

## Agenda

### **PLANNING COMMISSION REGULAR DOCKET TUESDAY, March 8, 2022 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)

1. Minutes – February 8, 2022 – Premeeting and regular meeting
2. Minutes – June 29, 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

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

*Continuing:* until all action items are concluded.

1. **ZM20-00003, SP21-00002, & P21-0023 – 1613, 1611, and 0 Grove Street** – Landowner Lorven Investments, LLC has submitted applications seeking a Rezoning, a Special Use Permit, and a Critical Slope Waiver for approximately 0.652 acres of land, including multiple lots identified within the 2022 City real estate records by Real Estate Parcel Identification Numbers 230133000, 230134000, and 230135000 (collectively, "Subject Property"). The Subject Property has frontage on Valley Road Extended and the unimproved section of Grove Street Extended. 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) subject to certain proffered development conditions ("Proffers") and development plan. The Proffers include: (1) prior to the issuance of a certificate of occupancy for the seventh (7th) dwelling on the Subject Property, the Owner shall contribute Forty-Eight Thousand Dollars (\$48,000.00) to the City as a cash contribution to support the City's construction of pedestrian improvements within the Fifeville Neighborhood, and (2) twenty-eight percent (28%) of all dwellings constructed onsite shall be affordable units (AUs), as follows: 14% will be for-rent such that the monthly cost of rent, including tenant paid utilities, does not exceed 125% of the Fair Market Rent (FMR) established by HUD by unit bedrooms for the Charlottesville MSA, and 14% will be for rent AUs such that the monthly cost of rent, including any tenant paid utilities, does not exceed the FMR by unit bedrooms for the Charlottesville MSA. All of the required AUs shall be reserved as

such throughout a period of at least 10 years from the date on which the unit receives a certificate of occupancy. The proposed development plan indicates restoration of a portion of Rock Creek that runs through the Subject Property. The Special Use Permit application seeks to increase allowed density from 21 Dwelling Units per Acre (DUA), or 13.692 units within the Subject Property, up to 43 DUA, or 28.026 units, per, City Code Sec. 34-420 (Use Matrix, R-3 District). The proposed development consists of four apartment (multifamily dwelling) buildings with (4) one-bedroom units and (24) two-bedroom units. The total number of units would not exceed (28) units. The Comprehensive Land Use Map for this area calls for General Residential which recommends up to 2.5 stories in height, up to 3 units per lot (or 4 units if existing structure remains) and additional unit allowance depending on zoning allowances. The proposed development calls for disturbance of land within a Critical Slopes area, so a waiver is requested per City Code Sec. 34-1120(b)(6). Information pertaining to this application may be viewed online at [www.charlottesville.gov/agenda](http://www.charlottesville.gov/agenda). Persons interested in the Rezoning, Special Use Permit or Critical Slopes applications may contact NDS Planner Matt Alfele by e-mail ([alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)) or by telephone (434-970-3636).

**V. FUTURE MEETING SCHEDULE/ADJOURN**

Tuesday April 12, 2022 – 5:00 PM	Pre-Meeting	
Tuesday April 12, 2022 – 5:30 PM	Regular Meeting	<p><u>Minutes</u> - July 13, 2021, August 10, 2021, August 31, 2021, September 14, 2021, October 11, 2021, October 12, 2021, October 21, 2021, November 9, 2021</p> <p>CDBG/HOME Budget</p> <p>Special Use Permit - 209 Maury Ave, 207 14<sup>th</sup> Street, 2005 JPA</p>

**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 , 12<sup>th</sup> and Rosser/CH Brown Historic Conservation District (six properties)

Rezoning and SUP – 0 Carlton

Rezoning – 415 10<sup>th</sup> Street NW

Preliminary Site Plan - 218 West Market Street

Site Plan –Flint Hill PUD, 1223 Harris

Critical Slope Waiver – Azalea Springs

Special Use Permit – Fire Station on 250 Bypass, 923 Harris

Major Subdivision – Preston Commons

Future Entrance Corridor

- 916 E High Street - Comprehensive Sign Plan Request (*Sentara*)
- 2005 JPA – New apartment building, requires SUP (Mitchell Matthews Architects)
- 1150 5th Street SW – new convenience store and gas canopy (*Wawa*, Riverbend)
- 1801 Hydraulic Road – revised Comp Sign Plan, revised design review (*Hillsdale Place*, Riverbend)

**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](mailto: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](http://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](http://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  
2/1/2022 TO 2/28/2022**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
  - a. Grove Street PUD – February 24, 2022
- 3. Site Plan Amendments**
  - a. Heartland Dental – 2149 Barracks Road – February 28, 2022
- 4. Subdivision**
  - a. 901 River Road – February 24, 2022

February 8, 2022 and June 29, 2021 Planning Commission  
Minutes are included as the last documents 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: ZM20-00003**  
**DATE OF HEARING: March 8, 2022**

**Project Planner:** Matt Alfele, AICP

**Date of Staff Report:** April 26, 2021, and Updated February 17, 2022 (Note: highlighted sections indicate updated information.)

**Applicant:** Lorven Investments LLC

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

**Current Property Owner:** Lorven Investments LLC

**Application Information**

**Property Street Address:** 1613 Grove St. Ext., 1611 Grove St. Ext, and 0 Grove St. (Subject Properties)

**Tax Map & Parcel/Tax Status:** 230133000, 230134000, and 230135000 (real estate taxes paid current - Sec. 34-10)

**Total Square Footage/ Acreage Site: Approx.** 0.652acres (28,401square feet)

**Comprehensive Plan (General Land Use Plan):** General Residential

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

**Proposed Zoning Classification:** R-3 (Residential Multifamily)

**Overlay District:** None

**Applicant's Request (Summary and Update)**

On October 21, 2021, the Planning Commission held a Public Hearing for a proposed development located at 1613, 1611, and 0 Grove St. Ext that included applications ZM20-00003, P21-0023, and SP21-00002. Planning Commission made the following motion for ZM20-00003:

*Mr. Stolzenberg moved 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.*

*Mr. Habbab seconded the motion*

*Mr. Lahendro, Yes*

*Mr. Solla-Yates, Yes*

*Mr. Stolzenberg, Yes*

*Mr. Karim Habbab, Yes*

*Mr. Mitchell, No*

*Ms. Liz Russell, No*

*The motion passed 4 - 2 to recommend approval of the rezoning application to City Council.*

In preparing to move the application forward to City Council, it was discovered one of the Tax Map Parcels numbers was mistyped in the public ad. To ensure accuracy, all three applications have been readvertised and returned to Planning Commission for action. No substantive information has changed or been updated to the application from what Planning Commission reviewed on May 11, 2021 and October 21, 2021. Highlighted information in this report does show the changes as a result of the adoption of the 2021 Comprehensive Plan and Future Land Use Map.

Justin Shimp (Shimp Engineering, P.C., representing the owner, Lorven Investments, LLC) has submitted a Rezoning Application pursuant to City Code Sec. 34-41 seeking a zoning map amendment to change the zoning district classification of the above parcels of lands. The application proposes to change the zoning classification from the existing R-2 (Residential Two-family) to R-3 (Residential Multifamily) with proffered conditions. The applicant is also pursuing a Critical Slope Waiver (P21-0023) and a Special Use Permit (SP21-00002) as part of this development. All three applications are required for the development being proposed. The total number of residential units on site would not exceed twenty-eight (28) and the site would have a density of forty-three (43) DUA (Dwelling Units per Acre). The applicant is also proposing improvement to Rock Creek that abuts the western edge of the property. These improvements include:

- Bank Stabilization
- Regrading of eroded areas
- Creation of aquatic habitats
- Introduction of native species of plantings

The applicant is also offering a draft proffer statement:

1. *Prior to the issuance of certificate of occupancy from the City's building official for the seventh (7<sup>th</sup>) dwelling unit on the Property, the Owner shall contribute Forty-Eight Thousand Dollars (\$48,000.00) to the City of Charlottesville's Capital Improvement Program (CIP) as a cash contribution for construction of pedestrian improvements within the Fifeville Neighborhood.*
2. *Affordable Housing:  
The Owner shall provide affordable housing within the Property, as follows:*

- a) *For the purposes of this Proffer, the term “For-Rent Workforce Affordable Dwelling Unit” means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed 125% of the Fair Market Rent by unit bedrooms for the Charlottesville MSA, the aforementioned Fair Market Rent is established annually by the federal Department of Housing and Urban Development (HUD).*
- b) *For the purposes of this Proffer, the term “For-Rent Affordable Dwelling Unit” means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed the Fair Market Rent by unit bedrooms for the Charlottesville MSA, the aforementioned Fair Market Rent is established annually by the federal Department of Housing and Urban Development (HUD).*
- c) *Fourteen percent (14%) of all dwelling units constructed within the area of the Property shall be For-Rent Workforce Affordable Dwelling Units and an additional fourteen percent (14%) of all dwelling units constructed within the area of the Property shall be For-Rent Affordable Dwelling Units (collectively, the “Required Affordable Dwelling Units”) for a total of 28% of dwelling units constructed within the area of the Property provided as Required Affordable Dwelling Units. The Required Affordable Dwelling Units shall be identified on a layout plan, by unit, prior to the issuance of any certificate of occupancy for a residential unit within the Property (“Initial Designation”). The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change the unit(s) reserved as Workforce-Affordable Dwelling Units and Affordable Dwelling Units, and the City’s approval shall not unreasonably be withheld so long as a proposed change does not reduce the number of Required Affordable Dwelling Units and does not result in an Affordability Period shorter than required by these proffers with respect to any of the Required Affordable Dwelling Units.*
  - i. *The Required Affordable Dwelling Units shall be reserved as such throughout a period of at least ten (10) years from the date on which the unit receives a certificate of occupancy from the City’s building official (“Rental Affordability Period”). All Rental Affordable Dwelling Units shall be administered in accordance with one or more written declarations of covenants within the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney.*
  - ii. *On or before July 1 of each calendar year the then current owner of each Required Affordable Dwelling Unit shall submit an Annual Report to the City, identifying each Required Affordable Dwelling Unit by address and location, and verifying the Household Income of the occupant of each Required Affordable Dwelling Unit.*



- d) *The land use obligations referenced in 2.c.i and 2.c.ii shall be set forth within one or more written declarations of covenants recorded within the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney, so that the Owner's successors in right, title and interest to the Property shall have notice of and be bound by the obligations. In the event of re-sale of any of the required Affordable dwelling Units that reduces the number of required Affordable Dwelling Units below the thresholds set forth in this proffer, the declaration of covenants shall provide a mechanism to ensure that an equivalent Affordable Dwelling Unit is created within the City of Charlottesville, either on or off of the Subject Project, that satisfies the requirements contained herein for the remainder of the Affordability Period.*

The Subject Property has road frontage on Valley Road Extended and the unimproved section of Grove Street Extended. The Comprehensive Land Use Map for this area calls for **General Residential**.

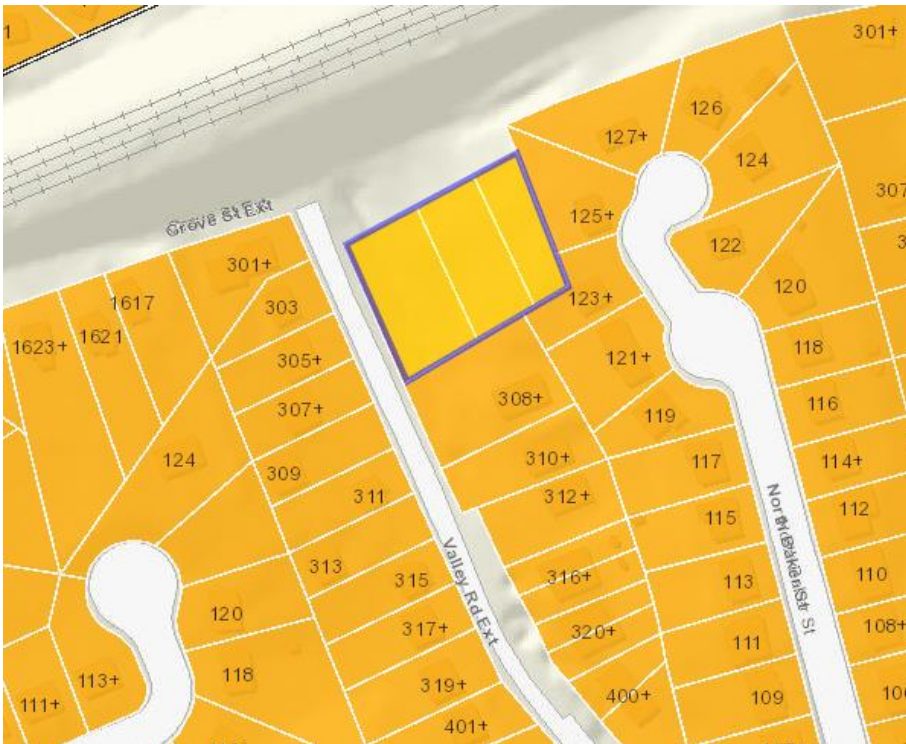
### **Vicinity Map**



**Context Map 1**

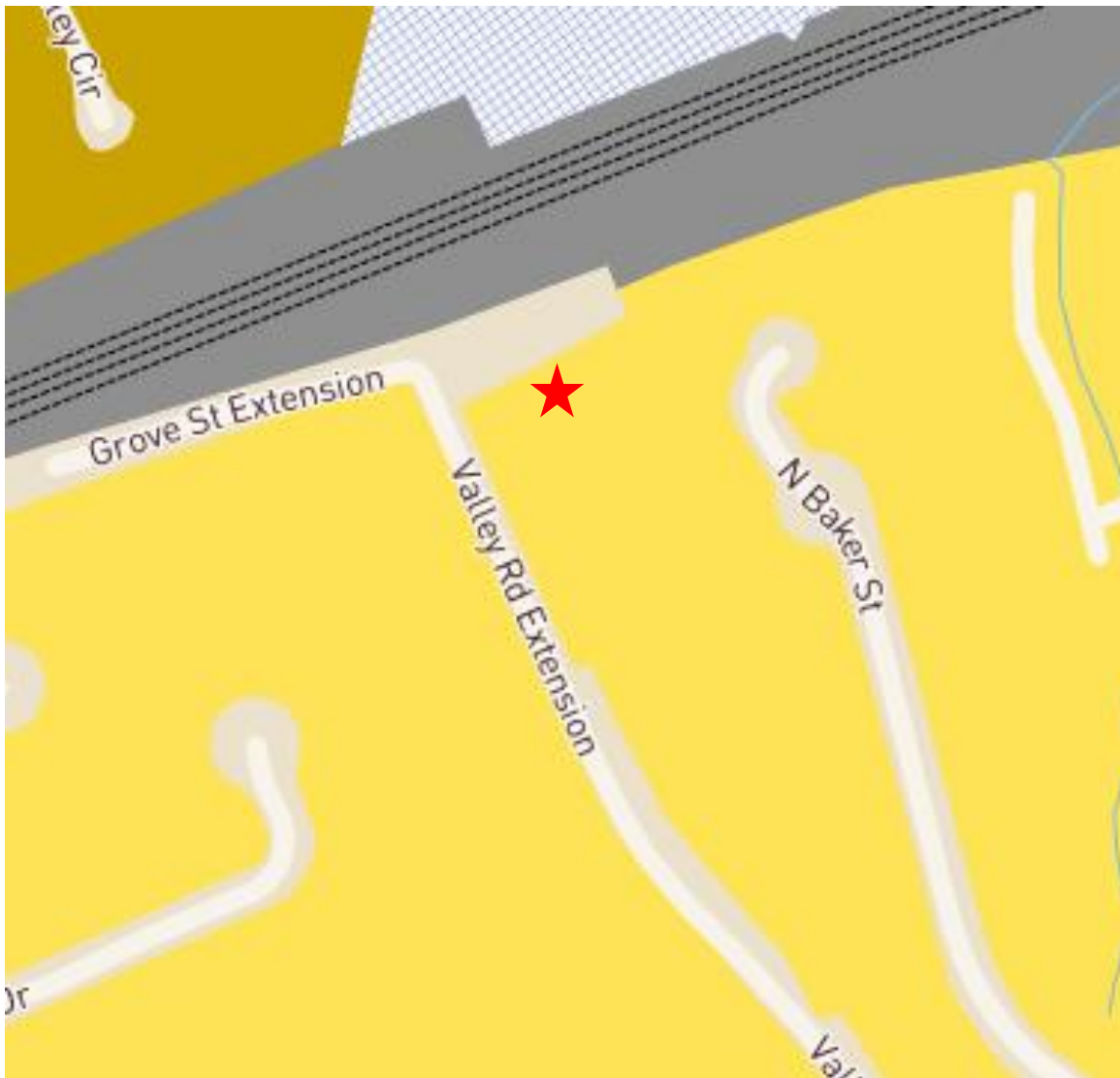


**Context Map 2- Zoning Classifications**



**KEY - Orange: R-2**

**Context Map 3- Future Land Use Plan, 2021 Comprehensive Plan**



**KEY: Yellow: General Residential, Brown: Medium Intensity Residential, Blue Hatch: UVA, Gray: Railroad**

**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 B** (note the applicant's analysis is based on the 2013 Comprehensive)

**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. Housing**

**Goal 2: Diverse Housing Throughout the City.**

*Support a wide range of rental and homeownership housing choices that are integrated and balanced across the city, and that meet multiple City goals including community sustainability, walkability, bikeability, ADA accessibility, public transit use, increased support for families with children and low-income households, access to food, access to local jobs, thriving local businesses, and decreased vehicle use.*

**b. Environment, Climate, and Food Equity**

**Goal 3: Water Resources Protection**

*Protect, enhance, and restore the integrity of the city's water resources and riparian ecosystems.*

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

**a. Land Use, Urban Form, and Historic & Cultural Preservation**

**Goal 3: Balance Conservation and Preservation with Change.**

*Protect and enhance the existing distinct identities of the city's neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community*

**b. Transportation****Goal 3: Efficient Mobility and Access**

*Maintain a safe and efficient transportation system to provide mobility and access.*

Comprehensive Plan- Staff Analysis:

The Subject Properties are currently zoned R-2 which is one of the most restrictive residential zoning categories in the City. In the R-2 districts single-family detached, single-family attached, and two-family are the most prevalent building types. If the Subject Properties were developed by-right the max number of units would be six (6). This would be achieved by building a two-family unit on each lot. To do this the developer would need to build a City Standard road within the unimproved right of way (ROW) of Grove St. Ext., or do a boundary line adjustment to insure all three (3) lots had frontage on Valley Hill Rd. Ext. The 2021 Comprehensive Future Land Use Plan indicates the Subject Properties remain General Residential. The land use section of the comprehensive plan states the following for General Residential:

**Description:** Allow for additional housing choice within existing residential neighborhoods throughout the City.

**Form:** Compatible with existing context, including house-sized structures with similar ground floor footprint area and setbacks as surrounding residential structures. Zoning tools will define contextual building form and neighborhood compatibility criteria for development.

**Height:** Up to 2.5 stories.

**Use and Affordability:** Up to 3-unit dwellings including existing single-family splits, accessory dwelling units (ADUs), and new housing infill. Zoning ordinances will consider ways to support townhomes in this category on a site-specific basis. Allow up to 4-unit dwelling if the existing structure is maintained. Allow additional units and height under an affordability bonus program or other zoning mechanism.

Staff finds the propose development would conform to some aspects of the Land Use Designation, but cannot make a full determination as many aspects of the land use map are tied to a future zoning code. As presented, the development would not require any affordable dwelling unit per Sec. 34-12. - Affordable dwelling units, but the applicant is proffering eight (8) affordable units as part of the proposal. If the property is developed by-right, no affordable units would be required. In addition, if the Subject Properties are developed by-right, no improvements would be required for Rock Creek. In any by-right development scenario, the portion of Rock Creek on, or fronting, the Subject Properties would be piped underground.

Streets that Work Plan

The Streets that Work Plan labels Valley Road Extended 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 Valley Road Extended is narrow with limited sidewalk and limited parking. Any by-right development on the site would be required to provide sidewalk, pay into the City’s sidewalk fund, or request a waiver from City Council. In the applicant’s draft Proffer Statement, they are offering to donate forty-eight thousand (\$48,000) dollars to the City’s CIP fund for pedestrian improvements to Valley Road Extended. At this time Public Works has not studied or indicated any near-term CIP plans for Valley Road Extended.

Grove Street Extended is not identified within the Streets that Works Plan.

#### Bike Ped Master Plan

The City’s 2015 Bike Ped Master Plan calls for Valley Road Extended 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. In addition, the plan calls for a “Greenway Underpass”. This would be a tunnel under the railroad connecting Valley Road Extended with Valley Road. At this time no plans are under review or in development for this recommendation from the plan.

#### **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 changing the zoning from R-2 to R-3 could have an impact to the general welfare of the entire community. The current fabric of the neighborhood is low density residential with single-family attached and two family dwelling units being the predominant housing type on Valley Road Extended. A change to R-3 would introduce density that runs counter to the City Land Use Map.

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

According to the City’s 2021 Comprehensive General Land Use Plan, this portion of the City should be General Residential. Staff cannot make a full analysis as many aspects of the Future Land Use Map are tied to updates of the Zoning code. Staff can say the

proposal would conform to the Description of General Residential by “allowing for additional housing choice within existing residential neighborhoods throughout the City”.

**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 the 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.

As part of the rezoning, the applicant is proposing the following proffers:

1. *Prior to the issuance of certificate of occupancy from the City's building official for the seventh (7<sup>th</sup>) dwelling unit on the Property, the Owner shall contribute Forty-Eight Thousand Dollars (\$48,000.00) to the City of Charlottesville's Capital Improvement Program (CIP) as a cash contribution for construction of pedestrian improvements within the Fifeville Neighborhood.*

Staff Analysis: As Public Works is not currently proposing any CIP work to Valley Road Extended or the surrounding area, this contribution would not be used in the near future.

2. *Affordable Housing:*

*The Owner shall provide affordable housing within the Property, as follows:*

- a) *For the purposes of this Proffer, the term "For-Rent Workforce Affordable Dwelling Unit" means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed 125% of the Fair Market Rent by unit bedrooms for the Charlottesville MSA, the aforementioned Fair Market Rent is established annually by the federal Department of Housing and Urban Development (HUD).*
- b) *For the purposes of this Proffer, the term "For-Rent Affordable Dwelling Unit" means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed the Fair Market Rent by unit bedrooms for the Charlottesville MSA, the aforementioned Fair Market Rent is established annually by the federal Department of Housing and Urban Development (HUD).*
- c) *Fourteen percent (14%) of all dwelling units constructed within the area of the Property shall be For-Rent Workforce Affordable Dwelling Units and an additional fourteen percent (14%) of all dwelling units constructed within the area of the Property shall be For-Rent Affordable Dwelling Units (collectively, the "Required Affordable Dwelling Units") for a total of 28% of dwelling units constructed within the area of the Property provided as Required Affordable Dwelling Units. The Required Affordable Dwelling Units shall be identified on a layout plan, by unit, prior to the issuance of any certificate of occupancy for a residential unit within the Property ("Initial Designation"). The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change the unit(s) reserved as Workforce-Affordable Dwelling Units and Affordable Dwelling Units, and the City's approval shall not unreasonably be withheld so long as a proposed change does not reduce the number of Required Affordable Dwelling Units and does not result in an Affordability Period shorter than required by these proffers with respect to any of the Required Affordable Dwelling Units.*



- i. *The Required Affordable Dwelling Units shall be reserved as such throughout a period of at least ten (10) years from the date on which the unit receives a certificate of occupancy from the City's building official ("Rental Affordability Period"). All Rental Affordable Dwelling Units shall be administered in accordance with one or more written declarations of covenants within the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney.*
  - ii. *On or before July 1 of each calendar year the then current owner of each Required Affordable Dwelling Unit shall submit an Annual Report to the City, identifying each Required Affordable Dwelling Unit by address and location, and verifying the Household Income of the occupant of each Required Affordable Dwelling Unit.*
- d) *The land use obligations referenced in 2.c.i and 2.c.ii shall be set forth within one or more written declarations of covenants recorded within the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney, so that the Owner's successors in right, title and interest to the Property shall have notice of and be bound by the obligations. In the event of re-sale of any of the required Affordable dwelling Units that reduces the number of required Affordable Dwelling Units below the thresholds set forth in this proffer, the declaration of covenants shall provide a mechanism to ensure that an equivalent Affordable Dwelling Unit is created within the City of Charlottesville, either on or off of the Subject Project, that satisfies the requirements contained herein for the remainder of the Affordability Period.*

Staff Analysis: In this particular application, the proposed development does not exceed 1.0 floor-area ratio (FAR), therefore the applicant is not required to provide on-site affordable dwelling units as part of the project (pursuant to City code Section 34-12). However, the applicant is proffering:

- Fourteen percent (14%) of all dwelling units constructed within the area of the Property shall be For-Rent Workforce Affordable Dwelling Units
- and an additional fourteen percent (14%) of all dwelling units constructed within the area of the Property shall be For-Rent Affordable Dwelling Units

The applicant has defined the above as:

For-Rent Workforce Affordable Dwelling Unit means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed 125% of the Fair Market Rent by unit bedrooms

For-Rent Affordable Dwelling Unit means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed the Fair Market Rent by unit bedrooms

At this time, the applicant is proposing to develop a total of 28 dwelling units, of which eight (8) of those will be committed affordable units. Information has not been provided as to the proposed bedroom size or square footage of the affordable units.

The table below shows the 2021 HUD guidelines for Fair Market Rent. We have included information in this table based on the applicant’s proffer. However, if this application is approved, the FMR will be based on the HUD guidelines for that year that the Certificate of Occupancy for the unit is issued.

	Eff	1 BR	2 BR	3 BR	4 BR	5 BR
2021 HUD FMR	949	1077	1266	1575	1965	2260
Proffer:						
4 units @ FMR	949	1077	1266	1575	1965	2260
4 units @ 125% FMR	1186	1346	1583	1969	2456	2925
Monthly cost includes tenant-paid utilities						

Staff offers the following comments as to this application and the proffered development conditions related to providing affordable dwelling units:

- Under 2(b), staff is concerned that not enough detail is provided describing the process in the event the Owner changes the unit(s) reserved as Workforce Affordable Dwelling Units and Affordable Dwelling Units. This proffer does not specify the size of the units (square footage) and/or number of bedrooms. Further, it does not state that the size (square footage or number of bedrooms) will not be reduced/changed, should this section of the proffer be enacted.
- Under 2(d), staff is concerned that not enough detail is provided describing the process in the event of re-sale of any of the required Affordable dwelling Units that reduces the number of required Affordable Dwelling Units below the thresholds set forth in this proffer. How can the City be assured that an equivalent Affordable Dwelling Unit is created within the City in a timely manner and/or that the Owner/applicant will come out of compliance with the proffer conditions at any time for an unspecified timeframe, should this section of the proffer be enacted?
- Under 2(d), not enough detail is provided describing the process of how the monitoring and enforcement of the yearly reporting will continue in the event of re-sale of any of the committed affordable dwelling units. This section is not clear if any of the proposed rental affordable dwelling units will be re-sold as privately owned (homeownership) units.

- The proffer does not state that the units must not be segregated.
- The proffer does not state that on-site amenities will be available for use by the occupants of the affordable and workforce units.

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

<b>Current R-2 Zoning</b>		<b>Proposed R-3 Zoning</b>	
Consist of quiet, low-density residential areas in which single-family attached and two-family dwellings are encouraged.		Consist of medium-density residential areas in which medium-density residential developments, including multifamily uses, are encouraged.	
<b>Physical Characteristics</b>		<b>Physical Characteristics</b>	
<b>Front Setback</b>	25' min	<b>Front Setback</b>	25' min
<b>Side Setback</b>	5' min (Single Family Detached) 10' min (Single Family Attached) 10' min (Two-family) 50' min (Non-residential) 20' min (Corner Street Side)	<b>Side Setback</b>	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)
<b>Rear Setback</b>	25' min (Residential) 50' min (Non-residential)	<b>Rear Setback</b>	25' min (Residential)
<b>Additional Yard and Setback Requirements</b>	None	<b>All Yards and Setbacks</b>	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
<b>Land Coverage</b>	No limit within setbacks	<b>Land Coverage</b>	75% max for 0 -21 DUA 80% max for 22 – 87 DUA
<b>Height</b>	35' max	<b>Height</b>	45' max
<b>Min Lot Size</b>	6,000sqft (Single Family Detached) 2,000sqft (average of 3,600sqft)(Single Family Attached) 7,200sqft (Two-family) No requirement (non-residential)	<b>Min Lot Size</b>	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)
<b>Road Frontage</b>	50' (Single Family Detached and Two-family) 20' (Single Family Attached) No requirement (non-residential)	<b>Road Frontage</b>	50' (Single Family Detached and Two-family) 20' (Single Family Attached) 16' (Townhouse) No requirement (non-residential)
<b>Parking</b>	1 space per unit	<b>Parking</b>	1 space per unit up to 2 bedrooms

<b>Residential Use (by-Right)</b>	<b>R-2</b>	<b>R-3</b>
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

<b>Non-Residential Use (by-Right)</b>	<b>R-2</b>	<b>R-3</b>
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 Properties are currently vacant. Should the lots be reoriented so all three have frontage on Valley Road Extended, they could accommodate six (6) units (three two-family dwellings) by-right under the existing zoning. 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 density is approximately nine (9) 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 thirteen (13) units. With the SUP, the density would increase to forty-three (43) DUA for a maximum of twenty-eight (28) units. Nothing in the applicant’s proffer statement removes any of the existing R-3 by-right uses. The applicant may proffer the proposed development that is subject to the SUP (SP21-00002), 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. Staff finds that multifamily up to 21 DUA and townhouses could be appropriate uses but the other by-right R-3 uses would not.

**Zoning History of the Subject Property**

Year	Zoning District
1949	A-1 Residence
1958	R-2 Residential
1976	R-2 Residential
1991	R-2 Residential
2003	R-2 Residential

**The Subject Property is bordered by:**

Direction	Use	Zoning
North	Unimproved section of Grove St. Ext. and the Railroad	NA
South	Two-family Residential unit	R-2
East	Two-family Residential unit	R-2
West	Two-family Residential unit	R-2

Staff finds a rezoning of the Subject Property would not be consistent with the patterns of development on Valley Road Extended. Staff is also concerned with some of the uses that would be by-right if the Subject Properties were rezoned.

### **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 March 4, 2021** the applicant held a community meeting on Zoom from 6:00pm to 7pm. This meeting was well attended by the neighborhood and the following concerns were raised. The meeting was recorded and is available to the public through the developer.

3. Rezoning to R-3 and building an apartment complex is not in character with the neighborhood.
4. The project has too much density.
5. Parking will be an issue.
6. Traffic on Valley Road Extended is already a problem due to the narrowness and an apartment building will make thing worse.
7. It would be nice to see the kudzu gone and Rock Creek improved.

**On May 11, 2021** the Planning Commission held a virtual joint Public Hearing with City Council. Five (5) members of the public spoke and expressed the following:

- The proposed development is too dense for this location.
- R-3 zoning is not appropriate in an R-2 neighborhood.
- The City needs more homes and these units will help with that.
- Traffic and parking is already a problem on Valley Rd. Ext. and this will make it much worse.

**On October 21, 2021** the Planning Commission held a virtual joint Public Hearing with City Council. Two (2) members of the public spoke and expressed the following:

- Valley Rd. Ext. is too narrow and cannot handle this development.
- Any proffered money should be used to fix the road.
- Even under the proposed new Land Use Map this development would not be allowed.

### *Other Comments*

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 some goals of the City's Comprehensive Plan such as increasing the variety of City housing stock, restoring a portion of Rock Creek, and adding an affordable dwelling unit. But staff also finds that the proposed rezoning would not be consistent with the surrounding fabric of the neighborhood and would have a negative impact to the pedestrian and vehicular traffic on Valley Road Extended. Staff recommends denial of the rezoning request.

**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. Rezoning Application dated July 13, 2020
- B. Narrative Revised September 29, 2021
- C. Draft Proffer Statement
- D. Community Comments
- E. Link to the May 11, 2021 and October 21, 2021 Public Hearings:  
<https://boxcast.tv/channel/iweiogrihxlennv2sxqx>





# City of Charlottesville

## Application for Rezoning

**Project Name:** 1613 Grove St Ext

**Address of Property:** 1613 Grove St. Ext and 230134000/230133000

**Tax Map and Parcel Number(s):** 230135000 and ^ ^

**Current Zoning:** R2

**Proposed Zoning:** R3

**Comprehensive Plan Land Use Designation:** Low Density Residential

**Applicant:** Lorven Investments LLC

**Address:** 4776 Walbern Ct Chantilly, Va 20151

**Phone:** 703-856-0164 **Email:** nseri@yahoo.com

project contact: Shimp Engineering, Kelsey Schlein | (434)227-5140 | kelsey@shimp-engineering.com

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

**Owner**     **Owner's Agent**     **Contract Purchaser**

**Owner of Record:** same as applicant

**Address:** \_\_\_\_\_

**Phone:** \_\_\_\_\_ **Email:** \_\_\_\_\_

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

(1) Signature [Signature] Print Narsimha Seri Date 07/13/2020

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

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

(2) Signature [Signature] Print Narsimha Seri Date 07/13/2020

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

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

ZM20-00003



# City of Charlottesville

## Pre-Application Meeting Verification

Project Name: 1613 Grove St. Ext

Pre-Application Meeting Date: March 12, 2020

Applicant's Representative: \_\_\_\_\_

Planner: Matt Aifele

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. Massing Plan
2. Traffic Study if needed (Talk to the City Traffic Engineer)
3. Talk to Amanda about the Bike and Ped Master Plan
4. \_\_\_\_\_
5. \_\_\_\_\_

Planner Signature: 



# City of Charlottesville

## Application Checklist

Project Name: 1613 Grove St.

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 Lomen Investments LLC

Signature *[Signature]* Print NARSIMHA SERI Date 07/13/2020

By Its: Member

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



# City of Charlottesville

## Community Meeting

Project Name: 1613 Grove St

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: *Narsimha Seri* (NARSIMHA SERI) For Lomen Investments LLC

By:

Signature *Narsimha Seri* Print NARSIMHA SERI Date 07/13/2020

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



# City of Charlottesville

## Personal Interest Statement

Project Name: 1613 Grove St.

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: *fileddy* (NARSIMHA SERI) - For Loman Investments LLC

By:

Signature *fileddy* Print NARSIMHA SERI Date 07/13/2020

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

### Commonwealth of Virginia

#### City of Charlottesville

The foregoing instrument was subscribed and sworn before me this 13<sup>th</sup> day of JULY, 2020 by NARSIMHA R. SERI

Notary Signature *Mark R. Knight*

Registration #: 7026770 Expires APRIL 30, 2022





# City of Charlottesville

## Owner's Authorizations

(Not Required)

Project Name: 1613 Grove St.

### 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: Lorven Investments LLC Date: 07/13/2020

By (sign name): *Narsimha Seri* Print Name: NARSIMHA SERI

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

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: \_\_\_\_\_

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

Owner: Lorven Investments LLC Date: 07/13/2020

By (sign name): *Narsimha Seri* Print Name: NARSIMHA SERI

Circle one:

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

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



# City of Charlottesville

## Disclosure of Equitable Ownership

Project Name: 1613 Grove St.

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 Sateesh Nadinpally Address 11719 Popes Head Rd, Fairfax, VA 22030

Name Mahondar Edla Address 25799 Busser Ct, Chantilly, VA 20152

Name Kiran Bondugula Address 43376 Burnstead Dr, Ashburn, VA 20148

Name Narsimha Seri Address 4776 Walburn Ct, Chantilly, VA 20151

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: Lorven Investments LLC

By:

Signature *[Handwritten Signature]* Print NARSIMHA SERI Date 07/13/2020

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



# City of Charlottesville

## Fee Schedule

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

### Office Use Only

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



## Attachment B

**Project Narrative For:** ZMA and SUP 1613 Grove St Ext  
**Parcel Description:** Tax Map 23, Parcels 133, 134, 135  
**Initial Submittal:** July 14, 2020  
**Revision 1:** January 29, 2021  
**Revision 2:** April 15, 2021  
**Revision 3:** June 22, 2021  
**Revision 4:** September 29, 2021  
**Pre-App Meeting Date:** March 12, 2020

<b>TAX MAP PARCEL NO.</b>	<b>ACREAGE</b>	<b>EXISTING ZONING</b>	<b>PROPOSED ZONING</b>	<b>COMP PLAN DESIGNATION</b>
TMP 23-133	0.147	R-2	R-3	Low-Density Residential
TMP 23-134	0.239	R-2	R-3	Low-Density Residential
TMP 23-135	0.266	R-2	R-3	Low-Density Residential
<b>Total:</b>	0.652			

### **Location:**

The parcels front an unimproved portion of Grove Street Extended with parcel 23-135 abutting Valley Road Extended. The properties are located within the Fifeville Neighborhood and are located along the edge of the land use map of the Cherry Avenue Small Area Plan Draft. The CSX railroad runs parallel to the properties' north boundaries.

### **Surrounding Uses:**

The new parcel will have frontage on Valley Road Extended. The property is bordered by two family residential structures to the east and south and by an unimproved section of Grove St. Ext and CSX railroad right of way to the north. Directly north of the CSX ROW is property owned by the University of Virginia that is subject to the Brandon Avenue Master Plan.

### **Project Proposal:**

Lorven Investments, LLC is the owner (the "owner") of tax map parcels 23-133, 23-134 and 23-135 in the City of Charlottesville (collectively, the "property"). On behalf of the owner, we request a rezoning and special use permit to allow for a cluster of neighborhood scale multi-family buildings with a total of 28 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 43 dwelling units per acre. To accommodate a multi-family development on the property, the existing interior boundary lines will be vacated to create one .652 acre parcel (the "new parcel"). In conjunction with the special use

## Attachment B

permit request, and in accordance with modifications allowed by Sec. 34-162, we request a reduction of the northern side setback (adjacent to the unimproved portion of Grove St. Ext) of the new parcel to 5' 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.

We propose a cluster of four (4) neighborhood-scale multi-family buildings that in total will house 28 residential units. The buildings will be organized on the property in a skewed quadrant and will be constructed on the site to create different areas for outdoor leisure and recreation space between and around the buildings. Each building is proposed to have (7) units and of the total 28 units, eight (8) of the units are proposed as one bedroom units and twenty (20) of the units are proposed as two bedroom units. Parking is provided on site, in accordance with City parking requirements, to serve the parking needs of future residents. The buildings are designed to relegate the parking from Valley Road Extended and most of the parking spaces are accommodated underneath the overhang of the buildings, limiting the amount of impervious surface on-site required to accommodate both the residential units and the required parking areas.

The site, including the banks of Rock Creek, is currently overtaken with Kudzu, an invasive species, and the preliminary site plan included with this special use permit request demonstrates a native replanting design along the banks that will contribute to a robust canopy and green screen along Valley Road Extended.

The buildings are proposed at heights of less than 35', as shown in the elevations included with this submission package, these proposed building heights are less than the 45' maximum by-right allowance for the R-3 Residential Zoning District. The property is bordered by R-2 zoned properties which are subject to a maximum height of 35'. Just across the railroad right-of-way, just north of the property, there are B-1 and UHD zoned properties which have a maximum height of 45' and 50' respectively. The buildings are designed to be 10' floor-to-floor at three stories above grade, with the easternmost buildings having basement apartments. The two easternmost buildings will be constructed into the hillside with a height of approximately 28' above grade. The buildings adjacent to Valley Street Extended do not have basement apartments, resulting in a height of approximately 33' above grade. The property sits at a lower elevation than most of its surrounding context; the variation in grade between this site and its surroundings contributes to minimizing the scale and mass of the buildings. The proposed finish floor elevation of the buildings is between 436' and 443'(with the easternmost buildings having a BFE of 433'). The finished floor elevation of the structure to the east is approximately 462', the finished floor elevation of the structure to the south is approximately 442', the approximate floor elevations of the properties opposite Valley St. are 440', and the ridge of the adjacent railroad right-of-way is 479'.

The project design will establish:

- 1) A neighborhood-scale multi-family housing development with off-street parking in close proximity to major regional employers
- 2) Greenspace and green screens, providing open space for future residents that is inviting and supports the enhancement of Rock Creek, and
- 3) Intentional recreational areas for residents that encourage outdoor leisure and play

### 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,

## Attachment B

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.”<sup>1</sup> This proposed project will contribute to the “missing middle” housing stock and help to meet demand for housing in Charlottesville City limits.

### **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.

Development of the property aligns with the goals and opportunities of the Fifeville Neighborhood as outlined in the Cherry Avenue Small Area Plan Draft. The SWOT analysis compiled by the neighborhood revealed that residents feel there is a lack of affordability in the neighborhood, pricing out long-term community members. While there is fear that development will change the neighborhood, community members still felt there is a strong opportunity to improve housing options within Fifeville. With new development, “additional housing may help residents remain in the community, even if they move to a new home within the neighborhood” (43). The multifamily development on Grove Street Extended could be an opportunity to address the challenge of meeting housing demand in the largely single-family zoning district in the Fifeville neighborhood. 1613 Grove Street is ideal for vacant lot development with effective density. The property is located at the end of Valley Road Extended’s block of duplexes and two-family dwelling units. A medium-density multifamily development would not be out of character in this portion of the neighborhood and will be designed in a manner to complement, not overshadow, the existing neighborhood context. The structures would not be visible from main thoroughfares of the Fifeville neighborhood, minimizing overall impact to the small-town feel that community members seek to preserve, while demonstrating a different level of density that neighbors could experience. Allowing for this type of development where impact is minimal would help the community better understand the built condition of the desired density, affordability, and housing types they envision, without compromising the character of the neighborhood nor displacing any current residents.

Generous green screens will be planted at the edges of the property which will contribute to a robust landscape program on the site, adding to the tree canopy in the neighborhood while providing sufficient privacy for future residents. This will ensure that the tree and green space character of the neighborhood local streets will not only be preserved but enhanced.

### **Consistency with the Comprehensive Plan:**

The property is located within the Western portion of the Fifeville Neighborhood and is located on the Western-most edge of the Cherry Avenue Small Area Plan Draft. The property fronts an unimproved portion of Grove Street Extended and extends along Valley Road Extended. Rock Creek is located on the western edge of tax map parcel 23-135, parallel to Valley Road Extended.

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

## Attachment B

Although this area is designated as Low-Density Residential on the future land use map, the Cherry Avenue Small Area Plan Draft encourages re-examination of allowable uses in the zoning code and exploration of methods to increase the number of affordable housing options in low-density portions of the neighborhood. A zoning map amendment for this property will contribute to the enhancement of housing options in the neighborhood and this proposed design contributes to protecting the character of the area.

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 4 Environment

- *Goal 2: Promote practices throughout the City that contribute to a robust urban forest.* The preliminary site plan included with this rezoning request shows a landscape plan that would add a variety of native trees and plants to the site along the banks of Rock Creek, along the borders of the property, and internally in parking and recreational areas.
- *Goal 4: Improve public and private stormwater infrastructure while protecting and restoring stream ecosystems.* The proposed development will adhere to all local and state stormwater regulations. A native planting stream buffer is proposed along the banks of Rock Creek which will help to contribute to the restoration of the stream ecosystem. At present, the banks of the stream are unprotected from stormwater runoff and are overtaken by invasive plant species.

### Chapter 5 Housing

- *Goal 3: Grow the City's housing stock for residents of all income levels.* A medium-density multi-family development on this property is an opportunity to incorporate more housing options throughout the City and help the City attain its goal of achieving a mixture of incomes and uses in as many areas of the City as possible. The owner is committed to providing affordable housing within this development, and of the 28 units, eight (8) one bedroom units are proposed as affordable. A proffer statement has been submitted in conjunction with this rezoning request, committing to eight (8) affordable units if the property is rezoned to R-3.

The City is also actively working through an update to the Comprehensive Plan and the future land use map with the hopes of adopting an updated plan in late 2021. The property is designated as "general residential" on the most recent future land use map draft (dated August 2021) and the project proposal is consistent with various goals of the draft plan, such as:

### Housing

- *Goal 2: Diverse Housing Throughout the City: Support a wide range of rental and homeownership housing choices that are integrated and balanced across the city, and that meet multiple City goals including community sustainability, walkability, bikeability, ADA accessibility, public transit use, increased support for families with children and low-income households, access to food, access to local jobs, thriving local businesses, and decreased vehicle use.*

### Environment, Climate, and Food Equity

## Attachment B

- *Goal 1: Climate Change, Emissions, and Energy: Reduce community greenhouse gas (CHG) emissions and the city's overall carbon footprint to meet goals established for 2030 (45% reduction in greenhouse gas emissions from 2011 levels) and 2050 (carbon neutrality).*

By creating more housing in close proximity to schools, parks, and places of employment the need to utilize a car for every trip out of the house is reduced. 28 units in this location would put more residents within a half mile walk of an elementary school, a .8 mile walk or bike to an elementary school, and a one mile walk/bike/transit ride to a major employment center at the UVA health system.

### Land Use, Urban Form, and Historic and Cultural Preservation:

- *Goal 2: Balance Conservation and Preservation with Change: Protect and enhance the existing distinct identities of the city's neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community.*

This infill development promotes effective density within structures that are designed within a mass and form that resembles a large single family home or two family structure. The structures are sighted to be set down on the site, working with the grade, to minimize the appearance of the structures from the surrounding properties. As a vacant site, this property can accommodate this infill development without compromising existing structures.

### **Impacts on Public Facilities & Public Infrastructure:**

American Community Survey (ACS) 5 year estimates indicate the average household size in Charlottesville is 2.38 people<sup>2</sup>. Using the ACS average, a multi-family development with a maximum of 28 proposed units could potentially yield 67 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 one or two-bedroom households.

Despite the additional density, vehicular trips generated by the development are expected to be minimal, and thus will not greatly impact congestion on Cherry Avenue, which is a concern expressed in the Cherry Avenue Small Area Plan. A CAT bus stop is located a short distance from the property at the intersections of Cherry Avenue and Valley Road Extended and the development intends to provide bike lockers for residents. It is expected that these two alternative transportation methods will lower the already low trip estimate.

The Charlottesville Bicycle and Pedestrian Master Plan has other pedestrian-friendly infrastructure proposed (the aforementioned greenway tunnel and multi-use pathway) that will connect Fifeville and the immediate property to Charlottesville, encouraging even more pedestrian trips in the future.

### **Impacts on Schools:**

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

<sup>2</sup> ACS 2013-2017 5 YR Estimates Table B25010 "Average Household Size of Occupied Housing Units by Tenure"

## Attachment B

ACS 2018 5 year estimates show that there are an estimated 4,800 residents between the ages of 5-17 within City limits.<sup>3</sup> 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.<sup>4</sup> Since 28 units are proposed on the site, it is estimated there may be an additional seven 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. Rock Creek (located at the western portion of tax map parcel 23-135) will be protected during and after construction.

Stream restoration along Rock Creek near the property frontage is proposed as a component of this application. Currently, the banks of Rock Creek are overrun with Kudzu and don't have stabilization measures in place to ensure the integrity of the bank over the long term. The restoration plan included with this application proposes the installation of stabilization stones and native trees and grasses that was informed by the Virginia Department of Conservation<sup>5</sup>, which provides guidelines for native species adjacent to streams, creating stream flow and erosion control, nutrient filtration, and wildlife habitats.

### **Compliance with USBC Regulations:**

The proposed project will comply with all applicable USBC regulations.

### **Proffers to Address Impacts:**

As a condition of rezoning approval, the owner will provide a cash contribution for improvements to pedestrian infrastructure within the Fifeville Neighborhood to improve pedestrian connectivity and safety along that street. The owner proposes to proffer a total of \$48,000 prior to issuance of certificate of occupancy of the seventh dwelling unit on the property.

The \$48,000 contribution is consistent with providing just over 700 linear feet of sidewalk per the City's 2019 sidewalk fund calculator which priced each linear foot of sidewalk at \$67.75.

Additionally, the owner has committed to providing eight (8) 1 bedroom affordable housing units on the property.

<sup>3</sup> ACS 2018 5 YR Estimates Table DP05 "ACS Demographic and Housing Estimates"

<sup>4</sup> ACS 2018 5 YR Estimates Table DP04 "Selected Housing Characteristics"

<sup>5</sup> Virginia Department of Conservation, "Virginia Riparian Buffer Zones: Native Plants for Conservation, Recreation & Landscaping."

## Attachment C

BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA  
IN RE: PETITION FOR REZONING (City Application No. ZM20-00003)  
STATEMENT OF **PRELIMINARY** PROFFER CONDITIONS  
For 1613 Grove Street Ext.

City of Charlottesville Tax Map 23 Parcels 133, 134, 135

TO THE HONORABLE MAYOR AND MEMBERS OF THE COUNCIL OF THE CITY OF CHARLOTTESVILLE

Lorven Investments, LLC is the owner (the “Owner”) of Tax Parcels 230133000, 230134000, 230135000 (collectively, the “Property”) which is the subject of rezoning application ZM20-00003, a project known as “1613 Grove Street Ext.” (the “Project”). The Owner seeks to amend the current zoning of the Property subject to certain voluntary conditions set forth below. Each signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this Proffer Statement.

In furtherance of the Project, the Owner hereby proffers for City Council’s consideration voluntary development conditions, which the Owner agrees are reasonable. The Owner agrees that, if the Property is rezoned as requested, the use and development of the Property will be subject to and in accordance with the following conditions:

**1. Valley Road Extended Sidewalk Improvements:**

- a. Prior to the issuance of certificate of occupancy from the City’s building official for the seventh (7<sup>th</sup>) dwelling unit on the Property, the Owner shall contribute Forty-Eight Thousand Dollars (\$48,000.00) to the City of Charlottesville’s Capital Improvement Program (CIP) as a cash contribution for construction of pedestrian improvements within the Fifeville Neighborhood.

**2. Affordable Housing:**

The Owner shall provide affordable housing within the Property, as follows:

- a. For the purposes of this Proffer, the term “For-Rent Workforce Affordable Dwelling Unit” means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed 125% of the Fair Market Rent by unit bedrooms for the Charlottesville MSA, the aforementioned Fair Market Rent is established annually by the federal Department of Housing and Urban Development (HUD).
- b. For the purposes of this Proffer, the term “For-Rent Affordable Dwelling Unit” means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed the Fair Market Rent by unit bedrooms for the Charlottesville MSA, the aforementioned Fair Market Rent is established annually by the federal Department of Housing and Urban Development (HUD).

## Attachment C

- c. Fourteen percent (14%) of all dwelling units constructed within the area of the Property shall be For-Rent Workforce Affordable Dwelling Units and an additional fourteen percent (14%) of all dwelling units constructed within the area of the Property shall be For-Rent Affordable Dwelling Units (collectively, the “Required Affordable Dwelling Units”) for a total of 28% of dwelling units constructed within the area of the Property provided as Required Affordable Dwelling Units. The Required Affordable Dwelling Units shall be identified on a layout plan, by unit, prior to the issuance of any certificate of occupancy for a residential unit within the Property (“Initial Designation”). The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change the unit(s) reserved as Workforce-Affordable Dwelling Units and Affordable Dwelling Units, and the City’s approval shall not unreasonably be withheld so long as a proposed change does not reduce the number of Required Affordable Dwelling Units and does not result in an Affordability Period shorter than required by these proffers with respect to any of the Required Affordable Dwelling Units.
  - i. The Required Affordable Dwelling Units shall be reserved as such throughout a period of at least ten (10) years from the date on which the unit receives a certificate of occupancy from the City’s building official (“Rental Affordability Period”). All Rental Affordable Dwelling Units shall be administered in accordance with one or more written declarations of covenants within the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney.
  - ii. On or before July 1 of each calendar year the then current owner of each Required Affordable Dwelling Unit shall submit an Annual Report to the City, identifying each Required Affordable Dwelling Unit by address and location, and verifying the Household Income of the occupant of each Required Affordable Dwelling Unit.
- d. The land use obligations referenced in 2.c.i and 2.c.ii shall be set forth within one or more written declarations of covenants recorded within the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney, so that the Owner’s successors in right, title and interest to the Property shall have notice of and be bound by the obligations. In the event of re-sale of any of the required Affordable dwelling Units that reduces the number of required Affordable Dwelling Units below the thresholds set forth in this proffer, the declaration of covenants shall provide a mechanism to ensure that an equivalent Affordable Dwelling Unit is created within the City of Charlottesville, either on or off of the Subject Project, that satisfies the requirements contained herein for the remainder of the Affordability Period.



## Attachment C

**WHEREFORE**, the undersigned Owner stipulates and agrees that the use and development of the Property shall be in conformity with the conditions hereinabove stated, and request that the Property be rezoned as requested, in accordance with the Zoning Ordinance of the City of Charlottesville.

By: \_\_\_\_\_  
Lorven Investments, LLC Manager/Member

Print Name: \_\_\_\_\_

Owner's Address: \_\_\_\_\_

Attachment D

March 24, 2021

Shimp Engineering P.C.  
912 E High Street  
Charlottesville, VA 22907-9955

Ref: Proposed 1613 Grove Street Extended Residential Development

cc: City of Charlottesville, Zoning Department, PO Box 911, Charlottesville, VA 22902

To Whom It May Concern,

I am greatly concerned that the amount of parking that will be provided to the residents of the proposed construction will be insufficient for the residents and their guests. This means that they will park anywhere they can, such as on North Baker St, which will necessitate the new residents trespassing through yards on N. Baker St. in order to walk to their homes. This also has the possibility of making it more difficult for the residents of N. Baker St to find parking near their own homes (not all homes on N. Baker have driveways). It will also increase the traffic on N. Baker.

I am also concerned about the increase in traffic on Valley Road Extended which will occur with the proposed project. There are currently 26 homes on Valley Road Ext. and Grove Street Ext. so my estimate is that the project has the possibility of doubling both the population of the streets and the traffic on the street. Valley Road Extended and the intersection onto Cherry Ave were not designed for the potential increase in traffic that will arise from the proposed development.

There is also a non-quantifiable issue. The proposed construction is out of character when compared with the rest of the neighborhood. Three story structures and with a population density per acre of about 3-5 times greater than the surrounding homes is "very different", and in my view will not be a beneficial change for the neighborhood.

Sincerely,



Paul Benneche  
119 N. Baker St., Charlottesville, VA 22903  
mailing address: PO Box 5567, Charlottesville, VA 22905  
phone: 434-260-4559  
email: p.benneche@yahoo.com

elius in Seville, we've had  
 a few years of construction noise,  
 we don't need more. more housing  
 will mean more congestion and  
 more parking issues, which the  
 city won't deal with. UVA won't  
 deal with & the police won't deal  
 with. Go away!

Why destroy the natural creeks,  
 in places where they have  
 put the rocks in. The trees went  
 & the area was left with big ugly  
 rocks. Leave the few natural  
 areas alone. Go Away.

More people will mean more  
 people walking their dogs  
 in other people's yards. More  
 people cutting thru to get  
 to UVA. Go Away! When you  
 mess things up you (the city)  
 won't fix it afterwards.

You want what you want & to  
 hell with the people who live in  
 these neighborhoods. Get UVA  
 parkers out of here. Don't  
 cut down more & more trees

Don't leave us with non stop  
construction noise + construction  
workers who park on our  
streets + cut thru our yards  
Go Away! You've done enough  
harm in Jiberille.

Don Wood / Joe

Also, the traffic is already  
bad enough, People tailgating  
& speeding. Pedestrians everywhere.  
Dog walkers everywhere who  
have no respect. They ~~to~~  
drag their dogs into their  
neighbors yards to piss & shit.  
we don't need more people  
in this area. Go Away!

**Alfele, Matthew**

---

**From:** Charles Haney <haneyced@gmail.com>  
**Sent:** Monday, March 1, 2021 4:37 PM  
**To:** Alfele, Matthew; Charles Haney  
**Subject:** 1613 Grove Street Ext rezoning

**Follow Up Flag:** Follow up  
**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.

Hello Matt,

I'm writing to you to voice my opinion on the above referenced project and to ask some questions. My wife and I are the owners of 312 Valley Road Extended. We do not believe that Valley road extended is large enough to handle the traffic from 28 additional units at the end of this street. The street is narrow and is frequently cluttered with cars due to the lack of off street parking for most of the houses on the street. Currently cars often park in front of the access to our units blocking our entrance. I'm sure there would be problems getting emergency vehicles down Valley Road Ext as well as turning them around. I'm also concerned about the added water runoff that this project may cause without major remediation. We are strongly opposed to this rezoning without major improvements to the road and parking situation.

I also have several questions. How many additional cars per day do you anticipate with 28 additional units? Is the developer being required to improve the street? Does this rezoning agree with the comprehensive plan for this area? What would be allowed on these lots without the rezoning? Is there a rezoning planned for the additional surrounding land?

I appreciate your consideration in this matter.

Sincerely,

Charles Haney, Jr.  
434-242-6302

**Alfele, Matthew**

---

**From:** Kelsey Schlein <kelsey@shimp-engineering.com>  
**Sent:** Tuesday, September 15, 2020 6:01 PM  
**To:** Claire Habel  
**Cc:** Alfele, Matthew  
**Subject:** Re: 1613 Grove Street  
**Attachments:** 200309\_NARRATIVE.pdf; 23-134-PSP.pdf; (20200714) 1613 Grove St\_ZMA-Exhibits.pdf

**Follow Up Flag:** FollowUp  
**Flag Status:** Flagged

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Hey Claire,

Thanks for your email about this project. Yes, you are correct, this is the property across the street from where you live. I've provided responses below and Matt, please chime in with additional information you have for Claire.

1. If the property is rezoned to R-3, when would the proposed construction start? When would it be finished? **If the property is rezoned to R-3, construction would not start until after the final site plan and the stormwater plan are approved. In the City, it often takes about a year to secure these approvals. For the rezoning process, we still need to move forward with a community meeting and we've requested to move forward with a work session with the Planning Commission and so there's still several months that will be dedicated to the initial design and study of the property prior to the application moving forward to City Council for a vote. Construction would begin, at the earliest, a bit over a year from now.**
2. Does the plan suggest that residents of this new building would use Valley Road Ext. as their primary access road? **Yes, future residents on this property would use Valley Road Ext. as the primary vehicular access point. The Charlottesville Bike and Pedestrian Master Plan calls for a tunnel underneath the railroad tracks adjacent to this site to accomodate a multi-use path so there may be an additional bike/ped connection realized at some point in the future near this property which would allow for bike/ped traffic to, additionally, be able to access the site from the opposite side of the track.**
3. Has there been an environmental impact assessment to determine if there will be negative impacts on the drainage stream that runs parallel to Valley Road Ext.? **The site plan and the stormwater management plan work together to mitigate environmental impacts from the development. Stormwater regulations are in place to protect land and streams from erosion, flooding, and pollutants. Regardless of whether this property owner develops this property by-right or as a result of a rezoning approval, the proposed land disturbance on the property will necessitate a stormwater management plan. To directly answer your question, no, an environmental impact assessment hasn't been completed for this project however the stormwater regulations work to mitigate negative impacts on Rock Creek that could occur as a result of land disturbance and development. Additionally, we've proposed a native planting buffer**

**Attachment D**

**along the banks of the creek; the site is currently over run by kudzu and so the native planting buffer will restore native species on the site and provide additional stabilization and filtration along the bank of Rock Creek.**

4. If the Comprehensive Land Use map for this area calls for Low Density Residential zoning, is the existing infrastructure suitable for a multi-family building of that size? **Yes, we've provided estimated traffic numbers to the City Traffic Engineer to evaluate infrastructure impacts; the anticipated trip generation numbers from this development are seven morning peak hour vehicular trips (7-9 a.m.) and nine evening peak hour trips (4-6 p.m.). These numbers are derived from the Institute of Transportation Engineers Trip Generation manual which is the standard trip generation methodology used by traffic engineers. Also, the 20 units are proposed in four separate buildings so that the scale is more cohesive with the surrounding context, as opposed to a single larger building with 20 units.**
5. Will the full application be available for the public prior to the community meeting? What about prior to the Planning Commission Public Hearing? **Sure thing, I've attached the initial application to the City to this email. If you'd like a hard copy, let me know, and I can coordinate on a way to get that to you. We, Shimp Engineering, may incorporate some changes to the application in response to comments received from the Commission, the community, and the City and so there may be some changes to these materials as this application goes through process. When changes are made to the application we will submit revised application documents to the City.**

Hope this helps to answer your questions! Happy to hop on a call if you'd like to discuss anything further.  
Thanks Claire.

Best,

Kelsey

On Mon, Sep 14, 2020 at 8:10 PM Claire Habel <[habel.claire@gmail.com](mailto:habel.claire@gmail.com)> wrote:

Hello Mr. Alfele and Ms. Schlein,

My name is Claire Habel and I reside at [301 Valley Road Ext.](#) Upon receiving a notice about the application to rezone and develop **1613 Grove Street**, I surveyed the length of Grove Street (as well as Grove Street Ext.) and concluded that the property in question is right across the street from where I live. **Is this correct?**

I have a few questions about this rezoning and plan for development.

1. If the property is rezoned to R-3, when would the proposed construction start? When would it be finished?
2. Does the plan suggest that residents of this new building would use Valley Road Ext. as their primary access road?
3. Has there been an environmental impact assessment to determine if there will be negative impacts on the drainage stream that runs parallel to Valley Road Ext.?
4. If the Comprehensive Land Use map for this area calls for Low Density Residential zoning, is the existing infrastructure suitable for a multi-family building of that size?
5. Will the full application be available for the public prior to the community meeting? What about prior to the Planning Commission Public Hearing?

**Attachment D**

I appreciate your time in answering these questions and am happy to receive your response by phone if that would simplify things.

Best wishes,

--

**Claire Habel**

e: [claire@theclimatecollaborative.org](mailto:claire@theclimatecollaborative.org)

c: (651)925-7657

--

**KELSEY SCHLEIN**

*Project Manager / Land Planner*

Kelsey@Shimp-Engineering.com

**Shimp Engineering, P.C.**

912 East High St. Charlottesville, VA 22902

434.227.5140 // [shimpdesign.com](http://shimpdesign.com)



**Alfele, Matthew**

---

**From:** Elisabeth Hebllich <jhebllich@gmail.com>  
**Sent:** Friday, March 12, 2021 11:28 AM  
**To:** Alfele, Matthew  
**Subject:** 1613 Grove st Extended Proposed Development

**Follow Up Flag:** FollowUp  
**Flag Status:** Flagged

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Hello Mr. Alfele,

I am a homeowner and resident of Grove street extension. I must reiterate what many of my friends and neighbors said during the community meeting regarding the new development. We are not opposed to developing that land, in fact, it has been so poorly cared for we would welcome some improvements! But the proposed 28 unit buildings with only 26 parking spaces would severely affect the comfort and safety of our little neighborhood we hold so dear. I don't know if you have driven down our street, but I would encourage you to do so. You will see that it is so tightly packed with cars that you must pull to the side if another one comes along. Many of the homes are 2 family units and the overload of cars on that road is already a hazard. The developer's proposed idea that 26 parking spots is plenty because many of the people won't have cars is so completely unrealistic. He said he thinks it will be mostly single parents with kids?! Ok... Maybe hospital workers, but how will they get to the store or take their kids to daycare? I ride the bus to work or walk because I work at the hospital, but before that, I take my child to school, in my car. Our neighborhood is not within walking distance to a grocery store or pharmacy. Charlottesville may one day be set up for people to live without cars, but it's just not. Even when it is, people still want the freedom of having one. We are just not that kind of city. It will be a hazard for us to get in and out of our homes, but maybe more importantly for emergency vehicles to get through. There is a reason that area is not zoned R3. We recognize that Charlottesville is in need of more affordable housing, but this will completely destroy the neighborhood we love so much. I beg of you, please consider town houses with adequate parking spaces. We must be good neighbors to the people that have been there for years, those of us who have built a home there. There is quite the uprising developing in our neighborhood around this subject. We are real people, with families, who walk our dogs and our children on that street. We hope you will consider our reasonable request.

Respectfully,  
Jane Hebllich

**Alfele, Matthew**

---

**From:** judybriggs@lumos.net  
**Sent:** Monday, March 29, 2021 12:40 PM  
**To:** Alfele, Matthew  
**Subject:** RE: 1613 Grove Street Rezoning and SUP Community Meeting

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Matthew,

I submitted comments today to Shimp Engineering and copied you. I would like to be at the meeting but I'm not sure I will be able to due to some upcoming major dental procedures. Please keep me advised of developments regardless. Thanks.

Judith Briggs

On Wed, 10 Mar 2021 18:43:18 +0000, "Alfele, Matthew" <alfelem@charlottesville.gov> wrote:

That is a hard question to answer. Both option are fine, but typically it is the people that show up to the meeting and speak that make the biggest impact. This is not always true, but in my years of work that is just my observation.

---

**From:** judybriggs@lumos.net <judybriggs@lumos.net>  
**Sent:** Wednesday, March 10, 2021 11:57 AM  
**To:** Alfele, Matthew <alfelem@charlottesville.gov>  
**Subject:** RE: 1613 Grove Street Rezoning and SUP Community Meeting

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Thanks a lot Matthew, very helpful.

One more question and I'll try to leave you alone: Should I send in comments or ask to be heard at the Planning Commission meeting? Or both?

Judith

Attachment D

On Wed, 10 Mar 2021 14:26:57 +0000, "Alfele, Matthew" <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)> wrote:

Judith,

This is not something the BZA (Board of Zoning Appeals) would look at. They look at hardships for things like setbacks on by-right developments. On this project, the developer is requesting a change to the Zoning and the addition of a SUP. So yes, it will be up to City Council to grant or deny the applications for the Rezoning, SUP, and disturbance of Critical Slopes. Below is a basic outline:

- The applications will go to Planning Commission (most likely May 11<sup>th</sup>, but no date is set yet. You will receive an official letter with the date if you are a property owner within 500'. But also the property will be posted with a sign with the Public Hearing information and I will send out an email to interested parties on the list. It will also be advertised in the newspaper). The Planning Commission will hold a Public Hearing and anyone who wants to will be allowed to speak to the proposed development. Planning Commission will take three actions (one for the Rezoning, the SUP, and the Critical Slope). These actions will only be recommendations to City Council.
- Typically the following month City Council will take up the proposed development at their meeting. Again I will let people know when that meeting is, but once something move on form Planning Commission to City Council I am not as plugged in to their timing.

Hope this is helpful and let me know if you have any additional questions. I will keep you posted.

---

**From:** [judybriggs@lumos.net](mailto:judybriggs@lumos.net) <[judybriggs@lumos.net](mailto:judybriggs@lumos.net)>

**Sent:** Wednesday, March 10, 2021 9:13 AM

**To:** Alfele, Matthew <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)>

**Subject:** RE: 1613 Grove Street Rezoning and SUP Community Meeting

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Matthew,

Can you please clarify: Are the rezoning request and the special use permit both going to be determined by City Council? If so does that mean that they have already been denied by the Board

Attachment D

of Zoning Appeals?

Thanks.

Judith Briggs

On Wed, 3 Mar 2021 21:00:04 +0000, "Alfele, Matthew" <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)> wrote:

Judith,

You have a lot of time to get comments to me and/or the applicant. If you want the applicant to have your comments you should get provided then sometime in the 30 day window (window starts tomorrow and runs for 30 days). If you want to get comments to me, I would just try to get them in sometime before City Council makes a decision (that is still months away). Hope this information is helpful.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: [judybriggs@lumos.net](mailto:judybriggs@lumos.net)

Date: 3/3/21 9:02 AM (GMT-05:00)

To: "Alfele, Matthew" <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)>

Subject: Re: 1613 Grove Street Rezoning and SUP Community Meeting

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Matthew

Attachment D

I have comments to submit. Do I need to get them in by tomorrow's meeting?

Judith Briggs

On Mon, 1 Mar 2021 22:24:46 +0000, "Alfele, Matthew" <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)> wrote:

I know many of you received the Community Meeting letter in the mail from the developer, but I wanted to get this email out with the same information. Note the Community Meeting is this Thursday (March 4<sup>th</sup> at 6pm) on Zoom. No preregistration is required.

Matt Alfele, AICP

City Planner

City of Charlottesville

Department of Neighborhood Development Services

City Hall – 610 East Market Street

P.O. Box 911

Charlottesville, VA 22902

Ph 434.970.3636 FAX 434.970.3359

\*\*\*Updated email address to .gov\*\*\*

[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)

**Alfele, Matthew**

---

**From:** lisasg@embarqmail.com  
**Sent:** Friday, March 26, 2021 1:01 PM  
**To:** Alfele, Matthew  
**Subject:** Proposed development at 1613 Grove Street

**Follow Up Flag:** Follow up  
**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.

Hello Mr Alfele,

I am in receipt of the plans from Shimp Engineering for the proposed development at 1613 Grove Street, and I am writing to express my extreme disappointment with the city for even considering such a dense development at this location. I understand that the city needs new housing, and that you're trying to in-fill vacant lots. However, this development has far too many units for the number of parking spaces provided and for its location at the end of a cul-de-sac. There is only one way in and out of this road (I used to live on Grove Street Extended, so I am very familiar with this area), and you are inviting traffic and neighborhood problems by in-filling with this amount of units.

I can see developing this site for perhaps half the amount of units, while keeping the same amount of parking spaces. Right now, according to the proposed plan, there are not enough parking spaces for every unit to have even one, unless someone in one of the units is handicapped.

As these are two bedroom units, you are likely to have at least an additional 14 or 15 cars (conservatively) trying to find parking spaces on a daily basis, on a road that cannot accommodate them. And, if someone living there were to invite friends over, where are they to park? There are not enough space for residents, let alone for visitor's parking.

In addition, there is no safe way for pedestrians to cross the railroad tracks in this area, and people who work at the hospital or the university tend to just cross where they can without being caught. I know this because I used to see them when I lived on Grove Street Extended. Were you to provide a pedestrian pathway from Valley Road Extended over to Grove Street, where people can then walk safely down to the underpass on Roosevelt Brown Blvd, and a pedestrian path to the railroad crossing at Shamrock, perhaps this might be a more viable development because of its walkability, but as it stands, it is an irresponsible and short sighted venture on the developer's part.

Thank you for listening, I hope that my concerns will at least start a conversation about reducing the number of units allowed there.

Lisa Grant

**Alfele, Matthew**

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**From:** S Reinhardt <sdrequi@yahoo.com>  
**Sent:** Monday, March 29, 2021 11:59 PM  
**To:** Alfele, Matthew  
**Subject:** Proposed development on Grove St Ext/Valley Rd Ext

**Follow Up Flag:** Follow up  
**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 Mr Alfele,

I am writing in hopes that my concerns (and those of my neighbors) about the development at the end of Valley Road Ext in Charlottesville will be heard and passed along to the city council. I have thought a lot about the pros and cons with developing this land into multifamily housing and spoken with many of my neighbors.

Here are the pros as we see them:

- A private developer makes even more money (Umm, not really a pro for the neighborhood)
- Sidewalks? Not really a pro because if the sidewalks take out people's available front-yard parking, more cars will be on the street (see below), and if not, most cars will be parked over the sidewalks anyways and I'll still be walking my dogs in the street. And note that it's safer to walk in the street instead of close to the backs of parked cars- I've had people pull out without looking and almost hit me or my dogs multiple times, so no thank you for the sidewalks.

I'm really searching for more pros here. Maybe more housing available? But at \$1500/mo for a 2 bed apartment, not many working class families can afford that and that's the group that needs the most help with housing in Cville! I am very familiar due to my work in trying to find affordable housing for families in the city and county, so I can say that \$1500 for a 2 bed apartment (not even a house!) is out of most family's price range and will NOT help the housing crisis here.

To recap the ask: the developer is asking to 1) Consolidate the lots into one lot. 2) Shift the orientation of the lots from facing Grove st Ext to facing Valley Rd Ext. 3) Change the zoning from R2 to R3 when there is no other R3 zoning south of the train tracks or in neighboring areas. 4) mess with the critical slope that supports the houses on Baker st. 5) increase the housing density prescribed to allow for more units than would normally be allowed on an R3 parcel of this size.

Phew! That's a lot of Asks!

On to the cons...

The city planner who originally created these lots had a reason to not want 28 units on that corner and allowed for only 6 (duplex on each of 3 lots), and had it facing Grove St Ext. I think the reasons are pretty obvious but here are the cons as I see them-

**-Traffic.** This is a huge issue already. I walk my dogs every day in the evening, anywhere from 5pm to 7pm. It takes me roughly 5 minutes to get from Grove St Ext up valley to Cherry or back. Every time, I have at least 3 cars drive past me. With that math, that's 36 cars per hour traveling on valley rd. Let's add 28 units, possibly 56 cars, plus guests, food and goods delivery etc, now we're talking 50? 60? cars driving up or down the street per hour. On a road that is basically one lane. Sounds dangerous for the children and residents on the street. I often feel like I'm playing Frogger trying to get out of the street in the mornings due to so many people pulling out or coming back! (I heard the "study" that was quoted as 3-4 cars per hour, and those numbers must have been from April of last year- during the lockdown!)

**-Parking-** Another huge issue- Adding 56 bedrooms to the end of the street means the potential for 56 cars added to the street, plus guests. They have planned for 26 regular parking spaces off street, so all of the overflow will need to find street parking, on a street that has greatly limited street parking to begin with. All of these extra cars (even if it's just 20 extra cars) will cause multiple issues.

**-Street blockage-** more cars means less areas to go around parked cars and a high potential for the road to be blocked by waiting cars or people parked "legally" but not smartly. Maybe people's driveways get blocked, maybe more accidents start to happen with people trying to get around cars to get out of the neighborhood.

**-limited access for Fire and Rescue.** This is a big one, because if the road is even narrower due to more parked cars, will fire and rescue be able to respond in time in those big, wide trucks? When fire and rescue responds in our neighborhood, Valley road is blocked for however long it takes. I'm fine with this, but you add 28+ families to the end of the road and the potential for increased calls goes way up, causing more issues with getting in and out of the neighborhood. And what if the street is too narrow for them to respond and someone dies or a house sustains worse fire damage because of the delay? Would that be on the city for overloading the road past it's planned capacity?

**-people coming up on Grove St Ext to look for parking.** Have you seen Grove street Ext? It's one lane and our parking spaces are part of our private property. Oh, and it's not a city street so the 4 houses that are on Grove St Ext pay to maintain the road (hence the shoddily filled potholes) despite paying the same property tax rate as everyone else in the city. This has been a struggle with the city and we do not plan to fight the city to have the road maintained at this time. An increase of cars looking for parking will mean that people will come up, try to turn around, possibly hit our cars in the process or trench the sides, our street will get torn up faster, people may park where we have to tow them causing a huge headache for everyone, and they may block our street (this has happened in the past when construction workers were parking on



## Attachment D

Valley rd ext to cross the tracks and work at UVA) by parking on the opposite side from our spaces. Not ok and unnecessary drama.

**-Ruining the neighborhood** and making it less accessible to working class families. If the new apartments rent for \$1500, landlords on the street may raise their rents, pricing out a lot of the families that have been there for years. On the flip side, they may have trouble renting due to the parking and traffic and lose money. One thing for sure- it won't stay the same, and it's not going to become more desirable or friendly.

**-There are no other developments like this** in the area around Valley Rd Ext, so why this neighborhood? Because it's a diverse, working class neighborhood? The developers could easily put 6 units/3 duplex houses and make their money back. The original planners had a reason for making the 3 lots zoned R2, and as much as Cville says it wants the "look" of new construction to enhance neighborhoods, adding this many units will make it an eyesore and cause issues with accessibility to the end of the street.

**-Destruction of natural habitat.** I laughed when they said they'll be creating natural habitat. By tearing out the natural slope, numerous dens for wild animals will be destroyed. Come look at the hill before the Kudzu grows back, you can see multiple burrow holes and there's always critters roaming in the lot. Putting up three duplexes will also change the habitat, but it will maintain more of the slope and woody area than these monstrous buildings would allow for.

I hope that the neighborhood's concerns are taken seriously and that the city understands granting this insane amount of leeway for a developer will set a dangerous precedent in all of the neighborhoods in town.

I look forward to sharing my thoughts with the city council at the public hearing. If you need to reach me, you can call me at the number below

Stacia Reinhardt  
1621 Grove St Ext

484-560-7951

**Alfele, Matthew**

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**From:** Samuel Pierceall <sampierceall@gmail.com>  
**Sent:** Tuesday, March 2, 2021 11:45 AM  
**To:** Alfele, Matthew  
**Subject:** 1613 Grove proposal feedback

**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.

Hi Matt,

My name is Sam Pierceall and I am a homeowner on Valley Road EXT. I recently received the info packet regarding the 1613 Grove street apartment complex building proposal, and I wanted to make sure I was able to express my concern.

My first concerns are regarding the street itself. Assuming there is not going to be an additional street extension that would connect the complex to Grove street, access would be from Cherry via Valley Road EXT. Even with an added connection from Grove or Paton, the primary access would be from Valley Road EXT due to the direct nature of these streets, as Grove is one way and the streets are so small because of this limitation. As it stands, Valley Road EXT is already in a state of disrepair, and in need of substantial maintenance. The creek that runs along that road is THE primary floodzone in the neighborhood, and the street suffers as a result.

Having traffic from an additional 28 units on the street that is already in disrepair, combined with the heavy equipment and construction materials that will need to be transported along the road makes me question how much longer this street will continue to hold up without substantial repairs and upgrades. Additionally, the street is quite narrow in some places, with one car having to pull over to the side to allow vehicles traveling in the opposite direction to pass safely - I have witnessed this on an almost daily occasion while I lived there.

My other concern is that this will dramatically change the nature of this street. Valley Road EXT and Grove street EXT are quiet streets with one or two family homes, 1 or 2 story condos and duplexes. Building four 3 story apartments with 7 units each will dramatically change this from a quiet, sleepy street and make it an extended hub for University students. This will mean more noise, parties, tailgating, traffic, and other related activities which will drive away residents like the family of 4 that is currently renting the condo I own. This will also increase the number of students who will be crossing the railroad tracks as a shortcut to get to classes, and will create an increased risk for those who do so.

While I like the green space at the end of the street (lots of people, including myself, use the space as an area to walk their dogs), I understand the desire to build new units to use the space, but ultimately apartments like those in the proposal do not fit in with the current buildings already there. If the lots needed to be developed into something other than a park, something more like the condos or duplexes that currently line the street would be much more appealing than 28 apartments that would house at least an additional 28-56 or more people and their vehicles.

Thank you for your time.

Best,

Sam Pierceall

**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: SP21-00002**  
**DATE OF HEARING: March 8, 2022**

**Project Planner:** Matt Alfele, AICP

**Date of Staff Report:** April 27, 2021, and Updated February 17, 2022 (Note: highlighted sections indicate updated information.)

**Applicant:** Lorven Investments LLC

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

**Current Property Owner:** Lorven Investments LLC

**Application Information**

**Property Street Address:** 1613 Grove St. Ext., 1611 Grove St. Ext, and 0 Grove St. (Subject Properties)

**Tax Map & Parcel/Tax Status:** 230133000, 230134000, and 230135000 (real estate taxes paid current - Sec. 34-10)

**Total Square Footage/ Acreage Site:** 0.652 acres (28,401 square feet)

**Comprehensive Plan (General Land Use Plan):** General Residential

**Current Zoning Classification:** R-2 (applicant is pursuing a rezoning to R-3 under application ZM20-00003)

**Overlay District:** None

**Applicant's Request (Summary and Update)**

On October 21, 2021, the Planning Commission held a Public Hearing for a proposed development located at 1613, 1611, and 0 Grove St. Ext that included applications ZM20-00003, P21-0023, and SP21-00002. Planning Commission made the following motion for SP21-00002:

*Mr. Stolzenberg moved to recommend approval of this application for a Special Use Permit for Tax Map & Parcels 230133000, 230134000, and 230135000 (1613 Grove Street Extended) to permit residential density up to forty-three (43) DUA and adjusted yard requirements as depicted on the site plan dated September 29, 2021 with the following listed conditions.*

*Conditions recommended by staff*

1. Up to 43 dwelling units per acre (DUA) are permitted on the Subject Properties with a maximum of two bedrooms per unit.
2. The restoration of Rock Creek as presented in the applicant's narrative dated July 14, 2020 and revised September 29, 2021.
3. Modifications of yard requirements to:
  - a. Front yard: Twenty-five (25) feet.
  - b. North Side yard: Five (5) feet.
  - c. South Side yard: Fourteen (14) feet.
  - d. Rear yard: Twenty-five (25) feet.

*Mr., Habbab seconded the motion*

*Mr. Lahendro, Yes*

*Mr. Solla-Yates, Yes*

*Mr. Stolzenberg, Yes*

*Mr. Karim Habbab, Yes*

*Mr. Mitchell, No*

*Ms. Liz Russell, No*

*The motion passed 4 - 2 to recommend approval of the Special Use Permit application to City Council.*

In preparing to move the application forward to City Council, it was discovered one of the Tax Map Parcels numbers was mistyped in the public ad. To ensure accuracy, all three applications have been readvertised and returned to Planning Commission for action. No substantive information has changed or been updated to the application from what Planning Commission reviewed on May 11, 2021 and October 21, 2021. Highlighted information in this report does show the changes as a result of the adoption of the 2021 Comprehensive Plan and Future Land Use Map.

Justin Shimp (Shimp Engineering, PC., representing the owner, Lorven Investments, LLC) has submitted a Special Use Permit (SUP) pursuant to City Code Sec. 34-420, which states that residential density up to forty-three (43) Dwelling Units per Acre (DUA) is permitted with a SUP. As part of this SUP the applicant is also requesting that yard requirements as listed in City Code Sec. 34-353(a) and 34-353(b)(4) be amended pursuant to City Code Sec. 34-162(a). The Subject Properties have street frontage on Valley Road Extended and the unimproved portion of Grove Street Extended. The proposed development is part of a packet of applications including a rezoning application (ZM20-00003) and a critical slope application (P21-0023).

The site plan (Attachment C) submitted with the application pursuant to City Code Sec. 34-41(d)(1) and (d)(6) depicts a development that would include twenty-eight (28) residential units. These units would be located within four (4) apartment and the proposed density would be forty-three (43) DUA. In updated materials, the applicant has indicated the development would have eight (8) one (1) bedroom units and twenty (20) two (2) bedroom units. In addition, the site plan shows a new (north) side yard of five (5) feet, (south) side yard of fourteen (14) feet, front yard of twenty-five (25) feet, and backyard of twenty-five (25) feet. Other improvements shown in the application include restoration of the portion of Rock Creek on the Subject Properties; and a cash contribution for pedestrian improvements within the Fifeville Neighborhood. See the applicants' narrative (Attachment B) and proffer statement from application ZM20-00003) for more information.

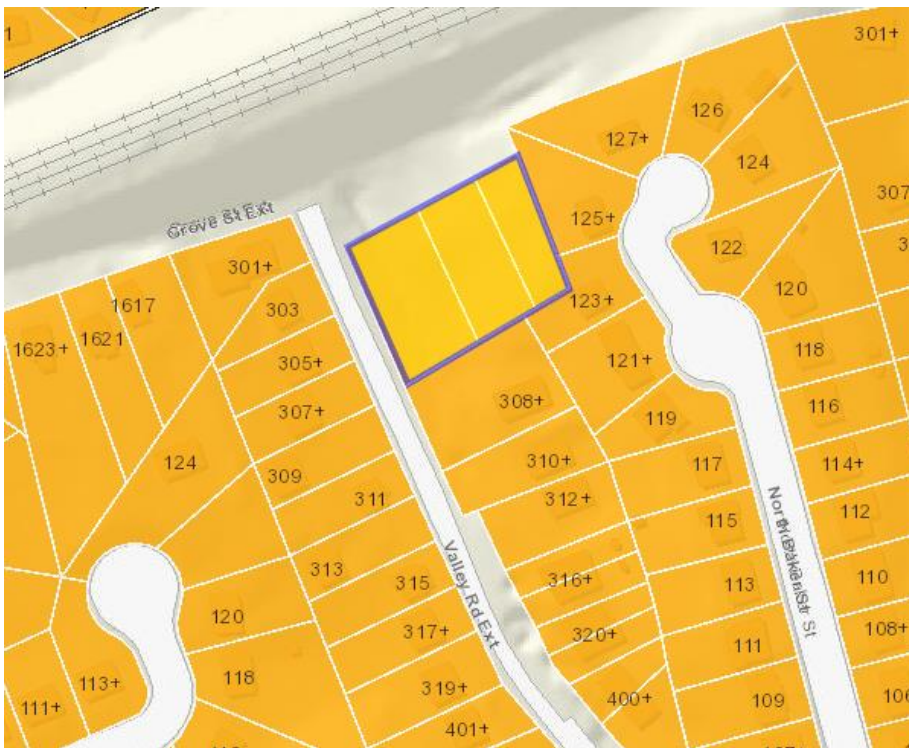
### **Vicinity Map**



**Context Map 1**

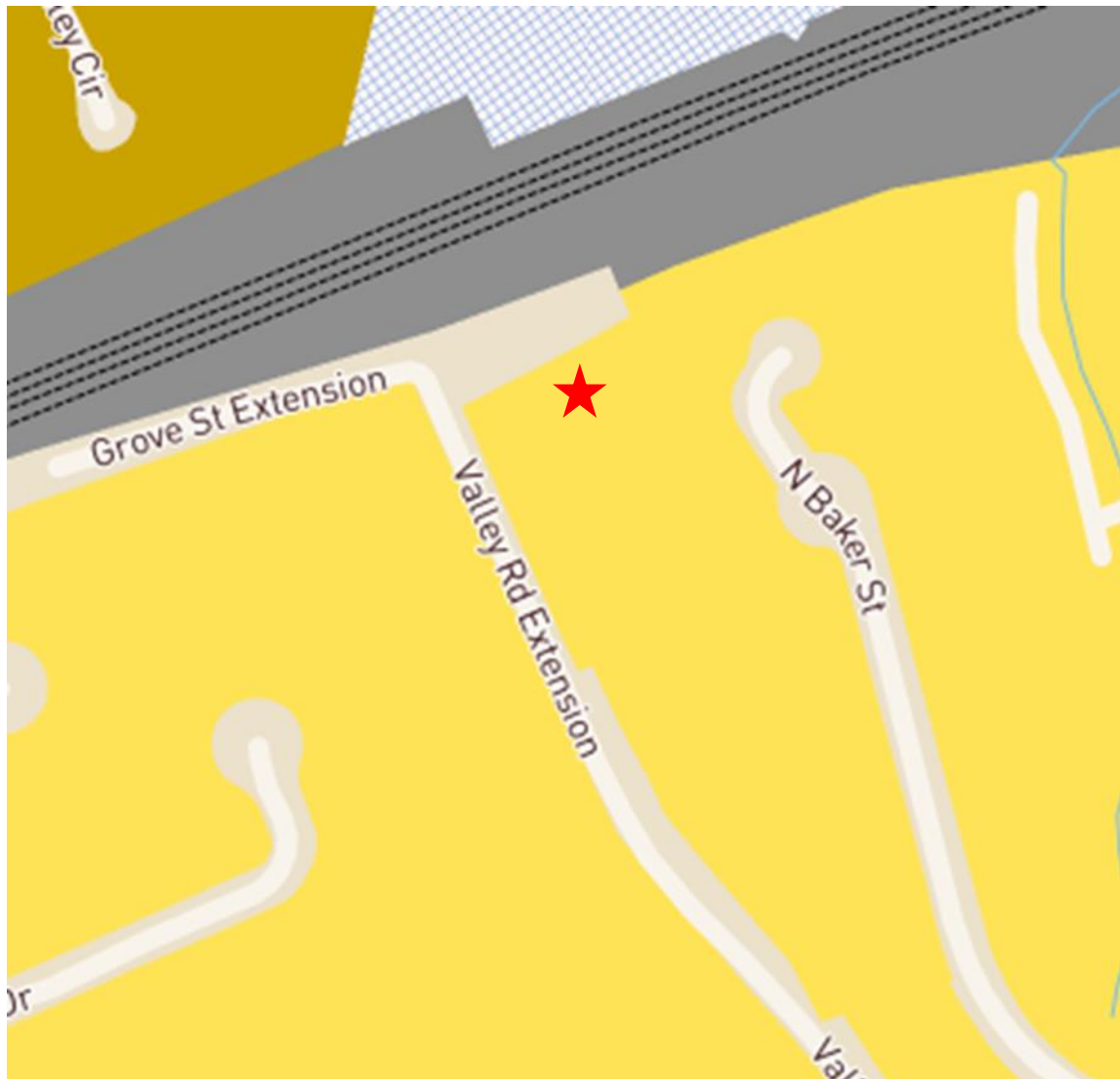


**Context Map 2- Zoning Classification**



**KEY - Orange: R-2**

### Context Map 3- Future Land Use Plan, 2021 Comprehensive Plan



**KEY: Yellow: General Residential, Brown: Medium Intensity Residential, Blue Hatch: UVA, Gray: Railroad**

#### 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 B.

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

TABLE The properties immediately surrounding the subject property are described as:

Direction	Use	Zoning
North	Unimproved section of Grove St. Ext. and the Railroad	NA
South	Two-family Residential unit	R-2
East	Two-family Residential unit	R-2
West	Two-family Residential unit	R-2

The current patterns of development within the neighborhood consist of single-family attached and two-family residential units. Although the area directly north of the railroad tracks encompass a mix of medium and high-density residential developments, this area is separated by more than four hundred (400) feet, a steep grade change, and the barrier of the tracks. Staff finds that multifamily up to twenty-one (21) DUA within small units could be an appropriate use on the Subject Properties as it would blend with the current patterns of development at a more appropriate intermediate density. The unit count within a small twenty-one (21) DUA development would max out at thirteen (13) units for a site this size. Bedroom count and number of unrelated occupants would need to be factored into the DUA for a by-right development. In addition, townhouses could also be appropriate, but at a lower density due to a larger footprint for each row of units. Other by-right R-3 uses would not be appropriate for this location 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. Housing**

**Goal 2: Diverse Housing Throughout the City.**



*Support a wide range of rental and homeownership housing choices that are integrated and balanced across the city, and that meet multiple City goals including community sustainability, walkability, bikeability, ADA accessibility, public transit use, increased support for families with children and low-income households, access to food, access to local jobs, thriving local businesses, and decreased vehicle use.*

**b. Environment, Climate, and Food Equity**

**Goal 3: Water Resources Protection**

*Protect, enhance, and restore the integrity of the city's water resources and riparian ecosystems.*

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

**a. Land Use, Urban Form, and Historic & Cultural Preservation**

**Goal 3: Balance Conservation and Preservation with Change.**

*Protect and enhance the existing distinct identities of the city's neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community*

**b. Transportation**

**Goal 3: Efficient Mobility and Access**

*Maintain a safe and efficient transportation system to provide mobility and access.*

Comprehensive Plan- Staff Analysis:

The Subject Properties are currently zoned R-2 which is one of the most restrictive residential zoning categories in the City. In the R-2 districts single-family detached, single-family attached, and two-family are the most prevalent building types. If the Subject Properties were developed by-right the max number of units would be six (6). This would be achieved by building a two-family unit on each lot. To do this the developer would need to build a City Standard road within the unimproved right of way (ROW) of Grove St. Ext., or do a boundary line adjustment to insure all three (3) lots had frontage on Valley Rd. Ext. **The 2021 Comprehensive Future Land Use Plan indicates the Subject Properties remain General Residential.** The land use section of the comprehensive plan states the following for General Residential:

**Description:** Allow for additional housing choice within existing residential neighborhoods throughout the City.

**Form:** Compatible with existing context, including house-sized structures with similar ground floor footprint area and setbacks as surrounding residential structures. Zoning tools will define contextual building form and neighborhood compatibility criteria for development.

**Height:** Up to 2.5 stories.

**Use and Affordability:** Up to 3-unit dwellings including existing single-family splits, accessory dwelling units (ADUs), and new housing infill. Zoning ordinances will consider ways to support townhomes in this category on a site-specific basis. Allow up to 4-unit dwelling if the existing structure is maintained. Allow additional units and height under an affordability bonus program or other zoning mechanism.

Staff finds the propose development would conform to some aspects of the Land Use Designation, but cannot make a full determination as many aspects of the land use map are tied to a future zoning code. As presented, the development would not require any affordable dwelling unit per Sec. 34-12. - Affordable dwelling units, but the applicant is proffering eight (8) affordable units as part of the proposal. If the property is developed by-right, no affordable units would be required. In addition, if the Subject Properties are developed by-right, no improvements would be required for Rock Creek. In any by-right development scenario, the portion of Rock Creek on, or fronting, the Subject Properties would be piped underground.

#### Streets that Work Plan

The Streets that Work Plan labels Valley Road Extended 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 Valley Road Extended is narrow with limited sidewalk and limited parking. Any by-right development on the site would be required to provide sidewalk, pay into the City’s sidewalk fund, request a waiver from City Council, or request a waiver per Sec. 29-182(j)(5). How the Subject Properties were developed by-right would determine which path was taken. In the applicant’s draft Proffer Statement, they are offering to donate forty-eight thousand (\$48,000) dollars to the City’s CIP fund for pedestrian improvements to Valley Road Extended. At this time Public Works has not studied or indicated any near-term CIP plans for Valley Road Extended.

Grove Street Extended is not identified within the Streets that Works Plan.

### Bike Ped Master Plan

The City's 2015 Bike Ped Master Plan calls for Valley Road Extended 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. In addition, the plan calls for a "Greenway Underpass". This would be a tunnel under the railroad connecting Valley Road Extended with Valley Road. At this time no plans are under review or in development for this recommendation from the plan.

### **(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

While this development would not push the street over its theoretically maximum capacity, there are a couple of things that should be noted. First, Valley Road Extended is of substandard width (less than 20 feet) which makes it more difficult for vehicles to pass one another. Second, the current traffic on the street is approximately 600-700 vpd (vehicles per day) based on the number of residences. Adding an additional 28 units will increase this between 200-300 vpd. This will push the street very close to the 1,000 vpd threshold at which residents begin to perceive traffic as being unsafe, noisy and/or disruptive. For these reasons, Traffic Engineering would recommend denial of this proposal.

##### Parking

The application proposes no changes to parking requirements under Sec. 34-984. - Off-street parking requirements—Specific uses. The application is proposing twenty-eight (28) units with each unit having one (1) or two (2) bedrooms. This would require one (1) parking space per unit for a total minimum requirement of twenty-eight (28) spaces. The preliminary site plan indicates this minimum will be met. Although this is the minimum requirement, staff believes parking from guest or occupants with additional

cars will spill over to on street parking. As stated under the Traffic section, Valley Road Extended has a substandard width (less than 20 feet) that would not be conducive to additional on street parking.

#### Other Modes of Transportation

Currently CAT route four (4) serves the Subject Properties with a stop at the intersection of Cherry and Valley Road Extended. This stop is approximately 0.3 miles from the Subject Properties (about a five (5) minute walk). Per Sec. 34-881 this development will be required to provide bicycle storage and parking on site. As presented the development will need to provide a minimum of fourteen (14) storage facilities. As described in the above Streets that Work Plan and Bike Ped Master Plan, Valley Road Extended is a "Shared Roadway". Nothing in the proposed development would impact these plans.

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

The proposed multifamily development may result in additional ambient noise due to balconies on the units, parking, and the use of outdoor recreational space. A lighting plan has not been provided, but per Sec. 34-978, the parking facilities must be illuminated to provide safe pedestrian access at night. This requirement will be addressed during final site plan review. It is most likely that for a development this size lighting can be provided without impacting the neighboring homes.

The site plan (Attachment C) and the section plans (Attachment B) show the preliminary landscape plan and Rock Creek restoration. There are trees located within the City's ROW and not on the Subject Properties as required outlined by Sec. 34-870(d). Due to the location of Rock Creek and proposed restoration, the NDS Director could grant approval of street trees within the City's ROW based on Sec. 34-870(e). Although not indicated on the site plan, the development would require landscape buffers comprised of S-2 screening type per Sec. 34-872(a)(1)(a) on the southern and eastern sides of the Subject Properties. Should City Council grant the SUP new yard regulations per Sec. 34-162(a) the landscape buffer on the southern side of the Subject Properties would need to be fourteen (14) feet wide. The eastern (rear) buffer would need to be twenty (20) feet wide. Should the yard regulations not be altered, both buffers will need to be twenty (20) feet wide.

Within the narrative and section plans (Attachment B) are limited details on the proposed restoration of Rock Creek. These improvements include bank stabilization, regrading of eroded stream banks, addition of measures to slow water velocity and

provide aquatic habitats, and the introduction of new planting. These plantings include river birch, bald cypress, viburnum, sedge, river oats, and elderberries. A portion of Rock Creek will be run through a culvert to allow access to the site. This is a common practice and is evident on other properties along Valley Road Extended. Should the Subject Properties be developed by-right, the majority of Rock Creek would be run through a pipe or culvert. This would be done to allow three (3) access points for each property. In the by-right scenario all, or a majority, of Rock Creek would be underground.

**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 Provisional Use Permits could be issued in the future and 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 **and services** 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).

In the rezoning application, a draft proffered statement (Attachment B) offers a contribution of forty-eight thousand dollars (\$48,000) to the City's Capital Improvement Program (CIP) for pedestrian improvements within the Fifeville Neighborhood. At this time Public Works has not studied or indicated any near-term CIP plans for Valley Road Extended.

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

The Subject Properties are currently vacant, and any by-right development would not impact availability of affordable housing. Per Sec. 34-12 - Affordable dwelling units. The applicant has proffered eight (8) affordable units to be provided on site. Please see the

staff report for the rezoning portion (ZM20-00003) for the Housing analysis on the affordable housing proffer.

**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 Properties 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 four (4) new buildings at four (4) stories each above the grade of Valley Road Extended, as viewed from street frontages. The materials indicate the maximum height of the development would not exceed forty-five (45) feet. This would be ten (10) feet higher than the maximum height allowed in the surrounding R-2 district. Due to the grade of the surrounding properties, the proposed development built between forty (40) and forty-five (45) feet would be in scale with the neighborhood. The applicant has also indicated that the buildings would not exceed thirty-five (35) feet in height due to grade changes.

Without adjustments to the yard regulations under Sec. 34-162(a), the setback for this development would be; twenty-five (25) feet front yard, twenty-five (25) feet rear yard, fifteen (15) feet side yard (north) and fifty (50) feet side yard (south). With no development possible to the north of the Subject Properties, the applicant is requesting the setback be reduced to five (5) feet. They are also requesting the side setback to the south be adjusted down to fourteen (14) feet. The code requires any residential density of forty-three (43) DUA or higher as "high-density" with provide screening to protecting

low-density districts. This is why under Sec. 34-872(a)(1)(a) a twenty (20) feet wide screening buffer of S-2 is required. In this case the property to the south of the Subject Properties sits far enough away that a fourteen (14) feet planting buffer would be sufficient. Staff finds that the massing and scale (related to height and setbacks) of this project, would be compatible with the surrounding neighborhood.

**(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 ZM20-00003, 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. As noted earlier in this report, some aspects of the preliminary site plan will need to be updated to come into conformity with the zoning ordinance and subdivision regulations.

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

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 March 4, 2021 the applicant held a community meeting on Zoom from 6:00pm to 7pm. This meeting was well attended by the neighborhood and the following concerns were raised. The meeting was recorded and is available to the public through the developer.

- Rezoning to R-3 and building an apartment complex is not in character with the neighborhood.
- The project has too much density.
- Parking will be an issue.
- Traffic on Valley Road Extended is already a problem due to the narrowness and an apartment building will make thing worse.
- It would be nice to see the kudzu gone and Rock Creek improved.

**On May 11, 2021** the Planning Commission held a virtual joint Public Hearing with City Council. Five (5) members of the public spoke and expressed the following:

- The proposed development is too dense for this location.
- R-3 zoning is not appropriate in an R-2 neighborhood.
- The City needs more homes and these units will help with that.
- Traffic and parking is already a problem on Valley Rd. Ext. and this will make it much worse.

**On October 21, 2021** the Planning Commission held a virtual joint Public Hearing with City Council. Two (2) members of the public spoke and expressed the following:

- Valley Rd. Ext. is too narrow and cannot handle this development.
- Any proffered money should be used to fix the road.
- Even under the proposed new Land Use Map this development would not be allowed.

### *Other Comments*

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 recommends denial of the Special Use Permit as the increased density at this location would not be in line with the City Future Land Use Map and could have an adverse impact on the surrounding low density neighborhood and infrastructure.



**Recommended Conditions**

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

4. Up to 43 dwelling units per acre (DUA) are permitted on the Subject Properties with a maximum of two bedrooms per unit.
5. The restoration of Rock Creek as presented in the applicant's narrative dated July 14, 2020 and revised April 15, 2021.
6. Modifications of yard requirements to:
  - a. Front yard: Twenty-five (25) feet.
  - b. North Side yard: Five (5) feet.
  - c. South Side yard: Fourteen (14) feet.
  - d. Rear yard: Twenty-five (25) feet.

**Suggested Motions**

1. I move to recommend approval of this application for a Special Use Permit for Tax Map & Parcels 230133000, 230134000, and 230135000 (1613 Grove Street Extended) to permit residential density up to forty-three (43) DUA and adjusted yard requirements as depicted on the site plan dated July 14, 2020 with the following listed 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 for Tax Map & Parcels 230133000, 230134000, and 230135000 (1613 Grove Street Extended)

**Attachments**

- A. Special Use Permit Application received July 13, 2020
- B. Special Use Permit Narrative and Supporting Documents dated September 29, 2021
- C. Site Plan dated September 29, 2021
- D. ADU Worksheet
- E. Public Comments received prior to the date of this report (any comments received after this report was prepared were sent directly to Planning Commission and City Council)
- F. Link to the May 11, 2021 and October 21, 2021 Public Hearings:  
<https://boxcast.tv/channel/iweiogrihxlennvn2sxqx>



# City of Charlottesville

## Application for Special Use Permit

Project Name: 1613 Grove St. Ext.

Address of Property: 1613 Grove St. Ext.

Tax Map and Parcel Number(s): 230133000, 230134000, 23013500

Current Zoning District Classification: R-2 proposed R-3

Comprehensive Plan Land Use Designation: Low Density Residential

Is this an amendment to an existing SUP? no

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

Applicant: Lorven Investments LLC

Address: 4776 Walbern Ct Chantilly, Va 20151

Phone: 703-856-0164 Email: nseri@yahoo.com  
project contact: Shimp Engineering, Kelsey Schlein | (434) 227-5140 | kelsey@shimp-engineering.com

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

Owner  Owner's Agent  Designer  Contract Purchaser

Owner of Record: same as applicant

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Reason for Special Use Permit: updated 2/21

Additional height: \_\_\_\_\_ feet 28

Additional residential density: 20 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 [Signature] Print Narsimha Seri Date 07/13/2020

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

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

(2) Signature [Signature] Print Narsimha Seri Date 07/13/2020

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

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

SP 21-00002



# City of Charlottesville

## Pre-Application Meeting Verification

Project Name: 1613 Grove St. Ext.

Pre-Application Meeting Date: March 12, 2020

Applicant's Representative: Shimp Engineering, P.C.

Planner: Matt Alfele

Other City Officials in Attendance:

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

1. see rezoning application form

2. 

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3. 

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4. 

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5. 

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Planner Signature: 

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# City of Charlottesville

## Application Checklist

Project Name: 1613 Grove St. Ext.

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 *N. Serri* Print NARSIMHA SERI Date 07/13/2020

By Its: MEMBER

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



# City of Charlottesville

## Community Meeting

Project Name: 1613 Grove St. Ext.

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: Lomen Investments LLC

By:

Signature [Signature] Print NARSIMHA SERI Date 07/13/2020

Its: Member (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: Lorven Investments LLC Date: 07/13/2020

By (sign name): *Narsimha Seri* Print Name: NARSIMHA SERI

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

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

### Owner's Agent

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

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

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

Owner: Lorven Investments LLC Date: 07/13/2020

By (sign name): *Narsimha Seri* Print Name: NARSIMHA SERI

Circle one:

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

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 Sateesh Nadimpally Address 11719 Poppen Head Rd, Fairfax, VA 22030  
 Name Mahendar Edla Address 25799 Buyer Ct, Chantilly, VA 20152  
 Name Kiran Bondugula Address 43376 Barnstead Dr., Ashburn, VA 20148  
 Name Narimha Seri Address 4776 Walburn Ct, Chantilly, VA 20151

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:** Lowen Investments LLC

**By:**

Signature [Signature] Print NARSIMHA SERI Date 07/13/2020

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



# City of Charlottesville

## Fee Schedule

Project Name: 1613 Grove St. Ext.

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

### Office Use Only

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

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

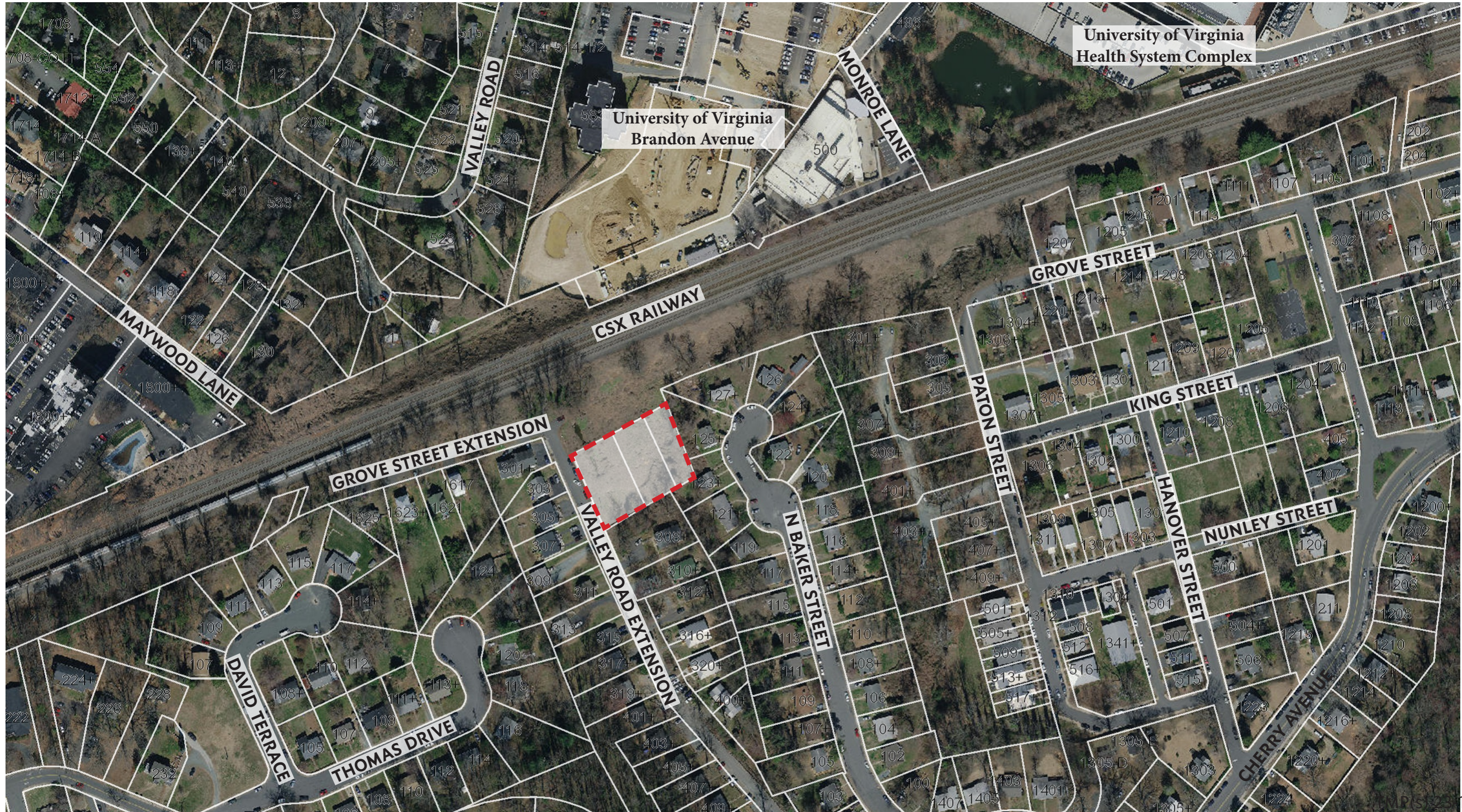
Amount Received: \_\_\_\_\_ Date Paid \_\_\_\_\_ Received By: \_\_\_\_\_

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



# 1613 GROVE STREET SITE CONTEXT

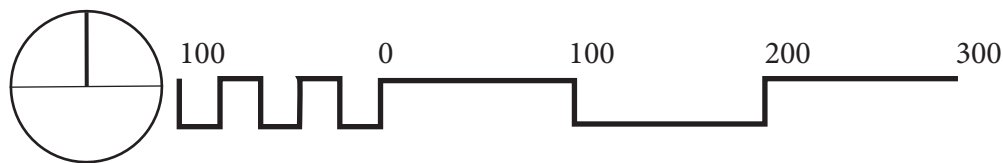
Sheet 1 of 7



133, 23-134, 23-135

REVISED 29 SEPTEMBER 2021  
Revised 22 June 2021  
Submitted 14 July 2020

project: 20.010



# 1613 GROVE STREET SITE & REZONING INFO

Sheet 2 of 7

## OWNER/DEVELOPER

Lorven Investments, LLC  
4776 Walbern Ct  
Chantilly, VA 20151

## TMP(s)

23-133, 23-134, 23-135

## ACREAGE

0.652

## NEIGHBORHOOD

Fifeville

## 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: 28 units proposed; 43 DUA

## BUILDING HEIGHT

Per Section 34-353 of the Charlottesville Zoning Ordinance, a maximum building height of 45' shall be permitted. Proposed building heights are less than 35'.

## SETBACKS

Per Section 34-353 of the Charlottesville Zoning Ordinance, setbacks shall be permitted as follows:  
FRONT MINIMUM: 25'  
SIDE MINIMUM: 14'\*  
REAR MINIMUM: 25'

\*For 22-43 DUA, side setbacks shall be 1 foot/3 feet in building height, 10' minimum. Maximum allowable building height is 45'. Proposed building heights are less than 35'.

Side setback to be reduced to 5' from the northern boundary (adjacent to the railroad ROW) with SUP exception

TMP(s) 23-133, 23-134, 23-135

**REVISED 20 SEPTEMBER 2021**

Revised 22 June 2021

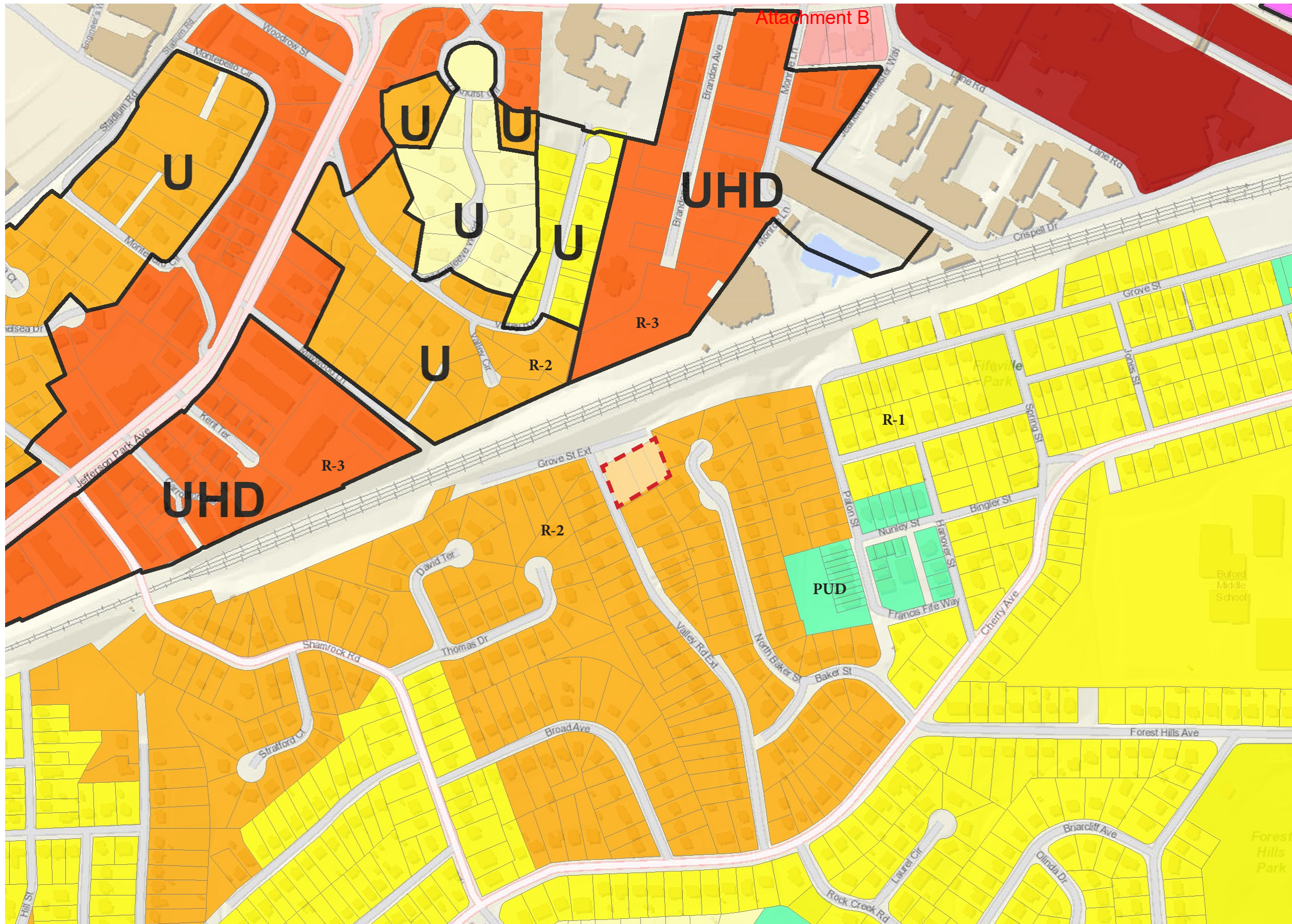
Submitted 14 July 2020

project: 20.010

**SHIMP ENGINEERING, P.C.**

# 1613 GROVE STREET ZONING MAP

Sheet 3 of 7

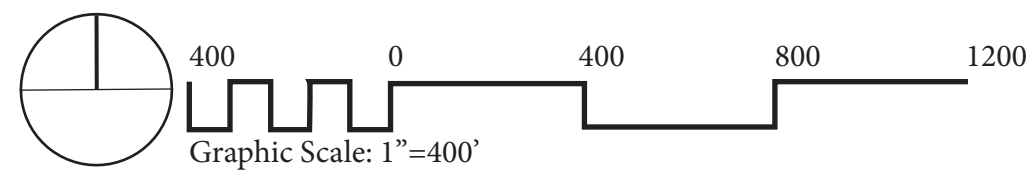


TMP(s) 23-133, 23-134, 23-135

**REVISED 29 SEPTEMBER 2021**  
Revised 22 June 2021  
Submitted 14 July 2020

project: 20.010

**SHIMP ENGINEERING, P.C.**



# 1613 GROVE STREET LAND COVERAGE

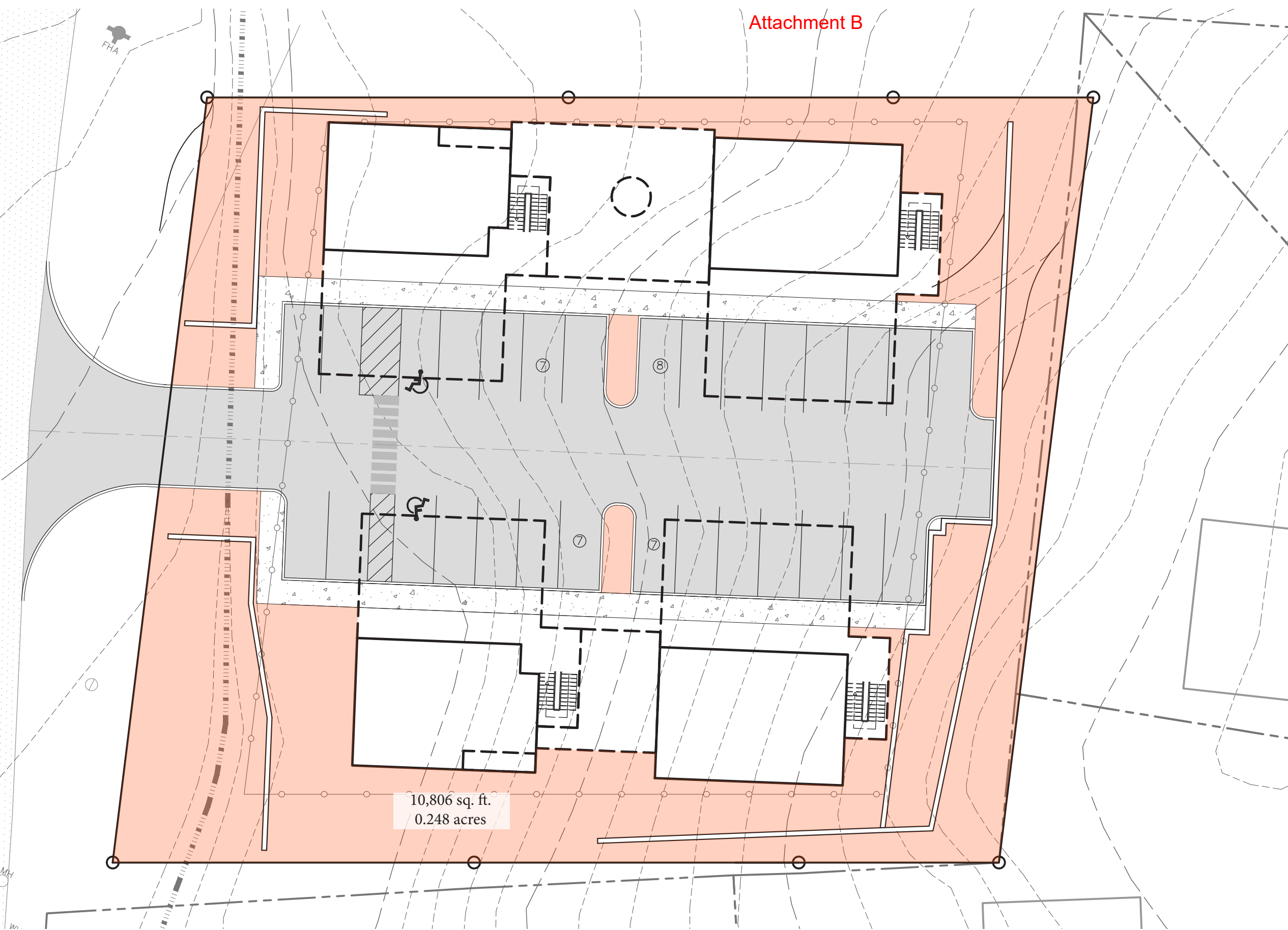
Sheet 4 of 7

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 0.652 AC or 28,401.12 sq. ft.

Required open space is 20% of total site area, or 0.1304 AC or 5,680.224 sq. ft.

Total proposed open space is 0.248 AC or 10,806 sq. ft.



10,806 sq. ft.  
0.248 acres

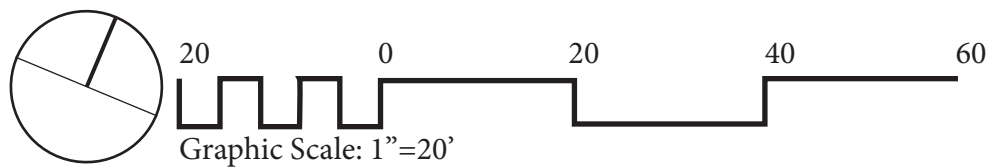
TMP(s) 23-133, 23-134, 23-135

**REVISED 29 SEPTEMBER 2021**

Revised 22 June 2021

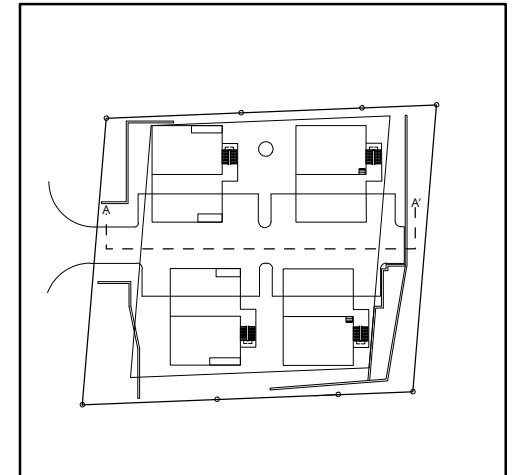
Submitted 14 July 2020

project: 20.010



# 1613 GROVE STREET SITE SECTIONS

Sheet 5 of 7



### SITE ELEVATION 'A - A'



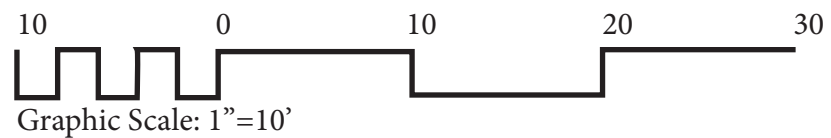
TMP(s) 23-133, 23-134, 23-135

**REVISED 29 SEPTEMBER 2021**

Revised 22 June 2021

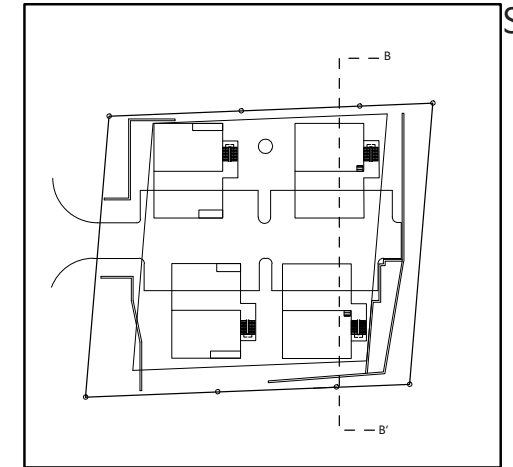
Submitted 14 July 2020

project: 20.010

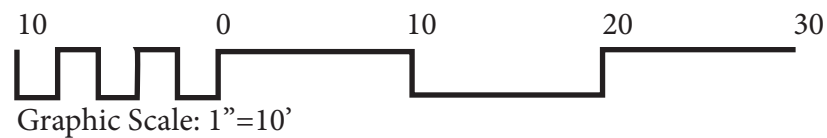
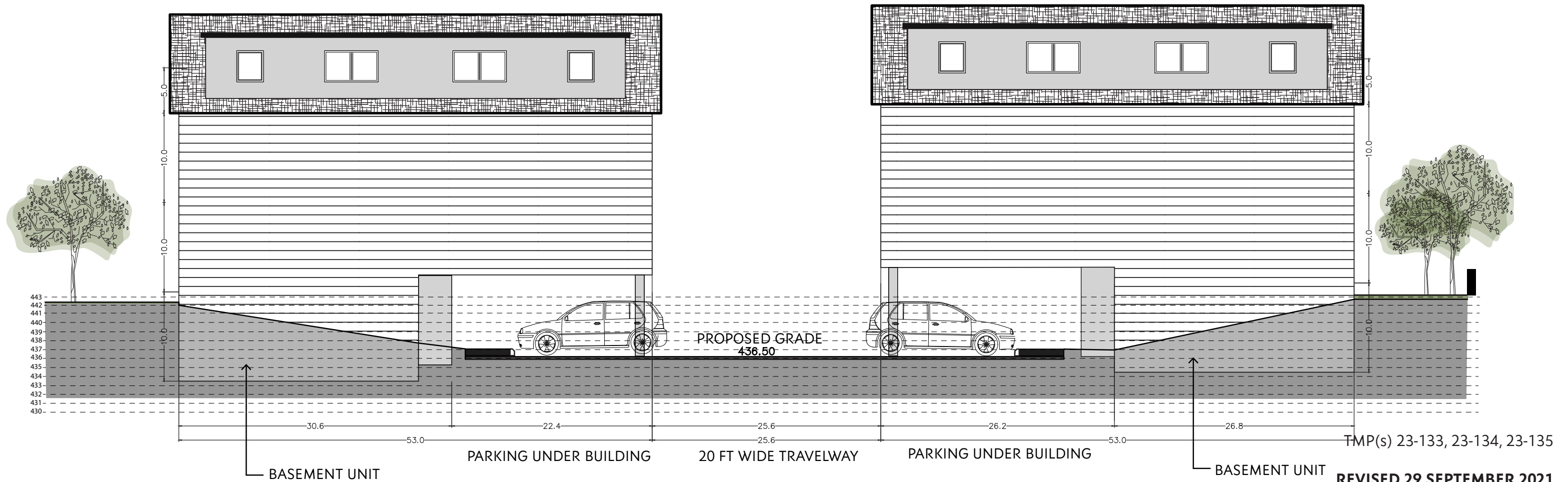


# 1613 GROVE STREET SITE SECTIONS

Sheet 6 of 7



### SITE ELEVATION 'B - B'



REVISED 29 SEPTEMBER 2021

Revised 22 June 2021

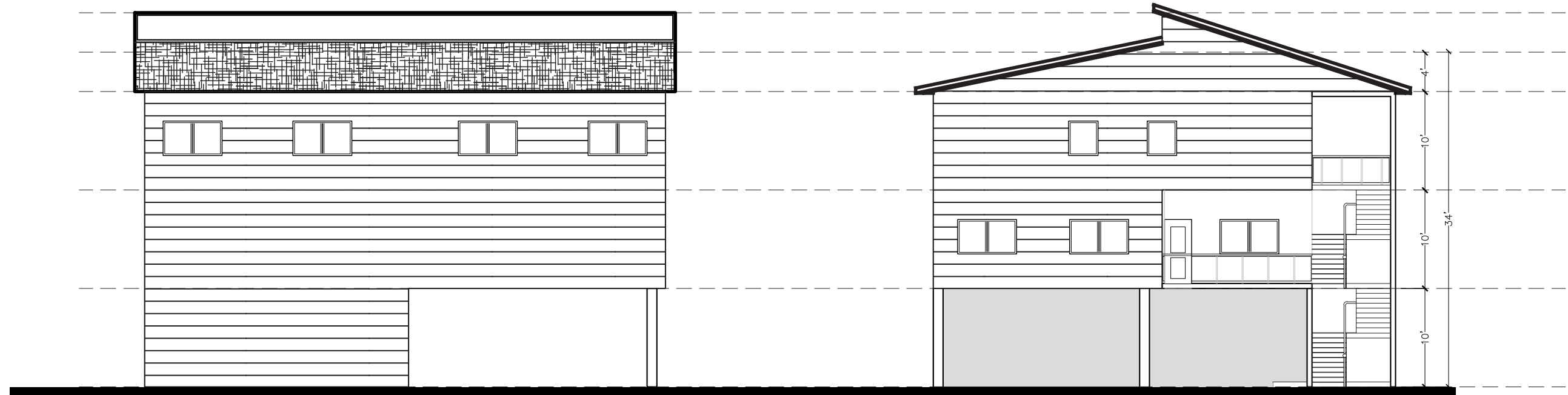
Submitted 14 July 2020

project: 20.010

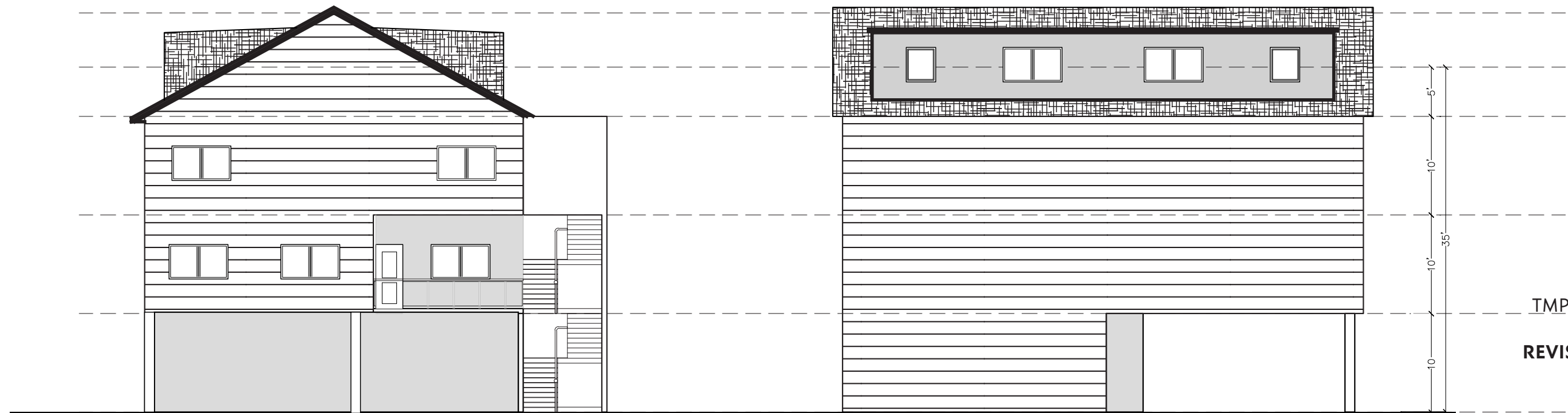
**SHIMP ENGINEERING, P.C.**

**UNIT 1 FRONT & SIDE ELEVATIONS**

**1613 GROVE STREET**  
**ELEVATIONS**  
Sheet 7 of 7



**UNIT 2 FRONT & SIDE ELEVATIONS**



TMP(s) 23-133, 23-134, 23-135

**REVISED 29 SEPTEMBER 2021**

Revised 22 June 2021

Submitted 14 July 2020

project: 20.010

## Attachment B

**Project Narrative For:** ZMA and SUP 1613 Grove St Ext  
**Parcel Description:** Tax Map 23, Parcels 133, 134, 135  
**Initial Submittal:** July 14, 2020  
**Revision 1:** January 29, 2021  
**Revision 2:** April 15, 2021  
**Revision 3:** June 22, 2021  
**Revision 4:** September 29, 2021  
**Pre-App Meeting Date:** March 12, 2020

<b>TAX MAP PARCEL NO.</b>	<b>ACREAGE</b>	<b>EXISTING ZONING</b>	<b>PROPOSED ZONING</b>	<b>COMP PLAN DESIGNATION</b>
TMP 23-133	0.147	R-2	R-3	Low-Density Residential
TMP 23-134	0.239	R-2	R-3	Low-Density Residential
TMP 23-135	0.266	R-2	R-3	Low-Density Residential
<b>Total:</b>	0.652			

### **Location:**

The parcels front an unimproved portion of Grove Street Extended with parcel 23-135 abutting Valley Road Extended. The properties are located within the Fifeville Neighborhood and are located along the edge of the land use map of the Cherry Avenue Small Area Plan Draft. The CSX railroad runs parallel to the properties' north boundaries.

### **Surrounding Uses:**

The new parcel will have frontage on Valley Road Extended. The property is bordered by two family residential structures to the east and south and by an unimproved section of Grove St. Ext and CSX railroad right of way to the north. Directly north of the CSX ROW is property owned by the University of Virginia that is subject to the Brandon Avenue Master Plan.

### **Project Proposal:**

Lorven Investments, LLC is the owner (the "owner") of tax map parcels 23-133, 23-134 and 23-135 in the City of Charlottesville (collectively, the "property"). On behalf of the owner, we request a rezoning and special use permit to allow for a cluster of neighborhood scale multi-family buildings with a total of 28 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 43 dwelling units per acre. To accommodate a multi-family development on the property, the existing interior boundary lines will be vacated to create one .652 acre parcel (the "new parcel"). In conjunction with the special use



## Attachment B

permit request, and in accordance with modifications allowed by Sec. 34-162, we request a reduction of the northern side setback (adjacent to the unimproved portion of Grove St. Ext) of the new parcel to 5' 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.

We propose a cluster of four (4) neighborhood-scale multi-family buildings that in total will house 28 residential units. The buildings will be organized on the property in a skewed quadrant and will be constructed on the site to create different areas for outdoor leisure and recreation space between and around the buildings. Each building is proposed to have (7) units and of the total 28 units, eight (8) of the units are proposed as one bedroom units and twenty (20) of the units are proposed as two bedroom units. Parking is provided on site, in accordance with City parking requirements, to serve the parking needs of future residents. The buildings are designed to relegate the parking from Valley Road Extended and most of the parking spaces are accommodated underneath the overhang of the buildings, limiting the amount of impervious surface on-site required to accommodate both the residential units and the required parking areas.

The site, including the banks of Rock Creek, is currently overtaken with Kudzu, an invasive species, and the preliminary site plan included with this special use permit request demonstrates a native replanting design along the banks that will contribute to a robust canopy and green screen along Valley Road Extended.

The buildings are proposed at heights of less than 35', as shown in the elevations included with this submission package, these proposed building heights are less than the 45' maximum by-right allowance for the R-3 Residential Zoning District. The property is bordered by R-2 zoned properties which are subject to a maximum height of 35'. Just across the railroad right-of-way, just north of the property, there are B-1 and UHD zoned properties which have a maximum height of 45' and 50' respectively. The buildings are designed to be 10' floor-to-floor at three stories above grade, with the easternmost buildings having basement apartments. The two easternmost buildings will be constructed into the hillside with a height of approximately 28' above grade. The buildings adjacent to Valley Street Extended do not have basement apartments, resulting in a height of approximately 33' above grade. The property sits at a lower elevation than most of its surrounding context; the variation in grade between this site and its surroundings contributes to minimizing the scale and mass of the buildings. The proposed finish floor elevation of the buildings is between 436' and 443'(with the easternmost buildings having a BFE of 433'). The finished floor elevation of the structure to the east is approximately 462', the finished floor elevation of the structure to the south is approximately 442', the approximate floor elevations of the properties opposite Valley St. are 440', and the ridge of the adjacent railroad right-of-way is 479'.

The project design will establish:

- 1) A neighborhood-scale multi-family housing development with off-street parking in close proximity to major regional employers
- 2) Greenspace and green screens, providing open space for future residents that is inviting and supports the enhancement of Rock Creek, and
- 3) Intentional recreational areas for residents that encourage outdoor leisure and play

### 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,

## Attachment B

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.”<sup>1</sup> This proposed project will contribute to the “missing middle” housing stock and help to meet demand for housing in Charlottesville City limits.

### **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.

Development of the property aligns with the goals and opportunities of the Fifeville Neighborhood as outlined in the Cherry Avenue Small Area Plan Draft. The SWOT analysis compiled by the neighborhood revealed that residents feel there is a lack of affordability in the neighborhood, pricing out long-term community members. While there is fear that development will change the neighborhood, community members still felt there is a strong opportunity to improve housing options within Fifeville. With new development, “additional housing may help residents remain in the community, even if they move to a new home within the neighborhood” (43). The multifamily development on Grove Street Extended could be an opportunity to address the challenge of meeting housing demand in the largely single-family zoning district in the Fifeville neighborhood. 1613 Grove Street is ideal for vacant lot development with effective density. The property is located at the end of Valley Road Extended’s block of duplexes and two-family dwelling units. A medium-density multifamily development would not be out of character in this portion of the neighborhood and will be designed in a manner to complement, not overshadow, the existing neighborhood context. The structures would not be visible from main thoroughfares of the Fifeville neighborhood, minimizing overall impact to the small-town feel that community members seek to preserve, while demonstrating a different level of density that neighbors could experience. Allowing for this type of development where impact is minimal would help the community better understand the built condition of the desired density, affordability, and housing types they envision, without compromising the character of the neighborhood nor displacing any current residents.

Generous green screens will be planted at the edges of the property which will contribute to a robust landscape program on the site, adding to the tree canopy in the neighborhood while providing sufficient privacy for future residents. This will ensure that the tree and green space character of the neighborhood local streets will not only be preserved but enhanced.

### **Consistency with the Comprehensive Plan:**

The property is located within the Western portion of the Fifeville Neighborhood and is located on the Western-most edge of the Cherry Avenue Small Area Plan Draft. The property fronts an unimproved portion of Grove Street Extended and extends along Valley Road Extended. Rock Creek is located on the western edge of tax map parcel 23-135, parallel to Valley Road Extended.

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

## Attachment B

Although this area is designated as Low-Density Residential on the future land use map, the Cherry Avenue Small Area Plan Draft encourages re-examination of allowable uses in the zoning code and exploration of methods to increase the number of affordable housing options in low-density portions of the neighborhood. A zoning map amendment for this property will contribute to the enhancement of housing options in the neighborhood and this proposed design contributes to protecting the character of the area.

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 4 Environment

- *Goal 2: Promote practices throughout the City that contribute to a robust urban forest.* The preliminary site plan included with this rezoning request shows a landscape plan that would add a variety of native trees and plants to the site along the banks of Rock Creek, along the borders of the property, and internally in parking and recreational areas.
- *Goal 4: Improve public and private stormwater infrastructure while protecting and restoring stream ecosystems.* The proposed development will adhere to all local and state stormwater regulations. A native planting stream buffer is proposed along the banks of Rock Creek which will help to contribute to the restoration of the stream ecosystem. At present, the banks of the stream are unprotected from stormwater runoff and are overtaken by invasive plant species.

### Chapter 5 Housing

- *Goal 3: Grow the City's housing stock for residents of all income levels.* A medium-density multi-family development on this property is an opportunity to incorporate more housing options throughout the City and help the City attain its goal of achieving a mixture of incomes and uses in as many areas of the City as possible. The owner is committed to providing affordable housing within this development, and of the 28 units, eight (8) one bedroom units are proposed as affordable. A proffer statement has been submitted in conjunction with this rezoning request, committing to eight (8) affordable units if the property is rezoned to R-3.

The City is also actively working through an update to the Comprehensive Plan and the future land use map with the hopes of adopting an updated plan in late 2021. The property is designated as "general residential" on the most recent future land use map draft (dated August 2021) and the project proposal is consistent with various goals of the draft plan, such as:

### Housing

- *Goal 2: Diverse Housing Throughout the City: Support a wide range of rental and homeownership housing choices that are integrated and balanced across the city, and that meet multiple City goals including community sustainability, walkability, bikeability, ADA accessibility, public transit use, increased support for families with children and low-income households, access to food, access to local jobs, thriving local businesses, and decreased vehicle use.*

### Environment, Climate, and Food Equity

## Attachment B

- *Goal 1: Climate Change, Emissions, and Energy: Reduce community greenhouse gas (CHG) emissions and the city's overall carbon footprint to meet goals established for 2030 (45% reduction in greenhouse gas emissions from 2011 levels) and 2050 (carbon neutrality).*

By creating more housing in close proximity to schools, parks, and places of employment the need to utilize a car for every trip out of the house is reduced. 28 units in this location would put more residents within a half mile walk of an elementary school, a .8 mile walk or bike to an elementary school, and a one mile walk/bike/transit ride to a major employment center at the UVA health system.

### Land Use, Urban Form, and Historic and Cultural Preservation:

- *Goal 2: Balance Conservation and Preservation with Change: Protect and enhance the existing distinct identities of the city's neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community.*

This infill development promotes effective density within structures that are designed within a mass and form that resembles a large single family home or two family structure. The structures are sighted to be set down on the site, working with the grade, to minimize the appearance of the structures from the surrounding properties. As a vacant site, this property can accommodate this infill development without compromising existing structures.

### **Impacts on Public Facilities & Public Infrastructure:**

American Community Survey (ACS) 5 year estimates indicate the average household size in Charlottesville is 2.38 people<sup>2</sup>. Using the ACS average, a multi-family development with a maximum of 28 proposed units could potentially yield 67 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 one or two-bedroom households.

Despite the additional density, vehicular trips generated by the development are expected to be minimal, and thus will not greatly impact congestion on Cherry Avenue, which is a concern expressed in the Cherry Avenue Small Area Plan. A CAT bus stop is located a short distance from the property at the intersections of Cherry Avenue and Valley Road Extended and the development intends to provide bike lockers for residents. It is expected that these two alternative transportation methods will lower the already low trip estimate.

The Charlottesville Bicycle and Pedestrian Master Plan has other pedestrian-friendly infrastructure proposed (the aforementioned greenway tunnel and multi-use pathway) that will connect Fifeville and the immediate property to Charlottesville, encouraging even more pedestrian trips in the future.

### **Impacts on Schools:**

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

<sup>2</sup> ACS 2013-2017 5 YR Estimates Table B25010 "Average Household Size of Occupied Housing Units by Tenure"

## Attachment B

ACS 2018 5 year estimates show that there are an estimated 4,800 residents between the ages of 5-17 within City limits.<sup>3</sup> 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.<sup>4</sup> Since 28 units are proposed on the site, it is estimated there may be an additional seven 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. Rock Creek (located at the western portion of tax map parcel 23-135) will be protected during and after construction.

Stream restoration along Rock Creek near the property frontage is proposed as a component of this application. Currently, the banks of Rock Creek are overrun with Kudzu and don't have stabilization measures in place to ensure the integrity of the bank over the long term. The restoration plan included with this application proposes the installation of stabilization stones and native trees and grasses that was informed by the Virginia Department of Conservation<sup>5</sup>, which provides guidelines for native species adjacent to streams, creating stream flow and erosion control, nutrient filtration, and wildlife habitats.

### **Compliance with USBC Regulations:**

The proposed project will comply with all applicable USBC regulations.

### **Proffers to Address Impacts:**

As a condition of rezoning approval, the owner will provide a cash contribution for improvements to pedestrian infrastructure within the Fifeville Neighborhood to improve pedestrian connectivity and safety along that street. The owner proposes to proffer a total of \$48,000 prior to issuance of certificate of occupancy of the seventh dwelling unit on the property.

The \$48,000 contribution is consistent with providing just over 700 linear feet of sidewalk per the City's 2019 sidewalk fund calculator which priced each linear foot of sidewalk at \$67.75.

Additionally, the owner has committed to providing eight (8) 1 bedroom affordable housing units on the property.

<sup>3</sup> ACS 2018 5 YR Estimates Table DP05 "ACS Demographic and Housing Estimates"

<sup>4</sup> ACS 2018 5 YR Estimates Table DP04 "Selected Housing Characteristics"

<sup>5</sup> Virginia Department of Conservation, "Virginia Riparian Buffer Zones: Native Plants for Conservation, Recreation & Landscaping."





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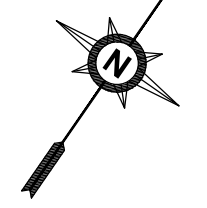
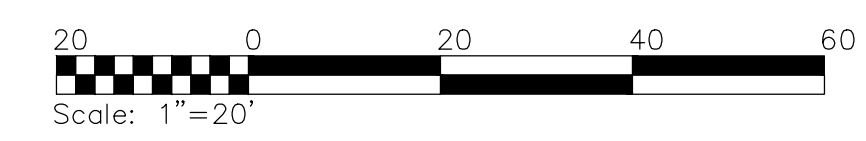
PRELIMINARY SITE PLAN  
CITY OF CHARLOTTEVILLE, VA  
**1613 GROVE STREET**

**SUBMISSION:**  
2020.07.14  
**REVISION:**  
2021.01.29  
2021.04.15  
2021.06.22  
2021.09.29

FILE NO. 20.010

**EXISTING CONDITIONS**

SHEET C2 OF 5



**C2**



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PRELIMINARY SITE PLAN  
 CITY OF CHARLOTTEVILLE, VA  
**1613 GROVE STREET**

**SUBMISSION:**  
 2020.07.14  
**REVISION:**  
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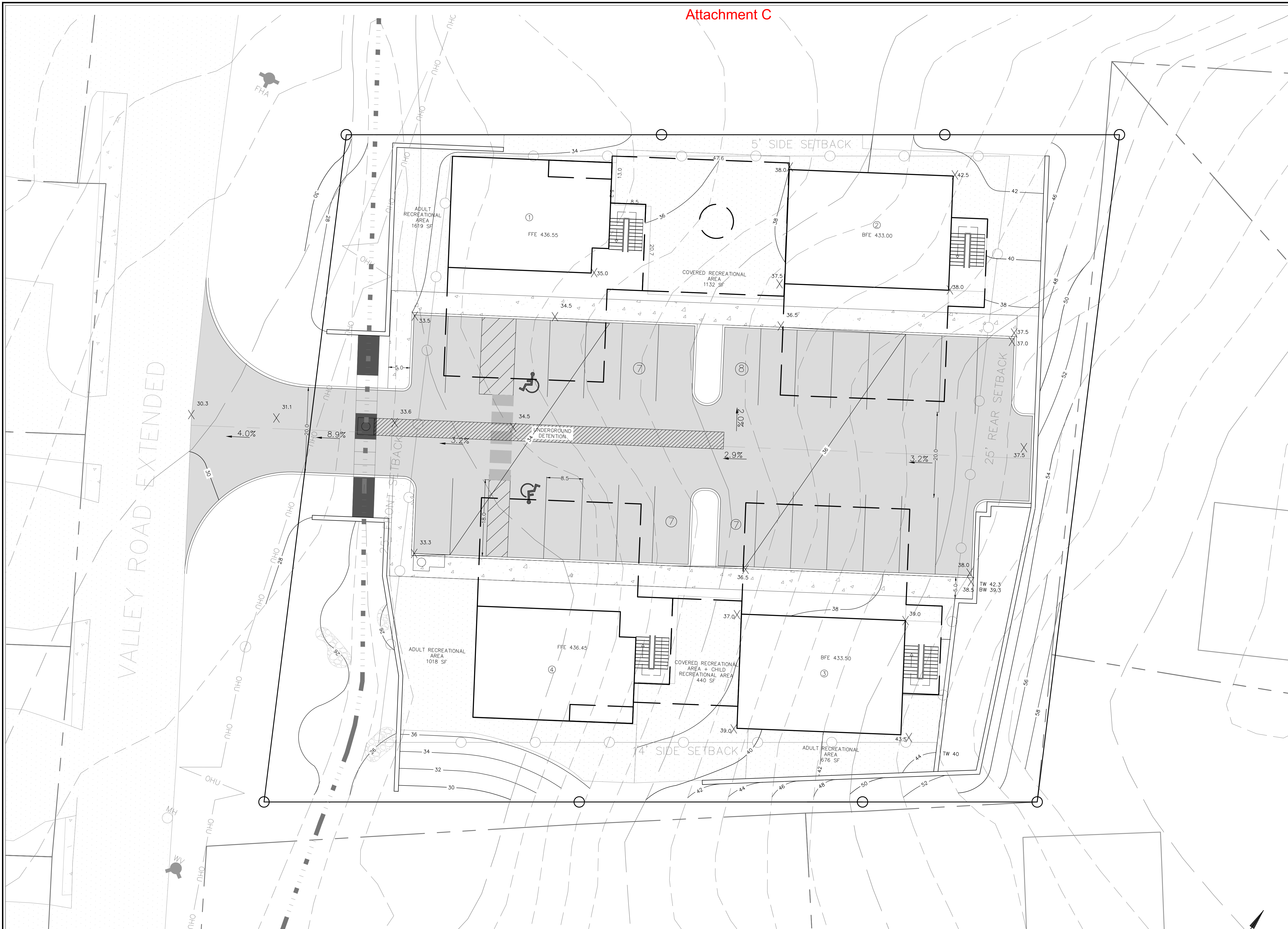
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PRELIMINARY PLAT

SHEET C3 OF 5

**C3**





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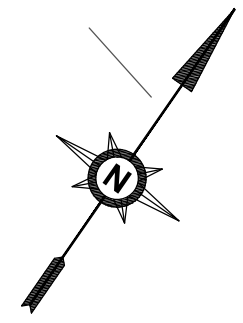
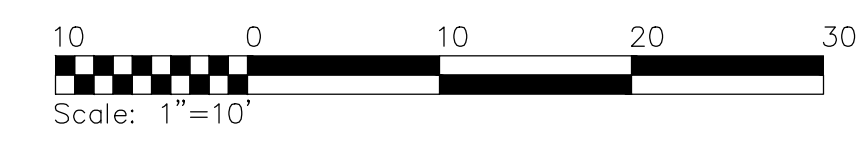
PRELIMINARY SITE PLAN  
 CITY OF CHARLOTTESVILLE, VA  
**1613 GROVE STREET**

**SUBMISSION:**  
 2020.07.14  
**REVISION:**  
 2021.01.29  
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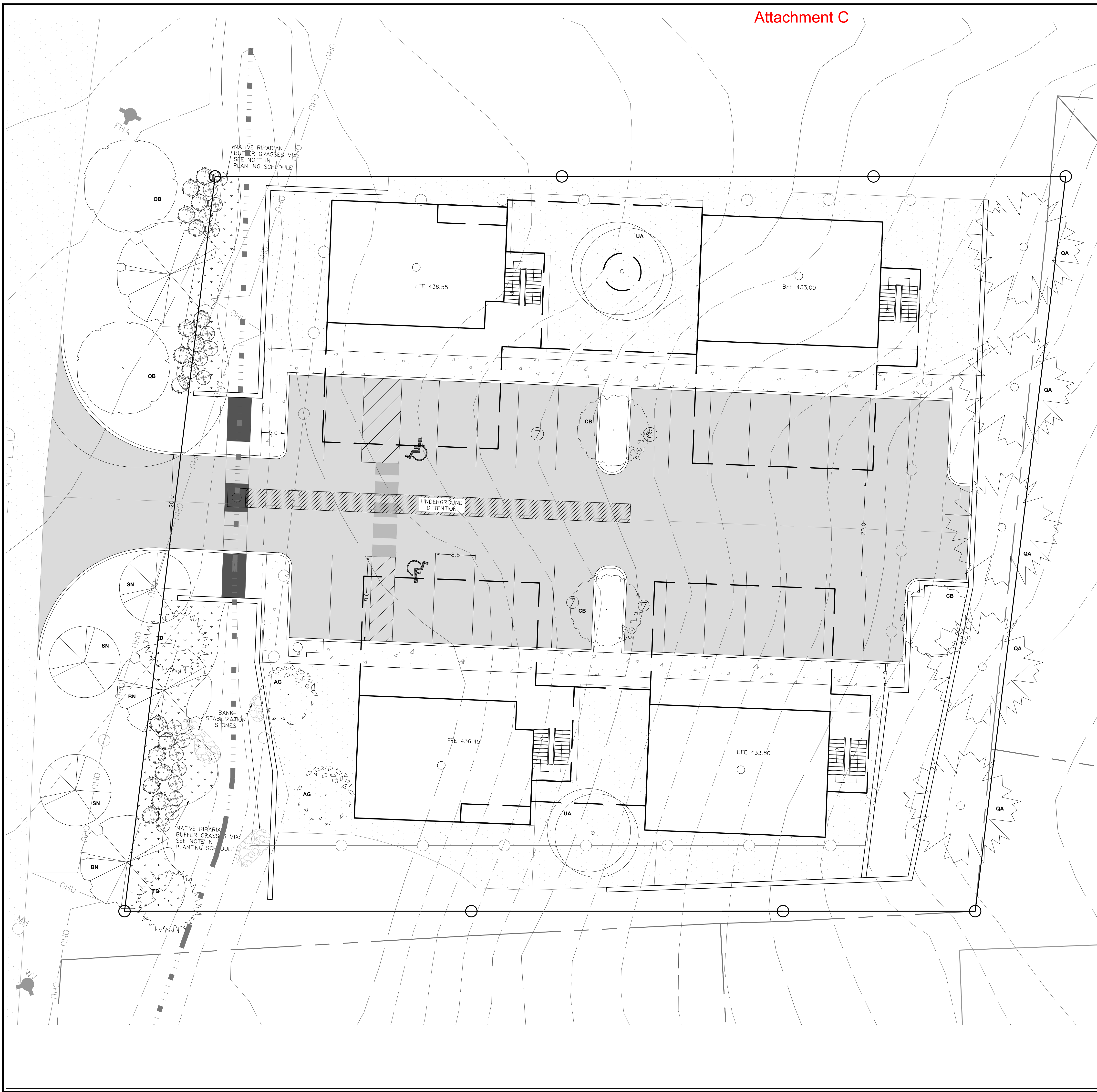
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**SITE PLAN**

SHEET C4 OF 5



**C4**



PROPOSED LANDSCAPE SCHEDULE							
Symbol	Planting Type	Botanical Name	Common Name	Min. Cal./Height	Quantity	Canopy	Total Canopy
	Large Shade Tree	Quercus bicolor	Swamp White Oak	2" Cal.	2	299	598
	Large Shade Tree	Betulus nigra	River Birch	2" Cal.	3	397	1191
	Large Shade Tree	Taxodium distichum	Bald Cypress	2" Cal.	2	79	158
	Large Shade Tree	Ulmus americana	American Elm	2" Cal.	2	397	794
	Large Shade Tree	Quercus alba	White Oak	2" Cal.	5	243	1215
	Medium Shade Tree	Salix nigra	Black Willow	2" Cal.	3	707	2121
	Medium Shade Tree; Interior Parking Tree	Carpinus betulus	European Hornbeam	2" Cal.	3	177	531
	Small Flowering Tree	Amelanchier x grandiflora	Serviceberry	6-7' Ht.	2	130	260
	Deciduous Shrub	Sambucus canadensis	Elderberry	24-36" Ht.	17		
	Deciduous Shrub	Viburnum prunifolium	Blackhaw Viburnum	24-36" Ht.	18		
	Riparian Buffer		Native Grasses Mix			0.025 AC	
						TOTAL CANOPY PROVIDED	6868 SF
						TOTAL CANOPY REQUIRED	2844 SF

SITE REQUIREMENT (SEC. 34-869): R-3, 10% CANOPY REQUIRED.  
 SITE AREA 28,401.12 SF x 10% = 2,840.12 SF  
 CANOPY REQUIRED: 2,840.12 SF  
 CANOPY PROVIDED: 6,868 SF

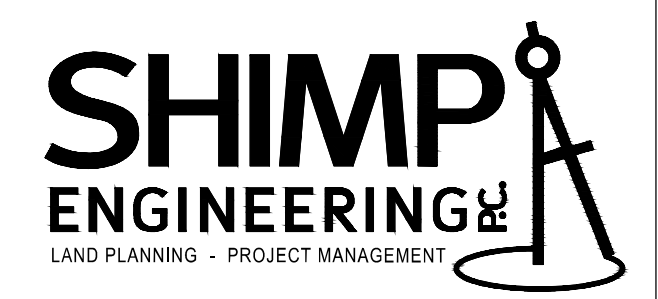
STREET TREES (SEC. 34-870): 1 LARGE SHADE TREE, 40' O.C. OR 1 MEDIUM SHADE TREE, 25' O.C.  
 PROVIDED: VALLEY ROAD EXT - 2 LARGE SHADE TREES & 3 MEDIUM SHADE TREES

INTERIOR PARKING LANDSCAPING (SEC 34-873(d)(1-2)): 5% OF PAVED PARKING AREA.  
 6175 SF x 5% = 308.75 SF  
 LANDSCAPE REQUIRED: 308.75 SF  
 LANDSCAPE PROVIDED: 345.35 SF

1 TREE PER 8 SPACES  
 28 PARKING SPACES (28/8 = 3.5)  
 REQUIRED: 3 INTERIOR PARKING TREES  
 PROVIDED: 3 INTERIOR PARKING TREES

RIPARIAN BUFFER NATIVE GRASSES MIX:  
 Mixture should include the following or equivalent types: switchgrass (Panicum virgatum), Virginia wild rye (Elymus virginicus), river oats (Chasmanthium latifolium), long hair sedge (Chasmanthium latifolium), soft rush (Juncus effusus)  
 Bank stabilization stones shall be installed following regrading of the stream bank.

- 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.



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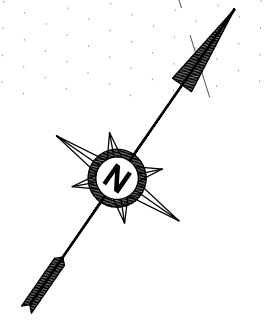
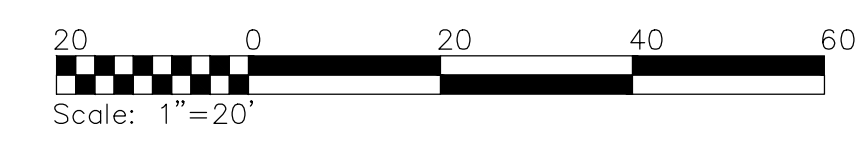
PRELIMINARY SITE PLAN  
 CITY OF CHARLOTTEVILLE, VA  
**1613 GROVE STREET**

**SUBMISSION:**  
 2020.07.14  
**REVISION:**  
 2021.01.29  
 2021.04.15  
 2021.06.22  
 2021.09.29

FILE NO. 20.010

**LANDSCAPE PLAN**

SHEET C5 OF 5



**C5**

## Affordable Dwelling Unit Ordinance Worksheet-1613 Grove St.

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

- A. Total size of development site: 0.65 acres
- B. Total square footage of site:  $\frac{0.65}{\text{(# of acres)}} \times 43,560.00 = \underline{28,401.12}$  square feet (sf)
- C. 1.0 Floor Area Ratio (FAR): 28,401.12 (*total sf of site*)
- D. Gross Floor Area (GFA) of **ALL** buildings/uses: 25,598.00 sf
- E. Total site FAR:  $\frac{25,598.00}{\text{(total GFA of site)}} \div \frac{28,401.12}{\text{(1.0 FAR)}} = \underline{0.90}$
- 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:  $\frac{\text{---}}{\text{(D: total site GFA)}} - \frac{\text{---}}{\text{(B: total SF of site)}} = \underline{0.00}$
- H. Total GFA of ADUs required:  $\frac{0.00}{\text{(G: GFA in excess of 1.0 FAR)}} \times \frac{0.05}{\text{---}} = \underline{0.00}$
- I. Equivalent density based on Units Per Acre:
- Dwelling Units per Acre (DUA) approved by SUP: 43.00
  - SF needed for ADUs:  $\frac{0.00}{\text{(H: Total GFA of ADUs)}} \div \frac{43,560.00}{\text{---}} = \underline{0.0000000}$  acres
  - Total number of ADUs required:  $\frac{0.0000000}{\text{(ii: ADU acreage)}} \times \frac{43.00}{\text{(i: DUA approved)}} = \underline{0.00}$

**Step 3: Cash-in-Lieu Payment**

**Attachment D**

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!		
Propotionate amount of non-occupied space GFA for residential						
GFA Non-Occupied Space*:	0.00		use:	#DIV/0!		
Amount of Payment:	#DIV/0!	x	<u>\$2.370</u>	=		<b>#DIV/0!</b>

*\*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							
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.**

Attachment D

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.**

Attachment E

March 24, 2021

Shimp Engineering P.C.  
912 E High Street  
Charlottesville, VA 22907-9955

Ref: Proposed 1613 Grove Street Extended Residential Development

cc: City of Charlottesville, Zoning Department, PO Box 911, Charlottesville, VA 22902

To Whom It May Concern,

I am greatly concerned that the amount of parking that will be provided to the residents of the proposed construction will be insufficient for the residents and their guests. This means that they will park anywhere they can, such as on North Baker St, which will necessitate the new residents trespassing through yards on N. Baker St. in order to walk to their homes. This also has the possibility of making it more difficult for the residents of N. Baker St to find parking near their own homes (not all homes on N. Baker have driveways). It will also increase the traffic on N. Baker.

I am also concerned about the increase in traffic on Valley Road Extended which will occur with the proposed project. There are currently 26 homes on Valley Road Ext. and Grove Street Ext. so my estimate is that the project has the possibility of doubling both the population of the streets and the traffic on the street. Valley Road Extended and the intersection onto Cherry Ave were not designed for the potential increase in traffic that will arise from the proposed development.

There is also a non-quantifiable issue. The proposed construction is out of character when compared with the rest of the neighborhood. Three story structures and with a population density per acre of about 3-5 times greater than the surrounding homes is "very different", and in my view will not be a beneficial change for the neighborhood.

Sincerely,



Paul Benneche  
119 N. Baker St., Charlottesville, VA 22903  
mailing address: PO Box 5567, Charlottesville, VA 22905  
phone: 434-260-4559  
email: p.benneche@yahoo.com

elius in Seville, we've had  
 a few years of construction noise,  
 we don't need more. more housing  
 will mean more congestion and  
 more parking issues, which the  
 city won't deal with. UVA won't  
 deal with & the police won't deal  
 with. Go away!

Why destroy the natural creeks,  
 in places where they have  
 put the rocks in. The trees went  
 & the area was left with big wavy  
 rocks. Leave the few natural  
 areas alone. Go Away.

More people will mean more  
 people walking their dogs  
 in other people's yards. More  
 people cutting thru to get  
 to UVA. Go Away! When you  
 mess things up you (the city)  
 won't fix it afterwards.

You want what you want & to  
 hell with the people who live in  
 these neighborhoods. Get UVA  
 parkers out of here. Don't  
 cut down more & more trees

Don't leave us with non stop  
construction noise + construction  
workers who park on our  
streets + cut thru our yards  
Go Away! You've done enough  
harm in Jiberille.

Don Wood / Joe

Also, the traffic is already  
bad enough, People tailgating  
& speeding. Pedestrians everywhere.  
Dog walkers everywhere who  
have no respects. They ~~to~~  
~~to~~ drag their dogs into their  
neighbors yards to piss & shit.  
we don't need more people  
in this area. Go Away!



**Alfele, Matthew**

---

**From:** Charles Haney <haneyced@gmail.com>  
**Sent:** Monday, March 1, 2021 4:37 PM  
**To:** Alfele, Matthew; Charles Haney  
**Subject:** 1613 Grove Street Ext rezoning

**Follow Up Flag:** Follow up  
**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.

Hello Matt,

I'm writing to you to voice my opinion on the above referenced project and to ask some questions. My wife and I are the owners of 312 Valley Road Extended. We do not believe that Valley road extended is large enough to handle the traffic from 28 additional units at the end of this street. The street is narrow and is frequently cluttered with cars due to the lack of off street parking for most of the houses on the street. Currently cars often park in front of the access to our units blocking our entrance. I'm sure there would be problems getting emergency vehicles down Valley Road Ext as well as turning them around. I'm also concerned about the added water runoff that this project may cause without major remediation. We are strongly opposed to this rezoning without major improvements to the road and parking situation.

I also have several questions. How many additional cars per day do you anticipate with 28 additional units? Is the developer being required to improve the street? Does this rezoning agree with the comprehensive plan for this area? What would be allowed on these lots without the rezoning? Is there a rezoning planned for the additional surrounding land?

I appreciate your consideration in this matter.

Sincerely,

Charles Haney, Jr.  
434-242-6302

**Alfele, Matthew**

---

**From:** Kelsey Schlein <kelsey@shimp-engineering.com>  
**Sent:** Tuesday, September 15, 2020 6:01 PM  
**To:** Claire Habel  
**Cc:** Alfele, Matthew  
**Subject:** Re: 1613 Grove Street  
**Attachments:** 200309\_NARRATIVE.pdf; 23-134-PSP.pdf; (20200714) 1613 Grove St\_ZMA-Exhibits.pdf

**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.

Hey Claire,

Thanks for your email about this project. Yes, you are correct, this is the property across the street from where you live. I've provided responses below and Matt, please chime in with additional information you have for Claire.

1. If the property is rezoned to R-3, when would the proposed construction start? When would it be finished? **If the property is rezoned to R-3, construction would not start until after the final site plan and the stormwater plan are approved. In the City, it often takes about a year to secure these approvals. For the rezoning process, we still need to move forward with a community meeting and we've requested to move forward with a work session with the Planning Commission and so there's still several months that will be dedicated to the initial design and study of the property prior to the application moving forward to City Council for a vote. Construction would begin, at the earliest, a bit over a year from now.**
2. Does the plan suggest that residents of this new building would use Valley Road Ext. as their primary access road? **Yes, future residents on this property would use Valley Road Ext. as the primary vehicular access point. The Charlottesville Bike and Pedestrian Master Plan calls for a tunnel underneath the railroad tracks adjacent to this site to accomodate a multi-use path so there may be an additional bike/ped connection realized at some point in the future near this property which would allow for bike/ped traffic to, additionally, be able to access the site from the opposite side of the track.**
3. Has there been an environmental impact assessment to determine if there will be negative impacts on the drainage stream that runs parallel to Valley Road Ext.? **The site plan and the stormwater management plan work together to mitigate environmental impacts from the development. Stormwater regulations are in place to protect land and streams from erosion, flooding, and pollutants. Regardless of whether this property owner develops this property by-right or as a result of a rezoning approval, the proposed land disturbance on the property will necessitate a stormwater management plan. To directly answer your question, no, an environmental impact assessment hasn't been completed for this project however the stormwater regulations work to mitigate negative impacts on Rock Creek that could occur as a result of land disturbance and development. Additionally, we've proposed a native planting buffer**

## Attachment E

**along the banks of the creek; the site is currently over run by kudzu and so the native planting buffer will restore native species on the site and provide additional stabilization and filtration along the bank of Rock Creek.**

4. If the Comprehensive Land Use map for this area calls for Low Density Residential zoning, is the existing infrastructure suitable for a multi-family building of that size? **Yes, we've provided estimated traffic numbers to the City Traffic Engineer to evaluate infrastructure impacts; the anticipated trip generation numbers from this development are seven morning peak hour vehicular trips (7-9 a.m.) and nine evening peak hour trips (4-6 p.m.). These numbers are derived from the Institute of Transportation Engineers Trip Generation manual which is the standard trip generation methodology used by traffic engineers. Also, the 20 units are proposed in four separate buildings so that the scale is more cohesive with the surrounding context, as opposed to a single larger building with 20 units.**
5. Will the full application be available for the public prior to the community meeting? What about prior to the Planning Commission Public Hearing? **Sure thing, I've attached the initial application to the City to this email. If you'd like a hard copy, let me know, and I can coordinate on a way to get that to you. We, Shimp Engineering, may incorporate some changes to the application in response to comments received from the Commission, the community, and the City and so there may be some changes to these materials as this application goes through process. When changes are made to the application we will submit revised application documents to the City.**

Hope this helps to answer your questions! Happy to hop on a call if you'd like to discuss anything further.  
Thanks Claire.

Best,

Kelsey

On Mon, Sep 14, 2020 at 8:10 PM Claire Habel <[habel.claire@gmail.com](mailto:habel.claire@gmail.com)> wrote:

Hello Mr. Alfele and Ms. Schlein,

My name is Claire Habel and I reside at [301 Valley Road Ext.](#) Upon receiving a notice about the application to rezone and develop **1613 Grove Street**, I surveyed the length of Grove Street (as well as Grove Street Ext.) and concluded that the property in question is right across the street from where I live. **Is this correct?**

I have a few questions about this rezoning and plan for development.

1. If the property is rezoned to R-3, when would the proposed construction start? When would it be finished?
2. Does the plan suggest that residents of this new building would use Valley Road Ext. as their primary access road?
3. Has there been an environmental impact assessment to determine if there will be negative impacts on the drainage stream that runs parallel to Valley Road Ext.?
4. If the Comprehensive Land Use map for this area calls for Low Density Residential zoning, is the existing infrastructure suitable for a multi-family building of that size?
5. Will the full application be available for the public prior to the community meeting? What about prior to the Planning Commission Public Hearing?

**Attachment E**

I appreciate your time in answering these questions and am happy to receive your response by phone if that would simplify things.

Best wishes,

--

**Claire Habel**

e: [claire@theclimatecollaborative.org](mailto:claire@theclimatecollaborative.org)

c: (651)925-7657

--

**KELSEY SCHLEIN**

*Project Manager / Land Planner*

*Kelsey@Shimp-Engineering.com*

**Shimp Engineering, P.C.**

912 East High St. Charlottesville, VA 22902

434.227.5140 // [shimpdesign.com](http://shimpdesign.com)

**Alfele, Matthew**

---

**From:** Elisabeth Hebllich <jhebllich@gmail.com>  
**Sent:** Friday, March 12, 2021 11:28 AM  
**To:** Alfele, Matthew  
**Subject:** 1613 Grove st Extended Proposed Development

**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.

Hello Mr. Alfele,

I am a homeowner and resident of Grove street extension. I must reiterate what many of my friends and neighbors said during the community meeting regarding the new development. We are not opposed to developing that land, in fact, it has been so poorly cared for we would welcome some improvements! But the proposed 28 unit buildings with only 26 parking spaces would severely affect the comfort and safety of our little neighborhood we hold so dear. I don't know if you have driven down our street, but I would encourage you to do so. You will see that it is so tightly packed with cars that you must pull to the side if another one comes along. Many of the homes are 2 family units and the overload of cars on that road is already a hazard. The developer's proposed idea that 26 parking spots is plenty because many of the people won't have cars is so completely unrealistic. He said he thinks it will be mostly single parents with kids?! Ok... Maybe hospital workers, but how will they get to the store or take their kids to daycare? I ride the bus to work or walk because I work at the hospital, but before that, I take my child to school, in my car. Our neighborhood is not within walking distance to a grocery store or pharmacy. Charlottesville may one day be set up for people to live without cars, but it's just not. Even when it is, people still want the freedom of having one. We are just not that kind of city. It will be a hazard for us to get in and out of our homes, but maybe more importantly for emergency vehicles to get through. There is a reason that area is not zoned R3. We recognize that Charlottesville is in need of more affordable housing, but this will completely destroy the neighborhood we love so much. I beg of you, please consider town houses with adequate parking spaces. We must be good neighbors to the people that have been there for years, those of us who have built a home there. There is quite the uprising developing in our neighborhood around this subject. We are real people, with families, who walk our dogs and our children on that street. We hope you will consider our reasonable request.

Respectfully,  
Jane Hebllich

## Attachment E

**Alfele, Matthew**

---

**From:** judybriggs@lumos.net  
**Sent:** Monday, March 29, 2021 12:40 PM  
**To:** Alfele, Matthew  
**Subject:** RE: 1613 Grove Street Rezoning and SUP Community Meeting

**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.

Matthew,

I submitted comments today to Shimp Engineering and copied you. I would like to be at the meeting but I'm not sure I will be able to due to some upcoming major dental procedures. Please keep me advised of developments regardless. Thanks.

Judith Briggs

On Wed, 10 Mar 2021 18:43:18 +0000, "Alfele, Matthew" <alfelem@charlottesville.gov> wrote:

That is a hard question to answer. Both option are fine, but typically it is the people that show up to the meeting and speak that make the biggest impact. This is not always true, but in my years of work that is just my observation.

---

**From:** judybriggs@lumos.net <judybriggs@lumos.net>  
**Sent:** Wednesday, March 10, 2021 11:57 AM  
**To:** Alfele, Matthew <alfelem@charlottesville.gov>  
**Subject:** RE: 1613 Grove Street Rezoning and SUP Community Meeting

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Thanks a lot Matthew, very helpful.

One more question and I'll try to leave you alone: Should I send in comments or ask to be heard at the Planning Commission meeting? Or both?

Judith

Attachment E

On Wed, 10 Mar 2021 14:26:57 +0000, "Alfele, Matthew" <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)> wrote:

Judith,

This is not something the BZA (Board of Zoning Appeals) would look at. They look at hardships for things like setbacks on by-right developments. On this project, the developer is requesting a change to the Zoning and the addition of a SUP. So yes, it will be up to City Council to grant or deny the applications for the Rezoning, SUP, and disturbance of Critical Slopes. Below is a basic outline:

- The applications will go to Planning Commission (most likely May 11<sup>th</sup>, but no date is set yet. You will receive an official letter with the date if you are a property owner within 500'. But also the property will be posted with a sign with the Public Hearing information and I will send out an email to interested parties on the list. It will also be advertised in the newspaper). The Planning Commission will hold a Public Hearing and anyone who wants to will be allowed to speak to the proposed development. Planning Commission will take three actions (one for the Rezoning, the SUP, and the Critical Slope). These actions will only be recommendations to City Council.
- Typically the following month City Council will take up the proposed development at their meeting. Again I will let people know when that meeting is, but once something move on form Planning Commission to City Council I am not as plugged in to their timing.

Hope this is helpful and let me know if you have any additional questions. I will keep you posted.

---

**From:** [judybriggs@lumos.net](mailto:judybriggs@lumos.net) <[judybriggs@lumos.net](mailto:judybriggs@lumos.net)>

**Sent:** Wednesday, March 10, 2021 9:13 AM

**To:** Alfele, Matthew <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)>

**Subject:** RE: 1613 Grove Street Rezoning and SUP Community Meeting

**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.

Matthew,

Can you please clarify: Are the rezoning request and the special use permit both going to be determined by City Council? If so does that mean that they have already been denied by the Board

Attachment E

of Zoning Appeals?

Thanks.

Judith Briggs

On Wed, 3 Mar 2021 21:00:04 +0000, "Alfele, Matthew" <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)> wrote:

Judith,

You have a lot of time to get comments to me and/or the applicant. If you want the applicant to have your comments you should get provided then sometime in the 30 day window (window starts tomorrow and runs for 30 days). If you want to get comments to me, I would just try to get them in sometime before City Council makes a decision (that is still months away). Hope this information is helpful.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: [judybriggs@lumos.net](mailto:judybriggs@lumos.net)

Date: 3/3/21 9:02 AM (GMT-05:00)

To: "Alfele, Matthew" <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)>

Subject: Re: 1613 Grove Street Rezoning and SUP Community Meeting

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Matthew



Attachment E

I have comments to submit. Do I need to get them in by tomorrow's meeting?

Judith Briggs

On Mon, 1 Mar 2021 22:24:46 +0000, "Alfele, Matthew" <[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)> wrote:

I know many of you received the Community Meeting letter in the mail from the developer, but I wanted to get this email out with the same information. Note the Community Meeting is this Thursday (March 4<sup>th</sup> at 6pm) on Zoom. No preregistration is required.

Matt Alfele, AICP

City Planner

City of Charlottesville

Department of Neighborhood Development Services

City Hall – 610 East Market Street

P.O. Box 911

Charlottesville, VA 22902

Ph 434.970.3636 FAX 434.970.3359

\*\*\*Updated email address to .gov\*\*\*

[alfelem@charlottesville.gov](mailto:alfelem@charlottesville.gov)

**Alfele, Matthew**

---

**From:** lisasg@embarqmail.com  
**Sent:** Friday, March 26, 2021 1:01 PM  
**To:** Alfele, Matthew  
**Subject:** Proposed development at 1613 Grove Street

**Follow Up Flag:** Follow up  
**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.

Hello Mr Alfele,

I am in receipt of the plans from Shimp Engineering for the proposed development at 1613 Grove Street, and I am writing to express my extreme disappointment with the city for even considering such a dense development at this location. I understand that the city needs new housing, and that you're trying to in-fill vacant lots. However, this development has far too many units for the number of parking spaces provided and for its location at the end of a cul-de-sac. There is only one way in and out of this road (I used to live on Grove Street Extended, so I am very familiar with this area), and you are inviting traffic and neighborhood problems by in-filling with this amount of units.

I can see developing this site for perhaps half the amount of units, while keeping the same amount of parking spaces. Right now, according to the proposed plan, there are not enough parking spaces for every unit to have even one, unless someone in one of the units is handicapped.

As these are two bedroom units, you are likely to have at least an additional 14 or 15 cars (conservatively) trying to find parking spaces on a daily basis, on a road that cannot accommodate them. And, if someone living there were to invite friends over, where are they to park? There are not enough space for residents, let alone for visitor's parking.

In addition, there is no safe way for pedestrians to cross the railroad tracks in this area, and people who work at the hospital or the university tend to just cross where they can without being caught. I know this because I used to see them when I lived on Grove Street Extended. Were you to provide a pedestrian pathway from Valley Road Extended over to Grove Street, where people can then walk safely down to the underpass on Roosevelt Brown Blvd, and a pedestrian path to the railroad crossing at Shamrock, perhaps this might be a more viable development because of its walkability, but as it stands, it is an irresponsible and short sighted venture on the developer's part.

Thank you for listening, I hope that my concerns will at least start a conversation about reducing the number of units allowed there.

Lisa Grant

**Alfele, Matthew**

---

**From:** S Reinhardt <sdrequi@yahoo.com>  
**Sent:** Monday, March 29, 2021 11:59 PM  
**To:** Alfele, Matthew  
**Subject:** Proposed development on Grove St Ext/Valley Rd Ext

**Follow Up Flag:** Follow up  
**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 Mr Alfele,

I am writing in hopes that my concerns (and those of my neighbors) about the development at the end of Valley Road Ext in Charlottesville will be heard and passed along to the city council. I have thought a lot about the pros and cons with developing this land into multifamily housing and spoken with many of my neighbors.

Here are the pros as we see them:

- A private developer makes even more money (Umm, not really a pro for the neighborhood)
- Sidewalks? Not really a pro because if the sidewalks take out people's available front-yard parking, more cars will be on the street (see below), and if not, most cars will be parked over the sidewalks anyways and I'll still be walking my dogs in the street. And note that it's safer to walk in the street instead of close to the backs of parked cars- I've had people pull out without looking and almost hit me or my dogs multiple times, so no thank you for the sidewalks.

I'm really searching for more pros here. Maybe more housing available? But at \$1500/mo for a 2 bed apartment, not many working class families can afford that and that's the group that needs the most help with housing in Cville! I am very familiar due to my work in trying to find affordable housing for families in the city and county, so I can say that \$1500 for a 2 bed apartment (not even a house!) is out of most family's price range and will NOT help the housing crisis here.

To recap the ask: the developer is asking to 1) Consolidate the lots into one lot. 2) Shift the orientation of the lots from facing Grove st Ext to facing Valley Rd Ext. 3) Change the zoning from R2 to R3 when there is no other R3 zoning south of the train tracks or in neighboring areas. 4) mess with the critical slope that supports the houses on Baker st. 5) increase the housing density prescribed to allow for more units than would normally be allowed on an R3 parcel of this size.

Phew! That's a lot of Asks!

On to the cons...

The city planner who originally created these lots had a reason to not want 28 units on that corner and allowed for only 6 (duplex on each of 3 lots), and had it facing Grove St Ext. I think the reasons are pretty obvious but here are the cons as I see them-

**-Traffic.** This is a huge issue already. I walk my dogs every day in the evening, anywhere from 5pm to 7pm. It takes me roughly 5 minutes to get from Grove St Ext up valley to Cherry or back. Every time, I have at least 3 cars drive past me. With that math, that's 36 cars per hour traveling on valley rd. Let's add 28 units, possibly 56 cars, plus guests, food and goods delivery etc, now we're talking 50? 60? cars driving up or down the street per hour. On a road that is basically one lane. Sounds dangerous for the children and residents on the street. I often feel like I'm playing Frogger trying to get out of the street in the mornings due to so many people pulling out or coming back! (I heard the "study" that was quoted as 3-4 cars per hour, and those numbers must have been from April of last year- during the lockdown!)

**-Parking-** Another huge issue- Adding 56 bedrooms to the end of the street means the potential for 56 cars added to the street, plus guests. They have planned for 26 regular parking spaces off street, so all of the overflow will need to find street parking, on a street that has greatly limited street parking to begin with. All of these extra cars (even if it's just 20 extra cars) will cause multiple issues.

**-Street blockage-** more cars means less areas to go around parked cars and a high potential for the road to be blocked by waiting cars or people parked "legally" but not smartly. Maybe people's driveways get blocked, maybe more accidents start to happen with people trying to get around cars to get out of the neighborhood.

**-limited access for Fire and Rescue.** This is a big one, because if the road is even narrower due to more parked cars, will fire and rescue be able to respond in time in those big, wide trucks? When fire and rescue responds in our neighborhood, Valley road is blocked for however long it takes. I'm fine with this, but you add 28+ families to the end of the road and the potential for increased calls goes way up, causing more issues with getting in and out of the neighborhood. And what if the street is too narrow for them to respond and someone dies or a house sustains worse fire damage because of the delay? Would that be on the city for overloading the road past it's planned capacity?

**-people coming up on Grove St Ext to look for parking.** Have you seen Grove street Ext? It's one lane and our parking spaces are part of our private property. Oh, and it's not a city street so the 4 houses that are on Grove St Ext pay to maintain the road (hence the shoddily filled potholes) despite paying the same property tax rate as everyone else in the city. This has been a struggle with the city and we do not plan to fight the city to have the road maintained at this time. An increase of cars looking for parking will mean that people will come up, try to turn around, possibly hit our cars in the process or trench the sides, our street will get torn up faster, people may park where we have to tow them causing a huge headache for everyone, and they may block our street (this has happened in the past when construction workers were parking on

## Attachment E

Valley rd ext to cross the tracks and work at UVA) by parking on the opposite side from our spaces. Not ok and unnecessary drama.

**-Ruining the neighborhood** and making it less accessible to working class families. If the new apartments rent for \$1500, landlords on the street may raise their rents, pricing out a lot of the families that have been there for years. On the flip side, they may have trouble renting due to the parking and traffic and lose money. One thing for sure- it won't stay the same, and it's not going to become more desirable or friendly.

**-There are no other developments like this** in the area around Valley Rd Ext, so why this neighborhood? Because it's a diverse, working class neighborhood? The developers could easily put 6 units/3 duplex houses and make their money back. The original planners had a reason for making the 3 lots zoned R2, and as much as Cville says it wants the "look" of new construction to enhance neighborhoods, adding this many units will make it an eyesore and cause issues with accessibility to the end of the street.

**-Destruction of natural habitat.** I laughed when they said they'll be creating natural habitat. By tearing out the natural slope, numerous dens for wild animals will be destroyed. Come look at the hill before the Kudzu grows back, you can see multiple burrow holes and there's always critters roaming in the lot. Putting up three duplexes will also change the habitat, but it will maintain more of the slope and woody area than these monstrous buildings would allow for.

I hope that the neighborhood's concerns are taken seriously and that the city understands granting this insane amount of leeway for a developer will set a dangerous precedent in all of the neighborhoods in town.

I look forward to sharing my thoughts with the city council at the public hearing. If you need to reach me, you can call me at the number below

Stacia Reinhardt  
1621 Grove St Ext

484-560-7951

**Alfele, Matthew**

---

**From:** Samuel Pierceall <sampierceall@gmail.com>  
**Sent:** Tuesday, March 2, 2021 11:45 AM  
**To:** Alfele, Matthew  
**Subject:** 1613 Grove proposal feedback

**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.

Hi Matt,

My name is Sam Pierceall and I am a homeowner on Valley Road EXT. I recently received the info packet regarding the 1613 Grove street apartment complex building proposal, and I wanted to make sure I was able to express my concern.

My first concerns are regarding the street itself. Assuming there is not going to be an additional street extension that would connect the complex to Grove street, access would be from Cherry via Valley Road EXT. Even with an added connection from Grove or Paton, the primary access would be from Valley Road EXT due to the direct nature of these streets, as Grove is one way and the streets are so small because of this limitation. As it stands, Valley Road EXT is already in a state of disrepair, and in need of substantial maintenance. The creek that runs along that road is THE primary floodzone in the neighborhood, and the street suffers as a result.

Having traffic from an additional 28 units on the street that is already in disrepair, combined with the heavy equipment and construction materials that will need to be transported along the road makes me question how much longer this street will continue to hold up without substantial repairs and upgrades. Additionally, the street is quite narrow in some places, with one car having to pull over to the side to allow vehicles traveling in the opposite direction to pass safely - I have witnessed this on an almost daily occasion while I lived there.

My other concern is that this will dramatically change the nature of this street. Valley Road EXT and Grove street EXT are quiet streets with one or two family homes, 1 or 2 story condos and duplexes. Building four 3 story apartments with 7 units each will dramatically change this from a quiet, sleepy street and make it an extended hub for University students. This will mean more noise, parties, tailgating, traffic, and other related activities which will drive away residents like the family of 4 that is currently renting the condo I own. This will also increase the number of students who will be crossing the railroad tracks as a shortcut to get to classes, and will create an increased risk for those who do so.

While I like the green space at the end of the street (lots of people, including myself, use the space as an area to walk their dogs), I understand the desire to build new units to use the space, but ultimately apartments like those in the proposal do not fit in with the current buildings already there. If the lots needed to be developed into something other than a park, something more like the condos or duplexes that currently line the street would be much more appealing than 28 apartments that would house at least an additional 28-56 or more people and their vehicles.

Thank you for your time.

Best,

Sam Pierceall

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



**PLANNING COMMISSION REGULAR MEETING**  
**APPLICATION FOR A CRITICAL SLOPE WAIVER**  
**APPLICATION NUMBER: P21-0023**  
**DATE OF MEETING: March 8, 2022**

**Project Planner:** Matt Alfele, AICP

**Date of Staff Report:** April 23, 2021, and Updated February 17, 2022 (Note: highlighted sections indicate updated information.)

**Applicant:** Lorven Investments LLC

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

**Current Property Owner:** Lorven Investments LLC

**Application Information**

**Property Street Address:** 1613 Grove St. Ext., 1611 Grove St. Ext, and 0 Grove St.

**Tax Map & Parcel/Tax Status:** 230133000, 230134000, and 230135000 (real estate taxes paid)

**Total Project Area (Limits of Disturbance):** 0.652 acres

**Total Area of Critical Slopes on Parcels:** 0.06 acres | 9%

**Area of Proposed Critical Slope Disturbance on Parcels:** 0.06 acres | 100%

**Comprehensive Plan (General Land Use Plan):** General Residential

**Current Zoning Classification:** R-2 (Developer is requesting a rezoning to R-3 ZM20-00003 and a SUP under SP21-00002)

**Overlay District:** None

**Applicant's Request (Summary and Update)**

On October 21, 2021, the Planning Commission held a Public Hearing for a proposed development located at 1613, 1611, and 0 Grove St. Ext that included applications ZM20-00003, P21-0023, and SP21-00002. Planning Commission made the following motion for SP21-0023:

*Mr. Stolzenberg moved to recommend approval of the critical slope waiver for Tax Map and Parcel 230135000, 230134000, and 230133000 as requested, with the conditions outlined in the staff report, based on a finding that*

- *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)

**Staff Conditions:**

- 1) Site Plans (VESCP Plans) should include, at a minimum, 4 stages/phases of ESC controls. The first phase shall include "Initial/Preliminary Controls" and also include special consideration and provisions for how the 'creek'/'channel' will be crossed throughout the project and how concentrated flows will outfall to the channel/culvert. Ideally outfall and site access (culvert work/tie in) would be established with rigorous independent ESC controls prior to the establishment of a sediment trap and associated conveyances. Any channels/diversions that convey 'clear' water to the channel shall be stabilized with sod on the 'clear water' side immediately after installation. The sequence shall dictate that no 'benching', or any disturbance of the slopes can occur until after the establishment of the trap and conveyances (Stage/Phase III).
- 2) "Super Silt Fence" (chain linked backing) shall be installed where perimeter silt fence is specified.
- 3) Any disturbance occurring outside of conveyances to the trap, in either sequence or space, planned or unforeseen, shall be immediately stabilized with sod (for pervious areas, utilities should have other "same day stabilization").

Mr., Habbab seconded the motion

Mr. Lahendro, Yes

Mr. Solla-Yates, Yes

Mr. Stolzenberg, Yes

Mr. Karim Habbab, Yes

Mr. Mitchell, Yes

Ms. Liz Russell, Yes

The motion passed 6 – 0 to recommend approval of the Critical Slope Waiver application to City Council.

In preparing to move the application forward to City Council, it was discovered one of the Tax Map Parcels numbers was mistyped in the public ad. To ensure accuracy, all three applications have been readvertised and returned to Planning Commission for action. No information has changed or been updated from what Planning Commission reviewed on October 21, 2021.

Lorven Investments, LLC is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for the development of four (4) apartment buildings with two (2) bedrooms per unit. The total number of residential units on site would not exceed twenty-eight (28) units. The proposed improvements associated with the development will impact critical slopes on-site as defined by Section 34-1120(b)(2). In addition to the waiver request, the applicant has also submitted a rezoning and SUP application (ZM20-00003 and P21-0022).



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 central parking lot and the footprints of the two buildings on the eastern side of the development.

Existing critical slopes areas located on this Property include 0.06 acres or 9 percent of the total 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



### **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**

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

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

**Public Works:** Public Works staff finds no Public Benefits for waiving the Critical Slope requirements under finding #1

**Planning Department:** The General Land Use Plan of the Comprehensive Plan calls for the subject properties to be **General Residential with no density range provided**. As currently

zoned, but reoriented to have frontage on Valley Road Extended, the subject properties could accommodate six units (three two-family dwellings). It is most likely that these by-right units could be built without impacting critical slopes.

Should the project be approved (approval of the Rezoning, SUP, and Critical Slope), all critical slopes on the subject properties will be impacted. The applicant is proposing some stream restoration to Rock Creek and this is not something that would be done, or required should the properties be developed by-right (as R-2).

Staff Analysis 34-1120(b)(d)(ii) Application Finding #2 :

*Public Works:* City Engineering staff note that the only possible consideration could be Sec. 34-1120 (b)-6-d finding (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.”

However, due to the lack of prepared engineered plans, sequences of construction, or clear narrative specifying how the slopes/downstream waters will be protected during construction, and stormwater quality and quantity managed afterward, or determination of accordance with the following City Code section: “No modification or waiver granted shall be detrimental to the public health, safety or welfare, detrimental to the orderly development of the area or adjacent properties, or contrary to sound engineering practices,, the finding is difficult to support.

*Planning Department:* Because the area could be developed, by-right, on existing lots of record, the Planning Department determines findings ii are not applicable.

**Recommended Conditions**

**If a recommendation for approval is provided, the following conditions should be considered:**

- 4) Site Plans (VESCP Plans) should include, at a minimum, 4 stages/phases of ESC controls. The first phase shall include “Initial/Preliminary Controls” and also include special consideration and provisions for how the ‘creek’/‘channel’ will be crossed throughout the project and how concentrated flows will outfall to the channel/culvert. Ideally outfall and site access (culvert work/tie in) would be established with rigorous independent ESC controls prior to the establishment of a sediment trap and associated conveyances. Any channels/diversions that convey ‘clear’ water to the channel shall be stabilized with sod on the ‘clear water’ side immediately after installation. The sequence

shall dictate that no ‘benching’, or any disturbance of the slopes can occur until after the establishment of the trap and conveyances (Stage/Phase III).

- 5) “Super Silt Fence” (chain linked backing) shall be installed where perimeter silt fence is specified.
- 6) Any disturbance occurring outside of conveyances to the trap, in either sequence or space, planned or unforeseen, shall be immediately stabilized with sod (for pervious areas, utilities should have other “same day stabilization”).

### **Suggested Motions**

1. “I move to recommend approval of the critical slope waiver for Tax Map and Parcel 230135000, 230134000, and 230133000 as requested, with no reservations or conditions, based on a finding that [*reference at least one*]:
  - The public benefits of allowing the disturbance outweigh the benefits afforded by the existing undisturbed critical slope, per Section 34-1120(b)(6)(d)(i)
  - Due to unusual physical conditions, or the existing development of the property, compliance with the City’s critical slopes regulations would prohibit or unreasonably restrict the use or development of the property, per Section 34-1120(b)(6)(d)(ii)
2. “I move to recommend approval of the critical slope waiver for Tax Map and Parcel 230135000, 230134000, and 230133000 as requested, with the conditions outlined in the staff report, 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 critical slope waiver for Tax Map and Parcel 230135000, 230134000, and 230133000

### **Attachments**

- A. Application and Narrative Dated January 28, 2021
- B. Critical Slope Exhibit Dated January 28, 2021
- C. Link to May 11, 2021 and October 21, 2021 Planning Commission Meeting:

<https://boxcast.tv/channel/iweiogrihxlennvn2sxqx?b=hpfo3lj0y2kel2jv6jcc>



**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 1613 Grove Street Parcel Number TM 23, Parcels 133,134,135  
Address/Location 1613 Grove Street Ext.  
Owner Name Lorven Investments LLC Applicant Name Lorven Investments LLC

Applicant Address: Contact: Justin Shimp, Shimp Engineering  
Phone (H) 434-227-5140 (W) \_\_\_\_\_ (F) \_\_\_\_\_  
Email: justin@shimp-engineering.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: Critical slopes waiver request, in conjunction with rezoning and special use permit application, for development of 28 units on the property

Reason for Waiver Request: Critical slopes are present directly through the middle of the site; disturbance is necessary for any development to occur on this vacant lot

Applicant Signature \_\_\_\_\_ Date 01/28/2021

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: \_\_\_\_\_

P21-0023



**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

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Review Required: Administrative \_\_\_\_\_ Planning Commission \_\_\_\_\_ City Council \_\_\_\_\_

Approved: \_\_\_\_\_ Denied: \_\_\_\_\_ Director of NDS \_\_\_\_\_

Comments: \_\_\_\_\_



3175

BB&T  
BRANCH BANKING AND TRUST COMPANY  
1-800-BANK BBT, BBT.com  
68-426/514

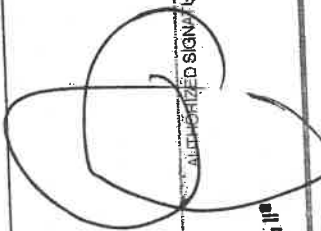
SHIMP ENGINEERING PC  
912 E HIGH ST BS. 434-227-5140  
CHARLOTTESVILLE, VA 22902-4866

2/5/2021

\$ 500.00

00/100 DOLLARS

PAY TO THE ORDER OF City of Charlottesville  
five hundred



AUTHORIZED SIGNATURE

MEMO

1613 Grove St. Critical Slopes Waiver

⑆003175⑆ ⑆051404260⑆0000151351646⑆

Photo Safe Deposit

Details on Back

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:** Lorven Investments, LLC

**Property Owner:** Lorven Investments, LLC

**Project Description:** (4) multifamily structures with (7) 2-bedroom units each; 28 units total for a residential density of 43 DUA.

**Existing Conditions:** Vacant

**Total Site Area:** 0.652 AC

**Zoning (if applying for rezoning-please note existing and intended change):** R-2, rezoning to R-3 with a special use permit for additional residential density up to 43 DUA.

**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:**

Contiguous critical slope area is 7,721 SF or 0.18 acres. Of this contiguous area, 2,644 SF or 0.06 acres of slopes is located on the property.

**Critical Slope Area Disturbed:**

0.06 acres of the total 0.18 acres of critical slope area (33% of the total critical slope area) identified above will be disturbed. Critical slopes comprise 9% of the 0.652 acres of the site area. Proposed critical slope area to be disturbed is 9% of the site area.

**Project Background & Critical Slopes Description:**

Lorven Investments, LLC is the Owner (the “Owner”) of tax map parcels 23-133, 23-134, and 23-135 in the City of Charlottesville (collectively, the “property”). The owner seeks to develop four neighborhood scale multi-family buildings for a total of 28 residential units on the property. A rezoning and special use permit request is currently under review in the City, to rezone the parcel to R-3 and to allow for additional residential density up to 43 DUA to realize this development. The property is a vacant lot, located at the intersection of Valley Road Extension and Grove Street Extended. A portion of Rock Creek is present along the frontage of the property and is currently overtaken by Kudzu, an invasive species.

## Attachment A

The development proposes to restore and stabilize the eroded banks of Rock Creek through regrading and installation of native planting around the stream.

2,644 SF of the critical slopes present on the property are part of 7,721 SF of contiguous critical slopes. With the existing topography and form of critical slopes, it appears that the 7,721 SF contiguous slope has already been disturbed by the development and grading of the neighboring structure. As critical slopes are present in the middle of the site, any development cannot be realized without the disturbance of these slopes. In its present condition, the property is overwhelmed by kudzu, which is of detriment to native plantings and soils. Disturbance of the slopes would allow for the growth of the City's housing supply, restoration of Rock Creek, and native replanting of the site.

**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)*

See further discussion of stormwater and erosion control measures below. Although there is no net impact to stormwater management, the allowance of disturbance creates public benefit to the City by contributing to the housing supply, fulfilling the Fifeville community's desire for denser housing without changing the character of the neighborhood, and removing an invasive species and providing native replanting.

While the City of Charlottesville undergoes a major Comprehensive Plan update, the community of Fifeville has simultaneously been drafting their Cherry Avenue Small Area Plan. The Fifeville community strongly values their sense of place that has developed with its rich history and small-town feel, diverse neighbors and families, and ample parks and amenities. Fifeville has experienced the rising cost of living and housing demand that is an ongoing City-wide challenge, with long-term residents being priced out of their community as cited in the Small Area Plan. While community members fear that development will change the neighborhood, residents have identified affordable housing, improved housing options, and reinvestment in vacant lots as priorities as "affordable housing may help [them]

remain in the community, even if they move to a new home within the neighborhood” (43). As a vacant lot development at the edge of Fifeville and its adjacency to the CSX Railroad, this development would be a key opportunity in piloting middle-density neighborhood-scale housing units that residents envision for their neighborhood.

*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.*

Critical slopes encompass 9% of the property and run directly through the middle of the site. Development of the site is not feasible without critical slopes disturbance; avoidance of the slopes would render more than half of the site unusable, leaving only the front portion of 0.16 AC out of the total 0.652 AC for development. With the housing needs of the City, the presence of Kudzu and the eroded banks of Rock Creek, granting of this critical slopes disturbance request would provide a public benefit to the Fifeville neighborhood and the City as a whole.

***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.**

The proposed disturbance requires cutting a bench into existing slopes. Cutting into existing slopes provides stronger stability, relative to placing fill atop critical slopes. A portion of the slopes will be stabilized by a retaining wall and a portion of the slopes will be graded out to 2:1. Geotechnical investigations will be required to ensure that the slopes’ structure supports the wall and that construction will be performed in accordance with the geotechnical engineer’s design.

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

Regarding erosion & sediment control, cutting into the critical slopes and benching this graded area to construct the retaining wall will allow minimal to no opportunities for erosion to occur from that activity. A ditch would be installed at the top of this slope at the benched area, capturing stormwater and routing it towards the appropriate stormwater infrastructure. Upon completion of construction, stormwater will be directed into and treated in an underground detention facility and into Rock Creek, rather than flowing across the critical slopes, contributing to further degradation of the slopes. Development on the site will be in accordance with VSMP regulations ensuring there are no stormwater and erosion related impacts on adjacent properties.

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

Rock Creek is located approximately 45’ from the critical slopes. In this location, Rock Creek has been severely eroded and is in poor condition. In its present condition,

stormwater flows down the critical slopes into Rock Creek, evidenced by the widened, eroded stream bank. Permitting critical slopes disturbance and development of the site would allow grading of the stream banks and replanting of native species that have been completely outcompeted by Kudzu. Regrading and stabilization of the stream bank and replanting of native species would restore the stream to an improved condition, in tandem with the proposed stormwater management.

**4. Increased stormwater velocity due to loss of vegetation.**

The prevalent Kudzu on the site would be cleared with development of the property. While Kudzu contributes to managing existing runoff, the invasive species negatively impacts local biodiversity and soils. The proposed site plan would effectively manage stormwater velocity by directing stormwater to an underground detention system, where it would slowly outlet to Rock Creek. In addition to the stormwater infrastructure and the proposed native plantings around the stream and throughout the site, increased stormwater velocity would not occur as a result of the critical slopes disturbance.

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

No adverse impacts to groundwater recharge are anticipated as a result of the disturbance of the slopes. As established, stormwater flows down the critical slopes and into Rock Creek and these slopes would have little meaningful groundwater recharge in their existing conditions. Disturbance of such slopes would not negatively impact groundwater recharge in this circumstance.

**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.**

The property in its current state is completely covered in Kudzu, an invasive species. The Kudzu on-site has smothered out any native species, diminishing local biodiversity and habitats for local wildlife. Clearing of the Kudzu would provide a strong public benefit, in restoring the eroded stream, replanting native species, and attracting native wildlife back to the area.

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

- **1613 Grove Street Critical Slopes Disturbance Exhibit**

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

*Freddy*

(NARSIMHA SERI for Lowen Investments, LLC)

Applicant

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

Planner's Comments/Recommendations:

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Engineer's Comments/Recommendations:

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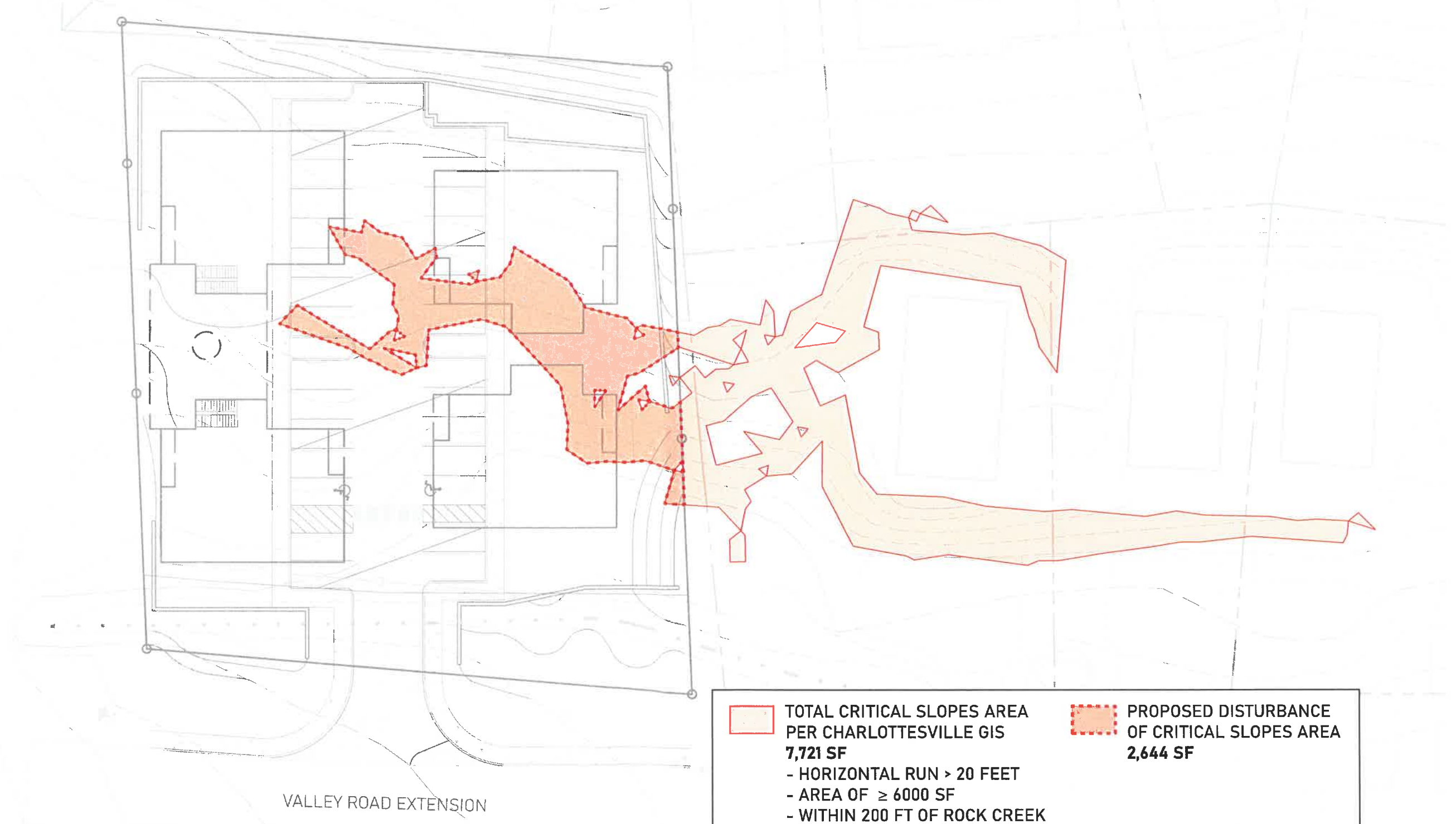
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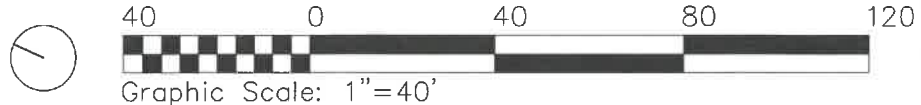
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# 1613 GROVE STREET CRITICAL SLOPES DISTURBANCE

January 28, 2021



	<b>TOTAL CRITICAL SLOPES AREA PER CHARLOTTESVILLE GIS</b> <b>7,721 SF</b> - HORIZONTAL RUN > 20 FEET - AREA OF ≥ 6000 SF - WITHIN 200 FT OF ROCK CREEK		<b>PROPOSED DISTURBANCE OF CRITICAL SLOPES AREA</b> <b>2,644 SF</b>
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Minutes

**PLANNING COMMISSION REGULAR MEETING  
February 8, 2022 – 5:30 P.M.  
Virtual Meeting**

**I. COMMISSION PRE-MEETING (Agenda discussion(s))**

***Beginning:*** 5:00 PM

***Location:*** Virtual/Electronic

**Members Present:** Chairman Solla-Yates, Commissioner Habbab, Commissioner Lahendro, Commissioner Russell, Commissioner Dowell

**Members Absent:** Commissioner Mitchell, Commissioner Stolzenberg

**Staff Present:** Patrick Cory, Missy Creasy, Dannan O’Connell, Remy Trail, James Freas, Rob Hubbard

Chair Solla-Yates called the meeting to order at 5:00pm and asked commissioners if they had questions concerning the agenda. Commissioner Habbab asked why there was a specific number of bedrooms identified for the Angus application. Does this have to do with parking? Mr. O’Connell confirmed that the number of bedrooms was linked to the number of parking spaces.

Commissioner Lahendro noted that he posed a question to staff concerning potential for tree/utility conflicts for the aspen dental site. Staff noted that the applicant placed numerous lines on each page of the drawings which lead to some confusion. Ultimately there is a 10 foot separation so a conflict is not present.

Chair Solla-Yates asked Ms. Russell to be prepared with a motion for the consent agenda and she confirmed. He noted that we had one public comment concerning the Angus request. Ms. Creasy noted that has been provided to property maintenance staff who will be following up soon.

Commissioner Habbab asked if that request was followed up with diagrams/photos. Ms. Creasy noted that a picture of a down pillar was provided. It was noted that a stop work order was provided for this work that began without a permit. The permit was obtained, and work was completed.

**II. COMMISSION REGULAR MEETING – Meeting called to order at 5:30 PM by the Chairman**

***Beginning:*** 5:30 PM

***Location:*** Virtual/Electronic

Missy Creasy introduced Robinson Hubbard from the City Attorney’s Office to support the Planning Commission.

**A. COMMISSIONER’S REPORT**

**Commissioner Habbab** – The Citizen Transportation Advisory Committee met on January 19<sup>th</sup>. We discussed the Rivanna River pedestrian crossing and had an update on the VDOT budget five points study. The Rivanna River Bicycle Crossing Stakeholder Committee met on site to look at the two options on January 14<sup>th</sup>. We had a meeting on January 20<sup>th</sup>. The next one will be on February 17<sup>th</sup>. Sandy



Shackelford from the Thomas Jefferson Planning District Commission has put together an online survey to get public feedback on the crossing project. That survey will be open from February 14<sup>th</sup> through March 4<sup>th</sup>. The committee I sit on should wrap up some time in March so that the MPO has time to coordinate and put together a smart scale application this year for the bridge crossing. I am not too sure that the Advisory Committee will be able to choose a final location for the bridge. Perhaps they will offer multiple considerations for the MPO. The options are still between the connection at Riverview Park and the Wool Factory.

**Commissioner Dowell** – No Report

**Commissioner Lahendro** – I attended two meetings since our last meeting. The Board of Architectural Review met on January 19<sup>th</sup>. It was a very quick and thin meeting. We had no Certificate of Appropriateness applications to review. We did have three new board members join us. We spent a great deal of time introducing ourselves and getting to know each other. We discussed some of the objectives we have for the upcoming year. For the Tree Commission, we met February 1<sup>st</sup>. The Parks and Recreation staff reported that the city lost over 100 trees because of the ice and snowstorms that we have had. That hit us hard too. We reviewed the 2022 objectives for our subcommittees. We reviewed the findings of the final canopy study and items such as canopy loss, possible planting areas for both private and city property, and the amount of impervious area. A lot of this information is information that we need to share with the Cville Plans Together consultants to inform the master plan recommendations and update the information they have.

**Commissioner Russell** – No Report

## **B. UNIVERSITY REPORT**

**Commissioner Palmer** – No Report

## **C. CHAIR’S REPORT**

**Chairman Solla-Yates** – No Report

## **D. DEPARTMENT OF NDS**

**Missy Creasy, Assistant Director** – We are already preparing for the March agenda. We have two hearings that we know of for that agenda. We are moving forward with that.

**James Freas, NDS Director** – I don’t have much to report but I do want to have a placeholder for each of our meetings where we provide some update as to where things stand on the rezoning project. We have formally kicked off on January 24<sup>th</sup> and that work has begun. We have begun to have some internal meetings. We have our first staff technical committee meeting Thursday. We are slowly building up. The first product is the diagnostic and approach report. Things will ramp up once that report is released. We are targeting a mid-April date for release of that report.

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

No Comments from the Public

## F. CONSENT AGENDA

1. Minutes – June 8, 2021 – Pre-Meeting and Regular Meeting
2. Entrance Corridor Review – 1252 Emmet Street North – New Medical Office Building (Aspen Dental)

**Commissioner Russell moved to approve the Consent Agenda (Second by Commissioner Lahendro). Motion passes 5-0.**

**The meeting was recessed until 6:00 PM and a quorum of City Council was present.**

## III. JOINT MEETING OF COMMISSION AND COUNCIL

**Mayor Snook called Council to order for the Public Hearing in front of the Planning Commission**

*Beginning:* 6:00 PM

*Continuing:* Until all public hearings are complete

*Format:* (i) Staff Report, (ii) Applicant, (iii) Hearing, (iv) Discussion and Motion

- I. **SP21-00003 – 2116 Angus Road** – Dermo LLC, (landowner) is requesting a Special Use Permit (SUP) pursuant to City Code Sec. 34-700, to authorize a specific residential development at 2116 Angus Road (“Subject Property”) having approximately 100 feet of frontage on Angus Road. The Subject Property is further identified on City Real Property Tax Map 40C as Parcel 8 (City Real Estate Parcel ID 40C080000). The property is currently developed with a 21-unit multi-family residential development and a separate 3,200 sq. ft. office building. The Subject Property is zoned Business (B-1). The application seeks approval of additional residential density than is allowed by right within the B-1 Business zoning district. The applicant proposes to redevelop the existing office building with up to 6 residential dwelling units, which would raise the total number of units on the property to 27 units (up to 33 DUA). In the B-1 Business zoning district, multi-family residential buildings are allowed by-right with residential density up to 21 dwelling units per acre (DUA). The Future Land Use Map for this area calls for Urban Mixed-Use Node, and no density range is specified by the Comprehensive Plan. Information pertaining to this application may be viewed online at [www.charlottesville.gov/agenda](http://www.charlottesville.gov/agenda). Persons interested in this Special Use Permit may contact NDS Planner Dannan O’Connell by e-mail ([oconnell@charlottesville.gov](mailto:oconnell@charlottesville.gov)).

### i. Staff Report

**Dannan O’Connell, City Planner** – Dermo LLC (Applicant and Property Owner) is requesting a Special Use Permit (SUP) pursuant to City Code Sec. 34-158 to allow for increased residential density on the Subject Property. The Subject Property is currently developed with two separate structures: a 21-unit apartment building (2118 Angus Road) and a 3,200 sq. ft. office building (2116 Angus Road). The Applicant wishes to renovate the commercial building to accommodate up to six additional residential dwelling units. The Subject Property is currently zoned B-1 (Business). Under the B-1 zoning classification, 17 dwelling units could be developed by right on this site (21 Dwelling Units per Acre), per

Sec. 34- 480 (Commercial Districts – Use Matrix). Higher residential density up to 87 dwelling units per acre (DUA) is permitted with a Special Use Permit. Commercial office space is permitted by right. The current apartment use is a legal non-conforming use, with a DUA of 25. The additional six dwelling units would increase the DUA to 33. The recently adopted 2021 Future Land Use Map designates 2116-2118 Angus Road as a Neighborhood Mixed-Use Node. Neighborhood Mixed-Use Nodes are described as compact neighborhood centers containing a mix of residential and commercial uses arranged in smaller scale buildings. No density is specified, but up to five stories in height is permitted, and mixed-use buildings are encouraged. The Neighborhood Mixed-Use Node designation applies to most parcels to the south and east of the Subject Property, encompassing the area surrounding Route 29/Seminole Trail. Areas to the west of the Subject Property are designated as Higher Intensity Residential. The proposed redevelopment does meet some of the 2021 Comprehensive Plan’s goals regarding sustainable reuse of existing buildings, protecting the existing identity of City neighborhoods, and supporting additional housing choice within the city. The proposed new residential density does fit within the future land use category of Neighborhood Mixed-Use Node, which allows for multifamily residential development within proximity of commercial space and within the existing neighborhood context. The proposed change of use would result in a reduction of available commercial space within the city. However, the applicant indicates that the current commercial offices are vacant/underutilized, and the small size of the building in question (3,200 square feet) would not be a significant decrease in the context of the larger commercial complexes located nearby along the Route 29/Seminole Trail corridor. Staff believes that the increased residential density would be appropriate for the transitional district B-1 Business and would eliminate an existing non-conformity for the established apartment use. Overall, staff recommends that a request for higher density could be approved with the following conditions.

1. Up to 33 dwelling units per acre (DUA) are permitted on the subject property. A maximum of 18 bedrooms shall be allowed within the structure to be renovated (2116 Angus Road).
2. Automatic fire sprinklers and alarms shall be installed within the structure to be renovated (2116 Angus Road) as required by the Virginia Building Code.

**Commissioner Russell** – I was hoping that staff could speak to a comment from a member of the public expressing some existing maintenance concerns at the apartment.

**Ms. Creasy** – We received some comments concerning maintenance, which we have provided to our property maintenance staff. They will be following up later this week. We have had some staffing issues pandemic related. We have been working through many other things. We would have addressed that prior to follow up with that individual to see if concerns continue to exist. We did receive a photo from the individual concerning a pillar that had fallen on the site. A stop-work order was issued for that activity. The work started without a permit. The owner got the proper permit and continued the work in adherence with the building code. The outstanding issue that we are familiar with and was a requirement for a building permit has been addressed. Our property maintenance staff will follow back up with the individual with other maintenance concerns. If there is any follow up, we will have our building staff assist with that as well.

**Commissioner Russell** – I was curious if there is a known mix of one bedroom/two bedroom. I am presuming these are one bedroom or two bedrooms proposed. I didn’t see that in the packet.

**Patrick McDermott, Applicant** – The proposal was for six one-bedroom units. That would be the maximum that would fit comfortably in the building. As we went through, most likely, we are going to do

a three bedroom on the top floor, a three bedroom on the second floor, and office space/storage in the basement. We are going with three bedrooms, which would work out well. You can have families/children in there. It gives more flexibility to the parcel. Most of the units in the existing 21-unit apartment building behind are one-bedroom units.

**Commissioner Habbab** – This new work will require a building permit. You will see this project and make sure it meets the code.

**Mr. O’Connell** – We did send this request out to some of our engineers and NDS staff for review. One of the building official comments was on the need for a fire sprinkler system. We did mention to the applicant that if the water line for this property is not sufficient, they may have to pursue a site plan amendment at a future date in order to upgrade the water line to make that sprinkler system work.

**Commissioner Russell** – Does the change in bedrooms affect the fire sprinkler requirement?

**Mr. McDermott** – It didn’t appear to. You still needed it based on the designation as an R-3 building, which fell within that sprinkler provision.

**Mr. O’Connell** – That’s correct. The sprinkler system requirement was triggered by the change of use.

## ii. Applicant Presentation

**Patrick McDermott, Applicant** – I didn’t have a whole lot to add to the staff presentation. Between that and the written report, it fairly laid out what I plan to do. It is straightforward. The building already exists. There are no changes to the site plan or to the exterior. I am just looking at interior renovations. Changing this to residential tenants would be consistent with the rest of the parcel, which has the 21 unit building next to it. I think it would go well for the whole parcel. It is a great office building. From what I understand from the prior owner, it has been underutilized since it was built in 2008. I purchased this property in August 2019. Since that time, I have been renovating it. I am not sure what the maintenance issues were that you received. To date, I have spent several hundred thousand dollars upgrading this apartment complex. I have put a new roof on it. I have spent money working on the bricks and exterior walkways. I did hire a structural engineer. It did need to have some repairs done to the external walkways. From what the engineer told me for the repairs, which was adding structural high beams, that wasn’t a permit requiring function. While doing that work, the column did fall. That caused a problem. We got the permit and got it cleared up. This has been a large undertaking trying to renovate a building that is 63 years old. I have every intention of making it as great as I can. I have tried to work with the tenant. She has been there for a long time. I appreciated that. I have done my best to alleviate her concerns. I let her know that if you would like to break the lease and move, I would have no problem with that. I have done what I can to upgrade this property. I hope to make it better for the city and for the tenants. I am in this for the long haul and doing the best that I can. That’s what this project is. I would like to make the building, which has been vacant for quite a while, functional. It will help the city. It’s going to add additional housing stock. That will help me as well with revenue that will help me improve the overall parcel.

**Commissioner Dowell** – In the future, do you still see your units remaining as affordable units? What are your future endeavors? Where do you see your property going from here?

**Mr. McDermott** – I have three Section Eight tenants who have been wonderful. These new units will probably be market rate. My FAR is 0.47. There are no requirements that I do affordable units. I am always open to that. I have liked the program. I have liked having those tenants. I will probably continue to place some within there. It's not a requirement.

### iii. Public Hearing

No Public Comments

### iv. Commission Discussion and Motion

**Commissioner Dowell** – Overall, the project looks like a good project. It is feasible for the neighborhood and consistent with the current neighborhood. I am hoping that he still does continue to provide affordable units. That is a huge fight for our city, regardless if it's a requirement or not. I hope that he keeps that in mind. I do like the project and it is consistent with the neighborhood.

**Commissioner Russell** – I agree. It is in accordance with our future land use map. I appreciate the staff report pointing out that it is reuse of an existing building, furthering sustainability goals.

**Motion – Commissioner Russell – I move to recommend approval of this application for a Special Use Permit in the B-1 zone at 2116-2118 Angus Road to permit residential development with additional density with the following listed conditions. a. The two (2) conditions recommended by staff in the staff report. (Second by Commissioner Dowell) Motion passes 5-0.**

## IV. COMMISSION ACTION ITEMS

*Continuing:* until all action items are concluded.

**The meeting was adjourned at 6:17 PM.**

## **Planning Commission Work Session**

**June 29, 2021 5:30 PM to 7:30 PM**

### **Virtual Meeting**

**Members Present:** Commissioner Lahendro, Commissioner Solla-Yates, Chairman Mitchell, Commissioner Russell, Commissioner Stolzenberg, Commissioner Habbab, Commissioner Dowell

**Staff Present:** Patrick Cory, Joe Rice, Missy Creasy, Lisa Robertson, Jack Dawson, Brennen Duncan, Alex Ikefuna, David Brown, Carrie Rainey, Matt Alfele

The Chairman called the work session to order at 5:31 PM.

The Chairman introduced Karim Habbab, the newest Commissioner to the Planning Commission to the public. Commissioner Habbab expressed his excitement in serving as a commissioner.

### **Summary of May-June 2021 Engagement Activities**

**Jennifer Koch, Cville Plans Together** – The goal for tonight’s conversation is to share some information about this third community engagement period for Cville Plans Together, which ended on June 13<sup>th</sup>. We will go through a summary of the different activities we completed with the community. We will speak about some of the preliminary themes of the input that we received related to the draft chapters of the Comprehensive Plan and the draft Future Land Use Map. We appreciate all of the input that we have received. We received a lot of input. We have reviewed all of the comments. We will be taking time re-review everything, making sure we have captured everything accurately, and working to respond to some of those commonly asked questions. If somebody does not see their comment reflected in the presentation tonight, this represents a first level of review. We will be going through to review again. All comments are being considered as we move forward.

The engagement period ended on June 13<sup>th</sup>. This time for community review and comments originally opened May 3<sup>rd</sup> to May 31<sup>st</sup>. It was extended to June 13<sup>th</sup>. During this period, we shared draft chapters of the Comprehensive Plan and a draft Future Land Use Map, which is a piece of one of the chapters of the plan. We worked to build community awareness about this opportunity for review and comment in a variety of ways. You can see some of the advertisements that we used. This was our third engagement period for Cville Plans Together. We were building on earlier work completed by the Planning Commission from 2017 and 2018 with this Comprehensive Plan update process. We do have additional slides in the appendix. These are the variety of tools that we used for sharing and gathering information. We didn’t point anyone to any one of these tools in particular. Everyone has different ways they like to give feedback. We’re not emphasizing feedback by any of these methods. We are looking at it as a whole. We are also taking into account where we are hearing from neighborhoods and who we are hearing from in terms of demographics so we can really understand the feedback we are getting through all of these methods. We’re not getting detailed demographics on all of these. When we have it, we are trying to use it.

We did hold popup events. This was something we originally planned to do a lot of throughout this whole project. We’re glad we finally got a chance to do that and be out speaking with people. We held six popup events over two weekends, mostly between May 14<sup>th</sup> and May 16<sup>th</sup>. We had a lot of face to face conversations at these events. We gathered some comment form responses. We had at least 133 attendees. We felt these were great conversations we were able to have with people face to face.

We held two webinars. These were open events to anyone held on May 10<sup>th</sup> and May 25<sup>th</sup> with 76 and 179 participants respectively. We gave an overview of the Cville Plans Together process for those who may not have been familiar. We discussed these draft chapter updates and the Future Land Use Map. We encouraged everyone to submit their feedback. At each of these events, we had a Q&A session. Due to the high number of comments and questions received, we weren't able to respond to all of the comments at the meeting. We are looking to respond to some of those overarching comment-questions when we have the refined summary of this engagement period. In terms of webinar or larger meetings, we had two other meetings of note. One was a meeting with neighborhood representatives on May 18<sup>th</sup>. That provided a chance for some of those people to provide their comments and questions as well. We also had our steering committee meeting on May 19<sup>th</sup>. That was an opportunity for us to hear from the steering committee. It was also an opportunity to hear from some others in the general community as well.

This slide is an overview of the email and phone comments that we received. We have grouped these together. They are grouped together in the data analysis. We received over 1,130 emails. On the table to the right, you can see the neighborhoods that were represented in both emails and phone calls. We had 24 call-in sessions. When combined with emails, that is what is shown here in the table. There is something missing from the table, which is some of the other blank responses. We asked everyone, including you and the steering committee members who received emails, to send their responses to us. We made sure to capture everything. In our original number that we put out, that included some duplicate emails. That's why this number is slightly lower than what you might have seen at that point. This is a lot of email comments. That's a lot that we have received in previous phases. This is one of the things we want to go through again. Some of them were very detailed. We want to make sure we didn't lose any of those comments. There were a few larger scale petitions or campaigns that came through. The Charlottesville Low Income Housing Coalition had an email campaign. We received about 500 emails directly from that campaign through June 13<sup>th</sup>. There was a group of 11 neighborhood associations that submitted a statement. There was a group of community members who organized in support of that statement. They were Citizens for Responsible Planning. They gathered about 400 signatures through June 13<sup>th</sup>. There was a petition from the Barracks-Rugby Neighborhood called Slow the Vote. We received about 237 signatures on that. A smaller scale but coordinated effort was the Food Justice Network 24 comprehensive plan recommendations. We received 9 or 10 emails from them. When we go through the analysis of email comments, you will see where we got direct emails from these campaigns. They are reflected in the numbers. If we received an email with the list of names, they may not come through strongly in the numbers. We are considering that input here.

We also had an interactive map. If you go the link, you will be able to see all of the comments that were placed on the map. There were about 740 comments received from about 225 people. For each comment placed, they could choose whether they liked they saw, whether they had concerns about it, or whether they had questions or ideas they wanted to share. They could submit additional comments on that.

We had a feedback form/survey available. We received 430 responses to that. That includes 28 paper copies from the popup events. You can see the breakdown here showing who we heard from in terms of neighborhoods. We have some additional slides in the appendix with some more demographic information.

We really appreciate the substantial amount of comments/questions/ideas we received. We have established these themes you will see from the open ended comments we received on the map, survey, and emails and voicemails. We tag each comment with these themes, which was developed as we went through them. They were reflective of what we were seeing. The themes that you will see in this presentation are preliminary. We are going to continue review comments. We are going to make sure that when we put out the full engagement summary, it is really reflective of what we're hearing. I think the themes are accurate. Some of the numbers may increase. If you don't see your input directly reflected in this, please know that we are continuing to consider all of those comments, even if they are not shown here.

There are seven topic specific chapters in the Comprehensive Plan. In the fall, we reviewed with you and the community the draft guiding principles, which apply to the whole document as well as the draft vision statements, which are future ideas for each of these different topics. In May and June when we shared the draft chapters, we also added in draft goals and strategies. They were aimed at achieving these different chapter visions that were previously outlined. When we were getting feedback on the chapters, we were asking for feedback on these goals and these strategies that we had put out. We have a few slides with the chapters. In the tables, you will see some of the main themes that we have pulled out of the survey responses. In the bulleted list, you will see some of the things that came out of the emailed responses. People, who sent us emails; it was largely about the future land use map. That's why we're not quantifying a lot of the chapter comments for the emails. On the survey, we asked direct questions about the chapters. We were able to pull those out more directly. On this slide is anything that was above ten. The top comments that came out were people expressing potential concerns about the land use approach related community or neighborhood character, consideration for historic communities or buildings, and height/scale concerns of potential new development. The second highest comment we heard was general support for either the chapter or for more housing, affordability, and density. Those two things aren't directly opposed to each other. Often it does work out that way. We heard comments across the spectrum of input throughout all of these different mechanisms.

Looking at the housing chapter, a lot of the revisions we made in the housing chapter were focused on pulling in those recommendations from the Affordable Housing Plan. The main theme we heard was a general support for increasing housing density or intensity. Similar to the land use piece, we heard some concerns about what that potential increase in density/intensity would mean particularly related to community character. We heard support for affordable housing strategies but also some concerns that the approach/outline wouldn't necessarily create that affordable housing.

With transportation, what we heard was support for safer, more connected, more multi-modal transportation options. We pulled out where people wanted more connected sidewalks or more bike lanes. We pulled that into this category. We can look at breaking that down more. There was a lot of support for improved transportation throughout the city as well as the potential for more frequent bus service or expanded public transportation.

With the climate and food access chapter, there are fewer comments we pulled. They are all notable. They were reflected in some of the comments we got via email. We heard concerns about tree canopy, support for enhancement of the tree canopy, and potential concerns about what additional development might mean for the tree canopy. We heard support for climate and energy initiatives as well as support for food equity in local food.



With the economic prosperity and opportunity chapter, we did not hear from as many people on these chapters as we did on some of the others. In general, we did hear support for addressing wages in the city and looking at additional workforce development. We did hear some concerns that the planned strategies will adequately get us to the vision we established. We want to make sure we look at those comments closely.

With community facilities and services themes, we heard support for more parks and green space and concerns about storm water and some comments on policing and community safety. In general, there were fewer comments on the survey related to community facilities and services. In emails and on the wiki map, we didn't hear a lot of input about infrastructure and how infrastructure and development should be paired moving forward.

With Community Engagement and Collaboration, we heard that people wanted to see additional engagement around this process. Some people expressed they hadn't been previously involved in this process. They want to see additional engagement with this current process. We also heard general agreement with this chapter. It sets out goals around community engagement and collaboration, not only for this process, but for other planning processes. We heard good support for that.

## **Presentation on Future Land Use Map**

**Ron Sessoms, Cville Plans Together** – The area/element of the Comprehensive Plan that we received the most comments was around the Future Land Use Map. This is the Draft Future Land Use Map that we shared with the public through the month of May and June for feedback. We have not changed the map. This is here for reference to give us all a sense of orientation as to what was reviewed as part of that review process. We did the same with organizing comments for the Future Land Use Map. I will start by going over the feedback we received from letters, emails, and phone conversations/voicemails. On the left, you can see the top categories of concerns. Across all the different methods that we obtained information that there are different things hitting on who responded to these different methods. For emails and phone comments, we received nearly 500 emails from the Charlottesville Low Income Housing Coalition. Those emails are reflected in the percentages. As we move through the different methods, some of the concerns shift into different categories. That's something to keep in mind as we move forward. For the letters, emails, and phone comments, 47% of respondents showed general support of the land use approach. There were concerns about displacement, particularly among black and low-income residents throughout the city. There was a desire for more density in historically exclusionary white communities. We received quite a few comments that this future land use map wasn't going far enough with equity. There were concerns around that. There was support for a general increase in the general residential category, which is our lowest intensity residential land use category that we have shown on the future land use map. We heard desires to consider 4 to 5 units per lot. Those top four themes highly reflect the input we received from the Charlottesville Low Income Housing Coalition efforts with the 500 emails. We did hear concerns very similarly to what we heard in the comments around the process and perhaps not having enough community engagement and view time to provide input. There were concerns around transportation and infrastructure. When considering the increase in density, there were concerns around traffic and how more people living in Charlottesville may contribute to more cars on the road and other negative impacts as far as transportation goes. There was support around transit and other alternative modes of transportation. That is reflected there. There was

quite a bit of concern around developer intentions with the implementation. Citizens are very skeptical of developers. There were concerns around whether developers would take advantage with the increase in density and have a negative impact on the community. We also heard concerns around property values, taxes, and property values decreasing, particularly with increased density. We also heard concerns around increased property values; particularly among low-income residents being pushed out of the communities that they love because of property values increasing as more development occurs over time. We also received feedback from the comment forms and survey. For these comments, the comments were more site specific. People were more focused in on ‘their backyards.’ Eleven percent of those comments reflect that theme. There was a general support. About 9% of respondents had that general support. There was quite a bit of concerns around character, form, and height, particularly around the medium intensity and higher intensity mixed use categories. People were concerned and wanted to make sure that the increase in density respects the character of existing neighborhoods. Property value was of great concern. There was 6% in opposition in the future land use map. The graph to the right shows who supported and where they live. The bars in green represent a general support of the future land use map related to one’s individual neighborhood. The blue/purple bar represents where respondents felt the future land use map was not appropriate for their neighborhoods. Neighborhoods that will be experiencing the most change had the most negative feedback. Communities like Barracks Road, Rugby, Greenbrier, Lewis Mountain, and north of downtown did have more negative sentiment around the future land use map. Other communities that are less impacted like Fifeville, Fry Springs, Martha Jefferson, and Rose Hill had mostly more support for the future land use map. You can geographically see where sentiments around the future land use map, as shown, differ throughout the city. We also asked, through the survey, very specific questions around whether respondents felt like the Comprehensive Plan and the Future Land Use Map addressed the planning objectives of the plan. We asked whether overall support of the overall concept of mixed-use nodes in corridors was a framework to be used to organize the Future Land Use Map. We also asked about whether respondents felt like the Future Land Use Map supports the overall vision of increasing housing diversity throughout the city. We also asked whether respondents believe that the Future Land Use Map will support affordable housing throughout the city. You can see from the responses that they’re pretty much flat across the board in many instances. Some with higher support were around the concept of mixed-use nodes in corridors and diversification of housing throughout the city. Across the board, it was evenly distributed. We also obtained demographic information from respondents. This is one of the sample demographic categories that we were able to analyze. We also included additional race and income demographics, which can be found in the appendix of the presentation. Looking at homeowner versus renter, there was a higher degree of support for the Future Land Use Map from renters and less support from homeowners, with homeowners siding with concerns around property values, community character and other concerns that directly impact the places that they live and own. Renters see that as an opportunity to diversify where they live within the city. There is perhaps more opportunity to rent in communities and neighborhoods that were traditionally out of reach. You can see the differences between homeowners and renters.

We also found an opportunity for citizens to directly map geographically where they have concerns. They were able to do that through an interactive online map. We received quite a bit of feedback in a very effective tool to enable people to really get down into the plan and be very specific with their concerns. The top 5 areas of comments that we received were very similar to the other things/methods that we tracked. Transportation and infrastructure concerns around growth and a desire to decrease density intensity and height. Site specific comments was number two in the things that we heard. Similar to that, we heard about community character, history, height, and scale. There were a lot of concerns around increased density and what it means for these existing neighborhoods. Residents don’t want

development that is out of scale and character to the places that they live. There is a lot of skepticism around what it means for the Future Land Use Map as shown and how it may affect community character. There was some support at 11% of respondents that generally like the plan as shown. There was also a desire to increase density intensity (11%), particularly around the desire to show more medium and high intensity residential on the map. We received over 745 individual comments from 245 unique IDs or users. We did recognize that some people placed more than one point. Some people really got into the map and really delved into the details and provided significant comments. We were also able to collect some demographics data. It was optional. Not everyone participated in that. Most people decided to be anonymous. We did offer that as an opportunity. We received a wide range of comments. They are organized into three core themes: land use development considerations and additional ideas. The black dots on the map to the right represent each of the individual comments that we received. We got comments for many areas of the city. There is a strong concentration around Lewis Mountain, Venable, Barracks/Rugby, and North Downtown areas. This is a snapshot of what we heard and who we heard from. The graph (to the left) shows the 745 points of information we received from 245 users. We heard the most from residents that live in communities that would experience the most change under the draft future land use map. Communities like Barracks Road/Rugby, Belmont, Carlton, Lewis Mountain, Rugby Hills, and north of downtown were areas where we had the most comments or most users to participate in the interactive map. On the right, you can see where each of the points were located as well as where the respondent lives. Generally, people commented within their neighborhood. There were some people that got into more of the details in the map and looked more holistically. Generally, people were concerned with what was being proposed in their neighborhoods.

We began to break down this wiki-map data into different categories. This map begins to reflect the desire to see fewer intensive uses. The blue dots were a general decrease in intensity. You can see around the Venable, Barracks/Rugby area a high concentration of blue dots. That's where we heard a lot of respondents say that they would like to see a general decrease in intensity than what is shown on the future land use map. We heard comments around where we were showing mixed use in several areas in the city. The places that we received the most comments were at the intersection of Barracks and Rugby Road where we were showing a neighborhood mixed use node. You can see that high concentration in purple. Up in the Greenbrier neighborhood, that mixed use node received a lot of attention. Along Rugby Avenue at the 250 interchange, we were showing some mixed use at that location. That was another area we heard a lot of concerns around having mixed use at those three locations. There was also some commentary around business and technology mixed use around the River Road corridor and the Harris Street corridor. We did get some comments around opening those areas for more types of mixed use; more residential use to create more complete districts at those locations. For general residential and single family residential, we heard from respondents that they would like to see that at those locations. We got a lot of those comments at Lewis Mountain, Venable, Barracks Road/Rugby Road, Rugby Avenue corridors, Fry Springs, and at North Downtown. We had the highest concentration of that general desire to reduce the residential intensity in those communities.

On the opposite end of that spectrum, we also heard desires to increase intensity in areas of the city. It is not as concentrated as we saw in the decrease intensity map. There are some notable patterns here. The blue dots represent general increase in intensity throughout the map. You can see those are scattered. An increase in intensity are the red dots. Those areas are around Fifeville, Belmont/Carlton, and some areas of downtown. We saw the areas of the highest concentration for the increase in intensity generally at those locations. There was a desire to increase mixed use intensity represented by the purple dots. There was no clear pattern, just sporadic at different locations throughout the city for that comment. We also

received comments around increasing residential intensity. The dark brown dots represent that comment. You can see that pattern in North Downtown, parts of Locust Grove, and a couple of dots at Tenth and Page and the Belmont/Carlton parts of the city.

With general development considerations, you heard these things through some of the other methods in feedback we received from respondents. Community character, scale, and character was a concern particularly in the Venable, Lewis Mountain, Barracks/Rugby, Greenbrier, North Downtown, and Martha Jefferson. There were concerns around where we were showing medium intensity. There was concern that intensity was too much for those locations. People are concerned how that intensity would fit into the existing character. Related to that was transitions; how buildings step down and the overall urban form. Development quality was a concern. Those are represented by the red dots. They are scattered around. We heard a lot of comments around transportation and infrastructure, particularly where we are increasing intensity. A common theme of Barracks/Rugby, Rugby Avenue, are where we see a lot of comments. Environmental concerns included tree canopy, flood plains, climate, pollution, and topography. We heard those in various locations throughout the city.

We heard comments around key issues related to affordability and displacement and getting back to concerns around property values. As redevelopment happens, there is that need for residents who live in these communities not to be pushed out. We heard a lot of those comments around Barracks/Rugby, Greenbrier, and some of the poor neighborhoods such as Starr Hill, Tenth and Page, Fifeville, and scattered in locations throughout the map.

With neighborhoods around UVA, we heard how increased density in those neighborhoods could attract student housing and other development concerns. Property value concerns are the red dots.

**Ms. Koch** – These are the general themes we pulled out. We took what fell at the top of those different methods and pulled them into here. We also considered what we heard at popup events or when speaking with people in the neighborhoods. Those were generally reflected in what we had heard on those other mechanisms we talked about. These are the general overarching themes we wanted to pull out. Everyone agrees that it is important to address affordability in the city. There is some disagreement on how it should be done and whether this land use, chapters, and the affordable housing plan can get us there. We appreciate all the comments we got. We have listed some of the main questions we are thinking about right now. How can this work in the implementation? How can this really lead to affordability and benefit the whole community? As we move forward, any decisions that are made about changes to the map, we want to be very clear about that. Those are things we will be keeping in mind.

### **Public Comments**

**Nancy Summers** – You're talking density and intensity; not population growth. Everyone knows that Charlottesville is tiny at 10.4 square miles. I haven't seen any projection of the kind of population growth you imagine in our very small city. What about population growth? We could be a dense and populated city. What do you imagine for population growth? What is going on with growth projections?

**Maddy Green** – I wanted to comment where the comments came from. They came from a lot of communities that were exclusionary rezoned and had racial covenants in the houses. You can see the residents are still advocating for those same policies and racist policies. They also operate as economic policies. Saying you don't want affordable housing in your backyard or any density is saying you don't want people who make less money than you. I don't think Charlottesville wants to stand for that.

Considering you received over 500 emails from the Charlottesville Low Income Housing Coalition, you know where a lot of citizens planned on this point.

**Jake Gold** – I want to thank the Cville Plans Together team for pulling this analysis together. This process has been an enormous undertaking. Nearly half of the email messages that came in were in support of desegregating our community by putting more housing in exclusionary neighborhoods by ensuring that we are investing in economic opportunity for people. I think it is a smart approach and the right approach. I hope the Planning Commission will encourage the consultants to maintain that approach.

**Josh Krahn** – The main point I want to make today is that I support increased housing density, mixed use zoning for small commercial uses within neighborhoods and planning in general for humans, not cars. My neighborhood is 100% R-1 single-family detached houses. It is not a rich neighborhood. It is mostly white. North Avenue and the surrounding streets around us are mostly small, brick ranches that were built in the 50s. These were cheap starter houses for people who can get a mortgage. If land values continue to soar, these houses are going to be replaced with larger buildings of some kind. I also want to talk about walkability and bikeability. I am only a mile from the downtown mall. It is impractical. I would love to have a corner store and café/pub within walking distance. Those kind of retail amenities are illegal under the residential zoning code. I support the future land use map. It is a small step. I wish it went further. It is crucial if we want to move forward.

**Mark Kavitt** – The first thing we need to think about is how dense we want our community to be. That seems to be the number one question. Do we have the infrastructure to support the higher density? The bottom line from a presentation I attended at the Tom Tom Festival is that you are not going to achieve affordable housing by building new construction. New construction is expensive, inherently. You're not going to get affordable housing. It would be better to spend money on adding onto the existing housing or renovating some of the larger houses. A lot of people don't know what it means when you talk affordable housing. What is affordable housing? I am putting some data together on that. You need to look at this from the perspectives of Charlottesville, UVA, and Albemarle County. There is a lot of single-family homes and apartments being constructed on Rt. 29. This all needs to be taken into consideration. Not all these people are going to be driving into Charlottesville.

**Kevin Hildebrand** – I did provide an email response. It was a June 13<sup>th</sup> email in response to the request for comments. As an opponent to the general change of R-1 to medium density residential, I live in Johnson Village/Cherry Avenue neighborhood. It is ethnically diverse. It is a vehicle for wealth development. The idea of transitioning most of the city to apartments and multi-family dwellings is short sighted on the part of the city. I don't understand what employment opportunities the city projects over the next 10 to 20 years that is going to drive the need for this development change. If there is no economic growth in terms of employment, what are these people going to be doing? What jobs are being created that will pay a livable wage? I don't understand what is driving this intensity increase. The future land use map doesn't consider the topography of the city. There is a proposal to change residential neighborhoods into mixed use nodes on steeply graded streets.

**Nancy Summers** – I live in a home that had a covenant. It is from 1917. All of Charlottesville lived under these terrible Jim Crow laws. They were horrible, nightmarish laws. It just wasn't homes with covenants. Some of those homes are expensive. The whole place was segregated. I do have a perversion to scapegoating. I don't know why they put covenants on some of the homes. You shouldn't scapegoat covenants.

**David Summers** – Does the projected population for the City of Charlottesville yield the low-cost housing we want? Everyone I have heard is in favor of more low-cost housing. Does the growth of the City of Charlottesville promise to generate the low-cost housing that everybody wants? I don't think it does.

**Ann Woolhandler** – I would like to see a cost-benefit analysis. This plan costs a lot in terms of lost enjoyment to people in the developed neighborhoods. What are the benefits? I have been looking at the studies around general upzoning. They are not that promising for increasing affordability and equity. When you do upzoning, you often have some increases in transaction costs. Increasing affordability and equity has not been shown to be the case. The whole density notion is the general academic view out there. Recent studies are showing that it is not working. It causes losses to people who like their neighborhoods and does not increase affordability and equity.

**Don Morin** – I join in a lot of the comments that question this plan, which seems to equate density with affordable housing. Petitions have been submitted by our neighborhood association. There is no need for scapegoating. The entire city is on board with having affordable housing and making it more available. The question is how to do it. The Weldon Center says that the population is going to grow by 2500 people by 2040. I think it is a radical plan because the size of the change in the density across the entire city into all neighborhoods. If our population growth is projected at 2500 people over 20 years, what does this land use plan do in terms of density? How many housing units are going to be available? What is going to be the cost in terms of building the infrastructure? What are going to be the job creators in Charlottesville to support that population?

**Carol Manning** – I am very concerned that this is not based on data or data projections that this plan will work. Traffic is a huge problem. It is hard for me to imagine that we are doing this without working collaboratively with the county and UVA. We cannot do this alone. We should not even think about implementing a plan without having them on board. We also need higher paying jobs. I don't think enough attention has been paid to infrastructure and traffic. We don't want to live in a car-centric place. I don't think any attention has been paid to that. We all want affordable housing. We all want collaborative cooperation. We want to work together.

**Elliott Casey** – There doesn't seem to be much study on how UVA and UVA student housing has been growing into the surrounding neighborhoods. The plan seems to convert several neighborhoods occupied by Charlottesville residents into student housing. That's something we have been doing for the last 30 years. That plan hasn't done anything to increase affordable housing. If you convert residential housing into UVA student housing, UVA grows and adds more students. I am confused as to why we're demolishing entire neighborhoods and building structures with apartments in them to accommodate more students at UVA. I don't see anything in this plan that incorporates UVA as a partner into the plan.

**Vern Buchanan** – I bristle at the comment about the covenants being racist. The covenants for Greenbrier were in 1958. It was about the people coming down from the north and moving in and excluding the people from Charlottesville. I have no problem with different people moving into the neighborhood. I don't want overcrowding. I love it here. I don't want to tear it down for the sake of saying we're diverse. Let the place go diverse. It is going that way right now. We don't need to add more housing. There is multi-family designation in the future land use map in my backyard. I am not crazy about that.

**Josh Carp** – Climate has been in the news lately. A research group at UC Berkeley led by a climate scientist had been studying different options for cities to reduce greenhouse gas emissions and do

something about climate change. The single best thing you can do is to build more housing close to work and schools. Charlottesville is an oasis of low emissions surrounded by areas of very high emissions. If you move a family from Charlottesville to the county, their emissions increase by about 50%. If you move a family from the county to Charlottesville, their emissions decrease by a third. If you are living close to work, school, and amenities, you can drive much less and even walk. People need to be able to live close to where they work. That means living in the city. Most of the comments are coming from those who are white, wealthy, and own homes.

**Jonathan Rice** – I support your goals. What we really want to see is your advocacy and your inclusion of affordable housing. I don't believe density alone is going to bring about affordability. I think you must have legal binding guarantees. There have been several notable cases in Charlottesville of developers promising affordable housing and then 'weaseling' out of their commitment. This is not a good thing. I implore you to have reasonable guarantees and talk to low-income housing experts. This is what we really want. People are also concerned about preserving the tree canopy, keeping the roads from becoming overwhelmed by the traffic. I completely endorse the earlier comments about reducing the need for automobiles within the city.

**Liz Sloan** – Charlottesville is not just any city. We're the home of a great university and the home of a world heritage site. My neighborhood is adjacent to this world heritage site. We are the only neighborhood that has been completely changed from yellow to gold. It's just not in accordance with the University of Virginia and the great beauty of UVA. We have tourists walking through our neighborhood. Everyone in our neighborhood is in support of changing the zoning. I support the shift. I think the ADU units are very important to have. We just need more time. The work that has been done has been wonderful. We need to have more 'touches' with more people and more neighborhoods. The zoning changes are not going to support historical black neighborhoods. They are being changed from single-family residential to triplexes. Protect those historic neighborhoods.

**Sean Mullane** – There are two things meant by affordable housing. Those first type of affordable housing are for those who are under-employed or low income and cannot hope to afford a house. The other is affordable housing for the middle class. They both must be addressed in different ways. You can build a way to affordable housing for those people who are middle class.

### **Planning Commission Feedback and Questions**

**Commissioner Russell** – I would like to start with questions raised by residents. One resident was questioning the results of upzoning that has occurred in cities like Minneapolis and Chicago. My understanding was that it is too soon to say. It sounds like there are some other reports out there. I am wondering if the consultants could provide some insight.

**Ms. Koch** – In looking at places that have done upzoning, some of those changes were done quite recently. We would be happy to look at additional examples we can pull any of that from.

**Lee Einsweiler, Cville Plans Together** – We don't have a lot of information that points to any one given solution being the answer to this question. All the ideas being presented begin to tackle the same problem. If you don't have to have a car, you can save \$8000 a year on average. If you can live in a smaller home, you are paying less for your total square footage. There are ways that these ideas begin to get at affordability, even if we don't achieve something that might be at 30% or 60% of AMI. We can certainly help people at the 80% to 100% AMI end of the scale.

**Mr. Sessoms** – Planning the long-term vision, it is going to happen incrementally over time. It is not going to happen overnight. As the development pressures increase, you will see this development in the future happen over time.

**Commissioner Russell** – Another speaker asked about inclusion of guarantees of affordable housing. I believe that the housing plan calls for tracking measures. I am not sure that it is possible to have a guarantee. I do want to confirm that part of the recommendation in the housing plan is to have metrics on the impacts.

**Ms. Koch** – In the affordable housing plan, they lay out a series of recommendations that include funding and other initiatives (land use) that can come together to address the housing need that was identified in the Housing Needs Assessment that was previously completed. They have identified what they are proposing to use that funding to get there. In the Comprehensive Plan, we have pulled in those recommendations. We have also started to lay out some metrics/ways we can measure success of these efforts. We will be looking at inclusionary zoning and other ways potentially to include requirements in the zoning when we get to that portion. I don't know if there are guarantees per se. We can look at making more robust measures to address how the city is doing.

**Commissioner Russell** – One of the speakers talked about the existing conditions on North Avenue. He stated that it would be better if those modest homes be replaced with multi-unit or more density rather than one large single family one. There is no guarantee that would happen in a proposed upzoning or with the zoning being proposed for there. Without a provision for affordability, someone could still build a single-family home with no guarantee of affordability. Hopefully, we will be talking more about possible tools like overlays in our input section.

I did have a question about ease of use in the interactive map. I have heard some concerns that the lack of diversity may be attributed to its lack of accessibility. Do you think that the tool fairly represents all concerns of our community?

**Ms. Koch** – We do have some information on the neighborhoods. We showed that map with the colored dots showing where people commented. There certainly are people we were not able to reach. Some of the neighborhoods are not represented through all the different methods. It is certainly possible. You mentioned the ease of use of the map. I know we have heard similar comments on the survey. There is a lot to get through. We put a lot out there to review. Someone could certainly be “turned off” by that as well. We tried to provide different methods for people to give comments. When you look at just the neighborhoods, we did hear from different people in each of the different methods.

**Commissioner Stolzenberg** – Going back to Commissioner Russell's question about studies on previous general upzonings. While it is too soon to say for the few cities (Minneapolis, Portland, and Charlotte) that have gotten rid of single-family detached only zoning and the effects of that, would you say that data from places that have had a more localized and not a municipality wide upzonings or new construction and have what we would expect with comparable effects. Is that available?

**Mr. Einsweiler** – I don't have any studies to share with you. It is a challenging question to look at natural affordability and how to induce that. It is principally what zoning can do. The inclusionary pieces and the funding pieces are ways to get beyond that. Fundamentally, we're looking for as much natural affordability as possible. I don't have a lot of examples. We are hoping to get HR&A back involved with the inclusionary zoning stage. If that was to happen, they are more likely than I to have



seen something that has hard numbers like that. We can certainly reach out to them whether anything “comes to mind.”

**Commissioner Stolzenberg** – Can you remind everyone who HR&A is?

**Ms. Koch** – HR&A Advisors are part of the Cville Plans Together consultant team. They led the development of the Charlottesville Affordable Housing Plan, which can be found on our website, [cvilleplanstogether.com](http://cvilleplanstogether.com) under the housing page and the documents page.

**Commissioner Stolzenberg** – We think a lot about the evidence we must support change. What data do we have on status quo? In the housing market this year with remote work, do we have data on turnover of homes/home flips/renovations and the effects on how we are doing with our current policies?

**Ms. Koch** – As part of the Affordable Housing Plan, HR&A Advisors did some analysis of existing conditions over time. You might recall looking at how household incomes have changed along with the median home price as well as looking at different changes in rental affordability over time. I don’t believe they did analysis on what you are talking about with changes and how land use might have changed and how that may have impacted affordability over time. We have done that separately. In terms of the status quo, the Affordable Housing Plan did lay out different types of data like housing supply, affordability, and displacement, which is a good baseline. You can find that on the Cville Plans Together website under the housing page.

**Commissioner Stolzenberg** – Looking at the future land use map, we have heard a lot of concerns from people of the idea that people could combine a bunch of parcels and build a much larger building. People could combine 10 parcels and build 120 units. My reading of the map is that it would be 12 units per parcel. If you combine parcels, you still only get 12 units. Is that how it is intended? Which way is it intended?

**Mr. Einsweiler** – You’re right. That’s how it was intended. Those are per lot. If more lots happen to be able to be created based on the lot size, you could perhaps get more. They will be buildings that contain no more than 12 units.

**Commissioner Stolzenberg** – In terms of mixed-use nodes, we heard a lot of concerns that they will be car oriented. I have heard them referred to as shopping centers. A couple of them are located near the bypasses. What is the intention for those nodes in terms of who they are meant to serve and how people are meant to get there?

**Mr. Sessoms** – The neighborhood mixed-use nodes are intended to be walkable mixed-use centers for neighborhood services serving retail services. They will be places for the community. They are in the areas that do have visibility and retail survives and thrives and does have visibility. We do have to put them in locations that have good vehicular visibility. We also want to maximize alternate ways to get to these locations through bicycle and pedestrian access as well. We have looked at it holistically. With the increases in intensity, we are calling for, particularly with the medium intensity areas, we do have places of convergence where we have more intensive mixed-use activity. We heard a lot of concerns around gas stations, shopping malls, and large parking lots out front. That is not our intention. We want good urban form, good urban design, walkable, bikeable, places in these communities. It would not be our intention to have those undesirable commercial uses. Zoning can regulate how and what is allowed and how that form takes place within these mixed-use districts.

**Commissioner Stolzenberg** – On the subject of student housing, some people have said the goal of this plan is to spread student housing to more neighborhoods. I saw some dots about student housing in Greenbrier and Fry Springs. What are the anticipated changes of housing availability in current, existing student areas in this plan? Is there intent to spread them out? What do you think the effects of the plan will be?

**Ms. Koch** – We have considered UVA as a unique hub of activity in the city. It's a huge employment center. We know neighborhoods near UVA have seen a lot of development that appears to be university oriented. If there are more people living closer to where they work and where they must go daily, that can help address some of those goals. We talked reducing vehicle mileage traveled and addressing some climate goals. We have looked at potentially providing additional opportunities for density in those neighborhoods near UVA, not only for students. Students need housing too. We are also looking at people, who work around there. We certainly don't have a goal to spread student housing into more neighborhoods throughout the city. We are looking at increasing opportunities for housing in neighborhoods throughout the city for the community in general.

**Commissioner Stolzenberg** – If UVA was to grow, is there nowhere for students to go but out? Is there a goal in this plan to let students “grow up” within existing student areas?

**Ms. Koch** – That would be the goal of increasing potential intensity in some areas, not only for students but for others. We are looking at potentially increasing the intensity of use on a piece of land. We can grow up and not so much out. We also know UVA is looking for ways to increase student housing on campus. That's a piece of this as well.

**Commissioner Stolzenberg** – I am thinking specifically about JPA and Rugby and whether there is an ability. Rugby is where students are south of Grady and whether there is the ability for more students in that area versus spreading it.

**Ms. Koch** – We have shown potential increase for intensity in those areas. If they are currently student dominated, that would increase the intensity of those uses, that would help increase the number of students in those areas to minimize potential spread to other neighborhoods.

**Commissioner Habbab** – Are there any metrics on how UVA students are affecting the housing in the city over the last couple of years?

**Ms. Koch** – We have not looked directly at that. If you look at the census data, you can see where student areas pop up because there are certain demographics who might be students. As part of the Affordable Housing Plan, we didn't look directly at what some of those quantitative metrics might be with the impacts of student housing. We have heard concerns about it.

**Alex Ikefuna, NDS Director** – There are no specified metrics. The housing needs assessment that was prepared by Partners for Economic Solutions indicated that one of the contributing factors in the affordable housing challenges the city is having was UVA. There was an analogy that was used. Because of a lack of affordable housing and demand exceeding supply, the people at the upper income belong to the middle income and the middle-income people belong to the low-income people. The students, for the most part, are competing with the low-income people within the city in terms of access to affordable housing. In terms of the metrics, they didn't provide any metrics. They did confirm that UVA is a contributing factor to the housing challenge within the city.

**Commissioner Habbab** – I was looking at the future land use map. Some of the uses mirror what exists today. Is there a way to overlay what we have today with the future land use map to highlight what is changing? I did have a general question on the light industrial use in the city, especially the downtown areas. Was there any consideration to what that could be? Why it would stay as light industrial?

**Ms. Koch** – In terms of looking at a comparison of the draft future land use map and the current land use map, it is the closest thing we have. The other thing we can compare it to is that we have done some mapping of the tax assessment data. What we did in the most recent community review was in the webinar where we had the comparison draft future land use map with the 2013 version. That is in the webinar slides. It gives some numbers in how they compare. In terms of the light industrial uses, we have shifted that to allow for some mixed uses, including some potential residential uses in some of those areas. In terms of your question, are you asking for our rationale for leaving them shown as this business and technology? We have talked with staff in this process including the Office of Economic Development. They feel strongly that there is a need for that type of land use in the city. We have identified some areas where we think we could switch over to a mixed-use node or corridor. We have kept those areas because of conversations we have had about the importance of those areas for jobs.

**Commissioner Habbab** – You had a lot of public comments. It seems people are concerned about these neighborhoods overnight becoming apartment buildings or multi-unit buildings. There is an intensive city process on the traffic studies and architectural review board processes that goes into an overlay on top of the future land use map designations. Is that on the table?

**Ms. Koch** – We have talked about the process when we talked about the land use map. This is a long-term vision for land use in the city. When we get to zoning, there are often other considerations that need to be considered. We have tried to make that clear as we talk about it. We will try to make it clear for people.

**Commissioner Dowell** – It was mentioned tonight during public comment that our residents are feeling the increased density and intensity that has been proposed is not going to solve our affordable housing crisis. What is your response to that?

**Ms. Koch** – We have tried to be very explicit when we talked through the webinar. Land use is not the solution on its own to affordability. It is great that people are recognizing that. We are trying to use land use allowing for an increase with intensity throughout the city or some mix of uses that will be paired with financial support and other support in other ways from the city. Land use, on its own, will not achieve all the affordable housing goals that are out there. I appreciate that people recognize that as well.

**Commissioner Solla-Yates** – Is this enough? Does this hit our numbers? Does this get to our 4000 in an acceptable amount of time?

**Ms. Koch** – In the affordable housing plan, HR&A Advisors laid out a series of financial incentives and programs that they believe could support the implementation of recommendations that would lead to hitting those goals for the number of units. A piece of that is land use related. We have tried to provide opportunities for both higher intensity residential uses with a mix of uses that could support some of those initiatives. Some of the other “soft density” increases throughout the city could better support the homeownership opportunities. I do believe it is sufficient if there is enough financial support. We have not put out specific numbers. This is looking at increasing intensity, potentially providing for those infill opportunities throughout the city. We’re not looking at wholesale development of undeveloped lots in

most cases. It becomes difficult to say such numbers. Combined with those initiatives and funding, we do think it should be sufficient to reach those goals.

**Mr. Ikefuna** – The land use is just a “piece of the pie.” I am encouraging the public to read the draft affordable housing plan, which is on the website. It spells out several recommendations. One is land use. Land use is just one of the few recommendations that is going to help us to move from point A to point B. You must have subsidies. When you talk about affordable housing, land use alone is not going to get it. The people you are looking at providing housing for is an expensive proposal. There must be a lot of government subsidies to prop up the developers to be able to leverage their resources with the city’s resources. You talk about tenant’s rights. If the city is providing the funding for the developments, sustainability and affordability become very critical. With the city’s investment, we will be able to accomplish that. You also talk about racial equity. That’s one of the issues we must address. It cuts across everything, including economic opportunity. There are several tools in that toolbox. Land use alone is not going to do it. Everything else will have to be in order to get from point A to point B.

**Commissioner Solla-Yates** – I have been talking about the implementation section for a long time. I get a lot of questions about sidewalks, protected bike lanes, off-street bike paths, and transit. How is that going to work?

**Ms. Koch** – The projects that you mentioned are transportation or mobility related. We will be working with staff to identify those projects. It is a piece of what needs to go into the Comprehensive Plan. We will be working throughout the topic specific chapters of the plan. This engagement period provided some high-level implementation information within there. We will be taking a lot of that and potentially adding additional information to that implementation chapter. We are going to be identifying some key priorities that need to rise to the top of the list.

**Commissioner Solla-Yates** – A big concern from 2017 was diverse representations, especially black and low-income representation. I am not seeing that in these numbers. What do we do?

**Ms. Koch** – The representation we got through the input period, at least the ways we can measure demographics, did not reflect the full diversity of Charlottesville’s residents. I think we did hear from a greater representation of people through email. There is a lower barrier timewise to send an email. We got a wide variety of levels of detail in the emails. It is something we continue to work on and partner with our steering committee and others in the city to grow that. We look forward to being able to be out face to face with people. We’re cautious about protecting our staff and the community residents during COVID. We didn’t send people door to door to talk with people. It is the best way to reach a lot of people. We worked with community partners to get the word out.

**Latoya Thomas, Cville Plans Together** – From some of the limited in-person activities that we have been able to do, there was some interesting feedback that we have gotten from the black residents we have spoken with. There is a lot of skepticism around the public process overall. There’s a lot of skepticism around the city. I see a lot of long-time frustration for what many people feel is a system that is set up to not serve them adequately. When you are seeing a large population of people who have that level of frustration, that is rooted in decades and decades of challenges. You’re going to have even more challenges getting people to participate in a public process. We have not been able to do a lot of in-person activity because of COVID. We have only been able to recently start doing that. I was able to get down to the Tenth and Page neighborhood during the engagement phase that closed in June. We were able to talk to some residents and share with them information about the process. Many have not previously heard about it. There is still a wide range of education that is happening at the ground level,

especially around people who have not been part of the public process or might be frustrated about engaging.

**Commissioner Solla-Yates** – We have had a lot of public comments about allowing four homes citywide. There is a lot of concern about this. Can you talk about the public health and safety costs and benefits of allowing four homes citywide?

**Mr. Einsweiler** – The reason for looking at the idea of four homes is that it is probably the maximum that a typical lot could accommodate. That would probably mean additional new construction on the site but potentially splitting up the original house as one of the ways to get two additional units. Four is a maximum. We wouldn't expect that on every site immediately. This is just a modest suggestion. When Seattle first implemented an accessory dwelling unit ordinance, it allowed for an additional unit in the backyard. In ten years' time, they had them in less than 5% of the lots that were allowed to place them there. There is a time factor associated with this. I think some of that can be supported by some ideas that may not have made it into the affordable housing plan. Ideas about how the nonprofits and others can support getting those units constructed. We are seeing communities across the country adopt 3 or 4 as the new "magic number" in single-family areas.

**Commissioner Lahendro** – The draft plan that the consultants have put forward has quite a few areas of what currently R-1 districts and detached single-family shown as being converted to medium intensity residential allowing up to 12 units and 4.5 stories. This seems like a drastic change that is a conflict. Help me understand, as professional planners, how this represents a comprehensive plan that is an adjusted and harmonious development based upon good, planned use practices.

**Ms. Koch** – As you noted, we are showing some areas of this medium intensity residential, which would allow potentially 4 to 12 units at 4 stories. We are showing that because we have heard an urge to have additional housing types available to people in some neighborhoods where they have not been available. We have decided to show it along corridors. We believe that can help to facilitate transit-oriented growth where we are potentially allowing additional density. It could also help to facilitate other infrastructure improvements that may be needed to go with that. Showing this corridors perspective was one way of trying to do that.

**Mr. Sessoms** – In the future land use map, it is very general. We have ranges and heights up to 4 stories up to 12 units per lot. That allows us greater flexibility to establish more defined zoning districts. Due to the general nature of the future land use map, we kept it in ranges as far as the intensity at this point. I recognize that it is certainly not appropriate to have 4 stories in every location that is showing medium intensity residential. It would be out of character and out of scale and it does not fit in that community fabric. We agree with that. It's not our intent that every medium-intensity residential district on the future land use map have the maximum development capacity. As a future land use approach, we will have to refine that going forward as we move into the next phase, which would be the definition of what these zoning districts will be. I refer to the existing 2013 future land use map, which has 4 or 5 land use categories. The zoning map has up to 30 different land use/zoning categories. You can see how those general districts begin to break down in the zoning phase; more definition of appropriateness established in that zoning phase. That will be what is next in the process. Taking the feedback, we are hearing for the future land use map. As we move to the zoning phase, breaking these districts down, understanding the fact, and beginning to make sure that these zoning districts fit the urban form that is in keeping with the community character.

**Commissioner Lahendro** – What tools are there to protect and preserve the African American communities and neighborhoods that have expressed their concern about being gentrified as a result of the draft plan?

**Ms. Koch** – A lot of the tools would be non-land use tools. A lot of those other tools that were identified in the affordable housing plan; providing tax abatement or support for owner occupied owner rehabilitation or support for people who may want to add an ADU. If it is allowed, it might be too expensive for them to do that. Some of those non-land use elements are included in there. Through the land use map, we are looking to protect some of these communities that have seen a lot of impact through the years by allowing opportunities for development in areas of the city that have not traditionally had a lot of opportunities for development or a wider range for opportunities for development. Some areas of downtown, traditionally African American areas have been focused areas for development. That's one way we're thinking about it.

**Mr. Einsweiler** – We are anticipating tools that might link affordability and preservation of existing homes for preservation. We will be looking into as many ideas as we can to retain the fabric of those communities, while balancing the opportunity to join those who already own homes in similar settings and climbing onto that 'wealth ladder.' There will be some balance necessary. We may not be offering the same bulk and mass. We don't necessarily want to take these existing homes down. We will be looking at all those kinds of tools as we try to continue, as the description for soft density suggested, add additional units, which are simply helpful to strengthening the existing neighborhood, not replacing it.

**Commissioner Lahendro** – I agree with a prior comment made by one of the attendees. Charlottesville has a range of communities. There are some wonderful communities with very small houses and small lots that could help promote homeownership and allow affordability. Those places are important to help preserve.

You gave us all the analysis of the engagement comments. From the things you have seen, have you had discussions about what it is you might change about the draft future land use map that it is out there now?

**Ms. Koch** – It is always something we are thinking individually as we read through comments. We have not had any formal discussions about it. We haven't yet touched it. We don't have any formal recommendations. Partially, we wanted to hear from all of you. Partially, we want to go through everything again after we have absorbed what we have heard. There were a lot of thorough comments.

**Commissioner Lahendro** – I would certainly like to hear from you and your responses to these comments and the future land use map they are commenting on. I look forward to hearing you all give those recommendations.

**Chairman Mitchell** – After the discussion about the restrictive covenants, people would like to know more about the restrictive covenants and the way they impact what we do. Our chief legal officer wrote a pretty good opinion as it relates to the way they impact what we think. I propose to staff that we put that somewhere on the website so people can look at that and advise them where people can look at it.

**Lisa Robertson, City Attorney** – You can put it on the website or make it available for anybody that would like to read it.

**Commissioner Input and Feedback**

**Commissioner Russell** – I think that it is prudent that we talk about what might be feasible around the conversation of affordable housing overlays. I also would “throw in” there as an alternate addition/supplement a conservation/demolition overlay. What might these overlays offer?

**Ms. Koch** – There has been a proposal that has been discussed with the Housing Advisory Committee that will be discussed at the next Planning Commission meeting. That is what Commissioner Russell is referring to. In the land use chapter, we did provide recommendations about considering some sort of overlay in terms of affordability. In terms of what these overlays may offer, they could provide a way to require a certain level of affordability or several affordable units for any level of development above a certain level. There can be overlays on top of zoning that could provide some protections for different concerns that we have heard. We certainly look forward to those discussions.

**Commissioner Russell** – My input would be that I have concerns that density for density’s sake will not resolve what we are trying to achieve. Something like an affordable housing overlay could tip the scales in favor of affordable housing.

I am also interested in better understanding the conversation around equity building and how we would both preserve neighborhoods but also not tamp down wealth accumulation in doing that, lowering the intensity of use for preservation purposes. How do we do that with not limiting/capitalizing on possible increases in property value. I want to reiterate needing more in the toolkit. Land use can’t do it all. It is taking up all the oxygen in the room. I want to ensure that the affordable housing plan doesn’t get “put on a shelf.” There are so many other tools needed to supplement the land use changes.

**Commissioner Stolzenberg** – I read through every email, the spreadsheet of all the survey comments, and I think I looked at everything on the map. I heard some main themes; specifically, what people are worried about. It seems that we have three main sticking points. The first is going to be medium intensity (that light brown) with small apartment buildings across the city. With that, I heard few concerns. The first and foremost is height. That idea that 4.5 stories where the existing neighborhood fabric and the building in R-1 zoning is 35 feet. What I also heard from some people is that the way the international building code is written. To go to a fourth story, you need to add an elevator in an apartment building. To add three units to get to 12, nobody will do that. It would make sense to lower that to 3/3.5 stories for apartment buildings. My understanding as to why that is in there is to enable the stacked townhome format. It is a housing form we really don’t have in the city. We don’t see it reflected in this land use map. It is the most affordable housing form for homeownership. It is about 80% AMI at market rate. Preserving a height for stacked townhomes and lowering it for apartments makes sense.

Some neighborhoods feel they were singled out. They don’t understand why their street is light brown and the next street over is not. Lewis Mountain doesn’t understand why most of Lewis Mountain is light brown and others are not. A 12-unit apartment building, 6 plex, or 8 plex is small enough that it doesn’t really have appreciable adverse impacts on the neighborhood. A small building is not going to hurt you. There are concerns about physical constraints on lots. We have the site plan review processes to ensure that there is adequate infrastructure, sewer, and water. There won’t be traffic concerns. I think the framework proposed by the HAC makes sense. It’s less restrictive of places and lets the thorny details of how many units anywhere go up to the actual constraints of the actual lots. I like that approach. It makes sense.

With these novel mixed-used nodes in existing residential built out areas, it seems that we are throwing darts at the map. We are saying that this is going to change over time and not letting it happen organically. I am having a hard time understanding why we would pick specific places rather than let

commercial uses arise from scratch. My understanding is that it results from an analysis that let us know there are areas without easily walkable or access to nearby commercial uses. We should think more of a framework to allow small-scale, completely non-car-oriented, with strict limits on parking in front of accessory commercial units in people's yards for owner occupiers or long-term renter occupants to allow corner stores. I am thinking about the Rugby, Westwood, and Dairy ones.

I am thinking about the sensitive neighborhoods. I am a little weary of the idea of just saying "we're going to down-zone these to nothing and that is going to make it affordable." That hasn't worked in the past. I agree that they should be protected against rising prices. In that Cherry Avenue Small Area Plan, people want to see more affordable housing types in Fifeville, increased variety in housing type and form that accommodate residents across the income spectrum. My suggestion would be to crank that dial of affordability requirements under that framework and use that as the lever to make sure that projects can pencil in wealthy exclusionary areas. At the same time, the pressure for development in lower income areas is not as strong that prices rise.

**Commissioner Habbab** – I want to echo what was said earlier about the affordable housing overlay and what Rory just mentioned. What is the low density/sensitive density residential areas? We need to maintain the vulnerable communities in Charlottesville. I know it is multi-pronged approach with real estate tax relief and other programs as well as the future land use map interventions.

My other point is about focusing on equitable gathering spaces. You were supposed to study why people felt unwelcome in some areas or not. I am not sure what happened with that segment of the comprehensive plan.

**Ms. Koch** – At the end of the 2017/2018 initial updates, there was a survey completed that was identified. That was one of the questions asked of people. Do you feel comfortable on the Mall? We have taken the results of that survey. Early on, we reviewed that. That was included in some of our early thinking about the goals and visions for the comprehensive plan. We have not done initial analysis about that.

**Ms. Creasy** – I believe that was part of a survey that the mayor conducted. We have the raw data from that. That was about when we closed the first phase and went out to contact. There is a potential opportunity there.

**Chairman Mitchell** – Equitable gathering spaces was one of the top things. I think that is something we need to give some thought.

**Commissioner Dowell** – I want to echo Jody and Lyle to be sure we are making protections for our dominantly black neighborhoods and low-income neighborhoods. We do not want them to be gentrified out of the neighborhood. We also know to make sure we reiterate time and time again that homeownership does create generational wealth. We definitely want to do all that we can in this process to protect that.

One of the other things I would like to see is with the education component. I think it is very critical as we move forward that everyday common citizens understand not only the terminology but also the thought process behind where we came up with some of these decisions. I like the example Mr. Sessoms used earlier when someone asked him a question about the employment centers where the employment centers were based upon ease of access. If people are aware of the processes that goes into the decisions that are being made, it might be a little bit easier to understand where we started at and where we're going.



Another thing that is going to be beneficial is that the public understands what I asked about earlier. I have had a lot of face-to-face conversations where there is concern the new updated comprehensive plan does not give us the affordability that we're looking for with the increased density and intensity. Making sure that our residents are aware of the other tools that are going to be put in place to get us there is going to be important, so they don't feel like this is 'knee jerk.'

**Commissioner Solla-Yates** – A concern from long time homeowners with fixed incomes is that their homes will be even more expensive and get taxed out. There are caps on how valuable a home can be to benefit from tax relief. I would like to have a better story for those people. They are very anxious. A major concern I am seeing from very high-income people is traffic. Most people live in their cars. They are right. They are skeptical we are going to make a transition. Based on the past, they have a good argument.

A final concern is that renters are hungry. They are concerned. They know a change is coming. They are concerned that change is going to be bad for them. Any help we can offer them is going to be crucial.

**Commissioner Lahendro** – I would be interested in hearing the consultant's opinion on the engagement comments that they have received. I would also like to hear their opinion about the recent proposal that the HAC has put forward. I know it is too soon to have that now. I would like to get a professional's response to that. My biggest concern is the transition from R-1 to medium intensity residential. I would love to see that scaled back in what is currently being called for medium intensity residential or create another category so that the medium intensity residential is more targeted to specific areas. There is another category between general residential and medium intensity for a more gradual increase in additional units.

**Chairman Mitchell** – The most important for me is the protection of low-income communities. We have to protect them from gentrification as we go through the land use process and the rezoning process. The protection of that has to be written into this.

Another important thing is the HAC document. That document addresses what Commissioner Lahendro was talking about: the ability to protect low-income communities but a little bit more thoughtful in the way we increase density in places like Greenbrier and Lewis Mountain Road. I still want to do something there. The HAC document gives a lot of thought to that. I would like for you guys to take a look at that and give us some feedback on that.

The city can't do this by itself. It has to be done with the University and with the county. The University has already announced that they are looking to add 1000+ affordable housing units over the next few years. The county is under huge pressure with the urban ring. As we think through this, we need to make sure we're thinking through this. Speaking to it in our comp plan and speaking to it through our cooperation with UVA and what is happening in the county and how we can partner with the planning region we are in.

On NPR, they were talking about canopy equity. There is lots of canopy in the wealthy neighborhoods. In the lower income neighborhoods, there is not the type of canopy that we like to see there. Canopy does lend to wellbeing, health, and feeling better about your environment. We need to lend some thought to canopy equity as well. It ties into Commissioner Habbab's idea of location equity.

**Commissioner Stolzenberg** – In some of the comments, there were specific groups for the Hinton Avenue Memorial Church and the Park Street Christian Church asking for high density residential on

their properties to encourage the affordable housing projects they have for seniors and for people with developmental disabilities. Those are good changes to make.

For high intensity residential, in some of the areas especially the student areas, it might make sense to go a little more intense. Some of the discussions were contemplating 7 stories near JPA. It makes sense to keep students hemmed in their area for all the reasons. There are some tweaks that need to be made.

**The meeting was recessed for five minutes.**

### **Public Comments**

**Andrea Massey** – I hope you will be continuing with centering racial equity as we go through the process in making sure that we create affordability in R-1 and predominantly white neighborhoods and prevent displacement in majority black neighborhoods. Making sure we do this is extremely important. Land use alone is not going to do this. I want to make sure we are being honest about this. We must be honest about where we are and how we got here. We must do better. I really hope the neighborhoods against this do not get prioritized again and again. We need to do better and I hope we can.

**Julia Williams** – Finally we are making some changes. I think the aim of bringing equity and affordable housing and displacement is important. I do have concerns about the land use plan and the overall draft chapters. I am not sure I am seeing enough attention to infrastructure. That includes mobility, transportation, schools, sidewalks, and lighting. They can't be given to the developers. That will raise costs that are big and not affordable. We need a real partnership with the city and the federal government. That's a huge concern. In one of the webinars, I heard that the parameters in general residential were based on an attempt to not encourage destruction of existing homes. I see conflict in the comments with people saying 'raise the density' to 4 or 5 units. These numbers were not just pulled out of a hat. They're based on information that is preserving some important things. I am encouraging the Planning Commission and consultants to be thoughtful as to why we have these numbers. I care about the intent. We need to be thoughtful about this map. I have not seen you reach out to neighborhood associations. This process is not functioning in reaching out to the neighborhoods.

**Crystal Passmore** – As a renter, it is frustrating to hear people, who own their homes, saying newer houses would benefit. Almost half the residents in the city rent. Their rents have been rising quickly and supply is very limited because of the current zoning plan. The supply cannot keep pace with the increase of workers within the city. The city artificially limits the number of houses we build in the city. Half of the residents would benefit from more housing, which would take pressure off the few units we do have. More housing would benefit people who work in Charlottesville who can't currently afford to live in Charlottesville. They live in Albemarle or the surrounding counties. We have a lot of people who commute in who would like to live in town. It is frustrating to hear people say increased density would increase traffic. Pricing people out of the city means people must commute farther distances. People are more likely to walk or bike if they live in the city near their jobs. If you want less traffic, you must let people live here where they work. The young professionals I work with would like to bike to work. It is an equity issue and quality of life issue. We can cut carbon emissions if we let people live near where they work. The plan doesn't go far enough. It's a step in the right direction.

**Annie Kim** – I am going to ask the Planning Commissioners to be in tune to the facts on the ground. I am a first-generation Asian immigrant. I attended UVA and work at UVA. I own a modest home of 1700 square feet in a modest neighborhood in Venable. It is Tunlaw Place. It is a street of four properties. Three are currently single-family homes and the other is a duplex rental townhouse. If you

walk down my street, you might mistake it for a driveway. It doesn't look like a city street. The street is so narrow that the dog walkers must hug one side of the street if a car passes by. There are parked cars along one side of this street. I am concerned how a street like Tunlaw Place can be upzoned if the future land use map is carried out into a zoning ordinance. I am not sure how the infrastructure would accommodate that. How can we park any more cars on this street? Are we trying to increase/spread student housing using the future land use map? That is not the intention according to the consultants. How is my street being put on the map after it wasn't on the map in March?

**Jamir Smith** – I have moved from Fry Springs to the county primarily to access more affordable housing. It wasn't being provided in the city. I imagine there are a lot of young professionals that want to stay in Charlottesville. We all know that Charlottesville is a place that is desirable and a place where people want to live. The largest employer, the University, is bringing the students back. That means that everyone is being brought back to work. One of the things people are going to want is to live close to where they work. One of the things that the community is concerned about is that their neighborhood is going to be upzoned and could allow for other people to live close to where they work. It is interesting that a lot of the communities are more worried about student encroachment. Along with my peers, we want to live within a 15-minute walk or a high frequency bus. Increasing density in that area could allow for transit options, which is what people want. If we want traffic to go down, more bike/pedestrian infrastructure, and more buses, you're going to want places for people to live. It is not going to come if the demand is not there. If the University is going to be the good neighbor, one of the things we're going to see is a possible opening of apartment complexes in that area. We're going to want to build high intensity residential.

**Mark Owen** – It was helpful to hear your questions to the consultants. Some of the things I was going to say were already addressed by you all. It is very important for the city, county, and UVA to be coordinated on this. The county is in the process of doing something like what we are doing. When you look at the map, there's a lot of grey areas on it. It is a piece of the puzzle that needs to be on there. That is paramount. There is a lot of opinions. Some are from people who are very experienced. Some are from people who have an equal right to their opinion. It is more subjective or anecdotal. It seems like there needs to be more data. One of the instruments that we are proposing here is multi-family housing. What is the current vacancy rate today? How many units are available today?

**Kimber Hawkey** – My concern with the radical density increase is how much yard is going to be left for people with these changes. There is a real concern of the linkage between the idea that the future land use map and the increases in density will lead to affordability. That is a broad misconception that can continue and propagated by the media. I am for affordable housing and equity. You say that we must protect this neighborhood from this plan. That means this plan is injurious. I don't understand that. It seems hypocritical. It was not easy to get to the online materials. A lot of people sent emails. I don't know how that information is being recorded. Many people did not contribute to those dots on the map. Defining affordable as 80% AMI is not affordable. With these commercial nodes, it has not worked in Belmont Center. People have been driven out. There has been a loss of faith in the city. I don't have faith in the system. Things have not worked. Businesses are violating their proffers, and nothing is being done.

**Joan Albiston** – I am concerned about the designation of properties from low density to medium density in the upcoming plan without consideration for the percentage of critical slopes, proximity to environmentally sensitive land, and vehicular access. I became aware of this in the plan when looking at the large parcel on the southeast corner of Fifth and Harris. I wondered if there were other similar

parcels in the city. A development plan for that parcel was proposed ten years ago and resubmitted seven years ago. It was denied both times due to a lack of safe and sufficient access onto Harris. There were concerns by the engineering staff of Albemarle County. Part of that parcel extended into Albemarle County. They were concerned that the grading would need to be severe for the high-density project to be built. At what point in the planning process would slope, environmental sensitivity, and vehicular safety be considered in determining if a parcel can be developed as recommended by the Comprehensive Plan? Will those concerns hold less weight? I was unable to leave a comment about that concern on the interactive map. My comment kept disappearing. There may be other people who were not able to have their voices heard.

**Charlotte Meadows** – I am from Charlottesville. I have been a witness to numerous changes. Increased density, discrimination, and prejudice. It is not limited to culture or color of skin. It is something that happens unfortunately with the things that are going on. I am concerned about infrastructure being properly developed and looked at. A main question that I am concerned about is why empty areas are being looked at critically to develop them first. We have these deserted shopping malls. They have the infrastructure. I would appreciate that being looked at more. I do not feel that residents have not been given adequate warning. We haven't had enough time to be able to review the information. There is so much information on there. It is discriminatory that people that may not have a computer to dig through all of this. If you are working full-time, you don't have the time. I think clarity and simplicity would be lovely. We are being compared with places like Chicago. We are a town. We are not a big city.

**Chris Schopper** – I would follow up on the comments made by others asking for additional density in the city. When I started my job in 2017, we were cost burdened due to the cost of rent here. These people were some of the more fortunate. We were able to get college degrees and get white collar work in the city. The lack of housing options is very constraining. It does make it hard for people to settle down and build a life in Charlottesville. Most of those people no longer live in Charlottesville. There are other communities, like the communities of color that have a much worse situation. They face systemic racism and discrimination in housing practices that need to be addressed. Upzoning is not going to solve the problem. I think it is a necessary condition through which we can start to solve the problem. I have heard concerns about community character. I understand that people want to live in a nice and beautiful neighborhood. Canopy equity is one thing that goes a long way into making a community seem more than a series of construction sites and a series of apartment complexes. I had previously lived on First Street at Charlottesville Towers. Both First Street and Altamount feature a variety of higher density housing types. They do so in a way that's very attractive to live in but allows people of different income levels to live together and get to socialize and interact with one another. As someone who has walked and biked to get around town, there is a huge opportunity for the city to invest more in bike and pedestrian infrastructure.

**Kathy Freer** – I have lived in Charlottesville for 40 years. It is impressive that through Zoom that you have moved it along. I am calling to ask for your empathy for the residents. For those frontline workers, this whole calendar needs to be slowed down and reconsidered. We have lost 15+ months. If you count the last month, it feels like we are coming out of the COVID cloud. There is a lot of adjustments. I don't think it should be ignored. It has come out in some commentary about the disappointment of not being able to do the education you would typically do. Even if it is entirely Zoom, we need more time. That is what I am asking for.

**Paul Miller** – I strongly encourage in-person engagement at a local, neighborhood level. I think most people have been engaged for the last 45 to 60 days. I would love for members of the Commission and

the consultants to get into the neighborhoods and tap into the neighborhood associations. I think what is under-discussed is the diversity of age. Diversity of age in fact-collecting and in terms of planning. We need to pay attention to age diversity. We should focus in on that. You need to come with better examples than Portland, Minneapolis, and Chicago for comparison. Find something that is a little closer to ten square miles. We must find some other reference points. It would be good to talk to a small business owner. Green equity, canopy equity, and all the things around that are important. Let's push on the University and county for collaboration.

**Diane Dale** – The examples of upzoning provided by the consultants (Austin, Portland, Minneapolis) were shown in a quick search. Austin has been in litigation for years. Minneapolis and Portland just recently finally approved their approach. They were at levels of 3 and 4 units per lot. There have been no examples provided for the densities of up to 12 units that are suggested for the medium residential. When the question came up, the consultants were not able to provide further citations of where this type of approach has been implemented. That is disconcerting. It is important that it is fully acknowledged and appreciated. The approach that is being proposed is somewhat experimental. There is no data on what it has delivered. It is the hope to achieve affordability. It doesn't mean it is not the right thing to do. We need to be clear. When the Planning Commission looks at this plan, they are acknowledging the experimental nature of the plan. The community should be given that transparency. There is a lot of density proposed. The impacts are yet to be understood. The plan also recommends these densities be given by right. I haven't heard of the consequences of that. Have you considered the implications of granting this new type of approach to zoning?

**Walt Heineke** – In 2017, the racists came to town. They came to town to celebrate those statues. They came to town because they knew about Charlottesville's racist history. It goes back to the covenants. We're still living with the implications of those covenants with inequity today. The City Council has woken up that Charlottesville needs to be an example. We tossed those racists out of this town and made a national example of how to stand up to them. We must translate that energy and spirit into long-term equity changes in housing. The City Council has done a great job of committing to affordable housing at deep levels over the last couple of years. The issue turns to how that energy will play itself out in zoning, the Comprehensive Plan, and the equity strategy. This is where we need you to join the cause. What we have done since 2017 gets translated into the future of a racially equitable Charlottesville. We understand that we are to be an example for the rest of the county. We have been working on how to make our community more equitable. It is time for us to figure out how to be exemplary in terms of zoning and equity for the rest of the country. We should be better than anyone else.

**Elaine Poon** – Most of my comment was what Walt had to say. Please center racial equity. Please lift the voices of black communities in our city. Don't let people gaslight you. Keep talking about racial equity. Don't get distracted with these demands for data. Upzoning can increase affordability. Is that what people are looking for? We have a lot of data points. This is not the springing of a plan that is "all of a sudden." We had a long CLICH survey. We did that in part because we know the data that people want to see of what the lived reality of many residents in this community has been for decades. It is rampant gentrification, rampant displacement, and being forced out of childhood homes. We have a housing needs assessment. This body has done several community engagements processes. There are a lot of comments. Keep talking about racial equity. Maybe this requires more public education. What does single-family zoning mean in this country? President Trump was combating a Fair Housing Act rule. You all continue to plow on this quest in integrating historically exclusionary neighborhoods. Continue to listen to black voices. I have clients and community leaders every day talk about their childhoods in Charlottesville. We have an opportunity to make a change in the positive direction.

**Claire Griffin** – I live in multi-family housing in Venable. I wanted to address some previous comments. Somebody asked for data points on vacancy rates. There is a rental vacancy rate of about 3.1% in Charlottesville in 2019. For comparison, Minneapolis was 3.8%. Austin was 5.2% and New York City was 2.1%. We have a very tight housing market for rental units. About 40% of housing units in Charlottesville are owner-occupied. Most housing units are rentals. The rental population here is substantial. We have heard comments about how Charlottesville is not Austin, Portland, or Minneapolis. I grew up in Austin about a mile from the University of Texas. I lived and worked in Minneapolis. I do see quite a few similarities between the cities. They have deep histories of redlining covenants and segregation that have impacts on property values, housing, and schools. These cities are trying to combat this. They are all home to major universities.

**Vern Buchanan** – How are we going to do affordable housing?

**Brandon Collins** – I grew up in the Rugby area. Growing up, I wondered why there were no black kids in my neighborhood. It took me a really long time to understand why that might be in Charlottesville to understand our history. It comes down to the data question. You have had the studies. You know where Charlottesville is. You know what we need. You know that racial covenants line up with single-family zoning in this town. We got there through comprehensive plans, zoning, and future land use maps of past years. We know that we are not getting the desired effect, unless the desired effect is what we have right now; gentrification, displacement, massive lack of affordable housing for our community, and racial segregation. Those are things that we are finally attempting to address. This plan is 3 years overdue. There have been opportunities to engage. The arguments of those who oppose this don't make any sense. Their arguments can be explained. There is a reason you have this future land use map. Growth is going to happen. We want to plan smartly. We want to provide infrastructure, protect the environment, and addresses racial segregation. I do support an affordable housing overlay. That might actually quell some concerns.

**Valerie Washington** – A lot of my family has been displaced from the historically black neighborhoods that we live in. As a single parent, it is hard not having my mom up the street and having a cousin watch my child. A lot of that has been due to gentrification of our neighborhoods. In certain neighborhoods where black people don't live, there is a lot of Black Lives Matter signage in the front. I find it contradictory to have these signs in yards where black people can't afford to live. People on this call being called racist is a conversation ender just shows that you're not ready to do that work. You're not ready to be in diverse neighborhoods and around people of color. That is sad to me. I hear a lot of Karens and Bills on this call. I don't hear a lot of black people who can speak to being in our neighborhoods. I don't feel the contractors have done their jobs in listening to our people.

### **Input and Feedback from Councilors**

**Councilor Snook** – I appreciated having about 90 minutes of time with Jenny and others last week. In hearing the comments that people have made this evening, I want to touch on a couple of things. One is the question of population growth. There is a Weldon Cooper study out there that has estimated that Charlottesville will be roughly 53,000 people by 10 or 20 years from now. One of the deficiencies in the way that they do things is that they assume continuity of the most recent pattern. In 2016, they came out with an estimate that our city schools would have 5,000 students in them. In 2014 and 2015, there had been a discontinuity. There had been this increase in apartments on West Main Street, which led to students moving into those apartments, which led to people being able to move into the residences that had formerly been occupied by the students. That led to a great upswell of elementary school, middle school, and high school students. That didn't continue. We're looking at a decline again. My point is to

recognize the limits of their methodology. The reason that population has not risen in Charlottesville in the last few years is because there is no supply. There is no place to move to. One of the things that has led to it is overbidding on the asking price of houses on a regular basis. There is no supply. I know of several people who have tried to move into Charlottesville in the last 6 months and have not found a place. We are running the risk of becoming Palo Alto, California. Palo Alto is city where the median income is \$160,000 a year. It is a city where the median sales price is \$3 million. It is a city where an 850 square foot bungalow was bought for \$2.3 million to be torn down. It is 93% white and Asian. It is 6% poverty. That is who we would become if the only people who can buy houses here or rent here are people with \$150,000 incomes. We are in danger of becoming something we don't want to be. We want to be seen as welcoming to refugees and the people who make the city run. We need to do something at the comprehensive plan level to work towards that goal. I am a fan of this kind of proposal. I am concerned about a lot of the details. Whatever changes that are going to happen are going to happen very slowly over a period of time. What is the likelihood in the current market that somebody is going tear down a good house in a rich neighborhood? I don't see it happening right away. I think people are getting a lot more excited both for good and for ill.

**Councilor Payne** – I spoke with the consultants last week. A regional approach is necessary. The regional housing market and regional dynamics definitely involve Albemarle. I think ‘roping’ them into the extent possible to try to get upzoning and density increased in the urban ring is going to be very important. I am very interested in pursuing the idea of affordable housing overlay as something to possibly include in this process. I know the consultants have said they are working on inclusionary zoning as part of the zoning rewrite. That maybe encompasses the goal of the housing overlay. I am interested in pursuing that idea to promote as much affordability as possible. The reality is that Charlottesville is growing. There are market dynamics bringing in lots of wealthy young professionals to the city. Do we use the tools we have available to take that reality and try to use our land use/zoning to try and promote affordability and limit negative impacts in working class neighborhoods given those market dynamics? We can change nothing and we are going to get where we are now, which is everything people don't want; large by right office spaces that do increase population where new housing meets demand. We're going to see gentrification and displacement. We're going to see house sales that are cash only sell before they are listed publicly. We're going to see a lot of house flipping and density pushed into working class neighborhoods. Neighborhoods that have racial covenants and are exclusionary are going to continue to block the development of more affordable duplexes. That's something we are going to have to accept as a city. We're going to need to change that dynamic. Once we make these changes, there is a lot of fear. A lot of the doom and gloom that people have will not happen. It will just be a duplex/triplex in your neighborhoods that looks like a normal home. There's a lot less to fear than people might think. The ‘rubber is going to hit the road’ with the zoning rewrite. This land use map is part of the comp plan. The zoning rewrite actually results in changes. That's going to be a street by street, property by property that will get into a lot of the details that people are currently worried about. There's a lot more time in that process. How I am looking at this future land use map and zoning rewrite is necessary but not sufficient. It needs to happen to confront legacies of redlining, racial covenants, and development patterns in the city. If we are fundamentally going to start changing the development patterns leading to gentrification and displacement, land ownership is critical. We're going to need to put a huge emphasis on land ownership and using tools like land banks to get land under the control of neighborhoods, housing nonprofits, community land trusts, and create wealth building and put more affordable housing through land ownership. You can look at a lot of the cities that have used the land trust model in land ownership to get neighborhoods self-determination. It has been the most successful tool to stop gentrification and displacement.

## **Next Steps**

**Ms. Koch** – The summary of the input that we got was preliminary. What we are putting together is like what we have with the previous two engagement phases. We will be working on that to share with you. We will meet with NDS tomorrow and define a more specific timeframe in getting that to you. The original schedule for the comprehensive plan had us taking a look at the feedback we have received, revising the plan, and finalizing it through the summer. I anticipate that will be extended to give enough time for checkpoints that need to happen and additional meetings. We will be working to make some revisions to the schedule. Our goal is to be transparent as we can.

**Chairman Mitchell** – Perfect should not become the enemy of the good. Let's get something out there. This is a living and breathing document. An extension should be really short. We have to get something out there.

## **Adjournment**

**The meeting was adjourned at 9:42 PM.**