

Agenda

PLANNING COMMISSION REGULAR DOCKET TUESDAY, January 10, 2023 at 5:30 P.M. Hybrid Meeting

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

Beginning: 5:00 p.m.

Location: (CitySpace, 100 5th St NE, Charlottesville, VA 22902 and Electronic/Virtual)

II. Commission Regular Meeting

Beginning: 5:30 p.m.

Location: (CitySpace, 100 5th St NE, Charlottesville, VA 22902 and Electronic/Virtual)

A. COMMISSIONERS' REPORTS

B. UNIVERSITY REPORT

C. CHAIR'S REPORT

D. DEPARTMENT OF NDS

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

F. CONSENT AGENDA

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

- i. Minutes – Work Session - September 21, 2021

III. JOINT MEETING OF COMMISSION/ COUNCIL

Beginning: 6:00 p.m.

Continuing: until all public hearings are completed

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

1 SP22-00011 Three Notch'd Brewery Expansion – On January 10, 2023, the Planning Commission and City Council will conduct a joint public hearing for an application for a Special Use Permit ("SUP") for the property located at 522 2nd Street SE and identified in the City's land records as Tax Map and Parcel (TMP) 280208100 (the "Subject Property"). The public hearing will be conducted both in-person and via virtual (electronic) means; individuals who wish to participate electronically or in person may register on the City's website. Following the public hearing, it is the intention of the Planning Commission to vote on whether to recommend approval of the SUP. Scott Roth (Three Notch'd Brewing Company, LLC, representing the owner, Monticello Associates, LLC) has submitted a SUP application for the Subject Property. Pursuant to City Code Sections 34-796 and 34-158, the applicant has submitted a SUP application to expand its existing operation and establish a small brewery. The applicant currently operates a microbrewery on site and seeks to expand production from the current maximum of 15,000 barrels per year to a maximum of 30,000 barrels per year. The Subject Property is approximately 6.72 acres with road frontage on 2nd Street SE and Monticello Avenue. The Comprehensive Land Use Map for this area calls for Urban Mixed Use Node. The Subject property is located in the Downtown Extended Zoning area, the use Matrix of which (City Code Sec. 34-796) allows for the use of property so zoned as small breweries pursuant to the approval of a SUP by City Council. The current use of the property is as a microbrewery, which is allowed By Right in the Downtown Extended Corridor. Additional information pertaining to this application (SP 22-00011) may be viewed online at www.charlottesville.gov/agenda. Persons interested in the SUP application may also contact NDS Planner Carrie Rainey by e-mail (raineyc@charlottesville.gov) or by telephone (434-970-3453).

2. SP 22-00008 and P 22-0091 250 Bypass Fire Station – On January 10, 2023, the Planning Commission and City Council will conduct a joint public hearing for an application for a Special Use Permit (“SUP”) and Critical Slope Waiver for the property located at 345 250 Bypass and identified in the City’s land records as Tax Map and Parcel (“TMP”) 450001000 (the “Subject Property”). The public hearing will be conducted both in-person and via virtual (electronic) means; individuals who wish to participate electronically may register on the City’s website. Following the public hearing, it is the intention of the Planning Commission to vote on whether to recommend approval of the SUP. Charlottesville Public Works, on behalf of the owner of the Subject Property, the City of Charlottesville, has submitted a SUP Application and Critical Slope Waiver for the Subject Property. Pursuant to City Code Sec. 34-796 and Sec. 34-420, the owner has applied for a SUP to build a new fire station on the Subject Property. The Subject Property is approximately 145.17 acres with road frontage on the 250 Bypass, John Warner Parkway and Melbourne Road. The Comprehensive Land Use Map for this area calls for Open Spaces and Parks and the Subject Property is located within the R-1 and Public Park Protection Overlay zoning district classifications. The City’s zoning matrix allows municipal offices and buildings in R-1 districts with the approval of a SUP. The property is adjacent to other properties currently used for residential and school uses, and is located across from multifamily housing on the opposite side of Melbourne Road. 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). Additional information pertaining to these applications (SP 22-00008 and P 22-0091) may be viewed online at www.charlottesville.gov/agenda. Persons interested in the Special Use Permit application may also contact NDS Planner Dannan O’Connell by e-mail (oconnell@charlottesville.gov) or by telephone (434-970-3991).

IV. COMMISSION’S ACTION ITEMS

Continuing: until all action items are concluded.

1. Presentation - Entrance Corridor Design Review Overview
2. Street Grade Waiver - Appeal

V. FUTURE MEETING SCHEDULE/ADJOURN

Tuesday January 24, 2023	Work Session	Zoning Ordinance - Critical slopes, Flood Plain, Entrance Corridors
Tuesday February 14, 2023 – 5:00 PM	Pre-Meeting	
Tuesday February 14, 2023 – 5:30 PM	Regular Meeting	<u>Minutes</u> - October 11, 2021, October 12, 2021, October 21, 2021, November 9, 2021 <u>Rezoning and SUP</u> –1120 Avon Street

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 , 12th and Rosser/CH Brown Historic Conservation District (six properties)

Rezoning and SUP – 0 Carlton Road, 1120 Avon Street

Site Plan –Flint Hill PUD, 240 Stribling Ave, Belmont Heights (1000 Monticello), Hillsdale Place, 1613 Grove Street Extended

Future Entrance Corridor

- 1801 Hydraulic Road – revised Comp Sign Plan, revised design review (*Hillsdale Place, Riverbend*)
- 2005 JPA

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

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

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

Planning Commission premeeting and regular meetings are held in person with limited seating and by Zoom webinar. Instructions for meeting attendance is located here: <https://www.charlottesville.gov/1552/Reserve-a-Seat-for-Planning-Commission-M>. The webinar is broadcast on Comcast Channel 10 and on all the City's streaming platforms including: Facebook, Twitter, and www.charlottesville.gov/streaming. Public hearings and other matters from the public will be heard via the Zoom webinar which requires advanced registration here: www.charlottesville.gov/zoom. You may also participate via telephone and a number is provided with the Zoom registration or by contacting staff at 434-970-3182 to ask for the dial in number for each meeting.

**LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY
12/1/2022 TO 12/31/2022**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
- 3. Site Plan Amendments**
 - a. 207 14th Street NW #1 - December 1, 2022
 - b. UVA Ivy Corridor School of Data Science Water Line (with Easement) – December 22, 2022
- 4. Subdivision**

September 21, 2021 Planning Commission Work Session
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 SPECIAL USE PERMIT
APPLICATION NUMBER: SP22-00011
DATE OF HEARING: January 10, 2023

Project Planner: Carrie Rainey

Date of Staff Report: December 28, 2022

Applicant: Three Notch'd Brewing Company, LLC

Applicant's Representative(s): Scott Roth, Three Notch'd Brewing Company, LLC

Current Property Owner: Monticello Associates, LLC

Application Information

Property Street Address: 522 2nd Street SE ("Subject Property")

Tax Map & Parcel/Tax Status: 280208100 (real estate taxes paid current - Sec. 34-10)

Total Square Footage/ Acreage Site: Approx. 6.72 acres (292,723 square feet)

Comprehensive Plan (General Land Use Plan): Urban Mixed Use Node

Current Zoning Classification: DE Downtown Extended Mixed Use Corridor

Overlay District: None

Applicant's Request (Summary)

The applicant requests a Special Use Permit (SUP) pursuant to Section 34-796, which states that the small brewery use is permitted with an SUP. The Subject Property has street frontage on 2nd Street SE and Monticello Avenue. The applicant currently operates a microbrewery under the micro-producer use category on the Subject Property and requests to expand production in the existing facility. Section 34-1200 provides the following relevant definitions.

Micro-producers means a microbrewery, microwinery, or microdistillery, in which twenty-five (25) percent or more of the facility's production is sold directly to the consumer on-site, within a retail shop, bar, tasting room, tap-room, restaurant, or other similar facility.

Microbrewery means a facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail, or wholesale, on or off premise, with a capacity of not more than fifteen thousand (15,000) barrels per year. The development may include

other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.

Brewery (small) means a brewery (i) that produces fewer than 30,000 barrels per year of beer, and (ii) the brewery sells directly to the consumer on-site within a retail shop, bar, tasting room, tap-room, restaurant, or other similar facility.

The application narrative indicates no physical changes are proposed on the Subject Property. The narrative indicates production of 26,000 barrels per year is anticipated should this SUP be granted by City Council. The largest proposed impact will be an increase in truck traffic. The narrative notes that currently 13 tractor-trailers visit the site weekly to both pick up products for distribution and also deliver raw materials. However, many of the tractor-trailers are underutilized and thus the applicant estimates only six (6) additional tractor-trailers will need to access the site as a result of the increase in production. The narrative states tractor-trailers arrive between 7:00am and 5:00pm and thus will not impact evening activity on site. The tractor-trailers access the site from 5th Street Extended to Monticello Avenue to 2nd Street SE. The docking area is located adjacent to 2nd Street SE and does not require tractor-trailers to traverse the site for access. The narrative notes smaller trucks are currently utilized daily to pick up spent grain and this will continue if additional production is permitted.

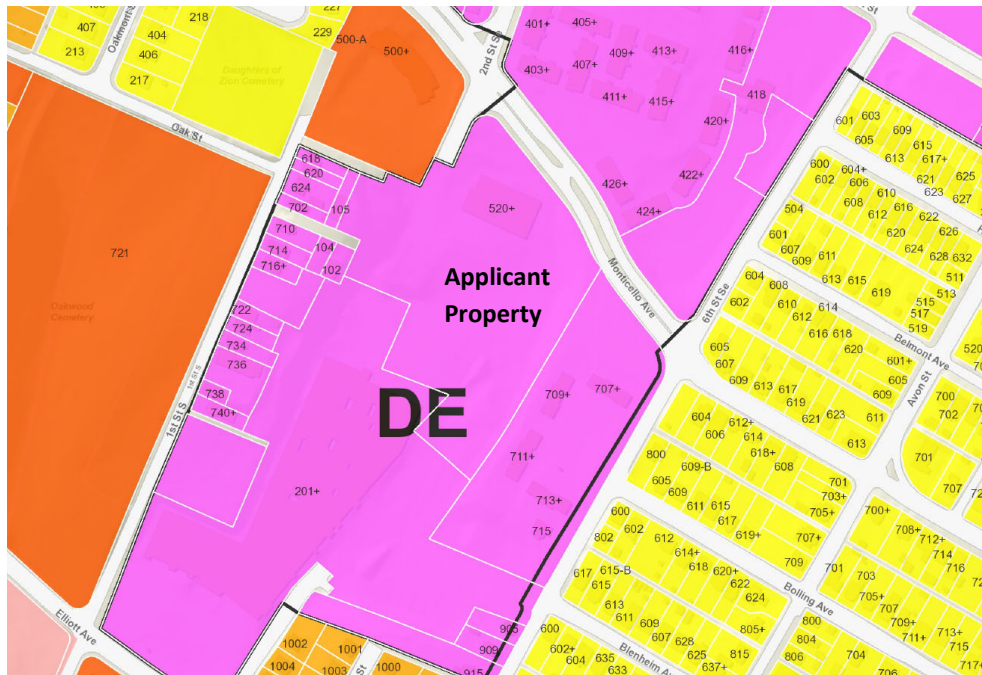
Vicinity Map



Context Map 1



Context Map 2- Zoning Classifications



KEY - Yellow: R1-S, Light Orange: R-2, Orange: R-3, Pink: B-1, Purple: DE

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



KEY: Brown: Medium Intensity Residential, Dark Brown: Higher Intensity Residential, Green: Cemetery, Pink: Neighborhood Mixed Use Node, Purple: Urban Mixed Use Node, Yellow: General Residential

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 Section 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 APPLICANTS ANALYSIS OF THEIR APPLICATION PER SEC 34-157 SEE ATTACHMENT A

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

The properties immediately surrounding the Subject Property are described as:

Direction	Use	Zoning
North	Multifamily Residential	DE
South	Mixed Use (Such as House of Worship, Office, Restaurant, Retail)	DE
East	Multifamily Residential	DE
West	Single Family and Multifamily Residential	DE, R-3

The Subject Property is part of the IX site, which also includes a large one (1) to two (2) story mixed use building to the south of the Subject Property. The Friendship Court community north of the Subject Property currently has buildings which are generally 2.5 stories in height. Piedmont Housing Authority (PHA) is currently redeveloping the site and a final site plan approved in late 2020 proposes 106 multifamily residential units in three (3) buildings with the maximum proposed height at 60-feet in the first phase. Charlottesville Redevelopment and Housing Authority’s (CRHA) Six Street property is directly east of the Subject Property. Currently, the property houses 25 multifamily residential units in four (4) buildings generally 2.5 stories in height. The site is planned for redevelopment and a final site plan under review proposes 44 multifamily units in a 50-foot tall building replacing the existing northernmost building. To the east of the Subject Property are several one (1) to 2.5 story single-family residential units as well as CRHA’s Crescent Halls property, which houses 105 multifamily residential units in an eight (8) story building. Areas further north of

the Subject Property are a mix of building heights and uses including multifamily residential units, restaurants, office, and retail. Areas further south, east, and west are generally single-family residential development patterns with the exception of CRHA's South First property, which is currently undergoing redevelopment to install 175 multifamily residential units within several buildings no more than 45-feet in height.

Staff Analysis: The proposed small brewery use is an expansion of the existing microbrewery operated by the Three Notch'd Brewing Company. No physical changes are proposed to the existing building, which is two (2) stories with one (1) story visible from Monticello Avenue. The building is mixed use and also houses exhibits of the Ix Art Park and North American Sake (microwinery). The immediate surrounding area is generally a wide mix of uses, including multifamily residential units, office spaces, restaurants, and retail businesses. The proposed use is harmonious with the existing patterns of use within the neighborhood.

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

Below are specific areas of the Comprehensive Plan with which the request may be in line:

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

Future Land Use Planning Objectives: Ensure long term economic sustainability of the City by planning for a wide range of commercial land use types.

Objectives for Mixed Use Areas: Facilitate economic activity in the City and ensure the availability of sites for incremental business growth and expansion.

Strategy 1.2 Sub-Strategy: Facilitate economic activity in existing and new areas of mixed-use opportunity identified in the updated Future Land Use Map, and ensure the availability of sites for business growth and expansion.

b. Economic Prosperity & Opportunity

Goal 2: Generate, recruit, and retain successful businesses and jobs.

Strategy 4.4: Encourage the development of the city's key commercial corridors and surrounding sites, including current commercial corridors and mixed-use corridors and nodes identified on the Future Land Use Map.

Strategy 4.5: Partner with internal and external stakeholders to implement the Strategic Investment Area plan.

Comprehensive Plan- Staff Analysis:

The 2021 Comprehensive Plan Future Land Use Map designates the Subject Property as Urban Mixed Use Node. All adjacent properties, with the exception of Crescent Halls, are also designated Urban Mixed Use Node. Crescent Halls is designated as Higher-Intensity Residential. The Comprehensive Plan describes the Urban Mixed Use Node designation as *urban mixed use districts that support community housing, employment, and commercial*

development. The Plan recommends a mix of uses in the same building (“vertical mixed use”) is encouraged and up to 10 stories in height. The Higher-Intensity Residential designation is recommended to provide opportunities for higher density, multi-family focused development.

Several goals in the Comprehensive Plan speak to a desire to promote economic variety and the growth of existing businesses, particularly within areas designated for mixed use in the Future Land Use Map. Staff finds the proposed brewery expansion aligns with these goals. Staff believes the brewery expansion also aligns with the Urban Mixed Use Node category description and will not have an adverse impact on the adjacent Higher-Intensity Residential area.

Strategic Investment Area (SIA) Plan- Staff Analysis:

The Vision Plan for the December 2013 Strategic Investment Area (SIA) Plan (approved February 2014 as an amendment to the Comprehensive Plan) proposes redevelopment of the Subject Property into residential and commercial developments with new building forms and street network adjacent to a linear park named the Pollocks Greenway. The Plan also designated 2nd Street SE as a retail corridor connecting downtown with a new civic plaza to the south. The Plan specifies the retail corridor may include restaurants such as the existing restaurant services provided within the existing brewery. The Plan encourages the establishment of uses that provide local jobs and incremental changes towards the goals of the Plan. The applicant’s narrative indicates the brewery expansion will create additional job opportunities. While the full vision of the Plan cannot be realized without major redevelopment of the Subject Property and surrounding area, staff believes the brewery expansion will support several of the Plan’s goals including the following Priority Actions:

Economic Development/Jobs: *Encourage local serving retailers to locate in the SIA*

Regulatory + Zoning: *Increase opportunity for jobs located in the SIA*

Streets that Work Plan- Staff Analysis:

The May 2016 Streets that Work Plan (approved September 2016 as an amendment to the Comprehensive Plan) labels Monticello Avenue adjacent to the Subject Property as a *Mixed Use B* typology, and 2nd Street SE as the *Local Street* typology. *Mixed Use B* streets are characterized as able to support high levels of walking, bicycling, and transit as they connect important destinations within the City and surrounding county. The Streets that Work Plan notes sidewalks and a curbside buffer zone (the area between the curb and sidewalk) as the highest priority items in the *Mixed Use B* typology. Loading zones are preferred to be access from side streets or allies on *Mixed Use B* streets. *Local Streets* are characterized as the

majority of the street network and have no specific associated typology due to the variation of context and available space. The Streets that Work Plan notes design elements on Local Streets should not exceed the dimensions specified for *Neighborhood B* streets. Sidewalks and on-street parking are noted as the highest priority street elements for *Neighborhood B* streets.

The existing sidewalks on Monticello Avenue are buffered from vehicular traffic by a curbside buffer zone planted with trees as well as on-street parking. The existing sidewalks on 2nd Street SE adjacent to the Subject Property do not include a curbside buffer zone but are buffered from vehicular traffic by on-street parking. The loading dock for the existing microbrewery and proposed small brewery is access from 2nd Street SE, which staff considered to be a side street in this context.

The Plan recommends that intersection pedestrian crossings include curb ramps aligned with the crosswalks and high visibility zebra style markings. The adjacent signalized intersection of Monticello Avenue and 2nd Street SE includes curb ramps and marked crosswalks. The crosswalks across Monticello Avenue are the high visibility zebra style markings.

The application does not propose any physical changes to the Subject Property or adjacent public streets. However, as described above, the adjacent public streets provide many recommended elements from the Streets that Work Plan. In addition, staff does not believe the expansion of the existing brewery will increase pedestrian, bicycle, or personal vehicle traffic in a substantial way. Therefore, staff believes the proposed brewery expansion does not conflict with the Streets that Work Plan.

Bicycle and Pedestrian Master Plan- Staff Analysis:

The 2015 Bicycle and Pedestrian Master Plan notes Monticello Avenue in the vicinity of the Subject Property has existing bike lanes but recommends buffered bike lanes are installed. No facilities are proposed for 2nd Street SE in the vicinity of the Subject Property. As noted above, staff does not believe the expansion of the existing brewery will increase pedestrian, bicycle, or personal vehicle traffic in a substantial way. Therefore, staff believes the proposed brewery expansion does not conflict with the Bicycle and Pedestrian Master Plan.

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

No physical improvements or modifications to the Subject Property are proposed.

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

The application narrative states an average of 13 tractor-trailers currently access the Subject Property weekly for the pick-up of finished goods and the delivery of raw materials. As many of the current tractor-trailers are underutilized, the proposed brewery expansion will not result in an equal expansion of tractor-trailer trips. The narrative states six (6) additional tractor-trailer trips are expected as a result of the increase in production. Smaller trucks will continue to be utilized for daily spent grain pick up. The narrative indicates tractor-trailers access the Subject Property via 5th Street Extended to Monticello Avenue before turning down 2nd Street SE to access the existing loading dock on site, resulting in a total of three (3) hours of weekly travel time on City streets for all tractor-trailers.

Staff Analysis: The City Traffic Engineer has reviewed the provided information on traffic impacts and does not have any concerns with the increase to traffic. The proposed development will not create an adverse effect on traffic on surrounding City streets.

Vehicular Access

No changes to existing vehicular access points are proposed. Staff believes no modifications to vehicular access are required to support the brewery expansion.

Parking

Per Section 34-971(d), no additional parking is required to change the use from microbrewery to small brewery, as no expansion of the building is proposed. No changes to existing parking on the Subject Property are currently proposed.

Staff Analysis: While the brewery production will increase if this SUP is approved, no expansion to the tasting room/restaurant space is proposed. Therefore, staff does not expect additional customers to visit the site due to production expansion. While an increase in employees at the brewery may slightly increase employee parking needs, the site currently provides enough parking to exceed the minimum required by Section 34-984. Therefore, staff does not have any concerns regarding parking availability.

Other Modes of Transportation

There are several bus stops in the vicinity of the Subject Property, including stops on Monticello Avenue, 1 Street S, and Avon Street. As described above in the Streets that Work Plan section of this report, while the applicant does not propose any physical

changes to the Subject Property or adjacent public streets, the adjacent public streets provide many recommended elements from the Streets that Work Plan.

Staff Analysis: Staff does not believe the expansion of the existing brewery will increase pedestrian, bicycle, or mass transit ridership in a substantial way. Staff believes that the proposed existing facilities will be adequate to serve the expansion of the brewery.

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

As noted in the applicant's narrative, the proposed brewery expansion will result in six (6) additional tractor-trailers accessing the site weekly, increasing the total from 13 to 19 tractor-trailers. This may result in a slight increase of noise and fumes produced. Smaller trucks will continue to be utilized for daily spent grain pick up.

Staff Analysis: The increased impacts described above are likely to be minimal and not adversely affect the natural environment.

c) Displacement of existing residents or businesses

The proposed small brewery use will replace the existing microbrewery use, which is also operated by Three Notch'd Brewing Company. No residents or businesses will be displaced.

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

This request to expand brewery production encourages economic development and may enlarge the tax base and potential employment opportunities.

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

The City's Comprehensive Plan identifies community facilities as fire protection, police enforcement, and emergency response services; public utilities and infrastructure; and public parks and recreation opportunities.

Staff Analysis: The proposed development will necessarily result in some increased demand on physical facilities and services provided. The Assistant Fire Marshal has confirmed there are no concerns with potential impacts due to the brewery expansion. A preliminary review of the proposal indicates the City's existing water and sewer facilities are generally adequate to serve the proposed development. However, the additional biological oxygen demand generated by the brewery expansion may require

modification to the facilities on the subject property to address additional impacts to sanitary sewer treatment facilities. Staff recommends a condition is placed on the SUP, should it be approved, to ensure facilities are upgraded as necessary to address the additional impacts.

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

No residential uses, including affordable housing units, currently exist on the Subject Property.

g) Impact on school population and facilities

Residential uses neither currently exist nor are proposed on the Subject Property. There is no impact on school population or facilities.

h) Destruction of or encroachment upon conservation or historic districts

The Subject Property is not within any design control district.

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

Based on the information contained within the application, the proposed use would likely comply with applicable federal and state laws.

j) Massing and scale of project

No physical improvements or modifications to the Subject Property are proposed.

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

The description for the Downtown Extended (DE) Mixed Use Corridor states: *Historically, the areas within the Downtown Extended district contained manufacturing uses dependent upon convenient access to railroad transportation. In more recent times, use patterns within this area are similar to those within the Downtown district. The intent of this district is to encourage an inter-related mixture of high-density residential and commercial uses harmonious with the downtown business environment, within developments that facilitate convenient pedestrian and other links to the Downtown area (Section 34-543(2)).#*

The Downtown Extended (DE) zone allows micro-producers, including microbreweries, by-right. While the City's code of ordinances specifies small breweries may double the production capacity of microbreweries, the application narrative demonstrates the proposed increase in production will not proportionally increase the impact on the

surrounding community. Approximately 50% more tractor-trailers will visit the site on a weekly basis, but the Traffic Engineer has confirmed this increase can be accommodated in the existing street network. The small brewery will otherwise operate much the same as the existing micro-brewery. Micro-producers are also permitted by-right in the Downtown (D) zone. Staff believes the small brewery use is harmonious with the purpose of the Downtown Extended (DE) zone and nearby downtown business environment.

(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.

(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 or entrance corridor overlay district.

Public Comments Received

Community Meetings Required by Section 34-41(c)(2)

The applicant held a community meeting on October 26, 2022 beginning at 5:00pm on the Subject Property in a room within the existing Three Notch'd Brewery. Property owners within 500 feet, the Belmont-Carlton Neighborhood Association, the Burnet Commons Neighborhood Association, the Charlottesville Redevelopment and Housing Authority (CRHA), the Fifeville Neighborhood Association, the North Downtown Neighborhood Association, the Piedmont Housing Alliance (PHA), and the Ridge Street Neighborhood Association were notified of the meeting per requirements in Section 34-41(c)(2). The letter provided by the applicant, in addition to photographs from the meeting, can be found in Attachment B. A staff member of Neighborhood Development Services attended the meeting. No community members attended the meeting.

Other Comments

Staff has not received any comments from the community on this application.

Staff Recommendation

Staff finds the proposed brewery expansion will further several goals of the 2021 Comprehensive Plan and 2013 Strategic Investment Area Plan, aligns with the Future Land Use Map, and will not create adverse impacts to the community. Staff recommends the Planning Commission recommends the application for approval with the following condition:

1. No expanded brewery production (beyond 15,000 barrels per year) is permitted on the subject property until:
 - a. The Utilities Department confirms existing sanitary sewer facilities can adequately handle the increased biological oxygen demand generated by the expansion in brewery production, or
 - b. Facilities on the subject property are upgraded to address the increased biological oxygen demand, and the Utilities Department confirms the upgraded facilities will adequately handle the increased demand.

Suggested Motions

1. I move to recommend approval of this application for a Special Use Permit in the Downtown Extended (DE) zone at 522 2nd Street SE to permit the small brewery use with the following condition:
 - a. No expanded brewery production (beyond 15,000 barrels per year) is permitted on the subject property until:
 - i. The Utilities Department confirms existing sanitary sewer facilities can adequately handle the increased biological oxygen demand generated by the expansion in brewery production, or
 - ii. Facilities on the subject property are upgraded to address the increased biological oxygen demand, and the Utility Department confirms the upgraded facilities will adequately handle the increased demand.

OR,

2. I move to recommend denial of this application for a Special Use Permit in the Downtown Extended (DE) zone at 522 2nd Street SE.

Attachments

- A. Special Use Permit Application received November 8, 2022
- B. Community Meeting Materials received November 8, 2022



City of Charlottesville

Application for Special Use Permit

Project Name: Three Notch'd Brewery

Address of Property: 520 2nd Street SE, Charlottesville, VA 22902

Tax Map and Parcel Number(s): TMP 28-208

Current Zoning District Classification: DE

Comprehensive Plan Land Use Designation: Mixed-use Commercial

Is this an amendment to an existing SUP? NO

If "yes", provide the SUP #: _____

Applicant: Three Notch'd Brewing Company, LLC

Address: 520 2nd St SE, Charlottesville, VA 22902

Phone: 434-956-3141 **Email:** scott@threenb.com

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

Owner's Agent

Designer

Contract Purchaser

Owner of Record: Monticelle Associates, LLC

Address: 201 E Main St. Ste 0, Charlottesville VA 22902

Phone: _____ **Email:** _____

Reason for Special Use Permit:

Additional height: _____ feet

Additional residential density: _____ units, or _____ units per acre

Authorize specific land use (identify) Change from (microbrewery) to (small brewery)

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

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

(1) Signature [Signature] Print Scott Roth Date 9/21/22

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

Other (specify): _____

(2) Signature [Signature] Print L. Kuttner Date 9.21.22
m.c.

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

Other (specify): _____



City of Charlottesville

Pre-Application Meeting Verification

Project Name: Three Notch'd Brewery

Pre-Application Meeting Date: 09/20/2022

Applicant's Representative: Scott Roth

Planner: Carrie Rainey

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. Narrative addressing the factors set forth in Section 34-157(a). Ensure narrative includes anticipated changes to truck traffic schedules and confirmation on water flow needs.

2. Documentation of community meeting required by Sections 34-158(a) and 34-41(c)(2).

Emailed & mailed 9/22/22

3.

4.

5.

Planner Signature: Carrie Rainey, September 20, 2022



City of Charlottesville

Application Checklist

Project Name: Three Notch'd Brewery

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

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

Applicant

Signature  Print SCOTT ROTH Date 9/22/22

By Its: Member

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



City of Charlottesville

Community Meeting

Project Name: Three Notch'd Brewery

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: Three Notch'd Brewing Company, LLC

By:

Signature

Print

Scott Roth

Date

9/21/22

Its:

Member

(Officer, Member, Trustee, etc.)

10/26/22
Times
4-6
5-7



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: Three Notched Brewing Company, LLC Date 9/20/22

By (sign name): [Signature] Print Name: Scott Roth

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: _____

Owner: _____ Date: _____

By (sign name): _____ Print Name: _____

Circle one:

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

Other (specific): _____



City of Charlottesville

Disclosure of Equitable Ownership

N/A

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

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____


Name _____ Address _____

Attach additional sheets as needed.

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

Applicant: Three Notched Brewing Co.

By:

Signature  Print Scott Ruml Date 9/22/22

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



City of Charlottesville

Fee Schedule

Project Name: Three Notch'd Brewery

Application Type	Quantity	Fee	Subtotal
Special Use Permit (Residential)			
Special Use Permit (Mixed Use/Non-Residential)	1	1800 ⁰⁰	1800 ⁰⁰
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
TOTAL			\$1800⁰⁰

Office Use Only

Amount Received: 61500 Date Paid 11/8 Received By: Ben J. [Signature]

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____



City of Charlottesville

LID Checklist

Project Name: Three Notch'd Brewery

LID Measure	LID Checklist Points	Points
Compensatory Plantings (see City buffer mitigation manual). 90% of restorable stream buffers restored.	5 points or 1 point for each 18% of the total acreage	0
Pervious pavers for parking and driveways with stone reservoir for storage of 0.5 inches of rainfall per impervious drainage area. Surface area must be >1,000 ft. ² or ≥ 50% of the total parking and driveway surface area.	7 points or 1 point for each 7% of parking and driveway surface area.	0
Shared parking (must have legally binding agreement) that eliminates >30% of on-site parking required.	5 points or 1 point for each 6% of parking surface eliminated.	0
Impervious Disconnection. Follow design manual specifications to ensure adequate capture of roof runoff (e.g. cisterns, dry wells, rain gardens)	8 points	0
Bioretention. Percent of site treated must exceed 80%. Biofilter surface area must be ≥ 5% of impervious drainage area.	8 points or 1 point for each 10% of site treated.	0
Rain gardens. All lots, rain garden surface area for each lot ≥ 200 ft. ² .	8 points or 1 point for each 10% of lots treated.	—
Designed/constructed swales. Percent of site treated must exceed 80%, achieve non-erosive velocities, and able to convey peak discharge from 10 year storm.	8 points or 1 point for each 10% of site treated.	—
Manufactured sand filters, filter vaults (must provide filtering rather than just hydrodynamic). Percent of site treated must exceed 80%. Sizing and volume for water quality treatment based on manufacturer's criteria.	8 points or 1 point for each 10% of site treated.	—
Green rooftop to treat ≥ 50% of roof area	8 points	—
Other LID practices as approved by NDS Engineer.	TBD, not to exceed 8 points	—
Off-site contribution to project in City's water quality management plan. This measure to be considered when on site constraints (space, environmentally sensitive areas, hazards) limit application of LID measures. Requires pre-approval by NDS Director.	5 points	—
Total Points		0

Applicant's Signature

Signature  Print SCOTT ROTU Date 9/21/22



Three Notch'd Brewing Company, LLC
520 2nd Street SE
Charlottesville, VA 22902

September 22, 2022

Narrative for Special Use Permit to move from “microbrewery” to “small brewery”

To whom it may concern:

Three Notch'd Brewing Company, LLC, a Charlottesville, Virginia-based company, is applying for a Special Use Permit to expand its brewery production limits from 15,000 bbls (afforded by its current zoning classification) to 30,000 bbls via approval to move into the “Brewery (small)” classification. As will be evidenced below, there will be no physical changes to the property or material changes to the current operation that would impact the quiet enjoyment of our neighbors.

Code Definitions:

Proposed: Brewery (small) means a brewery (i) that produces fewer than 30,000 barrels per year of beer, and (ii) the brewery sells directly to the consumer on-site within a retail shop, bar, tasting room, tap-room, restaurant, or other similar facility.

Current: Microbrewery means a facility for the production and packaging of malt beverages of low alcoholic content for distribution, retail, or wholesale, on or off premise, with a capacity of not more than fifteen thousand (15,000) barrels per year. The development may include other uses such as a standard restaurant, bar or live entertainment as otherwise permitted in the zoning district.

Three Notch'd responses to the following items in the code are as follows:

34-157(a)(1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood.

Our proposed change will not materially alter the current use of our facility. It is very likely that the increased volume will not result in any noticeable change to the surrounding neighbors and here are some supporting facts for that claim.

- 1. Currently we average the arrival of 13 tractor trailers on a weekly basis with an average time on the dock of 30-45 minutes. (total dock time between 6.5 and 9 hours per week) These trucks are responsible for the pick up of finished goods or delivery of raw materials. Because many of the trucks are under-utilized at pickup an increase in production of 50-100% will not equate to an increase in truck traffic at the same rate. We believe that at its**

- max; our facility will be able to produce 26,000bbls for distribution and that will add 6 additional trucks per week. (total dock time increase of 3 to 4.5 hours)
2. Those same trucks always arrive between the hours of 7 am and 5 pm and do not impact parking for retail locations during their peak evening hours.
 3. The access to the trucks is very good. All of them enter from 5th street extended, down Monticello, turn right on 2nd street SE and enter our parking/loading area. This is a 10-minute drive and once at the dock, they do not impact traffic at all. Total weekly time on Charlottesville roads will max out at just over 3 hours, one truck at a time.
 4. Our spent grain pickup is already scheduled for once a day and that is performed by much smaller trailers and trucks that are not impactful to traffic patterns at all and this will not change.

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

Three Notch'd is now a significant employer in Charlottesville and provides benefits (health insurance, 401K, training) and wages that are best in class for the state of Virginia. This special use permit will not impact our daily operations at all – which fit by right into the vision of the DE Zoning District – but the added volume will create additional job opportunities to the local Charlottesville economy.

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

There will be no changes to the current building or site plan.

34-157(a)(4) Whether the proposed use or development will have any potentially adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts. Potential adverse impacts to be considered include, but are not necessarily limited to, the following:

- a. **Traffic or parking congestion; There will be an expected increase of truck traffic by 6 - 52 foot trucks a week entering via the 5th street corridor and turning on Monticello, then 2nd Street SE. There will be no parking impact**
- b. **Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment; With spent grain pickup remaining daily there will be no added factors**
- c. **Displacement of existing residents or businesses; N/A**
- d. **Discouragement of economic development activities that may provide desirable employment or enlarge the tax base; N/A**
- e. **Undue density of population or intensity of use in relation to the community facilities existing or available; N/A**
- f. **Reduction in the availability of affordable housing in the neighborhood; N/A**
- g. **Impact on school population and facilities; N/A**
- h. **Destruction of or encroachment upon conservation or historic districts; N/A**
- i. **Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and,**
- j. **Massing and scale of project. No changes to the site**

34-158(a)(6) Other supporting data sufficient to demonstrate compliance with the purposes and standards of this Zoning Ordinance, including, without limitation, graphic materials that illustrate the context of the project as well as information and data addressing the factors set forth within [section 34-157](#) above.

It is relevant to mention that during the initial planning phases of the brewery Three Notch'd was informed by the city at multiple points that when the time came it would be likely that a SUP could be issued to move up in classification. The facility and approved plans were designed and built to afford our business the ability to grow up to 30,000 bbls and because of that Three Notch'd will not need to make any material changes to its operation, facility, or shipping schedules to achieve that growth.

Thank you for your consideration and please do not hesitate to reach out with any questions.



Scott Roth
President, Three Notch'd Brewing Company
610.823.0621
scott@threenb.com



Three Notch'd Brewing Company, LLC
520 2nd Street SE
Charlottesville, VA 22902

Re: Zoning Amendment Request/Special Use Permit

To whom it may concern:

A notification letter concerning the Special Use Permit application for Three Notch'd Brewing Company located at 520 2nd Street SE, Charlottesville, VA 22902 was sent to the surrounding property owners and post marked on 9/22/22. An email containing the same letter was sent to the e-mail addresses provided by the City of Charlottesville on the same day. Attached, please see pictures of the envelopes stamped and ready to go out at the Charlottesville post office on route 29.

Also attached is a copy of the letter that was circulated.

Scott Roth
President, Three Notch'd Brewing Company
610.823.0621
scott@threenb.com

Charlottesville, VA

The foregoing instrument was acknowledged before me on this day OCTOBER 20, 2022

Signer  _____

Notary Public Kelley Vouga Fitch _____

My commission expires 3/31/2024 _____





Three Notch'd Brewing Company, LLC
520 2nd Street SE
Charlottesville, VA 22902

September 22, 2022

Re: Invitation for a community meeting to discuss the Special Use Permit application being filed by Three Notch'd Brewing Company, LLC.

Dear Neighbors,

We invite you to attend an open community meeting to learn about our application to move from a “microbrewery” to a “brewery (small)” classification. Please note that our daily operations and the physical state of the building will not change as part of this requested zoning amendment.

Our meeting will be held in the side room of the Three Notch'd Craft Kitchen and Brewery, located at 520 2nd St SE, Charlottesville, from 5-7pm on Wednesday, October 26, 2022. All are welcome to come and learn about our application as well as ask questions and raise concerns. We will be taking attendance and recording the meeting as well.

If you have any questions that I can answer directly please do not hesitate to reach out to me directly. My contact information is:

Scott Roth
610-823-0621
Scott@threenb.com

Please review the attached narrative as it will explain the changes that we expect to see at our downtown Charlottesville location.

We look forward to hosting you soon.

Cheers,

Scott Roth
President and COO, Three Notch'd Brewing Company

Special Use Permit Narrative – City of Charlottesville, 9/22/22

Three Notch'd Brewing Company, LLC, a Charlottesville, Virginia based company, is applying for a Special Use Permit to expand its brewery production limits from 15,000 bbls (afforded by its current zoning classification) to 30,000 bbls via approval to move into the "Brewery (small)" classification. As will be evidenced below, there will be no physical changes to the property or material changes to the current operation that would impact the quiet enjoyment of our neighbors.

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Three Notch'd responses to the following items in the code are as follows:

34-157(a)(1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood.

Our proposed change will not materially alter the current use of our facility. It is very likely that the increased volume will not result in any noticeable change to the surrounding neighbors and here are some supporting facts for that claim.

- 1. Currently we average the arrival of 13 tractor trailers on a weekly basis with an average time on the dock of 30-45 minutes. (total dock time between 6.5 and 9 hours per week) These trucks are responsible for the pickup of finished goods or delivery of raw materials. Because many of the trucks are under-utilized at pickup an increase in production of 50-100% will not equate to an increase of truck traffic at the same rate. We believe that at its max, our facility will be able to produce 26,000bbls for distribution and that will add 6 additional trucks per week. (total dock time increase of 3 to 4.5 hours)**
- 2. Those same trucks always arrive between the hours of 7am and 5pm and do not impact parking for retail locations during their peak evening hours.**
- 3. The access for the trucks is very good. All of them enter from 5th street extended, down Monticello, turn right on 2nd street SE and enter our parking/loading area. This is a 10 minute drive and once at the dock they do not impact traffic at all. Total weekly time on Charlottesville roads will max out at just over 3 hours, one truck at a time.**
- 4. Our spent grain pickup is already scheduled for once a day and that is performed by much smaller trailer and trucks that are not impactful to traffic patterns at all and this will not change.**

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

Three Notch'd is now a major employer in Charlottesville and provides benefits (health insurance, 401K, training) and wages that are best in class for the state of Virginia. This special use permit will not impact our daily operations at all – which fit by right into the vision of the DE Zoning District – but the added volume will create additional job opportunities to the local Charlottesville economy.

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

There will be no changes to the current building or site plan.

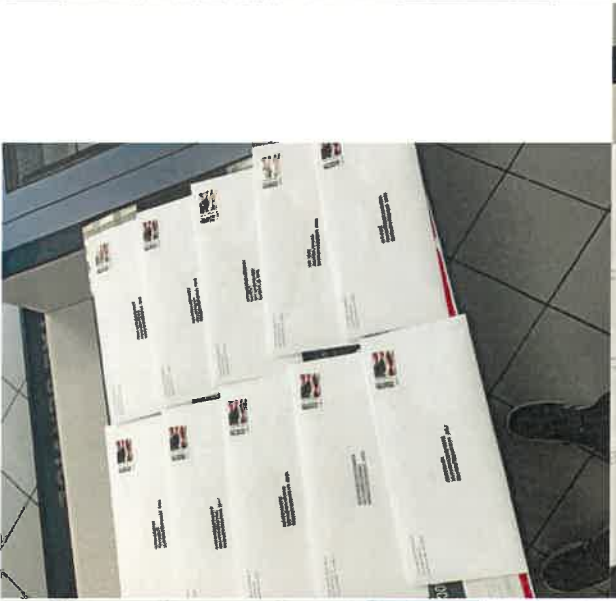
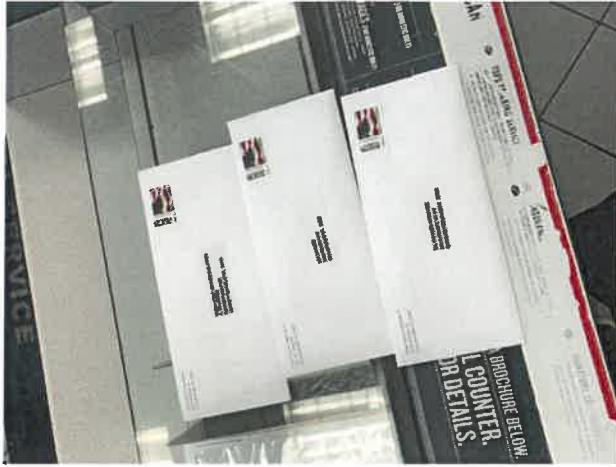
34-157(a)(4) Whether the proposed use or development will have any potentially adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts. Potential adverse impacts to be considered include, but are not necessarily limited to, the following:

- a. Traffic or parking congestion; **There will be an expected increase of truck traffic by 6 - 52 foot trucks a week entering via the 5th street corridor and turning on Monticello, then 2nd Street SE. There will be no parking impact***
- b. Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment; **With spent grain pickup remaining daily there will be no added factors***
- c. Displacement of existing residents or businesses; **N/A***
- d. Discouragement of economic development activities that may provide desirable employment or enlarge the tax base; **N/A***
- e. Undue density of population or intensity of use in relation to the community facilities existing or available; **N/A***
- f. Reduction in the availability of affordable housing in the neighborhood; **N/A***
- g. Impact on school population and facilities; **N/A***
- h. Destruction of or encroachment upon conservation or historic districts; **N/A***
- i. Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and,*
- j. Massing and scale of project. **No changes to the site***

34-158(a)(6) Other supporting data sufficient to demonstrate compliance with the purposes and standards of this Zoning Ordinance, including, without limitation, graphic materials that illustrate the context of the project as well as information and data addressing the factors set forth within [section 34-157](#) above.

It is relevant to mention that during the initial planning phases of the brewery Three Notch'd was informed by the city at multiple points that when the time came it would be likely that a SUP could be issued to move up in classification. The facility and approved plans were designed and built to afford our business the ability to grow up to 30,000 bbls and because of that Three Notch'd will not need to make any material changes to its operation, facility, or shipping schedules to achieve that growth.

Recipient	Address 1	Address 2	Address 3	City / State	ZIP	Property Address
200 GARRETT LLC		5735 NEWCASTLE LN		CALABASAS CA	91302	200 GARRETT ST 611
5 HOOS LLC		1619 ARABELLA ST		NEW ORLEANS LA	70115	200 GARRETT ST 615
740 1ST ST SOUTH, LLC		1575 OVERLOOK DR		CHARLOTTESVILLE VA	22903	738 1ST ST S
740 1ST STREET SOUTH, LLC		1575 OVERLOOK DR		CHARLOTTESVILLE VA	22903	740 1ST ST S
ACAC DOWNTOWN, LLC		455 2ND ST SE STE 301		CHARLOTTESVILLE VA	22902	111 MONTICELLO AVE 1
ADAMS, J SCOTT & MONIQUE S		1903 CHANNEL POINTS LN		VIRGINIA BEACH VA	23454	200 GARRETT ST 512
ARCIDICONO, JOSEPH C & JENNY R, TRUSTEES		465 ROSEMONT DR		CHARLOTTESVILLE VA	22903	200 GARRETT ST 604
BDI GLEASON LLC		200 GARRETT ST # M/N		CHARLOTTESVILLE VA	22902	200 GARRETT ST M
BECK, JAMES G		P O BOX 1552		CHARLOTTESVILLE VA	22902	105 MONTICELLO AVE 303
BELMONT LLC		1316 ANTIOCH RD		SCOTTSVILLE VA	24590	611 BELMONT AVE
BLEECKER STREET VENTURES, LLC		612 BELMONT AVE		CHARLOTTESVILLE VA	22902	612 BELMONT AVE
BRADEN, STEVEN C		2390 OLD LYNCHBURG ROAD		CHARLOTTESVILLE VA	22903	921 6TH ST SE
BRADFORD, LOUISA T, TRUSTEE		200 GARRETT ST #507		CHARLOTTESVILLE VA	22902	200 GARRETT ST 507
BRAND, JOSEPH L & ANNE LISE		200 GARRETT ST # 513		CHARLOTTESVILLE VA	22902	200 GARRETT ST 513
BROOKS, HERBERT T & MALINDA M		227 DICE ST		CHARLOTTESVILLE VA	22902	227 DICE ST
BROWN, DICKSON G & DEE K		8787 BAY COLONY DR UNIT 2004		NAPLES FL	34108	200 GARRETT ST 410
BRUDER, CHARLOTTE C		607 BELMONT AVE		CHARLOTTESVILLE VA	22902	607 BELMONT AVE
C4U, LLC		411 1ST ST N		CHARLOTTESVILLE VA	22902	200 GARRETT ST 401
CAMP, BENJAMIN J		104 OAK ST		CHARLOTTESVILLE VA	22902	104 OAK ST
CAREY, DELMAR A		406 OAKMONT ST		CHARLOTTESVILLE VA	22902	406 OAKMONT ST
CASEY JACKSON, LLC		485 ROCKS FARM DR		CHARLOTTESVILLE VA	22903	200 GARRETT ST A
CHARLES, JEFFREY M & LINDA A		200 GARRETT ST #505		CHARLOTTESVILLE VA	22902	200 GARRETT ST 505
CHARLOTTESVILLE REDEVELOPMENT & HOUSING AL		PO BOX 1405		CHARLOTTESVILLE VA	22902	500 1ST ST S
CHECK, MARK & MARY JANE NICHOLS		613 AVON ST		CHARLOTTESVILLE VA	22902	609 BOLLING AVE
COHEN, MILTON, ETAL TR CONG BETH ISREAL		P O BOX 320		CHARLOTTESVILLE VA	22902	0 1ST ST S
COLEMAN, MARY ALICE		229 DICE ST		CHARLOTTESVILLE VA	22902	229 DICE ST
COLLINS, SCOTT		200 GARRETT ST #K		CHARLOTTESVILLE VA	22902	200 GARRETT ST K
COMBS, BENJAMIN		1211 LITTLE HIGH ST		CHARLOTTESVILLE VA	22902	600 HINTON AVE
CORCORAN, THEODORE & ELIZABETH SARGENT		1855 WINSTON RD		CHARLOTTESVILLE VA	22903	611 BOLLING AVE
COURTNEY, GALE		200 GARRETT ST #407		CHARLOTTESVILLE VA	22902	200 GARRETT ST 407
COURTNEY, GALE		2380 GOBBLERS RIDGE		CHARLOTTESVILLE VA	22902	200 GARRETT ST 605
CRAIGHURST, ROBERT & SUSAN BERRES		710 BLENHEIM AVE		CHARLOTTESVILLE VA	22902	710 1ST ST S
CROSSROADS PROPERTY, LLC		200 GARRETT ST # H		CHARLOTTESVILLE VA	22902	200 GARRETT ST H
DALE, DIANA P &		1000 RAYON ST		CHARLOTTESVILLE VA	22902	1000 RAYON ST
DORSEY, HONNOR N		105 MONTICELLO AVE # 401		CHARLOTTESVILLE VA	22902	105 MONTICELLO AVE 401
DOWNTOWN HOME CONDO, LLC		200 GARRETT ST #612		CHARLOTTESVILLE VA	22902	200 GARRETT ST 612
DUCK DOWN, LLC		P O BOX 682		IRVINGTON VA	22480	200 GARRETT ST J
EDWARDS, KENDRICK W		917 6TH ST SE		CHARLOTTESVILLE VA	22902	917 6TH ST SE
ELEMENTS, LLC		1100 POMONA AVE		ALBANY CA	94706	602 BLENHEIM AVE
FADER, RICHARD C & SUE W		200 GARRETT ST #614		CHARLOTTESVILLE VA	22902	200 GARRETT ST 614
FARRELL, SHAUN A		105 OAK ST		CHARLOTTESVILLE VA	22902	105 OAK ST
FARRELL, SHAUN A & MARK S CHECK		613 AVON ST		CHARLOTTESVILLE VA	22902	620 1ST ST S
FC PHASE 1 LLC		682 BERMAR CIR		CHARLOTTESVILLE VA	22901	GARRETT ST
FINCHAM, ELIZABETH ANN & ANN LEE		604 BLENHEIM AVE		CHARLOTTESVILLE VA	22902	604 BLENHEIM AVE
FRACHER, JEFFREY & KAY W		105 MONTICELLO AVE #402		CHARLOTTESVILLE VA	22902	105 MONTICELLO AVE 402
GARRISON REAL ESTATE, LLC		2444 FREE UNION ROAD		CHARLOTTESVILLE VA	22901	1001 RAYON ST
GARRISON, CATHERINE E		P O BOX 4676		CHARLOTTESVILLE VA	22905	910 6TH ST SE
GENESER, ALEXANDRA		734 1ST ST S		CHARLOTTESVILLE VA	22902	734 1ST ST S
GERNERT, DOUGLAS P, TRUSTEE		200 GARRETT ST # 412		CHARLOTTESVILLE VA	22902	200 GARRETT ST 412
GETSY, DAVID J, JR		617 BLENHEIM AVE		CHARLOTTESVILLE VA	22902	617 BLENHEIM AVE
GODDEN, DAVID U & DEBORAH H		200 GARRETT ST # 606		CHARLOTTESVILLE VA	22902	200 GARRETT ST 606
GORDONSVILLE REALTY INVESTMENTS, INC		200 GARRETT ST STE P		CHARLOTTESVILLE VA	22902	200 GARRETT ST P
GRAY, PERCY F & GWENDOLYN Y		221 DICE ST		CHARLOTTESVILLE VA	22902	221 DICE ST
GROH, ALBERT M, III & ELENA M, TRUSTEES		5702 N PENNSYLVANIA ST		INDIANAPOLIS IN	46220	200 GARRETT ST 414
HALSTEAD, ANNE & ISAAC		802 6TH ST SE		CHARLOTTESVILLE VA	22902	802 6TH ST SE
HIGGINBOTHAM, HAL F & BARBRA B		200 GARRETT ST #508		CHARLOTTESVILLE VA	22902	200 GARRETT ST 508
HOFHEIMER, JO ANN M & ROBERT G, JR		6400 OCEAN FRONT AVE		VIRGINIA BEACH VA	23451	105 MONTICELLO AVE 302
HORN, HASTY M & LAURA A		200 GARRETT ST #501		CHARLOTTESVILLE VA	22902	200 GARRETT ST 501
HUFFSTETLER, EMILY B & ROGER D, JR		200 GARRETT ST #406		CHARLOTTESVILLE VA	22902	200 GARRETT ST 406
HURT, CHARLES ALLAN		909 6TH ST SE		CHARLOTTESVILLE VA	22902	909 6TH ST SE
KENDIG, MARTIN		200 GARRETT ST #607		CHARLOTTESVILLE VA	22902	200 GARRETT ST 607
KURTZ, ROBERT L		7412 CRIPPLE CREEK RD		AFTON VA	22920	609 BELMONT AVE
LAMB, TERI W		1413 EARLY ST		CHARLOTTESVILLE VA	22902	905 6TH ST SE
LEE, PAULLISA A		734 1ST ST S		CHARLOTTESVILLE VA	22902	724 1ST ST S
LITZENBERGER, LESLEY M, TRUSTEE		4969 BARN FIELD DR		KESWICK VA	22947	200 GARRETT ST 510
LTL22902 LLC		200 GARRETT ST # 504		CHARLOTTESVILLE VA	22902	200 GARRETT ST 411
MAP II, LLC		455 2ND STREET SE STE 301		CHARLOTTESVILLE VA	22902	111 MONTICELLO AVE 2
MAP IV, LLC		455 2ND ST SE STE 301		CHARLOTTESVILLE VA	22902	455 2ND ST SE
MAUSHAMMER, ROBERT J & JEANNE W		200 GARRETT ST # 509		CHARLOTTESVILLE VA	22902	200 GARRETT ST 509









No attendance at the community mtg.

A handwritten signature in blue ink.

Sign In Sheet for Three Notch'd Community Meeting held on October 26, 2022 at 520 2nd Street SE, Charlottesville, VA 22902

Recipient	Property Address	Address 2	City / State	ZIP	Name	Signature
200 GARRETT LLC	200 GARRETT ST 611	5735 NEWCASTLE LN	CALABASAS CA	91302		
5 HOOS LLC	200 GARRETT ST 615	1619 ARABELLA ST	NEW ORLEANS LA	70115		
740 1ST ST SOUTH, LLC	738 1ST ST S	1575 OVERLOOK DR	CHARLOTTESVILLE VA	22903		
740 1ST STREET SOUTH, LLC	740 1ST ST S	1575 OVERLOOK DR	CHARLOTTESVILLE VA	22903		
ACAC DOWNTOWN, LLC	111 MONTICELLO AVE 1	455 2ND ST SE STE 301	CHARLOTTESVILLE VA	22902		
ADAMS, J SCOTT & MONIQUE S	200 GARRETT ST 512	1903 CHANNEL POINTS LN	VIRGINIA BEACH VA	23454		
ARCIDICONO, JOSEPH C & JENNY R, TRUSTEES	200 GARRETT ST 604	465 ROSEMONT DR	CHARLOTTESVILLE VA	22903		
BDI GLEASON LLC	200 GARRETT ST M	200 GARRETT ST # M/N	CHARLOTTESVILLE VA	22902		
BECK, JAMES G	105 MONTICELLO AVE 303	P O BOX 1552	CHARLOTTESVILLE VA	22902		
BELMONT LLC	611 BELMONT AVE	1316 ANTIPOCH RD	SCOTTSDALE VA	24590		
BLECKER STREET VENTURES, LLC	612 BELMONT AVE	612 BELMONT AVE	CHARLOTTESVILLE VA	22902		
BRADEN, STEVEN C	921 6TH ST SE	2390 OLD LYNCHBURG ROAD	CHARLOTTESVILLE VA	22903		
BRADFORD, LOUISA T, TRUSTEE	200 GARRETT ST 507	200 GARRETT ST #507	CHARLOTTESVILLE VA	22902		
BRAND, JOSEPH L & ANNELISE	200 GARRETT ST 513	200 GARRETT ST # 513	CHARLOTTESVILLE VA	22902		
BROOKS, HERBERT T & MALINDA M	227 DICE ST	227 DICE ST	CHARLOTTESVILLE VA	22902		
BROWN, DICKSON G & DEE K	200 GARRETT ST 410	8787 BAY COLONY DR UNIT 200	NAPLES FL	34108		
BRUDER, CHARLOTTE C	607 BELMONT AVE	607 BELMONT AVE	CHARLOTTESVILLE VA	22902		
C4U, LLC	200 GARRETT ST 401	411 1ST ST N	CHARLOTTESVILLE VA	22902		
CAMP, BENJAMIN J	104 OAK ST	104 OAK ST	CHARLOTTESVILLE VA	22902		
CAREY, DELMAR A	406 OAKMONT ST	406 OAKMONT ST	CHARLOTTESVILLE VA	22902		
CASEY JACKSON, LLC	200 GARRETT ST A	485 ROCKS FARM DR	CHARLOTTESVILLE VA	22903		
CHARLES, JEFFREY M & LINDA A	200 GARRETT ST 505	200 GARRETT ST #505	CHARLOTTESVILLE VA	22902		
CHARLOTTESVILLE REDEVELOPMENT & HOUSING AUTHORITY	0 1ST ST S	PO BOX 1405	CHARLOTTESVILLE VA	22902		
CHECK, MARK & MARY JANE NICHOLS	609 BOLLING AVE	613 AVON ST	CHARLOTTESVILLE VA	22902		
COHEN, MILTON, ETAL TR CONG BETH ISRAEL	0 1ST ST S	P O BOX 320	CHARLOTTESVILLE VA	22902		
COLEMAN, MARY ALICE	229 DICE ST	229 DICE ST	CHARLOTTESVILLE VA	22902		
COLLINS, SCOTT	200 GARRETT ST K	200 GARRETT ST #K	CHARLOTTESVILLE VA	22902		
COMBS, BENJAMIN	600 HINTON AVE	1211 LITTLE HIGH ST	CHARLOTTESVILLE VA	22902		
CORCORAN, THEODORE & ELIZABETH SARGENT	611 BOLLING AVE	1855 WINSTON RD	CHARLOTTESVILLE VA	22903		
COURTNEY, GALE	200 GARRETT ST 407	200 GARRETT ST #407	CHARLOTTESVILLE VA	22902		
COURTNEY, GALE	200 GARRETT ST 605	2380 GOBBLEB RIDGE	CHARLOTTESVILLE VA	22902		
CRAIGHURST, ROBERT & SUSAN BERRES	710 1ST ST S	710 BLENNHEIM AVE	CHARLOTTESVILLE VA	22902		
CROSSROADS PROPERTY, LLC	200 GARRETT ST H	200 GARRETT ST # H	CHARLOTTESVILLE VA	22902		
DALE, DIANA P &	1000 RAYON ST	1000 RAYON ST	CHARLOTTESVILLE VA	22902		
DORSEY, HONNOR N	105 MONTICELLO AVE 401	105 MONTICELLO AVE # 401	CHARLOTTESVILLE VA	22902		
DOWNTOWN HOME CONDO, LLC	200 GARRETT ST 612	200 GARRETT ST #612	CHARLOTTESVILLE VA	22902		
DUCK DOWN, LLC	200 GARRETT ST J	P O BOX 682	IRVINGTON VA	22480		
EDWARDS, KENDRICK W	917 6TH ST SE	917 6TH ST SE	CHARLOTTESVILLE VA	22902		
ELEMENTS, LLC	602 BLENNHEIM AVE	1100 POMONA AVE	ALBANY CA	94706		
FADER, RICHARD C & SUE W	200 GARRETT ST 614	200 GARRETT ST #614	CHARLOTTESVILLE VA	22902		
FARRELL, SHAUN A	105 OAK ST	105 OAK ST	CHARLOTTESVILLE VA	22902		
FARRELL, SHAUN A & MARK S CHECK	620 1ST ST S	613 AVON ST	CHARLOTTESVILLE VA	22902		
FC PHASE 1 LLC	GARRETT ST	682 BERMAR CIR	CHARLOTTESVILLE VA	22901		
FINCHAM, ELIZABETH ANN & ANN LEE	604 BLENNHEIM AVE	604 BLENNHEIM AVE	CHARLOTTESVILLE VA	22902		
FRACHER, JEFFREY & KAY W	105 MONTICELLO AVE 402	105 MONTICELLO AVE #402	CHARLOTTESVILLE VA	22902		
GARRISON REAL ESTATE, LLC	1001 RAYON ST	2444 FREE UNION ROAD	CHARLOTTESVILLE VA	22901		
GARRISON, CATHERINE E	910 6TH ST SE	P O BOX 4676	CHARLOTTESVILLE VA	22905		
GENESER, ALEXANDRA	734 1ST ST S	734 1ST ST S	CHARLOTTESVILLE VA	22902		
GERNETT, DOUGLAS P, TRUSTEE	200 GARRETT ST 412	200 GARRETT ST # 412	CHARLOTTESVILLE VA	22902		
GETSY, DAVID J, JR	617 BLENNHEIM AVE	617 BLENNHEIM AVE	CHARLOTTESVILLE VA	22902		
GODDEN, DAVID U & DEBORAH H	200 GARRETT ST 606	200 GARRETT ST # 606	CHARLOTTESVILLE VA	22902		
GORDONSVILLE REALTY INVESTMENTS, INC	200 GARRETT ST P	200 GARRETT ST STE P	CHARLOTTESVILLE VA	22902		
GRAY, PERCY F & GWENDOLYN Y	221 DICE ST	221 DICE ST	CHARLOTTESVILLE VA	22902		
GROH, ALBERT M, III & ELENA M, TRUSTEES	200 GARRETT ST 414	5702 N PENNSYLVANIA ST	INDIANAPOLIS IN	46220		
HALSTEAD, ANNE & ISAAC	802 6TH ST SE	802 6TH ST SE	CHARLOTTESVILLE VA	22902		

HIGGINBOTHAM, HAL F & BARBRA B	200 GARRETT ST 508	200 GARRETT ST #508	CHARLOTTESVILLE VA	22902
HOFHEIMER, JO ANN M & ROBERT G, JR	105 MONTICELLO AVE 302	6400 OCEAN FRONT AVE	VIRGINIA BEACH VA	23451
HORN, HASTY M & LAURA A	200 GARRETT ST 501	200 GARRETT ST #501	CHARLOTTESVILLE VA	22902
HUFFETTLER, EMILY B & ROGER D, JR	200 GARRETT ST 406	200 GARRETT ST #406	CHARLOTTESVILLE VA	22902
HURT, CHARLES ALLAN	909 6TH ST SE	909 6TH ST SE	CHARLOTTESVILLE VA	22902
KENDIG, MARTIN	200 GARRETT ST 607	200 GARRETT ST #607	CHARLOTTESVILLE VA	22902
KURTZ, ROBERT L	609 BELMONT AVE	7412 CRIPPLE CREEK RD	AFTON VA	22920
LAMB, TERI W	905 6TH ST SE	1413 EARLY ST	CHARLOTTESVILLE VA	22902
LEE, PAULLISA A	724 1ST ST S	734 1ST ST S	CHARLOTTESVILLE VA	22902
LITZENBERGER, LESLEY M, TRUSTEE	200 GARRETT ST 510	4969 BARN FIELD DR	CHARLOTTESVILLE VA	22947
LTL22902 LLC	200 GARRETT ST 411	200 GARRETT ST # 504	CHARLOTTESVILLE VA	22902
MAP II, LLC	111 MONTICELLO AVE 2	455 2ND STREET SE STE 301	CHARLOTTESVILLE VA	22902
MAP IV, LLC	455 2ND ST SE	455 2ND ST SE STE 301	CHARLOTTESVILLE VA	22902
MAUSHAMMER, ROBERT J & JEANNE W	200 GARRETT ST 509	200 GARRETT ST # 509	CHARLOTTESVILLE VA	22902
MCELWEE, SAMUEL M	605 MONTICELLO AVE	605 MONTICELLO AVE	CHARLOTTESVILLE VA	22902
MONTICELLO AVENUE PARTNERS, LLC	105-111 MONTICELLO AVE	455 2ND ST SE STE 301	CHARLOTTESVILLE VA	22902
MONTROSE CORNER, LLC	601 MONTROSE AVE	1845 JAMES MONROE PKWY	CHARLOTTESVILLE VA	22902
MORI, KEN & BETTYJANE, TRUSTEES	612 MONTICELLO AVE	2 DEER PASS	CHARLOTTESVILLE VA	22903
MOSCHELLA, SALVATORE N	200 GARRETT ST 409	200 GARRETT ST #409	CHARLOTTESVILLE VA	22902
NHTE PIEDMONT	400-426 GARRETT ST	1101 30TH ST NW STE 400	WASHINGTON DC	20007
NICHOLA PROPERTIES, LLC	618 1ST ST S	430 GILLUMS RIDGE RD	CHARLOTTESVILLE VA	22903
O'CONNOR, STEPHEN A & PAIGE W	200 GARRETT ST 609	200 GARRETT ST #609	CHARLOTTESVILLE VA	22902
OLIVA, MICHELLE L	601 BELMONT AVE	601 BELMONT AVE	CHARLOTTESVILLE VA	22902
PAK, CHAE	607 MONTICELLO AVE	918 ROCKLAND AVE	CHARLOTTESVILLE VA	22902
PAPASPRYRIDIS, THEODORE, TRUSTEE THE 102 OAK ST LD	102 OAK ST	201 E MAIN ST STE O	CHARLOTTESVILLE VA	22902
PARK, YONG & KYUNG NON LEE	602 BOLLING AVE	602 BOLLING AVE	CHARLOTTESVILLE VA	22902
PARTEE, GOODLOE MALONE, TRUSTEE	105 MONTICELLO AVE 301	4414 CURTISWOOD CIR	CHARLOTTESVILLE VA	22902
PASCIUTI, FRANK M & JANE M	716 1ST ST S	908 PAGE ST	NASHVILLE TN	37204
PAUL, HELEN	609 MONTICELLO AVE	609 MONTICELLO AVE	CHARLOTTESVILLE VA	22903
RANSLER, CHARLES W, IV	800 6TH ST SE	808 VALLEY VIEW CIR	CHARLOTTESVILLE VA	22902
RAYONIX, LLC	915 6TH ST SE	251 OLD STONY RIDGE RD	CHARLOTTESVILLE VA	22902
RICK BARR PROPERTIES LLC	200 GARRETT ST I	500 COURT SQ STE 300	AFTON VA	22920
ROBB, NATHANIEL & SANDY	722 1ST ST S	722 1ST ST S	CHARLOTTESVILLE VA	22902
ROBEY, ROBERT A	605 BOLLING AVE	605 BOLLING AVE	CHARLOTTESVILLE VA	22902
ROLLER, LAURA E	604 MONTICELLO AVE	604 MONTICELLO AVE	CHARLOTTESVILLE VA	22902
S&K REAL ESTATE HOLDINGS, LLC	105 MONTICELLO AVE 304	1885 KERNWOOD PLACE	CHARLOTTESVILLE VA	22911
SALVAGED ASSETS, LLC	702 1ST ST S	2450 LOST HILLS PATH	CHARLOTTESVILLE VA	22911
SAN RIVER REAL ESTATE II LLC	105 MONTICELLO AVE 201	2310 WALNUT RIDGE LN	CHARLOTTESVILLE VA	22911
SAN RIVER REAL ESTATE LLC	105 MONTICELLO AVE 101	2310 WALNUT RIDGE LN	CHARLOTTESVILLE VA	22911
SCHOEWE, DANA NICOLE	617 MONTICELLO AVE	617 MONTICELLO AVE	CHARLOTTESVILLE VA	22902
SEK PRP LLC	404 OAKMONT ST	745 PEACH WAY	EARLYVILLE VA	22936
SHEN, FRANCIS H	200 GARRETT ST 504	200 GARRETT ST # 504	CHARLOTTESVILLE VA	22902
SHIFFLETT, MARCUS L & VIVIAN M	504 6TH ST SE	4371 BACON HOLLOW ROAD	DYKE VA	22935
SILSON, P KEVIN & MARSHA BERGER	200 GARRETT ST 515	200 GARRETT ST #515	CHARLOTTESVILLE VA	22902
SPINNER, MONA C & LARRY W	612 BOLLING AVE	612 BOLLING AVE	CHARLOTTESVILLE VA	22902
STEWART, COOPER W	200 GARRETT ST 402	200 GARRETT ST #402	CHARLOTTESVILLE VA	22902
STIRPES, LLC	720 1ST ST S	3413 INDIAN SPRING RD	CHARLOTTESVILLE VA	22901
SULLENBERGER, JAMES J	608 BELMONT AVE	608 BELMONT AVE	CHARLOTTESVILLE VA	22902
SUTTON, STEPHEN L & DONNA D	200 GARRETT ST 601	200 GARRETT ST #601	CHARLOTTESVILLE VA	22902
T&L INVESTMENTS, LLC	200 GARRETT ST F	200 GARRETT ST # F	CHARLOTTESVILLE VA	22902
TAYLOR, ELIZABETH A	611 BLENHEIM AVE	611 BLENHEIM AVE	CHARLOTTESVILLE VA	22902
TED REALTY, LLC	613 MONTICELLO AVE	1114 LOVING ROAD	GORDONSVILLE VA	22942
THE GLEASON CONDO UNIT OWNERS' ASSOCIATION, INC	200 GARRETT ST	1500 AMHERST ST	CHARLOTTESVILLE VA	22903
TRIBBLE, JOYCE C	217 OAK ST	217 OAK ST	CHARLOTTESVILLE VA	22902
TROWBRIDGE, FREDERICK L & JANE D	200 GARRETT ST 610	200 GARRETT ST #610	CHARLOTTESVILLE VA	22902
TULENKA, MARK	225 DICE ST	225 DICE ST	CHARLOTTESVILLE VA	22902
TURNER, JAMES CECIL	223 DICE ST	223 DICE ST	CHARLOTTESVILLE VA	22902
TYLER, ROBERT H, ESTATE	600 BOLLING AVE	918 CHARLTON AVE	CHARLOTTESVILLE VA	22901

WAYLAND, EDWARD M &	606 MONTICELLO AVE	606 MONTICELLO AVE	606 MONTICELLO AVE	CHARLOTTESVILLE VA	22902
WEIKART, LYNNE, A, TRUSTEE	714 1ST ST S	714 1ST ST S	714 1ST ST S	CHARLOTTESVILLE VA	22902
WEINSCHENK, HENRY F & ZULEMA L H	200 GARRETT ST 405	200 GARRETT ST 405	200 GARRETT ST #405	CHARLOTTESVILLE VA	22902
WESTBROOK, CHRISTOPHER R & CATHY D, TRUSTEES	615 BLENHEIM AVE	615 BLENHEIM AVE	615 BLENHEIM AVE	CHARLOTTESVILLE VA	22902
WILKINSON, MATTHEW J	613 BLENHEIM AVE	613 BLENHEIM AVE	1525 W PINES DR	CHARLOTTESVILLE VA	22901
WILLIAMS, BETTY K	610 BELMONT AVE	610 BELMONT AVE	610 BELMONT AVE	CHARLOTTESVILLE VA	22902
WILSON, MATTHEW J & ANDREW O	604 BELMONT AVE	604 BELMONT AVE	602 6TH ST SE	CHARLOTTESVILLE VA	22902
WINKELSTERN, SUBAGH S & SUBAGH K	200 GARRETT ST 415	200 GARRETT ST 415	37 ROOT AVE	CHALTAUQUA NY	14722
YANCE, JANET P	200 GARRETT ST 514	200 GARRETT ST 514	200 GARRETT ST #514	CHARLOTTESVILLE VA	22902
ZED JAYOUT, LLC	1002 2ND ST SE	1002 2ND ST SE	1002 2ND ST SE	CHARLOTTESVILLE VA	22902

Email materials to:	Print Name	Signature
Dave Groff		
Heather Hill		
Rebecca Quinn		
Ann Marie Hohenberger		
Ridge Street		
Pete Armetta		
BCNA		
Susan Perkins		
Carmelita Wood		
Alex Ix		

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: SP22-00008
DATE OF HEARING: January 10, 2023

Project Planner: Dannan O'Connell

Date of Staff Report: December 29, 2022

Applicant: Charlottesville Public Works, Facilities Development Division

Applicant's Representative(s): Scott Hendrix

Current Property Owner: City of Charlottesville

Application Information

Property Street Address: 345 US 250 Bypass

Tax Map & Parcel/Tax Status: 450001000 (real estate taxes exempt)

Total Square Footage/ Acreage Site: Approx. 145.18 acres (6,323,998 square feet)

Comprehensive Plan (General Land Use Plan): Open Spaces and Parks

Current Zoning Classification: R-1 (Single-family Residential)

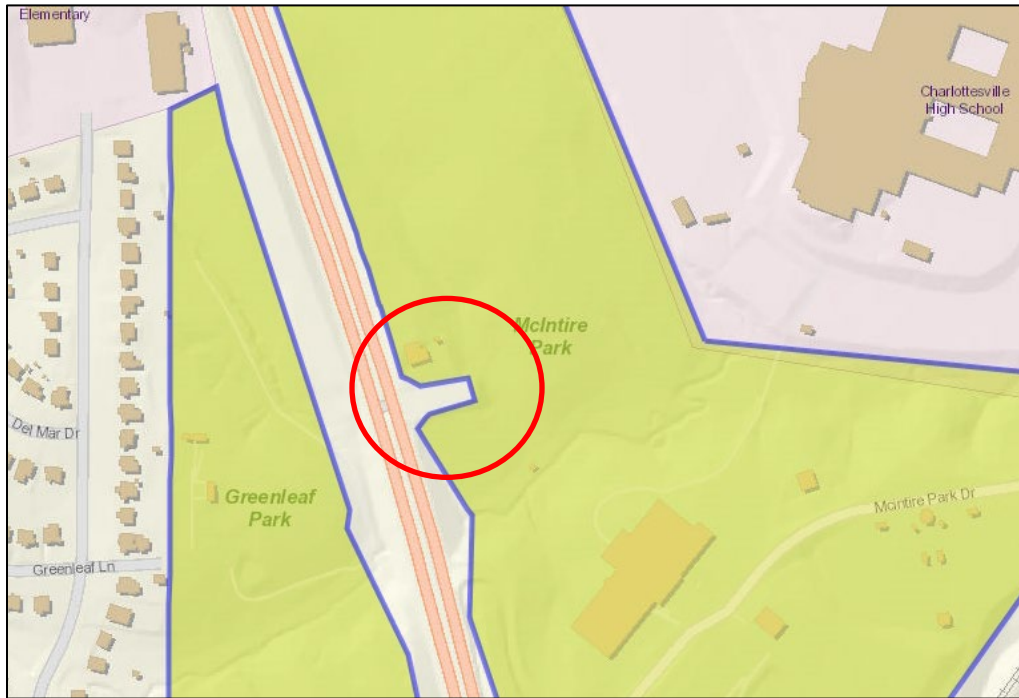
Overlay District: Public Park Protection Overlay District

Applicant's Request (Summary)

Scott Hendrix, City Senior Project Manager, is requesting a Special Use Permit (SUP) pursuant to City Code Sec. 34-158 to allow for a new City fire station on the Subject Property. The Subject Property is owned by the City of Charlottesville and includes McIntire Park, the Brooks Family YMCA, and the existing City Fire Station #1. The applicant is proposing to construct a new 8,000 square foot station to the south of an existing stub road.

The Subject Property is currently zoned R-1 (Single-Family Residential). Under the R-1 zoning classification, municipal offices or other government buildings are permitted with a Special Use Permit. The current City Fire Station #1 is a legal non-conforming use, with no Special Use Permit on file for this site.

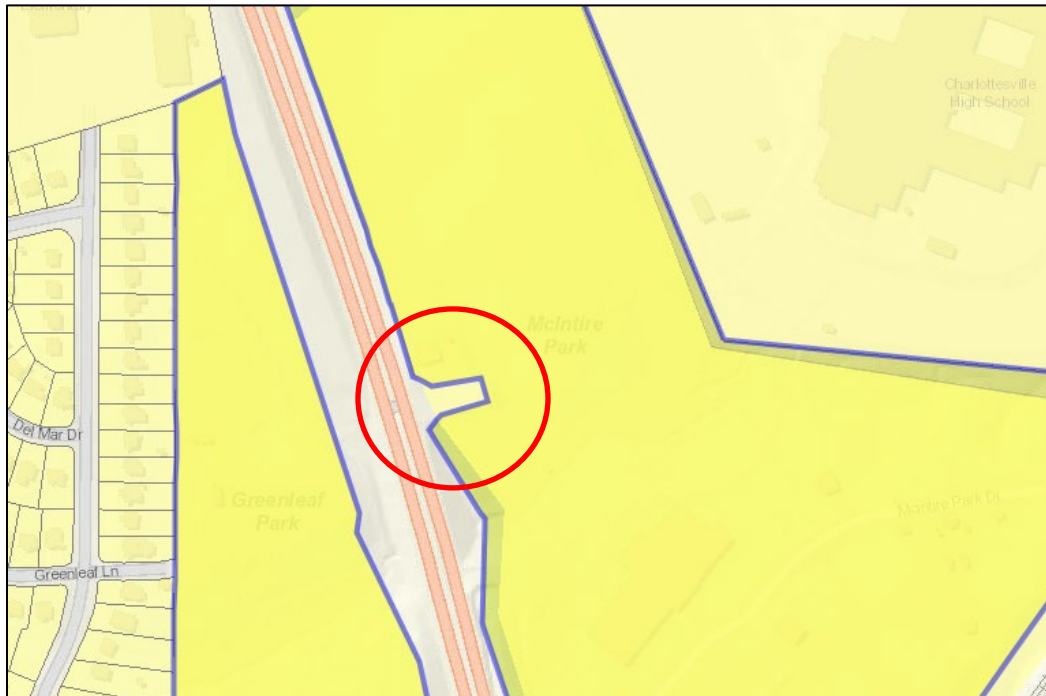
Vicinity Map



Context Map 1



Context Map 2- Zoning Classifications



KEY – Light Yellow: R1

Context Map 3- 2021 Future Land Use Map



KEY –Yellow: General Residential, Dark Yellow: Higher Intensity Residential, Green: Open Spaces and Parks, Blue: Education (Schools)

Standard of Review

City Council may grant an applicant a special permit or special use permit, considering several 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 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 proposed use or development.

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

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

The properties immediately surrounding the subject property are described as:

Direction	Use	Zoning
North	Single-Family Home, Public School	R-1
South	Single Family Home, Public Park	R-1
East	Public School, Single-Family Home	R-1
West	Single-Family Home, Public Park	R-1

The subject property co-locates several park and amenity spaces: McIntire Park and the Dogwood Vietnam Memorial, Greenleaf Park, the Brooks Family YMCA and McIntire Little League ball fields, and the Charlottesville Skate Park. Surrounding parcels are developed with single-family residential uses, as well as two public schools: Charlottesville High School to the east, and Walker Elementary School to the northwest.

Staff Analysis: The proposed new fire station depicted in the application materials will replace the existing Fire Station #1 already in existence. The existing station is two stories tall, while the proposed new station will be a one-story structure with a larger floor area. The surrounding area is a mix of public and private recreational facilities, public schools, and park area/open space. The proposed use is harmonious with the existing patterns of use within the neighborhood.

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

Below are specific areas of the Comprehensive Plan for which the development complies:

a. Community Facilities and Services

- i. **Goal 1. Efficient Planning for Facilities and Infrastructure:** Prioritize efficient construction and maintenance of all community infrastructure and facilities and ensure that infrastructure capacity is built and maintained in line with growth or declining demand, as appropriate.
- ii. **Goal 3. Government/Public Facilities:** Improve and maintain City government facilities to continue to provide safe, accessible, modernized public facilities and places of employment.
- iii. **Goal 6. Emergency Medical Services:** Support a resilient, safe community through the provision of the highest quality Emergency Medical Services focused on service delivery, patient outcomes, and responder health and safety.

Below are specific areas of the Comprehensive Plan for which the development may not comply:

a. Community Facilities and Services

- iv. **Goal 13 – Parks and Recreation (Future Expansion):** Plan for the future and expand current inventory of public park and recreation facilities.

Comprehensive Plan- Staff Analysis:

The Subject Property is currently zoned R-1 (Single-Family Residential). Under the R-1 zoning classification, municipal offices or other government buildings are permitted with a Special Use Permit. The current City Fire Station #1 is a legal non-conforming use, with no Special Use Permit on file for this site. The Subject Property is also subject to the Public Park Protection Overlay District. This overlay district prohibits the private sale of any designated park property, but does not prohibit the development of public improvements on the property as may be authorized by City Council.

The Comprehensive Plan's Future Land Use Map designates the subject property for Open Spaces and Parks. Open Spaces and Parks are specified to include both public and private spaces. No density, form or use restrictions are specified. The two existing public schools near the Subject Property are designated for Education. 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 efficient planning for public infrastructure and improving City Fire/Emergency Medical Services. The proposed new fire station will be a LEED certified building with improved accommodations and workplace safety provisions for City Fire Department and EMS personnel. The facility will permit the growth and expansion of the City's emergency response services and can accommodate both firefighting and EMS services from a single facility.

The proposed additional use would result in a reduction of public open space within the City. However, the current wooded area to the south of Fire Station #1 is not utilized for any active or passive recreational uses, and construction of the new station would not interfere with the nearby trails connecting Charlottesville High School to the YMCA facility and greater Rivanna Trail system.

(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 building permit approvals. An approved final site plan will be required before permits for construction are issued.

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

a) Traffic or parking congestion

The subject property currently has 9 off-street parking spaces. The applicant is proposing four additional spaces for the new station, along with re-using the existing parking for the old station building. City Code Sec. 34-984 does not specify parking figures for government buildings such as fire stations. However, the existing Fire Station #2 on Fontaine Avenue utilized a combination of total employees, building occupancy for assembly space and number of company vehicles to determine required parking totals. A similar evaluation of required parking will be done during site plan review per discussions with the City Zoning Administrator.

Although trip generation figures were not provided with this application, the change of use is not expected to generate significantly more traffic than the existing fire station use, according to the City Traffic Engineer.

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

The proposed new fire station is not expected to generate significantly more noise or light than the existing City Fire Station #1.

c) Displacement of existing residents or businesses

No existing residents or businesses would be displaced by this development.

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

No economic activities will be discouraged by this development. The new fire station will accommodate future expansion and increases in City firefighting or EMS personnel.

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

The proposed fire station is larger than the existing Fire Station #1. However, the new structure will be a single story with a safer and more efficient use of space than the currently existing station.

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

No affordable housing units currently exist on the property. Affordable units are not required as per Sec. 34-12. No new affordable dwelling units, as defined by Sec. 34-12, are proposed as part of this request.

g) Impact on school population and facilities

No impact on school population and facilities is anticipated as part of this development.

h) Destruction of or encroachment upon conservation or historic districts

The subject property is not within any design control district.

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

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

preliminarily at this stage include massing and scale (building height, setbacks, stepbacks, etc.) and general planned uses.

Development of the Subject Property as shown requires disturbance of critical slope areas. Therefore, the applicant has submitted a Critical Slope Waiver (P22-0091) to accompany this SUP request.

j) Massing and scale of project

The proposed fire station building meets the required front setback and height limits for R-1 zoning.

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

The description for R-1 states the districts *are established to provide and protect quiet, low-density residential areas wherein the predominant pattern of residential development is the single-family dwelling.* (Z.O. Sec. 34-350(a)).

The R-1 zone allows for single-family detached residential uses by-right. City-owned outdoor parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, and related concession stands are also permitted by-right. Municipal offices, government buildings and courts are permitted with an approved Special Use Permit.

The subject property is currently developed as a City-owned outdoor park and recreational area, which is allowed by right (Sec. 34-458). The existing City Fire Station #1 is considered a legal non-conforming use, as no Special Use Permit for a municipal fire station exists on file for this property.

The applicant proposes to construct a new City fire station, eventually replacing the existing Fire Station #1. Staff believes this use would be appropriate for a City-owned property and would be compatible with adjacent park, educational, and single-family residential uses.

(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 building permit approvals.

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

The subject property is not within any design control district.

Public Comments Received

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

On August 24, 2022, the applicant held a community meeting virtually via Zoom. The applicant gave an overview of the project as it related to the need for a rezoning. Several members of the public attended the meeting and voiced the following comments:

- Questions on building design, efficiency and environmental impact.
- Questions about tree removal and stormwater runoff.
- Potential impacts to nearby trail systems.

The applicant received no additional public comment by mail related to the project.

Other Comments

As of the date of this report (December 29, 2022), staff has not received any concerns through email, phone calls or in person conversations.

Staff Recommendation

Recommended Conditions

Staff recommends that a request for a fire station could be approved with the following condition:

1. Prior to site plan approval, the existing stub road accessing the property shall be vacated from the City right-of-way.

Suggested Motions

1. I move to recommend approval of this application for a Special Use Permit in the R-1 zone at 345 US 250 Bypass to permit a municipal City fire station with the following listed conditions.
 - a. The one (1) condition recommended by staff
 - b. [alternative conditions, or additional condition(s)....list here]

OR,

2. I move to recommend denial of this application for a Special Use Permit in the R-1 zone at 245 US 250 Bypass.

Attachments

- A. Special Use Permit Application received September 20, 2022
- B. Special Use Permit Narrative and Elevations received September 20, 2022
- C. Special Use Permit Conceptual Site Plan received September 20, 2022

SP22-00008



City of Charlottesville

Application for Special Use Permit

Project Name: 250 BY-PASS FIRE STATION

Address of Property: 350 US-250 BY-PASS

Tax Map and Parcel Number(s): 450001000

Current Zoning District Classification: MLTP (R-1, PUBLIC PARK PROTECTION)

Comprehensive Plan Land Use Designation: PARK / GREENSPACE

Is this an amendment to an existing SUP? NO

If "yes", provide the SUP #: _____

Applicant: CITY OF CHARLOTTESVILLE / SCOTT HENDRIX, SR. P.M.

Address: PO BOX 911, CHARLOTTESVILLE, VA 22902

Phone: 434-970-3647 Email: hendrix@charlottesville.gov

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

Owner Owner's Agent Designer Contract Purchaser

Owner of Record: CITY OF CHARLOTTESVILLE

Address: P.O. Box 911, CHARLOTTESVILLE, VA 22902

Phone: _____ Email: _____

Reason for Special Use Permit:

Additional height: _____ feet

Additional residential density: _____ units, or _____ units per acre

Authorize specific land use (identify) FIRE STATION

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

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

(1) Signature [Signature] Print SCOTT HENDRIX Date 9/13/2022

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

Other (specify): PROJECT MANAGER

(2) Signature [Signature] Print Michael C. Roper Date 9/14/22

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

Other (specify): CITY MANAGER



City of Charlottesville

Pre-Application Meeting Verification

Project Name: CHARLOTTESVILLE BYPASS FIRE STATION

Pre-Application Meeting Date: JUNE 13, 2022

Applicant's Representative: SCOTT HENDRIX, KEITH DRISCOLL, KIM ROESER

Planner: DANNAN O'CONNELL

Other City Officials in Attendance:

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

1.

2.

3.

4.

5.

Planner Signature: _____



City of Charlottesville

Application Checklist

Project Name: CHARLOTTESVILLE BYPASS FIRE STATION

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?
N/A
- 34-157(a)(1) Graphic materials that illustrate the context of the project, and a narrative statement as to compatibility with existing patterns of use and development
- 34-157(a)(2) Narrative statement: applicant's analysis of conformity with the Comprehensive Plan
- 34-157(a)(3) Narrative statement: compliance with applicable USBC provisions
- 34-157(a)(4) Narrative statement identifying and discussing any potential adverse impacts, as well as any measures included within the development plan, to mitigate those impacts
- 34-158(a)(6): other pertinent information (narrative, illustrative, etc.)
- All items noted on the Pre-Application Meeting Verification.

Applicant

Signature  Print SCOTT HENDRIX Date 9/13/2022

By Its: SR. PROJECT MANAGER

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



City of Charlottesville

Community Meeting

Project Name: 250 B7-PASS FIRE STATION

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: CITY OF CHARLOTTESVILLE/SCOTT HENDRIX

By:

Signature

Print

SCOTT HENDRIX

Date

9/13/2022

Its:

SR. PROJECT MANAGER

(Officer, Member, Trustee, etc.)



City of Charlottesville

Fee Schedule

Project Name: _____

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

Office Use Only

Amount Received: Exempt Date Paid N/A Received By: *R. J. H.*

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____



City of Charlottesville

LID Checklist

Project Name: CHARLOTTESVILLE BYPASS FIRE STATION

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

Applicant's Signature

Signature

Print

SCOTT HENRICH

Date

9/13/2022

City of Charlottesville

Replacement for Fire Station 1

Special Use Permit Application



09.15.2022

Project Team

Architect

Hughes Group Architects, Sterling VA

Civil Engineering

Timmons Group, Charlottesville VA

Structural Engineering

Ehlert/Bryan, McLean VA

Mechanical, Electrical, Plumbing Engineering

2rw, Charlottesville VA

Table of Contents

1.0 Design Overview

- 1.1 Introduction
- 1.2 Site Design
- 1.3 Building Design
- 1.4 Compliance with Comprehensive Plan
- 1.5 Potential Adverse Impacts and Mitigation

2.0 Exhibits

- 2.1 Site Plan
- 2.2 Floor Plans
- 2.3 Building Elevations

1.0 DESIGN OVERVIEW

1.1 Introduction

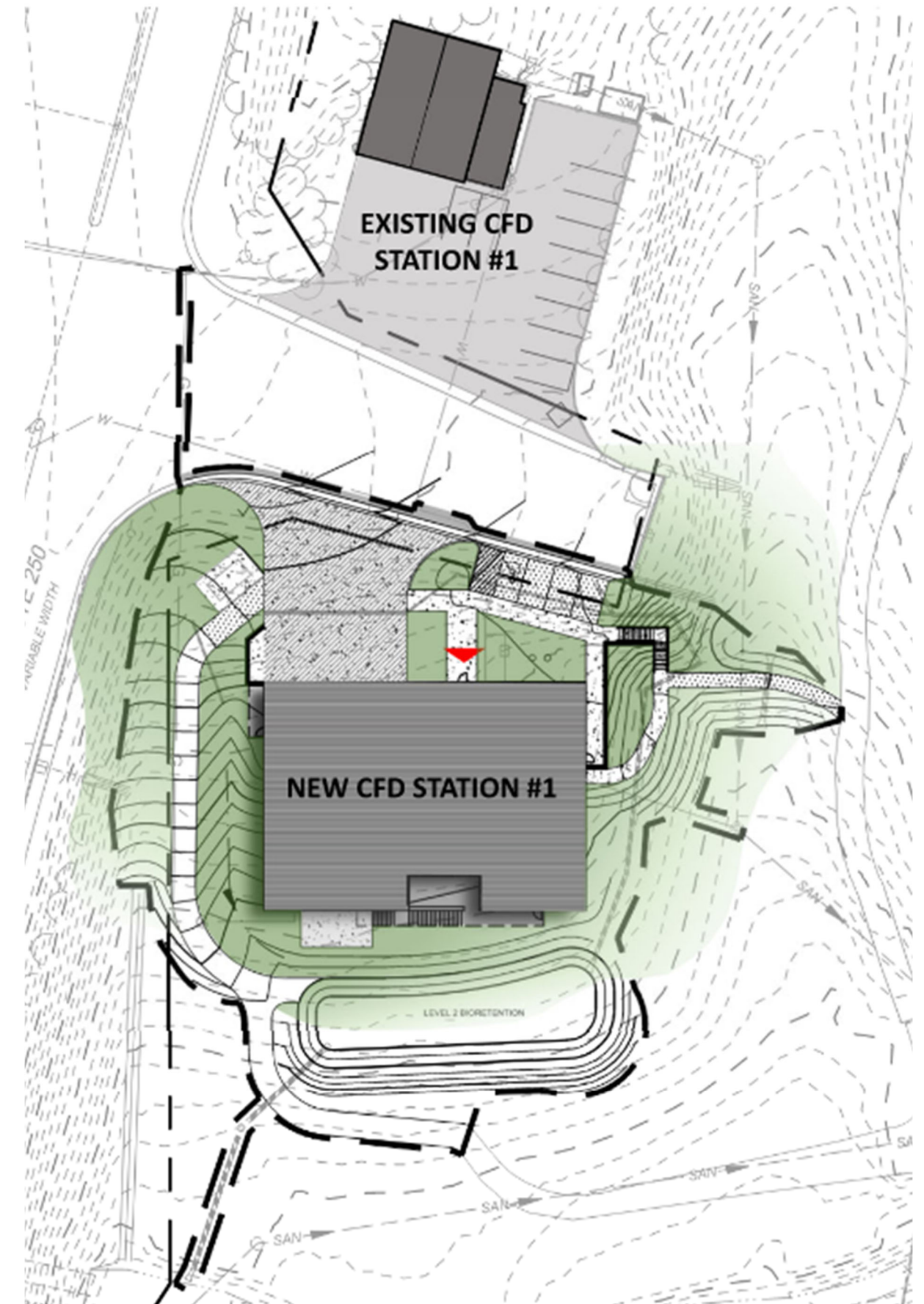
The existing Station 1 located along the RT 250 Bypass needs to be replaced to provide critical fire and rescue services to the growing City of Charlottesville. The current station is undersized and will not accommodate the number and size of firefighting apparatus needed to serve the surrounding communities. Additionally, the current facility has reached the end of its expected service life and does not conform to current environmental design criteria, energy, and resource conservation goals, nor best practices for station configuration to mitigate exposure to carcinogens.

Additions and renovations to the existing station are not viable as the station must remain operational and the extensive construction necessary to modernize the station would not be able to proceed without closing the station.

1.2 Site Design

Site selection for the new station was established in two phases. The first phase evaluated demand and response times documented in the Fire Station Location and Needs Assessment City of Charlottesville, Virginia dated November 30, 2016. This evaluation confirmed the current site off the RT 250 Bypass remains the best location for the station. This location also takes advantage of the existing access and signal onto RT 250, reducing the impact of construction activities on the surrounding community. The second phase evaluated the options for siting the new structure within the park site determining the proposed location south of the stub road is the best solution when considering multiple factors. Locations north of the stub road are not viable as construction would prevent the existing station from remaining in operation until the new station is complete. Construction east of the access road requires traversing steep slopes and crossing an existing drainage area. These factors would require construction of an access road / bridge which greatly increases both the required limits of disturbance, loss of tree cover, and overall project costs. The area south of the access road allows the ability to create a compact two-story building footprint and limits the impact to the existing wooded area. This location also results in shorter extensions to onsite utilities and allows parking at the existing facility to be reused, both of which further reduce the required limits of disturbance.

In conjunction with the project, enhancements are proposed for the off-site waterline to create a loop from the existing dead end main, located on the west side of RT 250, to an existing connection south of the site. In addition, the City is considering vacating the fire department access road.

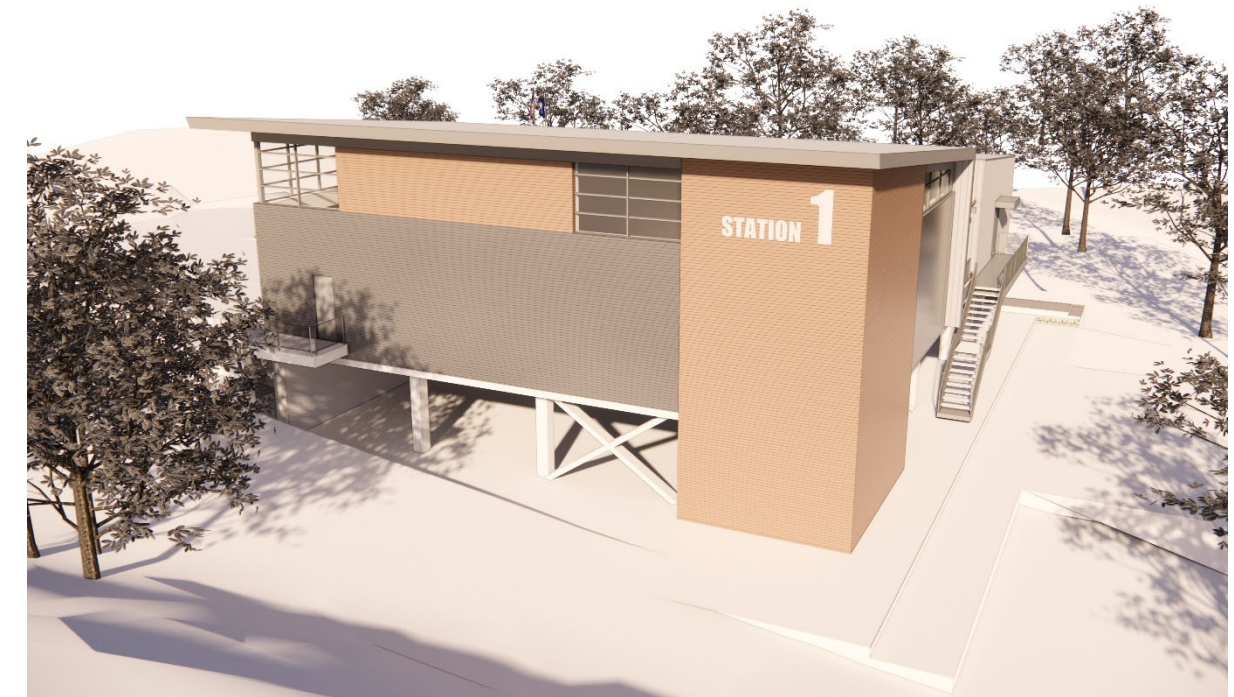
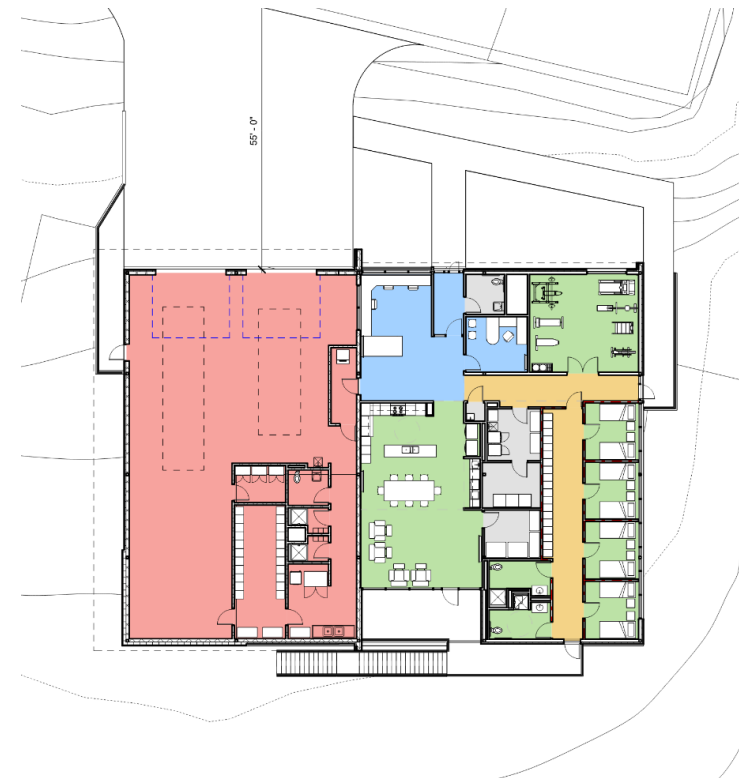
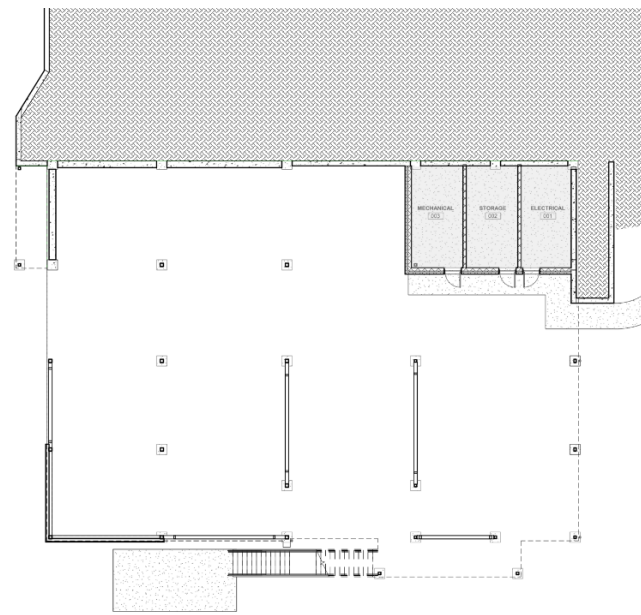
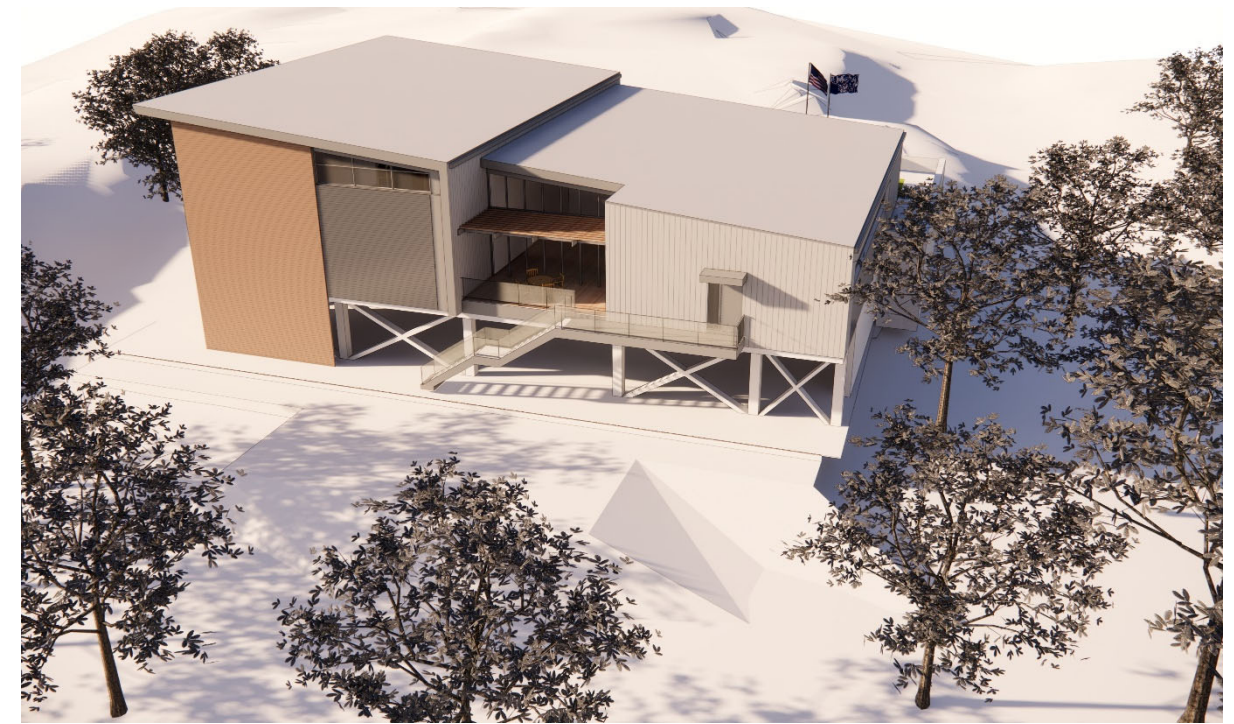


1.3 Building Design

Exterior Massing & Materials: The contemporary single-story structure is designed to create a unique building imagery and serve as a visual point of interest along RT 250. The structure presents a single-story façade from the street side (north) and an elevated building on structural piers from the park side (south). From the street, the building is organized in two parts, bay access and building entry, under a sloping roof. The apparatus bay translucent clerestory glazing below the apparatus bay roof provides controlled natural light into the bays. The southern elevation is composed of relatively few materials and accented by a two-story glazing element and sun shading, connecting the interior day room, kitchen and lobby with views to the exterior deck and wooded park beyond. Material selections include both flush and textured metal panels in different colors.

Building Layout: The 8,180 SF program is organized on a single level: the apparatus bay and support spaces to the west are aligned with street access, the dormitory is to the east away from the noise of RT 250. The building is sited to allow for future expansion of both the apparatus bays and dormitory, if required. Support spaces including electrical, mechanical, and storage are located below the dormitory and accessed from the exterior. The new plan is an improvement over the existing station, which isolates the apparatus bay and associated service spaces from regularly occupied spaces. This has been shown to greatly reduce staff exposure to cancer causing carcinogens.

In addition to being designed in compliance with all relevant codes including Virginia Uniform Statewide Building Code (USBC), the project is also being designed to achieve LEED Certification in accordance with USGBC LEED V4.0 / V4.1.



1.4 Compliance with Comprehensive Plan

The project has been designed to address the goals of the Comprehensive Plan in the following ways:

Section 7, Goal 1

Strategy 1.3: *Improve energy performance of existing and new buildings community-wide through City policy standards and leveraging local partner resources.*

The siting of the facility and the building design takes into consideration energy performance. The northern facing façade has more windows and clerestory elements which allow the building to perform more efficiently. Natural light reduces power loads for artificial lighting. Windows to the south are kept to a minimum and protected by a deep overhead sun shading device.

Strategy 1.6: *Encourage new development to design, construct, and operate with a reduced emissions footprint by encouraging high performance, green buildings, green sites, and green neighborhood standards and practices such as the U.S. Green Building Council's (USGBC) LEED certification program, Earthcraft, Energy Star, or other similar systems.* In addition to the strategies documented above, the facility is designed to achieve USGBC LEED v4 Certification. The project is targeting reduction in energy and water use, improved indoor environment, and health and wellness strategies for personnel.

Section 9, Goal 1

Strategy 1.1: *Develop a robust Capital Improvement Plan (CIP).*

This project is a result of years of planning and research through the City's CIP process.

Strategy 1.2: *Ensure that community planning addresses and responds to the impact of population growth on all public facilities, school facilities, and other infrastructure.*

This project is designed to accommodate growth in both personnel and equipment capacity so that this station, with a useful life expectancy of 50 years, will serve its purpose throughout its life cycle as the population and emergency response needs of the City change. Increase in personnel and equipment can be accommodated within the facility as designed as well as through expansion of the city to both the east and the west.

Section 9, Goal 3

Improve and maintain City government facilities to continue to provide safe, accessible, modernized public facilities and places of employment.

The firefighting profession exposes individuals to toxic environments daily, from vehicle exhaust to live fire events. As a result of this exposure long term health issues, specifically cancer, are pronounced in the fire safety services industry. This design of this station intentionally limits the exposure of carcinogens within the facility itself and incorporates measures to control toxins potentially brought to the facility as a result of live fire events. The architect hired for this project is a leader in fire station 'hot zone' design strategies.

Strategy 3.1: *Employ innovative technology and green building practices for all eligible capital construction and renovation projects, and in routine maintenance and custodial program efforts.*

This project is being designed and constructed to USGBC LEED standards and LEED certification is an overarching goal of the project.

Section 9, Goal 6

Strategy 6.4: *Ensure adequate facilities exist for the effective deployment of EMS resources in the community.*

This facility has been designed to provide flexibility in crew accommodations and housing of apparatus allowing for both Fire and EMS, or just Fire, services to be run out of this facility.

Section 9, Goal 8

Strategy 8.3: *Continue to implement the recommended improvements for increased capacity, fire protection, and redundancy of systems by replacing and/or upsizing water lines as outlined in the City's Water Prioritization Study.*

A separate project, initiated because of this project, installs/replaces/upgrades approximately 2,000LF of domestic water supply line. This project also contemplates installation of a second fire hydrant in the vicinity of the new fire station.

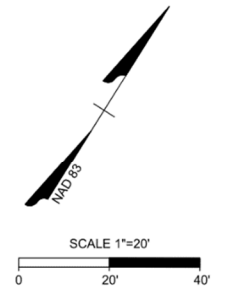
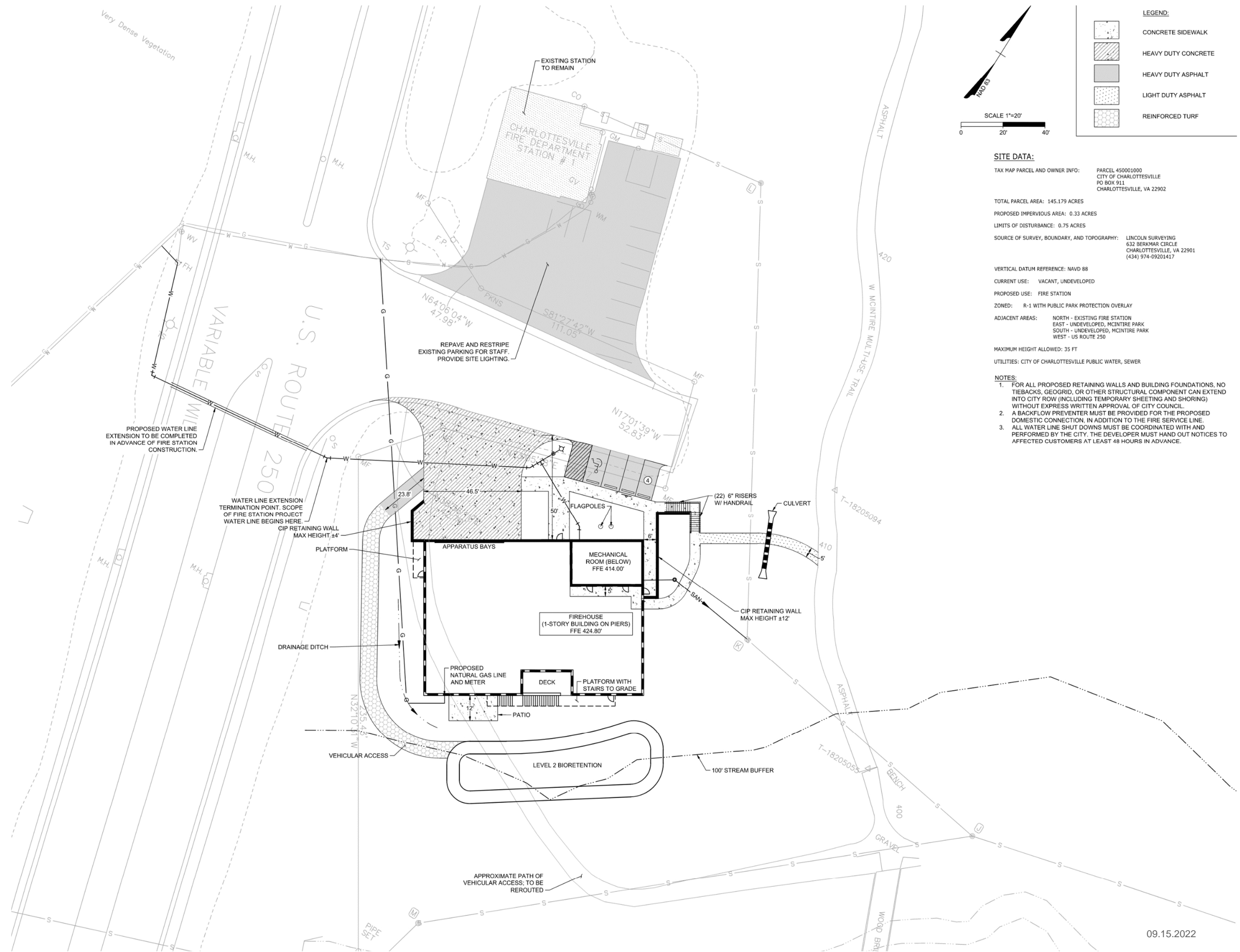


1.5 Potential Adverse Impacts and Mitigation

As indicated in Section 1.2 Site Design, several approaches to the siting of the new facility were considered during conceptual design. Several options included constructing bridge over the existing stream and clearing a significant area of mature tree growth. The final siting of the station, south of the access road and opposite the existing station, minimizes the impact on the existing tree canopy in comparison to other options evaluated. The design team, together with the City, are currently studying the exact amount of tree canopy impacted by the design and are developing a mitigation strategy.

2.0 EXHIBITS

2.1 SITE PLAN



LEGEND:

	CONCRETE SIDEWALK
	HEAVY DUTY CONCRETE
	HEAVY DUTY ASPHALT
	LIGHT DUTY ASPHALT
	REINFORCED TURF

SITE DATA:

TAX MAP PARCEL AND OWNER INFO: PARCEL 450001000
CITY OF CHARLOTTESVILLE
PO BOX 911
CHARLOTTESVILLE, VA 22902

TOTAL PARCEL AREA: 145.179 ACRES
PROPOSED IMPERVIOUS AREA: 0.33 ACRES
LIMITS OF DISTURBANCE: 0.75 ACRES

SOURCE OF SURVEY, BOUNDARY, AND TOPOGRAPHY: LINCOLN SURVEYING
632 BERKMAR CIRCLE
CHARLOTTESVILLE, VA 22901
(434) 974-0920/1417

VERTICAL DATUM REFERENCE: NAVD 88
CURRENT USE: VACANT, UNDEVELOPED
PROPOSED USE: FIRE STATION
ZONED: R-1 WITH PUBLIC PARK PROTECTION OVERLAY

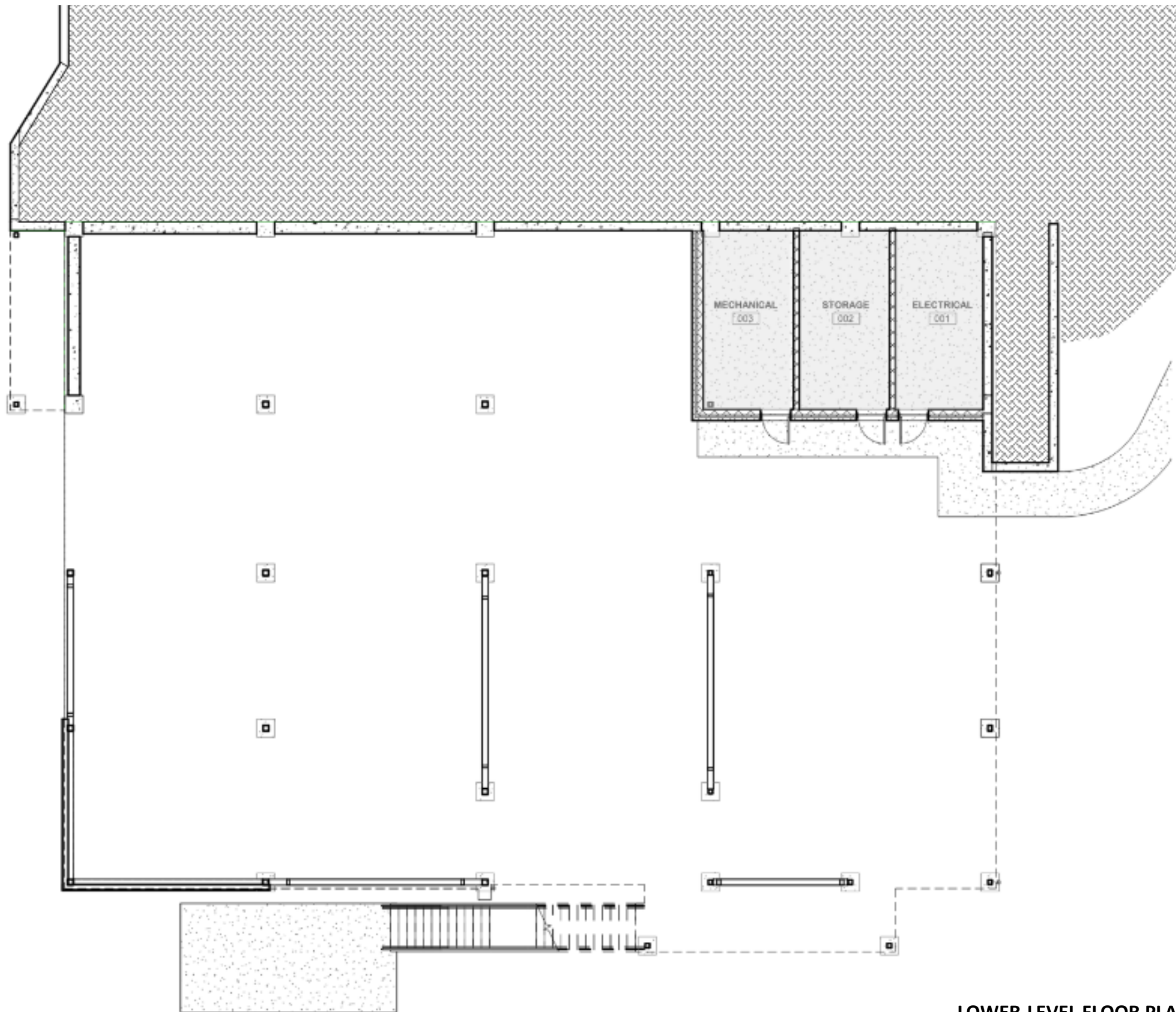
ADJACENT AREAS: NORTH - EXISTING FIRE STATION
EAST - UNDEVELOPED, MCINTIRE PARK
SOUTH - UNDEVELOPED, MCINTIRE PARK
WEST - US ROUTE 250

MAXIMUM HEIGHT ALLOWED: 35 FT
UTILITIES: CITY OF CHARLOTTESVILLE PUBLIC WATER, SEWER

NOTES:

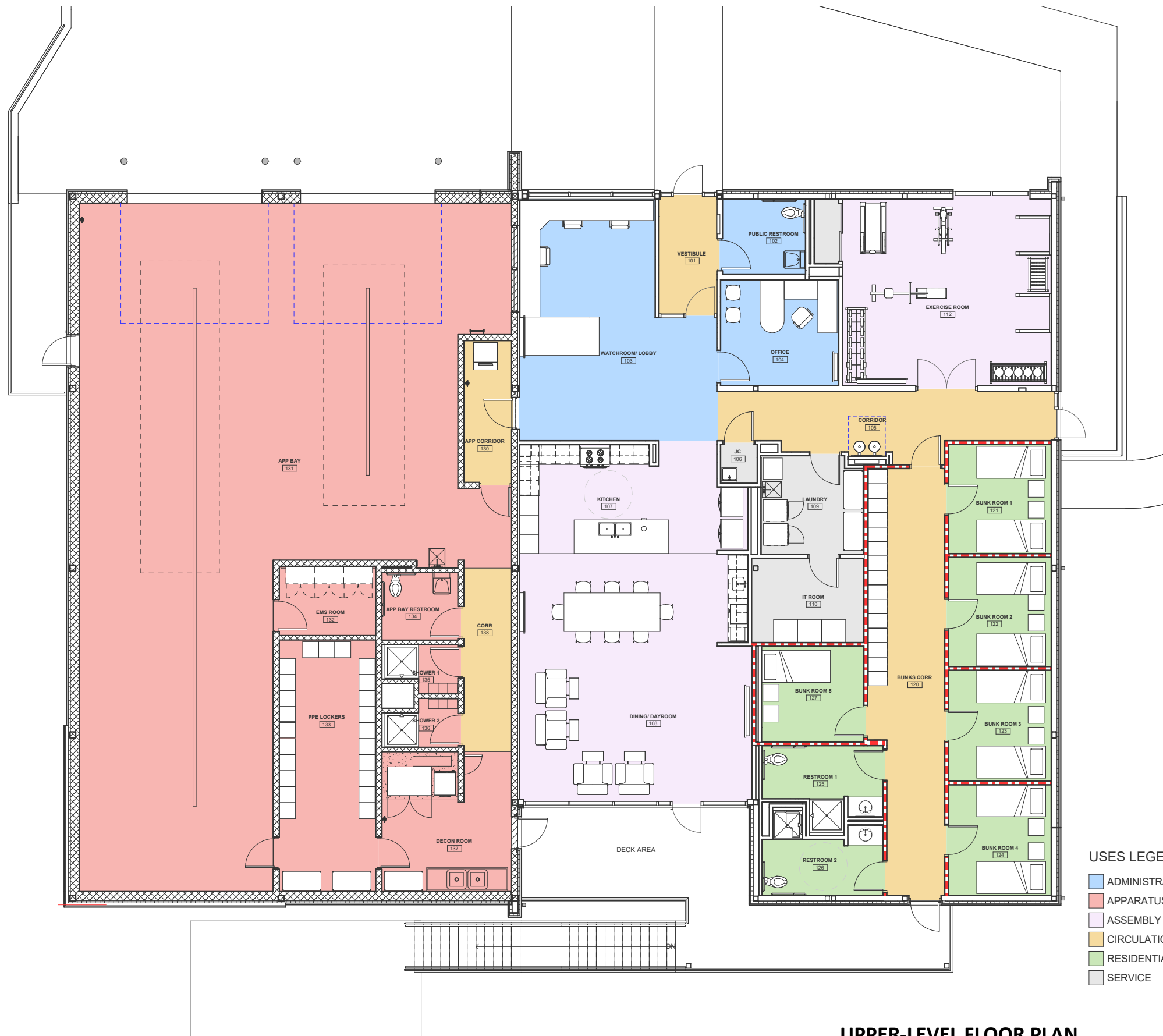
- FOR ALL PROPOSED RETAINING WALLS AND BUILDING FOUNDATIONS, NO TIEBACKS, GEOGRID, OR OTHER STRUCTURAL COMPONENT CAN EXTEND INTO CITY ROW (INCLUDING TEMPORARY SHEETING AND SHORING) WITHOUT EXPRESS WRITTEN APPROVAL OF CITY COUNCIL.
- A BACKFLOW PREVENTER MUST BE PROVIDED FOR THE PROPOSED DOMESTIC CONNECTION, IN ADDITION TO THE FIRE SERVICE LINE.
- ALL WATER LINE SHUT DOWNS MUST BE COORDINATED WITH AND PERFORMED BY THE CITY. THE DEVELOPER MUST HAND OUT NOTICES TO AFFECTED CUSTOMERS AT LEAST 48 HOURS IN ADVANCE.

2.2 Floor Plans



- USES LEGEND**
- ADMINISTRATION
 - APPARATUS BAY
 - CIRCULATION
 - RESIDENTIAL
 - SERVICE

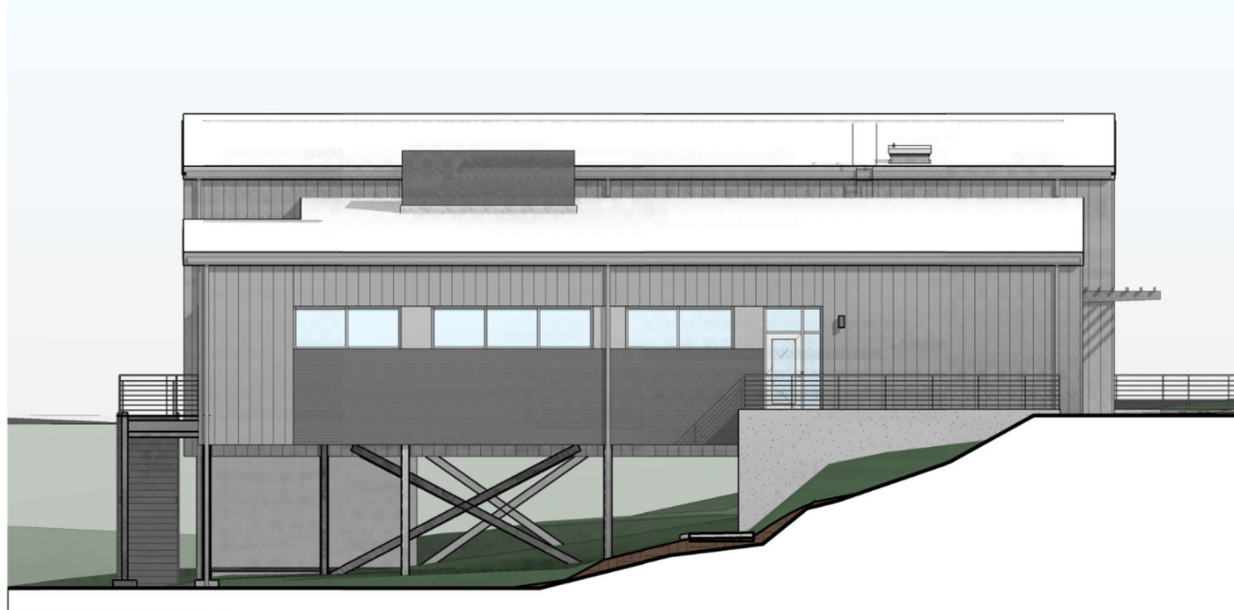
LOWER-LEVEL FLOOR PLAN



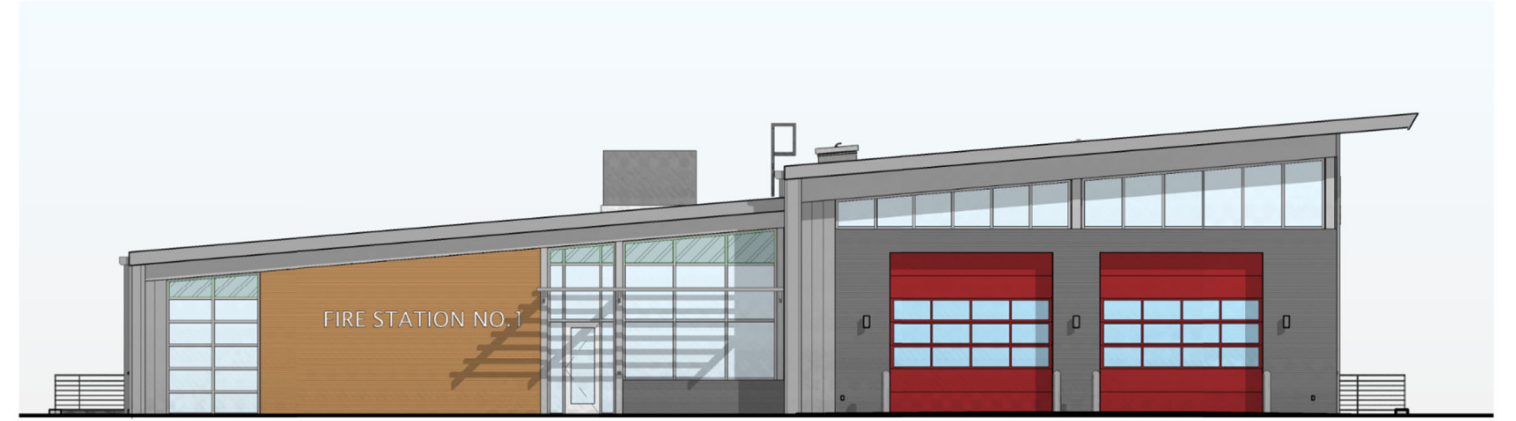
- USES LEGEND**
- ADMINISTRATION
 - APPARATUS BAY
 - ASSEMBLY
 - CIRCULATION
 - RESIDENTIAL
 - SERVICE

UPPER-LEVEL FLOOR PLAN

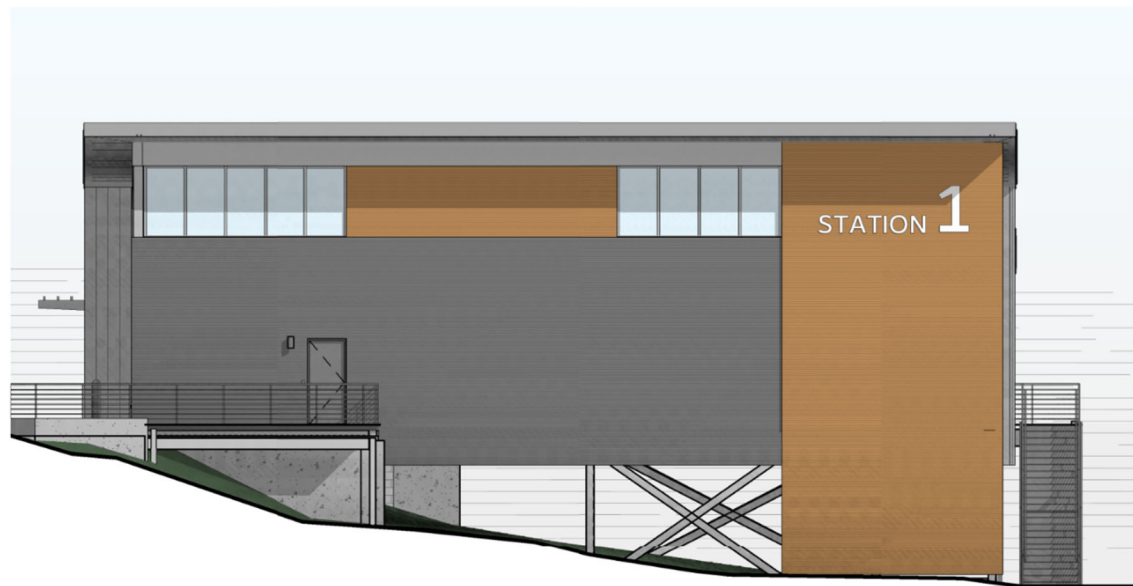
2.3 Exterior Elevations



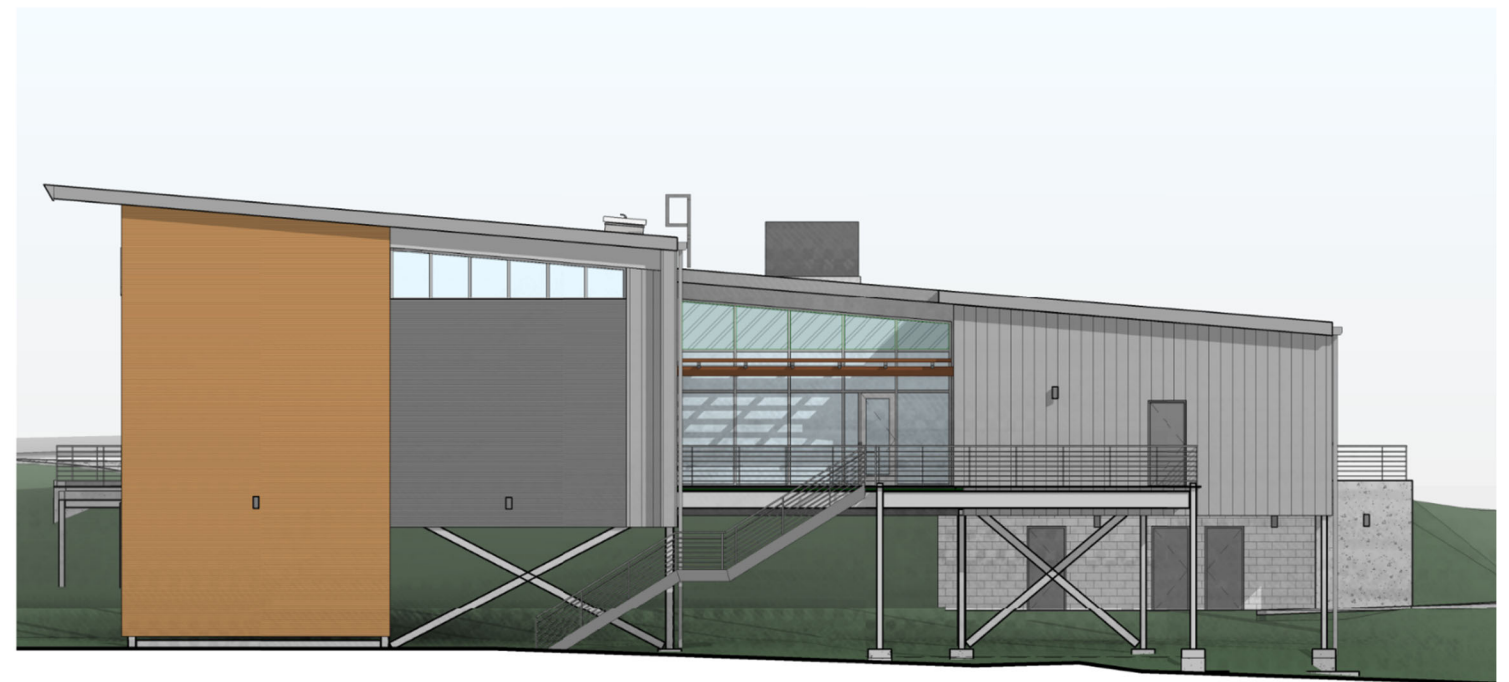
B4 EAST ELEVATION
A-201 1/8" = 1'-0"



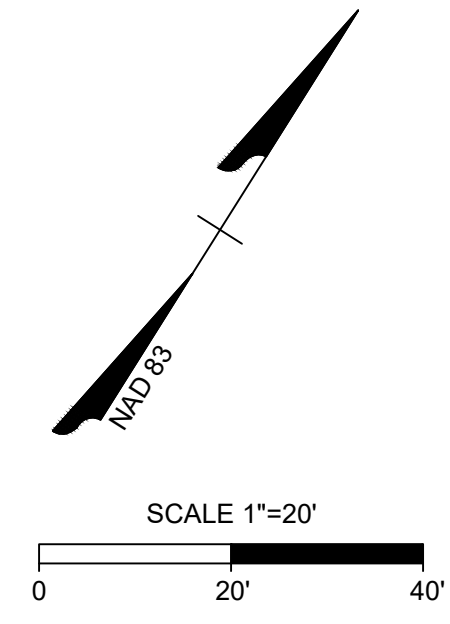
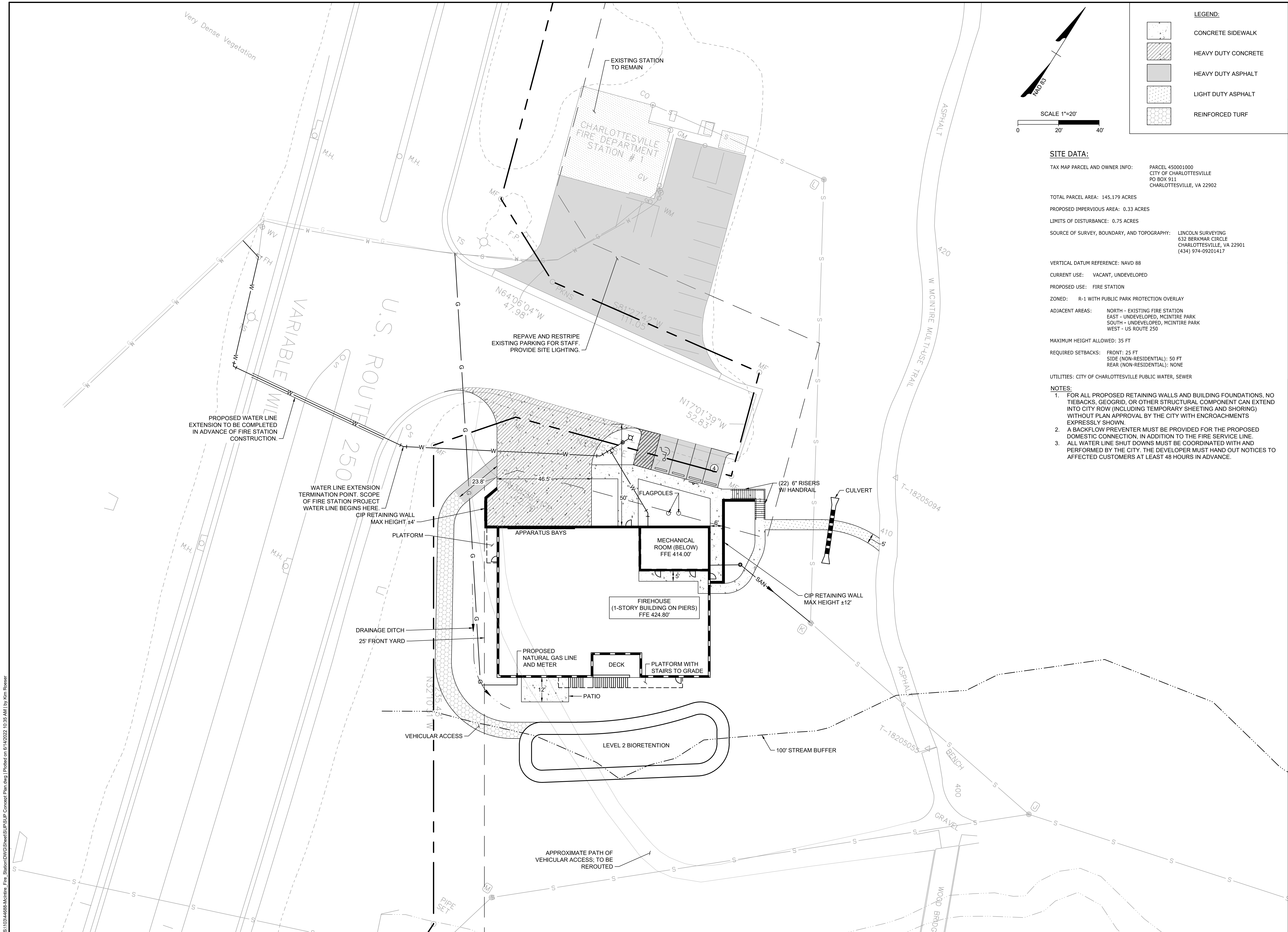
B1 NORTH ELEVATION
A-201 1/8" = 1'-0"



A4 WEST ELEVATION
A-201 1/8" = 1'-0"



A1 SOUTH ELEVATION
A-201 1/8" = 1'-0"



LEGEND:

	CONCRETE SIDEWALK
	HEAVY DUTY CONCRETE
	HEAVY DUTY ASPHALT
	LIGHT DUTY ASPHALT
	REINFORCED TURF

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ZONED: R-1 WITH PUBLIC PARK PROTECTION OVERLAY

ADJACENT AREAS: NORTH - EXISTING FIRE STATION
EAST - UNDEVELOPED, MCINTIRE PARK
SOUTH - UNDEVELOPED, MCINTIRE PARK
WEST - US ROUTE 250

MAXIMUM HEIGHT ALLOWED: 35 FT
REQUIRED SETBACKS: FRONT: 25 FT
SIDE (NON-RESIDENTIAL): 50 FT
REAR (NON-RESIDENTIAL): NONE

UTILITIES: CITY OF CHARLOTTESVILLE PUBLIC WATER, SEWER

NOTES:

- FOR ALL PROPOSED RETAINING WALLS AND BUILDING FOUNDATIONS, NO TIEBACKS, GEOGRID, OR OTHER STRUCTURAL COMPONENT CAN EXTEND INTO CITY ROW (INCLUDING TEMPORARY SHEETING AND SHORING) WITHOUT PLAN APPROVAL BY THE CITY WITH ENCROACHMENTS EXPRESSLY SHOWN.
- A BACKFLOW PREVENTER MUST BE PROVIDED FOR THE PROPOSED DOMESTIC CONNECTION, IN ADDITION TO THE FIRE SERVICE LINE.
- ALL WATER LINE SHUT DOWNS MUST BE COORDINATED WITH AND PERFORMED BY THE CITY. THE DEVELOPER MUST HAND OUT NOTICES TO AFFECTED CUSTOMERS AT LEAST 48 HOURS IN ADVANCE.

THIS DRAWING PREPARED AT THE
CHARLOTTESVILLE OFFICE
608 Preston Avenue, Suite 200 | Charlottesville, VA 22903
TEL: 534.293.5624 FAX: 434.293.8317 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE
06/14/2022

DRAWN BY
K. ROESER

DESIGNED BY
K. ROESER

CHECKED BY
B. CICHOCKI

SCALE
1" = 20'

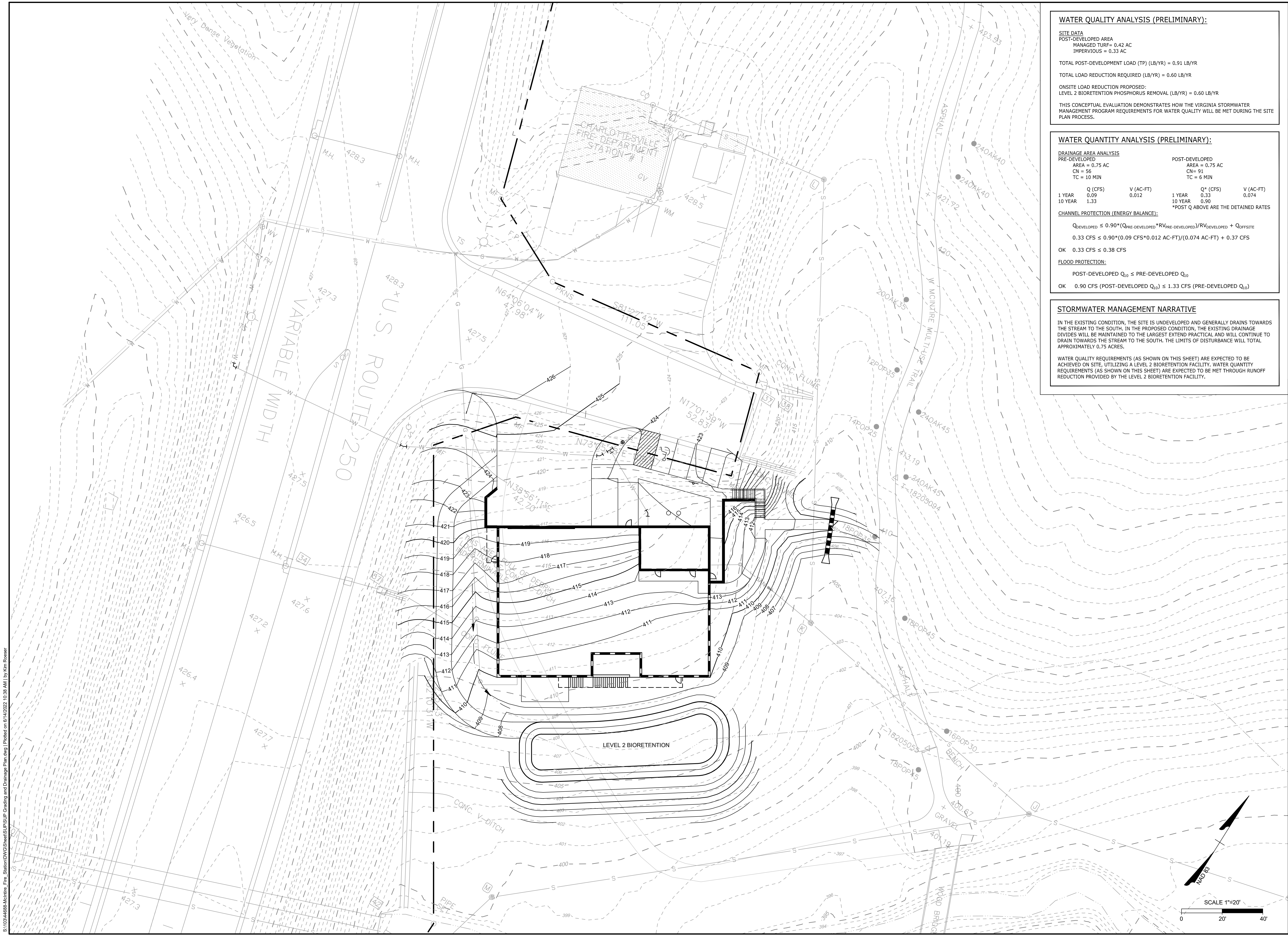
TIMMONS GROUP

CHARLOTTESVILLE BYPASS FIRE STATION
CITY OF CHARLOTTESVILLE, VA
SUP CONCEPT PLAN

JOB NO.
44688

SHEET NO.
C1.0

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WATER QUALITY ANALYSIS (PRELIMINARY):

SITE DATA
 POST-DEVELOPED AREA
 MANAGED TURF = 0.42 AC
 IMPERVIOUS = 0.33 AC

TOTAL POST-DEVELOPMENT LOAD (TP) (LB/YR) = 0.91 LB/YR
 TOTAL LOAD REDUCTION REQUIRED (LB/YR) = 0.60 LB/YR

ONSITE LOAD REDUCTION PROPOSED:
 LEVEL 2 BIORETENTION PHOSPHORUS REMOVAL (LB/YR) = 0.60 LB/YR

THIS CONCEPTUAL EVALUATION DEMONSTRATES HOW THE VIRGINIA STORMWATER MANAGEMENT PROGRAM REQUIREMENTS FOR WATER QUALITY WILL BE MET DURING THE SITE PLAN PROCESS.

WATER QUANTITY ANALYSIS (PRELIMINARY):

DRAINAGE AREA ANALYSIS

PRE-DEVELOPED		POST-DEVELOPED	
AREA = 0.75 AC	AREA = 0.75 AC	AREA = 0.75 AC	AREA = 0.75 AC
CN = 56	CN = 91	CN = 56	CN = 91
TC = 10 MIN	TC = 10 MIN	TC = 6 MIN	TC = 6 MIN

	Q (CFS)	V (AC-FT)	Q* (CFS)	V (AC-FT)
1 YEAR	0.09	0.012	1 YEAR	0.33
10 YEAR	1.33	0.90	10 YEAR	0.90

*POST Q ABOVE ARE THE DETAINED RATES

CHANNEL PROTECTION (ENERGY BALANCE):

$$Q_{DEVELOPED} \leq 0.90 * (Q_{PRE-DEVELOPED} * RV_{PRE-DEVELOPED} / RV_{DEVELOPED} + Q_{OFFSITE})$$

$$0.33 \text{ CFS} \leq 0.90 * (0.09 \text{ CFS} * 0.012 \text{ AC-FT}) / (0.074 \text{ AC-FT}) + 0.37 \text{ CFS}$$

OK 0.33 CFS \leq 0.38 CFS

FLOOD PROTECTION:

$$POST-DEVELOPED Q_{10} \leq PRE-DEVELOPED Q_{10}$$

OK 0.90 CFS (POST-DEVELOPED Q₁₀) \leq 1.33 CFS (PRE-DEVELOPED Q₁₀)

STORMWATER MANAGEMENT NARRATIVE

IN THE EXISTING CONDITION, THE SITE IS UNDEVELOPED AND GENERALLY DRAINS TOWARDS THE STREAM TO THE SOUTH. IN THE PROPOSED CONDITION, THE EXISTING DRAINAGE DIVIDES WILL BE MAINTAINED TO THE LARGEST EXTENT PRACTICAL AND WILL CONTINUE TO DRAIN TOWARDS THE STREAM TO THE SOUTH. THE LIMITS OF DISTURBANCE WILL TOTAL APPROXIMATELY 0.75 ACRES.

WATER QUALITY REQUIREMENTS (AS SHOWN ON THIS SHEET) ARE EXPECTED TO BE ACHIEVED ON SITE, UTILIZING A LEVEL 2 BIORETENTION FACILITY. WATER QUANTITY REQUIREMENTS (AS SHOWN ON THIS SHEET) ARE EXPECTED TO BE MET THROUGH RUNOFF REDUCTION PROVIDED BY THE LEVEL 2 BIORETENTION FACILITY.

THIS DRAWING PREPARED AT THE
CHARLOTTEVILLE OFFICE
 608 Preston Avenue, Suite 200 | Charlottesville, VA 22903
 TEL: 534.235.5624 FAX: 534.235.8317 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE	REVISION DESCRIPTION
06/14/2022 <td></td>	
	DRAWN BY K. ROESER
	DESIGNED BY K. ROESER
	CHECKED BY B. CICHOCKI
	SCALE 1" = 20'

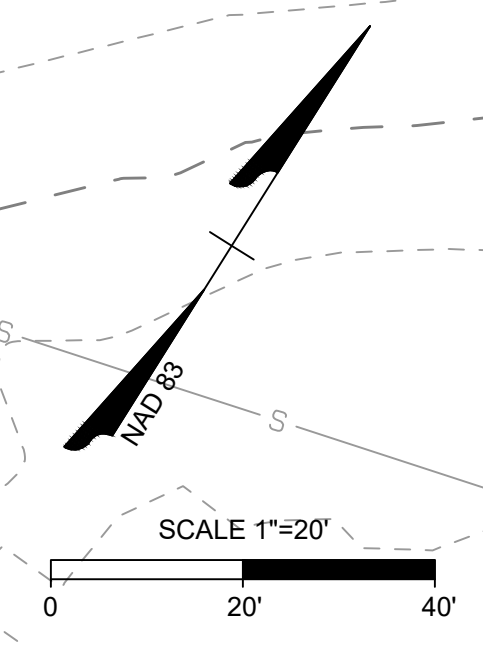
TIMMONS GROUP

CHARLOTTEVILLE BYPASS FIRE STATION
 CITY OF CHARLOTTEVILLE, VA
SUP GRADING AND DRAINAGE PLAN

JOB NO.
44688

SHEET NO.
C2.0

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S:\1034488-McIntire_Fire_Station\DWG\SUP\SUP_Sup_Grading_and_Drainage_Plan.dwg | Plotted on 6/14/2022 10:38 AM | by Kim Roeser

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



PLANNING COMMISSION REGULAR MEETING
APPLICATION FOR A CRITICAL SLOPE WAIVER
APPLICATION NUMBER: P22-0091
DATE OF MEETING: January 10, 2023

Project Planner: Dannan O’Connell, AICP
Date of Staff Report: December 29, 2022

Applicant: Charlottesville Public Works, Facilities Development Division
Applicant’s Representative(s): Scott Hendrix
Current Property Owner: City of Charlottesville

Application Information

Property Street Address: 345 US 250 Bypass
Tax Map & Parcel/Tax Status: 450001000 (real estate taxes exempt)
Total Project Area (Limits of Disturbance): 0.8 acres
Total Area of Critical Slopes on Parcels: 4.24 acres | 2.9%
Area of Proposed Critical Slope Disturbance: 0.08 | 1.9% of total critical slopes area
Comprehensive Plan (General Land Use Plan): Open Spaces and Parks
Current Zoning Classification: R-1 (Single-family Residential)
Overlay District: Public Park Protection Overlay District

Applicant’s Request (Summary)

Scott Hendrix, City Senior Project Manager is requesting a waiver from Section 34-1120(b) of the City Code (Critical Slope Ordinance) to allow for a development of a new City fire station and supporting infrastructure. The applicant is proposing to construct a new 8,000 square foot station to the south of an existing stub road, eventually replacing the existing City Fire Station #1. Through this process the applicant is proposing to disturb critical slopes (as defined in section 34-1120(b)). In order to keep the existing fire station in operation until its replacement is completed, the new building will be located to the south, encroaching into nearby critical slopes. Improvements specific to areas where critical slopes would be impacted should the waiver be approved are shown on the Critical Slope Exhibit (**Attachment B**).

Existing critical slopes areas located on this Property include 4.24 acres or 2.9 percent of the site. The applicable definition of “critical slope” is as follows:

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

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

Vicinity Map



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 Finding #2.

Staff Analysis 34-1120(b)(d)(i) Application Finding #1 and #2:

The General Land Use Plan of the Comprehensive Plan calls for the subject properties to be Open Spaces and Parks. Both public and private spaces are included in this category. No commercial, residential or industrial densities or use standards are specified. Nothing in the applicant's request suggests the proposed development would not conform to the City Future Land Use Map or to the Land Use chapter of the Comprehensive Plan.

Finding #1 (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.)

Staff finds that nothing in the application materials suggest development of the site would not meet the minimum requirements for stormwater and erosion & sediment controls, but final determination cannot be made until a final site plan is submitted and reviewed. Regardless of any information submitted for a Critical Slope Waiver, all development plans over 6,000 square feet must meet VSMP minimum requirements.

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.)

Staff is in general agreement with the applicant's justification for waiver approval under Finding #2. Critical slopes surround the subject property along nearly its entire frontage with the US 250 Bypass. This unbroken critical slope area makes additional access to the property via the 250 Bypass or existing stub road impossible without causing disturbance. The existing Fire Station #1 will be kept in service until the replacement building is completed. Requiring the existing station to be demolished and replaced to avoid the critical slope area would unreasonably restrict the use of the property for providing public firefighting services. Constructing the new station further to the east would require additional land disturbance and tree removals to extend the access roadway and cross an existing drainage area. The proposed location south of the existing station allows for a compact, one-story design that re-uses existing parking and road area, minimizing tree removal and impervious construction.

Staff Recommendation

Staff recommends the Planning Commission consider the following when making a recommendation to City Council:

Purpose and Intent of the Critical Slope Provisions

The purpose and intent of the critical slope provisions in Section 34-1120(b)(1) are to protect topographic features whose disturbance may cause negative impacts including:

Loss of tree canopy and wildlife habitat that contribute to the natural beauty and visual quality of the community. Development of the site will result in some loss of the existing mature tree canopy. However, the proposed fire station has been designed to minimize on-site land disturbance and will not negatively impact the adjacent public trails. Alternative building sites on the Subject Property would involve additional land disturbance, tree removals, and trail closures/relocations.

Recommended Conditions

Staff has no recommendations for conditions related to this project.

Suggested Motions

1. "I move to recommend approval of the critical slope waiver for Tax Map and Parcel 450001000 as requested, with no reservations or conditions, based on a finding that [*reference at least one finding*]:
 - Finding #1: 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)
 - Finding #2: 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 denial of the critical slope waiver for Tax Map and Parcel 450001000.

Attachments

- A. Application and Narrative
- B. Critical Slope Exhibit



Application for a Critical Slope Waiver

Department of Neighborhood Development Services

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

Tax Map and Parcel Number(s) 450001000

Address(es) US 250 BYPASS

CHARLOTTESVILLE, VA 22902

Applicant Contact Information

Name SCOTT HENDRIX

Company CITY OF CHARLOTTESVILLE

Phone (434) 465 - 5739

Email HENDRIX@CHARLOTTESVILLE.GOV

Owner Contact Information

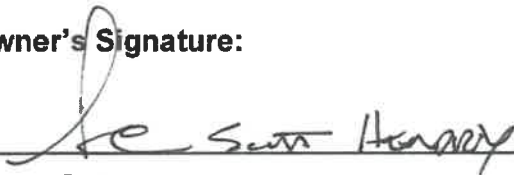
Name SAME AS APPLICANT

Address _____

Phone _____

Email _____

Owner's Signature:


Owner

9/13/2022
Date

Required application materials and fee:

- All materials requested during the preapplication meeting with the City Planner.
- Correct application fee. Checks payable to "City of Charlottesville".

CITY EXEMPT FROM CITY FEES

Note: Incomplete applications will not be processed.

Date Received: 9/20/22

Received by: 

Fee: Exempt

Cash/Check # N/A

Revision Date: May 19, 2022

P22-0091



Application for a Critical Slope Waiver

Department of Neighborhood Development Services

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

Critical Slopes Wavier and Modification Supplement Requirements

Please review City Zoning Ordinance Section 34-1120(b) and submit a completed Application using this form, Supplement, and *Critical Slope Exhibit.

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

Project Narrative and Description of Proposed Development:

THE CHARLOTTESVILLE FIRE STATION #1 PROJECT IS A 8,000-SQUARE FOOT REPLACEMENT FOR THE EXISTING FIRE STATION LOCATED ACROSS THE ACCESS ROAD. THE PROPOSED STATION WILL BE ONE STORY, ON STRUCTURAL PIERS, TO BEST ADDRESS THE EXISTING SLOPE ON SITE. THE LIMITS OF DISTURBANCE FOR THE PROPOSED DEVELOPMENT TOTALS APPROXIMATELY 0.80 ACRES, WITH 0.08 ACRES OF THOSE BEING CRITICAL SLOPES.

Existing Conditions:

THE SITE IS CURRENTLY UNDEVELOPED AND IS LOCATED ACROSS THE ACCESS ROAD FROM THE EXISTING FIRE STATION. EXISTING SLOPES ON SITE RANGE FROM APPROXIMATELY 8% TO 40%+. IT APPEARS THAT THE CRITICAL SLOPES ON SITE ARE MAN-MADE AND WERE CREATED WHEN THE 250 BYPASS AND THE CURRENT FIRE STATION STUB ROAD WERE CONSTRUCTED.

TOTAL PARCEL AREA: 145.179 ACRES

Total Site Area: Acres 0.80 AC Square Feet 34,900 SF

Current Zoning R-1 Proposed Zoning (if applicable) _____
(PUBLIC PARK OVERLAY)

Any SUP or other Waivers being requested:

A SUP IS BEING SOUGHT TO AUTHORIZE THE LAND USE - FIRE STATION.

Note: Incomplete applications will not be processed.

Date Received: _____	Received by: _____
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Application for a Critical Slope Waiver

Department of Neighborhood Development Services

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

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

Total Critical Slope Area:

Critical Slopes make up 4.24 acres of the site's 145.18 acres, or 2.92 % of the site area.

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

Critical Slope Area Disturbed:

0.08* acres of the total critical slope area identified above will be disturbed, or 1.89 % of the total critical slope area. Proposed critical slope area to be disturbed is 0.06 % of the site area.

*0.02 AC OF THE 0.08 AC ARE OUTSIDE OF THE PROPERTY LINE

This application should be used to explain how the proposed project meets some or all of the requirements as described in Section 34-1120(b)(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:

Note: Incomplete applications will not be processed.

Date Received: _____	Received by: _____
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Revision Date: May 19, 2022



Application for a Critical Slope Waiver

Department of Neighborhood Development Services

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

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)

THIS PROJECT PROVIDES THOUGHTFUL DESIGN TO MINIMIZE NEGATIVE IMPACTS FROM CRITICAL SLOPES DISTURBANCE, WHILE PROVIDING THE NECESSARY INFRASTRUCTURE TO SUPPORT A NEW FIRE STATION. THIS FIRE STATION PROVIDES MUCH-NEEDED STORAGE SPACE, DECONTAMINATION AREAS, AND EXPANDED LIVING SPACE FOR THE EMPLOYEES' HEALTH AND WELL-BEING IN PERFORMANCE OF THEIR CRITICAL PUBLIC SERVICE POSITIONS. EROSION AND SEDIMENT CONTROL MEASURES ARE BEING IMPLEMENTED PER STATE REGULATIONS TO REDUCE SEDIMENT-LADEN RUNOFF FROM LEAVING THE SITE DURING CONSTRUCTION AND TO PROMOTE SLOPE STABILIZATION POST CONSTRUCTION. A MAJORITY OF RUNOFF FROM THE SITE WILL BE CAPTURED IN A SEDIMENT TRAP DURING THE CONSTRUCTION PHASE AND IN A LEVEL 2 BIORETENTION IN THE FINAL PHASE; THIS WILL PROVIDE A PROTECTIVE BUFFER BETWEEN THE LAND DISTURBANCE AND EXISTING STREAM TO THE SOUTH.

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 of would result in significant degradation of the site or adjacent properties.

THE SUBJECT PARCEL IS SITUATED ON A STEEP GRADE, AND CRITICAL SLOPES (THAT APPEAR TO BE MAN-MADE) SURROUND THE STUB ROAD THAT SERVES THE EXISTING FIRE STATION (AND WILL SERVE THE PROPOSED FIRE STATION). THEREFORE, CRITICAL SLOPES DISTURBANCE IS UNAVOIDABLE GIVEN THE UNBROKEN PERIMETER ALONG THE EXISTING ROADWAYS. HOWEVER, A ONE-STORY BUILDING ON STRUCTURAL PIERS HAS BEEN PROPOSED TO MINIMIZE DISTURBANCE TO THE SENSITIVE SURROUNDING AREAS TO THE GREATEST EXTENT PRACTICAL.

Note: Incomplete applications will not be processed.

Date Received: _____ Received by: _____

Revision Date: May 19, 2022



Application for a Critical Slope Waiver

Department of Neighborhood Development Services

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

Please address how Finding #1 and/or Finding #2 will be met utilizing the “Critical Slope Provisions” noted in 1—6

1. Erosion affecting the structural integrity of those features:

EROSION AND SEDIMENT CONTROL MEASURES WILL BE EMPLOYED AS NECESSARY TO PROTECT UNDISTURBED AREAS DURING CONSTRUCTION. PERIMETER MEASURES, LIKE SILT FENCE AND DIVERSION DIKES, AS WELL AS A SEDIMENT TRAP, ARE PROPOSED TO CAPTURE SEDIMENT AND PREVENT SEDIMENT-LADEN RUNOFF FROM EXITING THE SITE.

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

THE SUBJECT PARCEL ENCOMPASSES OVER 145 ACRES, AND THE PROPOSED DEVELOPMENT WILL DISTURB LESS THAN 1 ACRE. A LEVEL 2 BIORETENTION IS PROPOSED IN THE FINAL CONDITION TO CAPTURE STORMWATER RUNOFF FROM THIS PROJECT AND RELEASE IT AT A REDUCED RATE, WHILE EROSION CONTROL MEASURES ARE PROPOSED DURING CONSTRUCTION TO PREVENT SEDIMENT-LADEN RUNOFF FROM EXITING THE SITE. NO STORMWATER OR EROSION-RELATED IMPACTS ARE ANTICIPATED TO ADJACENT PROPERTIES.

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

PERIMETER EROSION CONTROL MEASURES AND A SEDIMENT TRAP ARE PROPOSED, PER STATE REGULATIONS, TO ENSURE SEDIMENT-LADEN RUNOFF IS NOT EXITING THE SITE AND REACHING THE DOWNSTREAM WATERS. A LEVEL 2 BIORETENTION IS PROPOSED AS A FINAL CONDITION TO MEET STORMWATER REQUIREMENTS AND PROTECT DOWNSTREAM WATERS.

Note: Incomplete applications will not be processed.

Date Received: _____ Received by: _____



Application for a Critical Slope Waiver

Department of Neighborhood Development Services

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

4. Increased stormwater velocity due to loss of vegetation:

STORMWATER FROM THE SITE IS BEING THOUGHTFULLY DESIGNED AND WILL BE CAPTURED AND ROUTED TO A LEVEL 2 BIORETENTION. DISCHARGE FROM THIS BIORETENTION WILL BE DESIGNED TO MEET STATE QUALITY AND QUANTITY REQUIREMENTS. INCREASED STORMWATER VELOCITY IS NOT ANTICIPATED DUE TO THIS DEVELOPMENT.

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

DUE TO THE SCALE OF THIS PROJECT (LESS THAN ONE ACRE DISTURBED), DECREASED GROUNDWATER RECHARGE IS NOT ANTICIPATED.

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

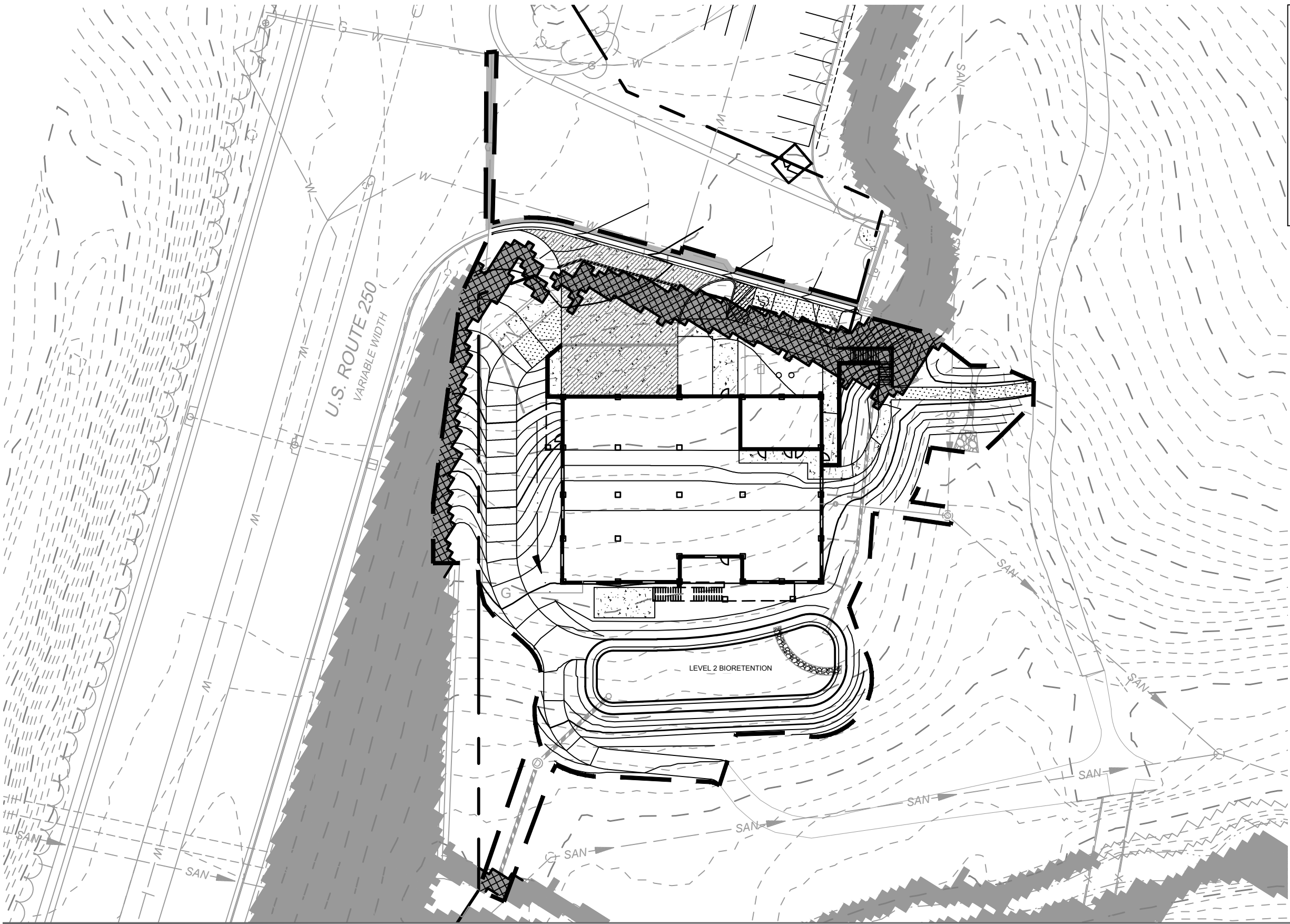
THIS DEVELOPMENT DISTURBS LESS THAN 1 ACRE, AND THOUGHTFUL DESIGN IS BEING IMPLEMENTED TO MIMIC THE EXISTING TOPOGRAPHY AND DRAINAGE AREAS TO THE GREATEST EXTENT PRACTICAL SO AS TO MINIMIZE ANY CHANGES TO THE AESTHETIC OF THE OVERALL PARCEL. THE DISTURBED AREA WILL REMAIN SURROUNDED BY FOREST.

List all attachments supporting this application and Provisions 1—6:

CRITICAL SLOPES EXHIBIT

Note: Incomplete applications will not be processed.

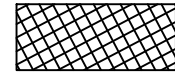
Date Received: _____	Received by: _____
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LEGEND:



CRITICAL SLOPES (PER CITY GIS AND CONFIRMED PER ZONING ORDINANCE SECTION 34-1120(b)(2))



CRITICAL SLOPE AREA DISTURBED BY PROJECT (±0.08 ACRES)

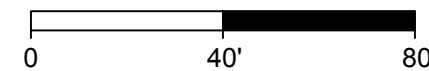
NOTE: ILLUSTRATED CRITICAL SLOPE DISTURBANCE ACCOUNTS FOR DISTURBANCE DUE TO GRADING, EROSION AND SEDIMENT CONTROL, AND SITE DRAINAGE.

CHARLOTTESVILLE BYPASS FIRE STATION

CRITICAL SLOPES EXHIBIT - SEPTEMBER 12, 2022



SCALE 1"=40'



TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS.

City of Charlottesville
Department of Neighborhood Development Services
Staff Report



**Summary and Discussion of the Entrance Corridor Review Board's
Role and Responsibilities**

Planning Commission Regular Meeting
Date of Planning Commission Meeting: December 13, 2022

Note: This is an informal discussion only. No action will be taken.

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

Relevant Code Section

Per Chapter 34 (Zoning), Article II (Overlay Districts), Division 3 (Entrance Corridor Overlay Districts), the Planning Commission serves as the Entrance Corridor Review Board (ERB) responsible for administering the design review process in Entrance Corridor (EC) Overlay Districts. The ERB reviews design Certificate of Appropriateness (CoA) requests associated with the exterior design of new buildings, applying the adopted design guidelines (links below). [Note: There is no review for interior work or alterations/construction that is not visible from the EC. Exterior alterations to existing buildings are typically reviewed administratively.] The ERB is also responsible for recommendations to Council regarding proposed changes to the ECs [including zoning text and map amendments], requests for Special Use Permits (SUP), and Comprehensive Signage Plans (CSP) within an EC, and recommending to Council updates and revisions to the EC Design Guidelines. Additionally, on behalf of the ERB, design staff reviews EC CoA requests [administratively, as allowed by code], site plans, [exterior] building permits, and signage permit applications.

Sec. 34-306. - Purpose.

The entrance corridor overlay district is intended to implement the comprehensive plan goal of protecting the city's historic, architectural and cultural resources, by ensuring a quality of development compatible with those resources through design control measures. The purposes of this article are to stabilize and improve property values; to protect and enhance the city's attractiveness to tourists and other visitors; to sustain and enhance the economic benefits accruing to the city from tourism; to support and stimulate development complimentary to the prominence afforded properties and districts having historic, architectural or cultural significance; all of the foregoing being deemed to advance and promote the health, safety and welfare of the general public.

Links to EC Code Sections

- EC Overlay Districts: [City Code EC Overlay Districts](#)
- Signs: [City Code Sign Regulations](#)

Links to EC Design Guidelines

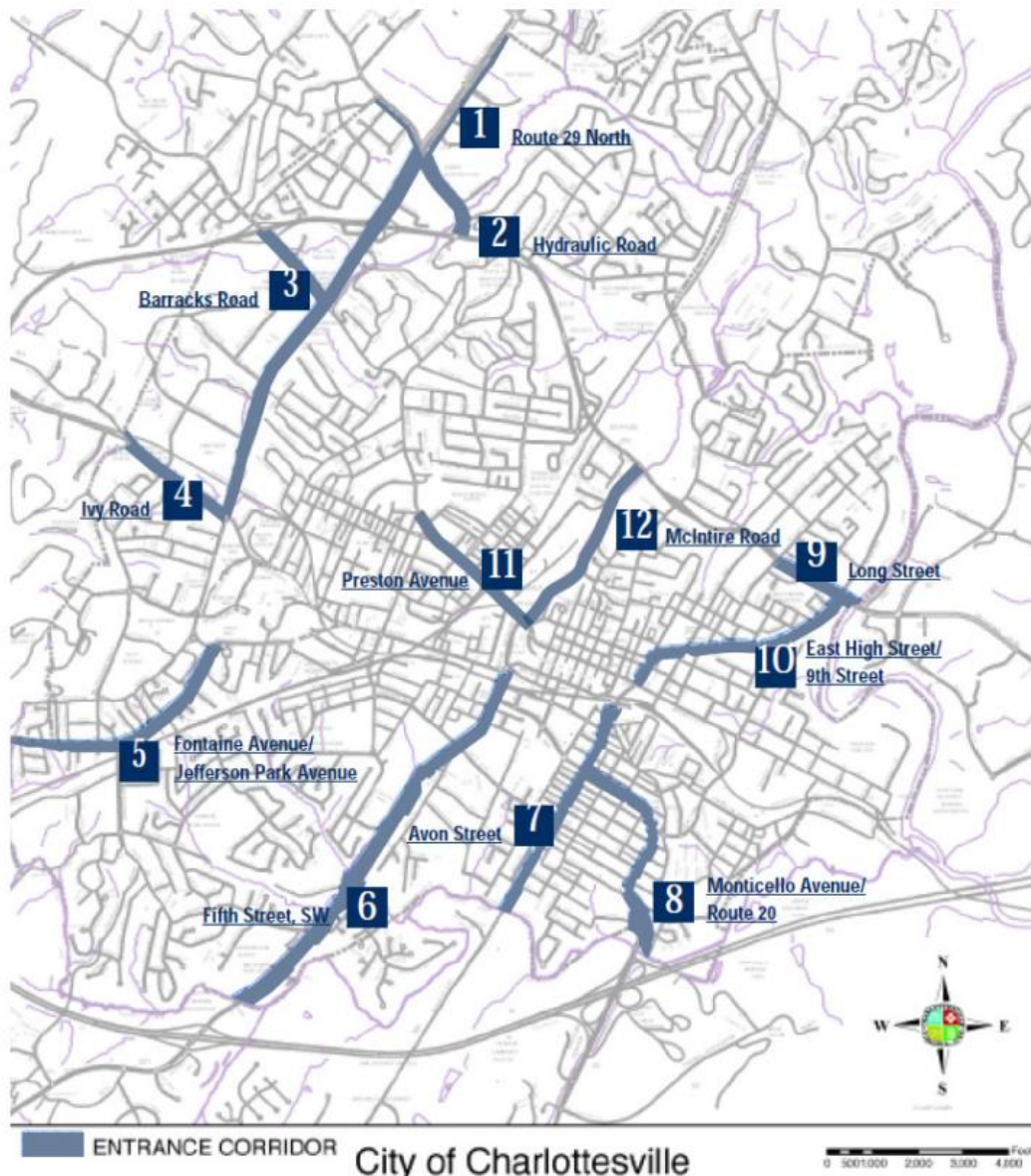
- [EC Design Guidelines Chap 1 Introduction](#)

- [EC Design Guidelines Chap 2 Streetscape](#)
- [EC Design Guidelines Chap 3 Site](#)
- [EC Design Guidelines Chap 4 Buildings](#)
- [EC Design Guidelines Chap 5 Corridor Plans](#)

Background

The City has designated twelve significant routes of tourist access as Entrance Corridors to ensure design review a quality of development compatible with the City’s historic, architectural and cultural resources. In 2003, by ordinance, the Planning Commission was designated as the ERB. The Entrance Corridor Design Guidelines were adopted by Council in 2005 and most recently updated in 2011.

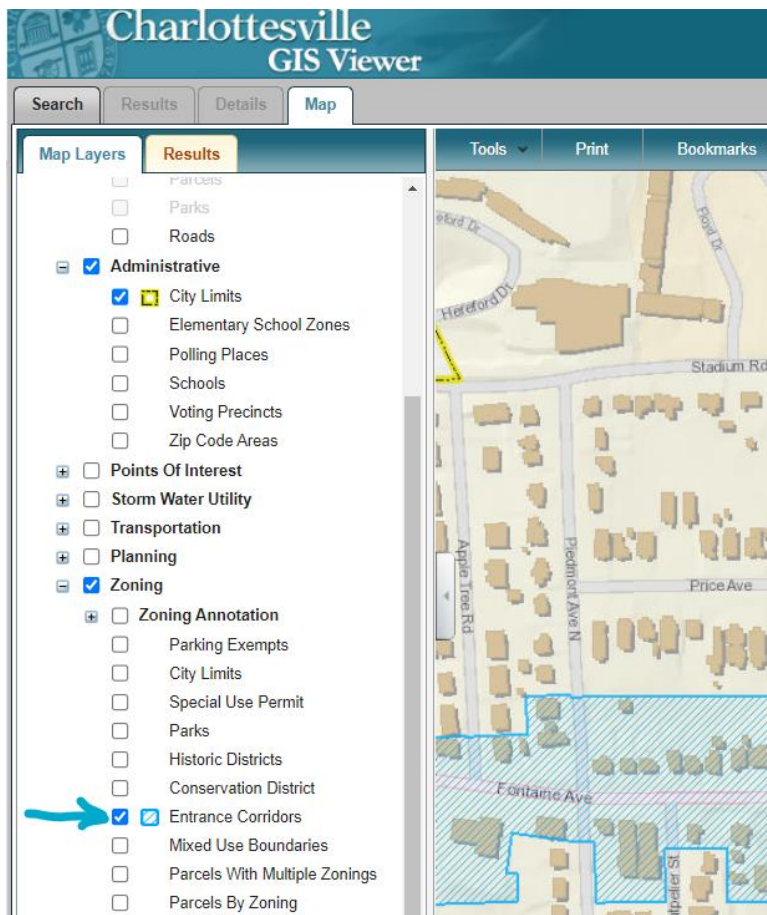
A. DESIGNATED ENTRANCE CORRIDORS IN CHARLOTTESVILLE



When established, only parcels with frontage on the primary street were designated as being within the EC Overlay District. (Map below is a section of the Fontaine Ave/JPA EC.)



EC parcels can be identified using the City’s GIS Viewer. On the Map page, using the Map Layers tab, under Zoning toggle on the Entrance Corridors layer.



Relevant chronology

- 1988: City develops an Urban Design Plan, focused on the entrance corridors, downtown, West Main Street, and the University Corner.
- 1989: Historic preservation chapter added to Comprehensive Plan
- 1991: Amended Zoning Ordinance establishes Entrance Corridor Historic Overlay Districts for twelve corridors leading to the City’s historic areas. (Renamed *Entrance Corridor Overlay Districts* in 2003).
- 1993: City adopts the Historic Preservation Plan, intended to protect historic resources and guide preservation activities. Plan summarizes the current conditions, recommends strategies for increasing preservation awareness and activity.
- 2003: Zoning Ordinance amended to incorporate historic preservation and EC provisions. Planning Commission designated as the Entrance Corridor Review Board (ERB).
- 2005: Entrance Corridor (EC) Design Guidelines adopted.
- 2011: Entrance Corridor Design Guidelines updated. (Links above)
- 2013: Comprehensive Plan updated. In the Historic Preservation & Urban Design chapter, Goal #8 states: *Ensure quality of development in the City’s designated entrance corridor overlay districts compatible with the city’s historic, architectural, and cultural resources.* (Link: [2013 Comprehensive Plan](#))
- 2021: Comprehensive Plan updated. In the Land Use, Urban Form, and Historic & Cultural Preservation chapter, Goal #7 states: *Ensure that the quality of development in Charlottesville’s designated Entrance Corridor Overlay Districts is compatible with the City’s requirements and standards, and with the adjacent neighborhood’s historic, architectural, and cultural resources, while allowing for reuse of structures and evolution of uses in these areas.* (Link: [2021 Comprehensive Plan](#))

Review Activity

Requests for design CoAs, Special Use Permits, and Comprehensive Signage Plans within the Entrance Corridors are infrequent, with most of the design reviews approved administratively. In fact, many EC-related questions are resolved during the review of the site plan or building permit, without requiring a separate EC submittal or application.

Over the last decade, in an average year the ERB will formally review only five requests (CoAs, SUPs, and CSPs) with eight requests (CoAs) addressed administratively. (In contrast, in an average year, design staff will present over 80 requests to the BAR.)

Entrance Corridor Review Board (2012-2022)

EC Reviews	ERB	Admin	Total
Annual Average	5	8	13

Board of Architectural Review (2012-2022)

Historic District Reviews	BAR	Admin	Total
Annual Average	84	19	103

Examples of EC reviews

Special Use Permit (ERB)

Chick-Fil-A BRSC, 1000 Emmet Street North

Fast food restaurant. SUP for drive-through window

December 10, 2019: ERB recommended no adverse impact.

See page 4 of: [Chick-Fil-A BRSC SUP Dec 10 2019](#)

2005 JPA

Apartment building. SUP for additional height.

May 10, 2022: ERB recommended the increased height will result in an adverse impact, but the impact can be mitigated during design review process.

See page 6 of: [2005 JPA SUP May 10 2022](#)

Design Review (ERB)

Wawa 5th Street

Retail store and gas service

May 10, 2022: CoA approved

See page 6 of: [Wawa 5th Street May 10 2022](#)

Dairy Central Phase 2, 946 Grady Avenue.

Apartment building.

November 13, 2018: CoA approved

See page 124 of: [Dairy Central Phase 2 Nov 13 2018](#)

Comprehensive Signage Plan (ERB)

Hillsdale Place, 1800 Hydraulic Road

September 10, 2019: ERB recommended Council approve CSP with modifications.

See page 90 of: [Hillsdale Place CSP Sept 10 2019](#)

Sentara, 920 East High Street

July 12, 2022: ERB recommended Council approve the CSP.

See page 6 of: [Sentara CSP July 12 2022](#)

Administrative Design Review (Staff)

KFC, 1705 North Emmet Street

Fast food restaurant. Exterior alterations (See attached)

February 10, 2020: CoA approved

Warby-Parker, 1039 North Emmet Street

Store in Barracks Road Shopping Center. Storefront Alterations. (See attached)

January 14, 2022: CoA Approved

Looking Forward

- Design review CoA for 2005 JPA.
- Anticipated update of the CSP for Barracks Road Shopping Center.

- Revise/update the design guidelines following the updates to zoning ordinance. [Note: Regardless of the ordinance revisions, updates to the design guidelines, adopted in 2011, are overdue. Per Sec. 34-308(b): “The ERB shall undertake a comprehensive review and update its design guidelines at least once every five (5) years.”]

Attachments

- City Code re: Entrance Corridors
- Examples of Administrative Reviews

- CODE
Chapter 34 - ZONING
ARTICLE II. - OVERLAY DISTRICTS
DIVISION 3. ENTRANCE CORRIDOR OVERLAY DISTRICTS

DIVISION 3. ENTRANCE CORRIDOR OVERLAY DISTRICTS

Sec. 34-306. Purpose.

The entrance corridor overlay district is intended to implement the comprehensive plan goal of protecting the city's historic, architectural and cultural resources, by ensuring a quality of development compatible with those resources through design control measures. The purposes of this article are to stabilize and improve property values; to protect and enhance the city's attractiveness to tourists and other visitors; to sustain and enhance the economic benefits accruing to the city from tourism; to support and stimulate development complimentary to the prominence afforded properties and districts having historic, architectural or cultural significance; all of the foregoing being deemed to advance and promote the health, safety and welfare of the general public.

(9-15-03(3))

Sec. 34-307. Applicability.

- (a) Subject to subsection (b), below, entrance corridor overlay districts are hereby established upon and along the following arterial streets or highways, which are deemed by the city council to be significant routes of tourist access to the city, or to designated historic landmarks, buildings, structures or districts within the city ("EC streets"):
- (1) Route 29 North from the corporate limits to Ivy Road;
 - (2) Hydraulic Road from the corporate limits to the 250 Bypass;
 - (3) Barracks Road from the corporate limits to Meadowbrook Road;
 - (4) Ivy Road from the corporate limits to Emmet Street;
 - (5) Fontaine Avenue/Jefferson Park Avenue from the corporate limits to Emmet Street;
 - (6) Fifth Street, SW from the corporate limits to the beginning of the Ridge Street Architectural Design Control District;
 - (7) Avon Street from the corporate limits to the CSX Railroad tracks;
 - (8) Monticello Avenue/Route 20 from the corporate limits to Avon Street;
 - (9) Long Street from the corporate limits to St. Clair Avenue;
 - (10) East High Street/9th Street from Long Street to East Market Street;
 - (11) Preston Avenue from McIntire Road to Rosser Avenue; and
 - (12) McIntire Road, from Preston Avenue to Route 250.

-
- (b) Entrance corridor overlay districts are hereby established upon the lots and parcels of land contiguous to the streets and highways enumerated within subsection (a), above, from the edge of the right-of-way to the full depth of the lot or parcel, as the lot or parcel existed on the date the adjacent EC street was designated.
 - (c) The entrance corridor overlay districts are hereby established over the existing zoning district classifications of the land contiguous to the streets and highways enumerated within subsection (a), above. The regulations set forth within this article shall apply to all such land, in addition to the regulations of the underlying zoning district and in addition to other generally applicable zoning ordinance provisions (e.g., generally applicable standards governing parking, lighting, landscaping, signs, etc.). In the event of a conflict between the regulations set forth within this article and those set forth within the regulations of the underlying zoning district classification, or elsewhere within this zoning ordinance, the more restrictive regulation shall govern.

(9-15-03(3))

Sec. 34-308. Review board.

- (a) The provisions of this article shall be administered by an entrance corridor review board ("review board" or "ERB") hereby created by the city council. The city's planning commission shall serve as the review board.
 - (1) The meetings of the ERB shall be held at the call of its chair or at such times as a quorum of the board may determine.
 - (2) The ERB shall keep minutes of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact.
 - (3) All records of official actions shall become part of the permanent records of the ERB.
 - (4) The ERB shall choose annually its own chair and vice-chair, who shall act in the absence of the chair.
 - (5) The ERB may, from time to time, adopt and amend bylaws for the regulation of its affairs and the conduct of its business.
 - (6) The ERB may, from time to time, recommend areas for designation as entrance corridor overlay districts and may also recommend removal of any such designation.
 - (7) The ERB shall serve in an advisory capacity to city council and the board of zoning appeals in rezonings, special use permits, site plans, subdivisions, variances and other matters within entrance corridor overlay districts.
 - (8) The ERB shall be responsible for issuance of certificates of appropriateness required by this article.
- (b) The ERB shall develop and recommend to the city council for its approval design guidelines for the entrance corridor overlay districts ("Entrance Corridor Design Guidelines"), consistent with the purposes and standards set forth within this article. The ERB shall develop such guidelines in consultation with the city's director of neighborhood

development services and after seeking input from business and property owners in the various overlay districts. Guidelines developed by the ERB shall become effective upon approval by city council and thereafter shall have the status of interpretive regulations. The ERB shall undertake a comprehensive review and update its design guidelines at least once every five (5) years. Until the initial guidelines have been completed and approved, the ERB shall apply the design guidelines developed by the city's BAR for the entrance corridor districts.

(9-15-03(3); 9-7-21(1) , § 2)

Sec. 34-309. Certificates of appropriateness.

- (a) The following shall require a certificate of appropriateness issued in accordance with this division:
 - (1) All improvements requiring a building permit (but for which no site plan is required), other than single- or two-family dwellings where the work requiring the building permit (i) is new construction, or (ii) represents an addition or modification of 25% or more of the gross area of an existing building or structure.
 - (2) Regardless of whether a building permit is required: (i) signs; and (ii) installations or replacements of roof coverings, windows, doors or siding on any building or structure, any part of which, once installed, will be visible from an EC street referenced in section 34-307(a) above, other than those installed on a single- or two-family dwelling.
 - (3) All development requiring a site plan.
- (b) All applications for the certificates required by subparagraphs (a)(1) or (a)(2) above, shall be reviewed and approved administratively by the director. If administrative approval is granted the applicant shall post a notice of such approval on the subject property. If the application is denied the director shall mail or hand-deliver notice of their decision to the applicant. In either case, the applicant or any other aggrieved party shall have ten (10) working days from the date of the director's decision to appeal the decision to the ERB; no certificate shall be issued prior to expiration of the ten-day period.
- (c) All applications for the certificates required by subparagraph (a)(3) above shall be reviewed and approved by the ERB following the process set forth within sections 34-310 through 34-313.
 - (1) The ERB shall approve or disapprove an application and, if approved, shall issue a certificate of appropriateness with any reasonable conditions as it may deem necessary to ensure compliance with this division. Failure of the ERB to act upon an application within sixty (60) days from the date of its original submission shall be deemed to constitute approval of the application.
 - (2) Nothing contained in this subsection shall be deemed to compromise, limit, or otherwise impair the planning commission in its exercise of preliminary or final site plan review as set forth within Article VII, section 34-800, et seq. of this zoning ordinance.

-
- (3) It is the express intent of the city council in enacting the provisions of this subsection that matters related to public health and safety, as may be defined by the planning commission, shall prevail over issues within the purview of the ERB.
- (d) Notwithstanding the foregoing provisions of this section, no certificate of appropriateness shall be required for the following activities:
- (1) Interior alterations to a building or structure.
 - (2) Construction of ramps and other modifications to serve the handicapped.
 - (3) Repair and maintenance of buildings or structures which are non-conforming for failure to comply with the provisions of this article.
 - (4) General maintenance of buildings or structures, where no substantial change in design or materials is proposed.
 - (5) Additions or modifications to a building or structure, where no substantial change in design or materials is proposed, as determined by the director of neighborhood development services or their designee.
- (e) Once issued, a certificate of appropriateness shall be binding upon the proposed development, as to any conditions of issuance specified therein. The certificate shall certify that the proposed development (subject to any conditions stated within the certificate) is consistent with the design guidelines applicable to the specific EC street. Signature by the zoning administrator upon a final site plan or building permit, as the case may be, shall constitute such certification.
- (f) The validity period of a certificate of appropriateness shall be as follows:
- (1) A certificate of appropriateness associated with a project for which a valid site plan is not required shall expire and become void eighteen (18) months from the date of approval by the entrance corridor review board, unless a building permit to construct the authorized improvements or activities has been issued; or, if no building permit is required, unless construction of the authorized improvements or activities has substantially commenced.
 - (2) The validity period of a certificate of appropriateness associated with a project for which a valid site plan is required shall be consistent with that of the approved preliminary and final site plan pursuant to sections 34-822 and 34-825, except a certificate of appropriateness shall expire and become void eighteen (18) months from the date of approval by the entrance corridor review board if preliminary site plan approval has not been granted, or upon revocation of an approved preliminary site plan or expiration of an approved final site plan.
 - (3) Prior to the expiration of a certificate of appropriateness, upon written request and for reasonable cause, the director of neighborhood development services or the entrance corridor review board may extend the validity of any such certificate for a period not to exceed one (1) year.

(9-15-03(3); 6-6-05(2); 7-18-11; 7-16-12; 9-7-21(1) , § 2)

Sec. 34-310. Standards for considering certificates of appropriateness.

The review board, the city council on review of an application, and the director in conducting an administrative review, shall consider the following features and factors in determining the appropriateness of proposed construction, reconstruction, alteration or restoration of buildings or structures pursuant to this article:

- (1) Overall architectural design, form, and style of the subject building or structure, including, but not limited to: the height, mass and scale;
- (2) Exterior architectural details and features of the subject building or structure;
- (3) Texture, materials and color of materials proposed for use on the subject building or structure;
- (4) Design and arrangement of buildings and structures on the subject site;
- (5) The extent to which the features and characteristics described within paragraphs (1)—(4), above, are architecturally compatible (or incompatible) with similar features and characteristics of other buildings and structures having frontage on the same EC street(s) as the subject property.
- (6) Provisions of the Entrance Corridor Design Guidelines.

(9-15-03(3))

Sec. 34-311. Sign standards.

Signs within any entrance corridor overlay district shall comply with the standards set forth within Article IX, section 34-1020, et seq.

(9-15-03(3))

Sec. 34-312. Application requirements.

- (a) Application for a certificate of appropriateness pursuant to this division shall be filed with the director of neighborhood development services by the owner, contract purchaser, or lessee of the property, or by the authorized agent of any such person, of the subject property.
 - (1) A complete application shall include all plans, maps, studies, reports, photographs, drawings, building elevations, and other informational materials which may be reasonably required in order to make the determinations called for in a particular case.
 - (2) [*Reserved.*]
 - (3) Each application for a certificate of appropriateness shall be accompanied by the required application fee, as set forth within the most recent zoning fee schedule approved by city council.

-
- (b) The director shall establish submission deadlines for applications. For purposes of this division a complete application shall be deemed to be "officially submitted" on the date of the next submission deadline following the date on which the application was received by the director.
- (c) Each application shall include a landscaping plan, for the uses described following below.
- (1) For development subject to site plan review, such plan shall meet the requirements set forth below as well as those required within Article VII, section 34-867.
 - (2) For other applications, the landscaping plan shall consist of drawings, documents and information sufficient to allow the director to determine whether the following requirements are satisfied:
 - a. *Uses to be screened:* Parking lots, loading areas, refuse areas, storage areas, detention ponds and mechanical equipment shall be screened from view from the adjacent EC street.
 - b. *Standards for screening:* When required, screening shall consist of the following:
 - (i) A planting strip of vegetation or trees, an opaque wall, an opaque fence or a combination of these.
 - (ii) Where only vegetative screening is provided, such screening strip shall not be less than twenty (20) feet in depth and shall consist of a double staggered row of evergreen trees on fifteen-foot centers, a minimum of five (5) feet in height when planted, or a double staggered row of evergreen shrubs on five-foot centers, a minimum of twenty-four (24) inches in height when planted. Alternative methods of vegetative screening may be approved by the ERB or the director in connection with approval of a certificate of appropriateness.
 - (iii) Where a fence or wall is provided for screening, it shall be a minimum of six (6) feet in height with planting required at ten-foot intervals along such structure.
 - (3) *Landscaping.* All nonresidential uses, including parking lots and vehicular display areas, shall have all of the street frontage, exclusive of driveways and walkway connections, landscaped with trees and other varieties of plant material at least eighteen (18) inches in height at maturity. The tree varieties shall conform to those recommended in the city's list of approved plantings. All uses shall have the side and rear property edges defined with a fence, wall or curbed planting strip of trees and other plantings a minimum of twenty-four (24) inches in height at maturity.
- (d) Each application shall include information about proposed lighting. Lighting fixtures shall be harmonious with the character of existing and proposed structures fronting along the EC street, and shall not exceed the height of any buildings on the site. Further, lighting shall comply with the provisions of Article IX, Division 3, section 34-100, et seq.

(9-15-03(3); 6-6-05(2); 7-16-12)

Sec. 34-313. ERB review process.

Following receipt of a complete application requiring review by the ERB, the director shall forward the application, together with all accompanying informational materials, to the ERB. Upon receipt of an application, the review board shall schedule a hearing on the application.

- (1) Notice of the hearing shall be provided to the applicant and to other persons in the same manner as set forth within section 34-284(a).
- (2) Written notice of the hearing shall also be provided to each member of the city council, at least (10) days in advance of the hearing. Such notice may be hand-delivered, mailed or transmitted via electronic communication.
- (3) The notices required by this subsection shall state the type of use or development proposed, the specific location of such use or development, and a general description of the appearance and materials proposed for the development which is the subject of the application.

(9-15-03(3))

Sec. 34-314. Appeals.

- (a) Following approval of an application by the ERB, the director of neighborhood development services, or any aggrieved person, may note an appeal of that decision to the city council, by filing a written notice of appeal with the clerk of city council within ten (10) working days of the date of the decision. If no such appeal is noted, then upon the expiration of the ten-day appeal period the director of neighborhood development services shall issue the approved certificate of appropriateness.
- (b) Upon denial of an application (approval of an application with conditions, over the objections of the applicant, shall be deemed a denial) the applicant shall be provided written notice of the decision, including a statement of the reasons for the denial or for the conditions to which the applicant objects. Following a denial, the applicant, the director of neighborhood development services, or any aggrieved person may appeal the decision to the city council, by filing a written notice of appeal with the clerk of city council within ten (10) working days of the date of the decision.
- (c) In any review of an ERB decision the city council shall review the application as if the application had come before it in the first instance. Any aggrieved person, shall be given an opportunity to be heard on the appeal. City council may consider any information or opinions relevant to the application which is the subject of such decision, including, but not limited to, those provided by the ERB.

(9-15-03(3); 6-6-05(2))

Secs. 34-315—34-325. Reserved.

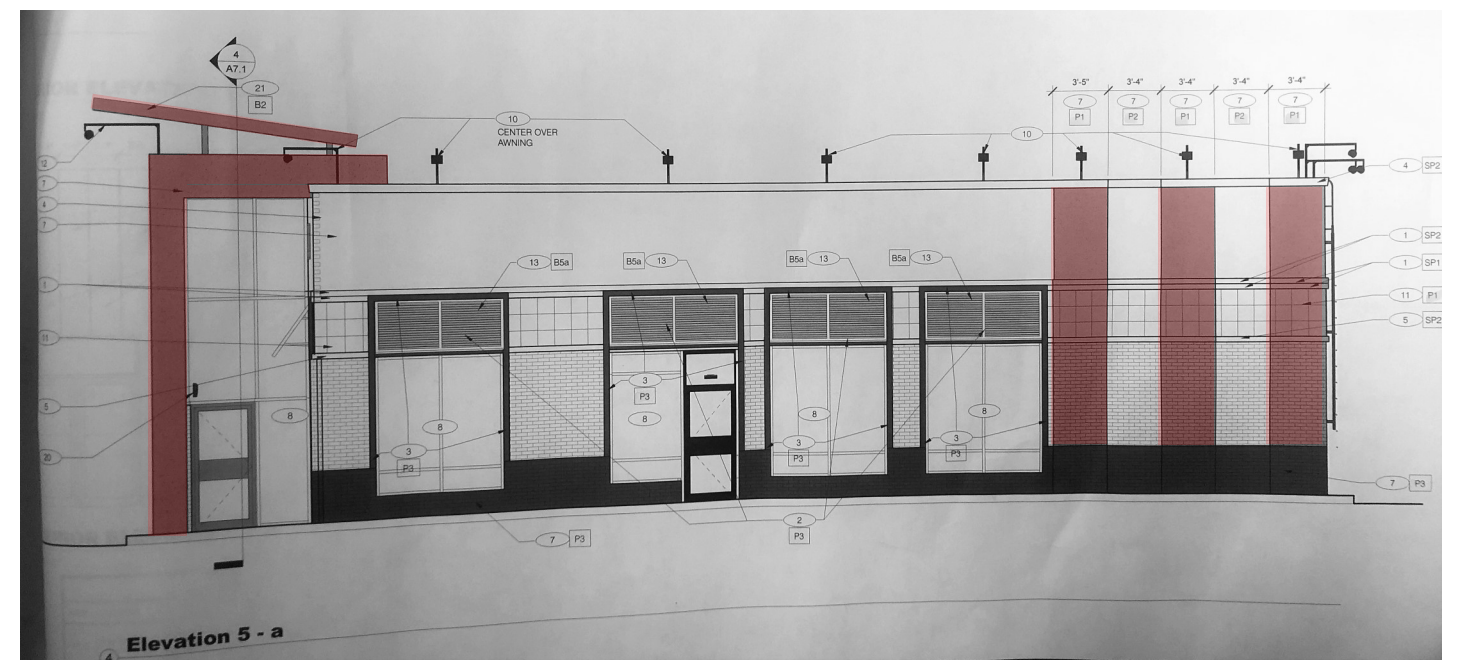
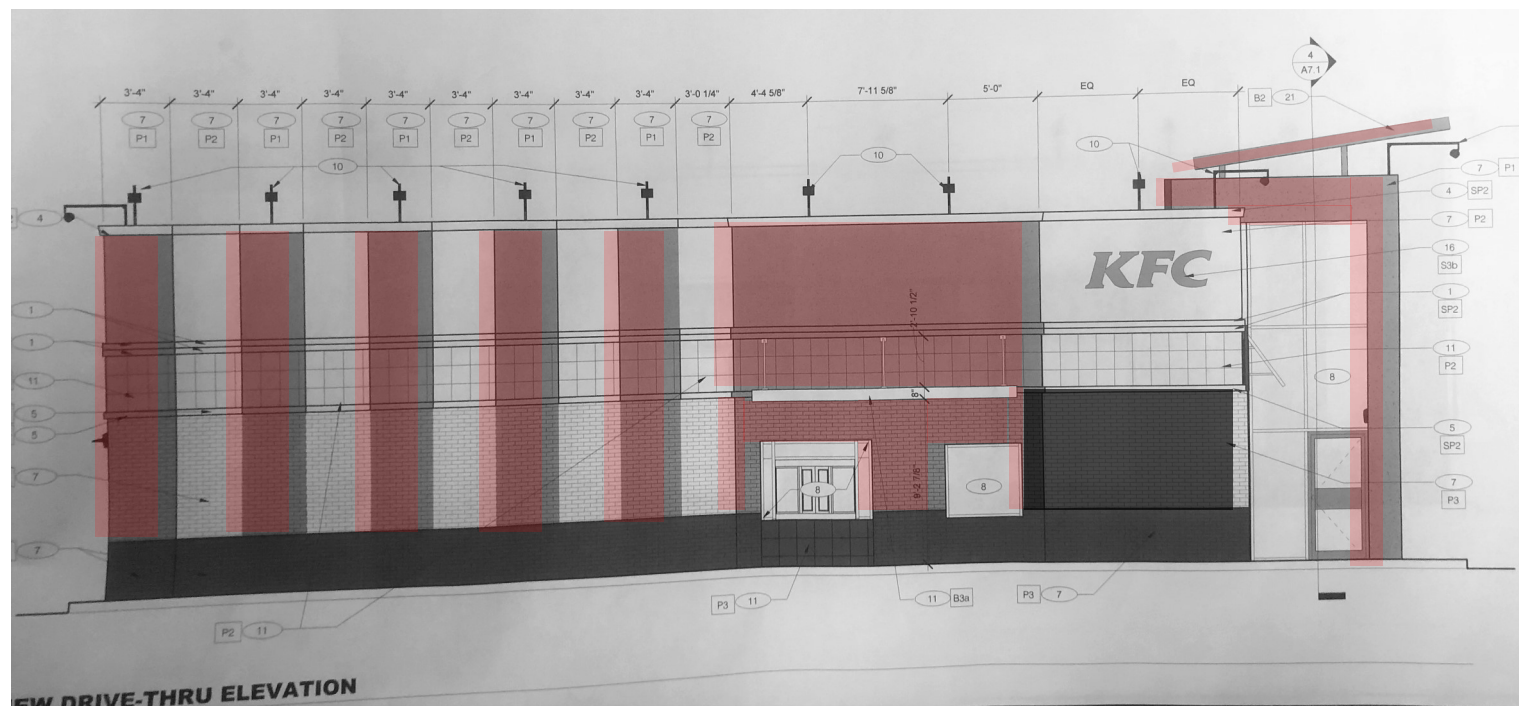
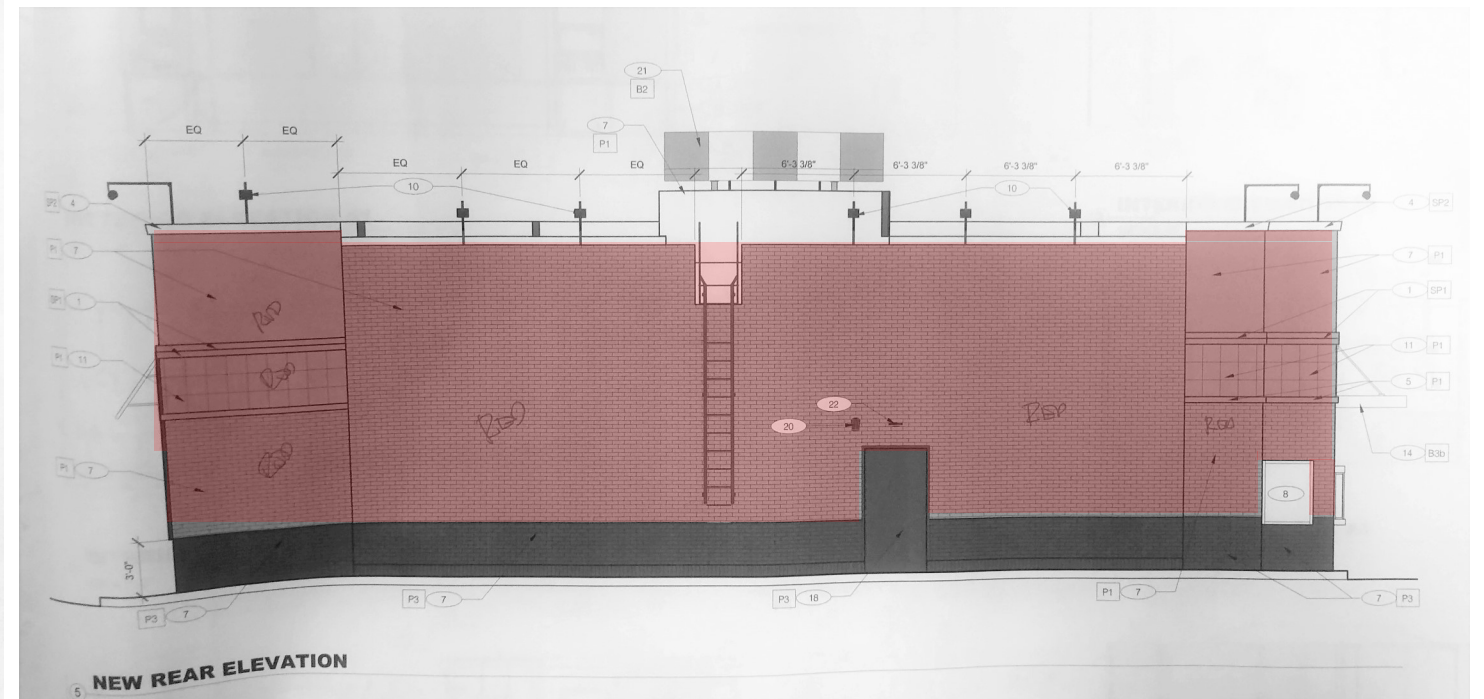
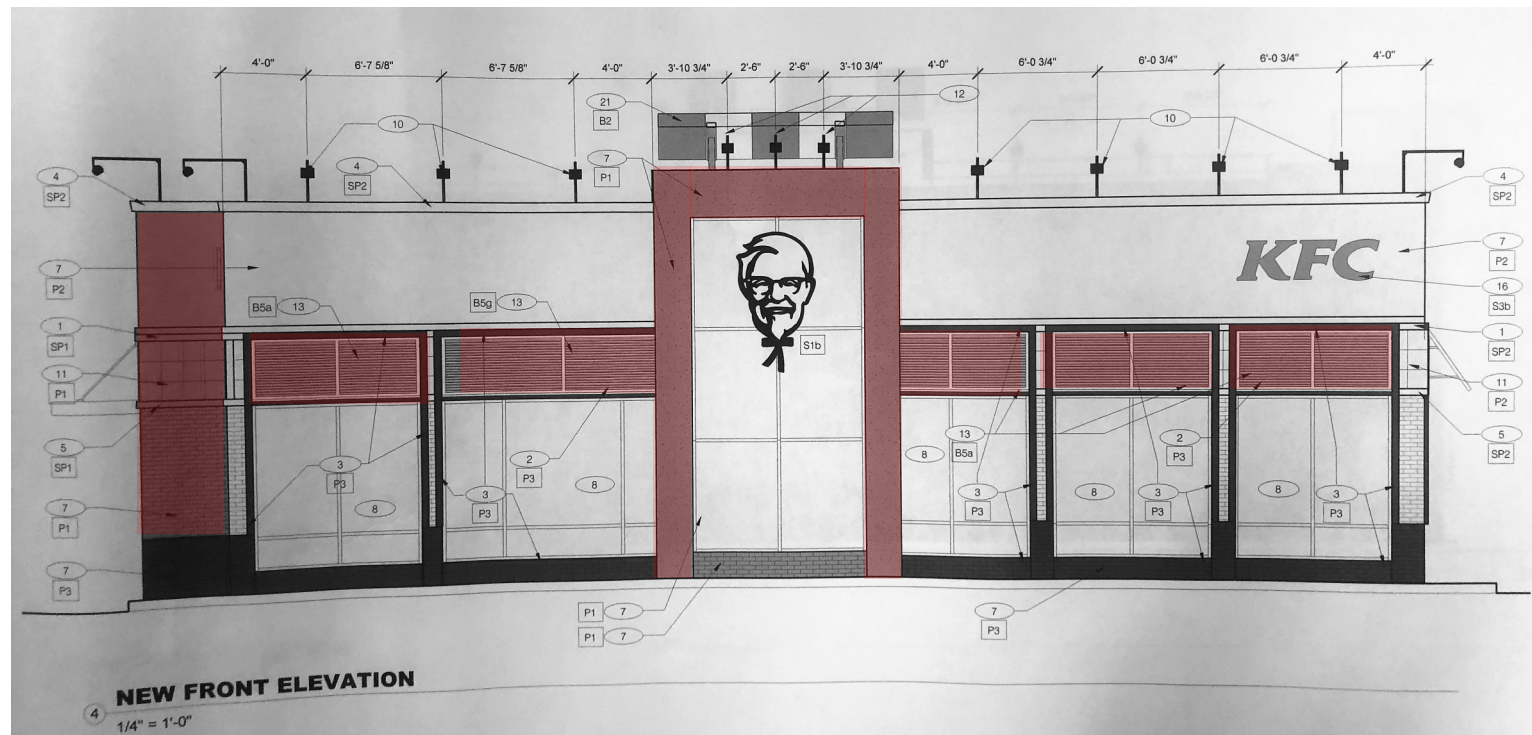
Administrative review:

KFC N. Emmet Street - Exterior alterations

1705 North Emmet St

CoA approved February 10, 2020

Initial Color Palette (approximate) - January 8, 2020



Administrative review:
KFC N. Emmet Street - Exterior alterations
 1705 North Emmet St
 CoA approved February 10, 2020

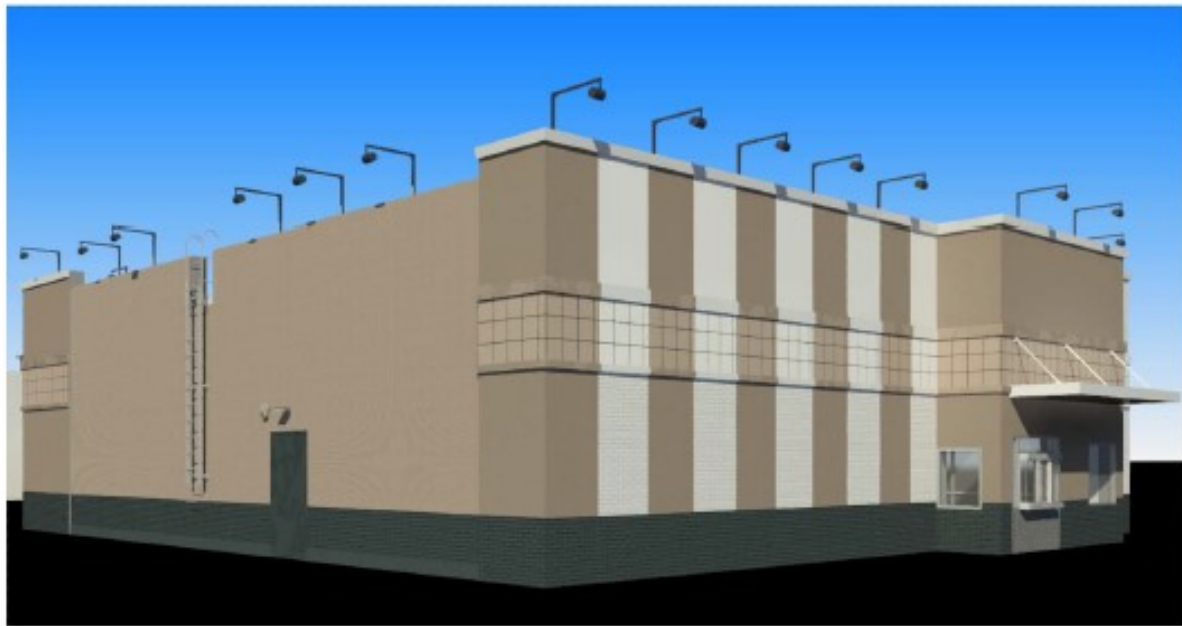
Revised Color Palette #2 - Approved February 10, 2020



③ FRONT ELEVATION
 1/2" = 1'-0"



② MAIN ENTRY ELEVATION
 1/2" = 1'-0"



④ REAR ELEVATION
 1/2" = 1'-0"



① DRIVE-THRU ELEVATION
 1/2" = 1'-0"

Project No. 18-123

snjdesign
 ARCHITECTS

Design by
 snjdesign architects

KFC-American Showman
 1705 N. EMMET ST.
 CHARLOTTEVILLE, VA. 22901

Permitting	
DRAWN BY	CLP
CHECKED BY	MRB
DATE	06/22/19
NO.	DESCRIPTION

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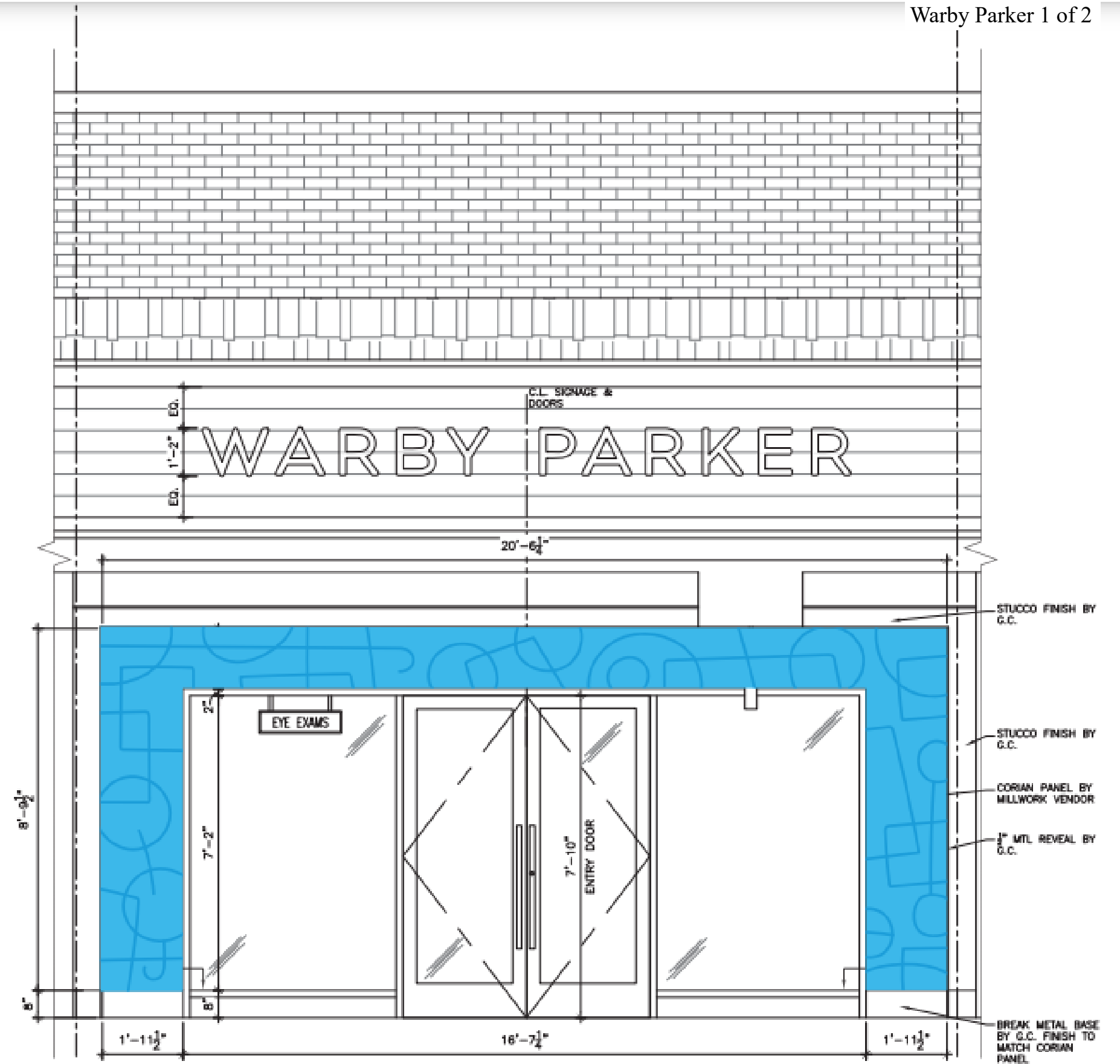
RENDERINGS

R1.1

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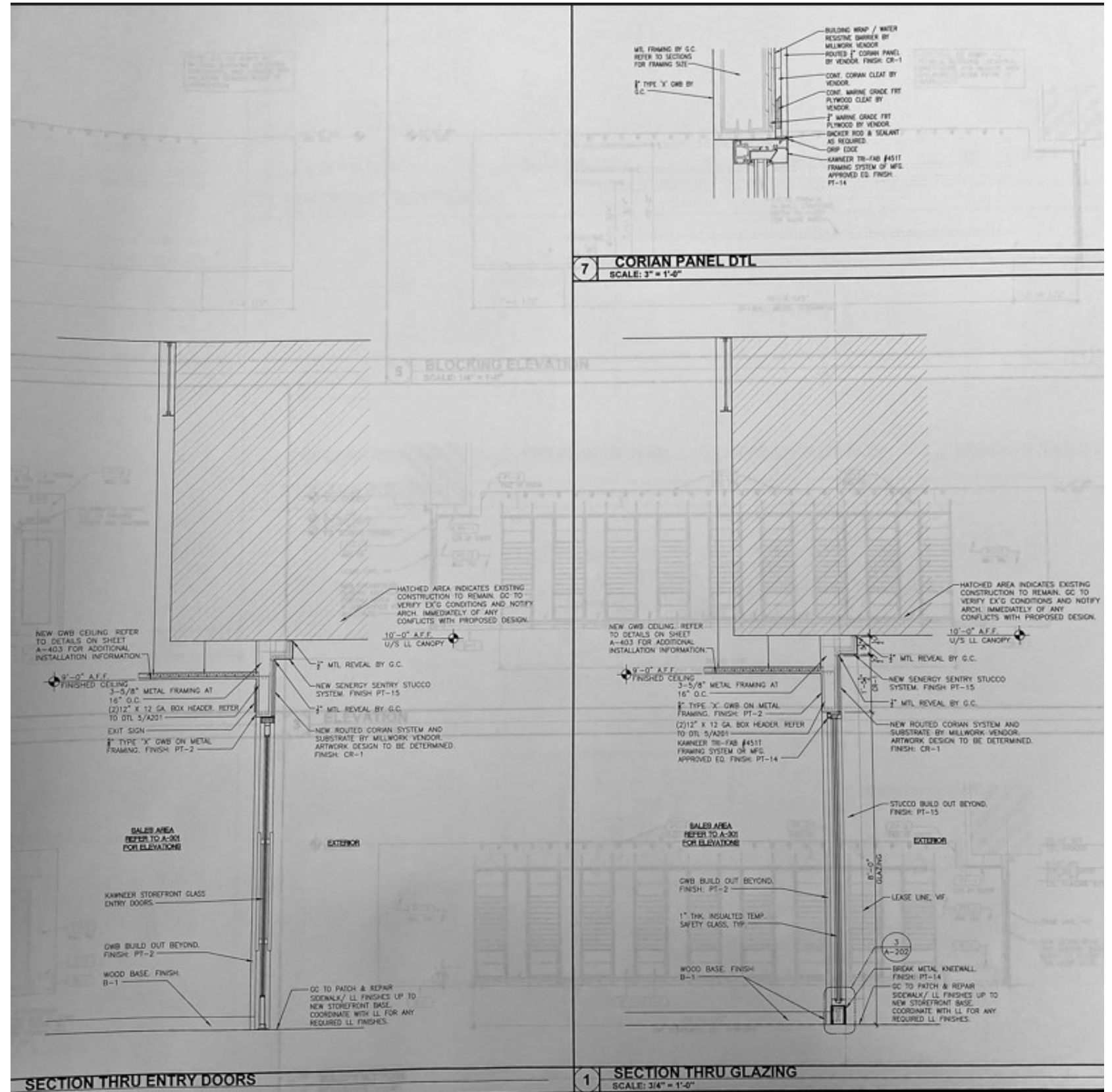
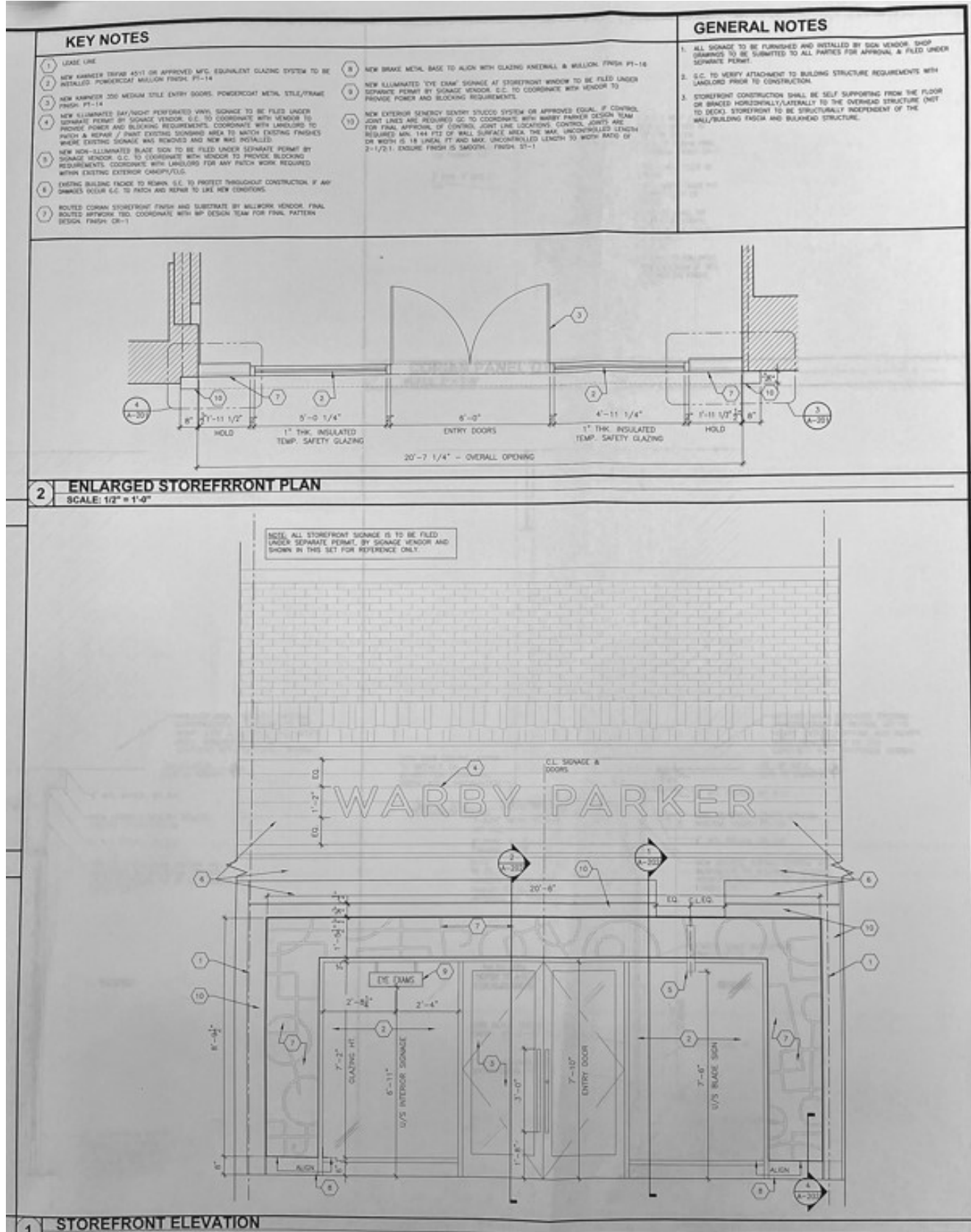
Administrative Review:

Warby Parker - Barracks Road - Storefront Alterations
1039 Emmet St N (BRSC South (formerly Lou Lou's))
CoA approved January 14, 2022



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CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF MEMO



PLANNING COMMISSION REGULAR ITEM
WAIVER DENIAL APPEAL
DATE OF MEETING: January 10th, 2023

Staff Memo prepared by: Brennen Duncan, City Traffic Engineer
Project Planner: Matt Alfele, AICP
Date of Staff Memo: 12/30/2022

Applicant: Southern Development
Applicant's Representative(s): Charlie Armstrong
Current Property Owner: Belmont Station, LLC

Application Information

Property Street Address: 240 Stribling Avenue
Tax Map & Parcel: 18A025000 (real estate taxes paid current – Sec. 34-12)
Total Square Footage/ Acreage Site: 12.07 acres (525,769 square feet)
Comprehensive Plan (General Land Use Plan): Medium Intensity Residential
Current Zoning Classification: Planned Unit Development (PUD)
Overlay District: None
Code Sections: 29-182(c) and 29-36(a)(4)

Applicant's Request

Per section 29-36(a)(4) the applicant is appealing the City's Traffic Engineer's denial of a street grade waiver. On August 9th, 2022 the applicant submitted a Street Grade Waiver application to allow roads within the proposed development to exceed the minimum 8% per section 29-182(c):

Grades. The maximum allowable street grade shall be eight (8) percent. The traffic engineer may vary or grant exceptions to this requirement, pursuant to section 29-36 above, to no more than ten (10) percent.

Staff Review of the Waiver Request

The original comments regarding the waiver request start during the PUD reviews when PC and Council were considering the development. During that process, staff commented on May 14th 2021 as follows:

“The preliminary plat on sheet 17 indicates all roads within the development will be public. Staff cannot determine the grade of the roads from the presented materials, but in some places, they appear to be over 8% as required by Sec. 29-182(c). The City's Traffic Engineer may grant a waiver for roads up to 10% grade, but no information for this request was submitted. In addition, the City's Traffic Engineer will take ADA requirements into consideration with any request and it will be very unlikely that waiver would be granted.”

Applicant response on June 11th, 2021:

“The Site Layout provided can be achieved without exceeding 8%. Spot grades and slopes have been removed from the plan. Detailed grading and road plans will be provided with the site plan submittal which will demonstrate compliance with applicable City Code and SADM requirements.”

When the site plan was submitted, staff noted that the 8% grade was not met and Applicant submitted a formal grade waiver request on August 9th, 2022. In the Applicant's request for waiver (attached for reference) they made five arguments as to why the waiver should be granted – (1)Existing Site Constraints, (2)Minimizing Environmental Impacts, (3)Community Safety and Welfare, (4) Accessibility Considerations and (5)Supporting VDOT and AASHTO guidance.

1. Existing Site Constraints – Staff did not feel that there was enough justification to grant a waiver based on existing site constraints. Existing grades on the site are steep, but the plan as proposed already has cuts/fills that exceed 12-15 feet (see extracted pages from the site plan attached). The 8% street grade can be obtained while maintaining either the 2% or 5% max at intersections as needed to meet ADA requirements.
2. Minimizing Environmental Impacts – Staff feels that the case they made in this section is much more related to cost than to actual environmental impacts. The applicant also lists the approved critical slopes waiver as a constraint. That initial critical slopes waiver was on a parallel approval process of the PUD where staff originally brought up the slopes of the streets. The critical slopes waiver could have accounted for this at that time had the applicant taken staff's comments into consideration. A revision to the critical slopes waiver would likely be backed by staff if it was to accommodate flattening of the road grades to better support ADA accessibility of the site.

Section 29-36.a of the city code which deals with Variations and exceptions states

“Whenever this chapter contains provisions for variation or exception to a requirement, the agent or commission in considering a request for a variation or

exception, shall consider whether, because of unusual size, topography, shape of the property, location of the property or other unusual conditions (excluding the proprietary interests of the subdivider) the requirement that is proposed to be varied or excepted would result in substantial injustice or hardship and would not forward the purposes of this chapter or serve the public interest.”

As stated, “proprietary interests of the subdivider” are excluded from consideration of such exceptions.

3. Community Safety and Welfare – Staff again feels that this point is more related to cost than to safety or welfare. There are already going to be significant retaining walls that go along with the current design. Increasing those slightly will not have a huge impact on Safety in staff’s opinion.

4. Accessibility Considerations – As accessibility concerns and ADA are the main driver for denying this waiver, staff finds this justification inadequate. While the letter of the ADA codes state that you can match existing street grade with a parallel sidewalk, it is staff’s interpretation that this code allows sidewalks on existing streets that may well exceed ADA standards, not to further exacerbate accessibility on newly constructed streets that could make themselves more accessible. Furthermore, as staff started looking more closely at the actual ADA sidewalk design particularly at intersections, we found that most of the intersections are not actually in compliance (as stated in the applicant’s waiver) with either our City Standards and Design Manual (3.4.1.2 – Geometry) or the PROWAG (R302.6.1) as both require 2% maximum cross slopes at stop-controlled intersections. Several street intersections along Road C are also missing crosswalks required by the SADM (3.3.1.3.1) which will undoubtedly change the design further.

5. Supporting VDOT and AASHTO Guidance – While the cited VDOT and AASHTO standards to allow for steeper roadways, there is no reference to the parallel sidewalks. The city has also adopted standards that are more strict than these State or Federal standards and as such, they have little to no impact on a justification for allowing a waiver.

Overall, staff does not feel that there is enough merit to justify granting a waiver. An 8% grade can be achieved with the current layout utilizing additional fill and/or retaining walls, or an alternate layout could be envisioned to reduce the fill needed while still maintaining a maximum 8% grade.

Staff Recommendation

Staff recommends Planning Commission uphold the denial of the applicant’s waiver request.

Suggested Motions

1. I move to deny of the waiver that would allow streets within the development to exceed 8% grade.
2. I move to approve the waiver that would allow those streets identified in the applicant's waiver request to exceed 8%, but not more than 10%.
3. I move to approve the waiver for the combination of road sections (Road A, Road C1, Road C2, Road C3) as identified in the applicant's Exhibit B included with the waiver request.

Attachments

- A. Waiver Application and supporting documents from applicant
- B. Email Correspondence between staff and applicant
- C. Extracted pages from the Preliminary Site Plan Submittal



Application for Street Grade Waiver

Department of Public Works Engineering

P. O. Box 911, City Hall

Charlottesville, VA 22902

Telephone: (434) 970-3182

Tax Map and Parcel Number(s) 18A025000

Address(es) 240 Stribling Avenue

Note: The maximum street grade allowable with a waiver shall not exceed 10.0 percent.

Applicant Contact Information

Name Charlie Armstrong

Company Belmont Station, LLC

Phone 434-245-0894

Email CharlesA@southern-development.com

Owner Contact Information

Name Charlie Armstrong

Address Belmont Station, LLC

Phone 434-245-0894

Email CharlesA@southern-development.com

Owner's Signature:

Member

8/2/22

Owner

Date

Required application materials and fee:

- All required materials. Contact City Traffic Engineer for more information.
- Correct application fee. Checks payable to "City of Charlottesville".

Note: Incomplete applications will not be processed.

Date Received: _____	Received by: _____
Fee: _____	Cash/Check # _____

August 9, 2022

City of Charlottesville
Department of Public Works Engineering
Brennen Duncan, PE – City Traffic Engineer
P.O. Box 911, City Hall
Charlottesville, VA 22902

RE: 240 Stribling Ave. – Street Grade Waiver Request

Dear Mr. Duncan:

With this letter, application, attached exhibits, and supporting documentation, we request a waiver per City Code Sec. 29-182(c) and Sec. 29-36, to allow the use of street grade slopes over 8%, not to exceed 10%.

The attached documentation and exhibits help to highlight the following supporting points:

1. Existing Site Constraints

The attached Exhibit A, Existing Conditions/Site Constraints Overview, provides an overview of the existing constraints related to current site topographic conditions. As indicated in Exhibit A, the existing site drops over 100' from the existing high point to far end of the proposed work, which results in an average existing grade of 10.8%, end to end. Additionally, the proffered requirement to tie in existing Morgan Court results in a 6.3% across the length of the road length; this calculation does not consider the reduced slopes required at each intersection where the slopes must be reduced for intersection slope requirements and to comply with accessibility regulations. Additionally, the site contains extensive critical slopes along the south and east sides, which have been granted a Critical Slopes Waiver; as discussed further in supporting points 2 and 3 below, maintaining 8% maximum road grades would require additional retaining walls and/or additional encroachment into the critical slopes. The requested waiver allowing for steeper road grades limits impacts to critical slopes and adjacent properties.

2. Minimizing Environmental Impacts:

The attached Exhibit B, Proposed Conditions & Impacts Overview, provides an overview of the positive impacts that are a result of utilizing street grades of 9.5%. By more closely following the site's existing topography, we are able to make the earthworks generally balance. That is to say that dirt cut onsite is replaced with fill onsite. Adhering to an 8% maximum road grade would result in approximately 12,500 CY (Cubic Yards) of imported dirt. This amount of

imported material would result in at least 1000 dump truck loads moving dirt onsite from an approved offsite location. The environmental impacts of this high volume of material being moved onsite is avoidable and has informed our request to utilize steeper street grades.

As shown in Exhibit B, the use street grades of 9.5%, as proposed eliminates the need for either an additional 6' tall retaining wall located on the south end of the site or an additional 5,000 SF of land disturbance and resulting conflicts with the existing 100-year flood plain and approved Critical Slopes Waiver. Additionally, this site is adjacent to Moores Creek, which has been identified as an impaired waterway due to the sediment volumes. By allowing increased road grades, the requested waiver reduces the environmental impacts to the 100-year flood plain and Moors Creek by reducing the project's limits of disturbance.

3. Community Safety and Welfare:

As shown in Exhibit B, the use street grades of 9.5%, as proposed eliminates the need for either an additional 6' tall retaining wall located on the south end of the site or an additional 5,000 SF of land disturbance and resulting conflicts with the existing 100-year flood plain and approved Critical Slopes Waiver. Tall retaining walls adjacent to roads, homes, and community spaces create potential pedestrian and vehicular safety hazards; these hazards can be minimized by increasing the road grades, allowing the proposed road grades to match the site's existing topography more closely. Additionally, as noted above in supporting point number 2, this waiver would significantly reduce the volume of construction traffic on Stribling Avenue, contributing to a safer experience for the community and reducing the noise and vibration, air pollution, nuisance, etc. created by excessive truck traffic.

4. Accessibility Considerations

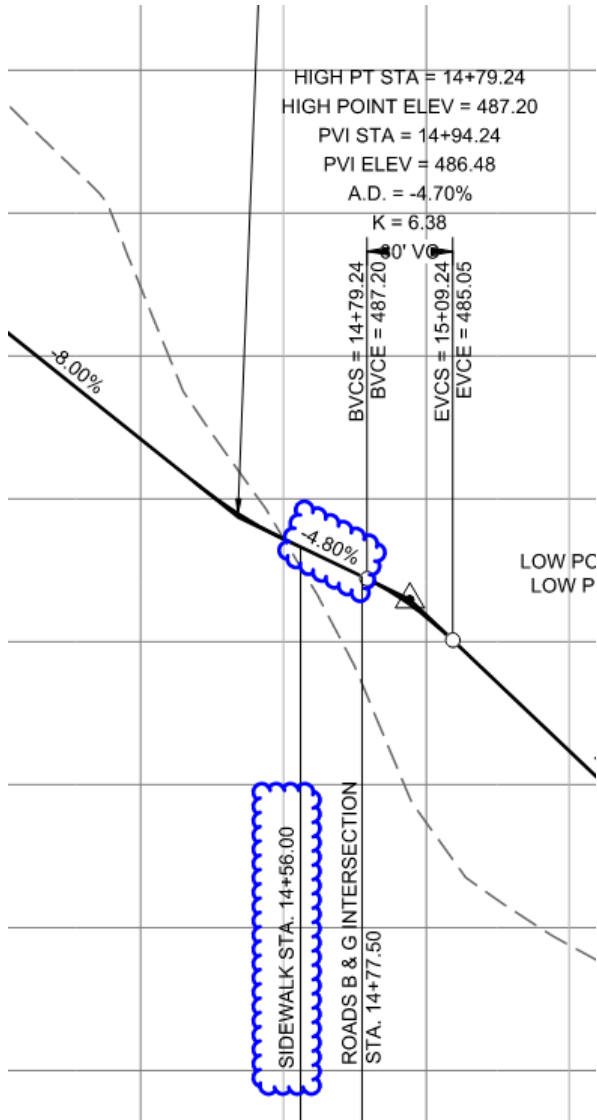
Adherence to accessibility regulations has been a top priority and is demonstrated in the submitted Preliminary Site Plan. The proposed development complies with the US Access Board's Public Rights-of-Way Accessibility Guidelines Section R302, for roadside sidewalks and intersection street crossings for both longitudinal slope and cross-slopes. Please find the following excerpts indicating design standards from current Public Rights-of-Way Accessibility Guidelines regulations and corresponding examples from the submitted Preliminary Site Plan which demonstrate compliance with these regulations:

Cross Slopes at Street Crossings Without Yield or Stop Control (PROWAG R302.6.1):

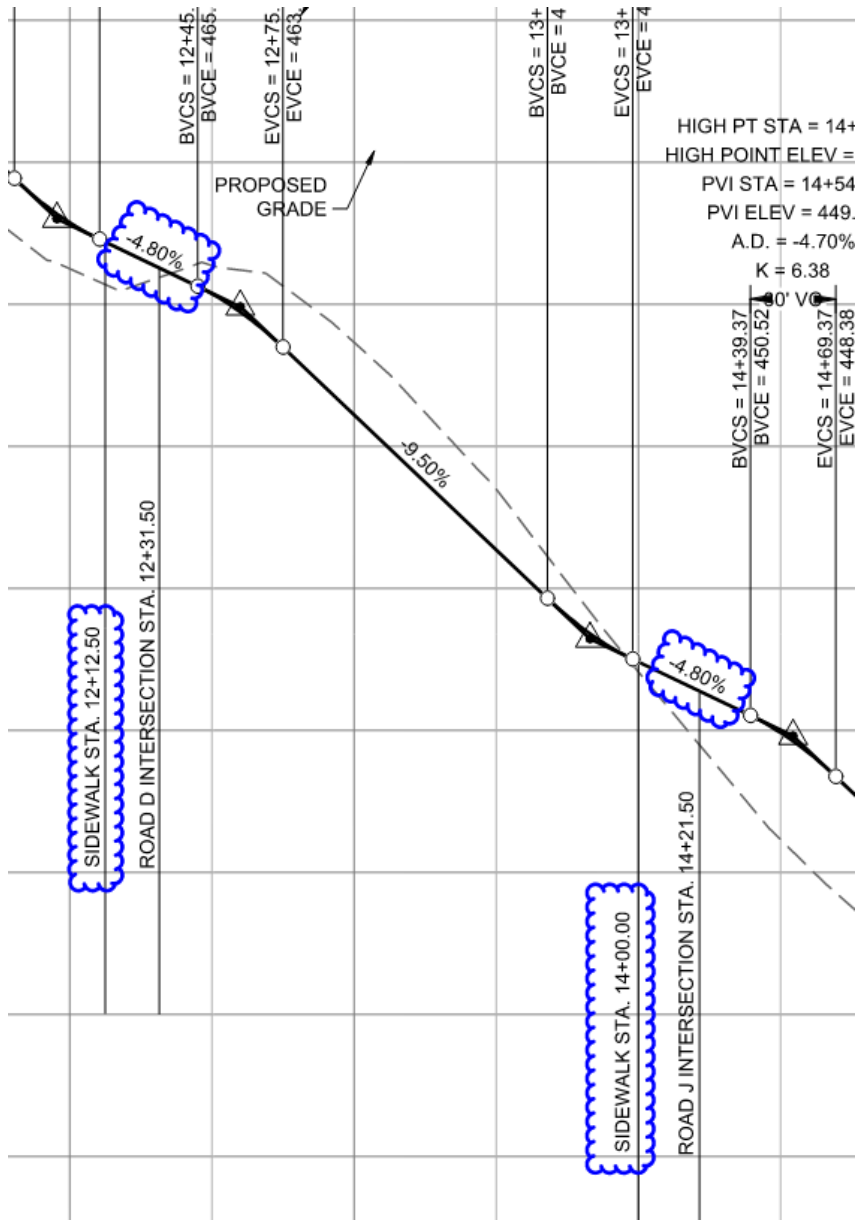
R302.6.1 Pedestrian Street Crossings Without Yield or Stop Control

Where pedestrian access routes are contained within pedestrian street crossings without yield or stop control, the cross slope of the pedestrian access route shall be 5 percent maximum.

Road A, Intersection with Roads B and G (Sheet C8.00):



Road C, Intersection with Roads D and J (Sheet C8.01);



Longitudinal Slope within Street or Highway Right-of-Way (PROWAG R302.5.1):

R302.5.1 Within Street or Highway Right-of-Way [🔗](#)

Except as provided in R302.5.3, where pedestrian access routes are contained within a street or highway right-of-way, the grade of pedestrian access routes shall not exceed the general grade established for the adjacent street or highway.

The above provision allows for longitudinal sidewalk grades to be placed at a slope that matches the general grade established for the adjacent street, which is consistent with the grading included in the proposed development.

5. Supporting VDOT and AASHTO Guidance

Please find the following documentation from the Virginia Department of Transportation (VDOT) and the American Association of State Highway and Transportation Officials (AASHTO) design standards that allow for local street grades in excess of 8% without requiring additional exceptions or justification:

VDOT Geometric Design Standards for Urban Local Street System:

GEOMETRIC DESIGN STANDARDS FOR URBAN LOCAL STREET SYSTEM (GS-8)

	DESIGN SPEED (MPH)	MINIMUM RADIUS		(1) MAXIMUM PERCENT OF GRADE	(10) MINIMUM STOPPING SIGHT DISTANCE	(2) MINIMUM WIDTH OF LANE	(3) STANDARD CURB / CURB & GUTTER	BUFFER STRIP WIDTH	(5) MINIMUM SIDEWALK WIDTH	(6) SLOPE	NEW AND RECONSTRUCTED MINIMUM BRIDGE WIDTHS AND VERTICAL CLEARANCES
		U	ULS								
STREET WITH CURB & GUTTER	30	251'	273'	15	200'	10'	(12) CG-2 / CG-6	(4)	5'	2:1	
	25	155'	167'		155'						
	20	87'	92'		125'						
	DESIGN SPEED (MPH)	MINIMUM RADIUS		(1) MAXIMUM PERCENT OF GRADE	(10) MINIMUM STOPPING SIGHT DISTANCE	(2) MINIMUM WIDTH OF LANE	(7) (11) MINIMUM WIDTH OF GRADED SHOULDERS CUT & FILL		(8) MINIMUM WIDTH OF DITCH FRONT SLOPE	SLOPE	See Footnote (9)
		U	ULS				With GR	Without GR			
(11) STREET WITH SHOULDER DESIGN	30	251'	273'	15	200'	10'	REFER TO MINIMUM WIDTH OF GRADED SHOULDERS CUT AND FILL FOR GS-4		4' @ 3:1	3:1	
	25	155'	167'		155'						
	20	87'	92'		125'						

GENERAL NOTES

Design Speed is not a major factor for local streets. For consistency in design elements, design speeds ranging from 20 to 30 mph may be used, depending on available right of way, terrain, adjacent development and other area controls.

In the typical street grid, the closely spaced intersections usually limit vehicular speeds, making the effect of a design speed of less significance.

Design speeds exceeding 30 mph in residential areas may require longer sight distances and increased curve radii, which would be contrary to the basic function of a local street.

Standard TC-5.11U (Urban) superelevation based on 4% maximum.

Standard TC-5.11ULS (Urban Low Speed) superelevation based on +2% maximum may be used with a design speed of 45 mph or less.

*For Standard TC-5.11 ULS superelevation based on -2%, please refer to Road and Bridge Standards 803.23.

For minimum widths for roadway and right of way used within incorporated cities or towns to qualify for maintenance funds see [Code of Virginia Section 33.2-319](#).

FOOTNOTES

- (1) Grades in commercial and industrial areas should be less than 8 percent; desirably, less than 5 percent. For maximum grades relative to terrain and design speed, see AASHTO Green Book, Chapter 5, Section 5.2.1, Table 5-2.
- (2) Where feasible, lanes should be 11' wide and in industrial areas should be 12' wide; however, where available or attainable right of way imposes severe limitations, 9' lanes can be used in residential areas and 11' lanes can be used in industrial areas.

- (3) Or equivalent City or Town design.
- (4) For buffer strip widths see [Appendix A\(1\), Section A\(1\)-1, Bicycle & Pedestrian Facility Guidelines](#).
- (5) A width of 8' or more may be needed in commercial areas.
- (6) 3:1 and flatter slopes shall be used when the right of way is behind the sidewalk (or sidewalk space) in residential or other areas where slopes will be maintained by the property owner.
- (7) When Design year ADT exceeds 2000 VPD, with greater than 5% total truck and bus usage: Provide 4' wide paved shoulders when the graded shoulder is 5' wide or greater. Provide 5' wide paved shoulder when design year ADT exceeds 2000 VPD, with 5% or more truck and bus usage and the route is an AASHTO approved U.S. Bicycle Route (1, 76 or 176) or designated as a bicycle route on a locally adopted transportation plan. All shoulders not being paved will have the mainline pavement structure extended 1', on the same slope, into the shoulder to eliminate raveling at the pavement edge (See Standard GS-12 for shoulder design).
- (8) A hydraulic analysis is necessary to determine actual depth requirement.
- (9) See [Manual of the Structure and Bridge Division – Volume V – Part 2 Design Aids – Chapter 6 Geometrics](#).
- (10) For additional information on sight distance requirements on grades of 3 percent or greater, see AASHTO Green Book, Chapter 3, Section 3.2.2, Table 3-2.
- (11) For information on reduced shoulder widths, see AASHTO Green Book, Chapter 5, Section 5.2.2, Table 5-5.
- (12) Where bicycle accommodation is next to curb or curb and gutter, mountable curb (CG-3) or mountable curb and gutter (CG-7) shall be used for design speeds of 45 mph and below.

5.3.1.5 Grades

Grades for local residential streets should be as level as practical, consistent with the surrounding terrain. Grades for local residential streets should be less than 15 percent. Where grades of 4 percent or steeper are needed, the drainage design may become critical. On such grades, special care should be taken to prevent erosion on slopes and open drainage facilities.

Streets in commercial and industrial areas should have grades less than 8 percent, and flatter grades should be encouraged.

To provide for proper drainage, the desirable minimum grade for streets with outer curbs should be 0.50 percent, but a minimum grade of 0.30 percent may be used. Further guidance can be found in the *AASHTO Drainage Manual* [\(7\)](#)

In our professional opinion, we believe that this waiver request adequately demonstrates the need for road grades over 8%, not to exceed 10%, as allowed by City Code Sec. 29-182(c) and Sec 29-36. Due to the site's existing conditions and location, granting this waiver would reduce the environmental and community impacts, increase safety, and the proposed design would remain in compliance with VDOT, AASHTO, and US Access Board design standards.

We appreciate your consideration for the proposed road grade waiver request and supporting information, exhibits and documentation. If you have any questions or comments, please feel free to give me a call at 434.327.1690.

Sincerely,

Clint Shifflett, P.E.
Sr. Project Manager

EXHIBIT A: EXISTING CONDITIONS / SITE CONSTRAINTS OVERVIEW



THIS DRAWING PREPARED AT THE
CHARLOTTEVILLE OFFICE
 608 Preston Avenue, Suite 200 | Charlottesville, VA 22903
 TEL: 534.293.5624 FAX: 534.293.8317 www.timmons.com

PRELIMINARY SITE PLAN

DATE	REVISION DESCRIPTION
07/22/2022	

DRAWN BY
 K. FLYNN

DESIGNED BY
 K. FLYNN

CHECKED BY
 C. SHIFFLETT

SCALE
 1"=50'

TIMMONS GROUP

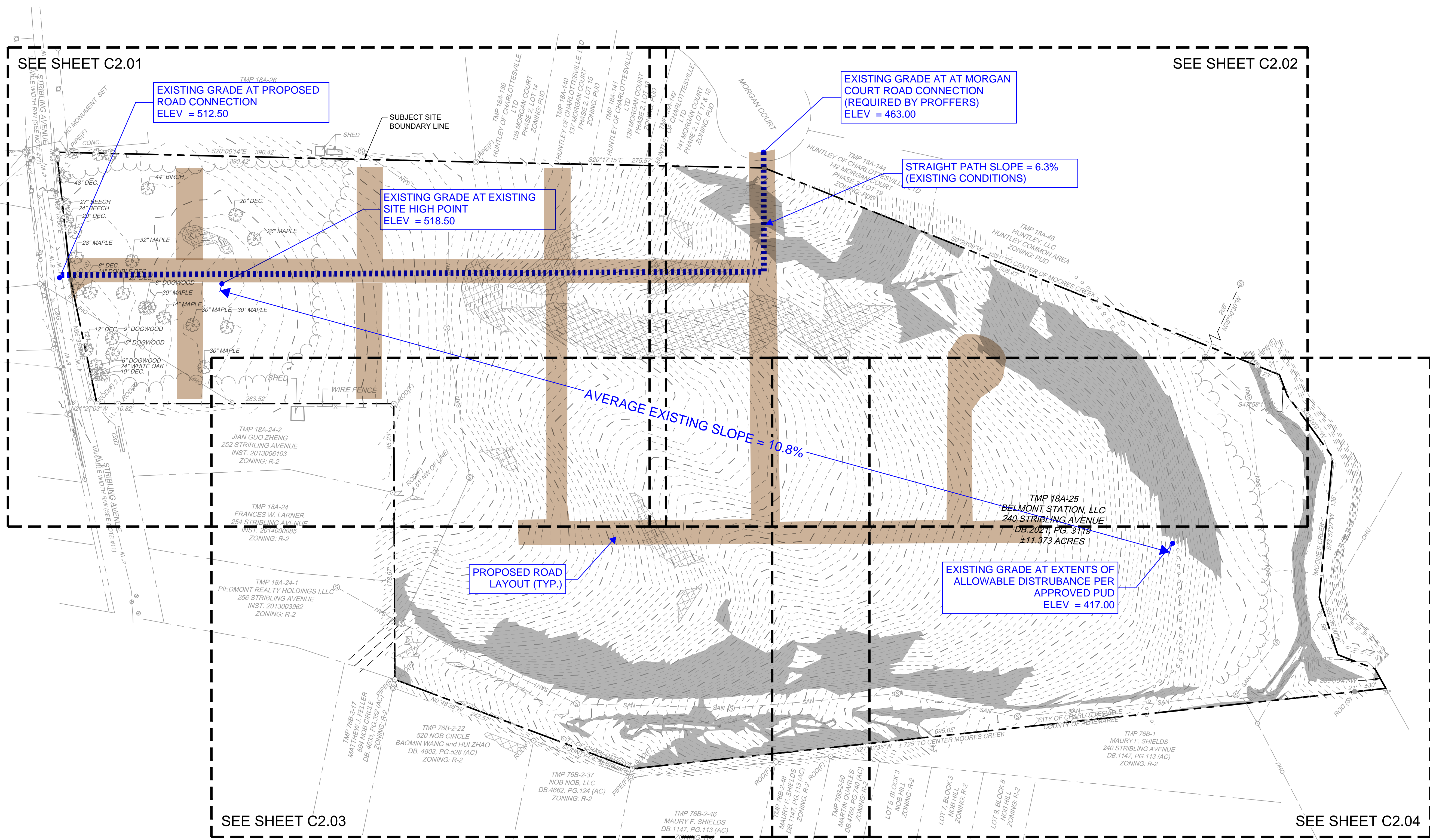
240 STRIBLING AVENUE
 CITY OF CHARLOTTEVILLE

OVERALL EXISTING CONDITIONS

JOB NO.
 45193

SHEET NO.
 C2.00

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SEE SHEET C2.01

SEE SHEET C2.02

SEE SHEET C2.03

SEE SHEET C2.04

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EXHIBIT B: PROPOSED CONDITIONS & IMPACTS OVERVIEW

SITE EARTHWORK ANALYSIS:

SCENARIO 1, WITH 9.5% SLOPES UTILIZED:

DIRT CUT: 46,800 CY
DIRT FILL: 45,000 CY
NET: 1,800 CY EXPORT

SCENARIO 2, WITHOUT 9.5% SLOPES UTILIZED (9.5% ROAD GRADES REPLACED WITH 8%):

DIRT CUT: 43,800 CY
DIRT FILL: 56,300 CY
NET: 12,500 CY IMPORT

*ANALYSIS INCLUDES 1.15 FILL FACTOR AND CONSIDERATIONS FOR ROAD SECTION AND BUILDING FOUNDATIONS.



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CHARLOTTEVILLE OFFICE
608 Preston Avenue, Suite 200 | Charlottesville, VA 22903
TEL: 534.293.5624 FAX: 534.293.8317 www.timmons.com

PRELIMINARY SITE PLAN

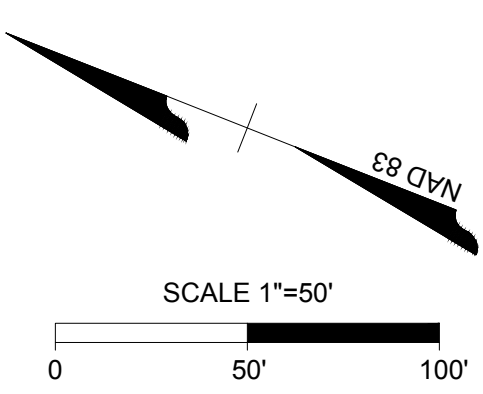
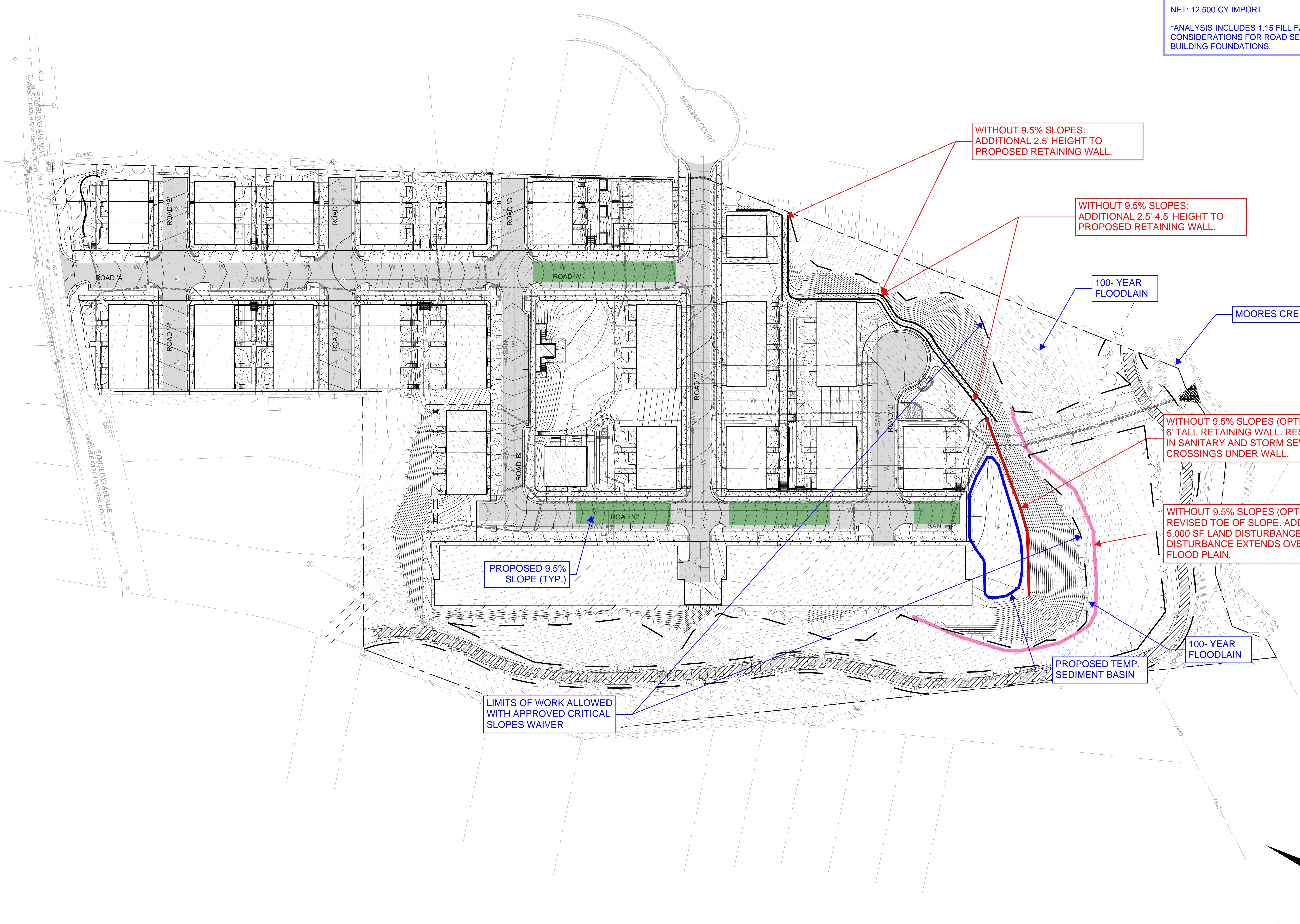
DATE	REVISION DESCRIPTION
07/22/2022 <td></td>	

TIMMONS GROUP

240 STRIBLING AVENUE
CITY OF CHARLOTTEVILLE
OVERALL LAYOUT PLAN

JOB NO. 45193
SHEET NO. C4.00

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S:\10345193-240_Stribling_Ave\DWG\Sheets\Exhibit\Overall\Grading_Road\Waver\Exhibit.dwg | Plotted on 8/6/2022 3:09 PM | by Clint Shifflett

RE: 240 Stribling Preliminary Site Plan Submittal

Clint Shifflett <Clint.Shifflett@timmons.com>

Fri 8/5/2022 8:40 AM

To: Dawson, Jack A <dawsonj@charlottesville.gov>;Duncan, Brennen <duncanb@charlottesville.gov>

Cc: Smalls, Stacey <smallss@charlottesville.gov>;Freas, James <freasj@charlottesville.gov>;Alfele, Matthew <alfelem@charlottesville.gov>;Kevin Flynn <Kevin.Flynn@timmons.com>;Charlie Armstrong <CharlesA@southern-development.com>

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Jack,

Understood, we will pull together the design waiver for submittal ASAP. I expect to get it in no later than Tuesday morning.

I do want to address the notion of a “bait and switch” that you seem to be referring to. The plan does not differ from the PUD in any significant way, and I think we can all agree that there is a higher level of scrutiny in design that comes along with final engineering documents as opposed to a rezoning package. In our professional opinion, we stepped way further into engineering design than is typical in a rezoning package to make sure the plan was as well vetted as possible and feel that we satisfied a high level of due diligence in that regard. Nothing “changed” as you suggest other than many hours of additional analysis, iterations etc. as it relates to the road design and the various ripple effects come from it.

We are confident that the additional 1.5% steepness of certain road sections is a net benefit to the project, City, environment and community as a whole, which is why we went that direction, and we will make that case in the waiver submittal.

We have reviewed the PROWAG and ADA standards in great detail and the plan as currently laid out is in full compliance.

Again, we intend to submit the waiver request no later than Tuesday morning. We are available, as always, to meet to discuss and address any feedback or concerns the City may have once you all have an opportunity to review.

Thanks,

Clint Shifflett, P.E.*Sr. Project Manager***TIMMONS GROUP** | www.timmons.com

608 Preston Avenue, Suite 200 | Charlottesville, VA 22903

Office: 434.327.1690 | Mobile: 434.962.4337 | Fax: 434.295.8317

clint.shifflett@timmons.com*Your Vision Achieved Through Ours***To send me files greater than 20MB [click here](#).**

From: Dawson, Jack A <dawsonj@charlottesville.gov>**Sent:** Friday, August 05, 2022 8:15 AM**To:** Clint Shifflett <Clint.Shifflett@timmons.com>; Duncan, Brennen <duncanb@charlottesville.gov>

Cc: Smalls, Stacey <smallss@charlottesville.gov>; Freas, James <freasj@charlottesville.gov>; Alfele, Matthew <alfelem@charlottesville.gov>; Kevin Flynn <Kevin.Flynn@timmons.com>; Charlie Armstrong <CharlesA@southern-development.com>

Subject: RE: 240 Stribling Preliminary Site Plan Submittal

Clint, I will let James/Matt respond regarding the completeness of the application and when that is satisfied and can be distributed for review.

From an Engineering perspective, we need to review a formal waiver request before we can commence plan review. The waiver should address both the reason that waiver is required, any mitigation provided, as well as what has changed on the design from the approved PUD (I think this is a PUD, whatever when in front of City Council with the Critical Slopes waiver). Again, we don't have time to go back and forth via email and need a formal submittal to review, but in order to make a convincing request, I would point out that the four points you have listed below all existed on the site during the PUD process, when the City was informed no waivers would be required for road slopes. Something must have changed that evaluation. Whatever that change was should be included in detail if the City is even going to entertain this, as we have previously indicated this waiver would be unlikely to be granted. Further information provided during the PUD review process is included below for additional guidance in designing the site and/or preparing a waiver:

"4. It is noted road Grades have been removed from this plan. Previous plans showed most roads were 8% or 10%. A comment response indicates: "The Site Layout provided can be achieved without exceeding 8%". Please note the maximum slope requirement is not the only relevant parameter regarding grades of proposed roads. The SADM states in section [3.4.1.2](#)

"For new and reconstructed roads, a landing with a 2% maximum slope should be provided at least 50 feet in each direction from the intersection to ensure ADA-accessible cross slopes are provided at crosswalks. The measurement of 50 feet should start from the edge of pavement of the intersecting road or street, not the center of the intersection. If topographic conditions do not permit a 2% maximum slope, an alternate design shall be coordinated with City staff."

SADM Section 4.2 reads:

"General Requirements: Geometric design criteria for all roadways shall be in accordance with the Charlottesville Standards and Design Manual. In addition, the Standards and Design Manual shall not conflict with the Public Rights-of-Way Accessibility Guidelines (PROWAG), the Americans with Disabilities Act Standards for Accessible Design, or the Virginia Statewide Fire Prevention Code (VSFPC)."

It is recommended the applicant review PROWAG R302.5 and R302.6 and ensure these standards can be met."

-Jack

Jack Dawson, PE

City Engineer

City of Charlottesville

Public Works Engineering Division

City Hall - 610 East Market Street

PO Box 911

Charlottesville, VA 22902

(Direct) 434-970-3968 (Fax) 434-970-3359

dawsonj@charlottesville.gov <<mailto:dawsonj@charlottesville.gov>>

From: Clint Shifflett <Clint.Shifflett@timmons.com>
Sent: Thursday, August 4, 2022 11:54 AM
To: Duncan, Brennen <duncanb@charlottesville.gov>
Cc: Dawson, Jack A <dawsonj@charlottesville.gov>; Smalls, Stacey <smallss@charlottesville.gov>; Freas, James <freasj@charlottesville.gov>; Alfele, Matthew <alfelem@charlottesville.gov>; Kevin Flynn <Kevin.Flynn@timmons.com>; Charlie Armstrong <CharlesA@southern-development.com>
Subject: RE: 240 Stribling Preliminary Site Plan Submittal

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Brennen,

Tying in Charlie and our lead designer, Kevin Flynn...

Our site layout currently includes road slopes as steep as 9.5%. We also demonstrate in great detail how ADA compliance is being met, specifically at each proposed road crossings. As you know, the site is highly constrained and the following factors informed our decision to utilize 9.5% road grades:

1. Limiting of environmental impacts.
2. Limiting impacts to critical slopes.
3. Site Constraints: The site averages an existing slope of over 10% across the site area. Approximately 100' of vertical drop.
4. Proffered Morgan Court road connection: Morgan Court's elevation is 50' lower than the proposed Stribling Avenue. This results in approximately 7% straight grade over the proposed road length. This of course does not account for landings, ADA compliant road crossings etc.

These are just a few of the items that came in to play. We are happy to sit down and walk through all of the considerations that went in to our design to utilize the steeper street grade.

Regarding your question on what drastically changed: A lot of design and grading analysis went in to the PUD plan, but as you know, a higher level of scrutiny and engineering analysis occurs as we develop the final plan documents. If you flip through our plans you'll notice they are very much in line and really closely resemble the PUD plan documents which I think is a testament to how much analysis was done on the front end.

It is important to the design and development team to get the review started in order to begin receiving City review staff feedback and moving the ball forward. With that in mind, can we move forward with a Waiver request package such that the preliminary site plan review can commence, and then set up a time to meet to discuss further?

Thanks,

Clint Shifflett, P.E.
Sr. Project Manager

TIMMONS GROUP | www.timmons.com
608 Preston Avenue, Suite 200 | Charlottesville, VA 22903
Office: 434.327.1690 | Mobile: 434.962.4337 | Fax: 434.295.8317
clint.shifflett@timmons.com
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From: Duncan, Brennen <duncanb@charlottesville.gov>
Sent: Thursday, August 04, 2022 9:01 AM
To: Clint Shifflett <clint.shifflett@timmons.com>
Cc: Dawson, Jack A <dawsonj@charlottesville.gov>; Smalls, Stacey <smallss@charlottesville.gov>; Freas, James <freasj@charlottesville.gov>; Alfele, Matthew <alfelem@charlottesville.gov>
Subject: 240 Stribling Preliminary Site Plan Submittal

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Clint,

We understand that Timmons would like to schedule a meeting about requirements for a waiver of the 8% maximum slope written in the code. While the waiver is technically allowed per code, this is something that the city is trying to go away from with the most recent SADM and the code revisions just haven't quite caught up as of yet. That being said, with 240 Stribling in particular, during the PUD reviews the comment was made by engineering(May 14, 2021):

1. The preliminary plat on sheet 17 indicates all roads within the development will be public. Staff cannot determine the grade of the roads from the presented materials, but in some places, they appear to be over 8% as required by Sec. 29-182(c). The City's Traffic Engineer may grant a waiver for roads up to 10% grade, but no information for this request was submitted. In addition, the City's Traffic Engineer will take ADA requirements into consideration with any request and it will be very unlikely that waiver would be granted.

Timmons response to this comment made on June 11, 2021:

The Site Layout provided can be achieved without exceeding 8%. Spot grades and slopes have been removed from the plan. Detailed grading and road plans will be provided with the site plan submittal which will demonstrate compliance with applicable City Code and SADM requirements.

With both the city comment and Timmons response in mind, what has drastically changed in the plan between then and now? What physical constraints (existing elevations that must be matched) are there with this project that necessitate grades above 8%. Reasons such as cost, amount of fill, new building elevations, etc... will not be entertained as valid reasons for a waiver. As stated in the original comment, ADA is one of the major reasons for adhering to the 8% grade requirements. Please make sure that is considered when making your request.

Brennen Duncan, PE
City of Charlottesville
Traffic Engineer

****Please update my email address in your records to duncanb@charlottesville.gov****

RE: 240 Stribling PUD site Plan Comments letter #1

Charlie Armstrong <CharlesA@southern-development.com>

Mon 12/19/2022 1:35 PM

To: Creasy, Missy <CreasyM@charlottesville.gov>; Clint Shifflett <Clint.Shifflett@timmons.com>

Cc: Duncan, Brennen <duncanb@charlottesville.gov>; Alfele, Matthew <alfelem@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>; Sanders, Samuel <sanderss@charlottesville.gov>; Kevin Flynn <Kevin.Flynn@timmons.com>; Freas, James <freasj@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>

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Thank you Missy. Have a great holiday and new year!
Charlie

From: Creasy, Missy <CreasyM@charlottesville.gov>**Sent:** Monday, December 19, 2022 11:23 AM**To:** Charlie Armstrong <CharlesA@southern-development.com>; Clint Shifflett <Clint.Shifflett@timmons.com>**Cc:** Duncan, Brennen <duncanb@charlottesville.gov>; Alfele, Matthew <alfelem@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>; Sanders, Samuel <sanderss@charlottesville.gov>; Kevin Flynn <Kevin.Flynn@timmons.com>; Freas, James <freasj@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>**Subject:** RE: 240 Stribling PUD site Plan Comments letter #1

We are scheduling this request for the January 10, 2023 Planning Commission meeting.

From: Charlie Armstrong <CharlesA@southern-development.com>**Sent:** Thursday, December 8, 2022 5:24 PM**To:** Clint Shifflett <Clint.Shifflett@timmons.com>**Cc:** Duncan, Brennen <duncanb@charlottesville.gov>; Alfele, Matthew <alfelem@charlottesville.gov>; Creasy, Missy <CreasyM@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>; Sanders, Samuel <sanderss@charlottesville.gov>; Kevin Flynn <Kevin.Flynn@timmons.com>; Freas, James <freasj@charlottesville.gov>**Subject:** Re: 240 Stribling PUD site Plan Comments letter #1**** 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.**

James or Missy,
Please let me know the soonest PC date we can appeal.
Thanks,
Charlie

On Dec 7, 2022, at 11:26 AM, Clint Shifflett <Clint.Shifflett@timmons.com> wrote:

Brennen,

I'm not sure that "Is 8% Grade achievable" is the appropriate question. From an engineering standpoint, any grade is achievable with tall enough retaining walls and enough dirt trucked in from

off site. That said, I wanted to chime in to highlight several of the engineering based reasons why the 9.5% grade is preferable to the project, Stribling Community and City as a whole. In addition to the following points, excerpts and materials from VDOT Geometric Design Standards, AASHTO Green Book, and US Access Board were provided. The State (VDOT) and Federal transportation guidance (AASHTO) documents provided, for instance, both allow for 15% street grades with no waiver or exception needed.

1. Existing Site Constraints: Average existing grades are 10.8%
2. Environmental Impacts: Detailed grading analysis has been ran utilizing various scenarios. As indicated in the waiver request, holding to 8% maximum street grades results in the need to IMPORT 12,500 Cubic Yards of dirt from offsite. Also as indicated, this results in at least 1,000 large dump truck loads of dirt to the site.
3. Community Safety and Welfare:
 1. The additional 2,000 vehicular (to and from) trips from large dump trucks generated by adhering to 8% street grades creates a potential nuisance to vehicular and pedestrian travelers on Stribling and unnecessarily inconveniences residents. We will not be able to justify to residents that this heavy truck traffic is necessary since it is avoidable with this solution.
 2. Adhering to 8% street grades adds 6' to the proposed retaining walls at the back of the site. These walls are adjacent to roads, homes, and community spaces. The potential hazard that tall walls pose can be minimized by increasing the road grades as requested.
4. Adherence with US Board's Public Rights-of-Way Accessibility and PROWAG Guidelines have been demonstrated on the waiver and referenced.

Please also note, the purpose of a waiver request as defined by City Code 29-36 isn't to demonstrate that a standard CAN'T be met. Please find the following excerpt from City Code that defines this.

<image003.png>

We appreciate your consideration of this waiver. As always, we are happy to meet if you have any questions or feedback, or if there are specific shortcomings on the waiver request that we can address.

Thanks,

Clint Shifflett, P.E.

Sr. Project Manager

TIMMONS GROUP | www.timmons.com

608 Preston Avenue, Suite 200 | Charlottesville, VA 22903

Office: 434.327.1690 | Mobile: 434.962.4337 | Fax: 434.295.8317

clint.shifflett@timmons.com

Your Vision Achieved Through Ours

To send me files greater than 20MB [click here](#).

From: Duncan, Brennen <duncanb@charlottesville.gov>

Sent: Tuesday, December 06, 2022 2:11 PM

To: Charlie Armstrong <CharlesA@southern-development.com>; Alfele, Matthew <alfelem@charlottesville.gov>

Cc: Clint Shifflett <Clint.Shifflett@timmons.com>; Creasy, Missy <CreasyM@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>; Sanders, Samuel <sanderss@charlottesville.gov>

Kevin Flynn <Kevin.Flynn@timmons.com>; Freas, James <freasj@charlottesville.gov>

Subject: Re: 240 Stribling PUD site Plan Comments letter #1

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Charlie,

I've spoken this over with both Jack and Sam. I'm sorry if the word was ambiguous, but the reason for it was that none of the documentation provided with the waiver request demonstrated to me why the 8% grade could not be achieved from an ENGINEERING standpoint. Without that, the waiver is denied.

As far as your other points and frustration, that is heard and understood. I was involved with the creation/adoption of the new SADM as well and we were trying to get rid of contradictions and variances between the code and the SADM. To be quite frank, several conversations with FHWA about sidewalk design and ADA within the city that have occurred since the creation of the current SADM has us thinking that we probably picked the wrong percentage when redoing the SADM, and it's on staff's list to revise that sentence to reflect the 8% (or 8.33%) moving forward to better reflect the intent of the ADA guidelines as they pertain to new development within the city. There will still have to be a waiver process for anything above the 8% in the future as there are locations in the city where this is just not achievable.

James or Missy should be able to put you on the next available PC Agenda to appeal this decision if that is the route you would like to take.

Brennen Duncan, PE
City of Charlottesville
Traffic Engineer

****Please update my email address in your records to duncanb@charlottesville.gov****

From: Charlie Armstrong <CharlesA@southern-development.com>

Sent: Monday, December 5, 2022 2:28 PM

To: Duncan, Brennen <duncanb@charlottesville.gov>; Alfele, Matthew <alfelem@charlottesville.gov>

Cc: Clint Shifflett <Clint.Shifflett@timmons.com>; Creasy, Missy <CreasyM@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>; Sanders, Samuel <sanderss@charlottesville.gov>; Kevin Flynn <Kevin.Flynn@timmons.com>; Freas, James <freasj@charlottesville.gov>

Subject: RE: 240 Stribling PUD site Plan Comments letter #1

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Good afternoon Brennan,

I'm not entirely sure if your email below is an official staff denial of the waiver request, since it says "not inclined to grant a waiver *at this time*." But since I don't see a path outlined here for staff to consider the request again, I think I'm interpreting it as a decision. Please let me know if that is not correct, or if this decision is not final. We are working through comments in hopes of resubmitting this plan, and the duration of this review cycle has really compressed our timeline. It was supposed

to be a 21-day city review to encourage affordable housing but took over 100 days. Anything you can do to help us speed that back up is very much appreciated.

If the email from you is a final staff decision, we request an appeal to the Planning Commission per Sec. 29-36(a)(4) on the soonest possible agenda.

Though Sec 29-182(c) states an 8% grade maximum, code does allow a waiver to 10% and such waivers have been granted on many City projects in the past. SADM Sec 4.3.2.1.3 states a maximum allowed street grade of 10%, with no mention of 8% anywhere. Code trumps SADM in case of ambiguity, I guess, but the SADM was adopted after that code section was adopted, and the crystal clear statements of City Engineering staff at the time of adoption of the SADM was that the SADM was intended to be a more modern, current document. It was clearly stated and understood at that time that the SADM was going to be used as the guide to update outdated code sections and resolve those conflicts using standards from the new SADM. 4+ years later that code update has not yet happened, of course, but thankfully is in progress. I participated in the development of the SADM as much as Marty would allow and recall very vividly that engineering staff at that time saw no reason a 10% road grade was excessive— 10% vs 8% was discussed. The ADA issue you mentioned below was considered at that time too, and the ADA provision of 1:12 you mention below does not apply to street-adjacent sidewalks, as you also state below. So there does not seem to be a justification for applying the most restrictive possible interpretation of a code section that Engineering Staff, the Planning Commission, and City Council have already acknowledged is outdated through their subsequent deliberations about (and adoption of) the more current 10% standard in the SADM.

We're going backwards, reopening issues we made good progress on several years ago, in what seems like an arbitrary way.

Please advise if this issue is still open within city staff or if it will be placed on a PC agenda for appeal.

Thanks,
Charlie

From: Duncan, Brennen <duncanb@charlottesville.gov>
Sent: Tuesday, November 15, 2022 4:17 PM
To: Alfele, Matthew <alfelem@charlottesville.gov>; Charlie Armstrong <CharlesA@southern-development.com>
Cc: Clint Shifflett <Clint.Shifflett@timmons.com>; Creasy, Missy <CreasyM@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>; Sanders, Samuel <sanderss@charlottesville.gov>
Subject: Re: 240 Stribling PUD site Plan Comments letter #1

Charlie/Clint,

Apologies for the extreme lateness of my comments.

As it pertains to the Street Grade Waiver request, I am not inclined to grant a waiver at this time. Staff had concerns about street grade from the beginning of this process and upon bringing that to the applicants attention, any grades on the preliminary concept were removed and it was noted that meeting the city's grade requirements would not be a problem, but would be worked out during the site plan review process.

Furthermore, I still believe that it's possible to connect the two "fixed elevation" points at Stribling Avenue and Morgan Court. Stribling Avenue being at an approximate elevation of

512 and Morgan Court at 464. The approximate distance in between is around 850 feet giving a straight line grade of 5.65%. Even accounting for 5% maximum slope at intersections, an overall maximum grade of 8% should be achievable.

The arguments for increasing fill and extending into the 100 year flood plain seem moot to me as none of this has been built and the design could change to accommodate these concerns. This is also why we wanted to bring up the street grade and work that piece out with the SUP as a concern. We realize that significantly changing the layout may require going back to PC/Council for an amendment to the SUP.

The city intentionally has set our grade requirements to be more stringent than VDOT and AASHTO in order to better accommodate ADA issues along our rights of way. Maximum ADA running slope should be 1:12 (8.33%). The City choosing 8% as our maximum threshold allows for a little construction tolerance to still meet that requirement. There is language that sidewalk can meet grades of roadways, but the city feels that when we are not trying to retrofit sidewalk along an existing street, the 1:12 requirement should be the goal.

Additional Design comments:

1. Please show the connection to Morgan Court as a straight through roadway eliminating the Cul-de-sac.
2. Please provide a marking and signage plan.
3. Please include "no parking" signage across from the parallel on street parking.
4. Please include crosswalk markings where appropriate.
5. Please show that an effective 28 foot turning radius can be achieved an no signage or other impediments are located within this area. (SADM [3.4.1.3](#))

If you have any questions or concerns about comments, please feel free to reach out.

Respectfully,

Brennen Duncan, PE
City of Charlottesville
Traffic Engineer

****Please update my email address in your records to duncanb@charlottesville.gov****

From: Nester, Roy K. <nesterr@charlottesville.gov>

Sent: Friday, October 21, 2022 9:48 AM

To: Alfele, Matthew <alfelem@charlottesville.gov>; Charlie Armstrong <CharlesA@southern-development.com>

Cc: Clint Shifflett <Clint.Shifflett@timmons.com>; Duncan, Brennen <duncanb@charlottesville.gov>; Creasy, Missy <CreasyM@charlottesville.gov>; Dawson, Jack A <dawsonj@charlottesville.gov>

Subject: RE: 240 Stribling PUD site Plan Comments letter #1

Charlie,

Again, sorry for the delay.

Attached are my plan review comments for this preliminary site plan.

Thanks,

Roy K. Nester, P.E.

Utilities Engineer
City of Charlottesville
305 4th St NW
Charlottesville, VA 22903
P 434-970-3908
<image004.png>

From: Nester, Roy K.
Sent: Friday, October 14, 2022 1:14 PM
To: Alfele, Matthew <alfelem@charlottesville.gov>; Charlie Armstrong <CharlesA@southern-development.com>; Creasy, Missy <CreasyM@charlottesville.gov>
Cc: Clint Shifflett <Clint.Shifflett@timmons.com>; Duncan, Brennen <duncanb@charlottesville.gov>
Subject: RE: 240 Stribling PUD site Plan Comments letter #1

Charlie,

Sorry for the delay.

I have the plans out on my desk now and was working to get comments typed up this week, but issues arose that required my attention.
I will try and get them to you all early next week.

Thanks,

Roy K. Nester, P.E.
Utilities Engineer
City of Charlottesville
305 4th St NW
Charlottesville, VA 22903
P 434-970-3908
<image004.png>

From: Alfele, Matthew <alfelem@charlottesville.gov>
Sent: Friday, October 14, 2022 12:10 PM
To: Charlie Armstrong <CharlesA@southern-development.com>; Creasy, Missy <CreasyM@charlottesville.gov>
Cc: Clint Shifflett <Clint.Shifflett@timmons.com>; Nester, Roy K. <nesterr@charlottesville.gov>; Duncan, Brennen <duncanb@charlottesville.gov>
Subject: RE: 240 Stribling PUD site Plan Comments letter #1

Charlie,

I have copied Utilities and Traffic on this email as they will be able to give you more information as to where they are in the review.

From: Charlie Armstrong <CharlesA@southern-development.com>
Sent: Friday, October 14, 2022 10:27 AM
To: Creasy, Missy <CreasyM@charlottesville.gov>; Alfele, Matthew <alfelem@charlottesville.gov>
Cc: Clint Shifflett <Clint.Shifflett@timmons.com>
Subject: RE: 240 Stribling PUD site Plan Comments letter #1

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Good morning Matt,

We are approaching 10 weeks from submittal and still haven't seen utility or traffic engineering comments. Have those been forwarded to you yet? Is the continuity of government state of emergency over? What timelines should we be expecting on that stuff now?

Thanks,
Charlie

From: Creasy, Missy <CreasyM@charlottesville.gov>

Sent: Friday, October 7, 2022 3:42 PM

To: Clint Shifflett <Clint.Shifflett@timmons.com>; Charlie Armstrong <CharlesA@southern-development.com>

Cc: Alfele, Matthew <alfelem@charlottesville.gov>

Subject: 240 Stribling PUD site Plan Comments letter #1

Hi there,

I am sending this on behalf of Matt Alfele. He will return to the office next week and we can assist with questions at that time.

Thank you
Missy Creasy



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TEL: 534.293.5624 FAX: 534.293.8317 www.timmons.com

PRELIMINARY SITE PLAN

DATE
07/22/2022

DRAWN BY
K. FLYNN

DESIGNED BY
K. FLYNN

CHECKED BY
C. SHIFFLETT

SCALE
1"=50'

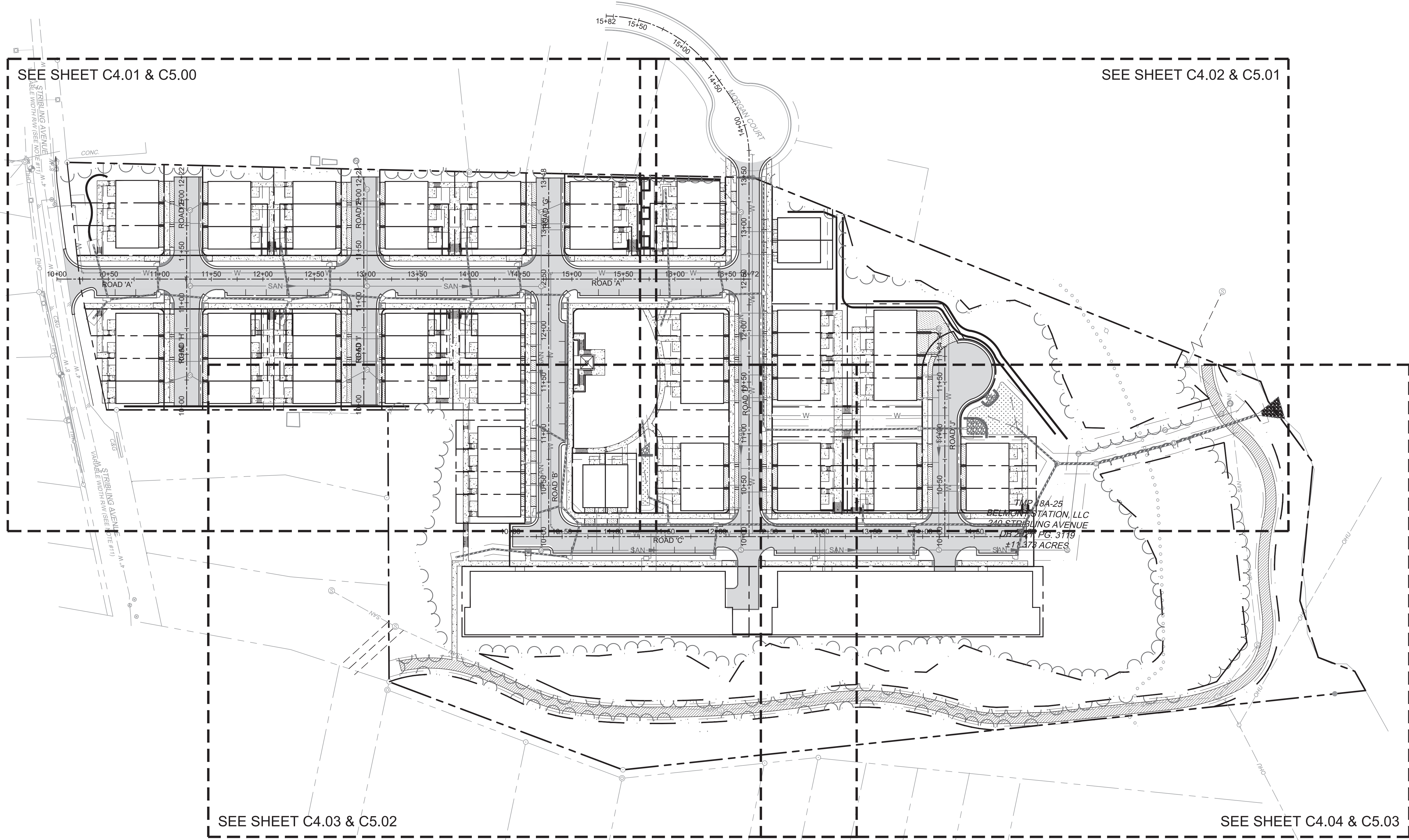
JOB NO.
45193

SHEET NO.
C4.00

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240 STRIBLING AVENUE
CITY OF CHARLOTTEVILLE
OVERALL LAYOUT PLAN

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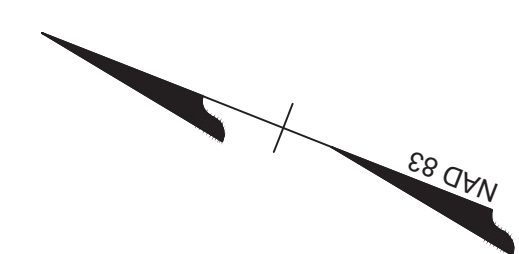
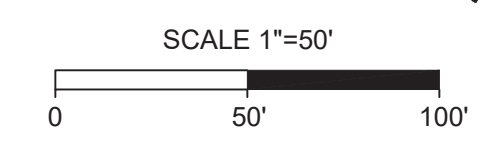


SEE SHEET C4.01 & C5.00

SEE SHEET C4.02 & C5.01

SEE SHEET C4.03 & C5.02

SEE SHEET C4.04 & C5.03





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DATE	REVISION DESCRIPTION
07/22/2022	

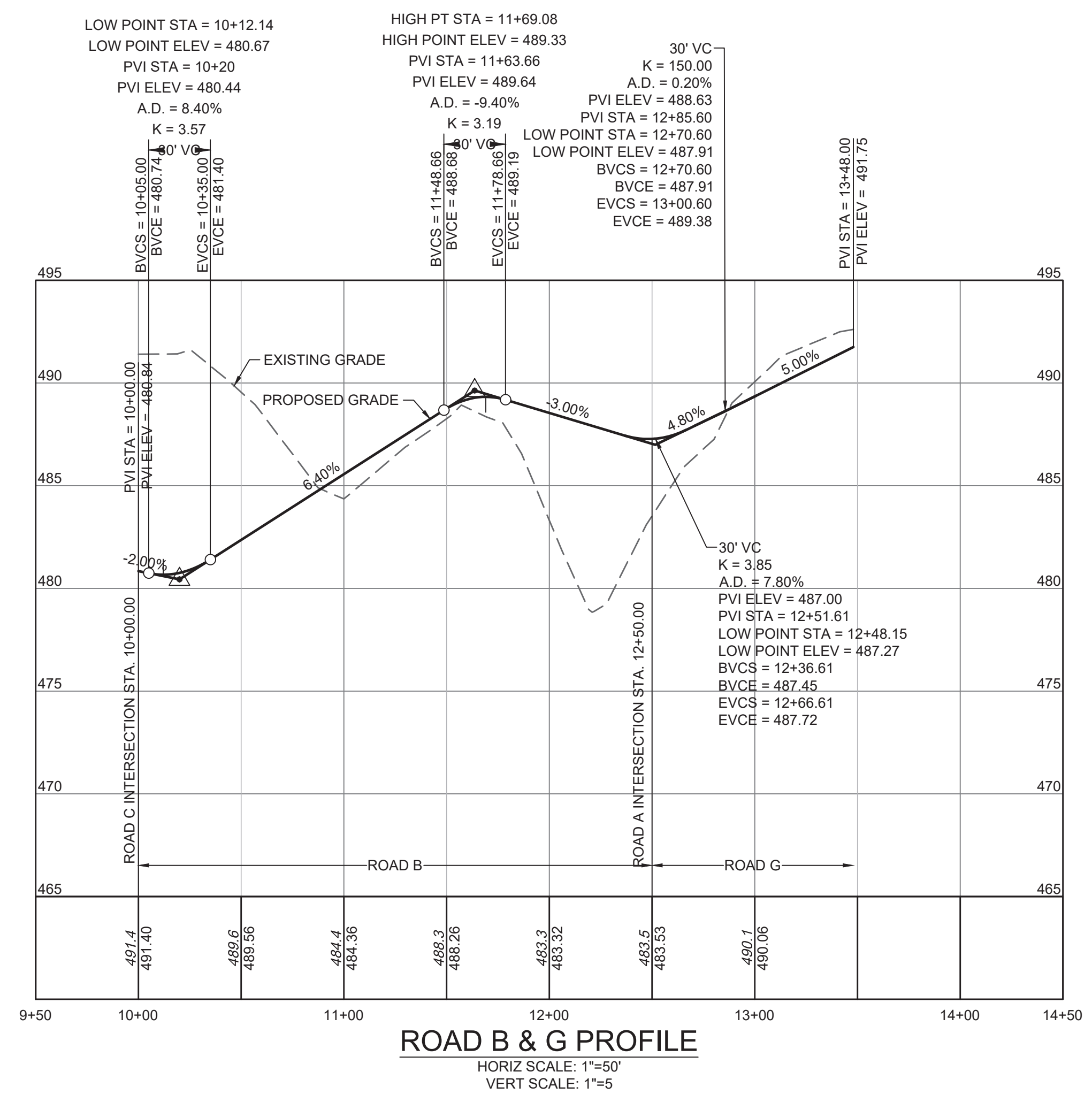
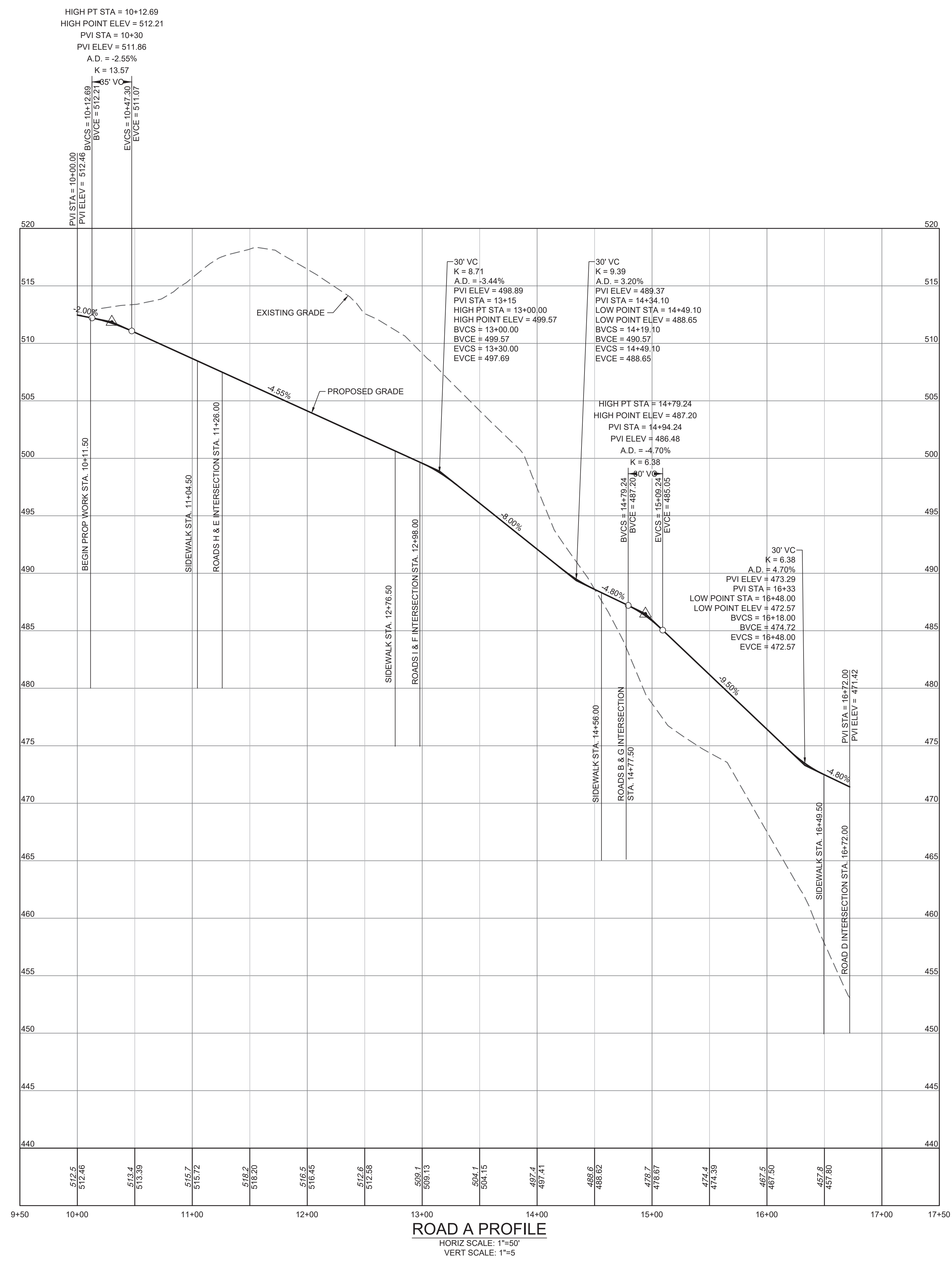
DRAWN BY	K. FLYNN
DESIGNED BY	K. FLYNN
CHECKED BY	C. SHIFFLETT
SCALE	1"=20'

TIMMONS GROUP

240 STRIBLING AVENUE
 CITY OF CHARLOTTEVILLE
ROAD PROFILES

JOB NO.	45193
SHEET NO.	C8.00

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PRELIMINARY SITE PLAN

DATE
 07/22/2022

DRAWN BY
 K. FLYNN

DESIGNED BY
 K. FLYNN

CHECKED BY
 C. SHIFFLETT

SCALE
 1"=20'

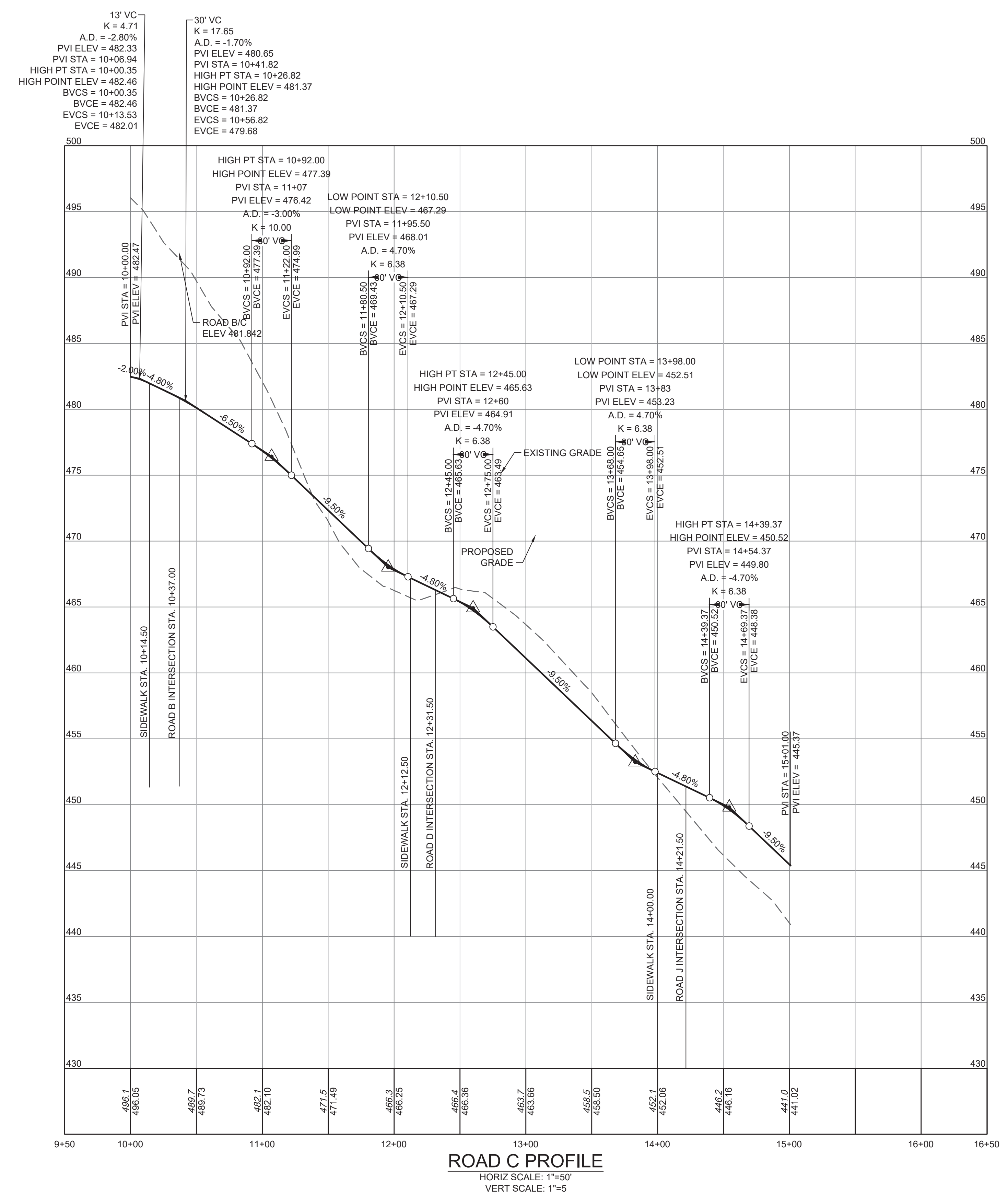
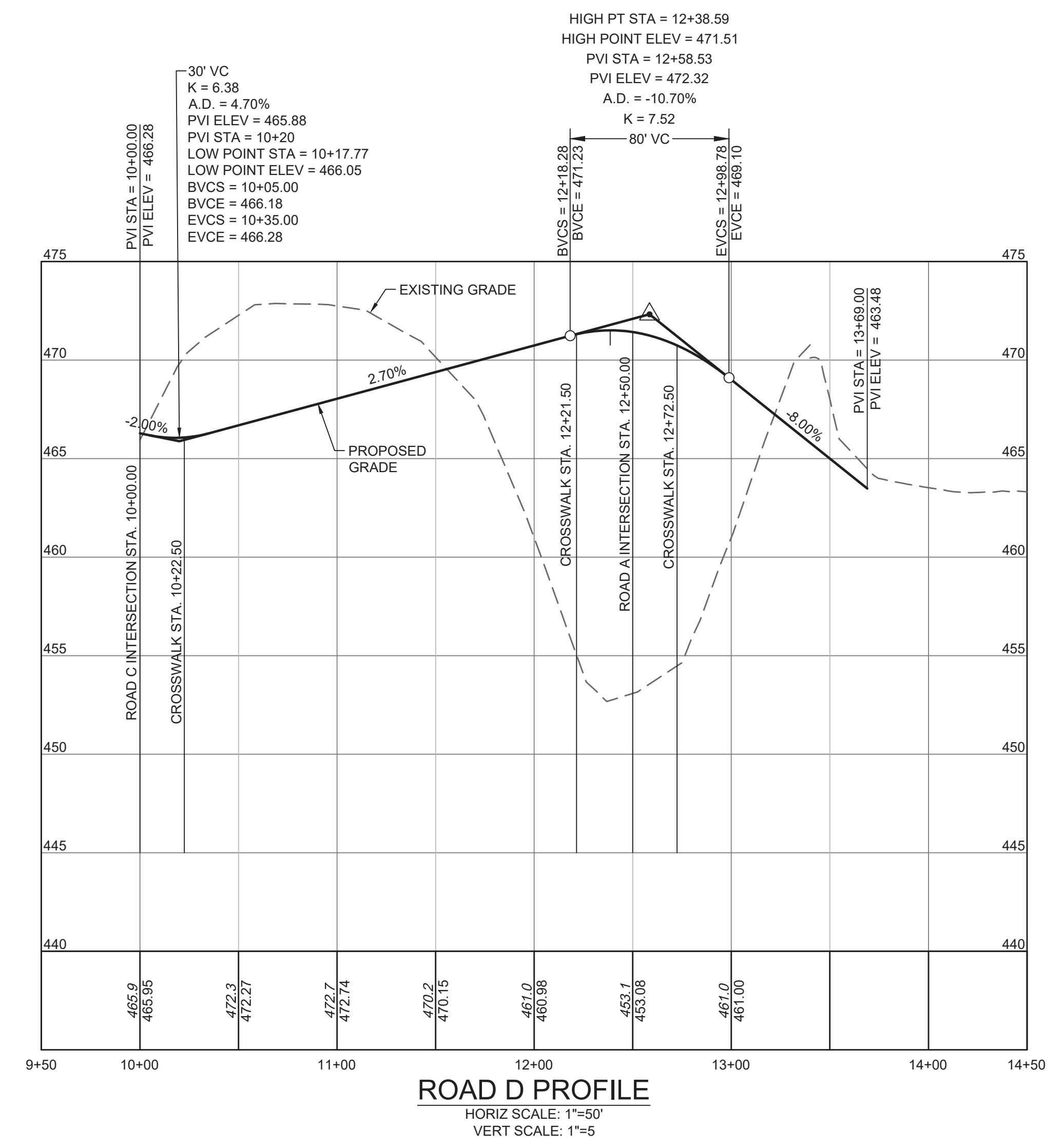
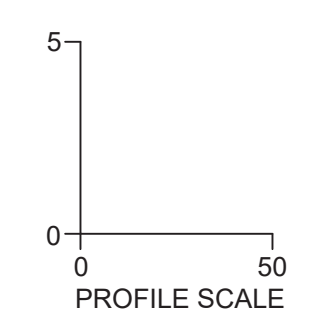
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DATE	REVISION DESCRIPTION
07/22/2022	

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K. FLYNN

DESIGNED BY
K. FLYNN

CHECKED BY
C. SHIFFLETT

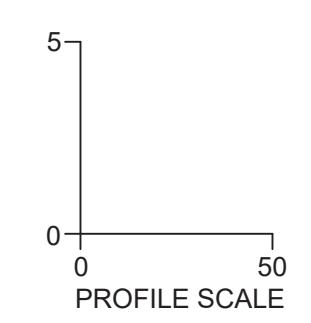
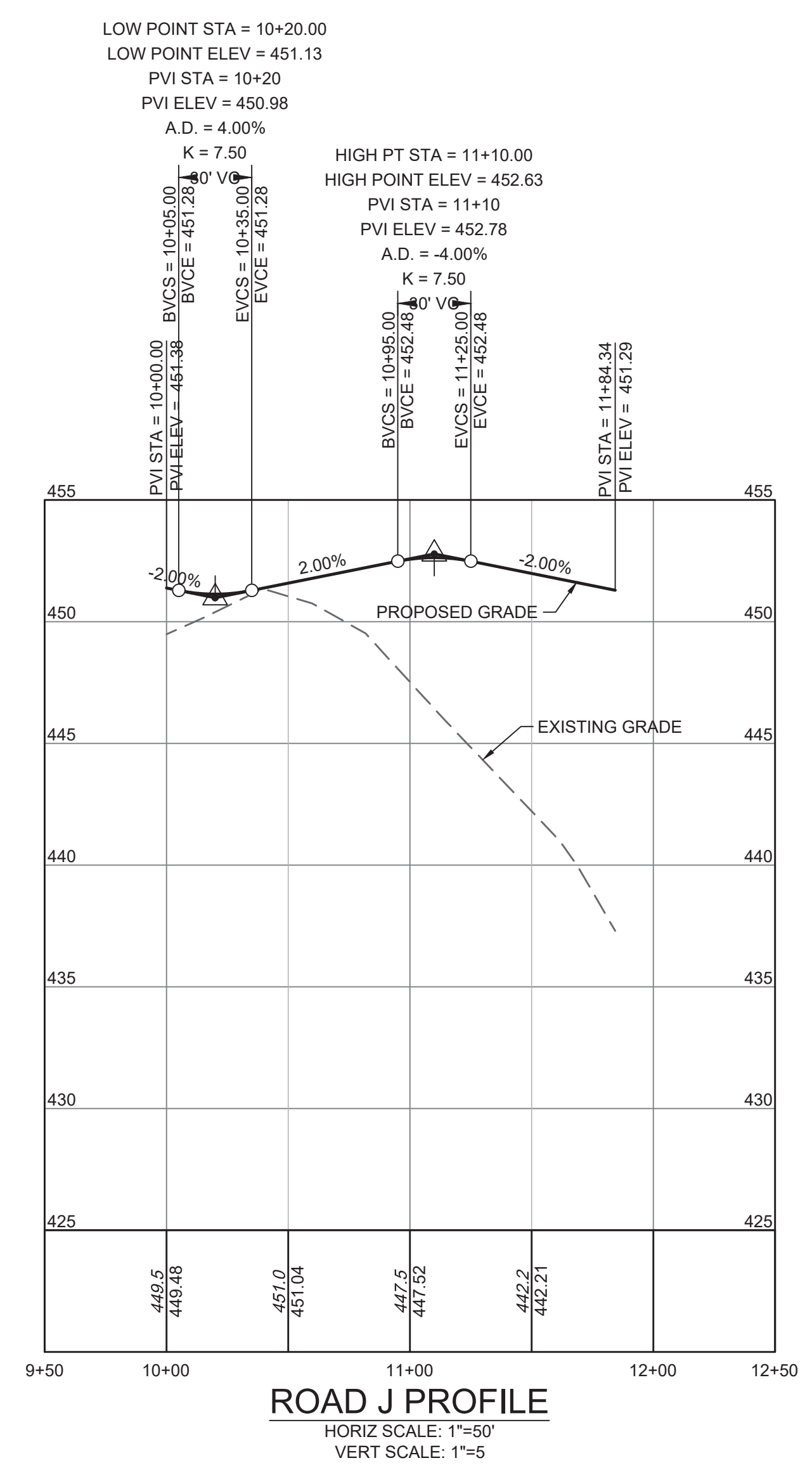
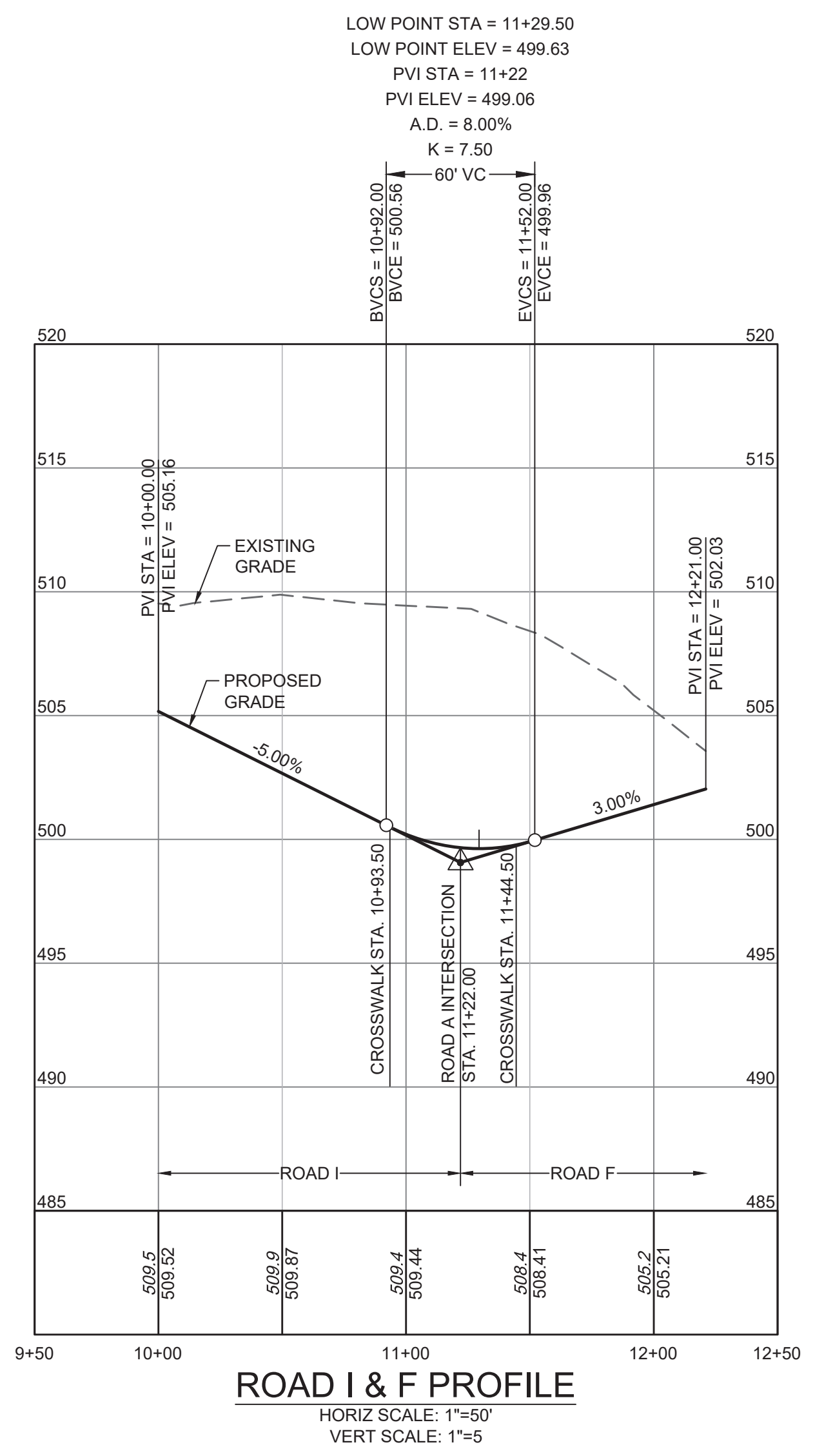
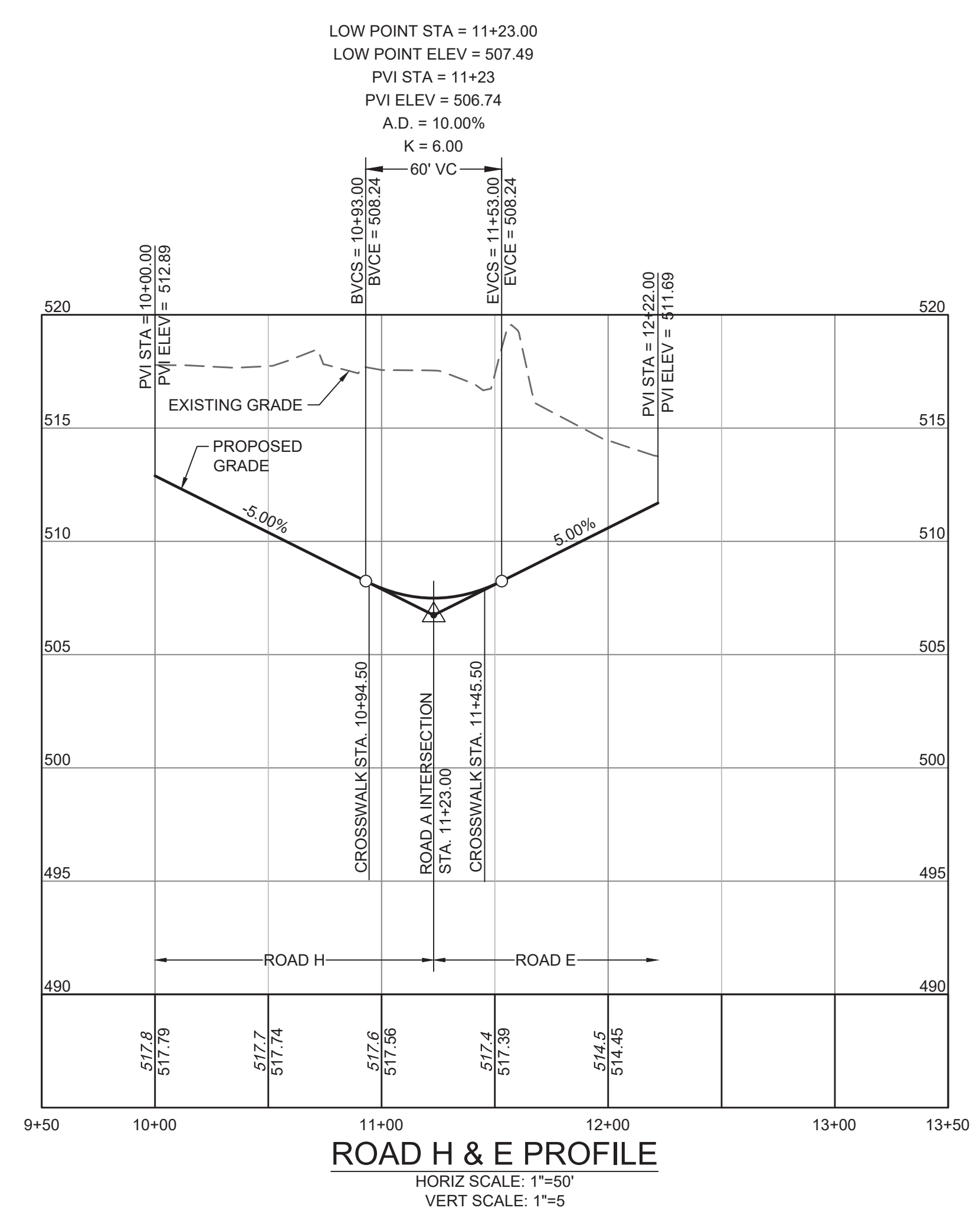
SCALE
1"=20'

240 STRIBLING AVENUE
 CITY OF CHARLOTTEVILLE
 ROAD PROFILES

JOB NO.
45193

SHEET NO.
C8.02

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Planning Commission Work Session

September 21, 2021 5:00 PM to 7:00 PM

Virtual Meeting

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

Members Absent: Commissioner Dowell

Staff Present: Missy Creasy, Joe Rice, James Freas, Patrick Cory, Carrie Rainey, James Freas, Lisa Robertson, Sam Sanders

The Chairman called the work session to order at 5:00 PM.

1. Draft Comprehensive Plan Future Land Use Map

Jennifer Koch, Project Manager – Cville Plans Together is a process that is really focused on updating the overall future vision for the city of Charlottesville with a focus on equity and affordability. There are three parts to the Cville Plans Together process. All three parts work together. The Affordable Housing Plans was reviewed earlier this year and endorsed by Council on March 1st. We're currently in the phase of refining updates to the Comprehensive Plan, including the Future Land Use Map. These land use strategies are an important part of building affordability in Charlottesville. It is not the only piece. The next step is the zoning rewrite. You will hear a bit about zoning tonight. We want to make clear how the land use proposals might translate into zoning. We met with you on September 14th on the chapters. We met with you on the Future Land Use Map on August 31st. We have received a lot of comments from the community and the Planning Commission. The most common theme is that people want more clarity about how the Future Land Use Map is tied to affordability.

Next Slide

As we work towards finalizing the Comprehensive Plan, which has been a process going since 2017, We are currently scheduled for a joint hearing with the Planning Commission and Council on October 12th. The Council is scheduled for a first reading on November 15th with a second reading on December 6th. After the adoption of the Comprehensive Plan, we will move into the zoning ordinance rewrite.

Future Land Use Map

Ron Sessoms, Cville Plans Together – I do want to provide of an overview of where we are with the overall map. It has not changed very much since the last iteration that was presented on August 31st. Regarding the Future Land Use Map, you can see on the key on the left that we have our nine key land use categories that range from Downtown Core to General Residential. You will see one change in this map. That would be the inclusion of sensitive community areas. We have identified from a high level of the land use map areas that are sensitive to displacement pressures. We will talk more about these sensitive community areas in the presentation later. I did want to highlight that change. We brought that overlay onto the primary maps so that we could show that visually and carry forward that idea as part of the overall comprehensive land use map.

Next Slide

We're carrying over the nine core land use categories that we have been showing from the last meeting. We have three core areas: Residential, Mixed Use Nodes, and Mixed Use Corridors, which are the three primary elements of the Future Land Use Map. Residential are areas that cater to where residents live. They range in a variety of intensity from General Residential to High Intensity Residential. From that, we have Mixed Use Nodes, which are activity centers that support both commercial and residential activity. These range in level of intensity from least intensive down to more intensive. These nodes are distributed throughout the city. We have the corridors that tie these mixed use nodes together, areas that are thoroughfares in the city that can provide an active mixed use environment that are multimodal oriented because of their location on key corridors, and have either transit or other bicycle/pedestrian facilities along them to help facilitate multimodal development.

Next Slide

I do want to touch on a few minor map changes that we made. We're now showing the Downtown Mall as a park open space. This is something that we were showing in the May version. It got lost due to the iteration of the map. We wanted to make sure we shared that in green. It is a significant public space for the city of Charlottesville. We pulled that back in. We also updated the location of the Flint Hill Planned Unit Development area, which is a residential community near Fry Springs. We were showing this on the previous map but not accurately. We have been working with the city to make that update to make sure we're showing the location of that site properly. In the version that we uploaded last week onto the website, there were a couple of part layers missing. We made sure that we went back and turned those on. We didn't want to inadvertently show something that we shouldn't. That is an overlay to the map. You can see that reflected in the maps.

Next Slide

The residential land area is the largest geographical size area in the city. It makes up a large percentage of the acreage of the city. It's very important. This is where people live. It's also been a core element to the thinking around how we developed the Future Land Use Map and to help us identify where these residential areas are most appropriate in terms of intensity. We have developed 5 key principles that we used to help establish how these residential areas are distributed throughout the city. 1. Making sure that we're not relying on just cars and that we are fostering opportunities for multimodal communities, places where you can walk, bike, and access transit and make it less dependent upon personal vehicles. 2. Encouraging incremental 'house sized' contextual infill within existing residential neighborhoods. We know there are a number of single-family residential neighborhoods. We're proposing more intensity of development or infill in some cases. We want to make sure whatever infill or how these neighborhoods evolve, they are context sensitive and that they are befitting of the neighborhoods where they are located. That lends itself to providing housing diversity. The more we increase opportunities for different types of housing throughout the city, the more equitable the city becomes. We located areas of even greater intensity of residential development near schools, parks, shopping districts, employment centers, and where people want to be. Where are those destinations that are walkable or can be walkable/bikeable, transit accessible and have opportunities for a greater variety of housing types near those locations? It is something that we worked into the plan. We want to make sure we preserve existing structures where possible. We heard a lot of concerns particularly around historic properties, areas in those sensitive neighborhoods. We want to make sure we have that and take it into account, while also allowing for soft density infill, which includes things like accessory dwelling units that can be provided. Units can be rental units or ownership units. I want to make sure we are all clear that units can represent homeownership opportunities. We want to make sure we provide opportunities for both types

throughout the plan. Another element we heard quite a bit about was opportunities to provide commercial uses throughout the residential neighborhoods. These could be coffee shops or some other community serving uses that can occur organically where they are needed throughout residential neighborhoods. The images on the bottom are representative images of different types of residential development. It is arranged from least intensive up to higher intensity residential where you get into more of an urban residential building type.

Next Slide

Ms. Koch – In addition to these overall residential principles, I want to reiterate some elements of affordability. That's a huge piece of this process. Housing is generally considered affordable if the household can obtain that housing along with other costs of housing (utilities) for 30% or less of their income. Incomes varies person by person. That definition will vary person by person. This generally follows guidelines from the US Department of Housing and Urban Development, which defines cost-burdened households in terms of housing as those that spend 30% or more of income on housing costs whether a renter or a homeowner. It's important to know that with some levels of affordability, more subsidy might be needed to produce or support those homes. That's generally the case for those earning 30% of AMI (Area Median Income). Thirty percent AMI in Charlottesville for a family is about \$30,000 a year or below. At that level, some more significant subsidy might be needed. At other levels of affordability (above 80% AMI), land use policies and other strategies can potentially provide more significant impact. Even with that case, more subsidy and more support can really help create more renter and ownership units that are affordable from more people. The Future Land Use Map and the concepts that we're talking about are looking to support this concept of affordability throughout the city for both renters and homeowners and for both current residents and potential future residents. It's important to note that in some cases a Future Land Use Map really needs to be partnered with those other subsidies and initiatives to really support our goals.

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The first thing we want to talk about is the sensitive community areas. What we are focusing on tonight is a proposal for how those may be implemented as we move forward. Sensitive community areas are areas that have higher proportions of community members who are potentially sensitive to displacement pressures based on demographics. We have used census block use data to provide a quantitative way to support these community priorities. We have heard from many people who have expressed concerns about displacement for low-income or low-wealth communities as well as black communities and other non-white residents. We have used these census block groups to do that: establish a base to start from. If you're not familiar with the census block group, it is smaller than a census tract. In Charlottesville, they still cover a lot of area. It's important to note in our current concept that when we define these sensitive areas, we're not meant to say this will be a zoning overlay or that all of these areas will be including the concepts that we talk about tonight. We're meaning to delineate these areas that will be used in the zoning rewrite to be studied for potential parameters in the zoning code that will work to mitigate displacement pressures for the General Residential areas for the lowest intensity residential areas within these sensitive communities. Our intent is to talk about the General Residential areas within those sensitive community areas.

You can see some of our policy goals for these areas on the slide.

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We know it is important to talk about what things will look like. Even when we talk about height and scale, it is still hard to grasp what that means. You will see a lot more graphics in this presentation. The slide you are looking at now is what the general scale we're thinking about and general types of housing we're thinking about when we envision what the sensitive community area, General Residential area might be. In general, we want to reiterate that this supports a range of housing types. These are just representative samples. A wide variety of housing options will still be available or potential under this designation.

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We have already discussed how we really intentionally want to go through what we're talking about with these community areas before we show them. Here you can see how those sensitive community areas look and how these block groups look on the map. It's important to note that we're not saying these entire areas should be included. We know that during the zoning rewrite, if we follow this current process, these areas should be examined further and potentially refined to include only a portion of the General Residential areas within them or potentially adding on a portion that maybe doesn't fall within the block group. On the ground, it essentially is the same community as we would be identifying in those potentially sensitive areas.

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Mr. Sessoms – When we begin to think about these sensitive community areas, we not only think about where these areas are located on the map, but how they begin to translate to form use and how we integrate the element of affordability. We have heard a lot throughout the process that there is a desire to make sure we're not including density for the sake of density. We are working on the element of affordability as much as possible. We have taken it to heart. We have come up with a concept. This is only a concept. We have a one year long zoning rewrite process that will follow the Comprehensive Plan update. We also have HR&A, who is contracted with the city to continue their work on the findings on the ideas of affordability. The concept that we have outlined tonight is on the draft. We will be working to refine the recommendations of this draft. It gives us an idea or a starting place where we can begin to develop more as we move into the next phase of planned development. With form and use, one of the key ideas of the sensitive areas is that it would allow one unit per lot and allow for additional units only through a bonus program. Our bonus program encompasses affordability. We will talk more about that. With height, we are seeking the missing middle height of 2.5 stories as a base height. We will consider opportunities for additional heights through the bonus program.

The affordability bonus will allow for additional units to be created above the base amount to include more affordable units. The more affordable the units are, the more units you could potentially have on the lot. That will need to take into consideration site context and development area. There are constrained sites within the sensitive community areas that will limit the number of units you get per lot. As a general framework, this is a starting point for how we can begin to think about how we can increase opportunities for affordability throughout these areas. One is to allow three units per lot. If the first unit meets affordability requirements (this is putting affordability first), you cannot add a unit onto a lot unless you have that first unit that meets the criteria of affordability. That criteria will be developed as a part of our work, HR&A, and through the zoning process. You can get three units if that first unit is affordable. You can get four units if the existing house is maintained and at least one affordable unit is provided. What we're doing here is trying to limit or contain the opportunities for demolition within these communities. We heard a lot of concern about teardowns and the negative effects that could cause in these sensitive community areas. Having that bonus program to allow more units (protection or maintaining that existing house and including an element of affordability) would be a second layer of

this that we would consider. The level of affordability requirement would be determined through the zoning rewrite process as well as the refinement of how this affordability bonus works, establishing the maximum height, the number of units, and making sure that we're working with HR&A to make sure we're putting forth recommendations that work for the community. We know that there are a number of existing structures that have more than one unit on a site. We want to make sure that we continue to support that housing type, which often includes affordable housing types. We want to make sure we include that. Units can be rental units or homeownership units. We want to make sure we provide opportunities for homeownership throughout all areas of residential development within the city.

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Christy Dodson, Code Studio – We have been working with RHI closely as they have been refining the details of the Comprehensive Development Plan. We want to walk through some of the ideas that we're thinking about that could be potential tools as we move into the zoning. Once the Comprehensive Plan is adopted, those are going to be the guiding policies that we will implement through the ordinance rewrite. We're starting to think about what some of these potential zoning tools could be. In these sensitive areas, the first thing that we have heard that is very important is keeping the existing house. A lot of these sensitive areas contain a lot of existing duplexes and triplexes. We want to make sure that those are able to be maintained and they're able to be improved. We don't want to see any loss of housing units in these areas. It's going to be important to be able to maintain and improve those structures. The other thing we think can help incentivize keeping the main house is to incentivize keeping the house by giving that extra unit; keeping the existing house that is being proposed would allow you to go up to four units. That existing house can be your affordable unit. These are often legacy homeowners. They often have a lower income. That can be counted as your affordable unit. You can add additional units on the back or as an ADU; providing that flexibility in incentivizing for keeping that main house. Another critical component of this is going to be calibrating what the FAR (Floor Area Ratio) is going to be. For these areas, what we want to avoid is one small modest house being replaced with a much larger/expensive house. That's the concern with allowing one unit by right. What we want to do is incentivize these units to be smaller. We would calibrate the FARs. If a new home is constructed, it would be of modest size in scale similar to what is existing already in these communities. We would allow a little bit more FAR as additional units are provided.

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Another thing we're thinking about is the subdivision ordinance. We think it is important to allow some subdivision of lots. Charlottesville has a lot of larger properties that could be subdivided into smaller parcels, which is going to provide additional opportunities to provide units. There has already been some discussion about that. That's one idea we're thinking about; how to right-size a lot of the larger parcels into smaller ones/providing additional units. Another thing we're thinking about, when talking about ADUs, is the ability to develop things in a feasible model that provides a lot more options from a financing standpoint. It's a lot easier for the existing homeowner to essentially subdivide the rear of their property and have someone else build the ADU. They don't have to be an expert in building development in thinking about how that primary lot may potentially be subdivided in a way that allows for development. An additional tool that we're thinking about is putting a maximum or controlling lot mergers. This ties back to our FAR. If you have a larger lot, you're able to build larger houses. What we want to do is try to incentivize those lots to be smaller and try to avoid someone coming in and purchasing several lots in a row to build a significant and expensive structure. Having to provide parking impacts the cost of construction. Something that we will be considering in the ordinance rewrite is essentially reducing parking requirements for these affordable units to help control some of those construction costs.

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Mr. Sessoms – We also have large areas outside of the community sensitive areas that would be covered by the General Residential category. Ms. Koch had shown a number of images that showed how infill could occur in an existing lot with an existing house with infill of additional units. Here are a couple of other examples to show how that could occur in many different forms. As we work through the zoning rewrite process, we will explore many opportunities in how we can begin to incur this and show opportunity for how infill can happen at existing home sites throughout the city.

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Currently, Charlottesville has a lot of single family one unit residential lots throughout the city, Because of this, there are not as many opportunities for more naturally affordable units throughout the city. We have less units. That's something we are looking to overcome by allowing for more infill of existing sites. These areas outside of the sensitive areas are ones identified as not sensitive or less sensitive to displacement pressures versus the sensitive areas that we just discussed. The goals of housing cover the five points from the earlier slide. We want to make sure that we encourage a diverse cross-section of housing types throughout the city so we can have housing that's available at a variety of affordability levels for the residents of Charlottesville.

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With form and use (General Residential), it is very similar to what we showed in August: allowing up to three units per lot. We can/will consider allowing additional units per lot based upon provided affordable units. If you provide affordable units, you can build beyond the three units per lot. The first three units could be market rate. We're hoping that, through encouraging more units per lot, we can begin to encourage or introduce naturally occurring affordable units in these general residential areas, allowing for the more affordable units through the bonus program, where that doesn't naturally occur or on top of naturally occurring affordable units. We're still continuing our 2.5 stories of a base height within the General Residential category. Through the bonus program where affordability requirements are met, we can explore opportunities for additional height within these General Residential categories with the height being refined through the zoning process and how that works with the bonus program. With the affordability bonus, it is very similar to the elements that we outlined for the sensitive areas in making sure we accommodate a 60/80% AMI or better within these areas. The deeper the affordability that's provided, the more units that could be allowed to occur throughout these General Residential areas. This is one concept that we're exploring. We will be working with the team through the one year rezoning rewrite to refine these approaches as we move forward.

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Ms. Dodson – A lot of these are very similar to some of the ideas that we're talking about in the sensitive areas, particularly when we're thinking about lot dimensions. We think that being able to consider how the subdivision ordinance could be revised to allow some of these larger lots to be subdivided is going to be a useful tool in General Residential, even outside of the sensitive areas. That same idea of potentially allowing secondary lots to be subdivided would allow for things like ADUs. We can get into more detail of how that would actually work here in the zoning ordinance rewrite. That is separate. It's a different idea than a pure subdivision. That allows for a pretty simple development. It provides for that critical wealth-building opportunity for existing homeowners. Looking at reduced parking requirements for affordable units and being able to have that flexibility so that a site isn't fully

taken up by parking is going to be really important as we think about how to allow for more units, particularly in affordable cost. The final thing we are going to consider in the zoning ordinance rewrite is who will be able to deploy the two over two townhomes. That's going to be a real critical tool in providing affordable housing in Charlottesville. What we're thinking about from a zoning perspective is how those two over two townhomes can be deployed in a context, sensitive way; thinking about how that building height fits in with the context of the existing fabric of Charlottesville and the way those buildings are massed. That will be something we're going to be talking about in the zoning ordinance rewrite, how to control those in a way that allows them to be built and provide that affordable housing in a context sensitive way.

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Mr. Sessoms – The next level up is the Medium Intensity Residential category. Medium intensity can include any of the examples that we showed for General Residential or sensitive community area. All of those different approaches can also be applied to the Medium Intensity Residential category. Medium Intensity includes more opportunities for more units per lot. You can see here the multiplexes. We're still encouraging a link to commercial use where it makes sense throughout these districts; two over two stacked houses. We heard a lot of desire for stacked townhouses and more opportunities for that type of development. Along these Medium Intensity residential areas, which are located along corridors, near parks, open spaces, and other community amenities we're getting more people where those community amenities exist.

Our approach to Medium Intensity Residential is to increase opportunities for more affordable housing near neighborhood corridors. A lot of these medium intensity areas are along corridors in the city that support transit and multimodal elements near community amenities such as parks and open spaces, schools, and employment centers. You can think about those corridors that connect major activity throughout the city. We are diversifying housing types to be more distributed for different land use types or residential types throughout the city. We are hitting on those same goals that we covered. Those five key elements are going to inform how we locate and think about medium intensity residential.

We have outlined form, use, and affordability. The definition has largely stayed intact for Medium Intensity Residential areas, allowing up to 12 units per lot. We know that all of the lots in the city are very unique. The lots are different neighborhood to neighborhood, lot to lot. We know that 12 units is not achievable on every lot that we're showing in Medium Intensity Residential. There will be a range of number of units that can be accommodated on the lots. As we begin to define the parameters of site development through the zoning rewrite that will begin to inform how many actual units you can get per lot. We're not saying 12 units per lot everywhere we're showing medium intensity. That's just a maximum that has been established for this land use category and allowing 4 stories for medium intensity residential, a story higher than the General Intensity category. We're going to incorporate an element of affordability working with HR&A and our zoning team to define how the affordability bonus can work for Medium Intensity Residential. We want to be encouraging as much affordability within these residential areas as possible. That might also define the allowable number of units or floors as we continue through that process.

With other land use categories, we have high intensity residential and mixed use node categories in corridors that have remained intact from what we showed in the August iteration. We have heard a lot of comments regarding building height in mixed use areas and higher intensity residential areas where we would perhaps consider a bonus program in these locations; allowing for additional height. Some specific locations we heard about would be JPA and Fontaine Avenue (corridor area to the south of UVA). The area could encourage more student housing development. It could relieve pressure on

surrounding neighborhoods. We heard comments from the community regarding the Emmet Street/Rt. 29 corridor; perhaps allow additional height at that location given that it is more secluded from residential areas. It is already a commercial corridor. That area could perhaps support more height. That is something we will consider moving forward and how we can begin to incorporate some of those ideas into the zoning. We can certainly outline them making sure we weave affordability through all of these different residential and mixed use categories where residential uses are present through inclusionary zoning.

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Ms. Koch – We did include a few questions here. We know that the Planning Commission will have more questions tonight. We know the community will also have some comments. We look forward to hearing from you as well.

The first question we heard was why we're not outlining specific levels of affordability or specific numbers of bonus units to be allowed. Those are potentially two separate, related things. The reason for that was that the analysis we are looking for in the zoning rewrite process will be an important part of what is used to determine how to best support these various levels of affordability throughout the city. We don't want to predetermine the outcome of that analysis. It has been a part of this process from the beginning that the zoning rewrite will follow the Comprehensive Plan Update. We want to respect that process.

With the second question, we have heard proposals for acquiring units at specific affordability levels prior to building market-rate units throughout the city. We're proposing this for the sensitive community areas but not outside those areas. We believe that requiring affordable units be built first before the market-rate units may lead to less housing produced across the city, including fewer affordable units. Part of the reason for that is that property owners might find it difficult in some cases to support affordable units without significant subsidy. Part of our goal with this process is to provide a range of ways to support more housing options and more affordability.

Lastly, we know there is an interest in knowing the total amount of housing units that would be produced under this map. We know that it is clear to everyone that the Future Land Use Map will not be mandating that housing (affordable or otherwise) will be built. A range of possibilities will be allowed through the Future Land Use Map. The markets, subsidies, and the future zoning ordinance will determine what is built, where, and how that will work. Zoning controls and other elements will further determine how much development is possible on each site. The zoning rewrite will potentially redefine some of those controls such as lot size and setbacks. We're not currently defining a specific number of units that will be possible under the zoning ordinance because the updated zoning ordinance is what will be implementing the Future Land Use Map.

Planning Commission Comments and Discussion

Commissioner Mitchell – (Ms. Dodson) Chart 16 talks about the subdivision regulation. I want to be certain that we are tightening the loopholes so that people don't get to get around the affordability requirement by doing subdivisions. Can you talk about how we protect against getting around the affordability loophole using subdivisions?

Lee Einsweiler, Cville Plans Together – Unfortunately, subdivision is something that people will be able to do. We don't know whether we will be able to work out a legal way to constrain what happens

on newly subdivided lots as we move forward. We really don't have a strict answer. What could happen today is that if you have a lot that is the twice the size that the district requires, you could split your lot into two: one with your existing house and do all of the things that you can do on your existing house. With the other lot, you could use that lot for just one house. That's a possibility. However, you would be leaving a lot of development potential on the table. If you were doing it for reasons of adding value to your property, you could either be building a very high, luxury but modest sized house. Or you would be missing out on the income potential that would be associated with other units that would be allowed on the site. We don't have a perfect answer. We're going to look into some things with the City Attorney and see whether we would be allowed to set a minimum number of units for a new lot so that we can get you up and require you to be in that affordable zone or not. We're not certain what we can do right now. It will probably take us a little bit to get that research done.

Commissioner Mitchell – There's so much good about this. I'm hoping you can work with the City Attorney to find a way to close a loophole. There's so much good about making these subdivision regulations well to get more affordable housing.

Lisa Robertson, City Attorney – I have spoken with the consultants. What I would like to do if acceptable to all of you is exactly what they have just said. We have to think through this going forward and work things out in the process of developing the zoning ordinance. What I can tell you right now is that, in general, your authority to do things is much broader under the zoning enabling legislation than it is under the subdivision. Through some combination of updated subdivision regulations and creative measures under the zoning ordinance, I think there are a lot of possibilities. I don't think we're ready to rule anything out or rule anything specifically in tonight.

Commissioner Mitchell – I think what you're doing is that you think we can do this. It may have to happen at the zoning level?

Ms. Robertson – Yes or at least some combination of enhanced zoning and subdivision regulations. As we go forward, what we will be watching for during the development of the zoning regulations is any adjustments and updates that are needed in the subdivision ordinance as well. The development regulations/infrastructure standards are driven by your subdivision ordinance. They relate to how development occurs once those subdivisions take place. Everything is related. Working together, there are a lot of things that we can do, if not achieve the recommendations perfectly, get very close to what is being recommended.

Commissioner Mitchell – The affordability overlay is hinted at throughout the presentation. It's not very direct. Can you talk a little bit about where we are on the affordability overlay and how this plays into what you have presented? I would like to see it. My colleagues would also like to see it more intentional. Can you talk about why it is not more intentional? What is your game plan?

Mr. Sessoms – Instead of having a separate overlay, we bake in the affordability into these land use categories through the affordability bonus programs. We baked it in. We thought it was a better approach than the overlay because it is baked into the land use. It will be baked into the zoning versus an overlay, which adds another layer of complication on top of the zoning districts. We thought it would be more of a simple, more inclusive approach than to have a separate overlay at this point. Could we consider a split overlay in the zoning rewrite? That's not off the table. At this point, we're thinking that the affordability is just baked into everything that we do for each of the land use categories.

Commissioner Mitchell – Your strategy is to make it more implicit than more “in your face?”

Mr. Sessoms – I think we have put it “in your face” with the sensitive communities with one unit per lot and no more units unless it’s affordable for the sensitive areas. With the General Residential, beyond the three units, having that naturally occurring affordability through the 3 units per lot and providing a bonus for more intensity for more affordable units; the deeper the affordability and more units that could be allowed as a strategy. With inclusionary zoning weaved through all of the mixed use districts/higher intensity residential districts, we have that baked through so that we include affordability at every land use category that includes residential development. That has been our approach.

Commissioner Mitchell – I am pretty cool with that. I want us to be careful about not focusing the affordability in the sensitive areas. We’ve done a good job of increasing affordability in the sensitive areas. We need affordability in some of the other neighborhoods and some of the neighborhoods that are not sensitive areas. Good job on the sensitive areas. We need to expand that affordability out to other areas.

Commissioner Habbab – I wanted to expand on the question about the loopholes. The intention is what stops somebody from breaking their lot down into three unit sized lots over and over to get away from providing an affordable unit. Whatever we can do to look at that later on is needed. I like the language changes throughout. It seems like a lot of the numbers that needed some feasibility study to them were pushed off to the zoning rewrite. That makes sense. I appreciate all of the language you used to bake in that affordability. How strict are the lot designations that we see on the Future Land Use Map? Can one lot get a different designation as we’re doing the rezoning process?

Ms. Koch – We have talked about that. The land use map is a guide for future land use. It’s going to be a guide for the zoning. It won’t be exactly one to one. There is potential to be flexible if it is adjacent to a different category. We could potentially look at bringing that into a different category than what it is currently shown as. There is the possibility that if we get to the finalizing of the zoning ordinance and we have realized that we think the Future Land Use Map might need some adjustment at a larger scale, there is a possibility to do that as well. We’re keeping the door open for both of those things.

Commissioner Habbab – The last thing I had was about the General Residential. At the end of the presentation, you looked at why not the first or second unit become the affordable unit. That might hamper any development at these sites. I wonder if we want to take another look at how to ensure affordability gets built in these zones. Maybe we include townhomes in the General Residential category as one of the additional types and look at or consider bringing the 2.5 stories back to three. I know it was 3.5 stories a couple of drafts ago. We went down to 2.5. I don’t know if there’s a ‘happy middle’ of three. It’s something to consider.

Commissioner Lahendro – In the city’s ADC Historic and Conservation Districts, all of the buildings have been identified as either contributing or non-contributing to the historic resource designation. It varies district by district from as little as 10 percent are non-contributing to Woolen Mills where at almost 40 percent of the buildings are non-contributing. There are opportunities for replacing non-contributing buildings with infill and more units. What is your reaction to adding a requirement that any future development in ADC Historic and Conservation districts that they must maintain the contributing status of existing historic structures?

Mr. Sessoms – That would be something that we would definitely want to consider. There are many opportunities to add units to a lot that has a contributing structure on it through building an addition off the rear, keeping the form and character on the front of that structure intact but allow opportunities, particularly in lots that have a lot of depth, opportunities for infill at the rear of the building. We definitely think there are opportunities. We want to keep with our theme of making sure that we are

proposing contextual infill throughout these areas. That language would certainly begin to benefit to that end that we have been discussing.

Commissioner Lahendro – You’re right. That language doesn’t prohibit additions to historic contributing buildings if they are done compatibly and they can still keep their contribution to the historic district.

What is your reaction to replacing the recommendations for General Residential with those proposed for General Residential in sensitive areas?

Ms. Koch – That gets to one of those FAQs that we had on the slide in terms of why we’re not proposing to require the first new unit be affordable in all the areas. Our response to that was that we believe that a market rate component would help support additional development of additional housing throughout the city. If someone wants to be able to provide some additional units on their property and they are an individual homeowner, it would likely become out of the range they can afford if the first one had to be affordable. They may not be able to re-coop the cost of that. I do think we could look in the zoning ordinance at potentially having lower market rate levels in some areas than others. We’re now proposing up to 3 units in General Residential outside of sensitive areas. We could include that as part of our work on the zoning ordinance.

Mr. Einsweiler – It is fine to assume that there might be multiple districts that implement a single color on the Future Land Use Map. Those might have slight variations on the policy that we’re setting out for the categories. It is fair to say that we should look at some of those issues when we get to the zoning.

Commissioner Russell – I want to ‘drill down’ on some things I have already heard. I agree that there are elements in the sensitive areas that I could see applying to the General Residential as well; the affordability bonus, keeping a fourth unit if the house is maintained. It seems like there are some places where sensitive neighborhoods and historic areas overlap. Both tools could apply to characteristics in both neighborhoods. I am seeing and hearing tensions in the proposed Medium Residential areas, particularly in locations that aren’t necessarily arterial, have constraints, streets, or that already have existing affordability. I want to clarify what Commissioner Lahendro was asking. We have ADC Districts, National Register Listed, and National Register potentially eligible. Are we talking about tools to protect historic resources in all of those areas or only the ones that are ADC?

Mr. Sessoms – We would want to protect all of the historic structures. That’s something we can expand upon and definitely perhaps pull out more explicitly in the text and the definition of these land use categories. Historic structures are very important to the character in the community and cultural integrity of these areas. We definitely want to respect that and make sure we build that language into these land use districts. We imagine, through the zoning process, to keep the historic districts as lines on the map. We are going to keep that intact. We’re not thinking about getting rid of that. Weaving in the story of protection of historic structures more explicitly in these land use classifications is something that we can certainly do.

Ms. Koch – For those structures that are eligible but not listed, that’s something we haven’t yet discussed.

Commissioner Russell – I am concerned that potential Medium Intensity might pose an adverse effect to the eligibility of those neighborhoods. I wouldn’t be able to support that. I am wondering if there’s a way Medium couldn’t be more tightly controlled through the SUP process. I know we want affordability and we want processes to be as streamlined as possible. I am worried that we’re giving away all of the

control with what I see as an alarming amount of Medium Intensity by right, particularly in some of these neighborhoods that have potential incompatibility. Does that mean that it needs an additional level of control? Is highly inclusionary or medium intensity deeply affordable? I would encourage you to look at that.

If we're talking about the first unit requirement being affordable, we want to encourage affordability. We should remember that one of the goals of the Accessory Dwelling Units are to allow for things like aging in place and allowing for the construction of flats. We certainly don't want to prohibit that. How can we be flexible? It might require tightening up our Air BNB regulations.

Commissioner Stolzenberg – I would agree with the idea of taking in that incentive to keep the existing home and fold that into General Residential to get that 4th unit. When it is a new build, whether on a vacant lot or a new subdivided lot, a new build 4-plex is when accessibility requirements kick in. If we do care about aging in place and the disability community, it is really important to offer that incentive again. Otherwise, it becomes a cliff where costs rise when you hit that. It's going to be harder to get that 4th unit as the affordable one.

I can see how the outside of sensitive areas, with the bonus program, is starting converge with Medium Intensity in a similar way how the overlay proposal was discussed. To what extent is that true? We're talking about bonuses, which gets more units beyond that. What is the top end? Is there a top end envisioned? Is it unspecified for now?

Ms. Koch – Unspecified for now. The reason for that is that we don't want to get ahead of one direction or the other. We don't want to propose something where a higher number would be possible or supported through incentives or other mechanisms we might discuss in zoning. We don't want to go too high. That's why we're not giving that upper end now.

Commissioner Stolzenberg – That's reasonable as long as we're not saying 'we're just going to have a fourth unit' and somehow expect it to be affordable without a bonus. That's obviously implied by the idea of a bonus. With the Medium Intensity, people still have concern about the locations of certain ones of those Medium Intensity corridors like the recently added one on Riverview and the Lexington loop instead of Locust and Park on the other sides. Can you provide some insight on why there rather than the more connected places that are on the same transit routes in the same general area?

Mr. Sessoms – With the Riverview Corridor, we did get some comments about why that corridor is shown as Medium Intensity. There are 40 duplex buildings along that corridor, 80 units. That corridor does have a transit route. It is a cul de sac. It is directly accessible by transit. In the Streets That Work Program, there are two priority bike lane corridors that directly connect that area back to downtown. That would include Chesapeake Avenue and Market Street as two corridors that connect that area to downtown. It is also immediately adjacent to Rivanna River, the park, open space, and trail connections along that corridor as well. Those trail connections extend further south in the city, extend further north in the city, and connect many places and destinations along the river. There are Charlottesville Housing Redevelopment Authority (CRHA) properties along that corridor. Allowing for greater flexibility in how those properties evolve in the future for more affordable units at those sites are a consideration that we gave to that area. Looking at what is there right now, what is around it, and those transit connections led us to designate that area as a Medium Intensity Area. With the area north of downtown along the Evergreen Corridor that we heard a lot of concerns about, a lot of the streets in North Downtown are constrained. We heard a lot of desires throughout this planning process to allow more opportunities for affordable housing development in that neighborhood. If you recall some of the earlier iterations of the Future Land Use Map, there was Medium Intensity along Park Street and Locust Avenue. We heard a

lot of pushback for a lot of the reasons that we had talked about with those historic structures particularly along those corridors. Looking more inward to some of the communities between those two corridors, there are opportunities to encourage more medium intensity development. We went through several iterations of the map. We are now focused on Lexington Avenue and the Evergreen Corridor. We heard concerns about traffic. We have gotten some traffic data about the capacity of that corridor. It is currently 60 percent capacity. That corridor has green for capacity. We're not focusing entirely on cars and vehicles as we talked through our housing principles. We want to encourage walking, biking, and transit access. There's no transit access directly on Evergreen. One block over on Locust is a major transit corridor within walking distance. It is walkable to downtown. That's why we selected those two areas for medium intensity. We're willing to take a second look at those areas. In General Residential, we are including bonus density incentives as part of that. That could be what we need in North Downtown. We're definitely open to taking a closer look at that.

Commissioner Stolzenberg – I would not necessarily say they're bad. The bonus elsewhere helps take some of that pressure off on the general overlay idea. Perhaps along Chesapeake, especially near Meade Park and up Second Street Northeast and everything west of First Street North might be good places to think about as you potentially reconfigure that.

For townhomes in General Residential, especially just outside of sensitive areas, I don't see why we would perhaps allow three units but not allow them to be three units that are under simple ownership with separate doors, especially as we have all of this new demand of wealthier people from bigger cities, who are now able to work remotely, coming in and looking for ownership opportunities. On the 'flipside,' we're hearing that low income, affordable homeownership opportunities are very desirable. Incorporating townhomes into General Residential would be a really big step. The same rules of amount, bonuses, and affordability requirements should apply. If you hit that fourth unit as part of a single development, I don't see any reason why it wouldn't be the exact same if it is a fourth unit within an existing building.

Commercial areas, brownfield, and grayfield sites potentially could be better utilized and take some pressure off all of these existing built-out residential areas. We have heard a lot of demand or a lot of concern from people who are worried about changes in residential areas. I want to make sure we're really soaking up as much of that pressure and making the absolute most out of our commercial areas in order to help address those concerns and to reduce the rate and pace of change in those built-out areas. The ones I point to specifically are the Rt. 29 area (big shopping centers, a little decrepit, hopefully it won't get a big lease and will change). If we're really thinking about making the most of them and somehow making that a walkable place, we might need to be thinking about even more intense development. The other is the scrapyard site at Meade and Carlton. It is 30 feet below grade. I think it is proposed for 3 stories under the Mixed Use Node. That site is so close to downtown and infrastructure of the East Water Street path is a great site that we definitely can make more use of.

Chairman Solla-Yates – We have heard a lot about house size. I have heard concerns about what houses people. Is house size 'one size fits all' that will be applied to all areas? How will that work?

Mr. Sessoms – Each of these land use colored areas will be broken down into sub-districts. When we get to the zoning, we will have to identify the typology of these different neighborhoods throughout the city. A house size in one neighborhood will be different than a house size in another neighborhood because of lot configuration, existing development, and the era of development. That's something we will look closely at from a zoning district by zoning district level to determine what that building envelope looks like for a house size structure.

Chairman Solla-Yates – I have heard some concerns from residents in certain areas where they have more floors. How will the 2.5 story metric work in those areas that are taller?

Mr. Einsweiler – If we are absolute about it, they would be nonconforming but allowed to continue. You could rebuild it if they were damaged. At a minimum, you would have those rights. If we found areas with significant three story houses that we would set the context at 2.5 stories, we would set it at three.

Ms. Koch – The potential bonus system would allow structures up to those heights.

Councilor Snook – I have been thinking more about the plight of one caller we have heard from a couple of times who lives at the end of Amherst Street whose General Residential lot would abut against a Medium Intensity lot. She is concerned about an 18 unit apartment building being put down right next to her house. Some of the primary enemies of density are things like setbacks, lot size requirements, floor area ratios, and those things that limit density. They are also what mediates between dissimilar uses. How are you expecting to balance those two very different/opposing concerns in trying to figure out how we can reassure this resident that she's not going to have this monstrosity in her backyard?

Mr. Einsweiler – We can expect along any district boundary line/lot line that has differing allocations of height or unit types that we would have a transition along that lot line. What those might look like is not fully worked out. There will definitely be a transition. There might be a transition in the actual districts in the same way that you might end up in the most intense General Residential and next door might be the least intense medium density residential. They might be more similar than what we are currently imagining. It's possible there would be some changes through the mapping. Within those where districts abut along district lines, I would expect those tools that you were mentioning (additional setback) would allow you to create a more respectful height transition.

Councilor Snook – There must have been a very early draft or perhaps part of the Affordable Housing Plan; A Product From the Consultants in general was suggesting that a lot of those setback lot size requirements were going to be pushed away in the interest of increasing density. This is the first time I can remember having seen something from you that explicitly acknowledges that those kinds of tools will still be there. Is that something we can reassure people that we're still going to be able to use those kinds of tools?

Mr. Einsweiler – The only tool we're talking about eliminating is the direct relationship of density to number of units to land area. That's the only tool we are not using in this discussion. We would fully anticipate using tools. Whether we use floor area in places that it is not used today is an open question. In the massing of both of your buildings, using floor area restrictions is very commonplace. We will be using height, setbacks, articulation, and everything in the toolkit that we think is reasonable. We will be looking to make sure we can meet our obligations in terms of trying to get enough units on the site. There will still be some tension. We will make certain people have drawings and examples that they can look at so that we can understand how to balance those before we adopt the zoning.

Councilor Snook – One of the questions I had was “approval option for specific sites well suited for affordable two-over-two townhouses.” We have received a couple of emails in the last couple of days that confused me. They seem to make it sound that two-over-two townhouses “was the end of western civilization as we know it.” What does it mean to be a lot that is well suited for two-over-two townhouse?

Mr. Einsweiler – The lot slopes away from the street so that we can have a walkout floor out the backside that in essence sits mostly below ground from the street. The perceived height from the street is less than the full two-over-two.

Councilor Snook – When you talk about subdivisions at some level, you being able to subdivide property becomes a tool for more density. I understand that it might also, under some of these regimens become a tool for frustrating the ability to make density be affordable. I know that a lot of the R-1 zones in Charlottesville have a no subdivision restrictive covenant. That might be one more thing we're going to run into when we try to see what it really means in practice.

Councilor Hill – I have concerns in making sure we are doing all we can to protect those sensitive areas. I continue to have a concern around the impacts of the Air BNB. Right now, we're a community that doesn't enforce BNBs that are even illegal. As a city, we have to own that. That's something that takes staff resources to do. We're almost setting up a situation where we will be inviting that behavior. People will be living on their property. There will be so many other units on their property. I hope we can explore ways that we can minimize that. We already have a lot of housing stock that is not being utilized effectively because of those types of dynamics. I am fearful of that happening across the city.

I am also in favor of ways of exploring ways that we can expand more of that incentive to build better affordable units more in the forefront so we do have a greater range of affordability throughout the city, not just in some of these areas. In the sensitive areas where things are largely affordable, how do we incentivize that? I understand there are some dynamics at play in terms of whether the dollars/cents of it will actually happen. I am interested in making sure we have explored that thoroughly. I do share some of the puzzling for some of traces where some of the medium intensity occurs. If we are looking at more General Residential wide allowing with additional affordability and additional density, I think that I will ask if we need medium intensity. Are we accomplishing that more citywide? An example is Birdwood Court. Getting in and out Birdwood Court is nearly impossible. Riverside is also a sensitive area. Those are affordable units. I see that being right for someone to basically start over and really impact the residents that are already there. As much as I can see these opportunities for density, I was wondering about some of these dead end spots. There really are no natural exit points in addition to there being more affordable units in those areas. I am still not clear on what was really driving the decision making for density in the spring version or this version.

I agree with Commissioner Stolzenberg's point about our biggest opportunity areas are in some of these commercial and mixed use areas. IX Park is the perfect example of something that we have been talking about many years as a community. The amount we can do in a site like that could really put a dent in some of these needs. We really need to be putting a lot more focus on that. It does allow for General Residential areas not 'feeling the heat' intensely if we take advantage of those spaces.

Councilor Payne – We have the question around subdivisions. We need to ensure that is taken care of during the zoning rewrite process and is worked out. If there are still opportunities to expand the approach used in the sensitive areas to other neighborhoods throughout the city in order to expand other incentives to build affordable housing citywide and also addressing some of the concerns, there are still some neighborhoods that you haven't defined as sensitive neighborhoods that will be at risk of displacement and gentrification, particularly if there is a high percentage of renters in those neighborhoods. There will be an even greater risk if the approach isn't expanded throughout more of the city; whether that be through inclusionary zoning or an affordable housing overlay to accomplish that.

Ms. Koch – When we're talking about expanding the sensitive community area concept to other parts of the city, there is the incentivizing in keeping the existing structure. The other piece of this sensitive

community area would be having the first unit be affordable as a requirement before additional units can be built. Those are two separate things.

Commissioner Stolzenberg – We know that a single-family detached house has a premium over each unit in a duplex. We know that because many areas of the city that are these high-income areas like Lewis Mountain. We have a number of nonconforming duplexes in Lewis Mountain. Over time they have been de-converted, they have knocked down that wall, and they have become a single-family house. The approach that we should take is that outside of these sensitive areas. We want to allow a base level of density that competes with that single-family detached house so we're not putting 'our thumb on the scale' to make sure the detached house wins. Only beyond that point where the rental units are already penciled or come close to competing, that is where you can start to apply that affordability bonus and extract that extra value. Below that point, you're not creating enough value to even get beyond the single-family detached house. If we hurry a scheme where there is no incentive to not do a single-family detached, house, we have 'patted ourselves on the back' for overturning the legacy of single family zoning but created an outcome where single-family zoning is what we get.

Mayor Walker – I would like for us to keep in mind when we're talking about the walkability and bikeability and that those are very different based on who you are and how much time you have. I hope that you can keep that in mind. The comments around concentrating land like the IX Park versus some of the neighborhoods really doesn't work. When I hear that, I see that you're talking about available land in the city that's privately owned. You're also talking about areas that have been predominantly black, low income, and the continual gentrification and possible displacements of families who live in those areas. When we're talking about these changes and prioritizing that, that's what I hear; not that families will be served more. I hear that you're potentially furthering the displacements that are already happening in that area for families. I know those things will be able to be monitored based on the zoning changes that happen and what city staff and legal are able to enforce. We have to be very mindful about what it might mean.

Commissioner Mitchell – I want to 'drill down' on that more. Can you be more specific about this?

Mayor Walker – There were comments made by Commissioner Stolzenberg and Councilor Hill. They were talking about some of the concerns with the neighborhoods and looking at properties like the IX Park and being able to utilize those properties that might be spreading the developments throughout the neighborhoods. If you're talking about the IX Park, you have Crescent Hall on one side, 6th Street on one side, and Friendship Court on the other. Thinking about building or utilizing that space that is mostly concrete were the comments I heard at that time and being able to possibly build some of the housing that we need to meet the housing shortages that we have and concentrate it on lower income or lower AMIs at that point. I am asking that we be mindful about what that means for that area. We don't own it. Look at what is already happening on that property and who it is most likely to cater to. You're talking about a piece of land that's surrounded by three low income areas and some of the lowest income housing in the area. While it might seem like a good idea, I am asking us to think about that. If that's the route we decide to go, when we get to the zoning, we make sure what we desire to happen actually happens and not allow somebody to build with the intention of those things benefiting the community in the way that we're talking about here but not actually occurring.

Commissioner Mitchell – You're asking us to be mindful of what we're doing with this and make sure we protect the whole community in that district.

Mayor Walker – Don't give the ability for the IX Park property owner to have some of the increased density that we're talking about throughout the area and don't have a way to enforce it. That further gentrifies the community versus leading to the changes and the desired outcomes that we're hoping for.

Commissioner Stolzenberg – Do you see that as being IX specific or generally applying to all of the big commercial sites?

Mayor Walker – The IX Park was the development that came up when I decided to share this comment. At this point, I'm talking about that property and basing it on what has happened in Charlottesville historically. If you ask where the affordable housing is that we paid for, we can't tell you where that is right now. If citizens have called in and said they don't want these huge developments near their property and part of the conversation is shifting to these type of lots that are buildable, I am just asking to pay attention to what is happening in the neighborhood. In this particular case, I wanted to make sure that we understood that there are three low income properties that are on three different sides of this building/land and to ensure we're not going to spread these units potentially throughout the city the way we had planned earlier. We may concentrate more here and it actually benefits the people we're talking about. If people want to live in different areas in the city, I have some other thoughts about whether they will feel welcome in those areas and whether they will be able to create community in those areas. I am talking about some of the changes that I have listened to over time as people call in and say they don't agree with going from high intensity to medium density. If we switch to looking at the vacant spaces, we need to be honest about how much control we actually have there. We need to make sure what we intend to happen in an area, that has been predominantly black and low income, that is changing rapidly, and that we don't make decisions that don't do what we are saying that we desire to do.

Councilor Hill – We have to do all of these things. We have to encourage there to be more affordability throughout the city. We need to have a range of incomes throughout the city in every neighborhood. I don't think any one of these things is going to do it on its own. So much of the conversation has been around residential. I was just trying to highlight the point that there's a whole another aspect around this on General Residential that could provide a lot of units for this community and meet some of those demands.

Commissioner Habbab – I appreciate all of the language on multiple different issues including the JPA area and highlighting all the different areas we need to take a closer look at. I wonder if there is a way to put protections against demolishing affordable housing that exists to create market rate housing. I don't know how this one shakes out: the expansion of the General Residential sensitive area into other General Residential areas. It maybe comes out to four units and maybe the second unit is required to be affordable. We need the four units for the accessibility factor. How far do we give by right that somebody wouldn't go for the affordability bonus that we're providing? I don't know what that balance would be.

Commissioner Lahendro – I am having a great deal of difficulty with the medium intensity be residential on designation and the way it is currently crafted. I understand the intent, which is to start increasing the density in these opportunistic areas. I worry that it is too much too quickly. I do not see that a 12 unit multiplex building being "house-sized." To start plopping 6 to 12 unit multiplex buildings in the midst of what is detached single-family housing on areas like Grove Avenue and Elliott and Evergreen does not say to me good land use practice. That's creating conflict. I would prefer to have an incremental increase that allows these differences to coexist comfortably and not compete to not be in conflict. I would certainly like to see 12 units cut back drastically as the top end for what is allowed. The devil is in the details and that's going to happen in the zoning rewrite. I know that I am not going to be

here. I am going to be rotating off by the time it's done. I worry about the unattended consequences about changing things too fast. I will keep pushing for incremental change.

Ms. Koch – The one thing I wanted to speak to is the size of what we're imagining. We keep saying you're house sized. I know we talked about it tonight. It is contexture based on what a house means in a certain area. When we talk about multiplexes each getting 12 units, we're envisioning that there would potentially be multiple buildings that would be house-sized. In many cases, not necessarily a large 12 unit building. If we're talking about 12 residential units on a particular property, we would imagine 2 six unit developments. We would encourage that type of scale.

Mr. Sessoms – That's exactly what we have been talking about. We don't want a 12-plex development in the middle of a single family neighborhood. We want to make sure that these infill development types are of the scale with the height restrictions and meeting the envelope sizes for that contextual, residential scale for each of these neighborhood areas.

Commissioner Lahendro – I am glad to hear that. I was led astray by one of your illustrations that is in your presentation that shows a huge 12 unit apartment building. It looks like a residence on 'steroids.'

Ms. Koch – I don't believe there are 12 unit buildings shown.

Mr. Sessoms – There aren't any 12 unit buildings shown. The building on the lower left is 8 units. Those are maybe 2 over 2s. There are 4 doors in the foreground. There's another set of 4 doors to the left. We have been describing those to be developed at appropriate locations. We, through our zoning standards, would limit the type of development that would be occurring.

Commissioner Russell – I am not sure we need an overlay or a bonus baked in. I want to know what gives clearer deliberate intentionality towards affordability. I look forward to what you come back with.

Commissioner Stolzenberg – I push back on the idea that a slightly larger plex than the immediately adjacent homes is necessarily out of place or doesn't belong. I sent you a 12-plex in Silver Spring, MD last month. It is indistinguishable from a single family house from the street. It does go back a little ways into the backyard. I don't think that's something we should be afraid of with the caveat that we will have setbacks and site plan restrictions that would make sure roads can handle the traffic. The idea that everything has its place and needs to be sorted into that place is fundamentally a product of our current land use regime. It has produced some really bad outcomes. This idea of corridors and commercial areas as an exclusive strategy is our existing land use paradigm dating back to at least the 2001 corridor study. We can see that it has really failed to produce good outcomes. In many cases, it has failed to produce any housing at all or change because the restrictions might be too strict or because there's more demand for neighborhood living whether it be small rentals or denser detached or attached single family homes as we see with the PUDs that come forward. It would be a big mistake to really double down on that and to say everything belongs on corridors and we don't want any change in our neighborhoods. Change in every part of the city is a part of the natural way that the city has evolved over time. We have ratcheted down those restrictions and we have forced sprawl. It's a real mistake to rely on corridors as the only places for people to live. We know that vehicular corridors are associated with higher rates of asthma and respiratory illnesses. It is important to make some room in our neighborhoods. People in our neighborhoods are, to a large extent, amenable to that, especially where we can do it with minimal impacts. Aesthetics is not a dirty word. We can do this in a way that embraces aesthetics. We can't do this in a way that forces everything to be exactly like it always has been.

In some of those lower parts of downtown, there's room for that medium intensity on Second Street Northeast. For Barracks Road (general thought where we're making investments on infrastructure), we have an 8 figure investment in a shared use path along Barracks Road that will connect to another shared use path along Emmet Street that will bring people to our major vehicular corridor and our largest employer. That shared use path ends east of Buckingham Road. The west side of Barracks Road along there would be a very reasonable place for additional density, especially given our proximity to that commercial corridor. With the people on the east side of Barracks Road, we have high intensity in places like Hemlock Lane that are single family detached housing. Up to the August draft, we have moved a lot of the density from wealthy areas that were outspoken about in opposition to change. We moved it towards less wealthy areas. That wasn't actually one that changed. I think it is one that is maybe a questionable decision. I would like to see us undo some of those changes. I have seen people saying that 'certain people got their way' just by being loud and complaining about it a lot. I don't think that is a reasonable way to make land use policy.

Chairman Solla-Yates – You talked briefly about the purpose of medium intensity and the concept of the missing middle and why it is here. Can you talk about lower income/fixed income/long term residents? Do they have a part of this story? Is this a plan for them or is this a plan against them?

Ms. Koch – This is a plan that is for everyone. The land use map/land use plan/future land use vision we have described and talked about tonight is not necessarily going to provide affordability at a level that meets everyone needs. When you talk about the lowest income/lowest wealth communities, there are several strategies in the affordable housing plan recommendations that we have included in this Comprehensive Plan process that can be used/should be used and paired with these land use strategies to support affordability at all levels in the city for homeownership and renter units. The land use itself potentially cannot provide all of the needs or address all of the needs for those that you described. Paired with the strategies in the affordable housing plan, we do think it can do that. It will do that if implemented in the way it is described.

Chairman Solla-Yates – We have been hearing about medium intensity residential. Is it worth it? Do we want to keep it? Why do we want to keep it?

Ms. Koch – One of the reasons we have shown the medium intensity residential is that we are looking at supporting transit, walkability, and bikeability. I want to mention I really appreciate Mayor Walker's point that not everyone can walk to work for various reasons. Not everyone can take transit to work for various reasons. We're not looking to say that this all should be supported. By focusing some of the medium intensity residential along these corridors, we would look to support those enhancements that support transit, walkability, and bikeability. Looking for ways to support affordability along transit is something that is baked in now to the stage wide comprehensive plan process. We're looking at transit oriented development; in this case bus oriented.

We're also looking outside of those corridors for medium intensity residential. We're looking at the parks, schools, and other places we have heard are really important to the community to have access to. We have included these medium intensity residential zones to try and focus some of that scale of development. As we have discussed, the market rate number of units versus what is bonus might be something we look at with the zoning ordinance. For now, we are proposing a higher amount of market rate will be allowed wherever medium intensity is located. We will still have a significant affordable component. We think it is good planning to look at this type of outline of these types of areas to support investments that would really support people living here and having a livable community.

Councilor Snook – Explain to me how one measures 2.5 stories, 3.5 stories. What are we measuring when we do that? How do you get a half story?

Mr. Einsweiler – Its roof or half of the floor covered on a flat roof building.

Councilor Snook – How about a basement that is partly above ground?

Mr. Einsweiler – It depends on how we end up measuring height. We haven't come to any closure on that. There are two fundamental ways to measure height. Many communities measure height from the street-facing side because that's the public realm. That can lead to several more stories on the backside if your lot falls off. If you're on the other side from that person, you may not be happy looking up the back of a 5 story building that's a 2.5 story building at the street above. Often we would have height follow the slope in segments as it steps down the slope. The half story is exactly that. It's either a half story because it has a pitched roof and it has half the floor area or because it is a flat roof and it literally has half the floor area that covers half the below it.

Councilor Snook – Does it matter how pitched the roof is?

Mr. Einsweiler – Yes. It would typically be a range. With the flat roof, there would be a location for where the opening portion is. If we want that to appear to be shorter from the street, that additional piece would have to be to the rear.

Councilor Snook – Is it fair to say that this is one of those things where we're going to have to draft the zoning ordinance before we see exactly what we're thinking about?

Mr. Einsweiler – We will have to model it for people so that they can understand it. We are, in this particular instance, leaving a lot of challenging questions to the zoning ordinance. It will work out a lot of these details. Whether it is to the people's satisfaction is an open question at this point in time. It will offer up expressed answers for these details on that basis. If we can come to an agreement on the zoning ordinance and its map, we can reach back to the Future Land Use Map. I do believe that it would be an excellent idea to make conforming revisions to the land use map and the description of the districts at the time we finally have made those zoning decisions so the two are in close alignment. Otherwise, they will be used against you in the future to modify zoning again. There will be a step for that.

Councilor Snook – We would expect that once we have finished with all of these things, there might be some coming back and tweaking on the land use map?

Mr. Einsweiler – Yes. Both the aerial extent and the description.

Commissioner Mitchell – I am not totally comfortable that I got the answer to the affordable overlay. I want the consultants to work a little harder on that.

Mr. Einsweiler – Fundamentally, there isn't any reason to make an overlay. If you get the exact same outcome, the same package of rules will apply to the site whether we put all the rules in the base district or whether we put them in an overlay. We get no additional authority. If it is optics that we're talking about here, I fully understand that. I would like to start out thinking people could look at it in the districts and see that those rules are there and apply everywhere. In a different set of districts, they apply to the sensitive areas and we have achieved their ends. It will look simpler 5 years from now than an overlay.

Commissioner Mitchell – The optics are not that important to me. The result is what is important to me. I want to make sure that the overlay expands beyond the sensitive areas. I don't want to concentrate affordable housing in the sensitive areas. I want to expand affordable housing into the wealthier areas as well.

Ms. Koch – We are talking about a bonus system for affordable units outside of sensitive areas. That's how we are looking to apply this overlay concept. It potentially gets lost because we're not putting out a specific number as we discussed earlier.

Commissioner Mitchell – We need to make sure that the public understands that while we're not being very specific about the overlay, we know that the overlay is important. We're going to make it happen. We just need to make sure the public understands that the overlay is going to happen.

Mr. Einsweiler – If it would make you more comfortable at the time of writing the land use plan, to describe it as an overlay or similar zoning measure, we could work within that and still build it as base districts. I would rather not be absolutely told that an overlay is the best model. Here is what will happen. You will look at your base district, General Residential One. It really won't say anything about the affordable housing. The affordable housing is further down in the ordinance in the affordable housing overlay. That will apply to everybody on the map and it will have the same meaning. We will have two pieces. We will have a piece that says here are your base district rights and here are your rights when you do the affordable housing bonus. We would prefer that when someone looks at the matrix for what they can do on their site, they see all of those pieces together. That's why I prefer and feel it will be more legible if we build it into the base district. It will literally be on the same pages with the other material. We can always point to the material. Fundamentally, if it operates as an overlay, it will be in one place in the ordinance and the base district in another place. I don't mind leaving the language about the overlay if we feel it's necessary at this stage. It's fine to continue talking about it as a layer beyond that applies to the bonus system. It's fine talking about it that way.

Commissioner Russell – I think there's something in the wording of the bonus seeming like it would be nice versus implying that it is over everything. Maybe something in the terminology might be strengthened. I take your recommendation seriously. Maybe there's something to what we're calling it.

Mr. Einsweiler – We can talk internally about whether there are better words for what we're trying to do as long as we don't get astray of the City Attorney (Lisa Robertson). I am happy to talk through the language of the plan. It can be a little different than the language of the zoning that we're heading for. There's maybe a 'happy middle' in here.

Councilor Hill – I certainly understand the logic of having the information in one place. I am still confused. We haven't defined what this overlay is for General Residential and how many it is. What is that compared to transitioning to this medium. Right now, they're intermingling because we have this additional thing we're talking about with General Residential. We should get to that stuff that medium intensity allows everywhere. That's what you're saying. At the same time, I am having trouble with the jump from this bonus piece for the General Residential and what that means for medium intensity. Does medium intensity also have a bonus piece? I am having trouble with that transition and how different those things are.

Mr. Einsweiler – We anticipate that the inclusionary requirements will certainly apply in higher intensity apartment living settings in mixed use buildings and what apartments might be built above commercial or other kinds of activity. In those settings, we're anticipating that we will use our new inclusionary powers to get many of the same results that we're talking about with providing a bonus

option for. That is all we have right now. We are constraining people from being able to do certain kinds of things until they accept the bonus option. They can still build one house and be done with it. All of those things are still possible. We're not necessarily talking about being able to take that inclusionary toolkit all the way down to the lowest end of the spectrum. We really don't know. We're anticipating every piece of property in the city that's producing new residential units will have a way to generate affordable units. It may not have a mandate. It will have a bonus option that will be appealing if it doesn't have a mandate.

Councilor Hill – There is a lot still to be figured out through the zoning. It's important to set the table so that it's more fluid. Can we talk about that process? A lot of people are wondering what that looks like. It is done by parcel by parcel basis. I am assuming that the team is physically out in the community and seeing the constraints of those parcels.

Mr. Einsweiler – As we craft conceptual ideas for districts, we will be testing those. We will be testing those on a variety of sites. The first and simplest is we will test them on flat, level sites without a bunch of trees. In the end when we think we are narrowing in on things, we're going to have to test things on sloped sites and how things work on sites with trees. Do we have adequate flexibility to preserve the trees on the site? The modeling will get a little more complex. We will model it again at the start with bulk and mass. As we move closer to the ordinance, we will get more details. We will get to the point where Commissioner Lahendro will be happy with the outcomes. He will be seeing some of the requirements being applied to a building and can better understand the outcomes. It is a little bit iterative. That's our part of looking at the visual portion of the discussion. HR&A's part of the discussion is to look at the financial portion of the discussion and help us understand that and make certain we don't do something that warps the marketplace that we cannot achieve the outcomes we're trying to achieve.

Commissioner Lahendro – You mentioned the natural characteristics of the site. I'm presuming you're also looking at the manmade characteristics in the context of that site?

Mr. Einsweiler – We will definitely be looking at the surrounding context and we will be looking at the questions of the gateway corridors and the historic districts as well. One size will not fit all. There's a certain width of lot where you can get a driveway past a house. There's a different width of lot where you can put a 2 car garage on a house that might be acceptable facing the street. Those are all different things that we will have to account for.

The meeting was recessed for five minutes.

Public Comments

Chairman Solla-Yates opened public comments with a brief statement for all members of the public to be respectful.

Ted Pearson – The zoning changes will increase density. That's not a guarantee that you will guarantee affordable housing. The developers still have the ability to build by right. There's no guarantee they will build affordable housing. With the housing recently built in Charlottesville, they have all paid fines to the Affordable Housing Fund. With the housing that is going to be built, does the city have to pay for the infrastructure? The city currently has 600 units in planning. I don't know if any of those are going to be affordable units. The existing neighborhoods could be altered and disrupted. With the school changes,

the property taxes are going to be increased substantially. I wonder what the plan is going to do for our property taxes unless you hold developers accountable for all of the changes.

John Thompson – We sent a petition from 40 homeowners asking that Grove Road be reduced on the map from medium intensity to general residential. We were just asking for a zoning like other streets in the neighborhood. We sent follow up emails and Chairman Solla-Yates replied to those emails. Our petition was denied. I can only conclude that you decided to reconfigure this city in a very un-democratic way. You clearly don't think neighborhoods should have any say how they're zoned. Why are you having public comments at this meeting since you have already decided what you're going to do? You're making arbitrary decisions. You have designed Grove as medium intensity and Yorktown as general residential. You're saying the rezoning will make the city more walkable, bikeable, and green. It does the opposite. You're asking developers to clear out 100 year old trees and add traffic, noise, and construction.

Tim Guiles – I would like general residential to go up to 3.5 stories. A lot of the general residential homes that I have already seen are 3 plus stories. Knocking it down would make new housing hard to do. We already have limited land. Let's take advantage of the land we have and build up and not out. I would like to see language that allows triplexes, townhouses, and rowhouses in general residential. That is something we want to aim for with attached housing. I want to thank you for looking into the JPA language.

William McChesney – I am not against affordable housing. I live in a single family residence. I would like to see how many people on this panel live in a single family residence right now. We worked hard for 30 years to pay for this home. Last year, had to fight City Hall because they raised my taxes up because my property value went way up. This is only going to increase my property values. Being retired I am not interested in being forced out of my home by increased taxes. That's the way we're going with this. I live on Grove Road and that is one of the areas in contention. They're focused on the areas around the schools.

John Salts – I want to thank Mr. Lahendro. You're absolutely right in that it should be incremental. Citywide is very dangerous and asking for a great deal. I sent you a letter. I am going to reiterate some of the things that I said in that. I believe Tenth and Page is in the crosshairs. It is the most desirable area in the city. It's close to all of the places you want to be. The overlay won't do it. I noticed that a third of the land at Tenth and Page is already owned by developers. You're making a developers' dream document. I believe that Tenth and Page will be the Vinegar Hill of this period. You're ignoring parking. Fifteen unit buildings are going to require 15 to 30 parking spots. Your idea of medium density is a treeless community.

Josh Krahn – I am going to read a condensed version of a letter sent to the Planning Commission and Council from Livable Cville that has been signed by over 140 community members, Indivisible, and Charlottesville DSA. Livable Cville does appreciate that the new map draft does have strategies to stop displacement and encourage affordable housing in low income neighborhoods. We are concerned that the current map will limit the city's ability to meet its goal of providing a diversity of housing types accessible across income levels. The previous version overrepresented the demands of affluent neighborhoods. The latest draft continues to reflect their influence over the process. We ask the Planning Commission to take control of this process and produce a map that will address racism and exclusionary housing. We ask that you view these issues through a climate lens. The city has pledged to cut greenhouse gas emissions by 45% by 2030. Allowing homes closer to jobs, schools, and amenities is the most effective way to reduce per capita energy use. We suggest the following changes including a housing overlay to allow increased density citywide, allow 3.5 story buildings in general residential,

allow 4 units by right, allow a broader range of housing types, and expand medium intensity in more areas.

Kaki Pearson – I appreciate all of your time and efforts with what you have been doing. I have some questions about what I have heard. There was a term that has been omitted: of acreage. It's been dropped. I don't understand why. In its place, we're using lot. How can you use a term (lot) to mean the equal size to 0.18 to 0.50 or larger? I am unsure about that. If two-over-two is allowed in the area of Park Street, will it be required to look something like the historic buildings that are there?

Kevin Hildebrand – I am against the corridor approach for the up-zoning. I am concerned about the long-term impact on driving through the city. I am curious as to why Monticello Avenue has not been included for up-zoning since it is a major transit corridor and gateway into the city. My block of Cherry Avenue to Rock Creek Park Road is very ethnically diverse and this area is being proposed for medium density. It would force that community to relocate or be accommodated in this growth. When we look at special use areas, as defined as predominantly black or low income, you are also effecting Cherry Avenue. The exclusion of Oak Lawn Plantation from the rezoning to medium intensity is contrary to the stated goals of increasing the density on Cherry Avenue corridor. I understand that it has a historic implication as the Fife Family home. Those overlays of historic preservation will protect the development around the house.

Jennifer Horne – There is a bafflement that this is happening. Most of the residents do not know that this is happening. I have talked with most of my neighbors. I am in Belmont and in an area that is to be medium density. The Comprehensive Plan states a desire to have a diverse group of people who work in Cville (teachers, nurses, cops, carpenters, etc.) and to live in Cville. There's a hope that this middle class will own homes and generate generational wealth. Belmont is where diverse working class homeownership happens. Unfortunately, this new Future Land Use Map and rezoning puts my property in a mixed use area and my neighbors in medium density. The diverse middle class homeowners the Comprehensive Plan proposes to nurture and embrace are already homeowners in Belmont. Their homeownership is put in jeopardy by this map. The Comprehensive Plan celebrates homes that are divided. I do not understand why a neighborhood that is following the goals of the Comprehensive Plan is being targeted.

Eileen Bertels – I live in Belmont. I do support the Future Land Use Map. I support the letter that was read by a previous commenter about allowing even more density and more height. It is critical for the future of Charlottesville that we increase density in all neighborhoods. I don't feel threatened by increased construction in my neighborhood. If we are going to do anything to survive climate change, it is time for people to 'huddle together,' live close together, live close to work, and we have to give people the opportunity to do that. I welcome more construction in Belmont.

Joseph Osterin – The tone of the presentation seemed defeatist to me. Mr. Sessoms stated that every lot in Charlottesville is different and not everyone could support 12 units. That is a categorically false statement. We have been building up for hundreds of years. What he is really saying is that not every person in Charlottesville wants a 12 story building besides them. That's different. Those kinds of illations when making planning decisions, that are paternalistic, don't benefit the community. A quarter of the population is in poverty. When you have people on the Commission talk about infill as being a conflict, the conflict is already happening.

William Buchanan – I would like to thank Commissioner Lahendro and Councilor Hill for asking questions and getting answers tonight. Somebody is listening. I don't like what I see in the plan. The multifamily housing doesn't fit in a single family neighborhood. I am one of those rich people. I have

worked as a carpenter my whole life. I live in the Greenbrier neighborhood. I got here by saving money. Please listen to the people who are trying to tell you what we see as wrong with the plan. It's not that we oppose change. We oppose illogical change. This thing is crazy.

Brandon Collins – I am enthusiastic about the progress that has been made on the Comprehensive Plan and the land use map. We are ‘inches’ away from having something in place that can be approved. For the first time in the city’s history, it takes a bold approach to do something different, not in incremental ways but something that breaks with the status quo in a meaningful and helpful way. It is addressing displacement, segregation in housing, the affordable housing crisis, and the climate crisis. It’s not going to solve everything. There are still a lot of unknowns. The land use map is a guide. It needs to be taken in context with the affordable housing strategy and the upcoming zoning rewrite. That will take some time to get through the details. Those details do matter. The ‘bones’ in the future land use map are very strong. I support it. I am grateful to Commissioner Mitchell for bringing up the issue of the subdivision loophole.

Tim Wallace – I agree with everything the previous commenter said. My comment is very narrow and specific. One thing that I didn’t understand was the sensitive community areas protections only apply to general residential. My goal here is to advocate for my neighbors. I live in The Meadows on Shelby Drive. My backyard is the transition between the urban mixed use corridor on Hydraulic and the general residential of The Meadows. You’re missing the mark in terms of the people you want to protect in The Meadows with the sensitive community areas if you leave Swanson Drive and Cedar Hill unprotected. Whether you downzone those two areas or extend the sensitive community areas to those two streets. Those two streets are predominantly multifamily homes. Our neighborhood association had a meeting yesterday. I knocked on every door on those two streets. I can’t speak for them but I can speak of them. They are lovely people. We don’t want to build more housing density at the expense of older, more affordable housing units.

Mary Whittle – My understanding is that you don’t know how many units of affordable housing we have or how many we need. I heard Councilor Snook say that at the end of the last meeting. My understanding is that we will not have that information until 2022. I am confused about making huge changes without actually knowing how many people we’re talking about and what their needs are. I have heard nothing but ‘the grass is green’/going to be a utopia. I have lived in a university city that has the density we are aiming for. We had row after row terraced houses along streets about the same width as Barracks Road. It was incredibly noisy. The traffic was impenetrable. The sidewalks were so crowded you had to walk in the streets. It was an incredibly difficult place to live. They had the infrastructure in place that we don’t. I don’t see how this is going to work.

Ocean Aiello – I am a resident of Charlottesville and staff member of The Haven day shelter supporting people experiencing homelessness and housing instability in the community. The staff and volunteers come face to face with the brutal reality of Charlottesville’s housing crisis. Even with the income to pay rent, it is nearly impossible to find housing for a lot of our clients that is safe and affordable within the city. I believe that we must center the need for affordable housing units in neighborhoods that have historically excluded black and low income families and kept their neighborhoods segregated. As you finalized your recommendations to City Council, I ask that you continue to prioritize equity and affordability in the Future Land Use Map.

Catherine Loffland – I am speaking as a resident of Charlottesville and Vice-Chair of the Human Rights Commission. I believe that housing is a human right. We have a crisis and we need to address it. I want to reiterate the goals of the Livable Cville letter that you received. I want to emphasize we do not

need to move incrementally. We need to make big changes and we need to make them quickly. It is going to be disruptive to some neighborhoods. That includes my neighborhood.

James Groves – The Comprehensive Plan has made me reflect on my goals and priorities. I value good, local government. That means government that does no harm and is honest. When I look at the Future Land Use Map and associated environmental implications, I see harm and dishonesty. On August 31st, I expressed concern regarding the teardown of existing homes, which is wasteful and environmentally irresponsible. If the city allows more than 4 units per lot, demolition will happen, especially if developers can merge lots. Why is demolition dishonest? You have told us that one of the goals of the Comprehensive Plan is to minimize demolition permits. The current plan does nothing to minimize demolitions. I support infill. I don't support demolition. The environmental chapter of the Comprehensive Plan states a goal of reducing greenhouse gas emissions by 45% this decade. Tearing down homes for 5+ units and allowing their replacements to hook up city gas will assure this goal is not met. If you vote to greenlight teardowns, five or units per lot, you're not being honest. You cannot enact radical upzoning and deliver environmental protection under the current land use map.

Caroline Closco – I am here for CLIHC (Charlottesville Low Income Housing Coalition). I want to echo the other commenters and say thank you for your work. We support what you're trying to do. We're excited about this map, comp plan. We're getting ready to get rid of single family zoning and the racist baggage that comes with it. I wanted to say a word about inclusionary zoning. That's where there is a mandate to build affordable housing in some circumstances so that developers who build projects of a certain size are required to provide a certain proportion of affordable units. This is not mentioned in the map but is mentioned in the Comp Plan as a strategy. We would like to see the parameters drawn more clearly. The current draft is silent on the size of developments that would trigger the affordability requirement. It is silent on the percentage of units that would have to be affordable, silent on what affordable means in the context of what the AMI they would have to be to be affordable. We understand that the details will be hammered out in the zoning ordinance. The plan could make the notion of inclusionary zoning in the community more concrete.

Benjamin Heller – I saw a headline on Bloomberg about the soaring housing inequality on political fault lines. We're a small town but we're subject to global forces. The fact that home prices have challenged places with every kind of housing model tells me that it is not about the housing market. You're proposing something that is a wholesale change of mostly single family housing. The idea that this town and group has cracked the code that has alluded everyone else is really farfetched. We need to recognize that there are other forces at play.

Kristin Szakos – I served on City Council and I worked hard to support affordable housing during my tenure. I saw project after project fail to be built because of current zoning, SUP regulations, and pushback from well-organized more affluent neighbors on things like traffic, noise, and parking. I am optimistic that this comprehensive approach will help ease concerns of neighbors because of its comprehensive nature. I have heard people are anxious about these changes and that the city needs to slow down the process of adopting the land use map and updating the zoning and it hasn't been considered enough. I urge you to hold fast to the timeline you have adopted. I am intrigued by the expansion of the affordability bonus and house preservation in other neighborhoods to allow up to 4 units in general residential. I love the Medium Intensity areas of North Downtown and Locust Grove. As a resident of Locust Grove, I support the concept outlined in the land use map. Locust Grove has been relatively affordable. We're seeing bigger houses being retrofit on existing lots under the current regulations. We know that adequate affordability will not be built in these neighborhoods under the current land use and zoning regulations. Incremental improvements will not solve our affordability shortage.

Roger Ray – I moved from Fairfax in 2018 to purchase my single family home in a neighborhood zoned R-1. I never expected to be in the position of trying to save my neighborhood from a rezoning plan that allows 3 to 4 stories and mixed use development. While it has been said that this has been a 4 year process, I looked at the masterplan before I purchased my house. There was no mention of rezoning. The rezoning plan being considered appears to have been developed in the dark without complete studies or with input from impacted areas. In the meeting a couple of weeks ago, it was obvious that there were few if any attempts to get input from any neighborhoods. It was also evident that the consultants did not study the impact to the infrastructure. When Fairfax began changing zoning to allow a higher density of housing, it did nothing for the creation of affordable housing. Developers had the opportunity to pack more housing on less property and continue to sell homes at what the market would allow. Attempting to achieve some sort of affordable housing thru higher density has failed in other cities. The big profit for developers will be redeveloping the sensitive communities.

Bill Emory – Earlier this month, I requested that the medium intensity designation be removed from the 120 R-2 and PUD zoned parcels along Riverside Avenue and River Bluff Circle cul de sac. This street is the longest dead end street in Charlottesville. It is not a neighborhood corridor. Currently, 75 percent of the residents fronting this street are affordable. This is the most remote neighborhood in town. It is the hardest neighborhood in city limits for the Charlottesville fire department and emergency services to access. It is the only residential area the fire department can't drive to in less than 8 minutes. I would like to understand what selection criteria directed you to locate intense residential density here. Why slate an existing 75 percent affordable neighborhood for potential destruction? Why locate medium intensity so far away from stores, schools, and employment? Have you spoken to the residents? This is the last place you should be increasing density. Please change the designation of this cul de sac to general residential.

Emily Dreyfus – I ask ‘you wrap your arms’ around the severe impact of local history. Recent zoning, land taking, educational inequities, and economic impacts have created an unjust housing situation. We need your vision to repair and reposition the city. I hope you will take a more ambitious approach to the Future Land Use Map. Slight tweaks to the status quo should not be the goal. Incorporating 4 unit townhouses is a useful tool and one that will make a minimal impact on aesthetics. It will make a small impact on the affordable housing problems we face. We need solutions that will meet the needs of thousands of people, the majority whose income is under the 50 percent area median income. We need medium intensity residential. We need you to ensure that it is an effective tool for integrating historically exclusionary neighborhoods more aggressively than what we currently see. The proposed incentive of building a 4th unit of affordable housing is not a functional tool because it is unlikely to be utilized. The second unit needs to be required as affordable. Otherwise, market rate development will be the majority of the results and more displacement may occur.

Mary Bower – I am here in my position of chair of the Human Rights Commission. The Human Rights Commission has sent you a letter and has supported the aims and goals of the Livable Cville letter. I want to talk about this from the perspective of human rights. The mission of the Human Rights Commission is to provide citywide leadership and guidance in the area of civil rights. We seek to identify and push the city to demolish systemic racism as it exists in Charlottesville. It would be difficult to identify a law that is more directly linked to white supremacy than our current zoning ordinance. It was specifically enacted for the purpose of achieving and codifying racial segregation in housing. Now in the name of protecting neighborhood character, the discourse about the future land use map has co-opted the language of racial justice in pursuit of maintaining a status quo that was built on exclusionary zoning laws and restrictive covenants. The Commission strongly supports changing our land use and zoning laws to permit and encourage the construction of affordable housing. Only substantial change in

policy and allocation of money will begin to repair the decades of harm done through restrictive covenants, exclusionary zoning laws, and the destruction of black homes and businesses. The additional density will allow us to meet the climate goals.

Elizabeth Stark – I live in the Woolen Mills neighborhood. I would like to see the city push forward on the important work of creating a denser, walkable, and inclusive city. I support the recommendations put forth by Livable Cville. Affluent neighborhoods across the city, homeowners are fighting against greater density in favor of the status quo that benefits them personally and financially at the expense of renters, would be homeowners, and perspective residents. The so-called ‘character’ that they are seeking to preserve in their neighborhoods is the echo of explicit racist covenants. It doesn’t matter the artificial scarcity that they fight for keeps other people locked out of the housing market. These landowners do say that they support racial equity but only when moves to an equitable future have no effect on them personally. This boils down to a belief in buying a piece of land, they have bought what happens on every nearby piece of land. The privileged out all of the stops and how far they are willing to go to defend the status quo.

Martha Smyth – I am wondering how it is going to be from where we are today to final completion? If it’s going to be more than 6 months, it seems to me we ought to develop an urgent short-term plan to deal with the housing crisis. I would like to see, as many people that are in need of affordable housing, to have opportunities to buy those homes and built their own equity. It feels like ‘shove job’ the way we talk about these apartments. That’s how it hits me. The solution that was mentioned earlier about community land trusts would be a good place to look. We have plenty of vacant lots in the city including some shopping areas that sit there idle. Those look like ‘low hanging fruit.’ I have been curious about what the low income and people of color are saying what they want in these houses. We ought to be paying good attention to what they need and what they would like.

Nancy Summers – I was glad to hear the word **affordability** used tonight. It was used over and over in the last meeting. It is a very important issue. There are lots of ways that you can change a city and you can create affordability. You suggested one of them. I don’t think density alone creates affordability. There was an article about California and density. Through density in a few hundred years, you could achieve affordability. We need to realize what we are doing is a very important choice for the city. I think everyone I know doesn’t mind upzoning. It depends on the kind of upzoning and where. Everyone would like to see a more diverse Charlottesville. We’re trying to promote growth. You don’t get density without people. We want more people in our city. How many people do we want in our city? Our buildout plan for Charlottesville says there is no need for changing the zoning to accommodate a huge amount of growth up to 100,000 people. We are upzoning to create possible massive growth in the city. How this will create affordability is a huge question. I would like to see affordability.

Diane Dale – When the consultants reminded us that the affordability and equity have been prioritized through this process, I would hope that this is not at the expense of other elements of the plan. I find the environmental/climate change chapter to be pretty standard and lacks detail that is enjoyed particularly in the land use plan with sub-strategies. It lack innovation. It doesn’t really acknowledge integration with the land use plan and map. We have seen the value that has been added with the specialists who have been brought on to address housing and zoning. They acknowledge that critical questions will be need to be addressed in the zoning update. I don’t believe the process has enjoyed the benefit of an environmental specialist on the team. I urge the city to ask the team to add an environmental consultant to help the team assess the environmental impacts of these new and untested approaches to land use.

Claire Griffin – I really wanted to speak in support of the Livable Cville letter. It concisely summarizes my opinion and why we need more housing and more equitable housing in Charlottesville. I currently

live in a 12-plex building in Venable several blocks away from the main student housing. I am a researcher at UVA. I am surrounded by single family homes. I don't believe there's another multifamily building on my block. One of the commissioners referred to 12-plexes as a monstrosity. I found it pretty dismissive. I don't believe having a 12-plex next door is substantially harming the property values or making it a worse place to live. I would like to consider who is living in 12-plexes as a valuable part of the community.

Crystal Passmore – People would like to live here but are not able to afford it. This is a flaw in our current zoning plan that we now have the opportunity to address. The Cville Plans Together website talks specifically about addressing equity with this new plan. I would like to encourage all of you to look at the map again with the thought of equity and making sure that historically absent voices are heard. It's great tonight that we talk about high density in grey zones. An affordability overlay is a great idea. I am also concerned that it might make financial sense for a historic house to use their yard for more housing. You seemed worried that a homeowner might have an apartment built near their house. We're told that corridors should be on less central streets because those streets are already dense. A lot of people are concerned about lots being divided too many times. These aren't the concerns of renters or low income residents. They're not the concerns of people who would benefit from equity. I encourage you to keep pushing against the current zoning code, push for more housing, and try to address the inequality. I would like to add that density is not a punishment.

Genevieve Keller – We need to consider the economics of our commercial areas and how neighborhood commercial can better serve the residents. With so much emphasis on housing, we haven't addressed commerce, business, and industry as economic generators. You also need to ensure all of the lots are not created by tearing down existing houses. Subdivisions that create infill and both types of ADU opportunities are good. Those that encourage tearing down our houses are not good. We do not want to be a teardown city that loses all of its tree canopy. It will take a very detailed zoning code to make this plan work for our city. I would like to see you consider within small area planning some true R-2 areas and other areas for General Residential at price points and find at least one high density, semi high residential, or high rise mixed use site in each school district. A truly livable and resilient city will provide a range of housing choices at all scales, price points, and life stages. I have been concerned about Charlottesville's corridor approach.

Andrea Massey – Thank you for inclusion of the sensitive areas and the explanations. I would like to ask for the proposed framework on the sensitive areas to be extended to all General Residential. The second unit must be affordable. I hope that you will make sure there is an extra allowance in all zoning districts if there is significant affordable housing. With the subdividing, we need to continue to work to make sure that we don't allow someone to subdivide their lot to avoid affordability. That's something we need to look at. I am pretty heartbroken about the comment of unintended consequences of moving too fast. We're so far behind from where we should be as an equitable and just community.

Valerie Long – The comments I have are about changes that have been discussed about the plan. The comments made tonight have been along the lines that those changes would be addressed at the zoning stage. My recommendation is that both issues I am going to address be addressed in the Comprehensive Plan. Under state law and local zoning ordinance, that is the most appropriate way to go. The first issue is the boundary to the sensitive areas. I applaud the goal and intent of trying to address the sensitive area boundaries. I am concerned the way that boundary lines were written/drawn. My recommendation is to fix those lines now. If you are really intending for it to apply to the General Residential areas, do that and say that in the map now. If you wait until the zoning stage, a change would be inconsistent with the adopted Comprehensive Plan. With suggestions that have been made about planning to address comments at the zoning stage about building heights in certain commercial areas. Those need to be

addressed now. If you wait until zoning stage, a change can be inconsistent with what is in the Comprehensive Plan.

Mark Whittle – Ninety-eight percent of the early discussion concerns affordable housing. This discussion includes major surgery to the city driven by this single issue. The actual study designed to find out how many affordable houses the city currently has and how many are needed has yet to be done. After \$1 million and two years for RHI to develop a plan with affordability as the main driver, the city only recently has agreed to pay \$165,000 to RHI to get the data that would allow us to begin an informed discussion of this issue. I am astonished that you can continue this detailed discussion of affordability. You have zero data at this time. This number is needed before we embark on this discussion of surgery on the entire city. The Comprehensive Plan is to look at the needs of the entire city. It seems that the needs of 90 percent of the population has been excluded from this plan or included to the extent that their neighborhoods play a role in generating affordable housing.

Charlotte Meadows – Regardless of how long the Comprehensive Plan has been going on, people have only started to hear about it as of March. The majority of my neighbors have known about it because of my efforts. We are talking about major studies that need to be done. All of us are for affordable housing. A lot of the statements made by the different groups are fairly inflammatory. Where are the studies to show that we have a housing crisis? What is our population growth for our future? We need to come to some logical conclusions instead of using emotions to drive a major change the nature of Charlottesville. I am concerned about infrastructure not being studied and bolstered as well.

Josh Carp – There was a shining point over the summer when there was a possibility of building some 12-plexes in Lewis Mountain, North Downtown, and some parts of Belmont. These are great places to build. They are close to downtown or UVA. They have transit and close to stores. This is the kind of place that we say we want to build more housing. That density vanished. The reason given was that people in those neighborhoods complained. I want to encourage you to listen less to the voices of people who already have secure housing and more to the people who don't have it. Please consider putting some housing back in those neighborhoods. We want talk how we don't want developers to build unaffordable housing. The housing that is most expensive and worst for climate is single family housing. If somebody wants to build multifamily homes, consider some kind of impact fee/affordability requirement for single family homes.

Don Morin – I have attended these meeting since the map was released earlier this year in March. I am for affordable housing but against this plan for the following reasons. Affordability is not defined and it has not been studied. We don't know what we need or when we will need it. There's been no study of what the cost will be for the buildout called for by the plan or how it will be funded. There are no enforcement rules to hold developers to promises/proffers for affordable housing. The plan is built on increasing density without any evidence that increased density will result in more affordable housing. The Planning Commission and consultants have stated that density will not increase affordable housing. The plan calls for building multiunit residential housing that will result in luxury apartments for students in areas that are now single family residential communities. The plan has been objected to by a plurality/majority of city residents. The Planning Commission and consultants have not worked with Albemarle County/University of Virginia to coordinate a communitywide plan to increase affordable housing. The Planning Commission and consultants have not looked at using city land assets as possible sites for affordable housing. This plan will abolish single family residences everywhere in the city.

Julia Whiting – With all the talk about affordability, there's still no recognition that new construction is expensive. Without supplemental funding, affordable units will not be produced. The Future Land Use Map is a gift for the for profit housing industry. With private equity entering the housing market, price

gouging will add to the affordability problem. The Planning Commission has completely ignored the disability community. The affordability criteria that seems to be the local standard of a 20 percent discount doesn't come close to meeting the needs of young adults. If the City Council and Planning Commission are serious about meeting the housing needs of its poorest residents, it will solicit feedback from the disabled residents and their families. It is a pretense to call this Cville Plans Together.

James Chang – I am a member of the Meadows Neighborhood Association. We see ourselves as an orphan neighborhood and overlooked. We're in the same neighborhood as the Best Buy. To the north are the shops at Stonefield and to the south are the shops at Barracks Road. We're landlocked by all of the highways. We're a majority minority neighborhood or at 50-50. The biggest challenge for our neighborhood is that we don't have any green space, schools, parks, playgrounds, and connectivity to any areas. We would welcome a lot of change. It will have a big impact on us because of our situation. This is to open the lines of communication. We will be communicating with you in the coming days. We do just want to be heard.

Ja Mir Smith – I would like to agree with the people who signed the Livable Cville letter. We need to see an increase in affordable housing and multifamily units throughout the city. I know a speaker before me had spoken about more multifamily units in areas like Lewis Mountain and Barracks/Rugby. These areas are some of the most expensive to live at in the city and closest to the biggest employer, the University of Virginia. As someone who now lives in the urban ring and not in the city, I understand how much it can cost to live in the city. You don't want to see people get priced out and extend their commute times.

Joy Johnson – I am speaking for the Fifeville Neighborhood and Carmelita Wood. She says "As a black woman and raising two children in this city, I have thought a lot about the map and the future of black people in this city. So much has been taken from us in this city. Having a citywide overlay throughout the city would help increase black wealth and help benefit black generational homeownership, increase motivation among this black generation, increase generational income and status, increase black homeownership, have an input on education, detach among our black children, and in some ways decrease labor force participation." I did want to say something about affordability. We have to define affordability. You cannot continue to talk about affordable housing without defining affordability.

Nicole Scro – It seemed like there was a direction moving towards adding some of the sensitive areas to the General Residential areas and merging the two. The original intent of having the sensitive areas was because of the lack of investment in those areas (sidewalks, basic infrastructure). If they are low income areas, there is perhaps less maintenance in homes. If you increase intensity in the city, you might have land grabs in those areas. If you have a map that highlights sensitive areas, you can direct grants and funds and prioritize budgets for those areas to make sure there is less displacement. The Comprehensive Plan is related to height. It is important to have the Comprehensive Plan outlined by the outside bounds and what is possible. The baseline be the outside bounds of the missing middle housing. These are housing types are newly developed.

Miss Simpson – I was tempted not to say anything. When I heard these calls about racism and people of color who have not had the opportunities to excel in housing, I agree with that. What you are doing is extremely drastic. I live on Rugby Avenue. You are planning to upzone my neighborhood into 12 unit apartment buildings with 4 stories. This is a drastic change. Why hasn't the government already addressed affordable housing with the existing vacant lots and developer construction plans? Your own database says that there are over 1,000 vacant parcels. We also don't have any expected growth. The census has shown that there has been 0.7 of one percent of annualized growth. This seems really punitive to me. I oppose this plan in the way it is written.

Jamelle Bouie – Continuing to work on the Future Land Use Map and looking ahead to the future changes to zoning, we must remember that the majority of residents in Charlottesville are renters and working people. Many of them are highly cost burdened. The only prerequisite to addressing the cost burden among our working class people and low income people is increasing density. I want to voice my support for the suggestions made by Livable Cville including having 4 stories by right. It is essential for accessibility as well as affordability. In pushing forward with the Future Land Use Map, it is important to consider the most affluent homeowners who have been a very vocal part of the opposition do represent a small minority of the city. When making these plans, we always have to consider who actually lives here and whose voice is not heard.

Chris Meyer – I am calling in support for more density in this community. I run a nonprofit, local organization whose workforce serves many in this community and the surrounding area. Unfortunately, they are not able to afford to live in the homes that they serve. Most of them have to go outside of the community and have to commute into the city. In order for our organization to be successful and my staff to have a quality of life, we need more dense housing in our community. The denser the housing, the less people are going to have to move out to the external areas where there is more land to build. I like where the FLUM has been going. I would encourage more density. I would encourage you to accelerate this process. It's time to take action and move forward with the rezoning so we can start to see this density added.

Jeff Roberts – My primary concern is the urban mixed use corridors. They're currently prescribed at 5 to 8 stories by right with 10 allowed given a nebulous set of criteria which will be met in most cases if somebody wants it. This is a recipe for a slot canyon. You have a whole strip of this going down from the old Martha Jefferson down to the corner of East High and Long Street, wrapping up, and flanking Burley Moran School on the top side. Ten stories is just a prohibitive height. When does it become acceptable strewn throughout the city? I think it would be really damaging.

Kimber Hawkey – I agree that Belmont is already diverse and an affordable housing neighborhood for many. We're struggling to pay for our house just like everyone else. I agree with James Grove on the environment and the comments by Ms. Keller. Mr. Whittle talked about the infrastructure needs and the obvious need for more study. The nine points by Mr. Moran were important. I hope that you listened to all of them. We must focus on developing prime areas such as the Old Wright's Auto place. That's a perfect place for development. I am a bit puzzled by the expert comments. I remember attending a meeting with plans how to develop that area into a residential area. I want to discredit the idea that we're for the status quo. We're asking that Charlottesville change. You have allowed lots of development with low percentage of units at high 80 percent AMI cost to renters. There are a lot of voices that you're not hearing.

Tracy Carlson – I moved to town a year ago and became aware of the map in the past two weeks. I am for affordable housing but against this plan. I second concerns of the speaker who said we don't know how much affordable housing we have nor how much we need. As I understand it, nobody on the Planning Commission actually owns a house that will be effected by upzoning to medium density. I would prefer an affordable housing overlay retaining General Residential instead of changing the base district. The overlay should be explicit. There are a lot of faulty assumptions baked into the map. I agree with others that upzoning residential neighborhoods to medium density creates a real risk of luxury developments, which will draw in the wealthy and others from outside of the area. I agree with the speakers who have said that there should be much more creative emphasis on redeveloping commercial and retail. There's a lot of 'sad' retail that could be redeveloped to create a lot of housing. This could

enhance the city. If we did this, we could maximize the potential to achieve affordable housing. If we add large amounts of housing, we could also create a variety of price points.

Sian Richards – I have signed onto the Livable Cville letter. I also sent a letter directly to the Planning Commission/City Council. I want to echo Brandon Collins in bringing a little positivity for the amount of work that has gone into this and how close as a city we're making really important and meaningful changes that take us in a positive direction. I understand people's concerns that the housing we will bring will also be affordable. We're having those conversations. It is more productive to think of those as an additional thing to investigate as opposed to an opposition to increasing density in the town. We can do both of those things. I want the city to focus on affordable housing. I understand wanting the city to not change. The city is changing. It's getting more difficult to afford to live here.

John Hossack – In the plan, it talks about restructuring restrictions on height density to ensure multifamily unit developments are feasible. By right zoning to allow increased density changes the minimum lot size, setbacks, and parking. These are all very significant criteria. It's clear that you're putting in a lot of by right into this. I think that less than 50 percent of households are involved in this process. You simply can't reply on neighborhood associations email list. Every month, we seem to see a new map. The 'corridor' is applied but it doesn't make any sense.

Michael Lyster – I want to truncate my comments to the letter sent to all of you by Robert Ramsey. I found his letter to be very thoughtful and deliberate. I wholly endorse all of the points that he makes in that letter. I encourage you to consider it thoughtfully as we address the challenges of affordable housing and the direction of Charlottesville. I have not heard anything about the deployment of city assets to meet these needs. It doesn't take much to go to the city tax site to discover the dozens of residentially zoned properties that are owned by the city. There has been no analysis to review the capacity of those parcels for meeting any affordable housing needs. You all have been remiss in not presenting that as an option to the entire community. I would also ask the city to accelerate the process of moving and converting the city yard out to Avon Extended. That is prime real estate. It is ideal for the affordable housing.

Jeanette Abi Nader – I live in Greenbrier, an area that will benefit from more density in this plan. I would like to express support for the comments in support of the Livable Cville letter and critical importance of understanding how housing is a human right and the practices that you are working to include that will create more affordable housing as a priority across the city. I wanted to express appreciation for community engagement for the past few years and support for density urgency. I also want to express appreciation for the many recommendations towards including equity language through the values, visions, and goals of the implementation chapter. Cultivate Charlottesville has worked with community members to make recommendations around food equity. Food equity is not included as one of the priorities and only one of the recommendations is included.

Mark Kavit – I wanted to reiterate what Ms. Keller said. Please listen to what she said. One key question: What is affordability? That's a question that needs to be answered. I don't think you understand what has been done in other communities. Go to Richmond and see how they have made some of the goals that we want to achieve. They have different types of housing with different types of price points and people of different races living together. I want to recommend getting out there and see what has been done in other communities.

2. Planning Commission Final Thoughts/Adjournment

Commissioner Mitchell – I like what the City Attorney (Ms. Robertson) and the consultants have talked about as it relates to the subdivisions. Let's nail that down and close the loophole on that. We need to work more on the overlay. I like where you're leading us. It needs to be more implicit than what it currently is. We need to articulate the importance of the overlay and make certain that people understand it. The affordability overlay is going to be across the city.

Commissioner Habbab – We have a lot of examples in Charlottesville of that medium intensity typology working in residential neighborhoods. I think that still works. I want to thank you for all the images and examples in the presentation.

Commissioner Stolzenberg – We're getting very close now. The latest changes are very positive. With the natural gas issue, it is a very clear issue. I don't know that right now is the exact time to litigate it. We have a climate action plan coming up. It does merit an exploration of phasing out of the natural gas. The real decision is going to have to be later.

Chairman Solla-Yates – We are so close. Let's get this thing done.

Councilor Payne – We're definitely getting closer. I hope that we're close to the finish line on the land use map so we can move into the zoning rewrite, which is going to be the far more important piece of this. The subdivision issue will be important to work out. I hope the affordable housing overlay is made more explicit and thought about how it applies across the city, in particular how it is going to protect neighborhoods like Riverside Avenue that have affordable duplexes and public housing. It is not outlined as a sensitive area. It could be at risk if we don't have those protections and ensure that it is helping to get affordability throughout the city. We're getting closer and closer to accomplishing that.

Mayor Walker – We're getting closer. I still have some concerns about how the reductions from the high intensity to medium intensity/general residential based on the feedback that was coming in. If this is the compromise to that and we're still able to eventually produce some of the housing throughout the city, I will be taking that into consideration when it is before us. Some other thoughts were the comments from the Best Buy area. Those are the types of things that I hope, in the future, we can partner with the developers who want to develop those areas to build parks and whatever can go in those areas to enhance the community. That's something I have been talking about since I have been here. I think developers should have had to do more to build in certain areas. We just don't have those mechanisms in place. With the comments around what is affordable housing in Charlottesville is a conversation that we need to have. It's not clear. It means something different to everyone. It's a conversation we need to have as a community. We need to define it.

Councilor Snook – The issue that Mayor Walker raises is an important issue. We need to confront the fact that not only do we have a crisis in housing for people at 30, 50, 80 percent AMI, we have a lack of housing inventory including higher levels of income availability. Anybody who has seen anything going on in the real estate market knows that the demand is outstripping the supply of housing in Charlottesville, which is why housing prices and rents are rising. It also helps explain why there is so little truly affordable housing that is available. We can talk about affordable housing being an important priority and let's not water the term down by trying to expand it more broadly. The general consensus is that at 30 or 50 percent, nothing is going to be built without subsidies or something from the government. It might be possible to build something at 80 percent AMI but not the lower levels. When you start thinking about the broader question of housing in Charlottesville, we have to confront the need for more housing for not only the poorest but also the middle income. We have a population distribution at this point that is essentially bimodal. We have a lot of rich people and a fair number of poor people. The middle has always been missing. When we talk about the missing middle of housing, we're talking

about the missing middle of income levels as well. Middle class people have tended to move out to the county or other places because they couldn't find something in Charlottesville. That might not be a crisis. It's an important problem. What we're seeing is that Charlottesville is in danger of becoming like Palo Alto, California where the median income is \$160,000 a year and the median house sale is \$3 million a year and the median apartment is \$3000 a month and they're 90 percent White and Asian. That's not who we want to be. Palo Alto has started by adopting (a couple years ago) a series of new zoning laws. If you look at what they have done, it bears a striking resemblance to what is being suggested here. When somebody says that it hasn't been done any place before, that's actually not true. What is true is that there are a number of people who have gone before us and because it is a 20 year time horizon to see appreciable results, we don't have that 20 year time horizon completed yet. That's not to say nobody else has this problem. We absolutely have to deal with the below 30, 50, and 80 percent AMI. We also have to acknowledge that part of what is going to happen with this overall scheme that is being offered to us is that we will also increase the number of housing units available and the number of housing choices available. You will not only get people in basement apartments, you will have people who are going to be perhaps putting together more places like McGuffey Hill. Those choices are important. We need not only to look at true, affordable housing but let's not shy away from the fact that in the process, we may also be increasing the number of housing units available for the middle class.

Mayor Walker – Once we define it, we have to prioritize a starting point. You can't just start anywhere. In terms of the overall Comprehensive Plan, is there going to be a time that we're going to go over some of the language throughout the other chapters? That's going to be very important. That will help us clarify some of the confusion if we take a look at some of that language.

Ms. Koch – We currently have a series of hearings scheduled that relate to the final Comprehensive Plan. There is a joint meeting on October 12th with the Commission and Council. The first Council reading is on November 15th. The second and final reading in front of Council is December 6th. We are currently not scheduled to have another work session focused on the chapters. We are working through some revisions based on the conversation we had last week with the Planning Commission on the 14th. We would welcome further comments, especially where we can make sure it clarifies some of these things we have talked about tonight.

Commissioner Habbab – I remembered a comment from one of the residents in The Meadows community. We know that the sensitive areas cover General Residential and they were living in an area that isn't General Residential. How do we protect that sensitive community?

Ms. Koch – We need to talk with the team on how to approach the comments related to the sensitive community areas. I'm glad we were able to clarify that tonight. Our intent is to apply those to the General Residential areas within the sensitive communities that we have identified. We currently have identified as the next step to look at ways to further refine those sensitive areas. We need to determine whether it makes sense to do some of the refinement at this stage to go in the draft full plan or if we want to potentially identify some areas that we might want to look at for potential refinements in the zoning ordinance.

Councilor Hill – We're trying to get this phase done knowing how important the next phases are. I am still a believer that we have to really have clarity where we are with this map. There is still some work to be done here. We certainly have made progress. I have heard from commissioners and councilors a lot of questions on similar themes. The next time this is being considered is going to be for a vote by the Planning Commission. I am hopeful that we will see output before that meeting that we can respond to and to see what progress has been made from the conversations today. The things that concern me are

understanding what stretches we all agree need to have more of that affordability component beyond the sensitive areas, which I have heard come up many times. There is this lack of clarity around why some of these dead end areas that are considered for medium density. I also have concerns what some of these impacts might have on our infrastructure. It is important that we are setting the stage for the zoning so that it can go very fluidly. That is where all of the decisions are going to be made.

Commissioner Mitchell – We need to ‘drive’ this thing (land use map) to fruition with this Council. We need to do this with this Council. We don’t want to have to educate a new Council on this process. What does Council need from us?

Councilor Snook – I don’t remember having heard you all discuss individual lots or individual problem areas. If it is your intention to do that, when?

Commissioner Mitchell – We are pretty close to having consensus. There are a couple of things that need to be tweaked. We’re ready to recommend something to you.

Commissioner Lahendro – I am not. I raised issues tonight. I didn’t hear clear answers to those issues. I am looking forward to seeing what draft is done next. We will hopefully have it in time to be able to feel good about it before our next meeting.

Commissioner Stolzenberg – What are the parameters of this public hearing? Is it an ‘up or down’ vote? Is there going to be discussion and potentially amendments? We have litigated all of the issues. We have asked all of the questions. At some point, we will be there very soon. It’s just a matter of making a decision that we need to discuss amongst ourselves and maybe take a vote if it is contentious on some of these minor tweaks. Is that allowed in a public hearing?

Ms. Robertson – Much like any other zoning decision, you are making a recommendation. As the people who are responsible for pulling a Comp Plan and amendments together, you have an even stronger interest in making your own recommendation based on recommendations by staff as well as the consultants. I believe you all can have the public hearing. Among yourselves, you can make your recommendation as you see fit. If there are particular issues that you feel you need to break out for individual recommendations, that’s fine.

Commissioner Mitchell – We have been deliberating this thing since 2017. This is a living and breathing document. We need to send something to Council so that the Council can vote on it. Once they vote on it, it will then iterate. It will change. Our deliberations have to come to a conclusion. We have to get a document to Council that they can vote on.

Commissioner Stolzenberg – It will also be helpful the sooner we can get guidance and feedback from Council so we can incorporate that and send Council something they like.

The meeting was adjourned at 10:00 PM