

## Agenda

### PLANNING COMMISSION REGULAR DOCKET TUESDAY, August 8, 2017 – 5:30 P.M. CITY COUNCIL CHAMBERS

#### **I. Commission Work Session (Agenda discussion(s))**

*Beginning:* 4:30 p.m.

*Location:* City Hall, 2nd Floor, NDS Conference

#### **II. Commission Regular Meeting**

*Beginning:* 5:30 p.m.

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

##### **A. COMMISSIONERS' REPORTS**

##### **B. UNIVERSITY REPORT**

##### **C. CHAIR'S REPORT – Appointment of Nominating Committee**

##### **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 - July 11, 2017 – Pre meeting and Regular meeting
2. Minutes - May 23, 2017 – Work Session

#### **III. JOINT MEETING OF COMMISSION/ COUNCIL**

*Beginning:* 6:00 p.m.

*Continuing:* until all public hearings are completed

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

To ensure compliance with applicable notice requirements, the public hearings for ZM17-00001 Park Street PUD and CP17 - 00001 -Belmont Bridge Concepts will be held on September 12, 2017. Please note that while the public hearings have been moved to September 12, 2017, presentations for both ZM17-00001 Park Street PUD and CP17-00001 Belmont Bridge Concepts will still occur with opportunity for public comment on August 8, 2017.

#### **1. ZM17-00001 – 1021, 1023 and 1025 Park Street Planned Unit Development (PUD)**

**Rezoning Request** – Kurt Wassenaar, President of Wassenaar + Winkler Architects and Planners, acting as representative for Monticello Area Community Agency (MACAA) (owner of 1021 and 1025 Park St) and New Millennium Senior Living Communities (NMSLC) (contract purchaser of 1023 Park St (owned by 1023 Park Street, LLC)), has submitted a rezoning application to re-zone properties 1021, 1023 and 1025 Park Street (“Subject Properties”) from Low-Density Residential (R-1) to a Planned Unit Development (PUD). The Subject Properties are identified on City Real Property Tax Map 47 as Parcels 7.1, 8 and 11 with frontage on Park Street and Route 250 Bypass. The Subject Properties total to approximately 9.312 acres (405,631 square feet). Tax Map 47 Parcel 7.1 (1025 Park St) has, in addition to the R-1 designation, a Special Use Permit (SUP) granted by

City Council in 1993 for the use of a Community Education Center. The SUP requires access from the property onto Route 250 Bypass be closed to the public. The applicant’s rezoning request proposes a PUD that allows for an “intergenerational campus” that would locate a senior housing facility, containing a mix of assisted living and independent living units (151 total units proposed), on the current MACAA site (1025 Park Street), and to re-locate MACAA’s operation and facilities to the adjacent “Stone House” (1021 Park Street) immediately North of the MACAA site. The applicant proposes to restore the Stone House for MACAA’s executive offices and construct a new school building behind the Stone House for MACAA’s early childhood development program. The PUD request proposes to maintain the closure of the access from the property onto Route 250 Bypass, allowing for Emergency Access only. The Subject Properties’ current zoning (R-1) limits residential uses to single-family detached dwellings (SFD), which may contain interior or exterior accessory dwelling units, limited to 1 SFD per 8,125 square foot lot (effective density 5 dwelling units per acre (DUA)). The Land Use Map designation within the City’s Comprehensive Plan identifies the Subject Properties as being planned for Low Density Residential and the Comprehensive Plan specifies density in those areas to be no greater than 15. A copy of the proposed zoning map amendment, and related materials, is available for inspection online (<http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services>) and at the Charlottesville Department of Neighborhood Development Services, 610 East Market Street. Persons interested in this rezoning petition may contact Heather Newmyer by e-mail ([newmyerh@charlottesville.org](mailto:newmyerh@charlottesville.org)) or by telephone (434-970-3968).

**2. CP17 - 00001 -Belmont Bridge Concepts** - Pursuant to Virginia Code section 15.2-2232, the Planning Commission will review the proposed Belmont Bridge Replacement concept, located on 9<sup>th</sup> Street between Market Street and Garrett Street / Levy Avenue in the City of Charlottesville, to determine if the general character and extent of the proposed improvements are substantially in accord with the City’s adopted Comprehensive Plan or part thereof. The Planning Commission shall communicate its findings to the Charlottesville City Council, with written reasons for its approval or disapproval. The conceptual design concepts of the proposed improvements may be examined at the Department of Neighborhood Development Services, 610 East Market Street, Charlottesville, Virginia, Monday – Friday between the hours of 8:00 a.m. and 5:00 p.m.

**IV. COMMISSION’S ACTION ITEMS**

- Beginning:* upon conclusion of all joint public hearings
- Continuing:* until all action items are concluded

1. Entrance Corridor Review Board – Review of Solar Energy Systems Ordinances

**IV. FUTURE MEETING SCHEDULE/ADJOURN**

Wednesday, August 16, 2017 – 12noon	Work Session	Joint Work Session with Housing Advisory Committee
Tuesday, August 22, 2017 – 5:00 PM	Work Session	Capital Improvement Program, Review of Zoning Ordinance
Tuesday, September 12, 2017 – 4:30 PM	Pre- Meeting	
Tuesday, September 12, 2017 – 5:30 PM	Regular Meeting	ZM17-00001 – 1021, 1023 and 1025 Park Street Planned Unit Development (PUD) Rezoning Request CP17 - 00001 -Belmont Bridge Concepts SUP - 1530 East High Street, 0 Carlton

		Road Minutes - June 25, 2017 – Work Session, July 25, 2017 – Work Session Commission Elections and Annual Meeting
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**Anticipated Items on Future Agendas**

Critical Slope Waiver – Seminole Square and Pepsi Bottling  
Special Use Permit – 201 West Water Street, 901 River Road  
Rezoning – 501 Cherry Avenue

**Persons with Disabilities may request reasonable accommodations by contacting [ada@charlottesville.org](mailto: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**  
**7/1/2017 TO 7/31/2017**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
  - a. Market Plaza – Water Street - July 7, 2017
- 3. Site Plan Amendments**
  - a. Chopt Restaurant (Barracks Rd Shopping Center) TMP 1-1 – July 14, 2017
  - b. North Wing Café (Barracks Rd Shopping Center) TMP 1-1 – July 20, 2017
- 4. Minor Subdivision**
  - a. Major – Harmony Ridge - July 10, 2017
  - b. 560 Cleveland Ave (TMP 22B-160 & 21A-129.16) – July 25, 2017

Minutes  
**PLANNING COMMISSION REGULAR DOCKET**  
**TUESDAY, July 11, 2017 – 5:30 P.M.**  
**CITY COUNCIL CHAMBERS**  
**NDS Conference Room**

**I. Commission Work Session (Agenda discussion(s))**

*Beginning:* 4:30 p.m.

*Location:* City Hall, 2nd Floor, NDS Conference

Members Present: Chairman Kurt Keesecker Vice-Chair; Lisa Green, Commissioners Genevieve Keller, Jody Lahendro, and Taneaia Dowell

Members Absent: Corey Clayborne; John Santoski

1. Comprehensive Plan Process Preparation

Chair Keesecker called the meeting to order at 5:00pm and provided a review of the agenda. Staff presented the materials to be used at the second round of community outreach for the Comprehensive Plan and gathered feedback.

**II. Commission Regular Meeting**

*Beginning:* 5:30 p.m.

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

Members Present: Chairman Kurt Keesecker Vice-Chair; Lisa Green, Commissioners Genevieve Keller, Jody Lahendro, and Taneaia Dowell

Members Absent: Corey Clayborne; John Santoski

Staff: Missy Creasy, Carolyn McCray, Lisa Robertson, Alex Ikefuna

Call to Order: The meeting was called to order by Chairman Keesecker at 5:30 pm

**A. COMMISSIONERS' REPORTS**

Commissioner Lahendro: reported no Housing Advisory Committee meeting this month and the Tree Commission meeting was postponed from a week ago because of the holiday and it is going on right now.

Commissioner Keller: TJPDC does not meet in July, but will meet in August and we have re-instituted a process where we try to visit some of the other jurisdictions and try not to just meet in Charlottesville, so we will be meeting in Greene County next month and get some information about their streetscape project. It is a different scale than ours but she thinks it will be interesting. This week the PLACE task force meets on Thursday and Chairman Keesecker has been invited to come and give an update to the task force on the Comp Plan; and he has some activities planned.

Commissioner Dowell: no report

Commissioner Green: reported there was no meeting last month with the Citizens Transportation Advisory Commission and they will meet in August.

**.B. CHAIR'S REPORT:** Kurt Keesecker reported he sits on the Hydraulic/29 Advisory Committee, and it has been an active summer. The design team that was put together by VDOT, Kimly Horn and Michael Baker Associates are doing land planning and transitioning into transportation. It is an incredibly interesting process because it is a complicated environment. They have been doing some community outreach themselves as well which has been interesting to hear

how their efforts are going in light of what we have tried to do over the weeks and months. They have gotten back some strong feedback from the Meadows neighborhood that are affected by some of the preliminary plans and he thinks the concerns have been heard loud and clear from the design team. There is a charrett with the 12 member advisory committee this Thursday to talk about some scenarios that have been proposed by the design team to narrow down to a preferred scenario. They have kept these 3 or 4 ideas open and debated for quite some time and they are hoping to narrow in on one so they can do a study in detail on the transportation issues related to land uses proposed. He said it is fair to say nothing has been decided but definitely the issues concerning the Meadow's neighborhood and their traffic concerns and some of the opportunities for land use around that area have been considered and we will see how Thursday turns out and report more robustly next time. Ms. Dowell and Mr. Lahendro have done a good job on our community engagement workshops for their introductory explanation of what a Comp Plan is and what we are trying to do with our Comp Plan efforts.

Commissioner Dowell said she enjoyed the community workshops that she was able to attend and presented and felt they were nice and at the tables there was a nice diversity; and good input from the citizens. She wished more people were involved.

Commissioner Lahendro said things started off a little stiff because the commission was a little stiff and once we got the hang of it and met people coming through the door, we were able to talk with everyone, the participants, things went very smoothly, and the staff and the commissioners enjoyed the process. He hated to see it come to an end.

Chair Keesecker said he appreciated Ms. Creasy and her staff and all of the effort that went into making those evenings logistically smooth and useful in terms of information. He said the tables he was at were very robust, very civil, helpful and very positive moving forward.

Ms. Creasy said we had about 150 residents to sign in although we missed a few that didn't sign in so we can't quantify that.

Commissioner Lahendro said of the 150 people at these events, we have captured and documented everything people have told us and we are now compiling that into a spreadsheet so the data is readable by us and can inform our decisions when we get to the point of constructing scenarios for our Comp Plan.

**C. DEPARTMENT OF NDS** - Missy Creasy said we have finished phase one and on to phase two. Tomorrow evening we will be at the farmers market at Meade Park and our 2<sup>nd</sup> event is Friday after Five with a tent and activities which will allow us to get the next level of feedback from the community. We asked where do you want housing and commercial to go and now we will try to dig a little deeper to see what kinds of housing and commercial people have interest in and in what location. We will also have the survey from our first activity as well as a survey that digs a little deeper question wise with candy available for participants. We will have the appropriate treat for the appropriate event. Next week the events will be posted on line. Potential date for the joint meeting between HAC and the Planning Commission is August 16<sup>th</sup>.

Commissioner Dowell gave special thanks to Allison Linney, our moderator, for doing a great job in seeing everything ran smoothly and no one person over-took the event.

Ms. Creasy said we are in the process of getting this information on line, updating our software and we will have the maps that were created at the events online. We have had some interest from those

in the community that do their own data processing and volunteered to do some analysis of that data. We will welcome any feedback that occurs on that level which will make the process even better.

Ms. Creasy said she needs the commissioners to let her know about the potential date for the Housing Advisory Committee joint work session. It is a lunchtime work session and August 16<sup>th</sup> is the date we are floating right now. If we can get our critical mass that folks are generally okay with, she will ink that in.

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

### **CONSENT AGENDA**

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

1. Minutes - June 13, 2017 – Pre meeting and Regular meeting
2. Minutes - April 25, 2017 – Work Session

Motion by Commissioner Keller Seconded by Commissioner Dowell to approve the Consent Agenda, motion passes 5-0.

- 1. City Attorney Review of Zoning Ordinance - <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/zoning/legal-review-2017>**

Ms. Robertson gave out a chart offering information about some problematic Mixed Use issues, and the second document was a chart (“commercial district mixed use discussion guide”) that is set up as an attachment and supplement to the first document. The charts give you references to existing Code provisions; to the location within the Legal Review where the proposed revised language can be found and incorporated. She said the zoning ordinance provisions relating to “mixed use” were not well executed when introduced in 2003, and were not well integrated with other parts of the ordinance (definitions, general regulations, etc.). The City removed some definitions and requirements, because it was felt they were too constraining upon development; however, in doing so, the City failed to replace the removed provisions with alternative language sufficient to guide administrative decisions, coordinate with other ordinance provisions, or effectively promote whatever type of development the City was intending to promote at the time of those amendments.

Ms. Robertson provided the commission with a list of questions to answer because she felt they are the ones that warrant serious consideration sooner rather than later.

Ms. Robertson said the definition of mixed used is residential combined with any other use

Commissioner Keller said the public needs a graphic to understand.

Commissioner Dowell asked about height and the need to make the pictures the Commission asked for.

Chairman Keesecker received an email from CADRe who are working on some diagrams to aid in that analysis.

Ms. Robertson said by August we will need to advertise for a public hearing. Our ordinance needs work and it will be helpful to address some issues in the short term.

Commissioner Keller said in reference to the Corner District density, do we really want to encourage mixed use by the commercial areas up to 14<sup>th</sup> street? Until we have that kind of information, we may inadvertently do something we do not want.

Ms. Robertson said for the next meeting on July 25<sup>th</sup> we will focus on developing an interim way to measure height and then spend time with the rest of the proposed questions. An effort will take place later to modify the use matrixes. It does not appear the PUD discussion will need to occur until after the Comprehensive Plan update.

(1) In the Corner Mixed Used Corridor District, regarding the current lack of criteria specifying when a Mixed Used Building or Development may qualify for a density bonus:

Item #1 - use can be less than gross areas for instance the university high rise; corner districts, use category residential, commercial components.

(2) In the Downtown Extended Mixed Use District, regarding the lack of criteria specifying when a Mixed Used Building may qualify for a height bonus:

Item #2 - one apartment in a residential building, allow bonus height only by SUP; Height will be answered by the form base code discussion.

(3) In the Downtown Extended Mixed Use District, is a “mixed use building” that contains 3+ dwelling units subject to the same minimum density (21 DUA) as a “multifamily dwelling”?

#3 Commissioner Keller said #2 and #3 makes sense. We have a consensus.

Chairman Keesecker said a mixed use building with extra density is like the corner focusing on the building from the ground floor.

Commissioner Lahendro said he is interested in playing with the percentages for the mix of the building required in order to get a bonus.

Commissioner Keller said why do we want to encourage density in the Corner area?

Ms. Robertson said you might decide not to use percentages down the road but beware of the day to day stuff that’s happening.

Commissioners Green and Dowell would like to see an SUP to allow extra height which would allow for a choice to deny it if it were not appropriate. With an SUP, Council can identify percentage and affordable housing provisions kick in.



It was clarified that a Multi-family dwelling includes three or more dwelling units. The Downtown Extended District has a minimum of 21 dwelling units per acre, as the minimum density in a mixed use building

(4) In the Downtown Extended Mixed Use Corridor District, is a “mixed use building” subject to the same minimum density (21 DUA) as other residential development?

#4 minimum density in any other residential development? But nobody knows if that is in a mixed use development.

Chairman Keesecker said this will allow people to do discount building and allow people to park on the street.

(5) In the Cherry Avenue Mixed Used Corridor District, is a “mixed use building” subject to 21 DUA (max) or to 43 DUA (max)?

#5 Take out project and replace with development in the code language.

(6) In the Water Street Mixed Use Corridor District, are mixed use buildings” subject to the 21 DUA minimum applicable to “multifamily developments”?

#6 21 dwelling units per acre minimum 3 or more residential; 240 by SUP

(7) In the Downtown North Mixed Used Corridor District, regarding the lack of a maximum building height:

#7 Street walls of 50 feet; 3 stories or 5 stories.

(8) In the WMW and WME Mixed Use Corridor Districts, may “accessory parking” or other parking uses be located on the ground floor of a building, adjacent to a primary street?

#8 all parking uses are prohibited on the ground floor of a building adjacent to a primary street

(11) In the Industrial Corridor District (IC) does the “M” in the Use Matrix authorized:

#11. The M in the use matrix is for mixed use development; contemplated multi family dwelling; add M as mixed use building

(13) In the Emmet Street Corridor District (ES): what type(s) of residential buildings can be part of “mixed use development” within ES?

#13 Emmet Street Corridors – continue with current interpretation

(17) In seven (7) different mixed use corridor districts, courtyards and plazas are required when a development “covers an entire city block”. What does that mean?

#17 There is currently no definition of block – 200 feet and 1100 feet is a cul de sac.

Public Comments

Martha Smyth: what assumptions are being made about UVA housing? There were some concerns expressed about the proposals which would tend to move them into neighborhoods. Do students live mostly in single apartments by themselves or do they live with 3 or 4 other people in a larger apartment? Do we know what the spread is on that? She said it should not crowd out the need that we have for affordable housing in the city.

Chair Keesecker said yes to all of the above. For the second question he said tonight at this table we probably don't and we could find that out but tonight we are looking at all of those uses as part of the Comp Plan conversation and probably not trying to make those tweaks in the zoning ordinance in this work session. We are all thinking about university housing and its impact.

Ashley Davies with Williams-Mullens and CADRe, said as someone listening to the conversation tonight it seems ever clearer to her that there is a need to continue with the Comprehensive Plan process because she could feel the group struggling because there is no central vision guiding this conversation. It makes it very frustrating to listen to it because if you don't have that vision guiding you are making substantive decisions that are not based on any agreed upon vision in the city. She said with a lot of these questions she doesn't understand why the city doesn't have a cross-disciplinary team at the table discussing each of these with you so you could get all of the various prospective not just legal. You need planning and design and there are a lot of unintended consequences to any of these decisions that you make. She said she doesn't understand why a lot of the decisions talked about seem contrary to the form based code that we are supporting in the SIA. If we are going with the form based code she doesn't think we should be overly concerned with regulating minimum density in a lot of these mixed use districts. People are going to go for the maximum density anyways. If you are regulating minimum density look at the downtown areas. A lot of these building are smaller and they might have just one or two apartment units upstairs so why do we care whether they have 21 DUA or not. That is making a lot of non-conforming situations if you put that on.

She said we don't need to worry much about the mix of use in Charlottesville and she totally understands the issue with giving bonuses if you don't have a definition of mixed use and that does need to be defined. She doesn't think we need as much encouragement of mixed use as we did when the 2003 ordinance was written. We need encouragement of affordable housing for sure, so maybe so think more about what carrots you want to offer for heights and density. She is disappointed that we are adding more reasons for special use permits. I think we need to decide what we want in districts and make as much of it by right after that point. Do your community engagement process; decided what the vision is; write the code to match the vision and do away with as many of the special use permits as you can.

Mark Renaldi from James City County said he has 33 years in planning and zoning experience, and he saw a lot of struggling with zoning and what it hopes to accomplish, and what the expectations are for zoning. Before there was zoning, all cities evolved organically. They evolved in response to need, initiative and ability. If there was a need and somebody had the initiative to tackle that need and they had the ability or it didn't get done. There were conflicts, and to avoid conflicts, sort incompatible uses. That is where you put in zoning started and now today we look to zoning to replicate what we thought was good in our cities and to avoid what we thought was bad. While zoning may have a logical basis which you guys struggled mightily tonight; emotion always overcomes logic because zoning is inherently political. Every zoning case is legislation. Zoning is local law, therefore it is legislative and therefore the discretionary is political. He said hoping that zoning can achieve all things among competing interests and goals and objectives is really a fool's errand; you can only do the best you can do. That doesn't mean you don't do but you are doing the

best you can do and satisfy yourself but you are not going to solve every aspect with zoning. He said he is alright with the SUP but he likes the by right certainty for sure. To echo what Lisa and Ashley said, you are seeking to achieve or avoid something in a specific location you've got to express your vision, and do it clearly, concisely and it be something that can be operationalized but not a lot of glowing goals and objectives nobody understands what they mean or like the one Lisa read earlier today. He said development, growth, tastes, and needs versus wants are dynamic - they change all the time and they are going to be constant but you have to be comfortable that what is seen as desirable today likely won't be in the future. A clear example is throughout the eastern states of America started with horses, narrow streets, and then we went to streetcars in some areas like Richmond, and then the automobile and we are moving to driver-less automobiles. What's next? We don't know. You can't accomplish every goal for the future and in fact, you look at the more timeless cities and they haven't tried to do that. If you have been to Rome, you go straight from modern Rome with horrible ugly facades, antennas and boom you pop out and there is the Parthenon and the Coliseum. Sometimes that contrast is more impressive than just the slow maintenance of the status quo. He is concerned and has only been paying attention to Charlottesville for about a year and a half and he is overwhelmed by the breathe and depth of what the city tries to take on, simultaneously, SIA, formed based code, code audit, Comp Plan, streets that works, West Main Street streetscape. A lot of these initiatives overlap each other. Long story short, focus on the Comp Plan first and let's get the zoning right after that. He is happy to contribute if he can. He said you are all citizen planners but having citizens on an ad hoc basis advising the Planning Commission in a formal structure way, will achieve multiple objectives. It is done all over Virginia with great affect and maybe you need to look at considering that. I am sure Council has to direct you but you could ask for that.

Emily Dreyfus: works with the Legal Aid Justice Center and this is the first Planning Commission meeting she has been too, and it feels like she jumped in the deep end and didn't know how to doggy paddle. This is an interesting discussion and one thing that strikes her is there is a lot of talk in the city about affordable housing and when people talk about that, she thinks they are talking about (as HUD would define it) for extremely low income people. Most of the time that is what people are talking about and sometimes they qualify by saying moderate or middle income people but usually the crisis is where people's heart is and that is with extremely low income people and she hopes that you as a group can be looking at what emergency recommendations you could make in the very near future to address these issues. She said we need more cooks in the kitchen looking at what other cities have done because we are not the only city going through this and we are certainly way behind the curve. As you were discussing the zoning in the area downtown that includes the SIA; one thing she wants you to mention in a context is she hopes you are looking at restoration for the people who have suffered for urban renewal. Their ancestors were the people who might have been directly affected, but Charlottesville has never helped people catch up the way we should have and we have a chance with some of the development that we could be helping to move things forward in a much more progressive way but what worries her is what is being discussed now that is going to impact peoples quality of life very negatively. She is not opposed to density but when you look at what is happening in Friendship Court the quality of life for people who now live in townhomes and have green space all around them will be dramatically different if they are put into these big box apartment buildings. She hopes to join you again in the future.

Nicole Scro: works with Ashley Davies at Williams-Mullen: She is agreeing with what Ashley said and reiterates what she said. She said we don't mean to be too critical, it was important to say that and this is a frustrating process because the code is so terrible as it is currently written and what you are currently doing and dealing with now is sort of the best you can do with a bad situation. She said we don't mean to be to critical and she knows we are trying to stop the dam from breaking in

the little cracks but she was so surprised just this situation was really trying not to tackle substantive issues the bare bones and it's impossible to detangle those two things. It showed itself so perfectly tonight and in order to make these decisions you need to know what people want to contribute to that vision and you need experts telling you how is this going to apply and you need to look at what other cities and you were just throwing numbers out there which was kind of insane. She said she understands that it is the best we can do but maybe our efforts would best be pointing towards doing that hard heavy lifting in a long term process because that is what was lacking originally.

Morgan Butler: Southern Environmental Law Center, said he agrees with many things spoken from the prior speakers. He said in an ideal world we develop a vision for the different parts of the city and we then develop our zoning ordinances to implement and officiate that vision. He said Ms. Robertson has done a very good job and there are some significant holes in the zoning ordinance that need to be patched, and they need to be patched in the short term. He said you all are perfectionists and you want to dive into these issues and come up with the ideal solution and you have made clear tonight that that is what you plan to do with each of these different thorny issues with which you are wrestling. However, there are some issues on the table which you touched on tonight, including the building height definition from the last discussion. These things need to be patched up immediately in the short term and then we move on while that dam is shut up. We need to move on and come up with the ideal solution. He said tonight was a difficult and messy discussion but he commends the way you are going through it and thinking through it and being able to separate what we have to accomplish in the short term and what can be put off.

Commissioner Green: None of us want to do this ordinance right now. We all want to do the Comprehensive Plan first. This is a Council initiative that got brought upon us at the exact same time with a timeline. It is not something we decided to "fix the ordinance at the same time." Definitely we are seeing the weaknesses of our Comprehensive Plan that we want to get that resolved and then fix this ordinance but this is a definite patch for some areas that have had some problems so to speak.

Commissioner Lahendro: said he was not at the height work session last meeting and asked was any advancement made from the notes that came before that meeting. That is what we should be looking at for the next conversation about the height.

Ms. Robertson: said whoever mentions they had some drawings from CADRe that are forthcoming, if they could arrive in a week or so, that would be extremely helpful and very welcomed. We really have to take that up at your fourth Tuesday work session two weeks from now. We are probably past due on a delivery to Council but they are not fussing at us because you're making progress. She said she is not going to be here for the regular meeting in August so the next time we can go through something is going to be your work session meeting in August if we don't get progress going on the height at your next meeting on July 25<sup>th</sup>.

Commissioner Keller: would like to formally request at the next neighborhood representative meeting that is going to be held in relation to the Comp Plan that the height information be presented to them at the same time to at least let them be aware of it and be able to respond because we have a very organized development community and design community and that's good but it's the neighborhoods that have been pushing back against denser, taller development in the back yard, front yards and side yards and they deserve an opportunity to comment now and have input rather than showing up at Council at the last minute.

Ms. Robertson: we can certainly share those discussion materials that she gave to the Planning Commission.

Commissioner Dowell: said she will not be here on the 25<sup>th</sup>, as she will be taking Project Discovery students to visit the University of North Carolina

Adjourned 8:15 p.m.

City Code Ref.	Summary of Existing Provisions	Recommended Text Amendment(s)—cite to Audit Document location	Notes, and Comments Received to Date
<b>GOAL: amend (or delete) mixed-use development provisions that contain internal inconsistencies; that have become particularly problematic, due to lack of guidance for administration; or that are failing to generate desired outcomes.</b>			
<b>PROBLEM: NO DEFINITION OF MIXED USE IS AVAILABLE TO GUIDE ADMINISTRATION OF ORDINANCE PROVISIONS THAT ALLOW HEIGHT, DENSITY or BUILDING TYPES FOR “MIXED USE” BUILDINGS OR DEVELOPMENTS</b>			
34-773	<p>In the <b>Corner Mixed Use Corridor District</b>: residential density is generally limited to 21 DUA, but for a mixed use building or development a bonus density (up to 43 DUA) is offered.</p> <p><b>DENSITY BONUS Problem:</b> there is no definition of “mixed use” that specifies how substantial the non-residential component of the development must be in order to qualify for the density bonus.</p>	<p><b>Discussion draft:</b> see Art. III, Division 3.2 (Mixed Use Districts), p. 1. <b>DRAFT</b></p> <p><b>PROPOSAL:</b> For discussion purposes, it’s suggested that a default [minimum] standard should be established, to be utilized <u>only</u> whenever there’s no other definition of “mixed use”. The proposed default standard: no residential or non-residential use may occupy less than 12.5% of the GFA of a building or development, AND the 12.5% requirement may be modified by SUP.</p>	<p><b>Comment:</b> one commenter suggested the following simplification: modify paragraph (a)(1) to read as follows: “Residential and non-residential uses within a mixed use building shall each occupy at least twelve and one-half percent (12.5%) of the GFA of the building” and modifying (a)(2) to read: “Residential and non-residential uses within a mixed use development shall each occupy at least twelve and one-half percent (12.5%) of the GFA of the development”</p> <p><u>Comment/ question received from the CADRE of developers:</u> Percentages were intentionally removed from this code section. Revisit with Comp Plan update to determine what the City wants to accomplish with MU districts, buildings, projects. Why is (1) 12% and (2) 25%? <i>[Response: that’s a typo—they should each be 12.5%]</i></p> <p><i>Alternative short-term FIX: eliminate availability of extra density for MU buildings and developments in this district.</i></p>
34-457(b)(5)	<p>Within the <b>Industrial Corridor (commercial district)</b> the maximum <b>permitted building height is generally 4 stories</b>; however, up to 6 stories of height are allowed for a mixed use building or development by SUP.</p> <p><b>HEIGHT BONUS Problem:</b> no definition of “mixed use” specifies how substantial the residential or non-residential component of the development must be in order to qualify for an SUP authorizing 2 additional stories of HEIGHT. Neither does the ordinance authorize Council to determine the appropriate “mix” of uses as part of granting the SUP.</p>	<p><b>Discussion draft:</b> see Art. III, Division 3.2 (Mixed Use Districts), p. 1—same recommendation as above (i.e., provide a “default” definition of Mixed Use).</p> <p><b>Alternative:</b> allow additional height only by SUP, regardless of whether a building contains mixed uses</p>	<p><b>Note:</b> For purposes of DENSITY, the ordinance defines MU as being 25%-75% residential use (i.e., minimum 25% non-residential); UP to 240 DUA is allowed by SUP, only for MU buildings and developments. See 34-580(a).</p>
34-577(2)	<p><b>Downtown Extended Mixed Use Corridor District:</b> generally, the maximum permitted building height is <b>50 feet</b>; however, <b>double</b> that height is allowed for a “mixed use building”.</p> <p><b>Problem:</b> there is no definition of “mixed use” on which to base the bonus</p>	<p><b>Discussion draft:</b> see Art. III, Division 3.2 (Mixed Use Districts), p. 1—same comment as above. <b>Alternative:</b> allow additional height only by SUP, regardless of whether a building contains mixed uses</p>	

<p>34-458(b) <b>B-1, B-2, B-3, M-I, ES, and IC</b></p>	<p>Except for ES, residential buildings are permitted to some extent within ALL commercial districts—at various densities: up to 21 DUA by right (all commercial/indus. districts); and, with an SUP, up to 200 DUA (B-1, B-2, B-3), up to 64 DUA (IC). <b>PROBLEMS:</b> (1) 34-458(a) states that mixed use development is allowed within ALL of the commercial districts. There is no definition of this term, or what building types would be included. Currently, according to the Use Matrix: residential building types are allowed <u>only</u> by SUP in the M-I district; NO residential building types are allowed in ES; and in IC, the Matrix is unclear: there’s an “M” in the column next to the “multifamily” building type, but no information as to what the “M” stands for! (MU? MF Development?) No other residential building type is allowed in IC. (2) 34-458(b) states that in a mixed use development residential density in EXCESS of 21 DUA is allowed with an SUP. There is NO UPPER LIMIT on residential density—this conflicts with the Matrix that allows density of up to 87 DUA in B-1, B-2 and B-3 only. (3) There is no definition of “mixed use” that specifies how substantial the residential or non-residential component of a development must be in order to qualify for an SUP for extra density under 34-458(b).</p>	<p>see Art. III, Division 3.2 (Mixed Use Districts) <b>Discussion draft recommendations:</b> ➤ Move list of residential building types and permitted densities into the regulations for individual zoning districts, and clarify exactly what’s allowed and what’s not relative to MU development in each district (i.e., remove these things from the Use Matrix). ➤ Establish a “default” definition of Mixed Use (12.5% of GFA) ➤ Indicate whether, or not, an upper limit of density is intended to apply (200 DUA?) ➤ If certain residential building types are not currently specified in ES or IC as being permitted, what type of building(s) are contemplated within a MU development?  ➤ If NO residential uses are allowed in ES, or IC, and residential uses are currently allowed only by SUP in M-I—do you intend for MU developments in these places?  For more information SEE ATTACHMENT 1—“CONFUSING AND CONFLICTING MIXED USE PROVISIONS IN THE CITY’S COMMERCIAL ZONING REGULATIONS”, attached</p>	<p>Comment/ question received from the CADRE of developers: (1) “merging” the Commercial Districts into the Mixed-Use category of zoning districts is a “substantive change” and it merits discussion and careful consideration to avoid unintended consequences. [Response: as a result of 34-458, all commercial districts are already “Mixed-Use” districts; there’s no substantive change]  (2) Also, requiring all residential in these districts to be Mixed Use when it is not currently required is a “substantive change” that merits discussion. [Response: the discussion draft does NOT propose this; however, as noted in the left-hand columns, there are currently some commercial districts in which NO residential uses are allowed]  (3) Comment: Regarding ES: the current Use Matrix does not permit residential uses in the ES district, except as part of a MU development per sec. 34-458. [Response: the Use Matrix does not allow any residential buildings at all in ES—that’s one of the problems the CA’s Office has noted as needing to be clarified as soon as possible. As noted, the text of 34-458 contains a general statement that “mixed use development” is allowed in all the comm./indus. Districts, but does not define “MU development” and does not state what residential building types may be utilized in ES and IC. The CA’s office does not agree with CADRe that any and all MU development, including any and all residential building types, is allowed within both ES and IC simply as a result of the vague, general language of 34-458(a)]</p>
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**PROBLEM: a number of mixed-use provisions contain internal inconsistencies; or have become particularly problematic, due to lack of guidance for administration; and/or are failing to generate desired outcomes**

<p>34-580  34-659</p>	<p>➤ Technically, a “mixed use” building = a “multifamily dwelling” (if it contains more than 2 DUs). Need to clarify whether a MU building is subject to the 21 DUA minimum in certain districts: <b>Downtown Extended Mixed Use Corridor District:</b> generally, “multifamily” development is subject to a minimum density of 21 DUA, but no minimum is specified for MU. What about MU buildings? (3+ DUs)?</p>	<p>Discussion draft: see Art. III, Division 3.2 (Mixed Use Districts), p. 4, p.11, 21 (recommend treating all residential development the same for purposes of density requirements, unless/ until a definition of “MU” desired in DE, CH and WS can be developed. This means, in DE and WS: 21 DUA, min/ 43 DUA max, and up to 240 DUA by SUP for any development) In CH, this would mean 7 DUA</p>	<p>Comments received from the CADRE of developers: Substantive change to only allow the additional density up to 240 DUA by SUP[in DE District] if the building or development is mixed use. [Note: this is incorrect: according to current 34-580(a) up to 240 DUA is ONLY allowed by SUP for MU buildings and developments having 25%-75% residential GFA]</p>
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34-744	<p><b>Cherry Avenue Mixed Use Corridor District:</b> “multifamily dwellings” are restricted to 21 DUA, and any MU “project” that includes residential uses may have a density of up to 43 DUA. But which limit applies to a MU building: 21 DUA or 43 DUA?</p> <p><b>Water Street Mixed Use Corridor District:</b> <i>maximum</i> density is 43 DUA/ 240 with SUP. <i>Minimum</i> density required for multifamily developments is 21 DUA. Are MU buildings (3+ DUs) subject to the <i>minimum</i> required [residential] density?</p>	for SFDs, 21 DUA for developments containing ONLY TH or MFD (100% residential/ no commercial uses), and 43 DUA for everything else.	
34-597	<b>Downtown North Mixed Use Corridor District</b> —there is no maximum building height within this district, only a maximum streetwall height. Is that intentional? Desirable?	<b>Discussion draft:</b> see Art. III, Division 3.2 (Mixed Use Districts), p. 4	<b>Note:</b> the ZO defines “streetwall” as “the façade of a building fronting along a street”
34-620 (WMW)  34-640 (WME)	States that no “parking garage” may front on a primary street. Generally, the term “parking garage” is used in the ZO to refer to a commercial parking garage operation—not to accessory parking. <b>Is it intended that no parking uses may be located on the ground floor of a building, adjacent to a primary street?</b>	<b>Discussion draft:</b> see Art. III, Division 3.2 (Mixed Use Districts), pp. 17, 19	
34-583 34-603 34-622 34-642 34-662	When 20+ parking spaces are required for a development, there is a limitation that says that not more than 50% of those spaces can be within a surface lot. In some places the lot is referred to as “surface parking” and in other places the lot is referred to as “surface parking open to the sky”. Is there an intended distinction between these two terms, or can we pick one or the other and use it consistently?	<b>Recommendation:</b> pick one phrase or the other, and use it consistently throughout the ZO.	
34-562 34-583(a) 34-622(a) 34-642(a) 34-746(d) 34-766(d) 34-774  D DE WMW WME WSD SS Corner	<p><b>Courtyards or plazas</b> are required to be provided in developments that cover an entire city block. <b>Problem: nowhere does the ZO or the SO provide a definition of what’s a city block.</b></p> <p>It is believed that the courtyards/ plaza provisions were included in the ZO beginning in 2003, to provide a mechanism for lessening the impact of massive buildings, AND possibly to promote “walkability”</p> <p><b>If you’re interested in obtaining courtyards and plazas within developments occupying large sites:</b> the interim measure proposed for discussion is as follows: <b>When the gross area of a development site exceeds 87,000 SF (approx. 2 acres) the development site shall be deemed to constitute an entire city</b></p>	<b>Discussion draft:</b> see Art. III, Division 3.2 (Mixed Use Districts), p. 1. (“When the gross area of a development site exceeds X square feet, the development site shall be deemed to constitute an entire city block.”).	<p><b>Notes:</b> Traffic engineers assume a block to be 100,000 SF (approx.. 2.25 acres, or a 316 ft. linear block face). The Town of Charlottesville, as laid out in 1762, contained blocks of approximately 43,000 SF (200 ft. linear block face). See also attached Info Sheet (“How big is a City Block?”)</p> <p><b>Comments received from the CADRE of developers:</b> Rewrite this section to encourage courtyards versus only requiring them when a development takes up an entire block. Allow courtyards as a means to vary the front setback requirement, as is demonstrated in Virginia Beach....the general regulations section attempt to refine the definition of City Block in the context of courtyards is “inappropriate”. The concept of a courtyard is primarily an expression of a streetscape objective, and so should be determined by a linear distance along a street frontage, not the area of a lot or assemblage of parcels. If the Traffic engineer’s basis is the standard</p>



	<p><b>block.</b></p> <p><u>Otherwise; either delete, or ignore until later</u></p>		<p><i>then a figure equaling the 100 SF (2.25 ac) referenced should be the standard. [Note, re CADRE comment: as stated—the proposed change does <u>not</u> refine any existing definition of “City Block”, because there is no such definition].</i></p>
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**ATTACHMENT 1: CONFUSING AND CONFLICTING “MIXED USE” PROVISIONS  
IN THE CITY’S “COMMERCIAL” ZONING REGULATIONS**

**Within Article IV (Commercial Districts)**

**Current City Code §34-458. Mixed use development**

- (a) **Mixed use developments shall be allowed within the zoning districts that are the subject of this article.** For the purpose of this section, the term **mixed use development** shall mean a development project **containing residential uses in combination with commercial and/or institutional uses**, and the terms development site and mixed use development site shall mean and refer to all the lots or parcels of land containing, or proposed to contain, any component(s) of a mixed use development, where all such lots or parcels have been included within and are subject to the requirements of a single site plan. *[Note: need to clarify if MU development within a specific commercial district includes only the residential building type(s) allowed by the Use Matrix. NO residential buildings are allowed by the Use Matrix within ES or IC; in M-I all residential building types require an SUP]*
- (b) By application made and joined by all owners of property comprising a **mixed use development site, residential density in excess of twenty-one units per acre**, calculated with respect to the entire development site, may be **permitted with a special use permit**. *[These textual provisions are inconsistent with the contents of the Use Matrix, see §34-480. When two sections are in conflict, the more restrictive provision governs]*

Z.O. § 34-1200: “*multifamily dwelling*” means a **building, or portion thereof**, arranged or designed to contain three (3) or more dwelling units. Also, “*development*” is a tract of land used for any commercial purpose or containing 3 or more dwellings. There is no definition of “*multifamily development*”.

Thus: a “mixed use building” if it contains more than 3 dwelling units, is a “multifamily dwelling” Per the Use Matrix, multifamily dwellings are NOT “**B**” in: M-I, ES, or IC.

**Within Article IV (Commercial Districts)**

**Current City Code §34-480. Use matrix—Commercial districts**

[“B” = by-right use; “DUA” = dwelling units per acre; “S” = special use permit; “MFD” = *multifamily development*]

**Note 1: the Use Matrix does not indicate “MFD” in ANY district**

**Note 2: the Use Matrix has no definition for “M”!!**

**Residential building types currently allowed by §34-480\*\*\*:**

Single family detached dwelling	(“B”): B-1, B-2, B-3
Single-family detached dwelling	(“S”): M-I
Single-family attached dwelling	(“B”): B-1, B-2, B-3
Single-family attached dwelling	(“S”): M-I
Two-family dwelling	(“B”): B-1, B-2, B-3
Two-family dwelling	(“S”): M-I
Townhouse dwelling	(“B”): B-1, B-2, B-3
Townhouse dwelling	(“S”): M-I
Multifamily dwelling	(“B”): B-1, B-2, B-3
Multifamily dwelling	(“S”): M-I
<b>Multifamily dwelling</b>	<b>(“M”??): I</b>

**\*\*\*NO residential building type is allowed “ES”**

**Density currently allowed by §34-480:**

\*\*Except for SF attached and Townhouse dwellings, these densities are inconsistent with the generally-applicable density limits of §34-1123 for certain building types!!

1-21 DUA (“B”):	B-1, B-2, B-3
1-21 DUA (“S”):	M-I
<b>1-21 DUA (“M”??):</b>	<b>IC</b>
22-64 DUA (“S”):	B-1, B-2, B-3 and IC
65-87 DUA (“S”):	B-1, B-2, B-3
88-200 DUA:	NOT ALLOWED in any district, “B” or “S”

**Density limit imposed by §34-1123 (General Regulations)**

- 7.26 DUA for SF detached dwellings (6,000 SF min. lot size)
- 7.2 DUA/ 7.26 DUA for Two Family Dwellings (7,200 SF min. lot size/6,000 SF for pre-1964 lots)
- 21.78 DUA for Townhouses (2,000 SF min. lot size)
- 21.78/12.1 DUA (avg) for SF attached dwellings (2,000 SF min. lot size/ 3,600 SF, avg.)

PLANNING COMMISSION WORK SESSION

May 23, 2017

5:00 – 7:00 p.m.

**I. PLANNING COMMISSION WORK SESSION**

Members Present: Vice Chair, Lisa Green, and (arrived 6:30) Commissioners Genevieve Keller, Taneaia Dowell, Jody Lahendro, and John Santoski

Staff Present: Carolyn McCray, Lisa Robertson

Call to Order: John Santoski at 5:15

**AGENDA**

Lisa Robertson noted that the Legal Audit has been on the city's website since the end of February and people are starting to notice it. She said you all have heard for a number of years something known as the code audit and it doesn't look like what you may recall now. In September of last year City Council was disappointed that the code audit had not progressed and the SIA implementation had not begun. They gave us a work plan and we all have been working on that work plan. She said her task was to prepare a legal review.

The legal review is a very large document along the lines of the outline she handed out last November. It identifies issues which cause people problems, unfavorable outcomes, interpretation problems, changes statutes amending 2003 and/or cases that have been decided.

Ms. Robertson said the document you have has been substantially reorganized. What is current Article 1 contains a lot of administrative and other provisions. She has separated that into two articles. She has created an Article entitled Administration and an Article 2 which is a new Article titled zoning permits and procedures. Items included in Article 2 have been in the current larger Article. This is in the design development process, maybe 50 or 70 %, depending on what the issue is but this by no means is a final product. The article separated out is to provide an overview of administrative provisions, to identify who is going to be the zoning administrator and who those duties can be delegated to.

The biggest entity whose procedures needed to be updated to match up with State law is the Board of Zoning Appeals. The provisions in our current ordinance are out of date so in Article 1, language is crafted to update the section to match up with State law requirements for the Board of Zoning Appeals. She has eliminated a lot of language that is in there now that's either paraphrasing or an inaccurate presentation of what is in State Law and tried to keep what is in the local ordinance to a bare minimum. When you see references to state code provisions, those are state code provisions that contain processes and procedures that we are not allowed to change at the local level for the Board of Zoning Appeals.

Commissioner Keller: said as we are getting a fair amount of push back about being accessible to all types of people, the thing about it not being important to have it all in one place when it is all not in one place, could we have some note to refer people to the other place?

Ms. Robertson: said what we are going to do with Municipal Code Corporation is reference the Virginia code references in the text itself: for example: pg. 5, article 1, The BZA may adopt such rules and forms as it may deem necessary to implement the various processes and procedures set forth within Virginia Code Sec. 15.2-

2308 through 15.2-2312. She said very often there are notes at the end of a section as well and what we can talk to the code officials to see whether or not they can provide us links to use the web based programs.

Ms. Keller: said we have put more emphasis on an online document then we used too, but we are all sitting here with stacks of paper. Is there any sort of guidance that could be given to these links about how one would go about printing and assembling a document so we don't have so much confusion about how to assemble that online document when it is in printed form?

Ms. Robertson: said the online document when in printed form should look just like it is printed off here, so if you print it out, you will still see the state code references but those are not going to print out as appendices.

Commissioner Keller: said if the city was to have a master copy; it would be a good idea to have some of that right? Would they be as appendices?

Ms. Robertson: said no, we would be re-printing.

Commissioner Keller: said that needs to be clear to the public. We have moved to a new era and we might not all be on the same page at the same time but we have access to the same links.

Ms. Robertson: said she is trying to consolidate so that it is easy to find sections that deal with similar issues.

### **Zoning Permits and Procedures**

Ms. Robertson stated where there is a process or procedure, whenever you submit your application, you must submit your required fee. The fee is in the fee schedule which is adopted from time to time by City Council. She put fee references in one provision up front so she doesn't have to repeat it in 6 different divisions.

### **Various Items: Proffers, Special Use Permits, Variances by the BZA, Certificate of appropriateness provisional permit, temporary permits, zoning verification (a new term).**

We struggle a lot when you have to do a site plan. When does something require you to go through all of the motions to put a full blown site plan together versus sitting down with the zoning administrator presenting drawings or other documentation sufficient to allow the zoning administrator to determine whether or not your house is going to go in the correct setbacks or your use or positioning of something that is going to be in accordance with the zoning ordinance. She is trying to clarify and be consistent with state law that site plans are what we use to document and review development which is by state law commercial development, industrial development and residential development that is going to have three or more units. A site plan might be, once approved; you want to come in and get a building permit that may be your zoning verification as long as your building plans are consistent with the site plan; that is the only verification you will need to get your building permit.

There might be other situations where somebody is renovating a particular building and mostly what staff needs to see is whether the utilities which are being re-located are going to be consistent with easements or things shown on the subdivision plat or a new surfacing of a parking lot is going to be consistent with requirement of the zoning ordinance.

**Zoning verifications:** will let people assemble documentation that will demonstrate when in compliance with the zoning ordinance without having to put forward a whole full blown engineered site plan for an issue that is a smaller issue.

Ms. Robertson said we need to do something to clean up the matrices and be a bit more accurate as to what they include.

Commissioner Lahendro said so that would be a work session all of its own?

Ms. Roberson said it could be but we may not have time for that at this point. She said that is the re-organization process and if she moves things around and we don't get to the use matrices what she would do is put the ones we've got into the new location. We could do some sort of hybrid. The biggest problem is we have 5 pages of listed uses almost which none of them apply. On the residential, one even if you didn't change anything is technically in there now, she would like to get rid of the rows with no provisions in them and that would be the simplest update.

Commissioner Lahendro asked will staff give them guidance to what they will need depending upon what they want.

Ms. Robertson said yes, that is the idea. What somebody would do is request the zoning administrator to meet with the land owner who wants to put this shed at the back of my property. What do I need to do to demonstrate to you that it is going to be in compliance with the zoning ordinance? In that situation the zoning administrator would only require a sketch and would not have to go hire an engineer or architect to draw it out. Depending on what the nature of the request is you could tailor it.

Ms. Robertson said right now, we are calling a lot of things site plans, but they really shouldn't be site plans.

Commissioner Lahendro said some of the comments we have gotten from the public tonight, zoning verification would also be used when a particular zoning use doesn't fit the category that is already in the matrix.

Ms. Robertson said one of her recommendations is that we need to re-work our use matrices. She is not sure whether that in itself is a fairly major task or whether you will want to complete that task or not. The model in here is for the residential use matrix and I would like to move it to a simplified matrix that establishes categories of uses, define what the categories are and define what a residential use is. If there are specific things you would like to call out that are a part of a category you could do that but matrix might be a use of specifically identified uses in a more general category. General retail uses would have a definition. The zoning administrator can determine if that use is substantially to the ones that are listed. If you move toward a procedure that should be a zoning verification and someone objects to that determination there would be an appeal process through the Board of Zoning Appeals.

**Site plan section** has also been re-worked and we will get into the substance of that a little bit later but what is proposed is a more precise distinction between what a preliminary site plan is and what a final site plan is. A preliminary site plan is draft final.

**Preliminary Site Plan** should present an overview of infrastructure, how you are laying out a site, enough detail so staff can be looking at it to see whether it is even possible to do what you are proposing to do and comply with our ordinances. You don't have to do a preliminary if you don't want to.

### **Zoning District Regulations**

Zoning district regulations that apply to all of your zoning district single and multi-family district, regulation try to make sure sorted and referenced, separate set of regulations, grouping them together, better illustrate to you where they are and what they are.

**Substantive issues** - We need to clean up the matrices

**Residential issues** - Get rid of all of the rows with NO provisions in them.

**Procedural issues** - Recommendation is to follow State processes and procedures.

Ms. Robertson stated provisions that talked a lot about PUDs and the PUD applications should have this additional information. We need all of the PUD information to be in one place. You should be able to flip to the PUD section and find everything you need for a PUD. She said other places in our ordinance application that you are looking at talks about different people who can file the application. For rezoning, SUPs, and site plans it really needs to be the landowner or the land-owners agent.

If your ordinance says this list of 5 people can file an application and you allow someone else to file the application that approval can be void from the beginning if you gave approval to somebody who the ordinance didn't authorize to apply for it in the first place. The SUP is a legislative process opposed to administrative one.

**Page 6 and 7, article 2**

All of these criteria will be addressed in your staff report. The NDS Director shall review every proposed use permit and shall provide written analysis, recommendations to the Commission and City Council and they shall address the problem. The things you consider just need to be rationally and reasonably related to a zoning decision.

Commissioner Keller asked should there be an L that addresses those points that are not specifically delineated here and any other factors.

Ms. Robertson said you can see the same changes in the section of the certificate of appropriateness in the BAR and the entrance corridor sections. There is a list of a set criteria that Council needs to review and that has been changed into a criteria that has to be addressed in a staff report. This is how the BAR does it, it is how you do it on an entrance corridor review, and in making your decision you just make a motion basically announces your decision.

**Exceptions in Variances:** setbacks, stepbacks, the PUD section, are allowed to modify certain parking or landscaping standards; Critical slope waiver does not make changes to this procedure.

Ms. Robertson said she edited appurtenances.

Commissioner Keller said addressing those specific provisions, administrative perspective, and less ability is the process or some regulations to modify them when we get there, and a necessary use with construction in the city.

**Site Plan section:** In paragraph B Administrative approval, NDS director, individual planners, the planning commission want to be the agent for. The Planning Commission is the agent for preliminary site plans for major subdivisions and an amendment of previous approved final plans for major subdivision site plan that get referred to you by the NDS director and site plans proposing to disturb a critical slope unless the exception is a part of an application that is all wrapped up in a zoning amendment or an SUP. In paragraph C, page 18, the preliminary site plans and the site plans listed in paragraph B, the NDS director is responsible for approval of site plans.

Ms. Robertson said that is out of the state law. There is new language state law: such as the layout requirements for streets, and utilities. She said what normally comes through to you for a waiver is something like the slope of a street. When this is referencing section X, that reference the provisions allows for those types of waivers.

Commissioner Keller asked have we had this injustice and hardships.

Ms. Robertson said most of the things aren't listed in the zoning ordinance. They show up in the subdivision ordinance because their waivers of standards are in the subdivision ordinance but because the zoning ordinance cross references the subdivision ordinance, it is not a broad waiver but substantial injustice or hardship is the standard you are supposed to apply when you're looking at those things.

Commissioner Keller said we do define both of those terms in our definitions?

Ms. Robertson said substantial injustice and hardship, no there is not really a material change in the development proposal.

Commissioner Keller said those are terms that we all have different definitions. A zoning hardship does not necessarily equate with a hardship in back of our mind is.

Ms. Robertson said when you all are wearing you site plan approval hat, you have a fair amount of discretion to make those decisions and that can often come into play as well when you are determining or not that someone has made their best efforts to avoid steep slopes when they are laying out their roads and to do some other things, so, it's a standard that is probably best left the way the enabling legislature.

Ms. Robertson: said we made it through reorganization and re-development. There will be changes that strongly will proceed in the short terms and issue more difficulty in the work plan. We are to look at this as soon as possible; the definition of mixed use and the measure of building heights, shared parking, density, height and how to measure height. We should ask Council to address this sooner rather than later.

Adjourn 7:00

**City of Charlottesville  
Department of Neighborhood Development Services  
Staff Report**

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

**DATE OF HEARING: AUGUST 8, 2017  
RE: BELMONT BRIDGE REPLACEMENT PROJECT**

**Project Manager: Jeanette Janiczek  
Date of Staff Report: June 27, 2017**

<p><b>Action Required:</b> Pursuant to Virginia Code section 15.2-2232, the Planning Commission will review the proposed Belmont Bridge Replacement concept, located on 9<sup>th</sup> Street between Market Street and Garrett Street / Levy Street in the City of Charlottesville, to determine if the general character and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof.</p>
--

**Background:**

The City of Charlottesville has been engaged in a process to replace the bridge referred to as "Belmont Bridge" which crosses CSX rail lines and Water Street maintaining an important community connection. The prior bridge design process reached the 35% plan stage before strong community participation implored exploration of other alternative designs/concepts. After two years of discussion, City Council voted on July 21, 2014 to focus on the "enhanced bridge" concept including a specified list of design performance guidelines. The design direction is for a shortened bridge (reduced from more than 440 feet to approximately 205 feet) to be designed with the following criteria in mind:

- Belmont Bridge is a gateway into the Charlottesville and its downtown
- Belmont Bridge should be an enjoyable pedestrian experience
- Views of the mountains and railroad tracks are appreciated and should be preserved
- The design should be innovative and entertaining
- The design should maintain a 25 MPH speed limit with one lane in each direction
- The design should include space for vehicles, bicyclists, and pedestrians. The pedestrian zone should be separated from vehicles and bicycles
- The design should have a shorter span
- Bike and pedestrian lanes should be 10.0 feet wide, traffic lanes should be 11.0 feet wide



- The design should incorporate improvements to the north and south intersections along 9th Street
- Landscaping should be enhanced on the approaches
- Accent lighting should be considered to showcase the bridge

A Request for Proposals was advertised that included these design parameters as well as an extensive public participation process and in January 2017, the City of Charlottesville contracted with Kimley-Horn, an engineering consulting firm to develop plans for the replacement of Belmont Bridge.

In addition to the design parameters established by City Council, Kimley-Horn also researched a variety of initiatives within the City of Charlottesville that are focused on enhancing the vibrancy and quality of life, including the City of Charlottesville Comprehensive Plan, the Bicycle and Pedestrian Master Plan, Streets That Work, and the Strategic Investment Area. Work product was analyzed from the previous design effort and additional studies were performed to update information (such as survey and traffic counts). With a firm grasp of background information, the project team began the public involvement process to ensure agreement with the project's purpose and need before beginning development of a conceptual design.

### **Community Engagement:**

To help guide the project, the City Council appointed a project Steering Committee. The process also involves coordination with the following City Council appointed stakeholder groups:

- ADA Advisory Committee
- Bicycle and Pedestrian Advisory Committee
- Board of Architectural Review
- Downtown Business Association/Chamber of Commerce
- PLACE Design Task Force
- Planning Commission
- Tree Commission

The City of Charlottesville has provided multiple opportunities for the public to provide input into the plan development process. A project website, two on-line surveys, three community events (Mobility Summit, Design Charrette, and Open House) as well as 18 stakeholder meetings occurred between February 21 and June 14<sup>th</sup>. The stakeholder meetings were open to the public. Information presented and gathered at the meetings can be found at [www.BelmontBridge.org](http://www.BelmontBridge.org), however a summary of each event is below:

### **Project Website:**

The Project website ([www.belmontbridge.org](http://www.belmontbridge.org)) contains information that has been presented to date as part of the process. Information presented includes:

- Project background
- Project schedule

- A “resource” page that provides access to the traffic analysis, project fact sheet and FAQ, information presented and gathered from community events, and information presented at the stakeholder meetings
- A contact form
- A “get involved” page

As of June 22, 2017, the project website has logged approximately 3,000 unique users, and over 8,000 page views.

### **Community Event 1: Mobility Summit, March 11, 2017**

A Mobility Summit was held on Saturday, March 11, 2017 at the Sprint Pavilion from 9:00 AM to 1:00 PM. The event drew nearly 100 people to discuss issues and needs related to the replacement of the Belmont Bridge which resulted in 1,679 data points. Participants provided input on the future design through a combination of 6 interactive stations, guided walking tours and biking tour of the study area, and, had an opportunity to have one-on-one conversation with the consultant team and City staff. At sign-in, participants received an information handout, a rack card with more detail on upcoming events, and a passport to guide them through various stations.

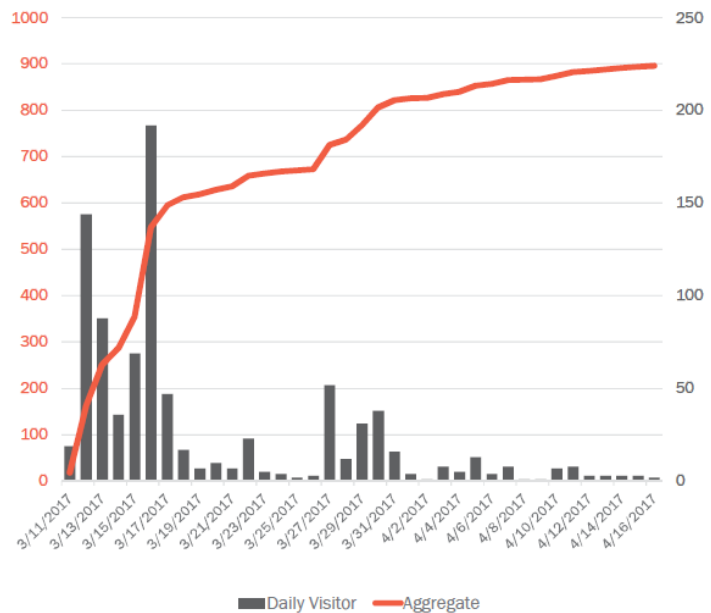
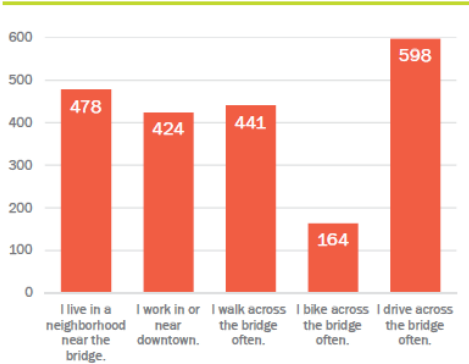
A summary document provided on [www.BelmontBridge.org](http://www.BelmontBridge.org) briefly summarizes the community input data collected at the event and offers stakeholders and community members the opportunity to see the thoughts of others in the community. In addition to data collected in person, the event served as the launch for the MetroQuest survey.

### **On-Line MetroQuest Survey:**

The MetroQuest survey was active from March 11, 2017 through April 16, 2017. The goal of the survey was to educate the public about the project and collect feedback on project priorities, tradeoffs to help direct design, and design preferences related to function and aesthetics. Following completion of the survey, an optional question requested how the participant uses the existing bridge to further illustrate the needs of the project. The survey was design to mirror the activities of the in-person activities at the Mobility Summit, and included:

- Priority Ranking
- Tradeoffs, which included categories such as Design, Role, Views, Mobility, and Parking
- Visual Preference Survey, which included categories such as Landscaping, Lighting, Public Spaces, and streets

The results for each category can be found at [www.BelmontBridge.org](http://www.BelmontBridge.org), on the resources page. Additionally, the 771 written comments can be found on the project website as well. The amount of participation captured in the MetroQuest survey is summarized in the below graphic:



## **Community Event 2: Design Charrette, April 17-19, 2017**

Project team members held a collaborative charrette on April 17-19, 2017 at CitySpace in downtown Charlottesville. During the event, conceptual design concepts were developed based on the original City Council design directive that was supported by feedback collected at the Mobility Summit and online survey. The design process throughout the charrette was iterative, with the working studio open to the public throughout the day to encourage engagement with the project team. Pin-up sessions each evening occurred to show the day’s progress, and allowed project staff to answer questions, address concerns, and document new ideas.

Additionally, five work sessions were organized around key topics central to the bridge design – Traffic, Bicycle & Pedestrian Facilities, Parking, Community Space and Bridge Design. The outcomes of the topic discussions informed the design process and the selection of preferred alternatives throughout the remainder of the charrette process.

Overall key takeaways from the design charrette include:

- Overall corridor approach
  - New block structure
  - Closing Old Avon St. at Garrett St.
  - Creating new east/west public street at the railroad property line
- Develop a two lane, 62’ bridge section with a protected bike lane and wide sidewalks
- Additional vertical circulation (pedestrian) north of the railroad tracks on the east side
- Modern / Funky design features
- Enhanced landscape elements on approaches
- Accent lighting for pedestrian safety (not theatrical)

- Interim / shared parking solutions (in cooperation with property owners)
- Minimize maintenance concerns regarding raised, planted medians

Following the design charrette, concepts were refined and alternatives were developed for various design elements. The concepts and alternatives were presented to the Steering Committee, Technical Committee, and Small Stakeholder groups on May 15<sup>th</sup> and 16<sup>th</sup>. A full summary of the event, including a summary of the work sessions is posted on [www.belmontbridge.org](http://www.belmontbridge.org).

### **Community Event 3: Open House, June 1, 2017**

Project team members held an open house on June 1, 2017. The open house provided an opportunity for the public to provide feedback on the latest design concepts for the Belmont Bridge. The design concepts were developed from more than 30,000 outreach data points and 1,000 written comments provided through previous public meetings, the project website, and MetroQuest survey. At the open house, a presentation was made that provided a brief overview and the public was requested to visit stations set up with the following focus areas to provide feedback and ask questions:

- Bridge Architecture, which included architectural elements such as fencing, lighting, walls, vertical circulation, and overall 3-dimensional views of the concept. This station also included an interactive 3-D architectural model, giving the opportunity to see alternate views of the design.
- Corridor, which included the recommended corridor concept, and, a potential “future build” concept. Additionally, cross sections of the road and plan views of the intersections were a focus.
- Traffic, which included graphics depicting lane configuration, queue length, delay, level of service, and projected future traffic conditions in a video format.

Additionally, voting sheets were provided to attendees to help provide the design team with direction on three outstanding items, which included:

- Graves St. Access. Options for this item included:
  - Alternative 1: Restrict left turns from southbound 9<sup>th</sup> St. to Graves St; allow right turns onto and from Graves St. (but prohibit left turns from Graves St. to southbound 9<sup>th</sup> St.)
  - Alternative 1A: Allow left turns from southbound 9<sup>th</sup> St. to Graves St.; allow right turns onto and from Graves St. (but prohibit left turns from Graves St. to southbound 9<sup>th</sup> St.)
- Pedestrian Circulation. Options for this item included:
  - Construct a pedestrian underpass
  - Maintain existing at-grade crossing near Graves St.
  - Construct a pedestrian underpass AND maintain existing at-grade crossing near Graves St.
- Vertical Circulation. Options for this item included:

- Concept 1: Construct stairs on east and west side with a mezzanine connection between 9<sup>th</sup> St. and Water St.
- Concept 2: Construct stairs on east and west side (no mezzanine connection)
- Concept 3: Construct stairs on east side with mezzanine connection between 9<sup>th</sup> St. and Water St. No west side stairs to Water St.

Feedback was received in the form of verbal public comment in a group setting at the end of the meeting, written comments, and feedback provided to consultant and City staff at the stations. The comments received, as well as voting sheets are posted under the resources tab at [www.belmontbridge.org](http://www.belmontbridge.org). The results of the voting sheets were presented to the Steering Committee on June 14<sup>th</sup>, 2017.

### **Focused Survey**

Following the open house, an on-line survey was available through the project website. The on-line survey was intended to capture opinion and feedback from the public and others that may have not been able to attend the Open House. The survey focused on the three outstanding issues presented at the open house, including:

- Graves St. Access.
- Pedestrian Circulation.
- Vertical Circulation

244 people participated in the focused on-line survey, and the results were presented to the Steering Committee on June 14<sup>th</sup> to help inform committee members of the public input/comment.

### **Stakeholder Meetings**

Throughout the process, individual stakeholder groups were met with to receive input and feedback during the design process. Stakeholder meetings were open to the public. The following groups were met with on the following dates:

- Steering Committee: February 21, 2017, March 29, 2017, May 15, 2017, and June 14, 2017
- Bicycle and Pedestrian Advisory Committee: February 23, 2017, and May 16, 2017
- PLACE Design Task Force: February 22, 2017, and May 16, 2017
- Downtown Business Association / Chamber of Commerce: February 22, 2017, and May 16, 2017
- Board of Architectural Review: February 22, 2017 and May 16, 2017
- Tree Commission: February 23, 2017, and May 16, 2017

The ADA Advisory Committee and Planning Commission were invited to attend any of the five stakeholder group meetings. These stakeholder groups provided feedback in their specialized areas of interest and confirmed that design was progressing in keeping with the project's purpose and need.

Meeting agendas and summaries can be found under the resources tab on the project website [www.BelmontBridge.org](http://www.BelmontBridge.org). Additionally, a Technical committee was formed which is comprised of representatives from appropriate City departments. The technical committee held meetings on the project on February 22, 2017, March 30, 2017, May 16, 2017, and June 13, 2017. The technical committee meetings confirmed input received from the public and stakeholder groups could be technically attained and then maintained.

### **Standard of Review**

Pursuant to Virginia Code section 15.2-2232, the Planning Commission will review the proposed Belmont Bridge Replacement concept, located on 9th Street between Market street And Garrett Street / Levy Street in the City of Charlottesville, to determine if the general character and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof. The Planning Commission shall communicate its findings to the Charlottesville City Council, with written reasons for its approval or disapproval.

The conceptual design concepts of the proposed improvements may be examined at the Department of Neighborhood Development Services, 610 East Market Street, Charlottesville, Virginia, Monday – Friday between the hours of 8:00 a.m. and 5:00 p.m. The conceptual design may also be found within the presentation materials provided for the August 8<sup>th</sup> Planning Commission meeting as well as on [www.BelmontBridge.org](http://www.BelmontBridge.org).

### **Comprehensive Plan Alignment:**

The following denotes alignment with the City of Charlottesville adopted 2013 Comprehensive Plan.

Transportation:

- Goal 1: Increase safe, convenient and pleasant accommodations for pedestrians, bicyclists, and people with disabilities that improve the quality of life within the community and within individual Neighborhoods.
  - This project provides approximately 40 total feet in width dedicated to bicyclists and pedestrians, an increase in width from the existing condition. That width includes 2, 10' wide sidewalks on each side of the roadway, and two, 10' wide protected bike lanes in each direction. In addition, a pedestrian tunnel is proposed underneath 9<sup>th</sup> Street, south of the railroad tracks as well as new vertical circulation on both the east and west side of the bridge down to Water Street. A connection is also proposed on the western side of the bridge that would connect 9<sup>th</sup> Street to Water Street during paid Pavilion events.
- Goal 1.2: Provide convenient and safe pedestrian connections within ¼ miles of all commercial and employment centers, transit routes, schools and parks
  - This project provides wide sidewalks and vertical circulation to enable multi-modal connections to transit routes and employment centers
- Goal 1.3 Provide design features on roadways, such as street trees within buffers, street furniture and sidewalk widths that improve the safety and comfort level of all users and contribute to the City's environmental goals.

- This project includes street tree plantings within buffers where appropriate as well as 10' wide sidewalks.
- Goal 1.4: Explore and implement safe, convenient and visually attractive crossing alternatives to enable pedestrians and bicycles to cross major thoroughfares
  - The project provides a pedestrian passageway under 9<sup>th</sup> St. south of the railroad tracks, and provides for a mezzanine connection from the east and west side of 9<sup>th</sup> St. north of the railroad tracks
- Goal 1.5: Continue to include bicycle and pedestrian accommodations in conjunction with the planning and design of all major road projects, all new development and road paving projects
  - The project provides two, 10' buffered bike lanes continuous in each direction from Market St. to Garrett St as well as the aforementioned new pedestrian connections.
- Goal 1.6 Consistently apply ADA standards to facility design and ensure that accessible curb ramps exist at all pedestrian crossings where conditions allow.
  - Curb ramps will be provided at all crossings.

#### Urban Design:

- Goal 1: Continue Charlottesville's history of architectural and design excellence by maintaining existing traditional design features while encouraging creative, context-sensitive, contemporary planning and design.
  - Per the public comment received, design focus is on seeking to blend and connect the new bridge into the surrounding neighborhoods with several modern and/or funky design features – such as the treatment of abutment walls and pier system – to add distinct contemporary details.
- Goal 1.1: Emphasize the importance of public buildings, public spaces, and other public improvements as opportunities to promote a sense of place and a welcoming environment for residents and visitors.
  - The project is proposing to close Old Avon Street at the Garrett/Levy/9th intersection to create a pedestrian zone. Both the pedestrian passageway and mezzanine will be designed to encourage pedestrian use through good design concepts. Enhanced landscaping is also proposed.
- Goal 1.2: Promote Charlottesville's diverse architectural and cultural heritage by recognizing, respecting, and enhancing the distinct characteristics of each neighborhood.
  - This project will be coordinated with the Virginia Department of Historic Resources as well as receive a Certificate of Appropriateness from the City's Board of Architectural Review.
- Goal 1.3: Facilitate development of nodes of density and vitality in the City's Mixed Use Corridors, and encourage vitality, pedestrian movement, and visual interest throughout the city
  - The project provides for upgraded pedestrian and bicycle facilities, as well as architectural elements that will enhance the neighborhood and corridor
- Goal 1.4: Develop pedestrian-friendly environments in Charlottesville that connect neighborhoods to community facilities, to commercial areas and employment centers, and that connect neighborhoods to each other, to promote a healthier community.

- The project provides for an upgraded multi-modal connection from the pedestrian mall in downtown Charlottesville to the Belmont and Martha Jefferson neighborhoods.
- 1.5: Encourage community vitality and interaction through the incorporation of art in public spaces, neighborhoods, signage, and gateways.
  - Opportunities for art are being proposed along the bridge's abutment walls south of the railroad tracks – as well as preservation of a programmed space for graffiti or commissioned art.
- 1.6: Encourage the incorporation of meaningful public spaces, defined as being available to the general public, into urban design efforts.
  - Retention of the graffiti wall for public, free expression and creation of a new pedestrian space along Avon Street are intended to meet this goal.
- 1.7: Promote design excellence for public projects and installations at all scales.
  - The request for proposals created a project development process centered around design. The extensive public participation process is ensuring design excellence - is sought in meeting the community's present and future needs.

### **Suggested Motions for Amendment of Comprehensive Plan Text and Map**

1. I move that the proposed Belmont Bridge Replacement concept's, located on 9th Street between Market Street and Garrett Street / Levy Street in the City of Charlottesville, general character and extent of the proposed improvements are substantially in accord with the City's adopted 2013 Comprehensive Plan or part thereof.

2. I move to deny that the proposed Belmont Bridge Replacement concept's, located on 9th Street between Market Street and Garrett Street / Levy Street in the City of Charlottesville, general character and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof for the following reasons:

**Attachments**  
Resolution



**RESOLUTION  
OF THE CHARLOTTESVILLE PLANNING COMMISSION  
RECOMMENDING THE BELMONT BRIDGE REPLACEMENT  
PROJECT IS IN CONFORMANCE WITH THE CITY'S  
COMPREHENSIVE PLAN**

Whereas, this Planning Commission and City Council jointly held a public hearing on the proposed Belmont Bridge Replacement concept, after notice given as required by law, NOW THEREFORE,

BE IT RESOLVED that this Planning Commission confirms that the general character and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof.

Adopted by the Charlottesville Planning Commission, the 8<sup>th</sup> day of August 2017.

Attest: \_\_\_\_\_  
Secretary, Charlottesville Planning Commission



# Belmont Bridge Replacement

Planning Commission Meeting

August 8, 2017



# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

## AGENDA

Process Overview

Public Engagement Overview

Conceptual Design Review

Review for Comprehensive Plan Consistency

Next Steps

Public Engagement

+

Stakeholder Input

+

Conceptual Design

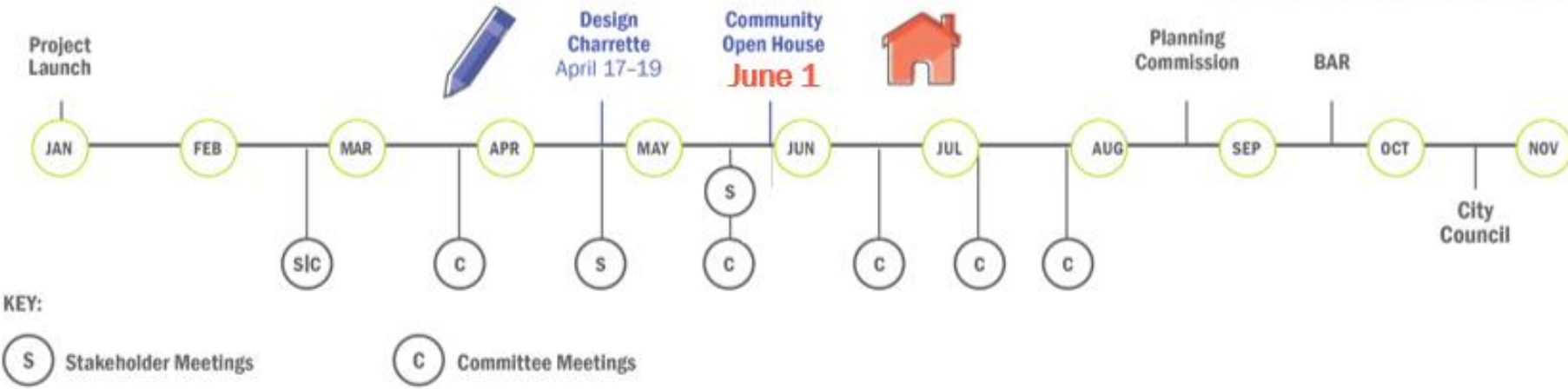


# Process/Schedule



## Next Steps

- Board of Architectural Review  
*August 15*
- Steering and Technical Committee  
*August / September*
- City Council  
*October*



# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

- *To replace an insufficient and deteriorating bridge for vehicular, bicyclists and pedestrian usage*
- *To improve pedestrian and bicycle access along this corridor from the Belmont neighborhood to the downtown mall and neighborhoods to the north*
- *To improve aesthetics along this corridor and linkage path to downtown*
- *To create a “gateway” to downtown from the south*
- *To create synergy for economic development*
- *To minimize disturbing existing utilities*
- *To minimize disruption of the CSX/BBRR active rail-line and railroad operations*
- *To minimize impact and disruption of Pavilion events*
- *To minimize impact and disruption to the Downtown Transit Center*
- *To minimize vehicular and pedestrian traffic impact and disruption to surrounding businesses and travelling public*

Project Purpose  
and Need ...

... per the  
project RFP



# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

- Bridge is the gateway into downtown
- Maintain 25 MPH *speed* limit
- Two lanes* – one in each direction
- Views* to the mountains and of the railroad tracks should be preserved
- Innovative*, entertaining design
- Separate pedestrian, vehicles, and bicycles*
- Reduce the *bridge length*
- Enhance the landscape* design elements on the approaches
- Accent lighting* to showcase the bridge
- Bike lanes *10'*, pedestrian lanes *10'* and traffic lanes *11'*

Project Goals and Objectives ...

... *from City Council adopted language*



# Stakeholder & Public Engagement



# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

1 Amy Gardner	Belmont Neighborhood
2 John Harrison	Business Community
3 Patrick Healy	Ridge Street Neighborhood
4 Heather Danforth Hill	North Downtown Neighborhood
5 Harry Holsinger	Martha Jefferson Neighborhood
6 Tim Mohr	PLACE Design Task Force
7 Scott Paisley	PLACE Design Task Force
8 John Santoski	Planning Commission
9 Lena Seville	CAT Advisory Board
10 Fred Wolf	PLACE Design Task Force
11 Brennan Duncan	NDS – Traffic Engineer
12 Tony Edwards	NDS – Development Services Manager
13 Alex Ikefuna	NDS Director
14 Jeanette Janiczek	NDS – UCI Program Manager
15 Carrie Rainey	NDS – Urban Designer
16 Marty Silman	NDS – City Engineer

Steering  
Committee





# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

## Technical Committee

Matthew Alfele	NDS – Neighborhood Planner
Missy Creasy	NDS – Assistant Director
Jay Davis	City Fire Marshal
Brennan Duncan	NDS – Traffic Engineer
Susan Elliott	P/W – Environmental
Tom Elliott	NDS – Building Code Official
Craig Fabio	NDS – Asst. Zoning Administrator
David Frazier	NDS – VSMP E&S Specialist
Chris Gensic	Parks and Trail Planner
Brian Haluska	NDS – Neighborhood Planner
Christian Chirico	Public Utilities – Gas Utility Project Assistant
Charles Canary	CAT Acting Asst. Transit Mgr. - Maintenance
Juwhan Lee	CAT Asst. Transit Mgr. – Operations
John Mann	Parks – Landscape Manager

Jason McIlwee	Public Utilities Engineer
Camie Mess	NDS – Historic Preservation Assistant
Heather Newmeyer	NDS – Neighborhood Planner
Stacy Pethia	NDS – Housing Program Coordinator
Amanda Poncy	NDS – Bicycle and Pedestrian Coordinator
Carrie Rainey	NDS – Urban Designer
Michael Ronayne	Parks
Mary Joy Scala	NDS – Preservation & Design Planner
William Scalfani	Police Crime prevention Unit
Rick Siebert	Parking Manager
Marty Silman	NDS – City Engineer
Lance Stewart	P/W – Public Services / Facilities Mgr.
Dan Sweet	P/U – Stormwater Utility Administrator
Tich Tablan	Assistant Fire Marshal
Stephen Walton	Assistant Fire Marshal



# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

- ADA Advisory Committee
- Bicycle and Pedestrian Advisory Committee
- Board of Architectural Review
- Downtown Business Association of Charlottesville / Chamber of Commerce
- PLACE Design Task Force
- Planning Commission
- Tree Commission

Stakeholder Groups



# Outreach & Engagement

Since February 2017

3,500+

touch points

30,500+

individual data points

1,250+

written comments

Steering Committee Meetings x4

Small Stakeholder Group Meetings x18

Mobility Summit 100+ attendees

MetroQuest Survey 896 responses

Design Charrette 3 days + 3 public sessions

Open House 60+ attendees

Topical Online Survey 244 responses

Belmontbridge.org 2,196 unique users

8,053 page views



# Public Input: Common Themes and Key Takeaways

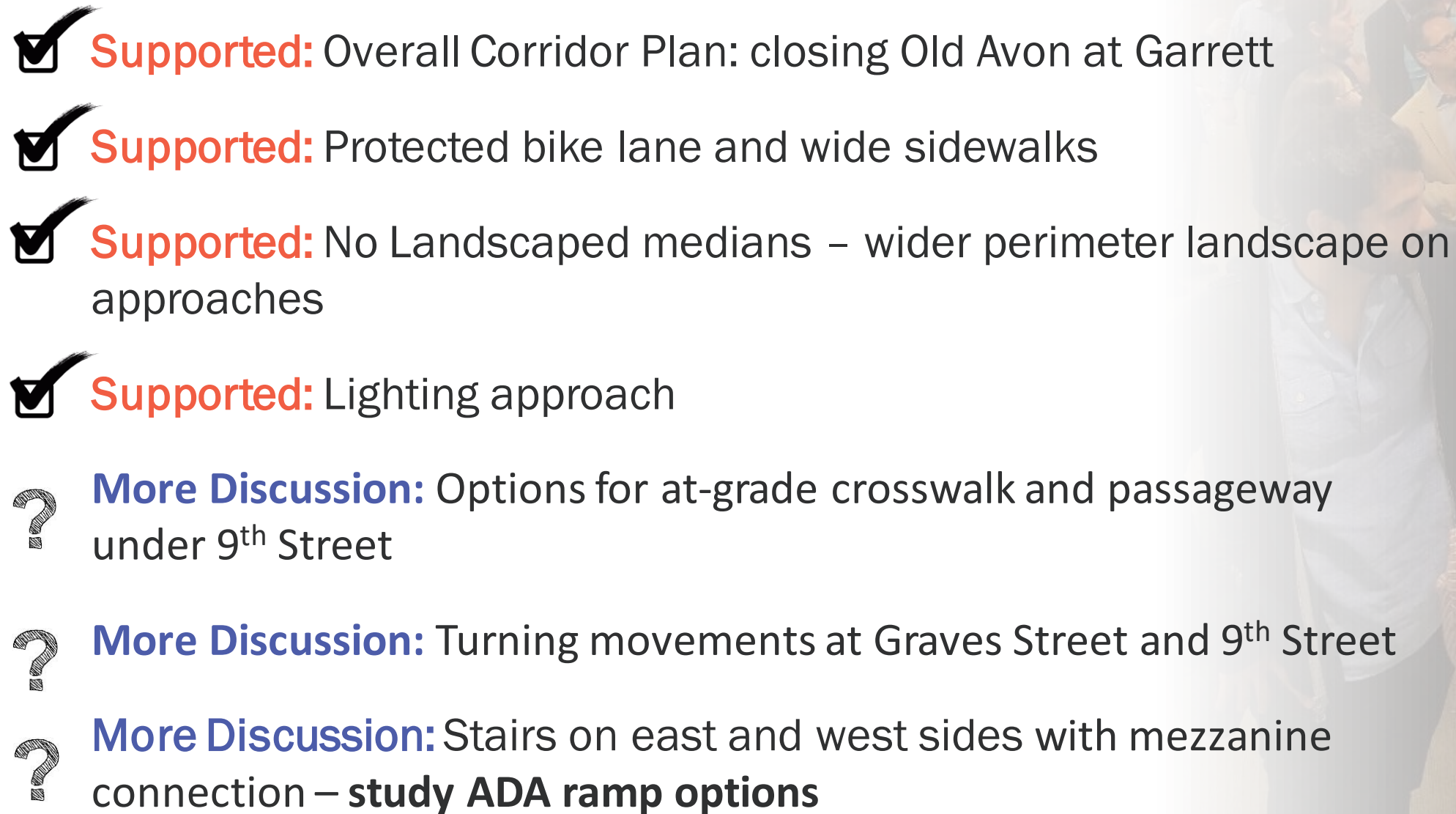
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- Design a **functional, integrated design**
- Improve **connectivity** – emphasis on **relationship between downtown and neighborhoods**
- Design focus on **multimodal functionality** and **safety**
- Create **safe bike and pedestrian** facilities
- Include improved, safe street crossings – calm traffic to **reduce travel speed**
- **Improve intersections** and approaches (traffic functions, bike/pedestrian safety, aesthetics)
- Do not negatively impact **access to local businesses**
- Create opportunities for **landscaping and public spaces**
- Address short term and long term **parking** needs



# Open House Takeaways

June 1, 2017

- 
- ✓ **Supported:** Overall Corridor Plan: closing Old Avon at Garrett
  - ✓ **Supported:** Protected bike lane and wide sidewalks
  - ✓ **Supported:** No Landscaped medians – wider perimeter landscape on approaches
  - ✓ **Supported:** Lighting approach
  - ? **More Discussion:** Options for at-grade crosswalk and passageway under 9<sup>th</sup> Street
  - ? **More Discussion:** Turning movements at Graves Street and 9<sup>th</sup> Street
  - ? **More Discussion:** Stairs on east and west sides with mezzanine connection – **study ADA ramp options**

# Conceptual Design

# Corridor Plan

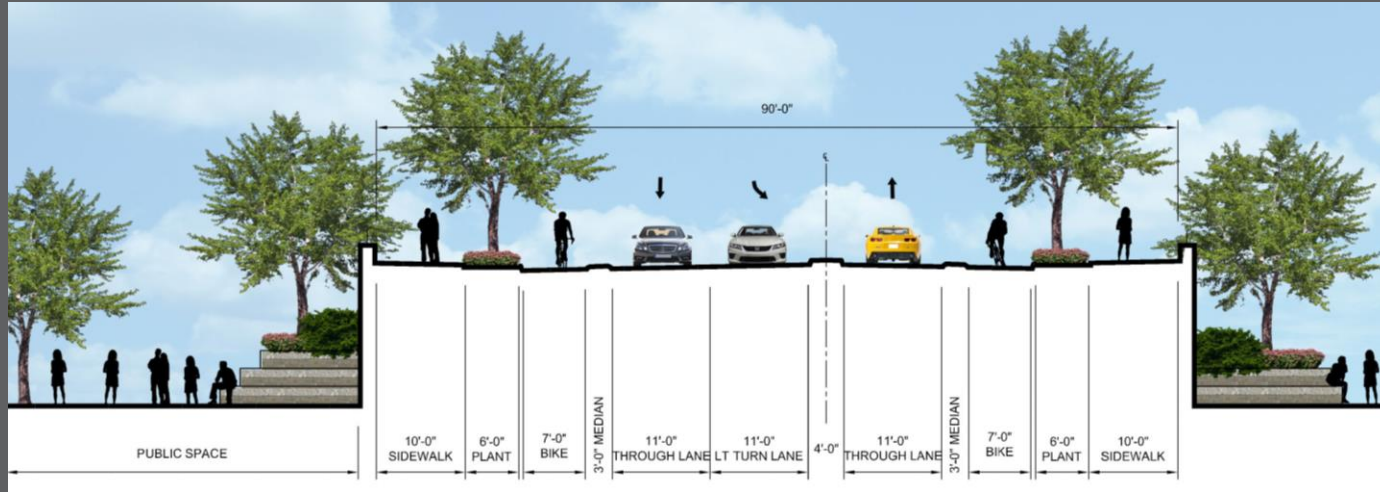


EXISTING		PROPOSED	
Surface Lot	54	Surface Lot	16
South Street	4	South Street	11
Avon Street	45	Avon Street	34
<b>TOTAL</b>	<b>103</b>	East Side	12
		<b>TOTAL</b>	<b>73</b>
Dedicated Railroad Parking	10	Dedicated Railroad Parking	10
<b>Total Less Dedicated Railroad Parking</b>	<b>93 spaces</b>	<b>Total Less Dedicated Railroad Parking</b>	<b>63 spaces</b>

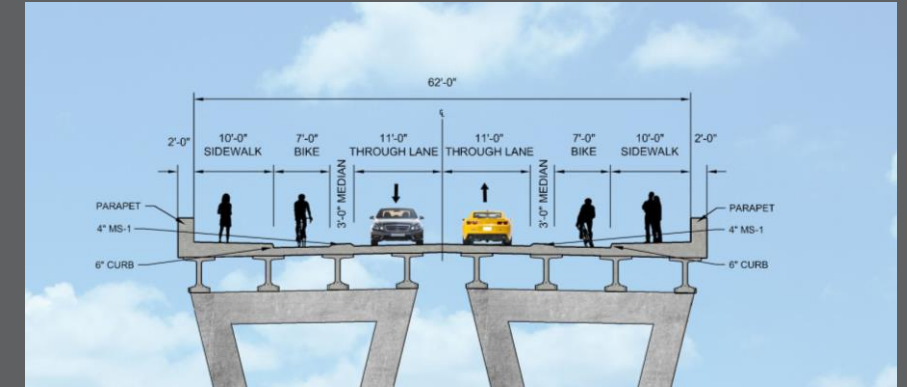


Kimley **Horn**  
 Alternative 1  
 Recommended Concept

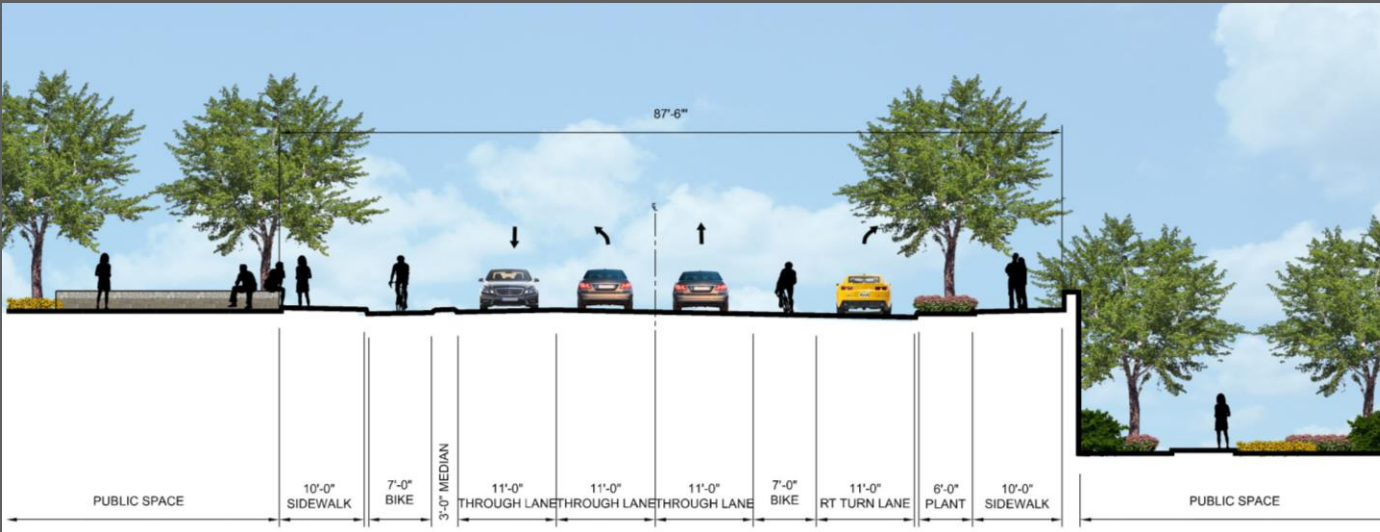
# Roadway Sections



Looking North on 9<sup>th</sup> St. from Graves St.



Looking North on 9<sup>th</sup> St. on Belmont Bridge



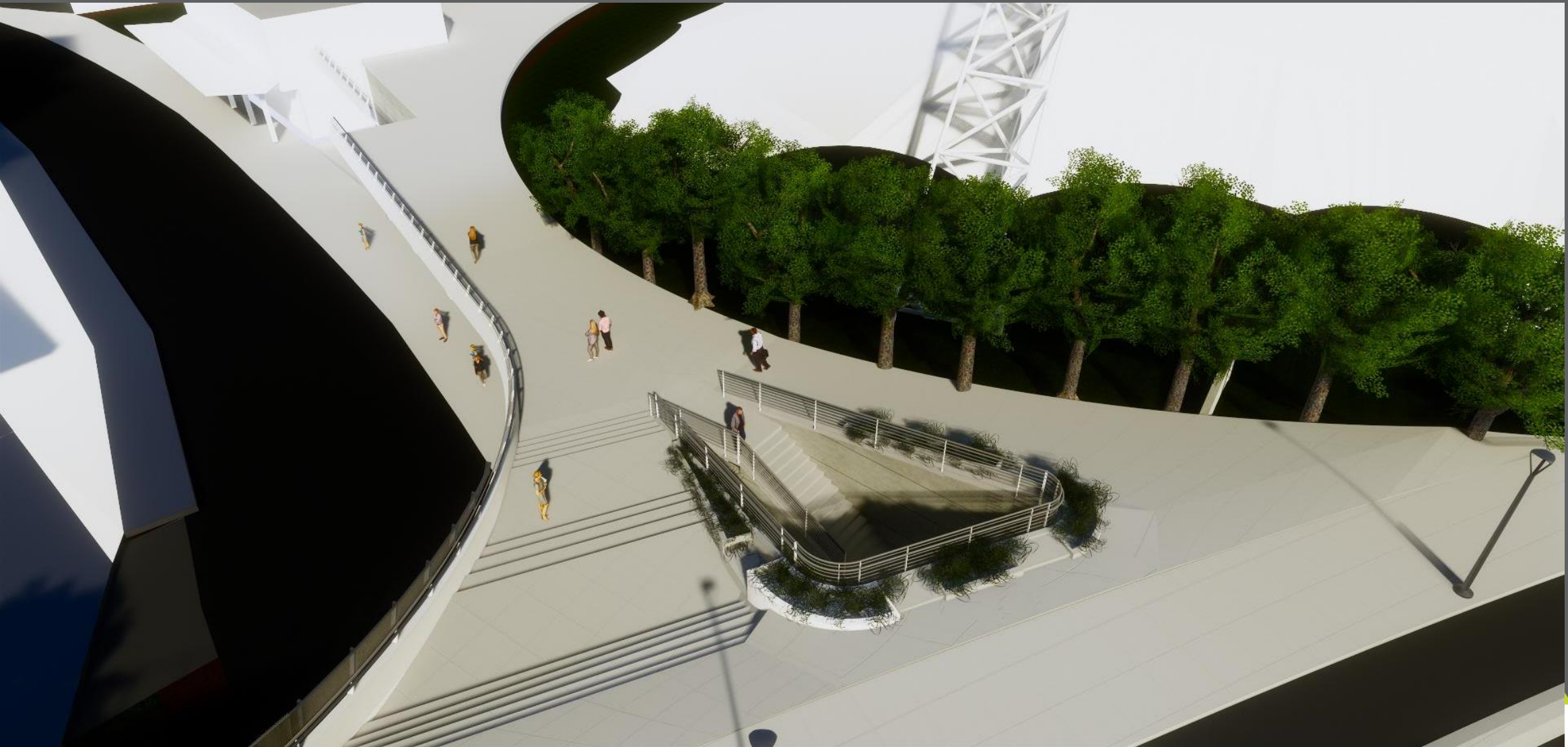
Looking North on 9<sup>th</sup> St. from North of Bridge



# Vertical Circulation

North Abutment

Preferred: Central and West Stairs w/ Mezz

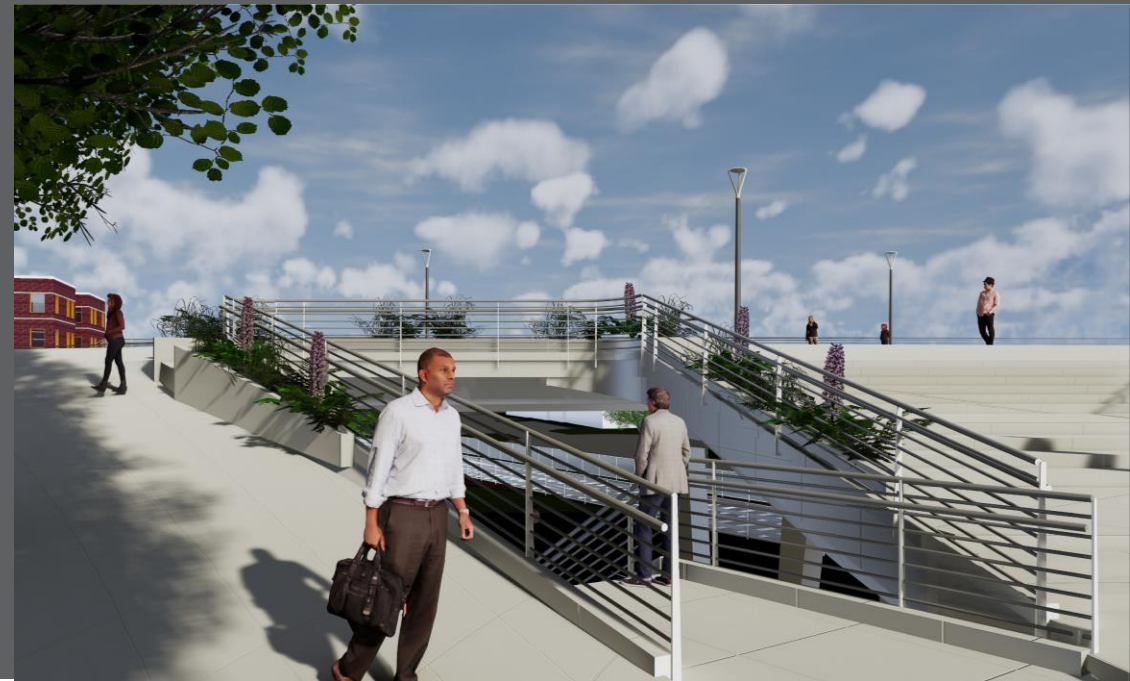


*Rendering – Aerial Looking West*

# Vertical Circulation

North Abutment

Preferred: Central and West Stairs w/ Mezz

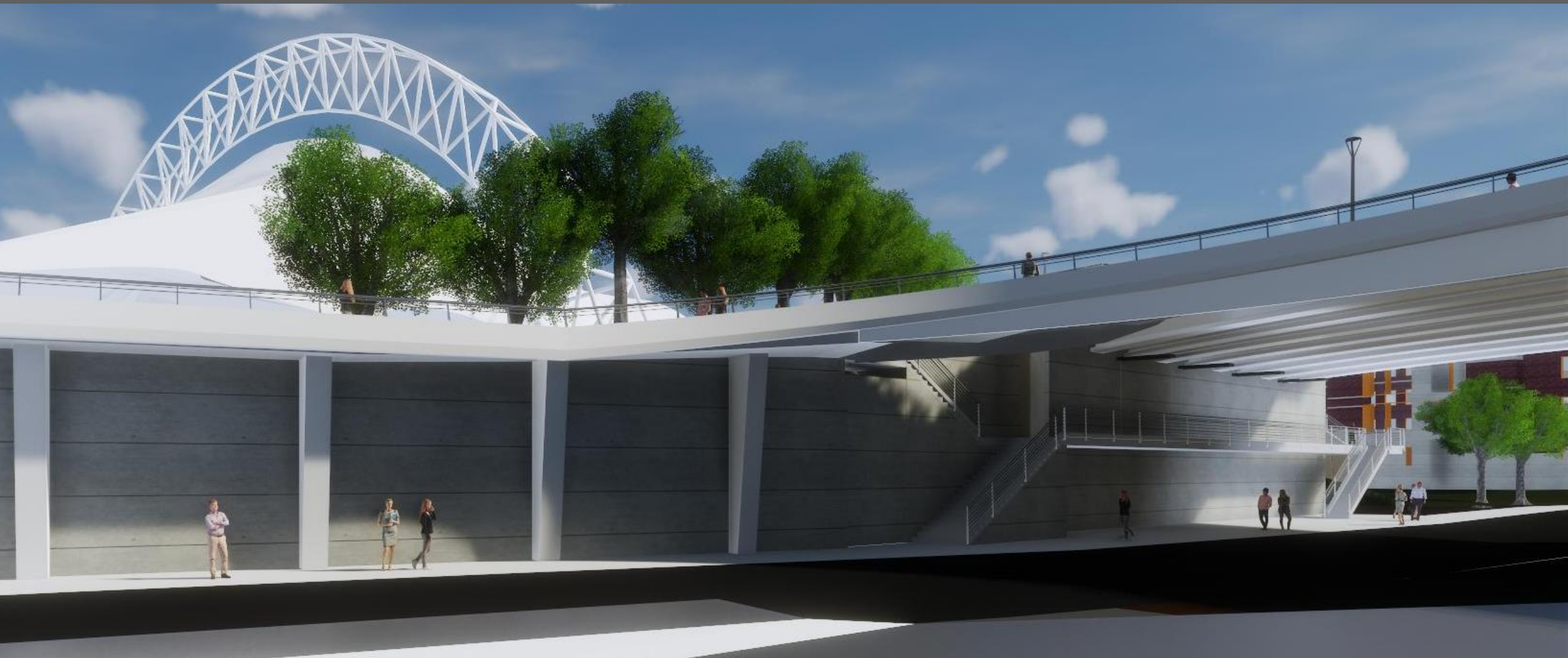


*Renderings - Looking East to Bridge*

# Vertical Circulation

North Abutment

Preferred: Central and West Stairs w/ Mezz



# Piers



*Rendering – Looking Southeast from Water Street*

# Railroad Fencing



*Cable Net – 98% Transparency*



*Section*

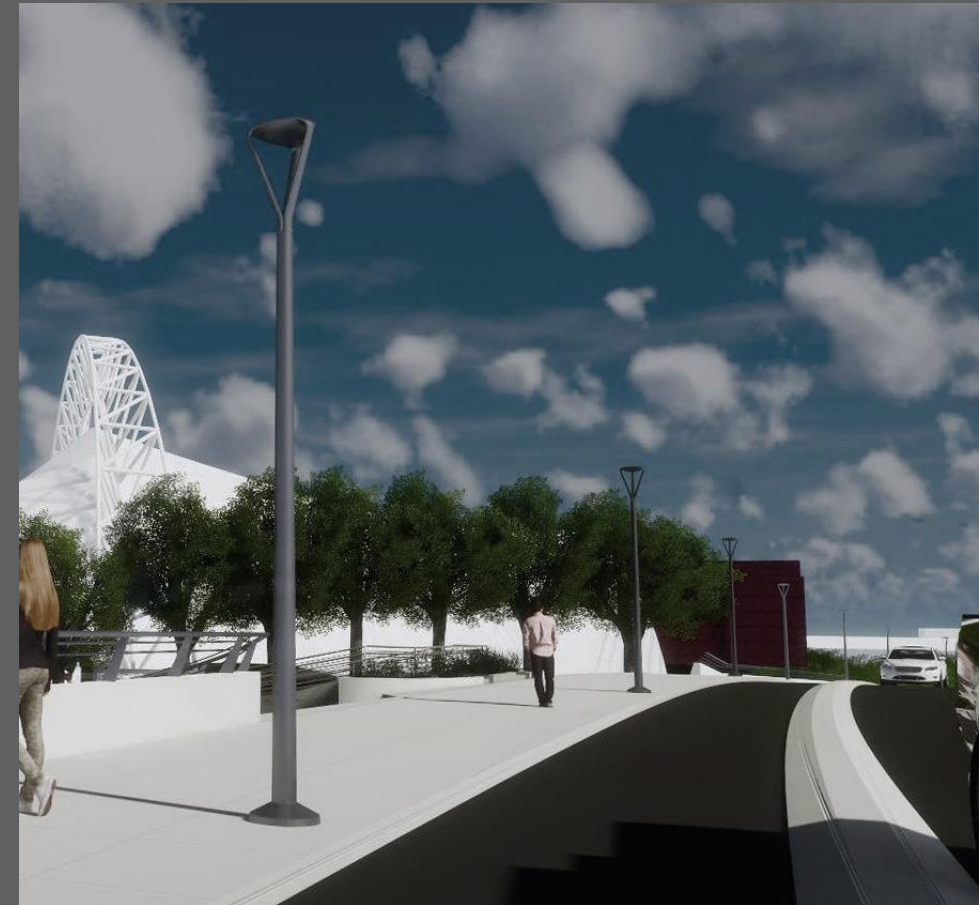


*View From Bridge Sidewalk*

# Lighting

## Pedestrian Walkway

### Perspective Views



*Landscape Forms FGP Pedestrian Light*

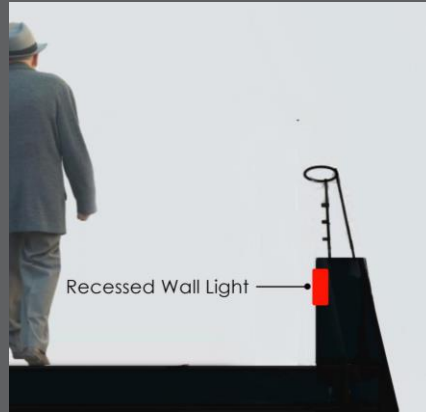
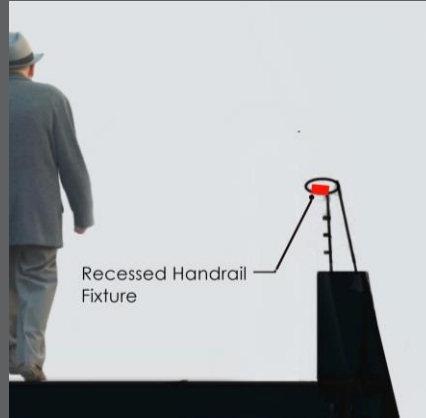
# Lighting

## Site and Accent

### Lighting Types



*Recessed Wall Fixture at Parapet*



*Recessed Handrail Fixture*

# Lighting

Site and Accent

## Perspective Views



BELMONT  
BRIDGE



# Walls

## Formed Precast

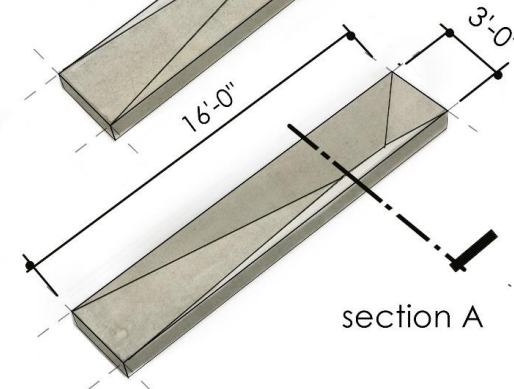
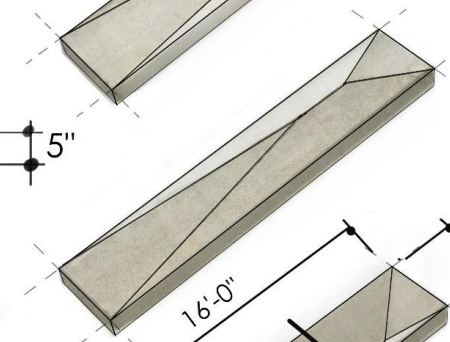
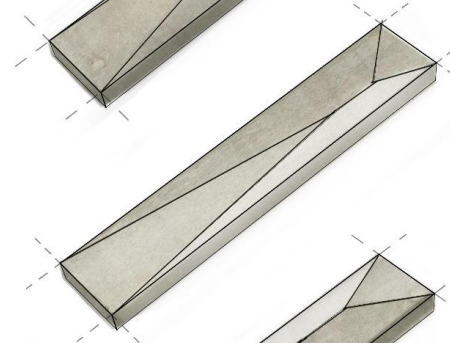
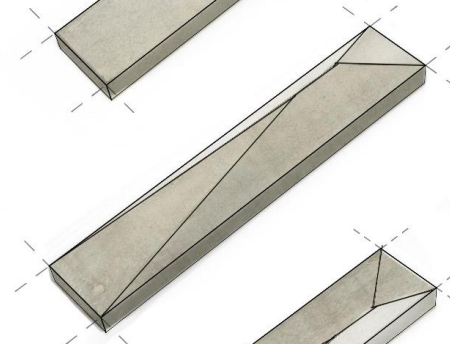
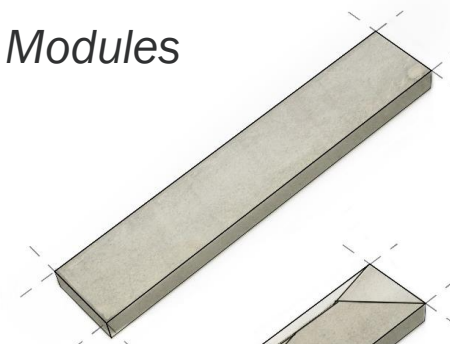
### Precast Concrete: Modular Panel System



Blue Ridge Mountain Outcropping

Intermittent Shadows Produced by Convex/Concave Faceted Panels

### Precast Panels - Modules

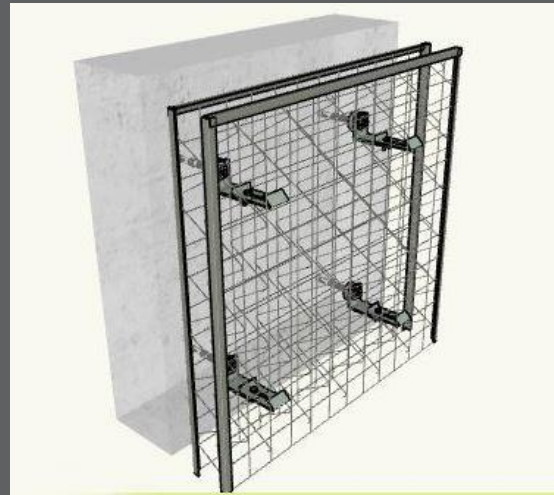


Panel Cross Section A

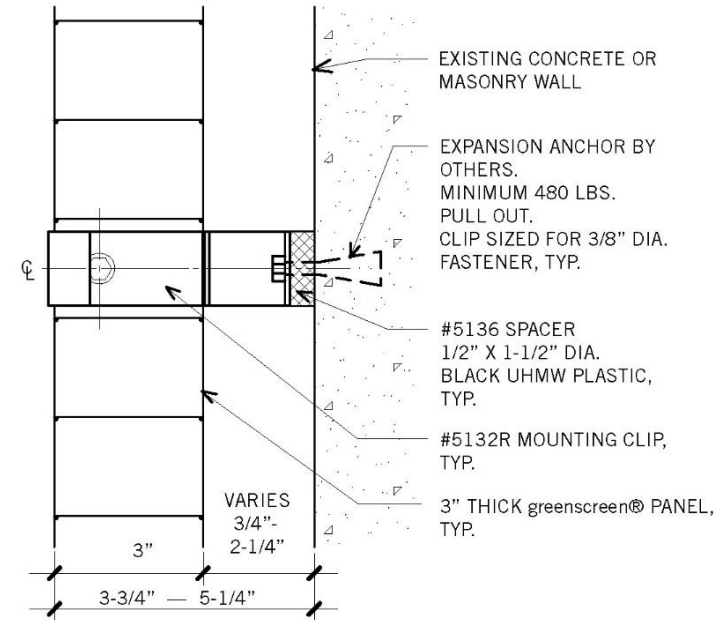
Panel Axon



Trellis Panel on Masonry Wall



Trellis Panel: 3' - 4' module



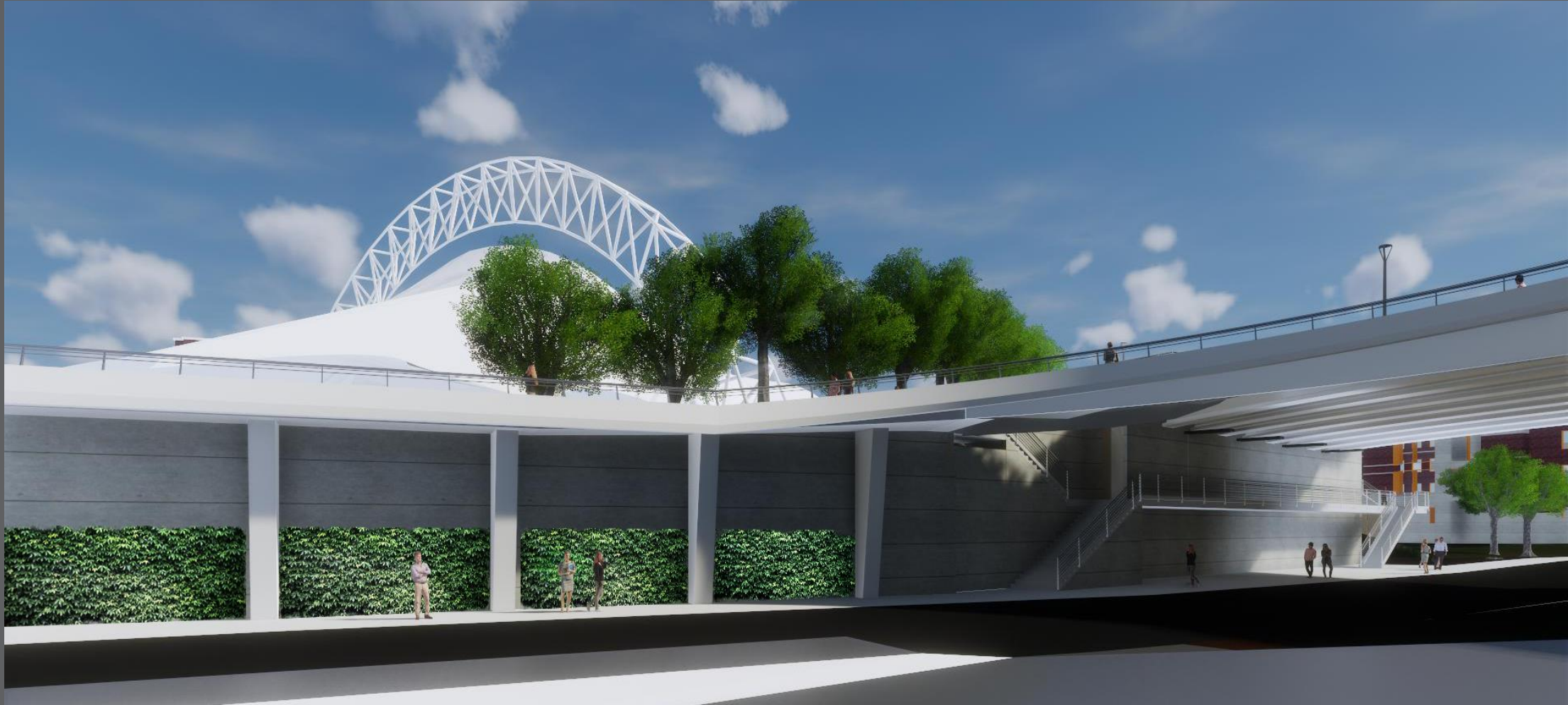
Precast mounting Detail

# Walls: North Abutment



Perspective from East on Water St.

# Walls: North Abutment



Perspective from South

# Walls: South Abutment



West Elevation



West Elevation - Typical Components

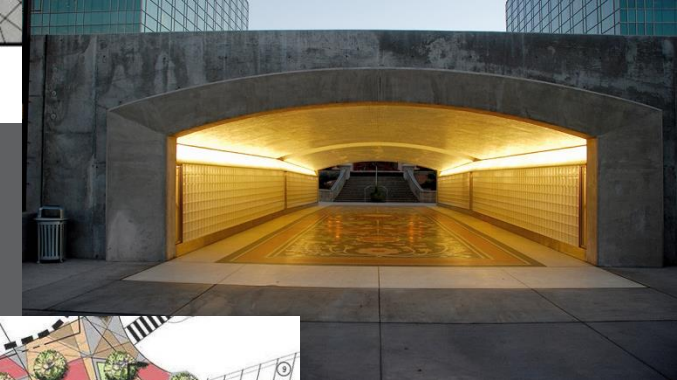
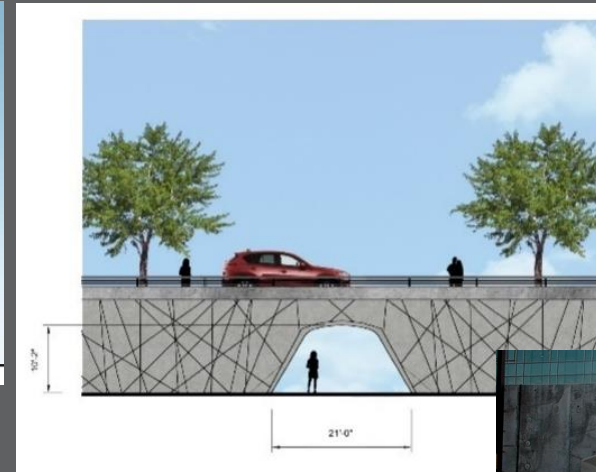
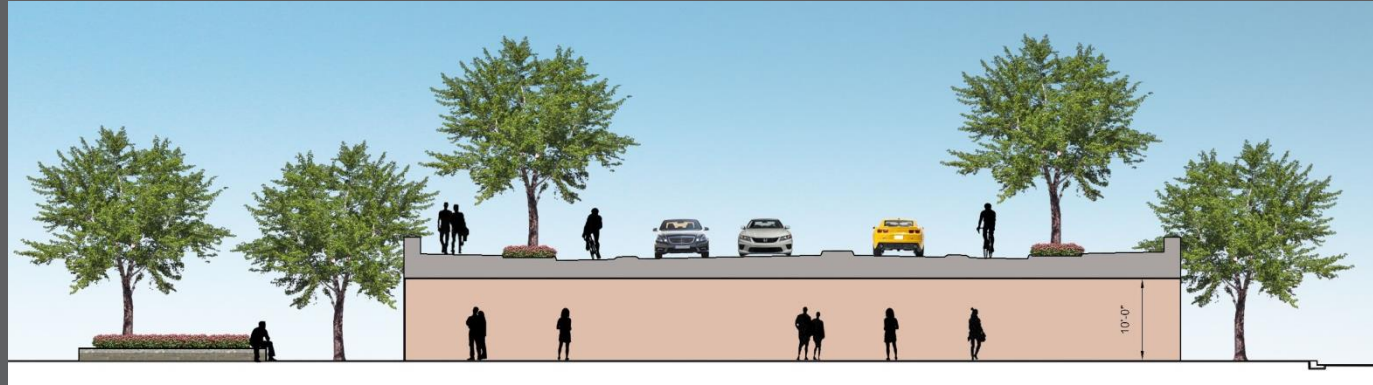
- Flat and Beveled Modular Precast Panels
- 3' modular Green Screen Panels
- Location for Mural or Graffiti



West Elevation @ Tunnel

# Open Design Issues

# Pedestrian Circulation South of Railroad



## Issues Summary – At-Grade Crossing at Graves Street

- Crossing is a desirable, convenient location for Belmont residents to cross 9<sup>th</sup> Street
- Conflicting and potentially unsafe conditions at crossing
  - 9 Crashes at Graves and 9<sup>th</sup> Street (2012 – 2016)
  - 2 crashes involved pedestrians in/near existing crosswalk
  - Existing 6% grade along 9<sup>th</sup> Street – high travel speeds
  - Existing crosswalk is 190' north of signalized crosswalk at 9<sup>th</sup>/Avon/Graves/Levy Intersection
- Crosswalk is not in accordance with Streets That Work or VDOT guidance



# Pedestrian Circulation South of Railroad

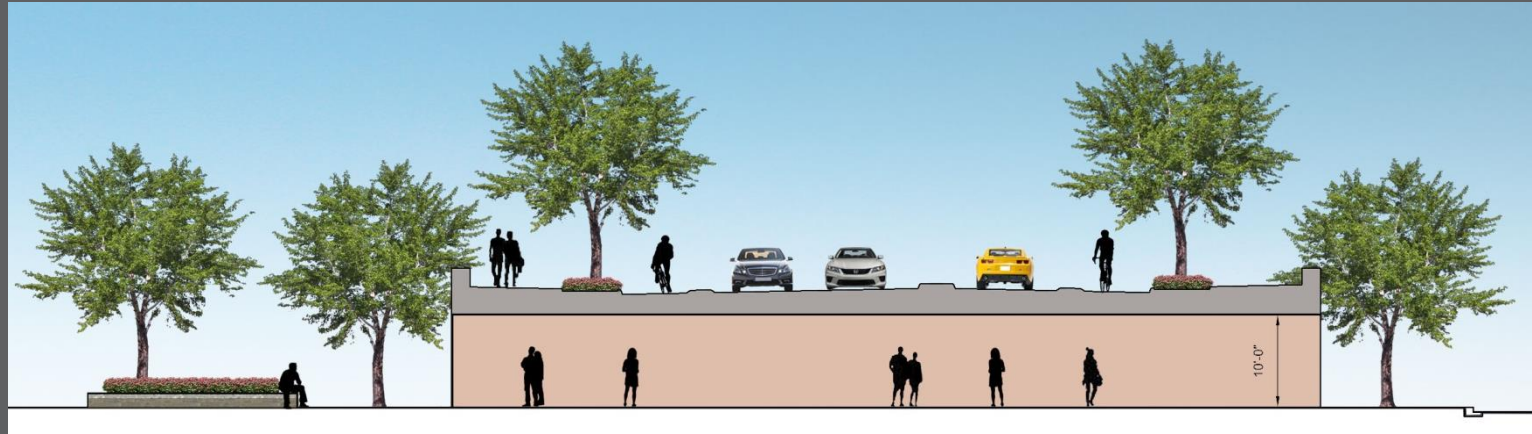


## Concept

- Pedestrian passageway beneath 9<sup>th</sup> Street
  - Provides east-west accessible route under 9<sup>th</sup> Street for bikes and pedestrians
  - 10'+/- tall and 21' wide – emphasis on good lighting
  - Opportunity to promote new, safer mobility patterns
  - Will help activate 6th Street, South Street and Old Avon Block with planned redevelopment
- Maintain existing pedestrian crosswalk north of Graves Street on 9<sup>th</sup>
- Stairs on west side and/or sidewalk in Old Avon R/W provide access to 9<sup>th</sup> Street
- Pedestrian upgrades at intersection at Levy – Old Avon – Garrett for improved mobility



# Pedestrian Circulation South of Railroad



## Steering Committee Endorsed

- **Maintain** existing pedestrian crosswalk north of Graves Street on 9<sup>th</sup> Street
- Construct pedestrian passageway beneath 9<sup>th</sup> Street
- Stairs on west side and/or sidewalk in Old Avon R/W provide access to 9th Street
- Pedestrian upgrades at intersection at Levy – Old Avon – Garrett for improved mobility

## Staff / Consultant Recommendation

- **Remove** existing pedestrian crosswalk north of Graves Street on 9<sup>th</sup>
- Construct pedestrian passageway beneath 9<sup>th</sup> Street
- Stairs on west side and/or sidewalk in Old Avon R/W provide access to 9th Street
- Pedestrian upgrades at intersection at Levy – Old Avon – Garrett for improved mobility

# Graves Street Access

## Issues Summary

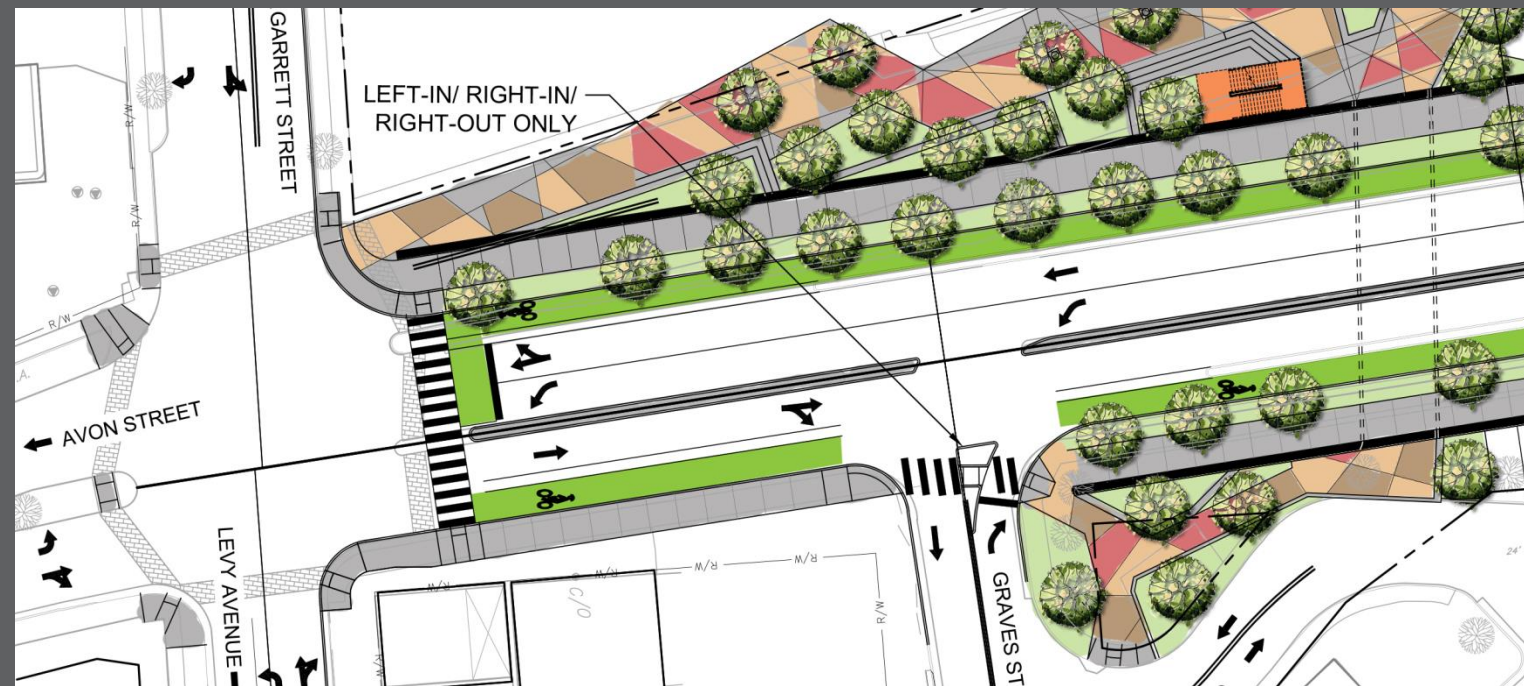
- Existing condition allows full movement turn entering and exiting Graves at 9th Street
- South-bound left turns on to 9th can create congestion on east side, impact traffic on 9th Street

## Current Concept

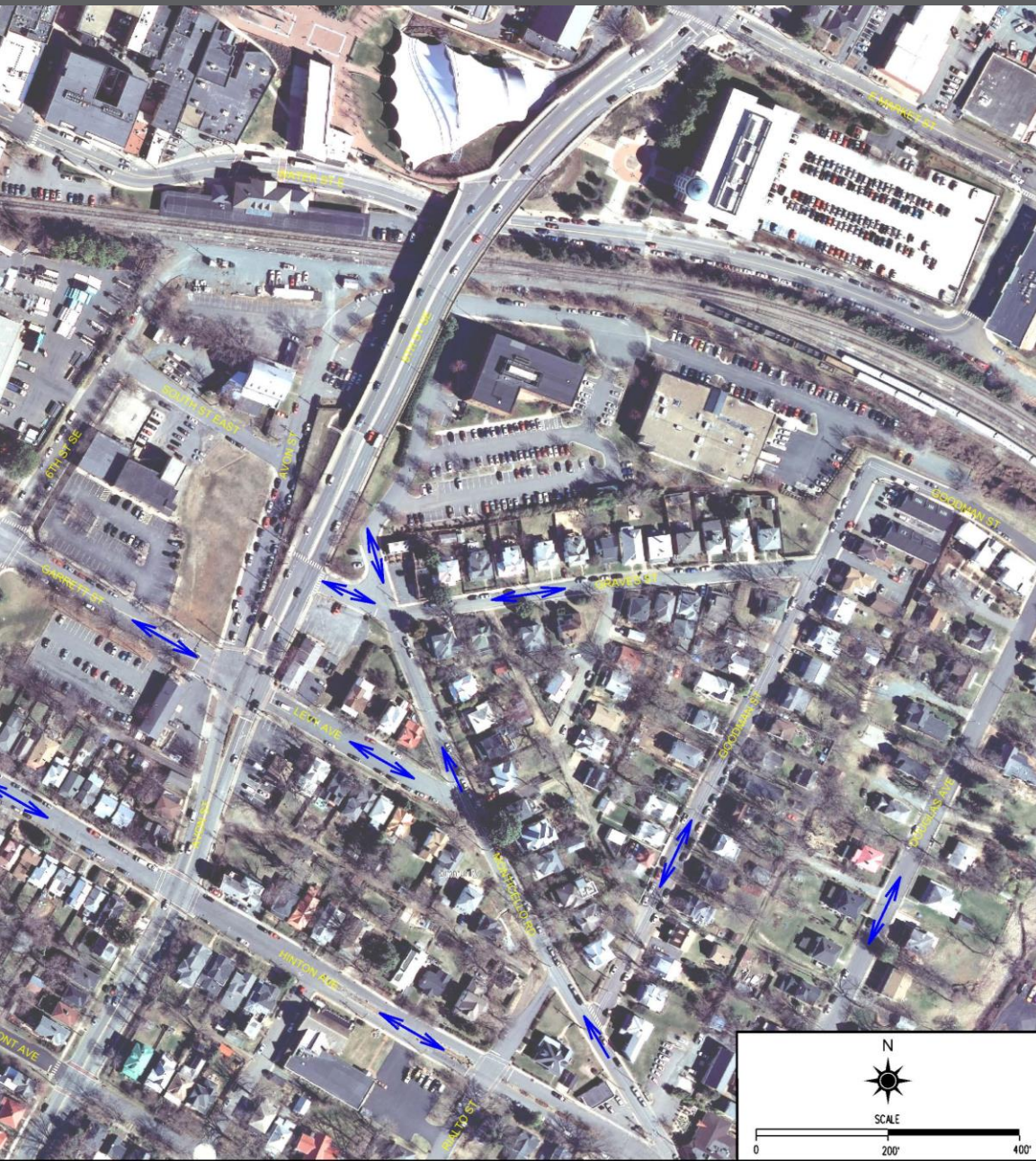
- Prohibit left turns from Graves Street to 9<sup>th</sup> Street (Avon Street) SB
- Allow left turns from 9<sup>th</sup> Street (Avon Street) SB
- Allow right-in and right-out movements from Graves Street

## Benefits of Restricting Lefts out of Graves Street

- Improved Safety - 8 Crashes in last 5 years (2012-2016)
- Improves traffic operations at 9<sup>th</sup>/Avon/Levy/Garret
- Decreases delay for SB traffic on 9<sup>th</sup>/Avon



# Graves Street Access



## Steering Committee Endorsed & Staff/Consultant Recommendation:

- Prohibit left turns from Graves Street to 9<sup>th</sup> Street (Avon Street) SB
- Allow left turns from 9<sup>th</sup> Street (Avon Street) SB
- Allow right-in and right-out movements from Graves Street

## Alternatives Under Review (as directed by the Steering Committee)

- Allow lefts out of Graves Street with Time of Day Restrictions
  - Potential enforcement issue
- Convert Monticello to 2-way operation
  - Eliminates on street parking
- Reverse Monticello to 1-way SB
  - Difficult turning movements at Levy
- Continued observation of current circulation patterns/needs for businesses/residents
- Analysis of existing site needs for business deliveries

# Vertical Circulation North of Water Street



## Issues Summary

- Lack of connectivity / Accessible routes east to west
- Lack of vertical circulation from Water Street to bridge

## Current Concept

- Stairs to Water Street from 9<sup>th</sup> Street:
  - NW Quadrant (Sprint Pavilion Side)
  - NE Quadrant (Lexus Nexus Side)
  - Stairs/Mezzanine Connection between bridge and Water Street for NW to NE pedestrian connection

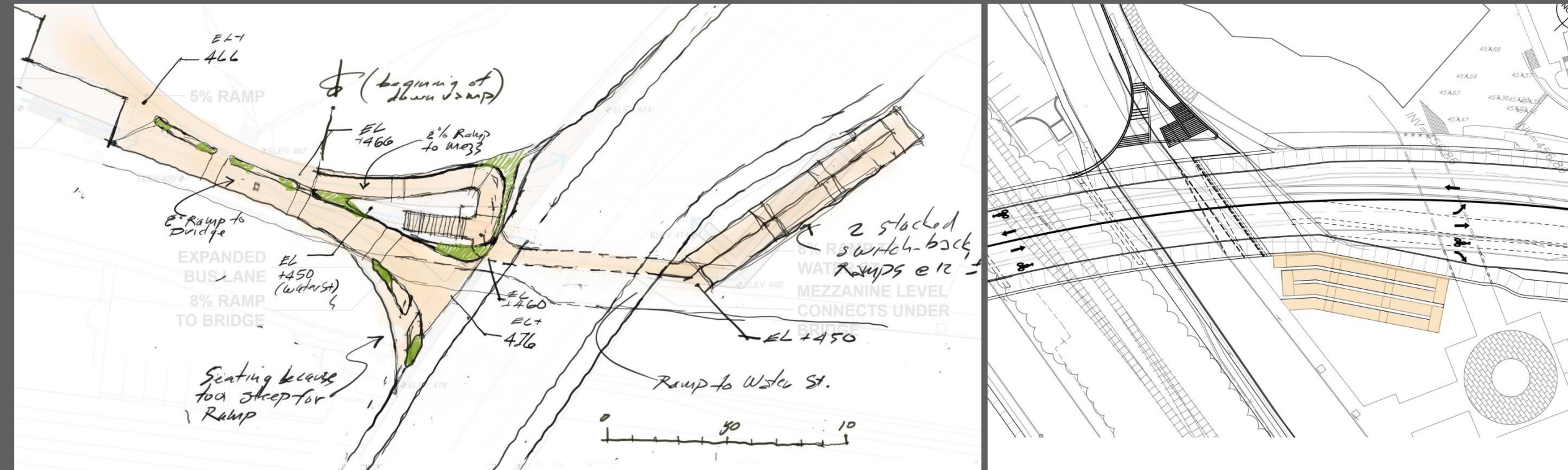


# Vertical Circulation North of Water Street

## Steering Committee Endorsed & Staff/Consultant Recommendation:

- Mezzanine
- Stairs to Water Street in NW/NE quadrant
- Ramp option – to be analyzed against budget constraints and required tradeoffs

# Vertical Circulation North of Water Street



## Alternatives Under Review

- NW/NE Ramps from 9<sup>th</sup> Street to Mezzanine and NW/NE Stairs to Water Street from Mezzanine:
  - Accessible Route from 9<sup>th</sup> Street (both sides) to Downtown Mall
  - No direct accessible route to Water Street from 9<sup>th</sup> Street
  - Requires reconstruction of existing block retaining wall on Water Street
  - Cost of wall replacement may reduce aesthetic site improvements due to budget constraints

# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

## Meets Transportation Goals – Summary

### Existing Conditions

- Two 6' wide sidewalks
- One partial 5' wide bike lane/sharrows traveling south
- At-grade crossings across 9<sup>th</sup> Street at Levy Avenue and Graves Street.

### Proposed

- Two 10' wide sidewalks
- Two 10' wide protected bike lanes
- At-grade crossing across 9th Street at Levy Avenue
- Pedestrian passageway under 9th Street, north of Graves Street.
- New connection from east side of bridge to Downtown Mall & Water Street.
- New connection from west side of bridge from Downtown Mall & Water Street.

Comprehensive  
Plan Consistency



# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

## Meets - Transportation Goals

*Goal 1: Increase safe, convenient and pleasant accommodations for pedestrians, bicyclists, and people with disabilities that improve the quality of life within the community and within individual neighborhoods.*

*1.2: Provide convenient and safe pedestrian connections within ¼ miles of all commercial and employment centers, transit routes, schools and parks.*

*1.3 : Provide design features on roadways, such as street trees within buffers, street furniture and sidewalk widths that improve the safety and comfort level of all users and contribute to the City's environmental goals.*

*1.4: Explore and implement safe, convenient and visually attractive crossing alternatives to enable pedestrians and bicycles to cross major thoroughfares*

*1.5: Continue to include bicycle and pedestrian accommodations in conjunction with the planning and design of all major road projects, all new development and road paving projects*

*1.6 : Consistently apply ADA standards to facility design and ensure that accessible curb ramps exist at all pedestrian crossings where conditions allow.*

Comprehensive  
Plan Consistency





# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

## Meets - Urban Design Goals: Summary

Per the public comment received, design focus is on seeking to blend and connect the new bridge into the surrounding neighborhoods with simple but modern and/or funky design features.

The project is proposing to close Old Avon Street at the Garrett/Levy/9th intersection to create a pedestrian zone. Both the pedestrian passageway and mezzanine will be designed to encourage pedestrian use through good design concepts. Enhanced landscaping is also proposed.

This project will be coordinated with the Virginia Department of Historic Resources as well as receive a Certificate of Appropriateness from the City's Board of Architectural Review.

The project provides for upgraded pedestrian and bicycle facilities, including upgraded multi-modal connections from the pedestrian mall in downtown Charlottesville to the Belmont and Martha Jefferson neighborhoods.

Opportunities for art are being proposed along the bridge's abutment walls south of the railroad tracks – as well as preservation of a programmed space for graffiti or commissioned art.

The extensive public participation process is ensuring design excellence and seeks to meet the community's present and future needs.

Comprehensive  
Plan Consistency



# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission

## Meets - Urban Design Goals

*Goal 1: Continue Charlottesville's history of architectural and design excellence by maintaining existing traditional features while encouraging creative, context-sensitive, contemporary planning and design*

*1.1: Emphasize the importance of public buildings, public spaces, and other public improvements as opportunities to promote a sense of place and a welcoming environment for residents and visitors.*

*1.2: Promote Charlottesville's diverse architectural and cultural heritage by recognizing, respecting, and enhancing the distinct characteristics of each neighborhood.*

*1.3: Facilitate development of nodes of density and vitality in the City's Mixed Use Corridors, and encourage vitality, pedestrian movement, and visual interest throughout the City.*

*1.4: Develop pedestrian-friendly environments in Charlottesville that connect neighborhoods to community facilities, to commercial areas and employment centers, and that connect neighborhoods to each other, to promote a healthier community.*

*1.5: Encourage community vitality and interaction through the incorporation of art in public spaces, neighborhoods, signage, and gateways.*

*1.6: Encourage the incorporation of meaningful public spaces, defined as being available to the general public, into urban design efforts.*

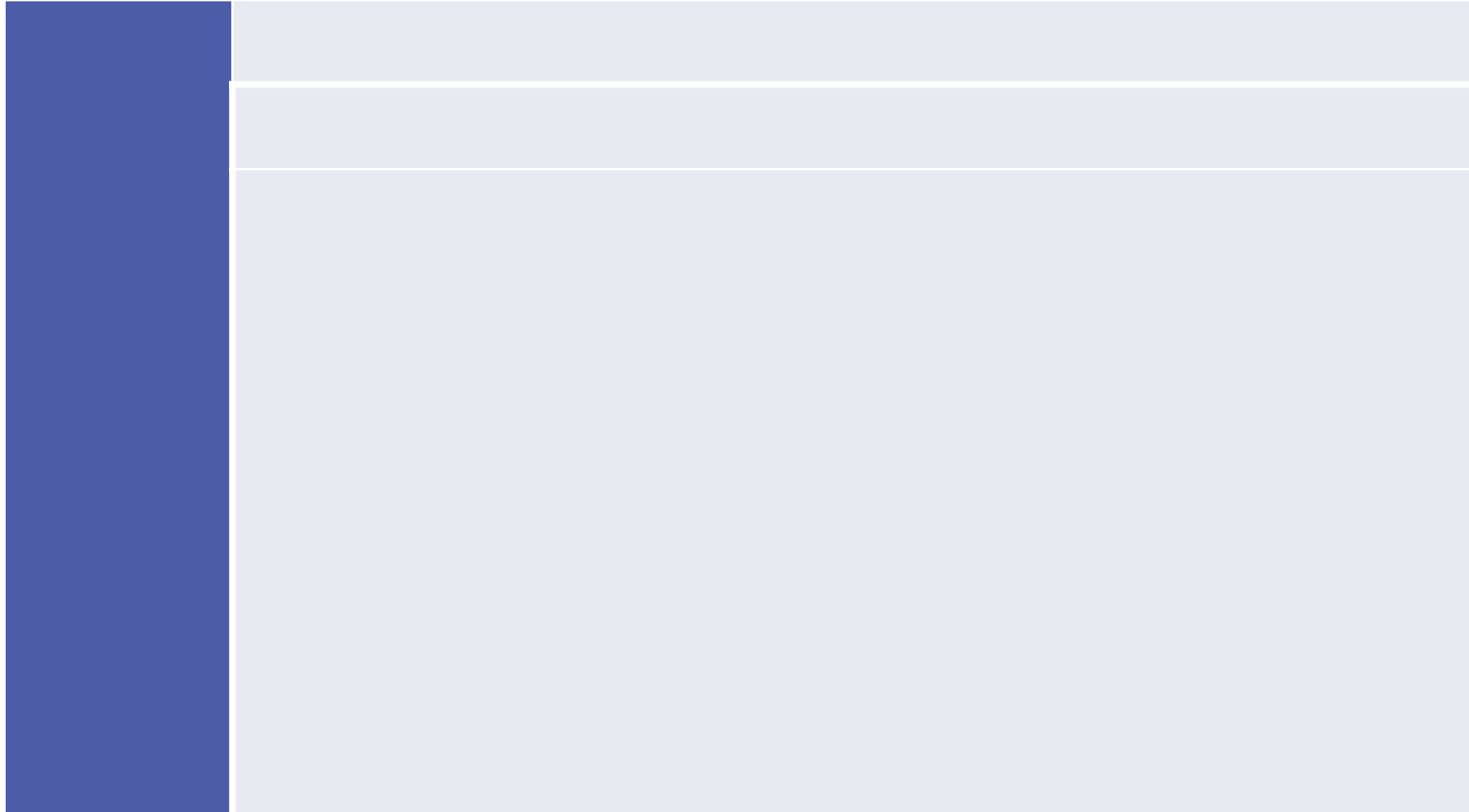
*1.7: Promote design excellence for public projects and installations at all scales.*

Comprehensive  
Plan Consistency



# Belmont Bridge Replacement

August 8, 2017 City of Charlottesville Planning Commission



Public Engagement  
+  
Stakeholder Input  
+  
Conceptual Design





Thank you.... Questions?





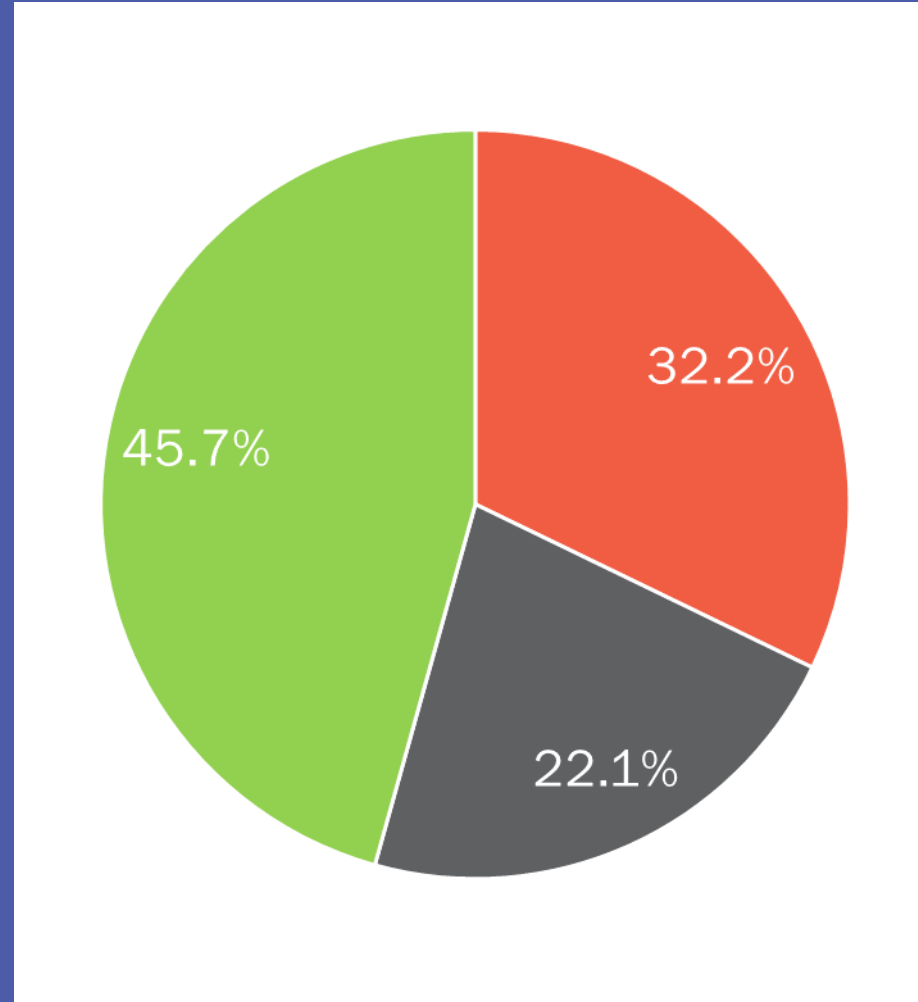
# Reference slides



# Pedestrian Circulation

Option 1.  
Construct a pedestrian underpass

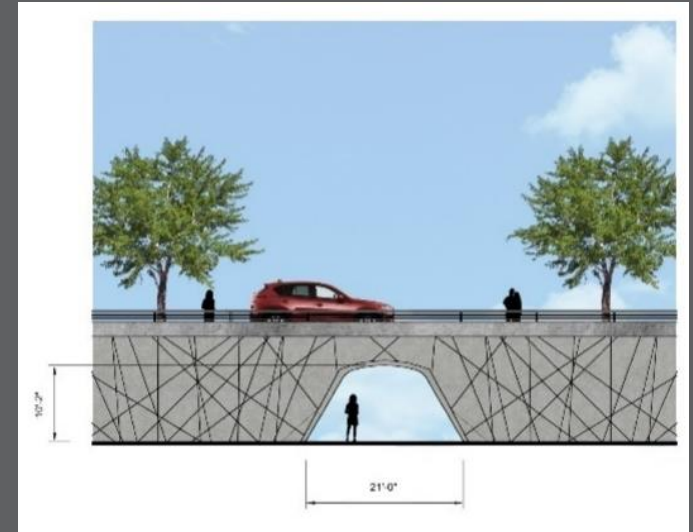
Option 3  
Do both



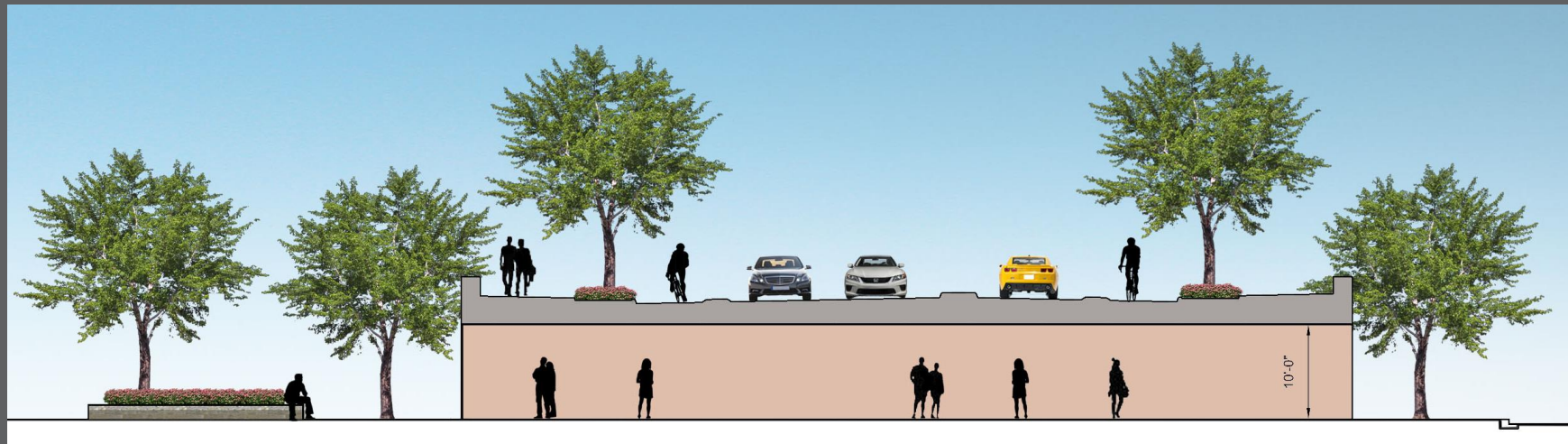
# Pedestrian Circulation



Potential At Grade Crossing near Graves St.



Pedestrian Passageway Opening



View Looking North within passageway



Section Key

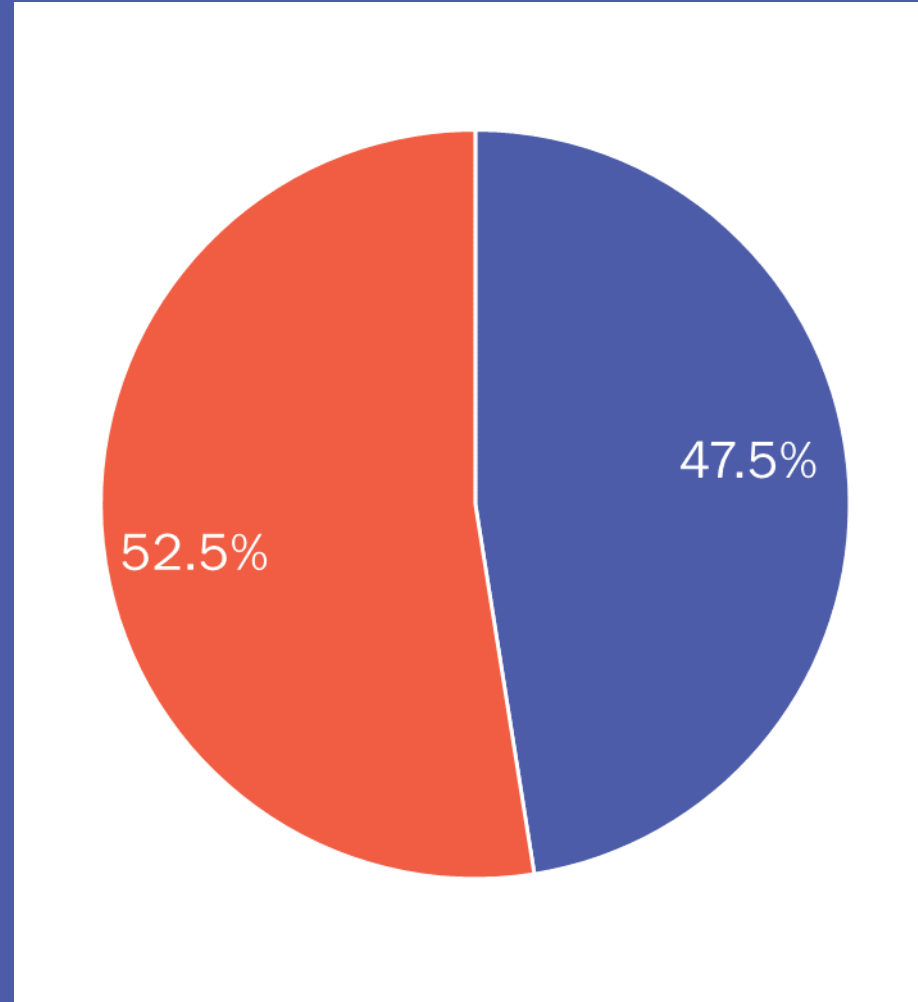
# Graves Street Access

## Alternative 1

Restrict left turns from southbound 9th Street to Graves Street; Allow right turns onto and from Graves Street (but prohibit left turns from Graves Street to southbound 9th Street)

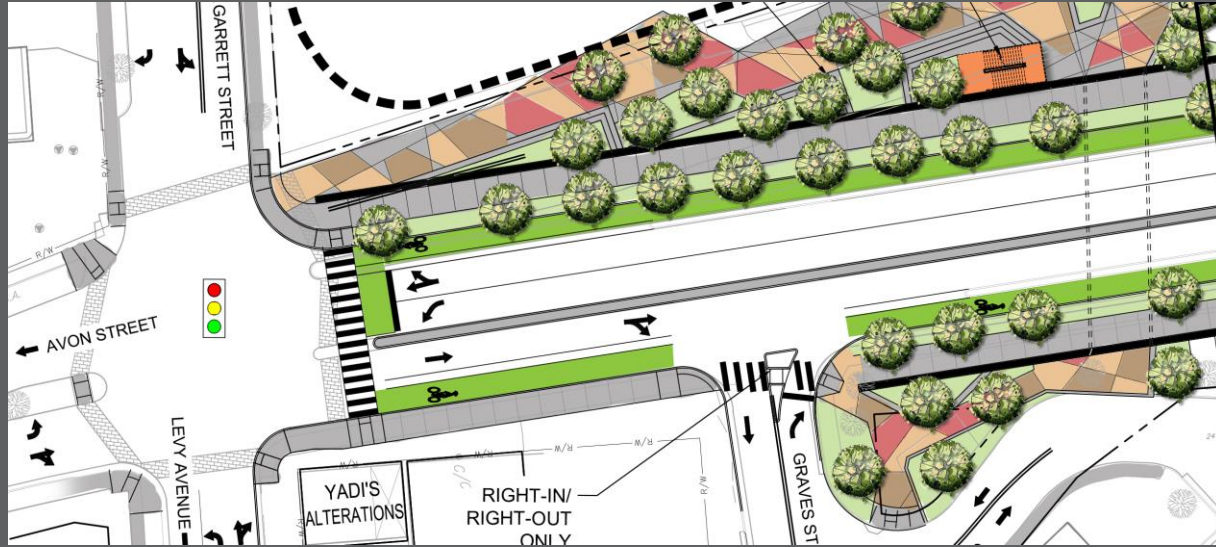
## Alternative 1A

Allow left turns from southbound 9th Street to Graves Street; Allow right turns onto and from Graves Street (but prohibit left turns from Graves Street to southbound 9th Street)



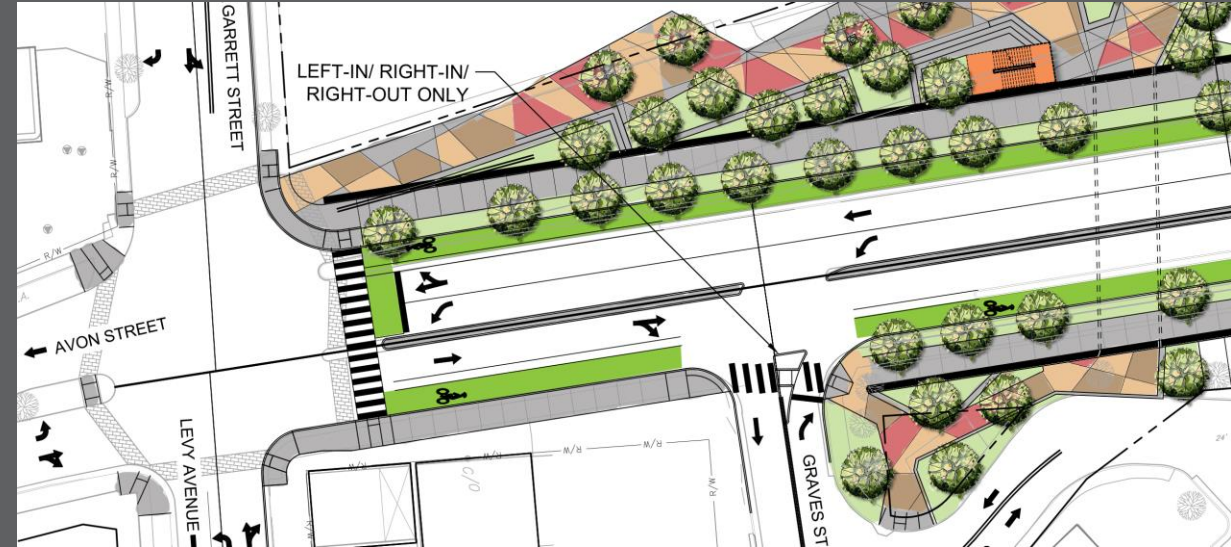


# Graves St. Access



## Alternative 1

This alternative includes a concrete median that prevents vehicles from turning onto Graves St. from southbound 9<sup>th</sup> St. Vehicles also are permitted to turn right in and out of Graves St. Vehicles cannot turn left from Graves St.



## Alternative 1A

This alternative allows vehicles to turn left onto Graves St. from southbound 9<sup>th</sup> St. Vehicles are also permitted to turn right in and out of Graves St. Vehicles cannot turn left from Graves St.

# Vertical Circulation Concepts

## Concept 1

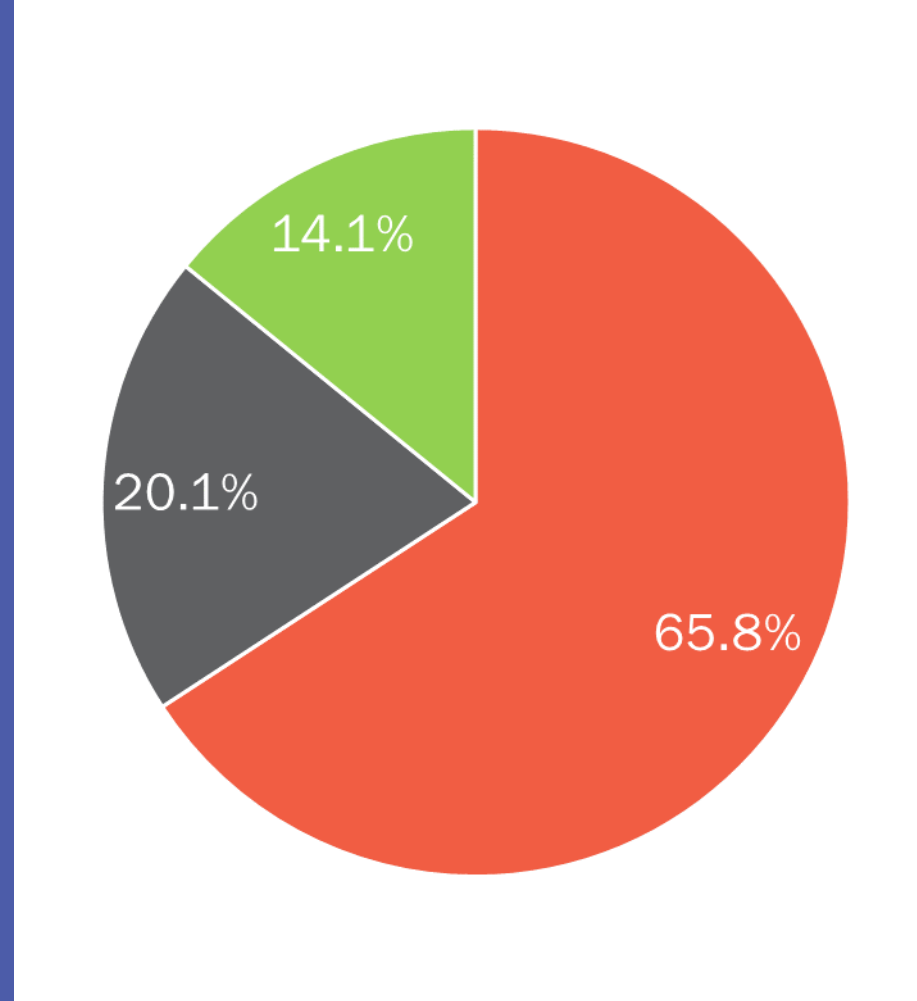
Stairs on east and west side with a mezzanine connection between 9th Street and Water Street

## Concept 2

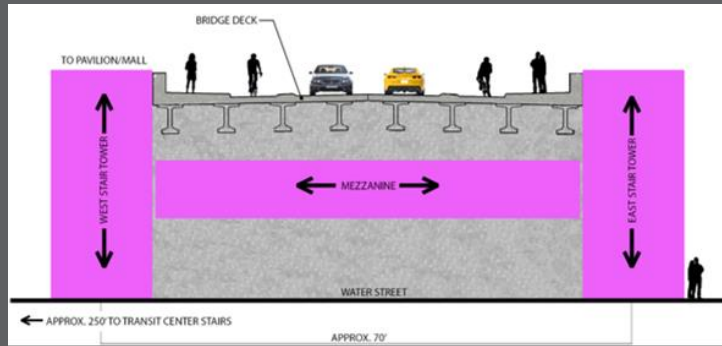
Stairs on east and west side (no mezzanine connection)

## Concept 3

Stairs on east side with a mezzanine connection between 9th Street and Water Street. No west side stairs to Water Street.

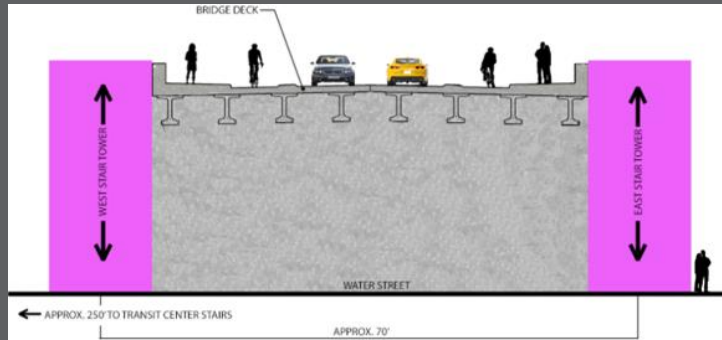


# Vertical Circulation



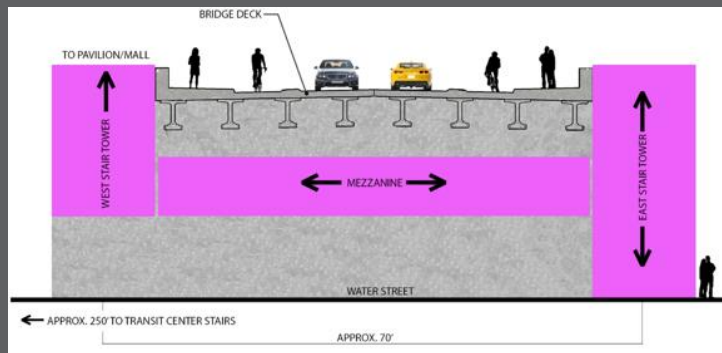
Option 1 – Stairs on east side and west side with Mezzanine connection

- East and West stairs to Water St.
- Mezzanine connection to west side stairs



Option 2 – Stairs on east side and west side (NO Mezzanine connection)

- East and West stairs to Water St.

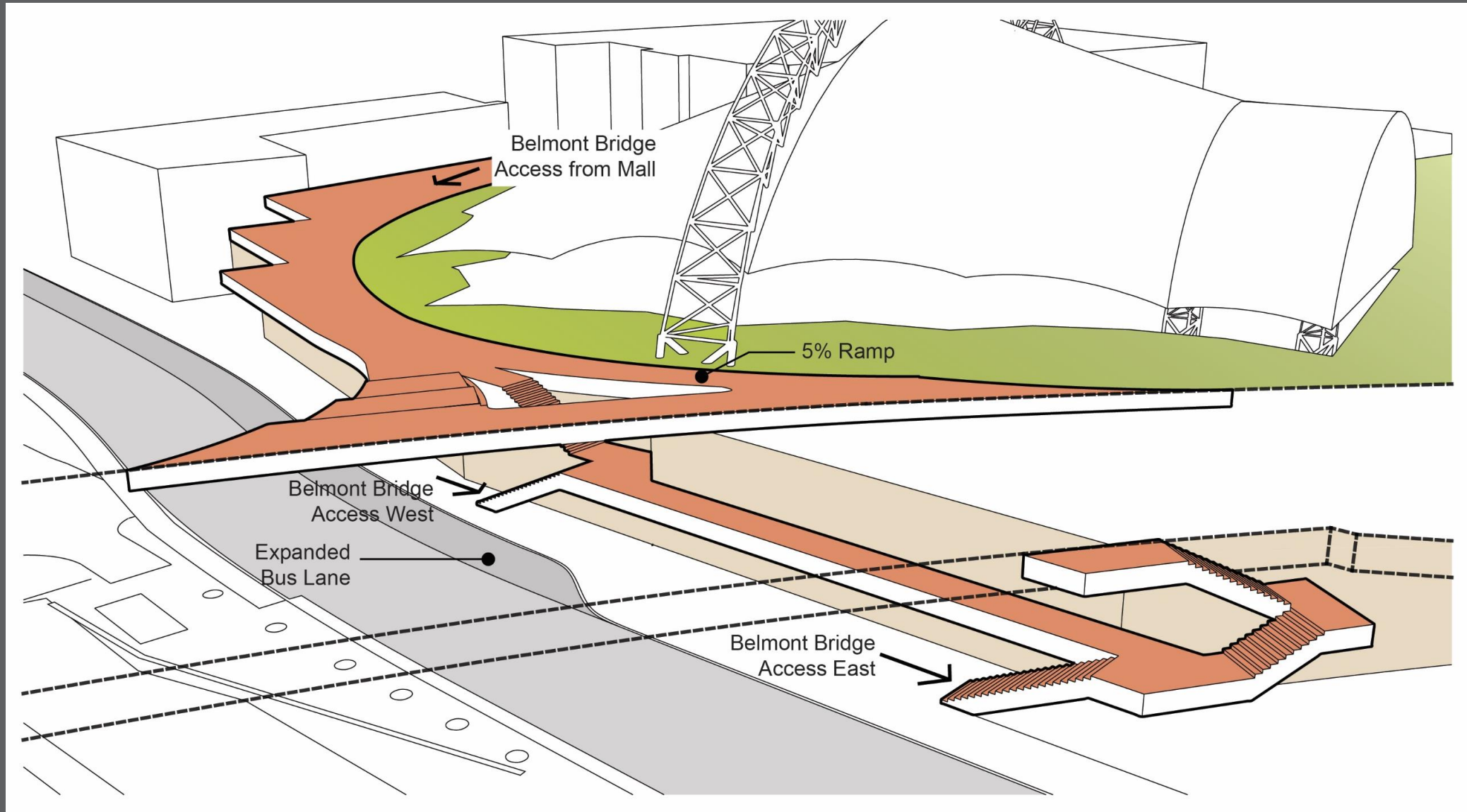


Option 3 – Stairs on east side and with Mezzanine connection

- East and West stairs to Water St.
- Mezzanine connection to West stairs

VIEW LOOKING NORTH FROM WATER ST

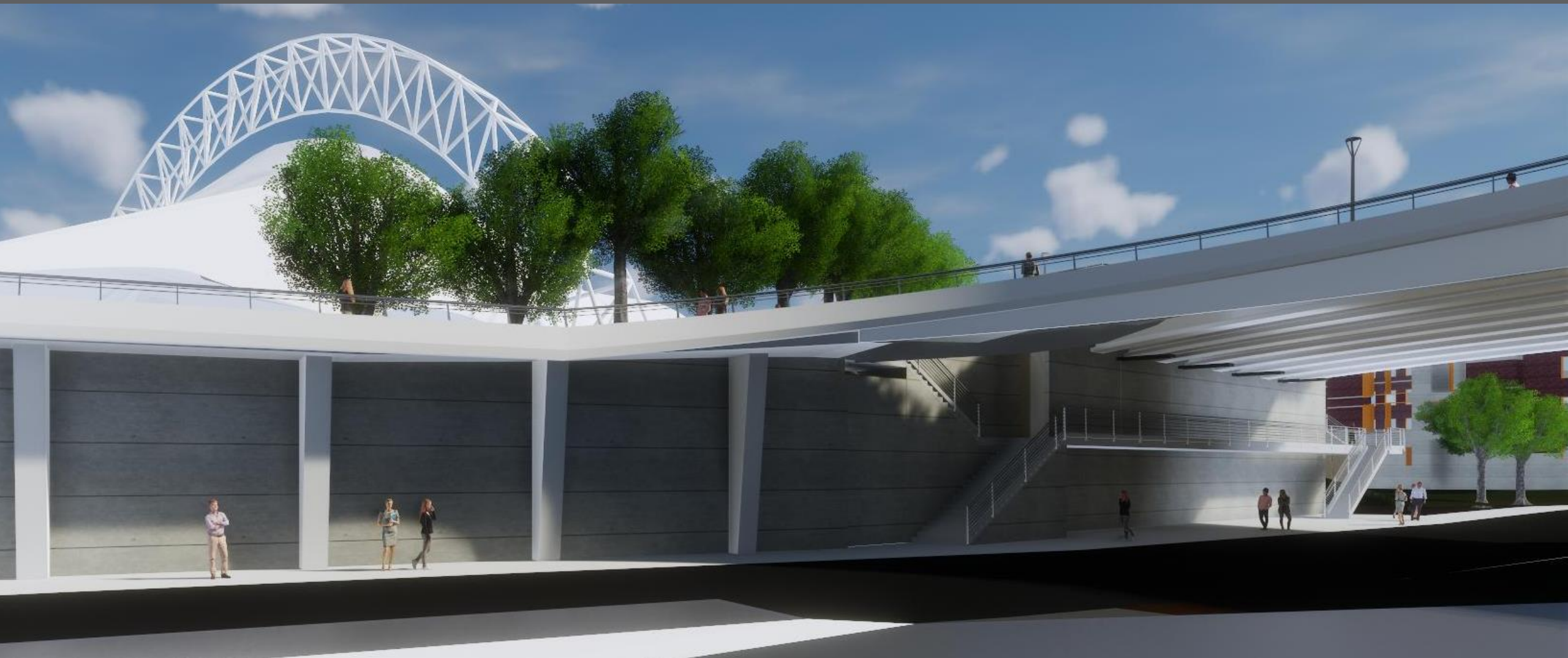
# Vertical Circulation



# Vertical Circulation

North Abutment

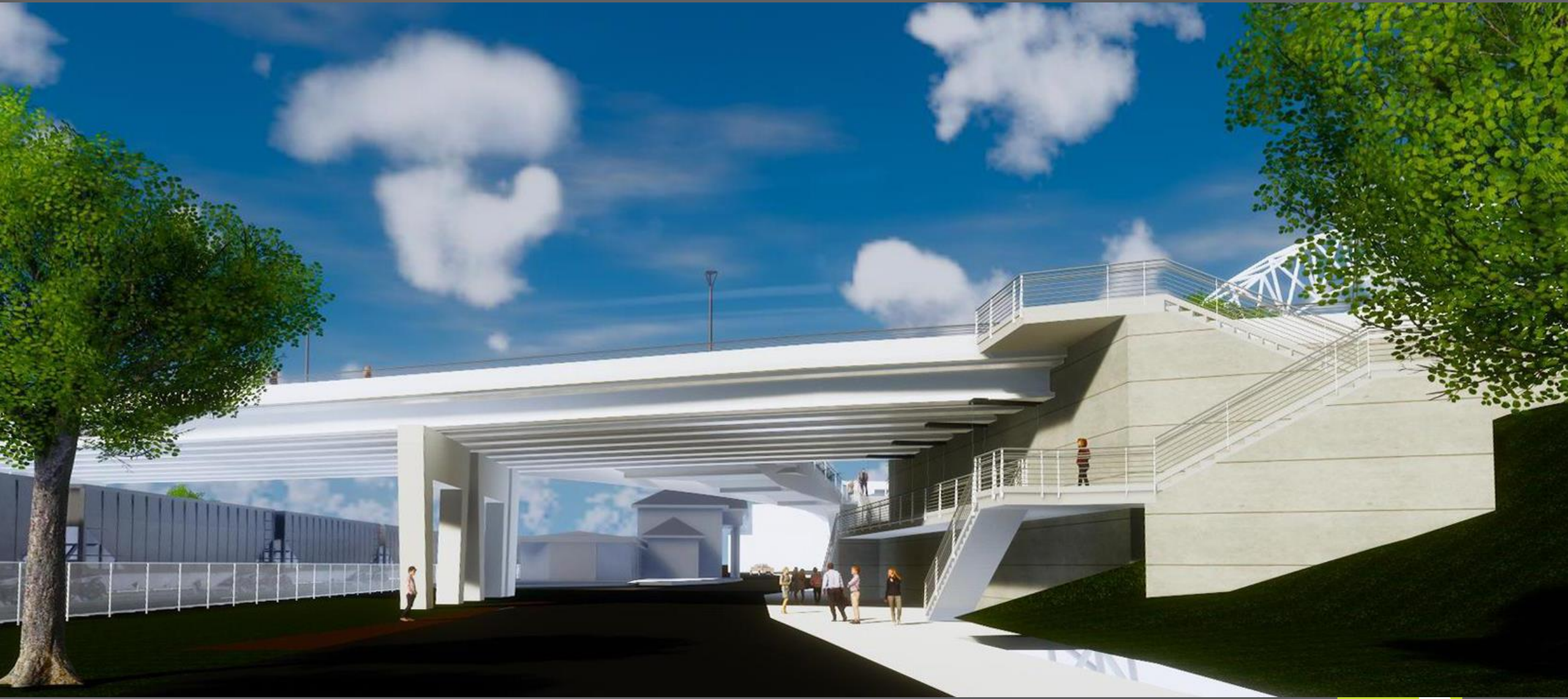
Preferred: Central and West Stairs w/ Mezz



# Vertical Circulation

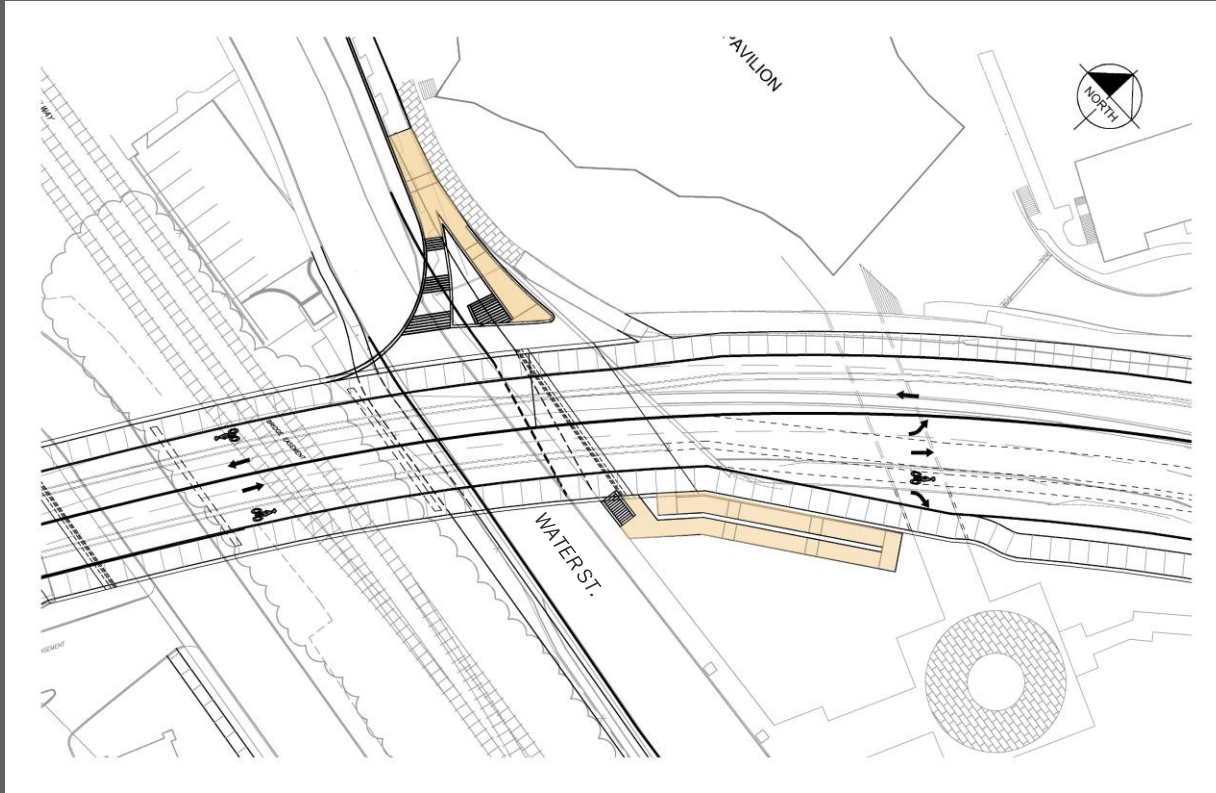
North Abutment

Preferred: Central and West Stairs w/ Mezz



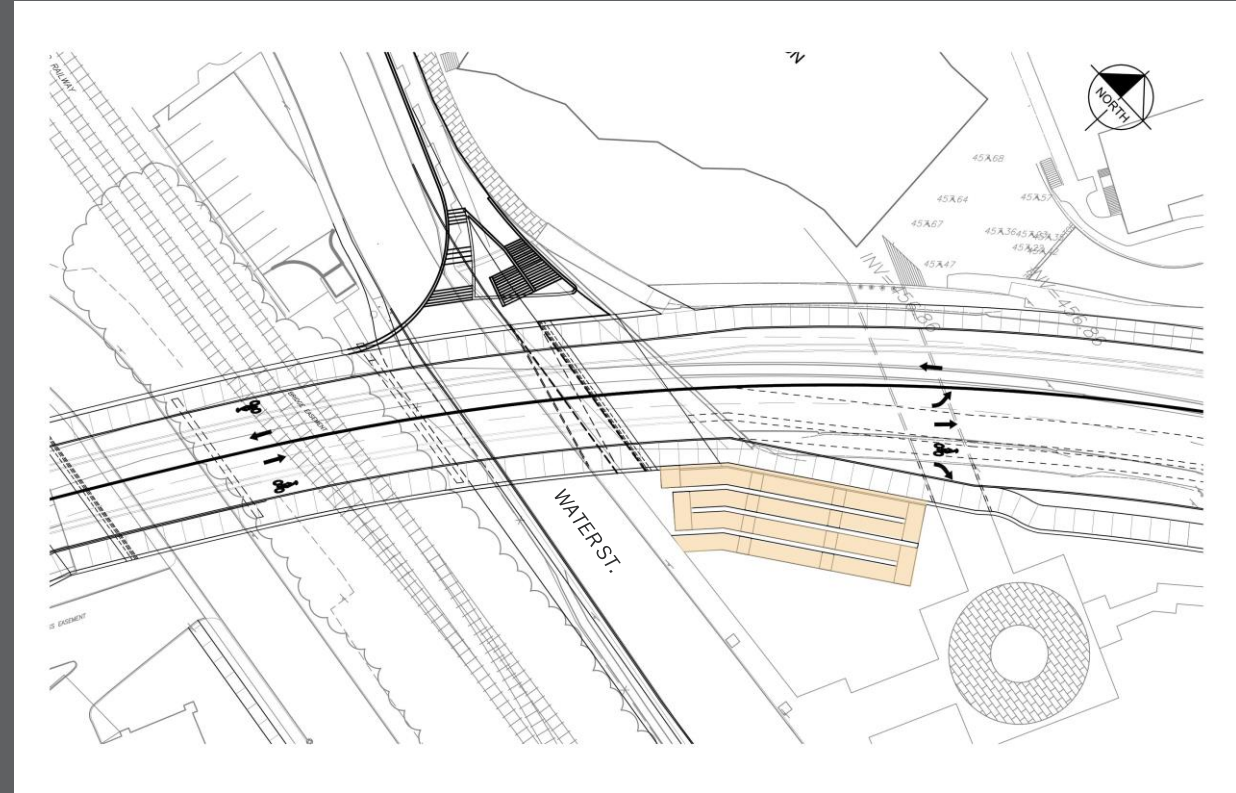
*Rendering – Water Street looking West*

# Vertical Circulation



## *ADA Ramp to Mezzanine*

- *215 Linear Feet of Ramp*
- *Requires 2,200 SF of ROW Purchase*
- *Would be necessary to replace the Water St. retaining wall*



## *ADA Ramp from 9<sup>th</sup> St. to Water St.*

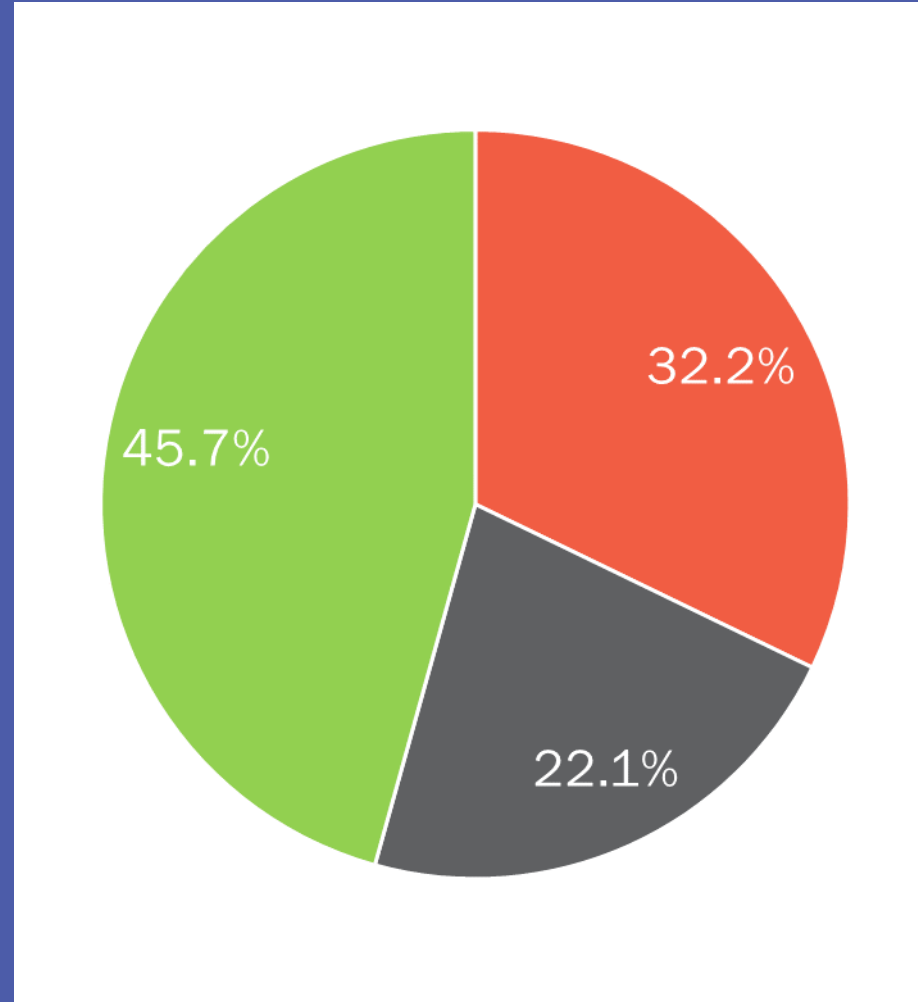
- *440 Linear Feet of Ramp*
- *Requires 4,000 SF of ROW Purchase*

# Pedestrian Circulation – SC Direction

Option 1.  
Construct a pedestrian underpass

Option 2  
Maintain existing at-grade crossing

Option 3  
Do both





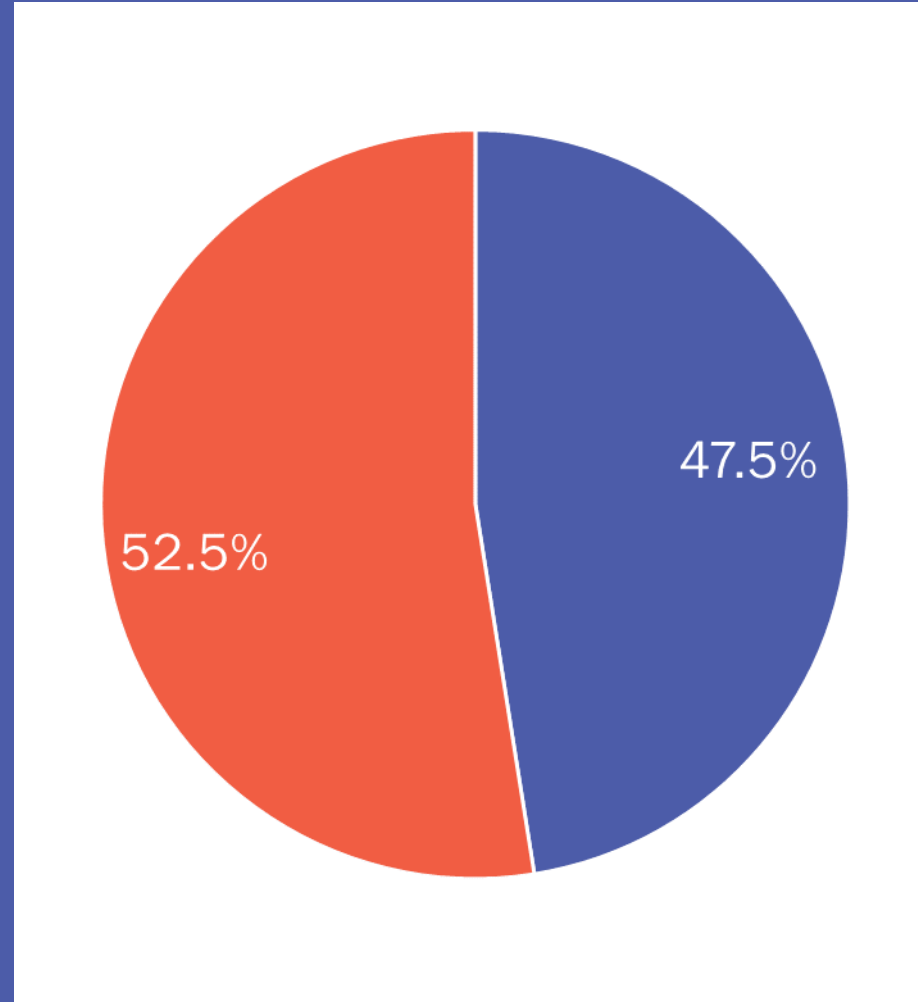
# Graves Street Access – SC Direction

## Alternative 1

Restrict left turns from southbound 9th Street to Graves Street; Allow right turns onto and from Graves Street (but prohibit left turns from Graves Street to southbound 9th Street)

## Alternative 1A

Allow left turns from southbound 9th Street to Graves Street; Allow right turns onto and from Graves Street (but prohibit left turns from Graves Street to southbound 9th Street)



# Vertical Circulation Concepts – SC Direction

## Concept 1

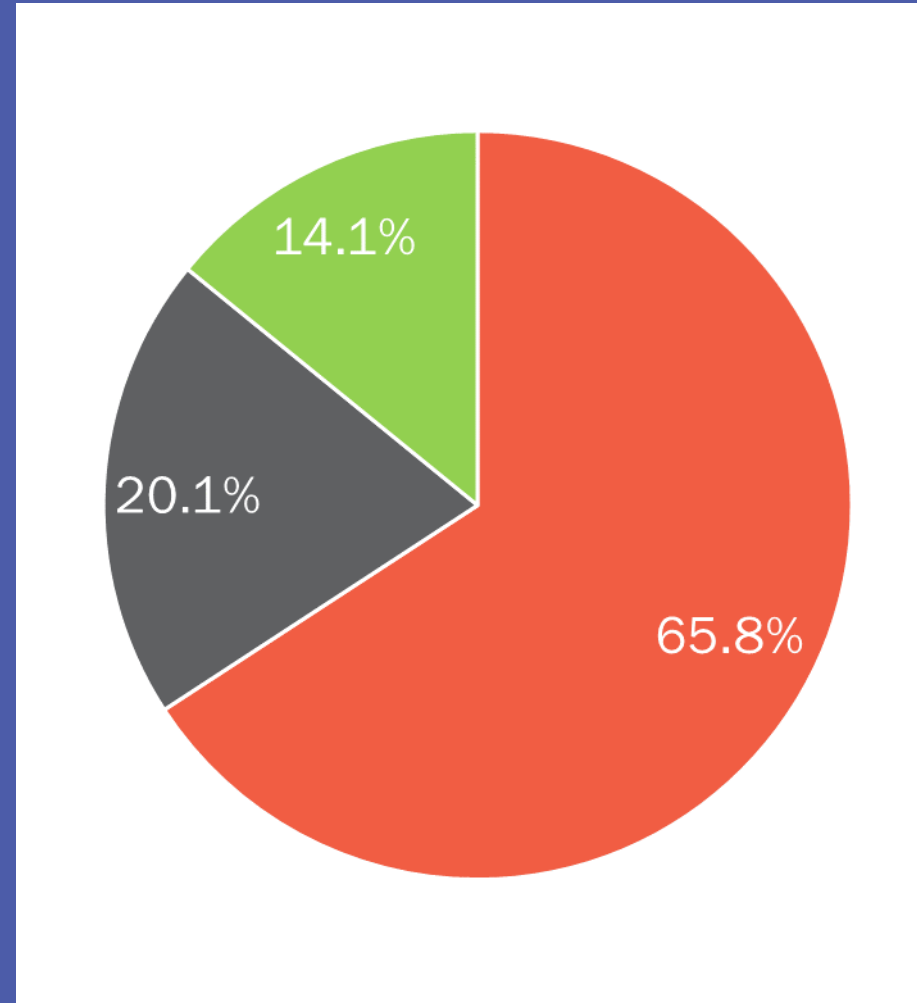
Stairs on east and west side with a mezzanine connection between 9th Street and Water Street

## Concept 2

Stairs on east and west side (no mezzanine connection)

## Concept 3

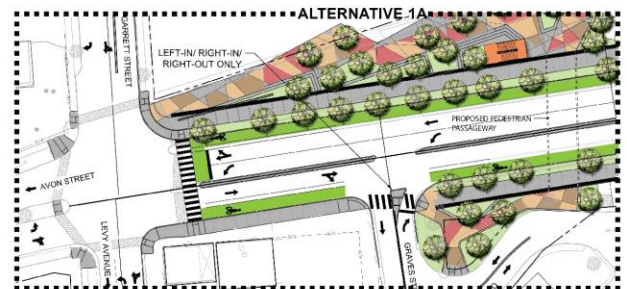
Stairs on east side with a mezzanine connection between 9th Street and Water Street. No west side stairs to Water Street.



# SC Endorsement



PARKING TABULATIONS			
<b>EXISTING</b>		<b>PROPOSED</b>	
Surface Lot	54	Surface Lot	16
South Street	4	South Street	11
Avon Street	45	Avon Street	34
<b>TOTAL</b>	<b>103</b>	East Side	12
		<b>TOTAL</b>	<b>73</b>
<b>Dedicated Railroad Parking</b> 10		<b>Dedicated Railroad Parking</b> 10	
<b>Total Less Dedicated Railroad Parking</b> 93 spaces		<b>Total Less Dedicated Railroad Parking</b> 63 spaces	



Alternative 1  
Recommended Concept

**CITY OF CHARLOTTESVILLE  
ENTRANCE CORRIDOR REVIEW BOARD  
STAFF REPORT  
August 8, 2017**



**Request for Comment  
Solar Energy Systems (SES) Text Amendments**

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**Background**

On May 1, 2017, City Council initiated a zoning text amendment to expressly allow solar energy systems. The City Council referred the proposed amendments to the Charlottesville Planning Commission for review and recommendations. A joint public hearing was conducted by City Council and the Planning Commission on May 9, 2017.

On June 13, 2017, the Planning Commission voted to recommend that City Council should approve the amendments to the Zoning Ordinance in order to authorize solar energy systems subject to appropriate regulations. As a condition of their approval, the Planning Commission has also recommended that, **prior to a Second Reading of the proposed Ordinance, City Council should request the BAR and Entrance Corridor Review Board to weigh in as to whether any additional zoning text amendments might be necessary in order to ensure that those design review bodies will have authority, under their respective ordinance provisions, to review the compatibility of each different type of solar energy system that might have a significant impact on a major design control district, a conservation district or an entrance corridor.**

City Council's first reading was on July 5, 2017. The second reading has not yet been scheduled.

**Current Entrance Corridor Review of SES**

The current Entrance Corridor ordinance language requires review as follows:

*Sec. 34-309. - Certificates of appropriateness.*

*(a) The following shall require a certificate of appropriateness issued in accordance with this division:*

*(1) All improvements requiring a building permit (but for which no site plan is required), other than single- or two-family dwellings where the work requiring the building permit (i) is new construction, or (ii) represents an addition or modification of 25% or more of the gross area of an existing building or structure.*

*(2) Regardless of whether a building permit is required: (i) signs; and (ii) installations or replacements of roof coverings, windows, doors or siding on any building or structure, any part of which, once installed, will be visible from an EC street referenced in [section 34-307\(a\)](#) above, other than those installed on a single- or two-family dwelling.*

*(3) All development requiring a site plan.*

In staff opinion, the various forms of solar energy systems may be organized into three different types:

- A. Roof-mounted panels, either flat or tilted at an angle to the roof, on either main buildings, porches, or accessory buildings such as secondary dwellings or garages;
- B. Solar energy systems incorporated into the building facades (awnings, canopy or pergola roofs, wall coverings, roof shingles, window shutters);
- C. Free-standing, ground-mounted structures (either with no other purpose than solar collection, or used to cover parking or tables, etc) or simply equipment located on the ground.

### **Analysis**

Entrance corridor review excludes one- and two- family dwellings. Therefore, SES may currently be placed on one- and two- family properties along an entrance corridor with no design review required. However, zoning in general does not allow an accessory building or structure to be located in the front yard or corner side yard anywhere in the City (34-1105.(a).

For other than one- and two-family properties:

**Type A SES roof panels**, the most common type of solar application, are considered a “roof covering” under 34-309(a)(2), and are required to be reviewed *if visible* from an EC street. In that case, review is administrative, and staff would make sure the installation was located to minimize impact, and/ or screened if possible.

NOTE: “roof covering” is not defined by the zoning ordinance. The reason why roof coverings, siding, doors, and windows are called out for design review is due to the major impact they have on the appearance of a building. It makes sense that covering a visible roof with SES would have a similar aesthetic impact.

**Type B SES integrated into the building facades**, such as roof shingles or siding, (no local examples to date) would require review under the same section 34-309 (a)(2).

In staff opinion, Type B solar awnings, canopy or pergolas, or shutters would not require review unless they represented a modification of 25% or more of the gross area of an existing building or structure under 34-309 (a)(1). An example could be a roof canopy that covers the roof of a three-story building.

**Type C, SES located on the ground** would probably require review if they are attached to a structure, such as a canopy over surface parking, because it would be considered “new construction” under 34-309 (a)(1) or “development requiring a site plan” under 34-309 (a)(3). One such structure was included with the 1200 Emmet Street “Barracks Row” development.

Equipment located on the ground with no permanent structure would not require entrance corridor review. However, Sec 34-872 (b)(3)Screening – Specific Uses (pertaining to development requiring a site plan) requires screening for mechanical equipment placed on the roof or on the ground.

## Recommendation

In staff opinion, the new solar text amendments would result in no change to the way Entrance Corridor reviews are currently conducted. In addition, because Entrance Corridor reviews exclude one-and two-family dwellings, the potential for a significantly incompatible SES installation in an Entrance Corridor is minimal.

The Entrance Corridor Guidelines contain ten Design Principles, including:

- *Screen Incompatible Uses and Appurtenances:*

*Screen from adjacent properties and public view those uses and appurtenances whose visibility may be incompatible with the overall character and quality of the corridor, such as: parking lots, outdoor storage and loading areas, refuse areas, mechanical and communication equipment, Where feasible, relegate parking behind buildings. It is not the intent to require screening for utilitarian designs that are attractive, and/or purposeful.*

There is no specific language in the guidelines regarding solar energy systems. When the Guidelines are next updated, language should be added to encourage SES systems and to recommend practices for their placement along Entrance Corridors.

The Board of Architectural Review discussed SES at their July 18, 2017 meeting and recommended the following:

- *In general, the BAR wants to encourage solar energy systems but still wants to review them as they have been doing.*
- *In historic conservation districts, ordinance changes are needed in order to continue to review solar panels that are visible additions to a building. They are clearly additions to the historic fabric.*
- *In ADC districts it is unclear whether the BAR can continue to review freestanding solar structures that are too small to require a building permit. Ordinance changes may be necessary for the BAR to continue to be able to review them.*
- *The BAR wanted to alert the Planning Commission that, everywhere, not only in historic districts, a 15- ft solar structure (for instance on a parking garage) could cover the entire rooftop of a building which would change the massing. They did not know if that would be an issue.*
- *Under Sec 34-1101 a (2) it was suggested that “in aggregate” be added to the text so it would not be interpreted that each type of item could, by itself, cover 25% of the roof.*

Attachments:

1. Photo Examples:
  - Type A – Roof Panels,
  - Type B- Building Integrated, and
  - Type C - On ground
2. Proposed text amendments



**CHARLOTTESVILLE FACILITIES MAINTENANCE BUILDING**

*TYPE A - ROOF PANELS*



**CHARLOTTESVILLE MULTI-FAMILY RESIDENTIAL ROOFTOP SOLAR ENERGY SYSTEM**

*TYPE A - ROOF PANELS*



Examples of allowable solar energy systems incorporated into building facade



Building-integrated solar energy systems in residential districts

TYPE B - BUILDING INTEGRATED

Examples of allowable solar energy systems incorporated into building facade



Building-Integrated Solar Energy Systems in non-residential districts

TYPE B - BUILDING INTEGRATED

Examples of allowable solar energy systems incorporated into building facade



**Building-integrated solar energy systems in non-residential districts**



TYPE B - BUILDING INTEGRATED

**Examples of allowable rooftop solar energy systems  
up to 15 feet in height above highest point of the roof**



**Parking Garage Canopies**

TYPE B - BUILDING INTEGRATED

Examples of allowable solar energy systems up to 15 feet in height



Ground-mounted solar energy systems in non-residential districts

TYPE C - ON GROUND

Examples of allowable solar energy systems up to 15 feet in height



**ConnectTables are installed at UVA and Albemarle High School**



**Two pole-mounted solar energy systems are installed at Charlottesville High School**

TYPE C- ON GROUND



TYPE C - ON GROUND

**RESIDENTIAL GROUND-MOUNTED SOLAR ENERGY SYSTEM**

## PROPOSED ORDINANCE AMENDMENTS

~~Strikeout text~~ = existing provisions proposed to be deleted

Blue font text = new provisions proposed to be added

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1. Chapter 34, Article X (Definitions), Section 34-1200 is amended and re-enacted, as follows:

### Sec. 34-1200: Zoning--Definitions

*Accessory building, structure or use* means a building, structure or use located upon the same lot as the principal use, building, or structure, the use of which is incidental to the use of the principal structure. Garages, carports and storage sheds are common residential accessory buildings and structures. Heating, electrical and mechanical equipment, utility service lines and meters, solar energy systems, and related equipment, are equipment or fixtures used accessory to a building or structure located on the same lot.

Solar Energy System means equipment used primarily for the collection and use of solar energy for water heating, space heating or cooling, or other application requiring an energy source.

2. Chapter 34, Article IX (General Regulations) is hereby amended and re-enacted as follows:

### Sec. 34-1101. – Exclusions from building height and minimum yard requirements ~~Appurtenances.~~

(a) None of the following ~~An appurtenance to a building or structure shall not~~ be counted in measuring the height of a building or structure:

(1) rooftop solar energy systems, subject to the provisions of 34-1108;

~~(b)~~ (2) rooftop heating, electrical, and mechanical equipment, or elevator returns, which are necessary for or in connection with the proper operation of a building in accordance with USBC requirements, provided that no such equipment or elevator return, as installed ~~No rooftop appurtenance shall: (i) itself measure more than eighteen (18) feet in height above the building, or (ii) cover more than twenty-five (25) percent of the roof area of a building;~~

(3) Telecommunications equipment, subject to the provisions of 34-1070 et seq.;

(4) Chimneys constructed or attached to the side of a building, which extend above the level of the roof deck of a building to a height required by the USBC or VSFPC;



~~(e)~~ **(5) Other equipment or structures constructed or installed above the roof deck of a building, so long as they: (i) comply with the height and area requirements set forth in paragraph (2) above, and (ii) contain no** ~~Within a rooftop appurtenance, no enclosed space~~ **that is** ~~shall be designed~~ **for or that can be** used as any type of habitable residential space. The provisions of this paragraph shall not preclude open-air space on a building rooftop from being used accessory to the primary use of the building.

~~(b)~~ **(4) Each of** the following appurtenances may encroach into minimum required yards as specified:

(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 **heating, electrical and** mechanical equipment, ~~which are~~ **if** screened in accordance with the requirements of Section 34-872, **may encroach into a required side or rear yard.**

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

**(6) Solar energy systems may encroach into required front, side and rear yards, subject to the provisions of sec. 34-1108 (limitations on placement in front of buildings). No solar energy system shall be placed closer than five (5) feet to any lot line.**

~~(6) Except as otherwise provided above:~~

**(7) a. Uncovered and unenclosed structures (such as decks, porches, stoops, etc.) attached to a building, and** 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 **structure or improvement** appurtenance, shall occupy more than thirty (30) percent of a rear yard.

**(8) b. Any appurtenance to a** **For any** single- or two-family dwelling, **an unenclosed structure attached to the façade of the dwelling, and** 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,~~ **Any such structure** such appurtenance **shall comply** ~~be in compliance~~ with the applicable side yard setback(s).

~~(c)~~ **e.** No enclosed **structure that is attached to any building** appurtenance, regardless of height (including but not limited to a screened-in porch), shall encroach into any required yard.

## **Sec. 34-1108. Standards for solar energy systems**

The following requirements apply to solar energy systems:

- (1) Solar energy systems shall be installed in compliance with applicable provisions of the USBC and the VSFPC.
- (2) A solar energy system may be installed on the roof of any building or structure, whether principal or accessory.
  - (i). The height of a solar energy system installed on the roof of a single- or two-family dwelling, or on the roof of an accessory building or structure on the same lot as such dwelling, may extend up to five (5) feet above the highest point of the roof of the building or structure on which it is installed.
  - (ii). Except as limited by subparagraph (i), above, a rooftop solar energy system may extend up to fifteen (15) feet above the highest point of the roof of the building or structure on which it is installed.
- (3) A solar energy system may be attached and incorporated as part of any building façade (for example: roof tiles, window shutters, canopies, etc.).
- (4) Placement in front of buildings:
  - (i) Within required front yards--Within a required front yard, a solar energy system may be incorporated as part of any structure allowed by Sec. 34-1101(b)(7) and Sec. 34-1101(b)(8). Otherwise, no solar energy system shall be located within a required front yard.
  - (ii) Within other areas forward of the front building façade—Within a low-density residential zoning district, except as provided in subparagraph (i), above, no solar energy system may be located forward of an imaginary line extending along the exterior façade of a residential building, parallel to the front lot line and extending between the side lot lines. In all other zoning districts, a solar energy system may be located in an area between the front building façade and the required front yard.

**(5) Except as provided in paragraph (2)(i), above, a solar energy system, together with its support, shall not itself exceed a height of fifteen (15) feet unless otherwise required by the USBC or VSFPC for a specific use.**

### **Sec. 34-1146. Nonconforming structures, permitted changes.**

(a) A nonconforming structure may be changed, altered, repaired, restored, replaced, relocated or expanded only in accordance with the provisions of this section **and of sec. 34-1147**, and subject to all approvals required by law.....

**...(e) A solar energy system may be placed on or attached to on a nonconforming building or structure.**

### **Sec. 34-1147. - Expansion of nonconforming uses or structures.**

(a) Nonconforming uses or structures may expand only in accordance with the provisions of this section. Whenever a percentage limitation is placed on expansion, that limitation shall be the total expansion allowed, in increments of any size that add up to the total, or all at once. All expansion shall occur on the lot occupied by the nonconforming use or structure, inclusive of any permitted consolidations or re-subdivisions.

(b) Nonconforming uses, other than structures, may be expanded on an area of a lot not originally devoted to the nonconforming use, provided such expansion meets all current requirements of this chapter applicable only to the expansion. **The placement or installation of a solar energy system on a building or lot shall not be deemed an expansion of a nonconforming use.**

(c) Nonconforming structures.

**(1) *Nonconforming single-family dwelling.*** The structure may be expanded as provided within this subsection. New or expanded residential accessory structures (such as storage sheds, garages, swimming pools, etc.) may be permitted. Expansion of the dwelling, and new or expanded accessory structures, shall meet all zoning ordinance requirements, including height, yard and setbacks, for the zoning district in which located; except that extension of an existing front porch that encroaches into a front yard required by this ordinance shall be permitted to the side yard(s), so long as such extension will not result in an increase in the front yard encroachment. A single-family detached dwelling that is nonconforming because it encroaches into any required yard(s) may be expanded as long as the expansion will not result in an increase in the yard encroachment(s). However, expansions in height to existing nonconforming single-family dwellings, which do not meet current setback requirements, shall be permitted only if: (i) the dwelling is only being increased in height, and (ii) the footprint of the dwelling will remain unchanged by the proposed expansion in height. Such expansion will not be required to meet more restrictive setbacks enacted since the date the dwelling became nonconforming; however, all other zoning regulations for the district in which the dwelling is located shall apply.

**(2) *Nonconforming structures, other than single-family dwellings.*** Where the use of a nonconforming structure is permitted by right, or with a special use or provisional use permit, in the zoning district in which the structure is located, then expansion of a nonconforming structure may be approved provided that: (i) yard, setback, screening and buffering, and height standards applicable to the proposed expansion are met; (ii) all applicable sign regulations are met, and (iii) such expansion does not exceed twenty-five (25) percent of the gross floor area of the existing structure. For any proposed expansion exceeding

twenty-five (25) percent of the gross floor area of the existing structure, all development standards applicable to the property as a whole shall be met.

**(3) The placement or installation of a solar energy system on a building or lot shall not be deemed an expansion of a nonconforming building or structure, and the area occupied by any such system shall not be included within the calculation of percentages of expansion pursuant to paragraphs (c)(2) or (e) of this section.**

**(4)** Where a nonconforming structure is utilized for or in connection with a nonconforming use, then no expansion of the nonconforming structure shall be approved unless the zoning administrator certifies that:  
(i) expansion of the nonconforming structure would not result in expansion of the nonconforming use, or  
(ii) expansion of the nonconforming structure would result in expansion of the nonconforming use, but expansion of the nonconforming use would meet the requirements of section 34-1147(b), above.

**(5)** ~~(4)~~ Prior to the approval of any expansion of a nonconforming use or structure, nonconforming status shall be verified by the zoning administrator.

(d) In the event of any permitted expansion of a nonconforming structure, all signs located on the property shall be brought into full compliance with current zoning ordinance requirements.

(e) Permitted expansions for nonresidential, nonconforming uses that require special or provisional use permits are required to obtain special or provisional use permits only when such expansions exceed twenty-five (25) percent of the gross floor area of the existing structure.