

## Agenda

### PLANNING COMMISSION REGULAR DOCKET TUESDAY, September 11, 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**

###### **i. Report of Nominating Committee**

###### **ii. Elections**

##### **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 – June 12, 2018 – Pre- meeting and Regular meeting
2. Minutes – July 10, 2018 – Pre- meeting and Regular meeting
3. Entrance Corridor SUP recommendation - 140 Emmet

#### **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. **SP18-00007: Gallery Court Hotel SUP Request** - Vipul Patel of Incaam Hotels, LLC, has submitted an application seeking approval of a Special Use Permit (SUP) for the property located at 140 Emmet St N. The property is further identified on City Real Property Tax Map 8 as Parcel 4 ("Subject Property"). The Subject Property is zoned URB, EC (Urban Corridor Mixed Use District, with Entrance Corridor Overlay). The owner is seeking to redevelop the property as a hotel to replace an existing hotel that was lost by casualty (fire) on May 4, 2017. The proposed use ("hotels/motels") is allowed by-right within the URB zoning district classification. However, an SUP is required for the project because the proposed building height (seven (7) stories, up to 80 feet) exceeds the 60-foot maximum building height allowed in the URB District. The site is approximately 0.585 acre or 25,482.6 square feet. The Comprehensive Plan designates the land use of the Subject Property as Public or Semi-Public. 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 request may contact Heather Newmyer, City Planner by email at ([newmyerh@charlottesville.org](mailto:newmyerh@charlottesville.org)) or by telephone (434-970-3968).

**2. ZT18-06-03: Temporary Construction Laydown** - A proposed amendment to the text of the City’s Zoning Ordinance, City Code sections 34-201, 34-202, and 34-1190 through 34-1195 to allow “construction laydown” as a temporary use in all zoning districts and to provide regulations that apply to this proposed temporary use. Staff contact: Craig Fabio, Email: [fabio@charlottesville.org](mailto:fabio@charlottesville.org)

**3. ZT18-06-04: Temporary Parking Facilities** - A proposed amendment to the text of the City’s Zoning Ordinance, to add a new Section 34-1196 to establish regulations for “temporary parking facilities” where such facilities are allowed within a specific zoning district and revise Section 34-796 to allow “temporary parking facilities” as a temporary use in all mixed use districts. Staff contact: Craig Fabio, Email: [fabio@charlottesville.org](mailto:fabio@charlottesville.org)

On September 11, 2018 the Charlottesville City Council and the Charlottesville Planning Commission will jointly conduct a public hearing to receive public comment on the above-referenced zoning application and proposed zoning text amendment. The zoning application and 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.

**IV. COMMISSION’S ACTION ITEMS**

*Continuing:* until all action items are concluded

1. Entrance Corridor Review Board
  - a. Seminole Square Shopping Center Expansion
  - b. Lexington Avenue and East High Street - Tarleton Oak
2. Request for Code Interpretation – Belleview

**V. FUTURE MEETING SCHEDULE/ADJOURN**

|   |                 |   |
|---|-----------------|---|
| Tuesday, September 25, 2018 & Tuesday October 2, 2018 – 5:00 PM | Work Session    | Comprehensive Plan                                  |
| Tuesday, October 9, 2018 – 4:30 PM                              | Pre- Meeting    |   |
| Tuesday, October 9, 2018 – 5:30 PM                              | Regular Meeting | Long Range Transportation Plan Process Presentation |

**Anticipated Items on Future Agendas**

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

**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  
7/1/2018 TO 7/31/2018**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
  - a. Dairy Road Shared Use Path – July 9, 2018
  - b. Payne’s Mill - July 25, 2018
  - c. Dairy Central Phase I – July 27, 2018
- 3. Site Plan Amendments**
  - a. Circuit Court Addition – July 20, 2018
- 4. Subdivision**
  - a. Payne’s Mill Subdivision (TMP 26-34, 26-35, 26-116, & 26-116.1) - July 3, 2018

Minutes  
PLANNING COMMISSION REGULAR DOCKET  
June 12, 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 Jody Lahendro, Genevieve Keller, Taneaia Dowell, Lyle Solla-Yates, Hunter Smith, and Hosea Mitchell

Chair Green called the meeting to order at 5:00pm and provided an overview of the agenda. She asked staff to provide process options for the ZTA on the consent agenda as she did not want to remove it from the consent agenda but wanted to provide comments. Staff provided guidance.

Commissioners asked for clarification on the Mixed Use ZTA and Ms. Robertson provided a history of the request including an example showing why there was interest in providing this stop gap measure. She noted that PLACE was in favor of this interim measure.

Commissioner Keller asked if for the Grady Avenue application, could the Commission talk about tax abatement? Ms. Robertson noted that would be outside of the purview for a specific application but is a tool that can be explored and could be included in land use discussions on the Comprehensive Plan. Commissioner Mitchell asked if affordable housing could be discussed concerning the SUP. It was noted that discussion is allowable and the staff report details the ordinance requirements pertaining to affordable housing. Commissioner Lahendro referenced the letter received from Carl Swartz and wanted the Commission to consider addressing those items as part of the application.

Commissioner Mitchell asked how the purchase of nutrient credits would support Moore's Creek. It was noted that it would not assist local waterways.

Mr. Hogg noted that the application for Entrance Corridor review on Fontaine did not go through his office at UVA but it is okay.

II. Commission Regular Meeting

*Beginning:* 5:30 p.m.

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

Members Present: Chairman Lisa Green, Commissioners Jody Lahendro, Genevieve Keller, Taneaia Dowell, Lyle Solla-Yates, Hunter Smith, and Hosea Mitchell

Chair Green welcomed the two new commissioners Hunter Smith and Hosea Mitchell and asked them to introduce themselves.

Commissioner Hunter Smith said he has been a resident in Charlottesville for 9 years and operates a few businesses here in Charlottesville. He is glad to be here.

Commissioner Hosea Mitchell said this is his second trip through the Planning Commission and 3<sup>rd</sup> trip on the dais, he was on the Charlottesville Redevelopment and Housing Authority board.

III. COMMISSIONERS' REPORTS

Commissioner Lahendro: reported he attended the Housing Advisory Committee meeting on May 16<sup>th</sup>. The Allocations Committee reported on work with the city staff to revise the CAHF application process as follows: A) align with city's housing policy #1 objectives; B) allowing applications to be made multiple times during a year; and C) changing the membership of the review committee to include public housing and low income residents. The HAC reviewed recommendations to City Council on

the proposed Land Bank ordinance, in particular: A) to create a governing board that better represents the low income housing community; B) increase terms for officers from one to two years; C) partner with CRHA in all affordable housing development projects; D) in disposing of property the Land Bank should first offer it to local affordable housing nonprofits for affordable housing, and; E) obtain first right of first refusal for any land to be disposed of by the city.

He also attended the Tree Commission meeting on June 5<sup>th</sup>. The current Urban Forestry Management Plan was completed in 2009 and will need updating soon. The Parks and Recreation staff would like to explore a broader scope in the city plan for land and natural resource management. This would be a more inclusive plan which would include other city departments such as the Health Department, P&R, NDS, Public Works, and Utilities. The idea is to be endorsed by the Tree Commission. The Tree Planting Committee has targeted Belmont for public education on the benefits of planting trees. The Tree Commission and Charlottesville Tree Stewards canvassed the neighborhood on 6/2 with educational material. Many residents expressed interest. The Tree Commission and CATS will follow up with the hope of eventually providing trees and planting assistance. The Tree Commission members expressed their concern over the recent loss of many large, aged trees in our city cemeteries and discussed the significant challenges with planting in the cemeteries, especially older, historic cemeteries. Several commission members will investigate Maplewood Cemetery, and look for tree planting possibilities.

Commissioner Keller: reported PLACE did not meet this month nor did the sub-committee on community engagement. She did attend the Board of Zoning Appeals meeting which there were two cases that were quite interesting and might be relevant to what we do here; 1) was dealing with environmental impacts on a non-conforming lot; 2) Is about setbacks in a new area and as we talk about ZTA's and comprehensive rezoning we might want to look at our setback requirements relevant to those few unique new areas that are developed in the city because sometimes that doesn't seem to work. She also attended the Planning District Commission meeting which was held in conjunction with its annual retreat and annual meeting. At that meeting we elected Supervisor Rick Randolph from Albemarle County to succeed me as Chair because she will be going off after August. She said in our strategic planning session, we dealt primarily with a survey that had been sent out to those who have contact with the PDC elected officials; planning commissioners, administrators in the region, and others. That report will come out for the commission in August or September to be approved and you will expect to see a continued emphasis on housing in terms of planning and addressing it but not in terms of providing or managing housing. There was a desire expressed for more planning guidance in the environmental and preservation areas. She welcomed the new commissioners: especially Hosea back as he is a veteran member.

Commissioner Dowell: no report

Commissioner Solla-Yates: no report

A. UNIVERSITY REPORT, Brian Hogg: said within the last few weeks, Brandon Avenue was transferred from the City to the University and we are very appreciative of all the effort that went into making that happen. The green project is moving forward and is well under construction. The Board of Visitors met last week and they had a schematic design review for a renovation of Weldon Library and that project will have a significant effect on University Avenue as you go east up toward the University by creating a new and very welcoming elevation on that side of the building and adding an entrance on the north side of the building. The Student Health and Wellness Center on Brandon Avenue had a design review and the new softball stadium on the corner of Massey and Copley Roads also had design review that was well receive. Finally there was a discussion about a new athletic master plan that will come back to the board later this year for further discussion. This is a master plan that really looks toward the future of University athletics. It covers a substantial area north of the train tracks all the way up almost to Arlington Blvd including both demolitions and additions.

B. CHAIR'S REPORT, Lisa Green: said we have many vacancies and we are looking for new committee assignments. We have a vacancy for Vice Chair and we are very close to our annual meeting which is in September. I will be designating two members for the nominating committee in August so they can nominate a new Chair and Vice-Chair in September. As the senior member Commissioner Keller will be taking over in absence Chair Green. Our next steps for our Comp Plan is our work session on June 26, in the NDS conference room. We will begin to review the data from the May meetings. She said the Tonsler Park picnic, scheduled for last Sunday but was postponed due to rain storms, is rescheduled for Tuesday July 19<sup>th</sup> and Chair Green is going to talk about the Comprehensive Plan and welcomed anyone who would like to go her; or maybe some staff could come and help out on that date so we can do more outreach.

- C. DEPARTMENT OF NDS Missy Creasy: said we are making progress in getting the data from the May meetings into a format so that can be reviewed. We have a summer intern who we have been able to provide direction in order to get that information compiled; and plan to have portions of that to you next week and post it on line. Other portions of those materials will be provided at the meeting on the 26<sup>th</sup>. She said with that data we are gathering the chapter champions again on the staff side to get the draft chapters for every chapter except land use into a new draft form so that you all can review those. This will also allow you additional time to focus on the land use aspects as well as the land use map. You will still have access to all of the data that has come from that. We have started a process where once we have the data ready we will provide that to the champions. We will be meeting with them and giving a time period so we will have by mid-August new drafts of the other chapters for your consideration. The update on the Cherry Avenue Small Area Plan is under way. There have been a number of focus groups and porch meetings that are in the process of occurring and they have their basic data moving forward, and as we get more updates from the PDC we let you know. She said the Thomas Jefferson Planning District website has updates, and they are providing data on different focus groups meetings that are occurring and working towards some larger community activities in the Cherry Avenue area as well or you can contact Missy Creasy and she will get you in touch with Nick Morrison who is the contact at Thomas Jefferson Planning District.
- D. Commissioner Keller: said she remembered that she had additional information on the Thomas Jefferson Planning District website about the new opportunity zones and she requested that as more information becomes available the Planning Commission take those in account in our future land use planning for the city because there are areas in the city that have been designated for that but the guidelines for those programs really aren't out yet and there are areas in the county and wherever they are contiguous to the city it seems to make sense for us to follow those guidelines. These new programs might have an impact in those neighborhoods which are primarily in the southern part of the city. It's just a basic map on the TJPDC website.

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

1. Kat Meyer: said she is speaking on the future of Riverbend development that is coming in Belmont. They have submitted a by-right application and we were told by the developer that this is a place holder and they wanted to get that in before zoning in Belmont had changed. They said they were going to be submitting for a SUP and for increased density. Also swapping a piece of land at the Belmont lofts with a piece that Mr. Capshaw owned at this piece is part of the Rivanna Trail which would increase the acreage and would be able to increase density. There are 138 residential apartments and the traffic engineer said with the formula that they plug in for that number of residents there would be 458 residents driving out and 458 residents driving back. She said just to locate where this will be is across from us. Jimmy Dettor sold the property which is about five acres and the location of old mechanic shop property. It is a really narrow street and quite an interesting intersection with all of the restaurants; so just imagine 1,000 more cars right there in downtown Belmont would be pretty horrific. She said with this SUP, they are looking to increase the densities and there would be more traffic. The neighborhood association has been working on this since last year. We are asking for a thoughtful process as far as infrastructure and this is incredibly complicated. This environmental, engineering, it's up on a slope. Mr. Dettor had a lot of cars and trucks and reclamation and reformation, working the streams back there. How do we follow the threat of accountability and how long is that process without a City Manager or someone to oversee these projects at this point. This is a huge suburban development right in downtown Belmont. What we are really looking at is the lay out of our process, what are protocols and what are the procedures? We want to have more dialogue, and we want to understand how we can engage with the developer to have a really smart, sharp, urban, appropriate HUD development in the jewel of Charlottesville. She thanked Ms. Creasy for responding so quickly.
2. Eugenio Schettileti: Douglas Avenue: he said written words are very powerful, there are a collection of these words that form the basics of our zoning code. Words are necessary to convey civic duty and responsibility in executing community visions and these words are binding; they are written and are part of the code. He said how can these words can be enforced as clear language and clear expectations. An issue was some comments made by some NDS staff the early part of the week that reported in the Daily Progress about the Belmont Apartment Development. Specifically how one reviewer's comment was quoted verbatim the language of the neighborhood commercial corridor? The review comments which was considered a recommendation. Is the entire zoning code a recommendation? He feels the objectives and the intent are clearly communicated in the listings of the requirements of the mixed use corridor district and the neighborhood commercial corridor district is a unique animal that was

developed many years ago and he was a part of that development and spent many hours drawing circles on maps and it is unique to Belmont and Fry Springs. The purposes are laid out very clearly is to encourage mixed use development and the objectives are laid out very succinctly encouraged a use of mixed development, demonstrate appropriate use of scale, development offer creative minimization of impact of parking facilities and traffic, landscape spaces available for pedestrian uses, alternative forms of transportation, neighborhood and economic activity, homeownership, and importantly neighborhood participation in the development process. The objectives further states that each of these zoning districts are to encourage a mixture of commercial and cultural uses within a single building or a multiple buildings and structures. When these plans were developed, the neighborhood commercial corridor was an extension of downtown Belmont which would encourage the use of a vibrant community.

3. Nancy Carpenter: she is from CLICC, and wants to talk about the well scripted Comprehensive Plan community engagement sessions. Truly authentic open input was not allowed. The only time there was input was for specific chapters of the Comprehensive Plan. She mentioned the demographics of the attendees. The planning commission know that primarily the attendees are upper middle income white folks certainly not representative of the folks affected by any changes in the Comprehensive Plan that could result in some zoning changes. Also your Comprehensive Plan must have a housing strategy that centers on a cohort of our city residents that struggle daily with extremely low incomes within our 10 square miles i.e. according to HUD 2018 income guidelines would be 30% of your area median income currently for a family of four is \$25,600. The City has to know that there have been decades of racist housing policy in this city. If our Comprehensive Plan does not contain a strong housing strategy that centers on our extremely low income neighbors and the racial inequities of those prior zoning strategies that were used in this city, then you must not proceed with this Comprehensive Plan until those questions are addressed, acknowledged and worked out. CLICC has requested the moving forward on the Comprehensive Plan be delayed until there is a strong housing policy or until it is solid enough to be incorporated into the Comprehensive Plan. It looks like zero time for public input on your housing need assessment study because it looks like the deadline for the comments and release state of that study are simultaneous. The public needs time to consider the study, look at how the data was collected and any questions about the data collection and also the new members should want time to consider everything as well. As part of the housing strategy, she said there should be an anti-service displacement policy within that strategy because until we get enough units online that are sustainable because the word affordable has been corrupted like the word organic. Until housing is sustainable, we need to keep people in their houses.

4. Mark Kavit: reminded everyone to please speak into the microphone. He welcomed the new members to the board. He directed his comments to the new members saying you have important non-paying jobs that is vital to the city. He has been following this board for many years. He asked the new members to become knowledgeable on the properties you may be making decisions on. Don't go only on the information package that staff gives you. Go out to the properties and look around and don't believe everything the applicants tell you. Many times this board has been misled, sometimes outright lied too on matters. Be aware that some people want to present a sunny side. A little skepticism is not a bad trait. Development should be a good thing in keeping with the neighborhoods and not overpowering. One hundred years from now you should be proud of the progress you made to it was recommended to tell a story coal tower project before the Council, what the price range, very concerned about affordable housing. He spoke on the Coal Tower Project and he stated he was at the City Council Meeting when the developer came before Council to talk about that project. One of the Councilors asked about the price range and was told about \$250,000. He knew this development would cost a lot more than \$250,000. Later on the developer was asked the same question and he said the land was \$250,000. That is an example how Council is misled and those houses are now selling for 1.2 million.

5. David and Karen Kats: said we are among a few recipients from a third party consulting firm that does size-mix surveys requesting that we call and make an appointment for a size-mix survey to be done at our home because the people who are building Belmont Point are finding that they are encountering impenetrable rock and so they want to blast and they are anticipating what is likely to occur which is that every home within 700 feet of this area are two ball fields at Corey Park that is owned by the city and there is within a foul ball of that park is the Rivanna Trail. Their request is that residents call to schedule this survey so they can determine pre-existing conditions, clearly that is so later on when you go to sell your house you can find there is a crack in your foundation or in your plaster or in your dry wall or window sill so that they can say too bad that was a pre-existing condition. By the time the damage would be evident, Southern Development Homes would be long gone and their insurance companies who specialize in the two letter word "no". She said there is no compensation you can give to someone whose home is damaged by this kind of ridiculous and outrageous that we are expected to assume some of the financial and health lifestyle risk so that Southern Development can build 23 homes. This letter was left unscientifically haphazardly on our door, and it was not addressed to anyone.

They didn't bother to ask; who are these people who are engaging in this salacious partnership, she spoke with contractors to say there is no good outcome to blasting.

6. Kimberly Hawkey: Belmont residence, and she will be reading comments from the neighborhood regarding the riverbend project: NSD has guiding principles that do not seem to be in harmony with or be sustaining for the neighborhood; the riverbend is out of character for the neighborhood; architecturally and in size, it would be over-whelming for the neighborhood. It is inappropriately for this site and the neighborhood; it is non-conforming for the neighborhood; designated historic district; developers do not care as they only want to maximize their profits; there will be noise ground and air population; Residents will suffer for years without compensation; quality of life around the project will be permanently damaged; construction will take over sidewalks and unsafe pedestrian conditions; an unsustainable footprint and people are worried about the waterways and the marsh in that area; the neighborhood has suffered over 20 years due to the restaurants there; 500 people into your neighborhood. The infrastructure does not support this overload of traffic and people; people believe this area will be unlivable do to the added cars and pollution per day and other cars that will be added to the neighborhood from the other construction sites; the schools are concerns; environmental concerns, wildlife and bird habitat.

7. James Kelly: a resident within the 500 foot zone that we are currently talking about with the southern development blasting radius. He said he did not get the notice that everyone else had been given. He is a licensed contractor and been in business for forty years. He said blasting and the effects of blasting on buildings and homes especially close to the building radium. A blasting radius extends beyond five hundred feet is a pipe dream depending on the sub-soil and the rock in the blasting area. The results may not be found within the first week or 5 years out that cracks occur because of weakening soil, stone and foundations. The houses in Belmont were built in the 30's and 40's and early 50's and were built with cinderblock foundations which is a whole different world than concrete block and concrete is much more solid than the cinderblock. It will crack in a heartbeat and deteriorate over time. Plaster and old drywall in many homes in Belmont and effects will not be known immediately. It will be known over a much longer period of time, and there is no resolution for it. He said more importantly Belmont is riddled with sub surfaced sewer systems which are built out of the old terra-carta clay. When you start getting underground and the old terra-carta pipes you will not see it until it is too late. The terri-carta pipe is extremely fragile.

#### E. 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

Commissioner Keller moved to accept the Consent Agenda, seconded by Commissioner Solla-Yates and some suggestions on item three, motion passes 7-0.

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

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).

Chris Henry, Manager of Stony Point Design Build said his request for greater residential density and larger buildings for the Dairy Central project at 946 Grady Ave. won't be so controversial. He said that because he and his team have been working with neighbors and stakeholders to add amenities and features they want, such as affordable housing and office space for nonprofits, improved public infrastructure and a publicly accessible community center. He said his plans are to start redeveloping the historic Monticello Dairy building into a mixed-use development with retail and office space this summer — and a spring 2020 opening



date in mind — the developer needs the council's approval for the construction of two five-floor buildings on the 4.4-acre parcel owned by Dairy Holdings LLC soon after.

Commissioner Solla-Yates, a resident of the 10th and Page neighborhood: said he spent a great deal of time working with your team along with his neighbors to understand what you're doing, and he applauds your work to engage with the neighborhood. He also noted that Mr. Henry has set a gold standard for public participation that everyone else should be measured against.

Commissioner Mitchell: asked the developer to talk about how he plans to stage the parking deck.

Mr. Haluska: said a phase development and final site plan as they come in, at the conclusion throughout the project we can't back the parking temporary place what do you do about that. Where is it permanently, there is not parking in the final, but phase 3 and 4 they will never get a site plan approval.

Commissioner Mitchell: 80% 100,000 for this 40% for five and what is the configuration all the market rate of the project same mix as the same 65% 3 40% 2 bedrooms. Affordable ordinance

Commissioner Keller: is it dedicated units, he doesn't know that. Probably have the same units.

Commissioner Mitchell: is this the commitment convey? The duration double for 10 years. Will you go beyond 10 years?

Commissioner Solla Yates: everyone will be measure against 9.5 feet off 10th feet. Streets that works: We are providing requires a 5 or 6 foot, trying to keep working on waters street for shrubs along wood, constraint on this and don't feel comfortable, clarify the condition, stepped back from the face f the building the additional of the 5th floor. Particularly on West Street. Four feet of public right of way a huge condition of the present condition. Phase 2 and 3. What are we looking for in phase? However, we are happy to commit about the quality of materials ad know 2 and 3 entrance corridor as part of the design overlay.

Commissioner Lahendro: said some of the things about phase 2 is good, but no assurance about phase 3. It is a white block.

Parking strategy: Phase 2 - 143 spaces under the building. Phase 3 the buildout on the lot under the phase 3 intention to look at that replace the parking within, West Street and 10th.

#### Open the Public Hearing

Nancy Carpenter: She lived across Preston in the Rose Hill Neighborhood. She said he has been impressed with the community engagement that the project has done in her neighborhood and in other communities. But she said one impact that the Planning Commission may not be able to address is that the developer should be able to get tax credits for low income units. She said if there are owner occupied units next to the site those home owners should be given a tax rebate. She said because this type of modern development is now coming to Preston Ave there will not be more phone calls to those homeowners asking them to sell. She said she had experienced this in her own neighborhood and the cost of the land on one of the streets near her has doubled. She added that homeowners could be elderly and had been there for 30-40 years and should be offered something even though there is not a full impact assessment yet.

Martha Smythe: She was wondering what the target market was for these properties and what the rent would be for the one and two bedrooms. She was basing this on some general concerns about the rents in the area and a "bait and switch" type agreement where things start looking better and are beautiful but the rents go from something affordable to something much higher.

Mark Kavit. He was curious what type of building material would be used for the new building behind the preexisting building, as well as the frame and what color would be used. He hoped that stucco would not be used. Darker colors he said would make for a much nicer looking building.

Tim Pathalingo: He was a resident homeowner on Ninth St in the 10th and Page neighborhood. He said he had had the privilege of serving on the 10th and Page task force. He said he wanted to touch on a couple things because this was a major proposal. As far as affordable housing, he said the onsite affordable units are important because the developers are not just putting money into a fund and are exceeding the minimum requirements. If the developers could partner with city, the idea of providing units at lower AMI levels was really exciting and something that neighbors of his did support As far as the design, he said that it was well considered and well-designed that there was a lot to be commended. He said the project was quite major and there were aspects that he did find concerning such as some that are more about context. He did not understand how Preston and all the nearby intersections would be able to handle the increased vehicle traffic from all of the new units. Residential streets would also see big increases in trips and these the streets are already narrow. He said the intersection of West Street and 10th has a big offset and

is already unsafe and that adding in development makes this a major concern. He said this is a major project and he hoped there was a way maximize positive impacts and minimize negative impacts.

Susan Kreshall: She said that we have seen a lot of new development in Charlottesville and that the massing and aesthetics is something the community is concerned about. She said it is very rare to find a developer who will come before this community and actually listen to what they have to say, speak to them face to face and actually design projects that directly address what the community says. She said when these developers come before the Planning Commission we should take notice because it sets the gold standard for how future developers should behave. Stony Point Build has become one those rare finds. She said they are intelligent and care about the community and the environment. They have a strong sense of aesthetic design and they understand the existing landscape and its historical roots. And she said, they agree with partnerships with the city and with other stakeholders. She said we are facing an affordable housing crises in this city and that all you have to do is look around the number of affordable units that have actually been built to realize that this issue is not going to go away any time in the near future. But the developer standing before PC today was not only willing to actually build affordable units but also willing to build four times the minimum requirements. And he was willing to work with the city to make some even more affordable. She said he is will to offer public space and low rent for nonprofit office space. She said the city is looking at a lot of commercial buildings and we do not have the housing for everyone so we should not pass up this opportunity. Also the project is offering parking and is maintaining the historic façade of the Monticello Dairy.

John Gaines: He lives on 9th Street N.W. He would like to commend the developers, and said this is a group that all developers need to take into consideration because they have involved the community and have given an excellent presentation and they have made some concessions for which he is thankful. But he said he still had several questions. He asked why 10th and page had to bear the brunt of all rentals in the City of Charlottesville. That they have the highest number of rental units of any neighborhood in Charlottesville. He also had some concerns also about traffic. He could not see how this would not have an impact on the 10th and Page area such as West St. which is very narrow. Anderson St. he said is also very narrow and Paola Street as well. Overall he said the streets are very narrow and this development would have a tremendous impact on that area. His other concern was about parking because he said that not everyone would be riding a bike and many of the people in the rentals would have more than one vehicle. He closed by saying it is also rewarding to hear that the developers have contacted the schools as it relates to the units. From what he can see is that the developers have done a very thorough job.

Carl Schwarz: said he would also commend the developers for engaging the community and seeking out individuals to hear their concerns. He hoped that other developers were listening and seeing how this was done. He liked that the project opened up to the community instead of closing itself off. He was confused if it was under-parked or not. But he said he would like the city to see if they can add permit parking. He said that more cars would only mean more cars on the streets and he wanted to see if there was any way that the City could force people to not bring cars and mitigate the impact of this project. He said this was great for affordable housing but it was only chipping away at the problem. A handful of units that would only be affordable for a few years would not really solve anything. He said every neighborhood in Charlottesville needs to take their share of development. He said to be a NIMBY in the city is to be exclusive and exclusivity is not a core value of Charlottesville. Building types like this seem to exist historically in low density areas so he did not see why this should change. He said that this would not cause rents to go up because rents are already going up and that that it is a done deal already. If anything this will just help meet the demand. He said this was a great project and that this is what SUP should be about.

#### Close the Public Hearing

Commissioner Dowell: said she wanted to start off by commending the developers for the time they have taken to meet with the public in multiple different ways, and she reiterated that this should be the model that developers follow from here on out – that our citizens are being heard. One of her concerns was parking and traffic because that area is already constrained. She also commends them for adding so many affordable units but she does have a problem with the short term of those units. That is too short of a time to fix the issue we have in the city.

Lisa Robertson: asked legal counsel when the 5-10 years of affordability started. And wanted to make sure that there was not a sunset clause that made the houses not affordable by the time people rented them.

Commissioner Lahendro: asked if the staff could explain how this project would continue to come before the Planning Commission and how they will be able to review phase III.

Mr. Haluska: replied that all site plans that all SUP site plans will be reviewed.

Mr. Henry: stated the property can have up to 43 units per acre and 50-foot-tall buildings. The permit will allow the developer to have up to 60 units per acre and building heights up to 65 feet. He stated the first phase of the project, which is being developed by-right, features the renovation and expansion of the historic Dairy building. It will feature 58,000 square feet of office space, 7,000 square feet of retail space, a 1,400-square-foot brewery and nearly 17,000 square feet for restaurant space. The application for the permit says it is specifically for the second and third phases of the project, which will allow for the creation of approximately 250 residential units. While the plan calls for the development a 200,000-square-foot mixed-use building with 175 residential units and 1,300 square feet of commercial space at the corner of 10th Street Northwest and West Street, followed by a 61,000-square-foot residential building with 75 units on West Street. A fourth phase of the project calls for the construction of an 114,000-square-foot commercial building with a parking garage. He said the final phase can proceed as proposed with no special consideration from the council, but a timeline for the last two phases has not been determined yet. He was asked to speak to building materials and said it was primarily brick, some stucco (normal stucco), for the he main building Faber-cement.

Commissioner Solla-Yates:

1. Is it possible to route traffic leaving the site west to 10th only?

It is, and I believe the Traffic Engineer's office is already looking at the possibility of physically limiting the turning movements around the site to make this happen. I would suggest making any condition subject to the Traffic Engineer's final approval (if from some safety based reason the site needs to be changed in the future, we don't want the owner to be required to go through a 3 month process to make the change).

2. I'm guessing we can't condition an SUP on perpetual neighborhood meeting access. Would ten years be doable?

My concerns here are that:

- a. The community room is in the first phase of the project, and this submission covers Phases 2 and
- b. Generally, the condition must be related to some impact of the SUP request. I'm not sure how community access to the community room addresses an impact of the additional height and density.  
I'm not sure how it would be enforced should the owner fail to live up to the condition.

3. How is the affordable housing structured, as a proffer? Or does it need to be a condition of the SUP (if we approve) for it to have any teeth?

- a. The amount required under the zoning ordinance is a legal requirement. It doesn't need to be in a condition. The amount above the legal requirement would need to be conditioned to be legally binding. I can explore with the applicant if they are willing to make that commitment, since it really needs to come from them.

4. So, first off, just a reminder that we can't force anyone to provide affordable units and we can't put extra conditions on the ones they do offer or provide to meet ADU ordinance requirements (thought I got that point through when I met with the neighborhood association).

5. Second, the rents that will be charged for the units varies.

The 5 required ADUs will be provided at Fair Market Rent, which is affordable to households with income at 80% AMI, or anyone with a Housing Choice Voucher. The remaining 15 units will set rents at 30% of the 40% AMI level. For instance, 40% of the current AMI equals \$29,320 for a single person household. 30% of that equals \$733/month and that is the amount Dairy Central units will charge for a 1BR unit.

Mr. Henry said the project will include at least 20 units that are affordable to households making 80 percent of the annual median income. For a family of four, that number is about \$68,000, according to the Virginia Housing Development Authority. The 20

units are four times what is required for the project, per the city's special-use permit ordinance. One of the conditions of the commission's recommendations is that the units must remain affordable for a minimum of 10 years.

Mr. Henry said it is possible that 10 units might become affordable for households at 60 percent of the annual median income and five at 40 percent if the city approves a tax abatement plan for the project. It's traditionally a tool that's been used to incentivize office development, and we're proposing the city use the same tool that's been used before to achieve a different public need: affordable housing.

Commissioner Dowell: said she is having a problem with the massing and scaling that's going around this little density residential neighborhood; for instance look at Main Street at the standard that is hideous. She doesn't feel that this project anywhere near that, but we are getting close to it. We are encroaching on this one neighborhood; as Mr. Gaines said, this is where a high percentage of our renters are in the City. Keep that in mind.

She said she did not have a recommendation but said 1) we need to keep this in the forefront of our mind, 2) use this in the user comments when the housing study comes out; we do need affordable units, we do not need to look like Washington D.C. or New York. She feels like that is where we are heading. This also gives the pre-forefront of gentrification of that neighborhood.

Commissioner Keller: said Ms. Dowell's comments was very important; as a resident of this neighborhood, she has seen change and been impacted and we should take that to heart. She said this is a unique site, and she supports this because of the uniqueness of it and Preston Avenue and the changes that were brought intentionally a century years ago, and maybe 40 years ago in terms of transportation improvements and the fact that this was formally an industrial site, that operated close to 24 hours a day having truck traffic and having an impact on the neighborhood for a long time. She took this into consideration when she was evaluating this.

Chair Green said she wants to make sure if we have a project out there it is not something that we are not cherry picking saying yeah it fits, it fits, it fits. She wants to make sure with the Comprehensive Plan that has some teeth and when we stand up here and say yes, how does this fit, than we know the answer.

Commissioner Dowell move to recommend approval of this amendment to Special use permit SP-18-00002, 926 Grady Ave, (Dairy Central) subject to conditions on page 8 because I find that approval of this request is required for the public necessity, convenience, general welfare or good zoning practice. My motion includes the recommendations for the conditions referenced in the staff report dated June 12, 2018, subject to the following revisions as we have stated.

1. 90% of residential uses, such a housing need
2. Staff provide some additional input. The traffic engineer particular attention to these intersections and crosswalks and surrounding and have information at site plan review and input from community residents
3. Design feature that are in the phase courtyards directly off West Street
4. The ground floor opening directly onto 10th street
5. The parking garage set low and screened from West Street.
6. Southbound traffic to be subject to review by traffic engineer right turn only
7. Craig Kotarski: Pedestrian crossing is already there, running east-west  
Don't want to see traffic coming back into the neighborhood; traffic study was done and Brennan was okay with it. Not taking people into the neighborhood, the geometry along the site is 8 section.
8. Landscaping shall be as provided in the plan dated June 12, 2018.

Seconded by Commissioner Smith, motion passes 6-1 (Chair Green voting no)

## 2. ZM18-03-01 – Parking Modified Zone Amendments

Brenda Kelley, Redevelopment Manager for the City of Charlottesville, said this amendment only changes the requirements for three or more bedroom units. Affordable dwelling units can be excluded from the calculation of required parking spaces. She said

there is significant resident support for this amendment at Friendship Court. Because the cost of structured parking under current laws will augment the cost of redevelopment, a modified parking zone will help keep housing prices affordable. The approval of this request will not require that the property owners construct less parking. It simply provides the flexibility of the owners to build less parking depending on their parking demand and needs.

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 6th 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.

Commissioner Dowell: asked is it found in your research that more people who occupy affordable units don't drive?

Ms. Kelly: said it is based more on the location of the sites in an urban environment where there is significant transit located nearby: bicycle, walking, a very walkable street and some of these units may be smaller units with public and subsidized housing.

Commissioner Dowell: said the requirement would only change for three bedrooms units that would require them to have one parking space.

Ms. Kelly said correct, except for the affordable units which are not required to have parking.

Commissioner Dowell: said she wanted to point out especially with Friendship Court and 6<sup>th</sup> Street; they are very walkable and close too but people still drive. If they are not parking on site, then where are you putting those cars?

Ms. Kelly: said you will hear from Mr. Mathon and Mr. Duffield that they are going to look at the demands for their property and they will be very careful addressing those demands so they won't have those issues on site.

Commissioner Mitchell: Is this being driven by the vision for re-development, establishing the parking in an urban development, and cost of the housing going down.

Ms. Kelly: said yes it is because these two entities are in the re-development process right now because the cost of structured parking in an urban environment is significantly driving up the cost of re-development. If they can keep those cost down by not building parking that is not needed, then they can keep the cost of the housing down to pass on to the residents.

Commissioner Mitchell: said we are not losing any slots; the slots we have not won't go away or down-size with re-development. He said this is limited to the four sites you listed

Ms. Kelly: We are not losing any and we are talking four sites, five separate parcels because the Avon/Levy site is two separate parcels.

Ms. Creasy: said we did receive comments from members of the public this morning that she forward to commissioners raising concerns.

Commissioner Solla Yates: inquired about parking downtown and the property owners that have no parking required.

Ms. Creasy: said there are some parking exempted in the area of downtown and a small expansion from there parking modified which is a step down from that and after that it is the regular parking regulations that is part of the code.

Commissioner Solla Yates: Why are there sort of medium parking requirements instead of none at all like the Omni or the Amphitheater?

Ms. Kelly said these properties are immediately adjacent to their properties to do downtown zoning, it is probably a better planning practice to expand that boundary to adjacent properties instead of skipping over properties to do the downtown.

Chair Green said the information you just gave us in this packet, did we receive this in email?

Ms. Kelly said these are comments received since we sent out the agendas.

Chair Green asked about the residents that did not get their notices.

Ms. Kelly said they were misinformed about the requirements of the notice. Ms. Creasy and Mr. Haluska corrected them on the misunderstanding.

Chair Green said she notice you had held meetings with Friendship Court residents.

Ms. Kelly said Friendship Court held that meeting and the Housing Authority had a board meeting. The Piedmont Housing Alliance is the owners of Friendship Court.

### Opening the Public Hearing

Sunshine Mathon, Executive Director of the Piedmont Housing Alliance, provided further information on the redevelopment of Friendship Court. PHA is the managing partner for the community. He said PHA created an advisory committee when it began planning the redevelopment of Friendship Court over two years ago. The committee is comprised of nine residents from Friendship Court and six residents from the broader Charlottesville community. The advisory committee became core partners and co-designers as we moved forward. From the preliminary master plan that was released at the end of 2016, we gathered the comments and concerns expressed both by Friendship Court residents and by the broader community. The PHA finalized the redevelopment framework in February. From then until the end of April, it held five community meetings and conducted door-to-door follow-up.

Grant Duffield, Executive Director of Charlottesville Redevelopment and Housing Authority, stated the parking in Friendship Court is at a premium for everybody. He also addressed the Planning Commission. He represented the residents of the proposed CRHA modified parking sites. Mr. Duffield said we have not had the in-depth discussion of parking and the dynamics that plays in development that PHA has had with residents of Friendship Court. Ideally, if there were an opportunity to hit a pause button for even thirty days, it would give us time to educate our residents, work with them to better understand the impacts of a parking modified zone. PHA conducted a rigorous parking study over the course of multiple days and at different times of day. He said that data clearly shows that the parking need within Friendship Court, not including the perimeter parking, the peak parking demand is three-quarters of a parking spot per apartment, and there are 113 or 114 spots that are filled out of the 188 that are available. The redevelopment plan will replace the existing 150 Section 8 units and add an additional 150 affordable units and 150 market rate units - a total of 450 units. Though PHA has not made a final decision about the amount of parking spots the redevelopment will include, it will most likely be one parking spot per unit, including guest parking. That will all have parallel parking along those streets as well; there will be public parking

Linda Sprinkle: an Avon Street 600th block resident, said that there was a shortage of parking in downtown Charlottesville. The Avon Street resident said Friendship Court faces parking pressures from all sides: the restaurant district, the new development of Belmont Bridge and the downtown community.

### Closing the Public Hearing

Mr. Mathon said the community expressed a significant amount of support for the framework overall. Again, to be crystal clear, we will park Friendship Court adequately, yet we cannot spend money on unnecessary parking. The parking modified zone will only give us the flexibility we need to meet our parking needs without requiring detrimental excess.



Mr. Mathon said the redevelopment of Friendship Court will include the creation of two new streets on site. Fourth Street will extend south and cut through the site, and there will be a street that mirrors the existing driveway entry into Friendship Court currently that will become a public street.

Mr. Mathon said this public parking may be time restricted or made exclusive to Friendship Court residents and visitors. There will also be a mixture of structured parking under some of the multifamily buildings, surface parking lots and other parking spots that connect to the proposed townhomes. All of those parking spots in total will address our internal needs, just as the existing parking addresses our internal needs now. We're not planning on that perimeter parking being a part of that parking solution.

Commission Dowell disagreed, arguing that parking remains a problem at Friendship Court. She said know several residents that live in the area. Parking has been a big issue for this site for many years, whether it's guest parking or regular residential parking. Especially if we are considering that we want those residents to start bettering themselves and maybe acclimating into better jobs, the bus line is just not going to be your only source of transportation.

However, the amendment will only apply to Friendship Court. CHRA will need to return to the Commission to receive approval of the other proposed parking modified zones.

With the approval of the parking modified zone at Friendship Court, PHA was able to submit its preliminary redevelopment site plan last Wednesday. It plans to submit its Phase One site plan, including the final number of parking spots, in August or September.

Commissioners 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 property Friendship Court properties ZM18-03-01 basis that the rezoning would serve the interests of public necessity, convenience, general welfare or good zoning practice, Seconded by Commissioner Smith, 5-2 (Commissioners Dowell and Mitchell voting no)

Commissioner Dowell move to recommend that City Council deny this petition for a zoning map amendment to extend the boundaries of the Parking Modified Zone, Seconded by Commissioner Mitchell, motion failed 1-6 (Commissioners Lahendro, Keller, Solla-Yates, Smith, Mitchell, Green voted no)

9:32 Break

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

Heather Newmyer Staff Report: The highway corridor mixed use district is one of 14 mixed use districts where its intent is expressly stated to facilitate development that is more auto oriented than other districts. The district is intended for the most intense development. City council initiated the amendment April 16th 2017, but the request first came from Ashley Davies about the old K Mart site. She said to be clear this zoning text amendment would affect the entire zoning district. If the CTA was to be approved, each developer would have to come before Planning Commission and go through the entire public hearing process. As part of the review Planning Commission should consider the ZTA based on the following: Whether the ZTA conforms to the comprehensive plan, whether the ZTA furthers the purposes of the city ordinance, whether it benefits the whole community, whether there is a need or justification for the change and whether the property for the change is appropriate.

Commissioner Solla-Yates: Why this is happening outside of the comprehensive plan? Where is the fire?

Ms. Newmyer: said Hillsdale Place wants to include a drive-thru on their site, but staff finds this appropriate regardless.

Commissioner Keller: asked what do you think this will do to our primary tourist entrance at Monticello Ave and Route 20? Will this turn into hamburger alley?

Ms. Newmyer: No, not necessarily because uses could be reviewed.

Commissioner Keller: asked can you envision an applicant coming to you requesting as SUP for a restaurant that you would not support?

Ms. Newmyer: yes absolutely. If they were to come through any areas that are predominately residential.

Commissioner Keller: asked would you support it if the residents were behind the applicant and the SUP?

Ms. Newmyer: said she would need to see specific cases.

Commissioner Lahendro: asked are there currently any drive through in the Monticello Ave area?

Ms. Newmyer: No there are not. It is easier to imagine in the other two places because they already exist.

Chair Green: What is the zoning for Emmet Street?

Ms. Newmyer: said part of it is highway corridor and part is urban corridor district. In the future we should evaluate if we allow a drive through in this district because it is more auto oriented, we should relook at the urban corridor district given the fact that it is meant to be more pedestrian oriented and currently you are allowed to have a drive through in those areas.

Chair Green: said to be clear, right now in our zoning ordinance, in the Highway Corridor which is supposed to be auto oriented you cannot have a drive through, but you can have one in urban corridor which is supposed to be more pedestrian oriented?

Ms. Newmyer: Yes

Chair Green: said as we looked through the small area plan, how do you think this fit with the hydraulic/ 29 small area plan?

Ms. Newmyer: said that is where the higher level of review comes in. Need to make sure they are looking at the comp plan and does this make sense to allow something like this. There are cases of drive through that are designed currently as opposed to the usual cookie cutter here it is.

Chair Green: asked how often do we get the normal cookie cutter? In the by right area?

Ms. Newmyer: A lot.

Commissioner Lahendro: asked is this all or nothing?

Ms. Newmyer: Yes there is not a way to choose which highways we allow.

### Open the Public Hearing

Ashley Davies: She is representing river bend development. She wanted to thank the staff for all of their analysis on this issue and for initiating the ZTA. As Heather mentioned she was doing the zoning research and was shocked to find out that fast food was allowed in highway districts but that they do not allow drive-thru. Several other districts do allow drive-thru with the SUP use. Also any other use that is not a restaurant is allowed to have a by-right drive-thru. She realized this was a pretty obvious omission

in the ordinance. She wants to point out that there are advances with how a drive-thru can fit better in a more pedestrian friendly environment. In our most historic part of the city is a bank with a drive-thru and it integrates into the urban walkable environment very well. Through performance standards and design review we can address any issues or mitigate any impacts. She thanked the Planning Commission for reviewing this request. They want to really transform the site but they cannot get any tenants because they are not allowed to have a drive-thru.

#### Close the Public Hearing

Commissioner Keller: said she is not supporting this. She can see why it works at 5<sup>th</sup> Street which is one of the three areas but she finds it incompatible with our recently developed Small Area Plan for Hydraulic which has a new vision. It is very incompatible with the Monticello Avenue/Route 20 corridor. In the past we have had a vision of ourselves as a green healthy living city. She uses them occasionally while traveling and for convenience. She thinks this is a pattern we need to break. When people visit our town we would like for them to spend more time and get out of the car and walk around and get out of this pattern of drive through. She has always thought that Charlottesville was very fortunate to have nice entrances near the interstate. We are not as cramped up as most places we visit across the country. She said if this happens for this one reason to accommodate one developer we will see it extend on other corridors and the cow will be out of the barn and there will be no way to put it back. She said if we had not had that Special Use option maybe we would have had a different experience on Emmet Street where the Car Wash and Zaxbys went in. We had a vision for that to being a more urban scale development, more pedestrian oriented and now we are stuck with what we have there which is fine but we are probably stuck with it for another couple of decades and we didn't move the needle because it was just convenient. She is not going to support this.

Commissioner Solla-Yates: said he cannot see the public purpose in doing this now versus in the Comprehensive Plan process we are already in.

Commissioner Lahendro: said the Planning Commission was successful with Zaxbys and he agrees with the presenter that it doesn't have to look like a Hardees or any other drive-thru restaurant. A good design can change the form in a compatible way.

Commissioner Mitchell: echoed Commissioner Lahendro.

Commissioner Keller: 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: we want our city to be a green, healthy living city, Seconded by Commissioner Solla-Yates, motion passes 5-2 (Commissioners Lahendro and Mitchell voting no)

**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 nonresidential 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 of 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)

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.

### Open the Public Hearing

Travis Pietila: Good evening, I'm Travis Pietila from the Southern Environmental Law Center. Thank you for the chance to comment, and welcome to the new members of the Commission. I hope you all received the email we sent yesterday—I'll mainly be recapping those comments here tonight. As staff has explained, the purpose of this ZTA is to close a significant loophole in the existing zoning ordinance. The City Code currently offers height and density bonuses for mixed-use proposals in certain zoning districts, but without defining any real threshold that must be met to qualify. The district that's most affected by this today is Downtown Extended, which makes up the vast majority of the Strategic Investment Area. The City currently allows a doubling in building height from 50 feet to 101 feet by-right for any "mixed-use building" in this district—that's the tallest by-right height allowance anywhere in the City. Yet with no mixed-use standard in place, incorporating even a single studio apartment into a large office building would make a project eligible for this bonus. That's clearly not what the City has in mind when it incentivizes "mixed-use" in any district. But it's a particular concern in the Downtown Extended district because of the new zoning code being considered for the SIA. As part of that process, the City's consultant has recommended using height and density bonuses as the primary method to achieve affordable housing and other public benefits in this area. In other words, by-right height might be set at 50 feet, but it could be increased to 75 feet if the building includes a certain number of affordable units. But if a developer today can build up to 101 feet by-right for including a single apartment in an office building, the City is losing valuable opportunities to leverage height with a new zoning code. To address this problem, we believe the default 12.5% mixed-use threshold being proposed for those districts that don't currently have a standard is a reasonable solution, if only in the short-term. This percentage is based on standards already used in other districts, and its well below the 25% threshold that applies in some others. To be sure, we don't see this as a permanent solution, and it's far from perfect. We agree with others that the City would benefit from a broader, citywide review of how to best encourage and incentivize mixed-use development across our community. But that's likely to be a lengthy conversation and process, and the City can't afford to leave the current loophole open in the meantime. Either the undefined bonuses in the current code should be eliminated or made available only by special use permit, or a reasonable stopgap measure like the one before you should be put in place as soon as possible.

### Close the Public Hearing

Commissioner Lahendro 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, seconded by Commissioner Dowell, motion passes 7-0.

## **IV. COMMISSION'S ACTION ITEMS**

Continuing: until all action items are concluded

### Chair Green Gavel into Entrance Corridor Review Board

1. Entrance Corridor Review Board
  - a. 916, 920 East High Street & 325 10th Street NE (10th & High
  - b.

Commissioners Lahendro and Solla-Yates: attended the meeting with the applicant Mr. Dan Martin.  
Commissioner Keller: said she fines this review to be much improved.

Commissioner Solla-Yates 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 10th Street NE, until the following concerns are addressed:

1. The ERB should view and approve 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

Seconded by Commissioner Dowell, Motion passes 7-0

**c. Lexington Avenue and East High Street - Tarleton Oak**

Jeff Werner:

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.

Ashley Davies presented the presentation along with Andrew Moore.

Commissioner Lahendro – said we cannot set here as residents evaluating something that engineers should be looking at because this has to do with system and we have definitely gotten off track. He would like to see this in context. It's perceived as an office building, it is not a ground floor retail space

Jennifer Fesit: of Tarleton Oak LLC: we have worked on this for a year, we want the neighborhoods to be able to work across this project. We got this entrance from the parking structure, the neighbors are going to the retail not a civic center people can use and be a part of.

Commissioner Keller said a way to break up the facade is a long boring block with a façade.

Commissioner Solla-Yates 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...

1. The glass issue goes before the BAR:
2. The ERB should view material samples. Cut sheets for materials should be submitted, including light fixtures.
3. Per the EC Guidelines, stucco material such as EIFS should be avoided.
4. All glass must be specified as clear, with minimum 70% visible light transmittance (VLT). 62 is exceptionally darker. Ground floor transparency lower the upper floors to save on energy.
5. Signage requires separate permits and approvals. All signage shall appear to be lit white at night.
6. Require that rooftop mechanical equipment will be screened within appurtenance.
7. Consider recommendations offered by the BAR:
8. Increase number of street trees along Maple Street and 8th Street
9. Soften the transition between the project and 801 East High Street, a city-designated IPP.
10. Consider the use of trees from the Tarleton Oak.
11. Provide from the façade to the High Street
12. Accept the deferral from the applicant.

Seconded by Commissioner Mitchell, motion passes 5-0. (Commissioner Dowell and Commissioner Smith left the meeting)

### I. 2025 Fontaine Ave/Colony Plaza

Commissioner Keller: asked what is the expected life of this building, and does the UVA own it or lease it. A 10 year lease with 25 year options; 20 plus life and serve for a participated life for a 10 year period and renew in 20 years.

We showed a rendering, but how is this handled in other applications, for instance a new air handling system. So built a compounding system at the research park and a clean environment within the hood.

Commissioner Lahendro: proposed enclosure a weather cap flat as possible, that doesn't create a problem for that enclosure, a wrapper on the duck work, why not have a perforated panel, a weather type standard. The duck work would have to change itself. Suggest going with a dark color, the west side a single paint to match the dark color to match the east side. The steel gray a dark color and let the architect decide. We would actually look in daylight.

Commissioner Solla Yates: could some planting be done to ease it a little bit. It is not in his preview to look at landscape. It's all paved into out underground parking no place to put a tree.

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.)

Commissioner Lahendro 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 following conditions that the color of the metal cladding be a dark color to be determined by the architect and approved by staff, and the exposed duct work on the west side be painted the same as the selected color on the eastern closure, Seconded Commissioner Mitchell, motion passes 5-0.

Gavel out of Entrance Corridor back into Planning Commission

2. **Site Plan - Sunrise Park PUD Phase IV** - 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).

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.

Chair Green: move to approve the Final Site Plan dated May 23, 2017; with the Preliminary Architecture Plans, dated May 30, 2017; the Building Height Diagram dated October 4, 2017; to include images of the existing Sunrise Park PUD Development Plan, dated May 24, 2018 as well as the Sunrise Park PUD Development Plan dated January 17, 2018, Seconded by Commissioners Lahendro/Mitchell: motion passes 5-0. (Commissioners Taneaia Dowell and Hunter Smith had left the meeting.)

**0 Carlton - Stony Point Design/Build LLC** submitted a revised Special Use Permit (SUP) application on January 9, 2018. 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.

Ms. Rainey: Per section 34 1120 b1 the critical slopes ordinance is designed to protect steep slopes. The majority of the slope is wooded and critical slopes cover approximately half. There are several folks here who have done specific analysis: She recommended that Planning Commission focus on the following when making their recommendation to Council: erosion, adjacent properties, storm water impacts, loss of tree canopy and loss of wildlife habitat, the comprehensive plan and land use plan.

Commissioner Solla-Yates: Is there a significant public safety risk here?

Ms. Rainey: The design would be reviewed by engineers and would be to standards.

Commissioner Mitchell: Number of environmental issues that will be difficult to mitigate locally: Can the developer talk more about how they will deal with issues such as runoff into Moore's Creek?

Commissioner Solla-Yates: Can you talk more about our specific strategy for Moore's Creek?

Mr. Frisbee: Moore's Creek is one of our significant waterways in the city. The small tributary to Moore's Creek which is right below the site is an intermittent stream and has significance. The city is pursuing efforts to restore and protect all of our streams.

Commissioner Solla-Yates: How big is this problem city wide?

Mr. Frisbee: In the picture of the whole city this is a relatively small impact. The stream just below the project site would be the main one impacted. There will be some additional runoff from converting the forested landscape to an impervious landscape. This can be offset by storm water management but that may be done through off site credits.

Commissioner Mitchell: But credits do not help locally?

Mr. Frisbee: So far we have seen that purchased credits go outside of Moore's Creek watershed and Rivanna watershed. Soon there will be credits available locally but that is not the case right now.

Commissioner Mitchell: what exactly do those credits do for Moore's Creek?

Mr. Frisbee: It depends. If the credits went to Moore's Creek there would be a project such as stream restoration or storm water management. There is a certain amount of pollution reduced by those projects that then a developer can use in lieu of reducing those pollutants on site. Since there are no local credits available right now, there would be an impact on the Moore's Creek

Commissioner Lahendro: asked are there no plans for retention or water gardens or anything like that on site?

Mr. Frisbee: The plan does call for some underground retention or infiltration. What they are proposing to do on site would satisfy a little less than half their requirements and the rest would be purchased with offsite credits.

Commissioner Keller: Are the slopes unstable?

Mr. Frisbee: Storm water flows have caused erosion on some of the slopes. Some of that area is proposed to be filled and stabilized. So some of the existing slopes that are eroding would be addressed but a majority of the critical slopes are not unstable.

Commissioner Keller: Would extending the pipe be likely to cause additional problems further down?

Mr. Frisbee: No it would just deposit those flows further down into the valley. But hard to say. There are requirements that they have to discharge to a stable receiving system. But additional water from the site could exacerbate erosion.

Mr. Blake: There are additional flows but those will be reduced flows so the total should be the same. Even though more water is generated because of more impervious area, the detention will hold it back and release it slowly. There should be no higher magnitude than before.

Commissioner Keller: Are we losing any significant trees?

Ms. Rainey: May be easiest to reference page C2 of the site plan to see which shows which will be removed or preserved.

Mr. Frisbee: There are also areas where the entire vegetation is being preserved but the applicant can clarify that.

Chris Henry: said he is from Stony Point Design with Mr. Shrimp of Shrimp engineering and Josh Batman from Stony Point. Their presentation is geared to the SUP but the discussion has mostly been on steep slopes.

There are three things to consider in regard to these steep slopes. First the site was previously graded which created at least half of these steep slopes. It was clear cut and graded 30 years ago and they have no record of what they were trying to build and that created some of the conditions they are now dealing with. The site as it exists today has some public safety issues, such as very steep drop offs, and this project would make the site safer by making it ADA accessible and putting utilities underground to mitigate these conditions. Third, some of these environmental concerns: they are adding density at appropriate places in the city where people can walk and bike to work. Some of the areas they are replanting and adding street trees along Carlton where they do not already exist. They have done extensive community engagement like they did at Dairy Central and the neighborhood association sent Planning Commission a letter of support.

Mr. Shrimp: The city staff did a good job describing issues but they can answer any questions too.

Commissioner Keller: Are all the trees going to be removed from the site?

Mr. Henry: Five trees will be removed but everything else will be left.

Mr. Henry: There has been concern about the health of some of the trees on site and a neighbor has actually asked them to remove some trees from his yard that he thinks are dying. And the trees that we plant will be healthy.

Commissioner Keller: On which basis are you requesting the waiver? The community benefit or the unusual physical conditions?

Mr. Shimp: We talked about both. These are infill developments that will be difficult to build on. We are stabilizing the slopes and reforesting areas. The infill component will help the community too.

Mr. Henry: We met with the Southern Environmental Law Center about the project and they mentioned that they had some concerns and we met with them and revised the site plan and added trees where the culvert comes out. They did not come tonight so that should be encouraging.

Commissioner Lahendro: Did the added trees increase the screening from the residential neighborhoods?

Mr. Henry: These trees are along the complex and we are adding buffer along Carlton.

Chair Green: Do you anticipate any blasting here?

Mr. Shimp: There is no rock, it would be mostly fill on this site.

Commissioner Lahendro: Is the difference in heights the result of Monticello being built and the fill from Monticello as it sloped down?

Mr. Shimp: it is hard to know; but they did not have standards like we have today. What we are doing now is bringing it back to current standards?

Commissioner Keller: I wish you had included illustrations of the retaining walls. Will they be 216 feet long and 18 feet tall?

Mr. Shimp: We do not normally submit elevations of walls like this but we would probably build them out of the stacking block wall. We have not picked out a color yet but we will choose earth tones that will blend in.

Mr. Henry: It is not going to be on an area of the site that will be visible from either Carlton or Monticello and not from the road below either. There are a lot of a trees in between.

Commissioner Mitchell: The reason you are have to disturb critical slopes is because of the scale and scope of the project: have you considered tightening things up a bit so you don't have to disturb these slopes

Mr. Henry: we have done all that we can to tighten it up. We could build something else like a gas station or self-storage or seven single family homes which would be much larger in square footage per unit.

Commissioner Lahendro: to the applicants credit we asked them to add more space between the buildings and they have done this on the back side. It is a difficult site.

Chair Green: We have two decisions to make:

- a. Critical Slope Waiver
- b. Special Use Permit

Commissioner Solla-Yates: How important is habitat redevelopment in Belmont.

Ms. Rainey: The loss of existing area means that it would be nice to have some multi story habitat.

Mr. Blake: In regard to the magnitude of things. In an urban environment everything is small. We lose things incrementally and we try to bring back things incrementally. In an urban context we try not to lose any more then we have to.

Commissioner Keller 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, with the conditions referenced in the staff report on page 11. Conditions, based on a finding that the public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope and due to unusual physical conditions, or the existing development of the property, Unreasonably restrict the use or development of the property, per Section 34-1120 (b) (6) (d) (ii) the existing undisturbed critical slope, per Section 34-1120 (b)(6) (d) (i) Seconded by Commissioner Lahendro motion passes 4-1 (Commissioner Mitchell voting no) (Commissioners Tanea Dowell and Hunter Smith had left the meeting.)

Commissioner Lahendro: 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). Seconded by Commissioner Keller motion passes 4-1 (Commissioner Mitchell voting no) (Commissioners Tanea Dowell and Hunter Smith had left the meeting.)

Commissioner Lahendro moved to adjourn: 1:33 a.m.

**Minutes**  
**PLANNING COMMISSION REGULAR DOCKET**  
**July 10, 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 Jody Lahendro, Genevieve Keller, Taneaia Dowell, Lyle Solla-Yates, Hunter Smith, and Hosea Mitchell

Absent: Brian Hogg

Chair Green called the meeting to order at 4:50pm and provided an overview of the agenda. Commissioner Mitchell asked for clarification of the ownership and use of the alley associated with 1206 Carlton. Matt Alfele noted that the alley is currently used by adjacent properties. This applicant has proposed use of the alley allowing for residents on that site to access it one way. This would not limit use by other adjacent properties. Lisa Robertson provided information on how alley ownership works legally and noted the changes to the process that Council is considering. Chair Green asked for clarification that the only change since March was the addition of a proffer statement. It was noted that was the only change. She also asked if the Traffic Engineer had taken into account the traffic impact of all the proposed developments in this area in the analysis of the traffic impact. The process for analysis was outlined and it was noted that future developments are not included in this review.

Commissioners Solla-Yates asked if it was possible to have two separate Certificate of Appropriateness votes for Seminole Square. Jeff Werner confirmed that the report was sent up with separate motions to allow for this. Chair Green asked how the application fits into the recently adopted small area plan and Mr. Werner read the portion of the report addressing this.

Commissioner Dowell pointed out a difference in dates on the report. It was confirmed that the advertisement was correct so items could move forward.

Chair Green reviewed how hearings will be addressed this evening.

II. Commission Regular Meeting

*Beginning:* 5:30 p.m.

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

Members Present: Chairman Lisa Green, Commissioners Jody Lahendro, Genevieve Keller, Taneaia Dowell, Lyle Solla-Yates, Hunter Smith, and Hosea Mitchell

Absent: Brian Hogg

III. COMMISSIONERS' REPORTS

Commissioner Lahendro: reported he attended the Tree Commission meeting on July 9<sup>th</sup>. The Commission reviewed the city arborist's (Mike Ronayne) work plan for FY2019. The focus was on invasive plant removals, managing the EAB treatment program, identifying and treating hazardous trees at city schools, and implementing the mall tree study. Updates were made to the list of suggested tree species for city entrance corridors. This list was initially created three years ago as recommended by local landscape architects to create city street entrances that use native plantings instead of inappropriate exotic species. The Tree Commission discussed options for getting this information to developers doing projects that require entrance corridor review. Neighborhood Development Services will include this list on its development website.

Commissioner Keller: no report

Commissioner Dowell: no report

Commissioner Solla-Yates: reported he attended the Housing Advisory Committee meeting on June 20, 2018. He said we mainly reviewed the by right Friendship Court redevelopment presentation which is not coming to the Planning Commission. We talked briefly about the Housing Needs Assessment and Bonus Height Analysis, and scheduled another meeting for July 2nd to talk about the assessment. He said Piedmont Housing Alliance found that by right was the best method to produce affordable housing, and that affordable childcare provision onsite was an essential component of the plan. He also attended the Housing Advisory Committee on July 2, 2018 which was a special meeting. He said there was a lot of interesting information from the Allocations Subcommittee. The top ranked option 808 Cherry Avenue did not receive funding since zoning would not allow affordable scale development where they proposed to build. There were \$4 million dollars in requests for the \$2 million dollars in funding available. The Thomas Jefferson Community Land Trust did not receive funding because it was not as cost efficient as others. He said most of the money went to Carlton Views for the Low Income Housing Tax Credit match. Habitat received full funding for several projects and AHIP received emergency repair money but no efficiency retrofit money because the thinking was that there are other sources for that. He stated that the new ranking system will be adjusted based on what was learned here and best practices elsewhere. It was discussed to address some area housing needs including narrower streets, parking reform, more UVA housing, and better coordination between the Housing Advisory Committee, the Planning Commission, the Comprehensive Plan update and the Housing Strategy. There will be an additional smaller meeting of the policy subcommittee to synthesize everything Friday the 13th at 1 PM.

Commissioner Smith: no report

Commissioner Mitchell: stated he has been assigned the liaison for Parks and Recreation and for the UVA Master Planning Council.

- B. CHAIR'S REPORT, Lisa Green: reported that assignments have been made for Mr. Smith and Mr. Mitchell. Commissioner Lahendro will be our Board of Architectural Review representative. She also stated that there is a Place Task Force meeting on Thursday and a Bike/Ped Advisory Meeting on Thursday.
- C. DEPARTMENT OF NDS Missy Creasy: reported that a work session is scheduled for July 17<sup>th</sup>, and she has sent out information from the June work session and reminders to the commission for the things they assigned themselves to accomplish. She said on August 23rd there will be a joint work session with City Council for additional direction on the Comp Plan. Additional meetings are scheduled for July 31<sup>st</sup>, August 7<sup>th</sup>, August 21<sup>st</sup>, August 28<sup>th</sup> and those are already on the calendar. We have locations so if community members would like to attend we will have space so no one will be crowded. Communication has been sent out regarding the time for the needs assessment presentation between the Planning Commission and the Housing Advisory Committee. The coordinator will see if those dates are available for the consultant to come and I will keep you informed on that. We have met with our internal chapter champions on some of the Comprehensive Plan chapters that aren't as concerning in the community. We are getting them materials to provide an updated draft to the commission at one of the late August meetings based on comments we received from the community since June 2017. On July 17<sup>th</sup> we will begin the process of addressing the next steps and how we will be addressing land use type issues.

Chair Green: addressed the joint meeting with the Housing Advisory Committee and the commission is going to reach out to Piedmont Housing Alliance as well. She asked if Ms. Creasy had received any public comment from any other organizations.

Ms. Creasy said we received one comment from one organization. She said we are waiting on recommendations from you all and who you would like to add to the list. Staff has set up data to collect the information needed to help contact but is awaiting the feedback from you all and the community members who noted they would provide that.

Chair Green: asked when would you like this information from us?

Ms. Creasy said as soon as you have it.

Chair Green: said first thing at the next meeting on Tuesday, July 17, 2018 would be good.

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

No one spoke during Matters by the Public

### E. CONSENT AGENDA

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

Commissioner Keller moved to accept the Consent Agenda, seconded by Commissioner Lahendro motion passes 7-0.

Recess for 5 minutes 5:56 pm - reconvened for Public Hearing at 6:07 pm

The City Council was absent.

### 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. 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 proffered development conditions. The proffer redevelopment conditions include: (i) affordable housing: one unit will be designated affordable and will rent at a rate set by HUD home rents, making the unit affordable to those with income of up to 80% AMI for a period of not more than 10 years, (ii) building height: no building on the site shall exceed 35' in height from grade. The Subject Property is further identified on City Real Property Tax Map 57 Parcels 127. The Subject Property is approximately 0.26 acres. The Land Use Plan calls for Low Density Residential.

Report by Matt Alfele, City Planner

Commissioner Solla-Yates: asked if the neighborhood commented on this.

Ms. Alfele: said the applicant did hold their community engagement meeting and they did provided comment. He said traffic and parking have been a major concern and he said he had heard from multiple residents and had received phone calls and emails.

Chair Green: asked if this got re-advertised and if all of the mailings went back out since this was a new posting?

Ms. Alfele: said yes and he said he had the affidavit and the mailing list.



Chair Green: said she had heard from many people that they did not receive the mailings. She said in full disclosure that she lives near the site (less than a block away) and she had had several conversations with neighbors who received a letter the first time but not the second time

Commissioner Solla-Yates: stated he was reading a Charlottesville Tomorrow article that said Deb Jackson supported the development and asked if that was accurate.

Ms. Alfele: said it was not necessary support. The Belmont Carton Neighborhood association had put a letter together and did not have specific concerns but did want to make it clear that the city should put more focus on infrastructure in the Belmont Area

Chair Green: said she had a question regarding traffic calculations. She asked if staff was only looking at this property individually when they calculated traffic.

Mr. Alfele: answered yes and said when the traffic engineer looks at a rezoning or an SUP they are looking at that particular site. He said this has been something that the Planning Commission has been looking at in the update to the comp plan – to look at parking in a more holistic way but right now the system the city had in place was to only look at the specific.

Chair Green: clarified that this project could be on the moon and we would be only looking at this property and the cars on this site and not the other possible projects that could come next to it? There is not a holistic look at traffic and parking?

Mr. Alfele: answered yes that is true and he said he hopes it is something the Planning Commission can look into with the update to the Comprehensive Plan

Commissioner Lahendro: asked what was the assessment by the traffic engineer?

Mr. Alfele: answered the traffic engineer felt that the project would have no impact on the neighborhood.

Commissioner Lahendro: asked if this was the same type of assessment that the Planning Commission had done in the past?

Mr. Alfele: answered yes. An application that is reviewed by the traffic engineer is looking at that specific site. They are not looking beyond the site to a certain boundary. But again he said this is something the comprehensive plan and small areas plans could look into.

Ms. Robertson: said just so people were not confused, it was not entirely in a vacuum because they know what the existing LOS on the adjacent roadways is. The traffic engineer is looking at whether the increased traffic from this development on top of the current traffic conditions would impact the area in a way that would require new infrastructure.

Chair Green: said that all of the other corners could be built at a very high density and just because this is the first one built, the planning commission is not looking at what is already approved

Ms. Robertson: answered yes, that that is not how the city is set up that they could move to looking at things that are existing as well as things that are proposed in the future.

Ms. Creasy: added that the city also has a lot of things in process, and we do not know how those projects may progress – they may not come to fruition.

Ms. Robertson: said some localities do look at it that way.

Chair Green: clarified that it would take Planning Commission and City Council action to tell NDS staff to not look at this not in a vacuum so that they could plan the city's traffic systems better

Lisa Robertson: said that legally we are always looking at what we can hold one person responsible for. She said what we are talking about is a way that could be good traffic engineering and good planning and could take into account other known numbers. But it is something that you do have to incorporate into your site plan ordinance. You have to put people on notice that when they submit a site plan you want a traffic plan that accounts for those numbers and presents that as part of a traffic analysis.

Commissioner Keller: said the adjacent R3 property was owned by someone from Northern VA. She asked if there was a potential to combine these two parcels if the zoning change was made.

Mr. Alfele: said because there is an SUP on the lot, even if the lot line went away, the SUP would not move and would stay over where that previous lot was.

Chair Green: reminded the new members that the Planning Commission has standards of review for rezoning and number 1 was whether it conformed to the guidelines of the City's current comprehensive plan. She asked if it was the staff's opinion that this conformed to the comprehensive plan.

Mr. Alfele: answered no.

Chair Green: said the second standard for SUP asks whether the proposed development is harmonious with the current conditions and whether it will have a potentially adverse effect on the neighborhood. She asked if staff was saying that this meets those guidelines for the standard for review.

Mr. Alfele: said for that you cannot give a simple yes or no and that with certain conditions it could be more in line. He said as far as the rezoning amendment it is clear that it does not conform to the comp plan. With the SUP it would be more fluid depending on how the Planning Commission looked at it.

Commissioner Dowell: said she had a hard time supporting the project because the presentation was citing pieces of the staff report that refer to renting and homeownership and the proposal only offered rental units.

Mr. Shimp: said this was a broad statement and the more important part was the "price points that support work force housing" and that we need a variety of housing. He said what the city was short of was rentals and workforce housing and that is where this project would fit in.

Chair Green: asked if they were considering this workforce housing.

Mr. Shimp: said people use different definitions of workforce: usually people refer to 80-120% of AMI.

Chair Green: asked if he knew who would fall into work force.

Mr. Shimp: said it would be a lot of county and city employees

Chair Green: stated that workforce was teachers and police officers who make \$36,000 a year and would not be able to afford the rents of the proposed development

Mr. Shimp: said he did not think that his rents would be that expensive and that he wanted to make the development simple and as affordable as possible.

Commissioner Mitchell: said this was a difficult lot and that there would be some infrastructure issues that they would need to address specifically concerning storm water. He asked what they would do to mitigate the storm water problem?

Mr. Shimp: said there was a storm sewer at the front of the site that they could tie into so there would not be sheet flow coming off the site into other areas. The site plan was preliminary but it was very possible to collect all of that runoff and treat it.

Commissioner Lahendro: said the onsite detention was depicted in the site plan and showed the inlets leading up to it.

Commissioner Keller: asked how many of them were two bedrooms?

Mr. Shimp: all of them.

Commissioner Solla-Yates: asked about parking: why seven spots when six are required?

Mr. Shimp: said that came from a discussion with the neighborhood. Folks were concerned about the parking and they provided one extra nod to that. He said he believed that there was sufficient on street parking on Leonard and Bainbridge so that if a resident had guests they could easily walk to the site because of the traffic driven by the restaurants. He said that we were “parking challenged” especially if people had guests over.

Mr. Shimp: said this is part of a broader philosophical discussion that the city intentionally made the parking requirement lower so that we would not be so car-centric. He thought this was the right direction to go in and even though it may come up as a challenge it was challenge worth fighting.

Chair Green: asked if they actually looked at the neighborhood that would be most affected which is the north part over Carlton. She said when those houses were developed there was not a requirement for off-street parking so their only parking is on street. She asked if they counted that when they planned to use that area to account for their site’s overflow parking.

Mr. Shimp: said he thought that the primary place people would park would be Leonard and Bainbridge where at least Leonard has driveways. He said they are talking about only 4 or 5 cars spread out over a couple of blocks but they did not do a space by space analysis. He said they did drive though the area multiple times and saw that there was ample on-street parking. They used this evidence to show that a few extra cars could be accommodated on the streets.

Commissioner Solla-Yates: had a point of clarification that the bus stop was not in front of the site but was on the corner of Carlton and Carlton.

Commissioner Keller: noted that the developer has addressed some of the issues they would encounter but asked how they would address the alley situation on the site.

Mr. Shimp: said they know that they have access to the alley and they know that they can make improvements to it.

Commissioner Keller: asked if it would be their intention to pave the alley

Mr. Shimp: said it is already paved right up to the property line but that they would pave their portion and possibly the entire thing. They felt that they could work with the neighbors on that issue.

Commissioner Keller: asked if they had spoken with any of those neighbors yet.

Mr. Shimp: said they had not.

Commissioner Mitchell: said he had walked the alley recently and certainly would not drive an automobile down there because it is grassy and pitted. He said that it would need to be paved all the way through.

Mr. Shimp: said that when the city reviews the site plan they would meet the paving standards that the city required.

Chair Green: asked if Mr. Shimp had spoken with any of the neighbors that live on Bainbridge or Leonard yet where they are proposing to put their parking.

Mr. Shimp: said they had only met with the neighborhood association but had spoken to those residents through that method.

#### Open the Public Hearing

Charlie Near: said he lived at 310 Chestnut St. He heard it said that there was no opposition in the neighborhood but he knew for a fact that there were at least 6 letters of opposition. Their main reason for opposition was that there was not enough parking. There are six units proposed but only six spaces plus one handicap. He asked if people had roommates or were a couple how many of them would only have one car. Because of this he said there could be a potential for 6 spill over cars and these people would most likely park as closely as they could to the site. Plus if there are any other visitors or a party all of these people would have nowhere to park. He said he is someone who has no off-street parking. He said if there are cars spilling up the road then it is going to blow up the neighborhood in terms of parking. He offered the names of the people who are opposed. Fred Schmitt and his wife Vivian, Amond and Rebecca Cunningham, Matt and Sarah Shields, Paul Sense, Dennis and Teresa Haines. He said this shows that everyone on his street is opposed. He asked for additional time from his friend Frederick Schmitt. He continued that this is a bad idea for the neighborhood because the only logical place for spillover parking is Chestnut Street and people would not park on Bainbridge because it is too far away. Also he said this is too much density for a quarter acre lot. He asked the Planning Commission to reaffirm their previous denial of the application to rezone the property. He said R-2 is plenty sufficient and it would not have a blow up effect on the rest of the neighborhood.

Frederick Schmitt: said that as you go down Carlton Avenue the road narrows, and right now it allows parking on both sides and there are trucks that park there. Effectively it is a two way road and if someone is parked on one side then it is a one way road. He has had to do this in Scotland but should not have to do this here. It is a question of growing congestion in Belmont and that Chestnut is the natural place for anyone to park if they are coming to visit.

#### Close the Public Hearing

Commissioner Keller: asked if auxiliary dwelling units are allowed in R-2?

Ms. Creasy: answered no.

Commissioner Dowell: said she knows that we definitely need more units, but she did not know if these were it, and that it doesn't seem that affordable. She said that they are offering at least one affordable unit but her problem is that it is currently zoned R-2 and all of the future land use maps that they have worked on do not show this area changing. If they are to base their decision on current and future land use then this is not harmonious with where they see the city going.

Commissioner Lahendro: said he would disagree with Ms. Dowell. He said that this site being zoned R-2 is an anomaly because it is squeezed between commercial on one side and multifamily on the other. He said if they are being consistent it should be a multifamily lot. He said we need more units and this site is complying with the city parking requirements. He also trusts the city engineer's statement that this would not add significantly to the traffic in the surrounding area.

Commissioner Mitchell: said while it may not add significantly to the traffic, on weekends the parking there would be impacted in a big way. He said the developers walked it on Monday but all of those restaurants were quiet on that day. On a Friday or Saturday those businesses would be much busier and if those residents had family over it would add to the parking problem. He said he also has heartburn about the ingress egress and the alley because the Planning Commission has not had a chance to talk to those who have access to that alley.

Commissioner Keller: said she would come in somewhere between Commissioner's Dowell and Lahendro in that it is not an anomaly because she is not just looking at the one street it will front. She said if you look at the area there are a number of land uses and any one of them could be appropriate and that the Planning Commission is in the midst of undertaking some comprehensive rezoning in the city. She would like to see this be part of something more comprehensive. She does not see this moving the needle. When she looks at the greater neighborhood and she sees the R-2s and the R-1s she sees these as still affordable. She said when she does a rezoning she looks at whether the existing zoning is reasonable and here she believes that it is reasonable. She is looking for other compelling reasons to change and did not see those yet. She said she thinks this is an important area that deserves some scrutiny and a holistic look in the future about how to address recreational and entertainment uses in that area. She liked the presentation about the history of the zoning but would say that the 10 units allowed in 1958 was probably in response to the VA industries and the need for housing related to it. She said she sees that you could make an argument to go to R-3 and she could just as easily see it staying at R-2 and still meeting the needs of the city. When we look at the zoning map obviously we need to look at this holistically.

Commissioner Solla Yates: said he appreciated the history of the zoning and the maps were helpful in seeing the strange story of this space. He does not see this as a good zoning practice. In the greater scene he does not see this as making or breaking the city but it is a good time to evaluate the city's priorities. He noticed that they provided one more parking space than required which was responsive to neighborhood concerns. He sees this as a reasonable change and does not see the current zoning as reasonable given the housing crisis.

Commissioner Smith: said from the historical variety of uses this could go either way. In a holistic approach it strikes him that there is a need for housing and the city has a vacant lot. He is familiar with the parking issues but generally sees this as a reasonable rezoning.

Chair Green: said she wanted to refer back to the Comprehensive Plan and how in 2013 they did not rezone so zoning may not be right but that they did adopt the 2013 Comprehensive Plan. She said that if people did not live there then they did not know what she was talking about. She said the NCC corridor has had a huge negative effect on Belmont. While this area is zoned the way it is they should really be looking at the comprehensive plan. She

said if they looked at this comprehensively the developers were not taking into account the fact that not everyone has off street parking. She thinks to put that parking overload on those residents is not good planning. She said we are not yet to a less car-centric world. She said that it is short sighted to think that they can put the overflow parking on people who have no off street parking. She also said that there was a huge runoff problem from that site already.

Commissioner Lahendro: said it seemed to him incredibly unfair that a problem created by the city that should be resolved by the city is resulting in one property owner being penalized. The problem being parking and the overlay issues that are broader then just this site.

Commissioner Mitchell: said he thinks it is unfair but to do otherwise might be unfair to the residents who will be effected.

Commissioner Lahendro: said those residents should be pushing the city to do something about it and not penalize a particular owner.

Commissioner Keller: said she did not see this as penalizing a particular owner when they have a property that is zoned and they have a use for it. She said saying “penalized” may be too strong.

Commissioner Lahendro: said and yet we need housing and to limit the number of housing units does not help the city.

Chair Green: asked if we were short on two bedroom housing

Commissioner Lahendro: said we are short on all types of housing.

Commissioner Dowell: said we are short on affordable housing and providing only one unit would not fix this. To say that the owner is being penalized is a strong personal preference because he can build by right.

Commissioner Smith: said we should note that these are rental units as opposed to home ownership. So while they may not be more affordable they may be more accessible to people with lower incomes.

Commissioner Keller: said if this was coming from Habitat, for one or two houses the Planning Commission would say this was affordable and be done. She said this parcel would be utilized no matter how it is zoned.

Chair Green: said she wanted to go back to the Comp Plan. She said if they had rectified their zoning in 2013 to match the comp plan they would not have to have this conversation. So when they start rectifying the zoning with the new comp plan will we have this same argument? She said that eventually the Planning Commission would need to come up with a plan and follow that plan.

Commissioner Dowell: said that the City has a plan already in place and even on the land use map they are working on, this area is zoned as low density residential. She said the proposal does not fit into either the current land use map or the future map.

Commissioner Keller: said if we just think we need more housing (and we do) then will the Planning Commission just approve every project that is adjacent to higher density?

Commissioner Mitchell: said it had to do with what infrastructure is already there to support the development and he does not think the infrastructure is there to support this project.

Commissioner Keller: said this line of thinking should be open to community input

Chair Green: said if the Planning Commission was having this conversation about Locust they would not have a conversation about “penalizing” the property owner for trying to build more housing.

Commissioner Keller: said she would like to see the Planning Commission look at this holistically.

Commissioner Mitchell 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 4-3.

2. 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)).

Reported by Matt Alfele, City Planner

Commissioner Mitchell moved to recommend denial of this application for a Special Use Permit in the R-2 zone at 1206 Carlton Avenue Seconded by Commissioner Solla-Yates motion passes 5-2

#### IV. COMMISSION’S ACTION ITEMS

Chair Green gaveled out of the Planning Commission into the Entrance Corridor Review Board

##### 1. Entrance Corridor Review Board – Jeff Werner

a. Seminole Square Shopping Center Separate Site Plans have been submitted for the two projects (1) Seminole Square Redevelopment and (2) Seminole Square Expansion. Staff recommends that separate actions be taken on the COA request for each project. The proposed transition of the shopping center is:

- The Redevelopment component is generally consistent with the guidelines and a welcome transition from the existing. If the design, materials, finishes and site improvements are satisfactory to the ERB, staff is supportive approving the COA for the proposed Seminole Square Redevelopment.
- The Expansion component of the project requires further clarification and discussion. Specifically, the treatment of the rear elevations of the North Wing buildings has not been addressed satisfactorily. The visual impact of these walls was a key concern during preliminary discussion about the re-grading of the site and the construction of the greenway trail.

#### Seminole Square Redevelopment

Jeff Werner, Historic and Preservation Planner, who reviewed the Seminole Square application, said staff members had reservations about what walkers and bikers would see from the proposed trail. The aesthetic improvements to the rear façades of the North Wing are minimal and, we believe, insufficient. While these elevations are not the primary façades and are not intended to serve as entries into the commercial spaces, they will be visible.

David Mitchell, Principal at Great Eastern Management Company, which manages Seminole Square, said we really needed to see the road operate before we understood exactly what we were dealing with. We have to reorient the structures and the whole layout to accommodate that. The construction of Hillsdale Drive cut

Seminole Square's North Wing, which was located north of Seminole Court, into two buildings. The Ebony Images hair salon relocated from the part of the building that was demolished to another shop in the North Wing.

Mark Kestner: of Henningsen Kestner Architects said the plan breaks up the flat façades of Seminole Square's North and East wings with canopies, trellises and new storefronts made from brick, stone and other materials. The design also removes 92 parking spaces and breaks up the remaining spaces with landscaping. He said we're reaching out with our trellises, sort of as open arms that say: Walk over here. This is a safe area. He said a second impetus for development is the center's lack of an anchor store. Since Giant Food left Seminole Square in 2012, fewer shoppers have made weekly trips.

Mr. Mitchell said right now, there are no plans to do anything with that property, and we can't do anything with it and are hoping if we can fix and upgrade the rest of the center, it will possibly spark something to happen on the other end.

Commissioner Keller: said the first time I ever went there, I thought, we're doomed. This is so Northern Virginia, I don't even know how to drive through this space.

Commissioner Mitchell: said the redevelopment component he is comfortable with but –the aesthetics in the rear part of the north wing are insufficient as Mr. Werner suggested.

Commissioner Smith: agrees with Commissioner Mitchell.

Commissioner Mitchell: suggested that the applicant might consider a deferral, to go back and work with us to make it look more interesting.

Commissioner Keller said she was disappointed that the design did not incorporate more elements from Albemarle and Charlottesville's joint Hydraulic small-area plan. She said she hopes that this kind of major reinvestment in this shopping center is not going to delay and preclude the kind of redevelopment that's shown in the Hydraulic small-area plan. But I don't see any way that we could not approve this. She would like a condition about new construction being reviewed and some language about vocabulary of materials. She is concerned as a public official that we don't know enough about these other parcels and it could show that we are giving a blanket approval.

Commissioner Mitchell suggested that the developers add metal frames for vegetation behind the buildings.

Commissioner Solla-Yates Having considered the standards set forth within the City Code, including the City Entrance Corridor Design Guidelines, I move to find that the proposed new construction, existing building rehabilitation, landscaping, site improvements associated with the Seminole Square Redevelopment satisfy the ERB's criteria and are compatible with the goals for sub-area A of the Route 29 North Entrance Corridor, and that the ERB approves the COA application with the following conditions:

- All glass must be clear, with minimum 70% visible light transmittance (VLT).
- While signage requires separate permits and approvals, all illuminated signage shall appear to be lit white at night.
- Rooftop mechanical equipment will be screened within appurtenance.
- In the event that there are any changes to the proposed site plan on pages 4 and 6 of the new proposed buildings, those changes will have to come back to the ERB instead of being administratively approved.
- The site plan revised May 22, 2018



- The redevelopment plan also adds two new buildings next to Hillsdale Drive, one 6,000 square feet and the other 12,000 square feet. The architects designed one new building as a potential restaurant and another as a potential retail shop.
- The stills from the video as captured by staff

Seconded Commissioner Lahendro, motion passes 7-0.

**Seminole Square Expansion** – Great Eastern Management, Mr. Mitchell asked to defer this part of the application.

Commissioners accepted the deferral with conditions that the architect work with Jeff Werner to look at the green-scape on the rear wall on the north end, ideally not the popular climbing, spreading ground cover ivy.

Chair Green gaveled out of the Entrance Corridor Review Board back into the Planning Commission

Adjourn: 9:20 pm – Commissioner Dowell motion to adjourn until the second Tuesday in August 2018

**CITY OF CHARLOTTESVILLE  
ENTRANCE CORRIDOR REVIEW BOARD  
STAFF REPORT**



**Special Use Permit Recommendation by Entrance Corridor Review Board**

Property Street Address: 140 Emmet Street North

Zoning: Urban Corridor Mixed Use (URB)

Entrance Corridor: Corridor 1, Route 29 North Sub-Area C: Barracks Road to Ivy Road

Tax Parcel: 080004000

Site Acreage: 0.5850 acres

Date of Hearing: September 11, 2018

Application Number: SP18-00007 Gallery Court Hotel

Staff report prepared by: Jeff Werner, Preservation and Design Planner

---

**Relevant Code Section:** Sec. 34-157(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.

**Background:** This site was most recently occupied by Excel Inn and Suites, a hotel, which was destroyed by fire in May of last year. The applicant is requesting a SUP to allow an increase in the by-right height— from 60 feet to 80 feet. Within the URB district, hotels are allowed by right and a height of up to 80 feet is allowed by SUP. {Section 34-756 and Section 34-796.}

**Entrance Corridor Design Guidelines:** (See addendum)

**Discussion:** 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. An SUP 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.”

While parcel’s zoning allows for the additional height by SUP, relative to height the EC Guidelines refer only to by-right conditions; recommending that new buildings be *2 to 4 stories*. Using that guidance alone, the recommendation would be to deny this request.

However, city council deemed that, under this zoning, additional height *may be considered*. As such, it is appropriate to offer further comments for consideration.

*In support of the height increase:*

Contributing to the need for additional height are three factors consistent with the goals of the EC:

- Mixed use: At the request of the ERB, the applicant has incorporated into the design a street level commercial space.
- On-site/shared/structured parking: The proposed structured parking will provide adequate parking and be integrated into the building.
- Limited setbacks: On a parcel of less than 6/10ths of an acre, the proposed construction will employ minimal setbacks to achieve a commendable Floor Area Ratio of 2.9.

In evaluating the requested height increase--and, subsequent massing—the impact is somewhat mitigated by the site’s location and surrounding topography. Unlike sections of Emmet Street/Route 29 to the north, this segment runs through a low area bounded on both sides by a gently rising grade. In an east-west cross section through the hotel site, the west side of Emmet Street rises approximately 10-feet to the foot of UVa’s five-story Emmet/Ivy Parking Garage. To the east, across the Carr’s Hill Field, the grade quickly rises in excess of 20-feet to the foot of UVa’s five-story Culbreth Road Parking Garage. Immediately north, the elevated railroad grade and bridge are approximately 20-feet above the site. All of these combine to mitigate the perceived height of the proposed hotel—whether at the by-right height or at the proposed increase.

Ultimately, and with the contribution of the topography, the impact of additional height can be addressed and mitigated with design consistent with the EC Guidelines that address height and massing, as well as streetscape design.

The EC Guidelines do express concern for increased height relative to its impact on nearby low density, residential areas. However, immediately adjacent to this site (within 500-feet), and thus impacted by its height and massing, are:

- East: Carr’s Hill Athletic Fields and Carr’s Hill
- North: The elevated railroad bed; north of the railroad bed is the parking lot for the Lambeth Field dorms
- South: Open space to the corner of Emmet Street and University Avenue.
- West: On Emmet Street the streetscape/UVa buildings are TBD; beyond is the Emmet/Ivy Parking Garage
- Distance to the closest low-density residential parcels is approximately 500 feet (Lewis Mountain Neighborhood).

The required site plan review will address pedestrian and vehicular circulation issues, and the ERB’s design review will evaluate and address visually important elements, including the architecture, lighting, and landscape plan.

*In opposition to the height increase:*

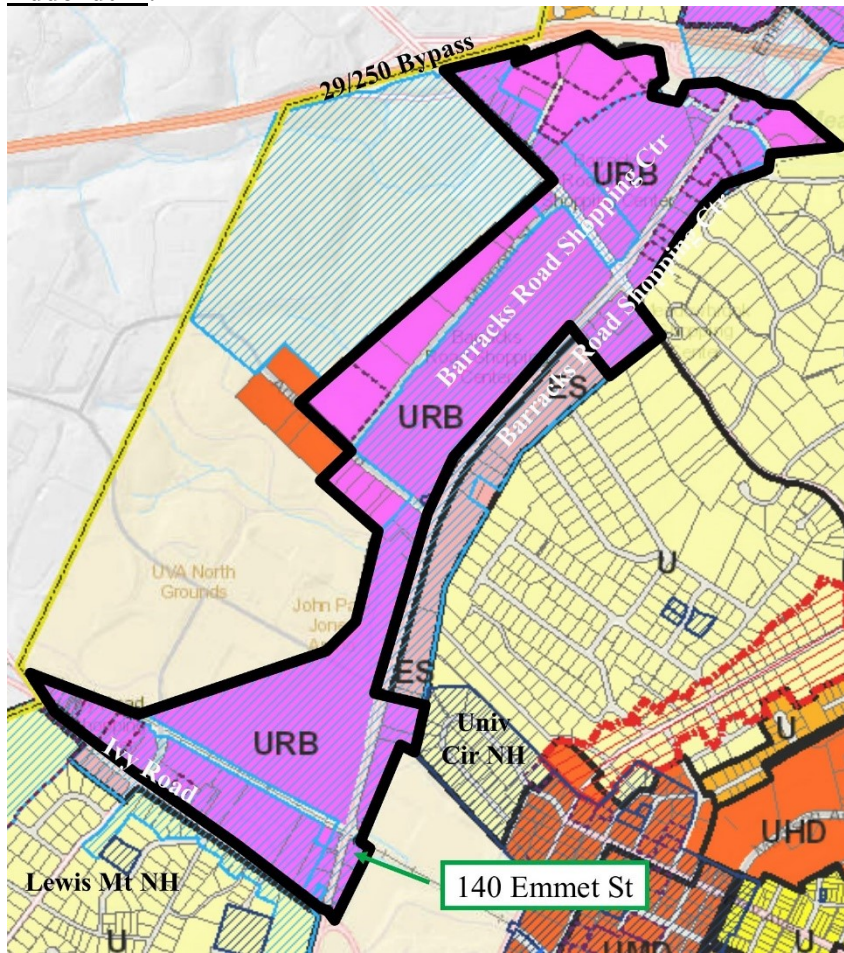
Fronting on Emmet Street, from the Ivy Road intersection to the 29/250 Bypass (approximately 1.3 miles—see map in the addendum), are approximately 120 acres zoned URB, like the subject parcel. If this SUP is approved, similar requests in this corridor must be anticipated. (There is a segment, on the east side of Emmet Street, zoned ES. Maximum height allowed is three stories; no additional height by SUP.)

At this time, specific information is unavailable regarding UVa’s plans for buildings, open space and streetscape improvements adjacent/proximate to the proposed Gallery Court site.

**Recommendation:** For the reasons stated above, design staff is general supportive of this request and recommends approval. Additionally, through the SUP process, the city may apply a more rigid standard relative to mitigating the impacts—including visual impacts--of this new hotel.

**Suggested Motions:** I move to find that, as related to the city’s *Entrance Corridor Design Guidelines*, the proposed Special Use Permit to allow an increase in height for the proposed Gallery Court Hotel at 140 Emmet Street North will not have an adverse impact on the Route 29 North [Emmet Street] Entrance Corridor.

**Addendum:**



**Excerpts from *Entrance Corridor Design Guidelines* (Chapter V, pages 8-10)**

North of Arlington Boulevard, this sub-area is dominated by the very successful Barracks Road Shopping Center on the west side and University offices on the east. Between Arlington Boulevard and Ivy Road, two motels, a hotel, two restaurants, and other University related structures predominate. The University has a new sports arena on Massie Road and plans to develop a new arts center on the northwest corner of Emmet Street at Ivy Road. A new pedestrian bridge over Emmet Street, between the existing CSX railroad bridge and Massie Road, has also been constructed to connect the Central Grounds to the North Grounds.

- *Streetscape*: Overhead utilities, 4 lanes, grass median, cobra-head lights, row of magnolia street trees along shopping center, heavily landscaped wooded edge, pedestrian and railroad bridges, University planted street trees at southern end, creek bed plantings.
- *Site*: Parcels dominated by front site parking with buildings to rear, monument signs, concrete and brick retaining walls.
- *Buildings*: Franchise retail buildings, shopping center, landscaped slope to east with elevated University related office structures, multi-family residential, restaurants, motels, and University offices in former commercial buildings. Heights vary from 1 to 4 stories, and there is a variety of architectural scales, forms and materials.
- *Recent past*: bank buildings on the northwest corner of Emmet Street and Arlington Boulevard and on the southwest corner of Emmet Street and Barracks Road.

*Vision:* Emmet Street has the potential to become more of an urban boulevard, with lively pedestrian activity and a greater mix and integration of uses. Both Barracks Road Shopping Center and Meadowbrook Shopping Center may redevelop with retail, office, hotels, housing, and structured parking. The attractive magnolia street trees along Emmet Street should be retained and new landscaping added to the streetscape as redevelopment occurs. There are opportunities for unified landscaping along the corridor that would help enhance the pedestrian connection. If possible, character-defining architecture should be incorporated into redevelopment plans. As the University redevelops its property on the southern end of the sub-area, including the University Arts Center, there may be opportunities to include student housing and community-related facilities in mixed-use projects that front on Emmet Street. [emphasis added]

*Recommended General Guidelines* [emphasis added]

- Mid-scale
- Mixed-use and University use
- On site/shared/structured parking
- Consolidation of smaller parcels
- Limited setbacks

*Guidelines Specific to the Zoning*

(URB) 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.

- Height regulation: 1 to 5 stories; recommend 2 to 4 stories.
- Setbacks: Primary street frontage: 5 feet minimum; 30 feet maximum, recommend 5 to 10 feet. [...]
- Buffer regulations: Adjacent to any low-density residential district, side and rear buffers (S-2 type) shall be required, 5 feet, minimum

**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: September 11, 2018**

**APPLICATION NUMBER: SP-1800007**

**Project Planner:** Heather Newmyer, AICP

**Date of Staff Report:** August 29, 2018

**Applicant:** Vipul Patel (Incaam Hotels, LLC)

**Applicants Representative:** Daniel Hyer, P.E. (Line + Grade Civil Engineering)

**Current Property Owner:** Vipul Patel (Incaam Hotels, LLC)

**Application Information**

**Property Street Address:** 140 Emmet St N ("Subject Property")

**Tax Map/Parcel #:** Tax Map 8, Parcel 4

**Total Square Footage/ Acreage Site:** approximately 0.585 acres or 25,482.6 square feet

**Comprehensive Plan (Land Use Plan):** Public or Semi-Public

**Current Zoning Classification:** Urban Corridor Mixed Use (URB), Entrance Corridor Overlay

**Tax Status:** Parcel is up to date on taxes **paid**.

**Completeness:** The application contains all of the information required by Zoning Ordinance Secs. 34-41(d), and 34-158(a) and (b). There are no existing dwelling units on the site, and there are no dwelling units proposed by this development. Graphic materials illustrating the context of the project are attached to this staff report (Attachment 1, 2).

The pre-application meeting required by Sec. 34-41(b)(1) was held on January 10, 2018. The community meeting required by Sec. 34-41(c)(2) was conducted on July 18, 2018, at the following location: CitySpace (100 5<sup>th</sup> St NE, Charlottesville, VA 22902)

## **Background**

Vipul Patel, owner of property addressed 140 Emmet St North (“Subject Property”), is seeking to redevelop the Subject Property with a new boutique hotel to replace the longstanding hotel (Excel Inn & Suites) that was lost to a fire on May 4, 2017. Originally named the Gallery Court Motor Hotel, the former hotel dates back to the 1950’s. The hotel hosted Dr. Martin Luther King Jr. in 1963 when the Civil Rights leader was invited by Robert F. Kennedy to Charlottesville for a lecture at the University. For more background information, please see the Project Proposal Narrative found in Attachment 1.

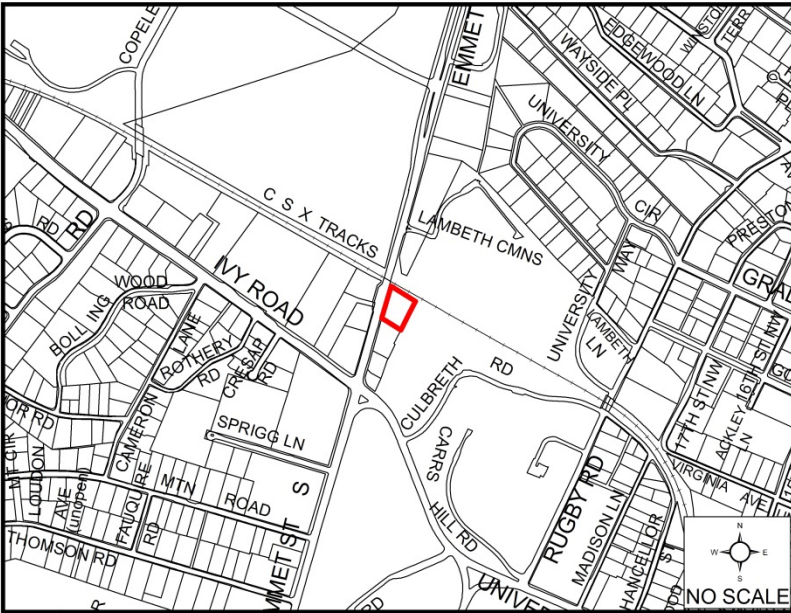
## **Applicant’s Request**

Vipul Patel of Incaam Hotels, LLC, has submitted an application seeking approval of a Special Use Permit (SUP) for the property located at 140 Emmet St N. The property is further identified on City Real Property Tax Map 8 as Parcel 4 (“Subject Property”). The Subject Property is zoned URB, EC (Urban Corridor Mixed Use District, with Entrance Corridor Overlay). The owner is seeking to redevelop the property as a hotel to replace an existing hotel that was lost by casualty (fire) on May 4, 2017. The proposed use (“hotels/motels”) is allowed by-right within the URB zoning district classification. However, an SUP is required for the project because the proposed building height (seven (7) stories, up to 80 feet) exceeds the 60-foot maximum building height allowed in the URB District. The site is approximately 0.585 acre or 25,482.6 square feet.

The proposed preliminary site plan submitted concurrently with the special use permit request (Attachment 1, p. 41) proposes to demolish the remainder of the existing hotel and construct a seven-story (80’), 72-unit hotel building with a 21,306 SF building footprint. A SUP is required to be approved by City Council and a Certificate of Appropriateness (COA) to be approved by the Entrance Corridor Review Board (ERB) prior to a preliminary site plan being approved for the current proposal.



**Vicinity Map**

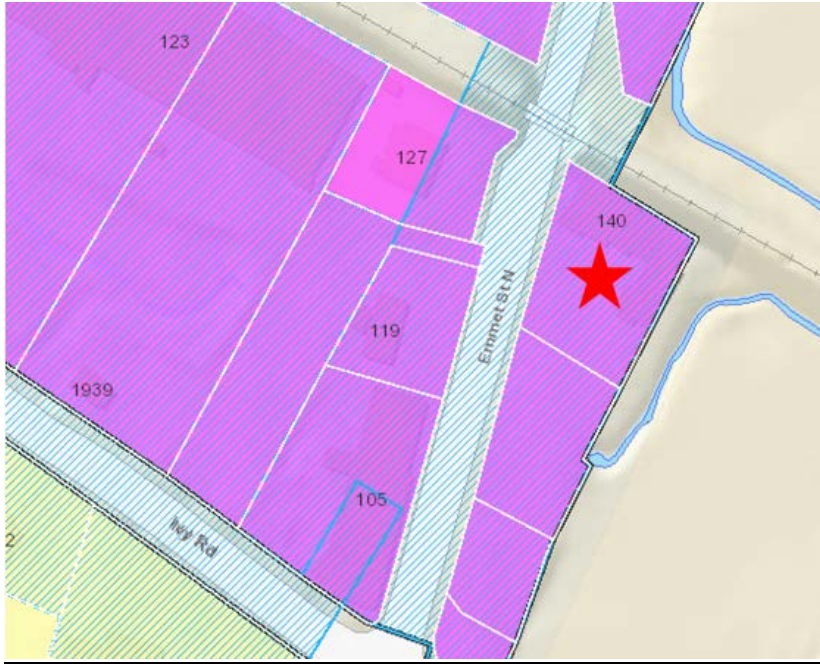


**Context Map 1**



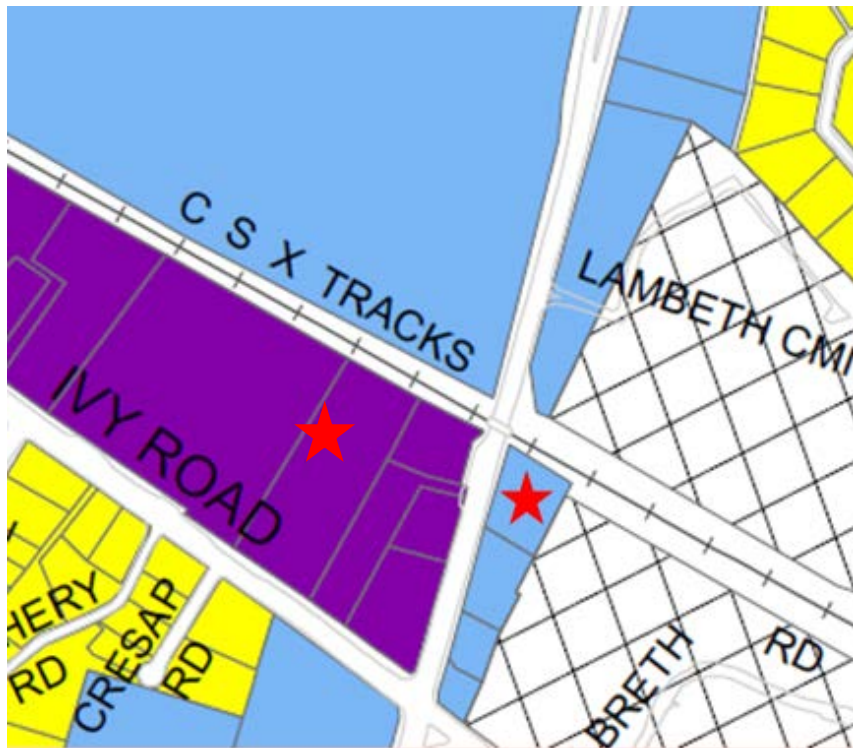


**Context Map 2 – Zoning Classifications**



**Magenta: URB, Light Yellow: R-1, Light Blue Cross-Hatch: Entrance Corridor Overlay**

**Context Map 3 - General Land Use Plan, 2013 Comprehensive Plan**



**Yellow: Low Density Residential, Purple: Mixed Use, Light Blue: Public or Semi-Public, Hatched Area: University of Virginia (Not Subject to City of Charlottesville municipal authority)**

**Application Components:**

***Project proposal narrative (Sec. 34-41(d)(1)): Attachment 1, p. 4, 17, 20***

***Building massing diagram and elevations (Sec. 34-157(a)(4)): Attachment 1, p. 23; Attachment 2, p. 9-19***

***Project site plan (Sec. 34-157(a)(1): Attachment 1, p. 41***

***Applicant’s Comprehensive Plan Analysis: Attachment 1, p. 18, 21***

***Applicant’s public facilities impact statement: Attachment 1, p. 17-21***

***Applicant’s LID Worksheet (Sec. 34-157(a)(3)): Attachment 1, p. 13***

**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.

**Sec. 34-157(a)(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     | Vacant (Owned by the University)  | URB, EC   |
| South     | Vacant (Owned by the University)  | URB, EC   |
| East      | University Carr’s Hill Field  | Outside of City Limits<br>(University Property) |
| West      | Hotel/Restaurant/Parking Garage<br><i>Note: University’s Future Ivy Corridor<br/>Redevelopment 14-acre Project Site</i> | URB, EC   |

The Subject Property falls on the border of the City/University line, with only three parcels directly adjacent to it on the east side of Emmet that still fall within the City limits. These three parcels on the east side of Emmet St N in closest proximity to the

Subject Property are University-owned and currently vacant. Carr's Hill field, a part of the University, sits directly behind the Subject Property.

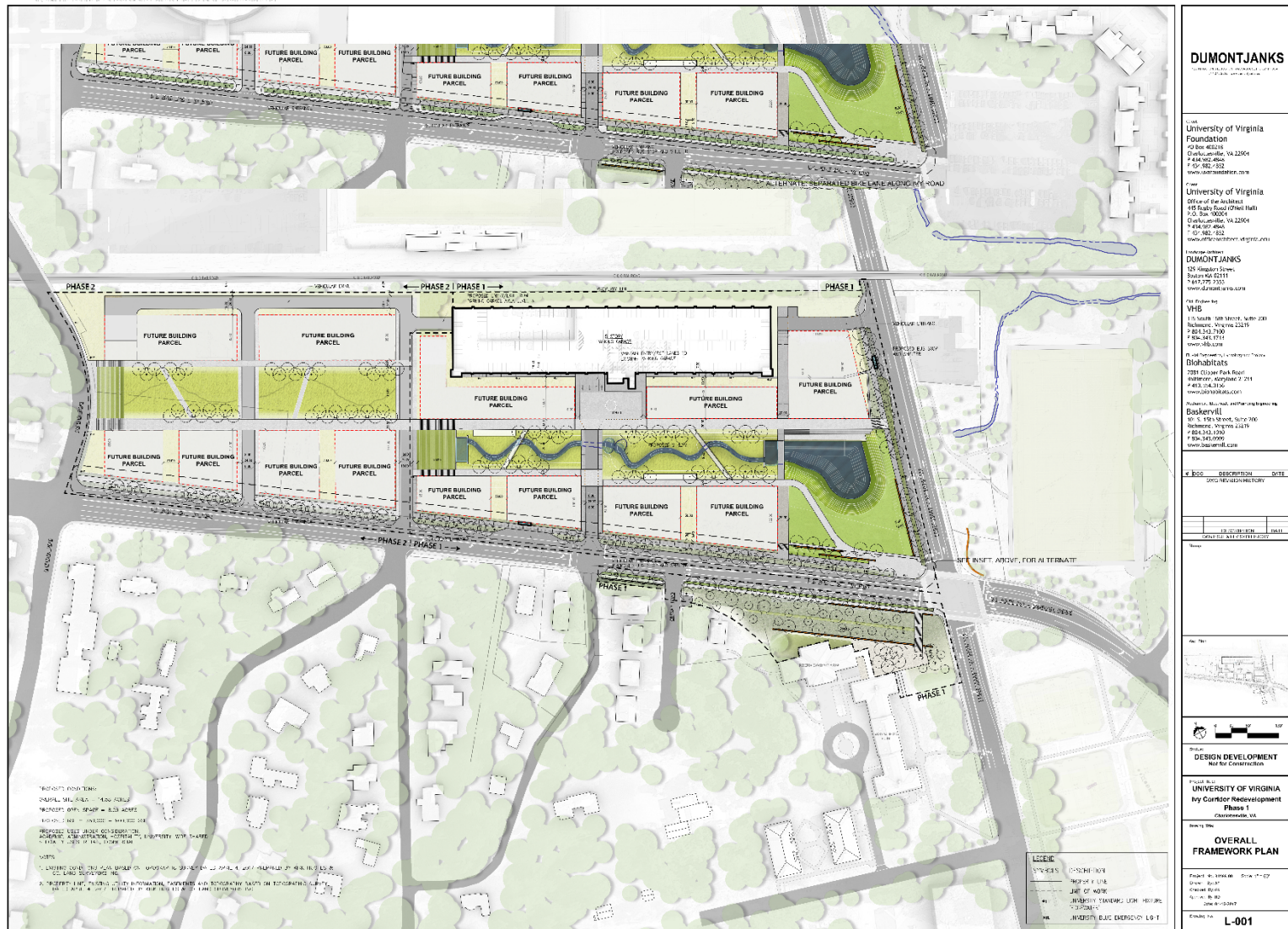
In addition, the Subject Property's location is of importance in the **City's Smart Scale Emmet Streetscape Project**, a planning process that kicked off in February 2018, where the project is the design of streetscape improvements along Emmet Street from the intersection of the University Avenue and Ivy Road to Arlington Boulevard.

On the west side of Emmet St N, across from the Subject Property, sits the 14 acre-site that will house the future redevelopment by UVA once their Ivy Corridor planning process is complete. The parcels that front Emmet St N on the west side house the Cavalier Inn, the Villa restaurant and the recreation center, all of which are scheduled to be demolished this year in preparation for the site's redevelopment. The University's latest preliminary redevelopment plan, dated January 10, 2018, includes an Overall Framework Plan (see Figure 1 below). The Overall Framework Plan, Sheet L-001, notes:

- 13 future building parcels, where the existing parking garage will remain
- 750,000-900,000 GSF proposed to fill those future building parcels; and,
- The following uses under consideration: academic, administration, hospitality, retail, commercial and University-wide shared specialty uses.

*(Please note: Under the City-County-University third-party agreement, the University is not required to comply with the City's zoning regulations, including building height. At this time, the University is still in their programming phase and has not committed to any uses that are under consideration nor committed to final set of building heights for the future building parcels.)*

Figure 1. UVA Ivy Corridor Redevelopment Overall Framework Plan, January 2018





**Staff Analysis:**

The proposed use of the Subject Property as a hotel building is harmonious with existing and future patterns of uses along Emmet St N that fall within the City's limits and are zoned Urban Corridor Mixed Use District. The Subject Property has been a hotel since the 1950's, and had it not been lost to a fire in 2017, it would still be functioning as a hotel. In addition, note that not only is there an existing hotel across from the Subject Property, but the future redevelopment of the Ivy Corridor includes as part of the uses under consideration both retail/commercial and hospitality. The corridor is moving in a direction to house a mix of uses that are both commercial and university-related.

The Subject Property is unique in that it is in proximity to the University of Virginia as well as University-owned properties; so, while the use itself, allowed by-right in the URB district, might be harmonious with existing uses that fall within the City's mixed use district as well as the future Ivy Corridor redevelopment, the request for additional height of this use has implications in how the articulation of the use relates to the University, the surrounding neighborhoods, the City's Emmet Streetscape project as well the future redevelopment of the Ivy Corridor. Ultimately, the Subject Property's redevelopment will play a larger role in the redevelopment of this area, also a City Entrance Corridor, where all the moving parts should form a unified fabric.

Staff goes into further detail regarding how the proposed redevelopment of the Subject Property relates to the larger redevelopment of this area throughout the remainder of this report.

**Sec. 34-157(a)(2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan.**

The applicant includes within the project proposal narrative (Attachment 1) a section regarding its consistency with the Comprehensive Plan.

**Staff Analysis:** The 2013 Comprehensive Plan's General Land Use Plan specifies the Subject Property and its surrounding properties as Public or Semi-Public. Public or Semi-Public areas, according to the Comprehensive plan, "includes publicly owned lands and buildings such as the Government Center, police and fire stations, libraries, post offices, schools and University facilities."

Staff believes the proposed use *does not conform* to the Comprehensive Plan's intent for the Public or Semi-Public area because the Subject Property is privately owned and would continue as a commercial use. However, the Subject Property has existed since the 1950's as a hotel that generally supports students and their families due to its proximity to the University. In addition, the City has no control over if this Subject Property remains under private ownership.

Below are specific areas of the Comprehensive Plan for which the development **may be in compliance**:

**a. Land Use**

*Goal 2 – Mixed Use*

**2.2** Encourage small businesses that enhance existing neighborhoods and employment centers.

**Staff Analysis:** The proposed development includes a small café that fronts on Emmet St N. The adjacent neighborhoods and UVA students would have access to this amenity nearby.

**2.3** Enhance pedestrian connections between residences, commercial centers, public facilities, amenities and green spaces.

**Staff Analysis:** The hotel would be located within walking distance of the University, John Paul Jones Arena, and the future amenities of UVA's Ivy Corridor project among other destinations.

The proposed development includes a new sidewalk seven (7) feet in width along Emmet St N. In addition, the following improvements are proposed:

- four (4) feet wide curbside buffer with street trees located between the sidewalk and Emmet St N
- five (5) bicycle lane

Please note a developer is required to provide a new sidewalk meeting current City standards (five (5) feet in width) via the City Zoning Ordinance (*Sec. 34-897 – Pedestrian walkways* and *Sec. 34-1124 – Vacant lot construction – Required sidewalks, curbs and gutters*). The proposed pedestrian improvements exceed that of what is required and provide an enhanced pedestrian connection.

Staff would suggest in addition to the improvements aforementioned that the developer consider funding a Ubike station in partnership with the University given the student traffic through this area. Staff has suggested including a condition subject to the developer confirming that the University would want a Ubike station at the project site.

*City's Emmet Streetscape Project:* The Subject Property's proposed pedestrian improvements also fall in line with the City's future Emmet Streetscape Project and the proposed improvements (building, pedestrian improvements, etc.) associated with this project ***do not prohibit*** any of the future streetscape improvements associated with the Emmet Streetscape Project from happening. One of the vital streetscape improvements included in the Emmet Streetscape Project is a 10' shared use path that is to travel under the CSX railroad tracks. At the preliminary design phase, the City was considering either the west or east side of Emmet St N, assessing various factors as to which side is more appropriate (pedestrian traffic volumes, engineering and environmental factors, etc). The City and its consultant Clark Nexsen have formally provided City Council with the preferred location as the west side of Emmet St N for this shared use path (opposite side of the Subject Property). For more detail on the analysis provided to City Council, please see Attachment 5, the Emmet Streetscape Shared Use Path Location report by City Staff to City Council at their August 6, 2018 meeting.

**b. Economic Sustainability**

*Goal 2 – Generate, recruit and retain successful businesses*

**Staff Analysis:** The City of Charlottesville values its local business owners and supporting this project would be retaining a business owner that is local and has been here since the 1950's.

**c. Transportation**

*Goal 1 – Complete Streets*

**Streets That Work Plan**

The applicant's Streets That Work narrative is included in Attachment 1.

The Streets That Work Plan, adopted by City Council September 6, 2016, categorizes Charlottesville's framework streets into six *street typologies*, which are based on Complete Street principles. Chapter 3: Street Network and Typologies of the Streets

That Work Plan include design parameters for the street typologies. Chapter 3 is included as Attachment 3 of this staff report for reference. To access the full Streets That Work Plan, follow this link: <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/streets-that-work/streets-that-work-plan>.

**Staff Analysis:** The Subject Property fronts on Emmet St N which falls into the *Mixed Use A* street typology. The proposed development includes:

- A new sidewalk seven (7) feet in width
- four (4) feet wide curbside buffer with street trees located between the sidewalk and Emmet St N
- five (5) feet wide bicycle lane

The proposed improvements accommodate the *highest priority elements* listed within the Mixed Use A Typology (sidewalks, curbside buffer and bicycle facilities) and, therefore, conform with the Streets That Work Plan.

*Potential conditions should Planning Commission recommend approval of the special use permit:* Staff recommends the curbside buffer be five (5) feet in width to better accommodate large canopy trees OR utilize a proprietary method (e.g. silva cells) that ensures adequate soil volume in the four (4) feet width buffer. Utilizing best management practices such as silva cells ensure large, healthy tree growth when planting trees into urban locations with more limited space which staff believes provide both environmental benefits and better protects pedestrians traveling along this high traffic volume corridor. The proposed condition requires that whatever is proposed is approved by the City's Urban Forester prior to site plan approval. In addition, staff suggests a condition that requires the developer to demonstrate on the site plan enough space leftover for allocation of a five (5) feet wide bicycle lane for the future Emmet Streetscape Project. These two items have been incorporated into conditions in the **Staff Recommendation section** should the Planning Commission move to recommend approval of the requested special use permit.

*Below are specific areas of the Comprehensive Plan for which the development **may not be in compliance:***

**a. Environment**

*Goal 4 – Water Resources Protection*

**4.5** Reduce and/or eliminate stormwater runoff impacts from sites that lack adequate stormwater treatment by incentivizing reductions in overall



imperviousness and encouraging retrofits on developed properties to address stormwater management

**Staff Analysis:** Included in Attachment 1 is a completed Low Impact Development (LID) sheet where the applicant claims 0 points for the proposed project. The project requires a small amount of phosphorous removal (0.11 lb/yr) to meet requirements for water quality. The present plan meets these requirements through the purchase of off-site nutrient credits. While the applicant meets the requirements, City staff prefers that the applicant makes efforts to meet the water quality requirements other than purchasing off-site nutrient credits. Providing treatment *on-site* provides for a local environmental benefit, which is preferred especially considering the Subject Property's close proximity to the waterway directly behind it. It is possible the requirement could be met through installation of one of the DEQ approved BMPS (examples of DEQ approved BMPS found here: <https://www.vwrrc.vt.edu/swc/PostConstructionBMPs.html>). Should the Planning Commission move to recommend approve the SUP request, staff has added a condition that would require the developer to provide some water quality treatment on-site subject to City Engineering Department review and approval prior to final site plan approval.

**Sec. 34-157(a)(3)** Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations.

**Staff Analysis:** The proposed development will conform to all applicable building code regulations. Building plans are not yet available for review, but demolition of the existing structure, and construction of the proposed new structure, cannot proceed without separate applications/ review conducted by the City's Building Code Official.

**Sec. 34-157(a)(4)** **Potential adverse impacts, including, but not necessarily limited to:**  
**a) Traffic or parking congestion**

*Parking:* The proposed number of parking spaces (90) meets City parking requirements (See Attachment 1, Preliminary Site Plan).

**Staff Analysis:** The applicant utilizes parking reductions prescribed in Sec. 34-984, where, after accounting for proximity to a bus stop and the provision of on-site showers, the total required parking spaces equals 87 spaces.

The applicant is also utilizing Sec. 34-985(b)(4), which states parking spaces clearly marked for vans with three (3) or more occupants will count as three (3) parking spaces, where the site plan indicates 7 van spaces, equating to 21 total spaces.

Because the developer is utilizing various reductions provided by City code, there are less physical spaces than what would be on-site had these reductions not been utilized, and there are direct benefits from the parking reductions now seen on-site (Site accommodates on-site showers for those who travel via bicycle and promotes car-pooling/van use).

*Traffic:* The applicant includes a “traffic analysis” section within their project proposal narrative (Attachment 1). Based on the current ITE trip generation figures, the original hotel generated a total of 29 peak hour trips where the proposed will generate approximately 53 peak hour trips (24 trip increase).

**Staff Analysis:** Traffic Engineering Department reviewed the special use permit request and has issued the following analysis: based on the limited increase in traffic trips from the previous use to the proposed and the very small total traffic versus the total daily traffic load on Emmet St N as a whole, there will be no further traffic analysis needed as there is insignificant impact.

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

**Staff Analysis:**

Staff does anticipate there will be some increase in noise due to there now being a café space open to the public incorporated into the project on the first level fronting Emmet St N, an outdoor seating/fire place area for guests located at the southern edge of the property as well as a rooftop restaurant space for guests only where the rooftop bar is facing south (see page 14 of Attachment 2). Given the location on a high volume corridor, staff does not anticipate the increase in noise level as a result of the café space and outdoor seating area to be a significant adverse impact on Emmet St N.

Staff's only potential concern concerning increased noise would be over the rooftop bar where it will be visible/open to Carr's Hill Field and the University due to its southern location. It is noted on p. 14 of Attachment 2 that the rooftop snack bar has operational hours from 4PM-12AM, is 1,130 SF and has a maximum occupancy of 75 (limited to hotel guests only). *Should the Planning Commission hold additional concern over potential noise impact towards the University, the Planning Commission has the ability to further restrict business hours by adding a condition to the SUP should they recommend approval.*

The lighting plan is included in the preliminary site plan (p. 58 of Attachment 1). Currently, there is no indication of lighting other than the pedestrian lights featured along Emmet St N. Staff in their comment response letter dated August 24, 2018 (Attachment 6) has asked the applicant clarify if there will be any additional lighting for the outdoor seating/fire place area or any other location on-site (e.g. rooftop bar). Staff also notes that the applicant will have to comply with the City's full cutoff regulations in Sec. 34-1003. As mentioned above, because the rooftop bar is partially open towards the direction of the University, staff has recommended a condition that once lighting is identified, it complies with a more stringent lighting requirement where, *"The spillover light from luminaires onto public roads and onto property within any low-density residential district shall not exceed one-half (½) foot candle. All outdoor lighting and light fixtures shall be full cut-off luminaires."* Staff has also asked that the applicant remove the pedestrian lights currently shown in the City right-of-way as the City will be providing uniform pedestrian lighting as part of the Emmet Streetscape Project in the near future. Staff has asked, instead, the applicant provide lighting for the café space on private property.

**c) Displacement of existing residents or businesses**

The project proposal narrative (Attachment 1) explains the former Excel Inn & Suites that located on the Subject Property was lost to a fire in May 2017.

**Staff Analysis:** The lot was previously a hotel prior to being lost to a fire and this proposal aims to replace what was lost.

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

**Staff Analysis:** The development provides a replacement to the hotel that was lost to the fire of May 2017. In addition, the new hotel provides a café space open to the public.

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

**Staff Analysis:** The proposed development will not have undue intensity to community facilities (e.g. utilities) existing or available.

**f) Reduction in the availability of affordable housing in the neighborhood**

**Staff Analysis:** The affordable housing ordinance does not apply to this proposed special use permit (SUP) given there are no residential units proposed.

**g) Impact on school population and facilities**

**Staff Analysis:** A hotel has no impact on school population or facilities.

**h) Destruction of or encroachment upon conservation or historic districts**

**Staff Analysis:** The final design of the proposed development is subject to entrance corridor design review, which will be conducted pursuant to Z.O. Sec. 34-306 et seq., after consideration of the SUP has been completed.

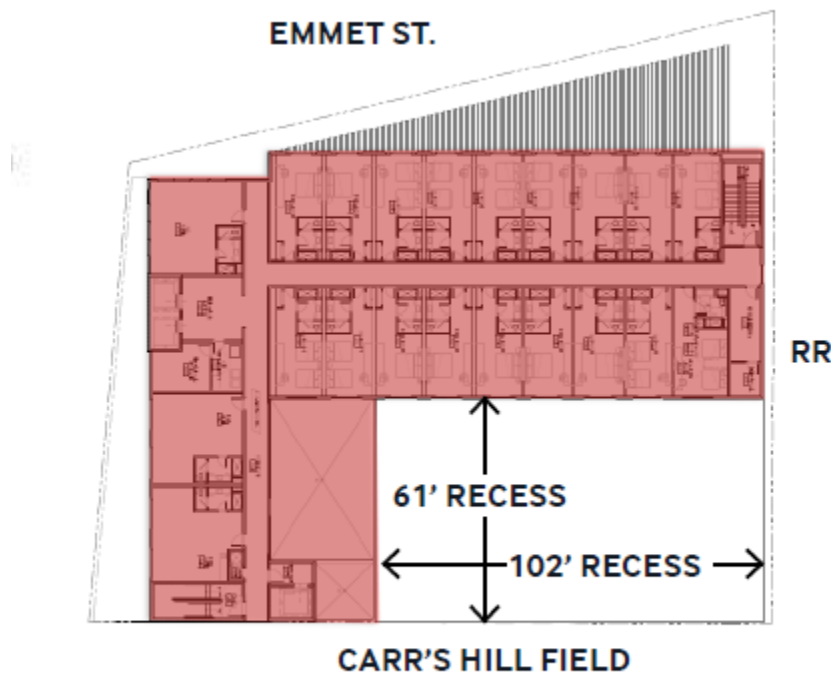
**i) Conformity with federal, state and local laws, as demonstrated and certified by the applicant**

**Staff Analysis:** The proposed project will comply with federal, state and local laws. This is ensured through final site plan approval.

**j) Massing and scale of project**

The proposed building has a building footprint of 21,306 SF, a gross floor area (GFA) of 73,110 SF and is proposed at 80 feet tall. While the proposed use of a hotel is allowed by-right within the URB zoning district, the applicant is seeking a special use permit for an 80' tall building where the maximum height allowed by-right is 60' and up to 80' is allowed via a SUP.

The applicant provided detailed information on the massing and scale of the project in Attachment 2, pages 12-15. It is noted by the applicant on p. 12 of Attachment 2 that, "the building exteriors are designed to pay homage to the traditional Architecture of the University Buildings in Charlottesville using cast-stone and brick as the primary materials." Please also note the building L shape, where this shape breaks the scale of the façade and has the highest portions of the building closest to Emmet St N and facing Emmet St N and Ivy intersection (west and south elevations) versus the north and east elevations, where recesses in the building are provided. The key map below, taken from Attachment 2, denotes the building recesses facing Carr's Hill Field (east) and the railroad embankment (north).



**KEY MAP**

**Staff Analysis:** As stated previously in this report, the Subject Property’s location is unique in that it locates on the City/University border, it is surrounded by University-owned property, is within the Urban Corridor Mixed Use District and a City’s Entrance Corridor, and is in closest proximity to the Lewis Mountain neighborhood (the closest edge of the neighborhood is approximately within 500’).

In addition, this corridor is anticipating significant change in the near future based off of the University’s Ivy Corridor Redevelopment project that will locate on the 14-acre site across from the Subject Property as well as the streetscape improvements that will be coming online as a result of the City’s Emmet Streetscape Project.

Staff wants to note that in evaluating this height request and massing, the impact is somewhat mitigated by site location and topography. In contrast to sections of Emmet St/Route 29 to the north, this segment of Emmet St runs through a low area bounded by a gently rising grade. In an east-west cross section through the hotel site, the west side of Emmet Street rises approximately 10-feet to the foot of UVA’s five-story Emmet/Ivy Parking Garage. To the east, across the Carr’s Hill Field, the grade quickly rises in excess of 20-feet to the foot of UVA’s five-story Culbreth Road Parking Garage. Immediately north, the elevated railroad grade and bridge are approximately 20-feet above the site. All of these combine to mitigate the perceived height of the proposed hotel—whether at the by-right height or at the proposed increase.

Regardless of the topography, the building, because of it facing varying contexts (For example, one building side faces Carr’s Hill versus a building side facing a major travel way (Emmet St N)), should reflect the differences in its articulation depending on what each building elevation faces.

***Note: The final design of the proposed development is subject to review by the Entrance Corridor Review Board (ERB).***

In taking the natural topography, site location and varying contexts into account, staff believes it is important to provide analysis on the massing and scale to answer the following:

- i. How will the massing and scale effect the adjacent neighborhood (Lewis Mountain Neighborhood)?
- ii. Is the massing and scale in line with future redevelopment of this corridor?
- iii. Is the massing and scale appropriate given its proximity to the University?

*i. Effect on adjacent neighborhood (Lewis Mountain Neighborhood):*

The City's GIS Analyst has performed what is called a Visibility Analysis using LIDAR (light detection and ranging) data to identify what surrounding properties could observe 140 Emmet St at a by-right elevation of 60' or an extended building elevation of 80'. Staff focused on the Lewis Mountain Neighborhood specifically as it is the closest low-density residential neighborhood to the Subject Property. Based off of the LIDAR data, the City's GIS Analyst was able to classify each effected parcel based on percent increase in square footage of the property that would be able to view 140 Emmet St if a 20' building height extension was granted. For example, let's take a hypothetical property in the Lewis Mountain neighborhood that is 10,000 SF. If the data came back showing 10% of the SF of the property in Lewis Mountain could see 140 Emmet St at a by-right height of 60' (1,000 SF), and 11% of the property could see 140 Emmet St at an extended height of 80' (1,110 SF), that would be considered a 1% increase in visibility.

Below are two maps generated by the City's GIS Analyst that show findings (Figure 2, 3). These figures show that:

- Increasing 140 Emmet St from 60' to 80' will be largely imperceptible to the Lewis Mountain Neighborhood (The majority of parcels show no increase in visibility or less than 1% increase in visibility).
- 74.5% of all parcels in the Lewis Mountain Neighborhood will be able to see 140 Emmet St at the by-right height
- 7.1% of parcels will have greater than a 1% increase in visibility of 140 Emmet St at 80'
- 61.1% of parcels with an increase in visibility greater than 1% are commercial properties.



Figure 2. Visibility Analysis 140 Emmet Street, By-Right Height (60')

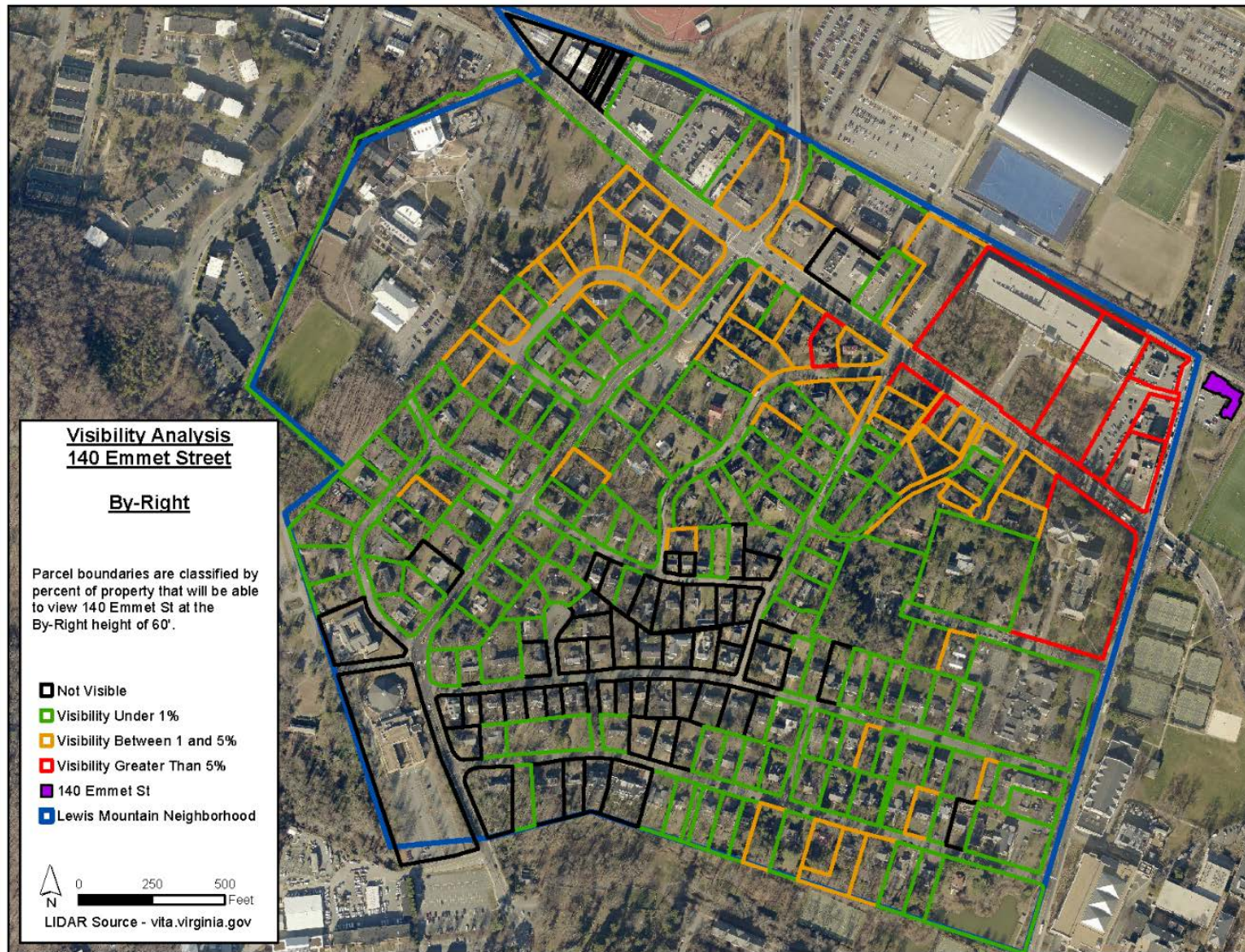
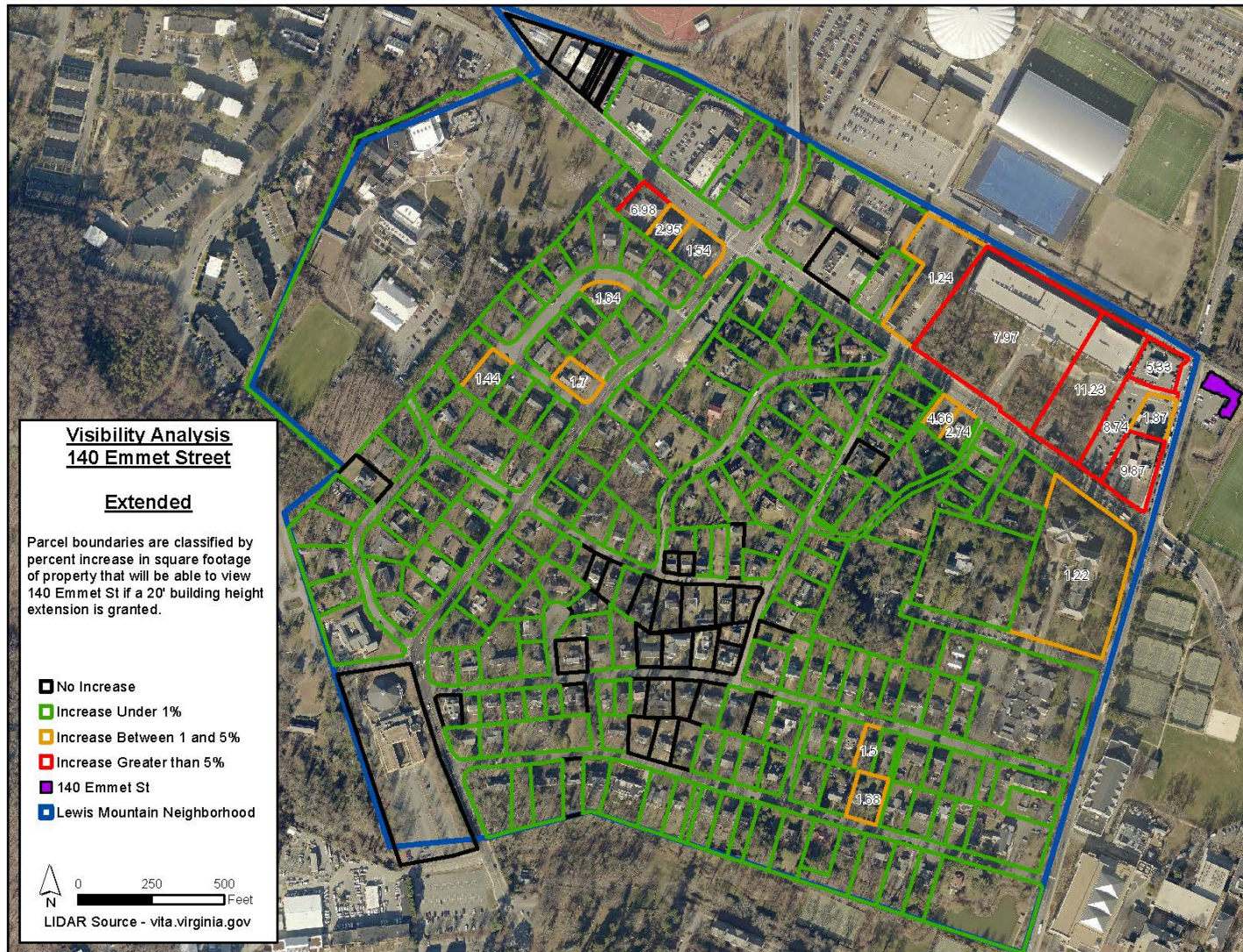




Figure 2. Visibility Analysis 140 Emmet Street, Extended Height (80')



- ii. Is the massing and scale in line with future redevelopment of this corridor?*
- iii. Is the massing and scale appropriate given the proximity to the University?*

The applicant has provided additional cross-sections in their Special Use Permit Addendum, dated August 21, 2018, showing the proposed Gallery Court Hotel (80') against both existing buildings as well as conceptual massing for future Ivy Corridor Development buildings. The cross-section also shows approximate change in grade moving from the Lewis Mountain Neighborhood, across the Ivy Corridor Redevelopment site, Emmet St, the Gallery Court Hotel and University buildings (both existing and future redevelopment). These cross-sections are featured on pages 17-19 of Attachment 2.

The cross-sections provided by the applicant demonstrate the proposed portions of the hotel that are 80' tall (facing Emmet St N and Emmet St N/Ivy intersection), given the slightly lower elevation of the Subject Property, would mirror the future buildings within the Ivy Corridor Redevelopment plan, framing Emmet St N similarly as those proposed by UVA, as well as existing facilities such as the UVA Indoor Practice Facility. Where there is contrast between the Gallery Court Hotel's proposed height versus, for example, the existing Lambeth Apartments, distance as well as grade differential (railroad embankment) provide relief. In addition, the applicant has broken up the building mass where part of the building face on the north elevation includes a recess at 40' height that goes back 102'.

Staff had concern with the potential impact the contrast of a 80' hotel building facing towards the University (immediately adjacent to Carr's Hill Field) would have. Please note the applicant, instead of proposing a box-like 80' building mass has included a recess at 40' height that goes back 61' ft that staff believes is more complimentary to the context difference (University field versus a major travel way (Emmet St N)). Also note the cross-section provided by the applicant on p. 18 of Attachment 2 denotes Carr's Hill Field is bordered by similar mass buildings on other sides (Culbreth Theatre at approximately 613' versus Gallery Court Hotel where building's mass highest points fall at approximately 570').

**Overall, the Planning Commission will need to determine if the articulation of the building is done in such a way to where the Planning Commission believes the increased height will not have an adverse impact on the adjacent areas (the Entrance Corridor, University, and adjacent neighborhoods).**

**Sec. 34-157(a)(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;

The property is currently zoned Urban Corridor Mixed Use District. The intent of the Urban Corridor 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.

**Staff Analysis:** The proposal conforms to the current zoning as it provides improvements to the pedestrian realm (wider sidewalk, curbside buffer, and street activation via a café space) as well as a mix of commercial activity. Please see the **Massing and scale of project** section to see data provided from staff to assist Planning Commission in determining whether the scale and character is “respectful to the neighborhoods and university uses adjacent,” as stated in the intent of the URB District.

**Sec. 34-157(a)(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

**Staff Analysis:** The proposed project must comply with standards set forth within the zoning ordinance, subdivision regulations and other applicable city ordinances/regulations prior to final site plan and building permit approvals.

**Sec. 34-157(a)(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.

**Staff Analysis:** The Subject Property is located within an Entrance Corridor Overlay, where the final design of the proposed development is subject to review by the Entrance Corridor Review Board (ERB).

## **PUBLIC COMMENTS RECEIVED**

Any public comment received during this process is found in Attachment 4. Prior to formally submitting the SUP application, the applicant opted to schedule a preliminary discussion at the Planning Commission's March 14, 2018 meeting. If the applicant addressed the feedback provided by the Planning Commission in anyway, staff has noted how in **bold**. Feedback from this meeting included:

- Pushing structured parking back and including instead some type of mixed use for street activation. **Applicant included in the special use permit application a 750 SF café space that fronts on Emmet St N in addition to the hotel lobby that was part of the original preliminary design**
- Inclusion of stepbacks **Applicant has provided recesses to the building at the north and east elevations**
- Concern of height impact due to proximity to University grounds **Applicant provided a recess to the building at the east elevation facing the University**

Per Sec. 34-41(c)(2), the applicant held a community meeting on July 18, 2018 (a City Planner attended as a NDS representative). Neighborhood concerns gathered from the community meeting are provided for in a list below. If the applicant addressed the neighborhood concern in any way in the application submitted, staff has noted how beside the neighborhood concern in **bold**.

- Neighbors concerned about the additional height being requested for the proposed hotel as well as the future buildings that will locate across the street as part of the UVA's Ivy Corridor Plan.
- Citizen stated concern that the hotel is not in keeping with the historic structures of UVA.
- Citizen stated he was not concerned about the requested additional height. Instead, citizen focused comments on how the proposed project would affect the City's Emmet Streetscape Project.
- Citizen encouraged landscape to help with the "park-like" entrance to UVA.
- Citizen stated concern over people existing from the parking garage and there being a conflict with high traffic pedestrian area. **Applicant has stated there will be a warning signal/sign provided inside the parking garage for those exiting to be warned to look out for pedestrians.**
- Citizen requested additional cross-sections to better reflect elevations of how building would affect surrounding areas. **Applicant submitted an addendum to the special use permit that includes additional elevations and cross-sections (Attachment 2).**

- Citizen concerned about the blank wall side of the railroad: **Window treatments shown on the north elevation**
- Citizen stated the location is an ideal location for a hotel as it is near the University/walking distance, family property and not corporate, it is a quality project where a lot of thought has been put into it, and overall a value to the community.

In addition, the applicant held a meeting on August 27, 2018 with Councilor Hill and Planning Commissioners Solla-Yates and Palmer in effort to update the new Commissioners on the project.

### **STAFF'S RECOMMENDATIONS**

Staff recommends Planning Commission focus on the following items during review:

- Whether there is an impact to surrounding areas with increased height
- Whether character and scale is respectful to neighborhoods and university uses as noted in the URB District's intent  
*\*In discussing the character of the project, please note that the applicant has indicated the additional height will allow for a certain brand of hotel to locate here (a "boutique," more up-scale hotel) versus a more budget-friendly hotel such as what previous existed there.*
- Massing and scale
- Pedestrian environment
- Street activation
- Rooftop lighting and business hours

Should Planning Commission move to recommend approval, staff recommends the Planning Commission consider the application be approved with the following conditions:

1. The Developer shall fund a Ubike station at the Subject Property in partnership with the University of Virginia upon formal written agreement from the University of Virginia. The applicant shall not be obligated to fund a Ubike station without agreement of partnership from the University of Virginia. Should the University of Virginia provide a formal agreement, the location of the Ubike station will be reflected on the site plan and approved by the Bicycle and Pedestrian Coordinator prior to final site plan approval.
2. The Developer will comply with one of the following options -  
The Developer shall either: a) widen the curbside buffer along Emmet St N to be five (5) feet in width, the dimensions of the curbside buffer reflected on the site plan prior to site plan approval, OR b) utilize a proprietary method (e.g. silva cells) that ensures adequate soil volume in the four (4) feet width buffer, the proprietary method to be



approved by the City Urban Forester and reflected on the site plan prior to site plan approval.

3. Any proposed lighting to locate at the proposed rooftop snack bar shall comply with the following, “The spillover light from luminaires onto public roads and onto property within any low-density residential district shall not exceed one-half (½) foot candle. All outdoor lighting and light fixtures shall be full cut-off luminaires.”
4. The Developer will ensure enough space is allocated for a future five (5) feet in width bicycle lane along the frontage of the Subject Property on Emmet St in coordination with the Emmet Streetscape Project. The space for the future bicycle lane will be dimensioned on the final site plan and reviewed by Traffic Engineering prior to site plan approval.
5. The Developer will provide on-site water quality treatment by using one of DEQ’s approved BMP’s (proprietary or non-proprietary), where the BMP is detailed on the site plan and approved by Engineering prior to site plan approval.
6. The Developer will detail in the site plan how exiting vehicles from the parking garage will be warned of oncoming pedestrian traffic prior to site plan approval.

### **POSSIBLE MOTION(S)**

1. I move to recommend approval of this application for a Special Use Permit to authorize the additional building height of 80 feet at TM 8 P 4, subject to:
  - The six (6) conditions presented in the staff report
  - *[alternative conditions, or additional condition(s)...list here]*

**OR,**

2. I move to recommend denial of this application for a Special Use Permit to authorize the additional building height of 80 feet at TM 8 P 4.

### **ATTACHMENTS**

*Due to size, Attachments 1, 2 and 5 are provided via link*

- 1) Special Use Permit Application received June 26, 2018, found here:

<https://bit.ly/2oIpFiH>

*Includes: completed SUP application, project proposal narrative, building massing diagram and elevations, project site plan, comprehensive plan analysis, public facilities impact statement, LID worksheet*

- 2) Special Use Permit Addendum 1 received August 21, 2018 and updated August 29, 2018, found here: <https://bit.ly/2Q2YkoR>  
*Includes: letters of support, additional building massing diagrams/elevations and cross-sections*
- 3) Streets That Work Plan Excerpt
- 4) Received Public Comment
- 5) Emmet Streetscape Shared Use Path Location report by City Staff to City Council at their August 6, 2018, found here:  
<http://www.charlottesville.org/home/showdocument?id=62501>  
*Includes: Memo from Clark Nexsen re: Pedestrian Tunnel Recommendation dated July 12, 2018; Letter from Alice Raucher, Architect for the University, dated July 12, 2018; and, Letter from Staff in Response to Alice Raucher dated July 19, 2018*
- 6) City Staff Comment Response Letter dated August 24, 2018 providing review for the Gallery Court Preliminary Site Plan

# CHAPTER 3

---

## Street Network and Typologies





East High Street

The previous chapter looked at the multiple, essential functions that Charlottesville’s streets have, and introduced basic design considerations for each of these functions. This chapter examines the streets themselves, looking both at the network as a whole and at the characteristics of different street types used to determine the typologies in these guidelines.

## 3.1 Street Network Overview

With few exceptions, the street network in Charlottesville is built out and future road construction is limited to local streets providing residential access. Some arterial roads like Preston Avenue, 5<sup>th</sup> Street and Emmet Street have multiple travel lanes in each direction, but most streets within city limits have one lane in each direction, although the lanes are not always separated by pavement markings in residential neighborhoods. There are a few one-way streets around the downtown area and in the residential neighborhoods surrounding the West Main Street corridor.

## Mileage and Road Classifications

Charlottesville has 168.6 miles of roads within its boundaries.<sup>13</sup> These roads are assigned to one of several possible functional classifications within a hierarchy according to the character of motor vehicle service each roadway provides. Arterials and collectors carry the highest traffic volumes over longer distances, while local streets carry fewer vehicles shorter distances. Table 5 shows the miles of road within each classification in Charlottesville.

| Road Classification (VDOT) | Miles        |
|----------------------------|--------------|
| Interstate                 | 0.4          |
| Principal Arterial         | 15.5         |
| Minor Arterial             | 13.1         |
| Collector                  | 16.7         |
| Local                      | 122.9        |
| <b>Total</b>               | <b>168.6</b> |

Table 5: Miles of Charlottesville Roads by VDOT Classification

<sup>13</sup> City of Charlottesville, GIS data, April 2014.

## Posted Speed Limits

The posted speed limits in Charlottesville range from a minimum of 15 mph in some school zones to a maximum of 45 mph along 5<sup>th</sup> Street, portions of the 250 Bypass and Seminole Trail/29N. Most arterials have posted speed limits of 35 mph, while collectors and local streets have posted speed limits of 25 mph.

## Traffic Volumes

Charlottesville's principal arterial roadways carry a disproportionate amount of the traffic in and through the city. Seventy-four percent of roads in Charlottesville have an average annual daily traffic (AADT) count below 1,000, which is relatively low.<sup>14</sup> The roads with the highest traffic volumes are shown in Table 6.

| 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                      |

Table 6: Average Annual Daily Traffic on Charlottesville's Major Roads

*Note: One travel lane has a capacity of 10,000 vehicles per day.*

14 City of Charlottesville GIS data, April 2014.

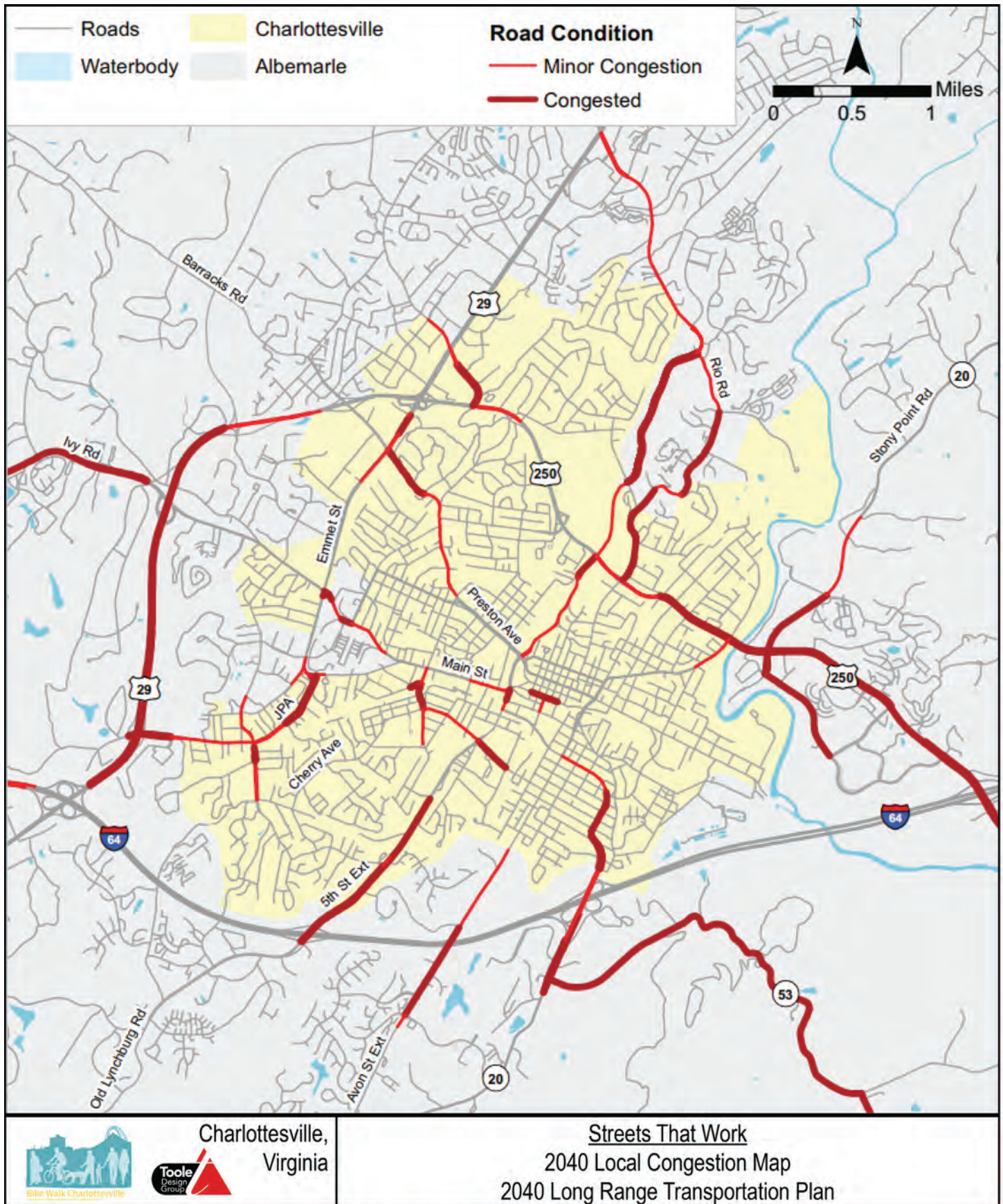
15 Charlottesville Albemarle MPO Long Range Transportation Plan. <http://www.tjpc.org/LRTP/PDF/document/Chapter6.pdf>

## Projected Future Traffic

The 2040 Long Range Transportation Plan (LRTP) for the Thomas Jefferson Planning District which includes the City of Charlottesville and the surrounding counties of Albemarle, Greene, Fluvanna, Louisa and Nelson, assesses the future demand for travel throughout the region. The Travel Demand Model used to establish a baseline and make recommendations for the LRTP shows that several roads within and around Charlottesville will experience minor to severe congestion in the future as the regional population continues to grow. These roads are mapped in Figure 6.

Minor congestion refers to roads operating at 85 to 100 percent capacity, where drivers would likely experience delays at peak times. Congested roads are expected to carry more volume than they are designed to accommodate, and drivers will experience delays throughout the day.<sup>15</sup>





Map produced by the Thomas Jefferson Planning District Commission/Charlottesville-Albemarle MPO

Figure 6: 2040 Local Congestion Map.





West Main Street

## 3.2 Street Typologies

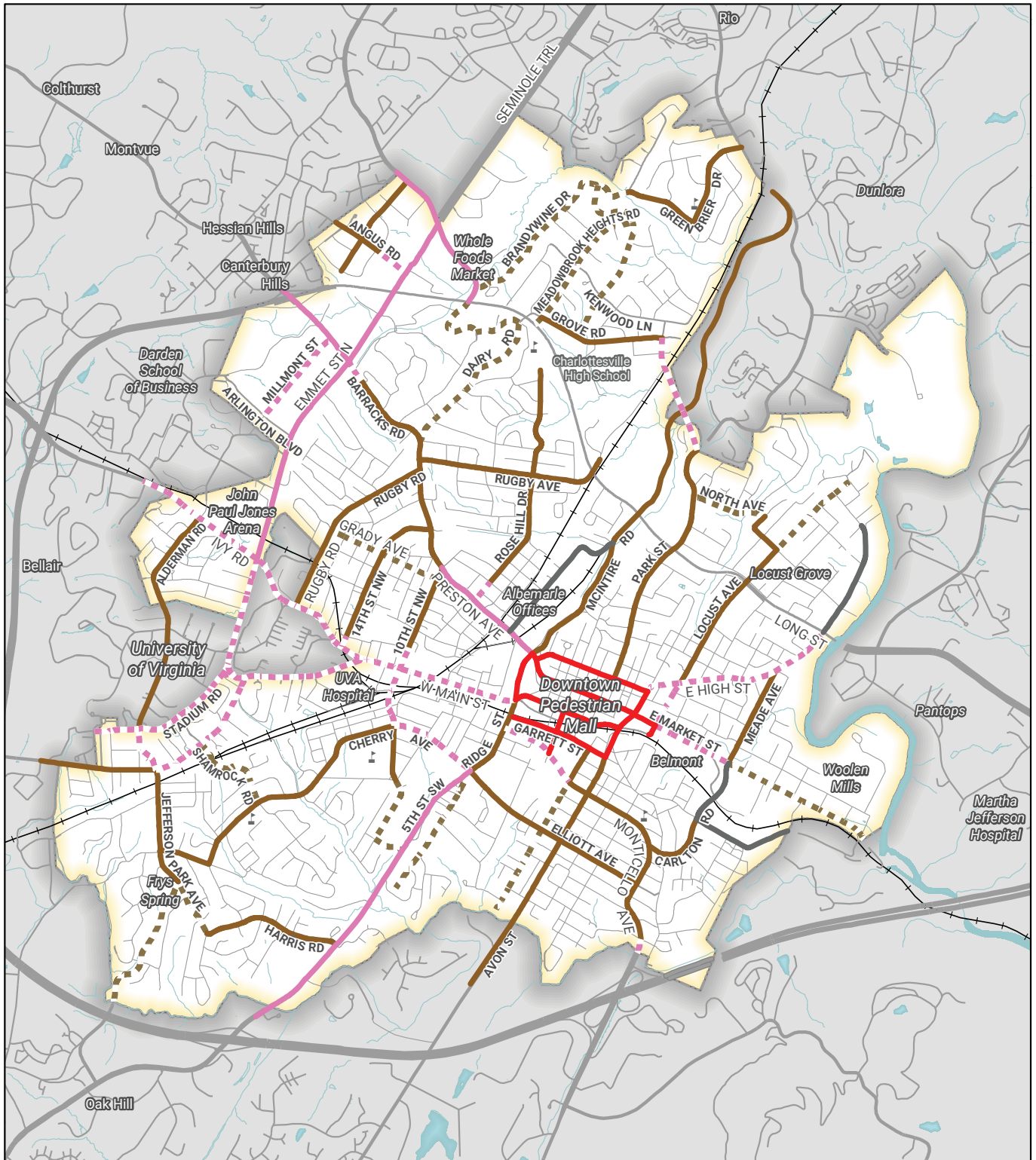
Sorting streets into categories helps designers make preliminary decisions about the various elements of street design. These Guidelines present new categories, called *street typologies*, which are based on Complete Streets principles, not just motor vehicle level of service.

The first step in developing typologies for Charlottesville's streets was identifying the city's *framework* streets. *Framework* streets are the most direct routes through the

city that connect places, neighborhoods, and districts; they also serve as emergency vehicle routes. These streets form the basic structure of the street network, and their defining characteristics provide the basis for each of the street typologies.

While *framework* streets carry the majority of traffic volumes in the city, the majority of street miles in the city is comprised of (*non-framework*) local streets.








|  |   |  |
|--|---|--|
| <p>Charlottesville, Virginia</p>   | <h2>Street Typology</h2> <hr/> <h3>Streets That Work</h3> | <p><b>Street Typology</b></p> <ul style="list-style-type: none"> <li><span style="color: red;">—</span> Downtown</li> <li><span style="color: grey;">—</span> Industrial</li> <li><span style="color: pink;">—</span> Mixed Use A</li> <li><span style="color: pink; border-bottom: 1px dashed pink;">—</span> Mixed Use B</li> <li><span style="color: brown;">—</span> Neighborhood A</li> <li><span style="color: brown; border-bottom: 1px dashed brown;">—</span> Neighborhood B</li> <li><span style="color: grey;">—</span> Local</li> </ul> <div style="text-align: right;">  <p>0 0.25 0.5 Miles</p> <p>Date: 5/20/2016</p> </div> |
|--|---|--|

Figure 7: Charlottesville Street Typology Map

The defining characteristics of each *framework* street include adjacent land uses, design character (setback, height, location of parking, etc), the number of travel lanes, the presence of center turn lanes or medians, sidewalks and bicycle facilities, and on-street parking.

An overview of all seven street types and their existing, defining characteristics is provided in Table 7. Appendix C contains a comprehensive list of street segments for each typology, graphics of each street typology, tables showing recommended design parameters.

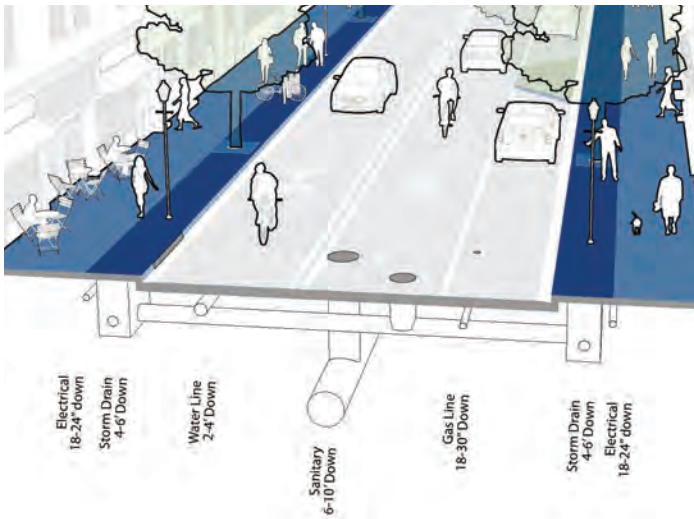
|  | Framework Streets     |             |                       |                        |                   |                  | Local                              |
|--|-----------------------|-------------|-----------------------|------------------------|-------------------|------------------|------------------------------------|
|  | Mixed Use A           | Mixed Use B | Downtown              | Industrial             | Neighborhood A    | Neighborhood B   |                                    |
| <b>Miles</b>                             | 4.4                   | 12.7        | 3.4                   | 2.4                    | 14.7              | 11.5             | 119.5                              |
| <b>Percentage of Total Miles in City</b> | <3%                   | 8%          | 2%                    | <2%                    | 9%                | 7%               | 71%                                |
| <b>Number of Travel Lanes</b>            | 4 or more             | 2           | 2                     | 2                      | 2                 | 2                | 2                                  |
| <b>Sidewalks</b>                         | Both sides            | Both sides  | Both sides            | Both sides             | One or both sides | None or one side | Varies                             |
| <b>Median</b>                            | Yes                   | No          | No                    | No                     | No                | No               | No                                 |
| <b>Center Turn Lanes</b>                 | Yes                   | Sometimes   | Sometimes             | No                     | No                | No               | No                                 |
| <b>Dedicated Bicycle Facilities</b>      | Yes                   | Yes         | Sometimes             | No                     | Yes               | No               | No                                 |
| <b>On-street Parking</b>                 | No                    | Sometimes   | Yes                   | Sometimes              | Sometimes         | Sometimes        | Sometimes                          |
| <b>Land Uses</b>                         | Commercial, Mixed Use | Mixed Use   | Commercial, Mixed Use | Commercial, Industrial | Residential       | Residential      | Residential, Commercial, Mixed Use |

Table 7: Charlottesville Street Typology Characteristics

## 3.3 Cross-Sections

The following section presents the proposed streetscape elements and dimensions for each street typology through text, graphics and tables. For each typology, there is a brief narrative that describes existing conditions and a list of representative streets in the City.

A generic *Existing* cross section is included to show the typical conditions along these streets within a right-of-way comparable to those found in Charlottesville.



Typical location of underground utilities.

Following the *Existing* cross section, two future scenarios are presented:

1. The *Retrofit* cross section shows one example of how the recommended street elements can be applied to the existing right-of-way. With most of the city built out, most street projects will be retrofit projects dealing with a constrained right-of-way.
2. The *Unconstrained* cross section reflects the amount of right-of-way required to include all of the desired street elements for a particular typology. These cross sections are provided to inform the vision for Charlottesville's streets although opportunities for implementation are quite rare.

Tables listing all of the desired street elements and parameters for their use is included at the end of each typology section.

**Note:** Many of the cross sections show trees located in the buffer zone between the sidewalk and roadway, and do not take into account conflicts with underground or overhead utilities. Consult the Utility section of Chapter 4 for required spacing around utility lines. Where plantings or furniture in the buffer zone is unattainable, a tradeoff should be made for another street element.



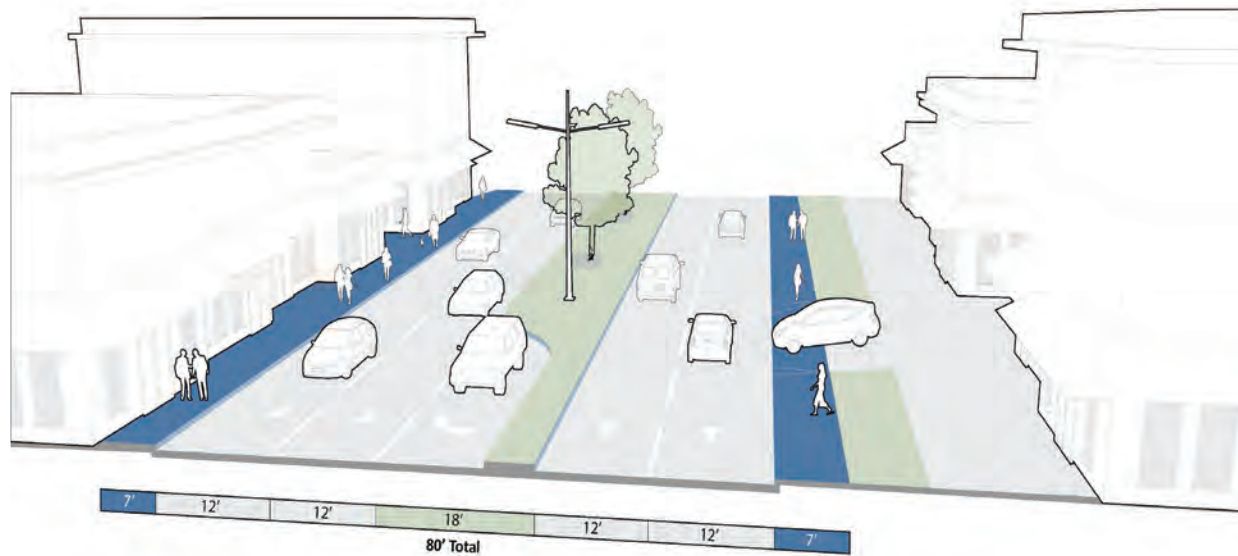
Roosevelt Brown Boulevard



## Mixed Use A

Existing Mixed Use A street segments in Charlottesville include segments of Emmet Street, 5<sup>th</sup> Street, Preston Avenue and Hydraulic Road. These segments are characterized by two vehicular travel lanes in either direction, a center median/turn lane, sidewalks without buffers and standard bicycle lanes. Currently, buildings along these streets are deeply set back from the edge of the road, often with parking between the curb and the structure.

### ► Existing







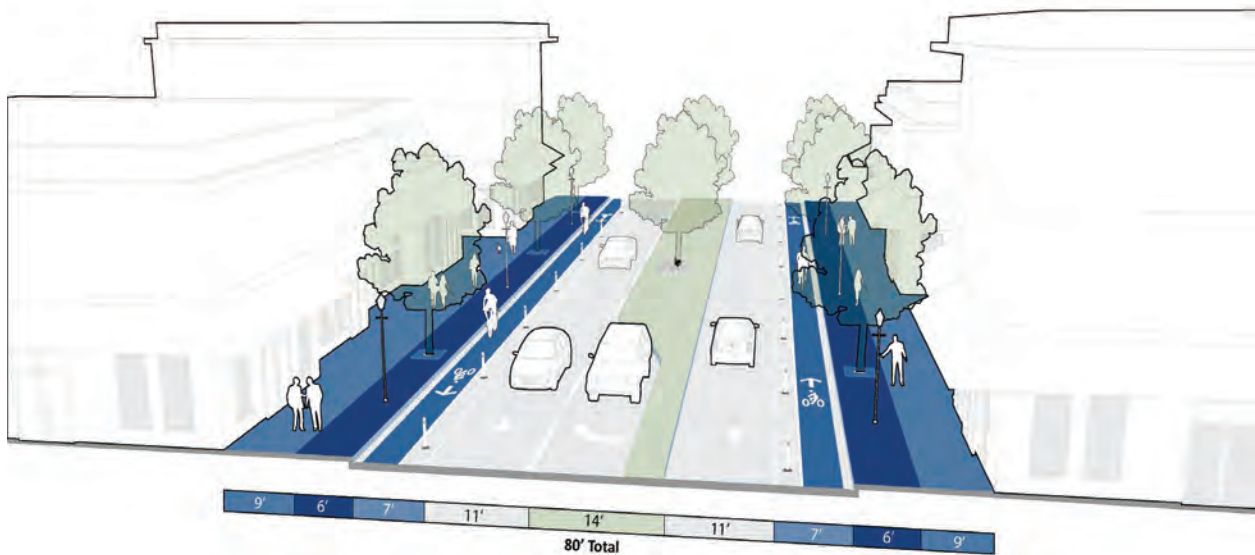
| Street Segment                                    | Posted Speed Limit (mph) | AADT          | Heavy Vehicle Mix |
|---|--------------------------|---------------|-------------------|
| Emmet St N<br>Massie Rd to Hydraulic Rd           | 40                       | 29,000        | 1%                |
| Hydraulic Road<br>Emmet St N to 250 Bypass        | 40                       | 27,000        | 2%                |
| Ridge-McIntire Road<br>W Main St to Preston Ave   | 25                       | 22,000        | 1%                |
| Preston Avenue<br>10th St NW to Ridge-McIntire Rd | 35                       | 20,000        | 1%                |
| 5th St SW<br>Cherry Ave to City Limits            | 45                       | 17,000        | 2%                |
| Ranges  | 25-45                    | 17,000-29,000 | 1-2%              |

## ► Future

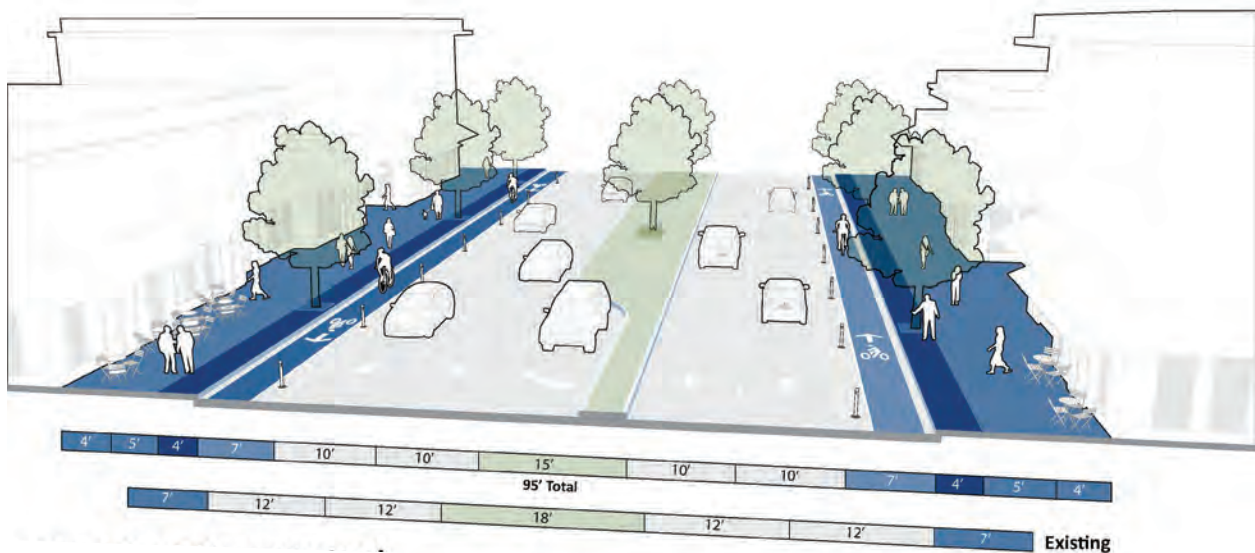
There are two potential Mixed Use A cross sections shown below. The first “Retrofit” cross section applies these Guidelines to the existing right-of-way. To do this, certain trade-offs are required. The retrofit cross section shows a single travel lane in each direction, buffered bike lanes, wider sidewalks with curbside buffer zones for trees and pedestrian scale lighting.

The second “Unconstrained” cross section shows two vehicular travel lanes in either direction, a center median/left turn lane and separated bike lanes. This scenario also has separated bike lanes, wider sidewalks with curbside buffer zones for trees and pedestrian scale lighting.

## ► Retrofit



## ► Unconstrained



## Table of Street Elements

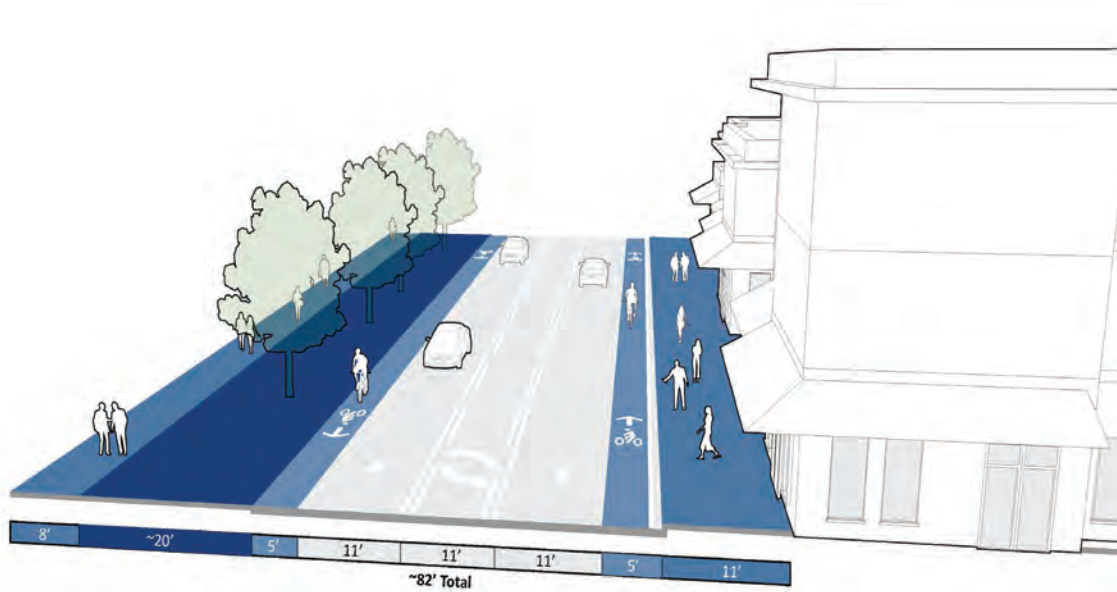
| MIXED USE A STREET<br>Major Design Elements  | Recommended                      | Parameters   |
|--|----------------------------------|--|
| Right-of-way   | n/a                              | 60' - 100'   |
| Sidewalks  | Yes                              | > 7' clear walk zone   |
| Curbside Buffer Zone<br>(Highest Priority Street Element)  | Yes                              | 3' - 6'<br>Width requirements: small trees = 4'; medium trees = 4' (6' preferred); large trees = 4' (6' preferred); smaller widths can be achieved if soil volume minimum met.   |
| Street Trees   | Yes                              | Locate in curbside buffer or in on-street parking zone<br>Soil volume minimums: small trees = 250 ft <sup>3</sup> ; medium trees = 400 ft <sup>3</sup> ; large trees = 400 ft <sup>3</sup> (700 ft <sup>3</sup> preferred) |
| On-Street Parking*   | Limited or None                  | 8'   |
| Diagonal On-Street Parking   | No                               | Back-in parking only, 60°, 17' min. stall depth  |
| Off-Street Parking Access  | Limited                          | Driveways, service and loading preferred from alleys and side streets  |
| Travel Lane Widths*  | n/a                              | 10-11', if transit 11' outer lane  |
| Turn Lanes   | Yes                              | 10'  |
| Design Speed   | Slow                             | < 30 mph   |
| Bicycle Facilities<br>(High Priority Street Element)   | Yes                              | 5'-7' bike lanes, 7' separated bike lanes, turn boxes, 10' shared use paths<br>Bicycle parking in Curbside Buffer Zone or on-street  |
| Transit Stop Facilities  | Yes                              | Shelters, benches, paved curbside waiting areas, litter receptacle   |
| Traffic Calming  | Yes                              | Roundabouts, medians   |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |  |
| **Trees: small (10' – 30' mature height) ; medium (30' – 50' mature height); large (50' mature height)   |                                  |  |
|  | Highest Priority Street Elements | High Priority Street Elements  |

| MIXED USE A STREET Major Design Elements   | Recommended                      | Parameters   |
|--|----------------------------------|--|
| Curbs  | Yes                              | Vertical curb, or combination curb and gutter  |
| Gutters  | Yes                              | Combination curb and gutter  |
| Pedestrian Lighting  | Yes                              | 16' Height Maximum; See Lighting Standards   |
| Street Lighting  | Yes                              |  |
| Median   | Yes                              | Recommended to facilitate safe pedestrian crossings on streets with 3 lanes of traffic (can alternate with center turn lane); traffic calming, and stormwater management |
| Curb Radii   | n/a                              | 20' - 30'  |
| Build-To Line/Street Wall Set Back from Public ROW   | n/a                              | 5'-10'+; varies by zoning district   |
| Green and Blue Stormwater Opportunities  | Yes                              | See Stormwater Elements section in Chapter 4.  |
| Sidewalk Pavement Material   | n/a                              | Concrete, permeable pavement, permeable pavers   |
| Parking Lane Material  | n/a                              | Asphalt, permeable pavement, unit pavers   |
| Roadway Material   | n/a                              | Asphalt  |
| Gutter Material  | n/a                              | Asphalt, concrete  |
| Curb Material  | n/a                              | Concrete   |
| Curbside Buffer Zone Material  | n/a                              | Unit pavers, permeable pavement, lawn, groundcover, vegetated tree boxes   |
| Utilities  | n/a                              | Separation Requirements for Street Trees/Above Ground Infrastructure: 10' preferred, 5' minimum. Anything under 10', consult with Utilities Engineer to reach solution.  |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |  |
|  | Highest Priority Street Elements | High Priority Street Elements  |

# Mixed Use B

University Avenue and segments of Jefferson Park Avenue are two examples of existing Mixed Use B streets. They are characterized by one vehicular travel lane in each direction, intermittent center turn lanes, sidewalks and bicycle facilities. These streets also may have on-street parking. The adjacent land uses may be commercial, higher density residential or institutional. These streets should support high levels of walking, bicycling, and transit as they connect important destinations within the City and surrounding county. Future development that occurs along these streets will likely include a dense mix of uses.

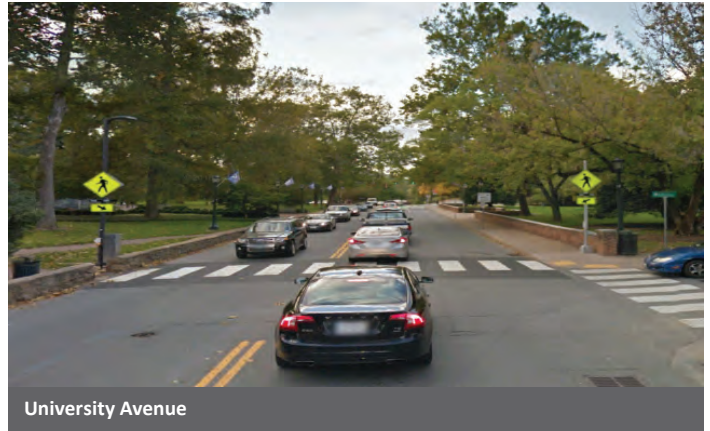
## ▶ Existing







Emmet Street



University Avenue



Jefferson Park Avenue



Roosevelt Brown Boulevard

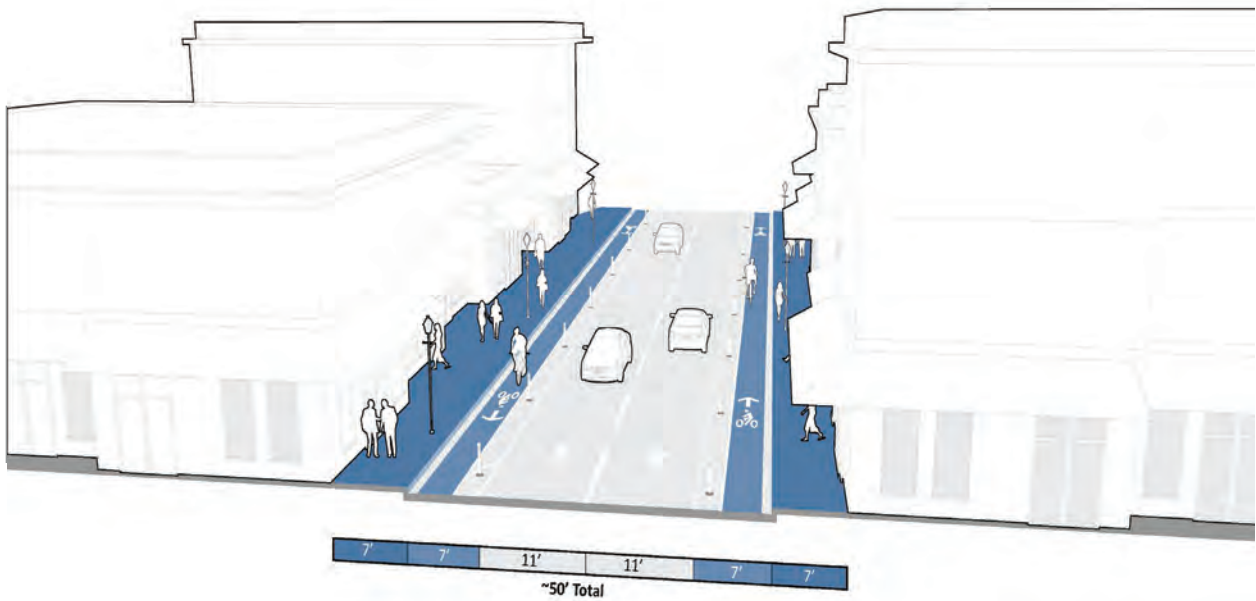
| Street Segment                                     | Posted Speed Limit (mph) | AADT          | Heavy Vehicle Mix |
|--|--------------------------|---------------|-------------------|
| Emmet St<br>Jefferson Park Ave to Ivy Rd           | 25                       | 14,000        | 3%                |
| University Ave<br>Emmet St N to Jefferson Park Ave | 25                       | 12,000        | 2%                |
| Jefferson Park Ave<br>Maury Ave to University Ave  | 25/35                    | 12,000        | 5%                |
| Roosevelt Brown Blvd<br>Cherry Ave to W Main St    | 25                       | 12,000        | 1%                |
| Ranges   | 25-35                    | 12,000-22,000 | 1%-5%             |

## ▶ Future

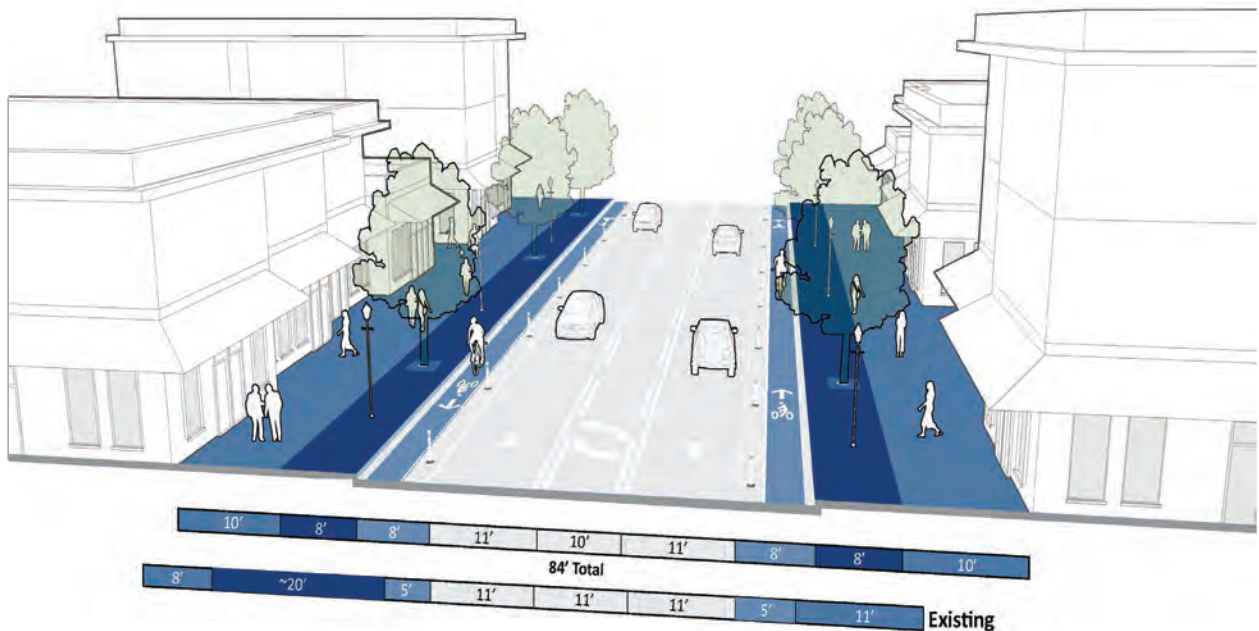
There are two potential Mixed Use B cross sections shown below. The first “Retrofit” cross section applies these Guidelines to the existing right-of-way. To do this, certain trade-offs are required. The retrofit cross section removes the center turn lane and shows buffered bike lanes in both directions. There are also wider sidewalks with pedestrian scale lighting on both sides of the street.

The second “Unconstrained ROW” cross section maintains the center turn lane configuration with the addition of bike lanes and on-street parking. Wide, 10’ sidewalks with 5’ curbside buffer zones with trees and pedestrian scale lighting are shown on both sides of the street.

## ▶ Retrofit



## ▶ Unconstrained



## Table of Street Elements

| MIXED USE B STREET<br>Major Design Elements  | Recommended                      | Parameters   |
|--|----------------------------------|--|
| Right-of-way   | n/a                              | 50-80'   |
| Sidewalks  | Yes                              | > 7' clear walk zone   |
| Curbside Buffer Zone<br>(Highest Priority Street Element)  | Yes                              | 3' - 6'<br>Width requirements: small trees = 4'; medium trees = 4' (6' preferred); large trees = 4' (6' preferred); smaller widths can be achieved if soil volume minimum met.   |
| Street Trees   | Yes                              | Locate in curbside buffer or in on-street parking zone<br>Soil volume minimums: small trees = 250 ft <sup>3</sup> ; medium trees = 400 ft <sup>3</sup> ; large trees = 400 ft <sup>3</sup> (700 ft <sup>3</sup> preferred) |
| On-Street Parking*   | Yes                              | 7'-8'*   |
| Diagonal On-Street Parking   | No                               | Back-in parking only, 60°, 17' min. stall depth  |
| Off-Street Parking Access  | Limited                          | Driveways, service and loading preferred from alleys and side streets  |
| Travel Lane Widths*  | n/a                              | 10-11', if transit 11' outer lane  |
| Turn Lanes   | Yes                              | 10'  |
| Design Speed   | Slow                             | < 30 mph   |
| Bicycle Facilities<br>(High Priority Street Element)   | Yes                              | 5'-6' bike lanes, 7' separated bike lanes, turn boxes, 10' shared use paths<br>Bicycle parking in Curbside Buffer Zone or on-street  |
| Transit Stop Facilities  | Yes                              | Shelters, benches, paved curbside waiting areas, litter receptacle   |
| Traffic Calming  | Yes                              | Roundabouts, corner curb extensions  |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |  |
| **Trees: small (10' – 30' mature height) ; medium (30' – 50' mature height); large (50' mature height)   |                                  |  |
|  | Highest Priority Street Elements | High Priority Street Elements  |



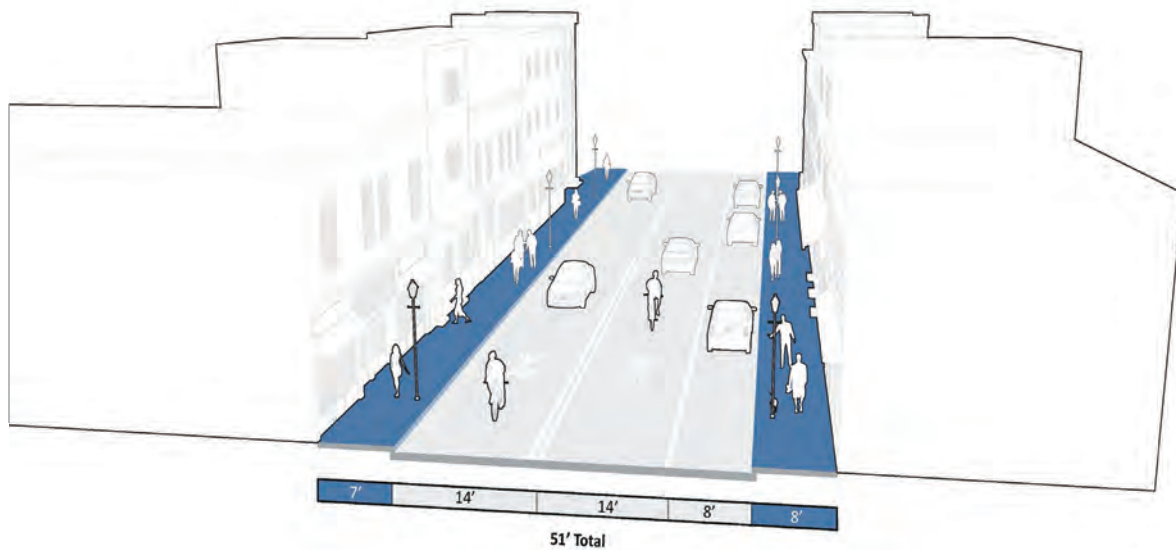
| MIXED USE B STREET<br>Major Design Elements  | Recommended                      | Parameters   |
|--|----------------------------------|--|
| Curbs  | Yes                              | Vertical curb, or combination curb and gutter  |
| Gutters  | Limited                          | Combination curb and gutter  |
| Pedestrian Lighting  | Yes                              | 16' Height Maximum; See Lighting Standards   |
| Street Lighting  | Yes                              |  |
| Median   | Yes                              | Recommended to facilitate safe pedestrian crossings on streets with 3 lanes of traffic (can alternate with center turn lane); traffic calming, and stormwater management |
| Curb Radi  | n/a                              | 20' - 30'  |
| Build-To Line/Street Wall Set Back from Public ROW   | n/a                              | 5' - 10'+; varies by zoning district   |
| Green and Blue Stormwater Opportunities  | Yes                              | See <i>Stormwater Elements</i> section in Chapter 4.   |
| Sidewalk Pavement Material   | n/a                              | Concrete, permeable pavement   |
| Parking Lane Material  | n/a                              | Asphalt, permeable pavement, unit pavers   |
| Roadway Pavement Material  | n/a                              | Asphalt  |
| Gutter Material  | n/a                              | Asphalt, concrete  |
| Curb Material  | n/a                              | Concrete   |
| Curbside Buffer Zone Material  | n/a                              | Unit pavers, permeable pavement, lawn, groundcover, vegetated tree boxes   |
| Utilities  | n/a                              | Separation Requirements for Street Trees/Above Ground Infrastructure: 10' preferred, 5' minimum. Anything under 10', consult with Utilities Engineer to reach solution.  |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |  |
|  | Highest Priority Street Elements | High Priority Street Elements  |

## Downtown

As the name implies, Downtown streets are the streets in the core of the city, surrounding the pedestrian mall. They generally have a single vehicular travel lane in both directions, intermittent center turn lanes, sidewalks and on-street parking. Street trees are planted in tree grates in more urban areas and in tree lawns where space allows. Downtown streets do not have dedicated bicycle facilities since traffic is generally moving more slowly and bicyclists can more easily share the travel lane with drivers, although climbing lanes are recommended on hilly streets. Buildings along Downtown streets generally have narrow setbacks, are both historic and modern in character with generally narrow setbacks. The buildings house government services, offices, retail, restaurants and residential units.

### ► Existing

---





9<sup>th</sup> Street NE



Market Street



E High Street



Water Street

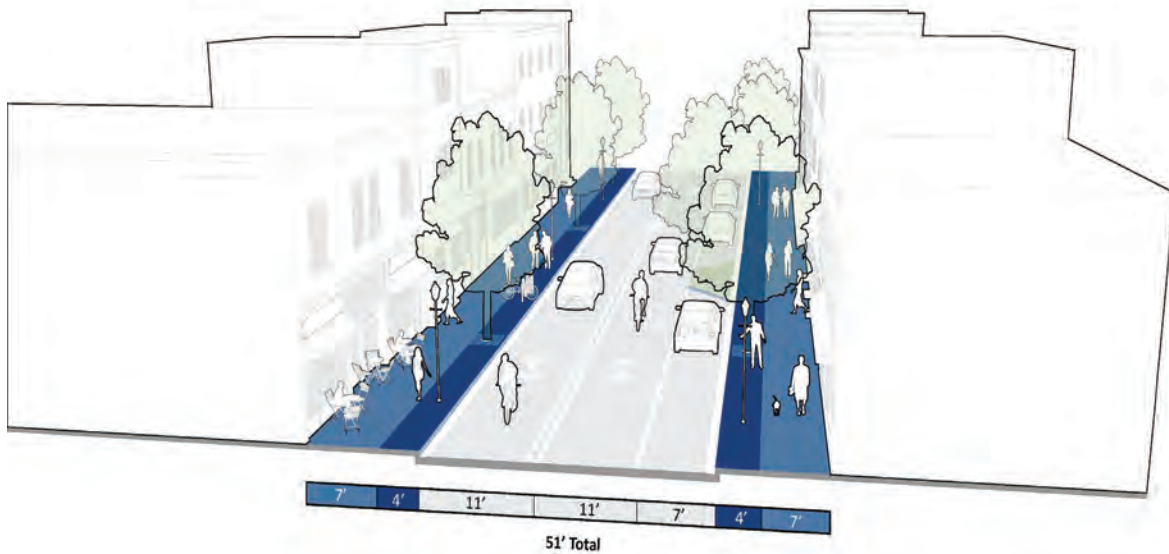
| Street Segment                              | Posted Speed Limit (mph) | AADT         | Heavy Vehicle Mix |
|---|--------------------------|--------------|-------------------|
| 9th St NE<br>Market St to E High St         | 25                       | 13,000       | 1%                |
| Market St<br>Ridge-McIntire Rd to 9th St NE | 25                       | 9,000        | 1%                |
| E High St<br>Preston Ave to 9th St NE       | 25                       | 6,300        | 1%                |
| Water St<br>W Main St to 10th St SE         | 25                       | 5,600        | 3%                |
| Ranges                                      | 25                       | 5,600-13,000 | 1-3%              |

## ▶ Future

There are two potential Downtown street cross sections shown below. The first “retrofit” cross section applies these Guidelines to the existing right-of-way. To do this, certain trade-offs are required. The retrofit cross section keeps on-street parking on one side of the street and shared lane markings for bicycles, but narrows the travel lanes in favor of trees, pedestrian scale lighting and bicycle parking in the curbside buffers along the sidewalks on both sides.

The second “unconstrained” cross section is similar to the retrofit cross section but shows on-street parking on both sides of the street.

## ▶ Retrofit



## ▶ Unconstrained





## Table of Street Elements

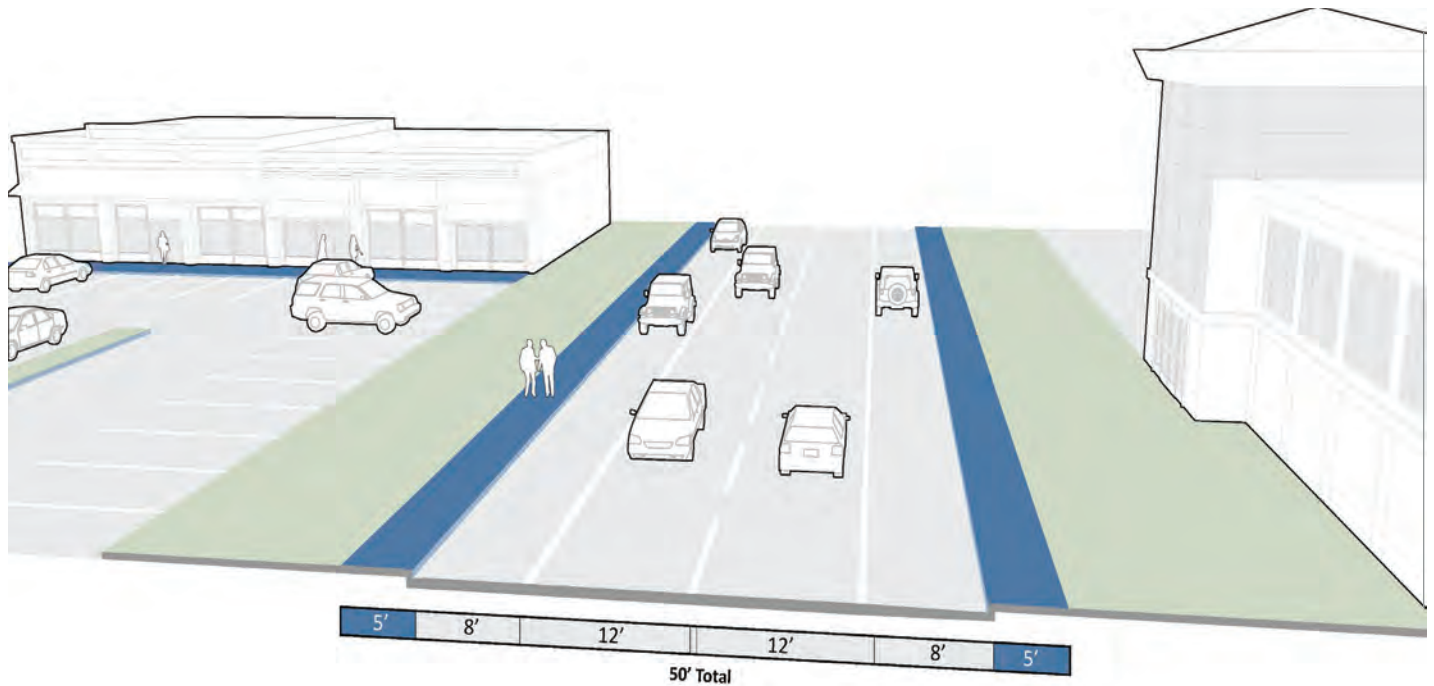
| DOWNTOWN STREET Major Design Elements  | Recommended                      | Parameters   |
|--|----------------------------------|--|
| Right-of-way   | n/a                              | 50' - 75'  |
| Sidewalks  | Yes                              | > 6' clear walk zone   |
| Curbside Buffer Zone (Highest Priority Street Element)   | Yes                              | 3' - 6'<br>Width requirements: small trees = 4'; medium trees = 4' (6' preferred); large trees = 4' (6' preferred); smaller widths can be achieved if soil volume minimum met.   |
| Street Trees**   | Yes                              | Locate in curbside buffer or in on-street parking zone<br>Soil volume minimums: small trees = 250 ft <sup>3</sup> ; medium trees = 400 ft <sup>3</sup> ; large trees = 400 ft <sup>3</sup> (700 ft <sup>3</sup> preferred) |
| On-Street Parking* (High Priority Street Element)  | Yes                              | 7'-8' Loading zones need to be considered  |
| Diagonal On-Street Parking   | Limited                          | Back-in parking only, 60°, 17' min. stall depth  |
| Off-Street Parking Access  | Limited                          | Driveway, service and loading preferred from alleys and side streets   |
| Travel Lane Widths*  | n/a                              | 10-11', if transit 11' outer lane  |
| Turn Lanes   | Limited                          | Only at major intersections and major destination access points  |
| Design Speed   | Slow                             | 25 mph   |
| Bicycle Facilities   | Yes                              | Shared lane markings, climbing lanes, turn boxes, bike boxes   |
| Transit Stop Facilities  | Yes                              | Shelters, benches, paved waiting areas, litter receptacles, lighting   |
| Traffic Calming  | Yes                              | Corner extensions  |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |  |
| **Trees: small (10' – 30' mature height) ; medium (30' – 50' mature height); large (50' mature height)   |                                  |  |
|  | Highest Priority Street Elements | High Priority Street Elements  |

| <b>DOWNTOWN STREET Major Design Elements</b>   | <b>Recommended</b>               | <b>Parameters</b>   |
|--|----------------------------------|---|
| <b>Curbs</b>   | Yes                              | Vertical curb, or combination curb and gutter   |
| <b>Gutters</b>   | Limited                          | Combination curb and gutter   |
| <b>Pedestrian Lighting</b>   | Yes                              | 16' height maximum, See Lighting Standards  |
| <b>Street Lighting</b>   | Yes                              |   |
| <b>Median</b>  | No                               | Recommended to facilitate safe pedestrian crossings on streets with 3 lanes of traffic; traffic calming, and stormwater management                                      |
| <b>Curb Radii</b>  | n/a                              | 15' - 25' (See Street Elements chapter for information on effective radii)  |
| <b>Build-To Line/Street Wall Set Back from Public ROW</b>  | n/a                              | 0'-5'; varies by zoning district  |
| <b>Green and Blue Stormwater Opportunities</b>   | Yes                              | See <i>Stormwater Elements</i> section in Chapter 4.  |
| <b>Sidewalk Pavement Material</b>  | n/a                              | Concrete, permeable pavement, unit pavers consistent w/ historic character  |
| <b>Parking Lane Material</b>   | n/a                              | Asphalt, permeable pavement, unit pavers  |
| <b>Roadway Pavement Material</b>   | n/a                              | Asphalt   |
| <b>Gutter Material</b>   | n/a                              | Concrete, and unit pavers   |
| <b>Curb Material</b>   | n/a                              | n/a   |
| <b>Curbside Buffer Zone Material</b>   | n/a                              | Unit pavers, permeable pavement, vegetated tree boxes   |
| <b>Utilities</b>   | n/a                              | Separation Requirements for Street Trees/Above Ground Infrastructure: 10' preferred, 5' minimum. Anything under 10', consult with Utilities Engineer to reach solution. |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |   |
|  | Highest Priority Street Elements | High Priority Street Elements   |

# Industrial

Three existing industrial street segments in Charlottesville include Carlton Avenue, Market Street and River Road. These streets are characterized by one vehicular travel lane in each direction, sidewalks without buffers and some on-street parking. The streets provide access to commercial and industrial properties and must be able to accommodate larger truck traffic. Many of the buildings along these streets are significantly set back from the road.

## ▶ Existing





Carlton Avenue



Market Street



River Road

| Street Segment                                  | Posted Speed Limit (mph) | AADT        | Heavy Vehicle Mix |
|---|--------------------------|-------------|-------------------|
| Carlton Rd<br>Carlton Ave to Meade Ave          | 25                       | 7,200       | 4%                |
| Market St<br>9 <sup>th</sup> St NE to Meade Ave | 25                       | 5,100       | 1%                |
| River Rd<br>Long St to Coleman St Ext           | 25                       | No data     | No data           |
| Ranges  | 25-35                    | 5,100-7,200 | 1%-4%             |

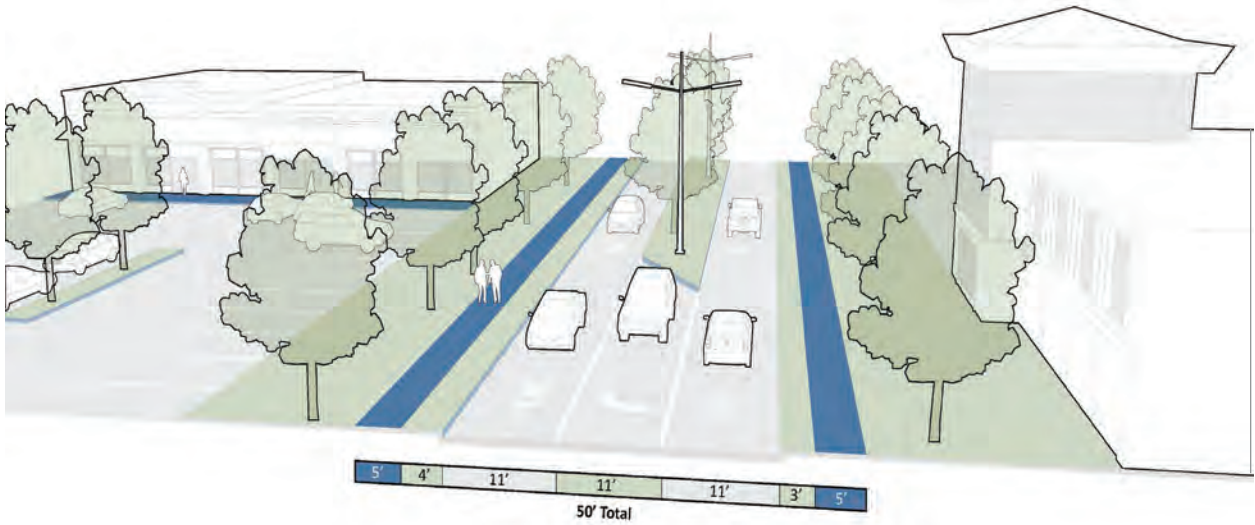


## ► Future

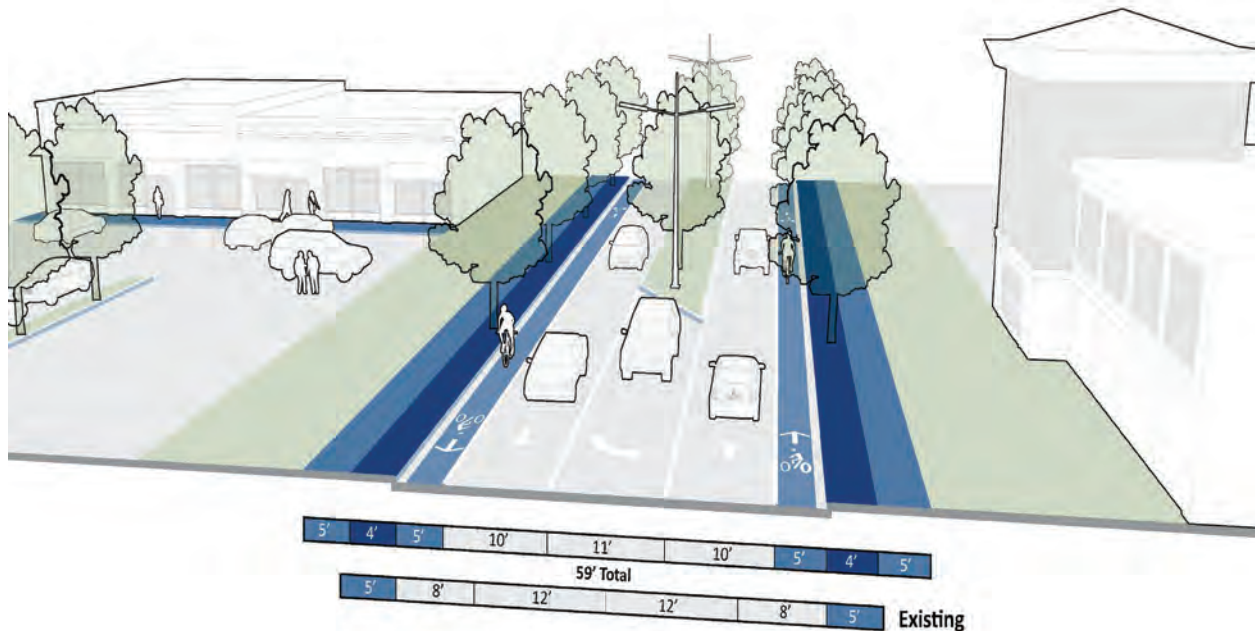
There are two potential Industrial street cross sections shown below. The first “retrofit” cross section applies these Guidelines to the existing right-of-way. To do this, certain trade-offs are required. The retrofit cross section replaces on-street parking with a center turn lane/median configuration to add more green elements to the streetscape. The sidewalks are also shifted back from the curb with a planted buffer between the travel lanes and the pedestrian walk zone.

The second “unconstrained” cross section also shows the center turn lane/median configuration, with the addition of bike lanes and a wider curbside buffer zone between the roadway and sidewalk. This wider buffer can accommodate small street trees.

## ► Retrofit



## ► Unconstrained



## Table of Street Elements

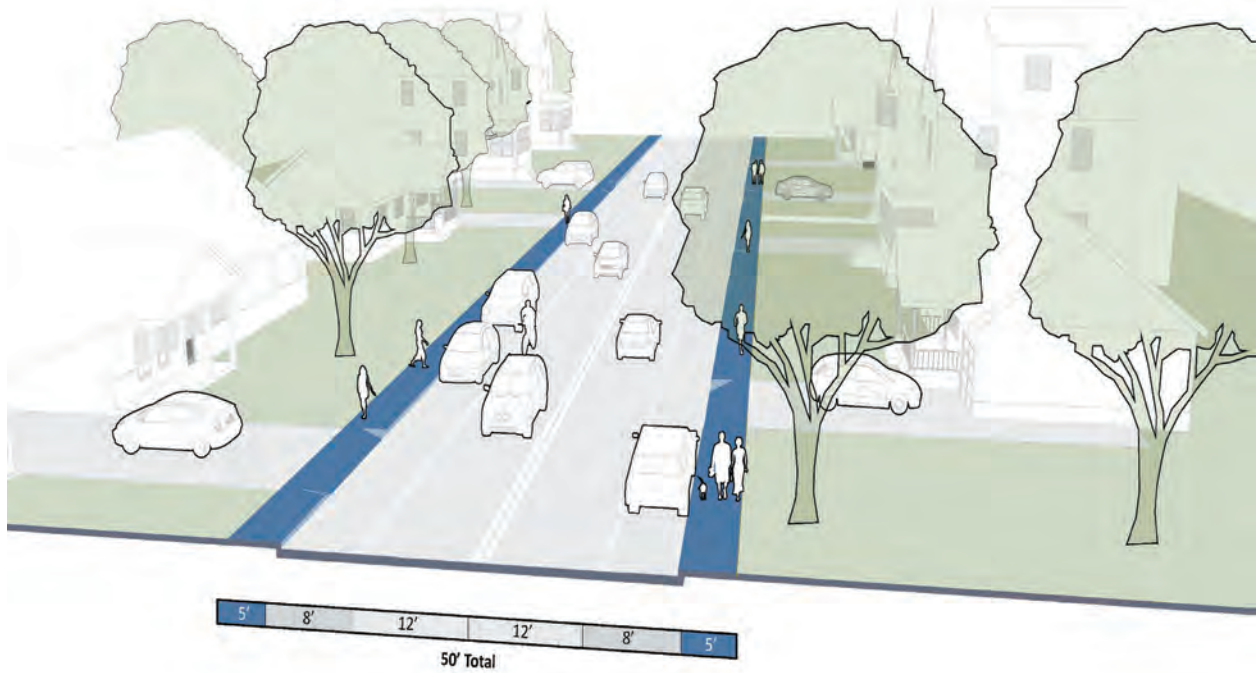
| INDUSTRIAL STREET Major Design Elements  | Recommended                      | Parameters   |
|--|----------------------------------|--|
| Right-of-way   | n/a                              | 40' - 60'  |
| Sidewalks  | Yes                              | 5' - 6' clear walk zone  |
| Curbside Buffer Zone (Highest Priority Street Element)   | Yes                              | 3' - 6'<br>Width requirements: small trees = 4'; medium trees = 4' (6' preferred); large trees = 4' (6' preferred); smaller widths can be achieved if soil volume minimum met.   |
| Street Trees**   | Yes                              | Locate in curbside buffer or in on-street parking zone<br>Soil volume minimums: small trees = 250 ft <sup>3</sup> ; medium trees = 400 ft <sup>3</sup> ; large trees = 400 ft <sup>3</sup> (700 ft <sup>3</sup> preferred) |
| On-Street Parking*   | Limited                          | 7'-8'  |
| Diagonal On-Street Parking   | No                               |  |
| Off-Street Parking Access  | Yes                              | Sidewalk level and ADA access to be maintained at all driveways  |
| Travel Lane Widths* (High Priority Street Element)   | n/a                              | 11-12'   |
| Turn Lanes   | Yes                              | 10'-11'  |
| Design Speed   | Slow                             | < 25mph  |
| Bicycle Facilities   | Limited                          | Shared Lane Markings, 5' bike lanes, 6' climbing bike lanes  |
| Transit Stop Facilities  | Yes                              | Benches, paved curbside waiting areas  |
| Traffic Calming  | Yes                              | Curb extensions (mid-block and corner) and only appropriate with on-street parking   |
| Curbs  | Where necessary                  | Vertical curb, or combination curb and gutter  |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |  |
| **Trees: small (10' – 30' mature height); medium (30' – 50' mature height); large (50' mature height)  |                                  |  |
|  | Highest Priority Street Elements | High Priority Street Elements  |

| INDUSTRIAL STREET<br>Major Design Elements   | Recommended                      | Parameters  |
|--|----------------------------------|---|
| Gutters  | Yes                              | Combination curb and gutter   |
| Pedestrian Lighting  | Yes                              | 16' height maximum; See Lighting Standards  |
| Street Lighting  | Yes                              |   |
| Median   | Limited                          | Recommended to facilitate safe pedestrian crossings on streets with 3 lanes of traffic; traffic calming, and stormwater management                                      |
| Curb Radi  | n/a                              | 20' - 30'   |
| Build-To Line/Street Wall Set Back from Public ROW   | n/a                              | 10' - 60'; varies by zoning district  |
| Green and Blue Stormwater Opportunities  | Yes                              | See <i>Stormwater Elements</i> section in Chapter 4.  |
| Sidewalk Pavement Material   | n/a                              | Concrete, permeable pavement  |
| Parking Lane Material  | n/a                              | Asphalt, permeable pavement   |
| Roadway Pavement Material  | n/a                              | Asphalt   |
| Gutter Material  | n/a                              | Asphalt, concrete   |
| Curb Material  | n/a                              | Concrete  |
| Curbside Buffer Zone Material  | n/a                              | Unit pavers, permeable pavement, lawn, groundcover, vegetated tree boxes  |
| Utilities  | n/a                              | Separation Requirements for Street Trees/Above Ground Infrastructure: 10' preferred, 5' minimum. Anything under 10', consult with Utilities Engineer to reach solution. |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |   |
|  | Highest Priority Street Elements | High Priority Street Elements   |

# Neighborhood A

Neighborhood A streets have one travel lane in each direction, sidewalks on at least one side, dedicated bicycle facilities and some on-street parking. Adjacent land uses are low and medium-density residential. Examples streets include Cherry Avenue from Roosevelt Brown Boulevard to Cleveland Avenue and Rugby Avenue from Barracks Road to McIntire Park.

## ► Existing







Rugby Avenue



Cherry Avenue



Monticello Avenue



Fontaine Avenue

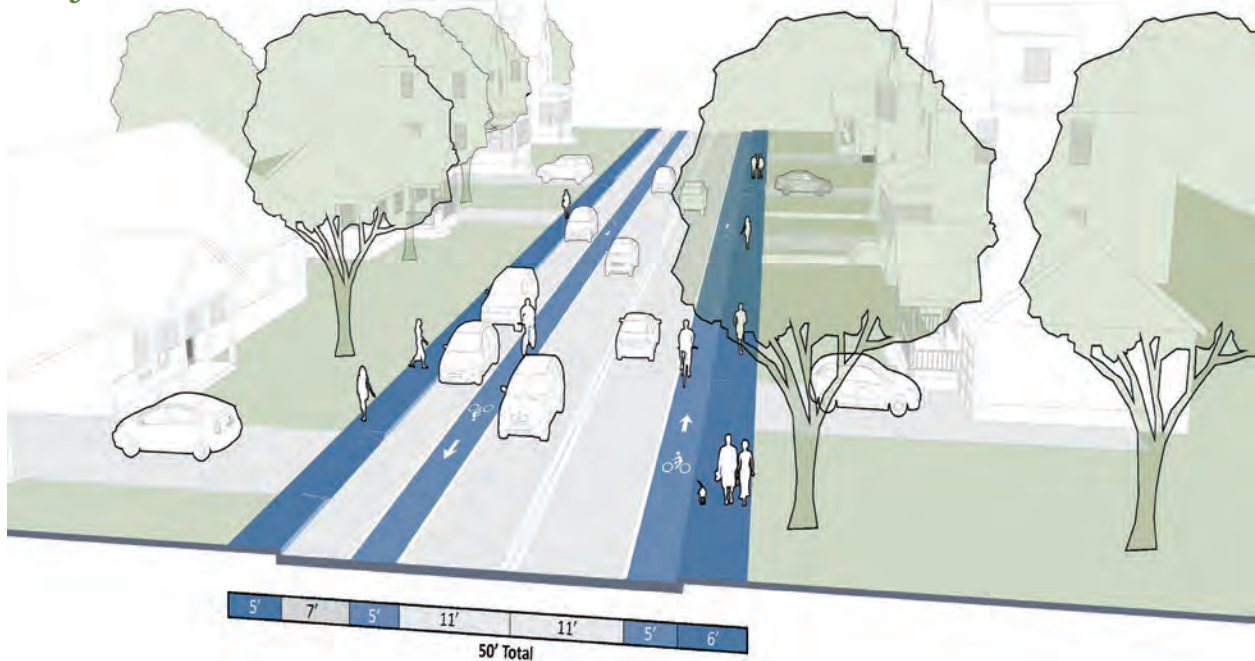
| Street Segment  | Posted Speed Limit (mph) | AADT         | Heavy Vehicle Mix |
|---|--------------------------|--------------|-------------------|
| Barracks Road<br>Emmet St to Rugby Rd                   | 25                       | 15,000       | 1%                |
| Monticello Avenue<br>6 <sup>th</sup> St SE to Quarry Rd | 25-35                    | 15,000       | 2%                |
| Fontaine Avenue<br>City limits to Maury Ave             | 35                       | 11,000       | 2%                |
| Rugby Avenue<br>Barracks Rd to 250 Bypass               | 25                       | 5,800        | 1%                |
| Cherry Ave<br>Cleveland Ave to Roosevelt Brown Blvd     | 35                       | 5,600        | 1%                |
| Ranges  | 25-35 mph                | 5,600-15,000 | 1-2%              |

## ► Future

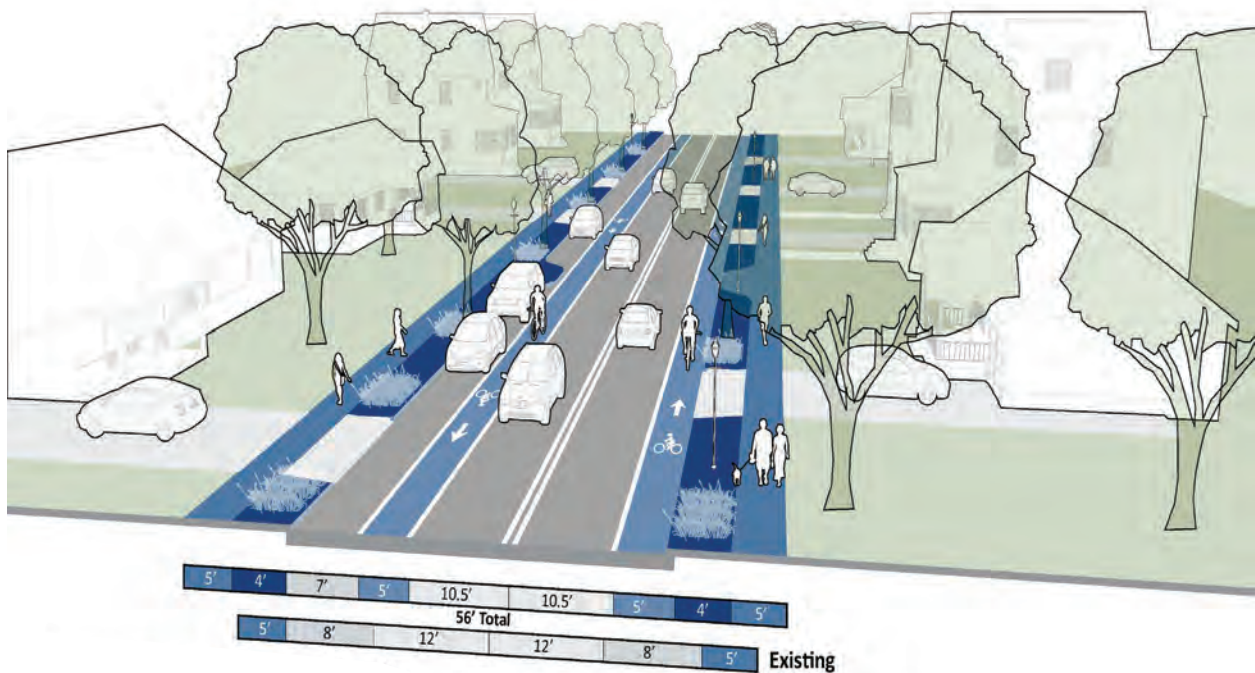
The proposed “Retrofit” Neighborhood A street maintains a single travel lane in each direction and consolidates on-street parking to one side of the street to provide space for dedicated bike lanes.

In the “Unconstrained” scenario, the roadway configuration is the same as the “Retrofit” scenario, and a wide buffer zone separates the sidewalk clear zone from the roadway. This area can accommodate plantings and medium trees, as well as pedestrian scale lighting and street furniture.

## ► Retrofit



## ► Unconstrained



## Table of Street Elements

| NEIGHBORHOOD A STREET Major Design Elements  | Recommended                      | Parameters   |
|--|----------------------------------|--|
| Right-of-way   | n/a                              | 25' - 50'  |
| Sidewalks (Highest Priority Street Element)  | Yes                              | 5'-6' clear walk zone  |
| Curbside Buffer Zone   | Yes                              | 3' - 6'<br>Width requirements: small trees = 4'; medium trees = 4' (6' preferred); large trees = 4' (6' preferred); smaller widths can be achieved if soil volume minimum met.   |
| Street Trees**   | Yes                              | Locate in curbside buffer or in on-street parking zone<br>Soil volume minimums: small trees = 250 ft <sup>3</sup> ; medium trees = 400 ft <sup>3</sup> ; large trees = 400 ft <sup>3</sup> (700 ft <sup>3</sup> preferred) |
| On-Street Parking* (High Priority Street Element in areas without off-street parking)  | Yes                              | 7' - 8'*   |
| Diagonal On-Street Parking   | No                               |  |
| Off-Street Parking Access  | Yes                              | Sidewalk level and ADA access to be maintained at all driveways  |
| Travel Lane Widths*  | n/a                              | 10-11', if transit 11' outer lane  |
| Turn Lanes   | No                               |  |
| Design Speed   | Slow                             | < 25mph  |
| Bicycle Facilities (Highest Priority Street Element)   | Yes                              | Bicycles May Use Full Lane signage, Shared Lane Markings, 5' Bike Lanes, 6' Climbing Bike Lanes  |
| Transit Stop Facilities  | Yes                              | Benches, paved curbside waiting areas  |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |  |
| **Trees: small (10' – 30' mature height); medium (30' – 50' mature height); large (50' mature height)  |                                  |  |
|  | Highest Priority Street Elements | High Priority Street Elements  |



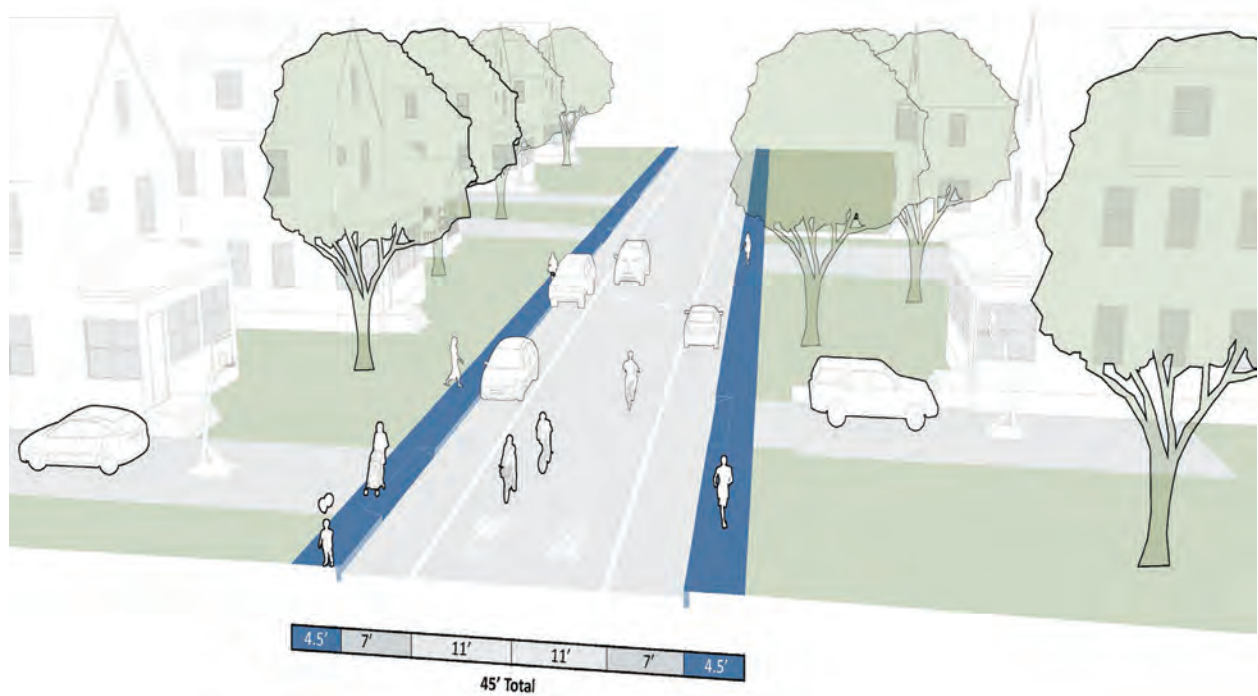
| NEIGHBORHOOD A STREET Major Design Elements  | Recommended                      | Parameters  |
|--|----------------------------------|---|
| Traffic Calming  | Yes                              | Curb extensions (mid-block and corner), speed tables, raised intersections, raised crossings, and mini traffic circles  |
| Curbs  | Limited                          | Vertical curb, or combination curb and gutter   |
| Gutters  | Yes                              | Valley gutter or combination curb and gutter  |
| Pedestrian Lighting  | Yes                              | 16' Height Maximum; see Lighting Standards  |
| Street Lighting  | No                               |   |
| Median   | No                               |   |
| Curb Radi  | n/a                              | 15' - 25'   |
| Build-To Line/Street Wall Set Back from Public ROW   | n/a                              | 10' - 25'; varies by zoning district  |
| Green and Blue Stormwater Opportunities  | Yes                              | See <i>Stormwater Elements</i> section in Chapter 4.  |
| Sidewalk Pavement Material   | n/a                              | Concrete, permeable pavement, unit pavers   |
| Parking Lane Material  | n/a                              | Asphalt, permeable pavement, unit pavers  |
| Roadway Pavement Material  | n/a                              | Asphalt   |
| Gutter Material  | n/a                              | Asphalt, concrete, and unit pavers  |
| Curb Material  | n/a                              | Concrete  |
| Curbside Buffer Zone Material  | n/a                              | Lawn, groundcover, vegetated tree boxes   |
| Utilities  | n/a                              | Separation Requirements for Street Trees/Above Ground Infrastructure: 10' preferred, 5' minimum. Anything under 10', consult with Utilities Engineer to reach solution. |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |   |
|  | Highest Priority Street Elements | High Priority Street Elements   |



# Neighborhood B

Existing Neighborhood B streets are different from Neighborhood A streets because they do not have dedicated bicycle facilities and they may not have sidewalks. Adjacent land uses are generally similar, although more Neighborhood B streets are found in the neighborhoods with the lower residential densities. Grady Avenue is an example of a Neighborhood B street.

## ► Existing .....





Park Street



Grady Avenue



Shamrock Road



Meadowbrook Heights Road

| Street Segment                                       | Posted Speed Limit (mph) | AADT                | Heavy Vehicle Mix |
|--|--------------------------|---------------------|-------------------|
| Park St<br>E High St to 250 Bypass                   | 25                       | 11,000              | 1%                |
| Grady Ave<br>Rugby Rd to Preston Ave                 | 25                       | 4,600               | 1%                |
| Shamrock Road<br>Cherry Ave to Jefferson Park Avenue | 25                       | 3,400               | 0%                |
| Meadowbrook Heights Road<br>Grove Rd to Yorktown Dr  | 25                       | 1,200               | 1%                |
| <b>Ranges</b>  | <b>25</b>                | <b>1,200-11,000</b> | <b>1%</b>         |

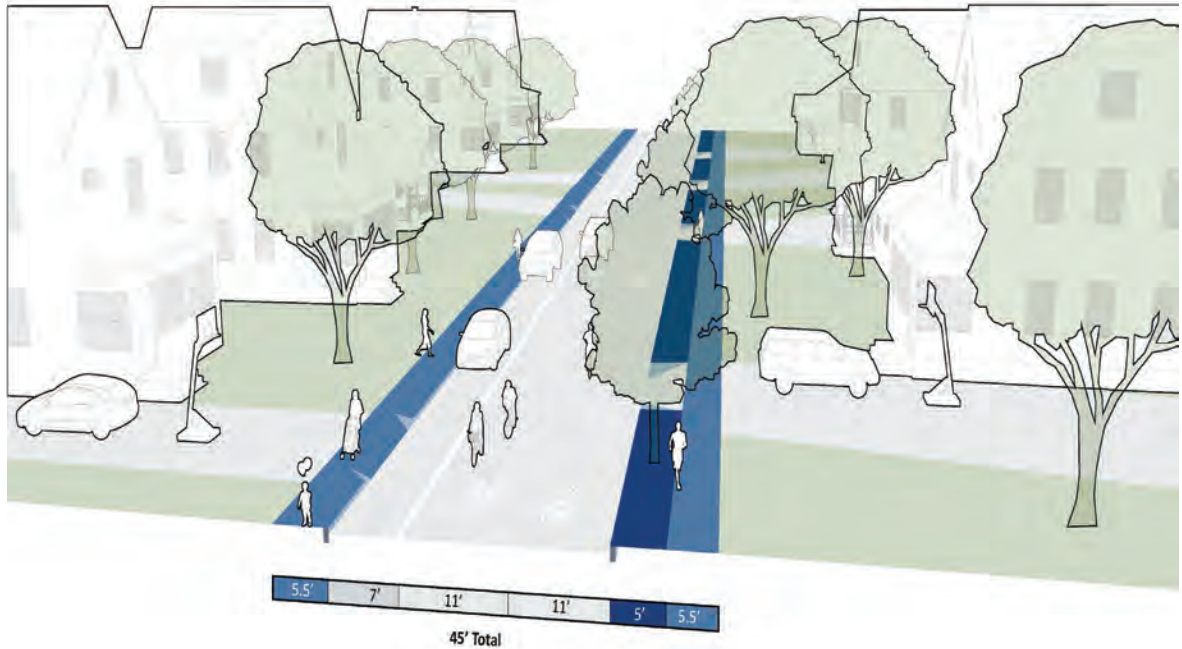


## ▶ Future

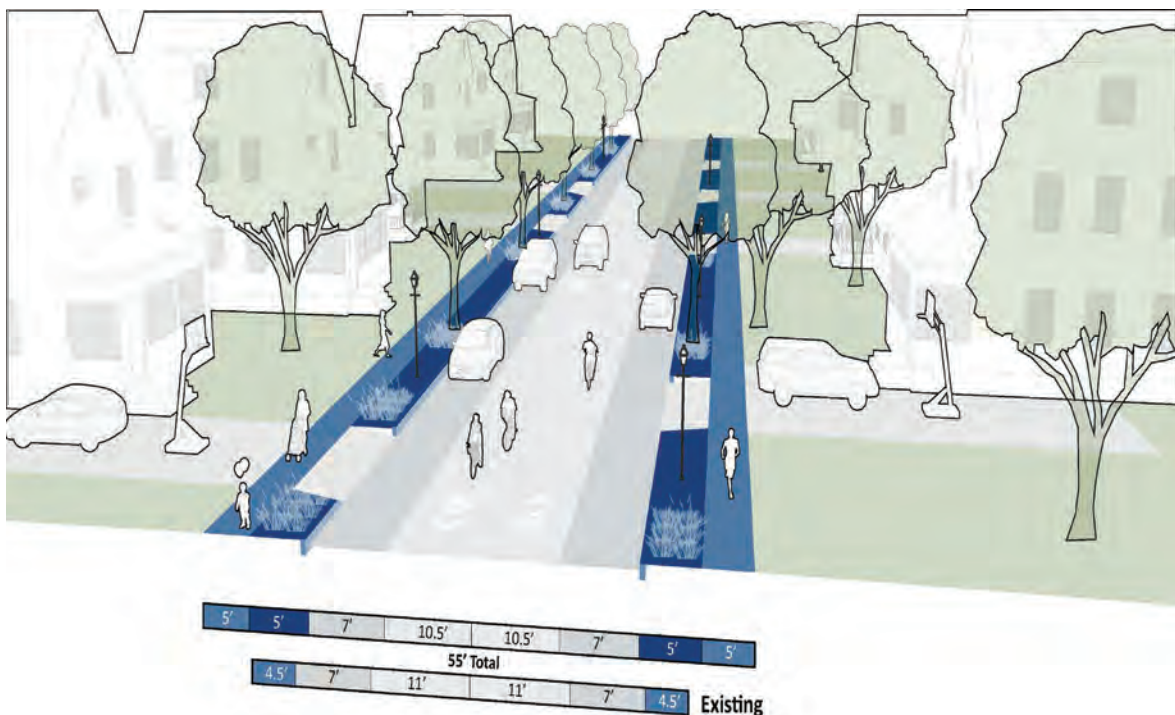
In the “retrofit” scenario, on-street parking has been consolidated on one side of the street, and a buffer zone has been provided between the roadway and sidewalk clear zone on the opposite side. This configuration provides a buffer between pedestrians and moving traffic on both sides of the street.

The “unconstrained” cross section shows on-street parking and sidewalk buffer zones on both sides of the street.

## ▶ Retrofit



## ▶ Unconstrained



## Table of Street Elements

| NEIGHBORHOOD B STREET<br>Major Design Elements   | Recommended                      | Parameters   |
|--|----------------------------------|--|
| Right-of-way   | n/a                              | 25' - 50'  |
| Sidewalks<br>(Highest Priority Street Element)   | Yes                              | 5' – 6' clear walk zone  |
| Curbside Buffer Zone   | Yes                              | 3' - 6'<br>Width requirements: small trees = 4'; medium trees = 4' (6' preferred); large trees = 4' (6' preferred); smaller widths can be achieved if soil volume minimum met.   |
| Street Trees   | Yes                              | Locate in curbside buffer or in on-street parking zone<br>Soil volume minimums: small trees = 250 ft <sup>3</sup> ; medium trees = 400 ft <sup>3</sup> ; large trees = 400 ft <sup>3</sup> (700 ft <sup>3</sup> preferred) |
| On-Street Parking<br>(Highest Priority Street Element in areas without off-street parking)   | Yes                              | 7' - 8'  |
| Diagonal On-Street Parking   | No                               |  |
| Off-Street Parking Access  | Yes                              | Sidewalk level and ADA access to be maintained at all driveways  |
| Travel Lane Widths<br>(High Priority Street Element)   | n/a                              | 10-11', if transit 11' outer lane  |
| Turn Lanes   | No                               |  |
| Design Speed   | Slow                             | < 25mph  |
| Bicycle Facilities   | Yes                              | Bicycles May Use Full Lane signage, Shared Lane Markings, Climbing Lanes   |
| Transit Stop Facilities  | Yes                              | Benches, paved curbside waiting areas  |
| Traffic Calming  | Yes                              | Curb extensions (mid-block and corner), speed tables, raised intersections, raised crossings, and mini traffic circles   |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |  |
| **Trees: small (10' – 30' mature height); medium (30' – 50' mature height); large (50' mature height)  |                                  |  |
|  | Highest Priority Street Elements | High Priority Street Elements  |

| NEIGHBORHOOD B STREET<br>Major Design Elements   | Recommended                      | Parameters  |
|--|----------------------------------|---|
| Curbs  | Limited                          | Vertical curb, or combination curb and gutter   |
| Gutters  | Yes                              | Valley gutter or combination curb and gutter  |
| Pedestrian Lighting  | Yes                              | 16' Height Maximum; see Lighting Standards  |
| Street Lighting  | No                               |   |
| Median   | No                               |   |
| Curb Radi  | n/a                              | 15' - 25'   |
| Build-To Line/Street Wall Set<br>Back from Public ROW  | n/a                              | 10' - 25'; varies by zoning district  |
| Green and Blue Stormwater<br>Opportunities   | Yes                              | See <i>Stormwater Elements</i> section in Chapter 4.  |
| Sidewalk Pavement Material   | n/a                              | Concrete, permeable pavement, unit pavers   |
| Parking Lane Material  | n/a                              | Asphalt, permeable pavement, unit pavers  |
| Roadway Pavement Material  | n/a                              | Asphalt   |
| Gutter Material  | n/a                              | Asphalt, concrete, and unit pavers  |
| Curb Material  | n/a                              | Concrete, granite   |
| Curbside Buffer Zone<br>Material   | n/a                              | Lawn, groundcover, vegetated tree boxes   |
| Utilities  | n/a                              | Separation Requirements for Street Trees/Above Ground Infrastructure:<br>10' preferred, 5' minimum. Anything under 10', consult with Utilities<br>Engineer to reach solution. |
| *Combined travel lane and on-street parking width 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane) |                                  |   |
|  | Highest Priority Street Elements | High Priority Street Elements   |

# Local Streets

Local streets are found throughout the city, and provide immediate access to all types of land uses. Although local streets form the majority of the street network, there is no specific typology associated with them. This is due in part to the many variations in context and right-of-way width, as well as the community’s expressed desire to replicate as nearly as possible the feel of older local streets that do not meet current engineering and fire code standards. Applying a typology to local streets would require that certain minimums for lane widths be met, significantly altering the character of some local streets. However, the city should explore avenues in terms of code and policy changes to enable the feel of these streets to be replicated in retrofit projects and new construction.

Examples of local streets in residential contexts and their approximate right-of-way widths are shown below:



Azalea Drive south of Jefferson Park Avenue – 50’ with parking allowed on both sides and individual driveways; 4’-5’ sidewalks with obstructions both sides of the street.



Calhoun Street between Locust and St. Clair – 30’ with parking allowed on both sides. Some driveways and a 4’-5’ sidewalk on the north side of the street.



Westwood Road east of Rose Hill Drive - 48’ with parking allowed on both sides and driveways. 4’-5’ sidewalks with obstructions both sides of the street.



Monticello Road between Rialto and Levy – 35’ with parking on one side and one-way traffic. No driveways, and 4’-5’ sidewalks with obstructions on the both sides of the street.



Examples of local streets in mixed use contexts and their approximate right-of-way widths include:



E Jefferson Street between 1<sup>st</sup> Street N and 5<sup>th</sup> Street NE – 45' with parking and 4'-5' sidewalks with obstructions on both sides of the street.

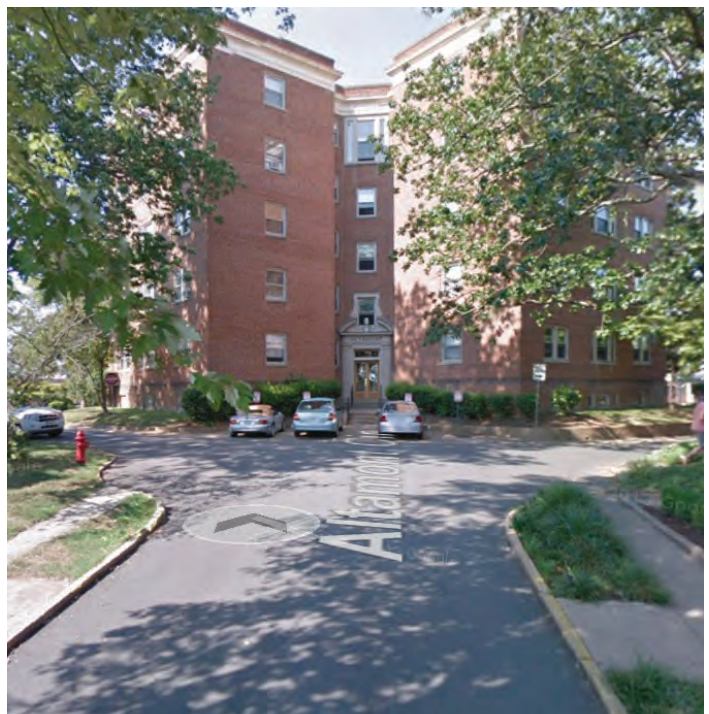


Monticello Road near intersection with Hinton Avenue – 40'-50' with parking on one side and 4'-5' sidewalks on both sides of the street. Planted sidewalk buffer on the north side of the street.

Whether a local street is located in a residential or mixed use context, the design considerations are the same.

## Design Considerations

- Local streets should be designed to provide safe and inviting places to walk and bike by keeping vehicular speeds low.
  - The dimensions of street elements on Local streets should not exceed the dimensions specified for Neighborhood B streets.
  - Traffic calming techniques like medians, chicanes, neighborhood traffic circles and curb extensions are all appropriate on Local streets.
- On narrow streets, on-street parking may create conditions that require drivers to yield to oncoming traffic. This type of street is considered a yield street.
  - Yield streets have standard curbs and sidewalks at the edge of the roadway.
  - Yield streets with parking on both sides function most effectively at widths of 24'-28' between the curbs and parking utilization rates of less than 60 percent.<sup>16</sup>
- In neighborhoods with driveways and off-street parking, space within the public right-of-way should be used for wider sidewalks and planted buffers.
- Elements like street furniture and paving materials can be used to enhance and define neighborhood character.



Altamont Circle was built before today's standards were enacted.

<sup>16</sup> NACTO Urban Street Design Guide. <http://nacto.org/publication/urban-street-design-guide/>



This shared street in Asheville, NC uses different paving materials to indicate where motor vehicles are expected to travel, while allowing pedestrians full use of the space.

## Shared Streets

One way Charlottesville may choose to replicate the feel of older streets is by allowing shared street designs in appropriate contexts. A shared street is a street with a single grade or surface that is shared by people using all modes of travel at low speeds. Shared streets work best where there are nearly equal volumes of pedestrians, bicyclists, and motorists. Street furniture, including bollards, benches, planters, and bicycle parking, can help define a shared space, subtly delineating the traveled way from the pedestrian-only space.

In Charlottesville, shared streets may be considered in residential or mixed use contexts where vehicle speeds (10-15mph) and traffic volumes are low to ensure safety. In commercial areas, shared streets maintain access for vehicles operating at low speeds and are designed to permit easy loading and unloading for trucks at designated hours. They are designed to implicitly slow traffic speeds using pedestrian volumes, design, and other cues to slow or divert traffic. In residential areas, shared streets can meet the desires of adjacent residents with space for children to play and residents to gather.

Shared streets require thoughtful design to maintain the low speeds and volumes<sup>17</sup>. Cities from Seattle, Washington;

<sup>17</sup> See NACTO Urban Street Design Guide; <http://nacto.org/publication/urban-street-design-guide/streets/residential-shared-street/> and <http://nacto.org/publication/urban-street-design-guide/streets/commercial-shared-street/>

Buffalo, New York; Chicago, IL to Cambridge, MA have successfully implemented shared streets in the U.S. To date, shared streets are not fully recognized by the Virginia Department of Transportation, and maintenance would be the full responsibility of the City. As a first step toward implementation, the City should consider the adoption of a specific definition of a shared street in city code.

## Design considerations

- The entrances to shared streets should be clearly designated through signage, narrowing of the roadway, and/or different paving materials to alert users to changes in operating procedures.
- The street design must meet current Americans with Disability Act (ADA) standards.
  - At intersections, designers should include detectable warning surfaces in order to alert pedestrians of potential vehicular conflicts.
- Access for fire trucks, sanitation vehicles and other service vehicles (school buses, street sweepers and snow plows) will be incorporated into shared street design.
- Alternate stormwater management systems must be considered, as curbless designs alter runoff flows.
  - One alternative is to grade the street towards plantings on the edge, or towards a gully in the center.

### 3.4 Street Typologies At a Glance

| Street Typology                            |  | Mixed Use A   | Mixed Use B   | Downtown  | Industrial  | Neighborhood A  | Neighborhood B  |
|--|--|---|---|---|---|---|---|
| Right-of-way<br>Design Speed<br>Curb radii |  | 60'-100'<br><30 mph<br>20'-30'  | 50'-80'<br><30 mph<br>20'-30'   | 50'-70'<br>25 mph<br>15'-20'  | 40'-60'<br><25 mph<br>20'-30'   | 25'-50'<br><25 mph<br>15'-25'   | 25'-50'<br><25 mph<br>15'-25'   |
| Between the curbs                          | Travel lanes <sup>1</sup>                      | 10-11'<br>11' curb lane along transit routes  | 10-11'<br>11' curb lane along transit routes  | 10-11'<br>11' curb lane along transit routes  | 11'-12'   | 10'-11'   | 10'-11'   |
|  | Turn Lanes                                     | 10'<br>Center turn lane may be replaced by median between intersections                   | 10'   | 10'<br>Only at major intersections and major destination access points                    | 10'-11'<br>Center turn lane may be replaced by median between intersections               | N/A   | N/A   |
|  | Medians  | Varies<br>See below for minimum dimensions for street trees                               | Varies<br>See below for minimum dimensions for street trees                               | N/A   | Varies<br>See below for minimum dimensions for street trees                               | N/A   | N/A   |
|  | On-street parking <sup>1,2</sup>               | 8'<br>Limited or none   | 7'-8'<br>Loading zones should be considered   | 7'-8'<br>Loading zones should be considered   | 7'-8'<br>Limited or none  | 7'-8'   | 7'-8'   |
|  | Bicycle facilities                             | 5'-7' bike lanes<br>7' separated bike lanes<br>10' shared use path                        | 5'-6' bike lanes<br>7' separated bike lanes<br>10' shared use path                        | 0' shared lane markings<br>6' climbing bike lanes   | 0' shared lane markings<br>5' bike lanes<br>6' climbing bike lanes                        | 0' Bikes May Use Full Lane signs<br>0' shared lane markings                               |   |
| Street edge                                | Clear Walk Zone                                | >7'   | >7'   | >6'   | 5'-6'   | 5'-6'   | 5'-6'   |
|  | Curbside Buffer Zone                           | 3'-6'   | 3'-6'   | 3'-8'   | 4'-6'   | 0'-5'   | 0'-5'   |
|  | Street trees curbside buffer width requirement | 4' for small, medium and large trees<br>6' preferred for medium and large trees           | 4' for small, medium and large trees<br>6' preferred for medium and large trees           | 4' for small, medium and large trees<br>6' preferred for medium and large trees           | 4' for small, medium and large trees<br>6' preferred for medium and large trees           | 4' for small, medium and large trees<br>6' preferred for medium and large trees           | 4' for small, medium and large trees<br>6' preferred for medium and large trees           |
|  | Transit features <sup>3</sup>                  | 10' for shelter<br>4' for bench   | 10' for shelter<br>4' for bench   | 10' for shelter<br>4' for bench   | 10' for shelter<br>4' for bench   | 4' for bench  | 4' for bench  |
|  | Utilities - Overhead                           | 1'-2'<br>Locate in buffer zone  | 1'-2'<br>Locate in buffer zone  | 1'-2'<br>Locate in buffer zone  | 1'-2'<br>Locate in buffer zone  | 1'-2'<br>Locate in buffer zone  | 1'-2'<br>Locate in buffer zone  |
|  | Utilities - Underground                        | 5' minimum separation<br>10' separation preferred<br><10' consult with Utilities engineer | 5' minimum separation<br>10' separation preferred<br><10' consult with Utilities engineer | 5' minimum separation<br>10' separation preferred<br><10' consult with Utilities engineer | 5' minimum separation<br>10' separation preferred<br><10' consult with Utilities engineer | 5' minimum separation<br>10' separation preferred<br><10' consult with Utilities engineer | 5' minimum separation<br>10' separation preferred<br><10' consult with Utilities engineer |
|  | Building setbacks                              | 5'-10'+<br>Varies by zoning district  | 5'-10'+<br>Varies by zoning district  | 0'-5'<br>Varies by zoning district  | 10-60'<br>Varies by zoning district   | 10'-25'<br>Varies by zoning district  | 10'-25'<br>Varies by zoning district  |

1. Combined travel lane and on-street parking width is 18' minimum (7' on-street parking, 11' travel lane OR 8' on-street parking, 10' travel lane)  
 2. On street parking should not be prioritized where driveways and off-street parking opportunities exist.  
 3. A 5' x 8' landing pad for wheelchair ramps is a required feature for new transit stops.

|                                  |                               |
|----------------------------------|-------------------------------|
| Highest Priority Street Elements | High Priority Street Elements |
|----------------------------------|-------------------------------|

Good evening.

My name is Bitsy Waters, I live at 1935 Thomson Road, Charlottesville

I'm speaking tonight for myself and over 90 other residents of the Lewis Mountain neighborhood to ask you to deny the Special Use permit request for the Gallery Court Hotel replacement on Emmet St. The future development of the Gateway area at the Emmet/Ivy intersection is of critical importance to the future of our neighborhood as well as to the University and the City as a whole. The names of the people supporting this statement are listed at the end.

We oppose the Emmet St. Gallery Court Special Use Permit for the following reasons:

- An 80 foot tall building would be significantly out of scale for this quadrant of the Emmet/Ivy intersection, which has been designated public or semi-public use in the City's Comprehensive Plan. Although privately owned, visually this small half-acre site is an integral part of the new Gateway the University is creating at this intersection, which on the hotel side of the street is a low-scale greenspace area, and is part of the City's \$12 million Smart Scale funded improvements to the Emmet St. entrance corridor.
- It is our understanding that the University purposefully kept the large parking garage they built across the street below 60 ft., the City's height limit for the corridor, even though they were not required to do so. We also have reason to believe from recent presentations and architectural renderings that their future development along Ivy Road and Emmet St. across the street from the hotel site will be set back from the road and not exceed 60 ft. We're a small-scale neighborhood next to this Gateway area. We don't want you to set a precedent for supporting even greater height increases than the current 60 ft. by granting this special use permit.
- Special use permits, which provide extra benefits to developers, should also provide clear benefits to the community. In this case we see none. Recently along West Main St. and elsewhere, special use permits have brought developments out of scale with surrounding communities. They have pushed up land prices, sped up gentrification and made preserving and adding affordable housing more difficult, without any clear public benefits beyond some additional tax dollars. Many in the larger Charlottesville community have expressed strong opposition to these extra height and density permits for some time.
- This Special Use Permit is being requested so the applicant can build additional upscale hotel rooms. The proposal calls for a building that covers the entire site, with 3 floors of structured parking starting at ground level, leaving little space for outdoor seating, trees or other amenities and no pervious surfaces to handle stormwater. All aspects of this proposal are contrary to current City policies related to community character, street level uses, and environmental sustainability.



- Traffic-wise, this is one of the busiest intersections in the City. We don't need a larger mid-block hotel complicating what is already a very congested place. On busy U. VA weekends, this intersection is close to gridlocked. These are the very times a hotel like this would be busiest, adding substantial new in and out traffic in an over-loaded location.

Many of us assumed when the fire occurred at the hotel that the University would move to acquire the site to complete their planned Gateway development. To date that hasn't occurred, although the public/semi-public use designation in the City's Comprehensive Plan suggests it's been contemplated and from a community and urban design standpoint it's what makes sense. We believe incorporating this site into the Gateway would be the best outcome.

We realize the Patel family, or anyone they may sell this land to, can use by-right zoning to rebuild to a height of 60 ft. However, to maximize return from the site, they want to cover the entire site with a building that incorporates structured parking and is 80 ft. tall. We believe this is an inappropriate height and density for this small half-acre site at this particular location. If the land can't be incorporated into the Gateway, a rebuilding of the existing hotel with adequately scaled pedestrian sidewalks and trees would have many fewer negative impacts than the 80 ft. structure that is being proposed.

For all of these reasons, we respectfully request you deny the Special Use Permit.  
Thank you.

Names of individuals supporting this statement:

John Alietta, 132 Bollingwood Road  
Barbara Armacost, 2012 Minor Road  
Anna Askounis, 100 Lewis Mountain Circle  
Karina and Gonzalo Baptista, 112 Minor Rd. Apt. B  
Ashley Barlow and Betsy Nugent, 2008, Lewis Mountain Road  
Jody and John Benedict, 110 Cameron Lane  
Gregg and Kathy Bleam, 208 Cameron Lane  
Bonnie and Ted Burns, 1943 Lewis Mountain Road  
Steve and Kathy Carpenter, 2114 Morris Road  
Lynn Easton and Dean Andrews 118 Cameron Lane  
Jeff Elias, 123 Bollingwood Road  
Georgia and Reginald Garrett, 309 Alderman Road  
Lucie Garrett, 102 Minor Road  
Hart Gary, 2003 Thomson Road  
Vesta Gordon, 114 Bollingwood Road  
Peter Gray and Cavell Kopetsky, 1943 Thomson Road  
Susan Harris and Russ Gallop, 1917 Thomson Road  
Bob Headrick and Jeff Dreyfus, Bollingwood Road  
Cheryl Hoess, 1949 Lewis Mountain Road  
Charlie Holt and Ann Talman, Lewis Mountain Road

Guoping Huang and Yi Zhang, 1939 Thomson Road  
Claire and Keith Hume, 1931 Thomson Road  
Paul Humphreys and Diane Snustad, 323 Kent Road  
Paul E. and Sandra Sohne Johnston, 301 Kent Road  
Julia and Bob Jones, 1935 and 1937 Lewis Mountain Road  
Erin and Dave Kershner, 117 Cameron Lane  
Robert and Karen Kimmel, 1948 Lewis Mountain Road  
Keith Kozminski, 2040 Thomson Road  
Willa Lawall, 108 Bollingwood Road  
Art Lichtenberger and Liz Sloan, 2024 Minor Road  
Julia and Paul Mahoney, 2027 Minor Road  
Peter and Holly Maillet, 1919 Thomson Road  
Deborah McDowell, 134 Bollingwood Road  
Beth Meyer, 2000 Thomson Road  
Sandra Mirkil  
Joe and Kate Monahan, 1956 Thomson Road  
Suzanne Moomaw, 1927 Thomson Road  
Steve Myers, 1955 Lewis Mountain Road  
Jessica Otey and Andrew Grimshaw, 211 Alderman Road  
Susan and George Overstreet, 1934 Thomson  
Lucy Pemberton and David Wotton, 1947 Thomson Road  
Gretchen Pirasteh, 309 Kent Road  
Rachel and Philip Potter, 1934 Lewis Mountain Road  
Sydney and Travis Robertson, 106 Minor Road  
Robert and Jessica Russo, 2116 Twyman Road  
Judith Shatin and Michael Kubovy, 1938 Lewis Mountain Road  
Scott Ruffner, 319 Alderman Road  
Peggy Smith and Andy Larner, Thomson Road  
George and Helen Snyder, 1939 Lewis Mountain Road  
Patricia Tenhundfeld, 109 Minor Road  
Serena Scott Thomas, Scott Tepper, Vinnie Torforich, 207 Cameron Lane  
Luke and Erin Thelen, 1915 Thomson Road  
Ingrid and Miles Townsend, 212 Alderman Road  
Bitsy and David Waters, 1935 Thomson Road  
Joe and Lisa Wayand, 1955 Thomson Road  
Chris and Sara Whiffen, 118 Alderman Road



**From:** Anna Askounis  
**To:** [Newmyer, Heather](#)  
**Subject:** hotel  
**Date:** Friday, July 13, 2018 8:28:17 AM

---

Dear Heather,

I live in the Lewis Mountain Neighborhood and serve on our LMNA board. I, along with many others in our neighborhood, are very concerned about the special use permit allowing the hotel to be built near us on Emmett to be 80 feet high.

Not only does that impact the aesthetics along that section of the road, but it increases the number of vehicles in an area, which as you know, is already highly congested and filled with cars, walkers and bike riders on a daily basis. Our little neighborhood is already impacted by the traffic congestion as it is.

We are concerned that what happened on West Main, with buildings virtually smacking you in the face by their closeness to the street and an increased vehicle load making traffic congestion worse, not happen here.

Please bring these concerns to the special use permit hearing. We do not want a building of that size. Please stick to the current height restrictions. They serve us well.

Thank you for your assistance with this, Heather. I appreciate it.

Anna Askounis  
100 Lewis Mountain Circle

Sent from my iPad

**From:** Stuart, Wynne (mws4s)  
**To:** [Newmyer, Heather](mailto:Newmyer_Heather)  
**Subject:** RE: Gallery Court Hotel Special Use Permit - Public Hearing September 11, 2018  
**Date:** Friday, August 31, 2018 12:12:00 PM  
**Attachments:** [image001.png](#)  
[image002.png](#)

---

Hi Heather,

I attended an earlier meeting as an interested Venable Neighborhood owner/resident. I cannot attend the 9/11 hearing because of back-to-back work related events that conflict.

I write to say that I do not oppose the variance that has been requested for the structure. Although I do not live in sight of the future building, both for work and in my private life, I pass that location almost every day.

My concern is traffic generated by the hotel. I would urge that signage indicating left turn only be required at the exit to their understructure parking as part of the approval.

Thank you for sending both messages. I think that the additional drawings are helpful.

Best regards,

Wynne Stuart (909 Rosser Ln., 22903)

Martha Wynne Stuart  
Associate Provost for Academic Support  
And Classroom Management

Phone : 924-3728, 4-6313  
Fax : 982-2920

---

**From:** Newmyer, Heather <[newmyerh@charlottesville.org](mailto:newmyerh@charlottesville.org)>  
**Sent:** Friday, August 31, 2018 11:34 AM  
**To:** Holt, Michael F. (mfh6p) <[mfh6p@virginia.edu](mailto:mfh6p@virginia.edu)>; Monaghan, Joe <[monaghanjk@comcast.net](mailto:monaghanjk@comcast.net)>; 'arav99@gmail.com' <[arav99@gmail.com](mailto:arav99@gmail.com)>; Hurt, Charles William (cwh4cm) <[cwh4cm@virginia.edu](mailto:cwh4cm@virginia.edu)>; Raucher, Alice J (ajr3s) <[ajr3s@virginia.edu](mailto:ajr3s@virginia.edu)>; 'lisahkendrick@gmail.com' <[lisahkendrick@gmail.com](mailto:lisahkendrick@gmail.com)>; liz@lizsloan-architect.com; 'gkendrick@basileia.org' <[gkendrick@basileia.org](mailto:gkendrick@basileia.org)>; Wolf, Fred <[fw@wolfackerman.com](mailto:fw@wolfackerman.com)>; 'gb@gbia.net' <[gb@gbia.net](mailto:gb@gbia.net)>; 'wkl50@hotmail.com' <[wkl50@hotmail.com](mailto:wkl50@hotmail.com)>; 'vlg@bookbrk.com' <[vlg@bookbrk.com](mailto:vlg@bookbrk.com)>; Stuart, Wynne (mws4s) <[mws4s@virginia.edu](mailto:mws4s@virginia.edu)>; Perkins, Walter N. (wp2t) <[nperkins@uvafoundation.com](mailto:nperkins@uvafoundation.com)>; Ohlms, Peter <[pohlms@gmail.com](mailto:pohlms@gmail.com)>; Boeschenstein, Warren C. (wcb9w) <[wcb9w@virginia.edu](mailto:wcb9w@virginia.edu)>; 'arthur.lichtenberger@gmail.com' <[arthur.lichtenberger@gmail.com](mailto:arthur.lichtenberger@gmail.com)>; 'bitsywaters@gmail.com' <[bitsywaters@gmail.com](mailto:bitsywaters@gmail.com)>; Lloyd, Rachel <[rwelloyd@gmail.com](mailto:rwelloyd@gmail.com)>; lmlay, Dena <[denaimlay1@gmail.com](mailto:denaimlay1@gmail.com)>; Rockwell, Bill <[wlockwell@gmail.com](mailto:wlockwell@gmail.com)>; Forbes, Terry <[forbes@vmdo.com](mailto:forbes@vmdo.com)>  
**Cc:** 'INCAAM HOTELS (incaam@gmail.com)' <[incaam@gmail.com](mailto:incaam@gmail.com)>; Hyer, Daniel, 2nd address <[dhier@line-grade.com](mailto:dhier@line-grade.com)>; Motsch, Timothy P <[motscht@charlottesville.org](mailto:motscht@charlottesville.org)>; Poncy, Amanda <[PONCY@charlottesville.org](mailto:PONCY@charlottesville.org)>; Duncan, Brennan <[duncanb@charlottesville.org](mailto:duncanb@charlottesville.org)>; Creasy, Missy <[CREASYM@CHARLOTTESVILLE.ORG](mailto:CREASYM@CHARLOTTESVILLE.ORG)>; Council <[council@charlottesville.org](mailto:council@charlottesville.org)>; Planning Commission <[PlanningCommission@charlottesville.org](mailto:PlanningCommission@charlottesville.org)>  
**Subject:** RE: Gallery Court Hotel Special Use Permit - Public Hearing September 11, 2018

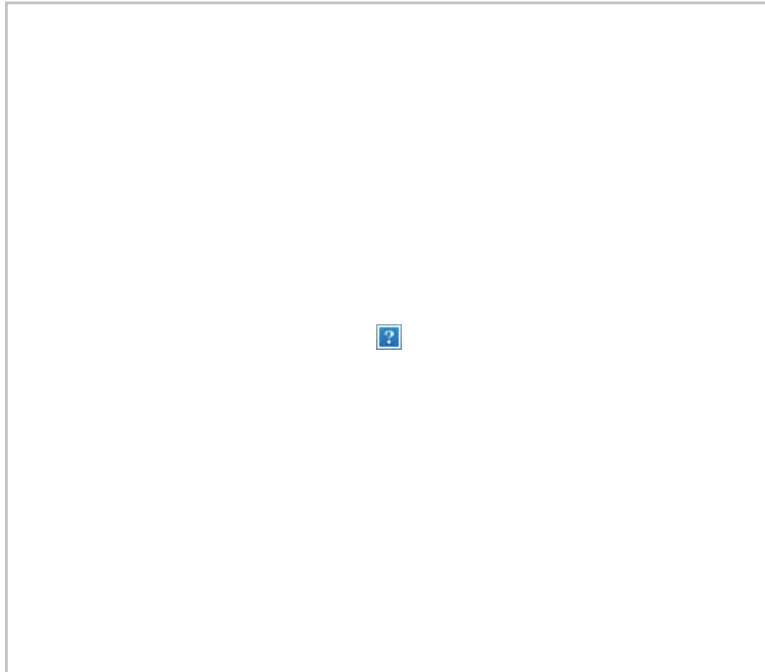
Hello,

Please follow the link to find the updated Addendum for the special use permit provided to staff on August 29, 2018 to replace the addendum provided August 21<sup>st</sup>. The addendum was provided by the applicant to provide additional elevations and cross-sections as a response to some of the public's comments requesting additional elevations at the community meeting held July 18<sup>th</sup>.

Link here: [https://charlottesville-my.sharepoint.com/:b/g/person/newmyerh\\_charlottesville\\_org/ET26xufpwwlKgHZ2HYTRBSABq99ADCDZG1OYB0V3uGvTcg?e=BmYVrQ](https://charlottesville-my.sharepoint.com/:b/g/person/newmyerh_charlottesville_org/ET26xufpwwlKgHZ2HYTRBSABq99ADCDZG1OYB0V3uGvTcg?e=BmYVrQ)

The information is largely the same, where the only additional information is more clarification on the elevations and cross-sections where the building mass (L-shape of the proposed building) is better clarified.

For example, the following key was provided throughout updated document:



Please don't hesitate to let me know if you have any questions. The Special Use Permit Application and the most recent Addendum will be included in the Planning Commission packet moving forward for the Sep 11 Public Hearing.

Thanks,

Heather

**Heather Newmyer, AICP**

City Planner

---

**From:** Newmyer, Heather

**Sent:** Friday, August 24, 2018 3:24 PM

**To:** 'mfh6p@virginia.edu' <[mfh6p@virginia.edu](mailto:mfh6p@virginia.edu)>; Monaghan, Joe <[monaghanjk@comcast.net](mailto:monaghanjk@comcast.net)>; 'arav99@gmail.com' <[arav99@gmail.com](mailto:arav99@gmail.com)>; Hurt, Charles William (cwh4cm) ([cwh4cm@virginia.edu](mailto:cwh4cm@virginia.edu)) <[cwh4cm@virginia.edu](mailto:cwh4cm@virginia.edu)>; 'alice.raucher@virginia.edu' <[alice.raucher@virginia.edu](mailto:alice.raucher@virginia.edu)>; 'lisahkendrick@gmail.com' <[lisahkendrick@gmail.com](mailto:lisahkendrick@gmail.com)>; 'liz@lizloan-architect.com' <[liz@lizloan-architect.com](mailto:liz@lizloan-architect.com)>; 'gkendrick@basileia.org' <[gkendrick@basileia.org](mailto:gkendrick@basileia.org)>; Wolf, Fred <[fw@wolfackerman.com](mailto:fw@wolfackerman.com)>; 'gb@gbla.net' <[gb@gbla.net](mailto:gb@gbla.net)>; 'wkl50@hotmail.com' <[wkl50@hotmail.com](mailto:wkl50@hotmail.com)>; 'vlg@bookbrk.com' <[vlg@bookbrk.com](mailto:vlg@bookbrk.com)>; 'wynne@virginia.edu' <[wynne@virginia.edu](mailto:wynne@virginia.edu)>; Nat Perkins ([wp2t@virginia.edu](mailto:wp2t@virginia.edu)) ([wp2t@virginia.edu](mailto:wp2t@virginia.edu)) ([wp2t@virginia.edu](mailto:wp2t@virginia.edu)) <[wp2t@virginia.edu](mailto:wp2t@virginia.edu)>; Ohlms, Peter <[pohlms@gmail.com](mailto:pohlms@gmail.com)>; Boeschstein, Warren <[wcb9w@virginia.edu](mailto:wcb9w@virginia.edu)>; [arthur.lichtenberger@gmail.com](mailto:arthur.lichtenberger@gmail.com); 'bitsywaters@gmail.com' <[bitsywaters@gmail.com](mailto:bitsywaters@gmail.com)>; Lloyd, Rachel <[rwelloyd@gmail.com](mailto:rwelloyd@gmail.com)>; Imlay, Dena <[denaimlay1@gmail.com](mailto:denaimlay1@gmail.com)>; Rockwell, Bill <[wrockwell@gmail.com](mailto:wrockwell@gmail.com)>; Forbes, Terry <[forbes@vmdo.com](mailto:forbes@vmdo.com)>

**Cc:** INCAAM HOTELS ([incaam@gmail.com](mailto:incaam@gmail.com)) <[incaam@gmail.com](mailto:incaam@gmail.com)>; Hyer, Daniel, 2nd address <[dhyer@line-grade.com](mailto:dhyer@line-grade.com)>; Motsch, Timothy P <[motscht@charlottesville.org](mailto:motscht@charlottesville.org)>; Poncy, Amanda <[PONCY@charlottesville.org](mailto:PONCY@charlottesville.org)>; Duncan, Brennen <[duncanb@charlottesville.org](mailto:duncanb@charlottesville.org)>; Creasy, Missy <[CREASYM@CHARLOTTESVILLE.ORG](mailto:CREASYM@CHARLOTTESVILLE.ORG)>; Council <[council@charlottesville.org](mailto:council@charlottesville.org)>; Planning Commission <[PlanningCommission@charlottesville.org](mailto:PlanningCommission@charlottesville.org)>

**Subject:** Gallery Court Hotel Special Use Permit - Public Hearing September 11, 2018

Good afternoon all,

This e-mail is regarding the Gallery Court Hotel Special Use Permit request (detailed description below). If you are receiving this e-mail you are either a neighborhood president of a nearby neighborhood in proximity to the below mentioned special use permit request and/or you attended the site plan conference or community meeting for said project.

**Project Description: SP18-00007 - Gallery Court Hotel SUP Request:** Vipul Patel of Incaam Hotels, LLC, has submitted an application seeking approval of a Special Use Permit (SUP) for the property located at 140 Emmet St N. The property is further identified on City Real Property Tax Map 8 as Parcel 4 (“Subject Property”). The Subject Property is zoned URB, EC (Urban Corridor Mixed Use District, with Entrance Corridor Overlay). The owner is seeking to redevelop the property as a hotel to replace an existing hotel that was lost by casualty (fire) on May 4, 2017. The proposed use (“hotels/motels”) is allowed by-right within the URB zoning district classification. However, an SUP is required for the project because the proposed building height (seven (7) stories, up to 80 feet) exceeds the 60-foot maximum building height allowed in the URB District. The site is approximately 0.585 acre or 25,482.6 square feet. The Comprehensive Plan designates the land use of the Subject Property as Public or Semi-Public. 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 request may contact Heather Newmyer, City Planner by email at ([newmyerh@charlottesville.org](mailto:newmyerh@charlottesville.org)) or by telephone (434-970-3968).

While some of you will likely be receiving a notice in the mail or see the ad provided in the paper, **this e-mail is to also notify you that there will be a Joint Public Hearing on this item at the City of Charlottesville’s Planning Commission meeting on September 11, 2018.** TIME: the public hearing agenda will begin at 6:00 p.m. LOCATION: City Hall, Second Floor City Council Chambers, 605 East Main Street, Charlottesville, Virginia. PURPOSE: The purpose of the public hearing is to provide affected persons an opportunity to appear and present their views with respect to the zoning amendment proposed by the above-referenced Application. Upon request, reasonable accommodations will be provided for individuals with disabilities. Planning Commission meetings are held The agenda for this meeting will be posted a week prior to the meeting date. Meeting agendas can be found here: <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/development-ordinances/city-planning-commission/agendas/2018-agendas>

**Provided below are links to access the Special Use Permit application submitted June 26, 2018. Also attached is additional materials submitted by the applicant August 21<sup>st</sup> that provide additional elevations and cross-sections of the proposed building in a response to some of the public’s comments requesting additional elevations at the community meeting held July 18<sup>th</sup>.**

Special Use Permit Application & Addendum: [https://charlottesville-my.sharepoint.com/:b:/g/personal/newmyerh\\_charlottesville\\_org/EXB6f73QfXFMvv5xmWtkKdwBMmlJth1q4\\_mJaQVcFIGL-w?e=JtDUDO](https://charlottesville-my.sharepoint.com/:b:/g/personal/newmyerh_charlottesville_org/EXB6f73QfXFMvv5xmWtkKdwBMmlJth1q4_mJaQVcFIGL-w?e=JtDUDO)

[https://charlottesville-my.sharepoint.com/:b:/g/personal/newmyerh\\_charlottesville\\_org/EakEIHP3UNdLt-DDbBttzJwBjwJf-iHrmDEtenz4S4DWxQ?e=Hqh6Y5](https://charlottesville-my.sharepoint.com/:b:/g/personal/newmyerh_charlottesville_org/EakEIHP3UNdLt-DDbBttzJwBjwJf-iHrmDEtenz4S4DWxQ?e=Hqh6Y5)

-  
Please do not hesitate to let me know if you all have questions.

Thank you,  
Heather

**Heather Newmyer, AICP**  
City Planner  
Neighborhood Development Services  
City Hall | P.O. Box 911  
610 East Market Street  
Charlottesville, VA 22902  
Phone: 434.970.3968  
Email: [newmyerh@charlottesville.org](mailto:newmyerh@charlottesville.org)





July 12, 2018

Heather Newmyer, AICP  
City Planner  
Neighborhood Development Services  
City Hall | P.O. Box 911  
Charlottesville, VA 22902

Timothy P. Motsch  
Transportation Project Manager  
Neighborhood Development Services  
City Hall, PO Box 911  
Charlottesville, VA 22902

Re: SP18-00007 – Gallery Court Hotel SUP Request

Dear Heather and Tim,

We are in receipt of the advertisement for the special use permit for the Gallery Court Hotel and recognize the City will soon be reviewing the preliminary site plan for this project. The University's primary interest in this development relates to the location of the multi-modal path associated with the SmartScale project along Emmet Street. The University asks the City and the owner to consider locating the multi-modal path on the east side of Emmet Street, along the frontage of the Gallery Court Hotel, with a jog to the east to meet the 45' offset requirement of the railroad. We have included two scenarios showing how this could work.

Constructing the path on the east side provides for a uniform streetscape along Emmet Street. The location on the east side is a natural configuration for students that walk and bike from the two University housing projects located farther north. The east side location does not require pedestrians making their way to central Grounds or West Main Street to cross Emmet Street, and if they do have to cross, the natural crossing point will be at the Ivy Road/Emmet Street intersection. The attached drawings show there is no impact to the development of the Gallery Court Hotel and the bike pedestrian path will energize the Hotel's frontage and potentially result in more customers for the hotel and café. The topography of the east side of Emmet north of the railroad abutment is benign compared with the west side. Significant retaining walls supporting an athletic practice field have been constructed on the west side since the SmartScale application was submitted a few years ago, thus making the west side of Emmet Street physically infeasible. There will also be a bus pull-off along the west side of Emmet Street, south of the abutment, which would cause a safety conflict for a multi-modal path. The University recommends, therefore, that the construction of the multi-modal path be on the east side of Emmet Street, and we will support the additional real estate needs north of the abutment on the east side of Emmet Street to continue the path. The University will not support a path located on the west side of Emmet Street.

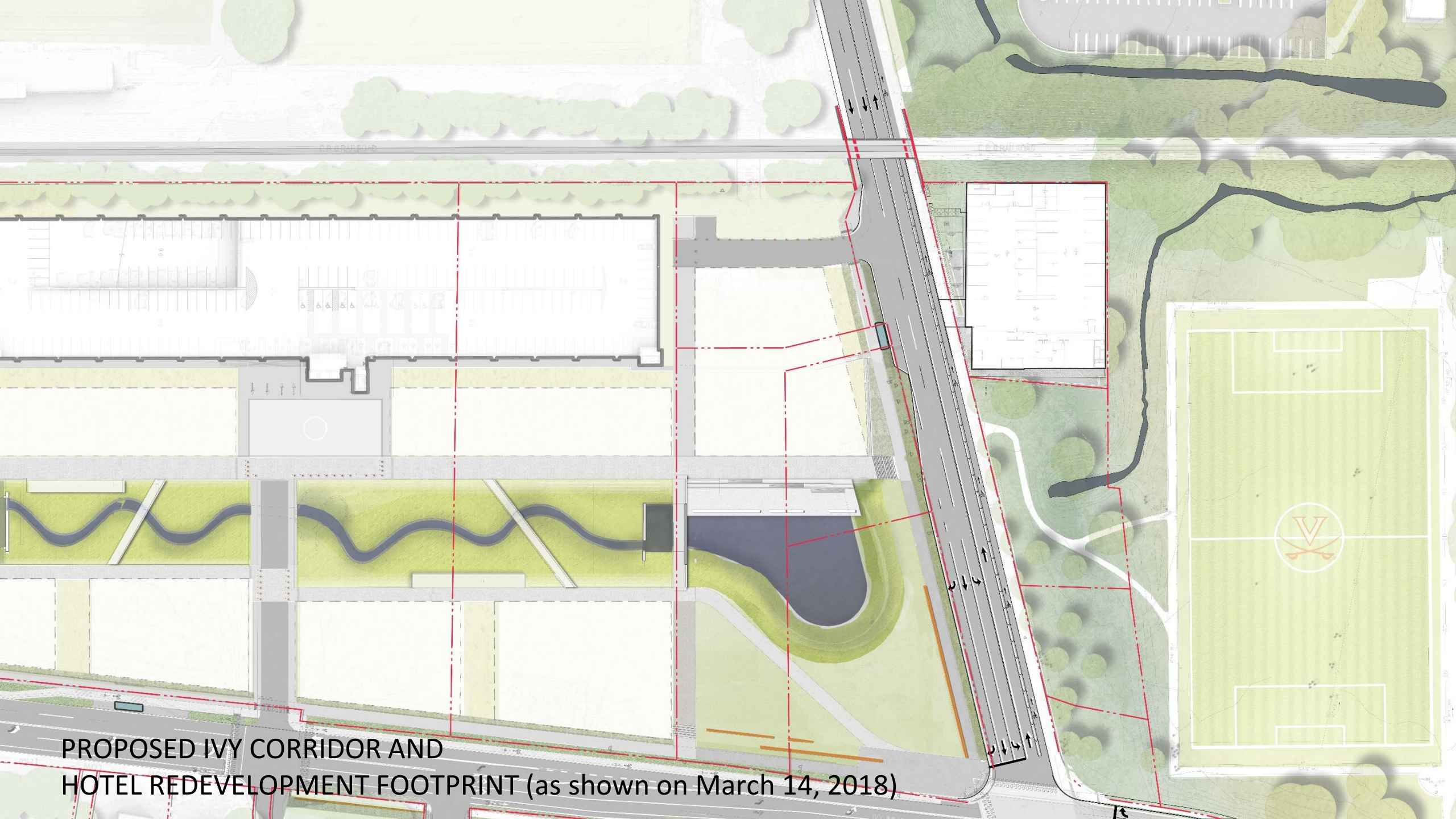
For all the reasons stated above, we ask you to consider this alternative. We look forward to working with the City and the Gallery Court Hotel in finalizing this SmartScale project successfully. The University welcomes the opportunity to further refine the proposed solutions.

All the best,



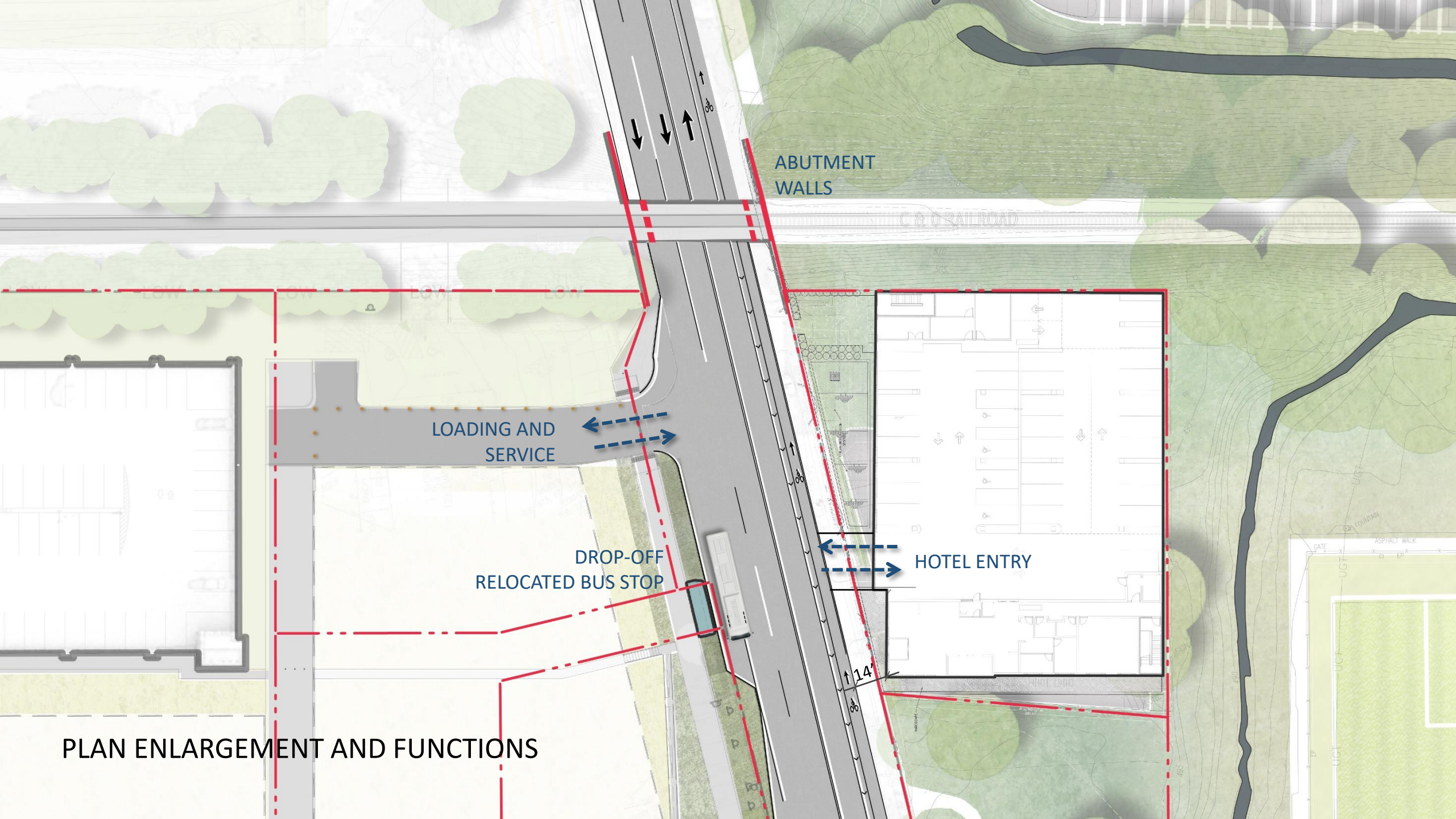
Alice J. Raucher  
Architect for the University





PROPOSED IVY CORRIDOR AND HOTEL REDEVELOPMENT FOOTPRINT (as shown on March 14, 2018)





ABUTMENT WALLS

C & D RAILROAD

LOADING AND SERVICE

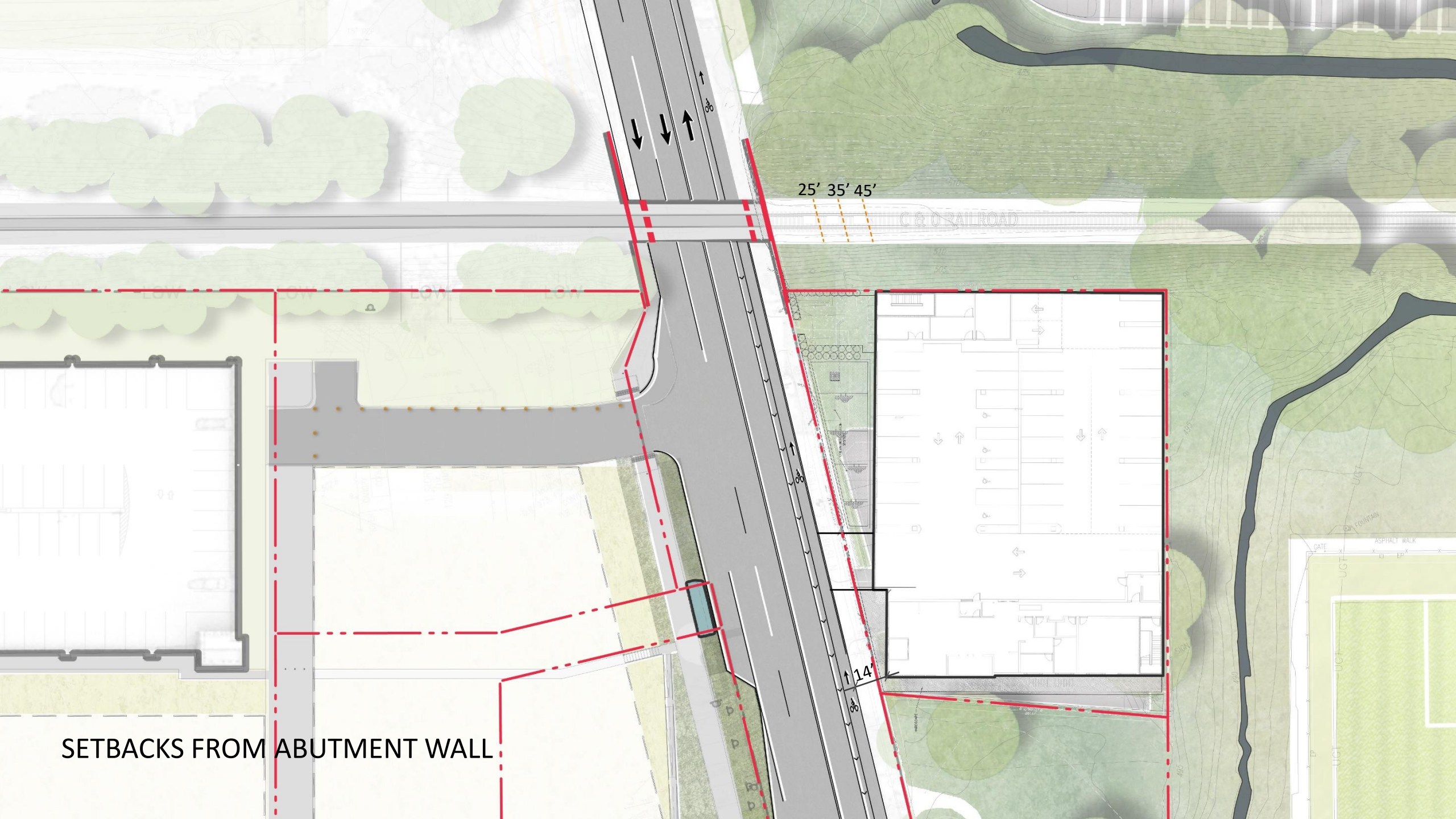
DROP-OFF  
RELOCATED BUS STOP

HOTEL ENTRY

PLAN ENLARGEMENT AND FUNCTIONS

14'





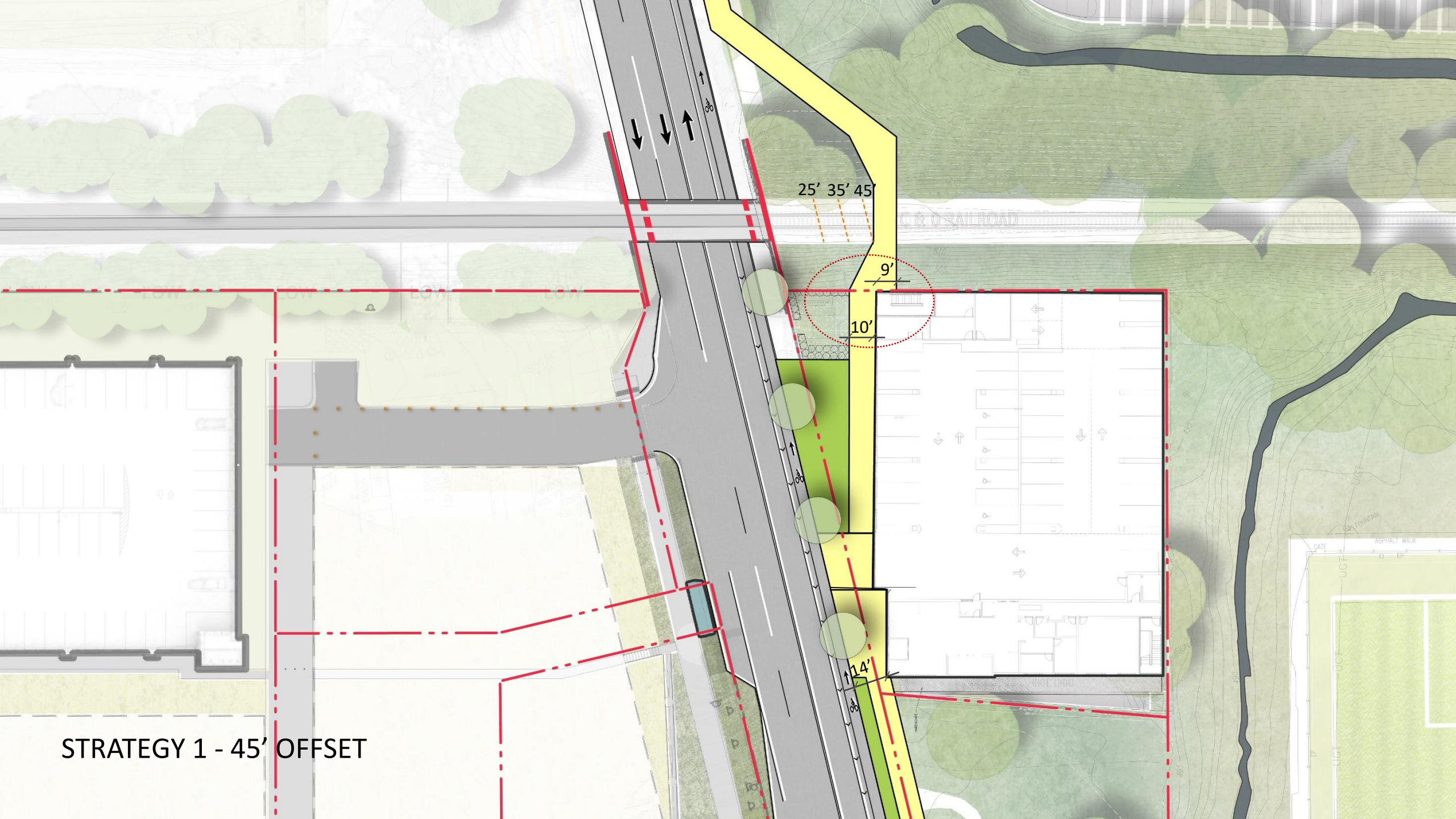
25' 35' 45'

C & D RAILROAD

14'

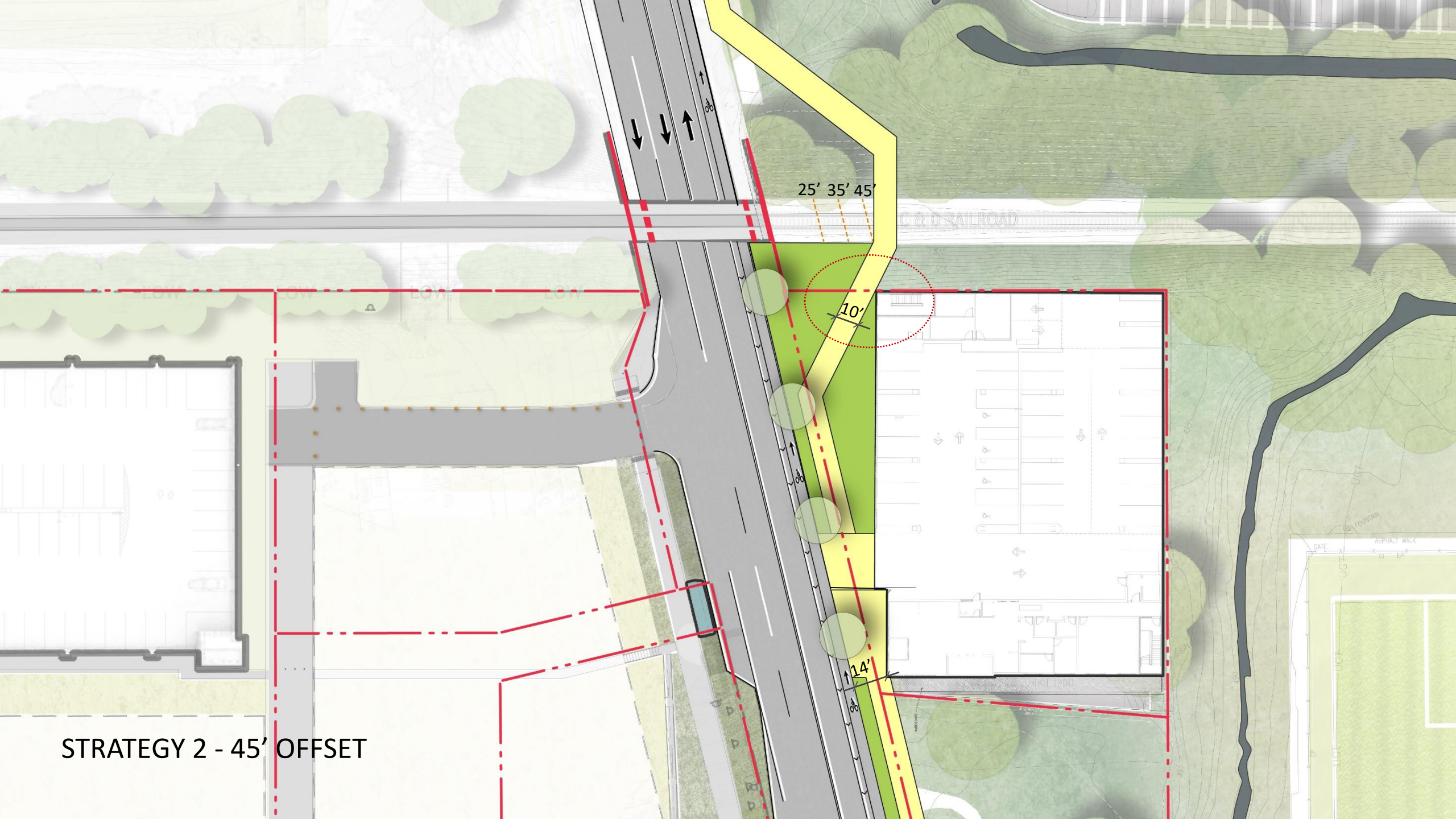
SETBACKS FROM ABUTMENT WALL





STRATEGY 1 - 45' OFFSET





25' 35' 45'

10'

14'

STRATEGY 2 - 45' OFFSET

C & O RAILROAD

ASPHALT WALK

GATE

UGT

UGT

UGT

UGT

UGT

UGT

UGT

UGT

UGT

UGT

UGT

UGT

UGT

UGT

UGT

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

WALKWAY

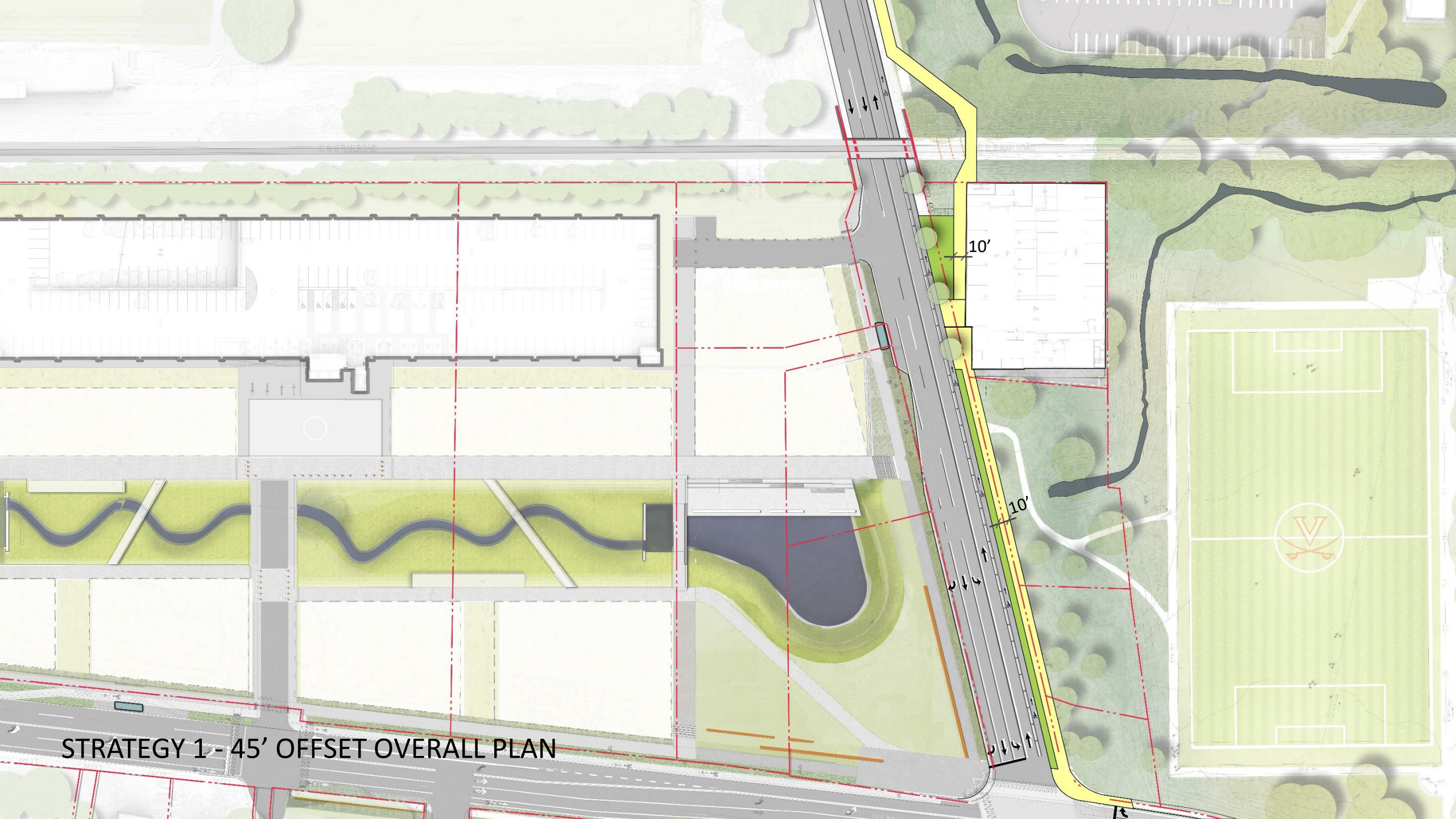
WALKWAY

WALKWAY

WALKWAY

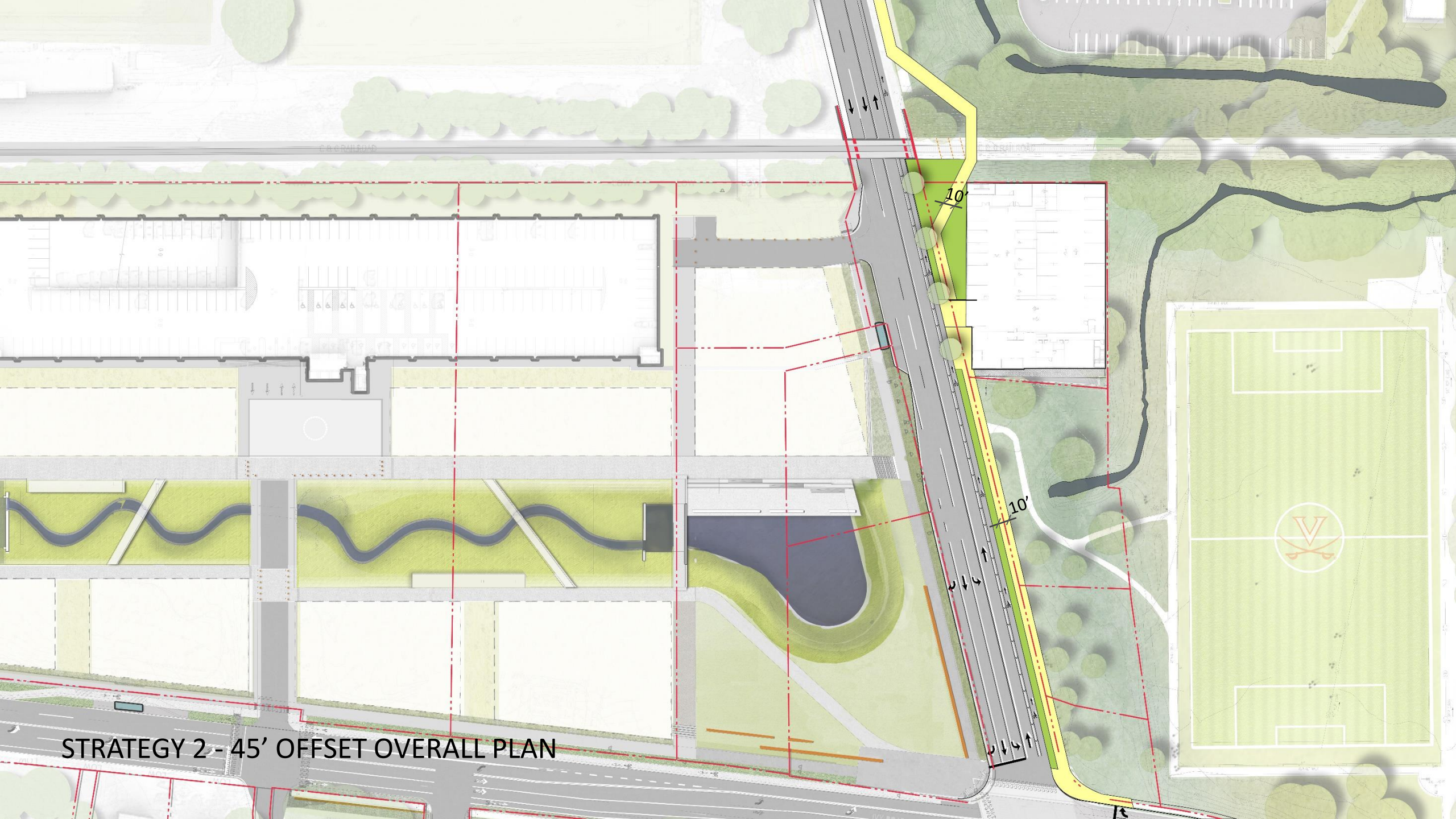
WALKWAY





STRATEGY 1 - 45' OFFSET OVERALL PLAN





STRATEGY 2 - 45' OFFSET OVERALL PLAN

**CITY OF CHARLOTTESVILLE**  
“A World Class City”

Neighborhood Development Services

610 East Market Street  
Charlottesville, VA 22902  
Telephone 434-970-3182  
Fax 434-970-3359  
www.charlottesville.org



August 24, 2018

Line+Grade Civil Engineering  
Attn: Daniel Hyer, P.E.  
113 4<sup>th</sup> St NE, Suite 100  
Charlottesville, VA 22902

**RE: Gallery Court Hotel Preliminary Site Plan (TM 8 P 4)**

Dear Daniel:

The above referenced preliminary site plan was submitted to our office on June 26, 2018 and a site plan conference held July 18, 2018. Please find below a list of revisions that are necessary for this plan to proceed in the approval process. If you wish to pursue preliminary site plan approval, please address the following comments identified with a **(P)** and resubmit a revised preliminary site plan (Note: items identified with an **(F)** can be included as part of the final submission; recommendations are unmarked). The revisions must be received within sixty (60) days or by **October 23, 2018**. Your plan will be deemed officially submitted on the next deadline after submission. Revisions not submitted by this date will be considered a new submittal and new fees will be assessed. If you are unable to re-submit by this date, you can request an extension on the project per Section 34-823 (e) of the City Code.

1. Comments from Heather Newmyer, City Planner, are attached.
2. Comments from Tom Elliott, Building Official, are attached.
3. Comments from Chris Sibold, Assistant City Engineer, are attached.
4. Comments from Amanda Poncy, Bicycle and Pedestrian Coordinator, are attached.
5. Comments from Stephen Walton, Assistant Fire Marshal, are attached.
6. Comments from Roy Nester, Utilities Engineer, are attached.
7. Comments from Christian Chirico, Gas Utilities Engineer, are attached.
8. Comments from Victoria Fort, RWSA Civil Engineer, are attached.

Please revise the plan and **resubmit seven (7) hard copies and one (1) .pdf** for review. If you have any questions, please feel free to contact me at 970-3968 and I will be happy to assist you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Heather Newmyer', written in a cursive style.

Heather Newmyer, AICP  
City Planner

C: INCAAM Hotels, Inc., Attn: Vipul Patel, 140 Emmet St N, Charlottesville, VA 22903  
Christian Chirico  
Tom Elliott  
Victoria Fort  
Tim Motsch  
Amanda Poncy  
Chris Sibold  
Stephen Walton  
Jeff Werner



**Please incorporate the following comments in your revised final site plan submission:**

**Planning**

*City Planner – Heather Newmyer*

General:

1. **(P)** This preliminary site plan proposes a 7-story (80') hotel that requires a Special Use Permit (SUP) for additional height in the Urban Corridor (URB) Mixed Use District per Sec. 34-757. A SUP must be approved by City Council prior to preliminary site plan approval. A joint public hearing on this SUP request (SP18-00007) is scheduled to occur at the September 11, 2018 Planning Commission meeting.
2. **(P)** Prior to preliminary site plan approval, the applicant must obtain a Certificate of Appropriateness (COA) from the Entrance Corridor Review Board (ERB) (See Sec. 34-309(a)(3) and Sec. 34-309(c)).
3. **(P)** Per Sec. 34-827(d)(1), on any sheets showing adjacent properties where TMP of that property is noted, please also note zoning and present use.
4. **(P)** Per Sec. 34-827(d)(5), on all applicable sheets (Demo, E&S Plan, Planting Plan, Site Plan any other applicable sheets), please either note individual trees six (6) inch caliper or greater (specifically, tree called out for tree protection (TP)) OR note all or remaining plantings noted are below this minimum.
5. **(F)** Sec. 34-914(b) requires that all public facilities, utility and drainage easements outside the right-of-way of public streets shall be accurately shown on the final site plan, provided that new easements may generally be shown and **accurately dedicated by separate plat**. Please add note to cover sheet stating "All easements (including utility easements, pedestrian access easements, etc.) called out on the final site plan shall be recorded with a D.B. reference called out as part of the Final As-Built Plan (prior to CO Issuance).
6. A site plan conference for this project was held on July 18, 2018 and a community meeting required by Sec. 34-41(c)(2) was held the evening of July 18, 2018. Please consider the concerns and consider including suggestions as part of the site plan revision moving forward.

*Neighborhood Suggestions/Concerns*

*From 7-18-18 Site Plan Conference -*

- Neighbors concerned about the additional height being requested for the proposed hotel.
- Citizen concerned about height of future buildings that will locate across from the hotel as part of the UVA's Ivy Corridor Plan.
- Citizen stated concern that the hotel design does not conform to Entrance Corridor or UVA's vision or in keeping with the historic structures of UVA.
- Citizen stated he was not concerned about the requested additional height. Instead, citizen focused his comments on the shared use path that is part of the City's Emmet Streetscape project and that he prefers this be on the west side

(across the street from Subject Property). Citizen also asked applicant to consider having a shuttle to Amtrak to reduce parking.

- Citizen asked about the garage being vented.
- Citizen encouraged landscape to help with the “park-like” entrance to UVA.

*From 7-18-18 SUP Community Meeting –*

- Citizen stated the Subject Property is a critical site because of its location – where the University and two neighborhoods come together. Citizen also stated she believes eighty (80) feet is very tall.
- Citizen concerned about traffic. Applicant responded there were estimated 53 trips in peak hours versus 26,000 trips a day in this section of Emmet St.
- Citizen asked motivation for 20’ feet extra versus by-right height of 60’?
  - Applicant’s response: franchising – wanted to see greater room count, 72 unit was minimum. If lower, franchisee would walk away
- Citizen asked about levered arm activated as people exit from parking garage.
  - ***Staff comment: Consider providing a levered arm activated or some other means to warn exiting vehicles of pedestrian traffic. Please provide a response of what is proposed, if anything, to address this comment.***
- Citizen requested:
  - Sections that show elevation and how building would affect President’s house
  - Sections that show elevation of proposed building in comparison to Ivy parking garage, architecture school
  - ***Staff’s additional suggestions:***
    - ***Provide sections that show topography change***
    - ***Provide sections that show proposed Gallery Court Hotel versus schematic Ivy Corridor UVA buildings***
    - ***Consider providing sections with a 60’ building as a comparison to the requested height***
  - Citizen concerned about blank wall side of railroad –
    - ***Staff comment: Consider having this wall not be blank unless there is a reason to keep it blank (due to retaining wall or because it is the side right next to the railroad). If there is a reason for keeping it blank, please provide a response as to why. Also, provide if possible elevation that shows if wall is visible or not traveling that direction on Emmet***
- Citizen asks how this project is different and contributes well to vision of City to be allowed 20’?
- Citizen asked if there was consideration for underground parking. Applicant’s response – stormwater challenges
- Citizen stated positives about project:



- The location is an ideal location for hotel as it is near University/walking distance
- Family property (local) – not corporate
- It is a quality project that had a lot of thought put into it and quality location
- Overall, value in community

Sheet C0.1:

7. **(P)** Per Sec. 34-827(d)(1), please list the zoning, tax map and parcel and present use of adjacent properties (including those across the street). Please also note that properties across the street are future home to the Ivy Corridor Plan.
8. **(P)** Per Sec. 34-827(d)(2), please provide maximums in SF before and after in addition to building tabulations: impervious cover existing and proposed and any other factor so that parts equal 100% of lot (0.585 acre).
9. **(P)** Per Sec. 34-827(d)(2), please write out Sec. 34-985(b)(4) under code ref.: “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.”
10. **(P)** Per Sec. 34-827(d)(2),(13), please add note under Reduction Option, On-Site Showers, clarifying how many on-site showers for employees will be provided.
11. **(P)** Per Sec. 34-827(d)(16), please provide (in addition to the vehicles per day and PM peak hour) the **AM peak hour**.

Sheets C1.0-C1.2:

12. **(P)** Per Sec. 34-827(d)(5), note caliper of existing tree that is called out for TP. On E&S Plans (Sheets C1.1-C1.2), show TP to scale per City’s Tree Protection Standard (1.5’ in radial distance per inch DBH).

Sheet C1.4:

13. **(P)** Per Sec. 34-867(4), the landscape plan shall indicate trees to be saved; limits of clearing; location and **type of protective fencing**; grade changes requiring tree wells or walls; and trenching or tunneling proposed beyond the limits of clearing. Please replace tree detail with the City of Charlottesville’s Tree Protection Standard detail to the Landscape Plan and the forthcoming E&S Plan, where the fence should delineate the Critical Root Zone (1.5’ in radial distance per inch DBH). (Found in the City’s Standards and Design Manual: [Appendix H](#)).

Sheet C2.0:

14. (P) Per Sec. 34-827(d)(2),(13), please add a note stating that on-site showers are being provided for employees on-site and note location/how many.
15. (P) Per Sec. 34-827(d)(13), show location of all proposed improvements including **trash containers** and **mechanical equipment**.
16. (P) Please add note by location of trash enclosure that screening will comply with Sec. 34-872(b)(2): 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.
17. (P) Per Sec. 34-872(d)(3), mechanical equipment needs to be screened. Please show location of mechanical equipment add note to comply with the following requirements dependent on location:

Mechanical equipment—Mechanical equipment located on the roof of a building or structure shall be hidden behind a wall or other solid enclosure, extending no more than twelve (12) inches above the height of such equipment, such wall to be constructed of a material harmonious with the facade of the building or structure. Mechanical equipment located on the ground shall be screened from view from all public rights-of-way and from adjacent residential districts; an S-3 screen shall be provided, extending no more than twelve (12) inches above the height of such equipment. The screening materials shall be located in such a manner as will most effectively reflect noise away from adjacent residential districts.
18. (P) Per Sec. 34-827(d)(13), please note which parking spaces are handicapped, dedicated van spaces, and compact (and further, identify how compact spaces will be marked per Sec. 34-977(b)(2)).
19. (F) Per Sec. 34-828(d)(1), provide details for any proposed signs including handicap parking signs, van space signs per Sec. 34-985(b)(4), hotel entry signs, etc.
20. Consider based off of neighborhood requests for increased public benefit incorporating any of the following:
  - a. Including a Ubike station
  - b. Incorporating the previously proposed memorial to Martin Luther King Jr. as part of the café space
  - c. Increased landscaping (e.g. green roof)
21. Consider providing a levered arm activated or some other means to warn exiting vehicles of pedestrian traffic. Please provide a response of what is proposed, if anything, to address this comment.

Sheets L2.00-L3.00:

22. (P) Per Sec. 34-927(d)(15), a landscape plan is to be provided in accordance with Sec. 34-867 since this site plan is subject to entrance corridor review. Please provide the following:

- a. A schedule of proposed plantings that include: number, **height**, caliper or gallon size, and **botanical + common name**. Please refer to the *Charlottesville Master Tree List* for recommended plantings with their height at 10 years, botanical and common name, as well as the tree canopy coverage per tree (in SF).
  - b. Provide the **canopy coverage** for each type of planting and update tables accordingly per Sec. 34-869(a)(1).
  - c. Calculation of tree canopy coverage shall be shown as the sum of individual planting materials to equal the overall coverage that meets the requirement.
23. (P) Per Sec. 34-827(d)(10),(11),(13), please include utilities on this sheet to identify conflicts between landscaping and utilities.
24. Consider increased landscaping (green roof of café space, for example) where possible.

Sheet P1.0:

25. (P) Per Sec. 34—827(d)(1), please label somewhere on this sheet that it is Sheet P1.0.
26. (P) Please remove the proposed pedestrian lights in the City right-of-way as the City, as part of the Emmet Streetscape project, will be providing uniform pedestrian lighting for this corridor in the near future. Because these lights are being removed, please consider providing lighting for café space on private property.
27. (P) Per Sec. 34-827(d)(13), please provide detail of *any* proposed light fixtures (will there be wall packs? Will there be lighting provided at rooftop bar? Lighting for the outdoor fireplace), where the detail shows the fixture as full cutoff. Please also note lighting is something reviewed by the Entrance Corridor Review Board (ERB).
28. (P) Per Sec. 34-827(d)(2) and Sec. 34-1003, please add the following notes:
- a. The lighting fixtures proposed will be full cutoff in accordance with Sec. 34-1003
  - b. No outdoor luminaire shall be mounted or placed at a location that is more than twenty (20) feet in height.

Sheet X0.0:

29. (P) Per Sec. 34—827(d)(1), please label somewhere on this sheet that it is Sheet X0.0.

**Building**

*Building Code Official – Tom Elliott*

30. (P) Ensure parking garage entrance meets vertical height requirement and path to HC parking also meets same. 2012 VA Const. Code Section 1106 & 2009 ICC A117.1 Section 502.6
31. (P) Reminder: Review 2012 VA Construction Code 1027.4.2 & 1027.5 (Exit Discharge into spaces less than 10' in width if applicable)
32. (F) Install guardrail at top of any retaining walls with difference in grade exceeding 30" if applicable . 2012 Va Construction Code 1013

33. **(F)** Ensure 60% public accessible entrances are provided 2012 Va Construction Code 1105.1
34. **(P)** The building is close to property lines. Ensure that 2012 Va Construction Code Table 602 (Fire resistance of exterior walls) and Table 705.8 (Maximum areas of exterior wall openings allowed)
35. **(P)** Reminder that back-up power is required for elevator. 2012 Va Construction Code 1007.4

## **Engineering**

*Assistant City Engineer – Chris Sibold*

### General Comments:

36. **(P)** Submit an Erosion & Sediment (E&S) Control and Stormwater Management (SWM) Plan application and associated fees for both E&S and SWM.
37. **(P)** Submit an Erosion and Sediment Control Plan Review Checklist.
38. **(P)** Submit an E&S and SWM Plan Submittal Requirements Checklist.
39. **(P)** Submit an Engineering Plan Review Checklist.
40. **(P)** Additional new comments may be generated on future reviews based on the revisions to plans for the comments in this letter and during the Final Site Plan review process.

### Drawing C0.0

41. **(P)** List total area of disturbance and pre & post impervious areas on the cover sheet.

### Drawing C1.0

42. **(P)** Any disturbance outside of the project's property lines will be permitted only after the recordation of temporary construction easements with appropriate adjacent property owners.

### Drawing C1.1

43. **(P)** Provide silt fence on the downhill side of diversion dikes.
44. **(P)** Safety fence shall be chain link.
45. **(P)** Replace the check dams along the southeast corner with silt fence breaks and stone weir. Provide a detail on the plans.

### Drawing C1.2

46. **(P)** Provide inlet protection for new storm structures.

47. **(P)** Add a note to the plans stating that it shall be the contractor's responsibility to adhere to requests from the City's E&S Inspector to add or modify E&S measures during construction.

#### Drawing C1.5

48. **(P)** Revise safety fence detail to show only chain link.

#### Drawing C2.0

49. **(P)** Some improvements are outside of the property line and some appear to be on or very close to the property line. Verify that no improvements including footings are on adjacent properties.
50. **(P)** Refer to Chapter 6 of the Standards and Design Manual (SADM) for retaining wall requirements. Provide a copy of the retaining wall design for review. A retaining wall design approval is required prior to final site plan approval.

#### Drawing C4.0

51. **(P)** Prior to issuance of a land disturbance permit provide the following for the purchase of nutrient credits: Documentation that the nutrient bank is approved by DEQ, certification that the nutrient credits are available, documentation that the credits are in the same or adjacent eight-digit hydrologic unit code, and Affidavit of Nutrient Credit Sale.

### **Traffic Engineering**

*Bicycle and Pedestrian Coordinator – Amanda Poncy*

#### Sheet C0.1:

52. **(P)** The parking reduction for bicycle lockers can only be taken once the minimum requirements for bike racks are met (see Sec. 34-881) AND the storage facilities provided are either bicycle lockers or bicycle racks in a locked room. Please either revise the site plan to accommodate lockers/locked bicycle storage room or revise the parking calculations to remove the deduction for the bike racks. In either case, please update the parking tabulations to reflect the minimum bicycle parking requirement per 34-881.
53. **(F)** Per Sec 34-828, please provide a detail of the bike racks to be used.
54. **(P)** Please identify the primary building entrance along Emmet Street.
55. **(P)** Please identify the accessible route from the disabled parking spaces into the hotel lobby. Please note Sec. 502.3 and 502.6 that notes requirements for marking parking spaces and providing an marked crossings for the access route.

#### Sheet C2.0:



56. (P) Please include the proposed Emmet Street improvements (to be built by others) on the site plan to demonstrate that there is enough room for all of the proposed transportation improvements (Sec. 34-911).

## **Fire Department**

*Assistant Fire Marshal – Stephen Walton*

57. (F) VSFPC 505.1-The building street number to be plainly visible from the street for emergency responders.
58. (F) VSFPC 506.1-An approved key box shall be mounted to the side of the front or main entrance. The Charlottesville Fire Department carries the Knox Box master key. A Knox Box key box can be ordered by going on-line to [www.KnoxBox.com](http://www.KnoxBox.com). The Knox Box allows entry to the building without damaging the lock and door system.
59. (F) VSFPC 506.1.2 - An elevator key box will be required.
60. (P) Structures with fire protection systems shall indicate the location of any fire line to the building(s).
61. (P) VSFPC 903.3.5.2 – High Rise buildings require a secondary water supply to the building's fire pump.
62. (P) **The fire line shall be a separate water line tapped off the water main and separate from the domestic water line.**
63. (F) Fire Lines – A permit is required for Fire Line installation. A detailed drawing (2 sets) showing fittings and thrust blocks must be submitted with the permit application. Once installed, the Fire Line requires a visual inspection and a pressure test inspection by the Fire Marshal's office.
64. (P) The site plan shall show the location of fire department connections for those structures with fire protection systems. The Landscape Plan shows shrubs planted in front of the Fire Department Connection. These shrubs will have to be relocated.
65. (P) An outside stand-alone or wall mounted electrically monitored post indicator valve is required on the fire line and its location must be indicated on the site plan. Prelim
66. (F) VSFPC B105.2, B105.1 and TABLE 105.1- Calculation of the fire flow required for the site shall be shown on the site plan. Also, verification that the needed fire flow (NFF) is available on site. The minimum required fire flow for all buildings, with the exception of one and two-family dwellings which is 1,000 gallons per minute, is 1,500 gallons per minute (sprinkler protected or non-sprinkler protected). Please provide the total square footage of three (3) largest consecutive floors to determine the required fire flow.
67. (P) VSFPC 507.5.4 and 912.3 - 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.**
68. (P) Local Requirement -Landscaping in the area fire hydrants, fire pump test header, fire department connections or fire suppression system control valves shall be of the type that will not encroach on the required five (5) foot radius on maturity of the landscaping.
69. (P) VSFPC 503.2.1 - Overhead wiring or other obstructions shall be higher than 13 feet 6 inches.
70. (F) VSFPC 3312.1 - An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site.
71. (P) All pavement shall be capable of supporting fire apparatus weighing 85, 000 lbs.

72. (F) VSFPC 905.3.1 - If the floor level of the highest story is more than 30 feet above the lowest level of fire department vehicle access, then a Class I standpipe system **must** be installed in addition to the sprinkler system.
73. (F) VSFPC 3311.1 - Where a building has been constructed to a height greater than 50 feet or four (4) stories, at least one temporary lighted stairway shall be provided unless one or more of the permanent stairways are erected as the construction progresses.
74. (F) VSFPC 503.3 – Marking Fire Lanes. The location and method of marking fire lanes shall be clearly indicated on the submitted site plan. Fire lanes shall be a minimum of 20 feet in width. Signs and markings to delineate fire lanes as designated by the fire official shall be provided and installed by the owner or his/her agent of the property involved. Fire apparatus roads 20 to 26 feet in width shall be posted or marked on both sides “No Parking – Fire Lane”.
75. (F) VSFPC 3313.1 – Where Required - 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 Comments:

76. (F) VSFPC 310.3; 310.5 – Smoking to be allowed in only designated spaces with proper receptacles. “No Smoking” signs shall be posted at each building site and within each building during construction.
77. (F) VSFPC 3304.2 – Waste disposal of combustible debris shall be removed from the building at the end of each workday.
78. (F) VSFPC 3304.6 – Cutting and welding. 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.
79. (F) VSFPC 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.
80. (F) VSFPC 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. 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.

**Public Utilities**

*Utilities Engineer – Roy Nester*

**GENERAL:**

81. (P) On sheet C0.0, please add north arrows for the vicinity map and location map.
82. (P) Please add the following notes to the plan:

- a. Per the Virginia Department of Health Waterworks Regulations (Part II, Article 3, Section 12 VAC 5-590 through 630), all buildings that have the possibility of contaminating the potable water distribution system (hospitals, industrial sites, breweries, etc.) shall have a backflow prevention device installed within the facility. This device shall meet specifications of the Virginia Uniform Statewide Building Code, shall be tested in regular intervals as required, and test results shall be submitted to the Regulatory Compliance Administrator in the Department of Utilities.
  - b. All buildings that may produce wastes containing more than one hundred (100) parts per million of fats, oil, or grease shall install a grease trap. The grease trap shall meet specifications of the Virginia Uniform Statewide Building Code, maintain records of cleaning and maintenance, and be inspected on regular intervals by the Regulatory Compliance Administrator in the Department of Utilities.
  - c. Please contact the Regulatory Compliance Administrator at 970-3032 with any questions regarding the grease trap or backflow prevention devices.
83. **(P)** Please add the following details to the plans: W6.0, W6.2, W7.1, WW7.0, WW7.1, and WW7.2.

**WATER:**

- 84. **(P)** On sheet C0.1, the water demand calculations need to be revised. The peak hour demand is the maximum hour demand multiplied by 1.5.
- 85. **(P)** On sheet C1.0, please note that the waterline in Emmet Street is a RWSA owned / operated 16-inch line.
- 86. **(P)** On sheet C1.0, show the existing water meter and service line being demolished back to the main. Please add a note that the City and RWSA must inspect all demolition and connections associated with this main.
- 87. **(P)** On sheet C1.0 where the existing fire hydrant is to be relocated, please show the existing 6-inch piping connecting to the main and show it being demolished back to the existing valve.
- 88. **(P)** On sheet C3.0, please call out the preliminary size of the water service line and meter. Show this as a new service line back to the existing connection to the RWSA main.
- 89. **(P)** On sheet C3.0 where the existing fire hydrant is to be relocated, please note that if the existing tee and valve are in good condition, the new fire sprinkler line can use this 6-inch connection, at the discretion of RWSA and City inspection staff.
- 90. **(F)** If the proposed structure requires dual fire service lines due to its height, be aware that a 2<sup>nd</sup> connection to the RWSA line will be required and an isolation valve between the connections will be required. RWSA must approve of these changes and will inspect this site work.
- 91. **(F)** For the final site plan approval, Please use the AWWA fixture count method to calculate water demand. Based off this demand, final meter sizing will be determined and this may require a new larger connection to the RWSA line.

**SEWER:**

- 92. **(P)** On sheet C1.0, please show the demolition of the existing sanitary sewer manhole that currently serves this property adjacent to Emmet Street (City MH 17-011, SSMH #1

on your survey). In addition to this, show and note that the existing sewer line along Emmet Street shall be disconnected from the lower manhole (City MH 17-010, SSMH#2 on your survey) and abandoned in place. The required street trees along Emmet Street conflict with this line and sewer service will be provided from a different location.

93. **(P)** On sheet C1.0, we understand that the unknown MH at the rear of the property is a sanitary sewer check-valve (or grinder pump) that serves a portion of the existing building. Please show this being abandoned / demolished.
94. **(P)** On sheet C1.0, please show the existing sanitary sewer lateral that serves a portion of the existing building, that flows from the unknown MH, draining east across UVA property, where it connects to the City sanitary sewer line prior to the crossing under the RR line. Please show and note that the existing connection to the City main must be abandoned in accordance with City standards.
95. **(P)** On sheet C3.0, for the proposed sanitary sewer service, please show a clean out at the front property line.
96. **(P)** On sheet C3.0, for the sanitary sewer service, please show a new connection to the existing sanitary sewer on the north side of Emmet Street. The existing City MH 22-074 (called out as SSMH #5 on the plan) is where the connection shall be made.
97. **(F)** Please provide a profile for the new sanitary sewer lateral crossing Emmet Street.

*Gas Utilities Engineer – Christian Chirico*

**SHEET C1:**

98. **(P)** The existing gas main in Emmet St as well as the gas service line to the hotel will need to be shown on the Demolition Plan.

**SHEET C2:**

99. **(P)** If the building will require natural gas service in the future please show the route of the gas service line as well as the gas meter location on the site plan.
100. **(F)** Please contact Irene Peterson (434-970-3812) to sign up for natural gas service.

*RWSA Civil Engineer – Victoria Fort*

**General Comments:**

101. **(P)** Include the RWSA General Water and Sanitary Sewer Notes on the plans (attached).
102. **(P)** On all sheets, label the RWSA water main as “RWSA 16” CI WL”

**Sheet C3.0:**

103. **(P)** Utilize the existing 6” valve and fire hydrant line for the proposed 6” DIP fire service line (rather than making a new connection to the RWSA water main).
104. **(P)** Include the following notes on the utility plan for new connections to the RWSA water main:
  - a. Contractor shall coordinate with RWSA and ACSA for the connection to the existing RWSA 16” waterline. Contractor shall use due diligence to protect the RWSA 16” waterline during construction and tapping.

- b. Contractor shall verify the horizontal and vertical location, the outside diameter and the pipe material of the 16" waterline prior to ordering the tapping sleeve. RWSA shall be contacted 3 business days in advance of the test pit and shall be present during the test pit. The tapping sleeve shall be approved by RWSA prior to being ordered. The tapping contractor shall be approved by RWSA prior to the tap.
  - c. A minimum of 3 business days' notice shall be given prior to installation of the tapping sleeve. The 16"x6" tapping sleeve and valve shall be installed plumb. Following the placement and testing of the 16"x6" tapping sleeve and valve, a concrete pad and thrust block shall be placed under and behind the tapping sleeve and allowed to set prior to making the tap.
105. If the approved height of the building requires a second fire line and new in-line valve on the RWSA water main, RWSA may require additional notes and details on the plans related to the required water line shutdown and any material or inspection requirements.
106. If the approved height of the building requires a new in-line valve on the RWSA water main, RWSA may wish to request betterment to increase the diameter of the valve and new water line to 24" or larger.



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



**REQUEST FOR A ZONING TEXT AMENDMENT**

**PLANNING COMMISSION REGULAR MEETING**

**DATE OF PLANNING COMMISSION MEETING: September 11, 2018**

**Author of Staff Report:** Craig A. Fabio, Asst. Zoning Administrator

**Date of Staff Report:** August 27, 2018

**Proposed Change To Ordinance:** Adoption of Temporary Construction Yard

**Applicable City Code Provisions:** §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts)

**Executive Summary**

This is a proposed zoning text amendment to create an allowance for Temporary Construction Yards, associated with development. Adoption of the change would require amendments to the general Zoning regulations (§34-201 et seq.), Temporary Use regulations (§34-1190 et seq.), Mixed Use (§34-480) Commercial (§34-796) district use matrices. Staff recommends that the use be permitted with a Temporary Use Permit in all Mixed Use and Commercial zoning districts.

**Background**

At the Planning Commission's June 12, 2018 meeting, a study period was initiated at the request of Staff. Staff has dealt with multiple requests over the past few years associated with Temporary Construction Yards. The property at the corner of Roosevelt Brown Boulevard and Cherry Avenue is currently operating in a manner that would comply with these regulations. The Standard, located at 853 West Main Street has been using the adjacent parcel (843 West Main Street) in this manner as well. Staff seeks a Temporary Use Permit option to provide regulations and enforcement assistance for projects such as these.

**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. **If the Planning Commission initiates the request, the 100 day recommendation requirement does not apply.** Staff will provide the Planning Commission with reports and analyses as appropriate and a joint public hearing will be scheduled for the next available date.

## **Standard of Review**

As per §34-42 of the City Code, 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.

## **Proposed Zoning Text Change**

Amend §34-201 et seq. to clarify existing Temporary Use Permit Code language

Amend §34-1190 et seq. as necessary, adding §34-1196 Temporary Construction Yard

Revise the Commercial (§34-480) matrix as follows:

- Create the line item “Temporary Construction Yard”
- Place a “T” in the row labeled “Temporary Construction Yard”, in all Zoning Districts

Revise the Mixed Use (§34-796) matrix as follows:

- Create the line item “Temporary Construction Yard”
- Place a “T” in the row labeled “Temporary Construction Yard”, in all Zoning Districts

## **Standard of Review Analysis**

### **1. Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;**

The 2013 Comprehensive Plan looks to promote infill development, and increase commercial vitality and density in appropriate areas. In order to facilitate such growth there will be a need to utilize properties and spaces adjacent to or near building sites. This is mainly due to the scale of these projects, which is necessary driven by Code requirements, best use of a property or simple economics.

The Transportation chapter of the Comprehensive Plan seek[s] to expand and anticipate traffic calming where applicable throughout the City in collaboration with neighborhood residents and as part of the development process. Providing Temporary Parking Facilities will alleviate stress on neighborhood streets and provide parking opportunities that would otherwise be in violation of the Ordinance.

### **2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;**

The purposes of the chapter would be furthered by the amendment. An approved amendment would encourage economic development, and would be an example of regulating and restricting the location of trades and industries. By permitting these uses through a Temporary Use permit, neighborhoods can be protected while having their character and stability enhanced.

The purposes of the zoning code's mixed use section are also furthered. The amendment would facilitate more mixed-use development in the corridor while being an example of neighborhood-enhancing economic activity.

**3. Whether there is a need and justification for the change;**

There are currently activities of this nature taking place within the City. Staff has brought forward the change as a means to enforce uses that are crucial to development throughout the City.

**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.

**Public Comment**

No public comment has been received at this time.

**Recommendation**

The City of Charlottesville is a built out City. The majority of the development the City will see moving forward will be infill or redevelopment. Due to Zoning regulations and financial restrictions most development will encompass entire sites. This requires the use of nearby and adjacent properties or the City right-of-way for material laydown and equipment. It is beneficial to the City to provide areas where Temporary Parking Facilities are allowable to keep vehicles associated with these project from negatively impacting City streets and neighborhoods.

Staff recommends that the zoning text amendment be recommended for approval by the Planning Commission and City Council as written to allow Temporary Parking Facilities in all Mixed Use and Commercial Zoning Districts.

**Appropriate Motions**

1. "I move to recommend approval of this zoning text amendment to amend and re- ordain §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts) of the Code of The City of Charlottesville, 1990, as amended, to allow Temporary

Construction Yards in all Mixed Use and Commercial Zoning Districts by Temporary Use Permit 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 “I move to recommend approval of this zoning text amendment to amend and re- ordain §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts) of the Code of The City of Charlottesville, 1990, as amended, to allow Temporary Construction Yards in all Mixed Use and Commercial Zoning Districts by Temporary Use Permit 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 “I move to recommend approval of this zoning text amendment to amend and re- ordain §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts) of the Code of The City of Charlottesville, 1990, as amended, to allow for Temporary Construction Yards 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.

## Proposed Code Language

# Temporary Use Permit Additional Allowances: Temporary Construction Yard

Existing Code

### **Proposed Changes**

#### **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<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.

(c). **Site requirements.**

1. A temporary construction yard 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 construction yard may require amendments to an existing environmental permit.
2. Unless waived by the Director of Neighborhood Development Services, temporary construction yards 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 Sec. 34-871. With the approval of the zoning administrator, an opaque wall or fence may be utilized for, or as part of, a required screen. Where allowed, such wall or fence (including any gate(s) forming a portion of such structure) shall be at least six (6) feet tall, or an alternate height deemed necessary by the zoning administrator to protect required sight distances along a public right-of-way.

(d). **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.

(e). **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.

\*\*\*References\*\*\*

**ALBEMARLE COUNTY CODE**

18-3-27 Zoning Supplement #105, 1-10-18

*Temporary construction headquarters:* A building or structure used for the on-site management or oversight of construction or development activity for the duration authorized in section 5.1.18(a). (Added 7-1-09)

*Temporary construction yard:* An area used for the on-site storage of construction or development materials, supplies, equipment, and tools, and the on-site stockpiling and recycling of useable construction materials and other items, for the duration authorized in section 5.1.18(b). (Added 7-1-09)

18-5-10 Zoning Supplement #103, 8-9-17

**5.1.18 TEMPORARY CONSTRUCTION HEADQUARTERS AND TEMPORARY CONSTRUCTION YARDS**

Temporary construction headquarters and temporary construction yards are permitted as follows:

a. *Temporary construction headquarters.* The zoning administrator is authorized to issue a zoning clearance allowing temporary construction headquarters serving a construction project, subject to the following:

1. *Duration.* The headquarters shall be authorized on the site for a period beginning no earlier than thirty (30) days prior to the commencement of actual construction and ending no later than thirty (30) days after completion of the last building to be constructed in the project or thirty (30) days after active construction on the site is suspended or abandoned, whichever occurs first (hereinafter, the "ending date"). Construction shall be deemed to be suspended or abandoned if no substantive progress, characterized by approved building inspections or other evidence that substantial work has been performed in the prior thirty (30) day period. The zoning administrator may extend the ending date, upon the written request of the owner, if the suspension or abandonment of active construction is the result of inclement weather. The headquarters shall be removed from the site by the ending date.

2. *Location.* The headquarters shall be located within the same site where the construction project is located.

3. *Maintenance.* The area in the vicinity of the headquarters and the access roads thereto shall be treated or maintained to prevent dust and debris from blowing or spreading onto adjacent properties and public street rights-of-way.

b. *Temporary construction yards.* The zoning administrator may issue a zoning clearance allowing temporary construction yards serving a construction project, subject to the following:

1. *Duration.* The yard shall be authorized on the site for a period beginning no earlier than thirty (30) days prior to the commencement of actual construction and ending on the ending date. All materials, supplies, equipment, debris and other items composing the yard shall be removed from the site by the ending date. The zoning administrator may extend the ending date, upon the written request of the owner, if the suspension or abandonment of active construction is the result of inclement weather.;

2. *Location.* The yard shall be located within the same site where the construction project is located. In addition, no portion of a yard shall be located: (i) closer than fifty (50) feet to any public street right-of-way existing prior to the recording of the subdivision plat served by the yard or existing prior to the commencement of the construction project; and (ii) closer than one hundred fifty (150) feet to any preexisting dwelling not owned or leased by the owner of the subdivision or construction project served by the yard.

3. *Maintenance.* The area in the vicinity of the yard and the access roads thereto shall be treated or maintained to prevent dust and debris from blowing or spreading onto adjacent properties and public street rights-of-way. All yards shall be maintained in a clean and orderly manner, and building material and construction residue and debris shall not be permitted to accumulate.

4. *Screening.* The zoning administrator may require appropriate screening or fencing around a yard if the yard will be located in or adjacent to a residential zoning district.

(§ 5.1.18, 12-10-80; § 5.1.18.1, 12-10-80; § 5.1.18.2, 12-10-80; Ord. 09-18(4), 7-1-09)

**CHESAPEAKE, VA CODE**

§ 13-1503. - Temporary construction yard.

*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 plan requirement.**

1. A site plan must first be submitted to and approved by the zoning administrator, setting out 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 plan 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 voiding of the permit.
2. Sleeping and/or cooking accommodations may be provided for such a site and shall be shown on the site plan. Where such accommodations are provided, water and nonportable sanitary facilities shall be provided to serve them.
3. When such yards are located in or adjacent to property zoned or used for residential purposes, the zoning administrator may require screening and/or fencing measures and may specify approved areas for the location for trailers, machinery and certain site activities that normally generate noise, dust or glare, in order to minimize the impact of the yard activities on the neighboring residential property, and may limit the location of trailers and certain machinery.

**SCOTTSVILLE, VA CODE**

**5.1.10 TEMPORARY CONSTRUCTION HEADQUARTERS, YARDS**

**5.1.10.1 TEMPORARY CONSTRUCTION HEADQUARTERS**

- a. A temporary permit may be issued by the Zoning Administrator, with approval of the Mayor, for a period beginning no earlier than thirty (30) days prior to the commencement of actual construction and terminating no later than twenty (20) days after completion of the last building to be constructed in the project.
- b. Such uses shall be located within the recorded subdivision or on the same lot where the construction project is located.
- c. The area in the vicinity of such uses and access roads thereto shall be treated or maintained in such a manner as to prevent dust or debris from blowing or spreading onto adjacent properties or public streets.

**5.1.10.2 TEMPORARY CONSTRUCTION YARDS**

- a. A temporary permit may be issued by the Zoning Administrator, with approval of the Mayor, for a period not to exceed eighteen (18) months.
- b. Such a yard shall be located within the recorded subdivision which it serves or on the same lot where the construction project is located.
- c. No portion of such a yard shall be located closer than fifty (50) feet to any right-of-way line of any public street existing prior to the recording of the subdivision served by such yard or existing prior to the commencement of the construction project.
- d. No portion of such a yard shall be located closer than one hundred fifty (150) feet to any preexisting dwelling not owned or leased by the owner of the subdivision or construction project served by such yard.
- e. All areas of such a yard and access roads thereto shall be treated or 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 manner, and building material and construction residue and debris shall not be permitted to accumulate.
- f. All buildings, materials, supplies and debris shall be completely removed from such yard within sixty (60) days from the date of completion of the last building to be constructed or within sixty (60) days from the date active construction is discontinued, whichever occurs first, but in no event shall the time exceed the limit set forth above.
- g. Where deemed necessary and desirable by the Town, when such yards are to be located in or adjacent to a residential district, appropriate screening or fencing measures shall be provided.



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



**REQUEST FOR A ZONING TEXT AMENDMENT**

**PLANNING COMMISSION REGULAR MEETING**

**DATE OF PLANNING COMMISSION MEETING: September 11, 2018**

**Author of Staff Report:** Craig A. Fabio, Asst. Zoning Administrator

**Date of Staff Report:** August 27, 2018

**Proposed Change To Ordinance:** Adoption of Temporary Surface Parking Facilities

**Applicable City Code Provisions:** §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts)

**Executive Summary**

This is a proposed zoning text amendment to create an allowance for Temporary Surface Parking Facilities, associated with development. Adoption of the change would require amendments to the general Zoning regulations (§34-201 et seq.), Temporary Use regulations (§34-1190 et seq.), Mixed Use (§34-480) Commercial (§34-796) district use matrices. Staff recommends that the use be permitted with a Temporary Use Permit in all Mixed Use and Commercial zoning districts.

**Background**

At the Planning Commission's June 12, 2018 meeting, a study period was initiated at the request of Staff. Staff has dealt with multiple requests over the past few years associated with Temporary Surface Parking facilities. Two existing, non-conforming surface parking lots on Cherry Avenue are used as parking for contractors working on a project on UVA Grounds, The Quirk, a hotel under construction on West Main Street has requested use of their future off-site parking facility for construction activity and the Belmont Bridge project has proposed a parking area throughout construction to make up for parking displaced by the project. While there is a line item for Temporary Parking Facilities, allowable by Temporary Use Permit, in the Commercial District Use Matrix (§34-480) there is no associated Code language.

**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. **If the Planning Commission initiates the request, the 100 day recommendation requirement does not apply.** Staff will provide the Planning Commission with reports and analyses as appropriate and a joint public hearing will be scheduled for the next available date.

## **Standard of Review**

As per §34-42 of the City Code, 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.

## **Proposed Zoning Text Change**

Amend §34-201 et seq. to clarify existing Temporary Use Permit Code language.

Amend §34-1190 et seq. as necessary, adding §34-1196 Temporary Surface Parking Lot

Revise the Commercial (§34-480) matrix as follows:

- Place a “T” in the row labeled “Temporary Parking Facilities”, under the ES zoning district column.

Revise the Mixed Use (§34-796) matrix as follows:

- Place a “T” in all rows.

## **Standard of Review Analysis**

### **1. Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;**

The 2013 Comprehensive Plan looks to promote infill development, and increase commercial vitality and density in appropriate areas. In order to facilitate such growth there will be a need to utilize properties and spaces adjacent to or near building sites. This is mainly due to the scale of these projects, which is necessary driven by Code requirements, best use of a property or simple economics.

The Transportation chapter of the Comprehensive Plan seek[s] to expand and anticipate traffic calming where applicable throughout the City in collaboration with neighborhood residents and as part of the development process. Providing Temporary Parking Facilities will alleviate stress on neighborhood streets and provide parking opportunities that would otherwise be in violation of the Ordinance.

### **2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;**

The purposes of the chapter would be furthered by the amendment. An approved amendment would encourage economic development, and would be an example of regulating and restricting the location of trades and industries. By permitting these uses through a Temporary Use permit, neighborhoods can be protected while having their character and stability enhanced.

The purposes of the zoning code's mixed use section are also furthered. The amendment would facilitate more mixed-use development in the corridor while being an example of neighborhood-enhancing economic activity.

**3. Whether there is a need and justification for the change;**

There are currently activities of this nature taking place within the City. Staff has brought forward the change as a means to provide regulations for uses that are crucial to development throughout the City.

**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.

**Public Comment**

No public comment has been received at this time.

**Recommendation**

The City of Charlottesville is a built out City. The majority of the development the City will see moving forward will be infill or redevelopment. Due to Zoning regulations and financial restrictions most development will encompass entire sites. This requires the use of nearby and adjacent properties or the City right-of-way for material laydown and equipment. It is beneficial to the City to provide areas where Temporary Parking Facilities are allowable to keep vehicles associated with these project from negatively impacting City streets and neighborhoods.

Staff recommends that the zoning text amendment be recommended for approval by the Planning Commission and City Council as written to allow Temporary Parking Facilities in all Mixed Use and Commercial Zoning Districts.

**Appropriate Motions**

1. "I move to recommend approval of this zoning text amendment to amend and re- ordain §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts) of the Code of The City of Charlottesville, 1990, as amended, to allow Temporary Parking

Facilities in all Mixed Use and Commercial Zoning Districts by Temporary Use Permit 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 “I move to recommend approval of this zoning text amendment to amend and re- ordain §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts) of the Code of The City of Charlottesville, 1990, as amended, to allow Temporary Parking Facilities in all Mixed Use and Commercial Zoning Districts by Temporary Use Permit 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 “I move to recommend approval of this zoning text amendment to amend and re- ordain §34- 201 et seq. and §34-1190 et seq. (Amendments to the Zoning Ordinance), §34-480 and §34-796 (Use matrices – mixed use and commercial corridor districts) of the Code of The City of Charlottesville, 1990, as amended, to allow for Temporary Parking Facilities 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.

## Proposed Code Language

# Temporary Use Permit Additional Allowances: Temporary Surface Parking Facilities

Existing Code

### Proposed Changes

#### 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 34-1196, 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.**

### **Sec. 34-1196. – Temporary surface Parking Facilities~~Lot~~**

(a). **Temporary permit; renewal.** A temporary permit may be issued in all Industrial, Commercial and Mixed Use 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 surface ~~Parking facility~~Lot shall identify the size and location of parking spaces, any associated structures, traffic circulation, signage, 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.

#### **(c). Site requirements.**

1. Addition of ~~a~~ a temporary surface ~~Parking Lot~~ lot to a lot shall not create any zoning violations for the ~~lotsite~~, or any uses of the lot. (For example, establishment of a temporary surface ~~Parking Lot~~ 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).
2. When there is any established use on ~~the site~~, defined physical separation shall be provided between the established use and the temporary surface Parking Lot. ~~of the proposed surface parking lot, a clear physical separation of the uses shall be provided.~~
3. Ingress and egress to the temporary surface Parking Lot, 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~~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~~Parking lot~~Lot~~ may require amendments to an existing environmental permit.
5. 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.
6. Unless waived by the Director of Neighborhood Development Services, The temporary surface Parking Lots~~facility~~ 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 Sec. 34-871. With the approval of the zoning administrator, an opaque wall or fence may be utilized for, or as part of, a required screen. Where allowed, such wall or fence (including any gate(s) forming a portion of such structure) shall be at least six (6) feet tall, or an alternate height deemed necessary by the zoning administrator to protect required sight distances along a public right-of-way.
7. All temporary surface Parking Lots shall compile to current ADA guidelines and regulations.
8. Bicycle storage shall be provided based on standers within the City of Charlottesville Zoning Ordinance and within the City of Charlottesville Standards and Design Manual.

#### **(d). Signage.**

1. 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. Signage must include the following:

- (i). Duration of use with proposed termination date.
- (ii). Contact information (telephone or email address) of permit holder.

**(e). Lighting.**

1. Any lighting used for the construction yard must comply with applicable provisions of Division 3, sections 34-1000, et seq., of this article.

**(f). Maintenance requirement.**

1. All areas of such parking facility, 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 parking facilities 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.

- (g). Termination of use; restoration.** The temporary parking facility shall be closed and all buildings, structures, materials, supplies and debris associated with the facility'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.



**ENTRANCE CORRIDOR  
CERTIFICATE OF APPROPRIATENESS**

DATE OF PLANNING COMMISSION MEETING:

September 11, 2018

Projects: **Seminole Square Expansion (Only)**

Planner: Jeff Werner, AICP

Applicant: Great Eastern Management

Applicant's Representative: Dave Mitchell

Applicant's Relation to Owner: Great Eastern Management

**Application Information**

Property Street Address: 230-270 Zan Road

Property Owner: Giant Sequel Investors, LLC

Tax Map/Parcel #: 41C003100

Total Square Footage/Acreage Site: 18.81 acres

Comprehensive Plan (Land Use Plan) Designation: Mixed Use

Current Zoning Classification: Highway Corridor (HW) with Entrance Corridor (EC) Overlay

Entrance Corridor Overlay District: Route 29 North (Sub-Area A)

Current Usage: Shopping Center

**Existing conditions**

Seminole Square Shopping Center was constructed in 1986 on approximately 18 acres and features 168,278 square feet of single-story commercial space fronting on a surface parking lot with 978 parking spaces. The site is accessed from the west by an entrance off of Route 29 (via Seminole Court) and from the north and south via the recently-completed extension of Hillsdale Drive. There is no access from the east; the rear of the shopping center's East Wing runs parallel to Meadow Creek.





**NOTE: Revisions (except for deletions) to the July 10, 2018 staff report are highlighted.**

Links to July 10, 2018 staff report and attachments:

<http://www.charlottesville.org/home/showdocument?id=62311>

<http://www.charlottesville.org/home/showdocument?id=62313>

## **Background**

### **Seminole Square Redevelopment**

July 10, 2018: ERB approved (7-0) the COA.

### **Seminole Square Expansion**

July 10, 2018: ERB approved (7-0) the applicant's request to defer ERB action on the COA.

## **Applicant's Request**

### **Seminole Square Expansion (Rear of North Wing):**

At the rear (north) of the existing North Wing buildings creation of parking areas and construction of the greenway trail segment. At the rear and side walls, existing stucco will be painted, cable-supported metal canopies installed over existing doors, new lap siding pilasters will be constructed. Related parking, lighting and landscape improvements as summarized below.

At the northern boundary of the parcel, an 8-foot wide, asphalt, multi-purpose path will link the sidewalk on Route 29 to an existing sidewalk at the northeast corner of the parcel--a distance of approximately 1,100-ft and within a 10-foot right of way to be deeded to the city. On each side of the path will be a wood, two-rail, split rail fence. Where necessary due to grade, a stacked-stone retaining wall will be constructed on the north side of the path. Where the path crosses Hillsdale Drive will be a flashing signal. Ultimately, this trail segment will provide a bike/ped connection to the planned Meadow Creek trail. (Note: This greenway trail segment is a condition of the Critical Slope Waiver, approved by City Council, October 2, 2017.)

### **Proposed building materials (on existing buildings)**

- Fiber cement board panels (on pilasters and siding): Allura lap siding, *Mahogany*
- Stucco (rear and side elevations):
  - Lower accent band: Painted (Benjamin Moore #1617, *Cheating Heart*)
  - Wall (above accent): Painted Benjamin Moore #1616, *Stormy Sky* )
- Green Screens: Mounted in planters. (Plantings TBD)
- Roof: existing to remain
- Awnings and canopies: painted metal (color: Benjamin Moore #1617, *Cheating Heart*) and anodized aluminum
- Doors and frames (existing): Painted (Benjamin Moore #1617, *Cheating Heart*)
- New windows/storefront panels (sides of Buildings A and B): to match existing

### **Parking lot improvements, including lighting and landscaping (Redevelopment and Expansion)**

- **Parking:** (Parking was predominantly addressed in the Redevelopment component of this project. In total, 886 spaces will remain, exceeding the required 853.) 58 parking spaces will be created to the rear of the North Wing's two buildings.
- **Crosswalks:** The proposed site plan features eight internal parking lot pedestrian crossings, accommodating pedestrian needs and vehicular circulation. The Redevelopment connects the individual lots together with pedestrian crossings at key locations such as the intersection of Hillsdale

Drive and Seminole Court. (Note: Additional pedestrian connections linking buildings and public sidewalk, etc.—requirements per city code--will be addressed during Site Plan review.)

- **Lighting:** All light fixtures are noted as full cutoff, and directed away from adjoining properties and road. Light spillover is limited to one-half foot-candle. Pedestrian areas are well lit. Pole-mounted fixtures are placed 20' above grade. All lamping is noted as LED white lights to create a unified cool white lighting throughout the site.
- **Landscaping:** Landscaping primarily occurs within the planted beds at the perimeter of the designated parking areas. Within these will be medium and large canopy trees, including: Red Maple, River Birch, London Plane, Staghorn Sumac, and Bald Cypress. Ornamental grasses and shrubs will infill between the trees.

### **Standard of Review**

The Planning Commission serves as the Entrance Corridor Review Board (ERB) and, as the ERB, is 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 (COA) 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 reviewing 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:** This project is predominantly the aesthetic improvement to the rear elevations an existing, linearly-oriented, single-story, commercial center. The height, massing, and scale of the existing buildings will be unchanged.

#### **§34-310(2): Exterior architectural details and features of the subject building or structure;**

**Staff Analysis:** The improvements are almost entirely aesthetic. In addition to painting the existing stucco walls, metal canopies will be installed over doors and pilasters of lap siding set on painted CMU block pedestals will break up the façade. While minimal, these surface treatments will be consistent with and will compliment the improvements to the primary facades (approved in the *Redevelopment* component).

The revised treatments to the rear (north) facades of the North Wing buildings and to the side facades where Hillsdale Drive passes between Buildings A and B are significant improvements to the prior submittal. While these are not primary façades and do not provide entries into the commercial spaces, they are/will be visible from Hillsdale Drive, from the new greenway trail, and from the new parking areas. It is therefore important that they provide an aesthetic that engages trail users and both pedestrians along and drivers on Hillsdale Drive. Incorporating onto these elevations design elements and components similar to the primary facades serves to create a coherent architecture for the shopping center, while maintaining the visual and commercial importance of the primary facades.

#### **§34-310(3): Texture, materials and color of materials proposed for use on the subject building or structure;**

**Staff Analysis:** The proposed materials and finishes will add texture, materiality, and color to an outdated shopping center. Stucco and siding are building materials commonly used in the area.

**§34-310(4): Design and arrangement of buildings and structures on the subject site;**

**Staff Analysis:** This is an auto-oriented zoning district. However, as has occurred at Barracks Road Shopping Center, further improvements and, most importantly, infill and redevelopment take time. The extension of Hillsdale Drive—now a true *through-street*—provides this site with valuable street frontage that will, incrementally and over time, be developed.

**§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. Commercial development dominates sub-area A; almost all of it being in single-story buildings fronting on large parking lots. Outside of the prevailing suburban, strip mall form, there is no coherent design theme linking the various commercial centers within this sub-area. However, like other commercial centers within the corridor, the improvements proposed at Seminole Square provide design elements, materials, colors and landscaping that will provide the center its own, unique *sense of place*.

**§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.

**Staff Analysis:** Proposal complies generally with this guideline. Concerns about the rear elevations of the North Wing have been addressed.

**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.

**Staff Analysis:** This guideline is not applicable.

**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.

**Staff Analysis:** Proposal complies generally with this guideline. Additional, code-required, access issues will be address at Site Plan review.

**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.

**Staff Analysis:** Proposal complies generally with this guideline. Concerns about the rear elevations of the North Wing have been addressed.

**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.

Staff Analysis: Relative to landscaping (trees and plantings), proposal complies generally with this guideline.

**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.

Staff Analysis:

*Expansion:* The construction and dedication of the trail is a welcome and positive addition to the city's trail system. **Concerns about the rear elevations of the North Wing have been addressed.**

**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.

Staff Analysis: Proposal complies generally with this guideline.

**Create Restrained Communications:** Private signage and advertising should be harmonious and in scale with building elements and landscaping features.

Staff Analysis: This guideline is not applicable. All new signage must comply with the approved Comprehensive Signage Plan, dated June 7, 2005.

**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.

Staff Analysis: While the relegated parking is limited, proposal complies generally with this guideline.

**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: Proposal complies generally with this guideline, particularly in that franchise elements have not dictated the design.

### Section 2 (Streetscape)

**Staff Analysis:** The proposed streetscape features are appropriate. The areas being redeveloped feature site elements such as: parking, crosswalks, lighting, and landscaping. Each of these site elements are consistent throughout the proposed redeveloped area.

### Section 3 (Site):

**Staff Analysis:** The site features are appropriate. The utilities and service areas are appropriately enclosed and screened. The proposed expansion features a trail segment that provides bike/ped access along the center's northern boundary.

### Section 4 (Buildings):

**Staff Analysis:** The variation of paint colors (doors, walls, and lower accent band), the addition of the pilasters and metal awnings modify the facades so as to continue—though not replicate—the planned improvements to the shopping center’s primary facades.

Section 5 (Individual Corridors):

Route 29 North, Sub-Area A: Northern Corporate Limits to 250 Overpass

While much of the growth of this corridor is expected to be within Albemarle County’s section as it extends north, there is great opportunity to redevelop Charlottesville’s parts with more intense retail and mixed uses. Scale of development will go from large to medium as you move south towards the City. More pedestrian scaled, mixed-use infill opportunities exist in the Barracks Road area as opposed to the auto-oriented north end.

Route 29 North Sub-Area A: Northern corporate limits to 250 overpass Vision:

As Route 29 traffic enters the City this area should serve to calm traffic and create a transition from auto-oriented, suburban development to more pedestrian friendly, urban scale development. Planting and maintaining street trees along the existing Route 29 sidewalks, and locating buildings close to the road will assist in this effort. Although wide roads and large traffic volumes discourage pedestrian crossings, a pedestrian environment can be encouraged within developments. Providing walking and driving linkages between developments and providing for transit will also create alternatives to having to drive on Route 29. Individual building designs should complement the City’s character and respect the qualities that distinguish the City’s built environment. This corridor is a potential location for public way-finding signage.

**Staff Analysis:** The following are from the *Recommended General Guidelines for Route 29 North, Sub-Area A*. This project general meets the recommendations. While the relegated parking is minimal, it is understandable given project’s minimal building construction and limited space behind existing buildings.

- *Larger scale commercial retail development*
- *Limited residential and mixed-use*
- *Auto-oriented*
- *Surface or structured parking behind buildings*
- *Pedestrian connectivity within developments*
- *Articulated building forms to reduce mass*
- *Divided and planted parking lots to reduce visual impact*

**Hydraulic Small Area Plan**

**Staff Analysis:** While the *Hydraulic Small Area Plan*, adopted may 7, 2018 recommends improvements to bike and pedestrian access to and through Seminole Square. This project’s contribution of the trail segment along the northern boundary provide positive steps towards addressing that need.

**Public Comments Received**

No public comments have been received to date.

**Staff Recommendations**

The revised treatments to the rear (north) facades of the North Wing buildings and to the side facades where Hillsdale Drive passes between Buildings A and B are significant improvements to the prior submittal. While these are not primary façades and do not provide entries into the commercial spaces, they are/will be visible from Hillsdale Drive, from the new greenway trail, and from the new parking areas. It is therefore important that they provide an aesthetic that engages trail users and both pedestrians along and drivers on Hillsdale Drive. Incorporating onto these elevations design elements and



components similar to the primary facades serves to create a coherent architecture for the shopping center, while maintaining the visual and commercial importance of the primary facades.

### **Suggested Motions**

#### **Seminole Square Expansion**

1. Having considered the standards set forth within the City Code, including the City Entrance Corridor Design Guidelines, I move to find that the proposed existing building rehabilitation, landscaping, site improvements, and greenway trail segment associated with the Seminole Square Expansion satisfy the ERB's criteria and are compatible with the goals for sub-area A of the Route 29 North Entrance Corridor, and that the ERB approves the COA application as submitted.
2. ...approves the COA application as submitted *with the following conditions...*
3. Having considered the standards set forth within the City Code, including the City Entrance Corridor Design Guidelines, I move to find that the proposed existing building rehabilitation, landscaping, site improvements, and greenway trail segment associated with the Seminole Square Expansion *does not* satisfy the ERB's criteria and are *not* compatible with the goals for sub-area A of the Route 29 North Entrance Corridor, and that the ERB denies the COA application as submitted.

### **Attachments:**

- Henningsen Kestner Architects, *Exterior Renovations for Seminole Square Shopping Center*, dated September 11, 2018, sheets ADD.00 through ADD.08. (9 sheets)

EXTERIOR RENOVATION

FOR

# SEMINOLE SQUARE SHOPPING CENTER

CHARLOTTESVILLE, VIRGINIA

ENTRANCE CORRIDOR REVIEW  
CERTIFICATE OF APPROPRIATENESS  
APPLICATION PACKAGE  
ADDITIONAL MATERIALS

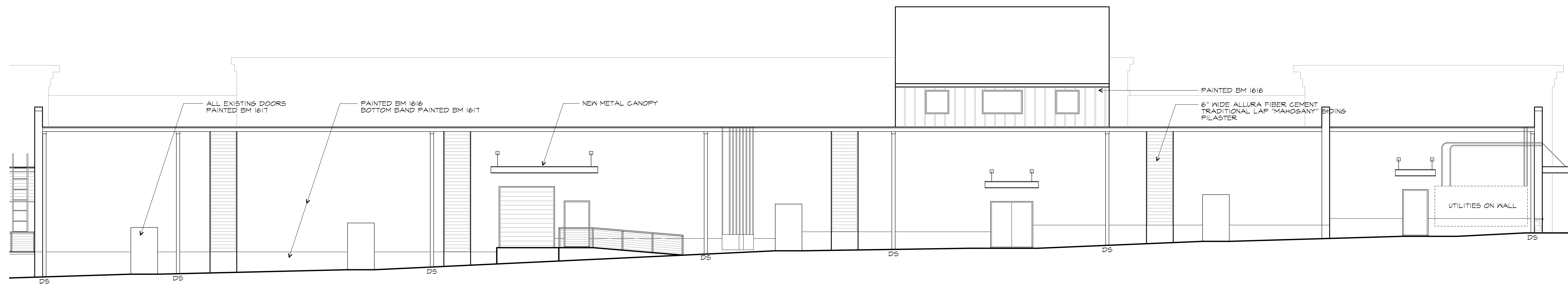
11 SEPTEMBER 2018

| DRAWING RELEASE |      |
|-----------------|------|
| NO.             | DATE |
|                 |      |
|                 |      |
|                 |      |
|                 |      |
|                 |      |
|                 |      |
|                 |      |
|                 |      |
|                 |      |

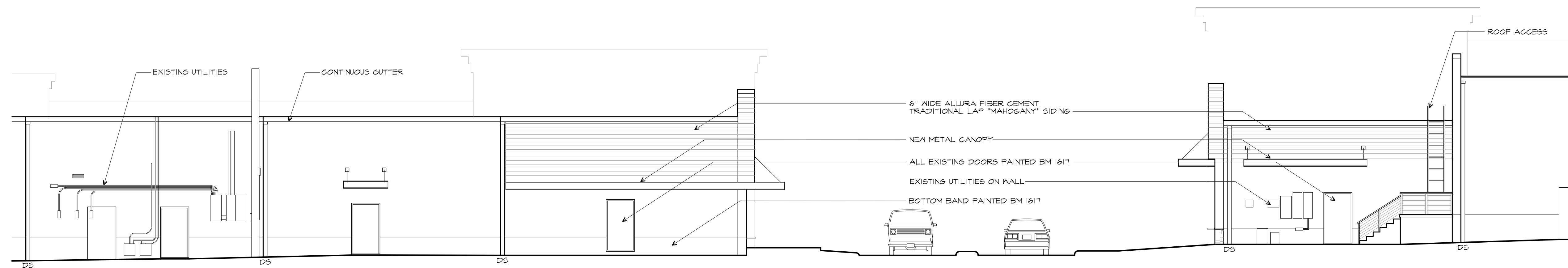
| REVISION |      |
|----------|------|
| NO.      | DATE |
|          |      |
|          |      |
|          |      |
|          |      |
|          |      |
|          |      |
|          |      |
|          |      |
|          |      |

| DRAWING RELEASE |      | REVISION |      |
|-----------------|------|----------|------|
| NO.             | DATE | NO.      | DATE |
|                 |      |          |      |
|                 |      |          |      |
|                 |      |          |      |
|                 |      |          |      |
|                 |      |          |      |
|                 |      |          |      |
|                 |      |          |      |

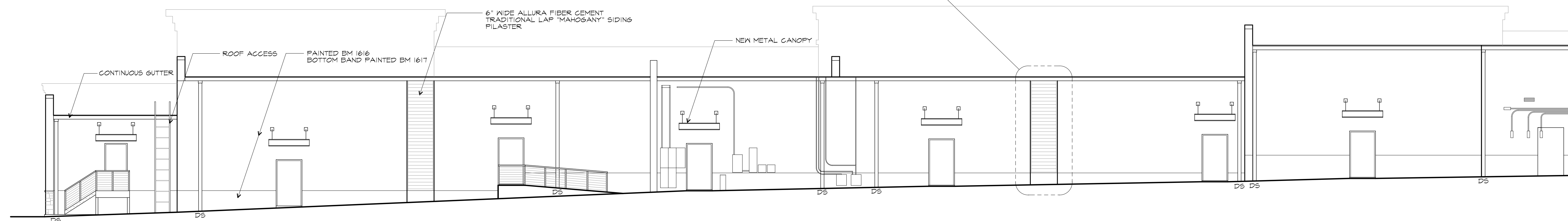
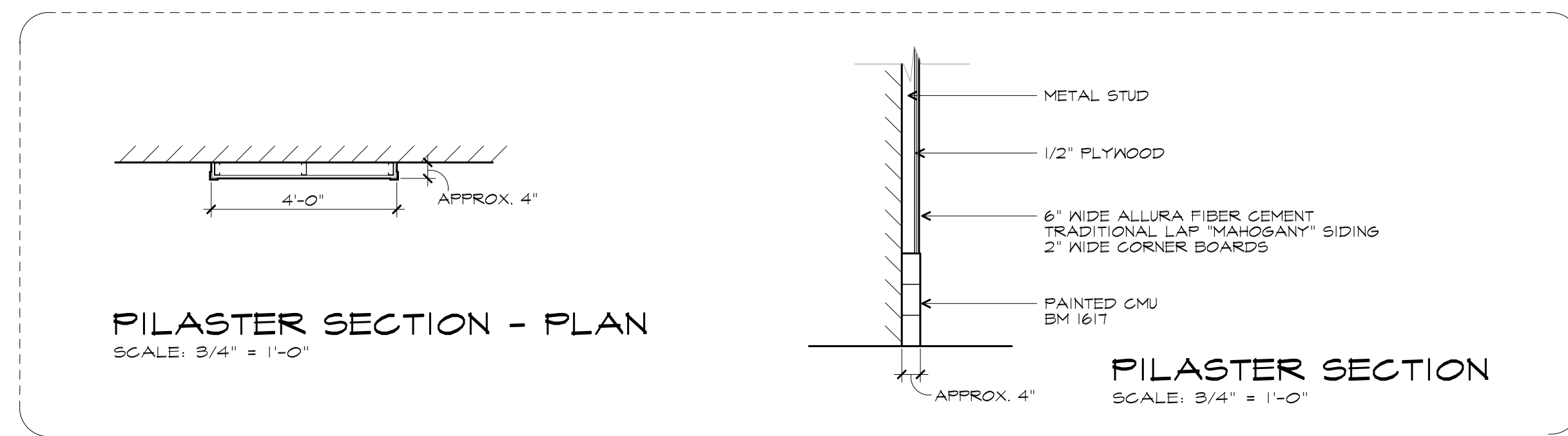
|  |                  |                     |
|--|------------------|---------------------|
| NORTH WING PLAN<br>REAR ELEVATIONS<br>PROPOSED | PROJECT NO. 1526 | FILE NO. 1526-ERB06 |
|--|------------------|---------------------|



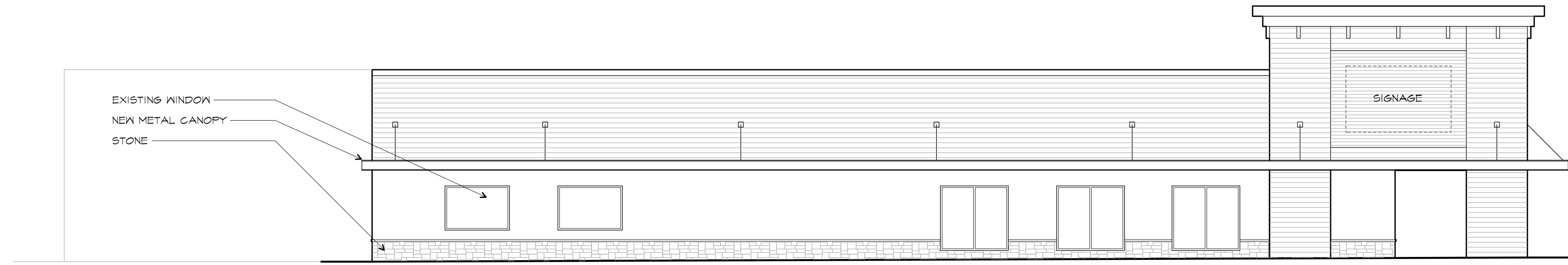
**1** PROPOSED NORTH WING ELEVATION - BUILDING A - REAR  
 SCALE: 1/8" = 1'-0"



**2** PROPOSED NORTH WING ELEVATION - BUILDING B - REAR  
 SCALE: 1/8" = 1'-0"

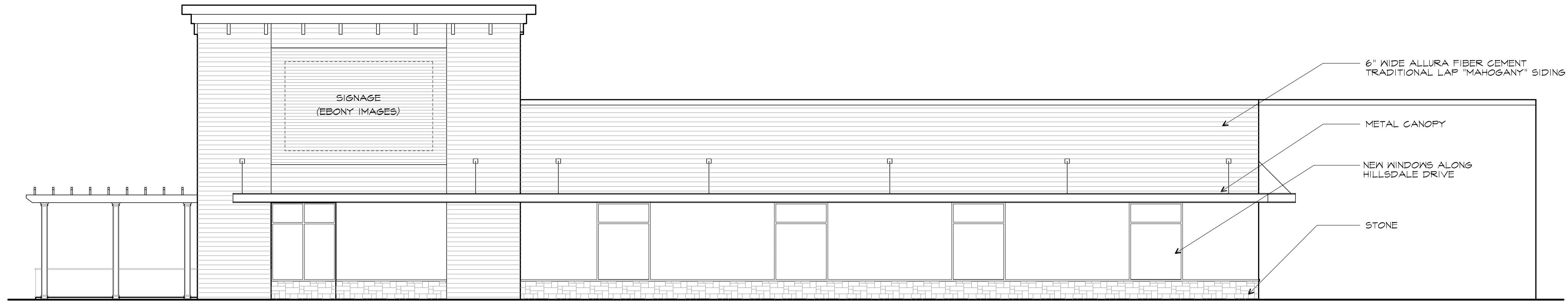


**3** PROPOSED NORTH WING ELEVATION - BUILDING C - REAR  
 SCALE: 1/8" = 1'-0"



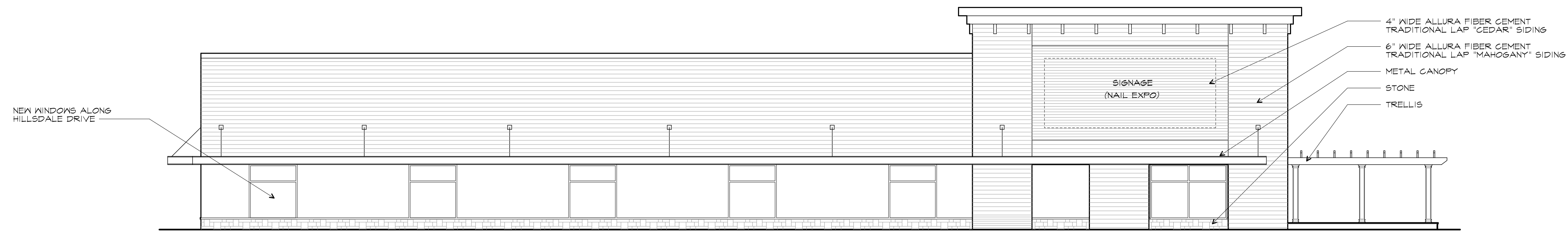
1 PROPOSED NORTH WING ELEVATION - BUILDING A - LEFT SIDE

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



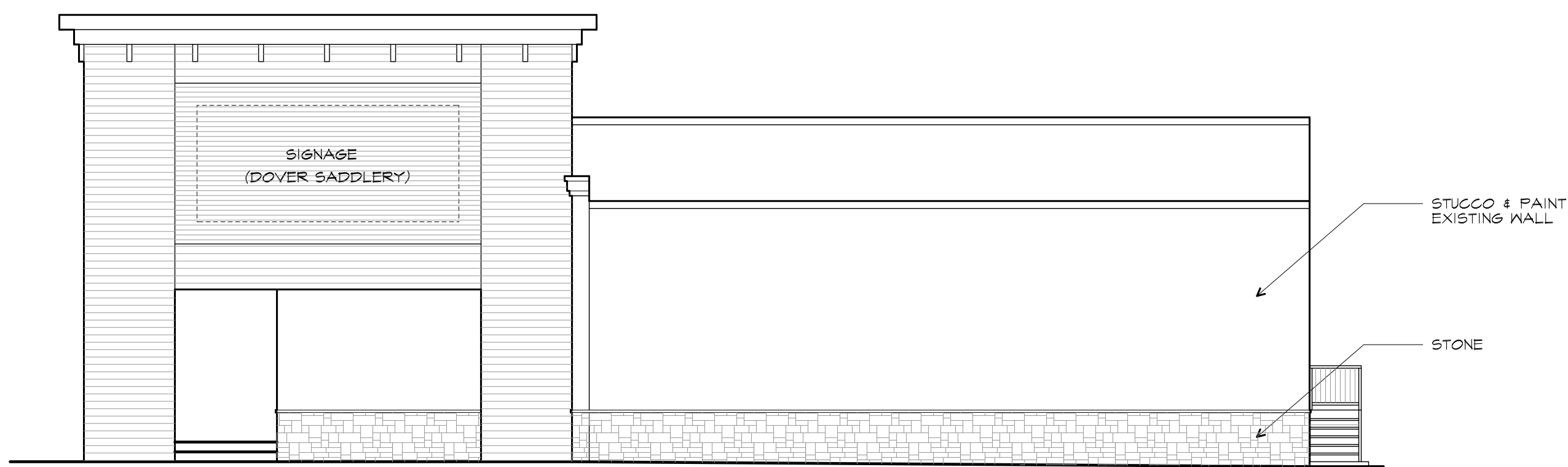
2 PROPOSED NORTH WING ELEVATION - BUILDING A - RIGHT SIDE, HILLSDALE DRIVE

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



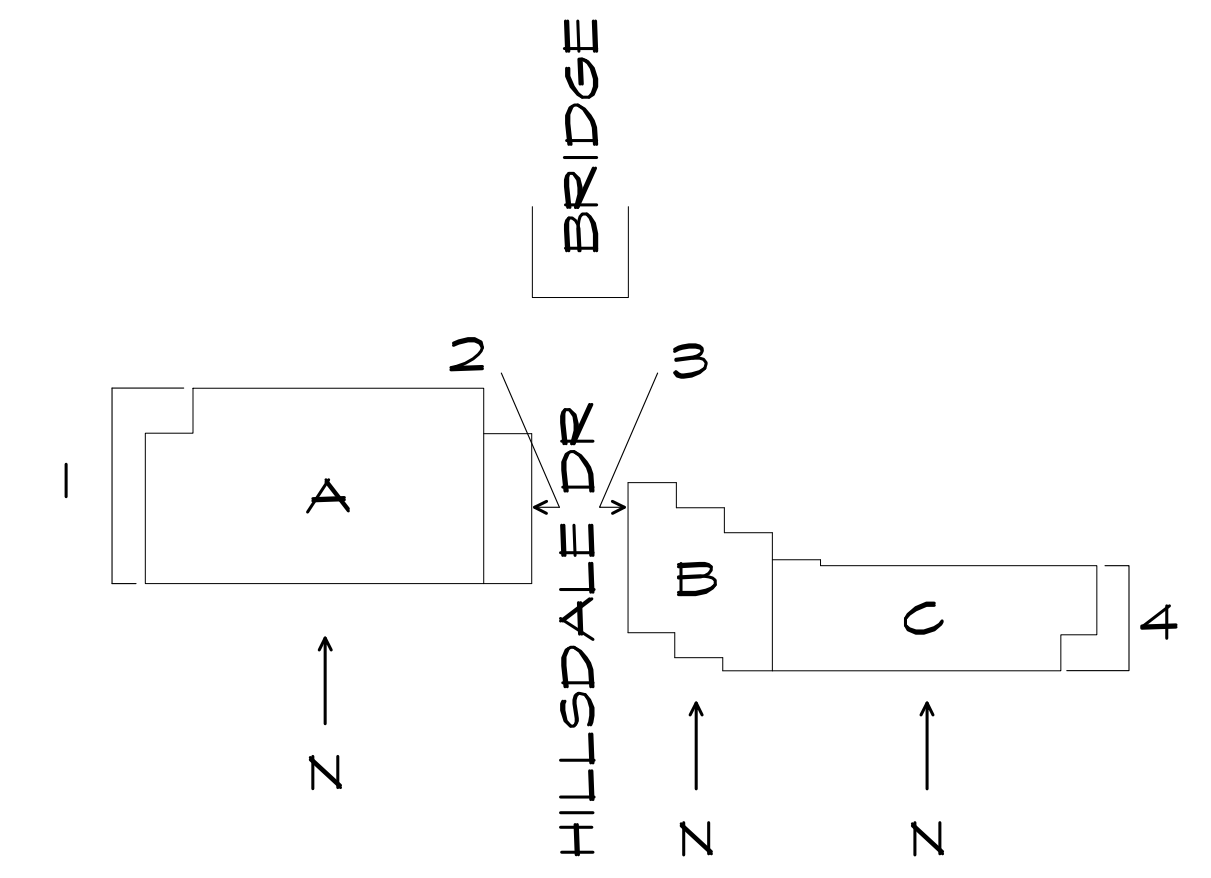
3 PROPOSED NORTH ELEVATION - BUILDING B - LEFT SIDE, HILLSDALE DRIVE

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



4 PROPOSED NORTH ELEVATION - BUILDING C - RIGHT SIDE

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



| NO. | DATE | DRAWING RELEASE | NO. | DATE | REVISION |
|-----|------|-----------------|-----|------|----------|
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |



ALTERATIONS  
**SEMINOLE SQUARE**  
 CHARLOTTEVILLE, VIRGINIA

| NO. | DATE | DRAWING RELEASE | NO. | DATE | REVISION |
|-----|------|-----------------|-----|------|----------|
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |
|     |      |                 |     |      |          |

NORTH WING PLAN  
 SIDE ELEVATIONS  
 PROJECT NO. 1526  
 FILE NO. 1526-ENR06

- NEW WINDOWS ALONG HILLSDALE DRIVE
- 6" WIDE ALLURA FIBER CEMENT TRADITIONAL LAP "MAHOGANY" SIDING
- NEW METAL CANOPY
- PAINTED BM 1616
- NEW LANDSCAPING



- NEW WINDOWS ALONG HILLSDALE DRIVE
- PAINTED BM 1616
- 6" WIDE ALLURA FIBER CEMENT TRADITIONAL LAP "MAHOGANY" SIDING
- NEW METAL CANOPY
- "GREENSCREEN" PLANTERS PLACED INTERMITTENTLY TO COVER SOME UTILITIES
- NEW RAILING
- BOTTOM BAND AND ALL DOORS PAINTED BM 1617

PROPOSED DESIGN - NORTH WING REAR, HILLSDALE DRIVE



EXISTING CONDITIONS - NORTH WING REAR, HILLSDALE DRIVE







EXISTING PHOTOS - NORTH WING, EAST SIDE, REAR

ALTERATIONS  
**SEMINOLE SQUARE**  
 CHARLOTTESVILLE, VIRGINIA

| DRAWING RELEASE |      |
|-----------------|------|
| NO.             | DATE |
|                 |      |
|                 |      |
|                 |      |
|                 |      |
|                 |      |

| REVISION |      |
|----------|------|
| NO.      | DATE |
|          |      |
|          |      |
|          |      |
|          |      |
|          |      |





PROPOSED RENDERINGS - NORTH WING, EAST SIDE, REAR

ALTERATIONS  
**SEMINOLE SQUARE**  
 CHARLOTTESVILLE, VIRGINIA

| DRAWING RELEASE |      |
|-----------------|------|
| NO.             | DATE |
|                 |      |
|                 |      |
|                 |      |
|                 |      |

| REVISION |      |
|----------|------|
| NO.      | DATE |
|          |      |
|          |      |
|          |      |
|          |      |

NORTH WING  
 PROPOSED RENDERINGS  
 PROJECT NO. 1526      FILE NO. 1526-ERB002

















**ENTRANCE CORRIDOR  
CERTIFICATE OF APPROPRIATENESS**

**DATE OF PLANNING COMMISSION MEETING:** September 11, 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:** DN with Entrance Corridor (EC) Overlay  
**Entrance Corridor Overlay District:** East High Street, Sub Area C  
**Current Usage:** Residential

**NOTE: Revisions (except for deletions) to the July 10, 2018 staff report are highlighted.**

Link to July 10, 2018 staff report:

<http://www.charlottesville.org/home/showdocument?id=61937>

**Background**

- May 2018 and July 2018: BAR approved COAs for section of project (Phase I and Phase II) within the Martha Jefferson Historic Conservation District. Phase II consists of a two-story, residential addition to the parking garage approved in the review of Phase I. The 66,600 square foot residential addition will provide 56 dwelling units.
- June 12, 2018: ERB approved applicant's request for deferral. The ERB requested that the following be addressed:
  - Applicant proposed VLT 62 glass; ERB requested recommendation from BAR.
  - Cut sheets for materials should be submitted, including light fixtures.
  - Per the EC Guidelines, stucco material such as EIFS should be avoided.
  - Signage requires separate permits and approvals. All signage shall appear to be lit white at night.
  - Rooftop mechanical equipment will be screened within appurtenance.

- Consider the BAR’s recommendations [from May 2018]:
  - Increase number of street trees along Maple Street and 8th Street
  - Soften the transition between the project and 801 East High Street, a city-designated IPP.
  - Consider the use of trees from the Tarleton Oak.
- Modifications to the High Street façade and streetscape.

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.

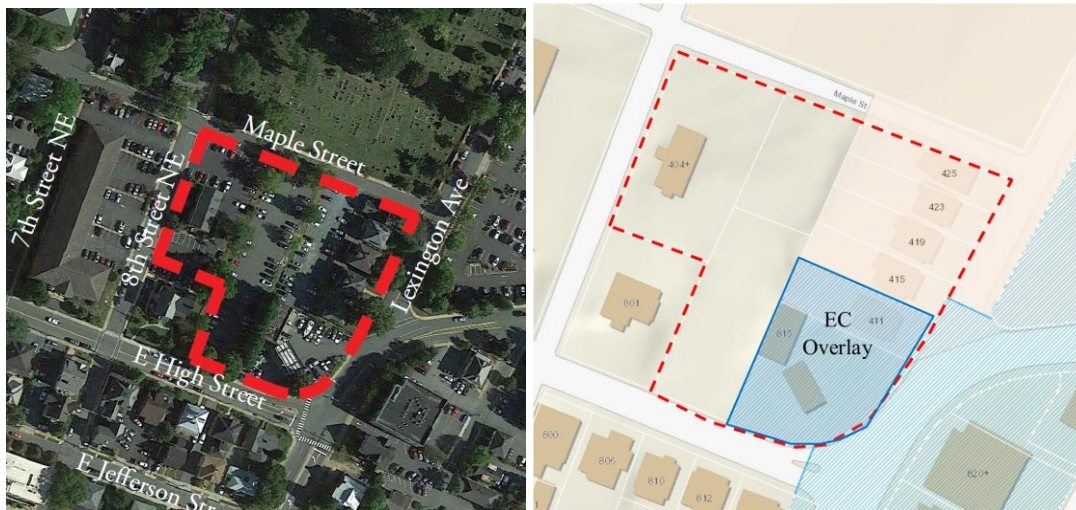
EC Component: The project area is in excess of two acres, however only the southeast corner—approximately 0.6 acres—lies within the East High Street Entrance Corridor, with approximately 280 feet of frontage along the EC. This corner is composed of two parcels: 815 East High Street and 411 Lexington 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 II of the project anticipates a two story residential structure on top of the parking structure. (July 2018: BAR approved the COA for this structure, Phases I and II.)

(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, stucco, 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. **In response to ERB request (June 2018) to reduce the perceived length of this wall, three single story pergolas have been added. Beneath each will be a simple, concrete bench. (Note: Applicant requests that the ERB give consideration to these pergolas and benches as *optional*; that the analysis presented on page 26 [of the submittal] indicates the length and scale of this elevation, as initially presented, is comparable to nearby buildings and addition of pergola and benches is unnecessary.**

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.

Applicant requests approval to use glass that is 62 VLT. (To assist with evaluating this request, see the attached summary of BAR's July 17, 2017 discussion of *clear glass*.)

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, **street level benches at south elevation.**
- Metal: fifth floor railing, spandrel panels at second and third floor windows, cornice, possibly at pergola.
- Wood: pergolas at fifth floor terrace
- **Wood and metal (aluminum): street level pergolas on south elevation.**
- 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. **Street lamps to match city standard, LF-4.** (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.

**Note: Material photos are in submittal. Applicant will present physical samples to the ERB.**



**§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.

The addition [at the south elevation] of three street level pergolas and benches will provide additional texture and materiality. These will enhance the pedestrian experience, while mitigating the building's perceived length and mass as viewed from eye level—from the sidewalk and from vehicles in the street. This segment of the streetscape is accented by three, large canopy street trees centered on the middle two-thirds of the building's façade. The tree spacing leaves open, and accentuates, the bays at each end of the façade, allowing the observer to experience the building's architecture, while not being overwhelmed by its length.

#### 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 (from EC Guidelines)

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**

Staff recommends allowing the use of lower VLT glass in windows and doors, however that should be specific as *no lower than 62*. Paraphrasing the BAR’s July 17, 2018 discussion re: clear glass, this building’s planned use and design is distinct from a commercial setting, where the clearness and reflectivity of large, street level storefront windows is a concern. The design features punched windows within brick walls; very different from a façade predominated by—of not entirely composed of--glazed window walls. Additionally, a large portion of this building has a south and southeast exposures. Lower VLT will contribute to energy savings and a more comfortable interior space.

For the reasons stated above (*Streetscape*), staff recommends that the proposed street level pergolas and benches be incorporated into the design. While the proposed street trees, when mature, will mitigate the building’s perceived scale, the trellis and benches are a welcome addition to the streetscape and contribute human-scale elements to the this segment of the building.

Finally, staff urges the applicant, again, to consider incorporating into the landscape plan at least one of the oaks on site propagated from the original Tarleton Oak.

Staff recommends approval of the requested COA with the following conditions:

1. The ERB should view and approve material samples and/or photos.
2. Per the EC Design Guidelines, stucco material such as EIFS should be avoided.
3. All glass must be specified as clear. (State the minimum VLT to be allowed and state why this is appropriate for this specific project, site, design, etc.)
4. Signage requires separate permits and approvals. All signage shall appear to be lit white at night.
5. Rooftop mechanical equipment will be screened within appurtenance.
6. Inclusion of the proposed street level pergolas and benches.
7. Metering and/or electrical service equipment for the proposed street lamps [to be installed in the public right of way] will be fully concealed or located so as to allow full screening.

### **Suggested Motion**

1. “Having considered the standards set forth within the City Code, including the City Entrance Corridor Design Guidelines, I move to find that the proposed components of the Tarleton Oak project (815 East High Street) that lie within the East High Street Entrance Corridor satisfy the ERB’s criteria and are compatible with the goals for Sub-area C of the East High Street Entrance Corridor, and that the ERB approves the COA application as submitted.”
2. “...approves the COA application as submitted with the following recommendations/conditions...”

### **Attachments:**



Glave & Holmes Architecture ERB submission for Tarleton Oak, dated August 21, 2018: Cover and pages 2 through 26, as follows. (For Sept 11 review, see specifically.)

1. Title Page
2. Site Aerial
3. Site Context
4. Site Context
5. Site Context
6. Site Context
7. Demolition Site Plan
8. Site and Landscape Plan
9. Site and Landscape Plan - updated per BAR comments
9. Site and Landscape Plan - revised for resubmission 8/21/2018
10. Site Materials and Plantings
10. Site Materials and Plantings - revised for resubmission 8/21/2018
11. Office Building Ground Floor Plan
12. Office Building Second Floor Plan
13. Office Building Third Floor Plan
14. Office Building Fourth Floor Plan
15. Office Building Fifth Floor Plan
16. Office Building Roof Plan
17. Aerial Perspective
18. Retail Entry Perspective
19. Office Building South Entry Elevation
20. Office Building High Street Elevation
20. Office Building High Street Elevation - revised for resubmission 8/21/2018
21. Office Building High Street Elevation with Context
21. Office Building High Street Elevation with Context - revised for resubmission 8/21/2018
22. Office Building West Elevation
23. Office Building North Entry Elevation
24. Office Building Lexington Avenue Elevation with Context
24. Office Building Lexington Avenue Elevation with Context - revised for resubmission 8/21/2018
25. Office Building Pergola Concept Images - added for resubmission 8/21/2018
26. High Street Building Length Precedents - added for resubmission 8/21/2018

#### Addendum

##### **Summary of BAR Discussion on July 17, 2018 re: *Clear Glass***

On July 17, 2017, at the request of the ERB, the BAR regarding the definition of clear glass and the corresponding 70 VLT that has become the city's standard.

##### Background:

While one of several factors used in specifying glass, Visual Light Transmittance (VLT) is generally accepted as the measure of the clearness and reflectivity of glass. High VLT indicates the glass is clearer and less reflective; low VLT indicate less clear, more reflective glass.

The city's Design Guidelines for Architectural Design Control Districts and Entrance Corridors (EC projects are reviewed by the Entrance Corridor Review Board, or ERB) both recommend "clear glass." However neither guidelines refers to a specific VLT—see citations below. Several years ago, after evaluating the criteria used to specify glass, the BAR (and the ERB) began using 70 VLT as the threshold for clear glass; tacitly establishing it as *the standard*.

Summary of BAR Discussion:

BAR concluded that VLT 70 should remain the preference relative to *clear glass*. However, they acknowledged the case-by-case flexibility offered in the Design Guidelines; specifically, though not exclusively, that this allows for the consideration of alternatives—e.g. VLTs below 70--and that subsequent BAR decisions regarding glass should be guided by the project's location (e.g. on the Downtown Mall versus a side street), the type of windows and location on the building (e.g. a street level storefront versus the upper floors of an office building), the fenestration design (e.g. continuous glass walls versus punched windows), energy conservation goals, the intent of the architectural design, matching historical glass, and so on.

Additionally, the BAR recommends that the ERB consider a similar approach in its evaluation of the glass proposed for EC projects.

References to Glass in Resign Guidelines

**ADC Design Guidelines**

Chapter 3. New construction; I. Windows & Doors

(5) Darkly tinted mirrored glass is not an appropriate material for windows in new buildings within the historic districts.

(9) Glass shall be clear. Opaque spandrel glass or translucent glass may be approved by the BAR for specific applications.

Chapter 4. Rehabilitations; C. Windows

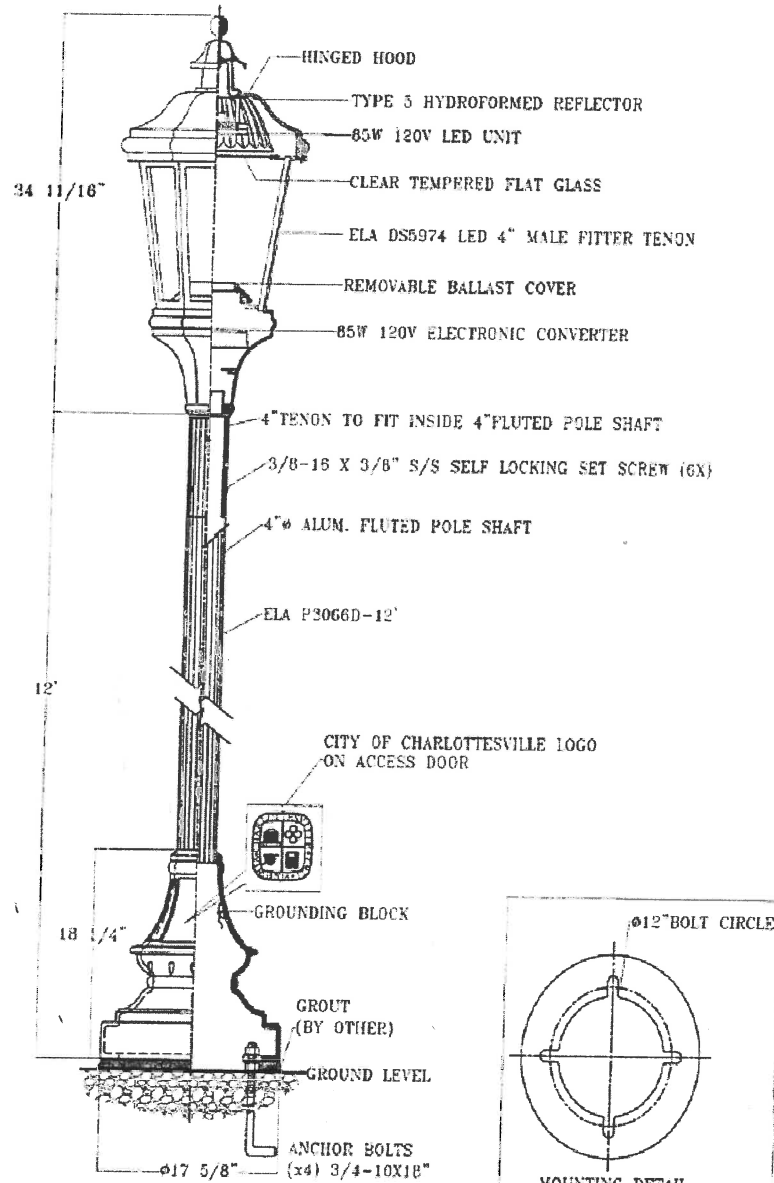
(15) Do not use tinted or mirrored glass on major facades of the building. Translucent or low (e) glass may be strategies to keep heat gain down.\

**Entrance Corridor Design Guidelines**

IV. Guidelines for Buildings; E. Materials and Textures

(6) Clear glass windows are preferred.

Note: The Historic Conservation District guidelines state: *Clear glass windows (VLT of 70% or more) are preferred.* These were adopted after the 70 VLT became the tacit standard for ADC and EC projects.



CITY OF CHARLOTTESVILLE

|          |      |
|----------|------|
|          |      |
|          |      |
|          |      |
|          |      |
| REVISION | DATE |

|                      |                       |
|----------------------|-----------------------|
| CITY STANDARDS       |                       |
| LF-4                 |                       |
| Residential Lighting |                       |
| SCALE: N.T.S.        | STANDARD NUMBER: LF-4 |



TARLETON OAK  
Tarleton Oak, LLC

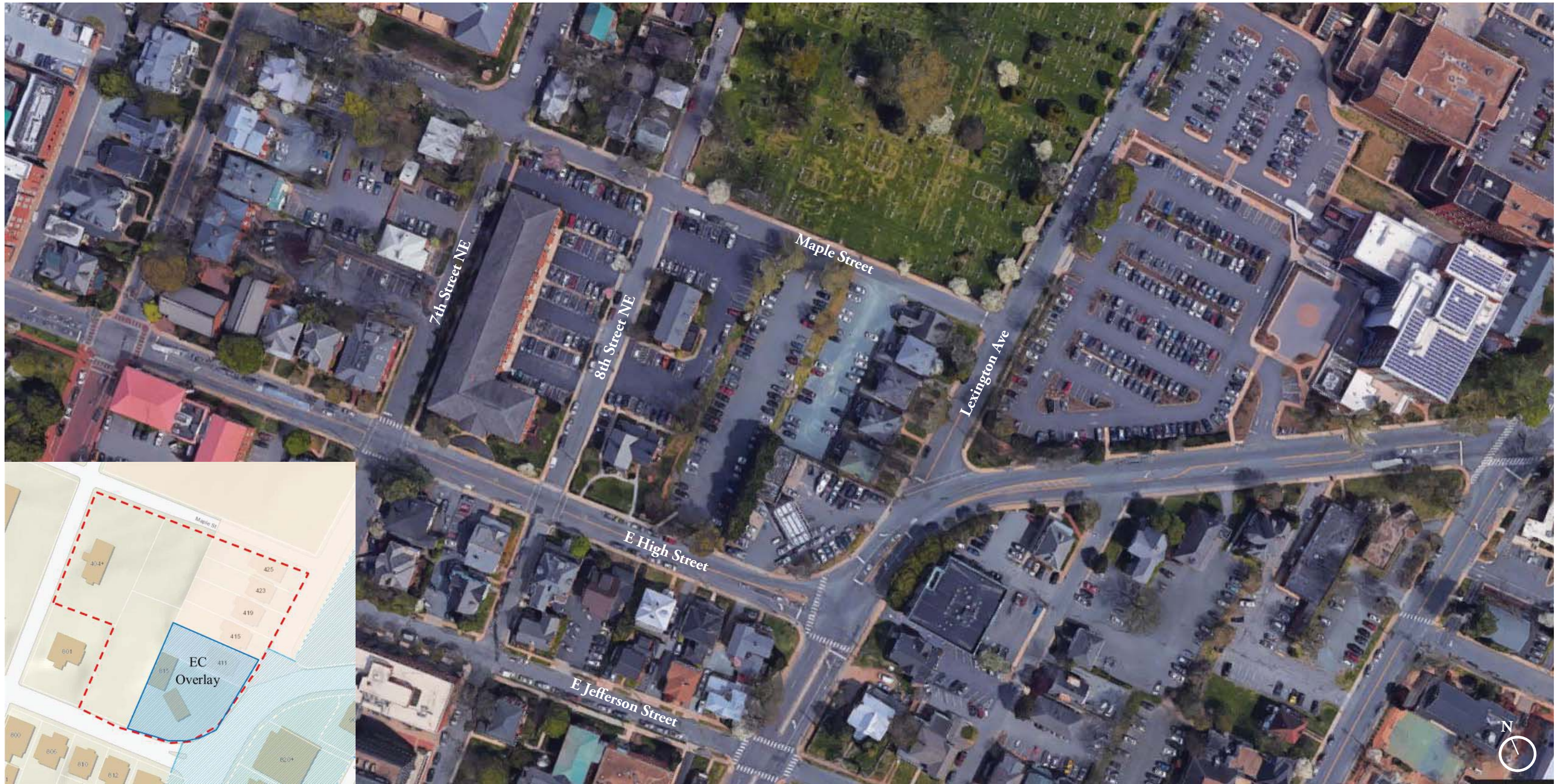
**Entrance Corridor Review Board**

*Original Submission Date: April 17, 2018*  
*Additional Presentation Material Added: June 12, 2018*  
*Revised Submission Date: August 21, 2018*

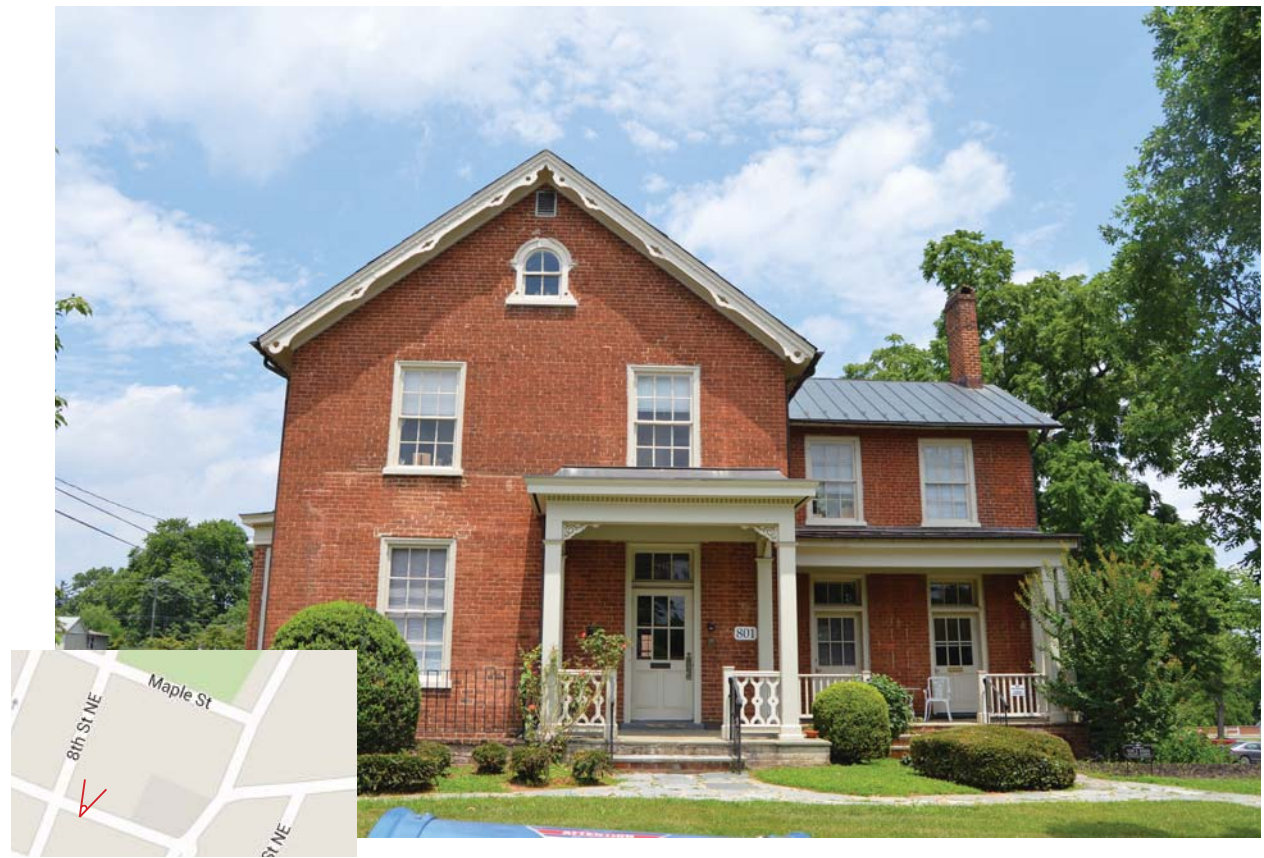
**Table of Contents**

1. Title Page
2. Site Aerial
3. Site Context
4. Site Context
5. Site Context
6. Site Context
7. Demolition Site Plan
8. Site and Landscape Plan
9. Site and Landscape Plan - *updated per BAR comments*
9. *Site and Landscape Plan - revised for resubmission 8/21/2018*
10. Site Materials and Plantings
10. *Site Materials and Plantings - revised for resubmission 8/21/2018*
11. Office Building Ground Floor Plan
12. Office Building Second Floor Plan
13. Office Building Third Floor Plan
14. Office Building Fourth Floor Plan
15. Office Building Fifth Floor Plan
16. Office Building Roof Plan
17. Aerial Perspective
18. Retail Entry Perspective
19. Office Building South Entry Elevation
20. Office Building High Street Elevation
20. *Office Building High Street Elevation - revised for resubmission 8/21/2018*
21. Office Building High Street Elevation with Context
21. *Office Building High Street Elevation with Context - revised for resubmission 8/21/2018*
22. Office Building West Elevation
23. Office Building North Entry Elevation
24. Office Building Lexington Avenue Elevation with Context
24. *Office Building Lexington Avenue Elevation with Context - revised for resubmission 8/21/2018*
25. *Office Building Pergola Concept Images - added for resubmission 8/21/2018*
26. *High Street Building Length Precedents - added for resubmission 8/21/2018*

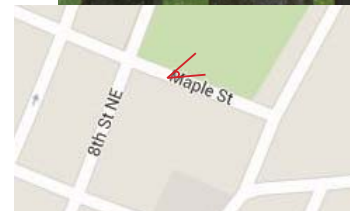
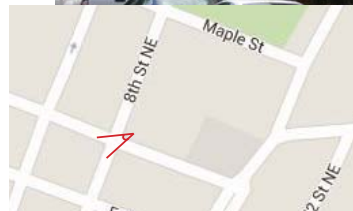
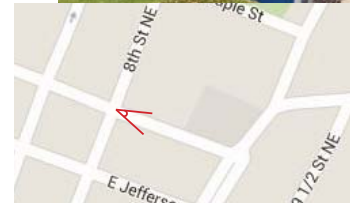
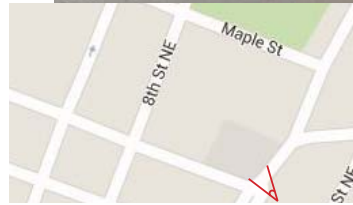








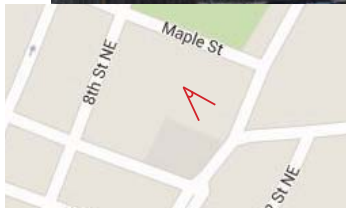
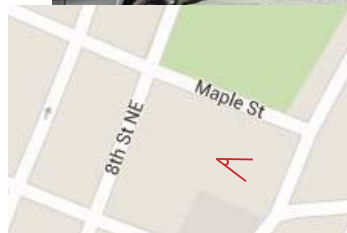
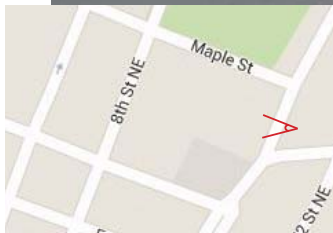
















Note: Structures to be demolished are shown in solid grey.





- 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<br>119,790 SF - 67,053 SF BUILDING = 52,737 SF<br>10% OF 52,737 SF = 5,374 SF COVERAGE REQUIRED | 5,374 SF COVERAGE REQUIRED     | 11 LARGE TREES @ 250 SF EACH = 2,750 SF<br>24 SMALL TREES @ 150 SF EACH = 3,600 SF<br>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<br>346 LF / 40 = 8.65 LARGE TREES REQUIRED  | 9 LARGE TREES AT ROAD FRONTAGE | 9 LARGE TREES AT ROAD FRONTAGE   |





- 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<br>119,790 SF - 67,053 SF BUILDING = 52,737 SF<br>10% OF 52,737 SF = 5,374 SF COVERAGE REQUIRED | 5,374 SF COVERAGE REQUIRED     | 11 LARGE TREES @ 250 SF EACH = 2,750 SF<br>24 SMALL TREES @ 150 SF EACH = 3,600 SF<br>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<br>346 LF / 40 = 8.65 LARGE TREES REQUIRED  | 9 LARGE TREES AT ROAD FRONTAGE | 9 LARGE TREES AT ROAD FRONTAGE   |





**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
- 15. PERGOLA



PAVING



GRANITE PAVERS - 12"x18" WITH THERMAL FINISH



CONCRETE PAVERS - 12"x24"

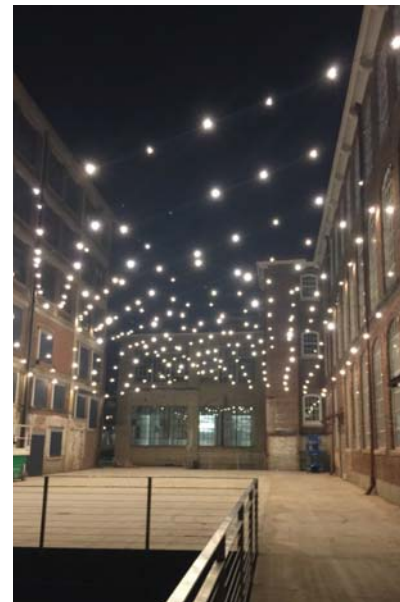


CITY STANDARD CONCRETE PAVING

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'*



PAVING



GRANITE PAVERS - 12"x18" WITH THERMAL FINISH



CONCRETE PAVERS - 12"x24"

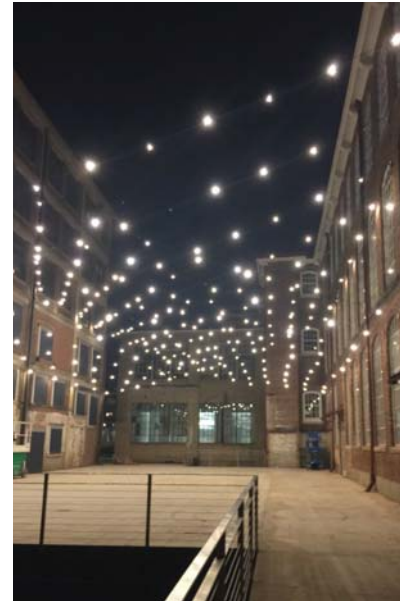


CITY STANDARD CONCRETE PAVING

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 YEW  
*CEPHALOTAXUS HARRINGTONIA 'DUKE GARDENS'*

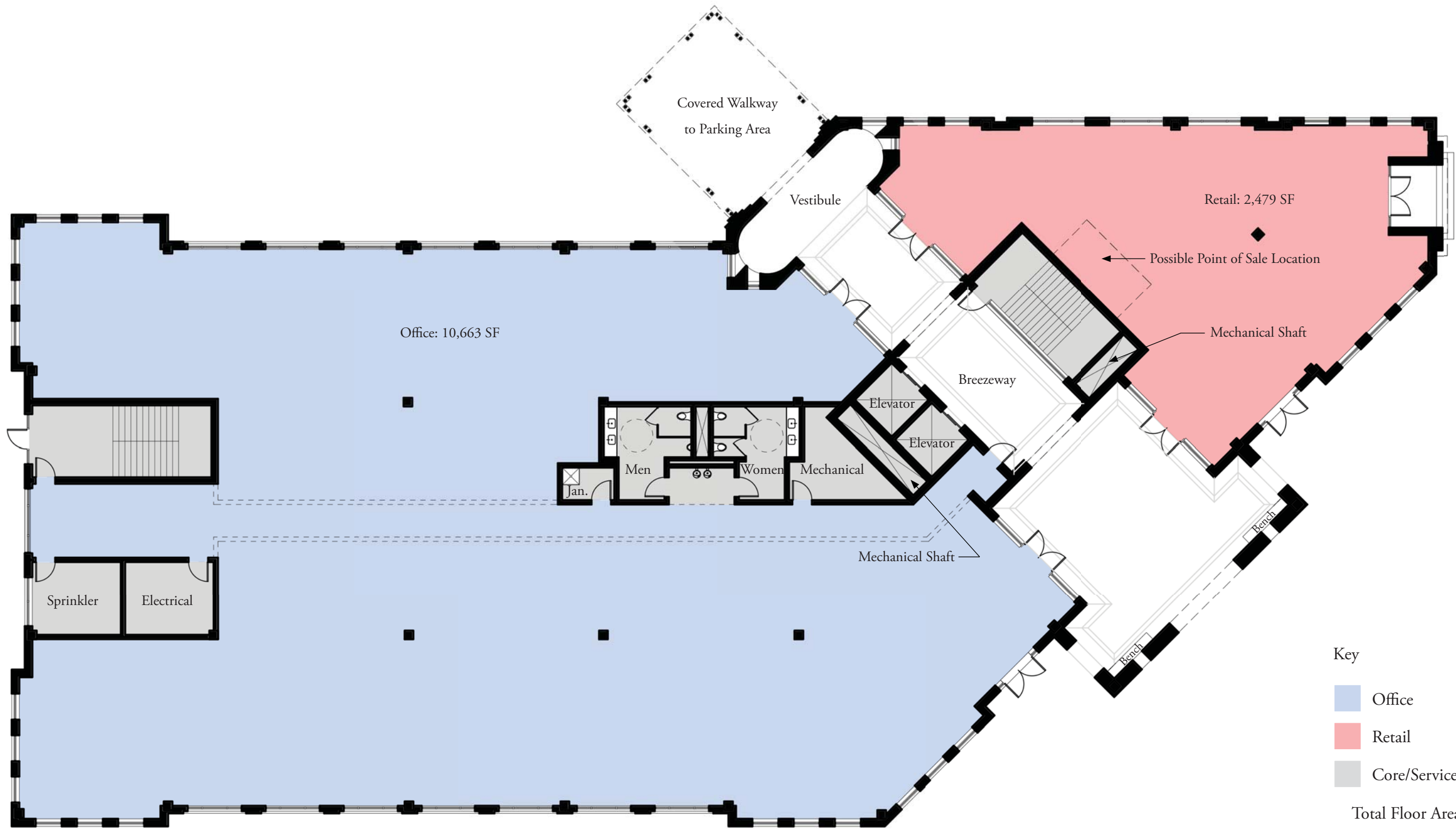


DWARF BOXWOOD  
*BUXUS SEMPERVIRENS 'SUPFRUITICOSA'*



VIRGINIA SWEETSPIRE  
*ITEA VIRGINICA 'SPIRCH'*

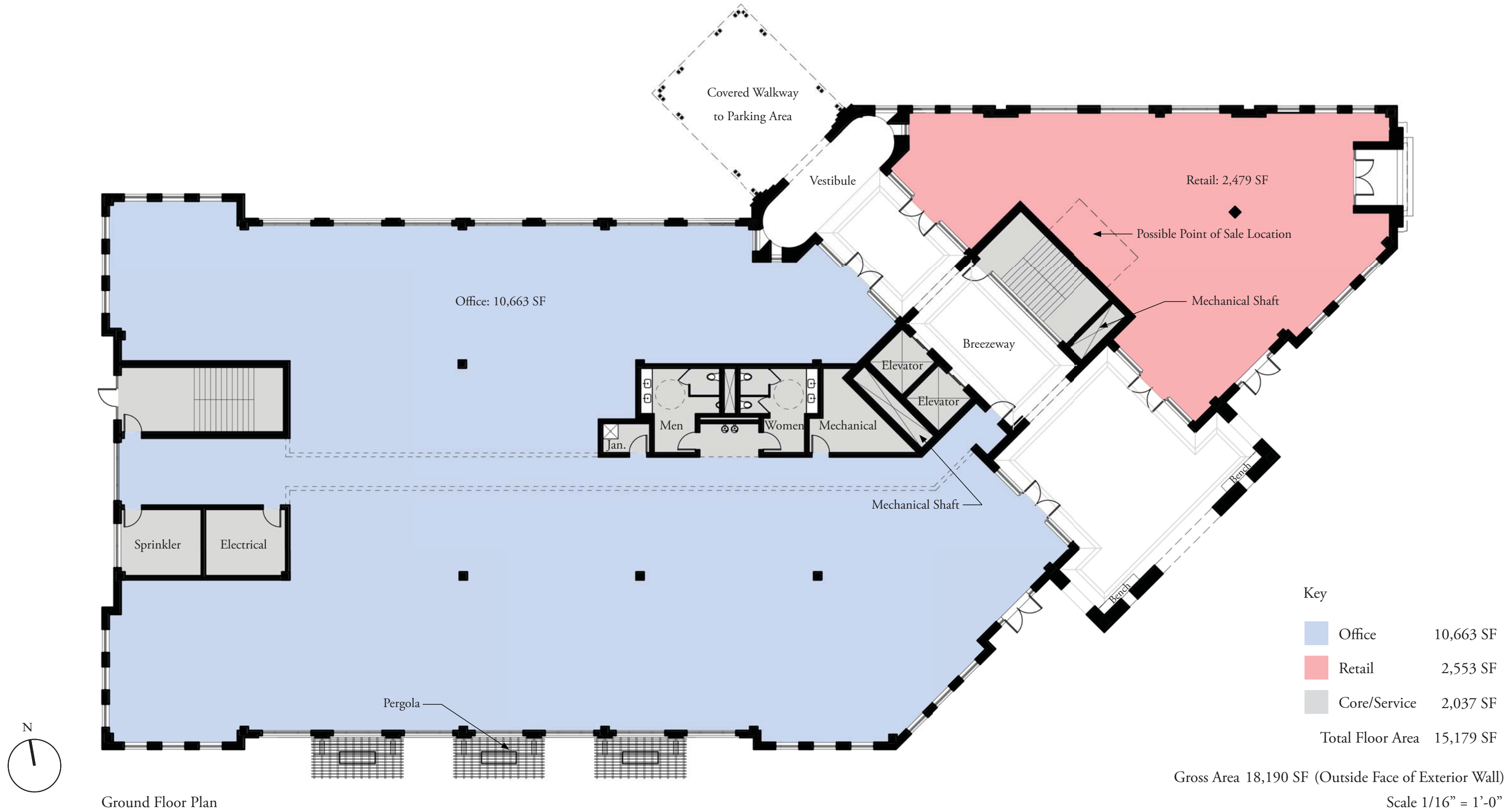




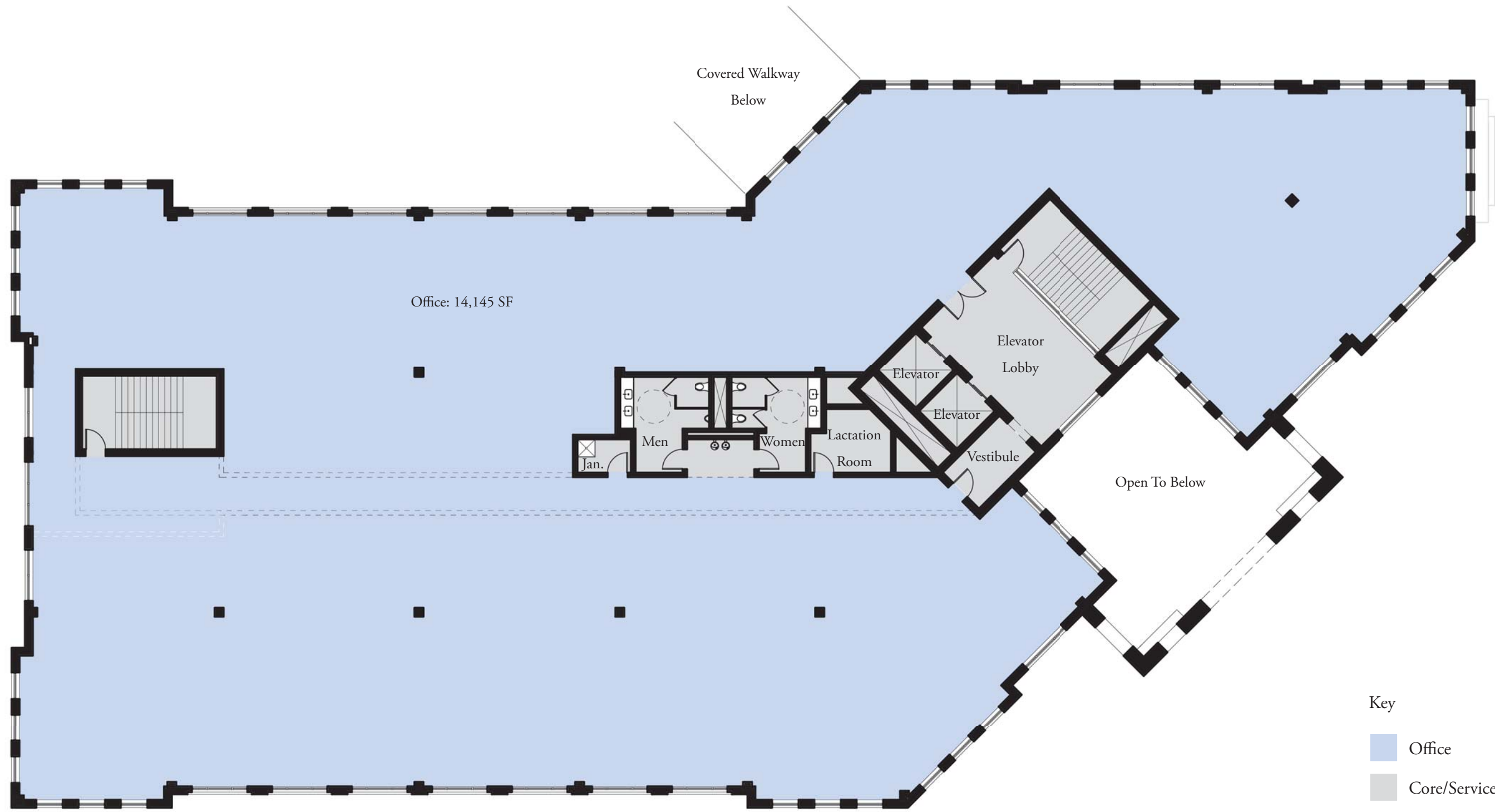
Gross Area 18,190 SF (Outside Face of Exterior Wall)

Scale 1/16" = 1'-0"

Ground Floor Plan



Ground Floor Plan



Office: 14,145 SF

Covered Walkway  
Below

Elevator  
Lobby

Elevator

Elevator

Vestibule

Jan.

Men

Women

Lactation  
Room

Open To Below

Key

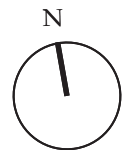
Office 14,145 SF

Core/Service 2,217 SF

Total Floor Area 16,362 SF

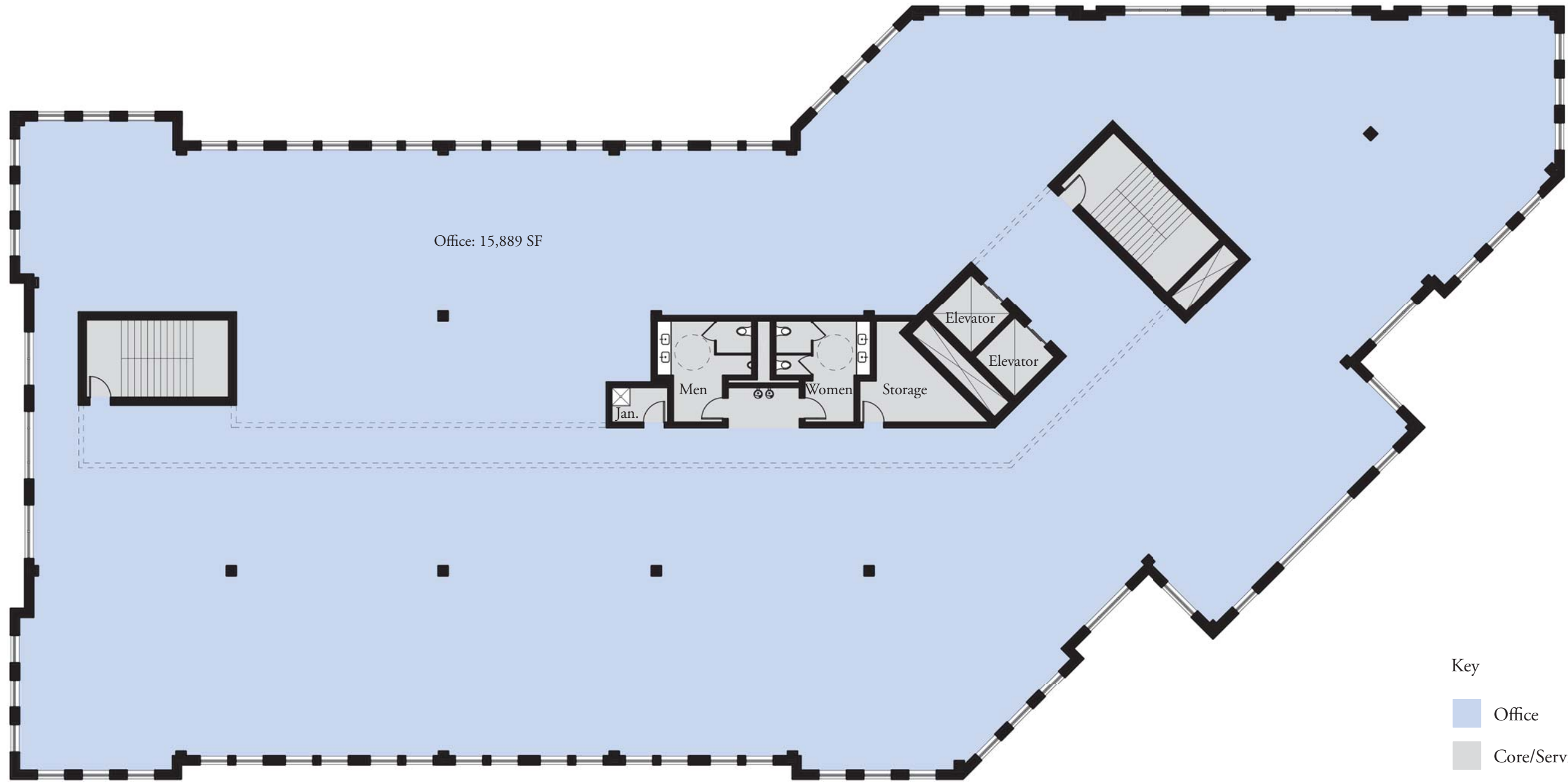
Gross Area 18,190 SF (Outside Face of Exterior Wall)

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

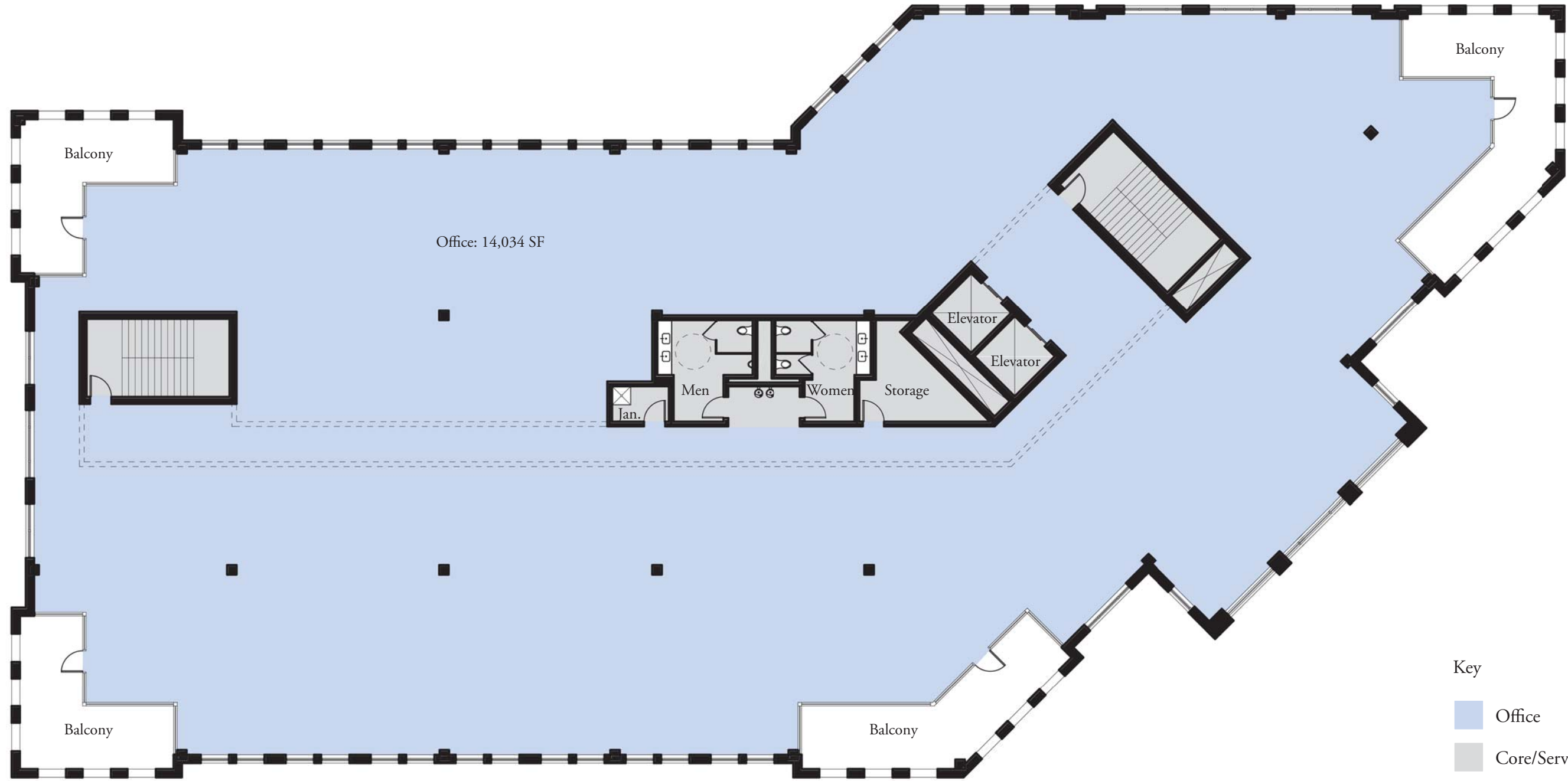
Total Floor Area 17,478 SF

Gross Area 18,190 SF (Outside Face of Exterior Wall)

Scale 1/16" = 1'-0"



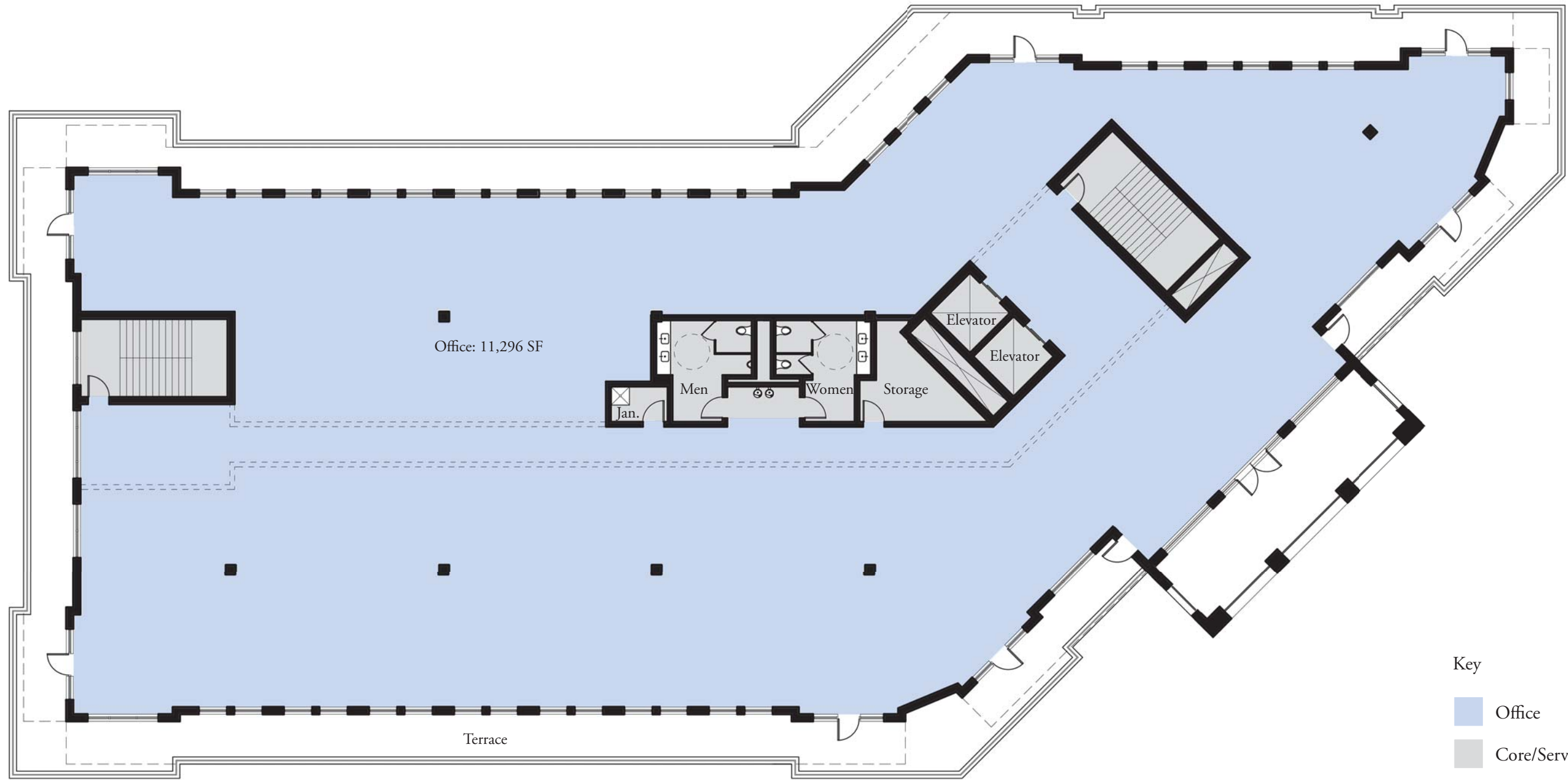
Third Floor Plan



|  |                  |           |
|--|------------------|-----------|
| Key  |                  |           |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> | Office           | 14,034 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



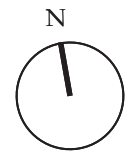
Office: 11,296 SF

Jan. Men Women Storage Elevator Elevator

Terrace

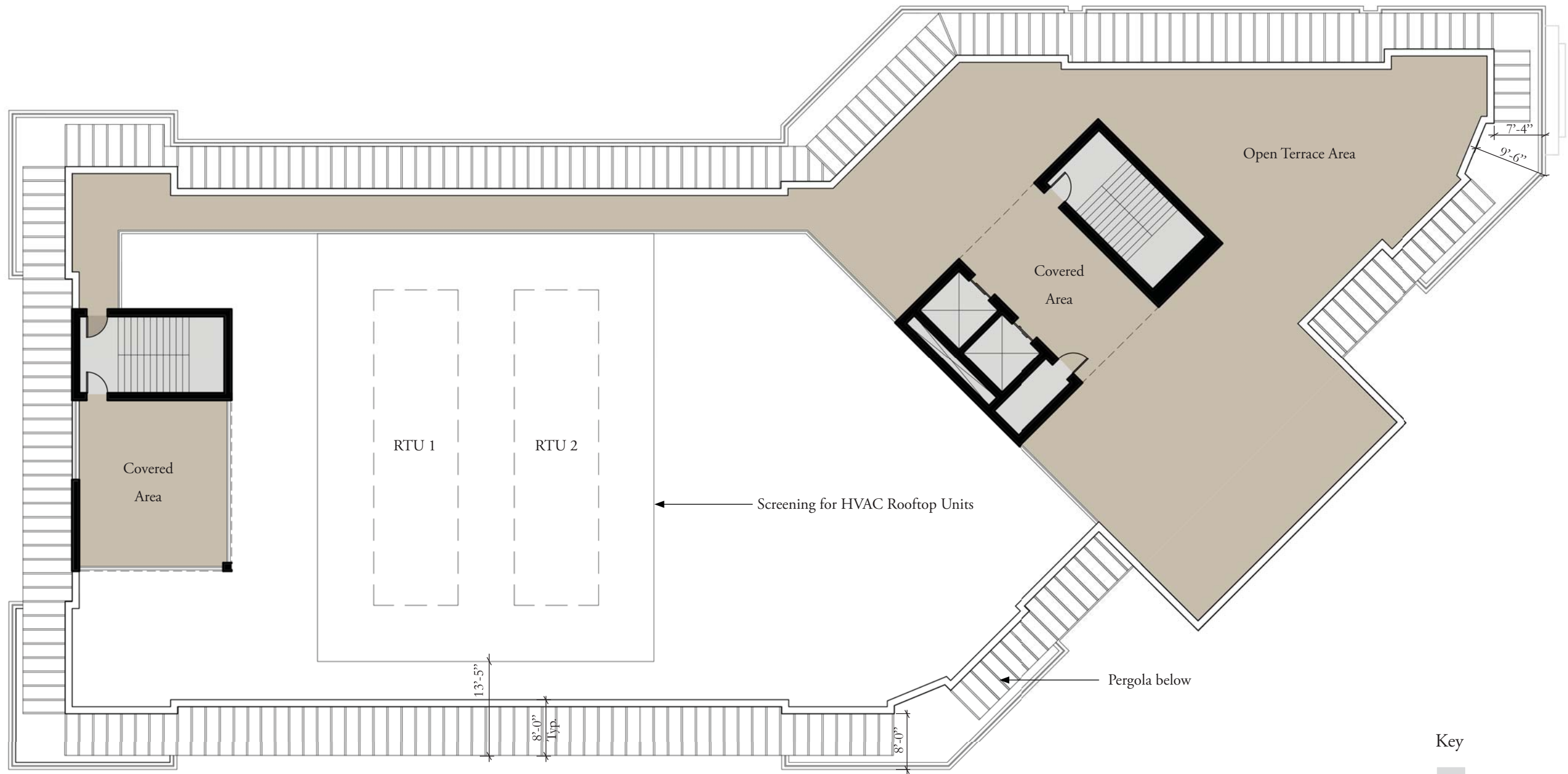
|  |                  |           |
|--|------------------|-----------|
| Key  |                  |           |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightblue; border:1px solid black;"></span> | Office           | 11,296 SF |
| <span style="display:inline-block; width:15px; height:15px; background-color:lightgray; border:1px solid black;"></span> | 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



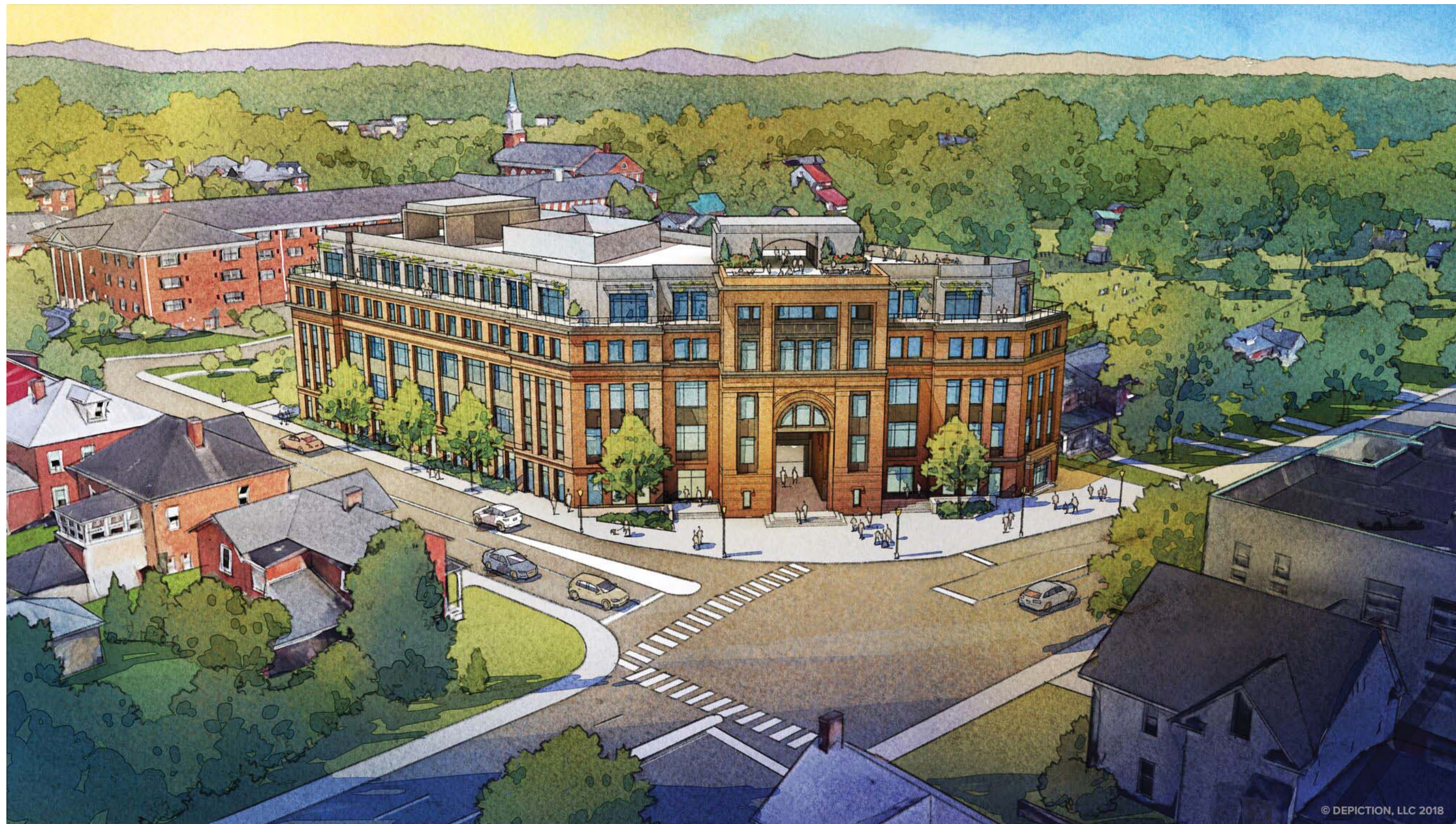


| Key |                       |
|-----|-----------------------|
|     | Core/Service 996 SF   |
|     | Roof Terrace 4,294 SF |

Roof Plan

Scale 1/16" = 1'-0"





Aerial Perspective  
8/21/2018

# Tarleton Oak

*Tarleton Oak, LLC*











South Entry Elevation

Scale 1/16" = 1'-0"












High Street Elevation

Scale 1/16" = 1'-0"

- A  
  
 Brick
- B  
  
 Precast Concrete
- C  
  
 Metal
- D  
  
 Stucco
- E  
  
 Wood





High Street Elevation (Alternate)

Scale 1/16" = 1'-0"

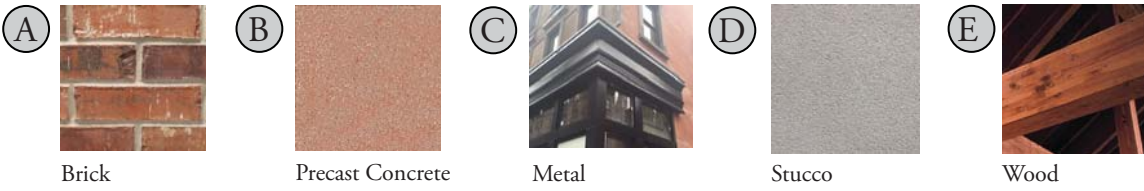
C and E Pergola  
 Concrete Bench







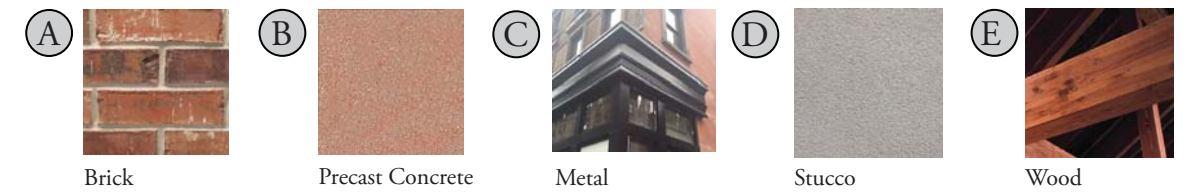
High Street Elevation with Context





High Street Elevation with Context (Alternate)

0' 5' 10' 20'

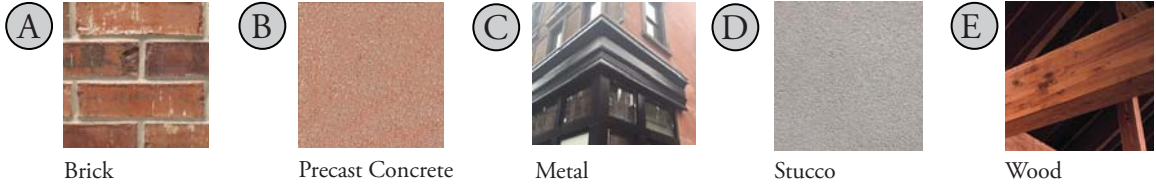






West Elevation

Scale 1/16" = 1'-0"







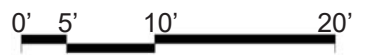
North Entry Elevation

Scale 1/16" = 1'-0"





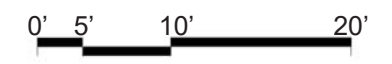
Lexington Avenue Elevation with Context







Lexington Avenue Elevation with Context







Note: Three street trees on High Street are not shown in renderings for clarity of pergola illustration.



### Tarleton Square

701 E High St.  
Building Length +/- 115'  
vs Tarleton Oak -16.5%



Plan



Aerial



Elevation

### Court Square Building

310 4th St. NE  
Building Length +/- 168'  
vs Tarleton Oak +25%



Plan



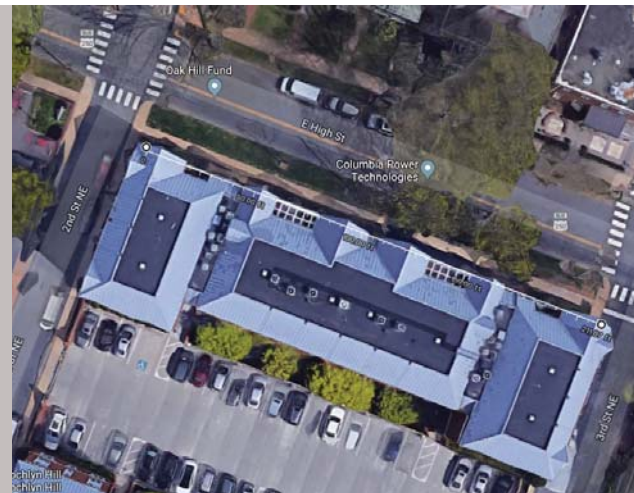
Aerial



Elevation

### Queen Charlotte Square

201-250 High Street West  
Building Length +/- 211'  
vs Tarleton Oak +57%



Plan



Aerial



Elevation

Note: Building length measurements taken along E High Street facades. The proposed length for the E High Street facade of Tarleton Oak is 134'-2".



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



**PRELIMINARY SUBDIVISION PLAN**  
**BELLEVIEW STREET**  
**(AKA “AZALEA COTTAGES”)**

**PLANNING COMMISSION REVIEW**

**DATE OF PLANNING COMMISSION MEETING: September 11, 2018**  
**APPLICATION NUMBER: P18-0025**

**Project Planner:** Matt Alfele

**Date of Staff Report:** August 30, 2018

**Project Name:** Belleview St. (AKA “Belleview Ave.” or “Azalea Cottages”)

**Applicant:** Azalea Cottages, LLC, identified on the plans as “Owner”

**Location:** Tax Map 20 Parcels 142 - 148, 121 – 122, 125 – 126, & 129

Various Owners, according to City GIS records: Azalea Cottages, LLC; Core Azalea, LLC;  
Gilbert Station, LLC; RL Beyer Construction, Inc.

**Applicant’s Representative:** Justin Shimp with Shimp Engineering, P.C.

**Applicable City Code Provisions:** Chapter 29 (Subdivision Ordinance) and Chapter 34 (Zoning)

**Zoning District:** R-1S – Residential Small Lots

**Date Subdivision was submitted:** February 2, 2018 (last revision June 18, 2018)

**Legal Standard of Review**

City Code §29-76 and §29-80 identify the Planning Commission as the entity responsible for review and approval of preliminary subdivision plats, in any subdivision which involves six (6) or more lots, or which involves the creation of new streets and/or extension of public utilities or facilities--regardless of the number of lots" (“major subdivision”).

Approval of a major subdivision is a ministerial function. In reviewing a proposed subdivision, the Planning Commission is required to consider the development proposal in light of specific duly adopted ordinances, regulations and policies—including not only the subdivision ordinance, but also relevant zoning ordinance provisions. (The Planning Commission is not bound by determinations or opinions of staff, as to interpretation of zoning or subdivision ordinances). If a proposal meets applicable requirements, it must be approved; if the Planning Commission determines that a proposal does not meet applicable requirements, then the Planning commission must clearly identify the deficiencies in the plan that are the basis for the denial, with reference to specific City Code sections and requirements. Further, upon disapproval of a subdivision, the Planning Commission must identify the modifications or corrections that would permit approval of the plan.)



## Vicinity Map



## Executive Summary

The Landowner proposes to re-plot 81 existing [mostly] nonconforming lots. The existing lots, originally platted in the 1920s, will be replaced with 39-40 new [less non-conforming] lots proposed to be developed with single-family dwelling units (“SFDs”). See the Cover Sheet of the attached Subdivision Plat, “Proposed Use”. As part of this proposal, the Landowner(s) seek to improve a 20-foot platted alley into a public street, in order for that alley to serve as the primary public street frontage for the lots to be developed.

Earlier this year (February 2, 2018), the Landowner submitted the Subdivision Plans to NDS for review. (The “Subdivision Plans” consist of (i) a Preliminary Subdivision Plat and (ii) a Preliminary Site Plan).

Among the Landowner's contentions was that the Subdivision Plans should be reviewed only as a "boundary line adjustment" and not as a Major Subdivision. In April 2018 the City Attorney's Office provided an opinion to staff (and shared it with the Landowner) that "a boundary line adjustment is not the proper procedure for submitting a proposal to redesign a portion of a previously-platted subdivision, if any of the proposed changes would relocate or alter streets, alleys, or easements for public passage." In the opinion of the City Attorney's Office the Landowner(s)' submission is a plat depicting a "major subdivision"--not a boundary line adjustment plat.

On June 18, 2018, the Landowner re-presented the Subdivision Plans to NDS for a second round of review. Staff did not refer the subdivision plans to the Commission for review; instead, staff returned a second round of review comments to the Landowner on August 1, 2018 (*attached*). However, several issues remain unresolved, and require interpretation of provisions of the City's Subdivision and/or Zoning Ordinances. In order to provide the Landowner with a decision that identifies what will need to be done in order for approval of the Subdivision Plans to be granted, it is necessary for the Planning Commission to make certain findings and determinations.

### Checklist

**The following listed items are from the "Planning" comments section of the August 1, 2018 Comments Letter (attached to this Staff Report), beginning at the bottom of page 4 of 14 of the Comments Letter.**

### **Planning**

*City Planner – Matt Alfele*

**Planning Commission**—the items listed in the following section of the Staff Report (in blue font) require an interpretation or determination from the Planning Commission. The Commission is not bound by staff determinations—on subdivision or zoning matters—and may reach its own conclusions.

Sheet C1 and General

- 1. Per the meeting on April 10, 2018 and Lisa Robertson's email to TJ Grisham dated April 25, 2018; this submittal is not a Boundary Line Adjustment, but a Resubdivision as defined in Sec. 29-3. All lots, roads, and infrastructure must meet current regulations as outlined in Chapter 29 and 34 of the City Code.**

### **Question 1: do the Subdivision Plans depict a "Major Subdivision"? Or, alternatively, should the Subdivision Plans be regarded as a "Boundary Line Adjustment"?**

Attached for the Commission's review is a copy of the April 2018 email sent by Lisa Robertson to the Landowner's attorney. Item 1A sets forth Ms. Robertson's opinion that the BLA is not the proper procedure.

Subdivision Ordinance §29-60(a): The boundary lines of any lot or parcel of land may be vacated, relocated or otherwise altered by recordation of a deed or boundary line adjustment plat, without vacation of a recorded plat....The

action shall not involve the relocation or alteration of streets, alleys, easements for public passage, or other public areas....

Subdivision Ordinance §29-3: Subdivision, major means any subdivision which involves six (6) or more lots, or which involves the creation of new streets and/or extension of public utilities or facilities regardless of the number of lots.

Zoning Ordinance, §34-1120(a): 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...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. **Note:** proposed Lots 1-15 do not have any frontage on a public street, existing or proposed. The 20-foot platted alley is neither an existing nor a proposed public ROW, according to the details of these proposed Subdivision Plans.

**Question 2: is Lot A (61,885 SF) a lawful lot?** On Sheet C4 of 15 the Landowner depicts a new Lot A to be created within this Subdivision Plan. Lot A is shaped like a “T”. If this Subdivision Plan is approved by the Commission, this lot will not be developed for residential occupancy. According to the Landowner’s representative (Mr. Shimp), at a later date, Lot A would be developed as a public street—as a stand-alone development project—and the 20-foot alley would be vacated or combined into the lots adjacent to the north. (Lots 1-15). The purpose of showing the “T” area as a new lot, rather than a dedicated public ROW, is not clear [*other than to avoid review as a major subdivision? Review of a “boundary line adjustment” plat is by the NDS Director, per Subdivision Ordinance §29-56(a)*].

Subdivision Ordinance §29-3: Lot means a parcel of land, **occupied or intended for occupancy**, appearing on an officially approved and recorded subdivision plat and having its principal frontage on [an existing] street or one which a subdivider has been contractually obligated to install as a condition of subdivision approval and for which an adequate financial guaranty has been furnished to the city. [*Landowner acknowledges that Lot A is **not** intended for occupancy*]

Subdivision Ordinance §29-161(c): No lot shall contain peculiarly shaped elongations designed solely to provide the required square footage of area or frontage on a street.

Subdivision Ordinance §29-182(g): Reserved strips restricting access from adjoining lands to an existing or future street or alley shall not be permitted....[*creation of Lot A within these Subdivision Plans would render the 20-foot alley as a “reserved strip.”*]



2. Per the use matrix (Sec. 34-420) **Utility facilities (shown on lot D)** are not allowed as the primary use for each lot. Stormwater management facilities could be an ancillary use, but a primary use must be established. If the primary use is residential, the lot must conform to Sec. 29-161 and 34-1123. If the primary use is nonresidential, the lot must conform to Sec. 29-161(a)(1). Be aware that some uses, like private recreational facilities require an SUP in the R-1S zoning districts.

**Planning Commission: is Lot D a lawful lot under the subdivision ordinance definition of “lot”? Does the zoning ordinance permit an existing lot to be used solely for Utility Facilities?** [See sheet C4 of 15 of the Subdivision Plans].

**Subdivision Ordinance §29-3:** *Lot* means a parcel of land, **occupied or intended for occupancy**, appearing on an officially approved and recorded subdivision plat and having its principal frontage on [an existing] street or one which a subdivider has been contractually obligated to install as a condition of subdivision approval and for which an adequate financial guaranty has been furnished to the city. [*The Subdivision Plans identify Lot D as containing only Utility Facilities, and it is **not** intended for occupancy—residential, commercial or otherwise*]. Also, according to the proposed Subdivision Plans, Lot D has no frontage on an existing or proposed street.

**Zoning Ordinance §34-420 (Use Matrix):** In the R1-S zoning district, “utility lines” are allowed by right. The zoning ordinance has no definition of “utility line”. On the other hand, “Utility facilities” require a special use permit. “Utility facilities” are not indicated as permissible “Ancillary Uses” within §34-420.

**Zoning Ordinance Sec. 34-1200:** *Utility facilities* means and refers to the following: sewage treatment plants, **sewer pumping stations**, water treatment plants, water pumping stations, gas regulator facilities, gas distribution facilities, incinerators and electric power transformer substations, and utility transmission line alignments and towers **owned by public service corporations** but which are not governed by city franchise arrangements.

**Zoning Ordinance §34-1200:** *Utilities* means all lines and facilities that provide for the transmission, transfer, distribution, collection, transmission, or disposal of water, storm and sanitary sewage, oil, gas, power, information, telecommunications and telephone cable, and includes facilities for the generation of electricity.

3. Parcel Area Summary: Previous submittal stated the development site is 6.80 acres. New submittal give the same development acreage, but list the disturbance area to be 7.50 acres. Explain the discrepancy.

4. Land Use Schedule: I am still confused by the numbers. How is 61,746SF equaling 0.00%? Building, driveway, and road/SW is not equaling the number given for impervious area.
5. Existing Use: Previous submittal stated 75 vacant lots of record. New submittal stats 81 vacant lots of record. Please explain.
6. Proposed use: the proposed use is not allowable per the information provided to the applicant at the April 10, 2018 meeting and Lisa Robertson's email to the applicant's attorney on April 25, 2018. This submittal is not a BLA, but a "major subdivision".

**Planning Commission: see also items 1 and 2, preceding above, incorporated here by reference.**

7. **Critical Slopes: Per Lisa Robertson's email to TJ Grisham dated April 25, 2018; the plan must show critical slopes as defined in both the Zoning Code and the Subdivision code.**

- a. **Subdivision Ordinance** Sec. 29-3: **Critical slope refers to the portion of a lot that has a grade in excess of twenty-five (25) percent.**

**Subdivision Ordinance §29-182(a):** each street shall be configured, to the extent practicable, to conform to the natural topography, to minimize the disturbance of critical slopes and natural drainage areas, and to provide vehicular, bicycle, and pedestrian interconnections within the subdivision and existing or future development on adjoining lands.

**Subdivision Ordinance §29-202(a):** every development shall be designed so that construction of buildings, structures, public facilities and other site-related improvements will minimize disturbance of natural drainage areas and critical slopes. Structures necessary to ensure stability of critical slopes shall be provided.

- b. **Zoning Ordinance** Sec. 34-1120(b)(2): 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.

**Zoning Ordinance §34-1120(b)(7)(b):** A lot may be exempt from the requirements of these [zoning ordinance] critical slopes provisions, as follows: (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. *[Note: the referenced subparagraph (5)(b) includes requirements for each new lot to contain at least one "building site" located outside the zoning ordinance definition of "critical slopes", and requires all buildings and structures that need a building permit to be located within a compliant "building site."*

**Zoning Ordinance §34-1120(b)(6)(a.):** Any person who is the owner, owner's agent, or contract purchaser (with the owner's written consent) may request a modification or waiver of the requirements of these critical slopes provisions.

**Planning Commission Questions for determination:**

- **Which, if any, of the lots within the proposed Subdivision Plans contain "critical slopes" as defined in Zoning Ordinance §34-1120(b)(2)?**
- **Are any of the lots on the proposed Subdivision Plans exempt from the Zoning Ordinance Critical Slope provisions, pursuant to §34-1120(b)(7)(b)?**

*[Note: in the opinion of the City Attorney's Office, when the boundaries of an existing non-conforming lot are altered, that creates a new lot (i.e., a lot that becomes "of record" as of the date the new boundaries are recorded in the City's land records. Thus, lots with boundaries adjusted by these Subdivision Plans may not be exempt from the Critical Slopes [zoning] requirements per se, but a waiver could be requested).*

- **If a proposed lot will not contain any SFDs, but will contain other improvements (utility facilities, stormwater management facilities), is it subject to the exemption set forth in §34-1120(b)(7)(b)?**
- **Has a waiver been requested?**

8. **Repeat Comment:** Belleview Avenue will need to be renamed per §29-181(a)(1). The name "Belleview" is already in use on an existing and improved street in the City.

9. Subdivision and Road Notes: #5 needs to be changed.  
Sheet C3

10. Update note on Critical Slopes. Site has Critical Slopes per Sec. 29-3 and Sec. 34-1120(b)(2). Critical Slopes per Sec. 34-1120(b)(2) are shown in red on the City's GIS viewer.





13. **Repeat Comment:** Per **zoning ordinance** §34-866(a)(b)(d)(e) preserve trees that are larger than 28” in caliper and all trees within Critical Slopes or provide documentation that reasonable efforts were made to preserve the trees. In the applicant’s response letter it states trees cannot be preserved due to City standards. Please note which standers being cited and location (i.e. code reference) so staff can review.

Sheet C4

14. All residential lots must conform to Sec. 29-161. I do not see anything on the site plan that would trigger Sec. 29-161(b)(1). **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above.**

15. Per Sec. 29-161, 34-1123 and 34-420 all residential R-1S lots must have a buildable area for uses outlined in Sec. 34-420. In most R-1S cases this is a single family detached home, but could be other uses permitted by-right or through a special use permit as stated in the 34-420 use matrix. Please indicate for lots A, B, C, D, E, and the unmarked lot between 18 and 19 that they have a buildable area per Sec. 29-161 and the corresponding use as outlined in Sec. 34-420. A SUP could be required for lot D (see note #2 above). I cannot find an allowable uses listed for lots A, B, C, and E per Sec. 34-420. **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above.**

16. Only Planned Unit Developments and cluster developments allow for private stormwater management facility on individual lots. I cannot find anything in the code that would allow this in the R-1S zoning districts. Sec. 29 references stormwater management facilities as:

a. Sec. 29-232(3): A subdivider's proposed dedication of a stormwater management facility shall be reviewed and governed by the provisions of City Code section 10-56. No such dedication shall be accepted unless and until the city receives a financial guarantee, in the form of a bond or like surety, in an amount sufficient for and conditioned upon the construction of such stormwater management facilities in accordance with the standards and requirements set forth within Chapter 10 and the Design and Standards Manual. **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above, specifically, the definition of “lot” contained in the subdivision ordinance, and the zoning use matrix for the R-1 zoning district.**

b. **Zoning Ordinance §34-6(b)(3):** this chapter is intended to be inclusive, permitting only such uses, structures and activities as are specifically named herein. Uses, structures and activities not expressly provided for within the provisions of this chapter shall be deemed prohibited uses, structures and activities.

17. Lots 1 -15 and lot B cannot front on alleys per Sec. 29-161(a)(1) and (f). **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above.**

18. Lots 16 – 36 and lot C, D, and E are required to have frontage on a City maintained street per Sec. 29-161(a)(1) and (f). **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above.**
19. Lot A is not allowed per Sec. 29-161(c). **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above.**
20. Lot B is not allowed (even if the alley is abandoned) per Sec. 29-161(a)(1). **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above.**
21. Depending of the primary use, lot C is not allowed per Sec. 29-161(f) if the primary use will be residential. New lots require 50' minimum of road frontage. Depending on the resolution of note #3 above, lot C might meet Sec. 29-161(a)(1). **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above.**
22. Lot E is not allowed per Sec. 29-161(d). What is the primary “use” for lot E as shown in the use matrix Sec. 34-420? **Planning Commissioners: reference the discussion in Planning Comments 1, 2 and 6, preceding above.**
23. Lots 16 -36 do not meet minimum square footage requirements per Sec. 34-1123. Residential lots in the R-1S zoning districts require a minimum 6,000SF.

**Planning Commission:** lots which were platted and recorded in the City’s land records prior to the advent of City zoning and subdivision ordinances do not need to be brought up to the current minimum square footage. These are “nonconforming lots” which, pursuant to Zoning Ordinance §34-1145 can be altered and/or used, as-is, or with changes that make them less non-conforming. *(As noted previously above, lots with changed boundaries may be “new lots” for purposes of application of the zoning ordinance critical slopes provisions; however, that doesn’t mean they can’t be used –particularly if the critical slopes provisions either don’t apply to a particular lot, or if they do apply, if a waiver is granted).*

**Zoning Ordinance §34-1141(b):** For the purposes of this chapter, the term “nonconforming lot” shall mean a lawful lot of record existing on the effective date of the zoning regulations applicable to the district in which the lot is located, that does not comply with the minimum applicable size or other lot requirements of that district.

**Zoning Ordinance §34-1145(a):** Any unimproved lot of record, located within any zoning district, that is nonconforming as to required lot area, lot frontage, or any combination thereof, may be used for any use permitted by right or with a special use or provisional use permit in such zoning district, provided all other standards of the zoning district are met.

**Zoning Ordinance §34-1145(b)** Nonconforming lots may change as follows: **(1)** a nonconforming lot may be increased in lot size, lot width, or both, to make the lot less nonconforming....**(3)** a boundary adjustment between or among two (2) or more adjoining nonconforming lots shall be permitted provided that no new lot is created....**(5)**When a nonconforming lot is changed as allowed within this section, and **when two (2) or more nonconforming lots are assembled to create a**



**conforming lot, a plat of subdivision shall first be filed and approved in accordance with the subdivision ordinance.**

24. What is going on between Lot 18 and 19?
25. **Repeat Comment:** Per §34-1120(b)(7)(c) public facilities cannot impact Critical Slopes without demonstrating no reasonable alternative location or alignment exists. Due to the size of this development, the City believes a new road can be constructed without impacting Critical Slopes in an alternative location. If the application wishes to keep the alignment shown in this submittal, a Critical Slope Waiver will be required. **Planning Commissioners: see analysis presented under Planning Comment #7, preceding above.**

Sheet C5

26. Remove retaining wall from the alley. Improvements like retaining walls must be on private property and cannot prevent access to the ROW or alleys.
27. Buildings, structures, public facilities, stormwater facilities, drainage facilities, and other site-related improvements appear to be disturbing critical slopes and should be addressed per Sec. 29-202. **Planning Commissioners: see analysis presented under Planning Comment #7, preceding above.**
28. Per Sec. 29-204(1): Each utility shall be located, to the extent practicable, in a manner that conforms to the natural topography, minimizes the disturbance of critical slopes and natural drainage areas, and allows vehicular and pedestrian interconnections within the subdivision and existing or future development on adjoining lands. Remember to use Sec 29 detention of critical slopes for this section. **Planning Commissioners: see analysis presented under Planning Comment #7, preceding above.**
29. Road names need to be changed.
30. Parking for Lots 1 -15 must be onsite. The plan shows parking in the “alley”.
31. **Repeat Comment:** It still appears that lots providing two (2) parking spaces are (lots 1 – 24 and 27 – 34) not complying with this code section. In the response letter it states that the driveways are under 10% of the lot. The code section is for the area between the ROW and the building setback line or front of the building, not total lot area. Per §34-972(3) off-street parking areas located between the right-of-way and the building setback line shall not exceed a maximum of twenty-five (25) percent of the lot area between the right-of-way and building line. This does not prohibit a lot from having one (1) one-way driveway entrance of a maximum width of twenty (20) feet. The driveway entrance can be 20', but the 2<sup>nd</sup> off-street parking area cannot if it will cause the parking area to be at or above the 25 percent max.
32. Per the Streets that Work Plan, **new streets** should not exceed dimensions specified for Neighborhood B streets. Since driveways and off-street parking are provided, space within the right of way should be used for wider sidewalks and planted buffers (pg. 64). 34-897(d).

Sheet C6

33. Remove retaining wall from ROW. **Encroachments into public ROW require City Council approval.**

34. Remove retaining wall from alley.
35. Graphic scale and text scale are different.  
Sheet C7
36. Graphic scale and text scale are different.
37. Remove retaining wall from alley.  
Sheet C8 and C9
38. Construction activities not related to the building of a road cannot happen in the Belleview Street ROW without City Council approval or closure of the street. Closure of the street will also require City Council approval. **See Chapter 28 City Code, especially § 28-5.**  
Sheet C12
39. 48" Pop. T. R. is not within the development. Update canopy coverage.
40. Trees on lots 6 and 7 are not within 15' of the ROW.
41. Lot 36's tree is located in the driveway.
42. Lot 35's tree is in the sidewalk.
43. A more detailed landscape plan will be required with final site plan submission. **Note: landscaping must be provided in accordance Zoning Ordinance §34-867.**

## **Other Subdivision/ Site Plan Comments—beginning on Page 9 of 14, August 1, 2018 Comment Letter**

### **Public Utilities**

*Public Utilities—Roy Nester, P.E.*

In addition to Comments 1-14 within the August 1, 2018 staff Comment Letter, the following legal provisions are indicated as needing to be complied with in order for the Subdivision Plans to receive approval:

#### **City Code Chapter 31(Utilities):**

**City Code §31-107:** Before a private sewer collector system may be connected with the city sewerage system, such line, including the size, location and construction, shall be inspected and approved by the Director of [Utilities]...the city shall have the right to connect other sewers with such sewer lines without any charge being made by the owner of the lines to the city or to the owner of any property connected therewith.

**City Code §31-112:** (a) No individual sewer service line shall be installed across private property for the purpose of serving other lots where it is possible to extend the main line sewer in a public street and serve by a gravity feed system every portion of the building or buildings that will benefit from such extension. (b) If extending the main in a public street will not allow a gravity sewer which serves in the manner contemplated by the preceding paragraph [a] then a private service line crossing adjacent properties will be considered for approval by the Director of Public [Utilities]. If more than one (1) service connection is proposed for a private line, then it shall be constructed as a private main according to current city standards for mains. Approval for either the private service line or the private

main will be granted only if: (1) the applicant has provided a certified plan and profile design for the proposed extension acceptable to the city engineer, [and] (2) Necessary easements approved by the city prior to recordation have been acquired from owners of the property to be traversed by the proposed extension....

**Subdivision Ordinance §29-200(a)(1) and (2):** Public water and/or sewerage service shall be provided to each lot within the subdivision, consistent with the requirements of Chapter 31 of the City Code and the Standards and Design Manual. Water and sewer lines, and extensions of water and sewer mains, shall be installed in accordance with the requirements of City Code sections 31-114 and 34-115 and with Standards and Design Manual and requirements of Chapter 31 of the City Code.

### **Public Comments Received**

Staff has received many comments and inquiries regarding the proposed subdivision. Staff has attended two neighborhood meeting (February 14, 2018 and July 11, 2018) to keep the neighborhood informed.

### **Action Requested**

The Commission needs to review each item outlined above and provide an interpretation or determination as applicable.

### **Attachments**

- A. Subdivision Plat dated January 19, 2018 with a revision date of June 18, 2018
- B. Site Plan dated January 19, 2018, with a revision date of June 18, 2018
- C. Comment letter dated August 1, 2018
- D. April 25, 2018 Correspondence from Lisa Robertson to Tyler Grisham



**CITY OF CHARLOTTESVILLE**  
“A World Class City”

Neighborhood Development Services  
610 East Market Street  
Charlottesville, VA 22902  
Telephone 434-970-3182  
Fax 434-970-3359  
www.charlottesville.org



August 1, 2018

Justin Shimp, PE  
Shimp Engineering, P.C.  
201 E. Main Street  
Suite M  
Charlottesville, VA 22902

**RE: Belleview Street (Preliminary Site Plan and Subdivision)(Azalea Cottages)**

Justin,

The above referenced preliminary site plan and subdivision was submitted to the office for a second round of review on **June 18, 2018**. Please find below a list of revisions that are necessary for this plan to proceed in the approval process. If you wish to pursue preliminary approval, please address the following comments. The revisions must be received on or before **September 17, 2018** in order for this process to continue. Revisions not submitted by this date will be considered a new submittal and new fees will be assessed. If you are unable to re-submit by this date, you can request an extension on the project per §34-823(e) of the City Code.

1. Comments from Hugh Blake, Engineer, are attached.
2. Comments from Brennen Duncan, City Traffic Engineer, are attached.
3. Comments from Matt Alfele, City Planner, are attached.
4. Comments from Amanda Poncy, Bicycle and Ped Coordinator, are attached
5. Comments from Roy Nester, Public Utilities, are attached.
6. Comments from Steve Walton, Fire Marshal, are attached.
7. Comments from Michael Ronayne, City Arborist, are attached.
8. Comments from Dan Frisbee, Water Resources, are attached.

Please revise the plan and resubmit 10 hard copies and a digital file for additional review. If you have questions, please contact me at 434-970-3636 or [alfelem@charlottesville.org](mailto:alfelem@charlottesville.org)

Sincerely yours,

A handwritten signature in black ink, appearing to read "Matt Alfele". The signature is fluid and cursive, with the first name "Matt" being more prominent than the last name "Alfele".

Matthew Alfele

C: Shimp Engineering, P.C., Attn: Justin Shimp, P.E., [justin@shimp-engineering.com](mailto:justin@shimp-engineering.com)  
Core Real Estate, Attn: Andrew Baldwin, [andrew@corecville.com](mailto:andrew@corecville.com)  
600 Water Street East  
Charlottesville, VA 22902  
Missy Creasy  
Hugh Blake  
Brennen Duncan  
Amanda Poncy  
Roy Nester  
Steve Walton  
Kristel Riddervold  
Susan Elliott  
Dan Frisbee

**City Staff have made a good faith effort to identify all deficiencies within the February 2, 2018 and June 18, 2018, submissions; however, in the event that there remains any other deficiency which, if left uncorrected, would violate local, state or federal law, regulations, or mandatory engineering and safety requirements, such other deficiency shall not be considered, treated or deemed as having been approved.**

**These comments are based on the current submission; future submissions may generate additional comments. The following items need to be addressed in the revised site plan: Be advised that major changes to the site plan may result in new comments not reflected in this review**

## **Engineering**

*City Engineer – Hugh Blake, P.E.*

### GENERAL

1. Remove references with “biofilter” or “biofiltration.” Use current nomenclature as used in the BMP specifications.

### SHEET C1

1. Provide documentation from the qualified person that investigated the site and observed no wetland plants or site conditions indicative of a wetland (e.g., soil characteristics). Include the date of the inspection, also.
2. Provide a copy of the applicable Nationwide 18 Permit.

### SHEET C4

1. Provide the spot grades used to determine the steep slopes; these areas should mimic the critical slope areas defined by the City.

### SHEET C5

1. 299 feet of intermittent stream is to be “disturbed.” What will happen to the groundwater that currently flows through this space after the area is altered? A design that takes into account of this discharge and conveys the flow is recommended at this stage of preliminary engineering. Is the geotechnical report for the site available?
2. A construction tolerance of greater than one foot (300ft - 299ft) stream disturbance is recommended.

### SHEET C10

1. Show stations for Azalea Forest Drive in plan view that match the road profile.
2. “CD-2” is shown on the proposed road profile. What is this?



## STORMWATER MANAGEMENT CALCULATION PACKET

1. Provide the reference that “dictates that all runoff” be used in the energy balance calculation. The definition of site follows: “Site” means the land or water where any facility or land-disturbing activity is physically located or conducted, including adjacent land used or preserved in connection with the facility or land-disturbing activity. Provide stormwater management analysis of the disturbed area (7.80 acres, shown now); the watershed analysis presented can be utilized for bypass flows through the site, including the 0.01 annual exceedance probability overflow routes.
2. Review time of concentration calculations. Does your overland flow route cross the pavement of Monte Vista? (And a building?) Revise time of concentration calculations.
3. Review the time of concentration analysis for areas with “Heterogeneous Watersheds” (4-36 in 1999 Bluebook). Provide the time of concentration for the proposed condition of the disturbed area at five minutes. This can be assumed. Alternatively, provide analysis that demonstrates that the time of concentration for the disturbed area (identical area in pre-development analysis) is greater than five minutes. Or use two watersheds with their peak flow hydrographs added at the study point. Show flow segments (sheet flow, shallow concentrated flow, and channel flow).
4. The comment provided states “impervious walkways provided.” Where are they provided? Will there likely be hard-scaped features, such as patios and decks, in the subdivision? Provide a design that accommodates typical home amenities. Applicants have difficulty meeting stormwater detention requirements when changes are made in the development. A twenty-percent factor of safety for detention volume is recommended at this preliminary engineering stage.

### **Traffic Engineering**

*City Traffic Engineer – Brennen Duncan*

1. Retaining wall behind lots 26-31 is in platted Bellview St. Please place on Private property.
2. Pavement widths of 28 feet as shown encourage on street parking. However, there is not room for on-street parking between the driveways. Please provide a 20’ wide roadway (10 foot lanes) and buffer strip to comply with the city’s Streets that Work plan.
3. Add No Parking signs interior to the “Tee” turnarounds.

### **Planning**

*City Planner – Matt Alfele* (Some items are still under review by the City Attorney’s Office and noted in red. Future correspondence is forthcoming.)

Sheet C1 and General

1. Per the meeting on April 10, 2018 and Lisa Robertson's email to TJ Grisham dated April 25, 2018; this submittal is not a Boundary Line Adjustment, but a Resubdivision as defined in Sec. 29-3. All lots, roads, and infrastructure must meet current regulations as outlined in Chapter 29 and 34 or the City Code.
2. Per the use matrix (Sec. 34-420) **Utility facilities** (shown on lot D) requires a special use permit.
  - a. Sec. 34-1200: Utility facilities means and refers to the following: sewage treatment plants, **sewer pumping stations**, water treatment plants, water pumping stations, gas regulator facilities, gas distribution facilities, incinerators and electric power transformer substations, and utility transmission line alignments and towers owned by public service corporations but which are not governed by city franchise arrangements.  
**The City Attorney's Office is reviewing to see if this definition covers private services too.**
3. Per the use matrix (Sec. 34-420) stormwater management facilities (shown on lots B and C) are not allowed as the primary use for each lot. Stormwater management facilities could be an ancillary use, but a primary use must be established. If the primary use is residential, the lot must conform to Sec. 29-161 and 34-1123. If the primary use is nonresidential, the lot must conform to Sec. 29-161(a)(1). Be aware that some uses, like private recreational facilities require an SUP in the R-1S zoning districts. **The City Attorney's Office is reviewing to see how the code and use matrix define stormwater management facilities as it relates to the primary use on a lot.**
4. Parcel Area Summary: Previous submittal stated the development site is 6.80 acres. New submittal give the same development acreage, but list the disturbance area to be 7.50 acres. Explain the discrepancy.
5. Land Use Schedule: I am still confused by the numbers. How is 61,746SF equaling 0.00%? Building, driveway, and road/SW is not equaling the number given for impervious area.
6. Existing Use: Previous submittal stated 75 vacant lots of record. New submittal stats 81 vacant lots of record. Please explain.
7. Proposed use: the proposed use is not allowable per the information provided to the applicant at the April 10, 2018 meeting and Lisa Robertson's email to the applicant's attorney on April 25, 2018. This submittal is not a BLA, but Resubdivision.
8. Critical Slopes: Per Lisa Robertson's email to TJ Grisham dated April 25, 2018; the plan must show critical slopes as defined in both the Zoning Code and the Subdivision code.
  - a. Sec. 29-3: Critical slope refers to the portion of a lot that has a grade in excess of twenty-five (25) percent.

- b. Sec. 34-1120(b)(2): 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.
9. **Repeat Comment:** Belleview Avenue will need to be renamed per §29-181(a)(1). The name “Belleview” is already in use on an existing and improved street in the City.
10. Subdivision and Road Notes: #5 needs to be changed.

Sheet C3

11. Update note on Critical Slopes. Site has Critical Slopes per Sec. 29-3 and Sec. 34-1120(b)(2). Critical Slopes per Sec. 34-1120(b)(2) are shown in red on the City’s GIS viewer.



12. **Repeat Comment:** Provided information on the alley closure. (Comment that can be addressed with Final Site Plan but understanding where you are in the process will be helpful). Without closing the alley lots 1 -15 will not have any road frontage as required per Sec. 29-161.



- a. On Sheet C5 a 12' retaining wall is shown in the alley. If the alley is not to be closed please remove the retaining wall as alleys are not to be blocked and are to be used for access for all adjacent properties.
- 13. **Repeat Comment:** Provided information on the closure of Belleview. (Comment that can be addressed with Final Site Plan but understanding where you are in the process will be helpful). If Belleview Street is not to be closed, please move limits of disturbance out of the ROW.
  - a. If Belleview is to be closed and is within the limits of disturbance, show existing trees.
  - b. On Sheet C5 a 7' to 9' retaining wall is shown in the Belleview ROW. If Belleview is not to be closed please remove the retaining wall or gain approval from City Council to have it in the City's ROW.
- 14. **Repeat Comment:** Per §34-866(a)(b)(d)(e) preserve trees that are larger than 28" in caliper and all trees within Critical Slopes or provide documentation that reasonable efforts were made to preserve the trees. In the applicant's response letter it states trees cannot be preserved due to City standards. Please note which standards being cited and location (i.e. code reference) so staff can review.

Sheet C4

- 15. All residential lots must conform to Sec. 29-161. I do not see anything on the site plan that would trigger Sec. 29-161(b)(1).
- 16. Per Sec. 29-161, 34-1123 and 34-420 all residential R-1S lots must have a buildable area for uses outlined in Sec. 34-420. In most R-1S cases this is a single family detached home, but could be other uses permitted by-right or through a special use permit as stated in the 34-420 use matrix. Please indicate for lots A, B, C, D, E, and the unmarked lot between 18 and 19 that they have a buildable area per Sec. 29-161 and the corresponding use as outlined in Sec. 34-420. A SUP could be required for lot D (see note #2 above). I cannot find an allowable uses listed for lots A, B, C, and E per Sec. 34-420.
- 17. Only Planned Unit Developments and cluster developments allow for private stormwater management facility on individual lots. I cannot find anything in the code that would allow this in the R-1S zoning districts. Sec. 29 references stormwater management facilities as:
  - a. Sec. 29-232(3): A subdivider's proposed dedication of a stormwater management facility shall be reviewed and governed by the provisions of City Code section 10-56. No such dedication shall be accepted unless and until the city receives a financial guarantee, in the form of a bond or like surety, in an amount sufficient for and conditioned upon the construction of such stormwater management facilities in accordance with the standards and requirements set forth within Chapter 10 and the Design and Standards Manual. **This is also reflected in note #3 above and The City Attorney's Office**

is reviewing to see how the code and use matrix define stormwater management facilities as it relates to the primary use on a lot.

18. Lots 1 -15 and lot B cannot front on alleys per Sec. 29-161(a)(1) and (f).
19. Lots 16 – 36 and lot C, D, and E are required to have frontage on a City maintained street per Sec. 29-161(a)(1) and (f).
20. Lot A is not allowed per Sec. 29-161(c).
21. Lot B is not allowed (even if the alley is abandoned) per Sec. 29-161(a)(1).
22. Depending of the primary use, lot C is not allowed per Sec. 29-161(f) if the primary use will be residential. New lots require 50' minimum of road frontage. Depending on the resolution of note #3 above, lot C might meet Sec. 29-161(a)(1).
23. Lot E is not allowed per Sec. 29-161(d). What is the primary “use” for lot E as shown in the use matrix Sec. 34-420?
24. Lots 16 -36 do not meet minimum square footage requirements per Sec. 34-1123. Residential lots in the R-1S zoning districts require a minimum 6,000SF.
25. What is going on between Lot 18 and 19?
26. **Repeat Comment:** Per §34-1120(b)(7)(c) public facilities cannot impact Critical Slopes without demonstrating no reasonable alternative location or alignment exists. Due to the size of this development, the City believes a new road can be constructed without impacting Critical Slopes in an alternative location. If the application wishes to keep the alignment shown in this submittal, a Critical Slope Waiver will be required.

Sheet C5

27. Remove retaining wall from the alley. Improvements like retaining walls must be on private property and cannot prevent access to the ROW or alleys.
28. Buildings, structures, public facilities, stormwater facilities, drainage facilities, and other site-related improvements appear to be disturbing critical slopes and should be addressed per Sec. 29-202.
29. Per Sec. 29-204(1): Each utility shall be located, to the extent practicable, in a manner that conforms to the natural topography, minimizes the disturbance of critical slopes and natural drainage areas, and allows vehicular and pedestrian interconnections within the subdivision and existing or future development on adjoining lands. Remember to use Sec 29 detention of critical slopes for this section.
30. Road names need to be changed.
31. Parking for Lots 1 -15 must be onsite. The plan shows parking in the “alley”.
32. **Repeat Comment:** It still appears that lots providing two (2) parking spaces are (lots 1 – 24 and 27 – 34) not complying with this code section. In the response letter it states that the driveways are under 10% of the lot. The code section is for the area between the ROW and the building setback line or front of the building, not total lot area. Per §34-972(3) off-street parking areas located between the right-of-way and the building setback line shall not exceed a maximum of twenty-five (25)

**percent of the lot area between the right-of-way and building line.** This does not prohibit a lot from having one (1) one-way driveway entrance of a maximum width of twenty (20) feet. The driveway entrance can be 20', but the 2<sup>nd</sup> off-street parking area cannot if it will cause the parking area to be at or above the 25 percent max.

33. Per the Streets that Work Plan, **new streets** should not exceed dimensions specified for Neighborhood B streets. Since driveways and off-street parking are provided, space within the right of way should be used for wider sidewalks and planted buffers (pg. 64). 34-897(d).

#### Sheet C6

- 34. Remove retaining wall from ROW.
- 35. Remove retaining wall from alley.
- 36. Graphic scale and text scale are different.

#### Sheet C7

- 37. Graphic scale and text scale are different.
- 38. Remove retaining wall from alley.

#### Sheet C8 and C9

- 39. Construction activities not related to the building of a road cannot happen in the Belleview Street ROW without City Council approval or closure of the street. Closure of the street will also require City Council approval.

#### Sheet C12

- 40. 48" Pop. T. R. is not within the development. Update canopy coverage.
- 41. Trees on lots 6 and 7 are not within 15' of the ROW.
- 42. Lot 36's tree is located in the driveway.
- 43. Lot 35's tree is in the sidewalk.
- 44. A more detailed landscape plan will be required with final site plan submission.

#### **NDS**

*Bicycle and Pedestrian Coordinator – Amanda Poncy*

- 1. Sheet C5 – Curb ramps should also be provided across Belleview Avenue to connect east and west sides of the road.
- 2. Sheet C7 – Scales do not match. Cannot verify if there is adequate driveway width to accommodate pedestrian access.

#### **Public Utilities**

*Public Utilities – Roy Nester, P.E.*

#### **GENERAL:**

- 1. **Repeat Comment:** Please provide a Preliminary Engineering Report (PER) for the proposed private sewer pump station. As this will be discharging to the City sewer system, we will not approve this preliminary plan without City review and approval



of a corresponding PER that demonstrates the downstream system has adequate capacity for these additional flows.

2. **Repeat Comment:** On all utility profiles, show all main crossings. You do not have to show lateral or service line crossings until final plans are prepared.
3. Please review all utility profiles to make sure they are updated to reflect the current plan. On the current submission, the storm profiles did not appear to match the plan view sheets.
4. Please add "Preliminary" to the title block on all plan sheets.
5. Please clarify what is happening with the existing 20' alley and 30' street. On sheet C4, both are identified as to remain (as City ROW?) but on the other plan sheets these appear to be used as a part of the development area with retaining walls, utilities and driveways being constructed. If private infrastructure is constructed in these, then they need to be vacated so it is clear they are not City ROW.
6. A portion of TM 20-146 owned by Gilbert Station LLC appears to be taken and used for the new City ROW. Has the property owner agreed to this? If so, go ahead and provide water and sewer service lines as it is an integral part of the development.

**STORM:**

7. On sheet C6 where the proposed storm drain system leaves City ROW and crosses into private property, this drainage easement shall be private not public. The City will not maintain this line.

**WATER:**

8. For the waterline loop connecting back to Jefferson Park Avenue, please provide plan view and profile view for this waterline.
9. **Repeat Comment:** On the waterline profiles, show system valves, fire hydrants, and the blow off assembly. Individual service connections do not have to be shown now, but will be needed on the final site plan.

**SEWER:**

10. **Repeat Comment:** The private sanitary sewer system and pump station need additional design and layout consideration prior to preliminary plan approval. These include:
  - a. Provide preliminary pump sizing information.
  - b. Specify a preliminary pump model.
  - c. Provide preliminary information about the alarm system.
  - d. Provide preliminary wet-well design (size, buoyancy calculations pump on/off elevations, alarm elevation, etc.).
11. **Repeat Comment:** For the private forcemain:
  - a. The forcemain shall not be located in public ROW. Please provide a layout where the pressurized forcemain remains outside of all City ROW.
  - b. Provide a detail for the private forcemain with appropriate tracer wire information.
  - c. We strongly recommend that P401 lined Class 52 DIP rather than plastic pipe be used for the forcemain. This is a much more durable material.

12. **Repeat Comment:** For the PER, please make sure the following items are included or addressed. These items are taken from 9VAC25-790-940. *Preliminary Engineering Report* or the *City of Charlottesville Potable Water and Sanitary Sewer Standard Specifications* and are not a comprehensive list.
  - a. Title page with project name, location, firm name, and professional signature and seal.
  - b. Table of contents with page numbers for all pages.
  - c. Map showing drainage basin.
  - d. Design flow to station and from station.
  - e. Ultimate build out that may drain to the basin (includes all parcels adjacent to proposed new road even if they are not a part of the development).
  - f. Downstream sewer system map.
  - g. Capacity study for downstream sewer system.
  - h. Preliminary station design.
  - i. Preliminary cost estimate for station.
  - j. Preliminary Operation and Maintenance plan for the station including routine inspection and maintenance frequency, necessary tools and equipment for station operation, process for addressing overflow / equipment failure, and response system for station alarms.
13. **Repeat Comment:** For the private gravity sewer system, there were several connections shown at acute angles, which is not acceptable. The corresponding lot numbers include: 2, 7, 17, 22, and 27. Please revise so at least a 90 degree angle is provided.
14. Please provide sewer service to lot 16. It appears service is provided to Lot E instead.

## **Parks**

*City Arborist – Michael Ronayne*

1. The area they have labeled “Preserved Canopy” is forest they are looking to maintain but have not made any indication of preservation measures. Minimum tree pres. requirements should be met (tree protection fence at the dripline). We ask for tree pres fencing 1.5’ radially for every inch of tree DBH.
2. Zelkova is a limited use tree appearing on our Master Tree List and is a medium tree. Please substitute with a native, large canopy tree.
3. Please change #1 under Notes on C12, “HOA (or adjacent homeowner) shall maintain trees planted in common areas.” Parks does not want responsibility of these trees.
4. Tree at unit number 36 appears to be planted in driveway please correct.

## **Fire**

*Fire Marshal – Steve Walton*

1. Please add a fire hydrant at the intersection of Azalea Drive and Belleview Drive.

## **Environmental Sustainability**

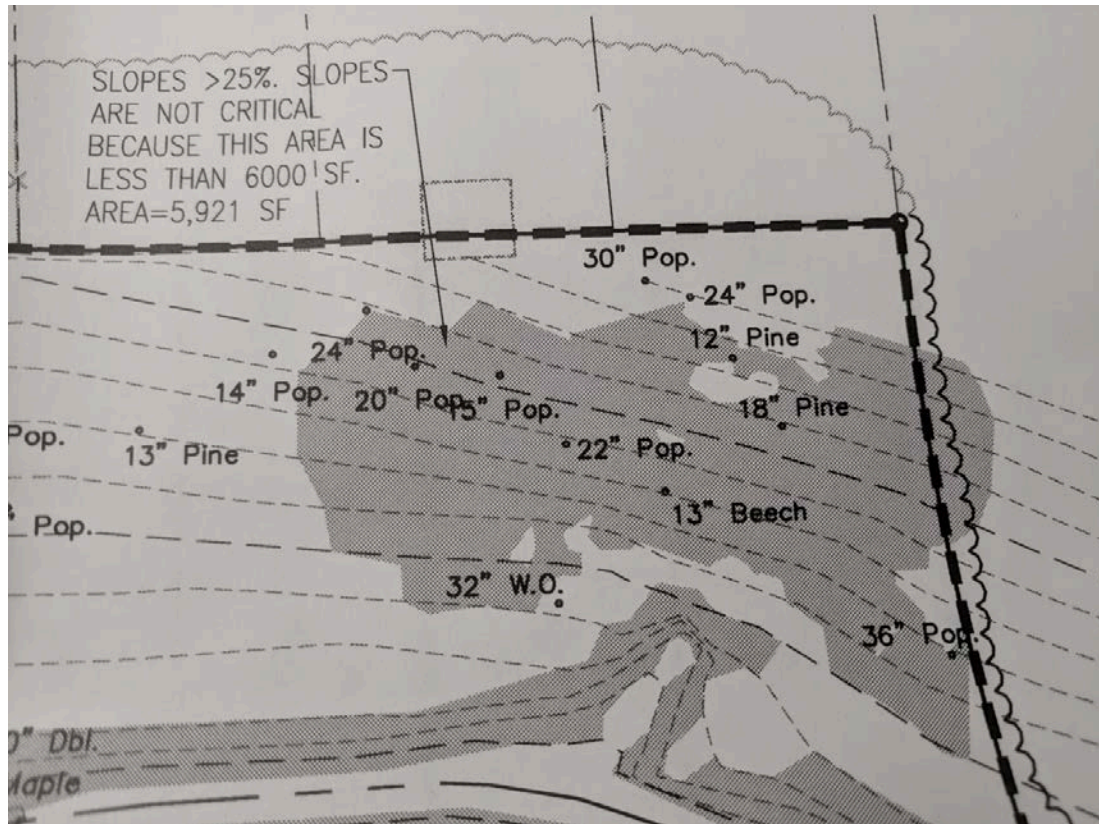
*Dan Frisbee*

1. Sheet C1, Waters of the USA Notes, Note 2 – the applicant indicates that “299 linear feet of the stream shall be disturbed under a Nationwide 18 Permit.” However, the applicant states in their response to Environmental Sustainability Comment #2 that “There will be no direct piping of waterways with this development.” Please further explain what the disturbance to the stream will entail. Our Comment #2 from 3/22/18, inserted below, remains in effect:

*The Environmental Sustainability Division is opposed to the filling, disturbance, and/or piping of the waterway that flows through the valley of the proposed development site. Piping of waterways is in conflict with Chapter 4, Goal 3.6 of the City's Comprehensive Plan. A permit from the United States Army Corps of Engineers must be obtained prior to any disturbance of this waterway.*

2. Sheet C2 – the applicant states that the slopes along the intermittent stream do not qualify as critical slopes because they are less than 20' horizontal length. However, the slopes that are indicated to be greater than 25% slopes that are along the intermittent stream appear to be well in excess of 20' of horizontal run. What is the applicant's basis for stating that these slopes do not meet the 20' horizontal run requirement? Additionally, the applicant states that the slopes along the hillside do not qualify as critical slopes because they are less than 6,000 square feet (the applicant calculates that they are 5,921 square feet). However, there are several portions within this area that have been omitted from the >25% slope area calculation. They show up as white “holes” within the dark hatched area (see image below).





Why are these “holes” not included? If they were included, would the area be greater than 6,000 square feet? Also, several areas that are defined by the City as critical slopes do not appear at all. Why have these areas been omitted? Until these questions can be answered by the applicant, it remains the opinion of the Environmental Sustainability Division that critical slopes are proposed to be disturbed. As a result, our Comment #8 from 3/22/18, inserted below, remains in effect:

*Disturbance of critical slopes within the proposed limits of disturbance are in conflict with City Code Chapter 34-1120. The purpose of this section of code is to protect critical slopes whose disturbance would cause:*

- 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.*

*Due to the fact that the existing land cover condition is a mature forest, and that a waterway flows in the valley of the development site adjacent to the critical slopes, the Environmental Sustainability Division is of the opinion that disturbance of the existing critical slopes could cause any and all of the above negative impacts. As such, it would be inappropriate to disturb these slopes, and in accordance with Chapter 34-1120, "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".*

3. Sheet C3 - Removal of the trees indicated to be removed and loss of the associated tree canopy is in conflict with stated City goals and values regarding urban forests and green infrastructure. The impacts of removing these trees and the associated loss of tree canopy are exacerbated by the site topography and presence of a waterway in the valley of the development site. For these reasons, the Environmental Sustainability Division is opposed to the removal of these trees and the associated loss of tree canopy.
4. Sheet C5 – the applicant indicates “299 LF of intermittent stream to be disturbed under Nationwide 18 Permit”. The plan sheet shows proposed improvements (including several houses) directly on top of the existing stream. Please explain what the disturbance to the stream entails, in light of the previous comment that the stream will not be piped. Is the stream proposed to be moved from its current location? Is the stream proposed to be filled? How is the seasonal base flow from the stream going to be managed?
5. Sheet C6 – Please provide details to address the following: it is likely that the seasonal high water table will be encountered when excavating the underground detention system, given that the CMP pipes are 10’ in diameter and extensive and deep excavation will be necessary to bed the pipes. Does the applicant have a plan for how to deal with groundwater and/or saturated soils? How will the functionality of the system be impacted if groundwater and/or saturated soils are encountered and present in the vicinity of the underground detention system? (Comment can be addressed with Final Site Plan)
6. Sheet C6 - Please provide further details on the underground detention system and bioretention facility. Currently they are only shown in plan view, with no cross sections or engineering details. As such, it is difficult to assess their interaction with the stormwater piping from Belleview Street and Azalea Forest Drive and their overall appropriateness and functionality. (Comment can be addressed with Final Site Plan)
7. Sheet C12 – several of the proposed large shade trees are still shown in very close proximity to the proposed retaining walls. Provide rationale for why this will not pose a threat to the retaining walls and/or the root system.

# PRELIMINARY SUBDIVISION PLANS FOR BELLEVIEW STREET

## TAX MAP 20 PARCEL 142-148

### CITY OF CHARLOTTESVILLE, VIRGINIA

| EXIST  | NEW    | LEGEND DESCRIPTION       |
|--------|--------|--------------------------|
| 16' TC | 12' TC | TOP OF CURB ELEVATION    |
| 16'    | 12'    | SPOT ELEVATION           |
| 16' TW | 12' TW | TOP OF WALL ELEVATION    |
| 16' BW | 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 |

|  |                        |
|--|------------------------|
|  | PROPERTY LINE          |
|  | ADJACENT PROPERTY LINE |
|  | VACATED PROPERTY LINE  |
|  | BUILDING SETBACK       |

|  |                   |
|--|-------------------|
|  | DRAIN INLET (DI)  |
|  | SANITARY MANHOLE  |
|  | PLUG              |
|  | WATER VALVE & BOX |
|  | FIRE HYDRANT      |
|  | WATER METER       |
|  | LIGHT POLE        |
|  | UTILITY POLE      |

|  |                         |
|--|-------------------------|
|  | SANITARY EASEMENT       |
|  | GRADING EASEMENT        |
|  | DRAINAGE EASEMENT       |
|  | UTILITY EASEMENT        |
|  | WATER EASEMENT          |
|  | ACCESS EASEMENT         |
|  | STORM DRAINAGE EASEMENT |
|  | TREE LINE               |
|  | FENCE                   |
|  | STREAM                  |

|  |    |                  |
|--|----|------------------|
|  | 12 | INTERVAL CONTOUR |
|  | 00 | INDEX CONTOUR    |

|  |      |                              |
|--|------|------------------------------|
|  | CO-2 | STANDARD 6" CURB             |
|  | CO-6 | COMBINATION 6" CURB & GUTTER |

|  |                              |
|--|------------------------------|
|  | CONCRETE PAVEMENT / SIDEWALK |
|  | RIPRAP                       |
|  | ASPHALT                      |
|  | GRASS                        |
|  | EC-2 MATTING                 |
|  | EC-3 MATTING                 |
|  | WETLAND                      |

|  |                           |
|--|---------------------------|
|  | PARKING COUNT             |
|  | CROSSWALK                 |
|  | HANDICAP ACCESSIBLE AISLE |
|  | CO-12                     |
|  | HANDICAP PARKING          |

NOTE: 1. THE SIZE OF THE SYMBOLS MAY VARY FROM WHAT IS SHOWN.



### SHEET INDEX

- C1 - COVER SHEET
- C2 - EXISTING CONDITIONS - LOTS
- C3 - EXISTING CONDITIONS - TOPOGRAPHY
- C4 - BOUNDARY LINE ADJUSTMENT PLAN
- C5 - SUBDIVISION LAYOUT PLAN
- C6 - LAYOUT & UTILITY PLAN
- C7 - LAYOUT & UTILITY PLAN
- C8 - GRADING PLAN
- C9 - GRADING PLAN
- C10 - ROAD PLAN
- C11 - ROAD PLAN
- C12 - LANDSCAPING PLAN
- C13 - SITE DETAILS
- C14 - STORM SEWER PROFILES
- C15 - SANITARY SEWER PROFILES

- ### 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.
  - Flored, 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 Traffic 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 oil 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 MUTCD 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.
  - 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 out, 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.

### PROPERTY INFORMATION

**OWNER:** AZALEA COTTAGES, LLC  
600 HUNTERS PL., STE. 101  
CHARLOTTESVILLE, VA 22911

**DEVELOPER:** CORE REAL ESTATE  
600 WATER STREET EAST  
CHARLOTTESVILLE, VA 22902

**LEGAL REFERENCE:** INSTR. 2010-193  
INSTR. 2009-193  
DB 855 PG 769  
DB 309 PG 284

### ZONING

Zoned R-15

### SETBACKS

Front: 25'  
Side: 5'  
Rear: 25'  
Corner: 20'

### PARCEL AREA SUMMARY

AREA OF DEVELOPMENT: 6.80 AC  
DISTURBED AREA: 7.50 AC

### LAND USE SCHEDULE

| EXISTING        | AREA                  | %    |
|-----------------|-----------------------|------|
| Building        | 0 Ac.                 | 0%   |
| Pavement        | 0 Ac.                 | 0%   |
| Sidewalk        | 0 Ac.                 | 0%   |
| Impervious Area | 0 Ac.                 | 0%   |
| Permeous Area   | 6.80 Ac.              | 100% |
| Total:          | 296,345 SF (6.80 Ac.) |      |

| PROPOSED        | AREA                  | %     |
|-----------------|-----------------------|-------|
| Building        | 61,748 SF             | 20.0% |
| Driveway        | 16,788 SF             | 12.1% |
| Road/SW         | 17,887 SF             | 6.2%  |
| Impervious Area | 126,191 SF            | 42.8% |
| Permeous Area   | 170,154 SF            | 57.4% |
| Total:          | 296,345 SF (6.80 Ac.) |       |

### EXISTING USE

81 Vacant lots of Record

### PROPOSED USE

This development will occur following a boundary line adjustment (BLA) for the existing 81 lots on the parcels owned by Azalea Cottages, LLC. This BLA will create new lots that are more conforming than the existing lots per Sec. 34-1145 (b). The new lots will have more total area and more frontage width. After the approval of this BLA, Lot A (see Plan Sheet C4) will be used for a Public ROW dedication, upon which the street and ROW regulations will apply to this Lot A.

Of the remaining lots from the BLA, 36 will be developed as Single Family Residential Lots. 3 Lots will be dedicated as Open Space to be owned and maintained by the HOA. This development will be served by a Public Street with on-street parking on one side.

Proposed Gross Residential Density:  
36 Units/6.80 Acres = 5.29 Units Per Acre

### HOA & MAINTENANCE NOTES

Prior to final plan approval, an HOA shall be formed in accordance with the Virginia Property Owners' Association Act. All private easements shown on plan shall be owned by the HOA. HOA will own and maintain private sanitary sewer, BMP's, ditches, and retaining walls on plan.

### 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.

### WATER & SANITARY SERVICES

All materials used for water and sanitary sewer service lines are to comply with requirements as outlined in both the BODC Code and the regulations used by the Department of Public Works for the City of Charlottesville. Water demand will be served with public infrastructure. Sanitary effluent will be collected with a private system and connected to public sewer. A Certificate to Construct (CIC) shall be received from DEQ and committed to the City prior to beginning any water or sewer construction on this project. A Certificate to Operate (C/O) shall be received from DEQ and submitted to the City prior to requesting any water meters on this project. Private sewer mains and manholes shall be inspected and tested by the MUTCD 2009 guidelines.

Water Demand: Estimated 4,800 gph max, 7,200 gph peak.  
Sewer Demand: Estimated 16,000 gpd avg, 40,000 gpd peak.

Water & Sewer Demand assumes 40 total single-family homes, allowing for 4 additional future connections beyond what is shown on these plans.

### SOIL TESTING REQUIREMENTS

Construction of City roads CSR testing of soil needs to be conducted by third party tester for City review.

### ITE TRIP GENERATION

Proposed use: Single family detached dwellings, ITE code 210.  
Subdivision: 36 dwellings, projected ADOT = 360 Trips/day.  
Peak Hour = 47 Trips

### LIGHTING

Street lighting will not be provided.

### FLOOD ZONE

According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51003002699), this property does not lie within a Zone A 100-year flood plain.

### CITY PERMITS

1. The contractor shall be responsible for obtaining a street cut permit from the City.  
2. 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.

### BMP INFORMATION

Type of BMP's:  
1. Underground Detention  
Includes (A) 100 LF 120" CMP Pipes.  
2. Biofiltration Basin

BMP's shall be owned and maintained by the Belleview St. HOA. The BMP's capture runoff from 21.85 acres and drains into Moores Creek via natural channel.

### SOURCE OF BOUNDARY & TOPO

Boundary information from a field survey by

Chambers Land Surveying  
13652 James Madison Hwy,  
Palmira, VA 22963

Topographic field survey completed on 05/24/2018 by:

Roadside, Cole, & Associates  
914 Monticello Road  
Charlottesville, VA 22902

Storm drain inlet locations verified by Shimp Engineering, Inc. on 06/12/18 during a site visit.

Benchmark: Drop Inlet at #2744 McElroy Drive.  
Elevation=394.94

### BUILDING HEIGHT

Maximum: 35' By Right

### FIRE MARSHALL'S NOTES

- SITE PLAN:**
- IFC 505-The building street number to be plainly visible from the street for emergency responders.
  - VSFPC 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.
  - VSFPC 503.2.1-Overhead wiring or other obstructions shall be higher than 13 feet 6 inches.
  - VSFPC 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 tested and usable prior to the start of any building construction.
  - All pavement shall be capable of supporting fire apparatus weighing 85,000 lbs.
  - 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.

### CONSTRUCTION & DEMOLITION:

- IFC 1404.1 - Smoking to be allowed in only designated spaces with proper receptacles.
- IFC 1404.2 - Waste disposal of combustible debris shall be removed from the building at the end of each workday.
- IFC 1410.1-Access to the building during demolition and construction shall be maintained.
- IFC 1404.6 - 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.
- IFC 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 within 100 feet of temporary or permanent fire department connections, if any.

### CRITICAL SLOPES

Steep Slopes above 25% grade within the site are shown with a hatch. Steep Slopes do not meet the City definitions of Critical Slopes.

### SUBDIVISION AND ROAD NOTES

- All proposed lots contain a building site (shown on sheet C3) that complies with City of Charlottesville Building Codes.
- This site contains no utility lines or buried.
- This site does not lie within an agricultural-forestry district.
- This site does not contain storm buffers.
- Proposed Road name: Belleview Ave.
- Roads shall be publicly owned and maintained.
- Design Speed Limit: 25 mph w. 3% estimated truck traffic.
- All signs and pavement markings shall conform with the MUTCD 2009 Guidelines.

### WATERS OF THE U.S.A. NOTES

- Stream determination for the property: NAO 2018-00378 - March 5, 2018 made by the US Army Corps of Engineers.
- 299 feet of the stream shall be disturbed under a Nationwide 18 Permit. No wetlands have been observed on this site.
- Proposed development shall comply with all local, commonwealth, and federal mandates.

### APPROVALS:

DIRECTOR OF NEIGHBORHOOD DEVELOPMENT SERVICES DATE

**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 PHONE: (434) 287-5140  
 201 E MAIN ST., SUITE 400  
 CHARLOTTESVILLE, VA 22902  
 JUSTIN@SHIMP-ENGINEERING.COM



| DATE       | BY  | REVISION         |
|------------|-----|------------------|
| 06/18/2018 | JSH | ISSUE FOR PERMIT |

SUBDIVISION PLANS FOR:  
**BELLEVIEW ST.**  
 CITY OF CHARLOTTESVILLE, VIRGINIA

|           |            |
|-----------|------------|
| Date      | 01/19/2018 |
| Scale     |            |
| Sheet No. | C1 OF 15   |
| File No.  | 17.052     |



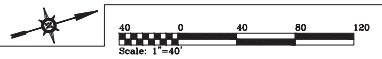


EXISTING CONDITIONS - LOTS

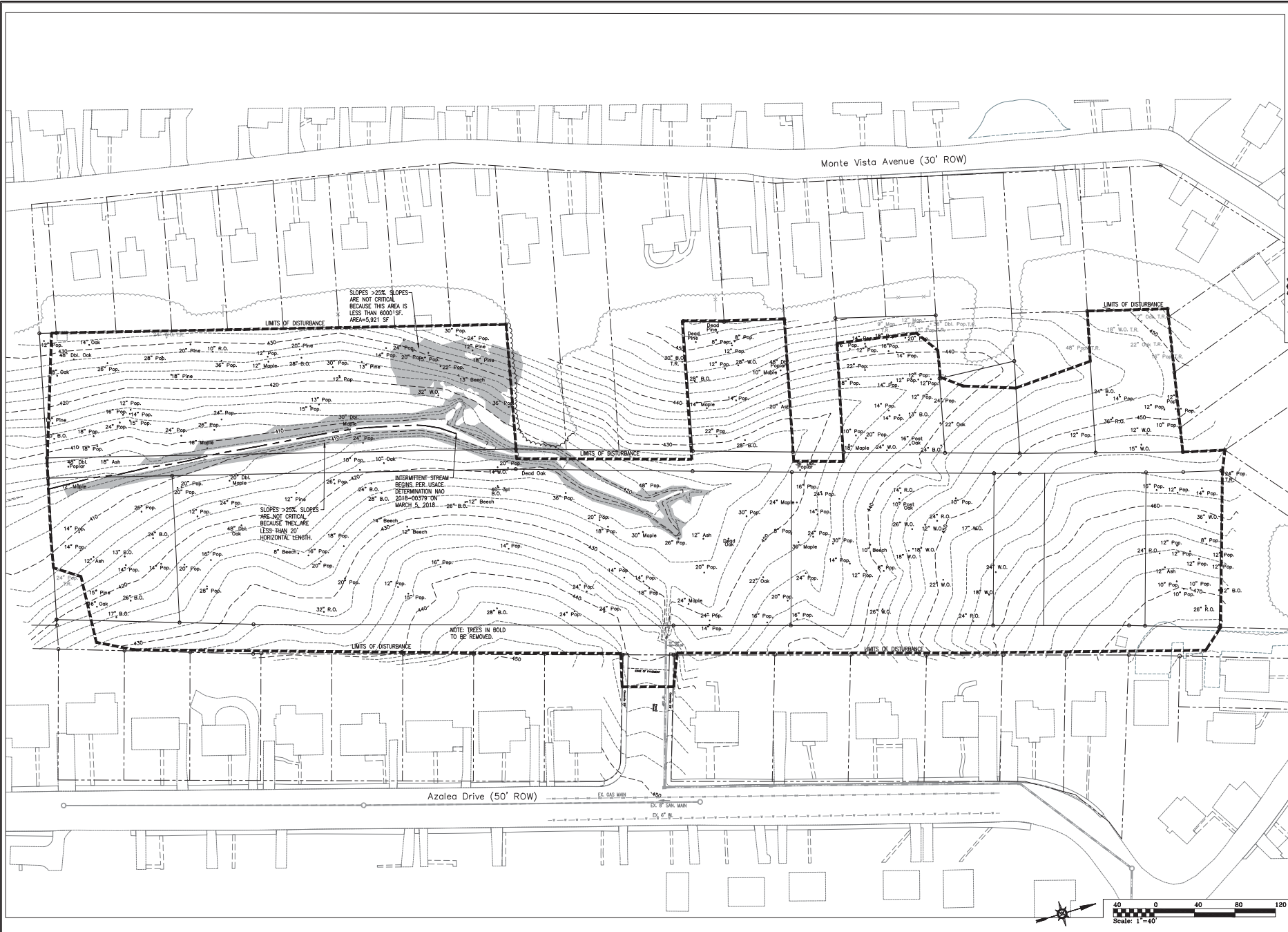
| Lot No. | Area        | Owner                               |
|---------|-------------|-------------------------------------|
| 1-10    | 0.488 ACRES | TM 20-143 AZALEA COTTAGES LLC       |
| 11-18   | 1.24 ACRES  | TM 20-142 AZALEA COTTAGES LLC       |
| 19-29   | 1.56 ACRES  | TM 20-144 AZALEA COTTAGES LLC       |
| 30-37   | 0.689 ACRES | TM 20-145 AZALEA COTTAGES LLC       |
| 38      | 0.121 ACRES | TM 20-125 RL BEYER CONSTRUCTION INC |
| 39      | 0.241 ACRES | TM 20-122 GILBERT STATION LLC       |
| 40-43   | 0.344 ACRES | TM 20-147 AZALEA COTTAGES LLC       |
| 44-46   | 0.244 ACRES | TM 20-148 AZALEA COTTAGES LLC       |
| 47-110  | 0.298 ACRES | TM 20-129 AZALEA COTTAGES LLC       |
| 104-107 | 0.321 ACRES | TM 20-126 AZALEA COTTAGES LLC       |
| 108-110 | 0.121 ACRES | TM 20-125 RL BEYER CONSTRUCTION INC |
| 111-113 | 0.241 ACRES | TM 20-122 GILBERT STATION LLC       |
| 114-116 | 0.258 ACRES | TM 20-121 AZALEA COTTAGES LLC       |

SUBMISSION PLANS FOR:  
**BELLEVIEW ST.**  
 CITY OF CHARLOTTESVILLE, VIRGINIA

Date: 01/19/2018  
 Scale: 1"=40'  
 Sheet No.: C2 OF 15  
 File No.: 17.052



TM 20-141



SLOPES >25% SLOPES ARE NOT CRITICAL BECAUSE THIS AREA IS LESS THAN 8000 SQ. AREA=5,921 SF

SLOPES >25% SLOPES ARE NOT CRITICAL BECAUSE MEAS. ARE LESS THAN 20' HORIZONTAL LENGTH

NOTE: TREES IN BOLD TO BE REMOVED.

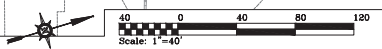
**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E MAIN ST, SUITE M  
 CHARLOTTEVILLE, VA 22902  
 PHONE: (434) 287-5140  
 FAX: (434) 287-5140  
 JUSTIN@SHIMP-ENGINEERING.COM

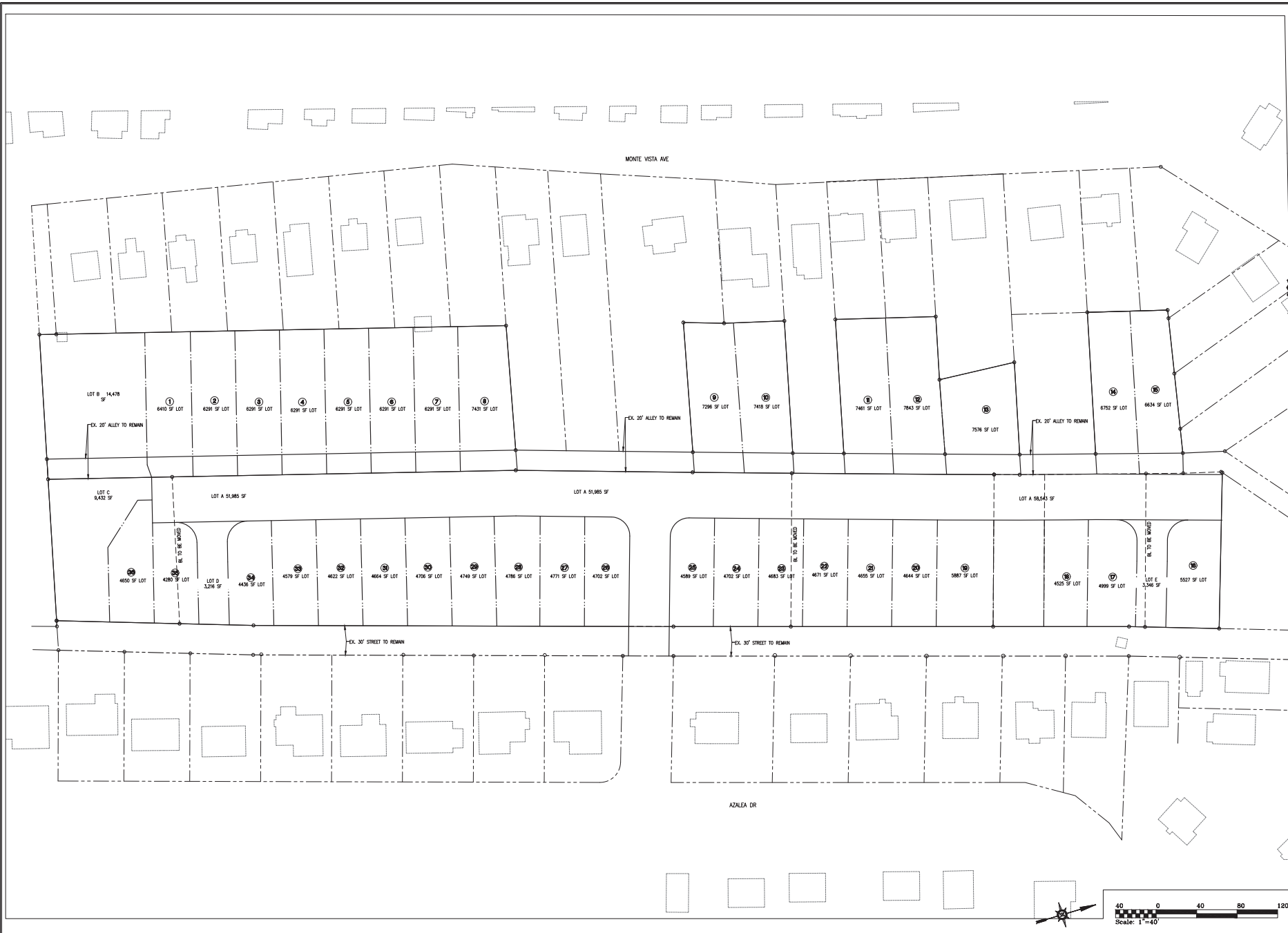


EXISTING CONDITIONS -  
 TOPOGRAPHY

SUBDIVISION PLANS FOR:  
**BELLEVIEW ST.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 01/19/2018  
 Scale: 1"=40'  
 Sheet No.: C.3 OF 15  
 File No.: 17.052





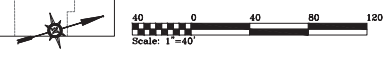
**SHIMPEENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E MAIN ST, SUITE M  
 CHARLOTTEVILLE, VA 22902  
 PHONE: (434) 237-5140  
 JUSTIN@SHIMP-ENGINEERING.COM



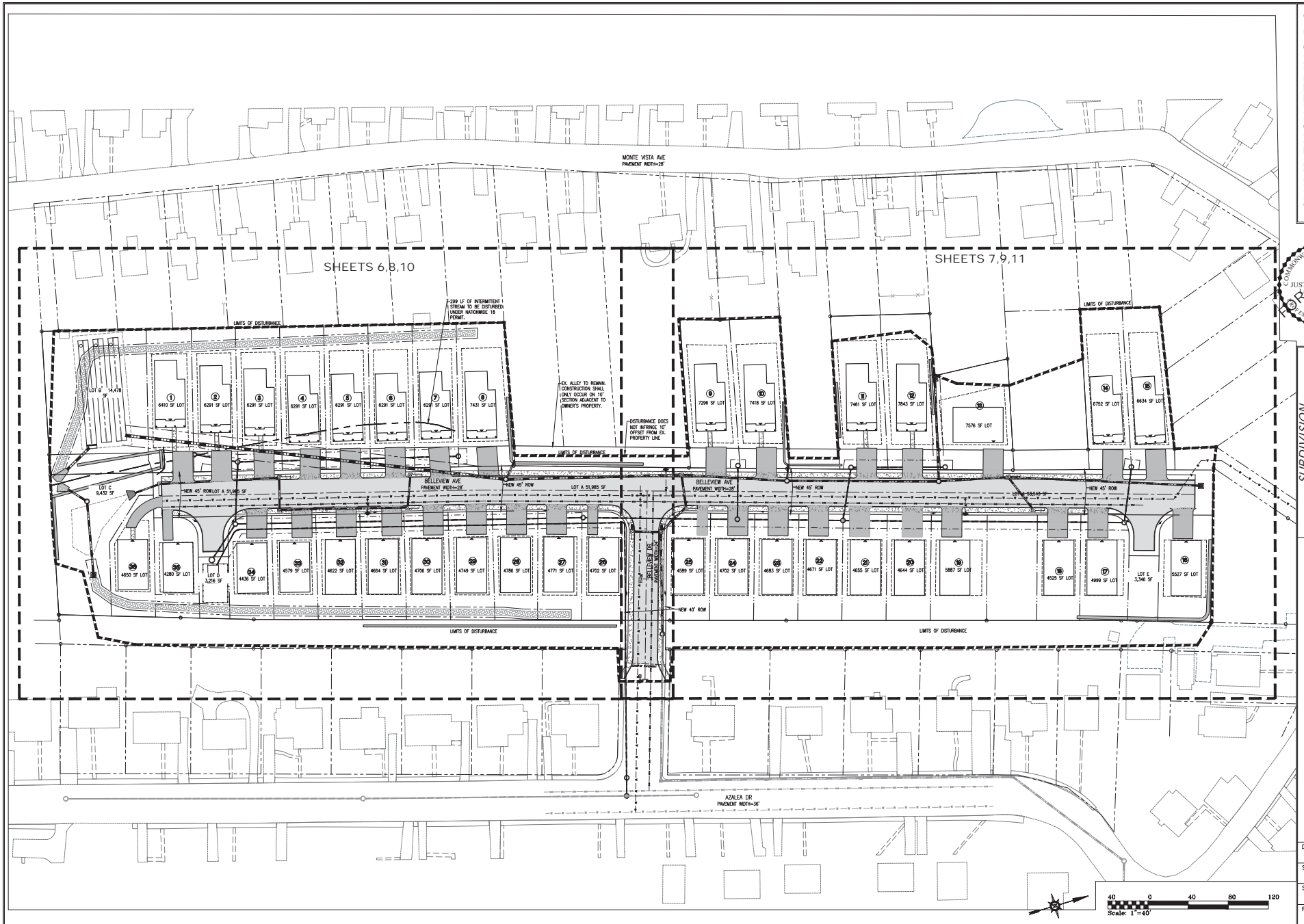
BOUNDARY LINE  
 ADJUSTMENT PLAN  
 DATE: 01/19/2018  
 SHEET: 1 OF 15

SUBDIVISION PLANS FOR:  
**BELLEVIEW ST.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 01/19/2018  
 Scale: 1"=40'  
 Sheet No.: C4 OF 15  
 File No.: 17.052







SUBDIVISION OVERVIEW

| DATE       | DESCRIPTION    |
|------------|----------------|
| 01/19/2018 | DATE SUBMITTED |

SUBDIVISION PLANS FOR:  
**BELLEVIEW ST.**  
 CITY OF CHARLOTTESVILLE, VIRGINIA

|           |            |
|-----------|------------|
| Date      | 01/19/2018 |
| Scale     | 1"=40'     |
| Sheet No. | C5 OF 15   |
| File No.  | 17.052     |



**SUBDIVISION LAYOUT  
& UTILITY PLAN**

**BELLEVIEW ST., VIRGINIA**  
 CITY OF CHARLOTTESVILLE, VIRGINIA

SUBDIVISION PLANS FOR:

Date: 01/19/2018  
 Scale: 1" = 30'  
 Sheet No.: C6 OF 15  
 File No.: 17.052



For the Virginia Department of Health Waterworks Regulations (Part 1, Article 3, Section 12 VAC 5-500 through 630), all buildings that have the potential of contaminating the public water distribution system (hospitals, industrial sites, breweries, etc.) shall have a backflow prevention device installed within the facility. This device shall meet specifications of the "Virginia Uniform Minimum Building Code, and be tested in regular intervals as required, and test results shall be submitted to the Regulatory Compliance Administrator in the Department of USDES.

All buildings that may produce wastes containing more than one hundred (100) parts per million of fat, oil, or grease shall install a grease trap. The grease trap shall meet specifications of the Virginia Uniform Minimum Building Code, maintain records of cleaning and maintenance, and be inspected on regular intervals by the Regulatory Compliance Administrator in the Department of USDES.

Please contact the Regulatory Compliance Administrator at 970-3032 with any questions regarding the grease trap or backflow prevention devices.



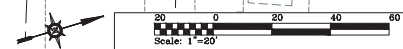
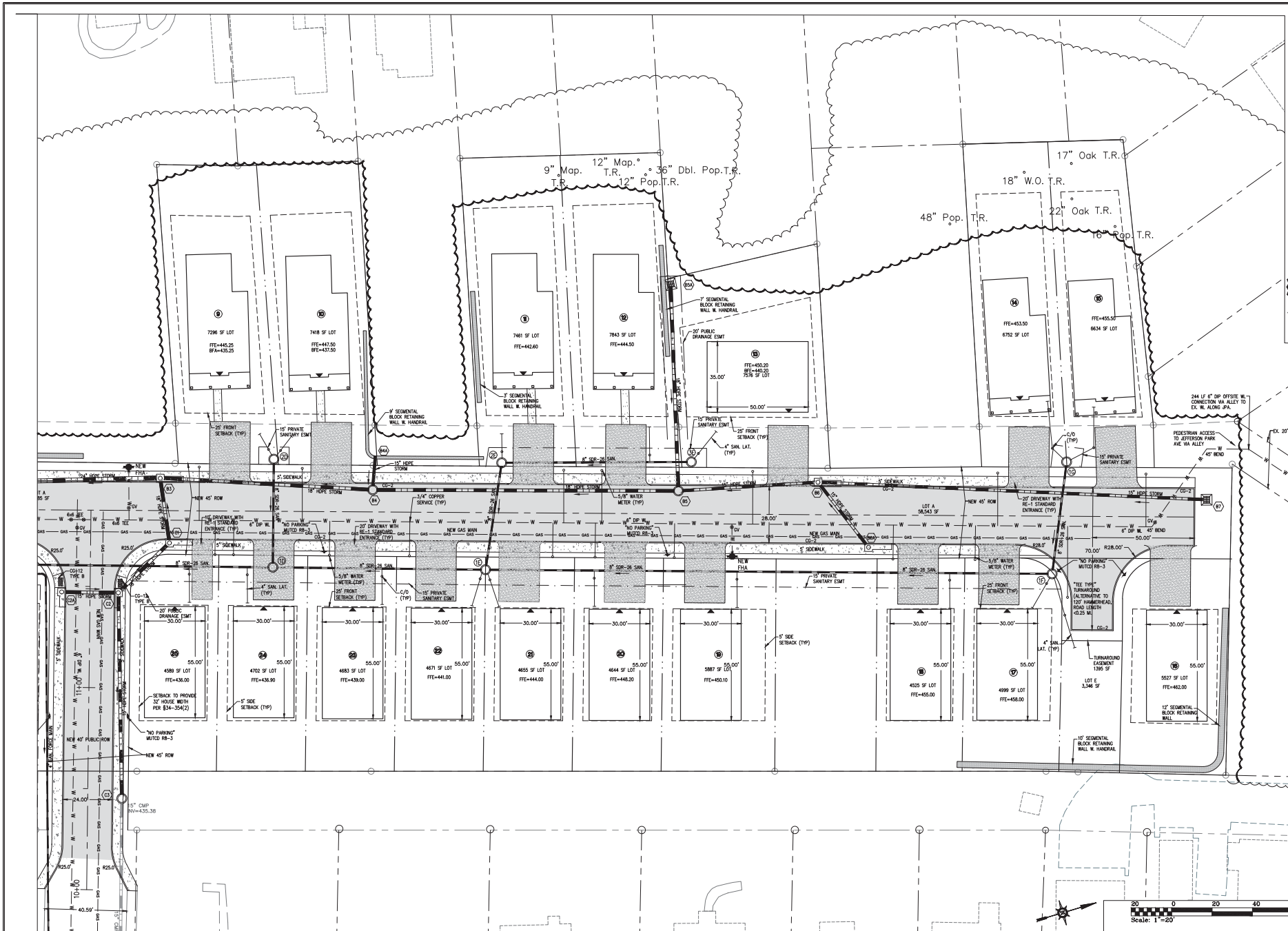


**SUBDIVISION LAYOUT  
& UTILITY PLAN**

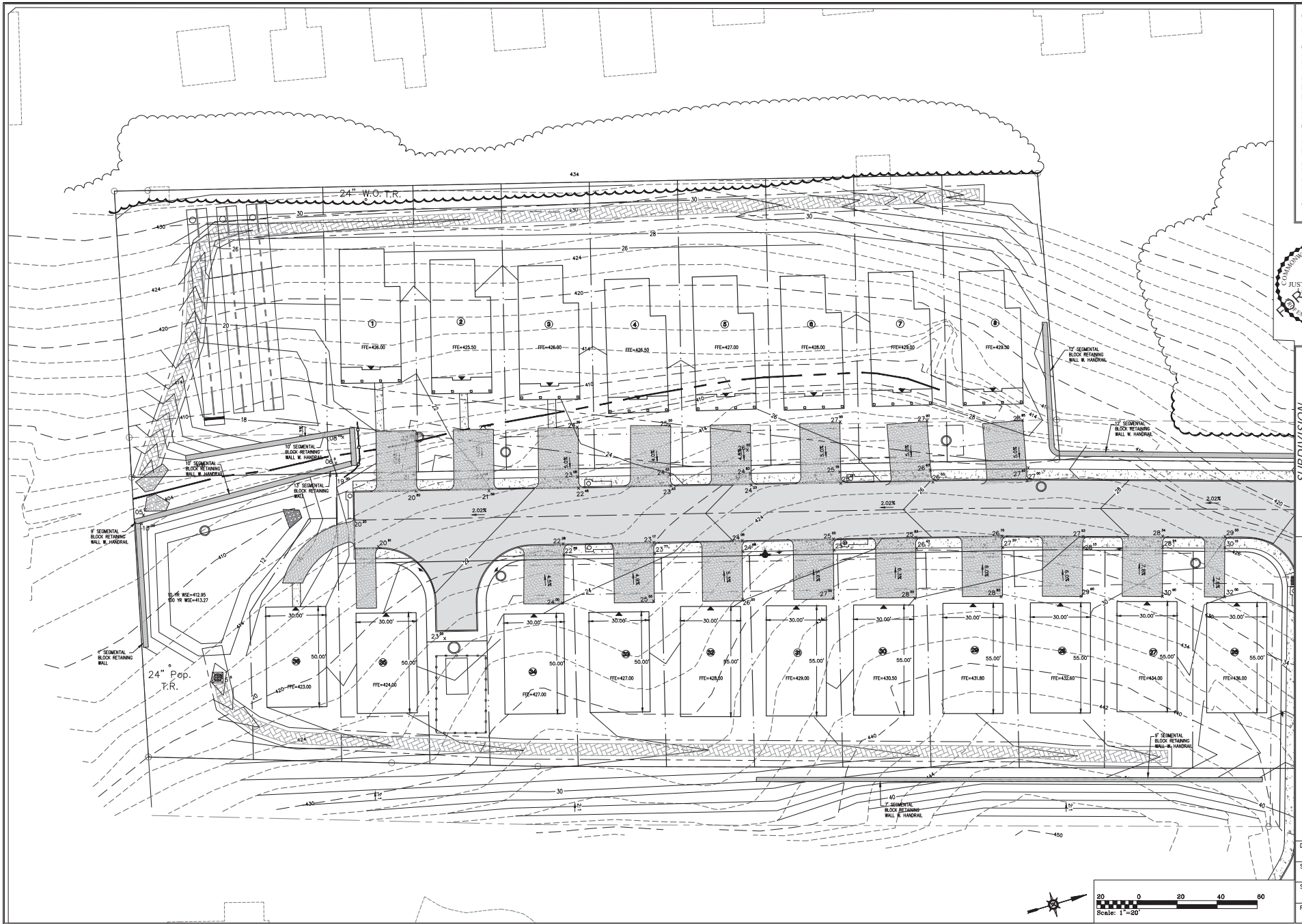
**BELLEVIEW ST., VIRGINIA**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

SUBDIVISION PLANS FOR:

Date: 01/19/2018  
 Scale: 1"=30'  
 Sheet No.: C7 OF 15  
 File No.: 17.052







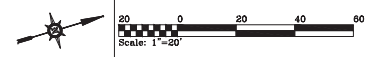
**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E MAIN ST, SUITE M  
 CHARLOTTEVILLE, VA 22902  
 PHONE: (434) 227-5140  
 JUSTIN@SHIMP-ENGINEERING.COM

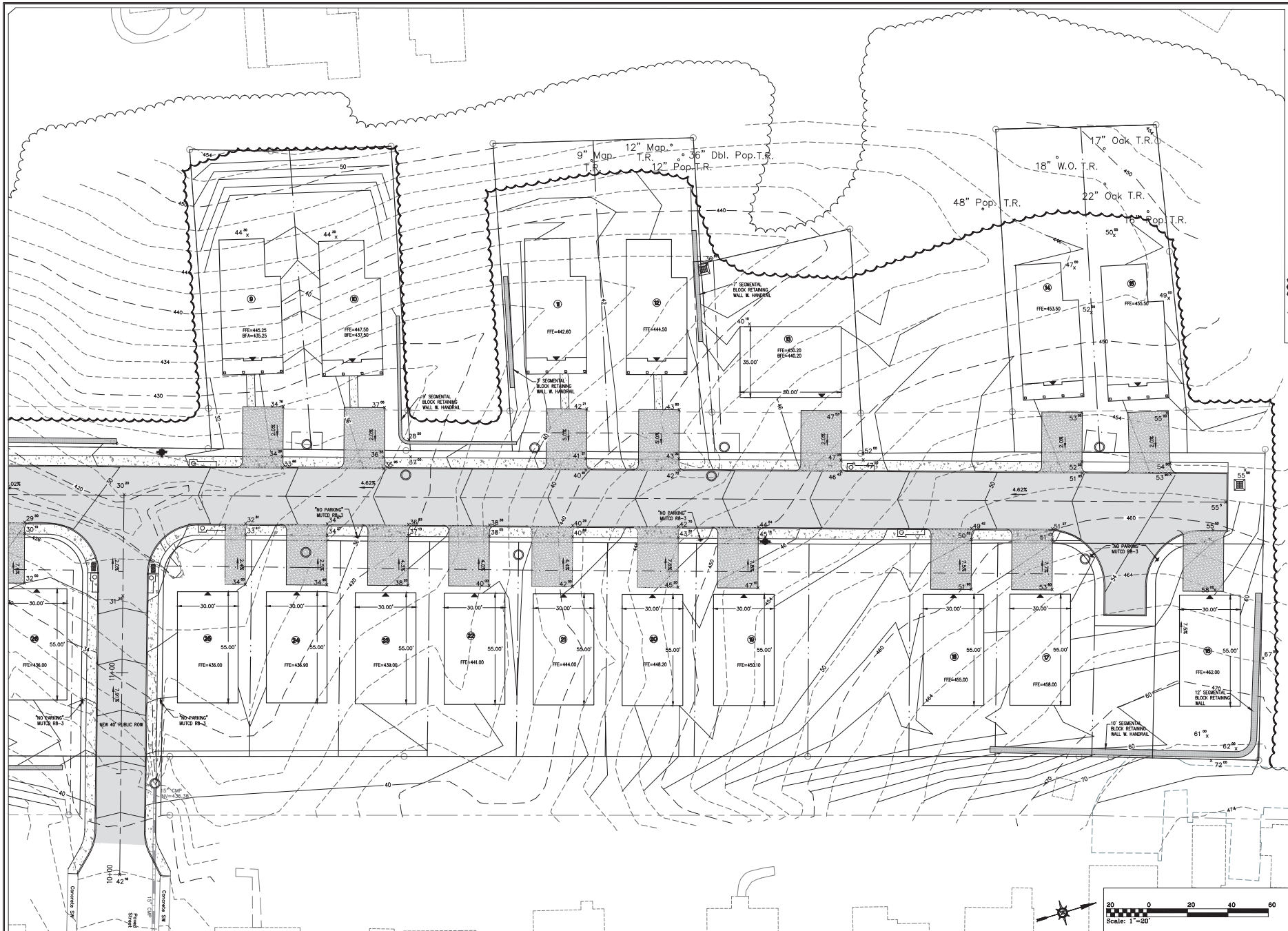


SUBDIVISION  
 GRADING PLAN

**BELLEVIEW ST.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

DATE: 01/19/2018  
 SCALE: 1"=20'  
 SHEET NO.: C8 OF 14  
 FILE NO.: 17.052





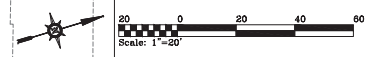
**SHIMPE ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 PHONE: (434) 227-5140  
 201 E MAIN ST, SUITE M  
 CHARLOTTEVILLE, VA 22902  
 JUSTIN@SHIMP-ENGINEERING.COM

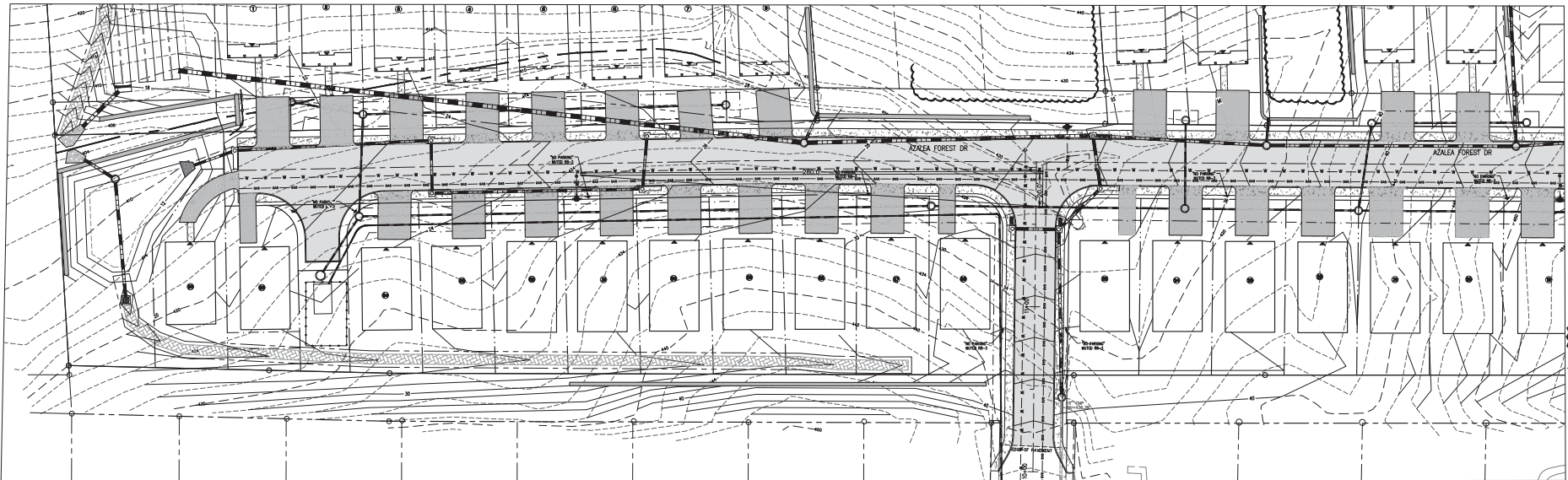


SUBDIVISION  
 GRADING PLAN

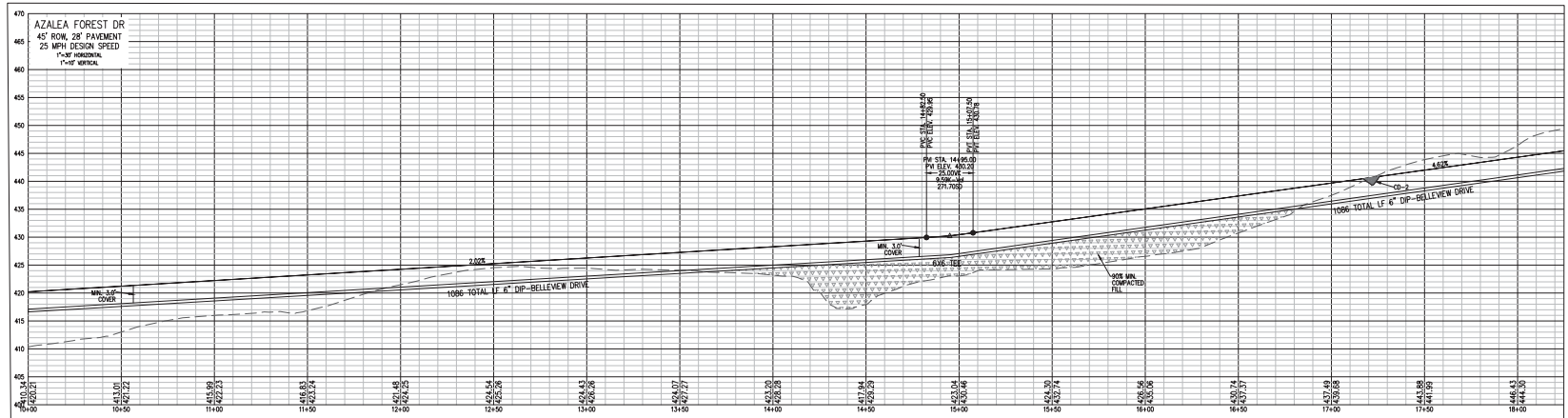
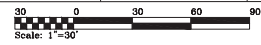
**BELLEVIEW ST.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 01/19/2018  
 Scale: 1"=20'  
 Sheet No: C9 OF 15  
 File No: 17.052





AZALEA FOREST DR PUBLIC ROAD PLAN



1 AZALEA FOREST DR PUBLIC ROAD PROFILE  
 C10 HORIZ: 1" = 30' VERT: 1" = 10'

**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E MAIN ST., SUITE M  
 CHARLOTTEVILLE, VA 22902  
 PHONE: (434) 227-5140  
 JUST@SHIMP-ENGINEERING.COM



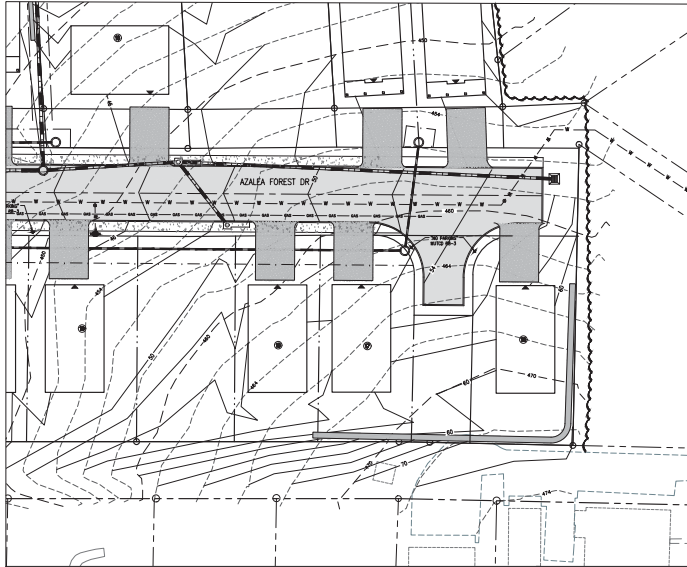
AZALEA FOREST  
 DR PROFILE

DATE: 01/19/2018  
 DRAWN BY: JSHIMP

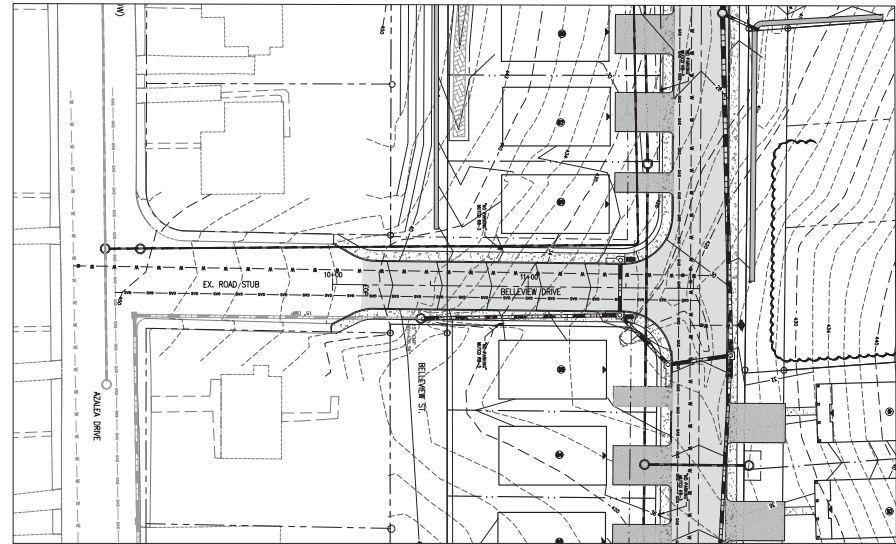
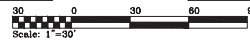
SUBDIVISION PLANS FOR:  
**BELLEVUE ST.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 01/19/2018  
 Scale: 1" = 30'  
 Sheet No.: C10 OF 15  
 File No.: 17.052

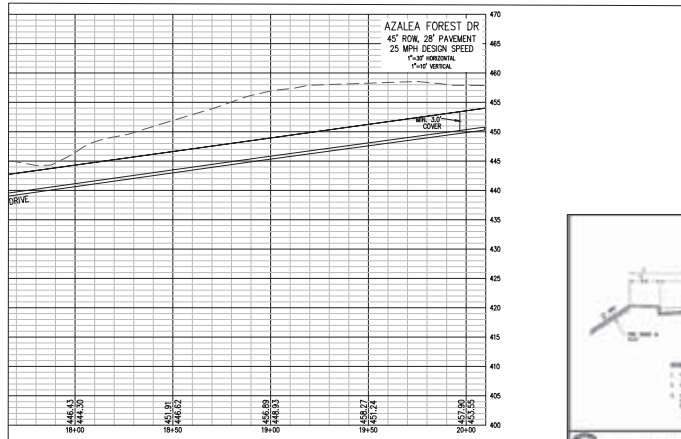




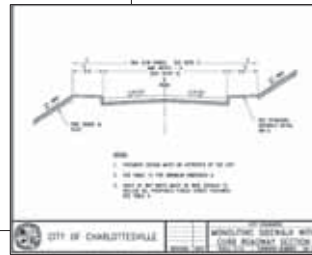
AZALEA FOREST DR. PUBLIC ROAD PLAN



BELLEVIEW DR. PUBLIC ROAD PLAN

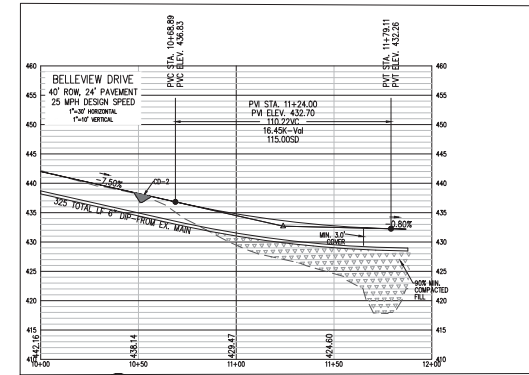


1 BELLEVIEW AVE PUBLIC ROAD PROFILE  
C11 HORIZ: 1" = 30' VERT: 1" = 10'



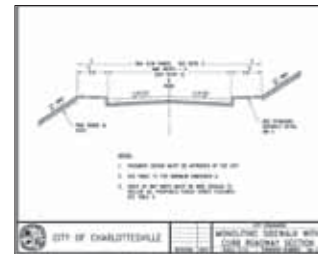
2 BELLEVIEW AVE ROW CROSS-SECTION  
NOT TO SCALE

- NOTES:
1. PAVEMENT WIDTH=20' MIN. + 8' PARKING LANE = 28' TOTAL
  2. ROW WIDTH=45'
  3. PARKING ON ONE SIDE OF STREET ONLY.
  4. DESIGN SPEED = 25 MPH.
  5. DESIGN STANDARD: MONOLITHIC SIDEWALK WITH CURB ROADWAY SECTION



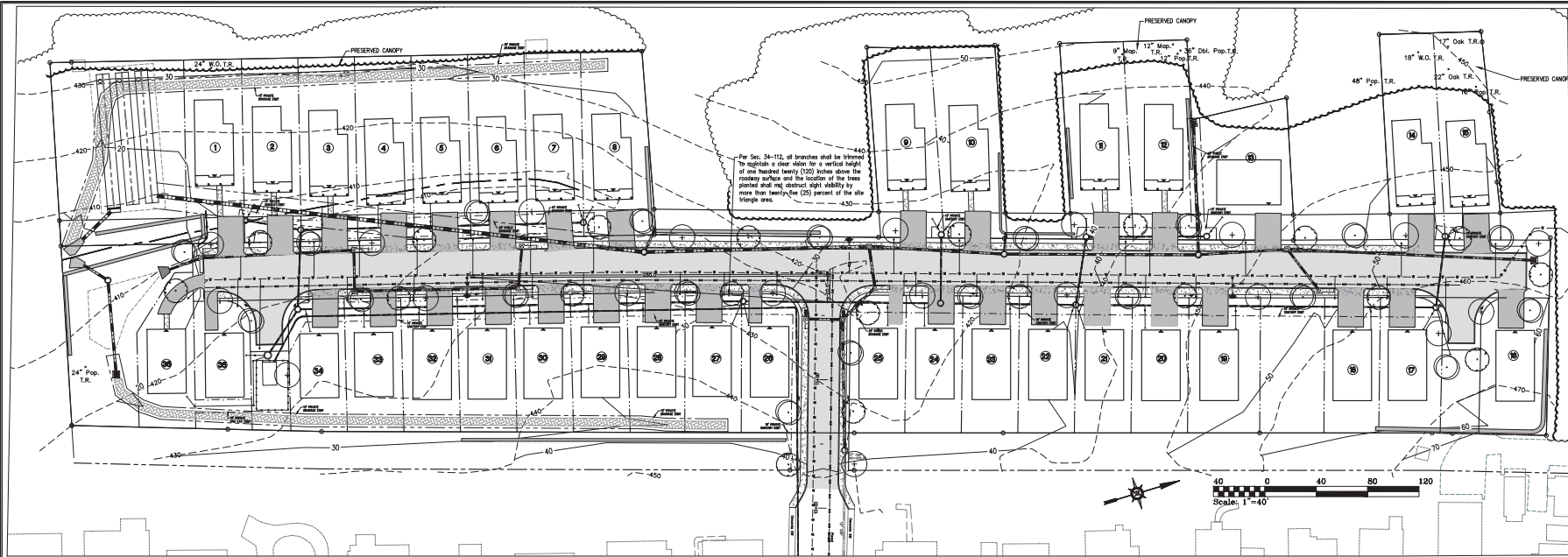
3 BELLEVIEW DR. PUBLIC ROAD PROFILE  
C11 HORIZ: 1" = 30' VERT: 1" = 10'

- NOTES:
1. PAVEMENT WIDTH=24'
  2. ROW WIDTH=40'
  3. NO PARKING ON STREET
  4. DESIGN SPEED = 25 MPH.
  5. DESIGN STANDARD: MONOLITHIC SIDEWALK WITH CURB ROADWAY SECTION

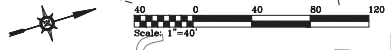


4 BELLEVIEW DR. ROW CROSS-SECTION  
C11 NOT TO SCALE





Per Sec. 34-112, all branches shall be trimmed to maintain a clear vision for a vertical height of one hundred twenty (120) inches above the roadway surface and the location of the trees planted shall not obstruct sight visibility by more than twenty-five (25) percent of the site triangle area.



SET TRUNK PLUMB. SEE PLANS FOR EXACT LAYOUT AND SPACING.

TREE TIES, SEE SPECS. 1-1/2" SQ. OAK STAKES SET 180 DEGREES

FINISHED GRADE

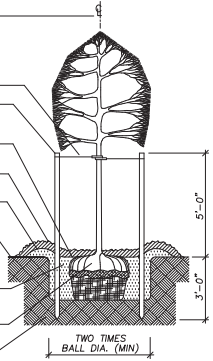
APPLY 2" OF MULCH AFTER PLANTING AND WATER THOROUGHLY

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**  
C12 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

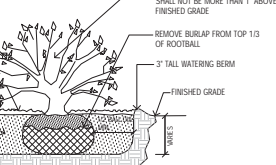
SOIL SURFACE ROWHINNED TO BIND NEW SOIL

SET SHRUB PLUMB. TOP OF ROOTBALL SHALL NOT BE MORE THAN 1" ABOVE FINISHED GRADE

REMOVE BURLAP FROM TOP 1/3 OF ROOTBALL

3" TALL WATERING BERM

FINISHED GRADE



**2 SHRUB PLANTING DETAIL**  
C12 Not To Scale

**LANDSCAPE SCHEDULE**

| Plant Symbol | Planting Type    | Botanical Name  | Common Name               | Min. Cal./Height | Quantity      | Canopy    | Total Canopy |
|--------------|------------------|-----------------|---------------------------|------------------|---------------|-----------|--------------|
| ○            | Large Shade Tree | Quercus phellos | Willow Oak                | 2" Cal.          | 20            | 370       | 7400         |
| +            | Large Shade Tree | Acer rubrum     | "October Glory" Red Maple | 2" Cal.          | 20            | 397       | 7940         |
| ●            | Large Shade Tree | Zelkova serrata | Green Vase Zelkova        | 2" Cal.          | 20            | 350       | 7000         |
|              |                  |                 |                           |                  | <b>TOTAL:</b> | <b>60</b> | <b>22340</b> |

**LANDSCAPING NOTES:**  
STREETSCAPE REQUIREMENT (SEC 34-870):  
ONE LARGE TREE REQUIRED FOR EVERY 40 FT OF ROAD FRONTAGE, OR ONE MEDIUM TREE REQUIRED FOR EVERY 25 FT OF ROAD FRONTAGE  
TOTAL ROAD FRONTAGE = 2400 FT  
(60 LARGE SHADE TREES OR 96 MEDIUM TREES REQUIRED)  
STREETSCAPE TREES PROVIDED = 60 LARGE SHADE TREES  
CANOPY REQUIREMENT:  
20% OF TOTAL SITE AREA  
0.20 \* (6.80 AC) = 1.3600 SF REQUIRED  
10,240 SF EXISTING CANOPY SHALL BE PRESERVED.  
CANOPY COVER: 22,340 (STREET TREES) + 1,2510,240 (PRESERVED CANOPY) = 35,140 SF CANOPY FROM CURRENT PLAN  
ADDITIONAL 24,100 SF LANDSCAPING SHALL BE PROVIDED IN LOTS WITH FRONTAL PLANTS.  
THIS CORRESPONDS TO ABOUT 2 MEDIUM SHADE TREES PER LOT, WHICH CAN BE PLANTED IN THE BACK YARDS.

**NOTE:**  
1. TREES PLANTED WITHIN PUBLIC RIGHT OF WAYS SHALL BE SUBJECT TO CITY OF CHARLOTTESVILLE LANDSCAPE TREE PLANTING SPECIFICATIONS AND SHALL BE MAINTAINED BY THE CITY OF CHARLOTTESVILLE AFTER 2 YEARS FROM THE DATE OF PLANTING.  
2. FOR A PERIOD OF 2 YEARS FROM THE DATE OF PLANTING THE DEVELOPER SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REPLACEMENT OF ANY AND ALL STREETSCAPE TREES PLANTED IN THE CITY'S ROW, AFTER WHICH TIME THE CITY WILL TAKE OVER MAINTENANCE OF THE STREET TREES.  
3. TREES SHALL BE TRIMMED 5'-6" FROM THE GROUND TO PREVENT RESTRICTED VIEWS.  
4. LANDSCAPING IN THE AREA OF FIRE HYDRANTS, FIRE PUMP TEST HEADS, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES SHALL BE OF THE TYPE THAT WILL NOT ENDOUR ON THE REQUIRED FIVE (5) FOOT RADII OF MATURITY OF THE LANDSCAPING.

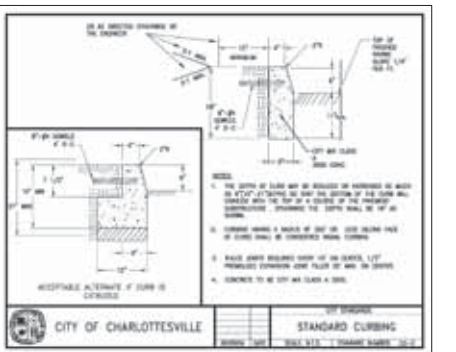
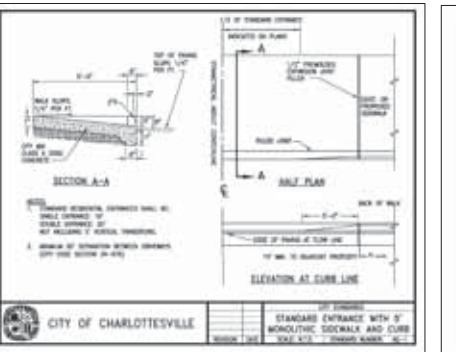
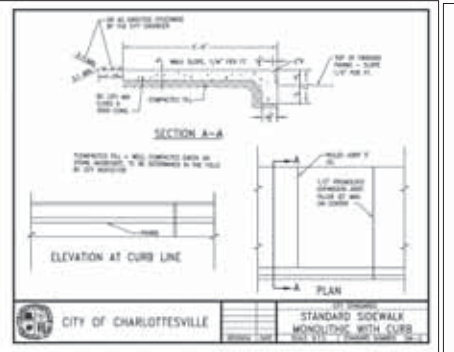
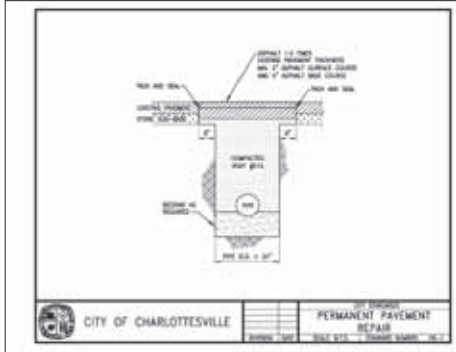
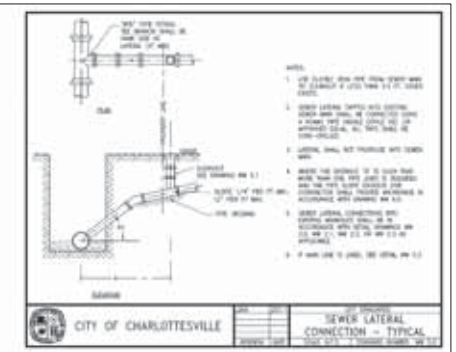
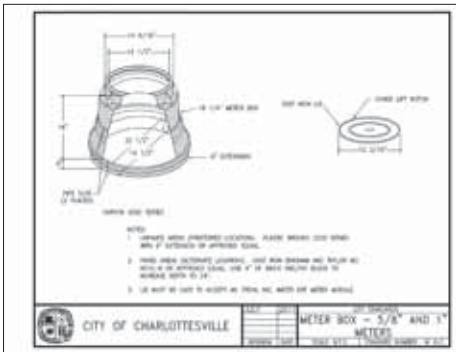
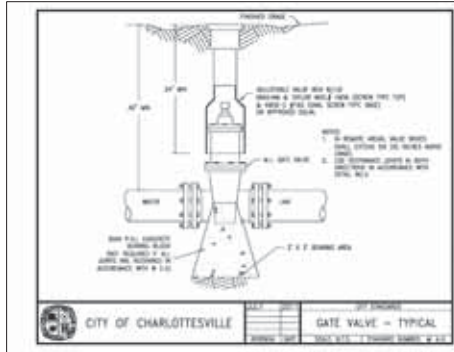
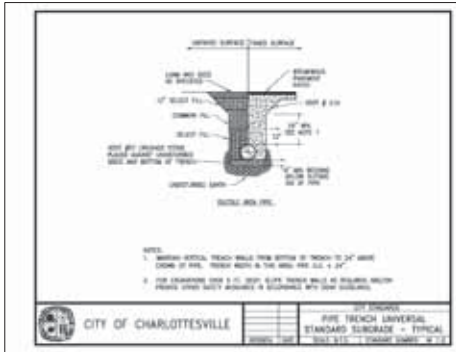
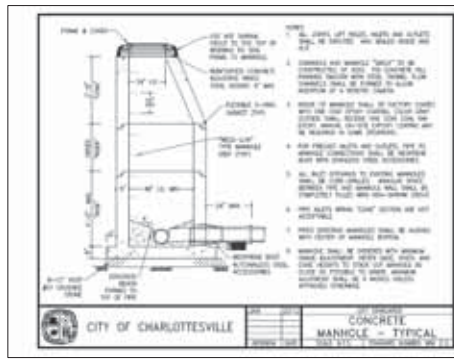
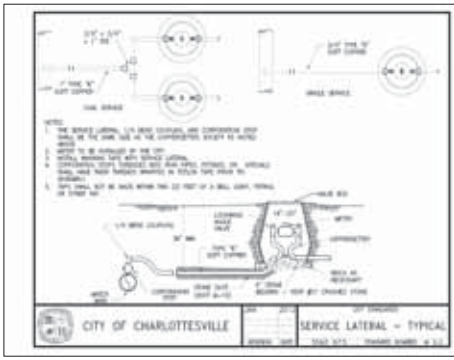
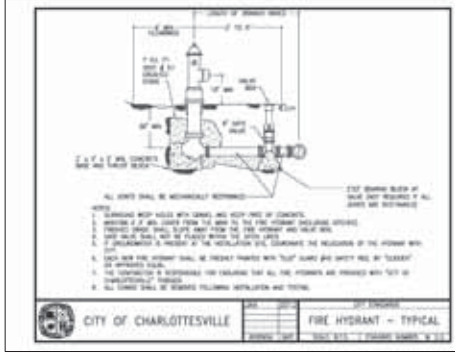


**LANDSCAPE PLAN**

Date: 01/19/2018  
Sheet: 1 of 15

**BELLEVUE ST.**  
CITY OF CHARLOTTESVILLE, VIRGINIA

Subdivision Plans For:  
Date: 01/19/2018  
Scale: 1"=40'  
Sheet No.: C12 OF 15  
File No.: 17.052

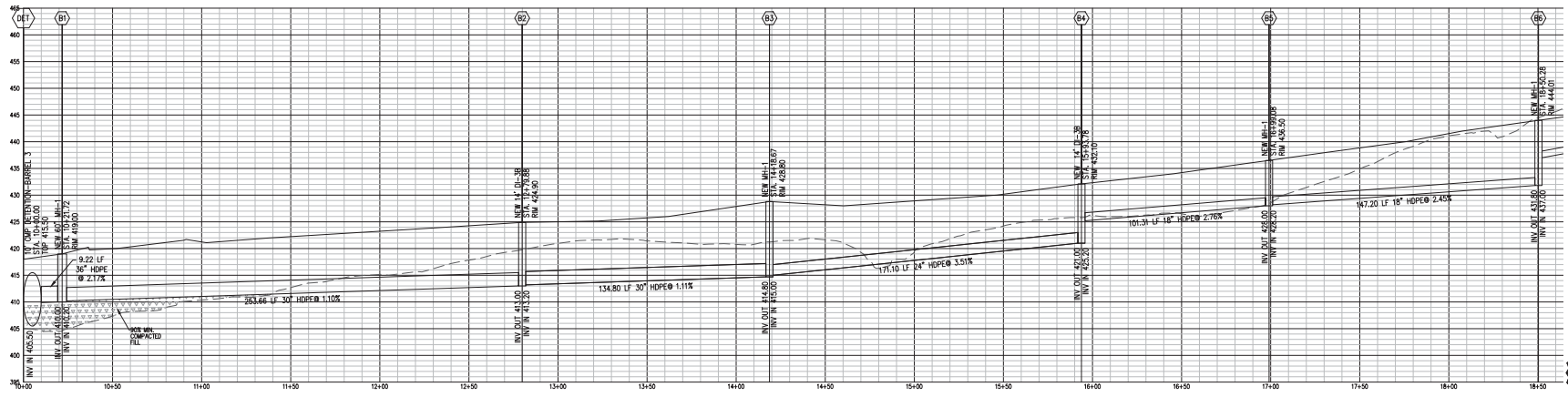


SUBMISSION PLANS FOR:  
**BELLEVIEW ST.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

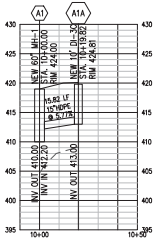
DATE: 01/19/2018  
 SCALE: N/A  
 SHEET NO.: C13 OF 15  
 FILE NO.: 17.052

DATE: 01/19/2018  
 SCALE: N/A  
 SHEET NO.: C13 OF 15  
 FILE NO.: 17.052

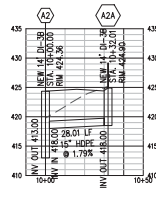




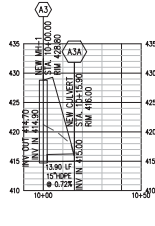
**1** STORM SEWER PROFILE: B1-B6  
 SCALE: 1" = 30' VERT. 1" = 10'



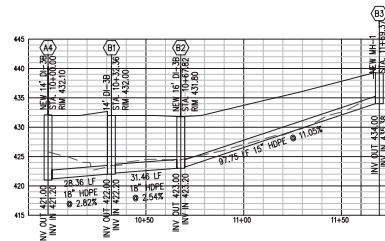
**2** STORM SEWER PROFILE: A1-A1A  
 SCALE: 1" = 30' VERT. 1" = 10'



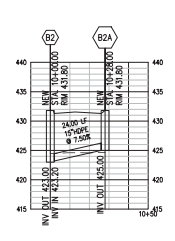
**3** STORM SEWER PROFILE: A2-A2A  
 SCALE: 1" = 30' VERT. 1" = 10'



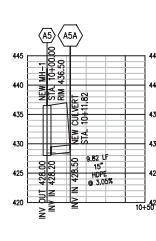
**4** STORM SEWER PROFILE: A3-A3A  
 SCALE: 1" = 30' VERT. 1" = 10'



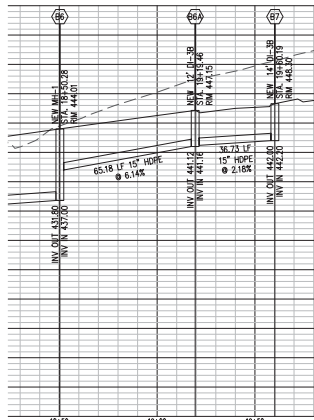
**5** STORM SEWER PROFILE: A4-B3  
 SCALE: 1" = 30' VERT. 1" = 10'



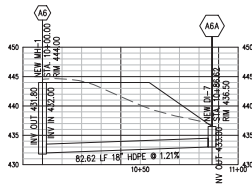
**6** STORM SEWER PROFILE: B2-B2A  
 SCALE: 1" = 30' VERT. 1" = 10'



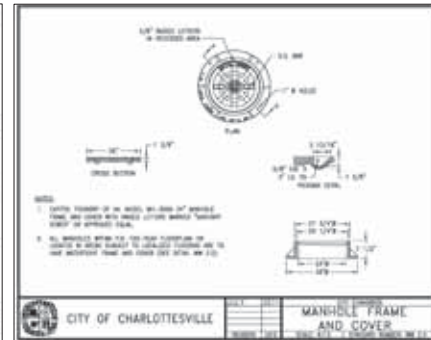
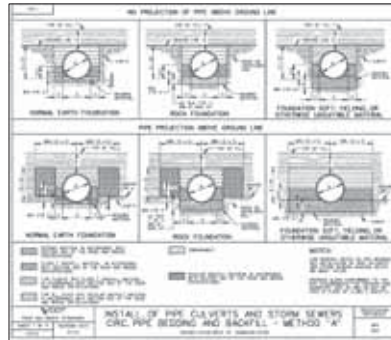
**7** STORM SEWER PROFILE: A5-A5A  
 SCALE: 1" = 30' VERT. 1" = 10'



**8** STORM SEWER PROFILE: B6-B7  
 SCALE: 1" = 30' VERT. 1" = 10'



**9** STORM SEWER PROFILE: A6-A6A  
 SCALE: 1" = 30' VERT. 1" = 10'



**SHIMPE ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E MAIN ST, SUITE M  
 CHARLOTTEVILLE, VA 22902  
 PHONE: (540) 227-5140  
 JUSTIN@SHIMPE.COM  
 JUSTIN@SHIMPE-ENGINEERING.COM

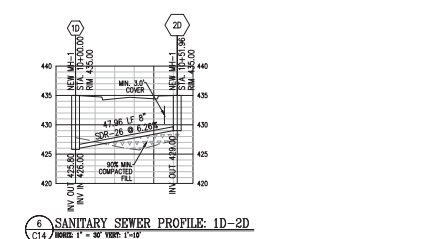
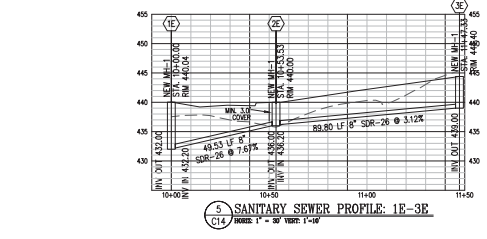
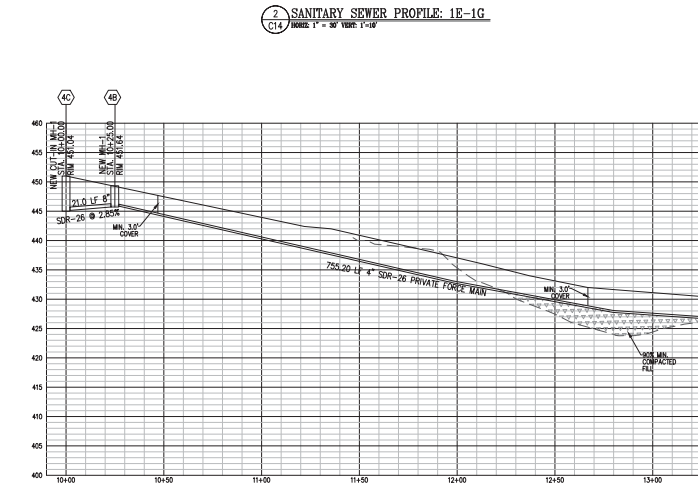
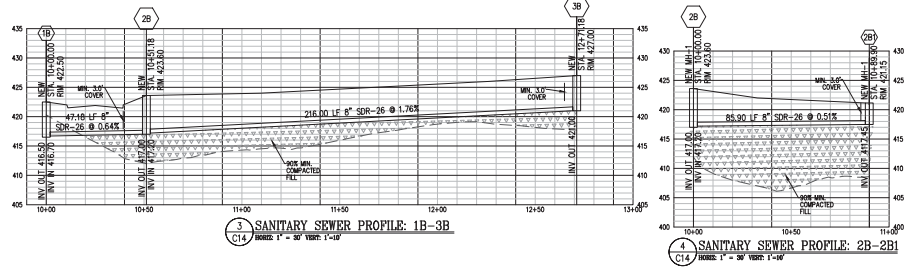
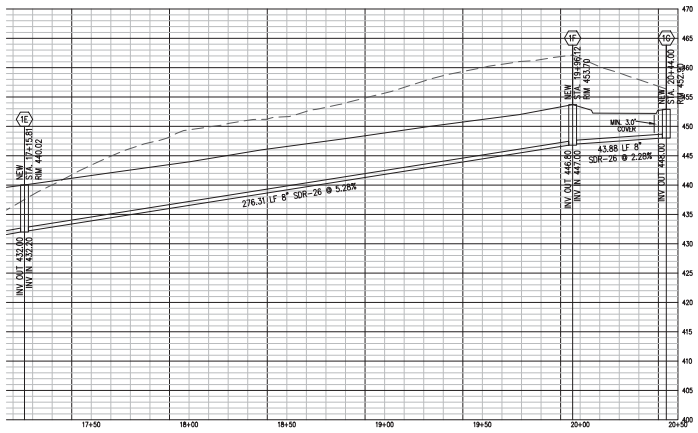
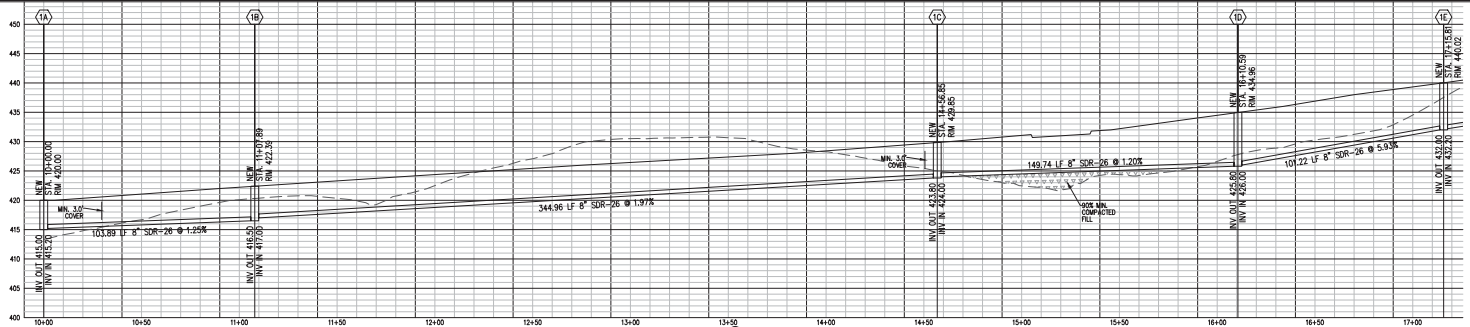


**STORM SEWER PROFILES**

| Sheet No. | Date       | Description | City Comments |
|-----------|------------|-------------|---------------|
| C14       | 06/18/2018 |             |               |

SUBMISSION PLANS FOR:  
**BELLEVIEW ST.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 01/19/2018  
 Scale: 1" = 30'  
 Sheet No.: C14 OF 15  
 File No.: 17.052



**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



**SANITARY SEWER PROFILES**

| Sheet No. | Date       | Description | City Comments |
|-----------|------------|-------------|---------------|
| C15       | 01/19/2018 |             |               |

SUBDIVISION PLANS FOR:  
**BELLEVIEW ST.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 01/19/2018  
 Scale: 1" = 30'  
 Sheet No.: C15 OF 15  
 File No.: 17.052

**Robertson, Lisa**

---

**Subject:** FW: Belleview Ave. Azalea Cottages

**From:** Robertson, Lisa  
**Sent:** Wednesday, April 25, 2018 10:58 AM  
**To:** 'Tyler Grisham'  
**Cc:** 'Andrew Baldwin'; Shimp, Justin; Alfele, Matthew; Silman, Martin  
**Subject:** RE: Belleview Ave. Azalea Cottages

Tyler,

Following is a summary of my opinion/ guidance on the land use and development issues we discussed last week. I hope this will be helpful.

1. Subdivision Ordinance—Existing 20-foot alley

A. Boundary Line Adjustment is not the proper procedure. Subdivision Ordinance §29-60 specifies that a boundary line adjustment is not the proper procedure for submitting a proposal to redesign a portion of a previously-platted subdivision, if any of the proposed changes would relocate or alter streets, alleys, easements for public passage.

Your client's recent development plan submission indicated that an existing 20-foot alley would be replaced with a new (wider) dedicated public right-of-way to be developed as a public street. The establishment of a public street right-of-way (regardless of whether the alley is vacated and replaced, or simply widened and dedicated for public use) in my opinion, will alter the existing alley and that will create a new public street in a location where none has previously been platted or developed; also, if new homes are to front along the street, water and sewer utility mains would presumably be extended within the new public street. That's within the definition of "major subdivision" for which a subdivision plat must be submitted and approved by the Planning Commission.

B. Existing Alley Can't be Used As-Is for Lot Frontage (an improved public street area). If previously undeveloped land is proposed to be developed, that development must comply with current provisions of the City's subdivision ordinances, including specifications for the location, width, grades, drainage and improvements required for public streets that will provide access to and frontage for individual lots. Generally, the existence of an early-20<sup>th</sup>-century plat does not protect a landowner from changes in subdivision laws that have taken place within the past 100 years (even under modern subdivision laws, an approved development plan protects a landowner against changes in an ordinance only for a five (5) year period).

Pursuant to City Code 34-1120(a), each lot to be used for residential occupancy must have frontage on a public street or other public area accepted for maintenance by the City. The alley in question was platted in the early 1900's, most likely as a private access, and there is no law of which I am aware that requires the City to allow it to be improved as-is, for use and maintenance as a public street. However, if land were to be dedicated for public use as a new public street, centered on the location where the alley was originally platted, and if the new public street were designed and constructed in accordance with the requirements of the subdivision and the City's Standards and Design Manual, then the requirements of 34-1120(a) could be satisfied.

2. Subdivision Ordinance—"Critical Slopes" is defined differently in the Subdivision Ordinance, which governs infrastructure design and layout; it's possible that a public street could be approved in the location of the alley.



You have indicated that establishing a street in the location of the existing alley may intrude into areas of “critical slopes”. It is important for landowners and developers to understand that “critical slopes” are defined differently within the Subdivision Ordinance than in the Zoning Ordinance: within the Subdivision Ordinance the term “critical slope(s)” refers to **any portion of a proposed lot that has a grade in excess of 25%**, *see* S.O. Sec 29-3 (definition of critical slope).

The primary purpose of a Subdivision Ordinance is to promote the orderly development of land within the City, by assuring that certain essential public facilities are provided and coordinated (streets, sidewalks, utilities, etc.). Toward this end, there is a requirement for “connectivity”—i.e., all streets within and contiguous to a development must be coordinated with other existing or planned streets, as to **location, widths, grades and drainage**. *See* City Code §29-181(a). The “connectivity” should be achieved by layouts that minimize environmental disturbances.

**S.O. Sec. 29-182 (a):** “Each street shall be configured, to the extent practicable, to conform to the natural topography [and] to minimize the disturbance of critical slopes and natural drainage areas....” This standard applies separate and apart from the “critical slopes” provisions within the City’s Zoning Ordinance (§34-1120). **In reviewing a proposed major subdivision plat, the Planning Commission will consider evidence presented by a landowner, indicating the efforts made to minimize intrusion of a proposed street into areas having a grade of 25% or more.** It is important that this evidence/ explanation of the landowner’s approach to planning and design of the streets within a development be included with the development application materials.

**S.O. Sec. 29-204(1):** “All utilities, including...wires, cables, pipes, conduits and appurtenant equipment for electricity, gas, water, sewer, telephone or similar service, shall be located...in a manner that conforms to the natural topography [and] minimizes the disturbance of critical slopes and natural drainage areas....” This standard applies separate and apart from the “critical slopes” provisions within the City’s Zoning Ordinance (§34-1120).

If achieving connectivity would adversely affect environmental resources (such as streams, stream buffers, or areas having a grade in excess of 25%) then the Planning Commission may authorize a variation from the requirement for “coordination and connection” of streets, as to location, widths, grades and drainage. *See* S.O. 29-181(c)(1), referencing S.O. §29-36. **This is not the critical slope waiver referenced within the zoning ordinance; it is a process that allows for some flexibility in design and layout of public streets.** The purpose of the variation is to balance a desire for connectivity with a desire for environmental protection.

3. Each subdivision plat must ALSO depict “Critical Slope” areas as defined in the zoning ordinance. The zoning ordinance is primarily concerned with the use and development of private property (areas outside the public right-of-way), and it requires each new lot to contain a building site that is outside the “critical slope” area defined by City Code §34-1120. However, because each subdivision plat establishes the legal boundaries of lots within a proposed development, each subdivision plat is required to **depict** the location of “critical slopes”—**BOTH** as defined in the Subdivision Ordinance (areas having a grade of 25% or more) **AND** as defined in the zoning ordinance (4-part criteria, see below). This is to make sure that landowners/ developers are aware that, within the boundaries of each lot, there may be restrictions within the zoning ordinance as to areas that can be used for building sites.

**S.O. Sec. 29-110(a)(38):** “Critical slopes as defined under City Code Sec. 34-1120 shall be referenced [depicted] on the [subdivision] plat.” A proposed subdivision plat must identify the location of “critical slopes” as defined within the Zoning Ordinance, **AS WELL AS** location of all areas containing slopes in excess of 25% (as required by the Subdivision Ordinance).

**Z.O. Sec. 34-1120** defines “critical slope” as: 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.

*Lisa*

Lisa A. Robertson, Esq.

Chief Deputy City Attorney

City of Charlottesville | Office of The City Attorney

P: 434.970.3131 | [robertsonl@charlottesville.org](mailto:robertsonl@charlottesville.org)