## Agenda

## PLANNING COMMISSION REGULAR DOCKET <br> WEDNESDAY, September 9, 2020 at 5:30 P.M. <br> Virtual Meeting

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

Beginning: 5:00 p.m.
Location: (Electronic/Virtual)

## II. Commission Regular Meeting

Beginning: 5:30 p.m.
Location: (Electronic/Virtual)
A. COMMISSIONERS' REPORTS
B. UNIVERSITY REPORT
C. CHAIR'S REPORT

1. Annual Meeting
A. Election of officers
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)
2. Minutes - July 14, 2020 - Pre- meeting and Regular meeting
3. Site Plan -Kappa Kappa Gamma ( 503 Rugby Rd)
4. Site Plan - Chick-fil-A Barracks Rd
5. Entrance Corridor - Chick-fil-A Barracks Rd
G. Presentation - JAUNT

## 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
No hearings scheduled
IV. COMMISSION'S ACTION ITEMS

Continuing: until all action items are concluded.
H. Family Day Home - Discussion
I. 240 Stribling site - Work Session

## V. FUTURE MEETING SCHEDULE/ADJOURN

|  |  |  |
| :--- | :--- | :--- |
| Tuesday October 13, 2020-5:00 PM | Pre- <br> Meeting |  |
| Tuesday October 13, 2020 - 5:30 PM | Regular <br> Meeting | Minutes - August 11, 2020 - Pre- <br> meeting and Regular meeting <br> ZTA - Family Day Home |

## Anticipated Items on Future Agendas

Zoning Text Amendments _Off-street parking facilities requirements along streets designated as "framework streets" (initiated May 8, 2018), Site Plan Requirements, Accessory Dwelling Unit, Middle Density zoning and Affordable Dwelling Unit, Family Day Home
Comp Plan Amendment - Small Area Plan -Cherry Avenue, Community Vision Plan - Starr Hill
Rezoning - 817 Nassau Street, 1000 Monticello

## 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.

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

During the local state of emergency related to the Coronavirus (COVID19), City Hall and City Council Chambers are closed to the public and meetings are being conducted virtually via a Zoom webinar. The webinar is broadcast on Comcast Channel 10 and on all the City's streaming platforms including: Facebook, Twitter, and www.charlottesville.gov/streaming. Public hearings and other matters from the public will be heard via the Zoom webinar which requires advanced registration here: www.charlottesville.gov/zoom. You may also participate via telephone and a number is provided with the Zoom registration or by contacting staff at 434-970-3182 to ask for the dial in number for each meeting.

## LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY 8/1/2020 TO 8/31/2020

1. Preliminary Site Plans
2. Final Site Plans
a. 400 Rugby Road - Westminster Church Frontage Improvements - August 10, 2020
b. 1532 \&1534 Virginia Avenue - Apartment Building - August 25, 2020
c. Segra Emmet Street Utility Plan - August 25, 2020
3. Site Plan Amendments
4. Subdivision
a. BLA - 104 \& 105 Baylor Place (TMP 26-45.21 \& 26-45.22) - August 4, 2020

July 14, 2020 Planning Commission Minutes are included as the last document in this packet

## CITY OF CHARLOTTESVILLE <br> DEPT. OF NEIGHBORHOOD DEVELOPMENT SERVICES STAFF REPORT

## APPLICATION FOR APPROVAL OF A FINAL SITE PLAN

## PLANNING COMMISSION REGULAR MEETING

| MEETING DATE: | Wednesday, September 9, 2020 |
| :--- | :--- |
| DEVELOPMENT NAME: | Kappa Kappa Gamma - 503 Rugby Road Final Site Plan |
| APPLICATION NUMBER: | P19-0164 |
| Reason for Planning Commission Review: | Final site plan reflects the proposed development of a <br> property that is the subject of an existing or proposed <br> special permit <br> Joey Winter |
| Planner: | August 27, 2020 |
| Date of Staff Report: | Timmons Group |
| Applicant: | Mr. Craig Kotarski, PE |
| Applicant's Representative: | Epsilon Sigma House Corporation of Kappa Kappa Gamma |
| Owner of Record: |  |
| Application Information | 503 Rugby Road ("Subject Property") |
| Property Street Address: | TM 5-52 \| 050052000 |
| Tax Map \| Parcel Number: | 0.3440 acres (14,985 ft ${ }^{2}$ ) |
| Site Area (per GIS): | High Density Residential |
| Comprehensive Plan (Land Use Plan): | R-3H |
| Zoning District: | Rugby Road-University Circle-Venable Neighborhood <br> Architectural Design Control District |

## Applicant's Request

Mr. Craig Kotarski of Timmons Group, on behalf of the Epsilon Sigma House Corporation of Kappa Kappa Gamma, is seeking Planning Commission approval for the 503 Rugby Road - Kappa Kappa Gamma Final Site Plan. This final site plan proposes renovation, expansion, and upgrades to the existing sorority house at 503 Rugby Road. On October 7, 2019, City Council approved Special Use Permit SP19-00004 authorizing a sorority house at 503 Rugby Road for up to 37 occupants. As per the City's Zoning Ordinance, Planning Commission shall review this final site plan because it reflects the proposed development of property that is subject to a Special Use Permit.

## Vicinity Map



Zoning Map


## Standard of Review

Site plan approval is a ministerial function of Planning Commission in which no discretion is involved. If this final site plan contains all required information then it must be granted approval. If Planning Commission disapproves this plan, it shall set forth in writing the specific reasons therefor. The reasons for disapproval shall identify deficiencies in this plan which cause the disapproval, by reference to specific ordinances, laws or regulations. If this plan is disapproved, Planning Commission must also generally identify modifications or corrections that will permit approval of this plan.

## Site Plan Requirements

A. Compliance with applicable zoning district regulations [City Code - Chapter 34]

Staff has determined that this site plan complies with requirements of the R-3H Zoning District.
B. Compliance with the City's Erosion and Sediment Control ordinance [City Code - Chapter 10]

Staff has determined that this final site plan complies with the City's Erosion and Sediment Control ordinance. Erosion and Sediment Control plans are included as site plan Sheets C3.0 through C3.3 and Stormwater Management Plans are included as site plan Sheets C6.0 through C6.3.

## C. Compliance with the City's site plan requirements [City Code - Sec. 34-827 and Sec. 34-828]

Staff has determined that this site plan contains the following information as required:

| PRELIMINARY SITE PLAN REQUIREMENTS [Sec. 34-827(d)] | SHEET(S) |
| :---: | :---: |
| 1. General site plan information | C0.0 |
| 2. Existing condition and adjacent property information | C2.0 |
| 3. Phasing plan | N/A |
| 4. Topography and grading | C5.0 |
| 5. Existing landscape and trees | C2.0 |
| 6. Name and location of all water features | N/A |
| 7. One hundred-year flood plain limits | N/A |
| 8. Existing and proposed streets and associated traffic information | C0.0 |
| 9. Location and size of existing water and sewer infrastructure | C2.0 |
| 10. Proposed layout for water/sanitary sewer facilities \& storm drain facilities | C4.0 |
| 11. Location of other existing and proposed utilities and utility easements | C2.0, C4.0 |
| 12. Location of existing and proposed ingress to and egress from the property | C2.0, C4.0 |
| 13. Location and dimensions of all existing and proposed improvements | C4.0 |
| 14. All areas intended to be dedicated or reserved for public use | N/A |
| 15. Landscape plan (if subject to entrance corridor review) | N/A |
| 16. Where deemed appropriate due to intensity of development: |  |
| a. Estimated traffic generation figures based upon current ITE rates | C0.0 |
| b. Estimated vehicles per day | C0.0 |
| FINAL SITE PLAN REQUIREMENTS [Sec. 34-828(d)] | SHEET(S) |
| 2. Signage information | N/A |
| 3. Specific written schedules or notes (as necessary) | C0.0-C1.3 |
| 4. Residential unit information (if applicable list affordable housing details) | C0.0 |
| 5. Proposed grading: maximum two-foot contours | C3.2 |
| 6. Detailed plans for proposed water and sanitary sewer facilities | C4.0, L500-L530 |
| 7. Detailed stormwater management plans |  |
| a. Profiles proposed and existing ditches and channels | C7.0 |
| b. Profiles proposed and existing storm drainage systems | C7.0 |
| c. Plan view of all drainage systems | C3.2, C3.3 |
| d. Drainage summary table for culverts, storm drainage facilities and channels | C6.2, C6.3 |
| e. Legend showing all symbols and abbreviations used on the plan | C3.2, C3.3 |
| f. Final stormwater management plan | C6.0-C6.2 |
| g. erosion and sediment control plan | C3.0-C3.3 |
| 8. Parking details | C4.0 |
| 9. Final landscape plan | L600 |
| 10. Signature panel for the preparer | ALL SHEETS |
| 11. Signature panel for the NDS Director and City Engineer | C0.0 |

D. Additional information to be shown on the site plan as deemed necessary by the director or Commission in order to provide sufficient information for the director or Commission to adequately review the site plan.
The Special Use Permit approved by City Council on October 7, 2019 includes the following conditions for the 503 Rugby Road - Kappa Kappa Gamma Final Site Plan:

1. The "boarding, fraternity and sorority house" use approved by this special use permit shall have a maximum of thirty-seven (37) residents.

## COMPLIES - See Sheet C0.0

2. For the building containing the use referenced in $\mathbb{\Pi}(1)$, above:
(a) The following side yards shall be required:
i. North Side Yard abutting TMP 5-53: A side yard of five (5) feet, minimum will be required instead of one (1) foot of side yard per every two (2) feet of building height with a minimum of ten (10) feet.

## COMPLIES - See Sheet C0.0

ii. South Side Yard Corner, street side abutting Lambeth Lane: A side yard of fifteen (15) feet, minimum will be required instead of twenty (20) feet, minimum.

## COMPLIES - See Sheet C0.0

(b) The following front yard shall be required:
i. East Front Yard abutting Rugby Road: A front yard of twenty-five (25) feet, minimum will be required instead of the average depth of the existing front yards within five hundred (500) feet.
COMPLIES - See Sheet C0.0
3. On-site parking will be provided, in the general location and configuration shown within the preliminary site plan dated July 16,2019 . The final site plan shall demonstrate compliance with the following: (a) onsite parking shall be used exclusively by residents of the sorority house and their guests (no sale or leasing of on-site parking for off-site functions is permitted) and (b) signage and pavement markings, including both lane lines and text, may be required by the City's Traffic Engineer, in order to designate travel ways and specify the direction of traffic in on-site parking area(s).
COMPLIES - See Sheet C4.0
4. All trash receptacles must be hidden from view when not set out for curbside pickup.

COMPLIES - See Sheets C4.0 \& L410
5. The "boarding, fraternity or sorority house" use approved by this special use permit, and (except as specifically modified within condition (2), above), all buildings and structures located on the Subject Property, shall comply with the provisions of City Code Sec. 34-353 and all other applicable provisions of Chapter 34 (Zoning) of the Code of the City of Charlottesville.

## COMPLIES - See All Sheets

## PUBLIC COMMENTS RECEIVED

No public comment was received during the final site plan review process. A public site plan conference was held on August 7, 2019.

## STAFF'S RECOMMENDATION

Staff recommends that the 503 Rugby Road - Kappa Kappa Gamma Final Site Plan be approved.

## ATTACHMENTS

1) SP19-00004 - RESOLUTION AUTHORIZING A SORORITY HOUSE AT 503 RUGBY ROAD FOR UP TO 37 OCCUPANTS - approved by City Council on October 7, 2019
2) CITY CODE SECTIONS 34-827 \& 34-828 - Preliminary and final site plan content requirements
3) 503 RUGBY ROAD - KAPPA KAPPA GAMMA FINAL SITE PLAN - for approval

# RESOLUTION AUTHORIZING A SORORITY HOUSE AT 503 RUGBY ROAD FOR UP TO 37 OCCUPANTS 

WHEREAS, pursuant to City Code $\S 34-420$ and $\S 34-162$, landowner Epsilon Sigma House Corporation/ Kappa Kappa Gamma Sorority has submitted an application seeking a special use permit to authorize a "boarding, fraternity and sorority house", as defined within City Code §34-1200, to be used as a place of room and board for up to thirty-seven (37) members of a fraternity or sorority, and a modification of certain yard requirements (the proposed "Special Use"); and

WHEREAS, the proposed Special Use will be located at 503 Rugby Road (the "Subject Property"), which is further identified on 2019 City Tax Map 5 as Parcel 52 (City Parcel ID No. 050052000 ) and is located within the City's R-3 zoning district, and the area proposed to be subject to the proposed Special Use Permit will be 0.3440 acre, or approximately 14,985 square feet; and

WHEREAS, previously, on February 21, 1978, City Council granted a special use permit to authorize a sorority house with thirty-six (36) rooms on the Subject Property, and the Subject Property has been used as such since that time; and

WHEREAS, the proposed Special Use is generally described within written materials submitted in connection with SP19-00004, including: (i) the application materials dated July 13, 2019, and related narrative; and (ii) a proposed preliminary site plan submitted July 16, 2019 as required by City Code §34-158 (collectively, the "Application Materials"); and

WHEREAS, the Planning Commission reviewed the Application Materials, and the City's Staff Report pertaining thereto, and then, following a joint public hearing duly advertised and conducted by the Planning Commission and City Council on September 10, 2019, the Planning Commission voted to recommend that City Council should approve this proposed Special Use, subject to certain conditions; and

WHEREAS, upon consideration of the comments received during the joint public hearing, the Planning Commission's recommendation, and the Staff Report, as well as the factors set forth within Sec. 34-157 of the City's Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to City Code Sec. 34-480, the proposed Special Use is granted, subject to the following conditions:

1. The "boarding, fraternity and sorority house" use approved by this special use permit shall have a maximum of thirty-seven (37) occupantsfooms.
2. For the building containing the use referenced in $\mathbb{I}(1)$, above:
(a) The following side yards shall be required:
i. North Side Yard abutting TMP 5-53: A side yard of five (5) feet, minimum will be required instead of one (1) foot of side yard per every two (2) feet of building height with a minimum of ten (10) feet.
ii. South Side Yard Corner, street side abutting Lambeth Lane: A side yard of fifteen (15) feet, minimum will be required instead of twenty (20) feet, minimum.
(b) The following front yard shall be required:
i. East Front Yard abutting Rugby Road: A front yard of twenty-five (25) feet, minimum will be required instead of the average depth of the existing front yards within five hundred (500) feet.
3. On-site parking will be provided, in the general location and configuration shown within the preliminary site plan dated July 16, 2019. The final site plan shall demonstrate compliance with the following: (a) on-site parking shall be used exclusively by residents of the sorority house and their guests (no sale or leasing of on-site parking for off-site functions is permitted) and (b) signage and pavement markings, including both lane lines and text, may be required by the City's Traffic Engineer, in order to designate travel ways and specify the direction of traffic in on-site parking area(s).
4. All trash receptacles must be hidden from view when not set out for curbside pickup.
5. The "boarding, fraternity or sorority house" use approved by this special use permit, and (except as specifically modified within condition (2), above), all buildings and structures located on the Subject Property, shall comply with the provisions of City Code Sec. 34-353 and all other applicable provisions of Chapter 34 (Zoning) of the Code of the City of Charlottesville.

BE IT FURTHER RESOLVED THAT the Special Use Permit approved by this Resolution amends and supersedes the special use permit approved by resolution dated February 21, 1978 for the Subject Property.

Approved by Council October 7, 2019

(a) Sixteen (16) clearly legible blue or black line copies of a preliminary site plan shall be submitted along with an application for approval. In addition, a three-dimensional drawing or model of the proposed site and the surrounding areas showing massing in context shall be submitted along with any preliminary site plan that is to be reviewed by the planning commission. If revisions to the submitted preliminary site plan are necessary, then sixteen (16) full-sized revised copies, and, if the preliminary site plan is to be reviewed by the planning commission, an additional ten (10) revised copies shall be submitted by the revision deadline.
(b) All waiver, variation and substitution requests shall be submitted with the preliminary site plan, and the applicant shall clearly state the specific items being requested for waiver, variation or substitution.
(c) The preliminary site plan shall be prepared to an engineering scale of 1:20, unless, in the determination of the director a different scale will allow a better representation of the development.
(d) The preliminary site plan shall contain the following information:
(1) The name of the development; names of the owner(s), developer(s) and individual(s) who prepared the plan; tax map and parcel number; zoning district classification(s); descriptions of all variances, zoning proffers and bonus factors applicable to the site; description of affordable dwelling unit requirements applicable to the subject property pursuant to section 34-12(a) or section 34-12(d)(1); city and state; north point; scale; one (1) datum reference for elevation (where a flood hazard overlay district is involved, U.S. Geological Survey vertical datum shall be shown and/or correlated to plan topography); source of the topography; source of the survey; sheet number and total number of sheets; date of drawing; date and description of latest revision; zoning district, tax map and parcel number, and present use, of each adjacent parcel; departing lot lines; minimum setback lines, yard and building separation requirements; a vicinity sketch showing the property and its relationship with adjoining streets, subdivisions and other landmarks; and boundary dimensions.
(2) Written schedules or data as necessary to demonstrate that the site can accommodate the proposed use, including: proposed uses and maximum acreage occupied by each use; maximum number of dwelling units by type; gross residential density; square footage of recreation area(s); percent and acreage of open space; maximum square footage for non-residential uses; maximum lot coverage; maximum height of all structures; schedule of parking, including maximum amount required and amount provided; maximum amount of impervious cover on the site; and if a landscape plan is required, maximum amount of paved parking and vehicular circulation areas.
(3) If phasing is planned, phase lines and proposed timing of development;
(4) Existing topography for the entire site at maximum five-foot contours; proposed grading (maximum two-foot contours), supplemented where necessary by spot elevations; and sufficient offsite topography to describe prominent and pertinent offsite features and physical characteristics, but in no case less than fifty (50) feet outside of the site unless otherwise approved by the director. Topographic information submitted with a preliminary plat shall be in the form of a topographic survey, which shall identify areas of critical slopes, as defined in section 29-3, natural streams, natural drainage areas, and other topographic features of the site.
(5) Existing landscape features as described in section 34-867 (requirements of landscape plans), including all individual trees of six (6) inch caliper or greater.
(6) The name and location of all watercourses, waterways, wetlands and other bodies of water adjacent to or on the site.
(7) One hundred-year flood plain limits, as shown on the official flood insurance maps for the City of Charlottesville, as well as the limits of all floodway areas and base flood elevation data required by section 34-253.
(8) Existing and proposed streets, access easements, alley easements and rights-of-way, and other vehicular travelways, together with street names, highway route numbers, right-of-way lines and widths, centerline radii, and pavement widths.
(9) Location and size of drainage channels, and existing and proposed drainage easements; and a stormwater management concept detailing how the applicant will achieve adequate drainage postdevelopment, including a description of the specific design concept the applicant plans to apply. References to specific types of stormwater management facilities, specific treatments, BMPs, LID techniques, etc. shall be provided, The stormwater management concept shall be prepared by a professional engineer or landscape architect, as those terms are defined within Virginia Code § 54.1400 , and shall describe the manner in which stormwater runoff from the subdivision will be controlled in order to minimize the damage to neighboring properties and receiving streams, and prevent the discharge of pollutants into surface waters, in accordance with the requirements of City Code Chapter 10.
(10) Location and size of existing water, sanitary and storm sewer facilities and easements, and proposed conceptual layout for water and sanitary sewer facilities and public storm sewer facilities.
(11) Location of other existing and proposed utilities and utility easements.
(12) Location of existing and proposed ingress to and egress from the property, showing the distance to the centerline of the nearest existing street intersection.
(13) Location and dimensions of all existing and proposed improvements, including: buildings (maximum footprint and height) and other structures (principal as well as accessory); walkways; fences; walls; trash containers; outdoor lighting; landscaped areas and open space; recreational areas and facilities; parking lots and other paved areas; loading and service areas, together with the proposed paving material types for all walks, parking lots and driveways.
(14) All areas intended to be dedicated or reserved for public use.
(15) Landscape plan, in accordance with section 34-867, if the proposed site plan is subject to entrance corridor review.
(16) Where deemed appropriate by the director due to intensity of development, estimated traffic generation figures for the site based upon current VDOT rates, indicating the estimated vehicles per day and the direction of travel for all connections to a public road.

The director or the commission may require additional information to be shown on the preliminary site plan as deemed necessary in order to provide sufficient information for the director or commission to adequately review the preliminary site plan.
(9-15-03(3); 6-6-05(2); 1-20-09; 11-18-13; 5-19-14, § 2, eff. 7-1-14)
(a) A final site plan, together with any amendments thereto, shall be prepared and sealed, signed and dated by an architect, professional engineer, land surveyor or certified landscape architect licensed to practice within the Commonwealth of Virginia.
(b) Ten (10) clearly legible blue or black line copies of the master drawing shall be submitted to the department of neighborhood development services, along with an application for approval of the final site plan. If review is required by the commission, then the applicant shall also provide one (1) reduced copy of the final site plan, no larger than eleven (11) inches by seventeen (17) inches in size.
(c) The final site plan shall be prepared to the scale of one (1) inch equals twenty (20) feet or larger, or to such a scale as may be approved by the agent in a particular case. No sheet shall exceed thirty-six (36) inches by forty-two (42) inches in size. The final site plan may be prepared on one (1) or more sheets. If prepared on more than one (1) sheet, match lines shall clearly indicate where the sheets join. The top of the sheet shall be approximately either north or east.
(d) The final site plan shall reflect conditions of approval of the preliminary site plan, and shall meet all requirements set forth within Code of Virginia § 15.2-2240 et seq. In addition, the final site plan shall contain the following information:
(1) The location, character, size, height and orientation of proposed signs, as proposed to be installed or erected in accordance with Article IX, sections 34-1020, et seq. of this chapter; and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this section shall be considered a part of the approved site plan. Thereafter, signs shall not be installed, erected, painted, constructed, structurally altered, hung, rehung or replaced except in conformity with the approved site plan. Any changes in signs from the approved site plan or any additions to the number of signs as shown on the site plan shall be allowed only after amendment of the site plan by the director of neighborhood development services or the planning commission.
(2) Specific written schedules or notes as necessary to demonstrate that the requirements of this chapter are being satisfied.
(3) Indicate if residential units are sale or rental units; number of bedrooms per unit; and number of units per building if multifamily; specifications for recreational facilities; and reference to the specific deed(s), agreement(s) or other evidence of the property owner's binding obligation to provide affordable dwelling units applicable to the subject property pursuant to section 34-12(a) or section 34-12(d)(1), consistent with regulations approved pursuant to section 34-12(d).
(4) Proposed grading: maximum two-foot contours.
(5) Detailed plans for proposed water and sanitary sewer facilities, including: all pipe sizes, types and grades; proposed connections to existing or proposed systems; location and dimensions of proposed easements and whether such easements are to be publicly or privately maintained; profiles and cross sections of all water and sewer lines including clearance where lines cross; all water main locations and sizes; valves and fire hydrant locations; all sanitary sewer appurtenances by type and number; the station on the plan to conform to the station shown on the profile, and indicate the top and invert elevation of each structure.
(6) Detailed stormwater management plans, and construction drainage and grading plans, showing:
a. Profiles of all ditches and channels, whether proposed or existing, with existing and proposed grades; invert of ditches, cross pipes or utilities; typical channel cross sections for new construction; and actual cross sections for existing channels intended to remain.
b. Profiles of all storm drainage systems showing existing and proposed grades.
c. Plan view of all drainage systems with all structures, pipes and channels numbered or lettered on the plan and profile views. Show sufficient dimensions and bench marks to allow field stake out of all proposed work from the boundary lines.
d. A drainage summary table for culverts, storm drainage facilities and channels.
e. A legend showing all symbols and abbreviations used on the plan.
f. Information, details, calculations, construction plans and other documents or data required by Chapter 10 for a final stormwater management plan shall be included, along with such other information, plans, calculations, and details sufficient to demonstrate compliance with the standards for drainage set forth within Article IV of the city's subdivision ordinance.
g. Information, details, calculations, plans and other documents or data required by Chapter 10 for an erosion and sediment control plan.
(7) Typical street sections together with specific street sections where street cut or fill is five (5) feet or greater; centerline curve data; radius of curb returns or edge of pavement; location, type and size of proposed ingress to and egress from the site; together with culvert size; symmetrical transition of pavement at intersection with existing street; the edge of street surface or face of curb for full-length of proposed street; when proposed streets intersect with or adjoin existing streets or travel-ways, both edges of existing pavement or travelway together with curb and gutter indicated for a minimum of one hundred (100) feet or the length of connection, whichever is the greater distance.
(8) For all parking and loading areas, indicate: size, angle of stalls; width of aisles and specific number of spaces required and provided, and method of computation, indicating type of surfacing for all paved or gravel areas.
(9) A final landscape plan.
(10) Signature panel for the preparer, consistent with the requirements of paragraph (a), above.
(11) Signature panels for the director and the city engineer.

## KAPPA KAPPA GAMMA HOUSE

## FINAL SITE PLAN

503 RUGBY ROAD
CITY OF CHARLOTTESVILLE, VIRGINIA
11/11/2019

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APPROVALS
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608 PRESTON AVENUE SUITE 200 CHARLOTTESVILLE, VA 22902 CONTACT: CRAIG KOTARSKI P. E. TELEPHONE: 434-327-1688







## RESOLUTION

AUTHORIZING A SORORITY HOUS

## AT 503 RUGBY ROAD FOR UP TO 37 OCCUPANTS

WHEREAS, pursuant to City Code $\S 34-420$ and $\S 34-162$, landowner Epsilon Sigma ouse Corporation/ Kappa Kappa Gamma Sorority has submitted an application seeking a pecial use permit to authorize a "boarding, fraternity and sorority house", as defined within City ode $\S 34-1200$, to be used as a place of room and board for up to thirty-seven (37) members of a ternity or sority, and a modification of certain yard requirements (the proposed "Speci se"); and

WHEREAS, the proposed Special Use will be located at 503 Rugby Road (the "Subject roperty"), which is further identified on 2019 City Tax Map 5 as Parcel 52 (City Parcel ID No 0052000 ) and is located within the City's R-3 zoning district, and the area proposed to be eet; and the proposed Special se

WHEREAS, previously, on February 21, 1978, City Council granted a special use permi authorize a sorority house with thirty-six (36) rooms on the Subject Property, and the Subject roperty has been used as such since that time; and WHEREAS, the proposed Special Use is generally described within written materials
ubmitted in connection with SP19-00004, including: (i) the application materials dated July 13 , 019, and related narrative; and (ii) a proposed preliminary site plan submitted July 16, 2019 as quired by City Code $\$ 34-158$ (collectively, the "Application Materials"); and

WHEREAS, the Planning Commission reviewed the Application Materials, and the ity's Staff Report pertaining thereto, and then, following a joint public hearing duly advertised dd conducted by the Planning Commission and City Council on September 10, 2019, the anning Commission voted to recommend that City Council should approve this propose ecial Use, subject to certain conditions; and

WHEREAS, upon consideration of the comments received during the joint public earing, the Planning Commission's recommendation, and the Staff Report, as well as the factors at granting the proposed Special Use subject to suitable conditions would serve the public ecessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlotesville, Virginia that, pursuant City Code Sec. 34-480, the proposed Special Use is granted, subject to the following

The "boarding, fraternity and sorority house" use approved by this special use permit shal have a maximum of thirty-seven (37) occupantsfeoms.

For the building containing the use referenced in $\boldsymbol{\Omega}(1)$, above
(a) The following side yards shall be required:
i. North Side Yard abutting TMP 5-53: A side yard of five (5) feet, minimum will be required instead of one (1) foot of side yard per every two (2) feet of building height with a minimum of ten (10) feet.
ii. South Side Yard Corner, street side abutting Lambeth Lane: A side yard of fifteen (15) feet, minimum will be required instead of twenty (20) feet, minimum.
(b) The following front yard shall be required

East Front Yard abutting Rugby Road: A front yard of twenty-five (25) feet, minimum will be required instead of the average depth of the existing front yards within five hundred ( 500 ) feet.
3. On-site parking will be provided, in the general location and configuration shown within the preliminary site plan dated July 16, 2019. The final site plan shall demonstrate compliance with the following: (a) on-site parking shall be used exclusively by residents of the sorority house and their guests (no sale or leasing of on-site parking for off-site functions is permitted) and (b) signage and pavement markings, including both lane lines and text, may be required by the City's Traffic Engineer, in order to designate travel ways and specify the direction of traffic in on-site parking area(s)
. All trash receptacles must be hidden from view when not set out for curbside pickup.
5. The "boarding, fraternity or sorority house" use approved by this special use permit, and except as specifically modified within condition (2), above), all buildings and structures
 Charlottesville.
be it further resolved that the Special Use Permit approved by this lesolution amends and supersedes the special use permit approved by resolution dated February 1, 1978 for the Subject Property



EROSION AND SEDIMENT CONTROL NARRATIVE:


##  <br> 



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| TRANSPORTED ONTO PAVED PUBLIC ROADS BY MOTOR VEHICLES OR RUNOFF. DAINAGE STRUCTURES AS INDICATED ON PLANS. ITS PURPOSE IS TO PREVENT SEDIMENT FROM |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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DEQ Virigina Runoff Reduction Method Re－Development Compliance Spreassheet－Version 3.0
Sumpesign specifications List： 2013 oratt Stas \＆Specc


| Total Raintall（in）： | 4. |
| :---: | :---: |
| Total Disturbed Acreage： | 0.26 |

Site Land Cover Summary
Pre－ReDevelopment Land Cover（acres）

|  | A soils | B Soils | csoils | DSoils | Totas | \％ |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Forest／Open（acres） | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0 |
| Managed Turfactes） | 0.00 | 0.08 | 0.00 | 0.00 | 0.08 | 31 |
| Inpervious Cover（acres） | 0.00 | 0.18 | 0.00 | 0.00 | 0.18 | 69 |



|  | Final Post－Development （Post－ReDevelopment \＆New Impervious） | ${ }_{\text {Reevelopment }}$ | $\begin{gathered} \text { Post- } \\ \text { Development } \\ \text { (New Impervious) } \end{gathered}$ | Adjusted Pre－ ReDevelopment |
| :---: | :---: | :---: | :---: | :---: |
| Ste Rv | 0.72 | 0.72 | － | 0.72 |
| Treatment Volume（ $\left(t^{3}\right)$ | 679 | 679 | － | 679 |
| Tp Load（lbly | 0.43 | 0.43 | － | 0.43 |
| Total TP Load Reduction Required | 0.04 | 0.04 | 0 |  |
|  | Final Post－Development Load（Post－ReDevelopment \＆New Impervious） |  |  |  |
|  |  |  |  | nt |
| TN Load（ll／y | 3.05 |  |  | 3.05 |

## 

Site Compliance Summary


| Total Runoff Volume eeduction（ $t^{3}$ ） | 0 |
| :---: | :---: |
| Total TP Load Reduction Achieved | 0.21 |
| Total TN Load Reduction Achieved | 0.00 |
|  | 0.21 |
|  |  |
| Remaining TP Load Reduction（lb／yr） Required | 0.00 |

## Drainage Area Summar

|  | D．A．A | D．A．${ }^{\text {B }}$ | D．A．C | D．A．${ }^{\text {d }}$ | D．A．E | Total |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Fores／／Oenen（acres） | 0.00 | 0.00 | 0.00 | ${ }^{0.00}$ | 0.00 | 0.00 |
| Managed Turf（acres） | 0.08 | 0.00 | 0.00 | 0.00 | 0.00 | 0.08 |
| Impenious Cover（acres） | 0.18 | 0.00 | 0.00 | 0.00 | 0.00 | 0.18 |
| Total Area（acres） | 0.26 | 0.00 | 0.00 | 0.00 | 0.00 | 0.26 |

## Drainage Area Compliance Summan




| ${ }_{\substack{\text { prem } \\ \text { mof }}}$ |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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GENeRAL Notes:
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6. CLEANUP ALITRASH AND DEBRIS ONTHE

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TREE PROTECTION AND DEMOLIION NOTES:
SEE CIIVIDRAWINGS FOR DEMOUTITN PLANS AND
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LIGHING AND ELECTRICAL NOTES

1. SEE ELECTRICAL DRAWINGS.
 ORDEERNG FITURES
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2. EXTERIOR LIGHINGG TRANSFORMER BOXES I I USED TO
3. REVEV ETTERIOR TTANSFORMER LOCATIONS WITH






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LIGHING SCHEDULE:
L-2S BEGA WALL LGHT - 33-017-K27-SLV (SLLVER FNSHH)
-2W BEGA WALL LIGHT- 33-017-K27-WHT (WHITE EINSH)
-3 BEGA WALL SCONCE 66516-K3000- BRZ: SE ARCH DWGS
-5 BEGA DOWNLGHT SCONCE- -66-41--27-BRZ; SEA ARCH DWGS
$1-6$ BEGA COPPER SCONCE-31-228-K300-NATURAL SEE ARCH DWG
l-7 SCSSS SEREE SURFACE MOUNT LED; SEE ARCH DWGS
PROPOSED TREE
-8 BeGA Cellng Mount - 33523 - K3000- BRZ: SEE ARCH DWG
YMBOLS:

WALL HYORANT- SEEE PLUMBBG DRAWINGS. FNISH TO BE POUSHED
BRONZEACE: MOUNT 24 ABOVE GRAD.
proposed shrubs



















## CITY OF CHARLOTTESVILLE DEPT. OF NEIGHBORHOOD DEVELOPMENT SERVICES STAFF REPORT

# APPLICATION FOR APPROVAL OF A FINAL SITE PLAN 

## PLANNING COMMISSION REGULAR MEETING

| MEETING DATE: | Wednesday, September 9, 2020 |
| :--- | :--- |
| DEVELOPMENT NAME: | Chick-fil-A Barracks Road Shopping Center Final Site Plan |
| APPLICATION NUMBER: | P20-0006 |
| Reason for Planning Commission Review: | Final site plan reflects the proposed development of a <br> property that is the subject of an existing or proposed <br> special permit |
| Project Planner: | Joey Winter |
| Date of Staff Report: | August 27, 2020 |
| Applicant: | Mr. Brent Edmiston - Chick-fil-A Inc. |
| Applicants Representative: | Mr. Ryan Yauger - Bohler Engineering |
| Owner of Record: | Federal Realty investment Trust |
| Application Information |  |
| Property Street Address: | 1000 Emmet Street North ("Subject Property") |
| Tax Map \| Parcel Number: | TM 1-1 (portion) \| 010001000 |
| Site Area (per GIS): | 0.801 acres (34,892 ft²) |
| Comprehensive Plan (Land Use Plan): | Mixed Use |
| Zoning District: | Urban Corridor Mixed Used District (URB) |
| Overlay District(s): | Entrance Corridor Overlay |

## Applicant's Request

Mr. Ryan Yauger of Bohler Engineering, on behalf of the Chick-fil-A, is seeking Planning Commission approval for the Chick-fil-A Barracks Road Shopping Center Final Site Plan. This final site plan proposes a restaurant with a drive through window at 1000 Emmet Street North in the Barracks Road Shopping Center. On January 6, 2020, City Council approved Special Use Permit SP19-00008 authorizing a restaurant with a drive through window at this location. As per the City's Zoning Ordinance, Planning Commission shall review this final site plan because it reflects the proposed development of property that is subject to a Special Use Permit.

## Vicinity Map



## Zoning Map



## Standard of Review

Site plan approval is a ministerial function of Planning Commission in which no discretion is involved. If this final site plan contains all required information then it must be granted approval. If Planning Commission disapproves this plan, it shall set forth in writing the specific reasons therefor. The reasons for disapproval shall identify deficiencies in this plan which cause the disapproval, by reference to specific ordinances, laws or regulations. If this plan is disapproved, Planning Commission must also generally identify modifications or corrections that will permit approval of this plan.

## Site Plan Requirements

A. Compliance with applicable zoning district regulations [City Code - Chapter 34]

Staff has determined that this site plan complies with requirements of the URB Zoning District.
B. Compliance with the City's Erosion and Sediment Control ordinance [City Code - Chapter 10]

Staff has determined that this final site plan complies with the City's Erosion and Sediment Control ordinance. Erosion and Sediment Control plans are included as site plan Sheets C3.0 through C3.4, and Stormwater Management Plans are included as site plan Sheets PS-1.0 through PS-1.4.
C. Compliance with the City's site plan requirements [City Code - Sec. 34-827 and Sec. 34-828]

Staff has determined that this site plan contains the following information as required:

| PRELIMINARY SITE PLAN REQUIREMENTS [Sec. 34-827(d)] | SHEET(S) |
| :---: | :---: |
| 1. General site plan information | C-0.0 |
| 2. Existing condition and adjacent property information | C-0.0 |
| 3. Phasing plan | N/A |
| 4. Topography and grading | C-3.0 |
| 5. Existing landscape and trees | C-1.0 to C-1.1 |
| 6. Name and location of all water features | N/A |
| 7. One hundred-year flood plain limits | N/A |
| 8. Existing and proposed streets and associated traffic information | C-2.0 |
| 9. Location and size of existing water and sewer infrastructure | PS-1.0 |
| 10. Proposed layout for water/sanitary sewer facilities \& storm drain facilities | PS-1.0 |
| 11. Location of other existing and proposed utilities and utility easements | C-1.0 |
| 12. Location of existing and proposed ingress to and egress from the property | C-2.0 |
| 13. Location and dimensions of all existing and proposed improvements | C-2.0 |
| 14. All areas intended to be dedicated or reserved for public use | N/A |
| 15. Landscape plan (if subject to entrance corridor review) | L-1.0 to L-1.1 |
| 16. Where deemed appropriate due to intensity of development: |  |
| a. Estimated traffic generation figures based upon current ITE rates | SUP Application |
| b. Estimated vehicles per day | SUP Application |


| FINAL SITE PLAN REQUIREMENTS [Sec. 34-828(d)] | SHEET(S) |
| :---: | :---: |
| 2. Signage information | N/A |
| 3. Specific written schedules or notes (as necessary) | C-0.0 to C-0.2 |
| 4. Residential unit information (if applicable list affordable housing details) | N/A |
| 5. Proposed grading: maximum two-foot contours | C-3.0 |
| 6. Detailed plans for proposed water and sanitary sewer facilities | C-4.0 to C-4.3 |
| 7. Detailed stormwater management plans |  |
| a. Profiles proposed and existing ditches and channels | C-3.4 |
| b. Profiles proposed and existing storm drainage systems | C-3.4 |
| c. Plan view of all drainage systems | C-3.2 to C-3.3 |
| d. Drainage summary table for culverts, storm drainage facilities and channels | C-3.4 |
| e. Legend showing all symbols and abbreviations used on the plan | C-3.2, C-3.3 |
| f. Final stormwater management plan | PS-1.1 to PS-1.3 |
| g. erosion and sediment control plan | C-3.0 to C-3.3 |
| 8. Parking details | C-4.0 to C-4.2 |
| 9. Final landscape plan | L-1.0 to L-1.1 |
| 10. Signature panel for the preparer | ALL SHEETS |
| 11. Signature panel for the NDS Director and City Engineer | C-0.0 |

D. Additional information to be shown on the site plan as deemed necessary by the director or Commission in order to provide sufficient information for the director or Commission to adequately review the site plan.
The Special Use Permit approved by City Council on January 6, 2020 includes the following conditions for the Chick-fil-A Barracks Road Shopping Center Final Site Plan:

1. The proposed Special Use, as described and represented within the Application Materials, is hereby authorized to be established on approximately 0.801 acre (approx. 34,892 square feet) of the Subject Property, in the general or approximate location depicted [on the resolution]
2. The following development conditions shall apply to the use and development of the Subject Property for the Special Use:
a. An accessible pedestrian route from the public sidewalk on Emmet Street North to the primary entrance of the restaurant shall be provided. The City Engineer shall have the authority to require specific safety measures within the final site plan for the Special Use, in order to protect pedestrian traffic in this route from vehicle traffic related to the drive through window use, in accordance with accepted engineering and safety requirements.
COMPLIES - See Sheet C-2.2
b. A pedestrian route from the internal parking area of the Barracks Road Shopping Center to the west of the Special Use Permit area to the primary entrance of the restaurant shall be provided.
i. This route shall allow for safe pedestrian access across Wise Street and/or the internal vehicular travelways of Barracks Road Shopping Center.
COMPLIES - See Sheet C-2.2
ii. Within the Special Use Permit area, this route shall be readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, to the maximum extent feasible.

## COMPLIES - See Sheet C-2.2

iii. The City Engineer shall have the authority to require specific safety measures within the final site plan for the Special Use, in order to protect pedestrian traffic in this route from vehicular traffic related to the drive-through window.

## COMPLIES - See Sheets C-4.0 through C-4.3

iv. This condition does not require the developer to change grade or otherwise modify any existing pavement except where the existing pavement will have already been disturbed by demolition of the existing use or construction of the Special Use.

```
COMPLIES
```

3. Buildings and structures constructed or established as part of the Special Use shall be subject to the following setbacks: along the Special Use site's primary street frontage (i.e., along Emmet Street North): Five (5) feet, minimum; ninety-two (92) feet, maximum.
COMPLIES - See Sheet C-0.0
4. In addition to the above-referenced conditions, the Special Use authorized by this SUP, and all buildings, structures, improvements and uses located on the Subject Property, shall comply with all other applicable provisions of Chapter 34 (Zoning) of the Code of the City of Charlottesville.
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COMPLIES - See All Sheets
```


## PUBLIC COMMENTS RECEIVED

No public comment was received during the final site plan review process.

## STAFF'S RECOMMENDATION

Staff recommends that the Chick-fil-A Barracks Road Shopping Center Final Site Plan be approved with the understanding that the landscape plan on Sheet L-1.0 will be modified to conform to all conditions of the Certificate of Appropriateness approved by the Entrance Corridor Review Board.

## ATTACHMENTS

1) SP19-00008 - RESOLUTION APPROVING A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF A RESTAURANT WITH A DRIVE-THROUGH WINDOW AT 1000 EMMET STREET NORTH - approved by City Council on January 6, 2020
2) CITY CODE SECTIONS 34-827 \& 34-828 - Preliminary and final site plan content requirements
3) CHICK-FIL-A BARRACKS ROAD SHOPPING CENTER FINAL SITE PLAN - for approval

# RESOLUTION <br> APPROVING A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT AND OPERATION OF A RESTAURANT WITH A DRIVE-THROUGH WINDOW AT 1000 EMMET STREET NORTH 

WHEREAS, Chick-fil-A, Inc., by its agent John Martinez, ("Applicant"), with the endorsement of Federal Realty Investment Trust ("Property Owner") has requested City Council to approve a special use permit pursuant to City Code §34-796, to authorize the establishment of a restaurant with a drive-through window (the proposed "Special Use") at 1000 Emmet Street North, identified on City Tax Map 1 as Parcel 1 (real estate parcel identification \# 010001000) ("Subject Property"). The Subject Property is within the City’s Urban Corridor (URB) Mixed Use zoning district; and

WHEREAS, the requested Special Use is generally described within the Applicant's application materials submitted in connection with SP19-00008 (the "Application Materials"), and the Special Use is allowed by special use permit within the URB zoning district, pursuant to City Code §34-796; and

WHEREAS, the existing building at the Subject Property is proposed to be demolished/ removed to allow for establishment of the Special Use and related buildings and improvements; and

WHEREAS, following a joint public hearing, duly advertised and conducted by the Planning Commission and City Council on December 10, 2019, the Commission voted to recommend that City Council should approve the requested Special Use, subject to certain development conditions recommended by the Commission as being suitable regulations and safeguards; and

WHEREAS, upon consideration of the comments received during the joint public hearing; the Staff Report; and the Planning Commission's recommendations, as well as the factors set forth within §34-157 of the City’s zoning ordinance, this Council finds and determines that granting the requested special use permit, subject to suitable regulations and safeguards, would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to City Code §34-796, a special use permit is hereby approved and granted, subject to conditions, as follows:

1. The proposed Special Use, as described and represented within the Application Materials, is hereby authorized to be established on approximately 0.801 acre (approx. 34,892 square feet) of the Subject Property, in the general or approximate location depicted below:

2. The following development conditions shall apply to the use and development of the Subject Property for the Special Use:
a. An accessible pedestrian route from the public sidewalk on Emmet Street North to the primary entrance of the restaurant shall be provided. The City Engineer shall have the authority to require specific safety measures within the final site plan for the Special Use, in order to protect pedestrian traffic in this route from vehicle traffic related to the drive through window use, in accordance with accepted engineering and safety requirements.
b. A pedestrian route from the internal parking area of the Barracks Road Shopping Center to the west of the Special Use Permit area to the primary entrance of the restaurant shall be provided.
i. This route shall allow for safe pedestrian access across Wise Street and/or the internal vehicular travelways of Barracks Road Shopping Center.
ii. Within the Special Use Permit area, this route shall be readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, to the maximum extent feasible.
iii. The City Engineer shall have the authority to require specific safety measures within the final site plan for the Special Use, in order to protect pedestrian traffic in this route from vehicular traffic related to the drive-through window.
iv. This condition does not require the developer to change grade or otherwise modify any existing pavement except where the existing pavement will have already been disturbed by demolition of the existing use or construction of the Special Use.
c. Buildings and structures constructed or established as part of the Special Use shall be subject to the following setbacks: along the Special Use site’s primary street frontage (i.e., along Emmet Street North): Five (5) feet, minimum; ninety-two (92) feet, maximum.
3. In addition to the above-referenced conditions, the Special Use authorized by this SUP, and all buildings, structures, improvements and uses located on the Subject Property, shall comply with all other applicable provisions of Chapter 34 (Zoning) of the Code of the City of Charlottesville.

Approved by Council January 6, 2020


Kyna Thomas, CMC
Clerk of Council
(a) Sixteen (16) clearly legible blue or black line copies of a preliminary site plan shall be submitted along with an application for approval. In addition, a three-dimensional drawing or model of the proposed site and the surrounding areas showing massing in context shall be submitted along with any preliminary site plan that is to be reviewed by the planning commission. If revisions to the submitted preliminary site plan are necessary, then sixteen (16) full-sized revised copies, and, if the preliminary site plan is to be reviewed by the planning commission, an additional ten (10) revised copies shall be submitted by the revision deadline.
(b) All waiver, variation and substitution requests shall be submitted with the preliminary site plan, and the applicant shall clearly state the specific items being requested for waiver, variation or substitution.
(c) The preliminary site plan shall be prepared to an engineering scale of 1:20, unless, in the determination of the director a different scale will allow a better representation of the development.
(d) The preliminary site plan shall contain the following information:
(1) The name of the development; names of the owner(s), developer(s) and individual(s) who prepared the plan; tax map and parcel number; zoning district classification(s); descriptions of all variances, zoning proffers and bonus factors applicable to the site; description of affordable dwelling unit requirements applicable to the subject property pursuant to section 34-12(a) or section 34-12(d)(1); city and state; north point; scale; one (1) datum reference for elevation (where a flood hazard overlay district is involved, U.S. Geological Survey vertical datum shall be shown and/or correlated to plan topography); source of the topography; source of the survey; sheet number and total number of sheets; date of drawing; date and description of latest revision; zoning district, tax map and parcel number, and present use, of each adjacent parcel; departing lot lines; minimum setback lines, yard and building separation requirements; a vicinity sketch showing the property and its relationship with adjoining streets, subdivisions and other landmarks; and boundary dimensions.
(2) Written schedules or data as necessary to demonstrate that the site can accommodate the proposed use, including: proposed uses and maximum acreage occupied by each use; maximum number of dwelling units by type; gross residential density; square footage of recreation area(s); percent and acreage of open space; maximum square footage for non-residential uses; maximum lot coverage; maximum height of all structures; schedule of parking, including maximum amount required and amount provided; maximum amount of impervious cover on the site; and if a landscape plan is required, maximum amount of paved parking and vehicular circulation areas.
(3) If phasing is planned, phase lines and proposed timing of development;
(4) Existing topography for the entire site at maximum five-foot contours; proposed grading (maximum two-foot contours), supplemented where necessary by spot elevations; and sufficient offsite topography to describe prominent and pertinent offsite features and physical characteristics, but in no case less than fifty (50) feet outside of the site unless otherwise approved by the director. Topographic information submitted with a preliminary plat shall be in the form of a topographic survey, which shall identify areas of critical slopes, as defined in section 29-3, natural streams, natural drainage areas, and other topographic features of the site.
(5) Existing landscape features as described in section 34-867 (requirements of landscape plans), including all individual trees of six (6) inch caliper or greater.
(6) The name and location of all watercourses, waterways, wetlands and other bodies of water adjacent to or on the site.
(7) One hundred-year flood plain limits, as shown on the official flood insurance maps for the City of Charlottesville, as well as the limits of all floodway areas and base flood elevation data required by section 34-253.
(8) Existing and proposed streets, access easements, alley easements and rights-of-way, and other vehicular travelways, together with street names, highway route numbers, right-of-way lines and widths, centerline radii, and pavement widths.
(9) Location and size of drainage channels, and existing and proposed drainage easements; and a stormwater management concept detailing how the applicant will achieve adequate drainage postdevelopment, including a description of the specific design concept the applicant plans to apply. References to specific types of stormwater management facilities, specific treatments, BMPs, LID techniques, etc. shall be provided, The stormwater management concept shall be prepared by a professional engineer or landscape architect, as those terms are defined within Virginia Code § 54.1400 , and shall describe the manner in which stormwater runoff from the subdivision will be controlled in order to minimize the damage to neighboring properties and receiving streams, and prevent the discharge of pollutants into surface waters, in accordance with the requirements of City Code Chapter 10.
(10) Location and size of existing water, sanitary and storm sewer facilities and easements, and proposed conceptual layout for water and sanitary sewer facilities and public storm sewer facilities.
(11) Location of other existing and proposed utilities and utility easements.
(12) Location of existing and proposed ingress to and egress from the property, showing the distance to the centerline of the nearest existing street intersection.
(13) Location and dimensions of all existing and proposed improvements, including: buildings (maximum footprint and height) and other structures (principal as well as accessory); walkways; fences; walls; trash containers; outdoor lighting; landscaped areas and open space; recreational areas and facilities; parking lots and other paved areas; loading and service areas, together with the proposed paving material types for all walks, parking lots and driveways.
(14) All areas intended to be dedicated or reserved for public use.
(15) Landscape plan, in accordance with section 34-867, if the proposed site plan is subject to entrance corridor review.
(16) Where deemed appropriate by the director due to intensity of development, estimated traffic generation figures for the site based upon current VDOT rates, indicating the estimated vehicles per day and the direction of travel for all connections to a public road.

The director or the commission may require additional information to be shown on the preliminary site plan as deemed necessary in order to provide sufficient information for the director or commission to adequately review the preliminary site plan.
(9-15-03(3); 6-6-05(2); 1-20-09; 11-18-13; 5-19-14, § 2, eff. 7-1-14)
(a) A final site plan, together with any amendments thereto, shall be prepared and sealed, signed and dated by an architect, professional engineer, land surveyor or certified landscape architect licensed to practice within the Commonwealth of Virginia.
(b) Ten (10) clearly legible blue or black line copies of the master drawing shall be submitted to the department of neighborhood development services, along with an application for approval of the final site plan. If review is required by the commission, then the applicant shall also provide one (1) reduced copy of the final site plan, no larger than eleven (11) inches by seventeen (17) inches in size.
(c) The final site plan shall be prepared to the scale of one (1) inch equals twenty (20) feet or larger, or to such a scale as may be approved by the agent in a particular case. No sheet shall exceed thirty-six (36) inches by forty-two (42) inches in size. The final site plan may be prepared on one (1) or more sheets. If prepared on more than one (1) sheet, match lines shall clearly indicate where the sheets join. The top of the sheet shall be approximately either north or east.
(d) The final site plan shall reflect conditions of approval of the preliminary site plan, and shall meet all requirements set forth within Code of Virginia § 15.2-2240 et seq. In addition, the final site plan shall contain the following information:
(1) The location, character, size, height and orientation of proposed signs, as proposed to be installed or erected in accordance with Article IX, sections 34-1020, et seq. of this chapter; and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this section shall be considered a part of the approved site plan. Thereafter, signs shall not be installed, erected, painted, constructed, structurally altered, hung, rehung or replaced except in conformity with the approved site plan. Any changes in signs from the approved site plan or any additions to the number of signs as shown on the site plan shall be allowed only after amendment of the site plan by the director of neighborhood development services or the planning commission.
(2) Specific written schedules or notes as necessary to demonstrate that the requirements of this chapter are being satisfied.
(3) Indicate if residential units are sale or rental units; number of bedrooms per unit; and number of units per building if multifamily; specifications for recreational facilities; and reference to the specific deed(s), agreement(s) or other evidence of the property owner's binding obligation to provide affordable dwelling units applicable to the subject property pursuant to section 34-12(a) or section 34-12(d)(1), consistent with regulations approved pursuant to section 34-12(d).
(4) Proposed grading: maximum two-foot contours.
(5) Detailed plans for proposed water and sanitary sewer facilities, including: all pipe sizes, types and grades; proposed connections to existing or proposed systems; location and dimensions of proposed easements and whether such easements are to be publicly or privately maintained; profiles and cross sections of all water and sewer lines including clearance where lines cross; all water main locations and sizes; valves and fire hydrant locations; all sanitary sewer appurtenances by type and number; the station on the plan to conform to the station shown on the profile, and indicate the top and invert elevation of each structure.
(6) Detailed stormwater management plans, and construction drainage and grading plans, showing:
a. Profiles of all ditches and channels, whether proposed or existing, with existing and proposed grades; invert of ditches, cross pipes or utilities; typical channel cross sections for new construction; and actual cross sections for existing channels intended to remain.
b. Profiles of all storm drainage systems showing existing and proposed grades.
c. Plan view of all drainage systems with all structures, pipes and channels numbered or lettered on the plan and profile views. Show sufficient dimensions and bench marks to allow field stake out of all proposed work from the boundary lines.
d. A drainage summary table for culverts, storm drainage facilities and channels.
e. A legend showing all symbols and abbreviations used on the plan.
f. Information, details, calculations, construction plans and other documents or data required by Chapter 10 for a final stormwater management plan shall be included, along with such other information, plans, calculations, and details sufficient to demonstrate compliance with the standards for drainage set forth within Article IV of the city's subdivision ordinance.
g. Information, details, calculations, plans and other documents or data required by Chapter 10 for an erosion and sediment control plan.
(7) Typical street sections together with specific street sections where street cut or fill is five (5) feet or greater; centerline curve data; radius of curb returns or edge of pavement; location, type and size of proposed ingress to and egress from the site; together with culvert size; symmetrical transition of pavement at intersection with existing street; the edge of street surface or face of curb for full-length of proposed street; when proposed streets intersect with or adjoin existing streets or travel-ways, both edges of existing pavement or travelway together with curb and gutter indicated for a minimum of one hundred (100) feet or the length of connection, whichever is the greater distance.
(8) For all parking and loading areas, indicate: size, angle of stalls; width of aisles and specific number of spaces required and provided, and method of computation, indicating type of surfacing for all paved or gravel areas.
(9) A final landscape plan.
(10) Signature panel for the preparer, consistent with the requirements of paragraph (a), above.
(11) Signature panels for the director and the city engineer.

## FINAL SITE PLAN



## STORE \# 4332

LOCATION OF SITE
1000 EMMET STREET NORTH CITY OF CHARLOTTESVILLE CHARLOTTESVILLE, VA 22903 TAX MAP NUMBER: 010001000

SPECIAL USE PERMIT (SP19-00008) APPROVED JANUARY 6, 2020 APPROVED CONDITIONS:





None ming an sarit reaurrement









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28 BLACKWELL PARK LANE, SUITE 201
WARRENTON, VIRGINIA 20186
$\begin{array}{ll}\text { Phone: } & \text { (540) 349-4500 } \\ \text { Fax: } \\ \text { (540 349-032 }\end{array}$
VA@BOHLERENG.COM CONTACT: RYAN T. YAUGER, P.E.


IRECTOR OF NEIGHBORHOOO DEVELOPMENT SERVCES



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## Chick-fil-A

 5200 Buffington Road Atlanta, Georgi 30349-2998Kurzynske

 Email: mailokurixy ynse.com


9/09/19

# City of Charlottesville Department of Neighborhood Development Services Staff Report to the Entrance Corridor Review Board (ERB) 

Entrance Corridor (EC) Certificate of Appropriateness

Date of Planning Commission Meeting: September 9, 2020
Project Name: 1000 Emmet Street North
Planner: Jeff Werner, AICP, Preservation and Design Planner
Applicant: Bohler Engineering (for Chick-Fil-A)
Applicant's Representative: Ryan Yauger, P.E.
Applicant's Relation to Owner: Project engineer

## Application Information

Property Street Address: 1000 Emmet Street North
Property Owner: Federal Realty Investment Trust
Tax Map/Parcel \#: 010001000
Total Square Footage/Acreage Site: 39.83 acres (project site is 0.8 acres)
Comprehensive Plan (Land Use Plan) Designation: Mixed Use
Current Zoning Classification: URB Urban Corridor with Entrance Corridor (EC) Overlay
Entrance Corridor Overlay District: Corridor 1, Sub-Area C. Route 29 North from corporate limits to Ivy Road.
Current Usage: One-story former fast food restaurant, building to be demolished.

## Background

December 10, 2019 - The Entrance Corridor Review Board recommended to City Council that the proposed Special Use Permit (SP-19-00008) for drive-through windows would not have an adverse impact on the Route 29 North Entrance Corridor, Sub-Area C.

January 6, 2020 - City Council approved Special Use Permit SP-19-00008.

## Applicant's Request

Certificate of appropriateness for a one-story, 4,588 square foot, fast food restaurant with drivethrough service. The approximately 0.8 -acre project site (located within the 39.8 -acre Barracks Road Shopping Center) will accommodate the building, the drive through lanes, parking, an outdoor eating area, and a new landscaping. Parking for 36 cars (within the lease line), with accommodations for bicycle storage.

The building is simple and relatively unadorned, brick (two colors), single story with a flat roof, with windows and storefronts in black metal frames. The main elevation has three bays-a main central section flanked by slightly lower sections of a different brick color. At the front and side (east, facing Emmet Street, and north, respectively) the entrance features a concrete patio with tables and umbrellas. The drive through order stations are at the rear (west) beneath an open, flat
roof canopy of black metal. The order pick up window is at the side (south), enclosed within a porte cochere and further screened by existing trees and plantings.

Vehicular circulation is only from the Barracks Road Shopping Center parking lot; there is no direct ingress or egress from Emmet Street.

There is an existing public sidewalk along Emmet Street, which will remain.
Proposed landscaping includes trees and plantings within the site (adjacent to the building and in parking lot islands) and along Emmet Street.

Proposed signage is shown on the renderings and signage submittal; however signage will require a separate signage permit and misty be consistent with the Comprehensive Signage Plan for the Barracks Road Shopping Center.

## Staff Recommendation

The project meets the standards and guidelines for a certificate of appropriateness in the Entrance Corridor. Staff recommends approval of this application as submitted with the following conditions:

- The four (4) existing magnolia trees along Emmet Street shall be maintained and protected from damage during construction.
- Requirement that all door and window glass be clear (not less than 70\% VLT);
- Prohibition of signage on the outdoor umbrellas and requiring they be of a uniform color.
- Exterior light fixtures shall have lamping that is dimmable and have a Color Temperature not to exceed 3000 K . Additionally, the owner will address any reasonable public complaints about light glare by either dimming the lamp or replacing the lamps/fixtures.


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

Staff comment: The new building will be in a similar location as the existing (to be demolished) and oriented to face Emmet Street. The all brick building features a center section of red brick, flanked to the north and south by slightly lower features, set back slightly from the front wall, and constructed of a buff colored brick above a red brick base and water table that continues from the center section. The entrance door is located on the side, at the NE corner. The east and north elevations, serving as the pedestrian entrance, feature a concrete patio with outdoor tables with umbrellas enclosed within a black metal railing.

The central section has limited, punched fenestration within a running bond, red brick wall with a slightly proud, single brick, rowlock course water table of and a three brick, slightly corbeled, soldier course cornice capped with metal coping.

The south section--a porte cochere that encloses the order pick up window-is supported by three wide piers supporting flat arches, all running bond buff brick (above the water table) with a simple cornice of white metal coping. The matching north section features a large, punched storefront, providing natural light to the dining area inside.

There is no fenestration at the rear (west) elevation, only a service entrance door. At this side of the building is the dual-lane order station beneath a simple, black metal canopy.

Trash collection and a small storage area will be enclosed within a $344^{\prime}-8^{\prime \prime}$ long x $10^{\prime}-8^{\prime \prime}$ deep $8^{\prime}-$ 8 " tall brick structure located at the Emmet Street sidewalk. Access will be from the parking lot.

Being within the Barracks Road Shopping Center, exterior lighting is provided predominantly by the $20-\mathrm{ft}$ high, pole-mounted fixtures in the parking lot, however the new building features eight wall sconces on the east, south and west elevations. The order canopy and the pick-up enclosure are illuminated by overhead LED fixtures.

A building of this height, mass and scale is appropriate in this location. The openings, changes in height, offset wall planes, and the variation in brick color contribute to articulation on all sides of the building. The architectural details are minimal, even understated, however that is generally consistent with buildings both within this shopping center and in this corridor sub-area.

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

## Materials and colors:

- Brick:
- Main building: Redland Brick \#651, "Takoma"
- Drive through enclosure and north dining wing: Redland Brick \#650, "Light Buff Matt"
- Mortar: TBD
- Doors and Windows: Commercial storefront style, metal frames, "Dark Bronze"
- Roof: Flat roof, not visible.
- Canopies and drive through order canopy: Black metal, to match storefront.

Staff comment - Materials: Materials and colors are consistent with the EC Design Guidelines.

## Lighting:

- Parking lot: Pole fixtures matching BRSC standard (full cut off)
- OD1: Eaton-Lumark PRV-A60-D-UNV-T4-BZ-HSS
- Lamping per cut sheets: Color Temperature available $3,000 \mathrm{~K}$ and $5,000 \mathrm{~K}$. Dimmable control indicated by "D".
- OD2: Eaton-Lumark PRV-A60-D-UNV-T4-BZ
- Lamping per cut sheets: Color Temperature available $3,000 \mathrm{~K}$ and $5,000 \mathrm{~K}$. Dimmable control indicated by "D".
- OD3: Eaton-Lumark PRV-A60-D-UNV-T5-BZ
- Lamping per cut sheets: Color Temperature available $3,000 \mathrm{~K}$ and $5,000 \mathrm{~K}$. Dimmable control indicated by "D".
- Drive through order canopy: LED Canopy Lights
- CRUS: LSI Industries CRUS-SC-LED-LW-30
- Lamping per cut sheets: Color Temperature 5000K. Dimmable control available.
- Exterior wall sconces:
- Progress Lighting P5675-31/30K
- Lamping per cut sheets: Color Temperature 3000K. Dimmable control available.
- Building canopy at entrances:
- Recessed light Halo RL4- C7.
- Lamping per cut sheets: Color Temperature not stated. Available at 3000K. Dimmable control available.

Staff comment - Lighting: All of the proposed light fixtures except one (the drive through order canopy LED lights) have lamping available that is dimmable and at a Color Temperature not to exceed 3000 K , a level that reduces glare; criteria that is consistent with the EC Design
Guidelines. However, the lamping is not specified, therefore staff recommends a condition that requires the exterior light fixtures to be dimmable and have a Color Temperature not to exceed 3000K. Additionally, because lighting cannot be fully evaluated until installed and complaints about glare from LED fixtures have become more common, staff recommends a condition that requires the owner to address any reasonable public complaints about glare by either dimming the lamp or replacing the lamps/fixtures.

## Landscaping:

The proposed landscaping consists of the following, with the new plantings located predominantly along the sidewalk on Emmet Street. Six existing trees along the south elevation will remain.

- Shade trees
- Red maple (3)
- Sycamore (3)
- English oak (3)
- Zelkova (3)
- Willow oak (1)
- Ornamental trees
- Amur Maple (2)
- Japanese Crabapple (3)
- Deciduous and evergreen plantings
- 52 plants of seven varieties, including dogwood, holly, and azalea.

Staff comment - Landscaping: The proposed plants and trees are consistent with the EC Design Guidelines and the City's Master Tree List. However, the plan proposes the removal of four magnolia trees along Emmet Street and replacing them with two different tree species. The existing are within a continuous line of magnolia trees, a streetscape feature that is addresses in the design guidelines: The attractive magnolia street trees along Emmet Street should be retained and new landscaping added to the streetscape as redevelopment occurs.

The four (4) existing magnolia trees along Emmet Street should be maintained and protected from damage during construction.

## \$34-310(4): Design and arrangement of buildings and structures on the subject site;

Staff comment: This site is within one of the largest retail/commercial centers in the City. In that context, the design and orientation are primarily driven by the requirements and constraints of that larger facility.

Conditions in the Special Use Permit required an accessible pedestrian route from the public sidewalk on Emmet Street and a pedestrian route from the internal parking area of the Barracks Road Shopping. These are included in the proposed improvements.

The design and arrangement of the buildings and structures on site are appropriate. This is an auto-oriented use appropriately located on Emmet Street. There is a desire to make this general location more pedestrian-friendly. The proposed pedestrian connections as proposed will accomplish that goal on this site.

## \$34-310(5): The extent to which the features and characteristics described within paragraphs (1)-(4), above, are architecturally compatible (or incompatible) with similar features and characteristics of other buildings and structures having frontage on the same EC street(s) as the subject property.

Staff comment: The goals are to make the site function well for the users of this site and the entrance corridor, and to have an attractive development that is compatible with its surrounding context. The site design will function well, and this building will be architecturally compatible with other buildings in this area.

## §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:

- Design For a Corridor Vision
- Staff comment: Proposal complies generally with this guideline.
- Preserve History
- Staff comment: This guideline is not applicable.
- Facilitate Pedestrian Access
- Staff comment: Conditions in the Special Use Permit require an accessible pedestrian route from the public sidewalk on Emmet Street and a pedestrian route from the internal parking area of the Barracks Road Shopping. These are indicated on the plan.

The request before the ERB is a CoA for alterations to only a 0.8 acre segment of a 40acre shopping center. The proposed pedestrian solutions relate to only the proposed restaurant and, due to the constraints of this small site, those solutions are less than ideal. Staff recommends that, at a later date, the ERB discuss how such comprehensive planning might be initiated, maybe even required, and to amend the EC Design Guidelines to require an evaluation of incremental pedestrian solutions [on small outparcels] in the context of a comprehensive pedestrian access plan.

- Maintain Human Scale in Buildings and Spaces
- Staff comment: Proposal complies generally with this guideline.
- Preserve and Enhance Natural Character
- Staff comment: Relative to landscaping (trees and plantings), proposal complies generally with this guideline.
- Create a Sense of Place
- Staff comment: Proposal complies generally with this guideline.
- Create an Inviting Public Realm
- Staff comment: Proposal complies generally with this guideline.
- Create Restrained Communications
- Staff comment: New signage will require a separate signage permit and must comply with the provisions of the Comprehensive Signage Plan for Barracks Road Shopping Center. However, staff recommends a condition that prohibits signage on the outdoor umbrellas and requires that they be of a uniform color.
- Screen Incompatible Uses and Appurtenances
- Staff comment: 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 comment: Proposal complies generally with this guideline. While the materials and color palette are similar to those at other Chick-fil-a locations in Virginia, there appears to be no standard or typical building design. That is, other than the signage, the building itself is not readily identifiable as a Chick-fil-a franchise. Architecturally, the building is simple and relatively unadorned. While not reflective of any particular local style or character, it is neither out of place within this shopping center or inconsistent with the style, scale and character of this commercial corridor. In many ways, this brick building corresponds with modernist/post-modernist architecture of the University's administrative buildings immediately across Emmet Street.


## Section 2 (Streetscape)

- Staff comment: The existing streetscape (along Emmet Street) will be retained, provided the existing magnolia trees are either retained.


## Section 3 (Site)

- Staff comment: The site features are appropriate.


## Section 4 (Buildings)

- Staff comment: The building design is generally appropriate.


## Section 5 (Individual Corridors):

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

Staff comment: The plan proposes the removal of four magnolia trees along Emmet Street and replacing them with two different tree species. The existing are within a continuous line of magnolia trees, a streetscape feature that is addressed in the design guidelines: The attractive magnolia street trees along Emmet Street should be retained and new landscaping added to the streetscape as redevelopment occurs.

Staff recommend that a condition of approval require that the four (4) existing magnolia trees along Emmet Street shall be maintained and protected from damage during construction.

## Public Comments Received

No comments received.

## Staff Recommendations

The project meets the standards and guidelines for a certificate of appropriateness in the Entrance Corridor. Staff recommends approval of this application as submitted with the following conditions:

- The four (4) existing magnolia trees along Emmet Street shall be maintained and protected from damage during construction.
- Requirement that all door and window glass be clear (not less than 70\% VLT);
- Prohibition of signage on the outdoor umbrellas and requiring they be of a uniform color.
- Exterior light fixtures shall have lamping that is dimmable and have a Color Temperature not to exceed 3000 K . Additionally, the owner will address any reasonable public complaints about light glare by either dimming the lamp or replacing the lamps/fixtures.


## Suggested Motion

Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for the Chick-Fil-A at 1000 Emmet Street North is consistent with the Guidelines and compatible with the goals of this Entrance Corridor, and that the ERB approves the Certificate of Appropriateness application as submitted with the following conditions:

- The four (4) existing magnolia trees along Emmet Street shall be maintained and protected from damage during construction.
- Requirement that all door and window glass be clear (not less than 70\% VLT);
- Prohibition of signage on the outdoor umbrellas and requiring they be of a uniform color.
- Exterior light fixtures shall have lamping that is dimmable and have a Color Temperature not to exceed 3000 K . Additionally, the owner will address any reasonable public complaints about light glare by either dimming the lamp or replacing the lamps/fixtures.


## Alternate Motions

Deferral: I move to defer (or deny) the Entrance Corridor Certificate of Appropriateness application for Chick Fil A at 1000 Emmet Street North.

Denial: Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for the Chick-Fil-A at 1000 Emmet Street North is not consistent with the Guidelines and is not compatible with the goals of this Entrance Corridor, and for the following reasons the ERB denies the Certificate of Appropriateness application as submitted...

## Attachments/Referenced Material:

Refer to Special Use Permit Resolution (See page 6 of link): http://weblink.charlottesville.org/public/0/edoc/793564/20200106Jan06.pdf

Refer to Bohler Engineering Site Plan, dated June 15, 2020, Sheets C-0.0, C-0.1, C-0.2, C-1.0, C1.1, C-1.2, C-2.0-C-2.2, C-3.0-C-3.4, C-4.0-C-4.3, PS-1.0 - PS-1.4, L-1.0, L-1.1, and E102.
$\mathrm{E}+\mathrm{H}$ Architects drawings and materials board:
Elevations and Perspectives, dated August 20, 2019: Sheets G-009 and G-010.
Refuse Enclosure, dated April 2, 2020: Sheet A-103.
Order Point Canopy, date September 3, 2019: Sheet A-104.
Materials, dated January 30, 2020.
Lighting cut sheets.
LSI Industries CRUS-SC-LED-LW-30
Progress Lighting P5675-31/30K
Halo RL4- C7.
Clayton Signs submittal, dated November 13, 2019.
Sign A. Monument sign.
Signs B, C, and E. LED-illuminated channel letters.
Sign F. Painted wall mural


## Entrance Corridor Review Application (EC) Certificate of Appropriateness

Please Return To:
City of Charlottesville
Department of Neighborhood Development Services
P.O. Box 911, City Hall

Charlottesville, Virginia 22902
Telephone (434) 970-3130
Please submit one (1) hard copy and one (1) digital copy of application form and all attachments.
Please include application fee as follows: New construction project $\$ 375$; Additions and other projects requiring ERB approval \$125; Administrative approval \$100.
Make checks payable to the City of Charlottesville.
The Entrance Corridor Review Board (ERB) meets the second Tuesday of the month.
Deadline for submittal is Tuesday 3 weeks prior to next ERB meeting by $3: 30$ p.m.

Owner Name Federal Realty Investments Trust Applicant Name Christine McGuirl

Project Name/Description Chick-fil-A Barracks Road \#04332
Parcel Number 010001000
Project Street Address 1000 Emmet Street North, Charlottesville, VA 22903

## Applicant Information

Address: Chick-fil-A, Inc., Brent Edmiston
5200 Buffington Road, Atlanta, GA. 30346
Email:brent.edmiston@.cfacorp.com
Phone: (W) (336) 210-6072
(C)
$\square$

## Property Owner (if not applicant)

Address: Federal Realty Investments Trust. Christine McGuir] 1626 East Jefferson Street, Rockville, MD. 20852
Email: cmcguirl@federalrealty.com
Phone: (W) (301) 998-8393 (C) $\qquad$

Signature of Applicant
I hereby attest that the information I have provided is, to the best of my knowledge, correct.


## Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to


Ctr ISTME M M CoIR
Print Name

$\frac{1|24| 2020}{\text { Date }}$

Description of Proposed Work (attach separate narrative if necessary): To construct a $+/-4,855$ building, drive thru canopies, minor adjustments to parking 10 t , and utility reconfiguration.

Attachments (see reverse side for submittal requirements): $\qquad$

## For Office Use Only

Received by:
Fee paid: $\qquad$ Cash/Ck. \# $\qquad$
Date Received: $\qquad$

Revised 2016
Approved/Disapproved by: $\qquad$
Date: $\qquad$
Conditions of approval: $\qquad$
$\qquad$
$\square$

ENTRANCE CORRIDOR ORDINANCE: You can review the Entrance Corridor Overlay Districts regulations in the City of Charlottesville Zoning Ordinance starting with Section 34-306 online at www.charlottesville.org or at www.municode.com for the City of Charlottesville.

DESIGN GUIDELINES: Please refer to the current Entrance Corridor Design Guidelines online at www.charlottesville.org.

SUBMITTAL REQUIREMENTS: The following information and exhibits shall be submitted along with each application for Certificate of Appropriateness, per Sec. 34-310-312 in the City of Charlottesville Zoning Ordinance:
(1) Overall architectural design, form, and style of the subject building or structure, including, but not limited to: the height, mass and scale;
(2) Exterior architectural details and features of the subject building or structure;
(3) Texture, materials and color of materials proposed for use on the subject building or structure;
(4) Design and arrangement of buildings and structures on the subject site;
(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.
(6) Provisions of the Entrance Corridor Design Guidelines.
(7) A complete application shall include all plans, maps, studies, reports, photographs, drawings, and other informational materials which may be reasonably required in order make the determinations called for in an particular case.
(8) Building elevations shall be provided, unless waived by the director.
(9) Each application shall include a landscaping plan as outlined in the ordinance
(10) Each application shall include information about proposed lighting as outlined in the provisions of Article IX, Division 3, Sec. 34-100, et seq.



PERSPECTVE VIEW - SOUTH


3 PERSPECTVE VIEW - NORTH

$2{ }^{\text {PeRSPECTIVE VIEW - EAST }}$


4 PERSPECTIVE VIEW - WEST

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FSR\#04332


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refuse enclosure notes

Chick-fil-A 200 Buffington Road $\underset{\text { Atlanta, Georgia }}{30349-2998}$

A 2 REFUSE ENCLOSURE ELEVATION

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${ }_{5200}^{\text {Chick-fil-A }}$ 5200 Buffington Road
Atlanta, Georgia Atlanta, Georgia
30349-2998


B1 A104 Entry Elevation $\qquad$



## SPECIFICATIONS

SIGN CABINET IS ALUMINUM CONSTRUCTION DECORATED WITH CHANNEL LETTER LOGOS ON SURFACE OF CABINET

MASONRY WORK AND CONCRETE PAD FOR MASONRY WORK IS FURNISHED BY THE GENERAL CONTRACTOR SIGN FOUNDATION IS FURNISHED BY CLAYTON SIGNS, INC

CHANNEL LETTER FACES
2793 RED ACRYLIC
TRIMCAP RETAINER-
1" RED JEWELITE TRIMCAP

ALUMINUM RETURNS
PAINTED TO MATCH
BUILDING

MASONRY TO MATCH BUILDING

THE LEVEL OF ILLUMINATION PROVIDED by THE LED LIGHTS WILL NOT EXCEED THE
ILLUMINATION PRODUCED BY A

SINGLE STROKE OF 30 MILLIAMP (MA) NEON.
THE CABINET BACKGROUND SHALL BE opaque When illuminated; onty the GRAPHIC SHALL ILLUMINATE


5198 North Lake Drive ake City, GA 30260 404.361 .3800
www.claytonsigns.com

MONUMENT SIGN


$\left\lvert\, \begin{aligned} & \text { Dramn by } \\ & \text { account ber }\end{aligned}\right.$ | ACCOUNT REP. | Ben Holliday |
| :--- | :--- |
| DRAWING DATE | November 13,2019 | REVIIION DATE November 13.2019

store number.
L04332

STOREADJRESS
Chick-fil-A at Charlottesville, VA (Barracks) 1000 Emmet Street North





## SPECIFICATIONS

CHICK-FIL-A SCRIPT LETTERS ETTERS ARE LED-ILLUMINATED HANNEL LETTERS MOUNTED N ALUMINUM SURFACE OF BUILDING WITH TRANSFORMERS REMOTELY
LOCATED BEHIND THE WALL IN UL APPROVED TRANSFORMER BOXES. ACES ARE 3/16" ACRYLIC
RETURNS ARE 063 AlUMINUM BACKS ARE 080 ALUMINUM ALL RETURNS ARE ARC-WELDED TO LETTER BACKS

CHANNEL LETTER FACES
2793 RED ACRYLIC
TRIMCAP RETAINER1" RED JEWELITE TRIMCAP

ALUMINUM RETURNS PAINTED TO MATCH SHERWIN WILLIAMS SW6108 LATTE

THE LEVEL OF ILLUMIMATION PROVIDED BY THE LED LIGHTS
WILL NOT EXCEED THE ILLUMINATION PRODUCED BY A
SINGIE STROKE OF 30 MILIIAMP (MA) NEON.


ELEVATION
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FASTENER NOTE:
USE 18-8 STAINLESS STEEL BOLTS W/ SPACERS THRU EIFS EXPANSION BOLTS IN CONCRETE OR BRICK WALLS
TOGGLE BOLTS IN CONCRETE BLOCK OR PANEL WALLS.
TEK SCREWS IN METAL STUDS. LAG-BOLTS IN WOOD STUDS
ALL THREAD BOLTS WITH BLOCKING BETWEEN STUDS.
CROSS-SECTION
SCALE $-1 / 2^{\prime \prime}=1^{\prime}-0^{\prime \prime}$
LED-ILLUMINATED
CHANNEL LETTERS


|  | DRAWN BY | Ben Holliday | STOPE NUMBER | STORE ADJRESS |
| :---: | :---: | :---: | :---: | :---: |
|  | ACCOUNT REP. <br> DRAWING DATE <br> REVIIION DATE | Ben Holliday <br> November 13, 2019 <br> November 13, 2019 | L04332 | Chick-fil-A at Charotetesville, vA ABarracks 1000 Emmet Street Noth Charotosesville, VA 22903 |

[^1]




PAINTED TO MATCH
PANTONE 186C RED




DOE LIGHTING FACTS
Department of Energy has verified representative product test data and results in accordance with its Lighting Facts Program. Visit www.lightingfacts.com for specific catalog strings.

## Consult Factory

Class 1, Division 2 - Available on LW and SS
T5 Temperature Classification - The surface temperature of this product will not rise above $100^{\circ} \mathrm{C}$., within a $40^{\circ} \mathrm{C}$ ambient.
Gas Groups A,B,C, and D-Group A: Acetylene / Group B: Hydrogen / Group C: Propane and Ethylene / Group D: Benzene, Butane, Methane \& Propane.

US \& Int'. patents pending.
HOUSING - Low profile, durable die-cast, aluminum construction, providing a reliable weather-tight seal.
LEDS - Features an array of select, mid-power, high brightness, high efficiency LED chips; 5000K color temperature, 70 CRI (nominal).

DRIVE CURRENT - Choice of Very Low Wattage (VLW), Low Wattage (LW), Super Saver (SS), High Output (HO) or Very High Output (VHO).

OPTICS / DISTRIBUTION - Choice of Symmetrical or Asymmetrical, which directs light through a clear tempered glass lens, to provide a uniform distribution of light to vertical and horizontal surfaces.

OPTICAL UNIT - Features an ultra-slim 7/8" profile die-cast housing, with a flat glass lens. Unit is water-resistant, sealed to an IP67 rating. Integral designed heat sink does not trap dirt and grime, ensuring cool running performance over the life of the fixture.
PRESSURE STABILIZING VENT - Luminaire assembly incorporates a pressure stabilizing vent breather to prevent seal fatigue and failure.
HAZARDOUS LOCATION - Designed for lighter than air fuel applications. Product is suitable for Class 1 Division 2 only when properly installed per LSI installation instructions (consult factory).
DRIVER - State-of-the-art driver technology superior energy efficiency and optimum light output. Driver components are fully encased in potting for moisture resistance. Complies with IEC and FCC standards. 0-10 V dimming supplied standard with all drive currents.
DRIVER HOUSING - Die-cast aluminum, wet location rated driver/electrical enclosure is elevated above canopy deck to prevent water entry, provide easy "knock-out" connection of primary wiring and contributes to attaining the lowest operating temperatures available. Seals to optical housing via one-piece molded silicone gasket.
OPERATING TEMPERATURE $-40^{\circ} \mathrm{C}$ to $50^{\circ} \mathrm{C}\left(-40^{\circ} \mathrm{F}\right.$ to $\left.+122^{\circ} \mathrm{F}\right)$
ELECTRICAL - Universal voltage power supply, 120-277 VAC, 50/60 HZ input. Drivers feature two-stage surge protection (including separate surge protection built into electronic driver) meets IEEE C62.41.2-2002, Scenario 1, Location Category C.

FINISH - Standard color is white and is finished with LSI's DuraGrip ${ }^{\circledR}$ polyester powder coat process. DuraGrip withstands extreme weather changes without cracking or peeling.
INSTALLATION - One person installation. No additional sealant required. Installs in a 12 " or 16 " deck pan. Deck penetration consists of a 4" hole, simplifying installation and water sealing. Unit is designed to quickly retrofit into existing Scottsdale (4") hole as well as openings for Encore and Encore Top Access and to reconnect wiring for the SC/ECTA without having to relocate the conduit. Retro panels are available for existing Encores (see back page) as well as kits for recessed and $2 \times 2$ installations (see separate spec sheets). Support brackets are provided standard, to prevent sagging of deck.
SHIPPING WEIGHT - 27 pounds (single pack), 48 pounds (double pack).
EXPECTED LIFE - Minimum 60,000 to 100,000 hours depending upon the ambient temperature of the installation location. See LSI web site for specific guidance.
WARRANTY - Limited 5-year warranty.
LISTING - UL and ETL listed to UL 1598, UL 8750 and other U.S. and International safety standards. Suitable for wet locations.

PHOTOMETRICS - Please visit our web site at www.Isi-industries.com for detailed photometric data.

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.
RöHS
COMPLIANT
$\stackrel{\text { Intertek }}{\text { In }}$
wet location


Trich CRUS SC LED HO 50 UE WHIT

| Prefix | Distribution ${ }^{1}$ | Light Source | Drive Current | Color Temperature | Input Voltage | Finish | Options |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 'CRUS | $\begin{aligned} & \text { SC - Standard } \\ & \text { Symmetric } \\ & \text { AC-Asymmetric- } \end{aligned}$ | $\begin{array}{ll} \text { LED } \\ \\ \hline \end{array}$ | VLLW - Very Low Watt, 1 LW - Low Watt 'ss̄ HO - High Output VHO - Very High Output | $\text { * } \quad \text { 50-5000K }$ | $\begin{gathered} \hline \text { UE - Universal } \\ \text { Voltage } \\ (120-277 \mathrm{~V}) \\ 347-480 \mathrm{~V} \end{gathered}$ | WHT - White <br> BRZ - Bronze <br> BLK - Black | HL - Hazardous location available on LW and SS |

FOOTNOTES: $\quad$ * City staff note: Lamp with 3000K CT is available. (-30)
1- AC distribution utilizes a reflector which alters the look from a standard $S$ distribution.
See https://www.lsicorp.com/wp-content/uploads/documents/products/crus-specsheet.pdf

| ACCESSORY ORDERING INFORMATION (Accessories are field installed) |  |  |  |
| :---: | :---: | :---: | :---: |
| Description | Order Number | Description | Order Number |
| Retrofit Panels - EC / ECTA / SCF to CRU, for 16" Deck Panel | 525946 | Kit - Hole Plugs and Silicone (enough for 25 retrofits) ${ }^{1}$ | 1320540 |
| Retrofit Panels - ECTA / SCF to CRU, for 12" Deck Panel | 530281 | 1-Consists of (25) 7/8" hole plugs and (1) 10.3 oz tube of RTV |  |
| Retrofit 2x2 Cover Panel Blank (no holes) | 357282 |  |  |
| Retrofit RIC Cover Panel Blank (no holes) | 354702 |  |  |

## DIMENSIONS



| LIGHT OUTPUT - CRUS |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  | Lumens |  | Watts SC/AC | LPW |  |
|  |  | SC | AC |  | SC | AC |
|  | VLW - Very Low Watt | 9055 | 7632 | 61 | 148 | 125 |
|  | LW - Low Watt | 10525 | 8884 | 74 | 142 | 120 |
|  | SS - Super Saver | 13674 | 11595 | 98 | 140 | 118 |
|  | H0 - High Output | 18633 | 15145 | 132 | 141 | 115 |
|  | VHO - Very High Output | 22418 | 17262 | 159 | 141 | 109 |

Location:
Contact:

## CYLINDER

## Wall mounted • Damp location listed PROGRESS LED

## Specifications:

## Description:

The P5675 Series are ideal for a wide variety of interior and exterior applications including residential and commercial. The Cylinders feature a 120 V alternating current source and eliminates the need for a traditional LED driver. This modular approach results in an encapsulated luminaire that unites performance, cost and safety benefits.

## Construction:

## Black (-31) (powdercoat)

Die cast and extruded aluminum construction
metal shade
Flicker-free dimming to $10 \%$ brightness with most ELV type dimmers (See Dimming Notes)
Back plate covers a standard 4" hexagonal recessed outlet box
Mounting strap for outlet box included
6 " of wire supplied
Wet location listed when used with P8799 lens cover (sold separately)

## Performance:

| Number of Modules | 2 |
| :--- | :--- |
| Input Power | 17 W |
| Input Voltage | 120 V |
| Input Frequency | 60 Hz |
| Lumens/LPW (Down) | $795 / 46$ (LM-79) per module |
| Lumens/LPW (Up) | $795 / 46$ (LM-79) per module |
| CCT | 3000 K |
| CRI | 90 |
| Life | 60,000 (L70/TM-21) |
| EMI/RFI | FCC Title 47, Part 15, Class B |
| Min. Start Temp | $-30^{\circ} \mathrm{C}$ |
| Max. Operating Temp | $30^{\circ} \mathrm{C}$ |
| Warranty | 5 year warranty |
| Labels | cCSAus Damp location listed |
|  |  |

Catalog number:
$\frac{\text { Base }}{\text { P5675 }}-\frac{\text { Finish }}{31-\text { Black }} / \frac{\text { Color Temp }}{30 \mathrm{~K}-3000 \mathrm{~K}} \quad \frac{\text { CRI }}{\text { Blank- } 90 \text { CRI }}$

## CYLINDER

Wall mounted • Damp location listed
PROGRESS LED

P5675-31/30K

## Dimming Notes:

P5675 is designed to be compatible with many Electronic Low Voltage (ELV-Reverse Phase) controls.
The following is a partial list of known compatible dimmer controls:
Electronic Low Voltage ELV Reverse Phase Controls

| Lutron | Diva Series | (Part Number DVELV-300P) |
| :--- | :--- | :--- |
| Lutron | Nova T Series | (Part Number NTELV-300) |
| Lutron | Vierti Series | (Part Number VTELV-600) |
| Lutron |  | (Part Number MAELV-600) |
| Lutron | (Part Number SPELV-600) |  |
| Leviton | (Part Number AWRMG-EAW) |  |
| Leviton | (Part Number 6615-P) |  |

Digital type dimmers are not recommended.
Dimming capabilities will vary depending on the dimmer control, load, and circuit installation.
Always refer to dimmer manufacturer instructions or a controls specialist for specific requirements.
Dimmer control brand names where identified above are trade names or registered trademarks of each respective company.

## DESCRIPTION

The Halo RL4 series is a retrofit LED Baffle-Trim Module for 4" aperture recessed downlights. The RL4 is designed for use with compatible 4" housings. The RL4 integral LED driver is dimmable at 120 volts. The RL4 lens provides uniform illumination and wet location listing. The RL4 die-cast construction makes any housing AIR-TITE for added HVAC savings and code compliance.

| Catalog \# Halo RL4- C7 | Type |  |
| :---: | :---: | :---: |
| Project |  |  |
| Comments |  | Date |
| Prepared by |  |  |

## SPECIFICATION FEATURES

## MECHANICAL

## Module-Trim

- Module construction includes LED, heat sink, reflector, lens, baffle and trim ring
- Durable die-cast aluminum construction
- Regressed baffle
- Heat sink designed to conduct heat away from the LED keeping the junction temperatures below specified maximums, even when installed in insulated ceiling environments
- Halo finish options
- Matte White paint finish (WH)
- Satin Nickel plated finish (SN)


## Lens

- Regressed lens
- Impact-resistant polycarbonate
- Convex form for lamp-like appearance
- High lumen transmission
- Diffusing for even illumination


## MOUNTING

## Friction Blades

- Precision formed spring blades secure module to compatible housings.
- Friction blade design allows the RL4 to be installed in any position within the housing aperture (360 degrees).
Housing Compatibility
See Housing Compatibility section.


## LED

- ColorTemperature (CCT) ${ }^{\dagger}$

Options: 2700K, 3000K, and 3500K

- Color Rendering Index $(\mathrm{CRI})^{\dagger}$ Options: 80 and 90
- LED is a chip on board design consisting of a multiple LED package with proximity phosphor coating to create one virtual white light source for a productive "cone of light"


## ELECTRICAL <br> Power Connections

- LED connector is a non-screw base luminaire disconnect offering easy installation with the matching Halo H995 Series housings.
- LED Connector meets California Title-24 high-efficacy luminaire requirement for a non-screw base socket, and where required to qualify as a high-efficacy luminaire.
- The included E26 medium screw-base Edison adapter provides easy retrofit of incandescent housings (see Housing Compatibility).


## Ground Connection

- Separate grounding cable included on the RL4 module for attachment to the housing during installation.


## LED Driver

- Dimmable driver is a 120 Volt, high efficiency, electronic power supply providing DC power to the LED.
- Driver meets FCC EMI/RFI Consumer Level limits for use in residential and commercial installations.
- Driver features high power factor, lowTHD, and has integral thermal protection in the event of over temperature or internal failure.
- Driver mounts externally to the module, allowing future replacement, if needed.


## Dimming

- The Halo RL4 LED is designed for dimming capability to $10 \%$ in normal operation with standard 120V LED-Rated, electronic low voltage, and many incandescent dimmers. The LED module may also dim to $5 \%$ nominal using dimmers with low end trim adjustment. (Consult dimmer manufacturer for dimmer details. Note, some dimmers require a neutral in the wallbox.)


## Warranty

Cooper Lighting provides a five year limited warranty on the RL4 LED.

## COMPLIANCE

Labels

- UL/cUL Listed 1598 Luminaire (with listed housings)
- UL/cUL Listed for Damp Location
- UL/cUL Listed for Wet Location - Shower Applications
- IP65 Ingress Protection rated
- May be installed in housings in direct contact with airpermeable insulation** and combustible material


## Qualification

- ENERGY STAR ${ }^{\circledR}$ qualified residential and commercial*
- Can be used for State of California Title 24 high efficacy luminaire compliance*
- Can be used for Washington State Energy Code (WSEC) and International Energy Conservation Code (IECC) high efficacy luminaire compliance


## IC and AIR-TITE ${ }^{\text {tM }}$

Certified under ASTM-E283 and listed UL/cUL 1598 with compatible housings, may be used to meet insulated ceiling** and restricted air-flow requirements such as:

- Washington State Energy Code (WSEC)
- International Energy Conservation Code (IECC)
- New York State Energy Conservation Construction Code (NY-ECCC)
- State of California Title 24
"Recessed Luminaires in Insulated Ceilings."


FOR USEIN
INSULATED CEILING AND NON-INSULATED CEILING RATED HOUSINGS

HIGH EFFICACY LED WITH INTEGRAL DRIVER - DIMMABLE


[^2]$\dagger$ See ordering information table for available models.

LIGHTING FACTS


RL460WH830PK
3000 K Source

## fighiting facts



RL460WH835PK
3500 K Source

## lightıng facts


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procuct tost data and rosuls.
$\qquad$


Type: Recassed downignt

RL460WH935PK
3500 K Source

## lighting facts



RL460SN830PK
3000K Source

## lighting facts



ENERGY DATA

| Energy Data (Typical) |  |
| :--- | :--- |
| Min. Starting Temp <br> $-30^{\circ} \mathrm{C}\left(-22^{\circ}\right.$ F) | Sound Rating: Class A |
| EMI/RFI: FCC Title 47 CFR, Part 15, <br> Class B (Consumer) |  |
| Input Frequency: <br> $50 / 60 \mathrm{~Hz}$ | Input Voltage: 120 V |
| THD: <20\% | Power Factor: $>0.90$ |
| Input Power: <br> $9.0 \mathrm{~W}-10.5 \mathrm{~W}$ <br> (per CRI and CCT) | Input Current: <br> $0.075 \mathrm{~A}-0.0875 \mathrm{~A}$ <br> (per input power) |
| Driver-Safety Agency Approvals: <br> UL60950-1 Recognized, LPS output <br> UL8750 Compliant |  |
| Maximum IC (Insulated Ceiling) Ambient <br> Continuous Operating Temperature: $25^{\circ} \mathrm{C}$ ( $77^{\circ} \mathrm{F}$ ) |  |
| Maximum Non-IC (NON-Insulated Ceiling) <br> Ambient Continuous Operating Temperature: <br> $40^{\circ} \mathrm{C}$ (104 $4^{\circ} \mathrm{F}$ ) |  |



## ORDERING INFORMATION

## RL4 LED Module

SAMPLE NUMBER: RL460WH827PK
Complete unit includes RL4 LED and Halo H995 series LED housing, or compatible 4" E26 screw based housing (see: Housing Compatibility).
RL4 LED and housing to be ordered separately.

## RL460WH Models

## 80 CRI

RL460WH827PK = 4" LED Retrofit Module with regressed baffle and lens, White Baffle and Ring, 80 CRI, 2700K
RL460SN827PK = 4" LED Retrofit Module with regressed baffle and lens, Satin Nickel Baffle and Ring, 80 CRI, 2700K
RL460WH830PK = 4" LED Retrofit Module with regressed baffle and lens, White Baffle and Ring, 80 CRI, 3000K
RL460SN830PK = 4" LED Retrofit Module with regressed baffle and lens, Satin Nickel Baffle and Ring, 80 CRI, 3000K
RL460WH835PK = 4" LED Retrofit Module with regressed baffle and lens, White Baffle and Ring, 80 CRI, 3500K

## 90 CRI

RL460WH927PK = 4" LED Retrofit Module with regressed baffle and lens, White Baffle and Ring, 90 CRI, 2700K
RL460SN927PK = 4" LED Retrofit Module with regressed baffle and lens, Satin Nickel Baffle and Ring, 90 CRI, 2700K
RL460WH930PK = 4" LED Retrofit Module with regressed baffle and lens, White Baffle and Ring, 90 CRI, 3000K
RL460SN930PK = 4" LED Retrofit Module with regressed baffle and lens, Satin Nickel Baffle and Ring, 90 CRI, 3000K
RL460WH935PK = 4" LED Retrofit Module with regressed baffle and lens, White Baffle and Ring, 90 CRI, 3500K

## Accessories (order separately)

HE26LED=Replacement screw base adapter (one included with unit)

## LED Housing

## Series

H995ICAT = 4" Dedicated LED Insulated Ceiling, AIR-TITE New Construction Housing with LED luminaire connector (high efficacy compliant) H995RICAT = 4" Dedicated LED Insulated Ceiling, AIR-TITE Remodel Housing with LED luminaire connector (high efficacy compliant)

## HOUSING COMPATIBILTY - E26 SCREW BASE RETROFIT

## RL460WH / RL460SN

## UL Listed

UL/cUL Listed for installation in the following Halo and All-Pro 4" recessed E26 screw based and LED dedicated housings.

## UL Classified

UL Classified for retrofit in the following 4" recessed
E26 screw based housings.

| All-Pro ${ }^{\text {TM }}$ | ET400ATSB, ET400RATSB, EI400ATSB |
| :--- | :--- |
| Halo® | H99ICAT, H99RTAT, H99TAT, H995ICAT, H995RICAT |
| Utilitech | CR04ICAT |
| Thomas ${ }^{\circledR}$ | PS4 |
| Lithonia Lighting $^{\circledR}$ | L3, L3R |
| Commercial Electric $^{\text {TM }}$ | HBR2000B |
| Juno ${ }^{\circledR}$ | TC1, TC1R |
| Progress Lighting ${ }^{\circledR}$ | P830-TG, P832-TG |

 respective company and Cooper makes no representations on these trademarks.

| ELECTRICAL DATA | P5675-31/30K |
| :--- | :--- |
| Input Voltage | 120 V |
| Input Frequency | 60 Hz |
| Input Current | 0.11 A |
| Input Power | 17 W |
| Power Factor | $>0.90$ |
| THD | $<20 \%$ |
| EMI Filtering | FCC Title 47, Part 15, Class B |
| Operating Temperature | $-30^{\circ} \mathrm{C}$ to 30 C |
| Dimming | Yes* |
| Over-voltage, over-current, short-circuit protected |  |
| *See Dimming Notes for more information |  |

P5675-31/30K
LED Light Engine: 3000K 90 CRI
System Wattage: 33.0
Fixture delivered lumens: 1549
Fixture Efficacy: 49.0
Spacing Criteria: 1.0


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# CITY OF CHARLOTTESVILLE 

"A Great Place to Live for All of Our Citizens"

Department of Neighborhood Development Services
City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182


Fax 434-970-3359
www.charlottesville.org

TO: Charlottesville Planning Commission<br>FROM: Read Brodhead, Zoning Administrator<br>Craig Fabio, Assistant Zoning Administrator<br>Missy Creasy, AICP, Assistant Director NDS<br>Lisa Robertson, Chief Deputy City Attorney<br>DATE: August 31, 2020<br>SUBJECT: Family Day Home Ordinance Discussion

At the July 2020 Planning Commission meeting, the following Zoning Text Amendment request was initiated:

A Zoning Text Initiation to make both family day homes for up to 12 children by right uses in all zoning districts and exempt them from off street parking requirements, and to also ask staff to develop standard drop off and pick up code to ensure safety given this change. In addition, make all efforts to administratively speed up childcare applications.

Staff took two different routes for review of this item including state and local actions. Ms. Robertson contacted the City Council's legislative subcommittee about this matter and worked to develop more specific recommendations for Delegate Hudson and Senator Deeds, as to which of the state regulations the City contemplates might be most easily [and safely] relaxed during COVID. Though legislative items must come from Council directly, this is likely an item to receive their support.

In addition, Ms. Robertson put together an informational/ background memo for the PC and council subcommittee on this issue which was sent to you on July 22, 2020 and included with these materials.

The request for changes required at the state level has been submitted and feedback is forthcoming.
In addition to state level consideration, staff reviewed the city code provisions and state code updates and drafted language for consideration that would bring our local ordinance up to date and provide for additional allowances for larger family day homes. Please note that any state code requirement currently in place is allowable regardless of the outdated language we have in the current city code.

The attached draft code language is proposed for your consideration. It provides for compliance with the number of children per state code, allowances in all areas allowing for residential use and provisional use permit requirements for Family Day Home (5-12 children).

Staff is requesting that the Commission review the proposal and provide feedback. Questions for consideration include:

Are there variations needed to the areas where Family Day Home (5-12 children) is allowable by right or by provisional use permit?

Are there updates need to the provisional permit regulations proposed?
Following this discussion, determination can be made concerning a schedule for public hearing.

Attached:
Proposed Ordinance updates
Background data on Daycare regulations

## Family Day home - Draft language for discussion

Family day home means a child care program serving one (1) to twelve (12) children under the age of thirteen (13) (exclusive of the provider's own children and any children who reside in the home), where such program is offered in the residence of the provider or the residence of any of the children in care. Any program serving more than twelve (12) children shall be considered a child daycare facility.

Occupancy, residential for purposes of this zoning ordinance, this term refers to the number of persons who may reside together within one (1) dwelling unit, as a single housekeeping unit. Each of the following shall be deemed a single housekeeping unit: (i) one (1) person; (ii) two (2) or more persons related by blood or marriage, together with any number of their children (including biological children, stepchildren, foster children, or adopted children); (iii) two (2) persons unrelated by blood or marriage, together with any number of the children of either of them (including biological children, stepchildren, foster children, or adopted children); (iv) within certain designated university residential zoning districts: up to three (3) persons unrelated by blood or marriage; (v) within all other residential zoning districts: up to four (4) persons unrelated by blood or marriage; (vi) group homes, residential facilities and assisted living facilities, as defined in the Code of Virginia, § 15.2-2291, which are licensed by the department of social services or the department of behavioral health and developmental services and which are occupied by no more than eight (8) mentally ill, mentally retarded, developmentally disabled, aged, infirm, or disabled persons together with one (1) or more resident counselors; (vii) a group of persons required by law to be treated as a single housekeeping unit, in accordance with the Federal Fair Housing Act, or a similar state law. A family day home that serves one (1) to (4) four children shall be considered part of a residential occupancy by a single family.

Update 34-420 Use Matrix, 34-480 Use Matrix, and 34-796 Use Matrix
Family Day Home
1-4 Children - " $B$ " in all districts which allow single family residential
$5-12$ Children - "B" to remain for $B-1, B-2$ and $B-3$ to mirror current allowances
$5-12$ Children - "P" in all districts besides B-1, B-2 and B-3 which allow residential
Add this section under Article IX. Generally Applicable Regulations, Division 9. Standards for Provisional Use

Sec. 34-XXXX. Family Day Home (5-12 children)
A provisional use permit that authorizes a Family Day Home (5-12 children) shall be subject to the following regulations:

1. Each provisional use permit for a family day home will be valid from January 1 (or such other date during a calendar year on which such permit is issued) through December 31 of the calendar year in which the permit is issued.
2. The operator of the Family Day Home must reside at the property as his/her primary residence, or must be caring for children who reside within the residence.
3. No clients or employees shall be allowed to visit the property on which a family day home is conducted earlier than 7:00 a.m. or later than 6:00 p.m.
4. Applicants for a family day home provisional use permit must obtain, and provide to the zoning administrator:
a. A copy of a valid city business license (or a statement from the commissioner of revenue that no city business license is required)
b. A copy of a valid state license. Following initial issuance of the provisional use permit, the operator shall keep the zoning administrator supplied with a valid state license at all times while the provisional use permit is valid.
c. A traffic safety plan that addresses drop-off and pick-up procedures related to automotive traffic.
5. In addition to the resident(s) of the dwelling, not more than one (1) other individual may be engaged in the activities of the family day home on the property at any given time.
6. One (1) exterior sign, of dimensions no greater than two (2) square feet, may be placed on the exterior of the dwelling or an accessory structure to indicate the presence of the family day home. The sign shall not be lighted.
7. A provisional use permit for a family day home may be revoked by the Zoning Administrator should a permit holder fail to maintain compliance with any of the regulations set forward in this section. An operator whose provisional use permit has been revoked pursuant to this paragraph shall not be permitted to apply for a new permit for any location for one calendar year after the end of the permit term.
8. Once an application requesting a provisional use permit is received by the Zoning Administrator, notification shall be sent by registered or certified letter to the last known address of each adjacent property owner. If the zoning administrator receives no written objection from a person so notified within 30 days of the date of sending the letter and determines that the family day home otherwise complies with the provisions of the ordinance and all other applicable local ordinances, the zoning administrator shall issue the permit. If the zoning administrator receives a written objection from a person so notified within 30 days of the date of sending the letter and determines that the family day home otherwise complies with the provisions of the ordinance, the zoning administrator shall consider such objection and may (i) issue or deny the permit or (ii) refer the permit to the local governing body for consideration.

## Background data on Daycare regulations <br> Provided by Lisa Robertson, Chief Deputy City Attorney on July 22, 2020

Following is a compilation of information regarding the layers of regulation for the two categories of child care facilities: "family day homes" and "child day centers". At your meeting on July 14, 2020, several of you expressed interest in having a summary of state enabling legislation and regulations (to help understand how you might want to amend zoning ordinance provisions), and also for the City to ask its legislators to consider bringing forward proposals within the August 2020 special session-to make it easier for new day care facilities to quickly be established, particularly if schools cannot be reopened in the Fall during the continuing COVID emergency. We will also share all of this information with the City's legislators.

## General Background Information about Regulation of Child Care Providers and Facilities

Daycare for children is regulated at the state level, currently by the Virginia Department of Social Services. Beginning in 2021 the state regulating authority will become the State Board of Education, see Va. Acts of Assembly (2020), ch. 860. Generally, daycare services are provided in operations referred to as "Family day homes" or "child day centers". Regulatory authority falls into three categories:

Zoning regulations [local]--Under state law, see Va. Code §15.2-2292, the City’s zoning ordinance, for all purposes, must treat a "family day home" serving 1-4 children in a provider's home, exclusive of the provider's own children) as a residential occupancy by a single family (as a practical matter, that means "family day home" is a lawful accessory use everywhere in the City that is lawfully occupied as a person's residence). No conditions can be imposed on the family day home use can be more restrictive than conditions/ regulations applicable to the residential occupancy by a single family. Separately, however, the family day home use may constitute taxable business activity; Religious institutions are not per se exempt from zoning regulations (but see the reference to a federal law known as "RLUIPA", below in this email). [note: the City’s current zoning regulations are outdated; if you review the Use Matrix for each zoning district, "family day home 1-5 children" is allowed by right; according to the current provisions of 15.2-2292, that should be "family day home 1-4 children".]

State regulation of operations-State regulations vary, depending on whether child care is provided in (i) a "family day home" (no license is required; providers may go through a process to voluntarily become registered with the state, after demonstrating compliance with certain standards) or (ii) a "child day center" (state license is required) and (iii) whether or not the operator of a "child day center" is exempted from state licensure, but still subject to state-mandated minimum standards. Religious institutions are exempt from state licensing requirements for "child day centers".

Local regulation and licensing of providers and facilities-(i) state law allows the City, and certain counties, to enact ordinances regulating and requiring licensing of persons who provide "child care services" for compensation and regulation and licensing of "child care facilities" (see Va Code §15.2-914). Charlottesville does not regulate daycare under the authority of Va. Code §15.2-914, which contains some limitations (localities cannot regulate or require licensing of any facility already licensed by the state, cannot license or regulate any facility operated by a religious institution, and cannot enact regulations more extensive than state regulations of "family day homes"); and (ii) "Family day homes" or "child day centers" may constitute business activity that is taxable under the City's business license tax ordinance. If so, then the annual fee for a business license is $\$ 35$ (or, if the provider realizes annual revenues of $\$ 50 \mathrm{~K}$ to $\$ 100 \mathrm{~K}$, the fee is $\$ 50$ ).

## Planning Commission Recommendations Relating to the COVID emergency

At the planning commission meeting July 14, 2020, the Commission expressed interest in asking legislators to discuss, at the upcoming August 2020 special session, the possible relaxing some of the state requirements that may apply to the establishment of new providers of child care services, as may be necessary to meet families' needs during the continuing COVID emergency (especially if schools do not open in the Fall). The City’s legislative positions and agenda is set by City Council. I have made Council's legislative subcommittee aware of the Commission's discussion and recommendations. The most difficult task will be identifying specific state regulations that could be waived or relaxed, without compromising safety (perhaps waiver of application fees, inspection fees, background check fees, etc.?) for persons seeking to quickly establish new "child day center" operations. We will keep you informed of any developments with legislators during the August 2020 Special Session.

## References to state regulations

When the City's zoning ordinance is rewritten, one of the topics that requires updating are the City's regulations of "family day homes". Also, the Planning Commission may want to consider proposing updates to the City’s regulations governing where "child day centers" can be located, what local regulations would be in the public's best interests, and whether or not an administrative approval (zoning permit) -rather than a special use permit-is the preferred mechanism for review of the
impacts of a child day center at a particular location. As you move forward, please keep the following terminology and laws in mind when discussing regulation of daycare:

Va. Code §63.2-100: "Family day home", is defined as a child day program offered in the residence of the provider or the home of any of the children in care for one through 12 children under the age of 13 , exclusive of the provider's own children and any children who reside in the home, when at least one child receives care for compensation....Family day homes serving five through 12 children, exclusive of the provider's own children and any children who reside in the home, shall be licensed. However, no family day home shall care for more than four children under the age of two, including the provider's own children and any children who reside in the home, unless the family day home is licensed or voluntarily registered....[A] a family day home where the children in care are all related to the provider by blood or marriage shall not be required to be licensed.

Va. Code §63.2-100: "Child day center" is defined as a child day program offered to (i) two or more children under the age of 13 in a facility that is not the residence of the provider or of any of the children in care or (ii) 13 or more children at any location. ("Child day program" means a regularly operating service arrangement for children where, during the absence of a parent or guardian, a person or organization has agreed to assume responsibility for the supervision, protection, and well-being of a child under the age of 13 for less than a 24 -hour period). See Va. Code §63.2-100.

Va. Code §63.2-1716: A child day center operated by a religious institution is exempt from state licensure requirements, but must satisfy a statutory list of criteria (including building and fire code inspection of facilities, mandatory staff ratios, physician certification of supervisors’ ability to care for children, background checks, CPR training for at least one person, etc.). See Va. Code 63.2-1716, https://law.lis.virginia.gov/vacode/title63.2/chapter17/section63.21716/ . Information regarding the documentation required from religious institutions for the exemption can be found at https://www.dss.virginia.gov/files/division/licensing/recdc/intro_page/applicants/guidance_procedures/documentation_for_ religiously_exempt_cdc.pdf

RLUIPA: Child day centers operated by religious institutions are not exempt from local zoning ordinance requirements. However, Planning Commissioners, Councilors and state legislators should be cognizant of a federal law called the Religious Land Use and Institutionalized Persons Act, 42 USC 2000ccc ("RLUIPA"). One section of RLUIPA specifies that a government may not impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a religious assembly or institution, unless the government regulation is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that interest. "Secular activities do not become acts of faith just because they occur on church property." Calvary Christian Center v. City of Fredericksburg, 800 F.Supp.2d 760, 774 (E. Dist. Va., 2011). Whether or not a particular zoning requirement imposed or implemented relative to a particular property will result in a substantial burden on religious exercise is a fact-specific determination.

# CITY OF CHARLOTTESVILLE <br> DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES STAFF REPORT <br> PRELIMINARY DISCUSSION: DEVELOPMENT 

DATE OF PLANNING COMMISSION MEETING: September 9, 2020

Project Planner: Matt Alfele<br>Date of Staff Report: August 25, 2020<br>Project Name: Development of 240 Stribling Avenue<br>Property Owner: Carrsgrove Properties, LLC<br>Applicant's Representative: Charlie Armstrong, Southern Development Group, Inc.<br>\section*{RE: Planning Commission Work Session for a proposed development of 240 Stribling Avenue}

## Background

Charlie Armstrong, (Southern Development Group, Inc.) contract purchaser for property owned by Carrsgrove Properties, LLC (owner), is proposing to develop the property at 240 Stribling Avenue (TMP 18A025000) outside the current by-right land use designation. 240 Stribling Avenue is approximately 12.07 acres with road frontage on Stribling Avenue. The Comprehensive Land Use Map for this area calls for Low Density Residential. Low Density Residential is described as land occupied by single or two-family types of housing. The density in these areas by-right should be no greater than 15 units per acre. Prior to submitting an application to the City, Mr. Armstrong requested feedback from the Planning Commission at the February 26, 2020 Work Session. The feedback the applicant received on the preliminary design included:

- Positive reception on the design (mix of housing type with central greens and access to Moores Creek).
- Positive reception to the proposed density ( 15 DUA with up to 170 units)
- The Planning Commission would like to see more affordable units below $80 \%$ AMI.
- The Planning Commission would like to see more protection of Moores Creek.
- The Planning Commission would like to see the applicant work with the City on improving Stribling Avenue.

In addition to the Planning Commission Work Session on February 26, 2020, the applicant attended the Fry's Spring Neighborhood Association meeting on January 22, 2020, to get
feedback on any proposed development of 240 Stribling Avenue. The following were points raised by the neighborhood:

- Any development in this area will put more cars on Stribling Avenue. Improvements need to be made to Stribling.
- More units will create more need for parking and could have a negative impact.
- The neighborhood is concerned with any development on this site.

In mid-August the applicant formally submitted a rezoning application and critical slope waiver application for the subject property. As part of the rezoning process, the applicant held a virtual Community Engagement meeting on September 3, 2020. This report was prepared prior to that meeting and any feedback from that meeting or other comments will be included in the Public Hearing Staff Report. Prior to placing the rezoning request on the Planning Commission's agenda for a Public Hearing, the applicant has requested an additional Work Session. The proposal you are seeing tonight is very similar to the draft design from February, but more detail is now available.

| February 26, 2020 Work Session | September 9, 2020 Work Session |
| :--- | :--- |
| Up to 170 units | Maximum DUA of 15 (for a max build out of <br> 181 units) within duplex, townhomes, and <br> apartments/condos. |
| Design of clustered units around green space | Design of clustered units around green space <br> A proffer statement with a cash contribution <br> to improve Stribling and 15\% of units <br> designated for persons making between 25\% <br> and 60\% AMI |

## Proposed Discussion points for the Planning Commission:

1. How will the connection from the development to Morgan Ct. work?
2. Will the roads within the development meet City Standards?
3. How will the development impact Stribling Avenue?
4. How will the proffers improve Stribling Avenue?
5. How is Moores Creek being protected?

## Vicinity Map



## Zoning Map



Orange: R-2 (Two-family), Yellow: R-1S (Single-Family), Green: Huntley PUD

2016 Aerial


2013 Comp Plan


Yellow: Low Density Residential

## Attachments

A. PUD Development Plan and Supplemental Plan.

## PUD DEVELOPMENT PLAN

## 240 STRIBLING AVENUE

CITY OF CHARLOTTESVILLE, VIRGINIA






A. LOCATION AND SIIE O O EXIITTNG WATER AND SANTTARY AND STORM SEWER FACLITIIES AND EASEMENTS;
B. Lavout for fropose water an sanitar sewer faclutes ano storm dranace facluties;
C. Location of orite proposed uturiesi







PAGE 8: ENITRONMENTAL FEATURES

A. Prooposed Land UsES And their general locations, ncluoding without lumtation, bulloing and
B. Proposeb densiris of proposso resiental development;
c. Location anv acreage or reoured open space;
D. SOUAR FOOTAGE FOR NON.RESIDENTTAL USES:
E. MaXimu H Heght of builing And structures In area of pud.


34.577(G)A P PHASING PLAN I I NEDEDD. EACH PHASE SHALL NDDIIDUALLY MEET THE REQUREMENTS OF THIS SECTION. PAGE 5: PHASING PLAN







## EXISTING CONDITIONS



## Objectives (Charlottesville Ordinance Sect. 34-490)

To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations than would otherwise govern;

2
To encourage innovative arrangements of buildings and open spaces to provide efficient attractive flexible and environmentally sensitive design;To promote a variety of housing types, or, within a development con taining only a single housing type, to promote inclusion of houses of various sizes;

4 To encourage the clustering of single-family dwellings for more efficient use of land and preservation of open space,

5 fied projects

6 To ensure that a development will be harmonious with the existing uses and character of adjacent property, and/or consistent with patterns of development noted with respect to such adjacent property;

7 To ensure preservation of cultural features, scenic assets and natural features such as trees, streams and topography:

8 To provide for coordination of architectural styles internally within the development as well as in relation to adjacent properties along the perimeter of the development

9 To provide for coordinated linkages among internal buildings and uses, and external connections, at a scale appropriate to the development and adjacent neighborhoods;

10 To facilitate access to the development by public transit services or other single-vehicle-alternative services, including, without limitation, public pedestrian systems.

This proposal includes more housing than would be allowed by right. It provides a mix of dwellings-- including affordable units-that encourage a heterogeneous community.

The street layouts and building densities adopt an urban strategy without erasing the site's existing sylvan character. In addition to preserving swaths of wooded land along creeks and ravines, this neighborhood proposes an interconnected band of smaller common spaces. These are sequenced diagonally, cascading from roughly the middle of the site down to the floodplain. They provide a recreational corridor that-- except for occasional alley cross-ings-- is free of traffic. Staggered and terraced, they allow a degree of partition: at the bottom green, kids can throw a football; while at the green to its north, residents sit and talk; meanwhile, at the top, families can set up a portable canopy and have a bar-b-que. Yet even with the separation provided by elevation level and alleyways, the greens are grouped together to enhance views. Shortly after entering the neighborhood on Carrsgrove Drive, a visual corridor opens all the way through the entire property down to the bottomland. The greens insinuate themselves in what would otherwise be a repetitious rank and file of townhomes. They contribute to a rich environment of outdoor space-- creating larger vistas and common ground that expand on the private porches and gardens of the smaller mews spaces

Three housing types are proposed: duplexes, townhouses and apartments/condos.

The dwellings assume a compact arrangement. Apartment buildings are arrayed along the west half of the site, where they are not readily seen from Stribling Avenue. Townhomes are situated in areas closest to the existing PUD at Huntley, as well as the existing SFD, duplex and townhomes on Stribling Ave. By and large, the buildings are concentrated in the middle of the site, avoiding and preserving critical slopes, flood plains and stream buffers.

The dense weaving of shared green spaces, pathways and streets encourages connection and visibility among the residents. The abundance of porches and balconies provides subtle, comfortable transitions between private space and public.
are the the site townhomes $21 / 2$ to 3 stories tall line Stribing Avenue. They are not out scale or character with their surroundings. While paralle sume a mews arrangement. Typically their front facades face one another across landscaped gardens, while at the rear, alleys provide vehicle access,

Mature hardwood trees, especially along the western slopes and floodplain, remain. The footpath that currently exists along the west and south boundary is retained. While grading will be necessary, the essential lay of the land remains intact. The floodplain is preserved. As much as possible, the boundary vegetation is preserved.

The architecture is characterized by certain forms and materials consistent across the development, and familiar within the surrounding neighborhood. Subtle variations of massing, wall openings and colors reduce repetition, inviting heterogeneity while maintaining coherence.

Sidewalks follow both sides of the main streets within the site. Paths and entries into buildings connect directly to these sidewalks. Canopies, front doors and front porches give clear visible indications of entry points to all buildings and domiciles.

Proposed widening of Stribling Avenue along the north side of the property adjacent to the primary street entry allows better access by public transit ehicles than would be the case without this development. Improvements to Stribling also provide safer conditions for pedestrians, cyclists and wheel chair-users, allowing more space and greater visibility. Sidewalks and planting buffers within the site further enhance safety and ease of movement.

## NARRATIVE PER 34-517(2)

PAGE 3 OF 13
240 STRIBLING AVENUE - APRIL 28, 2020



## PHASING PLAN



## CONCEPTUAL DEVELOPMENT PLAN

240 STRIBLING AVENUE - APRIL 28, 2020




NOTE: NO CULTURAL FEATURES OR LANDMARKS WERE FOUND ON SITE.



## LANDSCAPE PLAN

| Use Types |  |  |  |
| :---: | :---: | :---: | :---: |
|  | PUD | Existing zoning- $\mathrm{R}-15$ (forreference) | Existing ooning- R -2 (for reference) |
| Resilential and related uses |  |  |  |
| Accessory apartment, internal | p | P | P |
| Accessorv apartment, external | P | P | p |
| Accessory buildings, structure and uses | в | B | в |
| Adult assisted living |  |  |  |
| 1-8residents | в | B | B |
| Greater than 8 residents |  |  |  |
| Adult day care |  |  |  |
| Amateur radio antennas, to a height of 7 ft . | в | B | в |
| Bed-and-breakfast: |  |  |  |
| Homestay | в | B | в |
| BQ B |  |  |  |
| 1 ln |  |  |  |
| Boarding: fraternity and sorority house |  |  |  |
| Baading house (rooming house) |  |  |  |
| Convent/monastery | $s$ | $s$ | $s$ |
| Criminal justice facility |  |  |  |
| Dwellings |  |  |  |
|  |  |  |  |
| Single-family attached | B |  | B |
| Single-family detached | ${ }^{\text {B }}$ | B | в |
| Rewhousi/townhouse | ${ }_{\text {B }}$ |  | в |
| Family day home |  |  |  |
| $1-5$ children | B | в | B |
| 6-12 children | $s$ | 5 | $s$ |
| Manufactured home park |  |  |  |
|  |  |  |  |
| Night watchman's dwelling unit, accessory to industrial use |  |  |  |
|  |  |  |  |
| Occupancy, residential |  |  |  |
| 3unrelated persons | в | B | B |
| Residential density (developments) |  |  |  |
|  |  |  |  |
| Maximum of 15 DUA | B |  |  |
| 44-64DUA |  |  |  |
| 65-870UA |  |  |  |
| 88-200 DUA |  |  |  |
| Residential treatment facility |  |  |  |
| 1-8residents | B | B | B |
| Shelter care facility |  |  |  |
| Single room occupancy facility |  |  |  |
| Temporary family healt care structure | T | T | T |
| NON-RESIDENTAL: GENERAL and MISC. COMMERCIAL |  |  |  |
| Access to adjacent multifamily, commercial industrial or mixed-use development or us |  |  |  |
| Accessory buildings, structures and uses |  |  |  |
| Amusement center |  |  |  |
| Amusement enterprises (ciruses, carnivals, etc.) |  |  |  |
| Amusement park (putt-putt golf; skateboard parks, etc.) |  |  |  |
| Animal boarding/grooming/kennels: |  |  |  |
| With outside runs or pens |  |  |  |
| Without outside runsorpens |  |  |  |
| Animal shelter |  |  |  |
| GFA 4,000 SF or less |  |  |  |
|  |  |  |  |


| Use Types |  |  |  |
| :---: | :---: | :---: | :---: |
|  | PUD | Existing zoning- $\mathrm{R}-15$ (forreference) | Existing Zoning- $R$-2 (for reference) |
| Artstudio, GFA 4,000 SF orless |  |  |  |
|  |  |  |  |
| Assembly (indor) |  |  |  |
| Arena, stadium (enclosed) |  |  |  |
| Auditoriums, theaters |  |  |  |
| Houses of worship |  |  |  |
|  |  |  |  |
| Amphitheater |  |  |  |
| Stadium (open) |  |  |  |
| Temporary (outdoor church sevices, etc.) | T | T | T |
| Assembly plant, handcraft |  |  |  |
| Assembly plant |  |  |  |
| Automobile uses: |  |  |  |
| Gas station |  |  |  |
| Parts and equipment sales |  |  |  |
|  |  |  |  |
| Rental/leasing <br> Repair/servicing business |  |  |  |
| Sales |  |  |  |
| Tire sales and recapping |  |  |  |
| Baker, wholesale |  |  |  |
| GFA 4,000 SF or less |  |  |  |
| GFA up to 00,000 SF |  |  |  |
| Banks/ financial institutions |  |  |  |
| Bowling alleys |  |  |  |
| Carwash |  |  |  |
|  |  |  |  |
| Cemetery | s | s | s |
| Clinics: |  |  |  |
| Health Clinic (no GFA limit) |  |  |  |
| Health clinic (up to 10,000 SF, GFA) |  |  |  |
| Heath clinic (up to $4,000 \mathrm{SF}$, GFA) |  |  |  |
|  |  |  |  |
| Veterinary (with outside pens/runs) Veterinary (without outside pens/runs) |  |  |  |
|  |  |  |  |
| Cluss, private | $s$ | s | s |
| Communications facilities and towers: |  |  |  |
| towers established prior to 02/20/01 Attached facilities utilizing utility poles or other |  |  |  |
| Attached facilities utilizing utility poles or other electric transmission facilities as the attachment structure |  |  |  |
| Attached facilities not visible from any adjacent |  |  |  |
|  |  |  |  |
| Attached facilities visible from an adjacent |  |  |  |
| Alternative tower support structures |  |  |  |
| Aternative tower suppor structures |  |  |  |
| Guyed tower support structures |  |  |  |
| Latice tower support structures |  |  |  |
| Self-supporting towers support structures |  |  |  |
|  |  |  |  |
|  |  |  |  |
| Daycare facility Dry cleaning establishments |  |  |  |
|  |  |  |  |
| Educational facilities (non-residential) |  |  |  |
| Elementary | 5 | s | 5 |
| High schools | $s$ | s | s |
| Colleges and universities | s | s | s |
| Artistic yp to 4,000 SF, GFA |  |  |  |
| Artistic up to 10,000 SFF, GFA |  |  |  |
| Vocational, up to 4,00 ,0sF, GFA |  |  |  |


| Use Types |  |  |  |
| :---: | :---: | :---: | :---: |
|  | PUD | Existing zoning- $\mathrm{R}-15$ (forreference) | Existing Zoning $\boldsymbol{R}$-2 (for reference) |
| Electronic gaming café |  |  |  |
| Funeral home (without crematorr) |  |  |  |
| $\begin{array}{\|l\|} \hline \text { GFA } 4,000 \text { SF or less } \\ \hline \text { GFA un to } 10.000 \mathrm{SF} \\ \hline \end{array}$ |  |  |  |
|  |  |  |  |
| Funeral homes (with crematory) |  |  |  |
| $\begin{aligned} & \text { GFA } 4,000 \text { SF or less } \\ & \text { GFA un to } 10.000 \mathrm{SF} \end{aligned}$ |  |  |  |
|  |  |  |  |
| Golf course |  |  |  |
| Goll d diving range |  |  |  |
| Helipad |  |  |  |
| Hospital |  |  |  |
| Hotels/motels: |  |  |  |
| Up to 100 guest rooms |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  | B | B |
| Manufactured home sales |  |  |  |
| Microbrewery |  |  |  |
| Mobile food units |  |  |  |
| Movie theaters, ineplexes |  |  |  |
| Municipal/governmental offices, buildings, courts | s | s | s |
| Museums: |  |  |  |
| Up to 4,000 SF, GFA |  |  |  |
| Up to 10,00s SF, GFA |  |  |  |
| Music halls |  |  |  |
|  |  |  |  |
| Business and professional |  |  |  |
| Medical |  |  |  |
| Philantropic institutions/agencies |  |  |  |
|  |  |  |  |
| Other offices (non-spececified) |  |  |  |
|  |  |  |  |
| Outdor storage, accessory |  |  | Parking: |
| Parking garage | A |  |  |
| Surface parking lot | A |  |  |
| Temporary parking facilities | A |  |  |
| Photography studio |  |  |  |
| Photographic processing; blueprinting |  |  |  |
| Radio/television broadcast stations |  |  |  |
| Recreational facilities: |  |  |  |
| Indor: health/sports clubs; tennis club; <br> swimming club; yoga studios; dance studios, |  |  |  |
| Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc |  |  |  |
| Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. |  |  |  |
| Restaurants: |  |  |  |
| Dance hal/all n ight |  |  |  |
| Drive-through windows |  |  |  |
| Fast food |  |  |  |
|  |  |  |  |
| Taxi stand |  |  |  |
| Towing senice, automobile |  |  |  |
| Technology-based businesses |  |  |  |
| Transit facility |  |  |  |
| Utilit facilities | S | B | B |
| Utility lines | B |  |  |
| Accessor buildings, structure and uses |  |  |  |


| Use Types |  |  |  |
| :---: | :---: | :---: | :---: |
|  | puo | Existing zoning- $\mathrm{R}-15$ (forreference) | Existing Zoning- $R$-2 (for reference) |
| Consumer service businesses: |  |  |  |
| Up to 4,000 SF, GFA |  |  |  |
| Up to 10, 0 OLSF, GFA |  |  |  |
|  |  |  |  |
|  |  |  |  |
| Greenhouses/urseries |  |  |  |
| Grocerv stores: |  |  |  |
| Convenience |  |  |  |
| General, up to 10,000 SF, GFA |  |  |  |
|  |  |  |  |
| Home improvement center |  |  |  |
| Pharmacies: <br> $1-1,700$ SF, GFA |  |  |  |
|  |  |  |  |
| 1,701-4,000 SF, GFA |  |  |  |
| $4,001+$ SF, GFA |  |  |  |
| Shopping centers |  |  |  |
|  |  |  |  |
| Temporary sales, outdoor (flea markets, craft fairs, promotional sales, etc.) |  |  |  |
| Other retail stores (non-specified): |  |  |  |
| Up to 4,000 SF, GFAUp to 20,000 SF GFA |  |  |  |
|  |  |  |  |
| 20,000 +5F, GFA |  |  |  |
| NON-RESIDENTIAL INDUSTRIAL |  |  |  |
|  |  |  |  |
|  |  |  |  |
| Beverage or food processing, packaging and bottling plants |  |  |  |
| Brewerv and bottling facility |  |  |  |
| Compounding of cosmetics, toiletries, drugs and pharmaceutical products |  |  |  |
| Construction storage y ard |  |  |  |
| Contractor or tradesman shop (HAZMAT) |  |  |  |
|  |  |  |  |
| Greenhouse/nursery/(wholesale) |  |  |  |
| Industrial equipment: sevice and repair |  |  |  |
| Janitorial service company |  |  |  |
| Kennels |  |  |  |
| Laborator, medical |  |  |  |
| <4,000 sq. ft. |  |  |  |
| Laborator, pharmaceutical |  |  |  |
| <4,000 sq. ft. |  |  |  |
| Laundries |  |  |  |
| Manufactured home sales |  |  |  |
| Manufaturing, light |  |  |  |
| Medical laboratories |  |  |  |
| Pharmaceutical laboratories |  |  |  |
| Printing/publishing facility |  |  |  |
| Open storage vard |  |  |  |
| Outdoor storage, accessorv to industrial use |  |  |  |
| Research and testing laboratories |  |  |  |
|  |  |  |  |
| Warehouses |  |  |  |
| Wholesale establishments |  |  |  |

$A=$ ANCILLARY USE
MFD = MULTIFAMILY DEVELOPMENT
$\mathrm{CR}=\mathrm{COMMERCIAL} / R E S I D E N T I A L$
A/S = ANCILLARY OR SPECIAL USE PERMIT DUA $=$ DWELLING UNITS PER ACR

BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA IN RE: PETITION FOR REZONING (CCity Application No. ZM-20-STATEMENT OF FINAL PROFFER CONDITIONS

$$
\begin{aligned}
& \text { For the } 240 \text { Stribling PUD } \\
& \text { Dated as of - }
\end{aligned}
$$

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE:
The undersigned limited liability company is the owner of land subject to the above-referenced rezoning petition
("Subject Property") The Owner Applicant seeks to amend the current zoning of the property subject to certain "Subject Property"). The Owner/Applicant seeks to amend the current zoning of the property subject to certain seeks approval of a PUD as set forth within a PUD Development Plan, pages 1 through 8 , dated

The Owner/Applicant hereby proffers and agrees that if the Subject Property is rezoned as requested, the rezoning will
te subect to and the Owner will abide by the approved PUD Developer Pla

1. The Developer shall contribute five hundred thousand dollars $(\$ 500,000)$ to the city of Charlottessille to be
used toward a bicycle, pedestrian, and safety improvements on Stribling Avenue.
2. Affordable Housing:
a. The Developer shall cause a minimum $15 \%$ of the residential units constructed on the site to be Affordab
income.
i. No fewer than $30 \%$ of the ADUs constructed on the Subject Property shall be for-rent. For-rent ADUs shall have a period of affordability of not less than ten (10) years,
ii. No fewer than $30 \%$ of the ADUs constructed on the Subject Property shall be for-sale. No fewer than $30 \%$ of the ADUs constructed on the Subject Property shall be for-sale.
For-sale ADU shall have a perion of affordability of not less sthan thirty ( 30) years,
guaranted by deed restrictions which include, at a minimum a first right of refusal to For-sale ADUs shall have a period of affordability of not tess than thirty ( 0 y years,
guaranted by deed restrictions which include, at a minimum, a first right of refusal to repurchase the property, appreciation-sharing provisions, and forgivable and/or below
market rate interest mortgages to the qualified buyer. b. During construction ADUs shall be provided incrementally such that at least 5 incremental ADUs
shall be under construction prior to the issuance of every 30 th Certificate of Occupancy.

HEREFORE, the undersigned Owner(s) stipulate and agree that the use and development of the Subject Property hall be in conformity with the conditions hereinabove stated, and requests that the Subject Property be rezoned as
requested, in accordance with the Zoning Ordinance of the City of Charlottesville.

Respectfully submitted this $\qquad$
$\qquad$
Applicant:
Southern D $\qquad$

Address:
Charlotesville, VA 22911

By:
Charles Armstrong, Vice President

## SUPPLEMENTAL INFORMATION REQUESTED BY STAFF IN ADDITION TO PUD DEVELOPMENT PLAN CONTENTS

SITE DATA:
$\frac{\text { tax Map Parcel: }}{\text { IBOO2500 }}$

$\frac{\mathrm{ZONMG}}{\mathrm{R} 1 \mathrm{NO} \mathrm{K}} \mathrm{R}$

$\frac{\text { Developer }}{\text { SOUHTERN DEVELOPMENT }}$
$\frac{\text { DESGON }}{\text { TIMONS GRoup }}$
Source of bounvary surver:
SOURCE OF TOPOGRAPHY EXISTING TOPOGRAPHY PROVIDED BY TIMMONS GROUP MAY, 2017
THE PROPERTY IS LOCATED IN ZONE AE AND XAS SHOWN ON FEDERAL EMERGENCY
MANAGEMENT AGENCY FLOOO INSURANCE MAP NUMBER 51003CO2690, DATED 2-42005
$\frac{\text { MAXIUUM BUULDING HEIGHT: }}{55^{\prime} \text { : EXCEPT THAT FRR ANY PORTION OF A BULLING LOCATED WITHIN } 75 \text { ' OF LOW DENSITY }}$
 RISTRICT SHALL APLY
RIM
$\frac{\text { CURRENT USE: }}{\text { VACANT LOT }}$
$\frac{\text { PROPOSED USE }}{\text { PUD }}$
$\frac{\text { OPEN SPACE OWNERSHIP: }}{\text { ALL OPENSPACE TOBE }}$ BOWNED AND MAINTANED BY A HOME OWNERS ASSOCIATION
$\frac{\text { LIGHTING: }}{\text { LIGHTING FIXTURES SHALL NOT EXCEED } 3000 \text { LUMENS. }}$
$\frac{\text { LAND USE SUMMARY: }}{\text { TOTALSTE AREA: }}$


RIGHT-OF-WAY AREA:
OPEN SPACE AREA:
TRAFFIC STUDY:
TTE SECODE 200; LOW RISE MULTIFAMII
TOUNTIS
170 UNTS
AM PEAK HOUR - 79 ( 18 ENTRR, 61 EXIT) $)$
PM PEAK HOUR - $94(59$ ENTER, 35 EX
AVERAGE DALY TRPS $-1,144$ ADT

240 STRIBLING AVENUE CITY OF CHARLOTTESVILLE, VIRGINIA


VICINITY MAP
SCALE: $1^{\prime \prime}=500$






FIRETRUCK AUTOTURN 1B
240 STRIBLING AVENUE - APRIL 28, 2020




FIRETRUCK AUTOTURN 2B
240 STRIBLING AVENUE - APRIL 28, 2020




FIRETRUCK AUTOTURN 3B








240 STRIBLING AVE




MITCHELL | MATTHEWS |
| :--- |
| ARCHITECTS |

PEDESTRIAN ACCESS PLAN

SHEET 19

240 STRIBLING AVENUE - APRIL 28, 2020


## STORMWATER MANAGEMENT AND E\&SC NARRATIVE:

STORMWATER QUALITY:
PARCEL 18 A025000 IS 11.053 ACRES AND IS PRIMARILY WOODED IN THE EXISTING CONDITION. 5.17 ACRES OF MPERVIOUS AREA 3.24 ACRES OF MANAGED TURF IS PROPOSED. THE TOTAL PROPOSED LIMITS OF IISTURBANCE IS 9.35 ACRES. WATER QUALITY REQUIREMENTS ARE BEING MET THROUGH 2.21 ACRES OF REE PRESERVATION DEDICATION AND THE IMPLEMENTATION OF FOUR (4) TYPE 2 BIORETENTION PURCHASE OF OFFSITE NUTRIENT CREDITS

STORMWATER QUANTITY
N THE EXISTING CONDITION, SITE RUNOFF IS DIRECTED TO THE SOUTH END OF THE SITE WHERE I OUTFALLS TO A STREAM, JUST BEFORE MEETING MOORE'S CREEK TO THE EAST. THE SOUTHERN END OF HE SITE LIES WITHIN FEMA 100-YEAR FLOOD PLAIN, ZONE AE. IN THE POST CONDITION, RUNOFF IS DETENTION IS BEING PROVIDED THOUGH 4 PROPOSED BIORETENTION FACILITIES, AS WELL AS A PROPOSED UNDERGROUND STORAGE FACILITY ON THE SOUTH END OF THE SITE.

CHANNEL PROTECTION: THE ENERGY BALANCE EQUATION HAS BEEN MEET FOR THE 1-YEAR, 24 HOUR STORM PER 9VAC25-870-66(B)3, "NATURAL STORMWATER CONVEYANCE SYSTEMS." APPLICABLE
APPROVALS FROM ACOE WILL BE OBTAINED TO OUTFALL TO THE STREAM.

FLOOD PROTECTION: PER 9VAC25-870-66(C)3, STORMWATER SHALL E ANALYZED FOR FLOOD PROTECTION OMPLIANCE TO THE POINT WHERE THE SYSTEM ENTERS A MAPPED FLOODPLAIN. ADEQUATE CONVEYANCE OF THE 10-YEAR STORM IS DEMONSTRATED UP TO THE SITE OUTFALL.

Attachment A
Visigia Runofif Reduction Method Worksheet
DEQ Virginia Runoff Reduction Method New Development Compliance Spreashhet -Version 3.0
Site SMP Design Specifictions List: 2013 oratt stas \& Specs
Site summary

## Total Rainfall $=43$ inches

$$
\begin{aligned}
& \text { Project Title: } 240 \text { Stribibing Ave } \\
& \text { Doate: } 33337
\end{aligned}
$$



## Site Tv and Land Cover Nutrient Loads



| Total $7 P$ Load Reduction Required ( $(\mathrm{L} / \mathrm{yr})$ | 8.48 |
| :--- | :--- |

Site Compliance Summary

| Total Runoff Volume Reduction (fti) | 819 |
| :---: | :---: |
| Total Tp Load Reduction Achieved (lb/yr) | 7.64 |
| Total TN Load Reduction Achieved (ll/yr) | 586 |
| Remaining Post Development TP Load $(16 / \mathrm{yr})$ | 5.19 |
| Remaining TP Load Reduction (lb/yr) Required | 0.84 |


| Drainage Area A Summary <br> Land Cover Summary |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | A Soils | B Soils | Csoils | DSoils | Total | \%of Total |  |  |
| Forest/pen (acres) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0 |  |  |
| Managed Tufflacres) | 0.00 | 1.02 | 0.00 | 0.00 | 1.02 | ${ }^{31}$ |  |  |
| Impenious Cover (acres) | 0.00 | 2.27 | 0.00 | 0.00 | 2.27 | 69 |  |  |
|  |  |  |  |  | 3.29 |  |  |  |
| smp Selections |  |  |  |  |  |  |  |  |
| Pratice | $\begin{array}{\|c} \hline \text { Managed Turf } \\ \text { Credit Area } \\ \text { (acres) } \end{array}$ | $\begin{aligned} & \hline \text { Impervious } \\ & \text { Cover Credit } \\ & \text { Area (acres) } \\ & \hline \end{aligned}$ | $\begin{array}{\|c\|} \text { BMP Treatment } \\ \text { Volume }\left(\mathrm{ft}^{3}\right) \end{array}$ | $\begin{array}{\|c\|} \hline \text { TP Load from } \\ \text { Upstream } \\ \text { Practices (lbs) } \\ \hline \end{array}$ | Untreated TP Load to Practice (lbs) | TP Removed (lb/yr) | TP Remaining $(\mathrm{lb} / \mathrm{yr})$ | $\begin{aligned} & \text { Downstream } \\ & \text { Treatment to be } \end{aligned}$ |
| 6.b. Bioretention \#2 or Micro-Bioretention <br> \#2 (Spec \#9) | 1.02 | 2.27 | 8,568.62 | 0.00 | 5.38 | 4.84 | 0.54 |  |
| Total Imperious cover Treated lacres) | 2.27 |  |  |  |  |  |  |  |
| Total Turf frea Treated (lacres) | 1.02 |  |  |  |  |  |  |  |
| Totat Tr Lood Reduction Achieved in D.A. $(\mathrm{Lb} / \mathrm{y})$ | 4.84 |  |  |  |  |  |  |  |
| Total TN Load Reduction Achieved in D.A. ( $\mathrm{lb} / \mathrm{yr}$ ) | 35.39 |  |  |  |  |  |  |  |

## Drainage Area B Summary



вмP Selections

| Pratice | Managed Tur Credit Area (acres) | $\begin{aligned} & \text { Impervious } \\ & \text { Cover Credit } \\ & \text { Area (acres) } \end{aligned}$ | $\begin{gathered} \hline \text { BMP Treatment } \\ \text { Volume }\left(\mathrm{ft}^{3}\right) \end{gathered}$ | TP Load from Practices (lbs) | Untreated TP Load to Practice (Ibs) | $\overline{\substack{\text { Tp Removed } \\(\mathrm{b} / \mathrm{b} / \mathrm{r})}}$ | TP Remaining (lb/yr) | Downstream Treatment to be Employed |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | 0.22 | 0.41 | 1,573.61 | 0.00 | 0.99 | ${ }_{0} .89$ | ${ }^{0.10}$ |  |
| Total Imperious Cover TTeated (laces) | 0.41 |  |  |  |  |  |  |  |
| Total Turf Area Treated (acres) | 0.22 |  |  |  |  |  |  |  |
| Total TP Load Reduction Achieved in D.A (lb/yr | 0.89 |  |  |  |  |  |  |  |
| Total TN Load Reduction Achieved in D.A <br> ( $\mathrm{lb} / \mathrm{yr}$ ) | 6.50 |  |  |  |  |  |  |  |

## Drainage Area C Summary

Land Cover Summary


BMP Selections


Drainage Area D Summary
Land Cover Summary


Bmp Selections

| Pratice | $\begin{gathered} \text { Managed Turf } \\ \text { Credit Area } \end{gathered}$ <br> (acres) | $\begin{aligned} & \text { Impervious } \\ & \text { Cover Credit } \\ & \text { Area (acres) } \end{aligned}$ | $\begin{array}{\|c} \text { BMP Treatment } \\ \text { Volume }\left(\mathrm{ft}^{3}\right) \end{array}$ | TP Load from Upstream Practices (lbs) | $\begin{gathered} \text { Untreated TP Load } \\ \text { to Practice (Ibs) } \end{gathered}$ | $\begin{aligned} & \text { TP Removed } \\ & (\mathrm{lb} / \mathrm{yr}) \end{aligned}$ | $\begin{aligned} & \text { TP Remaining } \\ & \text { (lb/yr) } \end{aligned}$ | Downstream Treatment to be <br> Employed |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 6.b. Bioretention \#2 or Micro-Bioretention <br> $\# 2(S p e c ~ \# 9)$ | 0.13 | 0.78 | 2,784.21 | 0.00 | 1.75 | 1.57 | 0.17 |  |
| Total Imperious Cover $T$ Treated ( /cres) | 0.78 |  |  |  |  |  |  |  |
| Total Turf Area Treated ( (acres) | 0.13 |  |  |  |  |  |  |  |
| Total TP Load Reduction Achieved in D.A. <br> ( $\mathrm{lb} / \mathrm{yr}$ ) | 1.57 |  |  |  |  |  |  |  |
| Total TN Load Reduction Achieved in D.A. ( $1 \mathrm{~b} / \mathrm{yr}$ ) | 11.50 |  |  |  |  |  |  |  |



EROSION AND SEDIMENT CONTROL NARRATIVE:
E\&SC MEASURES SHALL BE PROVIDED PER THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK (VESCH) TO ENSURE SEDIMENT LADEN RUNOFF IS CONTAINED ONSITE AND TO PRELIMINARY AND FINAL SITE PLAN SUBMITTALS


## LAND USE SUMMARY:

TOTAL SITE AREA:
R/W DEDICATION TO STRIBLING AVE TOWNHOUSE LOT AREA:
CONDOAPARMARLOT AREA: RGET-OF-WAY AREA:

PRELIMINARY PLAT
240 STRIBLING AVENUE - APRIL 28, 2020




240 STRIBLING AVENUE - APRIL 28, 2020


# PLANNING COMMISSION REGULAR MEETING 

## July 14, 2020 - 5:30 P.M.

Virtual Meeting

I. COMMISSION PRE-MEETING (Agenda discussion(s))<br>Beginning: 5:00 PM<br>Location: Virtual/Electronic<br>Members Present: Commissioner Solla-Yates, Commissioner Stolzenberg, Chairman Mitchell, Commissioner Heaton, Commissioner Lahendro, Commissioner Palmer, Commissioner Green Members Absent: Commissioner Dowell<br>Staff Present: Patrick Cory, Missy Creasy, Brian Haluska, Joey Winter, Lisa Robertson, Ales Ikefuna, Erin Atak, Letitia Shelton

Chair Mitchell called the meeting to order at 5:00 and asked Commissioner Solla-Yates to provide information on the item he would like to add to this evening's agenda. Commission Solla-Yates noted concerns with child care allowances throughout the City. He would like to propose a ZTA to open up allowances. Ms. Creasy followed up by noting that staff had considered provisional use provisions and noted that changes were to be considered with the zoning code update.

Commissioner Heaton suggested limited enforcement rather than code changes. Ms. Robertson noted that would be concerning and clarified that to discuss this issue during the meeting, there would need to be an amendment to the agenda. Commissioner Solla-Yates will address at the start of the meeting. Commissioner Stolzenberg asked why 612 West Main contains 10 less units than were approved. It was noted that the BAR still has review of this site and that the applicant could determine the number of units as long as fits within the approval.

Chair Mitchell asked if there were any questions on CDBG-CV. Commissioner Solla-Yates was concerned about the amounts provided in each category of funding. Ms. Atak noted that if the Commission decided to recommend a different funding allocation, both the Commission and CDBG Task Force recommendations would be forwarded to Council.

Commissioner Green noted that she had been appointed to the CRHA board and asked Ms. Robertson for guidance on whether she could vote on this item.

Chair Mitchell asked if there were any questions on Landonia. Commissioner Stolzenberg asked if critical slopes would apply to this site due to the elevation change. Mr. Winter clarified the difference between critical slopes for subdivisions and zoning. This will not be a consideration for the rezoning but could be in the next phase. He later confirmed that this site would not trigger the critical slopes requirements.

Commissioner Stolzenberg asked if Landonia is a public street. Commissioner Green asked if this roadway needed to be brought up to standard. It was noted that traffic had done an initial review and provided some recommendations. Ms. Robertson found that part of the roadway was accepted in the

1970s. Staff will continue to work through the road status requirements but that will not affect the rezoning application this evening.

## II. COMMISSION REGULAR MEETING - Meeting called to order at 5:30 PM by the Chairman Beginning: 5:30 PM Location: Virtual/Electronic

Commissioner Solla-Yates moved to add an amendment to the meeting agenda. The added agenda amendment was a zoning text amendment on childcare to be discussed at the end of the meeting (Motion was seconded by Commissioner Lahendro). Motion passed 6-0.

## A. COMMISSIONER'S REPORT

Commissioner Green - I have not had any commission related meetings. I have been appointed to the Charlottesville Redevelopment Housing Authority for the next three years. My term started July $1^{\text {st }}$. I am very excited to start the next chapter of public service. I will be available for a couple more PC meetings until someone is appointed.

Commissioner Stolzenberg - We do have a MPO Tech meeting next Tuesday. I will tell you about that next month.

## Commissioner Heaton - No Report

Commissioner Solla-Yates - The Housing Advisory Committee met twice to discuss emergency housing measures. All of the CAHF funding was redirected to emergency relief. It's all gone. No more housing projects. The money is running out. There is some new relief money coming. The situation is dire, drastic, and getting worse. There has been some heroic effort to keep high risk people in hotels. That money is also running out. There is a desire and some money to replace with a permanent situation. There is no timeline on that. There is a massive eviction crisis coming. It's very bad.

Commissioner Lahendro - I did attend a Board of Architectural Review virtual meeting on June $16^{\text {th }}$. It was the first one since last February. We did nominate and appoint Carl Schwarz as the new chair and Brett Gastinger as the vice-chair. We had four Certificate of Appropriateness applications. All four were approved. The BAR, with staff, will write a letter to the Department of Historic Resources in support of Burley High School being nominated to the Virginia National Register of Historic Places.

## B. UNIVERSITY REPORT

Commissioner Palmer - A master planning council meeting was supposed to be scheduled in July. We decided to postpone that until September. I don't have a date for the new one.

## C. CHAIR'S REPORT

Chairman Mitchell - I have appointed myself to be our representative to the CIP. I will be there taking over for Commissioner Green since she is going over to the Housing Authority.

## D. DEPARTMENT OF NDS

Ms. Creasy - Commissioner Solla-Yates has been re-appointed to the Planning Commission. He will serve until 2024. They are still recruiting for Commissioner Green’s spot. Applications are due by July $25^{\text {th }}$. Council will be reviewing and holding interviews. I am hopeful that they will have someone in place in early August. If not, Commissioner Green has tentatively put the September meeting on her schedule and will be available to help us out. We have a robust meeting for August coming up. We don't have a public hearing scheduled. We have some things that will be of interest to a lot of individuals. Potentially a couple of site plans and entrance corridor application reviews. We have our Cville Plans Together consultant speaking about housing aspects and project update. We will have a brief presentation from JAUNT. We are working to have the individuals with the Starr Hill Community Visioning Plan speaking. Our regular meeting is going to look like a work session. We are grateful we're able to move forward with some of these things that we have had out there for quite a while. Work continues with the
Comprehensive Plan. We continue to work remotely. We do have some people in the office. We have a significant number of applications coming in. We average between 20 and 30 building permits on our Friday drop off in addition to what is mailed in. We have a number of site plans under review. We have a couple of things that we will be speaking with Council about regarding community meetings for our rezoning, SUP, and site plan applications. Council requested that we bring forth a guidance document for that. Also, Ms. Koch is calling in during matters of the public to give an update on the comprehensive plan.

## Comprehensive Plan Update

Jennifer Koch, Cville Plans Together Consultant - Cville Plans Together is the name of the process that is led by Neighborhood Development Services with our consultant team. The process includes an update to the Comprehensive Plan, including the development of a housing plan and an update to the zoning ordinance after completion of the update to the Comprehensive Plan. The last time I spoke with you, we were in the middle of the May-June public engagement efforts. In May and June, we were focused on sharing information about the project, making sure people knew about Cville Plans Together, people knew the process moving forward, and how they can be involved. We were focused on giving input related to priorities and goals going into the future, particularly with equity and affordability. We held several webinars and many small group discussions. We also had a survey open for about five weeks to get input on those issues. That survey was available online and through paper distribution. Two of three webinars were recorded. The third one had a technical error. The two that were recorded are available on the website. I would encourage everyone to sign up for the project email list, which can also be found on the website. You will get updates and notices about upcoming events or opportunities. We got over a thousand survey responses, including about eight to ten in Spanish. The survey closed about two and a half weeks ago. We are still deep into all of that data. There is a lot of great input that we received. We are planning to process that and share summaries this summer. We have had the website available, cvilleplanstogether.com. We also started a toll free number in May that people can call to listen to a brief project overview. It's available in English and Spanish. People can provide input and ask questions in the form of a voice mail. That is still active. It's 833-752-6428. I do want to thank those, who helped us reach out. We know that we weren't able to reach everyone, particularly with COVID restrictions. We're looking forward to the Fall, when we'll be coming back to talk with everyone about the input that was received and what it might mean moving forward. We will be coming back to you in August. We'll have a larger discussion at that point. Part of that will include looking at what future engagement may look like. We did schedule a utility bill mailing. That's going out this week.

Commissioner Stolzenberg - Is there a specific 'ask’ in that utility mailer going out this week? How do you continue to engage now that the survey is over?

Ms. Koch - We want people to be aware that this process is still going on. We weren't able to schedule an earlier mailing. This was the first point that we could do that. We hope that they will call the number and they can leave their number. We will reach out to them. They can sign up for the email list. It lists out the different ways people can stay in contact with the project.

Commissioner Green - Are you still on target for the timeline that is listed on the website?
Ms. Koch - Overall, we don't have changes to the different elements. What might change a bit is the exact location of those little community engagement bubbles. The number of times we're looking to come out to people and the topics are not changing. They just may need to shift a slight bit. We can talk more about that at the meeting in August.

Commissioner Stolzenberg - With the optional demographic data, do you have a sense of how many respondents you got that from? Do you know what the demographic makeup of respondents was?

Ms. Koch - Yes. It depends on the question we asked. We asked where they lived, neighborhood, age, income, etc. It ranges from 700 and almost everyone had answered some of those questions. Overall, there is a very good spread of people geographically, different income levels, etc. What needs to be looked at more is whether people are from the city and the county. When we look at the demographics, how do they compare between the city and the region. We need to look closer at that. We do have a good amount of data that will allow a good comparison.

Commissioner Stolzenberg - When you make your final report, will it be mostly quantitative data representing the straight forward answers? Is there going to be some way that you're going to make free form answers public?

Ms. Koch - What is taking the most time is that we are going through and coding all of those by hand. It's a very interesting process. It does take a bit of time. We are planning to make some version of that accessible. We want people to see how we thought about those different responses. There will be a summary that will provide a quicker takeaway. We will make some kind of categorized version. We need to figure out what will work best. It is a large amount of data.

Commissioner Stolzenberg - The intention is to possibly release the raw data?
Ms. Koch - We do plan to release the data.

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

Robin Hoffman - In the back field where there is a flood zone behind the Rivanna River Company, I spoke to Wendell Woods. He's willing to develop that field into a hemp field. There is a market for hemp fiber. He has 15 acres there. He can't do anything with it. I came up with this idea with an Elkton farmer.

The governor has talked about developing the industry in Virginia. Once you develop the hemp, the topsoil will happen. It's going to help with the whole border of Charlottesville going into the river.

The chairman recessed the meeting for five minutes and the arrival of a third council member.

## F. CONSENT AGENDA

1. Site Plan - 612 West Main Street
2. Site Plan - 167 Chancellor
(Items removed from the consent agenda will be considered at the end of the regular agenda)
Commissioner Solla-Yates moved to approve the consent agenda. (Commissioner Lahendro seconded) Motion passed 5-0.

## III. JOINT MEETING OF COMMISSION AND COUNCIL

Beginning: 6:00 PM
Continuing: Until all public hearings are complete
Format: (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion
Vice-Mayor Magill called City Council to order for the two public hearings.

1. Community Development Block Grant Coronavirus (CDBG-CV) Funding, FY 20-21: The Planning Commission and City Council are considering projects to be undertaken in the amended Fiscal Year 2021 Action Plan of the multi-year Consolidated Plan utilizing CDBG-CV funds for the City of Charlottesville in response to the growing effects of the historic public health crisis. In Fiscal Year 20-21 it is expected that the City of Charlottesville will receive about \$246,699 in Community Development Block Grant Coronavirus (CDBG-CV) funds from the Department of Housing and Urban Development HUD authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). CDBG-CV grants will be used to facilitate projects to prevent, prepare for, and respond to coronavirus. Information pertaining to this application may be viewed online at www.charlottesville.gov/agenda. Persons interested in this item may contact Grants Coordinator Erin Atak by e-mail (atake@charlottesville.gov).

## i. Staff Report

Erin Atak, Grants Coordinator - The City of Charlottesville has been authorized a special allocation of Community Development Grant Coronavirus funds, also known as the CDBGCV to be used to prevent, prepare, and respond to the Coronavirus. This has been the major HUD level priority. This allocation was authorized by the Coronavirus Aid Relief and Economic Security Act, also known as the CARES Act to respond to the Coronavirus. We received $\$ 246,699$ for 2020-2021 program year. All award applicants are able to use the funds for a 2 year period. Once they get the funds, they have two years to spend it. Minutes from the CDBG Task Force are attached, which outline the recommendations made. All projects went through extensive review by the CDBG Home Task Force as a result of the RFP process. The City of Charlottesville began accepting CDBG-CV proposals May 4, 2020 to May 18, 2020. Acceptable projects included the support of a viable urban community through the provisions
of decent housing, a suitable living environment, and economic opportunity for low and moderate income citizens to prevent, prepare for, and respond to the Coronavirus. All applicants were required to connect the activity to the CDBG-City Council priorities, which are updated yearly. The City also required all applicants to schedule a mandatory 30 minute technical assistance meeting with myself. During this meeting, we went over grant requirements like filing, invoicing, the CDBG program requirements, the CDBG-CV program requirements, and how the audit is run. We also went over past audits, organizational capacity requirements. I met with eleven applicants. We received five applications on time. One application came in late and it was not considered for scoring. For economic development, the overall funding award was split up three ways: public services, economic development, and administrative/planning. Under economic development, funds are proposed to be used for providing microbusiness grants to assist 24 business owners with business expenses. The grants are going to be cut at $\$ 4,000$. In that $\$ 4,000$ grant, $\$ 3,000$ will go toward business expenses and the remaining $\$ 1,000$ will go towards technical assistance support for the business owner. That will help the business adapt to the new economic environment that we are in right now. Bringing a business online, helping with financial planning, and cleaning will be the remaining $\$ 1000$. The CDBG Task Force subcommittee (Strategic Action Team) reviewed one application and made a funding recommendation to reward the Community Investment Collaborative a funding amount of $\$ 98,679.60$. For public service programs, the estimated benefits include homeless prevention assistance in the form of rental and utility payments and hiring an additional staff person to help with the increase of intake appointments for the homeless prevention for a minimum of 25 households. The benefits also include hiring two full time community health worker positions that will act as liaisons for testing and wrap around services to help inform the community of the health department's COVID-19 strategy and engage the priority populations in COVID-19 prevention. The CDBG Task Force reviewed a total of four applications and made a funding recommendation to award the Thomas Jefferson Health District a total of \$49,661.78 and the Thomas Jefferson Area Coalition for the Homeless $\$ 49,017.82$ with CDBG funding. The last umbrella for the CDBG award is the administration and planning. Applicants were only able to apply for economics and public service umbrellas. The admin and planning umbrella goes towards helping pay for grant related costs and for citizen participation. That's a total of \$49,339.80. The award and approval of these funds are required to follow the same regulations as the CDBG funds. Once the Planning Commission has reviewed and made their funding recommendation on the funding activities, the CDBG budget will be brought back to City Council for final approval on August $3^{\text {rd }}$. We have a couple applicants to answer any questions, as well as Task Force members.

Commissioner Stolzenberg - I would like to focus on the 20\% that's available for administration and planning. HUD requires a cap of $20 \%$ of the funds to be spent on that. I am trying to understand why we need to spend the maximum allowed by federal rules. What exactly are those funds going to? Who will be doing those things?

Ms. Atak - Depending on the activities that we are funding, there is a number of different federal requirements that come with it. If an activity hits a certain funding threshold, sometimes Section 3 or environment review get triggered. With that comes the community engagement process. Those all have to be paid through the admin and planning portion of the

CDBG Grant. Generally, we block off about $20 \%$ of it just because the city always runs through all of the $20 \%$ just through the number of applicants each year. That's why we blocked off $20 \%$.

Commissioner Stolzenberg - In a practical manner, what they are going to be spent on, it is compliance with federal rules and reporting and verifying that compliance. Whatever costs are associated with community engagement, which will be in the form of Zoom meetings?

Ms. Atak - It's now Zoom meetings. We have reports that we have to submit. Keeping track of those reports and auditing have paper trails that we have to pay for.

Commissioner Stolzenberg - Most of that reporting will be done by you. Are there other consultants that will be brought in for those audits? Is this going to consume all of your time in the next year?

Ms. Atak - It’s generally me.
Commissioner Stolzenberg - Assuming that you are going to be doing other things, the city probably already budgeted for you to be employed by the city. Does this money from the federal government to pay for your time, implicitly free up the money, that would otherwise be allocated, to pay for your position?

Ms. Atak - The CDBG grant does also pay for my position
Ms. Creasy - Ms. Atak's position is funded through CDBG. The CDBG allotment is a lot less than it used to be, the CDBG funds don't necessarily cover all of her salary. The city puts in the additional amount to maintain that position. Ms. Atak does have a lot of roles in addition to the CDBG. Adding in the CDBG-CV will mean that she will be managing additional projects. Those funds will support the salary. There are also items, such as the accounting, legal, and if we do have to outsource for sort of other aspects, that funding covers that. We would love to put more towards the program. We also want to be able to address the expenses. Once we accept CDBG funding, there are a lot of reporting and requirements that are involved. We have to support those in order to get the allocation at all.

Commissioner Stolzenberg - It's that we already allocated city funds to pay Ms. Atak, the money actually comes from the federal government. This is what pays her.

Commissioner Green - With this funding and with this position, if the city accepts these funds and if we don't have that reporting and monitor the funding, we have to pay those funds back to the federal government plus a penalty. We definitely do not have that budgeted. It is an administration thing that is definitely necessary.

Alex Ikefuna, Director of NDS - That is correct. We have to pay a penalty and the money back.

Commissioner Solla-Yates - It was a helpful packet. Page 63, which lays out the scoring, is extremely helpful. I see that there are two rounds of scoring: total score and final average. Can you talk me through that and how that relates to the amounts recommended?

Ms. Atak - The total score is adding up what is in the subtotal column altogether for that particular applicant. For the final average, I am dividing out the number of people, who submitted the scores to get me that orange/yellow box score. The CDBG Task Force used the yellow box score to make their funding recommendation in their deliberation during the meeting that we had.

Commissioner Solla-Yates - The CIC is not the highest scoring, but they received the most money. Can you explain why?

Ms. Atak - The CIC received a score of 32.6. They were the only economic development application received for the CDBG-CV award. The Task Force Subcommittee went back and forth of whether to award CIC the full funding amount or to put forth all of the economic development funds into public services, given that there were so many applications in public services. They looked up the scores and they saw that the Thomas Jefferson Health District, TJAC, and CIC were the top three scores. They decided to give CIC the full economic development umbrella.

Commissioner Solla-Yates - Was the concern that it was more pressing to the current health crisis?

Ms. Atak - They did want to address and highlight that. Businesses are a focus for the city. We wanted to make sure that we gave support to the micro enterprises that needed it for the 0 to $50 \%$ AMI.

## ii. Public Hearing

Rebecca Schmidt - From the Thomas Jefferson Health District. I did want to clarify our application for the full amount. That was to fund two full time community health workers at $\$ 18$ an hour. With the funding that is recommended, we could hire one community health worker full time. I wanted to clarify that so that everyone was aware.

Nancy Carpenter - As a task force member, we did some good deliberations and there were some really good applications. I feel like we did our due diligence in trying to use the CV money for the purposes that it was meant to be used for in our community. I hope that the Planning Commission moves forward with a recommendation to accept our recommendations for how this money should be appropriated.

## iii. Discussion and Motion

Commissioner Stolzenberg - I generally understand what each of the applications were for from the titles on page 52 and from the minutes of the CDBG committee. Specifically, I have
questions about the Office of Economic Development application that Go Deliveries/Self Odyssey. What is that? Why wasn't that in Economic Development category funding request?

Ms. Atak - The main focus of OED was to implement services within the Downtown Job Center and Home to Hope program. That would identify SS and provide intensive case management to justice involved women to address barriers that relate to COVID-19 Pandemic issues. These were issues concerning housing stabilization, peer support, and focused programming for low income women served throughout incarceration and release. The reason why it wasn't included into the Economic Development portion of the CDBG-CV award was because they were more focused on public service and housing rather than the more technical, financial planning, and business development aspect.

Commissioner Stolzenberg - For the CIC grants, they would be for entrepreneurs at 0 to $50 \%$ AMI. Is that correct?

Ms. Atak - That's correct.
Commissioner Stolzenberg - Is that a program that exists outside of this grant that we're funding and supplementing? Is this that program in its entirety?

Ms. Atak - They are adding COVID-19 aspects with the technical support to help business owners adapt to the new COVID-19 environment with the $\$ 1000$ grant portion. They do have a micro enterprising scholarship grant with the normal CDBG allocation that they have received for FY 2020 year.

Commissioner Stolzenberg - The grants are all \$1,000 each?
Ms. Atak - They are $\$ 4,000$. They are aiming to help 24 business owners.
Commissioner Stolzenberg - That's pretty low overhead. That's $\$ 2,600$ that won't be going to the business owners?

Stephen Davis, CIC - While we regularly do micro loans, we are currently helping to administer business grant programs. This is a special case related to COVID grants that are helping businesses impacted because of the pandemic and required shutdowns. It is a special one-time only. We have done things like it before. On this program, we endeavor to keep our overhead very low. As much of the money as possible can go directly to businesses. I believe it was that $\$ 2,000$ or $\$ 3,000$ was the administrative costs. Everything else is going to be funneled to help the businesses.

Commissioner Stolzenberg - For the Habitat application that was late, why did they submit even though it was late if late applications weren't going to be submitted?

Ms. Atak - They were about 15 minutes late. They claimed that they submitted the application. The new website sends a receipt for online submissions. I asked for that receipt,
and they didn't have it. I took their copy of the Word document for record. Per the program guidelines, we don't grade late applications.

Motion: Commissioner Green - I would like to move that we approve the recommendation as submitted by this Task Force to Council based on the fact that we have a committee that does all of this research with all of these applications. I move to recommend approval to Council as submitted. (Second by Commissioner Lahendro)

## Motion passed 6-0.

## Commissioner Heaton did have to leave the meeting due to another commitment

2. ZM19-00004 - $\mathbf{9 0 9}$ Landonia Circle - Landowner Long Street LLC, by its member Stockbridge OPCO LLC, has submitted an application seeking a rezoning for a lot, having an area of approximately 0.6790 acres, identified within City tax records as Tax Parcel Identification No. 490079000 ("Subject Property") and having an address of 909 Landonia Circle. The Subject Property has approximately 378 feet of frontage on Landonia Circle. The rezoning application proposes to change the zoning district classification of the Subject Property from B-1 Business to B-2 Business subject to a proffered development condition ("Proffer"). The Proffer states the following shall not be permitted on the Subject Property: Amusement Center; Auditoriums, Theaters; Bowling Alleys; Clubs, Private; Dry Cleaning Establishments; Movie Theaters; Dance Hall / all night; Pharmacies $>1,700$ SF, GFA. The Comprehensive Land Use Map for this area calls for Low Density Residential Development. Information pertaining to this application may be viewed online at www.charlottesville.gov/agenda. Persons interested in this Rezoning may contact NDS Planner Joey Winter by e-mail (winterj@charlottesville.gov)

## i. Staff Report

Joey Winter, City Planner - This item is a Rezoning petition for 909 Landonia Circle. An application for a Zoning Map Amendment has been submitted which proposes a zoning change from B-1 Business to B-2 Business. The General Land Use Plan calls for Low Density Residential development at this location, but the Subject Property is in a commercial zoning district and has been since 1991. The previous use of the Subject Property was also commercial in nature. The owner of the car wash adjacent to the Subject Property purchased this parcel in 2019 and intends to expand their car wash. Expansion of the car wash onto the Subject Property requires a zoning map amendment since car washes are not permitted in the B-1 district. The existing car wash currently lies on two parcels fronting the 250 Bypass and contains a self-serve car wash with vacuuming, an automated car wash, and a propane refilling kiosk. Those uses would remain unchanged at the proposed new car wash. There is no site plan proffered with this application, but the applicant did include a proffer statement to prohibit several of the more intense by-right uses in the B-2 district. The applicant has consistently indicated to staff that their intent is to develop this property as part of the expanded car wash should this rezoning be approved.

## IN TERMS OF COMMUNITY ENGAGEMENT:

This application was received at the end of December, so all required community engagement was held prior to the pandemic. The applicant held a community meeting as required by City Code Section 34-41(c) (2) on February 13th at Burnley-Moran Elementary School. Two members of the public attended the meeting and were generally supportive of the applicant's plans for the property. Staff received no written feedback in favor of or opposed to this application.

## STAFF RECOMMENDATION:

Staff recommends approval of this rezoning application. Neighbors have not raised any concerns about rezoning the Subject Property for the purpose of expanding the car wash; and an adequate transition exists between commercial use on this property and residential uses to the north and west- there is a significant change in elevation and a natural landscaping buffer which will remain in place. Furthermore, required improvements to pedestrian connectivity, specifically sidewalk improvements along Landonia Circle will benefit nearby residential areas. The proposed zoning change could also contribute to goals of the City’s 2013 Comprehensive Plan related to Economic Sustainability.

## IN CONCLUSION:

Please remember that the role of Planning Commission is to make an advisory recommendation to City Council on this proposed rezoning based on the factors listed in City Code Section 34-42(a).

Commissioner Stolzenberg - Is the current vegetative buffer in place in excess of the required amount? Do they need to keep a buffer in place? Is it possible they'll remove part of it?

Mr. Winter - There are requirements in the zoning code as to how much buffer needs to be there. You will see in the applicant's presentation that they do intend to keep landscaping there. There is no specific proffer to indicate as to how much landscaping will be there. We are also not at the site plan stage yet. There are other considerations that need to be taken into account before you promise to keep a specific look to the site until it's been fully engineered and determined to be actually feasible.

Commissioner Lahendro - In the report, staff states that neighbors did not raise any concerns about rezoning for the purpose of expanding the car wash. You just said it again now. Would the neighbors have a problem if it was a hotel or a convenience store or a laundry mat or a shopping center? They are all allowed under B-2 by right.

Mr. Winter - I cannot speak for all of the neighbors. I certainly don't speak for any of the neighbors. I was at the community meeting. The two ladies did not indicate that they were concerned about any of the B-2 uses. It is worth mentioning that it's not a proper rezoning for a specific car wash. We have all indications from the applicant that is what they intend to develop the site as.

Commissioner Lahendro - That is beside the point. Isn't it? It's a B-2 that they are asking for?

Mr. Winter - That’s correct.

## ii. Applicant

Aaron Revere, Applicant - I appreciate your time and consideration this evening for the zoning amendment request to enable what has been the All American Car Wash to be expanded to the new brand of the Tiger Wash here located on Long Street. We are requesting to rezone parcel 49-79 from B-1 to B-2. That site was the former daycare facility and that site is adjacent to our existing carwash, where we have operated for more than 25 years. We have commercial uses on both sides along Long Street. We do have Burley-Moran Elementary School across the street. To the north, there is single family residential. Our intent is to clean up and consolidate the entire site and bring our operations up to modern standards, continuing to serve our long list of regular customers, both individuals and businesses alike, and maintain a well-balanced transition with our neighbors and the other uses within this corridor. We think that we can do that. Here are some site plans and some aerials that can contextualize some of this. Currently, the site houses 5 self-serve bay carwashes, one automated carwash tunnel, several free-standing vacuums, a propane refilling station, and air for tires. We intend to keep this same operational use, except we are going to go down to 4 self-serve bay washes and an improved and enclosed automated carwash tunnel. As you can see from the conceptual layout, the building square footage will stay pretty comparable to the overall site now. As you can see, we are going to repeat that zigzag feature. That's where the self-serve carwashes are. The top end on the zigzag was the automated carwash. We take that square footage and the old daycare facility. It is repurposed into the more automated carwash tunnel. We are able to pull the carwash back away from the edge of Long Street creating a reinvestment in our local business, adding service to our customers, and working to improve the Long Street corridor aesthetic as well. We did hold a neighborhood meeting at Burley-Moran. They wanted to see us address several things. They wanted us to address the homeless that was beginning to frequent the old daycare facility. They wanted us to clean it up, to make sure we had thoughtful landscaping adjacent to the residential areas, improve pedestrian connectivity, make sure that in the site plan process that we work with the city to avoid light pollution, and they wanted us to not encourage automobile traffic through the neighborhood. We intend to address all of these items well within our plan. We will maintain our current access points down at the front of the site that we use today, to avoid changes in traffic patterns, and we will include in that a sidewalk, which is the yellow feature along the edge of the pavement of the existing Landonia Circle to enhance that pedestrian connectivity from the neighborhood down into this commercial area. We have to maintain that birthday sign out front as an institution and it means a lot to everybody. We will keep it as is. Given that the development is already a commercial site, the utilities are already there. Our new facility will focus on modernizing it, making it more efficient than the current and dated one. As we go through the site plan process, we will address storm water, lighting, parking, and all of the things required here. The site can and will adequately be able to address all of those things. Given our recent news regarding alternative energy, we are also considering some solar on the back roof there that can face south. We think it's a great thing. We will create some jobs using these facilities. It's about 5 full time and 7 part time jobs. We have noted several uses in the rezoning district, clearly not in keeping with the location. It was quick and easy to proffer those out and never use those. Our intent is if we are able to get your recommendation as well as Council's
approval, we will go immediately into the site plan process. We have already worked on the design with Water Street Design Studio and Design Development. These are some before and after images for you based on these current site plans. Pulling back that self-serve carwash from the edge of the pavement is an immediate change in the area and it is a great improvement. We're going to soften the color palate. We're going to work suitable landscaping and sidewalks. It makes a nice difference. We are considering a bio-filter and landscaping down on the front. From the east view, you will see similar results. One of the things we have strove to and worked hard to do is not have a long building façade down the roadway, helping break up that design aesthetic and it helps provide views into our property. It gives a softer experience, as well improved circulation for our customers. Any and all of our uses can be queued on site. Coleman Street coming south and north intersects Landonia Circle at a T intersection. Behind that is the vegetation where our sites are. A lot of the tree cover there is not in the best health. We are going to be working on most of those trees there. We will be replanting it. A lot of it is covered in ivy. There is a lot of privet. That view is largely unchanged. We envision some sort of fence might be down there next to where the pedestrian path will be; not much of a visual change. Coleman Street comes in the backside and intersects with the sidewalk that runs down the north side of our site. As you hit that T intersection with Landonia Circle, there is some inconsistency with that pavement. That actually provides alternative areas for some softening up. Whether it’s a white board fence or a split rail fence, we envision something there that would have a better design for the area.

Commissioner Stolzenberg - Tiger Fuel is a gas station company. Gas stations are allowed by right under B-2 and not in B-1. Why should we believe that you will not immediately turn around and build a gas station?

Mr. Revere - We have one right down the street just in the county. This is our carwash site. We have customers, who love this site. Our intent is to do a carwash here. We operate over a dozen carwashes in the region.

Commissioner Lahendro - It is a vast improvement that is being proposed. I have no doubts that Tiger Wash is wanting to develop the site. Things do change.

Commissioner Green - Those are my thoughts. It is a vast improvement. That's what I saw from the beginning. What I am concerned about are all of the things left in that matrix for a B2.

Commissioner Palmer - No comment.

Commissioner Solla-Yates - No comment.

## iii. Public Hearing

No Public Comments

## iv. Discussion and Motion

Councilor Snook - What does Tiger Wash do about recycling water? How do you deal with water and water demand?

Mr. Revere - It is important to us as well. Most of these carwashes recycle about $56 \%$ of the water. We are also phosphate free. It's an improvement over the current facility that is there. It is a lot more efficient. It is more efficient than washing your car in your own driveway.

Councilor Snook - In the drought of 2002, when we were getting very close to running out of water. There was a big flap about whether we should even allow carwashes to continue. The issue became how to distinguish between carwashes based on their water consumption and recycling. I am glad to hear that you have some of those conditions already in place.

Mr. Revere - We're actually reducing a self-serve bay count down by one. All of the modern equipment will be more efficient. We don't expect a major change with we are currently experiencing at the current location.

Councilor Magill - What other environmental aspects are you looking at? What other green initiatives are you taking into account? It is a lot of pavement. There is a lot of runoff and a lot of storm water. Are you looking at permeable pavers or anything like that?

Mr. Revere - While the impervious surface is a little bit higher, we are trying to keep that the same. The site is already developed. Right now, they're not very well designed to help try and address onsite storm water. We have already tried to work with Water Street to help make sure we are thinking about that onsite. In terms of the chemicals we use, we try to operate well with phosphate free and other things. I mentioned solar as well. We do a number of things at our gas stations and our other places where we allow people to offset their trips. In terms of site specific, the main thing is that storm water.

Commissioner Green - As far as the transportation, those entrances won't change. Has engineering taken a look at that to see if anything will hinder the Landonia Circle?

Mr. Winter - There is no site plan application at this point. When the site plan comes in, then traffic engineering will fully look at this and all of the requirements under our code and figure out what makes sense. There have been no discussions at this point because there is no application.

Commissioner Green - You said that you were hoping to do a bio-filter on the front, but you're not sure. Do you have any preliminary engineering on that? Do you think that it is what is going to happen? Do you see any reason for that not to happen?

Mr. Revere - We don't see any reason not for it to happen. I am not sure that it is scaled to size. We are probably showing it oversized at this point to be conservative. That is the lower front corner of the site.

Commissioner Lahendro - Is this a 24 hour operation?

Mr. Revere - The self-serve carwashes today are open 24 hours a day. The tunnel is not. It is open 8 to 8 . It is the same with the propane. We are going to keep it consistent with the current uses and not expand that at all.

Commissioner Lahendro - I see at the rear of the proposed development there is a drive up device. Does it talk to you to get your fee for going through the drive thru carwash?

Mr. Revere - I am not sure that the device always has to talk to you. Usually, it's a self-touch screen. I can double check on that in the settings that are going to be used.

Commissioner Lahendro - We do have contiguous residential properties right there in the back.

Commissioner Green - Wont those grades be drastically lower than the residents on top. I don't see the numbers on the plan. I see them to the side. What is that?

Commissioner Lahendro - It is a severe drop of 12 feet. That would help if it is actually developed that way.

Commissioner Green - Can't we condition the rezoning on the application plan?
Lisa Robertson, City Attorney - No. It's not a Special Use Permit.
Motion: Commissioner Solla-Yates - On the basis that the proposal would service public necessity, convenience, general welfare, and good zoning practice, I move to recommend approval of application ZM19-00004. (Motion seconded by Commissioner Stolzenberg)

## Motion passed 3-2.

## IV. COMMISSION'S ACTION ITEMS

## Childcare Restrictions within the City of Charlottesville

The following article from the New York Times was posted in Zoom chatroom during the PreMeeting as a reference for discussing a zoning text amendment on childcare in Charlottesville. https://www.nytimes.com/2020/07/10/nyregion/nyc-school-daycare-reopening.html

Commissioner Solla-Yates - I posted in the chatroom a New York Times article from three days ago talking about the issues in New York City starting schools again but only partially. Here we are only talking about two days. The question being: Where do the kids go? Do people work and have kids sometimes? How does that work with employers? The University is expecting us to work and not watch children at all. There are many University employees in the city. The childcare operators are starting to open again, but at a reduced capacity. We are not as strong as we were before. We are substantially weaker than before. Before, it was a seven month wait. It's much worse now. It's a disaster. It is difficult as we have seen. It's difficult for applicants to get permission to start childcare. Most places don't allow it in the city, which is very simple. Most people don't do it. There are too many things to say 'no.' People hear 'no' and they think 'no.' I
am proposing, given the current emergency, we should allow childcare in the city where it is needed. The language of the proposal is as follows: Motion - I move for a zoning text initiation to make both family day homes for up to twelve children and daycare facilities by right uses and all zoning districts and exempt them from the off street parking requirements, and $I$ also ask staff to develop a standard drop off and pick up code to ensure safety, given this change. There was some pushback when I discussed this from a former planning commissioner concerned about safety. I want for staff to work on this. This is an emergency.

## The motion was seconded by Commissioner Stolzenberg

Commissioner Green - Aren’t these allowed by right everywhere anyway as a home occupation permit for up to five kids?

Ms. Creasy - It is allowed in residential areas without going through many processes. Once you get above five children, you link into the state permitting requirements as well as different building code requirements.

Commissioner Green - I want us to be careful and think about this. We don't want everybody opening up a daycare. There are child predators out there we don't want opening up a daycare.

Commissioner Solla-Yates - Are we in a place to prevent child predators from opening daycares in the NDS?

Commissioner Green - I am saying that we need to be careful. It is allowed in all residential zoning districts for five kids. It is a by right use as a home occupation. I understand what you are trying to do. I am saying that I am not sure how many large daycares we can open when we are trying to social distance. I hope that people hearing this will want to open up their homes. It would be a great idea right now. Some of the things done in the county are relaxed restrictions on some of the permit requirements or home occupations. In the county they opened up the seating requirements on restaurants so there could be emergency orders. The county has something in place to set up or temporarily loosen up sign restrictions, so people can do the signs for longer periods of time for businesses. We could look at something like that as a quicker and easier fix to what you are trying to do. I am not sure what the requirements are for the permits. That would be much quicker than a zoning text amendment to change daycare centers.

Commissioner Solla-Yates - It makes sense as an 'and.' It doesn't make sense as an 'or.'
Commissioner Stolzenberg - Can we do both?
Commissioner Solla-Yates - I think that it is a good idea.
Commissioner Green - You are saying this as a thought. When people can't go to work, it's going to be "taking care of my kids or going to work." We need a quick fix, not a zoning text amendment. That's my concern with it. Zoning text amendments are not quick.

Commissioner Solla-Yates - Would this take years? How long are we talking about?

Ms. Robertson - Staff will need to investigate. The Planning Commission is not under the same 100 day rule as when Council refers something to it. You don't have that time period. The proposal has to be vetted by staff. Staff would need to make its own recommendations to you. At whatever point you might decide to go forward with a specific proposal, you would have a public hearing on it. It can go to City Council when it is ready. The amount of time will depend on how long it takes to fully vet a proposal. Keep in mind that when you do a significant zoning change with a public hearing electronically like this, it can be a little challenging to make sure word gets out to enough people to get comments on it. On July $20^{\text {th }}$, staff is taking some interim regulations to City Council for its consideration in terms of requirements for asking people to undertake certain steps for public engagement, while meetings are being done electronically. Staff can always consider complying with those steps in the context of this type of amendment.

Commissioner Green - If this is voted on tonight, what do you think the earliest date that you can get this back to the Planning Commission?.

Mr. Ikefuna - We have to look at the workload. Workload consideration is very critical. Things are moving on the regular schedule. It's going to be at least a few months for it come back to the Planning Commission.

Commissioner Green - It's not going to get to us until, I dare say September. I totally understand what you are saying (Commissioner Solla-Yates). If we have these locations where we can do five or more with social distancing, who knows how many people can happen with that. What kind of permitting requirements are there? How fast can the permits work their way through the system if people want to do this?

Mr. Ikefuna - If you have five kids or less, you can have a daycare in any location that is conducive for the kids. Looking at any hurdles that may get in the way of expedited approval in our current situation. If you have to go in the direction of more than five kids, then you are also looking at state requirements. You start looking at the space requirements. Once it exceeds five, those things come into play.

Commissioner Green - Then it comes to the state doing inspections. That is what I am asking. If I were to apply to have a home daycare for five kids or less, what do I need to provide the NDS staff and what do I need to do to make that happen rapidly? How fast does that happen?

Ms. Creasy - You will need to fill out the application for a home occupation and turn it in. It's a small fee. Mr. Fabio on the zoning staff reviews and turn that around very quickly.

Commissioner Green - How long does it take?
Mr. Ikefuna - It will take weeks, sometimes days. It depends on the number of applications ahead of that.

Commissioner Green - If this is something that you (Commissioner Solla-Yates) want to do, go for it. I think we need a more immediate stop-gap. Are NDS and Council willing put in an
emergency order into place to say that the daycare comes in as home occupation? Will that application go to the top of the pile? To get Dr. Richardson and Council on board, that is a priority project. If a daycare comes in, we put that at the top of the pile for first review.

Commissioner Lahendro - Why not even waive the fee to get the attention of the newspaper and get public attention to this?

Commissioner Green - Maybe this is a CIC looking at this and promoting this kind of thing for people to do something like this in their homes. Especially, people who are out of a job.

Chairman Mitchell - I like where we are going with this. I am not certain what our role is in this.
Ms. Robertson - There are layers of issues here. As with many other things, our ordinances are a little bit out of date. Under state law, up to a certain number of children cared for in someone's home, exclusive of that person's own children, is considered residential occupancy by single family. You are required to allow that anywhere for someone that cares for children in their own home. If you are allowed to live in a place as a single family, you're allowed to do this with up to four children under state law, exclusive of the children that belong to you. When you get to five children, you are subject to the state regulations. New provisions of state law do allow localities to authorize the zoning administrator to use an administrative process to issue zoning permits for those larger facilities that have five to twelve children. That still requires an action of an ordinance. If you want to go that route, it might be a little easier to authorize those homes to go through an administrative process to be approved. When you do that, you're still supposed to have standards developed to guide the zoning administrator in making those decisions. You're back to the same problem that you're discussing now, which is quite a bit of work for you to go into determining who gets approved and who doesn't from the zoning perspective.

Commissioner Green - You're saying four kids, not five kids or less?
Ms. Robertson - In 2015, Virginia code 15.2-2292 was amended to reduce the number from five to four.

Commissioner Green - Basically, all we need to do is get an emergency order through the legislation to change so that we can help?

Ms. Robertson - Not necessarily. One can take the position that under our current zoning ordinance, we never changed it. You can still have up to five. You need to be aware that when you're at five, the state now requires you to have a regulation where it didn't used to require that until you got to six. Under our local ordinance, anyone who wants to care for children in their home, can have up to five children anywhere that residential occupancy is allowed by right within the city. Someone, who wants to start care in their home at five, may or may not be able to get that home approved by the state agency that regulates them.

Commissioner Stolzenberg - We do have a couple of restrictions on that one to five category that looks they are not allowed by the state law. In UMD (University Medium Density and University High Density), they're not permitted at all. The state law would override if it is one to four, but for
the fifth. In terms of off street parking requirements, we require one space per non-resident employee plus space required for the dwelling for family day homes from one to five children. For one to four, the state law says there shouldn't be any conditions more restrictive than those imposed on residences. The off street parking requirement is not allowed for those if you consider that a condition for restriction. In the off street parking ordinance, there's no requirement for family day homes from six to twelve. There is a requirement for daycares, which are thirteen plus.

Ms. Robertson - You have laws that haven't been updated comprehensively and maintained in accordance with state law since 2003. You have problems. We definitely need to put this stuff in the basket of things that need to be updated when we're ready to go there. Commissioner Stolzenberg is correct that in the event of a conflict between state law requirements and our local ordinance, we need to allow compliance with the state law up to four people.

Commissioner Green - Basically, we're back to what I was talking about. We can do this up to four in homes without all of the regulations. With the fifth, the ordinance says that we can do. It's going to start a bunch of parking requirements.

Commissioner Stolzenberg - If we have permit forms or FAQ on how to get this started to switch those to be combined with state law rather than our long and over written local ordinances. I like the idea of doing administrative things quickly. We should do both because it might take 3 and 4 months to get a ZTA passed. We do need to do it anyway. Four months ago, it was easy to think that this pandemic was going to be a short time. At this point, it seems really clear that this is the indefinite future for us. Early next year, we may have a vaccine. There is a good chance we don't. We should plan for that contingency. This is critical for the pandemic. I think it’s important to move forward. I also think it's important in general. I know Commissioner Solla-Yates and even my co-workers were complaining about daycare even before all of this.

Commissioner Green - I don't want staff working on this when there is much quicker result that we can get through for people, who can use it right now. It's great Commissioner Stolzenberg for months down the road. Some people are going to lose their jobs before 4 months or 3 months because school should be starting in August. The $\$ 600$ additional funding from the federal government for unemployment ends at the end of July. A lot of people are going to go back to work. We have a bigger problem and it's going to be August two weeks from now. It is not October when we can get it to Council. I would really like staff to look at what we can do administratively quickly and then step 2 . I think it’s a twostep process.

Chairman Mitchell - What would like to do with motion Commissioner Solla-Yates? Would you like to keep it as is or would you like to amend it based on the input from Commissioner Green?

Motion: Commissioner Solla-Yates - I move for a zoning text initiation to make both family day homes for up to twelve children and family day homes by right uses and all zoning districts and exempt them from the off street parking requirements, and I also ask staff to develop a standard drop off and pick up code to ensure safety, given this change and take all administrative measures to ensure childcare is provided as quickly as possible and waive the application fee for the one to four. (Motion seconded by Commissioner Stolzenberg)

## Motion passed (4-0) with one abstention.

Commissioner Green - What are the restrictions on daycares and churches where most of the infrastructure is in place?

Commissioner Heaton - That's why I am abstaining. Churches have a religious exemption even though many of them exceed the state and city requirements. We're exempt from having to adhere to them.

Commissioner Green - How is that possible?
Commissioner Heaton - They are technically religious schools. They are schools as opposed to daycare.

Ms. Robertson - A few years ago, there was a court case that came out of Fredericksburg that dealt with the licensing and zoning issues relating to daycare and churches. I will need to review that. There are some special licensing provisions or exemptions that certainly apply at the state level for churches. I will need to review the zoning issues in that case.

Commissioner Green - If that hoop is something that we can tear down quickly, maybe that's something we need to add to this.

Commissioner Heaton - Some churches have daycares and some have schools. Schools are different than daycares, even though they serve the same population.

Commissioner Green - I would like to know that Ms. Robertson. I thought our only exempted churches had the same exemptions as wineries and breweries.

Ms. Robertson - I don't think I would use the word 'exemption.' What you always have to analyze is whether your regulations impose burdens on the churches that aren't permissible. 'Exemption' may be the correct word relative to the state regulations that deal with either financing of the school or a daycare.

Commissioner Heaton - There is a lot of precedent where nearby churches open up after a school burns down or is hit by a tornado.

Commissioner Green - Maybe that is what I am saying as well. If there are hoops, we can put some kind of emergency order that expires.

Commissioner Heaton - The mayor or governor can stay the state of emergency. A lot of the things that we are talking about tonight will not be an issue. That hasn't happened yet. We are doing the right thing.

Commissioner Green - There is a state of emergency.
Commissioner Stolzenberg - Is there anything related to daycare?

Ms. Robertson - No there is not. The governor could address that if he wanted to relative to the state regulations. From the city's perspective, we have to look at what the impact is on local zoning regulations and to what extent something is modifiable in the short term to facilitate something happening that will be helpful to people who need that additional childcare.

Commissioner Green - If you can find that, you can let us know. Our next step may be to reach out to Delegate Hudson. I know the legislature is doing an emergency session in August. They may need to bring this up and there may need to be an executive order from the governor.

Commissioner Heaton - The school board doesn’t have their plan nailed down either.
Commissioner Green - They're only going two days a week. There are three days a week that somebody, who is working full time has to have childcare. I worry about the kids with no internet and nobody at home. It is something that I have been thinking about a lot.

Commissioner Heaton - I would concur, especially the most vulnerable kindergarten and prekindergarten home may not be the best place for them. Whatever the governor can do to expedite that so it doesn't become a zoning process.

Commissioner Green - Ms. Robertson, can you get us that to see where we are with that. We will know what to request from delegate Hudson.

Ms. Robertson - The state regulations?
Commissioner Green - What our regulations will be and what roadblocks we would endure in the city to be able to do something like this in institutions like churches.

Ms. Robertson - Sure.
Commissioner Green - Does that make sense? I feel like there is more urgent need than a zoning text amendment.

Chairman Mitchell - Let’s wait until we get the feedback from Ms. Robertson before we go down that road.

Commissioner Stolzenberg - With the ZTA we just initiated, is it possible for staff to come back to us with the non-discretionary, obvious, or necessary things by state code that could be changed quickly without a full report of impact analysis because there is not a lot to debate and come back later in that 4 month timeframe with the items we actually would have to discuss and debate?

Ms. Robertson - Other than things that Council could do, I am comfortable in giving an opinion that if you're allowed to do something under the state law that you need to be allowed to do that regardless what the city ordinance says. The main thing that you all might want to consider in the longer term is whether you allow administrative approval by the zoning administrator of 5 to 12 . When you do that, it's an equal amount of work. Instead of putting standards to guide that
discretion in your ordinance, you have to put together a set of standards that the zoning administrator has to do to make a decision. That would include everything, such as parking. You have to lay that out in a policy and procedure document for the administrator to apply.

Commissioner Green - There would be hoops to jump through for the state regulations for 5 to 12?

Ms. Robertson - That's correct.
Commissioner Green - Would that be something we would be able to waive or have a conversation about?

Ms. Robertson - That's right. It's not something I would encourage you to ask after the next two weeks. It's going to require more work and thought than that.

Commissioner Green - The vice-mayor has asked how much the application fee is for the home occupation for 1 to 4 children.

Ms. Creasy - It is $\$ 100$.
Commissioner Stolzenberg - One thing I noticed in the state ordinance is that for the 5 to 12 family day home. Regardless of the regulations for administrative approval, there is a requirement to give notice to neighboring property owners. They can object. It seems to me that you could implement fairly lenient regulations because this objection mechanism is there. You can make them fairly lenient and then consider objections brought up by neighbors if they happen. If you have an application where they have spoken to the neighbors and the neighbors approve. There is really no need for all of this process.

Ms. Robertson - That could be looked at. I would suggest that ordinarily I wouldn't recommend putting the zoning administrator in the position of resolving objections involving neighboring property owners. What you want to do is approve the ones that nobody objects to and send anything else to some other level of administration. Maybe the Planning Commission could be the administrator for ones that have objections. It's going to take some thought to figure out all of the details for the long term solution. We can get some things moving in terms of information and administrative details like the waiving of the fee in the short term.

Commissioner Solla-Yates moved to adjourn. The meeting was adjourned at 7:38 PM.


[^0]:    

[^1]:    November 13, 2019

[^2]:    ${ }^{* *}$ Not for use with housings in direct contact with spray foam insulation.

