

Agenda

PLANNING COMMISSION REGULAR DOCKET Tuesday, October 13, 2015 – 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 - August 25, 2015 – Work Session

2. Minutes - September 9, 2015 – Pre meeting

3. Minutes - September 9, 2015 – Regular meeting

III. JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)

G. JOINT PUBLIC HEARINGS

1. ZT15-00007 - Amendment of Zoning district regulations and zoning map amendments:

West Main Street- A proposed zoning text amendment, to amend City Code sections § 34-616 through § 34-655, § 34-796, § 34-1101 and § 34-1200, and to amend the zoning district classifications of 114 parcels of land in the vicinity of West Main Street. **Zoning map**

amendments: the proposed zoning amendments would eliminate the existing West Main Street North Corridor (WMN) and West Main Street South Corridor (WMS) zoning district classifications and would reclassify the parcels of land in each of those existing districts into one of two new zoning district classifications, either: West Main Street West Corridor District (WMW) or West Main Street East Corridor District (WME). **Building height:** The new zoning district

classifications will reduce minimum required building height from 40 to 35 feet and will change the maximum allowed building height from 60 ft. (WMN) or 70 ft. (WMS) to 75 ft (WMW) or 52 ft (WME). In the new WMW and WME districts, the option to obtain additional building height by special use permit will be eliminated. **Building mass:** The proposed zoning text amendments will establish a new “bulk plane” in which buildings must be constructed. **Floor heights:** In the current

WMN and WMS districts, buildings were required to contain a minimum of two (2) floors; in the proposed new WMW/ WME districts, the first floor of each building must be 15 feet, each additional floor must be 9 feet in height. **Setbacks:** Side and rear setbacks, and required buffers adjacent to residential areas, will remain the same. **Residential density:** the allowable residential

density will remain the same (43 DUA by right). Up to 200 DUA will be allowed in both WMW and WME by special use permit. The current WMN allows 200 DUA by special use permit, while the current WMS allows 240 DUA by special use permit. **Parking requirements:** parking requirements will be modified in the proposed WMW and WME districts, to eliminate the requirement for

parking spaces for any retail space having less than 5,000 square feet and to eliminate the requirement to provide parking lot buffers except along edges of a low density district. **Land Uses:**

the proposed WMW district will allow the same land uses as those currently allowed within the WMS district. The proposed WME district will allow the same land uses as those currently allowed within the WMN district. A map is available for public inspection, identifying the proposed re-

classification of each parcel currently located in the WMN and WMS districts, and a zoning use matrix for the new WMW/ WME districts is part of the zoning text amendments. **City-wide regulations for appurtenances:** the proposed text amendments modify regulations governing building appurtenances for all existing zoning districts, as well as in the proposed WMW and WME districts. **General zoning definitions:** the proposed zoning text amendment adds to sec. 34-1200 a definition of the term “build-to-zone” and modifies the current definition of “building height.” **Residential use on first floor:** Not included in the draft code, but the Planning Commission will consider adding, as part of the proposed text amendments, a provision allowing residential uses on the first floor of a building in the WMW/ WME districts (ground floor residential use is not allowed currently in WMS or WMN). **Report prepared by Carrie Rainey, Urban Designer.**

2. ZM15-00003 Midland Street and Randolph Avenue Rezoning - Mark Jones, acting as agent for property owner Donnie McDaniel, has submitted a petition to rezone vacant land at the intersection of Midland Street and the Randolph Avenue, right-of-way from low-density (R-1S) Residential to B-2 Commercial with proffers. The subject property is identified on City Real Property Tax Map 56 as Parcel 56.1, and has frontage on Midland St and the Randolph Ave Right of way. This parcel contains approximately 10,890 square feet of land or 0.25 acres. The residential uses allowed by right in the current R-1S classification are limited to single-family dwellings at a by-right density of at a density of 7 DUA. The proposed B-2 Commercial district would also allow the same R-1S residential uses, at a density of 7 DUA, but would also allow multifamily dwellings by right, at a density of 21 DUA. The rezoning is proposed to be subject to proffered development conditions, limiting the use of the subject property and limiting setback regulations to those more in character with low density residential. The Land Use Map designation within the City’s Comprehensive Plan identifies this property as being planned for Low Density Residential. A copy of the proposed zoning map amendment, and related materials, is available for inspection at the Charlottesville Dept. of Neighborhood Development Services, 610 East Market Street. **Report prepared by Carrie Rainey, Urban Designer.**

REGULAR MEETING (Continued)

H. SUBDIVISION

a. Water Street Promenade

I. FUTURE MEETING SCHEDULE

Tuesday, November 10, 2015 – 4:30 PM	Pre- Meeting	
Tuesday, November 10, 2015 – 5:30 PM	Regular Meeting	<u>Minutes</u> - September 22, 2015 – Work Session <u>Site Plan</u> - Lochlyn Hill - Block 2B <u>Entrance Corridor Review</u> – 2307 Hydraulic Road – Extra Space

Anticipated Items on Future Agendas

- Entrance Corridor review – 2307 Hydraulic Road
- Harmony Ridge Subdivision Plat
- Spot Blight – 1810 Yorktown Drive
- Telecommunications Ordinance

Persons with Disabilities may request reasonable accommodations by contacting

ada@charlottesville.org or (434)970-3182

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 AND SUBDIVISIONS APPROVED ADMINISTRATIVELY
9/1/2015 TO 9/30/2015**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
 - a. Rose Hill Drive Utility Plan – September 2, 2015
- 3. Site Plan Amendments**
 - a. 801 Cherry Avenue – UVA Temporary Building September 8, 2015
- 4. Minor Subdivision**

MINUTES
CITY COUNCIL AND PLANNING COMMISSION JOINT WORK SESSION
Tuesday, August 25, 2015
5:00 – 7:00 p.m.

I. PLANNING COMMISSION WORK SESSION

Location: NDS Conference Room in City Hall (610 East Market Street)

Present: Chair Rosensweig; Commissioners, Kurt Keesecker, Genevieve Keller, Jody Lahendro, and John Santoski; UVA representative Bill Palmer

Staff Present: Ryan Davidson, Missy Creasy, Alexander Ikefuna, Carolyn McCray

Call to Order: by Planning Commission Chairman Dan Rosensweig at 5:00 p.m.

Capital Improvement Program

City departments also have begun submitting requests for next year's capital improvement budget. The Planning Commission has the job of reviewing requests to see if they fit with the commission's planning priorities. Ryan Davidson provided a review of the CIP process which was followed by discussion of the Planning Commission priorities. During this discussion, the Commissioners reworked the priorities from past years to focus on large planning initiatives. Those submitting for CIP funding will be asked to review current initiatives and provide that link to their project requests.

The following are the priorities identified by the Planning Commission for FY 2016- 2017

- Provide ample robust funding for the broader planning initiatives that are currently underway including:
 - a. Rivanna Renaissance
 - b. Streets That Work,
 - c. The Code Audit
 - d. Bicycle and Pedestrian master Plan
 - e. Affordable Housing – Fulfillment of 2025 Vision
 - f. Green Infrastructure and Environmental programs
- Provide ample robust funding to implement place based initiatives including:
 - a. SIA
 - b. West Main Street
 - c. Belmont Bridge

Commissioner Rosensweig said we look at the Comprehensive Plan and we like to make sure that there's funding associated with goals and objectives, and there was a time when the Planning

Commission kind of rubber-stamped it a little bit. We've been a little bit more active in looking at it and reviewing it.

Commissioner Keller said small-area planning came out of our initiatives and we've been shepherding it through the process and we need to be forward thinking about what we want to see getting attention in future years.

Commissioner Santoski suggested the commission should get ahead of additional congestion that could occur when Fifth Street Station opens in Albemarle County just south of the city. He said it's such a gateway into the city and it seems to be that's something we should be focusing on.

Commissioner Lahendro said he believes the city should conduct a small-area plan for the area around the planned Hillsdale Drive extension. He said this is being designed now and we don't have a small-area plan, it's a road going through all of this asphalt, and I look at the master plan and it's just more asphalt. I don't see any plans for adding trees and landscaping.

Missy Creasy Planning Manager said we've had a couple of conversations about which comes first and which comes next, and that seems to change around quite a bit as development moves around. We have other initiatives underway that have made it difficult to jump into a new plan.

The Planning Commissioners spent the majority of the work session Tuesday discussing potential locations for the next small-area plan.

That plan has been discussed for at least two years but the City Council has made no decision about which part of the city to review next. The budget anticipates spending \$50,000 annually on small-area plans over the next five years.

Commissioner Lahendro said small-area plans need to integrate all of the other planning initiatives. We've got streets that work information out there, the pedestrian and bike information out there and small-area plans are a way to apply them to a particular area and focus ourselves.

Mr. Ikefuna, NDS Director said the commission should concentrate more on what capital projects it wants to see go forward rather than funding for more planning initiatives.

It was noted that the September work session should focus on Small Area Planning.

The work session ended at 7:00PM.

MINUTES
PLANNING COMMISSION REGULAR MEETING
Wednesday September 9, 2015

I. PLANNING COMMISSION PRE-MEETING (Beginning at 4:30 p.m.)

Location: NDS Conference Room, Charlottesville City Hall, 2nd Floor

Members Present: Chairman Dan Rosensweig; Commissioners Lisa Green, Kurt Keesecker, Genevieve Keller, Jody Lahendro, John Santoski, and UVA representative Bill Palmer

Call to Order: the meeting was called to order by Chair Rosensweig at 5:00 p.m.

Dan Rosensweig called the meeting to order and noted updates to be made to past minutes. The commission requested an overview of the Market Plaza application and the history and status of this application was provided by Ms. Robertson.

It was asked how the proposal would differ from the agreement in place for the Pavilion. The differences of this agreement were noted. It was noted that this is an unusual situation because the sales contract is not yet complete.

Adjournment: At 5:27 p.m. the Chair adjourned the meeting in order to reconvene in City Council Chambers at 5:30 to continue with the Commission's regular monthly agenda.

II. REGULAR AGENDA (Beginning at 5:30 p.m.)

Location: City Council Chambers, Charlottesville City Hall, 2nd Floor

Members Present: Chair Rosensweig; Commissioners Lisa Green, Kurt Keesecker, Genevieve Keller, Jody Lahendro, John Santoski and UVA representative Bill Palmer

Call to Order: the meeting was called to order by Chair Rosensweig at 5:30 p.m.

A. Commissioner's Reports:

Commissioner Lahendro reported that he did not attend the Parks and Rec Advisory Board meeting on August 19th because of a conflict with another meeting. He did attend the Tree Commission meeting August 26th. There is a subcommittee of the tree commission that has started to survey the entrance corridor to the city to identify opportunities to increase the tree canopy, review the tree planting that has taken place by the city over the last year (it was pointed out that they have planted over 200 trees) and discuss possible CIP requests. Parks & Rec has \$18,000 in which they are going to start treating trees vulnerable to the Emerald Ash Borer and the Tree Commission will be assisting them in developing criteria for trees to be treated through the city. The tree commission has been asked to review the arboretum plan for the William Taylor Plaza.

Commissioner Keller said she has no report but wanted to acknowledge (as a former chair) and the time and commitment it takes to serve as chair. Dan, I am sure all of my colleagues join in acknowledging that service and appreciate what you have put into it and look forward to you joining us in the ranks wherever you land.

Commissioner Keesecker reported that at the 8.18.2015 BAR meeting final approval of the public plaza on West Main moved forward. There were plans for a little small restaurant there and those plans were approved, BAR approved the design for 2nd floor offices to be added to the former Vinegar Hill theater site, the project at 1000 West Main had a proposal to change some of the window materials and that was not approved, and a project on North First Street was resolved.

Commissioner Santoski reported the MPO Tech meeting is coming up and he will be attending.

Commissioner Green reported she missed the PACC Tech meeting and there is another one in November.

B. Chair's Report Chairman Rosensweig reported that the Housing Advisory Committee met this month and continued to coordinate the implementation of the housing needs and preferences survey to low income residents of the community as part of an overall study being done by RCLCO. A number of nonprofits are working together to collect 100's of surveys from low income residents in the community and input the data themselves so we will have a much more robust holistic study of housing needs in the community. Thanks to the non-profits who stepped up to help. The Streets That Work Code Audit group has been meeting and you all are invited to a special event to provide feedback on the ongoing Streets That Work initiative September 15, 2015 from 7-9 pm at City Space. The workshop will include stations and a small group activity to help guide prioritization of certain streetscape elements for each street type. We are looking at the streets holistically across the city to get community input on what we want to see in the right of way. He introduced Alex Ikefuna, the new NDS Director, and hopes his colleagues feel very lucky and fortunate to have Mr. Ikefuna join us. We look forward to working with you over the next few years and if you hear something in the meeting tonight feel free to come up and let us know. Chairman Rosensweig extended thanks to Ms. Robertson, Ms. Creasy and Mr. Haluska for your professional support, dedication and long hours as you helped to make his life relatively easy.

C. Mr. Keesecker served on the nominating committee and provided the report. He nominated John Santoski for Chairman and Kurt Keesecker for Vice Chairman.

A motion was approved to accept the nominees by a vote of 6-0.

3. Annual Meeting – includes all the data from items taking place over the year. Staff will be working on this document.

D. NDS Department Report: given by reported Missy Creasy, reminding everyone about the Streets That Work on event on September 15, 2015. We are encouraging citizens to attend. A planning commission work session will take place on September 22, 2015 with a discussion on small area planning. Ms. Creasy said she is working to get materials together for this, as well as the materials for process in looking at a small area plan. She will be sending an email later on this

week to get additional feedback to make sure she is giving you all additional information that is helpful in framing that discussion. Brian Haluska and wife have adopted a baby girl, Grace, and we look forward to meeting her soon.

D. Matters from the Public

1. Logan McKinley, 106 Leigh Place: He is the president of the Willoughby Property Owners Association which owns the majority of the land adjacent to that property. He thought there was going to be an appeal to the previous denial. He asked if that is not happening tonight. He said the property owners association has not been involved in the process and no one has contact them at all especially since it was previously denied. He doesn't know what they are appealing because none of the facts have changed. It seems that some have come to light since not having permission from the adjacent property owners. He would like to reaffirm the neighborhoods concern and desire to uphold the previous denial. He wants the developer to know that they are active and they want to be involved but they want to make sure the development meets the property that is there and insures our roads and our families can be safe.
2. Jeff Maurer, 100 Long Lane: He said he understands that the developer has updated his plan. He may have cut that back to try and build up to what he wants in a piece meal fashion. He cautioned the commission to keep in mind that that might be his ultimate objective to stand up what has already been denied. Also the HOA is not going to grant him the access that he is going to need to do the development as we understand it. He said the neighborhood has stated on numerous occasions that it would be fine with us if he developed that in accordance with the character of the neighborhood as it already exists and his plans continue to ignore that.
3. Patrick Crussr, 106 Lide Place: He said it is important to understand the site for development. It is an incredibly steep site with critical slopes on the area they are working on. Although it is steep, the plan is to put three story apartments on top of a garage next to houses that are single story houses on top of a basement. It is very difficult to avoid blocking views and these houses are literally next door so there are ecological impacts, slopes, a river at the bottom of the property that is already impacted and this neighborhood does not fit into our neighborhood at all, if expanded in the future, it will double the traffic entering our neighborhood street which would be terrible.

F. CONSENT AGENDA

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

1. Minutes - July 14, 2015 – Regular Meeting
2. Minutes - August 11, 2015 – Pre-meeting
3. Minutes - August 11, 2015 – Regular-meeting

Motion by: Commissioner Rosensweig

Seconded: Commissioner Lahendro

VOTE: 6-0

“Aye”: Commissioners Green, Keesecker, Keller, Lahendro, Rosensweig, Santoski

“Nay”: None

Abstentions: None

Disqualifications: None

III. JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)

G. JOINT PUBLIC HEARINGS

SP14-00003 Market Plaza (200 2nd Street SW): An application by Market Plaza, LLC, to amend a special use permit approved by City Council on December 1, 2014. The previously approved special use permit granted residential density of up to 60 units per acre, an additional 31 feet of building height, in addition to the 70 feet allowed by right; authorized two special uses (Farmer’s Market and Auditorium, theaters-- maximum capacity greater than or equal to 300 persons.) The proposed Amendment seeks to change special use permit condition # 3, to authorize the open-air Plaza within the development to remain privately controlled and operated by the property owner, instead of being subject to a recorded easement for a right of public access.

RECOMMENDATION

The proposed modifications to the special use permit would change some of the conditions that were intended to set up the plaza in the project as a public space similar to Lee Park or the Downtown Mall.

Staff finds limited guidance on which to base a recommendation. The physical form of the plaza space will still be subject to BAR review, and none of the proposed changes suggest the applicant intends to prohibit public access to the plaza outside of the Farmer’s Market. The proposed changes are coming as a result of ongoing negotiations between the City and the applicant. It is staff’s opinion that the proposed changes do not substantially alter the project originally approved by City Council, and thus these changes should be approved.

Mr. Greg Powe said the developer and city have been negotiating a 99-year lease that would allow the market to operate on the plaza once a week. He continued to stipulate that both parties are in agreement that the most effective way to assure the general public and our tenants and residents that overlook the plaza can enjoy it, but the developer will maintain control of the plaza to allow private events and enforce rules on the property. He said over and over the concept remains unchanged and it will still be a publicly accessible plaza.

Commissioner Green asked when was the first time you discussed changing this from public to private space.

Mr. Powe said since late winter, about 4 or 5 months ago, and it was drafted by the City Attorney and Parks and Recreation.

Commissioner Green said what happens after all of this goes through and we have all of these lease agreements and the property sells to someone else. The public use could go away at any time.

Mr. Powe said the lease remains with the property not the owner. The terms of the operation of the city market are defined in the lease. The lease is being drafted by the City Attorney with the input of the market operators and Parks and Recreation.

Commissioner Keller asked would you be able to secure the plaza as an aspect of the lease, or would you gate the plaza. The private operator has the right to any private events in the plaza.

David Pettit, attorney for the applicant said the SUP says the plaza will be a public forum subject to rules and regulations, so when there is not an event taking place it will be open to the public.

Commissioner Keesecker commented on controlling the behavior on Water Street. How is one to discern when someone passes through from the public realm to the other space?

Commissioner Green said she wouldn't have approved the (SUP) height if she thought the plaza would become a privatized area. The commission initially approved for the developers to build a structure beyond the zoning's established limits.

The application moved forward with changes providing the city a chance to agree on the hours the plaza will be accessible to the public, limit the amount of programmed private space to no more than 50 percent of the plaza, allow private events only 52 times a year and maintain the same dimensions for right of way along First Street, which will be transitioned to a public walkway.

Commissioner Green said she understands that we can put a rule where we'll have someone from the city review the developer's rules, but where does that get us? She continued to comment that this gives us nothing other than a feel-good pat on the back. The public's tired of that. The public wants a public space. This is not what I felt we voted on last October.

Public Hearing

Zachery Bullock, 700 Hinton Avenue: Is concerned about the effect of the proposed amendment on the long term vibrancy of downtown Charlottesville. The design concept was approved with the intention of preserving and enduring public space while increasing the supply of housing near the Downtown Mall and that intention is now in jeopardy with increased private management of that space. He asked the Commission to use its power to maintain the City's authority over this public space.

Kelly Crozet, 700 Hinton Avenue: If a restaurant is going to be successful in this city it better have outdoor seating and trees grow so if going between the stalls 99 years from now you might have a tree that is taking up quite a bit of space. She said she understands when you are selling condos for 1.2 million dollars; you want to keep the people who buy those condos happy because they are spending a lot of money but if they don't want people offending their sensibilities then

they should move to the County. I don't think we are limited for space on the Downtown Mall in general.

Jewel Mindshell, 621 Harris Road: What she has heard is that the developer wants to have control over the management of public behavior and her concern is does management mean setting the rules as well as enforcing them because they might take saying you can't have a leashed dog except on the easement. Another concern would be more restrictions from what the city allows the public.

Claire McKinley, 106 Leigh Place: what would happen long term if the developer sold it and that person decided to blockade in that area. If you do approve this, what happens when you are not on the Council or the Planning Commission?

Cecil Glum, 1115 Sycamore Street: She thinks what is missing in the whole picture is the vision for the market in the future and vendors have never conducted their own market. The City has always arranged the market on different days, and different places. We need more of a vision of what could be for the new future space. The market has been seeking a new home for 20 years. But also we need a little more vision to what else is going to happen there for more than one day a week.

Closed the Public Hearing

Commissioner Keller noted it is highly unusual for the Planning Commission to be commenting on city leases and easements, and it is her preference to stay away from the legalities of the lease and easement. She is not comfortable with the Planning Commission treading into that territory.

Commissioner Rosensweig said there are a few basic language changes like public access that is relevant in the manner of the language. The public having have a right of access to the plaza but also agreed to by the city so the city has some rights versus a public right of access.

Commissioner Keesecker felt the same way about public use. Good cities are defined by their public spaces.

There was nearly a three-hour debate about the semantics of the public-private partnership between the Planning Commissioners and developers of the 101-foot mixed use building.

Several councilors and members of the public disagreed, calling into question what authority developer Keith Woodard and any eventual property owners not privy to the potential lease will have over the plaza space.

Commissioner Green said is there a way to create a code for this site that could be a part of this SUP. If you wanted a concrete description in which the public can enjoy and use the plaza, hours, pets, how much can be used.

Commissioner Rosensweig moved to recommend approval of the proposed modification of a special use permit as requested in SP15-00003, subject to conditions listed in the staff report with the following changes to 4a:

1. The rules and regulations governing the behavior in the plaza are subject to city council approval including future updates to those regulations. Flexible for future of the market with the ability to re-negotiation.
2. Amount of program private space is restricted to the amount of the floor area of the corresponding retail space.
3. The number of times public access is restricted because of private events be restricted to a maximum of 52 events a years
4. The current width of the 1st Street public right of way remains.
(There was no second to the motion)

Commissioner Green moved for a denial of this application, seconded by Commissioner Keesecker 4-2, motion failed.

Commissioner Keesecker said he cannot get past the fact we are changing the public space to private space. This affects a broader community than the people in the tower. This is a case in an urban setting where the interest to the community out-weighs the interest of the individuals, no matter how much the individuals are paying for their units.

Commissioner Lahendro would like to see it put off until another meeting to give him time to go through and do the hard reading and is uncomfortable voting for this now.

Mr. Pettit would like to move forward, take action tonight.

Commissioner Rosensweig moved to recommend approval of the proposed modification of a special use permit as requested in SP15-00003, subject to conditions listed in the staff report with the following exceptions to 4A:

1. The public will have right of access subject to hours agreed to by the City and the owner.
2. The amount of programed public space will not exceed 50% of the plaza or the total area of the retail operations (whichever is less)
3. The plaza may be restricted from public use for a maximum of 52 events during the course of the year.
4. The 1st Street right-of-way will be equal in width (on the Water Street access easement) to the existing public right-of-way.

Because I find that approval is required for the public necessity, convenience, general welfare or good zoning practice, Seconded by Commissioner Lahendro, motion passes 4-2, (Commissioner Keesecker and Commissioner Green opposed.)

10 minutes recess back in at 9:00

H. SITE PLAN APPEAL

1. Willoughby Site Plan

Justin Shimp, on behalf of Moore's Creek, LLC, submitted a preliminary site plan application for Willoughby Place on October 29, 2014. The application was denied on November 4, 2014 because the site plan does not meet the required sight distance, and therefore does not comply with City Code 34-896, which stipulates each development must provide safe and convenient access to one or more public roads. The applicant is appealing the Director of Neighborhood Services' denial of the Willoughby Place preliminary site plan.

The property is zoned R-3 Multifamily. This property is further defined on City Real Property Tax Map 21B as parcel 13 in close proximity to Harris Road and containing approximately 220,849 square feet of land (5.07 acres). The preliminary site plan proposes 48 dwelling units located in two multifamily structures.

Commissioner Rosensweig moved to defer the application and send the site plan back to staff and have it come back before the planning commission in 6 months, Seconded by Mr. Keesecker, motion passes 6-0.

I. PRELIMINARY DISCUSSION

1. Midland and Randolph Rezoning

Background

Mark Jones, acting as agent for Donnie McDaniel, has submitted a rezoning application petition for an unaddressed property at the intersection of Midland Street and the Randolph Avenue right-of-way. The property is further identified on City Real Property Tax Map 56 Parcel 56.1. The property is approximately 0.25 acres. The site is currently zoned R1-S. The petition requests a rezoning to B-2 commercial to align with Mr. McDaniel's adjoining properties on Carlton Avenue (TMP 560046000 and 560047000).

The application notes the reason for seeking this change is for the future development of multifamily housing.

Preliminary Analysis

The applicant has requested a rezoning from single family residential to a commercial designation. While a commercial designation is consistent with the adjacent parcels on Carlton Avenue and Randolph Avenue, the parcel to be discussed is located on a street of detached single family homes.

Questions for Discussion

1. How could a multifamily development affect the adjacent properties on Midland Street?
2. How could a different use allowed in B-2 commercial zoning affect the adjacent properties on Midland Street?
3. How could potential access directly from Carlton Avenue to the subject parcel affect the adjacent properties on Carlton Avenue?
4. How does the existing alley behind the subject parcel affect request for rezoning of the parcel?

Commissioner Rosensweig said these are a good series of questions but are a little difficult to answer until we get a sense of what uses the applicant interested in removing from consideration, if any. The transportation system is also critical to understand the potential impact on the adjacent uses. We would have to know the traffic circulation as well as the plan for the parking lot in the back or a tower in the back. Is the Randolph right of way buildable? He said it is hard to answer the questions without having some sort of dialogue with the builder.

Commissioner Green said another thing that needs to be looked at is the critical slopes. She said there are a lot of critical slopes and a stream so she is not sure that a transportation connection could be made.

Ms. Rainey said because we don't have a proposed site plan or site diagram to talk about it, it is hard to know what the applicant wants in terms of access from Midland, access from Randolph. Staff did request the information but the applicant chose not to provide it at this time.

Ms. Creasy said we are bringing forward a complete application per the ordinance.

Commissioner Rosensweig said is this for rezoning because the land use wasn't capable somehow it needs to be brought into conformity to what is around it. He said we need more detail, we need an application, a concept, and a sense of what the planning is for us to decide if the proposed zoning is more appropriate than the current zoning. If this lot along Carlton was zoned R2 or R1 and they were requesting B2 that makes a lot more sense because you are basically completing a network, but they are talking about a property that is adjacent to both commercial and residential and this is one of those where we need additional information.

Commissioner Lahendro said until we know there is going to be a connection directly to Carlton, he is going to presume the worse that it would be a business use at the end of a very nice residential street with a narrow road and he thinks that is inappropriate.

Commissioner Keller said we just don't know enough about it and the applicant is not here and what is presented is very skimpy. She said the staff report was the only information we got.

Ms. Creasy said we will share the comments with the applicant and they will have a chance to refine their application or denote that they want to move forward and whatever path they take it will come back to you at the appropriate time.

2. Development Review Process Policy

At their meeting on February 2, 2015; City Council initiated a zoning text amendment to modify the way in which the City reviews development applications. Specifically, the proposed changes would not immediately refer complete applications for development (rezoning requests, special use permits, site plans and subdivision plats) to the Planning Commission upon receipt, but would rather give the Director of Neighborhood Development Services and City Council the ability to hold off on referring the item to the Commission. The additional time in the process would be used for potential work sessions on the project with the Planning Commission, a mandatory community meeting arranged by the applicant, and staff review that could result in a request for additional information from the applicant in order to better explain their request.

At their May 12, 2015 meeting, the Planning Commission recommended changes to the development review process to City Council. At their meeting on June 1, 2015, City Council reviewed the proposed changes and expressed concern about the provision that would permit the Director of NDS to waive the requirement. Council directed staff to draft a document that would provide further guidance to the Director of NDS and staff about when it may be appropriate to waive the public meeting requirement.

The Planning Commission held a joint public hearing with City Council on this matter at their meeting on May 12, 2015. Two members of the public spoke at the meeting. The first speaker expressed concern with the amount of staff time necessary to implement the changes, while recommending that staff be responsible for arranging the public meetings. The speaker also questioned the City's legal authority to require a meeting with neighborhoods on by-right projects.

The second speaker noted that the site plan conferences the City currently hosts are held during typical work hours, making attendance difficult for some citizens. The speaker also noted that the additional meetings, especially for site plans, would require many more night meetings for staff to attend.

Policy Summary

Staff divided the applications subject to the new public meeting requirement into three categories:

- The first category is for applications where the Director would not waive the public meeting requirement under any circumstances.

- The second category is for applications where the assumption is that the public meeting would be held, unless the Director specifically decides to waive the requirement
- The third category is for applications where the assumption is that the public meeting would NOT be held, unless the Director specifically directs staff to hold a public meeting.

Commissioner Green asked if staff has to provide the meeting space.

Ms. Creasy said the code changes don't necessarily denote that. If it is going to be a neighborhood meeting, it makes a lot more sense to have something that is nearer to the neighbors. She said we are setting it up to where the materials come in but the application is not referred a completed application until you have the documentation that you have met that meeting requirement. The applicant should invite us to the meeting but if staff is unable to go then information can be provided to complete the application that they are submitting.

Commissioner Keller asked where this would fall in the timing, before or after the preliminary discussion.

Ms. Creasy said they wouldn't have a completed application until after that had come forward.

Ms. Robertson said that could be a little bit flexible. What they can't do until they have the meeting is get on a public hearing agenda. She said you will not be put on a public hearing schedule until you have this meeting completed.

Chairman Santoski said he has heard enough times from people around the city that the first time they heard of the item was at the public hearing. There is no guarantee that at the public hearing what was seem prior is what you are going to get. He said having applicants sit down and talk to the neighborhood association may extend it a bit, and the director should have as much flexibility as they have but we have to be careful of the people who come up and say we wish we had a chance to ask a few questions.

Commissioner Keesecker said other than good communication, what is the impetus behind major subdivisions that are by-right in this community meeting. He said it is a lot to come here with a rezoning application but you might be able to go to a community meeting and say we are thinking about 60 apartment units on the side of a hill and say "what do you guys think."

Commissioner Green said people ask her all of the time, why do the developers run this town?

Ms. Robertson said we will have to have policies and set standards for the meetings and it will take additional staff time. Somebody will mostly likely be invited and they will want somebody to be there. Council wanted some reassurance that there was a policy that said

to the public that we still want the director to have some discretion but we want some reassurance to the public that certain things will always be given a review. They wanted you to look at this policy to determine when waivers can be granted in reasonable circumstance.

Mr. Ikefuna said the concerned raised by Commissioner Green is in order because he thinks this process will give the neighborhood representatives and the residents the opportunity to say we took a look at this project and here are our concerns. He said in most cases, a very smart developer responds to the needs of the community.

Chairman Santoski said he thought after two years, Council should come back and review this again.

After a major discussion, the Commission decided to send the Development Review Process Policy to Council for review.

Commissioner Green moved to approve and send the attached memo (Development Review Process Policy) to Council to be reviewed in two years, Seconded by Commissioner Lahendro, motion passes 4-2 (Commissioners Keesecker and Rosensweig opposed)

Commissioner Keesecker motion to adjourn until the 2nd Tuesday in October.

Adjournment: 10:15

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



**REQUEST FOR A ZONING TEXT AMENDMENT
ZT15-00007: WEST MAIN STREET MIXED-USE CORRIDORS
AMENDMENT**

PLANNING COMMISSION REGULAR MEETING

DATE OF PLANNING COMMISSION MEETING: OCTOBER 13, 2015

Author of Staff Report: Carrie Rainey

Date of Staff Report: October 1, 2015

Applicable City Code Provisions: §34-41 (Amendments to the Zoning Ordinance), §34-616 through §34-635 (West Main Street North Corridor “WMN”), §34-636 through §34-655 (West Main Street South Corridor “WMS”), §34-796 (Use matrix- Mixed use corridor districts), §34-1101 (Appurtenances), and §34-1200 (Definitions).

Executive Summary

These proposed zoning text amendments would amend the West Main Street North Corridor district and West Main Street South Corridor district, the corresponding use matrix for these districts, the zoning code section pertaining to building appurtenances, modify the definition of building height, and add the definition of “build-to-zone” to the zoning code.

Background

West Main Street is a dynamic corridor that is experiencing an influx of new development and redevelopment/revitalization of existing structures. Over the past few years, there have been a number of development projects both proposed and constructed along West Main Street, particularly west of the Bridge. Many of these developments have been designed to maximize height and bulk. Of the developments constructed along the corridor, many have been perceived by the public as too large, too tall, lacking in open spaces and character, and not compatible with adjacent streets and neighborhoods.

West Main Street is comprised of an eclectic mix of buildings, where the pattern of development occurring east of the bridge is of smaller scale than the pattern of development on the west side. West of the bridge, newer buildings, such as the University of Virginia Children's Hospital and The Flats residential building, are taller and larger in scale compared to their historic and contributing neighbors. East of the bridge, more historic and contributing buildings, comprised of 1-2 story businesses and restaurants, have survived, creating a lower skyline. Buildings provide an important "structure" to the public realm of the street.

The West Main Street corridor is currently comprised of two zoning districts-- the north side of West Main Street falls within the "West Main Street North Corridor" (WMN) and the south side falls within the "West Main Street South Corridor" (WMS). Both districts include minimum heights of 40' for new development but the districts vary in maximum height allowance. The maximum height of buildings is taller on the south side of the street at 70', and up to 101' with a Special Use Permit (SUP). The north side of the street includes a minimum height of 40' with a maximum height of 60', and up to 70' with a SUP.

West Main Street is an Architectural Design Control District (ADC) due to its unique architectural and historic value. All properties are subject to review by the Board of Architectural Review (BAR) for any exterior construction, reconstruction, alteration, or restoration (see Section 34-275- *Certificates of appropriateness; construction and alterations* of the City Code of Ordinances for more information). In addition, no contributing structure may be demolished without BAR approval (see West Main Street Zoning Map). The ADC Guidelines, last amended on December 2, 2013, assist applicants with creating appropriate designs for projects in the corridor. The BAR utilizes the guidelines and has the discretion to determine if proposed projects are appropriate in context and detail. Under the proposed zoning amendments, review by the BAR will remain as it is today.

In addition to BAR guidance, zoning is a tool often used by communities to help guide and manage development. The proposed zoning amendments seek to alleviate the concerns revolving around development in the West Main corridor by establishing clear building envelopes, reducing allowable heights, and encouraging adaptive reuse of existing buildings with reductions in parking requirements.

The Planning Commission held a preliminary discussion on the proposed West Main Street zoning code changes on August 11th, 2015. The report presented to the Commission on that date can be viewed at <http://www.charlottesville.org/index.aspx?page=3657>

Standard of Review

As outlined in Section 34-42 of the Zoning Ordinance, the Planning Commission shall review and study each proposed amendment to determine:

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan;
2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
3. Whether there is a need and justification for the change; and
4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the purposes district classification.

Discussion

This section provides highlights of the proposed changes to the zoning code. The draft changes to the zoning code, use matrix, and zoning map are attached to this report.

Zoning Districts

Through community input and analysis, it was determined that the development character along West Main Street changes along the corridor east/west more than north/south. The railroad bridge at the mid-point between downtown and The University of Virginia demarcates an approximate dividing line between larger and smaller scale structures on West Main Street.

See proposed update to Section 34-541 and proposed Zoning Map amendment.

Buildable Envelope

Height- Building height is a major concern of residents, particularly those living adjacent to proposed developments. The West Main Street corridor lies within the greater context of residential areas comprised of shorter-height houses, townhouses and apartments. West Main Street lies on a ridge that transitions to lower residential neighborhoods, which compounds the issue of height for proposed development along the corridor. In addition, a consistent theme of public comment on the project is the concern regarding the “canyon” feeling that is being created on West Main Street itself through the construction of tall buildings.

The proposed code changes include the reduction of allowable heights to a maximum height of 75 feet in West Main Street West and 52 feet in West Main Street East with no allowances for additional height through special use permit. Currently, a height of up to 101 feet is allowed in West Main Street South

with special use permit (70 feet allowed by-right), and 70 feet allowed in West Main Street North with special permit (60 feet allowed by-right). In addition, the minimum required height for both proposed zoning districts is 35 feet with a minimum first floor height of 15 feet (with all other floors being a minimum of 9 feet), while the existing required minimum height is 40 feet with a minimum of two interior floors for both existing zoning districts.

See proposed update to Sections 34-617 and 34-637.

Economic Vitality- The proposed code changes include a reduction in maximum allowable height for the West Main Street corridor, as described above. An economic analysis was performed by Robert Charles Lessors & Company (RCLCO) Real Estate Advisors to study the impact of this change on economic vitality of the corridor. The RCLCO analysis found that the reduction in height would not generate a net adverse fiscal impact. This analysis was performed on three sites in the corridor, chosen for both their redevelopment potential and location on West Main Street (locations of varying topography).

See proposed update to Sections 34-617 and 34-637.

Setback- The existing code requires 75 percent of a building in West Main Street North to be located at the property line along a primary street, with the remaining 25 percent set back no more than 12 feet. The existing code also requires buildings within West Main Street South to be within 15 to 20 feet of the property line along a primary street. The proposed code changes for both new districts specify a setback of 10 to 20 feet with at least 80 percent of the building within the build-to-zone along a primary street. The proposed code changes encourage street activation by providing space for outdoor seating and other activities, as well as plantings and bio-retention areas.

See proposed update to Sections 34-618 and 34-638.

Mass- Residents within adjacent residential neighborhoods are concerned about new developments that “tower” over their neighborhoods. Existing zoning does not transition to residential neighborhoods that have lower height limits. The proposed code changes include a bulk plane component that requires buildings to step down in height adjacent to other zoning districts to match the maximum allowable height in the adjacent district. In addition, a setback requirement is proposed for both proposed zoning districts that requires a minimum setback of 10 feet at 40 feet of height along any street. Currently, the setback requirement for both existing zoning districts begins at 60 feet in height.

See proposed update to Sections 34-618, 34-619, 34-638, and 34-639.

Building Width- Per request of Council, staff has added a section of code limiting allowable building width before a differentiation is required. Staff has provided language that is not detailed to allow the Board of Architectural Review (BAR) flexibility in determining what constitutes an adequate break based on building context. The proposed code changes state *the apparent mass and scale of each building over two-hundred (200) feet wide shall be reduced through the use of façade modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the*

character of the district. Additional options include requiring an inset at a maximum spacing, or requiring different materials at a maximum spacing. However, these options may not achieve the desired results and limit the BAR's ability to require changes from applicants.

Does the Planning Commission agree with the staff proposed approach in the code draft?

See proposed update to Sections 34-618(c) and 34-838(c).

Appurtenances- The allowance for habitable appurtenances also contributes to building heights inappropriate to the scale and character of the corridor and adjacent districts. Current zoning code allows up to 25% of the roof area to contain an appurtenance. It has been noted in community engagement sessions that developers tend to use the appurtenance space as habitable and may consider it guaranteed "bonus" space for buildings. The definition for appurtenance in Section 34-1200 states an appurtenance is incidental to a building. Staff believes habitable space is not considered incidental, and therefore should no longer be allowed. The proposed code changes remove the ability for appurtenance space to be habitable. The proposed code change also includes the addition of elevator shafts and mechanical equipment in the list of appurtenances to provide additional clarity.

See proposed update to Section 34-1101.

Parking

Bicycle Parking- The existing zoning does not require accommodation of bicycle parking through its parking requirements. Providing requirements for bicycle parking will help encourage the use of alternative transportation for visitors and residents of new developments. The current proposed code changes include bicycle parking requirement calculations proposed by the consultant team from the West Main Street project. Per the request of the Planning Commission, staff has conducted further research into bicycle parking requirement guidelines. Staff recommends that the Planning Commission consider the guidelines on the following page from the Association of Pedestrian and Bicycle Professionals (APBP).

APBP Bicycle Parking Requirement Guidelines

Use	Long Term Spaces Required	Short Term Spaces Required
General retail	1 space per 10,000 square feet of floor area, 2 minimum	1 space per 5,000 square feet of floor area, 2 minimum
Office	1.5 spaces per 10,000 square feet of floor area, 2 minimum	1 space per 20,000 square feet of floor area, 2 minimum
Off-street parking lots and garages available to the general public either without charge or on a fee basis	1 space per 20 auto spaces, minimum requirement is 2 spaces. Unattended lots excepted	1 space per 10 auto spaces or minimum requirement is 6 spaces. Unattended lots excepted
Single family dwelling	No spaces required	No spaces required
Multi-family dwelling with private garage for each unit	No spaces required	0.1 space per bedroom, 2 minimum
Multifamily dwelling without private garage	0.5 spaces per bedroom, 2 minimum	0.1 space per bedroom, 2 minimum
Senior housing	0.5 spaces per bedroom, 2 minimum	0.1 space per bedroom, 2 minimum
General food sales and groceries	1 space per 10,000 square feet of floor area, 2 minimum	1 space per 2,000 square feet of floor area, 2 minimum
Non-assembly cultural (library, government buildings, courts, etc.)	1.5 spaces for each 10 employees, 2 minimum	1 space per 8,000 square feet of floor area, 2 minimum
Assembly (houses of worship, theater, auditorium, outdoor assembly, etc.)	1.5 spaces for each 20 employees, 2 minimum	Spaces for 5% of maximum expected daily attendance
Health clinic/hospitals	1.5 spaces for each 20 employees or 1 space per 50,000 square feet of floor area, whichever is greater, 2 minimum	1 space per 20,000 square feet of floor area, 2 minimum
Public, parochial, and private day care centers for 15 or more children	1.5 spaces for each 20 employees, 2 minimum	1 space for each 20 students of planned capacity, 2 minimum
Public, parochial, and private nursery schools, kindergartens, and elementary schools (1-3)	1.5 spaces for each 10 employees, 2 minimum	1.5 space for each 20 students of planned capacity, 2 minimum
Public, parochial, and private elementary schools (4-6), junior high, and high schools	1.5 spaces for each 10 employees plus 1.5 spaces per each 20 students of planned capacity, 2 minimum	1 space for each 10 students of planned capacity, 2 minimum
Transit facility	Spaces for 7% of projected a.m. peak period daily ridership	Spaces for 2% of a.m. peak period daily ridership

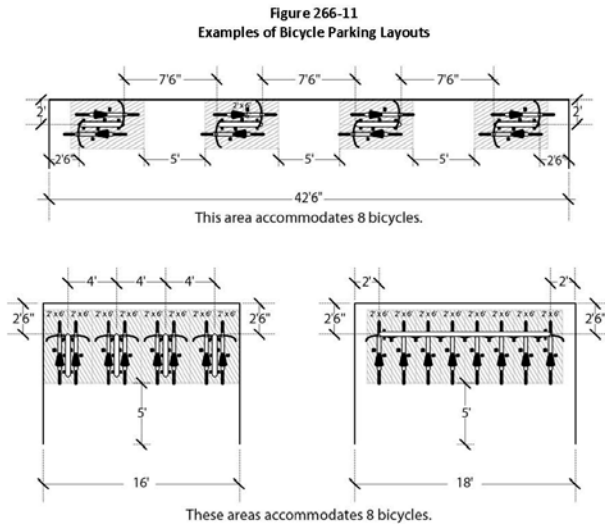
Several key differences exist between the currently proposed bicycle parking requirement calculation system and the system recommended by APBP.

1. System of calculation: The currently proposed code uses a system of percentages to designate long term vs. short term spaces within a total required amount. The APBP guidelines calculate long term and short term spaces separately based on floor area by use and require a minimum of 2 spaces. Calculating short term and long term spaces separately removes the need for proposed Sections 34-624(a)(2) and 34-644(a)(2) that allow the director of neighborhood development services to determine the appropriate percentages to be applied to short term and long term in cases where less than one full space is designated for long term parking.
2. System of uses: The currently proposed code utilizes a system of general categories in which staff would determine how a specific use is considered. The APBP system provides more detailed categories that may provide more clarity during site plan review. Staff has noted the following considerations:
 - a. Office and general retail uses are not specifically called out in the currently proposed code. Staff believes that adding these uses into the bicycle parking requirements as individual items is appropriate.
 - b. Staff believes the addition of off-street parking lots and garages to the bicycle parking requirements is a valuable addition to provide.
 - c. While the current code draft includes lodging, the APBP guidelines do not. Staff recommends adding Lodging (hotel, motel) to the standards provided from APBP above, or modifying the requirement in the currently proposed code. Staff believes the standards recommended in the currently proposed code are unrealistically high and should be modified. Alexandria, Virginia requires bicycle parking for lodging uses to be 10% of the required automobile parking. Staff believes this is an appropriate calculation for the West Main Street corridor as well. Staff recommends the bicycle parking for lodging be 100% long term. Associated uses such as restaurants or retail will be required to provide short term parking according to the standards.

Please note the following considerations when considering bicycle parking requirements:

1. The current code draft generally identifies residential use as requiring bicycle parking. While this may make sense in a corridor such as West Main Street wherein the majority of residential uses will be multi-family. However, should these standards for bicycle parking be applied citywide, staff recommends the requirements be modified to exempt single family, two family, and multi-family units with private garages from a required minimum amount of long term bicycle parking. Alternatively, the Planning Commission may wish to consider uses not particularly relevant to the West Main Street corridor at such a time that the bicycle parking standards are applied citywide.
2. Additional requirements regarding location of bicycle parking has been added to the proposed code draft to ensure the provided parking is usable, currently Sections 34-624(b)(3) and 34-644(b)(3). The additional requirement focuses on placement of racks in relationship to vertical surfaces to ensure racks are accessible and a typical bicycle can fit in the parking space.

- The Planning Commission may wish to consider the addition of example bicycle parking layout graphics to aid applicants during design. If included, staff recommends the addition of language specifying the graphics as example layouts and not the only option in meeting the requirements of the code. The following example image is found in the Portland, Oregon code of ordinances.



See proposed Sections 34-624 and 34-644.

Which system of bicycle parking calculations does the Planning Commission want to move forward (long term and short term calculated separately, or as percentages of a total requirement)?

Which system of use designation does the Planning Commission want to move forward (simplified categories, or a more detailed system)? Do Planning Commissioners agree it is best to create a comprehensive bicycle parking requirement system that could be applied citywide at this time, or to focus on uses generally associated with West Main Street?

Does the Planning Commission agree with the additional language staff has added to the proposed code draft regarding bicycle parking location in Sections 34-624(b)(3) and 34-644(b)(3)?

Does the Planning Commission want to include graphics to illustrate potential bicycle parking layouts to provide clarity in the new code sections?

Adapted Retail Spaces- In addition to requiring bicycle parking, modifying requirements for parking with small retail uses, whether existing or proposed, will encourage vibrancy and adaptive re-use on the corridor.

See proposed Sections 34-623 and 34-643.

Uses

District Orientation- The reorientation of the zoning districts from north-south to east-west requires changes to the Use Matrix in Section 34-796. The existing West Main Street South (WMS) allows more height than West Main Street North (WMN), as the proposed West Main Street West (WMW) allows more height than West Main Street East (WME). Staff proposes uses that are currently found in WMS but not WMN be allowed in WMW but not WME.

On May 18th, 2015, Council requested the site collectively known as the Amtrak site (808-840 West Main Street) be placed in the West Main Street East (WME) district. The Planning Commission did not reach consensus on which new zoning district the site should be placed within at the August 11th, 2015 discussion.

See proposed additions to Section 34-796 and proposed zoning map.

What zoning designation would the Planning Commission propose to apply to the Amtrak site?

First Floor Residential- The proposed form based code provided by the consultant team allows for residential use on the first floor if adequate story height is met to ensure the potential for re-use of the space as commercial if desired in the future. The existing code does not allow ground floor residential uses (see Sections 34-619 and 34-640 of the existing code, included in the proposed code attachment). Staff has suggested the consideration of amending the existing code to allow for ground floor residential with a minimum story height (which is shown in the proposed code in Sections 34-617(b) and 34-637(b)). The Planning Commission did not reach consensus on this topic at the August 11th, 2015 discussion. These sections of code are in the draft code sections as they exist today in the adopted code. The restriction on first floor residential use can be removed from the draft code sections if desired. In addition, the code may be modified to allow residential uses on the first floor of buildings with more than one street frontage, providing the residential floor area does not front on West Main Street.

Does the Planning Commission want to allow first floor residential? If so, are any restrictions to placement desired?

Does the Planning Commission want to retain the floor height minimums currently shown in the proposed code?

Staff Analysis

Conformity to the Comprehensive Plan

Proposed changes are in conformity with the Comprehensive Plan in the following areas:

Land Use

1.1: Examine opportunities in the West Main/Ridge McIntire area.

- 2.1:** When considering changes to land use regulations, respect nearby residential areas.
- 2.3:** Encourage small businesses that enhance existing neighborhoods and employment centers.
- 5.4:** Update the zoning ordinance as needed so that it complements the City’s design guidelines and is sensitive to the history of the community. Provide for the protection of valuable historic resources.
- 5.5:** Revise the Future Land Use Map so that it represents the desired vision for the City’s future. Pay special attention to increasing the supply of affordable housing, increasing employment opportunities for all citizens, and encourage the development of mixed income neighborhoods throughout the City.

Economic Sustainability

- 3.3:** Encourage the development of the City’s key commercial corridors and surrounding sites (such as West Main Street, Preston Avenue and Cherry Avenue).
- 3.6:** Align zoning ordinances to facilitate economic activity in new areas of commercial opportunity identified in the updated future land use map.
- 3.4:** Proactively participate in planning and development studies such as the Small Area Plans, particularly as they relate to economic development opportunities in strategic areas throughout the City.
- 3.7:** Work to ensure that newly aligned City ordinances and regulations balance the need to promote development opportunities and competing interests.

Transportation

- 2.7:** Encourage businesses to provide on-site amenities such as transit shelters and bicycle storage (racks/lockers) to promote alternative transit for their workers.

Historic Preservation and Design

- 1.2:** Promote Charlottesville’s diverse architectural and cultural heritage by recognizing, respecting, and enhancing the distinct characteristics of each neighborhood.
- 5.2:** Recognize and respect cultural values and human resources, as well as built resources within the City’s older neighborhoods.
- 5.3:** Identify opportunities to increase intensity of use and flexibility of design in targeted areas to allow for more vibrancy and creative reuse of existing buildings.

Intent of the Zoning Ordinance and General Welfare of the Community

This change will modify the zoning ordinance sections related to the West Main Street corridor to better align with the community vision for the corridor. The community vision was established through a series of public meetings focused on the study of West Main Street in regards to streetscape, travel configurations, building envelopes and the corridor’s relationship to adjacent districts.

Need and Justification for Ordinance Change

Through the public engagement process associated with the West Main Street plan, many participants noted that the “eclectic mix” of buildings and “small town” character of West Main Street should be retained. Factors that contribute to this characteristic include the height and mass of existing buildings, as well as the relationship between buildings and the street. The relationship between existing development and larger proposed, new development should be compatible to ensure that the community vision of West Main Street is retained. Many of the new developments along the corridor have been perceived by the public as too big, too tall, lacking in open spaces and character, and not compatible with adjacent streets and neighborhoods. The changes outline in the **Discussion** section of this report address community concerns and modify the West Main Street corridor districts to alleviate these concerns.

Effect on Property, Public Services and Facilities

These changes do not affect public services and facilities within the City.

Public Comment

The following information outlines specific opportunities provided for the public to provide comment on desires for land use, building height and bulk, density, and other zoning factors. A detailed account of comments received is included as an appendix to this report.

Input Gathered for Project Website

Many visitors to the gowestmain.com website provided feedback through the website comment feature. While many comments were focused on the streetscape concept component of the plan, several comments received focused on the proposed zoning changes to West Main Street.

Input Gathered During Public Meetings

Many participants in the public meetings provided specific comments to staff during or subsequent to the public meetings held on the Streetscape Plan and urban design analysis related to the recommended zoning changes. Public meetings were held on:

December 7th 2013

February 22nd 2014

August 5th 2014

Input Gathered During Focus Group Meetings

On December 5th and 6th of 2013, the consultants met with several focus groups that included foundations, community representatives, City committees, business owners, developers, land owners, and City staff to discuss opportunities and concerns for the West Main Street corridor.

Input Gathered During Form Based Code Work Sessions

On March 17th 2015, the consultants met with several focus groups that included the West Main Street Steering Committee, Council, the Planning Commission, PLACE Design Taskforce, Board of Architectural Review, Bicycle and Pedestrian Advisory Committee, Tree Commission, Midtown Business Association, CAT Advisory Committee, and the public to discuss the form based code proposed by the consultant team. Several components of the form based code are included in the currently proposed code amendments under review at this time.

Input Gathered During Council Meetings

Council discussed the proposed code amendments twice before directing the Planning Commission to initiate a study. At both meetings, citizens spoke during Matters from the Public regarding the proposed West Main Street code amendments. These Council meetings were held on:

May 18th 2015

June 15th 2015

Input Gathered During Planning Commission Meeting

The Planning Commission previously discussed the proposed code amendments for West Main Street at the **August 11th 2015** meeting. During Matters from the Public, comment on the proposed code amendments was provided by a representative from Southern Environmental Law Center.

Staff Recommendations

The Planning Commission should recommend the following to City Council:

1. A course of action regarding building width specification, bicycle parking requirements, and the allowance for first floor residential. The Planning Commission may recommend the zoning amendment as it is currently drafted, recommend the incorporation of changes outlined in this memo, or recommend an alternative action.
2. The amendment of Zoning Ordinance Sections 34-616 through 34-655 (West Main Street corridors), Section 34-796 (Use matrix- Mixed use corridor districts), Section 34-1101 (Appurtenances), and Section 34-1200 (Definitions) of the Zoning Ordinance with any modifications determined under item 1 to ensure development in the West Main Street corridor aligns with community values and harmonizes with adjacent districts.

Suggested Motion

1. Based on a finding that the proposed zoning text amendments will serve the public necessity, convenience, general welfare, or good zoning practice. I move to recommend approval of a zoning text amendment as proposed to Sections 34-616 through 34-655 (West Main Street corridors), Section 34-796 (Use matrix- Mixed use corridor districts), Section 34-1101 (Appurtenances), and Section 34-1200 (Definitions) of the Zoning Ordinance with the following modifications:
 - a.
 - b.
 - c.

Attachments

Proposed Zoning Amendments for §34-616 through §34-635 (West Main Street North Corridor “WMN”), §34-636 through §34-655 (West Main Street South Corridor “WMS”), §34-1101 (Appurtenances), and §34-1200 (Definitions).

Proposed Use Matrix Amendments for §34-796 (Use matrix- Mixed use corridor districts)

Proposed Zoning Map Amendment

Public Input Memorandum

WEST MAIN STREET PROPOSED CODE CHANGES

October 13th, 2015 Planning Commission Public Hearing

Black text: Proposed changes

Grey text: Existing code

CHAPTER 34

ARTICLE VI

DIVISION 1. – GENERAL

Sec. 34-541. - Mixed use districts—Intent and description.

(4) *West Main Street West Corridor*. The land use and lots on West Main Street west of the railroad bridge are generally larger in size than those east of the bridge. The West Main West district is established to provide the opportunity for large-scale redevelopment with respect to established patterns of commercial and residential development along West Main Street and neighborhoods in close proximity. Within this district, one of the primary goals is to provide a walkable, mixed use “main street” setting that encourages vibrant pedestrian activity. The following streets shall have the designations indicated:

- (a) Where only one street abuts a lot, that street is considered the primary street.
- (b) Where more than one street abuts a lot, the following are considered primary streets:
 - (1) West Main Street
 - (2) Roosevelt Brown Boulevard
 - (3) Jefferson Park Avenue
 - (4) Wertland Street
 - (5) 10th Street NW
- (c) Where a lot with multiple street frontages on the primary streets listed in section (b) exists, each frontage is considered a primary street.
- (d) Where a lot has multiple street frontages, streets not listed in section (b) above will be considered a linking street.

(5) *West Main Street East Corridor*. The land use and lots on West Main Street east of the railroad bridge are smaller than those west of the bridge, containing existing buildings

(including historic buildings) that have been renovated to accommodate modern commercial uses. Established buildings are located in close proximity to the street on which they front, and one of the primary goals of this district is to provide a walkable, mixed use “main street” setting that encourages vibrant pedestrian activity. Within the West Main Street East district, the following streets shall have the designations indicated:

- (a) Where only one street abuts a lot, that street is considered the primary street.
- (b) Where more than one street abuts a lot, the following are considered primary streets:
 - (1) West Main Street
 - (2) Commerce Street
 - (3) South Street
 - (4) Ridge Street
 - (5) 7th Street SW
 - (6) 4th Street NW
- (c) Where a lot with multiple street frontages on the primary streets listed in section (b) exists, each frontage is considered a primary street.
- (d) Where a lot has multiple street frontages, streets not listed in section (b) above will be considered a linking street.

DIVISION 5. – REGULATIONS – WEST MAIN STREET WEST (“WMW”)

Sec. 34-617. – Height regulations.

- (a) The height regulations shall apply to buildings and structures within the West Main Street West Corridor district:
 - (1) Minimum height: 35 feet
 - (2) Maximum height: 75 feet
- (b) The floor height minimums shall apply to buildings within the West Main Street West Corridor district:
 - (1) Minimum first floor height: 15 feet, measured from floor surface to ceiling
 - (2) Minimum height for all other floors: 9 feet, measured from floor surface to ceiling

Sec. 34-618. – Streetwall regulations.

- (a) Setbacks shall be required, as follows:
 - (1) *Primary street frontage*: Ten (10) feet minimum; twenty (20) feet maximum. At least eighty (80) percent of the building façade width of a building must be in the build-to zone adjacent to a primary street.

- (2) *Linking street frontage*: Five (5) feet minimum; twelve (12) feet maximum. At least forty (40) percent of the building façade width of a building must be in the build-to zone adjacent to a linking street.
- (3) *Side and rear setback, adjacent to any low density residential district*: Twenty (20) feet, minimum.
- (4) *Side and rear setback, adjacent to any other zoning district*: None required.

(b) Stepback requirement.

The maximum height of the streetwall of any building or structure shall be forty (40) feet. At the top of the streetwall height, there shall be a minimum stepback of ten (10) feet.

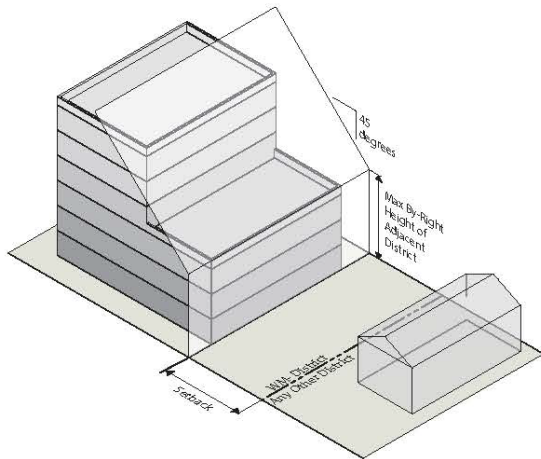
(c) Building width requirement.

The apparent mass and scale of each building over two-hundred (200) feet wide shall be reduced through the use of façade modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the character of the district. This determination shall be made by the Board of Architectural Review through the Certificate of Appropriateness process.

Sec. 34-619. – Bulk plane and buffer.

(a) Bulk plane.

- (1) To promote building massing compatible with adjacent districts, a bulk plane shall apply where a lot in the West Main Street West district abuts any other zoning district. No building may extend into a 45 degree angular plane projecting above the lot measured at the interior edge of any required setback, starting at a height equal to the maximum allowed height in the adjacent zoning district.
- (2) The bulk plane ends at each lot line adjacent to a street right-of-way.



(b) Buffer.

Along the frontage with any low density residential district, side and rear buffers shall be required, ten (10) feet, minimum, consisting of an S-1 type buffer (refer to section 34-871).

Sec. 34-620. - Mixed-use developments—Additional regulations.

No ground floor residential uses or parking garage, other than ingress and egress to the garage, may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one (1) primary street. Under no circumstances, however, shall any ground floor residential uses front on West Main Street.

Sec. 34-621. - Density.

Residential density shall not exceed forty-three (43) DUA; however, up to two hundred (200) DUA may be allowed by special use permit.

Sec. 34-622. - Additional regulations.

Developments that occupy an entire city block shall provide courtyards and plazas accessible from adjacent public rights-of-way.

Sec. 34-623. – Parking requirements adjustment.

Article VIII, Division 3, Off-Street Parking and Loading, applies, except that:

- (1) Parking lot buffers are required only along the edge(s) of a low density district.
- (2) No parking is required for any retail use having less than 5,000 square feet in floor area.

Sec. 34-624. – Bicycle parking requirements.

Bicycle parking spaces shall be required for new buildings and developments, the addition of new enclosed floor area to an existing building, and for any change in use of any building.

(a) Required bicycle spaces.

(1) Bicycle space requirements by use.

Use	Spaces Required	Short-Term/Long-Term
Residential	0.5 per unit	80%/20%
Public/Institutional	1 per 5,000 SF, 2 min	90%/10%
Food and drink service	1 per 2,500 SF, 2 min	80%/20%
Lodging	0.5 per guest room	80%/20%
All other commercial and industrial uses	1 per 2,500 SF, 2 min	80%/20%

(2) In developments wherein the requirements listed in Section 34-624(a)(1) result in less than one full bicycle parking space being required for long term parking, the director of neighborhood development services may determine the appropriate percentages of short-term and long-term spaces to be applied to the development.

(b) Location of bicycle parking.

- (1) Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.
- (2) Bicycle parking spaces must be a minimum of two (2) feet by six (6) feet. There must be an access aisle a minimum of 3 feet in width.
- (3) Bicycle parking spaces must be placed at least three (3) feet from all vertical surfaces.
- (4) Each required bicycle parking space must be accessible without moving another bicycle, and its placement must not result in a bicycle obstructing a required walkway.
- (5) Up to 25% of bicycle parking may be structured parking, vertical parking or wallmount parking, provided there is a 5-foot access aisle for wall mount parking.
- (6) All racks must accommodate cable locks and "U" locks, must permit the locking of the bicycle frame and one wheel to the rack, and must support a bicycle in a stable position.

(c) Short-term bicycle parking.

Required short term parking should be visible from nearby bikeways and conveniently located to the main building entrance, no further than 50 feet. Short-term bicycle parking must meet all other applicable design standards of the City.

(d) Long-term bicycle parking.

- (1) Required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather, and must be accessible to intended users.
- (2) Required long-term bicycle parking for residential uses may be located within dwelling units or within deck, patio areas or private storage areas accessory to dwelling units if documented and approved by the director of neighborhood development services.
- (3) With permission of the director of neighborhood development services, long-term bicycle parking spaces for nonresidential uses may be located off-site within 300 feet of the site. The off-site parking distance is measured in walking distance from the nearest point of the remote parking area to the closest primary entrance of the use served.

Secs. 34-625—34-635. - Reserved.

DIVISION 6. – REGULATIONS – WEST MAIN STREET EAST (“WME”)

Sec. 34-637. – Height regulations.

(a) The height regulations shall apply to buildings and structures within the West Main Street East Corridor district:

- (1) Minimum height: 35 feet
- (2) Maximum height: 52 feet

(b) The floor height minimums shall apply to buildings within the West Main Street East Corridor district:

- (1) Minimum first floor height: 15 feet, measured from floor surface to ceiling
- (2) Minimum height for all other floors: 9 feet, measured from floor surface to ceiling

Sec. 34-638. – Streetwall regulations.

(a) Setbacks shall be required, as follows:

- (1) *Primary street frontage*: Ten (10) feet minimum; twenty (20) feet maximum. At least eighty (80) percent of the building façade width of a building must be in the build-to zone adjacent to a primary street.
- (2) *Linking street frontage*: Five (5) feet minimum; twelve (12) feet maximum. At least forty (40) percent of the building façade width of a building must be in the build-to zone adjacent to a linking street.
- (3) *Side and rear setback, adjacent to any low density residential district*: Twenty (20) feet, minimum.
- (4) *Side and rear setback, adjacent to any other zoning district*: None required.

(b) Stepback requirement.

The maximum height of the streetwall of any building or structure shall be forty (40) feet. At the top of the streetwall height, there shall be a minimum stepback of ten (10) feet.

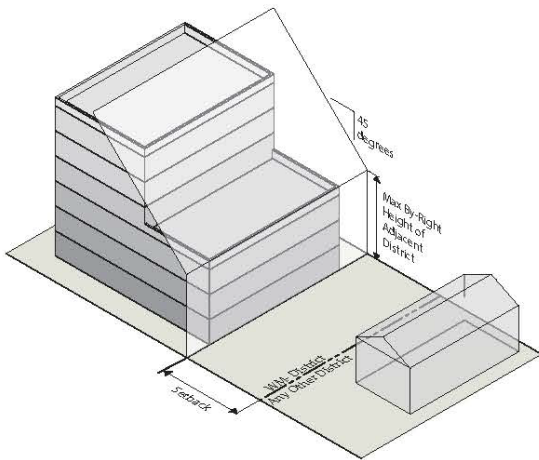
(c) Building width requirement.

The apparent mass and scale of each building over two-hundred (200) feet wide shall be reduced through the use of façade modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the character of the district. This determination shall be made by the Board of Architectural Review through the Certificate of Appropriateness process.

Sec. 34-639. – Bulk plane and buffer.

(a) Bulk plane.

- (1) To promote building massing compatible with adjacent districts, a bulk plane shall apply where a lot in the West Main Street East district abuts any other zoning district. No building may extend into a 45 degree angular plane projecting above the lot measured at the interior edge of any required setback, starting at a height equal to the maximum allowed height in the adjacent zoning district.
- (2) The bulk plane ends at each lot line adjacent to a street right-of-way.



(b) Buffer.

Along the frontage with any low density residential district, side and rear buffers shall be required, ten (10) feet, minimum, consisting of an S-1 type buffer (refer to [section 34-871](#)).

Sec. 34-640. - Mixed-use developments—Additional regulations.

No ground floor residential uses or parking garage, other than ingress and egress to the garage, may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one (1) primary street. Under no circumstances, however, shall any ground floor residential uses front on West Main Street.

Sec. 34-641. - Density.

Residential density shall not exceed forty-three (43) DUA; however, up to two hundred (200) DUA may be allowed by special use permit.

Sec. 34-642. - Additional regulations.

Developments that occupy an entire city block shall provide courtyards and plazas accessible from adjacent public rights-of-way.

Sec. 34-643. – Parking requirements adjustment.

Article VIII, Division 3, Off-Street Parking and Loading, applies, except that:

- (1) Parking lot buffers are required only along the edge(s) of a low density district.
- (2) No parking is required for any retail use having less than 5,000 square feet in floor area.

Sec. 34-644. – Bicycle parking requirements.

Bicycle parking spaces shall be required for new buildings and developments, the addition of new enclosed floor area to an existing building, and for any change in use of any building.

(a) Required bicycle spaces.

- (1) Bicycle space requirements by use.

Use	Spaces Required	Short-Term/Long-Term
Residential	0.5 per unit	80%/20%
Public/Institutional	1 per 5,000 SF, 2 min	90%/10%
Food and drink service	1 per 2,500 SF, 2 min	80%/20%
Lodging	0.5 per guest room	80%/20%
All other commercial and industrial uses	1 per 2,500 SF, 2 min	80%/20%

(2) In developments wherein the requirements listed in Section 34-644(a)(1) result in less than one full bicycle parking space being required for long term parking, the director of neighborhood development services may determine the appropriate percentages of short-term and long-term spaces to be applied to the development.

(b) Location of bicycle parking.

- (1) Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.
- (2) Bicycle parking spaces must be a minimum of two (2) feet by six (6) feet. There must be an access aisle a minimum of 3 feet in width.
- (3) Bicycle parking spaces must be placed at least three (3) feet from all vertical surfaces.
- (4) Each required bicycle parking space must be accessible without moving another bicycle, and its placement must not result in a bicycle obstructing a required walkway.
- (5) Up to 25% of bicycle parking may be structured parking, vertical parking or wallmount parking, provided there is a 5-foot access aisle for wall mount parking.
- (6) All racks must accommodate cable locks and "U" locks, must permit the locking of the bicycle frame and one wheel to the rack, and must support a bicycle in a stable position.

(c) Short-term bicycle parking.

Required short term parking should be visible from nearby bikeways and conveniently located to the main building entrance, no further than 50 feet. Short-term bicycle parking must meet all other applicable design standards of the City.

(d) Long-term bicycle parking.

- (1) Required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather, and must be accessible to intended users.
- (2) Required long-term bicycle parking for residential uses may be located within dwelling units or within deck, patio areas or private storage areas accessory to dwelling units if documented and approved by the director of neighborhood development services.
- (3) With permission of the director of neighborhood development services, long-term bicycle parking spaces for nonresidential uses may be located off-site within 300 feet of the site. The off-site parking distance is measured in walking distance from the nearest point of the remote parking area to the closest primary entrance of the use served.

Secs. 34-645—34-655. - Reserved.

ARTICLE IX

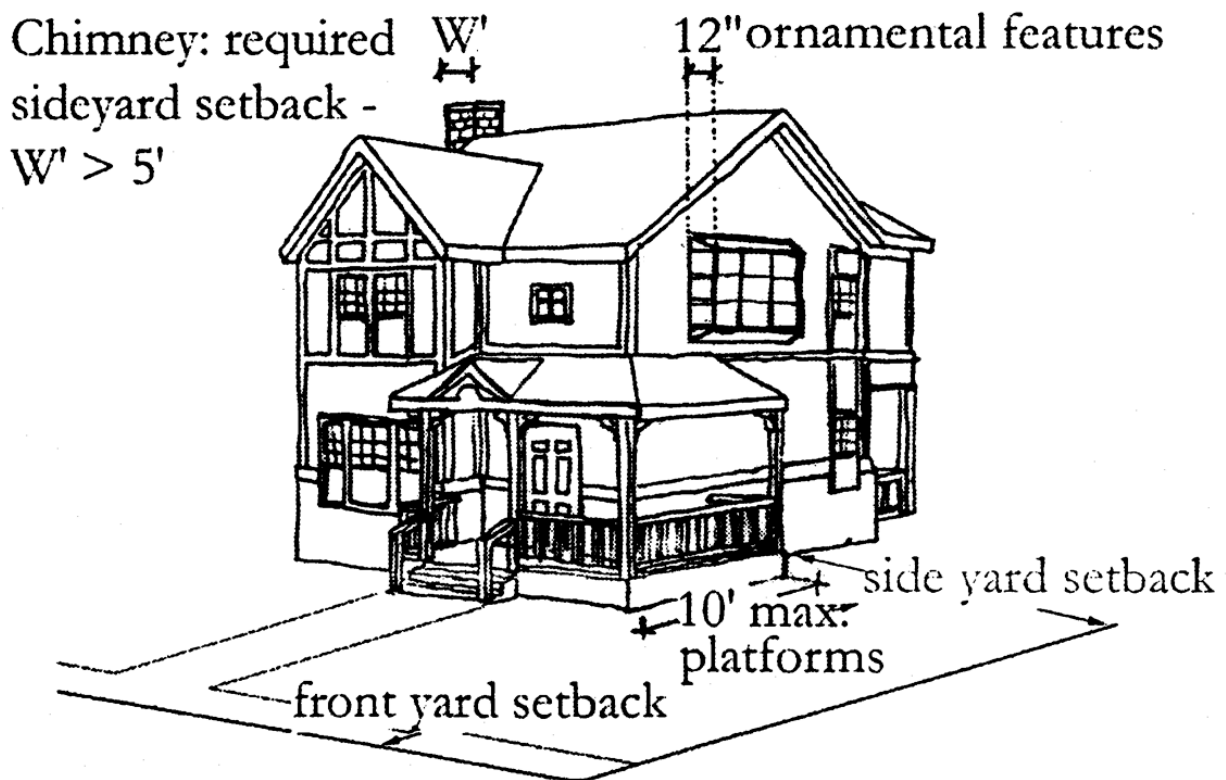
Sec. 34-1101. - Appurtenances.

(a) An appurtenance to a building or structure shall not be counted in measuring the height of a building or structure.

(b) The director of neighborhood development services or planning commission may approve additions of appurtenances to buildings or structures, in excess of the maximum permitted height or roof coverage specified in paragraph (c) below, upon finding that there is a functional need for the appurtenance that cannot be met with an appurtenance having a lesser height, and that visible materials and colors are compatible with the building or structure to which the appurtenance is attached.

(c) No rooftop appurtenance shall: (i) itself measure more than sixteen (16) feet in height above the building, or (ii) cover more than twenty-five (25) percent of the roof area of a building. A roof-top appurtenance may **not** contain useable floor area.

(d) The following appurtenances may encroach into minimum required yards as specified:



Appurtenances

(1) Window sills, roof overhangs, belt courses, cornices and ornamental features may encroach into a required yard by no more than twelve (12) inches,

(2) Open lattice-enclosed fire escapes, fireproof outside stairways, and the ordinary projections of chimneys and flues may encroach into a required rear yard by no more than five (5) feet.

(3) Chimneys or flues being added to an existing building may encroach into a required side yard, but not closer than five (5) feet to the side lot line.

(4) Elevator shafts, and mechanical equipment which is properly screened per Section 34-872- Screening-Specified uses.

(5) Handicapped ramps meeting ADA standards may encroach into a required yard.

(6) Except as otherwise provided above:

(a) Uncovered appurtenances which have a maximum floor height of three (3) feet above the finished grade may encroach into any required yard, but not closer than five (5) feet to any lot line and no more than ten (10) feet into a required front yard; however, no such appurtenance shall occupy more than thirty (30) percent of a rear yard.

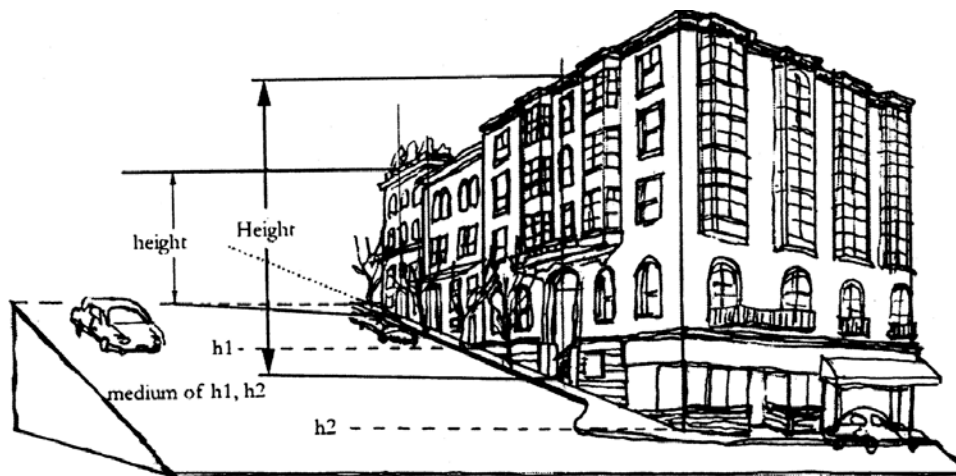
(b) Any appurtenance to a single- or two-family dwelling, having a height greater than three (3) feet above finished grade may encroach into a required front yard by up to ten (10) feet, but no closer than five (5) feet to a front lot line; however, such appurtenance shall be in compliance with the applicable side yard setback;

(c) No enclosed appurtenance, regardless of height (including but not limited to a screened-in porch) shall encroach into any required yard.

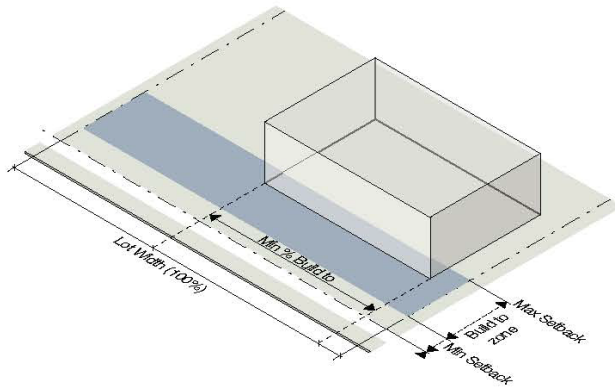
ARTICLE X

Sec. 34-1200. – Definitions.

Building height means the vertical distance measured from the level of the grade of the building footprint to the level of the highest point of the structure's roof surface. This distance is calculated by measuring separately the average height of each building wall, then averaging them together. The height is measured to the level of a flat roof, to the deck line of a mansard or parapet roof, and to the average height level between the eaves and ridge for gable, hip, or gambrel roofs.



Build-to-zone is the area between the minimum and maximum allowable setbacks along a street frontage. A building façade may be required to maintain a minimum percentage in the build-to-zone, measured based on the width of the building divided by the width of the lot. Minor deviations such as recessed entries, recessed balconies, and architectural features are considered to be at the same setback as the building façade immediately adjacent to those features.



WEST MAIN STREET PROPOSED CODE CHANGES

July 28th, 2015 Planning Commission Work Session

Areas of Proposed Changes

	Use Types with Existing Differences Between WMN and WMS (Decision Points)
--	---

Sec. 34-796. - Use matrix—Mixed use corridor districts.

The uses and residential densities allowed within the city's mixed use corridor districts are those identified within the matrix following below. (For a list of each of the city's zoning districts and their abbreviations, see section 34-216).

A = Ancillary use	DUA = dwelling units per acre	P = provisional use permit
B = by-right use	GFA = gross floor area	S = special use permit
CR = commercial/residential	MFD = multifamily development	T = temporary use permit
M = mixed use development	M/S = mixed use or special use permit	A/S = Ancillary or special use permit

Use Types	Existing			
	WMN	WMS	WMW	WME
RESIDENTIAL AND RELATED USES				
Accessory apartment, internal				
Accessory apartment, external				

	WMN	WMS	WMW	WME
Accessory buildings, structures and uses (residential)	B	B	B	B
Adult assisted living				
1—8 residents	B	B	B	B
Greater than 8 residents				
Adult day care				
Amateur radio antennas, to a height of 75 ft.				
Bed-and-breakfasts:				
Homestay	B	B	B	B
B & B	B	B	B	B
Inn	B	B	B	B
Boarding: fraternity and sorority house				
Boarding house (rooming house)				
Convent/monastery	B	B	B	B
Criminal justice facility				
Dwellings:				
Multifamily	M	M	M	M
Single-family attached	B	B	B	B
Single-family detached	B	B	B	B

	WMN	WMS	WMW	WME
Townhouse				
Two-family				
Family day home				
1—5 children	B	B	B	B
6—12 children				
Home occupation	P	P	P	P
Manufactured home parks				
Night watchman's dwelling unit, accessory to industrial use				
Nursing homes				
Occupancy, residential				
3 unrelated persons				
4 unrelated persons	B	B	B	B
Residential treatment facility				
1—8 residents	B	B	B	B
8+ residents	S	S	S	S
Shelter care facility	S	S	S	S
Single room occupancy facility	S	S	S	S
Temporary family health care structure	T	T	T	T
NON-RESIDENTIAL: GENERAL AND MISC. COMMERCIAL				

	WMN	WMS	WMW	WME
Access to adjacent multifamily, commercial, industrial or mixed-use development or use				
Accessory buildings, structures and uses	B	B	B	B
Amusement center	S	S	S	S
Amusement enterprises (circuses, carnivals, etc.)				
Amusement park (putt-putt golf; skateboard parks, etc.)				
Animal boarding/grooming/kennels:				
With outside runs or pens				
Without outside runs or pens				
Animal shelter				
Art gallery:				
GFA 4,000 SF or less	B	B	B	B
GFA up to 10,000 SF	B	B	B	B
Art studio, GFA 4,000 SF or less	B	B	B	B
Art workshop	B	B	B	B
Assembly (indoor)				
Arena, stadium (enclosed)				
Auditoriums, theaters				
Maximum capacity less than 300 persons	B	B	B	B

	WMN	WMS	WMW	WME
Maximum capacity greater than or equal to 300 persons	S	S	S	S
Houses of worship	B	B	B	B
Assembly (outdoor)				
Amphitheater	S	S	S	S
Arena, stadium (open)				
Temporary (outdoor church services, etc.)	T	T	T	T
Assembly plant, handcraft				
Assembly plant				
Automobile uses:				
Gas station				
Parts and equipment sales		B	B	
Rental/leasing				
Repair/servicing business				
Sales				
Tire sales and recapping				
Bakery, wholesale				
GFA 4,000 SF or less	B	B	B	B
GFA up to 10,000 SF				
Banks/ financial institutions	B	B	B	B

	WMN	WMS	WMW	WME
Bowling alleys				
Car wash				
Catering business	B	B	B	B
Cemetery				
Clinics:				
Health clinic (no GFA limit)				
Health clinic (up to 10,000 SF, GFA)	B	B	B	B
Health clinic (up to 4,000 SF, GFA)	B	B	B	B
Public health clinic	B	B	B	B
Veterinary (with outside pens/runs)				
Veterinary (without outside pens/runs)				
Clubs, private	S	S	S	S
Communications facilities and towers:				
Antennae or microcells mounted on existing towers established prior to 02/20/01	B	B	B	B
Attached facilities utilizing utility poles or other electric transmission facilities as the attachment structure	B	B	B	B
Attached facilities not visible from any adjacent street or property	B	B	B	B
Attached facilities visible from an adjacent street or property	S	S	S	S

	WMN	WMS	WMW	WME
Alternative tower support structures				
Monopole tower support structures				
Guyed tower support structures				
Lattice tower support structures				
Self-supporting tower support structures				
Contractor or tradesman's shop, general				
Crematorium (independent of funeral home)				
Data center >4,000		S	S	
<4,000	B	B	B	B
Daycare facility	B	B	B	B
Dry cleaning establishments	B	B	B	B
Educational facilities (non-residential)				
Elementary	B	B	B	B
High schools	B	B	B	B
Colleges and universities				
Artistic instruction, up to 4,000 SF, GFA	B	B	B	B
Artistic instruction, up to 10,000 SF, GFA		B	B	
Vocational, up to 4,000 SF, GFA				
Vocational, up to 10,000 SF, GFA				

	WMN	WMS	WMW	WME
Electronic gaming café				
Funeral home (without crematory)				
GFA 4,000 SF or less	B	B	B	B
GFA up to 10,000 SF	S	S	S	S
Funeral homes (with crematory)				
GFA 4,000 SF or less				
GFA up to 10,000 SF				
Golf course				
Golf driving range				
Helipad				
Hospital	S	S	S	S
Hotels/motels:				
Up to 100 guest rooms	B	B	B	B
100+ guest rooms	S	B	B	S
Laundromats				
Libraries	B	B	B	B
Manufactured home sales				
Microbrewery	B	B	B	B
Mobile food units	P	P	P	P

	WMN	WMS	WMW	WME
Movie theaters, cineplexes	S	S	S	S
Municipal/governmental offices, buildings, courts	B	B	B	B
Museums:				
Up to 4,000 SF, GFA	B	B	B	B
Up to 10,000 SF, GFA	S	B	B	S
Music hall	B	B	B	B
Offices:				
Business and professional	B	B	B	B
Medical	B	B	B	B
Philanthropic institutions/agencies	B	B	B	B
Property management (ancillary to MFD)	A	A	A	A
Other offices (non-specified)	B	B	B	B
Outdoor storage, accessory				
Parking:				
Parking garage	A/S	A/S	A/S	A/S
Surface parking lot (19 or less spaces)	B	B	B	B
Surface parking lot (more than 20 spaces)	A	A	A	A
Temporary parking facilities				
Photography studio	B	B	B	B

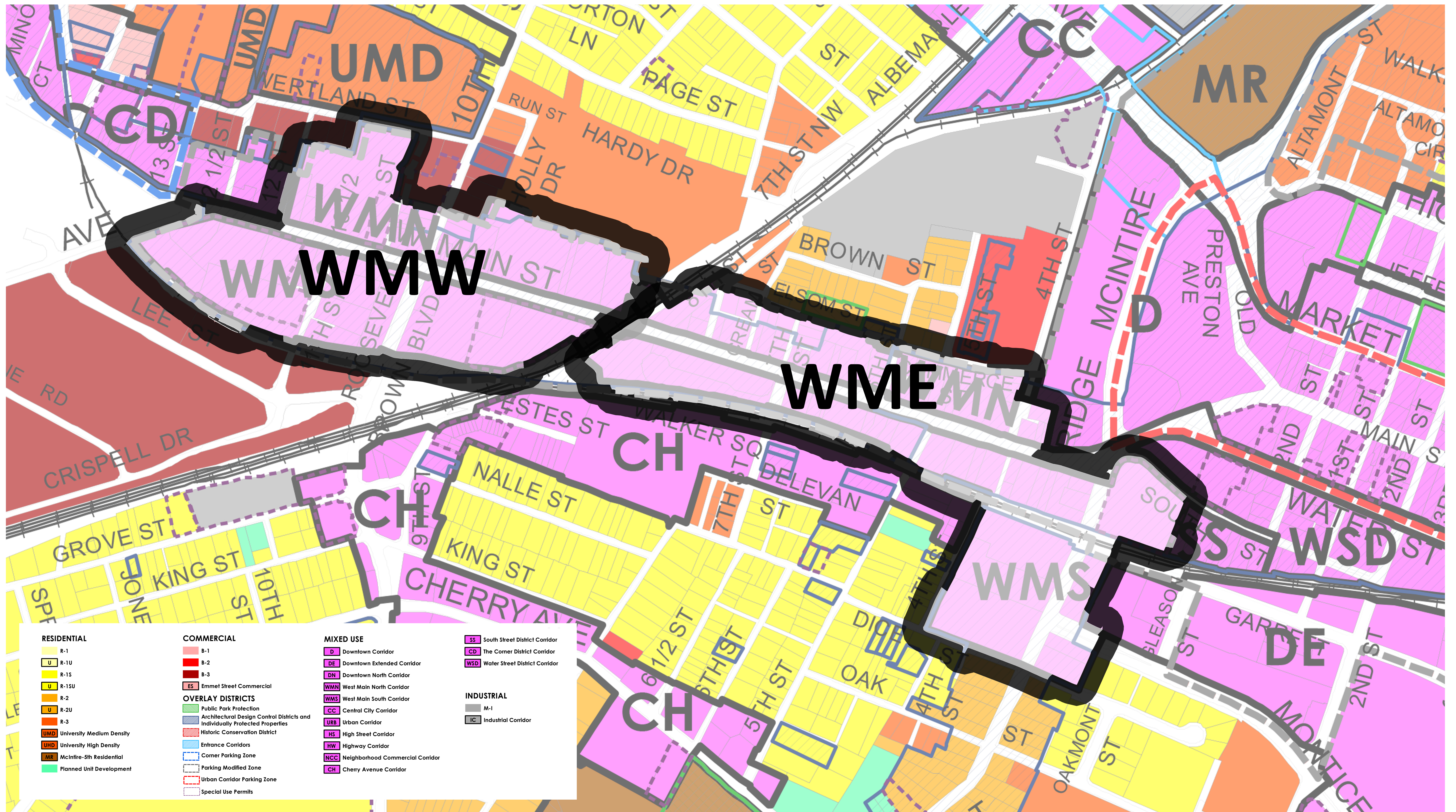
	WMN	WMS	WMW	WME
Photographic processing; blueprinting				
Radio/television broadcast stations	B	B	B	B
Recreational facilities:				
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on City-owned, City School Board-owned, or other public property)	B	B	B	B
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on private property)				
GFA 4,000 SF or less	B	B	B	B
GFA (4,001—10,000 SF)	S	B	B	S
GFA more than 10,000 SF	S	B	B	S
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (city-owned), and related concession stands	B	B	B	B
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (private)	S	S	S	S
Restaurants:				
All night	S	S	S	S
Drive-through windows				
Fast food	B	B	B	B
Full service	B	B	B	B

	WMN	WMS	WMW	WME
24-hour				
Towing service, automobile				
Technology-based businesses	B	B	B	B
Taxi stand	S	S	S	S
Transit facility	B	B	B	B
Utility facilities	S	S	S	S
Utility lines	B	B	B	B
NON-RESIDENTIAL USES: RETAIL				
Accessory buildings, structures and uses	B	B	B	B
Consumer service businesses:				
Up to 4,000 SF, GFA	B	B	B	B
Up to 10,000 SF, GFA	B	B	B	B
10,001+ GFA	S	S	S	S
Farmer's market	S	S	S	S
Greenhouses/nurseries				
Grocery stores:				
Convenience	B	B	B	B
General, up to 10,000 SF, GFA	S	B	B	S
General, 10,001+ SF, GFA	S	B	B	S

	WMN	WMS	WMW	WME
Home improvement center				
Pharmacies:				
1—1,700 SF, GFA	B	B	B	B
1,701—4,000 SF, GFA	B	B	B	B
4,001+ SF, GFA	B	B	B	B
Shopping centers	S	S	S	S
Shopping malls	S	S	S	S
Temporary sales, outdoor (flea markets, craft fairs, promotional sales, etc.)				
Other retail stores (non-specified):				
Up to 4,000 SF, GFA	B	B	B	B
Up to 20,000 SF GFA	S	B	B	S
20,000+ SF, GFA		S	S	
NON-RESIDENTIAL: INDUSTRIAL				
Accessory buildings, structures and uses				
Assembly, industrial				
Beverage or food processing, packaging and bottling plants				
Brewery and bottling facility				
Compounding of cosmetics, toiletries, drugs and pharmaceutical products				

	WMN	WMS	WMW	WME
Construction storage yard				
Contractor or tradesman shop (HAZMAT)				
Frozen food lockers				
Greenhouse/nursery (wholesale)				
Industrial equipment: service and repair				
Janitorial service company				
Kennels				
Laboratory, medical >4,000 sq. ft.	B	B	B	B
<4,000 sq. ft.	B	B	B	B
Laboratory, pharmaceutical >4,000 sq. ft.	S	S	S	S
<4,000 sq. ft.	B	B	B	B
Landscape service company				
Laundries				
Manufactured home sales				
Manufacturing, light				
Moving companies				
Printing/publishing facility	S	S	S	S
Open storage yard				
Outdoor storage, accessory to industrial use				

	WMN	WMS	WMW	WME
Research and testing laboratories	B	B	B	B
Self-storage companies				
Warehouses				
Welding or machine shop				
Wholesale establishments				



PROPOSED WEST MAIN ZONING DISTRICTS

28 JULY 2015



West Main Street Rezoning Proposal

Public Input Gathered from Various Sources, 2013-2015

Background

Throughout the West Main Street project, many opportunities for public input have been established. In addition the project website, gowestmain.com, has provided a constant platform for providing comments throughout the entirety of the project. The following comments have been received regarding density, urban design, buildable envelopes, and other factors associated with zoning regulations.

Input Gathered for Project Website

Many visitors to the gowestmain.com website provided feedback through the website comment feature. While many comments were focused on the streetscape concept component of the plan, the following is an excerpt of comments received focused on the proposed zoning changes to West Main Street.

The "historical nature" of the neighborhoods of Charlottesville is being erased by a canyon of high rises. It is good to refresh, update and add to the city. It is necessary for the health of any city...not sure where we seem to be going on West Main is going to go in a positive direction.

Zoning reg[ulation]s should require 4th story setbacks and building diversity to prevent canonization. Height reg[ulation]s should limit new construction to eight floors... Zoning should prevent too much competition with the Mall.

The West Main project is critically important to the long-term development of the city, not only in and of itself, but as a model for other projects, small and large that will shape the future of Charlottesville. Good Design is Good Business. Good design supports Social Equity. Good design means Sustainability. When design is considered in this context, the long-term good is undeniable and I hope the approving bodies will consider the importance of Good Design as this and other projects are undertaken.

I support the outcome of the West Main Street process and strenuously argue on behalf of spending the public dollars toward its implementation. *The public utility component should be paid for by the public utility, not subsidized by the City.*

The fact that we're seeing large buildings on West Main doesn't disturb me — but the fact that they are SO CLOSE to the street does — smack up against the sidewalks? We'll have canyons, even with buildings

only 9-10 floors, they'll be oppressive. I wonder if they'll have balconies practically overhanging the street. Were setbacks waived?

... This urban stretch of road is suitable for larger, taller buildings that will bring more foot traffic and a need for mass transit...

West Main should be a dense, urban corridor. Along with Preston, Cherry, Rt 29, and a few other places in town, this street is ideal for large, tall buildings with retail, office and multi-unit residential buildings. There should be lots of foot traffic and mass transit. Charlottesville is a city and needs to grow up in order to preserve the surrounding countryside...

Input Gathered During Focus Group Meetings

On December 5th and 6th of 2013, the consultants met with several focus groups that included foundations, community representatives, City committees, business owners, developers, land owners, and City staff. The following are comments noted relating to zoning considerations:

While historic character needs to be maintained, it must accommodate infill.

Don't "canyonize" West Main Street -- keep the small town character of Charlottesville.

Lots of "dead" spaces or gaps. These need to be closed. Get rid of front facing parking lots, and move buildings closer to the street.

There is a community basketball court behind the Sweet Haus shop. This facility is heavily used by the young people in the community north of West Main Street. There is some concern about what will happen to this court if a tall building were to be developed next to it --- would it be cast in shadow and unpleasant to use?

If the buildings on the north side of West Main are too high, how will this impact the privacy of those who live in the existing communities to the north?

The character should be "mixed use, high density, urban, vital".

Not a single private developer has come in with a project on West Main in the last 15 years, with the exception of student housing. Real estate costs are prohibitive. Can one attract office development here, or is it just going to be housing, restaurants and some shops?

The land west of the RR is open to development, but there will only be infill on the east side.

The development now occurring on West Main is not "by right". The City would like to have a vision so it can determine what needs to be regulated in order to achieve this.

Is this the correct place to seek views of the surrounding landscape/mountains? West Main needs density in order to stimulate development.

Input Gathered During Public Meetings

Many participants in the public meetings provided specific comments to staff during or subsequent to the public meetings held on the Streetscape Plan and urban design analysis related to the recommended zoning changes.

December 7th 2013 Meeting

Preserve the nice 19th and early 20th century houses and buildings, most of which are already in use. But develop empty lots, like the Amtrak parking lot, and redevelop unattractive buildings such as car service stations and the current Habitat for Humanity building into larger, nicer structures. Proposals for new buildings need to be well designed and aesthetically pleasing. Classical architecture and modern designs are both welcome. If well designed, differing styles can go well together.

This urban stretch of road is suitable for larger, taller buildings that will bring more foot traffic and a need for mass transit.

[Regarding urban design], buildings need lots of glass and no blank walls. Neighborhood connections are important.

[Regarding urban design], I like recessed upper stories on older buildings but where will new residents and office workers park if older buildings are used and do not offer underground parking? Zoning to over 100 feet in height should be reconsidered- no question that buildings at that height (consistently) would overwhelm adjacent neighborhoods.

Tall buildings causing us to lose our precious views!

Density is highly overrated!

If we keep building big boxes, no one will know we have mountains.

[I like a] diversity of styles, both people and buildings.

Only approve taller buildings if setbacks are much greater.

I like the small town feel but understand the need for high rise and high density.

Please conduct development that honors and respects the character of the surrounding neighborhoods!

Please no more tall buildings built. We are going to lose that small town feeling that is so Charlottesville – also more people and congestion!

W. Main is becoming two zones: historic east end and giant building/institutional west end.

East – funky old buildings, West – bad big new buildings.

Not different zones but zoning that limits density and heights and promotes character and rewards presentation.

More density! West Main should be urban, full, and lively. It's not a country road. Our city must grow up to save the countryside.

Buildings are currently too close to the street.

Limit heights to three stories on any new projects that come up.

West Main should be a dense, urban corridor. Along with Preston, Cherry, Rt 29, and a few other places in town, this street is ideal for large, tall buildings with retail, office and multi-unit residential buildings. There should be lots of foot traffic and mass transit. Charlottesville is a city and needs to grow up in order to preserve the surrounding countryside. Building a vibrant, beautiful urban landscape where people want to be and want to walk is key.

Preserve the nice 19th and early 20th century houses and buildings, most of which are already in use.

Develop empty lots, like the Amtrak parking lot, and redevelop unattractive buildings such as car service stations and the current Habitat for Humanity building into larger, nicer structures. Proposals for new buildings need to be well designed and aesthetically pleasing. Classical architecture and modern designs are both welcome. If well designed, differing styles can go well together.

February 22nd 2014 Meeting

At this public meeting, attendees were provided with a comment sheet asking them to indicate what they liked and disliked at each station. A tabulation of comments made at the urban design station and received subsequently through email resulted in the following information:

Differentiated facades – 16% supportive
Rezoning regarding setbacks and heights – 13% supportive
Smaller scale– 10% supportive
Increased density – 6% supportive
Retain historic/old buildings – 3% supportive

Monolithic buildings – 18% do not support
Existing height – 3% do not support
Existing setbacks – 3% do not support

Additional comments provided:

Create a "green square" be requiring a 10 foot setback in zoning.

Side streets need more commercial zoning and prioritize the look and feel of these side streets.

August 5th 2014 Meeting

I do support residential density on West Main and I think it has to go there so I am disappointed so many people were against it.

This [buildable envelope cross section] makes so much sense!

This [buildable envelope cross section] still towers over the existing homes in an ugly way. Goodbye sunshine!

Input Gathered from Form Based Code Work Sessions

Many participants in the focus group meetings and public meeting regarding the proposed form based code provided verbal comments during the meetings. Many elements proposed in the form based code carried forward into the current proposed zoning amendments. The following are comments heard during those meetings that relate to elements carried forward from the form based code, and may include paraphrasing.

Building elements could be pulled out of code and included in Architectural Design Control District (ADC) guidelines.

Bulk plane requirements will not help when adjacent districts are set on a lower topographical point than West Main Street.

Massing concerns me more than control over individual elements.

May 18th 2015 Council Meeting - Matters from the Public

Mr. Morgan Butler, Director of Charlottesville/Albemarle project at the Southern Environmental Law Center, said zoning that guides redevelopment along West Main, such as The Flats, which is widely seen as out of scale and damaging to the character of this corridor, is important to address and fix. Lower street wall heights, adequate setbacks, and the definition of rooftop appurtenances are missing from the proposed amended ordinance for the West Main Street Zoning Initiation.

Mr. Scott Paisley, 1207 Oakhill Dr., said parking is and will be an issue regarding West Main zoning, beyond the design itself. The West Main parking study has recommended several creative concepts and some great ideas, although some may be difficult to implement.

Mr. Chris Henry, 200 Garrett St., said form-based code allows for more transparency regarding the West Main rezoning initiation and asked Council to adopt the Rhodeside & Harwell recommendations in full.

June 15th 2015 Council Meeting - Matters from the Public

Mr. Downing Smith, 810 Locust Ave., said the West Main Zoning Initiation resolution allows the head of NDS to waive hearings solely on their authority when it comes to approving zoning changes for particular properties. This is a bad idea. He has found City government to be more open and transparent the last couple of years. Having a few extra meetings to make sure something does not go wrong is worth it.

August 11th 2015 Planning Commission Meeting

Travis Pietila of Southern Environmental Law Center (SELC) said he is glad to see this (West Main Zoning) moving forward, that this is a big priority for the community and SELC and time is of the essence. A few points to touch on appurtenances: a) he agrees with the staff that now is the time rather than citywide

code audit, b) he commented that appurtenances as habitable space is inappropriate; potential to undermine regulations, c) the staff potential solution to remove rooftop appurtenance paragraph; ambiguity remains, d) it is better to clearly state rooftop appurtenances cannot include habitable space, d) only use appurtenances for mechanical equipment and other non-occupable infrastructure. Travis also spoke on zoning boundaries: a) whether to extend West Main zoning boundaries, b) would it be beneficial to keep parcels at the west end within the current corner zoning district, c) they should contain small-scale historic buildings, and corner district limits height to maximum 50 ft., d) in contrast, pulling into West Main West would bring this height up to 70 or 75 feet, e) one of the main reasons behind rezoning to better protect character of this historic corridor and an objective would not be served by increasing allowable heights on these parcels. Lastly, he talked about the Definition of “build-to-zone”, a) questions and potential clarifications about proposed definition of “build-to-zone” need to be made, b) draft definition: “minor deviations such as recessed entries” will not count against the calculation of build-to percentage requirements: a) “Recessed entries” is quite broad – hotel entrance and vehicle turnaround, b) Recessed space will count toward meeting the 80% build-to requirement, or just taken out of equation and must meet for remainder of site?

Input Received Through Email

On September 30th, 2015 staff received the following comments from BAR member Carl Schwarz:

1. 34-617: 15 feet from floor to ceiling seems great but also excessively high. I’m also still concerned about how enforceable a floor to ceiling measurement is – floor to floor seems easier to measure in permit drawings. I guess it all depends on the overall scale of the building. Maybe 15 feet floor to floor (which would likely give you at least a 12 foot ceiling)?
2. If floor to ceiling is used, where would the measurement be taken to? Is it required throughout the entire floor, just a certain distance from the primary façade, what happens if you have a bathroom or service room near the front of a building, what constitutes a ceiling (Could decorative elements drop down into the space? What about a small lower ceiling over a lobby reception area?)? Basically, the code needs to be explicitly clear or it needs to have language about how any questionable items get approved and who is responsible.
3. 9 feet seems appropriate on upper levels, but again, how can that be enforced, and how much of the floor area needs 9 feet clear? What about trunk lines for ductwork? There are other architectural reasons to drop ceilings – bathrooms and closets for instance. 10 feet floor to floor does not guarantee a 9 foot ceiling, but it’s pretty close depending on the construction type.
4. 34-618: For the primary street frontage, would the Marriot qualify as having 80% of the façade within the build-to-zone? There was language about courtyards in the previous draft. Maybe some sort of exception allowing 60 or 70% of the façade within the build-to-zone if the other 30-40% occurs mid-façade? This would correspond to existing section 34-622.
5. 34-1101: Can staff define “roof area” under item (c)? Is it the uppermost roof? All roofs on the building? Could the roof of an underground parking garage that also functions like the ground plane count towards this? Can staff better define “usable floor area”. If you have an occupied roof deck, is the elevator lobby “usable floor area”? I assume bathrooms or other support

spaces for that roof deck would fall into the category of “usable floor area”? Are utility spaces (elevator machine rooms, electrical rooms, pump rooms, etc.) considered usable?

6. What constitutes and appurtenance? Do parapet walls count? Would a pergola for a roof-deck count? If parapet walls do not count (as I understand is the current practice), where do you draw the line between a low decorative parapet and a screen for a mechanical enclosure? What if the screen is 12’ tall?
7. 34-1200: Can the sentence describing where height is measured to be clarified? For example: The height is measured to the structural deck of a flat, mansard, or parapet roof.... Or it could be to the finish level of a flat, mansard, or parapet roof. There’s a lot of build-up between the structural deck and the finish surface of a roof – sometimes approaching 12” or so if the building is insulated entirely above the deck and to accommodate additional height for drainage. Does anyone know how Robert Nichols got confused by this on his last BAR submission?
8. For the build-to-zone definition, can language be added that the director of NDS has the discretion to define what constitutes a minor deviation?

On October 1st, 2015 staff received the following comments from BAR member Laura Knott:

1. 34-541(4) -Can land use be larger in size? Perhaps you mean that buildings are generally larger in size?
2. Perhaps substitute “compatible with” in place of “with respect to.” "Main Street" with capital letters is the correct usage.
3. 34-541(5)- Again, can a land use be smaller? Maybe substitute "buildings" instead of "land use?" “Close proximity” - this term needs to be defined, perhaps, or another term used, such as "within five to fifteen feet" or something like that?
4. 34-618(c) and 34-638(c)- “Two-hundred (200) feet wide” - Seems that it should be over 100'. 200' seems like a really large building without modulation.
5. 34-619(b) and 34-639(b)- “S-1 type buffer” - Seems that an S-2 of S-3 would be more appropriate next to a low-density residential district. (*Regarding an existing code section*).
6. 34-624(b)(1) and 34-644(b)(1)- “Paved or pervious” - Ambiguous term. By "paved" do you mean asphalt, concrete, or mortared paving units? What about paving units or brick set in sand? Why is landscape stone prohibited? How do you define landscape stone? Is it bluestone set in mortar? Why would this be prohibited? I'm not sure that prohibiting a firm-packed, un-graded gravel would be a bad thing.
7. 34-1101(d)- Odd image to use to describe appurtenances in a commercial district. (*Regarding an existing image*).

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



APPLICATION FOR REZONING OF PROPERTY

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

DATE OF HEARING: October 13, 2015
APPLICATION NUMBER: ZM-15-00003

Project Planner: Carrie Rainey
Date of Staff Report: October 5, 2015

Applicant: Donnie McDaniel
Applicant's Representative: Mark Jones
Current Property Owner: Donnie McDaniel

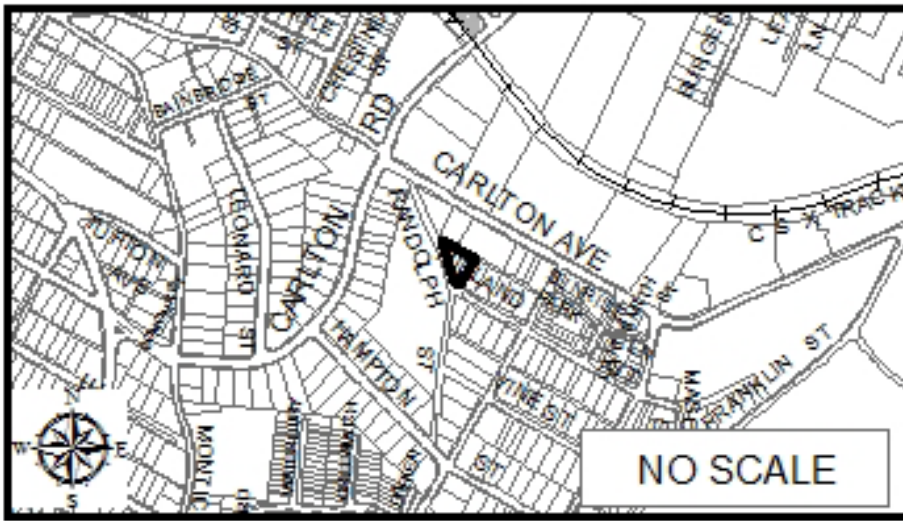
Application Information

Property Street Address: Unaddressed property at Midland Street and Randolph Avenue
Tax Map/Parcel #: Tax Map 56, Parcel 56.1
Total Square Footage/ Acreage Site: 0.25 acres or 10,890 square feet
Comprehensive Plan (Land Use Plan): Low Density Residential
Current Zoning Classification: R-1S

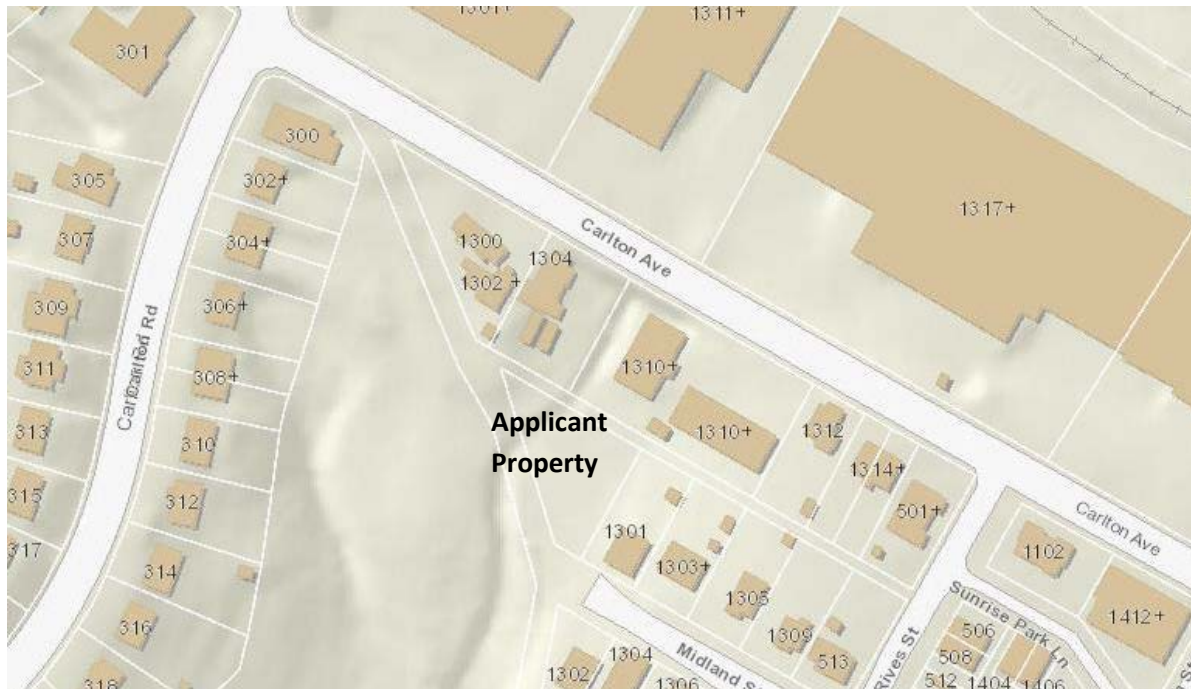
Applicant's Request

The applicant is seeking to rezone the parcel described above from R-1S residential to B-2 commercial with proffers to align with the applicant's adjacent properties on Carlton Avenue (TMP 560046000 and 560047000). The applicant notes the reason for seeking this change is for the future development of multi-family housing.

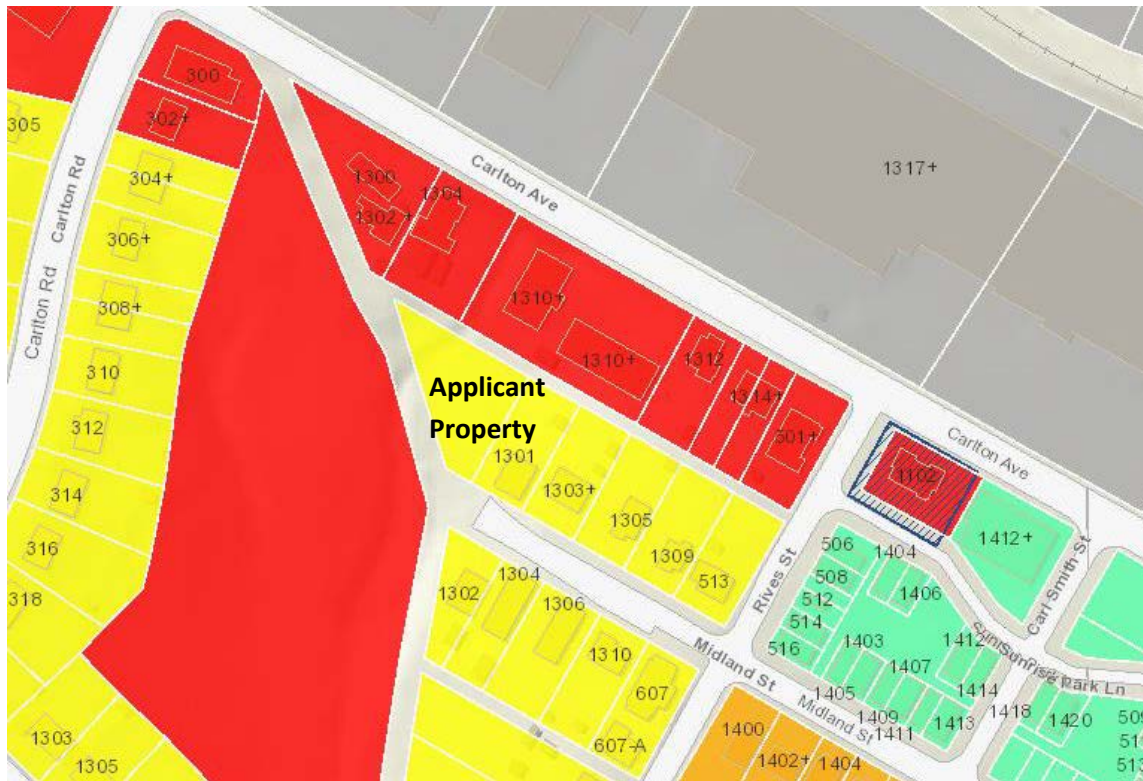
Vicinity Map



Context Map 1



Context Map 2



KEY - Yellow: R1-S, Red: B-2, Orange: R-2, Green: PUD, Grey: M-I

Please see attachments for additional maps.

Rezoning Standard of Review

Sec. 34-42. - Commission study and action.

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

zoning district, relating to the purposes set forth at the beginning of the proposed district classification.

- b. Prior to making any recommendation to the city council, the planning commission shall advertise and hold at least one (1) public hearing on a proposed amendment. The planning commission may hold a joint public hearing with the city council.
- c. The planning commission shall review the proposed amendment and shall report its findings and recommendations to the city council, along with any appropriate explanatory materials, within one hundred (100) days after the proposed amendment was referred to the commission for review. Petitions shall be deemed referred to the commission as of the date of the first planning commission meeting following the acceptance of the petition by the director of neighborhood development services. Failure of the commission to report to city council within the one hundred-day period shall be deemed a recommendation of approval, unless the petition is withdrawn. In the event of and upon such withdrawal, processing of the proposed amendment shall cease without further action.

Project Review/Analysis

Background

The applicant has requested a rezoning of the subject property to allow for the construction of a multi-family residential building.

Proposed Use of the Property

The applicant has indicated the desired use for the property is multi-family housing.

Zoning History

The property was zoned B-2 business from 1949 to 1958, when the zoning was changed to R-1 residential. The zoning was changed in 2003 to R-1S residential.

Character and Use of Adjacent Properties

The property is located on Midland Street at the intersection with Randolph Avenue, which is an un-built paper street. The properties to the south and east are R-1S residential. Properties north and across Randolph Avenue are B-2 commercial. The properties to the north have lower density residential uses, while the property across Randolph Avenue is vacant.

Effect on Surrounding Properties and Public Facilities

Potential effects on surrounding properties include the commercial uses allowed in B-2 commercial zoning. The purpose of B-2 zoning is established by the code of ordinances to provide commercial use of limited size, primarily focused on neighborhood needs for convenience goods. The permitted uses are those that generate minimal traffic from outside

the neighborhood, and generate minimal noise, fumes, hazards, and lighting glare. However, the applicant's parcel is located at the end of a residential street with only one point of access. The applicant has provided a proffer that will limit available development to residential uses and their associated accessory uses, and prohibit all commercial uses.

Another potentially substantial effect on surrounding properties is likely to be an increase in traffic on Midland Street due to the proposed development of multi-family housing. The applicant has not specified how many units the proposed development will have. Under the desired B-2 commercial zoning, the applicant will have a by-right ability to build multi-family housing up to 21 dwelling units per acre (DUA). This translates to a maximum of five (5) units permitted based on the size of the parcel. As mentioned above, there is currently only one point of access for the applicant's property (Midland Street), although Randolph Avenue may provide access at some point in the future if constructed and accepted into the city network of streets. A traffic study would be required and reviewed by Traffic Engineering during the site plan process if the applicant moved forward with the development of multi-family housing, and these factors would be considered and appropriate mitigation (if necessary) required.

In addition, a potential effect on the surrounding properties would be the additional activity created on the parcel by developing multi-family housing on a single-family residential block. The applicant has submitted proffers that propose establishing setbacks and landscape screening buffers that mirror those required in R-3 multi-family residential developments. These setbacks are more substantial than those required under traditional B-2 multi-family developments and will provide additional separation between the proposed higher intensity use and the single-family residences.

Outdoor lighting may be another potential concern regarding multi-family housing in a low density residential area. However, any installed outdoor lighting must comply with Section 34-1003, which states that spillover from luminaries onto public roads and other properties within a low-density district shall not exceed one-half foot candle.

Regarding potential effects on public utilities, the applicant will need to supply any required upgrades or extensions to water, sanitary, and gas lines in order to provide these services to the development. These improvements will be reviewed as part of a site plan submission, and must be approved by Public Works. In addition, Midland Street will need to be extended in order to provide access to the applicant property. This extension must be completed following City standards, which includes review of design during the site plan process, periodic construction testing, and final inspections before road acceptance is granted. The applicant will likely need to install a temporary turn-around area at the new end of Midland Street per Section 29-182(e),

which indicates a temporary turn-around is required on dead end streets more than 300-feet in length.

Reasonableness/Appropriateness of Current Zoning

The current zoning of the parcel is R-1S. The current zoning is appropriate in the sense that the parcel is located on a block comprised of single family homes on R-1S lots and the current uses on the commercial zoned parcels along Carlton Road behind the parcel are lower density residential.

Consistency with Comprehensive Plan

The Future Land Use Plan shows the property's use as low density residential.

Proffers

In response to many of the concerns raised over the proposed rezoning by neighbors and staff, the applicant has submitted a proffer statement that would restrict development on the site in several ways:

1. The applicant proposes to restrict the use of the property to single family attached, single family detached, townhouse, two family, multi-family dwellings, external and internal accessory apartments with a provisional use permit, and accessory buildings, structures, and uses related to the aforementioned uses as specified in the Use Matrix for Commercial Districts (Section 34-480).
2. The applicant proposes a required front yard setback minimum of 25 feet.
The applicant proposes the following side yard setbacks:
 - a) Up to 21 dwelling units per acre (DUA): 1 foot/2 feet height, 10 feet min
 - b) Corner street side: 20 feet minimumThe applicant proposes a 20 feet minimum rear yard setback.
3. The applicant proposes a S-2 landscape screening buffer a minimum of ten (10) feet shall be provided between the Subject Property and each adjacent low-density residential property. If the Subject Property is developed at a density of 43 DUA or more, a twenty (20) foot minimum S-2 landscape screening buffer shall be provided between the Subject Property and each adjacent low-density residential property.

Questions for the Planning Commission to Discuss

Is higher density residential use appropriate for this location?

The Planning Commission should assess whether any density beyond the current single family designation on the applicant property is appropriate for this location.

Are additional proffers necessary to ensure appropriateness of the requested zoning category of B-2 commercial?

The Planning Commission should assess whether the proposed proffers appropriately address potential concerns with the rezoning request, and whether additional proffers are needed to ensure compatibility with adjacent land uses.

Public Comments Received

Staff has received several verbal comments from members of the public regarding this project. A few comments have been in support of the allowance for multi-family housing, but all are in opposition of commercial uses. The public is concerned about the impact a more intense use will have on the neighborhood, and how traffic on Midland Street will be impacted.

Staff Recommendation

The applicant has proffered to allow only residential uses on the property. Staff welcomes the proffers, as commercial use is determined to not be appropriate for the applicant property location. While the Comprehensive Plan denotes the area as low density residential for future land use, staff believes that medium-density residential development is appropriate for the following reasons:

1. Staff believes a medium density residential development at the location of the applicant parcel provides an appropriate transition between the single-family residences and the existing B-2 commercial zoning along Carlton Road and Randolph Avenue. Although the existing B-2 properties are currently residential or vacant, it is possible these uses will change in the future. Some of the current residential uses on Carlton are also multi-family. In addition, the vacant parcel across Randolph Avenue is a larger parcel at 3.5 acres and will likely be developed as a use other than single-family.
2. The applicant property is relatively small (0.25 acres) and provides limited opportunity for density. This allows for five (5) units by-right. Staff believes this maximum number of units to be appropriate in a low density residential area due to the minimal impacts of noise and traffic likely to be produced.
3. Staff believes the proffer providing additional setback from the adjacent single-family residence, as well as the proffer providing S-2 landscape screening, are adequate and will provide appropriate distance and screening from the potentially more intense uses proposed on the applicant property.
4. The maximum height allowed in B-2 zoning is 45-feet, which is 10-feet more than the allowed maximum height in the adjacent R-1S residential property, which has a maximum allowed height of 35-feet. Staff believes the allowed additional height will not be in disharmony with the area.

Attachments

- Rezoning Application
- Proffer Statement
- Conceptual Design Layout
- Additional Maps

Suggested Motions

1. I move to recommend approval of this application to rezone the parcel designated as Tax Map 56, Parcel 56.1 with the associated proffers, on the basis that the proposal would serve the interests of the general public welfare and good zoning practice.
2. I move to recommend denial of this application to rezone the parcel designated as Tax Map 56, Parcel 56.1 on the basis that the proposal would not serve the interests of the general public welfare and good zoning practice.

2M15-00003



REZONING PETITION

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

For a PUD please include \$2,000 application fee. For any other type of project, please include \$1,500 application fee. All petitioners must pay \$1.00 per required mail notice to property owners, plus the cost of the required newspaper notice. Petitioners will receive an invoice for these notices and approval is not final until the invoice has been paid.

I (we) the undersigned property owner(s), contract purchaser(s) or owner's agent(s) do hereby petition the Charlottesville City Council to amend the City Zoning District Map for the property described below from R1 (Current Zoning Classification) to B-2 (Proposed Zoning Classification).

Reasons for Seeking This Change FOR FUTURE DEVELOPMENT OF MULTI FAMILY HOUSING & 70% OF EXISTING PROPERTY BORDERING MR. MCDANIEL'S PROPERTY IS ZONED B-2 ALREADY.

Information on Property Applied for Rezoning - Please note any applicable deed restrictions

1. 195' feet of frontage on RANDOLPH AVE. (name of street) 30'0 MIDLAND
2. Approximate property dimensions: 180 feet by 126' feet.
3. Property size: 12557 (square feet or acres)
4. Present Owner: D. MCDANIEL (Name) as evidenced by deed recorded in Deed Book Number _____ Page _____, with the Clerk of the Circuit Court.
5. Mailing Address of Present Owner: 1304 CARLTON AVE SUITE 1 CHARLOTTESVILLE 22901
6. City Real Property Tax Map Number 56, Parcel(s) 056, 056, 100; Lot(s): 27, 28, 29

A. PETITIONER INFORMATION

Petitioner Name (Print or Type) Mark E. Jones
 Petitioner Mailing Address: 951 BLACK CAT RD. KESWICK VA. 22947
 Work Phone: 434-978-4454 Fax 434-973-0610
 Home Phone: 434-260-2919 Email MARK@FLOWERSARE.US.COM
 Does Petitioner currently own the property where the rezoning is requested? _____
 If no, please explain I AM ACTING AS AN AGENT ON THE OWNERS BEHALF

B. ADJACENT PROPERTY OWNERS ADDRESSES (use additional paper if necessary)

Property Owner Name	Mailing Address	City Tax Map and Parcel #
REGION 10	<u>1304 CARLTON AVE</u>	<u>056 048 000</u>
<u>DONNIE MCDANIEL</u>	<u>1302 CARLTON AVE</u>	<u>056 047 000</u>
<u>?</u>	<u>1301 MIDLAND ST</u>	<u>056 056 000</u>
<u>CHILSHOLM</u>		<u>057 128 000</u>

C. ATTACHMENTS TO BE SUBMITTED BY THE PETITIONER

1. A sketch plan filed with this petition showing property lines of the property to be rezoned, adjoining property, buildings, land uses, zoning classifications and streets.
2. Other attachments as required by Section 34-41 or Section 34-516 of the City Code (office use: Submitted _____)
3. A rezoning petition filing fee of \$2,000 for a PUD, OR \$1,500 for all others, made payable to the City of Charlottesville; (Signature also denotes commitment to pay the invoice for the required mail and newspaper notices).

Mark E. Jones
Signature of Petitioner(s)

For Office Use Only (Sign Posting)

I certify that the sign(s) as required by Section 31-44 of the City Code as amended has been posted on the following date: _____

Signature _____
Date Paid: 8/19/15 Amt. Paid: 1500.00 Cash/Check #: 1900 Recorded by: _____

12-5-11 2:40

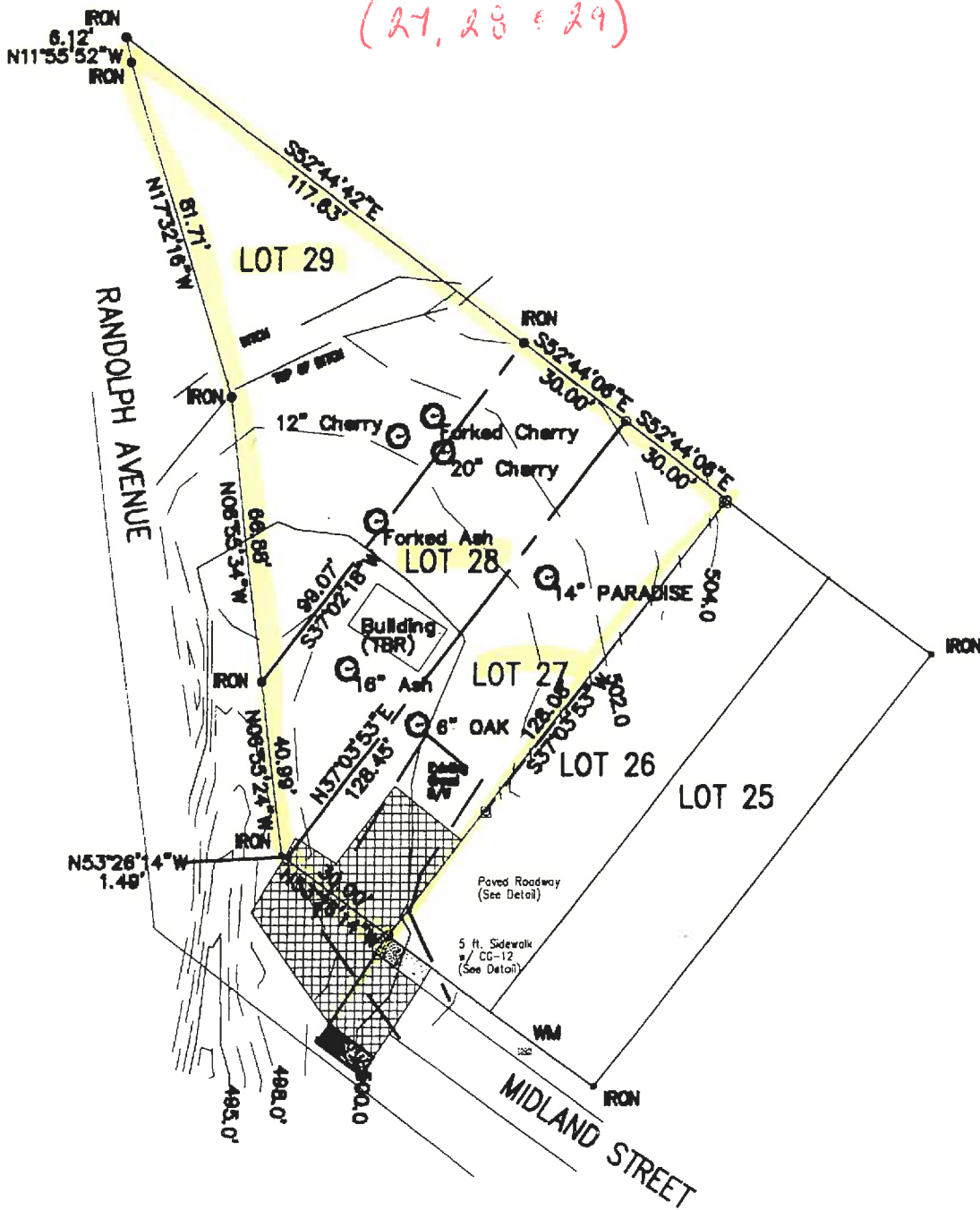
Sketch for REZONING to B-2
(27, 28 & 29)

DONNIE Mc DANIEL

882-2225
please call

MARK E. JONES

434-260-2919



MIDLAND STREET
Proposed Conditions
Consolidate Lots 27-29
Scale 1" = 20 ft.
May 13, 2008 (40)

SSMH
Top=511.03'
Inv. Out=508.25'

ENGINEER

JUSTIN SHIMP

953-6116

1430



CARLTON AVE

RANDOLPH

MIDLAND

SUNRISE
PARK

B-2

B-2

R-1

R-1



STATEMENT OF PROFFERED DEVELOPMENT CONDITIONS

**BEFORE THE CITY COUNCIL OF THE CITY OF CHARLOTTESVILLE, VIRGINIA
IN RE: PETITION FOR REZONING (City Application No. ZM15-00003)
STATEMENT OF DEVELOPMENT CONDITIONS
PROFFERED WITH RESPECT TO THE REZONING OF PROPERTY AT MIDLAND STREET
AND RANDOLPH AVENUE**

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

The undersigned individual is the owner of land, identified on City Tax Map 56 as Parcel 56.1, having frontage on Midland Street and Randolph Avenue, and having an area of approximately 10,890 square feet ("Subject Property"). The Owner/Applicant seeks to amend the current zoning district classification of the Subject Property (R-1S, low density residential) to B-2 (Commercial), subject to certain voluntary development conditions set forth below.

The Owner/Applicant hereby proffers and agrees that if the Subject Property is rezoned as requested, the rezoning will be subject to, and the Owner will abide by, the following zoning conditions, in addition to other zoning regulations and restrictions that may be required by the City's Zoning Ordinance:

PROFFER 1. Notwithstanding any provisions of City Code Sec. 34-480, the Subject Property is permitted to be used only for the following uses, buildings and structures:

- Accessory buildings, structures and uses
- Accessory apartment (internal or external, residential occupancy) (by provisional use permit)
- Attached communications facilities not visible from any adjacent street or property
- Family day home (1-5 children)
- Home occupations (by provisional use permit)
- Multifamily dwellings (residential occupancy)
- Residential density: 21 or fewer dwelling units per acre
- Residential density: 22-87 dwelling units per acre (by special use permit)
- Residential treatment facility (1-8 residents)
- Single-family detached dwellings (residential occupancy)
- Single-family attached dwellings (residential occupancy)
- Temporary family health care structure (by temporary use permit)
- Two family dwellings (residential occupancy)
- Townhouse dwellings (residential occupancy)

All other uses, buildings and structures are prohibited.

PROFFER 2. The following yards shall be required:

Required front yard: Twenty-five (25) feet, minimum

Required Side yard(s):

Residential density up to 21 dwelling units per acre (DUA): one (1) foot for every two (2) feet of building height; 10 feet, minimum

Corner street side(s): 20 feet, minimum

Required Rear yard: 20 feet, minimum.

PROFFER 3. A S-2 landscape screening buffer a minimum of ten (10) feet shall be provided between the Subject Property and each adjacent low-density residential property. If the Subject Property is developed at a density of 43 DUA or more, a twenty (20) foot minimum S-2 landscape screening buffer shall be provided between the Subject Property and each adjacent low-density residential property.

NOW, THEREFORE, by their signatures, the undersigned individuals stipulate and agree that the use and development of the Subject Property shall be in conformity with the conditions hereinabove stated, and requests that the Subject Property be rezoned as requested.

By: Donnie McDaniel
Owner

Print Name: Donnie R. McDaniel

1304 Carlton Ave, #1
Charlottesville, VA 22902

Date: 10-5-15

By: Mark Jones
Applicant

Print Name: Mark Jones

Relationship to Owner: Rep.

Date: 10-5-15

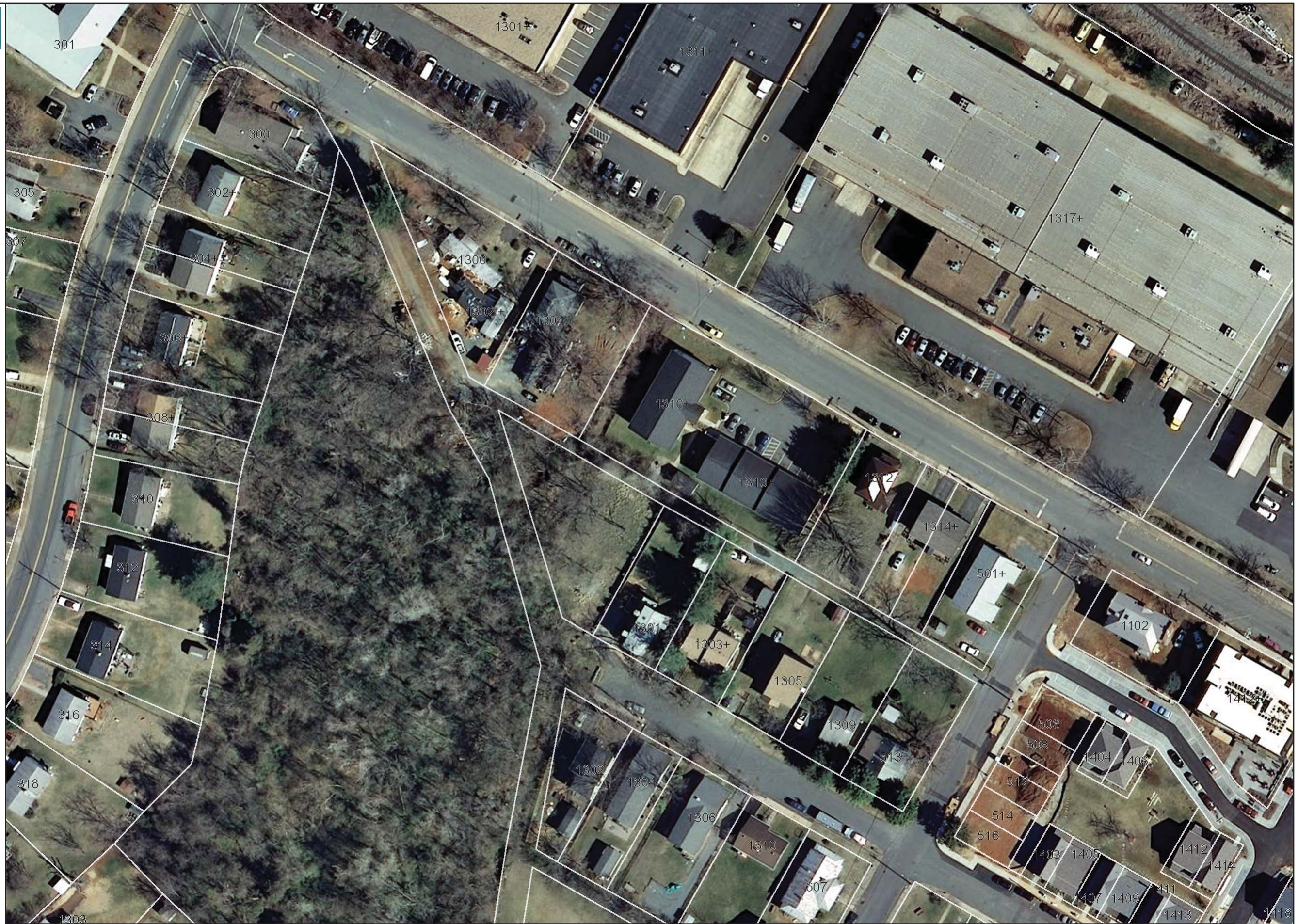
Instructions to Applicants for Preparing Proffer Statements:

1. The term “proffer” refers to reasonable written conditions voluntarily offered by an applicant for a rezoning or map amendment. In order for the City to approve/accept any proffer(s), several conditions must be satisfied: (i) the rezoning itself must give rise to the need for the conditions; (ii) the conditions must have a reasonable relation to the rezoning; (iii) all conditions must be in conformity with the comprehensive plan; and (iv) the conditions must not include a requirement that a property owners’ association be required to pay an assessment for maintenance of public facilities owned in fee by a public entity (other than sidewalks, special street signs or markers, or special street lighting in public rights of way). In drafting a proffer statement, each applicant should carefully review the Neighborhood Plan for his development site.
2. *Conditional zoning proffers must be made in writing and submitted to NDS no fewer than ten (10) days prior to a scheduled public hearing. City Code §34-64. Proffers may not be made verbally by an applicant.*
3. Proffers must be signed by each Owner of the Subject Property and by the Applicant(s) (if different than the Owner(s)).
4. Proffers may not be submitted and accepted for the first time during a public hearing on a rezoning application; however, an application may be continued for an additional or reconvened public hearing at which proffers (once properly reduced to writing and duly advertised) may be considered and accepted.
5. *The applicant must reduce all proffers to a Final Proffer Statement, within 7 days following the meeting at which the application was considered and acted upon by the planning commission. City Code § 34-64(c). Modifications of proffers acted upon by the planning commission may be made only in accordance with §34-65 of the City Code.*
6. Proffers must clearly articulate the obligations being undertaken by an applicant, and any limitations or timing restrictions attached to those obligations.
7. Proffers may contain provisions relating to the overall density, site characteristics, uses and other aspects of the use and development of the property; however, a PUD applicant may also address these issues within his PUD Development Plan and the narrative associated with that document.
8. If any proffered conditions include the dedication of real property to the City, or the payment of cash to the City (“cash proffers”) for facilities that are of a type normally included in a CIP, then the property shall not transfer, nor shall the payment of cash be made, until the facilities for which the property is dedicated or the cash is tendered have been included in the City’s CIP.
9. If any proffered conditions include the dedication of real property to the City, or cash proffers, the proffered conditions must provide for the disposition of the property or cash payment in the event the property or cash is not used for the purpose for which proffered.
10. The City may accept proffered conditions that include provisions for timing or phasing of dedications, payments and/or improvements.
11. A proffer should not impose any obligations on the City with respect to the expenditure of public funds or the provision of services or improvements.
12. Once proffers are accepted by the City Council as part of the approval of a rezoning application, those proffers become part of the zoning of a property, which may be changed or amended only by subsequent affirmative action of City Council.



TAX Map 56
PARCEL 56.1

Legend
Parcels
Addresses



Feet
0 20 40 60 80
1:1,200 / 1"=100 Feet

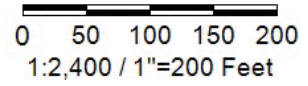
10/2/2015



Legend
Parcels
Addresses



Feet



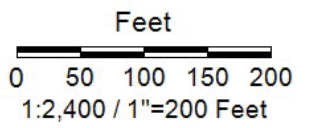
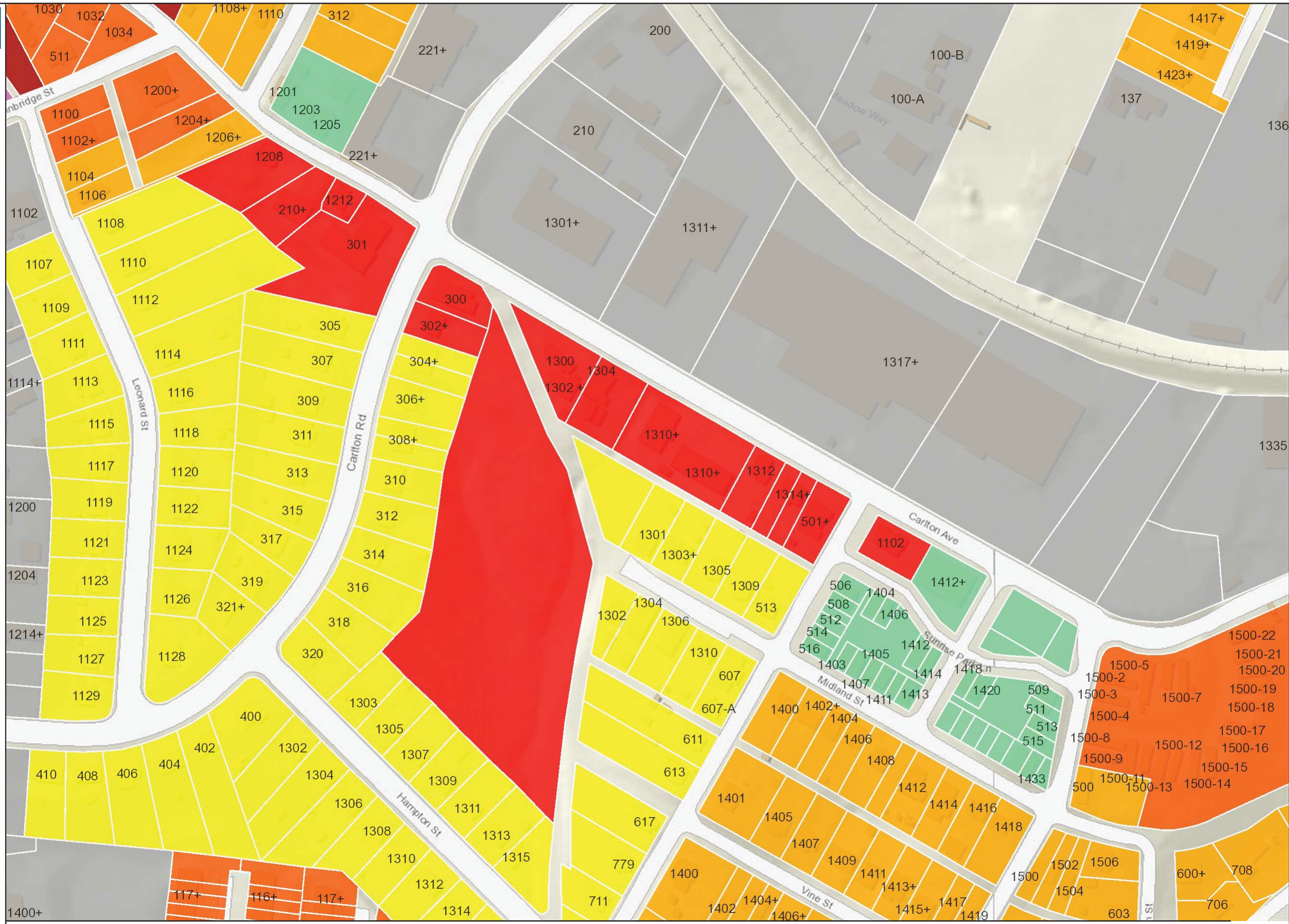
10/2/2015



DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Charlottesville is not responsible for its accuracy or how current it may be.

Legend

- Parcels
- Addresses
- Parcels by Zoning
- ES; B-1; B-1C; B-1H
- B-2; B-2H
- B-3; B-3H
- Parcels by Zoning
- Parcels by Zoning
- Parcels by Zoning
- PUD; PUDH
- R-1; R-1C; R-1H; R-1U; R-1UH
- R-1S; R-1SC; R-1SH; R-1SHC; R1SHC; R-1SU; R1USH
- R-2; R-2C; R-2H; R-2U; R-2UH
- R-3; R-3H; UHD; UDH; UMD; UMDH
- MR; MRH

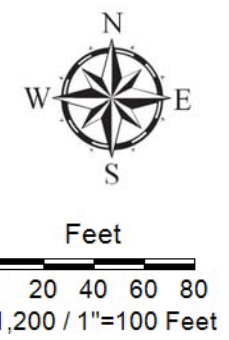


10/2/2015



DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Charlottesville is not responsible for its accuracy or how current it may be.

- Legend**
- Parcels
 - Addresses
 - Sanitary Manhole
 - Sanitary Line
 - Storm Structure
 - - Storm Line
 - Water Hydrant
 - Water Line
 - Water Meter
 - Gas Meter
 - Gas Main
 - Gas Service
 - ▣ Floodway
 - ▣ Floodplain - 100 year
 - ▣ Floodplain - 500 year
 - ▣ Bodies of Water
 - Streams & Rivers
 - - Elevation Contour Lines - 2ft (2006)



10/2/2015



DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Charlottesville is not responsible for its accuracy or how current it may be.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT

**APPLICATION FOR APPROVAL OF
A SUBDIVISION**

PLANNING COMMISSION REGULAR MEETING
DATE OF PLANNING COMMISSION MEETING: October 13, 2015

Author of Staff Report: Carrie Rainey, Neighborhood Planner

Date of Staff Report: October 1, 2015

Applicant: Riverbend Development

Applicant's Representative: Alan Taylor

Contact: David Jordan, Roudabush, Gale & Associates, Inc.

Applicable City Code Provisions: 29-1 through 29-126 (Subdivision)

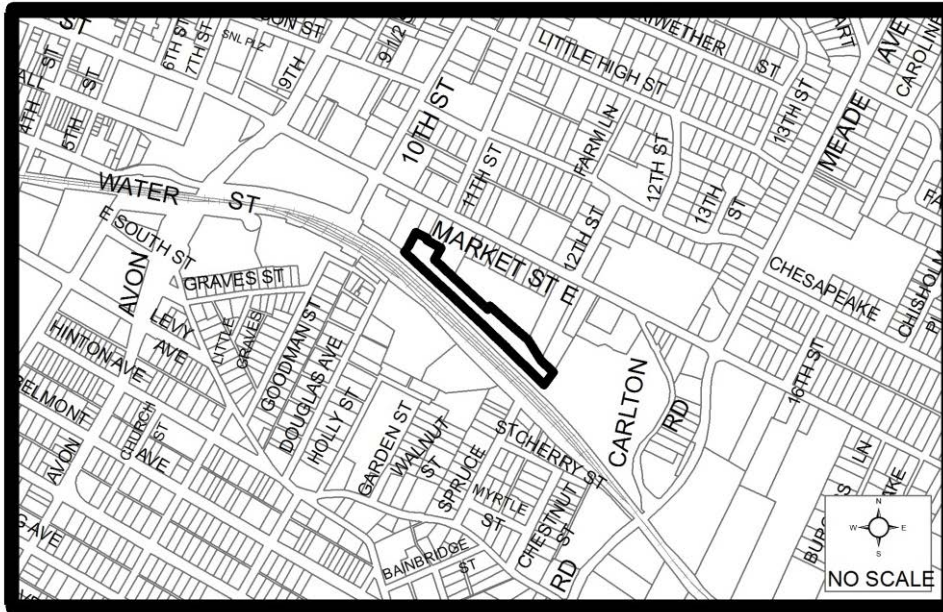
Zoning District: PUD- Planned Unit Development

Date Subdivision was submitted: August 26, 2015

Legal Standard of Review

Approval of a major subdivision is a *ministerial* function, as to which the Planning Commission has little or no discretion. When an applicant has submitted a subdivision that complies with the requirements of the City's Subdivision Ordinance, then approval of the plan *must* be granted. In the event the Planning Commission determines there are grounds upon which to deny approval of a subdivision, the motion must clearly identify the deficiencies in the plan, that are the basis for the denial, by reference to *specific* City Code sections and requirements. Further, upon disapproval of a subdivision, the Planning Commission must identify the modifications or corrections that would permit approval of the plan.

Vicinity Map



Executive Summary

David Jordan of Roudabush, Gale & Associates, Inc., acting as agent for Riverbend Development has submitted a subdivision application for a property at unaddressed locations on Water Street Extended. The applicant is proposing to divide the existing lot to create the 24 residential lots. This subdivision is considered major because it includes more than 6 lots and the extension of public facilities. The property is further identified on City Real Property Tax Map 57, Parcel 157A having frontage on Water Street Extended right-of-way. The site is zoned PUD (Planned Unit Development) and is approximately 2.16 acres. The applicant submitted a subdivision plan on August 26, 2015. Attached is the subdivision plan layout with engineering, landscaping and utility details.

Staff Checklist

- A. Compliance with design standards and improvements (*per Subdivision Ordinance §§29-160 - 29-163*):
 - a. Blocks: No new blocks will be created as a result of this division of land.
 - b. Lots: The applicant is proposing to create 24 residential lots.
 - c. Parks, Schools, and other Public Land: No new public spaces will be created with this subdivision.

- d. Preservation of natural features and amenities: There are no natural features to preserve.
 - e. Soil Erosion and Sediment Control: The applicant has submitted an erosion and sediment control plan, which has been reviewed by the Engineering Division and will be approved with the final site plan.
 - f. Monuments: Monuments will be used in the subdivision as needed.
- B. Compliance with Street Standards for Subdivisions (*per Subdivision Ordinance §§29-180 - 29-183*): The subdivision does not include new street construction.
- C. Compliance with Utility Standards for Subdivisions (*per Subdivision Ordinance §§29-200 -29-204*): The utility layout and configurations have been reviewed by Public Utilities as a part of the plan review process. A deed of easement is under preparation regarding the gas easement shown.
- D. Compliance with applicable zoning district regulations (*per Zoning Ordinance §34-490-519*): The residential lot regulations have been addressed as required, and the plat layout conforms to the minimum requirements for residential lots as stated in the PUD code approved on February 18, 2014.
- E. Compliance with the City's Erosion and Sediment Control Ordinance, City Code, Chapter 10: As noted before, the applicant has submitted an erosion and sediment control plan, which has been approved. The stormwater management provisions as outlined in Section 10-9 (b) must be approved prior to final plat approval. This section states that no site plan shall be granted final approval, and no final subdivision plat shall be signed by any city board, commission, agency, department, official or employee, unless and until such final site plan or final subdivision plat includes improvements, facilities and treatments identified within a stormwater management plan approved by the administrator in accordance with this chapter.

Public Comments Received

No comments specific to the subdivision have been received.

Recommendation

Staff recommends that the Planning Commission approve the final subdivision with the following condition:

1. The deed of easement for the public gas easement must be completed and recorded before final plat approval.

Suggested Motions

1. I move to approve the proposed subdivision located at Tax Map 57 Parcel 157A as submitted, with the addition of the condition noted above.
2. I move to reject the proposed subdivision located at Tax Map 57 Parcel 157A as submitted for the following reason(s):
 - a.
 - b.

APPROVED FOR RECORDATION

CHAIRMAN, CITY OF CHARLOTTESVILLE DATE
PLANNING COMMISSION

SECRETARY, CITY OF CHARLOTTESVILLE DATE
PLANNING COMMISSION

PARCEL DATA:

CTMP 57-157A (LOT 1)

OWNER:

CHOCO-CRUZ, LLC
321 E MAIN STREET, SUITE 200
CHARLOTTESVILLE, VIRGINIA 22902
SOURCE OF TITLE/PLAT REFERENCES:
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

ZONING:

PUD IN THE CITY OF CHARLOTTESVILLE

BUILD TO LINE/SETBACK LINE:

FRONT = 0' FROM LOT LINE OR UP TO AN EASEMENT (LOTS 1-19)
 0' - 20' FROM LOT LINE OR UP TO AN EASEMENT (LOTS 20-24)
SIDES = 3' FROM LOT LINE OR UP TO AN EASEMENT
REAR = 5' FROM THE LOT LINE OR UP TO AN EASEMENT

OWNER'S APPROVAL:

CTMP 57-157A (LOT 1)
THE SUBDIVISION OF LAND DESCRIBED HEREIN IS WITH THE
FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF
THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES

CHOCO-CRUZ, LLC DATE

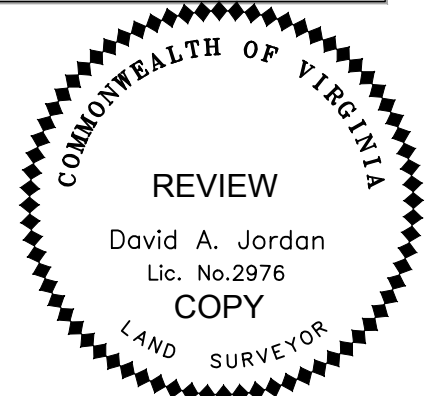
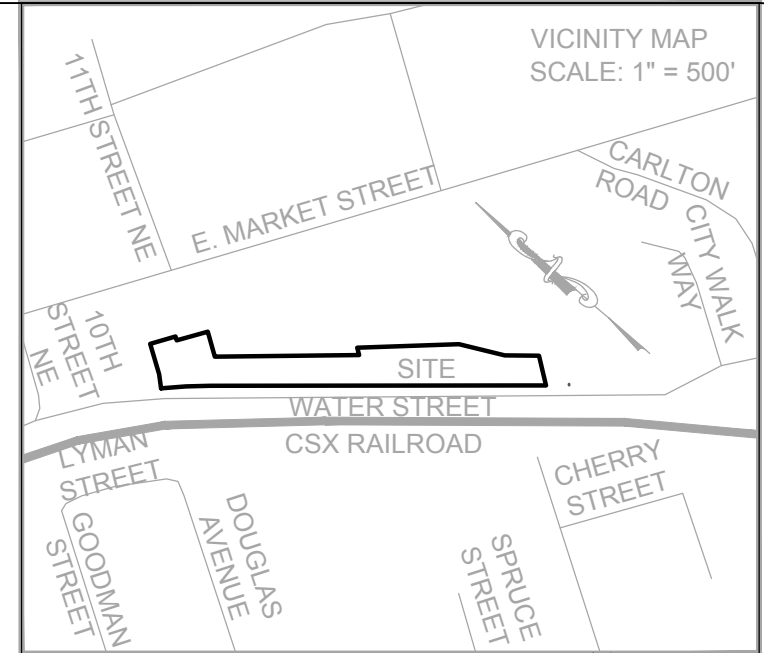
NOTARY PUBLIC
CITY/COUNTY OF _____
COMMONWEALTH OF VIRGINIA
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE
ME BY _____
ON BEHALF OF CHOCO-CRUZ, LLC

THIS ____ DAY OF _____, 20__

NOTARY PUBLIC'S SIGNATURE

NOTARY REGISTRATION NUMBER: _____

MY COMMISSION EXPIRES _____, _____



NOTES:

1. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
2. UTILITIES AND EASEMENTS OTHER THAN THOSE SHOWN HEREON MAY EXIST.
3. IRON RODS WITH CAPS WILL BE SET AT ALL NEW PROPERTY CORNERS.
4. THE SUBJECT PROPERTY APPEARS TO LIE IN FLOOD INSURANCE RATE MAP ZONE X (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS SHOWN ON COMMUNITY PANEL NUMBER 510006 0288 D WITH AN EFFECTIVE DATE OF FEBRUARY 4, 2005.
5. THE WATER, SANITARY AND STORM SEWER (PRIVATE AND PUBLIC) EASEMENTS SHOWN HEREON ARE TO BE CENTERED ON THE AS-BUILT LOCATIONS OF THE UTILITY LINES AND APPURTENANCES.
6. THE COAL TOWER LOT, OPEN SPACES AND ALL PRIVATE EASEMENTS SHOWN HEREON ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

**SUBDIVISION PLAT
SHOWING PHASE I AND II
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA**

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: N/A
FILE: 4495

ROUDABUSH, GALE & ASSOCIATES, INC.

ENGINEERS, SURVEYORS AND LAND PLANNERS



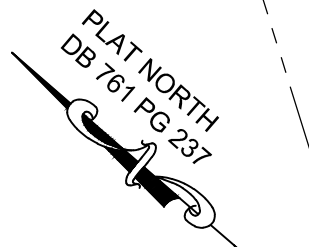
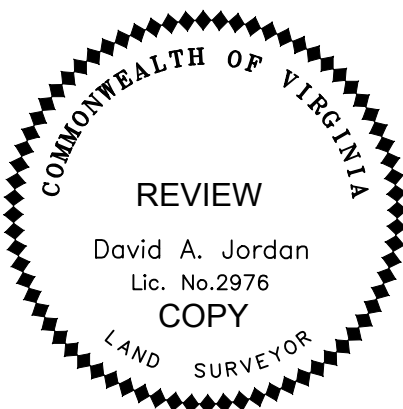
**A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958**



914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

CTMP 54-143
REGION TEN
DB 539 PG 402

CTMP 54-144
DODSON BROTHERS
EXTERMINATING INC.
DB 545 PG 25



CTMP 54-145
BROWER LTD.
PARTNERSHIP
DB 709 PG 494

C/L
15' GASLINE
EASEMENT
DEDICATED TO
THE CITY OF
CHARLOTTESVILLE

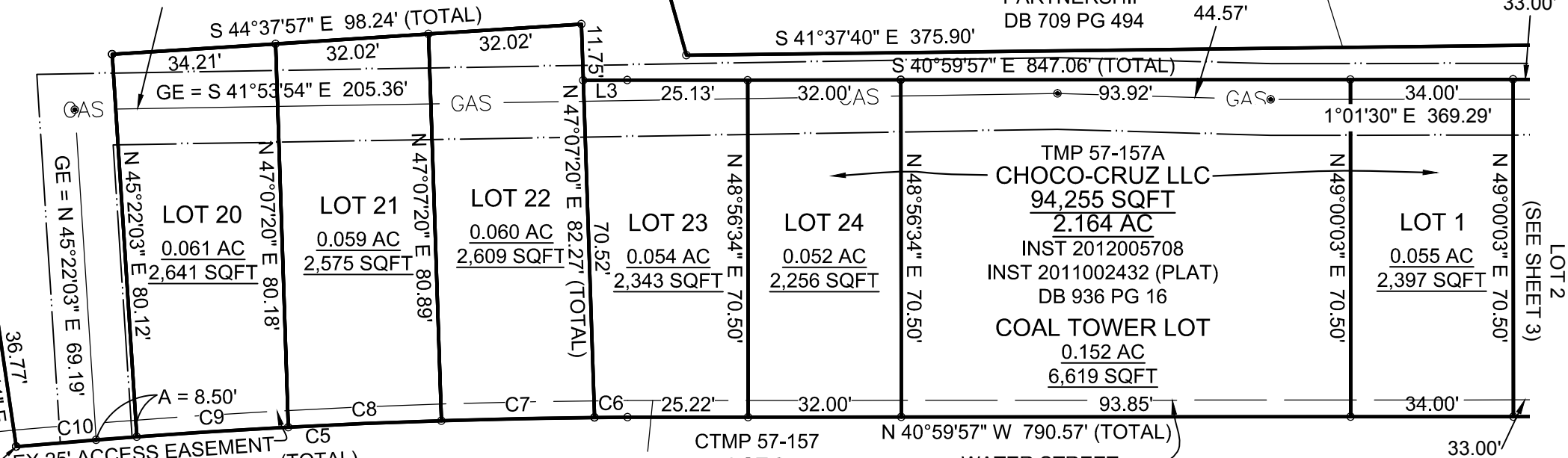
OPEN SPACE
0.615 AC
26,804 SQFT

N:5224.95
E:5902.44

20' DRAINAGE EASEMENT
N 32°57'26" E 82.01'
DB 595 PG 667 (PLAT)

CTMP 54-277.1
ALC LTD.
PARTNERSHIP
DB.806 P.310

N:5128.27
E:5833.84



EX 25' ACCESS EASEMENT
DB 802 PG 75-77 (PLAT)
DB 707 PG 618
DB 670 PG 538-543 (PLAT)

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

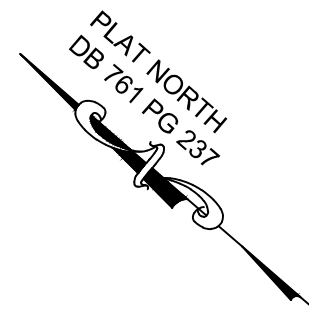
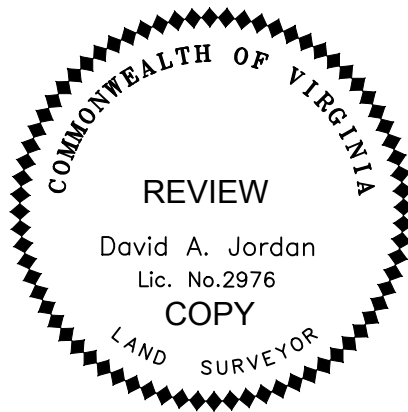
GE = GAS LINE EASEMENT

SUBDIVISION AND
GASLINE EASEMENT PLAT

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM



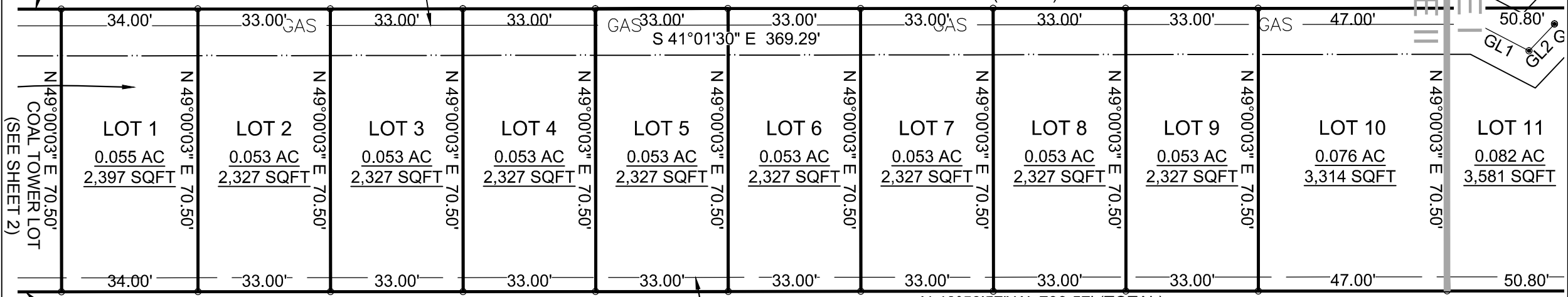
C/L
15' GASLINE
EASEMENT
DEDICATED TO
THE CITY OF
CHARLOTTESVILLE

CTMP 54-154
MARKET SQ. LLC.
DB 1029 PG 550

S 41°37'40" E 375.90'

S 43°00'17" E 264.47'

S 40°59'57" E 847.06' (TOTAL)



(SEE SHEET 2)

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

GE = GAS LINE EASEMENT

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

SUBDIVISION AND
GASLINE EASEMENT PLAT

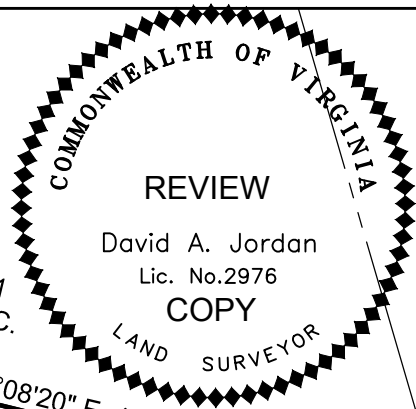
REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

SHEET 3 OF 16

PLAT NORTH
DB 761 PG 237

PLAT NORTH
DB 761 PG 237



C/L
15' GASLINE
EASEMENT
DEDICATED TO
THE CITY OF
CHARLOTTESVILLE

CTMP 54-156.1
MARKET SQ. LLC.
DB 1029 PG 550

CTMP 54-269
MARKET SQ. LLC.
DB 1029 PG 550

S 43°00'17" E 264.47'

S 27°08'20" E 122.64'

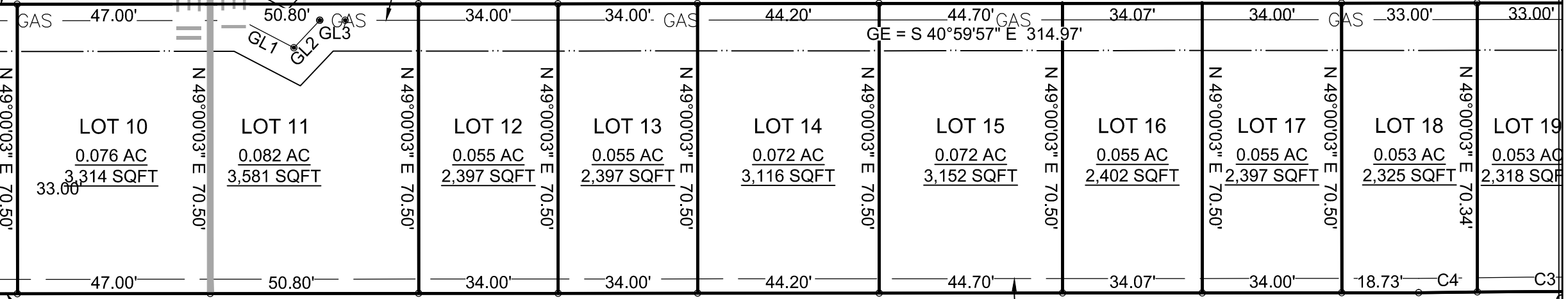
S 40°10'38" E 89.39'

OPEN SPACE
0.615 AC
26,804 SQFT

PHASE I
PHASE II

S 40°59'57" E 847.06' (TOTAL)

847.06' (TOTAL)



GE = GAS LINE EASEMENT

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

N 40°59'57" W 790.57' (TOTAL)

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS

A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958

914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

SUBDIVISION AND
GASLINE EASEMENT PLAT

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

SHEET 4 OF 16

PLAT NORTH
DB 761 PG 237

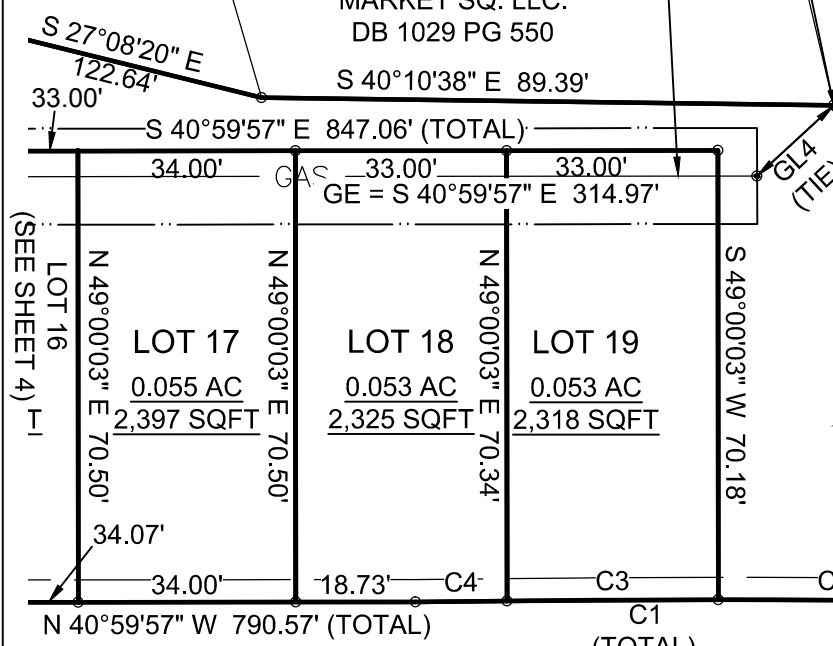
C/L
15' GASLINE
EASEMENT
DEDICATED TO
THE CITY OF
CHARLOTTESVILLE

CTMP 54-269
MARKET SQ. LLC.
DB 1029 PG 550

N:4440.69
E:6542.28

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	3523.45'	83.55'	83.55'	N 41°05'39" W	1°21'31"
C2	3523.45'	36.28'	36.28'	N 40°42'35" W	0°35'24"
C3	3523.45'	33.00'	33.00'	N 41°16'23" W	0°32'12"
C4	3523.45'	14.27'	14.27'	N 41°39'26" W	0°13'56"
C5	1506.77'	127.93'	127.89'	N 43°42'54" W	4°51'53"
C6	1506.77'	6.90'	6.90'	N 41°24'49" W	0°15'45"
C7	1506.77'	32.00'	32.00'	N 42°09'12" W	1°13'01"
C8	1506.77'	32.00'	32.00'	N 43°22'13" W	1°13'01"
C9	1506.77'	31.75'	31.75'	N 44°34'57" W	1°12'27"
C10	1506.77'	25.27'	25.27'	N 45°40'00" W	0°57'40"

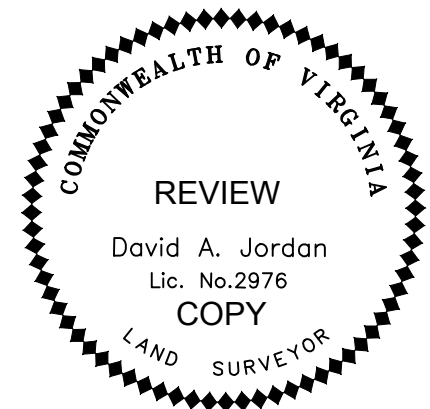
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
GL1	S 13°24'52" E	14.38'	L1	N 34°18'07" E	19.76'
GL2	S 87°24'56" E	9.19'	L2	S 29°19'46" W	10.04'
GL3	S 40°59'32" E	6.16'	L3	S 41°26'12" E	9.23'
GL4	S 83°37'55" E	16.29'			



OPEN SPACE
0.615 AC
26,804 SQFT

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

N:4376.20
E:6495.79



GE = GAS LINE EASEMENT

AREA TABUATIONS:	
LOT 1 (TAX MAP 57 [PARCE 157])	2.164 ACRES
-OPEN SPACE	0.615 ACRES
-COAL TOWER	0.152 ACRES
-LOTS	1.397 ACRES

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

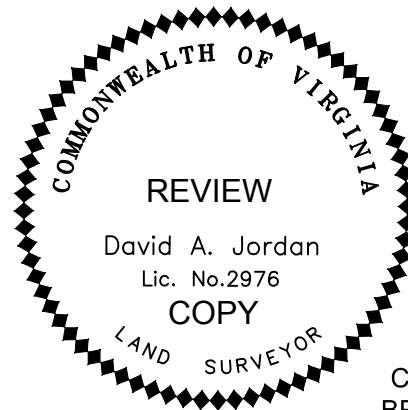
SUBDIVISION AND
GASLINE EASEMENT PLAT

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

CTMP 54-143
REGION TEN
DB 539 PG 402

CTMP 54-144
DODSON BROTHERS
EXTERMINATING INC.
DB 545 PG 25



PLAT NORTH
DB 761 PG 237

CTMP 54-145
BROWER LTD.
PARTNERSHIP
DB 709 PG 494

OPEN SPACE

20' DRAINAGE EASEMENT
DB 595 PG 667 (PLAT)

CTMP 54-277.1
ALC LTD.
PARTNERSHIP
DB.806 P.310

A = 0.11'

EX 25' ACCESS EASEMENT
DB 802 PG 75-77 (PLAT)
DB 707 PG 618
DB 670 PG 538-543 (PLAT)

LOT 20

LOT 21

LOT 22

LOT 23

LOT 24

COAL TOWER LOT

LOT 1

LOT 2
(SEE SHEET 7)

PRIVATE
VARIABLE WIDTH
ALLEY ACCESS AND
PARKING EASEMENT
(SEE NOTE 6)

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.

ENGINEERS, SURVEYORS AND LAND PLANNERS



A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958

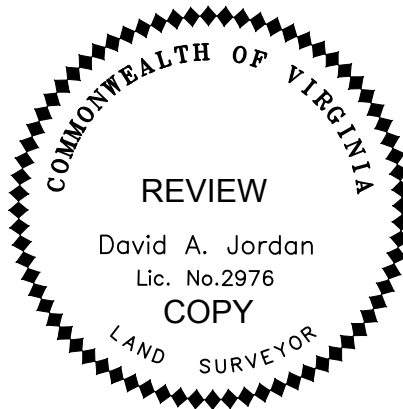


914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902

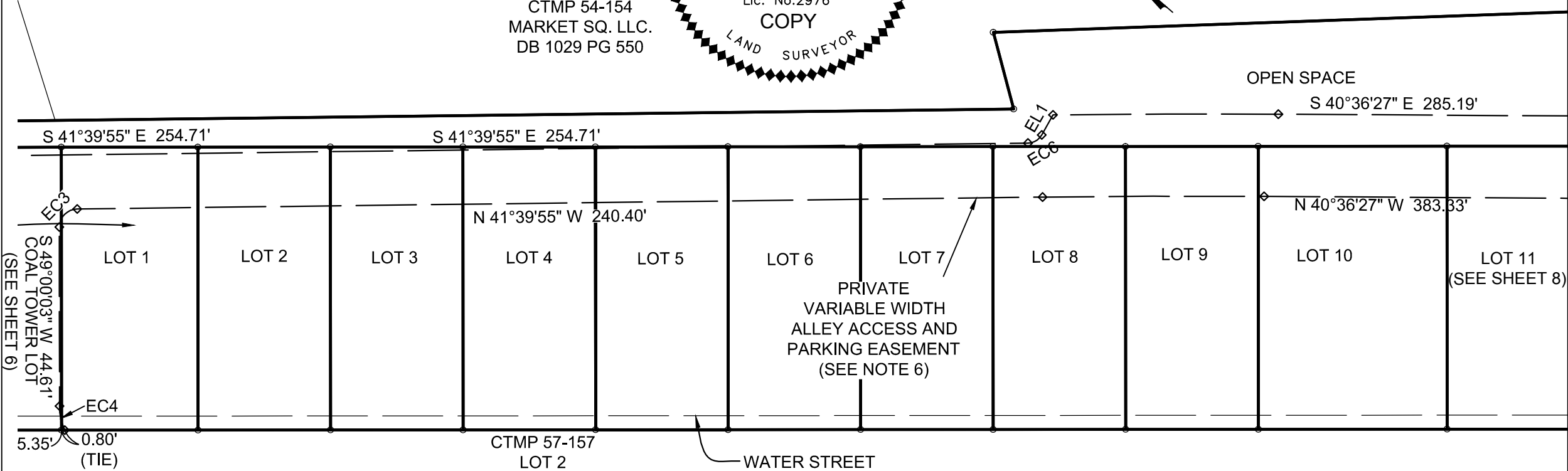
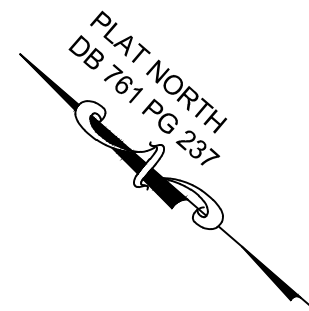
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495



CTMP 54-154
MARKET SQ. LLC.
DB 1029 PG 550



CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

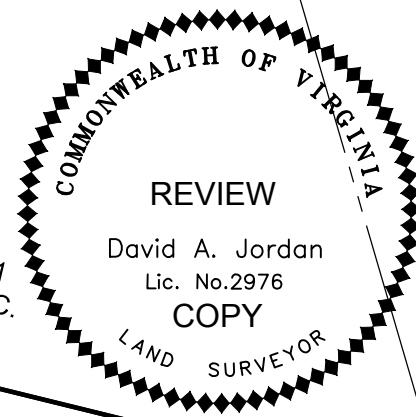
REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

ACCESS EASEMENT PLAT

SHEET 7 OF 16

PLAT NORTH
DB 761 PG 237



PLAT NORTH
DB 761 PG 237

CTMP 54-156.1
MARKET SQ. LLC.
DB 1029 PG 550

CTMP 54-269
MARKET SQ. LLC.
DB 1029 PG 550

OPEN SPACE

S 40°36'27" E 285.19'

31.44' EL3
S 40°36'27" E 41.15'

EC7 EC8 EC9
S 40°35'59" E

N 40°36'27" W 383.83'

LOT 9
(SEE SHEET 7)

LOT 10

LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

LOT 16

LOT 17

LOT 18

LOT 19
(SEE SHEET 9)

RIVATE
BLE WIDTH
ACCESS AND
G EASEMENT
E NOTE 6)

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

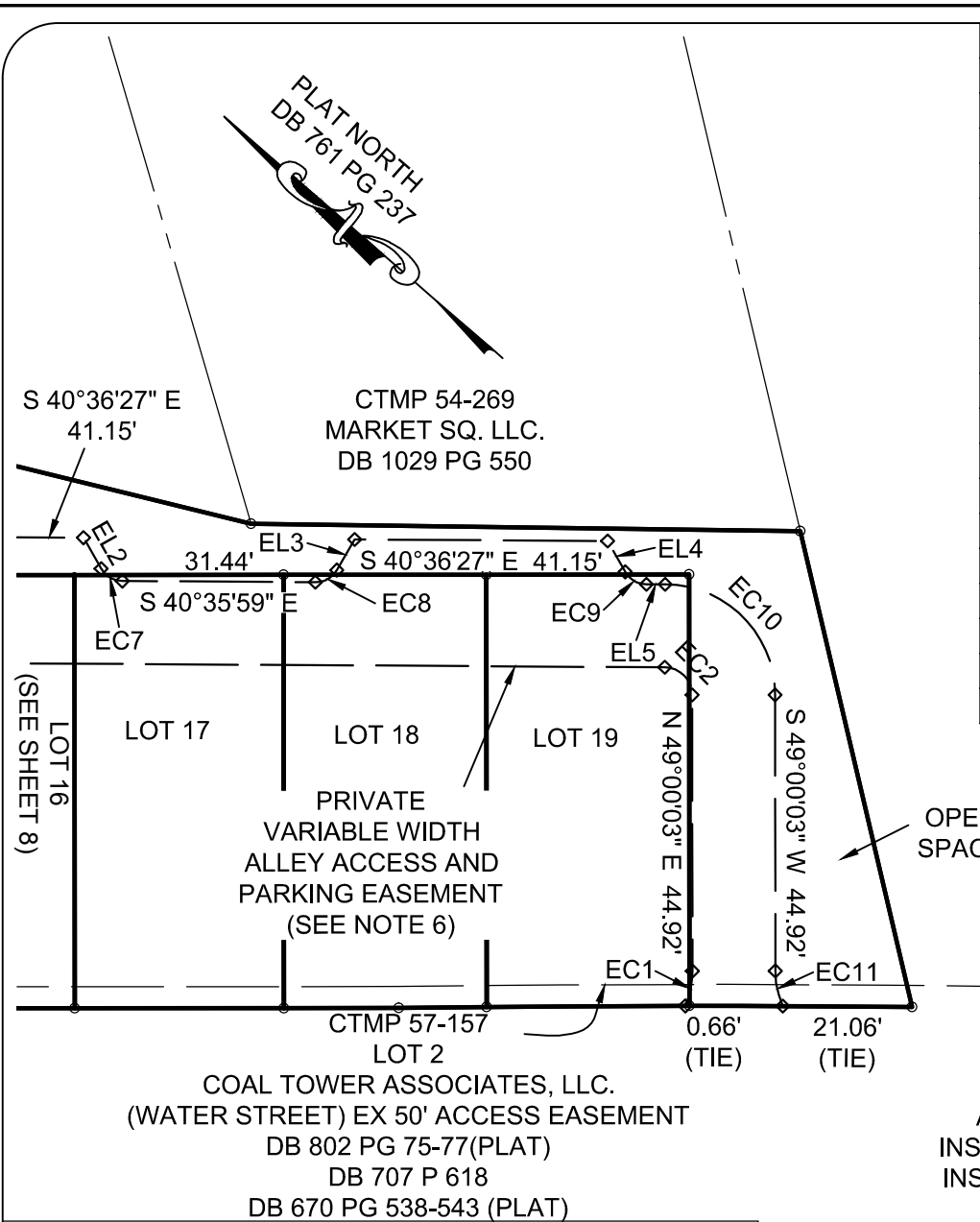
ROUDABUSH, GALE & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS AND LAND PLANNERS
 A PROFESSIONAL CORPORATION
 SERVING VIRGINIA SINCE 1958
 914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
 PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

ACCESS EASEMENT PLAT

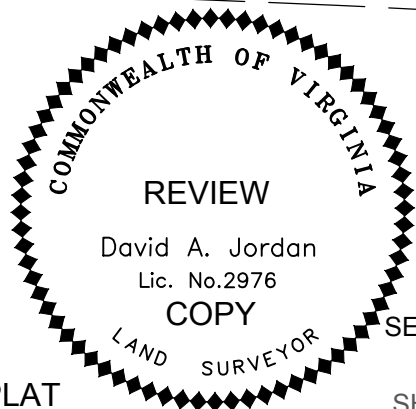
SHEET 8 OF 16



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
EC1	14.50'	5.83'	5.80'	N 60°31'42" E	23°03'19"
EC2	4.50'	7.04'	6.34'	N 04°11'48" E	89°36'30"
EC3	4.50'	7.02'	6.33'	N 86°19'56" W	89°20'02"
EC4	14.50'	6.19'	6.14'	S 36°46'45" W	24°26'36"
EC5	14.00'	6.20'	6.15'	N 61°41'21" E	25°22'37"
EC6	4.00'	4.19'	4.00'	S 71°39'55" E	60°00'00"
EC7	4.00'	4.19'	4.00'	S 10°36'27" E	60°00'00"
EC8	4.00'	4.19'	4.00'	S 70°36'28" E	60°00'00"
EC9	4.00'	4.19'	4.00'	S 10°36'18" E	59°59'43"
EC10	18.00'	28.15'	25.37'	S 04°11'46" W	89°36'34"
EC11	14.00'	5.88'	5.84'	S 36°57'59" W	24°04'09"
EC12	19.00'	11.11'	10.95'	N 62°07'15" E	33°30'25"
EC13	2.00'	3.14'	2.83'	S 89°37'57" E	90°00'00"
EC14	4.00'	6.28'	5.66'	S 00°22'03" W	90°00'00"
EC15	10.00'	7.85'	7.65'	S 19°09'55" E	45°00'00"
EC16	23.50'	10.67'	10.58'	N 28°39'07" W	26°01'36"
EC17	49.50'	25.05'	24.78'	N 30°08'08" W	28°59'39"
EC18	11.50'	18.06'	16.26'	N 89°37'57" W	90°00'00"
EC19	14.00'	6.27'	6.21'	S 32°32'47" W	25°38'30"

LINE	BEARING	DISTANCE	EL7	N 45°22'03" E	14.00'
EL1	N 78°20'05" E	5.71'	EL8	S 45°22'03" W	12.00'
EL2	S 19°23'33" W	5.78'	EL9	S 03°20'05" W	18.64'
EL3	N 79°23'33" E	5.78'	EL10	S 48°20'05" W	13.50'
EL4	S 19°23'33" W	5.78'			
EL5	S 40°41'07" E	3.07'			
EL6	S 44°37'57" E	1.67'			

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
 A PROFESSIONAL CORPORATION
 SERVING VIRGINIA SINCE 1958
 914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
 PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM



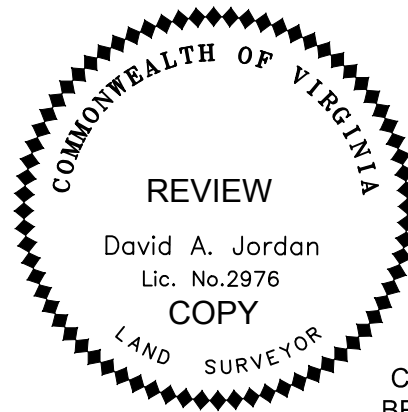
SUBDIVISION PLAT SHOWING
 WATER STREET
 TAX MAP 57 PARCEL 157A
 CHARLOTTESVILLE, VIRGINIA

AUGUST 26, 2015
 SCALE: 1" = 30'
 FILE: 4495

REVISED:
 SEPTEMBER 16, 2015

CTMP 54-143
REGION TEN
DB 539 PG 402

CTMP 54-144
DODSON BROTHERS
EXTERMINATING INC.
DB 545 PG 25



PLAT NORTH
DB 761 PG 237

OPEN SPACE

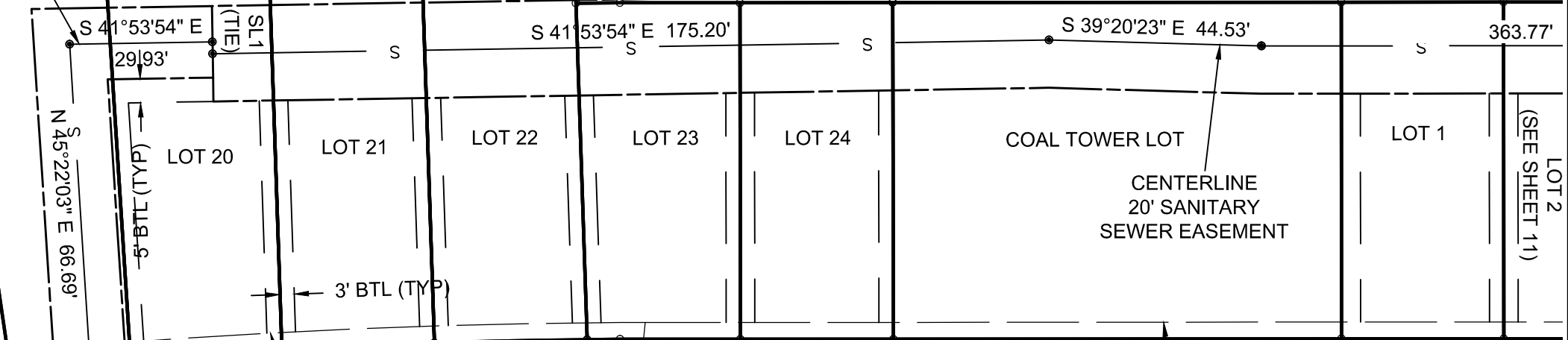
CTMP 54-145
BROWER LTD.
PARTNERSHIP
DB 709 PG 494

CTMP 54-154
MARKET SQ. LLC.
DB 1029 PG 550

CENTERLINE
15' SANITARY
SEWER EASEMENT

20' DRAINAGE EASEMENT
DB 595 PG 667 (PLAT)

CTMP 54-277.1
ALC LTD.
PARTNERSHIP
DB.806 P.310



EX 25' ACCESS EASEMENT
DB 802 PG 75-77 (PLAT)
DB 707 PG 618
DB 670 PG 538-543 (PLAT)

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.

ENGINEERS, SURVEYORS AND LAND PLANNERS



A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958



914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902

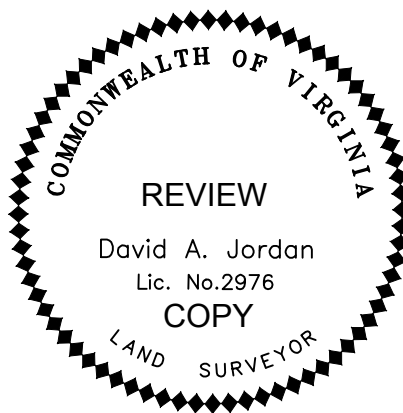
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

SANITARY EASEMENT PLAT

SHEET 10 OF 16

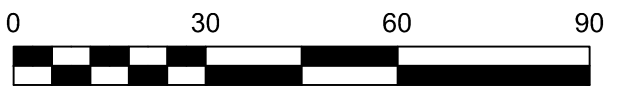
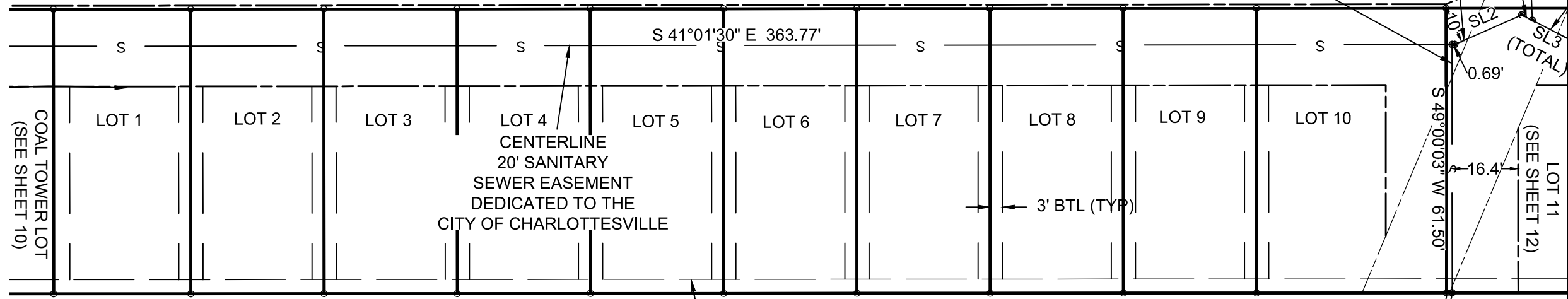


CTMP 54-154
MARKET SQ. LLC.
DB 1029 PG 550

PLAT NORTH
DB 761 PG 237

SANITARY SEWER EASEMENT
UN-SPECIFIED WIDTH
DB 5 PG 370-372 (PLAT)
DB 5 PG 14
BASELINE
VARIABLE WIDTH SANITARY
SEWER EASEMENT
DEDICATED TO THE
CITY OF CHARLOTTESVILLE

OPEN SPACE
CENTERLINE
32.8' SANITARY
SEWER EASEMENT
DEDICATED TO THE
CITY OF CHARLOTTESVILLE



CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

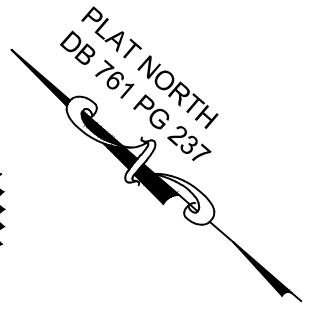
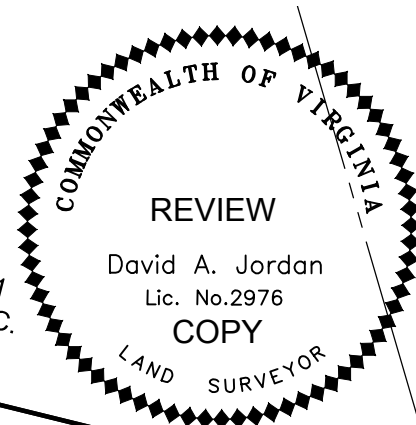
WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495



CTMP 54-156.1
MARKET SQ. LLC.
DB 1029 PG 550

CTMP 54-269
MARKET SQ. LLC.
DB 1029 PG 550

BASELINE
VARIABLE WIDTH SANITARY
SEWER EASEMENT
DEDICATED TO THE
CITY OF CHARLOTTESVILLE

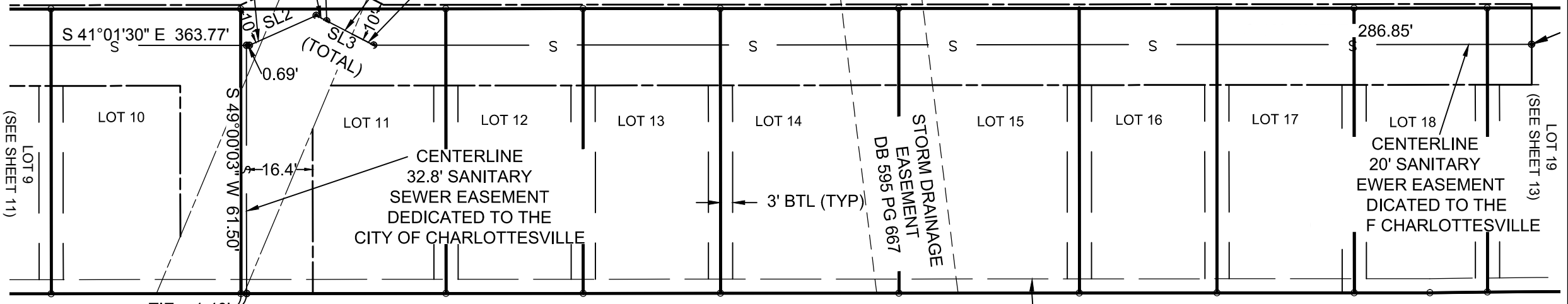
SANITARY SEWER EASEMENT
UN-SPECIFIED WIDTH
DB 5 PG 370-372 (PLAT)
DB 5 PG 14

TIE = 131.52'

BASELINE
VARIABLE WIDTH SANITARY
SEWER EASEMENT
DEDICATED TO THE
CITY OF CHARLOTTESVILLE

OPEN SPACE

OPEN SPACE



(SEE SHEET 11)

(SEE SHEET 13)



CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.
ENGINEERS, SURVEYORS AND LAND PLANNERS
A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

SANITARY EASEMENT PLAT

SHEET 12 OF 16

PLAT NORTH
DB 761 PG 237

CTMP 54-269
MARKET SQ. LLC.
DB 1029 PG 550

OPEN SPACE

S 40°59'57" E 286.85'

SL4
(TIE)

LOT 17

LOT 18

LOT 19

CENTERLINE
20' SANITARY
SEWER EASEMENT
DEDICATED TO THE
CITY OF CHARLOTTESVILLE

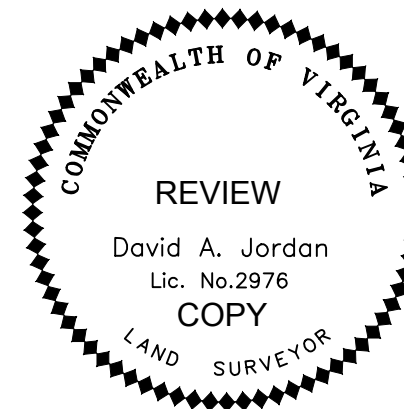
3' BTL (TYP)
OPEN SPACE

(SEE SHEET 12)

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708 (DEED)
INST 2011002432 (PLAT)

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708 (DEED)
INST 2011002432 (PLAT)



SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.

ENGINEERS, SURVEYORS AND LAND PLANNERS



A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958



914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902

PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM



SANITARY EASEMENT PLAT

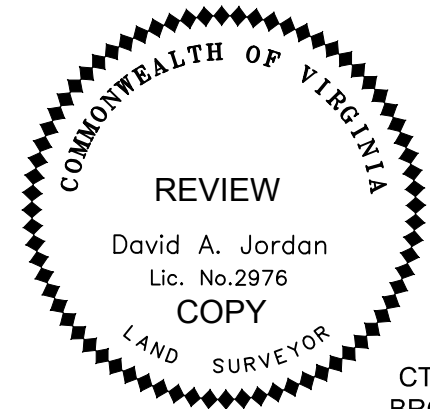
REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

SHEET 13 OF 16

CTMP 54-143
REGION TEN
DB 539 PG 402

CTMP 54-144
DODSON BROTHERS
EXTERMINATING INC.
DB 545 PG 25



PLAT NORTH
DB 761 PG 237

CTMP 54-145
BROWER LTD.
PARTNERSHIP
DB 709 PG 494

CTMP 54-154
MARKET SQ. LLC.
DB 1029 PG 550

S 57°05'10" E 68.45'

S 56°28'08" E 83.70'

S 33°24'01" N 69.02' (TOTAL)
67.79'

N 32°57'26" E 50.25'
20' DRAINAGE EASEMENT
DB 595 PG 667 (PLAT)

N 44°44'13" W 47.09'

OPEN SPACE

PRIVATE
VARIABLE WIDTH
STORMWATER
MANAGEMENT
EASEMENT
RESERVED
(SEE NOTE 6)

34.19'
N 44°37'57" W

CTMP 54-277.1
ALC LTD.
PARTNERSHIP
DB.806 P.310

DL7
DL8
DL9
DL10
DL11

LOT 20

LOT 21

LOT 22

LOT 23

LOT 24

COAL TOWER LOT

LOT 1

LOT 2

EX 25' ACCESS EASEMENT
DB 802 PG 75-77 (PLAT)
DB 707 PG 618
DB 670 PG 538-543 (PLAT)

CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS AND LAND PLANNERS
 A PROFESSIONAL CORPORATION
 SERVING VIRGINIA SINCE 1958
 914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
 PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

STORMWATER MANAGEMENT
EASEMENT PLAT

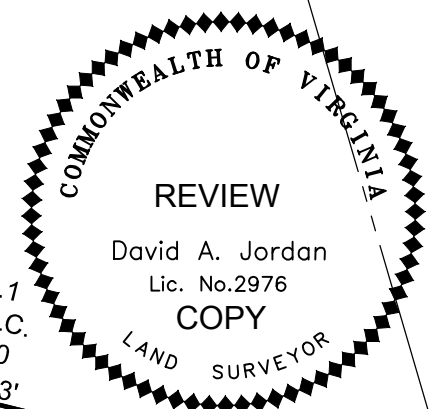
REVISED:
SEPTEMBER 16, 2015

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495

SHEET 14 OF 15

PLAT NORTH
DB 761 PG 237

CTMP 54-154
MARKET SQ. LLC.
DB 1029 PG 550
PRIVATE
VARIABLE WIDTH
STORMWATER
MANAGEMENT
EASEMENT RESERVED
(SEE NOTE 6)



CTMP 54-156.1
MARKET SQ. LLC.
DB 1029 PG 550
\$ 27°08'20" E 62.33'

S 43°00'17" E 231.93'

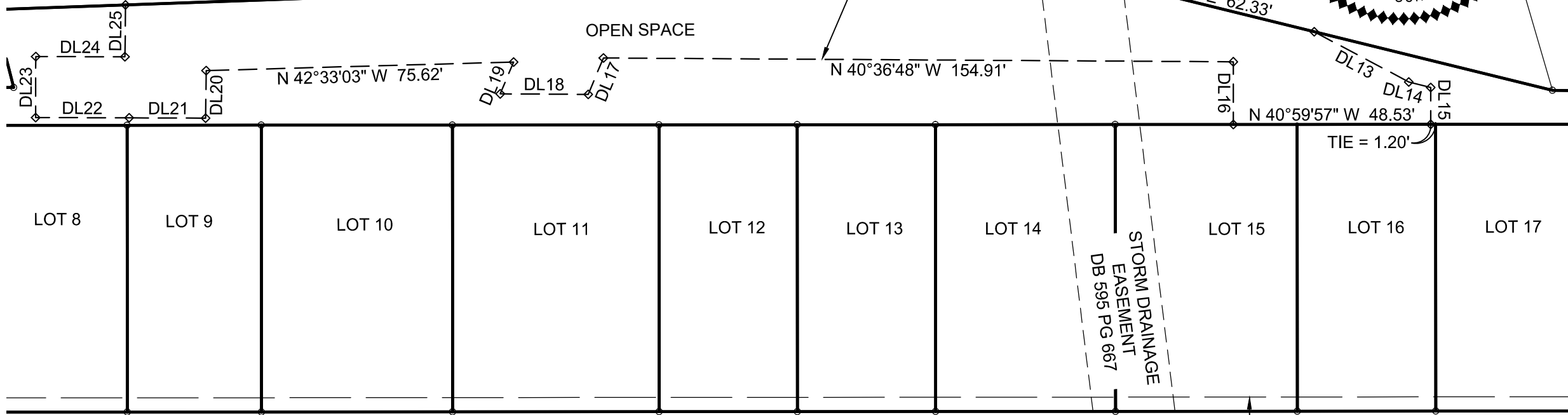
OPEN SPACE

N 42°33'03" W 75.62'

N 40°36'48" W 154.91'

N 40°59'57" W 48.53'

TIE = 1.20'



0 30 60 90



CTMP 57-157
LOT 2
COAL TOWER
ASSOCIATES, LLC.
INST 2012005708
INST 2011002432 (PLAT)
DB 936 PG 16

WATER STREET
EX 50' ACCESS EASEMENT
DB 802 PG 75-77(PLAT)
DB 707 P 618
DB 670 PG 538-543 (PLAT)

SUBDIVISION PLAT SHOWING
WATER STREET
TAX MAP 57 PARCEL 157A
CHARLOTTESVILLE, VIRGINIA

ROUDABUSH, GALE & ASSOCIATES, INC.

ENGINEERS, SURVEYORS AND LAND PLANNERS



A PROFESSIONAL CORPORATION
SERVING VIRGINIA SINCE 1958



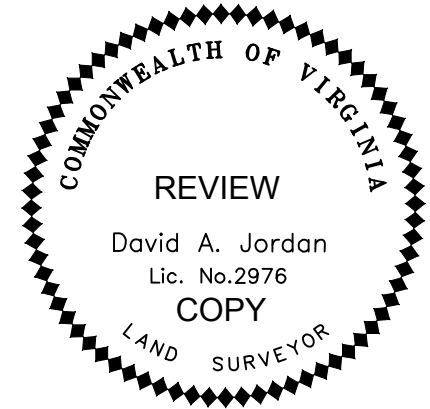
914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM

STORMWATER MANAGEMENT
EASEMENT PLAT

REVISED:
SEPTEMBER 16, 2015

SHEET 15 OF 16

AUGUST 26, 2015
SCALE: 1" = 30'
FILE: 4495



SUBDIVISION PLAT SHOWING
 WATER STREET
 TAX MAP 57 PARCEL 157A
 CHARLOTTESVILLE, VIRGINIA

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
DC1	7.50'	6.38'	6.19'	N 21°00'42" W	48°40'50"
DC2	2.62'	3.44'	3.20'	N 05°58'22" W	75°13'57"
DC3	7.63'	11.39'	10.36'	N 01°24'21" W	85°28'13"

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
DL1	N 41°53'54" W	2.80'	SL1	S 48°06'06" W	2.50'
DL2	N 03°20'05" E	17.43'	SL2	S 64°49'27" E	18.18'
DL3	S 45°39'54" W	9.60'	SL3	S 13°39'46" E	15.99'
DL4	N 43°59'13" W	20.03'	SL4	S 63°14'54" E	23.77'
DL5	N 46°00'47" E	9.38'			
DL6	N 45°45'05" E	7.40'			
DL7	N 44°19'07" W	15.63'			
DL8	S 45°22'03" W	15.90'			
DL9	S 44°37'57" E	5.06'			
DL10	S 45°22'03" W	20.00'			
DL11	N 44°37'57" W	13.08'			
DL12	S 29°19'46" W	10.04'			
DL13	S 13°00'26" E	26.30'			
DL14	S 26°52'30" E	5.57'			
DL15	S 48°59'27" W	9.06'			
DL16	N 49°00'03" E	15.40'			
DL17	S 71°42'28" W	9.69'			
DL18	N 40°36'27" W	21.62'			
DL19	N 71°42'28" E	8.47'			
DL20	S 49°40'40" W	11.69'			
DL21	N 40°42'44" W	18.81'			
DL22	N 40°48'37" W	23.00'			
DL23	N 49°11'23" E	15.00'			
DL24	S 40°48'37" E	21.94'			
DL25	N 49°40'40" E	12.75'			

ROUDABUSH, GALE & ASSOCIATES, INC.
 ENGINEERS, SURVEYORS AND LAND PLANNERS
 A PROFESSIONAL CORPORATION
 SERVING VIRGINIA SINCE 1958
 914 MONTICELLO ROAD - CHARLOTTESVILLE, VIRGINIA 22902
 PHONE 434-977-0205 - FAX 434-298-5220 - EMAIL INFO@ROUDABUSH.COM




SANITARY AND
 STORMWATER MANAGEMENT
 EASEMENT TABLES

REVISED:
 SEPTEMBER 16, 2015
 SHEET 16 OF 16

AUGUST 26, 2015
 SCALE: N/A
 FILE: 4495