

## Agenda

### **PLANNING COMMISSION REGULAR DOCKET TUESDAY, March 14, 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)

1. Minutes – October 12, 2021 – Regular meeting
2. Entrance Corridor – 2005 Jefferson Park Avenue
3. Entrance Corridor - 1801 Hydraulic Road

#### **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. ZM22-00003, SP22-00009– 1120 Avon Street** –Nicole Scro (Landowner), manager of Chicken Oriented Development, LLC (Applicant) has submitted applications seeking a Rezoning and Special Use Permit for approximately 0.148 acres of land, identified within the 2023 City real estate records by Real Estate Parcel Identification Number 590165000 (the “Subject Property”). The Subject Property has frontage on Avon Street and Altavista Avenue. The applications propose to change the zoning district classification of the Subject Property from R-1S (Residential Single-Family) to B-2 (Business) subject to certain proffered development conditions (“Proffers”) and development plan.

The Proffers include: (1) the general design, maximum height and density, minimum landscaping, and other substantive characteristics of the Project shall remain essentially the same, in all material aspects, as described within the application materials submitted to the City on August 23, 2022, including, but not limited to, the Conceptual Site Plan, dated August 1, 2022, prepared by Shimp Engineering, (2) any buildings and structures located on the Property shall not exceed forty (40) feet in height, (3) One unit shall be designated as a For-Rent Affordable Dwelling Unit, reserved for rent to low- and moderate-income households having income less than sixty percent of the area median income, derived from the “very low” income limit published annually by HUD for Households within the Charlottesville, Virginia metropolitan statistical area, reserved as such throughout a period of at least ninety-nine years from the date on which the unit receives a certificate of occupancy, and (4) land uses shall be limited to the following: single-family detached; single-family attached; townhouse; two-family dwelling; accessory buildings, structures and uses; multifamily dwellings; boarding; rooming house; 1-21 dwelling units per acre (DUA); amateur radio antennas, to a height of 75 feet; communications facilities:

attached facilities utilizing utility poles as the attachment structure; communications facilities: attached facilities not visible from any adjacent street or property; access to adjacent multifamily, commercial, industrial, or mixed-use development or use; accessory buildings, structures and uses; daycare facility; hotel/motel: up to 4 guest rooms, where such guest rooms shall be restricted to the currently existing single family detached home fronting Avon Street; accessory surface parking lot (by-right), 22-43 DUA; 44-64 DUA; 65-87 DUA (with Special Use Permit), and home occupations; accessory apartment, internal; accessory apartment, external and mobile food units (with Provisional Use Permit).

The Special Use Permit application seeks to increase allowed density from 21 Dwelling Units per Acre (DUA), or 3 units within the Subject Property, up to 68 DUA, or 10 units, per, City Code Sec. 34-480 (Use Matrix, B-2 District), a reduction of the front yard setback from a required 20 feet to 0 feet, a reduction of the rear yard setback from a required 20 feet to 3 feet, a reduction of the side yard setback from a required 20 feet to 3 feet, and a reduction of the onsite parking by 55% from the requirements stated in Sec. 34-984. The proposed development consists of a two-unit duplex and one multifamily apartment building with (8) one-bedroom units. The total number of dwelling units would not exceed (10). The Comprehensive Land Use Map for this area calls for Medium Intensity Residential which allows small “house-sized” multi-unit dwellings up to (12) units and (4) stories in height. Information pertaining to this application may be viewed online at [www.charlottesville.gov/agenda](http://www.charlottesville.gov/agenda). Persons interested in the Rezoning or Special Use Permit applications may contact NDS Planner Dannan O’Connell by e-mail ([oconnell@charlottesville.gov](mailto:oconnell@charlottesville.gov)) or by telephone (434-970-3991).

**2. ZT23-01-01 - Planned Unit Development Size Change for URB** - A proposed amendment to the text of the City’s Zoning Ordinance, City Code Section 34-492 to allow property currently zoned Urban Corridor (URB) that is less than two acres in size to be considered for rezoning to the Planned Unit Development District.

**IV. COMMISSION’S ACTION ITEMS**

*Continuing:* until all action items are concluded.

1. Preliminary Discussion – 501 Cherry Avenue
2. Presentation - Tree Commission
3. Discussion - Zoning Ordinance Update

**V. FUTURE MEETING SCHEDULE/ADJOURN**

Wednesday March 29, 2023	Work Session	Zoning Ordinance – Module 2
Tuesday April 11, 2023 – 5:00 PM	Pre-Meeting	
Tuesday April 11, 2023 – 5:30 PM	Regular Meeting	<u>Minutes</u> CDBG/HOME Budget <u>Presentation</u> – Transportation Updates <u>Preliminary Discussion</u> – 1709 JPA <u>Rezoning and SUP</u> –501 Cherry Avenue



### **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

Rezoning and SUP – 0 Carlton Road

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

Major Subdivision – Seminole Hillsdale

Future Entrance Corridor

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

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

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

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

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](http://www.charlottesville.gov/streaming). Public hearings and other matters from the public will be heard via the Zoom webinar which requires advanced registration here: [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom) . You may also participate via telephone and a number is provided with the Zoom registration or by contacting staff at 434-970-3182 to ask for the dial in number for each meeting.

**LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY  
2/1/2023 TO 2/28/2023**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
- 3. Site Plan Amendments**
  - a. 210 Carlton Road (Martin Horn Office) #2 – February 7, 2023
- 4. Subdivision**
  - a. Minor – 459 Locust Avenue - February 28, 2023

October 12, 2021 Planning Commission Minutes are included as the last documents in this packet.



**Entrance Corridor Review Board (ERB)  
Review of Certificate of Appropriateness for 2005 Jefferson Park Avenue\***

**Planning Commission Regular Meeting**

**Date of Planning Commission Meeting: March 14, 2023**

Project Planner: Matt Alfele

Date of ERB review: March 14, 2023

Application Number: P22-0133

Zoning: R-3 Residential with Entrance Corridor Overlay (Fontaine Ave/JPA; Sub-area C.)

Tax Parcels: 17-104, 17-103, 17-103.1 (Note: 17-104 is not within the EC Overlay.)

Site Acreage: 1.7 acres (74,531 sq ft)

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

Submittal: Mitchel/Matthews Architects & Planners drawings for *2005 Jefferson Park Avenue Entrance Corridor Review Application*, dated December 20, 2022: Sheets 1 (cover) through 76.

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**Summary of CoA Request**

Development of 1.7 acres (three parcels, existing structures to be razed) to construct a multi-story, brick and stucco apartment building with a footprint of approximately 312-ft x 155-ft. The building will feature two, five-story wings separated by a courtyard and atop a two-story, brick foundation/podium, which provides a street level, primary entrance and encloses an internal parking garage accessed off Washington Avenue.

\* **NOTE:** The ERB reviewed this request on February 14, 2023, resulting in approval of the CoA via a 7-0 vote approving the motion noted below; however, due to an error regarding the public notice posted at the site this request has been readvertised. The submittal and the February 14, 2023 staff report are unchanged and can be accessed via the following (pdf page 18):

[PC-ERB Meeting - Feb 14 2023.](#)

Staff recommends approval by reference to the motion for approval noted below.

**Suggested Motion**

*Approval (motion as approved with conditions on February 14, 2023.):* Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for 2005 Jefferson Park Avenue is consistent with the Guidelines and compatible with the goals of this Entrance Corridor, and that the ERB approves the Certificate of Appropriateness application as submitted, with the following conditions of approval:

- Glass will be clear, at the locations noted in the staff report.

- New railings, if required, will match the metal rail at the podium terrace [as presented in the submittal dated 12/20/2022].
- All exterior lighting and interior lighting visible from the garage will have lamping that is dimmable, has a Color Temperature [CCT] not exceeding 3,000K, and has a Color Rendering Index [CRI] not less than 80, preferably not less than 90. Additionally, the owner will address any reasonable public complaints about light glare by either dimming the lamp or replacing the lamps/fixtures. [Note: This condition addresses two light sources: *exterior lighting* refers to all site and exterior lighting fixtures; *interior lighting visible from the garage* refers to all lighting fixtures within (inside) the garage.]
- Dumpsters and trash and/or recycling bins to be located within the garage and pulled to the curb only on collection days.
- If used for mechanical units, utility/service boxes, storage, trash containers, the *Mech Equip* area noted on sheet 44, at the west elevation, will be appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Any ground-level mechanical equipment and/or utility boxes will be appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Meters and panel boxes for utility, communications, and cable connections will be located preferably within the garage; if not, then in non-prominent locations on the side elevations only and appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Stucco used on this site will be a durable synthetic material which is mechanically fastened over appropriate drainage mats with a code compliant water-resistant barrier.
- Bicycle runnels shall be provided as part of the multi-use path at the rear of the site.
- There will be no up-lighting of landscaping on the site.
- The number, size, type and character of all plantings (trees, shrubs etc.) and the biofilter shall be installed and maintained in substantial accordance with the drawings. [Reference sheets 44 through 48 of the submittal dated 12/20/2022.]
- Screening of vehicular lighting at the south wall of the parking garage, particularly at headlight level. [Re: glare and brightness visible outside the garage.]

### **Alternate Motions**

*Deferral:* I move to defer [or, to accept the applicant's request to defer] the Entrance Corridor Certificate of Appropriateness application for 2005 Jefferson Park Avenue.

*Denial:* Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for 2005 Jefferson Park Avenue is not consistent with the Guidelines and is not compatible with the goals of this Entrance Corridor, and that for the following reason(s) the ERB denies the Certificate of Appropriateness application as submitted...



**Entrance Corridor Review Board**  
**Review of Certificate of Appropriateness for 2005 Jefferson Park Avenue**

**Planning Commission Regular Meeting**

**Date of Planning Commission Meeting: February 14, 2023**

Project Planner: Matt Alfele

Date of Hearing: February 14, 2023

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**Relevant Code Section**

The Planning Commission serves as the Entrance Corridor Review Board (*ERB*), responsible for administering the design review process in entrance corridor overlay districts (*EC*). This development project requires a site plan, and therefore also requires a Certificate of Appropriateness (*CoA*), pursuant to the provisions of Section 34-309(a)(3) of the City's Zoning Ordinance. The ERB shall act on an application within 60 days of the submittal date, and shall either approve, approve with conditions, or deny the application. Appeal would be to City Council.

**Standards for considering certificates of appropriateness**

Per Section 34-310, in reviewing a CoA application the ERB must consider certain features and factors in determining the appropriateness of proposed construction, alteration, etc. of buildings or structures located within an EC. The five primary criteria in Section 34-310 are:

- 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; and
- 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.

### **Links to EC Design Guidelines**

[EC Design Guidelines Chapter I - Introduction](#)

[EC Design Guidelines Chapter II - Streetscape](#)

[EC Design Guidelines Chapter III - Site](#)

[EC Design Guidelines Chapter IV - Buildings](#)

[EC Design Guidelines Chapter V - Corridors](#)

### **Summary of CoA Request**

Applicant requests a CoA to construct a brick and stucco building composed of a five-story, U-shaped, two-wing building surrounding a central courtyard and set atop a two-story brick foundation [or podium] of approximately 150-ft (at JPA) and 312-ft (at the sides). Each wing is approximately 62-feet wide separated by a roughly 30-ft wide courtyard.

The site slopes downhill, approximately 30-feet, from the NW corner on Observatory Avenue to the SE corner at JPA and Washington Avenue. As such, the seven-story primary façade (at JPA) is reduced to a five-story elevation at the NW corner and a six-story elevation at the NE corner.

Viewed from JPA, the primary facade is composed of a two-story, brick foundation with punched windows. (Set behind sidewalk-level, walled patios, this elevation forms the primary entrance.) At the east corner, the foundation continues along Washington Avenue, receding into the grade to a single story. At the west corner, the foundation continues along Observatory Avenue, receding into the grade completely. Above the foundation, the primary facade of the east wing features a three-story, brick tower extending from the foundation below. Setback from this façade, the wing rises to five-stories, featuring brick and stucco sections with punched windows. The primary façade of the east wing also features a three-story, brick tower, but setback from the foundation wall, behind an elevated terrace and pool area. The side elevation mimics the east wing, but being lower into the grade than the east wing allows for a series of first-floor entrances with low-walled porches.

The two wings enclose an inner courtyard, which, elevated two stories above JPA, conceals the interior parking area below it. At the rear wall (north), the two wings join, completing the U. (The rear wall continues the same design; however, it is not visible from the EC.)

[Staff note: Plan view shown on sheets 44 and 49 are for context only re: landscaping and site lighting. The plan view on sheet 13 is the *formal* plan relative to the footprint and architectural elements. If, during site plan and/or building permit review, there are minor variations re: wall locations and architectural elements, staff will defer to the elevations on sheets 15, 18, 21 and 24.]

#### Building materials:

- Foundation/Podium: Red brick (Sheet 42)
- Walls:
  - Red brick (Sheet 42)
  - Stucco, painted (Sheet 42)
- Windows: PlyGem PVC, single hung, 1/1, insulated glass. Color: Black units and white units; varies per wall section. (Sheet 43)
- Panels and mullions between windows: Cement board, painted.
- Large windows and entry doors: Commercial, metal-framed storefront with clear glass. [Staff note: Recommend condition that the glass will be *clear* for all glazed entries and windows on: the podium (front and side elevations); the three-story brick towers on each wing (front, east, and west elevations); and the four porch-level entrances on the west elevation. Re: *clear* glass, refer to the attached August 2018 memo.]
- Railings, entry canopies, entry door surround: Metal, painted (Sheet 42) [Staff note: Recommend condition that any new railings—i.e., at low walls, if required during code review, etc.—will match railings at podium terrace.]
- Parapet coping: Metal cap

#### Landscaping:

- Plantings: (all on City tree list)
  - Willow Oak
  - London Plane Tree
  - Witch Hazel
  - Sweetbay Magnolia
  - Kentucky Coffeetree (alt Honey Locust)
  - Black Gum
- Landscape/terrace walls: Red brick with bluestone cap. Fieldstone with bluestone cap. (Sheets 42-45)
- Paving:
  - Entry plaza, porches on Observatory Ave., path at rear: Scored concrete, buff colored.
  - On-site walks/terraces at Observatory Ave. and Washington Ave.: Brick
- Micro-bio-filters along Observatory Avenue. (Sheet 45)

#### Site Lighting:

- Illuminated bollards, planting accent lights, inset wall lights and surface mounted wall lights. Per sheet 50, the noted fixtures and locations are conceptual and may vary during construction. [Staff note: Recommend a condition that the lamping for exterior lighting be dimmable, have a Color Temperature not exceeding 3,000K, and a Color Rendering Index not less than 80, preferably not less than 90. Additionally, should there be concerns expressed later related to glare, the owner will work with NDS to find a reasonable solution. Also, to prevent bright light and glare emanating from the garage, specifically at/near the Washington Avenue entrance, lamping for the garage lights will comply with the above.]

Screening:

- Mechanical equipment: Rooftop units will be screened behind the parapet.
- Sheet 44 indicates an area near the garage entrance designated for Mech Equip. [Staff note: It is unclear what might be placed here or the precise location and dimensions of the brick wall; however, if used for mechanical units, utility/service boxes, storage, trash containers, etc., it will be appropriately screened. If not by the wall, then appropriate fencing or plantings.]
- Dumpsters/trash: It is understood these will be located within the garage and pulled to the curb on collection days. (Near the garage entrance, a low wall will enclose the area noted on sheet 13, so this not intended to serve as a screened enclosure.) [Staff note: Recommend a condition establishing that dumpsters and trash and/or recycling bins will be located within the garage and pulled to the curb only on collection days.]

### **Public Comments Received**

No public comments regarding this CoA request have been received to-date.

### **Staff Recommendation**

Staff finds the proposed improvements are appropriate and recommends approval of the CoA with the conditions noted in the motion below.

Per the approved Special Use Permit—approved September 19, 2022, link below—the proposed building height is permitted on this site and within the modified rear setback, therefore the maximum height and footprint have been established.

[CC memo - Sept 19 2022 SUP for 2005 JPA](#)

Staff concurs with the applicant’s comments:

- *Exterior material selections are predominantly brick and stucco, consistent with other buildings along the JPA corridor. The color palette falls in a compatible range. Building massing is varied, not monolithic. The scale evident in fenestration, entrances, site stairs, canopies and porches is appropriate for this district. The landscape design along JPA-- consisting of multiple terraces and plantings-- has the potential to enhance the corridor’s character, creating opportunities for pedestrian comfort and interaction in a shaded environment that is a marked improvement over other student housing that fronts this corridor.*
- *Material, textures and colors are varied. Brick veneer is used both to establish a building base and to emphasize smaller scale building faces within the longer facades, an effort to differentiate volumes within the mass.*

Attached is a comprehensive review of the design guidelines, reflecting both the applicant’s and staff’s comments. Also attached are staff’s comments from the SUP request (2021), which addressed many of the issues related to height, massing, and scale, and also clarified how staff approached the apparent conflict between the vision for this EC adopted in 2011 and the

Comprehensive Plan updated in 2021. Attached SUP memo also includes the section from the design guidelines, Chapter V, re: the Jefferson Park Avenue Entrance Corridor.

### **Suggested Motion**

*Approval:* Having considered the standards set forth within the City’s Entrance Corridor Design Guidelines, I move to find that the proposed design for 2005 Jefferson Park Avenue is consistent with the Guidelines and compatible with the goals of this Entrance Corridor, and that the ERB approves the Certificate of Appropriateness application as submitted, with the following conditions of approval:

- Glass will be clear, at the locations noted in the staff report.
- New railings, if required, will match the metal rail at the podium terrace.
- All exterior lighting and interior lighting visible at the garage entrance will have lamping that is dimmable, has a Color Temperature not exceeding 3,000K, and has a Color Rendering Index not less than 80, preferably not less than 90. Additionally, the owner will address any reasonable public complaints about light glare by either dimming the lamp or replacing the lamps/fixtures.
- Dumpsters and trash and/or recycling bins to be located within the garage and pulled to the curb only on collection days. If they cannot be located within the garage, they will be contained within an area near the garage entrance and will be appropriately screened. That location and screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- If used for mechanical units, utility/service boxes, storage, trash containers, the *Mech Equip* area noted on sheet 44, at the west elevation, will be appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Any ground-level mechanical equipment and/or utility boxes will be appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Meters and panel boxes for utility, communications, and cable connections will be located preferably within the garage; if not, then in non-prominent locations on the side elevations only and appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.

### **Alternate Motions**

*Deferral:* I move to defer [or, to accept the applicant’s request to defer] the Entrance Corridor Certificate of Appropriateness application for 2005 Jefferson Park Avenue.

*Denial:* Having considered the standards set forth within the City’s Entrance Corridor Design Guidelines, I move to find that the proposed design for 2005 Jefferson Park Avenue is not consistent with the Guidelines and is not compatible with the goals of this Entrance Corridor, and that for the following reason(s) the ERB denies the Certificate of Appropriateness application as submitted...

### **Attachments**

1. Applicant's submittal. Mitchel/Matthews Architects & Planners drawings for 2005 Jefferson Park Avenue Entrance Corridor Review Application, dated December 20, 2022.
2. Review of the EC design guidelines re: CoA request for 2005 2005 Jefferson Park Avenue.
3. May 10, 2022 Staff report ERB Review of Special Use Permit Request for 2005 Jefferson Park Avenue.
4. July 17, 2018 Summary of BAR Discussion re: Clear Glass.

# 2005 JEFFERSON PARK AVENUE

CHARLOTTESVILLE, VA

**ENTRANCE CORRIDOR REVIEW APPLICATION**

MITCHELL / MATTHEWS ARCHITECTS

*DECEMBER 20, 2022*



# REQUEST FOR ENTRANCE CORRIDOR CERTIFICATE OF APPROPRIATENESS

**INTRODUCTION:** 2005 JPA is a proposed multi-family residential development on Jefferson Park Avenue. The project consists of residential units over parking and is situated in close proximity (walking distance) to the University of Virginia’s central grounds. The project is within an entrance corridor.

**LOCATION:** 2005, 2007 Jefferson Park Avenue and 104 Observatory Avenue, an assemblage of 3 lots, with frontage on Jefferson Park Avenue between Observatory Avenue and Washington Avenue.

**ZONING:** The property is currently zoned R-3 in the City of Charlottesville.

**PROPOSED USE:** Multi-Family Residential

**RESOLUTION**  
**Granting a Special Use Permit (SUP) for Property Located at**  
**2005/2007 Jefferson Park Avenue and 104 Observatory Avenue**

#R-22-117

**WHEREAS** Norman Lamson, as Trustee for the Gadiant JPA Land Trust (“Landowner”) is the owner of certain land identified within City real estate assessment records by Parcel Identification numbers 170104000, 170103100, and 170103000, respectively, currently addressed as “2005/2007 Jefferson Park Avenue” and “104 Observatory Avenue” (collectively referred to as the “Property”), and the Landowner, proposes to redevelop the Property to accommodate a 119-unit multifamily building with underground parking, and

**WHEREAS** to facilitate this redevelopment, the Landowner seeks City Council’s approval of a Special Use Permit to increase allowable residential density to 70 DUA, to increase building height from 45 feet to 75 feet, to reduce the rear-yard setback from 75 feet to 36 feet, and to reduce (lower by 22%) the amount of on-site parking required by City Code Sec. 34-984 (the “Project”); and

**WHEREAS** the Applicant seeks a Special Use Permit under City Code Secs. 34-420, 34-353(3), and 34-162(a), which collectively allow the increased residential density, additional building height, and modified [reduced] setbacks and onsite parking requirements for the Project; and

**WHEREAS** the Property is located within the R-3 zoning district, a district in which, according to the Use Matrix set forth within City Code §34-420, the Project as proposed may be authorized by City Council by means of a special use permit; and

**WHEREAS** the Project is described in more detail within the application materials submitted by the Landowner in connection with SP22-00001 (“Application Materials”); and

**WHEREAS**, the Planning Commission and City Council conducted a joint public hearing on May 10, 2022, after notice and advertisement as required by law; and

**WHEREAS** following the joint public hearing, the Planning Commission considered and recommended approval of this application at their May 10, 2022 meeting; and

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

**BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, THAT** a Special Use Permit is hereby granted to allow the Project to be established on the Property, subject to the following conditions:

- (1) Not more than seventy (70) dwelling units per acre (DUA) shall be permitted within the area of the Property.
- (2) The rear-yard setback applicable within the Property shall be thirty-six (36) feet, and a

twenty-five (25) foot buffer shall be provided within the rear yard, to include mature trees and shrubs at the time of planting consistent with the plant materials prescribed for an “S-3” buffer (as listed in City Code §34-871, as in effect on the date of approval of this SUP). The S-3 buffer, and plant materials, shall be detailed within the final Site Plan. Within the rear setback Landowner shall consider construction of a multipurpose path (for bicycles and pedestrians) linking Washington Avenue and Observatory Avenue within the rear setback, in order to establish the block-level scale of the Project as represented within the Application Materials.

- (3) The Landowner shall construct within the Project, along Jefferson Park Avenue, a new seven (7) foot sidewalk with a three (3) foot curbside buffer in accordance with the standards set forth within the City’s Streets that Work Plan.
- (4) The Landowner, in consultation with the City’s Traffic Engineer, shall develop a Master Parking Plan for the site related to the reduction of onsite parking by 22% from what is required by Sec. 34-984 (in effect on the date of Council’s approval of this Special Use Permit). The Master Parking Plan shall indicate how available parking spaces will be distributed within the Project, how residents of the Project are informed of their parking opportunities, any offsite parking options for residents, and other potential issues associated with parking. The Master Parking Plan shall be provided as a component of the final approved site plan for the Project, and any subsequent amendments approved to the Master Parking Plan shall be made in consultation with the City’s Traffic Engineer and a copy maintained along with the final approved site plan, within the zoning file for the Property.
- (5) The Landowner shall upgrade the pedestrian crossing of Jefferson Park Avenue at Harmon Street during construction of the Project, to provide residents within the Project safe access to public transit options. The Landowner shall work with the City’s Traffic Engineer to determine the scope of improvements.
- (6) The arrangement of the buildings within the Property shall be generally consistent with the layout and design presented within the Application Materials for SP22-00001.

	<u>Ave</u>	<u>No</u>
Magill	_absent_	___
Payne	_x_	___
Pinkston	_x_	___
Snook	_x_	___
Wade	_x_	___

Approved by Council  
September 19, 2022

*Kyna Thomas*  
 \_\_\_\_\_  
 Kyna Thomas, MMC  
 Clerk of Council

# Contents

(1) Overall architectural design, form, and style of the subject building or structure, including, but not limited to: the height, mass and scale;	<b>pages 16 - 44</b>
(2) Exterior architectural details and features of the subject building or structure;	<b>pages 12 - 41</b>
(3) Texture, materials and color of materials proposed for use on the subject building or structure; See accompanying graphic materials.	<b>page 42 -43</b> (additionally 12 - 41)
(4) Design and arrangement of buildings and structures on the subject site;	<i>see all site plans, landscape plans, sections and elevations distributed within</i>
(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.	<b>pages 4 - 11</b> (additionally appendix a)
(6) Provisions of the Entrance Corridor Design Guidelines.	<b>appendix a</b>
(7) A complete application shall include all plans, maps, studies, reports, photographs, drawings, and other informational materials which may be reasonably required in order make the determinations called for in an particular case.	<i>distributed throughout</i>
(8) Building elevations shall be provided, unless waived by the director.	<b>pages 14 - 25</b>
(9) Each application shall include a landscaping plan as outlined in the ordinance.	<b>pages 44 - 51</b>
(10) Each application shall include information about proposed lighting as outlined in the provisions of Article IX, Division 3, Sec. 34-100, et seq.	<b>page 49 - 50</b>

# SECTION 1

# **ERB GUIDELINES**

Highlights of the proposal's response to the city's Entrance Corridor Review Guidelines



Exterior materials are brick and stucco, consistent with other buildings along the corridor. Building massing is varied, not monolithic. The scale-- evident in fenestration, entrances, site stairs, canopies and porches-- is appropriate for this district.

Multiple terraced spaces along JPA have the potential to enhance the public realm. The entry plaza-- planted throughout with a rich diversity of native species-- results in a kind of expanded sidewalk with places to sit, rest, eat and talk. The opportunities here for pedestrian comfort and interaction in a shaded environment represent a distinct improvement over most of the student housing that fronts this corridor.

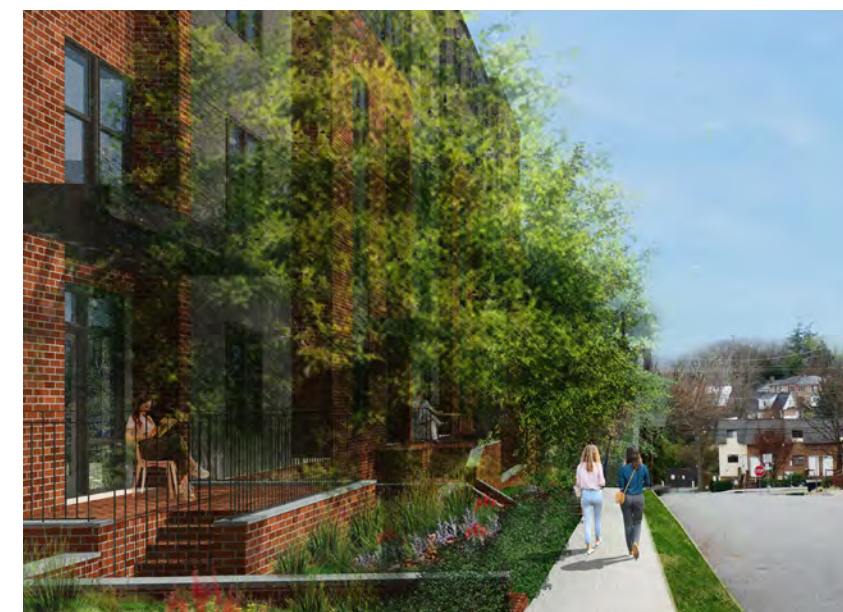
In its current state, the site's presence along the corridor is undetermined. With only a modest, unremarkable building at the corner of JPA and Observatory Ave and few street trees-- none of these deliberately arranged-- passersby have little to identify as a street wall or street edge. The proposed architecture and landscape will engage the street corners and create a legible street edge.



Design for a Corridor Vision



Create an Inviting Public Realm



Create a Sense of Place

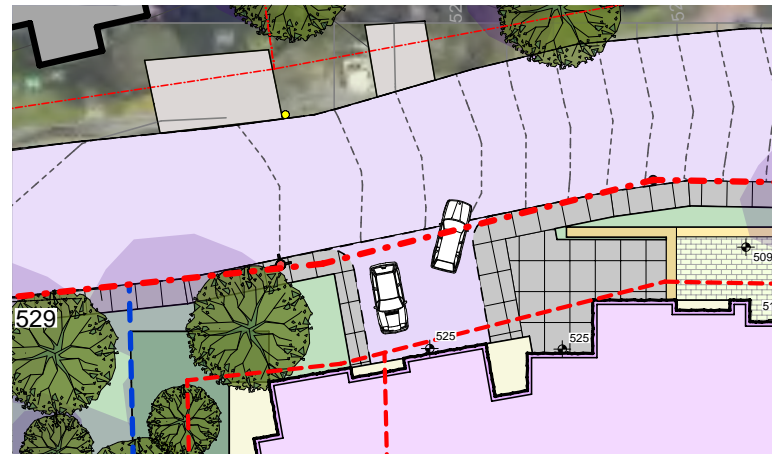


## Street Trees + Native Species

A varied selection of plantings-- from large trees to medium trees to shrubs-- will benefit the environment around the building, encouraging people to gather and socialize within the color, comfort and shelter of the landscape. In addition to street trees, multiple planting beds-- as buffers along JPA, in transitional spaces between sidewalks and entrance terraces/porches, and along the building edge-- will host smaller plantings. The combination of plantings will enhance a sense of scale around the building, both emphasizing edges and enclosing outdoor space. Plant selections prioritize native species, most recommended by Charlottesville's Tree Packet.



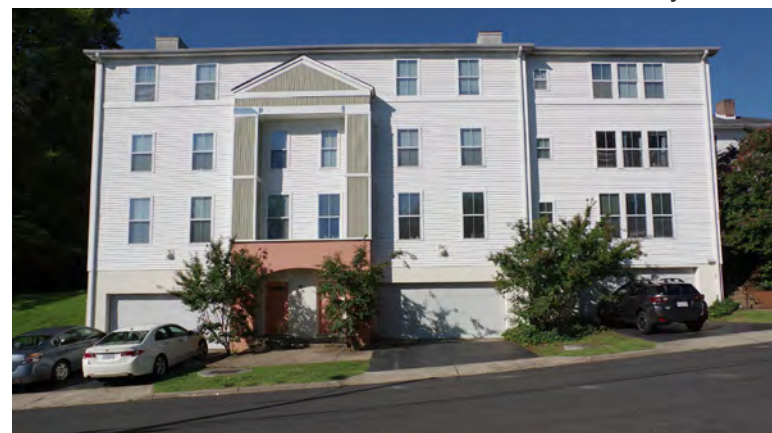
## Avoid Excessive Curb Cuts



The proposed project requires only one curb cut on Washington Avenue, zero on Observatory Ave. Currently, there are seven curb cuts on both side avenues, typically including cars parked at all hours in front yards.



Observatory Avenue



Washington Avenue

## Design Sidewalks appropriate for the Site

Following city guidelines, the sidewalk along JPA will be 7' wide with a planted buffer. Along the side avenues, continuous sidewalks will be installed. This will be a big improvement over present conditions, in which sidewalks along both Washington and Observatory Avenues are missing for significant stretches adjacent to this site.



Corner of JPA and Observatory Avenue



Washington Avenue

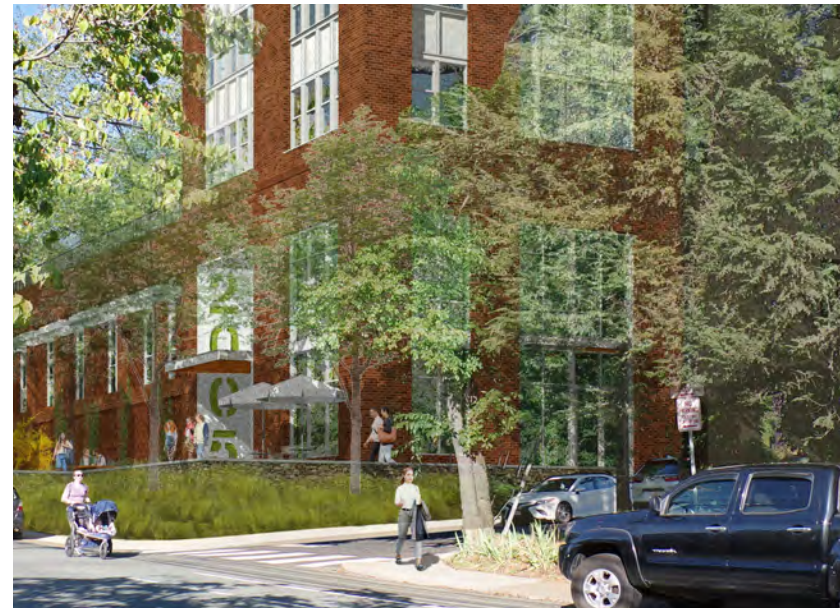


## Orient Building Facades to Front on the Corridor



The JPA facade includes not only a prominent entry portal but an entry plaza. The brick base and brick volume that extend up at the entry are prominent along the Corridor frontage.

## Prioritize Building Facades that Face Street Corners



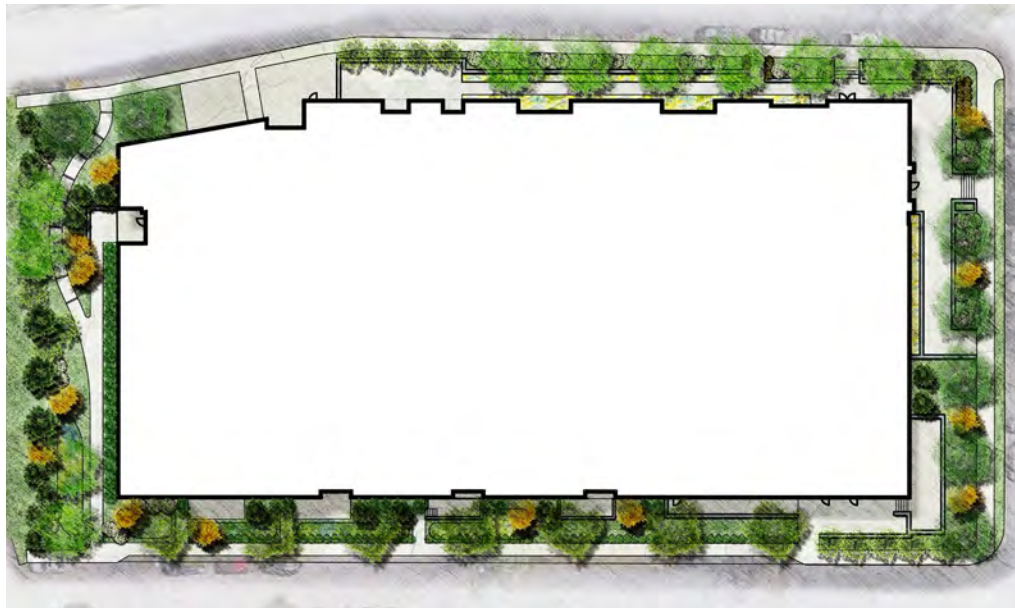
A secondary-- but still visually significant-- entry is around the corner on Washington Avenue. The two entries-- combined with site stairs and the brick-face corner volume-- help mark this important intersection, the one which pedestrians and cyclists traveling from UVA westward will encounter first.

## Locate most open space at the Perimeter



Open space is purposefully designed along the site's edges. New sidewalks, an array of plantings and bioretention will all liven the perimeter and improve the environment. On Observatory Avenue, open space is punctuated by neighborhood scaled porches, where tenants can see and be seen.





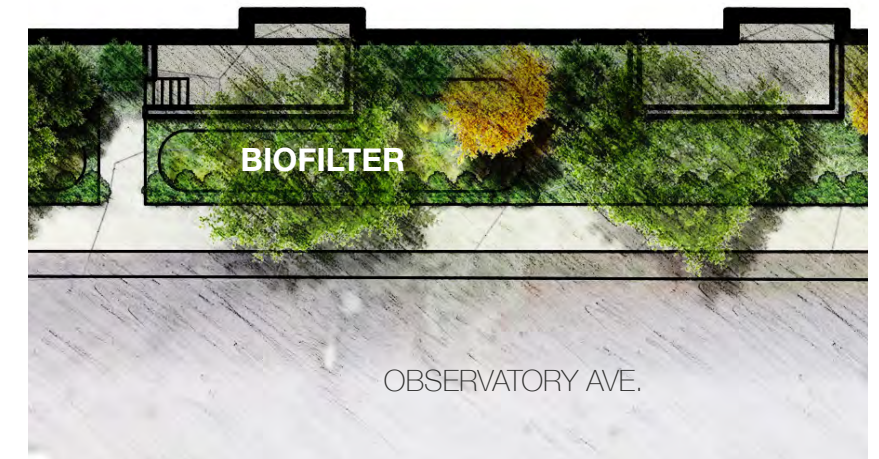
### Plant Along Site Boundaries

Boundaries will be extensively planted with native species.



### Use Different Scales of Plantings

Plantings in a range of sizes are proposed



### Stormwater Treatment as an Element of Landscape

Biofilters are designed into the landscape along portions of the rear of the site and along Observatory Avenue.



## Reduce the Visibility of Garages

Parking is concealed beneath the building, accessed by a single point of entry on Washington Avenue, over 200 feet from its intersection with JPA.

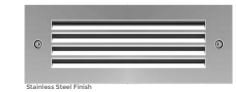
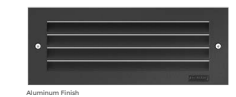


This allows a heavily planted pedestrian environment along the Corridor. Contrast this with present conditions, in which multiple nearby properties prioritize asphalt and parked cars abutting the Corridor.

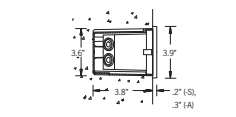
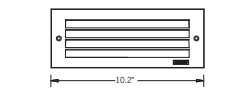


## Lighting to Provide Appropriate Illumination

ULE-40601  
Legend 2 Recessed



11w COB 155 Lumens  
IP65 • Suitable For Wet Locations  
IK07 • Impact Resistant (Vandal Resistant)  
Weight 4.1 lbs



### Construction

**Aluminum Castings**  
Built from 1% copper content - Marine Grade 6063 extruded & LM6 Aluminum High Pressure die casting provides excellent mechanical strength, clear detailed product lines and excellent heat dissipation.

**Finish**  
A three-stage and phosphate process that includes descaling and etching as well as a zinc and nickel phosphate process before product painting.

**Memory Retentive - Silicon Gelcoat**  
Provided with special injection molded "fit for purpose" long life high temperature memory retentive silicon gelcoat. Maintains the gelcoat's exact profile and seal over years of use and compression.

**Thermal Management**  
Ligman luminaires used for its excellent mechanical strength and thermal dissipation properties in low and high ambient temperatures. The superior thermal link design by Ligman used in conjunction with the driver, controls thermal below critical temperature range to ensure maximum luminous flux output, as well as providing long LED service life and ensuring less than 10% lumen depreciation at 50,000 hours.

**Heat Rating**  
80 - 131 - G2

**Surge Suppression**  
Standard 10k surge suppressor provided with all fixtures.

**Finishes**  
All Ligman products go through an extensive finishing process that includes testing to improve paint adherence.

**Paint**  
UV Stabilized 4.6mil thick powder coat paint and baked at 200 °C. This process ensures that Ligman products are ready for use in natatoriums.

**Wood Grain Finishes**  
The Ligman by Nature Finishing is a unique system of electrochromic coating. Our metal decoration process can easily transform the appearance of metal or aluminum product into wood grain finish.

This patented technology enables the simulation of wood grain, and even marble or granite finish through the use of decorative powder coating.

The wood grain finish is so realistic that it's almost indistinguishable from real wood, even from a close visual inspection. The system of coating permeates the entire thickness of the clear coat and, as a result, the coating cannot be removed by normal rubbing, chipping, or scratching.

**The Coating Process**  
After the component is prepared parts are powder coated with a UV resistant clear coat. This powder provides protection against wear, abrasion, impact and corrosion. The clear coat is then cured to form a hard metal decoration.

The component is then wrapped with a sheet of non-porous film with the selected decoration pattern printed on it using special high temperature ink.

This printed film transfer is vacuum-cast to the surface for a complete thermo print and then transferred into a customized die. The user transfers the ink into different forms within the plate layer before it becomes solid. Finally, the film is removed, and a wood-grain look on aluminum remains.

Wood grain coating can create beautiful wood-looking products of any sort. There are over 300 combinations of design, currently in use. Wood grain can be made with different colors, sizes, etc.

Our powder coatings are certified for indoor and outdoor applications and are backed by a comprehensive warranty. These coatings rise to the highest conceivable standard of performance excellence and design innovation.

**Added Benefits**  
• Resistant to salt-acid rain, accelerated aging  
• Resistant to mold and corrosion water resistance  
• Anti-Graffiti, Anti-Slip, Anti-Microbial, Anti-Scratch  
• Super Durable UV Resistant  
• TSC Free (non-toxic)

**Hardware**  
Provided Hardware is Marine grade 316 Stainless steel.

**Anti-Seize Screw Holes**  
Tapped holes are infused with a special anti-seize compound designed to prevent seizure of threaded connections, due to electrolysis from heat, corrosive atmosphere and moisture.

**High Impact Acrylic Lens**  
Manufactured with Ultra High Impact, Naturally UV Stabilized Injection Moulded Acrylic.

**Quality & LED**  
Precision optic design provides exceptional light control and precise distribution of light.  
LED CRI - 80

**Lumen Maintenance Life**  
L70-B1 at 50,000 hours (L70 means that at least 90% of the LED still achieve 80% of their original flux)

### Rectangular time-honoured wall recessed accent range. Efficient, flexible and tough family in the classic brick-light proportions.

A range of vandal resistant rectangular wall recessed luminaires. Suitable for indoor or outdoor applications in residential, shopping and pedestrian areas as a decorative guide light. Available in a variety of frame and LED light source options, including turtle friendly amber LED.

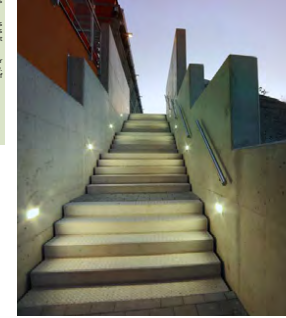
The Legend 1 and 2 is available with powdercoated aluminum or stainless steel frames. This luminaire is provided with a powdercoated high pressure die-cast aluminum back box and can be pre shipped to the jobsite for concrete pour or masonry applications.

As an option, this luminaire can be provided with a special wall clamp bracket that provides a clamping option when installing in drywall or wood panel walls.

Available in amber and white 2700K, 3000K, 3500K and 4000K. Consult factory for additional colors. The Legend slight range can be provided with colored lenses to provide a decorative architectural touch to the building, please see options.

All Ligman fixtures can be manufactured using a special pre-treatment and coating process that ensures the fixture can be installed in natatoriums as well as environments with high concentrations of chlorine or salt and still maintain the 5 year warranty. For this natatorium rated process please specify NAT in options. Fixture can be installed in natatoriums as well as environments with high concentrations of chlorine or salt and still maintain the 5 year warranty. For this natatorium rated process please specify NAT in options.

### Additional Options (Consult Factory For Pricing)



## Choose High Quality Materials for Site Walls

Brick and stone-- durable materials not uncommon in this district-- are proposed for site walls.



Lighting choices-- locations and provisional selections of which are described on pages 49-50-- will enhance safety without creating unnecessary illumination. Following BAR guidelines, the color temperature will not exceed 3000K and the color rendering index will not be lower than 80.



## Use Step Backs at Upper Stories

Step backs are used in prominent locations, including the JPA facing corners of each building wing. At the rear corner on Observatory, the volumes step back to mitigate massing where the building is closest to the smaller scale neighborhood.



corner of JPA and Washington Ave.



rear corner along Observatory Ave.

## Use Varied Wall Surfaces

### Avoid Large Expanses of Blank Walls



Wall surfaces do not extend for long stretches in the same plane. Facades are distinguished by projections and interrupted by recesses at regular intervals. Brick facades are typically less than 40' wide, and windows occur at regular intervals-- even in stair towers-- avoiding blank, undifferentiated vertical surfaces.

## Use Massing Reduction Techniques

A variety of massing reduction techniques are employed, among them step backs, variations in color and changes of materials. Along the side avenues-- where existing houses tend to be smaller than they are along JPA-- brick facades, limited to three stories tall above the rear and middle-rear ground level are intended to draw attention away from the building's upper stories, which are finished in darker, subdued materials. These brick faces do not extend continuously and monotonously, but are spaced apart, typically vertically proportioned, creating an impression not unlike a series of rowhouses.



### Opening with Traditional Vertical Proportions Preferred



Windows and doors are all vertically proportioned

### Use Storefronts or Large Display Windows at Street Level



At the plaza along JPA and Washington Avenue storefront is used at the two points of entry. At the opposite corner, it's also used at a commons space with visibility on the Corridor.

### Use Material Changes to Improve Massing



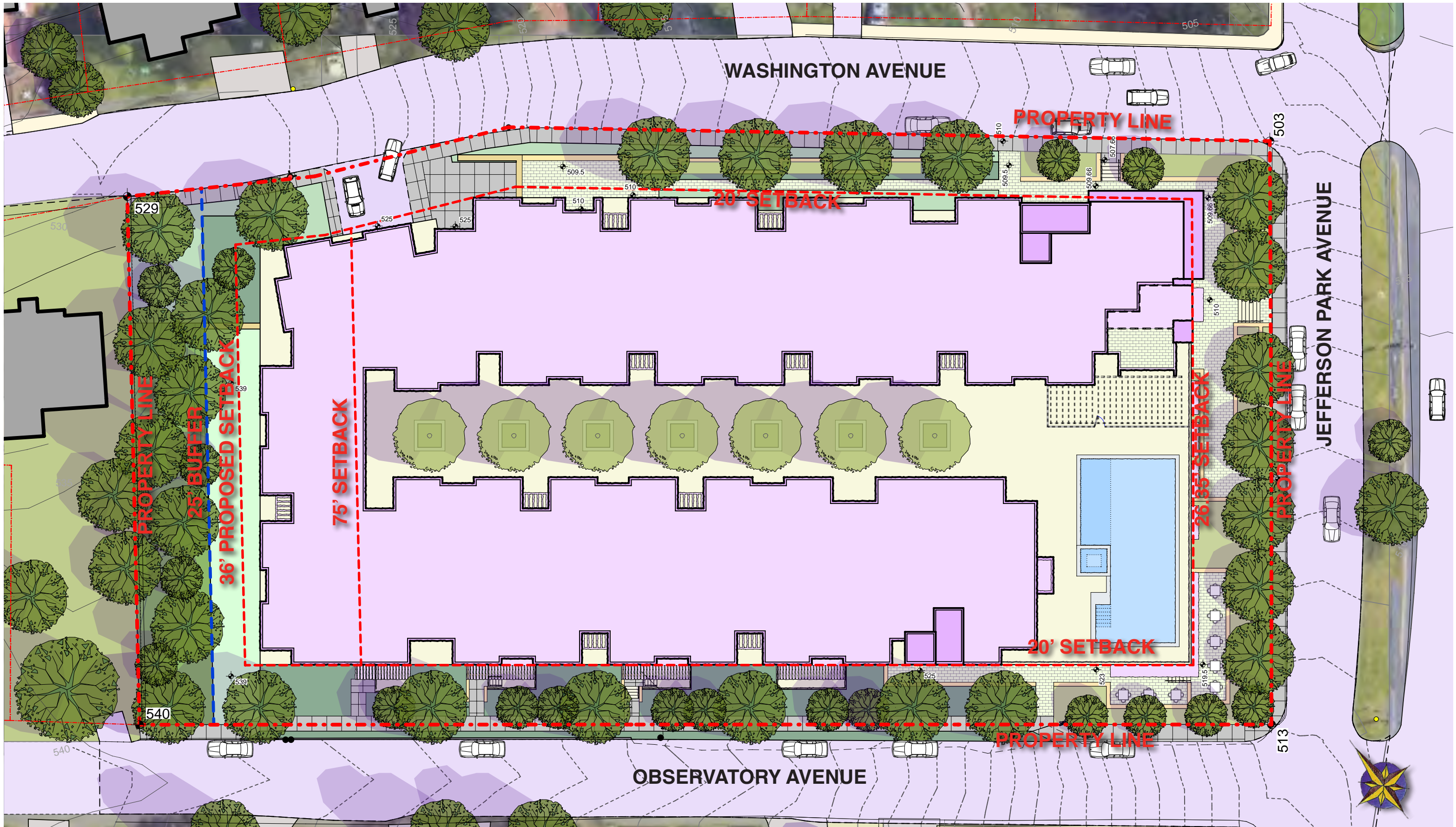
Material and color changes are used on all building facades to improve massing.

## SECTION 2

# PROPOSED DESIGN

Illustrations of the previous design + the current proposal









OBSERVATORY AVENUE

WASHINGTON AVENUE





## ELEVATION JEFFERSON PARK AVENUE

*All grades, counts and quantities are approximate and will change as design proceeds.*









JEFFERSON PARK AVENUE

ELEVATION OBSERVATORY AVENUE PREVIOUS DESIGN

All grades, counts and quantities are approximate and will change as design proceeds.





JEFFERSON PARK AVENUE

593' +/-  
Roof

574' +/-  
Top of Brick  
Facades

524' +/-  
Average Grade

ELEVATION OBSERVATORY AVENUE

All grades, counts and quantities are approximate and will change as design proceeds.





JEFFERSON PARK AVENUE

Brick facades limited to three stories above podium to reduce perceived massing



JEFFERSON PARK AVENUE







JEFFERSON PARK AVENUE

593' +/-  
Roof

574' +/-  
Top of Brick  
Facades

524' +/-  
Average Grade

### ELEVATION WASHINGTON AVENUE

*All grades, counts and quantities are approximate and will change as design proceeds.*



JEFFERSON PARK AVENUE



Brick facades limited to three stories above podium to reduce perceived massing





WASHINGTON AVENUE

OBSERVATORY AVENUE





ELEVATION REAR FACADE

*All grades, counts and quantities are approximate and will change as design proceeds.*





Brick facades limited to three stories above podium to reduce perceived massing

WASHINGTON AVENUE

OBSERVATORY AVENUE

### ELEVATION REAR FACADE

*All grades, counts and quantities are approximate and will change as design proceeds.*





























**2005 JPA**  
Charlottesville VA

12.20.2022

## PERSPECTIVE JPA FACADE

*All grades, counts and quantities are approximate and will change as design proceeds.*

**MITCHELL / MATTHEWS**  
ARCHITECTS & PLANNERS

434.979.7550

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Previous massing in red →





PERSPECTIVE **JPA & WASHINGTON AVE CORNER**

*All grades, counts and quantities are approximate and will change as design proceeds.*





## PARTIAL STREETSCAPE WASHINGTON AVENUE

*All grades, counts and quantities are approximate and will change as design proceeds.*





PARTIAL STREETScape **OBSERVATORY AVENUE**

*All grades, counts and quantities are approximate and will change as design proceeds.*













2

6

3

4

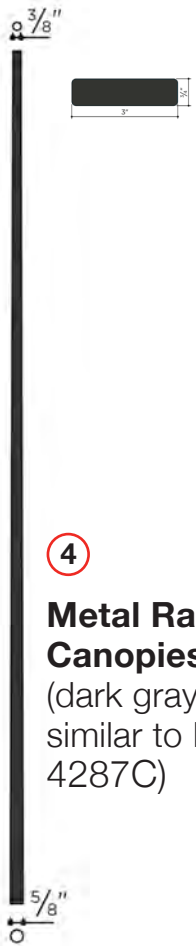
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7

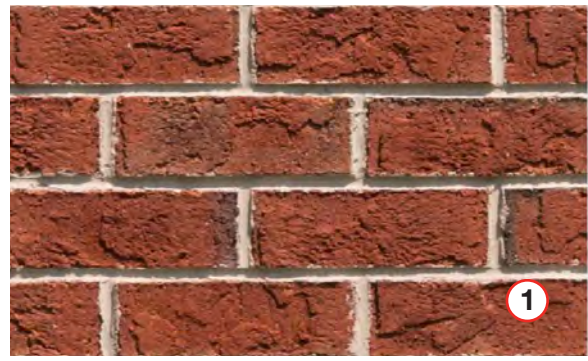
9

8



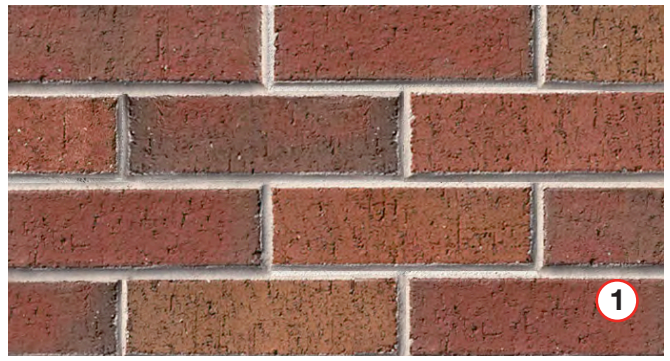
4

**Metal Railings & Canopies**  
(dark gray color similar to Pantone 4287C)



**Triangle Cape Cod** (or similar)

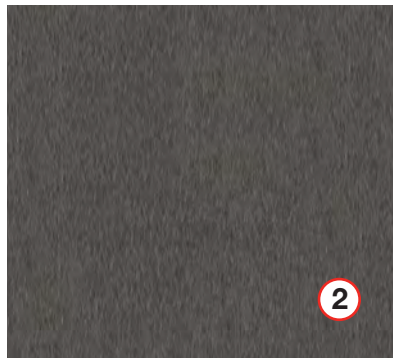
1



**Meridian Brick - mix of Red Wire-cut Flashed & Flat Set** (or similar)

1

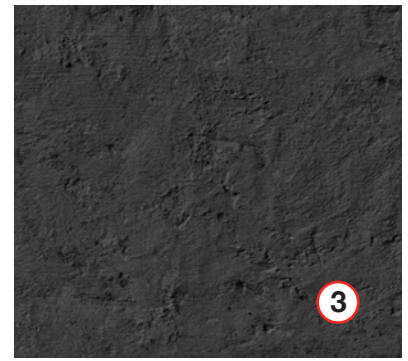
OR



2

**Stucco Color**  
(Pantone 417C or sim.)

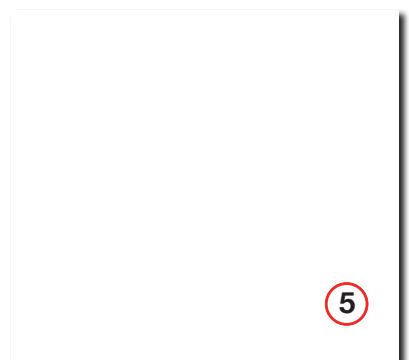
sand or float finish -- vertical scoring aligned at window edges + horizontal scoring at window headers and sills



3

**Stucco Color**  
(Pantone 447C or sim.)

roughcast or montalvo finish, minimal scoring



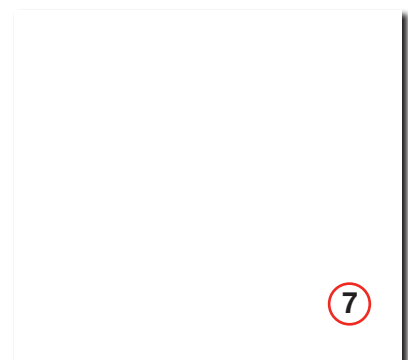
5

**White Window Color**  
(based on Ply Gem standard color)



6

**Black Window Color**  
(based on Ply Gem standard color)



7

**White Metal**  
at entry portal & podium level canopies



8

**Fieldstone Wall**  
(Western Maryland Thin or similar)



9

**Bluestone wall caps**



< back

## RED WIRECUT FLASHED

Columbia, SC Architectural Series [PREV](#) [NEXT](#)



### Available Sizes (WxHxL):

- Thin Brick:** Available Made to Order
- Modular:** 3.5 x 2.25 x 7.625
- Utility:** 3.5 x 3.625 x 11.625
- Closure:** 3.5 x 3.625 x 7.625
- Engineer:** 3.5 x 2.75 x 7.625
- Norman:** 3.5 x 2.25 x 11.625
- 8x8 Wall Unit:** 3.5 x 7.625 x 7.625

< back

## FLAT SET RED BROWN FLASHED WIRECUT

Columbia, SC Architectural Series [PREV](#) [NEXT](#)

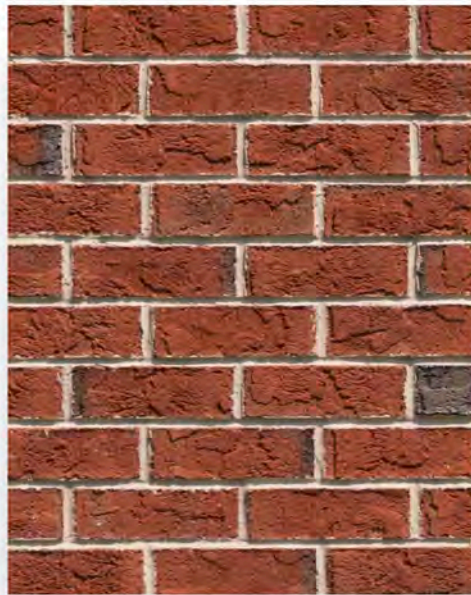


### Available Sizes (WxHxL):

- Thin Brick:** Available Made to Order
- Modular:** 3.5 x 2.25 x 7.625
- Utility:** 3.5 x 3.625 x 11.625
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- Engineer:** 3.5 x 2.75 x 7.625
- Norman:** 3.5 x 2.25 x 11.625
- 8x8 Wall Unit:** 3.5 x 7.625 x 7.625

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## Cape Cod

RED


Classic, all-American style.

Inspired by the all-American style of a quaint, New England village, our Cape Cod brick offers a bold, red brick option with slight charcoal accents for a look that's classically elegant and down-to-earth. This sand-faced brick is perfectly suited for most building projects.

Brick Image: Engineer Size | Gray Mortar | Merry Oaks

[WHERE TO BUY](#)


[VIEW BRICK IN PERSON](#)



1110 SERIES SINGLE HUNG

**STANDARD FEATURES**

- Energy-efficient Warm Edge insulating glass
- Maintenance-free multi-chamber PVC construction
- Fully fusion-welded corners on sash and frame for superior structural strength
- Dual lift rails on bottom sash for easy operation
- Integral nail fin (shown) for simple installation
- Bottom sash fits in and is removable for easy cleaning
- Flush mounted tilt latches
- Traditional brick mould profile with 2-3/4" frame depth
- Interior glazed top sash, exterior glazed bottom sash
- Aluminum reinforced meeting rail with cam locks that engage keepers for your security
- Block and tackle balances



**PERFORMANCE GRADE**

Overall Rating	Test Unit Size
L-C - PG30	48" x 96"
R - PG40	36" x 96", 48" x 74"
R - PG45	36" x 74"
R - PG40	(Twin-2) 78.5" x 65.5"
R - PG35	(Triple-3) 107.5" x 71.5"

**1110/1111 THERMAL PERFORMANCE**

3MM GLASS	NFR CERTIFIED <sup>1</sup>			
	R Value	U Factor	SHGC	VT
WITH WARM EDGE				
1/2" Low-E	2.86	0.25	0.30	0.55
1/2" Low-E <sup>2</sup>	2.86	0.25	0.22	0.43
1/2" Low-E2+	3.33	0.20	0.29	0.53
1/2" Low-E2+ <sup>3</sup>	3.33	0.20	0.22	0.42
WITH WARM EDGE <sup>4</sup>				
1/2" HP Glass	3.23	0.21	0.29	0.55
1/2" HP <sup>5</sup> Glass	3.33	0.20	0.22	0.43
1/2" HP2+ Glass	3.70	0.21	0.28	0.53
1/2" HP2+ <sup>6</sup> Glass	3.70	0.21	0.22	0.42

<sup>1</sup>All units are NAMI certified and rated in accordance with NFRC 100/200 standards by an AAMA accredited lab. Performance values reflect the performance of units tested with the following configuration: 1/2" IGU, 3mm glass and no grilles.  
R VALUE: Resistive ambient air flow; U FACTOR: Rate of heat loss; SHGC: Solar Heat Gain Coefficient; VT: Visible Transmittance

**OPTIONS**

**GLASS OPTIONS:** Low-E, Low-E<sup>2</sup>, Low-E2+, Low-E2+<sup>3</sup>, HP, HP<sup>5</sup>, HP2+, HP2+<sup>6</sup>, Warm Edge<sup>4</sup> spacer, obscure and tempered


**GRILLE OPTIONS:** Color-coordinated grilles-between-the-glass (BGT) in 1/4" and 1/2" flat

**FRAME OPTIONS:** 4-3/4" or 6-3/4" premed jamb extensions

**PRODUCT CONFIGURATIONS:** Singles, twins, triples, fixed, combinations and a wide variety of architectural shapes

**HARDWARE OPTIONS:** Safety vent latch to meet ASTM F2090 requirements

**SOUND CONTROL OPTIONS:** STC 24, 31, or 34

**COLOR OPTIONS:** 

NOTE: Colors shown are close approximations and may not be accurate representations of color matching. Please request color matches from your Ply Gem sales representative.

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**Ply Gem** PART OF THE CORNERSTONE BUILDING BRANDS FAMILY | SIDING • ACCESSORIES | WINDOWS • DOORS | STONE VENEER | TRIM • MOULDINGS | FENCE • RAILING

2005 JPA  
Charlottesville VA  
12.20.2022

BRICK & WINDOW SERIES Basis of Design

All grades, counts and quantities are approximate and will change as design proceeds.

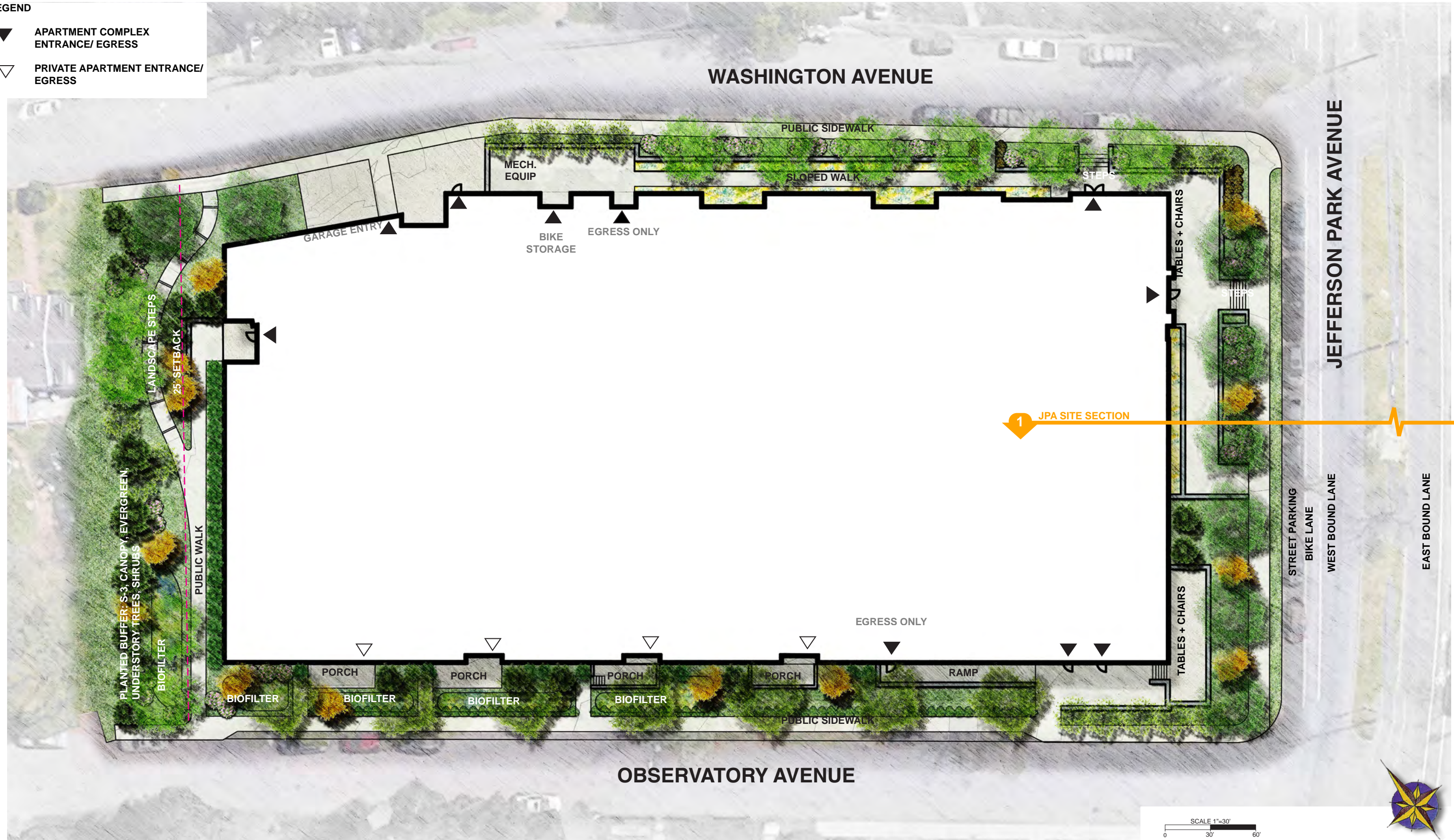
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43



LEGEND

- ▼ APARTMENT COMPLEX ENTRANCE/ EGRESS
- ▽ PRIVATE APARTMENT ENTRANCE/ EGRESS



# LANDSCAPE PLAN

All grades, counts and quantities are approximate and will change as design proceeds.





**STORMWATER CONCEPT:**  
MICRO-BIOFILTERS ALONG OBSERVATORY AVE.; NATIVE PLANTING AND WEIR WALLS/ TIERS TO SLOW THE MOVEMENT OF WATER



**BRICK SITE WALLS:**  
ALONG OBSERVATORY + WASHINGTON AVE, ARCHITECTURAL FACADE AND TERRACES



**STONE SITE WALLS:**  
ALONG JPA STREET FRONTAGE AND LANDSCAPE TERRACES



1



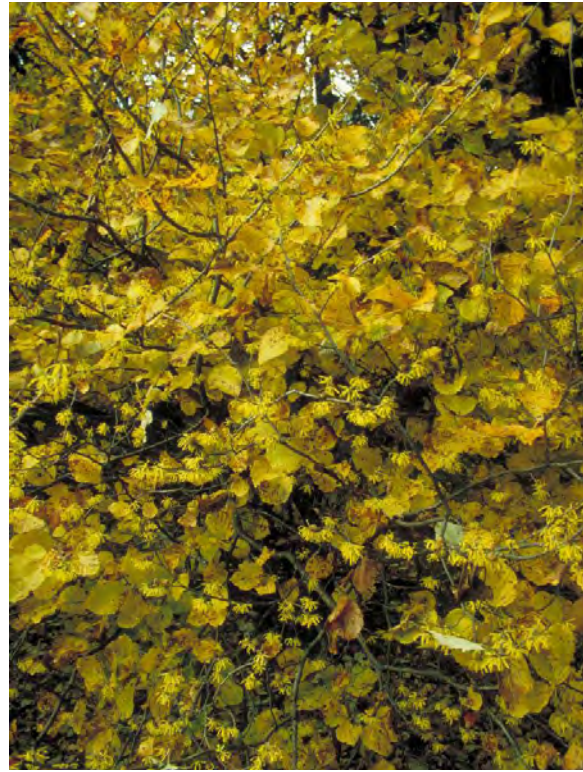
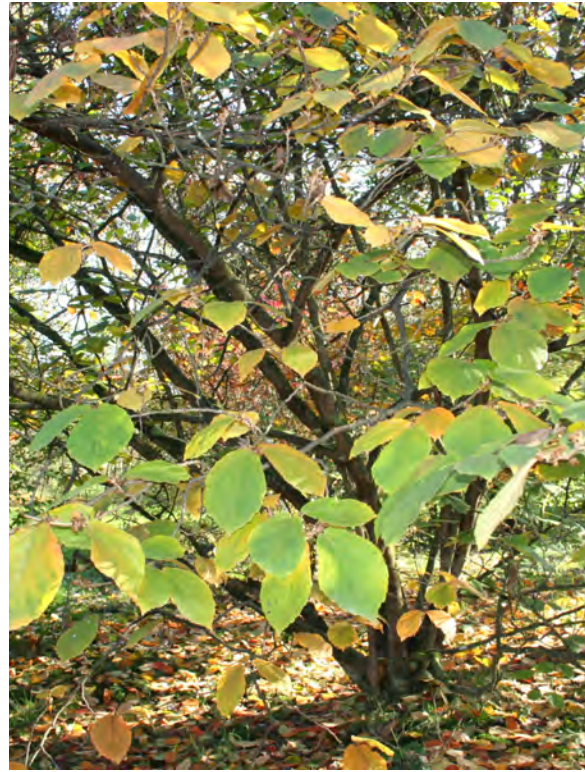


Willow Oak  
Quercus phellos



London Plane Tree  
Platanus x acerfolia





Witch Hazel  
*Hamamelis virginiana*



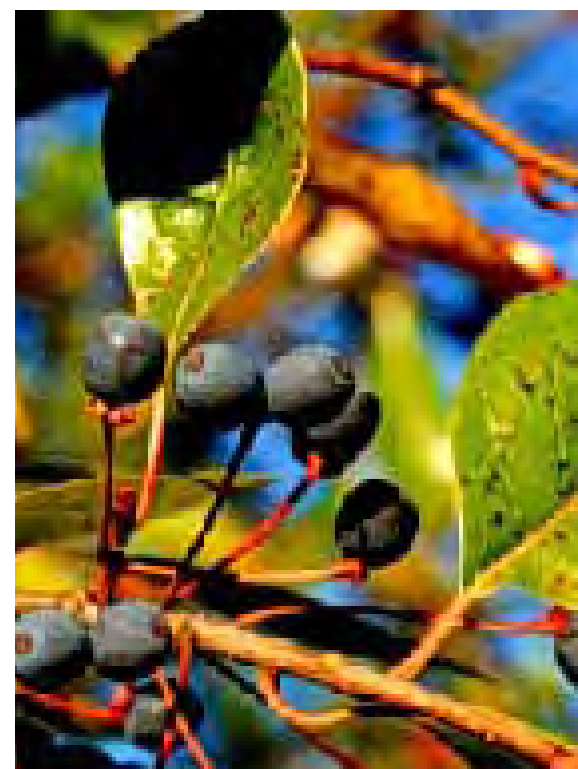
Sweetbay Magnolia  
*Magnolia virginiana*





Kentucky Coffeetree  
*Gymnocladus dioicus* 'Espresso'  
alternative: Honey Locust  
(Thornless)

WASHINGTON AVE STREET TREES






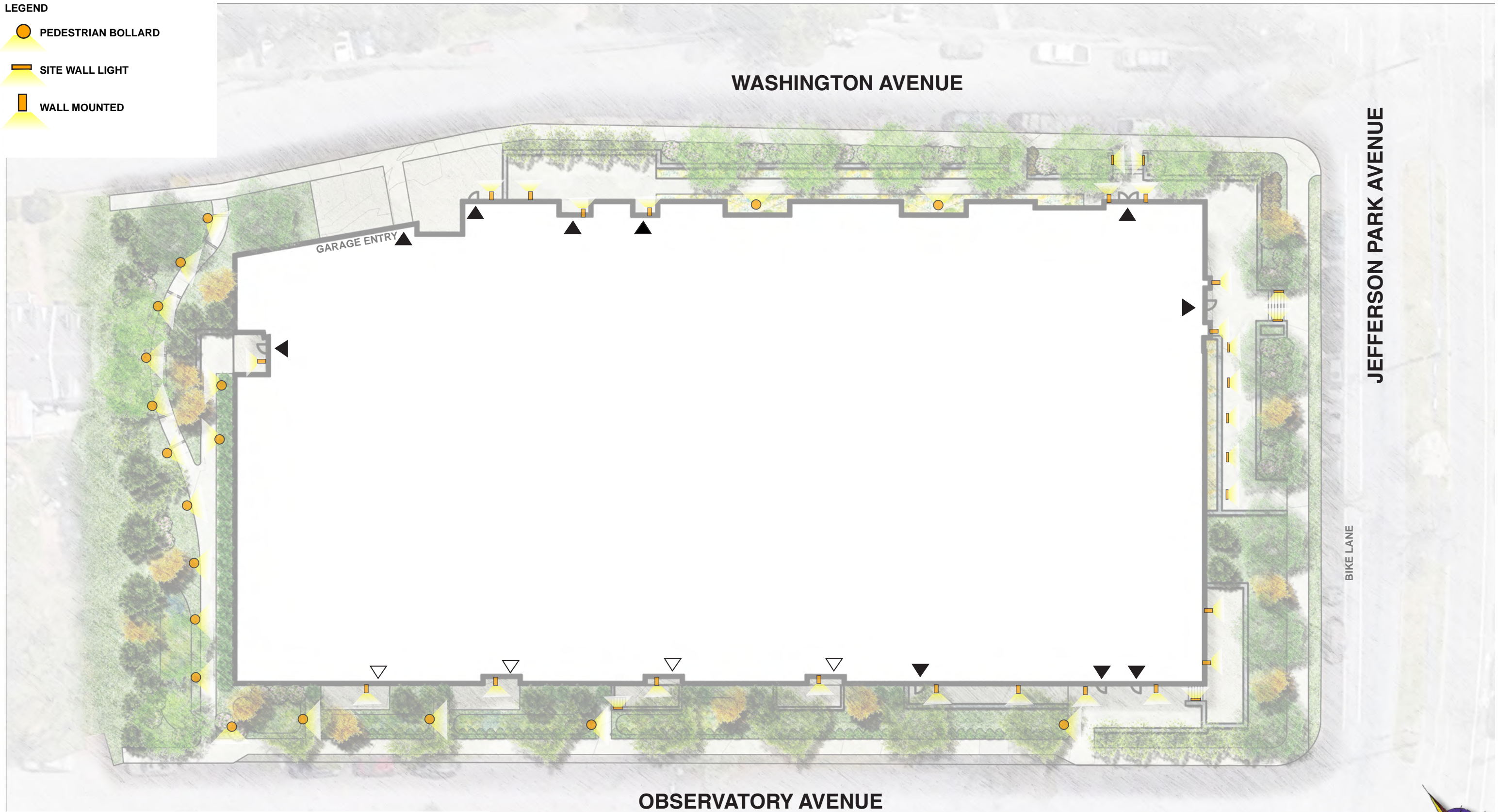
Black gum  
*Nyssa sylvatica*

OBSERVATORY AVE. STREET TREES (STORMWATER)

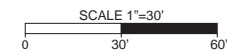


LEGEND

-  PEDESTRIAN BOLLARD
-  SITE WALL LIGHT
-  WALL MOUNTED



1. See notes on cut sheet page for additional information



# SITE LIGHTING PLAN

*All grades, counts and quantities are approximate and will change as design proceeds.*

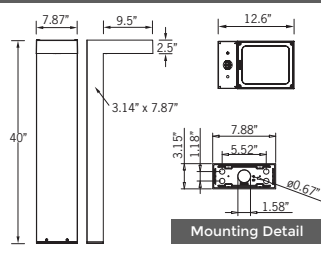


# ULI-10022

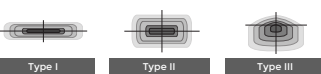
## Light Linear PT 1 Single Head Bollard



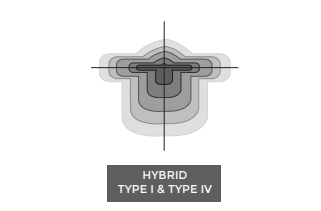
**55w LED 6240 Lumens**  
**IP65 • Suitable For Wet Locations**  
**IK08 • Impact Resistant (Vandal Resistant)**  
**Weight 26 lbs**



Ligman's micro Variable Optical System provides the ability to interchange, mix & rotate optics to provide specific light distributions for optimized spacing and uniformity.



The variable optic system allows for the designer to create hybrid distributions for precise lighting requirements.



Ligman Lighting USA reserves the right to change specifications without prior notice, please contact factory for latest information. Due to the continual improvements in LED technology data and components may change without notice.

# PEDESTRIAN BOLLARD

DATE	PROJECT	TYPE

CATALOG NUMBER LOGIC
Example: LT - B - B - LED - 071 - VER - 1 - PP-79x20 - 1
<b>MATERIAL</b> (Material) - Aluminum - B - Brass - S - Stainless Steel
<b>SERIES</b> LT - Litestick
<b>STEM LENGTH</b> 2' 6" / 2' 8" / 2' 4"
<b>STYLE</b> A B, C, D, E F
<b>SOURCE</b> LED - with Integral Driver*
<b>LED TYPE</b> 479 - 3W LED/2700K 472 - 3W LED/4000K 471 - 3W LED/5000K 473 - 3W LED/4000K
<b>FINISH</b> (See page 2 for full-color swatches) Standard Finishes: BZP, BZM, BL, B, W, W Premium Finishes: ASB, AMK, ACP, B, W, W RML, SCS, SMO, TSE, WCP, WTH Also available in RAL Finishes Brass Finishes: BAC, BPC Stainless Steel: BMS, BMT Other: BMT, BMT

\*Designed for use with 0.1W LED transformer.  
 \*Not available with style C.  
 \*\*For use up to 2' maximum overall height.

# PLANTING ACCENT OR UPLIGHTING IN TERRACED PLANT BEDS (TBD)

**2005 JPA**  
 Charlottesville VA  
 12.20.2022



# Area distribution bollard-integrated projectors.

## Stylish but technically precise area lighting solutions as part of a large flexible family.

Light Linear PT Bollard is an elegant minimalist bollard that is suitable for both modern and classic architecture. Ideal for creating visual guidance with exceptional visual comfort. The dual sealed optical chamber with integrated heat sinks houses a range of field interchangeable optically controlled LEDs, providing Type II, III, IV & V distribution, as well as variations of this for precise light distribution requirements.

An example of this, is using a combination of Type II and Type IV distribution optics inside the same fixture. This product range is available in 29w and 55w options, as single & double head styles.

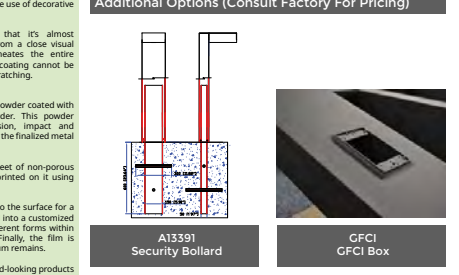
Customer specific wattages can be provided, contact the factory for more information.

Bollards can be provided with GFCI boxes positioned to specific heights specified by the customer.

To meet International Dark Sky criteria, 3000K or warmer LEDs must be selected.

**Optional: Security Bollard:**  
 The Light Linear Bollard is available as a traffic rated security bollard. This security bollard provides restraint of vehicular traffic in unauthorized areas. Impact calculations shows this bollard will stop a 5,500lb/2.75 tons vehicle, travelling at 30mph. The galvanized pole must be filled with concrete up to the waterproof driver housing to provide a solid concrete barrier.

**Additional Options (Consult Factory For Pricing)**



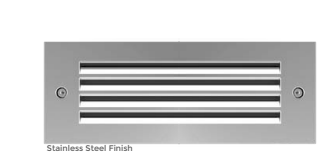
RGBW or Static Color Laser Cut Lettering, Logos & Designs (LLVT Bollard shown for visual reference)

Ligman can provide custom logos and signage in the Light Linear Bollard. The images above show this feature in the Light Linear VT Bollard.

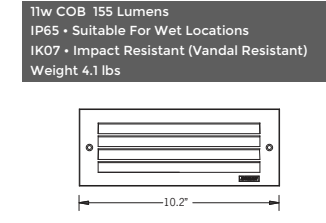
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# ULE-40601

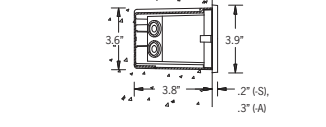
## Legend 2 Recessed



**11w COB 155 Lumens**  
**IP65 - Suitable For Wet Locations**  
**IK07 - Impact Resistant (Vandal Resistant)**  
**Weight 4.1 lbs**



**Additional Options (Consult Factory For Pricing)**



**SMB** Surface Mount Box

**DWC** Dry Wall Clamp



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# SITE WALL LIGHT

# WALL MOUNTED EXTERIOR LIGHT

**2005 JPA**  
 Charlottesville VA  
 12.20.2022

# Construction

**Aluminum Casting**  
 Less than 0.1% copper content - Marine Grade 6060 extruded & LM6 Aluminum High Pressure die casting provides excellent mechanical strength, clean detailed product lines and excellent heat dissipation.

**Pre-paint**  
 8 step degrease and phosphate process that includes deoxidizing and etching as well as a zinc and nickel phosphate process before product painting.

**Memory Retentive - Silicon Gasket**  
 Provided with special injection molded "fit for purpose" long life high temperature memory retentive silicon gaskets. Maintains the gaskets exact profile and seal over years of use and compression.

**Thermal management**  
 LM6 Aluminum is used for its excellent mechanical strength and thermal dissipation properties in low and high ambient temperatures. The superior thermal heat sink design by Ligman used in conjunction with the driver, controls thermal below critical temperature range to ensure maximum luminous flux output, as well as providing long LED service life and ensuring less than 10% lumen depreciation at 50,000 hours.

**BUC Rating**  
 BU - U1 - G0  
 Standard 10kv surge suppressor provided with all fixtures.

**Finishing**  
 All Ligman products go through an extensive finishing process that includes fettling to improve paint adherence.

**Paint**  
 UV Stabilized 4.9Ml thick powder coat paint and baked at 200 Deg C. This process ensures that Ligman products can withstand harsh environments. Rated for use in natatoriums.

**Inspired by Nature Finishes**  
 The Inspired by nature Finishing is a unique system of decorative powder coating. Our metal decoration process can easily transform the appearance of metal or aluminum product into a wood grain finish.

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**BUC Rating**  
 BU - U1 - G0  
 Standard 10kv surge suppressor provided with all fixtures.

**Finishing**  
 All Ligman products go through an extensive finishing process that includes fettling to improve paint adherence.

# Rectangular time-honoured wall recessed accent range. Efficient, flexible and tough family in the classic brick-light proportions.

A range of vandal resistant rectangular wall recessed luminaires. Suitable for indoor or outdoor applications in residential, shopping and pedestrian areas as a decorative guide light. Available in a variety of frame and LED light source options, including turtle friendly amber LED.

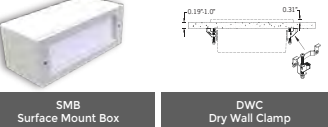
The Legend 1 and 2 is available with powdercoated aluminum or stainless steel frames. This luminaire is provided with a powdercoated high pressure die-cast aluminum back box and can be pre shipped to the jobsite for concrete pour or masonry applications.

As an option, this luminaire can be provided with a special wall clamp bracket that provides a clamping option when installing in drywall or wood panel walls.

Available in amber and white 2700K, 3000K, 3500K and 4000K. Consult factory for additional colors. The Legend spotlight range can be provided with colored lenses to provide a decorative architectural touch to the building, please see options.

All Ligman fixtures can be manufactured using a special pre-treatment and coating process that ensures the fixture can be installed in natatoriums as well as environments with high concentrations of chlorine or salt and still maintain the 5 year warranty. For this natatorium rated process please specify NAT in options. fixture can be installed in natatoriums as well as environments with high concentrations of chlorine or salt and still maintain the 5 year warranty. For this natatorium rated process please specify NAT in options.

**Additional Options (Consult Factory For Pricing)**



**SMB** Surface Mount Box

**DWC** Dry Wall Clamp



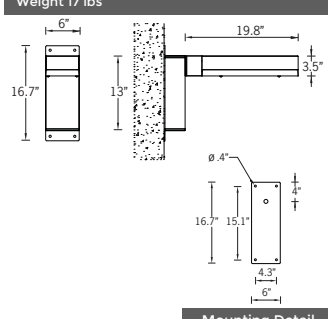
Ligman Lighting USA reserves the right to change specifications without prior notice, please contact factory for latest information. Due to the continual improvements in LED technology data and components may change without notice.

# ULI-30012

## Light Linear PT 12 Surface



**54w LED 6193 Lumens**  
**IP65 • Suitable For Wet Locations**  
**IK08 • Impact Resistant (Vandal Resistant)**  
**Weight 17 lbs**

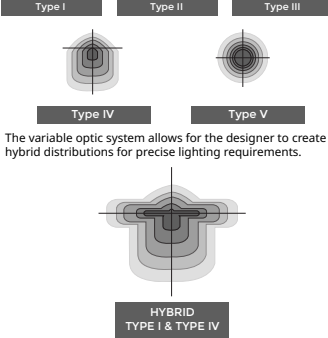


**Additional Options (Consult Factory For Pricing)**



**SMB** Surface Mount Box

**DWC** Dry Wall Clamp



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# Construction

**Aluminum**  
 Less than 0.1% copper content - Marine Grade 6060 extruded & LM6 Aluminum High Pressure die casting provides excellent mechanical strength, clean detailed product lines and excellent heat dissipation.

**Pre-paint**  
 8 step degrease and phosphate process that includes deoxidizing and etching as well as a zinc and nickel phosphate process before product painting.

**Memory Retentive - Silicon Gasket**  
 Provided with special injection molded "fit for purpose" long life high temperature memory retentive silicon gaskets. Maintains the gaskets exact profile and seal over years of use and compression.

**Thermal management**  
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**BUC Rating**  
 BU - U1 - G0  
 Standard 10kv surge suppressor provided with all fixtures.

**Finishing**  
 All Ligman products go through an extensive finishing process that includes fettling to improve paint adherence.

**Paint**  
 UV Stabilized 4.9Ml thick powder coat paint and baked at 200 Deg C. This process ensures that Ligman products can withstand harsh environments. Rated for use in natatoriums.

**Inspired by Nature Finishes**  
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# Area distribution wall-mounted projectors. Stylish but technically precise area lighting solutions as part of a large flexible family.

Light Linear PT wall light is an elegant wall mount fixture suitable for both modern and classic architecture. Ideal for creating visual guidance, with exceptional visual comfort.

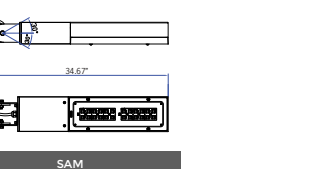
The dual sealed optical chamber with integrated heat sinks houses a range of field interchangeable optically controlled LEDs, providing Type II, III, IV & V distribution, as well as variations of this for precise light distribution requirements. An example of this, is using a combination of Type II and Type IV distribution optics inside the same fixture.

This fixture is unique as it has a IP68 driver housing container that is housed within the IP65 rated light fixture.

This product range is complemented with high performance optics in the bollard and streetlight luminaires, to provide a consistent range of design aesthetics for any project.

To meet International Dark Sky criteria, 3000K or warmer LEDs must be selected and luminaire fix mounted (+/- 15" allowable to permit leveling).

**Additional Options (Consult Factory For Pricing)**



**SAM** Small Adjustable Arm



Ligman Lighting USA reserves the right to change specifications without prior notice, please contact factory for latest information. Due to the continual improvements in LED technology data and components may change without notice.

# WALL MOUNTED EXTERIOR LIGHT

1. Outdoor lighting shall conform to the City of Charlottesville Cod eof Ordinances Chapter 34 - Zoning Article IX Division 3, Sec, 34-1000 et. seq.
2. The selected luminaires and layout may differ from site plan and the the luminaire manufacturers and types listed; cut sheets provided to convey lighting concept only.
3. Photometrics to confirm adherence to local lighting requirements and finalize fixture spacing and orientation

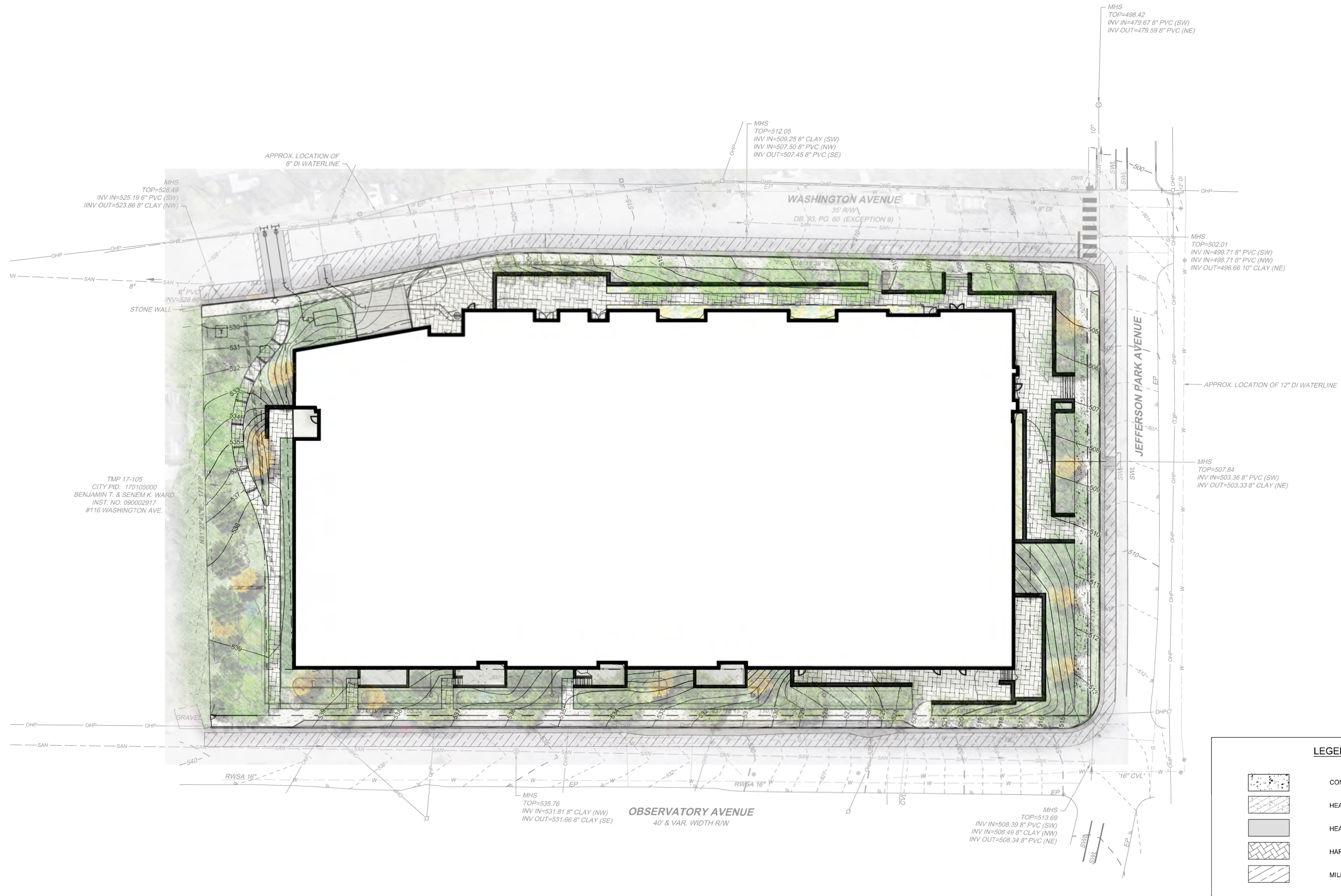


MITCHELL / MATTHEWS ARCHITECTS & PLANNERS  
 434.979.7550 © 2022

# SITE LIGHTING CUT SHEETS

All grades, counts and quantities are approximate and will change as design proceeds.





TMP 17-105  
CITY PID: 170105000  
BENJAMIN T. & SENEM K. WARD  
INST. NO. 090002917  
#116 WASHINGTON AVE.

LEGEND:	
	CONCRETE SIDEWALK
	HEAVY DUTY CONCRETE
	HEAVY DUTY ASPHALT
	HARDSCAPE (SEE LANDSCAPE PLAN)
	MILL AND OVERLAY



# PAVING PLAN

All grades, counts and quantities are approximate and will change as design proceeds.



APPENDIX a

# **ERB GUIDELINES (DETAILED)**

Full response to all published guidelines



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

**Design for a Corridor Vision:** *New building design should be compatible-- in massing, scale, materials and colors-- with neighboring structures that contribute to the overall quality of the corridor. Site designs should contain some common elements to provide continuity along the corridor. New development should compliment the city's character and respect those qualities that distinguish the city's built environment.*

**Preserve History:** *Preserve historic buildings and distinctive architecture from earlier periods. Encourage contemporary design that is respectful of historic building design.*

**Facilitate Pedestrian Access:** *Encourage compact, walkable developments. Design pedestrian connections from sidewalk and car to buildings, between buildings and between corridor properties and adjacent residential areas.*

**Maintain Human Scale in Buildings and Spaces:** *Consider the impact of building design-- especially height, mass, complexity of form, architectural details and exterior spaces-- on the people who will pass by, live, work or shop here. The size, placement of doors, windows, portals and openings define human scale.*

**Preserve and Enhance Natural Character:** *Encourage plantings of diverse native species.*

**Create a Sense of Place:** *In corridors with substantial pedestrian activity, one goal is to create a sense of place. Building arrangements, uses, natural features and landscaping should contribute, where feasible, to create exterior space where people can interact.*

**Create an Inviting Public Realm:** *Design inviting streetscapes and public spaces. Redevelopment of properties should enhance the existing streetscapes and create an engaging public realm.*

**Mask the Utilitarian:** *Provide screening from adjacent properties and public view of: parking lots, outdoor storage and loading areas, refuse areas, mechanical and communication equipment and other uses that have adverse impacts. Relegate parking behind buildings.*

**Respect and Enhance Charlottesville's Character:** *Architectural transplants from other locales or shallow imitations of Jeffersonian architecture are examples of building designs that are not appropriate.*

## Response

Exterior material selections are predominantly brick and stucco, consistent with other buildings along the JPA corridor. The color palette falls in a compatible range. Building massing is varied, not monolithic. The scale evident in fenestration, entrances, site stairs, canopies and porches is appropriate for this district. The landscape design along JPA-- consisting of multiple terraces and plantings-- has the potential to enhance the corridor's character, creating opportunities for pedestrian comfort and interaction in a shaded environment that is a marked improvement over other student housing that fronts this corridor.

There are no historically designated buildings on this site. The property is in an Entrance Corridor, but it does not fall within any of the city's Historic Districts.

The potential pedestrian experience along JPA represents a significant improvement over streetscapes found elsewhere on the corridor. The existing sidewalk will be rebuilt to current city standards with a narrow planted buffer between parked cars and pedestrians. On site, easily accessible plaza spaces adjacent to the sidewalk will give pedestrians a kind of wayside where they can relax and socialize in the shade and beauty of new plantings. At the rear of the property, a paved walk is proposed, available for public use, allowing nearby residents a second, alternative connection between Washington and Observatory Avenues.

The building height is similar to multiple nearby structures along the corridor. Buildings at 1725 JPA, 1815 JPA and 1800 JPA are five to nine stories tall. Mass and form of the proposed building is varied. Multiple walks and terraces provide usable spaces, traversable by visitors and passers-by. Street trees will provide screening, shade and beauty. The dimensions and arrangements of windows, openings and entries are consistent with neighboring apartment buildings.

The landscape plan proposes a variety of native plantings in a variety of sizes-- from smaller shrubs to large trees.

In addition to the multiple terraced areas along JPA, several of the apartments fronting Observatory Avenue have porches and walks connected to the sidewalk. Not only will these benefit the scale of the project, they provide outside spaces from which tenants can easily see and communicate with other students and city residents as they move to and fro. In its current state the site makes little contribution to the street wall. It lacks architectural presence on the corridor. Very few buildings front the street to contribute to a sense of place. The proposed development will engage the street corners and contribute to the existing street wall-- one defined by variation more than uniformity.

A generous array of plaza spaces and planting beds will create a comfortable, shaded environment along the public realm, creating a kind of expanded sidewalk with places to sit, rest, eat and talk. At the corner of Jefferson Park and Observatory Avenues, a corner space is proposed with the potential to serve future commercial use, connected to an outside terrace convenient to passers-by.

All on-site parking is concealed under the building. Access to the basement parking is located on Washington Avenue, over 200 feet away from JPA. Storage areas, refuse areas and mechanical equipment will all be concealed within the building or on rooftops behind parapets.

By and large, traditional materials are proposed, but the building's architecture does not rely on historic references deployed superficially or romantically. It does not indulge vernacular details associated with places outside Charlottesville.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

## II. Streetscape Guidelines      Plantings & Open Space

**Use street trees** to provide shade, a sense of enclosure and to define edges.

**Include appropriately scaled trees, shrubs and other plantings** to provide beauty as well as shade within a pedestrian gathering place and as screening for parking, utilities and service areas.

**Use hardy native species** that require minimal maintenance. Avoid over-used species.

**Use larger species** where appropriate to space and function.

Expand use of **seasonal color** in plantings.

Use plantings to promote **visual order** and help integrate buildings into the corridor.

Refer to the **Tree Planting and Preservation BMP Manual** in the Charlottesville Standards and Design Manual.

## II. Streetscape Guidelines      Pedestrian Routes

Where feasible, **provide unbroken pedestrian routes** between developments. Place paths in a logical pattern where people will want to walk. Separate sidewalks from the curb by a five feet wide landscape buffer if possible.

Within developments, **identify a complete pedestrian pathway system** linking all buildings, parking and green spaces. Ensure this network connects to public pedestrian pathways.

### Response

Many street trees are proposed along Jefferson Park, Observatory and Washington Avenues. In the site's current condition, street trees are uncommon.

A varied selection of plantings-- from large trees to medium trees to shrubs-- will benefit the environment around the building, encouraging people to gather and socialize within the color, comfort and shelter of the landscape. In addition to street trees, multiple planting beds-- as buffers along JPA, in transitional spaces between sidewalks and entrance terraces/porches, and along the building edge-- will host smaller plantings. The combination of plantings will enhance a sense of scale around the building, emphasizing the edges of and enclosing outdoor space.

Most planting selections come from the Charlottesville Tree Packet of recommended species. Over-used species-- Bradford Pear and Crepe Myrtle, for example-- are not proposed.

Certain species-- London Planetree, Honeylocust and Kentucky Coffeetree, among them-- will attain significant height when mature. They are proposed along the streets, where in time they will provide abundant shade and an ever-changing screen of the upper stories of the new building.

Multiple species-- blackgum, ? and ? among them-- will provide potentially great colors in fall and spring.

In time, the varied scale of plantings will create a layered environment from which the building emerges, avoiding abrupt or stark transitions.

Yes.

The continuity of sidewalks will be significantly improved with this project. Currently sidewalks along both Observatory and Washington Avenues are discontinuous on both sides, with stretches of more than 200 feet without sidewalks at all. Where there are sidewalks currently, they are frequently crossed by parking drives and aprons. After this project is complete, the sidewalks will continue, without break, along all three street edges. Only one vehicular drive-- at the Washington Ave. entry to the parking deck-- will cross the new sidewalks. At JPA, a landscape buffer is proposed. Because of utility limitations it will be three feet wide, sufficient for smaller plantings. To compensate, we propose a sufficiently wide planting bed for larger street trees to be located on the building side of the sidewalk.

All building entries, porches and plazas are connected to public pathways, often in multiple locations. At the rear of the property, there is currently a surface parking lot with few trees. For years this lot has served an informal, but illicit, function as a pedestrian connection between Washington and Observatory Avenues. With this project, a new pedestrian path behind the building-- and open to public use-- will replace the parking lot. The new path will enjoy screening and shade from a wide planted buffer along the north property boundary.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

## II. Streetscape Guidelines      Pedestrian Routes, cont.

*Add designated pedestrian pathways through larger parking lots.*

*Provide crosswalks at intersections, between major pedestrian destinations and in front of building entrances that link to parking.*

**Design crosswalks to highlight their visibility** by slightly raising them, making them wider, constructing them of materials other than asphalt and using bulb-out corners than reduce their length.

**Provide breaks in large building masses** to allow pedestrians to pass through, particularly through shopping centers.

**Avoid excessive curb cuts for vehicular access** across pedestrian ways. Where curb cuts are necessary, mark them with a change in materials, color, texture or grade.

**Design sidewalks appropriately for the site** and the expected amount of foot travel.

**Use brick or patterned concrete** or a combination of these materials that relates to the existing architectural vocabulary of the corridor.

*Avoid concrete curbing poured in continuous strips.*

*Avoid excessive variation in sidewalk and curb material.*

### Response

No visible surface parking lots are proposed in this project.

A crosswalk will be provided where the Washington Ave. sidewalk intersects with the vehicular drive accessing the parking levels.

At the entrance to the under-building parking, the crosswalk will not be paved in asphalt, and it will be wider than the sidewalk.

The concealed parking levels do not permit accessible passage across the full site within the building's perimeter. However, at the rear of the property, not far from JPA, a public pathway is proposed that crosses the entire property. Currently, it's unusual for people to walk between Observatory and Washington Avenues except at the rear parking lot and at JPA. Connections at these locations will be retained and improved.

The project requires only a single curb cut, marked with a change in material, at the entry to the under-building parking on Washington Ave. This is a significant reduction to existing curb cut conditions. Currently, there are at least eight curb cuts or driveway crossings located along Observatory and Washington Avenues accessing this site.

In this largely residential district, a seven foot wide sidewalk is proposed along Jefferson Park Ave.

Currently, there is little precedent in this corridor for brick or patterned concrete walks... however, we propose brick and stone for numerous low site walls contiguous to walks and plazas.

We will.

We will.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

## II. Streetscape Guidelines

### Bicycle Routes

**Provide for bicycle traffic along major corridors** and between major destinations, with particular emphasis on connecting residential areas to schools, recreation areas and commercial centers.

Provide new bike paths to connect to planned or existing municipal paths or paths of adjoining developments.

**Provide facilities to store or lock bicycles** at appropriate sites.

Develop an easily identifiable graphic system of signs and road markings to designate bicycle routes and crossings.

## II. Streetscape Guidelines

### Lighting

**Use full cutoff luminaires** in accordance with city lighting requirements to provide better lighting and prevent unwanted glare.

Where appropriate, **replace modern cobra-head type lamps and poles** with painted metal, traditionally designed fixtures that have a base, shaft and luminaire.

Consider using a different but compatible style of fixture for each of the corridors.

Light pedestrian areas with appropriately scaled poles.

Provide pedestrian lighting at transit stops and along paths to parking lots and other destinations.

Provide lighting of intersections in high traffic areas.

Include any lighting upgrades as a part of an overall streetscape plan for each corridor.

### Response

Currently there is a dedicated bike lane along JPA adjacent to the site. This will remain.

NA

Indoor, secure storage for up to XX bicycles will be provided on site.

NA

Full cutoff luminaires will be used.

NA

NA

NA

NA

NA

NA



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

## II. Streetscape Guidelines

### Street Furniture

**Develop and use a common palette of colors, materials and design.**

**Coordinate street furniture along corridors.** While they need not match, they should be compatible and not clash.

**Place benches at key locations** such as transit stops. Use traditional designs constructed of wood and/or painted metal.

Avoid placing too many elements on narrow sidewalks.

## II. Streetscape Guidelines

### Public Signs

**Develop a system of public way finding** and informational signs to reflect the character of Charlottesville to be used on all corridors.

**Coordinate the colors and design of signs** within a corridor.

**Keep signs to the minimum number and size** necessary for the use.

**Scale and place signs** for both automobile traffic and pedestrians.

Avoid placing signposts in locations where they can interfere with the opening of vehicle doors.

Consider using decorative color banners within a specific corridor.

## II. Streetscape Guidelines

### Public Art & Monuments

#### Response

The furniture materials, colors and design will be coherent.

There is little presence or continuity of street furniture along JPA now. We do not anticipate furniture choices for this project to clash.

No transit stops are currently located along the site's JPA boundary, but built-in benches and tables are planned to be included on the front entry plaza. These are very close and convenient to the sidewalk. They will allow a place to wait, rest and meet with friends. If a transit stop is placed here in the future, the project's benches have the potential to create alternative waiting areas close-by and within sight of it.

NA

NA

The color scheme and design of signs will be consistent and coherent.

The number of signs will not be excessive.

NA

NA

NA

No public art or sculpture is being replaced by or proposed within this development, so none of the criteria in this section is applicable.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

## II. Streetscape Guidelines      Utilities & Comm. Equip.

**Locate and screen utilities to limit their visibility** from the street and from nearby development.

**Place existing and proposed utilities underground.**

**Consider integrating cellular communication towers** into building design so as to appear visually unobtrusive.

## III. Site Guidelines      Connectivity Between Entrance Corridor area & neighborhoods

**Maintain or provide a strong sense of community** by providing pedestrian and vehicular links from a corridor site to nearby neighborhoods, parks, schools and other public destinations.

**Use common streetscape elements**, materials and designs to visually link the corridor areas and neighborhoods.

**Provide continuous pedestrian routes** along corridors where feasible.

**Site grading should promote connectivity** with adjacent sites.

### Response

Power and communication cables will remain above ground and suspended from utility poles. but transformers and meters will be located out of view from JPA.

Utilities will not be buried, as is typical of almost all other buildings along this corridor.

NA

Pedestrian connections to the neighborhoods on Observatory and Washington Avenues are enhanced by improved continuous sidewalks that are minimally interrupted by vehicular crossings.

Materials typical of the surrounding neighborhoods-- brick, stone, concrete-- will be used in walks and site walls.

Pedestrians routes along the corridor will be enhanced and expanded.

Site grading will not affect adjacent sites.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

### III. Site Guidelines

#### Connectivity Between & Within Sites

**Create a complete pedestrian pathway system** within a site and between adjacent sites, linking all buildings, parking areas and green spaces. Ensure that this network connects to any nearby public pedestrian pathway.

**Design pedestrian and vehicular circulation to maximize the quality and safety of the pedestrian experience through:**

*“shared space” approaches that slow vehicle speeds and enhance pedestrian experience;*

*designated, separate sidewalks with planted areas through large parking lots;*

*crosswalks at points of vehicular access routes and in front of building entrances;*

*crosswalk designs that highlight their visibility by slightly raising them, making them wider, by constructing them of materials other than asphalt and by using bulb-out corners that reduce their length.*

**Ensure the new paving materials are compatible with area character.** Scored concrete with broom finishes, colored, exposed aggregate concrete and brick or unit pavers are examples of appropriate applications. Avoid large expanses of bright white or gray concrete surfaces.

**Provide passageways within large building masses** to allow pedestrians to pass through, particularly through shopping centers.

#### Response

All building entries, porches and plazas are connected to public pathways, often in multiple locations. At the rear of the property, there is currently a surface parking lot with few trees. For years this lot has served an informal, but illicit, function as a pedestrian connection between Washington and Observatory Avenues. With this project, a new pedestrian path behind the building-- and open to public use-- will replace the parking lot. The new path will enjoy screening and shade from a wide planted buffer along the north property boundary.

At the entrance to the under-building parking, the crosswalk will not be paved in asphalt, and it will be wider than the sidewalk. The change in materials and wider dimension will call attention to pedestrians where the garage entry/exit crosses the sidewalk at Washington Ave.

At the entry plaza, associated walks and the corner terrace at the intersection of Jefferson Park and Washington Avenues, paving materials will be scored concrete in a buff stain. The walks leading to the Observatory Ave. porches will be paved in brick.

The concealed parking levels do not permit accessible passage across the full site within the building's perimeter. However, at the rear of the property, not far from JPA, a public pathway is proposed that crosses the entire property. Currently, it's unusual for people to walk between Observatory and Washington Avenues except at the rear parking lot and at JPA. Connections at these locations will be retained and improved.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

### III. Site Guidelines

#### Building Placement

**Orient the facade of new buildings to front on the corridor.**

**Limit setbacks of new buildings** according to the zoning of the particular corridor.

**Limit setbacks at major intersections** so that the architecture can help define the area.

**Use compact building arrangements** to reduce the feeling of seas of parking, encourage pedestrian activity and define space.

**Strive for contiguous building arrangement along the street face** and avoid large breaks between buildings in identified development sites.

**Ensure that larger developments orient their design** to any adjoining neighborhoods and side streets.

**Orient service areas to limit their impact** on the development and any neighboring areas.

**Each side of a corner building** that faces a street should be considered a facade for design purposes.

#### Response

The main building entry and entry plaza front Jefferson Park Avenue.

The front yard is between 20 and 30' deep, which is consistent with multiple other similar buildings along the corridor.

While the intersections may not be regarded as major, they are not insignificant. The architecture-- both in the street-level terracing and prominent entry areas-- serves to define the corners.

No exposed, surface parking is proposed. The building is not sited too far from rights-of-way, but enough to allow expanded pedestrian spaces and ample plantings.

We seek a balance in the building arrangement. While the base of the building is contiguous along JPA, the residential wings above step back independently of one another-- one offset from the other-- to introduce varied massing and temper the impression of formality that a more symmetrical form might impose.

The introduction of brick facades along Washington and Observatory Avenues creates the impression of independent attached dwellings-- not unlike townhouses-- fronting on the side streets and their associated neighborhoods. Porches at multiple ground level apartments along Observatory reinforce this perception.

The building will be serviced largely at the entrance to the under-building parking on Washington Ave. This will help minimize the presence of service vehicles like trash trucks along the JPA corridor.

Building corners, especially at Washington Ave., turn to face side streets with prominent entry points and fenestration.



### III. Site Guidelines

### Parking

**Reduce the scale of parking lots...**

**Reduce the visibility of residential garages by:**

*Not allowing a garage to become the primary architectural feature when a development is viewed from the street;*

*Placing garages behind the building setback, preferably facing to the side or rear of attached housing;*

*Placing garages and parking in the rear with alley access.*

**Accommodate pedestrian needs within parking areas by:**

*Providing clear pedestrian paths and crossings from parking spaces to main entrances and to the street;*

*Planning parking so that it least interferes with appropriate pedestrian access and connections to adjoining developments;*

**Construct parking lots that reinforce the existing street wall of buildings and the grid system of rectangular blocks.**

**The number and width of curb cuts should be the minimum necessary for effective on- and off-site traffic circulation.**

*Design any detached parking structure to be architecturally compatible with its setting...*

*Bicycle parking facilities should be provided within areas where significant bicycle traffic is anticipated. They should be located in designated areas close to buildings and pedestrian paths.*

### Response

NA (This project does not include surface parking lots.)

The garage entry is on the project's east side yard, over 200 feet from the JPA corridor.

The entry drive to the garage is not in the front yard.

Because of grading concerns and to prevent vehicle access from conflicting with rear yard pedestrian use and planted screening, we elected not to access the garage from the rear yard.

Ways from parking spaces to building entrances will be clearly marked.

Primary building entrances are connected directly to public sidewalks, away from subterranean parking.

NA

Only one curb cut for vehicular access is proposed. This will be on Washington Avenue, over 200 feet up from the corridor.

NA (No detached parking structure is proposed.)

Bike storage will be located securely inside the building, convenient to an exterior entry along Washington Avenue with continuous sidewalk access to JPA.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

### III. Site Guidelines

### Plantings & Open Spaces

#### **Provide landscaping within parking areas by...**

**The majority of open space should be located at the perimeter of the site** where it is visible, and it should be of sufficient width and depth to provide adequate contrast to any adjoining site parking. Planting zones should be consolidated into areas large enough to give natural character to a site rather than randomly distributed in small and narrow open spaces that do not match the context and scale of the project.

**Planted areas should be located along the site boundaries,** within parking areas, along drainage or stormwater management areas, around buildings and at building entries.

**The existing topography should be preserved intact as much as possible** to minimize disruptions in drainage.

**Different scales of plantings** (trees, shrubs, flowers) should be incorporated into site design to the extent possible and such features as mature woods and riparian areas should be retained.

**Use species appropriate for site conditions** including available sunlight, water and root and canopy space.

Use trees, shrubs and other landscaping features to provide screens for service areas, parking and utilities.

**Use large specimen street trees along pedestrian routes** to provide shade and to define edges.

In the core of larger commercial and office centers, street trees and more formal urban plantings organized around public open spaces are recommended.

Consider using **landscaping areas that also provide storm water treatment** such as rain gardens.

#### **Response**

NA (This project does not include parking lots outside of the building under open sky.)

Most open space is located along the perimeter. Planting zones vary. Some are linear and narrow, creating an edge along walks. Others are more spacious, allowing generous green areas suitable for larger tree species. Planting zones are designed deliberately to help define and shade public sidewalks. At the rear of the site, a broad swath of mixed plantings will provide a buffer between this project and smaller scaled neighboring houses to its north.

Plantings are proposed in all of these locations (with the exception of parking areas, because all parking is under the building).

Outside the building perimeter, significant regrading is not proposed.

A variety of plantings of different sizes and colors are proposed.

Selected species are appropriate for site conditions.

Plantings will be used to screen utilities where necessary.

Large trees, selected from Charlottesville's Tree Packet of recommended species, are proposed along all sidewalks.

NA

Planted Bioretention is planned along parts of Observatory and Jefferson Park Avenues.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

### III. Site Guidelines      **Plantings & Open Spaces, cont.**

Refer to the **Tree Planting and Preservation BMP Manual** in the *Charlottesville Standards and Design Manual*

Encourage **day lighting of streams** where appropriate.

### III. Site Guidelines      **Lighting**

**Use cutoff luminaries in accordance with city lighting requirements** to provide better lighting and prevent unwanted glare. Lighting should at all times be designed to prevent light pollution in the form of light transmission laterally beyond site boundaries or upward to the sky.

**Coordinate the lighting plan with the landscape plan** to ensure pedestrian areas are well-lit and that any conflict between trees and light fixtures is avoided.

**Lighting should provide for appropriate and desirable nighttime illumination** for all uses on and related to the site to promote a safe environment.

**Light pedestrian areas with appropriately scaled poles and luminaries.** Their heights are typically ten to fourteen feet.

**Avoid using building accent lighting that is too bright and draws too much attention to the building.** Reasonable levels of accent lighting to accentuate architectural character may be appropriate in individual instances when it is shielded and is not aimed towards neighboring properties, sidewalks, pathways, driveways or public right-of-ways in such a manner as to distract travel.

**Gasoline station/convenience store aprons and canopies should utilize full shielded lighting fixtures...**

#### **Response**

We have.

NA

All relevant lighting will follow the city's cutoff luminary requirements.

Lighting is being coordinated with the landscape design.

LED lighting at levels and temperatures recommended by BAR guidelines will be specified. Most exterior lighting will be motion-activated.

Most lighting of pedestrian areas will not be mounted on poles. Those lights that are will not be mounted above appropriate heights.

Accent lighting will be subtle and used only around building signs.

NA



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

### III. Site Guidelines

#### Walls and Fences

**Choose high quality materials** and designs using materials such as brick, stone, metal and wood. Avoid untreated wood, vinyl, chain-link fences, wire fences or concrete block walls. Consider materials used elsewhere on the property or structures within the site.

**Use a scale and level of ornateness of the design of any new walls and fences that relate to the scale and ornateness of the building within the site.** Use simpler designs on smaller lots.

**Avoid exceeding the average height of other fences and walls** of surrounding properties.

**Fences should be set back form the street right-of-way** to allow a clear area for utilities and landscaping.

**When walls or fences stretch longer than 50 feet, use designs with texture and modulation** to provide a regular rhythm without being monotonous.

Use paint or opaque stains on pressure treated or unpainted wood fences.

**Fence stringers (the structural framing of the fence) should be located facing the interior** of the subject lot, with the finished side facing out away from the subject property.

**Fence at intersections or driveways should comply with city requirements for site distance** (see Article IX, Division 7 of the Zoning Ordinance for detailed site triangle requirements.)

#### Response

Site walls will be built out of quality, durable materials.

In detailing and scale, the site walls will be compatible with the building.

Site walls will typically be low-- in many cases, seat wall height-- especially along the JPA corridor.

NA -- no fences proposed

The brick wall around the upper terrace at Jefferson Park and Observatory Avenues is punctuated by recesses that keep the wall face from being too monotonous. Where other site walls stretch more than fifty feet without interruption, these are typically low, seat-height walls where modulation is of negligible value.

NA

NA

NA



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

### III. Site Guidelines

### Signs

**Place signs so that they do not obstruct architectural elements and details** that define the design of the building.

Respect the design and visibility of signs for adjacent businesses.

**Use colors and appropriate materials that complement the materials and color scheme of the building**, including accent and trim colors.

**Use a minimal number of colors per sign where possible.** Avoid jarring or overly bright color schemes.

**Exterior illumination of signs shall comply with the city's outdoor lighting requirements.** Exterior neon is discouraged.

**Illumination of any sign shall not be directed toward any residential area or adjacent street.**

**Consider using a comprehensive signage plan** for larger developments.

**Encourage the use of monument signs** with accent landscaping at the base along corridors.

**Internally lit signs should use an opaque background** so only letters are lit.

**Flashing lights are prohibited.**

### Response

Signs will not obscure architecture. They will be well integrated.

Signs on the subject property will not obscure or clash with signs on properties elsewhere.

Sign materials and design will enhance building materials and design.

Signs will not have a busy color palette. Bold colors may be selected in special cases, but we believe these are potentially interesting choices.

Sign lighting will adopt the city's BAR's recommendations for exterior lighting.

Sign lighting will be discreet and indirect, not shining outward toward the property edges.

Signs will be compatible with one another.

Large signs may be used along the corridor with or without associated landscaping.

Sign lighting will be indirect, illuminating only the text/numbers.

None proposed.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

### III. Site Guidelines

#### Utilities, Comm. Equip. & Service Areas

**Locate utilities to minimize their visual impact** from the street and adjoining developments.

**Screen and landscape dumpsters** with wood board or solid barrier wall when multiple sides of the a building are highly visible.

**Place utilities underground** if possible or located behind buildings.

**Screen service areas and loading docks** that are visible from streets or adjoining development with berms, landscaping, structures or fences.

**Site noise generating features away from neighboring properties,** especially residences.

**Screen rooftop communications and mechanical equipment.**

#### Response

Utilities will be away from or screened from the JPA Corridor.

NA. (Trash dumpsters/bins will be stored in the building, out of sight.)

NA

NA

The pool deck-- the only potential generator of noise-- is located at the already busy and active JPA thoroughfare rather than facing the houses on the quieter side avenues.

Rooftop equipment will typically be screened behind parapet walls.



#### IV. Building Guidelines      **Architectural Compatibility**

**Charlottesville seeks new construction that reflects its unique character, history and cultural diversity.** *Architectural transplants from other locales or shallow imitations of historic architectural styles, for example, are neither appropriate nor desirable.*

**A distinctive identity for each corridor should be created** *through a combination of materials, forms and features that create a coordinated and inviting mix of buildings and spaces.*

**Encourage a diversity of architectural materials,** *forms and styles that respect the traditions of architecture in the Charlottesville area, including gable or hipped roof forms, standing seam metal roofing, brick and wood siding.*

**New developments should strive to implement the intended vision** *rather than repeat existing inappropriate development patterns.*

**New development should respect existing historic buildings** *and excellent examples from the recent past.*

*Existing development should be upgraded as opportunities arise.*

#### **Response**

The building's architecture does not rely on historic references deployed superficially or romantically. It does not indulge vernacular details associated with places outside Charlottesville.

Exterior material selections are predominantly brick and stucco, consistent with other buildings along the JPA corridor. The color palette falls in a compatible range. Building massing is varied, not monolithic. The scale evident in fenestration, entrances, site stairs, canopies and porches is appropriate for this district. The landscape design along JPA-- consisting of multiple terraces and plantings-- has the potential to enhance the corridor's character, creating opportunities for pedestrian comfort and interaction in a shaded environment that is a marked improvement over other student housing that fronts this corridor.

Exterior material selections are predominantly brick and stucco, consistent with area traditions. The flat roof with parapets is common among the city's larger apartment buildings, including older ones (see 300 Fourth St SE, the Altamont Circle Apts, 39 University Circle, the Preston Court Apts, etc...)

Currently there are multiple examples of buildings along JPA that do not present engaging facades along the corridor (1909, 1905, 1801, 1721, 1719, 1715, 1713, 1709 and 1712 JPA, among them). On these properties, surface parking is prominent and visible in the front yards. Pedestrian walks are negligible and typically connect front doors not to public sidewalks but to asphalt parking. Street trees are uncommon, in many cases nonexistent. Trash cans are visible throughout the week. These properties do little to contribute to a sense of a street edge. Architectural character is often indistinct. The proposed project will not perpetuate any of these patterns. It represents a design that aspires to a better vision for this Corridor.

No buildings on the property are historically designated.

NA



#### IV. Building Guidelines **Building Mass, Scale & Height**

**Break up the front of a large building** by dividing it into individual bays, 25 - 40 feet wide.

**Use variation in materials, textures, patterns, colors and details** to break down mass and scale of the building.

**Avoid an unmodulated mass.**

**Use stepped-back height.**

**Use varied wall surfaces.**

**Use varied heights with regular width.**

**Use building mass appropriate to the site.** Place buildings of greatest footprint, massing and height in the core of commercial or office developments where the impact on adjacent uses is the least. Follow setback requirements for upper story according to zoning classification of the corridor.

**When making transitions to lower density areas, modulate the mass of the building to relate to smaller buildings.** Heights can be greater if the mass is modulated and other scale techniques are adopted. Reduce height near lower density areas.

**Use massing reduction techniques of articulated base, watertables, string courses, material changes, patterns and fenestration to reduce the apparent height of the building.** Floor-to-floor heights of a building can have an impact on the mass of a building. For instance... when actual or implied floor-to-floor heights exceed 15-20 feet on the exterior, a building may begin to read as more massive than human-scaled.

**Create human-scaled spaces** defined by either buildings or landscape features that provide more friendly, inviting spaces.

#### **Response**

Along the side avenues, brick facades at three stories above the base stories are less than 30 feet wide and are intended to create the impression of individual dwellings attached to one another, not unlike townhouses.

Material, textures and colors are varied. Brick veneer is used both to establish a building base and to emphasize smaller scale building faces within the longer facades, an effort to differentiate volumes within the mass.

Perspective views reveal modulated massing.

Stepbacks occur frequently at upper stories.

Wall surfaces do not extend for long stretches in the same plane. Facades are distinguished by projections and interrupted by recesses at regular intervals.

Parapet walls are taller over some locations, creating both variation in wall heights and places to screen mechanical equipment.

NA (This is not an office or commercial development.)

Because the grade rises from JPA to the rear of the site, the lower parking levels of the building can be submerged. This results in fewer stories above grade at the rear half of the site, where the proposed building is closer to the smaller scale houses along Observatory Avenue. The foremost brick faces here are limited to three stories. The two stories above are faced in darker, desaturated, muted colors, ones intended to help these upper levels withdraw into the background.

Multiple massing reduction techniques are employed. Floor-to-floor heights are typically 11', appropriate for a multi-family building.

Spaces along the streets, those pedestrians are most likely to encounter, benefit from plantings, site walls, terraces and porches that support human-scaled environments. On the building, windows, doors and canopies will further enhance this sense of scale.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

#### IV. Building Guidelines

#### Facade Organization & Storefronts

**Orient primary entrances on a building facade to the street or corridor.**

**Use a hierarchy of entry design** on any complex, if the building has more than one orientation and focus on the main entry on the street/corner facade.

**Secondary entrances** may be created to allow convenient access from adjacent buildings, sidewalks, parking, bicycle paths and transit stops..

Orient at least part of public elevations of shopping complexes to any adjoining neighborhoods.

**Provide attractive facade treatments** on any elevation that is visible from streets/corridors or from any primary elevations of adjoining developments and avoid use of unadorned blank walls.

**Consider using the traditional three-part facade** of a cornice, a pattern of upper story windows and a storefront with articulated base when designing a new building or renovating an existing structure.

**Use a regular pattern of solids and voids** for openings that relate to more traditional building design in the corridor.

**Use a proportion of openings** (vertical or horizontal) that is generally consistent with the context of the building. Traditional design openings are typically vertically proportioned.

**Strive for designs and materials** that reflect the architectural traditions of the region.

**Storefronts or large display windows** should be used at street level.

#### Response

The primary entrance faces on the corridor, close to the corner of JPA and Washington Ave.

The inclusion of an entry plaza + site stair aligned with the main entrance creates a visible arrival sequence, complimented by beautiful native plantings.

Secondary entrances are located at both side avenues, close to their intersections with JPA, promoting convenience and helpful redundancy.

NA

Primary elevation facades utilize materials, fenestration and masonry detailing that create a robust level of relief and adornment.

While it has a masonry base, the proposed building does not present a three-part hierarchy in the most obvious, traditional form. This building does not prioritize the historical horizontal subdivisions that were more common in previous eras. Instead, we intend the use of material and facade transitions to create a richer juxtaposition, emphasizing both vertical and horizontal proportions, often overlapping the two.

NA

The windows, doors and storefront typically adopt vertical proportions in keeping with traditional buildings.

Typically, material choices are appropriate for the region.

Storefronts are used at the two main street-level entries at the corner of Washington Ave and JPA. At the corner of Observatory Ave. and JPA, we also call for storefronts that offer visibility into amenity space (that may be converted to commercial space at a future time).



#### IV. Building Guidelines

#### Materials and Textures

**Use material changes** to help reduce mass and provide visual interest.

**Choose materials that offer texture** and avoid monotonous surfaces. For example, use wood or brick or stone or new synthetic materials that approximate the look and dimension of these materials.

**Use quality materials** consistently on all visible sides of commercial, office and multi-family residential buildings.

In Charlottesville **common building materials are brick, wood or stucco walls and standing-seam metal roofs.** Stone is more commonly used for site walls than building walls.

**Avoid the use of building materials with long-term maintenance problems** such as EIFS (Exterior Insulation and Finish System) or vinyl siding. Sustainable, utilitarian building materials such as concrete block, metal siding or cementitious panels may be appropriate in contemporary designs.

#### IV. Building Guidelines

#### Colors

**A coordinated palette of colors** should be created for each development. This palette should be compatible with adjacent developments.

**Set the color theme** by choosing the color for the material with the most area. If there is more roof than wall area, roof color will be the most important color choice and will set the tone for the rest of the colors.

**Limit the number of color choices.** Generally there is a wall color, trim color, accent color and roof color.

**Use natural tints of materials such as reds, browns, tans, grays and greens as primary colors.** Save bright accent colors for awnings and signs on commercial buildings.

#### Response

Materials changes are used deliberately to reduce the impression of massiveness.

The proposed brick and synthetic stucco will provide a range of textures and avoid monotony.

Materials will be durable.

Building walls will be faced in stucco or brick. Some stone is proposed on site walls only.

Synthetic stucco is proposed as an exterior finish on some walls. Synthetic stucco problems on past projects typically resulted from poor application practices that allowed moisture to get trapped in the wall envelope. Modern application standards using a proven drainage system, such as the inclusion of a full mesh layer-- one that does not have to be conscientiously oriented to be functional-- under the insulated stucco panels, will be adopted for this project.

The colors will be complimentary. Red brick is common along the Corridor. Dark stucco colors are intended to make upper story walls visually recede into the background, leaving the brick facades more prominent. Other than the brick color, the palette is muted and modern. White windows, storefront and trim is proposed only in the brick facade along the JPA base and at the corner entry, setting these locations apart. Dark windows are used elsewhere. We think the dark window and stucco colors will also create a nice backdrop to the brighter color range seasonally present on the perimeter site plantings. On the courtyard at the third level, vivid color is proposed on courtyard facing pavilions. These are remote enough, they are only partially visible from the Corridor and only from certain angles. They add an unexpected lining-- only occasionally glimpsed-- to an otherwise staid exterior.

The brick facades cover the most exterior area. The stucco colors are coordinated to look good with the brick.

While there are several wall colors, the proposed massing warrants it. The variation in colors and materials are intended to mitigate the building massing.

Primary colors will have natural tints. Vivid color is proposed only on facades within the courtyard, turned inward. Rarely visible from the street, they will create a distinctive and vibrant interior environment.



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

#### IV. Building Guidelines

#### Colors

**Use natural tints of materials such as reds, browns, tans, grays and greens as primary colors.** Save bright accent colors for awnings and signs on commercial buildings.

**Use color variation** to break up the mass of the building and provide visual interest.

**Do not use strong color** that has the effect of turning the entire building into a sign.

#### IV. Building Guidelines

#### Details

**Use articulated elements** such as cornices, belt courses, water tables, bay divisions, variations in wall plane and roof features to create designs of interest.

**Include human-scaled elements** such as columns, pilasters and cornice, in particular at street level and on facades with a pedestrian focus.

**Avoid large expanses of blank walls** that are visible from the public right of way or neighboring developments.

**Avoid oversized decorative elements.**

**Avoid decorative elements that do not relate to the architecture** but serve to turn the whole building into a sign.

#### Response

Primary colors will have natural tints. Vivid color is proposed only on facades within the courtyard, turned inward. Rarely visible from the street, they will create a distinctive and vibrant interior environment.

See perspective drawings.

We do not.

A building base, bay divisions, variations in wall plane, masonry detailing and coping projections at tops of walls are among the elements used to create architectural articulation.

Canopies and fenestration contribute to human scale.

Typically vertical planes, materials and colors vary often enough that large blank expanses do not result.

No big decorative elements are proposed.

No such elements are proposed



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

#### IV. Building Guidelines

#### Roof Forms & Materials

**Use roof forms that complement the building design** and contribute to human scale. Avoid tall roof areas that overwhelm the height of the building's wall. Common Charlottesville roof forms include hipped, gable, flat and gambrel.

**If a shed roof or flat roof design is used, add a parapet wall to screen the roof.**

**Avoid a visible monolithic expanse of roof on large-scale buildings.** Break the roof mass with elements such as gables, dormers or parapets. Scale these features to the scale of the building.

**Consider using a special roof feature on buildings located at a gateway, a prominent corner, or highlight entry bays on larger structures.**

**Steeper forms are associated with more traditional design** and can be appropriate when the development adjoins nearby neighborhoods.

**On roofs that visible such as gable, hipped or shed design, use quality materials such as metal or textured asphalt shingles**

**Any equipment located on a roof should be screened from public view.**

#### IV. Building Guidelines

#### Awnings

**Encourage the use of awnings at the storefront level** to shield displays and entry and to add visual interest.

**Coordinate the choice of colors** as a part of the overall color scheme. Solid colors, wide stripes and narrow stripes should be considered as appropriate.

**Awning forms may be angled or curved.**

#### Response

Roofs and their materials are not visible from the ground. They are flat roofs, common for and appropriate to multi-family buildings in Charlottesville.

Some roofs have parapets.

Roof surfaces are not visible from the Corridor.

Canopies are used to help distinguish prominent corners and their entries.

NA

NA

It will be.

Canopies are proposed for these purposes.

Canopy colors are coordinated with associated storefronts.

NA



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

#### IV. Building Guidelines

#### Awnings

**Use of a canopy as an illuminated sign is not appropriate**

**Awning materials should be appropriate to the overall design of the building.** Traditional cloth fabric, standing seam metal or newer rigid materials may be considered.

#### Response

NA

Canopies would be painted or powder coated metal.

#### IV. Building Guidelines

#### Appurtenances

**Building service, loading and utility areas should not be visible from public streets,** adjacent developments or from access drives within large developments. Such service areas should be located behind the main structure in the least visible location possible.

**Mechanical equipment on roofs or sides of buildings should not be visible from the street.**

**When mechanical equipment vents, meters, satellite dishes and similar equipment is ground mounted,** screening should include either an opaque fence or wall made of the same material as the building or an evergreen hedge that screens objectionable views.

**Items such as roof ladders, railings, roll-up doors and service doors,** should be located on building elevations that are the least visible from public streets/corridors, adjacent developments or from access drives within large developments. Their colors should be coordinated among all of these elements and with the rest of the building.

**In some cases appurtenances may be integrated into the building design** if such integration enhances the compatibility of the overall design with the corridor vision.

Service, loading and utility areas will be located out of sight in the parking deck or screened by a wall near the entry drive into the parking level.

Rooftop equipment will be screened behind parapet walls.

NA

None of these are located in visible locations.

NA

#### IV. Building Guidelines

#### Additions & Corridor Conversions

NA



(reference Charlottesville's **Entrance Corridor Design Guidelines**)

IV. Building Guidelines Franchise Designs

**Response**

NA

IV. Building Guidelines Gas Station Canopies

NA

IV. Building Guidelines Civic & Institutional Buildings

NA

IV. Building Guidelines Multi-Family Buildings

**Follow other guidelines in this chapter** as applicable to the overall design of such buildings in such issues as massing and building footprint, scale, complexity of form, height and width, materials, textures and colors, roof forms and materials, etc...

Other applicable chapter guidelines are addressed in previous pages.

**Give consideration to placing the first floor retail storefronts in multi-family buildings** if they face along a commercial corridor or face a pedestrian-oriented street within the downtown.

NA

**Avoid creating street front facades that are dominated by garage doors.**

No garage doors are proposed on the front facade.

**Ensure that the designs of such buildings are consistent with any adjoining neighborhoods and the zoning ordinance.**

They are consistent.



APPENDIX b

# **CORRIDOR CONTEXT**





## JPA CORRIDOR CONTEXT PHOTOS

*All grades, counts and quantities are approximate and will change as design proceeds.*







<b>2005 JPA - ERB Review - Entrance Corridor Design Guidelines (Feb 3, 2023)</b>		
<b>Chapter I: Design Principles</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
<b>Design for a Corridor Vision: New building design should be compatible (in massing, scale, materials, colors)</b> with other neighboring structures that contribute to the overall quality of the corridor. Existing developments should be encouraged to make upgrades consistent with the corridor vision. Site designs should contain some common elements to provide continuity along the corridor. New development, including franchise development, should complement the City's character and respect those qualities that distinguish the City's built environment.	Exterior material selections are predominantly brick and stucco, consistent with other buildings along the JPA corridor. The color palette falls in a compatible range. Building massing is varied, not monolithic. The scale evident in fenestration, entrances, site stairs, canopies and porches is appropriate for this district. The landscape design along JPA-- consisting of multiple terraces and plantings-- has the potential to enhance the corridor's character, creating opportunities for pedestrian comfort and interaction in a shaded environment that is a marked improvement over other student housing that fronts this corridor.	Staff concurs.
<b>Preserve History:</b> Preserve historic buildings and distinctive architecture from earlier periods. Encourage new contemporary design that is respectful of historic building design.	There are no historically designated buildings on this site. The property is in an Entrance Corridor, but it does not fall within any of the city's Historic Districts	Staff concurs.
<b>Facilitate Pedestrian Access:</b> Encourage compact, walkable developments. Design pedestrian connections from sidewalk and car to buildings, between buildings, and between corridor properties and adjacent residential areas.	The potential pedestrian experience along JPA represents a significant improvement over streetscapes found elsewhere on the corridor. The existing sidewalk will be rebuilt to current city standards with a narrow planted buffer between parked cars and pedestrians. On site, easily accessible plaza spaces adjacent to the sidewalk will give pedestrians a kind of wayside where they can relax and socialize in the shade and beauty of new plantings. At the rear of the property, a paved walk is proposed, available for public use, allowing nearby residents a second, alternative connection between Washington and Observatory Avenues	Staff concurs.
<b>Maintain Human Scale in Buildings and Spaces:</b> Consider the impact of building design, especially height, mass, complexity of form, and architectural details, and the impact of spaces created, on the people who will pass by, live, work, or shop there. The size, placement and number of doors, windows, portals and openings define human scale.	The building height is similar to multiple nearby structures along the corridor. Buildings at 1725 JPA, 1815 JPA and 1800 JPA are five to nine stories tall. Mass and form of the proposed building is varied. Multiple walks and terraces provide usable spaces, traversable by visitors and passers-by. Street trees will provide screening, shade and beauty. The dimensions and arrangements	Staff concurs.



	of windows, openings and entries are consistent with neighboring apartment buildings.	
<b>Preserve and Enhance Natural Character:</b> Daylight streams, and retain mature trees and natural buffers. Work with topography to minimize grading and limit the introduction of impervious surfaces. Encourage plantings of diverse native species.	The landscape plan proposes a variety of native plantings in a variety of sizes-- from smaller shrubs to large trees.	Staff concurs.
<b>Create a Sense of Place:</b> In corridors where substantial pedestrian activity occurs or is encouraged, or where mixed use and multi-building projects are proposed, one goal will be creating a sense of place. Building arrangements, uses, natural features, and landscaping should contribute, where feasible, to create exterior space where people can interact.	In addition to the multiple terraced areas along JPA, several of the apartments fronting Observatory Avenue have porches and walks connected to the sidewalk. Not only will these benefit the scale of the project, they provide outside spaces from which tenants can easily see and communicate with other students and city residents as they move to and fro. In its current state the site makes little contribution to the street wall. It lacks architectural presence on the corridor. Very few buildings front the street to contribute to a sense of place. The proposed development will engage the street corners and contribute to the existing street wall-- one defined by variation more than uniformity.	Staff concurs.
<b>Create an Inviting Public Realm:</b> Design inviting streetscapes and public spaces. Redevelopment of properties should enhance the existing streetscapes and create an engaging public realm.	A generous array of plaza spaces and planting beds will create a comfortable, shaded environment along the public realm, creating a kind of expanded sidewalk with places to sit, rest, eat and talk. At the corner of Jefferson Park and Observatory Avenues, a corner space is proposed with the potential to serve future commercial use, connected to an outside terrace convenient to passers-by	Staff concurs.
<b>Create Restrained Communications:</b> Private signage and advertising should be harmonious and in scale with building elements and landscaping features.		n/a. No signage proposed. Signage will require separate signage permits



<b>Mask the Utilitarian:</b> Provide screening from adjacent properties and public view of: parking lots, outdoor storage and loading areas, refuse areas, mechanical and communication equipment, and other uses that have adverse impacts. Where feasible, relegate parking behind buildings.	All on-site parking is concealed under the building. Access to the basement parking is located on Washington Avenue, over 200 feet away from JPA. Storage areas, refuse areas and mechanical equipment will all be concealed within the building or on rooftops behind parapets	Not specified
<b>Respect and Enhance Charlottesville's Character:</b> Architectural transplants from other locales, and shallow or artificial imitations of the Jeffersonian architectural style are examples of building designs that are neither appropriate nor desirable. Objectionable or incompatible aspects of franchise design or corporate signature buildings must be modified or customized to fit the character of this community.	By and large, traditional materials are proposed, but the building's architecture does not rely on historic references deployed superficially or romantically. It does not indulge vernacular details associated with places outside Charlottesville	Staff concurs.
<b>Chapter II: Streetscapes, B. Plantings &amp; Open Space</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Use street trees to provide shade, a sense of enclosure and to define edges.	Many street trees are proposed along Jefferson Park, Observatory and Washington Avenues. In the site's current condition, street trees are uncommon.	Staff concurs.
2. Include appropriately scaled trees, shrubs and other plantings to provide beauty as well as shade, within a pedestrian gathering place, and as screening for parking, utilities, and service areas.	A varied selection of plantings-- from large trees to medium trees to shrubs-- will benefit the environment around the building, encouraging people to gather and socialize within the color, comfort and shelter of the landscape. In addition to street trees, multiple planting beds-- as buffers along JPA, in transitional spaces between sidewalks and entrance terraces/porches, and along the building edge-- will host smaller plantings. The combination of plantings will enhance a sense of scale around the building, emphasizing the edges of and enclosing outdoor space.	Staff concurs.
3. Maintain existing plantings in all public areas.		
4. Use hardy native species that require minimal maintenance.	Most planting selections come from the Charlottesville Tree Packet of recommended species. Over-used species-- Bradford Pear and Crepe Myrtle, for example-- are not proposed.	Staff concurs.



5. Replace damaged or missing street trees with appropriate species.		
6. Avoid over-used species such as Bradford pear.	n/a	
7. Use larger tree species where appropriate to space and function.	Certain species-- London Planetree, Honeylocust and Kentucky Coffeetree, among them-- will attain significant height when mature. They are proposed along the streets, where in time they will provide abundant shade and an ever-changing screen of the upper stories of the new building	Staff concurs.
8. Expand use of seasonal color in plantings.	Multiple species-- black gum, ? and ? among them-- will provide potentially great colors in fall and spring	
9. Use landscaping to create an identity within a particular corridor or sub-area by selecting specific species, sizes, colors or shape of plants and trees.		
10. Use plantings to promote visual order and help integrate buildings into the corridor.	In time, the varied scale of plantings will create a layered environment from which the building emerges, avoiding abrupt or stark transitions.	Staff concurs.
11. Refer to the Tree Planting and Preservation BMP Manual in the Charlottesville Standards and Design Manual.	Acknowledged	
12. Encourage day lighting of streams where appropriate.	n/a	
<b>Chapter II: Streetscapes, C. Pedestrian Routes</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>



<p>1. Provide, where feasible, unbroken pedestrian routes between developments. Place paths in a logical pattern where people will want to walk. Place sidewalks on both sides of streets where feasible and separate them from the curb by a minimum five (5) feet wide landscape zone if possible.</p>	<p>The continuity of sidewalks will be significantly improved with this project. Currently sidewalks along both Observatory and Washington Avenues are discontinuous on both sides, with stretches of more than 200 feet without sidewalks at all. Where there are sidewalks currently, they are frequently crossed by parking drives and aprons. After this project is complete, the sidewalks will continue, without break, along all three street edges. Only one vehicular drive-- at the Washington Ave. entry to the parking deck-- will cross the new sidewalks. At JPA, a landscape buffer is proposed. Because of utility limitations it will be three feet wide, sufficient for smaller plantings. To compensate, we propose a sufficiently wide planting bed for larger street trees to be located on the building side of the sidewalk.</p>	<p>Staff concurs.</p>
<p>2. Within developments, identify a complete internal pedestrian pathway system linking all buildings, parking and green spaces. Ensure that this network connects to public pedestrian pathways that link schools, recreation areas, and other major destinations.</p>	<p>All building entries, porches and plazas are connected to public pathways, often in multiple locations. At the rear of the property, there is currently a surface parking lot with few trees. For years this lot has served an informal, but illicit, function as a pedestrian connection between Washington and Observatory Avenues. With this project, a new pedestrian path behind the building-- and open to public use-- will replace the parking lot. The new path will enjoy screening and shade from a wide planted buffer along the north property boundary</p>	<p>Staff concurs.</p>
<p>3. Add designated pedestrian pathways through larger parking lots.</p>	<p>No visible surface parking lots are proposed in this project.</p>	
<p>4. Provide crosswalks at intersections, between major pedestrian destinations and in front of building entrances that link to parking.</p>	<p>A crosswalk will be provided where the Washington Ave. sidewalk intersects with the vehicular drive accessing the parking levels.</p>	
<p>5. Design crosswalks to highlight their visibility by slightly raising them, by making them wider, by constructing them of materials other than asphalt and by using bulb-out corners that reduce their length.</p>	<p>At the entrance to the under-building parking, the crosswalk will not be paved in asphalt, and it will be wider than the sidewalk.</p>	



<p>6. Provide breaks in large building masses to allow pedestrians to pass through, particularly through shopping centers.</p>	<p>The concealed parking levels do not permit accessible passage across the full site within the building’s perimeter. However, at the rear of the property, not far from JPA, a public pathway is proposed that crosses the entire property. Currently, it’s unusual for people to walk between Observatory and Washington Avenues except at the rear parking lot and at JPA. Connections at these locations will be retained and improved</p>	
<p>7. Place sidewalks throughout residential areas.</p>		
<p>8. Avoid excessive curb cuts for vehicular access across pedestrian ways. Where curb cuts are necessary, mark them with a change in materials, color, texture or grade.</p>	<p>The project requires only a single curb cut, marked with a change in material, at the entry to the under-building parking on Washington Ave. This is a significant reduction to existing curb cut conditions. Currently, there are at least eight curb cuts or driveway crossings located along Observatory and Washington Avenues accessing this site.</p>	<p>Staff concurs.</p>
<p>9. Design sidewalks appropriately for the site and the expected amount of foot traffic. In commercial areas where foot traffic is expected, sidewalks should be a minimum of (10) ten feet. Sidewalks in residential areas can be five (5) feet, depending on the type of street and size of road.</p>	<p>In this largely residential district, a seven foot wide sidewalk is proposed along Jefferson Park Ave.</p>	
<p>10. Use brick or patterned concrete, or a combination of these materials, that relates to the existing architectural vocabulary of the corridor or sub-area.</p>	<p>Currently, there is little precedent in this corridor for brick or patterned concrete walks... however, we propose brick and stone for numerous low site walls contiguous to walks and plazas</p>	<p>Staff concurs.</p>
<p>11. Avoid concrete curbing poured in continuous strips.</p>	<p>Acknowledged</p>	
<p>12. Avoid excessive variation in sidewalk and curb materials.</p>	<p>Acknowledged</p>	
<p><b>Chapter II: Streetscapes, D. Bicycle Routes</b></p>	<p><b>Applicant's Comment</b></p>	<p><b>Staff Comment</b></p>
<p>1. Provide for bicycle traffic along major corridors and between major destinations, with particular emphasis on connecting residential areas to schools, recreation areas, and commercial centers.</p>	<p>Currently there is a dedicated bike lane along JPA adjacent to the site. This will remain.</p>	



2. Provide new bike paths to connect to planned or existing municipal paths or paths of adjoining developments.		n/a
3. Provide facilities to store or lock bicycles at appropriate sites, including schools, major recreation areas, office parks, public institutions, and large commercial centers.	Indoor, secure storage for bicycles will be provided on site	
4. Develop an easily identifiable graphic system of signs and road markings to designate bicycle routes and crossings.		n/a
<b>Chapter II: Streetscapes, E. Lighting</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Use full cutoff luminaires in accordance with City lighting requirements to provide better lighting and prevent unwanted glare.	Full cutoff luminaries will be used	See recontended conditions in staff report
2. Where appropriate, replace modern cobra-head type lamps and poles with painted metal, traditionally designed fixtures that have a base, shaft and luminaire.		n/a
3. Consider using a different but compatible style of fixture for each of the corridors.		n/a
4. Light pedestrian areas with appropriately scaled poles.		n/a
5. Provide pedestrian lighting at transit stops and along paths to parking lots and other destinations.		n/a
6. Provide lighting of intersections in high traffic areas.		n/a
7. Include any lighting upgrades as a part of an overall streetscape plan for each corridor.		n/a
<b>Chapter II: Streetscapes, F. Street Furniture</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Develop and use a common palette of colors, materials and design.	The furniture materials, colors and design will be coherent	



2. Coordinate furniture along corridors. While they need not match, they should be compatible and not clash.	There is little presence or continuity of street furniture along JPA now. We do not anticipate furniture choices for this project to clash.	
3. Place benches at key locations such as transit stops. Use traditional designs constructed of wood and/or painted metal.	No transit stops are currently located along the site's JPA boundary, but built-in benches and tables are planned to be included on the front entry plaza. These are very close and convenient to the sidewalk. They will allow a place to wait, rest and meet with friends. If a transit stop is placed here in the future, the project's benches have the potential to create alternative waiting areas close-by and within sight of it	
4. Avoid placing too many elements on narrow sidewalks.		n/a
<b>Chapter II: Streetscapes, G. Public Signs</b>		
<b>Chapter II: Streetscapes, G. Public Signs</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Develop a system of public wayfinding and informational signs to reflect the character of Charlottesville to be used on all corridors.		Signage not reviewed under this CoA. Signage requires a separate sign permit; must comply with EC design guidelines.
2. Coordinate the colors and design of signs within a corridor.	The color scheme and design of signs will be consistent and coherent.	
3. Keep signs to the minimum number and size necessary for the use.	The number of signs will not be excessive	
4. Scale and place signs for both automobile traffic and pedestrians.		
5. Avoid placing signposts in locations where they can interfere with the opening of vehicle doors.		
6. Consider using decorative color banners within a specific corridor		
<b>Chapter II: Streetscapes, H. Public Art &amp; Monuments</b>		
<b>Chapter II: Streetscapes, H. Public Art &amp; Monuments</b>	n/a	



<b>Chapter II: Streetscapes, I. Utilities &amp; Communication Equipment</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Locate and screen utilities to limit their visibility from the street and from nearby development.	Power and communication cables will remain above ground and suspended from utility poles. but transformers and meters will be located out of view from JPA.	
2. Place existing and proposed utilities underground.	Utilities will not be buried, as is typical of almost all other buildings along this corridor.	
<b>Chapter III: Sites, B. Connectivity Between Entrance Corridor Areas &amp; Neighborhoods</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Maintain or provide a strong sense of community, by providing pedestrian and vehicular links from a corridor site to nearby neighborhoods, parks, schools and other public destinations.	Pedestrian connections to the neighborhoods on Observatory and Washington Avenues are enhanced by improved continuous sidewalks that are minimally interrupted by vehicular crossings	Staff concurs.
2. Use common streetscape elements, materials and designs to visually link the corridor areas and neighborhoods.	Materials typical of the surrounding neighborhoods-- brick, stone, concrete-- will be used in walks and site walls	Staff concurs. See precedent images.
3. Provide continuous pedestrian routes along corridors where feasible.	Pedestrians routes along the corridor will be enhanced and expanded.	Staff concurs.
4. Site grading should promote connectivity with adjacent sites.	Site grading will not affect adjacent sites.	Staff concurs.
<b>Chapter III: Sites, C. Connectivity Between &amp; Within Sites</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Create a complete pedestrian pathway system within a site and between adjacent sites, linking all buildings, parking areas and green spaces. Ensure that this network connects to any nearby public pedestrian pathway.	All building entries, porches and plazas are connected to public pathways, often in multiple locations. At the rear of the property, there is currently a surface parking lot with few trees. For years this lot has served an informal, but illicit, function as a pedestrian connection between Washington and Observatory Avenues. With this project, a new pedestrian path behind the building-- and open to public use-- will replace the parking lot. The new path will enjoy screening and shade from a wide planted buffer along the north property boundary.	Staff concurs.



<p>2. Design pedestrian and vehicular circulation to maximize the quality and safety of pedestrian experience through:</p>	<p>At the entrance to the under-building parking, the crosswalk will not be paved in asphalt, and it will be wider than the sidewalk. The change in materials and wider dimension will call attention to pedestrians where the garage entry/exit crosses the sidewalk at Washington Ave.</p>	<p>Staff concurs.</p>
<p>a. Design approaches such as “shared space” that slow vehicle speeds and enhance pedestrian experience.</p>		<p>n/a</p>
<p>b. Designated, separate sidewalks with planted areas through large parking lots.</p>		<p>n/a</p>
<p>c. Crosswalks at points of vehicular access routes and in front of building entrances.</p>		<p>n/a</p>
<p>d. Crosswalks designs that highlight their visibility by slightly raising them, by making them wider, by constructing them of materials other than asphalt and by using bulb-out corners that reduce their length.</p>		<p>n/a</p>
<p>3. Ensure that new paving materials are compatible with the character of the area. Scored concrete with broom finishes, colored, exposed aggregate concrete, and brick or unit pavers are examples of appropriate applications. Avoid large expanses of bright white or gray concrete surfaces.</p>	<p>At the entry plaza, associated walks and the corner terrace at the intersection of Jefferson Park and Washington Avenues, paving materials will be scored concrete in a buff stain. The walks leading to the Observatory Ave. porches will be paved in brick.</p>	<p>Materials are appropriate</p>
<p>4. Provide passageways within large building masses to allow pedestrians to pass through, particularly through shopping centers</p>	<p>The concealed parking levels do not permit accessible passage across the full site within the building’s perimeter. However, at the rear of the property, not far from JPA, a public pathway is proposed that crosses the entire property. Currently, it’s unusual for people to walk between Observatory and Washington Avenues except at the rear parking lot and at JPA. Connections at these locations will be retained and improved.</p>	<p>Staff concurs.</p>
<p><b>Chapter III: Sites, D. Building Placement</b></p>	<p><b>Applicant's Comment</b></p>	<p><b>Staff Comment</b></p>



1. Orient the facade of new buildings to front on the corridor.	The main building entry and entry plaza front Jefferson Park Avenue.	Staff concurs.
2. Limit setback of new buildings according to the zoning of the particular corridor.	The front yard is between 20 and 30' deep, which is consistent with multiple other similar buildings along the corridor.	Staff concurs.
3. Limit setbacks at major intersections so that the architecture can help define the area.	While the intersections may not be regarded as major, they are not insignificant. The architecture-- both in the street-level terracing and prominent entry areas-- serves to define the corners	Staff concurs.
4. Use compact building arrangements to reduce the feeling of seas of parking, encourage pedestrian activity and define space.	No exposed, surface parking is proposed. The building is not sited too far from rights-of-way, but enough to allow expanded pedestrian spaces and ample plantings.	Staff concurs.
5. Strive for contiguous building arrangement along the street face, and avoid large breaks between buildings in identified development sites.	We seek a balance in the building arrangement. While the base of the building is contiguous along JPA, the residential wings above step back independently of one another-- one offset from the other-- to introduce varied massing and temper the impression of formality that a more symmetrical form might impose	Staff concurs.
6. Ensure that larger developments orient their design to any adjoining neighborhoods and to side streets.	The introduction of brick facades along Washington and Observatory Avenues creates the impression of independent attached dwellings-- not unlike townhouses-- fronting on the side streets and their associated neighborhoods. Porches at multiple ground level apartments along Observatory reinforce this perception	Staff concurs.
7. Provide breaks in large developments and building masses to allow pedestrian connections between developments.		
8. Orient service areas to limit their impact on the development and any neighboring areas.	The building will be serviced largely at the entrance to the under-building parking on Washington Ave. This will help minimize the presence of service vehicles like trash trucks along the JPA corridor	Staff concurs.
9. Each side of a corner building that faces a street should be considered a facade of the building for design purposes.	Building corners, especially at Washington Ave., turn to face side streets with prominent entry points and fenestration	Staff concurs.



Chapter III: Sites, E. Parking	Applicant's Comment	Staff Comment
1. Reduce the scale of parking lots by:		n/a
2. Where existing parking lots are located on the street, screen such lots from the street and from adjoining development, using low fences or walls, or year-round plantings.		n/a
3. Reduce the visibility of residential garages by:		
a. Not allowing a garage to become the primary architectural feature when a development is viewed from the street, especially for attached housing.	The garage entry is on the project's east side yard, over 200 feet from the JPA corridor	Staff concurs.
b. Placing garages behind the building setback, preferably facing to the side or rear of attached housing.	The entry drive to the garage is not in the front yard	Staff concurs.
c. Placing garages and parking in the rear with alley access	Because of grading concerns and to prevent vehicle access from conflicting with rear yard pedestrian use and planted screening, we elected not to access the garage from the rear yard.	Staff concurs.
4. Accommodate pedestrian needs within parking areas by:		
a. Providing clear pedestrian paths and crossings from parking spaces to main entrances and to the street.	Ways from parking spaces to building entrances will be clearly marked	N/A. Parking is within the building and not visible from the EC.
b. Planning parking so that it least interferes with appropriate pedestrian access and connections to adjoining developments.	Primary building entrances are connected directly to public sidewalks, away from subterranean parking.	Staff concurs.
5. Construct parking lots that reinforce the existing street wall of buildings and the grid system of rectangular blocks.		n/a
6. The number and width of curb cuts should be the minimum necessary for effective on- and off-site traffic circulation. Whenever possible, curb cuts shall be combined with adjacent entrances.	Only one curb cut for vehicular access is proposed. This will be on Washington Avenue, over 200 feet up from the corridor.	Staff concurs.



<p>7. Design any detached parking structures to be architecturally compatible with its setting or to be screened by other buildings or by landscaping. If it fronts on a street or pedestrian path, design the street level facade with storefronts, display windows, bay divisions, and other pedestrian oriented features.</p>		<p>n/a</p>
<p>8. Bicycle parking facilities should be provided within areas where significant bicycle traffic is anticipated. They should be located in designated areas close to buildings and pedestrian paths. The design, materials, and color of the bicycle racks should coordinate with other site elements and should be well-lit for night time uses.</p>	<p>Bike storage will be located securely inside the building, convenient to an exterior entry along Washington Avenue with continuous sidewalk access to JPA</p>	
<p><b>Chapter III: Sites, F. Plantings &amp; Open Spaces</b></p>	<p><b>Applicant's Comment</b></p>	<p><b>Staff Comment</b></p>
<p>1. Provide landscaping within parking areas by:</p>		<p>n/a</p>
<p>a. Separating parking aisles with medians planted with shade trees along the length of the islands.</p>		<p>n/a</p>
<p>b. Including pedestrian walkways with planted medians to reinforce connectivity and separate pedestrians from vehicular traffic.</p>		<p>n/a</p>
<p>c. Avoiding isolated islands of single trees and instead providing landscaped tree aisles between every other row of cars.</p>		<p>n/a</p>
<p>d. Using shade trees of sufficient number and size at maturity to shade a substantial portion of the lot. Consider orientations that would provide the greatest shade during summer months. Smaller, more decorative trees can be used closest to buildings.</p>		<p>n/a</p>



2. The majority of the open space should be located at the perimeter of the site where it is visible and it should be of sufficient width and depth to provide adequate contrast to any adjoining site parking. Planting zones should be consolidated into areas large enough to give a natural character to a site rather than randomly distributed in small and narrow open spaces that do not match the context and scale of the project.	Most open space is located along the perimeter. Planting zones vary. Some are linear and narrow, creating an edge along walks. Others are more spacious, allowing generous green areas suitable for larger tree species. Planting zones are designed deliberately to help define and shade public sidewalks. At the rear of the site, a broad swath of mixed plantings will provide a buffer between this project and smaller scaled neighboring houses to its north.	Staff concurs.
3. Planted areas should also be located along the public boundaries of the site, within parking areas, along drainage or stormwater management areas, around buildings, and at building entries.	Plantings are proposed in all of these locations (with the exception of parking areas, because all parking is under the building).	Staff concurs.
4. The existing topography should be preserved intact as much as possible to minimize disruptions in drainage.	Outside the building perimeter, significant regrading is not proposed	Staff concurs.
5. Different scales of plantings (trees, shrubs, flowers) should be incorporated into site design to the extent possible and such features as mature woods and riparian areas should be retained.	A variety of plantings of different sizes and colors are proposed	Staff concurs.
6. Use species appropriate for site conditions including available sunlight, water and root and canopy space.	Selected species are appropriate for site conditions.	Selected trees are on the City tree list
7. Use trees, shrubs and other landscaping features to provide screens for service areas, parking and utilities.	Plantings will be used to screen utilities where necessary	Staff concurs. Will confirm via site plan review.
8. Use large specimen street trees along pedestrian routes to provide shade and to define edges.	Large trees, selected from Charlottesville's Tree Packet of recommended species, are proposed along all sidewalks.	Staff concurs.
9. In the core of larger commercial and office centers, street trees and more formal urban plantings organized around public open spaces are recommended.		n/a
10. Consider using landscaping areas that also provide storm water treatment, such as rain gardens.	Planted Bioretention is planned along parts of Observatory and Jefferson Park Avenues.	Staff concurs.
11. Refer to the Tree Planting and Preservation BMP Manual in the Charlottesville Standards and Design Manual	Acknowledged	



12. Encourage day lighting of streams where appropriate.		n/a
<b>Chapter III: Sites, G. Lighting</b>		
<b>Chapter III: Sites, G. Lighting</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Use full cutoff luminaires in accordance with City lighting requirements to provide better lighting and prevent unwanted glare. Lighting should at all times be designed to prevent light pollution in the form of light transmission laterally beyond site boundaries or upward to the sky.	All relevant lighting will follow the city's cutoff luminary requirements	See recommended conditions in the staff report.
2. Coordinate the lighting plan with the landscape plan to ensure pedestrian areas are well-lit and that any conflict between trees and light fixtures is avoided.	Lighting is being coordinated with the landscape design	
3. Lighting should provide for appropriate and desirable nighttime illumination for all uses on and related to the site to promote a safe environment.	LED lighting at levels and temperatures recommended by BAR guidelines will be specified. Most exterior lighting will be motion-activated	
4. Light pedestrian areas with appropriately scaled poles and luminaires. Their heights are typically ten to fourteen feet.	Most lighting of pedestrian areas will not be mounted on poles. Those lights that are will not be mounted above appropriate heights	
5. Avoid using building accent lighting that is too bright and draws too much attention to the building. Reasonable levels of accent lighting to accentuate architectural character may be appropriate in individual instances when it is shielded and is not aimed towards neighboring properties, sidewalks, pathways, driveways, or public right-of-ways in such a manner as to distract travel.	Accent lighting will be subtle and used only around building signs	
6. Gasoline station/convenience store aprons and canopies should utilize fully shielded lighting fixtures. 7. Provide pedestrian lighting at transit stops and along paths to parking lots and other destinations.		n/a
<b>Chapter III: Sites, H. Walls &amp; Fences</b>		
<b>Chapter III: Sites, H. Walls &amp; Fences</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>



1. Choose high-quality materials and designs using materials such as brick, stone, metal, and wood. Avoid untreated wood, vinyl, chain-link, or wire fences or concrete block walls. Consider selecting materials used elsewhere on the property or the structures within the site.	Site walls will be built out of quality, durable materials.	Staff concurs.
2. Use a scale and level of ornateness of the design of any new walls and fences that relate to the scale and ornateness of the building within the site. Use simpler designs on small lots.	In detailing and scale, the site walls will be compatible with the building.	Staff concurs.
3. Avoid exceeding the average height of other fences and walls of surrounding properties.	Site walls will typically be low-- in many cases, seat wall height-- especially along the JPA corridor.	Staff concurs.
4. Fences should be set back from the street right-of-way to allow a clear area for utilities and landscaping.		n/a
5. When walls or fences stretch longer than 50 feet, use designs with texture and modulation to provide a regular rhythm without being monotonous. For example, use vertical piers (generally spaced no more than 25 feet apart) of a different material or width or height. Plantings and street trees should be used in conjunction with a wall or fence to break up a long expanse.	The brick wall around the upper terrace at Jefferson Park and Observatory Avenues is punctuated by recesses that keep the wall face from being too monotonous. Where other site walls stretch more than fifty feet without interruption, these are typically low, seat-height walls where modulation is of negligible value.	Staff concurs.
6. Use paint or opaque stains on pressure treated or unpainted wooden fences.		n/a
7. Fence stringers (the structural framing of the fence) should be located facing the interior of the subject lot, with the finished side facing out away from the subject property.		n/a
8. Fences at intersections and driveways should comply with City requirements for site distance. (See Article IX, Division 7 of the Zoning Ordinance for detailed site triangle requirements.)		n/a
9. Transitional screening should consist of a densely planted buffer strip to provide an adequate visual screen. The screen should be of appropriate plant materials to form an effective buffer for all seasons. Mature vegetation should be retained in		



such areas and supplemented as necessary by new vegetation to screen sight lines.		
<b>Chapter III: Sites, I. Signs</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Place signs so that they do not obstruct architectural elements and details that define the design of the building.	Signs will not obscure architecture. They will be well integrated.	Signage is not being reviewed under this CoA. All signage will require a separate sign permit and must comply with EC design guidelines.
2. Respect the design and visibility of signs for adjacent businesses.	Signs on the subject property will not obscure or clash with signs on properties elsewhere.	
3. Use colors and appropriate materials that complement the materials and color scheme of the building, including accent and trim colors.	Sign materials and design will enhance building materials and design.	
4. Use a minimal number of colors per sign where possible. Avoid jarring overly bright color schemes.	Signs will not have a busy color palette. Bold colors may be selected in special cases, but we believe these are potentially interesting choices.	
5. Exterior illumination of signs shall comply with the City's outdoor lighting requirements. Exterior neon is discouraged.	Sign lighting will adopt the city's BAR's recommendations for exterior lighting.	
6. Illumination of any sign shall not be directed toward any residential area or adjacent street.	Sign lighting will be discreet and indirect, not shining outward toward the property edges	
7. Consider using a comprehensive signage plan for larger developments.	Signs will be compatible with one another.	
8. Encourage the use of monument signs with accent landscaping at the base along corridors.	Large signs may be used along the corridor with or without associated landscaping.	
9. Internally lit signs should use an opaque background so only letters are lit.	Sign lighting will be indirect, illuminating only the text/numbers.	
10. Flashing lights are prohibited.	None proposed.	



<b>Chapter III: Sites, J. Utilities, Communication Equipment &amp; Service Areas</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Locate utilities to minimize their visual impact from the street and adjoining developments.	Utilities will be away from or screened from the JPA Corridor	Staff concurs.
2. Screen and landscape dumpsters with wood board or solid barrier wall when multiple sides of a building are highly visible.	Trash dumpsters/bins will be stored in the building, out of sight.	Clarify location
3. Place utilities underground if at all possible or locate behind buildings.		See comments in staff report.
4. Screen service areas and loading docks that are visible from streets or adjoining development with berms, landscaping, structures or fences.		To be located near garage entrance.
5. Site noise-generating features away from neighboring properties especially residences, or use noise barriers or other means of reducing the impact.	The pool deck-- the only potential generator of noise-- is located at the already busy and active JPA thoroughfare rather than facing the houses on the quieter side avenues.	
6. Screen roof-top communications and mechanical equipment.	Rooftop equipment will typically be screened behind parapet walls.	See comments in staff report.
<b>Chapter IV: Buildings, B. Architectural Compatibility</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Charlottesville seeks new construction that reflects the unique character, history, and cultural diversity of this place. Architectural transplants from other locales or shallow imitations of historic architectural styles, for example, are neither appropriate nor desirable.	The building's architecture does not rely on historic references deployed superficially or romantically. It does not indulge vernacular details associated with places outside Charlottesville.	Does not replicate <i>historic Charlottesville</i> , but that is not the goal. Does it reflect "anywhere" architecture or architecture not consistent with Cville? Staff suggests it does not.

<p>2. A distinctive identity for each corridor should be created through a combination of materials, forms and features that create a coordinated and inviting mix of buildings and spaces.</p>	<p>Exterior material selections are predominantly brick and stucco, consistent with other buildings along the JPA corridor. The color palette falls in a compatible range. Building massing is varied, not monolithic. The scale evident in fenestration, entrances, site stairs, canopies and porches is appropriate for this district. The landscape design along JPA-- consisting of multiple terraces and plantings-- has the potential to enhance the corridor's character, creating opportunities for pedestrian comfort and interaction in a shaded environment that is a marked improvement over other student housing that fronts this corridor.</p>	<p>Look at precedents and photos. Not unlike other contemporary buildings in City and at UVA. Proposal is consistent with Com Plan goals to transform this corridor.</p>
<p>3. Encourage a diversity of architectural materials, forms and styles that respect the traditions of architecture in the Charlottesville area including gable or hipped roof forms, standing seam metal roofing, brick, and wood siding.</p>	<p>Exterior material selections are predominantly brick and stucco, consistent with area traditions. The flat roof with parapets is common among the city's larger apartment buildings, including older ones (see 300 Fourth St SE, the Altamont Circle Apts, 39 University Circle, the Preston Court Apts, etc...)</p>	<p>Contemporary design featuring brick and stucco, which are typical for Charlottesville.</p>
<p>4. <b><u>New development should strive to implement the intended vision</u></b> rather than repeat existing inappropriate development patterns.</p>	<p>Multiple examples of buildings along JPA that do not present engaging facades along the corridor (ex. 1909, 1905, 1801, 1721, 1719, 1715, 1713, 1709 and 1712 JPA). On these properties, surface parking is prominent and visible in the front yards. Pedestrian walks are negligible and typically connect front doors not to public sidewalks but to asphalt parking. Street trees are uncommon, in many cases nonexistent. Trash cans are visible throughout the week. These properties do little to contribute to a sense of a street edge. Architectural character is often indistinct. The proposed project will not perpetuate any of these patterns. It represents a design that aspires to a better vision for this Corridor.</p>	<p>Consistent with revised Comp Plan re: density</p>
<p>5. New development should respect existing historic buildings and excellent examples from the recent past.</p>	<p>No buildings on the property are historically designated.</p>	<p>PC established that historic context was compromised. Property is not locally designated</p>



6. Existing development should be upgraded as opportunities arise.		n/a
<b>Chapter IV: Buildings, C. Building Mass, Scale &amp; Height</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Break up the front of a large building by dividing it into individual bays of 25 to 40 feet wide.	Along the side avenues, brick facades at three stories above the base stories are less than 30 feet wide and are intended to create the impression of individual dwellings attached to one another, not unlike townhouses.	Staff concurs
2. Use variation in materials, textures, patterns, colors and details to break down the mass and scale of the building.	Material, textures and colors are varied. Brick veneer is used both to establish a building base and to emphasize smaller scale building faces within the longer facades, an effort to differentiate volumes within the mass.	Staff concurs
Avoid an unmodulated mass	Perspective views reveal modulated massing.	Staff concurs
Use stepped-back height	Stepbacks occur frequently at upper stories.	Staff concurs
Use varied wall surfaces	Wall surfaces do not extend for long stretches in the same plane. Facades are distinguished by projections and interrupted by recesses at regular intervals	Staff concurs
Use varied heights with regular width	Parapet walls are taller over some locations, creating both variation in wall heights and places to screen mechanical equipment.	Staff concurs
3. Use building mass appropriate to the site. Place buildings of the greatest footprint, massing, and height in the core of commercial or office developments where the impact on adjacent uses is the least. Follow setback requirements for upper story according to zoning classification of the corridor.	not an office or commercial development	n/a

<p>4. When making transitions to lower density areas, modulate the mass of the building to relate to smaller buildings. Heights can be greater if the mass is modulated and other scale techniques are adopted. Reduce height near lower density uses.</p>	<p>Because the grade rises from JPA to the rear of the site, the lower parking levels of the building can be submerged. This results in fewer stories above grade at the rear half of the site, where the proposed building is closer to the smaller scale houses along Observatory Avenue. The foremost brick faces here are limited to three stories. The two stories above are faced in darker, desaturated, muted colors, ones intended to help these upper levels withdraw into the background</p>	<p>Guidance of Comp Plan conflicts with 2011 Corridor Plan. (See May 10, 2022 staff memo re: SUP request.)</p>
<p>5. Use massing reduction techniques of articulated base, watertables, string courses, cornices, material changes and patterns, and fenestration to reduce the apparent height of a large building. Fake windows and similar details are not appropriate articulation. Floor-to-floor heights of a building can have an impact on the mass of a building. For instance, typical ceiling heights in a residence are 8-9 feet. First floors of office buildings or retail shops can range from 10-15 feet. Upper floors that include residential or office are generally 8-12 feet in height. When actual or implied floor-to-floor heights exceed 15-20 feet on the exterior, then a building may begin to read as more massive than human-scaled. When articulating large buildings, keep these dimensions in mind.</p>	<p>Multiple massing reduction techniques are employed. Floor-to-floor heights are typically 11', appropriate for a multi-family building</p>	<p>Staff concurs</p>
<p><b>Space:</b> Creating human-scaled spaces that are defined by either buildings or landscape features provide more friendly, inviting places.</p>	<p>Spaces along the streets, those pedestrians are most likely to encounter, benefit from plantings, site walls, terraces and porches that support human scaled environments. On the building, windows, doors and canopies will further enhance this sense of scale.</p>	<p>Staff concurs. Project features terraces, bench's, walls, landscaping.</p>
<p><b>Chapter IV: Buildings, E. Facade Organization &amp; Storefronts</b></p>	<p><b>Applicant's Comment</b></p>	<p><b>Staff Comment</b></p>
<p>1. Orient primary entrances on a building facade to the street or corridor.</p>	<p>The primary entrance faces on the corridor, close to the corner of JPA and Washington Ave</p>	<p>Staff concurs</p>



2. Use a hierarchy of entry design on any complex, if the building has more than one orientation, and focus main entry on street/corridor facade.	The inclusion of an entry plaza + site stair aligned with the main entrance creates a visible arrival sequence, complimented by beautiful native plantings.	Staff concurs
3. Secondary entries may be created to allow convenient access from adjacent buildings, sidewalks, parking, bicycle paths and transit stops.	Secondary entrances are located at both side avenues, close to their intersections with JPA, promoting convenience and helpful redundancy	Staff concurs
4. Orient at least part of public elevations of shopping complexes to any adjoining neighborhoods.		Project incorporates existing grade
5. Provide attractive facade treatments on any elevation that is visible from streets/corridors or from any primary elevations of adjoining developments and avoid use of unadorned blank walls.	Primary elevation facades utilize materials, fenestration and masonry detailing that create a robust level of relief and adornment.	Staff concurs. Project has no blank walls
6. Consider using the traditional three-part facade of cornice, pattern of upper story windows and a storefront with articulated base when designing a new building or when renovating an existing structure.	While it has a masonry base, the proposed building does not present a three-part hierarchy in the most obvious, traditional form. This building does not prioritize the historical horizontal subdivisions that were more common in previous eras. Instead, we intend the use of material and facade transitions to create a richer juxtaposition, emphasizing both vertical and horizontal proportions, often overlapping the two.	Staff concurs. Achieved through contemporary design. (NYT Feb 2014: <i>Like coats and ties at a ballgame, cornices have pretty much disappeared from contemporary architecture.</i> <a href="https://www.nytimes.com/2014/03/02/realestate/the-crowning-glory.html">https://www.nytimes.com/2014/03/02/realestate/the-crowning-glory.html</a> )
7. Use a regular pattern of solids and voids for openings that relate to more traditional building design in the corridor.		Staff concurs.
8. Use a proportion of openings (vertical or horizontal) that generally is consistent with the context of the building. More traditional designed openings are typically vertically proportioned.	The windows, doors and storefront typically adopt vertical proportions in keeping with traditional buildings	Staff concurs.
9. Strive for designs and materials that reflect the architectural traditions of the region.	Typically, material choices are appropriate for the region	Staff concurs.

10. Storefronts or large display windows should be used at the street level.	Storefronts are used at the two main street-level entries at the corner of Washington Ave and JPA. At the corner of Observatory Ave. and JPA, we also call for storefronts that offer visibility into amenity space (that may be converted to commercial space at a future time).	Staff concurs.
<b>Chapter IV: Buildings, F. Materials &amp; Textures</b>	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Use material changes to help reduce mass and provide visual interest.	Materials changes are used deliberately to reduce the impression of massiveness.	Staff concurs.
2. Choose materials that offer texture and avoid monotonous surfaces. For example, use wood or brick or stone, or new synthetic materials that approximate the look and dimension of these materials.	The proposed brick and synthetic stucco will provide a range of textures and avoid monotony.	Staff concurs.
3. Use quality materials consistently on all visible sides of commercial, office and multi-family residential buildings.	Materials will be durable	Staff concurs.
4. In Charlottesville, common building materials are brick, wood or stucco siding, and standing-seam metal roofs. Stone is more commonly used for site walls than building walls.	Building walls will be faced in stucco or brick. Some stone is proposed on site walls only.	Staff concurs.
5. Avoid the use of building materials with long-term maintenance problems, such as EIFS (exterior insulation and finishing systems), or vinyl siding. Sustainable, utilitarian building materials such as concrete block, metal siding or cementitious panels may be appropriately used for a contemporary design.	Synthetic stucco is proposed as an exterior finish on some walls. Synthetic stucco problems on past projects typically resulted from poor application practices that allowed moisture to get trapped in the wall envelope. Modern application standards using a proven drainage system, such as the inclusion of a full mesh layer-- one that does not have to be conscientiously oriented to be functional-- under the insulated stucco panels, will be adopted for this project.	Staff concurs.
6. Clear glass windows are preferred.		See staff report for recommendations re: clear glass.



Chapter IV: Buildings, G. Color	Applicant's Comment	Staff Comment
1. A coordinated palette of colors should be created for each development. This palette should be compatible with adjacent developments.	The colors will be complimentary. Red brick is common along the Corridor. Dark stucco colors are intended to make upper story walls visually recede into the background, leaving the brick facades more prominent. Other than the brick color, the palette is muted and modern. White windows, storefront and trim is proposed only in the brick facade along the JPA base and at the corner entry, setting these locations apart. Dark windows are used elsewhere. We think the dark window and stucco colors will also create a nice backdrop to the brighter color range seasonally present on the perimeter site plantings. On the courtyard at the third level, vivid color is proposed on courtyard facing pavilions. These are remote enough, they are only partially visible from the Corridor and only from certain angles. They add an unexpected lining-- only occasionally glimpsed-- to an otherwise staid exterior.	Done
2. Set the color theme by choosing the color for the material with the most area. If there is more roof than wall area in a development, roof color will be the most important color choice and will set the tone for the rest of the colors.	The brick facades cover the most exterior area. The stucco colors are coordinated to look good with the brick.	Done
3. Limit the number of color choices. Generally there is a wall color, trim color, accent color, and roof color.	While there are several wall colors, the proposed massing warrants it. The variation in colors and materials are intended to mitigate the building massing.	brick, to wall, accent colors
4. Use natural tints of materials such as reds, browns, tans, grays, and greens as primary colors. Save bright accent colors for awnings and signs on commercial buildings.	Primary colors will have natural tints. Vivid color is proposed only on facades within the courtyard, turned inward. Rarely visible from the street, they will create a distinctive and vibrant interior environment	Staff concurs.
5. Use color variation to break up the mass of a building and provide visual interest.	See perspective drawings	Yes
6. Do not use strong color that has the effect of turning the entire building into a sign.	We do not	Staff concurs.

Chapter IV: Buildings, H. Details	Applicant's Comment	Staff Comment
1. Use articulated elements such as cornices, belt courses, water tables, bay divisions, variations in wall plane and roof features to create designs of interest.	A building base, bay divisions, variations in wall plane, masonry detailing and coping projections at tops of walls are among the elements used to create architectural articulation	Staff concurs.
2. Include human-scaled elements such as columns, pilasters and cornices, particularly at street level and on facades with a pedestrian focus.	Canopies and fenestration contribute to human scale	Simple, minimal. Walls and terraces. Entry features
3. Avoid large expanses of blank walls that are visible from the public right of way or neighboring developments.	Typically vertical planes, materials and colors vary often enough that large blank expanses do not result	Avoided
4. Avoid oversized decorative elements.	No big decorative elements are proposed.	Achieved
5. Avoid decorative elements that do not relate to the architecture but serve to turn the whole building into a sign.	No such elements are proposed	Achieved
Chapter IV: Buildings, I. Roof Form & Materials	Applicant's Comment	Staff Comment
1. Use roof forms that complement the building design and contribute to a human scale. Avoid tall roof areas that overwhelm the height of the building's wall. Common Charlottesville roof forms include hipped, gable, flat and gambrel.	Roofs and their materials are not visible from the ground. They are flat roofs, common for and appropriate to multi-family buildings in Charlottesville.	Flat roof
2. If a shed roof or flat roof design is used, add a parapet wall to screen the roof.	Some roofs have parapets.	
3. Avoid a visible monolithic expanse of roof on large-scale buildings. Break the roof mass with elements such as gables, dormers, or parapets. Scale these features to the scale of the building.	Roof surfaces are not visible from the Corridor	variation in the wall planes and in heights of vertical elements
4. Consider using a special roof feature on buildings located at a gateway, a prominent corner or highlight entry bays on larger structures.	Canopies are used to help distinguish prominent corners and their entries	Staff concurs.



5. Steeper forms are associated with more traditional design and can be appropriate when the development adjoins nearby neighborhoods.		n/a
6. On roofs that are visible such as gable, hipped or shed designs, use quality materials such as metal or textured asphalt shingles.		n/a
7. Any equipment located on a roof should be screened from public view.	It will be	See comments in staff report.
<b>Chapter IV: Buildings, J. Awnings.</b>		
	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Encourage the use of awnings at the storefront level to shield displays and entry and to add visual interest.	Canopies are proposed for these purposes	
2. Coordinate the choice of colors, as part of an overall color scheme. Solid colors, wide stripes and narrow stripes should be considered as appropriate.	Canopy colors are coordinated with associated storefronts	
3. Awning forms may be angled or curved.		n/a
4. Use of a canopy as an illuminated sign is not appropriate.		n/a
5. Awning materials should be appropriate to the overall design of the building. Traditional cloth fabric, as well as standing-seam metal or newer rigid materials may be considered.	Canopies are painted or powder coated metal	
<b>Chapter IV: Buildings, I. Appurtenances</b>		
	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Building service, loading, and utility areas should not be visible from public streets, adjacent developments or from access drives within large developments. Such service areas should be located behind the main structure in the least visible location possible.	Service, loading and utility areas will be located out of sight in the parking deck or screened by a wall near the entry drive into the parking level.	See comments in staff report.
2. Mechanical equipment on roofs or sides of buildings should not be visible from streets.	Rooftop equipment will be screened behind parapet walls	

3. When the mechanical equipment vents, meters, satellite dishes and similar equipment is ground mounted, screening should include either an opaque fence or wall made of the same material as the building or an evergreen hedge that screens objectionable views.	n/a	
4. Items such as roof ladders, railings, roll-up doors and service doors should be located on building elevations that are the least visible from public streets/corridors, adjacent developments or from access drives within large developments. Their colors should be coordinated among all these elements and with the rest of the building.	None of these are located in visible locations	
5. In some cases, appurtenances may be integrated into the building design if such integration enhances the compatibility of the overall design with the corridor vision.	n/a	
<b>Chapter IV: Buildings, J. Additions &amp; Corridor Conversions</b>		
	n/a	
<b>Chapter IV: Buildings, K. Franchise Design</b>		
	n/a	
<b>Chapter IV: Buildings, L. Gas Station Canopies</b>		
	n/a	
<b>Chapter IV: Buildings, M. Civic &amp; Institutional Buildings</b>		
	n/a	
<b>Chapter IV: Buildings, N. Multi-Family Buildings</b>		
	<b>Applicant's Comment</b>	<b>Staff Comment</b>
1. Follow the other guidelines within this chapter as applicable for the overall design of such buildings in such issues as massing and building footprint, scale, complexity of form, height and width, materials, textures and colors, roof forms and materials, etc.	Other applicable chapter guidelines are addressed in previous pages	See above
2. Give consideration to placing first floor retail storefronts in multi-family buildings if they face along a commercial corridor or face a pedestrian-oriented street within the downtown.		See above



3. Avoid creating street front facades that are dominated by garage doors.	No garage doors are proposed on the front facade	Garage entrance not visible from JPA
4. Ensure that the designs of such buildings are consistent with any adjoining neighborhoods and the zoning ordinance.	They are consistent	See precedents. Comp Plan goals intend for this corridor to change/be developed
<b>Sub-Area C: Maury Avenue to Emmet Street</b>		
<b>Recommended General Guidelines</b>	<b>Staff Comment</b>	
Put utilities underground that are now located within median	N/A. Project area does not include the median.	
Ensure that off street parking areas are well defined and screened as needed	Parking is within the building and not visible from the EC	
Design new apartment buildings to break up their large scale and use traditional materials	Design is contemporary. Typical building materials: Brick, stucco, metal, stone.	
<b>Vision statement for Fontaine Avenue/Jefferson Park Avenue Entrance Corridor:</b>		
Transitions quickly from accommodating highway speed autos to more congested auto, transit, pedestrian and bicycle traffic.		
Foremost considerations are traffic calming, provisions for pedestrian safety, and pedestrian amenities such as sidewalks, landscaping and transit stops		
The neighborhood center, Maury Avenue intersection, is currently a bustling, mixed use pedestrian activity area that newer developments strive to emulate.		
Pedestrian and mixed use characteristics of this neighborhood intersection should not be lost as redevelopment occurs		
New mixed use and apartment project design should reflect the character and importance of this major entrance to the City and the University		
Historic assets to be protected include the JPA median that formerly accommodated a trolley line, the Fry Spring's Service Station, and the Oakhurst-Gildersleeve Neighborhood.		
This corridor is a potential location for public way-finding signage.		

CITY OF CHARLOTTESVILLE  
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES  
STAFF REPORT



ERB Review of Special Use Permit Request within the Fontaine Avenue /  
Jefferson Park Avenue Entrance Corridor  
2005 Jefferson Park Avenue

PLANNING COMMISSION REGULAR MEETING  
DATE OF PLANNING COMMISSION MEETING: May 10, 2022

Project Planner: Matt Alfele  
Date of Hearing: May 10, 2022  
Application Number: SP-15-00001  
Zoning: R-3 Residential with Entrance Corridor Overlay (Fontaine Ave/JPA; Sub-area C.)  
Tax Parcels: 17-104, 17-103, 17-103.1 (Note: 17-104 is not within the EC Overlay.)  
Site Acreage: 1.7 acres (74,531 sq ft)  
ERB Staff report prepared by: Jeff Werner, AICP, Preservation and Design Planner

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**Relevant Code Section**

**Section 34-157 (a)(7).** When a property that is the subject of the application for a SUP is within an Entrance Corridor (EC), City Council shall refer the application to the Entrance Corridor Review Board (ERB) 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 ERB shall return a written report of its recommendations to the City Council.

Note: Regardless of the approval or denial of the requested SUP, per Section 34-309, any subsequent development of this site will require design review by the ERB [applying the City's Entrance Corridor Design Guidelines (design guidelines)] and approval of a Certificate of Appropriateness (CoA).

**Background**

The 1.7-acre project site is comprised of three parcels; two (1.5 acres) are within the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor, Sub-area C (Maury Avenue to Emmet Street). The site is the location currently of six (6) residential structures: a c1899, two-story house (converted to apartments), a 1948 single-story house; a 1957 two-story apartment building, a c2000, four-story apartment building, and two c2000, three-story apartment buildings.



SUP request<sup>1</sup> to increase residential density from 21 DUA to 70 DUA. (87 DUA is the max allowed by SUP), will require the following:

- Increase building height from 45-ft to 75-ft (101-ft is the max allowed by SUP).
- Reduce the rear yard setback from 75-ft (w/25-ft S-3 buffer) to 40-ft (w/25-ft S-3 buffer).
- Reduce off-street parking requirements from 200 spaces to 125.

**Discussion**

		Zoning	Requested	SUP	Comp Plan	2013 EC Vision
Setback (min.)	Rear	75-ft	36-ft		n/a	n/a
	Front	25-ft	26-ft		n/a	15-ft
	Side	20-ft	20-ft		n/a	15-ft
Height (max.)		45-ft	75-ft	101-ft *	5-stories, up to 8 at key intersections	60-ft
Density (max)		21 DUA	70 DUA	87 DUA	<i>Higher intensity mixed use</i>	<i>High density residential</i>
On-site parking (min)		200	125		n/a	n/a

\* w/44 DUA and up

Approx. equivalents: 5-stories = 60-ft.  
8-stories = 90-ft.

Increased residential density

Staff comment: **No adverse impact on EC.**

The design guidelines do not address how density, in and of itself, visually impacts an EC. (Whether a building contains 100 small apartments or a single large one, the design review applies the same guidelines relative to scale and design.)

Increased height (including massing and scale)

Staff comment: **No adverse impact on EC; impact(s) of increased height can be mitigated.**

**Note:** Following the April 12 deferral, design staff reevaluated this request and suggests the increased height will not adversely impact this EC. Importantly, staff’s broader conclusion remains unchanged: *The impacts of increased height can be adequately mitigated by application of the design guidelines and addressed during the required ERB design review.*

EC Guidelines and Comp Plan:

- EC design guidelines (adopted 2011). Corridor-specific recommendations for this EC--and sub-area—suggest a 60-foot height maximum for structures on parcels zoned *University High Density*.
- 2013 revisions to the Land Use Map designated the parcels *University High Density*.

<sup>1</sup> Mitchell Matthews SUP Application for 2005 Jefferson Park Avenue, dated January 11, 2022: Cover, pages 2 through 37.

- Comprehensive Plan and Land Use Map (adopted 2021): Recommends development as an *Urban Mixed-Use Corridor*, with a maximum height of five stories, up to eight stories for properties at key intersections. [Note: JPA is not designated a key intersection.]

The requested height increase differs from what is recommended for by-right development; however, it is allowed by Special Use Permit and is generally consistent with the Comprehensive Plan, which envisions this corridor becoming an area of higher residential density and mixed-use, facilitated by allowing taller and larger structures than the current built form.

As presented conceptually, this project is generally consistent with the design guidelines relative to streetscape, site design, and architectural design. This evaluation reflects the City’s vision for this corridor, which is to transform it, not replicate the existing built form. Additionally, during the later design review, application of the design guidelines will further mitigate the impacts of the building’s height, massing, and scale.

Perception of a building’s height is a response to its massing and scale--more so than to its vertical or planar dimensions--and is experienced primarily at the pedestrian level. *Massing* refers to how one perceives a building’s shape and size, its three-dimensional form. *Scale* refers to the dimensional perception of building within the context of its setting. This perception is further affected by architectural elements, materials, colors, setbacks, and even landscaping.

Staff suggests envisioning this project as experienced at the pedestrian level and viewing the site as an *urban block* bounded by Jefferson Park Avenue Washington Avenue, Observatory Avenue, and the rear setback. The approximately 196-ft by 380-ft block is comparable to other blocks in the City, providing context. (Dimensions are approximate. Illustrations in Appendix.)

<b>Location typical block; curb-to-curb</b>	<b>Front</b>	<b>Side</b>	<b>Total Length</b>	<b>Area (SF)</b>
Downtown Charlottesville	210	256	466	53,760
<b>2005 Jefferson Park Ave</b>	<b>196</b>	<b>380</b>	<b>576</b>	<b>74,480</b>
Rose Hill Neighborhood	350	295	645	103,250
Venable Neighborhood	360	320	680	115,200
Martha Jeff Neighborhood	350	350	700	122,500
Belmont Neighborhood	500	290	790	145,000
Fifeville Neighborhood	800	200	1,000	160,000
10th and Page Neighborhood	800	275	1,075	220,000
Woolen Mills Neighborhood	680	400	1,080	272,000

Facing JPA, the building façade spans approximately 150-feet of the approximately 196-foot wide block. (On Main Street, at the Downtown Mall, buildings generally span approximately 196-feet of the 210-foot wide blocks.) Viewed from JPA, the two, five-story, apartment buildings are separated by a courtyard and sit atop and back from the façade of a two-story,



masonry foundation. The height, scale, and massing are mitigated by the variation of materials, door and window openings, articulated facades, and street level landscaping, walls and terraces.\*

Facing Washington Avenue and Observatory Avenue, the building elevations span approximately 310-feet of the approximately 380-foot long block. (The 310-foot elevation is comparable to Memorial Gym (320-ft) and the Culbreth Parking Garage (285-ft). Less than the Water Street Parking Garage (400-ft) and the West Main facades of The Standard (380-ft), The Lark (380-ft), and The Flats (370-ft).) \*

From the front, NE corner to the back, SW corner the site rises 37-feet. On Observatory Avenue, this allows the masonry foundation to recede into the topography, transitioning the seven-story building to five. On Washington Avenue, the masonry foundation remains visible; however, the wall is articulated, features windows and entrances, and walls and terraces at street level. The building transitions from seven-stories to six; however, at the street level, the elevation of the masonry foundation reads as a two-story building, mitigating the perceived height, scale, and massing of the apartments above.\*

(\* See Appendix for examples of building lengths.)

#### Reduced rear setback

Staff comment: **No adverse impact on EC.**

The rear setback is not visible from JPA; reduction will not visually impact the corridor.

#### On-site Parking

Staff comment: **No adverse impact on EC.**

The design guidelines address the visual impacts of on-site parking. (Screening, etc.) The on-site parking here will be concealed below-grade and accessed via a single entrance at the NW corner of the site, providing a solution consistent with the design guidelines.

#### Recommendation

As demonstrated, the impacts of the increased height are mitigated by design elements [as presented conceptually] and can be further addressed during the ERB's design review process. The increased height is not prohibited (allowed by SUP) and anticipated by the Comprehensive Plan. Staff recommends the increased height and related massing and scale will not adversely impact Sub-Area C of the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor.

During that later design review and approval of a Certificate of Appropriateness, the ERB will consider all design elements; however, staff suggests for the SUP three conditions that will help mitigate the increased height and memorialize desirable elements of the conceptual design.

- To establish the block-level scale of this project, consideration should be given to dedicating and constructing within the rear setback a multipurpose (bike/ped) path linking Washington Avenue and Observatory Avenue.
- Building's façade and elevations, relative to form, massing, step backs, variation in materiality, and landscaping, shall be generally consistent with the conceptual design presented for the SUP request,
- Organization and arrangement of the buildings shall be generally consistent with the conceptual design presented for the SUP request.

### **Public Comments Received**

See special use permit staff report for comments received.

### **Suggested Motion**

**Finding of no adverse impact:** I move to find the impacts of increased building height and related massing and scale can be mitigated during the required design review process and, therefore, will not adversely impact the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor[.]

[and, relative to mitigating those impacts, recommend the following conditions for the SUP: ...]. (See staff's recommendations above.)

### **Alternate Motions**

**Finding of adverse impact, mitigation available:** I move to find the impacts of increased height and related massing and scale will adversely impact the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor; however, these impacts can be mitigated during the required design review process[.]

[and, relative to mitigating those impacts, recommend the following conditions for the SUP: ...]. (See staff's recommendations above.)

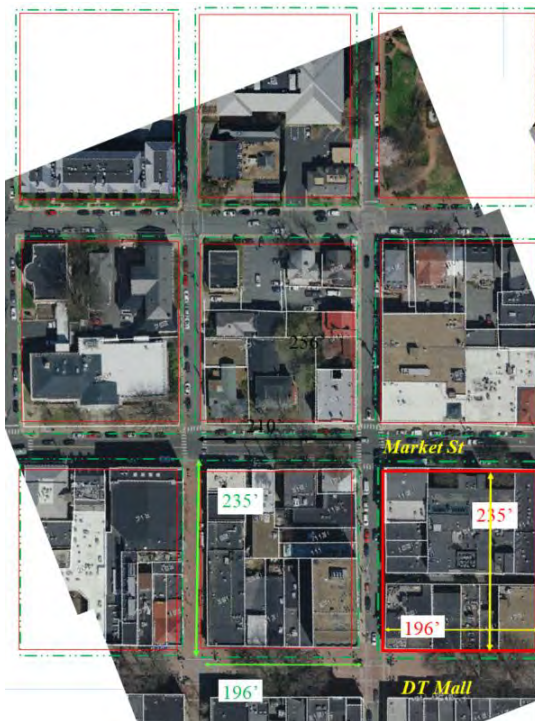
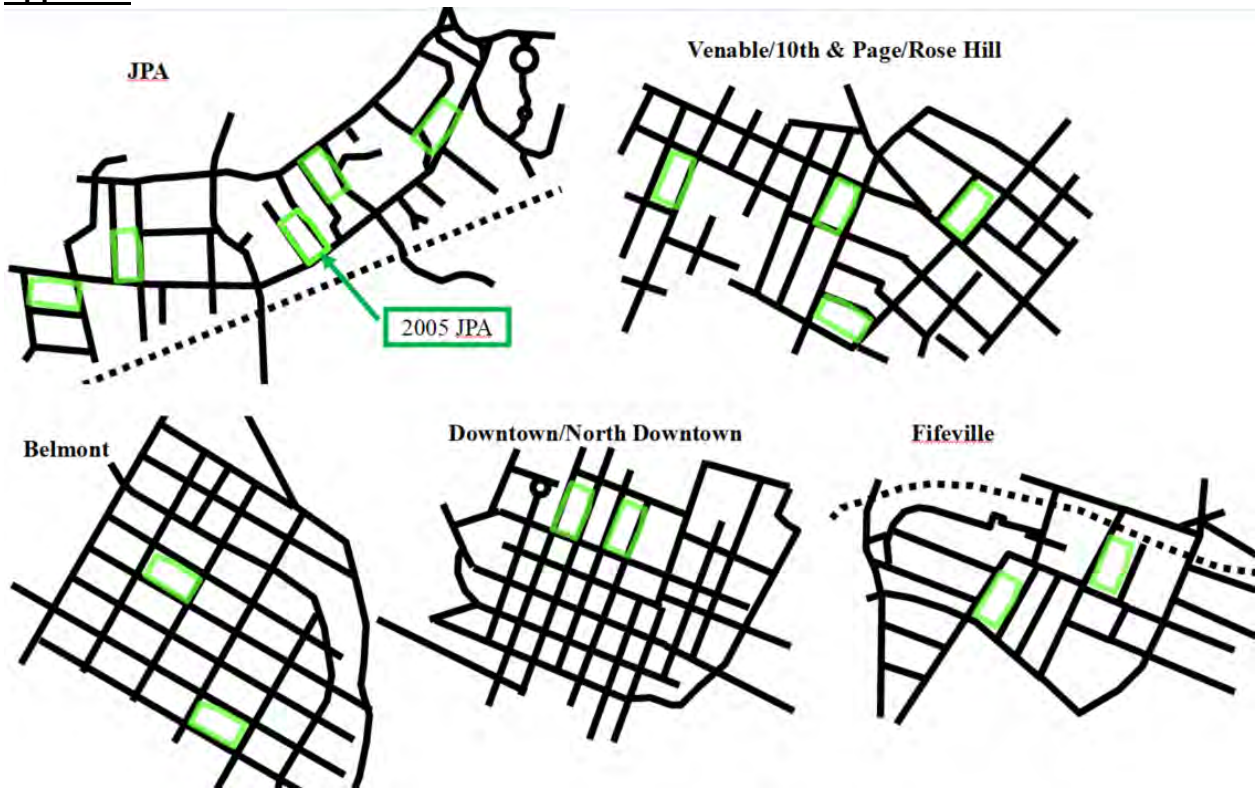
**Finding of adverse impact, no mitigation available:** I move to find the impacts of increased height and related massing and scale will--and in a manner that cannot be mitigated during the required design review process--adversely impact the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor.

### **Attachments**

- Attachment 1: Charlottesville Entrance Corridor Design Guidelines Chapter V: Fontaine Avenue/Jefferson Park Avenue Entrance Corridor (pages 17-19)
- Attachment 2: Relevant Entrance Corridor Design Guidelines



**Appendix**



Building façade lengths, for context:

- 15th Street NW façade *Grand Marc Apartments* (5 stories) approx. 450-feet.
- Water Street façade *Water Street Parking Garage* (4 stories) approx. 400-feet.
- West Main façade *The Standard* (5 stories) approx. 380-feet.
- 10<sup>th</sup> Street elevation *The Lark* (6 stories) approx. 380-feet.
- West Main façade *The Flats* (6 stories) approx. 370-feet.
- Water Street facade *City Walk Apartments* (4 stories) approx. 360-feet
  
- Memorial Gym: (4 stories) approx. 320-ft
- **2005 JPA (conceptual): Side elevations (6 stories, mid-block) approx. 310-feet.**
- *Culbreth Parking Garage* (3 stories) approx. 285-feet.
- Side streets, Downtown Mall: Building wall approx. 235-feet.
- West Main facade *The Omni* (6 stories) approx. 232-feet.
- Maywood Lane façade of 1800 JPA (3 stories) approx. 221-foot
- Water Street façade *CODE Building* (8 stories) approx. 215-feet.
- 2111 JPA (apartments) front façade (3 stories) approx. 210-feet.
- East High Street façade *Queen Charlotte* condos (4 stories) approx. 200-feet.
  
- Main Street (facing Downtown Mall). Building wall approx. 196-feet.
- 1600 JPA west façade *South Range Apartments* (4 stories) approx. 188-feet
- Grady Avenue façade *Preston Court Apartments* (4 stories) approx. 160-feet
- 1815 JPA apartments façade (5 stories) approx. 160-feet
- **2005 JPA (conceptual): JPA façade (seven stories) approx. 150-feet**
- 1600 Monticello Avenue (apartments) (5 stories) approx. 150-feet.
- Stadium Road facade *Woodrow Apartments* (2 stories) approx. 145-feet.
- 1830 JPA (apartments) Shamrock Road facade (3 stories) approx. 124-feet.
- 1725 JPA (apartments) front façade (6 stories) approx. 100-feet.



# V CORRIDORS

## F. CORRIDOR 5: FONTAINE AVENUE/JEFFERSON PARK AVENUE FROM THE CORPORATE LIMITS TO EMMET STREET



Sub-Area A: Corporate limits to Lewis Street



Sub-Area B: Lewis Street to Maury Avenue



Sub-Area C: Maury Avenue to Emmet Street

### OVERALL DESCRIPTION

Fontaine Avenue is known locally and historically as the Fry's Spring area of Charlottesville. Fontaine continues west as an extension of the road named Jefferson Park Avenue (JPA), while JPA turns south toward Fry's Spring Beach Club. The Fontaine section of the corridor is one of the gateways to the City and University, and its commercial sections serve as a neighborhood village center. The JPA section serves as a concentration of multi-unit apartment buildings for University students.

### Positive Aspects

- Largely intact residential corridor serving as gateway
- Core of commercial uses to serve the area
- Mature street trees and planted median along much of corridor
- Well-defined and landscaped gateway at Fontaine research park entry
- Comprehensive transportation network with divided corridor, bus routes, bike paths, and sidewalks

### Vision

This corridor transitions quickly from accommodating highway speed autos to more congested auto, transit, pedestrian and bicycle traffic. Foremost considerations are traffic calming, provisions for pedestrian safety, and pedestrian amenities such as sidewalks, landscaping and transit stops. The neighborhood center, Maury Avenue intersection, is currently a bustling, mixed use pedestrian activity area that newer developments strive to emulate. The pedestrian and mixed use characteristics of this neighborhood

intersection should not be lost as redevelopment occurs. New mixed use and apartment project design should reflect the character and importance of this major entrance to the City and the University. Historic assets to be protected include the JPA median that formerly accommodated a trolley line, the Fry Spring's Service Station, and the Oakhurst-Gildersleeve Neighborhood. This corridor is a potential location for public way-finding signage.

### SUB-AREA A: CORPORATE LIMITS TO LEWIS STREET

#### Description

*Streetscape:* canopied effect, planted slopes, overhead utilities, cobra-head lights, intermittent sidewalks, some on-street parking.

*Site:* Wooded edges, pole-mounted signs, mature landscaping, large trees, low stone walls, chain link fences.

*Buildings:* Post-war, small-scale residences with deep setbacks - colonial revival, bungalows, English cottages, Cape Cod.

#### Recommended General Guidelines

- Retain tree canopy at gateway
- Maintain residential uses and character
- Add sidewalks on Fontaine Avenue per the Fontaine Avenue Plan
- Upgrade older retail parcels as opportunity arises

#### Guidelines Specific to the Zoning

B-2: The B-2 business district is established to provide for commercial uses of limited size, primarily serving neighborhood needs for convenience goods. The intent of the B-2 regulations is to encourage clustering of these neighborhood-serving commercial uses. The uses permitted

F. CORRIDOR 5: FONTAINE AVENUE/JEFFERSON PARK AVENUE FROM THE CORPORATE LIMITS TO EMMET STREET

within this district are those which will generate minimal traffic originating outside the neighborhood areas served and that will generate minimal noise, odors and fumes, smoke, fire or explosion hazards, lighting glare, heat or vibration.

- Height regulation:  
Maximum height: 45 feet.
- Setback:  
20 feet, minimum.

R-2U (“university”): Consisting of quiet, lowdensity residential areas in the vicinity of the University of Virginia campus, in which single family attached and two-family dwellings are encouraged.

- Height regulation:  
Maximum height: 35 feet.
- Setback:  
25 feet, minimum.

**SUB-AREA B: LEWIS STREET TO MAURY AVENUE**

**Description**

*Streetscape:* Mixed-use, auto-oriented on three corners, curb cuts, overhead utilities, cobra-head lights, road widens, no crosswalks, no streetscape amenities.

*Site:* Pole-mounted signs, front yards used for parking.

*Buildings:* 1-2 story houses converted to commercial uses, restaurants, 3-story new infill.

**Recommended General Guidelines**

- Develop commercial sites into higher density mixed-use projects
- Upgrade streetscape amenities with underground utilities, streetlights and plantings

**Guidelines Specific to the Zoning**

(NCC) Neighborhood Commercial Corridor district: The intent of

the Neighborhood Commercial Corridor district is to establish a zoning classification for the Fontaine and Belmont commercial areas that recognize their compact nature, their pedestrian orientation, and the small neighborhood nature of the businesses. This zoning district recognizes the areas as small town center type commercial areas, and provides for the ability to develop on small lots with minimal parking dependent upon pedestrian access. The regulations recognize the character of the existing area and respect that they are neighborhood commercial districts located within established residential neighborhoods.

- Height regulation:  
Maximum height: 1 to 3 stories; however, up to 5 stories may be allowed by special permii, subject to streetwall regulations; recommend 2 to 4 stories.
- Stepback:  
The maximum height of the street wall of any building or structure shall be 3 stories. After 3 stories, there shall be a minimum stepback of 15 feet along at least 50% of the length of the streetwall.
- Setback:  
Primary street frontage: no minimum required; 10 feet, maximum.  
Linking street frontage: none required.  
Side and Rear, adjacent to low-density residential district: 10 feet, minimum.  
Side and Rear, adjacent to any other zoning districts: none required.
- Buffer regulations: Adjacent to any low-density residential district, side and rear buffers (S-1 type) shall be required, 5 feet, minimum.

**SUB-AREA C: MAURY AVENUE TO EMMET STREET**

**Description**

*Streetscape:* Overhead utilities, cobra-head

lights, planted median, on-street parking, bike lanes, concrete sidewalks, canopy of trees.

*Site:* Large mature site trees, some front site parking, sloped, block and wood retaining walls, split rail and chain link fences.

*Buildings:* Student housing, residential large scale, multi-family, materials include wood, stone, brick and stucco, majority of structures are of traditional designs, some smaller dwellings remain among the large scale infill buildings. Recent Past/Historic: Fry Spring Service Station

**Recommended General Guidelines**

- Put utilities underground that are now located within median
- Ensure that off street parking areas are well defined and screened as needed
- Design new apartment buildings to break up their large scale and use traditional materials

**Guidelines Specific to the Zoning**

R-UHD (“university high density”): Consisting of areas in the vicinity of the University of Virginia campus, in which high-density residential developments, including multi-family uses, are encouraged.

- Height regulation:  
Maximum height: 60 feet
- Setback:  
15 feet, minimum.

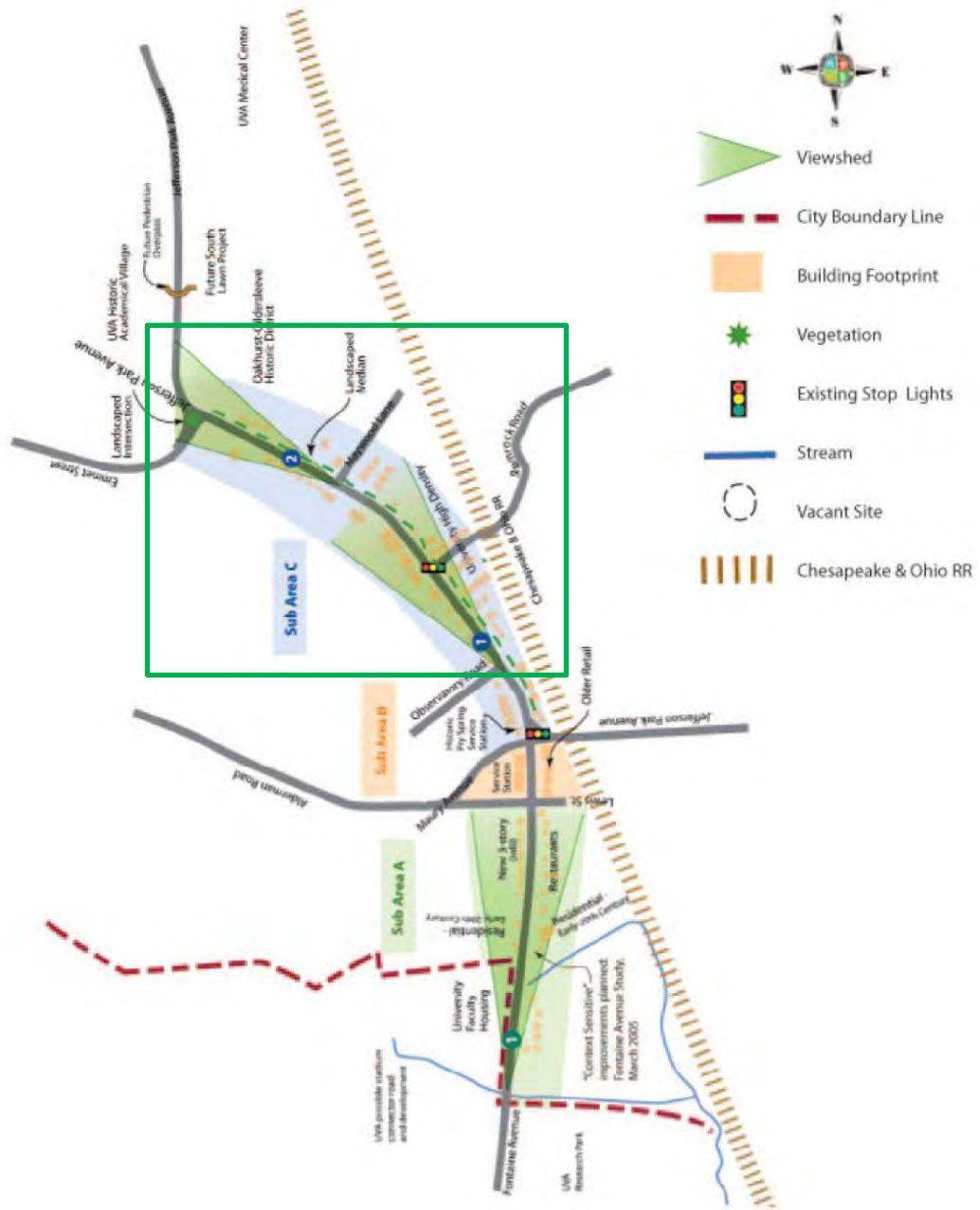
R-2U (“university”): Consisting of quiet, lowdensity residential areas in the vicinity of the University of Virginia campus, in which single family attached and two-family dwellings are encouraged.

- Height regulation:  
Maximum height: 35 feet
- Setback:  
25 feet, minimum.



# V CORRIDORS

F. CORRIDOR 5: FONTAINE AVENUE/JEFFERSON PARK AVENUE FROM THE CORPORATE LIMITS TO EMMET STREET



19 CHARLOTTESVILLE ENTRANCE CORRIDOR DESIGN GUIDELINES

## Attachment 2. Entrance Corridor Design Guidelines

- Chapter I: Introduction
  - [http://weblink.charlottesville.org/public/0/edoc/793359/1\\_Introduction\\_ERB.pdf](http://weblink.charlottesville.org/public/0/edoc/793359/1_Introduction_ERB.pdf)
- Chapter II: Streetscape
  - [http://weblink.charlottesville.org/public/0/edoc/793360/2\\_Chapter%20II%20Street%20scape\\_ERB.pdf](http://weblink.charlottesville.org/public/0/edoc/793360/2_Chapter%20II%20Street%20scape_ERB.pdf)
- Chapter III: Site
  - [http://weblink.charlottesville.org/public/0/edoc/793361/3\\_Chapter%20III%20Site\\_ERB.pdf](http://weblink.charlottesville.org/public/0/edoc/793361/3_Chapter%20III%20Site_ERB.pdf)
- Chapter IV: Buildings
  - [http://weblink.charlottesville.org/public/0/edoc/793362/4\\_Chapter%20IV%20Buildings\\_ERB.pdf](http://weblink.charlottesville.org/public/0/edoc/793362/4_Chapter%20IV%20Buildings_ERB.pdf)
- Chapter V: Entrance Corridors
  - [http://weblink.charlottesville.org/public/0/edoc/793363/5\\_Chapter%20V%20Maps%20of%20Corridors\\_ERB.pdf](http://weblink.charlottesville.org/public/0/edoc/793363/5_Chapter%20V%20Maps%20of%20Corridors_ERB.pdf)

### Design Guidelines relevant to Density

n/a

### Design Guidelines relevant to Height (including massing and scale)

Chapter I:

Maintain Human Scale in Buildings and Spaces: Consider the impact of building design, especially height, mass, complexity of form, and architectural details, and the impact of spaces created, on the people who will pass by, live, work, or shop there. The size, placement and number of doors, windows, portals and openings define human scale.

Chapter IV: Guidelines for Buildings

C. Building Mass, Scale & Height

1. Break up the front of a large building by dividing it into individual bays of 25 to 40 feet wide.
2. Use variation in materials, textures, patterns, colors and details to break down the mass and scale of the building.
  - a. Avoid an unmodulated mass
  - b. Use stepped-back height
  - c. Use varied wall surfaces
  - d. Use varied heights with regular width
3. Use building mass appropriate to the site. Place buildings of the greatest footprint, massing, and height in the core of commercial or office developments where the impact on adjacent uses is the least. Follow setback requirements for upper story according to zoning classification of the corridor.
4. When making transitions to lower density areas, modulate the mass of the building to relate to smaller buildings. Heights can be greater if the mass is modulated and other scale techniques are adopted. Reduce height near lower density uses.



5. Use massing reduction techniques of articulated base, watertables, string courses, cornices, material changes and patterns, and fenestration to reduce the apparent height of a large building. Fake windows and similar details are not appropriate articulation. Floor-to-floor heights of a building can have an impact on the mass of a building. For instance, typical ceiling heights in a residence are 8-9 feet. First floors of office buildings or retail shops can range from 10-15 feet. Upper floors that include residential or office are generally 8-12 feet in height. When actual or implied floor-to-floor heights exceed 15-20 feet on the exterior, then a building may begin to read as more massive than human-scaled. When articulating large buildings, keep these dimensions in mind.

**Design Guidelines relevant to Setbacks.**

Chapter III: Guidelines for Sites, D. Building Placement

1. Orient the facade of new buildings to front on the corridor.
2. Limit setback of new buildings according to the zoning of the particular corridor.
3. Limit setbacks at major intersections so that the architecture can help define the area.
4. Use compact building arrangements to reduce the feeling of seas of parking, encourage pedestrian activity and define space.
5. Strive for contiguous building arrangement along the street face, and avoid large breaks between buildings in identified development sites.
6. Ensure that larger developments orient their design to any adjoining neighborhoods and to side streets.
7. Provide breaks in large developments and building masses to allow pedestrian connections between developments.
8. Orient service areas to limit their impact on the development and any neighboring areas.
9. Each side of a corner building that faces a street should be considered a facade of the building for design purposes.

**Design Guidelines relevant to Parking.**

Chapter I. Design Principles

Mask the Utilitarian: Provide screening from adjacent properties and public view of parking lots, outdoor storage and loading areas, refuse areas, mechanical and communication equipment, and other uses that have adverse impacts. Where feasible, relegate parking behind buildings.

Chapter III: Guidelines for Sites,

E. Parking

3. Reduce the visibility of residential garages by:
  - a. Not allowing a garage to become the primary architectural feature when a development is viewed from the street, especially for attached housing.
  - b. Placing garages behind the building setback, preferably facing to the side or rear of attached housing.
  - c. Placing garages and parking in the rear with alley access

Chapter IV: Guidelines for Buildings,  
E. Facade Organization & Storefronts

3. Secondary entries may be created to allow convenient access from adjacent buildings, sidewalks, parking, bicycle paths and transit stops.

**Design Guidelines specific to Fontaine Avenue/Jefferson Park Avenue Entrance Corridor**

(Ref. Entrance Corridor Design Guidelines, Chapter V: Corridors, pages 17-19.)

**Vision statement for Fontaine Avenue/Jefferson Park Avenue Entrance Corridor:**

This corridor transitions quickly from accommodating highway speed autos to more congested auto, transit, pedestrian and bicycle traffic. Foremost considerations are traffic calming, provisions for pedestrian safety, and pedestrian amenities such as sidewalks, landscaping and transit stops. The neighborhood center, Maury Avenue intersection, is currently a bustling, mixed use pedestrian activity area that newer developments strive to emulate. The pedestrian and mixed use characteristics of this neighborhood intersection should not be lost as redevelopment occurs. New mixed use and apartment project design should reflect the character and importance of this major entrance to the City and the University. Historic assets to be protected include the JPA median that formerly accommodated a trolley line, the Fry Spring's Service Station, and the Oakhurst-Gildersleeve Neighborhood. This corridor is a potential location for public way-finding signage.

**Recommended General Guidelines for Sub-area: Maury Avenue to Emmet Street:**

- Put utilities underground that are now located within median
- Ensure that off street parking areas are well defined and screened as needed
- Design new apartment buildings to break up their large scale and use traditional materials



**CITY OF CHARLOTTESVILLE**  
**BOARD OF ARCHITECTURAL REVIEW**  
**Summary of BAR Discussion on July 17, 2018 re: *Clear Glass***

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On July 17, 2018, at the request of the ERB, the BAR regarding the definition of clear glass and the corresponding 70 VLT that has become the city's standard.

Background:

While one of several factors used in specifying glass, *Visible Light Transmission* (VLT) is generally accepted as the measure of the clearness and reflectivity of glass. High VLT indicates the glass is clearer and less reflective; low VLT indicate less clear, more reflective glass.

The city's Design Guidelines for Architectural Design Control Districts and Entrance Corridors (EC projects are reviewed by the Entrance Corridor Review Board, or ERB) both recommend "clear glass." However neither guidelines refers to a specific VLT—see citations below. Several years ago, after evaluating the criteria used to specify glass, the BAR (and the ERB) began using 70 VLT as the threshold for clear glass; tacitly establishing it as *the standard*.

Summary of BAR Discussion:

BAR concluded that VLT 70 should remain the preference relative to *clear glass*. However, they acknowledged the case-by-case flexibility offered in the Design Guidelines; specifically, though not exclusively, that this allows for the consideration of alternatives—e.g. VLTs below 70--and that subsequent BAR decisions regarding glass should be guided by the project's location (e.g. on the Downtown Mall versus a side street), the type of windows and location on the building (e.g. a street level storefront versus the upper floors of an office building), the fenestration design (e.g. continuous glass walls versus punched windows), energy conservation goals, the intent of the architectural design, matching historical glass, and so on.

Additionally, the BAR recommends that the ERB consider a similar approach in its evaluation of the glass proposed for EC projects.

References to Glass in Resign Guidelines

**ADC Design Guidelines**

Chapter 3. New construction; I. Windows & Doors

(5) Darkly tinted mirrored glass is not an appropriate material for windows in new buildings within the historic districts.

(9) Glass shall be clear. Opaque spandrel glass or translucent glass may be approved by the BAR for specific applications.

Chapter 4. Rehabilitations; C. Windows

(15) Do not use tinted or mirrored glass on major facades of the building. Translucent or low (e) glass may be strategies to keep heat gain down.

**Entrance Corridor Design Guidelines**

IV. Guidelines for Buildings; E. Materials and Textures

(6) Clear glass windows are preferred.

Note: The Historic Conservation District guidelines state: *Clear glass windows (VLT of 70% or more) are preferred*. These were adopted after the 70 VLT became the tacit standard for ADC and EC projects.



**Entrance Corridor Review Board (ERB)**  
**Review of Certificate of Appropriateness for 1801 Hydraulic Road (Hillsdale Place)**

**Project Planner:** Dannan O'Connell

**Date of ERB review:** March 14, 2023

**Application Number:** P23-0002

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

**Entrance Corridor Overlay Districts:** §34-307(a)(1) Route 29 North, Sub-area A, and §34-307(a)(2) Hydraulic Road.

**Tax Map/Parcel #:** Tax Map 41B, Parcel 2

**Site Acreage:** 9.064 acres

**Submittal:** Riverbend Development ERB submission for Hillsdale Place: Cover, pages 2 – 12, dated 02-17-23; sheets 13 – 18, dated 02-28-23; and sheets 19 – 23, dated 02-17-23. Academy Sports+Outdoors drawing A3.5 *Steel Canopy Details*, dated 2-14-2023. Collins Engineering sheet 13, Grading & Drainage Plan, dated 1/16/2023 (re: retaining wall at SE corner only).

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**Relevant Code Section**

The Planning Commission serves as the Entrance Corridor Review Board (ERB), responsible for administering the design review process in entrance corridor overlay districts (EC). This development project requires a site plan, and therefore also requires a Certificate of Appropriateness (CoA), pursuant to the provisions of Section 34-309(a)(3) of the City's Zoning Ordinance. The ERB shall act on an application within 60 days of the submittal date, and shall either approve, approve with conditions, or deny the application. Appeal would be to City Council.

**Standards for considering certificates of appropriateness**

Per Section 34-310, in reviewing a CoA application the ERB must consider certain features and factors in determining the appropriateness of proposed construction, alteration, etc. of buildings or structures located within an EC. The five primary criteria in Section 34-310 are:

- 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; and
- 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.

### **Links to EC Design Guidelines**

[EC Design Guidelines Chapter I - Introduction](#)

[EC Design Guidelines Chapter II - Streetscape](#)

[EC Design Guidelines Chapter III - Site](#)

[EC Design Guidelines Chapter IV - Buildings](#)

[EC Design Guidelines Chapter V - Corridors](#)

### **Background**

November 14, 2017 - ERB approved (6-0) CoA, with conditions, for Hillsdale Place.

May 14, 2019 - ERB approved (6-0) CoA, with conditions and requested modifications, for Hillsdale Place. On August 5, 2019, staff confirmed the submittal reflected the ERB's conditions, finalizing approval of the CoA. That CoA expired in February 2021.

October 7, 2019 - City Council approved a Comprehensive Signage Plan for this site; however, the CSP will likely require amendment to be applicable.

### **Summary of CoA Request**

Applicant requests a Certificate of Appropriateness for modifications to the existing, approximately 620-ft x 200-ft, single-story, CMU building constructed in 1964. (Building is vacant, most recently occupied by K-Mart and Gold's Gym.) Limited sections will be physically altered; however, the new work is primarily cosmetic and within existing footprint.

The proposed design includes articulated segments and varying parapet heights. The southeast corner (REI) represents some construction. Alterations to the remaining south façade and the west façade will incorporate essentially cosmetic changes to the existing walls. The north (rear) wall will be modified to accommodate planned loading docks. Building materials consist of split face CMU, painted CMU (existing masonry), painted EIFS, metal panels and siding, faux-wood paneling, metal windows and storefronts, and metal canopies/awnings.

Because of the generally cosmetic nature of this project, the design guidelines are of limited use relative to building placement, orientation, heights, and even design and materials. The proposed alterations will, generally, retain what is currently there, which is consistent with the predominate architecture of the Route 29 and Hydraulic Road ECs: auto-oriented, single-story, commercial/retail buildings with ephemeral ornamentation and features, set within large parking areas. While the design is unexceptional, the variation in materials, colors, and design components distinguish the east end from the west end, suggesting multiple buildings, and the continuous water table provides a cohesive element.

Note: Development of outparcels will require later, separate CoA applications. Additionally, signage is shown for context only and not part of this CoA request. Signage requires separate sign permits. A site plan for this project has been submitted and is currently under review. Should that review require significantly changes to what has been submitted for this CoA---i.e. wall locations or height, materiality, building footprint, lighting, etc.—re-submittal to the ERB might be required.

Building materials (See page 13 of submittal.)

- Masonry
  - C-1 - Smooth-face CMU, *Echelon Autumn Tan*
  - C-2 – Ground-face CMU, *Echelon Ash Chocolate*
  - C-3 – Trendstone CMU *Rutherford Grey*
- Paint/Color Palette
  - P-1 – Match/sim to SW *Roman Column*
  - P-2 – Match/sim to SW *Relaxed Khaki*
  - P-3 – Match/sim to SW *Backdrop*
  - P-4 – Match/sim to SW *Dark Brown*
  - P-5 - Single color, match/sim to general color of Trendstone CMU *Gunsmoke*
  - P-6 - Single color, match/sim to general color of Trendstone CMU *Rutherford Grey*
  - P-7 - Single color, match/sim to general color of Trendstone CMU *Echelon Steel*
- Wood/Metal
  - W-1 Plastic Wood Cladding. TimberTech *Weathered Teak*  
<https://www.timbertech.com>
  - W-2 Longboard Tongue & Groove, *Dark National Walnut*  
<https://longboardproducts.com/exterior-products/cladding/tongue-groove-planks>  
Extruded architectural aluminum
  - M-1 Ribbed Metal Siding AEP Span HR-36 Panel - *Vintage Finish*
  - M-3 Panel - *Dark Bronze*
  - M-4 Panel- *Silver/Clear Anodized*
- Canopies: Metal
- Storefront/Windows: Kawneer Trifab VG. Solarban 60 glazing. Minimum 70% VLT.
- Lighting (Sheets 13 – 20):
  - SA-#, SB-#, SD-# - Lithonia RSX2 LED (area lights)
  - L-1 - Wall Mount Barnlight - *Dark Bronze Finish*
  - LCA-1 – Envision LED (wall packs)
  - LE-# - Crown LED (cove lighting)

Landscaping (See page 4 and 5 of submitted drawings.)

- Trees (All are consistent with the City's *Master Tree List*.)
  - Red Maple
  - River Birch
  - Rotundiloba Sweetgum
  - London Planetree
  - Swamp White Oak
  - Willow Oak
  - Littleleaf Linden
  - American Elm



- Serviceberry
- Eastern Redbud
- Cherokee Princes Dogwood
- American Holly
- Eastern Redcedar
- Southern Magnolia
- Shrubs (All are consistent with the City's *Master Tree List*.)
  - Inkberry Holly
  - Littlegem Magnolia
  - Southern Waxmyrtle
  - Northern Bayberry
  - Dwarf Fothergilla
  - Winterberry Holly
  - Henry's Garnet Sweetspire
  - Snowball Viburnum

**Public Comments Received**

No comments received to date.

**Staff Recommendations**

The proposal represents, essentially, if not entirely, renovations to accommodate use of the existing, vacant commercial/retail building, and not the redevelopment of the site. Under the latter, staff would evaluate the project through the lens of the updated Comprehensive Plan, which recommends similar uses, but allows a more intensive development. Given the former, staff's evaluation is less detailed than for new construction on a vacant or underused parcel.

The treatment for Academy Sports Outdoors (west end) reflects similarities to their typical corporate design; however, the design is rather generic and does not communicate a *corporate signature building*. Absent identifying signage, the design differs little from the rest of the retail strips along 29 North. In contrast, the treatment for REI Co-Op (east end) features a contemporary industrial design and incorporates visual elements.

There are existing City sidewalks located along Hydraulic Road, Route 29, and Hillsdale Drive. There is a pedestrian connection to the building from Hillsdale Drive, Hydraulic Road, and India Road.

The goals are to make the site function well for the users of this site and the EC, and to have an attractive development that is compatible with its surrounding context. While the alterations, overall, are not a departure from the generic, strip retail façade of the existing building—which is also prevalent in the Route 29 corridor--the project is generally compatible with the design guidelines and other nearby sites/structures.

Staff finds the project design is generally appropriate and recommends approval of the CoA with the following conditions:

- Signage requires separate permits.
- Exterior lighting shall be full cut off. Exterior lighting will have lamping that is dimmable, have a Color Temperature not exceeding 3,000K, and have a Color Rendering Index not less than 80, preferably not less than 90. Additionally, the owner will address any reasonable public complaints about light brightness and/or glare by either dimming the lamp or

replacing the lamps/fixtures. [Note: Cut sheets provided—sheets 14-18—indicate 3000K lighting. The fixture schedule on sheet 19 was not updated to reflect this.]

- For design staff's [later] review of the building permit application, if any inconsistencies between the elevations and renderings submitted for the CoA, what is shown on the elevations will prevail. If the building permit application deviates significantly from the CoA submittal, staff may require resubmittal to the ERB.

### **Suggested Motion**

Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for the Hillsdale Place at 1801 Hydraulic Road is consistent with the Guidelines and compatible with this Entrance Corridor, and that the ERB approves the Certificate of Appropriateness application as submitted[.]

[...with the following conditions of approval: ....]

### **Alternate Motions**

*Deferral:* I move to defer (or deny) the Entrance Corridor Certificate of Appropriateness application for Hillsdale Place at 1801 Hydraulic Road.

*Denial:* Having considered the standards set forth within the City's Entrance Corridor Design Guidelines, I move to find that the proposed design for the Hillsdale Place at 1801 Hydraulic Road is not consistent with the Guidelines and is not compatible with this Entrance Corridor, and that for the following reason the ERB denies the Certificate of Appropriateness application as submitted...

### **Attachments**

1. Applicant's submittal: Riverbend Development ERB submission for Hillsdale Place: Cover, pages 2 – 12, dated 02-17-23; sheets 13 – 18, dated 02-28-23; and sheets 19 – 23, dated 02-17-23. Academy Sports+Outdoors drawing A3.5 *Steel Canopy Details*, dated 2-14-2023. Collins Engineering sheet 13, *Grading & Drainage Plan*, dated 1/16/2023 (re: retaining wall at SE corner only).
2. EC Design Guidelines for the Route 29 EC, Sub-area A, and the Hydraulic Road EC





# Hillsdale Place

Charlottesville, Virginia

## Entrance Corridor Review Board Submission

16121.00

02.17.23



[www.bigwaha.com](http://www.bigwaha.com)



**RIVERBEND**  
DEVELOPMENT



# PROJECT NARRATIVE

The 'Hillsdale Place' project is the proposed transformation of an existing vacant building into a vibrant neighborhood shopping center. The project is within Charlottesville's Entrance Corridor district, at the intersection of Seminole Trail and Hydraulic Road. The project aims to maintain the boundaries of the existing building's footprint, while providing substantial improvements to the character and attractiveness of the property.

Portions of the existing structure and walls will be reused as part of the larger tenant spaces. The design concept of the center is intended to be 'transitional-contemporary', with details, materials, proportions, and colors that are compatible with the Charlottesville vernacular. The primary facade will consist of durable, high quality materials including architectural concrete, masonry, wood and wood-effect cladding, and metal. The new building front will primarily be masonry and metal cladding, with an emphasis on architectural interest at the pedestrian scale.

As part of the building improvements, the parapet wall heights will be raised to screen rooftop equipment that is currently visible from surrounding roadways. Less visible sides of the building will be articulated with material fields of color and areas of new landscaping. This treatment will be a substantial improvement over the monotone existing walls. The unsightly portion of the structure that currently contains loading bays and chain link fencing fronting Seminole Trail will also be removed as part of the project.

*-Renderings of proposed improvements shown on pages 8 and 9 are illustrative only. For formal review, refer only to elevations shown on Pages 10 and 11.*

*-All signage is for illustrative purposes only and is subject to a separate Comprehensive Signage Plan review.*





**Hillsdale Place**  
Charlottesville, Virginia



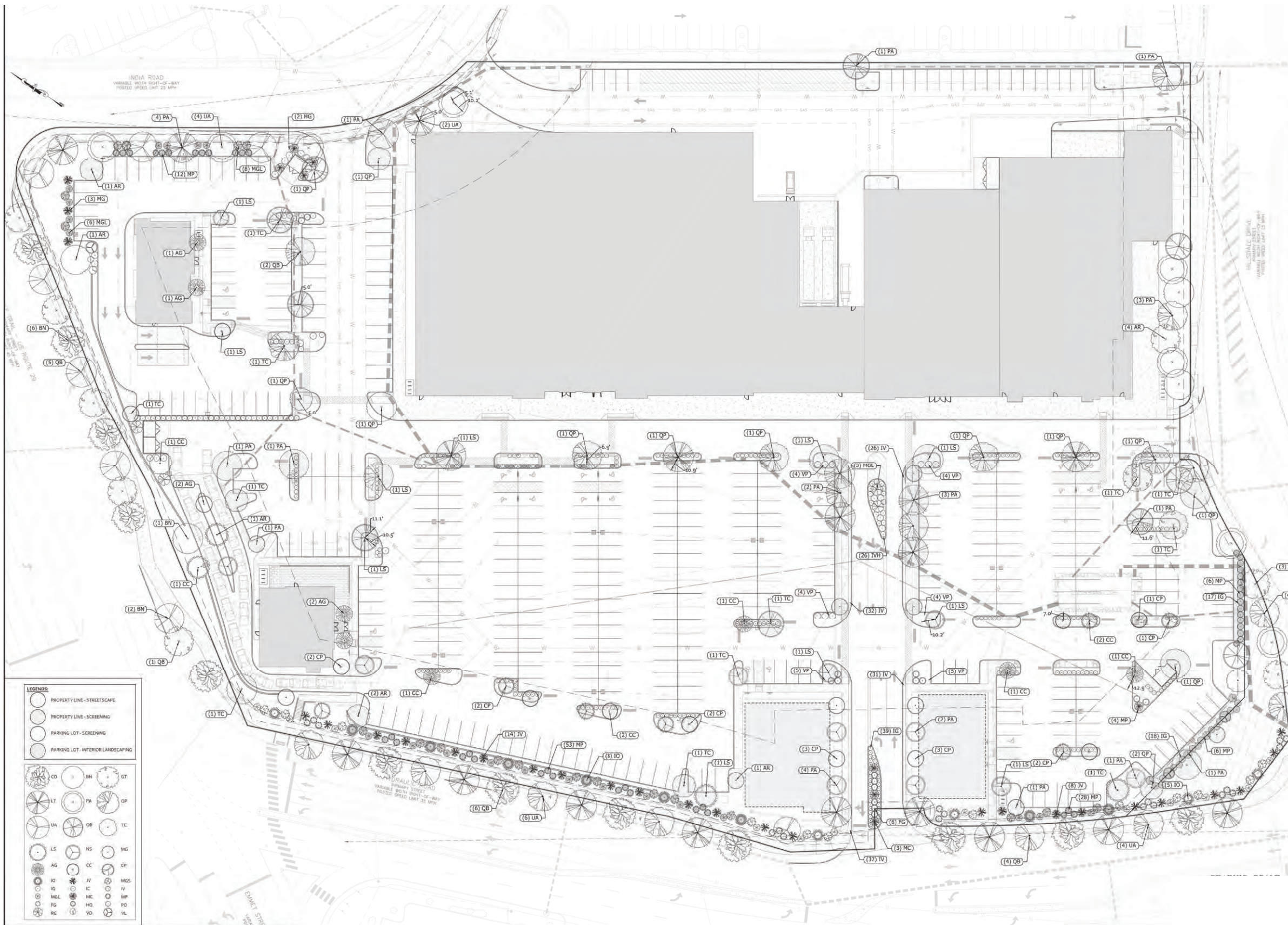
*Note: For conceptual illustration only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

**Site/Landscape Plan**  
Scale = 1"=100'

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02.17.23  
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REVISIONS	
DATE	REVISION DESCRIPTION
6/21/23	INITIAL SUBMITTAL OF FINAL SITE PLAN
10/11/23	2ND SUBMITTAL OF FINAL SITE PLAN
1/16/23	3RD SUBMITTAL OF FINAL SITE PLAN

**COLLINS ENGINEERING**  
 200 GARRETT STREET, SUITE K-CHARLOTTESVILLE, VA 22902-434.293.3719

**HILLSDALE PLACE - FINAL SITE PLAN**  
 LANDSCAPING PLAN

PROJECT SHEET  
 JOB NO. 202188  
 SCALE 1" = 30'  
 SHEET NO. 22

**Hillsdale Place**  
 Charlottesville, Virginia



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**Site/Landscape Plan**  
 Not to Scale

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LANDSCAPING CALCULATIONS	
<b>SITE TREE COVERAGE</b>	
REQUIREMENT: CANOPY COVER AT 10 YEARS EQUALS OR IS GREATER THAN 10% OF GROSS SITE AREA	
GROSS SITE AREA	443,614 SF
TOTAL TREE CANOPY REQUIRED	44,364 SF
EXISTING TREE CANOPY TO REMAIN	0 SF
PROPOSED TREE CANOPY WITH THIS PLAN	46,166 SF
TOTAL TREE CANOPY PROVIDED	46,166 SF
<b>STREETSCAPE TREES</b>	
REQUIREMENT: 1 LARGE TREE PER 40 FEET OF PUBLIC ROAD FRONTAGE OR 1 MEDIUM TREE PER 25 FEET OF PUBLIC ROAD FRONTAGE	
SEMINOLE TRAIL	437 LINEAR FEET
LANDSCAPING REQUIRED	11 LARGE TREES OR 17 MEDIUM TREES
LANDSCAPING PROPOSED	14 LARGE TREES
HYDRAULIC ROAD	744 LINEAR FEET
LANDSCAPING REQUIRED	19 LARGE TREES OR 30 MEDIUM TREES
LANDSCAPING PROPOSED	20 LARGE TREES
HILLSDALE DRIVE	461 LINEAR FEET
LANDSCAPING REQUIRED	11 LARGE TREES OR 18 MEDIUM TREES
LANDSCAPING PROPOSED	11 LARGE TREES
INDIA ROAD	205 LINEAR FEET
LANDSCAPING REQUIRED	5 LARGE TREES OR 8 MEDIUM TREES
LANDSCAPING PROPOSED	10 LARGE TREES
<b>PARKING LOTS - SCREENING</b>	
REQUIREMENT: A CONTINUOUS LANDSCAPE BUFFER 10' IN WIDTH & 3 STREET PLANTINGS FOR EVERY 15' OF ROAD FRONTAGE	
PARKING AREA ALONG SEMINOLE TRAIL	45 LINEAR FEET
LANDSCAPING REQUIRED	9 STREET PLANTINGS
LANDSCAPING PROPOSED	3 TREES & 6 SHRUBS
PARKING AREA ALONG HYDRAULIC ROAD	354 LINEAR FEET
LANDSCAPING REQUIRED	71 STREET PLANTINGS
LANDSCAPING PROPOSED	22 TREES & 49 SHRUBS
PARKING AREA ALONG HILLSDALE DRIVE	45 LINEAR FEET
LANDSCAPING REQUIRED	9 STREET PLANTINGS
LANDSCAPING PROPOSED	13 SHRUBS
PARKING AREA ALONG INDIA ROAD	127 LINEAR FEET
LANDSCAPING REQUIRED	25 STREET PLANTINGS
LANDSCAPING PROPOSED	6 TREES & 20 SHRUBS
<b>PARKING LOTS - INTERIOR LANDSCAPING</b>	
REQUIREMENT: 5% OF THE GROSS AREA OF A PARKING LOT SHALL BE LANDSCAPED AND AT LEAST 1 TREE & 3 SHRUBS PER 8 PARKING SPACES	
PARKING AREA	188,435 SF
LANDSCAPING REQUIRED	9,422 SF
LANDSCAPING PROPOSED	17,848 SF
NUMBER OF PARKING SPACES	450 SPACES
LANDSCAPING REQUIRED	56 TREES & 169 SHRUBS
LANDSCAPING PROPOSED	72 TREES & 280 SHRUBS

Note: All landscaping information shown here is taken directly from the approved site plans, submitted to the city of Charlottesville on 01/16/2023.

PLANT SCHEDULE										
SYM	BOTANICAL NAME	COMMON NAME	SIZE	CANOPY	STREET & PROPERTY LINE LANDSCAPING	SCREENING LANDSCAPING	INTERIOR PARKING LANDSCAPING	ENTIRE SITE QUANTITY	TOTAL COVERAGE	
<b>TREES</b>										
AR	ACER RUBRUM	RED MAPLE	2" CAL	177	4		4	10	1770	
BN	BETULA NIGRA 'HERITAGE'	RIVER BIRCH	2" CAL	397	11			12	4764	
LS	LIQUIDAMBAR STYRACIFLUA 'ROTUNDILOBA'	ROTUNDILOBA SWEETGUM	2" CAL	206			12	12	2472	
PA	PLANTANUS X ACERIFOLIA 'BLOODGOOD'	LONDON PLANETREE	2" CAL	368	9		13	28	10304	
QB	QUERCUS BICOLOR	SWAMP WHITE OAK	2" CAL	299	20		2	22	6578	
QP	QUERCUS PHELLOS	WILLOW OAK	2" CAL	370			12	14	5180	
TC	TILIA CORDATA	LITTLELEAF LINDEN	2" CAL	249			10	12	2988	
UA	ULMUS AMERICANA 'PRINCETON'	AMERICAN ELM	2" CAL	397	16			16	6352	
<b>ORNAMENTAL TREES</b>										
AG	AMELANCHIER X GRANDIFLORA	SERVICEBERRY	6-7' HT	130				6	780	
CC	CERCIS CANADENSIS	EASTERN REDBUD	6-7' HT	124			7	9	1116	
CP	CORNUS FLORIDA 'CHEROKEE PRINCESS'	CHEROKEE PRINCESS DOGWOOD	6-7' HT	124			12	20	2480	
<b>EVERGREEN TREES</b>										
IO	ILEX OPACA	AMERICAN HOLLY	4-5' HT	56		8		13	728	
JV	JUNIPERUS VIRGINIANA	EASTERN REDCEDAR	4-5' HT	16		13		24	384	
MG	MAGNOLIA GRANDIFLORA	SOUTHERN MAGNOLIA	4-5' HT	54		3		5	270	
<b>EVERGREEN SHRUBS</b>										
IG	ILEX GLABRA	INKBERRY HOLLY	24" HT	23		27		259		
MGL	MAGNOLIA GRANDIFLORA 'LITTLE GEM'	LITTLE GEM MAGNOLIA	24" HT	28		14		17		
MC	MYRICA CERIFERA	SOUTHERN WAXMYRTLE	24" HT	44				3		
MP	MYRICA PENNSYVANICA	NORTHERN BAYBERRY	24" HT	18		66		114		
<b>DECIDUOUS SHRUBS</b>										
FG	FOTHERGILLA GARDENII	DWARF FOTHERGILLA	24" HT	3				6		
IV	ILEX VERTICILLATA 'RED SPRITE'	WINTERBERRY HOLLY	24" HT	23				126		
IVH	ITEA VIRGINIA 'HENRY'S GARNET'	HENRY'S GARNET SWEETSPIRE	24" HT	16				158		
VP	VIBURNUM PLICATUM	SNOWBALL VIBURNUM	24" HT	50				26		
					<b>TOTAL:</b>			<b>17848</b>		<b>46166</b>



# Site Context / Surrounding Retail Development



Existing Whole Foods



Existing Whole Foods



Seminole Square



Barracks Road Shopping Center



Shops at Stonefield



Barracks Road Shopping Center



Shops at Stonefield



Best Buy

**Hillsdale Place**  
Charlottesville, Virginia



*Note: For conceptual illustration only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

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02.17.23  
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# Existing Views from Street

View From Seminole Trail



View From India Road



View From Hydraulic Road



View From Hydraulic Road and Hillsdale Drive



**Hillsdale Place**  
Charlottesville, Virginia



*Note: For conceptual illustration only.  
Design, dimensions, colors, materials,  
and the location of signs and doors are  
subject to change.*

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# Existing Building Conditions



**Hillsdale Place**  
Charlottesville, Virginia



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**Existing Conditions**

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# Existing Conditions



# Proposed



# Existing Conditions



# Proposed



**Hillsdale Place**  
Charlottesville, Virginia



*Note: For conceptual illustration only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

**Existing Vs. Proposed**

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# Existing Conditions



# Proposed



# Existing Conditions



# Proposed



**Hillsdale Place**  
Charlottesville, Virginia



*Note: For conceptual illustration only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

**Existing Vs. Proposed**

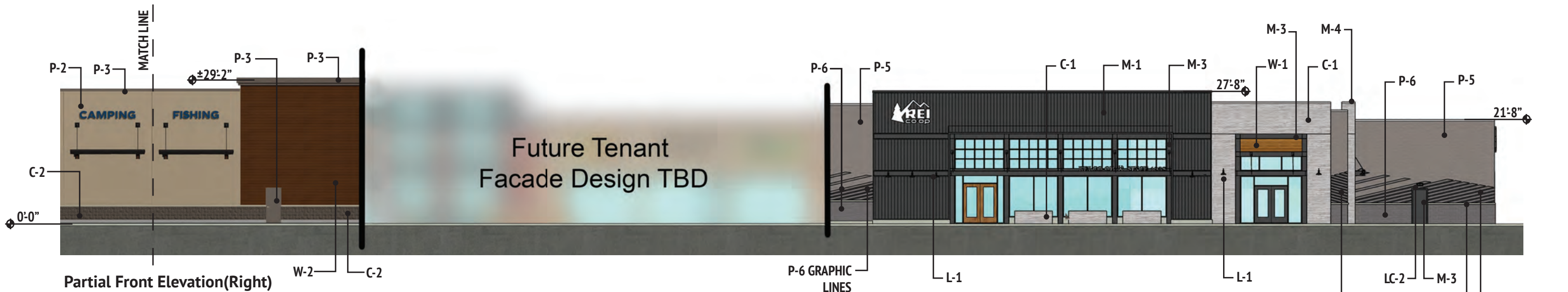
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**Page 10**



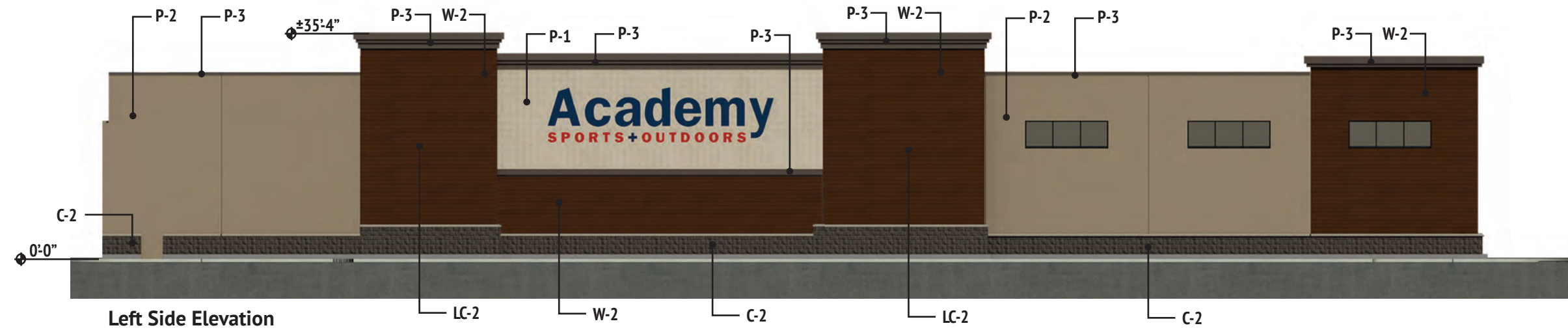




Partial Front Elevation(Left)



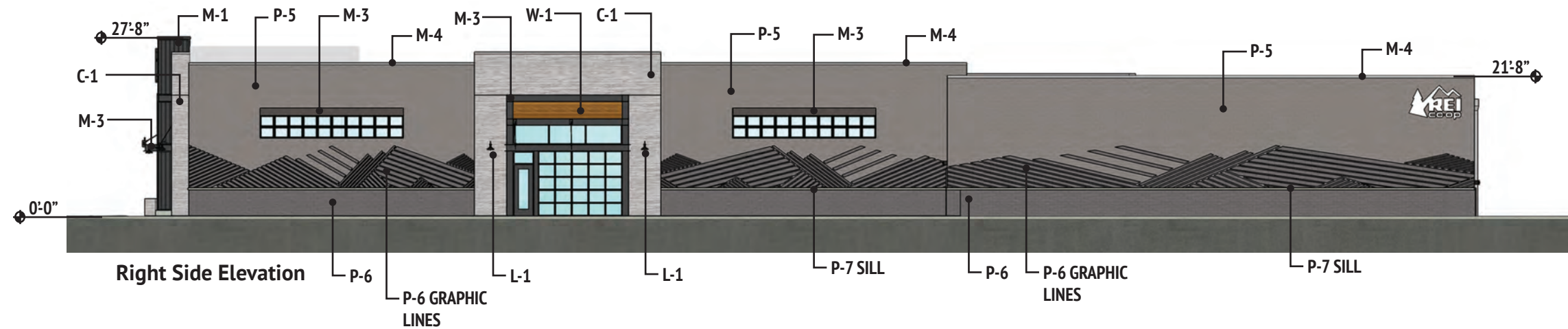
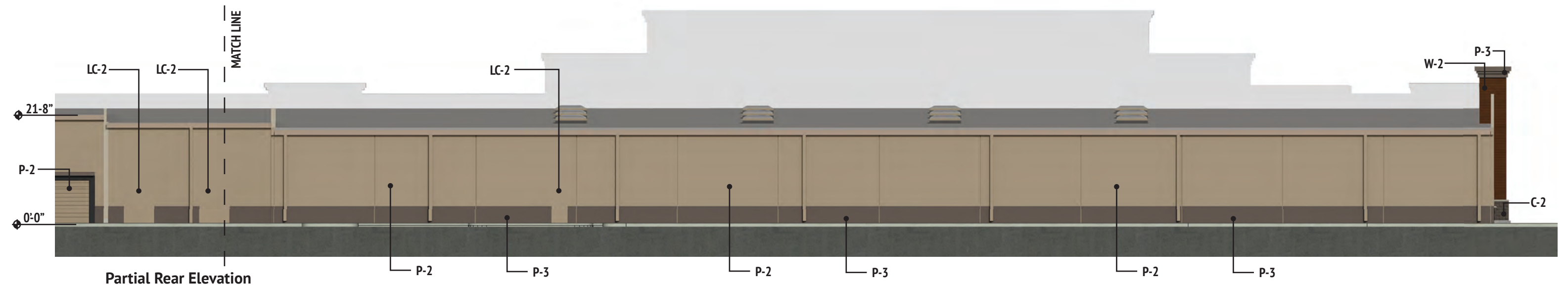
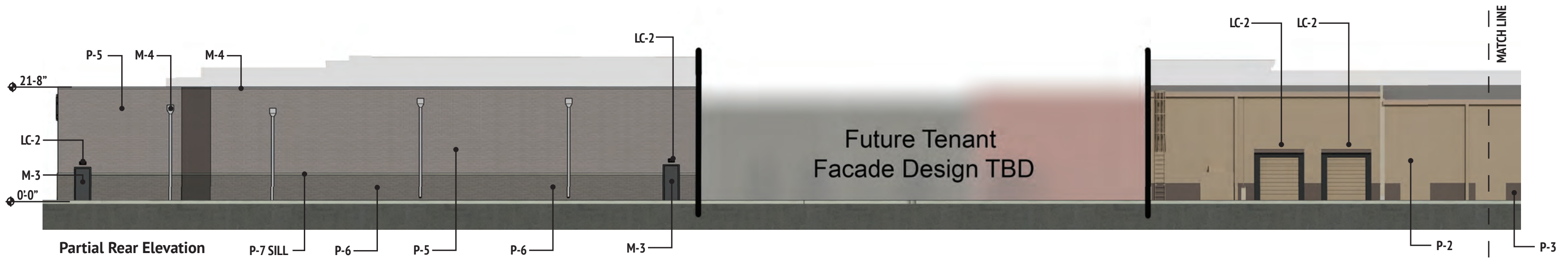
Partial Front Elevation(Right)



Left Side Elevation

Note: Any utilities located other than as shown on the site plan shall be screened with landscaping and/or construction to match the building design

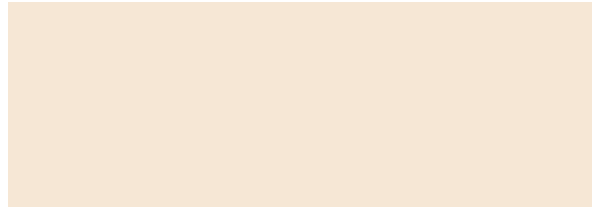




*Note: Any utilities located other than as shown on the site plan shall be screened with landscaping and/or construction to match the building design*



# Proposed Materials



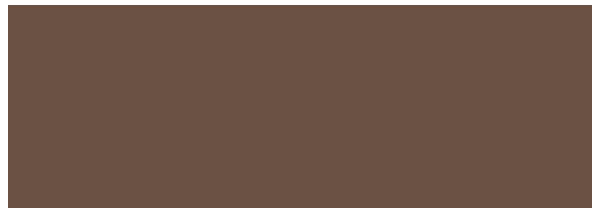
**P-1 Paint Precast Concrete - 'Roman Column'**  
SW 7562



**P-2 Paint Precast Concrete - 'Relaxed Khaki'**  
SW 6149



**P-3 Paint Precast Concrete - 'Backdrop'**  
SW 7025



**P-4 Paint Canopy Structure - 'Dark Brown'**  
SW 7520



**P-5 Paint Existing CMU - Match Color**  
Trendstone Gun Smoke CMU



**P-6 Paint Existing CMU - Match Color**  
Trendstone Rutherford Grey CMU



**P-7 Paint Existing - Match Color**  
Echelon Steel CMU



**C-1 Smooth Face CMU**  
Echelon Steel



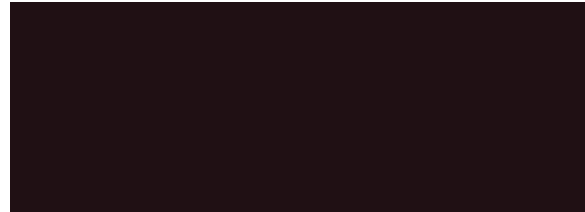
**C-2 Ground-Face CMU**  
Echelon Ash Charcoal



**C-3 Ground-Face CMU Trendwyth**  
Trendstone Rutherford Grey  
(Retaining Walls & Dumpster Enclosure)



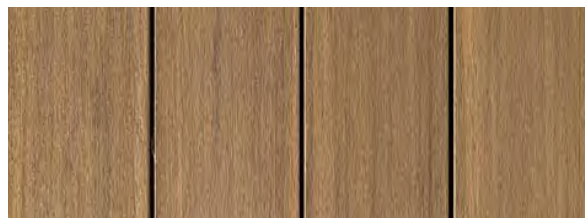
**M-1 Metal / Ribbed Metal Siding**  
AEP Span HR-36 Panel "Vintage" Finish



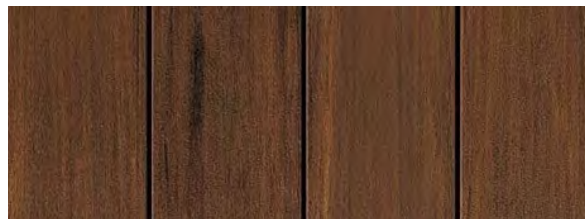
**M-3 Metal - Dark Bronze**



**M-4 Metal - Silver/Clear Anodized**



**W-1 PVC 'Wood Effect' Cladding TimberTech**  
'Weathered Teak', 3 1/8" Plank



**W-2 Aluminum "Wood Effect" Cladding**  
Longboard 'Dark National Walnut'  
6" Plank

# Building Mounted Fixtures

*Note: All exterior fixtures to be specified as full cutoff.*



**L-1 Wall Mount Light Fixture**  
Barnlight Electric "Original" Dark Bronze Finish



**LC-2 Wall Mount Light Fixture**  
EnvisionLED Type LC - 5P60 Wall Pack



**Storefront - Kawneer Trifab VG. Solarban 60**  
glazing. Minimum 70% Visible Light Transmission.



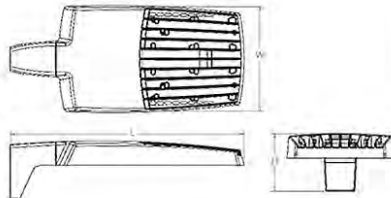


# RSX2 LED Area Luminaire



## Specifications

EPA (ft²@0°):	0.69 ft² (0.06 m²)
Length:	29.3" (74.4 cm) (SPA mount)
Width:	13.4" (34.0 cm)
Height:	3.0" (7.6 cm) Main Body 7.2" (18.3 cm) Arm
Weight (SPA mount):	30.0 lbs (13.6 kg)



Catalog Number \_\_\_\_\_  
Notes \_\_\_\_\_  
Type \_\_\_\_\_

## Introduction

The new RSX LED Area family delivers maximum value by providing significant energy savings, long life and outstanding photometric performance at an affordable price. The RSX2 delivers 11,000 to 31,000 lumens allowing it to replace 250W to 1000W HID luminaires.

The RSX features an integral universal mounting mechanism that allows the luminaire to be mounted on most existing drill hole patterns. This "no-drill" solution provides significant labor savings. An easy-access door on the bottom of mounting arm allows for wiring without opening the electrical compartment. A mast arm adaptor, adjustable integral slipfitter and other mounting configurations are available.

## Ordering Information

EXAMPLE: RSX2 LED P6 40K R3 MVOLT SPA DDBXD

Series	Performance Package	Color Temperature	Distribution	Voltage	Mounting
RSX2 LED	P1	30K 3000K	R2 Type 2 Wide	MVOLT (120V-277V) <sup>2</sup>	SPA Square pole mounting (3.0" min. SQ pole for 1 at 90°, 3.5" min. SQ pole for 2, 3, 4 at 90°)
	P2	40K 4000K	R3 Type 3 Wide	HVOLT (347V-480V) <sup>3</sup>	RPA Round pole mounting (3.2" min. dia. RND pole for 2, 3, 4 at 90°, 3.0" min. dia. RND pole for 1 at 90°, 2 at 180°, 3 at 120°)
	P3	50K 5000K	R3S Type 3 Short	XVOLT (277V-480V) <sup>4</sup>	MA Mast arm adaptor (fits 2-3/8" OD horizontal tenon)
	P4		R4 Type 4 Wide	(use specific voltage for options as noted)	IS Adjustable slipfitter (fits 2-3/8" OD tenon) <sup>6</sup>
	P5		R4S Type 4 Short	120 <sup>3</sup> 277 <sup>3</sup>	WBA Wall bracket <sup>1</sup>
	P6		R5 Type 5 Wide <sup>1</sup>	208 <sup>3</sup> 347 <sup>5</sup>	WBASC Wall bracket with surface conduit box
			R5S Type 5 Short <sup>1</sup>	240 <sup>3</sup> 480 <sup>5</sup>	AASP Adjustable tilt arm square pole mounting <sup>6</sup>
			AFR Automotive Front Row		AARP Adjustable tilt arm round pole mounting <sup>6</sup>
			AFRR90 Automotive Front Row Right Rotated		AAWB Adjustable tilt arm wall bracket <sup>6</sup>
			AFRL90 Automotive Front Row Left Rotated		AAWSC Adjustable tilt arm wall bracket and surface conduit box <sup>6</sup>

Options	Finish
<b>Shipped Installed</b>	<b>Shipped Installed</b>
HS House-side shield <sup>7</sup>	*Standalone and Networked Sensors/Controls (factory default settings, see table page 9)
PE Photocontrol, buttons style <sup>8,9</sup>	NLTAIR2 nLight AIR generation 2 <sup>13,15,16</sup>
PEX Photocontrol external threaded, adjustable <sup>9,10</sup>	PIRHN Networked, Bi-Level motion/ambient sensor (for use with NLTAIR2) <sup>13,16,17</sup>
PER7 Seven-wire twist-lock receptacle only (no controls) <sup>11,12,13</sup>	BAA Buy America(n) Act Compliant
CE34 Conduit entry 3/4" NPT (Qty 2)	
SF Single fuse (120, 277, 347) <sup>3</sup>	*Note: PIRHN with nLight Air can be used as a standalone dimming sensor with out-of-box settings or as a wireless networked solution. See factory default settings table. Sensor coverage pattern is affected when luminaire is tilted.
DF Double fuse (208, 240, 480) <sup>3</sup>	
SPD20KV 20KV Surge pack (10KV standard)	<b>Shipped Separately (requires some field assembly)</b>
FAO Field adjustable output <sup>13,14</sup>	EGS External glare shield <sup>18</sup>
DMG 0-10V dimming extend out back of housing for external control (control ordered separate) <sup>13,14</sup>	EGFV External glare full visor (360° around light aperture) <sup>17</sup>
DS Dual switching <sup>14</sup>	BS Bird spikes <sup>15</sup>
	DDBXD Dark Bronze
	DBLXD Black
	DNAXD Natural Aluminum
	DWHXD White
	DOBTDX Textured Dark Bronze
	DBLBDX Textured Black
	DNATXD Textured Natural Aluminum
	DWHGXD Textured White



One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (7378) • [www.aacuitybrands.com](http://www.aacuitybrands.com)  
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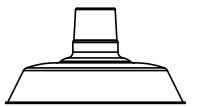
Lithonia RSX2 Area LED  
Rev. 06/16/22  
Page 1 of 9



SPS-0448 REV C

## THE ORIGINAL™ INTEGRATED LED SERIES

JOB NAME: \_\_\_\_\_ FIXTURE TYPE: \_\_\_\_\_



BLE - \_\_\_\_\_  
A B C D E F G  
H I J K L  
Order Example: BLE - G - WHS16 - 600 - G22 - 980 - NA - ACR - 600 - NA - LED38 - 2700K - DL

### A - MOUNTING STYLE

C	Cord Hung
CN	Chain Hung
F	Flush Mount <sup>1</sup>
G	Gooseneck
S	Stem Mount

### B - SHADE SIZE

THE ORIGINAL™:

WHS12	12" Shade
WHS14	14" Shade
WHS16	16" Shade
WHS18	18" Shade
WHS20 <sup>2</sup>	20" Shade

### C - SHADE FINISH

PORCELAIN FINISHES<sup>3</sup>:

150	Black
250	White
350	Vintage Green
355	Jadite
455	Cherry Red
550	Yellow
650	Bronze
750	Cobalt Blue
765	Delphite Blue
850	Graphite
950	Metallic Chrome

### POWDER COAT FINISHES<sup>4</sup>:

100	Black
105	Textured Black
106	Matte Black
200	White
206	Matte White
300	Dark Green
307	Emerald Green
311	Jadite
370	Mint
380	Chartreuse
390	Teal
400	Barn Red
420	Orange
470	Watermelon
480	Blush Pink
490	Magenta
495	Sherbet Orange
500	Buttery Yellow
570	Sunflower
600	Bronze
601	Chocolate
605	Rust
615	Oil-Rubbed Bronze

### C - SHADE FINISH (CONTINUED)

POWDER COAT FINISHES<sup>4</sup>:

700	Royal Blue
705	Navy
710	Cobalt Blue
715	Delphite Blue
790	Lavender
800	Industrial Grey
805	Charcoal Granite
810	Graphite
975	Galvanized

### NATURAL METALS<sup>5</sup>:

995	Raw Copper
996	Weathered Copper
997	Raw Brass
998	Weathered Brass
999	Oil-Rubbed Copper

### D - MOUNTING

NA Not Applicable  
Please Note: If Flush Mount [F] is selected in Section A, please select NA

### CSA LISTED CORDS:

SBK	Standard Black
SWH	Standard White
CSB	Black Cloth
CSW	White Cloth
CMG	Grey Cloth
CSR	Red Cloth
CRZ	Red Chevron Cloth
CSBB	Black & Brown Cloth
CSRW	Red & White Cloth
CSGW	Gold & White Cloth
CSBG	Black & Gold Cloth
CSBW	Black & White Cloth
CSBP	Black & Pink Cloth
CSUW	Blue & White Cloth

### CHAIN MOUNT OPTIONS<sup>2</sup>:

CN36	3' of Chain
CN48	4' of Chain
CN60	5' of Chain
CN72	6' of Chain

### D - MOUNTING (CONTINUED)

GOOSENECK OPTIONS:

G1 <sup>2</sup>	G11 <sup>2</sup>	G26 <sup>2</sup>
G2 <sup>2</sup>	G12 <sup>2</sup>	G32
G3 <sup>2,4</sup>	G13	G34 <sup>2</sup>
G4 <sup>6</sup>	G14	G35 <sup>2</sup>
G5 <sup>2</sup>	G15	G36 <sup>2</sup>
G6	G16 <sup>2</sup>	G64 <sup>2</sup>
G7	G17	G65 <sup>2</sup>
G8	G22	
G9	G24	
G10	G25	

### STEM MOUNT OPTIONS:

ST506	.5" Stem Mount, 6" <sup>2</sup>
ST512	.5" Stem Mount, 12" <sup>2</sup>
ST518	.5" Stem Mount, 18" <sup>2</sup>
ST524	.5" Stem Mount, 24" <sup>2</sup>
ST536	.5" Stem Mount, 36" <sup>2</sup>
ST548	.5" Stem Mount, 48" <sup>2</sup>
ST706	.75" Stem Mount, 6"
ST712	.75" Stem Mount, 12"
ST718	.75" Stem Mount, 18"
ST724	.75" Stem Mount, 24"
ST736	.75" Stem Mount, 36"
ST748	.75" Stem Mount, 48"

### E - MOUNTING FINISH

980 Brushed Aluminum  
Please Note: See Section C for Finish Options. 980-Brushed Aluminum is also available for Gooseneck (Except G36, G64 & G65) and Stem mounting styles. If a Porcelain shade finish is selected, mounting will be powder coat painted-to-match. Porcelain shade finishes are not available with a Natural Metal mounting finish  
(I) If Cord Hung [C], selection identifies canopy finish  
(II) If Chain Hung [CN] Mounting Style, selection identifies chain and canopy finish. Natural Metals are not applicable  
(III) If Stem Mount [S] Mounting Style, selection identifies stem and canopy finish  
(IV) If Flush Mount [F] Mounting Style, selection identifies hex coupler and canopy finish. Natural Metals are not applicable

### F - CORDS<sup>7</sup>

NA Not Applicable  
Please Note: See Section D for all applicable CSA Listed Cord Options

### G - SHADE ACCESSORIES<sup>2</sup>

NA	None
WC	Wire Cage
ACR	Acrylic Diffuser <sup>8,9</sup>

### H - SHADE ACCESSORY FINISH

Please Note: See Section C for Finish Options. Natural Metals not applicable. If Porcelain Finish is selected, accessory will be powder coat painted-to-match

### NA Not Applicable

### I - MOUNTING ACCESSORY

Please Note: Mounting Accessories below are only applicable with select Mounting Styles. Please refer to product listings on our website for further detail.

NA	None/Not Applicable
HSC	Hang Straight Canopy <sup>2,10</sup>
LDBPC	LED Decorative Backing Plate Cover <sup>11,12</sup>
LDCHX	LED Decorative Backing Plate Cover & Hex Cover <sup>11,12</sup>

### J - LIGHT SOURCE

LED11	850 Lumen, 11W LED
LED16	1250 Lumen, 16W LED
LED27	2000 Lumen, 27W LED
LED38	3000 Lumen, 38W LED
LED43	4000 Lumen, 43W LED <sup>1</sup>

### K - COLOR TEMPERATURE

2700K	2700K, Warm White
3000K	3000K, Neutral White
3500K	3500K, Bright White
4000K	4000K, Cool White

### L - LED LENS

DL	Domed Lens
FL	Flat Lens

IMPORTANT: (1) Not available with Acrylic Diffuser shade accessory (2) Not available in Natural Metals (3) All Porcelain Enamel finished shades feature a white interior and a black outer rim (4) All Powder Coat finished shades, Galvanized excluded, feature a white interior (5) Natural Metals have a longer estimated manufacturing time, please check the website for exact lead time. There are no returns accepted on Natural Metals (6) Not compatible with 16" shade size and larger (7) Only applicable if Chain Hung Mounting Style is selected in Section A, select NA if another Mounting Style is selected (8) Acrylic Diffuser limits the maximum lumen selection as well as reduces lumens delivered and LPW. Selection Limits: 2000 Max for 12" and 14" shades; 3000 Max for 16" through 20" shades (9) Fixture is CSA Listed for Damp Location with Acrylic Diffuser (10) Only applicable if Stem Mounting Style is selected in Section A (11) Not available with G3, G4, G11, G15, G26, & G36 Gooseneck option (12) Only applicable if Gooseneck Mounting Style is selected in Section A

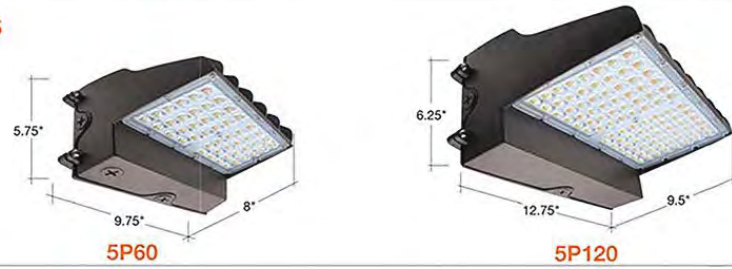


## Fixture Type LC



### Wall Pack Full Cutoff 5 Power + 3CCT Switchable

#### DIMENSIONS



#### FEATURES



Manufacturer: Envision  
 Catalog #: LED-WPFC-FL-5P60-TRI-BLACK-UNV  
 Photocell comes installed. If not used the photocell wires will have to be capped onsite.



## Fixture Type LC



Project: \_\_\_\_\_ Part #: \_\_\_\_\_  
 Type: \_\_\_\_\_

### Wall Pack Full Cutoff 5 Power + 3CCT Switchable

Light up your outdoor area with the EnVision Bolt Series, a line of outdoor fixtures with high lumen per watt efficacy. The Bolt Wall Packs are available in a variety of different styles: non-cutoff, fully cut-off, semi cut-off, adjustable, and a rotatable up/down light. EnVision's full cut off wall pack is industry leading with a slim architectural design that features an optic lens that provides forward-throw light.



#### Applications:

- General outdoor lighting
- Landscape lighting
- Pathways, streets, loading areas, etc.

#### Product Information:

- Photocell included (Easily disconnectable)
- Sturdy die-cast aluminum housing finished with corrosion free powder coat
- Suitable for wet location, professionally waterproofed IP67
- Average life (L70) of 70,000 hours with the integration of Philips Lumileds 3030 chips
- Dark sky compliant

#### Detail Specifications:

- 5P60**
- Operating temperature -4 -- + 124° F
  - PF >0.9 / Input: .55A/ Output: 100-144V DC
  - 120-277V / 0-10V LED Dimmer
- 5P120**
- Operating temperature -4 -- + 124° F
  - PF >0.9 / Input: 1.15A/ Output: 70-94V DC
  - 120-277V / 0-10V LED Dimmer

#### Why pick the Envision Wall Pack?:

- Each wall pack is tested for 120 hours before being packed and shipped
- Optic lens provides forward throw light
- Easy installation with twistable screw knock-outs
- 5 year limited warranty, 10 year warranty available

LED-WPFC-FL-5-Power Selectable-TRI-Finish-PC-Voltage-Access-Options-Warranty

1 Product	2 5-Power Selectable	3 Color	4 Finish	5 Voltage	6 Accessories	7 Options	8 Warranty
LED-WPFC-FL	5P60 20/30/40/50/60W 2,900lm (20W) / 4,350lm (30W) 5,800lm (40W) / 7,250lm (50W) 8,700lm (60W)	TRI 3CCT Switchable 50/40/30K	BZ Bronze Custom Custom*	UNV Universal HV 347-480V Step Down Transformer	(Blank) None PC BMS Photocell Bi-Level Motion Sensor BT Bluetooth	(Blank) None EMB Emergency Backup (90 Mins.)	(Blank) 5 Year (incl.) 10YR 10 Year
5P120	80/90/100/110/120W 11,600lm (80W) / 13,050lm (90W) 14,500lm (100W) / 15,950lm (110W) 17,400lm (120W)		*Custom colors available, 7-10 day lead time, colors include white, black, etc. <b>BLACK</b>				

Specs and model numbers are subject to change with or without notice.

EnVision LED Lighting, Inc.  
 4845 S. Eastern Ave | Bell, CA 90201 | Tel: 323-604-0066 | www.envisionledlighting.com



Manufacturer: Envision  
 Catalog #: LED-WPFC-FL-5P60-TRI-BLACK-UNV  
 Photocell comes installed. If not used the photocell wires will have to be capped onsite.









## Fixture Type LE1

### Outdoor Cove Lighting CROWN



- Quick connection
- Dimmable, 1-10V dimming to 10%-100%
- Linkable, max. linkable length: 72' @ 120VAC, 156' @ 277VAC
- Lockable, precision aiming adjustment: ±85° vertical rotation
- IP rating: IP66 (for wet locations)
- Lifetime: 50,000hrs (ta=95°F, 35°C)
- Ta: -13°F - 122°F (-25°C - 50°C)
- 10W/ft, 1050lm/ft
- Material: Aluminum alloy
- Other color temp available



Dimensions: inches, (mm)



How to order using our catalog numbers  
Example: CROWN-1230K110SS

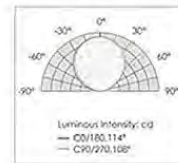
Series	Length	CCT (K)	Beam Angle	Finish	Installation
CROWN	12 - 11.8\"/>				

#### Specifications

Catalog No.	Model	Rated Input (VAC)	Ra	Power (W)	Luminous flux (TYP@4000K)lm
CROWN-1230K110SS	CROWN-L24-277V	120-277	90	10	1050
CROWN-1235K110SS					
CROWN-1240K110SS	CROWN-L90-277V	120-277	90	40	4200
CROWN-4730K110SS					
CROWN-4735K110SS	CROWN-L144-277V	120-277	90	60	6300
CROWN-7030K110SS					
CROWN-7035K110SS	CROWN-7040K110SS				

\*Included: 1 pc LED fixture, 2pcs screws.

#### Photometrics



www.self-electronics.com • SELF •

Manufacturer: Crown  
Catalog #: CROWN-7040K110SS



## Fixture Type LE2

### Outdoor Cove Lighting CROWN NARROW



- Quick connection
- Narrow beam angle
- Dimmable, 1-10V dimming to 10%-100%
- Linkable, max. linkable length: 72' @ 120VAC, 156' @ 277VAC
- Lockable, precision aiming adjustment: ±85° vertical rotation
- IP rating: IP66 (for wet locations)
- Lifetime: 50,000hrs (ta=95°F, 35°C)
- Ta: -13°F - 122°F (-25°C - 50°C)
- 10W/ft, 1000lm/ft
- Material: Aluminum alloy
- Other color temp available



Dimensions: inches, (mm)



How to order using our catalog numbers  
Example: CROWN NARROW-1230K3060SS

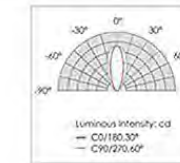
Series	Length	CCT (K)	Beam Angle	Finish	Installation
CROWN NARROW	12 - 11.8\"/>				

#### Specifications

Catalog No.	Model	Rated Input (VAC)	Ra	Power (W)	Luminous flux (TYP@4000K)lm
CROWN NARROW-1230K3060SS	CROWN NARROW-L12-277V	120-277	90	10	1000
CROWN NARROW-1235K3060SS					
CROWN NARROW-1240K3060SS	CROWN NARROW-L45-277V	120-277	90	40	4000
CROWN NARROW-4730K3060SS					
CROWN NARROW-4735K3060SS	CROWN NARROW-L72-277V	120-277	90	60	6000
CROWN NARROW-4740K3060SS					
CROWN NARROW-7030K3060SS	CROWN NARROW-7040K3060SS				

\* 1pc LED fixture, 2pcs screws.

#### Photometrics



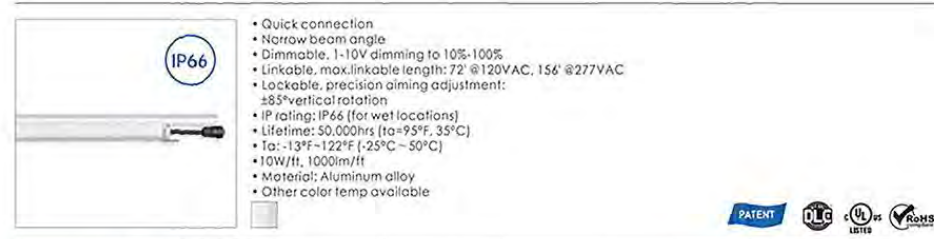
www.self-electronics.com • SELF •

Manufacturer: Crown  
Catalog #: CROWN NARROW 4740K3060SS



# Fixture Type LE3

## Outdoor Cove Lighting CROWN NARROW



Dimensions: inches, (mm)



How to order using our catalog numbers  
Example: CROWN NARROW-1230K3060SS

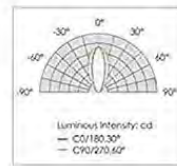
Series	Length	CCT (K)	Beam Angle	Finish	Installation
CROWN NARROW	12 - 11.8\"/>				

Specifications

Catalog No.	Model	Rated Input (VAC)	Ra	Power (W)	Luminous flux (TYP@4000K)lm
CROWN NARROW-1230K3060SS	CROWN NARROW-L12-277V	120-277	90	10	1000
CROWN NARROW-1235K3060SS					
CROWN NARROW-1240K3060SS					
CROWN NARROW-4730K3060SS	CROWN NARROW-L45-277V	120-277	90	40	4000
CROWN NARROW-4735K3060SS					
CROWN NARROW-4740K3060SS					
CROWN NARROW-7030K3060SS	CROWN NARROW-L72-277V	120-277	90	60	6000
CROWN NARROW-7035K3060SS					
CROWN NARROW-7040K3060SS					

\* 1pc LED fixture, 2pcs screws.

Photometrics

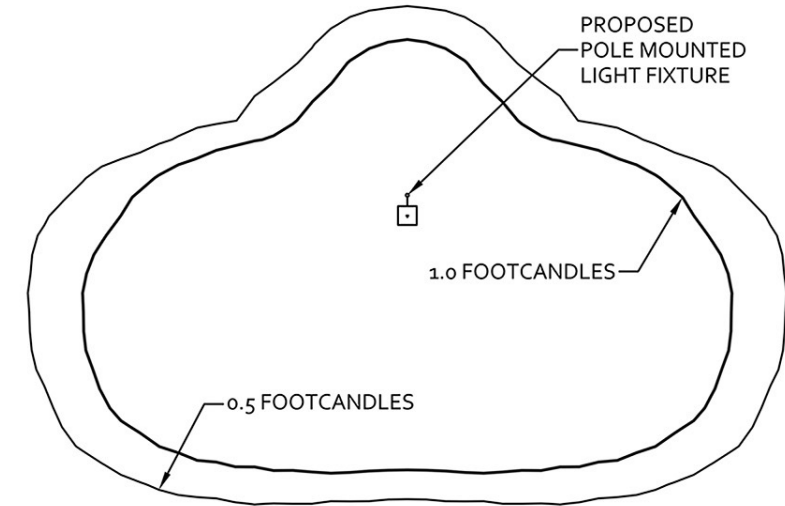


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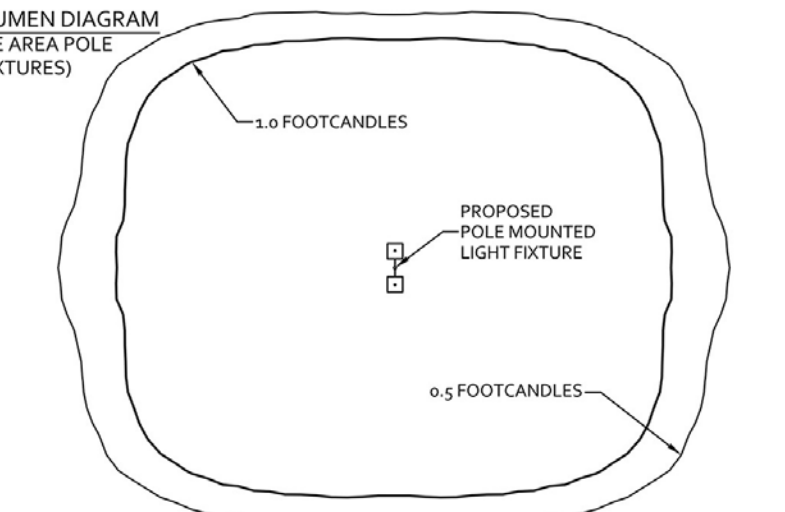
Manufacturer: Crown  
Catalog #: CROWN NARROW 7040K3060SS



### LIGHTING LUMEN DIAGRAM (TYPICAL SITE AREA POLE w/ 1 LIGHT FIXTURE)




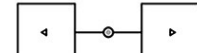
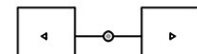

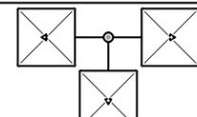






### LIGHTING LUMEN DIAGRAM (TYPICAL SITE AREA POLE w/ 2 LIGHT FIXTURES)



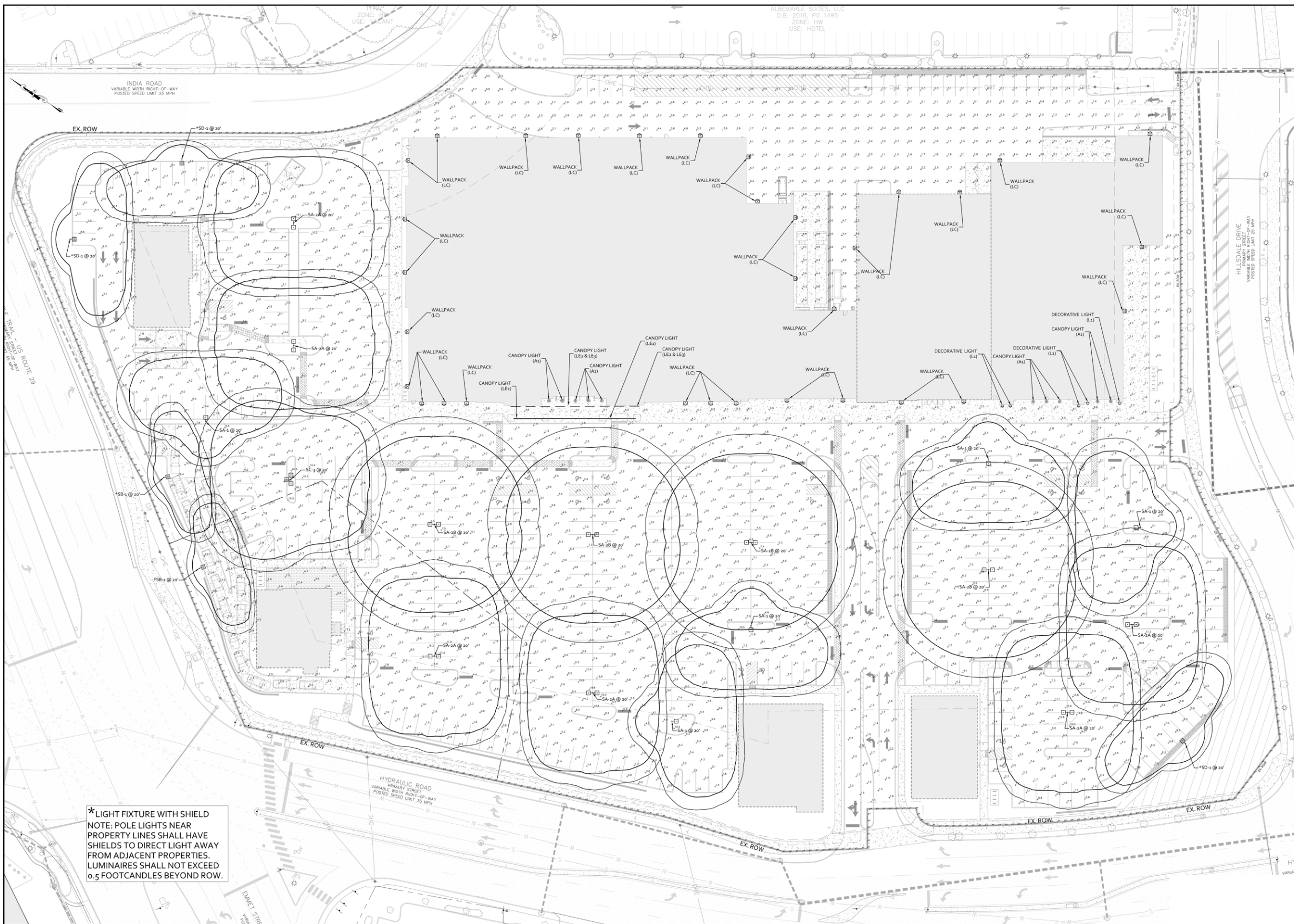
#### LIGHTING GENERAL NOTES:

1. EACH OUTDOOR LUMINAIRE SHALL BE A FULL CUTOFF LUMINAIRE.
2. EACH OUTDOOR LUMINAIRE THAT MEETS GREATER THAN 3000 LUMENS SHALL BE A FULL CUT OFF FIXTURE.
3. NO OUTDOOR LUMINAIRE SITUATED OUTSIDE OF A PUBLIC RIGHT-OF-WAY AND WITHIN OR IMMEDIATELY ADJACENT TO ANY LOW DENSITY RESIDENTIAL DISTRICT SHALL BE MOUNTED OR PLACED AT A LOCATION MORE THAN TWELVE (12) FEET IN HEIGHT.
4. NO OUTDOOR LUMINAIRE SHALL BE MOUNTED OR PLACED AT A LOCATION THAT IS MORE THAN TWENTY (20) FEET IN HEIGHT. ALL POLE LIGHTS SHALL BE 20' FROM THE GROUND TO THE PROPOSED LIGHT FIXTURE (INCLUDING THE BASE).
5. ALL OUTDOOR LUMINAIRE, REGARDLESS OF THE NUMBER OF LUMENS, SHALL BE ARRANGED OR SHIELDED TO REFLECT LIGHT AWAY FROM ADJOINING RESIDENTIAL DISTRICTS AND AWAY FROM ADJACENT ROADS. THE SPILLOVER OF LIGHTING FROM LUMINAIRES ONTO PUBLIC ROADS AND PROPERTY IN RESIDENTIAL OR RURAL ZONING DISTRICTS SHALL NOT EXCEED ONE-HALF FOOTCANDLE.
6. ALL LIGHT FIXTURES SHALL BE LED AND WILL HAVE A CCT OF 3000K IN KEEPING THE DARK SKY ORDINANCE.
7. ALL LIGHT FIXTURES SHALL BE BRONZE IN COLOR.
8. ALL LIGHTING SHALL COMPLY WITH THE DARK SKIES REQUIREMENTS FOUND IN THE CITY OF CHARLOTTESVILLE STANDARDS AND DESIGN MANUAL.



LIGHT FIXTURE LEGEND & SCHEDULE									
SYMBOL	LABEL	QUANTITY	MANUFACTURER	CATALOG	DESCRIPTION	NUMBER LAMPS	LAMP OUTPUT	LLF	INPUT POWER
	SA-1	5	LITHONIA LIGHTING	RSX2 LED P5 30K R3	RSX AREA FIXTURE SIZE 2 P5 LUMEN PACKAGE 3000K CCT TYPER R3 DISTRIBUTION	1	26048	1	213.48
	SA-2A	6	LITHONIA LIGHTING	RSX2 LED P5 30K R3	RSX AREA FIXTURE SIZE 2 P5 LUMEN PACKAGE 3000K CCT TYPER R3 DISTRIBUTION	1	26048	1	426.96
	SA-2B	4	LITHONIA LIGHTING	RSX2 LED P5 30K R5	RSX AREA FIXTURE SIZE 2 P5 LUMEN PACKAGE 3000K CCT TYPER R5 DISTRIBUTION	1	26742	1	426.96
	SB-1	2	LITHONIA LIGHTING	RSX2 LED P4 30K R2 HS	RSX LED AREA LUMINAIRE SIZE 2 P4 LUMEN PACKAGE 3000K CCT TYPE R2 DISTRIBUTION WITH HS SHIELD	1	17266	1	189.54
	SC-3	1	LITHONIA LIGHTING	RSX2 LED P4 30K R3	RSX AREA FIXTURE SIZE 2 P4 LUMEN PACKAGE 3000K CCT TYPE R3 DISTRIBUTION	1	22755	1	568.62
	SD-1	3	LITHONIA LIGHTING	RSX2 LED P6 30K R3 HS	RSX LED AREA LUMINAIRE SIZE 2 P6 LUMEN PACKAGE 3000K CCT TYPE R3 DISTRIBUTION WITH HS SHIELD	1	19335	1	246.63
	LC	28	LITHONIA LIGHTING	WPX1 LED P2 30K MVOLT	WPX1 LED WALLPACK 3000LM 3000K COLOR TEMPERATURE 120-277 VOLTS	1	2749	1	23.26
	A1	5	MAXILUME	HH8-LED	HH8-LED - 6000L - DIM10 - MVOLT - MD OPTICS - 40L CCT - 90 CRI - FANGED DOWNLIGHT TRIM - COLOR WHITE	1	3978	1	46.6589
	LE1	93.33 lf	CROWN COVE LIGHTING	CROWN-7040K 110SS	L144-277V - LENGTH=70" - 40K CCT - 110 BEAM ANGLE - COLOR SILVER - 6300 LUMINOUS FLUX - 60 WATT	1	6300	1	60
	LE2	97.92 lf	CROWN COVE LIGHTING	CROWN-4740K 3060SS	L45-277V - LENGTH=47" - 40K CCT - 3060 BEAM ANGLE - COLOR SILVER - 4000 LUMINOUS FLUX - 40 WATT	1	4000	1	40
	LE3	97.92 lf	CROWN COVE LIGHTING	CROWN-4740K 3060SS	L72-277W - LENGTH=70" - 40K CCT - 3060 BEAM ANGLE - COLOR SILVER - 6000 LUMINOUS FLUX - 60 WATT	1	6000	1	60





REVISIONS	
DATE	REVISION DESCRIPTION
6/21/22	INITIAL SUBMITTAL OF FINAL SITE PLAN
10/11/22	2ND SUBMITTAL OF FINAL SITE PLAN
1/16/23	3RD SUBMITTAL OF FINAL SITE PLAN

**COLLINS ENGINEERING**  
 200 GARRETT STREET, SUITE K-CHARLOTTESVILLE, VA 22902-434.293.3719

**HILLSDALE PLACE - FINAL SITE PLAN**  
 LIGHTING PLAN

PROJECT SHEET  
 JOB NO. 202188  
 SCALE 1" = 30'  
 SHEET NO. L1

\*LIGHT FIXTURE WITH SHIELD  
 NOTE: POLE LIGHTS NEAR PROPERTY LINES SHALL HAVE SHIELDS TO DIRECT LIGHT AWAY FROM ADJACENT PROPERTIES. LUMINAIRES SHALL NOT EXCEED 0.5 FOOTCANDLES BEYOND ROW.

**Hillsdale Place**  
 Charlottesville, Virginia



*Note: For conceptual illustration only. Design, dimensions, colors, materials, and the location of signs and doors are subject to change.*

**Lighting Plan**  
 Not to Scale

16121.00  
 02.17.23  
 Page 20



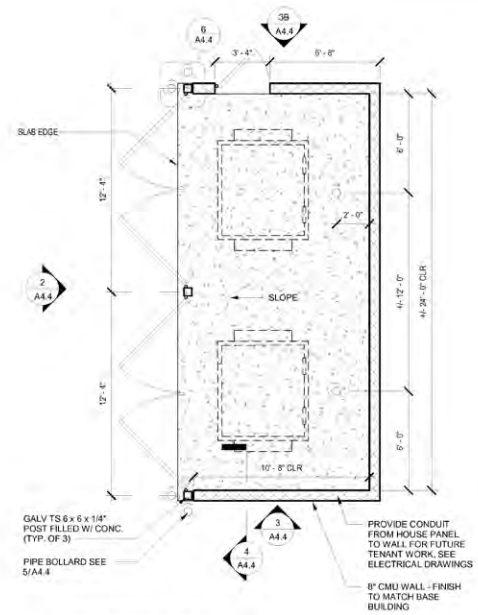




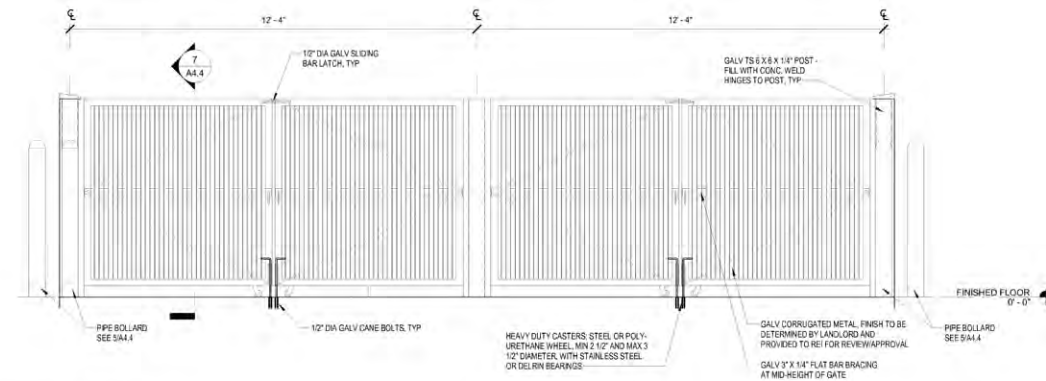




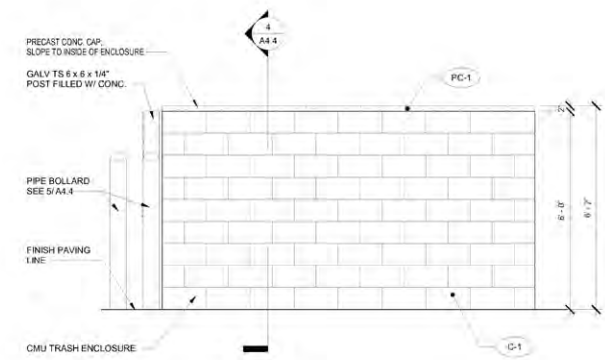




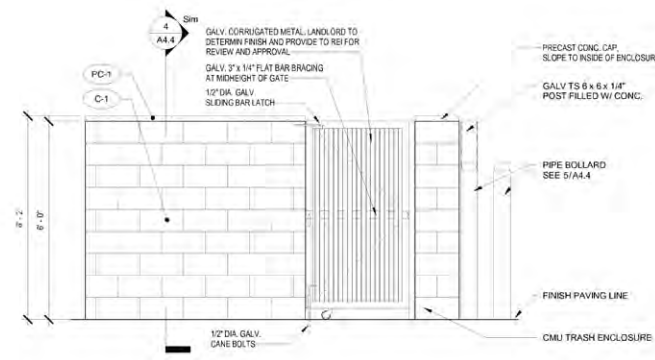
1 DUMPSTER ENLARGED PLAN  
1/4" = 1'-0"



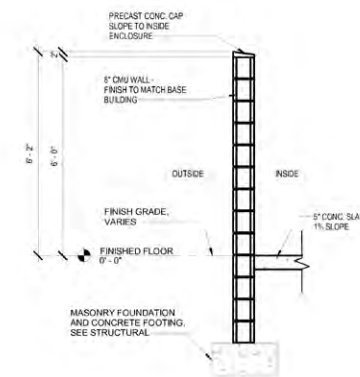
2 DUMPSTER FRONT ELEVATION  
1/2" = 1'-0"



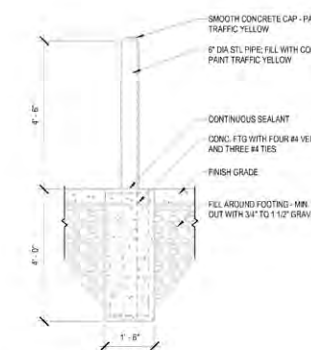
3 DUMPSTER SIDE ELEVATION  
1/2" = 1'-0"



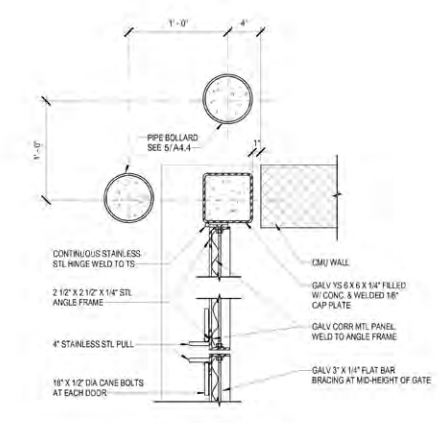
3B DUMPSTER SIDE ENTRY  
1/2" = 1'-0"



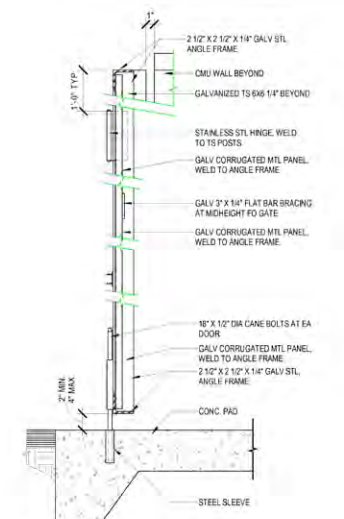
4 DUMPSTER WALL SECTION  
1/2" = 1'-0"



5 BOLLARD SECTION  
1/2" = 1'-0"



6 TRASH ENCLOSURE ENLARGED BOLLARDS  
1 1/2" = 1'-0"

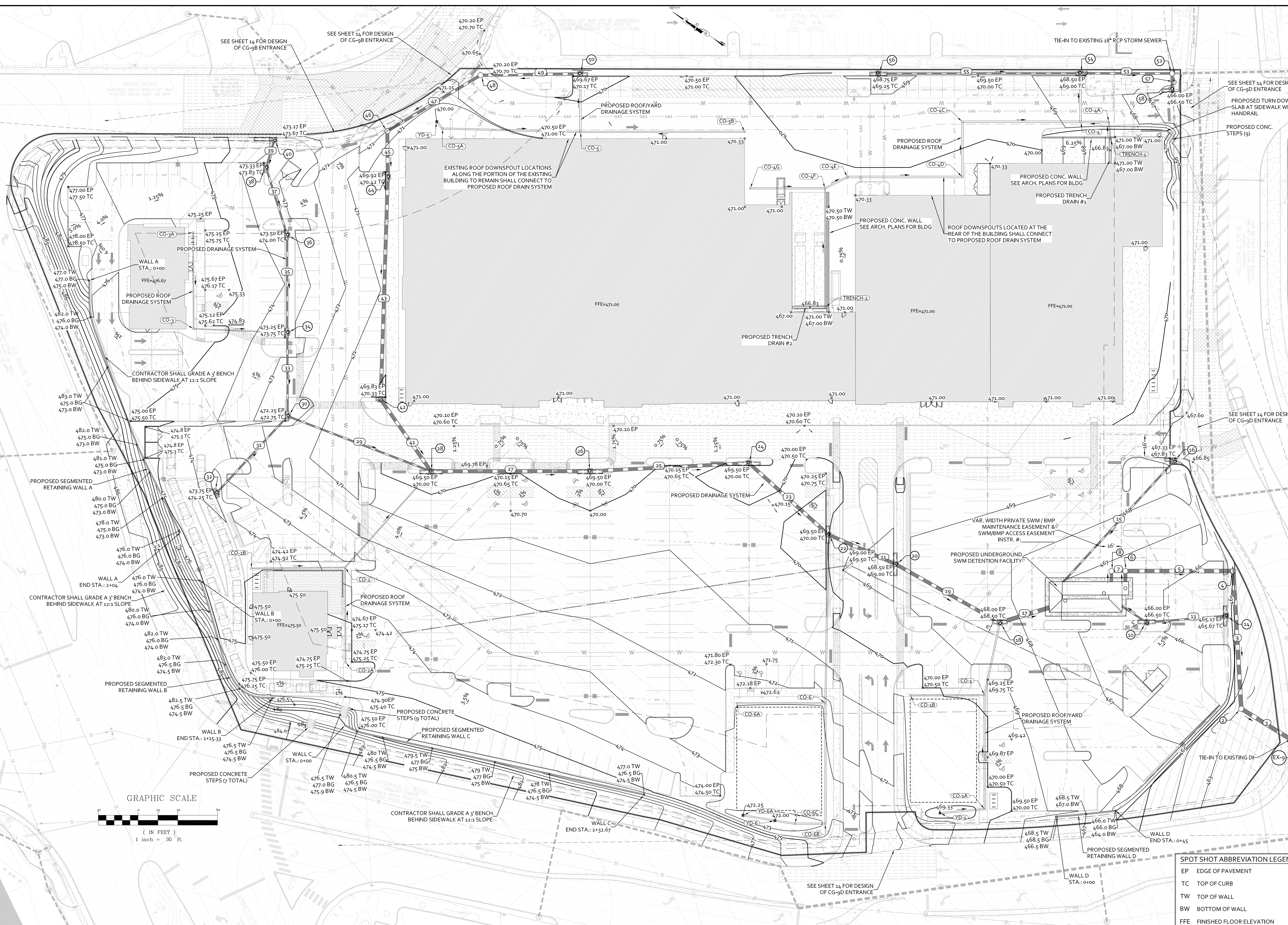
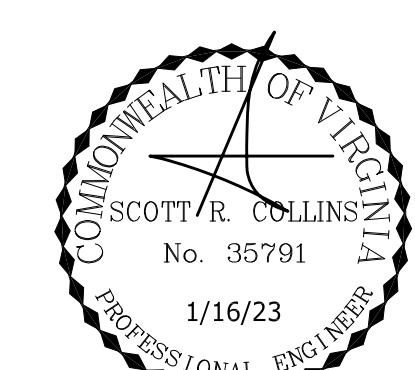


7 TRASH ENCLOSURE GATE SECTION  
1 1/2" = 1'-0"









**REVISIONS**

DATE	REVISION DESCRIPTION
6/21/22	INITIAL SUBMITTAL OF FINAL SITE PLAN
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**COLLINS ENGINEERING**

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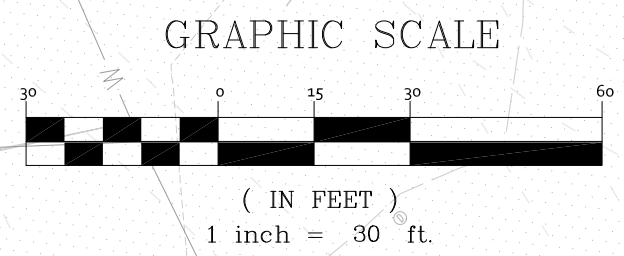
**HILLSDALE PLACE - FINAL SITE PLAN**

**GRADING & DRAINAGE PLAN**

PROJECT	JOB NO.
SHEET	202188
	SCALE
	1" = 30'
	SHEET NO.
	13

**SPOT SHOT ABBREVIATION LEGEND**

EP	EDGE OF PAVEMENT
TC	TOP OF CURB
TW	TOP OF WALL
BW	BOTTOM OF WALL
FFE	FINISHED FLOOR ELEVATION



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



**JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC HEARING**  
**APPLICATION FOR A REZONING OF PROPERTY**  
**APPLICATION NUMBER: ZM22-00003**  
**DATE OF HEARING: March 14, 2023**

**Project Planner:** Dannan O’Connell

**Date of Staff Report:** March 6, 2023

**Applicant:** Nicole Scro (Chicken Oriented Development, LLC)

**Current Property Owner:** Nicole and Stephanie Scro

**Application Information**

**Property Street Address:** 1120 Avon Street

**Tax Map & Parcel/Tax Status:** Tax Map 59-165, (real estate taxes paid current - Sec. 34-10)

**Total Square Footage/ Acreage Site: Approx.** 0.15 acres (6,450 square feet)

**Comprehensive Plan (Future Land Use Map):** Medium Intensity Residential

**Current Zoning Classification:** R-1S (Single Family Residential)

**Proposed Zoning Classification:** B-2 (Business) with proffers

**Overlay District:** Entrance Corridor Overlay District

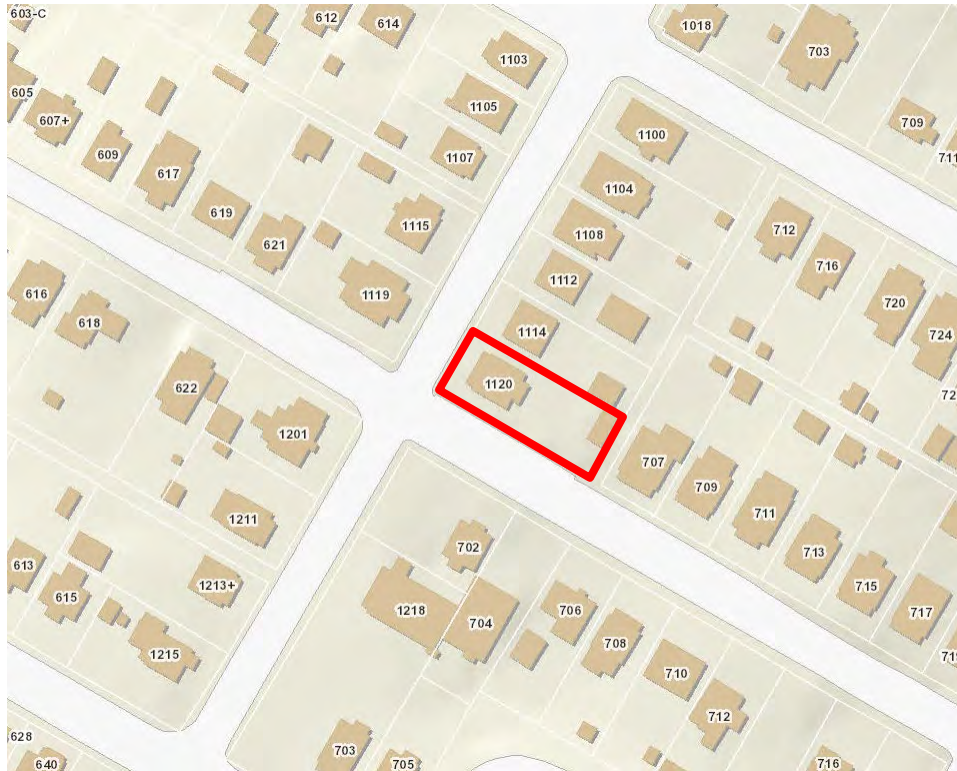
**Completeness:** The application generally contains all the information required by Zoning Ordinance (Z.O.) Sec. 34-41

**Applicant’s Request (Summary)**

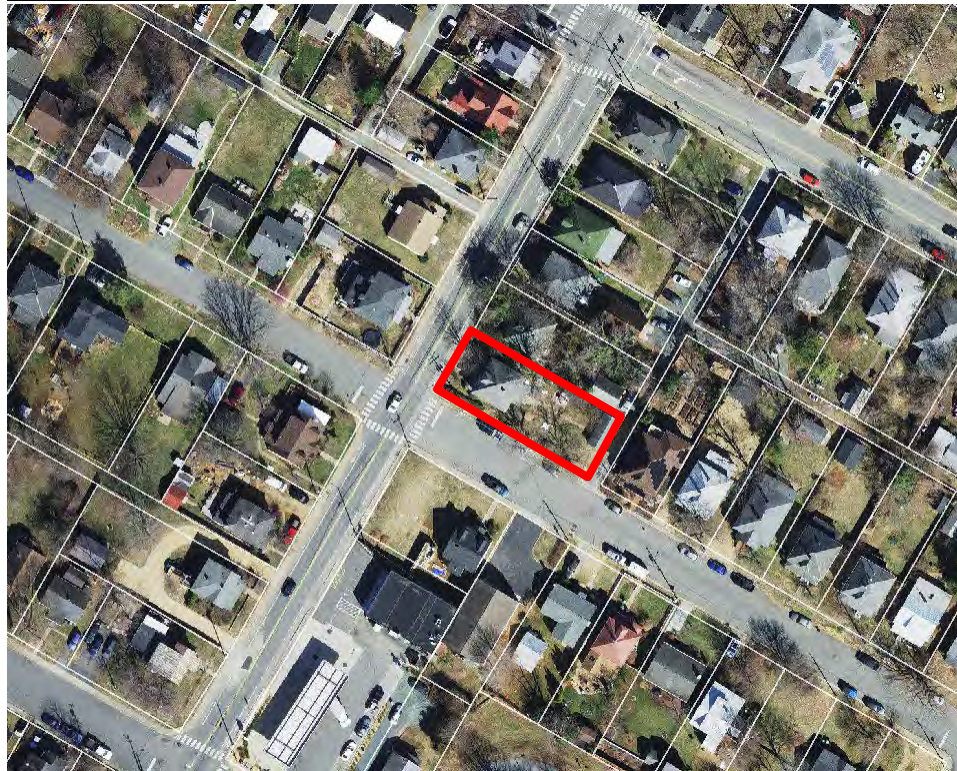
Nicole Scro (Landowner), manager of Chicken Oriented Development, LLC (Applicant) has submitted an application pursuant to City Code 34-41 seeking a zoning map amendment to change the zoning district classifications of the above parcel of land. The Subject Property has frontage on Avon Street and Altavista Avenue. The applications propose to change the zoning district classification of the Subject Property from R-1S (Residential Single-Family) to B-2 (Business) subject to certain proffered development conditions (“Proffers”) and a development plan.



**Vicinity Map**



**Context Map 1**



**Context Map 2- Zoning Classifications**



**KEY - Yellow: R-1S, Red: B-2**

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



**KEY: Brown: Medium Intensity Residential, Yellow: General Residential, Pink: Neighborhood Mixed Use Corridor, Green: Park or Open Space**



## **Rezoning Standard of Review**

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

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

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

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

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

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

- i. **Goal 2 – Future Land Use Vision:** Guide implementation of the Future Land Use vision contained in this Comprehensive Plan, including support for existing neighborhoods and preventing displacement.
- ii. **Goal 3 – Balancing Preservation with Change:** Protect and enhance the existing distinct identities of the city's neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community.

#### **b. Housing**

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

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

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

- i. **Goal 1 – Zoning Ordinance:** With the community, create a new zoning ordinance to reinforce and implement the vision for Charlottesville’s future as articulated in the Comprehensive Plan, Affordable Housing Plan, Small Area Plans, Vision Plans, and the Standards and Design Manual.

Comprehensive Plan:

The 2021 Comprehensive Plan’s Future Land Use Map designates 1120 Avon Street as Medium Intensity Residential. Medium Intensity Residential is described as allowing small, “house-sized” residential buildings with up to twelve (12) dwelling units, as well as accessory dwelling units (ADUs), cottage courts, and townhouses. This house-sized infill should include structures with similar building height, building width, and side and front yard setbacks as the surrounding residential structures. The intent of this designation is to provide opportunities for development, including affordable housing units, along transit corridors, close to public amenities, and in areas that are traditionally less affordable.

The applicant is proposing one (1) Affordable Dwelling Unit (ADU) be proffered as part of this rezoning request. Per the City’s current affordable housing regulations, no ADUs are required for this rezoning request.

The proposed uses do conform to the categories identified in the 2021 Future Land Use Map. A multi-family building containing eight residential apartments is proposed to be constructed to the rear of the existing single-family home. The existing home may be converted into a two-unit residential duplex. The proposed four-story multi-family building does not exceed the four-story height limit noted for Medium Intensity Residential.

Streets That Work Plan:

The Subject Property has frontage on Avon Street and Altavista Avenue. Avon Street is designated a “Neighborhood A” street in the 2016 Streets That Work Plan, and is currently developed as a two-way street with one travel lane and one dedicated (un-separated) bike lane in each direction. No changes are suggested to the Avon Street right-of-way as part of this rezoning.

Altavista Avenue is designated a “Local Street” in the Streets That Work Plan. Local streets have no defined typology, given the diversity of size and condition of rights-of-way within this category. Altavista Avenue is currently developed as a two-lane unstriped roadway with



a width of sixty (60) feet. The applicant is proposing to utilize the Subject Property's frontage on Altavista Avenue for off-street parking. Given site constraints, notably the property's proximity to an intersection and an on-site fire hydrant, approximately 100 feet of Altavista Avenue's frontage could be utilized for on-street parking.

Bicycle and Pedestrian Master Plan:

The Subject Property's frontage on Avon Street is developed with sidewalk and an un-separated dedicated bike lane. There is currently no bike infrastructure along Altavista Avenue, and only a small portion of the southern side (opposite the Subject Property) has curb and sidewalk installed. A City bus stop (CAT Routes 2 & 3) is located on Avon Street, approximately 320 feet south of the Subject Property.

The applicant is proposing to install sidewalk along the Subject Property's frontage with Altavista Avenue as part of a future development, although no road pedestrian improvements are currently proffered. Sidewalk improvements along this road may be required prior to site plan approval per Sec. 34-897(d), or prior to subdivision per Sec. 29-182(j)(3).

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

Staff finds that a land use change from R-1S to B-2, with proffers, as described in the application materials, could benefit the surrounding community by providing additional residential housing of a type that is not prevalent in this area of the City.

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

The proposed rezoning and proffers, if combined with an approved Special Use Permit for increased residential density, would permit more intensive infill development not currently allowed by the current zoning ordinance. This would fulfill the objectives of the 2021 Comprehensive Plan for more diverse housing types, in proximity to pedestrian infrastructure and mass transit lines.

However, the City of Charlottesville is currently undertaking a full rewrite of the Zoning Ordinance. This new ordinance will strategically upzone the City, making infill development similar to what is proposed on the Subject Property allowable by-right. City staff are concerned that attempting to fulfill the objectives of the 2021 Comprehensive Plan via the City's current (to be replaced) zoning regulations is unnecessary given the proximity of the City of Charlottesville Zoning ordinance rewrite.

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

Any development on the Subject Property would be evaluated during site plan review and need to meet all current regulations related to public utilities and facilities. Due to the location of the Subject Property, staff believes all public services and facilities would be adequate to support any development contemplated by the Comprehensive Plan for this area.

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

**Single-family (R-1).** The single-family residential zoning districts are established to provide and protect quiet, low-density residential areas wherein the predominant pattern of residential development is the single-family dwelling.

[...]

**R-1(S)** ("small lot"), consisting of low-density residential areas characterized by small-lot development.

The applicant is requesting a rezoning of the Subject Property to B-2 to accommodate multi-family housing units that are not currently allowed in the R-1S district. Multi-family residential density of up to 21 dwelling units per acre (DUA) is allowable in the B-2 district by-right; density of 22 to 87 DUA is allowable with an approved Special Use Permit. The applicant is proposing to construct a four-story eight (8) unit apartment building on the Subject Property and convert the existing single-family home into a two (2) unit duplex. This would give the Subject Property a DUA of 68. The applicant has submitted a Special Use Permit for increased residential density (SP22-00009) concurrently with this rezoning request to accommodate this proposed development.

According to the proposed Proffer Statement (Attachment C) residential uses permitted within the PUD would be more intensive than current R-1S uses, although non-residential uses would be significantly more restrictive than what is allowed by-right in the B-2 district. The only proffered by-right non-residential use (other than allowances for communications facilities, radio antennas, accessory uses and daycares, which are also allowed in R-1S) is for a hotel use of up to 4 guest rooms, restricted to the existing single-family structure fronting Avon Street. The applicant states that this proffered commercial use may be temporary, to circumvent a lot acreage requirement in the City's current zoning ordinance that could prevent the owner from subdividing the Subject Property.



The applicant is requesting a proffered height limit of 40 feet for the Subject Property to accommodate the proposed multi-family building. This would be more restrictive than the 45-foot height limit allowed in the B-2 district; however, it is more than the current 35-foot height limit in R-1S. The applicant's justification for this height request is contained on page 18 of their application narrative (Attachment B). Further modifications of required setbacks and off-street parking have been requested as part of the Subject Property's Special Use Permit for increased residential density.

The City is currently undertaking a rewrite of its zoning ordinance and map, with an expected adoption date of Spring 2023. The current draft map (released February 3, 2023) shows the Subject Property as zoned "R-C." Although the regulations of this new district are not final, the proposed development of the Subject Property exceeds the residential density (8 units) and minimum street lot line setbacks (5 feet) required by the current draft.

### **Summary of Proffers**

The proffered development conditions include:

**(1) Design:** The general design, maximum height and density, and other substantive characteristics of the Project shall remain essentially the same, in all material aspects, as described within the application materials submitted to the City on August 23, 2022, and as amended from time to time, including, but not limited to, the Conceptual Site Plan, dated February 2, 2023, prepared by Shimp Engineering, P.C. Except that the characteristics of the Project may subsequently be modified to comply with City zoning regulations not modified by this application. Any other material change of the Project as represented within the application materials shall require a modification of this rezoning application.

**(2) Height of Buildings and Structures:** Any buildings and structures located on the Property shall not exceed forty (40) feet in height. (Height is to be measured in accordance with City Code Section 34-1110 in effect as of the date this ordinance, which specifies that height, when applied to a building or structure, shall refer to the vertical distance measured perpendicularly from grade to the highest point on such building or structure. For purposes of measuring building height, the following shall be deemed the highest point of a building: the level of a flat roof; the deck line of a mansard roof; and the average height level between the eaves and ridge, for gable, hip and gambrel roofs.)

**(3) Affordable Housing:** The Owner shall provide affordable housing within the Property, as follows:

a. **Rent Restriction.** For purposes of this Proffer Statement, the term “For-Rent Affordable Dwelling Unit” means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed thirty-percent (30%) of a Household’s income where such Household’s income is equal to sixty-percent (60%) of the area median income, which shall be derived from (1) the “very low” income limit published annually by the federal Department of Housing and Urban Development (HUD) for Households within the Charlottesville, Virginia metropolitan statistical area (MSA), and (2) where the number of persons in Household equates to an average of 1.5 occupants per bedroom.

b. **Income Restriction.** For-Rent Affordable Dwelling Units shall be reserved for rent to low- and moderate-income households having income less than sixty (60) percent of the AMI, derived from the “very low” income limit published annually by HUD for Households within the Charlottesville, Virginia MSA.

c. **Number of For-Rent Affordable Dwelling Units.** One (1) unit shall be designated as a For-Rent Affordable Dwelling Unit (the “Required Affordable Dwelling Unit”). The Required Affordable Dwelling Unit shall be identified on a layout plan, by unit, prior to the issuance of the second certificate of occupancy for residential units on the Property (the “Initial Designation”). The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change the unit(s) reserved as the For-Rent Affordable Dwelling Unit; provided, however, that so long as a proposed change does not reduce the number of Required Affordable Dwelling Units and does not result in an Affordability Period shorter than required by these proffers. The City’s approval shall not be unreasonably withheld, conditioned, or delayed.

d. **Affordability Period.** The Required Affordable Dwelling Units shall be reserved as such throughout a period of at least ninety-nine (99) years from the date on which the unit receives a certificate of occupancy from the City’s building official (the “Affordability Period”).

e. **Declaration Requirement.** The land use obligations referenced in this Section 3 shall be set forth within one or more written declarations of covenants recorded within the land records of the Clerk’s Office of the Circuit Court of the City of Charlottesville, Virginia, in a form approved by the Office of the City



Attorney, so that the Owner's successors in right, title and interest to the Property shall have notice of and be bound by such obligations. Such declaration of covenant shall be substantially similar to the form within the application materials submitted to the City on August 23, 2022, as amended from time to time prior to adoption of the rezoning application.

**(4) Land Uses:** The Property may be used only for the following. Any uses other than those listed below shall be prohibited:

**Residential and related uses.**

1. By-right: single-family detached; single-family attached; townhouse; two-family dwelling; accessory buildings, structures and uses; multifamily dwellings; boarding; rooming house; 1-21 dwelling units per acre (DUA).
2. With a provisional use permit: home occupations; accessory apartment, internal; accessory apartment, external.
3. With a special use permit: 22-43 DUA; 44-64 DUA; 65-87 DUA.

**Other uses.**

1. By-right: amateur radio antennas, to a height of 75 feet; communications facilities: attached facilities utilizing utility poles as the attachment structure; communications facilities: attached facilities not visible from any adjacent street or property; access to adjacent multifamily, commercial, industrial, or mixed-use development or use; accessory buildings, structures and uses; daycare facility; hotel/motel: up to 4 guest rooms, *where such guest rooms shall be restricted to the currently existing single family detached home fronting Avon Street*; accessory surface parking lot.
2. With a provisional use permit: mobile food units.

Notwithstanding anything herein to the contrary, any future changes to the City of Charlottesville Zoning Ordinance that allows commercial uses on the Property shall supersede the restriction of uses outlined above.

The Office of Community Solutions has reviewed the draft proffer statement and has requested that their comments be provided to the Planning Commission (See Attachment G).

**Zoning History of the Subject Property**

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

**The Subject Property is bordered by:**

Direction	Use	Zoning
North	Single-Family Residences	R-1S
South	Commercial Retail, Gas Station	B-2
East	Single-Family Residences	R-1S
West	Multi-Family Residences	R-1S

Staff finds the proposed rezoning is consistent with the City’s 2021 Future Land Use Plan Map for density, use and housing type. The development may contribute to other goals within the Land Use and Housing chapters of the 2021 Comprehensive Plan.

The type of use, multi-family residential, is not consistent with the existing development pattern in this area. However, the intent of the 2021 Future Land Use Map is to allow increased residential density, infill development and increased variety of housing types. The use of the B-2 (Business) district to solely allow multi-family development with restrictive proffers is not typical. However, the current Zoning Ordinance does not have a zoning district that would allow a residential density of this scale (68 DUA) by-right. The R-3 (Multifamily) district could support such a DUA figure with an approved SUP but requires additional amenity spaces which would be difficult to fit on a small lot area.

**Public Comments Received**

*Community Meeting Required by Z.O. Sec. 34-41(c)(2).*

On August 10, 2022 the applicant held a virtual community meeting. The applicant gave an overview of the project as it related to the need for a rezoning and Special Use Permit. Twenty-one members of the public attended the meeting and voiced the following concerns:



- The proposed apartment building is out of scale with the surrounding neighborhood.
- Inadequate parking provisions for the proposed development.
- Confusion over why commercial zoning was being pursued for a residential project.
- Concern over short-term rental uses within the proposed apartment uses.
- Proposed setback distances are inadequate.
- Concern over affordability, lack of more Affordable Dwelling Units.
- Concern over inadequate tree cover.

#### *Other Comments*

As of the date of this report (May 6, 2023), staff has received the following concerns through email, phone calls or in person conversations:

- The proposed apartment building is out of scale with the surrounding neighborhood.
- Inadequate parking provisions for the proposed development.
- Concern that the proposed development is out of scale with what will be allowed under the rewritten City Zoning Ordinance.
- Concern over commercial, hotel, and short-term rental uses within the proposed apartment uses.
- Proposed setback distances are inadequate.
- Concern over affordability, lack of more Affordable Dwelling Units.
- Concern over stormwater runoff and adequate street tree cover.

All written comments received by City staff are forwarded to Planning Commission and City Council (See Attachment H).

#### **Staff Recommendation**

Staff finds the proposed development, as presented in the application materials could contribute to many goals within the City's Comprehensive Plan. The uses presented in the proposed development are consistent with adopted 2021 Future Land Use Map.

Staff is concerned that the proposed rezoning may be unnecessary given the proximity of the City of Charlottesville's Zoning Ordinance rewrite. The applicant is attempting to modify a commercial rezoning, through proffers and SUP conditions, to support higher-density multi-family housing on a small residential lot. Such developments will soon be permitted by-right (albeit with different zoning and development standards from what is currently allowable) on the Subject Property and throughout the City, if the new Zoning Ordinance is adopted and implemented by the Planning Commission and City Council.

**Suggested Motions**

1. I move to recommend that City Council should approve ZM22-00003, on the basis that the proposal would service the interests of the general public and good zoning practice.
- OR,**
2. I move to recommend that City Council should deny approval of ZM22-00003, on the basis that the proposal would not service the interests of the general public and good zoning practice.

**Attachments**

- A. Rezoning Application Dated August 23, 2022
- B. Rezoning and SUP Narrative Dated February 15, 2023
- C. Draft Proffer Statement Dated February 15, 2023
- D. Draft Declaration of Affordable Housing Covenants Dated February 15, 2023
- E. Conceptual Site Plan Dated August 1, 2022
- F. Site Shadow Study Dated August 29, 2022
- G. Office of Community Solutions Comments on Proffers Dated January 26, 2023
- H. Received Public Comments





# City of Charlottesville

## Application for Rezoning

Project Name: 1120 Aron Street

Address of Property: 1120 Aron Street

Tax Map and Parcel Number(s): 590165000

Current Zoning: R-1S

Proposed Zoning: B-2

Comprehensive Plan Land Use Designation: Medium Intensity Residential

Applicant: Chicken Oriented Development LLC

Address: 912 East High Street Charlottesville VA 22902

Phone: 434-218-0513 Email: nsceo@gallifreyentekpeises.com

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

Owner      Owner's Agent      Contract Purchaser

Owner of Record: Nicole Scro & Stephanie Scro

Address: see above

Phone: — Email: —

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

(1) Signature [Signature] Print Nicole Scro Date 8/25/2022

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

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

(2) Signature Nicole Scro Print [Signature] Date 8/25/2022

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

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



# City of Charlottesville

## Pre-Application Meeting Verification

Project Name: 1120 Avon Street (Rezoning/SUP)

Pre-Application Meeting Date: June 3, 2021

Applicant's Representative: Nicole Scro

Planner: Dannan O'Connell

### Other City Officials in Attendance:

Matt Alfele, Planner; Jack Dawson, City Engineer; Brennan Duncan, Traffic Engineer

Roy Nester, Utilities Engineer; Steve Walton, Assistant Fire Marshal

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

1. Architectural elevations, massing diagram and materials list (project is located within an Entrance Corridor and will require certification from the ERB for site plan approval).

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

Planner Signature: \_\_\_\_\_

Dannan O'Connell

6/4/2021





# City of Charlottesville

## Application Checklist

Project Name: 1120 Aron Street

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

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

### Applicant

Signature Nicole Scao Print Nicole Scao Date 8/23/2022

By Its: Manager, Chicken Oriented Development LLC

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



# City of Charlottesville

## Community Meeting

Project Name: 1120 Avon Street

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

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

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

Applicant: Chicken Oriented Development LLC

By:

Signature Nicole Scao Print Nicole Scao Date 8/23/2022  
Its: Manager (Officer, Member, Trustee, etc.)





# City of Charlottesville

## Personal Interest Statement

Project Name: 1120 Aron Street

I swear under oath before a notary public that:

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

Planning Commissioner(s): \_\_\_\_\_

Or

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

And

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

City Councilor(s): \_\_\_\_\_

Or

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

Applicant: Chicken Oriented Development LLC

By:

Signature Nicole Scro Print Nicole Scro Date 8/23/2022

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

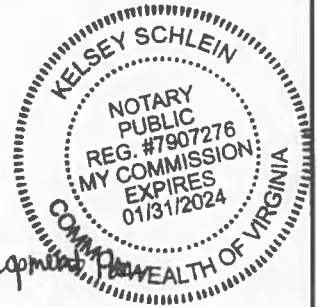
### Commonwealth of Virginia

#### City of Charlottesville

The foregoing instrument was subscribed and sworn before me this 23<sup>rd</sup> day of August, 2022 by Nicole Scro manager of Chicken Oriented Development LLC

Notary Signature Kelsey Schlein

Registration #: 7907276 Expires 01/31/2024





# City of Charlottesville

## Owner's Authorizations

(Not Required)

Project Name: \_\_\_\_\_

### Right of Entry- Property Owner Permission

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

Owner: \_\_\_\_\_ Date \_\_\_\_\_

By (sign name): \_\_\_\_\_ Print Name: \_\_\_\_\_

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

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

### Owner's Agent

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

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

Name of Corporate or other legal entity authorized to serve as agent: \_\_\_\_\_

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

Project Name: 1120 Arnon Street

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 Nicole Scro Address 417 Mobile Lane Charlottesville VA 22905

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:** Chicken Oriented Development LLC

**By:**

Signature Nicole Scro Print Nicole Scro Date 8/23/2022

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



# City of Charlottesville

## Fee Schedule

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

### Office Use Only

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



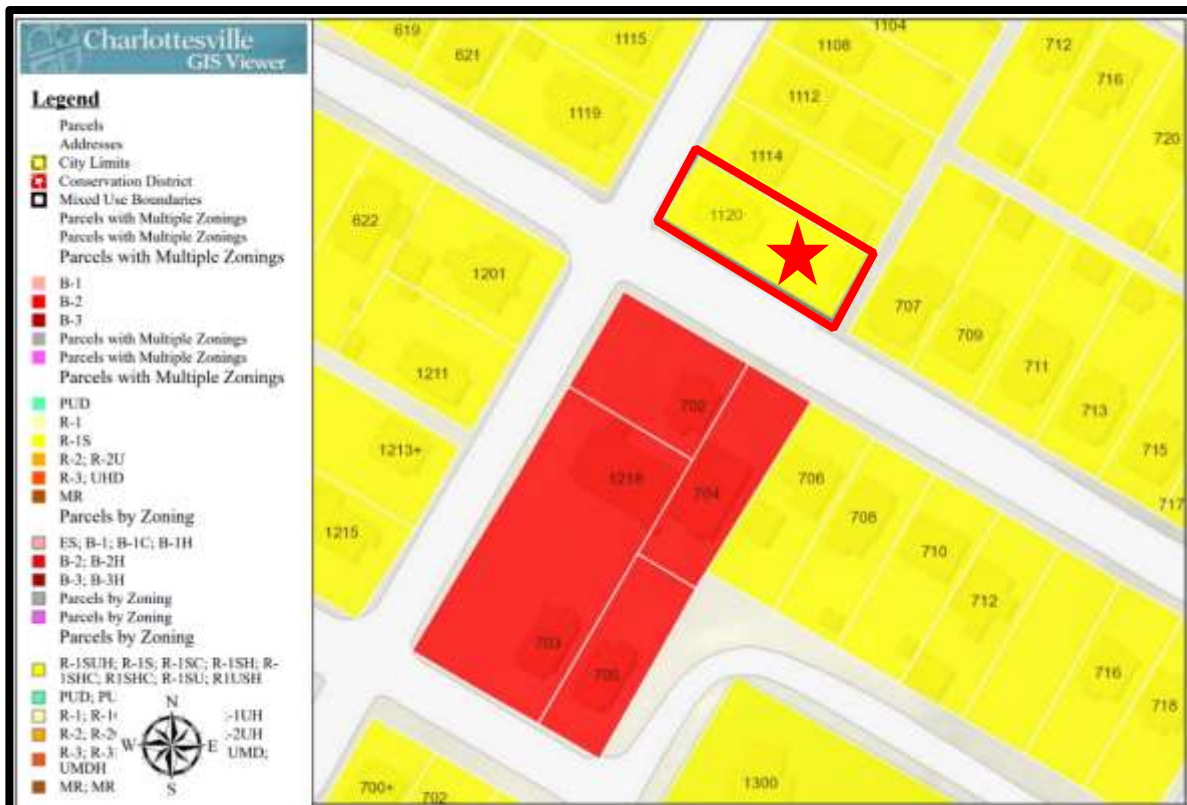
**PART I: SUMMARY**

<b>Tax Map Parcel</b>	<b>Owners</b>	<b>Acreage</b>	<b>Zoning</b>	<b>Comprehensive Plan Designation</b>
590165000	Nicole Scro and Stephanie Scro	0.1480	R-1S	Medium Intensity Residential

On behalf of the owners of property designated on the City of Charlottesville, Virginia (the “City”) tax maps as parcel 590165000, and having an address of 1120 Avon Street (the “Property”), Chicken Oriented Development, LLC (the “Applicant”) requests (1) to rezone the Property from R-1S to B-2, and (2) a special use permit to allow up to 68 dwelling units per acre. The rezoning and special use permit would allow the Applicant to:

- (1) convert the existing single-family home (ca. 1910) into an over-under duplex, and
- (2) construct a detached building with up to eight units in the rear yard.

The Property is overlaid with a star and outlined in red on the City’s existing zoning map below.



The proposed duplex conversion and backyard multifamily building would result in a density of up to approximately 68 dwelling units per acre, or up to 10 units total (the “Project”). The Project is consistent with the vision outlined in the City’s Future Land Use Map of the Comprehensive Plan, which recommends up to four stories and up to 12-unit dwellings at this location. The Project is located along a high trafficked neighborhood corridor, near community amenities, and in a neighborhood continually increasing in cost and exclusivity. The Project also achieves several goals outlined in the City’s Comprehensive Plan, discussed in more detail below. Some highlights include: the preservation and renovation of a century old single-family home, and conversion into a two-home structure, with all gas utilities and appliances removed; increased housing stock generally, and affordability specifically; construction of sidewalk and street trees for improved pedestrian experience. To ensure such vision and goals are met by the Project, the Applicant has proffered the following:

- (1) one affordable housing unit (10% of the Project) with rent set at or below 60% area median income for a period of 99 years,
- (2) height restricted to up to 40 feet (3.5 stories),
- (3) limited uses allowed, and
- (4) commitment to development in general accord with enclosed concept plan and renderings, including minimum landscaping, setbacks, and building footprint.

In addition to the rezoning and special use permit requests, the Project will require setback and parking modifications as well, outlined in more detail below.

### *Brief History of the Property*

Beginning on January 20, 1970, the Property was owned by Richard G. Hall and Middie G. Hall. The Hall family lived at 1120 Avon Street until Mrs. Hall passed away on May 10, 2020. Her children, as executors of her estate, decided to sell the Property. On April 9, 2021, the Property was sold to the Owner.

The Property was an affordable single-family home for a small family for several decades. As supply becomes further limited, and as more families move to the City, homes such as the Hall family’s are being purchased and renovated into significantly more expensive homes with increasing frequency. According to census data, this area’s census block group’s median household income increased by 110% between 2000 and 2019.

Homes like the Hall family’s will continue to naturally turn over to new families. In this instance, the Project can prevent a lavish home renovation for a single family, and instead allow for up to ten more families to live on the Property, while also reaching households with much lower incomes relative to area median than would be possible otherwise. As intended by the



City’s Comprehensive Plan, the Project provides an increase in available housing, and specifically affordable housing, in an area exponentially increasing in exclusivity.

**PART II: SPECIAL USE PERMIT – STANDARD OF REVIEW**

Section 34-157 of the City’s Zoning Ordinance lists a number of factors that City Council shall consider when deciding whether to approve a proposed SUP:

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

The Project is located in the Belmont-Carlton neighborhood, in an area that acts as a transition between a small cluster of commercial uses and a residential neighborhood. Such a transitory and high trafficked location is ideal for infill housing. Located to the west of the Property, directly across Altavista Avenue, is Brown’s Fried Chicken and a BP gas station, as well as Burruss Signs Shop.

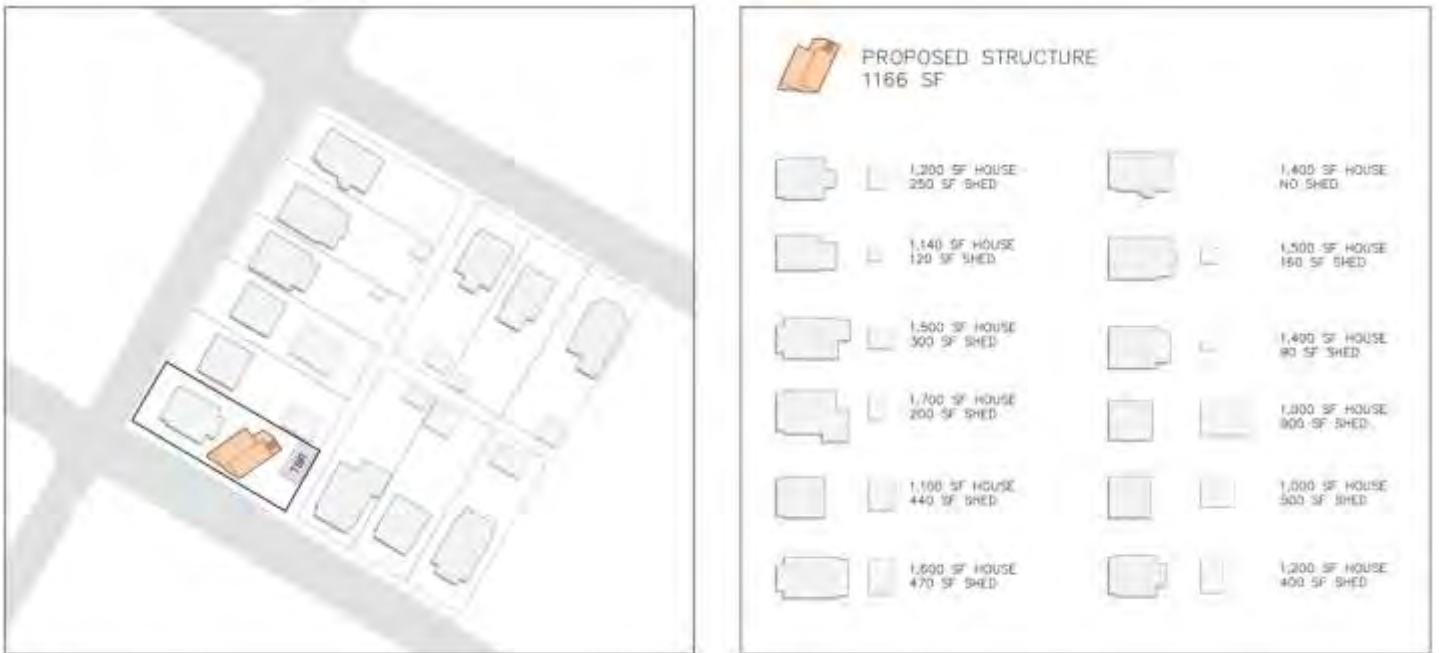
While residential uses adjoin all other sides of the Property, as mentioned earlier, the Property is located on a main entryway into the City’s downtown and Belmont neighborhood from western Albemarle. As a focal point of the neighborhood, Avon Street hosts several commercial uses along it besides the immediately adjacent ones mentioned above, including the B&R Market, Paladin Media Group, small homestay occupational shops like Rubio Painting & Design and Bruffey’s Radiator Shop, and more intense uses closer to downtown. Adding more residents will help support such nearby businesses as well as those that may open in the future. Also, future residents of the Project will be within a 0.6 mile of the downtown mall, less than 320 feet from an existing bus stop, and a half-mile from downtown Belmont’s restaurants and shops. Allowing more infill housing at this location will allow more residents to walk, bike or take public transit more frequently, replacing car trips and decreasing the pressure of vehicular traffic.

**The Property is directly bordered by:**

<b>Direction</b>	<b>Use</b>	<b>Zoning</b>
North	Single-family detached	R-1S
South	Single-family detached	R-1S
East	Single-family detached	R-1S
West	Vacant commercial lot (adjacent to Brown’s Fried Chicken)	B-2

As demonstrated above, the Project would be consistent with the patterns of development on Avon Street. The Project acts as a transition between the B-2 uses already existing along Avon Street and the residential neighborhood located on its other sides. Further, the footprint of the

proposed multifamily building is similar in size to many existing residences. The footprint of the proposed multifamily building to be located in the rear yard of the Property is approximately 1,166 square feet, while the existing single-family detached home on the Property has a footprint of 812 square feet, with a 284 square foot porch. The footprint of the single-family detached home located directly to the rear of the Property is 1,064 square feet. Below is an image showing the building footprints of homes located along this block of Avon Street and several homes further down Altavista Avenue. 8 of the 12 homes in the immediate vicinity of the Property have *larger* footprints than the proposed multifamily building.



The small mass and size of the proposed Project in combination with its transitory nature between residential and commercial complements and is harmonious with existing land use patterns.

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

The proposed development is in alignment with the vision of the City’s Future Land Use Map and various other goals of the City’s Comprehensive Plan.

Future Land Use Map

The Property is designated as “Medium Intensity Residential” on the Future Land Use Map. Please see the image on the following page: the Property is outlined in red. For property designated as Medium Intensity Residential, the FLUM seeks to “increase opportunities for



housing development, including affordable housing, along neighborhood corridors, near community amenities, employment centers, and in neighborhoods that are traditionally less affordable.” The Property is adjacent to a cluster of commercial uses, a block from Belmont Park, less than a mile from downtown Belmont and the downtown mall, and 320 feet from an existing bus stop. This portion of the Belmont-Carlton neighborhood is not designated as a “sensitive area” and as stated earlier, is an area exponentially increasing in cost. The Property is an ideal location for the type of housing infill envisioned by the City’s Future Land Use Map, which will provide increased housing opportunities at lower cost in an amenity-rich area.

<b>RESIDENTIAL</b>	
<i>Limited commercial uses allowed in all residential districts, to be further described in the Zoning Ordinance. Zoning tools will regulate affordability and maximum allowable development for all categories and will consider demolition disincentives, as feasible.</i>	
Description	
	<b>General Residential:</b> Allow for additional housing choice within existing residential neighborhoods throughout the city.
	<b>General Residential (Sensitive Community Areas):</b> Allow for additional housing choice, and tools to mitigate displacement, within existing residential neighborhoods that have high proportions of populations that may be sensitive to displacement pressures. (Note: The boundaries for these areas should evolve during the zoning update process, as described on page 25 of the Comprehensive Plan.)
	<b>Medium Intensity Residential:</b> Increase opportunities for housing development including affordable housing, along neighborhoods corridors, near community amenities, employment centers, and in neighborhoods that are traditionally less affordable
	<b>Higher-Intensity Residential:</b> Provide opportunities for higher density, multi-family focused development. Incentivize affordability and increased intensity to meet Affordable Housing Plan goals.
<b>MIXED USE NODES AND CORRIDORS</b>	
	<b>Neighborhood Mixed Use Corridor:</b> Neighborhood-scaled mixed use areas arranged along corridors that support existing residential districts.
	<b>Neighborhood Mixed Use Node:</b> Compact neighborhood centers that encompass a mix of land uses arranged in smaller scale buildings.



Below are excerpts from Table 2 (Land Use Category Descriptions) of the Comprehensive Plan, which provides descriptions for each future land use category, as well as recommendations for height, form, use and affordability.

Table 2 Land Use Category Descriptions			
RESIDENTIAL			
<i>Limited commercial uses allowed in all residential districts, to be further described in the Zoning Ordinance. Zoning tools will regulate affordability and maximum allowable development for all categories and will consider demolition disincentives, as feasible.</i>			
Description	Form	Height	Use and Affordability
<b>Medium Intensity Residential</b> Increase opportunities for housing development including affordable housing, along neighborhoods corridors, near community amenities, employment centers, and in neighborhoods that are traditionally less affordable.	Compatible with existing residential and historic neighborhood context. House-sized infill to include structures with similar building height, building width, and side and front yard setbacks as surrounding residential structures. Zoning tools will define building form and neighborhood compatibility criteria for development (e.g., lot coverage, topography, parking, environmental resources, etc.)	Up to 4 stories.	Allow small, "house-sized" multi-unit buildings (up to 12-unit dwellings), accessory dwelling units (ADUs), cottage courts, and rowhouses / townhouses. Utilize a bonus program or other inclusionary zoning mechanism to support affordability.

Per the above, the Comprehensive Plan recommends that development on property designated as “Medium Intensity Residential” have up to 4 stories, which is consistent with the current proposal of up to 3.5 stories, or 40 feet.

In addition, the Comprehensive Plan recommends small “house-sized” multi-unit buildings (up to 12-unit dwellings), accessory dwelling with units (ADUs), cottage courts, and rowhouses/townhouses. The Project proposes a smaller density than the maximum recommended in the Comprehensive Plan, only allowing up to 8 units in the rear yard multifamily building (for 10 units total, versus 12 recommended by the Comprehensive Plan). Also, the building footprint and massing of the proposed rear yard multifamily building is small in size, with an approximately 1,166 square foot footprint, and 3.5 stories. It is not uncommon for single-family detached homes to have footprints of 1,000 square feet, or larger. In fact, as stated earlier, 8 of the 12 single-family homes in the adjacent vicinity have *larger* footprints than the proposed multifamily building.

While it is typical for single-family homes to be one- to two-stories, the heights within each story vary by building type. Typical single-family detached homes have 9 to 10-foot ceilings, especially those that are newly constructed. The proposed rear yard multifamily building is intended to be built with 8-foot ceilings, allowing for a similar massing when compared with a two-story single-family detached home (approximately 35 feet).



The Comprehensive Plan provides the following precedent images to show the vision for Property designated as Medium Intensity Residential:



The height and massing of the proposed Project is small in scale when compared with the “2 over 2” stacked townhomes, row houses, or multiplexes shown above. In fact, the proposed Project most closely resembles the “stacked” units shown as a precedent for the “General Residential” designation. Below is the “stacked” units image compared with a rendering of the proposed Project.



The proposed Project also satisfies several objectives for residential areas (page 25 of the Comprehensive Plan).

- Objective for Residential Areas: “Foster walkable, bikeable, and transit accessible neighborhoods.”
- Objective for Residential Areas: “Encourage incremental “house-sized,” contextual infill within existing residential neighborhoods.”
- Objective for Residential Areas: “Increase opportunities to develop diverse housing options near schools, parks, shopping districts, and employment centers.”
- Objective for Residential Areas: “Include strategies that can help preserve existing structures, including the use of Accessory Dwelling Units (ADUs), building additions, transitioning larger single-family houses to apartments, etc.”

The Project proposes extending the existing sidewalk on Avon Street down Altavista Avenue, as well as planting street trees along the sidewalk. Below is a closeup of the proposed Project, which shows how the lowest floor units will have patios with individual walkways that directly connect to the future sidewalk along Altavista Avenue, further activating this pedestrian improvement.



This enhanced pedestrian experience, as well as the increase in residents within walking distance to Belmont Park, downtown Belmont, the downtown mall, and existing bus stops, all aid in fostering “walkable, bikeable and transit accessible neighborhoods” and increasing “opportunities to develop diverse housing options” within such areas. The Project is also sensitive to its neighborhood context, with a small massing and footprint, and preserves the



existing century-old single family detached home. The Project is consistent with the City’s Future Land Use Map and satisfies multiple explicit goals of the City’s Comprehensive Plan.

Affordable Housing

Below is an excerpt from Table 3 (Residential Affordability Summary) of the City’s Comprehensive Plan, which provides a description of the desired affordability for properties designated as Medium Intensity Residential.

Table 3 Residential Affordability Summary		
Description	Base Without Required Affordability Level	With Affordability Measures
Medium Intensity Residential	Up to 12-unit dwellings.	Utilize a bonus program or other inclusionary zoning mechanism to support affordability within or in addition to the base amount.

Per the above, the Comprehensive Plan envisions up to 12-unit dwellings, with a “bonus program or other inclusionary zoning mechanism to support affordability *within or in addition to* the base amount [of 12-units].” The Project proposes one affordable unit (or 10% of the Project at maximum build-out). Therefore, the proposal envisions affordability *within* the base density, and is provided on terms consistent with the City’s Standard Operating Procedure on affordability. Rent is restricted to at or below 60% area median income for a period of 99 years.

*Please see the enclosed Proffer Statement and corresponding Declaration, as well as the enclosed Applicant Response Letter to the Office of Community Solutions (OCS) dated January 1, 2023 for further information related to terms and conditions of affordability.*

Streets that Work Plan

The Property is at the corner of Avon Street and Altavista Avenue. The Streets That Work (STW) Plan designates Avon Street within the “Neighborhood A” street typology. STW envisions such streets as having a single travel lane in each direction and consolidation of on-street parking to one side of the street to provide space for dedicated bike lanes. While Avon Street has no on-street parking and dedicated bike lanes in each direction, satisfying the STW vision, the ideal or “unconstrained” scenario in STW proposes a 4-foot-wide buffer zone separating the sidewalk from the roadway. To allow for this buffer on both sides of the street, Avon Street would need to be 56 feet wide. Avon Street is currently 50 feet wide. The proposed Project includes the preservation of an existing single-family detached home that faces Avon Street. The home is located 15 feet from the edge of the sidewalk, allowing for the City to increase the right-of-way by 3 feet or more, if ever desired.

Alternatively, since STW’s “unconstrained” scenario for Avon Street envisions a 7-foot-wide area for on-street parking (see image below), such area could instead be used for the 4-foot-wide buffer in each direction, leaving only 1 more foot needed to satisfy STW’s vision for this corridor. Though, 1-foot may not be necessary given that STW’s parameters for the curbside buffer zone include a range of widths between 3 and 6 feet, instead of 4. In either case, the proposed Project would not impede the City from fulfilling the goals of STW.



*Streets That Work – Neighborhood A*



*Google Maps – Avon Street Existing Conditions*

In fact, there are several projects underway that may further aid in fulfilling the STW vision for this corridor. In 2017, Albemarle County provided \$78,200 in funds for the production of an Avon Street Extended Corridor Study. From this, two smart scale applications have been recommended by the Thomas Jefferson Planning District Commission (TJPDC) for Smart Scale funding from the Virginia Department of Transportation (VDOT). One includes pedestrian and bicycle improvements from Druid Avenue (one block from the proposed Project) through to the existing sidewalk further down Avon Street at Palatine Avenue. On August 1, 2022, City Council approved the TJPDC’s recommendation for funding improvements along Avon Street through the VDOT Smart Scale program. These Smart Scale projects would improve the pedestrian and bicycle infrastructure for those future residents of the proposed Project who wish to travel towards 5<sup>th</sup> Street Station or other parts of western Albemarle.

In the other direction of the proposed Project along Avon Street, the Belmont Bridge renovation is expected to be complete by 2024, further improving the accessibility of the downtown mall to/from the proposed Project.

Along the southeastern side of the Property is Altavista Avenue. Altavista Avenue is labeled as a “Local” street in the STW typology. Local streets are found throughout the City, and provide immediate access to all types of land uses. There is no specific typology associated with “local” streets. However, Altavista Avenue is very wide (60’) compared with other “local” streets, allowing ample space for pedestrian and bicycle improvements as desired.



The Applicant intends to install sidewalk along the Property’s street frontage, connecting the existing sidewalk along Avon Street with the existing sidewalk along Altavista Avenue, creating a fairly consistent sidewalk network on either side of Altavista Avenue. Street trees will be planted along the newly constructed sidewalk, per the enclosed Conceptual Site Plan. Also, as detailed earlier, the lowest floor units will have patios with individual walkways that will connect to the sidewalk along Altavista Avenue, further activating this area.

### Bike Ped Master Plan

The City’s 2015 Bike Ped Master Plan calls for Avon Street to have a “bike lane; buffered bike lane.” As detailed above, the width of Avon Street does allow for a buffered bike lane, if the City desires. The Avon Street improvements from Druid Avenue to 5<sup>th</sup> Street Station Parkway will extend the existing (albeit not-buffered) bike lane.

By increasing density in close proximity to public and private facilities, amenities, and greenspace, the result is a reduction in traffic from those who would otherwise be forced to find housing in surrounding Counties and commute to the City. The goals of the Bike-Ped Master Plan, such as, functional shared roadways and increased pedestrian and bicycle transportation is more likely to come to fruition as housing demand is satisfied within the City, rather than through housing in surrounding Counties. Our current restrictive zoning forces people into cars when they may otherwise be on foot or on bicycles.

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

The Applicant has reviewed applicable building code restrictions and limitations and will comply with all relevant regulations.

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

*a. Traffic or parking congestion;*

The Applicant requests a parking modification of the required off-street parking spaces, justified by the proximity of the Project to amenities, employment centers, and existing bus stops, as well as the availability of on-street parking along Altavista Avenue.

City Zoning Ordinance Sec. 34-162(a) states, “In reviewing an application for a special use permit, the city council may expand, modify, reduce or otherwise grant exceptions to ...parking standards.” In contrast, City Zoning Ordinance Sec. 34-985(b) lists several criteria that allow for a reduction in required off-street parking requirements regardless of whether a rezoning application or special use permit is submitted.

Based on City Zoning Ordinance Sec. 34-162(a), the Applicant requests a reduction of 5 required off-street parking spaces (9 off-street parking spaces required, 4 off-street parking spaces proposed). The reduction would be justified by:

- (1) proximity to the downtown mall and Belmont's downtown (0.5 to 0.7 miles);
- (2) proximity to nearby bus stop (300-320 feet);
- (3) ample on-street parking located along the Property's frontage (135 feet), which would comfortably allow up to 6 parking spaces (assuming 20 feet per space, which is the size of a typical pick-up truck);
- (4) 25% of renters in this census tract do not own a car. (However, the margin of error for this data is +/-16.7%. The Citywide statistic is that 17% of renters do not own a car, and the margin of error is only +/- 3%.)

Pursuant to City Zoning Ordinance Sec. 34-984, each 1- and 2-bedroom unit requires 1 off-street parking space. The Applicant proposes a mix of up to ten 1- and 2- bedroom units, and therefore 10 off-street parking spaces will be required. However, two such units will be located in the existing home. City Zoning Ordinance Sec. 34-971(d) states, "For a change of use within an existing structure where there is no enlargement of the existing structure, no additional parking is required." The Project proposes to change the use of the existing structure from a single-family detached home to a two-family home. A single family-detached home requires one off-street parking space. Since there will be no enlargement of the existing structure, the change in use to a two-family home would still only require one off-street parking space. Therefore, the Project would be required to provide 9 off-street parking spaces (1 parking space for the 2 units in the existing structure, and 8 parking spaces for the 8 units in the rear multifamily structure). The Applicant is asking for a reduction of 5: from 9 required off-street parking spaces to 4.

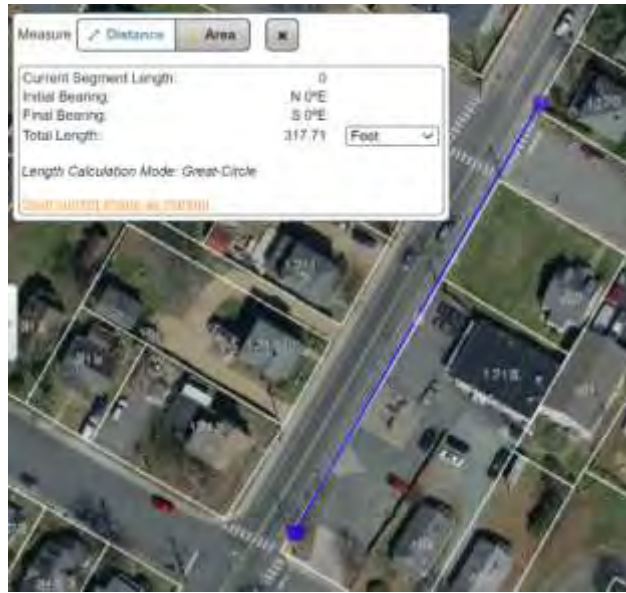
For the sake of simplicity, the Applicant would like to base the requested reduction in required off-street parking spaces on City Zoning Ordinance Sec. 34-162(a) (off-street parking reductions via special use permit). However, below is a discussion of the criteria of City Zoning Ordinance Sec. 34-985(b) (by-right off-street parking reductions) in case it is helpful.

Under City Zoning Ordinance Sec. 34-985(b), the Project would be eligible for the following reductions in off-street parking spaces:

- (1) Reduction of 1 required off-street parking space for every 5 bicycle lockers;
- (2) Reduction of 1 required off-street parking space since the Property is between 301 and 600 feet from a bus stop. (A reduction of 2 required off-street parking spaces is



allowed if the Property is located less than 300 feet from a bus stop. Please see the image below showing the distance to a bus stop from the Property.)



*Distance to bus stop*

City Zoning Ordinance Sec. 34-985(b)(6) restricts the allowable reduction in required off-street parking spaces to 20%. Since 9 parking spaces are required, 20% would equal 1.8. Assuming one would be required to round down, City Zoning Ordinance Sec. 34-985(b)(6) would limit the allowable reduction in off-street parking requirements to 1.

In sum, the Project warrants a reduction in the number of required off-street parking spaces. For the sake of simplicity, such a reduction can be based on City Zoning Ordinance Sec. 34-162(a) (reduction in parking via special use permit), rather than the criteria of City Zoning Ordinance Sec. 34-985(b) (by-right reduction in parking).

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

The proposed multifamily building is located more than forty (40) feet from the home directly southeast of the Property, and the proposed balconies face Altavista Avenue rather than the low density residential on the other side of the Property, minimizing possible increased noise from the Project. While the alley located in the rear of the Property may increase in use, with only four parking spaces located along such alley, and 10-feet of width provided between the alley and the parking spaces, such increased use will be minimal. In addition, all new lighting will comply with the City's ordinance, and point in a downward direction, minimizing any impact on adjacent neighbors.

Such minimal impacts are expected for Property located adjacent to existing B-2 uses and a high trafficked corridor.

*c. Displacement of existing residents or businesses;*

The existing single-family home is currently occupied by a sibling of the Applicant. They are welcome to remain in the single-family detached home for as long as they would like, and will not be displaced by the Project. Once they are ready to move, the single-family detached home is planned to be converted into an over-under duplex. The mechanical, electrical, and plumbing systems have already been roughed-in and updated accordingly.

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

The proposed Project does not propose the removal of any structures, and would add up to 9 residential units to the City's housing stock. The increase in housing would help aid existing businesses located in the area, as well as support those that may open in the future.

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

The proposed Project would connect to public water and sewer facilities, with an enlarged meter for the multifamily building. Such facilities will be able to accommodate the increased residential density. The Property is also located along a fairly heavily trafficked corridor. Adding such minimal density to such a high trafficked corridor will have a minimal impact. Also, such impact will be balanced by the increased ability of more people to walk, bike, or take transit more frequently.

The Property is located less than a mile from several amenities in the downtown area, including the Downtown Mall, Court Square, the JMRL Central Library, Court Square Park, and Market Street Park. The Property is also located a block away from Belmont Park, and within walking distance of Rives, Jordan, Quarry, and Meade Parks.

*f. Reduction in the availability of affordable housing in the neighborhood;*

The Project would increase the availability of affordable housing in the neighborhood. Please see the Affordable Housing discussion in Section 2 of the Narrative, which further details the Project's consistency with the Comprehensive Plan.

Single-family homes like the one existing on the Property will continue to naturally turn over to new families. The proposed Project would prevent a single-family house "flip" leaving the home



financially out of reach for even more families, and instead would allow for up to nine more families to live on the Property, while also serving households with much lower incomes relative to area median than would be possible otherwise.

*g. Impact on school population and facilities;*

The Project is located in the Jackson-Via Elementary School attendance zone. While it is possible the proposed units will be occupied by families with small children, the proposed units are small in size, and therefore the number of children living in the proposed Project will be minimal.

*h. Destruction of or encroachment upon conservation or historic districts;*

The Property is not located within a conservation or historic district.

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

The Applicant has reviewed applicable federal, state, and local laws and will comply with all relevant regulations.

*j. Massing and scale of project.*

The Project will consist of the existing detached house and a new multifamily building planned to be 35 feet in height (or 3.5 stories). However, the Proffer Statement restricts the maximum height to 40 feet to allow for some flexibility, since the final building has not been fully designed. Below are several renderings of the Project.



*View from Avon Street*



*View from Altavista Avenue*



*View from corner of Avon Street and Altavista Avenue*

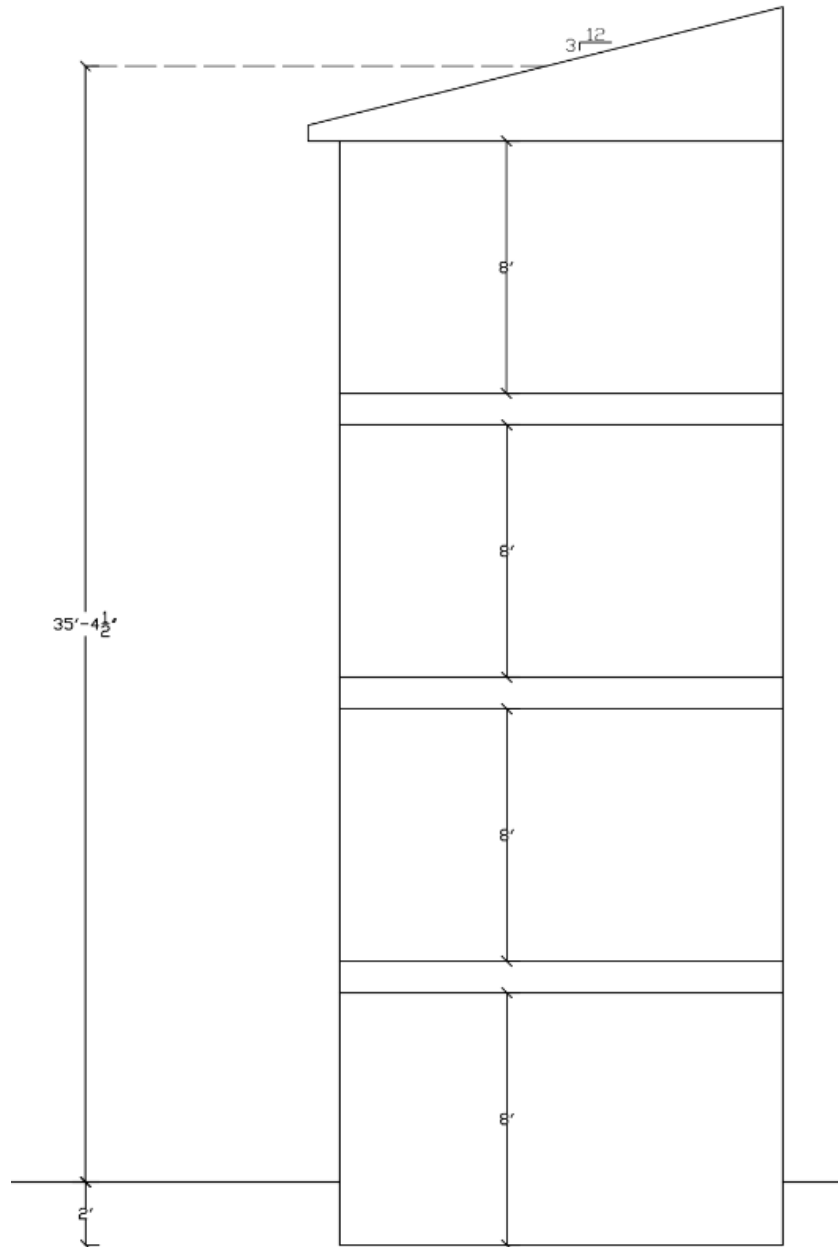
Since the proposed multifamily building is restricted to a height of 3.5 stories, and a small footprint of 1,166 square feet, the proposed building blends in with the existing structures that surround it, as seen above.

Also, it is not uncommon for single-family homes to be newly constructed at the size and scale of the proposed multifamily building, or for a similarly sized addition to be added to existing single-family homes. The Applicant simply requests that more people be allowed to live within



a similar building envelope as what is already allowed under the existing R-1S zoning regulations.

Moreover, the proposed rear building is only 3-8 feet taller than the existing home, which is 32 feet tall. Below is a potential cross section of the proposed building. The first floor sits 2 feet into the ground, and 6 feet above ground.



Per the above, there will be an approximately 3-foot difference in height between the proposed rear multifamily building and the existing home. The building will not loom over adjacent buildings and will be substantially similar in height to existing surrounding structures.

Moreover, immediately across the street from the Property is a vacant parcel zoned B-2, which allows for structures with heights up to 45-feet. In addition, the Comprehensive Plan designates the existing vacant parcel and several businesses across Altavista (Burrus Signs Shop and Brown's Friend Chicken) as a Neighborhood Mixed Use Node, with surrounding properties both down Avon Street and several blocks down Altavista designated as Medium Intensity Residential.

In sum, the proposed building height is justified by:

- (1) the minimal difference in the proposed height versus the heights of the existing surrounding structures;
  - (2) the proximity of an existing B-2 vacant parcel immediately across the street that allows for structures up to 45 feet in height;
  - (3) the fact that the Property is located adjacent to a Neighborhood Mixed Use Node pursuant to the Comprehensive Plan, and is surrounded on all other sides by Medium Intensity Residential. The Property is not located on the edge of a Medium Intensity Residential area that is adjacent to General Residential properties;
  - (4) Avon Street is a main artery between the surrounding counties and Charlottesville's downtown area; and
  - (5) the Property is a corner lot, and therefore shadows from the proposed building will only impact one immediately adjacent parcel. The properties across Altavista and to the rear of the Property are located at such a distance from the proposed rear building that there will be **zero impact** from the proposed building. Please see the enclosed shadow study. Moreover, the immediately adjacent parcel will only incur shadows from the proposed building in the winter.
- (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;*

Section 34-440 of the City Zoning Ordinance states, "The purpose of the city's commercial districts is to regulate the use of land, buildings, structures and other premises for business uses, in order to encourage economic development activities that are both harmonious with surrounding areas and which provide desirable employment, expand the city's tax base, and provide convenient goods, services and amenities to residents of the city." The use matrix for B-2 specifically allows for residential uses, including multifamily dwellings up to 82 dwelling units per acre by special use permit. Therefore, commercial districts were intended to include residential as well, to complement such commercial uses.



The increased residential density of the Project will help support the existing B-2 businesses located adjacent to the Property, and other future commercial uses as well. The Project clearly encourages economic development activities, and provides a transitory use between the existing commercial zoning district immediately adjacent to the Property, and the residential neighborhood on its other sides.

*(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*

The Project would meet applicable standards within the City’s ordinance.

*(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 Project is located within an Entrance Corridor (Avon Street). The existing single-family home occupies the front portion of the Property, which is closest to Avon Street. Therefore, the view from Avon Street will remain largely the same. That said, the rear multifamily building will be visible from Avon Street, and therefore will be reviewed by the ERB. The Applicant has provided several renderings of the Project in the Conceptual Site Plan materials.

**PART III: OTHER POTENTIAL ADVERSE IMPACTS AND MITIGATION**

Setbacks

Below is a table showing the required setbacks for the existing zoning on the Property (R-1S) compared to the proposed zoning (B-2), as well as the Project’s proposed setbacks.

	R-1S	B-2	Proposed Setbacks
Required Front Yard	25 feet, min.	20 feet, min.	None required
Required Side Yard	5 feet, min.	20 feet, min.*	3 feet
Required Street Side Yard	20 feet, min.	None required	None required
Required Rear Yard	25 feet, min.	20 feet, min.**	3 feet

\*Based on City Zoning Ordinance Sec. 34-457(b)(2), which states “...on the side of a lot adjoining a residential district or use, there shall be a side yard of one (1) foot for every two (2) feet of building height of the tallest building on the lot.” In this instance, assuming the rear building is constructed to the maximum height of 40 feet, a minimum side yard of 20 feet would be required. This would render the Property unbuildable.

\*\*Based on City Zoning Ordinance Sec. 34-457(b)(3), which states, “...when the rear of a lot adjoins a residential district or use, there shall be a minimum rear yard of twenty (20) feet.”

The existing home fronting Avon Street will remain unchanged, and therefore the setback along Avon Street will remain unchanged. The rear multifamily building will be located more than 30 feet from the Property line to accommodate a parking area and sewer easement. The rear portion of the Property will not be able to be further developed due to the existing sewer line, thereby ensuring the preservation of the large rear setback. In addition, the Project would improve existing conditions. The existing shed that will be demolished is currently located 3 feet from the Property line, in violation of both R-1S and B-2 zoning regulations.

The practical limitations of the Project allow for the satisfaction of sufficient front and rear yards. However, the Project will require modest adjustments to side and side street yards compared to existing conditions and R-1S regulations. Per the table above, a change of zoning on the Property to B-2 would result in a change in the required side yard from 5 feet to 20 feet. The Applicant requests a setback modification to 3 feet, which very nearly matches the R-1S side yard requirement of 5 feet. This setback modification is requested in order to accommodate the final design of the enclosed stairwell located at the rear of the proposed building. While the building will likely be located the full 5 feet from the Property line, an additional 24 inches is requested since the design has not been finalized and the design may need to accommodate specific hallway width and unit entrance regulations.

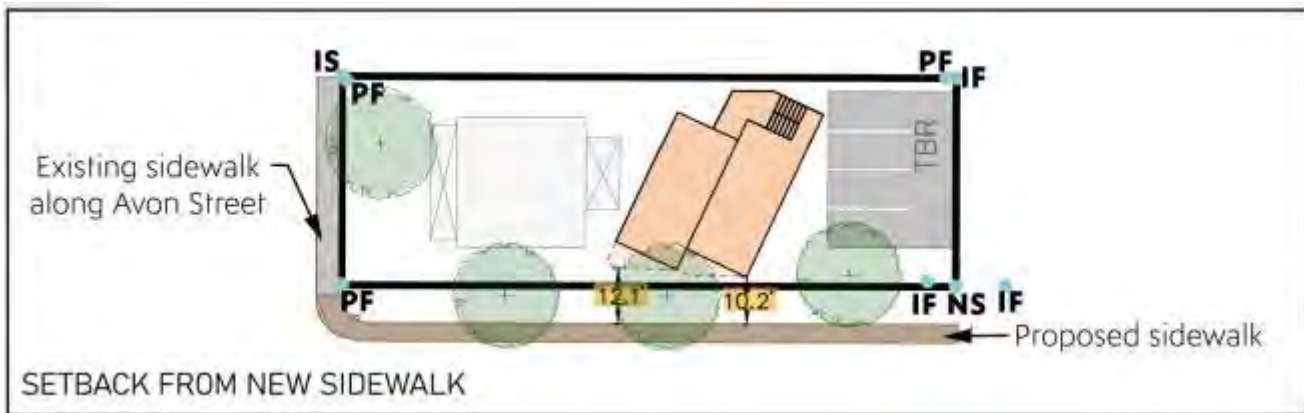
While no active setback modification is required for the side street setback, rezoning the Property from R-1S to B-2 would result in a change of required side street yard from 20 feet to 0 feet. The existing home does not currently meet the 20-foot side street yard requirement, and such a requirement would effectively cut the Property in half.

A side street yard requirement modification off of Altavista is warranted for several reasons:

- (1) Altavista is a 60-foot right-of-way.



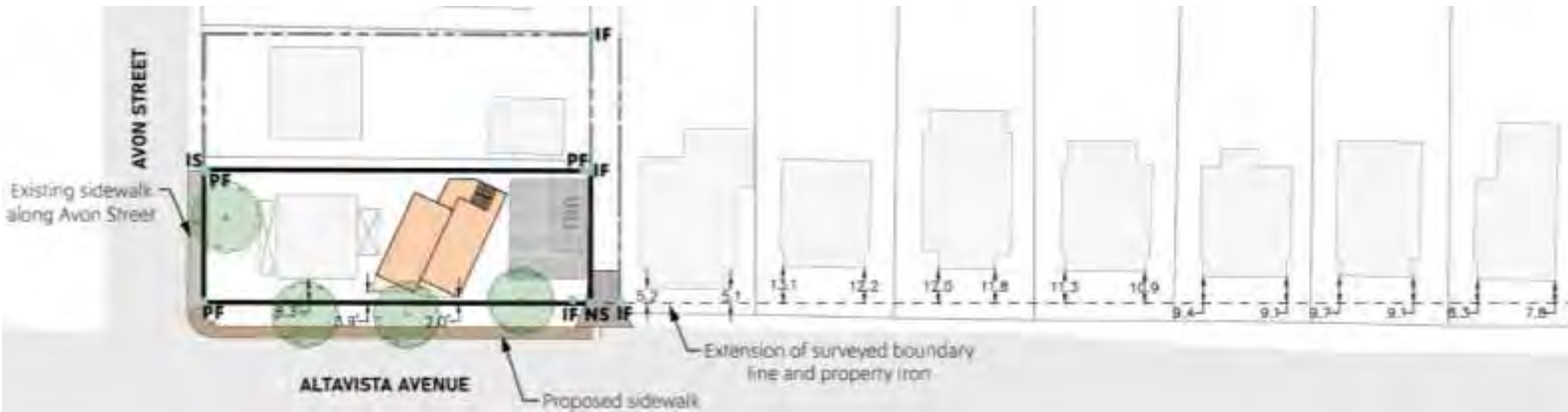
The large width of the right-of-way allows for the construction of sidewalk and street trees along Altavista within the actual right-of-way, leaving the proposed building sufficiently distanced from pedestrians, cyclists, and vehicles that may utilize this public space. In addition, even though a 0-foot side street setback is requested, the actual building would be required to sit a minimum of 2 feet from the Property line to accommodate overhangs and footings. Below is a drawing showing the exact distance between the edge of the sidewalk and the edge of the building (12.1 feet on one side, and 10.2 feet on the other side). A building sited 12.1 to 10.2 feet from the edge of sidewalk will not overwhelm users of the public right-of-way.



(2) The proposed rear building very nearly conforms to the distance the existing homes along Altavista sit from the right-of-way.

The immediately adjacent home located along Altavista (707 Altavista) is 5.2 feet from the right-of-way at one corner, and 5.1 feet at another. The proposed rear multifamily building is located 2 feet from the right-of-way at one corner, and 3.9 feet from the right-of-way at another corner. Therefore, there is only a 3.2-foot to 1.3-foot difference between how far these two buildings sit from the right-of-way. Such a small difference in distance from the right-of-way will be nearly unnoticeable since the multifamily building is located more than 40 feet from the adjacent home along Altavista. The 3.2-foot to 1.3-foot difference may be more noticeable if the proposed building sat closer to the immediately adjacent home.

The image on the following page shows that the difference between the immediately adjacent home to the Project (707 Altavista) and the home adjacent to it (709 Altavista) is much more striking (approximately 8 feet). Such a difference in distance from the right-of-way has minimal impact, if any, on nearby residents or the public at-large.



The purpose of side street setback requirements is often related to maintaining the ability of the relevant municipality or the Virginia Department of Transportation (VDOT) to acquire additional right-of-way, if necessary. Additional right-of-way is often acquired to provide street improvements and larger vehicular travel ways. In this instance, Altavista is already sufficiently wide (60 feet), and is therefore able to accommodate an additional sidewalk, street trees, and sufficient vehicular travel ways. Also, as stated above, the 0-foot side street setback will have minimal, if any, impact on nearby residents or the public at-large.

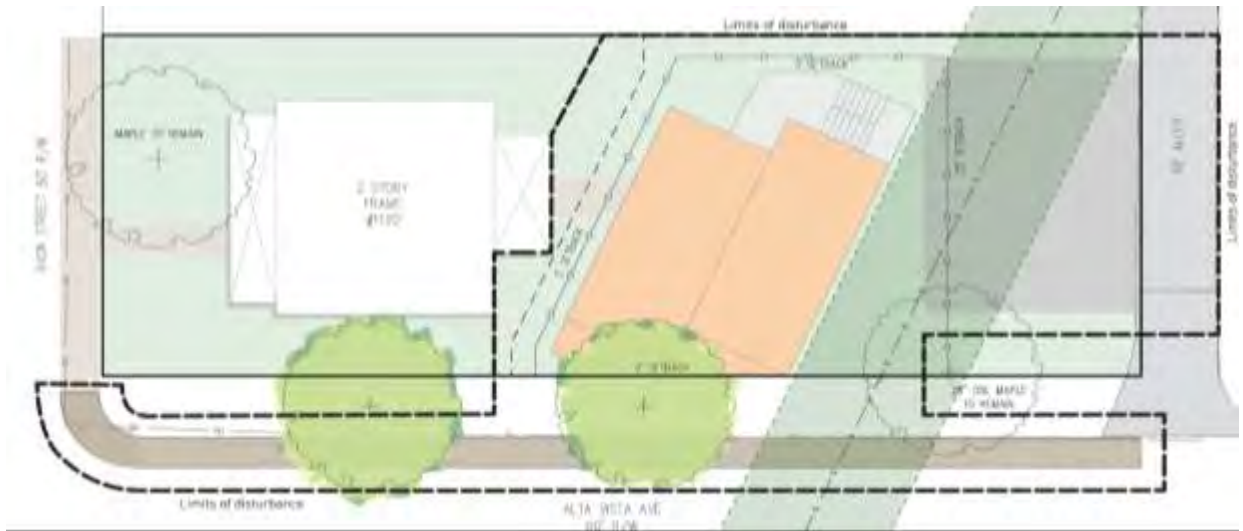
One other complication relates to the possibility of subdividing the Property into two parcels in the future: one containing the existing single-family detached home, and the other containing the proposed multifamily building.

The image on the following page shows the potential setbacks based on whether the Property is subdivided. Importantly, in either scenario the buildable area remains unchanged. However, since the property lines would be different depending on the subdivision, the applicable setbacks would also vary. The proposed setbacks in the table below can accommodate either scenario (i.e., whether the Property is subdivided or not).

	<u>Proposed Setbacks</u>
Required Front Yard	None required
Required Side Yard	3 feet
Required Street Side Yard	None required
Required Rear Yard	3 feet



*Subdivision:*



Regardless of whether the Property is subdivided, the building envelope will remain the same. The only relief effectively requested is to (1) allow a side setback from the interior residential lot of 3-feet, which is substantially similar to the required side setback of 5-feet in R-1S or other low density residential zoning districts, and (2) allow a side street setback of 0-feet by rezoning the Property to B-2, which due to the large width of Altavista would still allow the accommodation of a 10- to 12-foot distance between the proposed building and the edge of sidewalk.

Trees and Greenspace

There are several mature trees located on the Property. A large maple tree is located in the northwestern corner of the Property, in front of the existing single-family home, along Avon Street. Since the existing single-family home will remain, this maple tree will not be disturbed.

There are two remaining mature trees on the Property located along Altavista Avenue. These trees are located directly under the existing power lines. Every 6 months or so, these trees are topped off by Dominion Energy, damaging the health of these trees. The following page shows several images. The tree located closest to the existing single-family home is an ash tree that has been designated to be removed by Dominion unless it is treated with an emerald ash borer treatment. Since this tree is unlikely to withstand the construction of the Project, we will likely need to replace it.

The other tree along Altavista Avenue is located closer to the southwestern corner of the Property, and may not be as harmed by the construction on the Property. The Applicant will work to try to preserve this tree throughout construction. While it is unfortunate that one (and perhaps two) mature trees may need to be removed, the Applicant will replace those trees and add even more trees to the Property.

Some of the newly planted trees will be street trees located along the newly installed sidewalk. Such trees can be planted in a location that will not interfere with the existing Dominion Energy powerlines. This would remove the potential hazard of unhealthy tree limbs falling on pedestrians, bicycles or vehicles.



Top half of tree is cut every 6 months by Dominion Energy so that it does not interfere with the existing powerlines.







Due to the continually topping by Dominion Energy, the limbs are weakened and can cause a potential hazard to pedestrians, bicycles, or vehicles.

While some portion of the Property will be converted from lawn space to buildable area, the Property can still be made more environmentally sensitive as compared to existing conditions if the remaining greenspace is carefully landscaped with native species, which are much more beneficial to pollinators and other native animal life. Native vegetation also provides better resiliency against stormwater when compared with an open turf lawn.

#### Prohibition of Allowable Uses in B-2

The Applicant has submitted a Proffer Statement as part of the rezoning application that prohibits many of the commercial uses that would otherwise be allowed in the B-2 Zoning District. The Proffer Statement allows for the possibility that the City will allow for small, neighborhood scale commercial uses in Medium Intensity Residential districts in the future zoning rewrite.

The Proffer Statement has been amended to restrict the 4 allowable hotel guestrooms to the existing structure **only**. There are 4 bedrooms in the existing structure.

The reason for this request is related to existing zoning regulations that allow subdivision. City Zoning Ordinance Sec. 34-1123 restricts the minimum lot size of two-family dwellings to 7,200 square feet. This would prohibit a subdivision between the existing structure and the proposed rear multifamily building. The prohibition of such subdivision would necessitate refinancing the entire Property, rather than maintaining the low-interest rate mortgage used to acquire the existing home. Maintaining the low interest rate mortgage on the existing home is crucial to

making the Project financially successful. By allowing short-term rentals (similar to a bed and breakfast) within the existing structure, the structure would be considered commercial and therefore there would be no minimum lot size requirement.

The existing home can then revert to a two-family home upon revision of the existing zoning ordinance.

#### **PART IV: CONCLUSION**

The proposed Project achieves the intent of the City's Future Land Use Map and Comprehensive Plan. It prevents the natural turnover of a single-family home that was once affordable for a small family from becoming another expensive flip, worsening the City's wealth inequality. Instead, the proposed Project allows for ten times the number of families to live on the Property, at income levels relative to the area median that would not be possible otherwise. More families, at lower incomes, will be able to live in the Belmont-Carlton neighborhood, where many jobs, parks, schools, and other amenities are within walking distance.

The proposed rezoning and special use permit expands opportunity, rather than restricts it.

#### **Enclosed**

Rezoning Application Forms

Special Use Permit Application Forms

Conceptual Site Plan dated February 2, 2023

Proposed Proffer Statement

Affordable Housing Declaration Form (with Proposed Track Changes)

ADU Worksheet

Shadow Study

Applicant Response Letter to the Office of Community Solutions dated January 1, 2023



Original Proffers \_\_\_\_\_  
Amendment \_\_\_\_\_

**PROFFER STATEMENT**

Rezoning: 1120 Avon Street  
Tax Map Parcels: 590165000

Owner: Nicole Scro and Stephanie Scro  
1120 Avon Street  
Charlottesville, VA 22902

Date of Proffer Signature: \_\_\_\_\_  
Subject properties to be rezoned from R-1S to B-2

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Nicole Scro and Stephanie Scro are the owners (together, the “Owner”) of Tax Map Parcel 590165000 (the “Property”), located in the City of Charlottesville, Virginia. The Property is the subject of rezoning application ZM22-\_\_\_\_\_ to allow for the development of a project known as “1120 Avon Street” (the “Project”).

Pursuant to Division 4 of the City of Charlottesville Zoning Ordinance (Chapter 34 of the City of Charlottesville Code), the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the requested zoning district, B-2. These conditions are proffered as part of the requested rezoning and the Owner acknowledges that the conditions are reasonable. Each signatory below signing on behalf of the Owner covenant and warrant that it is an authorized signatory of the Owner for this Proffer Statement.

1. **DESIGN:** The general design, maximum height and density, and other substantive characteristics of the Project shall remain essentially the same, in all material aspects, as described within the application materials submitted to the City on August 23, 2022, and as amended from time to time, including, but not limited to, the Conceptual Site Plan, dated February 2, 2023, prepared by Shimp Engineering, P.C. Except that the characteristics of the Project may subsequently be modified to comply with City zoning regulations not modified by this application. Any other material change of the Project as represented within the application materials shall require a modification of this rezoning application.
2. **HEIGHT OF BUILDINGS AND STRUCTURES:** Any buildings and structures located on the Property shall not exceed forty (40) feet in height. (Height is to be measured in accordance with City Code Section 34-1110 in effect as of the date this

ordinance, which specifies that height, when applied to a building or structure, shall refer to the vertical distance measured perpendicularly from grade to the highest point on such building or structure. For purposes of measuring building height, the following shall be deemed the highest point of a building: the level of a flat roof; the deck line of a mansard roof; and the average height level between the eaves and ridge, for gable, hip and gambrel roofs.)

### 3. AFFORDABLE HOUSING

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

- a. **Rent Restriction.** For purposes of this Proffer Statement, the term “For-Rent Affordable Dwelling Unit” means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed thirty-percent (30%) of a Household’s income where such Household’s income is equal to sixty-percent (60%) of the area median income, which shall be derived from (1) the “very low” income limit published annually by the federal Department of Housing and Urban Development (HUD) for Households within the Charlottesville, Virginia metropolitan statistical area (MSA), and (2) where the number of persons in Household equates to an average of 1.5 occupants per bedroom.
- b. **Income Restriction.** For-Rent Affordable Dwelling Units shall be reserved for rent to low- and moderate-income households having income less than sixty (60) percent of the AMI, derived from the “very low” income limit published annually by HUD for Households within the Charlottesville, Virginia MSA.
- c. **Number of For-Rent Affordable Dwelling Units.** One (1) unit shall be designated as a For-Rent Affordable Dwelling Unit (the “Required Affordable Dwelling Unit”). The Required Affordable Dwelling Unit shall be identified on a layout plan, by unit, prior to the issuance of the second certificate of occupancy for residential units on the Property (the “Initial Designation”). The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change the unit(s) reserved as the For-Rent Affordable Dwelling Unit; provided, however, that so long as a proposed change does not reduce the number of Required Affordable Dwelling Units and does not result in an Affordability Period shorter than required by these proffers. The City’s approval shall not be unreasonably withheld, conditioned, or delayed.
- d. **Affordability Period.** The Required Affordable Dwelling Units shall be reserved as such throughout a period of at least ninety-nine (99) years from the date on which the unit receives a certificate of occupancy from the City’s building official (the “Affordability Period”).
- e. **Declaration Requirement.** The land use obligations referenced in this Section 3 shall be set forth within one or more written declarations of covenants recorded



within the land records of the Clerk’s Office of the Circuit Court of the City of Charlottesville, Virginia, in a form approved by the Office of the City Attorney, so that the Owner’s successors in right, title and interest to the Property shall have notice of and be bound by such obligations. Such declaration of covenant shall be substantially similar to the form within the application materials submitted to the City on August 23, 2022, as amended from time to time prior to adoption of the rezoning application.

#### 4. LAND USES

**Permitted Uses**: the Property may be used only for the following. Any uses other than those listed below shall be prohibited:

- i. Residential and related uses.
  1. By-right: single-family detached; single-family attached; townhouse; two-family dwelling; accessory buildings, structures and uses; multifamily dwellings; boarding: rooming house; 1-21 dwelling units per acre (DUA).
  2. With a provisional use permit: home occupations; accessory apartment, internal; accessory apartment, external.
  3. With a special use permit: 22-43 DUA; 44-64 DUA; 65-87 DUA.
- ii. Other uses.
  1. By-right: amateur radio antennas, to a height of 75 feet; communications facilities: attached facilities utilizing utility poles as the attachment structure; communications facilities: attached facilities not visible from any adjacent street or property; access to adjacent multifamily, commercial, industrial, or mixed-use development or use; accessory buildings, structures and uses; daycare facility; hotel/motel: up to 4 guest rooms, where such guest rooms shall be restricted to the currently existing single family detached home fronting Avon Street; accessory surface parking lot.
  2. With a provisional use permit: mobile food units.

Notwithstanding anything herein to the contrary, any future changes to the City of Charlottesville Zoning Ordinance that allows commercial uses on the Property shall supersede the restriction of

uses outlined above.

The undersigned Owner hereby proffers that the use and development of the Property shall be in conformance with the proffers and conditions herein above. This document shall supersede all other agreements, proffers, or conditions that may be found to be in conflict. The Owner agrees that all proffers shall be binding to the Property, which means the proffers shall be transferred to all future property successors of the land.

*Signature Page Immediately Follows*



WITNESS the following duly authorized signatures and seals:

**OWNER:**

\_\_\_\_\_  
Nicole Scro

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_, to wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by Nicole Scro.

My Commission expires: \_\_\_\_\_  
\_\_\_\_\_  
Notary Public

*Signatures continue on the following page*

\_\_\_\_\_  
Stephanie Scro

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF \_\_\_\_\_, to wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
by Stephanie Scro.

My Commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public



THIS IS A FORM DOCUMENT PROVIDED BY THE OFFICE OF THE CITY ATTORNEY AS A BASELINE DOCUMENT. FINAL CONTENTS AND WORDING OF A DECLARATION TO BE USED FOR A SPECIFIC DEVELOPMENT WILL DEPEND ON THE SPECIFIC ZONING APPLICATION AND CITY APPROVALS

Prepared by: \_\_\_\_\_  
For: \_\_\_\_\_

Re: City of Charlottesville Real Estate Parcel Id. No. 590165000\_\_\_\_\_

**DRAFT DECLARATION**  
**OF AFFORDABLE HOUSING COVENANTS**

THIS DECLARATION (hereinafter, "**Declaration**") is made as of this \_\_\_\_ day of \_\_\_\_\_, 2021-202 ("**Effective Date**"), by \_\_\_\_\_, Chicken Oriented Development, LLC, a Virginia limited liability company ("**Owner**"), as DECLARANT, having an address of \_\_\_\_\_, 912 East High Street, Charlottesville, Virginia, 22902, as developer and owner in fee simple of the real property described herein.

**RECITALS**

~~R-1. The City desires to increase the amount of housing units available as affordable dwelling units and, pursuant to state enabling legislation, the City has enacted a local ordinance requiring developments of a certain density to include affordable dwelling units ("City Ordinance").~~

**Commented [A1]:** This development does not trigger any mandated affordable housing requirements as outlined in Section 34.12 of the City Ordinance.

**R-21.** Owner is the owner of certain land located in the City of Charlottesville, having an address of \_\_\_\_\_, 1120 Avon Street, further identified on City Tax Map 59 as Parcel 165 (City of Charlottesville Real Estate Tax Parcel ID No. \_\_\_\_\_), 590165000, containing approximately 0.148 acres, and further described on Exhibit A, attached hereto and incorporated herein (the "Property").

**Commented [A2]:** Exhibit A would be a legal description of the boundaries of the property to which the covenant will apply.

~~R-23. By Ordinance adopted on \_\_\_\_\_, 202 (the "Rezoning Ordinance") in combination with the adoption of By Resolution adopted on \_\_\_\_\_, 2021-202 (the "SUP Resolution"), the Charlottesville City Council approved a Rezoning and Special Use Permit, as requested by the Owner, to authorize a specific development known as "\_\_\_\_\_", "1120 Avon Street", consisting of a mixed-use building that includes no less than \_\_\_\_\_ square feet of ground floor retail space; \_\_\_\_\_ 10 +/- residential dwelling units, in the aggregate, including no fewer than 15 \_\_\_\_\_ Affordable Units committed to an Affordability~~

**Commented [A3]:** For a Rezoning or PUD, this would refer to an Ordinance ("Rezoning Ordinance")

**Commented [A4]:** 10 is the maximum allowable density

**Commented [A5]:** # of affordable units depends on total # constructed.  
If 9 or more, minimum of 2  
If 8 or fewer, minimum of 1

~~THIS IS A FORM DOCUMENT PROVIDED BY THE OFFICE OF THE CITY ATTORNEY AS A BASELINE DOCUMENT. FINAL CONTENTS AND WORDING OF A DECLARATION TO BE USED FOR A SPECIFIC DEVELOPMENT WILL DEPEND ON THE SPECIFIC ZONING APPLICATION AND CITY APPROVALS~~

Period of no fewer than ~~10~~-99 years, all subject to specified development conditions (collectively, the “Project”).

**R-34.** As a result of City Council’s approval of the Rezoning Ordinance and SUP Resolution, the Owner has acquired valuable additional developable residential density, and ~~the City’s zoning ordinance, Section 34.12, obligates~~ as part of such development, the Owner has proffered to provide for the establishment of five (5) affordable dwelling units in accordance with the City Ordinance as in effect on 2021 such Rezoning Ordinance and SUP Resolution.

**Commented [A6]:** This development does not trigger any mandated affordable housing requirements as outlined in Section 34.12 of the City Ordinance.

**Commented [A7]:** The SUP Resolution approval date

~~R-5. In addition to any units(s) required by the City Ordinance, the Owner within its application seeking a special use permit for the Project represented that the Project includes ( ) committed Affordable Units, as defined in this Declaration, in excess of those described in R-4, above.~~

**Commented [A8]:** This development does not trigger any mandated affordable housing requirements as outlined in Section 34.12 of the City Ordinance.

**R-64.** The purpose of this Declaration is to establish the terms upon which all of the Affordable Units will be provided.

NOW THEREFORE, the Declarant declares that the Property is and shall be held, transferred, sold, conveyed, given, donated, leased, occupied and used subject to the covenants, restrictions, conditions, easements, and affirmative obligations hereinafter set forth:

## ARTICLE ONE

### PROPERTY

Section 1. Submitted Property. The real property which is and shall be transferred, sold, conveyed, given, donated, leased and/or occupied subject to the covenants and restrictions contained in this Declaration is described in Exhibit A hereto.

## ARTICLE TWO

### DEFINITIONS

Section 1. Key Definitions. For the purposes of this Declaration, the terms used herein shall have the meanings ascribed to them below and, unless the context clearly indicates otherwise, shall include the plural as well as the singular.

**Affordability Period:** means a period of no fewer than ~~ten~~-ninety-nine (99) years, throughout which an Affordable Unit must be maintained and rented as an Affordable Unit. The



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Affordability Period commences on the date of the final certificate of occupancy authorizing residential occupancy of an Affordable Unit.

**Affordable Unit:** means a dwelling unit: (1) where the monthly cost of rent, including any tenant paid utilities, does not exceed thirty-percent (30%) of a Household's income where such Household's income is equal to sixty-percent (60%) of the area median income, which shall be derived from (1) the "very low" income limit published annually by the federal Department of Housing and Urban Development (HUD) for Households within the Charlottesville, Virginia metropolitan statistical area, and (2) where the number of persons in Household equates to an average of 1.5 occupants per bedroom, and (2) such unit is reserved for occupancy by a Household that pays no more than thirty percent (30%) of its gross income for housing costs, including utilities, provided that the annual gross income of the household/occupant is less than ~~sixty percent (60%)~~ of the Area Median Income for the City of Charlottesville.

**Area Median Income:** means the median income for Households within the Charlottesville, Virginia HUD Metropolitan FMR Area, as published annually by the U.S. Department of Housing and Urban Development.

**City** means the City of Charlottesville, Virginia, a municipal corporation and political subdivision of the Commonwealth of Virginia, and its officers, officials and agents, including, without limitation, any individual(s) employed by it to administer the provisions of the City's zoning ordinance or any affordable dwelling unit provisions contained therein.

**City Ordinance:** means and refers to Section 34-12 of the Code of the City of Charlottesville (1990), as amended, including any regulations adopted by resolution of the Charlottesville City Council for the administration of Section 34-12, in effect as of 2024202.

**Commented [A9]:** This would be the date on which Council approved the SUP Resolution

**Committed:** when used to refer to an Affordable Unit, means that such unit is reserved for occupancy by a Qualified Tenant throughout the entire Affordability Period.

**Household:** means, collectively, the individual(s) who occupy an Affordable Unit.

**HUD:** means the U.S. Department of Housing and Urban Development.

**Project:** has the meaning set forth in **R-31**, herein above.

**Qualified Tenant:** means a Household whose income is verified to be less than \_\_\_% or less of the Area Median Income.

**Rent:** means the amount of money payable by a Qualified Tenant for the right to occupy a Committed Affordable Unit, inclusive of Utilities.

**Residential Unit:** means a residential dwelling unit within the Project providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

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**Utilities:** means charges for water, sewer, electricity, and natural gas usage.

### ARTICLE THREE

#### USE RESTRICTIONS; AFFORDABILITY REQUIREMENT

3.1 **Use of the Property; Affordability.** In order to assure the integrity of the Project, and to ensure that Committed Affordable Units required by the [City Rezoning Ordinance](#) and [SUP Resolution](#) are provided and occupied in accordance with the [such ordinance and resolution, as well as the](#) City Ordinance, the land use restrictions within this Declaration are established for the mutual benefit and obligation of the Owner of the Project and all of the Residential Units within the Project.

3.2. \_\_\_\_\_ dwelling units constructed within the Project shall be Committed Affordable Units. (“Required Affordable Units”). The Required Affordable Units shall be designated on building floor plans submitted by the Owner to the City’s zoning administrator on or prior to the date on which the ~~first-second~~ certificate of occupancy is issued for any dwelling unit within the Project (“CAU Designation”).

~~3.2.1 \_\_\_\_\_ percent (\_\_\_\_%) or more of the Required Affordable Units shall be reserved for rental to low- and moderate income households having income less than 60 percent of the Area Median Income, throughout a period of at least \_\_\_\_\_ (\_\_\_\_) years from the date on which each such unit receives a final certificate of occupancy from the City’s building official.~~

3.2.21. \_\_\_\_\_ percent (\_\_\_\_%) or more of All of the Required Affordable Units shall (1) be reserved for rental to low- and moderate-income households having income less than 60 percent of the Area Median Income. [The restrictions herein shall apply to the Required Affordable Units](#) throughout a period of at least \_\_\_\_\_ (\_\_\_\_) ~~ninety-nine (99)~~ years from the date on which each such unit receives a final certificate of occupancy from the City’s building official.

3.2.32. All Required Affordable Units shall [also](#) be subject to the following:

**3.2.3.1** All of the Required Affordable Units shall be administered in accordance with City regulations adopted pursuant to the provisions of City Code 34-12(g), as such regulations are in effect on \_\_\_\_\_ (“Regulations”), [as applicable.](#)

**3.2.3.2** Owner shall determine whether a Household is a Qualified Tenant prior to allowing occupancy of any Affordable Unit by that Household, and shall document the determination in accordance with the requirements of

**Commented [A10]:** Date of approval of the SUP Resolution

**Commented [A11]:** This development does not trigger any mandated affordable housing requirements as outlined in Section 34.12 of the City Ordinance.



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the Regulations. Thereafter, the Owner shall confirm and document the Household's Qualified Tenant status annually.

**3.2.3.3** Every lease of an Affordable Unit to a Qualified Tenant shall be in writing. Upon the expiration of the Qualified Tenant's lease, the Owner may establish Rent for a subsequent Qualified Tenant of the Required Affordable Unit, using the criteria in the definition of Affordable Unit contained herein.

**3.2.3.4** ~~The Required Affordable Units shall be dispersed throughout the Project. No single floor of any building within the Project shall consist of entirely Required Affordable Units. The Required Affordable Units shall be dispersed throughout the Project, with no more than twenty-five percent (25%) of the Required Affordable Unit located on any one floor of a building.~~ Each Required Affordable Unit shall have substantially similar finishes and appearance as other dwelling units within the Project.

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**3.2.4.5** Occupants of any Required Affordable Unit shall have full access and right to use all amenities and facilities available to other residents within the Project subject to any rules, regulations, and conditions established by Owner to govern such use and access.

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**3.2.4.6** Occupants of the Required Affordable Units may be required to pay any customary fees and charges imposed on other residents within the Project, such as fees for garage or other parking spaces (if applicable), security deposit, move-in fee, move-out deposit, utility deposit, pet fees, etc.; ~~provided, however, that such fees shall not result in the inability of any Section 8 voucher holders to occupy the Affordable Units within the Project. If such fees result in a hardship to any Section 8 voucher holders, the Owner shall waive such fees or work with applicable organizations that may provide subsidies for such fees. In addition, the Owner shall not effectively prohibit the Required Affordable Units from Section 8 voucher holders through other means, including, but not limited to, credit score requirements.~~

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**3.2.4.7** From ~~from~~ time to time during Affordability Period, the Owner shall have the right to change which units are reserved as the Required Affordable Units, following: (i) advance written notice to the City giving the address and unit number(s) of the units to be designated and undesignated, respectively, and (ii) a written determination by the City that the Project is in compliance with the requirements of this Declaration prior to the changed designation and will continue to be in such compliance following the changed designation.

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**3.2.4.8** If an otherwise Qualified Tenant residing in a Required Affordable Unit has an increase in income that exceeds the guidelines specified in this Declaration, that Affordable Unit will be considered as meeting the requirements of this Declaration for a period of three (3) years, commencing on January 1 of the calendar year succeeding the year in which the income increased (the “Grace Period”). After the expiration of the Grace Period, the Owner may allow the Household to remain in the same unit; however, the Owner shall provide the City with notice in accordance with 3.2.3., above, that the Owner is amending and transferring the prior CAU designation to a different unit within the Project.

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**3.2.4.9** In the event of a conflict between the provisions of this Section 3.2.3-2 and the Regulations, the provisions of this Section 3.2.3-2 shall govern.

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3.2.4.3. Nothing within this Declaration shall preclude the Owner from allowing a Household whose household income increases above the limit to move to a different, non-affordable unit within the Project, subject to a lease at a fair market rental rates, at the conclusion of the Grace Period.

3.2.4. A minimum of thirty (30) days prior to when each of the Required Affordable Units are ready to be leased, the Owner shall notify the CRHA of the availability of such units, and shall coordinate and cooperate with the CRHA to enable and encourage voucher holders to lease such units.

3.3. Owner shall provide the City with a Committed Affordable Unit Occupancy Annual Report (“Annual Report”) prior to January 31 of each calendar year. The Annual Report shall include data on each Required Affordable Unit for the prior calendar year. The Annual Report shall include tenant identification information showing name, address, date and term of current lease, current household size, and current verified income. The City may specify a format for the Annual Report; if the City specifies a format, that format shall be utilized by the Owner. Upon reasonable advance written notice and request, the City shall be permitted by the Owner to inspect the Owner’s books and records that are the source of information contained in the Annual Report, including, without limitation: tenant’s rental application; tenant’s signed lease agreement; tenant’s income verification and supporting documentation; and tenant’s occupancy affidavit, verifying tenant’s use of the Affordable Unit as tenant’s primary domicile.

3.4. Throughout the Affordability Period, Owner shall maintain records necessary to demonstrate compliance with the requirements of this Declaration for each calendar year, as well as records demonstrating such compliance within each of the three preceding calendar years within the Affordability Period. On reasonable advance written notice to the Owner, the City shall have a right to inspect such records in the format, and in the physical or electronic location at which the records are regularly kept in the course of business.

3.5. The City shall have the right to inspect any Required Affordable Unit to verify compliance with this Declaration, following at least forty-eight (48) hours’ advance written



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notice to the Owner and subject to the rights of the Qualified Tenants under their leases and applicable law.

3.6 Pursuant to Section 36-96.1 of the Virginia Fair Housing Law of the Code of Virginia, 1950, as amended, and Section 2-431 of the City Ordinance, the Owner shall provide housing within the Project to all citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, military status, or disability.

#### ARTICLE FOUR

##### MISCELLANEOUS TERMS

4.1. All notices, requests and demands (individually and collectively in this article, (“Notices”) required by or relating to this Declaration will be given by first class mail, return receipt requested, or by overnight courier service, postage prepaid. Notices are effective as of the third calendar day after the day on which the Notice is given. Any successor to Owner’s rights, title or interest in the Project, immediately upon acquiring such right, title, or interest, shall give Notice to the City updating the information required by Paragraph 4.1.1, below.

Notices will be addressed to the parties as follows:

4.1.1. Notices to Owner shall be given to:

Chicken Oriented Development, LLC  
c/o Nicole Scro  
912 East High Street, Second Floor  
Charlottesville, Virginia 22902

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4.1.2. Notices to the City shall be given to:

Charlottesville City Manager  
For Attention: Zoning Administrator  
P.O. Box 911 (605 E. Main Street, 2<sup>nd</sup> Floor)  
Charlottesville, VA 22902

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4.2. If the Owner is in default of this Declaration, the City shall give notice to the Owner of the breach, and the basis thereof. Owner shall have 30 days from the effective date of the City’s notice to cure such default or breach; alternatively, if action to cure such default reasonably requires more than 30 days, Owner shall commence the cure within the 30-day period and shall diligently pursue completion of the cure within a period of time that is reasonable under the circumstances.

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4.3. The covenants and restrictions of this Declaration shall run with the land, and shall be enforceable against the Declarant/ Owner and its heirs, successors, and assigns, and their agents and legal representatives, throughout the Affordability Term.

4.4. Except as otherwise provided herein, this Declaration, or any part hereof, may only be amended, modified or released by an instrument in writing executed by a duly authorized official of the City, and by a duly authorized representative of the Owner. Any amendment to this Declaration that alters the terms and conditions set forth herein shall be recorded in the Clerk's Office of the Circuit Court of the City of Charlottesville (the "Land Records") before it shall be deemed effective.

4.5. If any provision of this Declaration is held to be unenforceable or illegal for any reason, said provision shall be severed from all other provisions. Said other provisions shall remain in effect without reference to the unenforceable or illegal provision.

4.6. This Declaration and the rights of the parties hereunder shall be interpreted in accordance with the laws of the Commonwealth of Virginia, without regard to conflicts of laws provisions.

4.7. The covenants set forth within this Declaration shall be separate from, and in addition to, the requirements of the City Ordinance as are applicable to the five (5) affordable dwelling units required by said City Ordinance.

4.7. This Declaration shall take effect upon its recordation in the Land Records.

(Signature Page Immediately Follows)



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WITNESS the following signature:

**DECLARANT / OWNER:**

ORIENTED DEVELOPMENT, LLC,  
a Virginia limited liability company

\_\_\_\_\_  
CHICKEN

Member

By: \_\_\_\_\_  
Nicole Scro, Managing

COMMONWEALTH OF VIRGINIA  
CITY/COUNTY OF \_\_\_\_\_, to wit:

I \_\_\_\_\_, a notary public for the Commonwealth of Virginia, do hereby certify that the foregoing instrument was subscribed and sworn before me by \_\_\_\_\_  
Nicole Scro as Managing Member of \_\_\_\_\_, Chicken Oriented Development, LLC, a Virginia limited liability company.

Given my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

My Commission Number: \_\_\_\_\_

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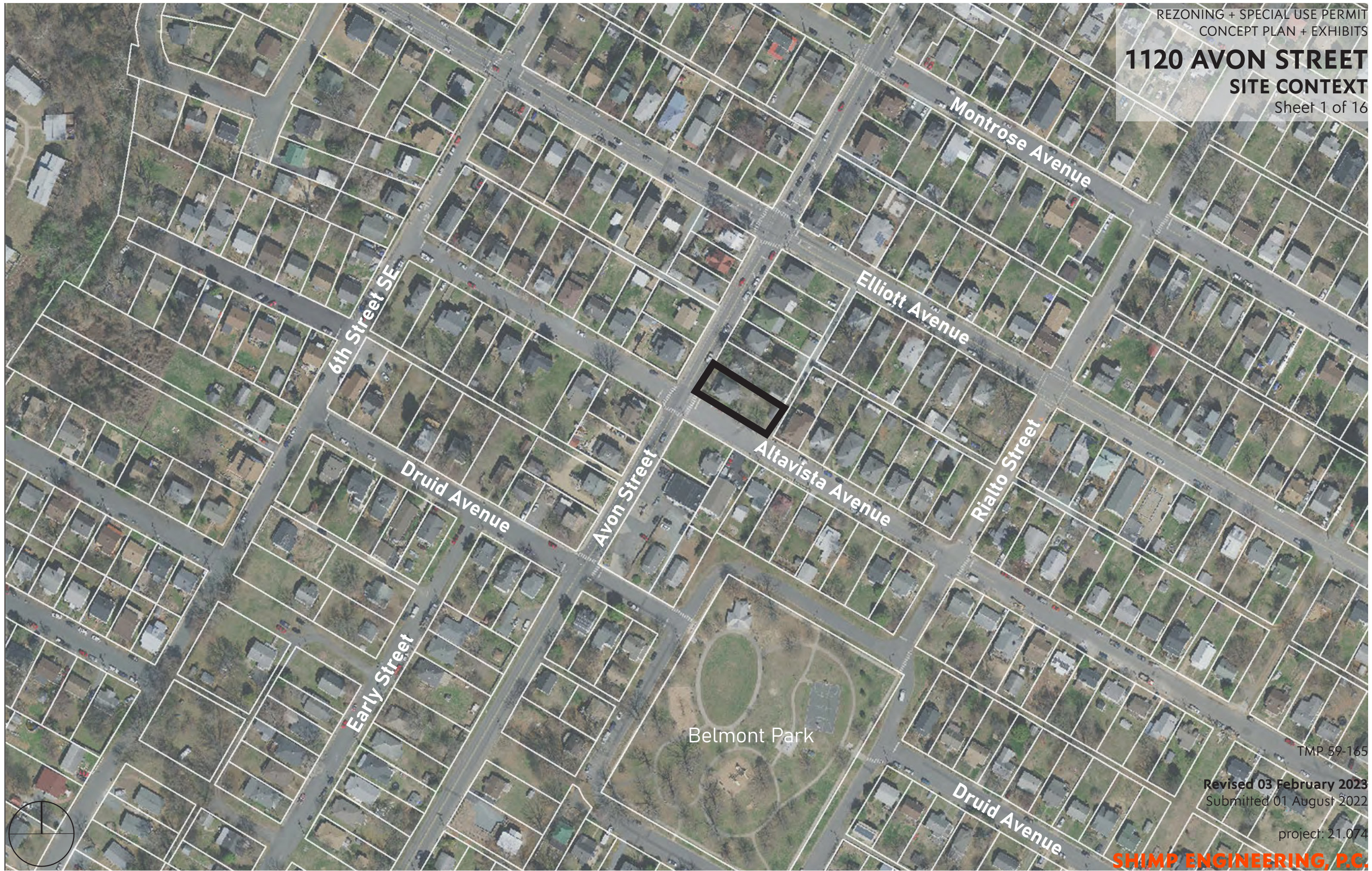
**EXHIBIT A**  
**TO THE DECLARATION OF AFFORDABLE HOUSING COVENANTS**

The following property is subject to the Declaration:

All that certain lot or parcel of land, with improvements thereon and appurtenances thereto, situated in the City of Charlottesville, Virginia, ~~at the intersection of~~ on the east side of Avon Street \_\_\_\_\_, containing \_\_\_\_\_ 0.148 acres, more or less, shown as ~~Parcel~~ the southern part of Lots 11, 12, and 13, Block 40, -on a plat dated \_\_\_\_\_, August 10, 1981 made by \_\_\_\_\_, which plat is recorded in the Clerk's Office of the Circuit Court of the City of Charlottesville, Virginia as Instrument No. \_\_\_\_\_ in Deed Book 96, page 72; **BEING a portion** ~~of~~ the same property conveyed to ~~the Grantor~~ Chicken Oriented Development, LLC, herein named, by deed dated \_\_\_\_\_, from \_\_\_\_\_, which deed is of record in the Clerk's Office of the Circuit Court of City of Charlottesville, Virginia as Instrument No. \_\_\_\_\_.



**1120 AVON STREET**  
**SITE CONTEXT**  
Sheet 1 of 16



TMP 59-165

Revised 03 February 2023  
Submitted 01 August 2022

project: 21.074



**1120 AVON STREET**  
**SITE, REZONING + SPECIAL USE**  
**PERMIT DETAILS**

Sheet 2 of 16

**OWNER**

Nicole & Stephanie Scro  
1120 Avon Street  
Charlottesville, VA 22902

**DEVELOPER**

Gallifrey, LLC  
912 E High Street, Suite C  
Charlottesville, VA 22902

**TMP**

59-165

**ACREAGE**

0.148

**NEIGHBORHOOD**

Belmont

**CRITICAL SLOPES**

No critical slopes are present on the property.

**FLOODZONE**

According to the FEMA Flood Insurance Rate Map, effective date February 4, 2005 (Community Panel 51003C0288D), this property does not lie within a floodplain.

**USE**

EXISTING: Single family residential  
PROPOSED: Multifamily residential

**ZONING**

EXISTING: R-1S  
PROPOSED: B-2 w/ special use permit for up to 68 DUA

**DENSITY**

COMPREHENSIVE PLAN DESIGNATION: Medium  
Intensity Residential  
PROPOSED: Maximum 10 total units, up to 68 DUA

**BUILDING HEIGHT**

Per proffer statement, building height restriction of up to 40'

**SETBACKS**

Setbacks to conform to sheet 7

TMP 59-165

**Revised 03 February 2023**  
Submitted 01 August 2022

project: 21.074

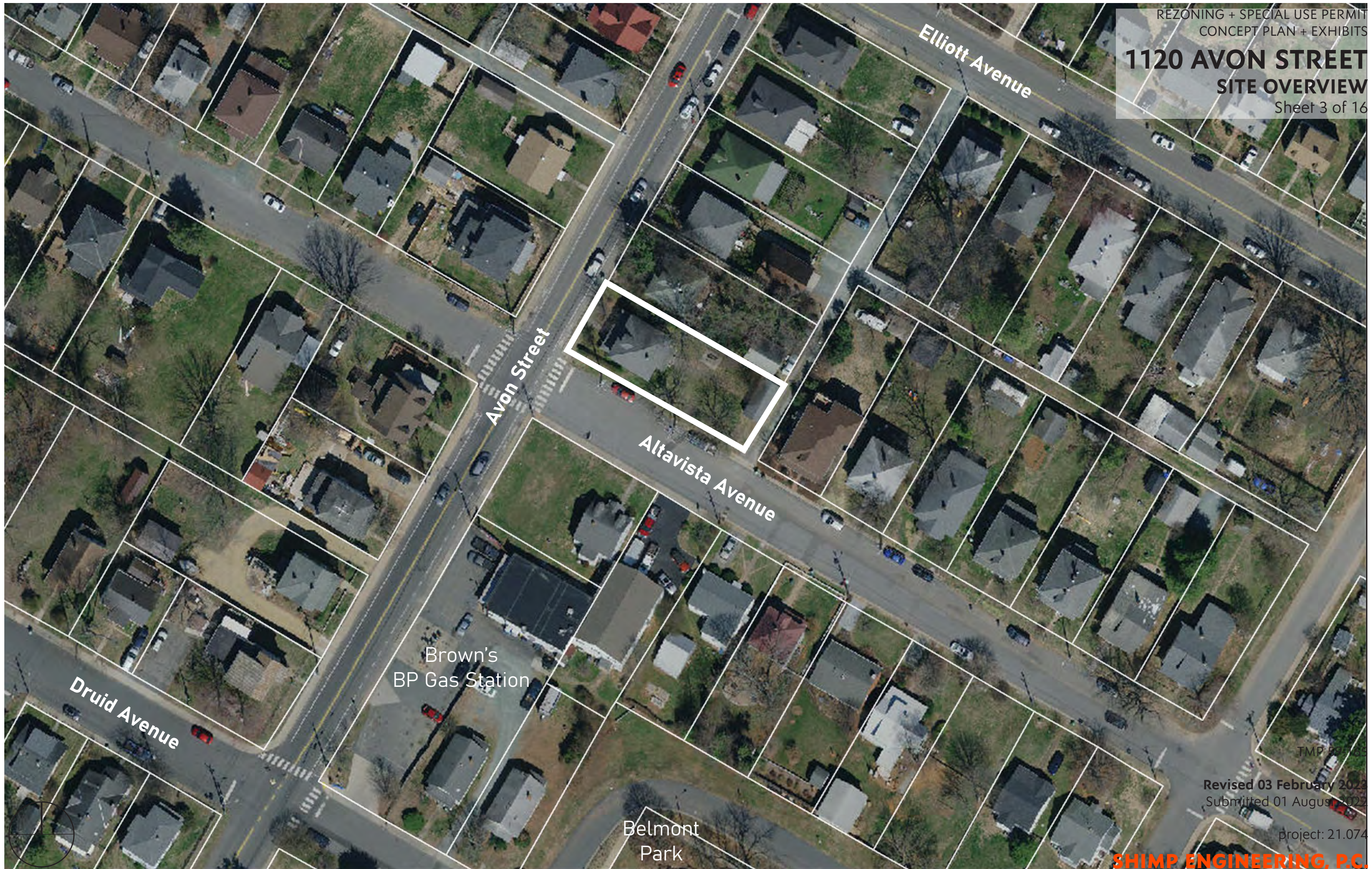
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# 1120 AVON STREET

## SITE OVERVIEW

Sheet 3 of 16



TMP 22-165

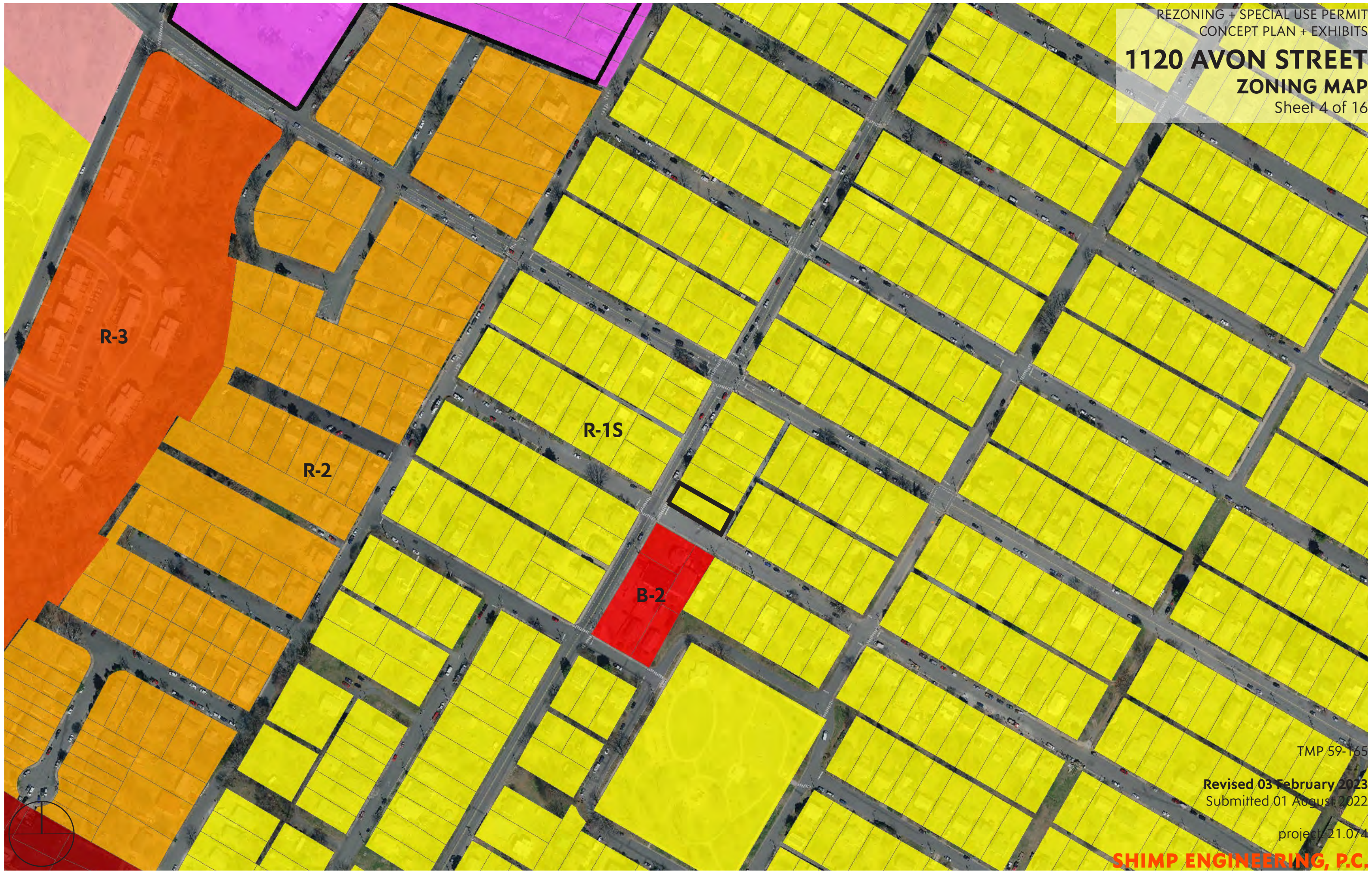
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project: 21.074



# 1120 AVON STREET ZONING MAP

Sheet 4 of 16



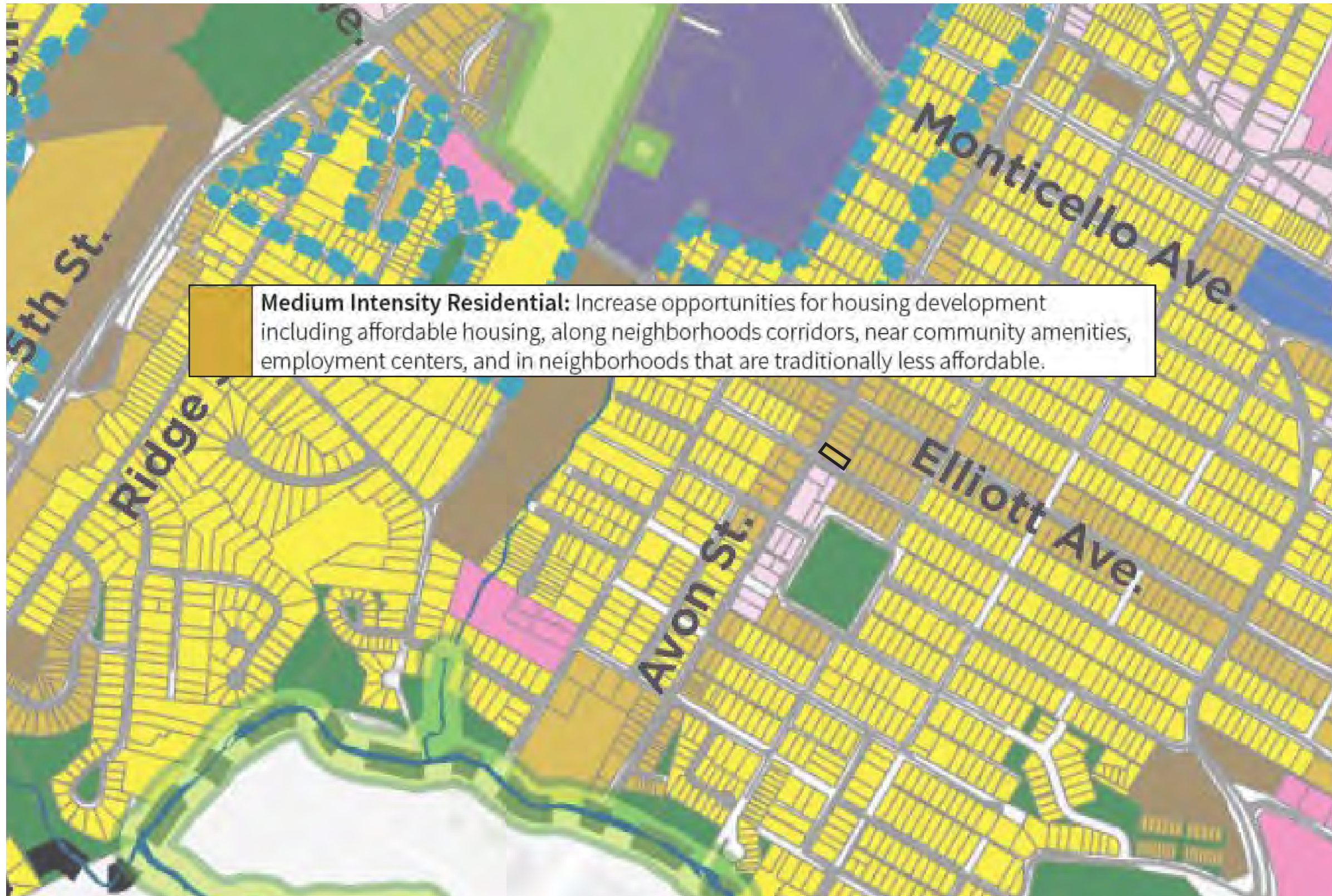
TMP 59-165

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project 21.074



# 1120 AVON STREET COMPREHENSIVE PLAN

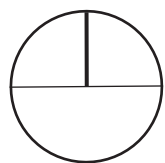


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# 1120 AVON STREET EXISTING CONDITIONS

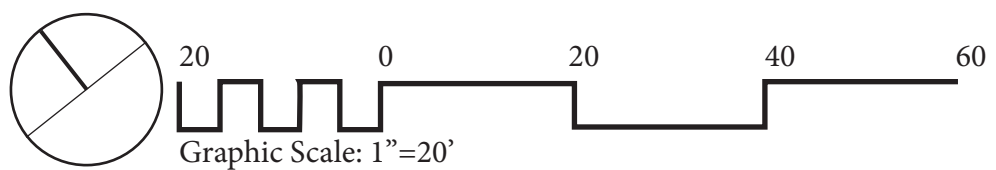
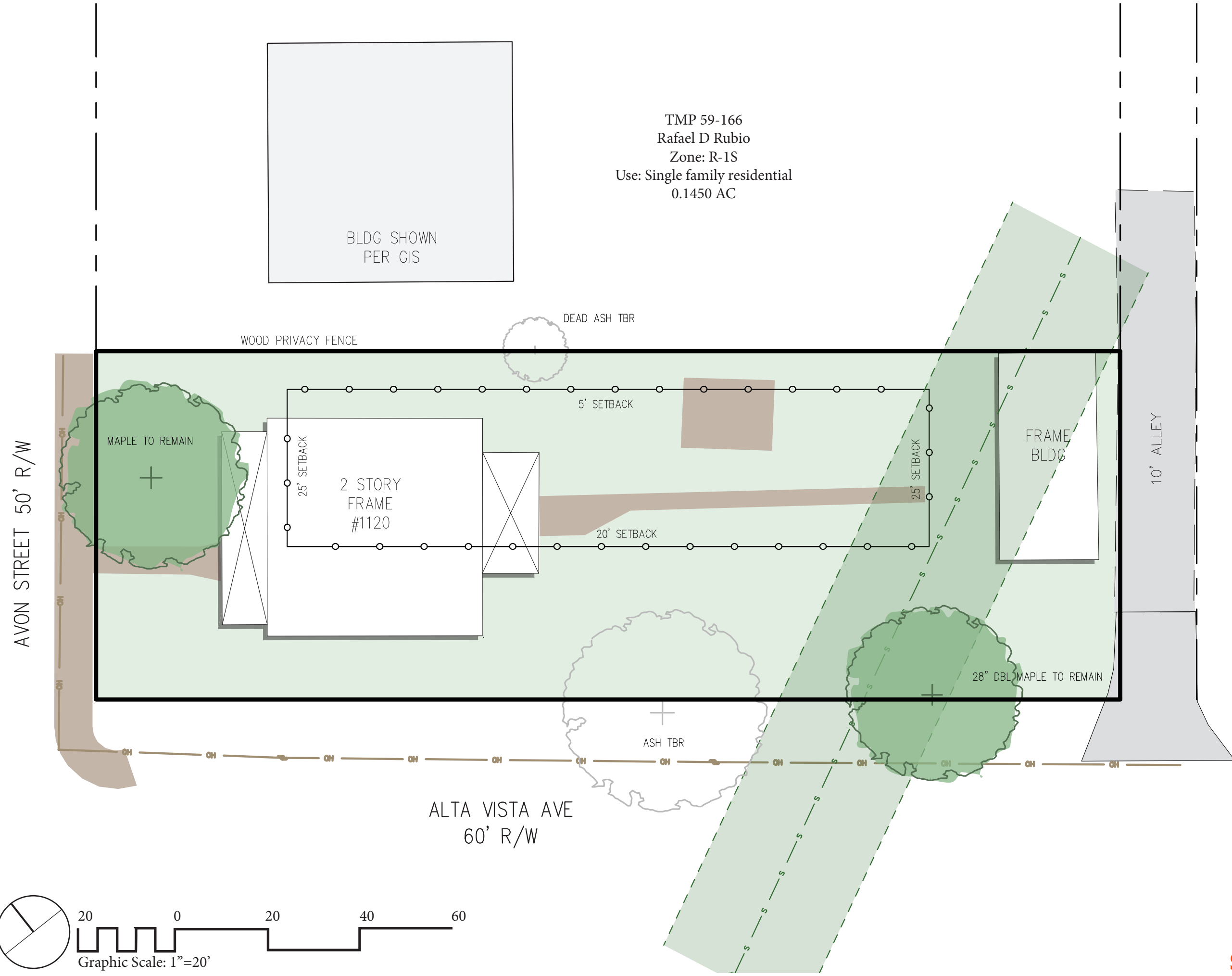
Sheet 6 of 16

TMP 59-166  
Rafael D Rubio  
Zone: R-1S  
Use: Single family residential  
0.1450 AC

BLDG SHOWN  
PER GIS

TMP 59-164  
Philip & Alison Harway  
Zone: R-1S  
Use: Single family residential  
0.1390 AC

BLDG SHOWN  
PER GIS



TMP 59-165

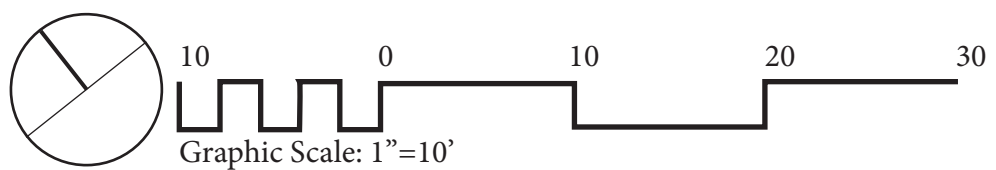
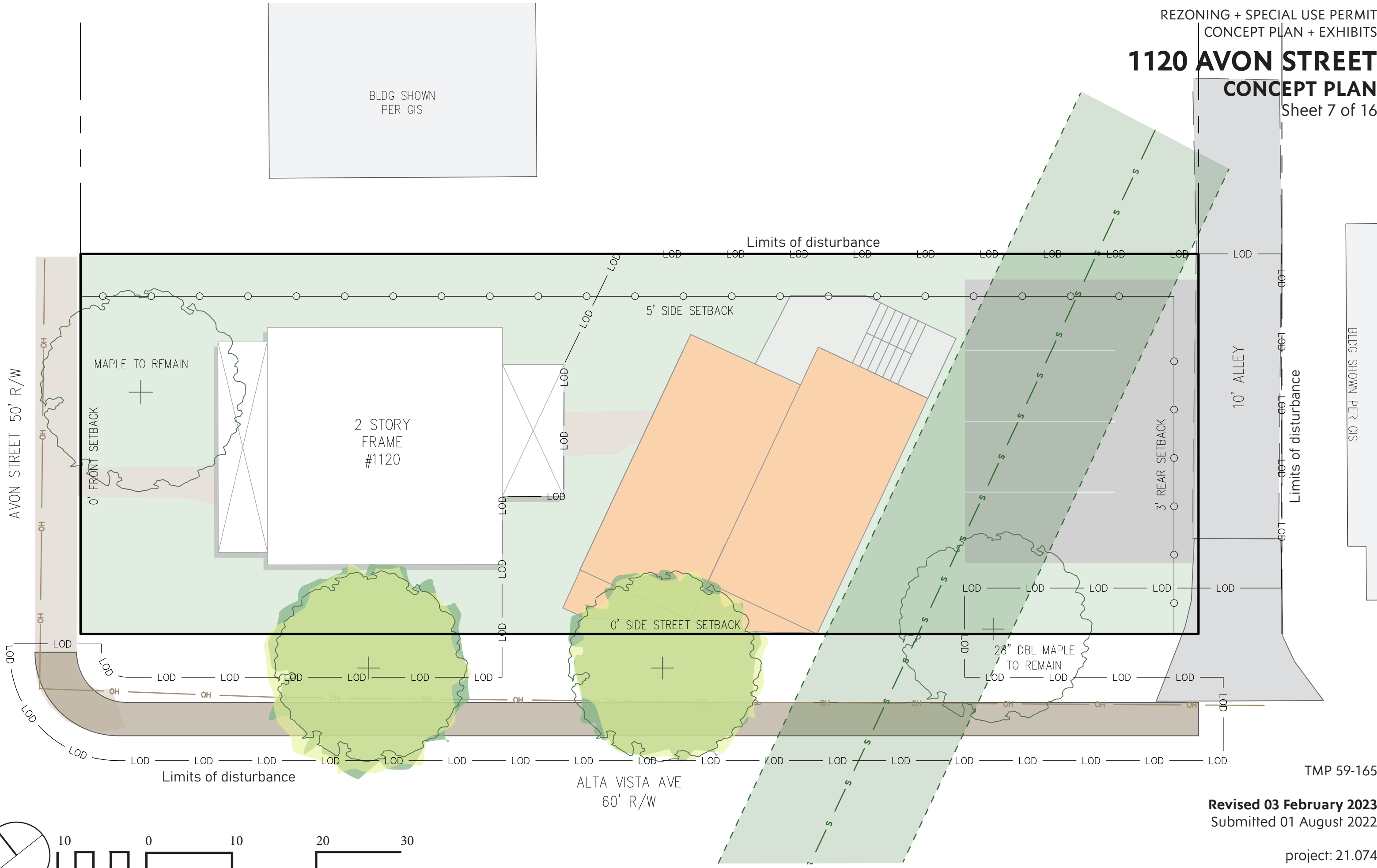
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# 1120 AVON STREET

## CONCEPT PLAN

Sheet 7 of 16



TMP 59-165

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# 1120 AVON STREET

## MASSING DIAGRAM

Sheet 8 of 16



TMP 59-165

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**1120 AVON STREET**  
**MASSING DIAGRAM**  
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Submitted 01 August 2022

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# 1120 AVON STREET

## MASSING DIAGRAM

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TMP 59-165

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# 1120 AVON STREET MASSING DIAGRAM

Sheet 11 of 16



TMP 59-165

Revised 03 February 2023  
Submitted 01 August 2022

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# 1120 AVON STREET

## MASSING DIAGRAM

Sheet 12 of 16



TMP 59-16

Revised 03 February 2023  
Submitted 01 August 2022

project: 21.074



# 1120 AVON STREET

## MASSING DIAGRAM

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TMP 59-165

Revised 03 February 2023  
Submitted 01 August 2022

project: 21.074



# 1120 AVON STREET MASSING DIAGRAM

Sheet 14 of 16



TMP 59-165

Revised 03 February 2023  
Submitted 01 August 2022

project: 21.074



# 1120 AVON STREET MASSING DIAGRAM

Sheet 15 of 16



TMP 59-165

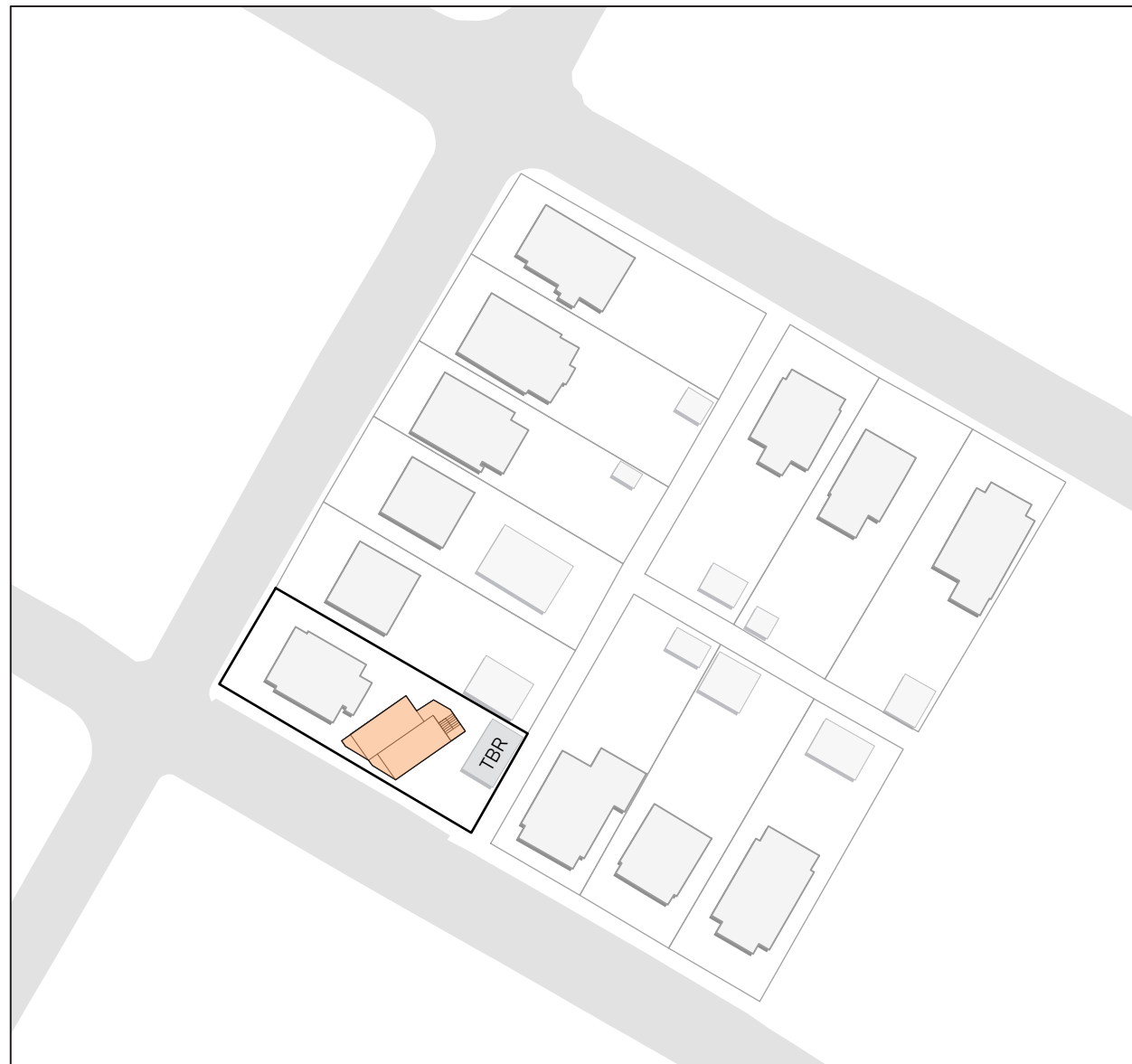
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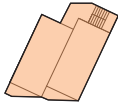












project: 21.074

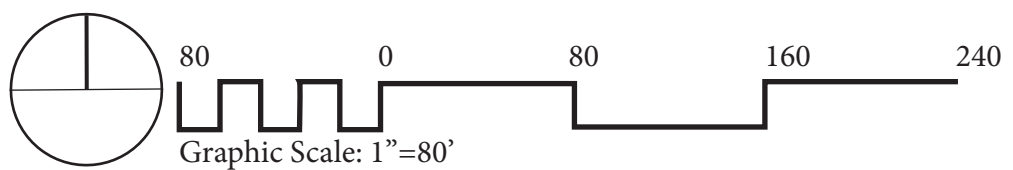


# 1120 AVON STREET FOOTPRINT COMPARISON

Sheet 16 of 16



	PROPOSED STRUCTURE 1166 SF		
	1,200 SF HOUSE 250 SF SHED		1,400 SF HOUSE NO SHED
	1,140 SF HOUSE 120 SF SHED		1,500 SF HOUSE 160 SF SHED
	1,500 SF HOUSE 300 SF SHED		1,400 SF HOUSE 90 SF SHED
	1,700 SF HOUSE 200 SF SHED		1,000 SF HOUSE 900 SF SHED
	1,100 SF HOUSE 440 SF SHED		1,000 SF HOUSE 500 SF SHED
	1,600 SF HOUSE 470 SF SHED		1,200 SF HOUSE 400 SF SHED



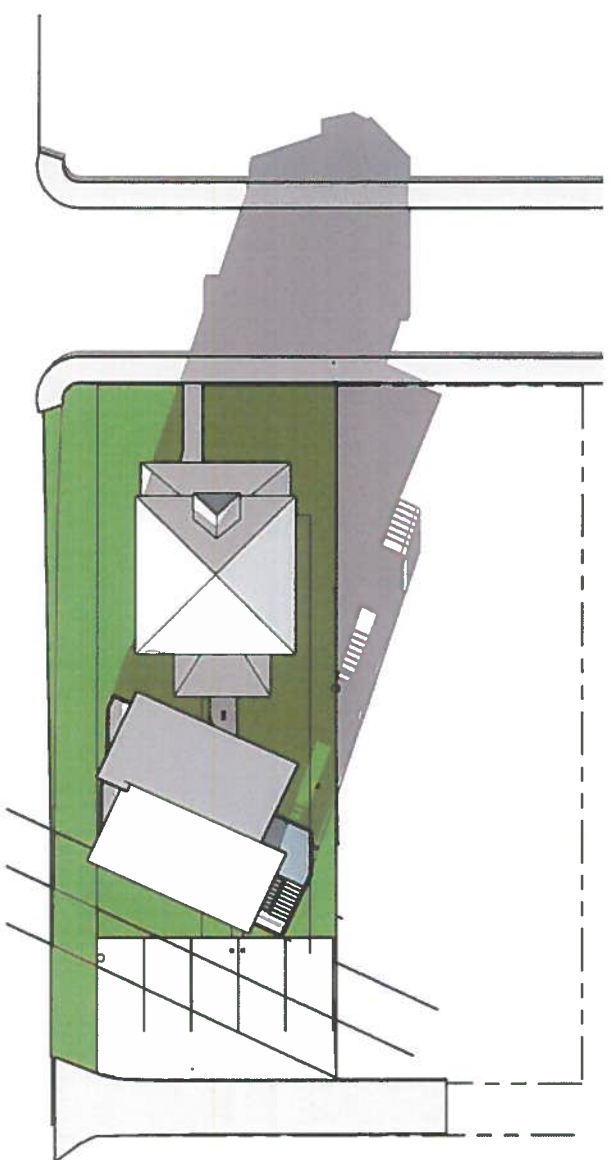
TMP 59-165

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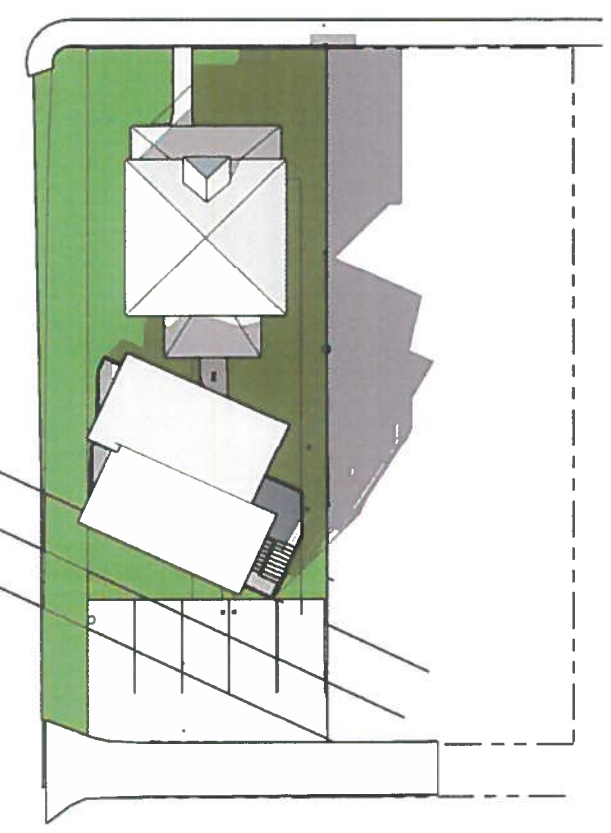
project: 21.074

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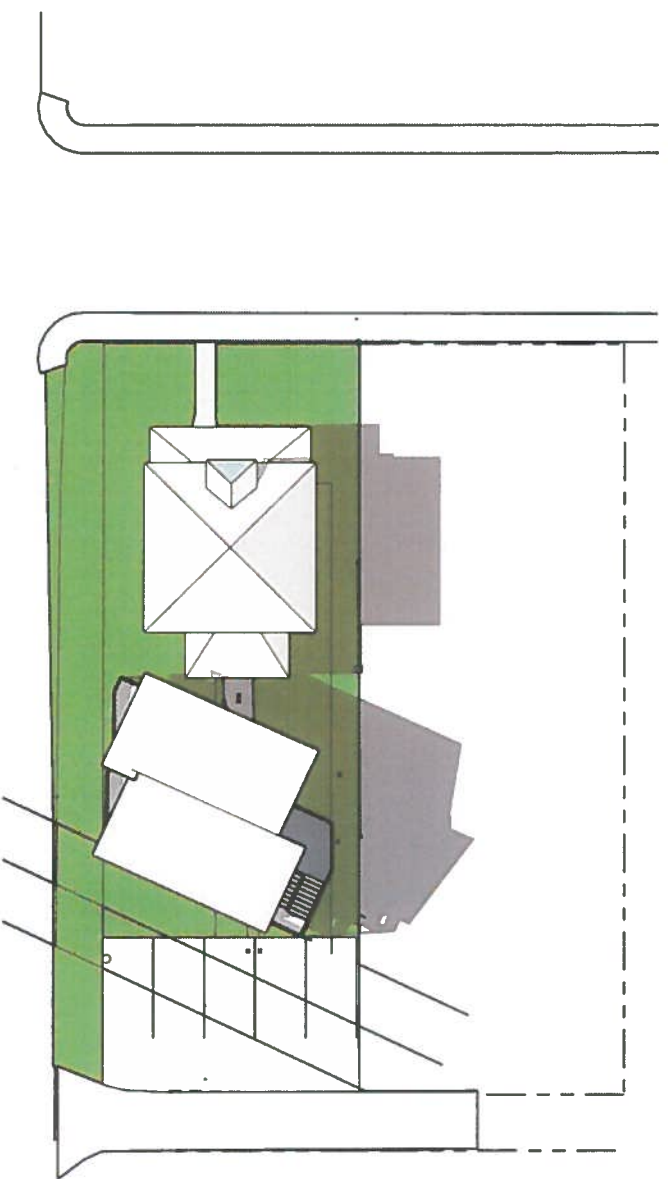
10AM MARCH 21ST



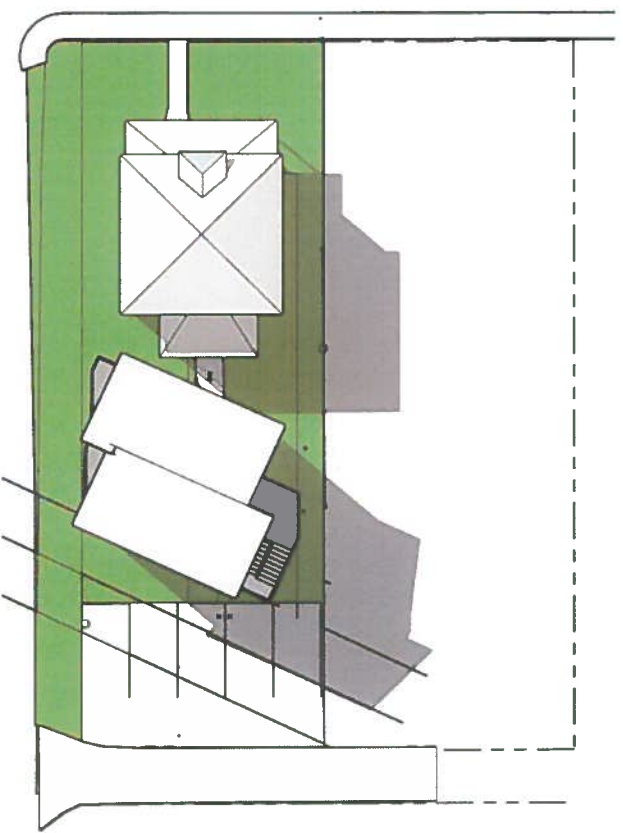
12PM MARCH 21ST



2PM MARCH 21ST



4PM MARCH 21ST



**5**

MARCH SOLAR STUDY

1120 AVON STREET

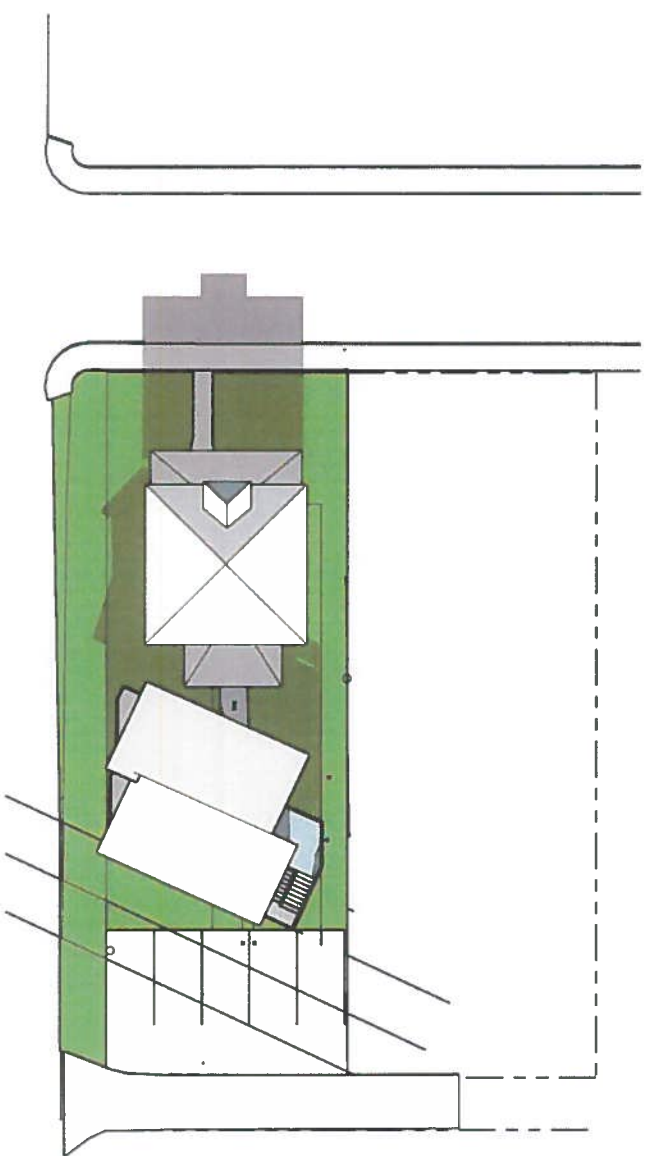
CHARLOTTESVILLE, VA

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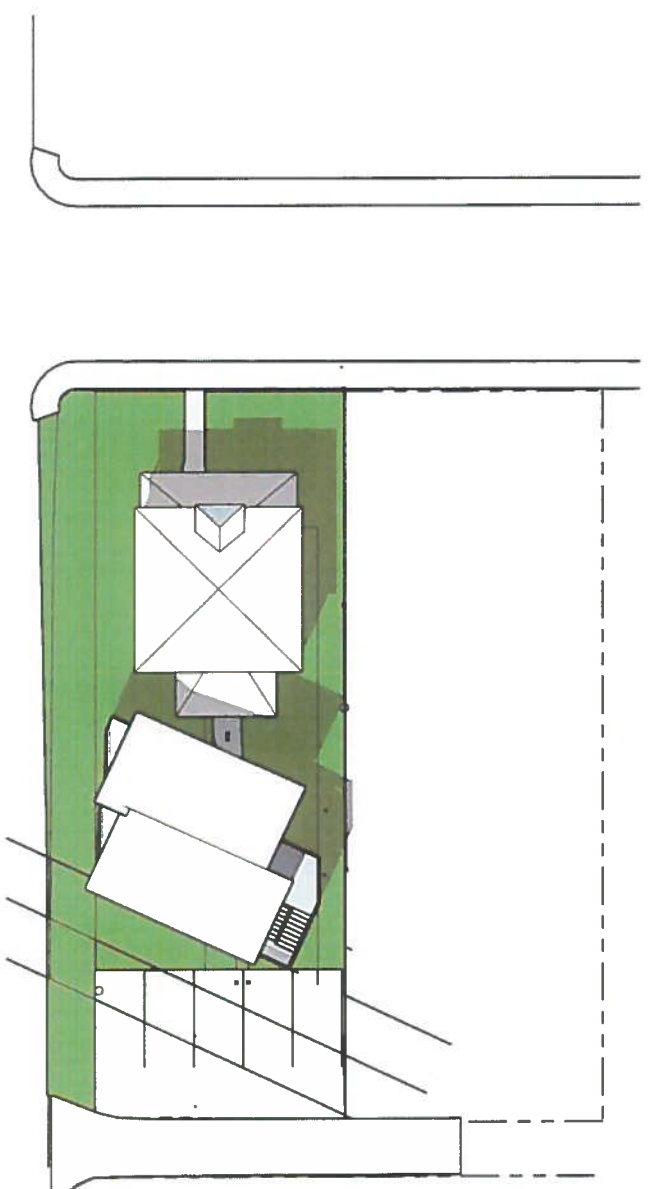
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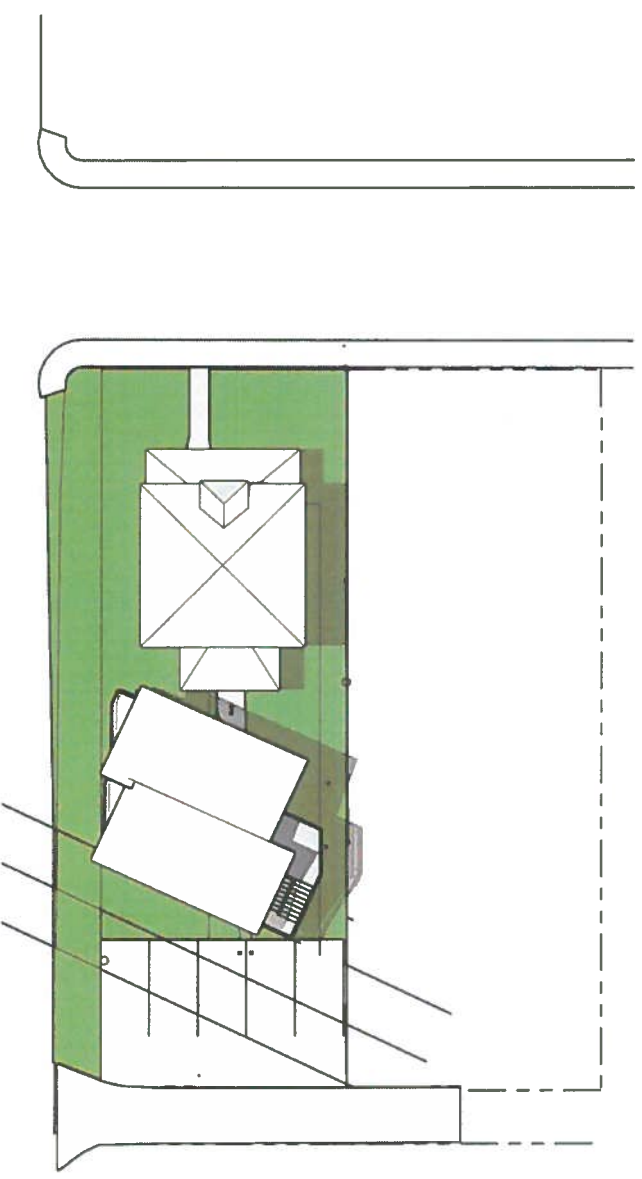




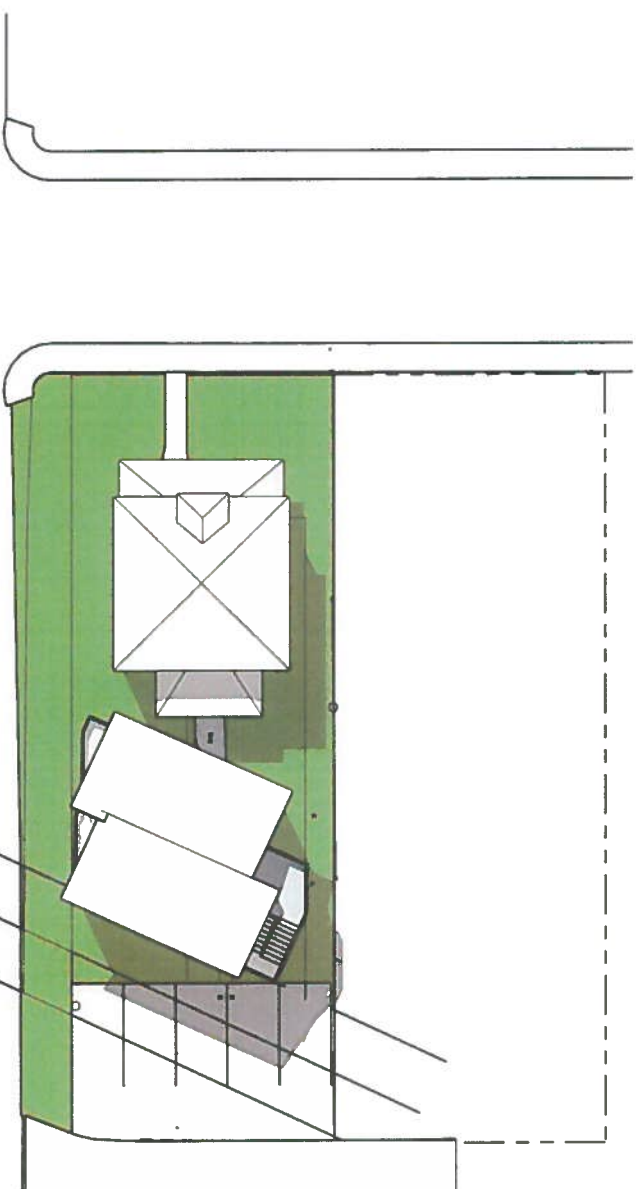
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12PM JUNE 21ST



2PM JUNE 21ST



4PM JUNE 21ST

# 6

JUNE SOLAR STUDY

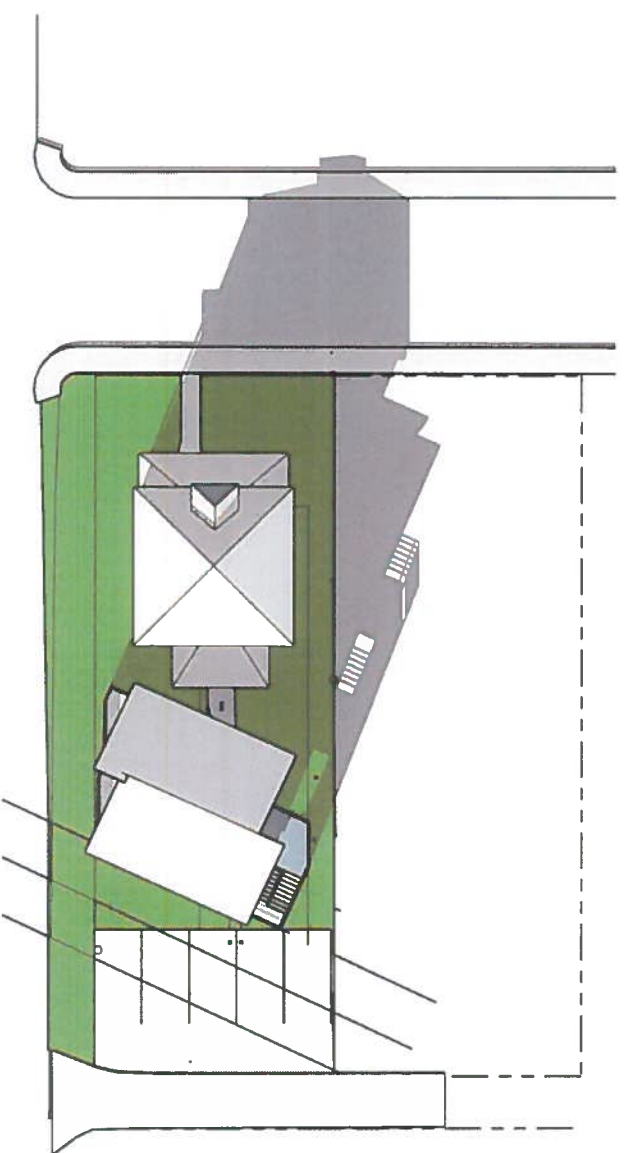
1120 AVON STREET

CHARLOTTESVILLE, VA

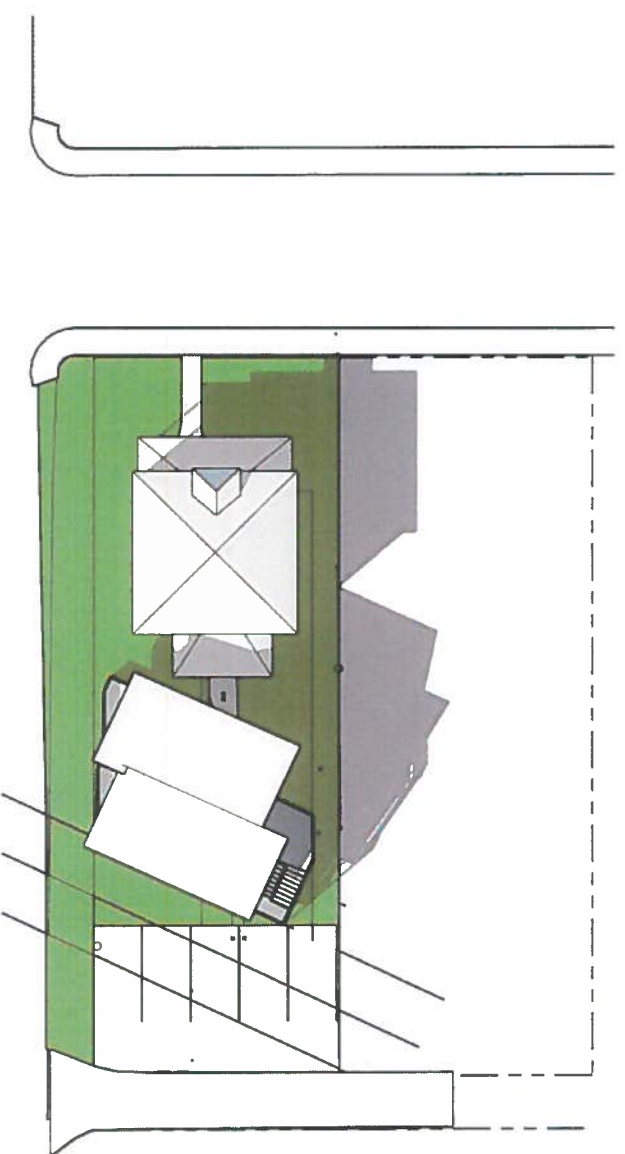
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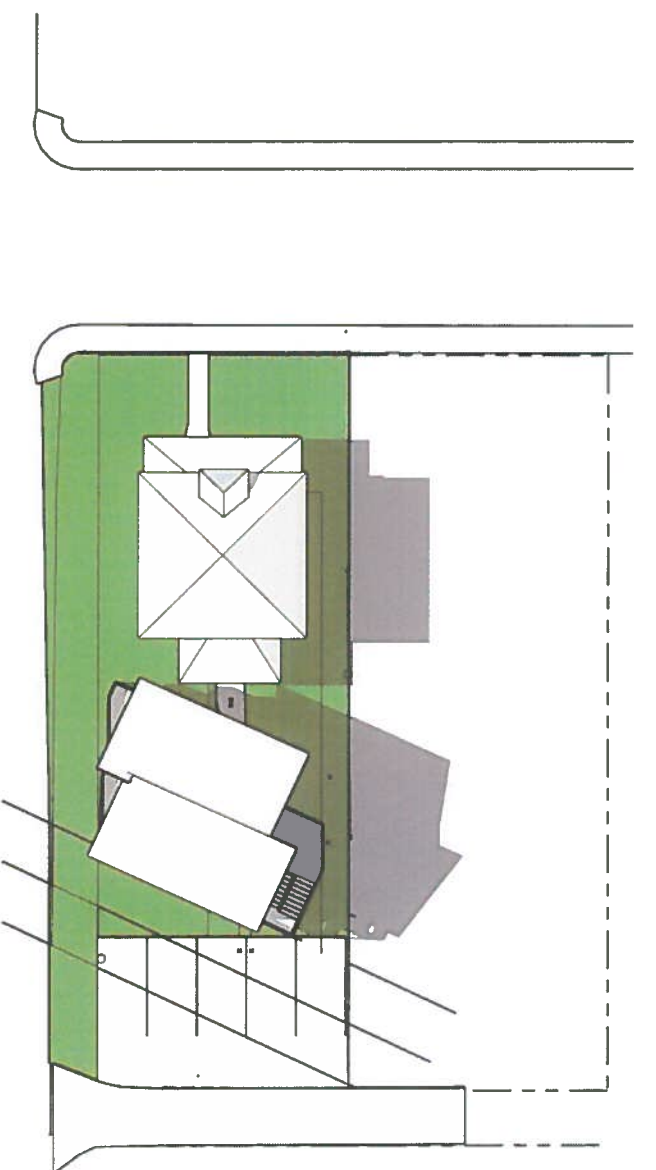
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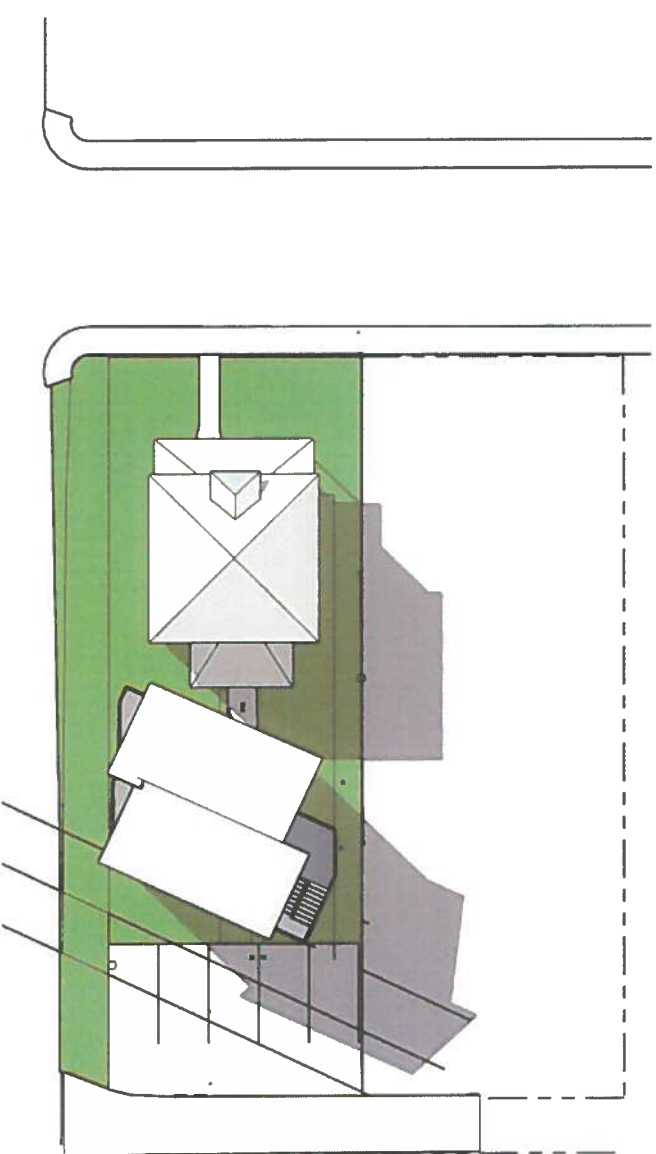
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4PM SEPTEMBER 21ST

7

SEPTEMBER SOLAR STUDY

CHARLOTTESVILLE, VA

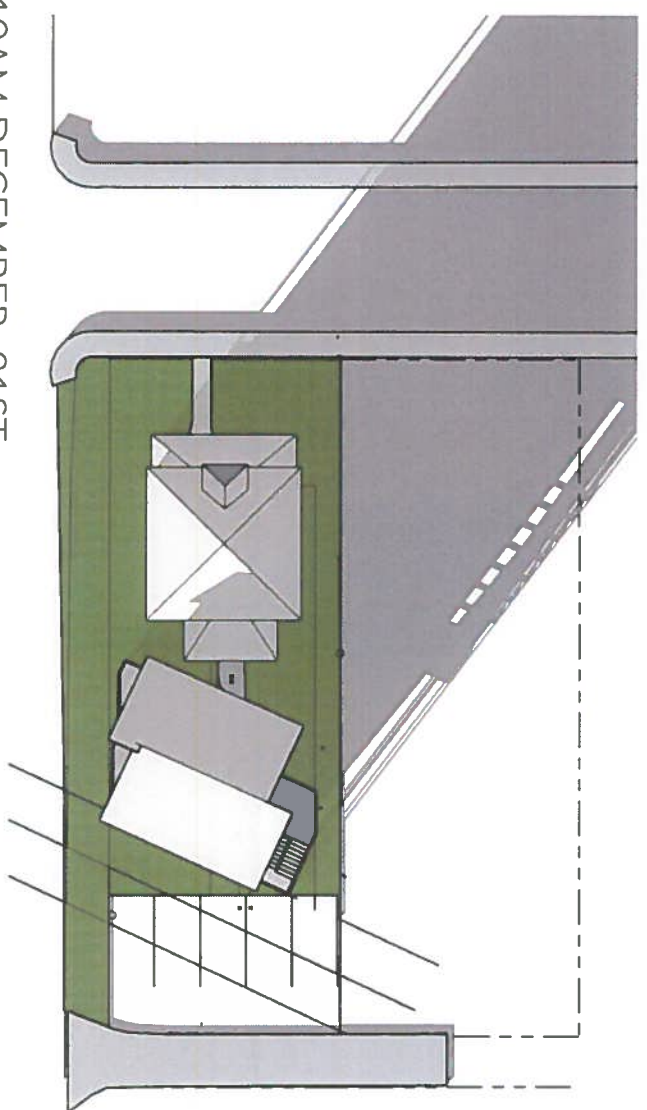
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HAUSCRAFT

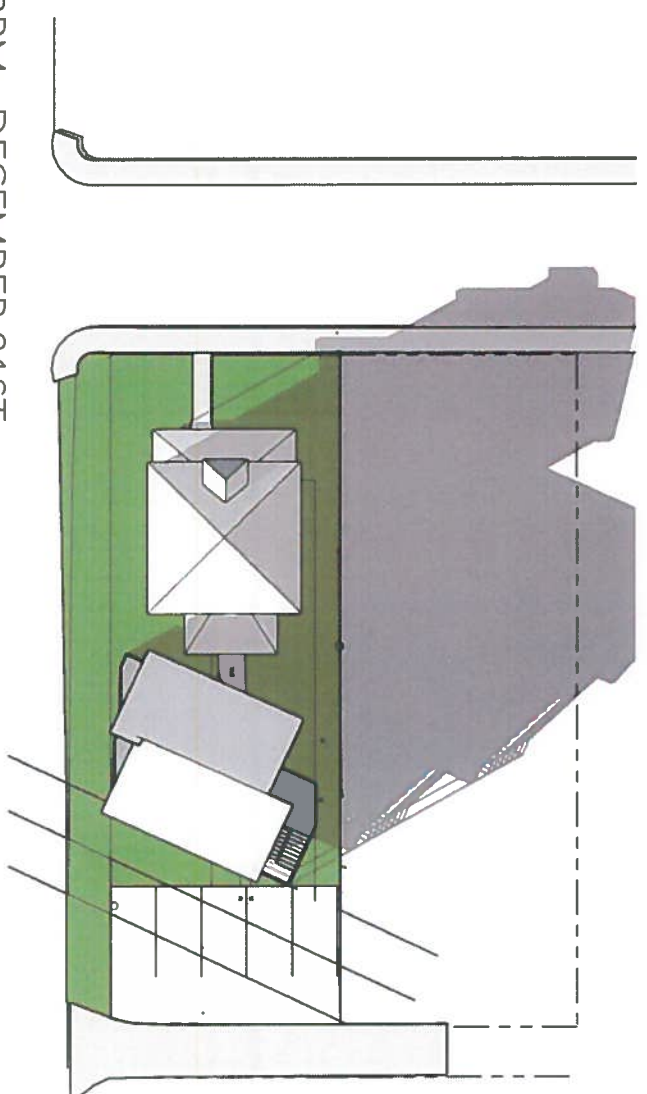
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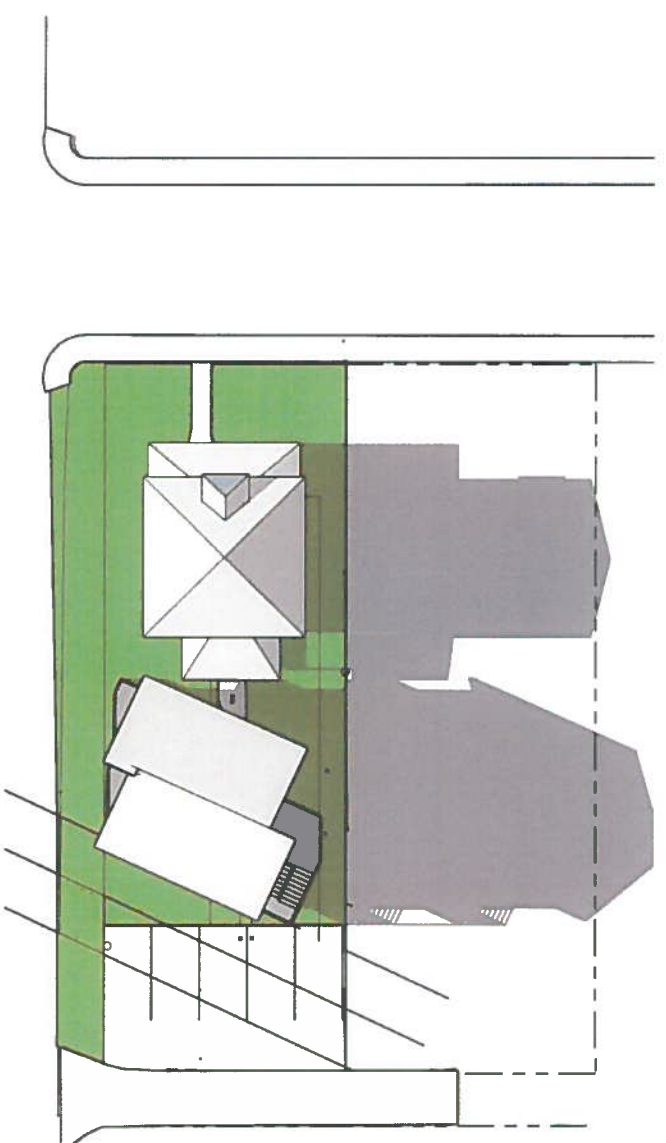




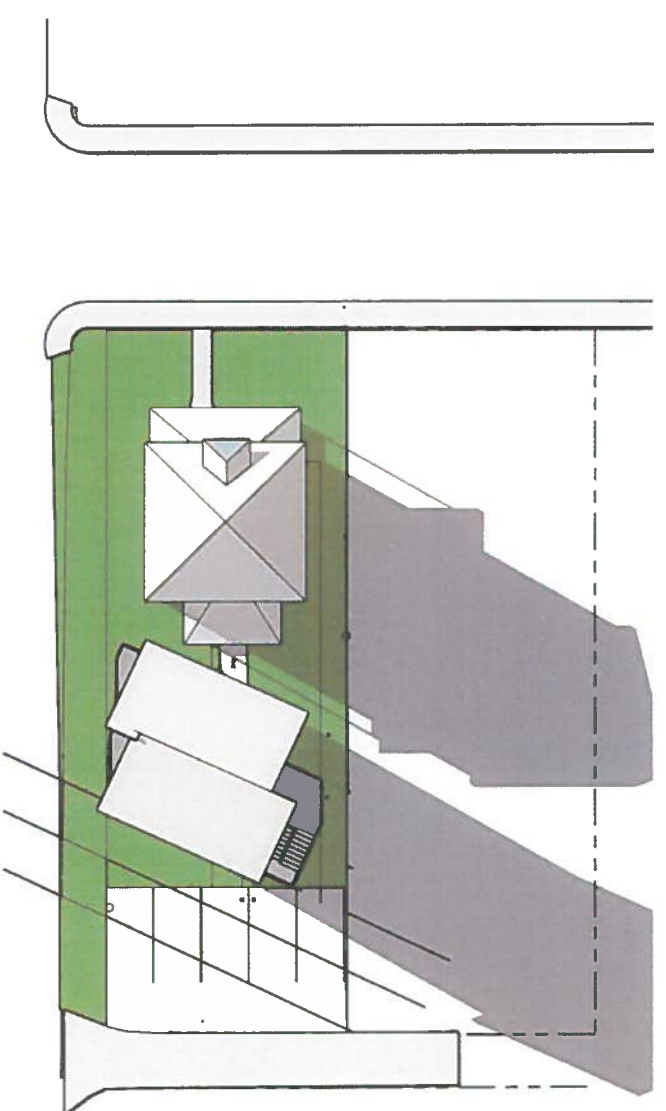
10AM DECEMBER 21ST



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2PM DECEMBER 21ST



4PM DECEMBER 21ST

**8**

DECEMBER SOLAR STUDY

1120 AVON STREET

CHARLOTTESVILLE, VA

HAUSCRAFT

Proprietary and Confidential

8.29.21

## 1120 Avon Street – Rezoning + Special Use Permit

01/26/23

The Office of Community Solutions provides the following comments in response to comments received from the applicant dated January 1, 2023, and a revised Draft Proffer Statement.

The revised Draft Proffer Statement offers the following regarding affordable housing:

### ...3. *Affordable Housing*

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

- a. Rent Restriction. For purposes of this Proffer Statement, the term “For-Rent Affordable Dwelling Unit” means a dwelling unit where the monthly cost of rent, including any tenant paid utilities, does not exceed thirty-percent (30%) of a Household’s income where such Household’s income is equal to sixty-percent (60%) of the area median income, which shall be derived from (1) the “very low” income limit published annually by the federal Department of Housing and Urban Development (HUD) for Households within the Charlottesville, Virginia metropolitan statistical area, and (2) where the number of persons in Household equates to an average of 1.5 occupants per bedroom.*
- b. Income Restriction. For-Rent Affordable Dwelling Units shall be reserved for rent to low- and moderate-income households having income less than sixty (60) percent of the area median income, derived from the “very low” income limit published annually by HUD for Households within the Charlottesville, Virginia metropolitan statistical area.*
- c. Number of For-Rent Affordable Dwelling Units. One (1) unit shall be designated as a For-Rent Affordable Dwelling Unit (the “Required Affordable Dwelling Unit”). The Required Affordable Dwelling Unit shall be identified on a layout plan, by unit, prior to the issuance of the second certificate of occupancy for residential units on the Property (the “Initial Designation”). The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change the unit(s) reserved as the For-Rent Affordable Dwelling Unit; provided, however, that so long as a proposed change does not reduce the number of Required Affordable Dwelling Units and does not result in an Affordability Period shorter than required by these proffers. The City’s approval shall not be unreasonably withheld, conditioned, or delayed.*
- d. Affordability Period. The Required Affordable Dwelling Units shall be reserved as such throughout a period of at least ninety-nine (99) years from the date on which the unit receives a certificate of occupancy from the City’s building official (the “Affordability Period”).*
- e. Declaration Requirement. The land use obligations referenced in this Section 3 shall be set forth within one or more written declarations of covenants recorded within the land records of the Clerk’s Office of the Circuit Court of the City of Charlottesville, Virginia, in a form approved by the Office of the City Attorney, so that the Owner’s successors in right, title and interest to the Property shall have notice of and be bound by such obligations. Such declaration of covenant shall be substantially similar to the form within the application materials submitted to the City on August 23, 2022, as amended from time to time prior to adoption of the rezoning application...*



**The Office of Community Solutions offers the following comments as to this application:**

- The revised draft Proffer Statement reduces the number of proposed affordable units
  - FROM: *“If the Property is developed with nine (9) units or more, two (2) units shall be designated as For-Rent Affordable Dwelling Units. If the Property is developed with eight (8) units or fewer, one (1) units shall be designated as a For-Rent Affordable Dwelling Unit”*
  - TO: *“One (1) unit shall be designated as a For-Rent Affordable Dwelling Unit”*.  
Staff does not support the proposed reduction of affordable units.
  
- The Applicant has proposed revising the Proffer Statement to restrict the rental limit to 60% AMI, assuming 60% AMI is derived from the “very low” income limit published by HUD for the Charlottesville MSA, and that the rental restriction for each unit type is based on 30% of 60% AMI with the “persons in household” number equating 1.5 occupants per bedroom on average (inclusive of utilities). The household size should be determined based on the adjustment factors used for household size determined by HUD. This is the standard and best practice.
  
- The applicant noted the right to make changes to the affordable units. The City would consider the changes if they are reasonable and would not result in the segregation of units or reduction in the size of the unit(s).
  
- Staff would like to see assurances that vouchers (Housing Choice Vouchers, and similar program(s)) will be accepted.
  
- An acceptable marketing plan on how to market the designated affordable unit(s) should be provided to the City’s Office of Community Solutions prior to the issuance of the permit for development of the units. The marketing plan should provide detailed information on how the developer/owner will market the property, including non-discrimination of prospective tenants on the basis of race, creed, religion, color, sex, age, national origin, or source of income. The marketing plan should clearly identify how the owner has a current waitlist of qualified tenants and/or will be working with partner entities to identify a pool of qualified tenants well before completion of construction.
  
- Staff has not reviewed a legal document included as a strikethrough/underline document titled DRAFT DECLARATION OF AFFORDABLE HOUSING COVENANTS. The City Attorney’s Office is hesitant to “negotiate” terms of covenants on a case by case basis, resulting in variations, from one project to another, in the definition of “affordable” with respect to various units, what the administrative requirements will be, who they must be submitted to, etc. The City Attorney’s Office would like to wait to hear from the Planning Commission as to their thoughts on the definitions and provisions in the proposed covenant.
  
- General comments to address resubmittal dated 1/1/23:

- The Office of Community Solutions provides information that can be easily understood by the applicant, NDS staff, Planning Commission, City Council, and the general public. For example, the reason for providing information relative to monthly income available for housing @ 25%, which is a general approximation used to include rent plus utility expenses, is because this is what we hear discussed by our affordable housing providers as a practical approach to understanding how much income is needed by low- to moderate-income households at various household sizes, to spend on housing for a housing unit to be affordable.
- Income limits are based on 60% of the area median income (AMI) for the Charlottesville region as published annually by HUD, and adjusted by the number of people in the household. The adjustment factors used for household size limits are those used by HUD. This is standard and best practice for establishing rent limits for affordable housing programs, including for municipalities. It is anticipated that when the Inclusionary Zoning policy is adopted that identifies the City of Charlottesville affordability level, if those figures are not included in the information HUD publishes annually, then those current calculations will be provided on the City's website.
- Charlottesville Redevelopment and Housing Authority (CRHA) payment standards are not based on Average Median Income.
- The rent limits represent the maximum amount of rent that may be charged for an affordable unit. The applicant is able to set affordable rents at any level below the maximum, and are encouraged to do so.
- HUD Average Median Income limits and HUD Fair Market Rent limits are two different topics. These values should not be combined into one value.
- The Office of Community Solutions does not support tying City guidelines to programs administered by another agency. The applicant is welcome to work with other agencies, provided that they ultimately comply with what is approved by City Council.



## OConnell, Dannan

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**From:** Jennifer Horne <jezobe@yahoo.com>  
**Sent:** Saturday, November 19, 2022 1:13 PM  
**To:** OConnell, Dannan; freasi@charlottesville.gov; Creasy, Missy; planningcomission@charlottesville.gov  
**Subject:** 1120 Avon Rezoning

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

Hello, leaders of our Charlottesville development vision!

I hope that this is finding you happy and well.

I am writing to ask that you reject the rezoning proposal for 1120 Avon Street. (In reality, the property in question faces Altavista.) I attended the developer's Zoom meeting, and was assured by said developer that she had the best interests of Belmont in mind, would not pursue commercial endeavors with the property, and was only applying for the rezoning in order to expediate residential development. She was not able to address parking concerns, nor the concerns for neighbors over the proposed size -- 10 - 12 units, which is incongruous with the character of the neighborhood itself. She did not seem to want to hear thoughts of a more modest 4 - 6 unit dwelling, which many of us could completely get behind.

While I share some of my neighbors concerns, my largest issue is that rezoning the property for commercial use -- regardless of the owners intent -- opens the door for other such rezoning opportunities. If she can turn a residential plot into a commercial plot, what is stopping another developer from doing the same -- another developer who does not have residential use in mind, but who would put in a business that would genuinely be "out of character" and a quality of life tax on neighborhood residents?

Already, we in this area of Belmont have had to deal with Brown's BP -- a structure that has defied Zoning laws and continues to operate in violation of these laws every day. We have been told that these Zoning violations are being taken care of -- for over three years now. How can we in Belmont, a mostly working class neighborhood, whose residents do not have lawyers on retainer, and for whom homes are the only investment and hope for any sort of generational wealth -- how can we trust the city to look out for us?

Please reject this rezoning with the residents of Belmont in mind. Please also keep us in mind as you move forward with rezoning writ large. Density is a good thing if done right; however, it seems that the city is currently running full speed toward developers, tripping over its citizens in its haste.

Thank you for considering, and please contact me with any questions or updates.

Best,

Jenn Horne

## OConnell, Dannan

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**From:** philip harway <pharway98@yahoo.com>  
**Sent:** Wednesday, November 16, 2022 11:31 AM  
**To:** OConnell, Dannan  
**Subject:** Altavista and Avon Project

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

Hello Dannan,  
Please find my objections to the proposal in front of you asking for rezoning and SUP.

### ALTAVISTA AND AVON

My name is Philip Harway and I live on Altavista at 707. I am against the proposed development in front of you for so many reasons, and I have tried the best I can to be concise with my objections below. The object of this development is to benefit financially the developer while degrading the quality of life of the existing neighbors. The promise of one or two affordable units (not well defined and no solid guarantees that they will be there), is insufficient to allow for this project to go through as proposed. Furthermore the business rezoning will allow the developer at her convenience and as per her word as mentioned on the community zoom meeting she had, to create Airbnb or other short term rentals. The City knows that these do not help anyone and therefore should not allow for the rezoning to business.

1)The development is not on Avon as all new construction and activities will be on Altavista and not Avon. All who make a decision on this application should visit the site, and stand on Altavista across the street from the proposed development to understand fully the implications.

2)Suggestions by the developer in their application that extending this rezoning on Avon St. to business district is appropriate and logical because of existing zoning the opposite side of the street is a false argument. What would actually happen is that the business district would now be extended down Altavista as well, since in fact that is where the development will occur. And this would be the only lot on this block of Avon and the only lot on this side of Altavista to be zoned business

3) The setback numbers for the property as proposed by the developer must be viewed from Altavista so that when the application claims to be asking for no setback on the side, it is actually no setback on Altavista that they are asking for and 3 foot setback to the next neighbor in the back of the proposed new building.

4)Taking the proposed 1 car per unit designation in the new FLUM as the basis for her parking exception requests, mis-represents the intent of the new proposed plan that is presently being worked on by the City. 1 car per unit is suggested as a necessary onsite. The developer takes their request for only 4 parking on site and then calculates 6 street spaces to achieve even this very low number of 1 per unit. Parking in the area in front of the house and across the street will only yield 4-5 spaces. Overflow will go to either side of Altavista and across Avon down the other side of Altavista and interfere with citizens who have lived here some over 30 years, and their ability to park close to their house. Some residents on our block are over 60 and some over 70.

5) Amenities that should be provided are totally non existent. For example, to encourage more bicycling in a 10 unit development, one would think that bike storage area would be provided. There is



nothing provided for. There is likely not even any space on this lot for this bicycle considerations. There is no space for anything as the new footprint building will encompass the whole lot.

6) With 10-20 new residents on this 8000sq foot lot, where on the property will the trash and recycling be put, where on the street will the trash and recycling even be placed for pickup by the City? There will be insufficient space, certainly on the street (now occupied by all of the extra cars) and this will create further nightmares for the block and for City sanitation workers and increase traffic problems.

7) We still don't know what the rent for the 500-550 square foot apartments will be? How is this number going to help residents of the City or the neighborhood? The cost of construction being what it is, market rates will be high for such a small apartment, the amenities will be low, and this will lead to a transient tenant base.

8) A 4 story 40 or more foot structure with 6-8 balconies and 10-20 residents and 10-20 cars does not fit in to the neighborhood. This will be a drastic change. The 40 foot height of the building will actually have an even greater affect as the land drops off continuously from the corner of Avon. By the next house down Altavista the land drops off an additional 3-4 feet and continues to drop off as you go down the street, in both directions off of Avon. It will be the tallest building around for a great distance and it will be amplified by the slope of the street. It will be a solid wall of that height practically on the street.

9) The site plan and discussions on zoom mention the existing right of way being left unobstructed with no development ever being possible as a plus, implying a buffer zone. In fact it is where the developer proposes to put 4 parking spaces.

10) The developer should proffer to limit windows on 3<sup>rd</sup> and 4<sup>th</sup> story apartments so that they look out only on the street and 1120 Avon and not into the adjoining neighbor's houses.

11) Water already rushes down the alley between the proposed development and Altavista. If this project is approved and concrete replaces grass for the building and parking, all that extra water will run off and join the already large flow going down the street.

12) Site visibility triangle at both corners of the alley, will further restrict parking in front of the project. It is difficult to see how more than 5 cars could be parked in front and more than 3 on the opposite side of the road, due to cut outs in driveways. Existing residents already occupy a few of those spaces. In addition, the developer's sister and partner presently live there for the last year and they have 2 cars for one unit. The math, an average of 1.6-2 cars per unit, and the habits of Americans to have cars and allowing for this many units, and this many cars, will be a great harm to the neighborhood.

13) The two basement, or "garden" apartments as the architect calls them, will be at least two feet below ground. The space of between 500-550 sq. feet will be so close to the sidewalks, since the proposal calls for no setbacks. The tenants will be subject to constant traffic walking up the sidewalk and looking into their space. On the immediate other side of the sidewalks will be parked cars on the street. How does this equate a good living space? Will this be the units designated affordable, because they clearly will be less desirable?

14) Why is affordability for 20 years being offered when the city clearly is looking for 30 or more years up to 99 year affordability in development to make a favorable difference and create more permanent affordability?

15) None of the trees added in the architectural drawings actually exist. The two existing trees will be cut down or will die in the construction, in spite of the developer's words and drawings. The replacement proposed will likely be 6-8 ft. trees that will take half a century to be useful for shade, screening, heat absorption, etc.

16) One of the reasons the developer is asking for commercial zoning is that they are trying to get away without providing any green space. That's the only way they can get that big a footprint onto

this side yard. No green space. Another reason given for the commercial rezoning application is to reduce the side setback (actually the front of the new construction on Altavista), and then following that the developer comes back and ask for exceptions to even that limited requirement. The result will be a 40-45 foot building on Altavista with no setbacks, directly on the street except for the sidewalk. Even our house on Altavista, one of the older ones and one with less setback than anyone else on the block, is 12 ft. 8 inches from the steps leading up to our front porch. How does this proposed project even fit in to the neighborhood?

The other significant reason for the developer asking for rezoning will be to allow them to do short term rental, Airbnb and the like. The quality of life of the new tenants will not be great (size, amenities, etc.) and the quality of life of the residents on the blocks in question will also be degraded immensely.

So I ask the City to reject this proposed rezoning and not make further exceptions, in particular since the whole FLUM project and zoning study/identification will be completed shortly. Thank you for protecting the quality of life of your existing and future citizens in this neighborhood.

Philip Harway

707 Altavista Avenue

Philip



## O'Connell, Dannan

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**From:** Dean & Anne Fischer / Lawson <fischerlawson@gmail.com>  
**Sent:** Tuesday, November 15, 2022 4:06 PM  
**To:** O'Connell, Dannan  
**Subject:** RE: Altavista-1120 Avon Proposal for Rezoning and Special Use Permits

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

Dear Mr. O'Connell:

The above-mentioned proposal if considered and completed as planned would be an instance of neighborhood impoverishment in the name of land use planning needs. The nature of the proposal itself is a square peg attempting to fit in a round hole. Multiple requests are made for variances and rezoning to enable a multi storied apartment/AirBnB (portrayed as affordable housing) that would diminish the neighborhood integrity.

Multiple communities have withered due to ill conceived construction that reduced greenspace, increased density, amplified traffic and noise, decreased parking, hindered walkability and made livability less conducive. This proposal if enacted would incorporate all these failings of ill-conceived, brazen development, would not enrich the community in any degree and should not be permitted.

Sincerely,  
Dean A. Fischer

## O'Connell, Dannan

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**From:** Jackie Lockwood <jackielockwood46@gmail.com>  
**Sent:** Tuesday, November 15, 2022 10:40 AM  
**To:** O'Connell, Dannan  
**Subject:** Avon-Altavista Ave. Project

**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.

November 15, 2022

Dannan O'Connell:

My name is Jackie Lockwood and I have lived at 710 Altavista Avenue for 32 years.

I am quite concerned about the proposal at Altavista Ave. and 1120 Avon Street asking for that property to be rezoned business.

It is inappropriate for this neighborhood to allow a 45 ft. building fronting on Altavista, among other things. Here are some other significant issues:

We support the city's goal of equal and affordable housing. We agree with the Land Use Plan that this can be accomplished by gradual, house-sized infill that is "compatible with existing residential context." This proposal is not compatible with the neighborhood in lot coverage, parking, green space, or size.

**Plans are to increase density tenfold** on this small residential lot. Current residence will be converted to a duplex, and proposed new construction will house eight one-bedroom apartments.

**The developer requests too many deviations from current zoning.** In order to build the 8-unit apartment building on the rear half of the lot, the developer requests rezoning from residential on small lot (R-1S) to business (B-2) and asks for two additional variances. There is literally no room for the proposed construction without rezoning plus variances for parking and reduced space between the apartment building, the street, and the neighbor.



**There could be as many as four AirBnb units** in the apartment building if zoned as business. There are already ten AirBnb options in the three-block area around Altavista-Avon. AirBnb's reduce opportunities for affordable housing.

**The building does not fit the site.** Without business zoning, the lot will not accommodate the proposed apartment building. With business zoning, the apartment building can be built right up to the sidewalk (zero side yard setback).

**There will not be enough parking.** The developer proposes only four parking spaces for all ten units.

Vehicles (up to 16 if families have 2 cars) will be parked exclusively on Altavista Ave because there is no parking on Avon St or the alley. Parking on Altavista is already crowded morning and night with parked cars owned by local residents.

**The proposed apartment building is not harmonious with the surrounding neighborhood.** Neighboring homes are single, two-story, or two-story with attic. This building will be "a little over three and a half" or four stories. The design is reminiscent of a Red Roof Inn.

**The building's combination of large height and great mass will dominate the landscape.** The footprint of the proposed building will be about 1170 square feet. Two-story homes in this neighborhood are typically 700-800 square feet; single story homes are about 1000 square feet.

**Only one or two affordable housing units will be created** for a maximum of 20 years.

**The neighborhood will be robbed of green space.** The duplex, apartment building, and four parking spaces will cover nearly the entire lot, leaving no room for lawn or vegetation. Two large trees will be removed.

**Because new units are small, tenants will likely be transient in nature,** further weakening the neighborhood. One -bedroom units in the new construction will be approximately 520 square feet, or the size of a large hotel room. This size is perfect for AirBnb but is not comfortable for a family

I hope you will reject this proposal because of all the problems it will create for the city and the neighborhood. It will not accomplish the stated goals of FLUM which is about to be finished. Why the rush by the developer when the rezoning for the whole city is about to be completed?

Thank you for your attention to this matter.

Jacqueline J Lockwood (Jackie)



To Whom It May Concern:

**I oppose the request for rezoning and associated construction of an 8-unit, 4-story (or possibly 3 ½-story) apartment building at Altavista -1120 Avon, Charlottesville.**

Wait for New Land Use Implementation

New zoning is on the way for this neighborhood. Why not wait for it? Why the rush to request both rezoning and multiple variances in advance of the new Land Use Plan implementation? It would be far more judicious for the Planning Commission to reject these requests until the new zoning regulations are in place. There should be gradual and thoughtful transition to fulfilling new zoning objectives. This plan is neither gradual nor thoughtful.

Why Rezoning to Business for a Residential Development?

*B-2: The B-2 business district is established to provide for commercial uses of limited size, primarily serving neighborhood needs for convenience goods. The intent of the B-2 regulations is to encourage clustering of these neighborhood-serving commercial uses.*

The proposed project is residential, not commercial. The developer asks for rezoning to B-2 but promises to “prohibit many of the commercial uses that would otherwise be allowed in the B-2 zoning district.” This request is hasty, illogical, and inappropriate.

Four AirBnB Units

One business/commercial use allowed in the proposal is four airbnb (or hotel) units. A quick survey of the three-block area surrounding the Altavista-Avon location reveals ten existing AirBnB options. Because developers earn more from tourists than from residents paying market rents, AirBnB conversions are frequent and have a devastating effect on the housing market. The Belmont neighborhood needs more affordable housing, not more AirBnB units.

Land Use Plan Assumptions

The developer refers several times to the Future Land Use Map “which recommends up to 4 stories and up to 12-unit dwelling at this location” as if she is conforming to land use as defined in the new Land Use Plan.

The Land Use Category Residential Description clearly states, “Zoning tools will regulate affordability and maximum allowable development for all categories.” Under Use and Affordability of Medium Intensity Residential, the Comp Plan clearly states again, “Zoning tools will define building form and neighborhood compatibility criteria for development (e.g. lot coverage, topography, parking, environmental resources, etc.)”

Until such “zoning tools” are finalized, we do not know what specific recommendations are envisioned for this neighborhood. The request for rezoning to B-2 is an attempt to circumvent the newly adopted Land Use Plan that clearly states new structures will

have “similar height, width, and side and front yard setbacks as surrounding residential structures.”

Our assumption is that zoning tools regulating development on small lots will require enforcement of these goals and will not consent to an 8-unit apartment building on a slim portion of that lot.

#### Abrupt Infill

**Land Use Plan Objective for Residential Areas:** *Encourage incremental ‘house-sized,’ contextual infill within existing residential neighborhoods.*

Building this large structure on a small lot to provide housing for TEN times the current occupancy does not demonstrate ‘incremental house-sized contextual infill’ designed to mitigate impacts on the neighborhood. On the contrary, the building will be an unrelated and significant piece of architecture obstructing views, casting shadows, and generally dominating neighboring homes.

#### Front Yard, not Side Yard

The front of the proposed apartment building clearly faces Altavista Ave. Even B-2 zoning requires front yard setback of 20 feet minimum. Simply renaming the front of the building a ‘side yard requiring 0 ft setback’ does not change the fact that the building fronts Altavista and should reasonably be required to have a 20 ft front yard setback. Of course, with anything other than 0 ft setback, the proposed building does not fit on the rear half of the lot.

#### Setbacks Accommodate the Proposal, Not the Planning

**Land Use Plan Sub-Strategy:** *Incentivize design principles that enhance community livability, such as set building setbacks appropriate to the site to create a more pedestrian friendly streetscape...*

The project requests 0 ft setback from Altavista Ave, which is consistent only with B-2 side setback requirements. Current setback requirement in R-1S and UMD for side yard, corner, side street is 20 ft minimum. Current front yard setback in B-2 is also 20 ft. 0 ft setback does not create a pedestrian friendly streetscape and is not consistent with relevant zoning requirements.

**Code Sec 34-457(b)(2):** *for property adjoining a residential district or use, there shall be a side yard of one ft for every two feet of building height of the tallest building on the lot, minimum of ten ft.*

The project requests a variance for a 3 ft side setback from the interior residential lot, although interior side yard setback in R-1S is minimum of 5 ft. and interior side yard setback in B-2 is a minimum of 10 feet. Justification for the 3 ft side setback request is that it’s only a few feet short of the 5 ft interior side yard setback in R-1S. Of course, side setbacks in R-1S involve one neighbor, not ten units.

B-2 zoning would also extend building height from 35 to 45 ft and reduce the rear yard requirement from 25 to 20 ft, leaving space only for the plan’s on-site parking.



This developer wants the best of both worlds: B-2 zoning on one side of the property and variance from B-2 zoning with R-1S justification on the other side. Any combination of zoning setbacks that allows the plan to move forward is purported to be both viable and desirable. The developer has appropriated facets of all possible zoning regulations, as well as the possibility of sub-division, to serve her purpose.

### Multiple Variance Requests

Even assuming the astonishing zoning change to B-2, the developer requests multiple further deviations from code. In addition to the request to reduce interior side setback, a reduction in parking spaces is also requested.

### Inadequate On-site Parking

***Land Use Plan Strategy:*** *Manage parking to prevent consistent disruptive on-street parking spillover into residential areas.*

All zoning requires one on-site parking space for each unit, i.e. minimum of ten on-site parking spaces for this proposal. The developer claims reduction of two on-site parking spaces (leaving a total of eight spaces for apartments plus duplex) because the proposed apartment is less than 300 feet, 294.38 feet to be exact, from a bus stop. If the distance is 301 feet from the bus stop, a reduction of only one parking space is allowed.

**Code Sec 34-984:** *Where a use is located within three hundred one (301) to six hundred (600) feet of a bus stop on an existing city bus route, a similar reduction of spaces shall be granted, in an amount equal to one-half ( $\frac{1}{2}$ ) of the number(s) specified in clauses (i) and (ii), above.*

This reduction of two on-site parking spaces is based the developer's google map measurement and the thinnest of margins. Actual on-the-ground measurement puts the distance between 1120 Avon and the bus stop at 330 ft. This more accurate measurement dictates reduction of only one on-site parking space from the required ten, leaving nine required on-site spaces. Only four on-site parking spaces are included in the plan, necessitating a substantial parking variance.

Because no parking is allowed on Avon St, overflow street parking will occur exclusively on Altavista Ave. According to Data USA from 2020, the average car ownership in Charlottesville, VA is two cars per household. We can anticipate possibly 20 vehicles associated with the ten proposed family units, 16 of which will overflow into on-street parking already in use by residents of Altavista.

Altavista Ave is a total of 40 ft wide where it intersects with Avon St and narrows quickly to 37-38 feet wide. Parking on each side of the street would require 8 ft, leaving 20-21 ft width for travel. 24 ft width is minimally acceptable for 2-lane traffic. Altavista is not suited for an influx of on-street parking, especially when parking setback requirements from the Avon St intersection are considered.

## Heightened Congestion

**Land Use Plan Sub-Strategy 2.2:** *Incentivize sidewalk improvements and connectivity enhancements (e.g. alleys), and ensure that public pathways around, through, and to developments will not be impeded.*

Avon St is a “heavily trafficked corridor.” The congestion caused by 15 more vehicles using Altavista Ave for parking would make ingress and egress onto Avon St difficult.

Because parking is not allowed on Avon St, residents on the west 1100 block of Avon St use the alley from Altavista Ave to access their homes. This alley serves as a “connectivity enhancement.” The proposal identifies project ‘Limits of Disturbance’ as including this alley. Increased use by ten times (as quoted in the plan) will create a bottleneck at the narrow entrance to the alley that opens into both the parking for the proposed project and driveways in use by current residents. Construction phase of the plan will likely block the alley entrance entirely.

According to the developer, “While the alley located in rear of property may increase in use, with only four parking spaces located along such alley and ten feet provided between alley and parking, such increased use will be minimal.”

It is far more likely that the ten feet provided between alley and parking will be further used for ‘stacked parking’ as residents make every effort to park close to their apartments. This will create even more congestion in and around the alley. Stacked parking is a necessary evil in big cities but is certainly not desirable in Charlottesville.

## Alarming Density

The developer requests a zoning change from R-1S to B-2 in order to achieve “additional developable density.” This density is listed as 68 units per acre but is actually 108 units per acre.

The lot size at 1120 Avon is .148 acre. According to the developer’s proposal, the 8-unit apartment building is often referenced as being built on ‘the rear half’ of the lot. Since the original 2-story home (now a duplex) will remain on the front half, it is reasonable to say that the 8-unit apartment building will occupy half of .148 or .074 acre. When I do the math, that comes to a density of 108 units per acre.

## Disproportionate Massing and Scale

**Medium Density Form:** *Compatible with existing residential and historic neighborhood context. House-sized infill to include structures with similar building height, building width, and side and front yard setbacks as surrounding residential structures.*

**Land Use Plan Sub-Strategy:** *Identify form and design requirements to support soft density (or “missing middle”) housing, including walkability, use of a scale and form similar to surrounding development, allowing for smaller building footprints...*



The proposed 4-story apartment building (both “a little more than three and a half” and 4 stories have been mentioned) on one-half of a small lot in a neighborhood of one and two-story homes overwhelms its surroundings. The very tallest homes in this immediate neighborhood are 2-story plus attic, with 8-or 9-foot ceilings, maximum height 35 ft. Many homes are single story.

The narrative claims that “the proposed rear yard multifamily building is intended to be built with 8-foot ceilings, allowing for similar massing when compared with a 2-story single-family detached home.” Instead, the planned construction will be at least 15% higher than the tallest surrounding 2-story homes and more than double the height of 1-story homes. If the lot is rezoned B-2, only the proffer would restrict the apartment building from being 45 ft in height. Further variances could be requested.

The proposal asserts that the footprint of the proposed apartment building is in line with other homes in the neighborhood. My investigation suggests that the average footprint of homes on the west 1100 block of Avon and the 700 block of Altavista is approximately 950 square feet or 20% smaller than the proposal.

If this proposal is built as planned, the land coverage projected for the duplex and apartment building together will more than double land coverage on other small lots in the neighborhood. This is neither harmonious nor proportional; it is hugely out of balance.

Because all building dimensions are described as “approximate,” it is difficult to fully predict the genuine impact of the proposed apartment building, but it is clear that it will be disproportionate when compared with surrounding homes’ mass, footprint, and height.

#### Misleading Visual Representation

The artist’s renderings of the proposed construction are misleading. In the drawings, the house on the front half of the lot appears as large or larger than the proposed apartment building. In fact, applying the developer’s own figures, the proposed apartment building (1166 square feet) is 30% larger than the house on the front half of the lot (812 square feet.) The developer uses a deceptive artist’s rendering to demonstrate that the new “building blends in with the existing structures that surround it.”

#### Fire Code Violation?

The distance between the proposed structure and the porch of the current duplex looks to be 3 ft, which presents a fire hazard. Fire code requires homes to be 8 ft apart in UMD. Why would we not assume similar requirement throughout the city?

#### Walkability & Visibility

**Land Use Plan Sub-Strategy:** *Incentivize sidewalk improvements and connectivity enhancements (e.g., alleys), and ensure that public pathways around, through, and to developments will not be impeded*

I support extending the existing sidewalk down Altavista Ave. However, the 0 ft setback from Altavista Ave associated with proposed B-2 zoning change would allow walkers to look directly into the 'English basement' units from the sidewalk. Street, sidewalk noise and pedestrians will be a constant distraction to tenants. The ground floor of this construction as designed is appropriate for business use where such traffic would be suitable, but not for dwellings.

#### Decreased Tree Canopy, Green Space & Lack of Landscaping

**Land Use Plan Strategy:** *Incorporate requirements for green space where possible. Expand requirements for tree canopy protection and, where necessary, replacement.*

**Land Use Plan sub-strategy:** *"Incentivize or require design principles that enhance Community livability, such as reduction in impermeable surfaces.*

The developer says that "some portion of the property will be converted from lawn space to buildable area." Looking at the plan, one can conclude that virtually all lawn space will be converted to either buildable area or parking area. The project will substantially increase impermeable surfaces.

The project will eliminate two mature trees that currently provide shade and beauty for the neighborhood and pedestrians. They have been poorly pruned but are not dead or dying. The assertion that the trees must be pruned every six months is false; many utility companies prune every 6 years. Treatment for Emerald Ash Borer is typically 85-95% effective. Neither of the mature trees would require removal if not for the proposed development. The current plan suggests trees may be planted, not an assurance.

There is no landscaping, shrubbery, or screening of any kind which would normally be present to serve as a visual barrier, or to filter out dust and noise between the building, the sidewalk, and the street or between the apartment building and its neighbor.

#### Lack of Amenities and Comfort

**Land Use Plan Guiding Principle:** *All people will be able to thrive in Charlottesville.*

According to the developer, each apartment will be 520 square feet. A king room at Country Inn & Suites in Charlottesville is 396 sq ft; a king room at Holiday Inn Express in Charlottesville is 400 sq ft; a king suite is 500 sq ft. The proposed apartments are the size of a rather large hotel room. In fact, they are an appropriate size for AirBnb rental. It is, however, not reasonable to presume that these small units will provide permanent housing for families.

Ease in every-day living would recommend amenities required in current zoning in some R-3 (medium-density residential area, multifamily use) zoning districts. These amenities include: laundry facilities, storage facilities other than that within the dwelling units, and recreational space for both adults and children outside of the apartment. R-3 zoning suggests bicycle storage facilities for multi-family dwelling structures with five or more units.



Although bicycle storage is mentioned briefly in the developer's proposal, there are no plans or space for quality-of-life amenities in the 8-unit apartment building. Low- and moderate-income families deserve the same amenities expected by those with better financial abilities. All housing, especially new construction, should provide on-site parking, green space, a bit of lawn, opportunity for quiet, and room to move. When the city advocates for affordable housing, amenities to provide for welfare, comfort, and well-being should be included in such housing.

Because the proposed housing units are quite small and lack many quality-of-life amenities, tenants will likely be of transient nature, further changing the quality of the neighborhood from one where occupants know and support each other to one where residents remain anonymous.

#### Limited Affordable Housing

**Land Use Plan Strategy:** *Require housing developments that receive City funding (directly as subsidy, or indirectly through infrastructure improvements) to provide enhanced tenants' rights and to ensure an affordability period of no less than 30 years, with a preference for 99 years or in perpetuity.*

If all eight units are approved, only two affordable units will be created for minimum of 20 years. If eight or fewer are approved, only one affordable unit will be required for 20 years, not "30 years, with a preference for 99 years," as recommended in the Comp Plan. This project is not about providing affordable housing.

#### Gains vs. Losses

What does the city gain by granting this incompatible proposal requiring rezoning plus multiple variances? One, possibly two small, affordable housing units for limited time.

What does the city lose by approving the proposal? A neighborhood of permanent residents with adequate green space and shade, workable traffic patterns, reasonable parking options, and appropriate density and coverage based on lot size.

The benefits of Rezoning and SUP appear primarily to the advantage of the developer, not the residents or community. Many neighborhoods have been destroyed or disrupted by inappropriate and incongruous development.

#### Streets That Work Plan

Although this portion of the proposal appears insignificant, I would like to correct the developer's assertion that Avon St is 50 ft wide. On- the-ground measurement puts it at 37 ft.

#### Summary

This proposal assumes too much, takes too many liberties, diverges too far from code, and moves too hurriedly. Requests for rezoning plus multiple variances are an attempt to fit a square peg into a round hole, an 8-unit apartment building into an ill-suited and too-small space. The requests for special use fit the developer's need, not the neighborhood or the city's desire. Following the new Land Use Plan, transition from Single Residential to Medium Density will be best accomplished by a thoughtful process

involving careful, deliberate infill with the least disruption to the current Belmont neighborhood, as well as open and honest communication with Belmont residents.

It is the city's responsibility to protect the atmosphere, quality, and character of its neighborhoods. Dropping a four-story apartment building into the back yard of a small, narrow lot does not enhance the community and is not in keeping with the of precepts of 'soft city,' which would suggest thoughtful design and livable spaces. The design in this space looks and is cramped, crammed, and crowded.

We Support Equitable and Affordable Housing

I – and all of the neighbors on Avon St – support the city's Guiding Principle:

*"All Charlottesville residents...will have equitable and expanded access to safe and affordable housing options, desirable jobs and wealth building opportunities, healthy and local foods, robust parks and natural resources, high-quality education and training, and other infrastructure and services that support a high quality of life."*

In providing expanded access to safe and affordable housing, the city should insist on building projects where density has a human dimension. Where housing options nurture the pleasures of ordinary life. **Simply increasing density is not enough.** To ensure a sustainable urban environment and society, the city of Charlottesville must consider the organization and layout of the built environment, a diversity of building types, and thoughtful design.

This job of providing quality-of-life housing options to all residents of Charlottesville will not be easy. Where neighborhoods are transitioning from R-1S to Medium Density, new housing options will need to be seen as contributing to the quality of the community, not degrading it.

Proposals such as the one for Altavista-Avon do not meet the needs for good quality affordable housing and do not meet the needs of the surrounding neighbors who are also seeking a livable, walkable, green, friendly, and harmonious community. Both the new and old residents deserve construction designed to fit the space, accommodate the residents, and beautify the surroundings. The proposal at Altavista-Avon does none of those things.

I hope that when considering this project, the Planning Board will seek to encourage developments that meet or exceed zoning regulations, not developments of lower quality. I hope that the Planning Board will encourage open green spaces, innovative designs, and cohesive projects harmonious with the character of neighboring properties.

Thank you for your consideration.

Anne Lawson  
1112 Avon St





## OConnell, Dannan

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**From:** Ned Fischer <nlf42@cornell.edu>  
**Sent:** Monday, November 14, 2022 4:54 PM  
**To:** OConnell, Dannan  
**Cc:** Freas, James; Creasy, Missy; Planning Commission  
**Subject:** Objections to 1120 Avon

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

Dear Mr. O'Connell,

I am a neighbor to the proposed project on 1120 Avon, and I attended the community meeting on the project. When I first received the flier for the meeting on 10/20 I was mildly alarmed, but this mild alarm turned into deep concern after that meeting. Ms. Scro was evasive, dismissive, and at times condescending to the community that met to voice their thoughts. Her tempered contempt for the thoughtful questions and concerns over the project and her refusal to give ground reinforce the fact that she harbors no good intentions toward the community of Charlottesville. While Ms. Scro purports to create accessibility in Belmont, her proposal, as well as comments at last night's meeting, demonstrate that the project has no concern for the quality of life for the potential tenants of her new complex, the neighborhood in which she will build this complex, or the creation of more housing opportunities for Charlottesville. It is very clear after the meeting that Ms. Scro does not have Charlottesville's interests at heart but simply seeks to extract value from her property at 1120 Avon.

Ms. Scro's proposal and comments misrepresent the facts of the project and its surroundings. On page two of the proposal the project is said to have a density of 68 units which is incorrect. If completed to Ms. Scro's proposal this lot would be closer to 108 units per acre. Additionally, this complex nor the property it sits on are 300 ft from a bus stop. Ms. Scro said that she could not remember how she had measured, but I have done the measurements with GIS, Google maps, a pedometer, and a GPS and have not gotten less than 315 feet. There are many other misleading aspects of this proposal as well as violations such as the scale of the building, the frontage that will inevitably be the front yard of this new structure, and the width of Avon among others. Either Ms. Scro has willfully misled the public and the city in her proposal or has simply not done proper research and calculations.

My first concern is for the tenants of this proposed project. Ms. Scro declared in the meeting that she wanted to make Belmont accessible for families. However, the square footage per unit in the proposal would be equivalent to that of one of the area's larger hotel rooms. When asked why she had chosen B-2 zoning designation for this project Ms. Scro demurred saying there was a reason, but it was too complicated to get into in the meeting. It is clear that the B-2 designation was chosen so that the alarming density, lack of greenspace and amenities, and street offsets would not deter the project.

My second concern is affordability. In the proposal it is stated that if five units are constructed only one would be affordable, if all 10 proposed units are built two will be designated as affordable. Beyond the serious concern of the density and space which would make these living accommodations untenable for a family, it is clear that providing affordability is not Ms. Scro's purpose. Indeed her project would guarantee affordability for only one or perhaps two units for 20 years which flies in the face of the FLUM plan which would guarantee affordability for 99+ years. I would happily see the current structure turned into a duplex as well as another duplex in the rear of the house if all units would be designated affordable in perpetuity. Not only would this accomplish Ms. Scro's ostensible goal of making Belmont more accessible, but it would provide a far better quality of life for those tenants in each complex.



Perhaps the most blatant example of Ms. Scro's motives was shown when questioned about how four out of 10 of her proposed units could be used as Air BnB's. The AirBnb Effect- how AirBnb has contributed to the housing crisis in this country- is a well studied and reported phenomenon. Short term rentals, like Airbnb, are not a solution to the housing crisis. A piece published in Forbes in 2020, discusses the cost to not only property owners but the toll Airbnb extracts on a city and the affordability of that city. Creating units for Airbnb will not let Charlottesville denizens enjoy the benefits of Belmont and will further exacerbate the housing crisis in the city as well as inequality. The article asks if "anyone can stop the multi-billion dollar juggernaut". In this particular case the city has the power to not allow the pernicious Airbnb Effect further affect Charlottesville.

I entered the community meeting like many of my neighbors with good faith questions about a momentous project that will change the face of our neighborhood. I was deflated by the format of the meeting as well as the treatment of those who came to ask questions, especially as Ms. Scro's deflected questions on accessibility, affordability, benefit to the community, or addressing community concerns. I am again deeply concerned that this project will be accepted by the city and that it will set a dangerous precedent where developers can offer the bare minimum in terms of affordability and livability and the city will accept.

I hope to hear from you.

Ned Fischer  
1112 Avon St.

## OConnell, Dannan

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**From:** Janet Bruce <janetpbruce@gmail.com>  
**Sent:** Monday, November 7, 2022 9:11 AM  
**To:** OConnell, Dannan  
**Subject:** Please Reject Commercial Upzoning of Altavista and Avon Avenue Support additional Single or Duplex ADU

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

Dear Dannan O'Connell,

I live at 712 Altavista Avenue, diagonally across the street from the proposed construction site. I am dismayed to learn that our city is willing to allow this plan which does not following the zoning restrictions for our neighborhood. Honestly if this plan is approved it will be good **only** for the developer but it won't achieve affordable housing goals for our city, which I support. It will set a precedent that zoning regulations are not firmly established.

Please restrict this plan. It is invasive and unwelcome for so many reasons, some of which are outlined below. There simply is not enough space to accommodate this proposed housing density. The parking problems and traffic flow need to be re-considered too. Please do not allow this to happen. Please do not rush through this important choice.

Sincerely,  
Janet Bruce

### **Reject Commercial Upzoning of Altavista and Avon Avenue Support additional Single or Duplex ADU**

This proposal seeks to **rezone a residential home in a residential neighborhood for commercial use** including construction of a 40+ ft tall, 8 unit apartment complex in the backyard. The developer is asking for special use permits + requesting exceptions to current zoning and parking laws. We support development to provide direly needed affordable housing for families and believe an appropriate alternative is a single or duplex accessory dwelling unit (ADU).

#### **The neighborhood opposes this rezoning application because:**

- \*\*4 Story, 40+ foot tall development with 4 units designated as short-term (Airbnb) rentals
- \*\*Parking reduction will cause severe parking issues for current and future residents. An influx of 10-20 additional cars will overwhelm already tight street parking.
- \*\*Exceptions to established setbacks will allow developer to increase density and encroach on and shade neighboring homes
- \*\*Architectural design angled to the street is not harmonious with neighborhood in both size and style.



- \*\* Incompatible with City Climate Goals. Green space and permeable surface are lost.
- \*\* Vacant lots within 1-4 blocks zoned already with commercial zoning should be developed first.

## I also agree with this document.

PC, CC, City Manager, NDS

### **I oppose the request for rezoning, special use permit and associated construction of an 8-unit, 4-story (or possibly 3 ½-story) apartment building on Altavista in addition to a duplex at 1120**

Equitable and Affordable Housing

I and all of the neighbors on Altavista and Avon St support the city's Guiding Principle:

*"All Charlottesville residents...will have equitable and expanded access to safe and affordable housing options, desirable jobs and wealth building opportunities, healthy and local foods, robust parks and natural resources, high-quality education and training, and other infrastructure and services that support a high quality of life."*

In attempting to provide expanded access to safe and affordable housing, the city should insist on building projects where density has a human dimension. Where housing options nurture the pleasures of ordinary life. Simply increasing density is not enough. The city of Charlottesville must consider the organization and layout of the built environment, a diversity of building types, and thoughtful design to ensure a sustainable urban environment and society.

Proposals such as the one for Altavista and 1120 Avon St. do not meet the needs for good quality affordable housing and do not meet the needs of the surrounding neighbors who are also seeking a livable, walkable, green, friendly, and harmonious community. Both the new and old residents deserve construction designed to fit the space, accommodate the residents, and beautify the surroundings. The proposal for Altavista and 1120 Avon does none of those things.

Gains vs. Losses

What does the city gain by granting this incompatible proposal requiring rezoning plus multiple variances? One, possibly two small, affordable housing units if the developer is held to the proffers. Also noted that the developer's proposal is for 20 years affordability not the 99 years that the city is moving forwards to in the FLUM.

What does the city lose by approving the proposal? A neighborhood of permanent residents with adequate green space and shade, workable traffic patterns, reasonable parking options, and appropriate density and coverage based on lot size.

The benefits of Rezoning and SUP appear primarily to the advantage of the developer, not the residents or community.

Why Not Wait for New Land Use Implementation?

Why ask for rezoning to a zoning district that does not exist in the new Comprehensive Land Use Plan? Why the rush to request both rezoning and multiple variances in advance of the Comp Plan implementation? It would be far more judicious for the Planning Commission to reject these requests until the new zoning regulations are in place. There should be gradual and thoughtful transition to fulfilling new zoning objectives. This request is hasty, illogical, and inappropriate.

## Questionable Zoning & Variance Requests

The property at Altavista and Avon St is currently zoned R-1s, single residence with a small lot. The recently adopted Comprehensive Plan for Charlottesville changes that zoning to Medium Density. Zoning tools for the new designation are 'to be further described in the zoning ordinance.' We do not yet know new zoning regulations for Medium Density.

The developer refers several times to the Future Land Use Map "which recommends up to 4 stories and up to 12-unit dwelling at this location." In fact, until zoning regulations are finalized, we do not know what changes are envisioned for this specific neighborhood and specific lot. We may assume that there will be further provisions regulating developments on small lots that will not include 8-unit apartment building on half of such a lot.

B-2 zoning reduces street side setback from 20 ft to 0 ft, extends acceptable height to 45 ft from 35 ft, reduces rear yard setback from 25 to 20 ft, and allows developable density of 68 units per acre. These changes are astonishing in a neighborhood that is currently R-1s. And even assuming zoning change to B-2 is permitted, the developer requests multiple further deviations from code. One of these variances is for parking spaces; the other is to reduce minimum interior setback in B-2 from 8-10 ft to 3 ft, with the justification that such a reduction is comparable to R-1s interior side setback.

The developer has appropriated facets of all possible zoning regulations, as well as the possibility of subdivision, to serve her purpose.

## Alarming Density

The developer requests a zoning change from R-1s to B-2 in order to achieve "additional developable density." This density is listed as 68 units per acre.

The lot size at Altavista and Avon is .148 acre. In the plan, the 8-unit apartment building is being built on 'the rear half' of the lot. Since the original 2-story home will remain on the front half, it is reasonable to say that the 8-unit apartment building will occupy half of .148 or .074 acre, which becomes a density of over 100 units per acre.

## Disproportionate Massing and Scale

**Medium Density Form:** *Compatible with existing residential and historic neighborhood context. House-sized infill to include structures with similar building height, building width, and side and front yard setbacks as surrounding residential structures.*

**Comp Plan Sub-Strategy:** *Identify form and design requirements to support soft density (or "missing middle") housing, including walkability, use of a scale and form similar to surrounding development, allowing for smaller building footprints...*

The proposed 4-story apartment building (both 3.5 and 4 stories are mentioned in the plans) on one-half of a small lot in a neighborhood of one and two-story homes overwhelms its surroundings.

The artist's renderings of the proposed construction in the narrative are misleading. The developer uses the deceptive artist's rendering to demonstrate that the new "building blends in with the existing structures that surround it."

If this proposal is built as planned, the land coverage envisioned for the duplex and apartment building together will more than double land coverage on other small lots in the neighborhood. This is neither harmonious nor proportional; it is hugely out of balance.

Because all building dimensions are "approximate," it is difficult to fully predict the genuine impact of the proposed apartment building, but it is clear that it will be disproportionate when compared with surrounding homes' mass, footprint, and height.

## Setbacks Accommodate the Proposal, Not the Planning



**Comp Plan Sub-Strategy:** *Incentivize design principles that enhance community livability, such as set building setbacks appropriate to the site to create a more pedestrian friendly streetscape...*

The project as submitted requests a variance for a 3 ft side setback(for the front of this complex) from the interior residential lot, although interior side yard setback in R-1s is minimum of 5 ft. and interior side yard setback in B-2 zoning is a minimum of 10 feet.

**Code Sec 34-457(b)(2):** *for property adjoining a residential district or use, there shall be a side yard of one ft for every two feet of building height of the tallest building on the lot, minimum of ten ft.*

The project as submitted requests 0 ft setback from Altavista Ave, which is consistent only with B-2 zoning. Current setback requirement in R-1s and UMD for side yard, corner, side street is 20 ft minimum.

B-2 zoning would also reduce the rear yard requirement from 25 ft in R-1s to 20 ft in B-2, leaving space only for the plan's on-site parking.

This developer wants the best of both worlds – B-2 zoning on one side of the property and variance from B-2 zoning with R-1s justification on the other side. Any combination of zoning that allows the plan to move forward is purported to be both viable and desirable.

#### Inadequate On-site Parking

**Comp Plan Strategy:** *Manage parking to prevent consistent disruptive on-street parking spillover into residential areas.*

All zoning requires one on-site parking space for each unit on the lot, i.e. ten on-site parking spaces for this proposal. The developer claims reduction of two on-site parking spaces (leaving a total of eight spaces for apartments plus duplex) because the proposed apartment is less than 300 feet, 294.38 feet to be exact, from a bus stop. If the distance is 301 feet from the bus stop, a reduction of only one parking space is allowed.

**Code Sec 34-984:** *Where a use is located within three hundred one (301) to six hundred (600) feet of a bus stop on an existing city bus route, a similar reduction of spaces shall be granted, in an amount equal to one-half (½) of the number(s) specified in clauses (i) and (ii), above.*

This reduction of two on-site parking spaces is based the developer's google map measurement with subjective start and end points and the thinnest of margins. Actual on-the-ground measurement puts the distance between the proposed development and the bus stop at 330 ft. This more accurate measurement dictates reduction of only one on-site parking space from the required ten, leaving nine required on-site spaces. Only four on-site parking spaces are included in the plan, necessitating a substantial parking variance.

Because no parking is allowed on Avon St, all overflow street parking will occur exclusively on Altavista Ave. According to Data USA from 2020, the average car ownership in Charlottesville, VA is two cars per household. Using that statistic, we can anticipate twenty vehicles associated with the ten proposed family units, 16 of which will overflow into on-street parking already in use by residents of Altavista.

Narrow street design is defined as streets with less than 46 feet of total right-of-way and no more than 28 feet of pavement width between curbs. Altavista Ave is a total of 40 ft wide where it intersects with Avon St and narrows quickly to 37-38 feet wide. Parking on each side of the street requires 8 ft, leaving 20-21 ft width for travel. 24 ft width is minimally acceptable for 2-lane traffic. Altavista is not suited for an influx of on-street parking, especially when parking setback requirements from the Avon St intersection are considered.

#### Heightened Congestion

Avon St is very active. The congestion caused by 15-20 more vehicles using Altavista Avenue for parking would make ingress and egress onto Avon St difficult.

Because there is no parking on Avon St and because Elliott St is also busy, residents on the west 1100 block of Avon St use the alley from Altavista Ave as access to their homes. The plan identifies project 'Limits of Disturbance' as including this alley. Increased use by ten times (as quoted in the plan) will create a bottleneck at the narrow entrance to the alley that opens into both the parking for the proposed project and driveways in use by current residents. Construction phase of the plan will likely block the alley entrance entirely.

According to the developer, "While the alley located in rear of property may increase in use, with only four parking spaces located along such alley and ten feet provided between alley and parking, such increased use will be minimal."

It is far more likely that the ten feet provided between alley and parking will be further used for 'stacked parking' as residents make every effort to park close to their apartments.

#### Decreased Tree Canopy, Green Space & Lack of Landscaping

**Comp Plan Strategy:** *Incorporate requirements for green space where possible. Expand requirements for tree canopy protection and, where necessary replacement.*

**Comp Plan sub-strategy:** *"Incentivize or require design principles that enhance community livability, such as reduction in impermeable surfaces.*

The developer says that "some portion of the property will be converted from lawn space to buildable area." Looking at the plan, one can conclude that virtually all lawn space will be converted to either buildable area or parking area. There will be no lawn. The project will substantially increase impermeable surfaces. In so far that after any rain fall water rushes down the alley following the drop in elevation and then onto Altavista. Additional water from this impermeable surfaces will create an even worse condition on Altavista.

The project will eliminate two mature trees that currently provide shade and beauty for the neighborhood and pedestrians. They have been poorly pruned but are not dead or dying. The assertion that the trees must be pruned every six months is false; many utility companies prune every 5-6 years. Treatment for Emerald Ash Borer is typically 85-95% effective. Neither of the mature trees would require removal if not for the proposed development. The current plan suggests trees may be planted, not an assurance and of course would be 4-6 ft trees rather than the 25-30 ft mature tree

There is no landscaping, shrubbery, or screening of any kind which would normally be present to serve as a visual barrier, or to filter out dust and noise between the building, the sidewalk, and the street or between the apartment building and its neighbor.

#### Lack of Amenities and Comfort

**Comp Plan Guiding Principle:** *All people will be able to thrive in Charlottesville.*

If the footprint of the apartment building is 1166 square feet with four stories, the total square footage available for living space is less than 4664. Assuming eight proposed units, each apartment will be approximately 530 square feet. Plans anticipate eight families in this space.

Ease in every-day living would recommend amenities suggested in current zoning in some R-3 (a medium-density residential area, multifamily use encouraged) zoning districts. These amenities include: laundry facilities, storage facilities other than that within the dwelling units, and recreational space for both adults and children outside of the apartment. In addition, bicycle storage facilities are suggested for multi-family dwelling structures with five or more units.

Although bicycle storage is mentioned briefly in the narrative, I do not see plans or space for quality-of-life amenities in the proposed apartment building. Low- and moderate-income families deserve the same amenities expected by those with better financial abilities. All housing, especially new housing construction, should provide on-site parking, green space, a bit of lawn, opportunity for quiet, and room to move. When the city advocates for affordable housing, amenities to provide for welfare, comfort, and well-being should be included in such housing.



Because proposed housing units are small and lack quality-of-life amenities, tenants will likely be of transient nature, further changing the quality of the neighborhood from one where occupants know and support each other to one where residents remain anonymous.

#### Limited Affordable Housing

If all eight units are approved, only two affordable units are required. If eight or fewer are approved, only one affordable unit will be mandated. This project is not about providing affordable housing, although the project will certainly take advantage of low-interest loans and grant opportunities in the city's efforts to increase affordable housing.

#### Walkability & Visibility

**Comp Plan Sub-Strategy:** *Incentivize sidewalk improvements and connectivity enhancements (e.g., alleys), and ensure that public pathways around, through, and to developments will not be impeded*

We support extending the existing sidewalk down Altavista Ave. However, the 0 ft setback associated with proposed B-2 zoning change would allow walkers to look directly into the lower units. Street, sidewalk noise and pedestrians will be a constant distraction to tenants. The ground floor of this construction as designed is appropriate for business use where such traffic would be suitable, not dwellings.

#### Abrupt Infill

**Comp Plan Objective for Residential Areas:** *Encourage incremental 'house-sized,' contextual infill within existing residential neighborhoods.*

Building this large structure on a small lot to provide housing for TEN times the current occupancy does not demonstrate 'incremental house-sized contextual infill' designed to mitigate impacts on the neighborhood. On the contrary, the building will be an unrelated and significant piece of architecture obstructing views, casting shadows, and generally dominating its neighboring homes.

#### Summary

This proposal assumes too much, takes too many liberties, diverges too far from code, and moves too hurriedly. Following the new Comp Plan, transition from Single Residential to Medium Density, much less B-2 zoning in the current plan, will be best accomplished by a thoughtful process involving careful, deliberate infill with the least disruption to the current Belmont neighborhood. The city bears responsibility for the welfare and interests of all residents, including neighbors of the proposed apartment building who are, quite honestly, shocked at the thought of this new construction.

It is also the city's obligation to protect the atmosphere, quality, and character of its neighborhoods. Dropping a four-story apartment building into the back yard of a small, narrow lot does not enhance the community and is not in keeping with the of precepts of 'soft city,' which would suggest thoughtful design and livable spaces. The design in this space is and looks and feels cramped, crammed, and crowded.

Permitting this project will encourage other property owners to request variances and build without consideration for livable communities, green space, or comfortable housing. The new city zoning will be a bonanza for developers willing to push zoning regulations to their limits and beyond in search of profit.

I hope that when considering this project, the Planning Board will seek to encourage developments of higher quality than required by the zoning regulations, not developments of lower quality. I hope that the Planning Board will encourage open green spaces, innovative designs, and cohesive projects harmonious with the character of neighboring properties.

Thank you for your consideration.

## OConnell, Dannan

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**From:** Rebecca Cobbs <rebecca.cobbs@gmail.com>  
**Sent:** Tuesday, November 29, 2022 8:53 AM  
**To:** OConnell, Dannan  
**Subject:** Development at 1120 Avon

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

Hello,

My name is Rebecca Cobbs, and I live at 813 Elliott Ave (just around the corner from 1120 Avon). I oppose the proposed development on the back of the lot, and I urge you and the planning commission to deny the current permit. I believe that (1) before exceptions are provided, more progress should be made regarding the new proposed city development plan. Any development that is in accordance with the new map (which reflects the values of numerous stakeholders) would be a welcomed addition. (2) I really don't think the proposed additional housing will help achieve the goals of the city. AirBNBs won't help solve the affordable housing issue in the city (and the other proposed units aren't proposed as affordable housing either). While I support the addition of ADUs generally, creating more ADUs for use as AirBNB doesn't solve the problem. Charlottesville has enough AirBNBs (and I don't hate AirBNBs!), and I think that many cities trying to expand affordable housing have run into this issue. New AirBNB units don't result in a loosening of the housing market. It results in already relatively wealthy landowners capitalizing on their land, without any investment in the community itself.

I ask that you deny the proposed permit for 1120 Avon and wait for a plan that complies with the new city land use map and its goals. Please feel free to reach out with any questions or concerns. Thank you!

-Rebecca



## O'Connell, Dannan

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**From:** Jill Calemine <jcalemin@yahoo.com>  
**Sent:** Monday, November 28, 2022 6:20 PM  
**To:** O'Connell, Dannan; Freas, James; Creasy, Missy; Planning Commission  
**Subject:** Altavista-Avon upzoning concerns

**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.

To our city planner and planning committee:  
Dannan O'Connell  
Jim Freas  
Missy Creasy  
and Members of the Planning Commission,

Hello my name is Jill Fenaux (homeowner of 800 Montrose Ave.). My husband, Martijn and I urge you to please preserve our residential neighborhood and reject the high density commercialization of Altavista- 1120 Avon. We recently purchased our century year old home on Montrose primarily because of the quiet streets and traditional architecture of the Belmont neighborhood. The proposed development of Altavista-1120 Avon into a 4 story, 40+ foot tall development will be an eye sore to our community. A structure of such large size is not harmonious with the existing homes. It will tower over neighboring homes and will rob our green space and mature shade trees. The proposed multi-unit short term rentals will undoubtedly bring more congestion and will be a real threat to our quiet streets. We recognize the need for more housing in Charlottesville, but permitting residential backyards to be used for over-sized multi-unit structures is not the solution.

Thank you,  
Jill and Martijn Fenaux

To:

Dannan O'Connell, city planner,  
Jim Freas, Director of neighborhood services,  
Missy Creasy, deputy director of neighborhood services,  
Planning Commission of Charlottesville,  
Lloyd Snook, Mayor,  
Juan Diego Wade,  
Michael Payne,  
Sena Magill,  
Brian Pinkston,

I am contacting you to provide my feedback on the rezoning and associated construction of an 8-unit, 4-story apartment building and conversion of a single-family home to a duplex at 1120 Avon. St, Charlottesville.

I am a resident of the 700 block of Altavista Avenue, and this proposal will directly impact me and the neighborhood. There is no need for me to repeat the points outlined in depth in the other letters to you concerning this project, but I also oppose this project for all of the points outlined in those letters, and would also like to make the following comments:

1. In studying the plans for the project, it appears that the front of the proposed building will be exceedingly close to Dominion's high voltage power lines on Altavista Avenue, and adjacent to a device called a recloser, perhaps 3 to 4 feet away from them, or less.

While I have attempted to contact Dominion to get information about required clearance of a residential building from high voltage lines, they have not responded as of yet. I sincerely doubt that Dominion would allow the front porches of these apartments to be so close to the power lines such that it would be easy for someone to reach out from the front of the building and touch them.

2. In the 30 years I have lived in the 700 block of Altavista Avenue, I have observed that several homes on the block with crawl spaces below grade or half basements, take on water or flood when there is a substantial rain event.



In an earlier Zoom meeting with the local residents, the developer mentioned the possibility of placing the first floor of the building several feet below grade to reduce the overall finished building height. Unless substantial waterproofing is engineered into the first floor of the building, I foresee issues with moisture and mold making the first floor level uninhabitable over time.

3. Much has been said about the parking situation for this proposed development as well as others around the city. Since I am retired, I am able to observe the parking availability at most hours of the day and every day of the week in the 700 block of Altavista Avenue. There appears to be approximately 3 or so available parking spots in the block when all of the residents are at home during the evening and on weekends.

With a fire hydrant at the corner of Avon and Altavista restricting parking near the proposed building, and the newly constructed driveway across the street from the proposed building, it doesn't seem possible for the quoted average of 2 vehicles per unit to find places to park. Even with the developer's proposed 4-space parking area at the rear of the lot, I envision a severe shortage of parking on Altavista Avenue.

4. Should the rezoning of 1120 Avon be allowed to become B-2 (business), there would be nothing to stop other adjacent landowners from "cashing in", requesting a rezoning so similar buildings could be constructed, further ruining the character of the neighborhood. I certainly do not want this, my neighbors do not want this, and I don't believe the city wants this to occur either.

While I am certainly for affordable housing in the city, the scale of this project and its requested variances from existing and proposed zoning rules seem completely out of character for the street I have called home for the past 30 years.

Sincerely,

Barry N. Forte  
711 Altavista Avenue  
Charlottesville, VA 22902

## OConnell, Dannan

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**From:** Kristin Link <kristinlinkme@yahoo.com>  
**Sent:** Tuesday, November 29, 2022 12:42 PM  
**To:** OConnell, Dannan; Freas, James; Creasy, Missy; Planning Commission  
**Subject:** Altavista redevelopment opposition

**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.

To Whom It May Concern,

My name is Kristin Ullrich and I am a resident of Belmont and live on Druid Ave. I adamantly oppose **the request for rezoning and the associated construction of an 8-unit, 4-story (or possibly 3 ½-story) apartment building at Altavista -1120 Avon, Charlottesville. Here are detailed reasons why I oppose it:**

Wait for New Land Use Implementation

New zoning is on the way for this neighborhood. Why not wait for it to occur? Why the rush to request both rezoning and multiple variances in advance of the new Land Use Plan implementation? It would be far more judicious for the Planning Commission to reject these requests until the new zoning regulations are in place. There should be a gradual and thoughtful transition to fulfilling new zoning objectives. This plan is neither gradual nor thoughtful.

Why Rezoning to Business for a Residential Development?

*B-2: The B-2 business district is established to provide for commercial uses of limited size, primarily serving neighborhood needs for convenience goods. The intent of the B-2 regulations is to encourage clustering of these neighborhood-serving commercial uses.*

The proposed project is residential, not commercial. The developer asks for rezoning to B-2 but promises to “prohibit many of the commercial uses that would otherwise be allowed in the B-2 zoning district.” This request is hasty, illogical, and inappropriate.

Four AirBnB Units

One

business/commercial use allowed in the proposal is four airbnb (or hotel) units. A quick survey of the three-block area surrounding the Altavista-Avon location reveals ten existing AirBnB options. Because developers earn more from tourists than from residents paying market rents, AirBnB conversions are frequent and have a devastating effect on the housing market. The Belmont neighborhood needs more affordable housing, not more AirBnB units.

Land Use Plan Assumptions

The developer refers several times to the Future Land Use Map “which recommends up to 4 stories and up to 12-unit dwelling at this location” as if she is conforming to land use as defined in the new Comp Plan.



The Land Use Category Residential Description clearly states, “Zoning tools will regulate affordability and maximum allowable development for all categories.” Under Use and Affordability of Medium Intensity Residential, the Comp Plan clearly states again, “Zoning tools will define building form and neighborhood compatibility criteria for development (e.g. lot coverage, topography, parking, environmental resources, etc.)”

-

Until such “zoning tools” are finalized, we do not know what specific recommendations are envisioned for this neighborhood. The request for rezoning to B-2 is an attempt to circumvent the newly adopted Land Use Plan that clearly states new structures will have “similar height, width, and side and front yard setbacks as surrounding residential structures.”

Our assumption is that zoning tools regulating development on small lots will require enforcement of these goals and will not consent to an 8-unit apartment building on a lot that presently holds a duplex.

Abrupt Infill

***Land Use Plan Objective for Residential Areas: Encourage incremental ‘house-sized,’ contextual infill within existing residential neighborhoods.***

Building this large structure on a small lot to provide housing for TEN times the current occupancy does not demonstrate ‘incremental house-sized contextual infill’ designed to mitigate impacts on the neighborhood. On the contrary, the building will be an unrelated and significant piece of architecture obstructing views, casting shadows, and generally dominating neighboring homes.

Front Yard, not Side Yard

The front of the proposed apartment building clearly faces Altavista Ave.

Even B-2 zoning requires front yard setback of 20 feet minimum. Simply renaming the front of the building a ‘side yard requiring 0 ft setback’ does not change the fact that the building fronts Altavista and should reasonably be required to have a 20 ft front yard setback. Of course, with anything other than 0 ft setback, the proposed building does not fit on the rear half of the lot.

Setbacks Accommodate the Proposal, Not the Planning

***Land Use Plan Sub-Strategy: Incentivize design principles that enhance community livability, such as set building setbacks appropriate to the site to create a more pedestrian friendly streetscape...***

The project requests 0 ft setback from Altavista Ave, which is consistent only with B-2 side setback requirements. Current setback requirement in R-1S and UMD for side yard, corner, side street is 20 ft minimum. Current front yard setback in B-2 is also 20 ft. 0 ft setback does not create a pedestrian friendly streetscape and is not consistent with relevant zoning requirements.

**Code Sec 34-457(b)(2):** *for property adjoining a residential district or use, there shall be a side yard of one ft for every two feet of building height of the tallest building on the lot, minimum of ten ft.* The project requests a variance for a 3 ft side setback from the interior residential lot, although interior side yard setback in R-1S is minimum of 5 ft. and interior side yard setback in B-2 is a minimum of 10

feet. Justification for the 3 ft side setback request is that it's only a few feet short of the 5 ft interior side yard setback in R-1S. Of course, side setbacks in R-1S involve one neighbor, not the access point for ten units.

B-2 zoning would also extend building height from 35 to 45 ft and reduce the rear yard requirement from 25 to 20 ft, leaving space only for the plan's on-site parking.

This developer wants the best of both worlds: B-2 zoning on one side of the property and variance from B-2 zoning with R-1S justification on the other side. Any combination of zoning setbacks that allows the plan to move forward is purported to be both viable and desirable. The developer has appropriated facets of all possible zoning regulations, as well as the possibility of sub-division, to serve her purpose.

### Multiple Variance Requests

Even assuming the astonishing zoning change to B-2, the developer requests multiple further deviations from code. In addition to the request to reduce interior side setback, a reduction in parking spaces is also requested.

### Inadequate On-site Parking

***Land Use Plan Strategy:*** *Manage parking to prevent consistent disruptive on-street parking spillover into residential areas.*

All zoning requires one on-site parking space for each unit, i.e. minimum of ten on-site parking spaces for this proposal. The developer claims reduction of two on-site parking spaces (leaving a total of eight spaces for apartments plus duplex) because the proposed apartment is less than 300 feet, 294.38 feet to be exact, from a bus stop. If the distance is 301 feet from the bus stop, a reduction of only one parking space is allowed.

**Code Sec 34-984:** *Where a use is located within three hundred one (301) to six hundred (600) feet of a bus stop on an existing city bus route, a similar reduction of spaces shall be granted, in an amount equal to one-half ( $\frac{1}{2}$ ) of the number(s) specified in clauses (i) and (ii), above.*

This reduction of two on-site parking spaces is based the developer's google map measurement with subjective start and end points and the thinnest of margins. Actual on-the-ground measurement puts the distance between 1120 Avon and the bus stop at 330 ft. This more accurate measurement dictates reduction of only one on-site parking space from the required ten, leaving nine required on-site spaces. Only four on-site parking spaces are included in the plan, necessitating a substantial parking variance.

Because no parking is allowed on Avon St, overflow street parking will occur exclusively on Altavista Ave. According to Data USA from 2020, the average car ownership in Charlottesville, VA is two cars per household. We can anticipate possibly 20 vehicles associated with the ten proposed family units, 16 of which will overflow into on-street parking already in use by residents of Altavista.

Altavista Ave is a total of 40 ft wide where it intersects with Avon St and narrows quickly to 37-38 feet wide. Parking on each side of the street would require 8 ft, leaving 20-21 ft width for travel. 24 ft width



is minimally acceptable for 2-lane traffic. Altavista is not suited for an influx of on-street parking, especially when parking setback requirements from the Avon St intersection are considered.

## Heightened Congestion

**Land Use Plan Sub-Strategy 2.2:** *Incentivize sidewalk improvements and connectivity enhancements (e.g. alleys), and ensure that public pathways around, through, and to developments will not be impeded.*

Avon St is a “heavily trafficked corridor.” The congestion caused by 15 more vehicles using Altavista Ave for parking would make ingress and egress onto Avon St difficult.

Because parking is not allowed on Avon St, residents on the west 1100 block of Avon St use the alley from Altavista Ave to access their homes. This alley serves as a “connectivity enhancement.” The proposal identifies project ‘Limits of Disturbance’ as including this alley. Increased use by ten times (as quoted in the plan) will create a bottleneck at the narrow entrance to the alley that opens into both the parking for the proposed project and driveways in use by current residents. Construction phase of the plan will likely block the alley entrance entirely.

According to the developer, “While the alley located in rear of property may increase in use, with only four parking spaces located along such alley and ten feet provided between alley and parking, such increased use will be minimal.”

It is far more likely that the ten feet provided between alley and parking will be further used for ‘stacked parking’ as residents make every effort to park close to their apartments. This will create even more congestion in and around the alley.

Stacked parking is a necessary evil in big cities but is certainly not desirable in Charlottesville.

## Alarming Density

The developer requests a zoning change from R-1S to B-2 in order to achieve “additional developable density.” This density is listed as 68 units per acre but is actually 108 units per acre.

The lot size at 1120 Avon is .148 acre. According to the developer’s proposal, the 8-unit apartment building is often referenced as being built on ‘the rear half’ of the lot. Since the original 2-story home (now a duplex) will remain on the front half, it is reasonable to say that the 8-unit apartment building will occupy half of .148 or .074 acre. When I do the math, that comes to a density of 108 units per acre.

## Disproportionate Massing and Scale

**Medium Density Form:** *Compatible with existing residential and historic neighborhood context. House-sized infill to include structures with similar building height, building width, and side and front yard setbacks as surrounding residential structures.*

**Land Use Plan Sub-Strategy:** *Identify form and design requirements to support soft density (or “missing middle”) housing, including walkability, use of a scale and form similar to surrounding development, allowing for smaller building footprints...*

The proposed 4-story apartment building (both “a little more than three and a half” and 4 stories have been mentioned) on one-half of a small lot in a neighborhood of one and two-story homes overwhelms its surroundings. The very tallest homes in this immediate neighborhood are 2-story plus attic, with 8-or 9-foot ceilings, maximum height 35 ft. Many homes are single story.

The narrative claims that “the proposed rear yard multifamily building is intended to be built with 8-foot ceilings, allowing for similar massing when compared with a 2-story single-family detached home.” Instead, the planned construction will be at least 15% higher than the tallest surrounding 2-story homes and more than double the height of 1-story homes. If the lot is rezoned B-2, only the proffer would restrict the apartment building from being 45 ft in height. Further variances could be requested.

The proposal asserts that the footprint of the proposed apartment building is in line with other homes in the neighborhood. My investigation suggests that the average footprint of homes on the west 1100 block of Avon and the 700 block of Altavista is approximately 883 square feet or 25% smaller than the proposal.

If this proposal is built as planned, the land coverage projected for the duplex and apartment building together will more than double land coverage on other small lots in the neighborhood. This is neither harmonious nor proportional; it is hugely out of balance.

Because all building dimensions are described as “approximate,” it is difficult to fully predict the genuine impact of the proposed apartment building, but it is clear that it will be disproportionate when compared with surrounding homes’ mass, footprint, and height.

## Misleading Visual Representation

The artist’s renderings of the proposed construction are misleading. In the drawings, the house on the front half of the lot appears as large or larger than the proposed apartment building. In fact, applying the developer’s own figures, the proposed apartment building (1166 square feet) is 30% larger than the house on the front half of the lot (812 square feet.) The developer uses a deceptive artist’s rendering to demonstrate that the new “building blends in with the existing structures that surround it.”

## Fire Code Violation?

The distance between the proposed structure and the porch of the current duplex looks to be 3 ft, which presents a fire hazard. Fire code requires homes to be 8 ft apart in UMD. Why would we not assume similar requirement throughout the city?



## Walkability & Visibility

**Land Use Plan Sub-Strategy:** *Incentivize sidewalk improvements and connectivity enhancements (e.g., alleys), and ensure that public pathways around, through, and to developments will not be impeded*

We support extending the existing sidewalk down Altavista Ave. However, the 0 ft setback from Altavista Ave associated with proposed B-2 zoning change would allow walkers to look directly into the 'English basement' units from the sidewalk. Street, sidewalk noise and pedestrians will be a constant distraction to tenants. The ground floor of this construction as designed is appropriate for business use where such traffic would be suitable, but not for dwellings.

## Decreased Tree Canopy, Green Space & Lack of Landscaping

**Land Use Plan Strategy:** *Incorporate requirements for green space where possible. Expand requirements for tree canopy protection and, where necessary, replacement.*

**Land Use Plan sub-strategy:** *"Incentivize or require design principles that enhance Community livability, such as reduction in impermeable surfaces.*

The developer says that "some portion of the property will be converted from lawn space to buildable area." Looking at the plan, one can conclude that virtually all lawn space will be converted to either buildable area or parking area. The project will substantially increase impermeable surfaces.

The project will eliminate two mature trees that currently provide shade and beauty for the neighborhood and pedestrians. They have been poorly pruned but are not dead or dying. The assertion that the trees must be pruned every six months is false; many utility companies prune every 6 years. Treatment for Emerald Ash Borer is typically 85-95% effective. Neither of the mature trees would require removal if not for the proposed development. The current plan suggests trees may be planted, not an assurance.

There is no landscaping, shrubbery, or screening of any kind which would normally be present to serve as a visual barrier, or to filter out dust and noise between the building, the sidewalk, and the street or between the apartment building and its neighbor.

## Lack of Amenities and Comfort

***Land Use Plan Guiding Principle:*** All people will be able to thrive in Charlottesville.

According to the developer, each apartment will be 520 square feet. A king room at Country Inn & Suites in Charlottesville is 396 sq ft; a king room at Holiday Inn Express in Charlottesville is 400 sq ft; a king suite is 500 sq ft. The proposed apartments are the size of a rather large hotel room. In fact, they are an appropriate size for AirBnb rental. It is, however, not reasonable to presume that these small units will provide permanent housing for families.

Ease in every-day living would recommend amenities required in current zoning in some R-3 (medium-density residential area, multifamily use) zoning districts. These amenities include: laundry facilities, storage facilities other than that within the dwelling units, and recreational space for both adults and children outside of the apartment. R-3 zoning suggests bicycle storage facilities for multi-family dwelling structures with five or more units.

Although bicycle storage is mentioned briefly in the developer's proposal, there are no plans or space for quality-of-life amenities in the 8-unit apartment building. Low- and moderate-income families deserve the same amenities expected by those with better financial abilities. All housing, especially new construction, should provide on-site parking, green space, a bit of lawn, opportunity for quiet, and room to move. When the city advocates for affordable housing, amenities to provide for welfare, comfort, and well-being should be included in such housing.

Because the proposed housing units are quite small and lack many quality-of-life amenities, tenants will likely be of transient nature, further changing the quality of the neighborhood from one where occupants know and support each other to one where residents remain anonymous.

## Limited Affordable Housing

***Land Use Plan Strategy:*** Require housing developments that receive City funding (directly as subsidy, or indirectly through infrastructure improvements) to provide enhanced tenants' rights and to ensure an affordability period of no less than 30 years, with a preference for 99 years or in perpetuity.

If all eight units are approved, only two affordable units will be created for minimum of 20 years. If eight or fewer are approved, only one affordable unit will be required for 20 years, not "30 years, with a preference for 99 years," as recommended in the Comp Plan. This project is not about providing affordable housing.



## Gains vs. Losses

What does the city gain by granting this incompatible proposal requiring rezoning plus multiple variances? One, possibly two small, affordable housing units for limited time.

What does the city lose by approving the proposal? A neighborhood of permanent residents with adequate green space and shade, workable traffic patterns, reasonable parking options, and appropriate density and coverage based on lot size.

The benefits of Rezoning and SUP appear primarily to the advantage of the developer, not the residents or community. Many neighborhoods have been destroyed or disrupted by inappropriate and incongruous development.

## Streets That Work Plan

Although this portion of the proposal appears insignificant, I would like to correct the developer's assertion that Avon St is 50 ft wide. On- the-ground measurement puts it at 37 ft.

## Summary

This proposal assumes too much, takes too many liberties, diverges too far from code, and moves too hurriedly. Requests for rezoning plus multiple variances are an attempt to fit a square peg into a round hole, an 8-unit apartment building into an ill-suited and too-small space. The requests for special use fit the developer's need, not the neighborhood or the city's desire. Following the new Land Use Plan, transition from Single Residential to Medium Density will be best accomplished by a thoughtful process involving careful, deliberate infill with the least disruption to the current Belmont neighborhood.

It is the city's responsibility to protect the atmosphere, quality, and character of its neighborhoods. Dropping a four-story apartment building into the back yard of a small, narrow lot does not enhance the community and is not in keeping with the of precepts of 'soft city,' which would suggest thoughtful design and livable spaces. The design in this space looks and is cramped, crammed, and crowded.

## We Support Equitable and Affordable Housing

We – and all of the neighbors on Avon St – support the city's Guiding Principle:

*"All Charlottesville residents...will have equitable and expanded access to safe and affordable housing options, desirable jobs and wealth building opportunities, healthy and local foods, robust*

*parks and natural resources, high-quality education and training, and other infrastructure and services that support a high quality of life.”*

In providing expanded access to safe and affordable housing, the city should insist on building projects where density has a human dimension. Where housing options nurture the pleasures of ordinary life. **Simply increasing density is not enough.** To ensure a sustainable urban environment and society, the city of Charlottesville must consider the organization and layout of the built environment, a diversity of building types, and thoughtful design.

This job of providing quality-of-life housing options to all residents of Charlottesville will not be easy. Where neighborhoods are transitioning from R-1S to Medium Density, new housing options will need to be seen as contributing to the quality of the community, not degrading it.

Proposals such as the one for Altavista-Avon do not meet the needs for good quality affordable housing and do not meet the needs of the surrounding neighbors who are also seeking a livable, walkable, green, friendly, and harmonious community. Both the new and old residents deserve construction designed to fit the space, accommodate the residents, and beautify the surroundings. The proposal at Altavista-Avon does none of those things.

I hope that when considering this project, the Planning Board will seek to encourage developments that meet or exceed zoning regulations, not developments of lower quality. I hope that the Planning Board will encourage open green spaces, innovative designs, and cohesive projects harmonious with the character of neighboring properties.

Thank you for your consideration.  
Kristin Link Ullrich



## OConnell, Dannan

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**From:** Creasy, Missy  
**Sent:** Tuesday, November 29, 2022 1:01 PM  
**To:** OConnell, Dannan  
**Subject:** FW: Opposing Proposal at 1120 Avon on Altavista

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**From:** Martha Smythe <marthasmythe45@gmail.com>  
**Sent:** Tuesday, November 29, 2022 11:57 AM  
**To:** Council <Council@charlottesville.gov>; Payne, Michael <mpayne@charlottesville.gov>; Magill, Sena <smagill@charlottesville.gov>; Snook, Lloyd <lsnook@charlottesville.gov>; Pinkston, Brian <pinkstonb@charlottesville.gov>; Wade, Juandiego <wadej@charlottesville.gov>; Planning Commission <PlanningCommission@charlottesville.gov>; Freas, James <freasj@charlottesville.gov>; oconnelld@charlotteville.gov  
**Subject:** Opposing Proposal at 1120 Avon on Altavista

**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.

Thank you for being in service to Charlottesville; I know your responsibilities are demanding. Nevertheless, I must bring another email to you.

I oppose the 8-unit apartment building / AirBnB suites proposed at the above location.

1. It would require the removal of large, established trees in a neighborhood with too few, as it is. (I trust you all are familiar with the climate change issues our city faces.)
2. The request for changing to a commercial zone is disingenuous:
  - a. It avoids the provision of any green area as is needed around residential apartments.
  - b. It facilitates a short-term rental business, such as AirBnB on a fully residential street, namely Altavista. This would make it easier to avoid future zoning limitations on such businesses.
3. It provides very few onsite parking places and thus puts a hardship on neighbors who park on the street and makes for road congestion.
4. The setbacks seem more aggressive (favorable to land use density) than called for in the zoning changes in progress.
5. It would be an architectural eye-sore and not at all in keeping with this well-established neighborhood.

I trust the City's planners in NDS will outline other more detailed issues with this proposal.

Let me ask one question for your consideration: Would this proposal be acceptable under the new zoning? If not, then I'd ask you to deny this angle to sneak in under the wire.

Thank you for your consideration.

Best,  
mrs

## OConnell, Dannan

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**From:** Alison Harway <alisonharway@gmail.com>  
**Sent:** Wednesday, November 30, 2022 10:21 AM  
**To:** OConnell, Dannan  
**Subject:** 1120 Avon Street rezoning request

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Mr. O'Connell,

I am a resident of Belmont. I am for affordable housing and for smart development, but I am opposed to the proposed development and the request to rezone the property at 1120 Avon Street, to B-2. This lot is located in a residential block and it does not make sense nor is it appropriate for it to be designated as commercial. I do not understand the rush to develop this property.

The developer of the 1120 Avon Street property is requesting this zoning change to be able to construct an 1,166 sq ft, four story, 8 unit complex behind an existing house on a small lot. She is also asking for numerous exceptions : an exemption of 6 of the required 10 off street parking spaces, claiming that she should be excused for 2 since she is 300' from a bus stop. (We have measured 312'.). She is also asking for an exception for the side yard setback from 5' to 3'.

The B-2 zoning and setback modification would allow her to build from the property line along Altavista Avenue to 3' from the property line of



the neighbor on Avon street, thereby covering most of the back lot with the proposed building and the proffered parking and leaving very little space between the existing house and the new unit. This eliminates most of the presently existing green space and vegetation. She also plans to remove the two large trees along Altavista (The third tree on her site plan does not exist.). She claims that Dominion trims them every six months, thereby weakening them. (They come once every several years.) One of those trees suffers from Emerald Ash borers, which can be successfully treated. Even if she plants new trees, it will take decades before those trees can provide shade and visual separation of the lot from the street. With the lack of grass and open space, the increase in impermeable surfaces will create problems with water runoff into adjoining lots, particularly since her lot is at the top of a slope running down Altavista Avenue. Our house is located next door to the proposed 40' unit and due to the fact that its elevation is higher than ours, there could be obstruction of sunlight on our recently installed solar panels. This type of development is contrary to Charlottesville's Climate plan for the future. Many of its goals are meant to be incorporated into the upzoning of the Comprehensive Plan.

The developer has included a proffer that would prohibit many of the commercial uses that would be allowed in the B-2 Zoning District. However she would be allowed to designate up to 4 of the units as Airbnbs or to use the unit as a hotel/motel. She also states that should the City allow for small, neighborhood scale commercial uses in Medium Intensity Residential districts in the future zoning rewrite, she would be able to do so.

The developer is picking and choosing which zoning features are to her benefit, B-2 or MIR from the FLUM. The latter upzoning has not yet been determined. It is our understanding that zoning features of the FLUM are

maximums, and will depend on the size of the lot. Wouldn't it be more reasonable to wait for that upzoning to be completed?

Finally with the units being only 520 sq feet, there should be some kind of amenities for the occupants. To encourage people to use bicycles, there should be a place to store their bikes, not just lock them. Outside there is no green space, no shading from trees, no place for tenants to sit and enjoy the outdoors. The decks outside the upper units are miniscule and will look over the street and cars, and the lower units will look out at people walking by on the sidewalk and the wheels of the parked cars. Would one of these less desirable basement residences or both become the proffered affordable housing? The developer states that her goal is to make Belmont available to more people, but this type of low quality building will promote transiency. The designation of 4 Airbnbs or the development of a hotel/motel is not providing housing for more people in Belmont and certainly not affordable housing.

I am against this project for the above reasons. The developer is asking for too many exceptions, a business rezoning and multiple variances. Parking will not be sufficient even if these units are residential and will be woefully inadequate if there are Airbnbs. This proposed development does not match the neighborhood at all. It will degrade the neighborhood, negatively impact the recently approved Climate Plan and produce low quality housing for the city. There is no need for business zoning at 1120 Avon as across the street there is an empty lot zoned commercial as are Brown's gas station and the several blocks beyond. Furthermore this rezoning to B-2 is not necessary, because the upzoning part of the Comprehensive Plan is projected to be finished by spring/summer of next year. At that point, we would have a clearer idea of what exactly zoning for Medium Intensive Residential looks like.



I urge you to reject this rezoning request of 1120 Avon Street to B-2 and to wait for the finalization of the comprehensive plan. The upzoning will allow the city to best determine what matches the city's climatic goals and what would be the most equitable way for future development.

Thank you for your consideration.

Alison Harway

Sent from my iPad

## O'Connell, Dannan

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**From:** Cassandra Mathis <cassandramarie.mathis@gmail.com>  
**Sent:** Thursday, December 1, 2022 8:51 AM  
**To:** O'Connell, Dannan  
**Subject:** Commercial up zoning of Altavista and Avon Ave

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

Dear Dannan O'Connell

We live in the neighborhood, and own a house on the corner of Elliott Ave and Rialto St. We are very concerned about the proposal as it seeks to rezone a residential home in a residential neighborhood for commercial use. In general, we support development to provide much needed affordable housing for families who want to reside here in the city. We don't support more short term aka Airbnb rentals, which can't be a just way to support affordable housing.

The architectural design of the 4 story, 40 Ft tall development would not be harmonious with the neighborhood and size and style, of course this has been done already in the neighborhoods around Belmont....We'd like to keep it to a minimum.

The parking will definitely be increased and the traffic flow from Altavista onto Avon a major issue as there is only a stop sign to cross on Alta Vista. I have tried to make a left hand turn at the corner many times and it's always a challenge with the traffic. There are frequent accidents on Avon and Elliott because folks often time driving above the speed limit, traveling on Avon towards downtown. Has there been a traffic study?

Does the city have climate goals? If so, has a study been done to access loss of green space and permeable surface? As you know, this is becoming an issue which will impact future generations.

Thank you for considering our thoughts and opinions

Sincerely

William Adams & Cassandra Mathis



Dannan O'Connell,

I have lived at 713 Altavista since January 1990. Neighbors have come and gone and many changes have occurred. The general feeling of the neighborhood has remained. I fear this will change if the request for rezoning passes.

I oppose the request for rezoning, special use permit and associated construction of an 8-unit, 4-story (or possibly 3 ½-story) apartment building on Altavista in addition to a duplex at 1120 Avon.

Proposals such as the one for Altavista and 1120 Avon St. do not meet the needs for good quality affordable housing and do not meet the needs of the surrounding neighbors who are also seeking a livable, walkable, green, friendly, and harmonious community. Both the new and old residents deserve construction designed to fit the space, accommodate the residents, and beautify the surroundings. The proposal for Altavista and 1120 Avon does none of those things.

What is the rush to rezone? It seems like it is being hurried along and no real thought for meaningful affordable housing is being considered. The developer requests a zoning change from R-1s to B-2 in order to achieve "additional developable density". This alarming proposal is inappropriate for the lot and neighborhood.

My other concern is parking. Avon is a busy street and allows no parking. The alley behind Avon with openings on Elliott and Altavista allows parking for the residents currently living on Avon. There is no room for the high density development parking. No parking is allowed on Avon St., therefore all overflow street parking will occur exclusively on Altavista Ave. Most families have two cars, it is foolish to assume the new population will walk, bike, or take public transport.

I am also concerned about green space being destroyed and insufficient stormwater runoff management.

I am not against affordable housing. I feel this proposal is too extreme and is being pushed through to satisfy the idea that Charlottesville is doing something about affordable housing.

I have attached photos of the property, alley and street views.

Regards,

Cheryl Hammond

## OConnell, Dannan

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**From:** Martha Smythe <marthasmythe45@gmail.com>  
**Sent:** Tuesday, October 25, 2022 2:24 PM  
**To:** OConnell, Dannan  
**Cc:** Philip Harway  
**Subject:** Proposal on Altavista @ Avon

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**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.

Dannan, I understand you are the planner for Charlottesville who's tasked with assessing the proposal for the portion of the 1120 Avon St. property that faces onto Altavista St.

I have a number of concerns about the proposal, and I ask that you consider them in your evaluation:

- Why the re-zoning? What does B-2 have to do with small apartment units? I am distrustful of the reasoning behind this request. Is there some other surreptitious motive at play here?
- This proposal will consume much of the lot and add to the challenges of flood water management. This is a concern of the Climate Action Plan (CAP).
- Flooding is exacerbated by the removal of a few large trees. Importantly, this parcel is close to an afternoon hot-spot as indicated in the CAP.
- Because so little parking is possible on the parcel, many vehicles will be added to Altavista. This is not a workable situation for current residents, for older people or those with disabilities.
- At a time when so many of us are concerned with providing affordable housing to residents in need of it, why is this developer not willing to contribute anything to that effort?

Please do not hesitate to stand up for what your experience and knowledge tell you is the right thing, and against what you know is wrong, questionable, or worse.

I'm happy to answer any questions you may have for me. Thank you for your consideration.

Best,  
mrs



## OConnell, Dannan

---

**From:** Kimber Hawkey <hawkeyk@gmail.com>  
**Sent:** Monday, October 10, 2022 9:02 PM  
**To:** OConnell, Dannan; Freas, James  
**Cc:** philip harway; Jackie Lockwood; BARRY FORTE; Ned Fischer  
**Subject:** Addendum and correction to our email//Re: Correct current designation for 1120 Avon//Re: Multiple questions and issues re: 1120 Avon Street rezoning and SUP request

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

Dear Mr. O'Connell, please disregard point 3 from our email below: *"3. What happened to the City's promises of avoiding residential teardowns? This house is a fairly affordable R1 house for a family to boot."* We misread the picture on the flyer due to the perspective of the drawing and the added street (that doesn't exist), i.e. we thought that the 4-story apt building was going to replace the house at 1120 Avon St. We now understand that that is the diagonal unit being squeezed into the backyard. Forgive the error and thank you,

-----  
*Kimber Hawkey*

On Mon, Oct 10, 2022 at 1:45 PM Kimber Hawkey <[hawkeyk@gmail.com](mailto:hawkeyk@gmail.com)> wrote:

Dear Mr. O'Connell, in your response to us you wrote *"1120 Avon St. is designated for 'Higher Intensity Residential' under the current Future Land Use Map. The parcel is currently zoned R-1S, although this may be subject to change pending our zoning rewrite."* However, that area is, in fact, Medium Intensity Residential.

Please use the MIR designation in responding to our request to compare the difference between the FLUM/MIR designation and what the Applicant is now seeking with her rezoning/SUP request.

Thank you,

-----  
*Kimber Hawkey*

On Mon, Oct 10, 2022 at 1:21 PM Kimber Hawkey <[hawkeyk@gmail.com](mailto:hawkeyk@gmail.com)> wrote:

Dear Mr. O'Connell Thanks for your speedy response. Many neighbors have questions about this problematic proposal.

First of all, as per the zoning rewrite, our family doesn't really understand how this general city-wide zoning rewrite is transpiring at all - where are neighborhood meetings (online or in person) as had been promised during the Charlottesville Plans "Together" FLUM process, i.e. "neighbors will be involved in the zoning rewrite that will be done in a block by block, street by

street process"? We have not heard anything about this process. Why is this rezoning and SUP being requested when the zoning rewrite has not been finished?

Wasn't the FLUM done to combat this never-ending rezoning/SUP request process?

As far as this specific proposal at 1120 Avon, here are some further questions:

1. What is the difference between the current HIR designation and then what Ms. Scro has requested?
2. Could you provide a side-by-side comparison of what is allowed between the two?
3. What happened to the City's promises of avoiding residential teardowns? This house is a fairly affordable R1 house for a family to boot.
4. How is this new proposal either "harmonious" with the current neighborhood or "house-sized"?
5. Where is the signage to alert the public of this rezoning application? Neighbors have been complaining for years about this issue, and despite promises, nothing appears to be done to rectify it.
6. Seeing as affordable housing (AH) was the rationale used to upzone the entire city, how much AH and at what rate and length of time is being provided here in exchange for the SUP?
7. Traffic has become a serious issue on Avon in the passing years, especially during peak hours. It is already difficult and dangerous for cars to pass through safely when there are cars parked on either side of the street, not to mention a lack of crosswalks along that corridor for pedestrians. When you add bikers to the mix, it is all very problematic. With all of this in mind, **could you also send us the traffic study that has been done for this site?**
8. Tree Canopy/Environmental Impact: The Belmont area, and Cville as a whole, has already suffered from significant tree canopy loss (along with the resultant loss of fauna as well as pollution and noise control). On such a heavily trafficked street, these trees are also an important buffer. How will they be "replaced"?
9. Setback: What is the current set-back vs. the setback being proposed?
10. Will there be a loss of side-walk during construction?
11. A final important question is what is the purpose for any commercial zoning here? How does that contribute to housing? Additionally, with the quick in and out nature of such businesses and need for parking (which is already lacking), such an enterprise would only cause further problematic driving conditions in an already traffic-pressured area. Has the applicant specified the type of business desired here? Does the City realize that there have been 4 failed convenience stores/supermarkets in our neighborhood in the past years (most recently 2 convenience stores closed just down the road on Hinton). Additionally, there are already 2 other convenience stores 1-2 blocks away in either direction that add lighting and traffic pressures onto the neighbors' daily life.

Thank you for answering all of these questions for us,

-----  
*Kimber Hawkey*  
*709 Belmont Ave., Cville, VA, 22902*

On Fri, Oct 7, 2022 at 4:38 PM OConnell, Dannan <[ococonnelld@charlottesville.org](mailto:ococonnelld@charlottesville.org)> wrote:

Ms. Hawkey,

1120 Avon St. is designated for 'Higher Intensity Residential' under the current Future Land Use Map. The parcel is currently zoned R-1S, although this may be subject to change pending our zoning rewrite.



The applicant is requesting a B-2 rezoning along with a Special Use Permit for increased residential density, to permit multifamily development which is currently not permitted under the existing R-1S zoning. Conversion of the existing home into a duplex as well as a separate 8-unit multifamily building are being proposed, for a total of 10 residential units.

Eight off-street parking spaces would be required per our current code; the applicant is requesting a modification to provide four off-street spaces, along with existing on-street parking. The applicant indicates that two large trees may be replaced as part of the development, while other existing trees will be retained.

Attached is a notice and meeting link for the applicant's community meeting on October 20.

-Dannan

Dannan O'Connell, AICP

Planner, City of Charlottesville

610 E. Market Street

(434)970-3991

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

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**From:** Kimber Hawkey <[hawkeyk@gmail.com](mailto:hawkeyk@gmail.com)>

**Sent:** Friday, October 7, 2022 3:29 PM

**To:** OConnell, Dannan <[oconnelld@charlottesville.org](mailto:oconnelld@charlottesville.org)>

**Subject:** 1120 Avon Street - Please put me on the email information list

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

Dear Mr. O'Connell, I received the email below from a neighbor. Could you please put me on the email list for information regarding this site as well as meetings? Please send me all information that you currently have regarding this site and the new requests being made by the developer Ms. Scro.

**Could you please answer these preliminary questions:**

1. What is the current zoning of this site under the New FLUM?
2. Why is this a commercial zoning whereas the project is described as residential?
3. How many total units will be built on this lot?
4. What are the parking requirements and is Ms. Scro asking for a reduction in parking requirements?
5. What will happen to the trees currently on-site?

Thank you, Kimber Hawkey

.....

Copied email received:

As a follow-up to our last correspondence, please be advised that the owner of 1120 Avon Street has submitted applications to us for rezoning and a special use permit.

The rezoning is from R-1S to B-2(commercial), and the SUP is for increased residential density to permit a residential duplex, and an eight-unit multifamily building on the site.

A community meeting for this project is being scheduled for the evening of October 20. Please see the attached notification for a meeting link and the applicant's contact info.

-Dannan

Dannan O'Connell, AICP

Planner, City of Charlottesville

610 E. Market Street

(434)970-3991

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



Planning Commission  
City of Charlottesville

December 1, 2022

Dr. Members of the Planning Commission,

Please find enclosed petitions signed by citizens of Charlottesville, opposed to the proposal of a developer concerning the property at Altavista and Avon, known to you as 1120 Avon.

1) The first is a two-page listing of people who have signed our petition online at Change. Org. which can be found at

[https://www.change.org/p/reject-commercial-upzoning-of-altavista-and-avon-support-additional-single-or-duplex-adu/dashboard?source\\_location=user\\_profile\\_started](https://www.change.org/p/reject-commercial-upzoning-of-altavista-and-avon-support-additional-single-or-duplex-adu/dashboard?source_location=user_profile_started)

2) The second is multiple pages of over <sup>80</sup>~~75~~ of the immediate neighbors to this project which have been spoken to in person at their domicile and are opposed to this proposal.

I wish for this to be made a permanent record of the application for the property at Altavista and Avon, known to you as 1120 Avon, so that our City officials can be made aware of the broad opposition to this project.

Thank you,

Philip Harway

707 Altavista Avenue

Charlottesville, Va. 22902

Name	City	State	Postal Cod	Country	Signed On
philip harway	Charlottesville	VA	22902	US	10/27/2022
John Hossack	Charlottesville	VA	22903	US	10/27/2022
Cheryl Hammond	Charlottesville	VA	22901	US	10/27/2022
Mary Whittle	Charlottesville	VA	22903	US	10/27/2022
Veola Carter				US	10/27/2022
Kevin Cox	Charlottesville	VA	22902	US	10/27/2022
Barry Forte	Charlottesville	VA	22902	US	10/27/2022
Margaret Banks	Charlottesville	VA	22902	US	10/27/2022
Laura Hoeg	Charlottesville	VA	22903	US	10/27/2022
Janet Bruce	Charlottesville	VA	22902	US	10/27/2022
Benjamin Heller	Charlottesville	VA	22902	US	10/27/2022
Nancy Summers	Charlottesville	VA	22901	US	10/27/2022
Chelsea Braun	Charlottesville	VA	22902	US	10/27/2022
Charlie Bruce	Charlottesville	VA	22902	US	10/27/2022
Kristi Pellegrini	Charlottesville	VA	22902	US	10/27/2022
Mark Kavitt	Charlottesville	VA	22902	US	10/27/2022
Jacqueline Lockwood	Charlottesville	VA	22902	US	10/27/2022
Martha Smythe	Charlottesville	VA	22903	US	10/27/2022
Kimber Hawkey	Charlottesville	VA	22902	US	10/28/2022
Penny Keiter	Charlottesville	VA	22901	US	10/28/2022
charles gendrot	Charlottesville	VA	22903	US	10/28/2022
Jean Sampson	Charlottesville	VA	22902	US	10/28/2022
Amanda Phillips	Charlottesville	VA	22903	US	10/28/2022
Dimitri Kastritsis	Charlottesville	VA	22902	US	10/28/2022
John Gendreau	Charlottesville	VA	22902	US	10/28/2022
Rosanne Simon	Charlottesville	VA	22901	US	10/28/2022
Amy Milor	Charlottesville	VA	22902	US	10/28/2022
Kathryn Gendreau	Charlottesville	VA	22902	US	10/28/2022
MP Monagan	Charlottesville	VA	22901	US	10/28/2022
Mark Munar				US	10/28/2022
Jeff Roberts	Charlottesville	VA	22903	US	10/28/2022
Dan Taninecz Miller,	Charlottesville	VA	22903	US	10/28/2022
Tyler Miller	Charlottesville	VA	22902	US	10/28/2022
William Buchanan	Charlottesville	NC	27949	US	10/28/2022
Frankie Allen	Charlottesville	VA	22902	US	10/28/2022
Alison Harway	Charlottesville	VA	22902	US	10/28/2022
Kimberly Lilley	Charlottesville	VA	22903	US	10/29/2022
Catherine McCune	Charlottesville	VA	22902	US	10/29/2022
Sarah Meister	Charlottesville	VA	22902	US	10/29/2022
j fitzhugh	Ashburn	VA	20147	US	10/29/2022
Debbie Emmart	Charlottesville	VA	22902	US	10/29/2022
Eden H	Charlottesville	VA	22902	US	10/29/2022
Jeanne Fradianni	Charlottesville	VA	22903	US	10/29/2022
Patricia McNamee	Charlottesville	VA	22901	US	10/30/2022
Nettie Woolhandler	Charlottesville	VA	22903	US	10/30/2022
Sage Bowyer	Charlottesville	VA	22902	US	10/31/2022



Katie Kabil	Charlottesville	VA	22903 US	10/31/2022
Anne Cressin	Charlottesville	VA	22901 US	10/31/2022
Jolian Dahl	Charlottesville	VA	22902 US	11/1/2022
JoAnn Christy	Charlottesville	VA	22902 US	11/1/2022
Lisa Hughes	Charlottesville	VA	22903 US	11/1/2022
Dennis OConnor	Charlottesville	VA	22902 US	11/2/2022
Jeannette Halpin	Charlottesville	VA	22902 US	11/2/2022
Karen Love	Charlottesville	VA	22901 US	11/2/2022
Wendy Miranda	Charlottesville	VA	22902 US	11/2/2022
natalie hernandez	Charlottesville	VA	22902 US	11/2/2022
terri dicintio	Charlottesville	VA	22903 US	11/2/2022
Rebecca Reilly	Charlottesville	VA	22902 US	11/2/2022
Colleen Kelly	Charlottesville	VA	US	11/2/2022
Sydney Schmit	Charlottesville	VA	22903 US	11/2/2022
Christina Myers	Scottsville	VA	24590 US	11/2/2022
Jeff Rominger	Charlottesville	VA	22901 US	11/2/2022
Katherine Ashley Bal	Charlottesville	VA	22902 US	11/2/2022
Derek van der Linde	Charlottesville	VA	22902 US	11/2/2022
KB Colle	Charlottesville	VA	22901 US	11/2/2022
Kelly Higgins	Charlottesville	VA	22902 US	11/2/2022
Zanne Macdonald	Charlottesville	VA	22902 US	11/2/2022
Barbara Germershau	Charlottesville	VA	22901 US	11/3/2022
Monica Farrell	Charlottesville	VA	22902 US	11/3/2022
CHRISTINE SULLIVAN	Charlottesville	VA	22901 US	11/3/2022
Cindy Tran	Charlottesville	VA	22901 US	11/3/2022
Karen Davenport	Charlottesville	VA	22902 US	11/3/2022
James Sthill	Charlottesville	VA	22902 US	11/3/2022
Antoinette W. Road	Charlottesville	VA	22903 US	11/3/2022
Rachel DeSisto	Charlottesville	VA	22903 US	11/4/2022
Kate Fabio	Charlottesville	VA	22902 US	11/4/2022
Maureen McKenna	Charlottesville	VA	22901 US	11/5/2022
Colleen Herndon	Charlottesville	VA	22902 US	11/5/2022
MJ smith	charlottesville	VA	22902 US	11/5/2022
Elsa Spencer	Charlottesville	VA	22902 US	11/5/2022
Shirley Sites	Charlottesville	VA	22903 US	11/5/2022
Tanner Shilling	Charlottesville	VA	22902 US	11/6/2022
Renee Fuller	Charlottesville	VA	22903 US	11/6/2022
Lori Dodwell	Charlottesville	VA	22902 US	11/6/2022
Frannie Joseph	Charlottesville	VA	22902 US	11/8/2022
Caryn Brock	Charlottesville	VA	22902 US	11/8/2022
Tanya Rutherford	Charlottesville	VA	22901 US	11/9/2022
Lee Scouten	Charlottesville	VA	22902 US	11/11/2022
JL Simcoe	Charlottesville	VA	22901 US	11/12/2022
Arlo Stone	Charlottesville	VA	22911 US	11/14/2022

# Reject Rezoning and Special Use at Altavista-1120 Avon St., Charlottesville

We the undersigned urge the Planning Commission and City Council to reject the applications for rezoning and special use at Altavista-1120 Avon St. that would allow the developer to construct an 8-unit, 3 1/2 to 4-story apartment building on the rear half of that lot. Or would allow the developer to create a hotel or 4 Airbnb units. The size and scope of this project is neither compatible nor harmonious with our existing residential neighborhood.

Date	Full Name (please print)	Address	Email Address	Signature
11/19/22	Michael Schirmann	814 Altavista Ave Charlottesville, VA 22902	michael.schirmann@gmail.com	
11/19/22	Eden Henderson	708 H. H. H. Ave Charlottesville VA 22902	eegarber@gmail.com	
11/20	Cheryl Hammett	713 Altavista Ave	cfh@t.comcast.net	
11/20	Jared Desisto	715 Altavista	desisto19@gmail	
11/20	Michael Curran	1004 Avon St.	amitecurulla@me.com	
11/20	Devin Harris	1103 Avon St	harris0165@hotmail.com	
11/20	Stephen Percosky	1211 Avon St	Percosky1@gmail.com	
11/20	David Rose	1213 Avon St	drose5v@yahoo.com	
11/20	Jenn Horne	700 Druid Ave	jezdrac@yahoo.com	
11/20	Chris Poggi	171 Fones Lake	Chris.poggi52@gmail	
11/29	Jackie Lockwood	710 Altavista	jackie.lockwood46@gmail	
11-29	Suzanne Hawley	817 Altavista	suzannehawley@comcast.net	
11-29	Cameron Hawley	"	camhawley@comcast.net	



# Reject Rezoning and Special Use at Altavista-1120 Avon St., Charlottesville

We the undersigned urge the Planning Commission and City Council to reject the applications for rezoning and special use at Altavista-1120 Avon St. that would allow the developer to construct an 8-unit, 3 1/2 to 4-story apartment building on the rear half of that lot. Or would allow the developer to create a hotel or 4 Airbnb units. The size and scope of this project is neither compatible nor harmonious with our existing residential neighborhood.

Date	Full Name (please print)	Address	Email Address	Signature
10/30/22	SETH ANDERS	701 <del>Altavista</del> <sup>Montrose</sup> Ave.	SETHREEDANDERS@comcast.com	
10/30/22	Mike Cvetanovich	723 MONTROSE AVE	skyroots@yahoo.com	
10/30/22	WILLIAM JOSES	725 Montrose Ave	bill@josesbuilders.com	
11/13/22	BARRY FORTE	711 ALTAVISTA AVE	MXBARRY@COMCAST.NET	
11/13/22	ALEXIS SMITH	826 Montrose Ave	LEXI LUC 3@gmail lexluc3@juno.com	
11/13/22	Ina Molina	818 Montrose Ave #A	malina@cuilleria.com	
11/13/22	Tanner Shilling Silly Christopher	817 Montrose Ave	tannishillopher@gmail.com	
11/13/22	David Brenda Payne	815 Montrose Ave	Payneb1@gmail.com	
11-13-22	Robert Boucher	807 Montrose Ave	rboucherone@gmail	
11-13-22	Vanessa Lerma	805 Montrose Ave. APT. A	vanny0687@hotmail.com	
11-16-22	Jileen Fenaux	800 Montrose Ave	jcalemine@yahoo.com	
11-16-22	MARTIN FENAUX	800 Montrose Ave	m.fenaux@gmail.com	
11-17-22	Heather Higgins	821 Altavista Ave	HEATHER@HEATHERHIGGINS.COM	
11-17-22	Caeni Theobald	907 Altavista Ave	caeni.theobald@gmail.com	
11/17/22	Nathan Nemecek	901 Altavista Ave	nathan@virginia.edu	
11/17/22	Destiny Reimers	813 Altavista Ave	dest.reimers@gmail.com	
11/17/22	Amy Guskaf	709 Farish St Charlottesville VA	sv516@aol.com	

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## Reject Rezoning and Special Use at Altavista-1120 Avon St., Charlottesville

We the undersigned urge the Planning Commission and City Council to reject the applications for rezoning and special use at Altavista-1120 Avon St. that would allow the developer to construct an 8-unit, 3 1/2 to 4-story apartment building on the rear half of that lot. Or would allow the developer to create a hotel or 4 Airbnb units. The size and scope of this project is neither compatible nor harmonious with our existing residential neighborhood.

Date	Full Name (please print)	Address	Email Address	Signature
10/30/22	Kelly Higgins	709 Altavista	kajhurn@gmail.com	
10/30/22	Darcy Higgins	709 Altavista Ave	djhiggins@gmail.com	
10/30/22	Katie Blackwell	709 Elliott Ave	ktg5785@live.com	
10/30/22	Abby Hazekamp	711 Elliott Ave	abby.hazekamp@gmail.com	
10/30/22	Shorililly	713 Elliott Ave	slilly60@gmail.com	
10/30/22	Bill Adams	732 Elliott Ave	wka732@gmail.com	
10/30/22	PAUL MUSKOPF	728 ELLIOTT AVE	MOOSEHEADM5@GMAIL.COM	
10/30/22	Casey Smith	713 Elliott Ave	caseysmith210@gmail.com	
10/30/22	Trisha Gordon	716 Elliott Ave	gotinsha@gmail.com	
10/30/22	Mike Morris	736 Montrose Ave	NONE	
10-30-22	Lewis & Bettie McDonald	722 Montrose Ave		
10-30-22	Alex Hillman	718 Montrose		
	Alison Harway	707 Altavista	aharway@yahoo.com	
10-30-22	Philip Harway	707 Altavista	pharway99@yahoo.com	
10/30/22	R.W. Breville	702 MONTROSE AVE	rick.breville@gmail.com	
10/30/22	Justin Corbett	705 MONTROSE AVE	810mflyer@gmail.com	
10/30/22	Mary McCall	707 Montrose	marys.mccall@gmail.com	

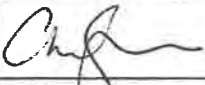


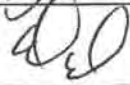






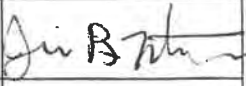
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# Reject Rezoning and Special Use at 1120 Altavista-Avon St., Charlottesville

We the undersigned urge the Planning Commission and City Council to reject the applications for rezoning and special use at 1120 Altavista-Avon St. that would allow the developer to construct an 8-unit, 3 1/2 to 4-story apartment building on the rear half of that lot. The size and scope of this project is neither compatible nor harmonious with our existing residential neighborhood.

Date	Full Name (please print)	Address	Email Address	Signature
Nov 30	Chelsea Braun	617 Altavista	Chelsea.mariell@icloud.com	
Nov 30	Nikolai Braun	617 Altavista	nikolai.braun@gmail.com	
DEC 1	Kathy Daniel	2417 Acacia	kdaniel20816@gmail.com	
Dec 1	David Braun	2417 Acacia	dbraun7249@yahoo.com	
12/1	Mike Poncey	605 ALTAVISTA AVE	MJPONCEY@GMAIL.COM	
12/1	Amanda Poncey	605 Altavista Ave	amandaponcey@gmail.com	
12/1	Guiming Xiao	618 Altavista Ave	guiming.xiao@gmail.com	
12/1	Billie Loewen	621 Altavista Ave	billie.loewen@gmail.com	
12/1	DAW MILLER	1102 Avon St	tramezz@gmail	
12/1	STEVE PATZBURG	616 ALTAVISTA	apatzburg@gmail.com	
12/1	JESSICA MARTIN	7808 BELLEFLOWER DRIVE SPRINGFIELD, VA 22152	jessiebmartin@gmail.com	



# Reject Rezoning and Special Use at Altavista-1120 Avon St., Charlottesville

We the undersigned urge the Planning Commission and City Council to reject the applications for rezoning and special use at Altavista-1120 Avon St. that would allow the developer to construct an 8-unit, 3 1/2 to 4-story apartment building on the rear half of that lot. Or would allow the developer to create a hotel or 4 Airbnb units. The size and scope of this project is neither compatible nor harmonious with our existing residential neighborhood.

Date	Full Name (please print)	Address	Email Address	Signature
10/30/22	Laura Hoeg	1112 Avon St Charlottesville, VA 22902	hoeglu42@gmail.com	
10/30/22	Ned Fischer	1112 Avon St. Charlottesville, VA 22902	n1f42@cornell.edu	
10/30/22	DMichèle Durham	688 Elliott Ave Charlottesville VA 22902	Krazymichèle@gmail.com	
10/30/22	EMILY PELLICCIA	801 ELLIOTT AVE. CHARLOTTESVILLE, VA. 22902	pelliccina@me.com	
10/30/22	Mary Alex	901 Stonehenge Ave 22902	maryalex1@hotmail.com	
10/30/22	Alexandra Grossman	816 Druid Ave 22902	myfriendsasha@gmail.com	
10/30/22	Markus Jenkins	816 Druid Ave 22902	markusjenkins@hotmail.com	
	Markha Dix	914 Druid Ave 22902	marksdix@gmail.com	
	Tessa Adams	806 Druid Ave 22902	tessarose81@gmail.com	
10/30/22	MARY COLEMAN	802 Druid Ave	mary.butler.coleman@gmail.com	
	Betty Hennidy	811 Stonehenge Ave	—	B J H
10/30/22	Betty Schute	811 Stonehenge Ave Charlottesville, VA -	—	
10/30/22	Liz Hassing	812 Stonehenge	lbhassing@gmail.com	
10/31/22	Jeff Snyder	800 Druid	—	

## O'Connell, Dannan

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**From:** Lois Widmer <lwidmer94@gmail.com>  
**Sent:** Saturday, December 3, 2022 9:55 AM  
**To:** O'Connell, Dannan; Freas, James; Creasy, Missy; Planning Commission  
**Subject:** Rezoning and special use permit request for parcel 590165000

**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.

Lois Widmer  
816 Altavista Ave  
Charlottesville, VA 22902

[lwidmer94@gmail.com](mailto:lwidmer94@gmail.com)

December 3, 2022

Dannan O'Connell, City Planner  
Jim Freas, Director, Neighborhood Services  
Missy Creasy, Deputy Director, Neighborhood Services  
Planning Commission Members Philip d'Oronzio,, Karin Habbab, Hosea Mitchell, William Palmer, Liz Russell, Carl Schwarz, Lyle Solar-Yates, Rory Stolzenberg

Re: Rezoning and special use permit requests for parcel 590165000, project facing Altavista Ave at Avon

The request to rezone to a business category plus the requests for special use permits all indicate to me that the proposed building is not right for this site. My main concerns are traffic and noise. I also question what the proposed zoning change could allow in the future for this primarily residential block.

### 1. Traffic

During the eight years I have lived at 816 Altavista I have seen a steady increase in through traffic during rush hour, most likely drivers using it as a connector from Monticello Ave to Avon. Already, many drivers fail to make a full stop at Rialto and Altavista, a 4-way stop intersection.

The Altavista block between Rialto and Avon, as well as the Altavista-Avon intersection, already have several problems that present hazards. I believe these conditions would be worse and accidents would increase with the addition of eight units and their accompanying vehicles.

This block becomes almost a one-way street at times as one car has to pull aside to allow passage of a car in the opposite direction. I don't know if this block of Altavista is narrower or if it's due to the already extensive parking on both sides, but it is already congested.

Turning from Altavista on to Avon in either direction has become increasingly difficult, probably because of increased traffic on Avon. The traffic light at Elliot Ave often causes stopped traffic to back up to and beyond Altavista and drivers rarely leave the intersection clear. This blocks any turns, left or right. This also impacts traffic from the BP station on Avon from re-entering the roadway easily and increases the danger for cyclists and pedestrians.

If the eight proposed units are allowed, there will be a significant increase in vehicular traffic concentrated in one block and near an already busy intersection. There will likely be more cars attempting left turns onto Altavista from Avon and then in just a few yards making left turns — or worse, U-turns, in order to park. I don't see how this one block can handle the additional traffic.

### 2. Noise:

An eight unit building will require eight HVAC systems, each running on their own cycle according to occupants' temperature preferences. For a residential area with other homes adjacent, this is a lot of additional equipment noise. My own experience at 816 Altavista is that the HVAC units of my two next door neighbors are both on my side of their houses. Adding my own unit to that mix, I am very aware of the noise from these three units as they cycle on and off independently. Note that the neighbors' units are both less



than one-year old and relatively quiet. Still, I clearly hear them inside my home. What will the addition of eight HVAC units for this proposed building sound like to the neighbors?

My recommendation:

This is a small parcel not suitable for eight units. If even a few of these units are permitted as airBnBs, then the project is not contributing to a solution for Charlottesville's housing challenges. While I'd prefer to see a two-story duplex in keeping with the neighborhood, I can see a compromise of a maximum of four units: two ADA compliant ground floor one-bedroom units plus a second and third floor each with a two-bedroom unit of about 1000 square feet to accommodate small families. This reduces the overall building height to be compatible with the neighborhood, reduces the number of additional vehicles, reduces equipment noise levels, and addresses the real need for housing.

Sincerely,  
Lois Widmer

Sent from my iPad

## OConnell, Dannan

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**From:** Darcy Higgins <djkjhiggins@gmail.com>  
**Sent:** Saturday, December 3, 2022 3:04 PM  
**To:** OConnell, Dannan  
**Subject:** Reject Commercial Zoning @ 1120 Avon Street/ Altavista Ave

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

Dear Mr. O'Connell,

My wife and I are reaching out to you to provide feedback on the proposed B-2 rezoning in a residential neighborhood including associated construction of an 8-unit, 4-story apartment building and conversion of a single-family home to a duplex at 1120 Avon Street in Charlottesville.

For some background, my wife and I have been residents of Belmont, specifically residing at 709 Altavista Ave, over the past three (3) years. Prior to living in Belmont, we raised our family in Greene County where I was fortunate to have served for four (4) consecutive terms on our County's Comprehensive Plan Committee, as well as on the Board of Zoning Appeals and on our School Board for two (2) terms. Serving to support comprehensive planning process has given me some strong perspective regarding zoning decisions that affect residents.

The proposed B-2 rezoning at 1120 Avon Street at the intersection of Altavista Ave would set a very bad precedent for zoning and development decisions moving forward as it relates to Charlottesville Future Land Use Map (FLUM). This proposal is a "spot zoning" of a Medium Density Residential property to a proposed B-2 zoning. On the contrary, our Comprehensive Plan objectives for Residential Areas encourages incremental 'house-sized,' contextual infill within existing residential neighborhoods. My wife and I oppose this proposal that will negatively impact our Belmont neighborhood for the following reasons:

Per Charlottesville's Comprehensive Plan, our Avon/ Altavista block is designated as a Medium Density Residential neighborhood. Development must be compatible with existing residential and historic neighborhood context. House-sized infill should include structures with similar building height, building width and side and front yard setbacks as surrounding residential structures. This B-2 zoning proposal is not compatible with the stated objectives of the comprehensive plan.

The developer's proposal is a contradiction to the City's Comprehensive Plan guidelines - with the developer asking for this parcel to be re-zoned as B-2 commercial in our residential neighborhood. B-2 zoning is established for commercial uses. B-2 zoning reduces street side setback from 20 ft to 0 ft, extends acceptable height to from 35 ft to 45 ft, reduces rear yard setback from 25 to 20 ft and allows developable density of 68 units per acre. In addition, the developer requests multiple further deviations from code - including a reduction from 9 to 4 parking spaces and to reduce minimum interior setback in B-2 from 8-10 ft to 3 ft.

Additionally, vehicle parking is not addressed adequately - providing only 4 of the 9 parking places required, even under B-2 zoning. Per the Comprehensive Plan Strategy, parking must be managed to prevent consistent disruptive on-street parking spillover into residential areas. Altavista is not suited for an influx of on-street parking, especially when parking setback requirements from the Avon St intersection are considered.

Furthermore, the Comprehensive Plan states it will consider ways to mitigate the impact of short-term rentals on housing availability and affordability. Allowing for 50% of the 8 units in this proposed B-2 zoning to become short-term rentals - including the potential for their use as Air BnB - does not meet this objective. This density of short-term rentals will generate noise and congestion and will cause considerable inconvenience - including parking and traffic congestion - for our neighboring residents. Short-term rentals also directly reduce the number of affordable units available to residents of Charlottesville. This is counter to the stated goals of the Medium Intensity Residential objectives - to provide affordable housing along neighborhood corridors.

In addition, aesthetically, this B-2 zoning proposal does not have any landscaping, shrubbery, or screening of any kind which would normally be present to serve as a visual barrier, or to filter out dust and noise between the building, the sidewalk, and the street or between the apartment building and its neighbors.

Commercial zoning does not exist within our Belmont block as defined in the new Comprehensive Land Use Plan and FLUM. How can the Planning Commission and City Planners approve this rezoning to B2 with multiple variances in advance of the Comprehensive Plan implementation?

If all eight units are approved this B-2 zoning proposal, only two affordable units are required. If fewer than eight units are approved, only one affordable unit will be mandated - proffered for a 20 year period by the developer. However, under the new comprehensive plan, the affordable housing unit commitment would be 99 years - a significant difference from the 20 years proffered by the developer. If approved, does this project significantly contribute to improving affordable housing as stated in the comprehensive plan?



This B- zoning proposal at 1120 Avon Street does not meet the needs for good quality affordable housing and does not meet the needs of the surrounding neighbors who are also seeking a livable, walkable, green, friendly, and harmonious community in a Medium Density Residential neighborhood.

Per our comprehensive plan, the Planning Board is responsible to approve developments and zoning to fulfill our FLUM objectives, including affordable housing in our residential neighborhoods. We fully support our comprehensive plan and FLUM goals to enhance affordable housing in residential neighborhoods - including ours. However, this B-2 rezoning proposal does not meet these objectives and is incompatible with our Medium Density Residential neighborhood. Please do not approve this proposed B-2 rezoning proposal and instead set a positive precedent for zoning and development in Charlottesville that is consistent with our comprehensive plan and FLUM.

Please feel free to reach-out to discuss and/or if you have any questions. In advance, thank you for your consideration and leadership to support comprehensive plan and FLUM objectives.

Sincerely,

Darcy and Kelly Higgins  
709 Altavista Ave  
Charlottesville, VA 22902  
434-962-9500

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Darcy Higgins

709 Altavista Avenue  
Charlottesville, VA 22902

434-962-9500 (cel)

[dijkhiggins@gmail.com](mailto:dijkhiggins@gmail.com)

***"Our actions should inspire others to dream more, learn more, do more and become more."***

-John Quincy Adams

## OConnell, Dannan

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**From:** Paul Muskopf <mooseheadm5@gmail.com>  
**Sent:** Sunday, December 4, 2022 12:23 AM  
**To:** paul@mooseheadengineering.com  
**Subject:** 1120 Avon project

**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.

Greetings,

I'm writing to express my disapproval of the proposed project at 1120 Avon St. I urge you to block the proposed project, particularly the 4 story apartment building planned at the back of the lot.

I have lived in Belmont for over 16 years and like the area where we live as is. I plan to grow old here if given the opportunity. I specifically chose this area because of the feel of it. Small houses, small plots of land, friendly neighbors, and even though I live on a main artery, it is pretty quiet. Though I do think increasing housing density in certain areas of the city can be beneficial, this lot is not the correct location for this project. I do not take any issue with the conversion of the house into a duplex, as this is not uncommon in this area and is an effective use of the property. This alone helps increase housing density while still preserving the character of this area of the neighborhood. I do, however, take issue with the idea of a gigantic building being plopped down in the backyard of that property. I'm sure by now you've read all the complaints from the neighborhood so I'll try to be succinct (but knowing me, I probably won't be, so apologies in advance).

- The proposed building is greatly out of scale from other houses in the neighborhood. It will overshadow the neighboring houses and potentially block the view that residents across Avon have of the mountains. This would be the tallest structure in this part of the neighborhood and would stick out like a sore thumb.
- It requires several variances that will allow little or even zero setback. Allowing builders to start plopping structures 3 feet or fewer from the property line and covering almost the entirety of the parcel with impermeable buildings and pavement sets a dangerous precedent for a neighborhood that is mostly smaller houses with mature trees and gardens in the yard.
- The sewer system runs directly under that area. I would be very concerned that heavy construction equipment is going to damage this 100 year old infrastructure. I know that on my property the sewer line runs as little as 2 feet below the surface. This sewer system may not be sufficient for this sharp increase in usage, and any problems are going to occur downhill (i.e. closer to my property). I am not interested in potentially expensive and invasive maintenance caused by an overzealous developer making changes to an overtaxed antique piece of infrastructure.
- There is not enough parking for 8 units and a conversion to a duplex for the existing 1120 house. As you are aware, there is no parking on Avon, and very little parking on Altavista as it stands. I see that the developer has proposed just 4 parking spots for 8 units, which is just patently ridiculous. As much as I enjoy bicycling in the city, I am also a realist and know that unless you live very close to where you work, bicycling and public transportation in this city are insufficient for the vast majority of residents, many of whom must commute long distances or work hours that are incompatible with bussing. Basically, to live in Charlottesville you must have a car. Often, to afford to live in Charlottesville, you must have a 2 income household. That usually means 2 cars. So where will these 10-20 vehicles park? 4 spots behind the building? I guarantee this will lead to some unfriendly neighborhood disputes and towing from the alley. The proposed artwork from the developer shows non-existent sidewalks. If the developer plans to install sidewalks, this will narrow Altavista even more and make on street parking even less of an option for an already narrow and crowded road.



- With the performative talk from the developer about affordable housing, one would think they are concerned about an actual need for Charlottesville residents, but then there is talk of setting up half of the units for AirBnB. Along with the B2 zoning request, this seems more like a backdoor way to essentially build a micro hotel that will not benefit the residents of this neighborhood at all. If anything, short term rentals are a contributor to the lack of affordable housing in this area. The zoning and variance requests for this project are really inconsistent and seek only to maximize profit for this developer at the expense of the neighbors.

I could go on, but I think my neighbors on Altavista have probably already given you a novel-length explanation of all of the reasons why this development should be blocked, so I won't rehash them all here. I will say that I agree with them on every point. To sum up, the duplex plan for the 1120 house sounds perfectly reasonable, while the eight unit monstrosity full of tiny apartments, half of which are short term rentals with no parking, sounds absolutely terrible for everyone apart from the developer. I look forward to attending the meeting on January 10th to share my further thoughts on the matter.

Respectfully,  
Paul Muskopf

## OConnell, Dannan

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**From:** Liz Foster <lizfost99@gmail.com>  
**Sent:** Sunday, December 4, 2022 10:54 AM  
**To:** OConnell, Dannan  
**Subject:** Rejection of New Apartment Building

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

Dear Dannan O'Connell,

Hello! I'm a resident of the Altavista neighborhood who was made aware of a commercial upzoning in the neighborhood for an Airbnb property.

While I support an ADU, this development would be so terrible for the neighborhood, ruining the community feel and making an already awful parking situation even worse. I already have to park far down the street from my house at night, as there isn't enough parking for my roommates and I. This can get pretty scary when I just want to go to the gym at night after work, but I get back and have to walk a block or two back by myself at 9 or 10 at night (I'm female). I can't even imagine what it would be like with tons of new cars flooding the neighborhood. And these people wouldn't even live here!

This development is incompatible with Charlottesville climate and community goals and if it is allowed to go through, I will be extremely disappointed in the city.

Sincerely,

Liz Foster  
603 Altavista Avenue



## OConnell, Dannan

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**From:** Dan Miller <Daniel.Miller@BigBear.ai>  
**Sent:** Sunday, December 4, 2022 5:59 PM  
**To:** OConnell, Dannan  
**Subject:** 1120 Altavista Opposition

**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.

Dannan,

I enjoyed our chat over the phone a few days ago and wanted to reach out via email as well to “formally” share my opposition to the upzoning proposal for 1120 Altavista here in Belmont.

This plan seems to most of us in the neighborhood to be an imprudent, hasty, and shortsighted effort to commercially upzone a lot prior to the new higher density zoning plan that is set for implementation in the near future.

Like most in the neighborhood, I am *supportive* of smart, modest, and sustainable increases in density, especially when those plans allow for newcomers to *purchase* property in the area. However, the current 1120 Altavista plan doesn't comport with most of the key metrics that apply to such affordability efforts. The upzoning would create issues with increased short-term rentals, parking stress, and green space destruction, among other concerns. Many of us are extremely concerned that the proposal would allow for 50% occupancy through short-term rental companies, an issue already plaguing our city. We're also concerned that a commercial zoning exception would allow other as-yet-unknown commercial uses in the future, with equally unknown negative disruptions to the area.

More importantly, the current proposal would allow for commercial zoning to intrude needlessly into residential zoning, despite multiple undeveloped commercial lots *lying directly across the street* from the proposed building. We'd all like to see reasonable mixed use buildings occupy these preexisting commercial lots, but also want to preserve the distinction between these lots and the actual residential area as well. Violating this distinction would create a precedent for further zoning grabs by commercial developers in the future, and also conflict with the community-influenced rules incorporated into the new zoning plan.

The Belmont area, and Avon Street in particular, need more efforts to slow traffic and encourage neighborhood continuity and community, not commercial level short term rental density with no plan for parking or congestion. The Avon/Altavista intersection adjacent to 1120 in particular is in desperate need of traffic calming (like a four way stop), not increased congestion due to multiple Air B&B units in one large building.

As such, I appreciate your consideration of these factors going forward in regards to rejecting 1120 Altavista plan as it currently stands.

Regards,

## OConnell, Dannan

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**From:** Chelsea Marie <chelseamarie11@icloud.com>  
**Sent:** Friday, December 2, 2022 12:44 PM  
**To:** OConnell, Dannan  
**Subject:** 1120 Avon

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

Dear Dannan,

Thanks for answering my earlier questions regarding this development. I wanted to share my thoughts on this proposal with you after much research and review.

My husband and I own two properties on Altavista avenue (622 and 617) which are quite close to the property in question. We reside in one and the other is a long term rental.

I definitely support the city's comprehensive plan and increasing density in Belmont. Despite this, I have significant concerns about this development.

1. If residential property can easily be converted and developed as commercial then why buy commercially zoned property at a higher price? There is a vacant lot for sale behind browns zoned commercial listed for ~500k. This lot has a blighted house and desperately needs to be developed and would be an ideal place to add a multi-unit dwelling.
2. This rezoning to commercial and increasing to high density in residential neighborhoods seems to obviate the the comprehensive plan. Why not wait for the comprehensive plan so that these comprehensive guidelines can be applied to achieve developments that are harmonious with the city's long term vision.
3. Short-term rentals: The inclusion of airbnb hotel/motel use in the proffer. It seems disingenuous to include this in the proffer and then claim that is not the intention. More short-term rentals will hurt our neighborhood and exacerbate the housing shortage. As someone who operated a short-term rental in my previous home, I know from direct experience that this type of short-term rentals will cause noise, litter, excessive traffic and other livability issues for neighbors. When speaking to neighbors about this—this is the thing that folks are most upset by because of the number of airbnbs already operating in our neighborhood and city, the lack of regulation, and the impact on affordability and housing supply.
4. Affordability is not there. The AMI has jumped 19% in the last few years and 60% is not affordable any more. Developments which support family housing and allow residents to buy affordable homes are what is needed in Belmont.
5. Parking. There is already a complete max out of street parking on the 600 block. Our neighbor has called police at least twice in the last month for cars blocking her driveway in the 600 block of Altavista. —the 700 block is also already pretty congested. The # of street spots in front of the proposed development is not really 6 as the proposal claims—it is 4.
6. Traffic: The intersection at Avon and Altavista is already dangerous. There have been two serious crashes in that intersection in the last year. More parking close to the intersection and more vehicles transiting through the intersection will increase this hazard.
7. Livability: The type of development does not provide very much livability. One might imagine that this development will have 4 airbnbs on the upper floors (basically hotel rooms) with access to the onsite parking spots. While the 4 affordable units are at the basement levels—right up against the street, with noisy airbnbs above. There are no shared spaces like a laundry room, bike rack, fitness room, or yard that would make such a compact apartment more livable.



8. This is the most Nimby-ish of my objections, but the design is bad. A diagonal, very tall building wedged into this space, with no setbacks and less than 8 feet from the existing house will look terrible.

9. This proposal will remove a lot of permeable surface and several mature trees (which are debatably diseased) which will increase warming and lead to more stormwater runoff. Increasing density needs to come with environmental offsets such as EV charging, solar, permeable pavers, green roofs.

I believe a single or duplex ADU would be an amazing alternative in this location. ADUs are a great way to increase density without harming neighborhood character. I'd love to discuss any of the above with you in more detail if you're interested. You may reach me on my cell at 415-342-6020.

Many thanks for your consideration of this email.

Sincerely,  
Chelsea

## OConnell, Dannan

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**From:** Robert Kroner <rkronerva@gmail.com>  
**Sent:** Friday, December 2, 2022 11:04 AM  
**To:** Planning Commission; OConnell, Dannan; Freas, James; Creasy, Missy  
**Cc:** Eric Bryant  
**Subject:** 1120 Avon Street, rezoning and SUP

**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.

Ladies and Gentlemen:

We own the single-family residence located at 703 Elliott Avenue. This is our primary residence. We are writing to you to register our objections to, and concerns about, the pending applications to rezone and grant special use permits relative to the referenced residential property.

The referenced property is in the heart of a thriving residential community consisting primarily of single-family residences. It is located on a major road providing access between downtown and commercial establishments located west of downtown, and there are two existing grandfathered commercial properties nearby (*viz.*, Brown's and Burruss Signs). Otherwise, most of the properties immediately surrounding 1120 Avon Street, including those located on both sides of Avon Street, and the properties in the many blocks adjoining the referenced property, are residential.

The City's present push to increase available housing stock, especially affordable housing, is laudable. In so doing, we ask that you do not lose sight of the importance of preserving the basic character of existing residential neighborhoods.

As we understand the proposed development of the referenced property, it will maintain the existing two-story residential structure and construct a new four-story eight-unit building located on the rear of the property, with no on-site parking. Our principal concerns about this rezoning and SUP application are as follows:

1. *Scale.* The proposed four-story structure would dwarf the surrounding residential properties, to the detriment of the existing and future residential fabric of the neighborhood. We ask that any permitted development be restricted to a height that is compatible with adjoining structures and with the existing residential character of the neighborhood. It is noteworthy that the existing two-story residence located at 1120 Avon Street fronts on Avon Street, while the proposed new four-story structure would front on Altavista Avenue and back up to the narrow alley that runs parallel to Avon from Elliott Avenue to Altavista Avenue; in short, it will not front on the newly designated Avon Entrance Corridor. All of the properties along that area of Altavista and Avon, including the existing commercial properties, as well as those properties on the adjoining Belmont neighborhood streets, are improved with one or two-story structures. Unless you are intentionally opening the door to another canyon-like streetscape such as we now have along the West Main Corridor, this plan is incompatible with the character of this predominantly residential neighborhood. Elsewhere the City has been encouraging the development of accessory dwelling units to enhance the City's supply of affordable housing, which we believe would be an appropriate and compatible development of the subject property.

2. *Density and Use.* The property should be limited exclusively to residential use to maintain the current residential character of the surrounding properties. While the drawing of the proposed four-story structure suggests that it will be an apartment-style building, the commercial zoning would allow for other uses that are completely incompatible with the surrounding residential neighborhood. Even certain so-called "residential" uses, such as short-term rentals, do nothing to increase the City's available supply of affordable housing. The referenced property appears to be located in an area still designated for residential uses on the City's zoning map. We understand that the original house has been or will be reconfigured by the current owners to create two residential rental units. Creating eight additional units is wildly



incompatible with Zoning Ordinance's density requirements and disrespects the character of the existing neighborhood and present and future property owners. Does ten units on a tract containing 0.0148 acre sound sensible to you? It certainly does not to us.

3. *Parking.* No on-site parking is proposed for this project, meaning that the residents or others coming to the property would park on Altavista or other adjoining streets. There is already a notable shortage of on-street parking for the existing residences. Increasing the density of this property from 2 units to 10 units would impose a serious burden on surrounding property owners. That is an additional 8 to 16 cars that will require a place to park in an area with an already obvious parking shortage.

4. *Loss of green space.* Allowing the proposed density of development, which would eliminate most of the existing backyard and all of the trees on the referenced property, would be incompatible with the City's newly adopted Climate Action Plan. Specifically, "Nature Based Solutions," Charlottesville Climate Action Plan, p. 52, encourages the use of trees and tree canopies to foster cooler, more habitable spaces, and to reduce green house emissions. Figure 4 shown on page 53 of the Climate Action Plan appears to identify this part of the City as having experienced greater afternoon heat than the rest of the City during the summer of 2021. One of the strategies under the Climate Action Plan is to encourage healthy and increased tree canopy on privately owned properties (Charlottesville Climate Action Plan, p. 54). The proposed development would not only remove all trees on the property, but any space for replacement landscaping. While we assume that these factors would be considered during the site plan approval process, we hope that no one loses sight of this important consideration at any stage.

In short, we believe that the proposed rezoning and SUP applications should be denied as presented, unless and until the applicants modify their applications to address these legitimate neighborhood and City-wide concerns. Specifically, the scale of the project should better harmonize with the existing neighborhood and the proposed new zoning map; the use should be limited to medium-density residential commensurate with the size of the reference property; on-site parking should be provided; and landscaping should be encouraged/required.

Thank you for considering our comments, and for serving in your official capacities on behalf of all of the City's residents.

Sincerely,

Robert J. Kroner  
Eric D. Bryant

## OConnell, Dannan

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**From:** Kerrie Pierce <kerriej.pierce@gmail.com>  
**Sent:** Saturday, December 3, 2022 1:46 AM  
**To:** OConnell, Dannan  
**Subject:** reject 1120 Avon proposal

**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.

To the City Planner and Planning Commission,

I am a longtime resident and homeowner in Belmont. I urge you to reject the proposal for a commercial upzoning of 1120 Avon St. This is a poorly thought out project that will not enrich our neighborhood.

There are many reasons to reject this proposal:

1. A 4 story, over 40 foot tall building will shade everything in the immediate area. Was a shade study performed? Wasn't that why the commercial building was rejected to replace the small parking lot downtown?
2. It doesn't actually create much housing if 4 units are reserved as AirBnb rentals. Belmont already has an issue with many AirBnb units scattered throughout the neighborhood. It reduces available homes for people that actually want to live in our neighborhood, in addition to the noise complaints and parking complications AirBnb creates. AirBnb regulation is sorely needed in Charlottesville.
3. The Architectural design is not harmonious with the existing homes in both style and size. Part of Belmont's charm and desirability is the age of the neighborhood and the turn of century homes, bungalows and cottages.
4. These 8 units would cause an extreme parking issue for current and future residents in the immediate area. It would easily create an influx of 10-20 cars. Where will they park? This would create an immediate traffic issue as well. Was a traffic study done to determine if an intersection light to turn onto Avon would be needed? As an example, I live on Elliott Ave, and the influx of construction on Avon extended has created a tremendous amount of new traffic. There is still no left turn arrow to turn onto Elliott coming from the downtown end of Avon and I have sat in the turn lane upwards of 3 light cycles waiting for a break in traffic to turn left.
5. Adding to the above she tweeted that she also applied for parking reduction, which would only create tension and problems within the building itself. 8 units are going to fight over 4 spaces? She also tweeted that 2 units would be "affordable housing" which is developer code for "poor people can't afford cars" so I can get away with fewer parking spaces. How arrogant.
6. Can the current sewer lines handle the load of the proposed building? She also tweeted on Twitter about how she knows she needs sewer easements, I doubt neighbors would enjoy their yards being torn up to place additional lines.

Surely there are other lots better suited to a building of this type? This seems to be a money grab of the owner of the home (who is the head of the firm proposing this project). (Especially considering that these units are not for sale, but for rent and 4 being AirBnb) It appears the head of the firm bought the property with this project in mind, and wrote on Twitter that she plans to turn the existing home into a duplex and wants to build the apartment building on the back half of the lot. There is a vacant lot with commercial zoning with 1 block that should be developed first.

This is clearly a poorly thought out and frankly unethical project by this developer. I personally know people who were outbid for this property, who wanted to renovate and live in this home. This project can not ethically move forward.

Sincerely,  
Kerrie Pierce



728 Elliott Ave  
Charlottesville, VA 229

## OConnell, Dannan

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**From:** Shannon Sahs <shannonsahs@gmail.com>  
**Sent:** Sunday, December 4, 2022 9:14 PM  
**To:** Creasy, Missy; Freas, James; OConnell, Dannan; Planning Commission  
**Subject:** Reject Commercial Rezoning of Altavista & Avon Ave.

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

Hello,

My name is Shannon Sahs and I am a Charlottesville resident. I am reaching out regarding the proposal to rezone the residential area at the intersection of Altavista and Avon Ave for commercial use. It is my understanding that a developer is requesting special use permits and exceptions to current zoning and parking laws to build a 4-story/ 8 unit building.

I am in opposition of this rezoning application for the following reasons:

- 4 of the 8 units are designated as short term rental units. In the midst of the Charlottesville housing crisis, the development of affordable housing units should be prioritized over Air BnB/short term rental units.
- There is an existing parking issue on Altavista Ave due to lack of space and driveways. The increase in 8+ vehicles and reduction of existing parking spaces would create traffic and safety issues (there are no sidewalks on Altavista and it is already unsafe for pedestrians).
- There are vacant lots within a few blocks of the location which have already been designated as commercial zones. These existing commercial locations should be developed prior to rezoning this location and encroaching on the neighboring properties' homes.

Although I oppose this specific rezoning proposal, I would support the development of an affordable housing unit in the proposed location. Our city is in dire need of additional affordable housing and the residents of Altavista Ave would welcome development if it would benefit low-income residents who have been suffering due to the housing crisis.

Thank you for your time and attention.

All the best,

Shannon Sahs  
(804) 363-4275  
[ShannonSahs@gmail.com](mailto:ShannonSahs@gmail.com)  
913 Altavista Ave  
Charlottesville, VA 22902



## OConnell, Dannan

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**From:** Katy McCune <katymccune@gmail.com>  
**Sent:** Sunday, December 4, 2022 9:38 PM  
**To:** OConnell, Dannan  
**Subject:** 1120 Avon Street Proposal

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

Dear Dannan O'Connell

I am contacting you to provide my feedback on the rezoning and associated construction of an 8-unit, 4-story apartment building and conversion of a single-family home to a duplex at 1120 Avon. St, Charlottesville.

I am a resident of Belmont, and a homeowner on Altavista Avenue. This proposal will directly impact me. I oppose this proposal for the following reasons:

### **Questionable Zoning & Variance Requests**

The property at 1120 Avon St is currently zoned R-1s, single residence with a small lot. The recently adopted Comprehensive Plan changes that zoning to Medium Density, which has yet to be defined.

The requested B-2 Designation for this property reduces street side setback from 20 ft to 0 ft, extends acceptable height to 45 ft from 35 ft, reduces rear yard setback from 25 to 20 ft, and allows developable density of 68 units per acre. These changes are astonishing in a neighborhood that is currently R-1s.

In addition to these changes, the developer requests multiple further deviations from code. One of these variances is for parking spaces; the other is to reduce minimum interior setback in B-2 from 8-10 ft to 3 ft.

### **Disproportionate Massing and Scale**

**Medium Density Form:** *Compatible with existing residential and historic neighborhood context. House-sized infill to include structures with similar building height, building width, and side and front yard setbacks as surrounding residential structures.*

The proposed 4-story apartment building (3.5 and 4 stories are mentioned in the plans) on one-half of a small lot in a neighborhood of one and two-story homes overwhelms its surroundings. The very tallest homes in the immediate neighborhood are 2-story plus attic, with 8-or 9-foot ceilings, max height 35 ft.

The narrative claims that "the proposed rear yard multifamily building is intended to be built with 8-foot ceilings, allowing for similar massing when compared with a 2-story single-family detached home." Instead, the planned construction will likely be at least 10 ft (28%) higher than the tallest surrounding 2-story homes and more than double the height of 1-story homes. If the lot is rezoned B-2 there is nothing to restrict the apartment building from being 45 ft.

The proposal asserts that the footprint of the proposed apartment building is in line with other homes in the neighborhood. My investigation suggests that the average footprint of homes on the west 1100 block of Avon and north 700 block of Altavista is approximately 883 square feet or 25% smaller than the proposal.

If this proposal is built as planned, the land coverage envisioned for the duplex and apartment building together will more than double land coverage. This is neither harmonious nor proportional.

**Commercial hotel use (Airbnb) is requested for 50% of units**

**The new Comp Plan states it will:** consider ways to mitigate the impact of short-term rentals on housing availability and affordability.

The developer has requested an exemption to Charlottesville's short-term rental laws for hotel/motel uses for 4 units. Short-term rentals generate noise, congestion, and complaints from neighbors and will cause considerable inconvenience for the neighboring residents with such high density. Short-term rentals also directly reduce the number of affordable units available to residents of Charlottesville.

### **Inadequate On-site Parking**

**Comp Plan Strategy:** *Manage parking to prevent consistent disruptive on-street parking spillover into residential areas.*

All zoning requires one on-site parking space for each unit on the lot, i.e. ten on-site parking spaces for this proposal. Only four on-site parking spaces are included in the plan, necessitating a substantial parking variance. The developer claims reduction of two on-site parking spaces because the proposed apartment is less than 300 feet from a bus stop. If the distance is 301 feet from the bus stop, a reduction of only one parking space is allowed.

**Code Sec 34-984:** *Where a use is located within three hundred one (301) to six hundred (600) feet of a bus stop on an existing city bus route, a similar reduction of spaces shall be granted, in an amount equal to one-half (½) of the number(s) specified in clauses (i) and (ii), above.*

This reduction of two on-site parking spaces is based the developer's google map measurement with subjective start and end points and the thinnest of margins. **Actual on-the-ground measurement puts the distance between 1120 Avon and the bus stop at 330 ft.** Using an accurate measurement dictates reduction of only one on-site parking space from the required ten, leaving **nine required on-site spaces.**

Because no parking is allowed on Avon St, overflow street parking will occur exclusively on Altavista Ave. According to Data USA from 2020, the average car ownership in Charlottesville, VA is two cars per household. Using that statistic, we can anticipate twenty vehicles associated with the ten proposed family units, 16 of which will overflow into on-street parking already in use by residents of Altavista.

Narrow street design is defined as streets with less than 46 feet of total right-of-way and no more than 28 feet of pavement width between curbs. Altavista Ave is a total of 40 ft wide where it intersects with Avon St and narrows quickly to 37-38 feet wide. Parking on each side of the street requires 8 ft, leaving 20-21 ft width for travel. 24 ft width is minimally acceptable for 2-lane traffic. Altavista is not suited for an influx of on-street parking, especially when parking setback requirements from the Avon St intersection are considered.

### **Heightened Congestion**

Avon St is very active. The congestion caused by 15-20 more vehicles using Altavista Avenue for parking would make ingress and egress onto Avon St difficult. Residents on the west 1100 block of Avon St use the alley from Altavista Ave as access to their homes. Increased use by ten times (as quoted in the plan) will create a bottleneck at the narrow entrance to the alley that opens into both the parking for the proposed project and driveways in use by current residents. Construction phase of the plan will likely block the alley entrance entirely.

### **Limited Affordable Housing**

If all eight units are approved, only two affordable units are required. If eight or fewer are approved, only one affordable unit will be mandated. This project is not about providing affordable housing, although the project will certainly take advantage of low-interest loans and grant opportunities in the city's efforts to increase affordable housing.

### **Gains vs. Losses**

What does the city gain by granting this incompatible proposal requiring rezoning plus multiple variances? One, possibly two small, affordable housing units.



What does the city lose by approving the proposal? A neighborhood of permanent residents with adequate green space and shade, workable traffic patterns, reasonable parking options, and appropriate density and coverage based on lot size.

The benefits of Rezoning and SUP appear primarily to the advantage of the developer, not the residents or community.

**Overall, it is my belief that** this proposal assumes too much, takes too many liberties, diverges too far from code, and moves too hurriedly. Following the new Comp Plan, transition from Single Residential to Medium Density, much less B-2 zoning in the current plan, will be best accomplished by a thoughtful process involving careful, deliberate infill with the least disruption to the current Belmont neighborhood. The city bears responsibility for the welfare and interests of all residents, including neighbors of the proposed apartment building who are, quite honestly, shocked at the thought of this new construction.

It is also the city's obligation to protect the atmosphere, quality, and character of its neighborhoods. Dropping a four-story apartment building into the back yard of a small, narrow lot does not enhance the community and is not in keeping with the of precepts of 'soft city,' which would suggest thoughtful design and livable spaces. The design in this space looks and feels cramped, crammed, and crowded.

Permitting this project will encourage other property owners to request variances and build without consideration for livable communities, green space, or comfortable housing. The new city zoning will be a bonanza for developers willing to push zoning regulations to their limits and beyond in search of profit.

I hope that when considering this project, the Planning Board will seek to encourage developments of higher quality than required by the zoning regulations, not developments of lower quality. I hope that the Planning Board will encourage open green spaces, innovative designs, and cohesive projects harmonious with the character of neighboring properties.

Sincerely,  
Catherine McCuneDear *{insert name}*,

I am contacting you to provide my feedback on the rezoning and associated construction of an 8-unit, 4-story apartment building and conversion of a single-family home to a duplex at 1120 Avon. St, Charlottesville.

I am a resident of Belmont, and a homeowner on Altavista Avenue. This proposal will directly impact me. I oppose this proposal for the following reasons:

#### **Questionable Zoning & Variance Requests**

The property at 1120 Avon St is currently zoned R-1s, single residence with a small lot. The recently adopted Comprehensive Plan changes that zoning to Medium Density, which has yet to be defined.

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The narrative claims that “the proposed rear yard multifamily building is intended to be built with 8-foot ceilings, allowing for similar massing when compared with a 2-story single-family detached home.” Instead, the planned construction will likely be at least 10 ft (28%) higher than the tallest surrounding 2-story homes and more than double the height of 1-story homes. If the lot is rezoned B-2 there is nothing to restrict the apartment building from being 45 ft.

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If this proposal is built as planned, the land coverage envisioned for the duplex and apartment building together will more than double land coverage. This is neither harmonious nor proportional.

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The developer has requested an exemption to Charlottesville’s short-term rental laws for hotel/motel uses for 4 units. Short-term rentals generate noise, congestion, and complaints from neighbors and will cause considerable inconvenience for the neighboring residents with such high density. Short-term rentals also directly reduce the number of affordable units available to residents of Charlottesville.

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Because no parking is allowed on Avon St, overflow street parking will occur exclusively on Altavista Ave. According to Data USA from 2020, the average car ownership in Charlottesville, VA is two cars per household. Using that statistic, we can anticipate twenty vehicles associated with the ten proposed family units, 16 of which will overflow into on-street parking already in use by residents of Altavista.

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### **Heightened Congestion**

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alley from Altavista Ave as access to their homes. Increased use by ten times (as quoted in the plan) will create a bottleneck at the narrow entrance to the alley that opens into both the parking for the proposed project and driveways in use by current residents. Construction phase of the plan will likely block the alley entrance entirely.

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### **Gains vs. Losses**

What does the city gain by granting this incompatible proposal requiring rezoning plus multiple variances? One, possibly two small, affordable housing units.

What does the city lose by approving the proposal? A neighborhood of permanent residents with adequate green space and shade, workable traffic patterns, reasonable parking options, and appropriate density and coverage based on lot size.

The benefits of Rezoning and SUP appear primarily to the advantage of the developer, not the residents or community.

**Overall, it is my belief that** this proposal assumes too much, takes too many liberties, diverges too far from code, and moves too hurriedly. Following the new Comp Plan, transition from Single Residential to Medium Density, much less B-2 zoning in the current plan, will be best accomplished by a thoughtful process involving careful, deliberate infill with the least disruption to the current Belmont neighborhood. The city bears responsibility for the welfare and interests of all residents, including neighbors of the proposed apartment building who are, quite honestly, shocked at the thought of this new construction.

It is also the city's obligation to protect the atmosphere, quality, and character of its neighborhoods. Dropping a four-story apartment building into the back yard of a small, narrow lot does not enhance the community and is not in keeping with the of precepts of 'soft city,' which would suggest thoughtful design and livable spaces. The design in this space looks and feels cramped, crammed, and crowded.

Permitting this project will encourage other property owners to request variances and build without consideration for livable communities, green space, or comfortable housing. The new city zoning will be a bonanza for developers willing to push zoning regulations to their limits and beyond in search of profit.

I hope that when considering this project, the Planning Board will seek to encourage developments of higher quality than required by the zoning regulations, not developments of lower quality. I hope that the Planning Board will encourage open green spaces, innovative designs, and cohesive projects harmonious with the character of neighboring properties.

Sincerely,  
Catherine McCune

## OConnell, Dannan

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**From:** Rafael Rubio <rafaeld.rubio@gmail.com>  
**Sent:** Sunday, December 4, 2022 9:59 PM  
**To:** OConnell, Dannan; Freas, James; Creasy, Missy; Planning Commission; Snook, Lloyd; Wade, Juandiego; Payne, Michael; Magill, Sena; Pinkston, Brian  
**Subject:** Rezoning of 1120 Avon Street  
**Attachments:** Real Estate.odt; Real Estate.odt

**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.

Please accept this as my greeting to all of you, this is a matter of concern to me and my neighborhood family

I am contacting you to provide my sentiment on the rezoning and associated construction of an 8-unit, 4-story apartment building and conversion of a single-family home to a duplex at 1120 Avon. St, Charlottesville.

I have owned the adjoining property at 1114 Avon St. since 1989 and this proposal will directly impact me, my neighbors and the micro-climate of my yard. In reference to the latter, if such a massive and tall structure were to be built, it would place my, normally sunny, yard and back porch into shade by noon this time of year, early December. Gone would be a sunny afternoon outside on a winter day. Given the height of the proposed structure it will likely affect my other adjoining neighbors on Avon St. as well, when a little ray of sun is most welcome. I also have concern for the mature plantings in my yard, especially those nearest the proposed structure. Notably, a pair of small leaved hollies, they have just finished blooming. And a black cherry tree, both of which provide for pollinators and birds.

I also have concerns about privacy. I realize that 'expectation of privacy' has limits but, as proposed, the structure would present a sensation of the 'encroachment' of privacy. Short term rentals, i.e. airbnb, would heighten that.

Short term rentals would not mitigate the lack of housing in our city. Why the developers, plural is intended, asked for such a variance is questionable. The communications I have received from them have the mastheads of three different companies. Corporate ownership of real estate will simply exacerbate the problem of, not just of rentals but of home ownership. Which takes us to basic supply and demand. Corporate ownership of housing is at an all time high robbing many of that form of generational wealth.

On street parking as an issue on Altavista is also mentioned below. To fill in a little anecdotally, on weekday afternoons, several vehicles always park at the very intersection of the building project to wait for their children's school bus.

There are other reasons I oppose this proposal and they are, after reading them thoroughly, listed below.

Most Sincerely,

Rafael Rubio  
1114 Avon Street  
Charlottesville Va 22902

If the attachment cannot be accessed I will change its format



## O'Connell, Dannan

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**From:** Laura Hoeg <hoegln42@gmail.com>  
**Sent:** Sunday, December 4, 2022 10:06 PM  
**To:** O'Connell, Dannan  
**Cc:** Planning Commission; Creasy, Missy; Freas, James  
**Subject:** Objection to 1120 Avon

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

Dear Mr. O'Connell,

I am disheartened and disturbed by the news that a four story apartment building in addition to a duplex will be constructed two houses down from me. As a new homeowner who did my due diligence when purchasing a house, I did not expect to have two massive multi dwelling structures built next door. I am dismayed to hear that under the new zoning rules the city has accepted that this is even possible.

I have a number of concerns with this project, the first being parking. Coming from New England with stacked parking, having an excess of automobiles in a residential area with no room for parking causes stacked parking, street blockages, and decreases overall quality of life. While it is a noble goal to suggest that all residents will use the bus system it is already clear that the current single tenant is unable to function by solely using public transit. This density of housing is not considered acceptable in the University side of town which requires at least one space per unit. College students are much more likely to be without a motor vehicle and even so, the city has deemed that every unit of student housing requires a parking spot. The street parking on Altavista and the surrounding streets is already full in the evenings. This project will make parking in the neighborhood, especially for the tenants of these new buildings, extremely scarce. While I believe it is the intention of the developer that all tenants of this new structure use public transportation, I cannot imagine that this intention will match reality. The current tenants of 1120 currently park on the lawn of their property. I ask the developer where another 10-15 cars are meant to reside.

My second concern is green space. How are two structures on a lot zoned for a single family home on a small lot meant to accommodate natural beauty and greenspace? The height of this four story structure alone will destroy the modest skyline of the neighborhood. What little greenspace left after development will be disrupted by egress and access to each structure. If the lot is rezoned to B-2, which is what has been requested, it will require zero side setback which the current plan does not demonstrate. Belmont is a historically lower income neighborhood, which is more vulnerable to heat during the summer months due to lack of tree coverage and green space. This development will take down three trees that provide immense shade and heat buffer not only to the lot but to the entire neighborhood. As concerns over climate change are exacerbated this project will only further the impacts of rising temperature on the neighborhood and community.

One of the tenets of the city's efforts in rezoning is to create more equitable housing but there appear to be no restrictions to what the owners will be able to charge for rent when the project is finished. Even if it were a rent controlled structure the density and quality of life would make this project undesirable housing.

Perhaps the most concerning piece of this plan is its precedent. There are no houses over two stories, and an attic, in the entire neighborhood in which this four story structure and duplex are meant to be built. This new structure is not what the council had in mind when they suggested that an additional building might be built to ease housing costs. Should any part of this four story structure be built on the same residential lot as the duplex it will allow for more development on a similar scale across Charlottesville. I fear for our city's green spaces, its character, and its capitulation to an entity that does not have the community's interest at heart but seeks to extract value from our neighborhood regardless of the quality of life cost to the community.

I implore the city council, developers, city planner, and all parties with power in this situation to consider the aspects of this project when making their decision to accept this proposal.

Sincerely,  
Laura Hoeg



To whom it may concern,

I am contacting you to provide my sentiment on the rezoning and associated construction of an 8-unit, 4-story apartment building and conversion of a single-family home to a duplex at 1120 Avon. St, Charlottesville.

I have owned the adjoining property at 1114 Avon St. since 1989 and this proposal will directly impact me, my neighbors and the micro-climate of my yard. In reference to the latter, if such a massive and tall structure were to be built, it would place my, normally sunny, yard and back porch into shade by noon this time of year, early December. Gone would be a sunny afternoon outside on a winter day. Given the height of the proposed structure it will likely affect my other adjoining neighbors on Avon St. as well, when a little ray of sun is most welcome. I also have concern for the mature plantings in my yard especially those nearest the proposed structure. Notably, a pair of small leaved hollies, they just finished blooming and a black cherry tree, both of which, provide for pollinators and birds.

I also have concerns about privacy. I realize that 'expectation of privacy' has limits but, as proposed, the structure would present a sensation of the 'encroachment' of privacy. Short term rentals, i.e. airbnb, would heighten that.

Short term rentals would not mitigate the lack of housing in our city. Why the developers, plural is intended, asked for such a variance is questionable. The communications I have received from them have the mastheads of three different companies. Corporate ownership of real estate will simply acerbate the problem of, not just of rentals but of home ownership. Which takes us to basic supply and demand. Corporate ownership of housing is at an all time high robbing many of that form of generational wealth.

On street parking as an issue on Altavista is also mentioned below. To fill in a little anecdotally, on weekday afternoons, several vehicles always park at the very intersection of the building project to wait for their children's school bus.

There are other reasons I oppose this proposal and they are, after reading them thoroughly, listed below.

Most Sincerely.

Rafael Rubio

## **Overall summary of proposal which includes new construction, rezoning and associated variances.**

This proposal requests conversion of a single-family home to a duplex and the new construction of an 8-unit apartment building in the existing backyard. The duplex conversion is not a major issue, but it is concerning that this project has proceeded without the benefit of zone change. The text below refers to the new construction that seeks to construct an 8-unit apartment building in the backyard of this small lot.

## **Why Not Wait for New Land Use Implementation?**

Why ask for rezoning to a zoning district that does not exist in the new Comprehensive Land Use Plan? Why rush both rezoning and multiple variances in advance of the Comp Plan implementation? It would be judicious for the Planning Commission to reject these requests until the new zoning regulations are in place. There should be gradual and thoughtful transition to fulfilling new zoning objectives. This plan is neither gradual nor thoughtful.

In addition, the requested B-2 Designation provides for limited commercial use.

*B-2: The B-2 business district is established to provide for commercial uses of limited size, primarily serving neighborhood needs for convenience goods. The intent of the B-2 regulations is to encourage clustering of these neighborhood-serving commercial uses.*

The proposed project is residential, not commercial. The developer asks for rezoning to B-2 but promises to “prohibit many of the commercial uses that would otherwise be allowed in the B-2 zoning district.” This request is illogical and inappropriate.

## **Questionable Zoning & Variance Requests**

The property at 1120 Avon St is currently zoned R-1s, single residence with a small lot. The recently adopted Comprehensive Plan changes that zoning to Medium Density, which has yet to be defined.

B-2 zoning reduces street side setback from 20 ft to 0 ft, extends acceptable height to 45 ft from 35 ft, reduces rear yard setback from 25 to 20 ft, and allows developable density of 68 units per acre. These changes are astonishing in a neighborhood that is currently R-1s.



In addition to these changes, the developer requests multiple further deviations from code. One of these variances is for parking spaces; the other is to reduce minimum interior setback in B-2 from 8-10 ft to 3 ft.

### **Alarming Density**

The developer requests a zoning change from R-1s to B-2 to achieve “additional developable density.” This density is listed as 68 units per acre but is actually 108 units per acre.

The lot size at 1120 Avon is .148 acre. In the plan, the 8-unit apartment building is often referenced as being built on ‘the rear half’ of the lot. Since the original 2-story home will remain on the front half, it is reasonable to say that the 8-unit apartment building will occupy 0.074 acres (half of 0.148). This comes to a density of 108 units per acre.

### **Disproportionate Massing and Scale**

*Medium Density Form: Compatible with existing residential and historic neighborhood context. House-sized infill to include structures with similar building height, building width, and side and front yard setbacks as surrounding residential structures.*

The proposed 4-story apartment building (3.5 and 4 stories are mentioned in the plans) on one-half of a small lot in a neighborhood of one and two-story homes overwhelms its surroundings. The very tallest homes in the immediate neighborhood are 2-story plus attic, with 8-or 9-foot ceilings, max height 35 ft.

The narrative claims that “the proposed rear yard multifamily building is intended to be built with 8-foot ceilings, allowing for similar massing when compared with a 2-story single-family detached home.” Instead, the planned construction will likely be at least 10 ft (28%) higher than the tallest surrounding 2-story homes and more than double the height of 1-story homes. If the lot is rezoned B-2 there is nothing to restrict the apartment building from being 45 ft.

The proposal asserts that the footprint of the proposed apartment building is in line with other homes in the neighborhood. My investigation suggests that the average footprint of homes on the west 1100 block of Avon and north 700 block of Altavista is approximately 883 square feet or 25% smaller than the proposal.

If this proposal is built as planned, the land coverage envisioned for the duplex and apartment building together will more than double land coverage. This is neither harmonious nor proportional.

### **Commercial hotel use (Airbnb) is requested for 50% of units**

***The new Comp Plan states it will:*** consider ways to mitigate the impact of short-term rentals on housing availability and affordability.

The developer has requested an exemption to Charlottesville's short-term rental laws for hotel/motel uses for 4 units. Short-term rentals generate noise, congestion, and complaints from neighbors and will cause considerable inconvenience for the neighboring residents with such high density. Short-term rentals also directly reduce the number of affordable units available to residents of Charlottesville.

### **Fire Code Violation?**

The distance between the proposed structure and the back of the current duplex looks to be 3 ft, which presents a fire hazard. Fire code requires homes to be 8 ft apart. This also presents accessibility challenges.

### **Setbacks exceptions would build to the limit of the property**

***Comp Plan:*** *Incentivize design principles that enhance community livability, such as set building setbacks appropriate to the site to create a more pedestrian friendly streetscape..."*

The project as submitted requests a variance for a 3 ft side setback from the interior residential lot, although interior side yard setback in R-1s is minimum of 5 ft. and interior side yard setback in B-2 zoning is a minimum of 10 feet.

**Code Sec 34-457(b)(2):** *for property adjoining a residential district or use, there shall be a side yard of one ft for every two feet of building height of the tallest building on the lot, minimum of ten ft.*

The project as submitted **requests 0 ft setback from Altavista Ave**, which is consistent only with B-2 zoning. Current setback requirement in R-1s for side yard, corner, side street **is 20 ft minimum.**

B-2 zoning would also reduce the rear yard requirement from 25 ft in R-1s to 20 ft in B-2, leaving space only for the plan's on-site parking.



This developer wants the best of both worlds – B-2 zoning on one side of the property and variance from B-2 zoning with R-1s justification on the other side.

### **Inadequate On-site Parking**

**Comp Plan Strategy:** *Manage parking to prevent consistent disruptive on-street parking spillover into residential areas.*

All zoning requires one on-site parking space for each unit on the lot, i.e. ten on-site parking spaces for this proposal. Only four on-site parking spaces are included in the plan, necessitating a substantial parking variance. The developer claims reduction of two on-site parking spaces because the proposed apartment is less than 300 feet from a bus stop. If the distance is 301 feet from the bus stop, a reduction of only one parking space is allowed.

**Code Sec 34-984:** *Where a use is located within three hundred one (301) to six hundred (600) feet of a bus stop on an existing city bus route, a similar reduction of spaces shall be granted, in an amount equal to one-half ( $\frac{1}{2}$ ) of the number(s) specified in clauses (i) and (ii), above.*

This reduction of two on-site parking spaces is based the developer's google map measurement with subjective start and end points and the thinnest of margins. **Actual on-the-ground measurement puts the distance between 1120 Avon and the bus stop at 330 ft.** Using an accurate measurement dictates reduction of only one on-site parking space from the required ten, leaving **nine required on-site spaces.**

Because no parking is allowed on Avon St, overflow street parking will occur exclusively on Altavista Ave. According to Data USA from 2020, the average car ownership in Charlottesville, VA is two cars per household. Using that statistic, we can anticipate twenty vehicles associated with the ten proposed family units, 16 of which will overflow into on-street parking already in use by residents of Altavista.

Narrow street design is defined as streets with less than 46 feet of total right-of-way and no more than 28 feet of pavement width between curbs. Altavista Ave is a total of 40 ft wide where it intersects with Avon St and narrows quickly to 37-38 feet wide. Parking on each side of the street requires 8 ft, leaving 20-21 ft width for travel. 24 ft width is minimally acceptable for 2-lane traffic. Altavista is not suited for an influx of on-street parking, especially when parking setback requirements from the Avon St intersection are considered.

## **Heightened Congestion**

Avon St is very active. The congestion caused by 15-20 more vehicles using Altavista Avenue for parking would make ingress and egress onto Avon St difficult. Residents on the west 1100 block of Avon St use the alley from Altavista Ave as access to their homes. Increased use by ten times (as quoted in the plan) will create a bottleneck at the narrow entrance to the alley that opens into both the parking for the proposed project and driveways in use by current residents. Construction phase of the plan will likely block the alley entrance entirely.

## **Decreased Tree Canopy, Green Space & Lack of Landscaping**

**Comp Plan Strategy:** *Incorporate requirements for green space where possible. Expand requirements for tree canopy protection and, where necessary, replacement.*

**Comp Plan sub-strategy:** *“Incentivize or require design principles that enhance community livability, such as reduction in impermeable surfaces.”*

The developer says that “some portion of the property will be converted from lawn space to buildable area.” virtually all lawn space will be converted to either buildable area or parking area. There will be no lawn. The project will substantially increase impermeable surfaces.

The project will eliminate two mature trees that currently provide shade and beauty for the neighborhood and pedestrians. They have been poorly pruned but are not dead or dying. The assertion that the trees must be pruned every six months is false; many utility companies prune every 5-6 years. Treatment for Emerald Ash Borer is typically 85-95% effective. Neither of the mature trees would require removal if not for the proposed development. The current plan suggests trees may be planted, not an assurance.

There is no landscaping, shrubbery, or screening of any kind which would normally be present to serve as a visual barrier, or to filter out dust and noise between the building, the sidewalk, and the street or between the apartment building and its neighbor.

## **Lack of Amenities and Comfort**

**Comp Plan Guiding Principle:** *All people will be able to thrive in Charlottesville.*

If the footprint of the apartment building is 1166 square feet with four stories, the total square footage available for living space is less than 4664. Assuming eight



proposed units, each apartment will be approximately 530 square feet. Plans anticipate eight families in this space.

Ease in every-day living would recommend amenities suggested in current zoning in some R-3 (a medium-density residential area, multifamily use encouraged) zoning districts. These amenities include: laundry facilities, storage facilities other than that within the dwelling units, and recreational space for both adults and children outside of the apartment. In addition, bicycle storage facilities are suggested for multi-family dwelling structures with five or more units.

Although bicycle storage is mentioned briefly in the narrative, I do not see plans or space for quality-of-life amenities in the proposed apartment building. Low- and moderate-income families deserve the same amenities expected by those with better financial abilities. All housing, especially new housing construction, should provide on-site parking, green space, a bit of lawn, opportunity for quiet, and room to move. When the city advocates for affordable housing, amenities to provide for welfare, comfort, and well-being should be included in such housing.

Because proposed housing units are small and lack quality-of-life amenities, tenants will likely be of transient nature, further changing the quality of the neighborhood from one where occupants know and support each other to one where residents remain anonymous.

### **Limited Affordable Housing**

If all eight units are approved, only two affordable units are required. If eight or fewer are approved, only one affordable unit will be mandated. This project is not about providing affordable housing, although the project will certainly take advantage of low-interest loans and grant opportunities in the city's efforts to increase affordable housing.

### **Walkability & Visibility**

**Comp Plan Sub-Strategy:** *Incentivize sidewalk improvements and connectivity enhancements (e.g., alleys), and ensure that public pathways around, through, and to developments will not be impeded*

We support extending the existing sidewalk down Altavista Ave. However, the 0 ft setback associated with proposed B-2 zoning change would allow walkers to look directly into the lower units. Street, sidewalk noise and pedestrians will be a constant distraction to tenants. The ground floor of this construction as designed

is appropriate for business use where such traffic would be suitable, not dwellings.

### **Abrupt Infill**

***Comp Plan Objective for Residential Areas:*** Encourage incremental 'house-sized,' contextual infill within existing residential neighborhoods.

Building this large structure on a small lot to provide housing for TEN times the current occupancy does not demonstrate 'incremental house-sized contextual infill' designed to mitigate impacts on the neighborhood. On the contrary, the building will be an unrelated and significant piece of architecture obstructing views, casting shadows, and generally dominating its neighboring homes.

### **Gains vs. Losses**

What does the city gain by granting this incompatible proposal requiring rezoning plus multiple variances? One, possibly two small, affordable housing units.

What does the city lose by approving the proposal? A neighborhood of permanent residents with adequate green space and shade, workable traffic patterns, reasonable parking options, and appropriate density and coverage based on lot size.

The benefits of Rezoning and SUP appear primarily to the advantage of the developer, not the residents or community.

### **Streets That Work Plan**

Although this portion of the proposal appears relatively insignificant, I would like to correct the developer's assertion that Avon St is 50 ft wide. On- the-ground measurement puts it at 37 ft.

### **Summary**

This proposal assumes too much, takes too many liberties, diverges too far from code, and moves too hurriedly. Following the new Comp Plan, transition from Single Residential to Medium Density, much less B-2 zoning in the current plan, will be best accomplished by a thoughtful process involving careful, deliberate infill with the least disruption to the current Belmont neighborhood. The city bears responsibility for the welfare and interests of all residents, including neighbors of the proposed apartment building who are, quite honestly, shocked at the thought of this new construction.



It is also the city's obligation to protect the atmosphere, quality, and character of its neighborhoods. Dropping a four-story apartment building into the back yard of a small, narrow lot does not enhance the community and is not in keeping with the of precepts of 'soft city,' which would suggest thoughtful design and livable spaces. The design in this space looks and feels cramped, crammed, and crowded.

Permitting this project will encourage other property owners to request variances and build without consideration for livable communities, green space, or comfortable housing. The new city zoning will be a bonanza for developers willing to push zoning regulations to their limits and beyond in search of profit.

### **Equitable and Affordable Housing**

The city's Guiding Principle for affordable and equitable housing is admirable: *"All Charlottesville residents...will have equitable and expanded access to safe and affordable housing options, desirable jobs and wealth building opportunities, healthy and local foods, robust parks and natural resources, high-quality education and training, and other infrastructure and services that support a high quality of life."*

In attempting to provide expanded access to safe and affordable housing, the city should insist on building projects where density has a human dimension. Where housing options nurture the pleasures of ordinary life. Simply increasing density is not enough. The city of Charlottesville must consider the organization and layout of the built environment, a diversity of building types, and thoughtful design to ensure a sustainable urban environment and society.

This job of providing quality-of-life housing options to the residents of Charlottesville will not be easy. In instances where neighborhoods are transitioning from R-1s to Medium Density, new housing options will need to be seen as contributing to the quality of the community, not degrading it.

Proposals such as the one for 1120 Avon St. do not meet the needs for good quality affordable housing and do not meet the needs of the surrounding neighbors who are also seeking a livable, walkable, green, friendly, and harmonious community. Both the new and old residents deserve construction designed to fit the space, accommodate the residents, and beautify the surroundings. The proposal for 1120 Avon does none of those things.

I hope that when considering this project, the Planning Board will seek to encourage developments of higher quality than required by the zoning regulations, not developments of lower quality. I hope that the Planning Board will encourage open green spaces, innovative designs, and cohesive projects harmonious with the character of neighboring properties.

Thank you for your consideration.



## O'Connell, Dannan

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**From:** BARRY FORTE <mxbarry@comcast.net>  
**Sent:** Thursday, December 8, 2022 11:09 PM  
**To:** O'Connell, Dannan; Freas, James  
**Subject:** 1120 Avon Street

**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.

Mr. O'Connell and Mr. Freas,

In a previous letter to you dated November 19, 2022, I expressed concern about the proximity of Dominion Energy's power lines and recloser device to the apartment building being proposed for the rear of 1120 Avon Street. I had sent an email to Dominion several weeks prior to that asking for information about their required clearance or right-of-way of high voltage power lines from such a building but as of this date, have never got a response.

Apparently, Dominion Energy was somehow notified about the project because earlier this week, I happened to notice some Dominion Energy contract workers examining the property, and they mentioned that the required right-of-way was 15 feet from the "recloser" device on the pole adjacent to the rear of the property. The 15 foot clearance requirement area extends out horizontally from the recloser, drops perpendicular to the ground from that point, and includes all the area under that point. In re-examining the site plans for 1120 Avon Street, I don't see how this project could be allowed to proceed since the front of the structure appears to violate that clearance requirement.

Given this information and the additional concerns from others relating to this ill-advised project, I would certainly hope that approval for the project would be denied.

Regards,

Barry N. Forte  
711 Altavista Avenue  
Charlottesville, VA 22902

## O'Connell, Dannan

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**From:** Anne Lawson <anniellawson@gmail.com>  
**Sent:** Wednesday, January 4, 2023 3:44 PM  
**To:** O'Connell, Dannan; Freas, James; Creasy, Missy; Planning Commission  
**Subject:** Altavista-1120 Avon

**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.

January 3, 2023

Dear Dannan O'Connell and Members of the Planning Commission,

I am writing to encourage discussion of another potential obstacle to the proposed development at Altavista-1120 Avon. Overhead electrical distribution lines are present on Altavista Ave adjacent to the proposed apartment building.

The following is taken from Dominion Energy Virginia Guidelines for Use of Real Estate Encumbered by Electric Transmission Rights of Way and has been abridged for brevity:

“If electric facilities are located on the property, it is highly likely that Dominion Energy Virginia has Easement rights across the property. Most Easement documents specifically prohibit any buildings or structures in the Right of Way. Before a landowner constructs any improvements on an Easement, the property owner must request permission from the Company. The Company will then review the pertinent documents as well as operational and legal requirements. **The issuance of building or zoning permits by a local government does not serve as a Consent Agreement.**”

All uses within an Easement must comply with National Electrical Safety Code (NESC). The NESC specifies minimum horizontal and vertical clearance requirements for overhead lines. These clearance requirements are mandatory. In addition, the Company abides by its own clearance criteria, which set of standards is stricter than the NESC.”

NESC horizontal clearance requirement for electrical distribution lines adjacent to buildings is 7.5 ft (2019). According to Dominion Energy Guidelines, “Right of Way width for Distribution Power lines: 30 to 50 ft.” These “strict guidelines are in place for the safety of the public as well as Dominion Energy workers.”

Development plans for zero setback for the apartment building at Altavista-Avon may be in violation of NESC mandatory horizontal clearance guidelines as well as those of Dominion Energy Virginia. Has the issue of Electric Distribution Right of Way been addressed in the planning process? I close with these quotes from Dominion Energy

“The following types of Encroachments will generally be denied by the Rights of Way Management of the Company: Building, building extensions, additions, or any portion of a building. By way of example and not limitation, the following items generally will not be approved: homes, offices, garages, barns, sheds, roof overhangs, gutters, balconies, decks, porches, and covered patios.”



I look forward to a response from the Planning Commission regarding the prospective encroachment issue affecting proposed plans for development at Altavista-Avon.

Thank you for your ongoing efforts to ensure that development in the city and in the Belmont neighborhood remains appropriate, reasonable, and in accordance with current clearly defined standards.

Sincerely,

Annie Lawson

Please include this question in the packet provided for City Council consideration.

## OConnell, Dannan

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**From:** Creasy, Missy  
**Sent:** Monday, March 6, 2023 11:09 AM  
**To:** OConnell, Dannan  
**Subject:** FW: Proposed Rezoning at 1120 Avon

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**From:** Anne Lawson <anniellawson@gmail.com>  
**Sent:** Sunday, March 5, 2023 10:15 AM  
**To:** Snook, Lloyd <lsnook@charlottesville.gov>; Wade, Juandiego <wadej@charlottesville.gov>;  
lpuryear@charlottesville.gov; Pinkston, Brian <pinkstonb@charlottesville.gov>; Payne, Michael  
<mpayne@charlottesville.gov>; Planning Commission <PlanningCommission@charlottesville.gov>; Creasy, Missy  
<CreasyM@charlottesville.gov>; Freas, James <freasj@charlottesville.gov>  
**Subject:** Proposed Rezoning at 1120 Avon

**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.

### Charlottesville: A Great Place to Live for All of Our Citizens Ten Good Reasons NOT to Rezone 1120 Avon from Residential to Business

- 1) The city is seeking to increase housing opportunities. Rezoning to business in order to provide more housing does not make sense and is not the best way to accomplish this goal.
- 2) **Council Vision: Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities.** The entire block of 1100 Avon consists of residences of all sizes and income levels. There are no businesses on the block and nothing to suggest rezoning is either appropriate or necessary.
- 3) The block adjacent to 1120 Avon contains one business, Brown's, half a block away, and a small sign shop located in a residence. This adjacent block is not a bustling business district.
- 4) There is no neighborhood support for rezoning. Neighborhood response to plunking an 8-unit apartment building down in the backyard of a single residence small lot was disbelief followed by indignation. 85 people in the Belmont neighborhood signed the petition opposing the rezoning and inappropriate development in person. Over 100 more signed the petition online.
- 5) Rezoning to business would allow zero setback from Altavista Ave for the proposed 8-unit building. Even the new, less Restrictive R-C zoning proposed for the lot does not allow zero setback. We know that zero setback zoning is harmful to tree canopy, and tree canopy is shrinking in Charlottesville. **Council Vision: Charlottesville citizens live in a community with a vibrant urban forest and tree-lined streets.**



6) Rezoning to business would allow up to four Airbnb's on the property. The Airbnb Effect, or rise in homes devoted to Airbnb use, has raised housing prices in almost all major cities and contributed to significant housing shortages, especially affordable housing.

7) The request for rezoning asks for 3 ½ stories. New proposed draft zoning for 1120 Avon, R-C, would allow 3 stories. The request for rezoning asks for ten living units on the property - two in the converted single residence and 8 in the new construction. New draft zoning, R-C, would limit total living units to 8.

8) The developer asserts that her proposal is essential to provide more affordable housing to the city. One unit of affordable housing is not a significant offer and will not even offset the two Airbnb's proposed for the duplex created from the single residence.

9) The developer asserts that more families will now be able to live in these 1 and 2 bedroom apartments. The proposed living units are a little over 500 sq ft. Standard rooms at the Holiday Inn Express in C-Ville are 350 sq ft. A king suite there with seating area and microwave, no kitchen, is 500 sq ft. Average size for a 1 bedroom apartment in Charlottesville on Zillow at the end of February was 730 sq ft. Only 2 apartments on offer were 500 ft; one was advertised as a studio. The proposed living units are more suitably large hotel rooms.

10) Let's say that the developer's request for rezoning to B-2 business is permitted. Then the new draft zoning is implemented. Will the lot revert to residential use, or what is far more likely, will it follow adjacent B-2 zoning and transition to CX-3, Corridor Mixed Use?

**Final statement from the developer's proffer: "Any future changes to the City of Charlottesville Zoning Ordinance that allow commercial uses on the property shall supercede the restriction of uses outlined above."**

Corridor Mixed Use is "intended to accommodate a variety of residential, retail, service and commercial uses." Hospitality is considered a service industry. As a result, under CX-3 this developer could easily be zoned for 2 Airbnb's and an 8 unit hotel/inn at 1120 Avon.

Please consider both current and future impacts to housing by turning down the request for rezoning at 1120 Avon. Thank you.

Anne Lawson

## OConnell, Dannan

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**From:** Shannon Hauschild Sahs <shannonhauschild@gmail.com>  
**Sent:** Sunday, December 4, 2022 9:24 PM  
**To:** Creasy, Missy; Freas, James; OConnell, Dannan; Planning Commission  
**Subject:** Reject Commercial Proposal of Altavista and Avon

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

Hello,

My name is Shannon Sahs and I am a Charlottesville resident. I am reaching out regarding the proposal to rezone the residential area at the intersection of Altavista and Avon Ave for commercial use. It is my understanding that a developer is requesting special use permits and exceptions to current zoning and parking laws to build a 4-story/ 8 unit building.

I am in opposition of this rezoning application for the following reasons:

- 4 of the 8 units are designated as short term rental units. In the midst of the Charlottesville housing crisis, the development of affordable housing units should be prioritized over Air BnB/short term rental units.
- There is an existing parking issue on Altavista Ave due to lack of space and driveways. The increase in 8+ vehicles and reduction of existing parking spaces would create traffic and safety issues (there are no sidewalks on Altavista and it is already unsafe for pedestrians).
- There are vacant lots within a few blocks of the location which have already been designated as commercial zones. These existing commercial locations should be developed prior to rezoning this location and encroaching on the neighboring properties' homes.

Although I oppose this specific rezoning proposal, I would support the development of an affordable housing unit in the proposed location. Our city is in dire need of additional affordable housing and the residents of Altavista Ave would welcome development if it would benefit low-income residents who have been suffering due to the housing crisis.

Thank you for your time and attention.

All the best,

Shannon Sahs  
(804) 363-4275  
[ShannonSahs@gmail.com](mailto:ShannonSahs@gmail.com)  
913 Altavista Ave  
Charlottesville, VA 22902

**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: SP22-00009**  
**DATE OF HEARING: March 14, 2023**

**Project Planner:** Dannan O’Connell

**Date of Staff Report:** March 6, 2023

**Applicant:** Nicole Scro (Chicken Oriented Development, LLC)

**Current Property Owner:** Nicole and Stephanie Scro

**Application Information**

**Property Street Address:** 1120 Avon Street

**Tax Map & Parcel/Tax Status:** Tax Map 59-165, (real estate taxes paid current - Sec. 34-10)

**Total Square Footage/ Acreage Site: Approx.** 0.15 acres (6,450 square feet)

**Comprehensive Plan (Future Land Use Map):** Medium Intensity Residential

**Current Zoning Classification:** R-1S (Single Family Residential)

**Proposed Zoning Classification:** B-2 (Business) with proffers

**Overlay District:** Entrance Corridor Overlay District

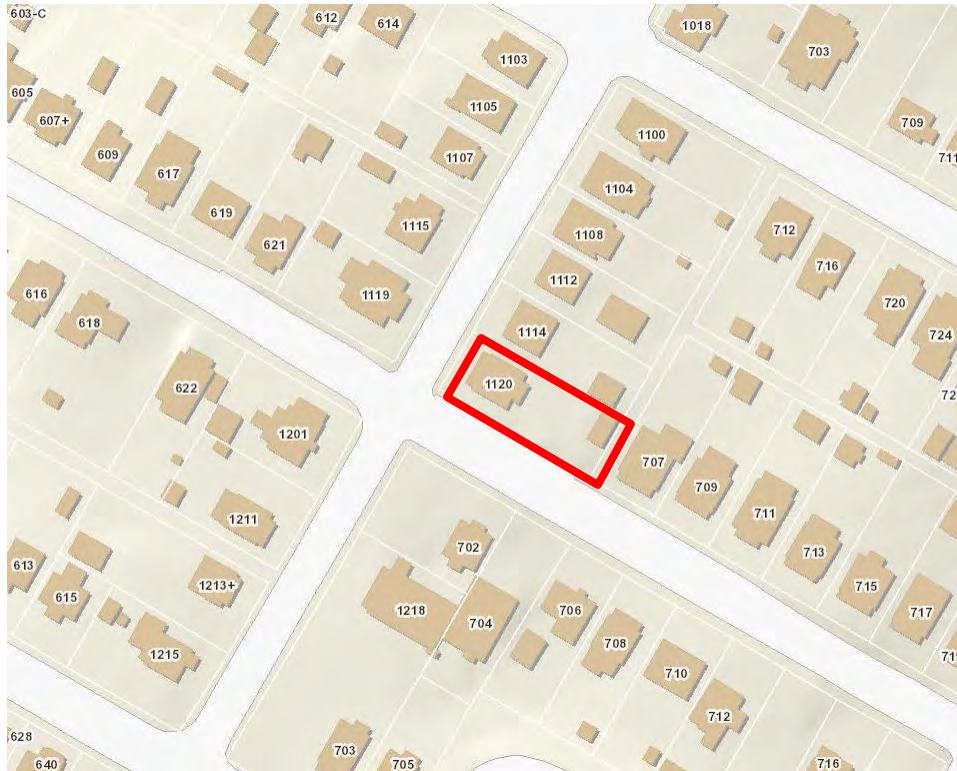
**Applicant’s Request (Summary)**

Nicole Scro (Landowner), manager of Chicken Oriented Development, LLC (Applicant) is requesting a Special Use Permit (SUP) pursuant to City Code Sec. 34-158 to allow for increased residential density on the Subject Property. The Subject Property is currently developed with one single-family house. The Applicant wishes to renovate the existing house into a two-family duplex and construct an eight-unit apartment building in the rear yard.

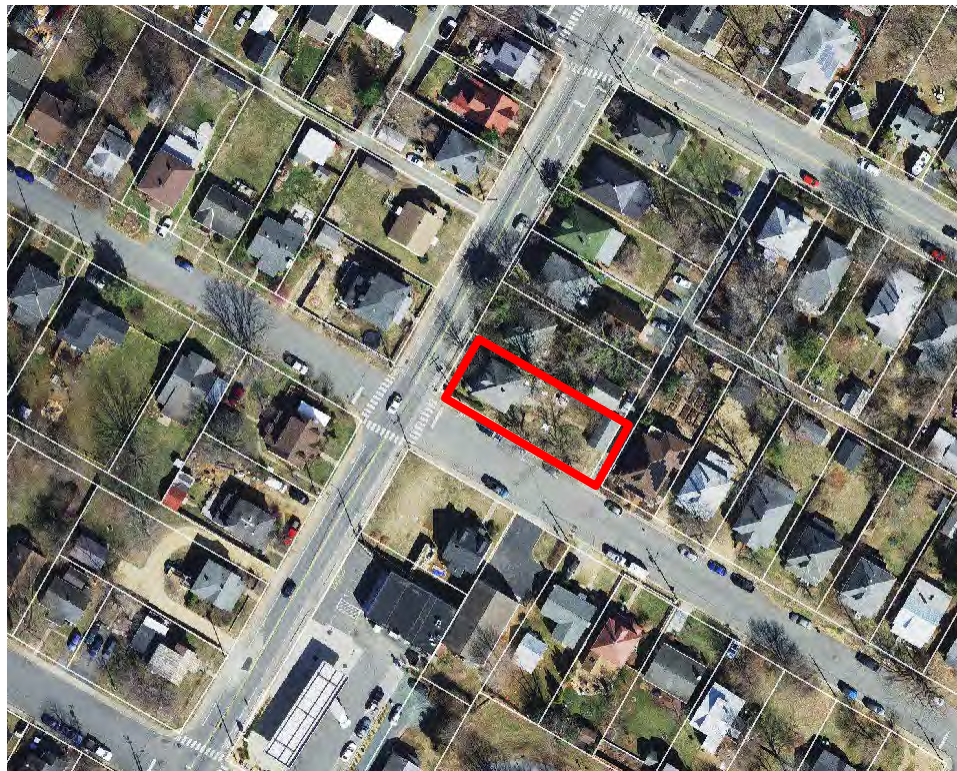
The Subject Property is currently zoned R-1S. The applicant is requesting a rezoning of the property to B-2 (Business) with proffers concurrently with this SUP. Under the B-2 zoning classification, three (3) dwelling units could be developed by right on this site (21 Dwelling Units per Acre), per Sec. 34-480 (Commercial Districts – Use Matrix). Higher residential density up to 87 dwelling units per acre (DUA) is permitted with a Special Use Permit. The additional nine (9) dwelling units would increase the DUA to 68.



**Vicinity Map**



**Context Map 1**



**Context Map 2- Zoning Classifications**



**KEY - Yellow: R-1S, Red: B-2**

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



**KEY: Brown: Medium Intensity Residential, Yellow: General Residential, Pink: Neighborhood Mixed Use Corridor, Green: Park or Open Space**



**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 Residences	R-1S
South	Commercial Retail, Gas Station	B-2
East	Single-Family Residences	R-1S
West	Single-Family Residences	R-1S

The buildings immediately surrounding the subject property are mostly one (1) to two (2) story buildings, primarily functioning as single-family homes or retail businesses. The block of commercial properties to the south contains a gas station, convenience store, and commercial sign retailer.

*Staff Analysis:* The proposed use of the property depicted in the application materials significantly intensifies the existing residential use, from a single-family home to a two-family duplex plus an eight-unit multi-family apartment building. The surrounding area is a mix of single family detached dwelling units and low-intensity commercial services. The proposed use is not harmonious with the existing patterns of use within the neighborhood, although it is consistent with the 2021 Comprehensive Plan’s goal of providing additional, higher density housing in this area.



**(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. Land Use, Urban Form, Historic and Cultural Preservation**

- i. **Goal 2 – Future Land Use Vision:** Guide implementation of the Future Land Use vision contained in this Comprehensive Plan, including support for existing neighborhoods and preventing displacement.
- ii. **Goal 3 – Balancing Preservation with Change:** Protect and enhance the existing distinct identities of the city’s neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community.

**b. Housing**

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

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

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

- i. **Goal 1 – Zoning Ordinance:** With the community, create a new zoning ordinance to reinforce and implement the vision for Charlottesville’s future as articulated in the Comprehensive Plan, Affordable Housing Plan, Small Area Plans, Vision Plans, and the Standards and Design Manual.

Comprehensive Plan:

The 2021 Comprehensive Plan’s Future Land Use Map designates 1120 Avon Street as Medium Intensity Residential. Medium Intensity Residential is described as allowing small, “house-sized” residential buildings with up to twelve (12) dwelling units, as well as accessory dwelling units (ADUs), cottage courts, and townhouses. This house-sized infill should include structures with similar building height, building width, and side and front yard setbacks as the surrounding residential structures. The intent of this designation is to provide opportunities for development, including affordable housing units, along transit corridors, close to public amenities, and in areas that are traditionally less affordable.

The proposed development does conform to the categories identified in the 2021 Future Land Use Map. A multi-family building containing eight residential apartments is proposed

to be constructed to the rear of the existing single-family home. The existing home may be converted into a two-unit residential duplex. The proposed four-story multi-family building does not exceed the four-story height limit noted for Medium Intensity Residential.

Streets That Work Plan:

The Subject Property has frontage on Avon Street and Altavista Avenue. Avon Street is designated a “Neighborhood A” street in the 2016 Streets That Work Plan and is currently developed as a two-way street with one travel lane and one dedicated (un-separated) bike lane in each direction. No changes are suggested to the Avon Street right-of-way as part of this rezoning.

Altavista Avenue is designated a “Local Street” in the Streets That Work Plan. Local streets have no defined typology, given the diversity of size and condition of rights-of-way within this category. Altavista Avenue is currently developed as a two-lane unstriped roadway with a width of sixty (60) feet. The applicant is proposing to utilize the Subject Property’s frontage on Altavista Avenue for off-street parking. Given site constraints, notably the property’s proximity to an intersection and an on-site fire hydrant, approximately 100 feet of Altavista Avenue’s frontage could be utilized for on-street parking.

Bicycle and Pedestrian Master Plan:

The Subject Property’s frontage on Avon Street is developed with sidewalk and an un-separated dedicated bike lane. There is currently no bike infrastructure along Altavista Avenue, and only a small portion of the southern side (opposite the Subject Property) has curb and sidewalk installed. A City bus stop (CAT Routes 2 & 3) is located on Avon Street, approximately 320 feet south of the Subject Property.

The applicant is proposing to install sidewalk along the Subject Property’s frontage with Altavista Avenue as part of a future development, although no road pedestrian improvements are currently proffered. Sidewalk improvements along this road may be required prior to site plan approval per Sec. 34-897(d), or prior to subdivision per Sec. 29-182(j)(3).

**(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.

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

The Subject Property currently has no off-street parking spaces. City Code Sec. 34-984 requires one off-street parking space per single-family or two-family dwelling, and one off-street parking space per one or two-bedroom residential dwelling unit. The applicant is proposing to construct eight (8) one or two-bedroom apartments and convert the existing single-family home into a two-family duplex. Therefore, nine (9) off-street parking spaces will be required to accommodate the development.

The applicant is requesting a modification of parking requirements per Sec. 34-162(a), reducing the required total off off-street spaces from nine (9) to four (4). The applicant is proposing to construct four (4) off-street parking spaces at the rear of the Subject Property, accessible from a rear alley intersecting Altavista Avenue. Their justifications for this reduction are on pages 11-13 of their application narrative (Rezoning Attachment B). As noted previously, the Subject Property is near bike lanes and City bus lines on Avon Street. Approximately 100 feet of the Subject Property's frontage on Altavista Avenue may also be used for on-street parking, accommodating approximately five (5) standard-length parallel parking spaces.

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 residential 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 multifamily residential units are not expected to generate significantly more noise or light than the existing single-family residential use.

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

The existing single-family dwelling is currently occupied by the applicant's family. The proposed renovations would not displace existing businesses and would add several new dwelling units to the property.

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

The Subject Property is currently being utilized as a residential dwelling. A four-unit hotel use is being considered by the applicant within the existing single-family dwelling.



No other commercial uses will be allowed by-right per the applicant's draft proffer statement.

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

The proposed development is expected to require additional utility connections to accommodate the new residential units as well as fire sprinklers as required by the Virginia Building Code. A preliminary review of the proposal indicates the City's existing water and sewer facilities are likely to be adequate to serve the proposed development.

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

The existing single-family home is not currently being utilized as an affordable housing unit. The proposed development on the Subject Property has a Floor Area Ratio (FAR) of 0.98, therefore affordable units are not required as per Sec. 34-12. However, the applicant is proposing to proffer one (1) apartment unit as an affordable dwelling unit (ADU) as part of their rezoning request.

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

As this housing is open to all, there is a possibility that families with children could take residence within the proposed new dwelling units. Therefore, some impact could be created on school population and facilities.

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

The subject property is located within an Entrance Corridor Overlay District. The existing single-family dwelling is exempt from Entrance Corridor review per Sec. 34-309(a) and will be retained and refurbished into a residential duplex as part of this development.

**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, etc.) and general planned uses.

**j) Massing and scale of project**

The applicant has provided a conceptual site plan (Rezoning Attachment E), massing and height diagrams (Rezoning Attachments B and E) and a shadow study (Rezoning Attachment F) as part of their request. The applicant is also proposing to proffer a height limit of 40 feet for the Subject Property, which is more restrictive than the 45-foot height limit currently allowed by-right in the B-2 district. The overall height and footprint of the proposed multi-family building is in character with the surrounding neighborhood. The scale and number of stories is not harmonious with the surrounding neighborhood, which consists mostly of one- and two-story single-family homes. However, the increased residential intensity does conform with the 2021 Comprehensive Plan's objectives of increasing density and diversity of housing types within this area.

**(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 Subject Property is currently zoned R-1S; however, the applicant has submitted a rezoning request to B-2 (Business) concurrent to this Special Use Permit request. The SUP is intended to permit increased residential development as allowed in the B-2 district. The proposed development is therefore evaluated based on the regulations of the B-2 zoning district, with the expectation that the SUP will not be pursued if the rezoning is not approved.

*The description for B-2 states the district is established to provide for commercial uses of limited size, primarily serving neighborhood needs for convenience goods. The intent of the B-2 regulations is to encourage clustering of these neighborhood-serving commercial uses. The uses permitted within this district are those which will generate minimal traffic originating outside the neighborhood areas served, and that will generate minimal noise, odors and fumes, smoke, fire or explosion hazards, lighting glare, heat or vibration. (Sec. 34-440(b)).*

The B-2 zone allows for single-family, two-family, and multi-family residential development by-right. Multi-family residential development up to 21 DUA is permitted by right; further multi-family residential density up to 87 DUA is allowable by Special Use Permit.

The Subject Property is currently developed with a single-family residence, which is allowed by right (Sec. 34-458). The applicant proposes to convert the existing residence into a two-family duplex and construct a new four-story eight-unit multi-family building on the lot, increasing the DUA to 68. The applicant has proposed proffers (Rezoning Attachment C)

which will eliminate all permitted commercial uses for the Subject Property, excepting potential hotel uses which will be limited to the existing single-family dwelling.

Staff believes this high residential density is not in keeping with the historical use of the B-2 district to allow neighborhood-scale commercial uses. However, it is in line with the objectives of the 2021 Comprehensive Plan to increase residential density and expand housing types within the Avon Street corridor.

**(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**

The proposed multi-family building would not meet required minimum side yard setbacks for the B-2 district. The applicant is therefore requesting a modification of yard requirements per Sec. 34-162(a), to the following values:

Yard	B-2 By-right Setback	Proposed Setbacks
Required Front Yard	20 feet	<i>0 feet</i>
Required Side Yard	20 feet	<i>3 feet</i>
Required Street Side Yard	None required	<i>0 feet</i>
Required Rear Yard	20 feet	<i>3 feet</i>

Note that the required side and rear yard setbacks only apply to portions of the lot adjoining residential districts, per Sec. 34-457(b)(2) and (3). No side yard setback is required for the Subject Property’s current frontage along Altavista Avenue.

The applicant’s justifications for these setback modifications are on pages 19-23 of their application narrative (Rezoning Attachment B). The specific setback ranges, and the inclusion of a street side setback, are to accommodate the proposed development if the property is subdivided at a future date. If subdivided such that both buildings are on separate parcels, the frontage on Altavista Avenue would change from a side (street) yard to a front yard for the proposed multi-family building.

**(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 located within an Entrance Corridor Overlay District. Although the existing single-family dwelling is exempt from Entrance Corridor review per Sec. 34-309(a), the final design of the proposed multi-family building is subject to review by the Entrance Corridor Review Board (ERB).

### **Public Comments Received**

*Community Meeting Required by Z.O. Sec. 34-41(c)(2).*

On August 10, 2022 the applicant held a virtual community meeting. The applicant gave an overview of the project as it related to the need for a rezoning and Special Use Permit. Twenty-one members of the public attended the meeting and voiced the following concerns:

- The proposed apartment building is out of scale with the surrounding neighborhood.
- Inadequate parking provisions for the proposed development.
- Confusion over why commercial zoning was being pursued for a residential project.
- Concern over short-term rental uses within the proposed apartment uses.
- Proposed setback distances are inadequate.
- Concern over affordability, lack of more Affordable Dwelling Units.
- Concern over inadequate tree cover.

### *Other Comments*

As of the date of this report (May 7, 2023), staff has received the following concerns through email, phone calls or in person conversations:

- The proposed apartment building is out of scale with the surrounding neighborhood.
- Inadequate parking provisions for the proposed development.
- Concern that the proposed development is out of scale with what will be allowed under the rewritten City Zoning Ordinance.
- Concern over commercial, hotel, and short-term rental uses within the proposed apartment uses.
- Proposed setback distances are inadequate.
- Concern over affordability, lack of more Affordable Dwelling Units.
- Concern over stormwater runoff and adequate street tree cover.

All written comments received by City staff are forwarded to Planning Commission and City Council (See Rezoning Attachment H).

## **Staff Recommendation**

### **Recommended Conditions**

Staff finds that a request for higher density could be approved with the following conditions:

1. Up to 68 dwelling units per acre (DUA) are permitted on the subject property.
2. The maximum front yard setback for the subject property be set to zero (0) feet.
3. The maximum side yard setback for the subject property be set to three (3) feet.
4. The maximum street side yard setback for the subject property be set to zero (0) feet.
5. The maximum rear yard setback for the subject property be set to three (3) feet.
6. The required number of off-street parking spaces for the subject property be reduced to four (4).

### **Suggested Motions**

1. I move to recommend approval of this application for a Special Use Permit in the B-2 zone at 1120 Avon Street to permit residential development with additional density with the following listed conditions.
  - a. The six (6) conditions recommended by staff
  - b. [alternative conditions, or additional condition(s)...list here]

**OR,**

2. I move to recommend denial of this application for a Special Use Permit in the B-2 zone at 1120 Avon Street.

### **Attachments**

- A. Special Use Permit Application received August 23, 2022

*(See previous rezoning application [ZM22-00003] for the following additional attachments)*

- B. Rezoning and SUP Narrative Dated February 15, 2023
- C. Draft Proffer Statement Dated February 15, 2023
- D. Draft Declaration of Affordable Housing Covenants Dated February 15, 2023
- E. Conceptual Site Plan Dated August 1, 2022
- F. Site Shadow Study Dated August 29, 2022
- G. Office of Community Solutions Comments on Proffers Dated January 26, 2023
- H. Received Public Comments



# City of Charlottesville

## Application for Special Use Permit

Project Name: 1120 Anon Street

Address of Property: 1120 Anon Street

Tax Map and Parcel Number(s): \_\_\_\_\_

Current Zoning District Classification: R-15

Comprehensive Plan Land Use Designation: Medium Intensity Residential

Is this an amendment to an existing SUP? No

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

Applicant: Chicken Oriented Development LLC

Address: 912 East High Street Charlottesville VA 22902

Phone: 434-218-0513 Email: nsceo@gallifreyenterprises.com

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

Owner  Owner's Agent  Designer  Contract Purchaser

Owner of Record: Nicole Scro & Stephanie Scro

Address: 1120 Anon Street Charlottesville VA 22902

Phone: 434-218-0513 Email: nsceo@gallifreyenterprises.com

Reason for Special Use Permit:

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

Additional residential density: 10 units, or 68 units per acre

Authorize specific land use (identify) \_\_\_\_\_

Other purpose(s) (specify City Code section): setback/parking, see narrative

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

(1) Signature [Signature] Print Nicole Scro Date 8/23/2022

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

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

(2) Signature [Signature] Print Nicole Scro Date 8/23/2022

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

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





# City of Charlottesville

## Pre-Application Meeting Verification

Project Name: 1120 Avon Street (Rezoning/SUP)

Pre-Application Meeting Date: June 3, 2021

Applicant's Representative: Nicole Scro

Planner: Dannan O'Connell

### Other City Officials in Attendance:

Matt Alfele, Planner; Jack Dawson, City Engineer; Brennan Duncan, Traffic Engineer

Roy Nester, Utilities Engineer; Steve Walton, Assistant Fire Marshal

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

1. Architectural elevations, massing diagram and materials list (project is located within an Entrance Corridor and will require certification from the ERB for site plan approval).

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

5. \_\_\_\_\_

Planner Signature: \_\_\_\_\_

*Dannan O'Connell*

6/4/2021



# City of Charlottesville

## Application Checklist

Project Name: 1120 Aron Street

### 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 Chicken Oriented Development LLC

Signature Nicole Scafe Print Nicole Scafe Date 8/25/2022

By Its: Manager

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



# City of Charlottesville

## Community Meeting

Project Name: 1120 Aren Street

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: Chicken Oriented Development LLC

By:

Signature Nicole Scro Print Nicole Scro Date 8/23/2022

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





# City of Charlottesville

## Owner's Authorizations

(Not Required)

### Right of Entry- Property Owner Permission

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

Owner: \_\_\_\_\_ Date \_\_\_\_\_

By (sign name): \_\_\_\_\_ Print Name: \_\_\_\_\_

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

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 Nicole Suro Address 417 Mobile Lane Charlottesville VA 22903

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:** Chicken Oriented Development LLC

**By:**

Signature *Nicole Suro* Print Nicole Suro Date 8/23/2022

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



# City of Charlottesville

## Fee Schedule

Project Name: \_\_\_\_\_

Application Type	Quantity	Fee	Subtotal
Special Use Permit (Residential)	1	\$ 1,500	1,500
Special Use Permit (Mixed Use/Non-Residential)		\$ 1,800	
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
<b>TOTAL</b>			1500

### Office Use Only

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

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

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

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



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



**JOINT CITY COUNCIL AND PLANNING COMMISSION PUBLIC HEARING**  
**REQUEST FOR A ZONING TEXT AMENDMENT**  
**APPLICATION NUMBER: ZT23-01-01: PLANNED UNIT DEVELOPMENT – DEVELOPMENT SIZE**  
**FOR URBAN CORRIDOR MIXED USE DISTRICT (URB)**  
**DATE OF HEARING: March 14, 2023**

**Project Planner:** Dannan O’Connell

**Date of Staff Report:** March 6, 2023

**Applicable City Code Provisions:** Z.O. Sec. 34-41 (Amendments to the Zoning Ordinance) and Z.O. Sec. 34-492 (Planned Unit Development Districts - Configuration).

**Summary**

At their January 3, 2023 regular session, City Council moved to initiate a Zoning Text Amendment to modify the required development size for Planned Unit Development Districts (PUDs) for properties currently zoned Urban Corridor Mixed Use District (URB). Sec. 34-492 currently requires PUD sites to contain two or more acres of land. The proposed amendment would remove this acreage requirement for parcels currently zoned Urban Corridor Mixed Use District, making lots or parcels less than two acres within that district eligible for rezoning to Planned Unit Developments.

This amendment is in response to a request from Valerie Long of Williams Mullen, representing RMD Properties, LLC. RMD Properties is the current owner of 2117 Ivy Road (identified as City Tax Map-Parcel 070001200) and wishes to redevelop this property with a nine-story mixed-use apartment building. The property in question is slightly over one acre in size. The property owner and their representative are requesting this Zoning Text Amendment to enable 2117 Ivy Road to be developed as a Planned Unit Development.

**Background**

Planned Unit Development districts were first implemented in the City’s 1976 Zoning Ordinance with a three-acre minimum size requirement. This minimum acreage requirement was removed from December 2001 to July 2006, allowing PUDs to be approved with no minimum parcel size.

The current two-acre minimum for Planned Unit Developments was added to the Zoning Ordinance via a zoning text amendment in July of 2006. This change to PUDs was accompanied by two new sections (Sec. 34-165 and 34-166) introducing the Infill Development process. Infill Development allows for applicants to request higher residential densities and modify lot size, frontage, setback and dimensional requirements for sites smaller than two acres within residential zoning districts (i.e. R-1, R-1S, R-2 and R-3). Approval for infill development is granted via a Special Use Permit (SUP).

The intent of these changes was to reduce the number of PUD rezonings for small sites within the City of Charlottesville, and to encourage Infill Development as an alternative. However, according to City staff the Infill Development process has remained underutilized, with only a handful of applications for infill development SUPs received by NDS since 2006. The Infill Development process also applies solely to residential zoning districts and permits a maximum residential density of only two (2) dwelling units per acre, making it unsuitable for mixed-use or higher density projects such as the proposed redevelopment of 2117 Ivy Road.

### **Impact**

According to City GIS data, there are currently 83 parcels in the City zoned Urban Corridor (See Attachment A). Of these parcels, sixteen (16) are owned by the University of Virginia and are not subject to City zoning or development standards per Sec. 3 of the City Code. Excluding those properties, a total of 58 parcels currently zoned Urban Corridor are less than two (2) acres in size (See Attachment B). These properties, including 2117 Ivy Road, would become eligible for rezoning to Planned Unit Development with the passage of this zoning text amendment. Additional properties could become available for PUD rezoning should their boundaries change in the immediate future.

The 2021 Future Land Use Map generally calls for higher density development in Urban Corridor-zoned areas than what is currently allowed under the current Zoning Ordinance. For example, parcels along Ivy Road are designated Urban Mixed-Use Corridor, which calls for higher intensity mixed-use development of up to eight (8) stories. By contrast, Urban Corridor zoning limits development to a maximum of eighty (80) feet and a maximum residential density of sixty-four (64) dwelling units per acre with an approved Special Use Permit. This “gap” between the Future Land Use Map and the City’s current zoning could be bridged temporarily by allowing PUD rezonings for smaller parcels zoned Urban Corridor.

The City of Charlottesville is currently undertaking a rewrite of its Zoning Ordinance (Chapter 34 of the City Code). This new Zoning Ordinance is intended to strategically upzone the City of Charlottesville to meet the density and housing objectives of the Comprehensive Plan, eliminating the current “gap” between zoning and land use. The proposed draft ordinance does not include Planned Unit Development Districts; this district and the PUD rezoning process are

expected to be removed from the City Code during the rewrite process. If this Zoning Text Amendment is approved, it would only be in effect for the remaining time that the City's current Zoning Ordinance, including Sec. 34-41, remains in effect.

### **Standard of Review**

The role of the Planning Commission is and make an advisory recommendation to the City Council, as to whether or not Council should approve a proposed zoning text amendment based on the factors listed in Z.O. Sec. 34-42(a):

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

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

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

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

- i. **Goal 2 – Future Land Use Vision:** Guide implementation of the Future Land Use vision contained in this Comprehensive Plan, including support for existing neighborhoods and preventing displacement.
- ii. **Goal 3 – Balancing Preservation with Change:** Protect and enhance the existing distinct identities of the city's neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community.



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

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

- i. **Goal 1 – Zoning Ordinance:** With the community, create a new zoning ordinance to reinforce and implement the vision for Charlottesville’s future as articulated in the Comprehensive Plan, Affordable Housing Plan, Small Area Plans, Vision Plans, and the Standards and Design Manual.

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

This change to Planned Unit Development districts may allow new developments within the Urban Corridor zoning district to better align with the vision contained within the Future Land Use Map and Comprehensive Plan. PUD rezonings could allow for higher residential densities, higher building heights, and smaller setbacks than what is currently allowed by-right in the Urban Corridor district. PUDs have been used numerous times in the past to allow infill development and permit a mix of housing options. The PUD process involves community meetings and a public hearing process before the Planning Commission and City Council, allowing more opportunities for public comment and discussion than a by-right development.

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

While the City’s current Zoning Ordinance does not meet the goals of the 2021 Comprehensive Plan, the City of Charlottesville is currently undertaking a full rewrite of the Zoning Ordinance. A draft of this ordinance is expected to be completed and ready for public comment within the next few months. Any changes made to the current Zoning Ordinance will be effectively overridden by the new ordinance once it is adopted. This Zoning Text Amendment may therefore be extremely limited in its usefulness to developers, as it may only be in effect for several months.

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

These changes do not affect public services and facilities within the City.

## **Public Comment**

The Planning Commission and City staff have received two public comments expressing opposition to this Zoning Text Amendment with respect to the 2117 Ivy Road project.

## **Staff Recommendations**

This proposed change to Planned Unit Development districts could be used to meet some of the height and intensity goals of the Comprehensive Plan for parcels currently zoned Urban Corridor. However, in practice staff feels that this change is redundant, given that the entire Zoning Ordinance is being rewritten to meet these goals. Although currently in a draft form, the proposed new Zoning Ordinance and Map shows most properties currently zoned Urban Corridor will be upzoned to permit five- to eight-story mixed-use development by-right without the need for a PUD rezoning or other special permit. This Zoning Text Amendment will likely only benefit one parcel (2117 Ivy Road), whose owners have stated their intention to submit a PUD rezoning application immediately following the approval of this change.

## **Suggested Motion**

1. I move to recommend approval of a zoning text amendment as proposed to Section 34-492 (Planned Unit Development Districts - Configuration) of the Zoning Ordinance, based on a finding that the proposed zoning text amendments will serve the public necessity, convenience, general welfare, or good zoning practice.

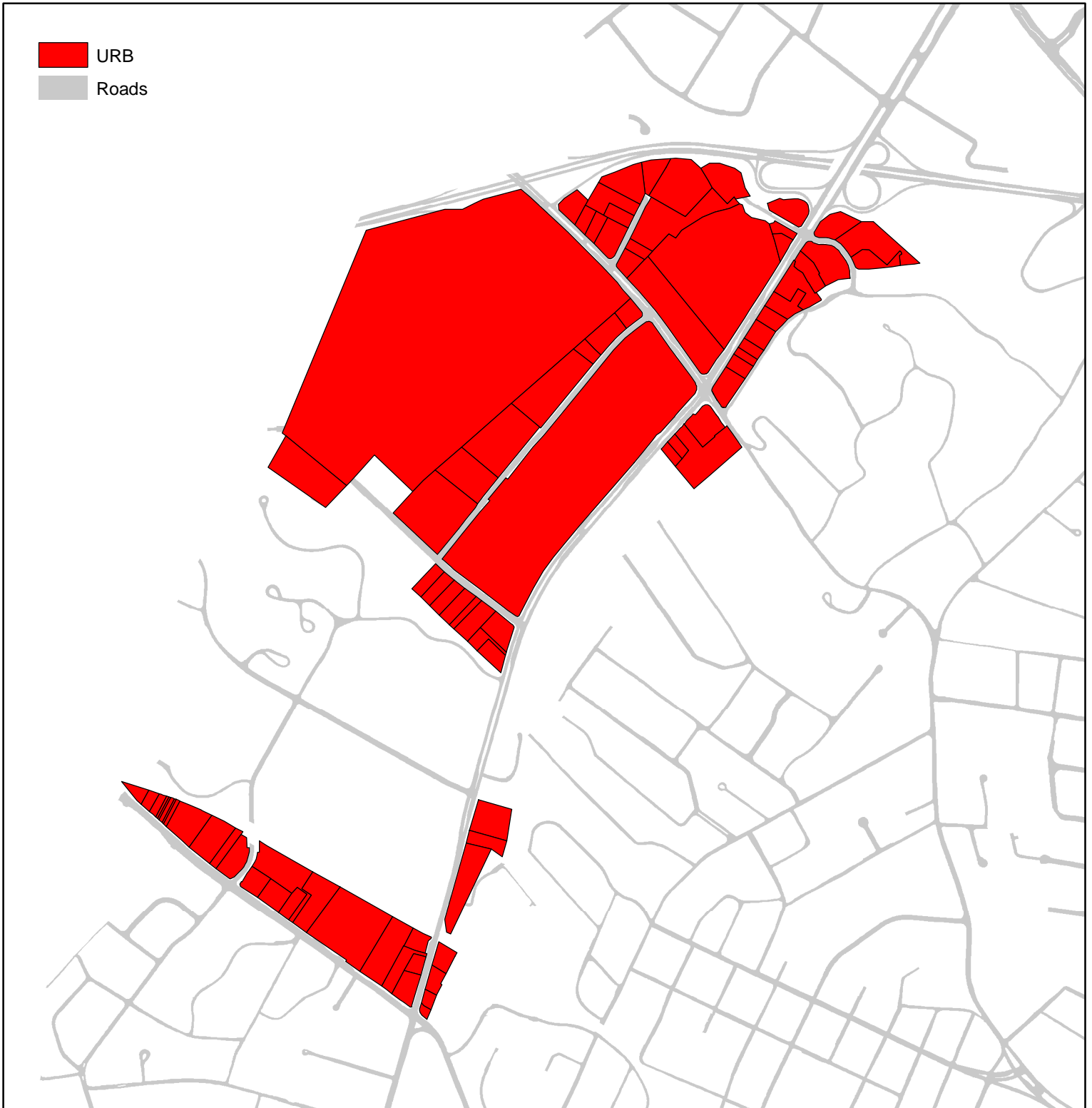
**OR,**

2. I move to recommend denial of this application to zoning text amendment on the basis that the proposal would not service the interests of the general public and good zoning practice.

## **Attachments**

- A. Map of properties currently zoned Urban Corridor
- B. Map of properties currently zoned Urban Corridor, smaller than two acres, and not owned by the University of Virginia
- C. Proposed Zoning Amendment for §34-492 (Planned Unit Development Districts - Configuration)
- D. Request for Zoning Text Amendment by RMD Properties
- E. Public Comments

# Parcels Zoned URB

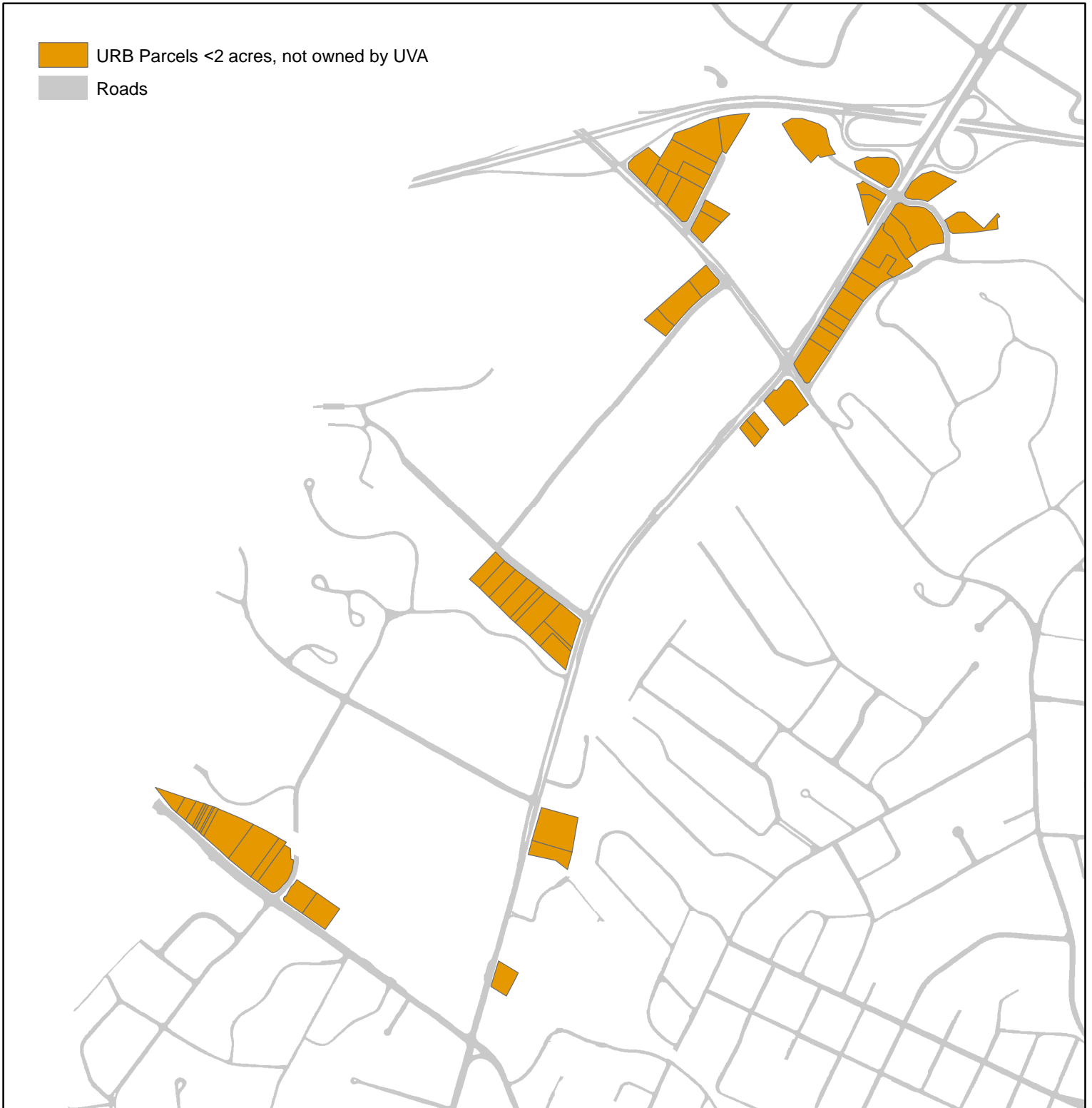


The geographic data layers produced by the City of Charlottesville are provided as a public resource. The City makes no warranties, expressed or implied, concerning the accuracy, completeness or suitability of this data, and it should not be construed or used as a legal description. The information displayed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





# Parcels Zoned URB



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## **ARTICLE V. PLANNED UNIT DEVELOPMENT DISTRICTS**

### **DIVISION 1. GENERALLY**

#### **Sec. 34-490. Objectives.**

In reviewing an application for approval of a planned unit development (PUD) or an application seeking amendment of an approved PUD, in addition to the general considerations applicable to any rezoning the city council and planning commission shall consider whether the application satisfies the following objectives of a PUD district:

- (1) To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern;
- (2) To encourage innovative arrangements of buildings and open spaces to provide efficient, attractive, flexible and environmentally sensitive design.
- (3) To promote a variety of housing types, or, within a development containing only a single housing type, to promote the inclusion of houses of various sizes;
- (4) To encourage the clustering of single-family dwellings for more efficient use of land and preservation of open space;
- (5) To provide for developments designed to function as cohesive, unified projects;
- (6) To ensure that a development will be harmonious with the existing uses and character of adjacent property, and/or consistent with patterns of development noted with respect to such adjacent property;
- (7) To ensure preservation of cultural features, scenic assets and natural features such as trees, streams and topography;
- (8) To provide for coordination of architectural styles internally within the development as well as in relation to adjacent properties along the perimeter of the development; and
- (9) To provide for coordinated linkages among internal buildings and uses, and external connections, at a scale appropriate to the development and adjacent neighborhoods;
- (10) To facilitate access to the development by public transit services or other single-vehicle-alternative services, including, without limitation, public pedestrian systems.

(9-15-03(3))

#### **Sec. 34-491. Permitted uses.**

Only those uses shown on an approved PUD development plan shall be permitted uses.

(9-15-03(3); 9-16-13)

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### **Sec. 34-492. Configuration.**

A PUD shall contain two (2) or more acres of land, except for parcels zoned Urban Corridor (URB) which shall have no minimum acreage requirement. A PUD may be comprised of one (1) or more lots or parcels of land. The lots or parcels proposed for a PUD, and all acreage(s) contained therein, shall either be contiguous, or shall be within close proximity to one another and integrated by means of pedestrian walkways or trails, bicycle paths, and/or streets internal to the development. City council may vary or modify the proximity requirement.

(9-15-03(3); 11-20-06(5); 9-16-13)

### **Sec. 34-493. Required open space.**

- (a) As used within this article, the term "open space" shall mean land designated on an approved development plan for a PUD as being reserved for the use, benefit and enjoyment of all residents of the PUD. Such open space may consist of common areas owned and maintained by a developer, or non-profit corporation or property owners' association, and/or any parkland, hiking trails, drainage area, or similar areas dedicated to the public and accepted by the city.
- (b) The following amount of open space shall be required within a PUD: At least fifteen (15) percent of the gross area of all land included within the PUD development site; however, the city council may reduce this requirement in situations where through creative design, or in light of the nature and extent of active recreational facilities provided, it deems the overall objectives of the PUD are best served by such reduction.
- (c) Open space must be useable for recreational purposes, or provide visual, aesthetic or environmental amenities. The following areas shall be excluded from areas counted as open space: buildable lots, buildings and structures, streets, parking areas, and other improvements, other than those of a recreational nature. The following improvements may be counted as part of required open space: playgrounds, ball courts, swimming pools, picnic areas and shelters, parks, walking paths and hiking trails, landscaped terraces, open-air plazas, and similar amenities. Land within a floodway or floodway fringe may be used to satisfy the open space requirement for a PUD; however, not more than thirty-three (33) percent of such land may be counted towards open space requirements.
- (d) Open space shall be provided within each phase of a PUD, in sufficient amounts to serve the expected uses and/or residential population of that phase.
- (e) All property owners within a PUD shall have access to the open space by means of a public street, or a private street or walkway located within an easement reserving property for such access.

(9-15-03(3))

### **Sec. 34-494. Ownership of land; common areas.**

- (a) All property within a PUD shall remain under single entity ownership of a developer, or group of developers, unless and until provision is made which insures the establishment and ongoing maintenance and operation of all open space, recreational facilities, and other common areas within the development. The developer or developers of the PUD shall not lease or sell any property within the PUD unless or until the director of neighborhood development services determines, in writing, that such satisfactory provisions have been made.
- (b) Where a property owners' association is established to own and maintain common areas within a PUD (including all required open space remaining in private ownership) the following requirements shall apply:



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- (1) The property owners' association shall be established and constituted in accordance with the Virginia Property Owners' Association Act, prior to the final approval, recordation and lease or sale of any lot within the PUD;
  - (2) The membership of the property owners' association, and the obligations of such association with respect to the common areas, shall be set forth within a declaration, suitable for recording in the land records of the Circuit Court for the City of Charlottesville, meeting the requirements of the Virginia Property Owners' Association Act. The declaration shall detail how the association shall be organized, governed and administered; specific provisions for the establishment, maintenance and operational responsibilities of common areas and the improvements established therein; and the method of assessing individual property owners for their share of costs associated with the common areas.
- (c) All common areas and required open space within a PUD shall be preserved for their intended purpose as expressed in the approved development plan. All deeds conveying any interest(s) in property located within the PUD shall contain covenants and restrictions sufficient to ensure that such areas are so preserved. Deed covenants and restrictions shall run with the land and be for the benefit of present as well as future property owners and shall contain a prohibition against partition.

(9-15-03(3))

**Secs. 34-495—34-499. Reserved.**

*DIVISION 2. DEVELOPMENT STANDARDS*

**Sec. 34-500. Dimensional standards, generally.**

The dimensional standards (i.e., restrictions of the height, area, location and arrangement of buildings and structures, lot area requirements, and required yards) and landscaping requirements applicable within a PUD district shall consist of: (i) any specific requirements or limitations set forth within this article, (ii) those shown on the approved development plan for the PUD, and (iii) those described within any approved proffers.

(9-15-03(3))

**Sec. 34-501. Context.**

- (a) Within a PUD district:
- (1) With respect to any building located within seventy-five (75) feet of a low-density residential zoning district, which includes R-1, R-1S, and R-2, the height regulations of the residential district shall apply to that building.
  - (2) No non-residential use shall be located within seventy-five (75) feet of the perimeter of a PUD unless such use is permitted within the adjacent zoning district at the time of PUD approval.
- (b) Except as specifically provided within paragraph (a), above, building height, scale and setbacks of buildings within a PUD shall complement existing development on adjacent property, taking into consideration:
- (1) The nature of existing uses, and of uses anticipated by the city's comprehensive plan, adjacent to and in the neighborhood of the PUD development site. Where a PUD is established on property that shares a block face with improved property, development within the PUD facing such existing improvements shall be harmonious as to height, mass, lot coverage, and setbacks;

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- (2) The number, type, and size of the various buildings proposed within the PUD;
  - (3) The location of natural, topographical, cultural or other unique features of the site;
  - (4) The location of public utilities, public streets, roads, pedestrian systems and bicycle paths, and of associated easements;
  - (5) The objectives of the PUD district.

(9-15-03(3); 9-16-13)

### **Sec. 34-502. Landscaping.**

- (a) A portion of the required open space shall consist of landscaped open areas, in an amount equal to twenty (20) percent of the aggregate gross floor area of commercial uses within the development.
- (b) In all PUD districts landscaping shall be provided using materials consistent with those required by Article VIII, sections 34-861, et seq.) and the city's list of approved plantings.
- (c) In addition to the requirements of paragraphs (a) and (b), above, landscaping shall be utilized within a PUD:
  - (1) To provide visual separations or buffers, as may be appropriate, between uses and areas different in intensity or character from one another, and between the PUD and adjacent low-density residential districts;
  - (2) To protect and enhance the scenic, recreational, or natural features of a site; priority shall be given to preservation of existing trees having a caliper of eight (8) or more inches and in-place natural buffers;
  - (3) As a means of harmonizing the street frontage along the perimeter of a PUD with the street frontage of adjacent properties;
  - (4) To minimize the impact of noise, heat, light and glare emanating from a building, use or structure upon adjacent buildings, uses or structures.

(9-15-03(3))

### **Sec. 34-503. Sensitive areas.**

The following areas shall be left natural and undisturbed, except for street crossings, hiking trails, utilities and erosion control devices:

- (1) Land within a floodway; and
- (2) Wetlands.

(9-15-03(3); 11-21-11(3); 9-16-13)

### **Sec. 34-504. Parking.**

Off-street parking for each use within a PUD shall be provided in accordance with the standards set forth within Article IX, sections 34-970, et seq., unless otherwise approved by city council.

(9-15-03(3); 9-16-13)

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**Sec. 34-505. Phased development.**

PUDs may be developed in phases, provided the following requirements are met:

- (1) All phases must be shown, and numbered in the expected order of development, on the approved development plan.
- (2) The open space within each recorded phase may constitute fifteen (15) percent of the gross land area within that phase, or all required open space may be provided in the first phase.
- (3) All project data required in section 34-517 for the project as a whole shall be given for each individual phase of development.
- (4) Phasing shall be consistent with the traffic circulation, drainage and utilities plans for the overall PUD.

(9-15-03(3))

**Secs. 34-506—34-514. Reserved.***DIVISION 3. PROCEDURES***Sec. 34-515. Application review process.**

- (a) Prior to the formal submission of an application seeking approval of a proposed PUD, the developer or their representative shall hold a conference with the director of neighborhood development services concerning the proposal, and shall provide the director with unofficial preliminary studies of their development concept and a sketch plan that specifies:
  - (1) The general location and amount of land proposed for residential, office, commercial, industrial, open space/recreation and vehicular and pedestrian access and circulation. This information shall be presented in a format that illustrates how the proposal meets the objectives of section 34-490;
  - (2) The numerical range of dwelling units in terms of quantity, and the gross floor area and acreage of each use or land area shown on the sketch plan;
  - (3) A narrative explaining the development plan and if applicable, any proposed deviations or modifications from generally required provisions;
  - (4) Any preliminary proffers.
- (b) Upon confirmation by the director that all materials and information submitted by the applicant satisfy the requirements referenced within paragraph (c), below, the application will be reviewed and acted upon in the manner prescribed within section 34-41.
- (c) Each application shall satisfy the requirements of section 34-41 as well as all of the requirements of this article.

(9-15-03(3); 4-13-04(2), § 1; 9-16-13; 10-19-15(3); 9-7-21(1) , § 2)

**Sec. 34-516. Application.**

- (a) Following the required pre-application review, the developer may submit an application seeking a rezoning approval for a PUD.



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- (b) The rezoning application shall consist of the following materials:
- (1) A city rezoning application form;
  - (2) A development plan prepared in accordance with section 34-517, below.
  - (3) A written statement of any proffers proposed in connection with the PUD.
  - (4) In the event the development plan indicates that any critical slopes will be disturbed, the applicant shall submit a request to modify or waive the critical slopes provisions as provided for in section 34-1120.
  - (5) A proposed land disturbance plan to include approximate timing and area of disturbance.
- (c) The completed application shall be processed in accordance with the procedures applicable to rezonings. In the event that subsection (b)(4) applies, the critical slope waiver application shall be considered simultaneously therewith by the planning commission, and if granted, conditioned upon compliance with the approved plan of development.

(9-15-03(3); 11-21-11(3); 9-16-13)

### **Sec. 34-517. PUD development plan— Requirements—Contents.**

- (a) Each of the following is a required component of a complete plan of development submitted in connection with an application for approval of a planned unit development:
- (1) A survey plat describing and depicting the entire land area to be included within the PUD development site, including identification of present ownership, existing zoning district classification(s) of the parcel(s) to be included within the PUD.
  - (2) A narrative statement of how the objectives described within section 34-490 are met by the proposed PUD.
  - (3) A conceptual development plan, supporting maps, and written or photographic data and analysis which show:
    - a. Location and size of existing water and sanitary and storm sewer facilities and easements;
    - b. Layout for proposed water and sanitary sewer facilities and storm drainage facilities;
    - c. Location of other proposed utilities;
    - d. Location of existing and proposed ingress and egress from the development;
    - e. Location and size of existing and proposed streets;
    - f. Location of existing and proposed pedestrian and bicycle improvements, including connections to nearby schools;
    - g. An inventory, by tax map parcel number and street address, of all adjacent parcels within a five hundred-foot radius of the perimeter of the PUD, indicating the existing zoning district classification of each.
    - h. A site inventory of the significant natural, environmental and cultural features of a site, including at a minimum: historic landmarks contained on any state or federal register; vegetation; existing trees of eight-inch caliper or greater; wetlands, topography, shown at intervals of five (5) feet or less, critical slopes, and other, similar characteristics or features, and a plan for preserving, protecting, utilizing and/or incorporating such features into the design and function of the proposed PUD.

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- (4) A proposed land use plan. Such plan will identify:
    - a. Proposed land uses and their general locations, including without limitation, building and setbacks;
    - b. Proposed densities of proposed residential development;
    - c. Location and acreage of required open space;
    - d. Square footage for non-residential uses;
    - e. Maximum height of buildings and structures in area of PUD.
  - (5) A general landscape plan which focuses on the general location and type of landscaping to be used within the project as well as the special buffering treatment proposed between project land uses and adjacent zoning districts;
  - (6) Phasing plan if needed. Each phase shall individually meet the requirements of this section.
  - (7) A statement from the city public utilities department verifying whether water and sewer infrastructure capacity does or does not exist for the proposed land use(s).
  - (8) A statement from the fire marshal verifying whether adequate fire flow service does or does not exist for the proposed land use(s).
  - (9) Additional information as deemed necessary by the director of neighborhood development services in order to facilitate a thorough review of the potential impacts of the proposed PUD that is the subject of the application. If any application fails to demonstrate within their application materials that a proposed PUD meets the minimum requirements specified in section 34-517, above, the application shall be rejected as incomplete.

(9-15-03(3); 11-21-11(3); 9-16-13)

### **Sec. 34-518. Approval.**

- (a) Approval of the rezoning application establishes the maximum density/intensity, height and other dimensional requirements, the general location of each use and locations for streets and utilities shown on the development plan. Together with any approved proffers, the approved development plan shall establish the zoning requirements applicable to the PUD. Approval of a PUD does not relieve the applicant from its obligation to comply with all local, state, and federal laws and regulations. Any change in use, increase in density/intensity, any substantial decrease in the amount of open space, substantial change in the location of permitted uses or streets, and any other substantial change from what is shown on the approved development plan shall be deemed a substantial deviation requiring an amendment of the PUD approval. Factors to be considered in determining whether a change is substantial include, but are not limited to: the extent of the locational change and the expected impact on properties adjacent to the PUD.
- (b) Following approval of a PUD development plan, preliminary and final subdivision and site plan approvals shall be required. All such plans shall conform to the approved PUD development plan. No building or structure shall be erected, no building permit(s) issued, and no final subdivision plat(s) recorded, unless:
  - (1) A final site plan has been approved;
  - (2) Any required dedications, reservations or required improvements have been made in accordance with the final site plan and PUD phasing schedule; and,
  - (3) Sufficient financial guarantees for completion of required improvements have been received by the city.

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- (c) Where phased development has been approved, applications for subdivision and site plan approvals may, at the developer's option, be submitted for each individual phase.

(9-15-03(3); 9-16-13)

**Sec. 34-519. Amendment.**

Following approval of a plan of development for a planned unit development, the owner of the development may amend the plan of development only as follows:

- (1) The owner of a PUD may submit a written request for a proposed minor change to the approved plan of development to the director of neighborhood development services. The request shall be supported by graphic, statistical and other information necessary in order for the director to evaluate the request. The director may approve the request upon a determination that it involves only a minor deviation from the layout or design contemplated within the approved plan of development. For the purpose of this section the terms "minor change" and "minor deviation" mean and refer to changes of location and design of buildings, structures, streets, parking, recreational facilities, open space, landscaping, utilities, or similar details which do not materially alter the character or concept of the approved plan of development. Should the director determine that the requested change constitutes something more than a minor change or deviation from the approved plan of development, then the owner may seek an amendment pursuant to paragraph (2), below.
- (2) The owner of a planned unit development may apply to city council for permission to amend the approved plan of development, following the same procedure as for the original approval.

(9-15-03(3))

**Secs. 34-520—34-539. Reserved.**



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December 5, 2022

Via Email: [freasj@charlottesville.gov](mailto:freasj@charlottesville.gov)

James Freas  
Director of Neighborhood Development Services  
City of Charlottesville  
605 E. Main Street  
Charlottesville, Virginia 22902

**Re: Request for Initiation of Zoning Text Amendment ("ZTA")  
Section 34-492 – Planned Unit Development Districts, Configuration**

Dear Mr. Freas:

As we have discussed, our firm represents the developer working with RMD Properties, LLC, the owner of property located at 2117 Ivy Road, identified as Parcel 070001200 on the attached map, for the proposed redevelopment of the property. This parcel is one of the last remaining properties along Ivy Road within the City limits that has not been acquired by The University of Virginia. Redevelopment of the site to allow for residential housing, along with ground-floor retail/commercial component will further the City's Comprehensive Plan and Economic Development goals.

The Applicant proposes to develop the property as a mixed-use development in a building nine stories tall that would include approximately 225-250 residential units (for approximately 610 residents), up to 4,000 square feet of retail/neighborhood commercial uses on the ground floor, structured parking, and high-quality amenity spaces. In keeping with Council's affordable housing objectives, the Applicant is also proposing a mix of on-site affordable units and/or a cash donation to the City's Affordable Housing fund for this proposal. The Applicant has built numerous mixed-use projects in communities like Charlottesville that provide housing for a variety of groups near-campus, including undergraduate and graduate students, young professionals, University faculty and staff, and the community at-large.

The parcel is currently zoned Urban Corridor (URB) with an Entrance Corridor Zoning Overlay, and is just over one acre (46,656± SF). The newly adopted Comprehensive Plan designates this property as Urban Mixed-Use Corridor, described as "*Higher intensity mixed use development arranged along corridors between employment, commercial, and civic hubs of the city.*" We understand that because the current zoning ordinance does not allow for additional height or density that would meet either the general goals and recommendations of the new Comprehensive Plan, or the needs of this proposal in the URB zoning district or any other zoning district, that a zoning text amendment (ZTA) is required. We believe the Planned Unit Development (PUD) district would be an appropriate option for the project, but for the requirement in Section 34-492 that any parcel proposed for a PUD be a minimum of two acres. In our opinion, this 2-acre minimum requirement is a relic of

the current suburban-oriented code and warrants reconsideration in light of the new Comprehensive Plan's objectives. As such, we hereby respectfully request that City Council initiate a ZTA to amend Section 34-492 to allow property currently zoned URB that is less than two acres in size to be considered for rezoning to the Planned Unit Development District. Included in our application is the proposed change to this section of the ordinance.

We acknowledge and understand that the City is currently updating the entire zoning ordinance to implement the Comprehensive Plan, which is tentatively scheduled for final action in June or July of 2023; however, the agreement between the property owner and the developer requires action on a shorter timeframe. As such, we have tailored this proposed ZTA as narrowly as possible. In light of how this proposal would further the City's Comprehensive Plan and Economic Development goals in an area with very few parcels left for private development, we respectfully request Council's consideration of this limited request.

We understand that even if City Council approves the ZTA, that a rezoning application for the project will also need to be submitted and approved by the City. We anticipate submitting the rezoning application either while the ZTA is under review, or if approved, immediately after its approval.

We appreciate Council's consideration of this request and look forward to working with the City on the proposal. Please do not hesitate to contact me with any questions or if you require any further information.

Sincerely,

*Valerie W. Long*

Valerie W. Long

## OConnell, Dannan

---

**From:** Creasy, Missy  
**Sent:** Thursday, January 19, 2023 2:45 PM  
**To:** Freas, James; OConnell, Dannan  
**Subject:** Fwd: LMNA Letter re: 2117 Ivy Road PUD

Sent from my Verizon, Samsung Galaxy smartphone  
Get [Outlook for Android](#)

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**From:** Lyle Solla-Yates <lyle.sollayates@gmail.com>  
**Sent:** Thursday, January 19, 2023 2:33:55 PM  
**To:** Peter Gray <dr.peter.gray@gmail.com>  
**Cc:** Creasy, Missy <CreasyM@charlottesville.gov>  
**Subject:** Re: LMNA Letter re: 2117 Ivy Road PUD

**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.

Received, thank you for reaching out. The Planning Commission has neither considered nor taken any action on this matter but I appreciate hearing your concerns. I found this article helpful in quickly catching up <https://infocville.com/2023/01/03/council-to-consider-amendment-to-existing-zoning-to-allow-nine-story-building-on-ivy-road/>

Thank you,

Lyle Solla-Yates  
Planning Commission

On Mon, Jan 16, 2023 at 2:07 PM Peter Gray <[dr.peter.gray@gmail.com](mailto:dr.peter.gray@gmail.com)> wrote:

Dear Councilors and Commission Members,

We write from the Lewis Mountain Neighborhood Association to express our strong concerns regarding recent actions by your esteemed bodies regarding 2117 Ivy Road.

As residents of the only neighborhood that is adjacent to this property, we are disappointed that you are considering the proposal from RMD Properties to reduce the lot size for a PUD within the Urban Corridor zoning district.

First, this is a clear effort by RMD Properties to perform an end-run on the future zoning changes that are being contemplated for implementation later this year. The existing zoning prevents them from over-building on their land, and the new zoning will similarly prevent them from over-building on their land. We urge you to reject this blatant attempt to slip something in during this in-between time, especially as it runs contrary to what we understand to be the future vision for Ivy Road.

Second, if constructed, this 9-story 225/250-unit building would create enormous traffic problems at what is already a very busy intersection. The addition of traffic changes to accommodate the many



new residents of this building would have a substantial and negative impact on pedestrian and vehicle traffic. Please do not let RMD properties create permanent problems at this intersection just so that they can make more money off their land.

Third, it is highly likely that RMD will not actually include any on-site affordable units, as they indicate one option they may pursue is "a cash donation to the City's Affordable Housing fund." Many other large developers have simply opted out of building actual affordable units and have instead written off the cash donation, making affordable housing "someone else's problem", meaning that this is the preferred option for developers - and one that RMD may well take, too.

Fourth, the intersection at Ivy and Alderman is already woefully inadequate and backs up severely on a regular basis. It is also already a difficult intersection for existing residents nearby to cross, because of turning traffic, a wide roadway, and drivers' tendency to make turns even when individuals are in the pedestrian crosswalk. There is no room to expand the road because much of the road next to 2117 Ivy Road is in fact raised far above street grade, connecting to the bridge over the railroad tracks. The limited street-grade access to 2117 Ivy Road further restricts viable egress options and creates problems that a traffic study would surely reveal. We urge that such a study be completed long before any approvals or building permits are issued, so that Council and Planning Commission have professional input into this issue.

Please do not approve this PUD.

Respectfully,

Lewis Mountain Neighborhood Association

Terry Forbes, President

Hillary Murray, Vice-president

Audrey Dannenberg, Secretary

Mike Littlefield, Treasurer

Anna Askounis, Member-at-large

Susie Gainer, Member-at-large

Peter Gray, Member-at-large

## OConnell, Dannan

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**From:** Creasy, Missy  
**Sent:** Monday, March 6, 2023 11:26 AM  
**To:** OConnell, Dannan  
**Subject:** FW: 2117 Ivy Road

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**From:** Anna Askounis <acaskounis@gmail.com>  
**Sent:** Friday, March 3, 2023 8:23 AM  
**To:** Planning Commission <PlanningCommission@charlottesville.gov>  
**Subject:** 2117 Ivy Road

**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.

The proposed development here, on as little as one acre of land, in one of the already most congested intersections in the city, is most concerning.

A nine story apartment building, housing 600 residents, is completely out of scale for this small area.

Additionally, the traffic from the University's Data Science building, Conference center and hotel, and eventual Institute for Democracy will add traffic and congestion here.

And now Albemarle County has approved a 525 unit development nearby on Old Ivy Road, which will also impact traffic.

I urge you to deny the special permit needed for RMD Development to go forward with this.

Please take all these concerns into consideration when making your decision.

Thank you for listening!

Anna Askounis

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



**PLANNING COMMISSION PRELIMINARY DISCUSSION**  
**APPLICATIONS FOR A REZONING AND SPECIAL USE PERMIT**  
**DATE OF THE MEETING: March 14, 2023**

**Project Planner:** Matt Alfele

**Date of Staff Report:** March 1, 2023

**Applicant:** WP 501 Cherry LLC

**Applicant's Representative(s):** Chris Virgilio

**Current Property Owner:** WP 501 Cherry LLC

**Application Information**

**Property Street Address:** 501 Cherry Avenue, 507 Cherry Avenue, 0 5<sup>th</sup> St. SW, and 0 6<sup>th</sup> St. SW

**Tax Map & Parcel:** 290179000, 290178200, 290177000, 290178100, and 290178000

**Total Square Footage/ Acreage Site: Approx.** 1.361 acres (59,285 square feet)

**Comprehensive Plan (General Land Use Plan):** Neighborhood Mixed Use Corridor, General Residential (Sensitive Community Area)

**Current Zoning Classification:** Cherry Avenue Mixed Use Corridor (CH) and Residential Small Lot (R-1S)

**Overlay District:** No

**Purpose of Meeting and Applicant's Request (Summary)**

WP 501 Cherry LLC (Owner and Applicant) is proposing to redevelop the old 1.36-acre IGA grocery store location. The site consists of five (5) lots; 501 and 507 Cherry Avenue (existing structure), 0 5<sup>th</sup> St. SW, and 0 6<sup>th</sup> St. SW (two lots have a 0 6<sup>th</sup> St. SW address). The applicant is proposing to rezone the lots from Cherry Avenue Mixed Use Corridor (CH) and Residential Small Lot (R-1S) to Business (B-3) with proffered conditions; and a SUP request to increase the by-right density from 21 dwelling units per acre (DUA) to 87 (DUA) along with modifications to setback and parking requirements. The applicant is proposing a mixed-use development with up to 118 units and approximately 18,600 square feet of commercial space. The applicant and their team are looking for feedback from the Planning Commission on the proposed project prior to moving forward to a Public Hearing.



**Vicinity Map**



**Context Map 1**



**Context Map 2- Zoning Classifications**



**KEY – Purple: Cherry Avenue Mixed Use Corridor, Yellow: Low Density Residential, Green; Planned Unit Development, Brown: Multi-family**

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



**KEY: Yellow: General Residential (Sensitive Community Areas), Pink: Neighborhood Mixed Use Corridor, Light Brown: Medium Intensity Residential, Dark Brown: Higher-Intensity Residential, Green Open Space and Parks**



## **Key Elements of the proposed Development**

1. Reuse of the existing building.
2. Proffered sale of commercial spaces to non-profit users at below market prices.
3. Proffered exclusion of B-3 uses not compatible with the Cherry Avenue Corridor.
4. Density of 87 Dwellings Uniter per Acre (DUA) for a maximum unit count of 118.
5. Maximum height of 60’.
6. Setbacks:
  - a. Cherry Avenue = Minimum 0’ and Maximum 20’
  - b. 5<sup>th</sup> St. SW = Minimum 0’ and Maximum 9’
  - c. 6<sup>th</sup> St. SW = Minimum 0’ and Maximum 9’
  - d. Adjacent to Low Density Residential = 10’ with S-3 Screening
7. Parking:
  - a. ½ Space required per residential unit. Full buildout would require 59 parking spaces for the residential portion of the development.
  - b. 2.5 space per 1,000sqft. of retail and commercial. At 18,600sqft. 47 parking space would be required.

## **Modula 1 (Zoning Map) from Cvile Plans Together**



*Note: This information is being provided only as a general concept and could change prior to adoption by City Council. Planning Commission should not use this information as an either or*



*scenario for the proposed rezoning and SUP and should only use it as a general direction for this section of the City.*

R-A = Small lots with a base of (3) three dwellings and a max of (8) eight with affordable units.

Overall height of 32' with side walls not more than 25'.

CX-3 = Unspecified lot size with unlimited density. Size and density of the sites are controlled by form such as 80% maximum building coverage, setbacks, parking locations restrictions, massing, and transparency. Hight for CX-3 includes a base of 44' with a bonus up to 72'.

**Proposed Discussion points for the Planning Commission:**

1. Is B-3 zoning appropriate for this location?
2. Is a density of 87 DUA appropriate at this location?
3. Are there any comments or suggestions the applicant should consider as they move forward with the rezoning and SUP application?

**Attachments**

- A. Applicant Materials
- B. Draft Proffer Statement



Attachment A

# 501 CHERRY AVENUE

CHARLOTTESVILLE, VIRGINIA



Planning Commission Preliminary Discussion

March 14, 2023



# SITE CONTEXT

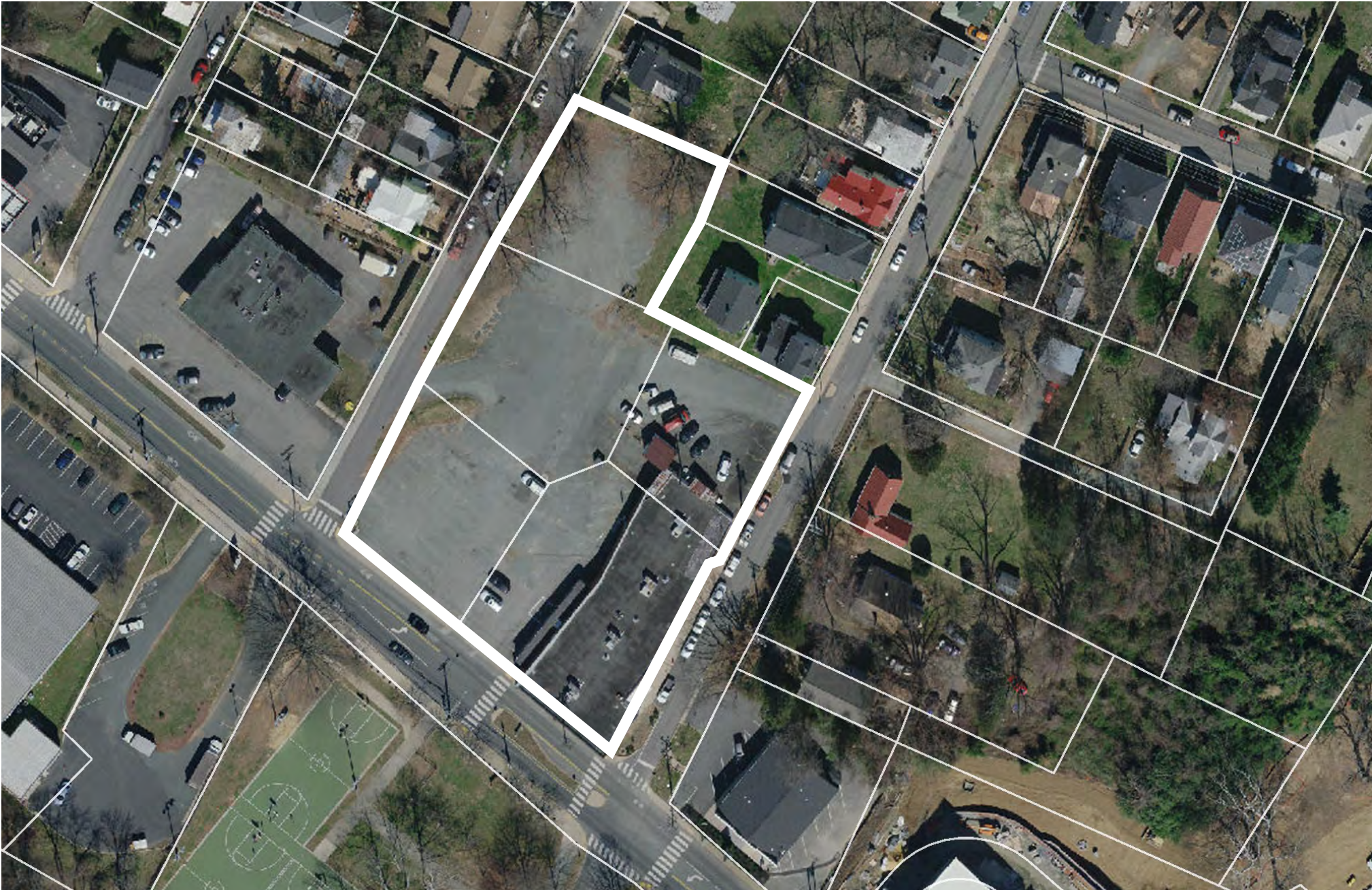
Attachment A





# EXISTING CONDITIONS

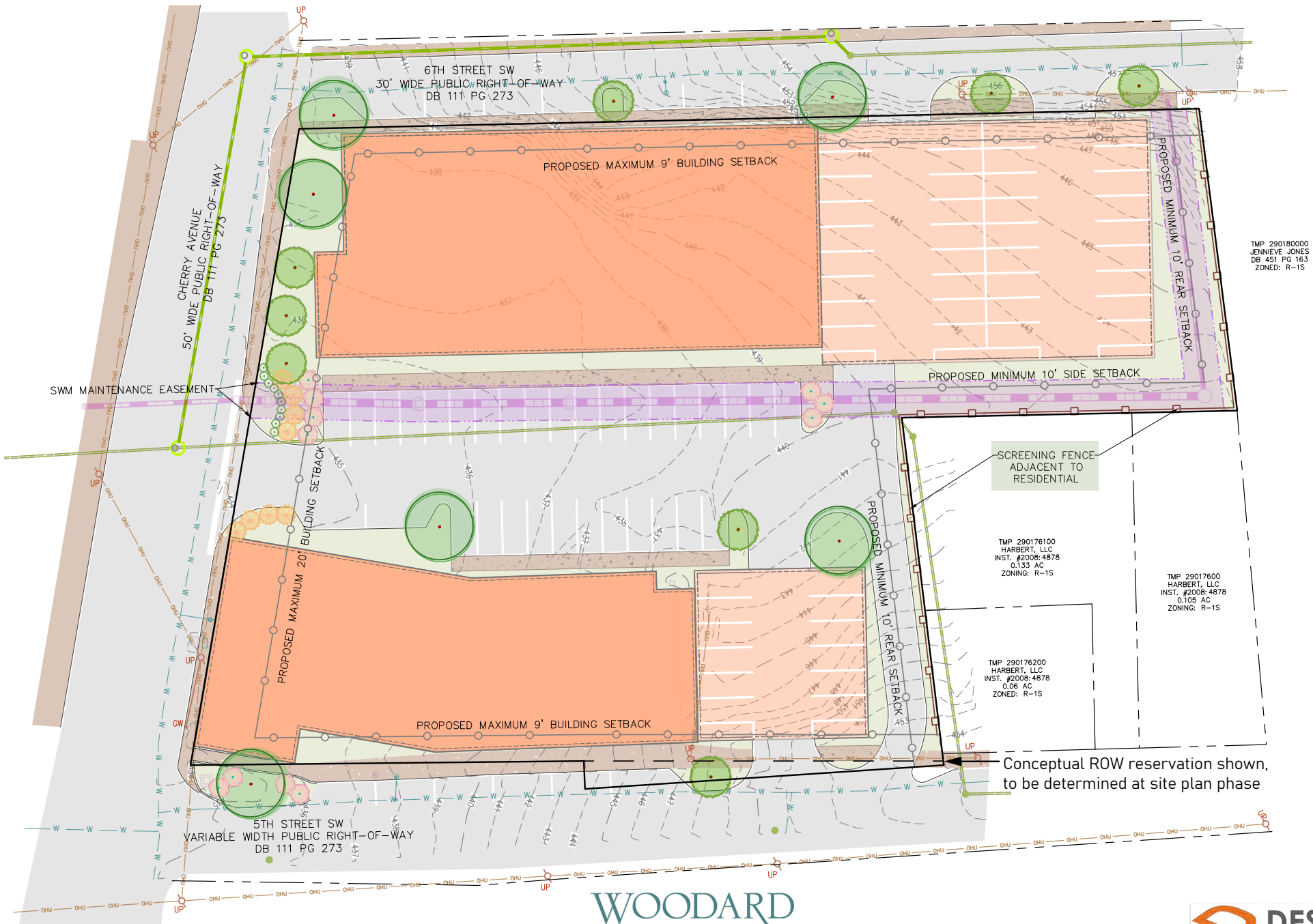
Attachment A





# CONCEPT PLAN

## Attachment A



# PEDESTRIAN CONNECTIVITY





# MASSING AND FORM Attachment A



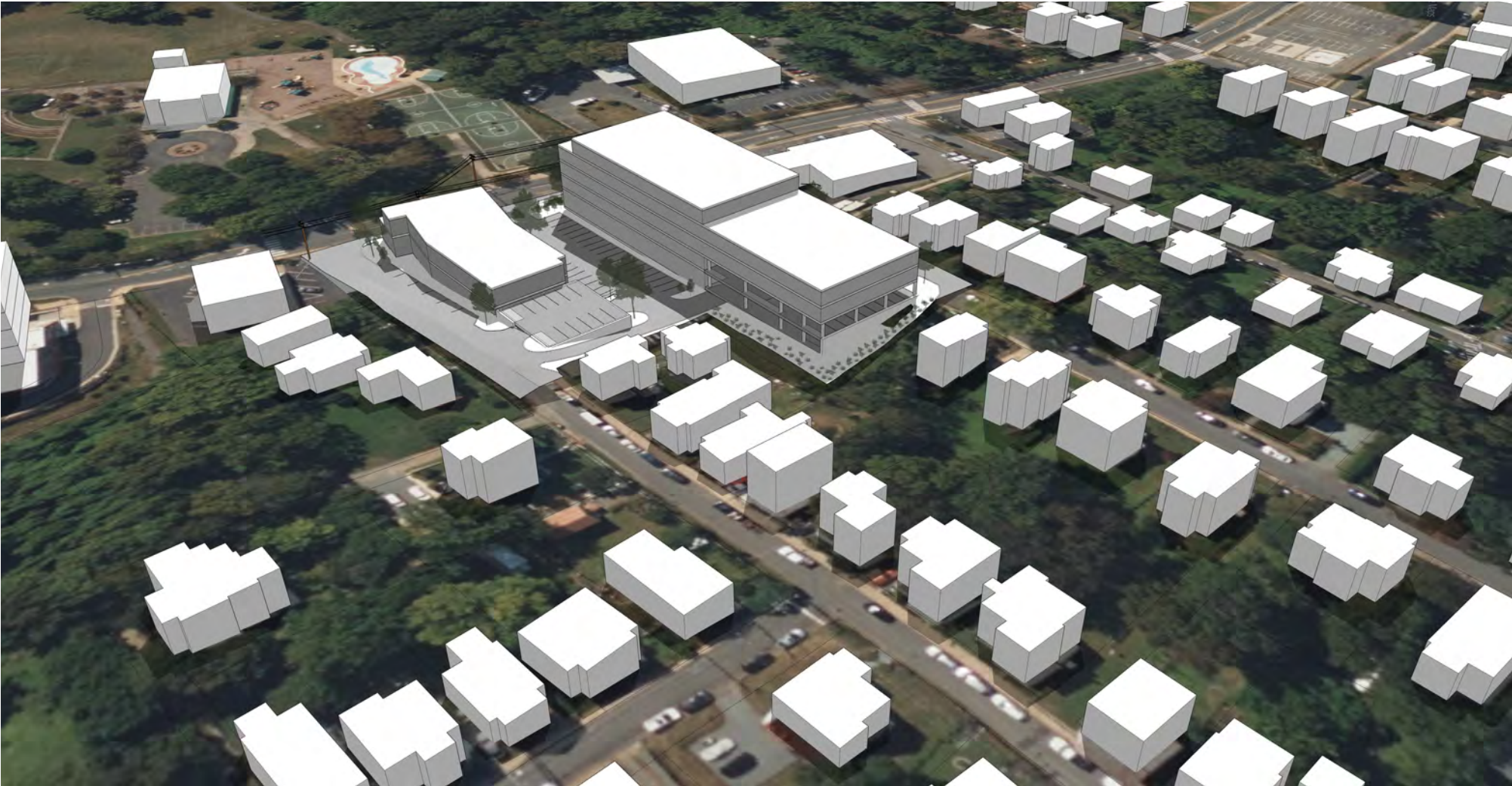


# MASSING AND FORM *Attachment A*





# MASSING AND FORM Attachment A





# MASSING AND FORM Attachment A



Aerial view from Cherry Ave



Aerial view from Cherry Ave



Street level view from Cherry Ave



Street level view from Cherry Ave



Attachment A

# 501 CHERRY AVENUE

CHARLOTTESVILLE, VIRGINIA



Planning Commission Preliminary Discussion

March 14, 2023



## Attachment B

BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA  
IN RE: PETITION FOR REZONING (City Application No. ZMA23-000XX)  
STATEMENT OF PROFFER CONDITIONS  
For 501 CHERRY AVENUE

City of Charlottesville Tax Map 29 Parcels 177, 178, 178.1, 178.2, 179

WP 501 Cherry LLC (“Owner”) is the owner of Tax Parcels 290177000, 290178000, 290178100, 290178200, and 290179000 (collectively, the “Property”) which are the subject parcels of the rezoning application ZM23-0000XX, for a project known as “501 Cherry Avenue” (the “Property”). Owner seeks to amend the current zoning of the Property, subject to certain voluntary conditions set forth below. Each signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this Proffer Statement.

In accordance with the City of Charlottesville Zoning Ordinance Section 34 -41, Owner hereby proffers for City Council’s consideration voluntary development conditions, which Owner agrees are reasonable. Owner agrees that, if the Property is rezoned as requested, the use and development of the Property will be subject to and in accordance with the following conditions:

**1. AFFORDABLE HOUSING:**

City of Charlottesville Zoning Ordinance Section 34 -12 governs the requirement for affordable dwelling units in the event that a rezoning such as ZMA 23-0000XX is approved. Ordinance Section 34-12 would require the Owner to provide five (5) affordable dwelling units to households with an income less than 80% of the area median income.

For the purposes of this Proffer, the Owner will ensure the five (5) units, required by Ordinance Section 34-12, are held at rental rates that are affordable to households with income not more than 60% of the area median income, or are leased to an individual or household that employs a Section 8 Housing Choice Voucher. All For-Rent Affordable Dwelling Units shall remain affordable for a term of six (6) years from the date that a certificate of occupancy is issued for such unit (“Affordable Period”).

a. The Required Affordable Dwelling Units shall be identified on a layout plan, by unit, prior to the issuance of any certificate of occupancy for a residential unit within the Property (“Initial Designation”). The Owner reserves the right, from time to time after the Initial Designation, and subject to approval by the City, to change the unit(s) reserved as For-Rent Affordable Dwelling Units, and the City’s approval shall not unreasonably be withheld so long as a proposed change does not reduce the number or make-up of Required Affordable Dwelling Units and does not result in an Affordability Period shorter than required by these proffers with respect to any of the Required Affordable Dwelling Units.

On or before February 1st of each calendar year, or an alternate date mutually agreed upon by the Owner and the City, the then current owner of each Required Affordable Dwelling Unit shall submit an Annual Report to the City on a template provided by the City’s Office of Community Solutions, identifying each Required Affordable Dwelling Unit by address and location, and verifying the household income of the occupant(s) of each Required Affordable Dwelling Unit.



## Attachment B

b. The obligations regarding Required Affordable Dwelling Units referenced above shall be set forth within one or more written declaration of covenants recorded in the land records of the Charlottesville Circuit Court, in a form approved by the Office of the City Attorney, so that Owner's successors in right, title and interest to the Property shall have notice of and be bound by the obligations. The Required Affordable Dwelling Units shall be provided as for-rent units throughout the Rental Affordability Period.

### 2. **NON-PROFIT USES:**

Owner agrees to sell commercial condominium space at the Property to two local non-profit organizations, namely Twice Is Nice and the Music Resource Center, at a below market sale price and other terms. If Twice Is Nice does not purchase condominium space prior to any certificate of occupancy, then Owner will increase the number of Required Affordable Dwelling Units by two (2) units. Similarly, if the Music Resource Center does not purchase condominium space prior to any certificate of occupancy, then Owner will increase the number of Required Affordable Dwelling Units by two (2) units. If, however, Owner is able to sell commercial condominium space to any non-profit organization that is qualified as tax-exempt under the applicable regulations of the Internal Revenue Code, other than Twice Is Nice or the Music Resource Center, prior to a certificate of occupancy, then Owner shall be relieved of the obligation to provide two (2) additional Required Affordable Dwelling Units for each qualified non-profit that purchases condominium space in the Property, as outlined in this paragraph.

### 3. **GROCERY USE:**

Owner agrees to reserve a minimum of 5,000 square feet of commercial space at the Property for lease to a small grocery store or neighborhood grocery store that sells fresh produce. The space will be reserved until the issuance of any certificate of occupancy for the Project.

### 4. **PROHIBITED USES:**

The following permitted by right land uses shall be excluded from the Property under B-3 Zoning Section 34-480:

Non-Residential: General and Misc. Commercial Uses: Gas station; Repair/servicing business (automobile); Car wash; Crematorium (independent of funeral home); Dry cleaning establishments; Drive-through windows; Taxi stand; Towing service, automobile.

Non-Residential: Industrial: Industrial equipment: service and repair; Wholesale establishments.

### 5. **MAXIMUM BUILDING HEIGHT:**

Notwithstanding the by-right seventy foot (70') building height allowance in the B-3 District, the maximum building height permitted on the Property shall be sixty feet (60'). The Owner may elect to add a fifth story to the new building. If a fifth story is added, the added story shall maintain a minimum step back of ten feet 10' on the Cherry Avenue building frontage and a minimum step back of eighty feet (80') from the rear, or northern property line.


### 6. **MIXTURE OF USES:**

Development on the Property shall be mixed use. For the purposes of this proffer, "mixed use" means that no one type of use, such as residential, commercial, or institutional, may exceed 80% of the gross square footage on the Property.

Attachment B

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

WP 501 Cherry LLC

By:   
Manager

Print Name: Anthony K. Woodard

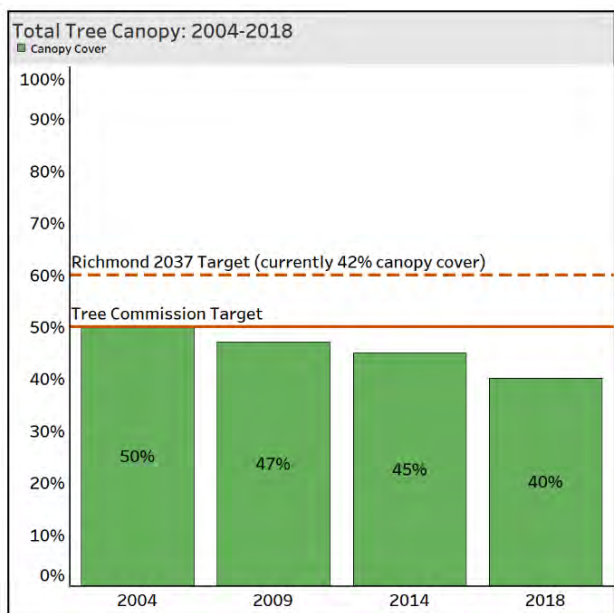
Owner's Address: 224 14<sup>th</sup> St NW  
Charlottesville, VA 22903

# STATE OF THE URBAN FOREST - FY2022 Report of the Charlottesville Tree Commission

The Tree Commission works with the Parks & Recreation Department to protect and improve the urban forest so that **the City can reach its goals for public health, energy conservation, climate sustainability, stormwater management, water and air quality, and environmental justice and equity.**

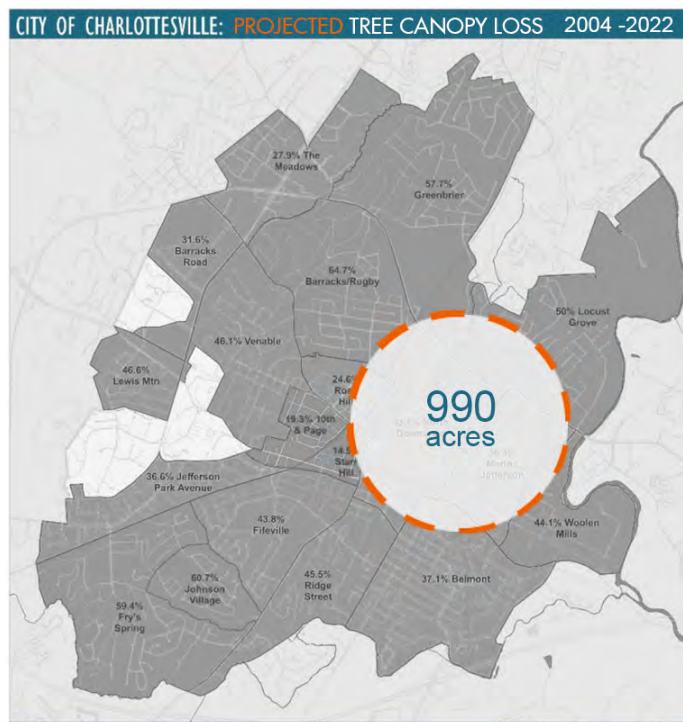
2022 was another year of challenges in achieving these aims. The Park’s department was without an Urban Forester for almost five months of that time and reductions in staff resources affected the ability of Parks & Recreation to meet green infrastructure goals. This report reflects these realities while offering some hope for the years ahead.

**Decline of the Urban Tree Canopy — Rather than robust and flourishing, Charlottesville’s overall tree canopy continues to decline at an accelerating rate.**



The last expert analysis of satellite imagery from 2018 shows a 10% reduction in tree canopy between 2004 and 2018, from 50% coverage to 40%. What is worse, the rate of loss is increasing over time.

**Today, five years later, the total canopy loss may be closer to 35%, equal to a loss of 990 acres in less than two decades as seen on the map below.**

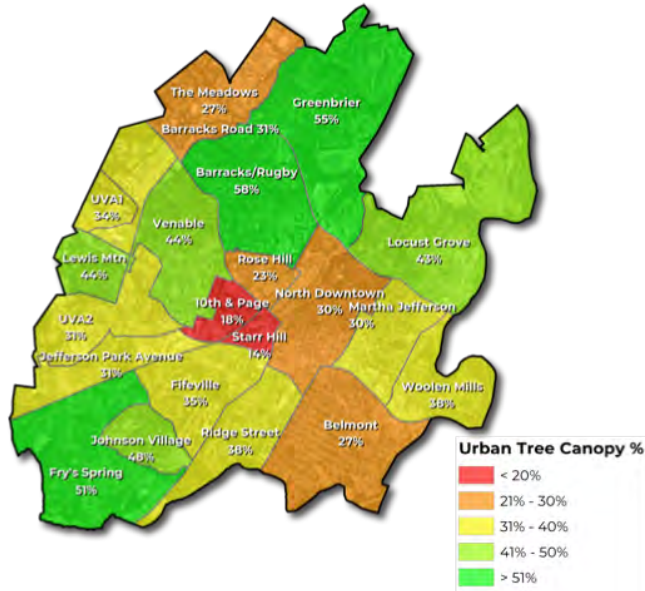


It is not impossible to increase tree canopy even in a developing city. Richmond continues to reach its goal of 60% canopy from its current coverage of 42%, and Washington DC also continues to increase its canopy coverage.

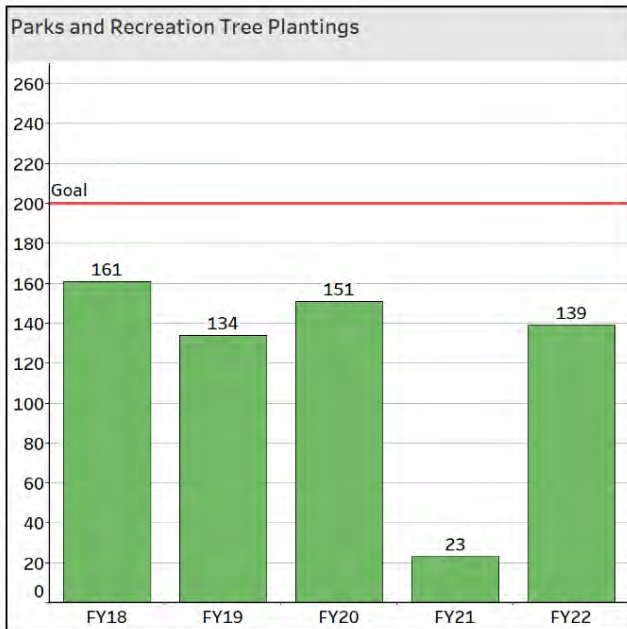
**Heat Islands, Public Health, & Justice — The canopy decline across all neighborhoods is most acute in low-income neighborhoods.** Fourteen of the city’s 19 neighborhoods are now below 40% canopy cover, and two of these are extremely low-canopy, below 20%. These neighborhoods face higher surface temperatures, greater utility costs, and their residents suffer the greatest physical stress, accounting for the majority of heat-related illnesses in any community.



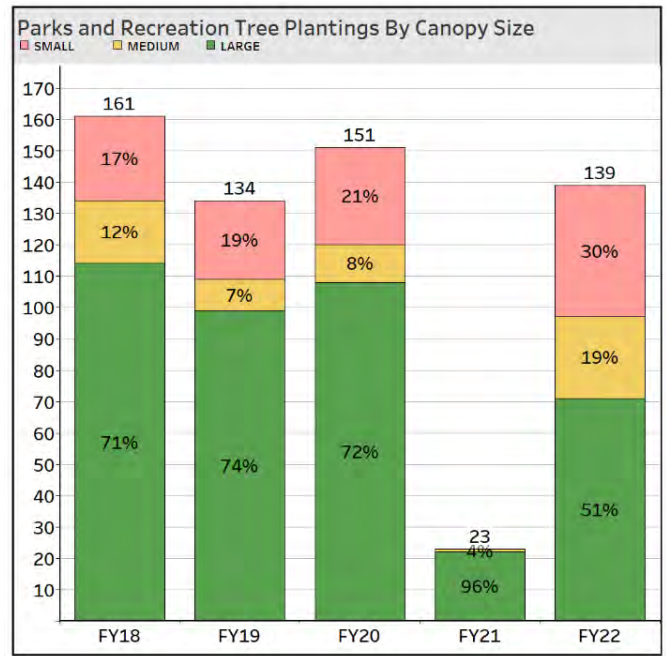
By these measures, Starr Hill and 10th & Page (below 20% canopy) and Belmont, Rose Hill, and The Meadows (below 30%) fare worse in the City. The map below shows that the City’s low-canopy neighborhoods primarily correlate with lower-income neighborhoods.



**Critical Need to Plant Trees—**The City’s goal is to plant 200 trees every year. It has not met this goal in any of the past five fiscal years, especially FY21 when the fiscal impact of Covid resulted in only 23 trees planted.

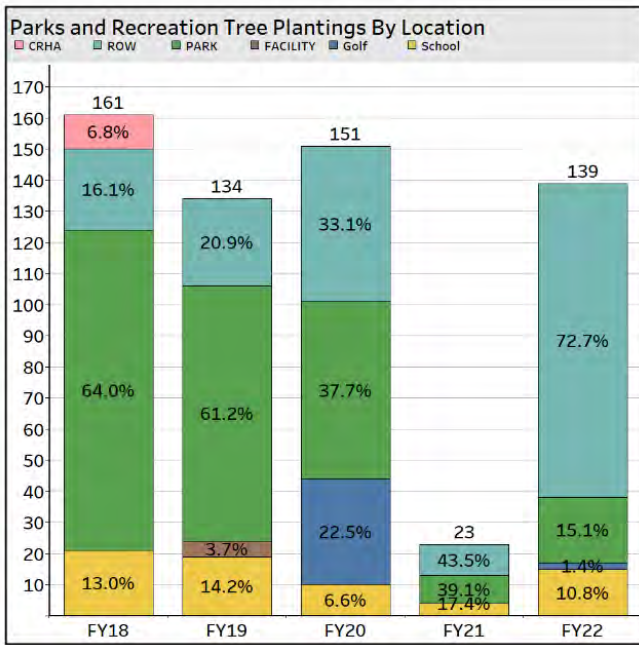


Compounding this shortfall, the City has removed more trees than it has replaced. **With devastating storms and diseases, especially the emerald ash borer, the City lost approximately 165 trees in FY22.**



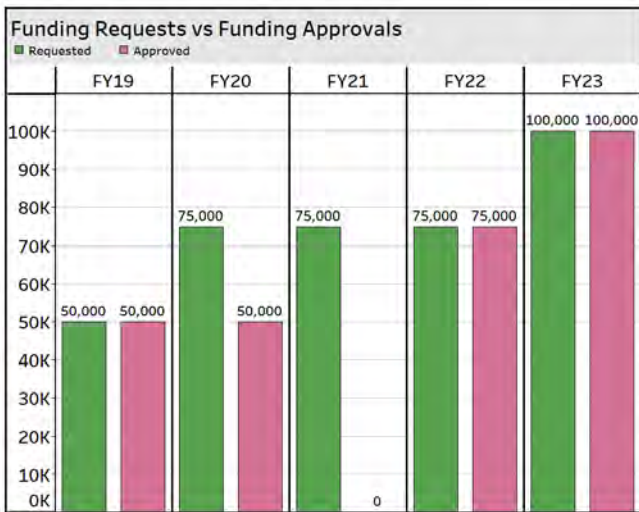
**Planting Large Canopy Trees —** A Tree Commission goal is to primarily plant shade trees. This accords with the goals of fostering healthier neighborhoods, providing greater shade for pedestrians, reducing energy costs, and mitigating pollution. As the graph above indicates, Parks & Recreation continues to include a high percentage of large canopy trees among those it plants each year.

**Location of Trees Planted on Public Property —** The graph below shows that plantings were primarily in the public right-of-way (ROW) in FY22. While these trees contribute to the overall tree canopy and provide shade for walkers, they do not provide sufficient shade to cool pedestrians where they play and gather. Thus, for the next couple of years, the Tree Commission will also prioritize planting on school grounds and parks. In order to improve tree canopy cover in low-canopy neighborhoods where there is little public property, the Tree Commission initiated ReLeaf Cville to plant on private property where the City cannot.



**Financial Investment in the Urban Forest –**

The financial uncertainty of the pandemic led to the elimination of the FY21 CIP budget for tree planting. **Fortunately, the City’s financial resources rebounded resulting in an increase for tree planting to 75K in FY22 and 100K in FY23.**



**It is crucial that the City continue to plant trees, which requires full funding of future CIP requests.**

Further delay in investing in the urban forest will only exacerbate negative health, environmental, and social consequences and reduce the likelihood of closing a years-long gap in planting.

**The inexorable spread of the emerald ash borer is a present dire threat to over 300 ash trees throughout Charlottesville’s urban forest as well as to the safety of citizens on the City’s streets and in its**

**parks.** To counter these threats, the City approved a FY23 request for \$50,000 for removals.

As for the preservation of trees, the Commission appreciates that Council recognizes this important need and for several years has provided funding in Parks & Recreation’s operating budget. The department uses these funds to prune, repair, and protect existing large and valuable trees in the community, especially specimen and historic trees protected under City ordinance.

**Zoning Ordinance Revision** – Both the recent Comprehensive Plan and the Climate Action Plan include excellent aspirations for a more sustainable built environment and healthier natural environment.

**Despite these lofty goals, the urban forest is suffering further fragmentation and degradation primarily as a result of the development of private land.**

**Development often fails to protect and preserve existing trees, and also fails to incorporate appropriate number of new canopy trees.**

One of the most important suggestions in the Climate Action Plan refers to protecting and restoring natural ecosystems by using already **degraded** land for development, as opposed to denuding wild lands. Unfortunately, the City’s current regulations and policies often fail to follow this recommendation and are inadequate to protect and enhance the urban forest. **Thus, the zoning ordinance must be revised to address these deficiencies.**

**Activities of the Charlottesville Tree Commission** – The Tree Commission has continued to meet virtually. Despite this constraint, members worked individually and in small groups to promote the goals of the Tree Commission. What follows are the primary projects undertaken by the committees throughout 2022 into early 2023.

**Education & Advocacy**

- Worked with City staff to improve the Urban Forestry web site.
- Successfully advocated for full funding for tree planting and ash tree removal in the CIP.

- Worked with the Urban Forester to prepare The Downtown Mall Tree Management Plan RFP to better preserve the existing trees and to plan replacements.
- Collaborated with ReLeaf Cville and City of Promise to begin planting trees in the 10<sup>th</sup> and Page neighborhood which resulted in 39 trees planted this past fall.



- As seen in the photo below, participated in ReLeaf’s Environmental Career Fair at CHS to educate teenagers about jobs in the Green Industries.



- Began developing a handout to educate the community about the purpose and work of the Tree Commission.

#### Arbor

- Held two events on Arbor Day - with CATS, recognized a notable Elm at Sojourners Church and with ReLeaf Cville, planted an Oak at Clark School with a group of third graders.

- Worked with the Urban Forester to revise priorities for locations of new trees and developed the list of tree species and locations for approximately 160 new trees for this spring.
- Advised the Department of Utilities on tree species for their Arbor Day tree-give-away program which resulted in over 200 tree requests by City residents.
- Began a conversation with PHA about working to save the Oak trees along Garret and 2<sup>nd</sup> Streets as PHA prepares their development plans for Friendship Court.

#### Codes & Ordinances

- Continued to participate in virtual meetings of the C’ville Plans Together Steering Committee.
- Prepared for a thorough review of city zoning code and comments on proposed changes affecting trees.
- Prepared comments on the city’s Climate Action Plan.
- Consulted with neighborhood associations on the protection of trees when threatened by development.
- Submitted comments on proposals, including the Azalea Springs development and 5<sup>th</sup> Street safety improvements.
- Prepared comments concerning the critical slope ordinance, which has been consistently waived in the last two years and which is one of the few code provisions meant to protect sensitive environmental areas.

#### Looking Forward: How the City Can Protect and Enhance Trees and the Natural Environment

The City should take budgetary and organizational action to support the city’s tree canopy, and live up to this vision as stated in the recently adopted Comprehensive Plan:

**“Charlottesville will be an environmental leader, with healthy air, water and ecosystems, as well as ample, high-quality, and accessible open space, natural areas, and a preserved and enhanced tree canopy.”**

Such environmental systems, including forests, are neither a luxury nor an amenity the city can choose to invest in or not; they are a critical element of the municipal infrastructure and essential to the well-being of all.



Following are some steps the City can take to support this vision.

**1. Fund the current CIP requests** for 100K for tree planting, 100K for the removal of hazardous ash trees, 100K for the ongoing preservation and replacement of the Downtown Mall trees, and 75K to reduce invasive plants that are rapidly outcompeting native vegetation on City-owned properties.

**2. Create a zoning ordinance that treats trees and the natural environment as vital City assets. As stated in the Comprehensive Plan, “Require that zoning changes preserve and enhance natural resources and sensitive environmental areas, designated flood plain areas, steep slopes, rivers, and streams.**

- Strengthen the critical slope and other environmental ordinances in the current rewrite of the zoning ordinance instead of waiting for a second phase.
- Enhance requirements, enforcement, and add penalties for tree protection during construction.
- Increase number of trees required in new development, stressing large canopy trees.
- Provide incentives to save trees in development, whether private or public trees.
- Require meaningful compensation from developers for damages or removal of public trees.
- Eliminate “no setback” waivers that prohibit opportunities to plant street trees.
- Encourage large developments to be located on already **degraded** land that do not destroy trees, forests, streams, and critical slopes.
- Include an environmental assessment of large developments in sensitive areas.

**3. Improve the City’s organization to better manage urban forest and all natural resources**

- Encourage greater coordination and integration between Parks & Recreation, NDS, and Public Works.
- Support creation of Natural Resources Manager position.

**4. Enhance charge of the Tree Commission to better advocate for the urban forest and all natural resources**

- Support the Commission’s review of particular site plans, particularly for large-scale development, development that will have

negative impact on trees and other natural systems.

- Encourage departments to work together on common goals, and require that a member of the Environmental Sustainability division attend Tree Commission meetings along with Parks & Recreation and NDS representatives.
- Explore the creation of a Natural Recourse Commission or expand the Tree Commission’s charge to include enhancement and protection of all natural resources.

## Conclusion

The Tree Commission appreciates the support that City officials and staff, especially in Parks & Recreation, has given us in recent years as we struggled through the pandemic.

We take our charge seriously to advise and advocate for a healthy natural environment with an emphasis on trees. Furthermore, we truly believe we need more affordable housing, **but to be a livable city, we need both more housing and a healthy environment. It does not have to be one or the other.**

Many of our citizens may not be able to visit our state parks and other special natural areas. Therefore, Charlottesville must provide places where they can experience nature. More and more scientific research has found that people living near trees, forests and green space have better health. **This sign, posted by some residents of Crescent Hall expressing their love for their trees, makes the case for a healthy, natural environment within our City for all of its citizens.**





Minutes

**PLANNING COMMISSION REGULAR MEETING  
October 12, 2021 – 5:30 P.M.  
Virtual Meeting**

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

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

***Location:*** Virtual/Electronic

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

**Members Absent:** Commissioner Dowell

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

Chair Solla-Yates called the meeting to order at 5:00pm and he asked staff to provide logistical information for this evening. Ms. Creasy provided background on the potential method for deliberation. Commissioner Mitchell asked that when the commission begins deliberation that a motion be provided first that the commission could add amendments. Commissioners then noted potential changes to the comp plan before them. Commissioner Lahendro noted that he would provide some additional language this evening and Commissioner Stolzenberg noted that he had a number of map changes that he would like to propose. Commissioner Russell expressed concern with a review of map amendments that were submitted late in the process. Chair Solla-Yates asked if there were other potential amendments. Commissioner Russell noted that she would like the group to be ready for a discussion concerning the Medium Intensity Residential category. Mr. Freas noted that he will be providing an overview on that topic in his discussion and it is included in the consultant presentation.

Commissioner Mitchell noted that he may want to talk about by-right affordable units in General Residential. Commissioner Russell asked how detailed/specific discussions should be in advance of the zoning ordinance. It was noted that during the first discussion period this evening that Commissioners are encouraged to make opening remarks, provide questions for the consultants and note any known discussion items.

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

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

***Location:*** Virtual/Electronic

**A. COMMISSIONER'S REPORT**

**Commissioner Russell** – No Report

**Commissioner Stolzenberg** – We had a meeting of the MPO Technical Committee. We are getting ready for a stakeholder engagement on the Rivanna River crossing. There are a couple possible routes. There are



a number of potential stakeholder groups that will be brought on to an advisory committee. We have an update on the VDOT pipeline and the 29 north corridor study updates. We had a TJPDC meeting and approved the solid waste plan. We appointed a new permanent director, who is our interim director, Christine Jacobs.

**Commissioner Dowell** – We do have the CIP Committee meeting coming up on the 26<sup>th</sup> of this month. I plan to be in attendance for that meeting.

**Commissioner Mitchell** – No Report

**Commissioner Lahendro** – I attended the Tree Commission meeting on October 5<sup>th</sup>. There is a report by the Cville Relief Committee, which is an initiative created by the Tree Commission. This group will be planting about 17 trees at Venable School, specifically designed to shade the playgrounds. It was discovered that there is a 20 degree difference between the areas of the program that have trees and the blacktop areas that don't have trees. Cville Relief will be mostly focusing on educating children through the school presentations with the city and the school staff on the value of trees and nature in Charlottesville. There are presentations planned at City of Promise, Venable, and other city schools. The CIP funding from last year is allowing Parks and Recreation to plant about 150 trees this coming December and January. We are prioritizing playgrounds, parks, and right of ways. The Board of Architectural Review met September 21<sup>st</sup>. I wasn't able to attend because it conflicted with a Planning Commission meeting. Four Certificates of Appropriateness were approved. There was a preliminary discussion of the demolition of 745 Park Street.

**Commissioner Habbab** – The Citizens Transportation Advisory Committee met September 15<sup>th</sup>. We had updates on three items including a presentation about roundabouts, an update on the 29 north corridor study (which is in the county), and the Charlottesville-Albemarle MPO identified the Rivanna River bike and pedestrian crossing as a project that would benefit from additional engagement. A stakeholder advisory group is being put together for that project.

## **B. UNIVERSITY REPORT**

**Commissioner Palmer** – No Report

## **C. CHAIR'S REPORT**

**Chairman Solla-Yates** – No Report

## **D. DEPARTMENT OF NDS**

**Ms. Creasy** – We have our special meeting scheduled for October 21<sup>st</sup> which will be similar to our Regular Meeting. We have the agenda materials posted. I didn't want that to get lost in all of today's messages. We have one public hearing in that meeting and a couple of regular items as well as a preliminary discussion. It is a full meeting. We will be back on our regular schedule. We will have our next regular meeting on November 9<sup>th</sup>. That agenda is To Be Determined. I don't anticipate an October work session. You will have met quite a bit.

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

**Elizabeth Marshall** – I live here in Preston Place. My mother and grandparents grew up in this house. I remember being here as a little kid and playing with other families. It was a family street on the border with the University. It is turning into a college party zone. It wasn't like this ten years ago. Changing these last few houses from single family to high density is not going to provide affordable housing for anybody. It is going to backfire and make the party zone larger. It will be a disaster. There are still a few houses on Preston Place that are still R-1 (Single family). The new zoning looks to change it to high density. It won't provide affordable housing to families. It is going to turn into a University student party zone. It used to be families. There are students coming in. A lot of them are disrespectful.

**Castano Lopes** – I wanted to mention that the Thomas Jefferson Planning District Commission is deliberating right now Charlottesville 30 for Charlottesville and the surrounding municipalities. As a result of this study, we're going to likely make the necessary investments. One of the things that was missing was planners with the city. We were talking about improving transit. It is important to have the people that are going to decide where sidewalks are going to be placed, where roads are going to be constructed, and where crosswalks are going to be placed. I want to invite/urge the city to bring planners or Planning Commission members to this meeting in the future.

#### F. CONSENT AGENDA

1. Minutes – April 13, 2021 – Regular Meeting

**Commissioner Russell moved to approve the Consent Agenda. (Commissioner Mitchell second).  
Consent Agenda passed 7-0.**

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

**The meeting was adjourned until 6:00 PM for a quorum with City Council and the beginning of the Public Hearing.**

**Councilor Hill called Council to order for the Public Hearings.**

### III. JOINT MEETING OF COMMISSION AND COUNCIL

*Beginning:* 6:00 PM

*Continuing:* Until all public hearings are complete

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

1. **CP-21-00002: (Comprehensive Plan)** – The purpose of the Comprehensive Plan is to provide a guide, with long-range recommendations, for the coordinated and harmonious development of property within the City. Elements that are addressed in the proposed Plan include Land Use, Urban Form, and Historic & Cultural Preservation; Housing; Economic Prosperity & Opportunity; Transportation; Environment, Climate, & Food Equity; Community Facilities & Services; Community Engagement & Collaboration. This update provides for updated density ranges throughout the City. The Plan also identifies Guiding Principles and Vision Statements; Goals and Objectives; a Transportation Plan; updates to the Urban Develop Area designation and recommended actions for implementation. Materials may be viewed online at <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood->

development-services or <https://www.charlottesville.gov/1077/Agendas-Minutes> (available online five to six days prior to the Public Hearing) or obtained from the Department of Neighborhood Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in the Comprehensive Plan may contact Missy Creasy ([creasym@charlottesville.gov](mailto:creasym@charlottesville.gov)) or by telephone (434-970-3189)

## **i. Staff Report**

**James Freas, Director of NDS** – Tonight, we're here to speak about our draft Cville Plans Together Comprehensive Plan. I did want to acknowledge the hard work that has gotten us to this final draft of the Comprehensive Plan. Many hours of time have been spent on this plan amongst our city staff, consultant support team, Planning Commission members, City Councilors, and most importantly many community members who have taken the time to share their thoughts and concerns with all of us. The result of this process to date is the draft plan you have before you tonight, which is only a first step as we move onto the implementation actions and rulemaking through the zoning ordinance project. In the presentation tonight, there will be a brief description of the guiding principles and goals of the plan. It is there to remind all of us that as we move into implementation, we will be considering this entire plan. While there has been much discussion on the land use map, the strategies in this plan call for environmental protection, historic preservation, and recognition of neighborhood context, addressing climate change, and providing affordable housing among many other issues. All of these will go into our efforts to craft a new zoning ordinance. This work will involve a great deal of further analysis, which must be done within the rulemaking context of the zoning project. That work cannot start until this phase of the work is complete. As we craft rules that bring together all of these different goals of the plan, there will be places where the suggested density may not work. We will prepare a plan with adjustments and amendments accordingly. I am excited and looking forward to working and collaborating with members of the public, the community, Planning Commissioners, and the City Council as we move forward into the zoning amendment process for implementation of the plan.

## **ii. Applicant Presentation**

**Jenny Koch, Cville Plans Together** – The Cville Plans Together process has three parts. They are all focused on updating this future vision for the City of Charlottesville with a real focus on equity and affordability. The Comprehensive Plan is the middle of the three pieces. We are showing the Affordable Housing Plan with a checkmark. That was completed after a yearlong process with Council endorsing the document in March. We are currently in the phase of updating the Comprehensive Plan, which is the guide for the future of the city. After our work with you on this, we will work with you on the zoning ordinance.

### **Next Slide**

I am going to speak about equity and affordability. We have talked a lot about equity and affordability throughout this process. When we talk about equity, I just want to make sure we are all on the same page. We are talking about incorporating policies throughout this process that include the Affordable Housing Plan, the Comprehensive Plan, and the Zoning Ordinance in looking to mitigate any disproportionate harm that may happen or might be faced by certain communities. We know that this is not how land use planning policies have happened throughout history in most places. When we talk about affordability, there are many factors that relate to affordability: affordable transportation, access to healthy and



affordable food, etc. The thing we're talking about tonight is affordable housing. We're looking to support housing options that are affordable at all income levels. The federal government defines affordable housing as a household that can obtain that housing at 30 percent or less of their income. That is the general guide for affordability. We know that significant subsidy is needed at the lower end of the income spectrum and less so at the higher end of the income spectrum, which is more market rate. We know subsidy is needed to support those lower income levels. Land use policies can make a bigger dent on their own at higher income levels. The supply side of affordable housing is only one part of this. Income levels are also important. There are policies in the Comprehensive Plan that support that.

### **Next Slide**

The Cville Plans Together consultant team began our work in late 2019. The Comprehensive Plan process has been in motion since 2017. The Planning Commission began this required five year review of the Comprehensive Plan. There were three rounds of community engagement between May 2017 and May 2018. During this time, the city also commissioned a housing needs assessment, which identified that the housing market is very tight. Demand significantly exceeds supply. Recognizing the need for a focus strategy to address housing issues, the city sought a consultant team to help guide an affordable housing plan as well as complete the other activities that we are undergoing right now. Most work began in early 2020. Several pieces of our schedule have needed to be adjusted as we went due to COVID. We are glad that we have been able to have three rounds of engagement throughout the process, including both virtual and in-person engagement input opportunities. We have met nine times with our Cville Plans Together steering committee. We're very grateful for those people. We have also met with the Planning Commission and Council several times throughout this process; not to mention the countless meetings with city staff.

### **Next Slide**

We have heard from thousands of people in this process including city residents, county residents, and some residents who don't live in those areas at all. We're really grateful to those people who have participated. We want to give a snapshot of what we have been hearing. This is just an overview list of things we have heard in this process. I would encourage everyone to read through these booklets that we have put out to show what we have heard throughout this process from 2017 through 2021. What has been done to reach out to people? What have we heard? How have we responded to that?

The first section talks about what we have heard around housing affordability and allowing for potential increased intensity of uses: both for housing and otherwise. There were varying opinions on that. One thing we have heard is that there is support for improved housing affordability in the city, even if there are varying opinions on how to get there. We also know that housing is not the only concern on the community's mind when it comes to the future. We have heard a lot about climate change, multimodal transportation, economic development, job opportunities, community wealth building, food equity, community engagement, etc. All of these topics are covered in the Comprehensive Plan.

### **Next Slide**

We have mentioned the housing. A lot of us are familiar that there is a need for more housing and more affordable housing in the city. Regional studies have found that the city and county are expecting to see

around 15,000 additional households in the next 20+ years. Since the Charlottesville housing supply is constrained, much of this growth is expected to occur in the county. Within the city itself, though there is capacity for growth in terms of zoning. There is little capacity for growth and change within residential neighborhoods. Many allow only single family homes to be built. Unless you can afford a single family house, you're not able to afford to live in certain neighborhoods in the city. We know that many people in Charlottesville currently pay more than 50 percent of their income on housing. If you recall that benchmark for 30 percent being affordable, 50 percent is certainly not affordable for anyone. We know that housing is a regional need and regional issue to solve. There are regional solutions that are needed; not only working with the county but also with UVA, TJPDC, and all of these regional players. You have recognized the need to look inward to see what Charlottesville can do to reduce displacement in the city, to support aging in place, to support climate change mitigation goals, to reduce vehicle miles traveled, and to achieve all of these other goals we have been discussing.

### **Next Slide**

The Affordable Housing Plan really sets the stage for many of our housing focus strategies in the Comprehensive Plan. This document is robust and includes a lot of recommendations. Overall, it defines a vision for a local housing market that is healthy, high quality, affordable, and equitable. There were three guiding principles in this Affordable Housing Plan. Racial equity was identified as a priority, recognizing that historic, local, and national housing policies have led to segregation of many neighborhoods that persist today. There are also displacement issues driven by development pressures in certain communities. The second principle is regional collaboration. We have heard community input that supports this and recognizing that housing is a regional issue. The final guiding principle in the Affordable Housing Plan is taking a comprehensive approach, recognizing there is no silver bullet to address the housing needs. It needs a strategy that combines everything from land use, subsidy, tenant's rights, governance, and all of those different strategies that are included in this plan. Although there were a lot of recommendations, there were three major initiatives that are listed here. One is dedicating \$10 million annually to affordable housing. The second one is to build inclusive governance at all levels. The third one is to adopt progressive and inclusionary zoning reforms. We're not specifically talking about zoning tonight. We're talking about land use, which is providing a vision that we will be looking to implement through the zoning.

### **Next Slide**

The Comprehensive Plan might be best thought of as an umbrella plan. It provides an overall vision for the city. It is supported by and supports several functional plans; things like the Affordable Housing Plan, Bike and Pedestrian Master Plan, the forthcoming Climate Action Plan. The Comprehensive Plan is also supported by several small area plans, which identify a future vision for land use in greater detail for these defined spatial areas in the city. One example is the Cherry Avenue Small Area Plan. There are several that have been incorporated into the Comprehensive Plan.

The zoning ordinance is also a piece of this future of the land use in the city. That will be the next step in this process that we have shown.

### **Next Slide**

Coming into this process, we as a Cville Plans Together consultant team, were tasked with picking up on the previous updates that have been started when working with you, the community, and staff to continue and finalize revisions. Some key pieces of this are listed here. They include incorporating equity considerations throughout the plan, not only for housing, but also access to facilities and food. Another key update was updating the land use chapter and the housing chapter. The housing chapter was informed largely by the Affordable Housing Plan. With the land use chapter, we combined two in the previous plan to make sure that the ties between land uses were clear to urban design and historic preservation. Those two chapters were combined. The new community engagement chapter and the new implementation chapter have been added. We have worked with staff to identify changes throughout the plan.

### **Next Slide**

In terms of the structure of the plan, we mentioned guiding principles for the Affordable Housing Plan. The Comprehensive Plan has its own guiding principles. There are five of them. The purpose for these is to identify overarching priority areas driven by community input that we have received over this process. They really tie together the goals throughout the chapters of the plan. Each of these has an additional description in the plan itself. We have been discussing these with the community since November, 2020 when we had a draft version. The language has been adjusted. These five guiding principles have generally received support. They have been steady since that time.

### **Next Slide**

The guiding principles are applied throughout the plan. They are tied to goals throughout every chapter to make it clear how everything in the plan ties together. There are these separate chapters that seem separate from each other and we believe these guiding principles help tie it together. They apply to goals throughout the plan. The goals are contained in seven topic specific chapters. Those are shown here. Within each of the chapters, there is a vision statement for the future as well as goals related to that vision statement and strategies for working toward each goal. There has been a lot of focus on housing and land use, which are important topics for the future. We want to quickly go through each chapter to make sure everyone is aware of what is contained in the plan.

### **Next Slide – Land Use, Urban Form, and Cultural Preservation**

In the Land Use, Urban Form, and Cultural Preservation chapter, this tackles topics related to zoning. It includes an outline for what we will be considering in the zoning rewrite. This chapter also talks about processes and future potential small area plans. It has several goals related to historic and cultural preservation. It has a robust preservation appendix that has been updated from the 2013 version. The other thing contained in this chapter are ways to support a livable community through urban design. That is something we have heard a lot about.

### **Next Slide – Housing**

The housing chapter incorporates all of the recommendations from many of the Affordable Housing Plan goals specifically related to funding, governance, tenant's rights, subsidy, and regional collaboration. Those are all in this chapter. It really looks to support a diversity of housing options throughout the city. It identifies strategies, in addition to the things in the Affordable Housing Plan, to house the unhoused in the



city, as well as to address energy efficiency for housing, which is also an affordability concern and an environmental issue.

### **Next Slide – Transportation**

The transportation chapter supports improving transportation options, especially for walking, biking, and public transportation. It also identifies various mechanisms to seek funding for transportation projects and talks about prioritizing different types of projects. Like the Historic and Cultural Preservation piece, this chapter is also supported by a robust appendix, which describes the city's Transportation Master Plan, which is a collection of several planning efforts.

### **Next Slide – Environment, Climate, and Food Equity**

The Environment, Climate, and Food Equity chapter seeks to address ways that humans in the natural environment in the city interact. This includes considerations related to climate change, both in terms of mitigation and adjusting to future conditions. It supports the ongoing Climate Action Plan process, which is of great importance to the city. It includes recommendations or strategies around water quality and other factors that affect the natural environment in the city.

### **Next Slide – Economic Prosperity & Opportunity**

In this chapter, there are considerations for both community wealth building for individuals and families as well as the overall economic health of the city and partnerships in diversifying the economic framework of the city.

### **Next Slide – Community Facilities & Services**

The Community Facilities & Services chapter is quite broad. It covers topics ranging from schools to utilities and stormwater to parks and recreation. It also covers community safety including fire, EMS, and the police department.

### **Next Slide – Community Engagement & Collaboration**

This chapter is focused on community engagement and collaboration. It includes strategies related to public education, building more inclusive and effective engagement processes and building more transparency and communication into all efforts in the city.

### **Next Slide**

There are a lot of really important topics covered in this plan. Accordingly, there are a lot of goals and strategies in the plan. They are all important. They have been identified by staff in the community as areas of interest. In the interest of making sure that limited resources are focused in the short term, we have proposed six priority areas for implementation. Those are listed here. There's also 30 priority strategies that are tied to these priority areas. They don't negate other strategies. They are meant to serve and elevate those areas that we have heard repeatedly from people in the community.

## **Ron Sessoms, Cville Plans Together –**

### **Next Slide – Future Land Use Objectives**

Land use is an important component of the Comprehensive Plan. It is one of many important elements that we included in the plan. Over the past 7/8 months, we have been working hard to develop the Future Land Use Map. Before we put pen to paper in the beginning of future land use planning, we developed nine key planning objectives. These planning objectives were developed based upon what we heard from the community. We had a fairly robust community engagement process throughout this planning update/study. We were able to use that information and what we heard to develop these guiding objectives that really serve as a point of evaluation and a means to guide the recommendations of the Future Land Use Map. You can see the nine objectives in front of you. They are not organized in any particular order. They do recognize all of the different opportunities that we have at our disposal to develop the Future Land Use Map. They range from (a) being able to integrate the previous studies that have been completed throughout the city. The Comprehensive Plan is one of many studies that are on the way or have been completed in recent years, including small area plans, studies such as the Streets that Work program, and others that we used as a foundation of our work. Housing is very important. That's an issue we have heard quite a bit through the planning process. We have identified ways on the map that we can begin to provide for equitable housing opportunities throughout the city, recognizing the Future Land Use Map is only one tool of many tools that need to be combined with the map to really make sure that equitable opportunities come to fruition. We do see and have integrated opportunities in the Future Land Use Map to support equitable development. Another form of equity is providing access to community amenities such as shopping, employment centers, and transit. Charlottesville is the hub of Albemarle County. It is a regional hub beyond that. Providing opportunities for people/citizens of Charlottesville to live close to those amenities is very important. Taking advantage of vacant and underutilized properties (particularly commercial properties) can support more intense development that can support economic development goals as well as housing needs. Not thinking about Charlottesville in a bubble but how it fits into the region and relating the future land use opportunities with those of the county and incorporating that urban ring (area of growth around the city) into how we think about future land uses within the city. Thinking about access to transit, making this a very livable city, and a city where you don't have to rely on a car. Providing access to transit, more amenities for biking and walking, while preserving natural and cultural resources. Charlottesville is a very historic community. We have heard a lot from the community regarding preservation of historic resources, natural resources. The Rivanna River is a major natural resource. There are several streams and tributaries that meander off the Rivanna River corridor into the city. Natural resources are very important. Economic sustainability and how we support economic development as part of this future land use planning process.

### **Next Slide – Future Land Use Map**

We have been working closely with the community and Planning Commission to refine the Future Land Use Map. We went through several iterations of the map. We know there is a zoning process that is coming up after the Comprehensive Plan process. We recognize that with the zoning process, there may be further revisions to the map. We see this as not the final map but there might be updates that happen in the future to the map. This is a living document. We don't expect these elements to remain static. There are several core land use categories that we integrated into the Future Land Use Map, There are ten land use categories. They range (to the left) in intensity from the least intensive (General Residential) up to

Downtown Core, which is the center node of the city. These land uses are fairly distributed throughout the city. We first started the future land use planning process through the development of a land use framework where we identified how we see the city growing in the future. We built the process to identify nodes and corridors that will serve as a framework for the Future Land Use Map: nodes being central more densely developed places in the city (Downtown, areas around the Strategic Investment Area, US 29 corridor) that support more intensive development. In between these places/nodes, we have corridors (High Street, Preston Avenue, Cherry Avenue, Fifth Street) that become extensions between these nodes and how we felt of these places where opportunities can support particularly higher intensity residential development. Along many of these corridors are transit routes and community amenities. These are main conduits that connect employment centers not only in the city but to the region. That was an important element of the framework that we carried forth through all of the iterations of the Future Land Use Map.

For those land use categories, we have a series of residential land use categories, General Residential being the least intensive residential category up to higher intensity residential (larger scale apartment buildings). We also have a series of mixed use categories that range from neighborhood mixed use corridors and nodes, which are smaller scale mixed use developments that will allow for commercial development on the ground floor and residential development on the upper floors. We did hear from the community that they would like to see commercial, neighborhood scale commercial being offered in the General and Medium and High Intensity residential categories as well. We did integrate that into those categories. We have opportunities for places to develop throughout the city, even in residential neighborhoods that can support community serving retail.

#### **Next Slide – Housing Affordability Framework**

We have heard a lot about equity. Ms. Koch talked about the need for affordable housing within the city. Housing costs are rising. It is not only unique to Charlottesville but it is a phenomenon that is happening throughout the country. We have thought of this Future Land Use Map as a means to perhaps accommodate more affordability throughout the city. For every land use category, we have included an affordability measure. We're going to talk more about General Residential and Medium Intensity Residential categories. With the higher intensity and mixed use areas, we are including an inclusionary housing mechanism to promote affordability within those mixed use districts and in the General Residential and Medium Intensity residential areas as well. We will talk more about that. This was very important. We heard that we needed to include affordability across the board. We have done that for all categories in the Future Land Use Map.

**Ms. Koch –**

#### **Next Slide – Inclusionary Zoning & Bonus**

There is a forthcoming inclusionary zoning study that is part of the zoning rewrite that will look at a variety of ways to provide inclusion of affordable homes in market rate developments. This graphic is from the Affordable Housing Plan. It shows the various types of considerations that need to be taken into account with this: types of policy, administration considerations, looking at things like depth and length of affordability, incentives needed, and program management. All of these factors are listed. The goal would be to provide as deep affordability as can be supported. We note that inclusionary zoning is most effective when there are about ten or more housing units involved in a development. In that case, we have provided



a bonus program for smaller scale developments. It is important to note that a bonus program, in most cases, might require subsidy to provide affordable units. That subsidy commitment in the Affordable Housing Plan is important to make some of these changes happen.

### **Next Slide – General Residential**

We also want to provide some notes about the General Residential categories. There are two categories in General Residential shown on the Future Land Use Map. Within sensitive community areas, the draft plan proposal allows for up to three unit dwellings if the first new unit meets the affordability requirements to be established during the zoning update. It also allows a fourth unit if the existing structure is maintained. That is the current draft plan. Outside of sensitive community areas, the plan allows up to three dwelling units with up to four dwelling units if the existing structure is maintained. This is where we will be talking about a bonus program as we get into the zoning rewrite to look at allowing for additional units and some additional height under that bonus program.

We know that this is a big change. This is a significant change in the city. Along with the changes we have discussed in Medium Intensity Residential, we know there are a lot of thoughts on this. We also know that the status quo in the city is not working for many who cannot afford to purchase these types of homes that are being built. What we're trying to do here is to provide a future land use vision that is more supportive of a variety of types of housing, affordability levels for a variety of people. This vision is really aiming to provide these opportunities for housing as well as for commercial at a variety of scales, commercial uses including at a neighborhood scale, which we have heard a lot about during this process.

### **Next Slide**

We have heard in discussions with you and with community members is the question: Can we apply this idea of the first new unit being affordable within the General Residential areas outside of sensitive community areas in addition to within those sensitive community areas? The goal with the sensitive community areas is to protect these communities, which are (based on demographics) most at risk for displacement based on development pressures in these areas. If this idea of having the first new unit be affordable to a certain level is applied in all General Residential areas, it might lead to two things. One would be reducing the amount of housing that is built in areas that are currently dominated by single family homes. In those areas along with the base market rate of development, it will provide more incentive to build additional units at a variety types of units. The second thing we think might happen if we were to apply that requirement outside of sensitive areas is that it would increase or maintain this pressure we're trying to mitigate in those sensitive community areas. We're trying to make sure these are not such a focus for development while still allowing for and supporting this community wealth building for those who do own property, especially long time community owners.

We do include in the chapter that the zoning update should explore whether it would be feasible to include this requirement within some of the zones outside of sensitive areas. We do believe that additional analysis is needed.

### **Next Slide – Medium Intensity Residential**

The intent with Medium Intensity residential is to support a variety of housing types in scales to help build these housing options into all neighborhoods. It is particularly located near community hubs such as

parks, schools, employment and job centers, transit corridors, and shopping. These are the places that people need and want to go. This is building on what is called for in the Affordable Housing Plan, which calls for restructuring multifamily zoning and approval processes, which is a supporting element in the Comp Plan. In order to increase the production of new housing in the city, the Affordable Housing Plan notes that these changes should be made in tandem with an inclusionary zoning policy. This category allows for a range of housing up to 12 units. This 12 unit maximum for Medium Intensity came about because it is the upper limit for what would be considered the missing middle housing, which is what we're looking to support here. It is a general maximum of what can fit with a form that is compatible with single family homes. That includes having similar setbacks and building widths. These buildings and structures might be deeper and might be taller than some existing single family housing forms.

### **Next Slide**

These areas will be refined further in the zoning ordinance to make sure that the scale is compatible with site constraints and context. There will be several zoning classifications within all of these residential districts, including General Residential and Medium Intensity Residential that will lead to transitions between areas that will ensure that it reflects what is possible on a site. The inclusionary zoning study will define what is feasible in terms of level of affordability, incentives, and process prioritizing focusing on the deepest affordability as possible.

### **Next Slide – Recent Meetings & Refinements**

We have met with all of you a few times since August. We have met with the Steering Committee. You met yesterday to have discussion on these topics. As we have gone through these meetings, we have listed some areas of refinement. We have refined how we have talked about sensitive areas or made some clarifications about the intent around them. We have clarified the affordability framework, recognizing that we have heard ideas about overlays for affordability. We have provided a framework concept. We have set refinements to the Implementation chapter.

### **Next Slide – Future Land Use Map Refinements**

We have listed some of the most recent map refinements that we have made based on conversations we have had. It includes some adjustments to Medium Intensity and some adjustments of Mixed Use throughout the map. What we have been doing here is refining the map. We have been working with you and the community since the first version came out in May, building on previous versions the Planning Commission had already developed. We wanted to make it clear what has more recently been completed.

### **Next Slide**

The Comprehensive Plan document was posted last week. We have made 6/7 edits to the document. We have listed those edits here. Some of them are clarifications. We added a map that was missing environmentally sensitive areas.

### **Next Slide – Next Steps**

After we have the Comprehensive Plan updated and adopted, we will work to update with you the zoning ordinance. We will work with you, The Council, and the community throughout that process. There will be several community engagement points, which we will work to outline in early 2022.

**Commissioner Mitchell** – The document that we have in front of us is not perfect. It never will be perfect. It is a document that moves us to the next iteration. We embrace this document and move onto the zoning ordinance. We get more perfect. I am hoping that by the end of tonight, we are able to have a vote that supports the document that the consultants have presented with amendments that make this a more perfect document.

With the overlay, Mr. Sessoms did a good job of making me more comfortable with the affordability overlay. Mr. Sessoms did a really good job of making me pretty comfortable with their articulation of how the overlay should work in the various districts. I will not object to not having the overlay there. The General Residential piece is still ‘up in the air’ for me. I would like to hear from other commissioners. With the natural gas piece, Mr. Freas is pulling me back ‘from the edge on that.’ Rory and I will be very intentional when it comes to approving new developments and what the natural gas component looks like. With Medium Intensity, Genevieve Keller (previous chair) sent a very eloquent email to us. She suggested that we should think about this a little more. My worry is that if we don’t include that in the map, it might not make it there. I am becoming pretty comfortable with that being included. I would like to invite Mr. Freas to walk us through what he walked us through last night in support of including that in our plan.

**Mr. Freas** – The next step in our process is that we’re going to move into writing the zoning. Our process there is that we’re going to look at this map and the strategies within the plan. We’re going to use that to develop a set of zoning districts and rules that incorporate all of these various goals (affordable housing, environmental protection, historic preservation, etc.). We’re going to develop a body of rules and a set of zoning districts that encompass the objectives of the plan. We’re then going to attempt to apply those into the creation of a zoning map, looking at the conditions on the ground and understanding the lots that are present. As we’re doing that/taking that body of rules we created and applying it in a specific location, does this work? Does applying this body of rules in this location still accomplish our goals given the lot sizes here, given the environmental constraints in this location, and given transportation and other infrastructures issues? If it doesn’t, we may step back. We might say “this is General Residential location rather than a Medium Intensity location.” We still might say “this is still Medium Intensity but in this location, this is one of those districts that allows up to six units; not up to twelve.” Each of these land use designations could very well have within it a set of districts representing different intensities of development. Having the Medium Intensity on the map right now allows us to have a document to work forward with. Which areas of the city are we supposed to be doing this analysis in terms of considering these Medium Intensity districts? If they don’t show up on the map, how are we guiding that work as we move forward? If we didn’t put it on the map, we would have to say “here is a set of principles and guidelines you should use to consider where to consider, test, and analyze for the application of these Medium Intensity zoning districts.” That set of guidance that would go into that is what is illustrated in that plan. We would be taking a picture that is illustrating for us where to consider the Medium Intensity use while working on the zoning. We’re removing that picture and replacing it with a set of words or we’re not doing Medium Intensity at all. As staff, we need something that is adopted by the city leadership that represents a policy that tells us ‘here is where you should consider application of these



zoning districts that represent Medium Intensity.’ It is how we get direction from our elected and appointed leadership that allows us to move forward into the next phase of this work.

**Commissioner Dowell** – I did have a chance to watch yesterday’s meeting today. It was very insightful. There are a couple of things that I take away from yesterday’s meeting and from the presentation today. I already touched base on saying ‘in the zoning we will make sure that every district has the wording to support affordable housing.’ I think it is important to be redundant at this point; to not only have it here, there, and everywhere. It is no question or no shadow of a doubt that we are including this affordable housing protection in every sensitive area and even in the General Residential. I look at our Future Land Use Map and was curious as to the delineation of the sensitive areas. With Ridge Street, I was wondering why the cutoff was where it was at, especially being a lifelong resident of Charlottesville. As you come down Ridge Street well past Lankford Avenue, there are people that have been in their homes since I was born. They are single family homes. I would hate for those families to not be included in those sensitive areas. I looked at that area and at the Tenth & Page area.

**Ms. Koch** – I will respond to the delineation of sensitive areas. We didn’t dive back into those details in this presentation. The last time you saw the sensitive community areas, they were outlined as census block groups that had come out as high percentage of communities that are non-white/non-hispanic as well as high percentage communities with income levels of \$30,000/year. We were looking to identify block groups that have high proportions of both of those communities. We originally showed the outline of each block group and noted that in the zoning update, we would potentially be refining these further. We also noted that they only applied to the General Residential land uses within those areas. What we heard last time we met with you and community members, was that it would be if we were only applying to General Residential; to show it around General Residential. We reduced the outline within each of those community census block groups General Residential within those areas. As we previously said, in the zoning rewrite, we will be looking to see other places that don’t make sense to include within those census block groups. The block groups are fairly large. Are there places that make sense to include? You mentioned Tenth & Page and Ridge Street; those would be areas we are looking to see. I am glad that you mentioned that to give me an opportunity to clarify. It is written into the plan that we will be looking at how these areas can be extended or reduced. That will be a conversation with the community as well in all of those areas.

**Commissioner Dowell** – I am wondering why we have to wait for a conversation with the community when I see it. It is something that we can work on now. We have had a lot of community input on those two specific neighborhoods and about that sensitive delineation.

**Ms. Koch** – Our goal, in using this census data, was to do the first cut. Then we wanted to pull out those communities we have heard a lot of concern in terms of demographics to provide this first cut of these areas. That’s why we took this data driven approach in the first piece, building on what was proposed by the HAC (Housing Advisory Committee) and CLIHC (Charlottesville Low Income Housing Coalition), which focused on neighborhoods in general. We wanted to leave flexibility when we get to the zoning. We have heard the desire to see more flexibility. As we’re talking about what each of these zones mean and what it means with implementation in the zoning, that is a different conversation potentially to have with people at that point in a clear vision of how these might be applied as opposed to looking at those revisions now.

**Commissioner Dowell** – If you look on Martinsville Road, they have subdivided a lot at the bottom of the street. They recently put in a new subdivision that is definitely not comparable to anything around it in the neighborhood. By not extending that sensitive zoning, I am afraid that what our traditional neighborhood looks like is going to turn into the new subdivision down the street, which is definitely not compatible with the salaries of the neighborhood and the families that have been involved in this neighborhood for 30+ years. It is definitely important to me that we preserve all of this neighborhood. There are a lot of single family homes there. We are close to downtown. I do not want that to go unnoticed. I would rather not wait.

**Commissioner Habbab** – This is a great deal of work. I appreciate all of the effort that was put into this. I believe there is enough language in the Comp Plan to basically cover everything in zoning. I am comfortable with that.

Do we want to consider that affordability bonus in the sensitive areas where it is not included? Would it be bad for concentrating affordable housing or maybe it has a high affordable housing threshold in those neighborhoods if someone wants to develop (most likely nonprofits)? For the General Residential, affordability (hearing what our consultants had to say), the language that is there proposes a question to explore. Adding that affordability in throughout the rezoning stage, I am comfortable with that. I would be hesitant to add something now that we don't know the repercussions or how it will play out. With the Medium Intensity, I would be afraid of taking it all out now as it will probably not make it back later. If we do, what Mr. Freas said makes sense. It is a guide for them to use. I would suggest keeping it. Something that came up in yesterday's meeting was revising the Future Land Use Map based on the zoning map throughout the zoning process. That could be a way to link it back and update it.

**Ms. Koch** – You noted the idea to potentially allow the affordability bonus that we will be looking at in the zoning rewrite for General Residential outside of sensitive community areas. We're talking about potentially allowing the affordability bonus within the sensitive community areas. I believe that is something that the team would be fine with adding in.

**Phillip Kash, HR&A** – I think what Ms. Koch said was accurate. The tension that was noted is the tension here. If you allow the bonus, that's great. You can get more affordable units. Most of the new development you're going to see there, in terms of soft density/smaller development, is going to be affordable. There is a potential for some concentration. It is something that you have to balance here. These are small parcels. There is not a huge amount of subsidy going on. You're not likely to see a lot of concentration. If you had to get control of several small parcels in one area, you're talking about enough subsidy for all the deals. You're going to see more of it. You shouldn't see an entire street becoming entirely affordable housing at the higher level of density. Generally, it should be helpful for the goal Charlottesville set forth.

**Commissioner Lahendro** – Myself and Commissioner Dowell are now approaching six years with working on the Comp Plan. I have worked with my colleagues through a lot of questions, a lot of issues, and a lot of potential options for solutions. I am now coming into this homestretch with one main concern. I want more housing in Charlottesville that is affordable. I also want to protect the physical features of Charlottesville that make us all want to live here. Striking a balance between those two is my primary concern. I have introduced an amendment that we will talk about later. I have been one to push back against the number of units and the size of what is allowed/would be allowed within the Medium Density

areas. I am now comfortable with knowing that these are only guidelines. These are the upper limits. I trust and expect that we're going to be doing during the zoning ordinance rewrite a fine grained examination of every neighborhood and aligning the allowable units and sizes with the physical characteristics of that particular neighborhood.

**Ms. Creasy** – The Planning Commission has dealt with complicated issues like this on numerous occasions. One of the yearly opportunities is review of the CIP Program. The Commission in years past has chosen to express issues that they would like to talk more in depth on. If they have concerns or want additions or deletions to that document, they have identified what those issues are. We then have dialogue concerning those and determine whether they have a consensus to add or delete or refine the proposal that has been brought before them. We anticipate that the conversation and the discussion this evening is going to be somewhat similar to that process. The Commissioners will outline areas that they would like additional consideration, whether that be additions or deletions or refinements of language. They will deliberate on those. We anticipate that there will be a motion. The potential motion could have amendments to the document that is before them this evening. In the example that Commissioner Lahendro has some language additions that he wants considered this evening, there will be the opportunity for the Commission to review that, refine that, and if there is consensus, that may end up being part of a recommendation.

**Commissioner Russell** – I am really proud to have my name on this document. I am honored to have worked alongside the consultants, my colleagues on the Planning Commission, and staff to develop it. The process is focused on affordability and equity. It has meant that we as a city have looked critically at the way land use decisions have been made, the impact those have had on traditionally marginalized and institutional members of our community, and the impacts those decisions continue to have today. We know that Charlottesville is a great place for those that can afford to live here. Many of our neighbors are severely cost burdened in trying to stay in this community or trying to find a new home here. We're making great strides in moving away from R-1, which I hope will increase the supply and affordability of housing and a variety of types of housing in our neighborhoods. Eliminating R-1 zoning is a sweeping change. We're one of the first communities to be doing that. There may be some additional tweaks to the land use category descriptions. We're trying to balance not restricting supply and not constraining the market forces to add infill development but ensuring that affordability is a requirement in these developments. Everyone on this panel shares that desire. Moving forward, there is a lot of work to do. It is my hope and I am starting to become better assured that as we move into the zoning ordinance rewrite, it will be sensitive to the actual conditions on the ground, context, environmental features, infrastructure, and existing structures. There is value in the existing housing form in our neighborhoods; both in the integrity of the built form and the materiality but also from a sustainability and economic standpoint. We know that deeply affordable housing requires subsidies. We all want affordability. Let's dedicate resources and money towards what we want. I want to see intentional, public investments towards affordability while still allowing for natural infill to occur within well-crafted guidelines.

**Commissioner Stolzenberg** – The plan, as drafted, provides a big step forward toward a more equitable community that welcomes every member of its community and stops the cycle of displacement at pushing people out of our city because of the limited room we have available. I would like to highlight Commissioner Dowell's point about sensitive areas. What she said really highlights the deficiencies in the block group approach. It is a good start. That block group, in particular, has a number of newer developments that skew the statistics in that block group in a way that makes it so what local knowledge



knows about parts of that block group is more valuable than the aggregated statistics. I don't know if there needs to be change tonight or we need to redraw the map tonight. I wouldn't be upset if you talked with Commissioner Dowell. It would be appropriate to fix it next year in the zoning rewrite process.

The big question for me tonight is the natural gas issue. I appreciate what you (Mr. Freas) said in your email. I am willing to give you guys a chance to make a plan and approach it on your own. I am concerned about the idea of really phasing out new natural gas hookups and the system as a whole was already being hedged against. Any new natural gas hookups we have in the coming years are very likely to last until the end of this decade; many decades after we have vowed to reach net neutral. Natural gas is not a thing that can be zero emission. I trust you guys to approach that process. We will be watching closely. What is the status of the climate action plan? Will we be reviewing it?

**Kristel Riddervold, City Staff** – The Climate Action Plan is forthcoming. It is a process that was launched in the fall of last year. I think many people in the audience and many people in the public are aware that there has been some competing priorities that the city has worked on. In some ways, we have given some deference to the Comp Plan process. There has been a lot of groundwork and climate protection related supporting work that has been going on for the past year. There is still a full commitment to develop a climate action plan since that is consistent with Council's commitment with the Compact of Mayors. It is not my understanding that the climate action plan is specifically to come before the Planning Commission for adoption. It would come to City Council and have the related public hearing process. There will be a number of engagement, outreach, and feedback opportunities. I would welcome the Planning Commission to take the opportunity to make the necessary connections with what is in the Comp Plan and the other tools/resources that you're working on.

**Commissioner Mitchell** – Why wouldn't we have a chance to provide input?

**Ms. Creasy** – You will have the opportunity to provide feedback as any other groups will in the community. That wouldn't be a plan that would come specifically to the Planning Commission for a recommendation necessarily. It would be something that would go straight to Council.

**Commissioner Mitchell** – What other public body provides Council input and advice before it goes to Council?

**Mr. Freas** – This would be a topic that I would love to open a conversation with Ms. Riddervold and others to talk about this potentially being adopted as an amendment to the Comprehensive Plan or appendices. We have done that on a number of other occasions for other plans. What I will commit to is having a conversation about that pathway.

**Commissioner Stolzenberg** – I think it is wise for it to be an amendment to the Comprehensive Plan because of its importance and how central addressing climate change is within the Comprehensive Plan and the city's goals. If those conversations do not end with that outcome, I would hope that we have a work session on it and bring it here to discuss how it relates to our goals and plans even if we're not making a recommendation.

Is the natural gas question going to be addressed in the Climate Action Plan? At some point, we really need to do it, especially we're anticipating many new stoves and heating elements that might be gas or electric.

**Ms. Riddervold** – As was presented yesterday, there is no direction and commitment that the city look at this. If we have the opportunity to embark on a number of those complex discussions, there is not a way you can do a community-wide action plan without consideration of all fuel sources. It is not going to prescribe the exact endpoint that we could arrive at in 2021. We're talking about climate commitments that are within a decade and out to 2050. There's a lot of phasing related discussions that we need to explore.

**Commissioner Stolzenberg** – That makes sense. It is really about determining exactly what that phasing is to getting to the end goals we need to in the time.

**Commissioner Palmer** – I am generally agreeing with the goals of the Comprehensive Plan and the acknowledgement of UVA's influence on many aspects of Charlottesville, both positive and negative. Continuing the collaboration and cooperation between the city and University is very important. It has been interesting to hear and ponder all of the comments that have come about through this process, especially those that pertain to UVA. UVA is not taking an official position on the Future Land Use Map. In terms of the Future Land Use Map, it does show growth patterns around UVA that are largely already there and are occurring, especially in mixed use zones, University High Density and Medium Density zones. I share a lot of the commissioners' desire for the environmental impacts (stormwater increases, tree canopy loss), impacts to historic heritage of neighborhoods, and traffic in those areas around UVA. According to the Future Land Use Map, those areas would see some increased potential for development. The 'nuts and bolts' of those kinds of things will be addressed in the zoning overhaul that is still to come. Hearing your comments (Commissioner Dowell) on the sensitive areas, I was picking up on that when I earlier looked at the map, especially around the Venable Elementary School area. That might be one of those block groups that needs to be looked at closer, especially if one of the goals is to have a buffer between General Residential versus Student Housing. That might be an area that is really stressed if it didn't have as much protection as you can give it.

**Chairman Solla-Yates** – It is a remarkable effort. My big questions to the consultants, going back to the beginning, was adequacy. Can we deliver on all of our goals? Can we make measurable improvements? Can we achieve them in a reasonable amount of time? My sense is that we can make progress. There is a lot of good in here. I am very pleased to see that 'good.' It will be a benefit to the city.

**Councilor Hill** – Yesterday, I certainly shared many of my comments.

**Councilor Payne** – There are big questions around Medium and High Intensity Residential. I am definitely assured to know that through the zoning rewrite process that is going to be looked at neighborhood by neighborhood, parcel by parcel level. I think it is true that if you assumed everywhere there is Medium Intensity and High Intensity and if that was the highest buildout that was allowed by right, we might not be achieving our affordability goals in every area. To be clear, that is not what is going to happen. It is important for the community to hear as well. That's not what this document means. I am very curious to see, as this zoning rewrite process develops, what specifically it will actually look like in terms of bonuses and affordability requirements (number of units, AMI levels, and how that is

done throughout the city). I would be curious what assurances can be given that affordability is really going to be promoted and delivered in that process. It is a big question mark. The suggestion of revisiting it after the zoning rewrite (the land use map) is potentially an assurance that this is actually playing out to promote affordability as much as possible. The biggest and immediate questions that I have are around the General Residential. I know we have heard the idea of extending allowing 4 units citywide if there is a requirement of affordable units. We have heard that could produce more affordable units and end income segregation by getting affordable housing in General Residential throughout the city. We have heard the flipside that no affordable housing would be built if we did that in General Residential. It would push more displacement and gentrification into what we have defined as sensitive areas. I don't know enough to know what the actual impact would be. I would be very interested to discuss and think about that more. At a minimum, there are some neighborhoods and areas at immediate risk of gentrification and displacement that are not in what has been defined as sensitive areas. I am curious, if during the zoning rewrite process, there will be opportunities to look at more specificity in terms of neighborhoods, streets, parcels at a minimum where there is extending that affordability requirement could make sense to promote our affordable housing goal. We know that zoning is one tool. It is an important tool. We know that zoning on its own is not going to produce the 1200 new units of affordable housing that our housing needs assessment said that we needed. The market is not going to do that on its own. I reiterate the extreme importance of actually implementing our affordable housing strategy. Getting to \$10 million a year and having the staff capacity to implement these new programs. Right now, we haven't identified how we're going to fund it and we haven't identified how we're going to have the staff capacity to actually implement that huge number of new programs. It's going to be extremely important, difficult, and necessary how we're going to figure out how we're going to do that. If we change the zoning and don't follow through on our affordable housing plan, we will absolutely now have made a dent in actually achieving affordability. During the rezoning process, will there be opportunities to look more at General Residential in terms of whether areas aren't in sensitive areas that we may have missed? Are there opportunities to extend affordability requirements that allows us to get more affordable housing?

**Ms. Koch** – Yes.

**Councilor Hill** – I did want to raise my thoughts on the map itself. Since we're talking about changes to the sensitive areas happening and we're talking about the Medium Density where it does/doesn't belong, Commissioner Stolzenberg brought up several areas that he identified that we should be looking at differently. For all of those reasons, I am very hesitant about us saying that this is an adopted map at this stage. There is still too much work to be done. It creates this anxiety when it is unnecessary. We are still working through this. I understand the importance of showing some things that we have a base for which to go. I also see what the perception is if this is viewed as a final and adopted map, when it actually isn't that.

**Vice-Mayor Magill** – I want to voice the importance of the neighborhoods being truly identified is very important. The natural gas issue needs to be seriously looked at. We're looking at the combination of equity and our climate goals. We made a very big commitment. This plan is an important part of that and we're able to follow through with what we're putting down on paper.

**Councilor Snook** – My overall statement has a number of pieces to it. The first piece is that I want to try to re-emphasize something I said yesterday. This thought is originally from Genevieve Keller. Her recommendation is that we not designate areas that are Medium Intensity Residential at this time. We



leave that for when we figure out what the zoning ordinance is going to look like. Most of the conversations that I have had with people who have expressed to me their dismay is usually because their neighboring property would be in this higher intensity category. My answer has always been ‘wait, the zoning ordinance is going to fix it. We will have to see what the zoning ordinance says. They won’t be able to build a 12 unit apartment building next to you.’ That is a very unsatisfying answer to people. We need to acknowledge that the process we have used here is perhaps inflicting more anxiety on people than it needs to. In the long run, we need to have significant areas that are designated Medium Intensity Residential. The key is still any reasonable zoning ordinance. They don’t know and I don’t know. I assume we will pass a reasonable zoning ordinance. We won’t know this. We don’t even have a draft. I recognize that we are asking people to watch us make ‘sausage.’ We’re asking them to watch us do 3 or 4 things simultaneously or perhaps put them in a sequence that may not be the perfect sequence. Something did have to go first. We chose first to go with the Comp Plan and the Future Land Use Map largely because we acknowledged that we shouldn’t start with this zoning ordinance. We needed to change so many things about this zoning ordinance. It was better to start someplace else knowing we’re going to amend the zoning ordinance or rewrite it. I have no problem with the overall way in which we have done it. I have tried to tell people that, particularly the critics of this effort, if we waited for all of the answers, we would never move. We cannot wait for all of the answers. We have to take some steps. We have to acknowledge that this will be an iterative process. It may take a couple of years of going back and forth, tweaking the land use map, tweaking the zoning ordinance, and making sure they work together. I wish that I had a way to help reduce the anxiety of people, who are convinced that they’re going to get something ‘jammed down their throats.’ This is a reaction I am getting from Greenbrier and Cherry Avenue. It is not just one part of the city that is doing that. We have some real issues. I am very optimistic that we’re heading in the right direction. I tell people that I am optimistic we’re heading in the right direction. Sometimes it is an article of faith. We don’t actually know. We have to move in the direction that we’re moving on more affordability. I wish we had some better economic analysis. We have to move forward somehow and somewhere. This is a good step forward, even if you leave the Medium Intensity Residential designations in there. It would be wiser to not put them in there for right now but to acknowledge that is going to be part of the tweaking.

**Ms. Koch** – We talked yesterday. We have reiterated in the presentation today our goal is showing that Medium Intensity Residential. That and the other categories that define a number of units (for example), we are looking at a maximum number there. It will be further refined in the zoning ordinance. Looking at what Mr. Freas said earlier about either we go into zoning with a map that shows us the areas we will be looking at in terms of where those Medium Intensity zones may go or we have a defined series of statements for the areas that we will be looking at, which would produce that map. We’re happy to entertain further discussion from the Planning Commission about that tonight.

**Commissioner Dowell** – After watching the meeting yesterday, I wanted to go on record for myself. I am very concerned about affordability in our city. I am very concerned that the people who have built this city that their families will still be able to benefit from their hard work and labors and be able to stay in the city. I also want to make sure we are acknowledging our student population. We know that our students are part of our population and our community. We do hope that they migrate and integrate into the overall community. At the same time, we need to make sure we’re securing partnerships and encouraging our students to use that on campus housing to make sure that they’re not creating more of a problem and we’re not setting up a situation where we’re trying to provide affordable housing but only providing affordable student housing.

**Commissioner Stolzenberg** – I want to emphasize that the amendments that I will proposing later are really minor tweaks to a very small proportion of parcels in the city; mostly to reflect reality and in some cases to better utilize vacant land. They are not intended to say that this map is deficient or is not worth adopting. I believe that the map, as it is now, is a very good map and could be worth adopting.

My understanding is that good planning practice is to create a Comprehensive Plan and a Future Land Use Map and have that guiding plan serve as the basis for decisions you make in law, such as the zoning ordinance and zoning map. Doing them together is not good planning practice. Can you walk us through how this normally goes in other places? Is this the right process?

**Ms. Freas** – In terms of your most transparent and effective way to engage the community around this discussion is to map those policies that you’re intending to implement through zoning, adopt that map, and work on the zoning that implements that map. That’s a transparent process for moving forward that everyone can see. I understand the concerns. If we are moving forward with a map that shows a Medium Intensity Residential category on the key but it doesn’t show that mapped anywhere, does the direction to staff and the consultants to apply Medium Intensity at that point in time based on a set of principles? It strikes me as a potential, less transparent approach.

**Lee Einsweiler, Cville Plans Together** – You have to do the policy first and the generalized Future Land Use Map whether those are being closely aligned as they are in this process or not. It is infrequent that we get the opportunity to do what you’re doing here, which is to tightly code to a very specific plan. This is the best result. However, I will admit that once we have worked out the zoning categories and worked out a draft of the zoning map, we may see that we need changes in the Future Land Use Map.

**Ms. Koch** – It is not every day that you do a Comprehensive Plan and look at the full zoning ordinance. Often, you’re making tweaks to the Land Use Map based on existing zoning ordinance that you won’t be changing wholesale. You might be changing districts. There are already some parameters around which you are thinking about land use. This is a different process. I agree with everything that has been said.

**Meeting was recessed for five minutes.**

### **iii. Public Hearing**

**Julia Whiting** – I would like to read a quote from two years ago. This voice is from City Hall. “If we literally eliminated Single Family R-1/R-1s zoning, and allowed two units on each parcel, it would further increase the risk of gentrification in neighborhoods like Fifeville. It would become more profitable for investors to buy the homes and rent them to different groups of students. It was precisely that problem that led to the creation of the R-1s zone in the early 90s. We need to be careful about any change like this. Every time we change the zoning ordinance, we risk unintended consequences. Changing R-1 zoning doesn’t create new units. It allows current R-1 homeowners to do different things on their property. If we are looking to get 3000 new units in the next 5 years, changing R-1 zoning won’t do it.” This is the sentiment of homeowners who have been placed in zones of 4 to 12 unit developments. Lloyd Snook said this when running for Council in 2019. There are other paths to affordability including an expanded community land trust and retail development with inclusionary zoning. The process that got us here is an incredibly flawed and forced premature conclusion.

**Ted Pearson** – I live in an R-1 zoning area. This is my final house in the city. We feel this potential Planning Commission report will make our dream of living in this particular neighborhood change dramatically. We have severe criticism of this. We also make sure that planning will help us to keep this neighborhood as our own and not change it accordingly. We wish that the city makes a priority of planning and building affordable housing. This has not been done in the past. Developers have gotten away with penalties in not building affordable housing. The city should make sure their resources build affordable housing.

**Phillip Harway** – A Councilor asked a question yesterday of the consultants, specifically about the possible effect of UVA and the student population in the city. Have the consultants worked into their analysis this significant factor? The answer given was not an answer. The student body of UVA is significantly effecting housing in Charlottesville. Our government should not make radical changes in our land use without this factor being given more attention. The consultant study failed to account for the impact of the student body. Other studies have determined that a significant number of burdened households are actually students; close to 30 percent. The UVA Student Council tweeted to the students to sign the Livable Charlottesville letter to get more housing and cheaper rents for the students. Since UVA's endowment is around \$14 billion, it should not be the residents who should have their city turned upside down to provide inexpensive housing for the students. Adopt a General Residential category of 2/3 and up on R-1 and keep the ability to approve plans to special use permits for the rest of the city.

**Ellen Contini-Morava** – I am going to read a statement on behalf of Nina Barnes, President Jefferson Park Neighborhood Association. ‘The JPA Neighborhood Association respectfully requests that the Planning Commission delays its vote on the Future Land Use Map to allow for a coordinated delivery of information to the neighborhoods and city leaders. With the distractions created by the pandemic and the turmoil in city leadership, it has been challenging to focus appropriate attention on the proposed plan. For neighborhoods like JPA, which are directly impacted by the suggestion of intensive density, there should be a presentation of the plan to our neighborhood association. We believe the enhanced communication and education up front will make for clearer understanding of what is being proposed.’ I strongly support creating more affordable housing in Charlottesville. Increased density doesn't guarantee affordability. In some cities, the result has been the opposite. It looks like there is a ‘disconnect’ between the Affordable Housing Plan and how it would be implemented. Decisions about how affordable will be defined, how affordability of units will be maintained. Infrastructure and green space are being relegated to the zoning process instead of being specified up front.

**Bill Emory** – You are updating the Comp Plan and the Zoning Ordinance to guide where the city grows. The outcome of zoning depends on the intent and skill of those in charge of planning and implementing. Currently, it feels like we're driving drunk at night. Kind hearted developers will not address our shortage of affordable housing. I challenge you to produce a map where affordable housing currently exists. Create a second map of where you want to locate housing and other place making amenities in a smart, equitable, citywide distribution. Ensure your zoning approach is based on science and not on current political fashion. Zoning is a tool that can be used for good or ill. Use zoning for good. Start with the correcting of the injustice piece. Previous planners located all of the manufacturing dumpster zoning and disenfranchised neighborhoods across the city in East Belmont, Carlton, Fifeville, Locust Grove, Ridge Street, Rose Hill, Starr Hill, and Woolen Mills. Produce small area plans in concert with the



disenfranchised neighborhoods. Write the code and prove to city residents that together, we can build new places worth caring about.

**Anthony Artuso** – There is much more work to be done on this plan. The goals are admirable but the plan does not adequately address those goals or provide a way for achieving them or balancing them. There's not been adequate participatory community engagement at the neighborhood level. We have heard that repeatedly. I urge Commissioners and Councilors to look at page 55 of the materials prepared for the June 28<sup>th</sup> Planning Commission meeting. On that page, it shows community responses to this question. Do you support what the Future Land Use Map is proposing for future land uses in your neighborhood? Answers from all groups were uniformly and strongly negative. If you look at that slide, there's no way you can adopt the land use plan and map in front of you unless you want to override the opinions of the entire community. I strongly support the recommendations that have come from some of the Commissioners and Councilors. To the Planning Commission and Council, take the proposed land use map under advisement. Don't adopt anything.

**Chloe Estrada** – I am a third year student at the University of Virginia. I want to bring my perspective as a tenant of an off-grounds property. Earlier this year, we conducted a survey of students who have lived off grounds to learn more about their housing experiences specific to the treatment they have received from the landlords. Broadly, 43% of student renters were satisfied with their recent off-grounds housing experience and 40% felt their landlords were accountable and transparent. When we look at the reasons behind these negative experiences, it is largely due to a lack of landlord accountability that is prevalent with the landlords. It feels inescapable or unavoidable. Once locked into a 9 or 12 month lease, students feel worried that they will endure untimely maintenance support, unsafe/unsanitary living conditions, and other consequences of poor property management. We hope that we can bring a sense of urgency and necessity to improve tenant rights. We call on the city to follow through on its adoption of tenants' rights under the Affordable Housing Plan. We believe that power must be shifted from landlords to tenants in order to minimize exploitation.

**Kathryn Laughon** – I support increasing density as it is shown on the Future Land Use Map. I would recommend that you not slow down the process and that you adopt this map as a guide for creating zoning. We know that changes in the status quo are going to create a lot of backlash. We have seen some of the data that the loudest voices do not represent Charlottesville more broadly. Groups like Livable Charlottesville do come closer to reflecting the demographics of the city. Please take this moment and be courageous. We can be a leader in Virginia in abolishing R-1 zoning and moving our city to a more equitable future.

**Josh Krahn** – I am speaking on behalf of Livable Charlottesville. I want to thank the Commissioners for their hard work through this process. Livable Charlottesville is encouraged by the progress made in the current plan. We ask the city to continue this encouraging work by creating and passing a zoning ordinance and map that addresses past exclusionary housing practices and meet its stated goals of providing diverse housing types, accessible across income levels, one that will allow housing near jobs and amenities so the city might meet its pledge to cut greenhouse gas emissions in half by 2030. We remain committed to increasing density, building capacity for equitable and affordable housing, and making our community more sustainable as the city moves from the Comprehensive Plan to the zoning rewrite. We recommend the following aspects of the map remain/be added. Allow greater building heights in General Residential, improve accessibility by allowing 4 unit dwellings by right, encourage a broader

range of housing types, allow higher intensity residential in historic affluent, white, and exclusionary neighborhoods, end the JPA student corridor, and encourage small commercial institutional uses throughout the city.

**Deborah Murray** – I am deeply concerned and opposed to the proposed designation of Lexington Avenue as Medium Intensity on the land use map. I appreciate and support the city’s overall vision to increase the supply and affordability of housing. Classifying Lexington Avenue as Medium Intensity would be contrary to the existing residential fabric of the neighborhood. The neighborhood currently consists of single family residences and includes mostly older homes and some newer homes that have been built as infill. The Medium Intensity category would be completely out of scale with the neighborhood. I learned that Evergreen Avenue has been removed from that classification on the Future Land Use Map. The reason is that Evergreen is constrained by the right of way. It doesn’t make any sense. I would question the fairness of removing Evergreen but continuing to include Lexington Avenue in Medium Intensity.

**Kevin Hildebrand** – I was encouraged after listening to the meeting yesterday that up to 12 units is not a by right development in Medium Intensity and the allowable density will be based on lot size. I am encouraged by that. It has caused an unusual and unfair amount of heartache to not have been clearer about that from the beginning. I don’t like the corridor approach. I am going to ask that you consider the potential downside of how you’re treating sensitive community areas. Are you artificially lowering the land values in those areas? When a time does come for those families to sell, they don’t have the same economic opportunity to get investment from their property because of the inclusionary zoning only being attributed to their property. In doing so, are you falsely depressing the land values in those areas because developers won’t be interested in purchasing? There is a negative side.

**Elaine Poon** – This has been such a long haul. I want to congratulate you on making history tonight. I have been focused on the pernicious history of land use and zoning laws in Charlottesville. The fact that we’re actually working on the land use map that was created by the known racist Harland Bartholomew who tried to fossilize segregation through single family zoning as well as massive cultural loss because of these land use laws. I look forward to a time in this city where everyone will be proud to live in the city that chose to shed its discriminatory scheme and become a better city. The adoption of this land use plan in combination with the housing strategy, robust investment, and a very strong inclusionary zoning ordinance that we will pass. We are saying ‘yes’ to allowing families to attend the schools they want to. We are saying ‘yes’ to economic opportunity for households who have been commuting over 40 minutes to Charlottesville. We are going to be a welcoming city for people who have lived here for generations and the residents who want to add to the richness of the city.

**Rachel Lloyd** – I am speaking on behalf of Preservation Piedmont. Our members and supporters come from the entire region. They include young/old, people of different backgrounds, people of different races, homeowner/renter. We all show love and concern for the piedmont region and for the city of Charlottesville. We care deeply how the city changes and grows. We ask that you complete this planning process while remaining attentive to all considerations. We believe our Future Land Use Map should encompass the narrative goals of the Comprehensive Plan including the protection of historic and natural resources, neighborhood preservation, and efforts to decrease the impacts of climate change. Preservation is about managing change, not about freezing our city in one condition. We respectfully request that change management and regular valuations, as clear implementation goals of the Comprehensive Plan.

Second, an invitation to the Board of Architectural Review for inclusion in the planning process to assist the anticipated outcomes of this plan on the city's historic resources and design control districts. Third, no rollbacks of environmental protections in the city for critical slopes, flood plains, specimen trees, concentrated tree canopy, and other environmental resources. Fourth, the addition of at least one voice for preservation to the Cville Plans Together Steering Committee.

**Katherine Brooks** – I am concerned that this is a plan in which residents of modest incomes will bear the cost of development. The benefits will go to the richest institution in our town, namely UVA. Before you open up the city to developers, you need to tell us what your plan is for making sure that whatever development happens, it will house real residents of this city at a reasonable cost. Please don't tell us to wait for the zoning. We need assurance that the city has the legal tools to restrict short terms rentals in newly added units. We also need assurance that the city has buy-in from UVA, such that the University, not the city, will provide housing for any incremental increases in enrollment that it plans. This entire plan will be an egregious failure if it provides more 'stealth hotel rooms' for UVA's wealthiest customers.

**Ann Woolhandler** – I have a sense listening to some of the Commissioners that they have some reservations about the map, that they would like to push this map 'out the door' and that they are reassured that the zoning process will help take care of this. I have heard from Councilors that they have concerns about the map, particularly about Medium Density. The fact that this has been a long time coming doesn't mean that it should go through. There are too many problems with the current map. We shouldn't feel so rest assured that this can be taken care of in the zoning. This is not that large of a city. If there are problems with Medium Density, why is it being put in Medium Density? We should be able to have a map that makes sense now and not rely on the zoners later to use their discretion.

**Peter Krebs** – One of the earlier commenters said that this is historic. It truly is historic. We're getting out of climate change, chronic diseases, and people spending less time in their cars. Most people are here to talk about the Future Land Use Map. I have been paying close attention to the chapters. Many of my comments are reflected in there. There is a new chapter on implementation. It has a lot to say about walking and biking. It is a great list of projects. The bad thing is that it was developed in 2015 and it is not yet largely implemented. The average cost is around \$200,000. The 2022 and 2023 budgets for sidewalks is 0. The 2024 budget is \$100,000, not enough for even one of the 20 projects listed. The Comp Plan is not a fiscal document. We're going to get through this Comp Plan. On the horizon is the CIP budget. Planning Commission and Council have a lot to say about that. In order to realize the great principles embodied in this plan, we also need the commitment to fund the necessary infrastructure. I am excited about this Comp Plan.

**Don Morin** – I have been to all of these meetings since the spring. One thing I heard is that everybody is in support of affordable housing. Why are more than half the people against this plan? I am for affordable housing and against this plan. What is it that bothers me about this plan? There was never an identification of what the city's need was for affordable housing. Tonight, I heard for the first time that we need 1200 units. I don't know when we need those units. This plan was developed without any indication of what the real need was for the city for affordable housing. The plan was based on increasing density and eliminating R-1 zoning. This has never been done before. We don't know if it is going to work. I have heard in several meetings that we know that increased density will not create affordable housing. We need to provide subsidies, additional fees, and additional funding. A density increase will not result in affordable housing. The next problem is the cost of the plan. There has been nothing suggested about that



possible cost. How are we going to pay for it? How are we going to make this a truly affordable housing plan that is affordable for the city? This is the first this type of plan has been put in place.

**Claire Griffin** – I moved here in 2019 and heard shortly afterwards about this process. I really appreciate the time and effort that you have put into making a plan to make Charlottesville a more welcoming and equitable place. I am going to speak in support of the statements made by Livable Cville. I currently live in a 12-plex building that is convenient to my work at UVA and affordable for my income. I consider myself very lucky. Many of my colleagues have not been as fortunate. I hope that this Future Land Use Map will start to help make my situation more of the norm rather than the exception. People deserve to live near where they work, study, and socialize. A greater range of housing types and greater density in the city will help improve the quality of life, reduce car dependence, fossil fuel usage, and make neighborhoods safer and more community oriented. Allowing development won't change things overnight. It is a step in the right direction. It is a step that needs to happen sooner rather than later. While there are improvements that I would like to see made, I want to voice my strong support for the direction the land use map is taking.

**James Chang** – There is some concern that would be alleviated if you had some wording to the effect of that 'this land use plan will carry no weight with respect to the zoning.' That might be a little harsh. Another possibility would be to say something to the effect 'the land use plan and its guiding principles are subject to change based on findings, research, and community conversations that come to light in the zoning process.' That might make people feel a little more at ease. I second the person that spoke about sensitive neighborhoods and the possible adverse impact. I am concerned about a 'double-edged sword.' When you designated us a sensitive area and subject us to restrictions from market rate development, you are automatically going to be lowering our prices in comparison to the rest of the neighborhood. What I fear is that you will be concentrating/driving wealthier people out and driving poorer people into our neighborhood. I just want diversity. I am concerned about unintended consequences.

**Martha Smythe** – I am speaking in support of affordable housing now, not at the end of the Comprehensive Plan. I noticed on the map that the Affordable Housing Plan is complete. It was completed a few months ago. My thought is: let's move ahead with that. It is a serious problem. We all know it is. If we would uncouple the affordable housing from the rest of the work that needs to be done with the plan and the map, we could move ahead. This evening, I have heard doubts from the Commissioners, Councilors, and from many in the community. It seems like there is a lot of work to sort out in the plan and in the map. Press ahead with the Affordable Housing Plan. Creating more density does not ensure more affordability. These all appear to be rentals that are coming online.

**Tim Giles** – I am a renter. It is important to hear from people that don't have a house that they own. I want to second the letter from Livable Cville. I would like to see increased building height in General Residential. We only have so much land. Let's build up, not necessarily out to better utilize the land and we can have a more affordable, equitable, walkable Charlottesville that is welcoming to older and newer residents.

**Benjamin Heller** – What has been frustrating for me is that when people point out problems with this plan, we get a retort of the evils of R-1 zoning. Many of us don't care for R-1 zoning. I have lived in duplexes and dense neighborhoods and I have enjoyed it. This plan is beyond getting rid of R-1. I want to focus the pain point that is Medium Intensity Residential. It is so far beyond what any other city has done.

Medium Intensity Residential is discontinuous change. I want to emphasize how Medium Intensity makes much more risk than the other changes that you're proposing. It has the capacity to completely transform neighborhoods in ways that can't be undone. Having a duplex next door does not pressure somebody to move or to develop. If a 12-plex shows up, a little house next door is not attainable. It can destabilize a whole neighborhood. The economics of this development trends towards luxury development. Let's focus on the change that is well accepted and less risky. Let's scale back and rethink Medium Intensity Residential.

**Adrienne Dent** – The Future Land Use Map conversation has illustrated the degree to which ignorance and privilege shape the white supremacists patriarchal lens. The extent to words like equity and rights and too fast/too soon can mean different things to different people. If you Google, 'single family housing history,' I imagine each of you can imagine what comes up. Article after article will come up outlining the segregationist roots of single family housing. I encourage you to take this step of eliminating single family housing and privilege the voices that have been historically silenced, ignored, and unattended. I echo the Charlottesville Low Income Housing Coalition statements. Continue in your commitment to protect sensitive neighborhoods from negative gentrification, while safeguarding upward mobility for our neighbors. Adopt the affordable housing overlay.

**Michael Pruitt** – I am a new resident of Charlottesville. I have to say that I am immensely proud of what I have read (Comprehensive Plan, Affordable Housing Plan) and I am proud of my new community. I also want to echo what we have heard from Livable Charlottesville. I want to urge members of the Commission and Council to not cave into urgings to slow it down. Supporting affordable housing and opposing things like by right multifamily zoning are contradictory ideas and can't always be held at the same time. Supporting affordable housing and decrying the plan and map are also contradictory ideas. There was discussion on the future of the inclusionary zoning plan. I have not seen that in any of the materials discussed tonight.

**Brandon Collins** – I am a lifelong resident of Charlottesville. I care deeply about this city and what treating people fairly means in this community. I want to congratulate this Planning Commission for working to have something that I believe you should pass without delay with some minor tweaks. This is a historic moment for the city. You all should be very proud to endorse this Comprehensive Plan. Send it to Council, who should take your recommendation, and move swiftly to implement the zoning rewrite, the affordable housing strategy, and fund affordable housing in this community. This has been a very long process. It's been an open process that has been going on for 4 years. I really encourage you to move this forward. Delaying it further makes no sense.

**James Groves** – I want to comment tonight on climate change. I am extremely disappointed with the city's professional staff, City Council, and Planning Commission. In five years, this city has produced no data to tell us what progress it is making towards reducing greenhouse gas emissions. In nearly 2.5 years, since the City Council asked for a climate action plan, no such plan has been produced. As part of comprehensive planning, the absence of a city climate plans, multiple interested and capable citizens have recommended a ramp down of city gas service. Those inputs have been ignored. The city website says "We believe that it is not only the right but the responsibility of interested and capable citizens to become engaged in local government policy by advising the mayor and City Council on important community related issues." Why should we engage and advise when we are ignored? Charlottesville is unwilling to say that new homes will not receive gas hookups. Our city continues to install gas lines for free and

provide rebates to homeowners who change to gas water heaters. Charlottesville is fossil fuel friendly. How morally bankrupt is that?

**Miss Simpson** – I live on Rugby Avenue. There are some small homes on Rugby Avenue. How will a 12 unit, 4 story building conform in look and character to the existing homes in the neighborhood? I have a problem with my neighborhood having 12 unit apartment buildings when the block behind me is only going to be upzoned to 4 units. That is unfair. If you're going to upzone, you should make it the same across the board for every neighborhood. I am confused as to how this is supposed to help black people or any people. Black people like myself don't want live next door to a 12 unit apartment building. This argument that single family homes in neighborhoods are racist could not be more ridiculous. Provide low income and minority families with subsidies so they can purchase single family homes. Putting them in a box is not the answer. There is unintended consequences of upzoning that you haven't considered. By allowing developers to construct these buildings, you're simply adding onto the existing shortage of single family homes.

**Saletha Carr** – I am a native of Charlottesville. It saddens me to see my people of color struggling to keep a roof over their heads because of the displacement issue during this 'grand makeover.' Since the 1960s, people in Charlottesville have been displaced. It is the 21<sup>st</sup> century and we're still being displaced. I have 8 siblings and we grew up in the Belmont and Tenth & Page neighborhoods. Because of the new development and the increase in prices, my family and friends have been forced to relocate to other areas, making it harder for them to commute back and forth from Charlottesville. Some of my family and friends don't even have transportation to make these big changes. That makes their struggle even harder. The African American poverty level is increasing. It is visible to all of us. Almost every busy area in Charlottesville has one or two people begging for help. The black community is being bullied. It is clear if you look in Greenbrier, Belmont, and North Downtown. They could be used for integrating. Charlottesville has a history with black people. Black lives do matter.

**Jeanette Abi-Nadler** – I am the director for Cultivate Charlottesville. On behalf of Cultivate Charlottesville, we would like to express our gratitude and appreciation for the 65 food equity policy wins that have been included in the updated Comprehensive Plan. The breadth of community food driven justice priorities will win throughout. The principles, chapters, and implementation plan is significant and builds a foundation for future planning that addresses the 1 in 6 residents facing food insecurity, including the majority of students at Charlottesville City Schools who are eligible for the federal meals program. The food justice partners are committed to working in collaboration with the city for implementation of these goals to bring long-term community based system change solutions that recognizes the interconnectedness of housing, land use, transportation, and food. We wanted to share a few additional recommendations. We imbed an urban agricultural and future land use analysis in the mapping and zoning efforts. Recognizing the Urban Agricultural Collective faces continued land loss for growing spaces because of redevelopment. By the end of the year, we will lose all 3 sites that brought in 18,000 pounds of fresh food. The city list of resources needs to be updated. We can provide specifics around that land loss. We would like to include additional data in the environmental equity statistics section to more accurately represent the context of food inequity in Charlottesville. We want to support the Charlottesville Low Income Housing Coalition recommendations to undo racist planning and zoning policies. We also support the Livable Cville recommendations.



**Mark Whittle** – I would like to recall Miss Simpson’s moving statements in an earlier meeting. “Nobody wants an apartment complex next to them.” The Council and planners lack of concern over this real concern becomes clear when you inspect the current zoning map. Following recent micro gerrymandering, they finally all live outside the neighborhoods slated for Medium Intensity. They can all sleep through the night without a sickening worry that their home is about to be flanked by luxury apartments. I want to turn the title name chosen for this plan: Cville Plans Together. In truth, this plan has been a very divisive, destructive, and exclusionary process. A more accurate title would be Cville Torn Apart. You have taken one of the most left leaning city populations in the country and poured poison into our community, enraging many, pitting groups against each other. Having watched in horror how Trump poisoned our country, I never dreamed that I would experience the same approach coming from my own left leaning local government. Most stunning of all is that you have adopted a right wing approach to affordable housing. Everyone has been telling you that this is a terrible approach. It will likely leave lasting damage to our city. Councilors, I urge you to reconsider this plan in your vote in November.

**Mary Whittle** – I just wanted to point out earlier this year Councilor Payne wrote a despondent editorial. (Ms. Whittle was reminded by the chair regarding the policy about personal attacks). This is what he said about the government. “The city government was so broken that until stability is restored, our policy goals can remain only empty promises.” Week after week, we have witnessed this government’s abject failure to restore stability. I see that City Manager Chip Broyles resigned again citing your toxic culture. This is the 5<sup>th</sup> city manager to leave in 4 years. We can assume that you got what you all are talking about tonight is empty promises thank to your unstable and toxic government. You have said that equity was the top policy goal of your new Comprehensive Plan. If you really wanted equity, you would do something like what Ms. Simpson mentioned earlier. I suggest you come up with a plan to give subsidies to black homeowners or return the land the city stole from them years ago. I see a plan to implement luxury apartments throughout the city. Your plan to protect historically black neighborhoods is a joke. They are already gutted and 90 percent owned by LLCs. What you are now doing is protecting the fat cat landlords who already own those neighborhoods. Some of you own homes in those neighborhoods.

**Jennifer Horn** – As somebody who has been in Charlottesville about 20 years, I feel that the Comprehensive Plan is ‘so Charlottesville.’ One of the reasons I listened in on these meetings is to hear my fellow Charlottesville residents who are so thoughtful. Many of them are so knowledgeable. I appreciate hearing their voices. Affordable housing and environmental concerns should be paramount. My concern is that the Future Land Use Map doesn’t feel that way. It feels like there is a ‘disconnect.’ It could be naivety. It feels that those two big priorities are not the priorities. I hear what everyone is saying. A previous commenter was quoting from previous meetings. I am really concerned that we went an outside consulting firm. It would be great if we could look in Charlottesville. If we had a more Charlottesville centered plan, how we are coming about affordable housing might feel more Charlottesville.

**Vern Buchanan** – I was very impressed by the young, single mom talking about her house that she seems to be very proud of. With the possibility of it being flanked by tall buildings; I am glad that she stood up. There was a gentleman who was very to the point. I don’t feel that Cville Plans Together has actually been listening to anything but what they want to hear. That bothers me. This is a city full of people with good ideas. We’re not using all of them. This plan has some problems that it is not addressing: racial equality. This is just creating the divide and getting worse.

**Mark Kavit** – In the New York Times Business section on Sunday, there was an article titled Where the Suburbs End. It should be required reading of everyone on City Council and Planning Commission. It tells the story of a subdivision of San Diego after upzoning; a plan much like what RHI is recommending. I was also told that the Richmond Times Dispatch and Washington Post had articles on the subject. It seems like it is becoming a hot topic. Let me plug the report from The Citizens for Responsible Planning developed. In a nutshell, it shows an alternative plan utilizing land trusts to achieve more housing and true affordable housing. I saw a tweet that UVA students are circulating a petition. It seems that they think the city should provide them with more housing and affordable housing.

**Jeff Roberts** – Let me second what Martha Smyth said about pursuing deeply affordable housing. Chairman Yates has asked that comments be addressed to ideas rather than persons. We have members of the Planning Commission active on social media demeaning and attempting to diminish the input of tax paying citizens who care enough to speak to the process. I would ask that the Planning Commission who serves in an advisory scope adhere to the same ethos of personal conduct.

**Tim Wallace** – I want to thank you for the years of work and the intensity of that work. I want to lift up the Livable Charlottesville letter. I wanted to lift up what I said in the last meeting, particularly in The Meadows. The sensitive communities like the block of Cedar Hill and Swanson that are closest to Hydraulic really misses the people you're trying to protect with that designation. Those two blocks are predominantly multifamily homes. These are houses that were built in the 1950s. They are remarkably affordable rental units that already exist. If the FLUM is passed as is, I hope there will be conversations around extending those sensitive communities to those particular blocks. Those are the people we don't want to displace.

**Gregory Weaver** – I want to voice my support for the Livable Cville letter. I want to remind the Commission that in order to mitigate the worst effects of climate change, we need to act now. This process has been going on for years. We can't afford to wait any longer. The 50 percent reduction by 2030 goal that City Council made is not aggressive enough. Transportation accounts for 28 percent of the greenhouse gas emissions in the city. In order to eliminate this emission, we need to cut the reliance on the single family vehicles. To accomplish this, we need to be as dense as possible. We need to have a reliable comprehensive transit system and an infrastructure centered on walkability and bikeability. These changes won't be instant. They will take years to put into place. The emission reductions won't be instant either. For those asking to take more time, where are we supposed to find the time to make the changes that the FLUM will allow? Not taking the limited timeline into account, I understand the necessity of increased density climate denialism. I urge everyone to reckon with the consequences of that denialism.

**Kimber Hawkey** – I would like to second what Bill Emory said as well as the other speakers who are concerned about this faulty FLUM. Tonight, this panel continues to admit that the areas and citizens need to be protected from this plan thereby admitting that it is a harmful plan, which will do harm to neighborhoods and citizens. In 2011, city employee Haluska published a study citing a maximum of 8000 possible additional units under the current land use/zoning structure. That's a maximum number that doesn't take into considerations the necessary changes or issues in each pot. Tonight, 12,000 units was cited. RHI's own documents cite 4000 units by 2040. Seeing that the city is only required by law to review and not change the Comp Plan, there is no need for this radical upzoning. It will only continue to benefit the money interests, already the primary beneficiaries of development. The city has certainly not produced the necessary amount of truly affordable housing units over the past 20 years, nor does it follow

a European model of 40 percent low income, 40 percent workforce, and 20 percent free market units. What we need to do is maximize the numerous plots that are already vacant, underutilized, or in need of redevelopment. There are 700 R-2 plots that are being used as R-1, offer tax breaks to the luxury apartment developers, use our current ADU allowance, and look at community land trusts.

**Peter Nance** – I want to endorse the Livable Cville letter. The current Future Land Use Map certainly goes a long way in addressing many of the affordability and density issues that Charlottesville has. I would like it to go further with encouraging greater density. It is concerning to hear many of the residents of Charlottesville’s wealthiest neighborhoods say they endorse affordability without endorsing density. I believe it speaks to a presumption of Charlottesville that they want it stay exactly as it was when they moved here. Many of the people that staff jobs in Charlottesville are at or well below the Area Median Income and cannot afford to live in a city where the median house cost is \$350,000 and constantly moving up. Some people have spoken about providing subsidies for single family houses. I am not clear how that helps. You’re not increasing the housing stock.

**Kaki Pearson** – Thank you for all the work you have been doing. Thank you to Don Morin for your well expressed questions. I agree with Kimber Hawkey. The presentation tonight sounds wonderful. We need to know how all of these individual implementations are going to be accounted for; to work together as is being said that it will. What will be the new and accountable requirements for builders to mandatorily accept to add affordable housing to their plans? No one time penalty payment accepted anymore? Will these be long term requirements or adjustable? If I was in need of affordable housing, I would certainly want to be involved in an area that had a long term non-adjustable. I want my kids to grow up there. I want to have connections. Since there is accountability with short term rentals in the city, there could be a person assigned to oversee the builders and they have signed to deliver. I have been working here with my husband, often with 2 jobs, since we were teenagers. We still have to rent out a portion of our house to make ends meet. We need not to put labels on everybody.

**Joy Johnson** – I would like to thank the Planning Commission for your hard work. I support the idea of supporting this document going forward so you can have something to work on with the land use map. I heard some comments from the NIMBYs (Not In My Back Yard) earlier. It always bothers me. I am a part of every statistic: black, big, woman, live in a low income community. Building high density in low income neighborhood seems to be OK. Building high density in upper middle class communities is not OK. I will use Rose Hill Drive as an example. When that big ugly building, which is still standing, was being built, the Rugby Avenue neighborhood said Not In My Neighborhood. It is still standing there. Please approve this plan so we can move on. We should have more conversations about displacement and gentrifying our black neighborhoods.

**Annie Alston** – I have lived in Charlottesville for almost 6 years as a renter. It is presumptuous that people have emphatically said that nobody wants to live next to an apartment complex. I have lived in apartment complexes, near apartment complexes, and I personally would be happy to own a home near a 12-plex in the future. There are people who work in Charlottesville but can’t afford to live here currently. They might be in the surrounding counties and have to commute in. I do suspect that a lot of them would love the opportunity to live in town.

**John Hossack** – The last time I complained how the Future Land Use Map changes every month. This time, it has changed again. However, it is much more interesting this time. I believe there are 2 councilors



and 2 councilor candidates. Since the April draft and the current time, the four streets that these four individuals live on have shifted from Medium Density to Residential Density. I am inclined to believe these four individuals did not aggressively put pressure on the Planning Commission or RHI to shift the colors on the FLUM. The appearance of this is absolutely appalling. To my knowledge, not a single PC member is negatively affected by the FLUM design. I still believe that 50 percent of impacted households are not aware of the FLUM process. Why haven't you mailed this proposal to every impacted household? You are talking about converting R-1 medium density housing to 4 stories, 4 to 12 units, reduced setbacks, reduced off street parking by right, and no notification. You have the power to destroy but not the power to fix. I have a sense that some members of Council see how bad the FLUM is, especially Medium Density. Suppose your vote for this and you realize you made a mistake, can you fix it? Not a chance. By that time developers will have made their investments. Other progressive cities have looked at eliminating single family housing.

**Kitter Bishop** – I am broadly supportive of the plan. I feel that the process has been responsive to the comments I have put in when I participated in the process. I can envision a vibrant Charlottesville full of interesting infill development as a result of this kind of vision. There might be better ways to do that as the zoning process comes about. One of those ways could be limiting the combining of lots. For clarity and simplicity when the time comes to write the zoning ordinance, please make sure that the zoning is clear and simple about what is by right. I prefer that most decisions are not left that some people have suggested. I am excited about the possibility that this offers and that things be really clear from the beginning.

**Molly Conger** – I want to push back against the callers who don't want to live near an apartment building. I am baffled by that. I live across the street from an apartment building. I walk my dogs past the row houses. There are all kinds of housing in this neighborhood. It doesn't appear to be harming the people who do live in single family homes. I am really confused about the kind of harm these people believe will come if they have to look at an apartment building. Is it the kind of people who will live in these buildings? Is it the building itself? I don't understand what these people will think will happen.

**Anne Tilney** – My concern about the affordable housing piece is that the people who are actually going to do this development are going to be people who do not necessarily live in our neighborhoods. They are probably going to be shareholders of a real estate investment trust. They're the ones who are going to own these properties. They're not going to care about the community that they're actually buying these properties in. That's another piece we need to think about. I would like to understand much more detail if you change these neighborhoods higher density. How is it going to effect the traffic? How is it going effect parking? How is it going to effect the infrastructure? If you take Rugby Avenue Extended or Preston Avenue and turn it into a multi-dimensional area, where you're going to have shops and multi-unit housing, where are you going to park? How are you going to do the utilities? There needs to be more thoughts to the details.

**Patricia Humphries** – I wanted to chime in about the statements doing something along these lines will make the city more walkable, hospitable to people without cars. I would argue the opposite is true. If anyone thinks that building apartment buildings and additional units throughout crowded neighborhoods is going to result in less cars, that is delusional. That is climate change denialism. I think you will find the reality to be very different. I have driven around some neighborhoods within the city looking for neighborhoods that I consider walkable. They do exist. There are plenty of neighborhoods in the city that

are not walkable. These are all things that people need to think about. The other thing is infrastructure. How are all these additional units going to tie into the existing infrastructure?

**Nancy Summers** – The one thing everyone seems to agree on is that the land use policy should be approving affordability. Neighborhood upzoning is the weakest and most indirect tool we have. I encourage the Council to read a recent report by New York’s agency for neighborhood housing development. The agency finds that agency re-zonings has proved very effective in generating affordable units. Neighborhood up-zoning have proven to be least effective. Up-zoning generates luxury units. There is no trickledown effect from market rate housing yielding affordability. I believe this applies to the most intense up-zoning intensity of Medium Intensity. Bernie Sanders has advocated community land trusts to create affordable housing. This has been very successful in Vermont. The city owns over 800 properties. Why not expand the community land trust program? This is a program that promotes homeownership, which is the best root to building intergenerational wealth and improving equity. Building market rate housing won’t create affordable housing. Why not help those in need of affordable housing?

**Abel Liu** – I am a fourth year at UVA and the student body president. As a representative of the entire student body, I want to make our hopes for the Comprehensive Plan clear to the Commission, Council, and residents of Charlottesville. During our time as students, we are guests for the city of Charlottesville and lucky to call Charlottesville home for a short while. The vast majority of students are tenants and have common interests with other renters in Charlottesville. Students do not want to displace Charlottesville residents nor do we want to overburden new affordable housing developments. We do not want to continue to spread into your neighborhoods nor do we want to create better housing conditions for students alone. We want to do exactly what the Comprehensive Plan draft suggests: increase on grounds housing and the percentage of students living in Charlottesville neighborhoods that are traditionally student areas. Zoning cannot solve for all of those issues that UVA students have historically caused. Students believe denser and more concentrated student housing in student dominated areas can help address tenant’s rights issues, affordable housing supply, and preserving the character of Charlottesville. Students endorse CLIHC’s goals. We endorse the letter from Livable Cville. We especially endorse suggestion #4. We understand the University is a powerful and wealthy anchor institution in Charlottesville. As UVA owns \$1 billion of land in Charlottesville but does not pay taxes on that land, we endorse establishing or expanding a payment in lieu of taxes program. Students believe UVA can and should help create affordable housing programs.

**Robert Ramsey** – When debating policy with his advisers, President Kennedy would quote a British philosopher. “Do not remove a fence until you know why it was put up in the first place.” Modern day reformers often notice something, such as a fence and fail to see the reason for its existence. Before these reformers decided to remove the fence, they really ought to figure out why it was put up in the first place. If they do not do this, they are likely to do more harm than good with its removal. R-1 zoning is the fence. The city implemented R-1 in 1991 because we saw that there was a problem with UVA student housing spilling out into residential neighborhoods. It seems that lesson has been forgotten in this current discussion. The economics of renting to wealthy UVA students can be attractive. Students rent by the bedroom. Students will pay \$750 a month and \$3000 a month for a 4 bedroom apartment. That is hardly affordable housing for working families. That is going to attract a lot of out of town developers. I can see reasons to put up a different kind of fence to refine R-1 with something more flexible.

**Kathleen Galvin** – I am still concerned. The Future Land Use Map needs work. It must do some things unequivocally. Address land value inflation on affordability as it equates taller buildings with greater density and sets no conditions that we have seen on affordable housing. Do not underestimate the danger of not investing in multimodal infrastructure ahead of increased density. The current consultant did the zoning changes for West Main Street five years ago. Don't ignore the public disdain for oversized hulking buildings that overshadow entire neighborhoods. Please articulate a rationale for measurable goals backed up by factual analysis that is consistently applied. The narrow streets without sidewalks are all over the map and are targeted for more density while wider streets are not targeted. Don't short trip the work of residents from previous planning efforts. In 2017, the SIA code called for transitions between high and low development areas. This FLUM calls for 5 to 10 stories across most of the SIA.

#### iv. **Motion and Discussion**

**Councilor Snook** – I wanted to comment on something that two of the commenters referred to. My house got moved from Medium Intensity to General Residential. I actually got somebody on my neighborhood listserv accusing me of corruptly getting this to happen. If I was really corrupt about it, I would not have done it this way. What has happened here, if this plan goes through, is that I am surrounded by places that could have 12 unit apartments. That makes no sense. I don't know how it is that it happened that I was changed in that way. I can assure you that it was not anything underhanded. I didn't even know that it had happened. I certainly didn't ask for it. There are a lot of suggestions floating around. Somebody else said that all councilors are in that situation. That is not factually true. There are a lot of accusations that are floating around here. Aside from the fact that they are directed at me, I can deal with that. They are also directed at a lot of other people and have gotten very personal on both sides in many instances in ways that are not factually accurate. What you are saying about me isn't true. What you are saying about city councilors isn't true. It sure doesn't help the debate.

**Commissioner Habbab** – I was addressing the comments from Councilor Snook and Councilor Hill in our previous session.

Councilor Snook, your comments on the Medium Intensity as a suggestion perhaps removing that and coming back to it later. I just wanted to reiterate what the NDS Director said about how they would analyze the Future Land Use Map and where that should go if it doesn't exist somewhere as a starting point. We need that to provide the missing middle along with General Residential. There are setbacks, stepbacks, and neighborhood scale language that will help mesh those into the context of the neighborhoods that are there now. I understand that we're asking people to have faith and that it will work out in the zoning rewrite. We're also asking everybody to have faith in the affordable housing portion too since we just have the high scale language. We don't have the feasibility study yet. We don't know exactly what will be there. We're asking that on all sides. I just trust that will resolve itself in the zoning rewrite. The Future Land Use Map is just a high level 'paintbrush' to planning.

**Councilor Hill** – I understand the value in showing it somewhere as a starting point. I do see value in acknowledging that this is not final in a formal way. It is creating a lot of divisiveness.

**Commissioner Habbab** – I completely agree. What I was going to say to your point is acknowledging that this is a living document. If it is adopted, it is not adopted as a final plan. It is something that will be revised during the zoning rewrite process.



**Commissioner Russell** – I have been compiling what I have heard that are some revisions. We can go through them. I don't know if Mr. Mitchell wants to add something general.

**Commissioner Mitchell** – I would like to go back to my original recommendation. I do not want us to go down a 'rabbit hole.' We're at the point in our meeting where we're starting to deliberate and work on a recommendation to Council. So that we can structure our conversation, the recommendation that Chairman Solla-Yates recommended that you (Commissioner Russell) make the motion now so we can begin to structure our conversation around the motion you make.

**Commissioner Russell** – I am not sure I exactly understand. I understand what you're getting at. Should we bring up the revisions and circle back to the motion that rolls them in.

**Commissioner Mitchell** – The motion that I recommend you make was that we recommend approval of the Comprehensive Plan with the deliberated amendments. Once the motion is made, we can deliberate the amendments. If we don't do that, we're going to be going circular all night.

**Motion – Commissioner Mitchell** – I move to **APPROVE** the resolution recommending approval of an updated, amended Comprehensive Plan, as presented, with the following changes:

1. In the LAND USE chapter, add the following sub-strategy to Strategy 1.2 following bullet two (“...preserve and enhance natural resources...”): “Require that zoning changes preserve and enhance historic cultural resources. In particular, require that development of historic properties within Historic Preservation Architectural Design Control (ADC) Districts, Historic Conservation (CV) Districts, or Individually Protected Property (IPP) maintain the National Register’s “contributing resource” designation.”
2. In the LAND USE CATEGORY DESCRIPTION: SENSITIVE AREA: Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.
3. Revise LAND USE CATEGORY DESCRIPTIONS Table 2 "Residential" header to add "Zoning tools will regulate affordability and maximum allowable development for all categories and consider demolition disincentives as feasible".
4. Recommend that SENSITIVE AREA delineation should continue to be defined and additional means and metrics beyond Census Block Data need to be considered. (This will also require revisions to the description of Sensitive areas on page 25 in addition to the FLUM. This is additional text to the document for now.)

**Commissioner Mitchell made the Motion, Commissioner Stolzenberg (Second)  
Motion passes 7-0.**

**The following was the discussion regarding the revisions to the motion.**

**Commissioner Russell** – The first revision I would propose would be to the Land Use chapter. That is to add the following sub-strategy to Strategy 1.2 following bullet 2. That is to require that zoning changes preserve and enhance historic and cultural resources. In particular, require that development of historic properties within Historic Preservation Architectural Design Control Districts, Historic Conservation

Districts, or Individually Protected Properties maintain the National Register's contributing resource designation. (Amendment seconded by Commissioner Mitchell).

**Commissioner Habbab** – To what degree can we make changes before it is not a contributing resource. My only concern would be if we overlay that with the Future Land Use Map, how are we limiting the buildout of our Future Land Use Map as we have conceived it if we have to maintain the historic designation on these historic buildings? We do have the BAR who reviews all of these applications to these areas for context and scale to these neighborhoods.

**Commissioner Lahendro** – In any historic district, any architecturally controlled historic district, conservation district, there are contributing members to the district and there non-contributing. These are listed in the National Register nomination forms as well as in surveys backing them up that indicate what the physical characteristics are that make them contributing. With any of the contributing members to a historic district, you're still allowed to do additions, adaptive reuse, accessory dwelling units. You can still add affordable housing to any of those contributing members if it is done in such a way that it does not destroy the contributing portions of that building. There are also, within any historic district, 10 to 40 percent that are non-contributing. On those sites, the buildings can be replaced with other buildings that provide affordable housing. I am not suggesting that the Future Land Use Map that recommends upzoning in some of the historic districts be changed. I am just suggesting a way for preserving the contributing members to that historic district so they don't get destroyed. Upzoning these areas puts a lot of pressure on those buildings. It is still allowing housing to be constructed in appropriate ways while still preserving our historic resources.

**Commissioner Stolzenberg** – That's really helpful. It is a good idea overall. It makes a lot of sense. It especially belays my fears that it would prohibit change. I have seen a lot of weird additions on historic buildings. A word of caution with the word "require." It is the very strongest word that we use in this plan. It effectively means (to me) that there is never an exception. If I am hearing that some of the historic districts are 90 percent contributing with the caveat that you can add to those buildings, are there scenarios where you would have a contributing resource that might be in bad shape or may need to be modified in a way that makes it noncontributing? Should we change it to "strongly discourage?"

**Commissioner Lahendro** – In my opinion, it needs to be "required." I am suggesting it in this location because it follows right behind the bullet point that says "require that zoning changes preserve and enhance natural resources and sensitive environmental areas." I do not think that preserving and enhancing our cultural resources are any less important than our natural resources. I feel that it is an appropriate place and an appropriate designation.

**Commissioner Mitchell** – I want to back up a bit. I may have gotten us off track. Staff has asked me to revise the original motion so staff can keep track of it.

**Ms. Koch** – As I previously stated, we would support this. This is the intent. Going into it, it makes sense to do that. As Commissioner Lahendro noted within these districts, there are still plenty of ways we can support greater intensity of uses. That goes for other properties that aren't in historic districts. There are a wide variety of ways we can look to support this neighborhood form that we're talking about and provide greater intensity of uses.

**Lisa Robertson, City Attorney** – I just wanted to point out that for the public and considering Commissioner Russell’s request, people sometimes get confused about whether being on the National Register or being designated at that level actually results in local restrictions on your property, It does not. As Commissioner Lahendro explained, when the city wants to undertake protection of those resources within a national registered district, it conducts surveys and decides for itself what resources or structures are contributing structures. It designates those within the BAR Guidelines document. Unless those are designated, those contributing structures are the ones that are the most strongly protected under the Zoning Ordinance. I wanted to make clear to the public that when we’re saying that we want to require that development of historic properties maintain the National Register’s contributing resource designation, I want to point to everybody to understand that actually is referring to a designation that we translated into a local protection through our BAR districts.

**Commissioner Habbab** – Isn’t the BAR doing this now?

**Commissioner Lahendro** – Yes, the BAR is doing this now. Having a contributing member of a historic district destroyed is simply a matter of time. The BAR can turn it down. It is then appealed to City Council. City Council can turn it down. The property owner has to put it out for offering to sell for the price that they bought it for. A developer who has bought a historic property within an ADC district is buying it for the potential of putting in additional units. They’re paying a lot for the property. Whoever buys it, has to agree to just preserve it and restore the property. That makes it a very high bar for someone else to purchase this property within the allotted time, which is three months to a year depending upon the cost of the property. It is very unlikely that someone will purchase it for that higher amount and agree to restore it and preserve it. That’s what I am worried about. By adding the additional pressure on properties within historic districts, we do not have (state legislated requirement) the controls to keep that property and to make sure that property is not destroyed.

**Commissioner Mitchell** – How do we want to manage the amendments? (Chairman Solla-Yates) Do you want to vote on every amendment?

**Chairman Solla-Yates** – If an amendment passes the straw poll, I don’t think a vote on that amendment is necessary.

**The Planning Commission voted to add the first amendment proposed by Commissioner Russell to the motion above.**

**Commissioner Russell** – I have a second amendment. This was introduced by Commissioner Habbab. This amendment is a revision to the Land Use Category description of sensitive area as stated in the table on page 2 of the Comprehensive Plan. That concept is generally to add a provision to consider allowing additional units and height under an affordability bonus program or other zoning mechanism. In short, allow the flexibility considering an affordability bonus.

**Commissioner Dowell** – Can you elaborate on that? Is this referring to the affordability bonus if you have the additional units? Does the first unit need to be the affordable unit?

**Commissioner Russell** – In that table in the General Residential category, we specifically reference a bonus program above and beyond the 4 unit base. That is absent in the description for sensitive areas,



which has a more constrained base zoning: One per lot and allow up to three units if the first unit's affordability requirement allow a 4<sup>th</sup> unit if the existing structure is maintained and at least one affordable unit is provided. That's there. On top of that, just adding the text to consider an affordability bonus on top of what we have just already described. That's the flexibility.

**Commissioner Dowell** – I am just trying to make sure that we're completely on the same page. What would that affordability bonus be? What does that look like? I was thinking that the additional unit is where that affordability bonus came in. Is that something on top of that?

**Commissioner Habbab** – All of the designations that we have right on the Future Land Use Map have the affordability bonus to be explored in the zoning rewrite process on how affordable, how many units, and when that kicks in, except the sensitive areas. With the General Residential sensitive communities, the maximum anybody can build on these lots is four units with the first one being affordable. It lacks that language. It allows somebody to build more than four units if we say a certain percentage of them have to be affordable. If a nonprofit buys a property in the sensitive communities or owns one and they want to develop more than four units, they can't do it right now with the language that we have. It gives that ability to do that affordability bonus.

**Commissioner Stolzenberg** – I think this is coming from the original overlay concept where you could get up to 12. The difference between Sensitive and General, besides the base zoning in Sensitive being one and up to 4 from that, was that the 5 to 12 step, it is a much stricter affordability requirement than in General. We're preserving that in this suggestion, only implicitly. I am wondering if we want to add some wording saying that we're talking about strict affordability requirements or potentially all of the incremental units being affordable. I am thinking of an affordable housing provider wanting to build an 8-plex. We have heard that in the Cherry Avenue outreach from CLIHC. People would be amenable to that as long as it is affordable.

**Commissioner Habbab** – It would be a completely different track than the General Residential affordability bonus. It would be geared towards affordability.

**Commissioner Dowell** – My request would be that while we are wording it, that we use "strict affordability." If we're talking about sensitive areas, we are also going back into that increased density in the areas that we're trying to protect. I think the strict affordability is definitely the wording that needs to be in the language.

**Commissioner Stolzenberg** – "Consider allowing additional units and height with the strict affordability under a bonus program or other zoning mechanism." I would say stricter affordability than non-sensitive areas.

**Commissioner Dowell** – When we're talking about strict affordability, can you define what strict affordability is? Is it 80 percent AMI? Are we going to put a number on that? Are we saying strict affordability and letting the details come out in the rezoning?

**Commissioner Stolzenberg** – I am thinking details later. When I was thinking strict, I meant high proportion of units. I assumed we were talking about at least 60 percent AMI and lower.

**Commissioner Dowell** – We have the assumption of what we think we’re talking about. At this day and age and the state of our city, we cannot assume anything. We cannot assume that people are going to say that this is what they implied and meant if it is not in writing. We cannot assume it is going to be held. If somebody can come up with the verbage, it should definitely have something pertaining or relating to that. We can’t go off assumptions.

**Commissioner Stolzenberg** – I do have new wording. “Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.”

**Commissioner Dowell** – Is it “considered” or is it “allowing?” Considered means maybe you can or you cannot. Allowing sounds like something that can’t happen.

**Commissioner Russell** – I don’t think that we know yet whether it should be “considered.” That’s the point. It is not even there at all in the sensitive areas. At this point, maybe it is that we are considering it.

**Commissioner Stolzenberg** – It doesn’t say considered in the equivalent one in non-sensitive.

**Commissioner Habbab** – We can change it to allow. We can figure out the number in that bonus program since it is running on a different track than the General Residential. We can say that it can go up to two more and they all have to be affordable.

**Mr. Freas** – When we say consider, we mean that the Planning Commission and City Council will be the ones doing the considering at the time you’re moving forward with the adoption of the zoning. I want to be clear on who was doing what. I would encourage you to keep the word “consider” at this stage and time. The next step we are going into, this inclusionary zoning analysis step, is where we’re really going to dig into what it costs to build right now in Charlottesville. We’re going to dig into the market condition so we can understand the level of affordability that actually results in units being built rather than inclusionary zoning being used as a tool to show the housing market. One conclusion that may come out of that analysis is that we don’t do additional affordability here beyond what has already been proposed. That would lead to nothing happening. I am just encouraging, in this context, that you keep the word “consider.” Allow the analysis to happen. Make a decision based on what the conclusions are with that work.

**Commissioner Stolzenberg** – The intent here, whereas in other areas is that we want the bonus to pencil and work and make things happen, the largest intent here is to allow effectively 100 percent affordable or very high percentage affordable to be done by nonprofits with other funding mechanisms. Otherwise, it is prohibited entirely to build an affordable 8-plex as distinct as we consider the zoning mechanism elsewhere. This maybe really covered by the talk of an affordable housing overlay elsewhere. That was my impression of it. It is intended to enable nonprofit work or more than market rate with bonus work.

**Commissioner Habbab** – I want to ask where we are leaning as a group to consider or allow straight out.

**Commissioner Lahendro** – I am uncomfortable with this. It feels like we are doing what should be done during the zoning ordinance rewrite. I am fine with consider.

**Commissioner Stolzenberg** – This still leaves almost all of the details in the zoning rewrite. The level of affordability for the entirely affordable housing ones and whether there is a bonus program and the level and percentage of affordability in those bonus programs. It is pretty big.

**Ms. Creasy** – Putting in the 100 percent affordable housing could be defined in different ways by different people and it usually is. That could get tricky.

**Commissioner Habbab** – Would it be more comfortable with the earlier definition of the greater and deeper affordability than non-sensitive areas? We can do that. That could allow for more room to figure out later in the zoning rewrite.

**Commissioner Russell** – **“Consider allowing additional units and height under a bonus program or other zoning mechanism with greater and deeper affordability than non-sensitive areas.”**

**The Planning Commission voted to add the second amendment proposed by Commissioner Habbab to the motion above.**

**Commissioner Russell** – I want to stick to the land use category page. This is a slight addition to the land use category description of General Residential. This is the concept I think we’re trying to ensure here. “Zoning ordinances will consider affordability requirements and demolition disincentives as feasible.” That will be tacked onto the existing use and affordability box. This is to drive home the point moving forward. We can have more discussion in the future.

**Commissioner Stolzenberg** – How does this differ from sub-strategy under 1.4 that says “Investigate the feasibility of requiring affordable units for smaller multifamily development or redevelopment such as through the first or second new unit.” There is a bunch of demolition disincentives elsewhere.

**Commissioner Russell** – It is just putting more detail into that particular land use category and not letting it get embedded into a sub-strategy.

**Commissioner Stolzenberg** – This would only be in General non-sensitive?

**Commissioner Russell** – Yes. I think it could be something that transcends all categories. Where this evolved from was the conversation yesterday around whether we should stipulate affordability and drill in on that inclusionary zoning at this point in time. The answer was ‘no, we’re not there yet. I hope the intent of this is that there is a future inclusionary zoning that is going to deepen affordability requirements.

**Mr. Freas** – We don’t have any concerns with this. The point is to reiterate the comment. It appears in a couple of other locations. It reiterates it in a prominent location graphically in the plan.

**Ms. Koch** – I agree with Mr. Freas on that. We’re fine with this language. I want to make sure if this specific language is just inserted into one category where we have the more general statements. I appreciate what you’re trying to do (Commissioner Russell). It might be better to apply it more broadly. We’re not only saying General Residential.

**Commissioner Russell** – Does it apply in the Medium Intensity Residential?



**Ms. Koch** – The goal is look at that more broadly in the zoning ordinance and see what is feasible. The statement that you have proposed would be supported.

**Commissioner Stolzenberg** – What if we put it in that second bar that goes all the way across in the sub-header for residential. It already says zoning rules will regulate affordability and maximum allowed development. We could provide demolition disincentives as feasible.

**Commissioner Russell – Revise LAND USE CATEGORY DESCRIPTIONS Table 2 "Residential" header to add "Zoning tools will regulate affordability and maximum allowable development for all categories and consider demolition disincentives as feasible."**

**The Planning Commission voted to add the above amendment by Commissioner Russell to the motion to the approved Comprehensive Plan motion.**

**The meeting was recessed for five minutes.**

**Commissioner Russell** – I am happy to introduce a recommended change that came from Commissioner Dowell. I am on page 25 of the Comprehensive Plan that overlays the rationale and the methodology behind the sensitive areas. The change would be to continue to define and revise the sensitive areas beyond census block data and evaluate other metrics to be considered. I am noting that this would also require revisions to the description of sensitive areas on page 25. It will result in changes to the delineated areas on the Future Land Use Map.

**Recommend that SENSITIVE AREA delineation should continue to be defined and additional means and metrics beyond Census Block Data need to be considered. (This will also require revisions to the description of Sensitive areas on page 25 in addition to the FLUM. This is additional text to the document for now.)**

**Commissioner Stolzenberg** – I wonder if we should specify finer grained. ‘Metrics’ is giving me some pause. We don’t have a lot of great, objective data. It might be the sort of thing where local knowledge might come into play. Maybe we have some city data that would be useful.

**Commissioner Dowell** – This is one of those examples why we’re figuring out the proper language. In general with this city, if we were more in tune with actual residents of the city, we wouldn’t have to worry about whether we’re using means and metrics. We would have already known that those areas should have been included in the sensitive delineation.

**The Planning Commission voted to add the above amendment to the motion approving the Comprehensive Plan motion.**

**Commissioner Russell** – The final change are amendments to the Future Land Use Map as described in Future Land Use Map Amendments a through k, given by Commissioner Stolzenberg.

**Commissioner Stolzenberg** – I have been going through the Comprehensive Plan/Future Land Use Map at a finer granular level, keeping an eye towards maximizing the use of vacant properties. As many public commenters have suggested, nobody has disagreed with the idea of maximally utilizing their vacant

properties in order to reduce the pressure on existing built-out areas and more effectively build quickly. In my opinion, the best approach is where we maximize our housing all over the city. For a variety of those where the built reality doesn't match what is in the Future Land Use Map, places that are inconsistent with current zoning, don't have a clear justification for change.

The first one is the Wright Scrap Yard just past City Walk. This is a very large grey field site that might require some remediation. It is significantly below grade. It is quite large. I am suggesting to best use the site; at least the areas far from the residential be increased from the 4 story mixed use node. I would like to go to urban mixed use node in that area.

**Commissioner Mitchell** – Are we getting down into the weeds? Are we doing the job of the staff and consultants? This is pretty weedy.

**Mr. Freas** – How deeply you all want to get into making changes to the Future Land Use Map at this point is up to you. What I can say for each of these is that there are comments that have been generated by the consultant team and staff that we would be happy to share as you go through deliberations. It is up to you how deeply you guys want to go into making amendments at this point in time. We're happy to provide comments.

**Commissioner Habbab** – I would like to hear staff's opinion.

**Commissioner Mitchell** – I would rather not even make a motion until we get some feedback from staff and the consultants.

**Commissioner Dowell** – I think Commissioner Stolzenberg did come up with some great ideas. Didn't we say earlier that these are zoning issues? We weren't rewriting and going into details tonight.

**Commissioner Stolzenberg** – The zoning is going to have to conform to what we have in the Future Land Use Map. I guess we can change it later. From what I have seen, what is on the Future Land Use Map is the upper limit of what we're going to do in the zoning. If we have sites that are underutilized at the future land use level, they will continue to be underutilized at the zoning level.

**Commissioner Lahendro** – Is there a way that we can vote on this block of Commissioner Stolzenberg's recommendations and ask the consultants to study them and provide us with a response?

**Commissioner Mitchell** – I would be happy to ask to make these recommendations and get the feedback from the consultants and staff as opposed to make this part of the FLUM.

**Commissioner Dowell** – I second that. That is a second to Commissioner Lahendro's motion.

**Commissioner Lahendro** – My motion is that we ask the consultants and staff to study these specific recommendations and provide us with responses as to whether or not they are appropriate to be included in the FLUM.

**Commissioner Stolzenberg** – I would remind you all that we are recommending the Comprehensive Plan and Future Land Use Map to Council tonight. I believe that staff has already taken a look at these. They

already have thoughts. If we're going to make any changes, my understanding is that those happen tonight or potentially after the zoning process. Council could make changes or amendments to what we recommend to them.

**Mr. Freas** – If we were responding at a later date to the Planning Commission, there is a motion on the table to vote on tonight. Would it not make sense to provide our feedback tonight?

**Chairman Solla-Yates** – Can we hear, item by item, concisely from the consultants and staff?

**Mr. Sessoms** – We did take a look at this area. We think there is some potential. There is a significant grade change from Market Street down towards the railroad. We can't touch some of that height closer to the railroad. Our recommendation would be, if we were to include this mixed use node, to only include the two parcels immediately adjacent to the railroad such that we have continuity of the housing height along East Market Street. The Neighborhood Mixed Use Node will step down to the residential uses on the north side of East Market Street. If we were to go this route to add the Urban Mixed Use Node, we had some concerns about making such a drastic change in the increase of intensity at this location. We haven't shown this concept for public review. That's something that should also be taken into consideration.

**Ms. Koch** – We would also note the grade difference. It is quite low. The scale could be similar to what the Neighborhood Mixed Use Node might feel like it was at street level.

**Mr. Sessoms** – I would agree with that for the two parcels immediately adjacent to the railroad. I would be hesitant to show the corner parcel as high intensity.

**Commissioner Stolzenberg** – That works for me. It would be appropriate. We have heard extensive feedback from the public on this particular parcel and generally on vacant land across the city. I think we have received 150 comments talking about vacant land. I would be happy to make a motion that is just for these two parcels adjacent to the railroad.

**Chairman Solla-Yates** – We have a motion on the floor to commission a study.

**Commissioner Mitchell** – We can ask Commissioner Lahendro to withdraw his motion. We can ask Commissioner Stolzenberg to make a new motion.

**Chairman Solla-Yates** – Would you be willing to withdraw your motion? (Commissioner Lahendro)

**Commissioner Lahendro** – No. I see this going on and on. I have not had time to study these individual recommendations. I would like to have that time. I am sure the consultants and staff would like to have that time as well. Have these things been presented to the public? I feel that this is being hurried.

**Commissioner Stolzenberg** – We're recommending adoption of this Future Land Use Map tonight. Council is going to approve it. We have heard extremely extensive comments from all segments of the public that state the general desire to make changes like the ones I am recommending tonight.



**Commissioner Lahendro** – They did not specifically talk about these parcels. I worry about the unintended consequences of running through this at the end at 11:00 PM. We can vote on my motion, turn it down, and move ahead doing it parcel by parcel.

**Commissioner Habbab** – I would like to hear what Commissioner Stolzenberg has for each of his items and the consultants' opinions. If we theoretically pass this motion, we just won't get to it. We also don't have a chance to implement it later. I feel that we would be missing something.

**Commissioner Russell** – We would have a chance to implement later on if we asked the consultants and staff to study it.

**Commissioner Stolzenberg** – The consultants and staff have already studied it and are prepared to provide their responses tonight.

**Commissioner Mitchell** – I have to agree with Commissioner Lahendro. I would like a couple of weeks to think about this and get public feedback on this. If we had to vote on this tonight, I would probably vote as Commissioner Lahendro has recommended. It just popped up. I need time to think about it. The public needs time to think about it.

**Chairman Solla-Yates** – Would it be possible to, instead of initiate all of these changes on the map tonight, suggest these be studied for the rezoning and possible revisions to the map in the future?

**Commissioner Mitchell** – That is what Commissioner Lahendro is recommending.

**Commissioner Lahendro** – That is exactly what I am recommending.

**Commissioner Russell** – “Ask the consultants and staff to study and provide responses to the Future Land Use Map amendments a through k by Commissioner Stolzenberg as to whether or not they are appropriate to be included in the Future Land Use Map.”

**Commissioner Stolzenberg** – At what time?

**Commissioner Dowell** – We have not had a chance to look at this tonight. I know that I mentioned something earlier re-delineating that line for sensitive zones. You told me that was something we would have to come back to later. If we're not going to do one parcel, I don't feel that we should do another parcel. I do feel that it is appropriate that Commissioner Stolzenberg has great recommendations and that we let the people who we are paying look at it and make those recommendations. That's fair to us, Commissioner Stolzenberg, and to the public. The public hasn't had a chance to review it. We're already in the hot seat about not being transparent.

**Commissioner Lahendro** – I would suggest that this would need to be announced and put into our next meeting. I am fine with that. It needs to be made available to the public. It is announced and it is known that we're going to be doing this at our next meeting if that gives adequate time to staff and consultants.

**Commissioner Mitchell** – My only suggestion is that we don't let this piece stop us from approving the document tonight.

**Chairman Solla-Yates** – How would this process work?

**Ms. Creasy** – You would like this studied and looked at. We don't have parameters on what that is. Maybe you want to talk about what that parameter looks like. There could be a future discussion. If you move this forward for recommendation, it continues forward on that path.

**Commissioner Mitchell** – I definitely want to move this forward to Council. Council, staff, consultants, and Planning Commission should continue to visit the Future Land Use Map as has been suggested by Commissioner Stolzenberg in January/whatever the timeframe. Just don't stop the process for this item.

**Commissioner Stolzenberg** – My changes here are intended to make the map palatable for people who have problems with some of the map and would like changes. I think the map is a very strong map. I am prepared to pass it tonight without these amendments. I am willing to table them and come back to them at some indefinite time.

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

*Continuing* until all action items are concluded.

The meeting was adjourned at 11:22 PM