

Agenda

PLANNING COMMISSION REGULAR DOCKET TUESDAY, October 9, 2012 – 5:30 P.M. CITY COUNCIL CHAMBERS

- I. **PLANNING COMMISSION GATHERING** -- 4:30 P.M. (Held in the NDS Conference Room) Commissioners gather to communicate with staff. (4:30-5:30 P.M.)
- II. **REGULAR MEETING** -- 5:30 P.M.
- 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 - September 11, 2012 – Pre meeting
 2. Minutes - September 11, 2012 – Regular meeting
 3. Minutes - July 10, 2012 – Regular meeting
 4. Minutes – September 25, 2012 - Work Session
 5. Notes – September 26, 2012 – Special Event
 6. Zoning Text Amendment Initiation – BAR demolition requirements and deferral timeframes, Allowance for Bioscience and Technology Space in various Zoning Classifications.
- G. Presentation from Rivanna River Basin Commission – Rivanna Snapshot & Watershed Management Planning – 10 minutes
- H. Critical Slope Waiver Request
- a. Stonehenge PUD
- III. **JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)**
- I. **JOINT PUBLIC HEARINGS**
1. **ZM-12-04-06 (Stonehenge PUD)**: A petition to rezone the property located off of Stonehenge Avenue from R-1S Residential District to Planned Unit Development (PUD). The property is further identified as Tax Map 60 Parcels 81.8, 91, 120, 120A-C, 121, 122.4-7 having road frontage on Stonehenge Avenue and containing approximately 240,887 square feet of land or 5.53 acres. The PUD zoning allows an applicant to present a proposal independent of established zoning categories for consideration by the governing body. This proposal consists of 29 single family detached dwellings with open space and a density of no greater than 5.25 DUA. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Single-Family Residential. **Report prepared by Brian Haluska, Neighborhood Planner.**
- IV. **REGULAR MEETING ITEMS (Cont.)** – 8:00 P.M.
- J. **PRELIMINARY DISCUSSION**
1. The Plaza on Main Street SUP – 10 minutes

K. FUTURE MEETING SCHEDULE

Date and Time	Type	Items
Tuesday, October 23, 2012 – 5:00PM	Work Session	Comprehensive Plan
Tuesday, November 13, 2012 – 4:30 PM	Pre- Meeting	
Tuesday, November 13, 2012 – 5:30 PM	Regular Meeting	Site Plan - Burnett Commons II Entrance Corridor – 1600 Monticello Avenue, Shell Station at Barracks Road ZTA – BAR changes and Bioscience and Technology in Mixed Use areas, Special Permit – The Plaza on Main Street Minutes – September 18, 2012 - Work Session

Anticipated Items on Future Agendas

- LID Guideline Review
- Major Subdivision – Maury Avenue
- ZTA – PUD, SUP, Rezoning Procedures

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.

**LIST OF SITE PLANS APPROVED ADMINISTRATIVELY
8/1/2012 TO 9/30/2012**

- | | |
|--------------|--|
| 1. Amendment | JAUNT Parking Lot |
| 2. Amendment | Union Station Parking Payment Stations |

**LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY
8/1/2012 TO 9/30/2012**

- | | | |
|----|---|--|
| 1. | TMP 35-5 & 6
807 Cynthianna Avenue
File No. 1504 | Boundary Adjustment
Dominion Engineering
Final |
| | Final Signed: 8/31/12
Signed by: Mike Smith & Genevieve Keller | |
| 2. | TMP 11 – 1-4 and parcel X
Oakhurst/JPA Redivision
File No. 1505 | Boundary Adjustment
Roger Ray & Associates
Final |
| | Final Signed: 8/24/12
Signed by: Ebony Walden & Genevieve Keller | |
| 3. | TMP 58-289.2 & 58-358E
Lyman Street
File No. 1506 | Boundary Adjustment
Lincoln Surveying
Final |
| | Final Signed: 9/6/12
Signed by: Brian Haluska & Genevieve Keller | |

**CITY OF CHARLOTTESVILLE
PLANNING COMMISSION PRE MEETING
TUESDAY, September 11 2012 -- 4:30 P.M.
NDS CONFERENCE ROOM**

Planning Commissioners present

Ms. Genevieve Keller
Mr. Dan Rosensweig
Ms. Lisa Green
Mr. Michael Osteen
Mr. Kurt Keesecker
Ms. Natasha Sienitsky

Staff Present:

Mr. Jim Tolbert, Director
Ms. Missy Creasy, Planning Manager
Mr. Brian Haluska, Neighborhood Planner
Mr. Richard Harris, Deputy City Attorney

The Commission began to gather at 4:30 and was called to order at 5:00pm. Ms. Keller provided an update on the Livability grant and reviewed the agenda for this evening. Ms. Creasy provided background information on the zoning text initiation request. Mr. Keesecker suggested that during the code review, consideration be given to language that could clarify the applicant's vision for the site and include review to make sure creativity is not hindered completely by the standards manual.

Mr. Harris advised the commission to focus on standards of review and mitigation of impacts at the hearing this evening. Mr. Haluska provided orientation on the zoning ordinance and noise ordinance linkages. Ms. Green felt sound meter training for the Commission would be valuable.

The discussion adjourned at 5:27pm.

MINUTES
CITY OF CHARLOTTESVILLE
PLANNING COMMISSION
TUESDAY, September 11, 2012 -- 5:30 P.M.
CITY COUNCIL CHAMBERS

Commissioners Present:

Ms. Genevieve Keller (Chairperson)
Mr. Dan Rosensweig
Ms. Lisa Green
Ms. Natasha Sienitsky
Mr. Kurt Keesecker
Mr. Michael Osteen

Mr. David Neuman, Ex-officio, UVA Office of the Architect

Not Present:

Mr. John Santoski

Staff Present:

Ms. Missy Creasy, AICP, Planning Manager
Mr. Brian Haluska, AICP, Planner

Also Present

Mr. Richard Harris, Deputy City Attorney

II. REGULAR MEETING

Ms. Keller convened the meeting.

A. COMMISSIONERS' REPORT

- Ms. Sienitsky-No report
- Ms. Green –No report
- Mr. Osteen-Recognized the passing of Preston Coiner. He expressed what Preston meant to him and what an asset he was to the BAR and the community. He informed of us the regular meeting of the BAR and the joint meeting the BAR had with City Council and the PLACE committee. The BAR approved the renovations to the Coca-Cola bottling plant and felt it was a shame the beautiful facade will be masked with tree planting to meet the tree regulations. The Joint meeting brought up a good conversation concerning murals in the City including what is appropriate and the appropriate locations. The Tree Commission met and is addressing appropriate tree planting under power lines. There will be a tree hunt October 10th to identify trees in the City. More information will be coming out about the event.
- Mr. Rosensweig- The HAC didn't meet, but they will meet September 12th in the NDS conference room. The Parks and Recreation advisory committee met concerning the master plan for the east end of McIntire Park, but he did not attend. He informed the commission that he would be stepping down from the Parks and Recreation committee. He has informed the Chair of the committee and well as the Chair of the Planning Commission.
- Mr. Keesecker- Nothing to report

B. UNIVERSITY REPORT

Mr. Neuman – Things are moving slow but steady. The Ivy intersection improvement to widen the lanes should start in the next couple of weeks. The Board of Visitors will be meeting this week and the meetings are open to the public.

C. CHAIR'S REPORT

Ms. Keller –She attended the joint meeting with the BAR, PLACE Committee, and City Council and felt the meeting was very useful. She also attended the TJPDC monthly meeting and there was a presentation on the heritage tourism project. There was a closed meeting on the sustainability grant and a group of PDC commissioners were assigned to investigate concerns and present in November.

D. DEPARTMENT OF NDS/STAFF REPORTS/WORK PLAN

Ms. Creasy stated Willy Thompson and his wife welcomed a baby girl Monday and everyone is healthy and doing well. There will be a joint work session with the County Commission September 18th at the County office building. The topic will be regional goals of the comp plan. There will also be a regular work session on September 25th on the draft land use map. The second set of draft chapters are out for comment and staff would like those comments in the next week.

E. Annual Meeting

1. Report of Nominating Committee-Ms. Green and Mr. Keesecker were appointed to the committee and they have nominated Ms. Keller to remain as Chair and Mr. Rosensweig to remain as Vice Chair.

2. Election of Officers-Mr. Keesecker made a motion nominating Ms. Keller and Mr. Rosensweig. Mr. Osteen seconded the motion.

All in favor.

Motion passed.

3. Review of Annual Report-Ms. Creasy informed everyone that the information is online and it gives details of activities of the Planning Commission for the past year. The report reflects P3 data which is a performance measurement system instituted by the City.

Discussion

Mr. Rosensweig asked Mr. Osteen to explain the increase in the number of COA requests the BAR has had per month over the year. He wanted to know if maybe they were cases that should not have come to the BAR or cases that keep coming back due to deferrals.

Mr. Osteen explained that some cases they are seeing too many times or the applicant is bringing the project in two phases. He knows that some people feel that the BAR shouldn't be seeing some of the things that are coming up. We still have to realize that a lot of people are doing renovations though there is not a lot of new construction.

Ms. Creasy stated that this is only one activity done by the Preservation staff and there has been a large increase in the number of designated properties over the last decade. Properties in the Conservation District as well as sign permits are examples of other applications which are time intensive.

Ms. Green asked if there was duplicity in what the BAR does and what the Tree Commission does.

Mr. Osteen stated that the Tree Commission does things totally different than what the BAR does.

Ms. Keller stated that the economy is the reason why we are seeing more rehab instead of new projects.

F. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA-None

G. CONSENT AGENDA

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

1. Minutes - August 14, 2012 – Pre meeting
2. Minutes - August 14, 2012 – Regular Meeting
3. Minutes – August 28, 2012 – Work Session
4. Zoning Text Initiation-PUD, Rezoning and SUP procedures

Mr. Rosensweig made a motion to approve the Consent Agenda.

Ms. Green seconded the motion.

All in favor.

Consent Agenda passes.

III. JOINT PUBLIC HEARINGS

1. **G. JOINT PUBLIC HEARINGS**

SP-12-07-10 – (1304 East Market Street) An application for a special use permit for a music hall at 1304 East Market Street. The property is further identified on City Real Property Tax Map 56 Parcel 8 having frontage on East Market Street. The site is zoned M-I (Manufacturing-Industrial) and is approximately 2.11 acres or 91,911 square feet. The Land Use Plan generally calls for Industrial. **Report prepared by Brian Haluska, Neighborhood Planner.**

Mr. Haluska presented the staff report. He provided the definition of a music hall. He also went over the rules and regulations that the applicant needs to abide by. He then explained the applicant's request.

Question from the Commission

- Is 2450sqft the size of the existing building?
- Is mixed use allowed “by right” in the city?
- How many people does the occupancy permit allow?
- Has there been any monitoring of the noise levels for this building?
- Is this building designated historic?
- Is there parking on the street?
- How is indirect noise impacting the area and can that be monitored?
- Are there hours of limitations on noise for this site?
- Is the noise ordinance measured at the residential property line or the property line of the business?
- Is there a design option to mitigate the noise?

Mr. Haluska stated that the existing building will not be expanded. This square footage encompasses the current restaurant space. Yes, mixed use is allowed by right in the city and the occupant load for this site is 150. The establishment was shut down for 2 zoning violations but not for noise ordinance violations. The building is not locally designated historic but it may be state or nationally. There is parking on East Market Street and on Meade Ave across the tracks. There may be some design options to mitigate the noise but he did not have the expertise to speak to this.

Questions from Council

Mr. Norris asked for further explanation of the noise concern.

Mr. Haluska explained that regardless of whether the noise was inside or outside the building, concerns have been expressed.

Ms. Galvin would like to know what 75 decibels sounds like and what has been done in the past with areas that are residential and industrial.

Mr. Haluska stated that UVA has a class now focusing on that issue.

The applicant, Matteus Frankovich presented a petition for neighbors. He gave a history of what he has done in the community in the past and what he is planning on doing for the community with this establishment. He gave details on what he was looking for and was opened to compromise. He also explained what he has done to mitigate the noise inside the building from traveling outside.

Ms. Keller opened the public

Zapp McConnell, 1513 East Market Street, is in total support of the music hall. He is glad that there is a place in the neighborhood that he can come to and see his neighbors. He is glad that it is within walking distance and feels the establishment supports artists and artists support the community.

Bailey Elizabeth, 505 Elliott Ave, feels that the applicant is only trying to do the right thing and have a legal operation. She feels that permission should be granted if the applicant is meeting all of the requirements. Not letting him operate as a music hall has had a negative impact on business.

Brian Wilmer, 704 Belmont Ave, feels that “what good” will come out of the establishment needs to be looked at. Where is the creativity? There is lot in this building.

Rachael McQuade, 1405 Chesapeake St, is in full support and welcomes the addition. It is a good place to meet a lot of neighbors. She feels there is confusion as to where the noise is coming from at night. She walks her dogs at night and does not hear the music. She also feels really safe in the area.

Rachael Garnett thinks that it is a nice place to meet new people. She has met a lot of friends there. She feels that the music is hardly heard.

Shawn Strubbe, 518 Caroline Ave, feels that establishment fits nicely into the neighborhood and feels very protected and safe with it being there.

Bruce Hlvin Hazel Street, knows that the applicant will succeed. It would be so much easier if the permit could just be granted. The applicant did such a great job with his first establishment on the mall and has really enriched the city.

Brett Cassie, 3635 Scottsvllle Rd, noted that the neighborhood is very lucky to have the Saloon. A lot of the residences just have the fear of violence and noise. He admires the smaller venues and this is one that he admires.

Bill Lankford, 1400 East Market Street, presented a petition from neighbors that are against the music hall. He feels that something other than a music hall can be done. The Saloon has disrupted a lot of people’s lives negatively.

Doug Ohnemus, 1611 B Amherst St, stated that he was a part of the illegal venue that was in the building prior. That venue did not cause any problems and he feels Charlottesville would benefit from the project.

Shawn Decker, 23 Woodlake Dr, noted that Matteus gave him and his band an opportunity to play when some establishments don't consider them a band.

Eliza Pister, is the owner of the Linen Building and she was very excited when she got asked if the Saloon could open. She has never gotten one phone or complaint from the other tenants in the building. She is very surprised that this is an issue.

Mary Pister, 1425 Hazel St, stated that she has businesses on Meade Ave and thinks that he has operated within the guidelines. You have to pay the price for living in the City and this is a part of paying that price.

Orinah Blodgett, 699 Chapel Hill Rd, noted that she has spent most of her childhood in the Woolen Mills area and would like to see options being created within the neighborhood.

Emily Wilson, 1314 Chesapeake Ave, said she is in full support and when she is out on her deck she can't hear the music at all. She feels it will be a great benefit to the City.

Jeyon Falsini, 1013 Locust Ave, stated he has worked with Matteus in the past, hosting shows and is very happy with what he has done. He feels it is very important to believe in diversity and the energy and the crowd is great. It's a great location for people to walk to.

Alexander Fraley, 1314 Chesapeake Street, is in support of the SUP, and can't hear the music from her house. Most of the noise is coming from the Lunchbox.

Nancy Carpenter, 7 Eagles Landing, is in support of the SUP. She thinks that this will bring a more vibrant feel into the city and more people.

Robin Hanes, 1709 E Market St, noted that the restaurant is great. The older people are the ones that are mainly concerned about the noise. There has to be a choice on who to believe and who is telling the truth.

Thomas Parmenter, 1504 E Market Street, has never felt uncomfortable walking past the Saloon. He feels very safe when he is there.

Violet Houser, 206 Meade Avenue, noted her concern is with the base sound and vibration. She noted that the music does not always end on time. She raised concern with private parties, the door remaining open and the ending time for music. She was not in favor of the music hall permit.

Donna Blessing, 209 16th St. NE, noted that the Woolen Mills area is very unique and understands trying to preserve the area. She likes the idea of having a pub, just not a music hall. She feels that a compromise would be very hard to come up with and wished she had the magic answer.

Emily Lape, 1718 E Market St, feels the neighborhood is divided, but she is in support of the SUP. She always feels warm and welcome when she visits the Saloon.

Marianne Kubik, 1335 E Market St, is in agreement with it being a restaurant, but not a music hall. She is a first time buyer and would not like to regret her decision on buying her house.

Grant Partridge, 1304 E Market St, has lived there for 3years and there has never had a problem with noise. He feels there is no difference from the loud trucks and music that is heard from the Pavilion.

Albert _____, 1418 Carlton Rd, is totally in support and has never had a problem with the noise.

Chip Staples, 317 Rolling Rd, is a music performer and feels the Saloon would be very good addition to the City. He hopes a compromise can be made and he supports the applicant.

Eric Blansky, 817 Blenheim Ave, has brought friends from France and they loved the Saloon. When he brings people from other places here and they see the Saloon they want to move to the area.

Morgan Moran, 1207 Grove St, stated that she moved here to be a musician and a lot would be lost if it is not allowed to be a music hall.

Timothy _____, 224 Mulberry Dr, he feels really strong about the issue. As a musician there aren't a lot of many cool places to play and the saloon is the best place. He feels a lot of money has been lost during this time.

Alfred Samuels, 1208 E Market St, stated this is a commercial property owner and feels it is a wonderful improvement to the area. There has been a problem in the past with late night drinking but not from the Saloon.

Jim Shummer, Willard Drive, works at the Saloon on a volunteer basis and feels people are just afraid of what is going to happen. The music hall existed for 5 months without any violence, and extra walls have been built to control the noise.

Kelly Rinzes, 1731 Chesapeake St, feels that most of the noise is coming from the cars. He doesn't really think the noise was coming from the Saloon.

Nathan Zander, 1455 Oxford Rd, stated there are two people who live in the neighborhood that own motorcycles and they rev them up when they leave their driveway, so the noise may be coming from them and not the Saloon.

Lisa Strutzel, 413 Arbor Circle, is a really big fan of Matteus' work and is active in the neighborhood association. She would really like to see everyone living in peace and a compromise to happen.

Jim Benedict, East Market Street, is not in favor of the music hall and feels that the area doesn't need this type of venue.

Elizabeth Good, 624 Beaver Dam Rd, is out of a job due to the shutting down of the music hall. When you choose to live in the city it comes with noise, cars and traffic. The Lunchbox was actually bringing in the noise. Closing of the music hall has brought a death sentence to the business.

Joe Salidis, 142 Stribling Ave, noted that when he lived in the Woolen Mills area he lived by the railroad track and the ground would tremble when the train would go by. He feels the only people that came out are the only people that truly care about the music hall.

Bill Emory, 1604 E Market Street, noted that the division of the western portion of Woolen Mills neighborhood into a Manufacturing Industrial zone up against a long settled residential has generated many public hearings since he moved to the neighborhood in 1987. As Mr. Tolbert has observed, this hard line between industrial and residential is not something that is typical in a land use plan or in a zoning ordinance. The juxtaposition of these disparate districts represents a longstanding urban planning failure. For decades Woolen Mills neighbors have asked City Government for revisions to the land use plan and the zoning district map to rectify this inappropriate zoning. Tonight, we reap the twin harvests of legislative inaction and bad zoning practice. Jane Jacobs says: "A successful city neighborhood is a place that keeps sufficiently abreast of its problem so it is not destroyed by them. She continues saying:

“An unsuccessful neighborhood is a place that is overwhelmed by its defects and problems and is progressively more helpless before them.” A recommendation to hold back this SUP is not a blow against culture, against youth or against freedom of expression. Please cast your votes for the stability of an old, diverse and storied neighborhood. The Death and Life of Great American Cities, Chapter 6, “The Uses of the City Neighborhoods”

Ms. Keller closed the public hearing

Questions from the Commission

Ms. Sienitsky asked if the applicant was proposing 7:00 pm completion for outdoor music.

The applicant stated that he was not really interested in having outdoor music, but would be comfortable with any conditions.

Discussion

Ms. Sienitsky stated that things need to be considered that attract a different audience. She is comfortable with placing the same limitations on this site as the Belmont site. She feels the Saloon is consistent with Woolen Mills and feels very comfortable with granting the SUP. The building was not being put to good use and this is a vast improvement.

Ms. Green stated that what is good for the City and planning as a whole needs to be looked at. She stated that she lives by a train now and it is awesome. A world class city is not just made on arts alone. She is on the fence about the issue.

Mr. Osteen feels that the issue is challenging as well. He doesn't feel that this venue is incompatible. He would like to see a SUP that works for everyone.

Mr. Rosensweig likes the idea of the linen building being utilized. He feels it is the appropriate use and location.

Ms. Keller agrees with everyone and appreciates the enthusiasm. She sympathized with the long term residents of the neighborhood. She feels that some conditions should be in place and some ideas sent to Council.

Mr. Keesecker feels a little torn also. He can't come up with a better place that an SUP should be applied in the City. The location is walkable and only one block from downtown extended. He feels there are a lot of advantages to this location. He feels some rules need to be made, but that energy in this direction feels good.

Ms. Green feels that it needs to be conforming to the Comp Plan and does it fit into the plan that we are working on now.

Mr. Keesecker feels that it would take a lot of planning to turn the area around and that would be a lot to put on the business and the owner.

Mr. Rosensweig feels that we need to stick to the current Comp Plan.

Mr. Tolbert stated that SUP's are deemed appropriate within some locations of a zoning classification if the impacts can be mitigated. A music hall could be appropriate in this area even though it is zoned industrial. An SUP is different than a rezoning request.

Discussion of Conditions

The Planning Commission reviewed the conditions stating which ones they were comfortable with and which ones needed discussion. They also made a recommendation to City Council to have a noise test at the site prior to Council hearing the application.

Mr. Rosensweig moved to recommend approval of this application for a special use permit for the operation of a music hall in the Manufacturing-Industrial zone for 1304 East Market Street on the basis of good zoning practice, with the following conditions:

1. Adherence to all regulations outlined in Section 34-1174 of the Zoning Ordinance.
2. The music hall use will be limited to 2,450 square feet in a unit located in the northwest corner of the building with entrances on East Market Street and Meade Avenue.
3. All live music will cease at no later than 12:30 am on Fridays and Saturdays, and no later than 10:00 pm on Tuesdays, Wednesdays and Thursdays.
4. No live music shall be permitted on Sundays or Mondays.
5. Any outdoor performances of live music shall cease no later than 7:00pm and shall be limited to four (4) events per year.
6. Employment of a security guard from the hours of 9pm to one half hour after closing Thursday through Saturdays on nights where live music is played.
7. Employ materials and techniques to ensure compliance with decibel level approved herein.
8. Inclusion of signage to direct vehicular traffic into the parking lot and direct pedestrian traffic from the parking lot around the front of the building to the Meade Avenue entrance.
9. Limitation to 75 decibels after 9pm at the property line of the parcel.

The Commission further recommended to Council that prior to deciding on the matter, Neighborhood Development Services staff will take the lead in organizing a performance measurement test inclusive of the applicant, City Councilors, concerned citizens, members of the public and Planning Commissioners.

Mr. Osteen seconded the motion

Ms. Creasy called the question:

Sienitsky	Yes
Green	Yes
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Keller	No

Motion Passes

IV. REGULAR MEETING ITEMS

Meeting adjourned at 9:10 pm

MINUTES
CITY OF CHARLOTTESVILLE
PLANNING COMMISSION
TUESDAY, July 10, 2012 -- 5:30 P.M.
CITY COUNCIL CHAMBERS

Commissioners Present:

Ms. Genevieve Keller (Chairperson)
Mr. Dan Rosensweig
Ms. Lisa Green
Ms. Natasha Sienitsky
Mr. John Santoski
Mr. Kurt Keesecker
Mr. Michael Osteen

Not Present:

Mr. David Neuman, Ex-officio, UVA Office of the Architect

Staff Present:

Mr. Jim Tolbert, Director
Ms. Missy Creasy, AICP, Planning Manager
Mr. Michael Smith, Neighborhood Planner
Mr. Brian Haluska, AICP, Neighborhood Planner

Also Present

Mr. Richard Harris, Deputy City Attorney

II. REGULAR MEETING

Ms. Keller convened the meeting.

A. COMMISSIONERS' REPORT

- Ms. Sienitsky –Attended the Planning Commission Certification course in Roanoke, VA and felt it was very helpful and informative.
- Ms. Green –Nothing to report
- Mr. Osteen-BAR had their June meeting and noted that the hotel project on Main Street will proceed. They also approved Waterhouse’s recent request.
- Mr. Rosensweig-Nothing to report.
- Mr. Keesecker- Nothing to report.
- Mr. Santoski-Nothing to report

B. UNIVERSITY REPORT

Mr. Neuman – No Report

C. CHAIR’S REPORT

Ms. Keller outlined the current tasks for the PLACE committee.

D. DEPARTMENT OF NDS/STAFF REPORTS/WORK PLAN

Ms. Creasy stated that there will be a work session July 24th and Summer from TJPDC will be there to facilitate discussion on land use and transportation in preparation for the joint commission meeting in the fall. There will be additional outreach events including Movies in the Park on July 13th at Tonsler Park. There will also be a public housing focus group in August.

E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA. No Speakers

F. CONSENT AGENDA

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

1. Minutes - June 2, 2012 – Joint PC/CC Work Session
2. Minutes - June 12, 2012 – Regular Meeting
3. Minutes – June 12, 2012 – Pre Meeting
4. Minutes – June 26, 2012-Work Session

Mr. Rosensweig made a motion to approve the Consent Agenda with items 2 and 4 pulled.

Ms. Green seconded the motion

All in favor

Consent Agenda passes

Ms. Keller announced the date, time and location of future focus groups.

III. JOINT PUBLIC HEARINGS

1. **G. JOINT PUBLIC HEARINGS**

SP-12-05-08 – (218 West Water Street) –Waterhouse LLC has requested a special use permit for additional building height (from 70 feet to 82.6 feet) at 218 W. Water Street. The property is further identified on City Real Property Tax Map 28 Parcel 84 having road frontage on Water Street and South Street. The site is zoned Water Street Corridor with Architectural Design Control District Overlay and is approximately 0.78 acres or 33,933 square feet. The Land Use Plan generally calls for Mixed use. **Report prepared by Brian Haluska, Neighborhood Planner.**

Mr. Haluska presented the staff report.

There were no questions from the Planning Commission or City Council Members.

William Atwood, applicant, gave a PowerPoint presentation.

Ms. Keller opened the Public Hearing; with no one to speak she closed the Public hearing.

Discussion

Mr. Osteen is very comfortable with the project.

Ms. Sienitsky is also comfortable and she feels that keeping with the uses proposed was the best way to go.

Ms. Sienitsky said, I move to recommend the approval of the application for a Special Use Permit in the Water Street Corridor for the Waterhouse project to allow the mixed use structure at 218 W Water Street permit height above 70ft with the conditions listed in the staff report.

Mr. Green seconded the motion

Ms. Creasy called the question:

Sienitsky	Yes
Green	Yes
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	Yes
Keller	Yes

Motion Passes

2. **Albemarle Place EAAP, LLC-Appeal of Erosion & Sediment Control Plan violation-**

Albemarle Place EAAP, LLC has appealed a determination of the Director of Neighborhood Development Services that the firm has failed to comply with its approved Erosion & Sediment Control Plan for the project known as Stonefield a/k/a Albemarle Place. **Report prepared by Jim Tolbert, Director.**

Ms. Green recused herself and left Council Chambers

Mr. Tolbert presented the staff report including the power point presentation demonstrating that Stonefield/Albemarle Place was constructing major storm water improvements on their property that drained into the City of Charlottesville. The primary concern is that in addition to the 48 inch pipe that is currently located under U. S. Highway 29 running from the Stonefield Property into the City through a drainage basin and into Meadow Creek, the developers are putting in a 72 inch pipe that is carrying all bypass water from areas off of the Stonefield site and overflow that cannot be handled by the Stonefield on-site system. The project in the City required Stonefield to construct an outfall that empties into a drainage basin on property not owned by Stonefield and through the basin to Meadow Creek. The connection from the outfall to the drainage basin was to include rip-rap to tie it completely into the channel of the basin. The City agreed to allow the construction of the outfall and the construction of the improvements where the drainage enters Meadow Creek on the condition that the 72 inch pipe be capped on the Stonefield property to prevent any runoff from flowing through the pipe until such time as work on the City side was completed which would include acquisition of easements from property owners on the east side of U. S. Highway 29. City staff discovered that the 72 inch pipe had been uncapped and water was flowing through it without all the work being completed and issued a stop work order on the project. Stonefield was also issued a Notice of Violation of Erosion and Sediment Control requirements and ordered to cap the pipe immediately. That is how this item has gotten before the Planning Commission. The Erosion and Sediment Control ordinance requires the Planning Commission to review the appeal, make findings of fact, and forward a recommendation along with those findings of fact to the City Council who will make a ruling on the appeal.

Questions from the Commission

Mr. Osteen asked if there is three times the amount of water being allowed to flow into the pipes? He also asked if there were two other parties that needed to work things out before the issue could be resolved?

Mr. Tolbert stated that the pipe is not a replacement and Albemarle Place and Seminole Square need to come to an agreement and work together.

Mr. Santoski asked if the rip rap that was put in would that satisfy the city and how does the county feel about the issue?

Mr. Tolbert stated that the city would be satisfied if the developer would finish the work that is on the plans. He also stated that the county feels this is a city issue and is staying out of it.

Questions from City Council

Ms. Smith asked how much the water would increase once the project is complete and was the Meadowcreek project factored into the plans?

Mr. Tolbert stated that Meadowcreek was factored into this development. He also stated that the contractor has done great work so far. The City would just like the work finished.

Mr. Huja asked if the County has any feeling pertaining to the stop work order.

Mr. Tolbert stated that the County feels that work is complete and there is nothing left to do.

The applicant's representative, Jason Hicks, gave a presentation on the issue and feels that an easement is not needed. He showed why the 72" pipe was used to flow back into Meadowcreek and stated that the pipe VDOT put in was too small. He also stated that Seminole Square would not let them go through their property to put the correct pipe in.

Tom Gallagher, owner of Albemarle Place stated that they are willing to put in the additional rip rap.

Questions from the Commission

Mr. Rosensweig asked if the property line was accurate and has it been surveyed as noted in exhibit L

Mr. Santoski asked if an E&S study has been done on the post office property. He also asked if the City had the authority to maintain the ravine and what would happen if the rip rap is not fixed. He also asked who would be responsible if Seminole Square got washed out?

Mr. Keesecker asked if the plan could be amended and if a connection could be made between the Post Office and Seminole Square?

Mr. Tolbert stated that permission is needed from Seminole Square to open up the pipe. He also highlighted concerns that DCR has outlined and stated that plans need to be tied into current plans and when permission is granted those plans need to come back before the Planning Commission. He also stated that the City will only maintain up to the 416 elevation as noted in the recorded easement. He clarified that the property line was accurate.

Tom Gallagher stated he would do the additional work to talk with Seminole Square and would put in the rip rap if there are reasonable terms.

Ms. Keller opened the Public Hearing

Fred Payne, representing Seminole Square, feels that staff acted correctly and agrees with the decision. He stated that Seminole Square is not trying to hold things up. He feels there is a violation and hopes that the Planning Commission upholds staff decision.

Collette Hall, 107 Robertson Lane, said to remember Hollymead and do this one right.

Larry Williams, owner of University Tire and Auto, supports Mr. Tolbert's decision and doesn't want his business flooded.

David Mitchell stated that they will work with Edens Square and show that water on their property is coming onto Seminole and will interfere with Hillsdale Drive. Both a 72 inch & 42 inch are a huge increase in potential flow off the site.

Discussion by Planning Commission

The Planning Commission understands that the issue is very complex, but feels the evidence is very straight forward. They feel the documentation presented by staff shows that the developer did not finish what was on the plans.

Mr. Santoski said, he finds that the E&S plan has been violated and that the Planning Commission make a recommendation to City Council that NDS staff has given proper information to support the recommendation as noted in the staff report and the appeal be denied with the following findings of fact:

Edens (Albemarle Place) has an Erosion and Sedimentation Control Plan approved by the City. The plan requires certain improvements. The work required by that plan has not been completed. Specific findings are as follows:

1. To date, rip rap has not been installed between the property line and the existing rip rap in the creek, as required on the approved plans. (See Exhibits 2 & 12)
2. The construction sequence listed in Drawing C-33A indicates that the project remains in Phase 1A or 1B service. (See Exhibit 1)
 - Phase 1A of the construction sequence states *“Contractor to plug 42” and 36” orifices water tight in manhole 3.1 once the northern diversion outfall is completed and online.”* It should be noted that plugging of the 42” and 36” orifices in manhole 3.1 is directly associated with the unplugging of the 72” pipe, but the northern diversion outfall has not been completed.
 - Phase 1B of the construction sequence states *“Provide grading...to allow the north sediment basin to be placed in service prior to the completion of the 72” outfall.”*
 - Both items above indicate that the project is still in Phase 1A or Phase 1B, as the rip rap has not been completed and the rip rap is an integral part of the 72” outfall.
3. At the pre-construction meeting, Edens was informed that any work off the post office property will require permissions and/or easements from adjoining property owners. (See Exhibit 11) To the City’s knowledge, these permissions have not been acquired.
4. At the pre-construction meeting, Edens was informed that the 72” pipe will remain plugged until any requirements imposed by DCR are fulfilled. (See Exhibit 11)
5. DCR’s memo dated 12/22/11 states that “The revised site plan directs the contractor to ensure the rip-rap at the end of the energy dissipater ties into the rip-rap channel in the detention basin as needed. DCR believes this can be accomplished.” (See Exhibit 7). This has not been done.
6. E&S Plan review comments also stated above items #3 and #4. These comments were sent via email on 12/20/12.
7. Regarding 4 VAC 50-30-40 (MS-19), the approved plans meet MS-19 but the construction must be in accordance with the approved plans. Until all rip rap is installed per approved plans, the construction has not met MS-19.

8. Several sheets of the E&S plan indicate that new rip rap will tie to existing rip rap. The existing rip rap is located on the adjoining property, and the new rip-rap does not tie into it. (See Exhibits 1, 3, 5 & 6)
9. As of 5/24/12, the 72” pipe had been un-plugged and is being used to discharge stormwater into the City prior to the completion of improvements. (See Exhibit 13)
10. Rip rap currently exists in the channel below the existing 48” outfall, but not to the extent shown on the Stormwater Management Plans (See Exhibits 14, 15, & 16)

Ms. Sienitsky seconded the motion

Ms. Creasy called the question

Sienitsky	Yes
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	Yes
Keller	Yes

Motion Passes

3. **M-12-03-04-(Lochlyn Hill): ZM-12-03-04 - (Lochlyn Hill PUD):** A petition to rezone the property located off of Rio Road and Penn Park Lane from R-2 Residential District to Planned Unit Development (PUD) with proffers for affordable housing and multimodal construction and connections. The property is further identified on City Real Property Tax Map #48A as parcels 39 & 40 having no current road frontage, but proposing a road extension from Penn Park Lane for access and containing approximately 1,115,136 square feet of land or 25.6 acres. The PUD zoning allows an applicant to present a proposal independent of established zoning categories for consideration by the governing body. This proposal includes a residential development with a mix of housing types and dedicated open space with the full site containing a density of no greater than 5.9 DUA. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Two-Family Residential. **Report prepared by Michael Smith, Neighborhood Planner.**

Mr. Smith gave the staff report.

Question from City Council

- The units noted as affordable may not necessarily be affordable. Where did the amount of \$7000 per unit come from?

Mr. Smith stated that the applicant will respond to the question.

LJ Lopez, the applicant, stated that the \$7000 will allow them to meet the affordable housing proffer.

Questions from Planning Commission

- What impact is being mitigated with the affordable housing?
- Could HUD rent limits be used?
- Clarification on the intent of the proffers is needed.

Mr. Lopez stated having a variety of housing types and units should address affordability within the development. Frank Stoner provided background on the origination of the \$7000 per unit.

Ms. Keller opened the Public Hearing

Lori Wood, 1110 Pen Park Lane, would like the City and County to work together and this development shows that they are not. She noted concern with lack of a city connection, increased traffic, street maintenance issues and water concerns. Work needs to be done to create a safe neighborhood.

Jeanette Deavers, 540 Woodmont Dr., expressed concern about stormwater, flooding and drainage. She inquired of the applicant about the drainage plans and didn't receive an answer. She did not want increased traffic.

Janel Sennewald, 507 Woodmont Dr., would like the current zoning to remain so that the character of the neighborhood will remain. She questioned the large construction equipment currently on the site.

Jason Bird, 1108 Vegas Ct., would like development that is consistent with R-2 zoning. There is no access from the city side and there are existing concerns with emergency response times.

Claire Linden, 516 Woodmont Dr, stated it feels more like a gated community and the affordable housing question is still not answered.

Tracy Lynn Morris, 519 Woodmont Dr., Registered Nurse, would just like to get out of the neighborhood when going to work. Two entrances are needed.

Morris Reynolds, 503 Woodmont Dr., expressed concern about no secondary access, increased traffic, no bus service, and the number of schools that children in the neighborhood would have to access. There will be six different schools for one neighborhood.

Byron Harris, 1160 Pen Park Lane, lives on the private side of Pen Park Lane and expressed concern about traffic and illegal activity in the area. A city entrance should be looked at.

Marsha Penz, Vegas Ct, does not consider the road at Vegas Ct to be a secondary access. She feels that alleys on the proposal should be blocked from accessing Vegas Court.

Carolyn Pointer, expressed concern about the road in bad weather, affordable housing – there will be the loss of a number of affordable units to make way for this project. She did not see the down payment assistance as helpful to those who will be displaced. She noted that the ADU's will likely not be rented out and bus service would not reasonably be available.

With no additional speakers, Ms. Keller closed the public hearing.

Questions from Planning Commission

- Has any discussion with VDOT taken place about the possibility of gaining right of way in this area?
- Could there be access on Holmes Avenue?
- If the developer wants city access, could they buy a lot to make the connection?
- Could there be bus access?
- Concerns with drainage were noted.
- What about the displacement of residents?

Mr. Stoner stated that they could build units by right, but they are trying to do this development in a different way. He stated that the displacement of residents is in the last stage of the development. Not everyone will be able to relocate into the neighborhood. He responded to the question concerning access on Holmes by noting the grade differences between the sites. The traffic signal warrants a study and proffer four provides guidance on how this will be addressed.

Discussion

Mr. Osteen mentioned that emergency access could occur through Pen Park if necessary, but he likes the proposal.

Mr. Keesecker feels it is a creative solution, but is worried about the longevity of affordable housing.

Ms. Keller was ready to support this application last month. She reminded others that the Commission’s focus needs to be on the PUD criteria. She feels this may not be the best place for affordable housing, would like this to be a walkable community and notes that the Meadowcreek Parkway may help with traffic.

Mr. Santoski feels that the PUD would be better than the by right but he is concerned about road access.

Mr. Rosensweig has concerns about the loss of 16 units on Pen Park Lane. He would like the proffer language worked on because selling lots to a nonprofit does not always create affordable housing. He feels that the lots are a little pricy but likes the trust fund concept.

Ms. Green supports the linkages to the Comp Plan goals. She is not sure how to mitigate transportation concerns and is not confident that she can support the current application.

Ms. Sienitsky feels it meets all criteria outlined in the standard of review, but she does sympathize with the neighborhood.

Ms. Keller called for a motion

Mr. Osteen said, I move to recommend approval of the application to rezone the property from R-2 to PUD on basis that the proposal serves the welfare of the public and good zoning practice.

Ms. Sienitsky seconded the motion

Ms. Creasy called the question

Sienitsky	Yes
Green	No
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	No
Keller	Yes

Motion Carries

IV. REGULAR MEETING ITEMS

Meeting adjourned at 9:10 pm

**Planning Commission Work Session
September 25, 2012
Notes**

Commissioners Present:

Mr. Kurt Keesecker
Ms. Lisa Green
Mr. Dan Rosensweig
Mr. John Santoski
Ms. Natasha Sienitsky

Staff Present:

Jim Tolbert
Missy Creasy
Richard Harris
Brian Haluska
Michael Smith
Willy Thompson
Ebony Walden

Mr. Rosensweig convened the meeting at 5:10 p.m. and turned the meeting over to Ms. Creasy. Ms. Creasy made announcements concerning upcoming community outreach events and other reminders related to the Comprehensive Plan. She turned the time to Mr. Haluska who provided an overview of the Land Use Map update process. He stressed that this map is general and used as a one of a number of components for review of development applications. He reviewed the components of the memo and opened the discussion.

Mr. Keesecker asked why parcels were shown on this plan? It was noted that information is need to assist individual owners as they contemplate development of their parcels. It was also noted that a companion “Heat Map” could be helpful for showing the intensity of potential development in the City. Mr. Keesecker note that this potential “conceptual diagram” could include the “C” shape path (Route 29 south to Emmet extending around to West Main Street into W Market Street) and other nodes of activity. These diagrams could be included in the executive summary.

Commissioners provided feedback on specific map elements with the following conclusions:

- Mixed Use areas should be a deeper color (would need to adjust business-tech color to make these complementary).
- Public/Semipublic should be a less bold color.

Ms. Kathy Galvin noted that consideration of the Torti Gallas study and links between transportation routes and land use should be made. She asked about public input for this process. Mr. Haluska noted what activities had occurred to date and Ms. Creasy outlined the upcoming community input events. Mr. Haluska pointed out that a number of our survey respondents in the community did not want to see Charlottesville move in a different direction.

Mr. Santoski asked if there was potential to expand the commercial area further west on Fontaine. It was noted this could be a consideration.

Discussion concerning the identification of centers/nodes keeping in mind walking sheds continued. Staff reminded the Commissioners that each area of the City currently has its own character and that should be taken into account. Ms. Galvin sketched potential “transects” into

the Woolen Mills area and Ms. Green pointed out the physical barrier of the railroad to the scenario sketched.

Ms. Green asked that easements be added to show additional green space on the map. It was noted that this information is present on the open space map in the environment chapter.

Mr. Keesecker outlined the process he goes through as he analyzes a project for his clients and how that process might be useful moving forward.

Ms. Green pointed out that schools are community focal points as well as commercial areas.

Mr. Haluska summarized by noting that it would be helpful to overlay mapping data to show where commonalities exist and where centers are located. This could lead to some new opportunities. The “concept diagrams” could be used as companions to the land use map.

Mr. Keesecker presented a diagram that aided him in understanding how the individual changes proposed fit into the bigger picture. This diagram included the “C” shape path noted above, centers and ½ mile walking circles.

Mr. Rosensweig asked Mr. Keesecker, Ms. Galvin and Mr. Haluska to further explore the “concept diagram” idea.

Mr. Keesecker noted that it could be helpful to the public to provide 3-5 bullet points for the community vision which could be supported with a visual.

Mr. Rosensweig moved discussion back to the memo and focused on the general changes outlined. Everyone was okay with the Low Density residential classification, there was interest in exploring another name for Business-Technology, and there was one concern raised about designating open space for PUD’s as green space on the maps and how that might affect future development. There was a brief discussion concerning the differences between Mixed Use and Business Technology classifications.

Comments on the General areas are summarized as follows:

- Agree with Low Density Residential Designation
- Mixed Use – Generally okay
- Open Space – There was concern from Mr. Rosensweig with adding PUD open space into this designation where the open space was small. There was question as to how this would affect the ability to develop in the future.
- Neighborhood Commercial Designation – Generally okay
- Business /Technology Zone – There was interest in exploring renaming this “Charlottesville Innovation Zone” or something similar. Do all the current industrial areas fall into this category?

The discussion then moved to comments on the specific parcels noted in the memo. The following comments were made in reference to those as well as areas of consideration added for future discussion:

- #5 – Expressed concern

- #7 – needs more clarity but some feel mixed use works there. There is a class at UVA working on a project in that area.
- #12 – Dan felt this should be high density residential.
- Parcel across from #11 – The trapezoid property – it was felt this should be more intense than low density.
- #20 – After discussion it was determined to leave it like it is shown
- City Yard – Should we look at this?
- #11 – agree with the high density proposal
- Delavan – Why is it noted as high density when there are no connections?
- Low Density around MJH – what direction should these parcels go?
- #17 – this is really two items – the west side backs up to parking lots and the east to Locust
- Fontaine area – Should the mixed use/business area expand west?
- 5th Street Extended – Should think about the possibilities.

Public Comment – No Comments occurred.

Meeting adjourned at 7:15 pm.

**Planning Commission Special Event
September 26, 2012
Notes**

Commissioners Present:

Ms. Genevieve Keller
Mr. Mike Osteen

Staff Present:

Jim Tolbert
Brian Haluska

Commissioners and staff attended a sound test at 1304 East Market Street for the Music Hall Special Use Permit at 10pm on September 26, 2012. No quorum was present. The event adjourned at 10:45.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



**REQUEST FOR INITIATION OF
ZONING TEXT AMENDMENT**

PLANNING COMMISSION REGULAR MEETING
DATE OF PLANNING COMMISSION MEETING: May 10, 2011

Author of Staff Report: Mary Joy Scala, Preservation & Design Planner

Date of Staff Report: September 28, 2012

Origin of Request: Staff

Applicable City Code Provisions: §34-86 Schedule of civil penalties; §34-277 Certificates of appropriateness; demolitions and removals; §34-340 Actions requiring certificate of appropriateness; exemptions; penalties; §34-285 Approval or denial of application by BAR; §34-346. Approval or denial of applications by BAR.

Initiation Process

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by ordinance, amend, supplement, or change the City's zoning district regulations, district boundaries, or zoning district classifications. Any such amendment may be initiated either by (1) resolution of Council or (2) motion of the Planning Commission. A change in zoning district classification may also be initiated by a property owner, owner's agent or contract purchaser. (See City Code §34-41(a), which is based on Virginia Code §15.2-2286(a) (7)).

If a person or groups seek to effectuate such a change, the amendment can be initiated by Council or Commission, as required by Code. In such an instance, an applicant will be given the opportunity at a regularly scheduled Planning Commission meeting to present their request, seeking a vote in favor of *initiating* the amendment. Initiating, in this context, is the action by which the Commission decides whether to begin a formal study on the proposal, or to decline the request.

Study period and public hearing

Once an amendment has been initiated, it is deemed referred by City Council to the Planning Commission for study and recommendation. (See City Code §34-41(d)). If the amendment is initiated by City Council for review, the Planning Commission shall make its recommendation to City Council within 100 days, otherwise it will be deemed to be a recommendation of approval. If the Planning Commission initiates the request, the 100 day recommendation requirement does

not apply. Staff will provide Planning Commission with reports and analyses as appropriate and a joint public hearing will be scheduled for the next available date. The following is the standard of review to be applied by the Commission:

Standard of review

If initiated, 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. City Code § 34-42

Discussion

This request from staff for zoning text amendments responds to two different “housekeeping” items related to the Board of Architectural Review (BAR).

The first item is that the language regarding civil penalties in the Zoning Ordinance currently does not, but should, conform exactly to the language found in the City Charter. The City Charter states that the penalty for an unapproved demolition “shall not exceed” twice the fair market value, whereas the Zoning Ordinance currently describes a penalty “equal to” twice the fair market value. Therefore, the Zoning ordinance language found under three divisions, *Compliance and Enforcement*, *Historical Preservation and Architectural Design Control (ADC) Overlay Districts*, and *Historic Conservation Overlay Districts*, should be changed to conform to the City Charter (“shall not exceed”) language.

The second item is that the Zoning Ordinance language regarding time restrictions on the amount of time the BAR has to act on an application differs from actual procedure. Both the *Historical Preservation and Architectural Design Control (ADC) Overlay Districts*, and *Historic Conservation Overlay Districts* divisions contain language that requires the BAR to take action within 45 days after receipt of an application, or within 85 days “with the consent of the applicant.” Standard practice is that, if the BAR chooses to defer an application, they will always take action the following month (in an effort to meet the 45 day rule). When the applicant chooses to request deferral, the BAR usually accepts the request, allowing the applicant to return to the BAR for action when the applicant is ready.

In order to make the Zoning Ordinance language consistent with actual procedure, the language found under both divisions, *Historical Preservation and Architectural Design Control (ADC) Overlay Districts*, and *Historic Conservation Overlay Districts*, should be changed to: (1) allow

the BAR 60 days rather than 45 days to take action, allowing a single month deferral; and (2) remove the 85 day limitation, allowing the applicant the option to request deferral for any length of time acceptable to the BAR.

Appropriate Motions

The Planning Commission has the following options for moving forward:

- 1) Initiate the process by making a motion such as:

“I move to *initiate* a proposed amendment to the city’s zoning ordinance, to wit: amending Article I, Division 5, and Article II, Divisions 2 and 5 concerning the civil penalty for unapproved demolitions in historical preservation and architectural design control overlay districts, and in historic conservation overlay districts and amending Article II, Divisions 2 and 5 concerning the applicant’s ability to request indefinite deferral in historical preservation and architectural design control overlay districts, and in historic conservation overlay districts; or

- 2) Decline to initiate the process, by voting against such a motion.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



**REQUEST FOR INITIATION OF
ZONING TEXT AMENDMENT**

PLANNING COMMISSION REGULAR MEETING
DATE OF PLANNING COMMISSION MEETING: October 9, 2012

Presenter: Brian Haluska, Neighborhood Planner

Date of Staff Report: September 27, 2012

Origin of Request: Staff Recommendation

Applicable City Code Provisions: 34- 41 Amendments to the Zoning Ordinance

Initiation Process

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by ordinance, amend, supplement, or change the city's zoning district regulations, district boundaries, or zoning district classifications. Any such amendment may be initiated either by (1) resolution of council or (2) motion of the planning commission. (See City Code §34-41(a), which is based on Virginia Code §15.2-2286(a)(7))¹.

If a person or groups seeks to effectuate such a change, the amendment can be initiated by Council or Commission, as required by Code. In such an instance, an applicant will be given the opportunity at a regularly scheduled Planning Commission meeting to present their request, seeking a vote in favor of *initiating* the amendment. Initiating, in this context, is the action by which the Commission decides whether to begin a formal study on the proposal, or to decline the request.

Initiation Request

In response to the Target Market study, staff proposes to initiate a review of the zoning ordinance to identify appropriate changes that may make it easier for potential businesses targeted by the market study to find locations in the City. The Target Market study specifically singled out the bioscience industry and medical device manufacturing as industries that Charlottesville should target for potential growth.

The review would encompass all sections of the code that pertain to permitted uses in the City.

¹ A rezoning of a *particular piece of property* can be initiated by Council, Planning Commission, the property owner, owner's agent, or contract purchaser.

Relevant Code Sections:

Chapter 34, Articles III, IV, and VI.

Public Comments Received

No public comment has been received at the time this report was written.

Appropriate Motions

After listening to the proposal, the Planning Commission has the following options for moving forward:

- 1) “I move to *initiate* a proposed amendment to the city’s zoning ordinance, to wit: amending Articles 3, 4, and 6 to review the suitability of allowing bioscience and medical device manufacturing uses in the zoning districts therein.”
- 2) Decline to initiate the process, by voting against such a motion; or
- 3) Defer voting on the motion until a later time.

If the Planning Commission votes in favor of initiation, the study period will begin (see below). Otherwise, the proposal goes no further. The applicant, however, would not be precluded from seeking initiation by City Council.

Study period and public hearing

Once an amendment has been initiated, it is *deemed* referred by city council to the planning commission for study and recommendation. (See City Code §34-41(d)). From the time of initiation, the planning commission has **100 days** in which to make its recommendation to City Council, or else it will be deemed to be a recommendation of approval. If the Planning Commission initiates the request, the 100 day recommendation requirement does not apply. Staff will provide Planning Commission with reports and analyses as appropriate and a joint public hearing will be scheduled for the next available date. The following is the standard of review to be applied by the Commission:

Standard of Review

If initiated, 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. City Code § 34-42

If the Planning Commission wishes to move to recommend adoption of the ordinance, the following motion may be used:

We find that the *public necessity, general welfare and good zoning practice* require that the proposed revisions to the zoning ordinance be enacted. Based upon these criteria, I move to recommend that City Council approve and enact the proposed changes to the Zoning Ordinance.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



APPLICATION FOR REZONING OF PROPERTY

JOINT PUBLIC HEARING

DATE OF HEARING: August 14, 2012
APPLICATION NUMBER: ZM-12-04-06

Project Planner: Brian Haluska, AICP
Date of Staff Report: August 3, 2012 (Revised September 25, 2012)

Applicant: Simeon Investments
Applicants Representative: Justin Shimp
Current Property Owner: Vulcan Development Company, LLC

Application Information

Property Street Address: No Street Address
Tax Map/Parcel #: Tax Map 60, Parcels 81.8, 91, 120, 120A, 120B, 120C, 121, 122.4, 122.5, 122.6, and 122.7
Total Square Footage/Acreage Site: 5.53 acres
Comprehensive Plan (Land Use Plan) Designation: Single-Family Residential
Current Zoning Classification: R-1S
Tax Status: The City Treasurer's Office indicates all taxes on the subject property have been paid.

Applicant's Request

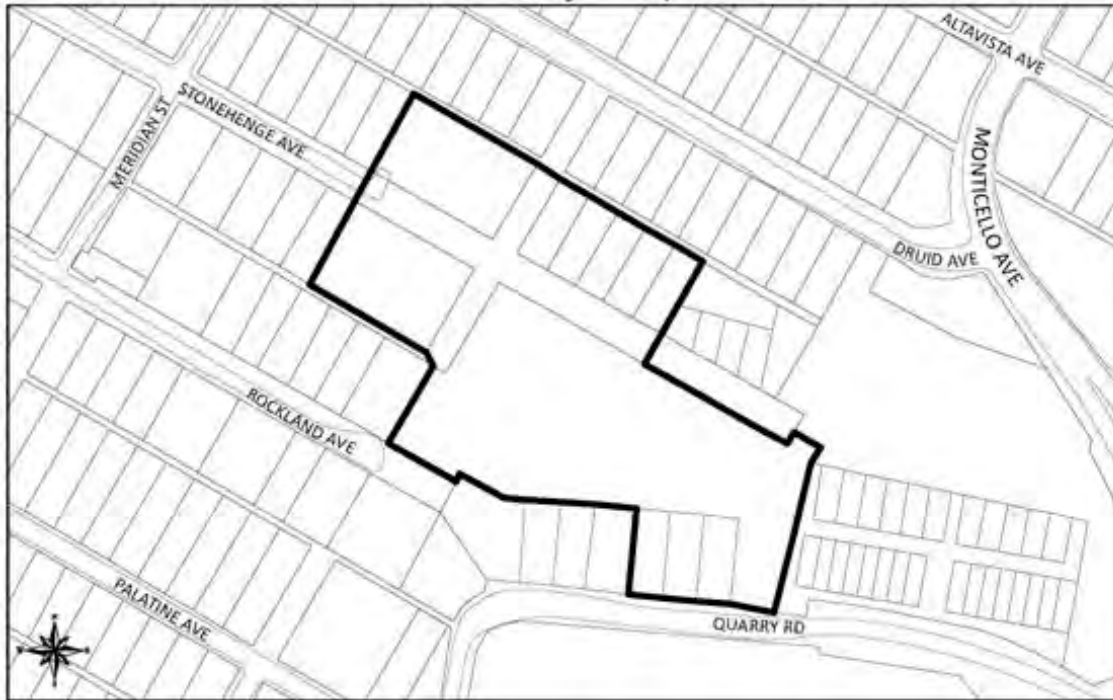
Justin Shimp of Shimp Engineering, agent for Simeon Investments has submitted the following application to rezone 5.53 acres comprised of Tax Map 60, Parcels 81.8, 91, 120, 120A through C, 121, and 122.4 through 122.7 from **R-1S to PUD**. The conceptual plan provided by the applicant shows 29 single-family residential units.

The current zoning and subdivision plat shows 34 single family-lots, although some of the lots lack road frontage or adequate size to be granted building permits. In reality, 29 lots could be developed with the extension of Stonehenge in a by-right scenario.

The applicant has made several modifications to the application following the previous public hearing in August 2012. These include:

- The proposed lots have a different arrangement
- Additional screening has been placed along the northern-most boundary of the property, as well as the eastern edge of the property, adjacent to the Belmont Village townhomes.

Vicinity Map



Rezoning Standard of Review

The planning commission shall review and study rezonings 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.

Planned Unit Development Standard of Review

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.

Analysis

1. Consistency with Comprehensive Plan

There are several goals from the Comprehensive Plan that relate directly to the project:

- “Continue to maintain, improve and grow the city’s housing stock. (pg. 58)”
- “Encourage the use of Planned Unit Development for large sites and Infill SUP for smaller areas as a way to protect the natural environment and allow flexibility and variety in development. (pg. 94)”
- “Regulate the use of land to assure the protection, preservation and wise use of the City’s natural, historic and architecturally significant environment. (pg. 94)”

The first goal is from the Comprehensive Plan chapter on housing, while the other two goals are from the chapter on land use. The project’s consistency with the Comprehensive Plan depends on which of these goals is given higher priority when evaluating the project. The project addresses the goal of the housing chapter by providing new units. Additionally, the project is a Planned Unit Development, which the Comprehensive Plan specifically encourages.

The development, however, can be seen as not keeping with the original plan for Belmont, and may be viewed as not protecting the City's historic environment.

2. Effect on Surrounding Properties and Public Facilities

The plan of development would result in an increase in usage of public facilities in the surrounding area. Staff believes the increase would be a minor change from the by-right plan, and the public facilities can accommodate the increase.

The proposed plan would slightly increase the density on the site, and would alter the layout of an area that was platted in the original Belmont plat in the late 1800's. The Belmont plat was created using a grid system of streets, while the PUD would respond to the topography of the site rather than adhering to the grid that has been established over time.

Direction	Use	Zoning
North	Single-Family Residential	R-1S
South	Public Park	R-1S / PPPO
East	Multi-Family Residential	HW
West	Single-Family Residential	R-1S

PPPO – Public Park Protection Overlay

3. Proffers

The applicant has not submitted any proffers.

4. Concept Plan Review

The applicant's concept plan shows the lone automobile access to the site from Quarry Road. The applicant shows a pedestrian connection to the site from Druid Avenue, via the Castalia Street right of way.

The plan shows five 32 foot wide lots fronting on Quarry Road, and another five 32 foot wide lots fronting on the new road, just past the entrance from Quarry Road. Lots 1-5 and 25-29 are less than 2,000 square feet in size, and have 10 foot front and rear yard setbacks, and 4 foot side yards.

The remaining 19 lots have at least 20 foot front and rear yards, along with minimum 5 foot side yards. The lots vary in size, but the smallest are roughly 4,000 square feet in size. The frontage width of these lots mimics the typical 48 foot wide Belmont lot, although they lack the typical depth of the standard Belmont neighborhood lot.

Staff has identified a pair of issues with the concept plan should the PUD application be approved. The first, the disruption of critical slopes, will be addressed later in this report.

The second is the design of the road which must be a 10% slope or less. The slope of the road is a requirement that will be reviewed during the site plan review.

5. Questions for the Commission to Discuss based on the PUD standards

- **Is there a “need and justification for the change”?**

The justification for the rezoning is to permit a layout that would not be permitted under the conventional regulations. Construction of the existing subdivision layout would require a stream crossing and a large amount of fill on the site to get the extension of Stonehenge Avenue to the maximum permitted road slope of 10%.

The proposed PUD permits the applicant to decrease the amount of fill needed to construct the road, while maintaining the density of the by-right layout.

- **Is the development of “equal or higher quality than otherwise required by the strict application of the zoning district regulations that would otherwise govern”?**

The property as currently platted would permit the development of the property via the extension of Stonehenge. In order to build this extension, the owner would need to cross a waterway and raise the level of the site to the point where the houses located along the extension of Stonehenge would be higher than the houses to the north on Druid Avenue. The proposed PUD would follow the existing topography, and allow the new houses to be built below the level of the houses on Druid, which is in keeping with the pattern of the existing Belmont neighborhood topography as you move south in the neighborhood.

- **Does the development “function as a cohesive, unified project”?**

The PUD proposal does function as a cohesive and unified project. The proposed lots are similar in road frontage width and setbacks, and the proposed lots serve to define the street edge. The open space shown on the concept plan would serve aesthetic and environmental purposes, which is appropriate with the availability of recreational space across Quarry Road.

- **Is the development “harmonious with the existing uses and character of the adjacent property”?**

The proposed development will not be harmonious with the Belmont neighborhood located to the northwest of the site. Belmont has a grid pattern street layout, and the proposed PUD does not continue that pattern. The PUD does use the same style of housing units present in the surrounding Belmont neighborhood.

The proposed development can, however, be considered to be more harmonious with the existing developments to the east of the property. The Belmont Park townhouses and Monticello Overlook condominiums are multi-family residential developments that are

bounded by Monticello Avenue. These more recent developments do not follow the grid pattern of the larger Belmont neighborhood, much like the proposed PUD.

6. Critical Slopes

Lots 1-4, 11, 12, 18-20, and 26 all have some portion of the buildable area within critical slopes. The area of critical slopes in Lot 26's buildable area is not 6,000 square feet in area, and thus not covered by the critical slope ordinance. The other systems of critical slopes are over 6,000 square feet in area, and within 200 feet of the waterway on the property, which is shown on the City's waterway map.

The applicant's correspondence requesting a waiver of the critical slope ordinance points out an irony of the application of the critical slope ordinance on this site. Because the lot has already been platted, and lots without an acceptable building site are permitted a single-family residence – the applicant can disturb the bulk of the critical slopes on the site as a matter of right.

The City Council may grant a modification or waiver upon “making a finding that due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of the property, one or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use or redevelopment of such property or would result in significant degradation of the site or adjacent properties.” The Planning Commission must first make a recommendation on this matter.

In reviewing the plan, staff finds that the proposed PUD would disturb less area of the critical slopes on the site than the by right plan, and would require the removal of fewer trees. For this reason, staff recommends the Planning Commission and Council grant a waiver of the critical slope ordinance on the basis that due to existing development of the property, one or more of these critical slope provisions would result in significant degradation of the site or adjacent properties. In this case, the existing development is the previous plat approved for the site in the 1890's that shows an extension of Stonehenge Avenue. The degradation to the site would come from the loss of mature trees, and placing the waterway on the western boundary of the property in a culvert.

Staff proposes the following conditions be placed on the waiver if granted:

1. Any trees shown on the final landscape plan as “to be removed” will be replaced at a ratio of new 2 plantings for every 1 tree removed in the open space areas of the PUD. These trees will not count towards any street tree requirements on the site plan.
2. Any trees shown as “to be preserved” on the final landscape plan that subsequently are removed will be replaced at a ratio of 3 new plantings for every 1 tree removed. These trees will not count towards any street tree requirements on the site plan.
3. Detailed site engineering plans will be required along with the site plan to show how the applicant plans to achieve increased slope stability on the undisturbed areas of critical slopes.

Public Comments Received

Staff has received a fair amount of correspondence from the public regarding the application, although most of it has been requests for additional information. Many of the early comments from the public were opposed to the application. As more information regarding the tradeoffs between the by-right proposal as the alternative to the PUD has been communicated, public comments have been mixed regarding which alternative commenters support.

At the prior public hearing, the Commission heard from several opponents to the project, as well as some supporters. Opponents to the project were not opposed to the application in concept, but felt that some additions could make the project better, such as further connections to the neighborhood along with buffering along the edges of the project. They also expressed concern about the lack of public outreach by the applicant, and the precedent set by the applicant removing trees on the property prior to the consideration of the rezoning application.

Staff Recommendation

When considering the proposal, it is necessary to compare the existing platted lots and streets with the PUD proposal. The existing plat permits an extension of Stonehenge Avenue to serve 23 lots, and 3 lots on Quarry Road. The applicant could obtain subdivision approval of an additional lot on Quarry through vacation of right-of-way, and could also construct two houses on an extension of Rockland Avenue. The extension of Stonehenge would require crossing a waterway shown on the City's waterway map, as well as placing a large amount of fill in the Stonehenge right-of-way to get the road slope to 10%. This additional fill would require site grading that would place the floor elevation of the proposed lots above that of houses on Druid, obscuring the southern view of the existing properties. The construction of Stonehenge would require the removal of almost all trees on the site.

The existing plat would be in keeping with the rest of the Belmont neighborhood by constructing the streets along the originally planned grid pattern that is a defining characteristic of the Belmont neighborhood.

The proposed PUD responds to the existing topography of the site, avoids the stream crossing, preserves 70 trees on the site, and guarantees 15% open space by virtue of being rezoned to PUD. The plan, however, is more in line with modern development techniques than the type of development in the rest of Belmont.

In differentiating between the two layouts, the impact on the environment is a large factor. The proposal uses a road layout that follows the topography of the site, while the Belmont plat did not take topography into account when it was drawn up over 100 years ago. Additionally, the 15% open space requirement of the PUD, along with the greater certainty of the required site plan submission that would follow the approval of PUD means the City would have more certainty regarding the future use of the land.

It should be noted that the difference between the proposal and the grid layout would be cause for concern if the property were not adjacent to existing newer construction, and accessed solely

via Quarry Road. It is important to maintain the character of the Belmont neighborhood, but staff feels that the PUD proposal as drawn would not detract from the neighborhood because of the buffers near adjacent properties, and the fact that the new road would not connect to Stonehenge or Druid.

Staff recommends that the application be approved.

Attachments

- Rezoning Application
- Concept Plan and Narrative Dated September 14, 2012
- Letter from the applicant's agent detailing the justification for a critical slope waiver

Suggested Motions for the Rezoning Request

- I move to recommend approval of this application to rezone property from R-1S to PUD on the basis that the proposal would serve the interests of the general public welfare and good zoning practice.
- I move to recommend denial of this application to rezone property from R-1S to PUD on the basis that the proposal would not serve the interests of the general public welfare and good zoning practice.

Suggested Motions for the Critical Slope Waiver Request

- I move to recommend the City Council grant a waiver of the critical slope ordinance on the basis that due to existing development of the property, one or more of these critical slope provisions would result in significant degradation of the site or adjacent properties, with the following conditions:
 - Any trees shown on the final landscape plan as to be removed will be replaced at a ratio of new 2 plantings for every 1 tree removed in the open space areas of the PUD. These trees will not count towards any street tree requirements on the site plan.
 - Any trees shown as to be preserved on the final landscape plan that subsequently are removed will be replaced at a ratio of 3 new plantings for every 1 tree removed.
 - Detailed site engineering plans will be required along with the site plan to show how the applicant plans to achieve increased slope stability on the undisturbed areas of critical slopes.
- I move to recommend the City Council deny this request for a waiver of the critical slope ordinance, on the basis that the proposed waiver shall be detrimental to the public health, safety or welfare, detrimental to the orderly development of the area, or adjacent properties, or contrary to sound engineering practices.



STONEHENGE AVENUE EXTENDED

Zoning Map Amendment
September 14, 2012



201 EAST MAIN STREET SUITE M

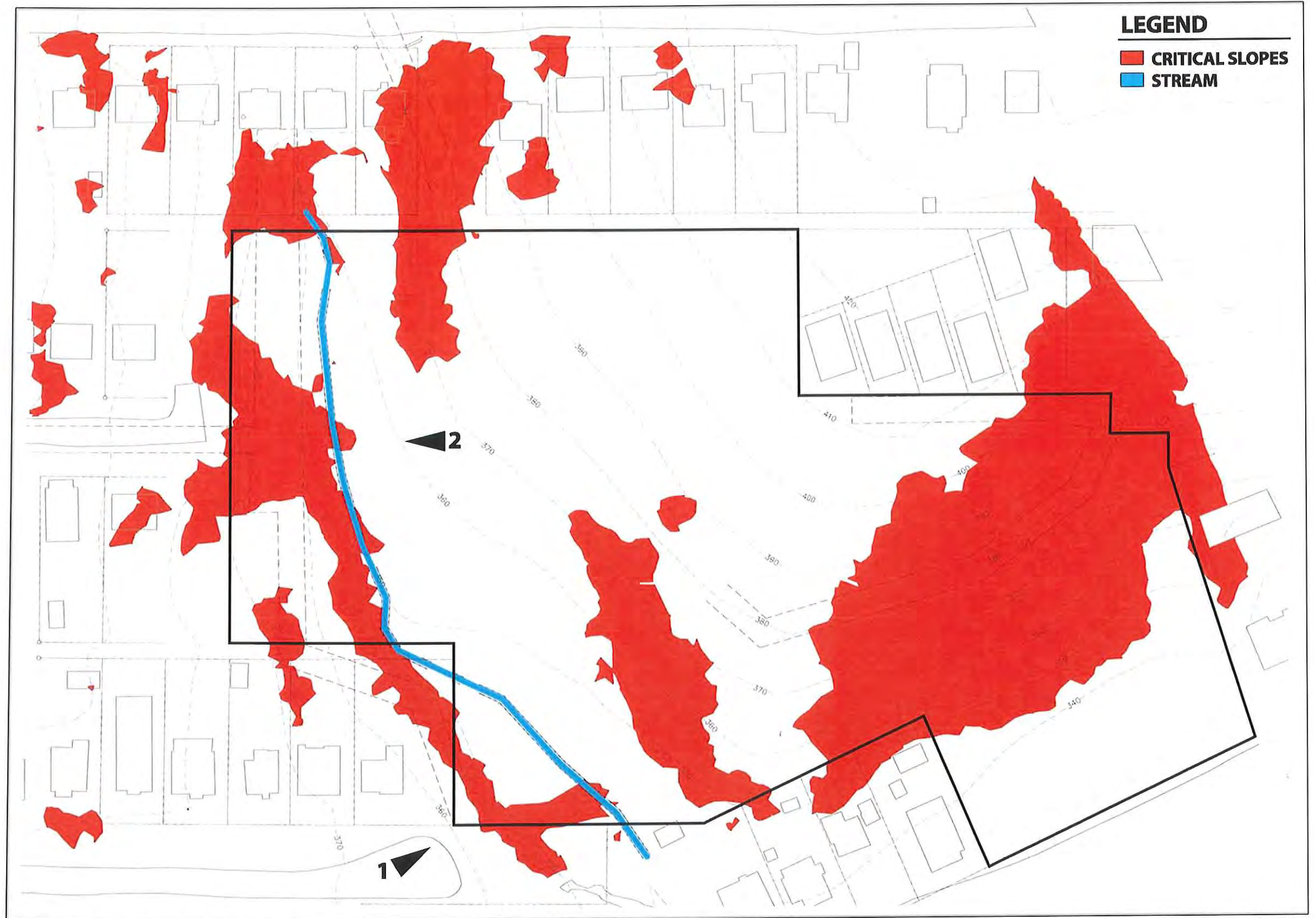
CONTEXT & HISTORY



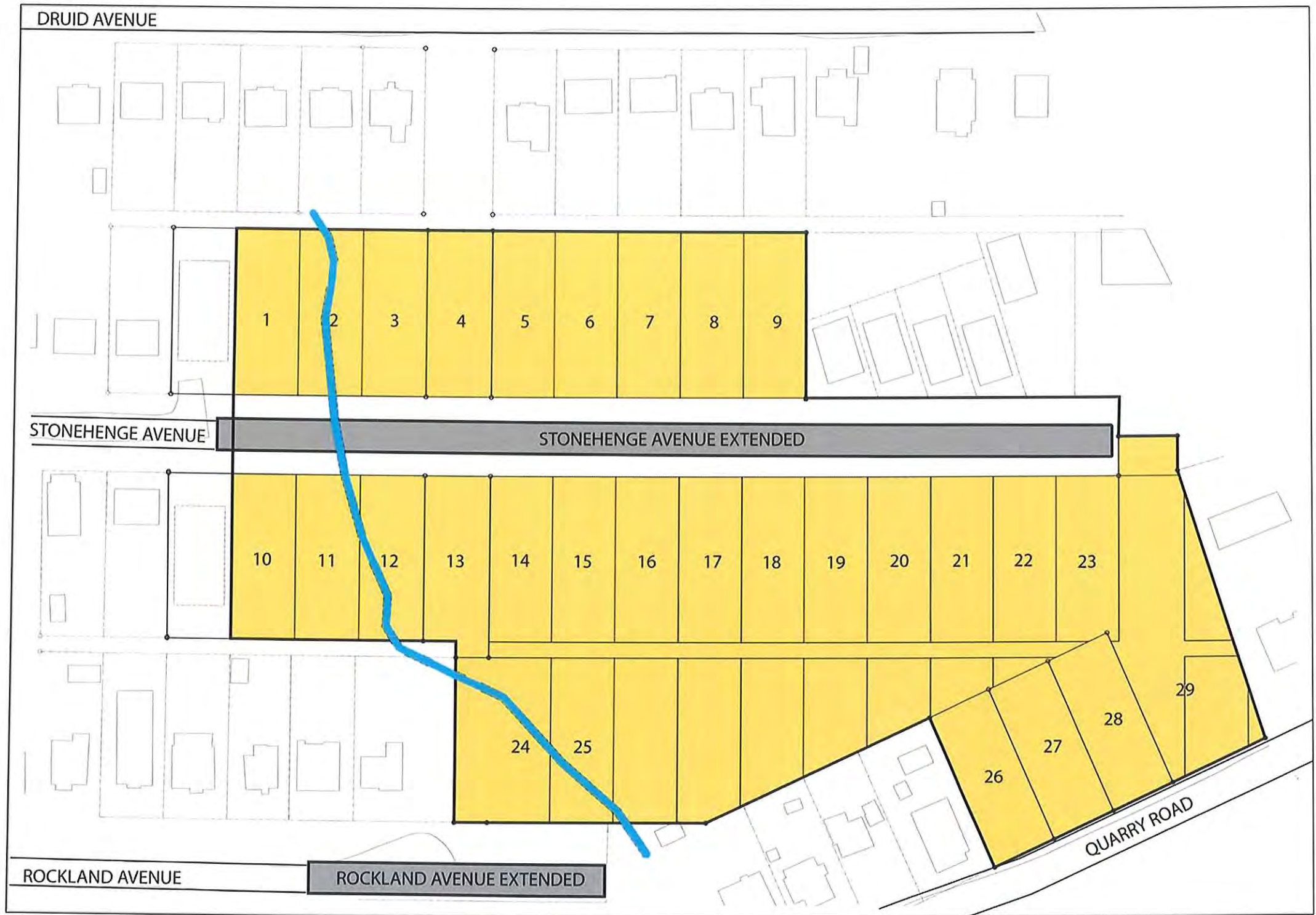
1 Existing Site at Rockland Avenue



2 Stand of mature trees, including an 18" sycamore, at the existing terminus of Stonehenge Avenue



The Stonehenge PUD project is not about an increase in density or developing new tracts of land. It is about re-aligning an existing platted street and lots to be more compliant with current regulations and to limit the environmental impacts of the development. The project consists entirely of recorded lots and streets that have not yet been constructed. These lots were platted in the 1950s or earlier, are exempt from the critical slope ordinances, and can be constructed as they sit today. A by-right clearing and grading plan was prepared and approved for clearing and mass grading of the site. As the final road plans were developed, we observed that to construct roads to current standards significant disturbance of the site and the stream to cross into the site was required. While this disturbance is permitted, we began to explore other options for development and ultimately submitted a PUD application as we believed it to be the appropriate way to develop the site.



BY-RIGHT PLAN

The existing plat permits an extension of Stonehenge Avenue to serve 23 lots, 3 lots on Quarry Road and 2 lots on Rockland Avenue.

The extension of Stonehenge would require crossing a waterway shown on the City's waterway map, as well as placing a large amount of fill in the Stonehenge right-of-way to get the road slope to 10%. This additional fill would require site grading that would place the floor elevation of the proposed lots above that of houses on Druid, thus obscuring the southern view of the existing properties. The construction of Stonehenge would require the removal of all trees on the site.

PROPOSED PUD APPLICATION

The PUD proposal meets the desired design standards of section 34-490 as follows:



- ① PUD plan follows existing topography, allowing new improvements to be built below the level of the existing residences on Druid Avenue and conforming with existing terrain. The flexibility to the PUD allows for development of greater quality than the By-Right option.
- ② PUD plan allows flexibility to preserve natural resources and features as open space. Efficient road design responds to the existing topography and preserves environmentally-sensitive areas.
- ③ The PUD provides transition from high-density in adjacent townhomes and condominiums with a mix of compact urban 40' lots and traditional 50' wide Belmont lots in the heart of the development.
- ④ Clustering in a PUD promotes open space and retaining existing landscape and greenspace. The proposed plan has approximately the same acreage in lots as open space.
- ⑤/⑥ Transitional area from high-density condominiums and townhomes to single-family homes
- ⑦ Allows for preservation of 30" sycamore, which is one of 72 trees preserved on the site.
- ⑧ Planned covenants of architectural guidelines ensure architectural consistency for future improvements.
- ⑨/⑩ The PUD provides external connections, where appropriate, based on site topography and creates a north-south pedestrian connection between Druid Avenue and Quarry Road to connect portions of Belmont to Quarry Park and the greenway trails.

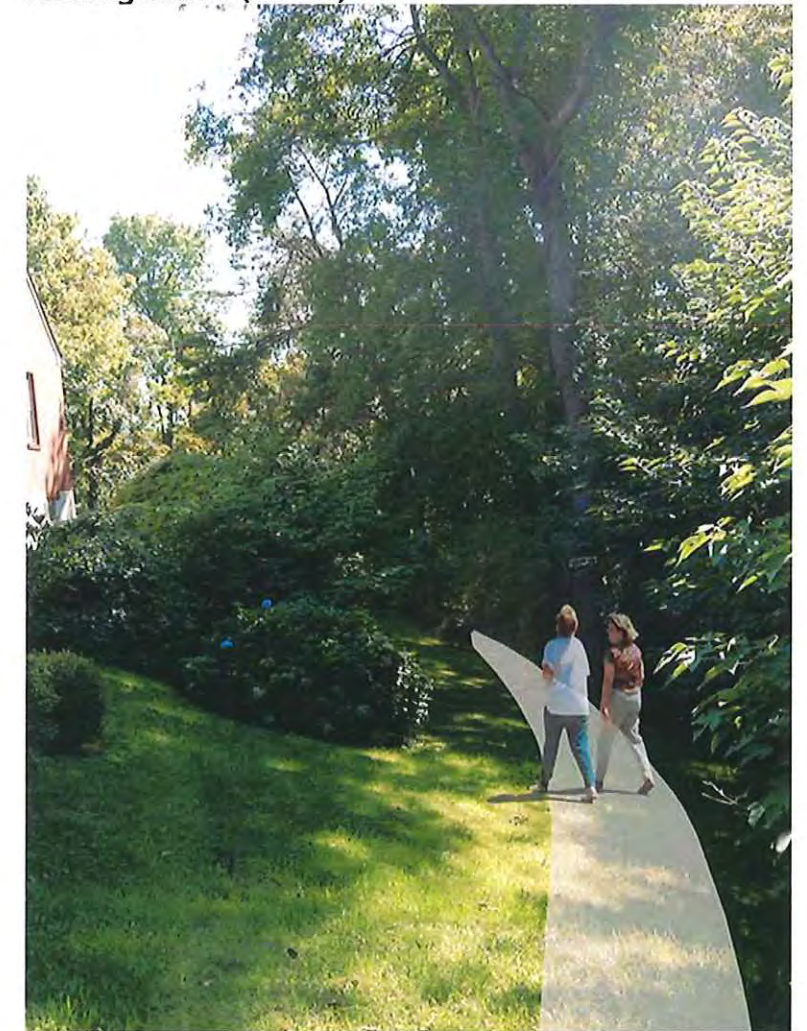


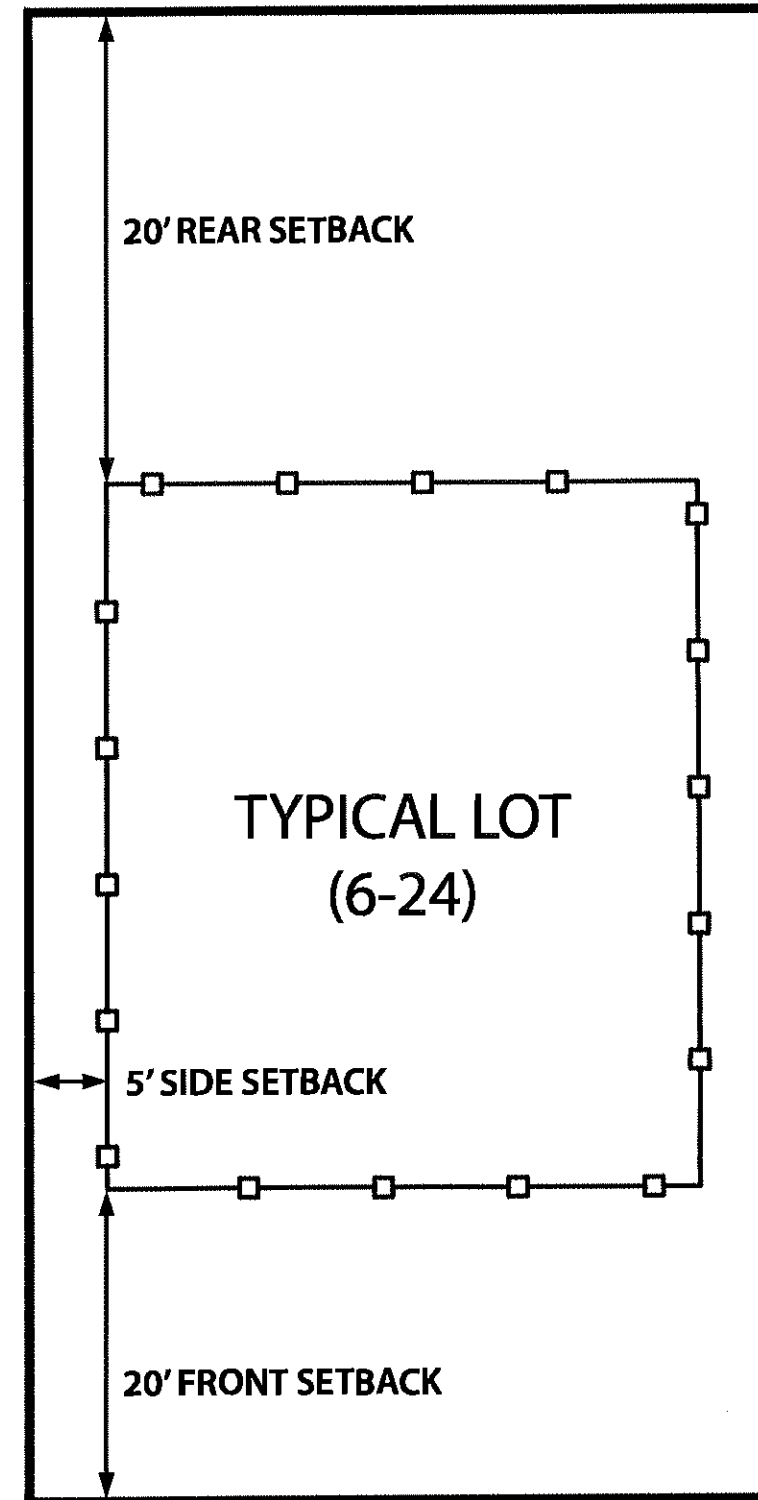
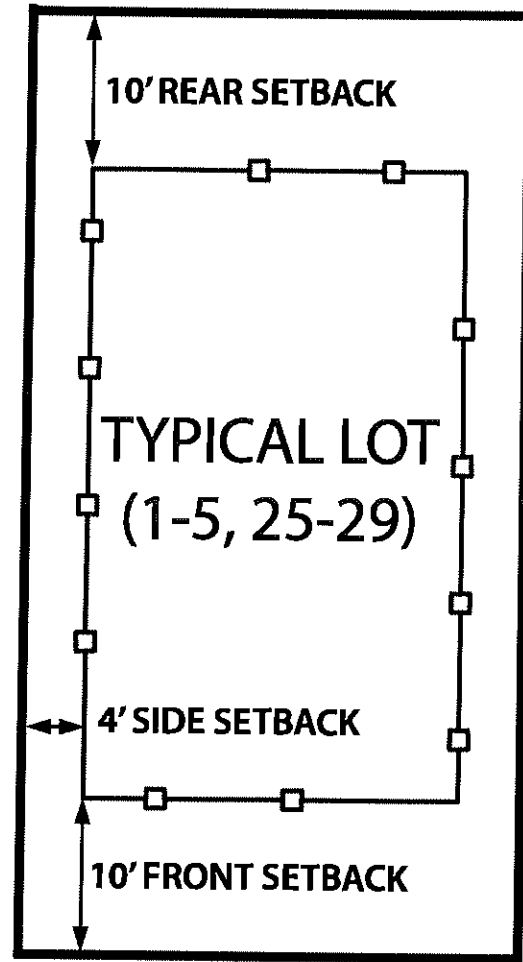
CONNECTIVITY

Automobile access to the development from Quarry Road does not disrupt current traffic patterns on Stonehenge Avenue, Druid Avenue, or around Belmont Park. The PUD layout allows for greater pedestrian and bike permeability to the Belmont neighborhood, and pushes vehicles out onto Monticello Road, which is an established thoroughfare.

The By-Right plan sends all vehicles and pedestrians together out Stonehenge Avenue towards Belmont Park.

Pedestrian connection to the site from Druid Avenue, looking south. (below)







STONEHENGE AVENUE EXTENDED

Zoning Map Amendment
September 14, 2012



201 EAST MAIN STREET SUITE M

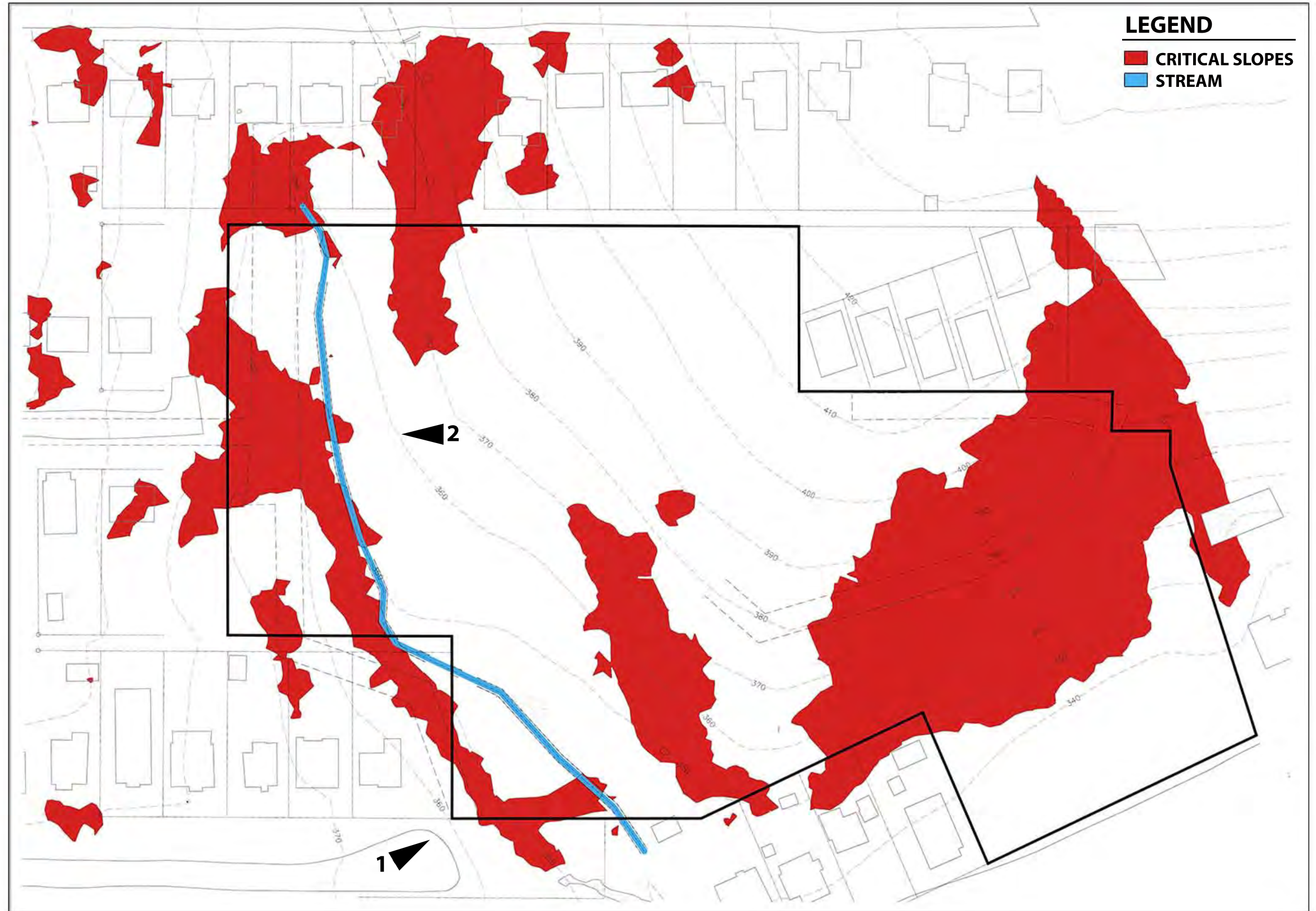
CONTEXT & HISTORY



1 Existing Site at Rockland Avenue



2 Stand of mature trees, including an 18" sycamore, at the existing terminus of Stonehenge Avenue



The Stonehenge PUD project is not about an increase in density or developing new tracts of land. It is about re-aligning an existing platted street and lots to be more compliant with current regulations and to limit the environmental impacts of the development. The project consists entirely of recorded lots and streets that have not yet been constructed. These lots were platted in the 1950s or earlier, are exempt from the critical slope ordinances, and can be constructed as they sit today. A by-right clearing and grading plan was prepared and approved for clearing and mass grading of the site. As the final road plans were developed, we observed that to construct roads to current standards significant disturbance of the site and the stream to cross into the site was required. While this disturbance is permitted, we began to explore other options for development and ultimately submitted a PUD application as we believed it to be the appropriate way to develop the site.



BY-RIGHT PLAN

The existing plat permits an extension of Stonehenge Avenue to serve 23 lots, 3 lots on Quarry Road and 2 lots on Rockland Avenue.

The extension of Stonehenge would require crossing a waterway shown on the City's waterway map, as well as placing a large amount of fill in the Stonehenge right-of-way to get the road slope to 10%. This additional fill would require site grading that would place the floor elevation of the proposed lots above that of houses on Druid, thus obscuring the southern view of the existing properties. The construction of Stonehenge would require the removal of all trees on the site.

PROPOSED PUD APPLICATION

The PUD proposal meets the desired design standards of section 34-490 as follows:



- ① PUD plan follows existing topography, allowing new improvements to be built below the level of the existing residences on Druid Avenue and conforming with existing terrain. The flexibility to the PUD allows for development of greater quality than the By-Right option.
- ② PUD plan allows flexibility to preserve natural resources and features as open space. Efficient road design responds to the existing topography and preserves environmentally-sensitive areas.
- ③ The PUD provides transition from high-density in adjacent townhomes and condominiums with a mix of compact urban 40' lots and traditional 50' wide Belmont lots in the heart of the development.
- ④ Clustering in a PUD promotes open space and retaining existing landscape and greenspace. The proposed plan has approximately the same acreage in lots as open space.
- ⑤ / ⑥ Transitional area from high-density condominiums and townhomes to single-family homes
- ⑦ Allows for preservation of 30" sycamore, which is one of 72 trees preserved on the site.
- ⑧ Planned covenants of architectural guidelines ensure architectural consistency for future improvements.
- ⑨ / ⑩ The PUD provides external connections, where appropriate, based on site topography and creates a north-south pedestrian connection between Druid Avenue and Quarry Road to connect portions of Belmont to Quarry Park and the greenway trails.

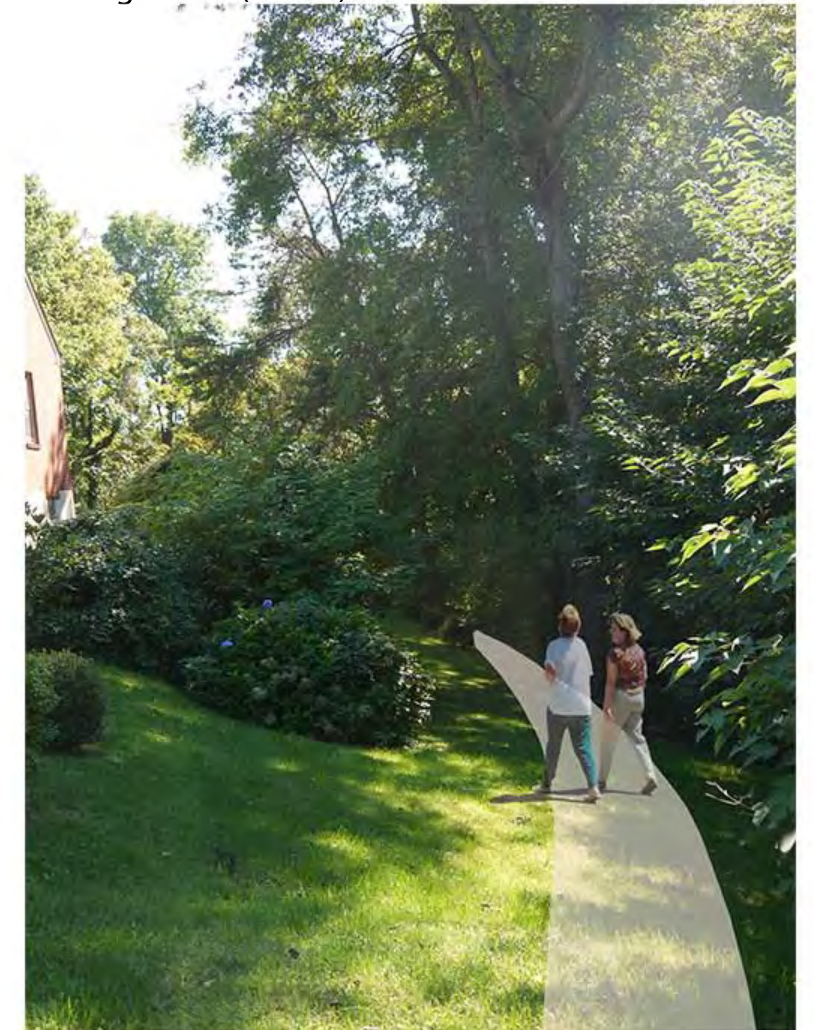


CONNECTIVITY

Automobile access to the development from Quarry Road does not disrupt current traffic patterns on Stonehenge Avenue, Druid Avenue, or around Belmont Park. The PUD layout allows for greater pedestrian and bike permeability to the Belmont neighborhood, and pushes vehicles out onto Monticello Road, which is an established thoroughfare.

The By-Right plan sends all vehicles and pedestrians together out Stonehenge Avenue towards Belmont Park.

Pedestrian connection to the site from Druid Avenue, looking south. (below)



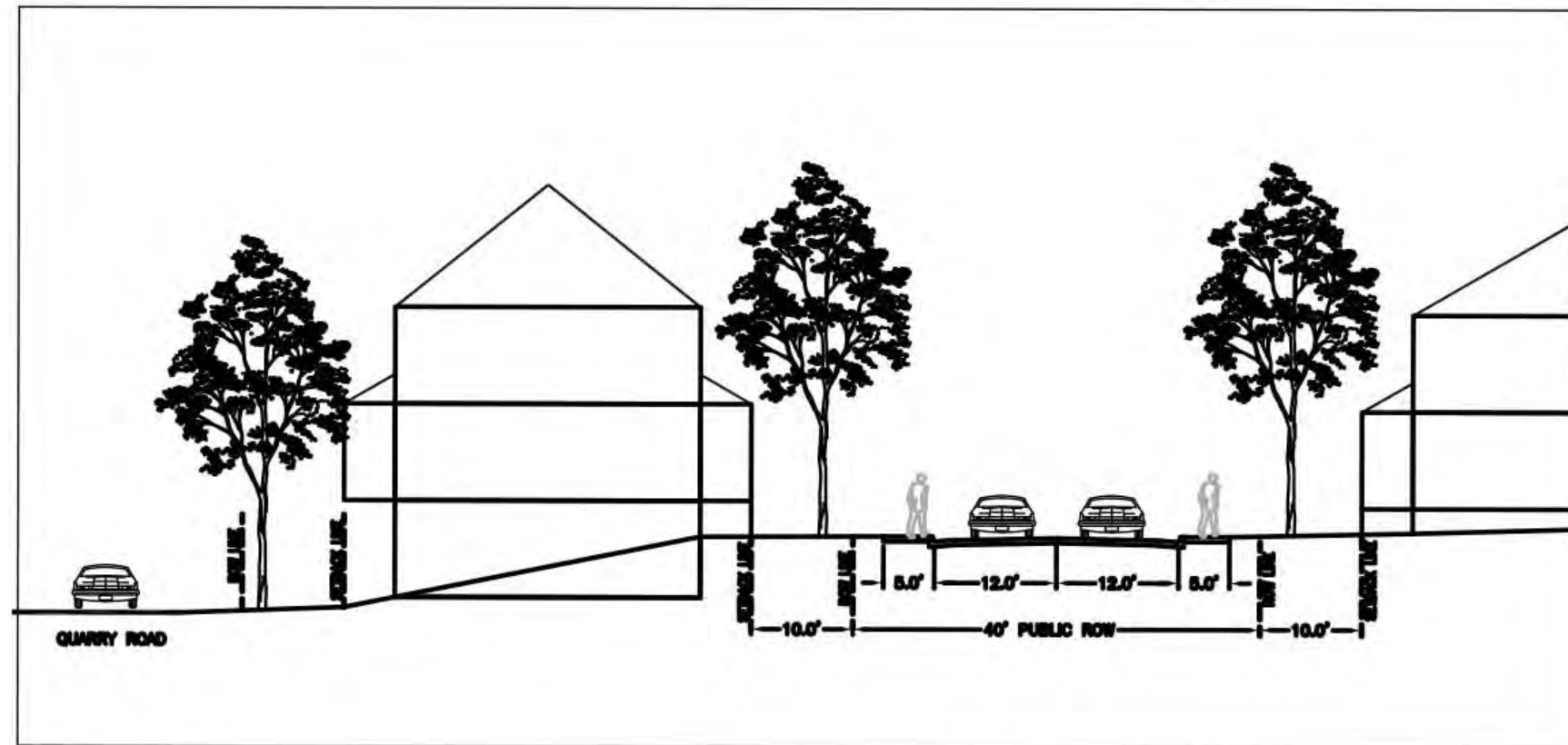


PUD DESIGN STANDARDS

The PUD proposal shall conform to the following additional design standards:

- 1** Three large shade trees with interspersed evergreen screening shall be located along Quarry Road. Units that front on Quarry Road shall have pedestrian access and architectural frontage on Quarry Road. No vehicular access shall be provided to lots 6-10 from Quarry Road.
- 2** A landscaped Open Space Lot shall be provided at the entrance to Quarry Road.
- 3** A double row of staggered evergreen screening shall be provided adjacent to Lot 5.
- 4** Trees shall not be removed from the Open Space Areas other than for road and utility grading. Any trees that are removed from the Open Space areas shall be replaced at a ratio of two new trees for each tree removed.
- 5** Typical Building Setbacks for Lots 1-10:

Front	10'
Rear	10'
Side	4'
- 6** Parking Requirements:
Minimum 2 spaces per unit



Section A-A

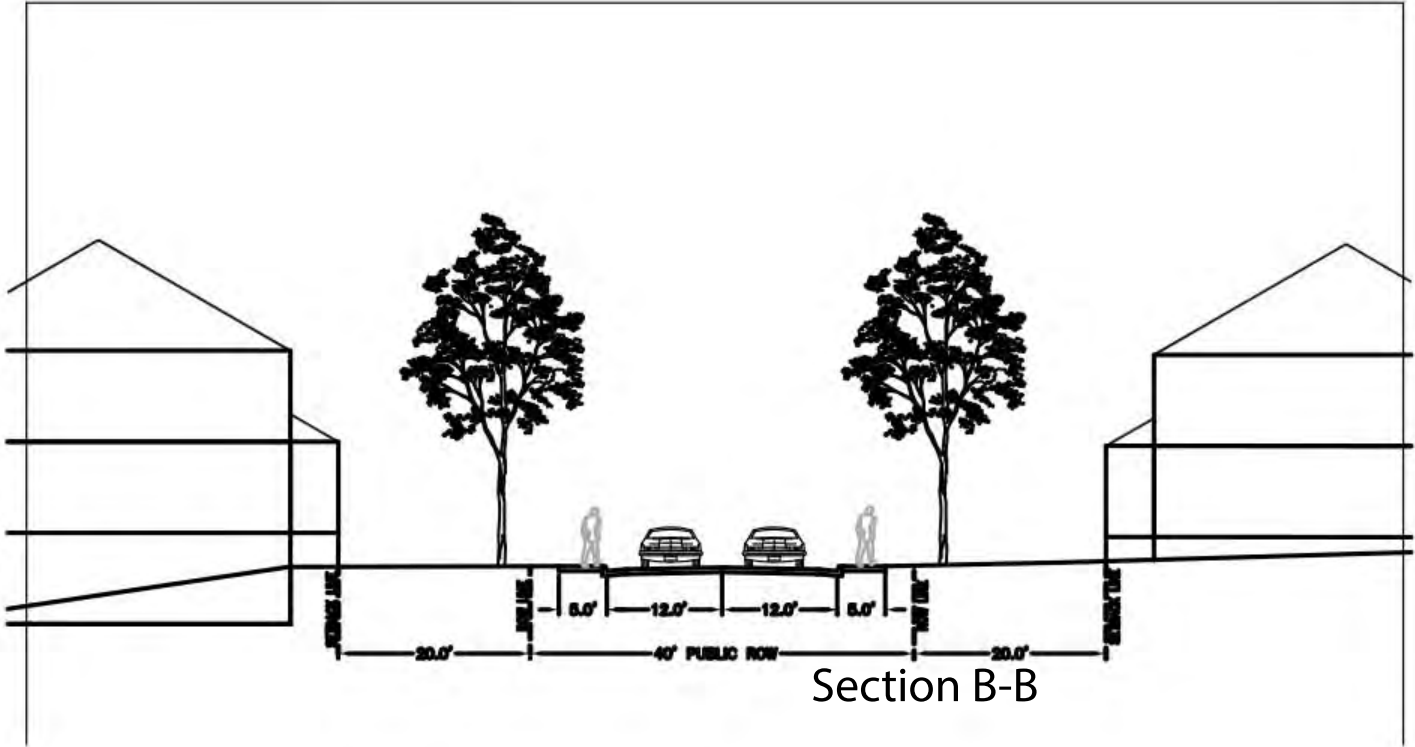
PUD DESIGN STANDARDS

The PUD proposal shall conform to the following additional design standards:

- 1** A double row of staggered evergreen screening shall be provided adjacent to Lots 11 and 21-24.
- 2** A six Ft. high stained wood fence shall be provided adjacent to Lot 24.
- 3** Trees shall not be removed from the Open Space Areas other than for road and utility grading. Any trees that are removed from the Open Space areas shall be replaced at a ratio of two new trees for each tree removed.
- 4** Typical Building Setbacks for Lots 1-10:

Front	10'
Rear	10'
Side	4'
- 5** Typical Building Setbacks for Lots 11-29:

Front	20'
Rear	20'
Side	5'
- 8** Parking Requirements:
Minimum of 2 spaces per unit



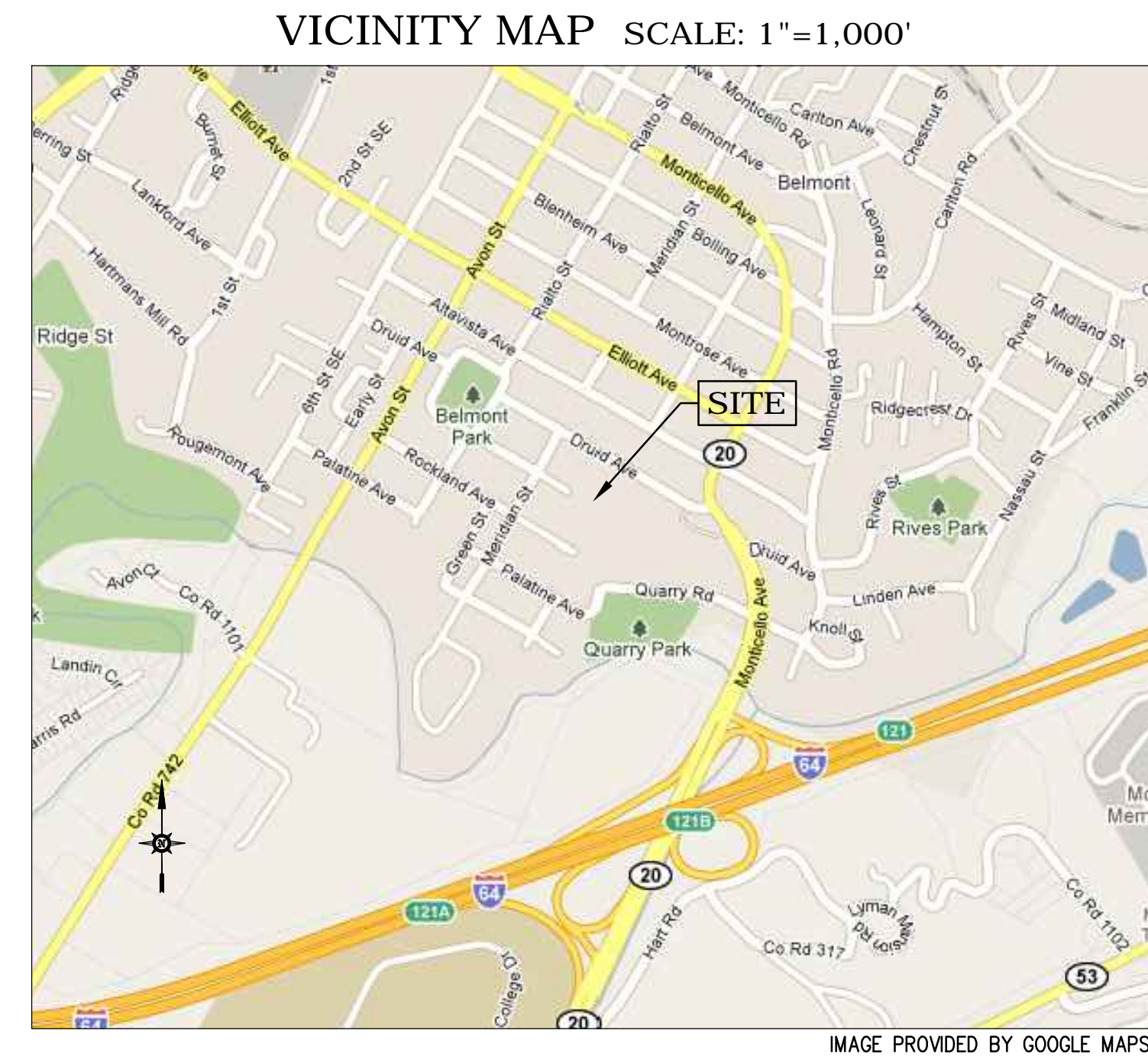
ZONING MAP AMENDMENT FOR STONEHENGE AVENUE EXT.

TAX MAP 60, PARCELS 81.8, 90, 120, 120A-C, 121, & 122.4-7 CITY OF CHARLOTTESVILLE, VIRGINIA

ADJACENT PARCELS WITHIN 500' OF SITE

TAX MAP & PARCEL #	ADDRESS	OWNER NAME	ZONING
590300000	818 ALTAVISTA AVE	COLLINS, ELWOOD L & LUCILLE G	R-1S
590301000	817 DRUID AVE	KNIGHT, EDWARD M & SYLVIA H	R-1S
590302000	815 DRUID AVE	TRODDEN, RICHARD & NORA	R-1S
590303000	813 DRUID AVE	ROBERTSON, GOODWIN B	R-1S
590313100	808 DRUID AVE	WHITE, LAVENDER J R & MARY T	R-1S
590314000	DRUID AVE	CORDANO, PHILIP M & INGRID M	R-1S
590315000	814 DRUID AVE	TEMPLETON, STEPHEN & HANNAH BESSELL	R-1S
590316000	816 DRUID AVE	GARRISON, NETTIE W	R-1S
590317000	817 STONEHENGE AVE	NEULAND, DONALD J & EVA L	R-1S
590318000	815 STONEHENGE AVE	SHIFFLETT, ROGER LEE & CAROLYN S	R-1S
590319000	813 STONEHENGE AVE	MORRIS, JOSEPH E & VIVA B	R-1S
590320000	811 STONEHENGE AVE	SCLATER, BETTY E & BETTY J HERRING	R-1S
590330000	812 STONEHENGE AVE	LIVELY, LOUISE M	R-1S
590332000	816 STONEHENGE AVE	DE BAUN, CHRISTIAN C & ROCHELLE R PULL	R-1S
590333000	818 STONEHENGE AVE	WALKER, WILLIAM E SR & DAISY A	R-1S
590334000	819 ROCKLAND AVE	GAYLORD, DONALD A	R-1S
590335000	817 ROCKLAND AVE	GENTRY, WALTER D & BETTY M	R-1S
590336000	ROCKLAND AVE	ROSELUIS, MARILYN JOAN	R-1S
590337000	813 ROCKLAND AVE	BINGLER, ROBERT F & PATRICIA G	R-1S
590348000	1500 GREEN ST	DUDLEY, PEARL M	R-1S
590348100	1502 GREEN ST	GENTRY, DAVID R & LYNETTE B NARCISO	R-1S
590349000	1504 GREEN ST	BRANCH, NORMAN W	R-1S
600066000	900 ALTAVISTA AVE	NAPPI, ANTHONY L, III	R-1S
600067000	902 ALTAVISTA AVE	GARRISON, CATHERINE E	R-1S
600068000	904 ALTAVISTA AVE	GARRISON REAL ESTATE, LLC	R-1S
600070000	908 ALTAVISTA AVE	GARRISON REAL ESTATE, LLC	R-1S
600071000	910 ALTAVISTA AVE	MARSHALL, HARRY S & PATSY	R-1S
600072000	912 ALTAVISTA AVE	PIPPIN, SUSAN G	R-1S
600073000	914 ALTAVISTA AVE	RUSHING, DEBORAH S	R-1S
600074000	916 ALTAVISTA AVE	FABIO, CRAIG A	R-1S
600075000	918 ALTAVISTA AVE	SACRE, THOMAS M, SR, LIFE ESTATE	R-1S
600076000	901 DRUID AVE	EPPARD, RAYMOND R & ETHEL D	R-1S
600076100	903 DRUID AVE	MAYO, BOBBY GENE & SHELBY G, LIFE ESTATE	R-1S
600076200	905 DRUID AVE	EPPARD, RAYMOND R & ETHEL D	R-1S
600076300	907 DRUID AVE	EASTON, FRED J & LOUISE K	R-1S
600076400	909 DRUID AVE	BREEDEN, ARNOLD R	R-1S
600076500	911 DRUID AVE	BLEAKLEY, JAMES F & MEGAN S	R-1S
600076600	913 DRUID AVE	GERMERSHAUSEN, BARBARA ANNE	R-1S
600076700	915 DRUID AVE	LANG, CARY L	R-1S
600076800	917 DRUID AVE	BEDDOW, WILLIAM & OLLIE, LIFE ESTATES	R-1S
600076900	919 DRUID AVE	LYNCH, MARTHA J	R-1S
600077000	900 DRUID AVE	HERRING, FLOYD L & SIDNEY B	R-1S
600078000	902 DRUID AVE	DEANE, BRENDA	R-1S
600079000	DRUID AVE	EVERETT, C E & BETTY H	R-1S
600080000	DRUID AVE	EVERETT, CLAUDE E & BETTY H	R-1S
600081000	908 DRUID AVE	MASSEY, MICHAEL & PATRICIA ANDERSON	R-1S
600081100	910 DRUID AVE	ULLRICH, WILLIAM & KRISTIN LINK	R-1S
600081200	912 DRUID AVE	PURICELLI, VIVIAN S	R-1S
600081300	914 DRUID AVE	DIX, MARTHA G	R-1S
600081400	916 DRUID AVE	VANDEVER, THOMAS J	R-1S
600081500	918 DRUID AVE	MILLER, STEVEN M & SHERYL H	R-1S
600081600	909 STONEHENGE AVE	AUST, NANCY I	R-1S
600081700	911 STONEHENGE AVE	AUST, NANCY I	R-1S
600082000	907 STONEHENGE AVE	WALSH, KATHLEEN A	R-1S
600083000	905 STONEHENGE AVE	MIDTHUM, BILLIE ANN	R-1S
600084000	903 STONEHENGE AVE	OLIVA, DONALD E & TAMMI J	R-1S
600085000	901 STONEHENGE AVE	LAHENDRO, JOSEPH D	R-1S
600086000	900 STONEHENGE AVE	WIDMER, DANIEL J & CANDACE B	R-1S
600087000	904 STONEHENGE AVE	ELLIOTT-GRAHAM, DELORES & MURRIEL	R-1S
600088000	906 STONEHENGE AVE	COUSAR, LAUREN M	R-1S
600089000	908 STONEHENGE AVE	DATTA, NICOLA C I	R-1S
600090000	910 STONEHENGE AVE	BECK, JAMES E & CHRISTINE P	R-1S
600095000	919 ROCKLAND AVE	HONAKER, RACHEL K, TRUSTEE	R-1S
600096000	917 ROCKLAND AVE	KOVARIK, BRENDA BURGESS	R-1S
600097000	915 ROCKLAND AVE	GENTRY, WALTER D & BETTY M	R-1S
600098000	913 ROCKLAND AVE	DOWELL, DORIS J	R-1S
600099000	911 ROCKLAND AVE	WARD, THOMAS G, JR & MAREN E	R-1S
600100000	909 ROCKLAND AVE	GARRISON, CATHERINE E	R-1S
600101000	905 ROCKLAND AVE	FOX, WILLIAM E JR & LINDA M	R-1S
600103000	1408 MERIDIAN ST	WOODSON, EMMA JANE	R-1S
600104000	1410 MERIDIAN ST	DUTOI, BRIAN CHARLES	R-1S
600105000	900 ROCKLAND AVE	SELLERS, ERIC W & JILL R	R-1S

TAX MAP & PARCEL #	ADDRESS	OWNER NAME	ZONING
600107000	906 ROCKLAND AVE	LUGAR, MICHAEL D, JANICE C & KARA M	R-1S
600108000	908 ROCKLAND AVE	MATHENY, CAROLYN V	R-1S
600109000	914 ROCKLAND AVE	GENTRY, WALTER D & BETTY M	R-1S
600110000	916 ROCKLAND AVE	GENTRY, WALTER D & BETTY M	R-1S
600111000	918 ROCKLAND AVE	GIBSON, ANNIE M	R-1S
600112000	1000 ROCKLAND AVE	POWELL, LARRY W	R-1S
600114000	423 QUARRY RD	RESULTS REAL ESTATE, INC	R-1S
600115000	421 QUARRY RD	CRAWFORD, WAYNE C & PATRICIA ANN	R-1S
600116000	419 QUARRY RD	CRAWFORD, PATRICIA ANN	R-1S
600117000	417 QUARRY RD	WOOD PROPERTY INVESTMENTS, LLC	R-1S
600118000	415 QUARRY RD	FLAVIN, PHILLIP L	R-1S
600122000	1000 DRUID AVE	BUTTNER, ERNEST E & PAULINE E	R-1S
600122100	1002 DRUID AVE	LILLY, LINDA K	R-1S
600122200	1004 DRUID AVE	SPEER, KIMBERLY L	R-1S
600122300	1006 DRUID AVE	HENNIGAR, MICHAEL H & KATRINA V	R-1S
600123000	1008 DRUID AVE	ZIEGLER, MARLA M	R-1S
600124000	1010 DRUID AVE	AUTEN, WILLIAM W & HOLLY H	R-1S
600124100	1012-A DRUID AVE	STEELE, MARIE C	PUD
600124200	1012-B DRUID AVE	PASTORE, EDWARD & ELIZABETH BRILLIANT	PUD
600124300	1012-C DRUID AVE	TOBIAS, AVROM & PEGGY	PUD
600124400	1012-D DRUID AVE	BROOM, CHRISTOPHER & CANDACE BURTON	PUD
600124500	1012-E DRUID AVE	ROBINSON, GERARD F & ANNE J HALE	PUD
600124A00	DRUID AVE	BELMONT RESIDENCES HOMEOWNERS ASSOC, INC	PUD
600125000	1014 DRUID AVE	FLETCHER, KRISTEN M	R-1S
600125A00	1016 DRUID AVE	THOMAS, ANDREW & KATHLEEN MUELLER	R-1S
600127000	1019 DRUID AVE	HARRIS, LANDON & SUZANNE	R-1S-EC
600127100	1015 DRUID AVE	GAFFNEY, NORA ALI	R-1S
600127200	1017 DRUID AVE	TAYLOR, RALPH E SR & ELSIE	R-1S
600128000	1013 DRUID AVE	WOOD, LYNWOOD DALE & CANDACE M	R-1S
600129000	1009 DRUID AVE	MEYER, KRISTIN K	R-1S
600129100	1005 DRUID AVE	CRUICKSHANK, JOHN & BARBARA	R-1S
600129200	1003 DRUID AVE	WOOD, WILLARD COLES JR & EDITH M	R-1S
600129300	1011 DRUID AVE	HENAO, IVAN D & JEANNETTE R HALPIN	R-1S
600129400	1007 DRUID AVE	KING, JOHN H	R-1S
600130000	1001 DRUID AVE	MATHIS, CASSANDRA MARIE	R-1S
600131000	1000 ALTAVISTA AVE	MEGAHAN, SCOTT & CAROLINE	R-1S
600131A00	1002 ALTAVISTA AVE	HUGHES, DAVID L & JEANNETTE A	R-1S
600132000	1006 ALTAVISTA AVE	PATRAS, JAMES	R-1S
600132100	1004 ALTAVISTA AVE	H P RENTAL PROPERTIES LP	R-1S
600133000	1008 ALTAVISTA AVE	CTM, LLC	R-1S
600134000	1016 ALTAVISTA AVE	NORTON, CHARLES W, III & JESSICA J	R-1S-EC
600134100	1012 ALTAVISTA AVE	GARRISON REAL ESTATE, LLC	R-1S
600134200	1010 ALTAVISTA AVE	AYERS, ASHLEY L	R-1S
600134300	1014 ALTAVISTA AVE	NORTON, CHARLES W, III & JESSICA J	R-1S-EC
600232000	1100 ALTAVISTA AVE	SPRADLIN, BONNIE & LAWRENCE MARSHALL, JR	R-1S-EC
600233000	1104 ALTAVISTA AVE	BLAKELY, VIRGIE M, LIFE ESTATE	R-1S
600252100	1600-12 MONTICELLO AVE	ONE SIX HUNDRED, LLC	HW-EC
600252200	QUARRY RD	BELMONT VILLAGE OWNERS ASSOCIATION, INC	HW
6002522A0	373 QUARRY RD	HEIDEBRINK, KELLI D	HW
6002522AA	321 QUARRY RD	JORGENSEN, EARL V & CINDY M	HW
6002522B0	371 QUARRY RD	LEE, KENYA C	HW
6002522C0	369 QUARRY RD	CLARKSON, JAMES & KRISTEN KANIPE	HW
6002522D0	367 QUARRY RD	SHIN, KYUNGMIN	HW
6002522E0	365 QUARRY RD	SEILER, NAN W	HW
6002522F0	363 QUARRY RD	CHEW, ERIC M & SUSAN M	HW
6002522G0	345 QUARRY RD	CALLAN, ANDREW T, III	HW
6002522H0	343 QUARRY RD	SELINGER HOMES, INC	HW
6002522I0	341 QUARRY RD	SELINGER HOMES, INC	HW
6002522J0	339 QUARRY RD	JORGENSEN, EARL V & CINDY M	HW
6002522K0	337 QUARRY RD	VAUGHAN, PHILIP R	HW
6002522L0	361 QUARRY RD	BYRD, SUSAN LOWRY	HW
6002522M0	359 QUARRY RD	MCDONALD, PAUL A & CARMEN E	HW
6002522N0	357 QUARRY RD	TRESSLER, MARIA L	HW
6002522O0	355 QUARRY RD	SPILLER, WARREN L	HW
6002522P0	353 QUARRY RD	FAULK, CORDEL L	HW
6002522Q0	351 QUARRY RD	MARICICH, YURI A & BRIDGET	HW
6002522R0	349 QUARRY RD	JORDAN, WILLIAM R	HW
6002522S0	347 QUARRY RD	ORRELL, GEORGE N & SHARON J	HW
6002522T0	335 QUARRY RD	GLASS, BONNIE K	HW
6002522U0	333 QUARRY RD	SELINGER HOMES, INC	HW
6002522V0	331 QUARRY RD	MACGAW, SCOTT M & ELIZABETH G	HW
6002522W0	329 QUARRY RD	SELINGER HOMES, INC	HW



ADJACENT PARCELS WITHIN 500' OF SITE

TAX MAP & PARCEL #	ADDRESS	OWNER NAME	ZONING
6002522X0	327 QUARRY RD	RUDMAN, FRANCES	HW
6002522Y0	325 QUARRY RD	REHM, REBECCA A	HW
6002522Z0	323 QUARRY RD	KUPPALLI, MANU & SMITHA S GOWDA	HW
600255000	420 QUARRY RD	CITY OF CHARLOTTESVILLE	R-1S-EC
600256000	307 PALATINE AVE	DUBENDORFER, DAVID & CARRIE OERTEL	R-1S
600256100	PALATINE AVE	DUBENDORFER, DAVID & CARRIE OERTEL	R-1S
600257000	303 PALATINE AVE	KELLEY, JAMES A, JR	R-1S
600259000	221 PALATINE AVE	WILLIAMS, ARLIE E & EVELYN C	R-1S
600260000	219 PALATINE AVE	ROWLAND, RICKY C	R-1S
600261000	215 PALATINE AVE	SELF, KEVIN E & SARAH J	R-1S
600262000	213 PALATINE AVE	FITZGERALD, JUNIOR H & BETTY JOE	R-1S
600263000	211 PALATINE AVE	WORKMAN, NORMAN LEE	R-1S
600264000	209 PALATINE AVE	CARWILE, M NEAL & ANITA D	R-1S
600265000	207 PALATINE AVE	FITZGERALD, JUNIOR & BETTY	R-1S
600266000	205 PALATINE AVE	BAKER, AARON E & CHRISTIN	R-1S
600267000	203 PALATINE AVE	GROVE, SUSANNAH L	R-1S
600267100	201 PALATINE AVE	KLINGER, JILL E	R-1S
600273000	212 PALATINE AVE	DICKERSON HOMES AND DEVELOPMENT, LLC	R-1S
600274000	214 PALATINE AVE	COLLIER, DANIEL & MARIE, ETAL	R-1S
600275000	216 PALATINE AVE	BABER, SHIRLEY L	R-1S
600276000	218 PALATINE AVE	GRIFFITH, STEPHANIE N	R-1S
600277000	220 PALATINE AVE	GRAY, KRISTEN A & LYNDON LARSON	R-1S
600278000	222 PALATINE AVE	TED REALTY, LLC	R-1S
600279000	304 PALATINE AVE	GRIFFITHS, JILLIAN	R-1S
600279100	302 PALATINE AVE	LORIGAN, CHRISTOPHER R & LAUREL T	R-1S
600279A00	306 PALATINE AVE	MCHUGH, STEVEN F	R-1S
600280000	308 PALATINE AVE	NOWELL, WILLIAM & EFFIE	R-1S
600281000	310 PALATINE AVE	HIGGINS, ELIZABETH	R-1S

PROPOSED ZONING/SETBACKS

Setbacks: Lots 1-10 front 10', rear 10', side 4'.
Lots 11-29 front 20', rear 20', side 5'

Uses Allowed: Uses permitted shall be the same as allowed in the R-15 zoning district.

CRITICAL SLOPES DISTURBANCE

By-Right: 1.59 Ac.
PUD: 0.96 Ac.

A waiver request has been submitted with this application.

SHEET INDEX

- SHEET C1 - COVER SHEET
- SHEET C2 - EXISTING CONDITIONS
- SHEET C3 - BY-RIGHT PLAN
- SHEET C4 - PUD APPLICATION PLAN
- SHEET C5 - NEIGHBORHOOD CROSS SECTION

OWNER / DEVELOPER

Owner
Vulcan Development Company, LLC
PO Box 7532
Charlottesville, VA 22906

Developer
Simeon Investments
195 Riverbend Dr.
Charlottesville, VA 22911

ZONING

Current: R-1S, Single Family Residential
Proposed: PUD

LEGAL REFERENCE

T.M. 60-120, 120A, 120B & 120C-

D.B. 996-616 AND ALBE.D.B. 96-72 THRU 75 PLAT

T.M. 60-81.8, 91, 121, 122.4 & 122.7-

D.B. 999-616 AND ALBE.D.B. 96-72 THRU 75 PLAT

T.M. 60-122.5 & 122.6-

D.B. 983-562 AND ALBE.D.B. 96-72 THRU 75 PLAT

LAND USE TABLE

All computations based upon area within PUD boundary shown on sheets C2 & C4

Existing Use: 29 Detached Single Family Residential Units
Residential Density: 29 Units/6.08 Acres = 4.77 Units Per Acre

Existing (by-right)	Area	%
Lots	221,125 SF	83.5%
Road ROW	43,578 SF	16.5%
Total=	264,703 SF (6.08 ac.)	

Proposed Use: 29 Detached Single Family Residential Units
Residential Density: 29 Units/6.08 Acres = 4.77 Units Per Acre

PROPOSED	Area	%
Lots	108,851 SF	41.1%
Road ROW	43,154 SF	16.3%
Open space	112,698 SF	42.6%
Total=	264,703 SF (6.08 ac.)	

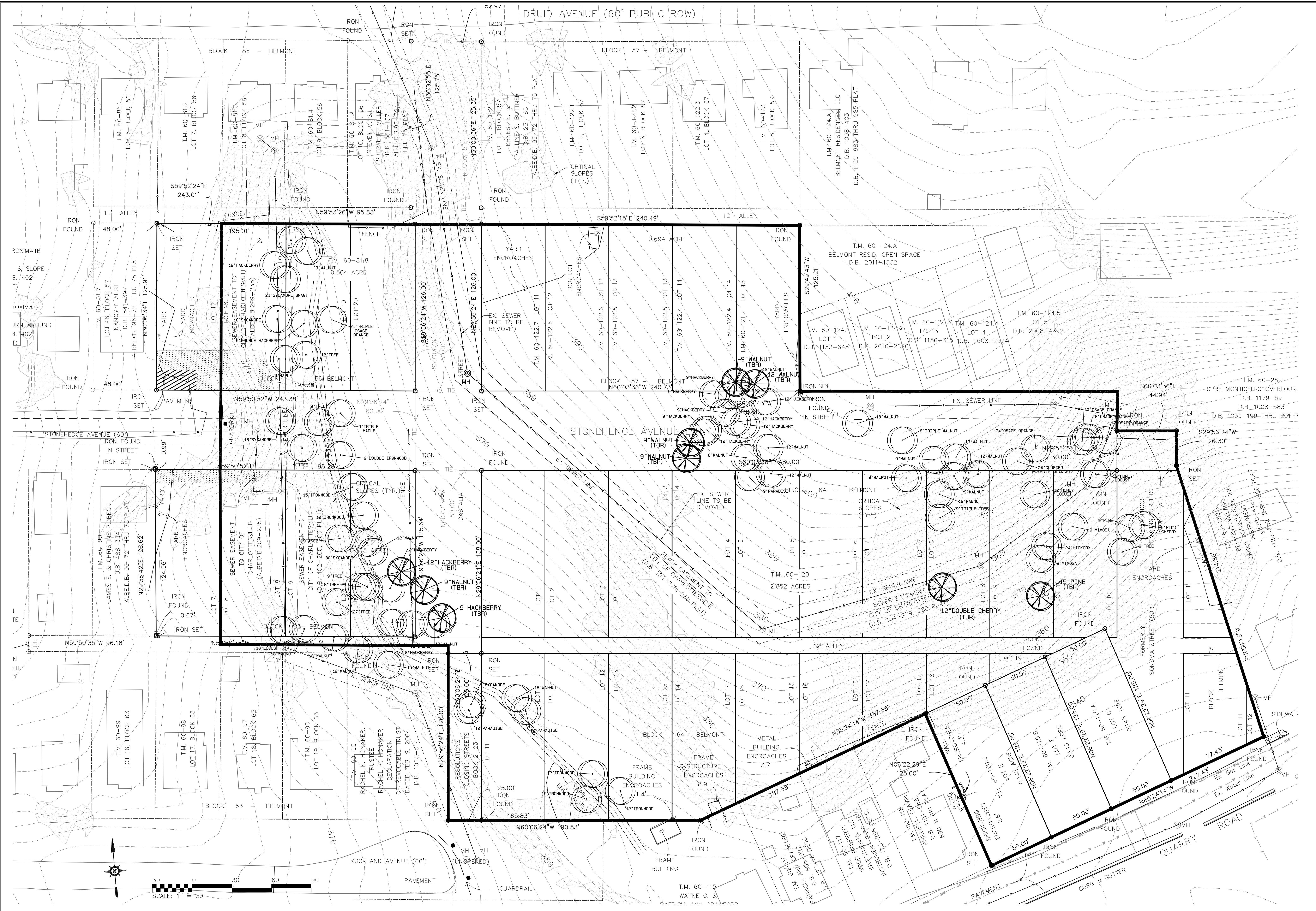
SITE NOTES

- Stormwater Management Shown is conceptual. Final design shall be shown with construction plans.
- This site does not contain any historic landmarks as registered on the Virginia or Federal registry.
- Existing vegetation on this parcel is mixed evergreen and deciduous trees. Existing vegetation will be protected and remain in areas without disturbance.
- A wetland delineation has been performed. There are no wetlands onsite.
- 2' contour interval topography is shown from Charlottesville GIS data.

NARRATIVE

The narrative below addresses the required PUD ordinance objectives applicable to this development (Sec 34-490):

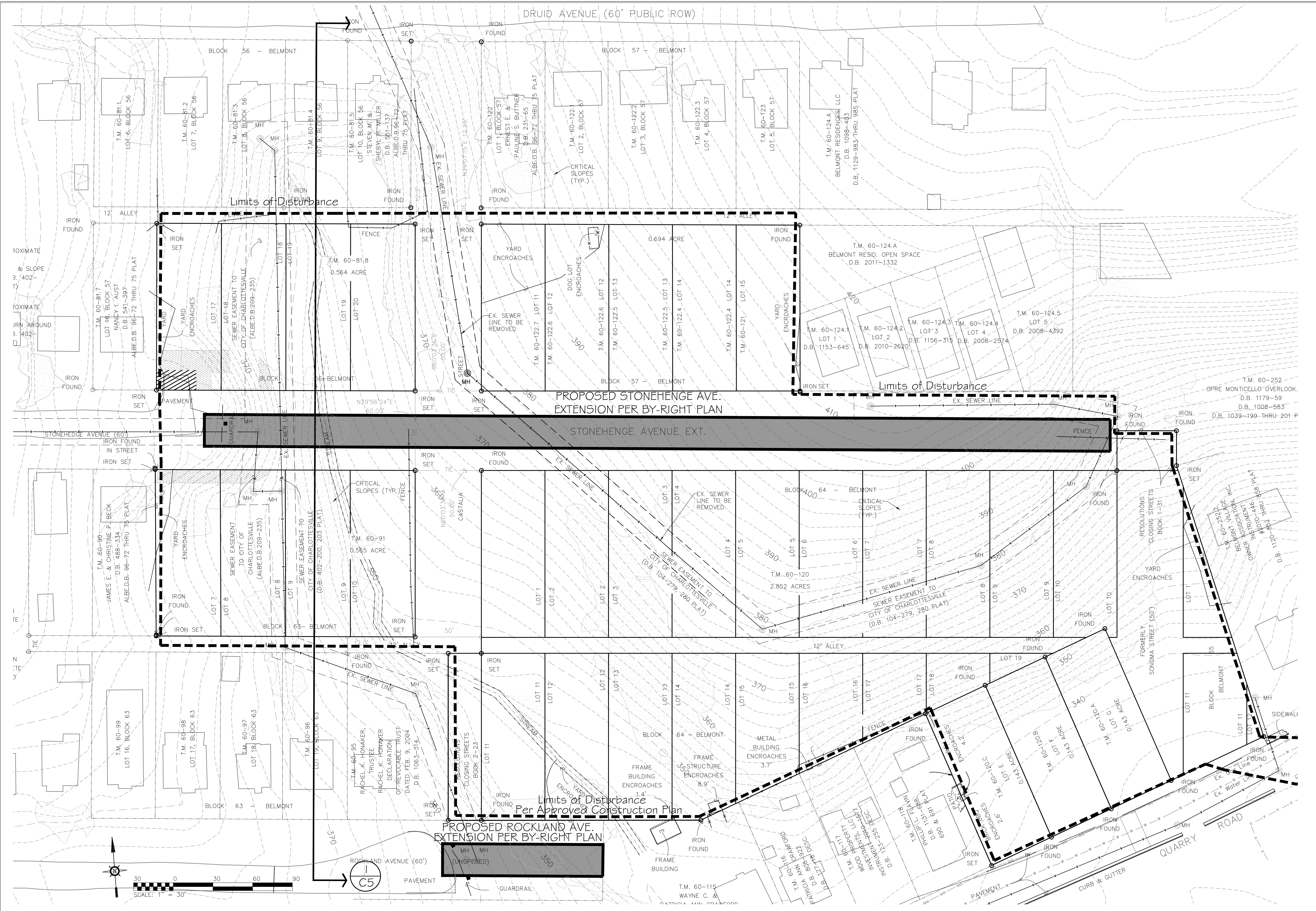
- The by-right development of these parcels is based upon construction of the existing platted streets from the original Belmont neighborhood division. These plots were drawn without detailed engineering and created roads and lots traversing steep terrain without regard to road slope or stream crossings. The adoption of the PUD plan permits construction of roads to lesser slopes and lots more conforming to existing site features.
- The PUD proposes to both preserve the steepest portions of the site and the stream in permanent open space, a more environmentally sensitive design than the by-right option.



EXISTING CONDITIONS

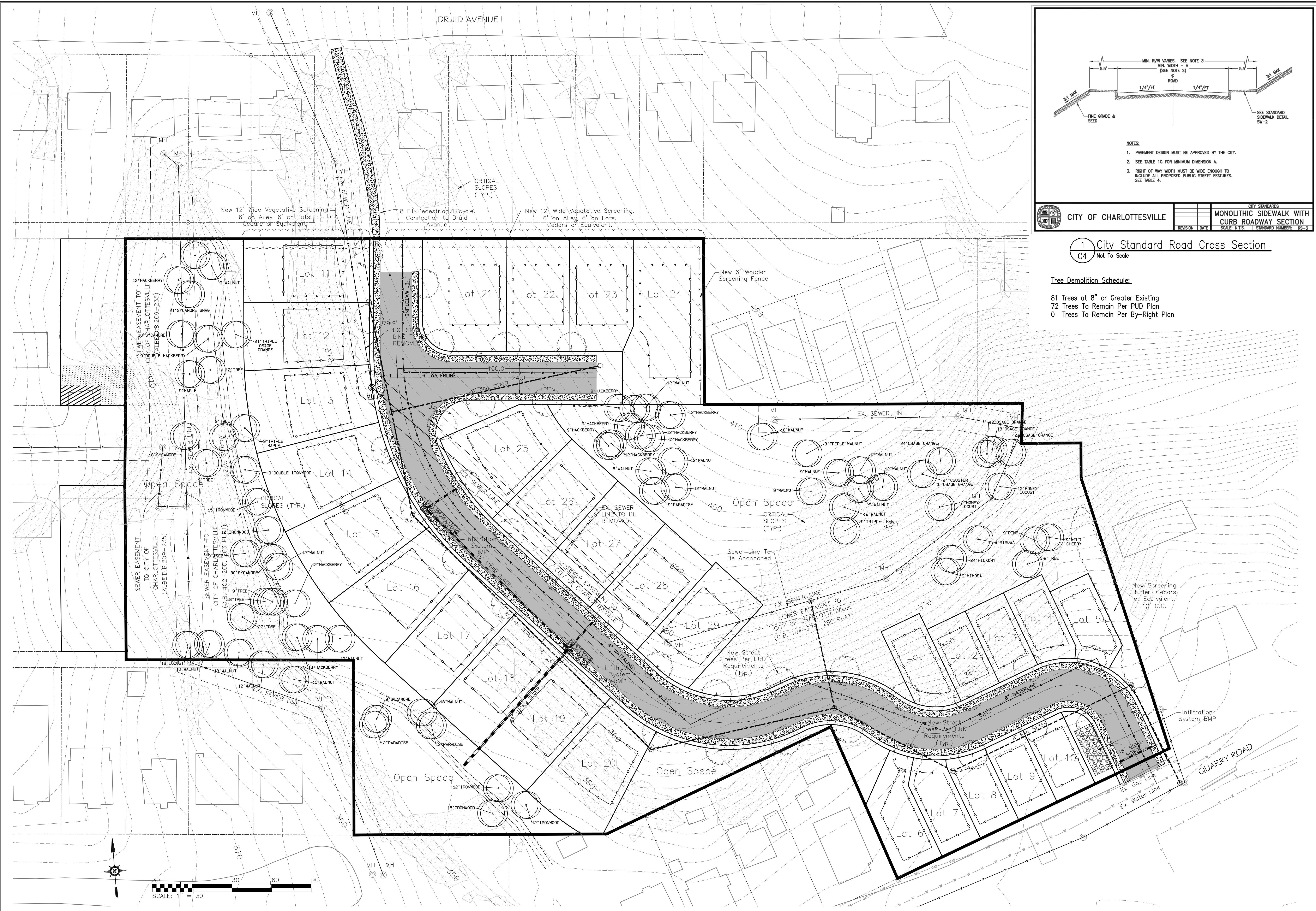
Rev. #	Date	Description
0	07/12	Initial
1	08/07/12	City Comments
2	09/19/12	PC Comments
3		

ZONING MAP AMENDMENT FOR
STONEHENGE AVE EXT.
 CITY OF CHARLOTTEVILLE, VIRGINIA



BY-RIGHT DEVELOPMENT

Rev. #	Date	Description
1	07/12/12	CITY COMMENTS
2	08/07/12	CITY COMMENTS
3	09/19/12	PC COMMENTS



1 City Standard Road Cross Section
C4 Not To Scale

Tree Demolition Schedule:
81 Trees at 8" or Greater Existing
72 Trees To Remain Per PUD Plan
0 Trees To Remain Per By-Right Plan

SHIMP ENGINEERING, P.C.
ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
201 E. MAIN ST., SUITE M
CHARLOTTEVILLE, VA 22902
PHONE: (434) 207-8086
JUSTIN@SHIMP-ENGINEERING.COM

CITY OF CHARLOTTEVILLE
REVISION DATE

CITY STANDARDS
MONOLITHIC SIDEWALK WITH CURB ROADWAY SECTION
SCALE: N.T.S. STANDARD NUMBER: RS-3

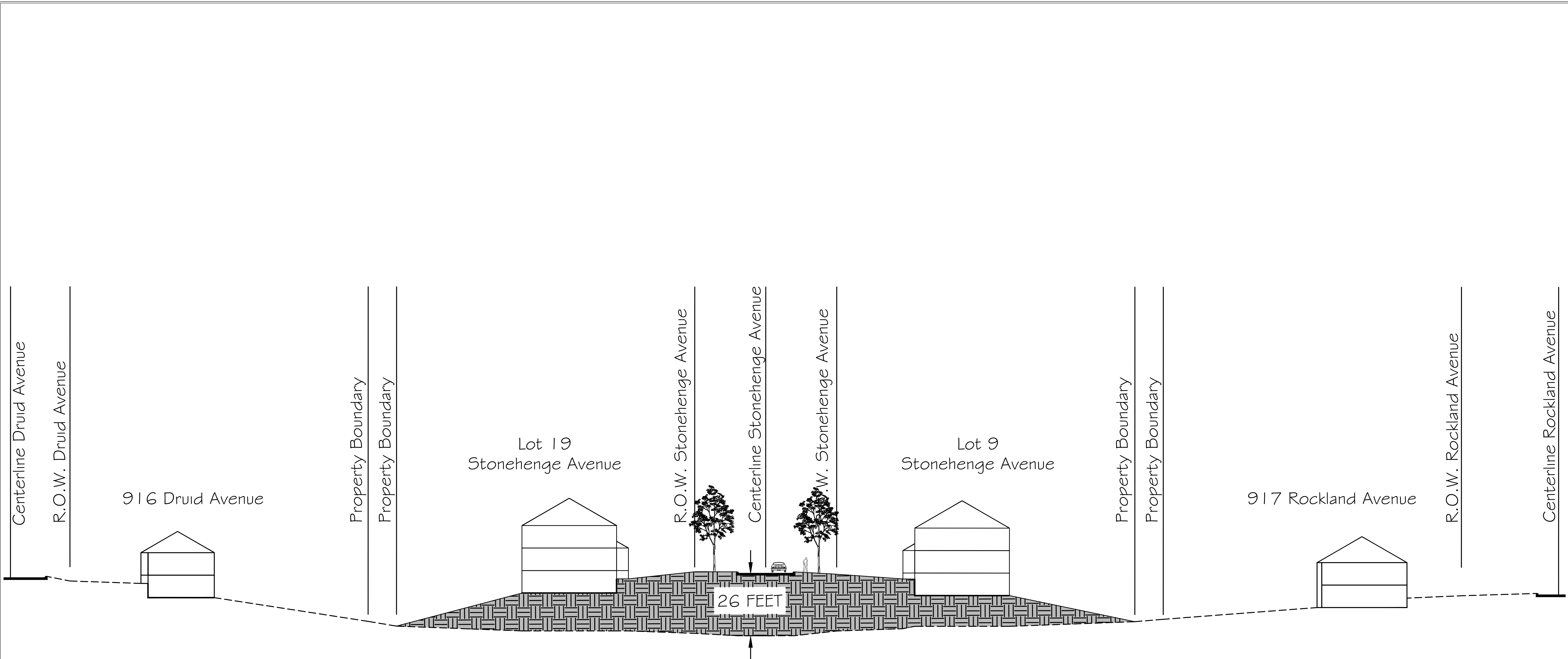
NOTES:
1. PAVEMENT DESIGN MUST BE APPROVED BY THE CITY.
2. SEE TABLE 1C FOR MINIMUM DIMENSION A.
3. RIGHT OF WAY WIDTH MUST BE WIDE ENOUGH TO INCLUDE ALL PROPOSED PUBLIC STREET FEATURES. SEE TABLE 4.

APPLICATION PLAN

Rev. #	Date	Description
0	08/10/12	Initial
1	08/10/12	City Comments
2	08/10/12	City Comments
3	09/19/12	PC Comments

ZONING MAP AMENDMENT FOR
STONEHENGE AVE EXT.
CITY OF CHARLOTTEVILLE, VIRGINIA

Date: 04/19/2012
Scale: 1" = 30'
Sheet No. C4 OF 5
File No. 11.007



1 BY-RIGHT PLAN NEIGHBORHOOD CROSS SECTION
C5 SCALE: 1"=20' HORIZ, 1"=20' VERT.

SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
 201 E. MAIN ST., SUITE M
 CHARLOTTEVILLE, VA 22902
 PHONE: (434) 207-8086
 JUSTIN@SHIMP-ENGINEERING.COM

NEIGHBORHOOD	
CROSS SECTION	
Rev #	Date
1	07/12/12
2	08/02/12
3	09/19/12
	Description
	City Comments
	PC Comments

ZONING MAP AMENDMENT FOR
STONEHENGE AVE EXT.
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date	04/19/2012
Scale	1" = 20'
Sheet No.	C5 OF 5
File No.	11.007

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
PLANNING COMMISSION



MEMORANDUM

Author of Memo: Ebony Walden, Neighborhood Planner

Date of Meeting: 10/9/12

RE: The Plaza at Main Street Special Use Permit Preliminary Discussion

Bohler Engineering, acting as agent for Merchants Acquisitions LLC and Fluvanna Holdings, LLC has submitted an application for a Special Use Permit (SUP) for increased density and building height for the redevelopment of 852-860 West Main Street into a mixed use development. The proposal includes the demolition of the existing structure and proposes a mixed use development with 219 residential units, 11,946 square feet of ground floor commercial space and underground parking. The SUP is for an increase in density from 43 units per acre to 103.3 units per acre by SUP and increased height from 70 feet (by right) to 101 feet. The property is further identified on City Real Property Tax Map 3 Parcels 3 and 4 having frontage on West Main Street and 9th Street, SW. The site is zoned WMS West Main South Mixed Use with Historic District Overlay and the total project area is 92,327 square feet or approximately 2.12 acres.

Attachments:

SUP Narrative

Conceptual Plans

Charlottesville University Housing

RECEIVED

SEP 25 2012

NEIGHBORHOOD DEVELOPMENT SERVICES

Project Narrative

Location, Property Information, and Owners

The Charlottesville University Housing Project (the "Project") is located on West Main Street in the heart of the City. The property is bounded by Ninth Street SW, and the existing railroad tracks adjacent to the Amtrak Train Station. The property consists of tax map parcel 300003000, owned by Merchants Acquisitions, LLC, and tax map parcel 300004000, owned by Fluvanna Holdings, LLC. The combined acreage of both parcels is 2.12 acres, and both parcels are zoned West Main Street ("WMS"). The properties are also located in a historic district.

Project Proposal:

The Project consists of a proposed mixed use development containing two buildings and structured parking. There are 219 residential dwelling units proposed, with a total of 595 bedrooms. One building will be located along West Main Street and contain five stories, including 125 of the residential units, a restaurant, courtyard, leasing office, outdoor amenity and fitness facility. The second building will be located behind the first building, and will contain eight stories with 96 of the residential dwelling units. Amenities include a clubhouse, swimming pool, courtyard, and the fitness facility. The Project also includes on-site structured parking, with a total of 405 spaces on three levels (ground floor and two lower levels). The proposed density of the Project comes to 103.3 residential dwelling units per acre ("DUA"). The WMS zoning ordinance regulations permit up to forty-three (43) DUA in a mixed-use development, and up to two hundred-forty (240) DUA may be allowed by special use permit. In addition, the WMS zoning regulations permit buildings to be up to seventy (70) feet, or up to one hundred one (101) feet pursuant to a special use permit.

Special Use Permit Request:

The Applicant is requesting a special use permit for the Project to permit the following:

1. Increase the allowable density to 103 DUA as permitted by the zoning ordinance pursuant to a special use permit. The Project will contain 219 dwelling units over a 2.12 acre site, or 103.3 DUA.
2. Increase the allowable building height to 101 feet as permitted by the zoning ordinance with a special use permit.

Density and Building Height Justification:

The requested increase in density and building height are requested to permit the Applicant to optimize the use of the Project site for an urban infill mixed use community with appropriate unit types, amenities, parking and access.

Special Use Permit Considerations:

Will the use or development be harmonious with existing patterns and development within the neighborhood?

Yes, the Project will be harmonious with the surrounding patterns and developments which are commercial and high density residential. To the north and east the Project is surrounded by existing commercial development (the Hampton Inn Hotel and office and retail establishments on the north side of West Main Street). To the west the Project is bordered by the Amtrak Train Station and other commercial establishments such as restaurants. To the south, the Project is surrounded by the railroad tracks, and beyond the tracks are the UVA Malcolm Cole Child Development Center and the Walker Square residential condominium community. The Project's proximity to the University of Virginia grounds makes it an ideal location for a mixed use, high-density project.

Will the development and associated public facilities substantially conform to the City's comprehensive plan?

Yes, the Project will conform to the associated public facilities and the City's Comprehensive Plan. The Project's use and location is supported by adequate utility capacity in the area, and two bus stops are located directly in front of the Project. Both sides of West Main Street currently have sidewalks, enhancing the pedestrian friendly nature of the location. The Project complies with the City's comprehensive plan by providing high-quality, high-density multi-family residential units along a commercial corridor to facilitate transit use, efficient use of appropriately zoned property, and remove pressure for high density rental housing in single-family residential neighborhoods. In addition, the Project will encourage alternate modes of transportation with its proximate location to the University grounds, by making it far easier for students to walk, bike, and ride transit to grounds. Furthermore, the Project includes on-site bicycle storage facilities, and provides ample off-site parking.

Will the proposed use or development of any buildings or structures comply with all applicable building code regulations?

Yes, the Project will comply with all applicable building code regulations.

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

Traffic or parking congestion: The Project's close proximity to the University of Virginia grounds and Hospital will enable the student residents to walk, bike or take transit to the University, which will significantly limit the number of vehicle trips that would otherwise be generated by a project with a similar density. In addition, the 405 on-site parking spaces in the proposed parking structure will provide adequate on-site parking for both the residents and the

restaurant patrons and employees, and thus avoid contributing to traffic and parking congestion on adjacent and nearby streets.

Noise, light, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment: The Project will have no adverse effect on the natural environment in terms of noise, light, dust, odor, fumes, vibration or other factors. Site lighting will comply with all City ordinances.

Displacement of existing residents or businesses: The property has been vacant for many years, so the Project will not displace any existing residents or businesses. Rather, the Project's redevelopment will serve to help revitalize this area of West Main Street and bridge the gap between the University area and downtown.

Discouragement of economic development activities that may provide desirable employment or enlarge the tax base: The Project will encourage economic development by redeveloping an existing vacant property in the heart of the City and along the vital West Main Street corridor. The Project will serve to improve the connection between the University and downtown, and may help to accelerate additional redevelopment along this corridor. In addition, the Project will provide desirable employment, include space for a new restaurant, and enlarge the tax base over the existing vacant use. Finally, the Project will provide Class A residential dwellings in an area that does not currently have such residential units.

Undue density of population or intensity of use in relation to the community facilities existing or available: The Project's density and use is harmonious with the existing uses and facilities in the West Main Street area which are commercial and multi-family.

Reduction in the availability of affordable housing in the neighborhood: Because this Project does not displace any existing residential dwelling units, it will not reduce the availability of affordable housing in the neighborhood.

Impact on school population and facilities: The Project's target market will be University of Virginia undergraduate and graduate students, who are not likely to introduce any significant additional impacts on the existing school population and facilities.

Destruction of or encroachment upon conservation and historic districts: The Project is located in an historic district. In connection with this Special Use Permit Application, we are simultaneously submitting materials to the Board of Architectural Review for its comment to the SUP request. The careful siting and design of the Project is intended to be appropriate to the historical architecture of the corridor and to avoid creating any impacts on the historic district.

Conformity with federal, state and local laws, as demonstrated and certified by the applicant: The Project will comply with all federal, state and local laws.

Massing and scale of the Project: The Project's massing and scale will be harmonious with its surroundings and improve the area aesthetics along West Main Street. Pedestrian access

to the Project will be on West Main Street, with a gathering area for students while they wait for the bus or gather before and after classes. The location of the restaurant and its associated café seating at the street level along West Main Street will further enhance the pedestrian and human scale of the Project. In addition, the body of the building massing is broken down visually to appear as a series of buildings joined together, to fit into the scale of the area. The buildings' design incorporates required step backs, creating an opportunity for attractive patio and balcony areas. Finally, the structured parking deck will be at ground level and below, and it will be screened from West Main Street.

Whether the proposed use or development will be in harmony with the purposes of specific zoning district in which it will be placed:

Yes, the Project is harmonious with the existing WMS zoning district and the surrounding commercial and mixed use zoning districts.

Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, and other City ordinances or regulations:

Yes, the Project will comply with all applicable general and specific standards in the zoning ordinance, subdivision regulations and all other City ordinances and regulations.

When the property that is the subject of the SUP application is within a design control district, City Council shall refer the application to the BAR or ERB (whichever is 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, would mitigate any such impacts. The BAR or ERB shall return a written report of its recommendations to the City Council:

The Property is located within a design control district and is thus subject to review by the BAR. As noted above, simultaneously with the submission of this SUP application, we are submitting application to the BAR.

CHARLOTTESVILLE, VA

OFF-CAMPUS HOUSING

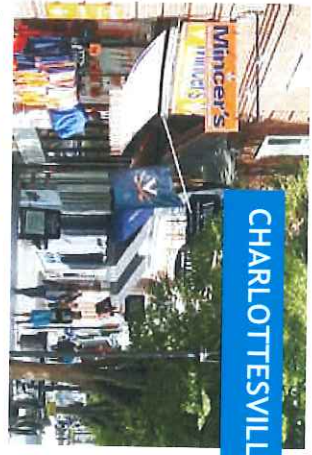
September 25, 2012

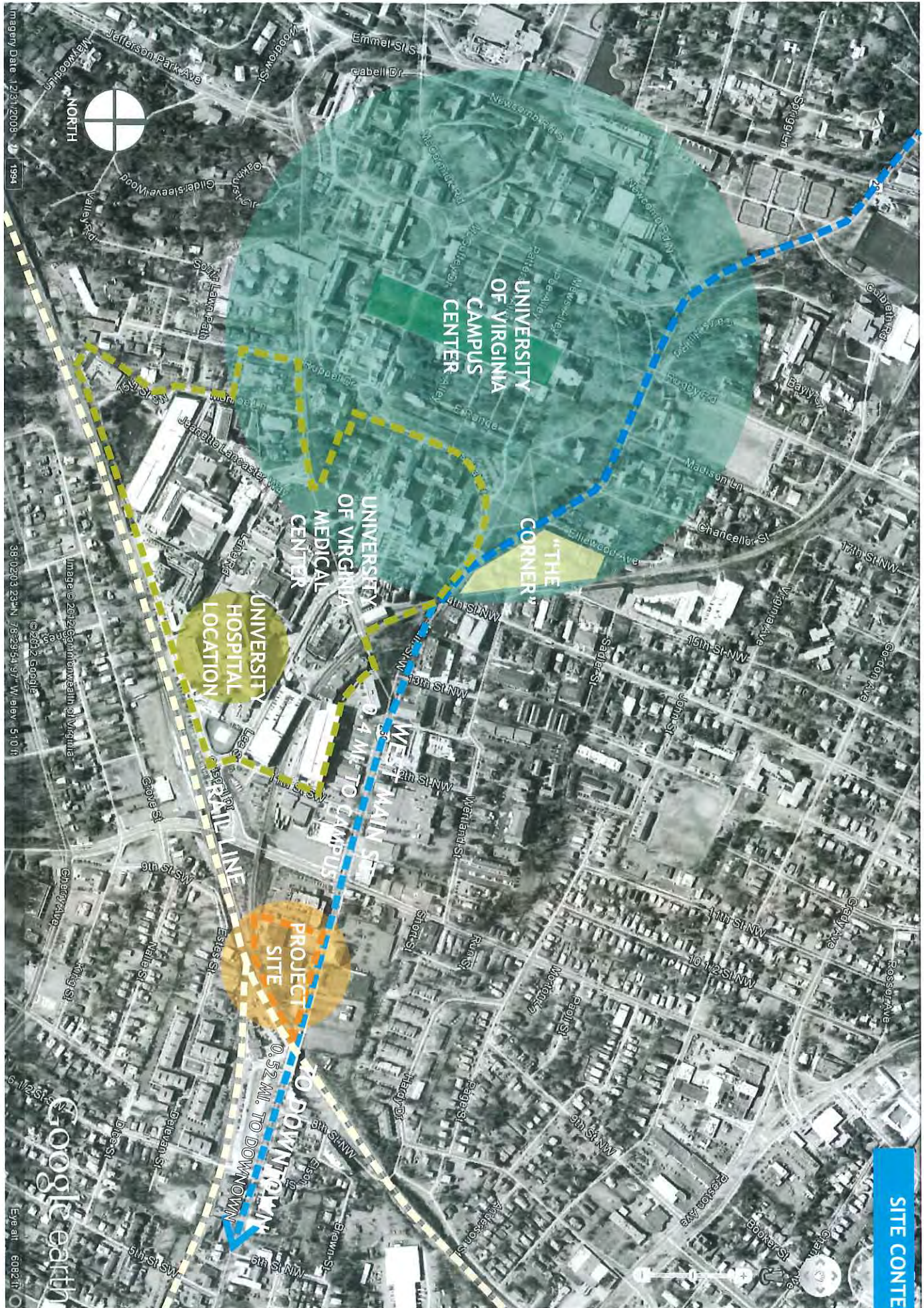
RIVERBEND
MANAGEMENT

AMBLING UNIVERSITY
DEVELOPMENT GROUP

NILES BOLTON
ASSOCIATES

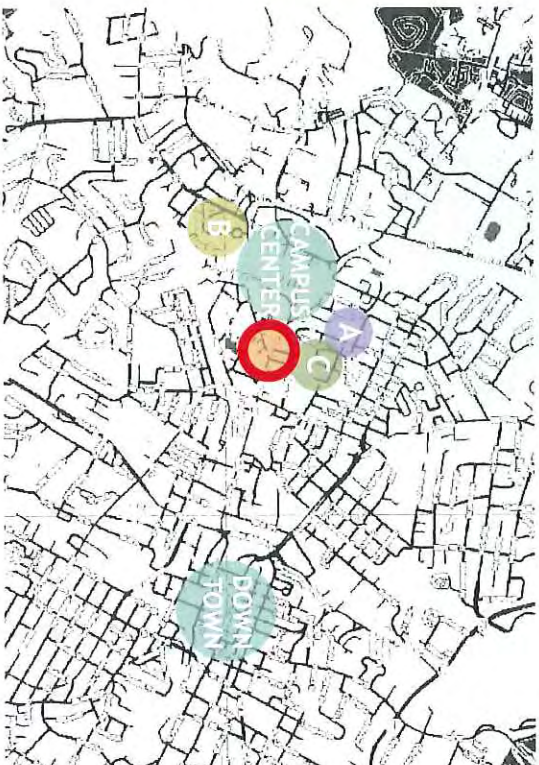
CHARLOTTEVILLE







A. GRANDMARC AT THE CORNER



B. JEFFERSON COMMONS

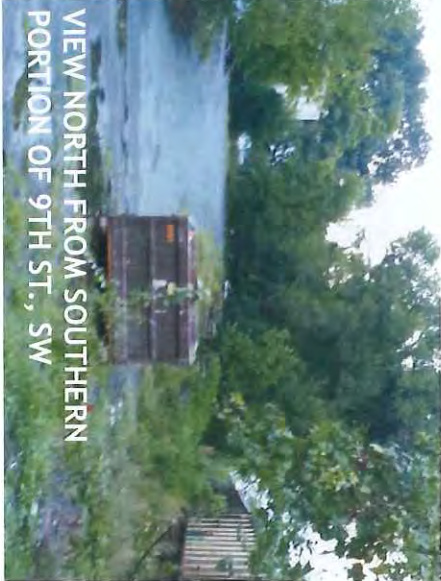


C. WERTLAND SQUARE



Image © 2012 Commonwealth of Virginia

Google earth



VIEW NORTH FROM SOUTHERN PORTION OF 9TH ST., SW



VIEW TOWARD HOTEL FROM SOUTHERN PORTION OF SITE



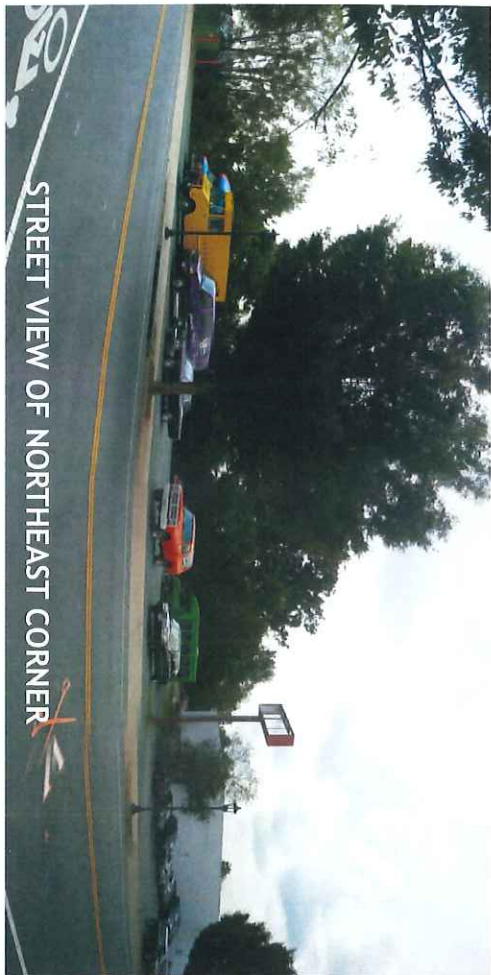
VIEW WEST ON WEST MAIN ST.



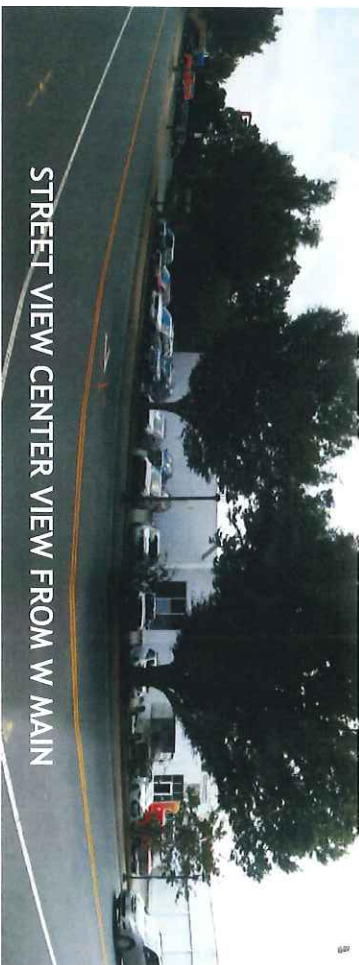
VIEW WEST FROM SOUTHERN PORTION OF SITE



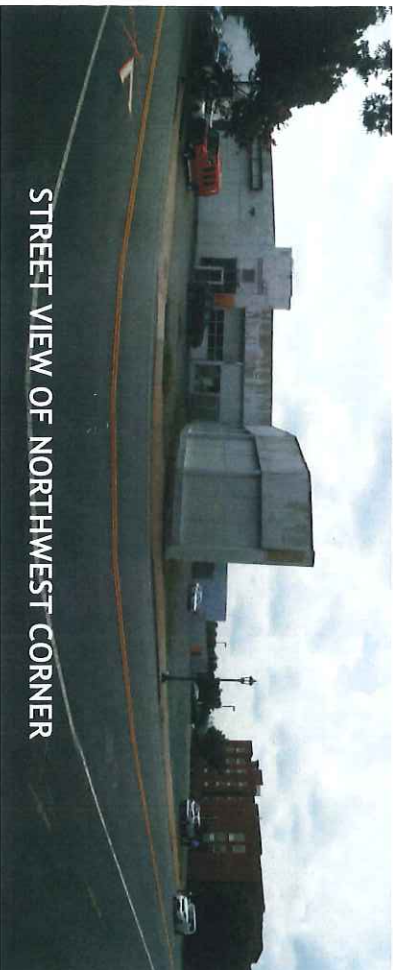
PANORAMIC VIEW FROM RAILROAD TRACKS



STREET VIEW OF NORTHEAST CORNER



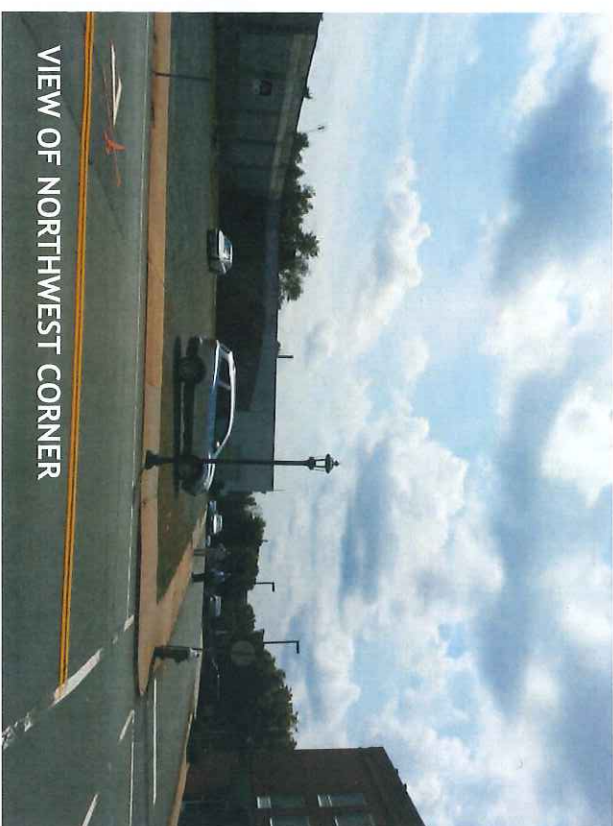
STREET VIEW CENTER VIEW FROM W MAIN



STREET VIEW OF NORTHWEST CORNER



VIEW OF NORTHEAST CORNER



VIEW OF NORTHWEST CORNER

WEST MAIN STREET

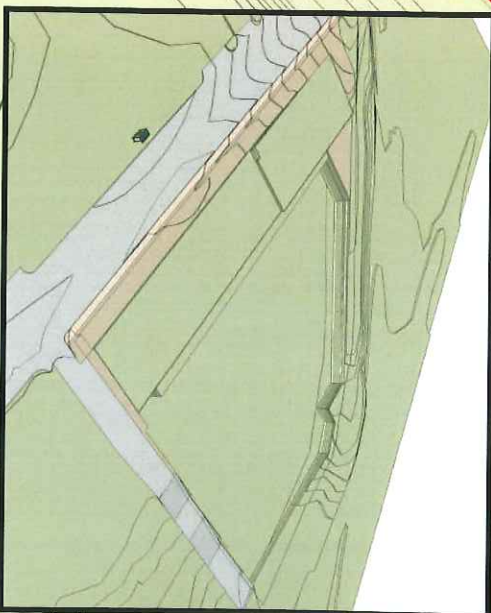
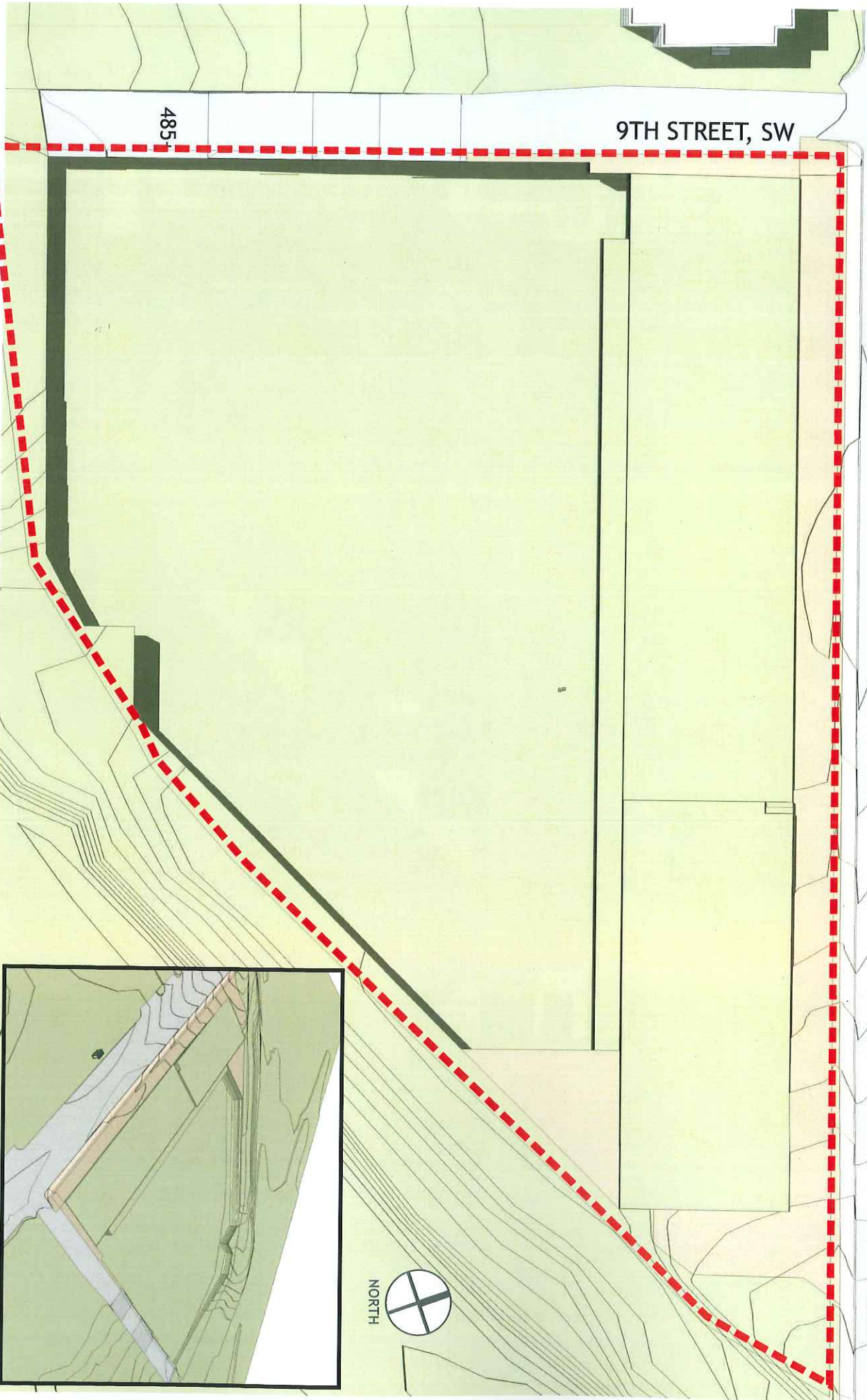
498+

9TH STREET, SW

485+

GRADED SITE

505+



WEST MAIN STREET

LEVEL P2 - (483)

498+

9TH STREET, SW

505+



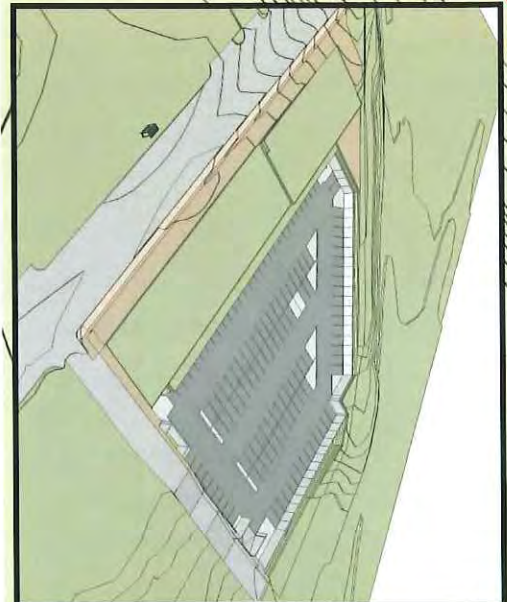
135 SPACES

485



+483

BIKE PARKING/
STORAGE



WEST MAIN STREET

498+

9TH STREET, SW

498+

493+

485+

500+

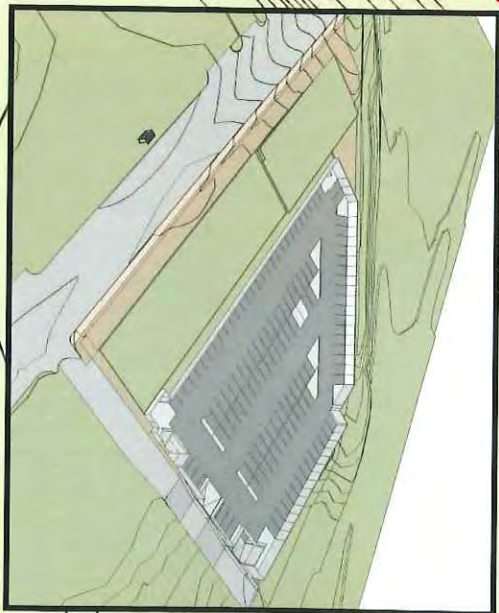
505+

LEVEL P1 - (493)

+493

132 SPACES

BIKE PARKING/
STORAGE



EXISTING BUS STOP
WEST MAIN STREET

POTENTIAL
MID-BLOCK
CROSSING

STREET LEVEL - (499/502)

498+

9TH STREET, SW

RESTAURANT
5,145 SF
FFE 499

PASSAGE

RAMP

CAFÉ SEATING

WATER FEATURE

COVERED PLAZA
CAFÉ SEATING

COMMERCIAL
4,383 SF
FFE 502

RAMP

PASSAGE

COMMERCIAL
2,418 SF

PLAZA

505+

498+

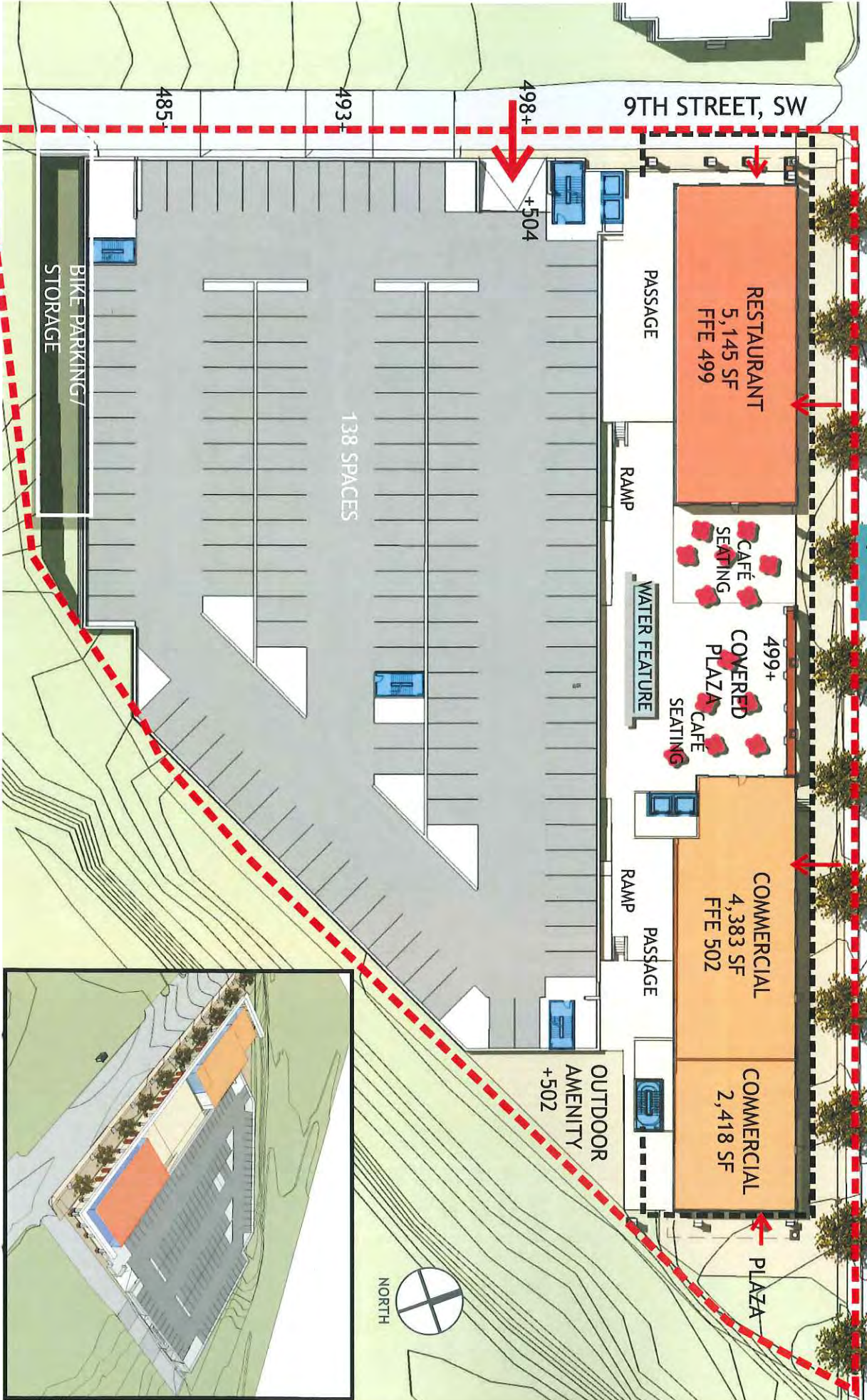
+504

138 SPACES

BIKE PARKING/
STORAGE

485+

493+



WEST MAIN STREET

LEVEL 1 - (517)

498+

9TH STREET, SW

498+

493+

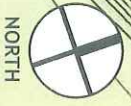
485+

505+

COURTYARD
+517

CLUB ROOM

POOL
+517



- BUILDING KEY**
- 1 BEDROOM
 - 2 BEDROOM
 - 3 BEDROOM
 - 4 BEDROOM
 - VERTICAL CIRCULATION



WEST MAIN STREET

LEVEL 2-4 - (527-557)

498+

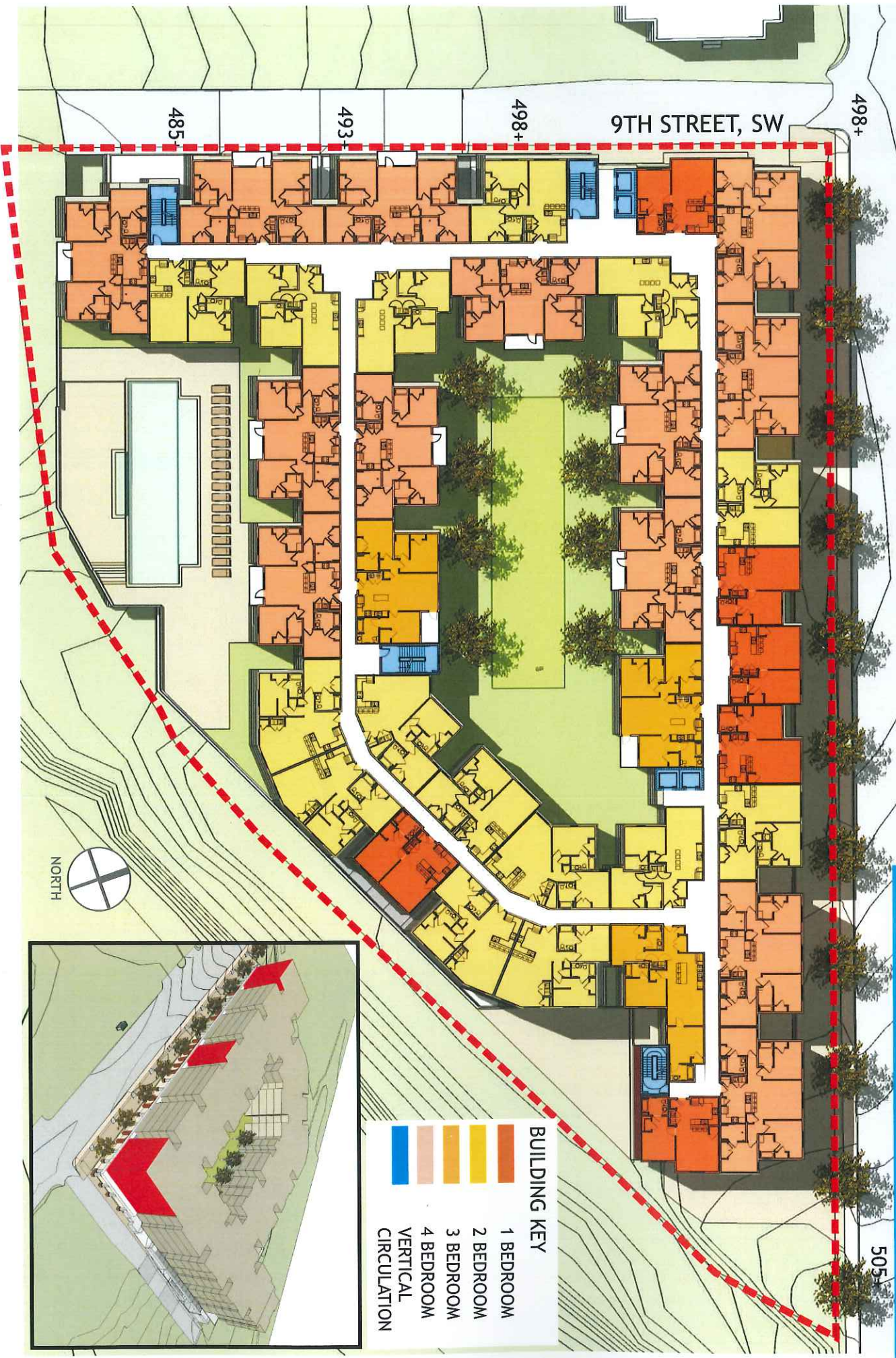
9TH STREET, SW

498+

493-

485-

505



BUILDING KEY

	1 BEDROOM
	2 BEDROOM
	3 BEDROOM
	4 BEDROOM
	VERTICAL CIRCULATION

WEST MAIN STREET

LEVEL 5 - (567)

498+

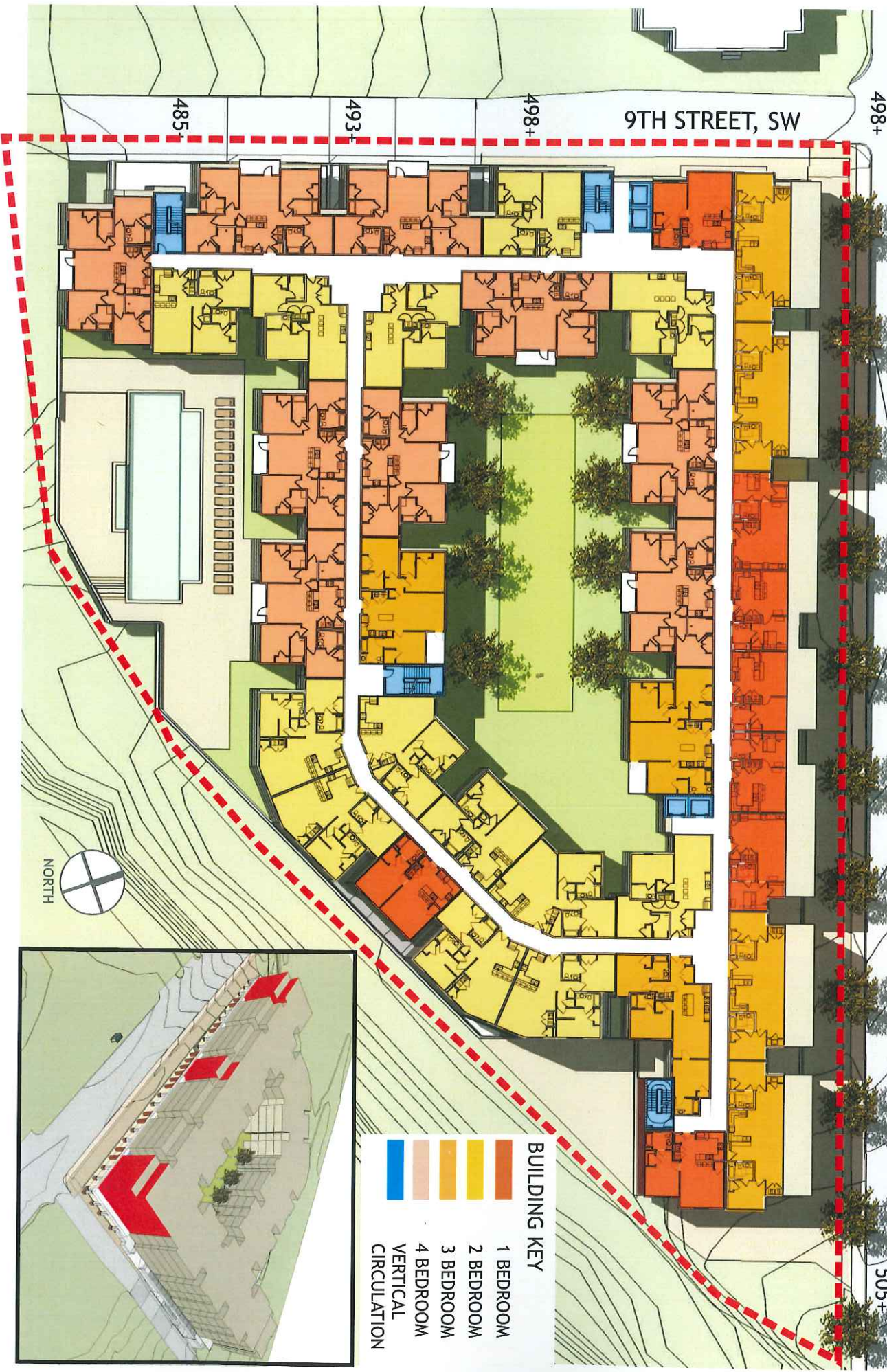
9TH STREET, SW

498+

493+

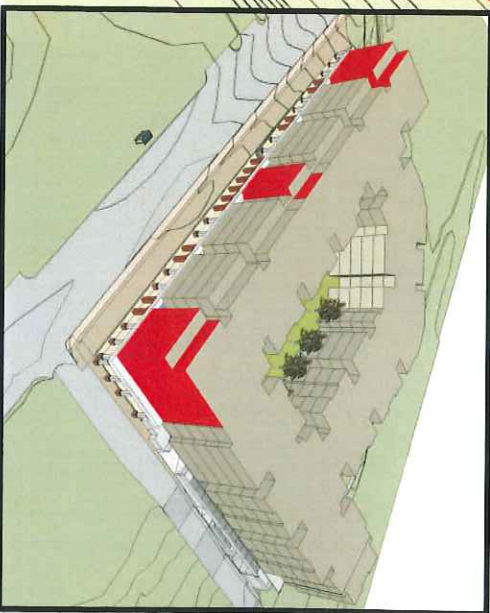
485+

505+



BUILDING KEY

	1 BEDROOM
	2 BEDROOM
	3 BEDROOM
	4 BEDROOM
	VERTICAL CIRCULATION



NILES BOLTON ASSOCIATES

AMBLING UNIVERSITY DEVELOPMENT GROUP

Riverbend

WEST MAIN STREET

LEVEL 6-8 - (577-597)

498+

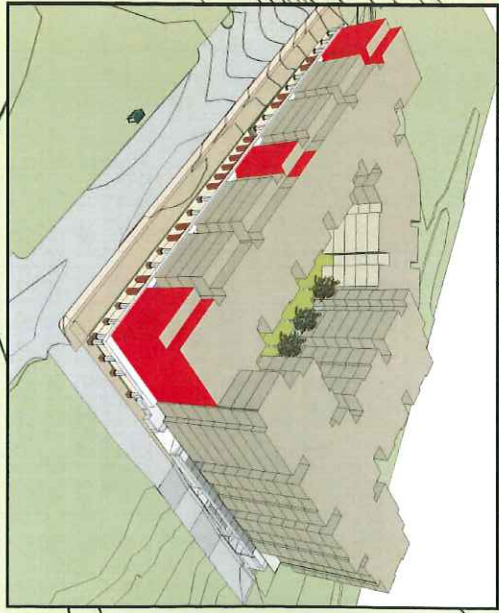
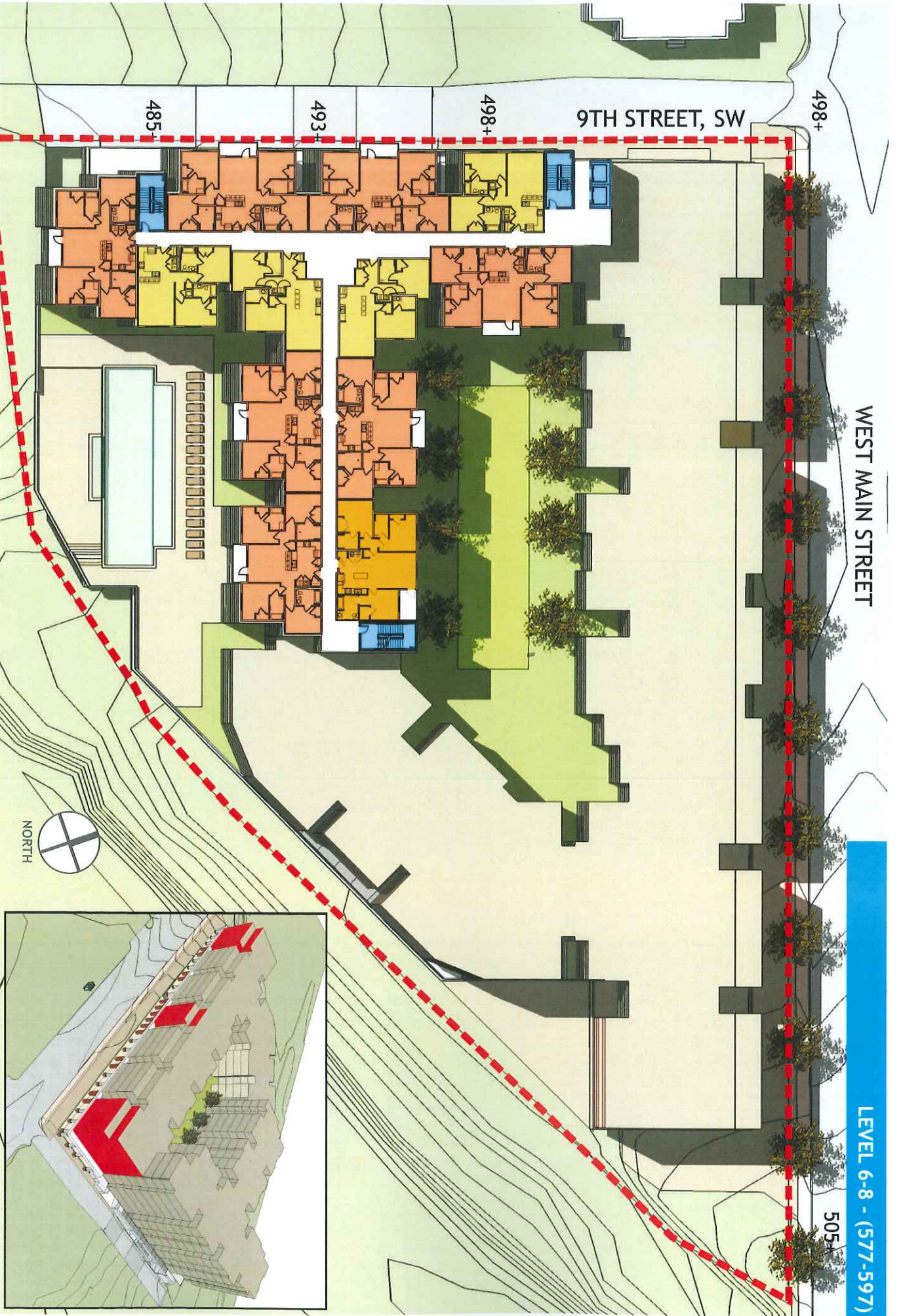
9TH STREET, SW

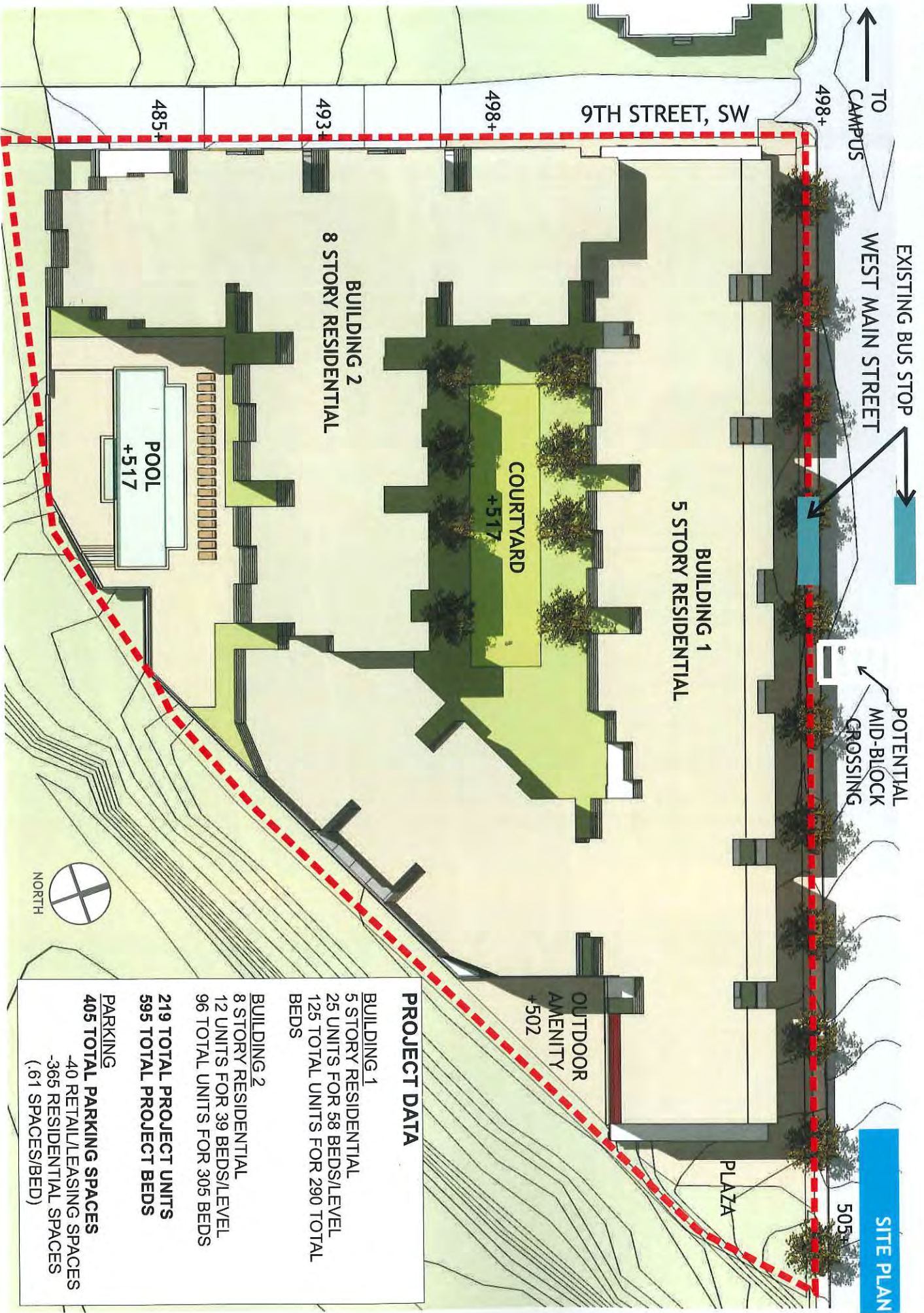
498+

493

485

505



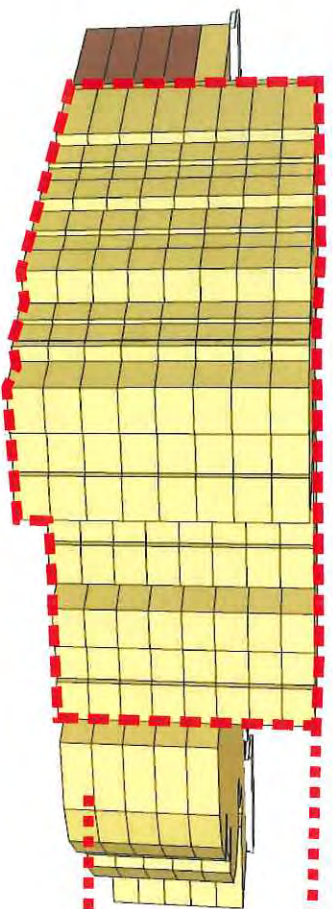


SITE PLAN

PROJECT DATA

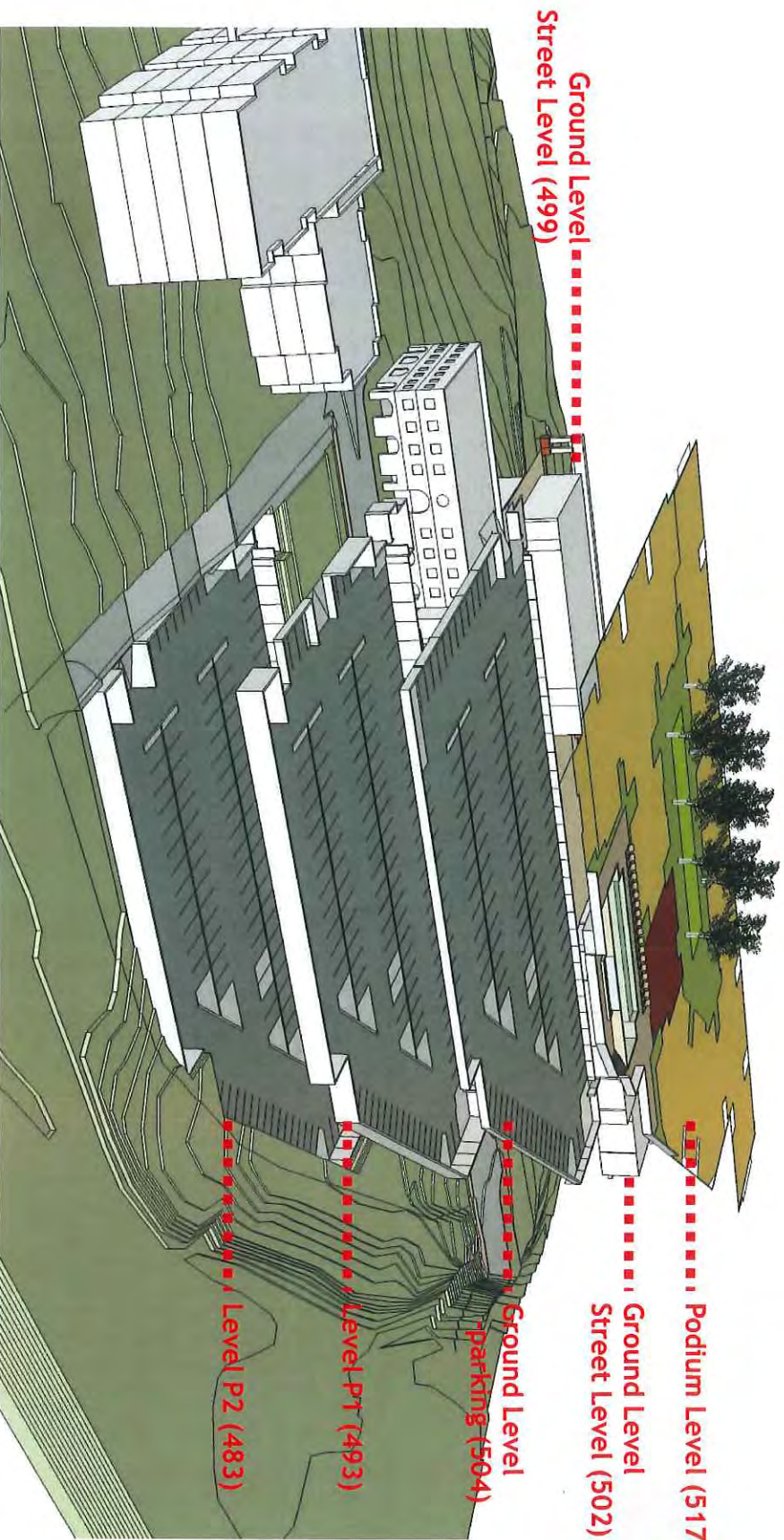
BUILDING 1	BUILDING 2
5 STORY RESIDENTIAL	8 STORY RESIDENTIAL
25 UNITS FOR 58 BEDS/LEVEL	12 UNITS FOR 39 BEDS/LEVEL
125 TOTAL UNITS FOR 290 TOTAL BEDS	96 TOTAL UNITS FOR 305 BEDS
OUTDOOR AMENITY +502	POOL +517
COURTYARD +517	
PLAZA	
PARKING	
405 TOTAL PARKING SPACES	-40 RETAIL/LEASING SPACES
	-365 RESIDENTIAL SPACES
	(.61 SPACES/BED)
219 TOTAL PROJECT UNITS	
595 TOTAL PROJECT BEDS	

BUILDING DIAGRAM



BUILDING 2
8 stories (577-597)

BUILDING 1
5 stories (517-567)



Street Level (499)

Podium Level (517)

Ground Level (502)

Ground Level (504)

Level P1 (493)

Level P2 (483)

BUILDING FINISH NARRATIVE



The mixed-use project to be built at West Main and 9th Street is designed to become a part of the urban fabric that helps bridge the urban gap between the University district and Downtown.

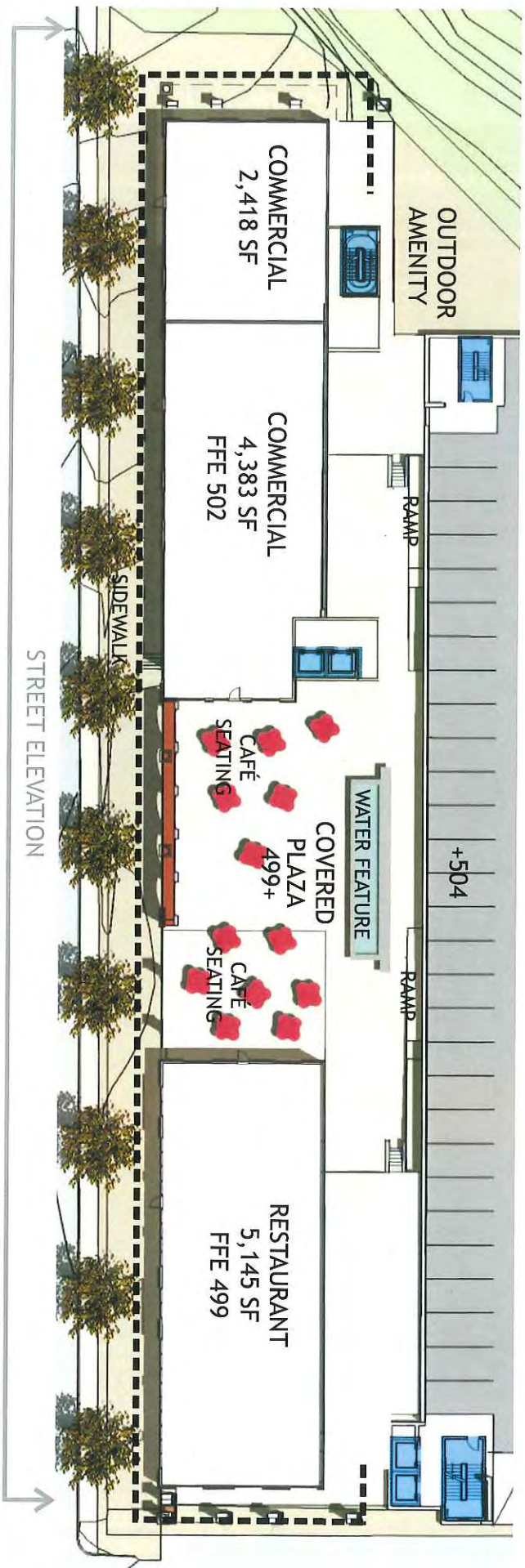
Along the street, the base of the building is composed of a combination of red brick veneer and accent trim with storefront glazing to recall buildings in the area. Commercial uses including food service, social rooms, and the leasing office support activity along the street. A covered open plaza provides an area for residents to gather and wait for the bus.

Above, the body of the building massing is broken down visually to appear as a series of buildings joined together, to fit into the scale of the area. The same rich red brick veneer is utilized, along with cementitious panels and siding in gray and tan colors with white trim. Metal insulated windows with grids are vertically proportioned and provide a sense of scale to the façade. These materials return around the corner of the front building massing so that as the building is approached along the street a coherent image is presented.

As the building extends further back into the site and along the railroad parcel, a brick base with cementitious panels and siding in tan and gray colors with white trim will be used to visually break down the building's scale.

At the step back, the top of the building along West Main has painted metal railings, metal awnings and articulated parapets accent the building top.

BUILDING ELEVATION & RELATION TO STREET



EXISTING WEST MAIN ST. VIEW SOUTH



PROPOSED WEST MAIN ST. VIEW SOUTH

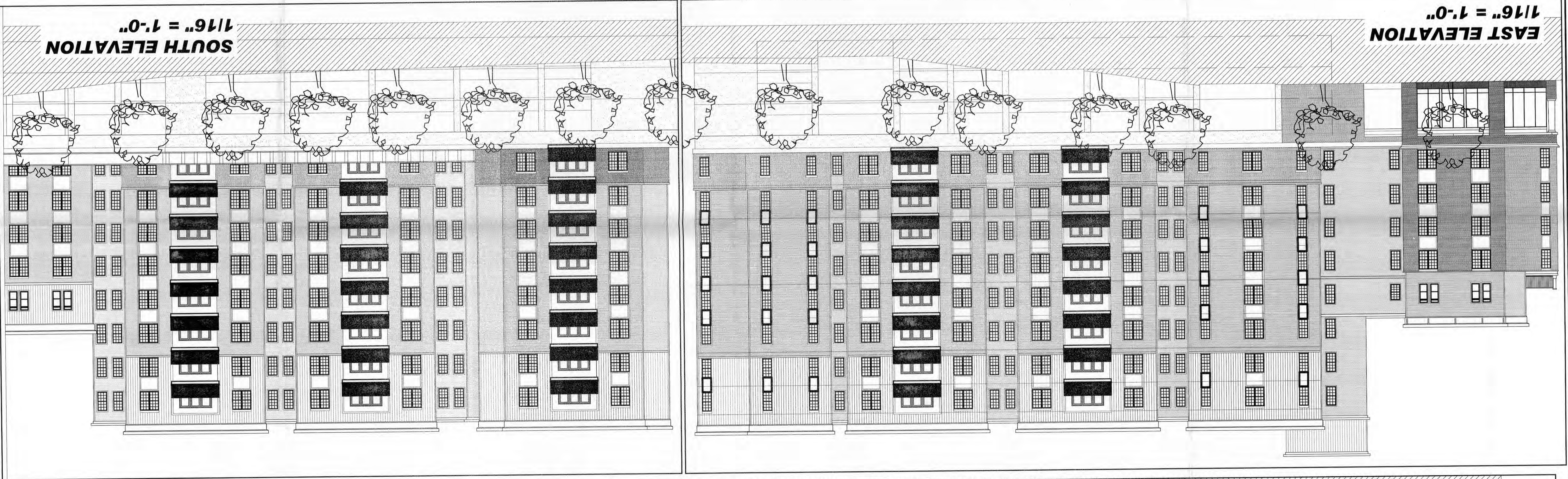
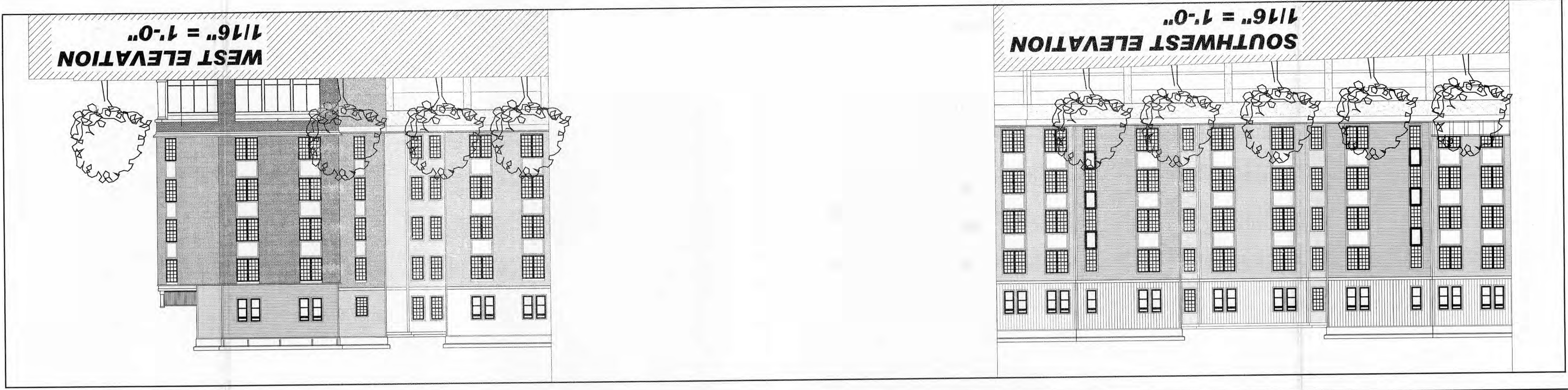


EXISTING WEST MAIN ST. VIEW NORTH



PROPOSED WEST MAIN ST. VIEW NORTH





DATE: 08/13/2012

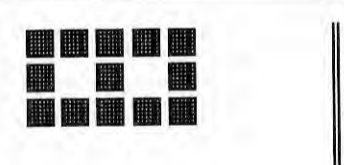
A0.0

ELEVATIONS

The Plaza on West Main
 Ambling University Development Group
 Charlottesville, Virginia

This drawing, as an instrument of service, and shall remain the property of the Architect and shall not be reproduced, published or used in any way without the permission of the Architect.

REVISIONS
 DATE DESCRIPTION



Niles Bolton Associates, Inc.

One Buckhead Plaza
 3060 Peachtree Road, NW
 Suite 600
 Atlanta, Georgia
 404-365-7600
 Fax 404-365-7610
 nba@nilesbolton.com

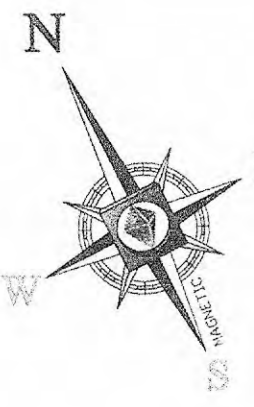
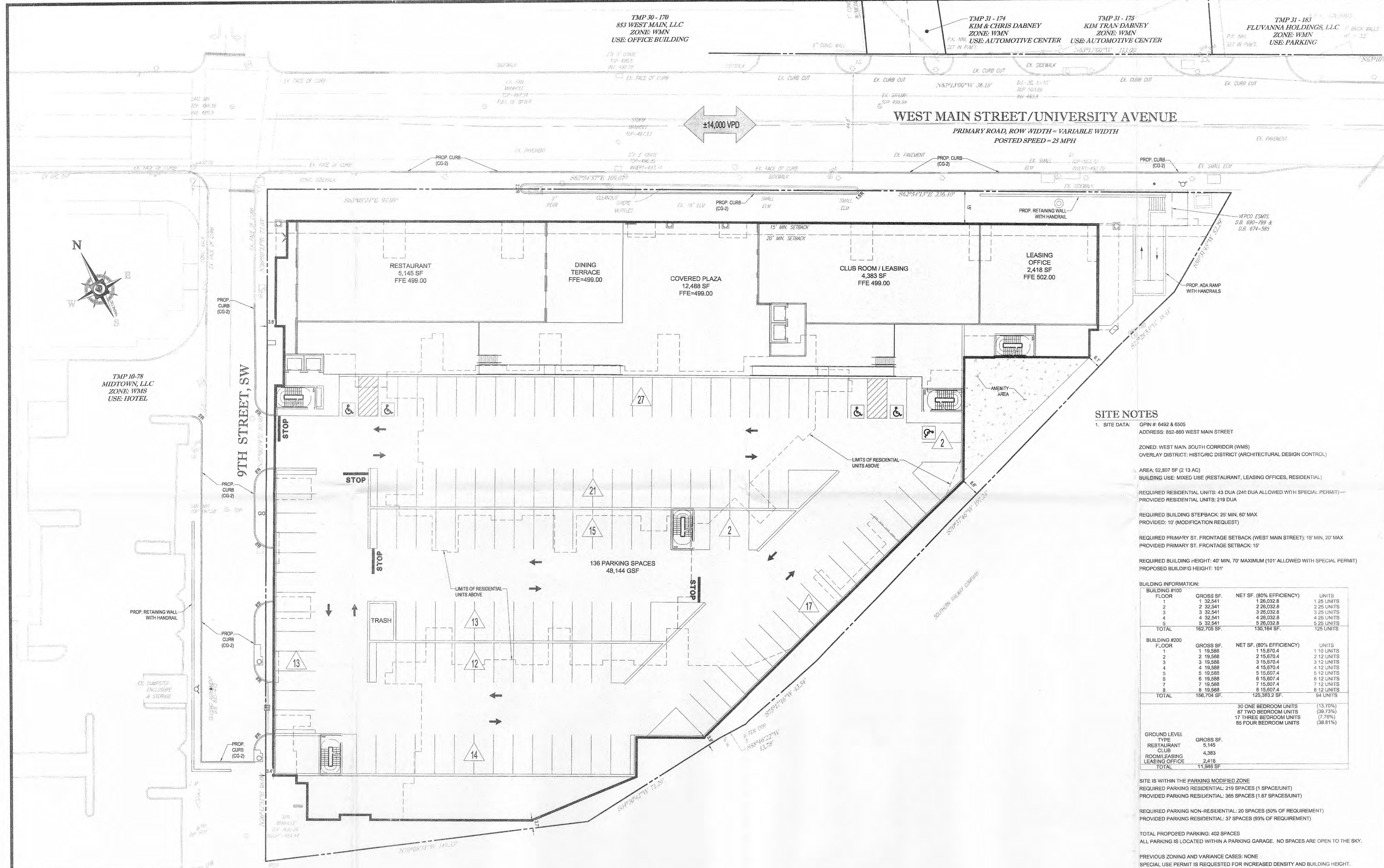
CHECKED BY:

DRAWN BY:

JOB NUMBER: 000000.00

RECEIVED
 SEP 25 2012
 NEIGHBORHOOD DEVELOPMENT SERVICES

NOT RELEASED FOR CONSTRUCTION



SITE NOTES

1. SITE DATA: GPIN #: 6492 & 6505
 ADDRESS: 852-860 WEST MAIN STREET
 ZONED: WEST MAIN, SOUTH CORRIDOR (WMS)
 OVERLAY DISTRICT: HISTORIC DISTRICT (ARCHITECTURAL DESIGN CONTROL)
 AREA: 52,807 SF (2.13 AC)
 BUILDING USE: MIXED USE (RESTAURANT, LEASING OFFICES, RESIDENTIAL)
 REQUIRED RESIDENTIAL UNITS: 43 DUA (240 DUA ALLOWED WITH SPECIAL PERMIT)
 PROVIDED RESIDENTIAL UNITS: 219 DUA
 REQUIRED BUILDING SETBACK: 25' MIN, 60' MAX
 PROVIDED: 10' (MODIFICATION REQUEST)
 REQUIRED PRIMARY ST. FRONTAGE SETBACK (WEST MAIN STREET): 15' MIN, 20' MAX
 PROVIDED PRIMARY ST. FRONTAGE SETBACK: 15'
 REQUIRED BUILDING HEIGHT: 40' MIN, 70' MAXIMUM (101' ALLOWED WITH SPECIAL PERMIT)
 PROPOSED BUILDING HEIGHT: 101'

BUILDING INFORMATION:

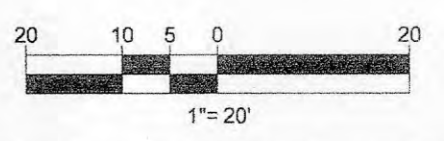
FLOOR	GROSS SF.	NET SF. (80% EFFICIENCY)	UNITS
BUILDING #100			
1	32,541	1,26,032.8	1.25 UNITS
2	32,541	2,26,032.8	2.25 UNITS
3	32,541	3,26,032.8	3.25 UNITS
4	32,541	4,26,032.8	4.25 UNITS
5	32,541	5,26,032.8	5.25 UNITS
TOTAL	162,705 SF.	130,164 SF.	12.5 UNITS
BUILDING #200			
1	19,588	1,15,870.4	1.10 UNITS
2	19,588	2,15,870.4	2.12 UNITS
3	19,588	3,15,870.4	3.12 UNITS
4	19,588	4,15,870.4	4.12 UNITS
5	19,588	5,15,870.4	5.12 UNITS
6	19,588	6,15,870.4	6.12 UNITS
7	19,588	7,15,870.4	7.12 UNITS
8	19,588	8,15,870.4	8.12 UNITS
TOTAL	156,704 SF.	125,383.2 SF.	94 UNITS
		30 ONE BEDROOM UNITS	(13.70%)
		87 TWO BEDROOM UNITS	(39.73%)
		17 THREE BEDROOM UNITS	(7.75%)
		85 FOUR BEDROOM UNITS	(38.81%)

GROUND LEVEL

TYPE	GROSS SF.
RESTAURANT	5,145
CLUB	4,383
ROOM/LEASING	2,418
TOTAL	11,946 SF

SITE IS WITHIN THE PARKING MODIFIED ZONE
 REQUIRED PARKING RESIDENTIAL: 219 SPACES (1 SPACE/UNIT)
 PROVIDED PARKING RESIDENTIAL: 365 SPACES (1.67 SPACES/UNIT)
 REQUIRED PARKING NON-RESIDENTIAL: 20 SPACES (50% OF REQUIREMENT)
 PROVIDED PARKING NON-RESIDENTIAL: 37 SPACES (93% OF REQUIREMENT)
 TOTAL PROPOSED PARKING: 402 SPACES
 ALL PARKING IS LOCATED WITHIN A PARKING GARAGE. NO SPACES ARE OPEN TO THE SKY.
 PREVIOUS ZONING AND VARIANCE CASES: NONE
 SPECIAL USE PERMIT IS REQUESTED FOR INCREASED DENSITY AND BUILDING HEIGHT.
 WAIVER IS REQUESTED FOR THE MAXIMUM SLOPE OF A STREET TO EXCEED 8%.

- THERE ARE NO WATERCOURSES, WETLANDS, OR MAPPED FLOODPLAINS LOCATED ON THIS SITE.
- SIGNAGE SHALL BE LOCATED AND IDENTIFIED WITH THE FINAL SITE PLAN. NO MODIFICATIONS TO THE CODE ARE REQUESTED AT THIS TIME.
- ALL PROPOSED UTILITIES ARE TO BE INSTALLED UNDERGROUND INCLUDING ELECTRIC, TELEPHONE AND CATV.
- THE DEVELOPMENT OF THE PROPERTY SHALL NOT BE PHASED.



BOHLER ENGINEERING

CORPORATE OFFICE: WARREN, NJ
 SURVEYORS: SOUTH BRIDGE, MA; WARREN, NJ
 PROJECT MANAGERS: WARREN, NJ; WASHINGTON, VA
 ENVIRONMENTAL CONSULTANTS: WASHINGTON, VA
 LANDSCAPE ARCHITECTS: WASHINGTON, VA

REVISIONS

REV	DATE	COMMENT	BY

NOT APPROVED FOR CONSTRUCTION

PROJECT No.: V122031
 DRAWN BY: JLP
 CHECKED BY: DRH
 DATE: 09/25/12
 SCALE: 1"=20'
 CAD I.D.: SSO

SPECIAL USE PERMIT

FOR
THE PLAZA ON WEST MAIN

LOCATION OF SITE
 852-860 WEST MAIN STREET
 CITY OF CHARLOTTEVILLE
 CHARLOTTEVILLE, VA

BOHLER ENGINEERING

28 BLACKWELL PARK LANE, SUITE 201
 WARRINGTON, VIRGINIA 20186
 Phone: (540) 349-4900
 Fax: (540) 349-0321
 www.BohlerEngineering.com

COMMONWEALTH OF VIRGINIA
 DANIEL R. HINES
 Lic. No. 043176
 9/25/12
 PROFESSIONAL ENGINEER

SHEET TITLE:
SITE PLAN

SHEET NUMBER:
1
 OF 2

IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REVIEW ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THIS PROJECT. WORK SHALL BE DONE IN ACCORDANCE WITH THE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING THE PROJECT ENGINEER OF RECORD IN WRITING PRIOR TO THE START OF CONSTRUCTION. FAILURE BY THE CONTRACTOR TO NOTIFY THE PROJECT ENGINEER SHALL CONSTITUTE ACCEPTANCE OF FULL RESPONSIBILITY BY THE CONTRACTOR TO COMPLETE THE SCOPE OF THE WORK AS DEFINED BY THE DRAWINGS AND IN FULL COMPLIANCE WITH ALL LOCAL, STATE AND FEDERAL CODES.

RECEIVED
 SEP 25 2012
 NEIGHBORHOOD DEVELOPMENT SERVICES

