

Agenda

PLANNING COMMISSION REGULAR DOCKET TUESDAY, July 13, 2021 at 5:30 P.M. 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**

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)

- i. Minutes – February 23, 2021– Work Session

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

Beginning: 6:00 p.m.

Continuing: until all public hearings are completed

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

1. **ZM-21-00001 & SP21-00004 – 1206 Carlton Avenue** – Landowner Hulett Management Services Inc. has submitted applications seeking a Rezoning and a Special Use Permit for approximately 0.25 acres of land, identified by City Real Estate Parcel Identification Number 570127000 (“Subject Property”). The Subject Property has frontage on Carlton Avenue and access to a rear private alley. The applications propose to change the zoning district classification of the Subject Property from R-2 (Residential Two-Family) to R-3 (Residential Multifamily Medium Density) for the specific development described in the application. The applicant is also seeking a Special Use Permit to increase the residential density allowable within the Subject Property from 21 Dwelling Units per Acre (DUA) to 31 DUA, as authorized by City Code Sec. 34-420 (Use Matrix, R-3 District), and a reduction of one side setback from 13 feet to 8 feet per City Code Sec. 34-162. The proposed development consists of one multi-family residential dwelling (apartment building) with eight dwelling units (a mix of one- and two-bedroom units). The 2013 Comprehensive Plan Land Use Map for this area calls for Low Density Residential. Information pertaining to this application may be viewed online at www.charlottesville.gov/agenda. Persons interested in the Rezoning or Special Use Permit applications may contact NDS Planner Matt Alfele by e-mail (alfele@charlottesville.gov) or by telephone (434-970-3636).
2. **CP21 - 00001 – 13th Street NE Right Of Way** - Pursuant to Virginia Code section 15.2-2232 and City Code sec. 34-28, the Planning Commission will review the proposal for partial vacation of the 13 Street NE public right of way, between Meriwether Street and East High Street, to determine if the general location, character and extent of the proposal are substantially in accord with the City’s adopted Comprehensive Plan or part thereof. Information pertaining to this application may be viewed online at www.charlottesville.gov/agenda. Persons interested in the application may

contact Tony Edwards by e-mail at edwardst@charlottesville.gov) or by telephone (434-970-3992).

IV. COMMISSION'S ACTION ITEMS

Continuing: until all action items are concluded.

1. Critical Slopes Waiver - CRHA South First Street
2. Presentation – Housing Advisory Committee – Future Land Use Map proposal

V. FUTURE MEETING SCHEDULE/ADJOURN

Tuesday August 10, 2021 – 5:00 PM	Pre-Meeting	
Tuesday August 10, 2021 – 5:30 PM	Regular Meeting	<u>Minutes</u> - March 9, 2021, April 13, 2021, May 11, 2021, June 8, 2021

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

Site Plan – Grove Street PUD, Flint Hill PUD

Rezoning – 240 Stribling Avenue

Site Plan, Critical Slope Waiver - 1223 Harris

Site Plan, Critical Slope Waiver – Lyman Street

Special Use Permit – Fire Station on 250 Bypass

Future Entrance Corridor

- 916 E High Street - Comprehensive Sign Plan Request (*Sentara*)
- 2005 JPA – New apartment building, likely requires SUP (Mitchell Matthews Architects)
- 1252 N Emmet – New medical office building (*Aspen Dental*)
- 1815 JPA - New apartment building (Wassenaar+Winkler Architects)

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
6/1/2021 TO 6/30/2021**

1. Preliminary Site Plans

- a. E. Jefferson Medical Mixed Use Building (211 10th Street NE) – May 18, 2021

2. Final Site Plans

3. Site Plan Amendments

- a. Walker Elementary School Playground – May 27, 2021
- b. UVA Michie Building Utility Plan – June 3, 2021
- c. CRHA South First Phase 1 ((00-1000 1st Street S) -June 21, 2021
- d. 10th and High Medical Building (#1) - June 24, 2021
- e. Kappa Kappa Gamma – 503 Rugby Road (#1) – June 30, 2021

4. Subdivision

February 23, 2021 Planning Commission Minutes are included as the last document in this packet.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC HEARING
APPLICATION FOR A REZONING OF PROPERTY
APPLICATION NUMBER: ZM21-00001
DATE OF HEARING: July 13, 2021

Project Planner: Matt Alfele, AICP

Date of Staff Report: June 28, 2021

Applicant: Landowner Hulett Management Services Inc.

Applicant's Representative(s): Justin Shimp, Shimp Engineering, P.C.

Current Property Owner: Landowner Hulett Management Services Inc.

Application Information

Property Street Address: 1206 Carlton Avenue

Tax Map & Parcel/Tax Status: 570127000 (real estate taxes paid current - Sec. 34-10)

Total Square Footage/ Acreage Site: **Approx.** 0.23 acres (11,325 square feet)

Comprehensive Plan (General Land Use Plan): Low Density Residential

Current Zoning Classification: R-2 (Residential Two-family)

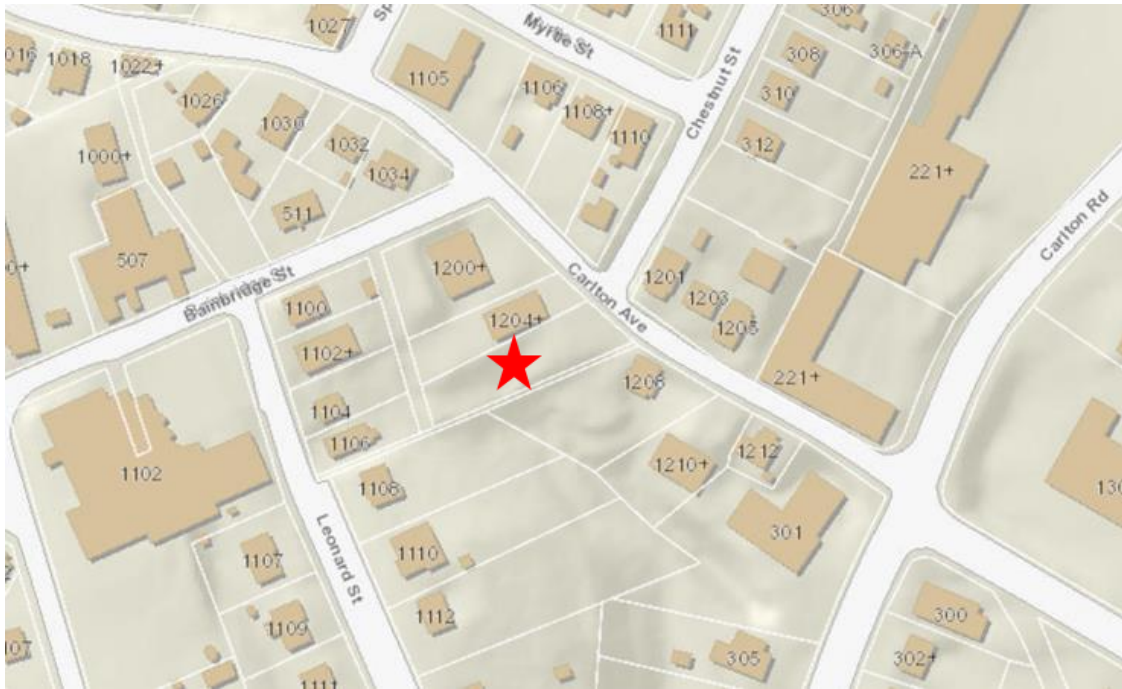
Proposed Zoning Classification: R-3 (Residential Multifamily)

Overlay District: None

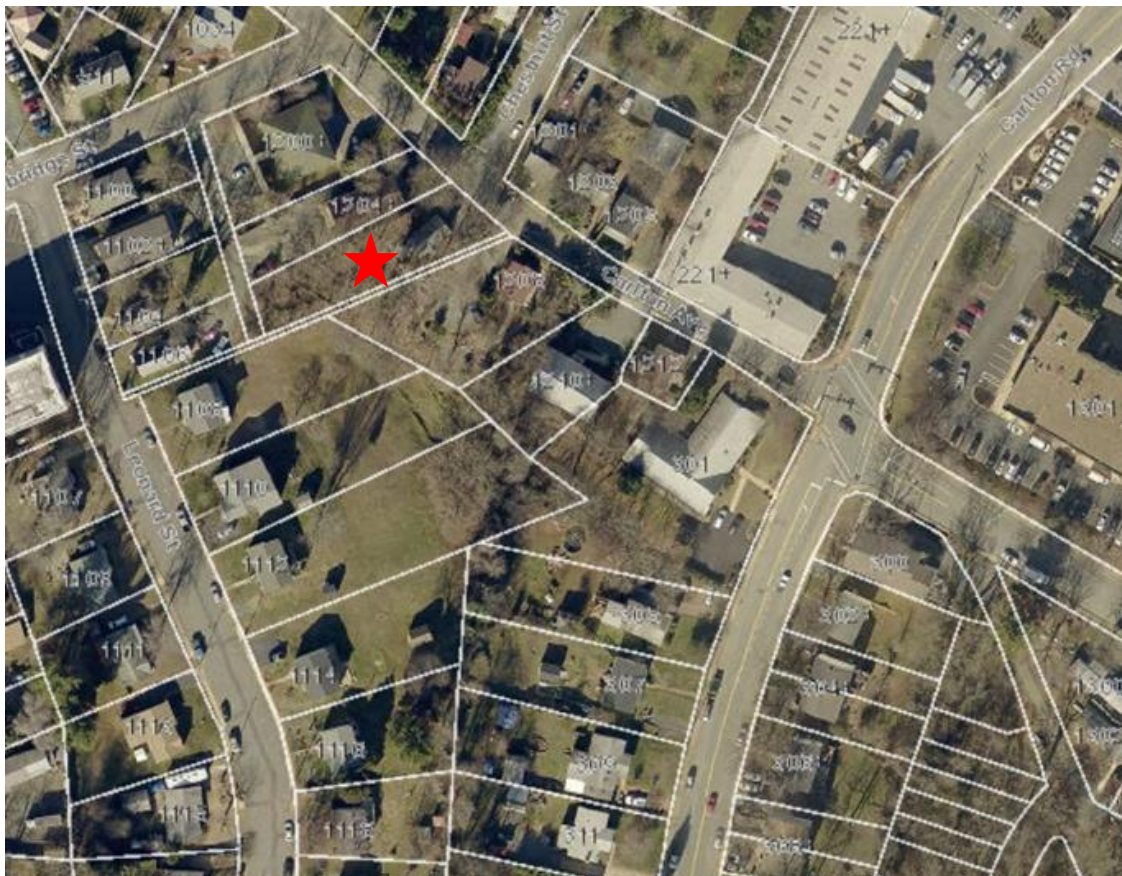
Applicant's Request (Summary)

Justin Shimp (Shimp Engineering, P.C.), representing the owner, Management Services Inc., has submitted a rezoning application to rezone 1206 Carlton Avenue ("Subject Property") from the existing residential use (R-2) to multifamily residential use (R-3) with no proffers. The rezoning application is being requested (in conjunction with SUP application SP21-00004) to accommodate a proposed eight (8) unit apartment building on the Subject Property that would not be permitted under the current zoning.

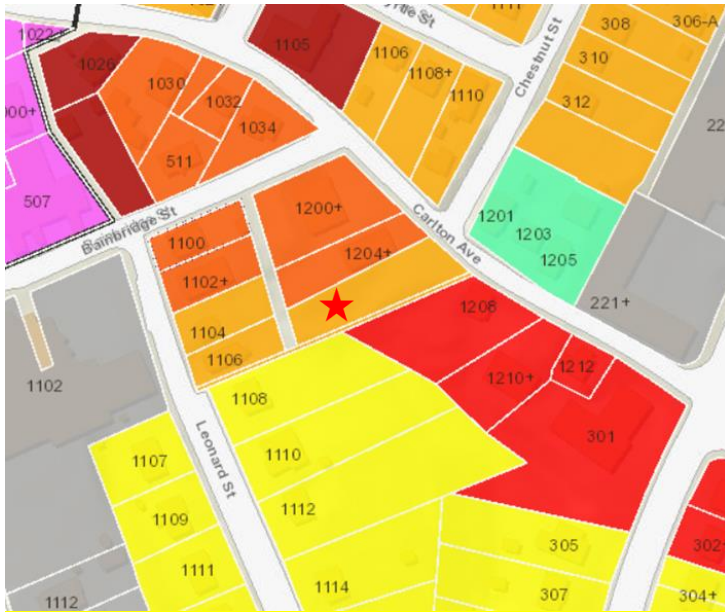
Vicinity Map



Context Map 1

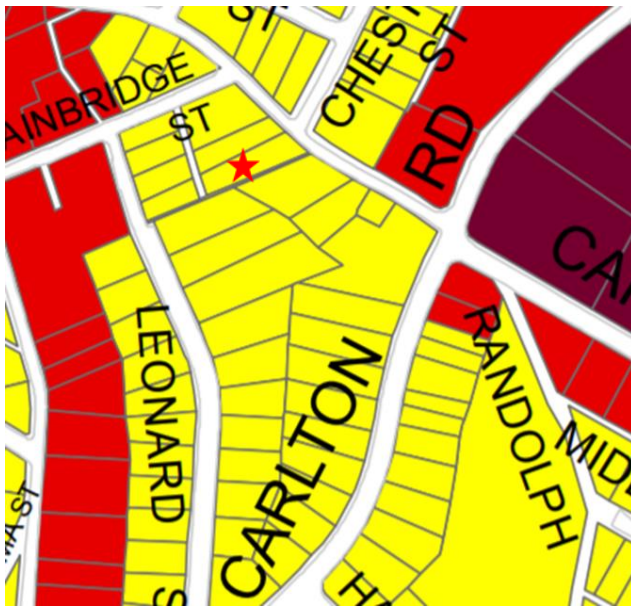


Context Map 2- Zoning Classifications



Gray: Industrial, **Light Orange:** (R-2) Residential Two-family, **Yellow:** (R-1S) Residential Single-Family, **Purple:** (NCC) Neighborhood Commercial Corridor **Red:** (B-2) Commercial, **Green:** Planned Unit Development, **Dark Orange:** (R-3) Residential Multifamily & **Dark Red:** (B-3) Commercial

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



Yellow: Low Density Residential, **Red:** Neighborhood Commercial, & **Dark Red:** Business and Technology

Standard of Review

City Council may grant an applicant a rezoning request, giving consideration to a number of factors set forth within Z.O. Sec. 34-41. The role of the Planning Commission is and make an advisory recommendation to the City Council, as to whether or not Council should approve a proposed rezoning based on the factors listed in Z.O. Sec. 34-42(a):

- (a) All proposed amendments shall be reviewed by the planning commission. The planning commission shall review and study each proposed amendment to determine:
- (1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;
 - (2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
 - (3) Whether there is a need and justification for the change; and
 - (4) When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.

For applicant's analysis of their application per Sec. 34-42 & Sec. 34-41(d) see **Attachment A**

Sec. 34-42(a)(1): Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan.

Below are specific areas of the Comprehensive Plan for which the request is in compliance:

a. Land Use

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

b. Housing

3.6: Promote housing options to accommodate both renters and owners at all price points, including workforce housing.

8.3: Encourage housing development where increased density is desirable and strive to coordinate those areas with stronger access to employment opportunities, transit routes and commercial services.

8.5: Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity.

c. Transportation

- 1.2:** Provide convenient and safe pedestrian connections within ¼ miles of all commercial and employment centers, transit routes, schools and parks.
- 2.3:** Improve walking and biking conditions by discouraging and/or minimizing curb cuts for driveways, garages, etc. in new development and redevelopment.
- 2.6:** Promote urban design techniques such as placing parking behind buildings, reducing setbacks and increasing network connectivity, to create a more pedestrian friendly streetscape and to reduce speeds on high volume roadways.

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

a. Land Use

2.1: When considering changes to land use regulations, respect nearby residential areas.

b. Housing

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

Comprehensive Plan- Staff Analysis:

The Subject Property is currently zoned R-2 which is one of the most restrictive zoning categories in the City. All by-right, provisional, and special uses allowed within this zoning district are Residential and Related uses per Sec. 34-420 and single-family attached and two-family are the most common of these uses. The 2013 Comprehensive Plan Future Land Use Map indicates the Subject Property remain low-density residential. The land use section of the comprehensive plan indicates all single or two-family type housing and a density less than fifteen (15) DUA is Low Density. High Density are locations with a DUA over fifteen (15) or locations with multifamily housing types (townhouses, apartment, condominiums). The applicant is requesting a rezoning of the Subject Property to R-3 residential to accommodate a higher density development. The R-3 zoning district allows a wide range of by-right, provisional, and special uses per Sec. 34-420, but the majority of uses remain residential or related in nature. In the narrative statement the applicant is proposing an eight (8) unit residential apartment building with related parking. The applicant is proposing to retain all uses permitted in the R-3 zoning district as allowed under Sec. 34-420 and is offering no proffers with this application. According to the land use section of the comprehensive plan, an eight (8) unit apartment with a DUA of 31 is considered High Density.

Streets that Work Plan

The Streets that Work Plan labels Carlton Avenue as “Local”. Local streets are found throughout the city, and provide immediate access to all types of land uses. Although local streets form the majority of the street network, there is no specific typology associated with them. This is due in part to the many variations in context and right-of-way width, as well as the community’s expressed desire to replicate as nearly as possible the feel of older local streets that do not meet current engineering and fire code standards. The majority of Carlton Avenue surrounding the Subject Property has existing sidewalk on one or both sides of the street and allows on street parking. The street frontage opposite the Subject Property does not have sidewalks. Vehicular congestion is a problem around Kathy’s Shopping Center and the intersection with Carlton Road. This is due to delivery trucks illegally parking on the street, making two-way traffic on the street difficult at times. Street parking is not permitted for around one hundred and fifty (150) feet along Carlton Avenue from the intersection of Carlton Road.

Bike Ped Master Plan

The City’s 2015 Bike Ped Master Plan calls for Carlton Avenue to be a “Shared Roadway”. Shared Roadways are bicycle facilities that designate a vehicular travel lane as a shared space for people to drive and bicycle. This designation is demonstrated to all users through on-road pavement markings, known as “sharrows” or street signage indicating that people bicycling may use the full lane. These facilities do not provide any separation between people driving and bicycling and are best used on neighborhood streets or streets with a low level of bicyclist traffic stress. No sharrows are currently painted on Carlton Avenue near the Subject Property.

Sec. 34-42(a)(2): Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community.

Staff finds that a land use change from R-2 to R-3, with a minor increase in density as noted in the applicant’s narrative statement, could benefit the surrounding community by providing additional residential housing options.

Sec. 34-42(a)(3): Whether there is a need and justification for the change.

According to the City’s 2013 Future Land Use Map, this portion of the City should be Low Density Residential with a DUA under fifteen (15). In reality this portion of the City is a mix of low density residential, high density residential, industrial, commercial, and retail uses. Rezoning the subject property from R-2 to R-3 would not be consistent with the Future Land Use Map, but would be consistent with the current land use fabric of the neighborhood at large.

Sec. 34-42(a)(4): When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.

Most developments within the R-2 districts are exempt from site plan requirements per Sec. 34-802(a)(1), but due to the location of the Subject Properties, staff believes all public services and facilities would be adequate to support a by-right development. Should the Subject Properties be rezoned to R-3, most developments in this districts do require a site plan per Sec. 34-802. Should the Subject Properties be developed as presented, staff believes all public services and facilities would be adequate to support the development, but more detail would be provided during final site plan review.

The purposes set forth per Z.O. Sec. 34-350(b) and (c) are:

Two-family (R-2). The two-family residential zoning districts are established to enhance the variety of housing opportunities available within certain low-density residential areas of the city, and to provide and protect those areas. There are two (2) categories of R-2 zoning districts:

R-2, consisting of quiet, low-density residential areas in which single-family attached and two-family dwellings are encouraged. Included within this district are certain areas located along the Ridge Street corridor, areas of significant historical importance;

Multifamily. The purpose of the multifamily residential zoning district is to provide areas for medium- to high-density residential development. The basic permitted use is medium-density residential development; however, higher density residential development may be permitted where harmonious with surrounding areas. Certain additional uses may be permitted, in cases where the character of the district will not be altered by levels of traffic, parking, lighting, noise, or other impacts associated with such uses. There are three (3) categories of multifamily residential zoning districts:

R-3, consisting of medium-density residential areas in which medium-density residential developments, including multifamily uses, are encouraged;

It is most likely that any development proposed on the Subject Properties would comply with the purposes set forth at the beginning of the proposed district classification. This cannot be fully determined until a proposed development is under site plan review.

*Highlighted sections in the following chart indicate physical characteristics that can be modified through a Special Use Permit per Sec. 34-162(a).

Current R-2 Zoning Consist of quiet, low-density residential areas in which single-family attached and two-family dwellings are encouraged.		Proposed R-3 Zoning Consist of medium-density residential areas in which medium-density residential developments, including multifamily uses, are encouraged.	
Physical Characteristics		Physical Characteristics	
Front Setback	25' min	Front Setback	25' min
Side Setback	5' min (Single Family Detached) 10' min (Single Family Attached) 10' min (Two-family) 50' min (Non-residential) 20' min (Corner Street Side)	Side Setback	1' for every 2' of height with a minimum of 10': Residential 0 – 21 DUA 1' for every 3' of height with a minimum of 10': Residential 22 – 43 DUA 1' for every 4' of height with a minimum of 10': Residential 44 – 87 DUA 25' min (Non-residential) 20' min (Corner Street Side)
Rear Setback	25' min (Residential) 50' min (Non-residential)	Rear Setback	25' min (Residential)
Additional Yard and Setback Requirements	None	All Yards and Setbacks	50' from the façade of any multifamily building to the boundary of any low-density residential district: 22 – 43 DUA 75' from the façade of any multifamily building to the boundary of any low-density residential district: 44 -87 DUA Within a residential development containing any multifamily dwellings there shall be a minimum distance between the facade of the multifamily

			dwelling and the boundary of any low-density residential district, as follows: 50' for 22 – 43 DUA 75' for 44 -87 DUA
Land Coverage	No limit within setbacks	Land Coverage	75% max for 0 -21 DUA 80% max for 22 – 87 DUA
Height	35' max	Height	45' max
Min Lot Size	6,000sqft (Single Family Detached) 2,000sqft (average of 3,600sqft)(Single Family Attached) 7,200sqft (Two-family) No requirement (non-residential)	Min Lot Size	6,000sqft (Single Family Detached) 2,000sqft (average of 3,600sqft (Single Family Attached) 7,200sqft (Two-family) 2,000sqft (Townhouse) No requirement (Multifamily) No requirement (non-residential)
Road Frontage	50' (Single Family Detached and Two-family) 20' (Single Family Attached) No requirement (non-residential)	Road Frontage	50' (Single Family Detached and Two-family) 20' (Single Family Attached) 16' (Townhouse) No requirement (non-residential)
Parking	1 space per unit	Parking	1 space per unit up to 2 bedrooms

Residential Use (by-Right)	R-2	R-3
Accessory buildings, structures and uses	B	B
Adult assisted living	B	B
Amateur radio antennas, to a height of 75 ft.	B	B
Bed-and-breakfast Homestay	B	B
Bed-and-breakfast B & B		B
Multifamily		B
Dwellings Single-family attached	B	B

Dwellings Single-family detached	B	B
Townhouse		B
Dwellings Two-family	B	B
Family day home 1 – 5 Children	B	B
Family day home 6 – 12 Children		B
Residential Occupancy 3 unrelated persons	B	B
Residential Occupancy 4 unrelated persons	B	B
Residential density 1 -21 DUA		B
Residential Treatment Facility 1 – 8 residents	B	B

Non-Residential Use (by-Right)	R-2	R-3
Access to adjacent multifamily, commercial, industrial or mixed-use development or use		B
Accessory buildings, structures and uses		B
Houses of worship	B	B
Health clinic up to 4,000sqft GFA		B
Public health clinic		B
Attached facilities utilizing utility poles as the attachment structure	B	B
Attached facilities not visible from any adjacent street or property	B	B
Daycare facility		B
Elementary School		B
High School		B
Colleges and universities		B
Libraries	B	B
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on City-owned, City School Board-owned, or other public property)	B	B
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (city owned), and related concession stands	B	B
Utility lines	B	B

The Subject Property is currently vacant and if developed by-right, one Two-family Dwelling could be built and accommodate up to four (4) unrelated people in each unit for a total of eight (8) unrelated persons living on the site. The biggest difference between the existing R-2 zoning and the R-3 development the applicant is proposing is the change to multifamily. The current allowable density is approximately four (4) DUA. A change in the zoning to R-3 without a Special Use Permit would increase the by-right density to twenty-one (21) DUA resulting in a maximum of five (5) units. With the SUP, the density would increase to thirty-one (31) DUA for

a maximum of eight (8) units. The applicant is not proposing any proffer but they but they could amend their applicant to proffer the proposed development that is subject to the SUP (SP21-00004), but should the rezoning be granted without the SUP or proffered residential development, the following uses would be by-right for the Subject Properties: Bed-and-breakfast B & B, Multifamily up to 21 DUA, Townhouse, Family day home 6 – 12 Children, Health clinic up to 4,000sqft GFA, Public health clinic, Daycare facility, Elementary schools, High schools, and Colleges.

Zoning History of the Subject Property

Year	Zoning District
1949	B-2 Business
1958	R-3 Multiple Dwelling District or M-1 Restricted Industrial (The 1958 Land Use Map was not parcel based and is difficult to refine beyond R-3 or M-1)
1976	R-3 Multiple Dwelling District
1991	R-3 Multiple Dwelling District
2003	R-2 Residential

The Subject Property is bordered by:

Direction	Use	Zoning
North	Multifamily Residential	R-3
South	Cutting Edge Salon (Small Business)	B-2
South	Vacant spike strip about 5’ wide	R-2
East	Cluster of single family homes	PUD
West	Alley leading to Bainbridge Street	Not Zoned
West	Residential	R-2

Staff finds a rezoning of the Subject Property would be consistent with the patterns of development adjacent to the Subject Property, but not to the surrounding single family homes along Chestnut Street.

Public Comments Received

Community Meeting Required by Z.O. Sec. 34-41(c)(2) and the Community Engagement meeting Requirements during the COVID -19 Emergency approved by City Council on July 20, 2020

- On April 27, 2021 the applicant held a community meeting on Zoom from 6:00pm to

7pm. Only one member of the public attending the meeting and voiced the following concern. The project should use less impervious surface such as parking. One idea would be to move the parking under the building so more green space could be incorporated.

The meeting was recorded and is available to the public through the developer. (**Attachment C & D**)

Other Comments

- Carlton Avenue cannot handle more traffic.
- Not enough parking on site and overflow parking will impact the neighborhood, especially the homes on Chestnut Street. Residents on Chestnut are concerned that people living in the development or visiting will park on their street. Residents would like to see the applicant work with the shopping center for shared parking.

Staff has attached all comments received prior to the date of this staff report. Any comments received after the date of this report have been forwarded on to Planning Commission and City Council.

Staff Recommendation

Staff finds the proposed zoning change could contribute to the City's Comprehensive Plan goals and provide the missing middle housing type needed in the City and called out in the Affordable Housing Plan. Staff also finds that the proposed development could add to the City housing stock without displacement of existing units due to the Subject Property being a vacant lot. Staff is aware that the proposed rezoning would not be consistent with the City current Future Land Use Map, but finds the other Comprehensive Plan goals could be achieved and the zoning change would be constant with the existing patterns of development. Staff finds that the size and scale of this development would not have a major impact on the surrounding neighborhood, but vehicular parking could be an issue. Staff recommends approval.

Suggested Motions

1. I move to recommend approval of this application to rezone the Subject Property from R-2, to R-3, on the basis that the proposal would service the interests of the general public and good zoning practice.

OR,

2. I move to recommend denial of this application to rezone the Subject Property from R-2 to R-3, on the basis that the proposal would not service the interests of the general public and good zoning practice.

Attachments

- A. Narrative dated March 12, 2021
- B. Rezoning Application dated January 18, 2021
- C. Community Meeting Information
- D. Public Comments

SHIMP ENGINEERING, P.C.

Design Focused Engineering

Project Narrative For: ZMA and SUP 1206 Carlton Avenue

Parcel Description: Tax Map 57, Parcel 127

Initial Submittal: March 12, 2021

Pre-App Meeting Date: July 15, 2020

TAX MAP PARCEL NO.	ACREAGE	EXISTING ZONING	PROPOSED ZONING	COMP PLAN DESIGNATION
TMP 57-127	0.26	R-2	R-3	Low-Density Residential

Location:

The property fronts on Carlton Avenue, at the intersection of Chestnut Street. The parcel is located within the Belmont-Carlton Neighborhood.

Project Proposal:

Hulett, Management Services Inc is the owner (the “owner”) of tax map parcel 57-127 in the City of Charlottesville (the “property”). On behalf of the owner, we request a rezoning and special use permit to allow for a multi-family building with a total of eight (8) residential units on the property. To realize this housing opportunity, we request to rezone the property from Two-family Residential (R-2) to Multi-family Residential (R-3). Concurrent with the rezoning request, we request a special use permit for additional residential density of up to 31 dwelling units per acre as the proposed 8 units would create a density of 31 DUA. In conjunction with the special use permit request, and in accordance with modifications allowed by Sec. 34-162, we request a reduction of the southern side setback of the parcel to 8’ and for an exception from Sec.34-353(B)(4) which requires the distance between the façade of a multifamily dwelling having between 22-43 DUA and the boundary of any low density residential district to be 50 feet. These exceptions are requested as the parcel shares a boundary with TMP 57-127.1, a 394-sq. ft. spite strip, zoned R-2. Development of the spite strip is not possible and with parcels further south of the spite strip zoned B-2, the side setback regulations and façade separation would not be applicable if the spite strip were to be acquired. We propose one neighborhood-scale multi-family building that will house 8 residential units within three floors and recreational area for residents will be located on the fourth floor of the building. Parking is provided on site, in accordance with City parking requirements, to serve the parking needs of future residents.

The buildings are proposed at a height of 40’, as shown in the elevations included with this submission package, and will not exceed 45’ in height, the maximum by-right allowance for the R-3 Residential Zoning District. The property is bordered by R-3 zoned properties to the north, which are subject to the maximum height of 45’, and B-2 and R-1S zoned properties to the south, which are subject to a maximum height of 45’ and 35’, respectively.

The project design will establish:

Attachment A

- 1) A neighborhood-scale multi-family housing development with off-street parking in close proximity to the Carlton Avenue Commercial/Industrial corridor, Downtown Belmont, and the Downtown Mall
- 2) Ample recreational area for residents, spanning the building footprint, as well as additional recreational area along the Carlton Avenue frontage

Public Need or Benefit

The Comprehensive Regional Housing Study and Needs Analysis completed by Partners for Economic Solutions in 2019 states in the executive summary that, “over the past two decades, housing prices in Planning District 10 have increased rapidly as new construction failed to keep pace with the increase in demand at all but the highest rent and price levels.”¹ This proposed project will contribute to the “missing middle” housing stock and help to meet demand for housing in Charlottesville City limits.

Surrounding Uses:

The parcel will have frontage on Carlton Avenue. The property is located within a block bordered by Carlton Avenue, Bainbridge Street, Leonard Street, and Carlton Road. Immediately adjacent to the parcel is a multi-family structure, zoned R-3, to the north and a spite strip, zoned R-2 to the south. Within the block, there are four R-3 zoned properties and four B-2 zoned properties, with R-1S and R-2 zoned properties to the west and southwest of 1206 Carlton. The existing conditions of the block has a diversity of housing types and zoning, which support the mixed-use character of the Carlton Avenue corridor.

R-3 Justification

The proposed development is consistent with the intent of the R-3 zoning district which states, “The purpose of the multifamily residential zoning district is to provide areas for medium- to high-density residential development” and that R-3 consists, “of medium-density residential areas in which medium-density residential developments, including multifamily uses, are encouraged.” This project proposes a medium density multi-family development, consistent with the intent of the R-3 district. Within the block of the proposed development, there are five existing multi-family structures, three on R-3 zoned properties and two on B-2 zoned properties. 1206 Carlton is an ideal location for a new medium density multi-family development with its adjacency to existing multi-family buildings and commercially-zoned properties. The Belmont-Carlton neighborhood is an established mixed-income community, with a diversity of housing types that are owner-occupied and rented. The area is in close proximity to local employment areas with access to transit within the neighborhood and within a 15-minute walk to the Downtown Transit Station. Moreover, the gridded nature of the neighborhood lends itself to be pedestrian-friendly, with existing bike-ped infrastructure throughout the area. The proposed R-3 development would bolster the existing character of the neighborhood, while increasing the housing supply of the City close to the urban core.

Consistency with the Comprehensive Plan:

1206 Carlton is located within the Belmont-Carlton Neighborhood, at the intersection of Carlton Avenue and Chestnut Street. While the 2013 Comprehensive Plan designates this area as low-density residential, the City of Charlottesville is currently undergoing a comprehensive plan update and has recently adopted their Affordable Housing Plan on March 1, 2021; recommendations and guidelines of the Affordable Housing Plan are to be incorporated into the final Comprehensive Plan as well. The adopted Affordable

¹ “Comprehensive Regional Housing Study and Needs Analysis.” Partners for Economic Solutions. March 22, 2019

Attachment A

Housing Plan sets forth recommendations to expand the multi-family building supply and “soft density” by-right. Moreover, the addition of eight units near the core of the city would “create more housing in areas of opportunity such as near transit lines, jobs, or in mixed-income neighborhoods, but must also be designed to prevent displacement of low-income residents due to increased investment and rising housing costs” (77). As a redevelopment of a vacant lot, there would not be a need for displacement/re-placement of existing tenants and the neighborhood-scale middle-density structure is not anticipated to significantly impact surrounding property values. The rezoning and special use permit would allow for a design that maintains the fabric of the neighborhood while contributing needed housing supply to City residents. The proposed medium-density building is an ideal example of ‘missing middle’ housing that the Affordable Housing Plan advocates for, and its location adjacent to existing multi-family structures and commercially-zoned properties create the prime opportunity to demonstrate “soft density” to community members.

This rezoning will achieve the intent of several of the City’s housing goals including: creating quality housing opportunities for all and growing the City’s housing stock for residents of all income levels.

The development is consistent with the Comprehensive Plan in the following ways:

Chapter 1 Land Use

- *Goal 5.5 Revise the Future Land Use Map so that it represents the desired vision for the City’s future. Pay special attention to increasing the supply of affordable housing, increasing employment opportunities for all citizens, and encourage the development of mixed income neighborhoods throughout the City.* The Belmont-Carlton neighborhood is an established mixed-income community and the development of a middle-density multi-family development would further contribute to the variety of housing units in the neighborhood. The type and density of the proposed structure is appropriate for its location and is located in a walkable area of the City.

Chapter 5 Housing

- *Goal 3: Grow the City’s housing stock for residents of all income levels.* The proposed rezoning and special use permit would add to the City’s strained housing supply and provide more housing options to existing and future residents of the City. As outlined in Charlottesville’s Affordable Housing Plan, there is a need and desire for more multi-family housing and seeing “soft density” or “middle density” within single-family areas, encouraging housing and income diversity within the City neighborhoods.

Impacts on Public Facilities & Public Infrastructure:

American Community Survey (ACS) 5-year estimates indicate the average household size in Charlottesville is 2.38 people². Using the ACS average, a multi-family development with 8 proposed units could potentially yield 20 new residents within Police District 7 and Ridge Street Station Fire District. It should be noted this household size is for all unit sizes and is not limited to two-bedroom households. The number of people per dwelling unit in a two-bedroom unit may be less than the overall household average.

Trip generation is anticipated to be very low with the addition of 8 multi-family units. Peak hour trips are limited to three in the morning and four in the evening. Moreover, two Route 3 CAT bus stops are within 600’ of the property, with Route 1 and Route 2 stops within a walkable distance in Belmont-Carlton as

² ACS 2013-2017 5 YR Estimates Table B25010 “Average Household Size of Occupied Housing Units by Tenure”

Attachment A

well. Bike-ped infrastructure is available throughout the neighborhood and its proximity to the Downtown Mall and other commercial areas creates opportunities for residents to take advantage of alternative transportation methods and further reduce the low anticipated vehicular trips.

Although bike-ped infrastructure is currently present in the neighborhood, the Charlottesville Bicycle and Pedestrian Master Plan proposes new bicycle and pedestrian infrastructure that will encourage safer active transportation movements, diminishing trips generated by car.

Impacts on Schools:

This property lies within the Clark Elementary School district. After attending neighborhood elementary schools, all Charlottesville students attend Walker Upper Elementary School, Buford Middle School, and Charlottesville High School.

ACS 2018 5-year estimates show that there are an estimated 4,800 residents between the ages of 5-17 within City limits.³ By dividing this estimate by the number of occupied housing units in the city, 18,613, it can be approximated that there are approximately .26 children per housing unit in Charlottesville.⁴ Since 8 units are proposed on the site, it is estimated there may be an additional three school-aged children within the development.

Impacts on Environmental Features:

All design and engineering for improving the property will comply with applicable City and State regulations for erosion and sediment control and stormwater management.

Compliance with USBC Regulations:

The proposed project will comply with all applicable USBC regulations.

³ ACS 2018 5 YR Estimates Table DP05 “ACS Demographic and Housing Estimates”

⁴ ACS 2018 5 YR Estimates Table DP04 “Selected Housing Characteristics”

1206 CARLTON AVENUE SITE OVERVIEW

Sheet 1 of 6

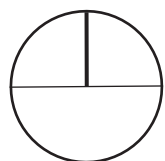


TMP 57-127

SUBMITTED 12 MARCH 2021
REVISED 24 MAY 2021

project: 17.039

SHIMP ENGINEERING, P.C.



1206 CARLTON AVENUE

SITE & REZONING INFO

Sheet 2 of 6

OWNER/DEVELOPER

Hulett, Management Services Inc
1808 N Quantico Street
Arlington, VA 22205

TMP(s)

570127000

ACREAGE

0.2600

NEIGHBORHOOD

Belmont

FLOODZONE

According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51003C0269D), this property does not lie within a Zone X 100-year floodplain.

USE

EXISTING: Vacant
PROPOSED: Multifamily

ZONING

EXISTING: R2
PROPOSED: R3, with concurrent special use permit submitted for increased density (21 DUA to 22-43 DUA)

DENSITY

COMPREHENSIVE PLAN DESIGNATION: Low density residential (<15 DUA)
PROPOSED: 8 units proposed; 31DUA

BUILDING HEIGHT

Per Section 34-353 of the Charlottesville Zoning Ordinance, a maximum building height of 45' shall be permitted. Proposed building height is 40'.

SETBACKS

Per Section 34-353 of the Charlottesville Zoning Ordinance, setbacks shall be permitted as follows:
FRONT MINIMUM: 25'
SIDE MINIMUM: 8'*
REAR MINIMUM: 25'

*For 22-43 DUA, side setbacks shall be 1 foot/3 feet in building height, 13' minimum. Maximum allowable building height is 45'. Proposed building height is 40'. Reductions in minimum side setback proposed from 13' to 8'.

TMP 57-127

SUBMITTED 12 MARCH 2021
REVISED 24 MAY 2021

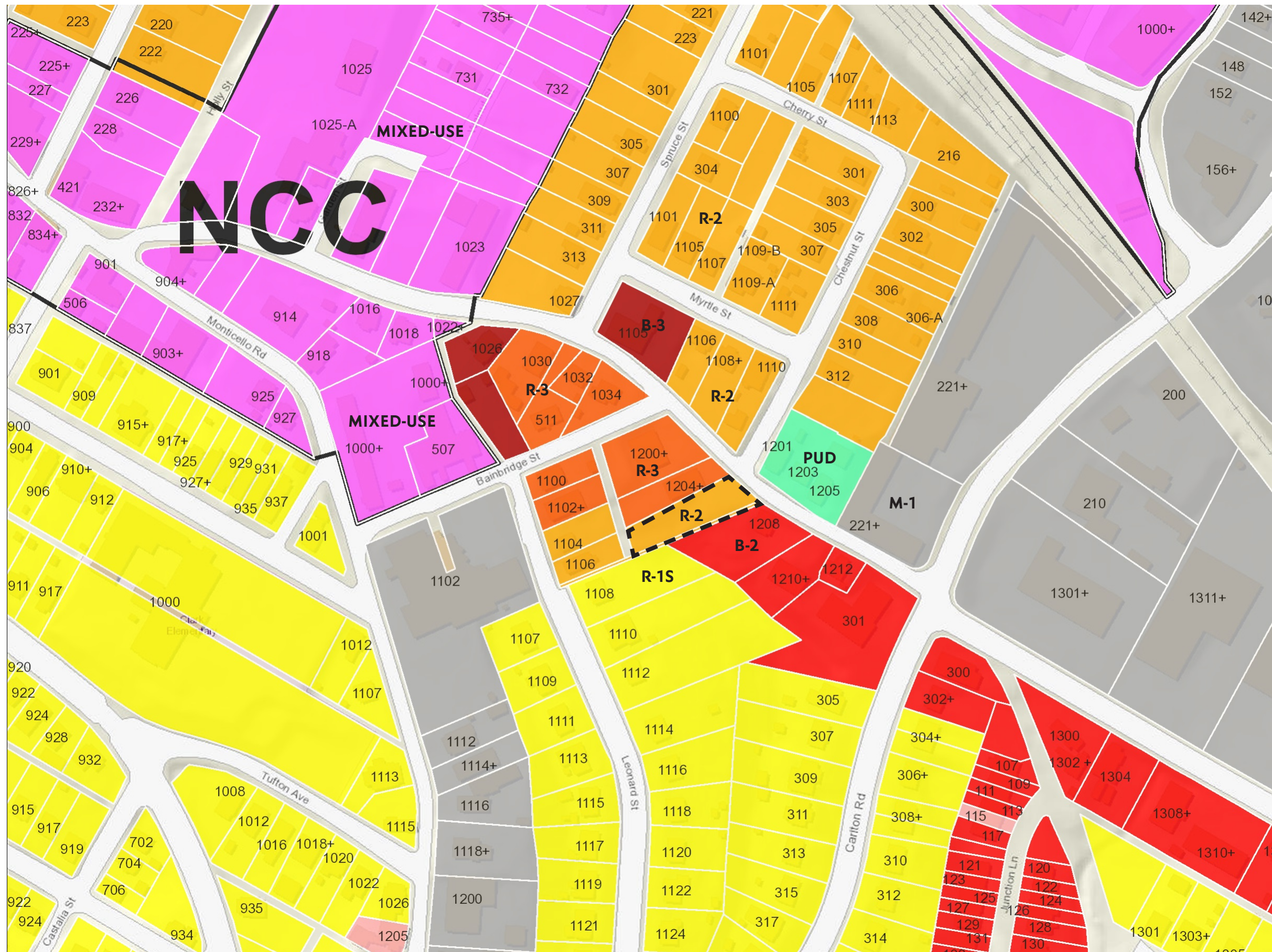
project: 17.039

SHIMP ENGINEERING, P.C.

1206 CARLTON AVENUE

ZONING MAP

Sheet 3 of 6

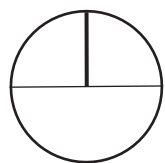


TMP 57-127

SUBMITTED 12 MARCH 2021
REVISED 24 MAY 2021

project: 17.039

SHIMP ENGINEERING, P.C.





1. 1200 Carlton Avenue
R-3 Multifamily



2. 1204 Carlton Avenue
R-3 Multifamily



3. 1206 Carlton Avenue
Proposed R-3 Multifamily

REZONING + SPECIAL USE PERMIT
APPLICATION EXHIBIT
1206 CARLTON AVENUE
SURROUNDING CONTEXT
Sheet 4 of 6



4. 1208 Carlton Avenue
B-2 Commercial



5. 1210 Carlton Avenue
B-2 Multifamily



6. 1212 Carlton Avenue
B-2 Residential



7. 301 Carlton Road
B-2 Multifamily



8. 1110 Myrtle Street
R-2 Accessory Structure

TMP 57-127

SUBMITTED 12 MARCH 2021
REVISED 24 MAY 2021

project: 17.039

SHIMP ENGINEERING, P.C.

1206 CARLTON AVENUE

LAND COVERAGE

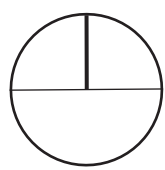
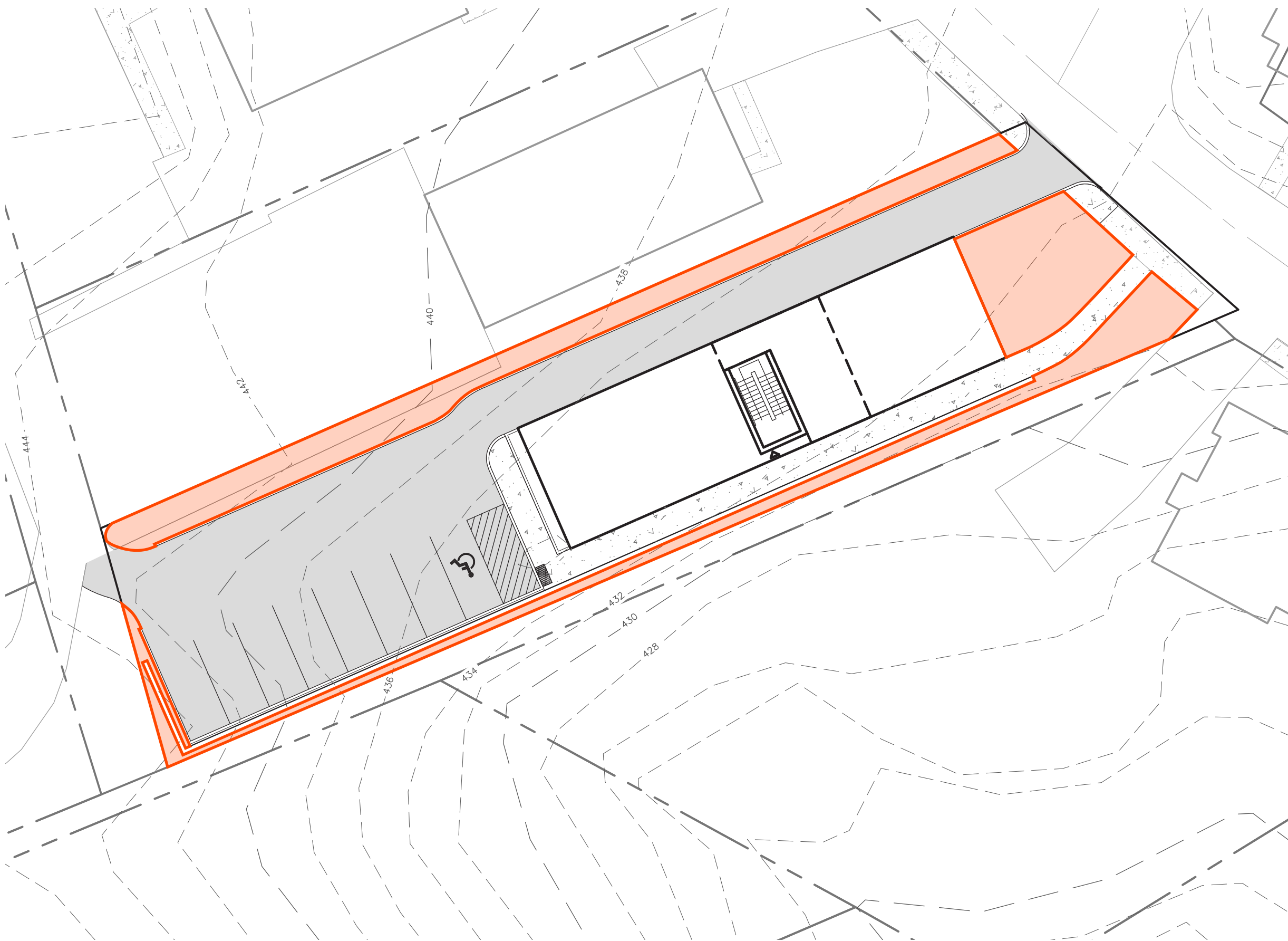
Sheet 5 of 6

Per Sec. 34-353 of the Charlottesville Zoning Ordinance, land coverage in R-3 zoning districts shall not exceed 80% of the total site for 22-87 DUA.

Total site area is 0.26 AC or 11,326 sq. ft.

Required open space is 20% of total site area, or 0.052 AC or 2,265.12 sq. ft.

Total proposed open space shown is 0.056 AC or 2,422.55 sq. ft.



TMP 57-127

SUBMITTED 12 MARCH 2021
REVISED 24 MAY 2021

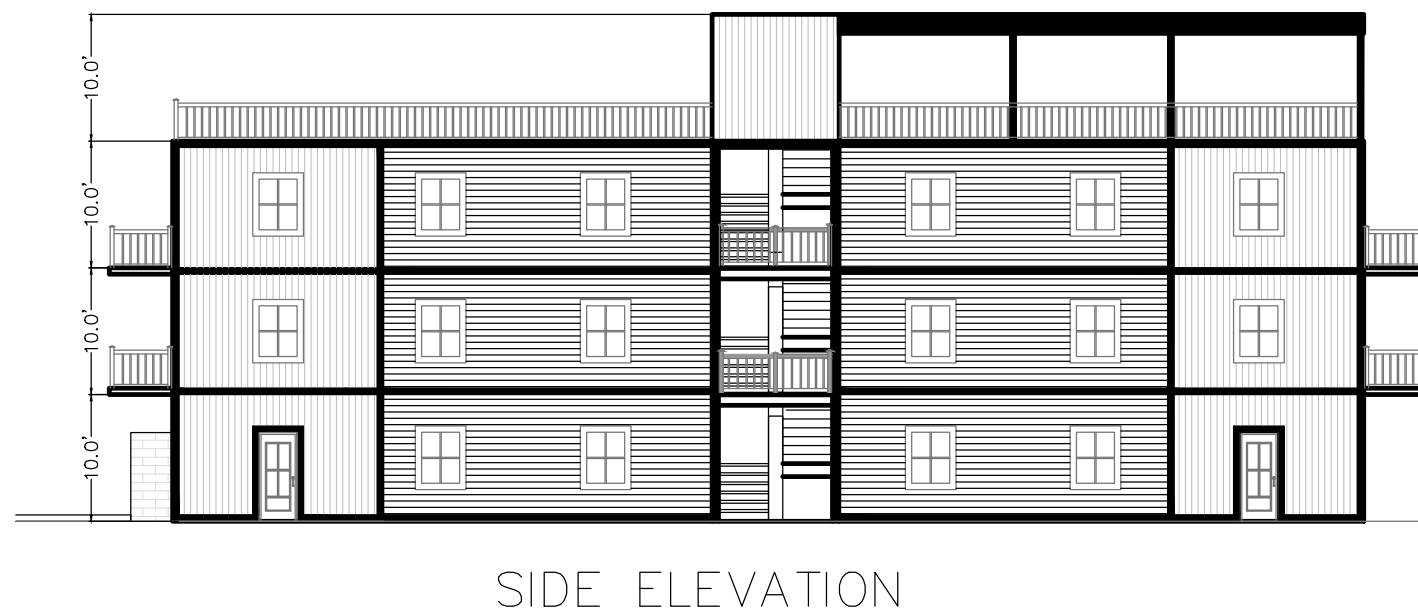
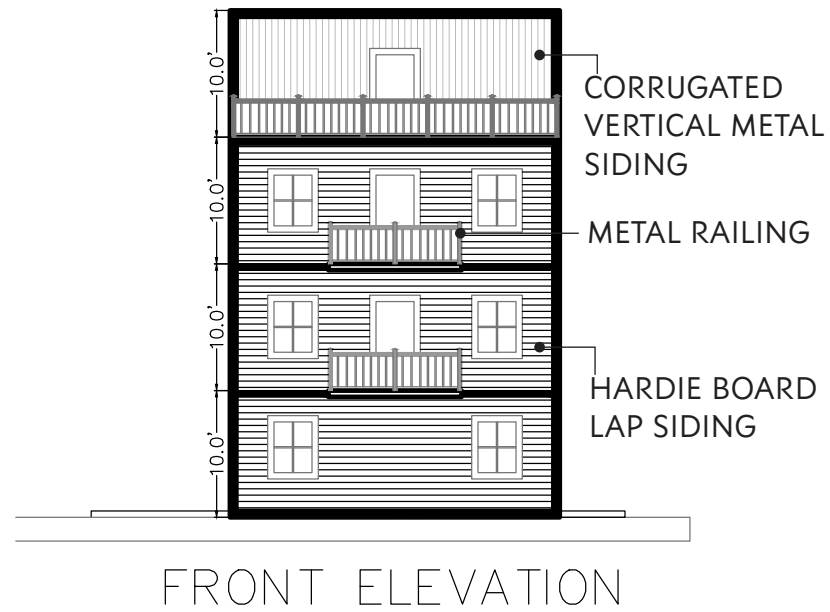
project: 17.039

SHIMP ENGINEERING, P.C.

1206 CARLTON AVENUE ELEVATIONS

Sheet 6 of 6

1206 CARLTON AVE



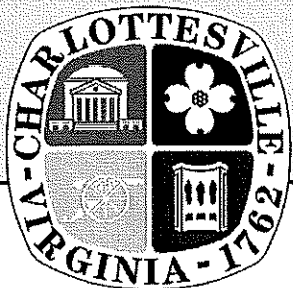
MATERIAL PRECEDENT

TMP 57-127

SUBMITTED 12 MARCH 2021
REVISED 24 MAY 2021

project: 17.039

SHIMP ENGINEERING, P.C.



City of Charlottesville

Application for Rezoning

Project Name: 1206 Carlton Ave

Address of Property: 1206 Carlton Ave. Charlottesville, Va 22902

Tax Map and Parcel Number(s): 570127000

Current Zoning: R-2

Proposed Zoning: R-3

Comprehensive Plan Land Use Designation: low density residential

Applicant: Kelsey Schlein, Shimp Engineering P.C.

Address: 912 E. High St. Charlottesville, VA 22902

Phone: (434)227-5140

Email: kelsey@shimp-engineering.com

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

Owner

Owner's Agent

Contract Purchaser

Owner of Record: Hulett Management Services Inc

Address: 1808 N Quantico Street Arlington, VA 22205

Phone: _____

Email: chulett@kiwestcorporation.com

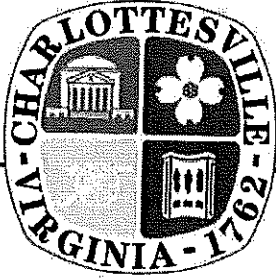
(1) Applicant's and (2) Owner's Signatures

(1) Signature _____ Print Kelsey Schlein Date _____

Applicant's (Circle One): LLC Member LLC Manager Corporate Officer (specify) _____
Other (specify): agent

(2) Signature CHulett Print Chris Hulett Date 1/18/21

Owner's (Circle One): LLC Member LLC Manager Corporate Officer (specify) President
Other (specify): _____



City of Charlottesville

Pre-Application Meeting Verification

Project Name: 1206 Carlton Ave (2020)

Pre-Application Meeting Date: July 15, 2020 (Through Teams)

Applicant's Representative: Justin Shimp and Kelsey Schlein

Planner: Matt Alfeli

Other City Officials in Attendance:

N/A

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

1. A Site Plan with the SUP

2. More information on the alley

3.

4.

5.

Planner Signature: Matt Alfeli



City of Charlottesville

Application Checklist

Project Name: 1206 Carlton

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

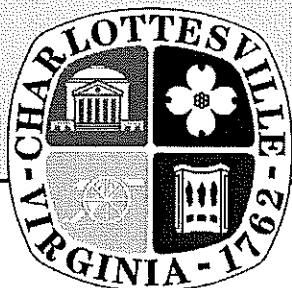
- 34-157(a)(2) Narrative statement: applicant's analysis of conformity with the Comprehensive Plan
- 34-157(a)(4) Narrative statement identifying and discussing any potential adverse impacts, as well as any measures included within the development plan, to mitigate those impacts
- 34-158(a)(6): other pertinent information (narrative, illustrative, etc.)
- Completed proffer statement
- All items noted on the Pre-Application Meeting Verification.

Applicant

Signature _____ Print _____ Date _____

By Its: _____

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



City of Charlottesville

Community Meeting

Project Name: 1206 Carlton

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

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

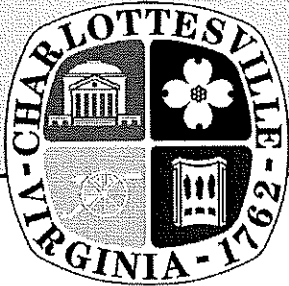
1. Following consultation with the city, the applicant will establish a date, time and location for the community meeting. The applicant is responsible for reserving the location, and for all related costs.
2. The applicant will mail, by U.S. mail, first-class, postage pre-paid, a notice of the community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

Applicant: _____

By:

Signature _____ Print _____ Date _____

Its: _____ (Officer, Member, Trustee, etc.)



City of Charlottesville

Personal Interest Statement

Project Name: 1206 Carlton

I swear under oath before a notary public that:

A member of the City of Charlottesville Planning Commission (identified below), or their immediate family member, has a personal interest in the property or transaction that is the subject of this application.

Planning Commissioner(s): _____

Or

No member of the City of Charlottesville Planning Commission, or their immediate family member, has a personal interest in the property or transaction that is the subject of this application.

And

A member of the City of Charlottesville City Council (identified below), or their immediate family member, has a personal interest in the property or transaction that is the subject of this application.

City Councilor(s): _____

Or

No member of the City of Charlottesville Planning Commission, or their immediate family member, has a personal interest in the property or transaction that is the subject of this application.

Applicant: Hulett Management Services, Inc

By:

Signature [Signature] Print S.C. Hulett Date 1/19/21
Its: President (Officer, Member, Trustee, etc.)

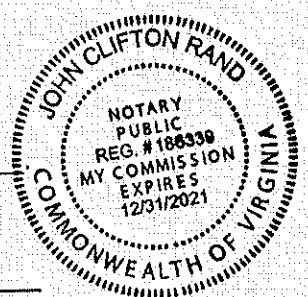
Commonwealth of Virginia

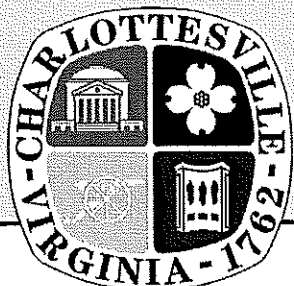
City of Charlottesville

The foregoing instrument was subscribed and sworn before me this 19th day of January, 2021 by S.C. Hulett

Notary Signature _____

Registration #: 186839 Expires 12/31/21





City of Charlottesville

Owner's Authorizations

(Not Required)

Project Name: 1206 Carlton

Right of Entry- Property Owner Permission

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

Owner: Hulett Management Services Inc. Date: 1/18/21

By (sign name): *SC Hulett* Print Name: Chris Hulett

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

Other (specific): _____

Owner's Agent

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

Name of Individual Agent: Kelsey Schlein or Justin Shimp

Name of Corporate or other legal entity authorized to serve as agent: Shimp Engineering, P.C.

Owner: Hulett Management Services Inc. Date: 1/18/21

By (sign name): *SC Hulett* Print Name: Chris Hulett

Circle one:

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

Other (specific): _____



City of Charlottesville

Disclosure of Equitable Ownership

Project Name: 1206 Carlton

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

Name S.C. Hulet Address 1808 N Quinico St, Arlington, VA 22205

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Attach additional sheets as needed.

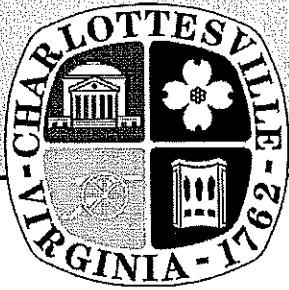
Note: The requirement of listing names of stockholders does not apply to a corporation whose stock is traded on a national or local stock exchange and which corporation has more than five hundred (500) shareholders.

Applicant: _____

By:

Signature _____ Print _____ Date _____

Its: _____ (Officer, Member, Trustee, etc.)



City of Charlottesville

Disclosure of Equitable Ownership

Project Name: 1206 Carlton

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

Name S.C. Hulett Address 1808 N Quinico St, Arlington, VA 22205

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Attach additional sheets as needed.

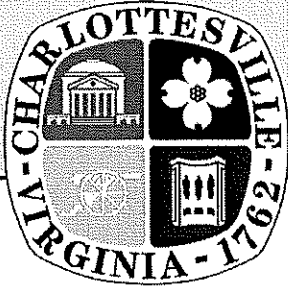
Note: The requirement of listing names of stockholders does not apply to a corporation whose stock is traded on a national or local stock exchange and which corporation has more than five hundred (500) shareholders.

Applicant: Hulett Mgmt Services, Inc

By:

Signature S.C. Hulett Print S.C. Hulett Date 1/18/21

Its: President (Officer, Member, Trustee, etc.)



City of Charlottesville

Fee Schedule

Application Type	Quantity	Fee	Subtotal
Rezoning Application Fee		\$2000	
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
TOTAL			

Office Use Only

Amount Received: _____ Date Paid _____ Received By: _____

SHIMP ENGINEERING, P.C.
Design Focused Engineering

Shimp Engineering
Kelsey Schlein, Project Representative
912 E High St. Charlottesville, VA 22902
kelsey@shimp-engineering.com
(434) 227-5140

RE: **VIRTUAL** Community Meeting | 1206 Carlton Avenue

Dear Neighbor,

On behalf of Hulett, Management Services Inc, we, Shimp Engineering, invite you to review information and provide comments regarding our request for a rezoning to from R-2 Residential to R-3 Residential and a special use permit to increase the allowable residential density on tax parcel 570127000; this is a .26-acre parcel with a physical address of 1206 Carlton Avenue in Charlottesville's Belmont Neighborhood. This special use permit request is to increase the allowable residential density on the property up to 31 dwelling units per acre (DUA). The property is currently vacant and, if approved, this special use permit request would allow for 8 multifamily units to be constructed on the .26-acre parcel, for a total residential density of 31 DUA. The proposed 8 units are to be a mixture of one and two bedroom units, and would be housed in a new multi-family building on the property.

Included with this letter is a context map identifying the property and the site plan sheet from the conceptual site plan that was submitted as part of the special use permit request. Additionally, elevations of the proposed building are included on the reverse side of this letter. To help prevent the transmission of COVID-19, we invite you to ask questions and share comments about the proposed special use permit request and City review procedures at a virtual community meeting. **The virtual meeting will be held through an online video stream on Tuesday, April 27 at 6:00 p.m.**

There are several ways that you can learn more about this project, share your comments, or ask questions about this proposal:

1. Attend the live virtual community meeting using the "Virtual Meeting Instructions" included with this letter
2. Submit written comments using the included pre-postage paid envelope included with this notification packet
3. Contact me directly to review the full application packet and I will coordinate with you on the best way for you to view the application. You can contact me by phone or email using the contact information provided at the top left corner of this letter or you can use the pre-postage paid envelope to write to me and request to view the plans. To help prevent the transmission of COVID-19, it is preferred that I share these plans with you digitally or by mail, however, if you'd like to come by our office at 912 E. High St. I can arrange an appointment time with you for any non-holiday Monday - Friday 9 a.m. - 5 p.m.
4. Contact the lead City reviewer directly with questions or comments: Matt Alfele, alfelem@charlottesville.gov

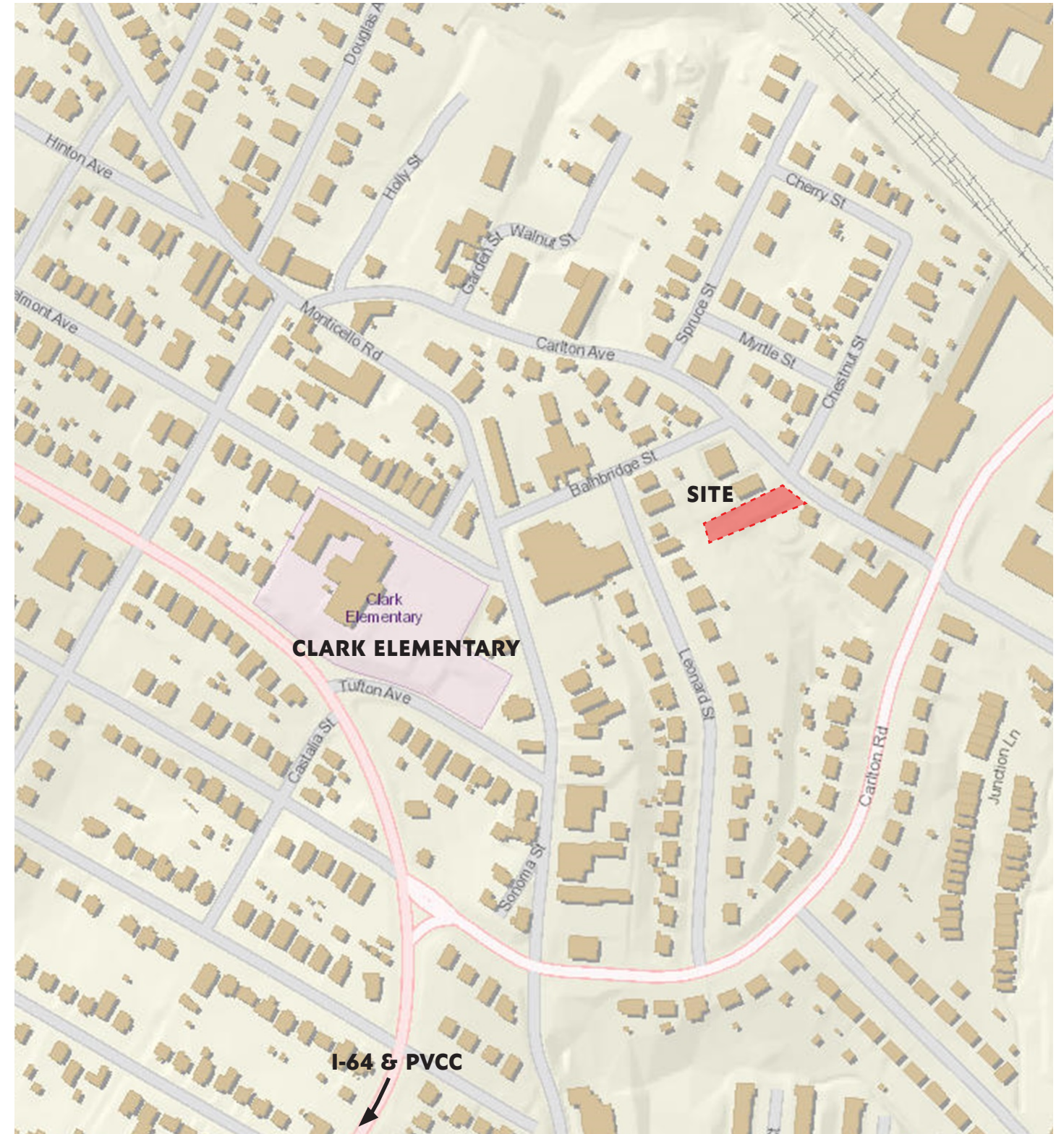
If you choose to submit comments about this project, please do so by June 15, 2021. We look forward to hearing from you.

Sincerely,

Kelsey Schlein

Kelsey Schlein

Attachment C



Virtual Meeting Instructions:

ONLINE

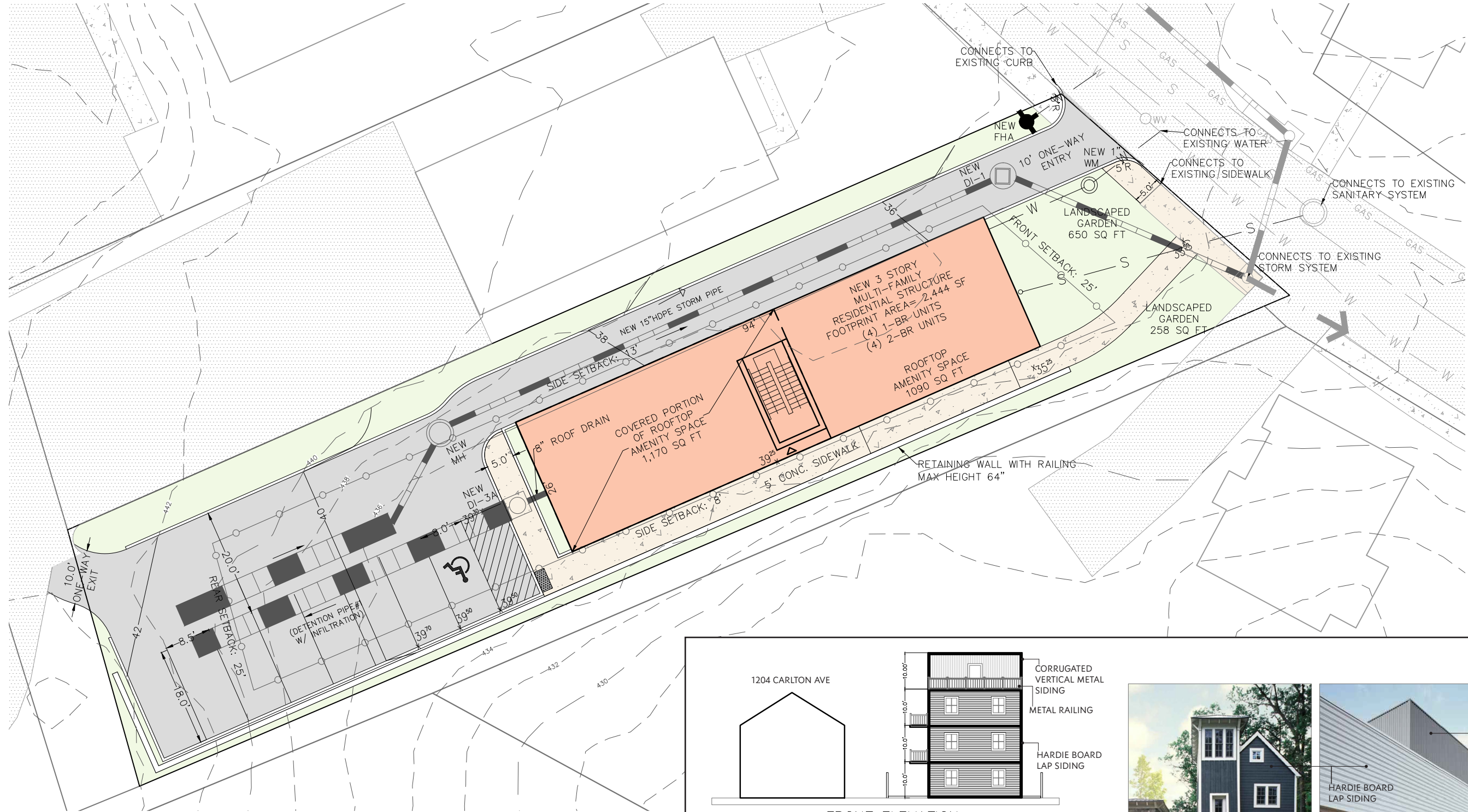
Download the Zoom application.

Please visit this link to join the webinar: <https://us02web.zoom.us/j/85851419199>

BY PHONE/CALL-IN

Dial (301) 715-8592

Type in the Webinar ID: 858 5141 9199



1206 Carlton Avenue Proposed Site Plan

1204 CARLTON AVE

FRONT ELEVATION

SIDE ELEVATION

CORRUGATED VERTICAL METAL SIDING

METAL RAILING

HARDIE BOARD LAP SIDING

CORRUGATED VERTICAL METAL SIDING

HARDIE BOARD LAP SIDING

MATERIAL PRECEDENT

1206 Carlton Avenue Proposed Elevations & Materials

SHIMP ENGINEERING, P.C.
Design Focused Engineering

April 15, 2021

Matt Alfele
City of Charlottesville
610 East Market Street
Charlottesville, Virginia 22902

RE: 1206 Carlton Community Notification Letter

Dear Matt,

A notification letter to nearby residents concerning the 1206 Carlton rezoning and special use permit was mailed out to residents listed on the City-provided mailing list two weeks prior to the community meeting which is set to be held virtually via a Zoom webinar on **Tuesday, April 27th at 6:00 p.m.**

Please find the letter that was mailed to nearby residents attached.

Respectfully,

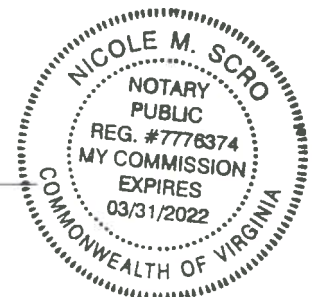
Kelsey Schlein

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF Charlottesville, to wit:

The foregoing instrument was acknowledged before me this 15 day of April, ~~2020~~ ²⁰²¹ by Kelsey Schlein.

My Commission expires: 3/31/2022

Notary Public

Attachment C

Recipient	Address 1	Address 2	Address 3	City / State ZIP	Property Address
HAMILTON, TODD ESKEL & ELLEN		100 CEDAR RIDGE RD		TROY VA 22974	307 SPRUCE ST
FORREST, JAMES R		1001 BELMONT AVENUE		CHARLOTTI 22902	1001 BELMONT AVE
CARLTON MANOR HOUSING, INC		1001 E MARKET ST STE 102		CHARLOTTI 22902	1212 CARLTON AVE
SPRUCE MANOR HOUSING, INC		1001 E MARKET ST STE 102		CHARLOTTI 22902	309 SPRUCE ST
DONOVAN, JOANNA & EUGENE		1012 BELMONT AVE		CHARLOTTI 22902	1012 BELMONT AVE
PEACOCK AUTO SERVICE, LLC		1023 CARLTON AVE		CHARLOTTI 22902	1023 CARLTON AVE
STICKEL, CHARLES H & PATRICIA C		1030 CARLTON AVENUE		CHARLOTTI 22902	1030 CARLTON AVE
SCHULTZ, FELICIA M		1032 CARLTON AVE		CHARLOTTI 22902	1032 CARLTON AVE
ROLLINS, TUCKER J		1034 CARLTON AVE		CHARLOTTI 22902	1034 CARLTON AVE
BLADT, FRANCOIS		1100 LEONARD STREET		CHARLOTTI 22902	1100 LEONARD ST
RUSH, DANIEL B		1101 MYRTLE ST		CHARLOTTI 22902	1101 MYRTLE ST
COMMONWEALTH OF VIRGINIA		1102 MONTICELLO ROAD		CHARLOTTI 22902	1102 MONTICELLO RD
HAMM, ARVEL R & MARGARET E		1107 LEONARD STREET		CHARLOTTI 22902	1107 LEONARD ST
CASHWELL, JAMES R		1107 MONTICELLO RD		CHARLOTTI 22902	1107 MONTICELLO RD
WILKINSON, PATRICIA		1107 MYRTLE STREET		CHARLOTTI 22902	1107 MYRTLE ST
SAMPSON, DAISY GOODE		1108 LEONARD STREET		CHARLOTTI 22902	1108 LEONARD ST
HOWARD, ERNEST, JR, RUTH & RODERICK		1109 LEONARD ST		CHARLOTTI 22902	1109 LEONARD ST
PUGH, CHARLES E & AUDREY W		1110 LEONARD ST		CHARLOTTI 22902	1110 LEONARD ST
SHIELDS, MATTHEW W & SARAH C		1110 MYRTLE ST		CHARLOTTI 22902	1110 MYRTLE ST
VIARS, ASHLEY		1112 LEONARD ST		CHARLOTTI 22902	1112 LEONARD ST
CLEMENTS, FRANKLIN E & CAROLYN W		1113 LEONARD STREET		CHARLOTTI 22902	1113 LEONARD ST
ROUNSEVELL, JAMES & CAROL O'CONNOR		1113 MONTICELLO RD		CHARLOTTI 22902	1113 MONTICELLO RD
SIPE, LARRY G & CATHERINE S		1114 LEONARD STREET		CHARLOTTI 22902	1114 LEONARD ST
CALDWELL, RACHEL L & CORY J		1115 LEONARD ST		CHARLOTTI 22902	1115 LEONARD ST
LEAKE, CHARLES E & SHIRLEY B		1116 LEONARD STREET		CHARLOTTI 22902	1116 LEONARD ST
BERGER, JUDITH M		1117 LEONARD ST		CHARLOTTI 22902	1117 LEONARD ST
GOODALL, ISAIAH		1118 LEONARD ST		CHARLOTTI 22902	1118 LEONARD ST
CARLTON, PROPERTY LLC		112 W MAIN ST STE 5		CHARLOTTI 22902	221 CARLTON RD
CARLTON PROPERTY LLC		112 WEST MAIN ST STE 5		CHARLOTTI 22902	0 CARLTON AVE
GULMOHAMMAD, ZAKIA & ABDUL AZIZULLAH		1120 LEONARD STREET		CHARLOTTI 22902	1120 LEONARD ST
STEIN, ANNA ROSE		1208 CARLTON AVE		CHARLOTTI 22902	1208 CARLTON AVE
300 CARLTON HOUSE, LC		1217 HAZEL ST		CHARLOTTI 22902	300 CARLTON RD
WBLD, LLC		122 BLUEBERRY RD		CHARLOTTI 22911	1112 MONTICELLO RD
MOUNT, DAVID F & JOANNE C		1238 WEST FOURTH STREET		WINSTON-! 27101	1106 MYRTLE ST
FRATERNAL ORDER OF EAGLES AEIRE 4345		1301 CARLTON AVENUE		CHARLOTTI 22902	1301 CARLTON AVE 3
DESIGN ELECTRIC INC		1307 CARLTON AVENUE		CHARLOTTI 22902	1303 CARLTON AVE 4
NEW, DAVID M & MARLA C		1751 DEER VALLEY COURT		CHARLOTTI 22902	1111 LEONARD ST
HULETT, MANAGEMENT SERVICES INC		1808 N QUANTICO STREET		ARLINGTON 22205	1206 CARLTON AVE
MORGAN, SARAH B		1880 COBBLESTONE LN		CHARLOTTI 22901	1105 MYRTLE ST
AMODIO. THOMAS & DEBRA FITZGERALD		1954 STANFORD DR		ANCHORAC 99508	302 CARLTON RD
PLATT, MICHAEL & MERTA, TRUSTEES		2000 GRENBRIER DR		CHARLOTTI 22901	1118 MONTICELLO RD
PHILLIPS, CLAYTON B & TINA M		2096 OLD WESTON RD		BUCKHANN 26201	1104 LEONARD ST
THE STRATHMOORE COMPANY INC		211 NORTH UNION ST STE 100		ALEXANDR 22314	1204 CARLTON AVE
ATLANTA VIRGINIA PROPERTIES, LLC		219 N CHERRY ST		FALLS CHU 22046	1109 MYRTLE ST
TATE JAMES HUFFMAN, LLC		224 CARLTON RD UNIT 2		CHARLOTTI 22902	224 CARLTON RD 2
HERNANDEZ, SANDY E Z		28 ARAPAHO TRAIL		PALMYRA \ 22963	1106 LEONARD ST

Attachment C

EVANS, ROGER T	3014 SEMMES AVE		RICHMOND	23225 306 CARLTON RD
BELEW, EUGENE R	303 CHESTNUT ST		CHARLOTTI	22902 303 CHESTNUT ST
GRADY, ARNITHA & SHAWN BROWN	304 SPRUCE STREET		CHARLOTTI	22902 304 SPRUCE ST
DRTOS, MICHAEL S	305 CARLTON RD		CHARLOTTI	22902 305 CARLTON RD
SPENCER, ELSA H K	305 CHESTNUT ST		CHARLOTTI	22902 305 CHESTNUT ST
HAMILTON, ALAN G	306 CHESTNUT ST		CHARLOTTI	22902 306 CHESTNUT ST
HALL, ASA A JR & JEAN W	307 CHESTNUT ST		CHARLOTTI	22902 307 CHESTNUT ST
HAYNES, HAROLD DENNIS & TERESA	308 CHESTNUT STREET		CHARLOTTI	22902 308 CHESTNUT ST
MUNDY, JAMES SWIFT & JOYCE S	309 CARLTON ROAD		CHARLOTTI	22902 309 CARLTON RD
NEER, CHARLES E JR & KAREN S	310 CHESTNUT STREET		CHARLOTTI	22902 310 CHESTNUT ST
SCHMIDT, FREDERICK H, ETAL, TRUSTEES	312 CHESTNUT ST		CHARLOTTI	22902 0 CHESTNUT ST
GLASGOW, DIANA	313 SPRUCE STREET		CHARLOTTI	22902 313 SPRUCE ST
CVILLE BLACK SHEEP, LLC	318 WOODLANDS RD		CHARLOTTI	22901 918 BAINBRIDGE ST
BLUE DOG, LLC	352 BEAUTIFUL RUN RD		MADISON \	22727 511 BAINBRIDGE ST
CHACKO, THOMAS T & LEELAMMA S	358 LEAPING FOX COURT		CHARLOTTI	22902 313 CARLTON RD
EASTER, BARRY N & ELIZABETH S	3705 BROWN'S GAP TURNPIKE		CROZET VA	22932 220 CARLTON RD 1
DOVE, WILLIAM E, TRUSTEE WILLIAM E DOVE LIVING TR	4082 ROCK BRANCH RD		NORTH GA	22959 304-B CARLTON RD
ASAI, JOHN J	412 JACKSON ROAD		TROY VA	22974 304-A CARLTON RD
WELCH, SARA JANE	419 FAIRMOUNT AVE		JERSEY CIT	7306 311 SPRUCE ST
FRENCH, DAVID L	4921 THACKERS LN		NORTH GA	22959 0 CHERRY ST
LEONARD STREET SS LLC	500 COURT SQ STE 300		CHARLOTTI	22902 0 LEONARD ST
1027 CARLTON, LLC	532 PARK ST		CHARLOTTI	22902 1027 CARLTON AVE
OHMAN, JEFFREY P & MARY JO	5635 COHN MEADOW LN		HOUSTON `	77007 1114 MONTICELLO RD
RUCKER, JAMES L & ANNE M	601 GROVE AVENUE		CHARLOTTI	22902 1022 CARLTON AVE
ROGERS, DOUGLAS W & NANCY F	621 MATTHEW MILL ROAD		RUCKERSVI	22968 307 CARLTON RD
PIEDMONT REALTY HOLDINGS III, LLC	6535 WOODBOURNE LN		CROZET VA	22932 1000 MONTICELLO RD
HORN, JACK M & NANCY W	700 HIGHLAND AVENUE		CHARLOTTI	22903 210 CARLTON RD
SENTZ, ANN F & THOMAS C, TRUSTEES	7428 LEIGH RD		WARRENTC	20186 1111 MYRTLE ST
SANGER & SNABLY LAND COMPANY, LLC	826B HINTON AVE STE 3		CHARLOTTI	22902 1105 CARLTON AVE
TADIN, LLC	918 MONTICELLO RD		CHARLOTTI	22902 1016 CARLTON AVE
ARCHIMOVE, LLC	P O BOX 357		KEENE VA	22946 1116 MONTICELLO RD
GEEVER, JOSEPH, TRUSTEE	P O BOX 41033		LONG BEAC	90853 1018 CARLTON AVE
FORLOINES INVESTMENTS, LLC	P O BOX 7018		CHARLOTTI	22906 1108 MYRTLE ST
HAYSLETT, EDWARD W	P O BOX 806		CROZET VA	22932 311 CARLTON RD
MATTHEWS, VALERIE A, LIFE ESTATE	P O BOX 896		PINE BROO	7058 302 CHESTNUT ST
OCCUPANT	305 CHESTNUT ST		CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	STE 14	CHARLOTTI	22902
OCCUPANT	309 SPRUCE ST		CHARLOTTI	22902
OCCUPANT	1111 MYRTLE ST		CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 209	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	STE 11	CHARLOTTI	22902
OCCUPANT	1204 CARLTON AVE	# 3	CHARLOTTI	22902
OCCUPANT	306 CARLTON RD	UNIT B	CHARLOTTI	22902
OCCUPANT	1104 LEONARD ST		CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 207	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 206	CHARLOTTI	22902
OCCUPANT	1200 CARLTON AVE	APT 100	CHARLOTTI	22902

Attachment C

OCCUPANT	1200 CARLTON AVE	APT 101	CHARLOTTI	22902
OCCUPANT	1200 CARLTON AVE	APT 102	CHARLOTTI	22902
OCCUPANT	520 BAINBRIDGE ST	APT 100	CHARLOTTI	22902
OCCUPANT	520 BAINBRIDGE ST	APT 101	CHARLOTTI	22902
OCCUPANT	520 BAINBRIDGE ST	APT 102	CHARLOTTI	22902
OCCUPANT	520 BAINBRIDGE ST	APT 103	CHARLOTTI	22902
OCCUPANT	1200 CARLTON AVE	STE A	CHARLOTTI	22902
OCCUPANT	1022 CARLTON AVE	UNIT B	CHARLOTTI	22902
OCCUPANT	307 CARLTON RD		CHARLOTTI	22902
OCCUPANT	1116 LEONARD ST		CHARLOTTI	22902
OCCUPANT	1113 LEONARD ST		CHARLOTTI	22902
OCCUPANT	308 CHESTNUT ST		CHARLOTTI	22902
OCCUPANT	1100 LEONARD ST		CHARLOTTI	22902
OCCUPANT	1102 LEONARD ST	# 1	CHARLOTTI	22902
OCCUPANT	300 CARLTON RD		CHARLOTTI	22902
OCCUPANT	310 CHESTNUT ST		CHARLOTTI	22902
OCCUPANT	1030 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 3	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 4	CHARLOTTI	22902
OCCUPANT	220 CARLTON RD	UNIT B	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 10	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 5	CHARLOTTI	22902
OCCUPANT	1106 MYRTLE ST		CHARLOTTI	22902
OCCUPANT	1201 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 7	CHARLOTTI	22902
OCCUPANT	1307 CARLTON AVE	STE B	CHARLOTTI	22902
OCCUPANT	1108 MYRTLE ST	APT B	CHARLOTTI	22902
OCCUPANT	1109 MYRTLE ST	APT A	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	STE 13	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 109	CHARLOTTI	22902
OCCUPANT	1022 CARLTON AVE	UNIT A	CHARLOTTI	22902
OCCUPANT	1026 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	1107 LEONARD ST		CHARLOTTI	22902
OCCUPANT	302 CARLTON RD	APT B	CHARLOTTI	22902
OCCUPANT	311 SPRUCE ST		CHARLOTTI	22902
OCCUPANT	1107 MYRTLE ST		CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 6	CHARLOTTI	22902
OCCUPANT	1001 BELMONT AVE		CHARLOTTI	22902
OCCUPANT	1012 BELMONT AVE		CHARLOTTI	22902
OCCUPANT	1114 MONTICELLO RD	UNIT A	CHARLOTTI	22902
OCCUPANT	1204 CARLTON AVE	# 4	CHARLOTTI	22902
OCCUPANT	1204 CARLTON AVE	# 5	CHARLOTTI	22902
OCCUPANT	302 CARLTON RD	APT A	CHARLOTTI	22902
OCCUPANT	304 CARLTON RD	APT B	CHARLOTTI	22902
OCCUPANT	304 CARLTON RD	APT A	CHARLOTTI	22902
OCCUPANT	1205 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	1301 CARLTON AVE	STE 3	CHARLOTTI	22902

Attachment C

OCCUPANT	1303 CARLTON AVE	UNIT 4	CHARLOTTI	22902
OCCUPANT	1203 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	1102 MONTICELLO RD		CHARLOTTI	22902
OCCUPANT	301 CARLTON RD		CHARLOTTI	22902
OCCUPANT	1112 MONTICELLO RD		CHARLOTTI	22902
OCCUPANT	309 CARLTON RD		CHARLOTTI	22902
OCCUPANT	1108 LEONARD ST		CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	STE 12	CHARLOTTI	22902
OCCUPANT	1114 LEONARD ST		CHARLOTTI	22902
OCCUPANT	1111 LEONARD ST		CHARLOTTI	22902
OCCUPANT	306 CHESTNUT ST	UNIT A	CHARLOTTI	22902
OCCUPANT	1108 MYRTLE ST	APT A	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 8	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 1	CHARLOTTI	22902
OCCUPANT	1210 CARLTON AVE	# 201	CHARLOTTI	22902
OCCUPANT	1210 CARLTON AVE	# 202	CHARLOTTI	22902
OCCUPANT	1210 CARLTON AVE	# 100	CHARLOTTI	22902
OCCUPANT	1210 CARLTON AVE	# 001	CHARLOTTI	22902
OCCUPANT	1210 CARLTON AVE	# 002	CHARLOTTI	22902
OCCUPANT	1114 MONTICELLO RD	UNIT B	CHARLOTTI	22902
OCCUPANT	1114 MONTICELLO RD	UNIT C	CHARLOTTI	22902
OCCUPANT	1114 MONTICELLO RD	UNIT D	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 106	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 107	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 100	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 101	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 102	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 103	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 104	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 105	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 108	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 110	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 111	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 204	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 205	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 208	CHARLOTTI	22902
OCCUPANT	1102 LEONARD ST	# 2	CHARLOTTI	22902
OCCUPANT	1102 LEONARD ST	# 3	CHARLOTTI	22902
OCCUPANT	1102 LEONARD ST	# 4	CHARLOTTI	22902
OCCUPANT	1102 LEONARD ST	# 5	CHARLOTTI	22902
OCCUPANT	1102 LEONARD ST	# 6	CHARLOTTI	22902
OCCUPANT	302 CHESTNUT ST		CHARLOTTI	22902
OCCUPANT	1116 MONTICELLO RD		CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	STE 16	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	STE 17	CHARLOTTI	22902
OCCUPANT	1032 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	304 SPRUCE ST		CHARLOTTI	22902

Attachment C

OCCUPANT	1204 CARLTON AVE	# 6	CHARLOTTI	22902
OCCUPANT	1204 CARLTON AVE	# 1	CHARLOTTI	22902
OCCUPANT	1106 LEONARD ST		CHARLOTTI	22902
OCCUPANT	1120 LEONARD ST		CHARLOTTI	22902
OCCUPANT	1212 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	1023 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	1027 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	224 CARLTON RD		CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 2	CHARLOTTI	22902
OCCUPANT	1204 CARLTON AVE	# 2	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	# 9	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 210	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 211	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 203	CHARLOTTI	22902
OCCUPANT	210 CARLTON RD		CHARLOTTI	22902
OCCUPANT	1210 CARLTON AVE	# 200	CHARLOTTI	22902
OCCUPANT	1307 CARLTON AVE	# 6	CHARLOTTI	22902
OCCUPANT	1305 CARLTON AVE	# 5	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 201	CHARLOTTI	22902
OCCUPANT	1000 MONTICELLO RD	# 202	CHARLOTTI	22902
OCCUPANT	221 CARLTON RD	STE 15	CHARLOTTI	22902
OCCUPANT	1105 MYRTLE ST		CHARLOTTI	22902
OCCUPANT	313 SPRUCE ST		CHARLOTTI	22902
OCCUPANT	507 BAINBRIDGE ST		CHARLOTTI	22902
OCCUPANT	1105 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	511 BAINBRIDGE ST		CHARLOTTI	22902
OCCUPANT	311 CARLTON RD		CHARLOTTI	22902
OCCUPANT	1109 MYRTLE ST	UNIT B	CHARLOTTI	22902
OCCUPANT	1018 CARLTON AVE		CHARLOTTI	22902
OCCUPANT	306 CARLTON RD	UNIT A	CHARLOTTI	22902

Attachment D

Alfele, Matthew

From: Charley <ckneer@embarqmail.com>
Sent: Tuesday, May 25, 2021 12:08 PM
To: Alfele, Matthew
Subject: renewed request of Shimp Engineering on Carlton Ave project

Follow Up Flag: FollowUp
Flag Status: Flagged

WARNING: This email has originated from **outside of the organization**. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Matt,

Just got back from vacation, but the proposal from Shimp Engineering appears to be the same as last time. Would you please contact me so we could discuss this proposal. My objection is that there is not enough parking for this size planned unit, and plenty of my neighbors feel the same way. So please let me know if I'm missing anything.

With appreciation,

Charley Neer

Sent from [Mail](#) for Windows 10

CARLTON AVENUE CANNOT HANDLE MORE TRAFFIC.. THE AREA YOU ARE PLANNING TO BUILD IN IS ALREADY A PLACE WAITING FOR AN ACCIDENT HAPPEN. IT'S TOO NARROW AND PEOPLE PARK ON THE STREET IN PART OF THAT LOCATION. THIS INCLUDES DELIVERY (FOOD) DRIVERS.

IT'S MUCH TOO DANGEROUS TO ADD MORE APARTMENTS TO THAT SECTION. IT IS ALREADY DANGEROUS TO DRIVE THROUGH THAT SECTION AND ADDING MORE TRAFFIC WILL BE ASKING FOR ACCIDENTS AND WILL ALSO, BE UNFAIR TO THE PEOPLE WHO CURRENTLY RESIDE ON THIS STREET. YOU WOULD BE INSTALLING A DEATH TRAP.

APRIL 20, 2021

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC HEARING
APPLICATION FOR A SPECIAL USE PERMIT
APPLICATION NUMBER: SP21-00004
DATE OF HEARING: July 13, 2021

Project Planner: Matt Alfele, AICP

Date of Staff Report: June 28, 2021

Applicant: Landowner Hulett Management Services Inc.

Applicant's Representative(s): Justin Shimp, Shimp Engineering, P.C.

Current Property Owner: Landowner Hulett Management Services Inc.

Application Information

Property Street Address: 1206 Carlton Avenue

Tax Map & Parcel/Tax Status: 570127000 (real estate taxes paid current - Sec. 34-10)

Total Square Footage/ Acreage Site: 0.23 acres (11,325 square feet)

Comprehensive Plan (General Land Use Plan): Low Density Residential

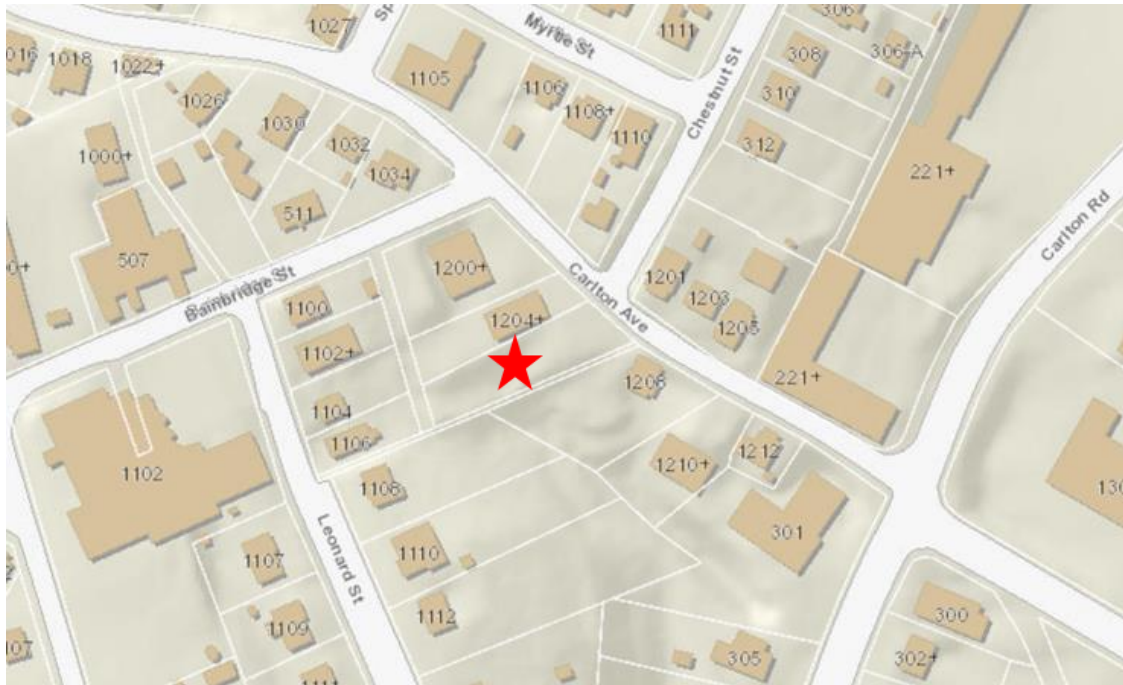
Current Zoning Classification: R-2 (applicant is pursuing a rezoning to R-3 under application ZM21-00001)

Overlay District: None

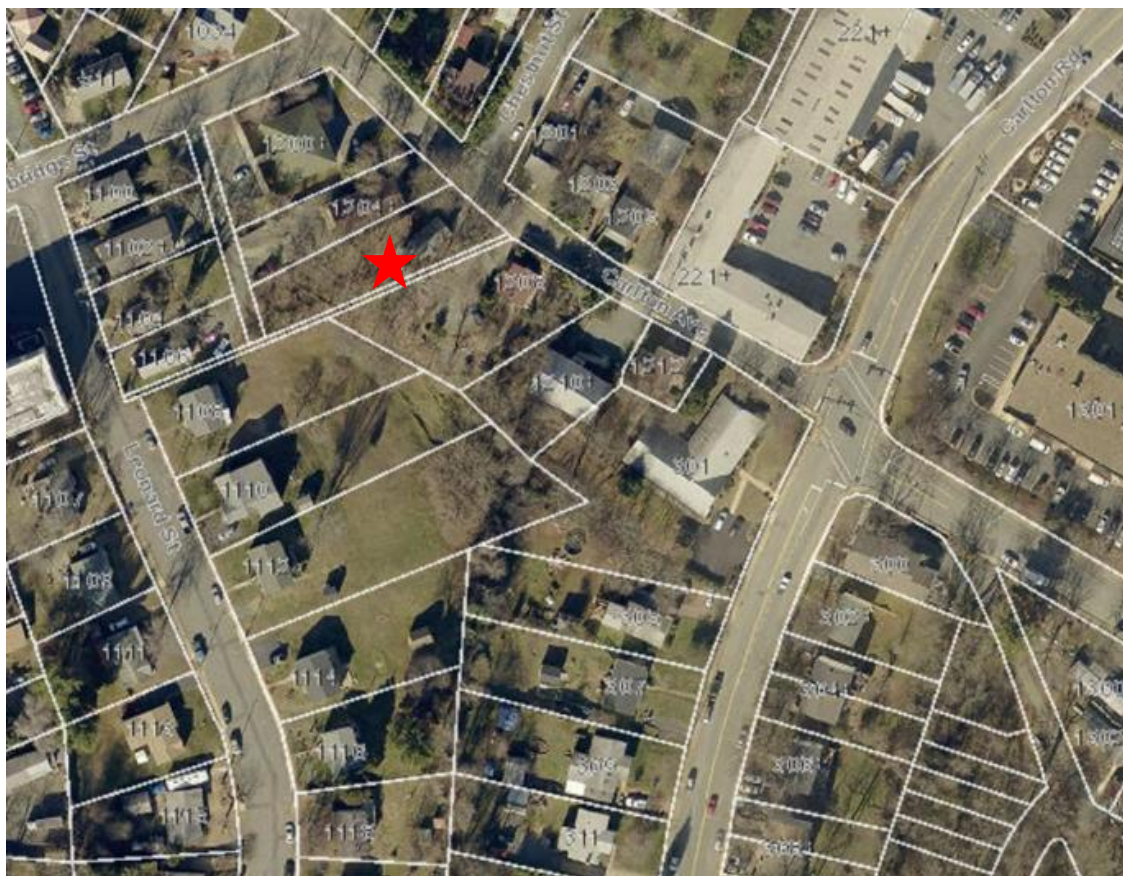
Applicant's Request (Summary)

Justin Shimp (Shimp Engineering, P.C.), representing the owner, Management Services Inc., has submitted a special use permit application for 1206 Carlton Avenue ("Subject Property") to increase the residential density from 21 Dwelling Units per Acre (DUA) to 31 DUA, and for a reduction of one side setback from 13 feet to 8 feet. The special use permit application is being requested (in conjunction with rezoning application ZM21-00001) to accommodate a proposed eight (8) unit apartment building on the Subject Property.

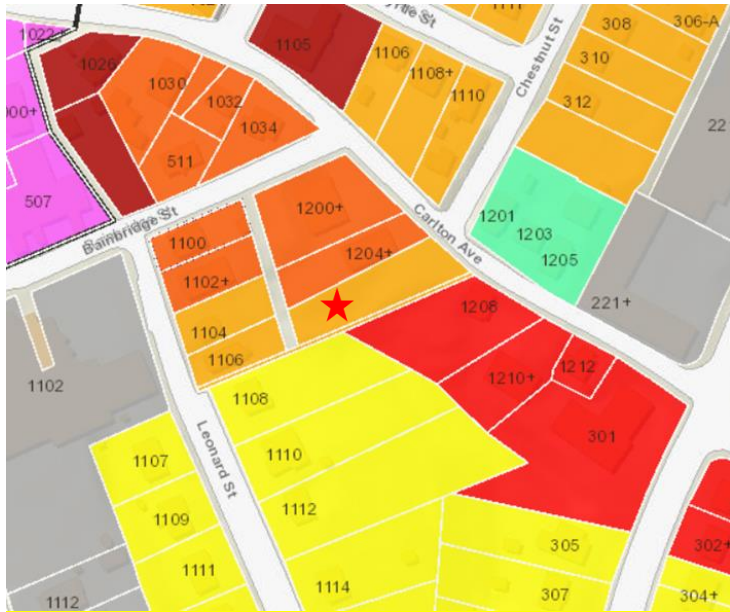
Vicinity Map



Context Map 1

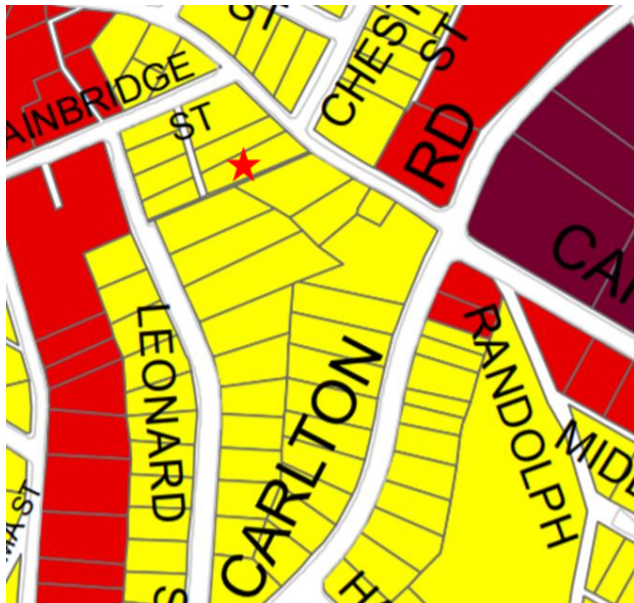


Context Map 2- Zoning Classifications



Gray: Industrial, **Light Orange:** (R-2) Residential Two-family, **Yellow:** (R-1S) Residential Single-Family, **Purple:** (NCC) Neighborhood Commercial Corridor **Red:** (B-2) Commercial, **Green:** Planned Unit Development, **Dark Orange:** (R-3) Residential Multi-family & **Dark Red:** (B-3) Commercial

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



Yellow: Low Density Residential, **Red:** Neighborhood Commercial, & **Dark Red:** Business and Technology

Standard of Review

City Council may grant an applicant a special permit or special use permit, giving consideration to a number of factors set forth within Zoning Ordinance Sec. 34-157. If Council finds that a proposed use or development will have potentially adverse impacts, and if Council identifies development conditions that could satisfactorily mitigate such impacts, then Council may set forth reasonable conditions within its SUP approval. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to (i) whether or not Council should approve a proposed SUP and if so, (ii) whether there are any reasonable development conditions that could mitigate potentially adverse impacts of the propose use or development.

Section 34-157 of the City’s Zoning Ordinance lists a number of factors that Council will consider in making a decision on a proposed SUP. Following below is staff’s analysis of those factors, based on the information provided by the applicant.

For the applicants analysis of their application per City Code Sec. 34-157, see **Attachment A (of ZM21-00001)**.

(1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood.

The properties immediately surrounding the subject property are described as:

Direction	Use	Zoning
North	Multifamily Residential	R-3
South	Cutting Edge Salon (Small Business)	B-2
South (abutting)	Vacant spike strip about 5’ wide	R-2
East	Cluster of single family homes	PUD
West (abutting)	Alley leading to Bainbridge Street	Not Zoned
West	Residential	R-2

The uses surrounding the Subject Property are mostly a mix of single family, two-family, multifamily, and small business. In addition, commercial, retail, and industrial uses are in close proximity to the Subject Property. Most of the surrounding buildings are one (1) or two (2) story in height and the buildings adjacent to the subject property have footprints covering ¼ to ½ of the available lot area. Directly across the street from the Subject Property is the Eddins Cottages PUD. This is an approved PUD not currently under construction. When completed, Eddins Cottages will contain a mix of ten (10) attached and detached dwellings. The Cutting Edge Salon, a new small business, is adjacent to the subject property to the south and to the north at 1204 Carlton Avenue is a six (6) unit apartment building. The Virginia Industries for the Blind, Clark Elementary, and Kathy's Shopping Center are also in close proximity to the Subject Property. The site plan (**Attachment F**) and

application materials (**Attachment A ZM21-00001**) proposes a four (4) story apartment building with a mix of 1 (one) and 2 (two) bedroom units, and eight (8) parking spaces. The footprint of the building will cover less than a ¼ of the site with parking located behind the building. The proposed use is harmonious with the existing patterns of uses within the neighborhood.

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

Below are specific areas of the Comprehensive Plan for which the request is in compliance:

a. Land Use

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

b. Housing

3.6: Promote housing options to accommodate both renters and owners at all price points, including workforce housing.

8.3: Encourage housing development where increased density is desirable and strive to coordinate those areas with stronger access to employment opportunities, transit routes and commercial services.

8.5: Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity.

c. Transportation

1.2: Provide convenient and safe pedestrian connections within ¼ miles of all commercial and employment centers, transit routes, schools and parks.

2.3: Improve walking and biking conditions by discouraging and/or minimizing curb cuts for driveways, garages, etc. in new development and redevelopment.

2.6: Promote urban design techniques such as placing parking behind buildings, reducing setbacks and increasing network connectivity, to create a more pedestrian friendly streetscape and to reduce speeds on high volume roadways.

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

a. Land Use

2.1: When considering changes to land use regulations, respect nearby residential areas.

b. Housing

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

Comprehensive Plan- Staff Analysis:

The 2013 Comprehensive Plan Future Land Use Map indicates the Subject Property remain low-density residential. The land use section of the comprehensive plan indicates all single or two-family type housing and a density less than fifteen (15) DUA is Low Density. High Density are locations with a DUA over fifteen (15) or locations with multifamily housing types (townhouses, apartment, condominiums). The requested use of the SUP would be for a multifamily apartment, which would be considered high density per the Comprehensive Plan. As noted in 2(a) through 2(c) above, many of the City's Comprehensive Plan goals could be achieved through a residential development of this type on the Subject Property. The location could promote more pedestrian and cycling trips to Downtown Belmont, the Mall (the subject property is in close proximity to the mixed use trail on Water Street), and to Kathy's Shopping Center. Several goals in the Comprehensive Plan speak to a desire to have density, as appropriate, in locations that will foster alternative transportation options to employment, entertainment, and education centers. The proposed development is consistent with existing development patterns along Carlton Avenue, although these patterns are not consistent with the existing Comprehensive Future Land Use Map. A small eight (8) unit apartment building could provide additional housing options within Belmont without displacing existing residential units or creating a major impact on the neighborhood or supporting infrastructure.

Streets that Work Plan

The Streets that Work Plan labels Carlton Avenue as "Local". Local streets are found throughout the city, and provide immediate access to all types of land uses. Although local streets form the majority of the street network, there is no specific typology associated with them. This is due in part to the many variations in context and right-of-way width, as well as the community's expressed desire to replicate as nearly as possible the feel of older local streets that do not meet current engineering and fire code standards. The majority of Carlton Avenue surrounding the Subject Property has existing sidewalk on one or both sides of the street and allows on street parking. The street frontage opposite the Subject Property does not have sidewalks. Vehicular congestion is a problem around the Kathy's Shopping Center and the intersection with Carlton Road. This is due to delivery trucks illegally parking on the street, making two-way traffic on the street difficult at times. Street parking is not permitted for around one hundred and fifty (150) feet along Carlton Avenue from the intersection of Carlton Road.

Bike Ped Master Plan

The City's 2015 Bike Ped Master Plan calls for Carlton Avenue to be a "Shared Roadway". Shared Roadways are bicycle facilities that designate a vehicular travel lane as a shared space for people to drive and bicycle. This designation is demonstrated to all users through on-road pavement markings, known as "sharrows" or street signage indicating that people bicycling may use the full lane. These facilities do not provide any separation between people driving and bicycling and are best used on neighborhood streets or streets with a low level of bicyclist traffic stress. No sharrows are currently painted on Carlton Avenue near the Subject Property.

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

Based on the information contained within the application, the proposed development would likely comply with applicable building code regulations. However, final determinations cannot be made prior to having the details required for final site plan and building permit approvals.

(4) Potential adverse impacts, including, but not necessarily limited to:

a) Traffic or parking congestion

Traffic and Other Modes of Transportation

The City Traffic Engineer has reviewed the development plan and finds an eight (8) unit apartment building will not adversely affect traffic on Carlton Avenue or the surrounding street network. Due to the location of parking (behind the building) and one-way traffic flow; the development will create additional traffic for the nonpublic alley as vehicles circle through the development looking for parking or making deliveries. The availability of mass transit, biking, and walking options could negate any rise in vehicular traffic.

Parking

The site plan calls for an apartment building with eight (8) one (1) and two (2) bedroom units and a total of eight (8) parking spots. This meets the requirements per Sec. 34-984 of the City Zoning Code. Parking congestion may occur if residents have more than one (1) vehicle or have guests that visit by car. On street parking is currently allowed on Carlton Avenue and Chestnut Street. This could become a bigger concern when the Eddins Cottages PUD is completed.

Vehicular Access

One (1) point of vehicular access off a City maintained street is required for the proposed development per Sec. 34-896(a). Current vehicular ingress and egress to the subject property includes one (1) access point on Carlton Avenue and one (1) access point off of Bainbridge Street by way of an unaccepted alley. The site plan shows the access point off of Carlton Avenue will be one-way. Per Sec. 34-975(e)(1), the one-way driveway will be required to install and maintain control devices, such as signs, pavement markings, etc., as may be reasonably necessary to provide direction and control of vehicular movements. The vehicular ingress /egress and circulation pattern, as shown on the site plan; will lower chances of conflict with pedestrians on Carlton Avenue. By having a one-way vehicular circulation pattern and utilizing the alley, the curb cut on Carlton Avenue can be kept to a minimum width and be consistent with other curb cuts along Carlton Avenue. Staff is concerned that any conflict that could arise regarding the alley is a civil matter which the City would have no or limited standing. Staff also recommends the one-way circulation pattern should flow traffic off Carlton Avenue into the development. A sign should be placed in the parking lot directing traffic to use the alley to access Bainbridge Street and markings on the pavement should also indicate direction of use.

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

The proposed development should result in only a moderate increase in noise, as the development only proposes eight (8) units. The site plan shows street trees and landscaping per Sec. 34-867. The site plan also shows vegetation screening of the parking lot to the north, but no screening to the south. This section of the parking lot is heavily screened already due to the seven (7) foot wide spike strip and the plantings from the new business. No lighting plan was provided but will be required during final site plan review. An eight (8) unit apartment building at this location will have minimal impact and can be mitigated through existing site plan regulations.

c) Displacement of existing residents or businesses

The site is currently vacant and would not displace any residents or businesses.

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

The proposed development would be completely residential with no known employment. It is possible that Home Occupations could be granted through Provisional Use Permits in the future as they are permitted in the R-3 zoned districts.

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

The City's Comprehensive Plan identifies community facilities as fire protection, police enforcement, and emergency response services; public utilities and infrastructure; and public parks and recreation opportunities. These departments have reviewed the application and find the proposed development would be adequately served by community facilities. During the final site plan review additional information will be provided as to utility layout. It should be noted that streets are part of the community facilities as infrastructure. See the City's Traffic Engineer's comments in section 4(a).

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

The subject property is currently vacant. No affordable housing units will be lost per this development.

g) Impact on school population and facilities

Because housing is open to all, there is a possibility that families with children could take residence here. Therefore, some impact could be created on school population and facilities.

h) Destruction of or encroachment upon conservation or historic districts

The Subject Property are not within any design control district.

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

Based on the information contained within the application, the proposed development would likely comply with applicable federal and state laws. As to local ordinances (zoning, water protection, etc.), it generally appears that this project, as detailed in the application, can be accommodated on this site in compliance with applicable local ordinances; however, final determinations cannot be made prior to having the details required for final site plan and building permit approvals. Specific zoning requirements reviewed preliminarily at this stage include massing and scale (building height, setbacks, stepbacks, etc.) and general planned uses.

j) Massing and scale of project

The application materials depict a new building four (4) stories above grade, as viewed from Carlton Avenue and the site plan indicates the height of the building will be forty (40) feet. The maximum height for districts zoned R-3 is forty-five (45') feet. The massing information in the application indicates the building will be larger than the surrounding

structures, but will be located at a lower grade. The Subject Property's frontage is on Carlton Avenue and Sec. 34-353 calls for twenty-five (25') feet minimum front yard, twenty-five (25') minimum rear yard, and one (1') foot for every three (3') feet in height with a ten (10') feet minimum side yards for developments containing twenty-two (22) to forty-three (43) DUA. In addition Sec.34-353(B)(4) requires residential developments within the R-3 zoning districts that have a density of twenty-two (22) DUA to forty-three (43) DUA have a minimum distance of fifty (50) feet between the façade of the building and the boundary of any low-density residential district. To accommodate the building location, driveway, and parking the applicant is requesting altering the southeast side yard to eight (8) feet per Sec. 34-162. No architectural drawings were submitted, but a simple elevation drawing can be found in the application materials. The massing and footprint are consistent with R-3 requirements and the adjustment to the side yard is appropriate as the R-2 spike strip cannot be developed as platted.

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

Should the Subject Properties be rezoned to R-3 per application ZM21-00001, a multifamily residential development could be harmonious with the purposes of the specific zoning district.

Multifamily. The purpose of the multifamily residential zoning district is to provide areas for medium- to high-density residential development. The basic permitted use is medium-density residential development; however, higher density residential development may be permitted where harmonious with surrounding areas. Certain additional uses may be permitted, in cases where the character of the district will not be altered by levels of traffic, parking, lighting, noise, or other impacts associated with such uses. There are three (3) categories of multifamily residential zoning districts:

R-3, consisting of medium-density residential areas in which medium-density residential developments, including multifamily uses, are encouraged;

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

Based on the information contained within the application, the proposed development would likely comply with applicable local ordinances. However, final determinations cannot be made prior to having the details required for final site plan and building permit approvals.

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

The subject property is not within any design control district.

Public Comments Received

Community Meeting Required by Z.O. Sec. 34-41(c)(2) and the Community Engagement meeting Requirements during the COVID -19 Emergency approved by City Council on July 20, 2020

- On April 27, 2021 the applicant held a community meeting on Zoom from 6:00pm to 7pm. Only one member of the public attended the meeting and voiced the following concern. The project should try to use less impervious surface such as parking. One idea would be to move the parking under the building so more green space could be incorporated.

The meeting was recorded and is available to the public through the developer. (**Attachment C & D of ZM21-00001**)

Other Comments

- Carlton Avenue cannot handle more traffic.
- Not enough parking on site and overflow parking will impact the neighborhood, especially the homes on Chestnut Street. Residents on Chestnut are concerned that people living in the development or visiting will park on their street. Residents would like to see the applicant work with the shopping center for shared parking.

Staff has attached all comments received prior to the date of this staff report. Any comments received after the date of this report have been forwarded on to Planning Commission and City Council.

Staff Recommendation

Staff finds the proposed special use permit could contribute to the City's Comprehensive Plan goals and provide the missing middle housing type needed in the City and called out in the Affordable Housing Plan. It should be noted that the proposal, as presented, is right on the border of what is considered "missing middle". The unit count and DUA falls within the range of missing middle housing (under 12 units and a 10 – 50 DUA), but the proposed floors count is over the idealized 2.5 stories (but is within the 40 feet idealized height). The proposed development also lacks the idealized front shared entry from the street as found in most missing middle types. Staff also finds that the proposed development could add to the City housing stock without displacement of existing units due to the Subject Property being a vacant lot. Staff is aware that the proposed building type (apartment) and DUA (over 15) would not be

consistent with the City current Future Land Use Map, but finds the other Comprehensive Plan goals could be achieved through this SUP. Based on the Standard of Review, staff finds the size and scale of the proposed development would not have a major impact on the surrounding neighborhood, but could have an impact as it relates to parking. Staff recommends approval with the following conditions:

Recommended Conditions

Should the Special Use permit be approved, Staff recommends the following conditions:

1. Up to 31 dwelling units per acre (DUA) are permitted on the subject property.
2. The design, height, and other characteristics of the development shall remain essentially the same, in all material aspects, as described within the application materials received dated March 12, 2021. Except as the design details of the development may subsequently be modified to comply with staff comments, or by any other provision(s) of these SUP Conditions, any change of the development that is inconsistent with the application shall require a modification of this SUP. Key elements of this design are:
 - a. One (1) apartment building containing eight (8) one and two-bedroom units.
 - b. Southeast side yard setback of eight (8') feet.
 - c. One-way vehicular traffic pattern with control devices as approved by the City's Traffic Engineer.
 - d. Vegetation used to screen parking to the northwest.
 - e. Parking lot shall be located behind the building and not visible from Carlton Avenue.
 - f. Pedestrian circulation pattern shall be independent from the vehicular traffic pattern.

Suggested Motions

1. I move to recommend approval of this application for a Special Use Permit in the R-2 (application ZM21-00001 under review to rezone from R-2 to R-3) zone at 1206 Carlton Avenue to permit residential development with additional density and adjustment to the southeast side yard requirement with the following conditions.
 - a. Conditions recommended by staff
 - b. [alternative conditions, or additional condition(s)....list here]

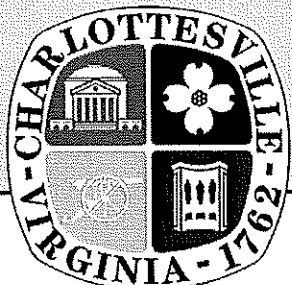
OR,

2. I move to recommend denial of this application for a Special Use Permit in the R-2 zone at 1206 Carlton Avenue.

Attachments

- E. Special Use Permit Application

- F. Site Plan Dated March 12, 2021
- G. ADU Worksheet
- H. Alleyway Rights of Access



City of Charlottesville

Application for Special Use Permit

Project Name: 1206 Carlton

Address of Property: 1206 Carlton Ave. Charlottesville, Va 22902

Tax Map and Parcel Number(s): 570127000

Current Zoning District Classification: R-2

Comprehensive Plan Land Use Designation: R-3

Is this an amendment to an existing SUP? no

If "yes", provide the SUP #: _____

Applicant: Kelsey Schlein, Shimp Engineering P.C.

Address: 912 E. High St. Charlottesville, VA 22902

Phone: (434) 227-5140

Email: kelsey@shimp-engineering.com

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

Owner

Owner's Agent

Designer

Contract Purchaser

Owner of Record: Hulett Management Services Inc

Address: 1808 N Quantico Street Arlington, VA 22205

Phone: _____ Email: chulett@kiwestcorporation.com

Reason for Special Use Permit:

Additional height: _____ feet

Additional residential density: 3 units, or 31 units per acre

Authorize specific land use (identify) _____

Other purpose(s) (specify City Code section): _____

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

(1) Signature _____ Print Kelsey Schlein Date _____

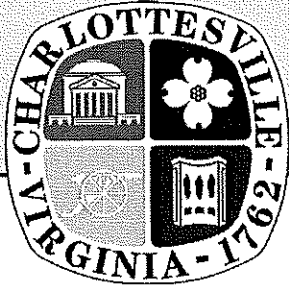
Applicant's (Circle One): LLC Member LLC Manager Corporate Officer (specify) _____

Other (specify): _____

(2) Signature [Signature] Print Chris Hulett Date 1/18/21

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

Other (specify): _____



City of Charlottesville

Pre-Application Meeting Verification

Project Name: _____

Pre-Application Meeting Date: _____

Applicant's Representative: _____

Planner: _____

Other City Officials in Attendance:

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

1. _____

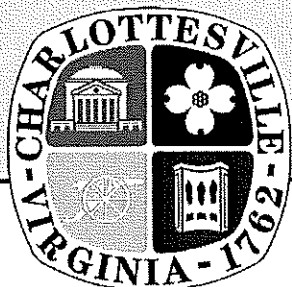
2. _____

3. _____

4. _____

5. _____

Planner Signature: _____



City of Charlottesville

Application Checklist

Project Name: 1206 Carlton

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

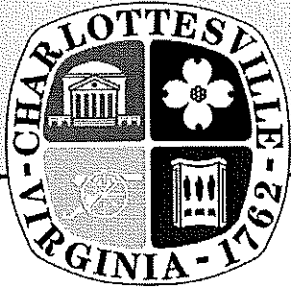
- 34-158(a)(1): a site plan (ref. City Code 34-802(generally); 34-1083(communications facilities))
- 34-158(a)(3): Low-impact development (LID) methods worksheet (required for developments that include non-residential uses, and developments proposing 3 or more SFDs or TFDs)
- 34-158(a)(4): a building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

Applicant

Signature _____ Print _____ Date _____

By Its: _____

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



City of Charlottesville

Community Meeting

Project Name: _____

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

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

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

Applicant: _____

By:

Signature _____ Print _____ Date _____

Its: _____ (Officer, Member, Trustee, etc.)



City of Charlottesville

Owner's Authorizations

(Not Required)

Right of Entry- Property Owner Permission

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

Owner: Hulett Management Services Inc Date 1/18/21

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

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

Other (specific): _____

Owner's Agent

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

Name of Individual Agent: Kelsey Schlein or Justin Shimp

Name of Corporate or other legal entity authorized to serve as agent: Shimp Engineering, P.C.

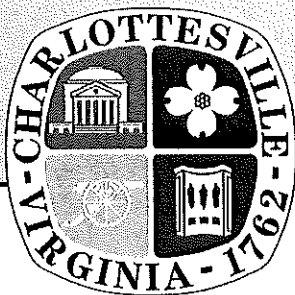
Owner: Hulett Mgmt Services, Inc Date: 1/18/21

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

Circle one:

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

Other (specific): _____



City of Charlottesville

Disclosure of Equitable Ownership

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

Name S. C. Hulett Address 1808 N. Quantico St, Arlington, VA 22205

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Attach additional sheets as needed.

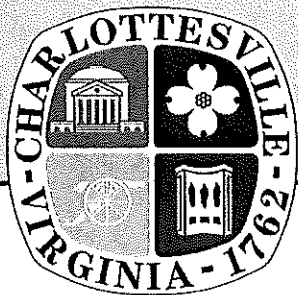
Note: The requirement of listing names of stockholders does not apply to a corporation whose stock is traded on a national or local stock exchange and which corporation has more than five hundred (500) shareholders.

Applicant: Hulett Mgmt Services, Inc

By:

Signature [Signature] Print S. C. Hulett Date 1/18/21

Its: President (Officer, Member, Trustee, etc.)



City of Charlottesville

Disclosure of Equitable Ownership

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

Name S.C. Hulett Address 1808 N Quindico St, Arlington, VA 22205

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Attach additional sheets as needed.

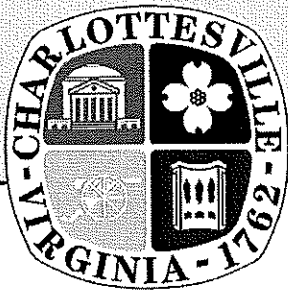
Note: The requirement of listing names of stockholders does not apply to a corporation whose stock is traded on a national or local stock exchange and which corporation has more than five hundred (500) shareholders.

Applicant: _____

By:

Signature _____ Print _____ Date _____

Its: _____ (Officer, Member, Trustee, etc.)



City of Charlottesville

Fee Schedule

Project Name: _____

Application Type	Quantity	Fee	Subtotal
Special Use Permit (Residential)		\$ 1,500	
Special Use Permit (Mixed Use/Non-Residential)		\$ 1,800	
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
TOTAL			

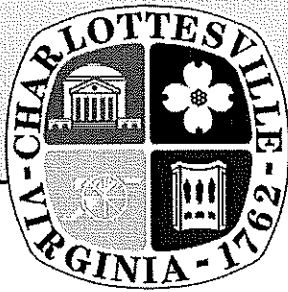
Office Use Only

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____



City of Charlottesville

LID Checklist

Project Name: _____

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

Applicant's Signature

Signature _____ Print _____ Date _____



SHIMP
ENGINEERING & ARCHITECTURE
LAND PLANNING - PROJECT MANAGEMENT

912 E. HIGH ST. CHARLOTTEVILLE VA 22902 434.227.5140
JUSTIN@SHIMP-ENGINEERING.COM



PRELIMINARY SITE PLAN
CITY OF CHARLOTTEVILLE, VA
1206 CARLTON AVENUE

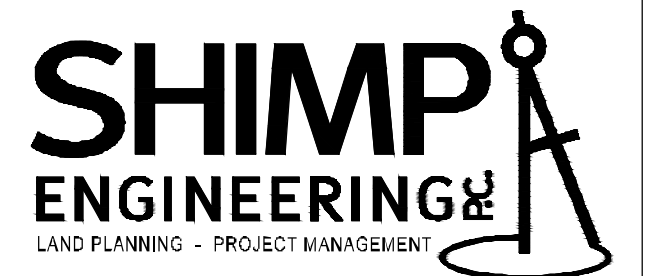
SUBMISSION:
2021.03.12
REVISION:
2021.05.24

FILE NO. 17.039

EXISTING CONDITIONS

SHEET C2 OF 4

C2



912 E. HIGH ST. CHARLOTTEVILLE VA 22902 434.227.5140 JUSTIN@SHIMP-ENGINEERING.COM



PRELIMINARY SITE PLAN
CITY OF CHARLOTTEVILLE, VA
1206 CARLTON AVENUE

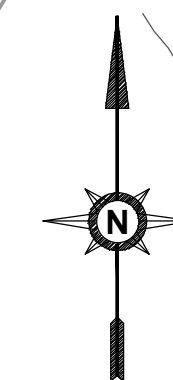
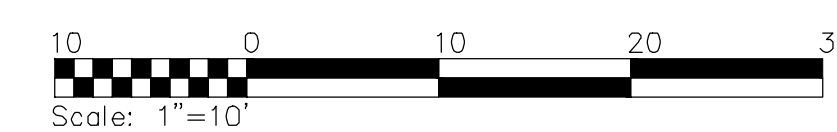
SUBMISSION:
2021.03.12
REVISION:
2021.05.24

FILE NO. 17.039

SITE PLAN

SHEET C3 OF 4

C3



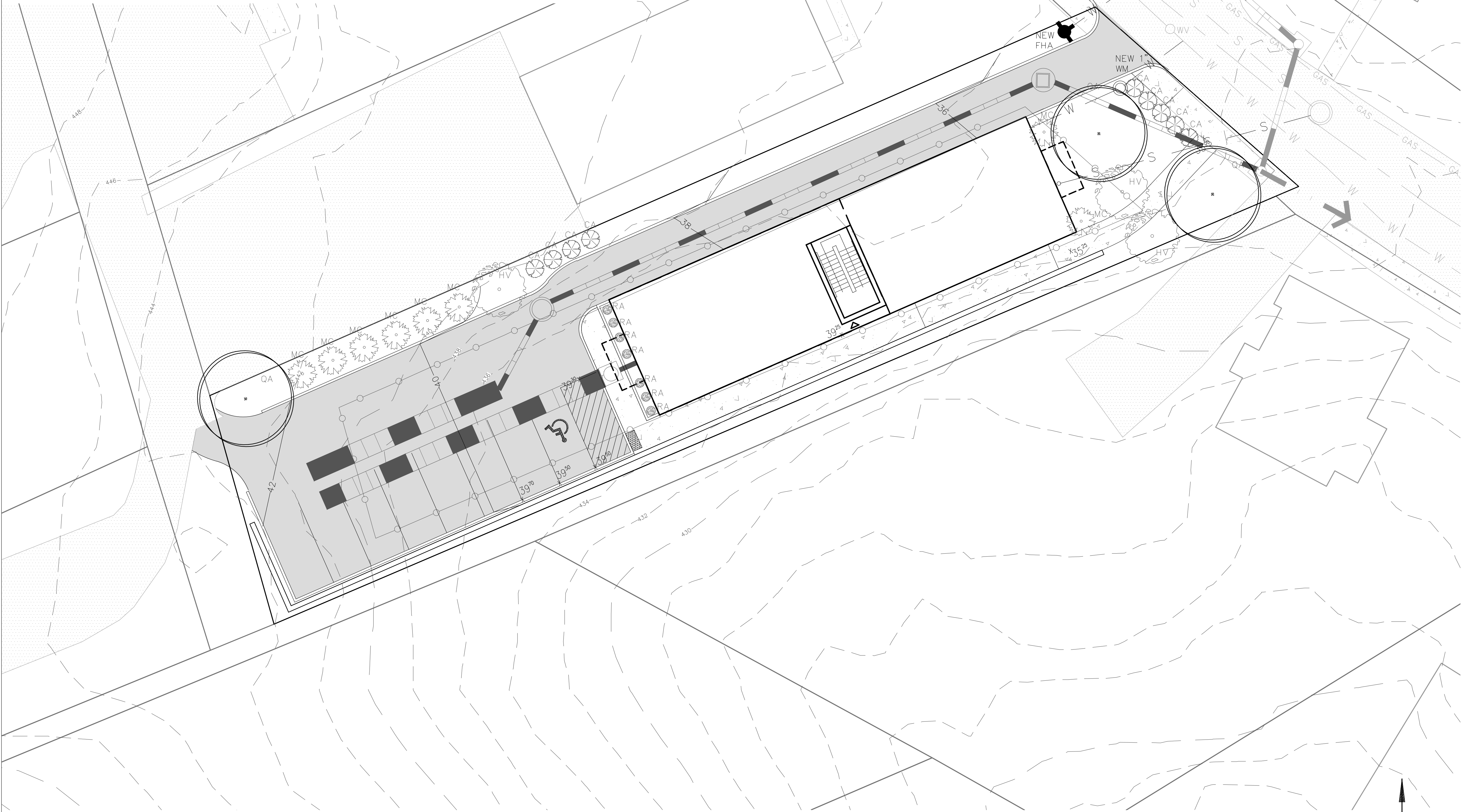
PROPOSED LANDSCAPE SCHEDULE

Plant Symbol	Key	Planting Type	Botanical Name	Common Name	Min. Cal./Height	Quantity	Canopy SF (in 10 Yrs)	Total Canopy SF
	QA	Large Deciduous Tree	Quercus alba	White Oak	2" Cal.	3	243	729
	HV	Ornamental Tree	Hamamelis virginiana	Common Witch Hazel	6'	3	113	339
	MC	Broadleaf Evergreen	Myrica cerifera	Southern Waxmyrtle	6'	8	44	352
	CA	Deciduous Shrub	Cephalanthus occidentalis	Buttonbush	2'	9	9	81
	RA	Deciduous Shrub	Rhus aromatica 'low-gro'	Flameleaf Sumac 'low-gro'	2'	7	0	0
							TOTAL SF:	1501

SITE REQUIREMENT (SEC. 34-869): R-3, 10% CANOPY REQUIRED.
 SITE AREA 11,326 SF x 10% = 1,133 SF
 CANOPY REQUIRED: 1,133 SF
 CANOPY PROVIDED: 1,501 SF

STREET TREES (SEC. 34-870): 1 LARGE SHADE TREE, 40' O.C.
 56 LINEAR FEET / 40 = 2 TREES REQUIRED
 2 TREES PROVIDED

- NOTES:
- Contractor to apply mulch bedding around all proposed trees and shrubs. All other landscaped areas shall be sodded.
 - All site plantings of trees and shrubs shall be allowed to reach, and be maintained at, mature height; the topping of trees is prohibited. Shrubs and trees shall be pruned minimally and only to support the overall health of the plant.
 - All landscaping and screening shall be maintained in a healthy condition by the current owner or property owners' association and replaced when necessary. Replacement material shall comply with the approved landscape plan.



SHIMP ENGINEERING
 LAND PLANNING - PROJECT MANAGEMENT

912 E. HIGH ST. CHARLOTTEVILLE VA, 22902 434.227.5140 JUSTIN@SHIMP-ENGINEERING.COM



PRELIMINARY SITE PLAN
 CITY OF CHARLOTTEVILLE, VA
1206 CARLTON AVENUE

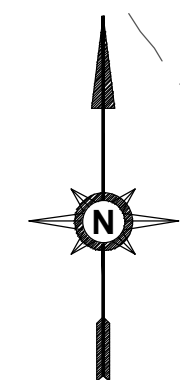
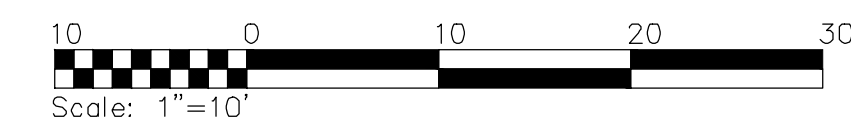
SUBMISSION:
 2021.03.12
 REVISION:
 2021.05.24

FILE NO. 17.039

LANDSCAPE PLAN

SHEET C4 OF 4

C4



Attachment G

Affordable Dwelling Unit Ordinance Worksheet

Step 1: Total Floor Area Ratio (FAR) of Site

- A. Total size of development site: 0.26 acres
- B. Total square footage of site: $\frac{0.26}{(\# \text{ of acres})} \times 43,560.00 = \underline{11,325.60}$ square feet (sf)
- C. 1.0 Floor Area Ratio (FAR): $\frac{11,325.60}{(\text{total sf of site})}$
- D. Gross Floor Area (GFA) of **ALL** buildings/uses: 8,554.00 sf
- E. Total site FAR: $\frac{8,554.00}{(\text{total GFA of site})} \div \frac{11,325.60}{(1.0 \text{ FAR})} = \underline{0.76}$
- F. Is E greater than or equal to 1.0 FAR? NO: Your proposed development does not trigger the ADU ordinance.
YES: Proceed to Step 2 or Step 3.

Step 2: Number of ADUs Required

- G. GFA in excess of 1.0 FAR: $\frac{\quad}{(D: \text{total site GFA})} - \frac{\quad}{(B: \text{total SF of site})} = \underline{0.00}$
- H. Total GFA of ADUs required: $\frac{0.00}{(G: \text{GFA in excess of 1.0 FAR})} \times 0.05 = \underline{0.00}$
- I. Equivalent density based on Units Per Acre:
- i. Dwelling Units per Acre (DUA) approved by SUP:
 - ii. SF needed for ADUs: $\frac{0.00}{(H: \text{Total GFA of ADUs})} \div \frac{43,560.00}{\quad} = \underline{0.0000000}$ acres
 - iii. Total number of ADUs required: $\frac{0.0000000}{(ii: \text{ADU acreage})} \times 0.00 = \underline{0.00}$

Attachment G

Step 3: Cash-in-Lieu Payment

J. Cash-in-Lieu Amount Residential: _____ x _____ \$2.370 = \$0.00

K. Cash-in-Lieu Amount Mixed-Use:

Total GFA of development site:					
GFA Occupied Commercial Space:					
GFA Occupied Residential Space:					
Total GFA Occupied Space:	0.00		% Residential:	#DIV/0!	
Proportionate amount of non-occupied space GFA for residential use:					
GFA Non-Occupied Space*:	0.00			#DIV/0!	
Amount of Payment:	#DIV/0!	x	\$2.370	=	#DIV/0!

**GFA of non-occupied space shall include: (i) basements, elevator shafts and stairwells at each story, (ii) spaces used or occupied for mechanical equipment and having a structural head room of six (6) feet six (6) inches or more, (iii) penthouses, (iv) attic space, whether or not a floor has been laid, having a structural head room of six (6) feet six (6) inches or more, (v) interior balconies, and (vi) mezzanines. GFA shall not include outside balconies that do not exceed a projection of six (6) feet beyond the exterior walls of the building; parking structures below or above grade; or and roof top mechanical structures.*

Step 4: Minimum Term of Affordability

L. Residential Project

i. Households earning up to 80% AMI:

Unit Type	Eff.	1BR	2BR	3BR	4BR	5BR	6BR
Number of Units							
Market Rent							
HUD Fair Market Rents	\$752.00	\$1,027.00	\$1,179.00	\$1,478.00	\$1,772.00	\$2,037.00	\$2,303.00
HUD Utility Allowance							

Attachment G

Difference per Month	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Annual Cost of ADU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Total Annual Cost of ADUs: 0.00 (Sum of Annual Cost of ADU)

Minimum Term of Affordability*: #DIV/0! (Cash-in-lieu payment / Total annual cost of ADUs)

***If answer is less than 5, then minimum term of affordability will be 5 years.**

M. Mixed-Use Project

i. Households earning up to 80% AMI:

Unit Type	Eff.	1BR	2BR	3BR	4BR	5BR	6BR
Number of Units							
Market Rent							
HUD Fair Market Rents	\$752.00	\$1,027.00	\$1,179.00	\$1,478.00	\$1,772.00	\$2,037.00	\$2,303.00
HUD Utility Allowance							
Difference per Month	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Annual Cost of ADU	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Total Annual Cost of ADUs: 0.00 (Sum of Annual Cost of ADU)

Minimum Term of Affordability: #DIV/0! (Cash-in-lieu payment / Total annual cost of ADUs)

***If answer is less than 5, then minimum term of affordability will be 5 years.**

THE LAW OFFICE OF NICOLE M. SCRO, PLLC

June 29, 2021

Matthew Alfele; via email, alfelem@charlottesville.gov
City Planner
City of Charlottesville
Department of Neighborhood Development Services
610 East Market Street
Charlottesville, VA 22902

RE: 1206 Carlton Avenue – Rights to Access Alleyway for Proposed Use

Dear Matt:

Upon review of the captioned property's zoning history and the City of Charlottesville land records, I have determined that the property has the legal right to utilize the alleyway depicted in the preliminary site plan, for the proposed density, in perpetuity.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



Nicole M. Scro, Esq. (VSB #70239)
The Law Office of Nicole M. Scro, PLLC
912 East High Street
Charlottesville, VA 22902



**City of Charlottesville
Department of Neighborhood Development Services
Staff Report**

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

DATE OF HEARING: July 13, 2021

Project Manager: Tony Edwards

<p>Action Required: <u>CP21 - 00001 – 13th Street NE Right Of Way</u> - Pursuant to Virginia Code Section 15.2-2232, the Planning Commission will review the proposed street right of way closure, to determine if the general character, approximate location and extent of the proposed improvements are substantially in accord with the City’s adopted Comprehensive Plan or part thereof.</p>
--

Background:

The owner of a lot located at 1140 East High Street (1140 E High St, LLC [Roy Van Doorn, Manager]) (“Applicant”), along with letters of support from the adjacent property owners, have submitted an application requesting to vacate a portion of the undeveloped right-of-way for 13th Street N.E.; the Landowner (“Subject Street”). The Subject Street adjoins a corner of Applicant’s lot.

The Subject Street was created in 1940 within the subdivision plat that established the Little High neighborhood. The 1940 subdivision plat created a new “Lewis Street” running north from the east end of Little High Street all the way to “Free Bridge Road”, which is now East High Street. The subdivision plat shows “Lewis Street” continuing beyond the home now located at 426 13th Street N.E., behind three other lots, and ultimately connecting with East High Street further to the west (i.e., between the La Michoacana restaurant and an office building). Subsequently the City paved a portion of the platted street—now 13th Street N.E.—which aligns with most of “Lewis Street” shown on the 1940 plat. The paved portion of the street runs from Little High Street to the edge of the lot identified as 426 13th Street N.E. The City also paved the other streets that were depicted within the 1940 subdivision plat (including Little High Street, Meriwether Street, and an unnamed alley located above Meriwether Street). By its actions in paving the streets platted within the Little High subdivision plat, the City effectively accepted all of the streets depicted in the plat—including the entire strip of land labeled “Lewis Street” in the 1940 Plat. Therefore, even though the Subject Street remains undeveloped, that undeveloped portion is now a public right-of-way owned by the City. Therefore, for purposes of City Council’s 2019 Updated Street Closing Policy, the Subject Streets falls within “Category A” (proposed vacation of a public right-of-way previously dedicated to and accepted by the City).

Community Engagement:

The Subject Street is approximately 40 feet wide and approximately 230 feet in length. The application seeks to close only a portion of the area, as shown outlined in red on the attached parcel map. The applicant later revised the originally submitted map to indicate that the triangle area highlighted in green was no longer being considered as part of the closure request. This is indicated on the attached GIS map.

The adjacent property owners to this section of 13th Street N.E. have provided signed letters of support for the closure of this section of right of way. The applicant's efforts to reach out to all abutting landowners are documented by Staff within the Application file.

The property owners that border a portion of this undeveloped section of 13th street NE have expressed their desire to avoid a cut-through street for the Little High Neighborhood and any added congestion between properties and at the intersection with East High Street. They have indicated that a vacation of this right of way would allow them to address existing drainage issues, reduce limiting setback requirements on those High Street properties, reduce any potential grading issues in dealing with the existing steep grades and eliminate potential financial burden for new street construction. The property owners further agree with the City's understanding in that a utility easement will be required to accommodate the existing sanitary, water and gas utilities. However, this will not provide a multimodal approach through the area.

Also in 2019 Stephen Bach, a resident of the Little High Neighborhood, contacted City Council to request clarification of the status of a gravel path at the north end of 13th Street N.E. According to Mr. Bach the public has been using the gravel path for a long time to access East High Street. Mr. Bach desired for City Council to improve the path to serve as a long-term pedestrian and bicycle connection from 13th Street N.E. to East High Street. Upon investigation of Mr. Bach's request it was determined that the existing gravel path actually veers outside of the platted ROW for 13th Street N.E., over the yard of a private residence and a busy parking lot. Staff at the time was also of the opinion that establishing a bike/ped connection *within* the platted ROW would be difficult and expensive. The area of the platted ROW goes through a large, forested lot, into a driveway between the parcels containing La Michoacana and the office building next door (the City would need to clear and develop the ROW area through the forested lot). To establish a bike/ped connection over the gravel path that is/was actually being used, the City would need to acquire land from the owners of 426 13th Street N.E. and 1202 East High Street, and reconstruct the area to manage conflicts between cars and pedestrians in the existing parking lot.

Standard of Review

Pursuant to Virginia Code section 15.2-2232, the Planning Commission will review the proposed 13th Street right of way closure application, to determine if the general character is substantially in accord with the City's adopted Comprehensive Plan or part thereof. The Planning Commission shall communicate its findings to the Charlottesville City Council, with written reasons for its approval or disapproval.

Comprehensive Plan Alignment

The following excerpts identify some of the related goals established to be in alignment with the

City of Charlottesville adopted 2013 Comprehensive Plan. Staff recommends that this request is not in alignment with the comprehensive plan as outlined in the objectives below, but if the Planning Commission and Council determine that the request is in alignment with the Comprehensive Plan, the request for closure could move forward for consideration.

Land Use

This section of right of way is located within a proposed High Street / Martha Jefferson Small Area Plan Development area. The small area planning process is intended to examine these areas anew and holistically, with the full engagement of the public, elected and appointed officials and planning professionals. Each small area plan should be also coordinated within a city-wide map and “multi-modal system framework plan” as called for by Land Use Objective 1.4 and required by the Institute of Transportation Engineers (ITE) guidebook, “Designing Walkable Urban Thoroughfares: A Context Sensitive Approach” (Transportation Objective 2.5,) and the Virginia Department of Rail and Public Transportation (DRPT) “Multimodal System Design Guidelines” as they are developed. The City’s Land Use Map identifies this proposed right of way section as being adjacent to low density residential and mixed use areas and should be allow to remain for such a process.

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

3.4 Increase both passive and active recreational opportunities for Charlottesville residents.

8.5 Incorporate best practices in the location and design of a range of parks, school yards, public trails and recreational facilities of various scales and functions, from large natural areas to small urban parks throughout the city.

Housing

8.5 Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity.*

Transportation

1.2 Provide convenient and safe pedestrian connections within 1/4 miles of all commercial and employment centers, transit routes, schools and parks.

2.1 Provide convenient and safe bicycle and pedestrian connections between new and existing residential developments, employment areas and other activity centers to promote the option of walking and biking. *

2.2 Encourage new street connections and alternate traffic patterns where appropriate to distribute traffic volumes across a network and reduce trip lengths for pedestrians, cyclists, and vehicles.

2.6 Promote urban design techniques, such as placing parking behind buildings, reducing setbacks

and increasing network connectivity, to create a more pedestrian friendly streetscape and to reduce speeds on high volume roadway.

3.5 Identify additional roadway connections to improve the connectivity of streets.

5.4 Provide public parking to maintain the vitality of the City while using pricing strategies (including metering) and coordinated locations of parking to encourage use of transit, walking and bicycling.

Urban Design & Historic Preservation

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

Staff Discussion and Recommendation

City staff has provided the following comments in their review of the application material:

This section of the 13th Street NE right of way provides rear access to one (1) lot at 1142 E High Street. The lot is zoned High Street Corridor and is not permitted to have accessory dwelling units (ADUs) per Section 34-796. Therefore, the closing of this section of 13th Street NE will not impact rear access to existing or future ADUs under current zoning.

The City Traffic Engineering does not believe that this right of way should be closed. Although undeveloped up to this point closing it potentially removes a chance of developing parcel 54-50.002 which is currently owned by the same owner of the adjacent lot at 517 13th St NE, unless the two lots are combined. While there is currently no physical street for parking, parking could be on this street if ever developed. This right of way connects two existing dedicated streets and could allow a through type connection from 2 directions. It could provide an alternative route to existing routes with vehicular traffic of greater than 1000 ADT.

In addition, by closing this 13th St section, we would officially be creating 2 separate dead-end streets that would not meet the city's criteria for a turn around. A possible solution in the short/mid-term would be to pave this as a 12 foot wide bike / pedestrian trail with a removable bollard at either end. This would restrict access to cut through traffic that the applicant has referenced, while still leaving the route available to emergency use if needed and more formally recognize it as a good pedestrian route to High Street,

Parks and Recreation would like to preserve a bike and pedestrian easement, if this does close and retain the right of way.

Public Utilities has existing water, sewer, and gas lines with in this right of way. If closed, Public Utility requests the entire area be retained as a Public Utility Easement.

Staff notes that the determination of conformance with the Comprehensive Plan and the closure request itself are two separate actions. Only conformance with the Comprehensive Plan is under consideration at this time. **Staff recommends that this request is not in alignment with the comprehensive plan.**

Suggested Motions:

1. I move to **approve the Resolution** attached to the Staff Report, to find that the general character, location and extent of the **proposed closing** of a portion of 13th Street N.E., located between East High Street and Meriwether Street, would be **substantially in accord** with the City's adopted 2013 Comprehensive Plan or part thereof.

2. **I move to find** that the **proposed closing** of portion of 13th Street N.E., located between East High Street and Meriwether Street, as described in the staff report, **is not substantially in accord** with the City's adopted 2013 Comprehensive Plan.

Attachments

Resolution

Application materials

1940's subdivision plat

Street Alley Closure policy

**RESOLUTION
OF THE CHARLOTTESVILLE PLANNING COMMISSION
FINDING THAT THE CLOSURE OF A PORTION OF 13TH STREET
N.E. RIGHT OF WAY IS IN CONFORMANCE WITH THE CITY'S
COMPREHENSIVE PLAN**

WHEREAS this Planning Commission and the Charlottesville City Council jointly held a public hearing on the proposed closing of 13th Street N.E. situated between East High Street and Meriwether Street, after notice given as required by law, and the matter before this Planning Commission is to determine, pursuant to Virginia Code § 15.2-2232, whether the proposed street closing is consistent with the City's Comprehensive Plan; NOW THEREFORE,

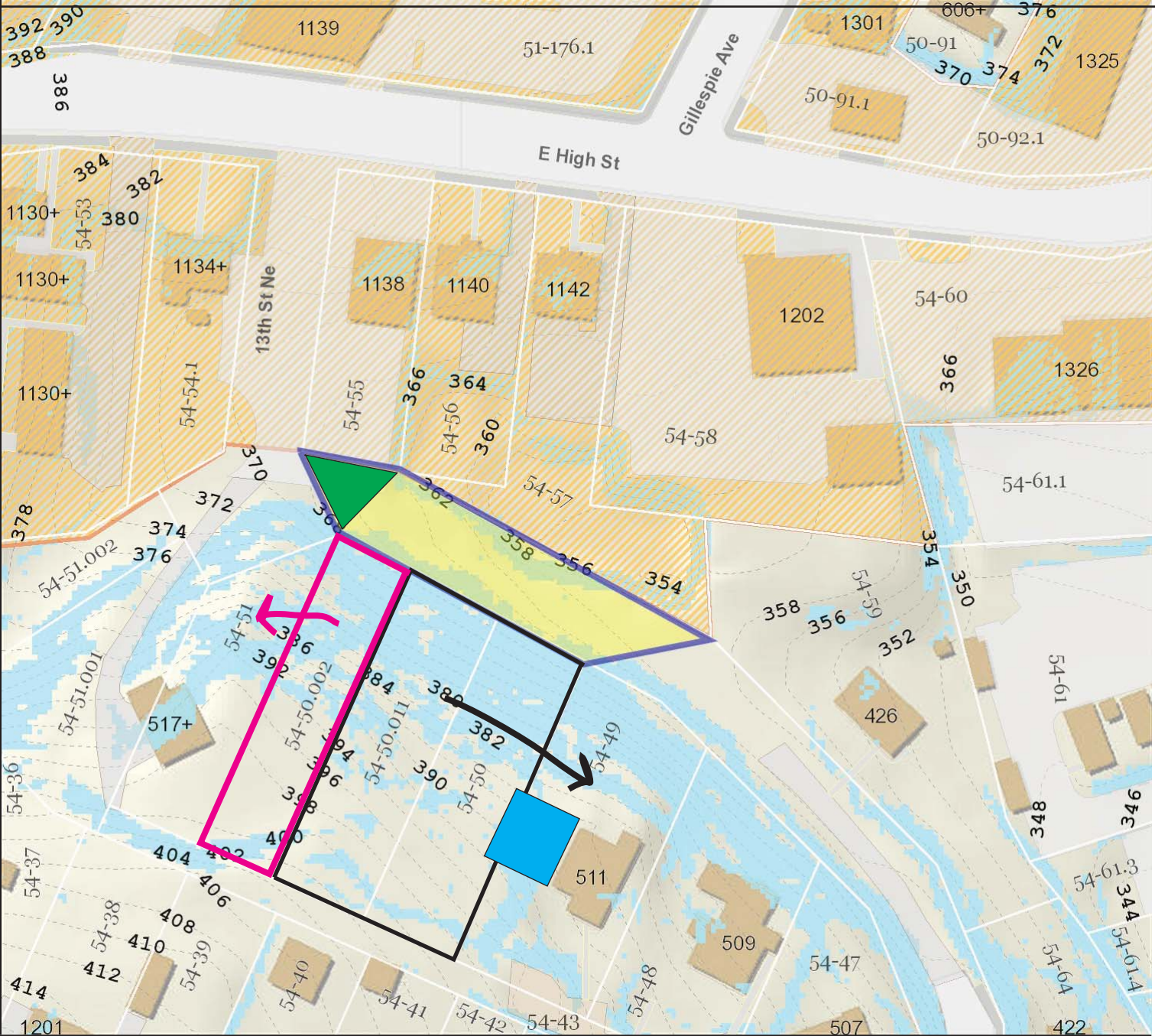
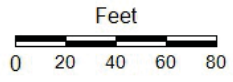
BE IT RESOLVED that this Planning Commission confirms that the general character, location and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof.

Adopted by the Charlottesville Planning Commission, the 13th day of July 2021.

Attest: _____
Secretary, Charlottesville Planning Commission

Legend

- Parcels
- Structures
- Addresses
- Parcels
- Parks
- Roads
- City Limits
- Bus Stops (CAT)
- Sidewalks on Bridges
- Road Bridges
- Railroads
- Railroad Bridge
- Roads
- Walkways
- Sidewalks
- Alleys
- Driveways
- Parking Areas
- Entrance Corridors
- Critical Slope Lot Regulations General
- Critical Slope Subdivision Ordinance
- Regulatory Floodway
- 1% Exceedance Floodplain (BFE)
- 0.2% Exceedance Floodplain
- Bodies of Water
- Surface Water Course Line
- Elevation Contour Lines - 2ft (2006)



Title:

Date: 3/4/2021

DISCLAIMER: The City makes no warranties, expressed or implied, concerning the accuracy, completeness or suitability of this data, and it should not be construed or used as a legal description. The information displayed is a compilation of records, information, and data obtained from various sources, and the City is not responsible for its accuracy or how current it may be. Every reasonable effort is made to ensure the accuracy and completeness of the data. Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction of physical improvements, property lines or boundaries is for general information only and shall not be used for the design, modification or construction of improvements to real property or for flood plain determination.



Request for vacation of a portion of 13th St NE

Included with this application:

1. A satellite image of the section of 13th St NE indicated in red outline
2. Section of Tax map 54 showing outlined of area requested for vacation
3. Signed letters of support from neighboring parcel owners

The property owners that surround the area marked in red, all request that the city vacate a portion of 13th St NE. 1140 E High St is the applicant for this request.

The reason for this request has many reasons:

1. Recently one of the property owners wanted the opportunity to develop one or more of the parcels that border this section of 13th St NE. The city indicated that while development is possible, the obligation of the applicant was to improve, to city standards, the section of 13th St NE bordering this parcel to High St. The cost of said improvement was in excess of \$600,000.

Since all parcels that surround this section have different property owners, the cost of said improvement would rest on one property owner, as there is no obligation or desire for the other property owners to share in this cost. The cost for this improvement makes any development not viable financially.

2. The slope from this section of 13th St NE south is so steep, that it is impossible to build a code compliant building or driveway unless the city were to grant "0" lot line to the street for the building front. Something that has never been granted. This makes it impossible to ever cost effectively develop these parcels due to topography.
3. Parcels on the North and West side of this section of 13th St NE are considering improvement and utility of their property in conformance to city standards. Setback standards, on all side lots have "0" setbacks, but since this is a paper street, the setback for the area bordering this paper street requires a 20' setback. The 20' setback is a significant impediment to have full use of these modestly sized parcels. No other commercial lot on High St has this 20' rear setback and by vacation, it gives these property owners similar use as other neighboring parcels on High St.
4. During public meetings a few years ago when one parcel was considering development, neighbors from the Little High neighborhood were very vocal in asking that this section of 13th St NE NOT be developed so that it would become a cut-through road. If it were developed, a significant amount of traffic would be generated between two parcels (1138 and 1136 High St) and High St. This section of High St is not designed or could safely accommodate a busy T intersection. All property owners that surround this section of 13th St NE strongly oppose this section of the paper road to become a cut through road.

5. Due to the fact that this is city property, and has not been developed or maintained, when it rains, short term water is generated uphill and runs between parcels and this section of 13th St NE. Owners of the parcels affected by this water issue would like to have the ability to manage this and with vacation of this section, it would give the owners more viability to address this ongoing problem.

6. This section of 13th St NE has 3 types of underground utilities: Water, Gas and Sewer. The applicant and neighbors believe that a utility easement should be maintained for access and maintenance.

7. This section of land has been untouched since 1940, and there are no plans in place to have the city improve this section of 13th St NE. There has not been, nor likely does any viable reason for the city to improve this section of 13th St NE, so after 80 years of inaction, and no real need for this section of road, the applicant asks that it be vacated and become an undeveloped utility easement.

Sincerely,

Roy Van Doorn
Manager, 1140 E High St, LLC
1140 E High St
Charlottesville, VA 22902
434-882-5101

Request for vacation of a portion of 13th St NE

Regarding: 517 13th St NE

Parcels 540051000, 540050002, 540051001, 540051002

Owner: 1136 East High Street, LLC

Richard Price, Member

As an owner of a parcel that borders a portion of an undeveloped section of 13th St NE, I have carefully reviewed this request to have the city vacate a portion of 13th St NE as indicated on the attachments.

I have researched the concept of the beneficial development of this section of 13th St NE as a dedicated road. However due to the city construction standards and the cost to execute said standards, the economic value of my parcel could never obtain a value that merits development of this section of land.

In addition to economic non-viability, slope issues on the southern side of this section of 13th St NE are so severe, that building access to these parcels from a developed 13th St NE may never be able to meet city slope construction standards and set back requirements.

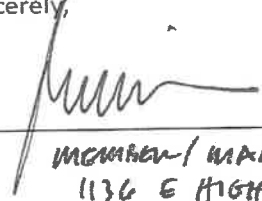
This section of land has been untouched since 1940, and there are no plans in place to have the city improve this section of 13th St NE. I believe that my parcel would have more utility if this section of 13th St NE were vacated with a utility easement.

I am unaware of any of my neighbors who wants this section of 13th St NE to become a road; in fact, I know of no neighbor who is in favor of this section to be developed as it would then become a cut-through for the Little High neighborhood. Termination of such a completed road would be on High St - a road that is already too busy to accommodate another intersection.

There are several underground utilities that must be maintained by the city (water, sewer and gas) and in the request for vacation of 13th St NE, I support the concept of a reasonable utility easement where these underground utilities are located.

I therefore fully support the vacation of this section of 13th St NE.

Sincerely,



MEMBER / MANAGER
1136 E HIGH ST LLC

Richard Price

PO Box 162, Charlottesville, VA 22902

Date:

2/1/21

Request for vacation of a portion of 13th St NE

Regarding: 1138 E High St
Parcel 540055000

Owner: Wil Serve Land Company, LLC
Joel D Wildermuth, Member

As an owner of a parcel that borders a portion of an undeveloped section of 13th St NE, I have carefully reviewed this request to have the city vacate a portion of 13th St NE as indicated on the attachments.

I have researched the concept of the beneficial development of this section of 13th St NE as a dedicated road. However due to the city construction standards and the cost to execute said standards, the economic value of my parcel could never obtain a value that merits development of this section of land.

In addition to economic non-viability, slope issues on the southern side of this section of 13th St NE are so severe, that building access to these parcels from a developed 13th St NE may never be able to meet city slope construction standards and set back requirements.

This section of land has been untouched since 1940, and there are no plans in place to have the city improve this section of 13th St NE. I believe that my parcel would have more utility if this section of 13th St NE were vacated with a utility easement.

I am unaware of any of my neighbors who wants this section of 13th St NE to become a road; in fact, I know of no neighbor who is in favor of this section to be developed as it would then become a cut-through for the Little High neighborhood. Termination of such a completed road would be on High St - a road that is already too busy to accommodate another intersection.

There are several underground utilities that must be maintained by the city (water, sewer and gas) and in the request for vacation of 13th St NE, I support the concept of a reasonable utility easement where these underground utilities are located.

I therefore fully support the vacation of this section of 13th St NE.

Sincerely,



Date: 1-20-21

Joel D Wildermuth 1138 E High St, Charlottesville, VA 22902

Request for vacation of a portion of 13th St NE

Regarding: 1142 E High St
Parcel 540057000

Owner: IGWT, LLC
Darius Beachy, Member

As an owner of a parcel that borders a portion of an undeveloped section of 13th St NE, I have carefully reviewed this request to have the city vacate a portion of 13th St NE as indicated on the attachments.

I have researched the concept of the beneficial development of this section of 13th St NE as a dedicated road. However due to the city construction standards and the cost to execute said standards, the economic value of my parcel could never obtain a value that merits development of this section of land.

In addition to economic non-viability, slope issues on the southern side of this section of 13th St NE are so severe, that building access to these parcels from a developed 13th St NE may never be able to meet city slope construction standards and set back requirements.

This section of land has been untouched since 1940, and there are no plans in place to have the city improve this section of 13th St NE. I believe that my parcel would have more utility if this section of 13th St NE were vacated with a utility easement.

I am unaware of any of my neighbors who wants this section of 13th St NE to become a road; in fact, I know of no neighbor who is in favor of this section to be developed as it would then become a cut-through for the Little High neighborhood. Termination of such a completed road would be on High St - a road that is already too busy to accommodate another intersection.

There are several underground utilities that must be maintained by the city (water, sewer and gas) and in the request for vacation of 13th St NE, I support the concept of a reasonable utility easement where these underground utilities are located.

I therefore fully support the vacation of this section of 13th St NE.

Sincerely,



Date: 01/14/2021

Darius Beachy 1142 E High St, Charlottesville, VA 22902

Request for vacation of a portion of 13th St NE

Regarding: 511 13th St NE
Parcels 540049000, 540050000, 540050001

Owner: Frank Taylor Sutton

As an owner of a parcel that borders a portion of an undeveloped section of 13th St NE, I have carefully reviewed this request to have the city vacate a portion of 13th St NE as indicated on the attachments.

I have researched the concept of the beneficial development of this section of 13th St NE as a dedicated road. However due to the city construction standards and the cost to execute said standards, the economic value of my parcel could never obtain a value that merits development of this section of land.

In addition to economic non-viability, slope issues on the southern side of this section of 13th St NE are so severe, that building access to these parcels from a developed 13th St NE may never be able to meet city slope construction standards and set back requirements.

This section of land has been untouched since 1940, and there are no plans in place to have the city improve this section of 13th St NE. I believe that my parcel would have more utility if this section of 13th St NE were vacated with a utility easement.

I am unaware of any of my neighbors who wants this section of 13th St NE to become a road; in fact, I know of no neighbor who is in favor of this section to be developed as it would then become a cut-through for the Little High neighborhood. Termination of such a completed road would be on High St - a road that is already too busy to accommodate another intersection.

There are several underground utilities that must be maintained by the city (water, sewer and gas) and in the request for vacation of 13th St NE, I support the concept of a reasonable utility easement where these underground utilities are located.

I therefore fully support the vacation of this section of 13th St NE.

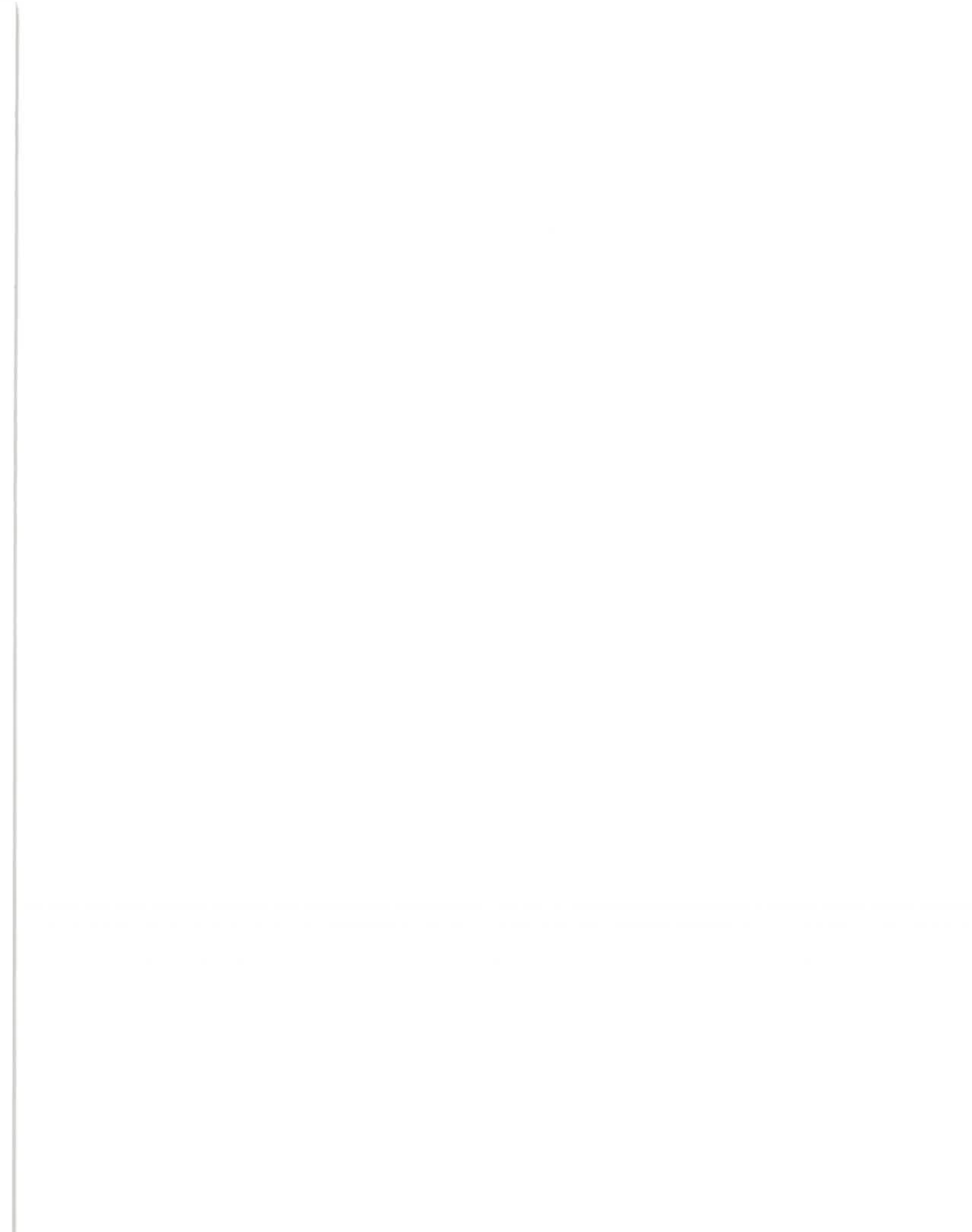
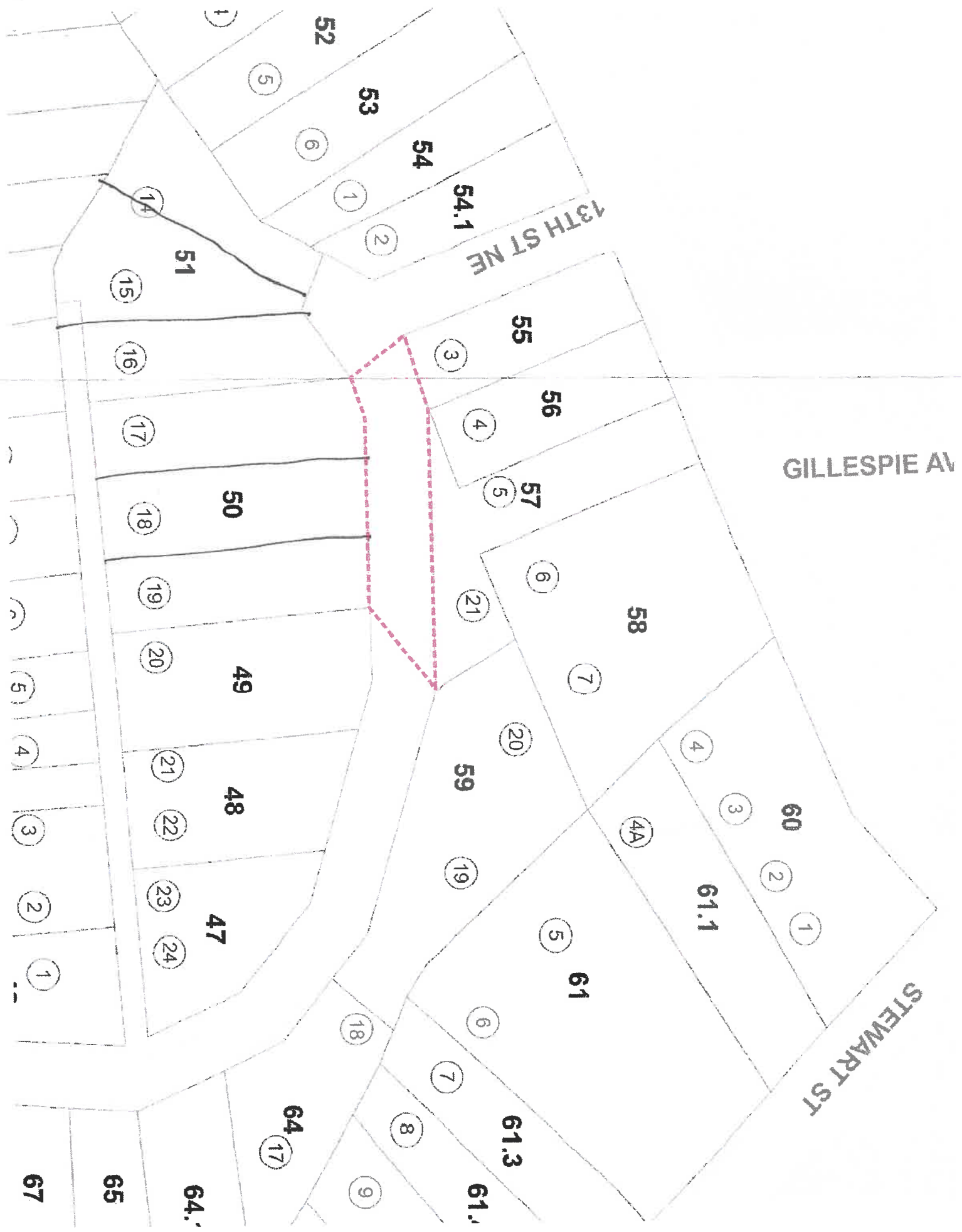
Sincerely,



Date: 2/3/2021

Frank Taylor Sutton

511 13th St NE, Charlottesville, VA 22902

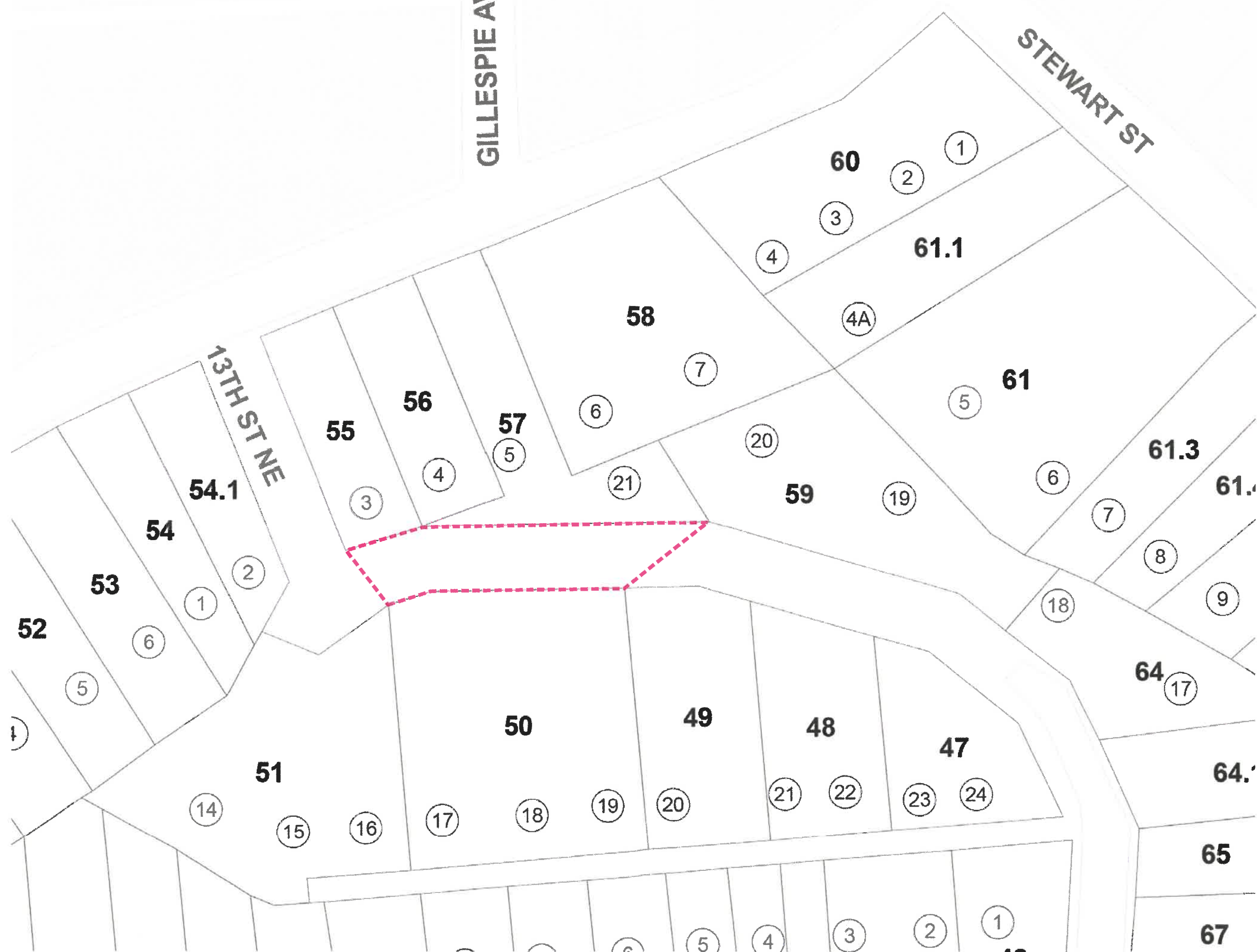




GILLESPIE AV

STEWART ST

13TH ST NE



City of Charlottesville
Alley and Paper Street Scoring Rubric

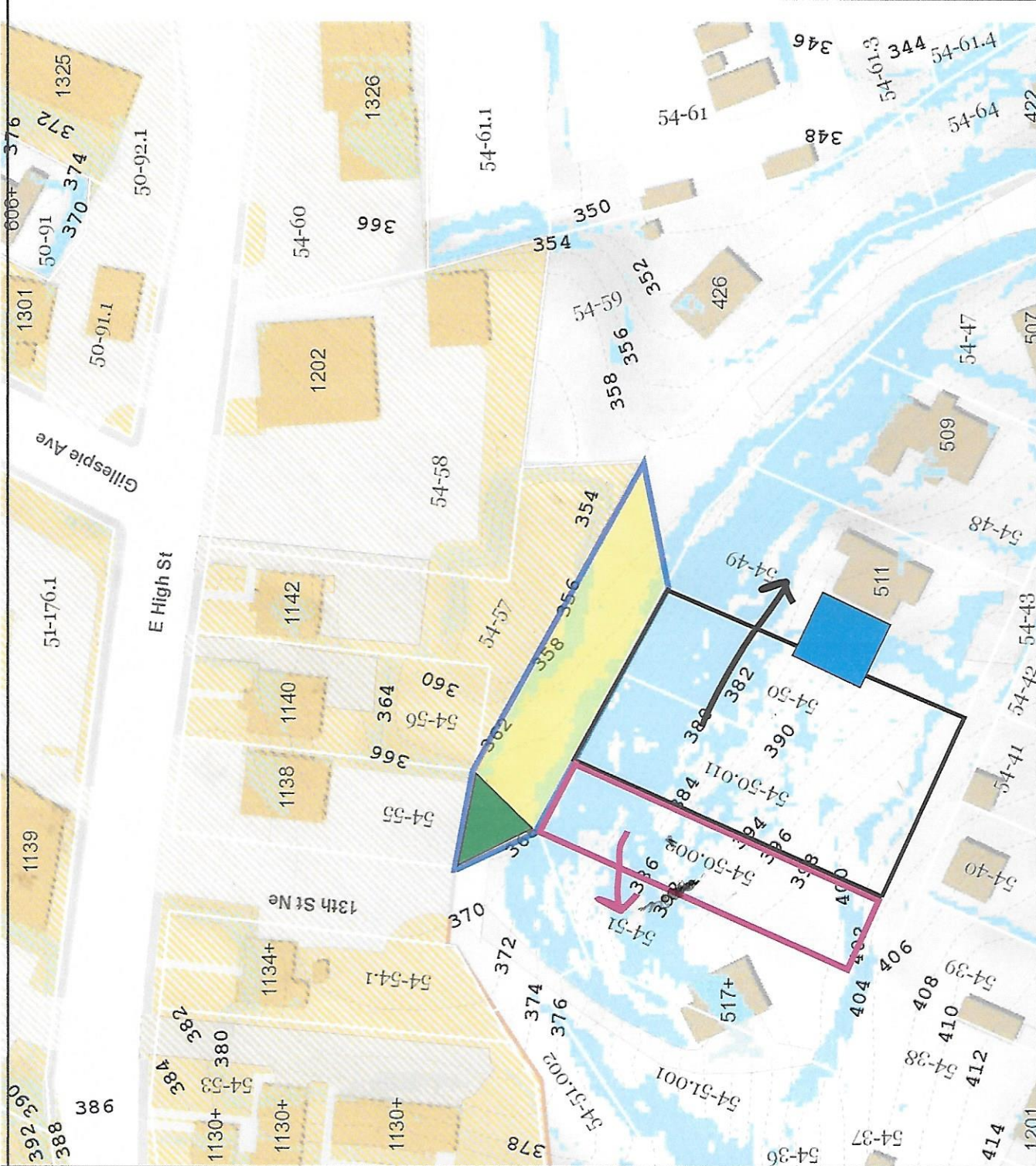
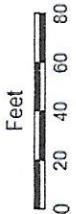
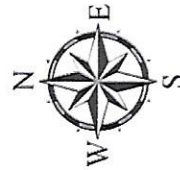
Alley: *Portion of 13th N.E., NEAR EAST HIGH ST*

Criteria	3	2	1	Raw Score	Weight	Weighted Score
Increase rear access for potential ADU	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] greater than 66%	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] Greater than 33% but less than 66%	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] less than 33%	<i>1</i>	x 0.25 =	<i>0.25</i>
Reduction of driveways from primary street	Parallel street that alley will act as an alternate route to has sidewalks and 30+% of properties have driveways	Has driveways and sidewalks on parallel street that alley will act as an alternative route	No sidewalks or driveways on parallel street that alley will act as an alternative route	<i>1</i>	x 0.2 =	<i>0.2</i>
Bicycle and Pedestrian Circulation	Provides alternative route to existing route on street with AADT** > 1000	Alley acts as parallel route to existing route on street	Walkable	<i>3</i>	x 0.15 =	<i>0.45</i>
Vehicular access to rear of lot	Through type alley	Dead end but drivable	Not drivable	<i>3</i>	x 0.1 =	<i>0.3</i>
Reduction of on-street parking demand	Reduce 2 or more cars per block	Reduce 1 car per block	No reduction	<i>1</i>	x 0.1 =	<i>0.1</i>
Greenway Connectivity	Alley connects to pedestrian route within 350' of recreation areas, parks, and trails	Alley connects to pedestrian route within 700' of recreation areas, parks, and trails	Alley does not connect with or route is greater than 700' of recreation areas, parks, and trails	<i>1</i>	x 0.1 =	<i>0.1</i>
Utility route	Existing utilities	Through type alley without existing utilities or has overhead utilities crossing alley	Dead end alley without existing utilities	<i>3</i>	x 0.1 =	<i>0.3</i>
Final Score (Sum of all weighted scores)						<i>1.7</i>

ADU* Accessory Dwelling Unit
AADT** Average Annual Daily Traffic

Legend

- Parcels
- Structures
- Addresses
- Parcels
- Parks
- Roads
- City Limits
- Bus Stops (CAT)
- Sidewalks on Bridges
- Road Bridges
- Railroads
- Railroad Bridge
- Roads
- Walkways
- Sidewalks
- Alleys
- Driveways
- Parking Areas
- Entrance Corridors
- Critical Slope Lot Regulations General
- Critical Slope Subdivision Ordinance
- Regulatory Floodway
- 1% Exceedance Floodplain (BFE)
- 0.2% Exceedance Floodplain
- Bodies of Water
- Surface Water Course Line
- Elevation Contour Lines - 2ft (2006)

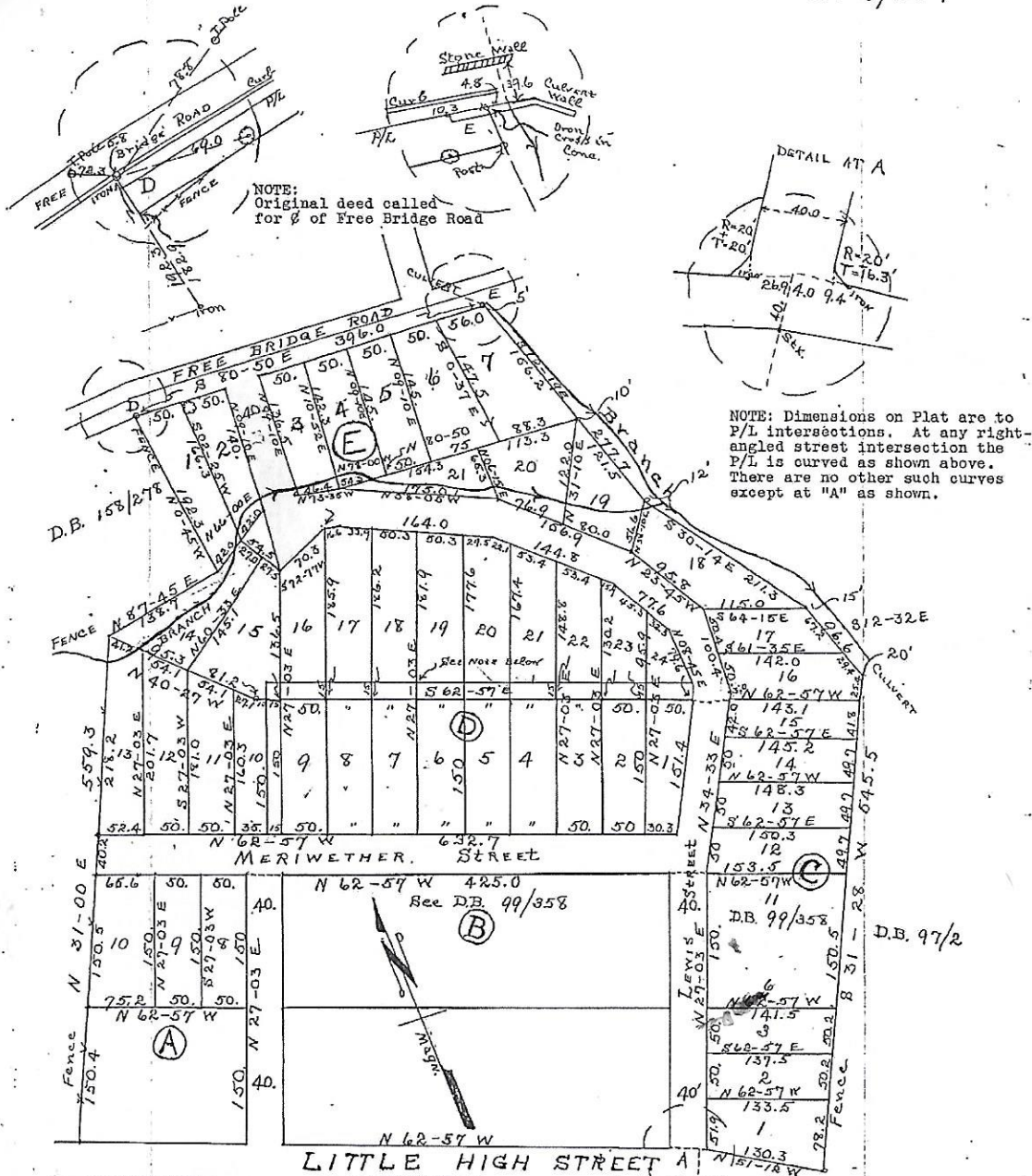


Title:

Date: 3/4/2021



DISCLAIMER: The City makes no warranties, expressed or implied, concerning the accuracy, completeness or suitability of this data, and it should not be construed or used as a legal description. The information displayed is a compilation of records, information, and data obtained from various sources, and the City is not responsible for its accuracy or how current it may be. Every reasonable effort is made to ensure the accuracy and completeness of the data. Pursuant to Section 54.1-402 of the Code of Virginia, any determination of topography or contours, or any depiction or physical improvements, property lines or boundaries is for general information only and shall not be used for design, modification or construction of improvements to real property or for flood plain determination.



MERIWETHER LEWIS CORP. SUBDIVISION
Charlottesville, Va.

Extension of Development Recorded
in D. B. 99/358. Also showing a
change in old lots 8 - 13, Block A
and 1 - 5, Block C

NOTE: 15 foot strip shown at rear
of Lots 16-24, Block D is reserved
for access to these lots from rear.

Bearings are Magnetic. Declination
5° West. All lot corners marked by
iron pipe. (shown thus, o).

April 1940 T.H. Evans, C.E.

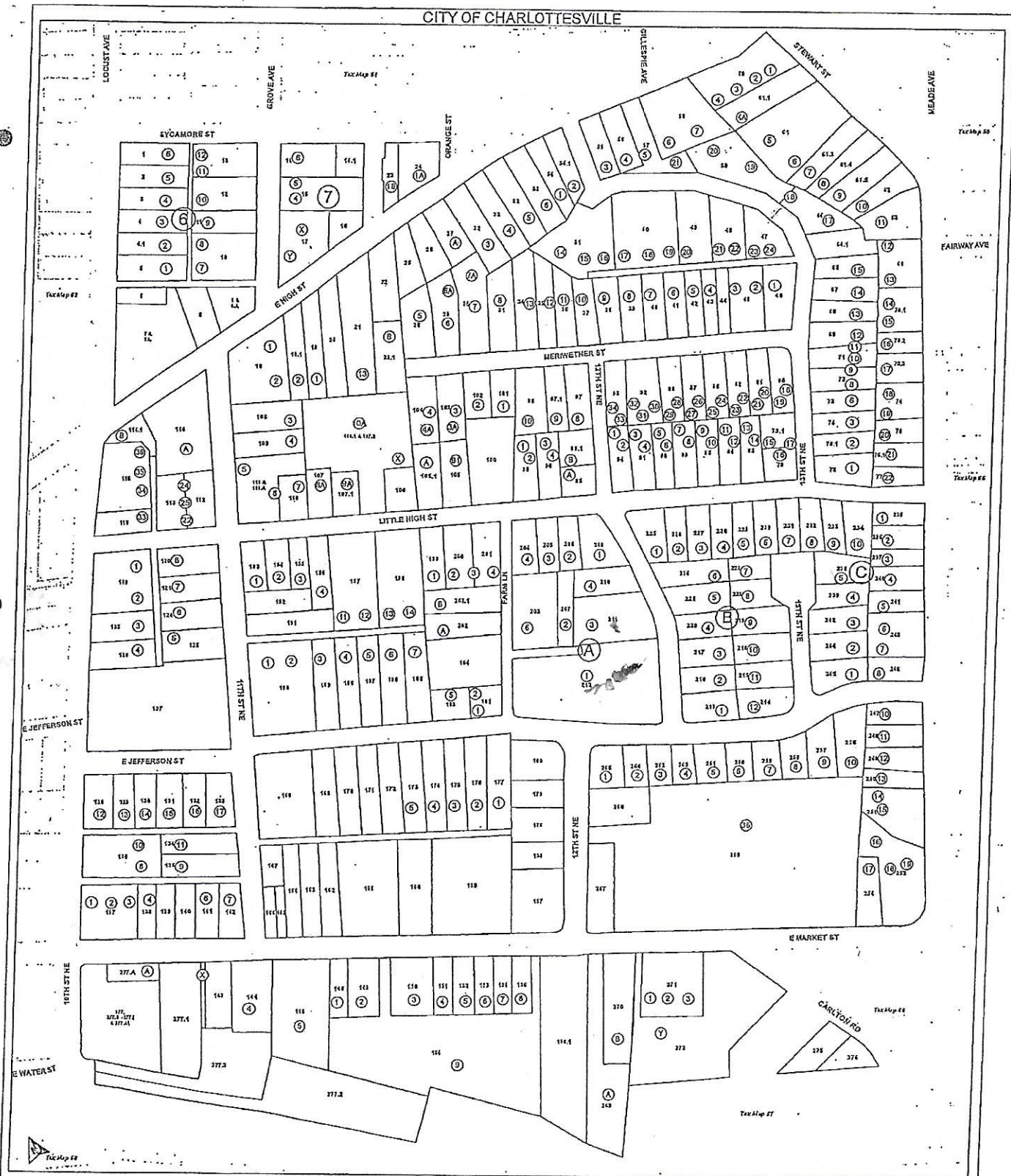
VIRGINIA:- In the Clerk's Office of the Corporation Court of the City of
Charlottesville.

The foregoing instrument of writing, together with certificate of ac-
knowledgment thereto annexed, was presented and admitted to record on the
12th day of August, 1940, at 11:30 o'clock, A.M., and recorded in Dead Book
No. 103, page 302.

Teste:-
[Signature] Clerk.

*Plot from
9/19/40*

CITY OF CHARLOTTESVILLE



0 25 50 100 150 200 Feet
 This map is intended for display purposes only. Distances shown are approximate and may not represent accurately. This map was revised as of March 2006.



TAX MAP 54

1996 - 13th Street (TMP 54-41)

RESOLUTION
APPROVING UPDATED PROCEDURES FOR THE ALTERATION OF
STREETS, ALLEYS, PUBLIC RIGHTS-OF-WAY AND PUBLIC EASEMENTS

WHEREAS, on July 16, 2018, the Charlottesville City Council (hereinafter “Council”) directed City staff to evaluate the City’s existing policies and procedures that address requests to alter or vacate certain streets, alleys, public rights-of-way and public easements; and

WHEREAS, City staff completed its evaluation and presented a report to City Council on April 15, 2019 and on May 6, 2019 Council voted by motion to approve staff’s recommendations as set forth within the April 15, 2019 report; and

WHEREAS, the Department of Neighborhood Development Services (NDS) has identified procedural clarifications that are necessary in order to assure the most expeditious resolution of applications seeking the alteration or vacation of certain streets, alleys, public rights-of-way and public easements, and recommends that Council consider and approve revisions to the procedures previously approved on May 6, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that the attached updated “*City Council Procedures for Consideration of Applications Seeking Alteration or Vacation of Public Easements, or of Certain Public or Private Streets/ Alleys or Public Rights of Way*” are hereby approved, and shall be implemented by staff effective as of the date of approval of this Resolution; and

BE IT FURTHER RESOLVED that adoption of this Resolution shall serve as the vote required by City Code §2-97, authorizing the approval of certain ordinances upon one reading of City Council, as set forth within the Procedures (2019).

BE IT FURTHER RESOLVED that any application proposing to alter or vacate a street, alley, or public right-of-way subject to these approved procedures, where the proposed alteration or vacation receives 1.75 or more points on the Scoring Rubric attached to the approved Procedures will be deemed denied by City Council.

Approved by Council
September 16, 2019



Kyna Thomas, CMC
Clerk of Council

**CITY COUNCIL PROCEDURES FOR CONSIDERATION OF APPLICATIONS
SEEKING ALTERATION OR VACATION OF PUBLIC EASEMENTS, OR OF
CERTAIN PUBLIC OR PRIVATE STREETS/ ALLEYS, OR
PUBLIC RIGHTS OF WAY**

CATEGORY (A):

ALTERATIONS OR VACATIONS OF PUBLIC RIGHTS-OF-WAY (PREVIOUSLY DEDICATED TO AND ACCEPTED BY THE CITY);

CATEGORY (B):

VACATION OF STREETS OR ALLEYS CREATED BY SUBDIVISION PLAT—(i) PRIVATE STREETS/ALLEYS, OR (ii) PUBLIC STREETS/ ALLEYS (DEDICATED, BUT NOT ACCEPTED BY THE CITY), OR

CATEGORY (C):

ALTERATION OR VACATION OF EASEMENTS DEDICATED FOR PUBLIC USE.

Part One: Application Requirements

(1) Any person seeking Council’s consideration of one of the above-referenced application categories may present an application form and supporting materials to the Department of Neighborhood Development Services (“NDS”). The application shall be accompanied by all of the following:

- a. Application Fee, in such amount as may be specified within the most recent fee schedule approved by City Council, payable to the City of Charlottesville;
- b. Copy of the Subdivision Plat or other recorded instrument by which the right-of-way, easement, street or alley (“Area Proposed to be Vacated”) was originally created, including Deed Book/Page Reference and date of recordation, and copies of any related deed(s) and plat(s);
- c. A narrative description of why the application is being proposed, and of what benefit(s) the Applicant is seeking to obtain;
- d. List of all lots adjoining the Area Proposed to be Vacated, and for each adjoining lot, the applicant shall provide: street address, City parcel identification number; name and mailing address of current landowner; and documentation of the applicants request for the adjoining landowner’s endorsement, as follows:

The Applicant must demonstrate that each of the adjoining landowners was contacted at least ten (10) days prior to the Application date with a request for endorsement; if the Applicant fails to demonstrate this, the Application will be rejected. *(If some adjoining landowners do not endorse the Application, or do not respond to the landowner’s*

contact(s), the Application may move forward for review and consideration so long as the Applicant provides evidence that each of the landowners whose signature does not appear on the endorsement Form was previously contacted by the Applicant regarding the proposed closing). NDS will provide a Landowner Endorsement Form, approved by the City Attorney's Office, for use by applicants.

(2) NDS will reject any application that does not contain all required information and materials. Furthermore:

a. No rezoning application or special use application which includes an Area Proposed to be Vacated shall be scheduled for a public hearing, until all such information and materials have been received, and

b. If, during staff's review of a rezoning or special use permit application, staff determines that development of a specific project would require the alteration or vacation of any areas within Categories (A), (B) or (C), above, then the applicant shall be notified and the rezoning or special use permit shall not be scheduled for a public hearing until an application seeking approval of the alteration or vacation of any such area(s) has been received.

(3) ***Exemptions: Council action is NOT required for the following areas***—The following areas are excluded from Application Categories (A)-(C), and City Council review/approval under this policy is NOT required for alteration or vacation of the following:

a. Easements on private property, previously dedicated to the City for public use for public utilities, public storm sewers or other public drainage facilities; or

b. Easements on private property, established for use by franchised cable operators furnishing cable television, or public service corporations furnishing cable television, gas, telephone, electric service, or fiber for communications services to private property. Alteration or vacation of these easements shall be handled by deeds and plats reviewed in accordance with the City's Subdivision Ordinance and/or other applicable law.

(4) ***Timing of Applications***—

a. *When an Area Proposed to be Vacated is requested to facilitate the development of a specific Project,¹ and that Project requires City Council approval following a public hearing process (e.g., a rezoning (including, without limitation, a PUD) or a special use permit), then the application required by these procedures shall accompany the landowner's zoning application. The purpose of this requirement is so that City Council can hold one public hearing for consideration of all project-related matters which require a public hearing.*

¹ This includes applications that seek vacation, and that propose a vacation with replacement of a new street/alley/ROW in a different location

b. *When the Area Proposed to be Vacated is within the boundaries of a development for which a site plan or subdivision plat approval is required,*² then the application shall accompany the first site plan or subdivision plat presented for consideration by the City. No site plan or subdivision plat, whether preliminary or final, shall be approved by the City's Site Plan or Subdivision Agent, unless and until City Council has acted upon the application submitted in accordance with these procedures.

Part Two: Staff Review

- (1) When the Application is complete, NDS will arrange an appropriate City staff person to have responsibility for guiding the Application through the Staff Review and City Council process. This assigned staff member will be the single point of contact for the Applicant as well as all other City departments regarding the Application.
- (2) City Council has established a Scoring Rubric to be used by Staff in its review of applications in Categories (A) and (B). A completed Scoring Rubric form shall be part of each staff report that is prepared for or in connection with an application. For each application within Category (A) or (B), NDS will circulate the application to all of the following, each of whom shall provide written comments to be included within the Council Agenda Memo Form, and will provide the calculation required by the Scoring Rubric, for his or her area of expertise:
 - a. City Housing Coordinator
 - b. City Traffic Engineer
 - c. City Bicycle Pedestrian Coordinator
 - d. City Planner
 - e. Director of Parks and Recreation
 - f. Director of Utilities
- (3) After staff has completed its review of the Application:
 - a. **If the Application receives a score of 1.75 or higher on the Scoring Rubric:** then the assigned Staff member will notify the Applicant, on behalf of City Council, that the Application is denied. No related rezoning or special use permit application shall be scheduled for a public hearing unless and until the application materials are amended to reflect the denial. No site plan or subdivision plat, preliminary or final, shall be approved, until the plan or plat has been amended to reflect the denial.
 - b. **If the Application receives a score of less than 1.75 on the Scoring Rubric:**

² This includes applications that seek vacation, and that propose a vacation with replacement of a new street/alley/ROW in a different location.

- i If the Area Proposed to be Vacated is within the area of a development project that requires City Council to approve a rezoning or special use permit following a public hearing, then all of the applications related to that proposed development project (including the application submitted under these procedures) may be scheduled for a single public hearing and may proceed through all required reviews. *(Note: any Ordinance approving an application subject to this paragraph shall be subject to the same number of Council readings as the rezoning ordinance or special use permit application).*
- ii If the Area Proposed to be Vacated is within the area of a development project that requires the City's Site Plan or Subdivision Agent to approve a site plan or subdivision plat (preliminary or final) then the application submitted under this policy shall be referred to the Clerk of Council for scheduling of a public hearing date and to the City Attorney's Office for completion of final Council Agenda packet materials. No site plan or subdivision plat shall be approved unless and until City Council has acted on the application submitted under these procedures. *(Any Ordinance approving an application subject to this paragraph shall require only one reading by Council.)*
- iii If the provisions of (i) or (ii), above do not apply, then the application submitted under these procedures shall be referred to the Clerk of Council for scheduling of a public hearing date and to the City Attorney's Office for completion of final Council Agenda packet materials. *(Any Ordinance approving an application subject to this paragraph shall require only one reading by Council.)*
- iv The assigned NDS staff member will prepare the necessary Council Agenda Memo, and will incorporate into the Council Agenda Memo any detailed comments or concerns of the staff whose input was required for completion of the Scoring Rubric along with any other matters to be provided with the NDS staff member's report, analysis and recommendation.

Part Three: City Council Consideration of an Ordinance

(1) Once a Category (A), (B) or (C) application has been scheduled for a public hearing per Part Two § 3(b)(i), (ii) or (iii), above, the City Attorney's Office will prepare a proposed Ordinance.

- a. Public notice of the scheduled public hearing shall be given in accordance with Virginia Code §15.2-2204. Staff will provide the Applicant with signs giving notice of the public hearing date for the Application. The Applicant shall post the signs and provide verification to Staff that the posting was done at least seven (7) days prior to the public hearing date.

- b. Any person may appear at the public hearing to speak in support of, or to object to, the proposed Ordinance.
- c. NDS Staff shall prepare a staff report, which shall include the completed Rubric Form as well as information and analysis relevant to the issue(s) set forth in subparagraphs (i)-(vi), below. In its consideration of an Ordinance during its first reading (following the public hearing) City Council will give consideration to the following [in addition to any other matters Council may deem relevant]:
 - i. Will vacating the street or alley impede any person's access to his property, or otherwise cause irreparable damage to the owner of any lot shown on the original subdivision plat?
 - ii. Are there any public utilities currently located in the area proposed to be vacated? If so, is the applicant offering to allow the City to reserve a public utility easement?
 - iii. Will vacation of the street or alley result in an adverse impact on traffic on nearby public streets, or result in undesirable circulation conditions for vehicular movements in and through the subdivision?
 - iv. ***Only for applications presented per Part Two, § 3(b)(iii), above***—is the Area Proposed to be Vacated part of an established street that is owned by the City, or is a street depicted within the City’s Comprehensive Plan as part of a public street network?

If the answer to either question is “yes”, then before a public hearing is scheduled for Council’s consideration of an Ordinance under these procedures, Application must be referred to the Planning Commission for a Comprehensive Plan review in accordance with Virginia Code §15.2-2232. The Commission will act on the referral within 60 days of Council’s first reading of the ordinance. (The Planning Commission is not required to conduct a public hearing).

Note: for applications presented per Part Two, § 3(b)(i) or (ii), above, review for consistency with the Comprehensive Plan, when required, shall be conducted by the planning commission and city council as part of their review of the related rezoning or SUP application, or in accordance with Va. Code §15.2-2232(D).

- v. If the street or alley is currently owned by the City, and if the purpose of the proposed closing/ vacation is to accommodate expansion or development of an existing or proposed business, does City Council wish

to condition the vacation upon commencement of the expansion or development within a specified period of time?

- vi. If the street or alley is currently owned by the City, does City Council desire staff to negotiate a purchase price with the Applicant and other adjoining property owners?

(2) Prior to acting upon an application submitted under these procedures, City Council will verify that the following have been completed:

- a. If Council has indicated a desire for the area to be purchased by adjoining landowner(s), then the City Attorney's office shall contact the Applicant to negotiate a sales price prior to any second reading of the Ordinance;
- b. If Council has indicated a desire to condition the vacation upon commencement of a development within a specified period of time, then prior to any second reading of the Ordinance Staff shall confer with the Applicant as to what amount of time is anticipated prior to commencement of the development activity;
- c. Prior to scheduling an Ordinance for final action by City Council, the Clerk of Council shall verify with the City Attorney's Office that all matters contemplated to be set forth within a final Ordinance have been incorporated into a final proposed Ordinance for Council's consideration.

Appeals

Va. Code §15.2-2272: when an Application presents matters within the scope of Virginia Code §15.2-2272, then an appeal may be taken to the Charlottesville Circuit Court from a City Council decision to **adopt** an Ordinance vacating a street or alley. Any such appeal must be filed within 30 days after City Council's final decision on the Application.

Va. Code §15.2-2206 when an Application presents matters within the scope of Virginia Code §15.2-2006, then an appeal may be filed within the Charlottesville Circuit Court within 60 days of the adoption of an Ordinance.

Attachment:

Scoring Rubric Form

Approved by Council: May 6, 2019
Revised: 9/__/2019

City of Charlottesville - Alley, Paper Street, and ROW Scoring Rubric

Alley:

Criteria	3	2	1	Raw Score	Weight	Weighted Score
Increase rear access for potential ADU	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] greater than 66%	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] Greater than 33% but less than 66%	[(Number of ADU* Possible or Existing) / (Number of Parcels) x 100] less than 33%		x 0.25 =	
Reduction of driveways from primary street	Street that alley will act as an alternate route to has sidewalks and 30+% of properties have driveways	Has driveways and sidewalks on street that alley will act as an alternative route	No sidewalks or driveways on street that alley will act as an alternative route		x 0.2 =	
Bicycle and Pedestrian Circulation	Provides alternative route to existing route on street with AADT** > 1000	Alley acts as parallel route to existing route on street	Walkable		x 0.15 =	
Vehicular access to rear of lot	Through type alley	Dead end but drivable	Not drivable		x 0.1 =	
Reduction of on-street parking demand	Reduce 2 or more cars per block	Reduce 1 car per block	No reduction		x 0.1 =	
Greenway Connectivity	Alley connects to pedestrian route within 350' of recreation areas, parks, and trails	Alley connects to pedestrian route within 700' of recreation areas, parks, and trails	Alley does not connect with or route is greater than 700' of recreation areas, parks, and trails		x 0.1 =	
Utility route	Existing utilities	Through type alley without existing utilities or has overhead utilities crossing alley	Dead end alley without existing utilities		x 0.1 =	
Closure is part of a proposed development or replatting	If an alley, paper street, ROW, or street, is to be closed as part of proposed development requiring a site plan; and/or replatted in a different configuration (-1.5 points)					
Final Score (Sum of all weighted scores)						

ADU* Accessory

Dwelling Unit

AADT** Average Annual

Daily Traffic

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



PLANNING COMMISSION REGULAR MEETING
APPLICATION FOR A CRITICAL SLOPE WAIVER
APPLICATION NUMBER: P21-0091
DATE OF MEETING: July 13, 2021

Project Planner: Carrie Rainey, RLA, AICP
Date of Staff Report: July 6, 2021

Applicant: Charlottesville Redevelopment and Housing Authority (CRHA)
Applicant's Representative(s): Ashley Davies, Riverbend Development
Current Property Owner: Charlottesville Redevelopment and Housing Authority (CRHA)

Application Information

Property Street Address: 0 1st Street S
Tax Map & Parcel/Tax Status: 260115001 (real estate taxes paid current – Sec. 34-12)
Total Project Area (Limits of Disturbance): Redevelopment Site (“Site”): 12.26 acres or 534,045 square feet; Phase 1: 3 acres or 130,680 square feet
Total Area of Critical Slopes on Parcels: 0.895 acres | 29.8% of total site area
Area of Proposed Critical Slope Disturbance: 0.396 acres | 13% of total site area | 44% of total critical slopes area on parcel
Comprehensive Plan (General Land Use Plan): High Density Residential (Phase 1)
Current Zoning Classification: R-3 Multifamily Residential (Phase 1)
Overlay District: None

Applicant's Request (Summary)

The Charlottesville Redevelopment and Housing Authority (CRHA) is requesting a waiver from the requirements and conditions of a critical slopes waiver previously granted to it pursuant to Section 34-1120(b) of the City Code (Critical Slope Ordinance).

The previously-granted critical slope waiver allows construction and land disturbing activities within critical slopes, for a development that would include 62 multi-family residential units in three (3) buildings and a community resource center (Phase 1). Improvements specific to areas where critical slopes would be impacted should the waiver be approved are shown on the

Critical Slope Exhibit (**Attachment B**) and include portions of the buildings, sidewalks, on-site parking areas, an access aisle, stormwater maintenance facilities, and recreation amenity spaces.

Based on the prior recommendations of the Planning Commission, City Council granted a critical slope waiver to CRHA on March 4, 2019, subject to the following conditions from City Council on March 4, 2019:

1. Require erosion and sediment control measures that exceed minimum requirements in order to mitigate potential impacts to undisturbed critical slopes areas, per Section 34-1120(b)(1)(a-c), including but not limited to:
 - a. Silt fence with wire reinforcement and six (6) feet stake spacing, and
 - b. Other measures in excess of minimum requirements determined by City Engineering Staff to be necessary to protect Pollocks Branch from sedimentation.
2. The critical slope area outside of approved encroachment boundaries shall be clearly marked in the field, and the approved stormwater management plan and construction plan shall include a note requiring such limits of disturbed area to remain for the duration of construction and land disturbing activities.
3. Final stabilization of the areas of critical slopes disturbed shall be permanent measures to include replanting of native tree and shrub species to restabilize the critical slopes and potential wildlife habitat.
4. **The final site plan shall include construction methods presented by the applicant to phase construction of the buildings, so that the first two buildings adjacent to 1st Street will be the first to be constructed, in order to create a better stabilized site during construction and to facilitate more effective erosion and sediment control measures.**
5. Prior to commencing any land disturbance within the development site, Landowner shall install a fixed, immovable barrier to protect root zones of each existing tree, at the drip line, for trees that have been identified within the final site plan as trees to be preserved. This root protection barrier shall remain in place until final completion of all construction.

CRHA received final site plan approval on **March 14, 2019** and then submitted an amended site plan, which amended plan was approved **June 21, 2021**.

Subsequent to commencement of construction, CRHA contacted staff, representing that it cannot construct the development in accordance with the previously-approved critical slope waiver. Specifically, CRHA believes that it cannot comply with Condition 4. Within this

application CRHA is requesting the Planning Commission's consideration, and City Council's approval, of a revised Condition 4.

Instead of:

4. The final site plan shall include construction methods presented by the applicant to phase construction of the buildings, so that the first two buildings adjacent to 1st Street will be the first to be constructed, in order to create a better stabilized site during construction and to facilitate more effective erosion and sediment control measures.

CRHA proposes:

4. Temporary stabilization of the area is required to commence vertical construction of buildings 1 and 2. Temporary stabilization includes 10-15 feet of temporary mulch beds around the perimeter of building 1 and 2 and temporary sod from existing sidewalk down the existing slope, from mulch bed to mulch bed and to the back of curb. Detention pond can be filled and removed after temporary stabilization measures are in place. Maintenance of temporary stabilization will continue throughout vertical construction of buildings 1 and 2. Permanent conversion will occur at the end of the project and consist of installation of concrete sidewalks and stairs, replacement of temporary sod and installation of mulch beds and plantings as designed.

Existing critical slopes areas located on this Property include 0.82 acres or 27 percent of the site. The applicable definition of "critical slope" is as follows:

Any slope whose grade is 25% or greater, **and** (a) a portion of the slope has a horizontal run of greater than 20 feet, and its total area is 6,000 SF or greater, **and** (b) a portion of the slope is within 200 feet of a waterway. See City Code Sec. 34-1120(b)(2).

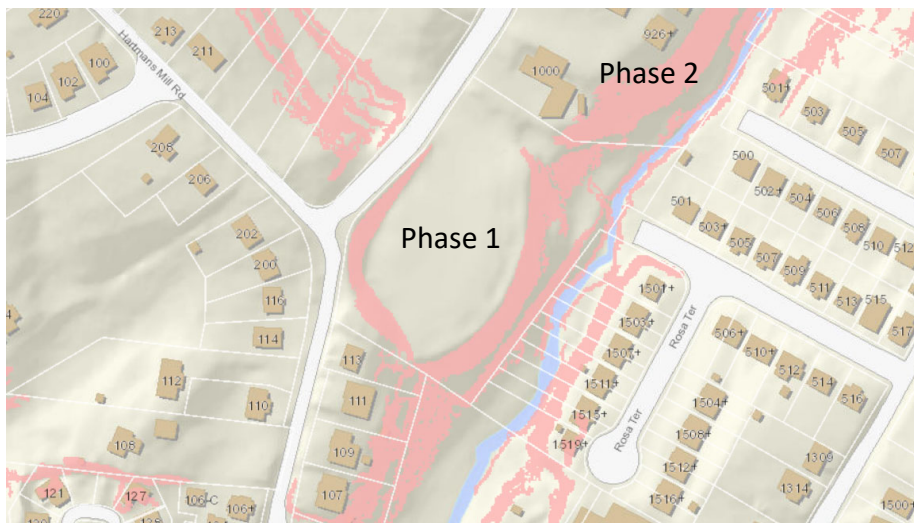
Based on the information presented within the application materials, Staff verifies that the area for which this waiver is sought meets all of the above-referenced components of the definition of "critical slope".

Vicinity Map



Provided on Final Site Plan, dated May 7, 2021

Critical Slopes per the Zoning Ordinance



Standard of Review

Per Sec. 34-1120(6)(d): The planning commission shall make a recommendation to city council in accordance with the criteria set forth in this section, and city council may thereafter grant a modification or waiver upon making a finding that:

(i)The public benefits of allowing disturbance of a critical slope outweigh the public benefits of the undisturbed slope (public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes); or

(ii)Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

If the recommendation is for City Council to grant the requested waiver, the Planning Commission may also make recommendations as to the following: In granting a modification or waiver, city council may allow the disturbance of a portion of the slope, but may determine that there are some features or areas that cannot be disturbed. These include, but are not limited to:

- (i)Large stands of trees;
- (ii)Rock outcroppings;
- (iii)Slopes greater than 60%.

City council shall consider the potential negative impacts of the disturbance and regrading of critical slopes, and of resulting new slopes and/or retaining walls. City council may impose conditions as it deems necessary to protect the public health, safety or welfare and to insure that development will be consistent with the purpose and intent of these critical slopes provisions. Conditions shall clearly specify the negative impacts that they will mitigate. Conditions may include, but are not limited to:

- (i)Compliance with the "Low Impact Development Standards" found in the City Standards and Design Manual.
- (ii)A limitation on retaining wall height, length, or use;
- (iii)Replacement of trees removed at up to three-to-one ratio;
- (iv)Habitat redevelopment;
- (v)An increase in storm water detention of up to 10% greater than that required by city development standards;
- (vi)Detailed site engineering plans to achieve increased slope stability, ground water recharge, and/or decrease in stormwater surface flow velocity;
- (vii)Limitation of the period of construction disturbance to a specific number of consecutive days;
- (viii)Requirement that reseeded occur in less days than otherwise required by City Code.

Project Review and Analysis

The succeeding analysis focuses on the applicant's proposed modification the previously approved critical slope waiver. For the full analysis provided during review of previously approved critical slope waiver, please see:

Report to Planning Commission (February 12, 2019):

http://weblink.charlottesville.org/public/0/edoc/795282/PC_A_02-12-2019%20-%20Part%201.pdf

Report to City Council (March 4, 2019):

http://weblink.charlottesville.org/public/0/edoc/794398/AGENDA_20190304Mar04.pdf

Each applicant for a critical slopes waiver is required to articulate a justification for the waiver, and to address how the land disturbance, as proposed, will satisfy the purpose and intent of the Critical Slopes Regulations, as found within Section 34-1120(b)(1). The applicant has provided information in the attached critical slopes waiver narrative (**Attachment A**) for Application Findings #1 and #2.

Staff Analysis 34-1120(b)(d)(i) Application Finding #1:

Public Works Engineering: (NOTE: In staff's opinion, the current application does not effectively or clearly delineate the association of any of the information provided to either Finding #1 or #2, within the application. Therefore, Staff is responding to all the information provided under Finding #1, which is the most relevant in this situation.)

The previously approved erosion and sediment control (ESC) scheme, very generally, was to construct Building #1 and #2 completely, before closing the sediment trap and constructing Building #3. Generally, sediment traps need to remain open and functioning throughout mass grading of a development project and as long as possible to provide as much sediment trapping as possible throughout the life of the project. For CRHA's project, the only sediment trap proposed is totally coincident with Building #3. Because of this, the Planning Commission previously recommended approval of a condition requiring that Buildings #2 and #3 be completed prior to commencing building #3, "in order to create a better stabilized site and create a more efficient erosion measure."

CRHA now submits that "only a change to the sequencing language of condition #4 is needed to allow for construction to continue and allow for supply chain issues related to Covid 19 to resolve." The implication of this statement is that construction supply chains for materials necessary for vertical construction of the buildings have been impaired and therefore CRHA

would like to have all 3 buildings ready for vertical construction at the same time, whenever the materials become available.

Relative to the proposed critical slope waiver, the City's concern must be whether—regardless of CRHA's construction sequence—there is technical ESC feasibility and effectiveness of the proposed changes. On this issue, the applicant states: "Structural integrity is maintained through extensive stabilization methods and sequencing as discussed above." The only additional stabilization measures mentioned above are 1) temporary sodding and 2) 10-15 feet of mulch beds.

Staff doesn't have any concern with the concept of "temporary sodding"; however, the 10-15 feet of mulch beds is not acceptable. There is not room for even 10 feet throughout much of the affected area. Also, mulch is not an effective means of "extensive stabilization". Mulch is discussed in the Virginia Erosion and Sediment Control Handbook under Specification 3.35 "Mulching". The purpose of mulch is stated as:

"1. To prevent erosion by protecting the soil surface from raindrop impact and reducing the velocity of overland flow.

2. To foster the growth of vegetation by increasing available moisture and providing insulation against extreme heat and cold "

The "Conditions Where Practice Applies" are listed as:

"1. Areas which have been permanently seeded (see Std. & Spec. 3.32, PERMANENT SEEDING) should be mulched immediately following seeding.

2. Areas which cannot be seeded because of the season should be mulched to provide some protection to the soil surface. An organic mulch should be used, and the area then seeded as soon weather or seasonal conditions permit. It is not recommended that fiber mulch be used alone for this practice; at normal application rates it just simply does not provide the protection that is achieved using other types of mulch.

3. Mulch may be used together with plantings of trees, shrubs, or certain ground covers which do not provide adequate soil stabilization by themselves.

4. Mulch shall be used in conjunction with temporary seeding operations as specified in TEMPORARY SEEDING, Std. & Spec. 3.31."

The mulching proposed by CRHA is allegedly supposed to prevent erosion in the vicinity of the building(s) throughout the entire construction of the building. Using mulch for soil stabilization in a heavy use work area as proposed by CRHA is not appropriate nor effective “extensive stabilization”. In fact, the use of mulching as suggested by CHRA would require the City’s E&S Administrator to approve a Variance to the state standards set out in the VESCH handbook. The City E&S Administrator could not reasonably authorize a Variance in conditions where mulch is proposed in lieu of generally accepted heavy use work areas within an environmentally sensitive area.

Planning Department: The approved General Land Use Plan of the Comprehensive Plan calls for the Phase 1 site to be High Density Residential, which is defined as a density of more than 15 dwelling units per acre (DUA) by the 2013 Comprehensive Plan. The applicant currently proposes a density of approximately 21 DUA. Per Section 34-1120(b)(6)(d)(ii), the shape and location of the critical slopes may unreasonably restrict the use and development of the subject properties in a manner in accordance with the Comprehensive Plan. Alternative site layouts may reduce impacts to critical slope areas, but may also impact other development factors such as achievable residential unit counts due to increased construction costs.

Staff Recommendation

Staff recommends the Planning Commission focuses whether the public benefits of disturbance of the critical slope outweigh the public benefits of keeping the critical slopes undisturbed, as well as the potential negative erosion and stormwater impacts to environmentally sensitive areas that may be detrimental to the health, safety, and welfare of the public.

City Engineering (CE) staff understands the difficult position the Planning Commission is placed in being presented with choice of approving something that is not of an acceptable standard, or alternatively, slowing down a needed low income housing tax credit (LIHTC) project.

In order to facilitate the progress of this project, CE has composed a suggested revised “Condition #4” below. The dimensions included in the recommended revised condition 4 are based on assumptions that statements made by CRHA’s development team in this application are accurate. It is essential that CRHA confirm necessary space provided with its contractor(s).

The language proposed by the CE in condition 4, below, will require subsequent submittals and reviews by City staff. It is City Engineering’s hope that CRHA will be able to comply with these continuing requirements in a timely and professional manner that will achieve an E&S Plan compliant with the VESCP, an additional measure of protection for the environmentally

sensitive critical slope area (in the spirit of the Critical Slope program), and that can actually be performed by CRHA's contractor(s).

Recommended Conditions

1. Require erosion and sediment control measures that exceed minimum requirements in order to mitigate potential impacts to undisturbed critical slopes areas, per Section 34-1120(b)(1)(a-c), including but not limited to:
 - a. Silt fence with wire reinforcement and six (6) feet stake spacing, and
 - b. Other measures in excess of minimum requirements determined by City Engineering Staff to be necessary to protect Pollocks Branch from sedimentation.
2. The critical slope area outside of approved encroachment boundaries shall be clearly marked in the field, and the approved stormwater management plan and construction plan shall include a note requiring such limits of disturbed area to remain for the duration of construction and land disturbing activities.
3. Final stabilization of the areas of critical slopes disturbed shall be permanent measures to include replanting of native tree and shrub species to restabilize the critical slopes and potential wildlife habitat.
4. Permanent stabilization of all contributing drainage areas to the sediment trap shall be achieved before the trap is removed. Pervious areas shall be stabilized with sod. Where not feasible (around building pads), temporary stabilization shall be achieved. Temporary stabilization shall include each building pad being totally surrounded with silt fence (chain link backed) a maximum of 15 feet from the building footer. Where a minimum of 10 feet of silt fence is infeasible due to proximate impervious surfaces or frequent access requirements, a stone 'heavy use/access area' shall be constructed in accordance with VESCH Spec. 3.02 or 3.03 from the impervious surface to the foundation.
5. Prior to commencing any land disturbance within the development site, Landowner shall install a fixed, immovable barrier to protect root zones of each existing tree, at the drip line, for trees that have been identified within the final site plan as trees to be preserved. This root protection barrier shall remain in place until final completion of all construction.

Suggested Motions

1. "I move to recommend approval of an amendment of the critical slope waiver for Tax Map and Parcel 260115001 with revised conditions as recommended by staff, based on a finding that [*reference at least one*]:

- The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per Section 34-1120(b)(6)(d)(i)
 - Due to unusual physical conditions, or the existing development of the property, compliance with the City’s critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii)
2. “I move to recommend approval of an amendment of the critical slope waiver for Tax Map and Parcel 260115001, as requested, based on a finding that [*reference at least one*]:
- The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per Section 34-1120(b)(6)(d)(i)
 - Due to unusual physical conditions, or the existing development of the property, compliance with the City’s critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii)
3. “I move to recommend denial of the requested amendment of the critical slope waiver for Tax Map and Parcel 260115001.

Attachments

- A. Application and Narrative
- B. Critical Slope Exhibit
- C. Amendment Sheets for Final Site Plan, dated July 2, 2021



WAIVER REQUEST FORM

Please Return To: City of Charlottesville
Department of Neighborhood Development Services
PO Box 911, City Hall
Charlottesville, Virginia 22902
Telephone (434) 970-3182 Fax (434) 970-3359

For a Critical Slopes Waiver Request, please include one of the following application fees: \$75 for single-family or two-family projects; \$500 for all other project types. **additional application form required*
For all other Waiver Requests, please include one of the following application fees: \$50 for single-family or two-family projects; \$250 for all other project types.

Project Name/Description South First Street Phase One Parcel Number 260115000
Address/Location 900-1000 1st Street South
Owner Name South First Phase One, LLC Applicant Name Ashley Davies, AHG LLC

Applicant Address: 455 2nd Street SE, Suite 201, Charlottesville, VA 22901
Phone (H) 434-409-9127 (W) _____ (F) _____
Email: ashley@riverbenddev.com

Waiver Requested (review Zoning Ordinance for items required with waiver submissions):

- Sidewalk Drainage/Storm Water Management
- *Contact Staff for Supplemental Requirements Off-street Parking
- Site Plan Review Lighting
- Landscape Signs
- Setbacks Critical Slopes **additional application form required*
- Communication Facilities Other
- Stream Buffer Mitigation Plan

Description of Waiver Requested: Minor update to wording/sequencing of existing Critical Slopes Waiver

Reason for Waiver Request: Slight change to sequencing needed to accommodate materials delays due to current supply chain issues. No impact to slopes.

[Signature] 6/30/21
Applicant Signature Date

[Signature] 6/30/21
Property Owner Signature (if not applicant) Date

For Office Use Only: Date Received: _____
Review Required: Administrative _____ Planning Commission _____ City Council _____
Approved: _____ Denied: _____
Director of NDS
Comments: _____

P21-0091

City of Charlottesville
CRITICAL SLOPES WAIVER REQUEST SUPPLEMENT

Please review city zoning ordinance section 34-1120(b) “Critical Slopes” and submit a completed Waiver Application Form, Critical Slopes Waiver Request Supplement and a Critical Slope Exhibit*.

Applicant: Ashley Davies, AHG LLC

Property Owner: South First Phase One, LLC

Project Description: What are you proposing to do on this site? Multifamily Construction

Existing Conditions: Project is currently under construction

Total Site Area: 3 acres

Zoning (if applying for rezoning-please note existing and intended change): R-3

Percentage of Area that is made up of critical slopes - meets criteria set forth in Sec. 34-1120(b)(2) *Definition of critical slope*: greater than or equal to 25% slopes and a) a portion of the slope has a horizontal run of greater than twenty (20) feet and its area is six thousand (6,000) square feet or greater; and b) a portion of the slope is within two hundred (200) feet of any waterway:

Total Critical Slope Area:

Critical slopes make up .895 acres of the site’s 3 acres, or 29.8 % of the site area.

***If critical slopes extend beyond property line, quantify total critical slope area as well as provide area of critical slope that falls within site area.**

Critical Slope Area Disturbed:

~~.396 acres of the total critical slope area identified above will be disturbed, or 44 % of the total critical slope area. Proposed critical slope area to be disturbed is 13% of the site area.~~

Impacts to critical slopes were previously approved. There are no additional impacts with this amended application. 13% of the 44% of impacted Critical Slopes are exempt for roadways, utilities and trailways.

***Critical Slope Exhibit:** Survey indicating location and area of critical slopes and what portions of critical slopes are proposed to be disturbed. Survey should be prepared, sealed, signed and dated by a professional engineer or land surveyor licensed to practice within the Commonwealth of Virginia.

This application should be used to explain how the proposed project meets some or all of the requirements as described in Section 34-1120(6) “Modification or waiver.” The applicant is expected to address finding #1 and/or finding #2 and justify the finding by utilizing the “critical slope provisions” as a guide. Completing this application will help staff make their recommendation to the Planning Commission and City Council.

City Council may grant a modification or waiver, upon making one or more of the following findings:

Finding #1: The public benefits of allowing disturbance of critical slope outweigh the public benefits of the undisturbed slope(public benefits include, but are not limited to, stormwater and erosion control that maintains the stability of the property and/or the quality of adjacent or environmentally sensitive areas; groundwater recharge; reduced stormwater velocity; minimization of impervious surfaces; and stabilization of otherwise unstable slopes)

The proposed project preserves as much of the critical slopes as possible while allowing for the reasonable construction of 62 new affordable housing units. Public benefits were established when this critical slopes waiver was previously approved. No additional disturbance is requested, only a change to the sequencing language of condition #4 is needed to allow for construction to continue and allow for supply chain issues related to Covid 19 to resolve. Please see attached exhibits for updated language.

Finding #2. Due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of a property, one (1) or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use, reuse or redevelopment of such property or would result in significant degradation of the site or adjacent properties.

Our updated request includes the change to the sequencing language of condition #4 as follows:

Temporary stabilization of the area is required to commence vertical construction of buildings 1 and 2. Temporary stabilization includes 10-15 feet of temporary mulch beds around the perimeter of building 1 and building 2 and temporary sod from existing sidewalk down the existing slope. from mulch bed to mulch bed and to the back of the curb. Detention pond can be filled and removed after temporary stabilization measures are in place. Maintenance of temporary stabilization will continue throughout vertical construction of buildings 1 and 2. Permanent conversion will occur at the end of the project and consist of installation of concrete sidewalks and stairs, replacement of temporary sod, and installation of mulch beds and plantings as designed.

Please address how Finding #1 and/or Finding #2 will be met utilizing the “critical slope provisions” noted below.

1. Erosion affecting the structural integrity of those features.

Structural integrity is maintained through extensive stabilization methods and sequencing as discussed above.

2. Stormwater and erosion-related impacts on adjacent properties.

Stormwater is handled via on-site detention facilities and temporary stabilization methods.

Areas near the stream and most of the critical slopes are left undisturbed.

3. Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.

Environmentally sensitive areas of the site are left intact to protect the stream.

4. Increased stormwater velocity due to loss of vegetation.

Vegetation is maintained on slopes leading to the stream.

5. Decreased groundwater recharge due to changes in site hydrology.

No impacts to groundwater recharge are anticipated.

6. Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.

Project is currently under construction- previously was a vacant field.


Please list all attachments that should be viewed as support to the above explanations.

Critical Slopes Exhibit

Updated Erosion and Sediment Control Narrative with new sequencing language.

Please sign the following statement.

I certify that, to the best of my knowledge, the information I have provided above is based on sound engineering and surveying data and that this site has been carefully inspected and reviewed for the purposes of completing this application accurately. I certify that as the property owner/applicant I have not given false information that may affect the decisions made regarding this development.



Property Owner

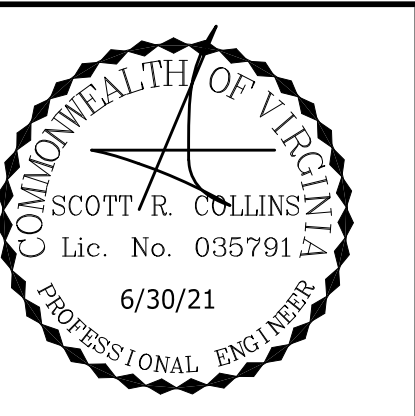


Applicant

Please do not write below this line. For office use only.

Planner's Comments/Recommendations:

Engineer's Comments/Recommendations:



NO WORK SHALL BE CONDUCTED OUTSIDE THE APPROVED LIMITS OF DISTURBANCE.

REVISIONS

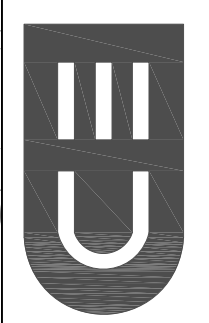
DATE	REVISION DESCRIPTION
3/11/19	APPROVED FINAL SITE PLAN
1/30/20	FINAL VMDA PLAN SET FOR CONSTRUCTION
12/18/20	SITE PLAN AMENDMENT #1 SUBMISSION TO THE CITY - LIST SUBMITTAL
2/12/21	SITE PLAN AMENDMENT #1 REVISIONS PER COMMENTS DATED 2/3/21
4/2/21	SITE PLAN AMENDMENT #1 REVISIONS PER COMMENTS DATED 3/9/21
5/7/21	SITE PLAN AMENDMENT #1 REVISIONS PER COMMENTS DATED 4/27/21
6/30/21	SITE PLAN AMENDMENT #2 REVISIONS TO THE ERS STABILIZATION FOR THE SITE

COLLINS ENGINEERING

200 GARRETT STREET, SUITE K - CHARLOTTESVILLE, VA 22902 - 434.293.3719

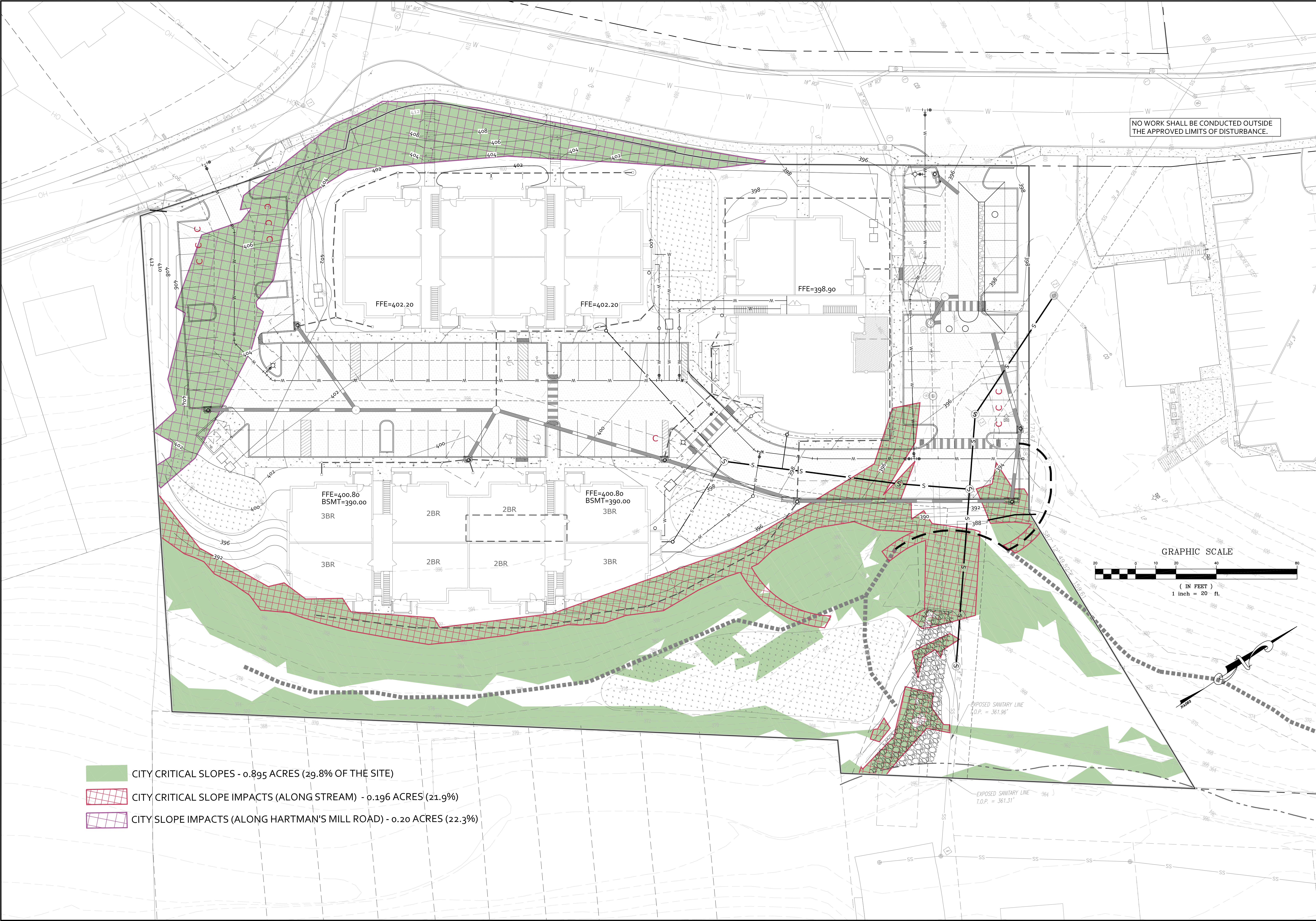
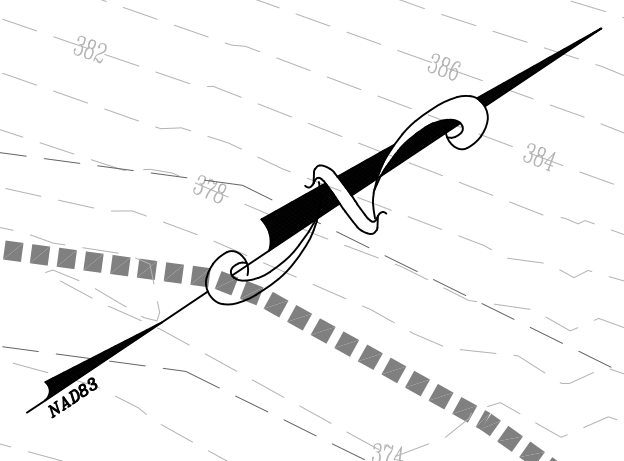
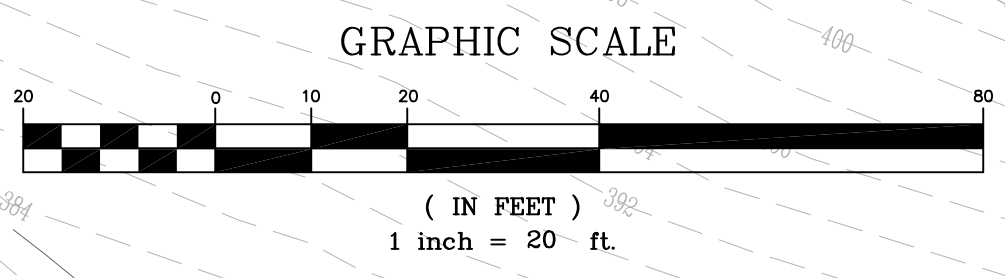
1st STREET SOUTH APARTMENTS - PHASE I SITE PLAN AMENDMENT #2

CRITICAL SLOPES EXHIBIT



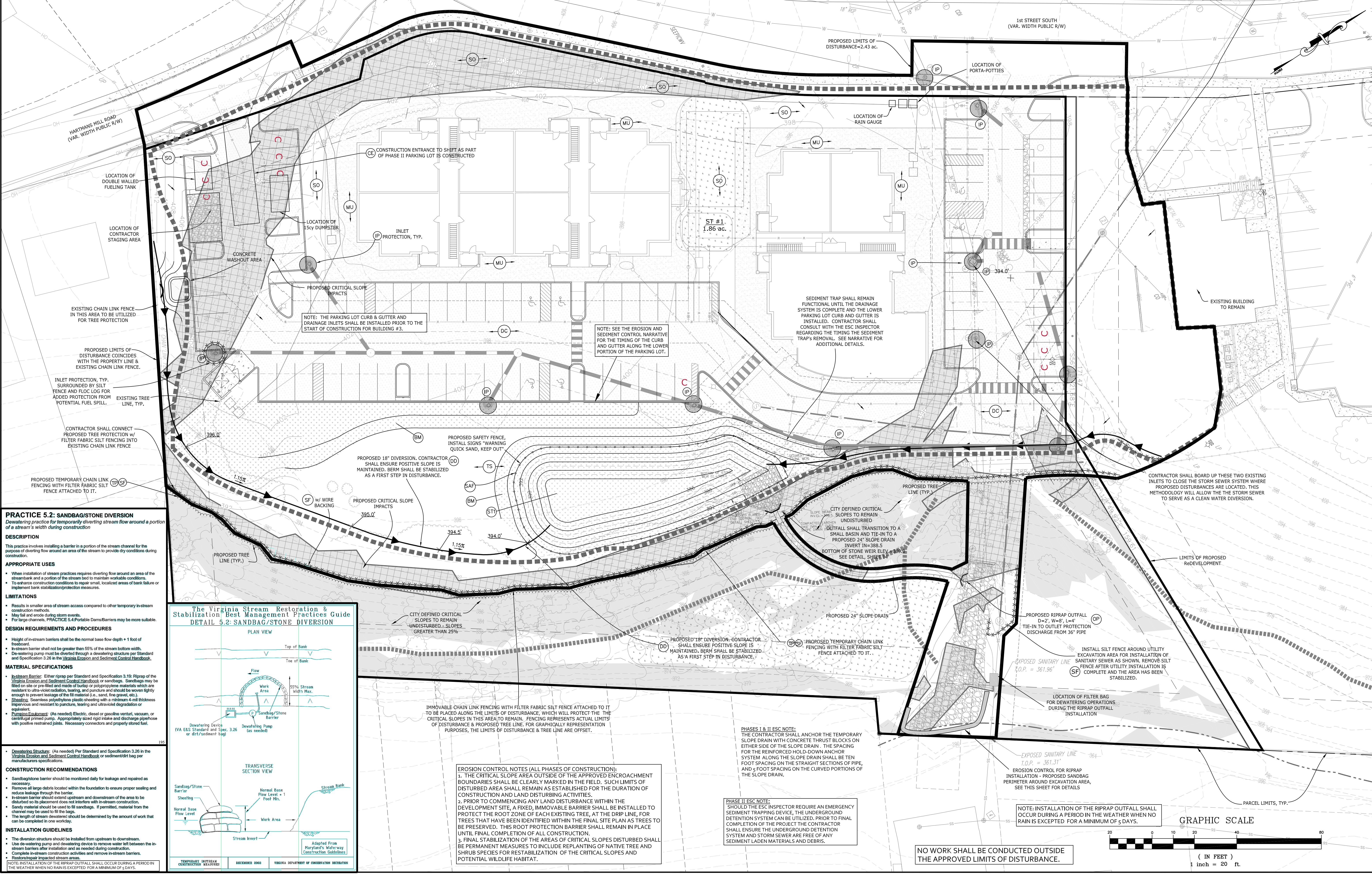
PROJECT	182158
JOB NO.	182158
SCALE	1"=20'
SHEET NO.	6

- CITY CRITICAL SLOPES - 0.895 ACRES (29.8% OF THE SITE)
- CITY CRITICAL SLOPE IMPACTS (ALONG STREAM) - 0.196 ACRES (21.9%)
- CITY SLOPE IMPACTS (ALONG HARTMAN'S MILL ROAD) - 0.20 ACRES (22.3%)



- NOTES:
1. THE EXISTING RAINWATER HARVESTING SYSTEM ADJACENT TO THE EXISTING MAINTENANCE BUILDINGS SHALL BE DISASSEMBLED AND REMOVED FROM THE PROPERTY PRIOR TO CONSTRUCTION.
 2. CONTRACTOR SHALL CHECK SILT FENCE EVERY 5 DAYS OR AFTER A MAJOR RAIN EVENT TO ENSURE NO EROSION OR SEDIMENT HAS CONTAMINATED ADJACENT SITES.

NOTE: PRIOR TO REMOVAL OF THE SEDIMENT TRAP AND CONSTRUCTION OF BUILDING #3, ALL UPLAND AREAS AS SHOWN ON THIS PLAN SHALL BE STABILIZED. THE ASPHALT PARKING LOT SHALL BE COMPLETED (WITH A TEMPORARY SURFACE COAT), ALL DRAINAGE INLETS SHALL BE OPERATIONAL, AND ALL UPLAND FINE GRADED DISTURBED AREAS SHALL BE SODED/MULCHED, AS SHOWN ON THIS PLAN.



PRACTICE 5.2: SANDBAG/STONE DIVERSION
Dewatering practice for temporarily diverting stream flow around a portion of a stream's width during construction

DESCRIPTION
This practice involves installing a barrier in a portion of the stream channel for the purpose of diverting flow around an area of the stream to provide dry conditions during construction.

APPROPRIATE USES

- When installation of stream practices requires diverting flow around an area of the streambank and a portion of the stream bed to maintain workable conditions.
- To enhance construction conditions to repair small, localized areas of bank failure or implement bank stabilization/protection measures.

LIMITATIONS

- Results in smaller area of stream access compared to other temporary in-stream construction methods.
- May fail and erode during storm events.
- For large channels, PRACTICE 5.4 Portable Dams/Barriers may be more suitable.

DESIGN REQUIREMENTS AND PROCEDURES

- Height of in-stream barriers shall be the normal base flow depth + 1 foot of freeboard.
- In-stream barrier shall not be greater than 55% of the stream bottom width.
- Dewatering pumps must be diverted through a dewatering structure per Standard and Specification 3.26 in the Virginia Erosion and Sediment Control Handbook.

MATERIAL SPECIFICATIONS

- **In-stream Barrier:** Either riprap per Standard and Specification 3.19; Riprap of the Virginia Erosion and Sediment Control Handbook or sandbags. Sandbags may be filled on site or pre-filled and made of butyl or polypropylene materials which are resistant to ultra-violet radiation, tearing, and puncture and should be woven tightly enough to prevent leakage of the fill material (i.e., sand, fine gravel, etc.).
- **Sheetpiling:** Seamless polyethylene plastic sheeting with a minimum 4-mil thickness impervious and resistant to puncture, tearing and ultraviolet degradation or equivalent.
- **Pumping Equipment:** (As needed) Electric, diesel or gasoline venturi, vacuum, or centrifugal primer pump. Appropriately sized rigid intake and discharge pipework with positive restrained joints. Necessary connectors and properly stored fuel.

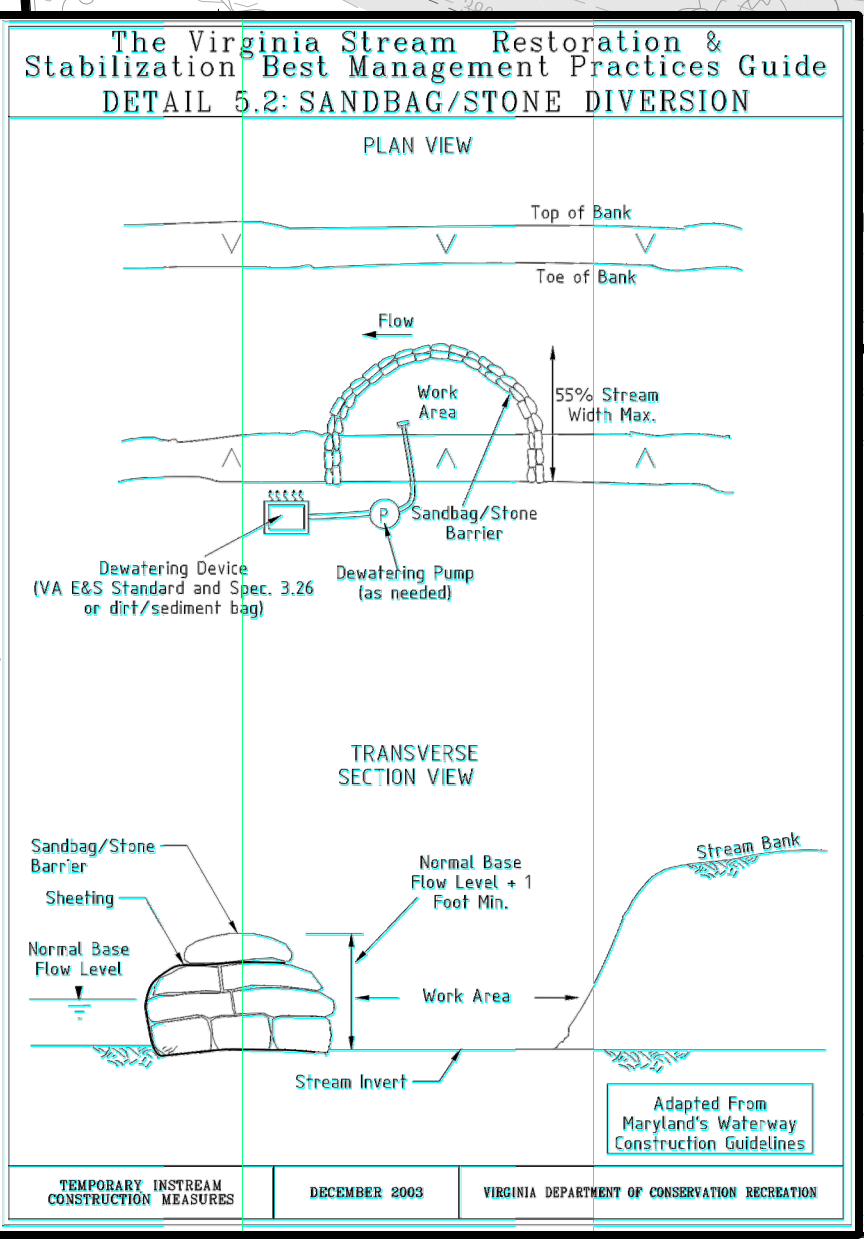
CONSTRUCTION RECOMMENDATIONS

- Sandbag/stone barrier should be monitored daily for leakage and repaired as necessary.
- Remove all large debris located within the foundation to ensure proper seating and reduce leakage through the barrier.
- In-stream barrier should extend upstream and downstream of the area to be disturbed so its placement does not interfere with in-stream construction.
- Sandy material should be used to fill sandbags. If permitted, material from the channel may be used to fill the bags.
- The length of stream dewaterers should be determined by the amount of work that can be completed in one workday.

INSTALLATION GUIDELINES

- The diversion structure should be installed from upstream to downstream.
- Use dewatering pump and dewatering device to remove water left between the in-stream barriers after installation and as needed during construction.
- Complete in-stream construction activities and remove in-stream barriers.
- Restore/repair impacted stream areas.

(NOTE: INSTALLATION OF THE RIPRAP OUTFALL SHALL OCCUR DURING A PERIOD IN THE WEATHER WHEN NO RAIN IS EXPECTED FOR A MINIMUM OF 5 DAYS.)



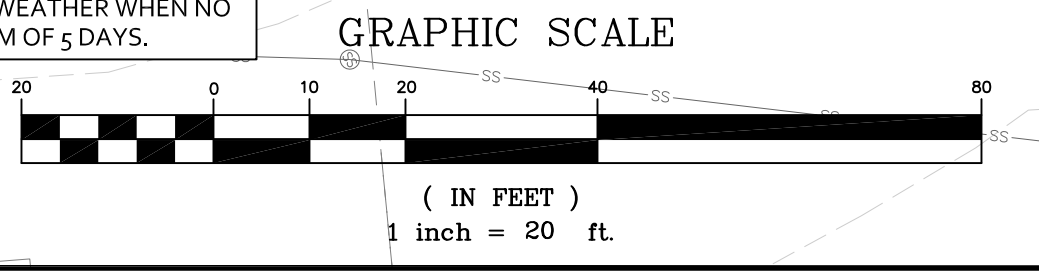
EROSION CONTROL NOTES (ALL PHASES OF CONSTRUCTION):

1. THE CRITICAL SLOPE AREA OUTSIDE OF THE APPROVED ENCROACHMENT BOUNDARIES SHALL BE CLEARLY MARKED IN THE FIELD. SUCH LIMITS OF DISTURBED AREA SHALL REMAIN AS ESTABLISHED FOR THE DURATION OF CONSTRUCTION AND LAND DISTURBING ACTIVITIES.
2. PRIOR TO COMMENCING ANY LAND DISTURBANCE WITHIN THE DEVELOPMENT SITE, A FIXED, IMMOVABLE BARRIER SHALL BE INSTALLED TO PROTECT THE ROOT ZONE OF EACH EXISTING TREE, AT THE DRIP LINE, FOR TREES THAT HAVE BEEN IDENTIFIED WITHIN THE FINAL SITE PLAN AS TREES TO BE PRESERVED. THIS ROOT PROTECTION BARRIER SHALL REMAIN IN PLACE UNTIL FINAL COMPLETION OF ALL CONSTRUCTION.
3. FINAL STABILIZATION OF THE AREAS OF CRITICAL SLOPES DISTURBED SHALL BE PERMANENT MEASURES TO INCLUDE REPLANTING OF NATIVE TREE AND SHRUB SPECIES FOR RESTABILIZATION OF THE CRITICAL SLOPES AND POTENTIAL WILDLIFE HABITAT.

PHASE I & II ESC NOTE:
THE CONTRACTOR SHALL ANCHOR THE TEMPORARY SLOPE DRAIN WITH CONCRETE TIE-BLOCKS ON EITHER SIDE OF THE SLOPE DRAIN. THE SPACING FOR THE REINFORCED HOLD-DOWN ANCHOR SYSTEM ALONG THE SLOPE DRAIN SHALL BE TEN FOOT SPACING ON THE STRAIGHT SECTIONS OF PIPE, AND 5 FOOT SPACING ON THE CURVED PORTIONS OF THE SLOPE DRAIN.

PHASE II ESC NOTE:
SHOULD THE ESC INSPECTOR REQUIRE AN EMERGENCY SEDIMENT TRAPPING DEVICE, THE UNDERGROUND DETENTION SYSTEM CAN BE UTILIZED. PRIOR TO FINAL COMPLETION OF THE PROJECT THE CONTRACTOR SHALL ENSURE THE UNDERGROUND DETENTION SYSTEM AND STORM SEWER ARE FREE OF ANY SEDIMENT LADEN MATERIALS AND DEBRIS.

NO WORK SHALL BE CONDUCTED OUTSIDE THE APPROVED LIMITS OF DISTURBANCE.



REVISIONS

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5/7/21	SITE PLAN AMENDMENT #1 REVISIONS PER COMMENTS DATED 4/27/21
7/02/21	SITE PLAN AMENDMENT #2 REVISIONS TO THE ERS STABILIZATION FOR THE SITE

COLLINS ENGINEERING

200 GARRETT STREET, SUITE K. - CHARLOTTESVILLE, VA 22902 - 434.293.3719

1st STREET SOUTH APARTMENTS - PHASE I SITE PLAN AMENDMENT #2

CONCEPTUAL PHASE II EROSION & SEDIMENT CONTROL PLAN

JOB NO. 182158
SCALE 1"=20'
SHEET NO. 15A

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This proposal acknowledges the reality that growth and change is inevitable for Charlottesville. It is not within our ability to control this reality. What is (partially) under our control is the character and purpose of this growth.

This proposal also acknowledges that existing neighborhoods are *always* experiencing change. If not in form, then in dramatically increasing home values which results in a changing trajectory of who can live there over time.

This proposal is a framework only at this point. The framework still requires important detailing. We are trying to establish common ground and common agreement that can be used as a purposeful foundation for more nuanced discussions.

This proposal recognizes that good land use and appropriate zoning are necessary ingredients to achieving a City vision with housing that everyone can afford, but that, on their own, they are insufficient without the other necessary ingredients: adequate funding, a rapid approval process, and other critical policy tools.
















- 1) The proposal protects historically Black and low-income neighborhoods by creating a new **Low-Intensity Residential** land use category as a base land use for these neighborhoods. Essentially, this would keep existing densities in place in these neighborhoods.
- 2) All other residential portions of the City would have a base land use of **General Residential**. Recognizing that city growth has been accommodated on the backs of lower income neighborhoods for generations, this would shift growth patterns to higher income areas.
- 3) In effect, all residential areas of the City would have a base land use of either **Low-Intensity Residential** or **General Residential**.
- 4) Under the principles of “all kinds of housing for all kinds of people in all kinds of places” and “density with purpose,” higher intensity land uses would be allowable if, and only if, affordable housing is part of higher-intensity development.
- 5) As a layer on top of the base land uses, the proposal recommends that **Medium-Intensity Residential** be a by-right use in all parts of the City if, and only if, affordable housing is part of a proposed development. This recommendation privileges affordable housing and guides “density with purpose” in all parts of the City.
- 6) As a further layer, the proposal recommends that **High-Intensity Residential** as a by-right land use in specific, scale- and context-appropriate parts of the City if, and only if, affordable housing is part of a proposed development.
- 7) One of the most important set of details that will need to be worked through is the terms of affordability. This proposal doesn’t tackle these details yet. It is trying to create common agreement on the framework first. When the time comes, these details needs to include:
 - a. What is the minimum percentage of units in a development that are affordable?
 - b. How deeply affordable are those units?
 - c. For how long do the units stay affordable?
- 8) This proposal does not address every concern of every neighborhood, and never will. What it does do is set forth a practical vision for “growth with purpose,” privileging affordable housing as a central tenet of the City’s future.

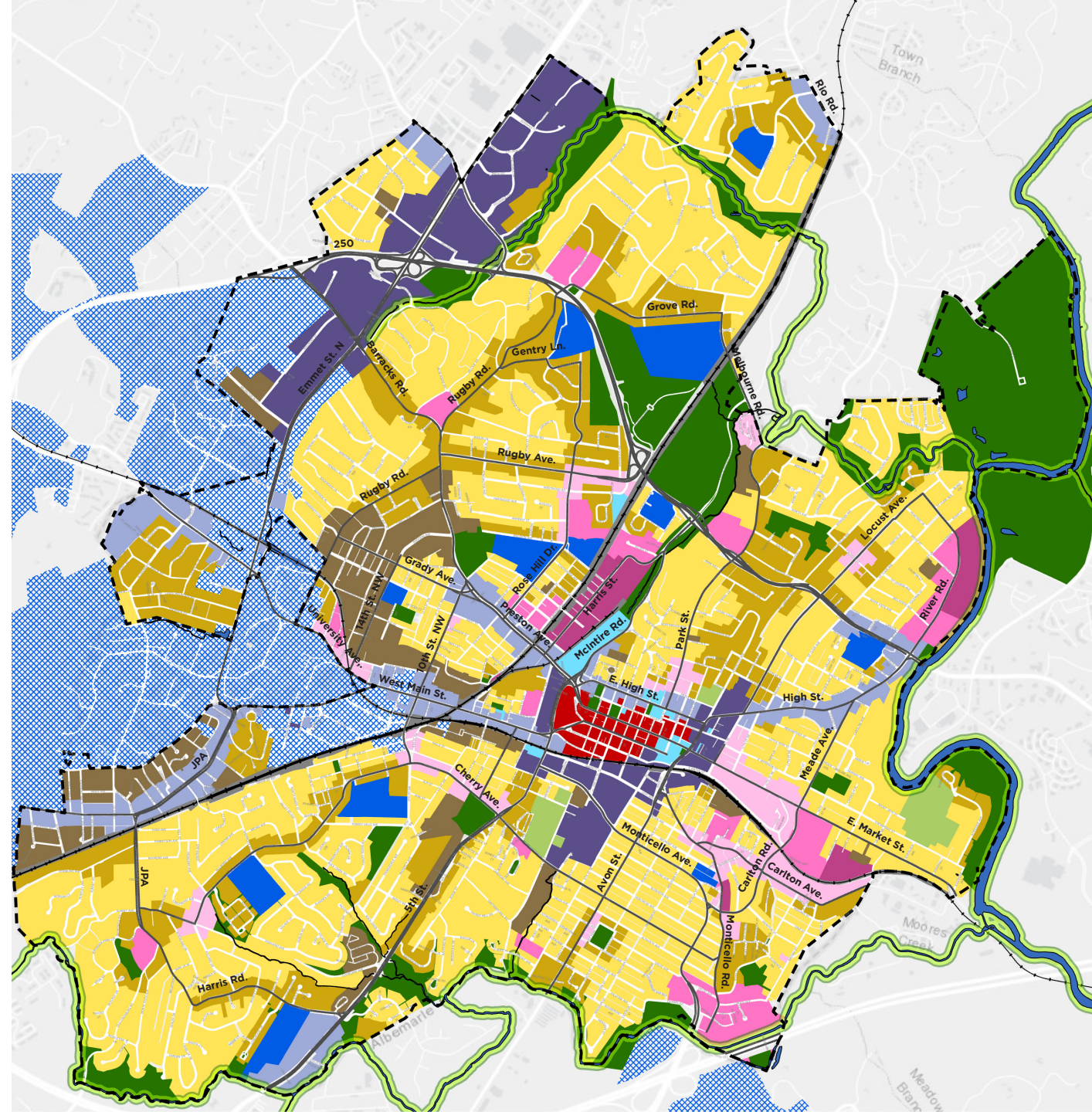
(Current consultant proposal) Draft Future Land Use Map

5/3/2021

LAND USE CATEGORIES

Detailed descriptions provided on the next page.

-  **GENERAL RESIDENTIAL**
A range of housing types scaled in context with the existing single-family character.
-  **MEDIUM-INTENSITY RESIDENTIAL**
A variety of housing types, including row houses, townhouses, and smaller multi-unit buildings, compatible with adjacent lower intensity neighborhoods.
-  **HIGH-INTENSITY RESIDENTIAL**
Neighborhoods and sites for larger multi-unit housing.
-  **NEIGHBORHOOD MIXED USE NODE**
Compact neighborhood centers that encompass a mix of land uses arranged in smaller scale buildings compatible with surrounding residential areas.
-  **URBAN MIXED USE NODE**
Urban mixed use areas that support housing, employment, and commercial goals and needs at key locations.
-  **DOWNTOWN CORE**
A primary activity hub for the community.
-  **NEIGHBORHOOD MIXED USE CORRIDOR**
Neighborhood mixed use arranged along corridors that support existing residential districts.
-  **URBAN MIXED USE CORRIDOR**
Higher intensity mixed use development arranged along corridors that link the employment, commercial, and civic hubs of the city.
-  **BUSINESS AND TECHNOLOGY MIXED USE**
Mixed use areas that allow traditional light industrial and production uses as well as additional commercial uses and residential uses, where feasible.
-  **PUBLIC PARK OR OPEN SPACES**
-  **CEMETERY**
-  **CIVIC (PUBLIC AND SEMI-PUBLIC)**
-  **EDUCATION**
-  **UVA**
-  **STREAM BUFFER**



Draft Future Land Use Map

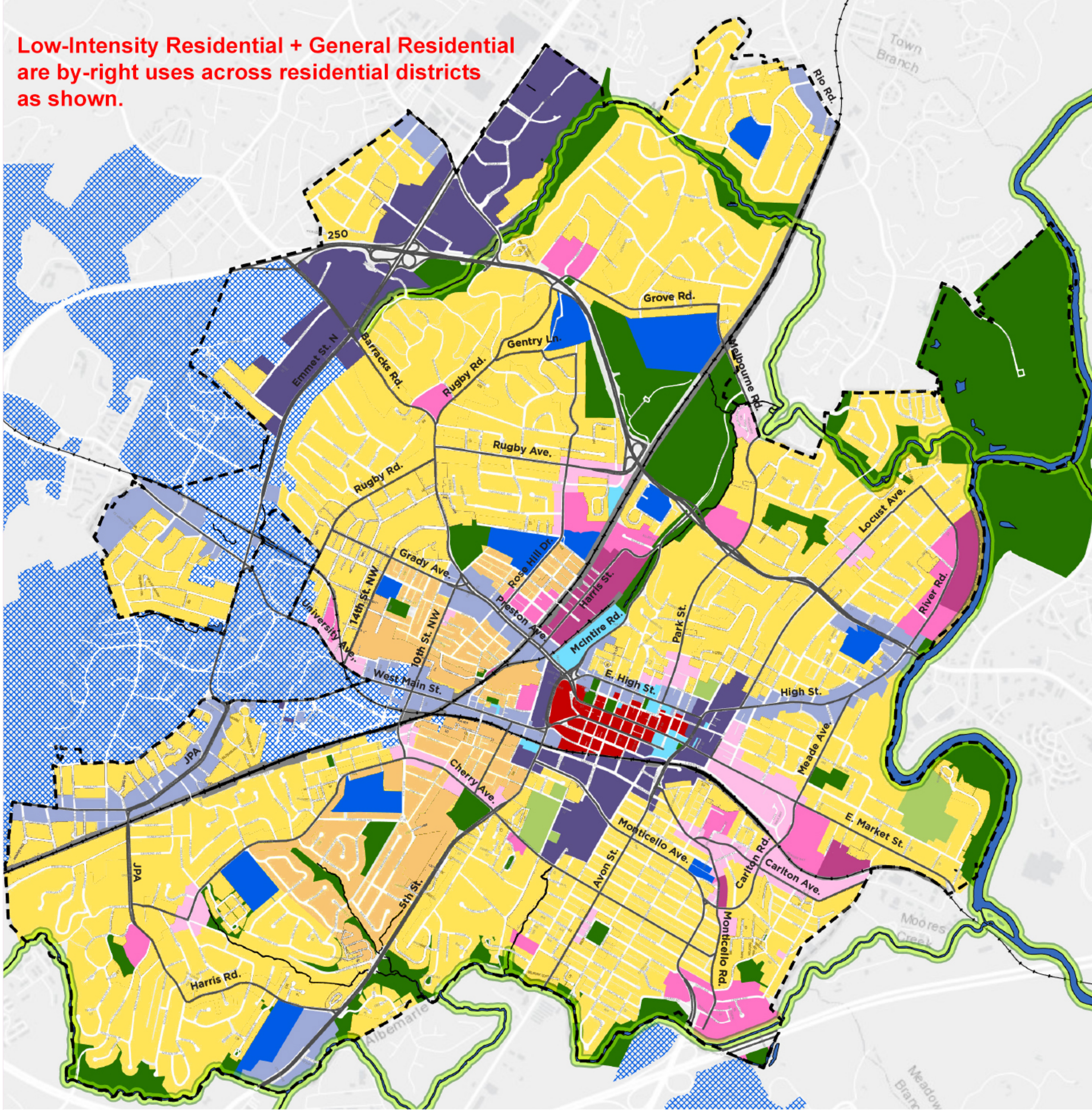
5/3/2021

LAND USE CATEGORIES

Detailed descriptions provided on the next page.

- LOW-INTENSITY RESIDENTIAL**
A range of housing types scaled in context with the existing single-family character.
- GENERAL RESIDENTIAL**
A range of housing types scaled in context with the existing single-family character.
- MEDIUM-INTENSITY RESIDENTIAL**
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- CEMETERY**
- CIVIC (PUBLIC AND SEMI-PUBLIC)**

Low-Intensity Residential + General Residential are by-right uses across residential districts as shown.



(Alternative Proposal draft)

Draft Future Land Use Map

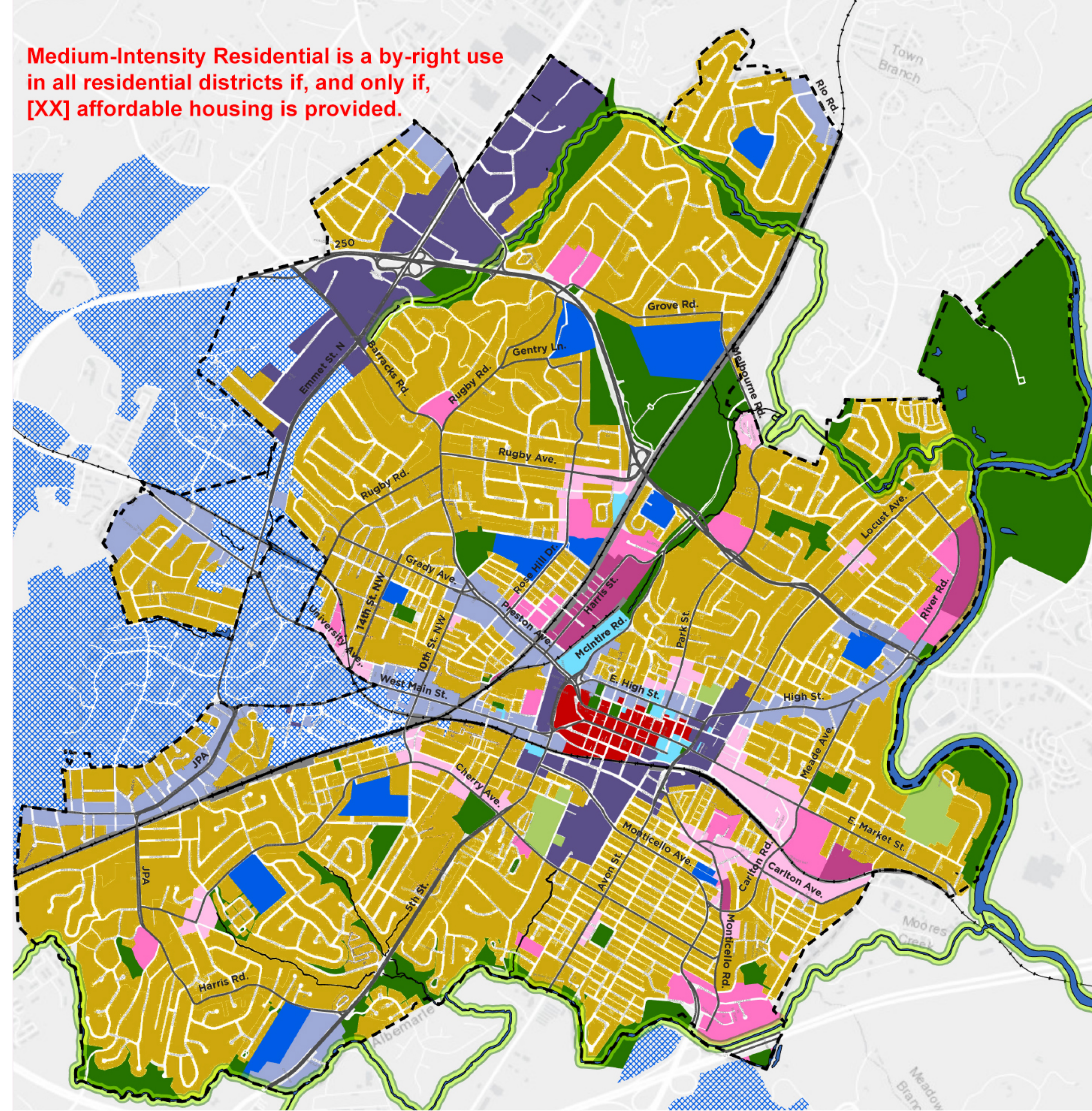
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- CEMETERY**
- CIVIC (PUBLIC AND SEMI-PUBLIC)**

Medium-Intensity Residential is a by-right use in all residential districts if, and only if, [XX] affordable housing is provided.



(Alternative Proposal draft)

Draft Future Land Use Map

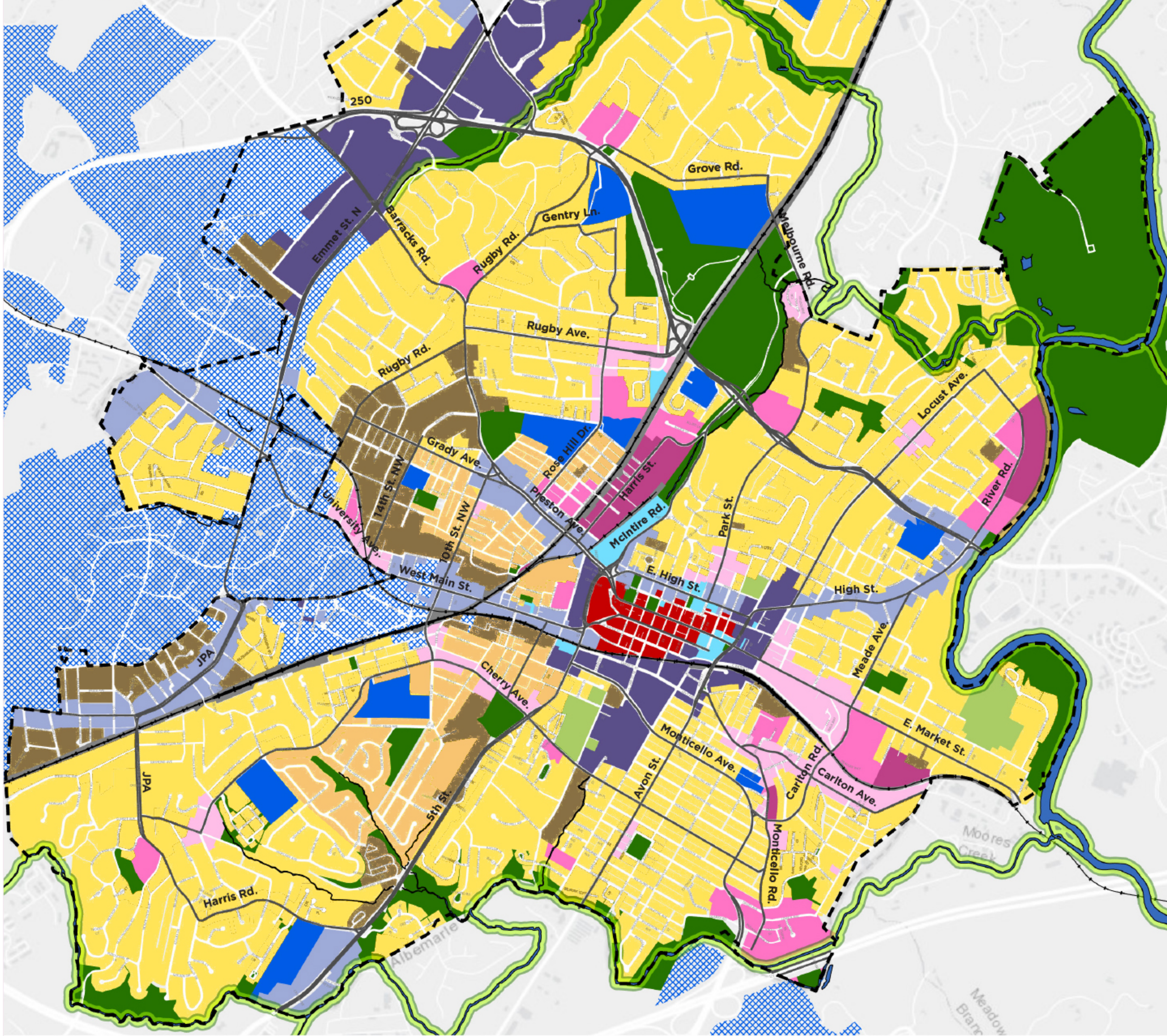
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- CEMETERY**
- CIVIC (PUBLIC AND SEMI-PUBLIC)**

High-Intensity Residential is a by-right use in specific, scale-appropriate residential districts if, and only if, [YY] affordable housing is provided.



Planning Commission Work Session

February 23, 2021 5:30 PM to 7:30 PM

Virtual Meeting

Members Present: Chairman Mitchell, Commissioner Russell, Commissioner Stolzenberg, Commissioner Lahendro, Commissioner Palmer, Commissioner Heaton, Commissioner Solla-Yates, Commissioner Dowell

Staff Present: Patrick Cory, Missy Creasy, Alex Ikefuna, Joe Rice, Matt Alfele, Carrie Rainey, Lisa Robertson

The Chairman called the work session to order at 5:30 PM.

Land Use Rezoning Presentation and Discussion/Questions

Jennifer Koch, Cville Plans Together – Our goal for today is to really have a robust discussion of this future land use framework that we've sent along in this presentation, starting with some initial discussion about the history of development in the city, existing conditions, previous planning processes, and other aspects that really fed into our development of this future land use framework. This is our first discussion of this initial framework. The framework we're going to present to you is a draft concept. It's meant to be a framework. It's not a full plan. It'll be fleshed out and further defined next time you see it. That'll be defined based on our conversations today, other input we may get from staff, as well as the steering committee. I'll note before we move forward - this is a work session. We do want to hear from you and have this be a really interactive session. We've already gotten several comments. Thank you for that. We'd be happy to discuss those further as we go along. Noting that we have quite a bit to get through and we only have two hours, we don't want to go too far over that. I want to be able to leave some time for community comments at the end and a lot of robust discussion for us all when we get to that future land use framework. I will be playing the timekeeper and trying to keep us going on that. This is our updated schedule reflecting what we hope will be our next steps. That includes having not only a discussion tonight and likely another discussion with you, but having a community discussion about the future land use map as we get into April. That community input point will really be focused on the land use map. It will also be a chance for people to review other revisions to the plan not only to the land use piece but to the other topic specific chapters. As we work toward that we're meeting with you tonight. We have a meeting with the steering committee on March 8th. We haven't talked about timing of this with NDS yet. If possible, we'd like to have another check in with you before we progress to the full public engagement. Our intent is to have a really thorough process here to talk about this land use map as we move forward. This is on the website if you want to take a closer look. I want to just give some brief thinking points as we go into this discussion tonight as the Cville Plans Together process is really three things that are all related. It's the affordable housing plan piece, which we've talked about a lot and which we're talking with Council about on March 1. We hope that we will have endorsement of that concept. That affordable housing plan piece will then be pulled into the comprehensive plan piece. Once the comprehensive plan is fully adopted, we'll be rewriting the zoning ordinance. The comprehensive plan/future land use map might often look to some like a zoning map but it's not. The future land use map is really meant to be a tool to describe the plans long term vision for the location and character of development in the city. We say "here are 20 to 30 years." It really depends on the jurisdiction and what

folks decide to say is the vision here. That might be something that we talk about tonight. It's also a guide for development. It's not a requirement unless the city chooses to treat it as such. It can be used when evaluating development proposals but it's not legally mandatory. With the comprehensive plan, we said what it is. It's not a rewrite of the zoning ordinance. That will be a next step in this process. We know that the zoning ordinance is really how these things get implemented. It's really of great interest to a lot of people. We want to make sure we have the more holistic concept in this comprehensive plan piece before we talk too much about the specifics of zoning.

Ron Sessoms – As you look to the future, it's important to take a look at the past and how the city has evolved over time. Charlottesville has had a very storied past. Charlottesville was founded in 1762 and incorporated shortly after the Civil War. Two major elements that led to the development of the city in its early days was the establishment of UVA and the extension of the Virginia Central Railroad to the city. From that incorporation, there was a series of ordinances enacted that really began to create restrictive covenants within the city that segregated races within the city. This is something that was not uncommon amongst many American cities. It's important to note that none of these ordinances are active today. However, they do begin to tell the story about the demographic distribution throughout the city as it exists today. In the early 1920s, the city enacted its first zoning code, which allowed for up to two units per acre instead of one or two units per property. In the 1950s, the city saw the development of several plans, one being the city's first comprehensive plan in 1958, which led to the city's first urban renewal project, which proposed the extension of the downtown mall and the elimination of Vinegar Hill. The elimination of Vinegar Hill was quite significant. It was an African American community. With that community being razed in 1964, there are residents that are still alive, that remember the urban renewal project that took away their neighborhood. It's important to recognize the history. Sometimes it's good and sometimes it's bad as in the case of Vinegar Hill to understand what some of the major planning projects were that have led to the development of the city over time. By 1991, a new zoning map for the city was introduced which brought in single family zoning within the city. By 2008, the current zoning code was adopted and by 2013, the current comprehensive plan was adopted. This planning process led to the update of the 2013 comprehensive plan.

Ms. Koch – We know that it is not an exhaustive list of every zoning amendment. We want to give some major highlights there.

Mr. Sessoms – The City of Charlottesville is a compact urban city. It encompasses over 10 square miles with 50,000 residents. It's important to know that Charlottesville does not lie within isolation. The city lays within the county. The urban ring is a joint master plan to area around the city of Charlottesville, which you see on the map to the right with those proposed land uses that was developed as part of the one community project, which served to unify the borders of the city with the county. The plan is calling for many different types of land uses: residential, UVA expansion area, office mixed use areas, the US 29 corridor, the Pantops area, and the south and Western edges of the city that are proposed to become more intensively developed over time. The city is one that is rich with amenities. Charlottesville is the county seat for the county. It is also a primary destination for shopping and other community amenities that bring people to the city. This map begins to show the distribution of community amenities. Downtown is the city's core and serves as the city hub. It is home to retail and places for people to live. There are many civic institutions located downtown. Balancing that is the US 29 corridor to the north, which serves as a major shopping destination for the city and the surrounding county. The Pantops area to the east is an emerging cluster. The new Martha Jefferson Hospital is located in the Pantops area. It's creating a new employment and destination node on the city's eastern edge. Charlottesville is a place of

employment. We can see from the census data here that employment is concentrated around downtown. You can see that some of those civic uses are large providers of employment for the city, UVA to the west, and along the US 29 corridor to the north. With the smaller context map to the left of the main image, you can see what happens around the city. If you look to the city and want to understand where there are employment centers that are located within proximity to the city, to the north there is the US 29 corridor and the employment hub continues to the north. You can see on that map around the Martha Jefferson hospital, there's another major employment hub on the east side of the city. Charlottesville is a place where people live. This map here shows the planning districts identified by the city. These are not neighborhoods. These are the city's planning districts that provides opportunity for coordinated planning efforts throughout the city. It's important to understand that where we do have neighborhoods that they're all different. They vary in size, community context, history, and certainly demographics throughout the city. The city is a place to live and it is served by diverse neighborhoods. With this map, which is still under development, you may see some residential properties which were omitted on this map. We are going to make those corrections moving forward. We wanted to just show the diversity of housing types within Charlottesville. You can see there's no complete area that's one singular land use. Low density single family land use is a dominant residential type. However, there are medium density land uses and higher density land uses as well, which make up those neighborhoods. Here, you can begin to see what I mean about single family spectrum of lower density residential development to the spectrum on the other end of the spectrum, which be the higher density residential, which will include apartment buildings, and other more substantive development types. In the middle, we have townhomes duplexes, triplexes, and quadplexes, which are a medium density land use type that provides affordable housing types to community residents. Charlottesville is a place of transportation. On this map we have identified corridors based on average daily traffic. We know that we are a city that not only depends upon cars to get around, but we're also a transit oriented city. Many of these major corridors have transit facilities. As we begin to look to future land uses, we want to look at where people are and how people move throughout the city. You can see the darker the shade of blue, the more intensive the traffic or intensive the corridor is down to the lighter shades which are less intensive. You can begin to see how the downtown is a major hub. You have major corridors leaving from the hub out to places like US 29, 5th Street, High Street, McIntire Road, and the 250 bypass. The city is a place of open space and nature. Here you can begin to see the distributions of parks and open spaces, which because of the city's compact size, parks and open spaces are relatively walkable within the city. We have larger neighborhood parks primarily located throughout the city center area and to the south. The city's larger, more citywide parts are located to the north. The Rivanna River is a major natural resource on the city's eastern edge. There are a number of tributaries that extend from the river, which provide natural corridors that connect parks and open spaces throughout the city. An important natural resource of the city is topography. The topography within the city of Charlottesville varies. It has a very rolling type landscape that has influenced how the city has developed over time. The city is fairly developed, Most of the city is developed leaving only 3% approximately of the existing acreage of the city undeveloped. As we begin to look at the future land use we have to take into consideration that there's not a lot of opportunities for development in the city. If we can't grow out, we have to grow up. There are a number of projects in the pipeline within the city, including residential, commercial retail, and office. As you can see here, about 1600 residential units are either approved, under review, or under construction within the city, which is a big deal, especially considering that the city has such a shortage of housing. Housing demand is so high in the city. Supportive land uses, including commercial development to support those new residents and existing residents, as well as places for employment. We're seeing an increase in office development as well.

Ms. Koch – When we were on the vacant sites slide there was one thing that occurred to me as we were going through those big sites. There's also the consideration of underutilized sites, which obviously can mean many different things. These sites that we're showing on here are including parcels that are completely non-developed, not easily underutilized sites. Is that correct? Ron?

Mr. Sessoms – Underutilized sites would make up some of your commercial properties along US 29, which could be prime for redevelopment intensification, which could support the city's growth goals into the future.

Commissioner Palmer – One thing we may want to put on there would be high density UVA housing that is actually in the city. When you look at that map, it does show that density that exists around UVA might not necessarily be private. It is high density housing for students.

Mr. Sessoms – That would be a very good addition to our analysis. That would be very useful information to plug in.

Chairman Mitchell – A lot of those sites that have not been built on yet have very steep slopes. It would be very expensive and very difficult to get the Planning Commission to approve those sites being developed for residential use. They have critical slopes that lead into critical waterways in the city.

Commissioner Russell – What about city owned properties? Would that be an interesting exercise?

Ms. Koch – That would be an interesting exercise to look at what that looks like in the context of the rest of the city.

Commissioner Dowell – Is there any way we can get some kind of analysis of the breakdown of the price points of the units? I would be interested to know where we are.

Ms. Creasy – The information that they have used for this is a development review sheet that we have been maintaining that notes what is under review, what is approved, what is built, and what is under construction. It gives basics. It would give a basic description of what is proposed for that site. It probably wouldn't get into the details of the price point of units at that point in time. We wouldn't necessarily have that information until construction is underway. There are few that we would know x number of units would have to meet affordable requirements.

Commissioner Dowell – If that was something that we could work on getting that data, that would be greatly appreciated.

Mr. Sessoms – There are a number of neighborhood studies and small area studies that have been completed throughout the city. We've noted five key plans or studies that have been implemented throughout the city, which are either approved or underway. They all have underlying themes that provide some similarity. Many of them talk about increasing affordable housing opportunities, attracting and retaining employment in businesses, including or making sure that we preserve the community character within many of these, particularly the neighborhood areas, and the theme of environmental stewardship. Making sure that we are being sustainably proactive as we begin to develop the city over time. Looking at all these five plans, they begin to create some implications of what the future land use might look like within the city. Many of them have a land use component to them. We'll be using that as an important starting point as we begin to look at future land uses within the study areas throughout the city. The affordable housing plan is due for approval soon. It has some key recommendations as far as increasing the affordable housing stock within the city. This is something that we've been taking quite seriously as we begin to look to the future land use. There are four key elements of those

recommendations related to land use. They include increasing the production of multifamily within the city, allowing soft density, and single family neighborhoods. That soft density will include things like accessory dwelling units or allowing more than one unit per lot within residential areas. The third point is that the ADUs provided a flexibility in the permitting process to allow the production of more of those affordable units. Inclusionary zoning can increase the production of affordable housing as part of particularly larger new developments. That leads us into a conversation about what the current residential zoning patterns look like within the city today.

Ms. Koch – Are there any other plans that you think we missed? Are there any recent efforts that weren't included in the discussion we just went through?

Mr. Ikefuna – Did you add the Rivanna River Corridor Planning?

Mr. Sessoms – We have that included as an ongoing effort.

Commissioner Solla-Yates – The Regional Transit Plan is crucial. If we can move people from parking to buses, that's the 'game.'

Commissioner Stolzenberg – There's also the Broadway Blueprint Plan that the county is currently working on at the edge of our border. It does require getting through the city to get to that area. It is at the end of Woolen Mills near the redevelopment of Woolen Mills.

There is also the UVA/Brandon Avenue Master Plan that will be changing Brandon Avenue

Chairman Mitchell – The bullet (on the Affordable Housing Plan Recommendations slide) that talks to multi-family by right. It ends with a comment about speaking to "reverse entrenched patterns of racial segregation." We just need to be very careful of the way we talk about this. I served for a number of years on the Housing Authority. There were many people that were worried about our community neighborhoods becoming multi-cultural. They were worried about a repeat of Vinegar Hill. We attempted mixed use, mixed income, and very diverse. As a result, we broke up ethnic communities. That made a lot of people nervous when we talked about it that way. It brought Vinegar Hill to people's minds. Keep that in mind as we think about the way we present that and when we think about our real intent when we think about the need to preserve the character of very important neighborhoods in Charlottesville.

Commissioner Solla-Yates – I think that gets to equity. Who gets changed? Who gets the higher density? Is it more equitably shared?

Commissioner Palmer – I know that this has come up before with how we talk about this. If this slide were to be presented to stand on its own, there is the layman term for soft density and inclusionary zoning. If I was a member of the public, I don't if I could define soft density.

Ms. Koch – This is a page directly from the Affordable Housing Plan. We just pulled it in to give some of that context. In that plan, there is a glossary with definitions. That's good for us to remember in the future. We need to make sure that the context is fully in there. This is the version of the recommendations prior to the version we sent in for the Council meeting next week. There has been some wording changes to this slide.

Commissioner Lahendro – The University also has a plan for the Ivy Corridor that is talking about hotels, academic buildings, and additional development. That is bound to have an impact on the surrounding communities.

Commissioner Palmer – I did have another thought. I don't know how we want to treat that. It may be a case of updating the UVA boundary that is shown there so that some of those areas that aren't currently covered in those previous slides by the UVA boundary could have that blue hatch on them. Those are things like the Ivy Corridor, Brandon Avenue, and the health system. They are all UVA owned and being developed as such. I don't know how you think about that. It is basically more accurately showing the UVA footprint.

Max Pastore, RHI – I'm just going to speak about the kind of the zoning portion of the residential part of this presentation. Unlike the rest of the material that's been presented up to this point, we really have been talking about just the land uses, right. That's things that are general. What kind of housing do you want to see? What kind of development you want to see at a very high level? It doesn't always have legal power behind it. For this portion that I'll be talking about, we're talking about zoning, which does have legal power to it and does say what can and cannot be built on property. We wanted to just bring this up, because this is really where there's a lot of interest and ideas related to soft density that gets involved here. The idea of soft density is anything that is the stuff that's between your single family house on the one end of the spectrum and your apartment building on the other. That's like quadplexes, triplexes, duplexes, townhomes, and anything that's in that missing middle. The map that you see on the screen speaks to all of the areas that you could theoretically have a residential unit in by the zoning code. Anything in that light yellow cream color is basically anything that's exclusively residential. That's your single family detached all the way to your multifamily. You can't have any sort of mixed use. You can't have apartments on the ground. You can't have commercial on the ground floor. That purple color is where the mixed use comes in. You can still technically have your residential above. It also allows for different uses too. The green stuff that you see on this map is your open spaces and your parks. Blue are your school properties. That does include public and private schools. Digging into the bigger, taking a step deeper into the residential stuff, particularly about your single family, detached housing. The stuff that you think of as not your townhomes, not your duplexes, a house that does not share with anybody else or any other property. That is a good chunk of the city. Looking at just the total area of total properties within the city, it accounts for just over 52% of property in the city. That's a good chunk of property. Anything that's shown in gray within that is anything that is not that zoning class. That's anything that could be from commercial to other types of residential zoning, but it's not single family detached. What we tried to do is overlay on top of that in red. You can see these red kind of squares and dots everywhere. Anything that's red is a property or property parcel that has something other than a single family detached house on it even though the area is technically zoned for that. The red would be things like duplexes, apartments, condos, and other types of small scale multifamily housing. Things that you might not even notice on the ground. Maybe there's a door in the back before a basement apartment or something like that. You just can't tell. Sometimes it is a bit more visible. A lot of what we call missing middle are the types of housing that we don't typically build anymore today or post World War II. There's duplexes, and triplexes, and things like that probably do exist for a variety of reasons within the city within these districts. A good chunk of them are probably pre-World War II. A lot of the stuff that we did traditionally before zoning had a lot of teeth and did a lot of regulation. It's just something to think about when we would talk about the idea of the missing middle housing going forward, whether that's the affordability or housing affordability plan and things like that. This is not a new concept. This is a really old tradition that in fact exists within these residential districts already. This slide has a lot of information on it. I want to just go through quickly some of the methods 'behind the madness here.' Basically this map tries to explain analysis of where you could theoretically build an ADU based on the provisional use system that exists today. By provisional meaning, you can't just put in an application and it's approved. You do have to go through a separate little process. It's not like

building a single family house necessarily. It's still not terribly cumbersome. The idea here is that basically anything in brown you couldn't build an ADU theoretically. Either the zoning is just not lined up for it. In most cases, what that means in this map is that it's a residential University zone.. You can see that brown solid portion that is showing Venable and JPA and Lewis Mountain. Those are just a specific type of residential zoning that explicitly does not allow for use on it. Everything else that shows that speckly stuff is mostly to do with ownership. Something that we did, as a very blunt instrument to understand whether or not you can build an ADU is whether or not it's owned by an individual. With ADUs, there's an owner occupant requirement. If someone wants to build an ADU on their property, there's a requirement that that person lives either in the main house, the principal dwelling in it, or in the backyard, in that ADU or wherever it is in the property. Anything that's Brown, that's not Venable or Jefferson Park Avenue or Louis Mountain. That would be because it's either owned by an LLC. It's owned by a church. It's owned by some organization that's not an individual? Based on that kind of that high level of analysis, we found that roughly one out of every three residential properties could actually permit an ADU in these zones.

Ms. Koch – The future land use map is not zoning. The goal here is to put out a land use map that will lead to potential looking at the zoning. We want to make sure that we know what is in zoning right now as context.

Mr. Sessoms – We started with the work that has been done in the past as an important starting point to understand how the city is being thought of as far as future land use planning. This was an analysis completed by the previous Planning Commission that looked at the links between employment and housing and how we can begin to correlate where major points of employment are located within the city, where people live, and connections in between, and how there may be opportunities for new growth nodes within the city. In this diagram, you can see downtown is a major hub. If you remember back, when we show the diagrams that have employment nodes, you can really begin to see downtown as a major employment center for the city. This diagram really begins to illustrate that as a central hub, with a series of smaller community hubs around that center extending all the way out to the US 29 corridor and those periphery areas. We had mentioned that there are emerging employment clusters particularly around the southeast area of the city. As the diagram begins to make correlations of that, the center downtown hub and how connections can be made between the hub and the surrounding secondary hubs throughout the city.

Ms. Koch – We know there was a lot of analysis that went on. We have looked at all of the analysis that was done previously.

Mr. Sessoms – In 2018, there was some thinking around what the future land use map could be. That thinking is illustrated here. This is the map from 2018. You can see that the areas in purple are higher intensity areas. Areas in yellow are lower intensity. This diagram begins to illustrate some early thinking about where intensity of development can occur throughout the city. The downtown core is more of a high intensity place, stretching along West Main Street towards the University, and then up McIntire Road to the north towards US 250, and along the US 29 corridor, where it is a major destination corridor today. There are underutilized properties along that corridor. These last properties could be low density commercial uses, such as shopping centers that may be ripe for development. This plan really began to look at the area as a potential growth zone. The same along River Road to the east. Then south along Monticello Road at the southern gateway of the city, and then along Fifth Street to the south, and then along JPA to the west of the city.

Ms. Koch – Just like the previous map, there was a lot of work that happened during this time. We have been using this map as an example. It was the last map that was last discussed in a larger public process. We know that there has been other work done, not only with the key but also the different levels of intensity. Maps that showed different areas have been discussed in some Planning Commission meetings.

Mr. Sessoms – We have completed community engagement as part of the overall comprehensive plan update process. There are key things that have been derived from those community engagement activities. The ones you see in pink specifically relate to land use planning, introducing affordable housing throughout the entirety of the city, recognizing the need for racial equality related to where people live, and avoiding gentrification displacement and recognizing historic land uses, creating and identifying safe, strong, sustainable neighborhoods for everyone. We want Charlottesville to be a very inclusive place. That's something that we need to build into our land use planning and thinking. Utilizing tools for land use and urban design elements, including increasing density where appropriate to allow for flexibility and housing types, promoting walkability and bikeability, and proximity to transit. We know that Charlottesville is a very compact city. There are a lot of opportunities to create a very walkable, transit oriented place. That's something that we recognized as part of this engagement and park connectivity. Charlottesville has a lot of neighborhood parks and trails and other natural resource amenities. We'll make sure that we're building on opportunities for connectivity to those special places. Then as part of the comp plan exercise, we are developing vision statements which serve to guide the different elements of the comprehensive plan. Here are a few vision statements related to land use planning, which are under development. These were the last iterations based on the November 2020 draft. As we begin to hear from you all and progress, the land use planning exercise will update the vision statement as appropriate to make sure that we capture all of the viewpoints that we hear from the community.

Ms. Koch – We are currently updating this vision statement as well as the other chapter vision statements based on the input from November/December. This is that previous version that was reviewed with the community.

Mr. Sessom – From there, we have begun to distill planning objectives. This is something that will evolve. I think we're going to learn a lot from our discussion tonight that we can begin to refine these objectives and add to them. We have identified six. We want to build upon the land use recommendations included in the city's previous planning efforts. Many of these small area plans that have been developed as part of the city planning processes have included extensive community engagement. The community has spoken to how they want their neighborhoods to be shaped for the future. We want to use that as a starting point for our land use planning and incorporate as much of that knowledge into the land use planning process as possible. We want to create equitable opportunities for density increases throughout the city and make sure that we're distributing density city wide as much as possible such that it becomes an equitable place. We want to consider increasing density around community amenities such as shopping, employment centers, and transit. We want to promote a walkable, inclusive place. Those are very important elements to make sure that we have connectivity. We want to develop opportunities to infill at vacant properties or redevelop underutilized land within the city. We know that we're very limited on vacant properties. As we mentioned earlier, many of the vacant lands within the city are not really prime for development. Focusing on where there are areas of underutilized properties is going to be important. We want to maximize access to public open spaces, as well as continue the synergy between what's happening in the city and what's happening in the surrounding county areas.

Commissioner Solla-Yates – Our bike-pedestrian plan should be considered.

Commissioner Stolzenberg – I feel that an explicit objective needs to be in the land use vision statements. Creating opportunities for people to get out of their cars in order to achieve our climate goals. I want to be very clear that the draft land use map is the 2017 draft.

Chairman Mitchell – Commissioner Stolzenberg, you think we should be using the 2018 map?

Commissioner Stolzenberg – We should be clear about what we're starting. Our goal here is to make a new map, regardless. We have discussed a lot over the last two years. Our plan was to start where we left off. As I understand it, the last map that we presented in public was at the early December 2018 Council meeting. That was the more intense map. There was a work session after that. We had agreed to roll the map part of it back but keep the legend of the other map. This map with this legend has the right colors in the right places but means different things.

Ms. Koch – We have seen the legend with notes on it.

Commissioner Solla-Yates – We developed the legend. The thought was that we would develop the map to the legend. We never did that.

Commissioner Lahendro – That was the 2017 map from very early on. We were still doing public engagement. That was a draft before we even started meeting aggressively and talking about how we can increase the development densities. We went through a lot of iterations. In November 2018, a draft map shows far denser mapping suggestions for the different neighborhoods. I was bothered by “there was increase in density being proposed.” We had gotten to the point of knowing that we needed to increase density. We were working very hard on that. We had draft maps the direction that we were going in. We were stopped before we finished that direction.

Mr. Sessoms – Taking in all the information that we learned, we developed this draft land use framework. This is not a solidified plan. It is just a representation of some early ideas and thinking, combining some of the analysis that we've done, information contained in existing neighborhood plans and small area plans, and the analysis completed by the previous Planning Commission and the maps from 2017. On this map, you can see the corridors that stick out on the map, which we're calling these urban mixed use place making corridors. We're trying to think about ways that we can concentrate development along key areas of the city that could be ripe for development and also begin to support higher density land use, which in the end would support the city's objective to increase affordable housing throughout the city. We identified a series of linear corridors throughout the city, one being the US 29 Corridor, JPA, Preston Avenue, McIntire Road, West Main Street, High Street, Fifth Street, and 250 towards Pantops as major corridors that we believe could be the beginnings of areas that could support higher intensity development. The width of those corridors for that more intensive development could be one block from the centerline of the road or it could be a five minute walk. I think the details of how density develops along those corridors are to be determined. We want your feedback on that. We have identified corridors that could support higher development intensity. Connecting those corridors or anchoring those corridors, such as downtown, the Strategic Investment Area (SIA), US 29, the River Road corridor, Fifth Street, the Fontaine area, and Belmont; we've identified these areas as potential major nodes. Thinking about the analysis that the previous Planning Commission created, where you were beginning to create linkages between housing and places of employment, you begin to see how that is starting to flesh itself out. The US 29 and downtown areas being those major employment hubs of the city. We have these mixed use corridors that begin to connect all of these different high intensity nodes

together. We also included smaller, more neighborhood scale nodes. You can see the smaller circles, distributed throughout the map are creating those secondary neighborhood scale nodes so that we can get some sense of place or places of orientation within some of these neighborhoods that could create places where you can get a gallon of milk or you can have other employment, small employment type opportunities. We wanted to create opportunities outside of the major nodes for those community amenities. Those corridors that connect the major nodes are places of transit. All of these corridors have or currently recommend having transit access. We are proposing more intensive uses along corridors with transit. We're also taking advantage of those underutilized commercial properties, particularly along US 29. We have some of that type of land use along River Road where it's less developed and along McIntire Road, in the industrial area, just to the west of McIntire Road, where some of those properties are already beginning to turn over use. This was a preliminary idea, thought dump that we developed. It was just to begin to steer the conversation and give us something to talk about moving forward. I think it would be great if we could get your initial feedback on some of these initial ideas.

Ms. Koch – I wanted to see if you (Ron) wouldn't mind speaking briefly about the rationale for where the smaller nodes are located just to make sure everyone is aware. There may be other ones you all would identify. You might suggest adjusting these locations. Can you give some background on the placement of those?

Ms. Sessoms – Along the Cherry Avenue Corridor, we have identified a neighborhood node at that location. It is a result of the Cherry Avenue Small Area Plan, which called for a small neighborhood node with mixed uses. We have identified the Monticello Avenue Gateway. On the south end of the city, there are some underutilized properties. There is an exit ramp from I 64 at that location. That could be a prime gateway. Cherry Avenue, Monticello Avenue gateway, Cherry Avenue south along the Cherry Avenue corridor, there may be an opportunity to create another node, a small neighborhood oriented place that could begin to anchor the Southwest area outside of the Cherry Avenue neighborhood. We have Woolen Mills, which has already been identified as a place that could become a community place. Downtown Belmont is an area that already has some commercial development. We think there's an opportunity to build upon that by creating a neighborhood scale place there. You can see in the mapping that the Preston Avenue/High Street area south has a lot of potential for infill development. Looking north from High Street and Preston Avenue, particularly along the US 250 corridor. Because of the urban form, these are a lot of low density residential communities with more suburban land use configurations. We did want to identify some places that could support more of a small neighborhood node condition. With Dairy Road, there's a ramp from US 250 that could be an opportunity. With Locust Avenue, we've identified that as a potential node. Where the nodes may be and the intensity of development, these nodes are to be determined. We did want to identify places on the plan that could support these more neighborhood oriented places within these existing neighborhoods.

Ms. Koch – There was a question from Commissioner Heaton about the UVA node. What might that be called?

Mr. Sessoms – The bubble for UVA is a product of the employment center node. We just diagrammatically located a circle because it's a major node on the western periphery of the city. I think some of our discussion about including those areas around UVA that has the higher intensity residential uses today. We want to pull that in. UVA and the area around UVA could certainly be a node that could support more intensive uses. We did identify UVA and the area around UVA is an area that could be supportive of that employment node.

Commissioner Palmer – That makes sense. It is a question for this map of whether you want to have it be that lavender color.

Commissioner Heaton – We talked a couple months ago that it is a unique feature of the city. Other university towns do have zoning and/or nomenclature that talk about the interface between the city and the university and some things that might be different in that area. I am glad to see that it is a different color. I don't think it should be just because of employment. I do think that you have to treat it as a possibility for what is permissible and what is not permissible.

Ms. Koch – Commissioner Russell noted that the Woolen Mills node appears to be over the cemetery. We should reconsider that location on the map.

Commissioner Russell – It does bring up a bigger question about the rationale behind creating nodes. I didn't know if the intent was to have it closer to Woolen Mills new development or Meade Park. There is sometimes a farmers market at Meade Park. I don't know what the rationale is there. With the Locust Avenue gateway, that seems to be in a location of a very tight ramp at 250. I am a little confused.

Mr. Sessoms – With Woolen Mills, I think diagrammatically we should shift that circle over. It's semi industrial. With parts of that area, there are some large parcels in that location. We thought that there would be an opportunity to consider some mix of employment and perhaps residential uses as part of that area as an overall concept. With the Locust Avenue gateway, we're being visionary. This is a forward thinking plan. We have not set a horizon year for what the comprehensive plan would be. Perhaps in the future, if we have a plan that says, we want to create a place here at this location, maybe we can begin to take steps to make that happen. It may be a tight interchange now. If the conditions are ripe enough and it's something that we want to make happen, perhaps we can identify opportunities to make improvements that can make that implementation possible. We figured that some of these nodes may want to take out, we can certainly do that and we can move them around. We're certainly open to those possibilities.

Commissioner Lahendro – I want to point out that in the Planning Commission's work from a couple years ago, we were proposing or in the process of adding a category called neighborhood amenity. What you're proposing here is something similar or inspired by that discussion? We were actually identifying areas of the city where it would go within without specifying exactly where it would go but recognizing neighborhoods that needed to have a low density, commercial use within pedestrian scale walking distance commercial center to serve the neighborhoods and not the city at large.

Mr. Sessoms – That's exactly why I want to include these smaller circles which are juxtaposed to the larger downtown core in the strategic investment area. We did envision these to be smaller scale, neighborhood oriented, contextual places that could support small employment on perhaps some neighborhood retail, a place to buy a gallon of milk, etc., that could support these neighborhoods, especially if we begin to think about increasing soft density. One color that I did not discuss much on this plan is the yellow. We're showing equal distribution of soft density as one approach throughout the city. If we begin to think about soft density, more units per lot, etc. the smaller neighborhood scale places become ever important. We've now created these walkable places that support the increase of density within these neighborhoods or increases of populations within these neighborhoods.

Ms. Koch – With the soft density, it could work out. For example, on the future land use map, there is broad, soft density throughout the city similar to this. In the zoning rewrite, the next step, there can be

discussions about how that looks, Soft density, which is a term we want to make sure we define that every time we talk about it. Soft density is basically missing middle housing. It's everywhere from those 80s duplex, triplex, and quadplex. That's why we say soft density because it's shorter than saying that. When we say soft density in the yellow here, that encompasses all of those. We're not saying that all these areas should all have a quadplex, for example. It might be that in the zoning. There's a broader discussion about where those specific areas might be. Did we respond to what you had mentioned about the previous process? Were you concerned about us showing specific locations as opposed to allowing more flexibility? Were you just wanting to see where we were coming from?

Commissioner Lahendro – I was just pointing out the difference. We had a similar idea and saw a similar need to what you're recognizing. I am re-assured with that.

Commissioner Stolzenberg – I'd like to better understand what the placement and the size of each of these nodes means. It used to be on downtown proper. As we saw from our jobs map a couple slides ago, downtown is the very largest node everyone is super attracted to. To me, it doesn't really make sense to include this area, just above or to not include. Whereas, it's basically the same dimensions for downtown as it is for McIntire Road, one of them is the job core of the whole city. I think we also need to pay attention to some of those corridors, especially McIntire Road and the northern part of Fifth Street to the topography. I think that makes it pretty difficult to do significant development along there. It seems to me you guys base this off of where the purple areas are in the previous map. That's forming the basis. I just want to be really clear that the purple that was near McIntire Road there, that was the Harris Street kind of industrial corridor. The very northern part of that is McIntire Plaza. There are apartments and retail and stuff. Downtown Belmont is actually more over here. We have this purple area over here, there's retail. There's that big scrap yard. I think that's maybe what you're going for, with the Woolen Mills dot there. I just want to be clear that there is more in this area. I also feel like Avon Street is a little bit omitted here. There's a lot going on in the county on their side of Avon. I think that probably makes sense as something of a corridor. I also feel that Cherry Avenue is seen more as a corridor. There's more than that small node there. I just want to be clear that we have a hierarchy of what those things mean, and that they do mean different things in different places.

Mr. Sessoms – I think you're absolutely right. On this first iteration of the framework, we're being specific and unspecific at the same time. We generically drew some of these ovals and areas as very general, without getting too precise. Moving forward, we will begin to scale to fit these areas where appropriately needed. You pointed out downtown Belmont. I think that's a really good observation. That circle was getting at encompassing the existing downtown Belmont area, as well as some of those underutilized properties near the railroad tracks. We drew a generic circle to encompass the whole thing. I think you're right. When we get into the next iteration, we really need to shape these places more according to the land existing conditions, taking into account typography, and other constraints that will begin to refine these preliminary recommendations.

Commissioner Stolzenberg – I guess the other things I'd add is the Ivy Corridor. UVA is going to develop a lot of that. With the parts that are still private, it's going to make sense to put some more density there and at the Greenbrier intersection with the county. With the corridors, I almost wonder if it always makes sense to have a full link all the way along the corridor. I can imagine JPA coming down JPA Extended, eventually getting to the really big retail area at the end of Fifth Street. With the

beginning parts of JPA, I can see it being part of a denser corridor. I don't know about the whole extent of it. Maybe somewhere down the line, the Beach Club could make sense as a node in the more distant future. I guess I'd like to understand what the rationale is for a corridor rather than just nodes. I hesitate a little bit at saying we want to put all new density and apartments and stuff on high traffic corridors. There are good reasons that you like really high traffic. Car corridors are not created to live on. Putting all the houses there means that a lot more people are subjected to those negative externalities.

Mr. Sessoms – Those are really good observations. The rationale behind the corridors is we're creating these placemaking corridors that connect these major nodes or places points of destination. You have along the US 29 corridor where you are coming from the north out of the county. If you want to get downtown, you would likely take either Preston Avenue to get downtown or US 250. McIntire and US 250 is a limited access roadway. We didn't include it as a corridor. Your major gateway could include McIntire, which is a direct point of access from 250 to downtown. They begin to create the front door image of the city of Charlottesville right now. You pointed out that some of these major corridors aren't as attractive as they could be today. As we begin to implement projects along these corridors, there's opportunities for streetscape enhancements and other placemaking opportunities to create. They really define what those placemaking corridors are and how we can create more transit oriented corridors. Perhaps in the future Preston Avenue could have a BRT or some other transit oriented use. We just started to identify the makings of what some of these transit oriented places could be. I think you made another good point about corridors versus nodes. Perhaps Preston Avenue is not just one linear, high intensity place. Maybe there are places along Preston Avenue that are defined as an opportunity. I think that's something that we will explore.

Ms. Koch – On Preston, we know there's been a lot of discussion about Preston and Grady. If you all have opinions on that, whether that should be a node, I know it was in previous plans. It was shown in some plans as a node. That's building on what Ron said about Preston. I'm glad you mentioned the transit. It's not only the corridors are where transit exists now. It can also then help focus investment in transit as well as bicycle and pedestrian amenities. We hear where you're coming from Rory with why you always want to focus where people are already driving. That can also lead to further improvements and non-motorized.

Commissioner Palmer – I would like to get some more people's opinion on the Cherry Avenue stuff that Rory was talking about. That corridor might warrant urban mixed use placemaking corridor status based on the small area plan that has been developed. Along that line, the Cherry Avenue node might rise to concentrated mixed use node. It feels a little bit bigger some of these other ones.

Ms. Koch – We can also consider having different scales of corridors, especially if it is identified in the small area plan. We will be looking at incorporating that assuming that all moves forward. We will want to make sure it is identified in some way. That might be one way to consider it. Does anyone else have thoughts on Cherry Avenue?

Commissioner Solla-Yates – I agree with Bill. I have my own point to make.

Chairman Mitchell – With Woolen Mills, what are you suggesting as it relates to Cherry Avenue? Are you wondering why Cherry Avenue is getting a little more attention?

Commissioner Palmer – Based on the small area plan that has been developed for Cherry Avenue, it feels that it might rise to a higher level than something like Woolen Mills.

Chairman Mitchell – If you have been over in that area, you’ve seen how much commercial development is going on over there. You have seen how much space is there that could be developed. I would hate to demote Woolen Mills. I know that we are focused on Cherry Avenue because we have lots of people that live there.

Commissioner Palmer – I wasn’t trying to demote Woolen Mills at all. I think there is a lot of opportunity over there as well. Maybe it’s more of a downtown Belmont/Woolen Mills type zone in there. I feel that Cherry Avenue isn’t getting enough attention.

Chairman Mitchell – I agree. I just don’t want to promote Cherry Avenue at the detriment of Woolen Mills. There is so much that can be done over there. So much is already happening there.

Commissioner Solla-Yates – I'm thinking about of major nodes, major land uses, big places on the map places people go for work or for other reasons. The two that jumped out to me that I don't see here are UVA Medical Center. It's just gigantic. It's the most intensive land use in the region. I think in many ways it should be distinct from UVA. Charlottesville High School has a huge footprint. It's all government owned land, gigantic parking lot. I think single family zoning around it. It's just a massive opportunity.

Mr. Sessoms – We’ll take a look at that. I think those are good observations for additions.

Commissioner Stolzenberg – I would definitely recommend taking a look at some of those later maps that we made. We were specifically thinking about where to put new nodes. Particularly where to put smaller little mixed use things, neighborhood amenity type things. I think we had used like hatch marks or something. There could be some good ideas in there that we came up with two years ago.

Ms. Koch – I know we're having some general discussion. I just want to note that we did have three discussion questions in the agenda. I'm just going to say them and then we can continue the discussion. You can respond to those if you'd like. The questions we were thinking about was: Do you think this general framework aligns with the discussions that have taken place over the last year?

Chairman Mitchell – If you want us to “land the plane” on each question, maybe we can take the questions individually.

Ms. Koch – Does anyone have thoughts on whether this will align generally with the discussions that have taken place in this process?

Commissioner Heaton – I was remembering the discussion about having a different type of designation for the UVA area. I like it.

Commissioner Stolzenberg – I'd like to piggyback on that. That fits into the next question too. I do think we should really think about the UVA area in a special way. I think one of the biggest concerns that people have all over the city and particularly in neighborhoods adjacent to UVA that are not UVA neighborhoods is this idea of UVA students just trickling out and expanding and putting pressure on surrounding neighborhoods. As UVA grows, as it did a lot over the last decade by over 2000 people on

grounds, it's going to continue to grow. We have areas that are student areas like JPA and the Rugby Road area. There's some little tucked in historic areas that are like professor oriented in there as well. If we can take those existing student areas and fit a lot more students and stuff in there, that's going to relieve a lot of that student pressure on the outside. In a lot of ways, I think we've seen that with the West Main developments. We've heard from the school district that there are a lot more families in 10th and Page and in Fifeville where students were spilling out. I think what people dislike a little bit about the West Main development is that we let the students spill out of their existing areas. We took some new areas and we said these are students now. I think people even maybe dislike that more than maybe the built form of that area if it were not students. I think we really overlooked those areas, such as 14th to Rugby, and JPA and Fontaine. As UVA continues to grow, I'd like to see us put a lot more effort into allowing more growth there so that they stop spilling out.

Commissioner Palmer – I think that's probably a good point that Rory just made. Those areas that he mentioned were upzoned. It did result in larger apartment buildings along JPA, Rugby/14th Street area. It sounds like you are saying to re-examine that.

Commissioner Stolzenberg – Something that came up last March but ended up getting derailed by COVID was with a student housing developer. Even in those up zoned areas, like along 14th Street and the University high density zones, it doesn't even allow the highest densities in our use matrix or even the two highest densities in our use matrix. A lot of those are olderish, large parking lot, what we think of as our R3 zone now. There are also areas in there that that didn't really get up zoned so much. There's even some that are R1u and R2u. They're full of students. Those zones ban any house with more than three unrelated people. Every single one of them has six or more unrelated students living in them, which just ends up bad all around. They have no leverage to the landlord to report violations to the city. The landlord can say, oh, you're living here illegally anyway. We can just evict you or the city will kick you out. I've heard some horror stories there. It's bad. It makes you wonder why we are preserving single family homes that are just packed full of students anyway.

Commissioner Russell – We should also take into consideration the legacy of the UVA hospital property encroaching on historically African American neighborhoods. That leads to bigger picture questions that we don't have to get into right now. When the entire area is shown as soft density everywhere, how do we specify what area's density may be threatening to those communities versus where it may be appropriated and targeted?

Ms. Koch – That gets to the third question that we had. I would say we can talk about that now. On your UVA point, point well taken. We know there's a legacy not only with Vinegar Hill but Gospel Hill as well. Keeping that in mind, I think it is a good point. As far as the soft density conversation goes, we touched on that briefly earlier. We've got this showing all over now as an underlay to this whole map. It could be that the comprehensive plan explores outlining specific areas that could be threatened by the higher end of soft density. It could also be that there's an underlay of soft density in the comprehensive plan. The zoning can then take on that and look at how we might target certain types of density on that scale of soft density to certain areas or make sure that some areas are more protected, if need be. That's my vague answer to your question. The other piece of this that I want to make sure we remember is that the affordable housing plan exists in tandem with this. Land use is one piece of this. We know that the comprehensive planning land use map changes and zoning changes that can lead to potential

displacement and other impacts. There are subsidy tools, tenant's rights tools, and other tools that are being proposed that can both help. I think that can help to strengthen some communities against those on unintended or other impacts of those zoning changes. It can help people benefit from those changes as well. I think we're keeping those in mind with the land use changes. I think we need to consider that continuing it as we go forward here how we can make sure that we're considering those kinds of potential consequences of soft density.

Commissioner Russell – That's exactly the conversation I am interested in continuing to have.

Commissioner Solla-Yates – I just pasted into the chat a new study from Portland from their upzoning to fourplexes. It actually prevented displacement. I was pleasantly surprised by it.

Ms. Koch – I thought that was an interesting study. I saw you posted on Twitter. I took a look. Portland, as many of you may know, did look at changes to their single family zoning. They then looked at what are the potential impacts of that? They noted that it was less than they might have anticipated. There were certain neighborhoods that were more potentially impacted. They talked about potential mechanisms to mitigate those circumstances. I think that is a conversation we just had. We need to keep that in mind as we move forward. I would suggest folks take a look at that. I found it interesting.

Commissioner Lahendro – How does this conceptual draft that you have dovetail or not dovetail with the urban ring/one community plan or study that has been done?

Mr. Sessoms – I can speak to that. That's something that we definitely consider as part of the development of the framework. With the US 29 corridor, you can see that this development bubble extends out past the city. US 29 is shown in the urban ring area as a mixed use corridor supporting higher intensity use; certainly higher intensity than what's shown today. We did extend that mixed use opportunity into the city taking into consideration that urban ring recommendation and again near Fontaine. There are recommendations for more office and industrial uses on the west side of the city. Continuing that JPA corridor out towards those potential future uses is something that we consider the same as Fifth Street. The community college is located on the south side of the city. Providing opportunities for people to live close to the community college, as well as more office and institutional uses planned on the south side of the city. With the Pantops area on our amenities maps, we call that out as a potential major growth area or another area of more intensive development similar to the US 29 and downtown area anchored by the hospital. We did extend that 250 corridor. You can see here it extending from River Road out to the edge of the city that leads back to downtown via High Street. We did try to make connections, where possible to where the urban ring is showing more intensive development along the city's edge.

Ms. Koch – I also want to add that with the affordable housing plan, we coordinated with the county. Our intention, with this, is that we will have a discussion with the county Planning Commission as we move forward here. It is certainly a recommendation with the affordable housing plan to coordinate with the county as that moves forward. That will be our recommendation with this as well.

Commissioner Lahendro – I am glad to hear that. It would be short sighted to be thinking of only the 10.4 square miles that we have.

Commissioner Solla-Yates – Looking again at Preston there. Preston's got a weird history. I hesitate to even bring it up. During urban renewal, it was supposed to be a six lane highway. The neighborhood freaked out. They said 'no we don't want to be a six lane highway.' We want to be a neighborhood. We scrapped the plan. We killed the project. We stopped that wide highway right there at Washington Park. This weird triangle thing that's there with it at 10th Street. From then on, it wasn't a major corridor for the city. It was a neighborhood corridor. It's been designated a neighborhood corridor in streets that work. It's an uncomfortable history. It's definitely a story of privilege and race. The lower income and African American community on Preston did not get that luxury. They got knocked out. Don't know how to handle that. I am highlighting it as an issue.

Mr. Sessoms – We also want to keep in mind intensity can occur in different forms. It may not be wholesale wiping out a block to make way for a larger development. It could be infill for a larger lot, residential uses along Preston Avenue. Thinking about opportunities to infill will densify existing lots. Density can take place in different forms. That's something we want to consider along all of these corridors.

Commissioner Lahendro – What are the next steps? Have you thought about what the final goal is? Are we going to have a land use future map that has hard boundaries to the different zones/districts within it or a fading boundary? Where is this going?

Ms. Koch – That's a good question. Our intention is not to have a land use map that looks like this. This is just a framework for discussion. The version that you all used in 2017/2018 was more of a gradual scale of intensity. This is something we have talked about and whether we should show more solid lines.

Mr. Sessoms – You're bringing up a really good point. I started to allude to it and point to thinking about for instance the corridors. How wide? How far back do we go from these corridors? How defined are we? Is it one parcel width along these corridors? Is it one block? Are we tearing development back based on a five minute walk more intensive along the corridor? Is there more medium and moderate intensity moving away from the corridor based on the five minute walk? I think that's something that we think should talk about now. Whether or not we want to show something that's more definitive keeping in mind that this land use map will be used as the basis for the zoning map, which will be more detailed, and begin to break these areas down in a more fuller context. For us it would be interesting to hear from you all how you envision the future land map to look. The maps that we've seen from 2017 to 2018 have been more of a faded spectrum of intensity of uses. We know from the 2013 comp plan, we had more parcels aligned future land use recommendations. We think that's probably the way that we want to lean towards. I think that's a good point of confirmation from the group.

Commissioner Lahendro – I was going to turn it around. I was looking to you all, the professionals, to make recommendations to us based upon your experience in other areas and other cities. I was hoping that we were going to get some guidance, recommendations from you all.

Chairman Mitchell – I am wondering if Ron or Jenny thinks that a faded map gives us more flexibility. Don't we want more flexibility?

Commissioner Stolzenberg – My recollection was that the reason we moved to the faded map in the very beginning of this process was because the rigidity of that 2013 map was causing some problems.

You'd be right across the street or right next to a different designation in the comp plan. Even though it made basically as much sense for your parcel to be the same as the next door parcel is just because that happened to be where they drew the line. When we come to review zoning decisions, we have to say, "Oh, this parcel is x designation. The faded or the transition reflects the fact that when we're thinking about this, we're really are thinking about the broader. What is it near? What amenities can be accessed from this place? It's not such a parcel by parcel thing. Of course, the zoning ultimately will be.

Commissioner Solla-Yates – It's a big issue. Generally, I am not a fan of the parcel by parcel land use map that we have and that we are still working off of from 2013. I am not clear on the best way away from that.

Chairman Mitchell – Can I get Ron's and Jenny's professional opinion?

Mr. Sessonm – I think you made a really good point on flexibility. When we show the faded gradient from the corridors, those areas touch so many residential areas. The neighborhoods outside of the corridors are so dynamic. When we do have more of the faded technique, it allows more flexibility in the zoning planning process to define how the more intensive development along the corridors step down to the existing neighborhoods. It does provide for that. Getting down to a more parcel based of a recommendation, we can be much more specific. Thinking about this map, if we were to say that we want soft density at some scale throughout the entirety of the city. This is specifically where we want more intensive uses based on those parcel boundaries taking into account underutilized properties, property size, and where more concentrated development is taking place today. We can begin to define the corridors. Maybe there's a maximum of three or four colors that we use. A yellow for existing residential, a purple for intensive/more high intensity uses along the corridors and the nodes, and maybe a more moderate and a lighter purple to show the gradation from the center line of the streets. I think it's something that we're going to have to investigate moving now that we have a general consensus of this being a general idea. With the comments that we received today, we'll go back and refine this framework. We will look at how the map is structured. I think that's something that we need to continue to develop in house as to how we want to show those boundaries, whether it's faded or defined.

Chairman Mitchell – I would like to go back to Commissioner Lahendro. He has been the leader of this effort for a number of years.

Commissioner Lahendro – With the lay people who were on the Commission years ago, that was our thinking. We were concerned with hard boundaries having one property on one side of the boundary saying "Why am I not in it?" and one on the other side complaining about being in it. When we were wanting to get across general locations and not wanting to get down to going parcel by parcel. That was our thinking. I am glad to hear that professionals are thinking similarly.

Lee Einsweiler – I perhaps would be pushing back the other direction. Jody. If zoning is plan implementation, then make a plan and have the zoning implemented. That's not to say there shouldn't be a one to one zoning district to land use map, direct translation. There should always be two or three categories available that are options for that area. There might be height options within those general categories. There should always be a palette of things that you can do. I think the majority of the community, especially when you're talking about the difference between pure residential areas, corridors, or nodes of commercial activity, they want to know where the boundaries for those are today.

Not to say that they shouldn't change. Not to say that they don't have options to be different in the future. They'd rather have you amend the plan map and then move forward with the zoning. Have the more general conversation at the plan map level. If you're going to do something radical enough, because otherwise, what we typically see is very clever. Typically attorneys wield the plan, against the surrounding neighborhoods, wishes, etc. You really get a very problematic conversation. I would rather have a one-time problematic conversation at the time of this adoption. The big difference in this process we're going through right now is we do intend to follow along with a change to the zoning map right behind this. That is a blessing and a curse, as you all know. It is an opportunity for us to very clearly say, 'here's where we're starting to implement the future land use map.' We can continue to implement the future land use map as we go on. A softer boundary that reaches into a single family neighborhood from a corridor, for example, is really hard for neighborhoods to understand. If you take the block face along the road, if you take the full block, if you take a block and a half and change as the zoning typically would on a backlot line, all those things make some sense to people. Not drawing those kinds of boundaries, in many ways, seems to leave their neighborhood edges without protection. That is worrisome. That has been our personal experience in implementing plan maps through zoning.

Ms. Koch – Given that we're close to the end of the meeting. I don't know if we want to have an extended discussion about this, I think we can take the input that you all gave, recognizing that you would maybe prefer that more fluid boundary. Taking these notes from Lee into account. I wonder if we can give some thoughts before we move forward to all of you on how we think that might work. Our proposed approach would be that there is some sort of combination of approaches that we can use here. I don't want us to get too much in the weeds tonight and not have time for comments.

Commissioner Lahendro – I appreciate what Lee is saying. What I worry, though, is that it's going to be difficult to make significant changes in our future land use map, if we're going to be stuck with hard boundaries that will be falling back to what they are now. Because to do anything more aggressive is just going to create a lot of controversy and a lot of questions. We're just going to have to go parcel by parcel. I worry that it's going to create tremendous issues for us if we try to do something more expansive and then put hard boundaries on it.

Commissioner Heaton – I would also say Jody that it's going to come down to that in the end anyway. Where we are anticipating changes, growth, height variances, and extended things like that. I think we do need to say where that's going to happen. In some way, you can just say to a property owner adjacent to this space that is changing will have options that people who are not adjacent to it will not have. Because we need to identify those places where we think we need to go up because we can't go out anymore.

Commissioner Lahendro – I am seeing the future land use plan as a step in that direction, not the final direction in itself.

Commissioner Stolzenberg – I think what we found last time is that we wrestled with this idea of transition zones where we go from the dense center and the mid rises down to your smaller apartment buildings, your smallplexes, the oneplexes, the fourplexes of most residential areas. I think we did realize that we do need to differentiate that transition and that softer gradient from the use and the potential for mixed use and commercial use. In one of our last meetings, we ended up going back to

specifically designating mixed use or commercial use areas with those hatch marks as a category separate from the intensity of the built form. To me, it sounds like maybe that is the thing that residential neighborhoods worry about most.

Commissioner Dowell – I also agree with what was said. We do need to have some designation of the zoning change from where the intense density to the lower intensity. Make sure that our key is very definitive on describing to the lay person in just a quick glance what each zone represents in intensity. I definitely agree with Ron. I also think that we need things to be delineated. We can't say this is the delineation. If you're across from it, adjacent to it, then we can do special circumstances. I think we need to draw our lines, figure out what we want to define as what, and then stick to that. We do need to have the delineation so that people will know. If we are planning then let's plan and then implement and not plan, withdraw, or go back on the plan. I do feel like we're on a good path to that.

Commissioner Solla-Yates – Just a couple of principles we talked about in 2018 that I recall. There shouldn't be radical differences directly facing each other. Lower lying areas can handle more height. Very high areas on ridges makes it look much bigger visual impression.

Commissioner Dowell – We were referring to the Habitat site on Harris Street. That site sits down below street level. To have a higher building there would be appropriate versus right across the street where the GoCo is at street level.

Chairman Mitchell – There is one thing that would be of value to me and Ms. Thomas. It's going to be important we handle this differently when we talk about the equity issue. Maybe at some point, there's value in your coming to the Commission to talk about the equity issues and how you are planning to articulate the equity issues as it relates to Charlottesville. We would benefit mightily from that.

Latoya Thomas – We have started some preliminary conversations around what the conversation publicly around use and particularly bringing in the idea of equity and what that means in the land use context.

Chairman Mitchell – With the gentrification that would happen in Vinegar Hill, desegregation and how you manage that without haunting people with what happened. That's going to be pretty important.

Commissioner Dowell – I notice that you said the community engagement process is over. I would be interested to know your outcomes from that community engagement. I just want to compare it to the information and the demographics of the people that responded from the first round of Planning Commission questions and community outreach and how it compares to the information and demographics that was gathered this time. That's important. The next time we have this comp plan update, we're not back at square one. I would like to know what you did differently and how they responded differently. That way we can know that we are not reinventing the wheel.

Ms. Koch – I would say that the community engagement process is not over. The second phase is over. We do have summaries of community engagement from the first phase in May and June. We have a summary of the second phase. We do have documents that summarize the activities that were completed as well as what we heard and who we heard from and the demographic information. I would be happy to make sure that you have those. I would be happy to pull together a brief summary and how they compare.

Commissioner Dowell – I definitely wasn't expecting you to have that. That one thing is going to be a learning tool for everyone moving forward. If we had to hire a consultant because we couldn't hit the benchmark, I want to make sure that if the consultants hit the benchmark, what did they do to hit the benchmark? Did we really reach the demographics that we were looking for? That was the initial halt in the comp plan update anyway. When we're back in this situation with any of our community engagements moving forward, your information will be our golden rod.

Ms. Koch – The best time to talk about that is when we come to you with the next phase of the engagement.

Chairman Mitchell – One last thing, I won't go into too much detail on this because I think the information is embargoed for a while. UVA whose footprint is probably 1/3 of what is in the city is beginning to think about affordable housing. They're beginning to think about that beyond just what goes on with the students at UVA. I can't go into lots of detail, but it's embargoed. I would ask you to reach out to Bill and Alex to connect you with the consultants that we brought on board at UVA to begin thinking about affordable housing so that you are able to factor the work that you guys are doing into the work UVA is doing as well.

Ms. Koch – We are certainly aware of the more general goals that they have. It would be great to get more specifics if we can.

Commissioner Palmer – As you guys know, this was announced about a little under a year ago, about a week before all the lockdowns from COVID happened as a UVA initiative to support affordable housing in the region. It got put on the back burner until we got our act together. At this point there's been a consultant hired to start. They've been referred to as like a Sherpa in a way to help us through this process, help UVA understand what would make the most sense. Having made a statement of intent to have this, to do this, and how do we implement it? I know that project process is just starting. It goes hand in hand with everything that we have been talking about.

Mr. Ikefuna – I think Mr. Palmer noted the status of the UVA process. We had a LUPEC meeting last week. I think we were provided an update in terms of the hiring of the consultant by UVA. Having said that, as we move forward, I think RHI and staff will have to touch base with the University architect regarding some of the projects and initiatives they have on the Ivy Corridor. There's a lot going on at UVA right now in terms of planning and development. We have to catch up with that and make sure we are speaking the same language.

Chairman Mitchell – We can't talk much about it yet. I think by the middle of March the information will no longer be embargoed. I think there's value in you chatting with their consultants. I suspect that you know who they are and will enjoy working with them.

Mr. Ikefuna – I think we already had some consultations with UVA and the UVA Foundation regarding development and housing. We will continue that discussion as we go forward.

1. Public Comments

Bill Emory – I'm a huge fan of planning. I hope that you guys can give the members of the public some tips on how this plan will be modified as we go along. With Woolen Mills, we first asked for a small

area plan in 1988 and still haven't gotten it. It's very disturbing to see the node in the middle of the graveyard. We're ready to talk. We have a lot of information. We have 50 years of institutional memory. Jenny and all the planners are our favorite people. We look forward to working with them. It's just really unnerving so far.

Kimber Hawkey – I was really glad to hear Lee talk about the impact on neighborhoods because it often seems like a lot of these decisions are being made from the outside and being imposed on neighborhoods. I live in the Belmont neighborhood with my husband. We're questioning the amount of extensive community engagement that has been done. I know that we filled out a survey online. We didn't see anything about mentioning historic preservation, tree preservation, and green space preservation in the materials. I know other people are concerned about that. We're concerned not to see those issues being raised as well. It would be helpful for the community to see the information. What percentage of the population actually gave input here? How does that break down per neighborhood? As I look at the map, I see the designation of quote unquote, downtown Belmont. That's something that was imposed on this neighborhood probably starting maybe 18 years ago. When we moved into Belmont, there was no quote unquote, downtown Belmont. It really comes off as the city looking to coop our historic residential neighborhood as an extension of the downtown mall, which it is not. It is a neighborhood in and of itself, and always has been. I would suggest maybe something like Belmont center instead, because we are not downtown. Listening to Belmont center being designated as a major node is concerning. How do the residents who have lived in Belmont for generations feel about that? We have not seen the getting a gallon of milk thing happen here in Belmont. We've seen a lot of restaurants that have negatively impacted us with the destruction of trees, noise, the smell, stopped up pipes, and issues of parking. Maybe one or two small restaurants would have done this area well. There's just been a lot of push for that restaurant type of business that brings in all people from outside the neighborhood. We've never seen a small area plan for Belmont, as Mr. Emery pointed out. Where is that? If it doesn't exist, why hasn't that been done? How do we involve the neighborhood in that? We're concerned to see the purple as high intensity areas. It seems to be that floodplain is still in that purple area. We have questions about that. We would love to see the emails of the Planning Commission back on the website so that people can send emails and have more of a real conversation with the planners.

Josh Carp – I've been reading and thinking a lot about displacement and zoning and gentrification. I want to commend you all for talking about it and taking it seriously. One way I believe the best way to prevent displacement is to have policies that explicitly prevent it. If evictions are a problem, we should make evictions hard to perform. I don't think that not allowing people to build smaller homes on less land will prevent displacement. I would love to hear more about your plans for tenants' rights. We don't do well with them. We should do better. I was looking at the intensity map. I think there's some good stuff there. Some of the areas that are marked for high intensity are crummy for reasons that are not likely to change anytime soon. If you walk around Harris Street, you will pass a concrete manufacturing plant. You will pass a gas station and landscaping store. I don't so much want to live with my small child next to a concrete facility with heavy loading trucks driving in and out all the time. I wouldn't want to walk there. There aren't any sidewalks there. I wouldn't want to bike there. Similarly, high intensity on Barracks makes sense. Barracks is a busy loud, high traffic road, with lots of cars on it. I would not want to cross it with a child or on a bike or be around there on foot in any way. Allow housing there. I would not want to put all the smaller, cheaper housing in parts of town where frankly, people don't want to live.

When you're looking to build and add more density, the best places to put it are places that are desirable. That is going to include lots of downtown I think more than you have on the map right now. We're at Belmont. To me, I'm a parent of a young child. I think about this a lot near schools, I really want to be able to walk my kid to school without getting in a car and crossing a major road or spending half a million dollars in a house. Right now that is not really possible in town. I would just think broadly about allowing people to live where people want to live and not in industrial, car focused parts of town. Don't take anything out intensity wise, but you might want to add more homes, more density close to places where people actually choose to live.

Neil Williamson – With the Free Enterprise Forum. I believe I've spent at least 50 months on this project and with all of you. I appreciate tonight's conversation. Number one, change is hard. Number two change is needed. I'm a little concerned by some of the comments regarding the zoning may modify what the comp plan says. I think we need to make big changes and think big. We're very concerned with tonight's quote, nonspecific nature. I know we've got to start somewhere. I know that's the case. We're just really looking forward to more specificity in the future. The community needs objective metrics regarding the impact of these changes. I know that's hard at the comp plan level. The community needs to understand what you're proposing. Specifically, how or what objective metrics would be impacting the dovetailed affordable housing plans. You've got an affordable needs assessment. How does this fit with that? Will there be enough units? Could it work? These are knowable answers. I hope that we can get to them. Finally, I really hope that this will result in the mantra, more housing everywhere for everyone.

Lisa Stoessel – The first question is what changes are you envisioning for the River Road Corridor? I was part of a webinars zoom call that was specifically about the River Corridor. I guess my specific question about that, is there a possibility to move the industrial uses away from the river and develop it as the natural and recreational resource that it is? I see that there's apartment buildings going up there. I think that it would be great to change that whole area into mixed use residential affordable housing, a nice place to live with a public school nearby. Why do we have to have these heavy industrial businesses there that could easily do their work and their business elsewhere in the city? We have a responsibility to really celebrate the fact that we've got this beautiful river and not have it hiding behind these industrial businesses. I don't know how much capability you all have in changing that. That's just my input. What changes would you envision for the Woolen Mills node? I know that there's this new refurbishment of the Woolen Mill. I don't really know what you have in mind in terms of anything beyond that. Would it be possible to move the large metal recycling industry out of Woolen Mills to the Avon Street Extended industrial area? Does it need to be adjacent to the railroad tracks? That part of Woolen Mills could be much better utilized as residential or mixed use? That could be a great place for the Woolen Mills node. On your map, you've got something designated as the Locust Road node, I think you mean Locust Avenue.

Kurt Keesecker – I was just going to add a couple quick comments maybe in the form of questions. The thrill of the process is taking big ideas and translating them into some kind of action that can carry forward. That mix of big concepts which everybody when we talk to each other, we seem to all be on generally the same page with the big concepts. We move into the details of how to take action or implement, it gets harder. I'm jealous, because that's the fun part. I think one of the tools that you can

continue to use if you want is that there's something between that land use plan and the zoning map. It's those big idea diagrams. As you guys continue to have these meetings and speak with the public, don't forget to use the framework plan and the concept diagram to help instill some similar thinking because we all agree, I think generally on the big ideas. That brings me to my next point, which Jody touched on with the faded edges to the lands versus the hard edges in the land use map. I think what we were finding back in the day was that the hard edged, property, land use map was that the hard edges were debated too. They weren't solid, they were just as faded. We had so many processes that allowed those land use edges to move around. I think we were thinking we would facilitate more clear conversations about something intent wise with less concentration on the property lines, and more on the ideas. What is evident is that sometimes the property lines were arbitrary. They didn't conform to topography which goes to what Lyle was speaking of and they didn't conform necessarily to cultural, historic or other boundaries that we're all aware of as residents of Charlottesville. Some of those soft edges would push debate later in the process for proposals from applicants in the future, I think the softer edges in terms of the planning with these big ideas would allow more flexibility to get to be kind of responsive to the boots on the ground. We know it is there when we're walking around in and not just kind of dictated by the depth or the size of certain parcels.

Emily Dreyfus – I wanted to just raise a couple of things. So many of the comments have brought up some really important issues. If I recall correctly, COVID really stood in the way of the community involvement work that was originally planned for the consultants. I think the response rate for black people was only 16%. I think most of those folks were related to some focus groups that were organized around black homeownership, which is certainly an important issue but only one of a few. I want to just draw attention to the fact that we have a really limited number of city neighborhoods that continue to have a high percentage of black people living there. We need to preserve our cultural diversity. We need to really slow down and stop if at all possible the displacement happening for black families. I think that the zoning was referenced a couple of different ways in the affordable housing plan. I know that's not what we're here to talk about tonight. One of the ways said that the planning process that you all are engaging in with zoning needs to consider which neighborhoods will be most important for up zoning. Where do you want to build the sort of duplex up to quad or small apartment buildings? I would just like to comment that the Low Income Housing Coalition really hopes that you will not do that within the predominantly black neighborhoods that still exist. Areas like 10th and Page and parts of Fifeville and Prospect and Rose Hill and other neighborhoods need to be protected from increased density. I hope that you will take that into account.

2. Commissioner Comments

Commissioner Palmer – I did throw a link in the chat to a news item about the affordable housing plan. In terms of who the consultant is on that is in there. That's public knowledge. I would just encourage you, if you have questions about any of that, or the university's planning or how we want to portray some of the university aspects in this land use section, just please reach out to me and I can either help you with that or get the office of architect and other personnel there involved as needed.

Commissioner Russell – What we have done here is set a good framework for our next dive in what we mean by soft density. Where does it go?

Commissioner Stolzenberg – I think one thing I would add is that one of those goals in the affordable housing plan was to create multi-family by right beyond soft density in those historically exclusionary, segregated, white, and high amenity areas. I really don't see that quite yet in this framework. I will be interested to see how that is reflected in the future.

Commissioner Heaton – I would concur with what Rory said. If you want to call it an equity zone or how we are going to introduce the emphasis on affordability and equity in the city. If there's no way to put that in the zoning I don't know that I have an answer to that. I do think the plan should reflect some aspect of the city's movement towards affordability and equity. That's the only thing I would add. I think everything else tonight was really good. I like the UVA different color and I like the idea that we're going to have to move toward a lot designation. Soft edges don't work in the end.

Commissioner Dowell – For the most part, I've already stated the few little questions or issues that I've had. I think we are definitely moving in the right direction. I just want to make sure that the demographics that we were looking for to respond to this plan have been captured. I do know COVID has played a big factor in this. That was, to me the whole purpose of having the second go around. The other thing that I do want to just reiterate is that I also noticed we had talked about originally. I think that out in the Greenbrier neighborhood, it doesn't look like much has been changed as far as the intensity goes. That's where that equity and inclusion is going to have to be reflected in the map. I say you're doing a good job. I appreciate the hard work. I look forward to the next time we meet with an update.

Commissioner Solla-Yates – I think the public comment really nailed it. Adequacy, equity, and access to schools and parks. If we can hit that, I think we have got it. What I see makes sense. I think we can do more.

Commissioner Lahendro – At this first, broad brush, concept level, looking at the first draft plan by the consultants and looking at the guidelines or the concepts that are listed, increased dense, mixed use at key nodes, a hub and spokes framework transition from more dense development to softer density, and maximize access to transit. These are all things that we were working on three years ago. It's heartening to see that we're following in this same direction. As I know, and as you all know, the devils in the details from here on out.

Chairman Mitchell – The idea of increasing density with equity in mind is important. I was not artful earlier, and I probably wouldn't be even more artful now. I worry about the fact that we get desegregation. That's important. We have to keep them on the culture here. What happened with Vinegar Hill when they desegregated for the sake of doing all kinds of wonderful things for the city. Let's just keep that in mind as we present this to the public. We do want to increase density because increasing density brings more equity housing. We just need to make sure that we market this correctly. The other thing is, infill development is going to be challenging because infill development may not be accepted. We have to do all the work that we need to do to mitigate the negative impacts to our environment, our streams, our creeks, and waterways, when we build on these properties. I would have no idea how many of those properties are on critical slopes that feed into our creeks and streams. We need to protect those.

Something we need to think about when we begin crafting the comprehensive plan and we begin thinking about how we increase the affordable housing stock and how we increase the density and then protect the critical slopes.

Ms. Koch – We can keep that in mind for the next iteration of the plan. I think we've got a lot of good feedback. I'll have to go back and read through my notes. We've been taking feverish notes here. I think we've got a lot to work both in terms of how we can refine the plan at this stage and then come back and have a check-in point with you before we have a larger public engagement phase, which will involve a variety of activities as far as our other engagement phases have. When we come back, we'll try to address the issues we've talked about tonight and progress it along.

Mr. Sessoms – We have received a lot of good feedback tonight that will give us a good path forward to refine the concepts that you all have seen today and to the next iteration.

3. Adjournment

The meeting was adjourned at 8:14 PM.