

Agenda

PLANNING COMMISSION REGULAR DOCKET TUESDAY, October 9, 2018 at 5:30 P.M. CITY COUNCIL CHAMBERS

I. Commission Pre-Meeting (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

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. Final Subdivision – Stonehenge PUD

III. JOINT MEETING OF COMMISSION/ COUNCIL

Beginning: 6:00 p.m.

Continuing: until all public hearings are completed

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

1. Hogwaller Farm

ZM-18-00001 – (918 Nassau Street) (**Hogwaller Farm Development**) – Justin Shimp (Shimp Engineering) on behalf of Charles Hurt and Shirley Fisher (landowners) have submitted a rezoning petition for Tax Map 61 Parcels 79.17, 79.18, & 79.19, 918 Nassau Street, and a portion of Tax Map 61 Parcel 79 (Subject Properties). The rezoning petition proposes a change in zoning from the existing R-2 Two-family Residential to HW Highway Corridor with proffered development conditions. The proffered conditions include: **(i) maximum height of buildings:** Any structures(s) located on the property shall not exceed thirty-five (35) feet in height, where height is the vertical distance measured perpendicularly from grad from the highest point on such building or structure; **(ii) future land uses:** The land uses permitted on the Subject Properties are found in the HW Corridor Sec. 34-796 use matrix, but prohibits the following; Bed-and-breakfasts homestays, B&Bs, Inns, amusement centers, art galleries, auditoriums, automotive services, banks/financial institutions, health clinics, private clubs, data centers, dry cleaning establishments, elementary schools, high schools, hotels/motels, laundromats, libraries, movie theaters, municipal buildings, music halls, offices, outdoor storage, public recreational facilities, fast food restaurants, full service restaurants, taxi stands, transit facilities, home improvement centers, pharmacies, shopping centers, retail stores over 4,001 SF, and laboratories; **(iii) affordable housing;** contingent upon approval of residential density on site, 15% (fifteen percent) of the Floor Area Ratio (FAR) of the residential square footage of the project will be available for rent on-site. For-rent affordable units shall rent at a rate making the units affordable to households with incomes at not more than 80% of the area median income for a period on not more than 15 (fifteen) years. The Subject Properties are further identified on City Real Property Tax Map 61 Parcels 79, 79.17, 79.18, 79.19, & 79.201. The Subject Properties is approximately 0.8 acres. The Land Use Plan calls for Low Density Residential. The Comprehensive Plan specifies density no greater than 15 units per acre.

SP18-00004 – (918 Nassau Street) (**Hogwaller Farm Development**) – Justin Shimp (Shimp Engineering) on behalf of Charles Hurt and Shirley Fisher (landowners) have submitted an application seeking approval of a

Special Use permit (SUP) for a portion of Tax Map 61 Parcel 79, Tax Map 61 Parcels 79.16, 79.17, 79.18, & 79.19, 918 Nassau Street (Subject Properties). The SUP application proposes a density of 32 Dwelling Units Acres (DUA) per City Code Sec. 34-740. The applicant is requesting a rezoning (see petition ZM-18-00001) and a SUP for the proposed development of eighteen (18) one-bedroom and twelve (12) two-bedroom units split between two (2) three-story buildings for a total of thirty (30) dwelling units. The development is being proposed as an urban farm and will accommodate a 1,280 square foot greenhouse and a 600 square foot retail farm store. Additional parking, farm sheds (not to exceed 600 square feet), and agricultural fields supporting the development are proposed on an adjacent 7.52 acre county parcel. The Subject Properties are further identified on City Real Property Tax Map 61 Parcels 79, 79.16, 79.17, 79.18, 79.19, & 79.20. The Subject Properties are approximately 0.94 acres and has road frontage on Nassau Street. The Land Use Plan calls for Low Density Residential. The Comprehensive Plan specifies density no greater than 15 units per acre.

Information pertaining to these requests may be viewed five days prior to the Public Hearing online at <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services> or obtained from the Department of Neighborhood Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in this Rezoning and SUP petition may contact Matt Alfele by email (alfelem@charlottesville.org) or by telephone (434-970-3636).

IV. COMMISSION’S ACTION ITEMS

Continuing: until all action items are concluded

1. Long Range Transportation Plan Process Presentation

V. FUTURE MEETING SCHEDULE/ADJOURN

Tuesday, October 23, 2018 - 5:00 PM	Work Session	Comprehensive Plan
Tuesday, November 13, 2018 – 4:30 PM	Pre- Meeting	
Tuesday, November 13, 2018 – 5:30 PM	Regular Meeting	<u>Public Hearing:</u> East High Street Streetscape Project – Preferred concept review <u>Minutes</u> – September 11, 2018 – Pre-meeting and Regular meeting

Anticipated Items on Future Agendas

Zoning Text Amendments –Off-street parking facilities requirements along streets designated as “framework streets” (initiated May 8, 2018)

SUP –MACAA (1021 Park Street), 513 Rugby Road, 167 Chancellor

PUD - ZM18-00002- 1335, 1337 Carlton Avenue (Carlton Views PUD)

CIP – Work Session December 18, 2018, Public Hearing – Jan 8, 2019

Persons with Disabilities may request reasonable accommodations by contacting ada@charlottesville.org or (434)970-3182

PLEASE NOTE: THIS AGENDA IS SUBJECT TO CHANGE PRIOR TO THE MEETING.
PLEASE NOTE: We are including suggested time frames on Agenda items. These times are subject to change at any time during the meeting.

**LIST OF SITE PLANS AND SUBDIVISIONS APPROVED ADMINISTRATIVELY
9/1/2018 TO 9/30/2018**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
- 3. Site Plan Amendments**
 - a. 522 2nd Street SE – North American Sake – Sept 7, 2018
 - b. 1154 5th Street SW (Tiger Fuel) – Sept 18, 2018
- 4. Subdivision**
 - a. BLA - 1027 Locust Avenue & 1024 St. Charles Ave (TMP 48 – 57 & 57.1) – Sept 25, 2018

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



APPLICATION FOR APPROVAL OF A SUBDIVISION

PLANNING COMMISSION REGULAR MEETING

DATE OF MEETING: October 9, 2018

Project Planner: Brian Haluska

Date of Staff Report: September 24, 2018

Development: Belmont Point (Tax Map 60 Parcels 81.8, 91, 120, 120A, 120B, 120C, 122, 122.4, 122.5, 122.6, and 122.7)

Applicant: Justin Shimp of Shimp Engineering

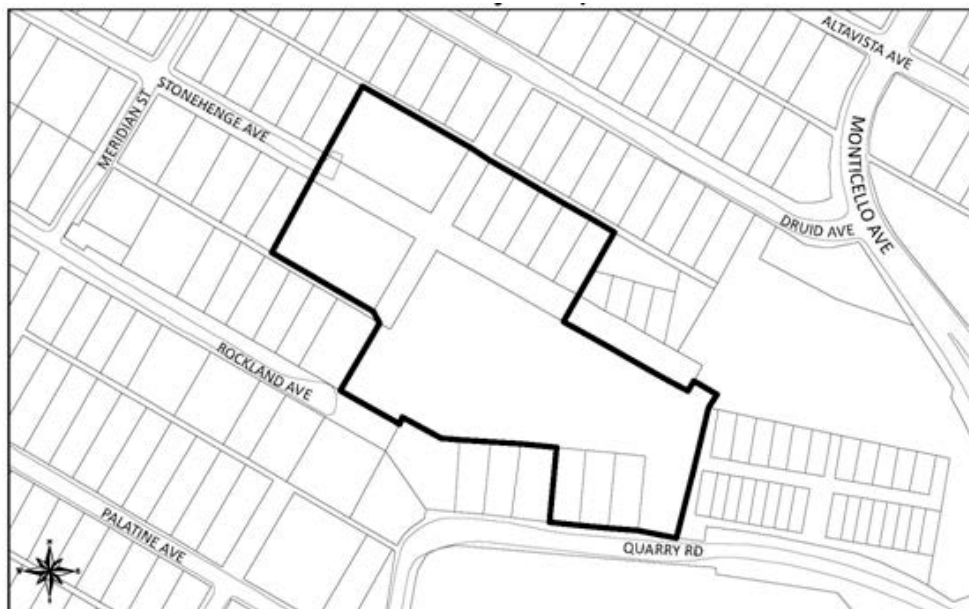
Current Property Owner: Stonehenge Park LLC

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

Zoning District: Planned Unit Development (“PUD”)

Reason for Planning Commission Review: The Planning Commission shall review major subdivisions per Section 29-76(a).

Vicinity Map



Standard of Review

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

Summary

Justin Shimp of Shimp Engineering, acting as agent for Stonehenge Park LLC, is requesting approval of a major subdivision to create 25 single-family residential lots, an extension of a public street, (1) new public street, and reserved open space. This subdivision is considered major because it includes more than six (6) lots, the creation of a new public street, and the extension of public facilities. The properties are further identified on City Real Property Tax Map 60 Parcels 81.8, 91, 120, 120A, 120B, 120C, 122, 122.4, 122.5, 122.6, and 122.7 having frontage on Stonehenge Avenue and Quarry Road. The site is approximately 6.23 acres. The subdivision has undergone one (1) review by staff, with twenty-two (22) comments remaining to be addressed that were primarily formatting and drawing concerns. Those comments are attached.

Subdivision Compliance

Subdivisions are reviewed for compliance with City codes and standards. An overview of subdivision requirements and the location of those items on the subdivision plat are outlined below.

Subdivision Requirements

- A. **Compliance with design standards and improvements (per Sections 29-160 - 29-163)**
 1. Blocks: One (1) new block will be created as a result of this subdivision.
 2. Lots: The applicant is proposing to create 25 residential lots.
 3. Parks, Schools, and other Public Land: No new public spaces will be created with this subdivision.
 4. Preservation of natural features and amenities: Critical slopes as defined by Section 34-1120(b)(2) are found on the site. The applicant previously received a critical slope waiver.

5. Soil Erosion and Sediment Control: The applicant has an approved erosion and sediment control plan.
6. Monuments: Monuments will be used in the subdivision as needed.

B. Compliance with the Street Standards for Subdivisions (Section 29-180 – 29-183)

The proposed subdivision includes one (1) new public street. The design of the public street was previously reviewed and approved by the Engineering and Traffic Divisions as part of the site plan review process.

C. Compliance with Utility Standards for Subdivisions (Sections 29-200 – 29-204)

The utility layout and configurations were approved by Public Utilities as a part of the site plan review process.

D. Compliance with applicable zoning district regulations (Sections 34-350 – 34-420)

All lots shown on the subdivision plat are legal and buildable single-family residential lots that conform to the standards previously approved by City Council in the Planned Unit Development concept plan.

E. Compliance with the Erosion and Sediment Control Ordinance (Chapter 10)

As noted before, the applicant has an approved erosion and sediment control.

Public Comments Received

No comments received.

Recommendation

Staff recommends approval of the subdivision

Attachments

1. Final Subdivision Plat Dated September 25, 2018
2. Final Plat Comments dated September 14, 2018
3. Final Plat Comments response dated September 26, 2018

THE PLATTING OR DEDICATION OF THE FOLLOWING DESCRIBED LAND [LOTS 1 THRU 25, BELMONT POINT] IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY.

FOR: STONEHENGE PARK, LLC

CITY/COUNTY OF _____

STATE OF _____

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, BY _____

FOR: STONEHENGE PARK, LLC

NOTARY PUBLIC _____

REGISTRATION# _____

MY COMMISSION EXPIRES : _____

NOTARY SEAL

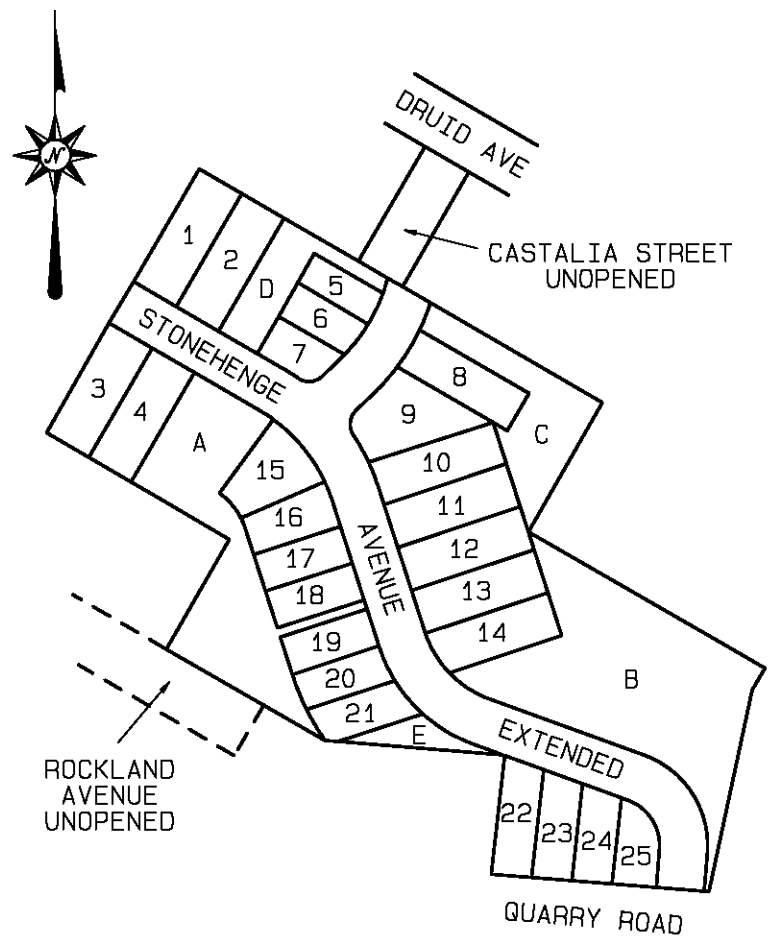
APPROVED FOR RECORDATION:

SECRETARY OF PLANNING COMMISSION

DATE

CHAIRMAN OF PLANNING COMMISSION

DATE



KEY MAP
SCALE : 1" = 200'

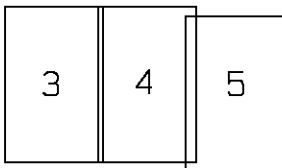
1

1

1

1

SHEET LAYOUT



SUBDIVISION PLAT
LOTS 1 THROUGH 25
BELMONT POINT
THE PROPERTY OF STONEHENGE PARK, LLC
LOCATED ON STONEHENGE AVENUE, CASTALIA STREET,
ROCKLAND AVENUE & QUARRY ROAD
CITY OF CHARLOTTESVILLE, VIRGINIA

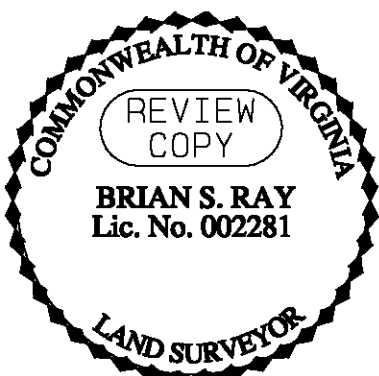
SCALE: 1" = 30'

DATE: OCTOBER 31, 2014

REVISED: JANUARY 26, 2018

REVISED: JUNE 15, 2018

REVISED: SEPTEMBER 25, 2018



FOR
SIMEON INVESTMENTS LLC

ROGER W. RAY & ASSOC., INC.
663 BERKMAR COURT
CHARLOTTESVILLE, VA 22901
434-293-3195
WWW.RAYSURVEYING.COM

SHEET 1 OF 5
10928L

LINE	DELTA	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	79°11'36"	20.00	27.64	16.54	25.50	S85°21'54"W
C2	13°14'40"	175.00	40.45	20.32	40.36	S37°44'13"W
C3	11°30'34"	175.00	35.15	17.64	35.09	S25°21'36"W
C4	5°22'46"	175.00	16.43	8.22	16.42	N16°54'56"E
C5	7°43'45"	225.00	30.35	15.20	30.33	S21°40'22"W
C6	11°28'50"	225.00	45.08	22.62	45.01	S31°16'40"W
C7	79°11'36"	20.00	27.64	16.54	25.50	S06°10'19"W
C8	8°28'32"	220.00	32.54	16.30	32.51	S29°11'12"E
C9	7°06'18"	220.00	27.28	13.66	27.26	S21°23'47"E
C10	0°46'53"	110.00	1.50	0.75	1.50	S18°14'05"E
C11	25°18'58"	110.00	48.60	24.71	48.21	S31°17'01"E
C12	26°06'46"	110.00	50.13	25.51	49.70	S56°59'53"E
C13	75°31'27"	100.00	131.82	77.46	122.48	S32°43'45"E
C14	76°23'52"	50.01	66.68	39.35	61.85	N32°43'45"W
C15	21°59'13"	160.00	61.40	31.08	61.02	N59°03'39"W
C16	16°15'32"	160.00	45.40	22.86	45.25	N39°56'16"W
C17	13°57'52"	160.00	39.00	19.60	38.90	N24°49'34"W
C18	5°14'03"	170.00	15.53	7.77	15.25	S20°27'40"E
C19	30°44'43"	170.00	91.22	46.74	90.13	S38°27'03"E
C20	6°01'35"	170.00	17.88	8.95	17.87	N56°50'12"W
C21	17°17'28"	255.00	76.96	38.77	76.66	S26°29'22"E
C22	8°29'21"	255.00	37.78	18.93	37.75	N30°53'25"W
C23	8°48'06"	255.00	39.17	19.63	39.13	N22°14'41"W
C24	35°58'47"	75.00	47.10	24.35	46.33	S35°50'01"E
C25	11°56'01"	75.00	15.62	7.84	15.93	N23°48'39"W
C26	24°02'45"	75.00	31.48	15.92	31.24	N41°48'02"W
C27	1°24'34"	175.00	4.30	2.15	4.30	S45°03'50"W
C28	4°48'42"	220.00	18.48	9.24	18.47	N57°26'39"W
C29	8°45'02"	225.00	34.36	17.22	34.33	S41°23'36"W

LINE	BEARING	DISTANCE
L1	S70°03'16"E	32.86
L2	S85°24'15"E	1.99
L3	S06°22'29"W	0.54
L4	N85°24'14"W	171.99
L5	N85°24'14"W	13.46
L6	N85°24'14"W	0.14
L7	N30°09'00"E	17.95
L8	N14°51'00"W	7.07
L9	S30°09'00"W	22.00
L10	S75°09'00"W	7.07

PUBLIC UTILITY EASEMENTS

LINE	BEARING	DISTANCE
S1	S59°51'00"E	8.96
S2	S15°15'35"W	51.15
S3	S79°07'29"W	49.14
S4	S59°50'56"E	6.05
S5	N29°47'16"E	3.00
S6	N46°51'10"E	5.02
S7	N44°30'49"E	6.16
S8	N79°03'47"W	8.67
S9	S10°56'13"W	18.99
S10	N84°54'12"W	158.01
S11	S05°05'48"W	26.39
S12	N85°24'14"W	3.40
S13	S19°33'44"E	159.79
S14	S70°26'16"W	23.78
S15	S70°26'16"W	8.37
S16	N19°33'44"W	160.00
S17	N70°48'46"E	13.03
S18	N70°48'46"E	19.12
S19	S17°50'38"E	20.07

BIOFILTER EASEMENT

LINE	BEARING	DISTANCE
B1	N36°10'35"E	27.82
B2	S32°36'30"E	40.74
B3	S10°24'36"E	13.37
B4	S07°33'32"W	39.30

PUBLIC UTILITY EASEMENT

LINE	BEARING	DISTANCE
W1	N38°15'05"W	10.39

ACCESS EASEMENT

LINE	BEARING	DISTANCE
A1	S60°06'24"E	6.98
A2	N74°09'54"E	49.12
A3	S15°29'19"E	9.86
A4	N74°51'53"E	55.06
A5	N72°09'22"E	8.56
A6	N17°50'38"W	5.00

LEGEND

I.S. DENOTES IRON SET
I.F. DENOTES IRON FOUND

..... DENOTES EXISTING BOUNDARY LINE
HEREBY EXTINGUISHED

 DENOTES STORMWATER
MAINTENANCE EASEMENT

NOTES:

1. THE BOUNDARY DATA SHOWN HEREON IS BASED ON A FIELD SURVEY PERFORMED IN 2014.
2. NO TITLE REPORT FURNISHED. ALL EASEMENT KNOWN TO ME ARE SHOWN HEREON. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS, UTILITIES, CONDITIONS, AND/OR COVENANTS THAT MAY EXIST.
3. PROPERTY ZONED PUD PER ZM-12-04-06.
4. OWNER :
STONEHENGE PARK, LLC
195 RIVERBEND DRIVE, SUITE 1
CHARLOTTESVILLE, VA 22911
5. LEGAL REFERENCES:
ALL LOTS: INSTRUMENT #2017-00004671
T.M.60-120, 120A, 120B, 120C: D.B.906-506 PLAT & R.C.S.BOOK 2-23
T.M.60-81.8, 91, 122, 122.4, 122.5, 122.6 & 122.7: A.C.D.B.96-72
THRU 75 PLAT
5. SETBACK REQUIREMENTS:
LOTS 1-4, FRONT=25', SIDE=3' & REAR=25'
LOTS 5-26, FRONT=20', SIDE=3' & REAR=20'
6. HORIZONTAL COORDINATES SHOWN HEREON WERE RELATED TO VA-SOUTH, SPC, NAD83.
7. T.M.60-81.8, 90, -120, 120A, 120B, 120C, 121, 122.4, 122.5, 122.6 & 122.7 ARE SUBJECT TO A STORMWATER MANAGEMENT/BMP FACILITIES MAINTENANCE AGREEMENT (INSTRUMENT# 2015-00003033).
8. A CRITICAL SLOPES WAIVER HAS BEEN SUBMITTED AND APPROVED PER ZM-12-04-06.
9. LOTS 1 THRU 25 EACH CONTAIN A BUILDING SITE THAT COMPLIES WITH THE REQUIREMENTS OF THE CITY OF CHARLOTTESVILLE'S ZONING, WATER PROTECTION AND SUBDIVISION ORDINANCES.
10. THE PUBLIC UTILITY EASEMENTS SHOWN HEREON ARE TO BE DEDICATED TO THE CITY OF CHARLOTTESVILLE.
11. IRONS TO BE SET AT ALL LOT CORNERS BY DECEMBER 31, 2019.

PUBLIC UTILITY EASEMENTS

LINE	BEARING	DISTANCE
N1	S12°04'13"W	30.19
N2	N72°27'25"W	5.86
N3	N05°41'37"W	113.52
N4	N07°32'36"W	87.01
N5	S69°17'33"W	2.78
N6	N19°22'07"W	217.44
N7	N36°25'23"W	68.25
N8	N55°59'44"E	150.23
N9	N64°21'33"W	119.55

TABULATION

LOTS = 128,027 SF
ROAD = 53,237 SF
OPEN SPACE = 91,764 SF
TOTAL = 273,028 SF

REVIEW
COPY

SCALE: 1" = 30'
DATE: OCTOBER 31, 2014
REVISED: JANUARY 26, 2018
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REVISED: SEPTEMBER 25, 2018

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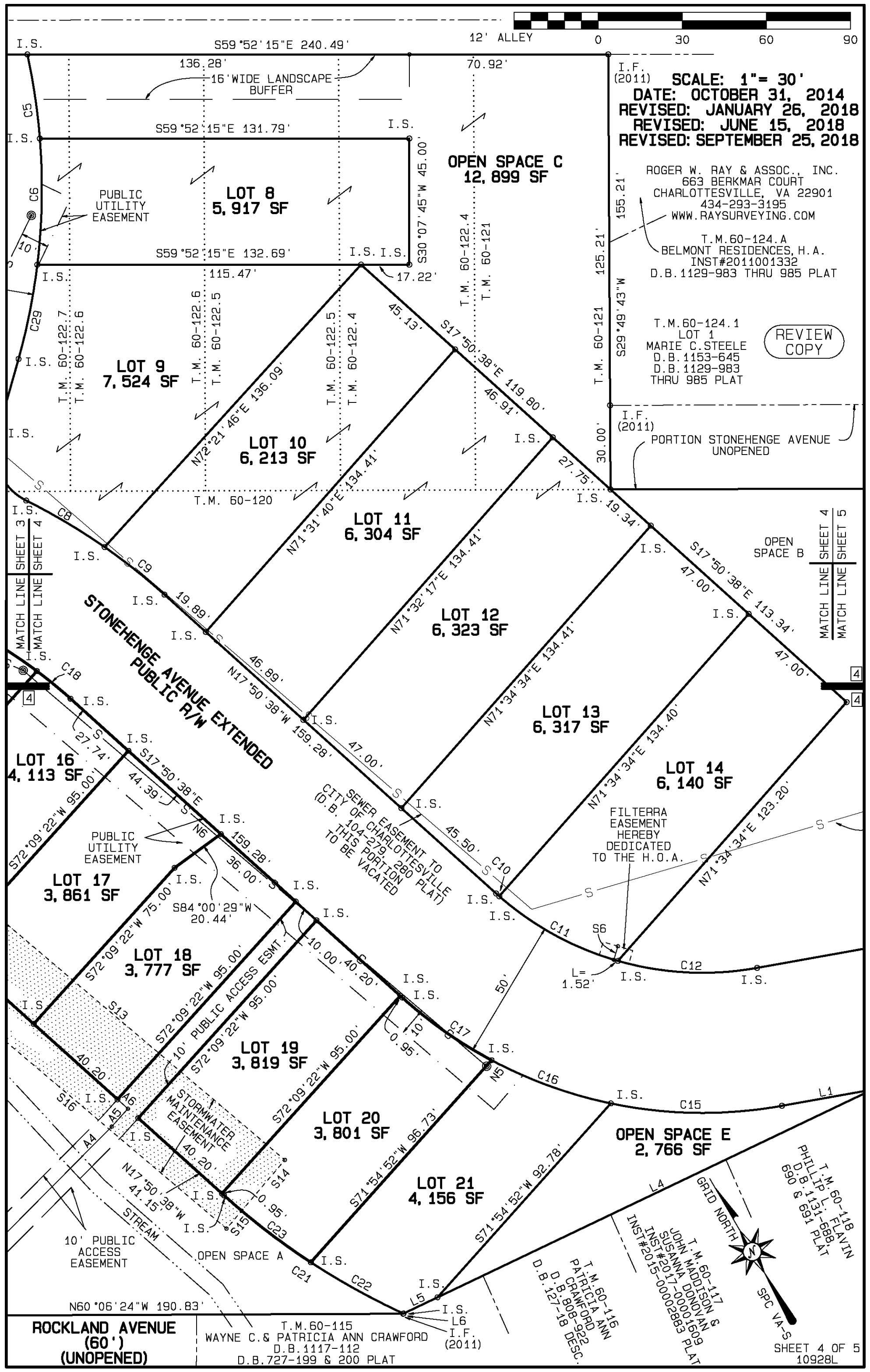
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 434-293-3195
 WWW.RAYSURVEYING.COM

T.M. 60-124.A
 BELMONT RESIDENCES, H.A.
 INST#2011001332
 D.B. 1129-983 THRU 985 PLAT

T.M. 60-124.1
 LOT 1
 MARIE C. STEELE
 D.B. 1153-645
 D.B. 1129-983
 THRU 985 PLAT

REVIEW COPY

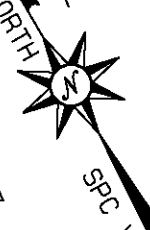


ROCKLAND AVENUE (60') (UNOPENED)

T.M. 60-115
 WAYNE C. & PATRICIA ANN CRAWFORD
 D.B. 1117-112
 D.B. 727-199 & 200 PLAT

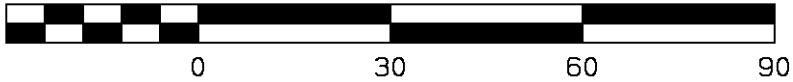
T.M. 60-116
 PATRICIA ANN CRAWFORD
 D.B. 808-9222
 D.B. 127-18 DESC.

T.M. 60-117
 JOHN MADDISON & SUSANNA DONOVAN
 INST#2015-00002883 PLAT



PHILLIP L. FLAVIN
 D.B. 1151-688
 690 & 691 PLAT

GRAPHIC SCALE 1"=30'

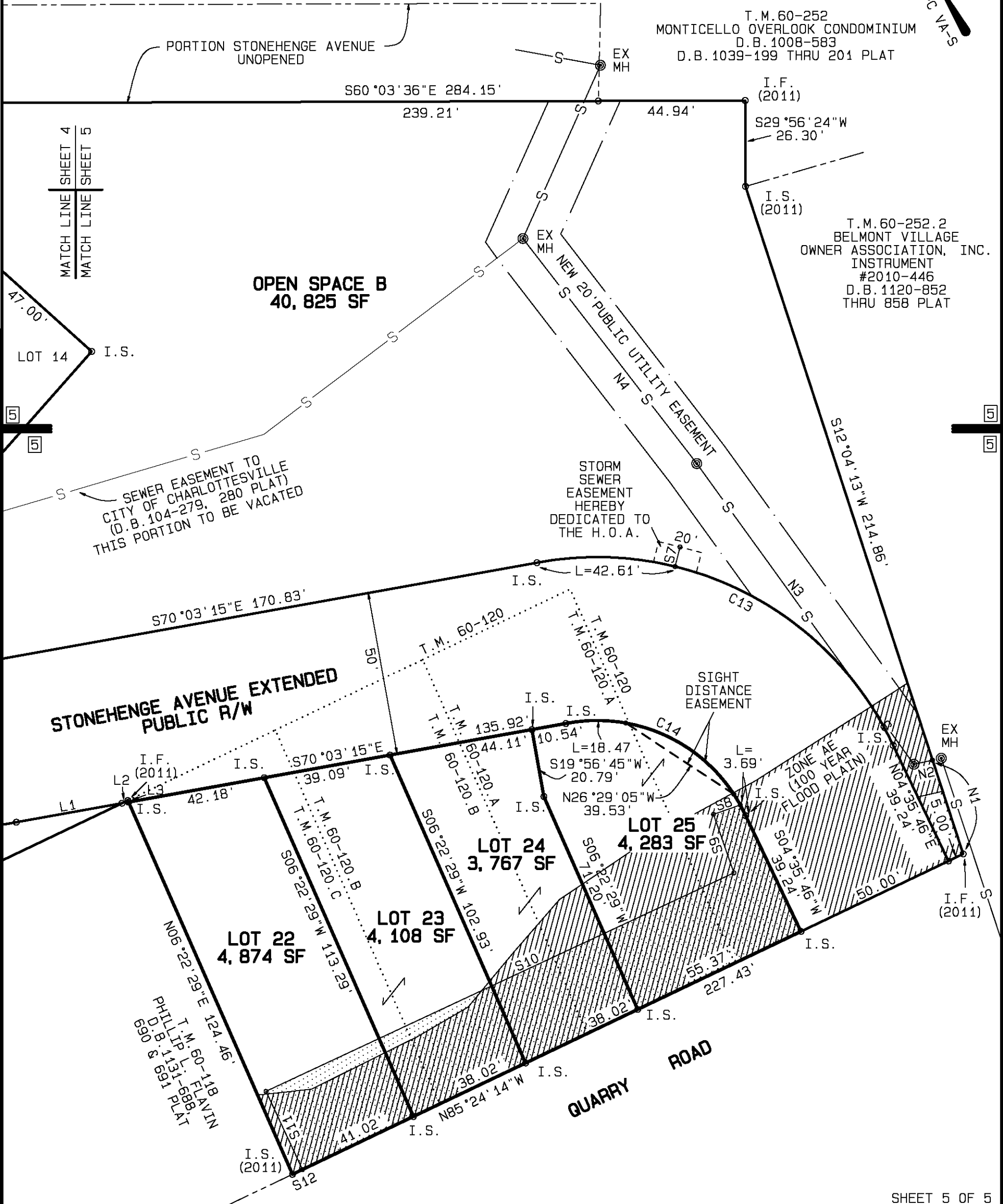
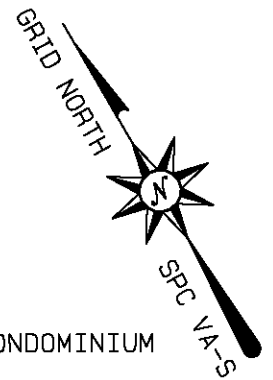


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ROGER W. RAY & ASSOC., INC.
663 BERKMAR COURT
CHARLOTTESVILLE, VA 22901
434-293-3195
WWW.RAYSURVEYING.COM

- DENOTES EXISTING BOUNDARY LINE HEREBY EXTINGUISHED
- DENOTES STORMWATER MAINTENANCE EASEMENT
- DENOTES APPROXIMATE LOCATION OF AREA WITHIN ZONE AE (100 YEAR FLOOD PLAIN, ACCORDING TO FEMA FLOOD INSURANCE RATE MAPS EFFECTIVE DATE FEBRUARY 4, 2005 (COMMUNITY PANEL 510033 0288 D) AND LOMR, EFFECTIVE: FEBRUARY 6, 2017)

REVIEW COPY



CITY OF CHARLOTTESVILLE

"A Great Place to Live for All of Our Citizens"

Department of Neighborhood Development Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.org



September 14, 2018

Shimp Engineering
912 East High Street
Charlottesville, VA 22902

RE: Stonehenge PUD Subdivision Plat

Dear Applicant:

Thank you for presenting the site plan for the above referenced development. Please address the following comments:

Planning

1. Major subdivision plats need the approval of the Planning Commission prior to signature.
2. Note 3 on sheet 2 should eliminate reference to the R-1S zoning district. The uses permitted are those permitted in the PUD.

Engineering

SHEET 2

3. Provide a table for the sight distance easement.
4. Provide a note for the sight distance easement that specifies the relevant code section for landscaping in a sight distance easement.

SHEET 3

5. The stormwater maintenance easement hatch does not extend to the Biofilter easement areas; there are two bioretention filter areas. Include these areas in the hatched format.

SHEET 4

6. The stormwater maintenance easement hatch does not extend to the Filterra easement area. Include this area in the hatched format.

SHEET 5

7. Add text to Storm Sewer Easement (around S7) to reflect that this easement is dedicated to the HOA.

Traffic Engineering

8. No comments received.

Building

9. No comments received.

Public Utilities

General:

10. Please confirm with the Clerk's office the maximum size for documents to be recorded. We do not want to get documents ready and in final form just to have to change page size due to their size limitation.
11. It is my understanding that no City easements or ROW can be vacated, relocated, or extinguished by subdivision plat alone, but City Council has to take action for this. Accordingly, for existing City ROW or Utility easements that need to be vacated, please call them out as to-be-vacated on this plat. Once this plat is in final form, you will need to contact the City Attorney's office to get the actual vacations on Council's agenda for approval.
12. Please provide match lines for all sheets as needed.
13. For all City utilities, please make the easements generic Public Utility Easements, rather than being utility specific.
14. Please note on the plan that Public Utility Easements are dedicated to the City of Charlottesville.
15. Wherever new or relocated City utility lines (gas, water, sewer or storm) are located within 10-feet of the edge of ROW, please provide easements such that a 20' wide clear work space is provided. For example, if a new City storm line is only within ROW by 2-feet, we need an 8-foot wide easement outside of ROW for this line. It looks like this was addressed for most locations, but some storm structures in ROW may need additional easement outside of ROW.
16. For this project, some of the stormwater infrastructure will be public (pipes in ROW and extending out of ROW in some instances) and some will be private. Accordingly, please provide all private stormwater infrastructure (whether it is for drainage infrastructure, Filterra, Bioretention or detention structures) a private stormwater easement and note on the cover that all private stormwater easements are dedicated to the HOA.
17. Please provide private stormwater easements for any new stormwater infrastructure proposed on the site plan amendments.
18. For the large culvert under the extended Stonehenge Avenue, please provide additional public utility easement covering the north and south portions of the pipe where it extends out of ROW. Please extend this easement at least 5-feet beyond the pipe and wing walls. For the north end, just make the entire width of Open Space D an easement, as we will need at least a 40-foot easement for this pipe. Please note that the proposed retaining wall in this area will remain private and will not be maintained by the City. On the south end, we need at least 40-feet of easement width, which appears to overlap with the easements for the sanitary sewer line and storm outfall pipes. It likely makes sense to just connect the storm outfall pipes and make one big PUE for this whole area. We can discuss this easement layout in further detail as needed to get it nailed down.
19. Please make sure the plat is updated once the sanitary sewer plan revisions are finalized.

20. Who is the public access easement dedicated to?

21. Please be aware that we are having internal discussions about how public utility easements are dedicated to the City, how those easements are formally accepted by the City, and the terms and conditions of those easements. For small freestanding easements, we record a deed of easement with terms called out, and the easement is accepted by the City with a signature. However, this is not the case for subdivision plats. Accordingly, in order to make sure our easements are properly documented, we may ask that a separate public utility easement plat be prepared and recorded with a deed of easement. Alternatively, we may ask that the language from our boilerplate deed of easement be added to the plat, so the terms are clearly called out. Once we have a course of action finalized, we will likely have additional comments concerning these easements.

Gas Utilities

22. The City Clerk's office does not accept plats on paper larger than legal 8.5 x 14 paper.

Please address these comments and re-submit your plan within 60 days, or by **November 13, 2018**. If you are unable to re-submit by this date, you can request a 6 month extension on the project.

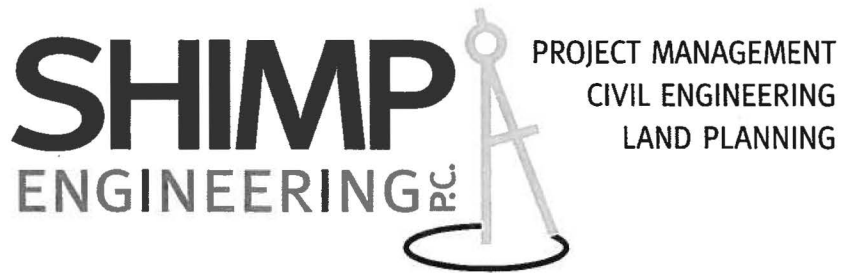
If you have any questions, please feel free to contact me at 970-3182 and I will be happy to assist you.

Sincerely,



Brian Haluska, AICP
Principal Planner

C: Hugh Blake
Brennen Duncan
Tom Elliott
Francis Vineyard
Roy Nester
Mary Zylowski



September 26, 2018

Mr. Brian Haluska
Senior Planner
City of Charlottesville
Neighborhood Development Services

Regarding: Stonehenge PUD Subdivision Plat – Comment Response

Dear Mr. Haluska,

Thank you for your review of the Stonehenge Subdivision Plat. A response, provided by Roger W. Ray & Assoc. has been written for most City staff comments in the letter dated September 14, 2018. There are a few outstanding items that may require a meeting between City of Charlottesville, Roger Ray, and Shimp Engineering staff to properly coordinate final details before approval.

Planning

1. Comment Noted.
2. The reference to R-1S zoning district in note 3 has been removed.

Engineering

SHEET 2

3. The bearing and distance for the sight distance easement line is labeled on the plat. A table for the sight distance easement is not needed.
4. (Note appears to have been omitted in review, note referencing Sec. 34-112 shall be included)

SHEET 3

5. This shall be addressed after the pending SPA is approved and all final utility layouts are confirmed.

SHEET 4

6. This shall be addressed after the pending SPA is approved and all final utility layouts are confirmed.

SHEET 5

7. "Hereby dedicated to the H.O.A." has been added to the Storm Sewer Easement at S7.

Planning

8. No comments received.

Building

9. No comments received.

Public Utilities

General:

10. The plat has grid tics on each sheet. The final documents for recording will be 8 1/2 x 11 sheets.
11. Comment noted. The references of "Hereby Extinguished" on the existing easements have been changed to "To Be Vacated".
12. Match lines have been added to sheets 3, 4 & 5. A Sheet Layout has also been added to Sheet 1.
13. All City utility easements on the plat have been revised to "Public Utility Easement".
14. Note 10 has been added to the plat to state that all Public Utility Easements are dedicated to the City of Charlottesville
15. This shall be addressed after the pending SPA is approved and all final utility layouts are confirmed.
16. This shall be addressed after the pending SPA is approved and all final utility layouts are confirmed.
17. This shall be addressed after the pending SPA is approved and all final utility layouts are confirmed.
18. Comment noted. It seems a meeting would be the most straightforward solution to the easement situation around the culvert.
19. Comment noted. Once the SPA is approved all outstanding utility comments will be addressed on the plat.
20. Public access easement surrounds the pedestrian trail and is dedicated to the City of Charlottesville.
21. Comment noted. We will await further clarification on this process.

Gas Utilities

22. Comment noted.

Included with this comment letter are 5 copies of the updated subdivision plat. Additionally, a digital copy of the plat has been sent via email on 09/26/2018. If you have any questions, please do not hesitate to contact Justin Shimp, P.E. at justin@shimp-engineering.com or call 434-227-5140.

Best Regards,



Keane Rucker
Shimp Engineering, P.C.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



APPLICATION FOR A REZONING OF PROPERTY

JOINT CITY COUNCIL AND PLANNING COMMISSION
PUBLIC HEARING

DATE OF HEARING: October 9, 2018

APPLICATION NUMBER: ZM18-00001

Project Planner: Matt Alfele

Date of Staff Report: March 26, 2018 (updated September 19, 2018)

Applicant: Justin Shimp and Charles Hurt

Applicants Representative: Justin Shimp with Shimp Engineering, P.C.

Current Property Owner: Charles Hurt and Shirley Fisher

Application Information

Property Street Address: 918 Nassau Street (three unaddressed lots and a portion of one unaddressed lot)

Tax Map/Parcels #: Tax Map 61, Parcels 79.17, 79.18, 79.19, & 79.201 and a portion of Tax Map 61, Parcel 79

Total Square Footage/ Acreage Site: Approx. 0.8 acres (34,848 square feet)

Comprehensive Plan (General Land Use Plan): Low Density Residential

Current Zoning Classification: R-2

Tax Status: Parcels are up to date on payment of taxes.

Completeness: The application generally contains all of the information required by Zoning Ordinance (Z.O.) Sec. 34-41.

Applicant's Request (Summary)

On April 10, 2018 the Planning Commission held a joint Public Hearing for the rezoning of the Subject Properties from R-2 (Two-Family Residential) to HW (Highway Corridor) with proffered development conditions; and an accompanying SUP request for the same properties to increase density from a by-right zero (0) DUA (dwelling unit per acre) to thirty-two (32) DUA. During the Public Hearing the Planning Commission expressed concerns with the County portion of the development and did not

want to take any action until Albemarle County granted or denied a rezoning petition. The applicant requested, and received, a deferral by the Planning Commission until the County portion of the development status was resolved. The Planning Commission also requested Albemarle County be aware of the City's concerns with the project. On April 18, 2018 the Planning Commission sent a letter to Albemarle County's Planning Commission (**Attachment E**) Below are the main points from that letter:

- Both the City and County portion of the development will only be accessible by way of City streets. Increased traffic and the introduction of larger vehicles (large trucks and equipment for farming and tree transplanting) are a concern.
- The City would like to see access for all residents to Moores Creek and Rives Parks. The opportunity for public access easements and new trails needs consideration with this application. The Bicycle and Pedestrian Plan calls for a Shared Use Path along Moores Creek at this location.
- The housing component of the development is very important to the City. Unintended consequences of rezoning the City portion of the development could lead to the loss of future housing stock that the current R-2 zoning allows. A rezoning on the City side to Highway Corridor currently requires a Special Use Permit for any density. Of concern is any future development that utilizes by-right commercial or retail uses without a housing component.

On September 12, 2018 the Albemarle Board of Supervisors approved an ordinance to rezoning 7.52 acres from LI Light Industrial to RA Rural Areas. For more details on the county's action see (**Ordinance NO. 18-A(5) Attachment F, County Proffer Statement Attachment G, and Albemarle summary of Planning Commission Action Attachment H**). Below are key portions of the approved ordinance and proffer statement:

- The property will be developed in general accord with the conceptual plan titled "TMP 07700-00-00-02000: Hogwaller Farm" dated 01-16-2018 and last revised 06-27-18 (**Attachment G page 5**).
- A 100' riparian buffer will be preserved from the top of Moore's Creek bank and signed (**Attachment G page 6**).
- Uses on the site are restricted to the uses pursuant to Section 10.2 (3), (6), (7), (9), (21), (27), and (30) (**Attachment G page 2**).
- Any structure(s) within the Flood Hazard Overlay District shall not exceed six hundred (600) square feet of aggregated improved space (**Attachment G page 2**).

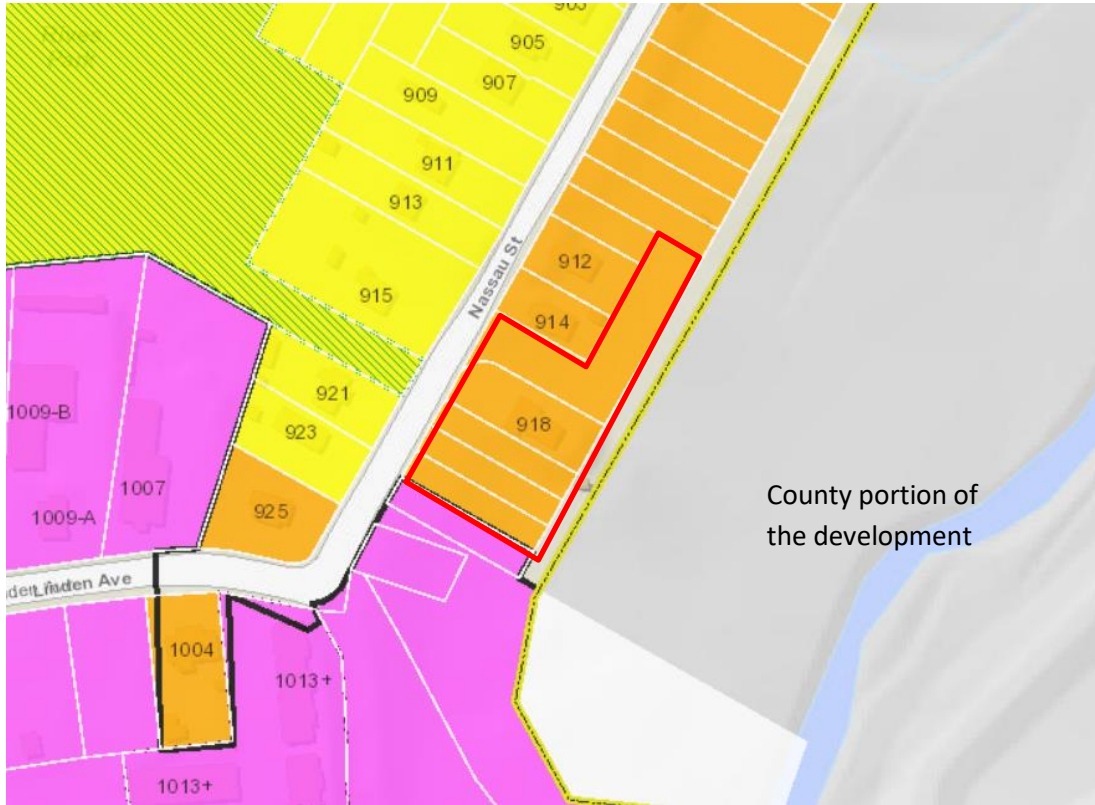
Justin Shimp has submitted a rezoning petition for Tax Map 61 Parcels 79.17, 79.18, & 79.19, 918 Nassau Street, and a portion of Tax Map 61 Parcel 79 (Subject Properties). The rezoning petition proposes a change in zoning from the existing R-2 Two-family Residential to HW Highway Corridor with proffered development conditions. The proffered conditions include (**Attachment C**): **(i) maximum height of buildings:** Any structures(s) located on the property shall not exceed thirty-five (35) feet in height, where height is the vertical distance measured perpendicularly from grade from the highest point on such building or structure; **(ii) future land uses:** The land uses permitted on the Subject Properties are found in the HW Corridor Sec. 34-796 use matrix, but

prohibits the following; Bed-and-breakfasts homestays, B&Bs, Inns, amusement centers, art galleries, auditoriums, automotive services, banks/financial institutions, health clinics, private clubs, data centers, dry cleaning establishments, elementary schools, high schools, hotels/motels, laundromats, libraries, movie theaters, municipal buildings, music halls, offices, outdoor storage, public recreational facilities, fast food restaurants, full service restaurants, taxi stands, transit facilities, home improvement centers, pharmacies, shopping centers, retail stores over 4,001 SF, and laboratories; **(iii) affordable housing:** contingent upon approval of residential density on site, 15% (fifteen percent) of the Floor Area Ratio (FAR) of the residential square footage of the project will be available for rent on-site. For-rent affordable units shall rent at a rate making the units affordable to households with incomes at not more than 80% of the area median income for a period on not more than 15 (fifteen) years

Vicinity Map



Zoning Map

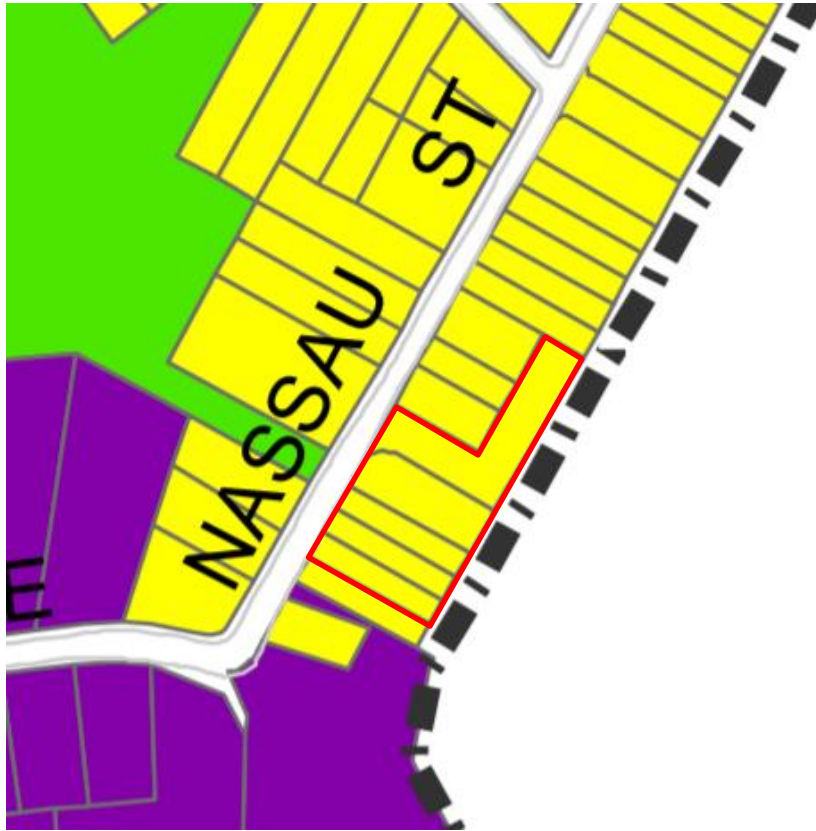


Gray: County Land, **Orange:** (R-2) Residential Two-family, **Yellow:** (R-1S) Residential Single-Family, **Purple:** (HW) Highway Corridor, **Green Stripped:** Park

2016 Aerial



2013 Comprehensive Plan Land Use Map



Yellow: Low Density Residential, **Purple:** Mixed Use, & **Green:** Park or Preserved Open Space, **White:** County

Standard of Review

City Council may grant an applicant a rezoning request, giving consideration to a number of factors set forth within Z.O. Sec. 34-41. The role of the Planning Commission is and make an advisory recommendation to the City Council, as to whether or not Council should approve a proposed rezoning based on the factors listed in Z.O. Sec. 34-41(a):

(a) All proposed amendments shall be reviewed by the planning commission. The planning commission shall review and study each proposed amendment to determine:

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

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

Preliminary Analysis

The applicant is proposing to rezone the subject properties from R-2 to HW and is congruently requesting a Special Use Permit for a density of 32 dwelling units per acre (DUA) to facilitate the development of an urban farm. The development will consist of thirty (30) dwelling units within two (2) buildings. The development will also contain a large greenhouse and a retail farm store. Additional parking, farm sheds, and agricultural fields supporting the development are proposed on an adjacent 7.52 acre county parcel (approved by the County on September 12, 2018). Under the current zoning the subject properties could accommodate five (5) two-family dwellings in the current configuration for a total of ten (10) units. If rezoned to HW the subject properties DUA would be:

- **By-right:** zero (0) dwelling unit per lot= zero (0) units on the subject properties. Z.O. Sec. 34-796 prohibits all dwelling types with the exception of Multifamily, which is by-right. Z.O. Sec. 34-740 requires a special use permit for any density above zero (0).
- **Special Use Permit** (per Z.O. Sec. 34-740) (maximum) forty-three (43) DUA = thirty-four (34) units on the subject properties. *These numbers reflect the acres of the rezoning application. The proposed development, as a whole, will include an additional 0.14 acres that is already zoned HW.

The proposed development, as described in the SUP application (SP18-00004), will allow a maximum of thirty (30) dwelling units (0.94 acres X 32 = 30 units based on preliminary data).

Zoning History of the Subject Property

Year	Zoning District
1949	B-2 Business
1958	R-2 Residential
1976	R-2 Residential
1991	R-2 Residential
2003	R-2 Residential

Z.O. Sec. 34-42

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan;

a. Land Use

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the Background section of the proposed rezoning application (**Attachment B**).

Staff Analysis

The Subject Properties are currently zoned R-2 which is one of the most restrictive zoning categories in the City. All by-right, provisional, and special uses allowed within this zoning district are Residential and Related per Z.O. Sec. 34-420 and single-family attached and two-family are the most common of these uses. The 2013 Comprehensive Plan Land Use Map indicates the Subject Properties remain low-density residential. The land use section of the comprehensive plan indicates all single or two-family type housing and a density less than fifteen (15) DUA is Low Density. High Density are locations with a DUA over fifteen (15) or locations with multi-family housing types (townhouses, apartment, condominiums).

The applicant is requesting a rezoning of the Subject Properties to HW Highway Corridor in conjunction with an SUP application to accommodate a higher density development. Z.O. Sec. 34-541, Highway Corridor is considered Mixed Use. The 2013 Comprehensive Plan Land Use Map describes Mixed Use as areas intended to be zones where the City encourages development of a moderate or high intensity, and where a large variety of uses will be permitted. The HW zoning district allows no residential density by-right, but allows up to forty-three (43) DUA with a special use permit. Unlike the R-2 district, the HW limits by-right residential uses to things such as residential treatment facilities, bed-and-breakfasts, and convent/monastery. Single-family attached and detached homes are not permitted within the HW zoning districts. Multifamily dwelling units (any structure with three or more units in it) are the only type of dwelling unit allowed in the HW districts, but no density is allowed without a Special Use Permit.

The majority of by-right, provisional, and special uses allowed within the HW zoning districts (per Z.O. Sec. 34-796) are commercial and retail in nature. Some examples are; gas stations, health clinics, and shopping centers. In the narrative statement the applicant is proposing thirty (30) residential units

within two (2) buildings consisting of one and two-bedroom units. The applicant is also proposing a row of greenhouses and an approximately six hundred (600) square foot retail farm store. The applicant’s preliminary proffer statement retains a majority of by-right and special uses associated with the HW zoning district, but does remove uses that would require large footprints such as data centers and shopping centers. All automobile uses, such as gas station and sales are removed from the proposed proffered use matrix. For a full list of uses and to see a comparison to the existing HW use matrix see **Attachment C**.

According to the Comprehensive General Land Use Plan Map, multifamily apartments with (30) units is considered High Density and a retail farm store (Z.O. Sec. 34-796 other retail stores (non-specified) up to 4,000 square feet) within the same development is considered Mixed Use. These uses are not consistent with the 2013 Comprehensive General Land Use Plan Map.

The Subject Property is bordered by:

Direction	Zoning District	Current Use
East	*7.52 acres of county land	Vacant floodplain and floodway land that abuts Moores Creek
South	HW	**Vacant parcel
West	R-1S	Residential Homes and Rives Park
North	R-2	Residential Homes and Vacant parcels

*The 7.52 acres of county land is part of the proposed development and would serve as farm land supporting the City’s portion of the development. The parcel of land was rezoned from Light Industrial to Rural Areas by the Albemarle Board of Supervisors on September 12, 2018 (**Attachment F**)

**The vacant parcel to the south is part of the proposed development, but is already zoned HW. The lot is part of the accompanying SUP application (SP18-00004).

Staff finds the proposed rezoning is not consistent with the City’s Comprehensive General Land Use Plan Map, but may contribute to other goals within the Land Use chapter of the Comprehensive Plan. As the subject properties are centrally located to single family, multi-family, and green spaces, a higher residential density on Nassau Street, at this location, could contribute to Goal 2.3 (*Enhance pedestrian connections between residences,*

commercial centers, public facilities, amenities and green space.) It should be noted that rezoning, on its own, will lower the existing density to zero (0). Staff analysis is of the proposed development as presented within the application materials (**Attachment A, B, & C**). Planning Commission should consider the implications of the development as presented in the application materials, but also the implications of a rezoning without the SUP.

Staff is concerned about the potential intensity of future land uses encroaching down Linden Avenue into the fabric of the lower density neighborhood that surrounds Rives Park. In addition to the rezoning request, the applicant is also submitting an application for a SUP (SP18-00004) to build thirty (30) one and two-bedroom units on the subject properties. The proposed use in the SUP application (residential) is consistent with the current uses near the subject properties (three story residential buildings are located just south of the subject property at Linden and Nassau), but this residential use is part of a larger development that includes a farming component (located in the county). Although the farming portion for this development will be located outside the City, ingress and egress, a farm store, and a large greenhouse will all be located within the City. The Planning Commission should look at the development as a whole as activities on the county portion of the project will directly impact City residents and infrastructure.

b. Community Facilities

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the Background section of the proposed rezoning application (**Attachment B**).

Staff Analysis

Community Facilities (Fire, Police, and Parks) reviewed the application and finds the development would be serviced by existing fire and police. A change in use from R-2 to HW will have minor to no impacts to existing community facilities. Parks reviewed the application as it relates to Rives Park and finds the addition of thirty (30) residential units, as presented, will have no impact on the park. The City's Parks department is currently looking at the property adjacent to the development (tax Map 61 791) for green space and access to Moores Creek.

c. Economic Sustainability

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the Background section of the proposed rezoning application (**Attachment B**).

Staff Analysis

Staff finds no conflict with Chapter 3 (Economic Sustainability) of the Comprehensive Plan with a change of use from R-2 to HW.

d. Environment

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the Background section of the proposed rezoning application (**Attachment B**).

Staff Analysis

Current stormwater regulations will prevent the subject properties from discharging additional stormwater above current levels. The subject properties are undeveloped (with the exception of one existing single family home that will be demolished) which will require innovative design to keep stormwater at current levels. These concerns will be addressed at site plan review. Although the site is not directly adjacent to Moores Creek, the application materials indicate the county parcel that is adjacent to Moores Creek will be part of this development.

e. Housing

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the Background section of the proposed rezoning application (**Attachment B**).

Staff Analysis

The City's Housing Development Specialist reviewed the application and finds the uses which could occur as part of a HW development, such as apartment buildings (with a SUP); on the subject properties could contribute to Goals 3.6, 8.1, & 8.2 in the Housing chapter of the Comprehensive Plan. According to Sec. 34-12 the applicant is not required to provide on or off site affordable housing, or payment into the City's Affordable Housing Fund.

Although the applicant is not required per Z.O. Sec. 34-12 to provide affordable housing, affordable units are part of the proposed development's proffer statement. Proffer number 3 indicates:

Contingent upon approval of residential density on site, the owners shall provide on-site for rent affordable dwelling units (as defined herein) equal to 15% (fifteen percent) of the Floor Area Ratio ("FAR") of the residential square footage of the project, given the project does not exceed 1.0 Floor Area Ratio ("FAR"). If the project exceeds 1.0 FAR, the number of affordable units provided shall be determined by Section 34-12 of the City of Charlottesville Zoning Ordinance, Codified through March 5, 2018. For-rent affordable units shall rent at a rate making the units affordable to households with incomes at not more than 80% of the area median income for a period of not more than 15 (fifteen) years.

In the materials as proposed, two (2) units within the development would be affordable under this proffer language and rent for around \$1,200 at current 80% AMI. Although staff is in favor of increasing affordable units throughout the City, we would like to see a more defined period of time other than "not more than 15 years". A defined period of five (5), ten (10), or fifteen (15) years would give more certainty in calculating future affordable needs. Under the proposed proffer language the affordable aspect could be satisfied by providing units for any amount of time up to fifteen (15) years.

f. Transportation

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the Background section of the proposed rezoning application (**Attachment B**).

Staff Analysis

The City's Traffic Department reviewed the application materials and finds the uses which could occur as part of a HW development, such as an apartment building (with an SUP); on the subject properties could contribute to Goals 1.2 & 2.6 in the Transportation chapter of the Comprehensive Plan and section 4.1 of Streets that Work. Staff is concerned that "farming" activities could include a wide range of vehicular traffic that are not suitable for a Local road, as designated by Streets that Work typology. Small low impact farming could be compatible with a Local Street Typology if it does not include large tractor trailers continuously making deliveries and pickups. Larger scale farming could produce the type of traffic more suitable for an Industrial type Street Typology.

g. Historic Preservation & Urban Design

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is provided in the Background section of the proposed rezoning application (**Attachment B**).

Staff Analysis

Staff finds the uses which could occur as part of a HW development, such as an apartment building, (with a SUP) on the subject properties could contribute to Goal 1.3 & 1.4 in the Historic Preservation & Urban Design chapter of the Comprehensive Plan.

2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;

The applicant's own analysis of the development's furtherance of the general welfare of the entire community is provided in the Background section of the proposed rezoning application (**Attachment B**).

Staff Analysis

Staff finds that a land use change from R-2 to HW, with a SUP for density as noted in the applicant's narrative statement, could benefit the surrounding community by providing additional residential housing options. The development, as noted in the applicant's narrative statement, could also benefit the surrounding community by providing access to local agricultural products. Staff finds that should the rezoning be granted without a SUP for density the community would lose residential housing options.

3. Whether there is a need and justification for the change;

The applicant has provided information on the factors that led to a request to rezone the subject properties from R-2 to HW in the Narrative section of their application (**Attachment B**).

Staff Analysis

According to the City's 2013 Land Use Map, this portion of the City should be Low Density Residential with a DUA under fifteen (15). The existing development pattern along Nassau Street is currently consistent with the current Land Use Map. Most of the parcels in this area are single, two-family homes, or vacant. Rezoning the subject properties from R-2 to HW could contribute to many of the goals in the City's 2013 Comprehensive Plan, but would not be consistent with the existing pattern of development along Nassau Street. Rezoning to HW (without a SUP) would keep the DUA under fifteen (15) per the Land Use Map, but it should be noted

that Sec. 34-796 indicates the residential dwelling type “Multifamily” is a by-right use in the HW districts, but Sec. 34-740 states any “density” requires a SUP.

- 4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification.**

The location of the subject properties are currently served by existing public utilities and facilities. The applicant has provided a narrative statement on adverse effects and mitigation in their application materials (**Attachment B**).

Staff Analysis

Any development on the subject properties would be evaluated during site plan review and need to meet all current regulations related to public utilities and facilities. Due to the location of the subject properties, staff believes all public services and facilities would be adequate to support development.

The purposes set forth per Z.O. Sec. 34-350(b) and Z.O. Sec. 34-541(9) are:

Two-family (R-2). The two-family residential zoning districts are established to enhance the variety of housing opportunities available within certain low-density residential areas of the city, and to provide and protect those areas. There are two (2) categories of R-2 zoning districts:

R-2, consisting of quiet, low-density residential areas in which single-family attached and two-family dwellings are encouraged. Included within this district are certain areas located along the Ridge Street corridor, areas of significant historical importance.

Highway Corridor district. The intent of the Highway Corridor district is to facilitate development of a commercial nature that is more auto oriented than the mixed use and neighborhood commercial corridors. Development in these areas has been traditionally auto driven and the regulations established by this ordinance continue that trend. This district provides for intense commercial development with very limited residential use. It is intended for the areas where the most intense commercial development in Charlottesville occurs.

In relation to the purposes set forth at the beginning of the proposed district classification, staff finds the development would not meet the intent. The Highway Corridor district should facilitate development of a commercial nature that is auto oriented with very limited residential use (Z.O. Sec. 34-541(9)). The proposed

development (as stated in the application materials) would be mainly residential in nature with a small retail (farm store) and commercial (farm) component.

Public Comments Received

Community Meeting Required by Z.O. Sec. 34-41(c)(2)

On September 11, 2017 the applicant held a community meeting at Clark Elementary. The applicant gave an overview of the project as it related to the need for a rezoning and a SUP. The community voiced the following concerns with the proposed development:

- View from Linden Avenue could be blocked.
- The development could have an adverse impact on Moores Creek.
- What type of development could happen in the floodplain?

Other comments included:

- Appreciation for proposing an initiative “urban farm”.
- Providing affordable units.

On April 10, 2018 the Planning Commission held a joint Public Hearing with City Council. Two (2) members of the public spoke and expressed the following:

- The development should provide a trail to Moores Creek.
- Any development should not include bringing in fill to the floodplain.
- Concerned the applicant is only looking for density and will not provide any amenities or farm.

As of the date of this report, staff has received one (1) email related to the rezoning or SUP application and two (2) phone calls. The following concerns were expressed:

- No access to the development from the County side
- 30 units at this location could have an adverse impact on Moores Creek.
- One of the buildings would be too close to the road.
- The building should be turned so the short end is facing the street and not the long street wall.

Staff Recommendation

Staff finds the proposed development, as presented in the application materials could contribute to many goals of the City’s Comprehensive Plan. Staff finds that the by-right uses for HW as outline in Z.O. Sec. 34-796, are a mix of appropriate and inappropriate uses for the subject properties. Staff finds the residential, retail, and most of the commercial uses to be appropriate. Any SUP would require additional review by staff, Planning Commission, and City Council. Should the development proceed as indicated in the application and narrative, staff finds that the idea of an urban farm could benefit the City in this area by providing access to local produce. A mix of single family and multifamily

developments are within a 6 minute walk of the subject properties. The only other local store within walking distance is the BP at the corner of Druid Avenue and Monticello Road.

Summarizing the Standard of Review, staff finds:

(1) Whether the proposed amendment conforms to the general guidelines and policies contained in the comprehensive plan. *Staff finds the proposed rezoning (as presented in the application materials) would not comply with the City's Comprehensive General Land Use Plan Map, but would contribute to other chapters of the City's 2013 Comprehensive Plan.*

(2) Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community. *Staff finds the proposed rezoning (as presented in the application materials) would further the purposes of this chapter and the general welfare of the entire community.*

(3) Whether there is a need and justification for the change. *Staff finds no justification for the proposed rezoning.*

(4) When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification. *Staff finds the proposed rezoning (as presented in the application materials) would have no impact on public services or facilities, but would not meet the intent of the Highway Corridor district as defined within the proposed district classification.*

Suggested Motions

1. I move to recommend approval of this application to rezone the subject properties from R-2, to HW, on the basis that the proposal would service the interests of the general public and good zoning practice.

OR,

2. I move to recommend denial of this application to rezone the subject properties from R-2 to HW, on the basis that the proposal would not service the interests of the general public and good zoning practice.

Attachments

- A. Rezoning Application Dated January 22, 2018
- B. Applicant's Narrative Statement and supporting documents dated March 16, 2018 and revised September 6, 2018.
- C. Preliminary Proffer Statement and Use Matrix Dated Undated
- E. Planning Commission's letter to Albemarle County Dated April 18, 2018

- F. Albemarle Ordinance NO. 18-A(5)
- G. County Proffer Statement signed August 20, 2018
- H. Albemarle Summary of Planning Commission Action



City of Charlottesville

Application for Rezoning

Project Name: Hogwalker Farm

Address of Property: Nassau St. lots

Tax Map and Parcel Number(s): 61-79; 61-79.16; 61-79.17, 61-79.18; 61-79.19; 61-79.201

Current Zoning: R-2, HW

Proposed Zoning: HW

Comprehensive Plan Land Use Designation: low density residential

Applicant: Justin Shimp / Charles Hurt

Address: 201 E. Main Suite M Charlottesville, VA

Phone: (434) 227-5140 Email: justin@shimp-engineering.com

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

Owner Owner's Agent Contract Purchaser

Owner of Record: Dr. C. Hurt, Etal Trustees; Franklin St. Land Trust II

Address: PO Box 8147 Charlottesville, VA 22906

Phone: (434) 979-8182 Email: _____

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

(1) Signature [Signature] Print Justin Shimp Date 1/22/18

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

Other (specify): trustee

(2) Signature [Signature] Print Dr. Charles Hurt Date 1/22/18

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

Other (specify): trustee



City of Charlottesville

Application Checklist

Project Name: Hogwaller Farm

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

- 34-157(a)(2) Narrative statement: applicant's analysis of conformity with the Comprehensive Plan
- 34-157(a)(4) Narrative statement identifying and discussing any potential adverse impacts, as well as any measures included within the development plan, to mitigate those impacts
- 34-158(a)(6): other pertinent information (narrative, illustrative, etc.)
- Completed proffer statement (incl. in affordable housing section of narrative)
- All items noted on the Pre-Application Meeting Verification.

Applicant

Signature Charles W. Hart Print Charles W. Hart Date 1/22/2018

By Its: trustee

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



City of Charlottesville

Community Meeting

Project Name: Hogwaller Farm

Section 34-41(c)(2) of the Code of the City of Charlottesville (adopted October 19, 2015) requires applicants seeking rezonings and special use permits to hold a community meeting. The purpose of a community meeting is to provide citizens an opportunity to receive information about a proposed development, about applicable zoning procedures, about applicable provisions of the comprehensive plan, and to give citizens an opportunity to ask questions. **No application for a rezoning shall be placed on any agenda for a public hearing, until the required community meeting has been held and the director of neighborhood development services determines that the application is ready for final review through the formal public hearing process.**

By signing this document, the applicant acknowledges that it is responsible for the following, in connection to the community meeting required for this project:

1. Following consultation with the city, the applicant will establish a date, time and location for the community meeting. The applicant is responsible for reserving the location, and for all related costs.
2. The applicant will mail, by U.S. mail, first-class, postage pre-paid, a notice of the community meeting to a list of addresses provided by the City. The notice will be mailed at least 14 calendar days prior to the date of the community meeting. The applicant is responsible for the cost of the mailing. At least 7 calendar days prior to the meeting, the applicant will provide the city with an affidavit confirming that the mailing was timely completed.
3. The applicant will attend the community meeting and present the details of the proposed application. If the applicant is a business or other legal entity (as opposed to an individual) then the meeting shall be attended by a corporate officer, an LLC member or manager, or another individual who can speak for the entity that is the applicant. Additionally, the meeting shall be attended by any design professional or consultant who has prepared plans or drawings submitted with the application. The applicant shall be prepared to explain all of the details of the proposed development, and to answer questions from citizens.
4. Depending on the nature and complexity of the application, the City may designate a planner to attend the community meeting. Regardless of whether a planner attends, the City will provide the applicant with guidelines, procedures, materials and recommended topics for the applicant's use in conducting the community meeting.
5. On the date of the meeting, the applicant shall make records of attendance and shall also document that the meeting occurred through photographs, video, or other evidence satisfactory to the City. Records of attendance may include using the mailing list referred to in #1 as a sign-in sheet (requesting attendees to check off their name(s)) and may include a supplemental attendance sheet. The City will provide a format acceptable for use as the supplemental attendance sheet.

Applicant: Charles Hurt | Justin Shimp

By:

Signature Charles W. Hurt Print Charles W. Hurt Date 1/22/2018

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

Attachment A



City of Charlottesville

Personal Interest Statement

Project Name: Hogwaller Farm

I swear under oath before a notary public that:

A member of the City of Charlottesville Planning Commission (identified below), or their immediate family member, has a personal interest in the property or transaction that is the subject of this application.

Planning Commissioner(s): _____

Or

No member of the City of Charlottesville Planning Commission, or their immediate family member, has a personal interest in the property or transaction that is the subject of this application.

And

A member of the City of Charlottesville City Council (identified below), or their immediate family member, has a personal interest in the property or transaction that is the subject of this application.

City Councilor(s): _____

Or

No member of the City of Charlottesville Planning Commission, or their immediate family member, has a personal interest in the property or transaction that is the subject of this application.

Applicant: Charles Hurt / Justin Shimp

By:

Signature Charles W. Hurt Print Charles W. Hurt Date 1/22/2018

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

Commonwealth of Virginia

County Albemarle
City of Charlottesville

The foregoing instrument was subscribed and sworn before me this 23rd day of January, 2018 by Charles W. Hurt.

Notary Signature Shirley L. Fisher

Registration #: 100845 Expires 9/30/20

SHIRLEY L FISHER
NOTARY PUBLIC
REG. #100845
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES SEP. 30, 2020



City of Charlottesville

Disclosure of Equitable Ownership

Project Name: Hogwaller Farm

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

Name Justin Shimp Address 201 E. Main St. Suite M

Name Charles Hurt Address PO Box 8147, 22906

Name _____ Address _____

Name _____ Address _____

Attach additional sheets as needed.

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

Applicant: Charles Hurt / Justin Shimp

By:

Signature Charles W. Hurt Print Charles W. Hurt Date 1/22/2018

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

Attachment A



City of Charlottesville

Fee Schedule

Application Type	Quantity	Fee	Subtotal
Rezoning Application Fee	1	\$2000	\$ 2,000
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
TOTAL			

Office Use Only

Amount Received: _____ Date Paid _____ Received By: _____



**Hogwaller Farm
Rezoning & Special Use Permit Narrative
March 16, 2018**

Revised: September 6, 2018

RE: Rezoning and Special Use Permit Narrative, TMP 61-79 (portion), 61-79.16, 61-79.17, 61-79.18, 61-79.19, and 61-79.201

Shimp Engineering is applying for a rezoning in accordance with Sec. 34-41 of the Charlottesville Zoning Ordinance, to rezone TMP 61-79.17, 61-79.18, 61-79.19, 61-79.201, and a portion of 61-79 from R-2 (Residential) to HW (Highway Corridor). Contingent upon rezoning approval, Shimp Engineering is applying concurrently for a special use permit in accordance with Sec. 34-158, to allow for residential units in a HW district on the aforementioned parcels and TMP 61-79.16. The proposed 30 (thirty) multifamily units on the approximately .94 acre site will be part of an innovative urban farm development comprised of City and County parcels, where the residential structures will be built on City parcels adjacent to a County parcel (TMP 77-20) that is intended to be utilized for agricultural production. It is the intent for the City parcels to also accommodate a greenhouse and a retail shop for farm sales; both uses, greenhouse and retail, are allowed by-right in a HW district. The proposed development does not trigger affordable housing provisions per Sec. 34-12, however, the applicant wishes to provide two affordable units as a condition of approval for the requested special use permit.

Project Outline:

Parcels: 61-79 (portion), 61-79.16, 61-79.17, 61-79.18, 61-79.19, and 61-79.201

Current Zoning: HW: 61-79.16; R-2: 61-79 (portion), 61-79.17, 61-79.18, 61-79.19, and 61-79.201

Proposed Zoning: HW on all parcels

Existing Use: Vacant and Residential

Proposed Use: Residential with affordable units, greenhouse for agricultural production, farm stand for potential farm sales

Current Conditions:

TMP 61-79.201 has an existing single family dwelling and the remaining parcels are vacant. The parcels have a clearing towards the northwest boundaries fronting on Nassau St. and are lightly wooded towards the rear of the lots. A portion of TMP 61-79.16, 61-79.17, 61-79.18, and 61-79.19 are in the floodplain. Parcels 61-79.201 and 61-79 (portion) are entirely in the floodplain. There are a few steep slopes on the property and there are no critical slopes present on the property.

Proposed Use:

The development proposal for this property consists of two multi-family structures: one three story structure with 18 (eighteen) one-bedroom units and one three story structure with 12 (twelve) two-bedroom units, for a total of 30 (thirty) units. This multi-family housing development will be part of an innovative urban farm that will encompass both City and County parcels, where housing, including affordable units, will be provided on the City parcels and the County parcel will be dedicated to agricultural purposes. A greenhouse, allowed by right, in a Highway zoning district will be located on the City parcels. Additionally, a farm stand of approximately 600 square feet will be located on the city portion of the

Attachment B

development and will house future farm sales. The farm retail building will not exceed 4000 square feet, the maximum allowable square footage for retail use in a highway district. The development proposal includes proffered conditions for use and structure height in a HW zoning district.

Affordable Housing Data:

There are currently no supported affordable units on the property. No units are required to be designated as affordable in the proposed development, per Sec. 34-12 of the Charlottesville City Zoning Ordinance, however, the applicant wishes to provide two affordable units as a condition of special use permit approval. The affordable units will rent at a rate affordable to those making up to 80% of the area median income (AMI).

The GFA of the residential structures, as proposed, on the property does not exceed 25,000 square feet. Given the site is approximately .94 Ac (40,946 square feet), the FAR of the site is .6.

Surrounding Uses:

The immediate surrounding is entirely residential. R-2 parcels with single family dwellings are northeast of the development. R-1S parcels with single family dwellings are across Nassau St. opposite the proposed development. Parcels zoned HW are south of the development. Southwest of the development along Linden Ave there are existing multi-family structures and townhomes.

Consistency with Comprehensive Plan:

The first goal of the Land Use Chapter of the Comprehensive Plan states, “enhance the sense of place throughout Charlottesville.” A unique development like Hogwaller Farm will inherently foster a sense of place by tying into the agricultural heritage of the area along Moore’s creek as the site of the livestock exchange and by serving as a unique residential model in Charlottesville. The second goal of the land use chapter is to, “establish a mix of uses within walking distance of residential neighborhoods that will enhance opportunities for small group interaction throughout Charlottesville.” The communal spaces within the residential development will facilitate resident interaction as well as allow for interaction between and among farm visitors. Goal 3 of the Housing Chapter is to, “grow the City’s housing stock for residents of all income levels.” Hogwaller Farm aligns with this goal because the proposed development offers a variety of housing options, in the form of one and two bedroom units in two multi-family structures. These units will be more affordable than the existing predominant housing stock in Belmont, the single family dwelling. The residential units proposed at Hogwaller Farm will directly contribute to achieving the City’s goal of “15% supported affordable housing by 2025,” by providing two affordable units.

Compliance with USBC Provisions

The proposed development will be in compliance with all applicable USBC provisions.

Impacts on Public Facilities and Public Infrastructure:

The project will have a minimal environmental footprint, and seeks to mitigate any ill effects. Stormwater runoff will largely be mitigated on the site of the development (city and county parcels) through an undisturbed riparian buffer and proposed tree plantings.

Attachment C

Original Proffers _____
Amendment _____

PROFFER STATEMENT

Rezoning: Hogwaller Farm
Tax Map and Parcel Number: 61-79 (portion), 61-79.17, 61-79.18, 61-79.19, and 61-79.201
Owner: Franklin St. Land Trust II; Charles Wm Hurt & Shirley L Fisher, Trustees
PO Box 8147
Charlottesville, VA 22906

Franklin St. Land Trust III; Justin M. Shimp, Trustee
PO Box 8147
Charlottesville, VA 22906

Virginia Land Trust; Charles W Hurt, Et al, Trustees
PO Box 8147
Charlottesville, VA 22906

Date of Proffer Signature:
Subject properties to be rezoned from R-2 to HW

Franklin St. Land Trust II is the owner of Tax Map Parcel 610079000 (the “Land Trust II Property”). Franklin St. Land Trust III, is the owner of Tax Map and Parcel Number 610079170, 610079180, 610079190 (the “Land Trust III Property”). Virginia Land Trust is the owner of Tax Map and Parcel Number 610079201 (together with the Land Trust II Property and the Land Trust III Property, the “Property”). The Property is the subject of rezoning application ZM18-00001, a project known as “Hogwaller Farm.”

Pursuant to Division 4 of the City of Charlottesville Zoning Ordinance (Chapter 34 of the City of Charlottesville Code), the Owners hereby voluntarily proffer the conditions listed below which shall be applied to the Property if it is rezoned to the requested zoning district, highway commercial (HC). These conditions are proffered as a part of the requested rezoning and the Owners acknowledge that the conditions are reasonable. Each signatory below signing on behalf of the Owners covenant and warrant that it is an authorized signatory of the Owners for this Proffer Statement

- FUTURE USES:** The use of the Property shall be restricted to the following by right uses pursuant to Section 34-796 of the City of Charlottesville Zoning Ordinance, Codified through March 5, 2018, a copy of which is incorporated herein, inclusive of modifications as shown in strikethrough typeface:

Attachment C

Bed-and-breakfasts:														
Homestay	B	B	B	B	B	B	B	B	B	B	B	B	B	B
B & B	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Inn	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Boarding: fraternity and sorority house													S	
Boarding house (rooming house)													S	
Convent/monastery	B	B	B	B	B	B	B	S	B	B	B	B	B	B
Criminal justice facility						B								
Dwellings:														
Multifamily	M	B	B	M	M	B	B	M	B	M	B	M	M	B
Single-family attached		B	B	B	B	B	B	B					B	B
Single-family detached		B	B	B	B	B	B	B					B	B
Townhouse		S	S			B								
Two-family						B								
Family day home														
1—5 children		B	B	B	B	B	B	B					B	B
6—12 children														
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Manufactured home parks														
Night watchman's dwelling unit, accessory to industrial use														

Attachment C

Nursing homes						B	S	S	S					
Occupancy, residential														
3 unrelated persons														
4 unrelated persons	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Residential treatment facility														
1—8 residents	B	B	B	B	B	B	B	B	B	B	B	B	B	B
8+ residents	S	S	S	S	S		S	S	S	S	S	S	S	S
Shelter care facility	S	S	S	S	S		S	S	S	S	S	S	S	S
Single room occupancy facility	S	S	S	S	S	S	S			S	S	S	S	S
Temporary family health care structure		T	T	T	T	T	T	T					T	T
NON-RESIDENTIAL: GENERAL AND MISC. COMMERCIAL														
Access to adjacent multifamily, commercial, industrial or mixed-use development or use														
Accessory buildings, structures and uses	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Amusement center	S	S	S	S	S				B	S	S	S	S	
Amusement enterprises (circuses, carnivals, etc.)														
Amusement park (putt-putt golf; skateboard parks, etc.)														

Attachment C

Animal boarding/grooming/kennels:														
With outside runs or pens														
Without outside runs or pens		B				S			S					
Animal shelter														
Art gallery:														
GFA 4,000 SF or less	B	B	B	B	B	B	B	B	B	B	B	B	B	B
GFA up to 10,000 SF	B	B	S	B	B		S			B	S	B	B	S
Art studio, GFA 4,000 SF or less	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Art workshop	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Assembly (indoor)														
Arena, stadium (enclosed)														
Auditoriums, theaters														
Maximum capacity less than 300 persons	B	B	S	B	B	S	S		B	B			S	S
Maximum capacity greater than or equal to 300 persons	S	S		S	S					S				
Houses of worship	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Assembly (outdoor)														
Amphitheater	B	S	S	S	S		S		S	B	S	B	S	S
Arena, stadium (open)														
Temporary (outdoor church services, etc.)	T	T	T	T	T	T	T	T	T	T	T	T	T	T

Attachment C

Assembly plant, handcraft		S												
Assembly plant														
Automobile uses:														
Auto parts and equipment sales		B		B	B				B		S			B
Gas station		S					S		B		S			
Rental/leasing									B		S			
Repair/servicing business		S					B	S	B		S			
Sales							S		B					S
Tire sales and recapping							B		B		B			
Bakery, wholesale														
GFA 4,000 SF or less	B	B	B	B	B	B	B	B	B	B	B	B	B	B
GFA up to 10,000 SF														
Banks/financial institutions	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Bowling alleys								S	S					
Car wash									S		S			
Catering business	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Cemetery														
Clinics:														
Health clinic (no GFA limit)									S					
Health clinic (up to 10,000 SF, GFA)	S	B	S	B	B	S	B		B	S	B	S	B	B
Health clinic (up to 4,000 SF, GFA)	B	B	B	B	B	B	B	B	B	B	B	B	B	B

Attachment C

Public health clinic	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Veterinary (with outside pens/runs)									S					
Veterinary (without outside pens/runs)							S		S					S
Clubs, private	S	S	S	S	S	S			B	S	B	S	S	B
Communications facilities:														
Attached facilities utilizing utility poles as the attachment structure	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Attached facilities not visible from any adjacent street or property	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Attached facilities visible from an adjacent street or property														
Carrier on wheels (COW)														
Towers														
Monopole tower														
Guyed tower														
Lattice tower														
Self-supporting tower														
Contractor or tradesman's shop, general														
Crematorium (independent of funeral home)														
Data center >4,000	B	B	S	S	S	B	S		B	B	B	B		S

Attachment C

4,000	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Daycare facility	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Dry cleaning establishments	B	B		B	B				B	B	B	B	B	B
Educational facilities (non-residential)														
Elementary	B	B	B	B	B	B	B	B	B	B	B	B	B	B
High schools	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Colleges and universities						B								
Artistic instruction, up to 4,000 SF, GFA	B	B	B	B	B	B	B	S	S	B	B	B	B	B
Artistic instruction, up to 10,000 SF, GFA	S	B		B	B	B				S		S		S
Vocational, up to 4,000 SF, GFA						B								
Vocational, up to 10,000 SF, GFA						B								
Electronic gaming café									S					
Funeral home (without crematory)														
GFA 4,000 SF or less		B	B	B	B	B	B				B			B
GFA up to 10,000 SF		B	S	S	S		S				S			
Funeral homes (with crematory)														
GFA 4,000 SF or less		B					B							
GFA up to 10,000 SF		B												
Golf course														

Attachment C

Golf driving range														
Helipad														
Hospital		S	S	S	S	B							S	
Hotels/motels:														
Up to 100 guest rooms	B	B		B	B	B	B		B	B	B	B	B	B
100+ guest rooms	B	B		B	B		B		B	B	B	B	S	S
Laundromats		B				B			B					
Libraries	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Manufactured home sales														
Micro-producers	B	B	B	B	B		B		B	B	B	B	B	B
Small Breweries		S							S		S			S
Mobile food units	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Movie theaters, cineplexes	S	S	S	S	S	B	S		B	S	S	S	S	S
Municipal/governmental offices, buildings, courts	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Museums:														
Up to 4,000 SF, GFA	B	B	B	B	B	B	B	S	S	B	B	B	B	B
Up to 10,000 SF, GFA	S	B	S	B	B	B	B			S	B	S	S	B
Music hall	B	P		B	B				B	B	B	S	B	P
Offices:														
Business and professional	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Medical	B	B	B	B	B	B	B	B	B	B	B	B	B	B

Attachment C

Philanthropic institutions/agencies	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Property management (ancillary to MFD)	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Other offices (non-specified)	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Outdoor storage, accessory		S					S		B		S			
Parking:														
Parking garage	B	B	A/S	A/S	A/S	A/S	A/S		A/S	B	A/S	B	A/S	A/S
Surface parking lot (19 or less spaces)	B	B	B	B	B	B	B		B	B	B	A	B	A
Surface parking lot (more than 20 spaces)	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Temporary parking facilities														
Photography studio	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Photographic processing; blueprinting	B	B								B		B		
Radio/television broadcast stations	B	B	B	B	B	B	B			B	B	B	B	B
Recreational facilities:														
Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios; skating rinks; recreation centers, etc. (on City-owned, City School Board-owned, or other public property)	B	B	B	B	B	B	B	B	B	B	B	B	B	B

Attachment C

Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on private property)														
GFA 4,000 SF or less	B	B	B	B	B	B	B	B	B	B	B	B	B	B
GFA (4,001—10,000 SF)	B	B	S	B	B	S	B			B	B	B	S	S
GFA more than 10,000 SF	B	B	S	B	B		S			B	S	B	S	S
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (city-owned), and related concession stands	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (private)	S	S	S	S	S	B	S	S	S	S	S	S	S	S
Restaurants:														
All night	S	S		S	S		S			S	S	S	S	S
Drive-through windows						S	S				S			S
Fast food	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Full service	B	B	B	B	B	B	B	B	B	B	B	B	B	B
24-hour														
Towing service, automobile														
Technology-based businesses	B	B	B	B	B	B	B	B	B	B	B	B	B	B

Attachment C

Taxi stand		B		S	S	B	S		B		B		S	B
Transit facility	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Utility facilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Utility lines	B	B	B	B	B	B	B	B	B	B	B	B	B	B
NON-RESIDENTIAL USES: RETAIL														
Accessory buildings, structures and uses	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Consumer service businesses:														
Up to 4,000 SF, GFA	B	B	B	B	B	B	B	B	B	B	B	B	B	B
Up to 10,000 SF, GFA	B	B	B	B	B	S	S	S	S	B	B	B	B	S
10,001+ GFA		B	S	S	S			B	S		B		S	
Farmer's market	S	S	S	S	S		S	S	S	S	S	S	S	
Greenhouses/nurseries		S				B			B		S			
Grocery stores:														
Convenience	B	B	B	B	B	B	B	B	B	B	B	B	B	B
General, up to 10,000 SF, GFA	S	B	S	B	B	S	B	S	B	S	B	S	S	B
General, more than 10,000 SF, GFA	S	B	S	B	B		S		B	S	B	S	S	S
Home improvement center		S				S			B					
Pharmacies:														
1-1,700 SF, GFA	B	B	B	B	B	B	B	B	B	B	B	B	B	B
1,701-4,000 SF, GFA	B	B	S	B	B	S	S		B	B	B	B	B	B

Attachment C

4,001+ SF, GFA	B	B	S	B	B	S	S		B	B	B	B	B	S
Shopping centers	S	S	S	S	S	S	S		B	S	S	S	S	S
Shopping malls	S	S	S	S	S		S		S	S	S	S	S	S
Temporary sales, outdoor (flea markets, craft fairs, promotional sales, etc.)		T							T		T			T
Other retail stores (non- specified):														
Up to 4,000 SF, GFA	B	B	B	B	B	B	B	B	B	B	B	B	B	B
4,001 SF to 20,000 SF GFA	S	B	S	B	B	S	S		B	S	B	S	S	S
More than 20,000 SF, GFA	S	B		S	S				B	S	B	S		S
NON-RESIDENTIAL: INDUSTRIAL														
Accessory buildings, structures and uses														
Assembly, industrial														
Beverage or food processing, packaging and bottling plants														
Brewery and bottling facility														
Compounding of cosmetics, toiletries, drugs and pharmaceutical products														
Construction storage yard														
Contractor or tradesman shop (HAZMAT)														
Frozen food lockers														

Attachment C

Greenhouse/nursery (wholesale)														
Industrial equipment: service and repair														
Janitorial service company														
Kennels														
Laboratory, medical >4,000 sq. ft.	S	B	S	B	B	B				S		S	B	S
<4,000 sq. ft.	B	B	B	B	B	B	B	B	B	B	B	B	B	
Laboratory, pharmaceutical >4,000 sq. ft.	S	S		S	S	S				S		S	S	
<4,000 sq. ft.	B	B	B	B	B	B	B	B	B	B	B	B	B	
Landscape service company														
Laundries														
Manufactured home sales														
Manufacturing, light														
Moving companies														
Printing/publishing facility	S	B	S	S	S					S	S	S	S	S
Open storage yard														
Outdoor storage, accessory to industrial use														
Research and testing laboratories		B		B	B	B							B	S
Self-storage companies														
Warehouses														

Attachment C

Welding or machine shop														
Wholesale establishments														

(6-6-05(2); 6-19-06; 5-19-08(4); 9-2-08(2); Ord. of 9-15-08(1); 11-17-08(1); 11-17-08(2); 3-16-09(3); 7-20-09(2); 11-16-09; 2-16-10; 7-19-10; 10-4-10(2); 12-20-10(1); 1-18-11; 4-18-11(2); 6-20-11(2); 12-17-12(2); 5-6-13(2); 12-21-15(2); 3-21-16, § 5; 9-6-16, § 1)

Attachment C

2. **STRUCTURES:** Any structure(s) located on the Property shall not exceed thirty-five (35) feet in height, where height is the vertical distance measured perpendicularly from grade from the highest point on such building or structure, per Section 34-1100.
3. **AFFORDABLE HOUSING:** Contingent upon approval of residential density on site, the Owners shall provide on-site for rent Affordable Dwelling Units (as defined herein) equal to 15% (fifteen percent) of the Floor Area Ratio (“FAR”) of the residential square footage of the project, given the project does not exceed 1.0 Floor Area Ratio (“FAR”). If the project exceeds 1.0 FAR, the number of affordable units provided shall be determined by Section 34-12 of the City of Charlottesville Zoning Ordinance, Codified through March 5, 2018.

FOR-RENT AFFORDABLE HOUSING: For-rent affordable units shall rent at a rate making the units affordable to households with incomes at not more than 80% of the area median income for a period of not more than 15 (fifteen) years.

Attachment C

OWNERS:

Franklin St. Land Trust II
(to be signed upon final submission of proffer statement)

By: Charles Wm Hurt
Title: Trustee
Tax Map and Parcel Number: 610079000

Franklin St. Land Trust III
(to be signed upon final submission of proffer statement)

By: Justin M. Shimp
Title: Trustee
Tax Map and Parcel Number: 610079170, 610079180, 610079190

Virginia Land Trust II
(to be signed upon final submission of proffer statement)

By: Charles Wm Hurt
Title: Trustee
Tax Map and Parcel Number: 610079201

Attachment C

The undersigned Owner hereby proffers that the use and development of the Property shall be in conformance with the proffers and conditions herein above. This document shall supersede all other agreements, proffers or conditions that may be found to be in conflict. The Owner agrees that all proffers shall be binding to the property, which means the proffers shall be transferred to all future property successors of the land.

WITNESS the following signature:

Franklin St. Land Trust II

By:_____

Franklin St. Land Trust III

By:_____

Virginia Land Trust

By:_____

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____, to wit:

The foregoing instrument was acknowledged before me this ____ day of _____ 2018
by Dr. Charles Wm Hurt, Trustee of Franklin St. Land Trust II.

My Commission expires: _____

Notary Public

Attachment E

CITY OF CHARLOTTESVILLE “A World Class City”

Neighborhood Development Services
610 East Market Street
Charlottesville, VA 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.org



April 18, 2018

Albemarle County Planning Commission

Community Development
401 McIntire Road
North Wing
Charlottesville, VA 22902

RE: PROJECT: ZMA201700007 Hogwaller Farm

Dear Commissioners,

On April 10, 2018 the City of Charlottesville's Planning Commission held a Public Hearing for the above development project, as it relates to properties located within the City. As you are aware, the proposed development would cover properties in both the City and County and would impact both communities. As presented to the City's Planning Commission, the portion of the development within the Charlottesville would contain thirty (30) apartment units, a large greenhouse, and small retail store ("farm store"). The portion of the development in Albemarle would include farm sheds, agricultural fields, and a tree farm. It became apparent during the Public Hearing that the applicant could not proceed with the City side of the development should he not receive his rezoning request from the County. For this reason, the applicant has deferred action on the City applications for a rezoning and a SUP until after the County makes a decision related to project ZMA201700007.

During the meeting on April 10th, the following concerns were raised that the City's Planning Commission respectively asks the County to take into consideration during your deliberation for this project:

- Both the City and County portion of the development will only be accessible by way of City streets. Increased traffic and the introduction of larger vehicles (large trucks and equipment for farming and tree transplanting) are a concern.
- The City would like to see access for all residents to Moores Creek and Rives Parks. The opportunity for public access easements and new trails needs consideration with this application. The Bicycle and Pedestrian Plan calls for a Shared Use Path along Moores Creek at this location.
- The housing component of the development is very important to the City. Unintended consequences of rezoning the City portion of the development could lead to the loss of future housing stock that the current R-2 zoning allows. A rezoning on the City side to Highway Corridor currently requires a Special Use Permit for any density. Of concern is any future development that utilizes by-right commercial or retail uses without a housing component.

The City's Planning Commission is intrigued by the idea of an Urban Farm that has a residential component and contributes to the surrounding community by providing local products and a live work environment. It is also apparent, through information gained at the April 10th meeting, this development hinges on the outcome of the County's rezoning process. It would be premature for the City to act upon

Attachment E

the applicant's request for a rezoning and SUP before the County's portion of the development is resolved. Thank you for taking the time to hear our thoughts and concerns as you prepare to make a recommendation on this project.

Sincerely,
The City of Charlottesville Planning Commission

Lisa Green — Chair
Taneia Dowell
Genevieve Keller
Kurt Keesecker
Jody Lahendro
John Santoski
Lyle Solla-Yates

Attachment F

ORDINANCE NO. 18-A(5) ZMA 2017-07 HOGWALLER FARM

AN ORDINANCE TO REZONE 7.52 ACRES FROM LI LIGHT INDUSTRIAL TO RA RURAL AREAS FOR TAX MAP PARCEL NUMBER 07700-00-00-02000

WHEREAS, the application to rezone 7.52 acres from LI Light Industrial to RA Rural Areas for Tax Map Parcel Number 07700-00-00-020000 is identified as ZMA 2017-00007 Hogwaller Farm (“ZMA 2017-07”); and

WHEREAS, staff recommended denial of ZMA 2017-07 for reasons set forth in the May 1, 2018 Planning Commission staff report; and

WHEREAS, the Planning Commission held a duly noticed public hearing on ZMA 2017-07 on May 1, 2018 and recommended denial; and

WHEREAS, subsequent to the Planning Commission meeting, the applicant submitted a revised conceptual plan and revised proffers, which staff believes address the issues of concern raised by staff and the Planning Commission; and

WHEREAS, on August 1 and September 12, 2018, the Albemarle County Board of Supervisors held duly noticed public hearings on ZMA 2017-07.

BE IT ORDAINED by the Board of Supervisors of the County of Albemarle, Virginia, that upon consideration of the staff report prepared for ZMA 2017-07 and its attachments, including the proffers dated August 20, 2018, which include the use restrictions and the establishment and maintenance of a riparian buffer as recommended by staff, as well as the establishment of a maximum aggregate limit of 600 square feet for any structure(s) within the Floor Hazard Overlay District as requested by the Board on August 1, and the rezoning application plan entitled “TMP 07700-00-00-02000: Hogwaller Farm, ZMA Application: 2017-00007”, prepared by Shimp Engineering, P.C., dated January 16, 2018 and last revised on June 27, 2018 (the “conceptual plan”), the information presented at the public hearing, the material and relevant factors in Virginia Code § 15.2-2284, the intent of the RA Rural Areas zoning district stated in County Code § 18-10.1, and for the purposes of public necessity, convenience, general welfare, and good zoning practices, the Board hereby approves ZMA 2017-07 with the proffers dated August 20, 2018 and the conceptual plan dated January 16, 2018 and last revised on June 27, 2018.

* * *

I, Claudette K. Borgersen, do hereby certify that the foregoing writing is a true, correct copy of an Ordinance duly adopted by the Board of Supervisors of Albemarle County, Virginia, by a vote of _____ to _____, as recorded below, at a regular meeting held on _____.

Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Mr. Dill	_____	_____
Mr. Gallaway	_____	_____
Ms. Mallek	_____	_____
Ms. McKeel	_____	_____
Ms. Palmer	_____	_____
Mr. Randolph	_____	_____

Attachment G

Original Proffers X
Amendment

PROFFER STATEMENT

ZMA Number: 2017-00007

Tax Map and Parcel Number: 07700-00-00-02000

Owner: Franklin St. Land Trust II; Charles Wm Hurt & Shirley L Fisher,
Trustees
PO Box 8147
Charlottesville, VA 22906

Date of Proffer Signature:

7.52 Acres to be rezoned from LI to RA

Franklin St. Land Trust II, is the owner (the "Owner") of Tax Map and Parcel Number 07700-00-00-02000 (the "Property") which is the subject of rezoning application ZMA No. 2017-00007, a project known as "Hogwaller Farm" (the "Project").

Pursuant to Section 33 of the Albemarle County Zoning Ordinance (Chapter 18 of the Albemarle County Code), the Owner hereby voluntarily proffers the conditions listed below which shall be applied to the Property if it is rezoned to the requested zoning district, rural areas (RA). These conditions are proffered as a part of the requested rezoning and the Owner acknowledges that the conditions are reasonable. Each signatory below signing on behalf of the Owner covenants and warrants that it is an authorized signatory of the Owner for this Proffer Statement.

1. **SITE DEVELOPMENT:** The property will be developed in general accord with the conceptual plan titled "TMP 07700-00-00-02000: Hogwaller Farm" dated 01-16-2018 and last revised 06-27-18, as determined by the Zoning Administrator. The property will be developed to feature the major elements shown on the conceptual plan, which includes an undisturbed riparian buffer and riparian buffer signage. The conceptual plan is attached herein as Attachment A.
2. **RIPARIAN BUFFER:** An undisturbed riparian buffer area ("riparian buffer") managed in accordance with the Albemarle County stream buffer protection regulations (County Code § 17-600, et seq.) will be established and maintained for perpetuity, provided that the area within the riparian buffer shall not be eligible for the "silvicultural activities" exemption that is otherwise provided by County Code § 17-602(c) . The riparian buffer will extend to 100' from the top of bank of Moore's Creek or to the limits of the

Attachment G

floodway, whichever is greater. A copy of County Code § 17-601 is attached herein as Attachment B for reference purposes.

3. **RIPARIAN BUFFER AREA DESIGNATION:** Signage denoting the extent of the riparian buffer along the property shall be installed by the property owner prior to the commencement of uses/activities listed in Proffer #4 “Agricultural Uses.” Signage shall be maintained as long as the property is in operation with uses/activities stated in Proffer #4. Signage will be maintained by the property owner at the time the signage is in need of repair. The size, type of material(s), content, number, and locations of the signs shall be approved by the Zoning Administrator and County Engineer.
4. **FUTURE USES:** Agricultural Uses: The use of the property shall be restricted to the following by right uses pursuant to Section 10.2.1(3), (6), (7), (9), (21), (27), and (30) of the Albemarle County Zoning Ordinance, as in effect on August 1, 2018, a copy of which is attached hereto and incorporated herein as Attachment C, inclusive of modifications as shown in underline or strikethrough typeface:
 - 3. Agriculture, forestry, and fishery uses, excluding livestock activity involving swine or cows, and excluding agriculture, forestry, or fishery uses within the designated “riparian buffer” area.
 - 6. Water, sewer, energy, communications distribution facilities (reference 6.1.12)
 - 7. Accessory uses and building including ~~major home occupations (reference 5.2A), minor home occupations (reference 5.2A), and~~ storage buildings.
 - 9. Public uses (reference 5.1.12)
 - 21. Stormwater management facilities shown on an approved final site plan or subdivision plat.
 - 27. Farm stands (reference 5.1.47).
 - 30. Events and activities at agricultural operations authorized by right under section 5.1.58(d).

Additionally, the property may also be used for the following special uses pursuant to Section 10.2.2 of the Zoning Ordinance, as in effect on August 1, 2018, a copy of which is attached hereto and incorporated herein as Attachment C, subject to the applicable requirements of the Zoning Ordinance, provided that a special use permit is approved:

- 39. Hydroelectric power generation (reference 5.1.26).
5. **STRUCTURES:** Any structure(s) within the Flood Hazard Overlay District shall:
 - (a) not exceed six hundred (600) square feet of aggregate improved space, and
 - (b) be subject to both
 - (i) the applicable Required Permits and Certifications Prerequisite to Development, pursuant to Section 30.3.12 of the Albemarle County Zoning Ordinance (in effect on August 1, 2018), and
 - (ii) the applicable Construction Standards, pursuant to Section 30.3.15 of the Albemarle County Zoning Ordinance (in effect on August 1, 2018).

Attachment G

OWNER:

Franklin St. Land Trust II

(to be signed upon final submission of proffer statement)

By: Charles Wm Hurt

Title: Trustee



Tax Map and Parcel Number: 07700-00-00-02000

Attachment G

The undersigned Owner hereby proffers that the use and development of the Property shall be in conformance with the proffers and conditions herein above. This document shall supersede all other agreements, proffers or conditions that may be found to be in conflict. The Owner agrees that all proffers shall be binding to the property, which means the proffers shall be transferred to all future property successors of the land.

WITNESS the following signature:

Franklin St. Land Trust II

By:

Charles Wm Hurt

COMMONWEALTH OF VIRGINIA

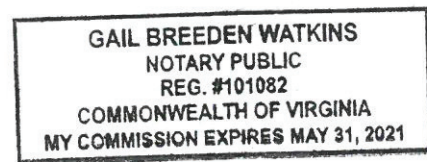
CITY/COUNTY OF Mbemarle, to wit:

The foregoing instrument was acknowledged before me this 20th day of August 2018 by Dr. Charles Wm Hurt, Trustee of Franklin St. Land Trust II.

My Commission expires: May 31, 2021

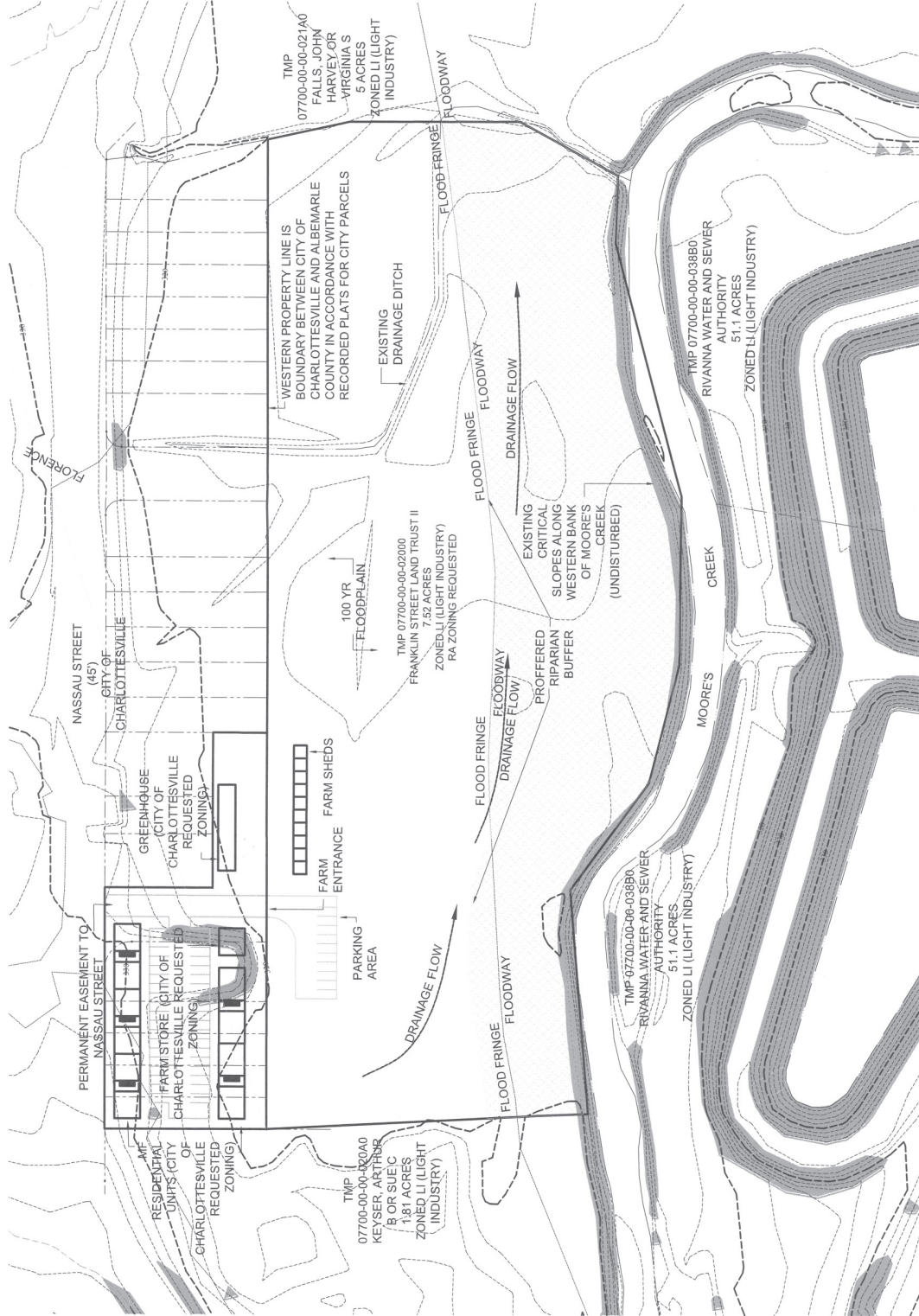
Gail B Watkins

Notary Public



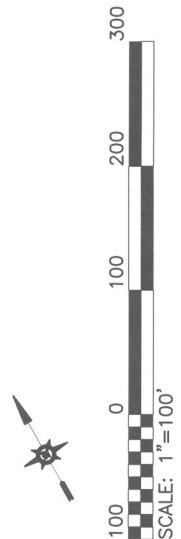
NOTES:

1. TOPOGRAPHIC INFORMATION PROVIDED BY ALBEMARLE COUNTY GIS DATA, CHARLOTTESVILLE CITY GIS DATA, AND ADDITIONAL FIELD SURVEY PROVIDED BY ROGER RAY AND ASSOCIATES.
2. THE PROPOSED STRUCTURES WITH THIS REZONING ARE ACCESSORY TO THE AGRICULTURAL USE, ARE LOCATED OUTSIDE OF THE FLOODWAY, AND ARE NOT RESIDENTIAL. ANY FENCING PROVIDED FOR THE FARM USE WILL BE DESIGNED SO AS NOT TO IMPEDE THE FLOW OF THE 100-YEAR FLOOD. SECURITY FENCING, SUCH AS CHAIN LINK, WILL NOT BE PROVIDED FOR THE SITE.
3. PARKING AREA SHOWN IS FOR TEMPORARY VEHICLE PARKING FOR FARM VISITORS AND EMPLOYEES.
4. RIPARIAN BUFFER SHOWN IS 100' FROM TOP OF BANK OR EDGE OF FLOODWAY, WHICHEVER IS GREATER, PER PROFFER STATEMENT



Attachment G

TMP 07700-00-00-02000: Hogwaller Farm
 ZMA Application: 2017-00007
 Conceptual Plan
 01-16-2018
 last revised:
 06-27-2018



SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
 891 E MAIN ST, STE. W
 CHARLOTTESVILLE, VA. 22902 JUSTIN@SHIMP-ENGINEERING.COM

Attachment G

ATTACHMENT B

Sec. 17-601 Management of stream buffer.

Each stream buffer required to be retained or established pursuant to section 17-600 shall be managed as provided herein:

- A. Target vegetative cover. The preferred vegetative cover in a stream buffer shall be a native riparian forest with ground cover, shrub, and tree canopy layers.
- B. Preservation of native vegetation. When evaluating a development design under subsection (C), when native vegetation may be disturbed or removed under subsection (D) and sections 17-603 and 17-604, and when stream buffers are maintained under subsection (E), native vegetation shall be preserved to the fullest extent possible.
- C. Incorporation into development design. Each stream buffer shall be incorporated into the design of the development by keeping stream buffers in open or natural spaces, and out of residential lots or areas of active use, to the fullest extent possible.
- D. Retaining native vegetation; disturbance or removal. In order to maintain the runoff, erosion, nonpoint source pollution control, stream temperature, and ecological values of the stream buffer, no native vegetation within the stream buffer shall be disturbed or removed, regardless of the size of the area affected, except to maintain the stream buffer as provided in subsection (E), provided that native vegetation may be removed to construct, install, operate or maintain any improvement, or engage in any activity, authorized by sections 17-603 and 17-604.
- E. Maintaining the stream buffer. Each stream buffer shall be maintained in as natural a condition as possible.

(§ 19.3-42, 2-11-98, § 19.2-8, 6-19-91, § 8; Code 1988, §§ 19.2-8, 19.3-42; § 17-318, Ord. 98-A(1), 8-5-98; § 17-601, Ord. 14-17(1), 5-7-14, effective 7-1-14)

State law reference – Va. Code § 62.1-44.15:73; 9VAC25-890-40.

CHAPTER 18. ZONING

SECTION 10. RURAL AREAS DISTRICT, RA

Sections:

- 10.1 Intent, where permitted.**
- 10.2 Permitted uses.**
- 10.2.1 By right.**
- 10.2.2 By special use permit.**
- 10.3 Application of regulations for development by right.**
- 10.3.1 Conventional development.**
- 10.3.3 Rural preservation development.**
- 10.3.3.1 Definitions.**
- 10.3.3.2 Intent; design standards.**
- 10.3.3.3 Special provisions.**
- 10.4 Area and bulk regulations.**
- 10.5.2 Where permitted by special use permit.**
- 10.5.2.2 Materials to be submitted by the applicant.**

Sec. 10.1 Intent, where permitted.

This district (hereafter referred to as RA) is hereby created and may hereafter be established by amendment of the zoning map for the following purposes:

- Preservation of agricultural and forestal lands and activities;
- Water supply protection;
- Limited service delivery to the rural areas; and
- Conservation of natural, scenic, and historic resources.

Residential development not related to bona fide agricultural/forestal use shall be encouraged to locate in the urban area, communities and villages as designated in the comprehensive plan where services and utilities are available and where such development will not conflict with the agricultural/forestal or other rural objective. Where development does occur, rural residents should expect to receive a lower level of service delivery than will be provided to residential developments in designated growth areas. In relation to residential development, agricultural/forestal activities shall be regulated only to the extent necessary to protect public health and safety.

In regard to agricultural preservation, this district is intended to preserve the county's active farms and best agricultural and forestal lands by providing lot areas designed to insure the continued availability of such lands for preferential land use tax assessment in order to enhance the economy, and maintain employment and lifestyle opportunities. In addition, the continuation and establishment of agriculture and agriculturally-related uses will be encouraged, and landowners will be encouraged to employ Virginia State Water Control Board best management practices.

(§ 20-10.1, 12-10-80, 11-8-89; § 18-10.1, Ord. 98-A(1), 8-5-98; Ord. 01-18(6), 10-3-01)

It is intended that permitted development be restricted to land which is of marginal utility for agricultural/forestal purposes, provided that such development be carried out in a manner which is

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ALBEMARLE COUNTY CODE

compatible with other purposes of this district. Roadside strip development is to be discouraged through the various design requirements contained herein.

Sec. 10.2 Permitted uses.

Sec. 10.2.1 By right.

The following uses shall be permitted by right in the RA district, subject to the applicable requirements of this chapter:

1. Detached single-family dwellings, including guest cottages and rental of the same; provided that yard, area and other requirements of section 10.4, conventional development by right, shall be met for each such use whether or not such use is on an individual lot subject to section 10.3.
2. Side-by-side duplexes subject to the provisions of section 10.4; provided that density is maintained and provided that buildings are located so that each unit could be provided with a lot meeting all other requirements for detached single-family dwellings except for side yards at the common wall. Other two-family dwellings shall be permitted provided density is maintained.
3. Agriculture, forestry, and fishery uses except as otherwise expressly provided.
4. Game preserves, wildlife sanctuaries and fishery uses.
5. (Repealed 5-5-10)
6. Water, sewer, energy, communications distribution facilities (reference 5.1.12).
7. Accessory uses and buildings including major home occupations (reference 5.2A), minor home occupations (reference 5.2A), and storage buildings.
8. Temporary construction uses (reference 5.1.18).
9. Public uses (reference 5.1.12).
10. Temporary sawmill (reference 5.1.15 and subject to performance standards in 4.14).
11. Veterinary services - off-site treatment only.
12. Agricultural service occupation (subject to performance standards in 4.14).
13. Divisions of land in accordance with section 10.3.
14. Bed and breakfast (reference 5.1.48).
15. Manufactured homes, individual, qualifying under the following requirements (reference 5.6):
 - a. A property owner residing on the premises in a permanent home wishes to place a manufactured home on such property in order to maintain a full-time agricultural employee.
 - b. Due to the destruction of a permanent home an emergency exists. A permit can be issued in this event not to exceed twelve (12) months. The Zoning Administrator shall be authorized to issue permits in accordance with the intent of this ordinance and shall be authorized to require or seek any information which he may determine necessary in making a determination of cases "a" and "b" of the aforementioned uses.
16. Temporary manufactured home in accordance with section 5.7.

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ALBEMARLE COUNTY CODE

17. Farm winery uses, events, and activities authorized by section 5.1.25(a),(b), and (c)(2).
18. Borrow area, borrow pit, not exceeding an aggregate volume of fifty thousand (50,000) cubic yards including all borrow pits and borrow areas on any one parcel of record on the adoption date of this provision (reference 5.1.28).
19. Manufactured homes on individual lots (reference 5.6).
20. Commercial stable (reference 5.1.03).
21. Stormwater management facilities shown on an approved final site plan or subdivision plat.
22. Tier I and Tier II personal wireless service facilities (reference 5.1.40).
23. Farm worker housing, Class A (up to ten occupants and up to two sleeping structures) (reference 5.1.44).
24. County store, Class A (reference 5.1.45).
25. Small wind turbines (reference 5.1.46).
26. (Repealed 11-12-14)
27. Farm stands (reference 5.1.47).
28. Family day homes (reference 5.1.56).
29. Farm brewery uses, events, and activities authorized by section 5.1.57(a), (b), and (c)(2).
30. Events and activities at agricultural operations authorized by right under section 5.1.58(d).
31. Farm distillery uses, events, and activities authorized by section 5.1.59(a), (b), and (c)(2).
32. Group home (reference 5.1.07).

(§ 20-10.2.1, 12-10-80; 12-16-81; 7-6-83; 11-1-89; 11-8-89; 11-11-92; 5-12-93; Ord. 95-20(5), 11-15-95; § 18-10.2.1, Ord. 98-A(1), 8-5-98; Ord. 02-18(6), 10-9-02; Ord 04-18(2), 10-13-04; Ord. 06-18(2), 12-13-06; Ord. 08-18(7), 11-12-08; Ord. 09-18(11), 12-10-09; Ord. 10-18(3), 5-5-10; Ord. 10-18(4), 5-5-10; Ord. 11-18(1), 1-12-11; Ord. 12-18(3), 6-6-12; Ord. 13-18(5), 9-11-13; Ord. 14-18(4), 11-12-14; Ord. 15-18(10), 12-9-15; Ord. 17-18(1), 1-18-17; Ord. 17-18(4), 8-9-17; Ord. 18-18(1), 1-10-18)

Sec. 10.2.2 By special use permit.

The following uses shall be permitted by special use permit in the RA district, subject to the applicable requirements of this chapter:

1. Community center (reference 5.1.04).
2. Clubs and lodges (reference 5.1.02).
3. Fire and rescue squad stations (volunteer) (reference 5.1.09).
4. Swim, golf, tennis or similar athletic facilities (reference 5.1.16).
5. Private schools.

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6. Energy and communications transmission facilities (reference 5.1.12).
7. Day care centers (reference 5.1.06).
8. (Repealed 3-5-86)
9. Manufactured home subdivisions (reference 5.5).
10. (Repealed 11-11-92)
11. (Repealed 3-15-95)
12. Horse show grounds, permanent.
13. Custom slaughterhouse.
14. Sawmills, planing mills and woodyards (reference 5.1.15 and subject to performance standards in 4.14).
15. (Repealed 8-9-17)
16. (Repealed 11-15-95)
17. Commercial kennel (reference 5.1.11 and subject to performance standards in 4.14).
18. Veterinary services, animal hospital (reference 5.1.11 and subject to performance standards in 4.14).
19. Private airport, helistop, heliport, flight strip (reference 5.1.01).
20. Day camp, boarding camp (reference 5.1.05).
21. Sanitary landfill (reference 5.1.14).
22. Country store, Class B (reference 5.1.45).
23. Commercial fruit or agricultural produce packing plants.
24. (Repealed 11-8-89)
25. Flood control dams and impoundments.
26. (Repealed 11-8-89)
27. Restaurants, taverns, and inns that are:
 - a. Located on a site containing a structure that is a historic structure and/or site as defined in section 3.1 or located on a site containing a structure that is identified as contributing to a historic district as defined in section 3.1, provided: (i) the structure was historically used as a restaurant, tavern or inn or previously approved for such use by special use permit; and (ii) if renovation or restoration of the historic structure is proposed, such changes shall restore the structure as faithfully as possible to the architectural character of the period(s) of its significance and shall be maintained consistent therewith; and (iii) that any additions or new structures shall serve a restaurant, tavern or inn use existing within the historic structure and lawfully operating on December 14, 2016; or

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- b. Nonconforming uses, provided the restaurant or inn is served by existing water and sewerage systems having adequate capacity for both the existing and proposed uses and facilities without expansion of either system.
- 28. Divisions of land as provided in section 10.5.2.1.
- 29. Boat landings and canoe livery.
- 30. Permitted residential uses as provided in section 10.5.2.1.
- 31. (Repealed 1-12-11)
- 32. Cemetery.
- 33. Crematorium.
- 34. (Repealed 3-21-01)
- 35. Religious assembly use.
- 36. Gift, craft and antique shops.
- 37. Public garage.
- 38. Exploratory drilling.
- 39. Hydroelectric power generation (reference 5.1.26).
- 40. Borrow area, borrow pit not permitted under section 10.2.1.18.
- 41. Convent, Monastery (reference 5.1.29).
- 42. Temporary events sponsored by local nonprofit organizations which are related to, and supportive of the RA, rural areas, district (reference 5.1.27).
- 43. Agricultural Museum (reference 5.1.30).
- 44. Theatre, outdoor drama.
- 45. (Repealed 11-12-14)
- 46. Off-site parking for historic structures or sites (reference 5.1.38) or off-site employee parking for an industrial use in an industrial zoning district (reference 5.1.39).
- 47. Animal shelter (reference 5.1.11).
- 48. Tier III personal wireless service facilities (reference 5.1.40).
- 49. Historical centers, historical center special events, historical center festivals (reference 5.1.42).
- 50. Special events (reference 5.1.43).
- 51. Farm worker housing, Class B (more than ten occupants or more than two sleeping structures) (reference 5.1.44).

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- 52. Sale of gasoline and other fuels in conjunction with a country store, Class A or Class B (reference 5.1.45).
- 53. Farm winery uses, events, and activities authorized by section 5.1.25(c)(3).
- 54. Farmers' markets (reference 5.1.47).
- 55. Farm brewery uses, events, and activities authorized by section 5.1.57(c)(3).
- 56. Events and activities at agricultural operations authorized by special use permit under section 5.1.58(d).
- 57. Farm distillery uses, events, and activities authorized by section 5.1.59(c)(3).
- 58. Solar energy systems.

(§ 20-10.2.2, 12-10-80; 3-18-81; 2-10-82; 4-28-82; 7-6-83; 3-5-86; 1-1-87; 12-2-87; 11-8-89; 6-10-92; 11-11-92; Ord. 95-20(1), 3-15-95; Ord. 95-20(3), 10-11-95; Ord. 95-20(5), 11-15-95; § 18-10.2.2, Ord. 98-A(1), 8-5-98; Ord. 99-18(4), 6-16-99; Ord. 00-18(6), 10-18-00; Ord. 01-18(2), 3-21-01; Ord. 02-18(6), 10-9-02; Ord. 04-18(1), 5-5-04 effective 7-1-04; Ord. 04-18(2), 10-13-04; Ord. 05-18(7), 6-8-05; Ord. 05-18(8), 7-13-05; Ord. 06-18(2), 12-13-06; Ord. 08-18(7), 11-12-08; Ord. 10-18(3), 5-5-10; Ord. 10-18(4), 5-5-10; Ord. 11-18(1), 1-12-11; Ord. 14-18(4), 11-12-14; Ord. 15-18(10), 12-9-15; Ord. 16-18(7), 12-14-16; Ord. 17-18(1), 1-18-17; Ord. 17-18(2), 6-14-17; Ord. 17-18(4), 8-9-17; Ord. 18-18(1), 1-10-18)

Sec. 10.3 Application of regulations for development by right.

The following provisions shall apply to any parcel of record at 5:15 p.m., the tenth day of December, 1980 (reference 6.5).

(§ 20-10.3, 12-10-80; 11-8-89; § 18-10.3, Ord. 98-A(1), 8-5-98)

Sec. 10.3.1 Conventional development.

Regulations in section 10.5 governing development by right shall apply to the division of a parcel into five (5) or fewer lots of less than twenty-one (21) acres in area and to the location of five (5) or fewer dwelling units on any parcel in existence at the time of adoption of this ordinance (reference section 1.3). The aggregate acreage devoted to such lots or development shall not exceed thirty-one (31) acres, except in such case where this aggregate acreage limitation is precluded by other provisions of this ordinance. The second sentence of this provision shall not be applicable to land divided between the effective date of this ordinance (reference section 1.3) and November 8, 1989.

(§ 20-10.3.1, 12-10-80; 11-8-89; 9-9-92; § 18-10.3.1, Ord. 98-A(1), 8-5-98; Ord. 00-18(4), 6-14-00)

- 10.3.2 In addition to the foregoing, there shall be permitted by right any division of land into parcels each of which shall be twenty-one (21) acres or more in area. No such parcel shall be included in determining the number of parcels which may be created by right pursuant to section 10.3.1; provided that (a) no such division shall affect the number of parcels which may be divided pursuant to section 10.3.1; (b) there may be located not more than one (1) dwelling unit on any parcel created pursuant to this section; (c) at the time of any such division, the owner of the parcel so divided shall designate the number of parcels into which each parcel so divided may be further divided pursuant to section 10.3.1 together with aggregate acreage limitations in accordance with section 10.3.1; and (d) no such division shall increase the number of parcels which may be created pursuant to section 10.3.1.

(§ 20-10.3.2, 12-10-80; 11-8-89; 9-9-92; § 18-10.3.2, Ord. 98-A(1), 8-5-98; Ord. 01-18(6), 10-3-01)

Attachment H
COUNTY OF ALBEMARLE
TRANSMITTAL TO THE BOARD OF SUPERVISORS
SUMMARY OF PLANNING COMMISSION ACTION

<p>AGENDA TITLE: ZMA201700007 Hogwaller Farm</p> <p>SUBJECT/PROPOSAL/REQUEST: Rezone 7.52-acre parcel from Light Industrial (LI) which allows industrial, office, and limited commercial uses (no residential uses), to Rural Areas (RA) which allows agricultural, forestal, and fishery uses as well as residential uses.</p> <p>SCHOOL DISTRICTS: Cale – Elementary; Walton – Middle; and Monticello – High</p>	<p>AGENDA DATE: September 12, 2018</p> <p>STAFF CONTACT(S): Kamptner, Pohl, Benish, Padalino</p> <p>PRESENTER(S): Tim Padalino</p>
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BACKGROUND:

At the August 1, 2018 Board meeting, a public hearing was conducted on ZMA201700007 Hogwaller Farm. The staff report for that meeting included a recommendation for approval, and the Board voted to adopt Ordinance 18-A(5) to approve ZMA201700007. However, the County Attorney's Office has since concluded that another public hearing and Board action is required because the proffers were amended after the August 1 public hearing was closed. Due to the length of the August 1, 2018 staff report and attachments, it is not included with this Transmittal Summary, but may be found with the Board's August 1, 2018 meeting materials.

DISCUSSION:

The applicant has submitted revised proffers (Attachment A), which include all of the proffers the Board previously considered during the August 1 public hearing, as well as an additional proffer (#5) to establish a maximum limit of six hundred (600) square feet (aggregate total) for any structure(s) within the Flood Hazard Overlay District. This additional proffer formalizes the verbal commitment which was discussed and found to be acceptable at the August 1 Board meeting.

Please note the revised proffers do not include a commitment to specify gravel as the parking lot surface material. Although the applicant's intent is for the parking lot to be gravel, the applicant has expressed reluctance to have this material specification become a legislative requirement established through this ZMA petition. After extensive coordination with Frank Pohl, County Engineer and Floodplain Administrator, staff is in agreement with the applicant that the appropriate method and time to address the issue of parking lot materials is during the detailed review of the Floodplain Development Permit application, which is required for improvements within the Flood Hazard Overlay District. The Floodplain Development Permit application and review process would include project-specific and property-specific details that are necessary in order for the Floodplain Administrator to make an informed decision about the design and material specification(s) of proposed improvements.

RECOMMENDATIONS:

Staff recommends that the Board adopt the attached Ordinance (Attachment B) to approve ZMA201700007 with proffers.

ATTACHMENTS:

Attach. A – Revised Proffer Statement (signed and dated 8/20/2018) with proffered Conceptual Plan (dated 6/27/2018)
Attach. B – Ordinance to Approve ZMA201700007

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



APPLICATION FOR A SPECIAL USE PERMIT

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

DATE OF HEARING: October 9, 2018

APPLICATION NUMBER: SP18-00004

Project Planner: Matthew Alfele

Date of Staff Report: March 26, 2018 (updated September 19, 2018)

Applicant: Justin Shimp and Charles Hurt

Applicant's Representative: Justin Shimp with Shimp Engineering, P.C.

Current Property Owner: Charles Hurt and Shirley Fisher

Application Information

Property Street Address: 918 Nassau Street (four unaddressed lots and a portion of one unaddressed lot)

Tax Map/Parcel #: Tax Map 61, Parcels 79.16, 79.17, 79.18, 79.19, & 79.201 and a portion of Tax Map 61, Parcel 79

Total Square Footage/ Acreage Site: Approx. 0.94 acres (40,946 square feet)

Comprehensive Plan (General Land Use Plan): Low Density Residential

Current Zoning Classification: R-2

Tax Status: Parcel is up to date on payment of taxes

Completeness: The application generally contains all of the information required by Zoning Ordinance (Z.O.) Secs. 34-41(d), and 34-158(a) and (b).

Applicant's Request (Summary)

On April 10, 2018 the Planning Commission held a joint Public Hearing for a SUP on the Subject Properties to increase density from a by-right zero (0) DUA (dwelling unit per acre) to thirty-two (32) DUA. During the Public Hearing the Planning Commission expressed concerns with the County portion of the development and did not want to take any action until Albemarle County granted or denied a rezoning petition. The applicant requested, and received, a deferral by the Planning Commission until

*the County portion of the development status was resolved. The Planning Commission also requested Albemarle County to be aware of the City's concerns with the project. On April 18, 2018 the Planning Commission sent a letter to Albemarle County's Planning Commission (See **Rezoning Application ZM18-00001 Attachment E**) Below are the main points from that letter:*

- *Both the City and County portion of the development will only be accessible by way of City streets. Increased traffic and the introduction of larger vehicles (large trucks and equipment for farming and tree transplanting) are a concern.*
- *The City would like to see access for all residents to Moores Creek and Rives Parks. The opportunity for public access easements and new trails needs consideration with this application. The Bicycle and Pedestrian Plan calls for a Shared Use Path along Moores Creek at this location.*
- *The housing component of the development is very important to the City. Unintended consequences of rezoning the City portion of the development could lead to the loss of future housing stock that the current R-2 zoning allows. A rezoning on the City side to Highway Corridor currently requires a Special Use Permit for any density. Of concern is any future development that utilizes by-right commercial or retail uses without a housing component.*

*On September 12, 2018 the Albemarle Board of Supervisors approved an ordinance to rezoning 7.52 acres from LI Light Industrial to RA Rural Areas (See **Rezoning Application ZM18-00001 Ordinance NO. 18-A(5) Attachment F, County Proffer Statement Attachment G, and Albemarle summary of Planning Commission Action Attachment H**). Below are key portions of the approved ordinance and proffer statement:*

- *The property will be developed in general accord with the conceptual plan titled "TMP 07700-00-00-02000: Hogwaller Farm" dated 01-16-2018 and last revised 06-27-18 (**Rezoning Application ZM18-00001 Attachment G page 5**).*
- *A 100' riparian buffer will be preserved from the top of Moore's Creek bank and signed (**Rezoning Application ZM18-00001 Attachment G page 6**).*
- *Uses on the site are restricted to the uses pursuant to Section 10.2 (3), (6), (7), (9), (21), (27), and (30) (**Rezoning Application ZM18-00001 Attachment G page 2**).*
- *Any structure(s) within the Flood Hazard Overlay District shall not exceed six hundred (600) square feet of aggregated improved space (**Rezoning Application ZM18-00001 Attachment G page 2**).*

Justin Shimp has submitted a special use application (SUP) for 918 Nassau Street, a portion of tax map 61, parcel 79, and tax map 61 parcels 79.16, 79.17, 79.18, 79.19, & 79.201 (Subject Properties) for residential density. The SUP application is being requested (in conjunction with rezoning application ZM18-00001) to accommodate the development of (18) one-bedroom and (12) two-bedroom units split between (2) three-story apartment buildings for a total of (30) dwelling units. The development is being proposed as an urban farm and will accommodate a 1,280 square foot greenhouse and an approximately 600

square foot retail farm store. Additional parking, farm sheds, and agricultural fields supporting the development are proposed on an adjacent 7.52 acre county parcel.

The applicant has submitted a rezoning petition (ZM1-00001) and a SUP application (SP18-00004) in order to develop a specific project on the subject properties (**Attachment C**).

Per the two applications the proposed development involves:

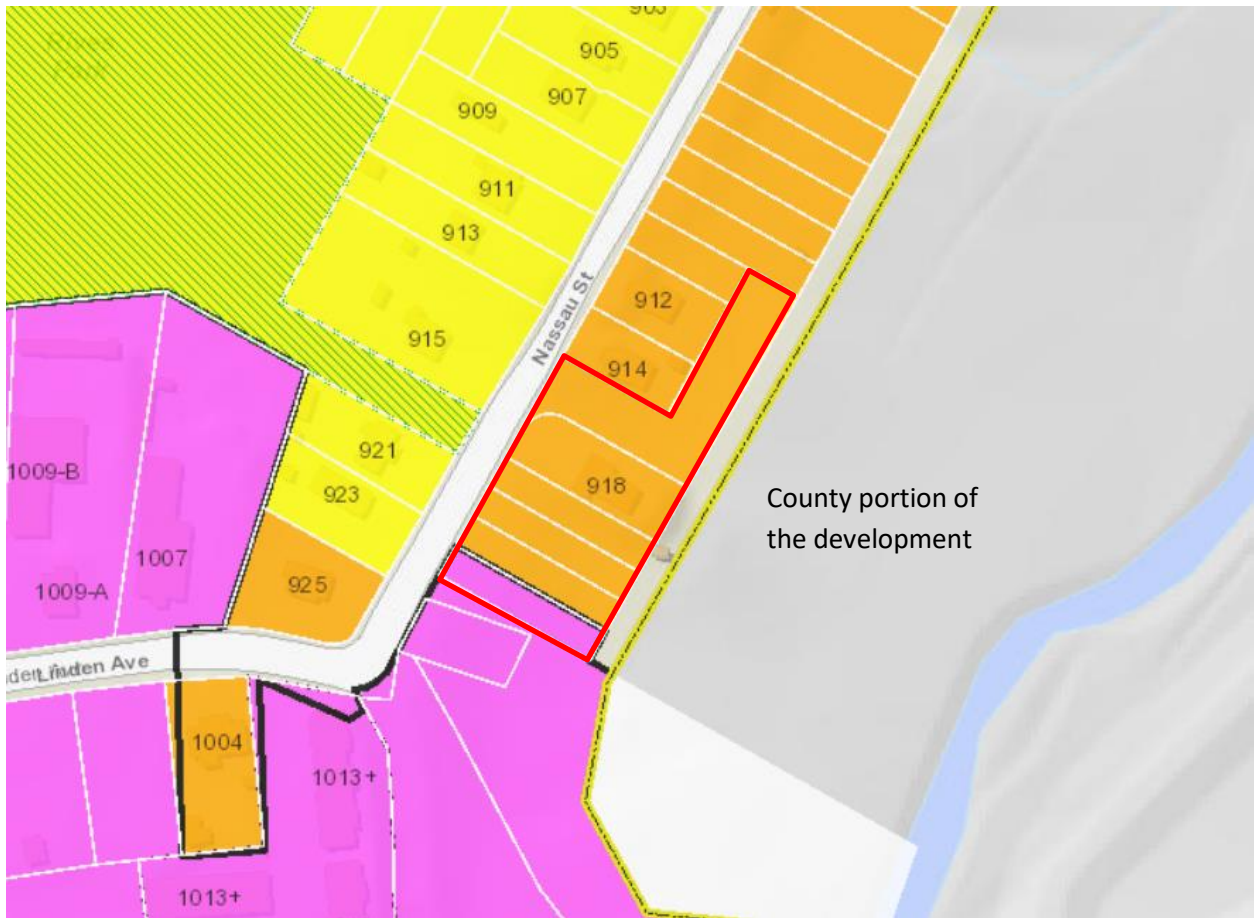
- ZM18-00001 – A rezoning request of the subject properties from R-2 to HW (Highway Corridor).
- SP18-00004 – A SUP request for a density of thirty-two (32) DUA.

The applicant is proposing two (2) multi-family apartments on the subject properties.

Vicinity Map



Zoning Map

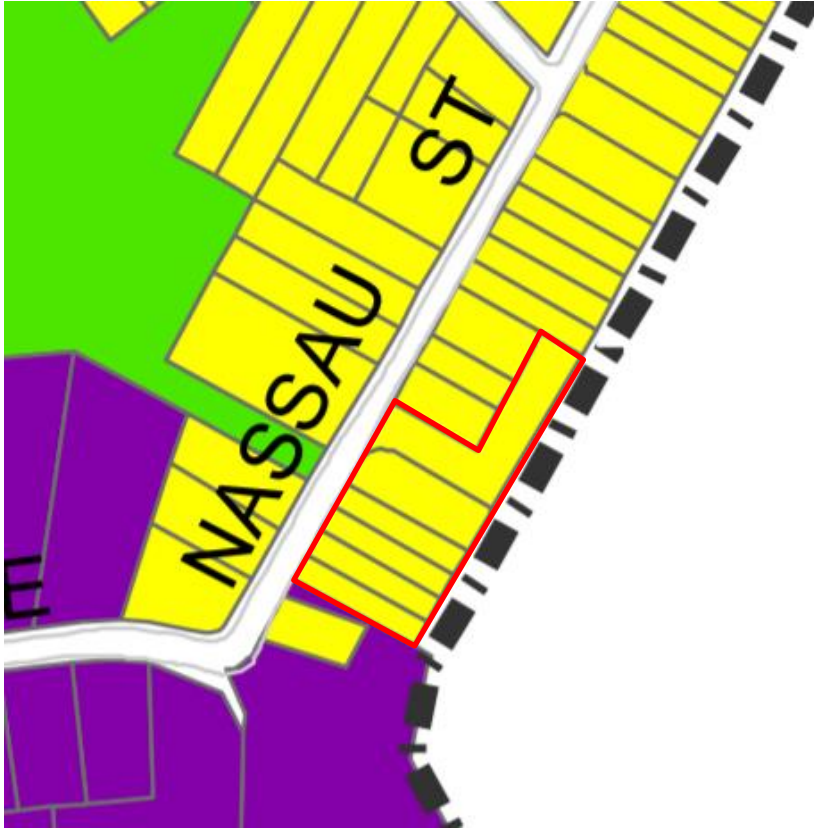


Gray: County Land, **Orange:** (R-2) Residential Two-family, **Yellow:** (R-1S) Residential Single-Family, **Purple:** (HW) Highway Corridor, **Green Stripped:** Park

2016 Aerial



2013 Comprehensive Plan Land Use Map



Yellow: Low Density Residential, **Purple:** Mixed Use, & **Green:** Park or Preserved Open Space, **White:** County

Standard of Review

City Council may grant an applicant a special permit or special use permit, giving consideration to a number of factors set forth within Zoning Ordinance Sec. 34-157. If Council finds that a proposed use or development will have potentially adverse impacts, and if Council identifies development conditions that could satisfactorily mitigate such impacts, then Council may set forth reasonable conditions within its SUP approval. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to

- (i) whether or not Council should approve a proposed SUP and if so,
- (ii) whether there are any reasonable development conditions that could mitigate potentially adverse impacts of the propose use or development.

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

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

The properties immediately surrounding the subject property are described as:

Direction	Zoning District	Current Use
East	*7.52 acres of county land	Vacant floodplain and floodway land that abuts Moores Creek
South	HW	Vacant parcel
West	R-1S	Residential Homes and Rives Park
North	R-2	Residential Homes and Vacant parcels

* The 7.52 acres of county land is part of the proposed development and would serve as farm land supporting the City’s portion of the development. The parcel of land was rezoned from Light Industrial to Rural Areas by the Albemarle Board of Supervisors on September 12, 2018 **(See Rezoning Application ZM18-00001 Attachment F)**.

The uses surrounding the subject property are mostly single family, two-family, and vacant parcels. In addition, multi-family and commercial/industrial uses are in close proximity to the proposed development. Most buildings surrounding the subject property are one (1) or two (2) story in height, but within close proximity (at the corner of Nassau and Linden) are three (3) story condos and apartments. The buildings adjacent to the subject properties are two (2) single family homes. Directly across the street from the subject properties is access to Rives Park. Commercial and industrial uses such as Van Yahres Tree Company, Albemarle Heating & Air, and JAUNT are all within 0.2 miles of the subject properties.

Staff Analysis: The site plan (**Attachment C**) and application materials (**Attachment A and B**) propose two (2) three (3) story multi-family buildings with twelve (12) two-bedroom units in one and eighteen (18) one-bedroom units in the second for a total of thirty (30) dwelling units. The site plan also shows thirty-eight (38) parking spaces, a farm store (approximately 600 square feet), and a greenhouse (approximately 1,280 square feet). The county portion of the development shows eleven (11) additional parking spaces, sheds to house farming equipment, and over 7 acres of land for farming. The proposed uses are not consistent with the current uses along Nassau Street running north, but the proposed uses are consistent with the uses along Linden Avenue. The concept of an urban farm in this location could be harmonious with the existing patterns of uses within the neighborhood.

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

The applicant's own analysis of the development's consistency with the Comprehensive Plan, as required by Z.O. Sec. 34-41(d)(2), is attached (**Attachment B**)

Below are specific areas of the Comprehensive Plan for which the development may be in compliance:

a. Land Use

2.2: Encourage small businesses that enhance existing neighborhoods and employment centers.

2.3: Enhance pedestrian connections between residences, commercial centers, public facilities, amenities and green spaces.

2.4: Enhance the role of schools and parks by expanding the community use of these places.

3.2: Enhance existing neighborhood commercial centers and create opportunities for other in areas where they will enhance adjacent residential areas. Provide opportunities for nodes of activity to develop, particularly along mixed-use corridors.

b. Economic Sustainability

3.6: Align zoning ordinances to facilitate economic activity in new areas of commercial opportunity identified in the updated future land use map.

c. Housing

1.3: Evaluate the effects new developments have on transit, the environment, density, open space configuration, commuter costs and affordable housing.

3.6: Promote housing options to accommodate both renters and owners at all price points, including workforce housing.

8.1: Encourage mixed-use and mixed-income housing developments.

8.2: Link housing options and employment opportunities in City land use decisions.

8.5: Promote redevelopment and infill development that supports bicycle and pedestrian-oriented infrastructure and robust public transportation to better connect residents to jobs and commercial activity.

d. Transportation

2.1: Provide convenient and safe bicycle and pedestrian connections between new and existing residential developments, employment areas and other activity centers to promote the option of walking and biking.

2.3: Improve walking and biking conditions by discouraging and/or minimizing curb cuts for driveways, parking garages, etc. in new development and redevelopment.

2.6: Promote urban design techniques, such as placing parking behind buildings, reducing setbacks and increasing network connectivity, to create a

more pedestrian friendly streetscape and to reduce speeds on high volume roadways.

e. Historic Preservation & Urban Design

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

Below are specific areas of the Comprehensive Plan for which the development may not be in compliance:

f. Land Use

2.1: When considering changes to land use regulations, respect nearby residential areas.

3.1: Respect natural resources and sensitive environmental areas, including designated flood plain areas, rivers and streams.

g. Environment

1.4: Ensure that planning for future land and recreational uses along the Rivanna River adequately protects water quality.

Comprehensive Plan

The 2013 General Land Use Plan Map calls for the subject properties to be Low Density Residential. Low Density Residential, as described within the Land Use Map, includes all land occupied by single or two-family type housing. The density in these areas by-right should be no greater than 15 dwelling units per acre.

Staff Analysis: As noted in 34-157(2)(a) through 34-157(2)(e) above, many of the City's Comprehensive Plan goals could be achieved through a residential and commercial development of this type on the subject properties. The subject properties' location could promote more pedestrian and cycling trips to Rives Park and some of the commercial uses along Linden Avenue. Several goals in the 2013 Comprehensive Plan speak to a desire to have density, as appropriate, in locations that will foster alternative transportation options to employment and parks. The proposed development is not consistent with existing development patterns along Nassau Street, but would be consistent with the existing development patterns along Linden Avenue. The development of an urban farm with supporting infrastructure (farm store and greenhouse) along with thirty (30) dwelling units (within 2 buildings) could create a unique opportunity in this part of the City.

Streets that Work Plan

The Streets that Work Plan (approved September 2016 as an amendment to the Comprehensive Plan) labels Nassau Street as Local. The full plan can be viewed at: <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services/streets-that-work/streets-that-work-plan>

Local Streets are characterized as the majority of the street network and have no specific associated typology due to the variation of context and available space. The Streets that Work Plan notes design elements on Local Streets should not exceed the dimensions specified for Neighborhood B streets, and that techniques such as curb extensions are appropriate. A minimum of five (5) to six (6) feet of clear zone width for sidewalks is recommended for Neighborhood B streets. Sidewalks and on-street parking are noted as the highest priority street elements.

Staff Analysis: Based on the application package and supporting documents (**attachments, A, B, & C**), staff concludes that the pedestrian network along the subject properties' frontage is consistent with the Streets that Work Plan.

Staff is concerned that "farming" activities could include a wide range of vehicular traffic that are not suitable for a Local road, as designated by Streets that Work typology. Small low impact farming could be compatible with a Local Street Typology if it does not include large tractor trailers continuously making deliveries and pickups. Larger scale farming could produce the type of traffic more suitable for an Industrial type Street Typology.

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

Based on the information contained within the application (**attachment A and C**), the proposed development would likely comply with applicable building code regulations. However, final determinations cannot be made prior to having the details required for final site plan and building permit approvals.

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

a) Traffic or parking congestion

Traffic, Parking, and Other Modes of Transportation

The City Traffic Engineer has reviewed the development plan and traffic Study (**Attachment D**) and finds a development of this type would not adversely affect traffic on Nassau, Linden or the surrounding street network. The development proposes one (1) of the buildings will create a street wall along Nassau Street which will screen the parking lot from view. Although the proposed development is not directly on a mass transit line, bus route 3 has a stop accessible through Rives Park (a 5 minute walk away). A four (4) foot sidewalk currently runs along the west side of Nassau Street across from the subject properties. The applicant will be required to install a sidewalk on the east side of Nassau Street in front of the subject properties. This will add to the pedestrian network of the City.

The development plan calls for thirty (30) dwelling units consisting of eighteen (18) one-bedroom and twelve (12) two-bedroom units in two (2) buildings and thirty-eight (38) parking spaces. This generally meets the requirements per Z.O. Sec. 34-984 of the City Zoning Code. Parking congestion may occur if residents have more than one (1) vehicle or have guests that visit by car. On street parking is currently not prohibited on Nassau Street.

Staff Analysis: The City Traffic Engineer has reviewed the development plan and traffic study and finds it will not have a major impact on the amount of traffic or parking on Nassau, Linden, or the surrounding street network.

Vehicular Access

One (1) point of vehicular access off a City maintained street is required for the proposed development per Z.O. Sec. 34-896(a). Current vehicular ingress and egress to the subject property includes one (1) access point on Nassau Street. Due to the location of the county parcel, it is likely ingress and egress to this parcel will also be through the subject properties.

Staff Analysis: The vehicular ingress /egress and circulation pattern, as shown on the site plan (**attachment C**); is consistent with a residential development and will have no impact to the intersection of Nassau and Linden. Staff is concerned the site plan does not indicate a second point of ingress /egress for farm equipment. It appears that residential, commercial (farm store), and agricultural traffic will utilize one circulation pattern. Depending on the level of farming intensity or commercial activity, this could create conflict. Staff is also concerned with agricultural deliveries to the development. Depending on the level and type of farming to take place, large deliveries on tractor-trailers could be a constant activity.

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

The proposed development could result in an increase in noise, odor, and vibration as the development proposes a farm use. It should be noted the farm use is on the county portion of the development and the City portion is residential and commercial. The development will be required to plant street trees and landscaping per Z.O. Sec. 34-867. No lighting plan was provided but will be required during final site plan review.

Staff Analysis: Two (2) multi-family buildings with a total of thirty (30) units at this location will have minimal impact and can be mitigated through existing site plan regulations. The farm store and greenhouse should also have minimal impact to the surrounding neighborhood and can be mitigated through existing site plan regulations. Although the “farming” portion of the development is located in the county and is not technically within the City’s jurisdiction, staff’s analysis includes the whole development as it cannot be fully reviewed without the farming aspect. Based on the application materials and narrative, the applicant is indicating the farming component (County) is directly connected to the residential and commercial aspect (City) of the development. Depending on the type of and intensity of farming, unwanted odors, noise, or vibration could affect the neighborhood. The applicant materials indicate farming activities will be small scale and directly related to products sold at the farm store. From the application materials, no large scale farming is being proposed. Prior to County approval the applicant was proposing tree farming on the county portion of the development. With the proffer **(See Rezoning Application ZM18-00001 Attachment G)** requiring a 100’ riparian buffer, tree farming is no longer being proposed.

c) Displacement of existing residents or businesses

The subject properties are currently vacant with the exception of 918 Nassau Street (single family home). No businesses will be displaced, but one (1) existing single-family home will be removed.

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

As noted above, the subject property is vacant and any use has the potential to add to the City’s tax base.

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

The City's Comprehensive Plan identifies community facilities as fire protection, police enforcement, and emergency response services; public utilities and infrastructure; and public parks and recreation opportunities. The applicant's proposal narrative (**Attachment B**) has not adequately discussed this issue within its comprehensive plan analysis required by Z.O. Sec. 34-41(d)(3).

Staff Analysis: Fire, Police, Public Utilities, and Parks have all reviewed the proposed plan and finds the development will have little impact on existing community facilities. The proposed development is on a City maintained street and can be served by existing fire, police, and emergency response services. The additional density of the site will also have limited impact on surrounding parks. In reviewing the application, Parks believes additional density at this location will enhance Rives Park by adding more activity to this location. Stormwater requirements will be reviewed with final site plan. All utilities, such as water and sewer will be reviewed with the final site plan.

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

The subject properties are currently vacant with the exception of 918 Nassau Street. One single-family home will be removed, but it is unknown if it contains an affordable unit as defined by City code. Refer to the rezoning **application ZM18-00001 and Rezoning Application ZM18-00001 Attachment F** for additional information on affordable housing.

g) Impact on school population and facilities

The applicant's project proposal narrative (**Attachment A**) does not specifically analyze this factor, as required by Z.O. Sec. 34-158(b).

Staff Analysis: Because housing is open to all, there is a possibility that families with children could take residence here. Therefore, some impact could be created for school population and facilities.

h) Destruction of or encroachment upon conservation or historic districts

The subject property is not within or encroach upon any design control district.

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

Based on the information contained within the application (**Attachment A, B, and C**), the proposed development would likely comply with applicable federal and state laws. As to local ordinances (zoning, water protection, etc.), it generally appears that this project, as detailed in the application, can be accommodated on this site in

compliance with applicable local ordinances; however, final determinations cannot be made prior to having the details required for final site plan and building permit approvals. Specific Z.O. requirements reviewed preliminarily at this stage include massing and scale (building height, setbacks, stepbacks, etc.) and general planned uses. In a preliminary review of the site plan, staff has found that the parking will need to conform to Z.O. Sec 34-873 for screening and interior landscaping. The site plan will also need to conform to Z.O. Sec. 34-1103 for lots with two or more principal buildings within the development unless the recommended conditions are approved.

Sec. 34-1103. - Two or more principal buildings or structures on one lot.

(a) No lot or parcel of land shall contain more than one (1) principal building or structure, except where such lot or parcel is used for a multifamily, mixed-use, commercial, or industrial development. (b) In circumstances where more than one

(1) principal building or structure is authorized, as set forth above, all buildings and structures must conform to required yard and other lot requirements for the district in which the lot or parcel is located.

This is not intended to be a full list of site plan requirements and a full review at final site plan submission will generate additional comments. From this initial review, staff believes the proposed development can be accommodated on this site with a few adjustments during the final site plan review process.

j) Massing and scale of project

The application materials (**Attachment A, B, and C**) depict two (2) new multi-family buildings that are three (3) stories above the surface of the subject properties as viewed from Nassau Street. The site plan (**Attachment C**) indicates the maximum height of the building will be thirty-five (35) feet. The maximum height for districts zoned HW is eighty (80) feet, but the accompanying rezoning application (ZM18-00001) proposed a proffer statement that reduces the max height to thirty-five (35) feet. The massing of the residential units will be very similar to the existing multi-family units on Linden Avenue. No height is given for the farm store or greenhouse, but under the proffer statement they could not exceed thirty-five (35) feet. The application materials indicate the farm store will be approximately six hundred (600) square feet, but not more than a maximum of four thousand (4,000) square feet. Most commercial greenhouses are no more than twenty (20) feet tall. No architectural or elevations drawings were submitted with this application.

Staff Analysis: The massing and footprint are consistent with HW requirements. Staff would recommend the height of the buildings not exceed thirty-five (35') in order to maintain a scale that is consistent with the surrounding buildings to the

southwest of the site. This height is reflected in the rezoning application preliminary proffer statement. Staff would also recommend that the height of the farm store not exceed twenty (20) feet. Due to the residential nature of Nassau Street and the requirement that buildings in the HW Corridor create a streetwall (34-738), staff recommends modifications to the setbacks, and stepback of 10 feet after the first two stories. Three story buildings up against Nassau with a run of 180 feet could create a large streetwall in a mostly residential setting. Stepping back 10 feet after the second story (somewhere within 20 to 28 feet for a building with a max height of 35 feet) could reduce the massing along Nassau. Staff would also like to see some modulation to the front of the building along Nassau Street to better incorporate it into the surrounding neighborhood. The illustrative graphic **(Attachment B)** indicates some modulation, but it is not reflected on the site plan. Planning Commission might consider a condition that breakups the massing along Nassau Street.

34-157(5) whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;

In 1949 the property was zoned B-2 Business. In 1958 the property was zoned R-2 Residential and has retained that zoning calcification. (Application ZM18-00001 is requesting the zoning return to HW).

According to Z.O. Sec. 34-350(b)(1), R-2, consisting of quiet, low-density residential areas in which single-family attached and two-family dwellings are encouraged.

According to Z.O. Sec. 34-541(9), HW, The intent of the Highway Corridor district is to facilitate development of a commercial nature that is more auto oriented than the mixed use and neighborhood commercial corridors. This district provides for intense commercial development with very limited residential use.

Staff Analysis: If the Planning Commission recommends approval of the corresponding rezoning request (ZM18-00001), staff finds the proposed development could to be harmonious with the zoning district, but is too residential in nature to comply with Sec. 34-541(9). If Planning Commission recommends denial of the corresponding rezoning request, staff finds the proposed development not to be harmonious with the zoning district.

34-157(6) whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and

Based on the information contained within the application and site plan (**Attachment A, B, and C**), the proposed development would likely comply with applicable local ordinances. However, final determinations cannot be made prior to having the details required for final site plan and building permit approvals.

34-157(7) when the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

The subject property is not located in a design control district.

Public Comments Received

Community Meeting Required by Z.O. Sec. 34-41(c)(2)

On September 11, 2017 the applicant held a community meeting at Clark Elementary. The applicant gave an overview of the project as it related to the need for a rezoning and a SUP. The community voiced the following concerns with the proposed development:

- View from Linden Avenue could be blocked.
- The development could have an adverse impact on Moores Creek.
- What type of development could happen in the floodplain?

Other comments included:

- Appreciation for proposing an initiative “urban farm”.
- Providing affordable units.

On April 10, 2018 the Planning Commission held a joint Public Hearing with City Council.

Two (2) members of the public spoke and expressed the following:

- The development should provide a trail to Moores Creek.
- Any development should not include bringing in fill to the floodplain.
- Concerned the applicant is only looking for density and will not provide any amenities or farm.

As of the date of this report, staff has received one (1) email related to the rezoning or SUP application and two (2) phone calls. The following concerns were expressed:

- No access to the development from the County side
- 30 units at this location could have an adverse impact on Moores Creek.
- One of the buildings would be too close to the road.

- The building should be turned so the short end is facing the street and not the long street wall.

Staff Recommendation

Staff recommends the Planning Commission focus on the following items during review:

- Appropriate density. The only request being made is for density. All other proposed uses on the site are by-right under HW zoning. The appropriateness of “uses” should be discussed through the Rezoning and not the SUP.

Recommended Conditions

Staff recommends that a request for density could be approved with the following conditions:

1. Up to 32 dwelling units per acre (DUA) are permitted on the subject properties.
2. The design, height, setbacks and other characteristics of the development shall remain essentially the same, in all material aspects, as described within the application materials (**Attachment C**) dated January 23, 2018. Except as the design details of the development may subsequently be modified to comply with staff comments, or by any other provision(s) of these SUP Conditions, any change of the development that is inconsistent with the application shall require a modification of this SUP. Key elements of this design are:
 - a. Two (2) multi-family residential buildings containing eighteen (18) one-bedroom and twelve (12) two-bedroom units for a total of thirty (30) dwelling units on the subject properties.
 - b. Thirty-five (35') feet maximum height of the multi-family residential buildings.
 - c. Modification of front yard setback to ten (10) minimum and no maximum to accommodate the layout of buildings as presented in the application materials.
 - d. Parking located behind the building and not visible from the City's right of way.
3. Twenty (20') feet maximum height on the farm store or any nonresidential building on the subject properties.
4. The maximum height of the street wall of any building or structure with frontage along Nassau Street shall be two (2) stories. After two (2) stories there shall be a minimum stepback of ten (10) feet along at least fifty (50) percent of the length of the streetwall.
5. The greenhouse must be screened (Z.O. Sec. 34-871 S-2 Screening) from the adjacent R-2 parcels.
6. All outdoor lighting and light fixtures shall be full cut-off luminaires and shielded in a manner to direct all light down.

7. Conform to Z.O. Sec. 34-881(2)-Bicycle Storage Facilities or the most current Bicycle Storage Facilities code for multi-family dwellings at time of development.
8. Trash facility shall be provided and screened per Z.O. Sec. 34-872(b)(2).
9. An alternative ingress/egress point for farm equipment and large deliveries to the county portion of the development should be explored with direction from the City's Traffic Engineer. If an alternative point cannot be accommodated:
 - a. The applicant will work with the City's Traffic Engineer during final site plan review to develop a comprehensive traffic plan that will keep residential and farm (farm equipment deliveries and pickups) traffic separated.
10. Work with the City's Parks Department to implement any portion of the Bicycle and Pedestrian Plan (as shown in the 2015 Bicycle and Pedestrian Master Plan Updates, adopted September 8, 2015) that abuts the development.

Suggested Motions

1. I move to recommend approval of this application for a Special Use Permit for subject properties in the R-2 (application ZM18-00001 under review to rezone from R-2 to HW) zone to permit residential development with residential density with the following listed conditions.
 - a. _____
 - b. _____
 - c. _____
 - d. _____
 - e. _____
 - f. _____
 - g. _____
 - h. _____

OR,

2. I move to recommend denial of this application for a Special Use Permit for the subject properties in the R-2 zone.

Attachments

- A. Special Use Application Dated January 22, 2018
- B. Special Use Permit Narrative and supporting documents Dated January 23, 2018 and revised September 6, 2018
- C. Site Plan Dated January 23, 2018
- D. Traffic Study Dated January 23, 2018



City of Charlottesville

Application for Special Use Permit

Project Name: Hogwaller Farm

Address of Property: Nassau St. lots

Tax Map and Parcel Number(s): 61-79; 61-79.16; 61-79.17; 61-79.18; 61-79.19;

Current Zoning District Classification: 61-79.201 R-2, HW

Comprehensive Plan Land Use Designation: low density residential

Is this an amendment to an existing SUP? NO

If "yes", provide the SUP #: _____

Applicant: Justin Shimp | Charles Hurt

Address: 201 E. Main St. Suite M. Charlottesville, VA 22902

Phone: (434) 227-5140 Email: justin@shimp-engineering.com

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

Owner Owner's Agent Designer Contract Purchaser

Owner of Record: Dr. C. Hurt, Etal Trustees; Franklin St. Land Trust II

Address: PO Box 8147 Charlottesville, VA 22906

Phone: (434) 979-8182 Email: _____

Reason for Special Use Permit:

Additional height: _____ feet

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

Authorize specific land use (identify) residential

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

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

(1) Signature _____ Print Justin Shimp Date 1/22/18

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

Other (specify): _____

(2) Signature _____ Print Charles Wynn, Jr. Date 1/22/18

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

Other (specify): _____



City of Charlottesville

Pre-Application Meeting Verification

Project Name: Hogwaller Farm

Pre-Application Meeting Date: 9/6/2017

Applicant's Representative: Justin Shimp

Planner: Matt Alfele

Other City Officials in Attendance:

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

1. A traffic study/Info per the City's Traffic Engineer (Contact Brennan Duncan)
2. A full site Plan including the position in the county
3. A massing plan (per code) showing how the development looks within the surrounding neighborhood.
4. Additional information that might come up during review of the application
5. _____

Planner Signature: *Matt Alfele*



City of Charlottesville

Application Checklist

Project Name: Hogwaller Farm

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

- 34-158(a)(1): a site plan (ref. City Code 34-802(generally); 34-1083(communications facilities)
- 34-158(a)(3): Low-impact development (LID) methods worksheet (required for developments that include non-residential uses, and developments proposing 3 or more SFDs or TFDs) *not req*
- 34-158(a)(4): a building massing diagram, and building elevations (required for applications proposing alteration of a building height or footprint, or construction of any new building(s))
- 34-158(a)(5) and 34-12: affordable housing data. (i) how many (if any) existing dwelling units on the property are an "affordable dwelling unit" by the city's definitions? (ii) Will existing affordable units, or equivalent affordable units, remain following the development? (iii) What is the GFA of the project? GFA of residential uses? GFA of non-residential uses?
- 34-157(a)(1) Graphic materials that illustrate the context of the project, and a narrative statement as to compatibility with existing patterns of use and development
- 34-157(a)(2) Narrative statement: applicant's analysis of conformity with the Comprehensive Plan
- 34-157(a)(3) Narrative statement: compliance with applicable USBC provisions
- 34-157(a)(4) Narrative statement identifying and discussing any potential adverse impacts, as well as any measures included within the development plan, to mitigate those impacts
- 34-158(a)(6): other pertinent information (narrative, illustrative, etc.)
- All items noted on the Pre-Application Meeting Verification.

Applicant

Signature _____ Print Justin Shimp Date 1/22/2018

By Its: _____

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



City of Charlottesville

Community Meeting

Project Name: Hogwaller Farm

Section 34-41(c)(2) of the Code of the City of Charlottesville (adopted _____, 2015) requires applicants seeking rezonings and special use permits to hold a community meeting. The purpose of a community meeting is to provide citizens an opportunity to receive information about a proposed development, about applicable zoning procedures, about applicable provisions of the comprehensive plan, and to give citizens an opportunity to ask questions. **No application for a rezoning shall be placed on any agenda for a public hearing, until the required community meeting has been held and the director of neighborhood development services determines that the application is ready for final review through the formal public hearing process.**

By signing this document, the applicant acknowledges that it is responsible for the following, in connection to the community meeting required for this project:

1. Following consultation with the city, the applicant will establish a date, time and location for the community meeting. The applicant is responsible for reserving the location, and for all related costs.
2. The applicant will mail, by U.S. mail, first-class, postage pre-paid, a notice of the community meeting to a list of addresses provided by the City. The notice will be mailed at least 14 calendar days prior to the date of the community meeting. The applicant is responsible for the cost of the mailing. At least 7 calendar days prior to the meeting, the applicant will provide the city with an affidavit confirming that the mailing was timely completed.
3. The applicant will attend the community meeting and present the details of the proposed application. If the applicant is a business or other legal entity (as opposed to an individual) then the meeting shall be attended by a corporate officer, an LLC member or manager, or another individual who can speak for the entity that is the applicant. Additionally, the meeting shall be attended by any design professional or consultant who has prepared plans or drawings submitted with the application. The applicant shall be prepared to explain all of the details of the proposed development, and to answer questions from citizens.
4. Depending on the nature and complexity of the application, the City may designate a planner to attend the community meeting. Regardless of whether a planner attends, the City will provide the applicant with guidelines, procedures, materials and recommended topics for the applicant's use in conducting the community meeting.
5. On the date of the meeting, the applicant shall make records of attendance and shall also document that the meeting occurred through photographs, video, or other evidence satisfactory to the City. Records of attendance may include using the mailing list referred to in #1 as a sign-in sheet (requesting attendees to check off their name(s)) and may include a supplemental attendance sheet. The City will provide a format acceptable for use as the supplemental attendance sheet.

Applicant: Charles Hurt / Justin Shimp

By:

Signature _____ Print Justin Shimp Date 1/22/2018

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



City of Charlottesville

Disclosure of Equitable Ownership

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

Name Justin Shimp Address 201 E. Main St Suite M

Name Charles Hurt Address PO Box 8147, 22906

Name _____ Address _____

Name _____ Address _____

Attach additional sheets as needed.

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

Applicant: Justin Shimp / Charles Hurt

By:

Signature *Charles W. Hurt* Print Charles W. Hurt Date 1/22/2018

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

Attachment A



City of Charlottesville

Fee Schedule

Project Name: Hogwaller Farm

Application Type	Quantity	Fee	Subtotal
Special Use Permit (Residential)	1	\$ 1,500	1,500
Special Use Permit (Mixed Use/Non-Residential)		\$ 1,800	
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
TOTAL			

Office Use Only

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Amount Received: _____ Date Paid _____ Received By: _____

Attachment A



City of Charlottesville

LID Checklist

Project Name: Hogwaller Farm

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

Applicant's Signature

Signature _____

Print _____

Justin Shimp

Date _____

3/15/18



**Hogwaller Farm
Rezoning & Special Use Permit Narrative
March 16, 2018**

Revised: September 6, 2018

RE: Rezoning and Special Use Permit Narrative, TMP 61-79 (portion), 61-79.16, 61-79.17, 61-79.18, 61-79.19, and 61-79.201

Shimp Engineering is applying for a rezoning in accordance with Sec. 34-41 of the Charlottesville Zoning Ordinance, to rezone TMP 61-79.17, 61-79.18, 61-79.19, 61-79.201, and a portion of 61-79 from R-2 (Residential) to HW (Highway Corridor). Contingent upon rezoning approval, Shimp Engineering is applying concurrently for a special use permit in accordance with Sec. 34-158, to allow for residential units in a HW district on the aforementioned parcels and TMP 61-79.16. The proposed 30 (thirty) multifamily units on the approximately .94 acre site will be part of an innovative urban farm development comprised of City and County parcels, where the residential structures will be built on City parcels adjacent to a County parcel (TMP 77-20) that is intended to be utilized for agricultural production. It is the intent for the City parcels to also accommodate a greenhouse and a retail shop for farm sales; both uses, greenhouse and retail, are allowed by-right in a HW district. The proposed development does not trigger affordable housing provisions per Sec. 34-12, however, the applicant wishes to provide two affordable units as a condition of approval for the requested special use permit.

Project Outline:

Parcels: 61-79 (portion), 61-79.16, 61-79.17, 61-79.18, 61-79.19, and 61-79.201

Current Zoning: HW: 61-79.16; R-2: 61-79 (portion), 61-79.17, 61-79.18, 61-79.19, and 61-79.201

Proposed Zoning: HW on all parcels

Existing Use: Vacant and Residential

Proposed Use: Residential with affordable units, greenhouse for agricultural production, farm stand for potential farm sales

Current Conditions:

TMP 61-79.201 has an existing single family dwelling and the remaining parcels are vacant. The parcels have a clearing towards the northwest boundaries fronting on Nassau St. and are lightly wooded towards the rear of the lots. A portion of TMP 61-79.16, 61-79.17, 61-79.18, and 61-79.19 are in the floodplain. Parcels 61-79.201 and 61-79 (portion) are entirely in the floodplain. There are a few steep slopes on the property and there are no critical slopes present on the property.

Proposed Use:

The development proposal for this property consists of two multi-family structures: one three story structure with 18 (eighteen) one-bedroom units and one three story structure with 12 (twelve) two-bedroom units, for a total of 30 (thirty) units. This multi-family housing development will be part of an innovative urban farm that will encompass both City and County parcels, where housing, including affordable units, will be provided on the City parcels and the County parcel will be dedicated to agricultural purposes. A greenhouse, allowed by right, in a Highway zoning district will be located on the City parcels. Additionally, a farm stand of approximately 600 square feet will be located on the city portion of the

Attachment B

development and will house future farm sales. The farm retail building will not exceed 4000 square feet, the maximum allowable square footage for retail use in a highway district. The development proposal includes proffered conditions for use and structure height in a HW zoning district.

Affordable Housing Data:

There are currently no supported affordable units on the property. No units are required to be designated as affordable in the proposed development, per Sec. 34-12 of the Charlottesville City Zoning Ordinance, however, the applicant wishes to provide two affordable units as a condition of special use permit approval. The affordable units will rent at a rate affordable to those making up to 80% of the area median income (AMI).

The GFA of the residential structures, as proposed, on the property does not exceed 25,000 square feet. Given the site is approximately .94 Ac (40,946 square feet), the FAR of the site is .6.

Surrounding Uses:

The immediate surrounding is entirely residential. R-2 parcels with single family dwellings are northeast of the development. R-1S parcels with single family dwellings are across Nassau St. opposite the proposed development. Parcels zoned HW are south of the development. Southwest of the development along Linden Ave there are existing multi-family structures and townhomes.

Consistency with Comprehensive Plan:

The first goal of the Land Use Chapter of the Comprehensive Plan states, “enhance the sense of place throughout Charlottesville.” A unique development like Hogwaller Farm will inherently foster a sense of place by tying into the agricultural heritage of the area along Moore’s creek as the site of the livestock exchange and by serving as a unique residential model in Charlottesville. The second goal of the land use chapter is to, “establish a mix of uses within walking distance of residential neighborhoods that will enhance opportunities for small group interaction throughout Charlottesville.” The communal spaces within the residential development will facilitate resident interaction as well as allow for interaction between and among farm visitors. Goal 3 of the Housing Chapter is to, “grow the City’s housing stock for residents of all income levels.” Hogwaller Farm aligns with this goal because the proposed development offers a variety of housing options, in the form of one and two bedroom units in two multi-family structures. These units will be more affordable than the existing predominant housing stock in Belmont, the single family dwelling. The residential units proposed at Hogwaller Farm will directly contribute to achieving the City’s goal of “15% supported affordable housing by 2025,” by providing two affordable units.

Compliance with USBC Provisions

The proposed development will be in compliance with all applicable USBC provisions.

Impacts on Public Facilities and Public Infrastructure:

The project will have a minimal environmental footprint, and seeks to mitigate any ill effects. Stormwater runoff will largely be mitigated on the site of the development (city and county parcels) through an undisturbed riparian buffer and proposed tree plantings.



SITE DEVELOPMENT PLAN FOR Hogwaller Farm

TAX MAP 61, PARCELS 79.79.16, 79.17, 79.18, 79.19, 79.201
CITY OF CHARLOTTESVILLE, VIRGINIA

VICINITY MAP SCALE: 1"=1000'

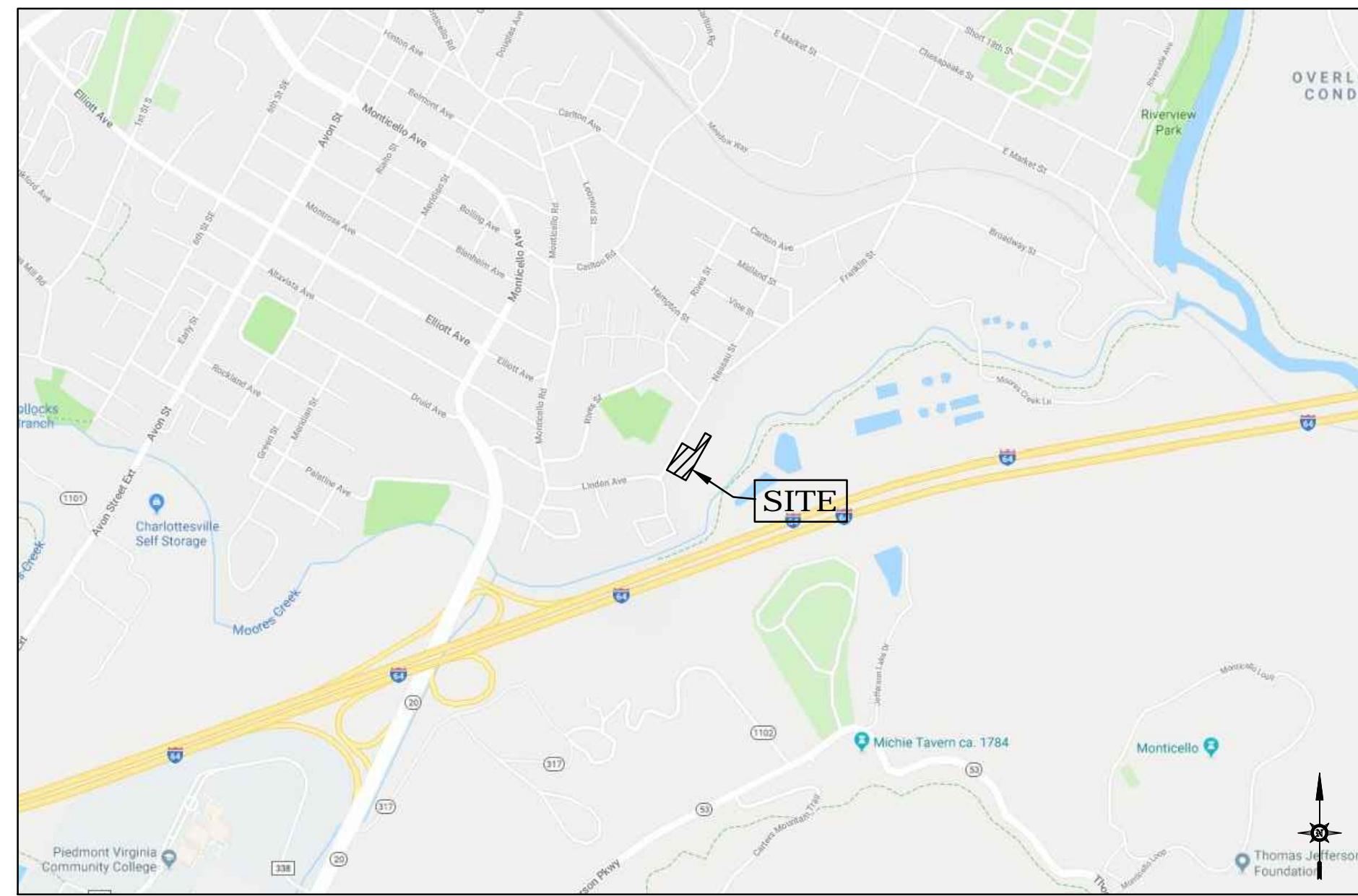


IMAGE PROVIDED BY GOOGLE MAPS

LEGEND		
EXIST	NEW	DESCRIPTION
16" TC	x 12" TC	TOP OF CURB ELEVATION
16"	x 12"	SPOT ELEVATION
16" TW	x 12" TW	TOP OF WALL ELEVATION
16" BW	x 12" BW	BOTTOM OF WALL ELEVATION
		BENCHMARK
		STORM SEWER
		ROOF DRAIN
		SEWER LINE
		WATER LINE
		GAS LINE
		OVERHEAD ELECTRIC WIRE
		UNDERGROUND ELECTRIC
		OVERHEAD TELEPHONE LINE
		UNDERGROUND TELEPHONE LINE
		DRAIN INLET (DI)
		STORM/SANITARY MANHOLE
		PLUG
		WATER VALVE & BOX
		FIRE HYDRANT
		WATER METER
		LIGHT POLE
		UTILITY POLE
		PROPERTY LINE
		ADJACENT PROPERTY LINE
		VACATED PROPERTY LINE
		BUILDING SETBACK
		PARKING SETBACK
		SANITARY EASEMENT
		GRADING EASEMENT
		DRAINAGE EASEMENT
		UTILITY EASEMENT
		WATER EASEMENT
		ACCESS EASEMENT
		STORM DRAINAGE EASEMENT
		TREE LINE
		FENCE
		STREAM
		INTERVAL CONTOUR
		INDEX CONTOUR
		STANDARD 6" CURB
		COMBINATION 6" CURB & GUTTER
		CONCRETE PAVEMENT / SIDEWALK
		RIPRAP
		ASPHALT
		GRASS
		EC-2 MATTING
		EC-3 MATTING
		WETLAND
		COMPACT PARKING
		CROSSWALK
		HANDICAP ACCESSIBLE AISLE
		CG-12
		HANDICAP PARKING

NOTE:
1. THE SIZE OF THE SYMBOLS MAY VARY FROM WHAT IS SHOWN.

SHEET INDEX

- SHEET C1 - COVER SHEET
- SHEET C2 - CONTEXT PLAN
- SHEET C3 - EXISTING CONDITIONS
- SHEET C4 - SITE PLAN

NOTES

- All excavation for underground pipe installation must comply with OSHA Standards for the Construction Industry (29 CFR Part 1926).
- The location of existing utilities across or along the line of the proposed work are not necessarily shown on the plans and where shown based on "MISS UTILITY" markings and are only approximately correct. The contractor shall locate all underground lines and structures as necessary.
- The contractor shall verify the locations of all boundaries, buildings, existing elevations, vegetation and other pertinent site elements. Contractor shall immediately report any discrepancies to the engineer of record.
- The contractor shall be responsible for notifying "MISS UTILITY" - 1-800-552-7001.
- Any damage to existing utilities caused by the contractor or its subcontractors shall be the contractor's sole responsibility to repair. This expense is the contractor's responsibility.
- All paving, drainage related materials and construction methods shall conform to current specifications and standards of the City of Charlottesville unless otherwise noted.
- An erosion and sediment control plan is required with this site plan.
- All slopes and disturbed areas are to be fertilized, seeded and mulched. The maximum allowable slope is 2:1. Where it is reasonably obtainable, lesser slopes of 3:1 or better are to be achieved. Paved, rip-rap or stabilization mat lined ditch may be required when in the opinion of the Engineer it is deemed necessary in order to stabilize a drainage channel.
- All traffic control signs shall conform to the 2011 Virginia Supplement to the 2009 Manual on Uniform Control Devices.
- Unless otherwise noted all concrete pipe shall be reinforced concrete pipe - Class III.
- All material inside concrete forms shall be clean and free of all rocks and other loose debris. Sub-base material shall be compacted by mechanical means. Remove all standing water from area inside forms.
- Concrete and asphalt shall not be placed unless the air temperature is at least 40 degrees in the shade and rising. Material shall not be placed on frozen subgrade.
- All existing curbs, curb and gutters and sidewalks to be removed shall be taken out to the nearest joint.
- Existing asphalt pavement shall be saw cut and removed as per VDOT Road and Bridge Specifications 2007. Removal shall be done in such a manner as to not tear, bulge or displace adjacent pavement. Edges shall be clean and vertical. All cuts shall be parallel or perpendicular to the direction of traffic.
- The contractor shall exercise care to provide positive drainage to the storm inlets or other acceptable drainage paths in all locations.
- Contact information for any necessary inspections with City: E&S Inspector, NDS- 970-3182 (for the E&S inspections) Project Inspectors, NDS-970-3182 (for other construction items like sidewalk, pavement patches, road, storm sewer etc) Water and Sanitary Sewer-Public Works 970-3800 Street cut, Public Works 970-3800 Other public ROW issues-City Engineer 970-3182.
- Any sidewalk and/or curb damage identified in the site vicinity due to project construction activities as determined by City inspector shall be repaired at the contractor's expense.
- A temporary street closure permit is required for closure of sidewalks, parking spaces and roadways and is subject to approval by the City Traffic Engineer.

OWNER/DEVELOPER

HURT, CHARLES WM, TRUSTEE FRANKLIN ST LD TR III & FISHER, SHIRLEY L, TRUSTEE FRANKLIN ST LD TR III; HURT, CHARLES W ETAL TR VA LD TR; HURT, C, ETAL TR-FRANKLIN ST LD TR II PO Box 8147 Charlottesville, VA 22906

ZONING

HW: 61-79.16
R-2: 61-79.16, 61-79.17, 61-79.18, 61-79.19, 61-79.201

LEGAL REFERENCE

TMP 61-79.16, 61-79.17, 61-79.18, 61-79.19, D.B. 2015-4754
TMP 61-79.201, D.B. 713:190
TMP 61-79, D.B. 1188:252

SOURCE OF BOUNDARY & TOPO

Boundary information obtained from plat of record
Topography information obtained from City of Charlottesville GIS

BUILDING HEIGHT

Maximum Building Height Allowed in HW: 8'
Maximum Proposed Building Height: 35'

BUILDING SETBACKS

Front Primary Street: 5 Min.
Side Adjacent to HW: None Required
Side Adjacent to R-2 Low Density Residential: 20' Min.

EXISTING USE

Low Density Residential

PROPOSED USE

18 - 1 Bedroom Residential Units
12 - 2 Bedroom Residential Units
Gross Residential Density:
30 Units/.94 Acres = 32 Units Per Acre
Retail: Farm Stand
Greenhouse on Site

LAND USE SCHEDULE

EXISTING	Area	%
Impervious area	2,268 SF	4%
Open space	52,567 SF	96%
Total	54,825 SF (1.26 ac.)	

PROPOSED	Area	%
Buildings	9,560 SF	17.4%
Pavement	12,815 SF	23.3%
Sidewalk	1,207 SF	2.3%
Impervious area	23,582 SF	43.0%
Open Space	31,243 SF	57.0%
Total	54,825 SF (1.26 ac.)	

LAND DISTURBANCE

0.80 acres of total land disturbance is proposed with this plan.

CITY PERMITS

- The contractor shall be responsible for obtaining a street cut permit from the City.
- A Temporary Street Closure Permit is required for closure of sidewalks, parking spaces and roadways and is subject to approval by the City Traffic Engineer. The contractor contact information will be provided with the final plans.

SIGNS

All signs and pavement markings shall conform with the latest edition of the MUTCD Guidelines.

FIRE MARSHAL'S NOTES

SITE PLAN:

- VSFPC 505.1- The building street number to be plainly visible from the street for emergency responders.
- VSFPC 506.1 - An approved key box shall be mounted to the side of the front or main entrance.
- VSFPC 506.1.2 - An elevator key box will be required if the building has an elevator.
- VSFPC 507.5.4 - Fire hydrants, fire pump test header, fire department connections or fire suppression system control valves shall remain clear and unobstructed by landscaping, parking or other objects.
- VSFPC 503.2.1 - Overhead wiring or other obstructions shall be higher than 13 feet 6 inches.
- VSFPC 3312.1 - An approved water supply for fire protection shall be made available as soon as combustible material arrives on the site. Fire hydrants shall be installed and useable prior to the start of any building construction.
- All pavement shall be capable of supporting fire apparatus weighing 85,000 lbs.
- Required vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided by either temporary or permanent fire department connections. Vehicle access shall be provided by either temporary or permanent roads, capable of supporting vehicle loading under all weather conditions. Vehicle access shall be maintained until permanent fire apparatus access roads are available.
- Buildings four or more stories in height shall be provided with not less than one standpipe for use during construction. Such standpipes shall be installed when the progress of construction is not more than 40 feet in height above the lowest level of fire department access. Such standpipe shall be provided with fire department hose connections at accessible locations adjacent to usable stairs. Such standpipes shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

CONSTRUCTION & DEMOLITION:

- VSFPC 310.3, 310.5 - Smoking to be allowed in only designated spaces with proper receptacles.
- VSFPC 3304.2 - Waste disposal of combustible debris shall be removed from the building at the end of each workday.
- IFC 1410.1-Access to the building during demolition and construction shall be maintained.
- VSFPC 3304.6 - Operations involving the use of cutting and welding shall be done in accordance with Chapter 35, of the Virginia Statewide Fire Prevention Code, addressing welding and hotwork operations.
- VSFPC 3315.1 - Fire extinguishers shall be provided with not less than one approved portable fire extinguisher at each stairway on all floor levels where combustible materials have accumulated.
- VSFPC 3310.1 - Required vehicle access for fire fighting shall be provided to all construction or demolition sites. Vehicle access shall be provided to within 100 feet of temporary or permanent fire department connections, if any. Vehicle access shall be maintained until permanent fire apparatus access roads are available.

FLOOD ZONE

Limits of 100-year flood are shown herein in accordance with FEMA Flood Insurance Rate Maps 510033 0288D and 510033 0289D. Effective date of these maps is February 4, 2005.

ELECTRIC / TELEPHONE / CABLE TV

If feasible, all new service lines for electricity, telephone and cable TV are to be installed underground. Care is to be taken to assure their location does not conflict with any other aspects of the proposed site plan.

PARKING SCHEDULE

Required Parking:
1 space per 1-2 bedroom residential unit. = 30 Units X 1 = 30 Spaces Req.
Accessible Parking: 1 Spaces Per 25 Total Req. = 30/25 = 2 Spaces
Total Required: 30 Spaces

Provided Parking:
38 Spaces Total Provided
Accessible spaces to be provided with later submittal.

Bike Parking:
1 space per 2 residential units = 30 Units X 0.5 = 15 Spaces Req.
Bike parking spaces to be provided with later submittal.

ITE TRIP GENERATION

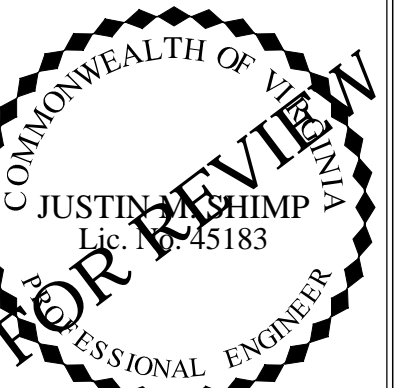
Use Description	ITE	Qty	AM			PM		
			in	out	Total	in	out	Total
Multifamily Housing	220	30	5	13	18	12	9	21
Nursery (Garden Cent)	817	1000 sf	4	4	8	4	4	8
Agricultural			8	2	10	0	0	0
Total			17	19	36	16	13	29

APPROVALS:

DIRECTOR OF NEIGHBORHOOD DEVELOPMENT SERVICES

DATE

SHIMP ENGINEERING, P.C.
ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
PHONE: (434) 227-5140
JUSTIN@SHIMP-ENGINEERING.COM



COVER SHEET

Rev #	Date	Description

SPECIAL USE PERMIT APPLICATION

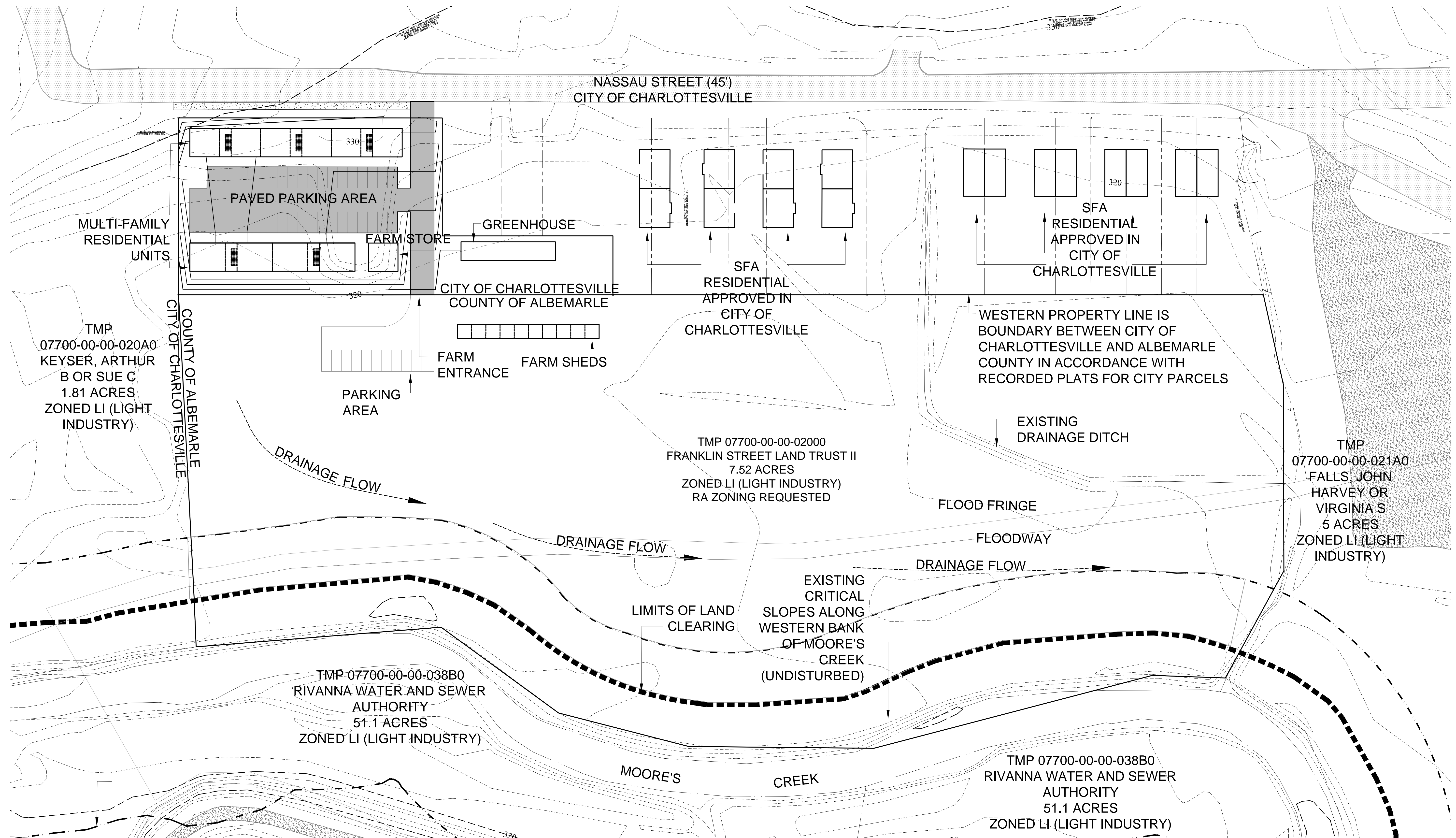
Hogwaller Farm
CITY OF CHARLOTTESVILLE, VIRGINIA

Date
1/23/2018

Scale
N/A

Sheet No.
C1 OF 4

File No.
17.023

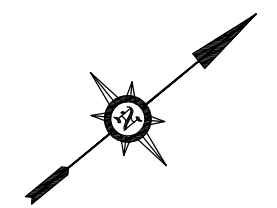
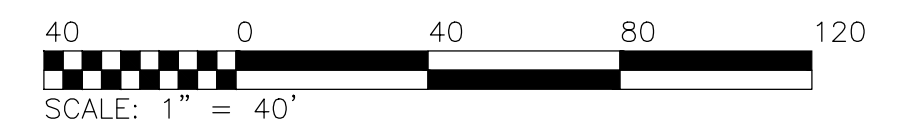


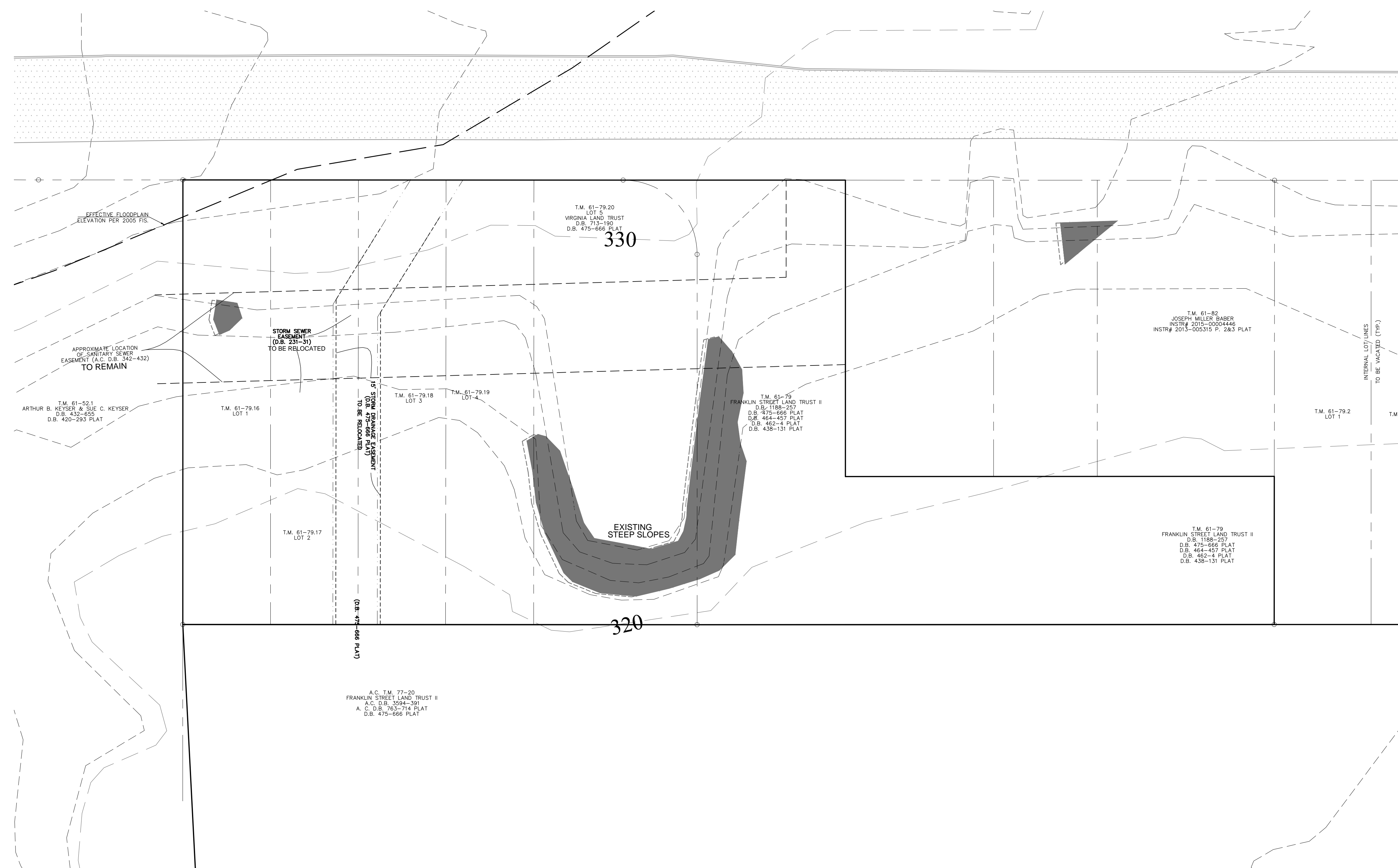
CONTEXT PLAN

Rev. #	Date	Description

SPECIAL USE PERMIT APPLICATION
Hogwaller Farm
 CITY OF CHARLOTTESVILLE, VIRGINIA

Date	1/23/2018
Scale	1" = 40'
Sheet No.	C2 OF 4
File No.	17.023





SHIMP ENGINEERING, P.C.
ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
201 E. MAIN ST., SUITE M
CHARLOTTEVILLE, VA 22902
PHONE: (434) 227-5140
JUSTIN@SHIMP-ENGINEERING.COM

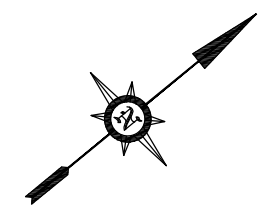
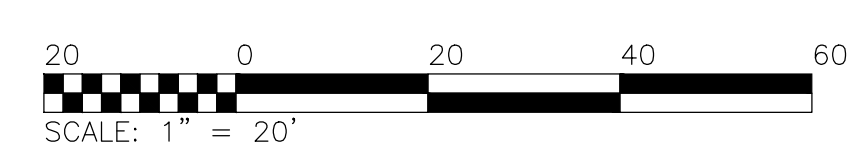
EXISTING CONDITIONS

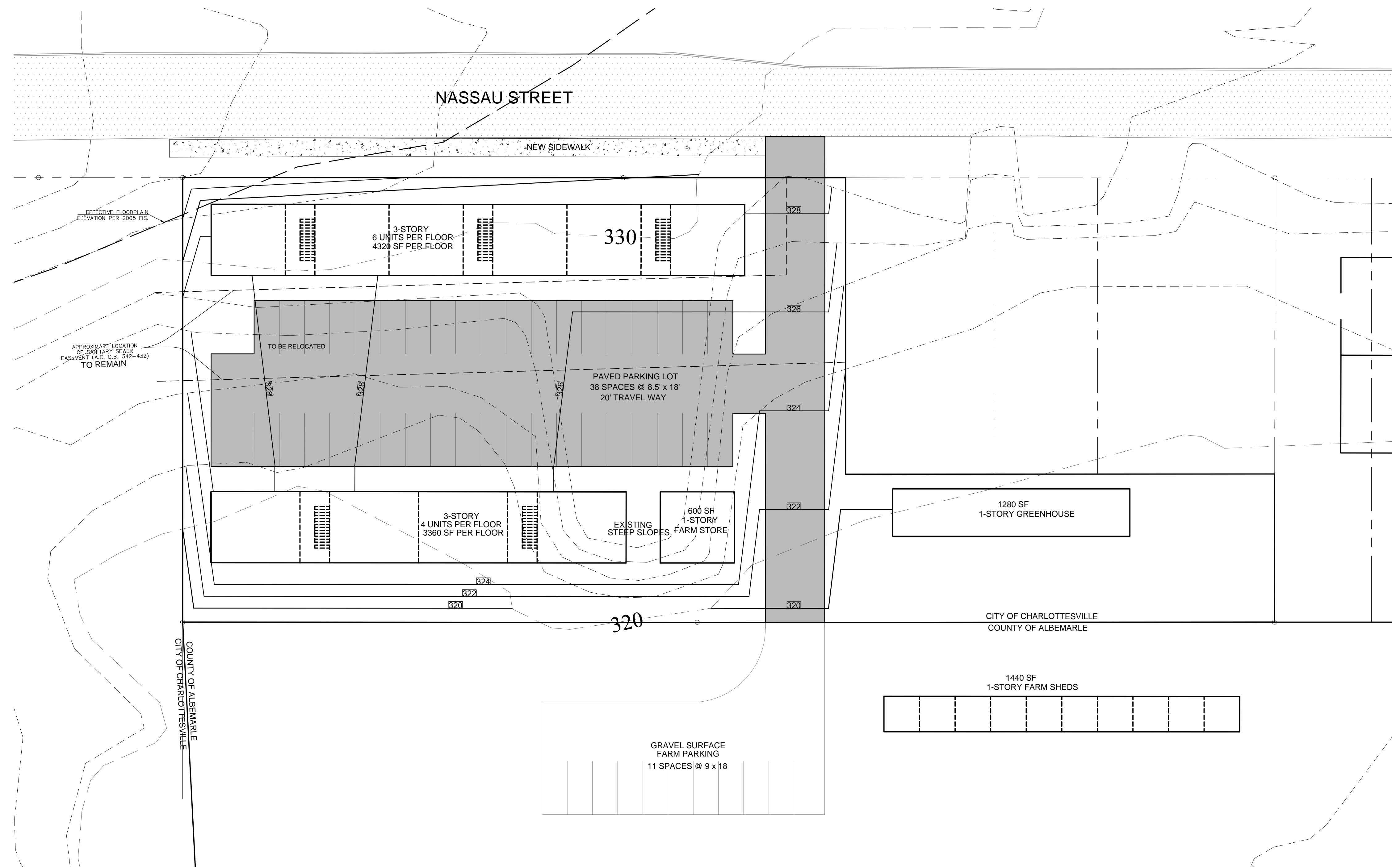
Rev. #	Date	Description

SPECIAL USE PERMIT APPLICATION

Hogwaller Farm
CITY OF CHARLOTTEVILLE, VIRGINIA

Date	1/23/2018
Scale	1" = 20'
Sheet No.	C3 OF 4
File No.	17.023





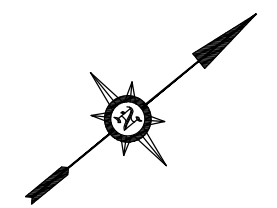
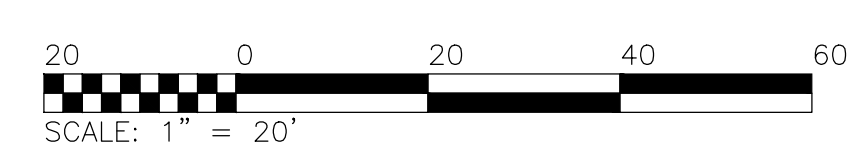
SHIMP ENGINEERING, P.C.
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT
 201 E. MAIN ST., SUITE M
 CHARLOTTEVILLE, VA 22902
 PHONE: (434) 227-5140
 JUSTIN@SHIMP-ENGINEERING.COM

SITE PLAN

Rev #	Date	Description

SPECIAL USE PERMIT APPLICATION
Hogwaller Farm
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date	1/23/2018
Scale	1" = 20'
Sheet No.	C4 OF 4
File No.	17.023





January 23, 2018

Brennen Duncan, P.E.
Neighborhood Development Services
610 East Market Street
Charlottesville, VA 22902

**Regarding: Hogwaller Farm
Right & Left Turn Warrant Analysis**

Mr. Duncan,

Please find enclosed a left and right-turn warrant analysis for the proposed Hogwaller Farm off of Nassau Street between Linden Avenue and Franklin Street.

The following items are included with this report:

- ITE Trip Generation Summary
- Warrant Analysis Exhibit
- OTISS Trip Generation Reports

Our analysis shows that neither a left nor right turn lane is warranted for this project.

If you have any questions you may contact me at justin@shimp-engineering.com or by phone at 434-953-6116.

Best Regards,

A handwritten signature in blue ink, appearing to read "Justin Shimp", is written over the typed name and company information.

Justin Shimp
Shimp Engineering, P.C.

Attachment D

Hogwaller Farm is proposed to be a 30 unit development of multifamily housing with a small farm and farm stand for selling goods. According to the City engineering department data, Nassau Street has an AADT of 1,500. The direction of traffic was assumed to be evenly split. When determining PHV trips, K*D was assumed to be 11%, as instructed in Figure 2, the warrant for right turns.

Below is the ITE trip generation summary table that was used to determine the PHV right and left turns. Using the direction factor, the number of cars entering was split between left and right turns. The traffic generated from the site was also added into the peak hour volume of Nassau Street.

Table 1. ITE trip generation summary table

Use Description	ITE	Qty	AM			PM		
			in	out	Total	in	out	Total
Multifamily Housing	220	30	5	13	18	12	9	21
Nursery (Garden Center)	817	1000 sf	4	4	8	4	4	8
Agricultural			8	2	10	0	0	0
Total			17	19	36	16	13	29

The multifamily housing and garden center information in Table 1 was retrieved from OTISS trip generation services. Figures 3 through 6 at the end of this document display original data from their website. The trips generated from the agricultural use were estimated based on the number of workers on the farm.

Attachment D

Figure 1. Warrant for left turn treatment (2-lane highway)

WARRANTS FOR LEFT TURN LANES ON TWO-LANE HIGHWAYS

VPH OPPOSING VOLUME	ADVANCING VOLUME			
	5% LEFT TURNS	10% LEFT TURNS	20% LEFT TURNS	30% LEFT TURNS
40-MPH DESIGN SPEED*				
800	330	240	180	160
600	410	305	225	200
400	510	380	275	245
200	640	470	350	305
100	720	515	390	340
50-MPH DESIGN SPEED*				
800	280	210	165	135
600	350	260	195	170
400	430	320	240	210
200	550	400	300	270
100	615	445	335	295
60-MPH DESIGN SPEED*				
800	230	170	125	115
600	290	210	160	140
400	365	270	200	175
200	450	330	250	215
100	505	370	275	240

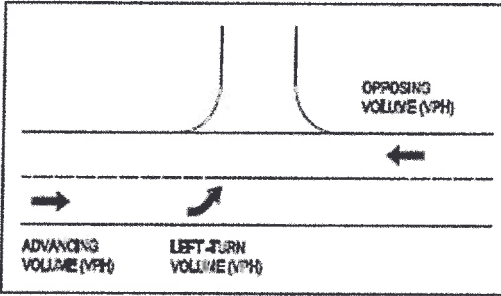


TABLE 3-1

Source: Adapted from 2011 AASHTO Green Book, Chapter 9, Section 9.7.3, Page 9-132, Table 9-23

* USE DESIGN SPEED IF AVAILABLE, IF NOT USE LEGAL SPEED LIMIT.

Example:

Two-lane highway with 40-MPH operating speed

Opposing Volume (VPH) - 600
 Advancing Volume (VPH) - 440
 Left-Turn Volume (VPH) - 44 or 10% of Advancing Volume

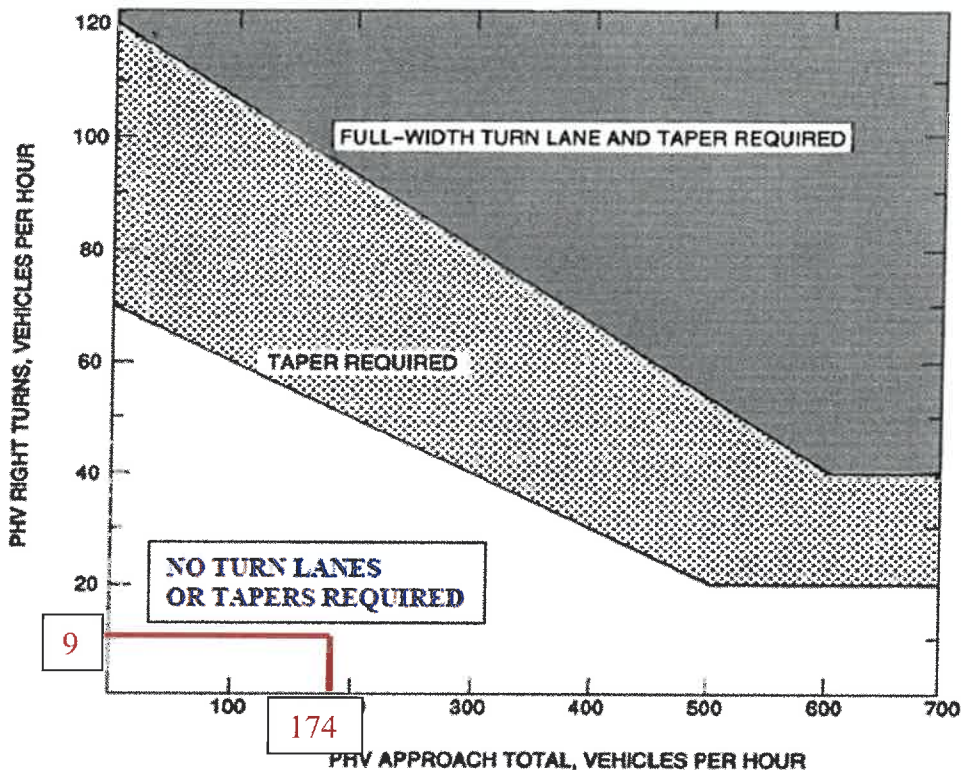
With opposing volume (VPH) of 600 and 10% of advancing volume (VPH) making left turns, and advancing volume (VPH) of 305 or more will warrant a left-turn lane.

When the Average Running Speed on an existing facility is available, the corresponding Design Speed may be obtained from Appendix A, Section A-1.

Nassau Street has a speed limit of 25 mph at the entrance of Hogwaller Farm. The peak left turns into the site occur in the morning, with 9 left turns out of a total of 174 approaching vehicles (the additional turns generated by the site are included in the approach total). These turns make up approximately 5% of the advancing volume. With an opposing volume of 174 vehicles, a left turn lane is not warranted according to Figure 1 above.

Figure 2. Warrant for right turn treatment (2-lane highway)

F-79



Appropriate Radius required at all Intersections and Entrances (Commercial or Private).

LEGEND

PHV - Peak Hour Volume (also Design Hourly Volume equivalent)

Adjustment for Right Turns

For posted speeds at or under 45 mph, PHV right turns > 40, and PHV total < 300.

Adjusted right turns = PHV Right Turns - 20

If PHV is not known use formula: $PHV = ADT \times K \times D$

K = the percent of AADT occurring in the peak hour

D = the percent of traffic in the peak direction of flow

Note: An average of 11% for K x D will suffice.

When right turn facilities are warranted, see Figure 3-1 for design criteria.

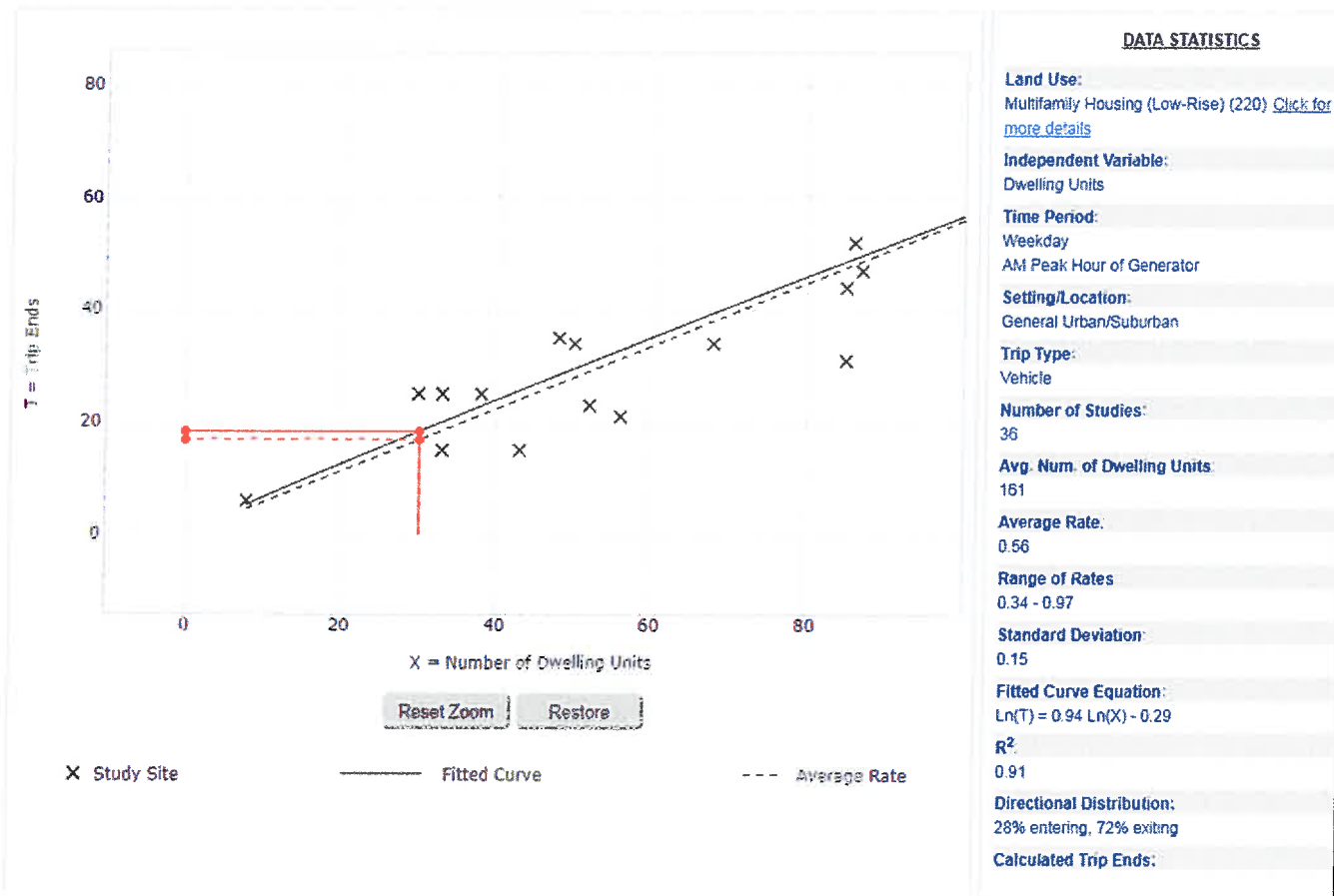
FIGURE 3-26 WARRANTS FOR RIGHT TURN TREATMENT (2-LANE HIGHWAY)

Attachment D

Figure 2 above shows that no right turn lane or taper is warranted for Hogwaller Farm. The morning is the peak hour volume approach total, with 174 vehicles approaching. Of those, approximately 9 vehicles are estimated to turn right into the site (the same as the left turns because of the assumed 0.5 direction factor).

Figure 3. OTISS trip generator A.M. peak hour multifamily housing

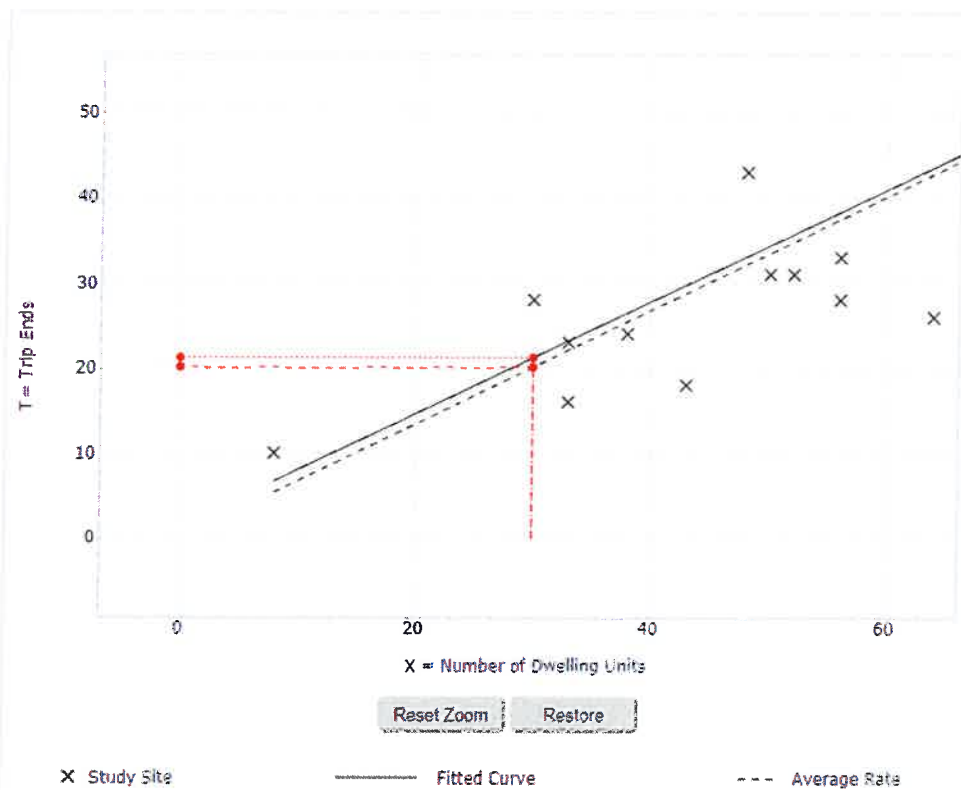
Data Plot and Equation



Attachment D

Figure 4. OTISS trip generator P.M. peak hour multifamily housing

Data Plot and Equation

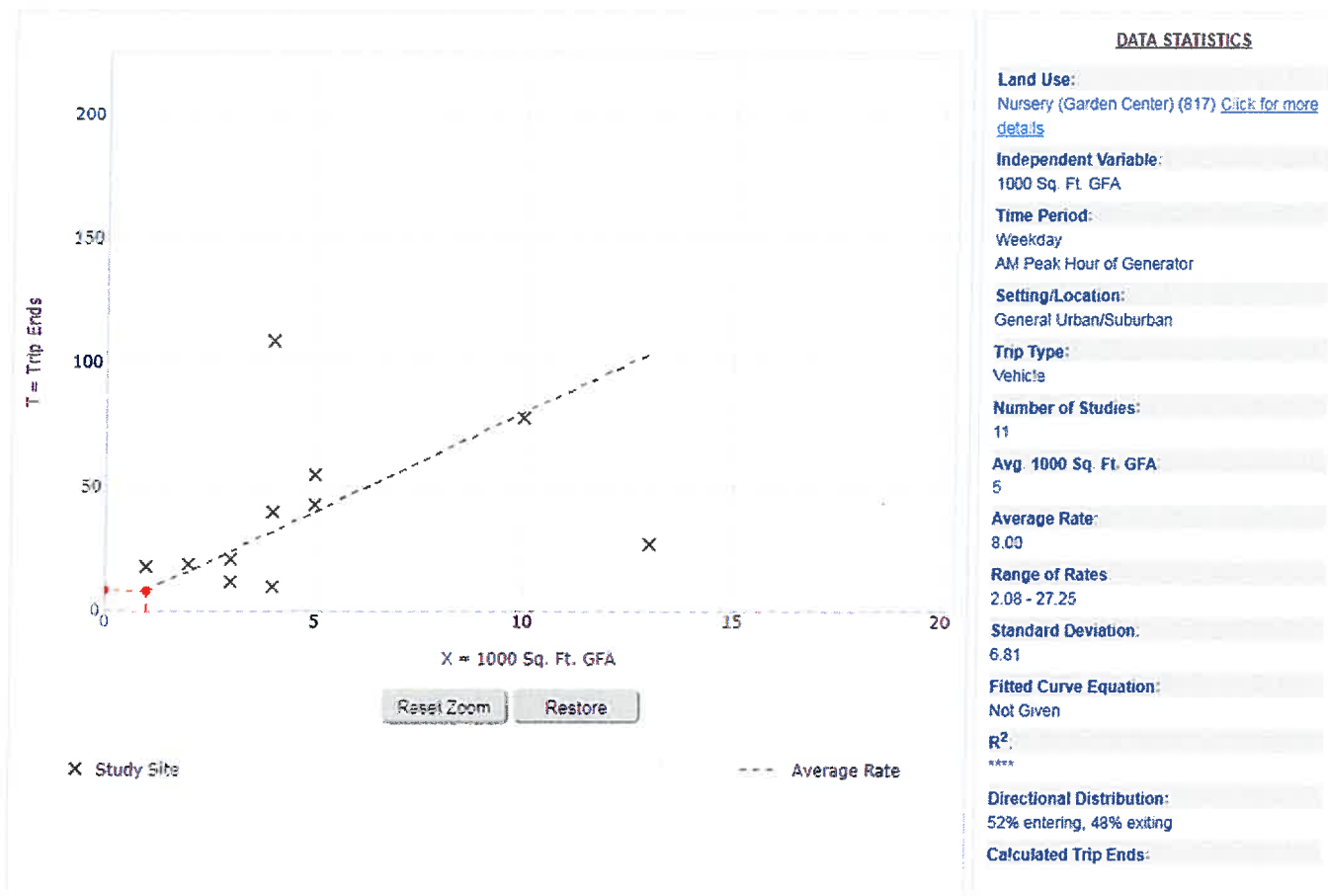


DATA STATISTICS

Land Use:	Multifamily Housing (Low-Rise) (220) Click for more details
Independent Variable:	Dwelling Units
Time Period:	Weekday PM Peak Hour of Generator
Setting/Location:	General Urban/Suburban
Trip Type:	Vehicle
Number of Studies:	35
Avg. Num. of Dwelling Units	146
Average Rate:	0.67
Range of Rates	0.41 - 1.25
Standard Deviation	0.14
Fitted Curve Equation:	$T = 0.66(X) + 1.41$
R²	0.94
Directional Distribution:	59% entering, 41% exiting
Calculated Trip Ends:	

Attachment D

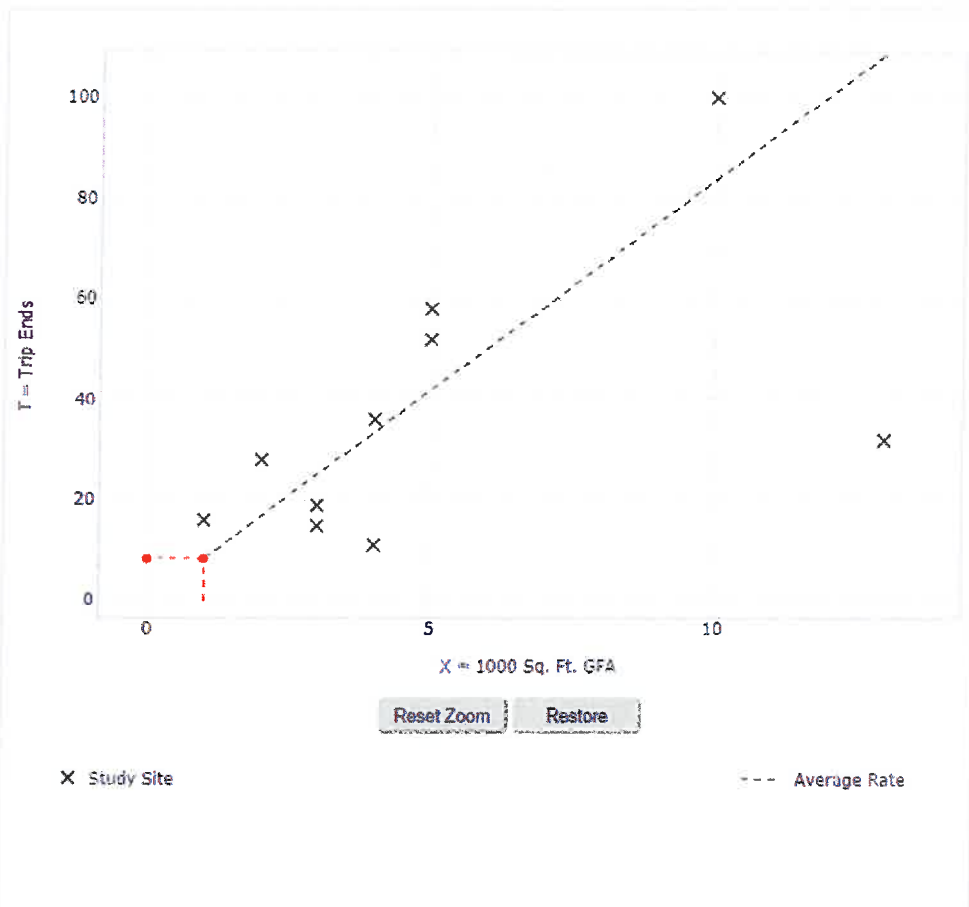
Figure 5. OTISS trip generator A.M. peak hour garden center
Data Plot and Equation



Attachment D

Figure 6. OTISS trip generator P.M. peak hour garden center

Data Plot and Equation



DATA STATISTICS

Land Use:
Nursery (Garden Center) (817) [Click for more details](#)

Independent Variable:
1000 Sq. Ft. GFA

Time Period:
Weekday
PM Peak Hour of Generator

Setting/Location:
General Urban/Suburban

Trip Type:
Vehicle

Number of Studies:
12

Avg. 1000 Sq. Ft. GFA:
6

Average Rate:
8.37

Range of Rates:
2.46 - 30.25

Standard Deviation:
6.45

Fitted Curve Equation:
Not Given

R²:

Directional Distribution:
49% entering, 51% exiting

Calculated Trip Ends:

Memorandum

To: City of Charlottesville, Planning Commission
From: Wood Hudson, Transportation Program Manager
Date: September 24, 2018
Reference: Update of the 2045 Long Range Transportation Plan (LRTP)

Purpose: The Charlottesville-Albemarle MPO (CA-MPO) is working to update of the region's Long Range Transportation Plan (LRTP), for its 5-year update. MPO staff is presenting the Planning Commission with a status update on the LRTP planning process and soliciting input.

Background: The CA-MPO is the official forum for cooperative transportation decision-making for the metropolitan area. It is federally designated to consider long-range regional projects that receive federal funds. One of the core responsibilities of the MPO is developing and maintaining the LRTP. The LRTP guides the region in creating a more efficient, responsive and environmentally-sensitive transportation system over the next 20+ years. The plan examines regional transportation trends/issues and offers a list of specific projects for addressing the region's mobility needs. The focus of the plan is on the regional transportation network, which provides connectivity through and around the for region for people goods and services.

The MPO Policy Board, which includes representatives for the Charlottesville City Council and Albemarle Board of Supervisors, approved the most recent plan in May 2014. The updated plan must be completed and approved by the Policy Board by May of 2019. MPO staff are mid-way through the planning process and are working with the MPO committees to evaluate possible projects for inclusion in the final constrained project list. Projects are being evaluated using a performance-based approach as stipulated by Federal Highway Administration, and Virginia Department of transportation guidance (**Attachment 1**). MPO staff are employing a scenario-based approach to evaluate groups of projects. Currently, the Policy Board MPO has reviewed the first scenario (**Attachment 2**) and provided input on a second round of projects for consideration in scenario review round two.

Summary: The five-year LRTP update process kicked off in the Spring of 2017. Since kickoff the following tasks have been completed. Developing a detailed scope of work, adopting plan goals and objectives, establishing project review criteria and scenario performance measures, completing an update of the regional travel demand model, developing a projects list, conducting a first round of scenario project planning. Next steps include further scenario planning, additional public engagement, and defining a final constrained project list.

Action Items: This discussion is to inform the Planning Commission of the ongoing planning process and solicit input form the Commission. Additional opportunities for input include a public meeting scheduled for October 17th (5:30-7:30pm at the Water Street Center) and additional Planning Commission briefings. If there are any questions or comments, please contact Wood Hudson at whudson@tjpd.org or visit the plan website at <http://campo.tjpd.org/process-documents/lrtp/>.

Attachment 1 Scenario Review Criteria

L RTP Goal	L RTP Objective	Aspect to Quantify	Performance Measure	Desired Trend	Method
Congestion	Improve the efficiency of the existing transportation system and services whenever possible.	Delay due to Congestion	Vehicle-hours of delay	Decrease	Model
Accessibility & Mobility	Improve access to transit for all users. Ensure the diverse needs of a changing population are met including the elderly, disabled, limited English proficiency, and persons lacking access to private vehicles.	Resident access to Transit	Total population within 1/4 mile of a transit stop* (multiply by 2 if peak-hour headway is 20 minutes or less, divide by 2 if peak-hour headway is 45 minutes or more)	Increase	GIS, using ACS data
			Population below poverty line (present-day) within 1/4 mile from transit stop		
			Minority population (present-day) within 1/4 mile from transit stop		
			Population age 65+ (present-day) within 1/4 mile from transit stop		
	SMART SCALE: Access to jobs	Commute time	Average commute time - driving	Decrease	Model
Enhance connectivity among and between various modes of transportation through identifying and filling gaps in networks. Increase awareness and continue to support Rideshare and Travel Demand Management (TDM) services.	Access to mode transfers	# of park-and-ride spaces in the region	Increase	Manual count	
		# of bike rack spaces at transit stops in the region			
Economic Development and Land Use	Assure activity centers are designed to accommodate a range of transportation modes.	Access to activity centers by bus, bike and walking	# of transit stops* within (or immediately adjacent to) activity center TAZs, with each express bus stop* counting as 2 stops	Increase	GIS
			Length of bicycle facilities within (or immediately adjacent to) activity center TAZs		
			Length of pedestrian facilities within (or immediately adjacent to) activity center TAZs		
Target transportation improvements to support local land use and development priorities.	Transportation projects within or connected to activity centers	Miles of road that are within (or immediately adjacent to) activity center TAZs	Increase	GIS	
Improve the effectiveness of the existing transportation network, recognizing internal and external future travel demands from tourism, freight, and commuters.	VMT (vehicle-miles traveled) per capita	VMT per capita	Decrease	Model	
Safety	Reduce the number and severity of crashes	Crashes	Fatality crashes, multiplied by 540	Decrease	Model
			Injury crashes, multiplied by 10		
			Property damage only crashes		
Identify key safety deficiencies in regional networks across all modes including the needs of bike and pedestrian users.	Bicycle and Pedestrian network	Length of regional shared-use paths and bike lanes	Increase	GIS	
		Length of regional sidewalks and shared-use paths			
Environment & Community	Promote use of alternative transportation modes and alternative fuel vehicles.	Non-SOV Commute Mode Share	% of trips non-motorized	Increase	Model
			% of trips transit		

*excludes stops that serve only peak-hour (commuter) routes

Attachment 1: Project Review Criteria

Project Description: includes project location and scope (roadway, transit, bike/ped), cost estimate if available, and any other essential information



Congestion

Projected change in # of vehicle-hours of delay (model)



Transit Access

Change in transit access measure



Bike/Ped

Length of bicycle and pedestrian improvements

Project Impacts

Environmental Design	Incorporates Complete Streets elements that aren't in measures (street trees, bus shelters, benches or other amenities). List potential elements included.
Environmental Impacts	Wetlands, floodplains, park lands, scenic rivers, conservation easements, and endangered species habitat. Quantative values presented, with qualitative description if necessary.
Social Impacts	Estimate of number of individuals who are minority, in poverty, or older than 65 who live within 500 feet of the project. Quantative values presented, with qualitative description if necessary.
Historical Site Impacts	List of sites potentially impacted by the project. Site information presented, with qualitative description if necessary.
Inter-regional corridors	Impact on corridors that are identified by VDOT as part of the National Highway System (NHS). Qualitative description.
Inter-regional transit	Impact on inter-regional transit. Qualitative description.
Maintenance and Safety	Qualitative description of potential impact on MAP-21 performance measures, if applicable. Primary focus is whether project includes a deficient bridge or locations with a high potential for safety improvement (PSI).

Capacity-focused projects**Current SMART SCALE**

US 250/US 29 Bypass widening (R1)	Hydraulic and 29 Area Projects (R3)
US 250 widening - Shadwell (R2)	Fontaine/Bypass Interchange (R4)
US 250 and Free Bridge widening (R5)	West Main Street Multimodal (R6)
I-64 Truck Lanes (R16)	

Scenario B - Connectivity**Connectivity-focused projects****Current SMART SCALE**

Berkmar Drive Extension (R11)	Hydraulic and 29 Area Projects (R3)
Sunset/Fontaine Connector (R12)	Fontaine/Bypass Interchange (R4)
Eastern Avenue - Crozet (R13)	West Main Street Multimodal (R6)
Hillsdale Drive to Rio Rd (R18)	
Pantops Bridge (R19)	

Scenario C - Multimodal**Multimodal roadway projects****Current SMART SCALE**

Route 20 (R7)	Hydraulic and 29 Area Projects (R3)
Rio Rd (R8)	Fontaine/Bypass Interchange (R4)
Fifth/Ridge/McIntire (R9)	West Main Street Multimodal (R6)

Avon Street (R10)
Old Lynchburg (R14)
Ivy Road - East (R15)
Ivy Road - West (R17)

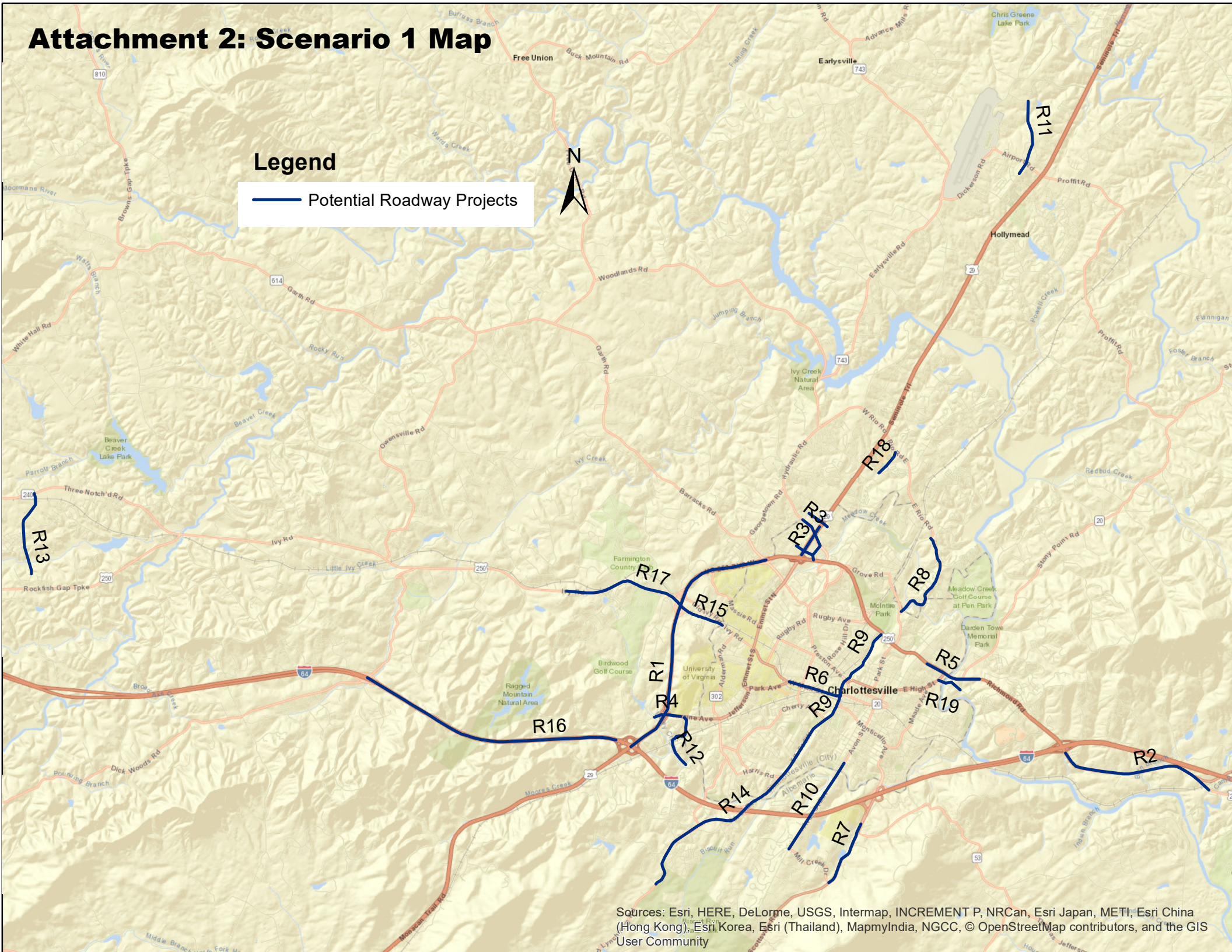
Transit Projects

Express Bus on US 29 Corridor (T1)
Commuter bus to Crozet (T2)
Bus route to Avon/Mill Creek (T3)
Increased bus service to Pantops (T4)
Fontaine Research Park bus route (T5)

Attachment 2: Scenario 1 Map

Legend

— Potential Roadway Projects



Attachment 2: Scenario 1 Map (Transit)

Legend


Potential Transit Routes


Route

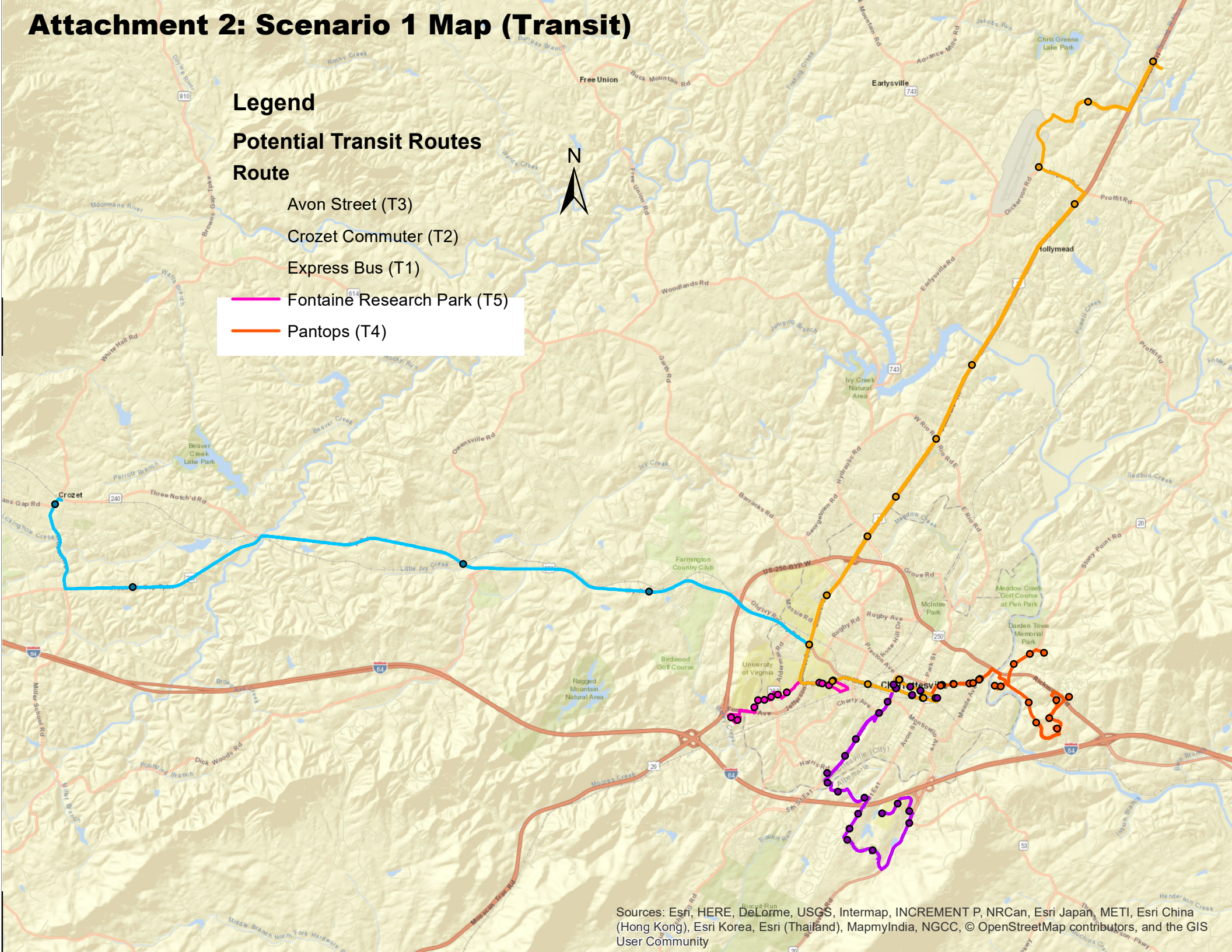
Avon Street (T3)

Crozet Commuter (T2)

Express Bus (T1)

 Fontaine Research Park (T5)

 Pantops (T4)



Sources: Esri, HERE, DeLorme, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), MapmyIndia, NGCC, © OpenStreetMap contributors, and the GIS User Community

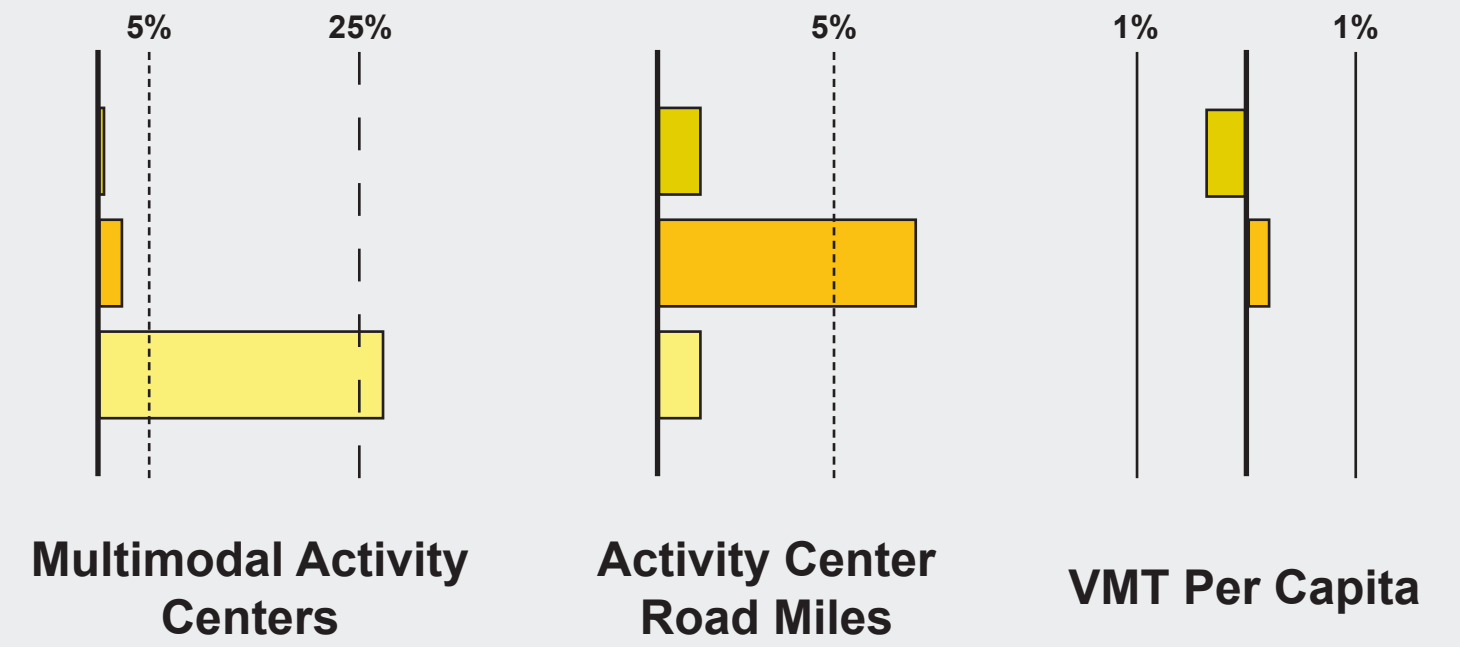
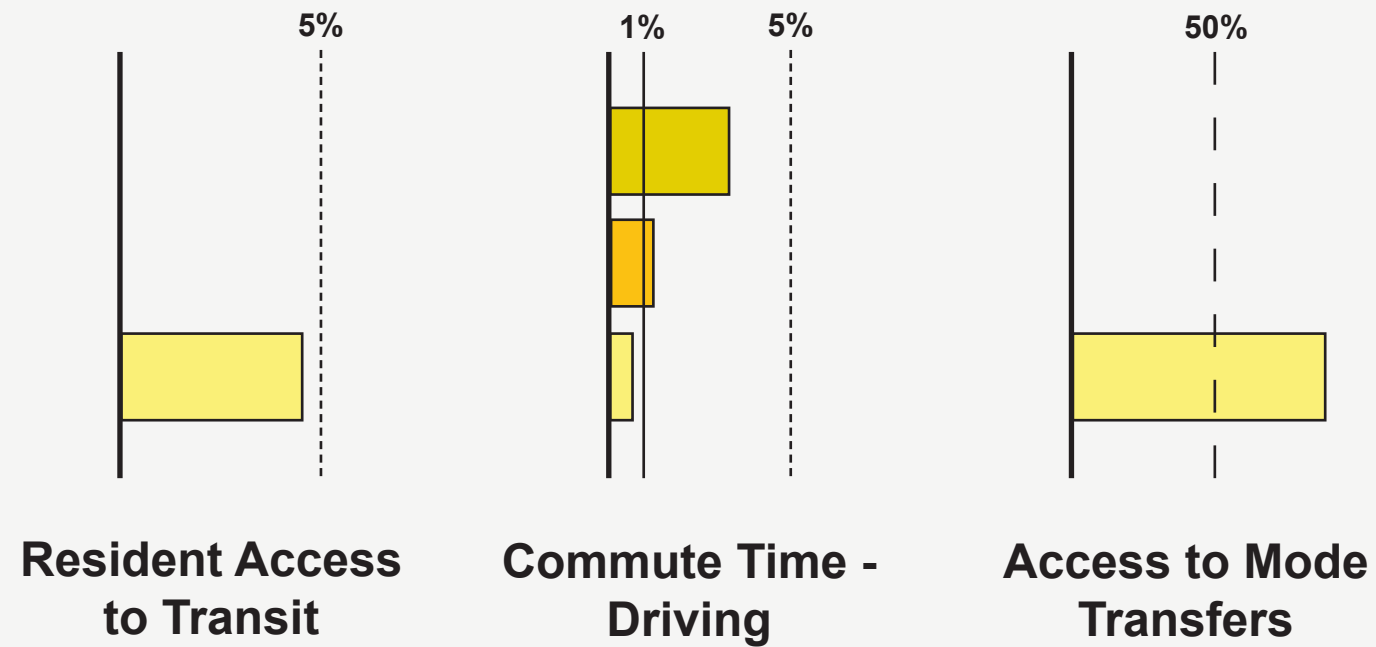
Scenario Round 1 Results

Measure	Metric	Base year (2015)	2045 'no-build'	Scenario A Capacity	Scenario B Connectivity	Scenario C Multimodal
Congestion	Vehicle-hours of delay	7065	10668	9362	9952	10491
Access to Transit	Population near stop* with peak headway of 20 minutes or less	31267	41948	41948	41948	44218
	Population near stop* with peak headway of 20-45 minutes	23529	26625	26625	26625	29474
	Population near stop* with peak headway of more than 45 min	12153	15058	15058	15058	13370
	Poverty population living within 1/4 mile (2016)	13460	13492	13492	13492	13667
	Minority population living within 1/4 mile (2016)	23734	23680	23680	23680	24076
	Age 65+ population living within 1/4 mile (2016)	6221	6034	6034	6034	6252
	LEP population living within 1/4 mile (2016)	595	598	598	598	606
Commute time	Average commute time - driving	11.6	12.9	12.5	12.8	12.8
Access to mode transfers	# of park-and-ride spaces	272	360	360	360	609
	# of bike rack spaces at transit stops	93	95	95	95	247
Bus, bike and pedestrian network within activity centers	# of local bus transit stops* within (or immediately adjacent to) activity center TAZs	146	148	148	148	200
	# of express bus transit stops* within (or immediately adjacent to) activity center TAZs	0	0	0	0	13
	Length of bike facilities within (or immediately adjacent to) activity center TAZs	29.7	38.1	39.6	42.0	41.5
	Length of pedestrian facilities within (or immediately adjacent to) activity center TAZs	117.5	123.0	123.6	126.5	125.9
Roadways within activity centers	Miles of road that are within (or immediately adjacent to) activity center TAZs	47.6	51.2	51.8	54.9	51.8
VMT per capita	VMT per capita	27.2	32.8	32.9	32.7	32.8
Safety/Crashes	Number of Fatality crashes	15	19	19	19	19
	Number of Injury crashes	1157	1433	1469	1432	1447
	Number of Property damage only crashes	2625	3291	3332	3307	3343
Bike/Ped network	Length of regional bicycle paths and lanes	46.7	55.4	59.5	60.2	64.5
	Length of regional sidewalks and paths	106.6	113.0	115.9	117.2	121.4
Non-SOV Mode Share	% of trips non-motorized	4.60	4.77	4.65	4.77	4.76
	% of trips transit	0.33	0.33	0.33	0.33	0.41

*excludes stops that serve only peak-hour (commuter) routes

Accessibility and Mobility

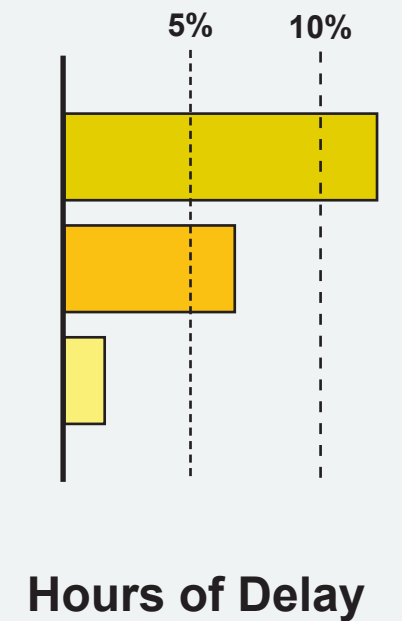
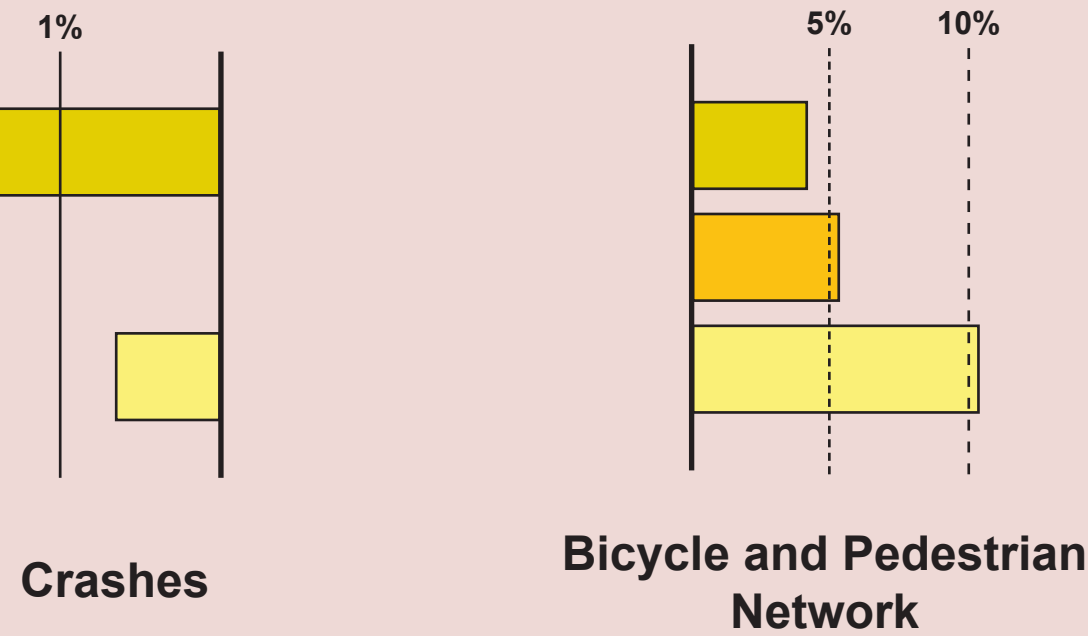
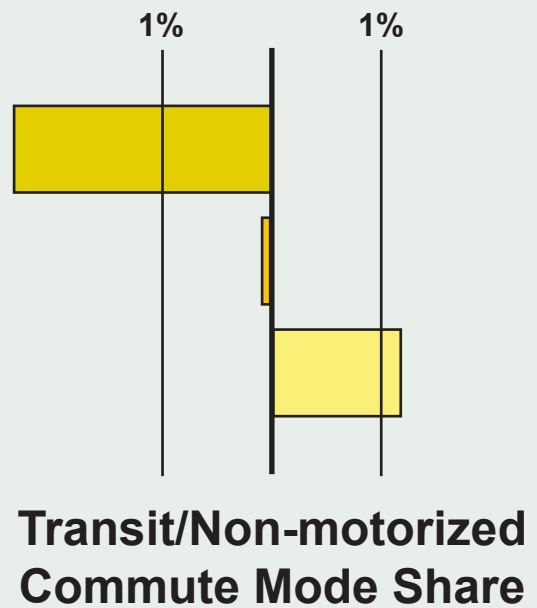
Economic Development and Land Use



Environment and Community

Safety

Congestion



← Worsens Improves →

Scenario A

Scenario B

Scenario C