centers
- To address the neighborhood-wide problem with speeding, thought to be due to road widths on Hinton-Douglas, Graves St., Rives-Carlton, and Carlton Rd
- To keep and protect the system of alleys, as they are an important resource and part of the character of the neighborhood
- For good functioning sidewalks on every street



## **HOUSING**

- To develop a process for proactively giving design input on new developments
- To inform neighborhoods about PUDs
- To require PUDs to provide a percentage of affordable housing
- To maintain the scale and mass of new and redeveloped housing while locating areas appropriate for density increases
- For all new developments to benefit the environment, pedestrian networks, and public gathering spaces

### ***Existing Conditions***

At the time of the initial rezoning in 2009, the property was most commonly referred to as the Sunrise Mobile Home Park and was comprised of several street addresses. It made up the block bound by Carlton Avenue, Rives Street, Nassau Street, and Midland Street. See Exhibit 3 for a site inventory as of 2008 of the significant natural, environmental, and cultural features of the site, including at a minimum: historic landmarks contained on any state or federal register; vegetation; existing trees of eight-inch caliper or greater; wetlands, topography, shown at intervals of five (5) feet or less, steep slopes, and other similar characteristics or features.

The adjacent zoning to the block are M-1 light industrial to the north and a mixture of primarily R-1 and R-2 residential, with some non-residential uses in the other directions. The subject parcels are located within the Belmont Neighborhood and are currently zoned PUD.

# Exhibit 1: Sunrise Resident Petition for Parking

I support Habitat for Humanity's petition to the City to amend its plan to reduce open space, alter building mass and add off-street parking to the NE block of the development.

Name	Address	Date
Latoya Brown	513 Nassau Street	11/12/15
Marion Dudley	1410 Carlton Ave. unit 303	11/13/15
Lisa Briggs	1412 Sunrise Park Ln	11/13/15
Tyana Martin	1418 Sunrise Park Ln.	11/13/15
Mario Kelley	1405 S Midland St	11/13/15
Mohamad Almafraj	1403 Midland St.	11/13/15
Tilwana Tressell	1412 Carlton Ave unit 302	11/13/15
Jaime Williams	1412 Carlton Ave. unit 302	11-13-15
Jose Williams	205	11-16-15
Kabell		
Cynthia Lumsden	1412 Carlton #102	11-16-15
Jonathan Thompson	508 Rives St.	11-16-15
John Martin	514 Rives St.	11/16/15
* Clarissa Solley	1407 Midland St.	11/16/15
Haddley Jr	1417 Midland St	11/16/15

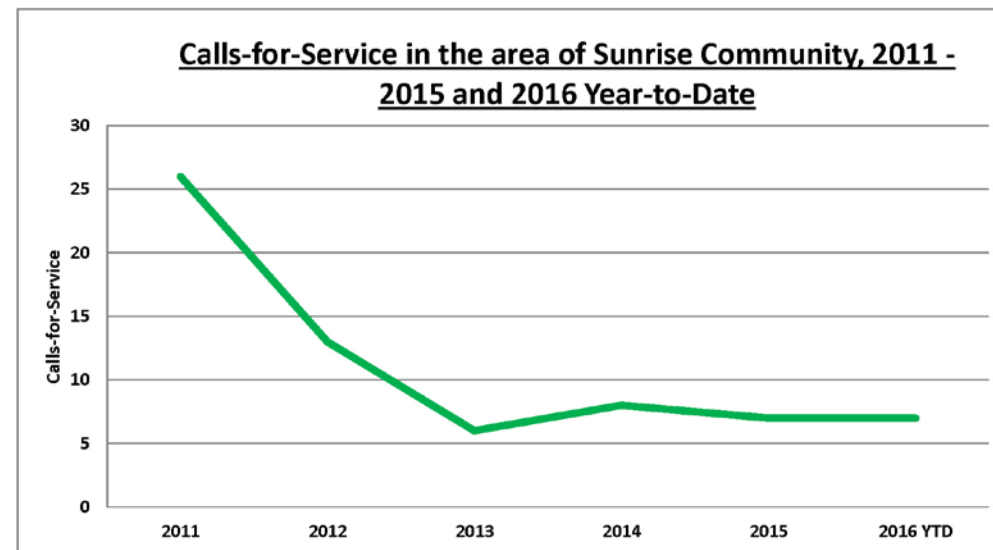
At a community meeting of the Sunrise Neighborhood on July 20<sup>th</sup>, 2015, Habitat heard our concerns and agreed to work with a builder to reduce the number of by right units and allowable commercial space on the large lot on Carlton while adding parking. I therefore support any necessary Habitat for Humanity petition to the City to amend its site plan to allow for an apartment building with the addition of surface and structured parking. We are grateful to Habitat for considering our desire to add some needed parking to the community.

Name	Address
Rachal Mayo	1418 Sunrise Park LN
Lucille Shaver	1412 Carlton Ave.
Marion & George Dudley	1412 Carlton Ave. unit 303
Dorothy Williams	1419 Carlton Ave 305
Martha Johnson	1412 Carlton Ave # 202
Beverly Anderson	1411 Midland St
Tilwana Terrell	1412 Carlton Ave 302
Ear Vignetta	1405 Midland St.

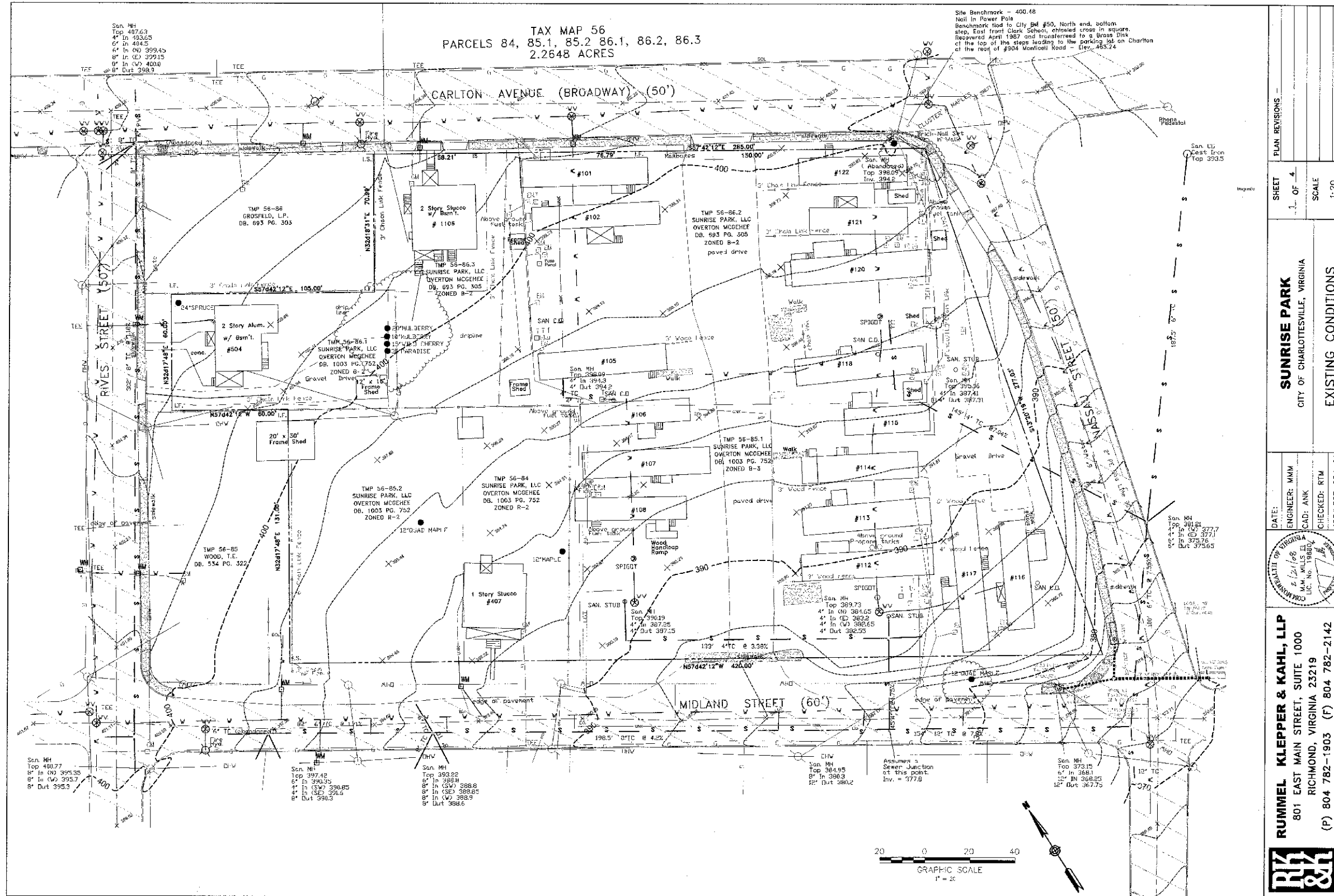
# Exhibit 2: Police Calls for Service Data

***Calls-for-Service in the area of Sunrise Community  
2011 - 2015 and 2016 Year-to-Date***

Call Type	2011	2012	2013	2014	2015	2016 YTD
ANIMAL-COMPLAINT	0	0	0	0	0	1
ASSAULT - SIMPLE	1	0	0	0	0	0
DISORDERLY CONDUCT	6	4	2	2	2	1
DRUG/NARCOTIC VIOLATION	1	0	0	0	0	0
DRUNKENESS (DIP)	1	1	0	0	0	1
FAMILY OFFENSE NON-VIOLENT	2	1	1	0	0	0
FIREWORKS VIOLATION	0	1	0	0	0	0
LARCENY-ALL OTHER LARCENY	1	0	0	0	0	0
MISC/CRIMINAL	2	0	0	0	0	1
MISSING PERSON/JUVENILE	0	1	0	0	0	0
NOISE COMPLAINANT	1	0	0	0	0	0
SUSPICIOUS CIRC/PERSON/VEH	5	1	0	5	3	3
TRAFFIC-HIT AND RUN	0	0	0	0	1	0
TRESPASS ON REAL PROPERTY	1	1	1	0	0	0
VANDALISM/DAMAGE/DESTRUCT PROP	0	1	2	1	0	0
WARRANT SERVICE/AGENCIES WARR	5	2	0	0	1	0
<b>Grand Total</b>	<b>26</b>	<b>13</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>7</b>



# Exhibit 3: Existing Conditions 2008



# PUD Development Plan

## General Development Plan

The General Development Plan (Exhibit 4) is the governing concept plan that depicts the following important features:

- The primary streets that are required to create the internal grid pattern;
- The general location of connections to the public street system;
- The general location and orientation of the buildings;
- The general location of existing water, sanitary sewer and storm water facilities;
- The general location of proposed water, sanitary sewer and storm water facilities;
- The general location of all proposed utilities;
- The general location of proposed pedestrian improvements

The plan is illustrative in nature and graphically depicts how standards set forth in the PUD Development Plan might be applied, but not necessarily how the project will develop.

## Land Use Plan

In order to regulate land use within Sunrise Park, the Land Use Plan (Exhibit 5) divides the project into four distinct blocks (Blocks “NE”, “NW”, “SE” and “SW”). The acreages, dominant land use, maximum Non-residential and maximum Residential Units in the individual blocks are established in Table 1. The purpose of the block is to regulate given uses, the density/intensity of uses, and the built form for those uses in a logical fashion. Thus, these blocks are the planning tools that serve as the foundation for the PUD Development Plan.

Table 1				
Block	Acreage	Dominant Land use type within block	Maximum Non-Residential	Maximum Residential
NE	0.45	MF	4,800	24
NW	0.35	MF	4,800	16
SE	0.70	Two Family	1,600	14
SW	0.94	Two Family	1,600	16
<b>Total</b>	<b>2.44</b>		<b>12,800</b>	<b>70</b>

It is recognized that, as the development proceeds through the site plan(s), individual architectural and engineering decisions will modify the precise geometry of the internal road network and may potentially

impact the size of the individual blocks. Thus, the PUD Development Plan permits the exact boundaries of the blocks to be altered at the site plan or subdivision stage and the acreage of each block to be adjusted accordingly. However, the dominant land use type and the non-residential maximum square footage and maximum number of residential units, as well as their total numbers, are set and shall not be adjusted.

Table 1 establishes the potential mix of commercial, residential, office and civic space uses and the maximum density for residential uses (in dwelling units) and development intensity for non-residential uses (in gross leasable area (GLA)). At full build-out, the development shall not exceed the maximum levels established at the bottom of the table.

Table 1 should be interpreted as to allow the Owner to adjust the residential unit type and density to meet market and design conditions within the context of the PUD Development Plan and the permitted land uses as described within Tables 2 through 5.

Finally, site plans and subdivision plats may be submitted and approved for a portion of an individual block, so long as all requirements of the PUD Development Plan and the applicable portions of the City Code are met and legal means of access is provided to all parcels.

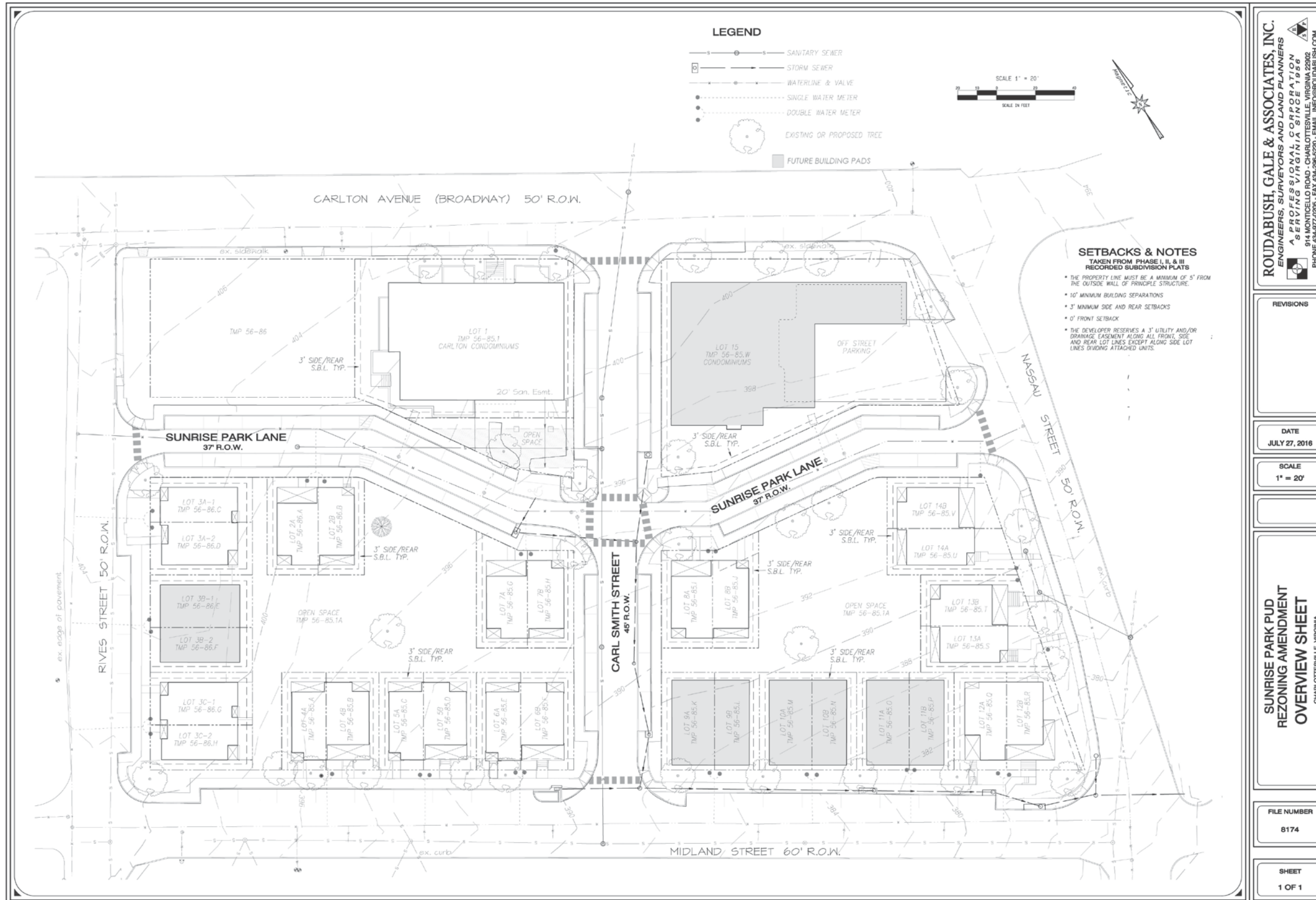
## Land Uses Permitted/Prohibited by Block

Tables 2 through 5 establish the uses that are permitted or prohibited by block. The nomenclature used is identical to that of the City Code, where:

- A = accessory
- A/S = accessory w/special use permit
- B = by right
- DUA = dwelling units per acre
- GFA = gross floor area
- MFD = multifamily development
- P = provisional use permit
- S = special use permit
- T = temporary use permit

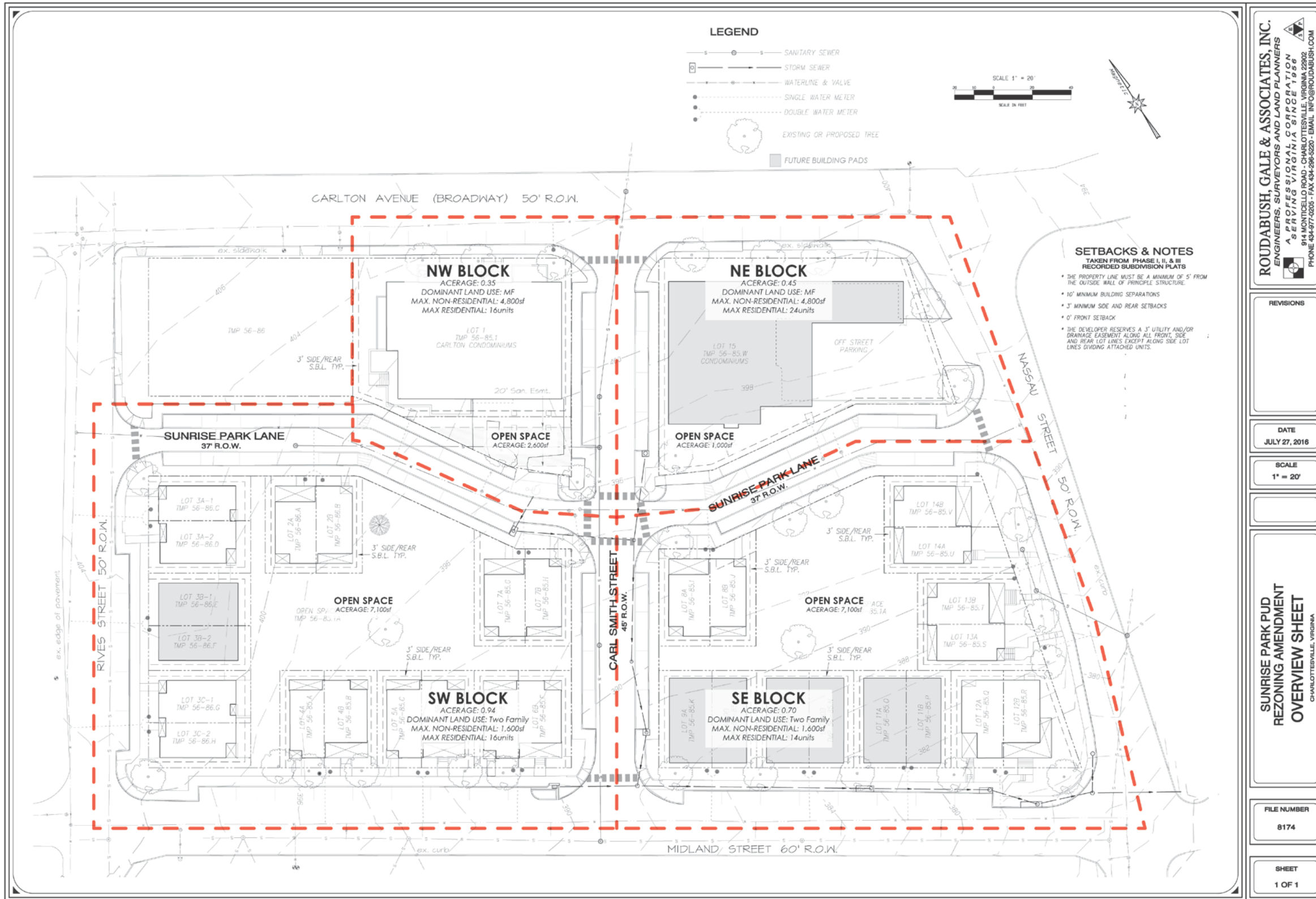
Please note that where a column is left blank or contains “-”, then the use is prohibited within the block. Under certain circumstances, a separate permit will need to be filed and a separate legislative action will need to be taken by the City of Charlottesville to permit that use.

# Exhibit 4: General Development Plan



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# Exhibit 5: Proposed Land Use Plan



**ROUDABUSH, GALE & ASSOCIATES, INC.**  
 ENGINEERS, SURVEYORS AND LAND PLANNERS  
 A PROFESSIONAL CORPORATION  
 SERVING VIRGINIA SINCE 1968  
 814 MONTICELLO ROAD - CHARLOTTEVILLE, VIRGINIA 22901  
 PHONE: 541-977-8885 - FAX: 541-977-8885 - EMAIL: INFO@ROUDABUSH.COM

**REVISIONS**

**DATE**  
JULY 27, 2016

**SCALE**  
1" = 20'

**SUNRISE PARK PUD  
 REZONING AMENDMENT  
 OVERVIEW SHEET**  
 CHARLOTTEVILLE, VIRGINIA

**FILE NUMBER**  
8174

**SHEET**  
1 OF 1

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Table 2: Residential and Related Uses by Block							
RESIDENTIAL AND RELATED USES	ZONING DISTRICTS			BLOCK			
	R-2	B-2	B-3	NW	NE	SW	SE
Accessory apartment, internal	B	P	P	B	B	B	B
Accessory apartment, external	P	P	P	B	B	B	B
Accessory buildings, structures and uses	B	B	B	B	B	B	B
Adult assisted living							
1--3 residents	-	B	B	B	B	-	-
4+ residents	-	B	B	B	B	-	-
Adult day care	-	B	B	B	B	-	-
Amateur radio antennas, to a height of 75 ft.	B	B	B	-	-	-	-
Bed-and-breakfast:							
Homestay	B	B	B	B	B	B	B
B & B	-	B	B	-	-	-	-
Inn	-	B	B	-	-	-	-
Boarding: fraternity and sorority house	-	B	B	-	-	-	-
Boarding house (rooming house)	-	B	B	-	-	-	-
Convent/monastery	B	B	B	B	B	B	B
Criminal justice facility	-	-	-	-	-	-	-
Dwellings:							
Multifamily	-	B	B	B	B	-	-
Single-family attached	B	B	B	B	B	B	B
Single-family detached	B	B	B	B	B	B	B
Townhouse	-	B	B	B	B	B	B
Two-family	B	B	B	B	B	B	B
Family day home							
1--5 children	B	B	B	B	B	B	B
6--12 children	S	B	B	S	S	S	S
Home Occupation	P	P	P	P	P	P	P
Manufactured Home Park	-	-	-	-	-	-	-
Night watchman's dwelling unit, accessory to industrial use	-	-	-	-	-	-	-
Nursing homes	-	B	B	-	-	-	-
Occupancy, residential							
3 unrelated persons	B	B	B	B	B	B	B
4 unrelated persons	B	B	B	B	B	B	B
Residential density (developments)							
1--21 DUA	-	B	B	B	B	B	B
22--43 DUA	-	S	S	B	B	-	-
44--64 DUA	-	S	S	B	B	-	-
65--87 DUA	-	S	S	-	-	-	-
88--200 DUA	-	-	-	-	-	-	-
Residential treatment facility							
1--8 residents	B	B	B	B	B	-	-
8+ residents	S	-	-	S	S	-	-
Shelter care facility	-	B	B	B	B	-	-

Table 3: Non-Residential Uses (General and Miscellaneous Commercial) by Block							
NON-RESIDENTIAL: GENERAL and MISC. COMMERCIAL	ZONING DISTRICTS			BLOCK			
	R-2	B-2	B-3	NW	NE	SW	SE
Access to adjacent multifamily, commercial, industrial or mixed-use development or use	-	B	B	-	-	-	-
Accessory buildings, structures and uses	-	B	B	-	-	-	-
Amusement center	-	S	S	-	-	-	-
Amusement enterprises (circuses, carnivals, etc.)	-	-	T	-	-	-	-
Amusement park (putt-putt golf; skateboard parks, etc.)	-	-	S	-	-	-	-
Animal boarding/grooming/kennels:							
With outside runs or pens	-	-	-	-	-	-	-
Without outside runs or pens	-	-	S	-	-	-	-
Animal shelter	-	-	S	-	-	-	-
Art gallery:							
GFA 4,000 SF or less	-	B	B	B	B	-	-
GFA up to 10,000 SF	-	B	B	-	-	-	-
Art studio, GFA 4,000 SF or less	-	B	B	-	-	-	-
Art workshop	-	B	B	-	-	-	-
Assembly (indoor)							
Arena, stadium (enclosed)	-	S	S	-	-	-	-
Auditoriums, theaters	-	B	B	-	-	-	-
Houses of worship	B	B	B	B	B	B	B
Assembly (outdoor)							
Amphitheater	-	S	S	-	-	-	-
Stadium (open)	-	S	S	-	-	-	-
Temporary (outdoor church services, etc.)	T	T	T	T	T	T	T
Assembly plant, handcraft	-	-	S	-	-	-	-
Assembly plant	-	-	S	-	-	-	-
Automobile uses:							
Gas station	-	B	B	-	-	-	-
Parts and equipment sales	-	B	B	-	-	-	-
Rental/leasing	-	-	B	-	-	-	-
Repair/servicing business	-	B	B	-	-	-	-
Sales	-	-	B	-	-	-	-
Tire sales and recapping	-	-	B	-	-	-	-
Bakery, wholesale							
GFA 4,000 SF or less	-	B	B	-	-	-	-
GFA up to 10,000 SF	-	-	B	-	-	-	-
Banks/ financial institutions	-	B	B	-	-	-	-
Bowling alleys	-	B	B	-	-	-	-
Car wash	-	B	B	-	-	-	-
Catering business	-	S	B	-	-	-	-
Cemetery	S	S	S	-	-	-	-



NON-RESIDENTIAL: GENERAL and MISC. COMMERCIAL (CONTINUED)	ZONING DISTRICTS			BLOCK			
	R-2	B-2	B-3	NW	NE	SW	SE
Clinics:*							
Health clinics, including public health clinics (more than 10,000 SF, GFA)	-	B	B	-	-	-	-
Health clinics, including public health clinics (up to 10,000 SF, GFA)	-	B	B	-	-	-	-
Veterinary (with outside pens/runs)	-	-	-	-	-	-	-
Veterinary (without outside pens/runs)	-	S	B	-	-	-	-
Clubs, private	S	B	B	S	S	S	S
Communications facilities and towers:							
Antennae or microcells mounted on existing towers established prior to 02/20/01	B	B	B	-	-	-	-
Attached facilities utilizing utility poles or other electric transmission facilities as the attachment structure	B	B	B	B	B	B	B
Attached facilities not visible from any adjacent street or property	B	B	B	B	B	B	B
Attached facilities visible from an adjacent street or property	-	B	B	B	B	-	-
Alternative tower support structures	-	-	B	-	-	-	-
Monopole tower support structures	-	-	B	-	-	-	-
Guyed tower support structures	-	-	-	-	-	-	-
Lattice tower support structures	-	-	-	-	-	-	-
Self-supporting tower support structures	-	-	-	-	-	-	-
Contractor or tradesman's shop, general	-	-	B	-	-	-	-
Crematorium (independent of funeral home)	-	-	B	-	-	-	-
Data center							
>4,000	-	B	B	-	-	-	-
<4,000	-	B	B	-	-	-	-
Daycare facility	S	B	B	B	B	B	B
Dry cleaning establishments	-	B	B	-	-	-	-
Educational Facilities (non-residential)							
Elementary	B	B	B	B	B	-	-
High Schools	B	B	B	-	-	-	-
Colleges and universities	S	S	S	-	-	-	-
Artistic up to 4,000 SF, GFA	-	B	B	-	-	-	-
Artistic up to 10,000 SF, GFA	-	S	B	-	-	-	-
Vocational, up to 4,000 SF, GFA	-	B	B	-	-	-	-
Vocational, up to 10,000 SF, GFA	-	B	B	-	-	-	-
Funeral home (without crematory)							
GFA 4,000 SF or less	-	B	B	-	-	-	-
GFA up to 10,000 SF	-	B	B	-	-	-	-
Funeral homes (with crematory)							
GFA 4,000 SF or less	-	B	B	-	-	-	-
GFA up to 10,000 SF	-	B	B	-	-	-	-
Golf course	-	-	-	-	-	-	-
Golf driving range	-	-	S	-	-	-	-
Helipad	-	-	S	-	-	-	-
Hospital	-	S	B	-	-	-	-
Hotels/motels:							
Up to 100 guest rooms	-	B	B	-	-	-	-
100+ guest rooms	-	S	B	-	-	-	-
Laundromats	-	B	B	-	-	-	-

NON-RESIDENTIAL: GENERAL and MISC. COMMERCIAL (CONTINUED)	ZONING DISTRICTS			BLOCK			
	R-2	B-2	B-3	NW	NE	SW	SE
Libraries	B	B	B	B	B	B	B
Manufactured home sales	-	-	S	-	-	-	-
Microbrewery	-	B	B	-	-	-	-
Movie theaters, cineplexes	-	B*	B	-	-	-	-
Municipal/governmental offices, buildings, courts	S	B	B	-	-	-	-
Museums:							
Up to 4,000 SF, GFA	-	B	B	-	-	-	-
Up to 10,000 SF, GFA	-	S	B	-	-	-	-
Offices:							
Business and professional	-	B	B	B	B	-	-
Medical	-	B	B	-	-	-	-
Philanthropic institutions/agencies	-	B	B	B	B	-	-
Property management	A	B	B	B	B	A	A
Other offices (non-specified)	-	B	B	B	B	B	B
Outdoor storage, accessory	-	-	B	-	-	-	-
Parking:							
Parking garage	-	-	B	-	B	-	-
Surface parking lot	-	A/S	A/S	-	B	-	-
Surface parking lot (more than 20 spaces)	-	A	A	-	B	-	-
Temporary parking facilities	-	T	T	-	T	-	-
Photography studio	-	B	B	-	-	-	-
Photographic processing; blueprinting	-	-	B	-	-	-	-
Radio/television broadcast stations	-	B	B	-	-	-	-
Recreational facilities:							
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on City-owned, City School Board-owned, or other public property)	B	B	B	B	B	B	B
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on private property)							
GFA 4,000 SF or less	-	B	B	B	B	B	B
GFA up to 10,000 SF	-	B	B	-	-	-	-
GFA more than 10,000 SF	-	S	B	-	-	-	-
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (city owned), and related concession stands	B	S	S	B	B	B	B
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (private)	S	S	S	S	S	S	S
Restaurants:							
Dance hall/all night	-	P	P	-	-	-	-
Drive-through windows	-	S	B	-	-	-	-
Fast food	-	B	B	-	-	-	-
Full service	-	B	B	-	-	-	-
24-hour	-	P	P	-	-	-	-
Taxi stand	-	B	B	-	-	-	-
Towing service, automobile	-	-	B	-	-	-	-
Technology-based businesses	-	S	B	-	-	-	-
Transit facility	-	B	B	-	-	-	-
Utility facilities	S	S	S	S	S	S	S
Utility lines	B	B	B	B	B	B	B

Table 4: Non-Residential Uses (Retail) by Block							
NON-RESIDENTIAL USES: RETAIL	ZONING DISTRICTS			BLOCK			
	R-2	B-2	B-3	NW	NE	SW	SE
Accessory buildings, structures and uses	-	B	B	-	-	-	-
Consumer service businesses:							
Up to 4,000 SF, GFA	-	B	B	-	-	-	-
Up to 10,000 SF, GFA	-	B	B	-	-	-	-
10,001+ GFA	-	S	B	-	-	-	-
Farmer's market	-	S	S	S	S	S	S
Greenhouses/nurseries	-	-	B	-	-	-	-
Grocery stores:							
Convenience	-	B	B	B	B	-	-
General, up to 10,000 SF, GFA	-	B	B	B	B	-	-
General, 10,001+ SF, GFA	-	B	B	-	-	-	-
Home improvement center	-	-	B	-	-	-	-
Pharmacies:							
1--1,700 SF, GFA	-	B	B	-	-	-	-
1,701--4,000 SF, GFA	-	B	B	-	-	-	-
4,001+ SF, GFA	-	B	B	-	-	-	-
Shopping centers	-	B	B	-	-	-	-
Shopping malls	-	S	S	-	-	-	-
Temporary sales, outdoor (flea markets, craft fairs, promotional sales, etc.)	-	T	T	T	T	T	T
Other retail stores (non-specified):							
Up to 3,000 SF GFA	-	B	B	-	-	-	-
Up to 4,000 SF, GFA	-	B	B	-	-	-	-
Up to 20,000 SF GFA	-	S	B	-	-	-	-
20,000+ SF, GFA	-	-	B	-	-	-	-

Table 5: Non-Residential Uses (Industrial) by Block							
NON-RESIDENTIAL: INDUSTRIAL	ZONING DISTRICTS			BLOCK			
	R-2	B-2	B-3	NW	NE	SW	SE
Accessory buildings, structures and uses	-	B	B	-	-	-	-
Assembly, industrial	-	S	S	-	-	-	-
Beverage or food processing, packaging and bottling plants	-	-	-	-	-	-	-
Brewery and bottling facility	-	-	-	-	-	-	-
Compounding of cosmetics, toiletries, drugs and pharmaceutical products	-	-	-	-	-	-	-
Construction storage yard	-	-	-	-	-	-	-
Contractor or tradesman shop (HAZMAT)	-	-	-	-	-	-	-
Frozen food lockers	-	B	B	-	-	-	-
Greenhouse/nursery (wholesale)	-	-	B	-	-	-	-
Industrial equipment: service and repair	-	-	B	-	-	-	-
Janitorial service company	-	-	B	-	-	-	-
Kennels	-	-	-	-	-	-	-
Laboratory, medical	-	S	B	-	-	-	-
Laboratory, pharmaceutical	-	-	B	-	-	-	-
Landscape service company	-	-	S	-	-	-	-
Laundries	-	B	B	-	-	-	-
Manufactured home sales	-	-	S	-	-	-	-
Manufacturing, light	-	-	-	-	-	-	-
Medical laboratories	-	-	-	-	-	-	-
Moving companies	-	-	B	-	-	-	-
Pharmaceutical laboratories	-	-	-	-	-	-	-
Printing/publishing facility	-	S	B	-	-	-	-
Open storage yard	-	-	-	-	-	-	-
Outdoor storage, accessory to industrial use	-	-	-	-	-	-	-
Research and testing laboratories	-	S	B	-	-	-	-
Self-storage companies	-	-	S	-	-	-	-
Warehouses	-	-	S	-	-	-	-
Welding or machine shop	-	-	-	-	-	-	-
Wholesale establishments	-	-	B	-	-	-	-
Sign painting	-	-	S	-	-	-	-

**Description of Land Use Mix**

Sunrise Park is foremost a residential project. Some additional small scale, non-residential uses are allowed on site in order to better mimic the Belmont neighborhood and to allow for future reuse of the structures. The intensity of these uses is limited by maximum square footage per block and all industrial uses, including those currently allowed by right, are prohibited.

The following section is intended to describe the development and relative location of important land uses by providing a summary of the most important features, land uses, and other improvements included within each block:

Northwest (NW) and Northeast (NE) Blocks

NW & NE Blocks serve as a transition zone between the more commercial and light industrial uses along the northern edge of Carlton Avenue and lower density portions of Sunrise Park. As such, higher density and slightly more intense uses are allowed in these blocks. The principle use in the block will be multifamily housing, however, limited non-residential uses and accessory parking facilities are allowed within the NE block.

Southwest (SW) and Southeast (SE) Blocks

SW & SE Blocks are residential blocks primarily occupied by duplex units. The blocks also contain the project’s two principle common open spaces. These spaces include green spaces, hardscape walking paths, and passive recreational amenities. The green spaces serve as a shared backyard for all the residents. These spaces include landscape features such as community gardens and can accommodate rain gardens and other such near-source stormwater management facilities.

**Location and Acreage of Required Open Space**

Sunrise Park provides an extensive green space and amenity system that creates recreational opportunities and enhances the neighborhood’s sense of place. The project has developed in accord with the features described in this section and as depicted generally on the Proposed Land Use Plan (Exhibit 5). The acreage for the green and amenity areas identified in Table 6 may be modified as long as the total area created within Sunrise Park is not less than 15,616 square feet (15% of the gross acreage of the site).

Sunrise Park embraces the philosophy of what has become known as the “Big Backyard,” a shared open space that serves as the central gathering spot and amenity for the community and is located in the SW and SE Blocks. This area also serves as an aesthetic or environmental amenity; as such, it is visible from all structures. This “eyes on the park” philosophy helps to vest the residents on Sunrise in the open space, creating a sense of ownership, and ensuring the quality of the spaces. See Exhibit 6.

Table 6				
	Open Space (sf)			
	Green	Recreational	Hardscape	Total
NW	-	-	2,600	2,600
NE	-	-	1,000	1,000
SW	3,280	2,100	1,720	7,100
SE	3,280	2,100	1,720	7,100
Total	6,560	4,200	7,040	17,800

NW and NE Blocks

The open space in the NW and NE Blocks is limited to hardscaped areas located on both sides of the internal intersection that serve as community gathering areas and may include amenities such as central mail boxes and seating. These spaces provide opportunities for routine interaction between the residents and serve as a gathering spot.

SW and SE Blocks

The SW and SE Blocks include two large common spaces, “big backyards.” The big backyards may provide for passive recreation (i.e., gardening, walking paths), active recreation (e.g., tot lot), and serve as a community focal point.

### ***Ownership of Common Areas***

The Applicant has established a property owners' association to own and maintain common areas within the PUD (including all required open space remaining in private ownership). The following requirements shall apply:

- a. The property owners' association shall be established and constituted in accordance with the Virginia Property Owners' Association Act, prior to the final approval, recordation and lease or sale of any lot within the PUD;
- b. The membership of the property owners' association, and the obligations of such association with respect to the common areas, shall be set forth within a declaration, suitable for recording in the land records of the Circuit Court for the City of Charlottesville, meeting the requirements of the Virginia Property Owners' Association Act. The declaration shall detail how the association shall be organized, governed and administered; specific provisions for the establishment, maintenance and operational responsibilities of common areas and the improvements established therein; and the method of assessing individual property owners for their share of costs associated with the common areas.
- c. All common areas and required open space within a PUD shall be preserved for their intended purpose as expressed in the approved development plan. All deeds conveying any interest(s) in property located within the PUD shall contain covenants and restrictions sufficient to ensure that such areas are so preserved. Deed covenants and restrictions shall run with the land and be for the benefit of present as well as future property owners and shall contain a prohibition against partition.

Finally, all property within the PUD shall remain under single entity ownership until provision is made which insures the establishment and ongoing maintenance and operation of all open space, recreational facilities, and other common areas within the development. The owner shall not lease or sell any property within the PUD unless or until the director of neighborhood development services determines, in writing, that such satisfactory provisions have been made.

### ***Historic Structures and Sites***

There are no historic structures or sites located within Sunrise Park.

### ***Sensitive Areas***

There are no wetlands, steep slopes or land within a floodway or floodway fringe located within Sunrise Park.

# Built Form Standards

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## ***Purpose and Intent***

A project's built form is important because it determines the character of the street. Establishing the proper dimensions for how a group of buildings will sit back from, above, and along the length of the street, as well as incorporating the appropriate architectural and landscape elements into the design of a group of buildings is the key component in determining whether a user intuitively understands and is encouraged to use the street as a public realm. Judging whether a "sense of place" has successfully been achieved is ultimately determined by whether or not the street's design and built form have been successfully integrated. This section's standards work to achieve this integration.

To manage these standards, the Owner has established an Architecture Review Board (ARB) to review the PUD Development Plan's architectural, landscaping, buffer, and grading standards set forth herein. The ARB reviews all individual submissions for their conformance with the PUD Development Plan and the covenants and restrictions prior to any submission to the City for a building permit. Future enforcement of the regulations in this Plan shall be the responsibility of the City of Charlottesville and not the ARB.

## ***Lot Regulations***

There is no minimum lot area in Sunrise Park; however, all lots must extend a minimum of five (5) feet beyond the outside wall of the principle structure. For attached units, the common walls may be on the property line. And for MF and condo, the property line must be a minimum of five (5) feet from the outside wall of the building.

These standards shall apply to all residential and non-residential uses.

## ***Build to lines***

A building's façade shall be regulated by the concept of "build to lines." A build to line is generally defined as an area along the frontage of a lot within which the building's façade must be located. The purpose of the build to line is to locate a group of buildings generally equidistant from the street in order to establish an appropriate spatial enclosure and a "sense of place."

Enforcement of this regulatory concept is independent of the land use. The reviewer must measure the applicable distance from the edge of the public street right of way or internal access easement to the build to line and ensure that a minimum of fifty percent (50%) of the building façade must be between the build to line and the streets. The "building's façade" is defined by the main part of the structure, exclusive of the types of structural elements listed below, that runs parallel with the centerline of the street.

[Note: the minimum and maximum build to lines are established on the assumption that the right of way line will be six (6) inches behind a "normal sidewalk arrangement." If right of way line is platted a distance other than six (6) inches behind a sidewalk or an existing utility or ideal building orientation prohibits location of structures within nine and one-half (9.5) feet behind the curb, the Director of Neighborhood Development Services may increase or decrease the build to line distances.

## ***Attachment Zone***

An attachment zone is an area in front of the build to line. The purpose of the attachment zone is to allow for ancillary uses or portions of a building to extend in front of the structure and/or into the side setback area. The following structures may extend into the attachment zone in front of the build to line:

- a. Porches (1 & 2 story), porch stairs, decks, balconies, bay windows, raised door yards, entrance stoops, planters, chimneys, and other similar structural elements located on the ground floor are permitted to extend in an attachment zone (i.e., the area in front of the build to line) by no more than five (5) feet. Under no circumstances may these structures extend into either the public right-of-way or within five (5) foot of the sidewalk (whichever is more restrictive).
- b. Awnings, balconies, canopies, cantilevered portions of upper levels of buildings, and other structural projections may overhang a sidewalk if these projections: (1) do not interfere with the street trees' expected canopy at maturity; and (2) do not impede safe and convenient pedestrian or vehicle movement as determined by the City Engineer.
- c. Signage (freestanding, portable or projecting), mailboxes, newspaper boxes, benches, planters, and other similar street hardscape features shall have no setbacks internal to the development and are permitted within the right-of-way as long as City standards are met, where applicable, or within private access easements.

***Special Regulations for Build to lines***

- a. On corner lots, the build to line shall be applied along the frontage abutting both streets. The applicable side setbacks shall be applied along the other two property lines of the lot.

***Side and Rear Yards Setback Regulations***

- a. The side yard setback provisions shall not apply to structures built to a common wall.
- b. The regulations of the Zoning Ordinance are modified such that covered porches, balconies, chimneys, eaves and like architectural features may project into any required yard; provided that no such feature shall be located any closer than three (3) feet to any lot line.
- c. The regulations of the Zoning Ordinance for structures are modified as follows: front and corner yards and accessory structure setbacks shall be the same as the established build to line. Inside, accessory structure side yard setbacks shall be a minimum of three (3) feet. In rear yards, the accessory structure setbacks shall be a minimum of (3) feet.

***Other***

- a. No structures shall encroach into any utility, drainage or other easement.
- b. The lot coverage for all lots shall be no less than ten (10%) percent and no more than eighty (80%) percent of the lot's total area.
- c. The Director of Neighborhood Development Services, in consultation with the appropriate staff, may modify the Lot Regulations in Table 6 as part of the site plan review, so long as an applicant makes the request in writing and modifying the Lot Regulations would not adversely harm the public health, safety and welfare.

# Landscape Standards

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## **General**

Required landscape materials planted within public areas, such as the Big Backyard, common areas, buffer areas, amenity areas, and right of ways, have been provided using materials consistent with those required by Article VIII, sections 34-861 and Charlottesville's Tree Packet (prepared January 18<sup>th</sup>, 2007).

Landscaping is in general conformance with the PUD Development Plan.

## **Exterior Screening Standards**

Street trees shall be installed as a means of harmonizing the street frontage along the perimeter of a PUD with the street frontage of adjacent properties. Street trees shall be provided along all streets. They shall be a minimum of two (2) inch caliper (measured six (6) inches above ground level) at the time of installation. Trees shall be installed at an average of fifty (50) foot on center or less

Street tree spacing may vary, due to site distance requirements or utility easements or because there is a need to highlight a special feature, such as a plaza, important architectural feature, or to permit an important vista. Where conflicts between street trees and utilities, utility easements or site distance requirements and it can be demonstrated that no other economically or physically viable alternative exists, the Director of Neighborhood Development Services may allow street trees to be placed on the residential lots as close to the street as possible.

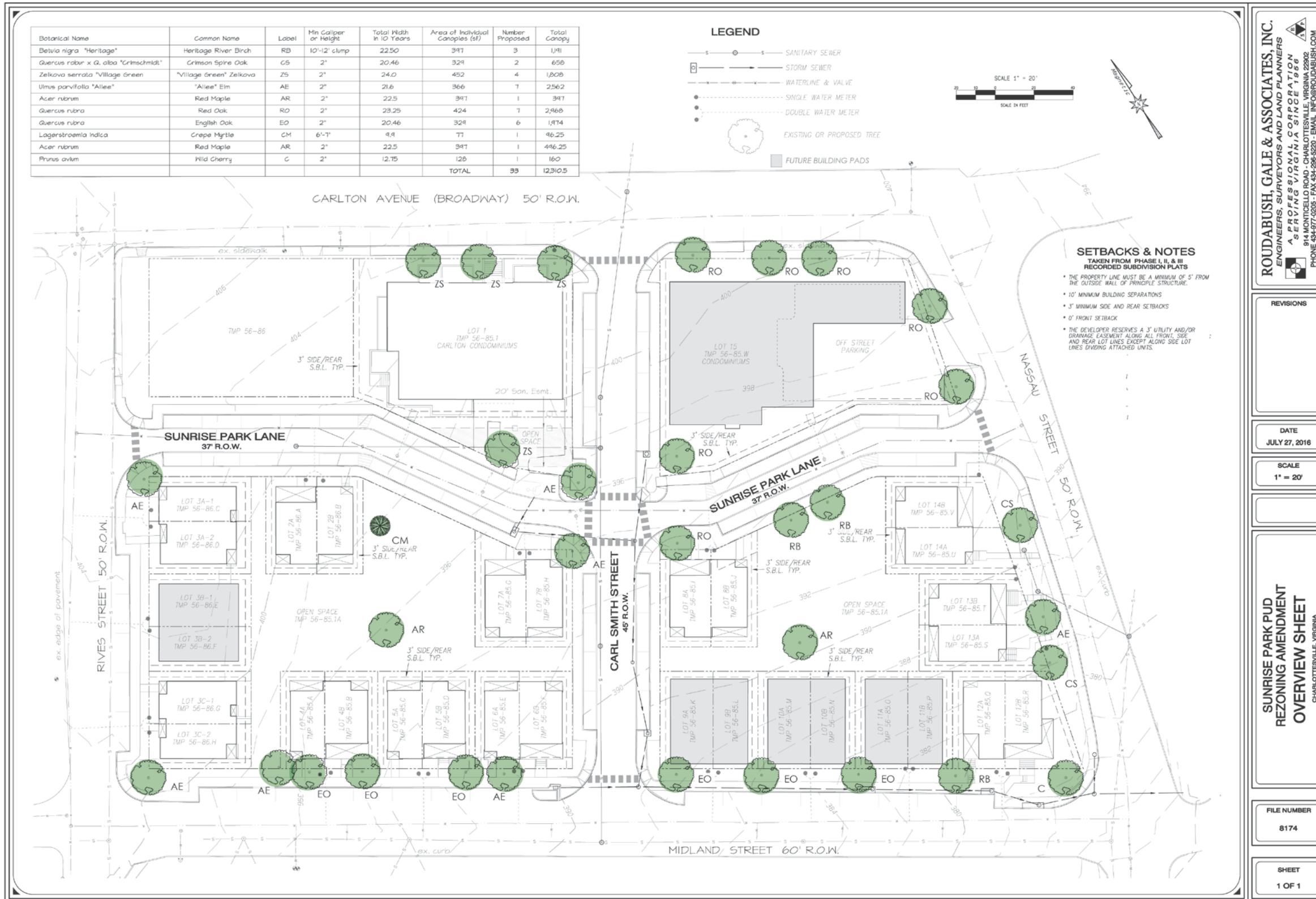
## **Interior Screening Standards**

The following screening standards are established for Sunrise Park areas and objectionable features which are not visible from the exterior of Sunrise Park. These standards are established to minimize the impact of noise, heat, light and glare emanating from a building, use or structure upon adjacent buildings, uses or structures:

1. Within the Sunrise Park non-residential uses shall not be required to be screened from adjacent residential areas.
2. The following uses shall be considered objectionable features: (1) loading areas; (2) refuse areas; and (3) detention ponds. These objectionable features shall be screened from residential areas that are within the Sunset Park with one or both of the following techniques: (a) a single row of shrubs planted on five (5) foot centers; (b) an opaque wall/fence a minimum one (1) foot taller than the highest part of the objectionable feature, but no taller than six (6) feet; or, (c) other feature, as deemed appropriate by the Director of Neighborhood Development Services. The use of shrubs

alone to screen loading and refuse areas shall not be deemed sufficient and may only be used in conjunction with a tall fence or some other feature that the Agent deems appropriate.

# Exhibit 6: General Landscape Plan



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**REVISIONS**

NO.	DATE	DESCRIPTION
1	JULY 27, 2016	SCALE 1" = 20'

**DATE**  
JULY 27, 2016

**SCALE**  
1" = 20'

**SUNRISE PARK PUD  
 REZONING AMENDMENT  
 OVERVIEW SHEET**  
 CHARLOTTESVILLE, VIRGINIA

**FILE NUMBER**  
8174

**SHEET**  
1 OF 1

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# Street and Streetscape Standards

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## ***Purpose and Intent***

A crucial element in creating a successful community is designing the proper street environment. Well designed streets encourage pedestrians to venture beyond their own homes and businesses and to interact with other people. To encourage this important vision, the Sunrise Park streetscape and transportation network was guided by the following Traditional Neighborhood Design (TND) principles:

- The street network and associated sidewalks and paths shall be designed to disperse and reduce vehicular traffic and enhance the utilization of other forms of mobility, especially public mass transit when made available.
- Street designs shall be implemented where the overall function, comfort, and safety of a multi-purpose or “shared” street is more important than the street’s vehicular efficiency alone. Thus, the overall design shall balance the needs of the vehicles (moving or parked), bicyclists, and pedestrians.
- Street designs shall be implemented where the street cross-section and intersection radii are only as wide as needed to accommodate the usual vehicular mix for that street, while providing adequate and safe access for moving vans, garbage trucks, fire engines and school buses.

## ***Application of Street Standards***

The General Development Plan (Exhibit 4) helps to ensure that Sunrise Park’s street interconnections break up the blocks of the existing public street grid. The street network is designed to work similarly to the traditional alley system characteristic to many parts of Belmont. In Sunrise Park, this system also relegates a majority of the required parking away from the existing public streets.

The Plan also establishes the relative importance of internal streets by classifying the north/south street as a “Two-Way Street” and east/west street as a “One-Way Street.” On the following pages, the standards for each of street cross section classifications are provided.

## ***One-Way Streets***

The one-way street meets the standards for one-way travel with parking on both sides. The travel way is narrow by design to encourage slower speeds and to help de-emphasize the automobile. The street cross section includes a single twelve (12) foot aisle with two seven (7) foot parking lanes and a five (5) foot sidewalk on each side.

## ***Two-Way Streets***

The two-way street is designed to provide circulation options and provide parking. The street cross section includes two ten (10) foot aisles, two seven (7) foot parking lanes and a five (5) foot sidewalk on each side.

## ***Public versus Internal Travelways***

As described above, the internal streets are narrow by design and include parking lanes to satisfy the required parking for this development. The applicant installed pervious paving in the parking lanes so as to reduce the stormwater impacts generated by the site. These three design features are in conflict with the City’s standard design requirements.

Nothing in the PUD Development Plan will be interpreted to prohibit the design team from working with the City Engineer to modify City’s street standards to allow the internal streets to be dedicated for public use.

# Parking Standards

Sunrise Park is designed to meet the parking needs of the residents and non-residential uses. Approximately 62 spaces will be provided on site and another 30 spaces will be created along the existing street frontage in general accordance with the PUD Development Plan. Parking shall be calculated during the site plan process and each phase shall meet the required parking based on the final design and proposed uses.

Off-street parking for each use within a PUD shall be provided in accordance with the standards set forth within Article IX, sections 34-970, et seq. Reductions in the parking requirements, if any, shall be in accordance with Section 34-985 Rules for Computing Required Spaces and 34-986 Waivers. The proposed multi-family building in the NE block features accessory parking for the use of tenants of that building and will reduce the strain on existing on-street parking. On-street parking will remain unstriped to maximize the possible number of spaces.

The Planning Commission, in accordance with Article IX, sections 34-985(2)(i), hereby waives fifty percent (50%) of the off-street parking requirements for the single-family attached and two-family residential uses in the SW and SE Blocks. This action recognizes that a significant number of spaces will be created along the existing street frontages to more than offset the impact of these units. This reduction represents a credit for approximately fifty percent (50%) of the on-street parking spaces.

A sample parking calculation is provided in Table 7.

Table 7: Sample Parking Calculation					
Block	# Units	Use	Required Parking	# Provided On Site	# Along Frontage
NW	16	2BR Condo	16	9	4
SW	16	SFA	16	18	14
SE	14	SFA	14	10	8
NE	24	2BR Condo	24	25	4
<b>subtotal</b>	70		70	62	30
<b>Parking Reduction for SW &amp; SE Two-Family Dwellings</b>			15		
<b>Totals</b>			55	62	30

# Phasing

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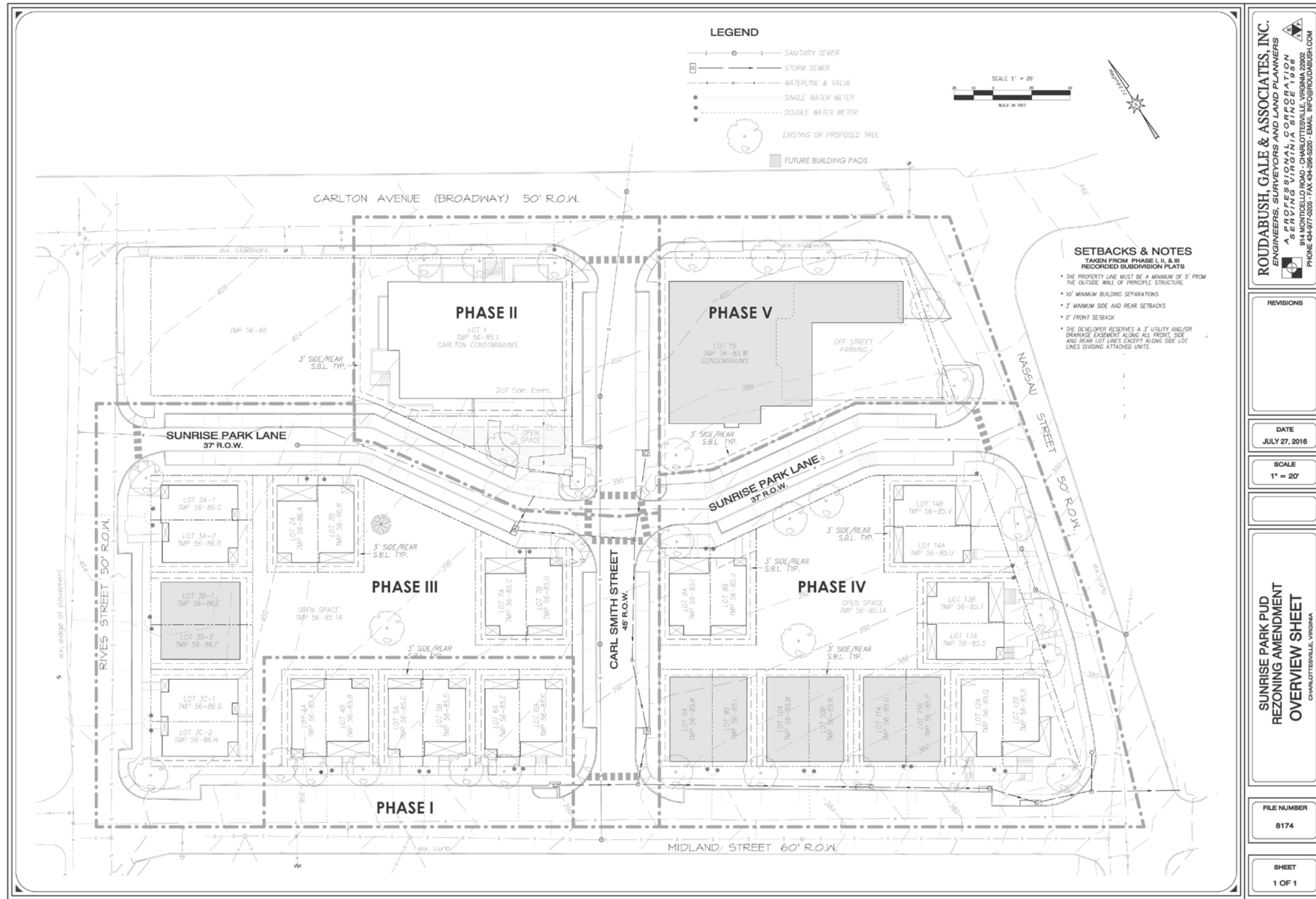
One of the greatest advantages with the original plan was the ability to phase the project so that the original sunrise residents remained on site while their future housing was constructed. Many of these residents are seniors and have been living in Sunrise for twenty five to thirty years, so to ensure consistency in their lives was vital. In addition to maintaining and then replacing this portion of the City's affordable housing stock, keeping these residents on site throughout the project helped to quickly fold Sunrise Park into the fabric of the Belmont neighborhood.

The project has developed in multiple phases. Phase 1 included development of a portion of the SW block. This was accomplished without disturbing the existing access through the mobile home park and without the need to relocate any of the trailers east of the existing access. The remaining blocks have been developed in separate phases.

Full build out of Sunrise Park is ongoing, but the commitment to replace the deeply affordable units and the affordable housing constructed for the Habitat Partner Families resulted in the affordable housing components of the project being provided within the first couple of years.

Finally, the phasing shall be accomplished such that the minimum parking and open space requirements are achieved during all stages of development.

# Exhibit 7: Phasing Plan



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REVISIONS

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**SUNRISE PARK PUD  
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SHEET  
1 OF 1

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# Affordable Housing

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At the time of the original rezoning, Sunrise Mobile Home Park served fourteen households with a wide range of incomes below 100% of AMI. Based on increments of 25% percent of the area mean income (AMI), with the last income group including incomes greater than 100% AMI, five of the fourteen households were in the lowest of the five income ranges, followed by 7 households, 1 household and 1 household in the next three groups. No households earned more than 100% AMI.

One of the major strengths of this plan is the ability to maintain the stock of deeply affordable units, serving those earning less than 25% AMI. Sunrise Park LLC provided affordable life estates for any resident who was living on site at the time the property was purchased and wished to return to Sunrise Park after development. At the time of this submission, there are 24 owner-occupied affordable housing units, six deeply affordable rental units and seven market rate owner-occupied units.

Sunrise Park is designed to be a mixed income community with at least three income and housing types as described below:

## Deeply Affordable Rental Units

The initial annual rent for each deeply affordable rental unit shall not exceed 30% of 25% of the then current AMI. In each subsequent calendar year, the monthly “net rent” (i.e., the amount of rent that does not include tenant paid utilities) may be increased by three percent (3%).

## Affordable Housing

Not less than 20 units shall be designated as affordable housing. These units may be created as a for-sale, affordable unit or a designated affordable rental unit.

A for-sale, affordable unit is defined as a residential unit affordable to households with incomes less than sixty percent (60%) AMI. Income eligibility of a potential purchaser shall be confirmed by the City or Habitat for Humanity of Greater Charlottesville.

The initial annual rent for a designated affordable rental unit shall not exceed 30% of 60% of the then current AMI. In each subsequent calendar year, the monthly “net rent” (i.e., the amount of rent that does not include tenant paid utilities) may be increased by three percent (3%).

## Market Rate Units

The remaining units are unrestricted and may be sold or rented at market rate, or sold or rented affordably.

# Proffers proposed in connection with PUD

BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA IN RE: PETITION FOR REZONING (City Application No. \_\_\_\_\_) STATEMENT OF PRELIMINARY PROFFER CONDITIONS For the Sunrise Park PUD

Dated as of August 15, 2016 TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE:

The undersigned individual is the owner of land subject to the above-referenced rezoning petition ("Subject Property"). The Owner/Applicant seeks to amend the current zoning of the property subject to certain voluntary development conditions set forth below. In connection with this rezoning application, the Owner/Applicant seeks approval of a PUD as set forth within a PUD Development Plan dated August 18, 2009 and revised August 22, 2009, October 5, 2009 and amended April 24, 2011 and August 15, 2016

The Owner/Applicant hereby proffers and agrees that if the Subject Property is rezoned as requested, the rezoning will be subject to, and the Owner will abide by, the approved PUD Development Plan as well as the following conditions:

1. The hours of operation for all non-residential uses of the property shall be limited to the hours between 7 a.m. and 10 p.m.
2. Not more than twenty one (21) principle buildings shall be erected on the property, of which, not more than nine (9) buildings shall be erected in the SW block nor more than ten (10) buildings in the SE blocks. All structures, including buildings, will cover no more than thirty five percent (35%) of the property
3. The highest point of any parapet, or the midpoint of any sloped roof, constructed in the NE block shall not extend above a level horizontal plane extending from the highest point of the parapet of the building constructed in the NW block. The Owner shall establish this dimension and any site plan (preliminary or final) for proposed development of the NE block shall depict the horizontal plane as determined in relation to both the NE block and the building constructed in the NW block.
4. Not more than seventy (70) dwelling units may be constructed on the property.
5. Not more than 12,800 square feet of the total building square footage shall be non-residential.
6. The rezoned property shall be landscaped in general accordance with the General Development Plan prepared by Roudabush, Gale & Associates and dated July 27, 2016. All plantings in each phase shall be planted prior to the issuance of a certificate of occupancy for the structure to be erected on the rezoned property. All landscaping and plantings shall be maintained and replaced on an annual basis as necessary.
7. The applicant shall construct a sidewalk in conformance with City standards along Midland Street in the location shown on the PUD Development Plan.
8. Ingress to, and egress from, the property shall be as shown on the PUD Development Plan. Individual driveway entrances to single family attached units from Carlton Avenue, Rives Street, Nassau Street, and Midland Street are strictly prohibited.

9. Commemoration of the structure located at 1106 Carlton Avenue shall be constructed on site.
10. Not less than four (4) units shall be designated as deeply affordable rental housing or affordable homeownership opportunities in the multifamily building on the NW block. The initial annual rent for each deeply affordable rental unit shall not exceed thirty percent (30%) of twenty-five percent (25%) of the then current AMI. A for-sale, affordable unit is defined as a residential unit affordable to households with incomes less than sixty percent (60%) AMI. Both the designated deeply affordable rental and affordable homeownership units in the multifamily building on the NW block shall be subject the terms and conditions of the PUD Development Plan and shall remain deeply affordable or affordable through December 31, 2025.
11. Not less than twenty (20) units total shall be designated as affordable housing. These units may be created as a for-sale, affordable unit or a designated affordable rental unit. A for-sale, affordable unit is defined as a residential unit affordable to households with incomes less than sixty percent (60%) AMI. The initial annual rent for a designated affordable rental unit shall not exceed thirty percent (30%) of sixty percent (60%) of the then current AMI. In each subsequent calendar year, the monthly "net rent" (i.e., the amount of rent that does not include tenant paid utilities) may be increased by three percent (3%). A designated affordable rental shall be subject the terms and conditions of the PUD Development Plan and remain affordable, as described above, through December 31, 2025.
12. In order to ensure that the site functions as a cohesive, unified project, a site plan shall be submitted for the entire property. This proffer does not prohibit the Owner from constructing the planned improvements in multiple phases.
13. In order to ensure that the proposed buildings are harmonious with the character of the adjacent properties, the Owner shall submit preliminary architecture with the site plan. The preliminary architecture will be considered part of the site plan submittal and will be subject to review and approval by the Planning Commission.

WHEREFORE, the undersigned Owner(s) stipulate and agree that the use and development of the Subject Property shall be in conformity with the conditions hereinabove stated, and requests that the Subject Property be rezoned as requested, in accordance with the Zoning Ordinance of the City of Charlottesville.

Respectfully submitted this 15<sup>th</sup> day of August, 2016 by:



Dan Rosensweig  
Executive Director, Habitat for Humanity of Greater Charlottesville  
Manager, Sunrise Park, LLC

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**REQUEST FOR A WAIVER: CRITICAL SLOPES**

**PLANNING COMMISSION REGULAR MEETING**  
**DATE OF PLANNING COMMISSION MEETING: June 12, 2018**

**Project Planner:** Carrie Rainey  
**Date of Staff Report:** June 4, 2018  
**Applicant:** Stony Point Design/Build LLC  
**Applicant's Representative(s):** Shimp Engineering P.C.  
**Current Property Owner:** Stony Point Design/Build LLC

**Application Information**

**Property Street Address:** 0 Carlton Road ("Subject Properties")  
**Tax Map/Parcel #:** Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2  
**Total Project Area (Limits of Disturbance):** 0.623 acres  
**Total Area of Critical Slopes on Parcel:** 0.319 acres | 51% of total site area  
**Area of Proposed Critical Slope Disturbance:** 0.22 acres | 35% of total site area | 69% of total critical slopes area  
**Comprehensive Plan (General Land Use Plan):** High Density Residential  
**Current Zoning Classification:** M-I Commercial

**Background**

Stony Point Design/Build LLC submitted a revised Special Use Permit (SUP) application on January 9, 2018 and revised preliminary site plan dated April 18, 2018. Proposed improvements associated with this project will impact critical slopes on-site and approval of a critical slope waiver is also required per Section 34-1120(b) prior to site plan approval. The SUP application requests multi-family residential use up to 21 dwelling units per acre (DUA) per Z.O. Sec. 34-480 and a reduction of the minimum required front yard setback from 20-feet to 0-feet per Z.O. Sec. 34-162(a). The SUP narrative requests a reduction in required front yard setback from 20 feet to 0 feet to facilitate a healthy street life and minimize impact to critical slopes at the rear of the property. At the March 13, 2018 joint public hearing, the Planning Commission deferred a vote on the SUP application pending submission of the critical slope waiver request. Details on the critical slope waiver request are provided below.

## **Application Details**

Stony Point Design/Build LLC is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for construction of a development that would include a three (3) story mixed-use building with commercial use on the first floor and multi-family dwelling units on the upper stories, a grouping of condominiums, and a surface parking lot.

Improvements specific to areas where critical slopes would be impacted should the waiver be approved are shown on the Critical Slope Exhibit (Attachment 2) and include portions of both the mixed-use and condominium buildings, sidewalk adjacent to the mixed-use building, the parking lot, stormwater management facilities, the bus stop on Monticello Road, and a retaining wall up to 18 feet in height in the southern portion of the site.

Existing critical slopes areas located on this Property include 0.319 acres or 51 percent of the site. The applicable definition of “critical slope” is as follows:

Any slope whose grade is 25% or greater, **and** (a) a portion of the slope has a horizontal run of greater than 20 feet, and its total area is 6,000 SF or greater, **and** (b) a portion of the slope is within 200 feet of a waterway. See City Code Sec. 34-1120(b)(2).

Based on the information presented within the application materials, Staff verifies that the area for which this waiver is sought meets all of the above-referenced components of the definition of “critical slope”.

The following information is relevant to the evaluation of this request:

- Large stands of trees: **The majority of the site is wooded. Critical slopes comprise approximately one-half (1/2) of the site.**
- Rock outcroppings: **None.**
- Slopes greater than 60%: **2,944 SF (21%) of the total critical slopes on site are greater than 60%. 1,663 SF of critical slopes great than 60% are proposed to be disturbed, accounting for 16% of the critical slope disturbance. See Attachment 2 for location of slopes greater than 60%.**
- Waterway within 200 feet: **A tributary stream of Moore’s Creek immediately below the proposed project site.**
- Location of other areas of the Property, outside critical slopes areas, that fit the definition of a “building site” and could accommodate this proposed development: **The majority of the proposed building footprints are located outside of the critical slopes areas. The proposed development, as shown with surface parking, could not be accommodated outside of critical slope areas. However, a development of similar use and residential density could potentially be accommodated outside of critical slope areas with a different site design. Please note, the site layout of the currently proposed**



development is dependent on approval of the previously noted SUP application, including requested reduced setbacks per Section 34-162, by City Council.

### Vicinity Map



### Topography Map

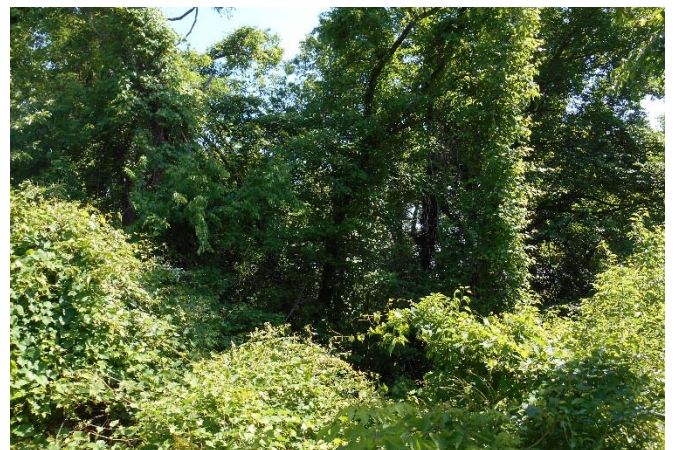
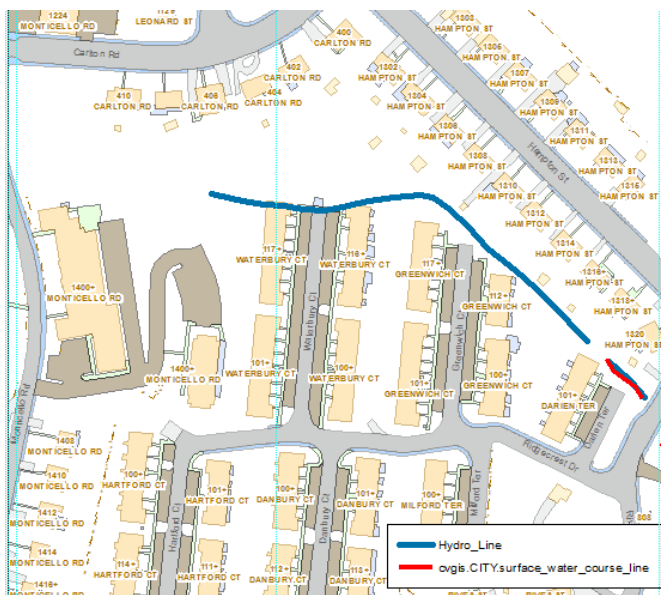
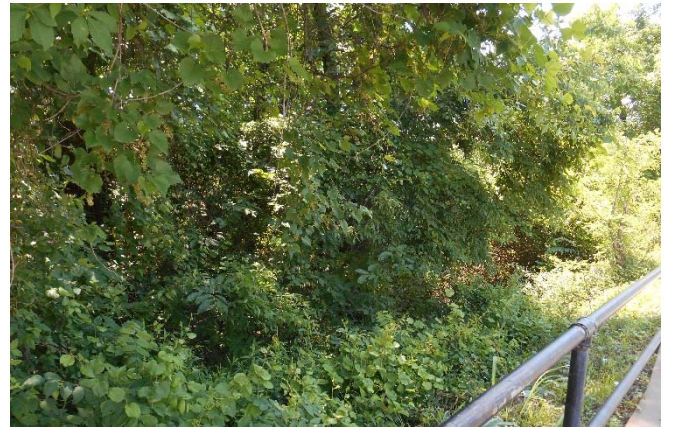


## Additional Images

### Tributary stream



### Views from Monticello Road



## **Standard of Review**

A copy of Sec. 34-1120(b) (Critical Slopes Regulations) is included as Attachment 3 for your reference. The provisions of Sec. 34-1120(b) must guide your analysis and recommendations.

It is the Planning Commission's responsibility, when a waiver application has been filed, to review the application and make a recommendation to City Council as to whether or not the waiver should be granted based off the following:

- i. The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or
- ii. Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

If the recommendation is for City Council to grant the requested waiver, the Planning Commission may also make recommendations as to the following:

- i. Whether any specific features or areas within the proposed area of disturbance should remain undisturbed (for example: large stands of trees; rock outcroppings; slopes greater than 60%, etc.)?
- ii. Whether there are any conditions that could be imposed by City Council that would mitigate any possible adverse impacts of the proposed disturbance?

## **Project Review and Analysis**

The applicant indicates the critical slopes on site are unstable, undergoing severe erosion, and contain a thicket of overgrown and unmaintained trees. The Critical Slope Exhibit shows the proposed improvements that would affect the critical slopes. The proposed critical slope disturbance accounts for 69% of the total critical slope area on-site and 35 % of the total site area (0.623 acres).

Each applicant for a critical slopes waiver is required to articulate a justification for the waiver, and to address how the land disturbance, as proposed, will satisfy the purpose and intent of the Critical Slopes Regulations, as found within City Code Sec. 34-1120(b)(1). In order to grant a waiver, City Council is required to make one of two specific findings: either (1) public [environmental] benefits of allowing disturbance of the critical slope outweigh the benefits

afforded by the existing undisturbed slope per City Code 34-1120(b)(6)(d.i), or (2) due to unusual physical conditions or existing development of a site, the critical slopes restrictions would unreasonably limit the use or development of the property, see City Code 34-1120(b)(6)(d.ii.). The applicant has provided information in the attached critical slopes waiver narrative for Finding #1.

#### Applicant's Justification for Finding #1

The applicant states this development is an infill project, and lists the benefits of dense infill projects as helping to minimize development on the periphery of the city, which are often lower density and therefore disturbing larger tracks of land. The applicant also describes the development as an asset to the Belmont neighborhood through diversifying housing stock and moving towards its mixed use goals.

Per Section 34-1120(b)(1), the purpose and intent of the critical slopes provisions are intended to protect topographical features that have a slope in excess of the grade established and other characteristics for the following reasons and whose disturbance could cause one (1) or more of the following negative impacts. Below is a synopsis of the information provided by the applicant regarding each potential impact:

- A. *Erosion affecting the structural integrity of those features:* The applicant notes a 261-foot long block stacked retaining wall will be placed along the edge of the development. The wall is intended to preserve as much critical slope in its current state as possible, while providing parking as required by the City Code and preventing future erosion. The applicant states the current condition is unstable, the result of previous disturbance and grading. The addition of a retaining wall, by definition a non-erodible construction, will reduce further erosion.
- B. *Stormwater and erosion-related impacts on adjacent properties:* The applicant states the retaining wall and water collection facilities will decrease impacts of storm water and erosion across the site. Planting will assist in erosion control and screening along all edges of the retaining wall.
- C. *Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands:* The applicant states that with adequate BMPs, the development seeks to minimize effects of development on a lower elevation, intermittent stream, which is approximately 230 feet from the development.
- D. *Increased stormwater velocity due to loss of vegetation:* The applicant states onsite water retention will greatly decrease stormwater velocity. Undisturbed woodland on the southern edge of the site will contribute to stormwater infiltration and erosion prevention.

- E. *Decreased groundwater recharge due to changes in site hydrology:* The applicant states the development will use an infiltration system with the purpose of optimizing conditions to make groundwater recharge possible.
- F. *Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community, such as loss of tree canopy, forested areas and wildlife habitat:* The applicant states the site is currently a sloping unmaintained stand of trees. The small ravine onsite has likely been exacerbated by stormwater outflow at the top of the hill.

Staff Analysis: Please see Attachment 4 for a full analysis by the Environmental Sustainability Department. The Engineering Department concurs with analysis provided by the Environmental Sustainability Department.

Per Section 34-1120(b)(1), the purpose and intent of the critical slopes provisions are intended to protect topographical features that have a slope in excess of the grade established and other characteristics for the following reasons and whose disturbance could cause one (1) or more of the following negative impacts. Below is a synopsis of the Environmental Sustainability Department staff analysis:

- A. *Erosion affecting the structural integrity of those features:* The application notes that the current condition of the critical slopes is unstable. Staff believes this is true for the southeastern-most portion of the critical slopes, where the existing stormwater outfall has caused erosion, but most of the critical areas otherwise appear stable. Additionally, this area of currently unstable critical slopes appear to be mostly in the portion of the property that will not be disturbed, thus negating the applicant's rationale that the addition of the retaining wall will reduce existing erosion. Because of the existing topography of the site, extensive grading and fill in existing critical slope areas is proposed. Certain portions of the proposed parking lot area (including existing critical slope areas) will require 10-12 feet of fill to bring project to finished proposed grade. A retaining wall as high as 18 feet would also be required in existing critical slope areas. These are significant impacts in and to the critical slope areas.
- B. *Stormwater and erosion-related impacts on adjacent properties:* No comments.
- C. *Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands:* The applicant states that "with adequate BMPs, O Carlton seeks to minimize effects of development on a lower elevation intermittent stream". However, the applicant is proposing to satisfy some of the stormwater quality requirements by purchasing nutrient credits off-site. These requirements are meant to ensure that no increase in pollutants occurs as the result of land use conversion from development (in this case conversion of forest to impervious surface). But if the requirements are met, even in part, by purchasing credits, then by default the

pollutant loading from the site in the post-development state will be higher, and there will be resulting stormwater-related impacts to environmentally sensitive areas such as the stream immediately below the proposed project. This would be further exacerbated by the applicant's intent to "seek a variance request for 9VAC25-870-66 B3", which are the water quantity requirements for discharges to a natural stormwater conveyance system.

*D. Increased stormwater velocity due to loss of vegetation:* No comments.

*E. Decreased groundwater recharge due to changes in site hydrology:* The applicant states that "robust stormwater storage/infiltration will be implemented on site to reduce runoff". However, the applicant is proposing to meet, at least in part, the stormwater quality requirements by purchasing off-site nutrient credits. This undermines the purpose/intent "to recognize that the development of critical slopes may result in concentrated and/or excessive stormwater runoff". This would be further exacerbated by the applicant's intent to "seek a variance request for 9VAC25-870-66 B3", which are the water quantity requirements for discharges to a natural stormwater conveyance system. Conversion of the site from forest to impervious cover will decrease the amount of groundwater recharge accomplished by the site as a whole, despite the fact that the applicant is proposing "an infiltration system". No stormwater BMP is as effective as a forest at recharging groundwater. The applicant's proposal to purchase off-site nutrient credits and desire to obtain a variance from 9VAC25-870-66 B3 exacerbate this situation.

*F. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community, such as loss of tree canopy, forested areas and wildlife habitat:* Loss of .23 acres of urban tree canopy, forested area, and wildlife habitat would result from the proposed disturbance of the critical slopes, regardless of whether the applicant feels that the critical slope areas are "sloping", "unmaintained", "out of sight", and "overgrown".

*Additional Environmental Sustainability Department Comments:* The applicant proposes 0 foot front yard setbacks in order to minimize impacts to critical slopes and to activate the street, but in doing so creates several additional problems. There is a conflict in the proposed plan between providing adequate front yard setbacks to address neighborhood and City staff concerns regarding street trees, adequate sidewalks and curbside buffer, and buildings being too close to the street with the requirement to protect the critical slopes on the property. Pushing the front yard setback further back moves the disturbed area further into the critical slope areas at the southern and eastern extents of the property, exacerbating the impacts.

The applicant states that the "site is undevelopable without the disturbance of critical slopes". This may be an overstatement. This particular proposed development is not possible

without disturbing critical slopes, but an alternative proposal of a different scope and scale could certainly avoid much of the proposed impacts.

The Supplement states “the nearest significant water body is 2000 feet from Moore’s Creek”. It is unclear what the applicant means to imply by this statement. There is a tributary stream of Moore’s Creek immediately below the proposed project site that has significance in and of itself, regardless of its proximity to Moore’s Creek.

*Additional Engineering Department Comments:* The preliminary site plan associated with this development has undergone two (2) rounds of staff review. As a part of that process, the Engineering Department has raised concerns with the applicant’s ability to achieve water quality requirements on site given soil conditions and effective soil infiltration rates.

*Traffic Department Comments:* The City Traffic Engineer noted the placement of the driveway in the critical slope area creates further separation from the intersection, therefore improving traffic safety. Per Section 34-1120(b)(7)(c), the Traffic Engineer finds the driveway to be exempt from the critical slope provisions, as no reasonable alternative alignment exists.

*Planning Department Comments:* The General Land Use Plan of the Comprehensive Plan calls for the subject properties to be High Density Residential land use with a DUA over 15. The proposed development will have a DUA of 19.26. Several goals in the Comprehensive Plan speak to a desire to have mixed use development in appropriate locations that will foster existing commercial areas and provide access to transit. The subject properties are less than one (1) mile from the downtown core of the City and are located on a Charlottesville Area Transit route. The applicant proposes a new bus stop to further improve transit access for the surrounding area.

The majority of the proposed building footprints are located outside of the critical slopes areas. The proposed development, as shown with surface parking, could not be accommodated outside of critical slope areas. However, a development of similar use and residential density could potentially be accommodated outside of critical slope areas with a different site design. Alternative site layouts may reduce impacts to critical slope areas, but may also impact other development factors such as overall building height or housing affordability. The site layout of the currently proposed development is dependent on approval of the previously noted SUP application, including requested reduced setbacks per Section 34-162, by City Council.

## **Staff Recommendation**

Staff recommends the Planning Commission consider the following when making a recommendation to City Council:

### **Purpose and Intent of the Critical Slope Provisions**

The purpose and intent of the critical slope provisions in Section 34-1120(b)(1) are to protect topographic features whose disturbance may cause negative impacts including:

**Erosion affecting the structural integrity of the critical slopes, adjacent properties, or environmentally sensitive areas.** The proposed non-erodible retaining wall and stormwater management improvements will likely reduce erosion to 60% critical slopes areas by rechanneling water to lower portions of the site. However, this rechanneling proposes increase water flow to the tributary stream, which already receives stormwater from Monticello Road.

**Stormwater impacts to adjacent properties or environmentally sensitive areas.** The Environmental Sustainability Department has noted the proposed purchase of off-site nutrient credits will likely result in increased pollutant load to the tributary stream, which will be exacerbated by the proposed variance request for stormwater discharge to a natural stormwater conveyance system. As noted by the Engineering Department, the existing soil conditions create concerns regarding stormwater infiltration on-site. However, without calculations to review, the Engineering Department cannot provide a definitive opinion.

**Loss of tree canopy and wildlife habitat that contribute to the natural beauty and visual quality of the community.** The majority of existing trees on site are proposed to be removed per the preliminary site plan submitted in conjunction with the Special Use Permit request. Trees in the southwestern and southeastern portions of the site are proposed to remain (2,760 square feet of canopy per the preliminary site plan). The applicant proposes adding 4,573 square feet of new canopy (approximately 60% more than required per Section 34-869). The preliminary site plan notes trees removed in the critical slopes area will be replaced with similar trees to maintain the character of the tree stand. The applicant proposes maples, poplars, Flowering Dogwoods, and Eastern White Pines in the southern critical slope areas, as well as a redbud and rhododendron shrubs. However, wildlife habitat is likely to be reduced by the clearing of existing mature canopy and understory growth on the site. The Virginia Department of Game and Inland Fisheries recommends varying levels of vegetation (herbaceous layer, shrub layer, sapling layer, and canopy) to promote a diversity of species.

### **Comprehensive Plan and Land Use**

The goals and Land Use Plan of the Comprehensive Plan. Per Section 34-1120(b)(6)(d)(ii), the shape and location of the critical slopes may unreasonably restrict the use and development of the subject properties in a manner in accordance with the Comprehensive Plan. Alternative site



layouts may reduce impacts to critical slope areas, but may also impact other development factors such as overall building height or housing affordability due to increased construction costs. The request for reduced front yard setbacks in the Special Use Permit application will minimize disturbance to the critical slope area, including areas of 60% slope.

### Conditions

Per Section 34-1120(b)(6)(e), City Council may impose conditions upon a critical slope waiver to ensure the development will be consistent with the purpose and intent of the critical slope provisions. Should the Planning Commission find recommendation of the waiver to be appropriate, staff recommends the Planning Commission consider including the following conditions to mitigate potential impacts:

Staff recommends City Council require **erosion and sediment control measures** that exceed minimum requirements in order to mitigate potential impacts to the undisturbed critical slope areas, tributary stream, and adjacent properties during land disturbance activities, per Section 34-1120(b)(1)(a-c). Staff recommends City Council condition the use of super silt fence with wire reinforcing and six (6) feet stake spacing to ensure adequate protection of the aforementioned items, to be detailed on the site plan and approved by the Engineering Department prior to final site plan approval.

Staff recommends City Council require immediate installation of permanent stabilization measures in lieu of temporary measures at the base of the proposed retaining walls within the areas of critical slope disturbance to ensure rapid **stabilization** of the slope to mitigate the potential impacts of **erosion** on the tributary stream and adjacent properties, to be detailed on the site plan and approved by the Engineering Department prior to final site plan approval.. Permeant stabilization may include the following measures from the Virginia Erosion and Sediment Control Handbook: permanent seeding per Section 3.2, sodding per Section 3.3, or groundcover establishment per Section 3.37. Temporary soil stabilization through blankets or matting per Section 3.36 should be required to ensure the chosen stabilization measure does not erode prior to establishment.

Staff recommends City Council require an increase of required stormwater detention of 10% beyond the minimum requirement in order to mitigate potential **stormwater** impacts to the tributary stream and adjacent properties, per Section 34-1120(b)(1)(b-c), to be detailed on the site plan and approved by the Engineering Department prior to final site plan approval.

Staff recommends City Council require additional **habitat redevelopment** in order to mitigate potential impacts to existing wildlife habitat per Section 34-1120(b)(1)(f). Staff recommends City Council condition the installation of additional species of herbaceous and shrub plantings in the southwestern portion of the critical slope area proposed to be disturbed (south of the proposed retaining wall and west of the proposed riprap outfall area).

## **Suggested Motions**

1. "I move to recommend approval of the critical slope waiver for Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2, as requested, with no reservations or conditions, based on a finding that [*reference at least one*):
  - The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per Section 34-1120(b)(6)(d)(i)
  - Due to unusual physical conditions, or the existing development of the property, compliance with the City's critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii)
  
2. "I move to recommend approval of the critical slope waiver for Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2, based on a finding that [*reference at least one*):
  - The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per Section 34-1120(b)(6)(d)(i)
  - Due to unusual physical conditions, or the existing development of the property, compliance with the City's critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii)

And this motion for approval is subject to the following conditions:

\_\_\_\_\_ the following features or areas should remain undisturbed [*specify*]

\_\_\_\_\_ the following conditions are recommended as being necessary to mitigate the potential adverse impacts of approving the waiver in the location requested: [*specify*]

3. "I move to recommend denial of the steep slope waiver for Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2"

## **Attachments**

1. Application and Narrative
2. Critical Slope Exhibit
3. Critical Slopes Ordinance
4. Environmental Sustainability Department Review

**Critical Slopes Waiver Application for City of Charlottesville**

Applicant: **Shimp Engineering P.C.**

Property Owner: **Stony Point Design/Build, LLC**

Type of Development (please check one):

Redevelopment  
 New Development

Project Description: What are you proposing to do on this site? **Mixed use building, with a commercial lower floor and eight apartments above. Four condominiums attached to mixed use building.**

Existing Conditions: **Undeveloped and overgrown**

Total Site Area: **.623 AC**

Zoning (if applying for rezoning-please note existing and intended change):

**Existing: Light Industrial (LI) Proposed: Mixed Use**

Percentage of Area greater than or equal to 25% slopes: (critical slopes make up **.319** acres of the site's **.623** acres, or **51** % of the site area.)

Review of Modification of Section 34-1120b to allow activity on critical slopes.  
Critical Slope Ordinance effective January 17, 2006.

This application should be used to explain how the proposed project meets some or all of the requirements as described in Section 34-1120b.5. Modification or waiver. This application will help the Engineering Department make their recommendation for approval or denial to the Planning Commission.

*\*\*Please see attached guidelines for suggestions to fulfill each requirement.*

The planning commission may grant a modification or waiver, upon making one or more of the following findings:

Requirement #1: That a strict application of requirements would not help to achieve the goals of the critical slope restrictions. For each applicable purpose/intent (1a-1g) provide justification below.

1a. To protect and conserve steep hillsides.

**As much hillside is being conserved as possible considering size of lot and development. Much of the southern end of the site will be open space to reduce further slope disturbance.**

P18-0551

1b. To recognize the increased potential for soil erosion.

**The current condition is unstable, a result of previously disturbed/graded land from prior development. The addition of a retaining wall, by definition a non-erodible construction, will reduce further erosion.**

1c. To recognize increased potential for sedimentation and water pollution.

**The additional of a retaining wall will decrease the potential of sedimentation, while a stormwater infiltration system should reduce water pollution.**

1d. To recognize that development of critical slopes may result in rapid or large- scale movement of soil and rock.

**Additional fill will be brought into the site to create a terrace for buildings and parking lot.**

1e. To recognize that development of critical slopes may result in concentrated and/or excessive stormwater runoff.

**Robust stormwater storage/infiltration will be implemented on site to reduce runoff**

1f. To recognize that development of critical slopes may result in siltation of natural and man-made bodies of water.

**Runoff from previously graded unstable slopes will be reduced with the addition of a retaining wall and stormwater components.**

1g. To recognize that development of critical slopes may result in the loss of aesthetic resources.

**Currently the critical slopes on the parcel are degraded and out of sight due to poorly graded and unmaintained condition.**

Requirement #2. Alternatives proposed by the developer that would satisfy the purpose and intent of these critical slopes provisions to at least an equivalent degree.

**Due to site size and area of critical slopes, it is unlikely to provide the quantity of residential and commercial space desired by the City without disturbing critical slopes.**

Requirement #3. Due to unusual size, topography, shape, location or other unusual physical conditions of a property one or more of the critical slopes provisions would effectively prohibit or unreasonably restrict the use of such property or would result in significant degradation of the site, or adjacent properties.

**Site is undevelopable without the disturbance of critical slopes.**

Requirement #4. Granting the proposed modification or waiver would serve a public purpose of greater import than would be served by a strict application of the requirements of these critical slopes provisions.

**See attached 'Critical Slopes Waiver Request Supplement'**

Please list all attachments that should be viewed as support to the above explanations.

1. **Critical Slopes Waiver Request Supplement**

Please sign the following statement.

I certify that, to the best of my knowledge, the information I have provided above is based on sound engineering and surveying data and that this site has been carefully inspected and reviewed for the purposes of completing this application accurately. I certify that as the property owner/designer I have not given false information that may affect the decisions made regarding this development.

  
\_\_\_\_\_  
Property Owner

3/16/18

  
\_\_\_\_\_  
Designer

3/16/18

Please do not write below this line. For office use only. Planner's  
Comments/Recommendations:

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Engineer's Comments/Recommendations:

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March 16, 2018

Carrie Rainey  
Neighborhood Development Services  
610 East Market Street  
P.O.Box 911  
Charlottesville, VA 22902

**Regarding:**      **RE:**      **SDP201700021 – Ø Carlton**

Ms. Rainey,  
Below are the responses to the Critical Slope Waiver Request Supplement:

**City of Charlottesville  
CRITICAL SLOPES WAIVER REQUEST SUPPLEMENT**

**Applicant:** Shimp Engineering, P.C.

**Property Owner:** Stoney Point Design/Build, LLC

**Project description:** We are proposing a mixed use building with a lower commercial floor and upper residential apartments, and four separate townhouses.

**Existing Condition:** Wooded sloping site

**Total Site Area:** .623 acres

**Zoning:** Light Industrial (LI), with an SUP for Mixed Use

**Total Critical Slope Area:**  
Critical Slopes .319 acres of total site (.623), or 51% of total site area.

**Critical Slope Area Disturbed:**  
.22(69%) Acres of the total critical slope area identified above will be disturbed.

**Description of Critical Slopes:**  
Currently the parcel is a thicket of emergent, overgrown, and unmaintained trees. The slopes are comprised from a previously unknown development, leaving an undulating/unstable hillside. The lack of appropriate grading has led to severe erosion across the site, particularly due to poorly located stormwater outflow at the rear of the site. The nearest significant water body is 2000ft from Moore's Creek.

When the applicant purchased the parcel (2016) the slopes were not defined as 'critical' by the City, according to the Property Impacted by Critical Slope Criteria map (see 2011 & 2017 map clip attachments). The criteria slopes were analyzed through new a GIS algorithm on 02/23/2017, lumping much of the 0 Carlton lot as critical slope.

**Finding #1:** The public benefits of allowing disturbance of critical slope outweigh the public benefits of the undisturbed slope ( public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes)

**-Public benefit of this project is as follows:**

- **0 Carlton is an infill project for the City of Charlottesville. The benefits of dense infill projects helps to minimize development on the periphery of the city, which are often lower density; disturbing larger tracks of land.**
  - **0 Carlton will provide twelve residential units and 3020 SF of commercial space on .623 acres.**
  - **The 0 Carlton development provides an asset to the Belmont neighborhood by diversifying housing stock and moving toward its mixed use goals.**
1. Erosion affecting the structural integrity of those features.
    - **A block stacked retaining wall, a length of 261 feet, will be placed along the edge of the development. The retaining wall is intended to preserve as much critical slope in its current state as possible, while providing required parking by City and preventing future erosion.**
    - **The current condition is unstable, a result of previously disturbed/graded land from prior development. The addition of a retaining wall, by definition a non-erodible construction, will reduce further erosion.**
  2. Stormwater and erosion-related impacts on adjacent properties.
    - **A retaining wall and water collection facilities will decrease impacts of storm water and erosion across the site. 0 Carlton is a combination of four parcels with the southernmost being disturbed as little as possible. Planting will assist in erosion control and screening along all edges of retaining wall.**
  3. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.
    - **With adequate BMPs, 0 Carlton seeks to minimize effects of development on a lower elevation intermittent stream, approx. 230' from development.**
  4. Increased stormwater velocity due to loss of vegetation.
    - **Onsite water retention will decrease storm water velocity greatly. Undisturbed woodland on southern edge of site will contribute to storm water infiltration and erosion prevention.**
  5. Decreased groundwater recharge due to changes in site hydrology.
    - **We will be using an infiltration system with the purpose of optimizing conditions to make groundwater recharge possible.**
  6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.
    - **Currently the 0 Carlton property is a sloping unmaintained stand of trees. The small ravine onsite has likely been exacerbated by the stormwater outflow at the top of the hill.**

Thank you again for your time and please let us know if you have any additional questions about what is shown in this document.

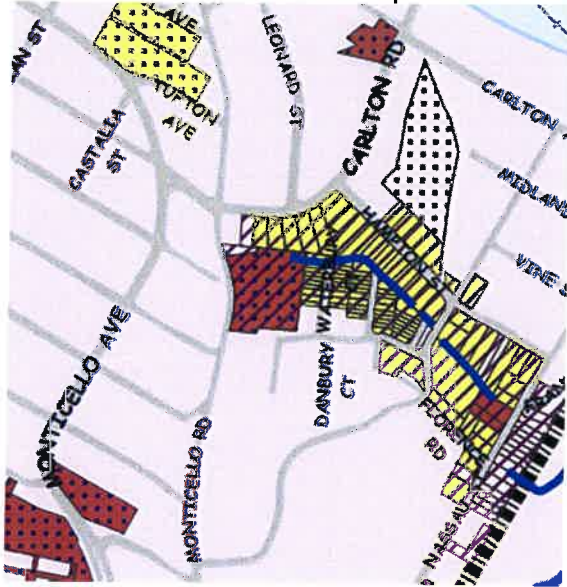
Best Regards,  
Peter Russell  
Shimp Engineering, P.C.



**Image attachments:**

Property Impacted by Critical Slope map (2011).

Dot hatch areas are 'lots with slope  $\geq 25\%$  and area  $\geq 6000$  sq ft'



Property Impacted by Critical Slope map (2017).

Cross hatch areas are 'Parcels impacted by critical slope criteria'





SOLID CONTOURS FROM CITY GIS

CRITICAL SLOPE DISTURBANCE LIMIT

CRITICAL SLOPE

**CRITICAL SLOPE**  
 CRITICAL SLOPE = 14,009 SF  
 DISTURBED CRITICAL SLOPE = 10,093 SF  
 2,027 FT TO NEAREST SIGNIFICANT WATERBODY/  
 PERENNIAL STREAM (MOORES CREEK)

**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E. MAIN ST., SUITE M  
 CHARLOTTEVILLE, VA 22802  
 PHONE: (434) 227-5140  
 JUSTIN@SHIMP-ENGINEERING.COM

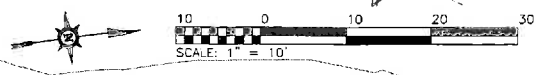


**GRADING PLAN**

Rev #	Date	Description
1	7/27/17	Revised building footprint & bed room
2	11/27/17	Final grading, stormwater response
3	07/26/18	Special use permit application

PRELIMINARY SITE DEVELOPMENT PLAN FOR  
**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 07/27/2017  
 Scale: 1" = 10'  
 Sheet No.: C7 OF 10  
 File No.: 15.001



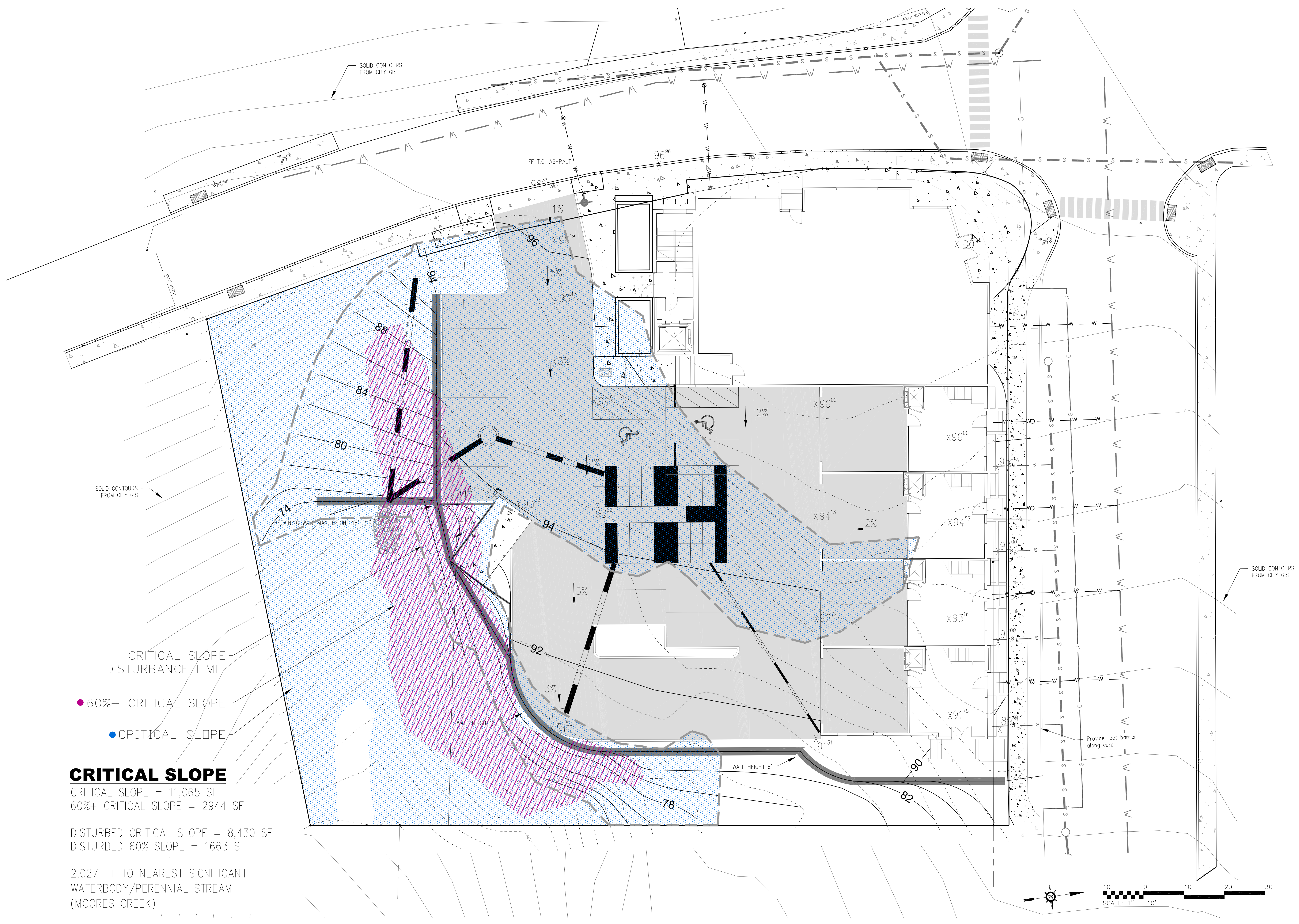


**GRADING PLAN**

Rev. #	Date	Description
1	7/27/17	Revised building footprint
2	11/22/17	Preliminary site plan comment response
3	01/15/18	Special use permit application
4	04/18/18	Preliminary Site Plan Comments

PRELIMINARY SITE DEVELOPMENT PLAN FOR  
**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

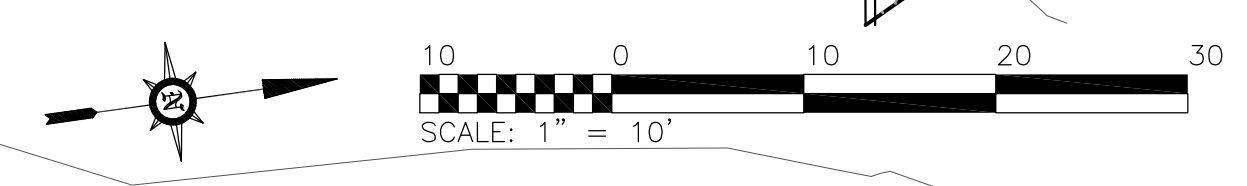
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Scale	1" = 10'
Sheet No.	C7 OF 10
File No.	15.001

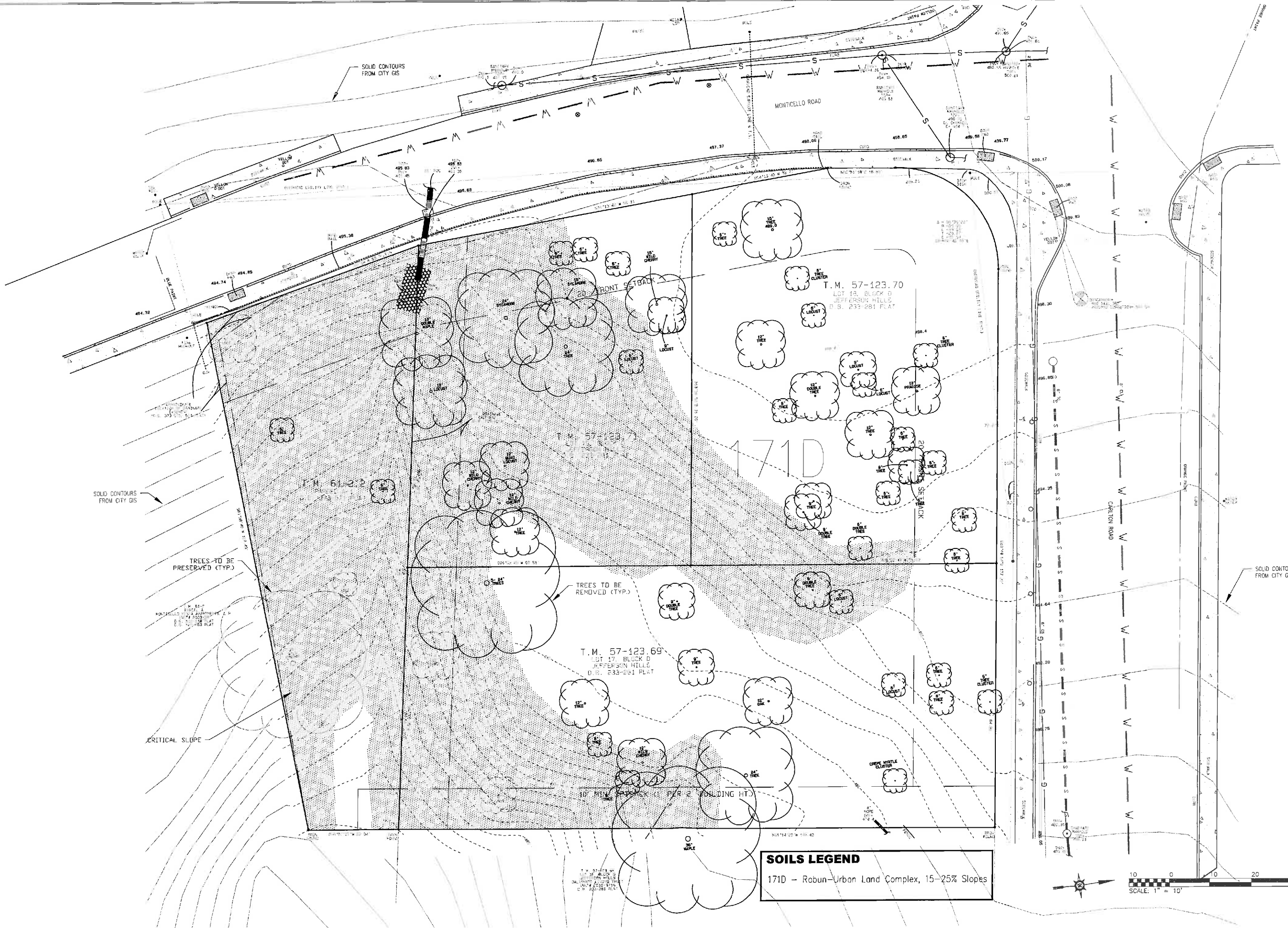


- CRITICAL SLOPE DISTURBANCE LIMIT**
- 60%+ CRITICAL SLOPE
  - CRITICAL SLOPE

**CRITICAL SLOPE**  
 CRITICAL SLOPE = 11,065 SF  
 60%+ CRITICAL SLOPE = 2944 SF  
 DISTURBED CRITICAL SLOPE = 8,430 SF  
 DISTURBED 60% SLOPE = 1663 SF

2,027 FT TO NEAREST SIGNIFICANT WATERBODY/PERENNIAL STREAM (MOORES CREEK)





SOLID CONTOURS FROM CITY GIS

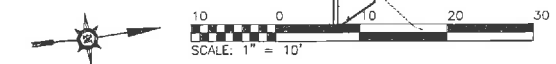
TREES TO BE PRESERVED (TYP.)

CRITICAL SLOPE

TREES TO BE REMOVED (TYP.)

SOLID CONTOURS FROM CITY GIS

**SOILS LEGEND**  
 171D - Robur-Urban Land Complex, 15-25% Slopes



**EXISTING CONDITIONS AND DEMOLITION**

Rev. #	Date	Description
1	7/27/17	Revised building footprint & bed count
2	11/7/17	Primary and secondary response
3	07/15/18	Special use permit application

**PRELIMINARY SITE DEVELOPMENT PLAN FOR**

**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 07/27/2017  
 Scale: 1" = 10'  
 Sheet No. C2 OF 5  
 File No. 15.001



**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
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## Sec. 34-1120. - Lot regulations, general.

(a) *Frontage requirement.* Every lot shall have its principal frontage on a street or place (i) that has been accepted by the city for maintenance, or (ii) that a subdivider or developer has been contractually obligated to install as a condition of subdivision or site plan approval and for which an adequate financial guaranty has been furnished to the city. Except for flag lots, stem lots, and cul-de-sac lots, or other circumstances described within the city's subdivision ordinance, no lot shall be used, in whole or in part, for any residential purpose unless such lot abuts a street right-of-way for at least the minimum distance required by such subdivision ordinance for a residential lot.

(b) *Critical slopes.*

(1) *Purpose and intent.* The provisions of this subsection (hereinafter, "critical slopes provisions") are intended to protect topographical features that have a slope in excess of the grade established and other characteristics in the following ordinance for the following reasons and whose disturbance could cause one (1) or more of the following negative impacts:

- a. Erosion affecting the structural integrity of those features.
- b. Stormwater and erosion-related impacts on adjacent properties.
- c. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.
- d. Increased stormwater velocity due to loss of vegetation.
- e. Decreased groundwater recharge due to changes in site hydrology.
- f. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.

These provisions are intended to direct building locations to terrain more suitable to development and to discourage development on critical slopes for the reasons listed above, and to supplement other regulations and policies regarding encroachment of development into stream buffers and floodplains and protection of public water supplies.

(2) *Definition of critical slope.* A critical slope is any slope whose grade is 25% or greater and:

- a. A portion of the slope has a horizontal run of greater than twenty (20) feet and its total area is six thousand (6,000) square feet or greater; and
- b. A portion of the slope is within two hundred (200) feet of any waterway as identified on the most current city topographical maps maintained by the department of neighborhood development services.

Parcels containing critical slopes are shown on the map entitled "Properties Impacted by Critical Slopes" maintained by the department of neighborhood development services. These critical slopes provisions shall apply to all critical slopes as defined herein, notwithstanding any subdivision, lot line adjustment, or other action affecting parcel boundaries made subsequent to the date of enactment of this section.

- (3) *Building site required.* Every newly created lot shall contain at least one (1) building site. For purposes of this section, the term building site refers to a contiguous area of land in slopes of less than 25%, as determined by reference to the most current city topographical maps maintained by the department of neighborhood development services or a source determined by the city engineer to be of superior accuracy, exclusive of such areas as may be located in the flood hazard overlay district or under water.
- (4) *Building site area and dimensions.* Each building site in a residential development shall have adequate area for all dwelling unit(s) outside of all required yard areas for the applicable zoning district and all parking areas. Within all other developments subject to the requirement of a site plan, each building site shall have adequate area for all buildings and structures, parking and loading areas, storage yards and other improvements, and all earth disturbing activity related to the improvements.
- (5) *Location of structures and improvements.* The following shall apply to the location of any building or structure for which a permit is required under the Uniform Statewide Building Code and to any improvement shown on a site plan pursuant to Article VII of this chapter:
  - a. No building, structure or improvement shall be located on any lot or parcel within any area other than a building site.
  - b. No building, structure or improvement, nor any earth disturbing activity to establish such building, structure or improvement shall be located on a critical slope, except as may be permitted by a modification or waiver.
- (6) *Modification or waiver.*
  - a. Any person who is the owner, owner's agent, or contract purchaser (with the owner's written consent) of property may request a modification or waiver of the requirements of these critical slopes provisions. Any such request shall be presented in writing and shall address how the proposed modification or waiver will satisfy the purpose and intent of these provisions.
  - b. The director of neighborhood development services shall post on the city website notice of the date, time and place that a request for a modification or waiver of the requirements of these critical slopes provisions will be reviewed and cause written

notice to be sent to the applicant or his agent and the owner or agent for the owner of each property located within five hundred (500) feet of the property subject to the waiver. Notice sent by first class mail to the last known address of such owner or agent as shown on the current real estate tax assessment books, postmarked not less than five (5) days before the meeting, shall be deemed adequate. A representative of the department of neighborhood development services shall make affidavit that such mailing has been made and file the affidavit with the papers related to the site plan application.

- c. All modification or waiver requests shall be submitted to the department of neighborhood development services, to be reviewed by the planning commission. In considering a requested modification or waiver the planning commission shall consider the recommendation of the director of neighborhood development services or their designee. The director, in formulating his recommendation, shall consult with the city engineer, the city's environmental manager, and other appropriate officials. The director shall provide the planning commission with an evaluation of the proposed modification or waiver that considers the potential for soil erosion, sedimentation and water pollution in accordance with current provisions of the Commonwealth of Virginia Erosion and Sediment Control Handbook and the Virginia State Water Control Board best management practices, and, where applicable, the provisions of Chapter 10 of the City Code. The director may also consider other negative impacts of disturbance as defined in these critical slope provisions.
- d. The planning commission shall make a recommendation to city council in accordance with the criteria set forth in this section, and city council may thereafter grant a modification or waiver upon making a finding that:
  - (i) The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or
  - (ii) Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

No modification or waiver granted shall be detrimental to the public health, safety or welfare, detrimental to the orderly development of the area or adjacent properties, or contrary to sound engineering practices.

- e. In granting a modification or waiver, city council may allow the disturbance of a portion of the slope, but may determine that there are some features or areas that cannot be disturbed. These include, but are not limited to:

- (i) Large stands of trees;
- (ii) Rock outcroppings;
- (iii) Slopes greater than 60%.

City council shall consider the potential negative impacts of the disturbance and regrading of critical slopes, and of resulting new slopes and/or retaining walls. City council may impose conditions as it deems necessary to protect the public health, safety or welfare and to insure that development will be consistent with the purpose and intent of these critical slopes provisions. Conditions shall clearly specify the negative impacts that they will mitigate. Conditions may include, but are not limited to:

- (i) Compliance with the "Low Impact Development Standards" found in the City Standards and Design Manual.
- (ii) A limitation on retaining wall height, length, or use;
- (iii) Replacement of trees removed at up to three-to-one ratio;
- (iv) Habitat redevelopment;
- (v) An increase in storm water detention of up to 10% greater than that required by city development standards;
- (vi) Detailed site engineering plans to achieve increased slope stability, ground water recharge, and/or decrease in stormwater surface flow velocity;
- (vii) Limitation of the period of construction disturbance to a specific number of consecutive days;
- (viii) Requirement that reseeded occur in less days than otherwise required by City Code.

- (7) *Exemptions.* A lot, structure or improvement may be exempt from the requirements of these critical slopes provisions, as follows:

- a. Any structure which was lawfully in existence prior to the effective date of these critical slopes provisions, and which is nonconforming solely on the basis of the requirements of these provisions, may be expanded, enlarged, extended, modified and/or reconstructed as though such structure were a conforming structure. For the purposes of this section, the term "lawfully in existence" shall also apply to any



structure for which a site plan was approved or a building permit was issued prior to the effective date of these provisions, provided such plan or permit has not expired.

- b. Any lot or parcel of record which was lawfully a lot of record on the effective date of this chapter shall be exempt from the requirements of these critical slopes provisions for the establishment of the first single-family dwelling unit on such lot or parcel; however, subparagraph (5)(b) above, shall apply to such lot or parcel if it contains adequate land area in slopes of less than 25% for the location of such structure.
- c. Driveways, public utility lines and appurtenances, stormwater management facilities and any other public facilities necessary to allow the use of the parcel shall not be required to be located within a building site and shall not be subject to the building site area and dimension requirements set forth above within these critical slopes provisions, provided that the applicant demonstrates that no reasonable alternative location or alignment exists. The city engineer shall require that protective and restorative measures be installed and maintained as deemed necessary to insure that the development will be consistent with the purpose and intent of these critical slopes provisions.

(9-15-03(3); 11-21-05; 1-17-06(7); 1-17-12; 7-16-12)

## **Comments from Dan Frisbee, Water Resources Specialist, Public Works**

### **General Comment**

The applicant proposes 0 foot front yard setbacks in order to minimize impacts to critical slopes and to activate the street, but in doing so creates several additional problems. There is a conflict in the proposed plan between providing adequate front yard setbacks to address neighborhood and City staff concerns regarding street trees, adequate sidewalks and curbside buffer, and buildings being too close to the street with the requirement to protect the critical slopes on the property. Pushing the front yard setback further back moves the disturbed area further into the critical slope areas at the southern and eastern extents of the property, exacerbating the impacts.

### **Site Plan**

#### *Sheet C1*

1. Applicant cites compliance with 9VAC25-870-96 – this is not the correct section of code for water quality; the correct section rather is 9VAC25-870-63.
2. Applicant also references that “Applicant will be seeking a variance request for 9VAC25-870-66 B3.” – to my knowledge they may not qualify for a variance for the water quantity requirements set forth in this section. The applicant’s rationale is that adherence to the requirements will entail more land disturbance; this disturbance would likely be in the critical slope areas that are currently unstable and that could actually benefit from some improvements.

#### *Sheet C2*

1. Calls for removal of 36” Maple tree that appears to be on adjacent property to the east (T.M. 57-123.68).

#### *Sheet C4*

1. Cover Sheet includes statement “Refer to Sheet C2 and C4 for critical slopes in project area.”; however, critical slopes are not depicted on this sheet. Sheet C7 depicts the critical slope areas that are proposed to be disturbed.

#### *Sheet C7*

1. Because of the existing topography of the site, extensive grading and fill in existing critical slope areas is proposed. Certain portions of the proposed parking lot area (including existing critical slope areas) will require 10-12 feet of fill to bring project to finished proposed grade. A retaining wall as high as 18 feet would also be required in existing critical slope areas. These are significant impacts in and to the critical slope areas.

### **Critical Slope Waiver Application**

The application notes that the current condition of the critical slopes is unstable. This is true for the southeastern-most portion of the critical slopes, where the existing stormwater outfall has caused erosion, but most of the critical areas otherwise appear stable. Additionally, this area of

currently unstable critical slopes appear to be mostly in the portion of the property that will not be disturbed, thus negating the applicant's rationale that the addition of the retaining wall will reduce existing erosion.

*Requirement #1 – 1e.* – the applicant states that “robust stormwater storage/infiltration will be implemented on site to reduce runoff”. However, the applicant is proposing to meet, at least in part, the stormwater quality requirements by purchasing off-site nutrient credits. This undermines the purpose/intent “to recognize that the development of critical slopes may result in concentrated and/or excessive stormwater runoff”. This would be further exacerbated by the applicant's intent to “seek a variance request for 9VAC25-870-66 B3”, which are the water quantity requirements for discharges to a natural stormwater conveyance system.

*Requirement #2* – the applicant doesn't actually propose any alternatives here, but rather states that “the quantity of residential and commercial space desired by the City” is unlikely to happen without disturbing critical slopes.

*Requirement #3* – the applicant states that the “site is undevelopable without the disturbance of critical slopes”. This may be an overstatement. This particular proposed development is not possible without disturbing critical slopes, but an alternative proposal of a different scope and scale could certainly avoid much of the proposed impacts.

#### *Critical Slopes Waiver Request Supplement*

1. The Supplement states “the nearest significant water body is 2000ft from Moores Creek”. It is unclear what the applicant means to imply by this statement. There is a tributary stream of Moores Creek immediately below the proposed project site that has significance in and of itself, regardless of its proximity to Moores Creek.
2. The Supplement speaks to the negative impacts described in Section 34-1120(b)(1). See below for responses to the applicant's submission.

#### **Section 34-1120(b)(1)**

*Purpose and intent. The provisions of this subsection (hereinafter, "critical slopes provisions") are intended to protect topographical features that have a slope in excess of the grade established and other characteristics in the following ordinance for the following reasons and whose disturbance could cause one (1) or more of the following negative impacts:*

*a. Erosion affecting the structural integrity of those features.*

*b. Stormwater and erosion-related impacts on adjacent properties.*

*c. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.* The applicant states that “with adequate BMPs, O Carlton seeks to minimize effects of development on a lower elevation intermittent stream”. However, the applicant is proposing to satisfy some of the stormwater quality requirements by purchasing nutrient credits off-site. These requirements are meant to ensure that no increase in pollutants occurs

as the result of land use conversion from development (in this case conversion of forest to impervious surface). But if the requirements are met, even in part, by purchasing credits, then by default the pollutant loading from the site in the post-development state will be higher, and there will be resulting stormwater-related impacts to environmentally sensitive areas such as the stream immediately below the proposed project. This would be further exacerbated by the applicant's intent to "seek a variance request for 9VAC25-870-66 B3", which are the water quantity requirements for discharges to a natural stormwater conveyance system.

*d. Increased stormwater velocity due to loss of vegetation.*

*e. Decreased groundwater recharge due to changes in site hydrology.* Conversion of the site from forest to impervious cover will decrease the amount of groundwater recharge accomplished by the site as a whole, despite the fact that the applicant is proposing "an infiltration system". No stormwater BMP is as effective as a forest at recharging groundwater. The applicant's proposal to purchase off-site nutrient credits and desire to obtain a variance from 9VAC25-870-66 B3 exacerbate this situation.

*f. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.* Loss of .23 acres of urban tree canopy, forested area, and wildlife habitat would result from the proposed disturbance of the critical slopes, regardless of whether the applicant feels that the critical slope areas are "sloping", "unmaintained", "out of sight", and "overgrown".

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**APPLICATION FOR A SPECIAL USE PERMIT**

**PLANNING COMMISSION REGULAR MEETING**

**DATE OF MEETING: June 12, 2018**

**APPLICATION NUMBER: SP17-00003**

**Project Planner:** Carrie Rainey

**Date of Staff Report:** June 5, 2018

**Applicant:** Stony Point Design/Build LLC

**Applicant's Representative(s):** Chris Henry, Stony Point Design/Build LLC

**Current Property Owner:** Stony Point Design/Build LLC

**Application Information**

**Property Street Address:** 0 Carlton Road ("Subject Properties")

**Tax Map/Parcel #:** Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2

**Total Square Footage/ Acreage Site:** Approx. 0.623 acres (27,138 square feet)

**Comprehensive Plan (General Land Use Plan):** High Density Residential

**Current Zoning Classification:** M-I Commercial

**Tax Status:** Parcel is up to date on payment of taxes

**Completeness:** The application generally contains all of the information required by Zoning Ordinance (Z.O.) Secs. 34-41(d), and 34-158(a) and (b).

**Background**

Chris Henry of Stony Point Design/Build, LLC requests a Special Use Permit (SUP) to allow for multi-family residential use up to 21 dwelling units per acre (DUA) per Z.O. Sec. 34-480 and a reduction of the minimum required front yard setback from 20-feet to 0-feet per Z.O. Sec. 34-162(a). The subject property has street frontage on Carlton Road and Monticello Road.

The Planning Commission held a joint public hearing with City Council on March 13, 2018 on the SUP request. The staff report presented at the public hearing is included in Attachment E. The

full application package can be viewed at:

<http://www.charlottesville.org/home/showdocument?id=60818>.

Discussions focused on the requested 0-foot setback and potential critical slope impacts. The Planning Commission voted 4-2 to defer the application so that review of the SUP coincide with review of the required critical slope waiver request. The applicant subsequently submitted an application for a critical slope waiver request, which is also before the Planning Commission for consideration.

In addition to submitting a critical slope waiver request, the applicant has submitted a modified site design to address concerns regarding front setbacks and the pedestrian experience. Please see Attachments A-C for the updated preliminary site plan, building elevations, and illustrative graphics. The applicant has also submitted street sections (Attachment D) to further illustrate the pedestrian experience.

### **Site Design Updates**

No changes have been proposed regarding the site program of a three (3) story mixed-use building with bakery/café use on the first floor and multi-family dwelling units on the upper stories and a grouping of condominiums. No modifications to the parking lot design are proposed.

#### *Pedestrian Experience and Front Setback*

The updated preliminary site plan no longer proposes a street tree in the sidewalk zone on Monticello Road, and shows a sidewalk width of more than eight (8) feet. As shown in the street section graphics, a portion of the sidewalk will be located beneath a building overhang and on the subject properties, which will require a public access easement. The proposed sidewalk width is in line with recommendation for *Local Streets* (which follow standards for *Neighborhood B* streets) in the May 2016 Streets that Work Plan (approved September 2016 as an amendment to the Comprehensive Plan).

The updated preliminary site plan now proposes a five (5) foot sidewalk along Carlton Road, where previously a four (4) foot sidewalk was proposed. The proposed landscaped buffer between the sidewalk and the road continues to be three (3) to four (4) feet in width. The proposed sidewalk and buffer widths are in line with the recommendation for *Neighborhood A* streets in the May 2016 Streets that Work Plan (approved September 2016 as an amendment to the Comprehensive Plan).

The updated preliminary site plan now notes a four (4) to five (5) foot front stoop between the condominium units and the sidewalk. This is demonstrated in the street section graphic. The preliminary site plan notes the stoops are a variable height of no more than three (3) feet.

### *Building Height*

The updated preliminary site plan now proposes a maximum height of 41.85 feet for the condominium units, where previously a 43 foot maximum was proposed. The updated preliminary site plan continues to propose 44.41 feet maximum height for the mixed-use building.

### *Bicycle Parking*

The updated preliminary site plan now shows six (6) short-term bicycle parking spaces visible from Monticello Road in addition to six (6) long-term parking located within the stairway of the proposed mixed-use building. The proposed quantities exceed the minimum requirements of Section 34-881. However, the Bicycle and Pedestrian Coordinator has noted that short-term bicycle parking should be visible from the bakery/café entrance in the mixed-use building to be effective.

### **Staff Recommendation**

Staff recommends the Planning Commission consider the information provided in the critical slope waiver request report in conjunction with the updated materials provided for the SUP request. As noted in the staff report for the critical slope waiver request, the majority of the proposed building footprints are located outside of the critical slopes areas. The proposed development, as shown with surface parking, could not be accommodated outside of critical slope areas. However, a development of similar use and residential density could potentially be accommodated outside of critical slope areas with a different site design. Alternative site layouts may reduce impacts to critical slope areas, but may also impact other development factors such as overall building height or housing affordability. The Engineering and Environmental Sustainability Departments noted several concerns for potential erosion, stormwater, and habitat loss impacts. Included in the critical slope waiver report are potential conditions to mediate those concerns that City Council may choose to apply to the critical slope waiver, should it be approved.

Staff finds that the proposed multi-family residential use, for which the SUP is requested, could contribute to many goals of the City's Comprehensive Plan, and is in itself in-line with the General Land Use Plan. In this regard, staff finds the proposal conforms with the general guidelines and policies contained in the City's Comprehensive Plan, per Z.O. Sec. 34-42(a)(1).

Staff finds the modifications made to the proposed pedestrian facilities to be an improvement and in line with the 2016 Streets that Works Plan. Staff also finds the four (4) foot minimum building setback proposed on Carlton Road to be a benefit to pedestrian experience.

### **Recommended Conditions**

Should the Planning Commission find it appropriate to recommend approval of the SUP request as presented, staff proposes the Planning Commission consider the following conditions.

Modifications from the proposed conditions provided at the March 13, 2018 public hearing are shown in **bold**.

1. No improvements shall be commenced prior to approval of a critical slope waiver/modification request, completion of right-of-way acquisition, approval of a final site plan, and approval of a permit authorizing land-disturbing activities pursuant to Z.O. Sec. 10-9.
2. **A modified front yard minimum setback of zero (0) feet on Monticello Road shall be permitted.**
3. **A modified front yard minimum setback of zero (0) feet on Carlton Road shall be permitted.**
4. The design, height, and other characteristics of the development shall remain essentially the same, in all material aspects, as described within the preliminary site plan dated April 18, 2018 (Attachment A), building elevations provided May 23, 2018 (Attachment B), and street sections dated April 16, 2018 (Attachment D). Except as the design details of the development may subsequently be modified to comply with staff comments, or by any other provision(s) of these SUP Conditions, any change of the development that is inconsistent with the application shall require a modification of this SUP. These characteristics include:
  - a. No building or structure on the subject properties shall exceed 44.41 feet in height, as measured by Z.O. Sec. 34-1100(a). No building shall contain more than three (3) stories above grade, as defined by Z.O. Sec. 34-1200.
  - b. **No building as defined by Section 34-1200 fronting on Carlton Road shall be located within four (4) feet of the property line. Front stoops are exempt from this requirement.**
  - c. Dedication of public right-of-way for the establishment of a Charlottesville Area Transit (CAT) bus stop with concrete pad on Monticello Road, as shown, or a modified location and design on Monticello Road approved by the director of CAT or his designee.



- d. The subject properties shall be served by one (1) vehicular access point on Monticello Road, as shown, subject to approval by the City Traffic Engineer.
  - e. Direct pedestrian access to the mixed use building shall be provided at the intersection of Carlton Road and Monticello Road.
  - f. On-site parking shall be located behind the proposed buildings, as shown.
  - g. Landscaped buffering adjacent to existing single-family residences on Carlton Road shall be installed, as shown.
5. The applicant shall provide pedestrian improvements in the vicinity of the subject property, the dimension and final design of which is subject to approval by the City Traffic Engineer. These improvements shall include:
- a. Provide an improved pedestrian path on Carlton Road along the entire frontage of the subject property. This will consist of a sidewalk no less than **five (5) feet** in width, and a curbside buffer of no less than three (3) feet in width.
  - b. Provide an improved pedestrian path on Monticello Road along the entire frontage of the subject property. This will consist of a sidewalk no less than eight (8) feet in width where adjacent to a building. A public access and maintenance easement shall be provided for portions of the Monticello Road sidewalk located on the subject properties.**
  - c. Install high visibility crosswalks at the southern and eastern pedestrian crossings at the Carlton Road and Monticello Road intersection, as shown in the preliminary site plan dated April 18, 2018 (Attachment A).
6. All required parking per Z.O. Sec. 34-984 shall be provided on-site.
7. All outdoor lighting and light fixtures shall be full cut-off luminaires.
8. The spillover light from luminaires onto public roads and onto property adjacent property shall not exceed one-half (½) foot candle. A spillover shall be measured horizontally and vertically at the property line or edge of right-of-way or easement, whichever is closer to the light source.
9. Conform to Z.O. Sec. 34-881(2) and Z.O. Sec. 34-881(3) -*Bicycle Storage Facilities* for multi-family dwellings and non-residential uses. **Locate short-term bicycle parking to be visible from the bakery/café entrance in the mixed-use building at the corner of Carlton Road and Monticello Road.**

**Suggested Motions**

1. I move to recommend approval of this application for a Special Use Permit in the M-I zone at 0 Carlton Road (Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2) to permit multi-family residential development up to 21 dwelling units per acre with the following listed conditions.
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_
  - c. \_\_\_\_\_
  - d. \_\_\_\_\_

**OR,**

2. I move to recommend denial of this application for a Special Use Permit in the M-I zone at 0 Carlton Road (Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2).

**Attachments**

- A. Updated Preliminary Site Plan dated April 18, 2018
- B. Updated Building Elevations provided May 23, 2018
- C. Updated Illustrative Graphics provided May 23, 2018
- D. Street Sections dated April 16, 2018
- E. March 13, 2018 Public Hearing Staff Report

# PRELIMINARY SITE DEVELOPMENT PLAN FOR Ø Carlton TAX MAP 57, PARCELS 123.69, 123.701, 123.71, & TAX MAP 61, PARCEL 2.2 CITY OF CHARLOTTESVILLE, VIRGINIA

LEGEND		
EXIST	NEW	DESCRIPTION
16" TC	x 12" TC	TOP OF CURB ELEVATION
16"	x 12"	SPOT ELEVATION
16" TW	x 12" TW	TOP OF WALL ELEVATION
16" BW	x 12" BW	BOTTOM OF WALL ELEVATION
		BENCHMARK
		STORM SEWER
		ROOF DRAIN
		SEWER LINE
		WATER LINE
		GAS LINE
		OVERHEAD ELECTRIC WIRE
		UNDERGROUND ELECTRIC
		OVERHEAD TELEPHONE LINE
		UNDERGROUND TELEPHONE LINE
		DRAIN INLET (DI)
		STORM/SANITARY MANHOLE
		PLUG
		WATER VALVE & BOX
		FIRE HYDRANT
		WATER METER
		LIGHT POLE
		UTILITY POLE
		PROPERTY LINE
		ADJACENT PROPERTY LINE
		VACATED PROPERTY LINE
		BUILDING SETBACK
		PARKING SETBACK
		SANITARY EASEMENT
		GRADING EASEMENT
		DRAINAGE EASEMENT
		UTILITY EASEMENT
		WATER EASEMENT
		ACCESS EASEMENT
		STORM DRAINAGE EASEMENT
		TREE LINE
		FENCE
		STREAM
		INTERVAL CONTOUR
		INDEX CONTOUR
		STANDARD 6" CURB
		COMBINATION 6" CURB & GUTTER
		CONCRETE PAVEMENT / SIDEWALK
		RIPRAP
		ASPHALT
		GRASS
		EC-2 MATTING
		EC-3 MATTING
		WETLAND
		PARKING COUNT
		CROSSWALK
		HANDICAP ACCESSIBLE AISLE
		CG-12
		HANDICAP PARKING

NOTE:  
1. THE SIZE OF THE SYMBOLS MAY VARY FROM WHAT IS SHOWN.

### VICINITY MAP SCALE: 1"=500'

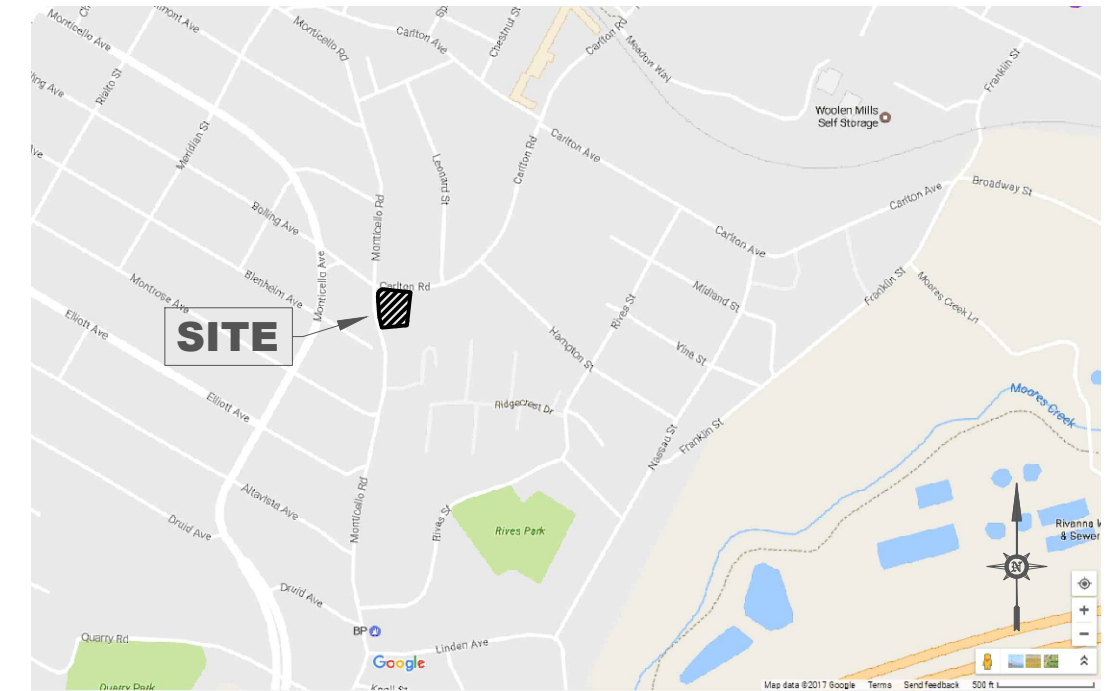


IMAGE PROVIDED BY GOOGLE MAPS

### SHEET INDEX

- SHEET C1 - COVER SHEET
- SHEET C2 - EXISTING CONDITIONS & DEMOLITION PLAN
- SHEET C3 - SITE PLAN
- SHEET C4 - ROW PLAN
- SHEET C5 - UTILITY RELOCATION
- SHEET C6 - SITE UTILITY
- SHEET C7 - GRADING PLAN
- SHEET C8 - LANDSCAPE PLAN
- SHEET C9 - LIGHTING PLAN
- SHEET C10 - DETAILS

### NOTES

- All excavation for underground pipe installation must comply with OSHA Standards for the Construction Industry (29 CFR Part 1926).
- The location of existing utilities across or along the line of the proposed work are not necessarily shown on the plans and where shown based on "MISS UTILITY" markings and are only approximately correct. The contractor shall locate all underground lines and structures as necessary.
- The contractor shall verify the locations of all boundaries, buildings, existing elevations, vegetation and other pertinent site elements. Contractor shall immediately report any discrepancies to the engineer of record.
- The contractor shall be responsible for notifying "MISS UTILITY" - 1-800-552-7001.
- Any damage to existing utilities caused by the contractor or its subcontractors shall be the contractor's sole responsibility to repair. This expense is the contractor's responsibility.
- All paving, drainage related materials and construction methods shall conform to current specifications and standards of the City of Charlottesville unless otherwise noted.
- An erosion and sediment control plan is required with this site plan.
- All slopes and disturbed areas are to be fertilized, seeded and mulched. The maximum allowable slope is 2:1. Where it is reasonably obtainable, lesser slopes of 3:1 or better are to be achieved.
- Paved, rip-rap or stabilization mat lined ditch may be required when in the opinion of the Engineer it is deemed necessary in order to stabilize a drainage channel.
- All traffic control signs shall conform to the 2011 Virginia Supplement to the 2009 Manual on Uniform Control Devices.
- Unless otherwise noted all concrete pipe shall be reinforced concrete pipe - Class III.
- All material inside concrete forms shall be clean and free of all rocks and other loose debris. Sub-base material shall be compacted by mechanical means. Remove all standing water from area inside forms.
- Concrete and asphalt shall not be placed unless the air temperature is at least 40 degrees in the shade and rising. Material shall not be placed on frozen subgrade.
- All existing curbs, curb and gutters and sidewalks to be removed shall be taken out to the nearest joint.
- Existing asphalt pavement shall be saw cut and removed as per VDOT Road and Bridge Specifications 2016. Removal shall be done in such a manner as to not tear, bulge or displace adjacent pavement. Edges shall be clean and vertical. All cuts shall be parallel or perpendicular to the direction of traffic.
- The contractor shall exercise care to provide positive drainage to the storm inlets or other acceptable drainage paths in all locations.
- Contact information for any necessary inspections with City:  
E&S inspector, NDS- 970-3182 (for the E&S inspections)  
Project Inspectors, NDS-970-3182 (for other construction items like sidewalk, pavement patches, road, storm sewer etc)  
Water and Sanitary Sewer-Public Works 970-3800  
Street cut, Public Works 970-3800  
Other public ROW issues-City Engineer 970-3182.
- Any sidewalk and/or curb damage identified in the site vicinity due to project construction activities as determined by City inspector shall be repaired at the contractor's expense.
- A temporary street closure permit is required for closure of sidewalks, parking spaces and roadways and is subject to approval by the City Traffic Engineer.

### CITY PERMITS

- The contractor shall be responsible for obtaining a street cut permit from the City.
- A Temporary Street Closure Permit is required for closure of sidewalks, parking spaces and roadways and is subject to approval by the City Traffic Engineer. The contractor contact information will be provided with the final plans.

### OWNER/DEVELOPER

STONY POINT DESIGN/BUILD, LLC  
200 GARRETT ST STE P  
CHARLOTTESVILLE VA 22902

### ZONING

Zoned M-1

### LEGAL REFERENCE

TM 29 Parcel 200  
INSTR. # 20164139  
DBP 233-281 (PLAT) & DBP 373-571 (PLAT)

### BENCHMARK

MAG NAIL SET AT NORTH WEST CORNER ON SIDEWALK  
Datum: ASSUMED ELEVATION = 500.00

### SOURCE OF BOUNDARY & TOPO

Boundary information from a current field survey on 09/23/16 by:  
Roger W. Ray and Associates, Inc.  
663 Berkmar Court  
Charlottesville, VA 22901

Topographic survey performed on 12/02/2016 by:  
Roger W. Ray and Associates, Inc.  
663 Berkmar Court  
Charlottesville, VA 22901

Missed utility ticket #A721203605 on 9/14/2017 by:  
Roger W. Ray and Associates, Inc.  
663 Berkmar Court  
Charlottesville, VA 22901

### BUILDING HEIGHT

Maximum height of structures permitted is 85'  
Maximum Commercial Building Height = 44.41'  
Maximum Proposed condominium height is 41.85' tall

### SETBACKS

Front: 20' (applicant proposes reduction to 0' by special use permit)  
NOTE: A 4'-5' wide stoop is between the building and sidewalk.  
Side: 1' for every 2' building height. Minimum 10'  
Condominium max height 41'-10" utilizing City definitions of 'grade' and 'height'. Requires 20'-11" setback  
Side setback = 21.2'

### EXISTING USE

Vacant

### PROPOSED USE

3021 SF Bakery  
8 one Bedroom Residential Apartments  
4 two Bedroom Condominiums  
Gross Residential Density:  
12 Units/0.623 Acres = 19 Units Per Acre  
3,020 SF Retail Bakery Space (12.9% GFA)  
20,409 SF Total Residential Space (87.1% GFA)

### LAND USE SCHEDULE

EXISTING	Area	%
Building	0 SF	0%
Pavement	0 SF	0%
Sidewalk	0 SF	0%
Open space	27,340 SF	100%
Total=	27,340 SF (0.623 ac.)	

PROPOSED	Area	%
Building	6,649 SF	24%
Pavement	10,532 SF	39%
Sidewalk	2,438 SF	9%
Open space	7,721 SF	28%
Total=	27,340 SF (0.623 ac.)	

### LAND DISTURBANCE

0.48 acres of total land disturbance is proposed with this plan.

### STORMWATER COMPLIANCE

Development will meet 9VAC25-870-96 by providing 0.61 lbs of offsite nutrient credits.  
Development will meet flood protection requirements by releasing a postdevelopment 10-yr, 24 hr storm that is less than predevelopment. Applicant will be seeking a variance request for 9VAC25-870-66 B3. More land disturbance would be required to meet this criterion.

### BMP TABLE

Infiltration System Maintenance Requirements	
Frequency	Duties
Quarterly	Repair undercut and eroded areas at outflow.
**The owner is responsible for proper maintenance of all BMP measures	
Infiltration System Details	
Impervious Area Treated	0.37 ac
Total Area Treated	0.37 ac
Lb/yr phosphorus removal	0.5
Location	(38.020102, -78.472735)

### SIGNS

All signs and pavement markings shall conform with the latest edition of the MUTCD Guidelines.

### LIGHTING

Street lighting will not be provided. See C9 for site lighting.

### PHASING

Project will be installed in one phase.

### UTILITY MARKINGS

Utilities were marked at time of survey during on going construction operations. We will coordinate with the City Construction Manager on final utility marking once improvements to site are finished by the City.

### MATERIAL IMPROVEMENTS

PROPOSED	Area	Linear Feet	Height
Building	6,946 SF		44.41'
Retaining Wall	2,497 SF	261 LF	18'(max.)
Sidewalk	2,339 SF		
Dumpster Pad	200 SF		
Parking Lot/Travelway	8,092 SF		
Bus Stop	50 SF		
<b>Underground utility</b>			
Power		300 LF	
Water		141 LF	
Sanitary		60 LF	
Tree Canopy(10yr)	3,837 SF		-
Total=	23,961 SF		

### PARKING SCHEDULE

Required Parking:  
Commercial:  
1 space per 250 SF of GFA of Bakery(w/ seating). Approx. half of 3021 SF Bakery will have seating. SF of seating area = 1,500/250 = 6 Spaces Req.  
Apartment:  
1 space per 1 bedroom residential unit. = 8 Units X 1 = 8 Spaces Req.  
Condominium Unit:  
1 spaces per residential unit. = 4 Units X 1 = 4 Spaces Req.  
Handicap Parking: 1 Spaces Per 25 Total Req. = 23/25 = .9 Space  
Total Required: 19 Spaces

Provided Parking: 23 Spaces  
4 spaces under condominiums  
19 spaces in parking lot (6 compact, 11 full size), including  
1 Handicap space & 1 Van Handicap accessible space.

Per section 34-977(b)(2) states up to 30% of the required off-street parking spaces may be approved to be compact spaces.

Bike Parking per Sec. 34-881  
Multifamily dwellings: 1 bicycle space for every 2 dwelling units. 8 apartments = 4 spaces  
Nonresidential uses: 1 bicycle space for every 1,000 SF of public space as well as the number of parking spaces provided. 3,020 SF commercial / 1,000 = 3 spaces

Provided Bike Parking: 12  
6 Interior - under stairwell (See note on C4)  
6 Exterior - beside stairwell (See note on C4)

### ITE TRIP GENERATION

Use Description	ITE	Qty	AM		PM		Total	
			in	out	in	out		
Apartment	220	8 units	2	5	7	12	8	20
Townhomes	230	4 units	1	2	3	3	1	4
Restaurant	931	3233 SF	12	3	15	14	9	23
Total			15	10	25	29	18	47

Use Description	ITE	Qty	Avg. Daily
			Total
Apartment	220	8 units	53
Townhomes	230	4 units	23
Restaurant	931	3233 SF	200
Total			25

ITE Trip Generation does not offer bakery traffic calculation. Restaurant, a similar but higher traffic use, was used in its place.

### AFFORDABLE DWELLING UNITS

Total size of development site: 0.62 acres (27,138 SF)  
Gross Floor Area (GFA) of all buildings/uses: 20,838 SF  
Total site FAR: .77  
Proposed development does not trigger the ADU ordinance.

### FIRE MARSHAL'S NOTES

- SITE PLAN:  
1. VSFCP 505.1-The building street number to be plainly visible from the street for emergency responders.  
2. VSFCP 506.1 - An approved key box shall be mounted to the side of the front or main entrance.  
3. VSFCP 506.1.2 - An elevator key box will be required if the building has an elevator.  
4. VSFCP 507.5.4 - Fire hydrants, fire pump test header, fire department connections or fire suppression system control valves shall remain clear and unobstructed by landscaping, parking or other objects.  
5. VSFCP 503.2.1 - Overhead wiring or other obstructions shall be higher than 13 feet 6 inches.  
6. VSFCP 3312.1 - An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site. Fire hydrants shall be installed and useable prior to the start of any building construction.  
7. All pavement shall be capable of supporting fire apparatus weighing 85,000 lbs.  
8. Required vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.  
9. Buildings four or more stories in height shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than 40 feet in height above the lowest level of fire department access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairs. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

- CONSTRUCTION & DEMOLITION:  
1. VSFCP 310.3: 310.5 - Smoking to be allowed in only designated spaces with proper receptacles.  
2. VSFCP 3304.2 - Waste disposal of combustible debris shall be removed from the building at the end of each workday.  
3. IFC 1410.1-Access to the building during demolition and construction shall be maintained.  
4. VSFCP 3304.6 - Operations involving the use of cutting and welding shall be done in accordance with Chapter 35, of the Virginia Statewide Fire Prevention Code, addressing welding and hotwork operations.  
5. VSFCP 3315.1 -Fire extinguishers shall be provided with not less than one approved portable fire extinguisher at each stairway on all floor levels where combustible materials have accumulated.  
6. VSFCP 3310.1 - Required vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections, if any. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

### FIRE FLOW

Building shall be sprinkled. Require 1,500 GPM

### CRITICAL SLOPES

Refer to sheet C2 and C4 for critical slopes in project area

### FLOOD ZONE

According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51003C0288D), this property does not lie within a Zone A 100-year flood plain.

### WATER & SANITARY SERVICES

All materials used for water and sanitary sewer service lines are to comply with requirements as outlined in both the BOCA Code and the regulations used by the Department of Public Works for the City of Charlottesville.

### WATER & SANITARY DEMANDS

Water Demand:  
Max Hour: Residential (1440 GPH) + Commercial (75.50 GPH) = 1515.50 GPH  
Peak Hour Demand: Residential (2160 GPH) + Commercial (113.25 GPH) = 2273.25 GPH  
Estimated Sewer Demand: 5253 GPD

### ELECTRIC / TELEPHONE / CABLE TV

If feasible, all new service lines for electricity, telephone and cable TV are to be installed underground. Care is to be taken to assure their location does not conflict with any other aspects of the proposed site plan.

### APPROVALS:

DIRECTOR OF NEIGHBORHOOD DEVELOPMENT SERVICES DATE

SHIMP ENGINEERING, P.C.  
ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
201 E. MAIN ST., SUITE 100  
CHARLOTTESVILLE, VA 22902  
PHONE: (434) 227-5140  
JUSTIN@SHIMP-ENGINEERING.COM



COVER SHEET	
Rev. #	Description
1	Revised building footprint & best count
2	Preliminary site plan
3	Preliminary site plan
4	Preliminary site plan

PRELIMINARY SITE DEVELOPMENT PLAN FOR  
Ø Carlton  
CITY OF CHARLOTTESVILLE, VIRGINIA

Date	07/27/2017
Scale	N/A
Sheet No.	C1 OF 10
File No.	15.001

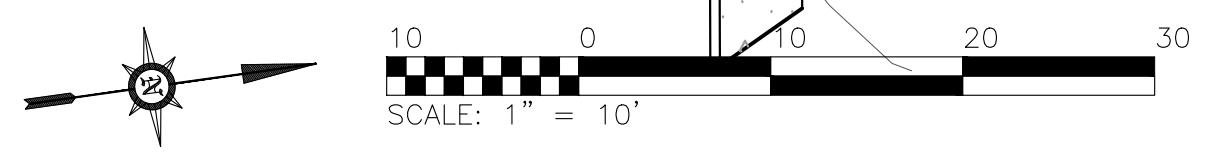


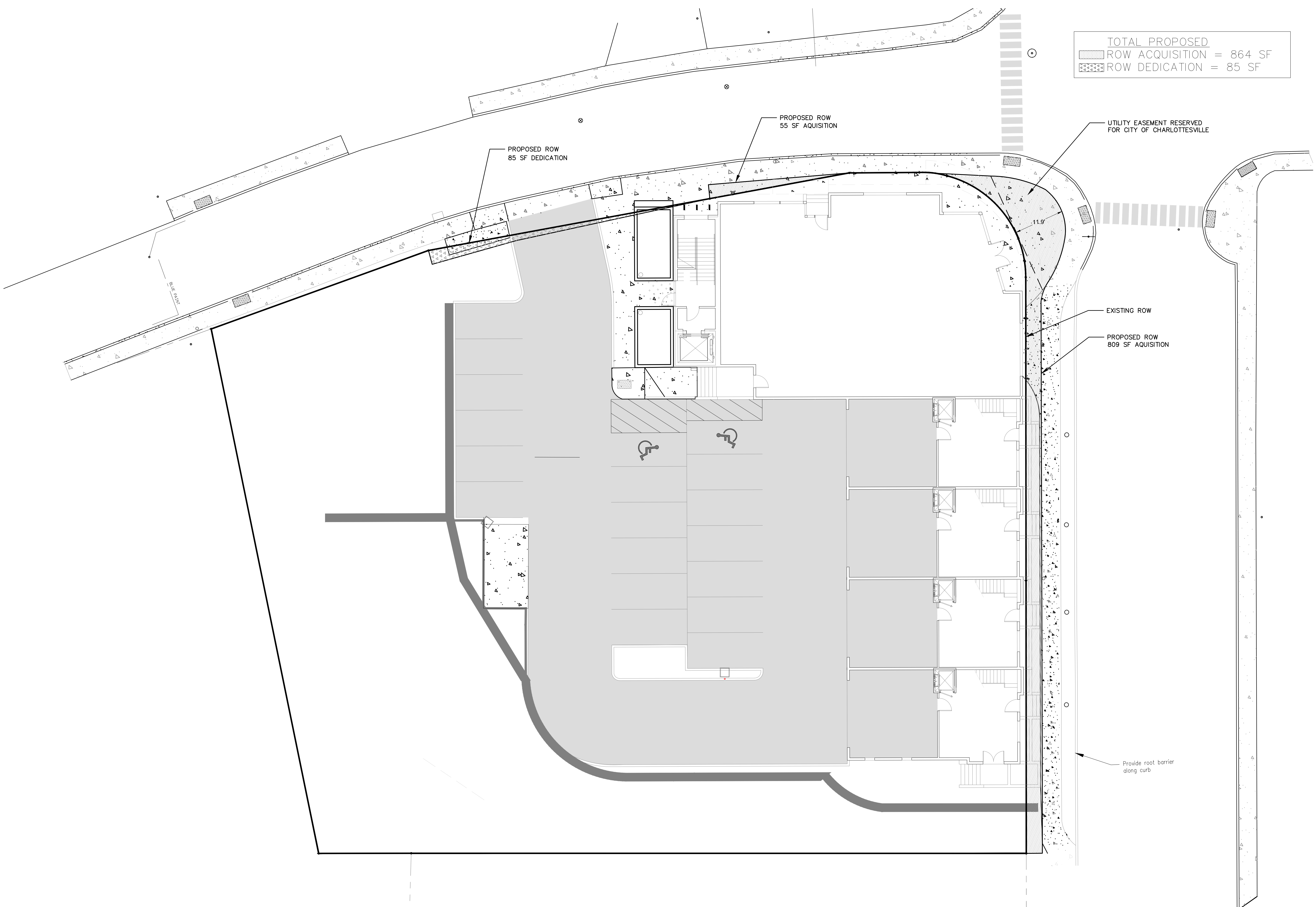
**EXISTING CONDITIONS AND DEMOLITION**

Rev. #	Date	Description
1.	11/22/17	Revised building footprint & bed count
2.	07/15/18	Final use permit application
3.	04/15/18	Special use permit application
4.	04/15/18	Preliminary Site Plan Comments

**PRELIMINARY SITE DEVELOPMENT PLAN FOR**  
**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date	07/27/2017
Scale	1" = 10'
Sheet No.	C2 OF 5
File No.	15.001





TOTAL PROPOSED	
▨	ROW ACQUISITION = 864 SF
▩	ROW DEDICATION = 85 SF

**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E. MAIN ST., SUITE M  
 CHARLOTTESVILLE, VA 22902  
 PHONE: (434) 227-5140  
 JUSTIN@SHIMP-ENGINEERING.COM

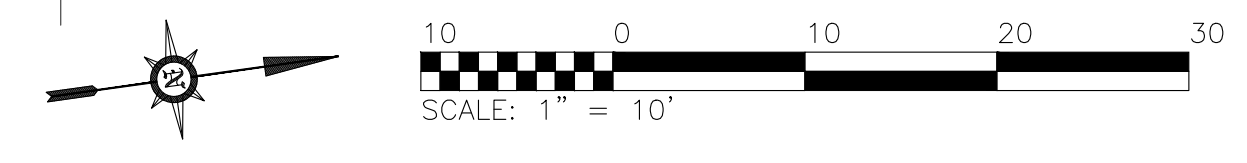


**ROW PLAN**

Rev #	Date	Description
1	07/27/17	Revised building footprint & bed count
2	11/22/17	Final use permit application
3	01/15/18	Special use permit application
4	04/18/18	Preliminary Site Plan Comments

PRELIMINARY SITE DEVELOPMENT PLAN FOR  
**Ø Carlton**  
 CITY OF CHARLOTTESVILLE, VIRGINIA

Date: 07/27/2017  
 Scale: 1" = 10'  
 Sheet No. C3 OF 10  
 File No. 15.001



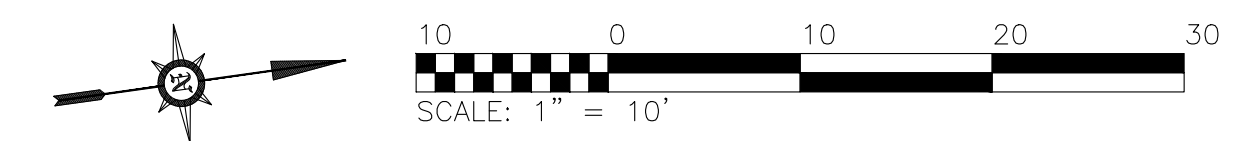


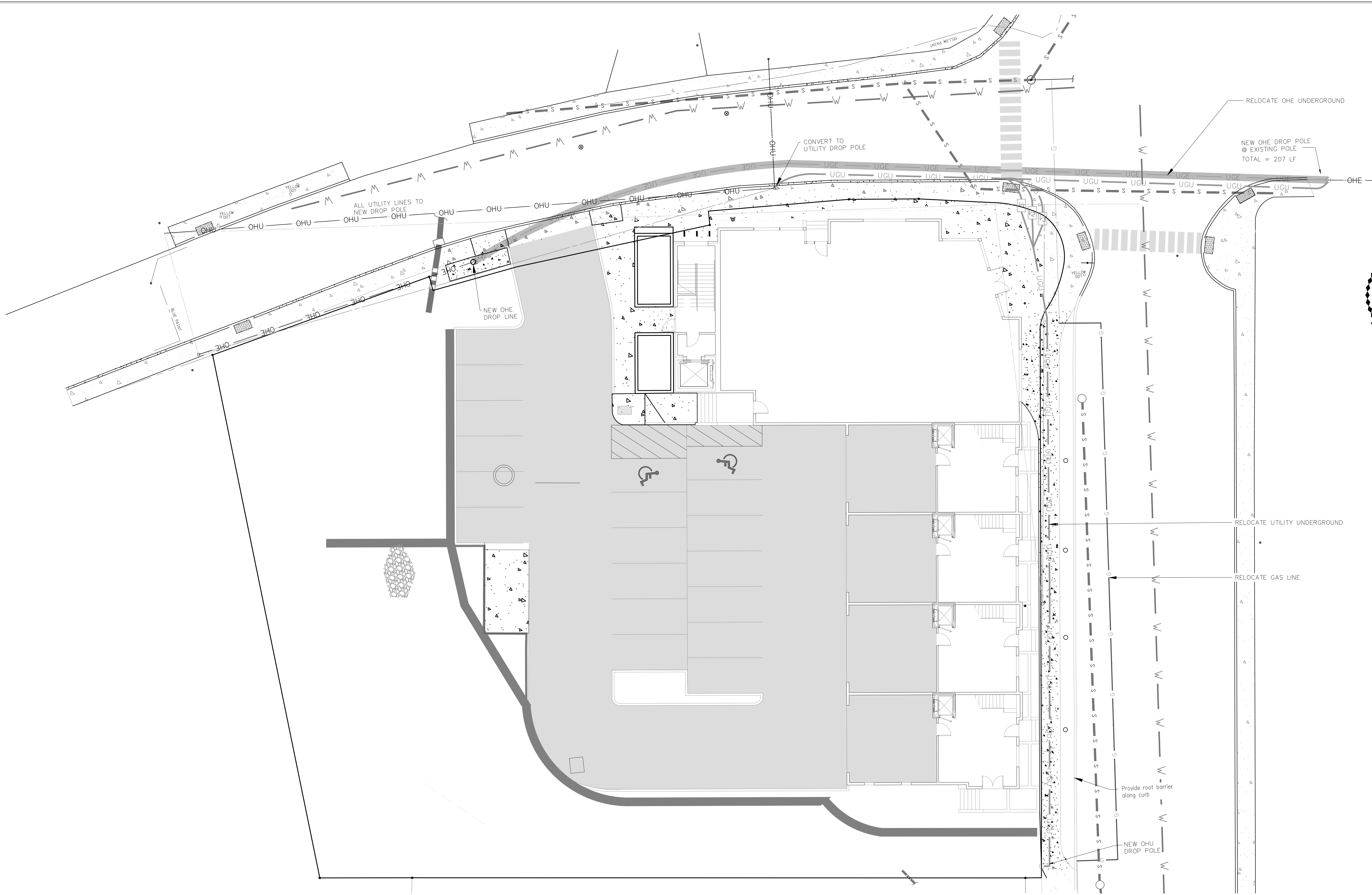
**SITE PLAN**

Rev. #	Date	Description
1	07/27/17	Revised building footprint & tree count
2	11/22/17	Preliminary site plan
3	01/15/18	Special use permit application
4	04/18/18	Preliminary Site Plan Comments

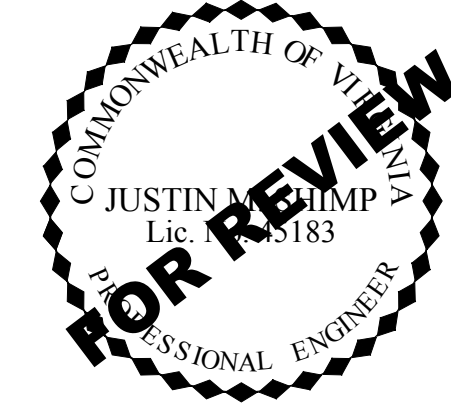
PRELIMINARY SITE DEVELOPMENT PLAN FOR  
**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date	07/27/2017
Scale	1" = 10'
Sheet No.	C4 OF 10
File No.	15.001



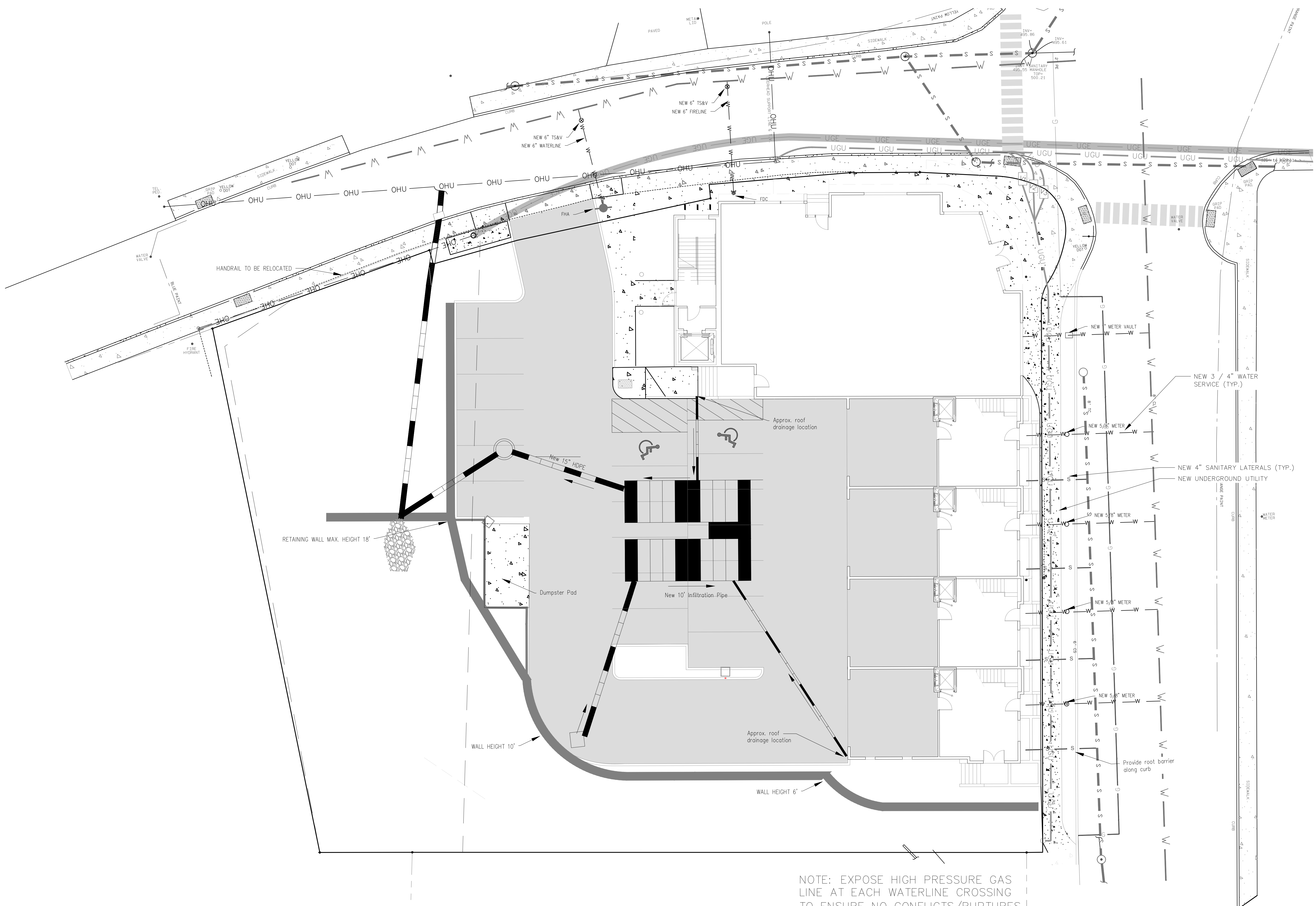


NOTE: 1) Contractor will be responsible for the notification to the public about the water outages due to installation of 6"x6" Tees.  
 2) Contractor to contact Public Utilities when work crosses the gas line.



**UTILITY RELOCATION**

Rev. #	Date	Description
1	07/27/17	Revised building footprint
2	11/22/17	Professional Engineer response
3	01/15/18	Special use permit application
4	04/18/18	Preliminary Site Plan Comments



NOTE: EXPOSE HIGH PRESSURE GAS LINE AT EACH WATERLINE CROSSING TO ENSURE NO CONFLICTS/RUPTURES



**SITE UTILITY PLAN**

Rev. #	Date	Description
1	7/27/17	Revised building footprint & bed count
2	11/22/17	Professional Engineer seal
3	01/15/18	Special use permit application
4	04/15/18	Preliminary Site Plan Comments

PRELIMINARY SITE DEVELOPMENT PLAN FOR  
**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date	07/27/2017
Scale	1" = 10'
Sheet No.	C6 OF 10
File No.	15.001





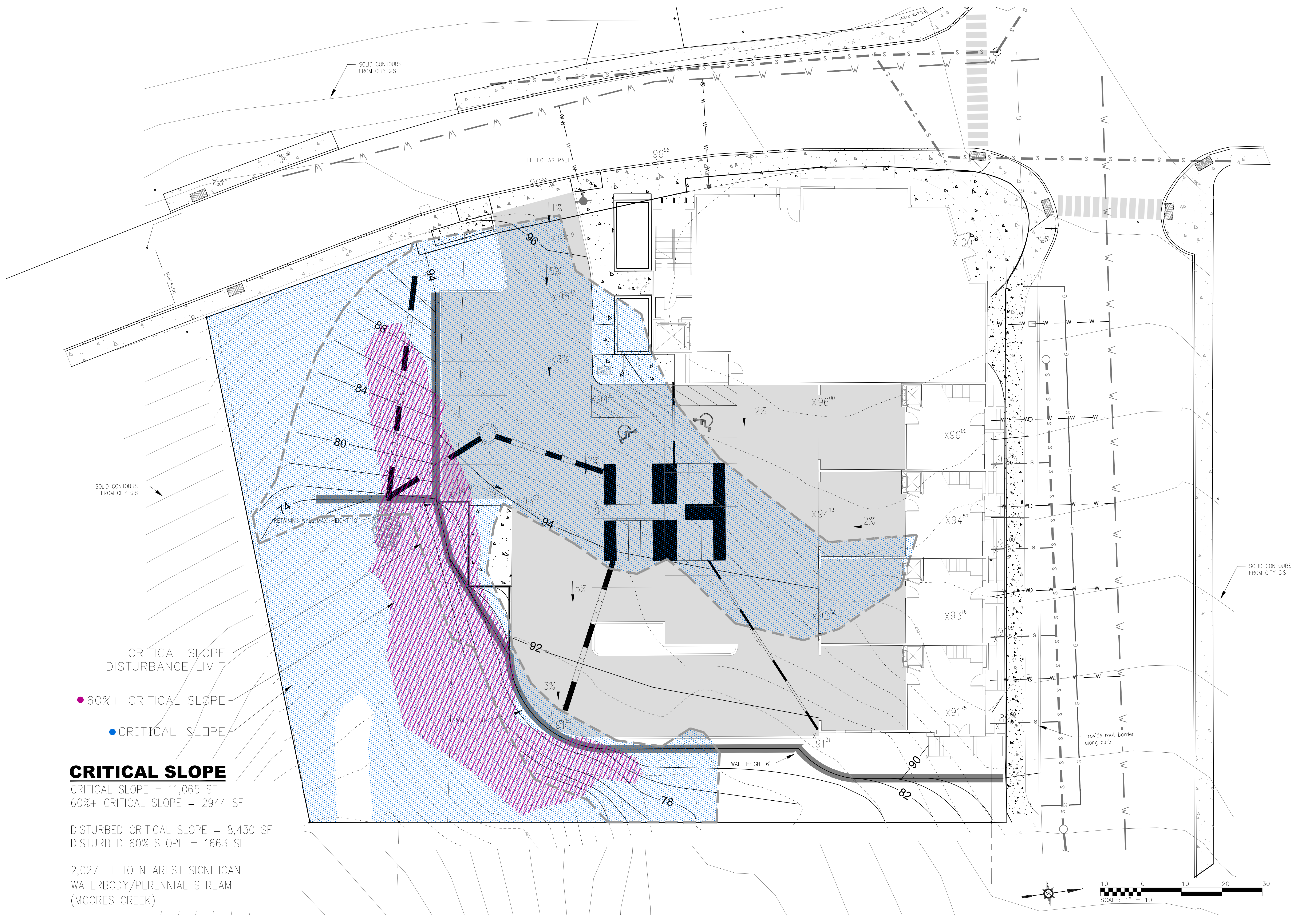
**GRADING PLAN**

Rev. #	Date	Description
1	07/27/17	Revised building footprint & road count
2	11/22/17	Preliminary site plan application
3	01/15/18	Special use permit application
4	04/18/18	Preliminary Site Plan Comments

PRELIMINARY SITE DEVELOPMENT PLAN FOR

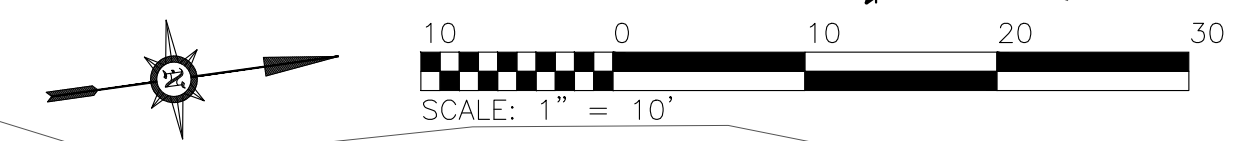
**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date	07/27/2017
Scale	1" = 10'
Sheet No.	C7 OF 10
File No.	15.001



**CRITICAL SLOPE**  
 CRITICAL SLOPE = 11,065 SF  
 60%+ CRITICAL SLOPE = 2944 SF  
 DISTURBED CRITICAL SLOPE = 8,430 SF  
 DISTURBED 60% SLOPE = 1663 SF

2,027 FT TO NEAREST SIGNIFICANT  
 WATERBODY/PERENNIAL STREAM  
 (MOORES CREEK)



**LANDSCAPING NOTES:**

STREETSCAPE REQUIREMENT (SEC 34-870):  
 NO STREET TREES REQUIRED(AFTER SUP APPROVAL) IN AREAS SUBJECT TO A ZERO BUILDING SETBACK REQUIREMENT OR WHERE THE MAXIMUM BUILDING SETBACK REQUIREMENT IS LESS THAN 10'

330 LINEAR FEET / 50 = 7 TREES  
 STREET TREES PROVIDED = 8 TREES . 2 LARGE SHADE TREES, 3 MEDIUM SHADE TREES, AND 3 ORNAMENTAL TREES

CANOPY REQUIREMENT:  
 10% OF TOTAL SITE AREA  
 0.10 \* (0.628 AC) = 2,734 SF REQUIRED  
 4,573 SF CANOPY PROVIDED  
 2,760 SF EXISTING TREES TO BE PRESERVED  
 TOTAL PROVIDED: 7,333 SF

PRESERVED TREES: SEE GRADING PLAN (C4)  
 EXISTING TREES ARE TO BE PRESERVED ON SOUTHERN END OF SITE. TREES THAT ARE REMOVED WILL BE REPLACED WITH TREES OF SIMILAR SPECIES(MAPLE) TO KEEP CHARACTER OF TREE STAND.

**LANDSCAPE SCHEDULE**

Plant Symbol	Planting Type	Botanical Name	Common Name	Min. Cal./Height	Quantity	Canopy	Total Canopy SF
	Large Shade Tree	Acer x freemanii	Autumn Blaze Maple	2.5" Cal.	6	397	2382
	Large Shade Tree	Liriodendron tulipifera	Tulip Poplar	2" Cal.	2	387	774
	Large Shade Tree	Acer saccharum & cvs.	Sugar Maple	2.5" Cal.	1	195	195
	Medium Shade Tree	Cladrastis kentukea	Yellowwood	2.5" Cal.	5	0	0
	Ornamental Tree	Cercis reniformis 'Oklahoma'	Oklahoma Redbud	6-7' Ht.	7	124	868
	Ornamental Conifer	Pinus Strobus	Eastern White Pine	4'-5' Ht.	3	118	354
	Small Flowering Tree	Cornus florida 'Cloud 9', 'Cherokee Princess'	Flowering Dogwood	4'-5' Ht.	3	0	0
	Evergreen Screening Shrub	Rhododendron 'PJM Elite'	Rhododendron	30-36"	22	0	0
	Evergreen Screening Shrub	Ilex glabra 'Densa'	Densa Inkberry Holly	30-36"	26	0	0
TOTAL CANOPY							4573

**NOTES:**

- Contractor to apply mulch bedding around all proposed trees and shrubs. All other landscaped areas shall be sodded.
- All site plantings of trees and shrubs shall be allowed to reach, and be maintained at, mature height; the topping of trees is prohibited. Shrubs and trees shall be pruned minimally and only to support the overall health of the plant.
- Canopy from 10 YR growth.

SET TRUNK PLUMB. SEE PLANS FOR EXACT LAYOUT AND SPACING.

TREE TIES, SEE SPECS.

1-1/2" SQ. OAK STAKES SET 180 DEGREES APART

FINISHED GRADE

APPLY 2" OF MULCH AFTER PLANTING AND WATER THOROUGHLY

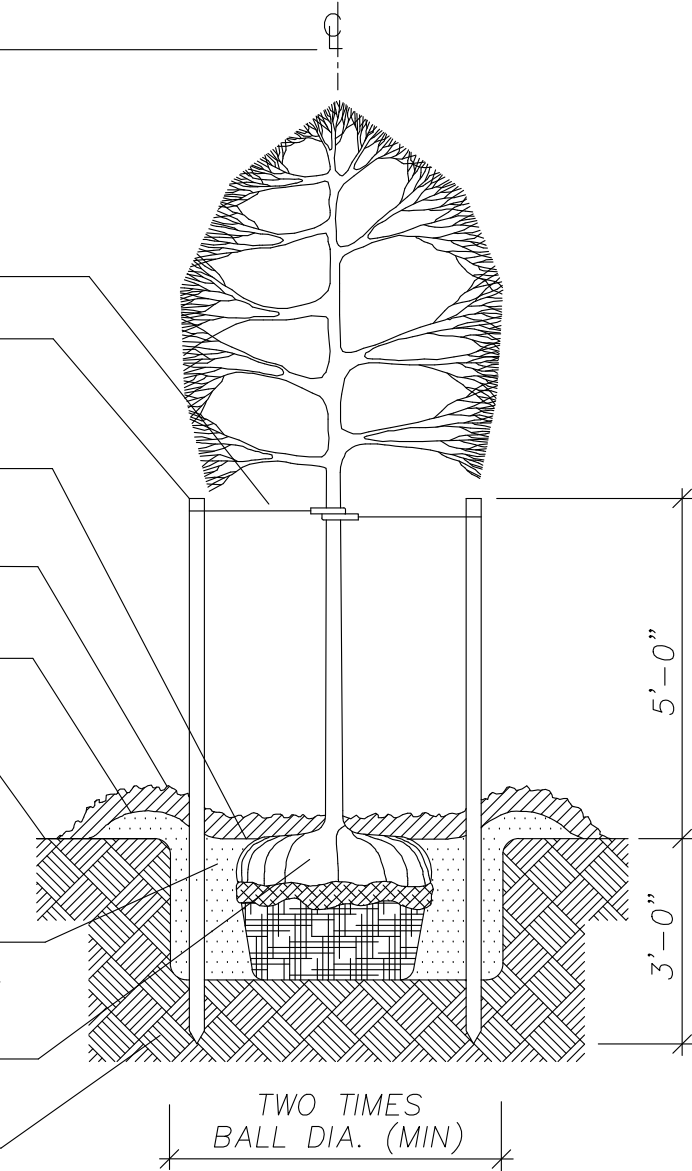
4" COMPACTED EARTH WATERING BERM

EXISTING GRADE

PLANTING PIT. SEE SPECS FOR EXACT REQUIREMENTS, PLANTING SOIL, AND PLANTING SOIL AMENDMENTS.

REMOVE BURLAP & STRING FROM TOP 1/3 OF ROOT BALL

UNDISTURBED SOIL



1 TREE PLANTING DETAIL

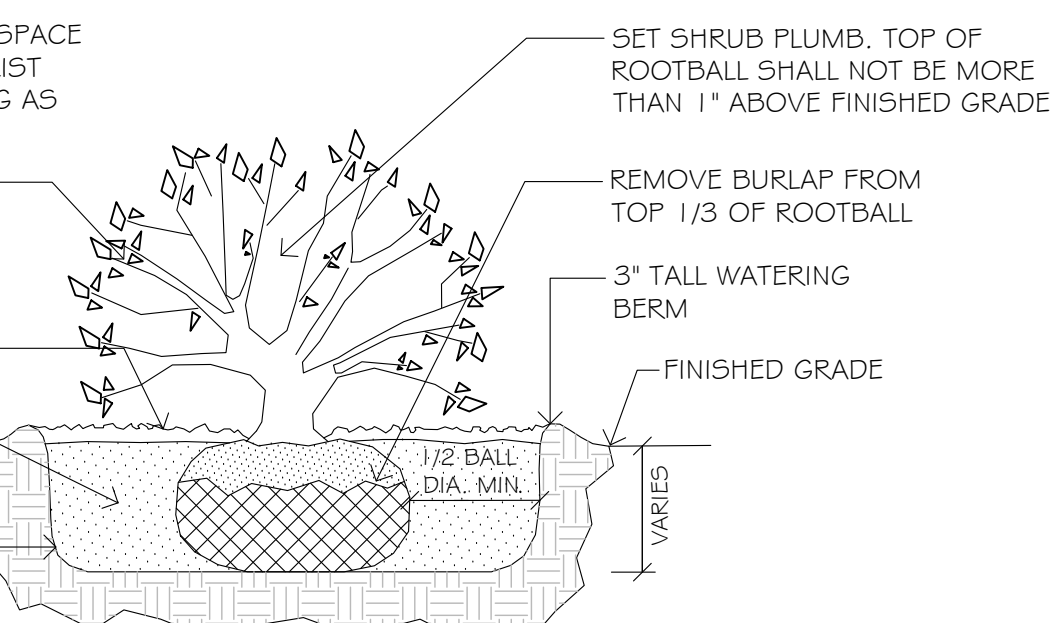
C6 Not To Scale

SEE PLANS FOR EXACT LAYOUT. SPACE PLANTS AS SPECIFIED IN PLANT LIST OR AS SHOWN. ADJUST SPACING AS NECESSARY OR AS DIRECTED BY LANDSCAPE ARCHITECT.

MULCH 2" DEEP IMMEDIATELY AFTER PLANTING AND WATER THOROUGHLY.

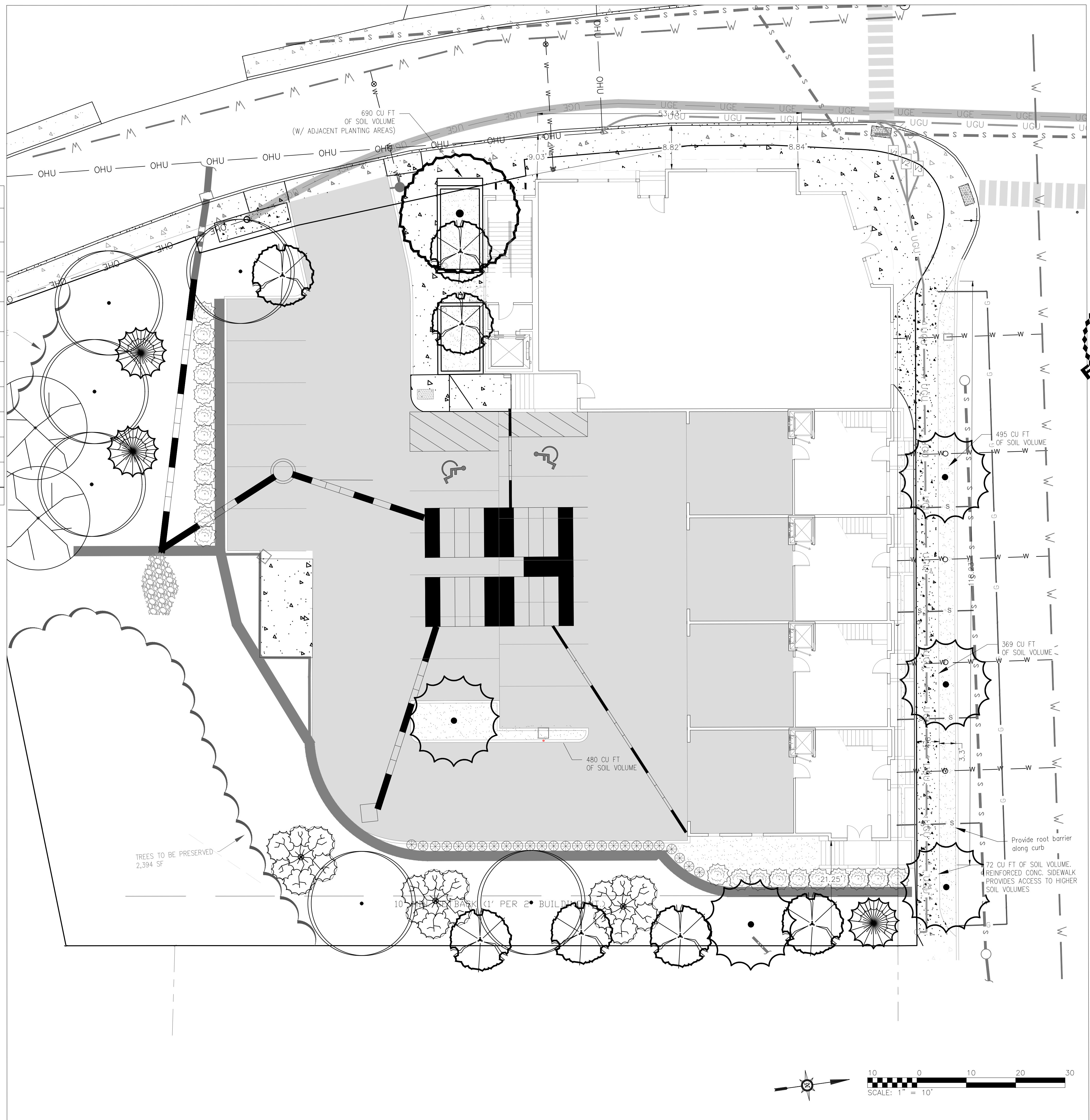
PLANTING PIT. PREPARED SOIL FOR SHRUBS

SOIL SURFACE ROUGHENED TO BIND NEW SOIL



2 SHRUB PLANTING DETAIL

C6 Not To Scale



**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E. MAIN ST., SUITE M  
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 PHONE: (434) 227-5140  
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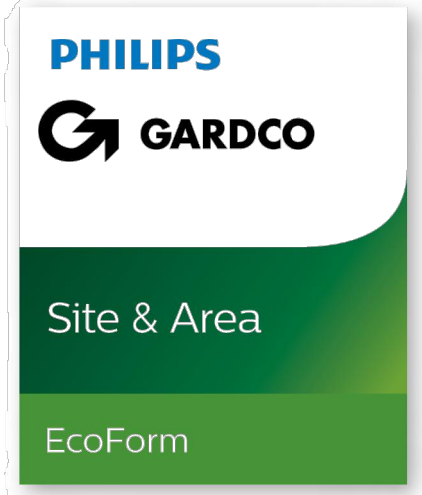


**LANDSCAPE PLAN**

Rev #	Date	Description
1	07/27/17	Revised building footprint & tree count
2	11/22/17	Revised building footprint & tree count
3	07/15/18	Special use permit application
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PRELIMINARY SITE DEVELOPMENT PLAN FOR  
**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 07/27/2017  
 Scale: 1" = 10'  
 Sheet No. C8 OF 10  
 File No. 15.001



Project: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Cat. No.: \_\_\_\_\_  
 Type: \_\_\_\_\_  
 Qty: \_\_\_\_\_  
 Notes: \_\_\_\_\_

Philips Gardco EcoForm LED luminaire combines economy with performance. Capable of delivering up to 20,000 lumens or more in a compact, low profile housing, EcoForm offers a new level of customer value. EcoForm features an innovative retrofit arm kit, simplifying site conversions to LED by eliminating the need to drill additional holes in most existing poles. Integral control systems, including motion response and wireless controls are available for further energy savings during off peak hours.

**Ordering guide**

example: ECF-APD-MRO-1-4-75LA-NW-120-NP-LF

Prefix	Controls	Mounting	Optical System	Wattage	Color Temp.	Voltage	Finish	Options
ECF	---	---	---	---	---	---	---	---
ECF	---	---	---	---	---	---	---	---

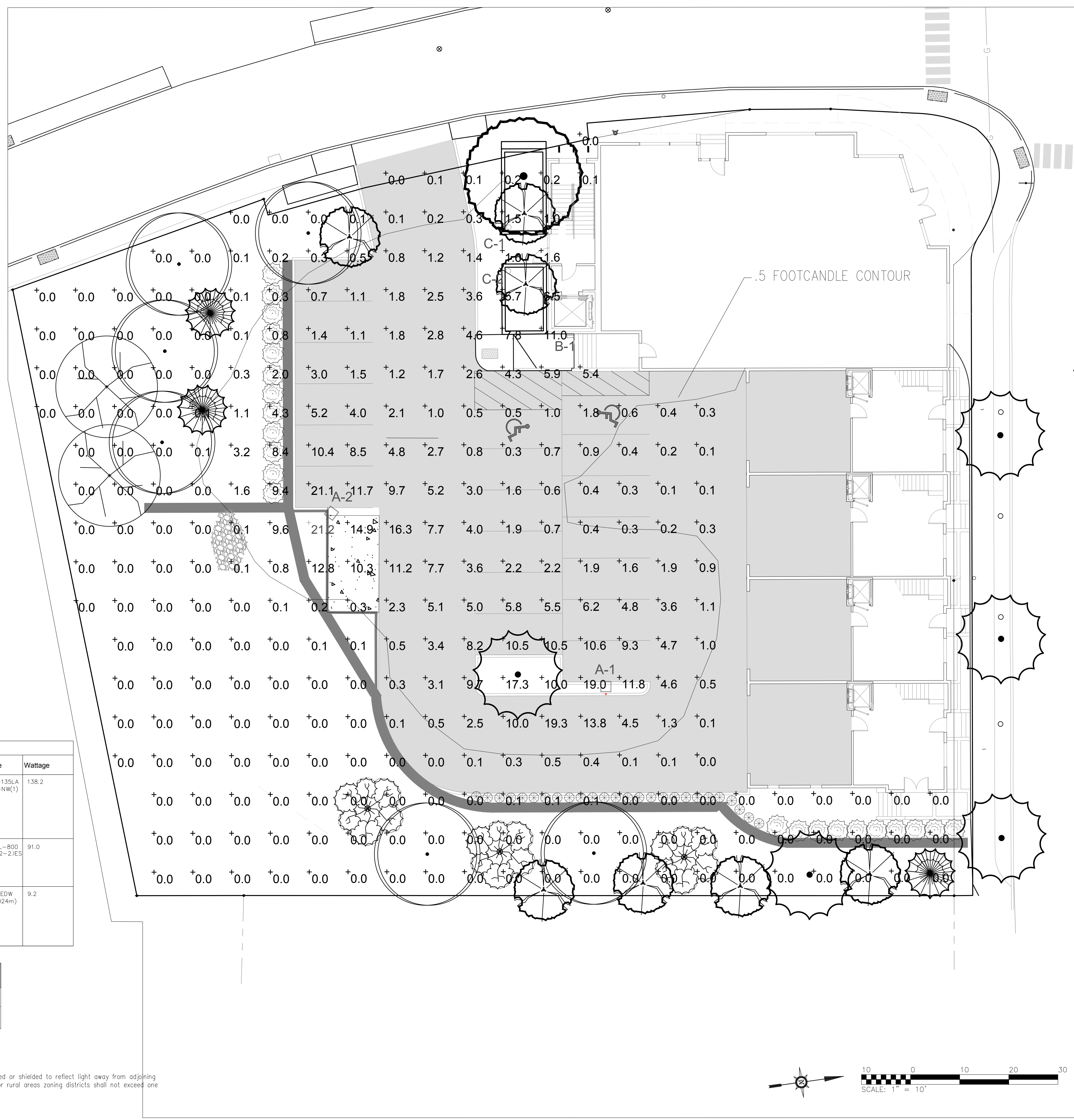
1. Available in 120V-277V Voltages only (UNV, 120, 208, 240 & 277).  
 2. MRO and APD-MRO luminaires require one motion sensor per pole, ordered separately. See page 2 for accessories. Available in 120V or 277V only.  
 3. ECF-MRI requires outdoor-rated sensor when used with Terminal Block (TB) Option.  
 4. LLC2, LLC3, LLC4 Wireless Controls are not configurable with HSP/PC/PC2/PC2P caps. See page 6-7 for more info.  
 5. Contact factory for lead times on warm white.  
 6. Not configurable with Type 5 (S) Optics.  
 7. Not configurable with 20-277V (UNV) Voltage. Voltage must be specified.  
 8. Not configurable with 480V (480) Voltage.  
 9. Works with 3-pin or 5-pin NEMA (photocell) dimming device.  
 10. If ordered with DIM, APD, MRO, MRO, APD-MRO, APD-MRO, dimming will not be connected to NEMA receptacle.  
 11. Works with 3-pin or 5-pin NEMA (photocell) dimming device and auxiliary connections are not connected (for future use only).  
 12. Not configurable with 38100 (38100) Mounting.  
 13. No adaptor required for 4" round poles. RPA's provided with Black Paint standard.

EcoForm\_ECF\_LED\_03/16 page 1 of 8

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Wattage
	A	2	PHILIPS GARDCO	ECF-3-135LA-6470-NW	ECOFORM	LED	1	ECF-3-135LA-6470-NW(1) JES	138.2
	B	1	PHILIPS GARDCO	161-92L-800-NW-G2-2	161 LED Sconce, 46 LEDs, T2 OPTICS, 4000K	LED	1	161-92L-800-NW-G2-2.JES	91.0
	C	2	LUMEC	OVB-6LEDW	OVB	LED	1	OVB-6LEDW (S1002024m) JES	9.2

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Site Area	+	1.9 fc	21.2 fc	0.0 fc	N/A	N/A

- NOTE:
- All pole mount fixtures shall be mounted at a total height of 20' from the finished grade which includes the pole base.
  - All wall mounted fixtures shall be mounted at a height of 12'.
  - The canopy light for the ordering board shall be mounted at a height of 10'.
  - Each outdoor luminaire equipped with a lamp that emits 3,000 or more initial lumens shall be a full cutoff luminaire and shall be arranged or shielded to reflect light away from adjoining residential districts and away from adjacent roads. The spillover of lighting from luminaires onto public roads and property in residential or rural areas zoning districts shall not exceed one half footcandle.
  - See additional fixture specifications on Details Sheet C7.



**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E. MAIN ST., SUITE M  
 CHARLOTTEVILLE, VA 22902  
 PHONE: (434) 227-5140  
 JUSTIN@SHIMP-ENGINEERING.COM

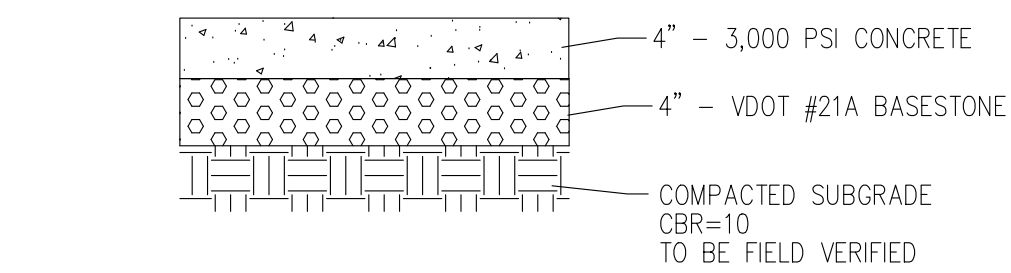


**LIGHTING PLAN**

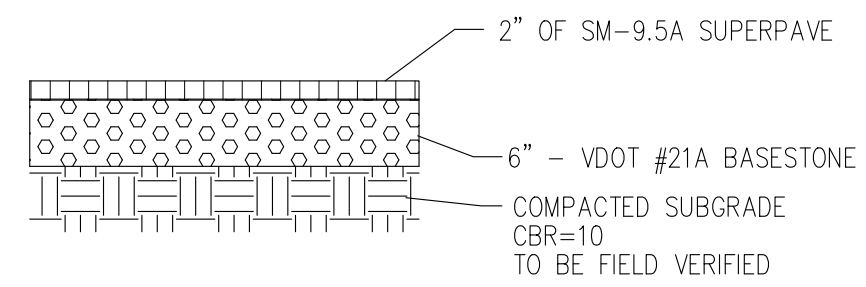
Rev #	Date	Description
1	7/27/17	Revised building footprint & head count
2	11/27/17	Proposed sensor location & response
3	01/15/18	Special use permit application
4	04/18/18	Preliminary Site Plan Comments

PRELIMINARY SITE DEVELOPMENT PLAN FOR  
**Carlton**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

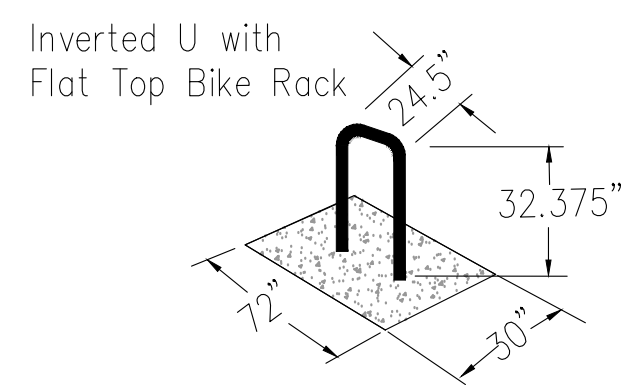
Date	07/27/2017
Scale	1" = 10'
Sheet No.	C9 OF 10
File No.	15.001



1 TYPICAL SIDEWALK SECTION  
C7 Not To Scale



2 Parking Area Pavement Section  
C7 Not To Scale



4 INVERTED U BIKE RACK DETAIL  
C7 Not To Scale



**PENALTY**  
\$100 - \$500 FINE  
TOW-AWAY ZONE

To be mounted below accessibility parking sign

**Wall sconce**  
LED wall sconce 161

Philips Gardco LED wall sconce 161 offers distinction through its styling, powerful optical design, array of distributions, and impressive selection of control possibilities. Designed to compliment the I21, this luminaire is the large and extended version of the I21, providing performance capability up to that of a 400W metal halide luminaire, while using considerably less energy.

Project: \_\_\_\_\_  
Location: \_\_\_\_\_  
Cat No: \_\_\_\_\_  
Type: \_\_\_\_\_  
Quantity: \_\_\_\_\_  
Notes: \_\_\_\_\_

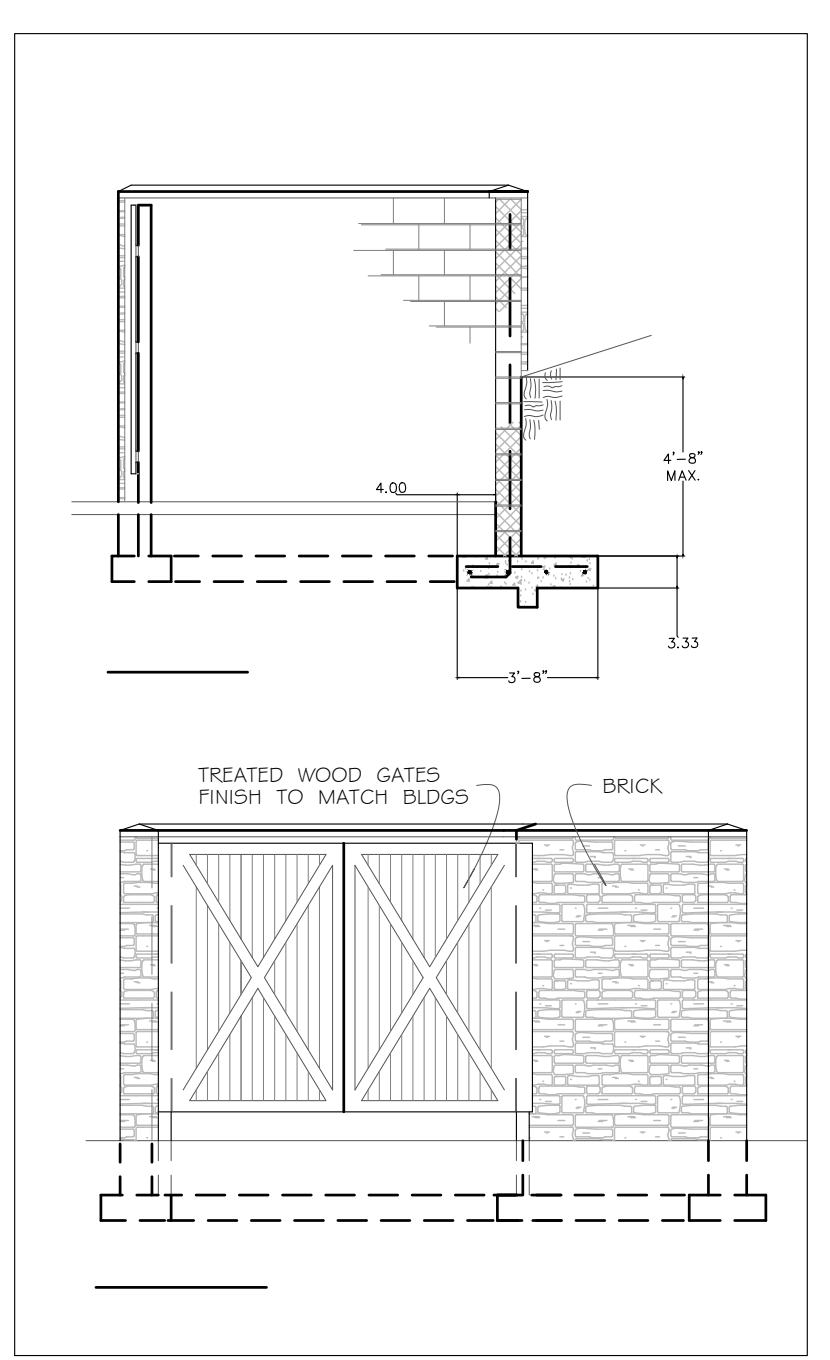
Luminaire	Number of LEDs	Drive Current	LED Color Generation	Distributions	Voltage	Dimming Control <sup>1</sup>	Electrical	Options	Finish
161	46L <sup>2</sup> 46 LEDs (7 modules)	600 600mA 900 900mA	NW-G2 Neutral White 4000K, 70 CRI Generation 2 CW-G2 Cool White 5700K, 70 CRI Generation 2	2 IES Type 2 3 IES Type 3 4 IES Type 4	120 120V 208 208V 240 240V 277 277V 347 347V 480 480V UNV 120-277V AC HVV 347-480V AC	DD 0-10V Dimming Driver <sup>2</sup> DCC Dual Circuit Control <sup>3</sup> DynaDimmer: Automatic Profile Dimming CS50 Safety 50% Dimming, 7 hours <sup>1,4</sup> 480 Safety 50% Dimming, 8 hours <sup>1,4</sup> UNV 100-277V AC 347-480V AC	Fusing F1 Single (20, 27, 347VAC) <sup>3</sup> F2 Double (208, 240, 480VAC) <sup>3</sup> F3 Canadian Double Pull (208, 240, 480VAC) <sup>3</sup>	WS Surface mount consult local junction box	Textured BK Black WH White BZ Bronze DGY Dark Gray MGY Medium Gray Customer specified RAL Specify optional color or file, (see GC-LSP or GC-PA-2000) CC Custom color (Must supply color chip for required factory quote)

1. Not available with Dimming Driver (DD) option. 4. Not available with 480V.  
2. Not available with Dual Circuit Control (DCC) option. 5. Must specify specific input voltage.  
3. Available in 120-277V or UNV only.

**Accessories (order separately)**  
FSIR-100 MB hand held programmer (For use with 1MR2 motion response when field programming is required). If desired, only one is needed per job.

g\_161\_cut\_1/1/16 page 1 of 3

5 FIXTURE B SPECIFICATION  
C7 NOT TO SCALE



3 DUMPSTER  
C7 NOT TO SCALE

## BOLLARD/OVB

OVAL SERIES

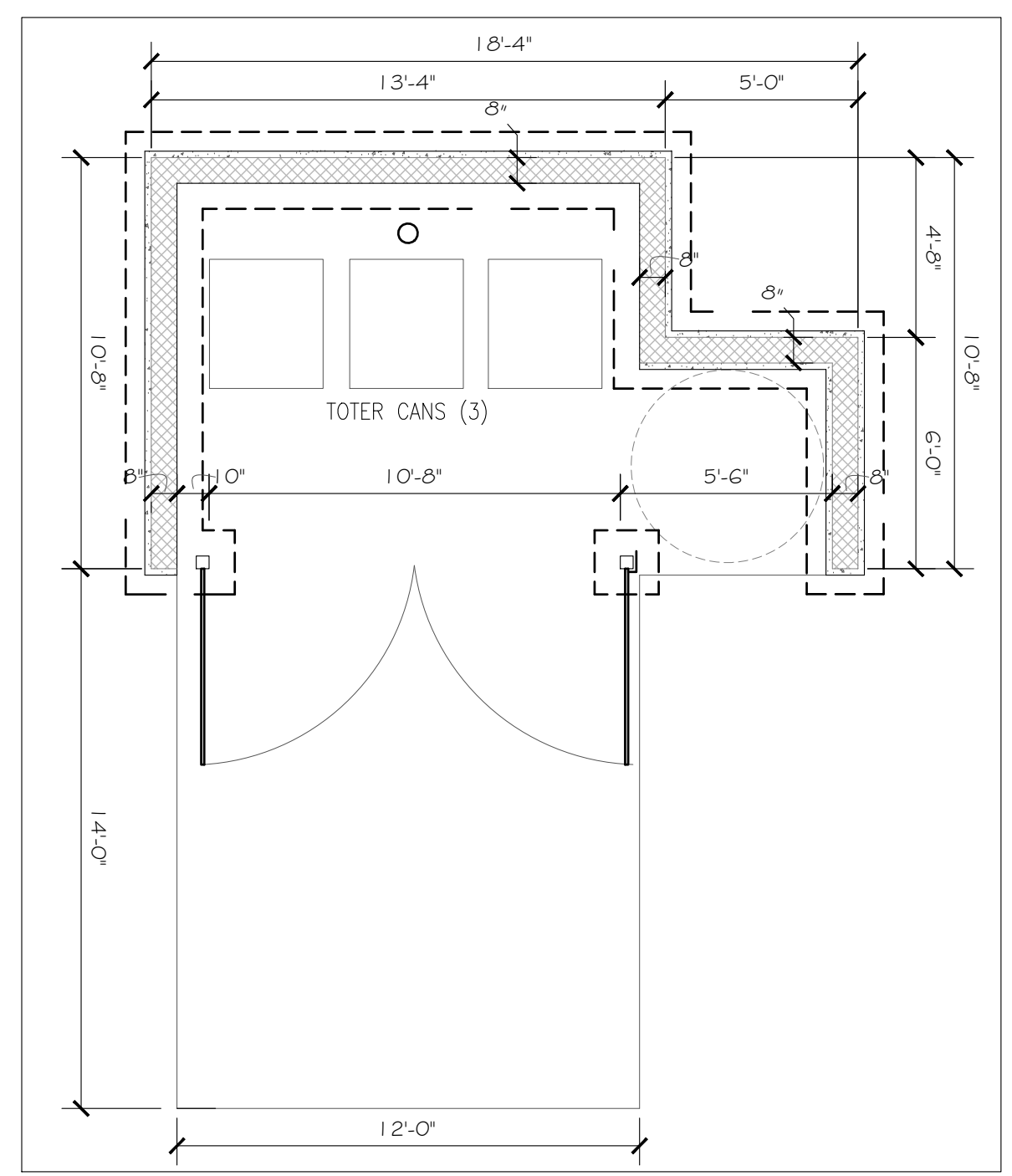
### LUMINAIRES

Conform to the UL 1598 and CSA C22.2 No. 250.0-08 standards

**Specifications:**  
Hood: Die cast (356) aluminum cover.  
Body: Made from a 5" (127 mm) wide by 3 1/2" (89 mm) deep, elliptical, extruded (6061-T6) aluminum tubing, having a 0.250" (6.4 mm) wall thickness, mechanically assembled to the anchor plate at the bottom of the bollard with 4 steel anchor bolts.  
Two mounting possible:  
Surface mounting: A base cover hides the anchor plate and the bolts.  
Underground mounting: The anchor plate and the bolts are located 4 1/2" (114 mm) below apparent ground level.  
Lens: Clear acrylic, elliptical lens, satin finish and internal flute.  
6LEDA/6LEDB/6LEDG/6LEDR/6LEDW Lamp: 6-watt light-emitting diodes (LEDs).  
Driver: High power factor of 90%. Electronic driver, operating range 50-60 kHz. Lamp starting capacity of -40°F (-40°C). Assembled on a tray with quick disconnect plug.  
Access Mechanism: Four screws integrated to the base of the body offer access to the inside of the luminaire and to the lamp.  
Base cover: Oval shaped, one piece cast (356) aluminum base cover mechanically fastened with two stainless steel screws.  
Finish: "Hot dip" chemical etching preparation. Lumital™ polyester powder coat finish. Excellent color retention as per #ASTM D2244, and outstanding salt-spray resistance according to #ASTM D2247 testing procedures.

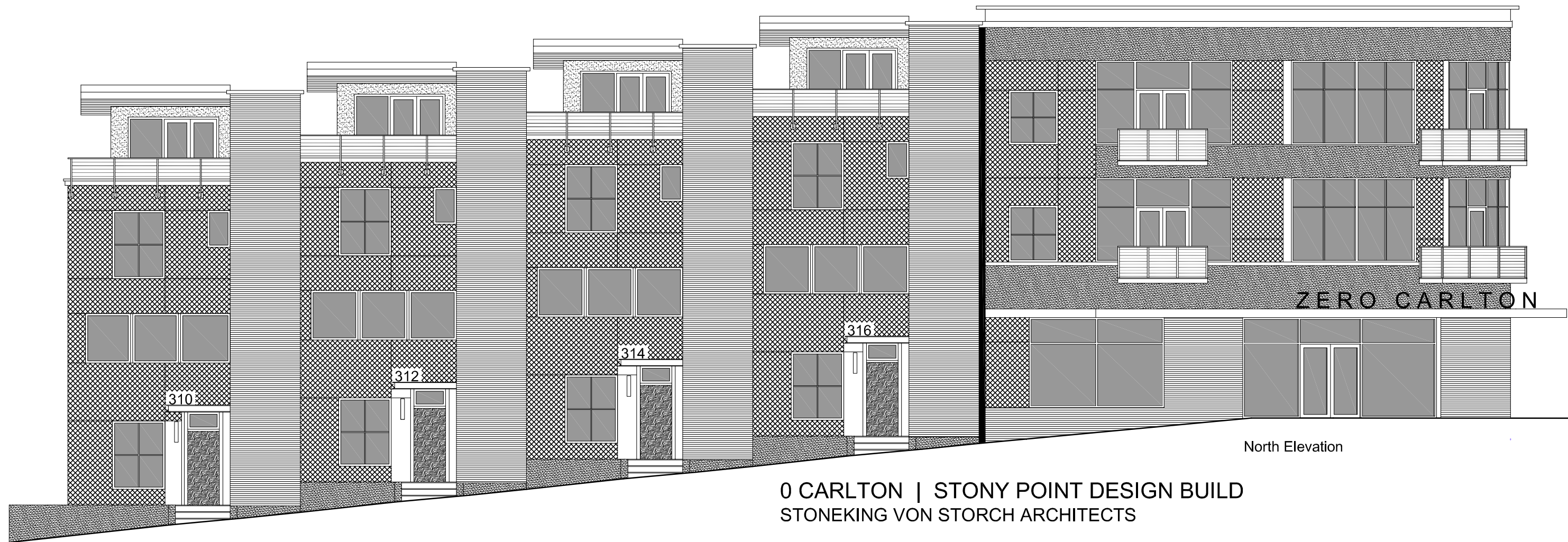
PHILIPS LUMEC

6 FIXTURE C SPECIFICATION  
C7 NOT TO SCALE



**SITE DETAILS**

Rev #	Date	Description
1	07/27/17	Revised Building Footprint & seed count
2	11/22/17	Preliminary site plan & landscape
3	01/15/18	Special use permit application
4	04/18/18	Preliminary Site Plan Comments



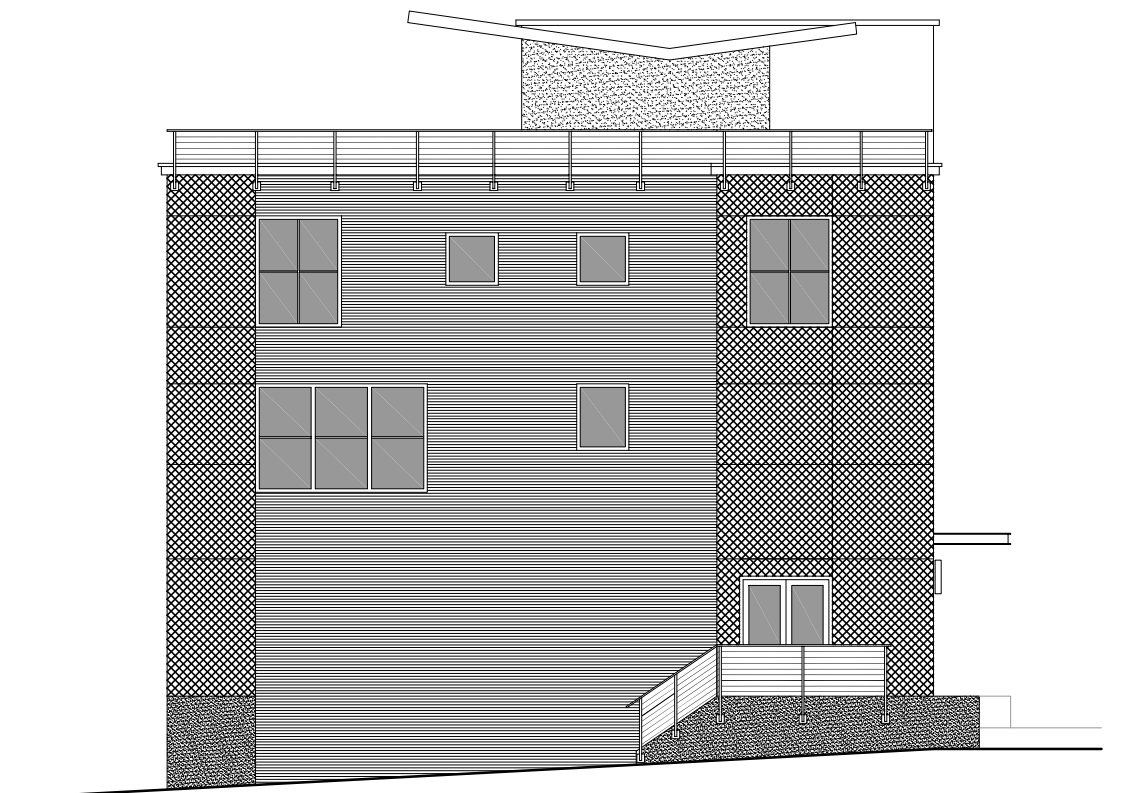
North Elevation

0 CARLTON | STONY POINT DESIGN BUILD  
STONEKING VON STORCH ARCHITECTS



West Elevation

0 CARLTON | STONY POINT DESIGN BUILD  
STONEKING VON STORCH ARCHITECTS



East Elevation



316

312

310

750



ZERO CARLTON

EIGHTONE

310

314





ZERO CARLTON

310

314

BEHAVIOR



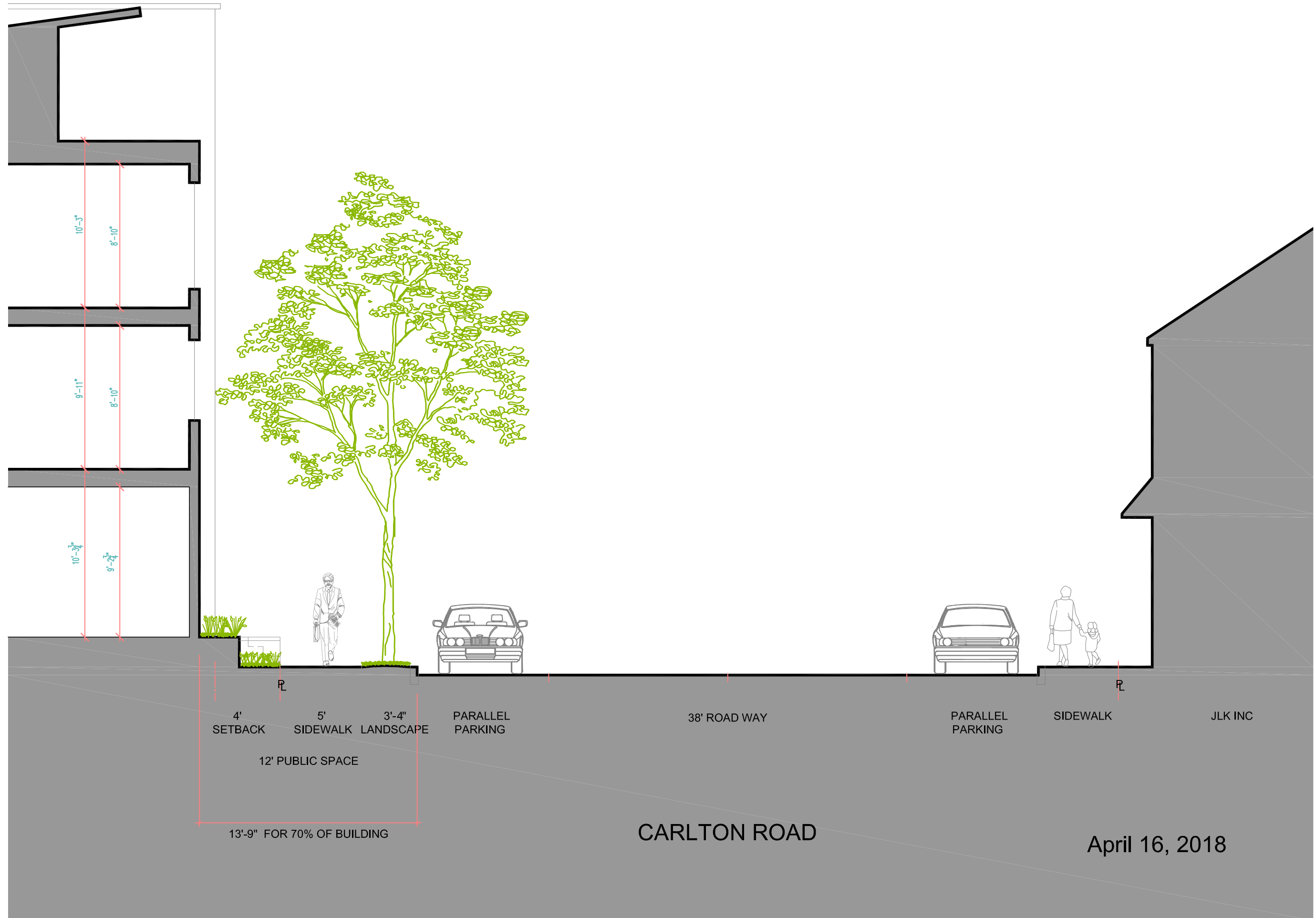
ZERO CARLTON

316

314

312

310



10'-3"

8'-10"

9'-11"

8'-10"

10'-3"

9'-2"

4'  
SETBACK

5'  
SIDEWALK

3'-4"  
LANDSCAPE

12' PUBLIC SPACE

PARALLEL  
PARKING

38' ROAD WAY

PARALLEL  
PARKING

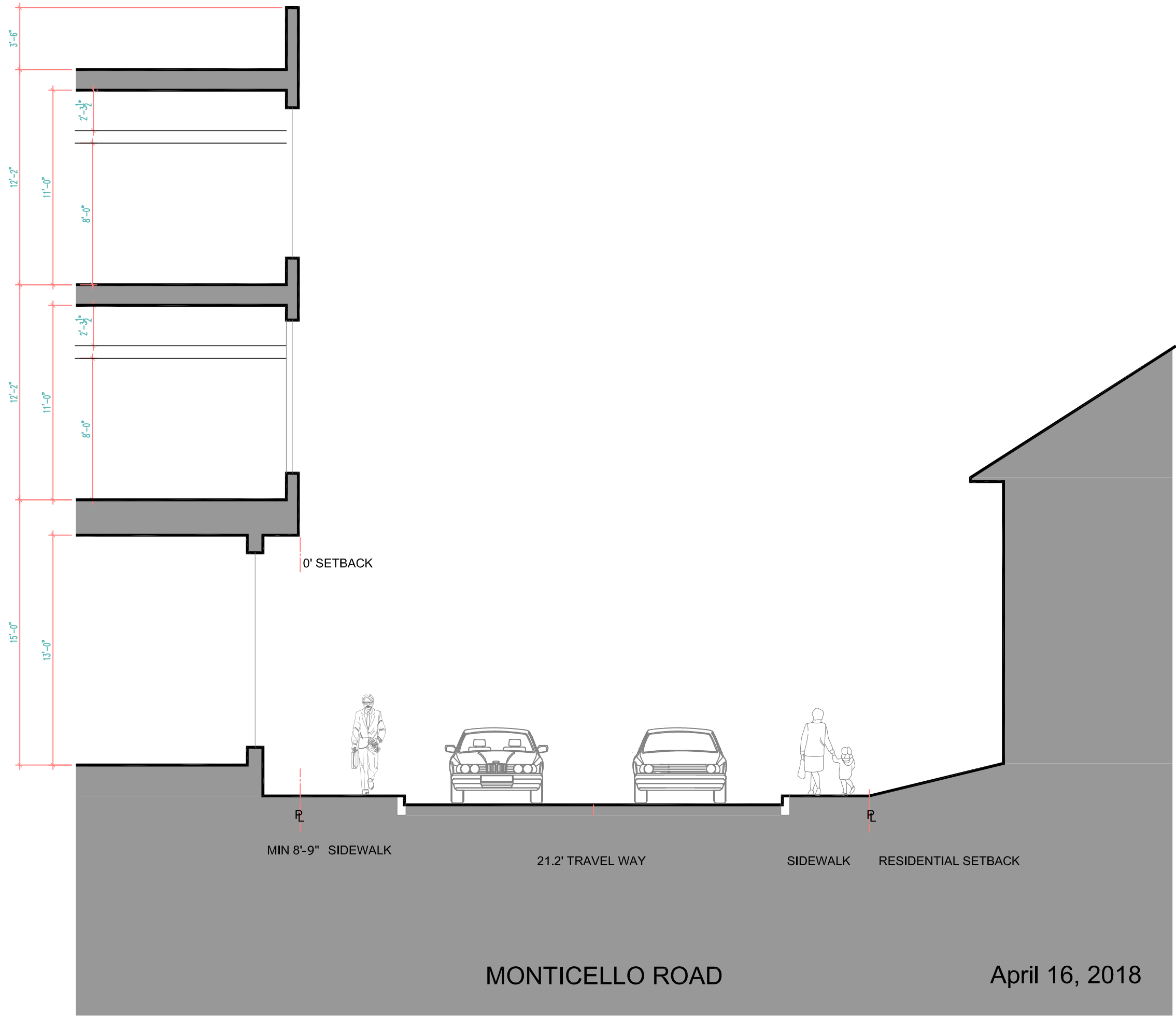
SIDEWALK

JLK INC

13'-9" FOR 70% OF BUILDING

CARLTON ROAD

April 16, 2018



**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**APPLICATION FOR A SPECIAL USE PERMIT**

**JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC  
HEARING**

**DATE OF HEARING: March 13, 2018**

**APPLICATION NUMBER: SP17-00003**

**Project Planner:** Carrie Rainey

**Date of Staff Report:** March 5, 2018

**Applicant:** Stony Point Design/Build LLC

**Applicant's Representative(s):** Chris Henry, Stony Point Design/Build LLC

**Current Property Owner:** Stony Point Design/Build LLC

**Application Information**

**Property Street Address:** 0 Carlton Road ("Subject Properties")

**Tax Map/Parcel #:** Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2

**Total Square Footage/ Acreage Site:** Approx. 0.623 acres (27,138 square feet)

**Comprehensive Plan (General Land Use Plan):** High Density Residential

**Current Zoning Classification:** M-I Commercial

**Tax Status:** Parcel is up to date on payment of taxes

**Completeness:** The application generally contains all of the information required by Zoning Ordinance (Z.O.) Secs. 34-41(d), and 34-158(a) and (b).

**Applicant's Request (Summary)**

Chris Henry of Stony Point Design/Build, LLC requests a Special Use Permit (SUP) to allow for multi-family residential use up to 21 dwelling units per acre (DUA) per Z.O. Sec. 34-480 and a reduction of the minimum required front yard setback from 20-feet to 0-feet per Z.O. Sec. 34-162(a). The subject property has street frontage on Carlton Road and Monticello Road.

The application narrative (Attachment B) describes a development that would include a three (3) story mixed-use building with commercial use on the first floor and multi-family dwelling units on the upper stories and a grouping of condominiums. Condominiums are multi-family dwelling units per Z.O. Sec. 34-1200. The preliminary site plan (Attachment C) and building elevations (Attachment E) propose a maximum building height of 43 feet for the condominium units. The preliminary site plan proposes a maximum building height of 44.41 feet for the mixed use building. The narrative proposes a bakery or café as the commercial use on the first floor, which is also reflected in the preliminary site plan. The preliminary site plan shows the multi-family units in the mixed-use building as one (1) bedroom units, and the condominiums as three (3) bedroom units.

The narrative requests a reduction in required front yard setback from 20 feet to 0 feet to facilitate a healthy street life and minimize impact to critical slopes at the rear of the property. Proposed impacts to critical slopes are shown on the preliminary site plan. Per Z.O. Sec. 34-1120(5)(6), no building, structure, improvement, or land disturbance activity to establish such shall be located on a critical slope unless a modification or waiver is granted by City Council. At the publication of this report, no critical slope waiver request has been submitted for the proposed disturbance to the critical slopes.

The preliminary site plan proposes both dedication and acquisition of public right-of-way on Monticello Road and acquisition of public right-of-way on Carlton Road. The ROW plan sheet in the preliminary site plan shows the proposed acquisition and dedication. City Council must approve acquisition of public right-of-way. At the publication of this report, staff is not aware of a submitted request for acquisition of public right-of-way. Per Z.O. Sec. 34-13, any parcel of land unclassified by the official zoning map is hereby designated as R-1 single-family residential district unless otherwise designated by City Council. Staff interprets this to indicate that any acquired land from public right-of-way to be zoned R-1 single-family residential. The preliminary site plan proposes portions of the buildings in the proposed land to be acquired, which would require rezoning of the acquired land by a zoning map amendment request by the applicant.

The preliminary site plan was submitted for staff review per Z.O. Sec. 34-820(a) on June 26, 2017 and has undergone two (2) rounds of staff comments. The preliminary site plan submitted as a part of this SUP application includes modifications for the preliminary site plan reviewed by staff during the site plan review process and has not undergone a full staff review. Outstanding comments from previous preliminary site plan review include compliance issues with Americans

with Disabilities Act (ADA), bicycle parking usability, utility conflicts with proposed street trees, impacts to critical slopes, and parking calculations.

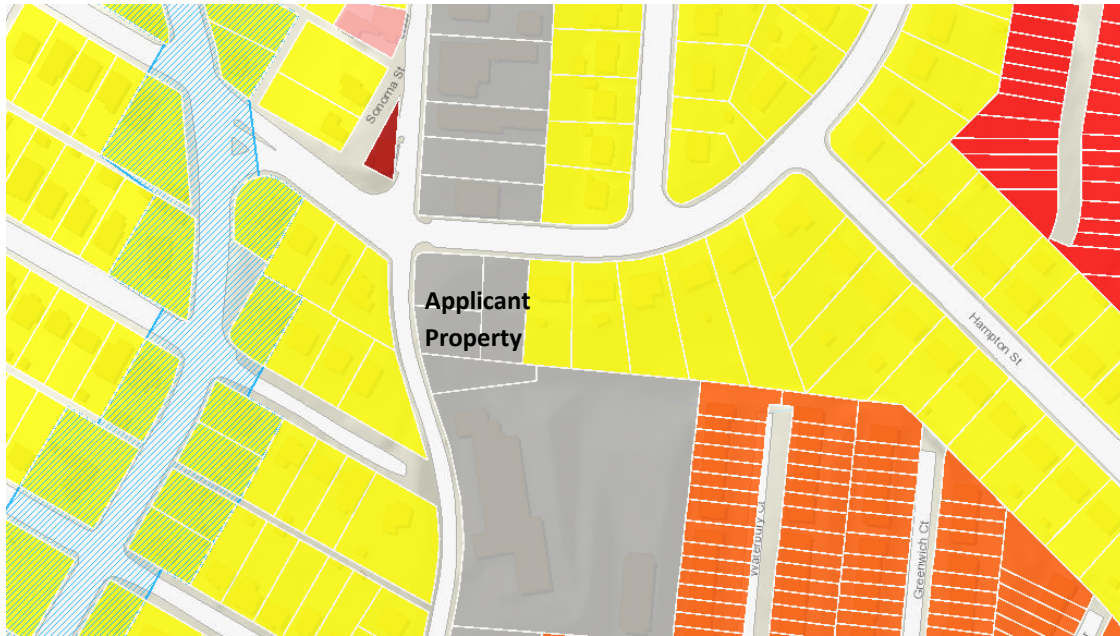
### **Vicinity Map**



### **Context Map 1**

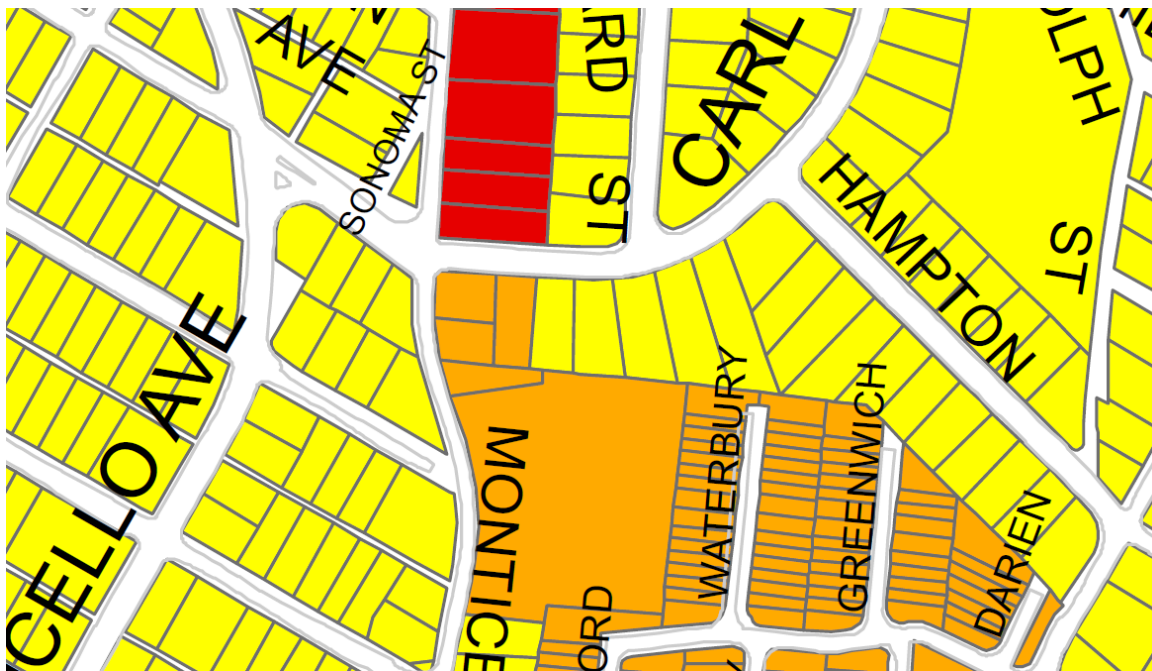


**Zoning Classifications**



**Gray:** Industrial (M-I), **Yellow:** Residential (R-1S) Single-Family, **Dark Orange:** Residential (R-3) Multi-family, **Pink:** Commercial (B-1), **Red:** Commercial (B-2), **Dark Red:** Commercial (B-3)

**2013 Comprehensive Plan Land Use Map**



**Yellow:** Low Density Residential, **Orange:** High Density Residential, **Red:** Neighborhood Commercial



## **Standard of Review**

City Council may grant an applicant a special permit or special use permit, giving consideration to a number of factors set forth within Zoning Ordinance Sec. 34-157. If Council finds that a proposed use or development will have potentially adverse impacts, and if Council identifies development conditions that could satisfactorily mitigate such impacts, then Council may set forth reasonable conditions within its SUP approval. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to (i) whether or not Council should approve a proposed SUP and if so, (ii) whether there are any reasonable development conditions that could mitigate potentially adverse impacts of the propose use or development.

Section 34-157 of the City’s Zoning Ordinance lists a number of factors that Council will consider in making a decision on a proposed SUP. Following below is staff’s analysis of those factors, based on the information provided by the applicant.

### **(1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood.**

The properties immediately surrounding the subject property are described as:

Direction	Use	Zoning
North	Commercial	M-I
South	Multi-family Residential	M-I
East	Single-family Residential	R-1S
West	Single-family Residential	R-1S

The nearby commercial uses include contractor and tradesman shops, automobile repair, janitorial services, and a yoga studio. Commercial uses are concentrated along Monticello Road north of the subject properties. The larger community around the subject property is mostly comprised of single-family dwelling units, with multi-family units directly south and further southeast of the subject property.

The narrative and preliminary site plan propose a bakery or café of approximately 3,000 square feet, and 12 multi-family units, eight (8) of which are located within the mixed-use building and four (4) of which are proposed as condominiums arranged side by side along Carlton Road. The preliminary site plan proposed 1,500 square feet of seating area for the bakery/café. The traffic memorandum (Attachment D), which has been reviewed and accepted by the City Traffic Engineer, notes an overall four (4) percent increase in traffic as a result of the proposed development.

*Staff Analysis:* The surrounding area is a mix of commercial buildings, single family detached dwelling units, and multi-family dwelling buildings. The proposed uses are harmonious with the existing patterns of use within the neighborhood.

**(2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan.**

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is included in the narrative.

Below are areas of the Comprehensive Plan for which the development is in compliance:

**a. Land Use**

**2.3:** Enhance pedestrian connections between residences, commercial centers, public facilities, amenities and green spaces.

**3.2:** Enhance existing neighborhood commercial centers and create opportunities for others in areas where they will enhance adjacent residential areas. Provide opportunities for nodes of activity to develop, particularly along mixed-use corridors.

**b. Housing**

**1.2:** Evaluate the effect of reduced transportation costs and improved energy efficiency on housing affordability.

**3.3:** Achieve a mixture of incomes and uses in as many areas of the City as possible.

**3.6:** Promote housing options to accommodate both renters and owners at all price points, including workforce housing.

**8.1:** Encourage mixed-use and mixed-income housing developments.

**8.3:** Encourage housing development where increased density is desirable and strive to coordinate those areas with stronger access to employment opportunities, transit routes and commercial services.

**8.5:** Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity.

**c. Transportation**

**2.3:** Improve walking and biking conditions by discouraging and/or minimizing curb cuts for driveways, parking garages, etc. in new development and redevelopment.

**2.6:** Promote urban design techniques, such as placing parking behind buildings, reducing setbacks and increasing network connectivity, to create a more pedestrian friendly streetscape and to reduce speeds on high volume roadways.

**2.7:** Encourage businesses to provide on-site amenities such as transit shelters and bicycle storage (racks/lockers) to promote alternative transit for their workers.

Below are specific areas of the Comprehensive Plan for which the development may not be in compliance:

**d. Land Use**

**2.1:** When considering changes to land use regulations, respect nearby residential areas.

Comprehensive Plan

The General Land Use Plan calls for the subject property and areas immediately south and southeast to be High Density Residential land use, areas immediately north to be Neighborhood Commercial land use, and the remaining surrounding areas to be Low Density Residential land use. High Density Residential is described as multi-family residential types with a density more than 15 dwelling units per acre (DUA). Low Density Residential is described as single or two-family housing types, with a density of no greater than 15 dwelling units per acre (DUA). The Comprehensive Plan specifies that Neighborhood Commercial areas are intended to have building forms that mirror that of low density residential zones, but with some additional commercial uses compatible with residential areas.

*Staff Analysis:* The General Land Use Plan calls for the subject properties to be High Density Residential land use with a DUA over 15. The proposed development will have a DUA of 19.26 and meets this qualification. However, the development also proposes commercial use in the form of a bakery or café, and therefore is considered mixed use. Mixed Use areas in the General Land Use Plan are described as zones in the City where developments of moderate or high intensity are encouraged, and where a large variety of uses may be permitted. Several goals in the Comprehensive Plan speak to a desire to have mixed use development in appropriate locations that will foster existing commercial areas and provide access to transit. The subject properties are less than one (1) mile from the downtown core of the City and are located on a Charlottesville Area Transit route. The preliminary site plan proposes a bus stop to further improve transit access for the surrounding area. The subject properties are also located adjacent to existing commercial uses that are designated by the General Land Use Plan to be Neighborhood Commercial.

### Streets that Work Plan

The May 2016 Streets that Work Plan (approved September 2016 as an amendment to the Comprehensive Plan) labels Carlton Road as a *Neighborhood A* typology, and Monticello Road as a *Local Street* typology. The full plan can be viewed at:

<http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/streets-that-work/streets-that-work-plan>

*Neighborhood A* streets are characterized as having sidewalks on at least on side, dedicated bicycle facilities, some on-street parking, and adjacent low and medium-intensity residential land use. The Streets that Work Plan recommends a minimum clear zone width of five (5) to six (6) feet for sidewalks, which are noted along with bicycle facilities as the highest priority items in the *Neighborhood A* typology. *Local Streets* are characterized as the majority of the street network and have no specific associated typology due to the variation of context and available space. The Streets that Work Plan notes design elements on Local Streets should not exceed the dimensions specified for *Neighborhood B* streets. A minimum of five (5) to six (6) feet of clear zone width for sidewalks is recommended for *Neighborhood B* streets. Sidewalks and on-street parking are noted as the highest priority street elements. Both *Neighborhood A* and *B* typologies recommend a three (3) to six (6) foot curbside buffer zone, noting a minimum four (4) feet of width for street trees. The Streets that Work Plan recommends 250 cubic feet of soil volume for small street trees and 400 cubic feet for medium and large trees (with 700 cubic feet preferred for large trees).

The existing sidewalks are approximately four (4) feet and do not include a landscaped buffer as separation from the roadway on Carlton Road and Monticello Road, although on-street parking provides a buffer for pedestrians from the roadway on Carlton Road. Utility poles limit sidewalk clear width on Monticello Road. Curb extensions exist at the intersection of Carlton Road and Monticello Road on the northeastern and southeastern corners.

The preliminary site plan proposes maintaining an un-buffered sidewalk of approximately four (4) feet on Monticello Road, and installing a grated street tree that would further narrow the sidewalk at that location. Proposed paving on the subject properties adjacent to the sidewalk provide some additional width. The preliminary site plan proposes undergrounding overhead utilities in the general project vicinity, beginning approximately at the location of the street tree on Monticello Road. The preliminary site plan proposes an approximately four (4) foot sidewalk on Carlton Road buffered from the street with a 3 foot planting strip. The landscape plan in the preliminary site plan proposes three (3) medium street trees on Carlton Road, with soil volumes varying from 72 to 495 cubic feet.

The Streets that Work Plan recommends that intersection pedestrian crossings include curb ramps aligned with the crosswalks and high visibility zebra style markings. In addition, the Plan states additional elements such as curb extensions should be considered at locations with significant pedestrian traffic and difficult sight lines, such as those created by the existing on-street parking in the vicinity of the subject property. The preliminary site plan proposes installing high-visibility crosswalks along the southern and eastern pedestrian crossings to align with the existing curb extensions, and a pedestrian crossing sign facing easterly on Carlton Road.

*Staff Analysis:* Staff finds that the pedestrian network along the development frontages has deficiencies with regards to the spatial recommendations in the Streets that Work Plan, but believes the proposed development is mostly in line with the general intent of the assigned street typologies. The Streets that Work Plan recognizes the limited availability of space in the public right-of-way and discusses retrofit considerations and the prioritization of street elements in locations where insufficient room exists. Staff recognizes the limited available width in the Monticello Road right-of-way limits the expansion of the sidewalk and installation of a more substantial curbside buffer. Staff has concern that the proposed right-of-way acquisition on Carlton Road, as shown on the ROW plan in the preliminary site plan, precludes the installation of more substantial pedestrian improvements, such as wider sidewalk or curbside buffer. Staff is also concerned with the proposed soil volumes provided for street trees on Carlton Road, which are lower than the recommendations of the Streets that Work Plan. Staff acknowledges the proposed right-of-way acquisition and the proposed pedestrian improvements are not in line with Streets that Work recommendations on Carlton Road which will likely reduce potential impacts to critical slopes on the site. However, staff has not received a request for right-of-way acquisition or request for waiver of for impacts to critical slopes, and therefore cannot provide a full analysis of the potential impacts.

**(3) Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations.**

Based on the information contained within the application, the proposed development would likely comply with applicable building code regulations. However, final determinations cannot be made prior to having the details required for final site plan and building permit approvals.

**(4) Potential adverse impacts, including, but not necessarily limited to:**

**a) Traffic or parking congestion**

Traffic

The City Traffic Engineer has reviewed the Traffic Memorandum provided by the applicant. The following information is a synopsis of the information provided in the Traffic Memorandum. Please see Attachment D for more information.

*Average Annual Daily Traffic (AADT):* The average annual daily traffic counts provided by the applicant (Table 1 in Attachment D) total 2,858 trips for Monticello Road and 4,680 trips for Carlton Road. The memorandum notes the special interest in northbound traffic on Monticello Road, as an extended queue at this location could extend past the one (1) site entrance on Monticello Road. The memorandum notes this intersection approach has the lowest peak hour volume.

*Peak-hour traffic:* The trip generation figures provided by the applicant (Table 2 in Attachment D) indicate that the proposed development will generate 72 peak hour vehicle trips per day based on information provided by the Online Traffic Impact Study Software (OTISS). The graphic on page 3 of the memorandum provides the peak hour increase in traffic for each leg of the adjacent intersection of Carlton Road and Monticello Road.

*Staff Analysis:* The City Traffic Engineer has reviewed the provided Traffic Memorandum, and found the information provided to be sufficient and appropriate. The proposed development will not create an adverse effect on traffic on surrounding City streets.

Vehicular Access

The preliminary site plan proposes one (1) point of vehicular access to the development on Monticello Road. The vehicular access point is set back from the intersection of Carlton Road and Monticello Road.

*Staff Analysis:* The proposed access for the development is placed at the rear of the property, minimizing conflicts with pedestrians and vehicles at the intersection of Carlton Road and Monticello Road.

Parking

The application narrative states sufficient off-street parking will be provided, and proposes 27 parking spaces. The preliminary site plan proposes 23 parking spaces and

states 19 parking spaces are required. However, the preliminary site plan does not provide the correct parking calculation for the condominium units. The preliminary site plan states the condominium units will each have three (3) bedrooms, which require two (2) parking spaces for each unit, per Z.O. Sec. 34-984. The preliminary site plan proposes one (1) parking space per condominium unit. However, the proposed 23 parking spaces are sufficient to meet the requirements for on-site parking for the proposed uses per Z.O. Sec. 34-984.

*Staff Analysis:* Based on the information provided in the preliminary site plan, it appears that the minimum parking requirements of the zoning ordinance can be met for the proposed development.

#### Other Modes of Transportation

The applicant proposes relocating the existing Charlottesville Area Transit (CAT) bus stop on Monticello Road to be adjacent to the subject properties and closer to the intersection of Carlton Road and Monticello Road. The preliminary site plan proposes the installation of a CAT bus stop concrete pad, and proposes dedicating the space to the public right-of-way. CAT staff has confirmed the proposed relocation is desirable and the area to be dedicated is sufficient. The proposed development is also served by a complete (but un-buffered) sidewalk network immediately adjacent to the subject property and within the vicinity of the subject property. In the 2015 update to the Bicycle and Pedestrian Master Plan, Carlton Road is proposed to have bike lanes and Monticello Road is proposed to be a shared roadway.

As described above in the Streets that Work Plan section of this report, the applicant has proposed some improvements to the pedestrian infrastructure network through a curbside buffer and high visibility crosswalks.

The preliminary site plan shows an unknown number of resident bicycle parking spaces within the proposed mixed use building, and three (3) bicycle racks located adjacent to the proposed parking lot. As part of the preliminary site plan review process, staff has requested detailed bicycle parking counts to show conformance with Z.O. Sec. 34-88 which specifies one (1) bicycle parking space per every two (2) multi-family dwellings as deemed appropriate by the Director of Neighborhood Development Services or the Planning Commission. Staff has also noted the short-term bicycle parking (racks) should be in a location visible from the street and closer to the main entrance of the building to ensure usability.

*Staff Analysis:* Staff finds the proposed vehicular access and parking is in line with requirements, and welcomes the relocation and improvement of the CAT bus stop on Monticello Road. However, staff is concerned with the adequacy of the proposed bicycle parking and pedestrian improvements.

**b) Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment**

The proposed development as represented on the preliminary site plan requires a waiver from the critical slope requirements, per Z.O. Sec. 34-1120(b). The grading plan sheet of the preliminary site plan shows the extent of which the proposed development is located upon critical slopes. However, no application for waiver of modification of the critical slope requirements has been submitted at the publication of this report, and staff cannot provide analysis on the potential impacts.

The proposed mixed-use development may result in increased noise, as a result of the proposed bakery/café use and multi-family dwelling units. The proposed building elevations show rooftop decks on the condominium units, which are a potential source of additional ambient noise in the neighborhood; however, there are no statistics indicating that, overall, the noise generated by 12 multi-family dwelling units would exceed noise anticipated from an equivalent number of single-family dwellings. As to noise from motor vehicles, the provided Traffic Memorandum notes an approximate increase of four (4) percent of peak hour trips, which may result in an increase of noise and fumes from automobile traffic to and from the building.

The landscape plan in the preliminary site plan depicts the location of street trees and site landscaping, and provides proposed species and caliper size, as required by Z.O. Sec. 34-867. The applicant has requested a reduction in the required front yard setback from 20 to 0 feet, per Z.O. Sec. 34-162(a). The preliminary site plan states this provides exemption from the street tree requirement per Z.O. Sec. 34-870(a)(1). However this exemption applies to developments subject to a maximum setback of 0 feet, and not developments subject to a minimum setback of 0 feet, as requested by the applicant. The preliminary site plan does provide street trees and requirement calculations per Z.O. Sec. 34-870(c). The preliminary site plan also shows compliance with tree cover requirements of Z.O. Sec. 34-869, but does not provide calculations for parking lot landscaping requirements, per Z.O. Sec. 34-873. The preliminary site plan proposes substantial landscape buffering adjacent to the existing single-family dwellings on Carlton Road.



The lighting plan in the preliminary site plan shows proposed lighting at the rear of the development in the parking lot, and shows compliance with Z.O. Sec. 34-1003.

*Staff Analysis:* The potential impacts to the natural environment cannot be fully analyzed without the submission of a critical slope waiver or modification request per Z.O. Sec. 34-1120(b)(6). Factors such as noise, lights, dust, odors, fumes, and vibrations in the proposed development are expected to be less impactful than those associated with other allowable uses in the M-I commercial district, which is established to allow light industrial uses.

**c) Displacement of existing residents or businesses**

The subject properties are currently vacant and no displacement will result from the proposed development.

**d) Discouragement of economic development activities that may provide desirable employment or enlarge the tax base**

The subject properties are located in the M-I commercial district, which provides for a variety of commercial uses. The prevalence of multi-family housing in the proposed development may discourage the activities of economic development and increased employment. However, the proposed development does include the commercial use of a bakery/café. If the Planning Commission finds this component to be an important factor in mitigating impacts to economic activity, staff recommends providing conditions to the SUP to ensure this component, should the SUP be approved.

**e) Undue density of population or intensity of use in relation to the community facilities existing or available**

The City's Comprehensive Plan identifies community facilities as fire protection, police enforcement, and emergency response services; public utilities and infrastructure; and public parks and recreation opportunities. The applicant has not adequately discussed this issue within its comprehensive plan analysis required by Z.O. Sec. 34-41(d)(2). In that aspect, the application is not sufficiently detailed.

The applicant has not proposed any low impact development (LID) techniques such as rain gardens and permeable pavers to address stormwater management needs.

*Staff Analysis:* The proposed development will necessarily result in some increased demand on physical facilities and services provided (see also paragraph (g.), following below). Some of these impacts, such as impacts on the City's water and sewer facilities, can be adequately evaluated and addressed during the site plan process, and final site

plan approval is dependent on confirmation of adequate facilities or improvements provided by the applicant to ensure adequacy.

The subject properties located less than one-half (1/2) mile from Rives Park and less than one (1) mile from Belmont Park. Staff believes park and recreation opportunities available in proximity of the subject property can adequately accommodate the proposed increase in density created by the development.

**f) Reduction in the availability of affordable housing in the neighborhood**

The subject properties are currently vacant, so no affordable housing units currently exist within the proposed development site. The applicant has provided affordable housing calculations in the application narrative, per Z.O. Sec. 34-12(a), which are approved by the City Housing Program Coordinator. Based on the current development proposal, no affordable dwelling units are required per Z.O. Sec. 34-12. The applicant notes in the application narrative that one (1) bedroom units are proposed as a part of the development, which will offer housing opportunity at various price points. Staff does not have information pertaining to potential price points and the accuracy of that statement at the publication of this report.

**g) Impact on school population and facilities**

The applicant's narrative does not specifically analyze this factor, as required by Z.O. Sec. 34-158(b). The preliminary site plan indicates the residential units will be one (1) and three (3) bedroom units.

*Staff Analysis:* Because housing is open to all, there is a possibility that families with children could take residence here. Therefore, some impact could be created on school population and facilities.

**h) Destruction of or encroachment upon conservation or historic districts**

The subject property is not within any design control district.

**i) Conformity with federal, state and local laws, as demonstrated and certified by the applicant**

Based on the information contained within the application, the proposed development would likely comply with applicable federal and state laws. As to local ordinances (zoning, water protection, etc.), it generally appears that this project, as detailed in the application, can be accommodated on this site in compliance with applicable local ordinances; however, final determinations cannot be made prior to having the details

required for final site plan and building permit approvals. Specific Z.O. requirements reviewed preliminarily at this stage include massing and scale (building height, setbacks, stepbacks, etc.) and general planned uses.

**j) Massing and scale of project**

Per Z.O. Sec. 34-457, buildings in the M-I commercial zone may be a maximum of 85 feet in height. The application narrative states the mixed use building will be a total of three (3) stories in height, and the preliminary site plan proposes a maximum height of 44.41 feet for the mixed use building and 43 feet for the condominium units. Staff notes that the measurement of height, per Z.O. Sec. 34-1100(a) was modified by City Council on December 18, 2017 to *refer to the vertical distance measured perpendicularly from grade to the highest point on such building or structure*. In addition to the critical slopes located on site, the subject properties are located on a larger incline sloping down southeastward. The buildings immediately surrounding the subject properties are mostly one (1) to two (2) stories in height. The proposed building elevations demonstrate the general slope of the subject properties and building form along each street frontage.

As part of this SUP application, the applicant is requesting a reduction in the minimum front yard setback from 20 to 0 feet, per Z.O. Sec. 34-162(a). The application narrative states this reduction will facilitate a healthy street life. The preliminary site plan proposes a varying building setback that is typically less than 4 feet. The proposed condominium units include front stoops on Carlton Road that provide further separation of the building from the sidewalk. The proposed setback shown at the main entrance to the mixed use building (at the corner of Carlton Road and Monticello Road) is proposed to be greater, but is dependent on a request for acquisition of public right-of-way, which has not been completed at the publication of this report. The single-family dwellings in the immediate vicinity of the subject properties have a front yard setback around 20 feet on average. Commercial properties in the immediate vicinity of the subject properties have more varied front yard setbacks.

A 20 foot rear setback is required for the southern side of the subject property, per Z.O. Sec. 34-457(b)(3), which is not correctly noted on the preliminary site plan. However, adequate setback is provided to meet the requirement. Per Z.O. Sec. 34-457(b)(2), the eastern side of the proposed development has have a side yard of one (1) foot for every two (2) feet of building height of the tallest building on the lot, resulting in a required side yard setback of 21.5 feet. The preliminary site plan shows a side yard setback of 22.6 feet with substantial landscaping.

*Staff Analysis:* Illustrative three-dimensional view graphics, which were previously provided, have been withdrawn from the application. The provided building elevations demonstrate the proposed form of the buildings at the street frontages. Staff does note the proposed building heights shown in the application materials are approximately one-half (1/2) of the by right allowable size. However, the subject properties are located at a higher elevation than surrounding properties to the south and east, which impacts the perception of building height in relationship to adjacent properties. The immediately adjacent single-family dwellings are typically one (1) story in height. The proposed placement of the condominiums in a townhome style layout may provide a visual transition in housing type from the proposed mixed use building to the adjacent single-family detached homes on Carlton Road. The provided building elevations show three (3) full footprint floors for the condominium units. It is not clear whether the additional building mass is shown on beyond the third floor of the condominium units is habitable or intended to provide access to the rooftop deck.

A variation of materials is shown in the proposed building elevations. However, the proposed building elevations show no proposed stepback of the second and third floor of the condominiums, or dimensional façade modulation, both of which contribute to the visual impact of a building. The building elevations show a stepback on the mixed-use building at 39.15 feet. The preliminary site plan also shows some setback variation in the mixed use building, which may help to reduce the apparent mass of the building. The proposed condominium front stoops also provide additional setback and may foster active street life. However, staff is concerned with the proposed front yard setback reduction to zero (0) feet. Staff agrees that some reduction in the currently required 20 foot front yard setback is appropriate to foster street life and articulate the intersection. However, staff is concerned an allowance to set buildings at the property line adjacent to narrow sidewalks and curbside buffer will create an uncomfortable pedestrian experience and be out of context with adjacent single-family homes, particularly without proposed stepback to the upper floors or façade modulation of the proposed condominium buildings. Staff believes a setback of 10 feet may be more appropriate.

**(5) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;**

In 1949 the property was zoned B-1 Business District. In 1958 the property was zoned M-1 Restricted Industrial District. In 1976 and 1991 the property was maintained as M-1 Restricted Industrial District. In 2003 the property was zoned M-I Industrial District.

The description for M-I states the district *is established to allow areas for light industrial uses that have a minimum of environmental pollution in the form of traffic, noise, odors, smoke and fumes, fire and explosion hazard, glare and heat and vibration.* (Z.O. Sec. 34-440(d)).

*Staff Analysis:* The applicant proposes a mixed-use development with multi-family residential dwelling units and some commercial space. These proposed uses are not in direct harmony with the purpose of the M-I district, as described above.

**(6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and**

Based on the information contained within the application, the proposed development would likely comply with applicable local ordinances. However, final determinations cannot be made prior to having the details required for the critical slope waiver/modification request, final site plan, and building permit approvals.

**(7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.**

The subject property is not located in a design control district.

### **Public Comments Received**

#### *Community Meeting Required by Z.O. Sec. 34-41(c)(2)*

The applicant held a community meeting on July 10, 2017 as part of the regularly scheduled Belmont-Carlton Neighborhood Association meeting at Clark Elementary School. The letter and affidavit provided by the applicant can be found in Attachment F. The attendees were concerned with impacts to vehicular traffic, the availability of existing on-street parking, potential noise from a bakery/café use, the requested zero (0) foot front yard setback, and spillover lighting. The attendees desired to see more graphics with architectural detail.

#### *Other Comments*

Staff has also spoken in person, over the phone, and by email with several concerned citizens. Many citizens stated they were opposed to the proposed placement of the development close to the street, concerned regarding the existing traffic volumes that may be worsened with the

addition of the proposed development (particularly regarding the proposed bakery/café use), and the potential impact of new residential units on neighborhood affordability.

### **Staff Recommendation**

Staff recommends the Planning Commission focus on the following items during review: building mass, impacts to the surrounding neighborhood, and the pedestrian experience.

Staff finds that the proposed multi-family residential use, for which the SUP is requested, could contribute to many goals of the City's Comprehensive Plan, and is in itself in-line with the General Land Use Plan. In this regard, staff finds the proposal conforms with the general guidelines and policies contained in the City's Comprehensive Plan, per Z.O. Sec. 34-42(a)(1).

However, staff is concerned the requested zero (0) front yard setback will result in an uncomfortable pedestrian experience, particularly when considered with the proposed building height and form. While the proposed buildings are approximately one-half (1/2) of the height allowed in the M-I district, the proposed setback combined with a lack of proposed setbacks and façade modulation create a continuous three (3) story mass in close proximity to the sidewalk. Existing right-of-way constraints and the proposal to acquire public right-of-way limit the available space for sidewalks and curbside buffers. The applicant has proposed some improvement to the existing pedestrian experience through improvement to the sidewalks and the installation of a curbside buffer on Carlton Road. However, staff is concerned with the proposed acquisition of right-of-way on Carlton Road and the resulting impact to available sidewalk and curbside buffer width. The proposed sidewalk is below the recommended minimum five (5) clear width from the Streets that Work Plan. Additional building setback from the property line could lessen the sense of constraint felt by pedestrians and create a more comfortable experience. Staff is also concerned with the lack of information available, and therefore analysis possible, regarding impacts to critical slopes. Therefore, staff finds confirmation that the proposal will serve the general welfare of the entire community, per Z.O. Sec. 34-42(1)(b), cannot be adequately assessed with the information provided.

### **Recommended Conditions**

Should the Planning Commission find it appropriate to recommend approval of the SUP request as presented, staff proposes the following conditions are considered:

1. No improvements shall be commenced prior to approval of a critical slope waiver/modification request, completion of right-of-way acquisition, approval of a final site plan, and approval of a permit authorizing land-disturbing activities pursuant to Z.O. Sec. 10-9.
2. A modified front yard minimum setback of 10 feet shall be permitted.

3. The design, height, and other characteristics of the development shall remain essentially the same, in all material aspects, as described within the preliminary site plan dated January 15, 2018 (Attachment C) and building elevations dated July 26, 2017 (Attachment E). Except as the design details of the development may subsequently be modified to comply with staff comments, or by any other provision(s) of these SUP Conditions, any change of the development that is inconsistent with the application shall require a modification of this SUP. These characteristics include:
  - a. No building or structure on the subject properties shall exceed 44.41 feet in height, as measured by Z.O. Sec. 34-1100(a). No building shall contain more than three (3) stories above grade, as defined by Z.O. Sec. 34-1200.
  - b. Dedication of public right-of-way for the establishment of a Charlottesville Area Transit (CAT) bus stop with concrete pad on Monticello Road, as shown, or a modified location and design on Monticello Road approved by the director of CAT or his designee.
  - c. The subject properties shall be served by one (1) vehicular access point on Monticello Road, as shown, subject to approval by the City Traffic Engineer.
  - d. Direct pedestrian access to the mixed use building shall be provided at the intersection of Carlton Road and Monticello Road.
  - e. On-site parking shall be located behind the proposed buildings, as shown.
  - f. Landscaped buffering adjacent to existing single-family residences on Carlton Road shall be installed, as shown.
4. The applicant shall provide pedestrian improvements in the vicinity of the subject property, the dimension and final design of which is subject to approval by the City Traffic Engineer. These improvements shall include:
  - a. Provide an improved pedestrian path on Carlton Road along the entire frontage of the subject property. This will consist of a sidewalk no less than four (4) feet in width, and a curbside buffer of no less than three (3) feet in width.
  - b. Install high visibility crosswalks at the southern and eastern pedestrian crossings at the Carlton Road and Monticello Road intersection, as shown in the preliminary site plan dated January 15, 2018 (Attachment C).
5. All required parking per Z.O. Sec. 34-984 shall be provided on-site.
6. All outdoor lighting and light fixtures shall be full cut-off luminaires.
7. The spillover light from luminaires onto public roads and onto property adjacent property shall not exceed one-half ( $\frac{1}{2}$ ) foot candle. A spillover shall be measured horizontally and vertically at the property line or edge of right-of-way or easement, whichever is closer to the light source.
8. Conform to Z.O. Sec. 34-881(2)-*Bicycle Storage Facilities* or the most current Bicycle Storage Facilities code for multi-family dwellings at time of development.

9. Provide short-term bicycle parking visible from the public right-of-way and within 50 feet of the mixed use building entrance at the intersection of Carlton Road and Monticello Road.

**Suggested Motions**

1. I move to recommend approval of this application for a Special Use Permit in the M-I zone at 0 Carlton Road (Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2) to permit multi-family residential development up to 21 dwelling units per acre with the following listed conditions.

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_

**OR,**

2. I move to recommend denial of this application for a Special Use Permit in the M-I zone at 0 Carlton Road (Tax Map 57 Parcels 123.69, 123.701, 123.71 and Tax Map 61 Parcel 2.2).

**Attachments**

- A. Special Use Permit Application updated January 9, 2018
- B. Special Use Permit Narrative updated January 9, 2018
- C. Preliminary Site Plan dated January 15, 2018
- D. Traffic Memorandum dated September July 12, 2017
- E. Proposed Building Elevation dated July 26, 2017
- F. Community Meeting Materials received July 27, 2017