



**CITY COUNCIL AGENDA**  
**June 1, 2015**

**6:00 p.m. – 7:00 p.m.**

**Closed session as provided by Section 2.2-3712 of the Virginia Code**

*Second Floor Conference Room (City Manager's annual performance evaluation; Boards and Commissions.)*

**CALL TO ORDER  
PLEDGE OF ALLEGIANCE  
ROLL CALL**

*Council Chambers*

**AWARDS/RECOGNITIONS  
ANNOUNCEMENTS**

**MATTERS BY THE PUBLIC**

Public comment permitted for the first 12 speakers who sign up before the meeting (limit 3 minutes per speaker) and at the end of the meeting on any item, provided that a public hearing is not planned or has not previously been held on the matter.

**COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

**1. CONSENT AGENDA\***

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

a. Minutes for May 18

b. APPROPRIATION:

Virginia Homelessness Solutions Grant (VHSP) – \$69,368.95 (2<sup>nd</sup> of 2 readings)

c. APPROPRIATION:

Domestic Violence Services Coordinator Grant - \$44,876 (1<sup>st</sup> of 2 readings)

d. RESOLUTION:

Funds Transfer to the Market Street Parking Garage Building Envelope Restoration Project Account – \$70,000 (1<sup>st</sup> of 1 reading)

e. RESOLUTION:

Fund Transfer to the Facilities Capital Projects Lump Sum Account for the Public Service Office Renovation Project - \$65,000 (1<sup>st</sup> of 1 reading)

f. ORDINANCE:

Meals Tax Exemptions for Non-Profits (2<sup>nd</sup> of 2 readings)

g. ORDINANCE:

Enhanced Penalties for Speeding on Locust Avenue from Hazel Street to the 250 Bypass (2<sup>nd</sup> of 2 readings)

h. ORDINANCE:

Sidewalk Waiver Provision (VA Code update) (1<sup>st</sup> of 2 readings)

i. ORDINANCE:

Affordable Dwelling Unit Revised Definition (1<sup>st</sup> of 2 readings)

**2. PUBLIC HEARING /  
RESOLUTION\***

Authorization of Lease Agreement for 608 Ridge Street (1<sup>st</sup> of 1 reading)

**3. REPORT**

**Proposed Utility Rates for FY 2016**

**ORDINANCE\***

Amending and Reordaining Chapter 31 Relating to Changes in Miscellaneous Utility Fees (2<sup>nd</sup> of 2 readings)

**ORDINANCE\***

Amending and Reordaining Chapter 31 to Establish New Utility Rates and Service Fees for City Gas, Water and Sanitary Sewer (2<sup>nd</sup> of 2 readings)

**4. RESOLUTION\***

1725 Jefferson Park Ave. Apartments Special Use Permit (1<sup>st</sup> of 1 reading)

**OTHER BUSINESS**

**MATTERS BY THE PUBLIC**

**COUNCIL RESPONSE TO MATTERS BY THE PUBLIC**

\*ACTION NEEDED

# GUIDELINES FOR PUBLIC COMMENT

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**We welcome public comment;  
it is an important part of our meeting.**

**Time is reserved near the beginning and at the end of each regular City Council meeting for Matters by the Public.**

**Please follow these guidelines for public comment:**

- If you are here to speak for a **Public Hearing**, please wait to speak on the matter until the report for that item has been presented and the Public Hearing has been opened.
- Each speaker has **3 minutes** to speak. Please give your name and address before beginning your remarks.
- Please **do not interrupt speakers**, whether or not you agree with them.
- Please **refrain from using obscenities**.
- If you cannot follow these guidelines, you will be escorted from City Council Chambers and not permitted to reenter.

CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.



Agenda Date:	May 18, 2015
Action Required:	Approval and Appropriation
Presenter:	Mike Murphy, Director, Human Services
Staff Contacts:	Mike Murphy, Director, Human Services Leslie Beauregard, Director, Budget and Performance Management
Title:	<b>Virginia Homelessness Solutions Grant (V.H.S.P.) - \$69,368.95</b>

**Background:**

The Department of Human Services in coordination with the Thomas Jefferson Area Coalition for the Homeless (T.J.A.C.H.) and the Service Provider Council (S.P.C.) applied for and received \$69,368.95 in additional funding from the Virginia Department of Housing and Community Development (V.D.H.C.D.) to be used for Rapid Rehousing and Prevention services. These funds are in addition to the \$618,552 in V.D.H.C.D. funds appropriated for these purposes on September 15, 2014.

**Discussion:**

The City of Charlottesville has staff from Human Services, Social Services, and Neighborhood Development Services all taking a leadership role in the governance of T.J.A.C.H. The Virginia Homelessness Solutions Grant (V.H.S.P.) is an important resource in our community's efforts to end homelessness. V.H.S.P. provides funding for services to persons experiencing homelessness. The additional grant funding provides services in two key areas.

1. **Rapid Rehousing:** The Haven is the recipient of V.H.S.P. funds for rapid-rehousing subsidies funds for rental subsidies. (While Thrive had been the recipient of rapid rehousing funds earlier in this funding cycle, Thrive's impending closure necessitated the identification of an alternate provider.) Supportive Services will be provided to all recipients of financial subsidies for up to 24 months.
2. **Prevention:** The Haven will continue to provide prevention services and subsidies to individuals and families in order to avoid the need for emergency shelter stays. Rental subsidies and utility payments will be provided to those individuals and families determined eligible through the use of a validated, structured decision-making tool. Priority will be given to those households with a previous experience of literal homelessness. The Haven will use a service approach focused on providing the least amount of subsidy necessary to avoid literal homelessness and will make use of all available informal and mainstream resources in this effort. Ongoing eligibility for subsidies will be assessed every 90 days, at a minimum. Monthly case management will be provided to develop and implement a housing stability plan.

### **Community Engagement:**

This grant and plan are the product of extensive engagement of the service provider community for persons experiencing homelessness. This partnership is reflective of the new governance model for T.J.A.C.H. and the priority requests of the Interfaith Movement Promoting Action by Congregations Together (I.M.P.A.C.T.).

### **Alignment with City Council's Vision and Strategic Plan:**

This grant advances the City of Charlottesville's Strategic Plan goal #1 of enhancing the self sufficiency of our residents. Specifically, it will facilitate the objective of increasing affordable housing options. This item primarily aligns with Council's vision for Quality Housing Opportunities for All. Outcomes will demonstrate a coordinated assessment process, individuals and families linked to housing and other resources, and the length of time homelessness was experienced. This grant also fosters the ideals of Community of Mutual Respect and Economic Sustainability by providing services to vulnerable citizens and promoting self-sufficiency.

### **Budgetary Impact:**

This grant will be entirely State funds. No local match is required. There is no budget impact for the City of Charlottesville. All funds will be distributed to sub-recipients for service provision.

### **Recommendation:**

Staff recommends approval and appropriation of grant funds.

### **Alternatives:**

Council may elect to not accept the funds and the community will not have the capacity to administer the following services to persons experiencing homelessness: shelter, prevention funds, rapid rehousing, H.M.I.S., and administration.



**APPROPRIATION.**  
**Virginia Homelessness Solutions Grant.**  
**\$69,368.95**

**WHEREAS,** The City of Charlottesville, through the Department of Human Services, has received additional funding for the Virginia Homelessness Solutions Grant from the Virginia Department of Housing and Community Development in the amount of \$69,368.95;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$69,368.95 is hereby appropriated in the following manner:

**Revenues**

\$58,269.92	Fund: 209	IO: 1900231	G/L: 430110 State Grants
\$11,099.03	Fund: 209	IO: 1900231	G/L: 430120 State (Federal Pass-Thru)

**Expenditures**

\$69,368.95	Fund: 209	IO: 1900231	G/L: 530550 Contracted Services
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**BE IT FURTHER RESOLVED,** that this appropriation is conditioned upon receipt of \$69,368.95 in additional funds from the Virginia Department of Housing and Community Development.

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**CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.**



Agenda Date:	June 1, 2015
Action Required:	Approval and Appropriation
Presenter:	Areshini Pather, Commonwealth Attorney's Office
Staff Contacts:	Areshini Pather, Commonwealth Attorney's Office Leslie Beauregard, Director, Budget and Performance Management
Title:	<b>Domestic Violence Services Coordinator Grant - \$44,876</b>

**Background:** The City of Charlottesville has been awarded \$38,336 from the Department of Criminal Justice Services for the Charlottesville/Albemarle Domestic Violence Community Services Coordinator in the City's Commonwealth's Attorney's Office. There is a local match requirement, which will be met by a combination of \$6,540 cash and \$8,121 in-kind match, for a total of \$14,661 match.

**Discussion:** The Domestic Violence Coordinator position assists in the efficient delivery of services and access to the court process for the victims of domestic violence in both Charlottesville and Albemarle County by helping in the preparation of domestic violence cases for prosecution and by assisting victims in obtaining protective orders. The Coordinator serves as a case manager on behalf of victims in relation to their interactions with community agencies that deliver needed services such as shelter, civil legal assistance, and counseling. No other person in local government fills this specific function on behalf of victims of domestic violence.

**Community Engagement:** The Domestic Violence Coordinator is a direct service provider and is engaged daily with victims of domestic violence and stalking who access services through referrals from police, court services, social services and other allied agencies. The Coordinator serves on several coordinating councils, the Albemarle/Charlottesville Domestic Violence Council, the Monticello Area Domestic Violence Fatality Review Team, and the Charlottesville/Albemarle Evidence Based Decision Making Policy Team.

**Alignment with City Council's Vision and Strategic Plan:**

Approval of this agenda item aligns directly with Council's vision for Charlottesville to be **America's Healthiest City** and contributes to their priority to: *Provide a comprehensive support system for children.* The Domestic Violence Coordinator contributes to the health and safety of the community by connecting victims of domestic violence and their children to service providers for emergency shelter, medical and mental health services, housing resources, legal assistance and other services.

**Budgetary Impact:** This grant requires a minimum local match of \$14,661. The City's Commonwealth Attorney's Office will provide \$540 cash match, and an in-kind match of \$4,121 for time donated to the program and office expenses. Albemarle County is to contribute \$6,000 cash as part of their match, and an in-kind match of \$4,000 for time donated to the program. The total anticipated cash and in-kind match of \$14,661 is sufficient to meet the minimum requirement.

**Recommendation:** Approval and appropriation.

**Alternatives:** In the event that the grant is not funded or that the funds are not appropriated, this position will cease to exist, as there are no other funds to support it.

**APPROPRIATION**

**Domestic Violence Services Coordinator Grant**

**\$44,876**

**WHEREAS**, The City of Charlottesville, through the Commonwealth Attorney’s Office, has received the Domestic Violence Services Coordinator Grant from the Virginia Department of Criminal Justice Services in the amount of \$38,336 in Federal pass-thru funds, Albemarle County is to contribute an additional \$6,000 in local cash match, and the City Commonwealth Attorney’s Office will contribute up to \$540 cash match, as needed to meet salary and benefit expenses.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of \$44,876 is hereby appropriated in the following manner:

**Revenues**

\$38,336	Fund: 209	Cost Center: 1414002000	G/L Account: 430120
\$ 6,000	Fund: 209	Cost Center: 1414002000	G/L Account: 432030
\$ 540	Fund: 209	Cost Center: 1414002000	G/L Account: 498010

**Expenditures**

\$44,876	Fund: 209	Cost Center: 1414002000	G/L Account: 519999
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**Transfer**

\$ 540	Fund: 105	Cost Center: 1401001000	G/L Account: 561209
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**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of \$38,336 from the Virginia Department of Criminal Justice Services, and \$6,000 from the County of Albemarle, Virginia.

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CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.



Agenda Date:	June 1, 2015
Action Required:	Adoption of Resolution
Presenter:	Mike Mollica, Division Manager, Facilities Development
Staff Contacts:	Mike Mollica, Division Manager, Facilities Development Leslie Beauregard, Director, Budget and Performance Management
Title:	<b>Transfer of Funds to the Market Street Parking Garage Building Envelope Restoration Project Account - \$70,000</b>

**Background:** The City of Charlottesville’s Facilities Development Division is overseeing the Market Street Parking Garage Building Envelope Restoration Project. The scope of the project is to refurbish the external components of the structure, including such work as; repointing of mortar, replacement of exterior sealants, select brick replacement, painting of worn or deteriorated surfaces, A.D.A. improvements, and vertical expansion joint replacements. The project has been designed and will be bid for construction in May/June, 2015. Funding for this project is currently from the Facilities Capital Projects Lump Sum account and budgeted in F.Y. 15 at \$425,000

**Discussion:** This request is to consolidate funds into one project account as required by City policy #200-09, which requires all phases of a project to use the same project account from start to finish. The request, if approved by Council, would transfer \$70,000 from the Facilities Repair Lump Sum Account (P-00808), for repair of the parking garage vertical expansion joints, into the Facilities Capital Projects Lump Sum Account for the Market Street Parking Garage Building Envelope Restoration Project (P-00826-04). The project scopes are of similar nature and logically belong in one bid package.

**Alignment with Council Vision Areas and Strategic Plan:** This project supports City Council’s “Smart, Citizen-Focus Government” vision.

It contributes to Goal 4 of the Strategic Plan, to “be a well-managed and successful organization,” and objective 4.1, to “align resources with City’s strategic plan”.

**Community Engagement:** N/A

**Budgetary Impact:** The funds to be transferred and consolidated were all previously appropriated by City Council.

**Recommendation:** Staff recommends approval of this resolution.

**Alternatives:** N/A

**Attachments:** N/A

**RESOLUTION**

**Transfer of Funds to the Market Street Parking Garage Building Envelope Restoration  
Project Account  
\$70,000**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of  
Charlottesville, Virginia that the following is hereby transferred in the following manner:

**Transfer From**

\$70,000	Fund: 107	WBS: FR-001/P-00808	G/L Account: 561426
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**Transfer To**

\$70,000	Fund: 426	WBS: CP-015/P-00826-04	G/L Account: 599999
\$70,000	Fund: 426	WBS: CP-015/P-00826-04	G/L Account: 498010



**CITY OF CHARLOTTESVILLE, VIRGINIA.  
CITY COUNCIL AGENDA.**



<b>Agenda Date:</b>	June 1, 2015
<b>Action Required:</b>	Adoption of Resolution
<b>Presenter:</b>	Judy Mueller, Public Works Director
<b>Staff Contacts:</b>	Mike Mollica, Division Manager, Facilities Development Maya Kumazawa, Public Works Program Coordinator
<b>Title:</b>	<b>Transfer of Funds to the Facilities Capital Projects Lump Sum Account for the Public Service Office Renovation Project - \$65,000</b>

**Background:** The Public Works Administration building was built in 1977, and since that time, it has only had limited H.V.A.C. upgrades (1998). It has never had a significant renovation. The offices, corridors and lunch rooms have all deteriorated due to a high volume of daily traffic and use by the field crews. In general, the interior spaces are in fair to poor condition. Interior improvements are now proposed, and will be implemented in a phased approach.

The Executive Office suite (Phase I) is planned for a renovation beginning in June, so concurrent renovations in the adjacent Public Service offices would be cost-effective and the least disruptive to employees.

In order to fully support the many operations of the Public Service division (refuse, street and traffic maintenance), the north corridor has been identified as Phase I I. Although there are no capital funds in place to fund this project, the various Public Service programs have accumulated one-time savings in their operating funds to contribute to this project. Additionally, the division has had a vacancy (Division Head position) which has led to salary savings in this fiscal year.

**Discussion:** This request is to consolidate funds into one project account as required by City policy #200-09, which requires all phases of a project to use the same project account from start to finish. The request, if approved by Council, would transfer \$65,000 from various Public Works Public Service Division Operating Budgets into the Facilities Capital Projects Lump Sum Account for the Public Service Office Renovation Project (P-00826). The scope of the work includes the renovation of the Public Service administrative offices and adjacent corridor. The work will include new storefront, new ceilings, new L.E.D. lighting, new flooring, and paint throughout. And in order to introduce natural light into the existing dark corridor, five solar tubes are proposed to be added.

2431001000	P.S. Admin	\$ 40,000
2443001000	Streets and Sidewalk Services	\$ 5,000
2461001000	Refuse Collection & Disposal	\$ 7,500
2461002000	Large Item Pick-Up	\$ 7,500
2481001000	Street Lighting Operations	\$ 5,000

**TOTAL:**

**\$ 65,000**

**Alignment with Council Vision Areas and Strategic Plan:**

The office renovation will directly support the strategic plan objective: Provide reliable and high quality infrastructure.

**Community Engagement:** N/A

**Budgetary Impact:** This resolution recommends transferring funds from various General Fund operating accounts, where savings are projected to be realized in F.Y. 15, to the capital projects account.

**Recommendation:** Staff recommends approval of the attached resolution.

**Alternatives:** N/A

**RESOLUTION**

**Transfer of Funds to the Public Service Office Renovation Project Account  
\$65,000**

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the following is hereby transferred in the following manner:

**WHEREAS**, the City of Charlottesville will commence office renovation work in the amount of \$65,000.

**Transfer From - \$65,000**

\$40,000	Fund: 105	Cost Center: 2431001000	G/L Account: 561426
\$5,000	Fund: 105	Cost Center: 2443001000	G/L Account: 561426
\$7,500	Fund: 105	Cost Center: 2461001000	G/L Account: 561426
\$7,500	Fund: 105	Cost Center: 2461002000	G/L Account: 561426
\$5,000	Fund: 105	Cost Center: 2481001000	G/L Account: 561426

**Transfer To - \$65,000**

\$65,000	Fund: 426	WBS: CP-015/P-00826	G/L Account: 599999
\$65,000	Fund: 426	WBS: CP-015/P-00826	G/L Account: 498010

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**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



Agenda Date:	May18, 2015
Action Required:	Approval of Ordinance
Staff Contacts:	Todd Divers, Commissioner of the Revenue Andrew Gore, Assistant City Attorney
Presenter:	S. Craig Brown, City Attorney
<b>Title:</b>	<b>Ordinance Update – Meals Tax Exemptions for Non-Profits</b>

**Background:**

Non-profit organizations have been exempt from collecting meals tax on food and beverages sold for fund-raising purposes during their first three events of any calendar year. During its 2014 session, the General Assembly expanded this exemption to also apply to the first \$100,000 collected after the first three events during the calendar year.

**Discussion:**

Revisions to §30-284 of the Charlottesville City Code are needed to reflect the added exemption approved by the General Assembly. In addition, the General Assembly imposed several mandatory exemptions in 2009, which included churches serving meals as part of their religious observances. This exemption was not previously incorporated into the City Code and is required pursuant to Va. Code §58.1-3840(A).

**Alignment with Council Vision Areas and Strategic Plan:**

These exemptions are mandated by the Code of Virginia, and therefore, must be incorporated into the City Code.

**Community Engagement:**

These amendments are mandated by the Code of Virginia, and therefore, input from the public was not sought.

**Budgetary Impact:** No significant impact.

**Recommendation:**

Staff recommends approval of the proposed ordinance.

**Alternatives:**

These exemptions are mandated by the Code of Virginia, and therefore, alternative revisions are not available.

**Attachments:**

Proposed Ordinance

**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 30-284 OF ARTICLE X  
OF CHAPTER 30 (TAXATION) OF THE CODE OF THE  
CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
RELATING TO EXEMPTIONS FROM MEALS TAX**

BE IT ORDAINED by the Council for the City of Charlottesville, Virginia, that Section 30-284 of Article X of Chapter 30 of the Code of the City of Charlottesville, 1990, as amended, is hereby amended and reordained, as follows:

**Sec. 30-284. – Exemptions generally.**

- (a) ...
- (b) ...
- (c) ...
- (d) The tax imposed under this article shall not be levied on the following purchases or sales of food and beverages:
  - (1) ...
  - (2) ...
  - (3) ...
  - (4) ...
  - (5) ...
  - (6) ...
  - (7) Meals sold by a nonprofit educational, religious, charitable or benevolent organization ~~on an occasional basis, not exceeding the first three (3) times per calendar year, and beginning with the fourth time, on the first \$100,000 of gross receipts per calendar year from sales of food and beverages (excluding gross receipts from the first three times),~~ as a fund-raising activity, the gross proceeds of which are to be used exclusively for nonprofit educational, charitable, benevolent, or religious purposes.
  - (8) ...
  - (9) Served by churches for their members as a regular part of their religious observances.
  - (910) Any other sale of a meal which is exempt from taxation under the Virginia Retail Sales and Use Tax Act (Code of Virginia, §58.1-600 et seq.), or administrative rules and regulations issued pursuant thereto.

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CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



**Agenda Date:** May 18, 2015 Updated June 1, 2015

**Action Required:** Approval of Ordinance: Add Locust Avenue from Hazel Street to the 250 bypass to list of streets with enhanced penalties for speeding Sec. 15-101(c)

**Presenter:** Christina Fisher, Assistant Traffic Engineer

**Staff Contacts:** Christina Fisher, Assistant Traffic Engineer  
Donovan Branche, City Traffic Engineer

**Title:** **Enhanced Penalties for Speeding on Locust Avenue from Hazel Street to the 250 Bypass**

## CITY COUNCIL AGENDA

### **Background:**

The Martha Jefferson Neighborhood Association (MJNA) expressed concern to the City of Charlottesville that speeding vehicles traveling on Locust Avenue to and from the 250 bypass compromised the safety of children, elderly person, bicyclists, and all residents. The City and MJNA discussed several traffic calming measures and determined that at this time, increasing the fine for speeding on Locust Avenue is the best solution. Residents of Locust Avenue from Hazel Street to the 250 bypass submitted a petition to Neighborhood Development Services requesting a traffic study to determine if Locust from Hazel to the 250 bypass was eligible to become a street with enhanced penalties for speeding. The neighborhood obtained signatures from 26 of 28 households (75% is required) of resident households/owners of this section of Locust. .

### **Discussion:**

Traffic Engineering staff conducted a traffic study on this section of Locust and found that motorists regularly exceeded the 25 mph speed limit by at least ten (10) miles per hour. The 85<sup>th</sup> percentile speed was 35.93 mph in the north bound lane and 35.57 mph in south bound lane. This section of Locust also satisfies all other requirements set forth in Sec. 15-101(b) of the City code: Locust Avenue is located in a residence district as defined in § 46.2-100 of the Code of Virginia; Locust Avenue has a functional classification of collector; Locust Avenue from Hazel Street to the 250 bypass has a length of three hundred (300) feet; At the time of designation pursuant to this ordinance, the city traffic engineer, or her designee, has determined that a speeding problem exists on Locust

Avenue from Hazel to the bypass, as documented by data demonstrating that motorists regularly exceed the posted speed limit by at least ten (10) miles per hour.

**Budgetary Impact:** The cost to add Locust Avenue between Hazel Street and the 250 bypass to an enhanced penalty street would involve installing two (2) signs, which will cost about \$250 - \$300 apiece.

**Alignment with City Council's Vision and Strategic Plan:**

This item aligns with Council's priority of a "Smart, Citizen-Focused Government". Establishing this enhanced penalty area on Locust responds to citizen concerns for speeding in their neighborhood. It also aligns with Goal 2 of the Strategic Plan to be a safe, equitable, thriving and beautiful community

**Community Engagement:** City staff responded to a neighborhood petition and discussed this issue at the Martha Jefferson Neighborhood Association meeting on December 8, 2014.

**Recommendation:**

Staff recommends approval of the ordinance to add Locust Avenue from Hazel Street to the 250 bypass to list of streets with enhanced penalties for speeding.

**Alternative:** Do not add Locust Avenue from Hazel Street to the 250 bypass to list of streets with enhanced penalties for speeding.

**Attachments:**

Draft ordinance

Petition cover letter from Locust Avenue residents

Traffic study summary

**AN ORDINANCE**  
**AMENDING AND REORDAINING SECTION 15-101 OF ARTICLE IV (SPEED LIMITS) OF**  
**CHAPTER 15 (MOTOR VEHICLES AND TRAFFIC)**  
**OF THE CODE OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED**  
**ADDING LOCUST AVENUE BETWEEN HAZEL STREET AND THE 250 BYPASS TO THE**  
**LIST OF STREETS WITH ENHANCED PENALTIES FOR SPEEDING.**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that:

**1. Section 15-101 of Article IV of Chapter 15 of the Charlottesville City Code, 1990, as amended, is hereby amended and reordained, as follows:**

**Sec. 15-101. Enhanced penalties for speeding on certain designated residential streets.**

(a) Pursuant to § 46.2-878.2 of the Code of Virginia any person who operates a motor vehicle in excess of the maximum posted speed limit established for any portion of the streets or highways listed in paragraph (c) below, on or after the effective date, shall be guilty of a traffic infraction punishable by a pre-payable fine of two hundred dollars (\$200.00), in addition to other penalties provided by law. The maximum speed limit and the penalty for speeding violations shall be displayed on appropriately placed signs on the designated streets. No portion of the fine shall be suspended unless the court orders twenty (20) hours of community service.

(b) The criteria for the designation of streets that will be subject to the increased penalty for speeding shall include the following:

- (1) The street or highway is located in a residence district as defined in § 46.2-100 of the Code of Virginia;
- (2) The street or highway has a functional classification of minor arterial, collector or local street;
- (3) The portion of the street or highway subject to the penalty has a length of not less than three hundred (300) feet;
- (4) At the time of designation pursuant to this ordinance, the city traffic engineer, or her designee, has determined that a speeding problem exists on the street or highway, as documented by data demonstrating that motorists regularly exceed the posted speed limit by at least ten (10) miles per hour.

(c) The following streets or highways, having been found to satisfy the criteria of paragraph (b), are hereby subject to the fine imposed by paragraph (a) herein:

- (1) Old Lynchburg Road from the City of Charlottesville corporate limits to the intersection with Jefferson Park Avenue;

- (2) Avon Street from the City of Charlottesville corporate limits to the intersection with Monticello Avenue;
- (3) Altavista Avenue from Monticello Avenue to Avon Street;
- (4) Elliott Avenue from Monticello Avenue to Ridge Street;
- (5) Brandywine Drive from Hydraulic Road to Yorktown Drive; ~~and~~
- (6) Franklin Street from Nassau Street to Market Street; and
- (7) Locust Avenue from Hazel Street to the 250 bypass.

The city council may, at any time, designate by ordinance additional streets or highways for an increased penalty where those streets meet the requirements of section (b) herein.

**2. On or before June 1, 2016 City Council will reexamine the enhanced penalties for speeding on Locust Avenue from Hazel Street to the 250 Bypass, by considering any alternative measures that would be more effective in reducing vehicle speeds on that street, including any recommendations or findings in the “Streets That Work” report.**

*Copies for NDS/Traffic  
(C. Fisher)*

January 16, 2015

Mr. James Tolbert  
Director, Department of Neighborhood Services  
610 East Market Street  
P.O. Box 911  
Charlottesville, VA 22902

Dear Mr. Tolbert:

The purpose of this letter is to present a petition, pursuant to the provisions of City Ordinance 15-101, for an enhanced speeding fine along a portion of Locust Avenue. The requisite signatures of 75% of resident households/owners were obtained between December 20, 2014 and January 12, 2015, and the executed petition pages are attached.<sup>1</sup> Also attached is contact information (telephone number and/or email address) for all signatories.

This petition affects only the 800 block of Locust Avenue. Depending upon the success of an enhanced speeding fine – if approved – in this segment of Locust Avenue, other blocks may be petitioned at a later date.

Vehicle speeding from East High Street to the Route 250 Bypass has plagued Locust Avenue for many years since the street was widened. The bridge over the Route 250 Bypass has been particularly problematic, with many “blind spot” accidents over the years. Residents, and officers of the Martha Jefferson Neighborhood Association, have continually consulted with city officials for remedy. The former city transportation engineer recommended a “Your Speed Is” sign, but this solution was vetoed by one impacted homeowner whose approval for a nearby-sign was apparently required. More vigorous traffic calming measures were denied either (a) because Locust Avenue is a collector street or (b) because lane adjustments had to await future city repaving. Therefore, an enhanced speeding fine designation under the city ordinance seems to be the only near-term solution left to Locust Avenue homeowners.

Traffic measurement of Locust Avenue in the vicinity of the Route 250 Bypass bridge was conducted approximately five years ago, and met criteria for further

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<sup>1</sup> The 800 block has 29 residences, one of which is for sale and unoccupied and therefore is not included in the base calculation per NDS staff instructions. Twenty-eight houses were canvassed, and 26 signatures (one per household) were obtained for a 93% positive return.

action: 85% of vehicles traveling at 35 mph or greater. However, per above, no further action was taken to effectively slow traffic.

One final note: The residents of Locust Avenue accept this street's dual role, as a residential street and as an important connector between downtown and the Route 250 Bypass. We understand that traffic may well increase as the area develops. However, for the safety of our children, the elderly, bicyclists and indeed all residents, excessive speeding must be curtailed.

We look forward to favorable city action on this petition as soon as possible.

Respectfully,

Ellen Wagner  
Downing Smith  
Craig Reynolds  
Bruce Odell

Cc: City Councilors (w/o attachment)

Attachment: Petitions  
                  Contact info

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Charlottesville  
Street: Locust btwn Hazel and 250**

A study of vehicle traffic was conducted with the device having serial number 135000. The study was done in the NB lane at Locust btwn Hazel and 250 in Charlottesville, VA in county. The study began on 06/04/2015 at 04:00 PM and concluded on 10/04/2015 at 02:00 PM, lasting a total of 94.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 11546 vehicles passed through the location with a peak volume of 153 on 09/04/2015 at [17:00-17:15] and a minimum volume of 0 on 07/04/2015 at [01:30-01:45]. The AADT count for this study was 2,948.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 31 MPH with 93.13% vehicles exceeding the posted speed of 25 MPH. 0.61% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 35.93 MPH.

<	10	15	20	25	30	35	40	45	50	55									
to	to	to	to	to	to	to	to	to	to	to									
9	14	19	24	29	34	39	44	49	54	>									
7	42	118	618	4001	4636	1554	294	58	26	70									

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 7807 which represents 68 percent of the total classified vehicles. The number of Vans & Pickups in the study was 2789 which represents 24 percent of the total classified vehicles. The number of Busses & Trucks in the study was 706 which represents 6 percent of the total classified vehicles. The number of Tractor Trailers in the study was 122 which represents 1 percent of the total classified vehicles.

<	18	21	24	28	32	38	44												
to	to	to	to	to	to	to	to												
17	20	23	27	31	37	43	>												
7807	1711	1078	623	83	61	32	29												

CHART 2

**HEADWAY**

During the peak traffic period, on 09/04/2015 at [17:00-17:15] the average headway between vehicles was 5.844 seconds. During the slowest traffic period, on 07/04/2015 at [01:30-01:45] the average headway between vehicles was 900 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 54.00 and 104.00 degrees F.

**MH Corbin Traffic Analyzer Study  
Computer Generated Summary Report  
City: Charlottesville  
Street: Locust btwn Hazel and 250**

A study of vehicle traffic was conducted with the device having serial number 135001. The study was done in the SB lane at Locust btwn Hazel and 250 in Charlottesville, VA in county. The study began on 06/04/2015 at 04:00 PM and concluded on 10/04/2015 at 02:00 PM, lasting a total of 94.00 hours. Traffic statistics were recorded in 15 minute time periods. The total recorded volume showed 12094 vehicles passed through the location with a peak volume of 127 on 08/04/2015 at [08:45-09:00] and a minimum volume of 0 on 08/04/2015 at [23:45-00:00]. The AADT count for this study was 3,088.

**SPEED**

Chart 1 lists the values of the speed bins and the total traffic volume for each bin. At least half the vehicles were traveling in the 30 - 35 MPH range or lower. The average speed for all classified vehicles was 31 MPH with 90.83% vehicles exceeding the posted speed of 25 MPH. 0.99% percent of the total vehicles were traveling in excess of 55 MPH. The mode speed for this traffic study was 30MPH and the 85th percentile was 35.57 MPH.

<	10	15	20	25	30	35	40	45	50	55								
to	to	to	to	to	to	to	to	to	to	to								
9	14	19	24	29	34	39	44	49	54	>								
5	59	122	909	4246	4640	1441	281	59	57	118								

CHART 1

**CLASSIFICATION**

Chart 2 lists the values of the classification bins and the total traffic volume accumulated for each bin. Most of the vehicles classified during the study were Passenger Vehicles. The number of Passenger Vehicles in the study was 8517 which represents 71 percent of the total classified vehicles. The number of Vans & Pickups in the study was 2815 which represents 24 percent of the total classified vehicles. The number of Busses & Trucks in the study was 455 which represents 4 percent of the total classified vehicles. The number of Tractor Trailers in the study was 150 which represents 1 percent of the total classified vehicles.

<	18	21	24	28	32	38	44											
to	to	to	to	to	to	to	to											
17	20	23	27	31	37	43	>											
8517	2176	639	365	90	75	31	44											

CHART 2

**HEADWAY**

During the peak traffic period, on 08/04/2015 at [08:45-09:00] the average headway between vehicles was 7.031 seconds. During the slowest traffic period, on 08/04/2015 at [23:45-00:00] the average headway between vehicles was 900 seconds.

**WEATHER**

The roadway surface temperature over the period of the study varied between 54.00 and 102.00 degrees F.



**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**

Agenda Date: June 1, 2015

Action Required: Consideration of a Zoning Text Amendment

Presenter: Brian Haluska, Principal Planner, Neighborhood Development Services

Staff Contact: Brian Haluska, Principal Planner, Neighborhood Development Services

**Title: ZT15-00006: Sidewalk Waiver Provisions**

**Background:**

On March 17, 2015, the Virginia General Assembly approved an amendment to the Code of Virginia that permits the City of Charlottesville to extend the sidewalk waiver provisions previously permitted in the subdivision ordinance to the zoning ordinance, and to also broaden the circumstances in which it applies.

**Discussion:**

The Planning Commission considered this application at their regular meeting on May 12, 2015. The Commission asked several clarifying questions about the change and the method by which priorities would be set for the funds contributed to the City sidewalk fund.

**Citizen Engagement:**

The Planning Commission held a joint public hearing with City Council on this matter at their meeting on May 12, 2015. No members of the public spoke.

**Alignment with City Council's Vision and Priority Areas:**

The City Council Vision of Quality Housing Opportunities for All states that "Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers."

The City Council Vision of America's Healthiest City states that "We have a community-wide commitment to personal fitness and wellness, and all residents enjoy our outstanding recreational facilities, walking trail and safe routes to school."

The City Council Vision of A Connected Community states that "The City of Charlottesville is part of a comprehensive, regional transportation system that enables citizens of all ages and incomes to easily navigate our community. An efficient and convenient transit system supports mixed use development along our commercial corridors, while bike and pedestrian trail systems, sidewalks, and crosswalks enhance our residential neighborhoods."

**Budgetary Impact:**

Staff anticipates that the change will result in additional funding being contributed to the City sidewalk fund.

**Recommendation:**

The Commission took the following action:

“Mr. Santoski moved to recommend to City Council that it should amend Section 34-1124 of the zoning ordinance, to provide persons constructing a dwelling on a previously vacant lot the option of contributing to a sidewalk fund rather than dedicating land and constructing sidewalks, with the following changes:

a. That the Bicycle and Pedestrian Master Plan serve as a guide for the distribution of funds from the City sidewalk fund.

I find that the draft ordinance presented by staff, with these changes, is required by the public necessity, convenience, general welfare or good zoning practice.”

Ms. Dowell seconded the motion. The Commission voted 5-0 to recommend approval of the proposed zoning text amendment. Commissioner Lahendro and Chairman Rosensweig were not present.

**Alternatives:**

City Council has several alternatives:

- (1) by motion, take action to approve the attached Ordinance,
- (2) by motion, request changes to the attached Ordinance,
- (3) by motion, defer action on the text change, or
- (4) by motion, deny the text change.

**Attachment:**

Staff Report dated April 29, 2015

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**REQUEST FOR A ZONING TEXT AMENDMENT**

**ZT15-00006: SIDEWALK WAIVER PROVISIONS**

**JOINT PUBLIC HEARING**

**DATE OF PLANNING COMMISSION MEETING: May 12, 2015**

**Author of Staff Report:** Brian Haluska

**Date of Staff Report:** April 30, 2015

**Applicable City Code Provisions:** Chapter 34 (Zoning Ordinance)

**Executive Summary**

An ordinance to provide the option of contributing to a sidewalk fund rather than dedicating land and constructing sidewalks for residential lots on existing streets.

**Background**

On March 17, 2015, the Virginia General Assembly approved an amendment to the Code of Virginia that permits the City of Charlottesville to extend the sidewalk waiver provisions previously permitted in the subdivision ordinance to the zoning ordinance, and to also broaden the circumstances in which it applies.

**Standard of Review**

As per state law and §34-42 of the City Code, the planning commission is required to review this 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) Whether the amendment is required by the public necessity, convenience, general welfare or good zoning practice.

## **Discussion of the Proposed Draft Ordinance**

The full text of the proposed draft ordinance is attached to this report. The section proposed for modification is section 34-1124 of the zoning ordinance, which addresses improvements required when building on a vacant lot. The specific changes to the ordinance are:

### **Section 34-1124(a)**

This section would be modified to make the Planning Commission responsible for the promulgation of sidewalk criteria, rather than the director of NDS. It also would state that the sidewalk criteria are to be considered when decisions are made about the use of the City sidewalk fund.

### **Section 34-1124(b)**

The proposed changes would clarify the requirement for sidewalk, curb and gutter on previously unimproved lot, including stating the process for verifying that the improvements have been made. The amended section would also give the owner the option to seek a waiver of the sidewalk requirements from City Council or pay into a sidewalk fund in lieu of building the sidewalk on the property.

### **Section 34-1124(d)**

The proposed changes would create a new section of the ordinance that states that the above sections do not apply to developers of new public streets.

## **Staff Analysis**

### **1. Does the proposed amendment conform to the general guidelines and policies contained in the comprehensive plan?**

The Land Use chapter of the Comprehensive Plan lists the following goal:

- “Enhance pedestrian connections between residences, commercial centers, public facilities, amenities and green spaces.”

The Transportation chapter of the Comprehensive Plan lists the following goal:

- “Provide convenient and safe pedestrian connections within 1/4 miles of all commercial and employment centers, transit routes, schools and parks.”

### **2. Does the proposed amendment further the purposes of the Zoning Ordinance (Chapter 34, City Code) and the general welfare of the entire community?**

Section 34-3(3) of the City Code states that a purpose of the zoning ordinance is “to reduce or prevent congestion in the public streets, to facilitate transportation and to provide for safe and convenient vehicular and pedestrian travel”.

### **3. Is there a need and justification for the change?**

In prior sidewalk waiver requests, City Council has repeatedly asked about the possibility of permitting developers to pay into a sidewalk fund in lieu of constructing sidewalk on vacant lots. The proposed would address this concern.

**Public Comment**

Staff has received no comment on this matter.

**Recommendation**

Staff recommends approval of the zoning text amendment.

**Possible Motions**

1. “I move to recommend to City Council that it should amend Section 34-1124 of the zoning ordinance, to provide persons constructing a dwelling on a previously vacant lot the option of contributing to a sidewalk fund rather than dedicating land and constructing sidewalks, as presented in the draft ordinance provided by staff, because I find that this amendment is required by the public necessity, convenience, general welfare or good zoning practice.
  
2. I move to recommend to City Council that it should amend Section 34-1124 of the zoning ordinance, to provide persons constructing a dwelling on a previously vacant lot the option of contributing to a sidewalk fund rather than dedicating land and constructing sidewalks, with the following changes:
  - a. \_\_\_\_\_
  - b. \_\_\_\_\_

I find that the draft ordinance presented by staff, with these changes, is required by the public necessity, convenience, general welfare or good zoning practice.

3. “I move to recommend to City Council that it should not amend Section 34-1124 of the zoning ordinance, to provide persons constructing a dwelling on a previously vacant lot the option of contributing to a sidewalk fund rather than dedicating land and constructing sidewalks, because I find that the amendment is not required by the public necessity, convenience, general welfare or good zoning practice.

**Attachments**

Proposed amendment to Section 34-1124  
Applicable city code section 34 -1124

**Sec. 34-1124. - Vacant lot construction—Required sidewalks, curbs and gutters.**

- (a) ~~The planning commission director of neighborhood development services shall, from time to time, promulgate criteria by which the utility and necessity (i.e., high-priority versus low-priority, taking into account public necessity versus cost to the property owner) of community sidewalks may be assessed ("sidewalk criteria"). These criteria shall guide the city's expenditure of funds within the sidewalk improvement fund referred to in paragraph (b), below. A copy of these sidewalk criteria shall be maintained within the department of neighborhood development services.~~
- (b) ~~For the protection of pedestrians and to control drainage problems, sidewalks, curbs and gutters shall be required along all public rights-of-way when any building or structure is constructed upon a when not more than two (2) dwelling units are to be constructed upon a previously unimproved lot or parcel, or when any single-family detached dwelling is converted to a two-family dwelling, sidewalk, curb and gutter (collectively, "sidewalk improvements") shall be constructed within public right-of-way dedicated along the adjacent public street frontage for that purpose. No certificate of occupancy shall be issued for the dwelling(s) until the sidewalk improvements have been accepted by the city for maintenance, or an adequate financial guaranty has been furnished to the city conditioned upon completion of the sidewalk improvements within a specific period of time. The requirements of this paragraph shall not apply, if unless (i) the owner of the lot or parcel obtains a waiver of the required sidewalk improvements this requirement is waived by from city council, or (ii) the owner of the lot or parcel, at the owner's sole option, elects to contribute funds to a sidewalk improvement fund in an amount equivalent to the cost of dedication of land for and construction of the required sidewalk, curb and gutter.~~
- (c) Sidewalks, curbs and gutters required by this section shall be constructed in accordance with the standards set forth within the city's subdivision ordinance.
- (d) ~~Nothing within this section shall in any way affect the city's authority to require sidewalks, curb and gutter to be bonded and constructed by a developer on any newly constructed public street. The provisions of paragraph (b), above, shall not apply with to any lot or parcel of land within a "development", as that term is defined within § 34-1200.~~

Sec. 34-1124. - Vacant lot construction—Required sidewalks, curbs and gutters.

- (a) The director of neighborhood development services shall, from time to time, promulgate criteria by which the utility and necessity (i.e., high-priority versus low-priority, taking into account public necessity versus cost to the property owner) of community sidewalks may be assessed ("sidewalk criteria"). A copy of these criteria shall be maintained within the department of neighborhood development services.
- (b) For the protection of pedestrians and to control drainage problems, sidewalks, curbs and gutters shall be required along all public rights-of-way when any building or structure is constructed upon a previously unimproved lot or parcel, or when any single-family dwelling is converted to a two-family dwelling unless this requirement is waived by city council.
- (c) Sidewalks, curbs and gutters required by this section shall be constructed in accordance with the standards set forth within the city's subdivision ordinance.

(9-15-03(3); 7-16-12)

**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 34-1124 OF CHAPTER 34 (ZONING)  
RELATED TO SIDEWALK WAIVER PROVISIONS**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia that Section 34-1124 of Article IX (Generally Applicable Regulations) of Chapter 34 (Zoning) is hereby amended and reordained as follows:

**Sec. 34-1124. - Vacant lot construction—Required sidewalks, curbs and gutters.**

- (a) The ~~planning commission~~ director of neighborhood development services shall, from time to time, promulgate criteria by which the utility and necessity (i.e., high-priority versus low-priority, taking into account public necessity versus cost to the property owner) of community sidewalks may be assessed ("sidewalk criteria"). These criteria shall guide the city's expenditure of funds within the sidewalk improvement fund referred to in paragraph (b), below. A copy of these sidewalk criteria shall be maintained within the department of neighborhood development services.
- (b) For the protection of pedestrians and to control drainage problems, ~~sidewalks, curbs and gutters shall be required along all public rights of way when any building or structure is constructed upon a~~ when not more than two (2) dwelling units are to be constructed upon a previously unimproved lot or parcel, or when any single-family detached dwelling is converted to a two-family dwelling, sidewalk, curb and gutter (collectively, "sidewalk improvements") shall be constructed within public right-of-way dedicated along the adjacent public street frontage for that purpose. No certificate of occupancy shall be issued for the dwelling(s) until the sidewalk improvements have been accepted by the city for maintenance, or an adequate financial guaranty has been furnished to the city conditioned upon completion of the sidewalk improvements within a specific period of time. The requirements of this paragraph shall not apply, if unless (i) the owner of the lot or parcel obtains a waiver of the required sidewalk improvements this requirement is waived by from city council, or (ii) the owner of the lot or parcel, at the owner's sole option, elects to contribute funds to a sidewalk improvement fund in an amount equivalent to the cost of dedication of land for and construction of the required sidewalk, curb and gutter.
- (c) Sidewalks, curbs and gutters required by this section shall be constructed in accordance with the standards set forth within the city's subdivision ordinance.
- (d) Nothing within this section shall in any way affect the city's authority to require sidewalks, curb and gutter to be bonded and constructed by a developer on any newly constructed public street. The provisions of paragraph (b), above, shall not apply with to any lot or parcel of land within a "development", as that term is defined within § 34-1200.



CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	June 1, 2015
Action Required:	Ordinance Adoption
Presenter:	Kathy McHugh, Housing Development Specialist
Staff Contacts:	Kathy McHugh, Housing Development Specialist Lisa Robertson, Chief Deputy Chief Attorney
Title:	<b>Affordable Dwelling Unit Ordinance – Revised Definition of Affordable Dwelling Unit</b>

**Background:**

Compliance with the current code (Sec. 34-12) can be met by either providing on-site or off-site affordable dwelling units, or by providing a cash contribution to the City's Affordable Housing Fund (CAHF). To date, applicants have opted to provide the cash contribution only. No affordable units have been provided as a result of the ordinance to date.

Ultimately, the City's goal is to obtain a mixture of dwelling units and cash contributions to the housing fund. To this end, the current specific length of the commitment (it must be 30 years, no more, no less), as well as the amount of the qualifying household income (i.e., 60% or less of Area Median Income (AMI)) present disincentives to developers who might otherwise be willing to consider establishment of affordable units.

In order to increase the likelihood that applicants will consider providing affordable dwelling units, both the length of the commitment and the qualifying household income criteria need to be modified, to leave the City the ability to consider a broader range of possible arrangements, including: (1) the ability to consider proposals committing to the provision of ADUs for a period of less than 30 years, and (2) expansion of the pool of eligible households to include those with incomes of up to 80% AMI.

**Discussion:**

Working through the legislative process with the General Assembly, City staff recommended incorporating a change to the ordinance that would allow for: 1) decreasing the commitment period for affordability to allow for a period of less than 30 years and 2) increasing the qualifying household income level to 80% AMI.

Legislation authorizing these changes was approved in the 2015 Session of the General Assembly of Virginia on February 20, 2015 via Senate Bill 1245, to be codified as an amendment to Section 1 of Chapter 693 of the Acts of Assembly of 2008, as amended by Chapter 527 of the Acts of Assembly of 2013. The bill was signed by the Governor March 16, 2015, and the effective date is July 1, 2015.

By motion, the Planning Commission initiated a study of this code amendment at its regularly scheduled meeting on April 14, 2015. Further, by motion, the Planning Commission approved to recommend approval of the zoning text change at its regularly scheduled meeting on May 12, 2015 meeting.

**Alignment with Council Vision Areas and Strategic Plan:**

Approval of this agenda items aligns directly with Council's vision for Charlottesville to provide *Quality Housing Opportunities for All* and Goal 1, Objective 1.3 of the Strategic Plan to *increase affordable housing options*.

**Community Engagement:**

Concern over the need for this change originated from discussions with the Housing Advisory Committee (HAC) regarding implementing regulations for §34-12. The HAC specifically expressed concern over the lack of provision of affordable units as a result of the ordinance being too prescriptive. This initial public engagement was the impetus for seeking a legislative change.

As part of the legislative review process, staff reached out to both the Blue Ridge Home Builders Association (BRHBA) and the Charlottesville Area Association of Realtors (CAAR) to make sure that they could support the proposed changes. The support of both BRHBA and CAAR was instrumental in obtaining approval for the legislative change.

A joint public hearing of the Planning Commission and City Council was held at the regularly scheduled May 12, 2015 meeting of the Planning Commission. At this hearing, there was concern expressed over establishing a minimum commitment period for affordability; however, since the revisions to the Virginia Code expressly authorize the City to establish a minimum term for affordability, staff advised that this could be addressed within the implementing regulations. By taking this approach, rather than specifying this commitment term within the ordinance, changes can be more easily amended to reflect market conditions and local goals for affordable housing over time.

**Budgetary Impact:**

Potentially positive as the construction of new/additional housing units would improve property values and increase property tax revenue.

**Recommendation:**

Staff recommends that the zoning text revision be approved, as the proposed changes will increase the likelihood that affordable units will be built. By looking to set a commitment period that equals or exceeds the value of the loss of revenue for subsidized units over time and by increasing the flexibility of renting or selling to a larger pool of qualified persons (i.e., those at 80% AMI or less as opposed to 60% AMI and less), staff is hopeful that applicants will opt to provide units rather than pay the cash contribution.

**Alternatives:**

Council could elect not to approve the proposed revision to the Affordable Dwelling Unit Ordinance, leaving the current 30 year / 60% AMI requirements in place.

**Attachments:**

Materials from the May 12, 2015 Planning Commission Packet  
Enabling Legislation  
Proposed Ordinance

**CITY OF CHARLOTTESVILLE**  
**DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES**  
**STAFF REPORT**



**ZT-15-04-05: REQUEST FOR A ZONING TEXT AMENDMENT**

**PLANNING COMMISSION REGULAR MEETING**  
**DATE OF PLANNING COMMISSION MEETING: May 12, 2015**

**Author of Staff Report:** Kathy McHugh, Housing Development Specialist

**Date of Staff Report:** April 20, 2015

**Applicable City Code Provisions:** §34-12 (Affordable Dwelling Units - ADUs)

**Executive Summary**

This is a proposed zoning text amendment to modify the definition of what constitutes an affordable dwelling unit, relative to the length of the commitment and qualifying household income level. Staff recommends approval of the proposed text amendment.

**Background**

Compliance with the current code (Sec. 34-12) can be met by either providing on-site or off-site affordable dwelling units, or by providing a cash contribution to the City's affordable housing fund. To date, applicants have opted to provide the cash contribution only. No affordable units have been provided as a result of the ordinance to date.

Ultimately, the City's goal is to obtain a mixture of dwelling units and cash contributions to the housing fund. To this end, the current specific length of the commitment (it must be 30 years, no more, no less), as well as the amount of the qualifying household income (i.e., 60% or less of Area Median Income (AMI)) present disincentives to developers who might otherwise be willing to consider establishment of affordable units.

In order to increase the likelihood that applicants will consider providing affordable dwelling units, both the length of the commitment and the qualifying household income criteria need to be modified, to leave the City the ability to consider a broader range of possible arrangements, including: (1) the ability to consider proposals committing to the provision of ADUs for a period of less than 30 years, and (2) expansion of the pool of eligible households to include those with incomes of up to 80% AMI.

Legislation authorizing these changes was approved in the 2015 Session of the General Assembly of Virginia on February 20, 2015 via Senate Bill 1245, to be codified as an amendment to Section 1 of Chapter 693 of the Acts of Assembly of 2008, as amended by Chapter 527 of the Acts of Assembly of 2013. The bill was signed by the Governor March 16, 2015, and the effective date is July 1, 2015.

## **Preparation and Adoption of Proposed Amendment**

By motion, the Planning Commission initiated a study of this Code amendment at its regularly scheduled meeting on April 14, 2015. Since this amendment does not involve an amendment initiated by City Council or a property owner, the 100-day action requirement does not apply; however, a joint public hearing has been advertised with Council for May 12, 2015. If the Planning Commission chooses to act at its May 2015 meeting, then City Council would be in a position to approve the amendment in June 2015. The 2015 enabling legislation becomes effective July 1, 2015.

## **Standard of Review**

As per §34-42 the planning commission shall review and study each proposed zoning text 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.

## **Proposed Zoning Text Change-- ZT-15-04-05**

Section 34-12 (c) of the Zoning Ordinance should be amended to read as follows:

For purposes of this section, "affordable dwelling units" mean dwelling units affordable to households with incomes at not more than eighty percent (80%) of the area median income, and which are committed to remain affordable for a specific period of not more than 30 years.

## **Standard of Review Analysis**

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

Goal 3.4 in the housing chapter of the Comprehensive Plan states: "Encourage creation of new, on-site affordable housing as part of rezoning or residential special use permit applications." Further, goal 3.6 states: "Promote housing options to accommodate both renters and owners at all price points, including workforce housing." In the case of the proposed zoning text change, the proposed modifications should help achieve both goals.

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

Reducing the current requirements for term and income relative to affordable dwelling units should positively impact the City's ability to obtain such units.

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

There is a need to modify our local code based on the reasons outlined herein. Further, the City has already gone through the required process with the General Assembly to amend the definition of affordable dwelling unit within the Code of Virginia; however, local approval is necessary to effect the change.

**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.**

This zoning text amendment does not include a change in the zoning district classification of any particular property.

**Public Comment**

Staff has received no public comment at the time of the drafting of this report.

**Recommendation**

Staff recommends approval of the zoning text amendment.

**Appropriate Motions**

1. "I move to recommend approval of **ZT-15-04-05**, based on a finding that the amendment is required by the public necessity, convenience, general welfare or good zoning practice."
2. "I move to recommend denial of **ZT-15-04-05**."

**VIRGINIA ACTS OF ASSEMBLY -- 2015 SESSION**  
**CHAPTER 225**

*An Act to amend and reenact § 1 of Chapter 693 of the Acts of Assembly of 2008, as amended by Chapter 527 of the Acts of Assembly of 2013, relating to affordable housing in the City of Charlottesville.*

[S 1245]

Approved March 16, 2015

**Be it enacted by the General Assembly of Virginia:**

**1. That § 1 of Chapter 693 of the Acts of Assembly of 2008, as amended by Chapter 527 of the Acts of Assembly of 2013, is amended and reenacted as follows:**

§ 1. A. The governing body of the City of Charlottesville may provide in its comprehensive plan for the physical development within the city, adopted pursuant to § 15.2-2223, for densities of development ranging between a floor area ratio (FAR) of 1.0 FAR and 10.0 FAR, or greater, and as such, the governing body may adopt as part of its zoning ordinance requirements for the provision of (i) on-site or off-site "Affordable Dwelling Units," as defined herein, or (ii) a cash contribution to the city's affordable housing fund, in lieu of such units, in such amounts as set out herein, as a condition of the governing body's approval of a rezoning or special use application for residential or the residential portion of mixed-use projects with a density equal to or greater than 1.0 FAR, or an equivalent density based on units per acre. Residential or the residential portion of mixed-use projects with a density less than 1.0 FAR, or an equivalent density based on units per acre, shall be exempt from the requirements of this section and the city's zoning ordinance adopted pursuant to this section. The city's zoning ordinance requirements shall provide as follows:

1. Upon approval of a rezoning or special use application approving a residential, or the residential portion of a mixed-use project with a density equal to or greater than 1.0 FAR, or an equivalent density based on units per acre, the applicant shall provide on-site Affordable Dwelling Units as part of the project, the total gross square footage of such units shall be five percent of the amount of the gross floor area of the project that exceeds 1.0 FAR or an equivalent density based on units per acre. For purposes of this section, "applicant" shall mean the person or entity submitting a rezoning or special use application for approval of a residential or mixed-use project that contains residential dwelling units in the city and shall include the successors or assigns of the applicant.

2. As an alternative, upon approval of a rezoning or special use application approving a residential, or the residential portion of a mixed-use project with a density equal to or greater than 1.0 FAR, or an equivalent density based on units per acre, the applicant may elect to provide any one of the following:

a. Affordable Dwelling Units at an off-site location in the city, the total gross square footage of such units shall be five percent of the amount of the gross floor area of the project that is over 1.0 FAR, or an equivalent density based on units per acre; or

b. A cash contribution to the city's affordable housing fund, which contribution shall be calculated as follows for each of the density tiers described below:

(1) Two dollars per square foot of gross floor area for residential projects greater than 1.0 FAR or an equivalent density based on units per acre.

(2) For mixed-use projects, cash contributions shall be calculated by applying the proportionate amount of residential gross floor area at two dollars per square foot.

The cash contribution shall be indexed to the Consumer Price Index for Housing in the south urban region as published by the Bureau of Labor Statistics and shall be adjusted annually based upon the changes made in January to such index.

3. For purposes of this section, "Affordable Dwelling Units" ~~mean units committed for a 30-year term as~~ ***means units that are*** affordable to households with incomes at ~~60 percent or less~~ ***not more than 80 percent*** of the area median income ***and that are committed to remain affordable for a term of not more than 30 years. However, the city may establish a minimum term as it deems necessary to ensure the establishment of committed Affordable Dwelling Units in accordance with subdivision 1 or 2.***

B. With the exception of the authority under § 15.2-2305, this section establishes the legislative authority for the city to obtain Affordable Dwelling Units in exchange for the approval of a rezoning or special use application for a residential, or mixed-use project that contains residential dwelling units in the city, and may not be used in combination with any other provision of law in this chapter to obtain Affordable Dwelling Units from an applicant. Nothing in this section shall be construed to repeal the city's authority under any other provision of law.



**AN ORDINANCE  
AMENDING AND REORDAINING SECTION 34-12 OF ARTICLE I  
OF CHAPTER 34 (ZONING) TO CHANGE THE DEFINITION  
OF AFFORDABLE DWELLING UNIT.**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that Section 34-12 of Article I (Administration) of Chapter 34 (Zoning) is hereby amended and reordained as follows:

**Sec. 34-12. Affordable dwelling units.**

- (a) Upon approval of a rezoning or special use application approving a residential project, or the residential portion of a mixed-use project with a density equal to or greater than 1.0 floor-area ratio (FAR), or an equivalent density based on units per acre, the applicant shall provide on-site affordable dwelling units as part of the project, and the total gross square footage of such units shall be five (5) percent of the amount of the gross floor area of the project that exceeds 1.0 FAR or an equivalent density based on units per acre.
- (b) For purposes of this section, "applicant" shall mean the person or entity submitting a rezoning or special use application for approval of a residential or mixed-use project that contains residential dwelling units in the city and shall include the successors or assigns of the applicant.
- (c) For purposes of this section, "affordable dwelling units" ~~mean units committed for a thirty-year term as~~ means dwelling units that are affordable to households with incomes at ~~sixty (60) percent or less~~ not more than 80 percent of the area median income and that are committed to remain affordable for a term of not more than 30 years. However, the city may establish a minimum term as it deems necessary to ensure the establishment of committed Affordable Dwelling Units provided pursuant to subsection (a), above, or (d)(1), below.
- (d) As an alternative, upon approval of a rezoning or special use application approving a residential project, or the residential portion of a mixed-use project with a density equal to or greater than 1.0 FAR, or an equivalent density based on units per acre, the applicant may elect to provide any one (1) of the following:
  - (1) Affordable dwelling units at an off-site location in the city, the total gross square footage of such units shall be five (5) percent of the amount of the gross floor area of the project that is over 1.0 FAR, or an equivalent density based on units per acre; or
  - (2) A cash contribution to the city's affordable housing fund, which contribution shall be calculated as follows for each of the density tiers described below:
    - a. Two dollars (\$2.00) per square foot of gross floor area for residential projects greater than 1.0 FAR or an equivalent density based on units per acre.
    - b. For mixed-use projects, cash contributions shall be calculated by applying the proportionate amount of residential gross floor area at two dollars (\$2.00) per square foot.

- (e) The cash contribution shall be indexed to the Consumer Price Index for Housing in the South Urban Region as published by the Bureau of Labor Statistics and shall be adjusted annually based upon the changes made in January to such index.
- (f) Except as otherwise provided, upon approval of a rezoning or special use permit that is subject to this section, any site plan submitted for review in conjunction therewith shall be acted upon by the director of neighborhood development services or planning commission within twenty-one (21) days after the date such plan was officially submitted.
- (g) The city council may from time to time adopt regulations by resolution, for the administration of the provisions of this section. Pursuant to section 34-82(b)(1), the failure of any person to comply with such regulations shall constitute unlawful conduct in violation of this section.

**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



Agenda Date:	June 1, 2015
Action Required:	Approval of Authorization of Lease Agreement
Presenter:	Kathy McHugh, Housing Development Specialist
Staff Contacts:	Kathy McHugh, Housing Development Specialist
<b>Title:</b>	<b>Authorization of Lease Agreement for 608 Ridge Street</b>

**Background:**

As previously approved by City Council on December 16, 2013, the upper two floors of the City owned property known as ecoREMOD (located at 608 Ridge Street) are currently being leased to the Local Energy Alliance Program (LEAP). LEAP also assumed rental of the basement apartment unit in July 2014, when the prior tenant vacated the apartment. The current LEAP lease will expire on June 30, 2015; however, they have requested an 18-month time extension.

LEAP is a local nonprofit energy services company which helps residents and business owners attain greater energy efficiency. Since LEAP's initial occupation, the property has been used as a library / resource center for information on energy efficiency, as well as office space for staff. LEAP has acted as a steward for this community resource and has hosted numerous meetings for the benefit of the public all while become a community leader on increasing the health, safety and energy efficiency of area homes/businesses.

**Discussion:**

While the City ultimately planned to sell 608 Ridge Street (608) to recoup funds used from the Charlottesville Affordable Housing Fund for purchase / renovation, we know that the sale will be challenging due to the unique energy efficiency features (having received designation as LEED Platinum) and lack of comparable properties in Charlottesville to establish a fair asking price that is commensurate with the investment that has been made (\$170,000 for purchase, \$335,959 for rehab related expenses, as well as \$264,105 in donated materials and services).

Unfortunately, this matter is further complicated by the City's recent designation of 610 Ridge Street (610) as a "blighted property". Without doubt, the close proximity of 610 and its current condition impacts the marketability of 608. Given the uncertainty that 610 will be repaired and brought into standard condition in a timely fashion (due primarily to the lack of identifiable funding as well as an absentee owner who has let the property remain vacant for the last decade and a half), staff are concerned that interest and pricing for 608 will be negatively impacted to a point that makes selling 608 (at this point) non-viable. It is noteworthy; however, that nearby construction of new mixed income

homes at both Burnett Commons II and Burnett Commons III on Elliott Avenue and potential development of William Taylor Plaza (at the corner of Cherry and Ridge) should positively impact the value of 608 in the future.

While staff acknowledges that there is certainly a community benefit derived from supporting LEAP and allowing them to continue to lease 608 at a below market rate rent, ultimately the City needs to make a decision about future leases for this property based on all the factors involved. To this end, ideally the issues associated with 610 need to be sorted out before the City attempts to sell 608. Once a plan for 610 has been identified and it appears that improvements will move forward, the City should look to obtain an appraisal for 608 to ascertain the actual market value for this property. When information for both of these matters is available, the City will be in a much better position to make an informed decision regarding future leases.

In the meantime, to avoid disruption to LEAP operations and to ensure that the building does not sit vacant, City Council should consider extending the LEAP lease for an additional year. While LEAP has actually requested 18 months (and has confirmed with staff that they would be agreeable to 24 months), staff believes that a year is more reasonable, with the option for an additional year extension based on information obtained relative to treatment of 610 and the market value of 608.

### **Community Engagement:**

Staff has discussed this matter with LEAP and recommendations contained herein are based on this discussion.

### **Alignment with City Council's Vision and Priority Areas:**

This effort would support Council's vision of a Green City and Smart, Citizen-Focused Government.

### **Budgetary Impact:**

The current lease with LEAP is \$1,000/month. The proposed extension would keep this cost the same through June 30, 2016. Both prior and future rental payments help to offset the City's investment in 608 Ridge Street and having a tenant in the property relieves the City of the responsibility for monthly utilities to keep the space conditioned, so that mechanical and plumbing systems are safeguarded.

### **Recommendation:**

Staff recommends approval of the resolution to authorize the extension of the lease to LEAP as outlined herein until June 30, 2016, with an option of an additional year contingent upon resolution of issues with 610 Ridge Street as noted above, including obtaining an appraisal of 608 Ridge Street,

### **Alternatives:**

There are alternative actions available to Council, which include but are not limited to: 1) no action, which would require LEAP to move out once the current agreement expires on June 30, 2015; or 2) approval of the lease with different requirements for rent amount/term or both.

### **Attachments:**

Resolution to Authorize the Lease of City Owned Land at 608 Ridge Street

**RESOLUTION  
TO AUTHORIZE THE LEASE OF CITY OWNED LAND  
AT 608 RIDGE STREET TO  
LOCAL ENERGY ALLIANCE PROGRAM (LEAP)**

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that the City Manager is hereby authorized to sign the following document, in form approved by the City Attorney or his designee:

Lease Agreement between the City of Charlottesville and the  
Local Energy Alliance Program (LEAP) for the property  
located at 608 Ridge Street.

**THIS LEASE AGREEMENT**, made as of this 1<sup>st</sup> day of July 2015, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, hereinafter the "Landlord", and **THE LOCAL ENERGY ALLIANCE PROGRAM**, a Virginia non-profit organization, hereinafter the "Tenant";

**WITNESSETH:**

That Landlord hereby leases unto the Tenant and the Tenant hereby agrees to lease from the Landlord the building located at 608 Ridge Street in the City of Charlottesville, Virginia, hereinafter referred to as the "Premises."

1. Term. The term of this lease shall commence July 1, 2015 and shall end on June 30, 2016 (the "Term"). At the discretion of the Landlord, this lease may be extended for an additional period of time of up to one year.

2. Rent / Late Fee / Deposit. The Tenant agrees to pay the Landlord rent during the Term of this lease of One Thousand Dollars (\$1,000) per month. The Tenant shall pay the Landlord the rent, in advance, on the first day of each calendar month. The Tenant shall pay a late fee of Fifty Dollars (\$50.00) for any rent payment not paid by the due date. On execution of this lease, Tenant shall deposit with Landlord one month's rent as security for the faithful performance by Tenant of the terms herein, to be returned to Tenant, without interest, upon full performance of its obligations herein.

3. Improvements. Any alterations, additions and improvements to the Premises must be approved by Landlord prior to the commencement of construction. Except as otherwise provided hereafter, all such alterations, additions, and improvements to the Premises shall inure to the benefit of and shall become the property of the Landlord.

4. Right of First Refusal. If during the Term the Landlord receives a bona fide offer from a third party to purchase the Premises, the Landlord shall not accept such offer without first offering the Premises for sale to the Tenant on the same terms and conditions contained in the offer from such third party. Tenant shall have a period of forty-five (45) days from the date of said offer by Landlord to accept such offer. If Tenant fails to exercise said right of first refusal within the 45 day period, the Landlord may elect to terminate this lease upon forty-five (45) days prior written notice to Tenant.

5. Maintenance and Repairs. Tenant shall be responsible for paying all costs associated with utilities (i.e., water, sewer, electrical, gas, and telecommunications/data), as well as landscape maintenance and trash/garbage removal. Further, Tenant shall comply with all laws and ordinances affecting the cleanliness, occupancy, use and preservation of the Premises, including but not limited to, City of Charlottesville Code §55-148 (Unlawful accumulations of garbage, refuse, etc.); §55-148 (Unlawful growth of weeds and other vegetation); and §55-155 (Duty of owner or occupant to cut grass, weeds and other vegetable matter from property line to the public street right-of-way). Tenant will also be responsible for snow removal from the Premises (i.e.,

from entrance stairs, decks/porches, walkways), including the requirements of Charlottesville City Code §28-25 (Removal of snow, sleet and ice from sidewalks).

Tenant shall be responsible for all routine, non-structural repairs and maintenance of the Premises. Charlottesville shall be responsible for all other maintenance and repairs associated with the Premises, including heating and air conditioning equipment, electrical panel, internal electrical wiring, roof, and all structural members of the building.

Tenant shall immediately notify Charlottesville Property Facilities Maintenance of all known problems that might represent a health or safety risk, or which may lead to failure of or damage to those components of the Premises.

6. Tenant Duties. The Tenant agrees to comply with all the laws and ordinances affecting the cleanliness, occupancy, use and preservation of the Premises. The Tenant shall not keep or have on the Premises any materials of a dangerous, flammable or explosive character which might increase the danger of fire upon the Premises. The Tenant shall use the Premises and all facilities contained therein in a reasonable manner and shall not deliberately or negligently destroy, deface, damage, impair or remove any part of the Premises, or permit any person to do so. The Tenant shall pay its own utility bills and shall indemnify the Landlord against any liability or damages on such account. The Tenant shall, at its own cost and expense, obtain general liability insurance covering interests of the Landlord and the Tenant in the Premises, with the limits of such insurance to be in the sum of at least One Million Dollars (\$1,000,000.00). Said policy shall name Landlord as an additional insured.

7. Sublet or Assignment. The Tenant shall have no right to assign or sublet the Premises, or any portion thereof, to any other party without the prior written consent of the Landlord, which consent shall be entirely within the discretion of the Landlord.

8. Access. The Landlord shall have the right to enter the Premises during normal business hours in order to inspect the Premises, make necessary repairs pursuant to Paragraph 5, or exhibit the Premises to either prospective or actual purchasers, tenants, workers or contractors. The Landlord may so enter without the consent of the Tenant any time in case of emergency. Except in the case of emergency, or if it is impractical to do so, the Landlord shall give the Tenant reasonable notice of its intention to enter.

9. Damage to Premises. In the event that the Premises shall be substantially damaged by fire or other casualty, the Premises shall be forthwith repaired, restored or rebuilt, as the case may be, within a reasonable time by the Landlord at the Landlord's expense, to its condition immediately prior to such damage or destruction. All provisions of this lease with respect to the payment of any rent shall be pro-rated based upon extent of damage and its impact upon Tenant's use of the Premises from the date of the casualty until such repairs are completed. The term of the lease may be extended by a similar period, at the Landlord's discretion.

10. Hours of Operation. Tenant shall establish regular hours during which the Premises will be open to the public (subject to staffing limitations), with the understanding that information about the Premises and its unique features will also be available electronically to the public.

11. Occupation / Use of Premises. The Premises shall be used to promote the benefits of ecoREMOD construction. The Tenant shall display books and other publications, an interactive website, and onsite staff who are knowledgeable about energy efficiency. The Tenant will act as steward for this community resource and will hold seminars and presentations for public benefit on how people can increase the health and safety of their homes while saving money and conserving resources.

12. Snow Removal: Snow removal is the responsibility of the Tenant.

13. Events of Default. The occurrence of any of the following shall constitute an event of default of the Tenant:

(a) Delinquency of the payment of any rent due under this lease for a period of 15 days after the first of any month.

(b) Nonperformance or noncompliance by the Tenant with any of the conditions or obligations of the Tenant contained in this lease for a period of 30 days after written notice thereof. The Tenant shall be accorded such 30 day period to cure the default, which time may, in the Landlord's sole discretion, be extended for so long as may be necessary to cure such default, provided Tenant commences promptly and proceeds diligently to cure such default.

(c) Filing by the Tenant or against the Tenant in any court pursuant to any statute of a petition of bankruptcy or insolvency or for reorganization or for the appointment of a receiver or trustee of all or a portion of Tenant's property, or an assignment by the Tenant for the benefit of creditors, provided that such proceedings are not dismissed within 90 days after the commencement of same.

(d) Failure by the Tenant to maintain its IRS status as a charitable organization.

14. Landlord's Remedies. Upon the occurrence of any event of default, the Landlord, at any time thereafter, may give written notice to the Tenant, by certified mail, return receipt requested, specifying the event of default and stating that the lease shall expire on a certain date, which date shall be at least 60 days after the date of such notice. Upon the date specified on such notice, this lease and all rights of the Tenant hereunder shall terminate.

At any time after such termination, the Landlord may relet the Premises or any part thereof. The failure of the Landlord to relet the Premises or any part thereof shall not make the Landlord liable to the Tenant for damages. No such termination of this lease shall relieve the Tenant of its liability and obligations under this lease, including the obligation for rent for the balance of the term.

15. Termination or Expiration of Lease Term. Upon termination or expiration of this lease, Landlord shall have the right to reenter and repossess the Premises and may dispossess the



Tenant and remove the Tenant and all other persons and property from the Premises. Tenant shall leave the Premises in good and "broom clean" condition, ordinary wear and tear excepted.

16. Waiver. Failure of the Landlord to insist, in any one or more instances, upon a strict performance of the covenants of this lease, or to exercise any option herein contained, shall not be construed as a waiver or a relinquishment of such right, but the same shall continue and remain in full force and effect. No waiver by the Landlord of any provision hereof shall be deemed to have been made unless expressed in writing and signed by the Landlord.

17. Notice. Any notice to the Tenant shall be sent by regular mail, postage prepaid (unless otherwise specified in this Lease) to Tenant at 608 Ridge Street, Charlottesville, Virginia 22903.

Any notice to the Landlord shall be sent by regular mail, postage prepaid to the Landlord in care of the City Manager, P.O. Box 911, Charlottesville, Virginia 22902.

18. Entire Agreement. This lease embodies the entire agreement between the parties and shall not be altered, changed or modified in any respect without a written instrument duly executed by both parties.

19. Applicable Law. This instrument shall be construed, interpreted and applied in accordance with the laws of the Commonwealth of Virginia.

20. Benefits. This agreement is binding upon and shall inure to the benefit of all the respective parties hereto, their respective successors, legal representatives and assigns.

WITNESS the following signatures and seals.

Approved as to form:

CITY OF CHARLOTTESVILLE, VIRGINIA

\_\_\_\_\_  
Deputy City Attorney

By: \_\_\_\_\_  
Maurice Jones, City Manager

LOCAL ENERGY ALLIANCE PROGRAM (LEAP)

By: \_\_\_\_\_

Title: \_\_\_\_\_

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**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**



<b>Agenda Date:</b>	May 18, 2015
<b>Action Required:</b>	Public Hearing for Utility Rates - Adoption is June 1, 2015
<b>Presenter:</b>	Sharon O'Hare. Assistant Finance Director, City of Charlottesville
<b>Staff Contacts:</b>	Christopher V. Cullinan, Director of Finance Sharon O'Hare, Assistance Finance Director Teresa Kirkdoffer, Senior Accountant
<b>Title:</b>	<b>Proposed Utility Rates for FY 2016</b>

**Background:**

The City of Charlottesville is required to adopt water, wastewater, and natural gas rates for the upcoming fiscal year. This is the public hearing for the rates to be adopted June 1<sup>st</sup>, 2015.

**Discussion:**

The City is proposing the following rates in the water, wastewater, and gas utility:

- \$52.37/1,000 cubic feet (cf) of water,
- \$70.44/1,000 cf of wastewater, and;
- \$81.00/8,000 cf of natural gas.

The average single family customer using 437 cf of water and wastewater and 5,092 cf of gas per month is projected to spend the following per month:

	<u>Current</u>	<u>Proposed</u>	<u>Increase</u>	<u>Percent</u>
<b>Water</b>	\$ 25.97	\$ 26.89	\$ 0.92	3.54 %
<b>Wastewater</b>	30.77	34.78	4.01	13.03
<b>Gas</b>	<u>61.64</u>	<u>57.02</u>	<u>(4.62)</u>	<u>(7.50)</u>
<b>Total</b>	\$ 118.38	\$ 118.69	\$ 0.31	0.26 %

Note: for the past several years, the average single family customer has been using an average of 2% less water and gas annually. If this trend continues, the amount a single family customer might actually pay each month would be lower than what is shown above.

Also, the City is proposing increasing the Low-Income Housing Facility Fee for water meters larger than 5/8; the fee for a single family house using a 5/8" meter would not change. Currently the fee is \$800 regardless of meter size. A single-family residential unit that installs a 5/8" meter would be responsible for the same amount as a multi-unit low-income apartment complex. Based on feedback from City Council during last year's rate-setting process, staff recommends that the fee for a 5/8" meter remain the same as that currently charged, \$800 which is 25% of the full facility fee, but each meter above 5/8" would pay 25% of the usual facility fee.

**Budgetary Impact:**

Not adopting the recommended rates would impact both the General Fund and the Utility Funds. City Council has adopted the General Fund budget for FY2016 which includes transfers from the Utility Funds in the form of payments-in-lieu-of-taxes (PILOT) and indirect cost allocations. The Utility Funds are self-sustaining and the supported 100% by self-generated revenues. Not adopting the full rates would result in decreased revenues to the General Fund and unbalanced budgets for the Utility Funds.

**Recommendation:**

Staff recommends approval of the proposed rates.

**Alternatives:**

Maintaining existing rates will result in nearly over \$1,000,000 loss within the Water Fund and over \$1,750,000 loss within the wastewater fund. This would exhaust available fund balances and would violate the City's long term financial policies by not meet the working capital requirements. Keeping FY2015 gas rates will result in a profit within the gas utility and overcharge our customers. If the utilities are not self-sustaining, the funds would either require subsidies from other City funds to maintain levels-of-service or reduced reliability and performance of the utility systems.

**Attachments:**

Ordinances  
At a Glance FY2016  
Press Release

**AN ORDINANCE  
AMENDING AND REORDAINING CHAPTER 31 (UTILITIES)  
OF THE CHARLOTTESVILLE CITY CODE, 1990, AS AMENDED,  
RELATING TO CHANGES IN MISCELLANEOUS UTILITY FEES.**

**BE IT ORDAINED** by the Council for the City of Charlottesville, Virginia, that:

- 1. Sections 31-8 of Article I, 31-29, 31-64, and 31-66 of Article II, 31-102, 31-104, and 31-120 of Article III, and 31-152 and 31-159 of Article IV, of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained as follows:**

**CHAPTER 31. UTILITIES**

**ARTICLE I. In General**

**Sec. 31-8. – Fee for turning on gas and water service simultaneously.**

When a customer requests that both gas and water service be turned on at the same time, there shall be an aggregate charge of thirty dollars (\$30.00), in lieu of the separate charges for gas and water specified, respectively, within ~~during normal business hours. In all other situations, the provisions of sections 31-29 and 31-104 shall apply.~~

**ARTICLE II. Gas**

**Sec. 31-29. - Charge for turning on gas service and other service calls; furnace pilot relights fee.**

- (a) There shall be a charge of thirty dollars (\$30.00) for turning on gas service, payable in advance, either initially or after service has been discontinued. For same-day service, or service outside of during normal business hours, and forty-eight dollars (\$48.00) after normal business hours (including and on weekends or and holidays), if such service is requested and is available, the charge shall be ninety dollars (\$90.00). These charges shall also apply to any other service calls.
- (b) For any separately metered single family residential property the city will, without charge, relight a furnace pilot light that was deliberately extinguished by a customer in anticipation of the end of a heating season, one (1) time during normal business hours during any calendar year. The fee for any other subsequent pilot light relights during the same calendar year or any relights outside of normal business hours shall be as set forth in paragraph (a).
- (c) ~~The fee for restoring gas service after termination for nonpayment shall be as set forth in section 31-66.~~

**Sec. 31-64. - Customer deposits.**

- (a) The director of finance shall require deposits from persons applying for gas service in accordance with the rules established in this section.
- (b) The normal deposit requirements shall be as follows:

	[delete chart]	With gas heat	Without gas heat
(+)	Residential accounts	\$250.00	\$ 75.00
(2)	Nonresidential accounts at locations with no history of gas service	-250.00	-75.00

- (1) Residential accounts. For residential accounts with gas heat, the deposit shall be \$250.00. For residential accounts without gas heat, the deposit shall be \$75.00.
- (2) Nonresidential accounts. The deposit for a nonresidential account at a location with no history of gas service within the preceding twelve (12) months shall be determined as follows: the director of finance shall obtain from the utilities division information regarding an ongoing similar nonresidential use with a previous history of gas service and a similar meter size (“comparable account”). The finance director shall then establish a deposit in an amount equal to the total of the two (2) highest monthly gas bills for the comparable account during the preceding twelve (12) months.
- (3) The deposit for a nonresidential account with gas heat at a location with a previous history of gas service within the preceding twelve months shall be an amount equal to the greater of two hundred fifty dollars (\$250.00) or the total of the two (2) prior highest monthly gas bills at that location during the preceding twelve (12) months.

(c)-(g) .....

**Sec. 31-66. - Charge for restoring service terminated for nonpayment.**

- (a) For turning gas on again after it has been terminated for nonpayment, there customer shall be pay a charge as specified in sec. 31-29(a). of thirty dollars (\$30.00), payable in advance. When such restoration of service is required during other than normal business hours, this charge shall be forty eight dollars (\$48.00).

**ARTICLE III. Water and Sewers Generally**

**Sec. 31-102. Application for water service; water connection charges generally; installation of meters, etc.**

(a) Whenever any person owning or leasing property for which water service has been installed desires the initiation of water delivery, he shall make written application to the director of finance on forms prescribed by the director.

(b) Whenever any person owning or leasing property along an existing city water main desires to provide a service connection from such main to such property, he shall make application to the director of finance on forms prescribed by the director. The charge for a water connection for a meter provided, installed and set by the city under this subsection shall be as follows:

Meter Size	ERC	Water Meter Set Fee	Water Facility Fee
5/8"	1	<del>\$200.00</del> <u>\$325.00</u>	\$3,100.00
1"	2.5	<del>370.00</del> <u>495.00</u>	7,750.00
1½"	5	<del>390.00</del> <u>565.00</u>	15,500.00
2"	8	<del>410.00</del> <u>635.00</u>	24,800.00
3"	15	<del>500.00</del> <u>825.00</u>	46,500.00
4"	25	<del>540.00</del> <u>965.00</u>	77,500.00
6"	50	<del>620.00</del> <u>1,145.00</u>	155,000.00

- (c) . . .
- (d) . . .
- (e) . . .

**Sec. 31-104. - Charge for turning on water and other service calls.**

There shall be a charge of thirty dollars (\$30.00) for turning on water service, payable in advance, either initially or after # service has been discontinued. For same-day service, or service outside of during normal business hours (including and forty-eight dollars (\$48.00) outside normal business hours and on weekends and holidays, if such service is requested and is available, the charge shall be ninety dollars (\$90.00). These charges will also apply to any other service calls.

**Sec. 31-120. - Removal of sewer obstructions.**

In case of any stoppage in a public sewer, the city shall remove the obstruction. If the stoppage occurs in the sewer between a building and the city sewer main, the property owner whose property connects with the public sewer shall remove the obstruction. If the owner fails to remove the obstruction within forty-eight (48) hours after notice from the city, the obstruction may be removed by the city and the cost thereof, together with twenty (20) percent thereof, shall be paid by the owner or customer in whose name the water account for the property is held. When the city is called to investigate a sewer stoppage or problem, and it is determined that the problem is not with the city's system, there will be a fee charged to the customer, as specified in Sec. 31-104 of thirty dollars (\$30.00) for service calls during normal business hours and forty-eight dollars (\$48.00) for service calls after normal business hours, on weekends and on holidays.

#### **ARTICLE IV. Water and Sewer Service Charges**

##### **Sec. 31-152. - Customer deposits.**

- (a) The director of finance shall require deposits from persons applying for water service in accordance with the rules established in this section.
- (b) The normal deposit requirements shall be as follows:
  - (1) Residential accounts .....\$75.00
  - (2) Nonresidential accounts at locations with no history of water service ~~.....\$75.00~~ within the preceding twelve (12) months shall be determined as follows: the director of finance shall obtain from the utilities division information regarding an ongoing similar nonresidential use with a previous history of gas service and a similar meter size ("comparable account"). The finance director shall then establish a deposit in an amount equal to the total of the two (2) highest monthly gas bills for the comparable account during the preceding twelve (12) months.
  - (3) The deposit for a nonresidential account at a location with a ~~previous~~ history of water service within the preceding twelve (12) months shall be the ~~greater of seventy-five dollars (\$75.00) or the~~ total of the two (2) prior highest monthly water bills at that location during the preceding twelve (12) months.
- (c)-(g)...[no changes]

##### **Sec. 31-159. - Charge for restoring service terminated for nonpayment.**

For turning water on again after it has been terminated for nonpayment, there shall be a charge, as specified in Sec. 31-104 of thirty dollars (\$30.00) for normal work hours and forty-eight dollars (\$48.00) for overtime, payable in advance.

#### **2. This ordinance shall take effect July 1, 2015.**



Adopted by Council on June \_\_\_\_\_, 2015

**AN ORDINANCE  
AMENDING AND REORDAINING  
CHAPTER 31 (UTILITIES) OF THE CODE  
OF THE CITY OF CHARLOTTESVILLE, 1990, AS AMENDED,  
TO ESTABLISH NEW UTILITY RATES AND SERVICE FEES  
FOR CITY GAS, WATER AND SANITARY SEWER.**

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia, that:

1. Sections 31-56, 31-57, 31-60, 31-61, 31-62, 31-102.1, 31-106.1, 31-153 and 31-156 of Chapter 31, of the Code of the City of Charlottesville, 1990, as amended, are hereby amended and reordained as follows:

**CHAPTER 31. UTILITIES**

**ARTICLE II. GAS**

DIVISION 2. TYPES OF SERVICE; SERVICE CHARGES

**Sec. 31-56. Rates - Generally.**

The firm service gas rates based on monthly meter readings shall be as follows:

Basic Monthly Service Charge	\$ 10.00	
First 3,000 cubic feet, per 1,000 cubic feet	<del>\$ 12.0771</del>	<u>\$9.4665</u>
Next 3,000 cubic feet, per 1,000 cubic feet	<del>\$ 11.3525</del>	<u>\$8.8985</u>
Next 144,000 cubic feet, per 1,000 cubic feet	<del>\$ 10.1448</del>	<u>\$7.9518</u>
All over 150,000 cubic feet, per 1,000 cubic feet	<del>\$ 9.9032</del>	<u>\$7.7625</u>

**Sec. 31-57. Same--~~Summer~~ air conditioning.**

(a) Gas service at the ~~following~~ rate specified in this paragraph (“air conditioning rate”) shall be available to customers who request such service in writing and who have installed and use air conditioning equipment operated by natural gas as the principal source of energy. The air conditioning rate will be \$8.0591 per one thousand (1,000) cubic feet of gas used per month. ~~available for bills rendered during the months of May through October of each year and shall be as follows:~~

- (1) ~~Single-family residential. For the first four thousand (4,000) cubic feet of gas used per month, the charge shall be the sum as set forth under section 31-56, and for all gas used in excess of four thousand (4,000) cubic feet per month, the rate shall be \$9.2914 \$ \_\_\_\_\_ per one thousand (1,000) cubic feet.~~

~~(2) Other. All gas used for summer air conditioning shall be separately billed at the rate of \$9.2914 ~~\$8.0591~~ per one thousand (1,000) cubic feet. All gas used during billing periods other than May through October of each year shall be at the rates set forth in section 31-56, 31-60 or 31-61 of this Code, as applicable.~~

(b) The director of finance may, when it is impracticable to install a separate meter for air conditioning equipment, permit the use of one (1) meter for all gas delivered to the customer, in which instance the director of finance shall estimate the amount of gas for uses other than air conditioning and shall bill for such gas at the rates provided in applicable sections of this division.

...

### **Sec. 31-60. Interruptible sales service.**

(a) *Conditions.* . . .

(b) *Customer's agreement as to discontinuance of service.* . . .

(c) *Basic monthly service charge.* The basic monthly charge per meter for interruptible sales service ("IS gas") shall be sixty dollars (\$60.00).

(d) *Rate.* For all gas consumed by interruptible customers the rate shall be ~~\$9.2336~~ \$6.9358 per one thousand (1,000) cubic feet for the first six hundred thousand (600,000) cubic feet, and ~~\$7.7370~~ \$5.7006 per one thousand (1,000) cubic feet for all volumes over six hundred thousand (600,000) cubic feet.

(e) *Annual Minimum Quantity.* Interruptible rate customers shall be obligated to take or pay for a minimum quantity of one million two hundred thousand (1,200,000) cubic feet of gas annually. Each year, as of June 30, the director of finance shall calculate the total consumption of each interruptible customer for the preceding twelve (12) monthly billing periods, and shall bill any customer that has consumed less than the minimum quantity for the deficient amount at the rate of ~~\$7.7370~~ \$5.7006 per one thousand (1,000) cubic feet. Any new customer shall be required to enter into a service agreement with the City prior to the start of service. If an interruptible customer terminates service the annual minimum requirement shall be prorated on the basis of one hundred thousand (100,000) cubic feet per month for each month the customer has received service since the last June 30 adjustment.

(f) *Contract required.* . . .

### **Section 31-61. Interruptible Transportation Service.**

(a) *Generally.* ...

(b) *Rates.* The rates for interruptible transportation service ("TS gas") shall be as follows:

- (1) ~~\$3.6762~~ \$3.6347 per decatherm for a combined IS and TS customer, and
- (2) ~~three dollars and three cents (\$3.03)~~ \$3.3278 per decatherm for a customer receiving only TS gas, and
- (3) \$1.9588 per decatherm, for customers who transport 35,000 or more decatherms per month ("large volume transportation customers"), regardless of whether such large volume transportation customer receives only TS gas, or also receives IS service.

(c) *Basic Monthly Service Charges.* Each TS gas customer shall pay monthly service charges, as follows:

- (1) Each combined IS and TS customer shall pay a monthly service charge of ~~one hundred and fifty dollars~~ \$150.00 per meter for ~~the right to receive TS gas service,~~ plus the basic monthly service charge of ~~sixty dollars (\$60.00)~~ per meter for IS gas.
- (2) Customers who receive only TS gas ~~only customers~~ shall pay a monthly service charge of ~~one hundred fifty dollars (\$150)~~ per meter.
- (3) Large volume transportation customers shall pay a monthly service charge of six hundred dollars (\$600.00) per meter, regardless of whether such large volume customer receives only TS gas, or also receives IS gas.

(d) *Special terms and conditions.* Special terms and conditions for service under this section shall be as follows:

- (1) Transportation by the city to any customer under this schedule shall be on an interruptible basis only, and the city shall have the right to curtail or interrupt transportation of gas whenever, in the sole judgment of the city, capacity and other conditions do not permit transportation hereunder. The city shall give the customer as much advance notice of curtailment or interruption as, in the city's sole judgment, is feasible and shall make its best efforts to give at least one-hour notice.
- (2) In the event gas is curtailed or interrupted and if a customer fails to comply with any curtailment or interruption notice delivered by the city, the customer shall be billed for such unauthorized use of gas at the rate of ten dollars (\$10.00) per decatherm. Such billing shall be in addition to charges at interruptible sales ~~"IS"~~ (IS) rates. This overrun penalty also shall be in addition to any penalty, fine or charge incurred by the city as a result of any unauthorized use of gas by the customer and shall apply to any other unauthorized gas usage.

(e) *Extension of facilities. . . .*

(f) *Billing month. . . .*

(g) *Lost and unaccounted-for gas. . . .*

(h) *Combined IS and TS customer using more than provided or scheduled by customer.*

In the event that a combined IS and TS customer needs more gas than the customer has provided or scheduled under its TS contract, such excess gas may be purchased from the city with the city's consent on an "as available" basis at regular interruptible sales (IS) rates, plus any related "excess take" or similar charges imposed on the city by its suppliers. Customer owned gas shall be the first through the meter. The city assumes no obligation to supply gas to displace volumes for which the customer has arranged transportation service. Unauthorized gas usage shall be subject to the overrun penalty described in subsection (d)(2) of this section. If a customer that is a combined IS and large-volume TS customer fails to maintain usage within the monthly load balancing tolerance referenced in paragraph (i)(2), following below, then such customer shall pay the city a penalty equal to any penalty charged to the city by Columbia Gas or others as a result of the customer's transportation volumes being outside of the monthly load balancing tolerance.

(i) *TS Customer providing more gas, or less gas, than customer's usage.*

(1) In any month when a either type of transportation customer's actual gas usage at any metered service connection is less than the transportation gas available for that the metered service connection, the city will provide load balancing on a seasonal basis with the same tolerance limits for overtenders as Columbia Gas provides the city pursuant to applicable schedules or tariffs. As of the adoption of this ordinance June 1, 1989, such tolerance limits and penalties imposed by Columbia Gas upon the city are were as follows:

(4 i) During the period from November 1 through March 31, transportation gas available for any month may exceed actual gas usage for that month by three (3) percent or less of scheduled transportation gas for that month without penalty.

(2 ii) During the period from April first through October thirty-first, transportation gas available for any month may exceed actual gas usage for that month by ten (10) percent or less of scheduled transportation gas for that month without penalty.

For the purpose of this subsection, reference to "transportation gas available for a the metered service connection" means is the transportation gas delivered to the city, reduced by the city's shrinkage rate, plus any imbalance allowed from the previous month. When the imbalance for any metered service connection exceeds these limits, the city shall retain the excess tenders and the customer shall pay the

city a penalty equal to that penalty charged to the city by Columbia Gas or others as a result of such excess imbalance.

- (2) Large volume transportation customers must maintain TS gas usage within a range that is within ten percent (10%), more or less, of the transportation gas delivered to the city, reduced by the city's shrinkage rate, plus any imbalance allowed from the previous month for a metered service connection ("load balancing tolerance"). The load balancing tolerance shall be maintained by a large volume TS customer on a daily basis ("daily load balancing tolerance") and on a monthly basis ("monthly load balancing tolerance"). If a large volume transportation customer fails to maintain usage within the applicable daily or monthly load balancing tolerance, then such customer shall pay the city a penalty equal to any penalty charged to the city by Columbia Gas or others as a result of the customer's transportation volumes being outside of the applicable load balancing tolerance.

(j) *Other terms and conditions. . . .*

### **Section 31-62. Purchased gas adjustment.**

In computing gas customer billings, the basic rate charges established under sections 31-56, 31-57, 31-60 and 31-61 shall be adjusted to reflect increases and decreases in the cost of gas supplied to the city. Such increases or decreases shall be computed as follows:

(1) For the purpose of computations herein, the costs and charges for determining the base unit costs of gas are:

- a. Pipeline tariffs;
- b. Contract quantities; and
- c. Costs of natural gas, in effect or proposed as of March 1, 2014 2015.

(2) Such base unit costs are ~~\$6.7986~~ \$4.412 per one thousand (1,000) cubic feet for firm gas service and ~~\$5.2989~~ \$3.1235 per one thousand (1,000) cubic feet for interruptible gas service.

(3) In the event of any changes in pipeline tariffs, contract quantities or costs of scheduled natural gas, the unit costs shall be recomputed on the basis of such change in accordance with procedures approved by the city manager. The difference between the unit costs so computed and the base unit costs shall represent the purchased gas adjustment to be applied to all customer bills issued beginning the first billing month after each such change.

### **Sec. 31-102.1 Reduced water facility fees for affordable housing.**

(a) In lieu of the water facility fee imposed pursuant to section 31-102, the water facility fee, ~~regardless of meter size or equivalent residential connections,~~ for connecting a unit of affordable housing to the city water system shall be eight hundred dollars (\$800.00) for a 5/8" meter. All meters larger than 5/8" shall be charged a fee equal to twenty-five percent (25%) of the water facility fee imposed by Sec. 31-102 for a meter of the same size.

(b) As used herein, "affordable housing" means: (1) a dwelling unit ~~(1) to be purchased and occupied by an individual or family with a household income less than eighty (80) percent of the Area Median Income ("AMI") ; , which and (2) that~~ has a sales price no greater than the maximum sales price established by the Virginia Housing Development Authority for its first time homebuyer loan programs in the Charlottesville metropolitan statistical area (non-federal targeted area); or (2) a dwelling unit that is developed as rental property with financial assistance from a federal, state or local program requiring the dwelling units to be leased to tenants with a household income less than eighty (80) percent of the AMI.

(c) An applicant for the reduced water facility fee shall agree to pay the difference between the reduced water facility fee and the standard water facility fee if the dwelling unit ceases to be affordable housing, as defined in paragraph (b), above herein, at any time within five (5) years from the date the connection to the city water system is made.

#### **Sec. 31-106.1 Reduced sewer facility fees for affordable housing.**

(a) In lieu of the sewer facility fee imposed pursuant to section 31-106, the sewer facility fee, ~~regardless of meter size or equivalent residential connections,~~ for connecting a unit of affordable housing to the city sewer system shall be eight hundred dollars (\$800.00) for a 5/8" meter. All meters larger than 5/8" shall be charged a fee equal to twenty-five percent (25%) of the sewer facility fee imposed by Sec. 31-106 for a meter of the same size.

(b) As used herein, "affordable housing" means: (1) a dwelling unit ~~(1) to be purchased and occupied by an individual or family with a household income less than eighty (80) percent of the Area Median Income ("AMI") ; , which and (2) that~~ has a sales price no greater than the maximum sales price established by the Virginia Housing Development Authority for its first time homebuyer loan programs in the Charlottesville metropolitan statistical area (non-federal targeted area); or (2) a dwelling unit that is developed as rental property with financial assistance from a federal, state or local program requiring the dwelling units to be leased to tenants with a household income less than eighty (80) percent of the AMI.

(c) An applicant for the reduced sewer facility fee shall agree to pay the difference between the reduced sewer facility fee and the standard sewer facility fee if the dwelling unit ceases to be affordable housing, as defined in paragraph (b), above herein, at any time within five (5) years from the date the connection to the city sewer system is made.

### **ARTICLE IV. WATER AND SEWER SERVICE CHARGES**

...

#### **Sec. 31-153. Water rates generally.**

(a) Water rates shall be as follows:

	<u>May-September</u>	<u>October-April</u>
(1) Monthly service charge.	\$4.00	\$4.00
(2) Metered water consumption, per 1,000 cu. ft .	<del>\$58.03</del> <u>60.31</u>	<del>\$44.64</del> <u>46.39</u>

(b) This section shall not apply to special contracts for the consumption of water which have been authorized by the city council.

...

**Sec. 31-156. Sewer service charges generally.**

(a) Any person having a connection directly or indirectly, to the city sewer system shall pay therefor a monthly charge as follows:

(1) A basic monthly service charge of four dollars (\$4.00).

(2) An additional charge of ~~sixty one dollars and twenty six cents (\$61.26)~~ seventy dollars and forty four cents (\$70.44) per one thousand (1,000) cubic feet, of metered water consumption.

(b) Any water customer not discharging the entire volume of water used into the city's sanitary sewer system shall be allowed a reduction in the charges imposed under this section, provided such person installs, at his expense, a separate, City-approved water connection to record water which will not reach the City sewer system. The cost and other terms of City Code section 31-102 shall apply. For customers with monthly water consumption in excess of thirty thousand (30,000) cubic feet, where the director of finance considers the installation of a separate meter to be impracticable, the director may establish a formula which will be calculated to require such person to pay the sewer charge only on that part of the water used by such person which ultimately reaches the city sewers.

**2. The foregoing amendments shall become effective July 1, 2015.**

# At A Glance

## City of Charlottesville Utility Rate Report FY2016

The following material provides a brief summary of the rate and fee recommendations for water, wastewater, and natural gas for FY2016. All rates will go into effect July 1, 2015. For a thorough explanation and details of the recommendations please consult the complete Proposed Utility Rate Report FY2016.

The City is proposing the following changes in the water, wastewater, and gas utility. The rates are based on average single family household usage per month (437 cf of water and wastewater, 5,092 cf of gas):

	<u>Current Monthly Charge</u>	<u>Proposed</u>	<u>Increase</u>	<u>Percent</u>
<b>Water</b>	\$ 25.97	\$ 26.89	\$ 0.92	3.54 %
<b>Wastewater</b>	30.77	34.78	4.01	13.03
<b>Gas</b>	<u>61.64</u>	<u>57.02</u>	<u>(4.62)</u>	<u>(7.50)</u>
<b>Total</b>	\$ 118.38	\$ 118.69	\$ 0.31	0.26 %

### **WATER RATES**

The proposed composite rate for FY2016 for 1,000 cubic feet of water is \$52.37.

### **Impact on the Customer**

The customer impact from the rate increase will depend on how much water the customer consumes a month. The average single-family household uses 437 cf/month (3,269 gallons/month; approximately 107 gallons/day).

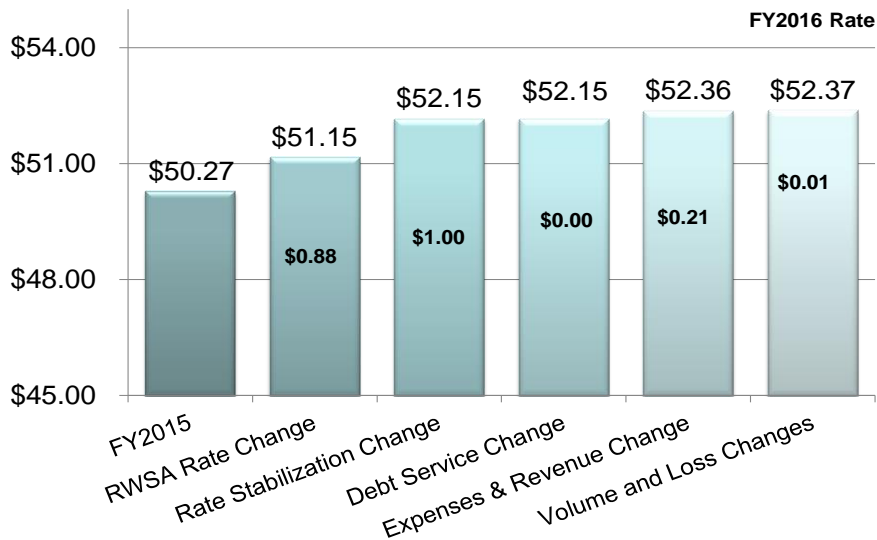
- **The monthly bill for the average single-family customer** will increase from \$25.97 to \$26.89, an increase of \$0.92 or 3.54%.
- The monthly bill for the customer who uses 1,000 cubic feet of water per month (and including the \$4.00 monthly charge) will increase from \$54.27 to \$56.37, an increase of \$2.10 or 3.87%.

### **Factors Influencing the Water Rate**

The impact of each component on the final rate is depicted below.

- Increasing wholesale rate from RWSA by \$0.696 increased the City's rate by \$0.88.
- The \$145,000 reduction in the use of rate stabilization funds increases the rate by \$1.00.
- There was no change in debt service so there was no impact on the rate.
- The increase in operating expenses primarily an increase in the payment in-lieu of taxes (PILOT) caused an increase in the rate of \$0.21.
- There was a slight change in volume and number of customers that resulted in a \$0.01 change. These factors resulted in an increase in rate to \$52.37.

## Impacts on Water Rate (per 1,000 cf)





# City of Charlottesville Utility Rate Report FY2016

## WASTEWATER RATES

The proposed rate for 1,000 cubic feet of wastewater FY2016 is \$70.44.

### Impact on the Customer

- **The average monthly wastewater bill for the single-family customer**, who uses 437 cubic feet of water, will rise from \$30.77 to \$34.78, an increase of \$4.01 or 13.03%.
- The monthly bill for the customer who uses 1,000 cubic feet of water per month (and including the \$4.00 monthly charge) will rise from \$65.26 to \$74.44, an increase of \$9.18 or 14.07%.

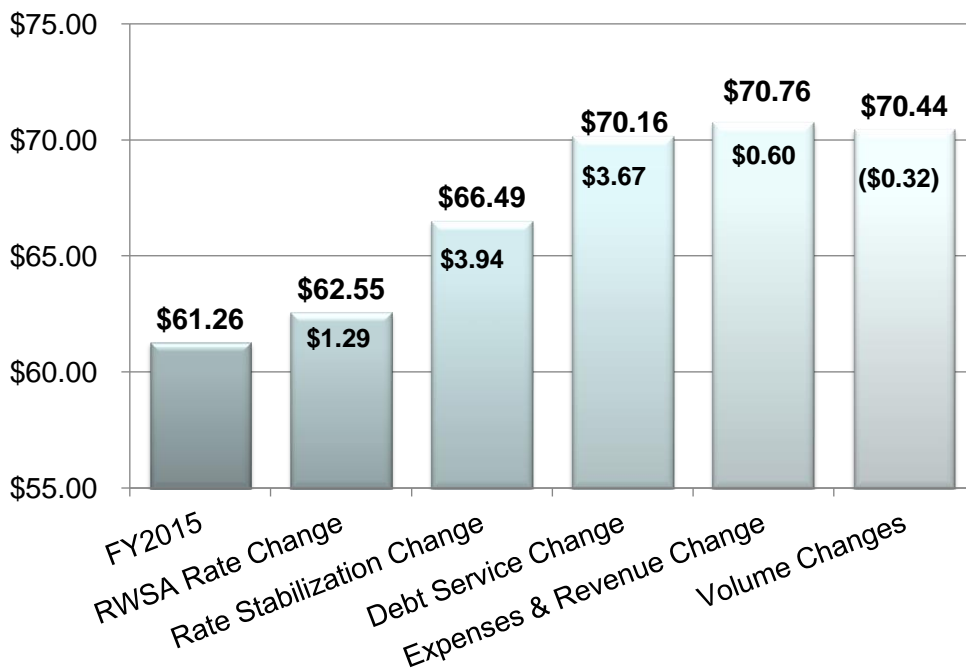
### Factors Influencing the Wastewater Rate

The impact of each component on the final rate is depicted below.

- The increase in the treatment rate from RWSA, from \$28.598/cf to \$29.576/cf, increases the rate an additional \$1.29 to \$62.55/cf.
- The use of \$150,000 in rate stabilization funds produces an increase in the wastewater rate of \$3.94. Please note that using the \$150,000 does cause the rate to be \$2.08 lower than it would be without the rate stabilization funds.
- An increase of \$585,000 in debt service funding results in an increase of \$3.67.
- Changes in City expenses and revenue results in an increase of the rate of \$0.60 to \$70.76/cf.
- The change in treatment volume and number of customers causing a reduction in the rate of \$0.32 for a final rate per cf of \$70.44.

## Impacts on Wastewater Rate (per 1,000 cf)

FY2016



# City of Charlottesville Utility Rate Report FY2016

## GAS RATES

### Impact on Average Customer

Proposed firm rates for July 1, 2016 are (7.4%) lower for the typical firm customer using 8,000 cf than actual rates for March, 2015. Firm customers include all types of customers (residential, commercial and industrial) for whom gas supplies are guaranteed to be available all year long without interruption. The actual percent decrease is dependent upon usage.

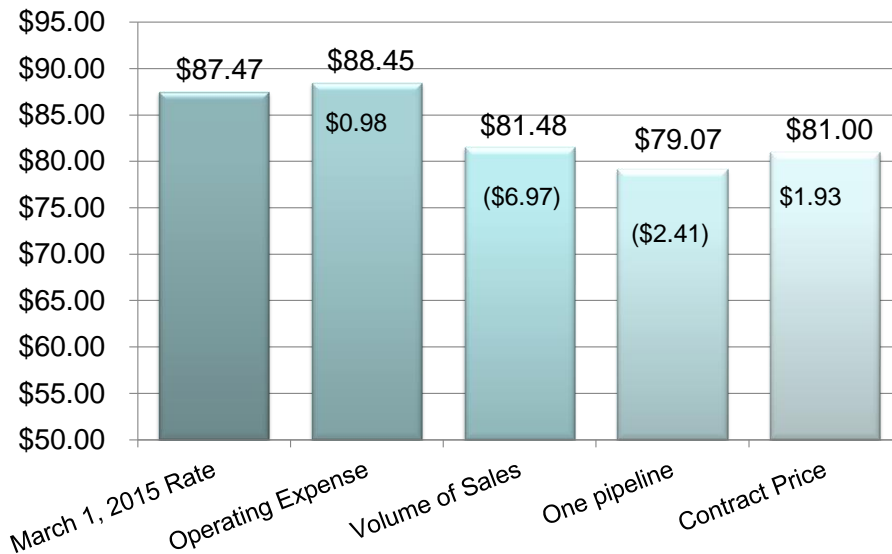
- For a representative residential monthly consumption of 8,000 cf, the monthly bill will decrease from \$87.47 to \$81.00, a decrease of 7.40%.
- The average single-family household, who consumes 5,092 cf of gas, will see the monthly bill decrease from \$61.64 to \$57.02, a reduction of 7.50%.

### Factors Influencing the Gas Rate

The proposed (7.4%) decrease to firm customers, from \$87.47 to \$81.00, is due to the following:

- The total non-gas operating budget increased by \$158,105 from FY2015 to FY2016, or 1.12%, resulting in a \$0.98 increase due to raising operating expenses.
- The sales volume for firm customers increased in FY2016 by 178,016 dth causing a 7.97% decrease in the gas rate producing a \$6.97 decline.
- Pipeline contract is for only pipeline for the entire year resulting in a savings of 2.76% decrease or a \$2.41 decrease.
- The total contract price increased by 2.21% resulting in a \$1.93 increase and a new rate of \$81.00.

## Impacts on Gas Rate (per 8,000cf)





FOR IMMEDIATE RELEASE  
May 11, 2015

**CONTACT:**  
Miriam Dickler  
Director of Communications  
434-970-3129  
434-260-2433  
[dickler@charlottesville.org](mailto:dickler@charlottesville.org)

## City of Charlottesville Proposed Rate Changes for Water, Wastewater and Gas Customers

CHARLOTTESVILLE, VA - The City of Charlottesville announced today that staff will present the FY 2016 Utility Rate Recommendations to City Council at their regular meeting on May 18, 2015 at 7pm in City Council Chambers.

The City is proposing the following changes in the water, wastewater, and gas utility. The rates are based on average single family household usage per month:

	Current Monthly Charge	Proposed	Change	Percent
Water	\$ 25.97	\$ 26.89	\$ 0.92	3.54%
Wastewater	\$ 30.77	\$ 34.78	\$ 4.01	13.03%
Gas	\$ 61.64	\$ 57.02	-\$ 4.62	-7.50%
Total	\$ 118.38	\$ 118.69	\$ 0.31	0.26%

For Customers using water, wastewater, and gas the monthly charge will increase by \$0.31 or 0.26% of the combined charges for the average single family residential house using 437 cubic feet of water and 5,092 cubic feet of gas.

The rates charged to our customers are derived from wholesale charges from the Rivanna Water and Sewer Authority (RWSA), BP Gas, operating expense of the City utilities, and debt service cost.

The entire Utility Rate Report recommendation can be found on the City Website, [www.charlottesville.org/ubo](http://www.charlottesville.org/ubo).

###

*City Council Vision 2025 calls for the City to be a leader in innovation, environmental sustainability, and social and economic justice; to be flexible and progressive in anticipating and responding to the needs of the citizens; and to act as the cultural and creative capital of Central Virginia. There are nine main areas of focus: economic sustainability, lifelong learning, quality housing opportunities for all, arts and culture, green city initiatives, healthy city initiatives, a connected community, smart, citizen-focused government and a community of mutual respect.*

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**CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA**

Agenda Date: June 1, 2015

Action Required: Consideration of a Special Use Permit

Presenter: Matthew Alfele, City Planner

Staff Contacts: Matthew Alfele, City Planner

**Title: 1725 Jefferson Park Ave. Apartments Special Use Permit (SUP)**

**Background:**

Richard Spurzem of Neighborhood Properties LLC, has submitted an application seeking approval of a Special Use Permit in conjunction with a site plan for an apartment building located at 1725 Jefferson Park Avenue. The Property has additional street frontage on Montebello Circle. The proposed development plan shows a (19) unit apartment building with structured parking for (32) vehicles.

The applicant is requesting a Special Use Permit to increase density from the by right 1 -21 Dwelling Units per Acre to 44 -64 Dwelling Units per Acre and a reduction of side yard setbacks from (1') per every (4') of height (minimum 10') to (5').

**Discussion:**

The Planning Commission discussed this matter at their May 12, 2015 meeting.

The topics of discussion that the Commission focused on were:

- Involvement of the JPA Neighborhood in the development planning and how lowering the building to the level of Jefferson Park Avenue improves the overall site.
- Pedestrian experience along Jefferson Park Avenue.
- Present City Councilors questioned how a parking structure above living units will work and how window openings in the garage will be treated.

### **Alignment with City Council's Vision Areas and Strategic Plan:**

The City Council Vision of Quality Housing Opportunities for All states that “Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life states, and abilities” and further that, “Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers.”

The project contributes to Goal 2 of the Strategic Plan, Be a safe, equitable, thriving and beautiful community, and objective 2.6, to engage in robust and context sensitive urban planning.

### **Community Engagement:**

The Planning Commission held a joint public hearing with City Council on this matter at their meeting on May 12, 2015. One member of the public expressed concerns about the project, noting apartments located under portions of the parking garage will be affected by car vibrations.

Staff participated in meetings with the community on

- March 18, 2015
- May 5, 2015

At the most recent meeting members of the JPA Neighborhood Association provided feedback to the owner, architect, and engineer. The majority of feedback was positive and a follow-up to concerns expressed during the March 18, 2015 site plan conference.

### **Budgetary Impact:**

This has no impact on the General Fund.

### **Recommendation:**

The Commission took the following action:

Ms. Green moved to recommend approval of this application for a Special Use Permit in the R-3 zone at 1725 Jefferson Park Avenue to permit residential development up to (64) Dwelling Units per Acre and adjustment of side setbacks to a minimum of (5) feet with the list of conditions as listed by staff in the staff report. The recommended conditions focus on bicycle storage, building entrance and FFE in relation to Jefferson Park Avenue, street trees, character and massing of the site plan connected to the SUP application, lighting, and fulfillment of the City's Affordable Dwelling Unit Code Section (Sec 34-12(d)).

Mr. Santoski seconded the motion. The Commission voted 5-0 to recommend approval of the Special Use Permit.

Planning Commission, acting as the Entrance Corridor Review Board (ERB) took the following action:

recommended unanimously that the proposed special use permit to allow additional density and reduced side yard setbacks at 1725 Jefferson Park Avenue will not have an adverse impact on the Jefferson Park Avenue Entrance Corridor district.

**Alternatives:**

City Council has several alternatives:

- (1) by motion, take action to approve the attached resolution (granting an SUP as recommended by the Planning Commission);
- (2) by motion, request changes to the attached Resolution, and then approve an SUP in accordance with the amended Resolution;
- (3) by motion, defer action on the SUP, or
- (4) by motion, deny the requested SUP.

**Attachment:**

Conditions recommended for the approval of SP15-00001 1725 JPA Apartments by the Planning Commission on May 12, 2015  
Staff Report dated April 24, 2015  
ERB Memo 1725 JPA SUP

Conditions recommended for the approval of SP15-00001 1725 JPA Apartments by the Planning Commission on May 12, 2015.

1. Conform to *Sec 34-881-Bicycle Storage Facilities* or the most current Bicycle Storage Facilities code at time of development.
2. The finished floor elevation (FFE) and building entrance shall be no more than (6.5) feet above the average elevation of Jefferson Park Avenue that runs in front of the property.
3. Street trees shall be required as depicted with the application materials dated April 21, 2015, submitted to the City for and in connection with SP-1500001 (“Application”) and be 4” caliper at planting.
4. The design, height, density, and other characteristics of the development shall remain essentially the same, in all material aspects, as described within the application materials dated April 21, 2015, submitted to the City for and in connection with SP-1500001 (“Application”). Except as the design details of the development may subsequently be modified to comply with requirements of a certificate of appropriateness issued by the City’s Entrance Corridor Review, 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.
5. All outdoor lighting and light fixtures shall be full cut-off luminaires.
6. If the developer elects to make a contribution to the City’s Affordable Housing Fund to satisfy City Code 34-12(d)(2), no building permit shall be issued for the development until the amount of the contribution is calculated by the Director of Neighborhood Development Services, or designee, and until such contribution has been paid in full to the City. If the developer elects to satisfy City Code 34-12(d)(1) a detailed plan must be submitted and approved by the Director of Neighborhood Development Services, or designee before a building permit is issued.



**RESOLUTION**  
**APPROVING A SPECIAL USE PERMIT**  
**AS REQUESTED BY APPLICATION NO. SP-1500001**  
**TO AUTHORIZE ADDITIONAL RESIDENTIAL DENSITY AND TO**  
**MODIFY CERTAIN YARD REQUIREMENTS IN CONNECTION WITH**  
**THE CONSTRUCTION AND ALTERATION OF A MULTIFAMILY RESIDENTIAL**  
**DWELLING LOCATED AT 1725 JEFFERSON PARK AVENUE**

**WHEREAS**, Neighborhood Investments, LLC, the owner of property located at 1725 Jefferson Park Avenue, acting by its duly authorized agent (“Applicant”) has submitted application SP-1500001 (“Application”) seeking approval of a special use permit authorizing additional residential density, and requesting modification of required yards, in connection with the construction of a multifamily residential dwelling at 1725 Jefferson Park Avenue, which property is identified on City Tax Map 16 as Parcel 16 (“Subject Property”), as such proposed development is depicted within a site plan submitted in connection with the Application; and,

**WHEREAS**, the Application seeks authorization pursuant to §34-420 of the City Code to construct a multifamily dwelling unit containing 19 dwelling units, an effective residential density of 49.875 DUA, and to modify the side yard requirement of City Code § 34-353(a) to establish a minimum 5-foot side yard requirement for the proposed development; and

**WHEREAS**, the Subject Property is zoned “R-3” (Multifamily residential) subject to the requirements of the City’s entrance corridor overlay district zoning regulations; and

**WHEREAS**, following a joint public hearing before the Planning Commission and City Council, duly advertised and held on May 12, 2015, the Planning Commission reviewed this application and determined that the proposed special use permit, under suitable regulations and safeguards set forth within a list of recommended conditions, will serve the interests of the public necessity, convenience, general welfare or good zoning practice, and will conform to the criteria generally applicable to special permits as set forth within §§ 34-156 et seq. of the City Code, and the Planning Commission has transmitted its recommendation to City Council; and

**WHEREAS**, this Council concurs with the Planning Commission and hereby finds and determines that, under suitable regulations and safeguards, the proposed special use permit will serve the interests of the public necessity, convenience, general welfare or good zoning practice, and will conform to the criteria generally applicable to special permits as set forth within §§ 34-156 et seq. of the City Code and will be consistent with the purpose of the multifamily residential zoning district. **NOW, THEREFORE**,

**BE IT RESOLVED** by the City Council of the City of Charlottesville, that a special use permit is hereby approved, to authorize: (i) a multifamily dwelling of up to 19 dwelling units to be developed on the Subject Property, and (ii) a minimum side yard requirement of 5 feet.

**AND BE IT FURTHER RESOLVED** that this special use permit is granted subject to the following conditions:

1. Conform to *Sec 34-881-Bicycle Storage Facilities* or the most current Bicycle Storage Facilities code at time of development.
2. The finished floor elevation (FFE) and building entrance shall be no more than (6.5) feet above the average elevation of Jefferson Park Avenue that runs in front of the property.
3. Street trees shall be required as depicted with the application materials dated April 21, 2015, submitted to the City for and in connection with SP-1500001 (“Application”) and be 4” caliper at planting.

4. The design, height, density, and other characteristics of the development shall remain essentially the same, in all material aspects, as described within the application materials dated April 21, 2015, submitted to the City for and in connection with SP-1500001 (“Application”). Except as the design details of the development may subsequently be modified to comply with requirements of a certificate of appropriateness issued by the City’s Entrance Corridor Review, 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.
5. All outdoor lighting and light fixtures shall be full cut-off luminaires.
6. If the developer elects to make a contribution to the City’s Affordable Housing Fund to satisfy City Code 34-12(d)(2), no building permit shall be issued for the development until the amount of the contribution is calculated by the Director of Neighborhood Development Services, or designee, and until such contribution has been paid in full to the City. If the developer elects to provide affordable dwelling units pursuant to City Code 34-12(a) or 34-12(d)(1), then a written CAU Commitment must be submitted and approved in accordance with the regulations adopted by City Council pursuant to City Code 34-12(g) (“Regulations”), as specified within the Regulations.

**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: May 12, 2015**  
**APPLICATION NUMBER: SP-1500001**

**Project Planner:** Matt Alfele  
**Date of Staff Report:** April 24, 2015

**Applicant:** Richard Spurzem of Neighborhood Investments, LLC  
**Applicants Representative:** Scott Collins, P.E.  
**Current Property Owner:** Neighborhood Investments, LLC

**Application Information**

**Property Street Address:** 1725 Jefferson Park Avenue  
**Tax Map/Parcel #:** Tax Map 16, Parcels 16  
**Total Square Footage/ Acreage Site:** 0.385 acres or 16,770 square feet  
**Comprehensive Plan (Land Use Plan):** High Density Residential  
**Current Zoning Classification:** R-3 within the Entrance Corridor Overlay District  
**Tax Status:** Parcel is up to date on paid taxes

**Applicant's Request**

Scott Collins, acting as representative for the owner, is asking for a Special Use Permit (SUP) in conjunction with a site plan for a multi-family residential structure at 1725 Jefferson Park Avenue. The property has additional street frontage on Montebello Circle. The request is for additional residential density and side yard setback modifications. *(The ad contained information relating to height. The applicant is no longer seeking an increase in height).* The

proposed development plan shows a (45) foot tall building with (19) residential units and structured parking for (32) vehicles.

**Vicinity Map**



**Standard of Review**

The Planning Commission must make an advisory recommendation to the City Council concerning approval or disapproval of a Special Use Permit (SUP) for the proposed development based upon review of the site plan for the proposed development and upon the criteria set forth. The applicant is proposing changes to the current site, and therefore is required to submit a site plan per sections 34-158 and 34-802 of the zoning ordinance.

Section 34-157 of the City Code sets the general standards of issuance for a special use permit.

In considering an application for a special use permit, the city council shall consider the following factors:

- (1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood;
- (2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan;
- (3) Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations;

- (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;
  - b) Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;
  - c) Displacement of existing residents or businesses;
  - d) Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;
  - e) Undue density of population or intensity of use in relation to the community facilities existing or available;
  - f) Reduction in the availability of affordable housing in the neighborhood;
  - g) Impact on school population and facilities;
  - h) Destruction of or encroachment upon conservation or historic districts;
  - i) Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and,
  - j) Massing and scale of project.
- (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;
- (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
- (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.

City Council may grant an applicant a special permit or special use permit, provided that the applicant's request is in harmony with the purposes and standards stated in the zoning ordinance (Sec. 34-157(a)(1)). Council may attach such conditions to its approval, as it deems necessary to bring the plan of development into conformity with the purposes and standards of the comprehensive plan and zoning ordinance.

## **Project Review / Analysis**

### **1. Background**

This is a request to increase density for a use allowed by right in R-3 zoning. Residential development up to 64 Dwelling Units per Acre (DUA) requires a Special Use Permit (SUP) in the R-3 zone.

The applicant has submitted an application requesting approval of a SUP to increase the residential density of the subject property, from its current (8) units maximum (21 DUA) to a (24) units maximum (64 DUA), although the corresponding site plan only calls for (19) units. The proposed development would reduce side yard setbacks from the current (1') setback per every (4') of height (minimum 10') and (20') corner street minimum to a proposed (5') minimum. The current use of the site is an existing (8) unit apartment building that would be demolished.

### **2. Proposed Use of the Property**

The proposed use of the property is a (19) unit residential apartment tailored toward students attending the University.

### **3. Impact on the Neighborhood**

#### **a. Traffic or Parking Congestion**

*Traffic congestion:* The current use of the site would not change from residential, but the intensity of the use would increase from the existing (8) unit apartment to a (19) unit apartment. Ingress and egress to the development would remain on Montebello Circle. The surrounding area consists of apartments and multi-family housing with traffic patterns similar to the project site. A mass transit stop is located just south of Montebello Circle on the west side of Jefferson Park Avenue. The development is also served by a fully developed bicycle infrastructure on Jefferson Park Avenue.

The site plan indicates that a residential apartment development of this size will generate (146) total trips per weekday according to the 8<sup>th</sup> Edition of the ITE Trip Generation Manual. The morning peak hour would feature (12) trips, 75% of which would be exiting the site. The afternoon peak hour would have (14) trips, with 71% entering the site.

*Parking:* Multi-family residential developments require (1) parking space for all (1) and (2) bedroom units and (2) spaces for all (3) and (4) bedroom units. The site plan shows (32) proposed parking spaces to serve the proposed (19)

residential units, (13) four bedroom units and (6) two bedroom units. All (32) proposed parking spaces are located on site in a structured parking deck with access off Montebello Circle.

**b. Noise, light, dust, odor fumes, vibrations, and other factors which adversely affect the natural environment, including quality of life of the surrounding community.**

This use will have an effect on the surrounding community with increased noise from additional residents living on-site and noise and fumes from the additional automobile traffic generated by the use.

**c. Displacement of existing residents or businesses.**

This use will require the displacement of residents in the existing (8) units.

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

The parcel is currently zoned R-3 for multi-family with the only proposed change being the intensity of the use. This will have no effect on economic development activities.

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

The use is staying the same as currently developed but the intended density for this location is less than what is being proposed within the SUP request. The City's Comprehensive Plan Land Use Map calls for high density residential in this section of the City. An increased density from (21) DUA to (64) DUA on this parcel, properly conditioned, is consistent with the surrounding community.

**f. Reduction in the availability of affordable housing which will meet the current and future needs of the city.**

Any development not targeted for affordable housing could reduce the availability of affordable units in the City. This development is tailored toward University students and designed to concentrate this type of housing along Jefferson Park Avenue. This project will require compliance with *Sec. 34-12. - Affordable dwelling units* of the City Code. At the time of this report the developer has not indicated how they will fulfill this requirement.

**g. Impact on school population and facilities.**

This development is tailored toward University students and should have minimal to no impact on school population and facilities. Because housing is open to all, there is a possibility that families with children could take residence here, but it is believed this number would be small in comparison to the number of University student residents.

**h. Destruction of or encroachment upon conservation or historic districts.**

This site is not in a historic district.

**i. Conformity with federal, state and local laws.**

The proposal complies with all federal, state, and local laws to the best of the applicant's and staff's knowledge.

**j. Massing and scale of the project.**

R-3 zoning permits a maximum building height of (45'). The applicant indicates that the new building will be (45') containing (6) stories. The building will cut into existing grade with (6) in front and (3) stories in back. See attached elevations (page SUP.11) for more detail.

**4. Zoning History**

In 1949 the property was zoned A-1 Residence District. In 1958 the property was zoned R-3 Multiple Dwelling District.

**5. Character and Use of Adjacent Properties**

Direction	Use	Zoning
North	Multi-family House	R-3
South	Multi-family Apartment	R-3
East	Multi-family Apartment	R-3
West	Multi-family House	R-3

**6. Reasonableness / Appropriateness of Current Zoning**

The current R-3 zone within the Entrance Corridor Overlay District is reasonable and appropriate. By right uses in R-3 Multi-family include a wide variety of residential uses and limited commercial uses.

**7. Below are areas where the development complies with the Comprehensive Plan**

Creating more density and housing options near the University will reduce commuter congestion and may open up housing options in other parts of the City.

**a. Housing**



**1.2:** Evaluate the effect of reduced transportation costs and improved energy efficiency on housing affordability.

**3.1:** Continue to work toward the City's goal of 15% supported affordable housing by 2025.

**8.3:** Encourage housing development where increased density is desirable and strive to coordinate those areas with stronger access to employment opportunities, transit routes and commercial services.

**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.

**b. 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.

**c. Historic Preservation & Urban Design**

**8.4:** Use street trees, landscaping, and pedestrian routes to provide shade, enclosure, and accessibility in streetscapes.

**8. Below are areas where the development is inconsistent with the Comprehensive Plan**

Any housing development of this size may have negative and/or unforeseen impacts on affordable housing.

**a. Housing**

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

**2.1:** Preserve and improve the quality and quantity of the existing housing stock through the renovation, rehabilitation and/or expansion of existing units as a means of enhancing neighborhood stability.

**8.7:** Encourage the incorporation of green sustainable principles (e.g. LEED, EarthCraft Virginia, Energy Star, etc.) in all housing development to the maximum extent feasible both as a way to be more sustainable and to lower housing costs.

The proposed development is calling for (2) curb cuts on Montebello Circle.

**b. Transportation**

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

### **Public comments Received**

Staff held a Site Plan Conference with the public and applicant on March 18, 2015 to gain feedback. The public was concerned about how the new building would blend in with the surrounding architecture. They wish to see a quality building that looks appropriate. They were also concerned with how the new building would affect the views from homes on Montebello Circle. Staff has received phone calls from adjacent properties regarding how this building will affect their property value. The property owner abutting to the north is concerned about having a new building right on the property line and overshadowing their lot. The engineer and applicant are meeting with the JPA neighborhood on May 5<sup>th</sup> to review changes to the plan. This report was prepared before the May 5<sup>th</sup> meeting and comments from that meeting will need to be shared at a later time.

### **Staff recommendation**

Staff recommends the Planning Commission focus on the following items during review; the parking, the pedestrian experience, and the massing and scale of the building.

The concern with potential parking is not whether or not the applicant can meet the required parking, but the impacts on the availability of on-street parking in the area once the construction of the project is complete. Staff proposes a condition for long term bike parking and lockers to address multimodal issues. Staff is encouraged that all proposed parking will be structured with no surface spots.

Pedestrians along Jefferson Park Avenue and Montebello Circle will interact with this site as the footprint will take up a majority of the lot. Staff believes the developer has an opportunity to improve the pedestrian experience and proposes a condition that would require large street trees be planted along the sidewalk to provide substantial canopy at installation.

Staff is concerned about the massing and scale of the project because of the proposed footprint and existing topography. Staff proposes a condition that would limit the finished floor elevation (FFE) and building entrance in relation to Jefferson Park Avenue.

Staff recommends that the application be approved with the following conditions:

1. Conform to *Sec 34-881-Bicycle Storage Facilities* or the most current Bicycle Storage Facilities code at time of development.
2. The finished floor elevation (FFE) and building entrance shall be no more than (6.5) feet above the average elevation of Jefferson Park Avenue that runs in front of the property.
3. Street tree shall be required as depicted with the application materials dated April 21, 2015, submitted to the City for and in connection with SP-1500001 (“! pplication”) and be 4” caliper at planting.

4. The design, height, density, and other characteristics of the development shall remain essentially the same, in all material aspects, as described within the application materials dated April 21, 2015, submitted to the City for and in connection with SP-1500001 (“! pplication”). Except as the design details of the development may subsequently be modified to comply with requirements of a certificate of appropriateness issued by the City’s Entrance Corridor Review, 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.
5. All outdoor lighting and light fixtures shall be full cut-off luminaires.
6. If the developer elects to make a contribution to the City’s If fordable Housing Fund to satisfy City Code 34-12(d)(2), no building permit shall be issued for the development until the amount of the contribution is calculated by the Director of Neighborhood Development Services, or designee, and until such contribution has been paid in full to the City. If the developer elects to satisfy City Code 34-12(d)(1) a detailed plan must be submitted and approved by the Director of Neighborhood Development Services, or designee before a building permit is issued.

**Suggested Motions**

1. I move to recommend approval of this application for a Special Use Permit in the R-3 zone at 1725 Jefferson Park Avenue to permit residential development up to (64) Dwelling Units per Acre and adjustment of side setbacks to a minimum of (5) feet with the following listed conditions.

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**OR,**

2. I move to recommend denial of this application for a Special Use Permit in the R-3 zone at 1725 Jefferson Park Avenue.

**Attachments**

- Site Plan Dated April 21, 2015
- Building Elevations and Site Context Section Dated April 21, 2015
- Letter from Mark Kestner, AIA Dated April 28, 2015
- Letter from Karen Grecus Dated April 26, 2015

- PROJECT DATA:**
- THE OWNER/CLIENT OF THIS PROPERTY IS: NEIGHBORHOOD INVESTMENTS, LLC 810 CATALPA COURT CHARLOTTESVILLE, VA 22903
  - THESE PLANS HAVE BEEN PREPARED BY: COLLINS ENGINEERING, LLC 200 GARRETT STREET, SUITE K CHARLOTTESVILLE, VA 22902 TELEPHONE: (434) 293-3719
  - SOURCE OF SURVEY, TOPOGRAPHY & BOUNDARY INFORMATION: COMMONWEALTH LAND SURVEYING IN JANUARY 2015. FIELD VERIFIED BY COLLINS ENGINEERING FEBRUARY, 2015.
  - ZONING: R-3 WITH SPECIAL USE PERMIT FOR MODIFICATIONS TO THE SIDE YARD SETBACKS AND DENSITY.
  - THIS PROJECT FALLS WITHIN AN ENTRANCE CORRIDOR REVIEW
  - TAX MAP AND PARCEL NUMBER: TMP 160016000
  - USGS DATUM: NAD 83 (1994)
  - LOCATION/ADDRESS OF PROJECT: 1725 JEFFERSON PARK AVENUE, CHARLOTTESVILLE VA 22903
  - BUILDING HEIGHT: MAXIMUM BUILDING HEIGHT OF 45 FEET
  - PROPOSED USE: 19 UNIT APARTMENT BUILDING
  - 4 BEDROOM APARTMENTS: 13 UNITS  
2 BEDROOM APARTMENTS: 6 UNITS
  - GROSS DENSITY: ALLOWED BY-RIGHT: 1-21 DUA = 8 UNITS  
ALLOWED BY SPECIAL USE PERMIT REQUEST: (44-64 DUA) = 24 UNITS  
PROPOSED DENSITY: 19 UNITS (49 UNITS/ACRE)
  - TOTAL ACREAGE OF SITE: 0.385 ACRES
  - TOTAL PROPOSED LAND DISTURBANCE: 0.385 ACRES
  - SITE PHASING: ONE PHASE
  - CRITICAL SLOPES: NONE
  - PARKING REQUIREMENTS:  
REQUIRED PARKING:  
13 FOUR BDRM UNITS = 26 REQUIRED SPACES  
6 TWO BDRM UNITS = 6 REQUIRED SPACES  
TOTAL REQUIRED SPACES = 32 REQUIRED SPACES  
PROPOSED PARKING:  
32 GARAGE SPACES  
0 SURFACE PARKING SPACES  
0 OFFSITE PARKING SPOTS  
TOTAL PARKING PROVIDED: 32 SPACES
  - PUBLIC UTILITIES: THE SITE WILL BE SERVED BY EXISTING PUBLIC WATER AND SEWER. WATER AND WASTE WATER MAIN PROFILES WILL BE PROVIDED WITH THE FINAL SITE PLAN.
  - STORMWATER MANAGEMENT AND STORM DRAINAGE: THE STORMWATER RUNOFF RATES, VOLUMES, AND VELOCITIES RESULTING FROM THIS DEVELOPMENT WILL BE IMPROVED PRIOR TO ENTERING THE CITY'S STORM SEWER SYSTEM. THE DEVELOPMENT CURRENTLY PROPOSES THE INSTALLATION OF PERMEABLE PAVEMENT FOR THE EXTERIOR PARKING LOT WITH A DOWNGRADE BIORETENTION BASIN PROPOSED TO TREAT THE ROOFTOP DRAINAGE. THIS SWM PLAN, OR AN EQUIVALENT SWM PLAN MEETING MINIMUM CITY REQUIREMENTS, SHALL BE PROPOSED AND REVIEWED WITH THE FINAL SITE PLAN.
  - STREAM BUFFER: THE DEVELOPMENT OF THIS PROPERTY DOES NOT IMPACT A STREAM BUFFER.
  - SIGNAGE: SITE SIGNAGE SHALL BE SUBMITTED UNDER A SEPARATE APPLICATION.
  - STREET CLOSURE: 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. PARTIAL STREET CLOSURES WILL BE NEEDED FOR THE CREATION OF THE SITE ENTRANCE AT 5TH STREET AND IMPROVEMENTS TO CLEVELAND AVENUE.
  - INGRESS AND EGRESS: ACCESS TO THIS PROPERTY SHALL BE PROVIDED VIA STREET ACCESS AT MONTEBELLO CIRCLE.
  - BUILDING/LOT SETBACKS:  
FRONT - 25'  
SIDE - 5' (WITH SPECIAL USE PERMIT REQUEST)  
REAR - 25'
  - LIGHTING SHALL BE DETERMINED WITH THE FINAL SITE PLAN. LIGHTING SHALL MEET THE CITY DARK SKY ZONING ORDINANCE AND LIGHTING SHALL BE PROPOSED AT BUILDING ENTRANCES ONLY.
  - SITE TRIP GENERATION AND LAND USE ITE CODE. BASED ON THE ITE TRIP GENERATION MANUAL, 8TH EDITION.  
APARTMENT (22 UNITS)  
AVERAGE DAILY TRIPS: 146 VPD (73 VPD ENTER/73 VPD EXIT)  
AM PEAK RATE: 12 VPH (3 VPH ENTER/9 VPH EXIT)  
PM PEAK RATE: 14 VPH (10 VPH ENTER/4 VPH EXIT)

- WATER FLOW CALCULATIONS  
MAX HOUR Q<sub>1</sub>=11.4N\*0.544; Q<sub>2</sub>= 136 GPM. FIRE FLOW SHALL BE 1500 GPM MINIMUM. FINAL WATER FIXTURE COUNTS TO BE PROVIDED WITH THE FINAL SITE PLAN FOR SIZING OF THE WATER METER.
- SEWER FLOW CALCULATIONS  
64 APARTMENT BEDS X 100 GPD = 6,400 GPD
- FIRE FLOW TESTING RESULTS: GPM: 1350 STATIC: 104 PSI RESIDUAL: 100 PSI
- EXISTING VEGETATION: SMALL TREES AND SHRUBS COVER A PORTION OF THE SITE.
- STREAM BUFFER MITIGATION PLAN: NOT APPLICABLE
- CONSERVATION PLAN: NOT APPLICABLE
- PAVED PARKING AND CIRCULATION AREA: 9,490 SF
- IMPERVIOUS AREAS: PREDEVELOPMENT POSTDEVELOPMENT  
BUILDING: 2,565 SF BUILDING: 8,825 SF  
PAVEMENT: 5,505 SF PAVEMENT: 1,120 SF  
SIDEWALKS: 375 SF SIDEWALKS: 3,385 SF

- NOTES:**
- ALL SIGNAGE AND PAVEMENT MARKINGS SHALL BE CONSISTENT WITH THE MUTCD.
  - IFC 505-THE BUILDING STREET NUMBER TO BE PLAINLY VISIBLE FROM THE STREET FOR EMERGENCY RESPONDERS.
  - IFC 506.1-AN APPROVED KEY BOX SHALL BE MOUNTED TO THE SIDE OF THE FRONT OR MAIN ENTRANCE. THE CHARLOTTESVILLE FIRE DEPARTMENT CARRIES THE KNOX BOX MASTER KEY. A KNOX BOX KEY CAN BE ORDERED BY GOING ONLINE TO WWW.KNOXBOX.COM. THE KNOX BOX ALLOWS ENTRY TO THE BUILDING WITHOUT DAMAGING THE LOCK AND DOOR SYSTEM.
  - STRUCTURES WITH FIRE PROTECTION SYSTEMS SHALL INDICATE THE LOCATION OF ANY FIRE LINE TO THE BUILDING(S) AS WELL AS THE LOCATION OF FIRE DEPARTMENT CONNECTIONS.
  - 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. THE FIRE MARSHAL'S OFFICE NO LONGER ALLOWS ANY TYPE OF LANDSCAPING TO BE PLACED IN FRONT OF AND WITHIN 5 FEET OF FIRE HYDRANTS, FIRE PUMP TEST HEADERS, FIRE DEPARTMENT CONNECTIONS OR FIRE SUPPRESSION SYSTEM CONTROL VALVES. AN APPROVED WATER SUPPLY FOR FIRE PROTECTION SHALL BE MADE AVAILABLE AS SOON AS COMBUSTIBLE MATERIAL ARRIVES ON THE SITE.
  - ALL PAVEMENT SHALL BE CAPABLE OF SUPPORTING FIRE APPARATUS WEIGHTING 75,000 LBS.
  - IFC 1404.1-SMOKING IS NOT ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
  - IFC 1404.2-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.
  - IFC 1404.6-CUTTING AND WELDING OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
  - IFC 1414.1-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.
  - 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 CONNECTION. 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.
  - OVERHEAD WIRING OR OTHER OBSTRUCTIONS SHALL BE HIGHER THAN 13 FEET 6 INCHES.
  - ALL SIGNS SHALL BE IN ACCORDANCE WITH CITY CODE.
  - IF THE FLOOR LEVEL OF THE HIGHEST STORY IS MORE THAN 30 FEET ABOVE THE LOWEST LEVEL OF FIRE DEPARTMENT VEHICLE ACCESS, THEN A CLASS I STANDPIPE SYSTEM SHALL BE INSTALLED IN ADDITION TO THE SPRINKLER SYSTEM.
  - 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.
  - GUARDRAILS REQUIRED AT THE TOP OF ALL RETAINING WALLS WITH A GRADE DIFFERENCE EXCEEDING 30".
  - HANDRAILS REQUIRED AT BOTH SIDES OF STAIRS.
  - 5' SIDE SETBACKS HAS A RESTRICTIVE BUILDING CODE REQUIREMENT FOR % OPENINGS AND EXTERIOR WALL FIRE RATINGS. THESE CALCULATIONS WILL BE SHOWN ON THE BUILDING PLANS.
  - A MINIMUM OF 98" HEIGHT CLEARANCE IS REQUIRED AT PARKING GARAGE DOORS AND CLEARANCE AT HANDICAP PARKING SPACES.

**LEGEND**

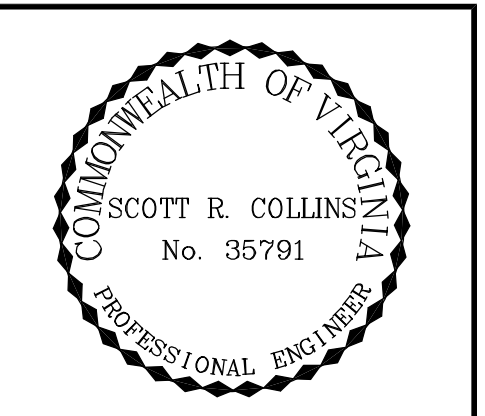
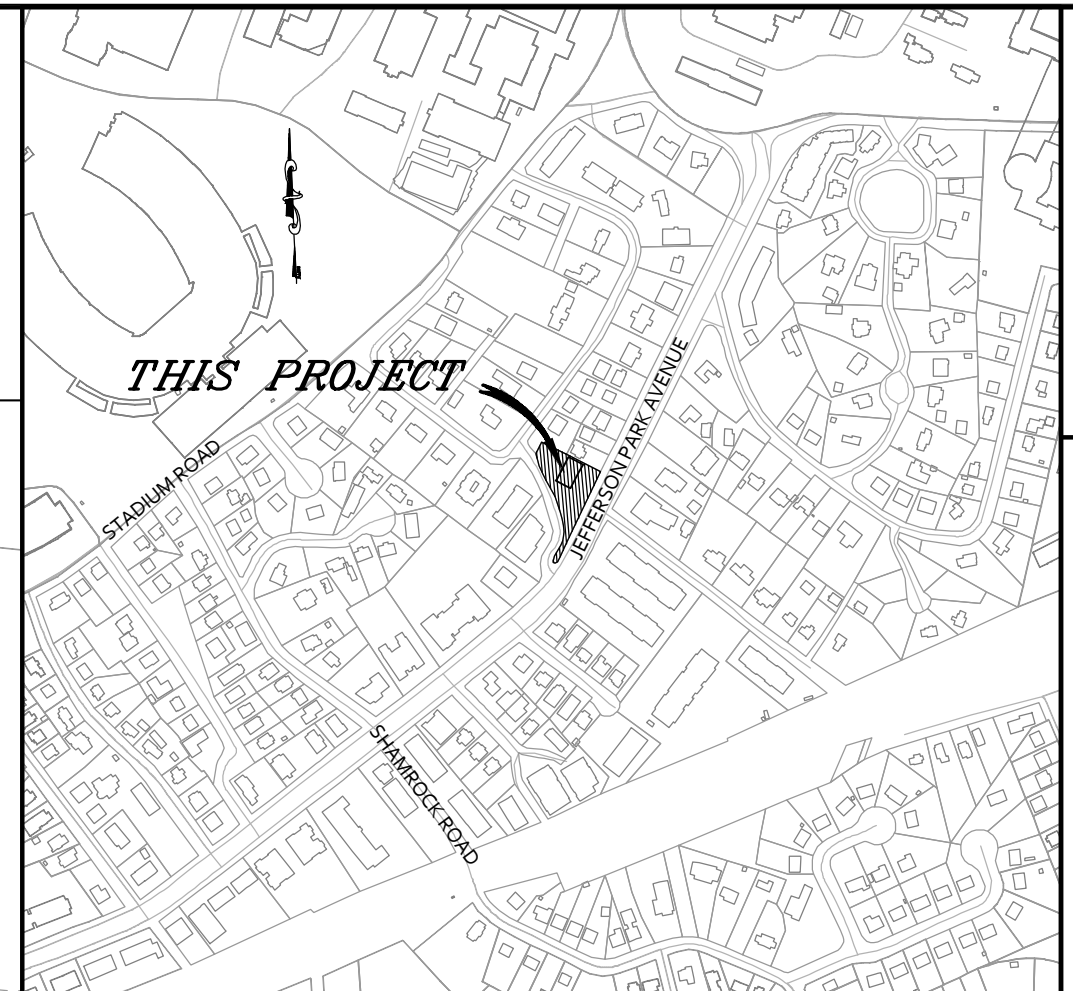
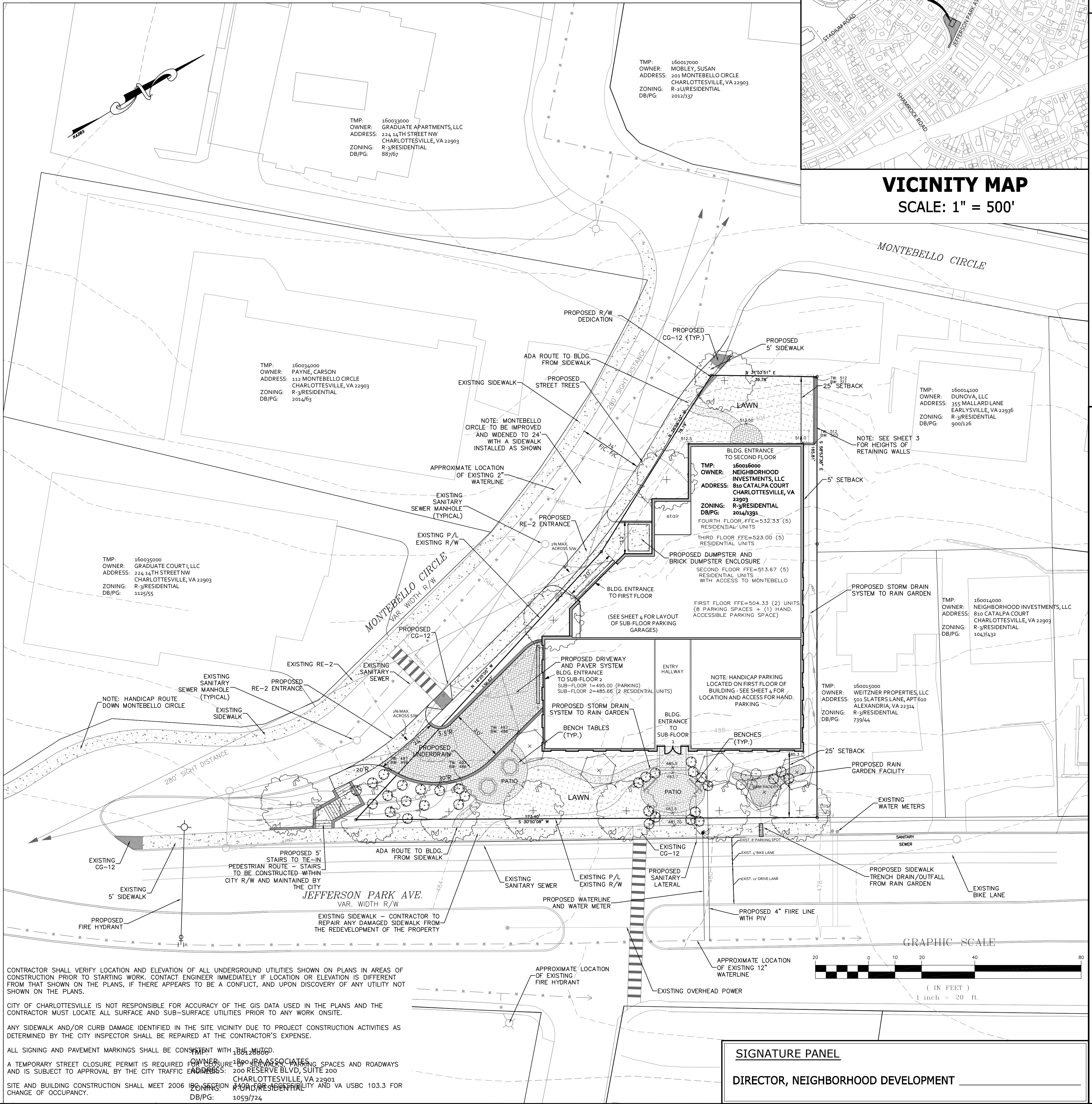
**ROADS**

	EXISTING CULVERT
	DROP INLET & STRUCTURE NO.
	CURB
	CURB & GUTTER
	PROPOSED ASPHALT
	PROPOSED CONCRETE
	PROPOSED PAVER (IMPERVIOUS)
	BENCH MARK
	VDOT STANDARD STOP SIGN
	EXISTING CONTOUR

# 1725 JPA APARTMENTS

## PRELIMINARY SITE PLAN AND SPECIAL USE PERMIT

### CITY OF CHARLOTTESVILLE, VIRGINIA



**REVISIONS**

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15
REVISED PER CLIENT CHANGES AND CITY COMMENTS	4/21/15

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

**1725 JPA APARTMENTS PRELIMINARY SITE PLAN**

**COVER**

PROJECT: 102045  
JOB NO.: 102045  
SCALE: 1"=20'  
SHEET NO.: 1

CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL UNDERGROUND UTILITIES SHOWN ON PLANS IN AREAS OF CONSTRUCTION PRIOR TO STARTING WORK. CONTACT ENGINEER IMMEDIATELY IF LOCATION OR ELEVATION IS DIFFERENT FROM THAT SHOWN ON THE PLANS, IF THERE APPEARS TO BE A CONFLICT, AND UPON DISCOVERY OF ANY UTILITY NOT SHOWN ON THE PLANS.

CITY OF CHARLOTTESVILLE IS NOT RESPONSIBLE FOR ACCURACY OF THE GIS DATA USED IN THE PLANS AND THE CONTRACTOR MUST LOCATE ALL SURFACE AND SUB-SURFACE UTILITIES PRIOR TO ANY WORK ON SITE.

ANY SIDEWALK AND/OR CURB DAMAGE IDENTIFIED IN THE SITE VICINITY DUE TO PROJECT CONSTRUCTION ACTIVITIES AS DETERMINED BY THE CITY INSPECTOR SHALL BE REPAIRED AT THE CONTRACTOR'S EXPENSE.

ALL SIGNING AND PAVEMENT MARKINGS SHALL BE CONSISTENT WITH THE MUTCD.

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.

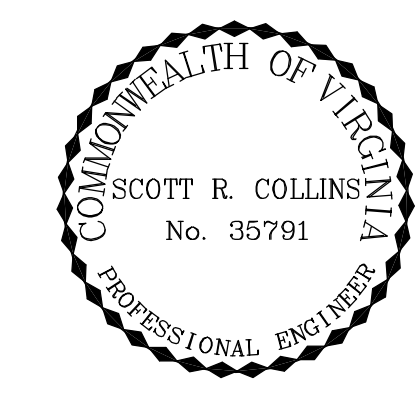
SITE AND BUILDING CONSTRUCTION SHALL MEET 2006 IBC SECTION 103.3 AND VA USBC 103.3 FOR CHANGE OF OCCUPANCY.

OWNER: 1890 JPA ASSOCIATES  
ADDRESS: 200 RESERVE BLVD, SUITE 200  
CHARLOTTESVILLE, VA 22901  
ZONING: R-3 RESIDENTIAL  
DB/PG: 1059/724

**SIGNATURE PANEL**  
DIRECTOR, NEIGHBORHOOD DEVELOPMENT

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REVISIONS	
DATE	REVISION DESCRIPTION
2/24/15	INITIAL SUBMITTAL
4/21/15	REVISED PER CLIENT CHANGES AND CITY COMMENTS

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

**1725 JPA APARTMENTS PRELIMINARY SITE PLAN**  
 EXISTING CONDITIONS & DEMOLITION PLAN

PROJECT: 102045  
 SHEET: 2

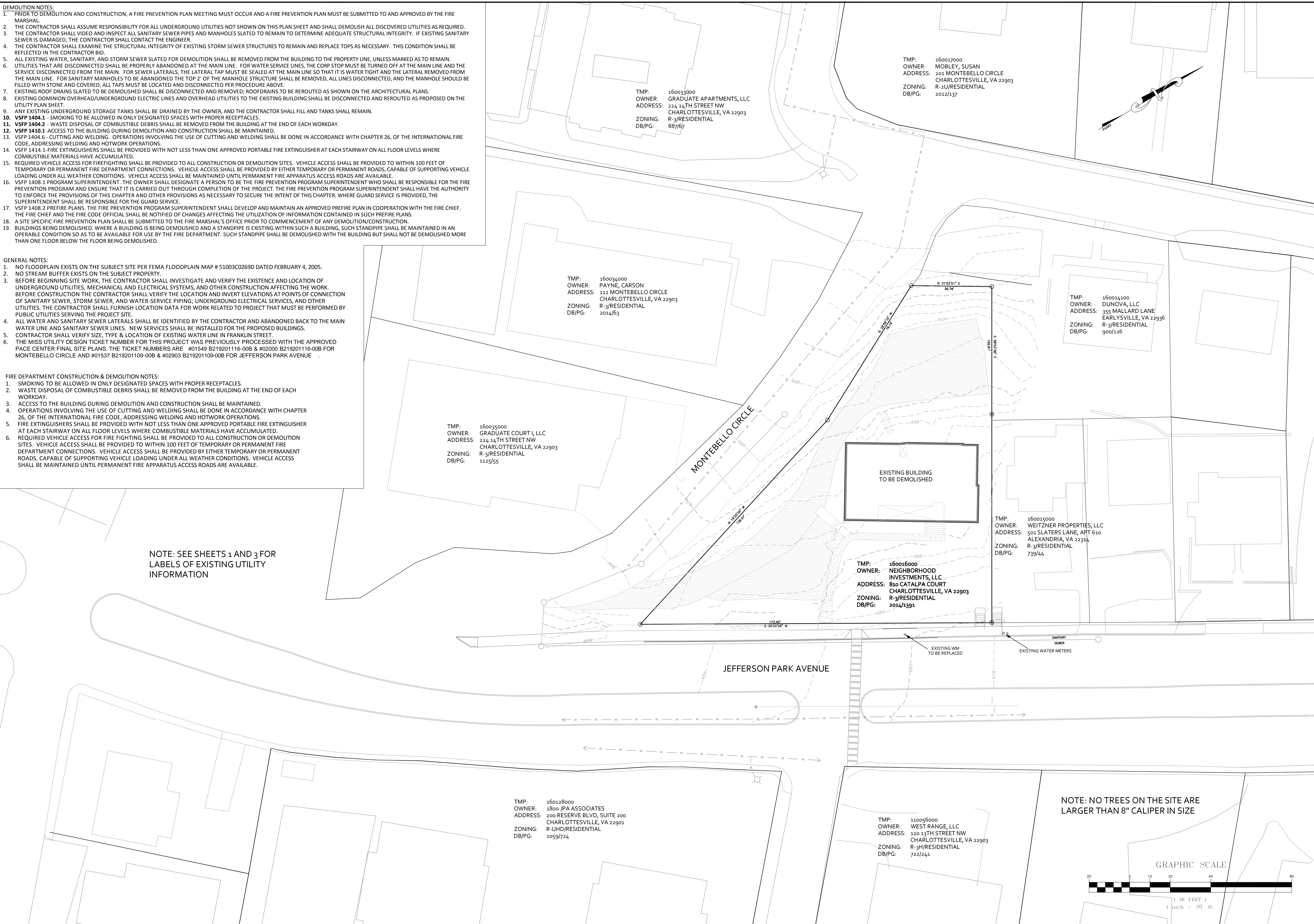
SCALE: 1" = 20'  
 SHEET NO. 2

- DEMOLITION NOTES:**
- PRIOR TO DEMOLITION AND CONSTRUCTION, A FIRE PREVENTION PLAN MEETING MUST OCCUR AND A FIRE PREVENTION PLAN MUST BE SUBMITTED TO AND APPROVED BY THE FIRE MARSHAL.
  - THE CONTRACTOR SHALL ASSUME RESPONSIBILITY FOR ALL UNDERGROUND UTILITIES NOT SHOWN ON THIS PLAN SHEET AND SHALL DEMOLISH ALL DISCOVERED UTILITIES AS REQUIRED.
  - THE CONTRACTOR SHALL VIDEO AND INSPECT ALL SANITARY SEWER PIPES AND MANHOLES SLATED TO REMAIN TO DETERMINE ADEQUATE STRUCTURAL INTEGRITY. IF EXISTING SANITARY SEWER IS DAMAGED, THE CONTRACTOR SHALL CONTACT THE ENGINEER.
  - THE CONTRACTOR SHALL EXAMINE THE STRUCTURAL INTEGRITY OF EXISTING STORM SEWER STRUCTURES TO REMAIN AND REPLACE TOPS AS NECESSARY. THIS CONDITION SHALL BE REFLECTED IN THE CONTRACTOR BID.
  - ALL EXISTING WATER, SANITARY, AND STORM SEWER SLATED FOR DEMOLITION SHALL BE REMOVED FROM THE BUILDING TO THE PROPERTY LINE, UNLESS MARKED AS TO REMAIN.
  - UTILITIES THAT ARE DISCONNECTED SHALL BE PROPERLY ABANDONED AT THE MAIN LINE. FOR WATER SERVICE LINES, THE CORP STOP MUST BE TURNED OFF AT THE MAIN LINE AND THE SERVICE DISCONNECTED FROM THE MAIN. FOR SEWER LATERALS, THE LATERAL TAP MUST BE SEALED AT THE MAIN LINE SO THAT IT IS WATER TIGHT AND THE LATERAL REMOVED FROM THE MAIN LINE. FOR SANITARY MANHOLES TO BE ABANDONED THE TOP 2' OF THE MANHOLE STRUCTURE SHALL BE REMOVED, ALL LINES DISCONNECTED, AND THE MANHOLE SHOULD BE FILLED WITH STONE AND COVERED, ALL TAPS MUST BE LOCATED AND DISCONNECTED PER PROCEDURE ABOVE.
  - EXISTING ROOF DRAINS SLATED TO BE DEMOLISHED SHALL BE DISCONNECTED AND REMOVED; ROOFDRAINS TO BE REROUTED AS SHOWN ON THE ARCHITECTURAL PLANS.
  - EXISTING DOMINION OVERHEAD/UNDERGROUND ELECTRIC LINES AND OVERHEAD UTILITIES TO THE EXISTING BUILDING SHALL BE DISCONNECTED AND REROUTED AS PROPOSED ON THE UTILITY PLAN SHEET.
  - ANY EXISTING UNDERGROUND STORAGE TANKS SHALL BE DRAINED BY THE OWNER, AND THE CONTRACTOR SHALL FILL AND TANKS SHALL REMAIN.
  - VSPF 1404.1** - SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
  - VSPF 1404.2** - WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
  - VSPF 1401.1** - ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
  - VSPF 1404.6** - CUTTING AND WELDING - OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
  - VSPF 1414.1** - 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.
  - 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. 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.
  - VSPF 1408.1** PROGRAM SUPERINTENDENT. THE OWNER SHALL DESIGNATE A PERSON TO BE THE FIRE PREVENTION PROGRAM SUPERINTENDENT WHO SHALL BE RESPONSIBLE FOR THE FIRE PREVENTION PROGRAM AND ENSURE THAT IT IS CARRIED OUT THROUGH COMPLETION OF THE PROJECT. THE FIRE PREVENTION PROGRAM SUPERINTENDENT SHALL HAVE THE AUTHORITY TO ENFORCE THE PROVISIONS OF THIS CHAPTER AND OTHER PROVISIONS AS NECESSARY TO SECURE THE INTENT OF THIS CHAPTER. WHERE GUARD SERVICE IS PROVIDED, THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR THE GUARD SERVICE.
  - VSPF 1408.2** PREFIRE PLANS. THE FIRE PREVENTION PROGRAM SUPERINTENDENT SHALL DEVELOP AND MAINTAIN AN APPROVED PREFIRE PLAN IN COOPERATION WITH THE FIRE CHIEF. THE FIRE CHIEF AND THE FIRE CODE OFFICIAL SHALL BE NOTIFIED OF CHANGES AFFECTING THE UTILIZATION OF INFORMATION CONTAINED IN SUCH PREFIRE PLANS.
  - A SITE SPECIFIC FIRE PREVENTION PLAN SHALL BE SUBMITTED TO THE FIRE MARSHAL'S OFFICE PRIOR TO COMMENCEMENT OF ANY DEMOLITION/CONSTRUCTION.
  - BUILDINGS BEING DEMOLISHED. WHERE A BUILDING IS BEING DEMOLISHED AND A STANDPIPE IS EXISTING WITHIN SUCH A BUILDING, SUCH STANDPIPE SHALL BE MAINTAINED IN AN OPERABLE CONDITION SO AS TO BE AVAILABLE FOR USE BY THE FIRE DEPARTMENT. SUCH STANDPIPE SHALL BE DEMOLISHED WITH THE BUILDING BUT SHALL NOT BE DEMOLISHED MORE THAN ONE FLOOR BELOW THE FLOOR BEING DEMOLISHED.

- GENERAL NOTES:**
- NO FLOODPLAIN EXISTS ON THE SUBJECT SITE PER FEMA FLOODPLAIN MAP # 51003C0269D DATED FEBRUARY 4, 2005.
  - NO STREAM BUFFER EXISTS ON THE SUBJECT PROPERTY.
  - BEFORE BEGINNING SITE WORK, THE CONTRACTOR SHALL INVESTIGATE AND VERIFY THE EXISTENCE AND LOCATION OF UNDERGROUND UTILITIES, MECHANICAL AND ELECTRICAL SYSTEMS, AND OTHER CONSTRUCTION AFFECTING THE WORK. BEFORE CONSTRUCTION THE CONTRACTOR SHALL VERIFY THE LOCATION AND INVERT ELEVATIONS AT POINTS OF CONNECTION OF SANITARY SEWER, STORM SEWER, AND WATER SERVICE PIPING; UNDERGROUND ELECTRICAL SERVICES, AND OTHER UTILITIES. THE CONTRACTOR SHALL FURNISH LOCATION DATA FOR WORK RELATED TO PROJECT THAT MUST BE PERFORMED BY PUBLIC UTILITIES SERVING THE PROJECT SITE.
  - ALL WATER AND SANITARY SEWER LATERALS SHALL BE IDENTIFIED BY THE CONTRACTOR AND ABANDONED BACK TO THE MAIN WATER LINE AND SANITARY SEWER LINES. NEW SERVICES SHALL BE INSTALLED FOR THE PROPOSED BUILDINGS.
  - CONTRACTOR SHALL VERIFY SIZE, TYPE & LOCATION OF EXISTING WATER LINE IN FRANKLIN STREET.
  - THE MISS UTILITY DESIGN TICKET NUMBER FOR THIS PROJECT WAS PREVIOUSLY PROCESSED WITH THE APPROVED PACE CENTER FINAL SITE PLANS. THE TICKET NUMBERS ARE #01549 B219201116-00B & #02000 B219201116-00B FOR MONTEBELLO CIRCLE AND #01537 B219201109-00B & #02303 B219201109-00B FOR JEFFERSON PARK AVENUE.

- FIRE DEPARTMENT CONSTRUCTION & DEMOLITION NOTES:**
- SMOKING TO BE ALLOWED IN ONLY DESIGNATED SPACES WITH PROPER RECEPTACLES.
  - WASTE DISPOSAL OF COMBUSTIBLE DEBRIS SHALL BE REMOVED FROM THE BUILDING AT THE END OF EACH WORKDAY.
  - ACCESS TO THE BUILDING DURING DEMOLITION AND CONSTRUCTION SHALL BE MAINTAINED.
  - OPERATIONS INVOLVING THE USE OF CUTTING AND WELDING SHALL BE DONE IN ACCORDANCE WITH CHAPTER 26, OF THE INTERNATIONAL FIRE CODE, ADDRESSING WELDING AND HOTWORK OPERATIONS.
  - 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.
  - 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. 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.

NOTE: SEE SHEETS 1 AND 3 FOR LABELS OF EXISTING UTILITY INFORMATION



TMP: 160033000  
 OWNER: GRADUATE APARTMENTS, LLC  
 ADDRESS: 224 14TH STREET NW  
 CHARLOTTESVILLE, VA 22903  
 ZONING: R-3/RESIDENTIAL  
 DB/PG: 887/67

TMP: 160034000  
 OWNER: PAYNE, CARSON  
 ADDRESS: 112 MONTEBELLO CIRCLE  
 CHARLOTTESVILLE, VA 22903  
 ZONING: R-3/RESIDENTIAL  
 DB/PG: 2014/63

TMP: 160035000  
 OWNER: GRADUATE COURT I, LLC  
 ADDRESS: 224 14TH STREET NW  
 CHARLOTTESVILLE, VA 22903  
 ZONING: R-3/RESIDENTIAL  
 DB/PG: 1125/55

TMP: 160037000  
 OWNER: MOBLEY, SUSAN  
 ADDRESS: 201 MONTEBELLO CIRCLE  
 CHARLOTTESVILLE, VA 22903  
 ZONING: R-2-U/RESIDENTIAL  
 DB/PG: 2012/137

TMP: 160014100  
 OWNER: DUNOVA, LLC  
 ADDRESS: 355 MALLARD LANE  
 EARLYSVILLE, VA 22936  
 ZONING: R-3/RESIDENTIAL  
 DB/PG: 900/126

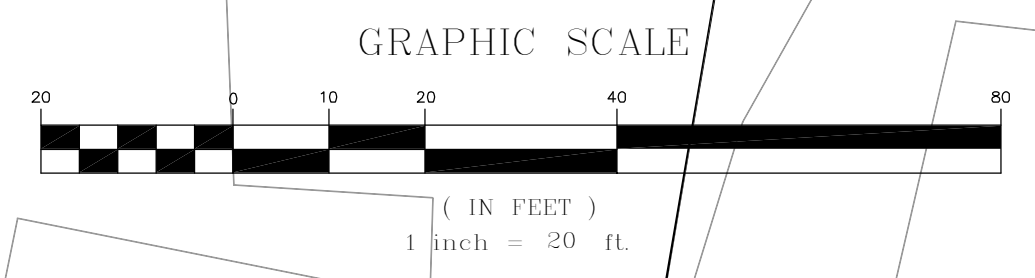
TMP: 160015000  
 OWNER: WEITZNER PROPERTIES, LLC  
 ADDRESS: 501 SLATERS LANE, APT 610  
 ALEXANDRIA, VA 22314  
 ZONING: R-3/RESIDENTIAL  
 DB/PG: 739/44

TMP: 160016000  
 OWNER: NEIGHBORHOOD INVESTMENTS, LLC  
 ADDRESS: 800 CATALPA COURT  
 CHARLOTTESVILLE, VA 22903  
 ZONING: R-3/RESIDENTIAL  
 DB/PG: 2014/1391

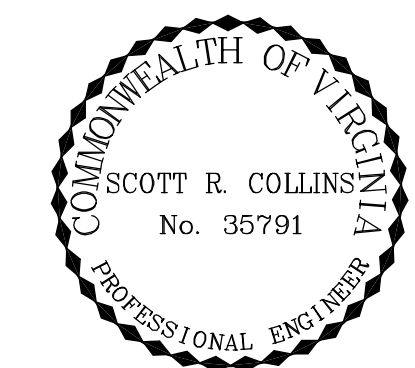
TMP: 160128000  
 OWNER: 1800 JPA ASSOCIATES  
 ADDRESS: 200 RESERVE BLVD, SUITE 200  
 CHARLOTTESVILLE, VA 22901  
 ZONING: R-UHD/RESIDENTIAL  
 DB/PG: 1059/724

TMP: 110056000  
 OWNER: WEST RANGE, LLC  
 ADDRESS: 120 13TH STREET NW  
 CHARLOTTESVILLE, VA 22903  
 ZONING: R-3H/RESIDENTIAL  
 DB/PG: 722/241

NOTE: NO TREES ON THE SITE ARE LARGER THAN 8" CALIPER IN SIZE







REVISIONS	
REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15
REVISED PER CLIENT CHANGES AND CITY COMMENTS	4/21/15

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

**1725 JPA APARTMENTS PRELIMINARY SITE PLAN**  
 SITE & LANDSCAPING PLAN

PROJECT: 102045  
 SHEET: 1"=10'  
 SHEET NO. 3

CONTRACTOR TO USE EXTREME CARE AND CAUTION AS NOT TO DAMAGE ANY TREES SCHEDULED TO REMAIN OUTSIDE LIMITS OF CONSTRUCTION. PROPERTY LINE SERVES AS LIMITS OF CONSTRUCTION.

NO CONSTRUCTION EQUIPMENT OR STORAGE SHALL OCCUR WITHIN DRILLPIECE OF EXISTING TREES. PRIOR TO MOBILIZATION CONTRACTOR SHALL CONTACT LANDSCAPE ARCHITECT (LA) TO DISCUSS TREE PROTECTION EFFORTS. ALL TREE PROTECTION MEASURES SHALL BE APPROVED BY LA AND/OR TREE ARBORIST BEFORE ANY CONSTRUCTION ACTIVITIES SHALL TAKE PLACE ON-SITE. CONTRACTOR TO MONITOR TREES FOR STRESS AND/OR DAMAGE AND ADVISE LA AND TREE ARBORIST IF ANY OCCUR.

CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT AND/OR TREE ARBORIST 48-HOURS IN ADVANCE OF ANY CONSTRUCTION ACTIVITY NEEDED WITHIN ANY TREE PROTECTION MEASURE. ALL TREE PROTECTION MEASURES SHALL BE REPLACED IN ORIGINAL LOCATION ONCE WORK HAS BEEN COMPLETED. NO WORK SHALL BE DONE WITHIN DRILLPIECE OF EXISTING TREES UNLESS APPROVED BY TREE ARBORIST OR LANDSCAPE ARCHITECT PRIOR TO WORK.

ALL WORK TO BE PERFORMED BY THE CONTRACTOR WITHIN THE DRILLPIECE OF ANY EXISTING TREE OR TREE PROTECTION AREA SHALL BE DONE IN A MANNER SENSITIVE TO ENSURING NO DAMAGE WILL BE DONE TO THE EXISTING TREES. THE PREFERRED METHOD FOR GRADING SMALL AREAS WITHIN THE DRILLPIECE SHALL BE DONE BY HAND. LARGER AREAS TO BE GRADED MAY BE DONE WITH A SMALL BOBCAT/TRACT-HOE. CONTRACTOR TO DISCUSS METHODS OF GRADING WORK WITH LANDSCAPE ARCHITECT AND TREE ARBORIST PRIOR TO COMMENCING ANY SUCH WORK WITHIN DESIGNATED TREE PROTECTION AREAS OR WITHIN EXISTING DRILLPIECES.

ALL PLANTS HAVING A QUANTITY GREATER THAN ONE(1) SHALL BE MATCHED AND SUPPLIED FROM THE SAME SOURCE (PER SPECIES).

CONTACT LANDSCAPE ARCHITECT AT THE TIME OF PLANT MATERIAL DELIVERY, BEFORE ANY SUBSTITUTIONS OR CHANGES. IF SCHEDULED TYPES ARE UNAVAILABLE, AND FOLLOWING INSTALLATION, ALL PLANT SUBSTITUTIONS SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO PLACEMENT OF ORDERS.

LANDSCAPE ARCHITECT SHALL INSPECT AND APPROVE ALL PLANT MATERIAL AT TIME OF DELIVERY AS WELL AS AFTER INITIAL PLACEMENT PRIOR TO PLANTING. CONTRACTOR TO NOTIFY LANDSCAPE ARCHITECT 48-HOURS PRIOR TO DELIVERY.

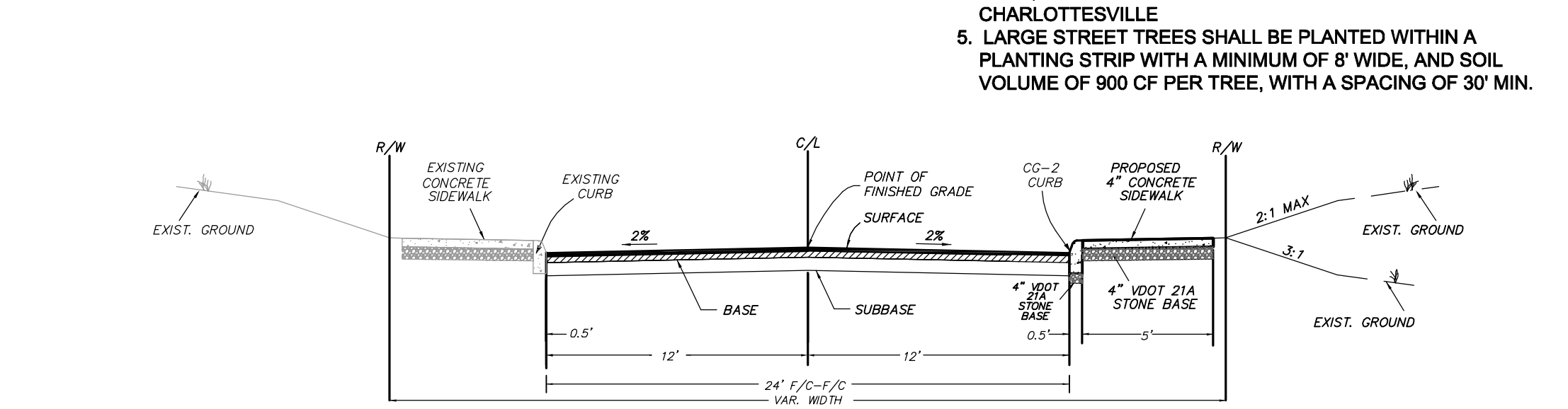
PLANT LOCATIONS TO BE REEVALUATED AND REVISED, IF NECESSARY, AFTER FINISHED GRADING.

MULCH IN PLANTERS AND PLANTING BEDS TO BE CLEAN AND FREE FROM PEST AND DISEASES. MULCH SHALL BE APPLIED TO A 2-INCH DEPTH. MULCH RINGS 24-INCHES MIN. IN DIAMETER ARE TO BE PLACED AROUND ALL TREES NOT LOCATED IN PLANTING BEDS. MULCH TO BE DOUBLE-SHREDDED HARDWOOD.

CONTRACTOR TO VERIFY ALL QUANTITIES BETWEEN PLAN AND PLANT LIST AND REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT IMMEDIATELY PRIOR TO ORDERING.

ALL STREET TREES WITHIN THE PUBLIC RIGHT OF WAY SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

- SITE NOTES:**
1. ALL SIDEWALKS AND WALKWAYS SHALL HAVE A MINIMUM WIDTH OF 5'
  2. ALL WALKWAY CROSSINGS SHALL MEET MINIMUM ADA ACCESSIBILITY STANDARDS.
  3. CONTRACTOR SHALL OBTAIN A TEMPORARY STREET CLOSURE PERMIT FOR CLOSURE OF SIDEWALKS, PARKING SPACES & ROADWAYS SUBJECT TO APPROVAL BY THE CITY TRAFFIC ENGINEER PRIOR TO CONSTRUCTION IN THESE EXISTING AREAS.
  4. ALL SIGNING & PAVEMENT MARKINGS SHALL BE INSTALLED CONSISTENT WITH MUTCD STANDARDS.
- LANDSCAPING NOTES:**
1. ALL DUMPSTERS SHALL BE SCREENED WITH AN ENCLOSURE AT A MINIMUM HEIGHT OF ONE (1) FOOT ABOVE THE HEIGHT OF THE DUMPSTER AND WITH A MINIMUM INSIDE CLEARANCE AT THE OPENING OF TWELVE (12) FEET.
  2. ALL PLANTINGS SHALL HAVE A MINIMUM HEIGHT OF EIGHTEEN (18) INCHES WHEN PLANTED. PLANTINGS SHALL BE EVENLY SPACED IN A ROW, AT INTERVALS SUFFICIENT TO ALLOW FOR THEIR HEALTHY GROWTH AND DEVELOPMENT.
  3. TOTAL JEFFERSON PARK AVENUE ROAD FRONTAGE = 200'. TOTAL STREET TREES REQUIRED: 5 STREET TREES PROVIDED: 5
  4. TOTAL MONTEBELLO CIRCLE ROAD FRONTAGE = 210'. TOTAL STREET TREES REQUIRED: 5 STREET TREES PROVIDED: 5
  5. NOTE, NO TREES TO BE MAINTAINED BY THE CITY OF CHARLOTTESVILLE
  6. LARGE STREET TREES SHALL BE PLANTED WITHIN A PLANTING STRIP WITH A MINIMUM OF 8' WIDE, AND SOIL VOLUME OF 900 CF PER TREE, WITH A SPACING OF 30' MIN.

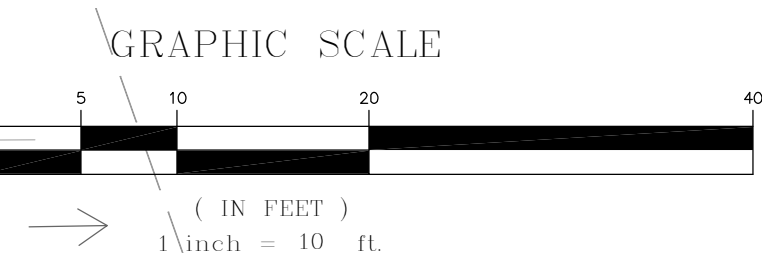
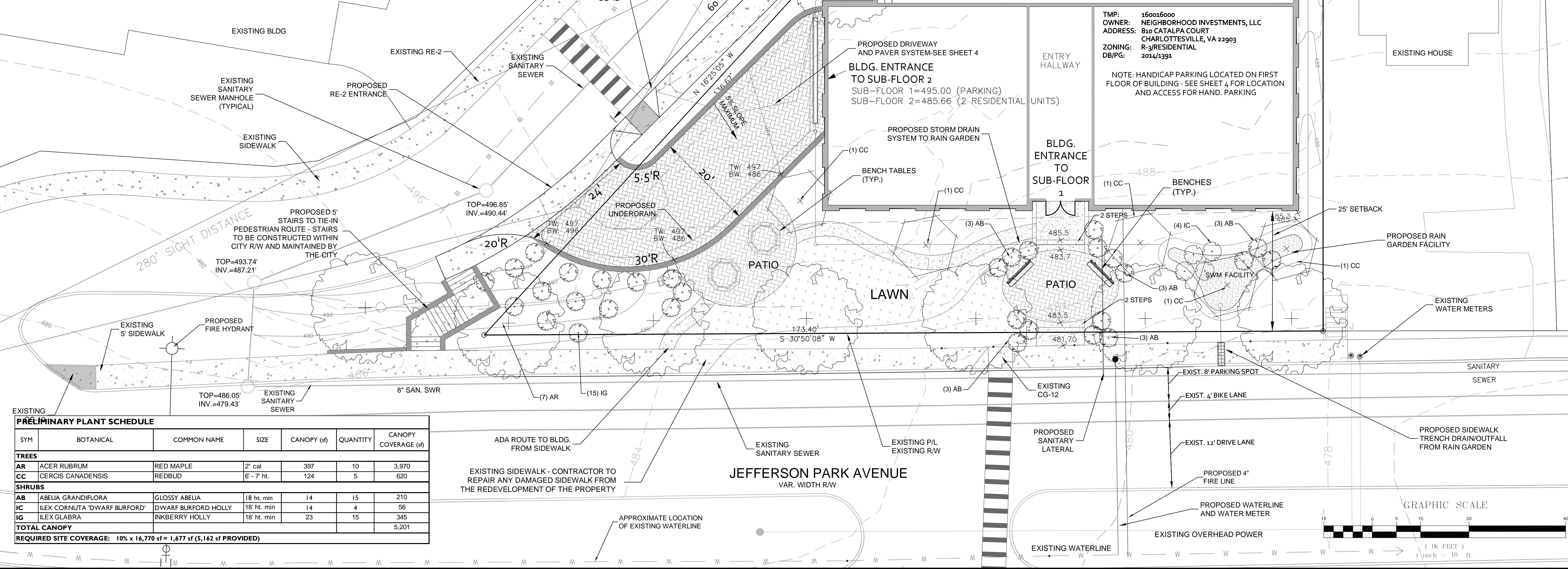


TYPICAL ROAD SECTION (VAR. WIDTH R/W) MONTEBELLO CIRCLE

TMP: 160035000  
 OWNER: GRADUATE COURT 1, LLC  
 ADDRESS: 224 14TH STREET NW  
 CHARLOTTESVILLE, VA 22903  
 ZONING: R-3/RESIDENTIAL  
 DB/PG: 1125/55

**PRELIMINARY PLANT SCHEDULE**

SYM	BOTANICAL	COMMON NAME	SIZE	CANOPY (sf)	QUANTITY	CANOPY COVERAGE (sf)
<b>TREES</b>						
AR	ACER RUBRUM	RED MAPLE	2" cal	397	10	3,970
CC	CERCIS CANADENSIS	REDBUD	6" - 7" ht.	124	5	620
<b>SHRUBS</b>						
AB	ABELIA GRANDIFLORA	GLOSSY ABELIA	18 ht. min	14	15	210
IC	ILEX CORNUTA 'DWARF BURFORD'	DWARF BURFORD HOLLY	18" ht. min	14	4	56
IG	ILEX GLABRA	INKBERRY HOLLY	18" ht. min	23	15	345
<b>TOTAL CANOPY</b>						5,201
<b>REQUIRED SITE COVERAGE: 10% x 16,770 sf = 1,677 sf (5,162 sf PROVIDED)</b>						





**GENERAL NOTES:**

- UTILITIES**
- ANY DAMAGE TO EXISTING UTILITIES CAUSED BY CONTRACTOR OR ITS SUBCONTRACTORS SHALL BE CONTRACTOR'S SOLE RESPONSIBILITY AND REPAIRED AT CONTRACTOR'S EXPENSE.
  - THE CONTRACT DOCUMENTS DO NOT GUARANTEE THE EXISTENCE, NON-EXISTENCE OR LOCATION OF UTILITIES. CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OR THE NON-EXISTENCE OF UTILITIES. AT LEAST 48 HOURS PRIOR TO ANY EXCAVATION OR CONSTRUCTION, CONTRACTOR SHALL NOTIFY MISS UTILITY (1-800-552-7001) AND/OR THE RESPECTIVE UTILITY COMPANIES FOR GAS, WATER, SEWER, POWER, PHONE AND CABLE. CONTRACTOR SHALL TIMELY ARRANGE TO HAVE THE VARIOUS UTILITIES LOCATED, AND TO HAVE THEM REMOVED OR RELOCATED, OR TO DETERMINE THE METHOD OF PROTECTION ACCEPTABLE TO THE RESPECTIVE OWNER, IF THE METHOD OF PROTECTION IS NOT OTHERWISE SPECIFIED. CONTRACTOR SHALL CONDUCT ITS WORK IN THE VICINITY OF EXISTING UTILITIES IN ACCORDANCE WITH THE RESPECTIVE UTILITY'S RULES AND REGULATIONS. NO BUILDING OR WALL FOUNDATION SHALL BE CONSTRUCTED WITHIN 10 FEET OF ANY STORM, SANITARY, WATER, OR GAS LINE. ANY COST INCURRED FOR REMOVING, RELOCATIONS OR PROTECTING UTILITIES SHALL BE BORNE BY CONTRACTOR UNLESS INDICATED OTHERWISE. CONTRACTOR SHALL EXCAVATE TO LOCATE BURIED UTILITIES FAR ENOUGH IN ADVANCE OF ITS WORK TO ALLOW FOR HORIZONTAL AND /OR VERTICAL ADJUSTMENTS TO ITS WORK AND/OR THE UTILITIES. NO ADJUSTMENT IN COMPENSATION OR SCHEDULE WILL BE ALLOWED FOR DELAYS RESULTING FROM CONTRACTOR'S FAILURE TO CONTACT AND COORDINATE WITH UTILITIES.
  - WHEN THE WORK CROSSES EXISTING UTILITIES, THE EXISTING UTILITIES SHALL BE ADEQUATELY SUPPORTED AND PROTECTED FROM DAMAGE DUE TO THE WORK. ALL METHODS FOR SUPPORTING AND MAINTAINING THE EXISTING UTILITIES SHALL BE APPROVED BY THE RESPECTIVE UTILITY COMPANY AND/OR THE ENGINEER. CONTRACTOR SHALL EXERCISE CARE TO INSURE THAT THE GRADE AND ALIGNMENT OF EXISTING UTILITIES ARE MAINTAINED AND THAT NO JOINTS OR CONNECTIONS ARE DISPLACED. BACKFILL SHALL BE CAREFULLY PLACED AND COMPACTED TO PREVENT FUTURE DAMAGE OR SETTLEMENT TO EXISTING UTILITIES. ANY UTILITIES REMOVED AS PART OF THE WORK, AND NOT INDICATED TO BE REMOVED OR ABANDONED, SHALL BE RESTORED USING MATERIALS AND INSTALLATION EQUAL TO THE UTILITY'S STANDARDS.
  - CONTRACTOR SHALL NOTIFY LANDOWNERS, TENANTS AND THE ENGINEER PRIOR TO THE INTERRUPTION OF ANY SERVICES. SERVICE INTERRUPTIONS SHALL BE KEPT TO A MINIMUM.
  - CONTRACTOR SHALL COORDINATE WITH THE CITY TO LOCATE SIGNAL LOOP DETECTORS AND CONDUITS IN ORDER TO AVOID DAMAGE TO THEM. CONTRACTOR SHALL REIMBURSE THE CITY FOR REPAIRING ANY DAMAGE TO SIGNAL LOOP DETECTORS AND CONDUITS CAUSED BY CONTRACTOR'S FAILURE TO SO COORDINATE.
  - ALL RECTANGULAR WATER METER BOXES LOCATED IN SIDEWALKS SHALL BE REPLACED WITH ROUND ONES. THESE WILL BE FURNISHED BY THE CITY UPON ONE FULL WORKING DAY NOTIFICATION. THE ADJUSTMENT OF ALL MANHOLE TOPS, WATER VALVE BOXES, GAS VALVE BOXES AND WATER METER BOXES SHALL BE THE RESPONSIBILITY OF CONTRACTOR. COSTS ARE TO BE INCLUDED UNDER THE VARIOUS UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE.
  - THE CONTRACTOR SHALL NOTIFY THE CITY UTILITIES DIVISION AT LEAST TWO FULL WORKING DAYS IN ADVANCE TO ARRANGE GAS SERVICE LINE ADJUSTMENTS TO BE PERFORMED BY THE CITY.
  - ALL WATER METER, VALVES AND FIRE HYDRANT ADJUSTMENTS/RELOCATIONS SHALL BE PERFORMED BY THE CONTRACTOR.

- CONCRETE AND ASPHALT**
- ALL FORMS SHALL BE INSPECTED BY THE ENGINEER BEFORE ANY CONCRETE IS PLACED. THE ENGINEER MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO REMOVE AND REPLACE CONCRETE PLACED PRIOR TO OR WITHOUT SUCH INSPECTION.
  - ALL MATERIAL INSIDE FORMS SHALL BE CLEAN AND FREE OF ALL ROCKS AND OTHER LOOSE DEBRIS. SUB-BASE MATERIAL SHALL BE COMPACTED BY MECHANICAL MEANS.
  - CONCRETE SHALL NOT BE PLACED UNLESS THE AIR TEMPERATURE IS AT LEAST 40 DEGREES FAHRENHEIT (F) IN THE SHADE AND RISING.
  - CONCRETE SHALL NOT BE PLACED UNTIL STEEL DOWELS HAVE BEEN INSTALLED IN EXISTING CONCRETE IN ACCORDANCE WITH CITY STANDARDS.
  - 1/2" PREMOLDED EXPANSION JOINT MATERIAL SHALL BE PLACED AT A MAXIMUM OF 30' INTERVALS ON NEW SIDEWALK, CURB, CURB & GUTTER, AT EACH END OF DRIVEWAY ENTRANCES, AT EACH END OF HANDICAP RAMPS, SOME POINT ON ENTRANCE WALKS AND STEPS ADJUSTMENTS, AND ALONG BUILDINGS AND WALLS WHERE NEW CONCRETE SIDEWALKS ARE PLACED AGAINST THEM.
  - ALL EXISTING CURBS, CURB & GUTTER, SIDEWALK AND STEPS TO BE REMOVED SHALL BE TAKEN OUT TO THE NEAREST JOINT. DEMOLITION AND DISPOSAL COST TO BE INCLUDED IN OTHER UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE FOR THIS WORK.
  - ALL EXISTING GRANITE CURB SHALL REMAIN THE PROPERTY OF THE CITY OF CHARLOTTEVILLE. IT SHALL BE REMOVED AND DELIVERED BY THE CONTRACTOR TO THE CITY'S PUBLIC WORKS COMPLEX. COST TO BE INCLUDED UNDER THE VARIOUS UNIT BID ITEMS. NO SEPARATE PAYMENT WILL BE MADE FOR THIS WORK.
  - STREET PAVEMENT STRUCTURE AND PATCHING SHALL BE EXTENDED FROM THE FRONT OF NEW CONCRETE TO THE EXISTING PROJECTION OF THE SOUND STREET EDGE AS DIRECTED BY THE ENGINEER.
  - DRIVEWAY ADJUSTMENTS ARE TO BE DONE IN GENTLE TRANSITIONS RATHER THAN ABRUPT BREAKS AT THE BACK OF WALKS. GRAVEL DRIVEWAYS ABOVE STREET GRADE SHALL BE PAVED FOR A MINIMUM DISTANCE OF 20' BEYOND THE BACK OF THE SIDEWALK OR CURB & GUTTER APRON WHERE APPLICABLE.
  - EXISTING ASPHALT CONCRETE PAVEMENT SHALL BE SAW CUT AND REMOVED AS PER THE SPECIFICATIONS. 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.
  - DISPOSAL OF ALL EXCESS MATERIAL IS THE RESPONSIBILITY OF CONTRACTOR.

- DRAINAGE**
- CONTRACTOR SHALL EXERCISE CARE, ESPECIALLY AT INTERSECTIONS AND GUTTER LINES, TO PROVIDE POSITIVE DRAINAGE. ANY AREAS WHERE WATER IS IMPOUNDED SHALL BE CORRECTED BY CONTRACTOR AT NO ADDITIONAL COST. POSITIVE DRAINAGE OF ALL ROADWAY AREAS TO THE STORM DRAIN INLETS OR OTHER ACCEPTABLE DRAINAGE CHANNELS AS NOTED ON THE PLANS IS REQUIRED.
  - CONTRACTOR SHALL MAINTAIN EXISTING STREAMS, DITCHES, DRAINAGE STRUCTURES, CULVERTS AND FLOWS AT ALL TIMES DURING THE WORK. CONTRACTOR SHALL PAY FOR ALL PERSONAL INJURY AND PROPERTY DAMAGE WHICH MAY OCCUR AS A RESULT OF FAILING TO MAINTAIN ADEQUATE DRAINAGE.
  - ALL PIPES, D'S AND OTHER STRUCTURES SHALL BE INSPECTED BY THE ENGINEER BEFORE BEING BACKFILLED OR BURIED. THE ENGINEER MAY REQUIRE CONTRACTOR, AT NO ADDITIONAL COST, TO UNCOVER AND RE-COVER SUCH STRUCTURES IF THEY HAVE BEEN BACKFILLED OR BURIED WITHOUT SUCH INSPECTION.
  - ALL CATCH BASINS ENCOMPASSED WITHIN NEW CONSTRUCTION SHALL BE CONVERTED TO DROP INLETS.
  - CLASS 1 RIP RAP MODIFICATIONS ALLOWS FOR A REDUCTION IN STONE DEPTH FROM 2.0' TO A MINIMUM OF 1.0' AS DIRECTED BY THE ENGINEER.
  - REMOVED PIPE SHALL BE THE PROPERTY OF CONTRACTOR AND IF NOT SALVAGED FOR RE-USE, SHALL BE DISPOSED OF LAWFULLY.
  - ALL STORM SEWER PIPE AND DROP INLETS SHALL BE CLEARED OF DEBRIS AND ERODED MATERIAL PRIOR TO FINAL ACCEPTANCE.
  - ALL STORM SEWER PIPE JOINTS SHALL BE SEALED AND SEALED IN ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS.
  - ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT TIED INTO EXISTING PIPE SHALL BE TIED INTO NEW PIPE. ALL EXISTING ROOF DRAINS AND OTHER DRAINAGE CONDUIT BLOCKED OR DISRUPTED FROM THEIR PRE-CONSTRUCTION.

**REQUIREMENTS FOR THE INSTALLATION OF GAS MAINS, SERVICES, AND METERS GAS UNIT:**

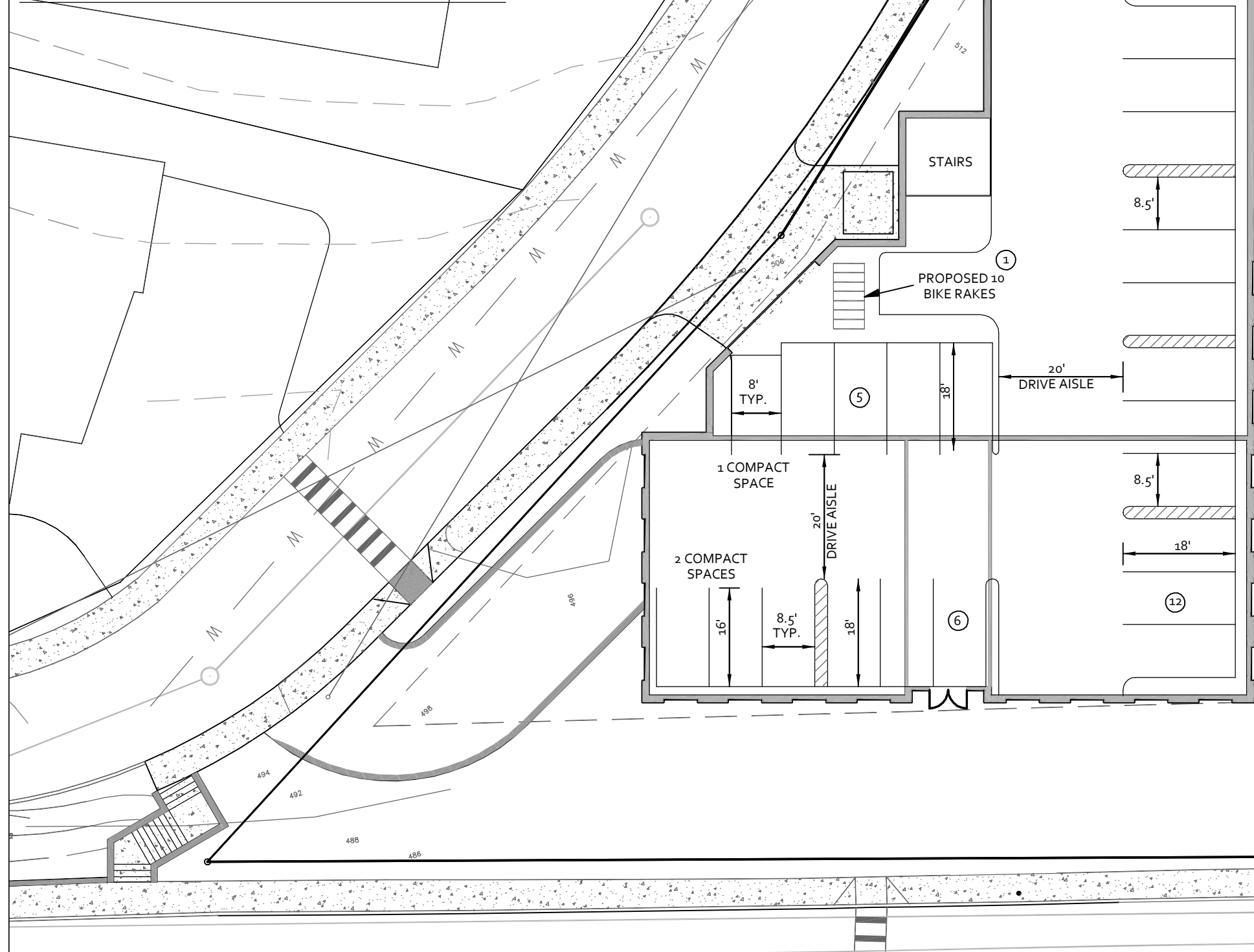
**GAS MAINS**  
GAS MAINS WILL BE INSTALLED WHEN THE FOLLOWING CONDITIONS ARE MET IN THE CONSTRUCTION AREA:

- GRADE IS WITHIN 6 INCHES OF FINAL GRADE OR BASE GRADE, IN ROADWAYS.
- CURB AND GUTTER MUST BE INSTALLED IF GAS MAIN IS GOING TO BE INSTALLED IN OR NEAR THE ROADWAY.
- ALL SANITARY SEWERS, DRAINS, AND STORM SEWERS MUST BE INSTALLED.
- A MINIMUM BELOW GROUND PARALLEL SEPARATION IS REQUIRED OF 5 FEET FROM POWER, TELEPHONE, AND CABLE TIES AND 10 FEET FROM SANITARY SEWER.
- GAS STUDS WILL BE INSTALLED FOR ALL ROAD CROSSINGS IF THE DEVELOPER HAS COMMITTED TO ALL GAS HOMES. OTHERWISE, THE DEVELOPER MAY INSTALL CONDUIT, AT THE DEVELOPER'S EXPENSE, FOR FUTURE ROAD CROSSINGS IN ORDER TO ELIMINATE DISTURBING ASPHALT WHEN SERVICES ARE INSTALLED. THE DEVELOPER SHALL FURNISH AS-BUILT DRAWINGS OF THE CONDUIT PLACEMENT OR PERMANENTLY MARK CONDUIT LOCATIONS. CONDUIT WILL BE FURNISHED BY THE GAS UNIT.

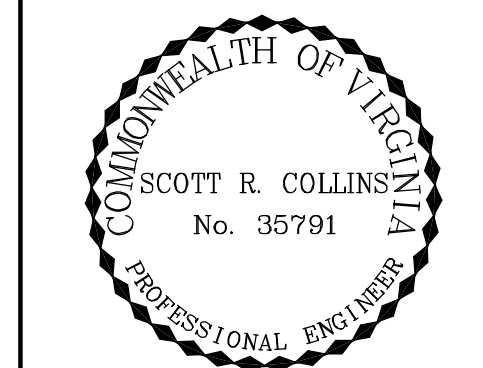
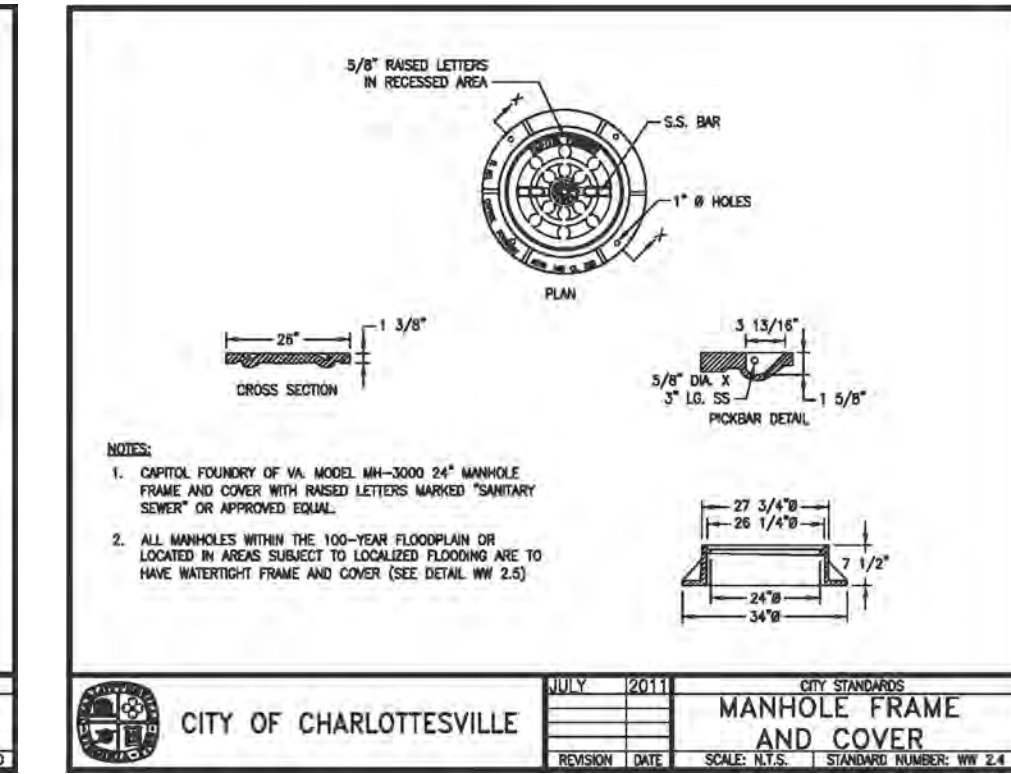
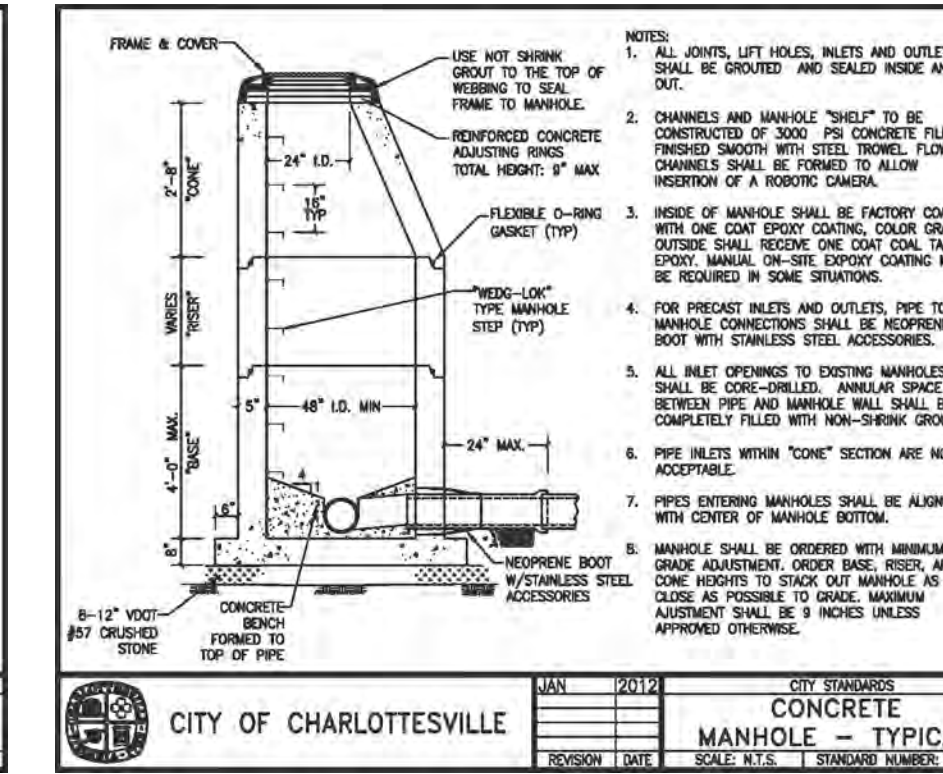
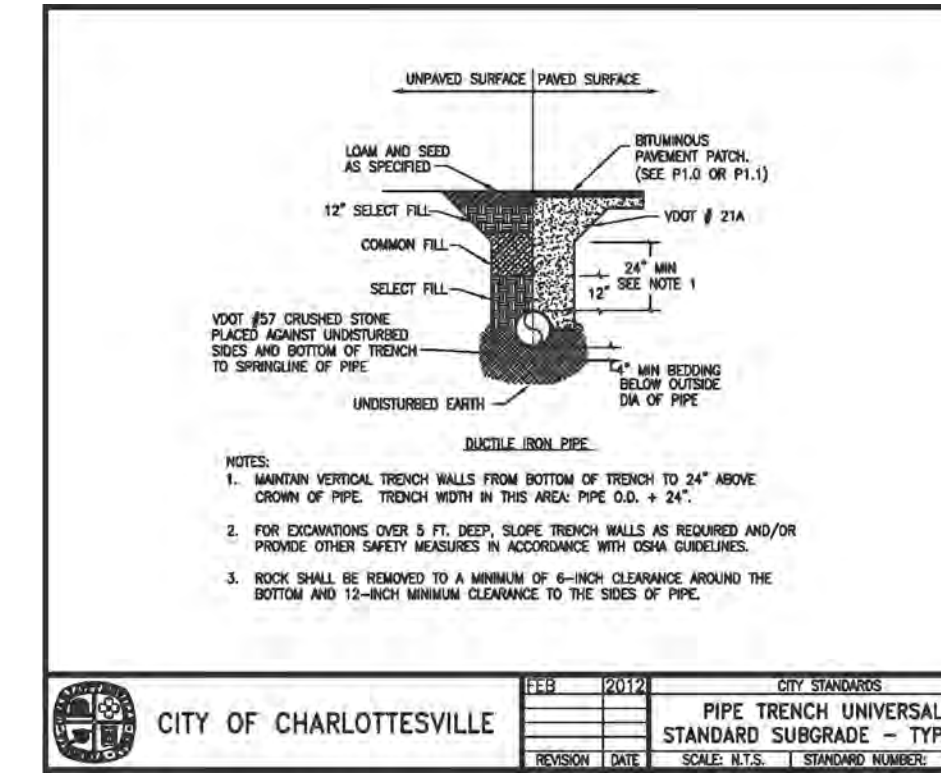
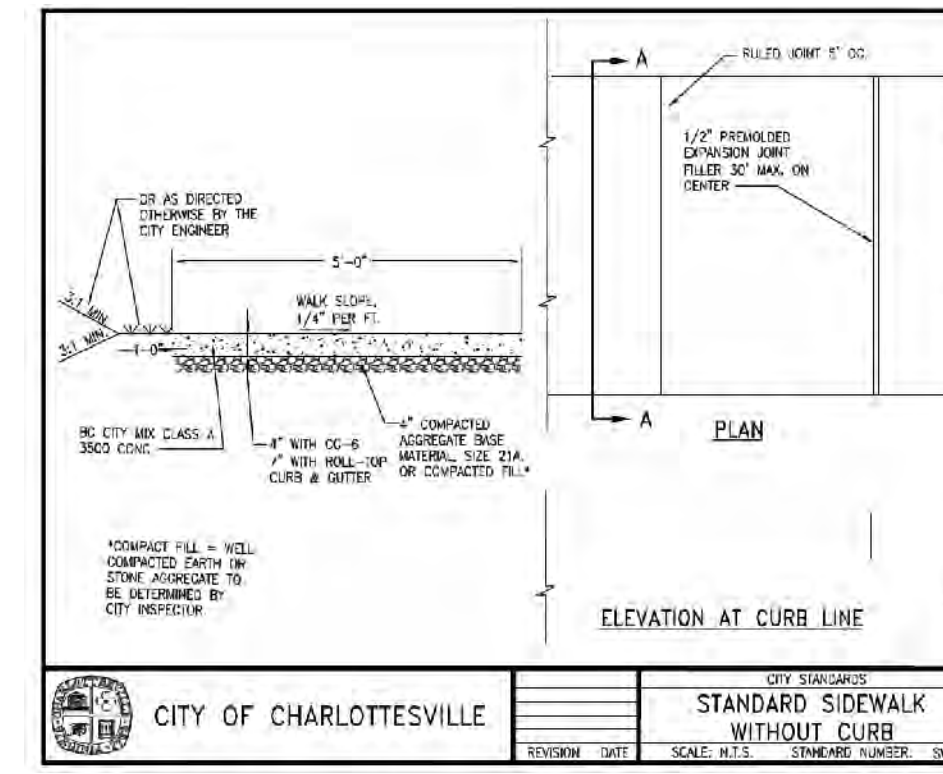
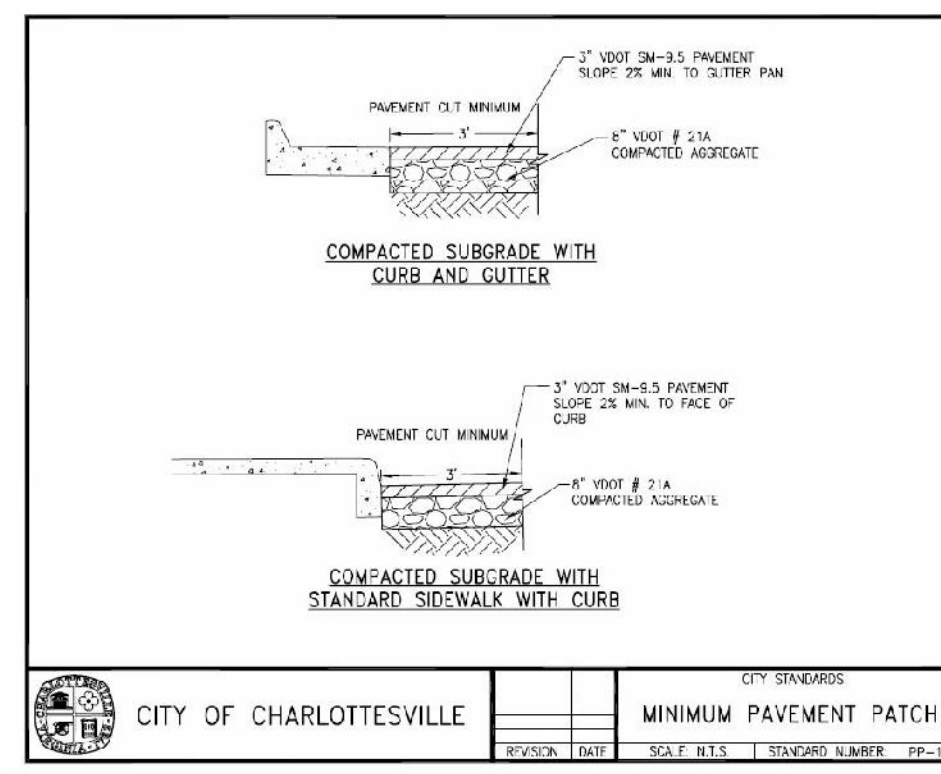
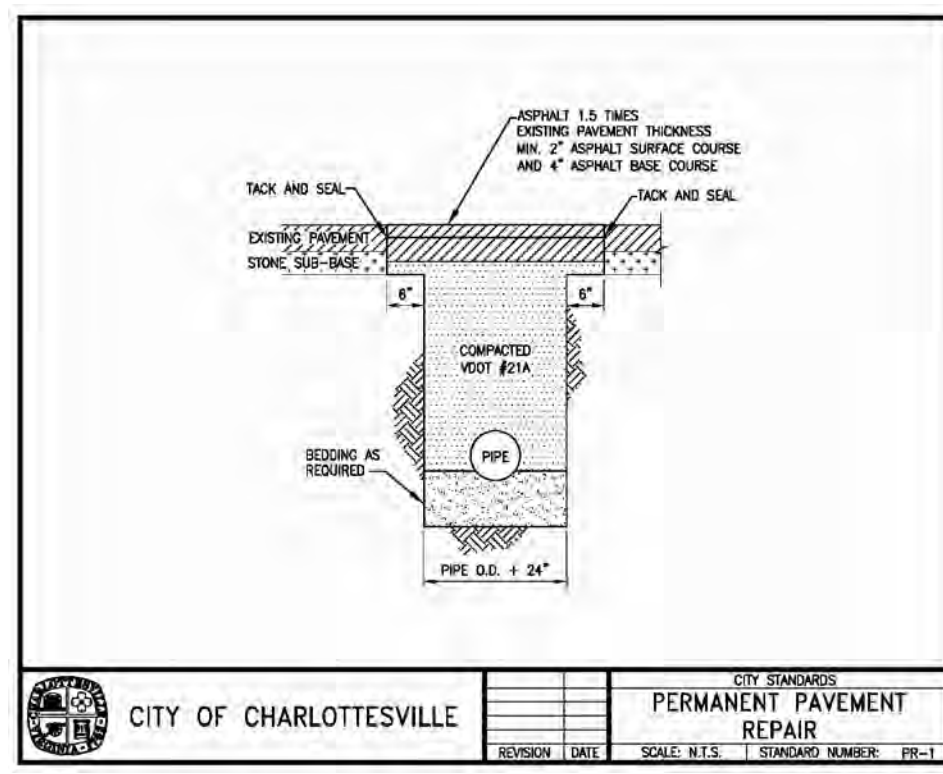
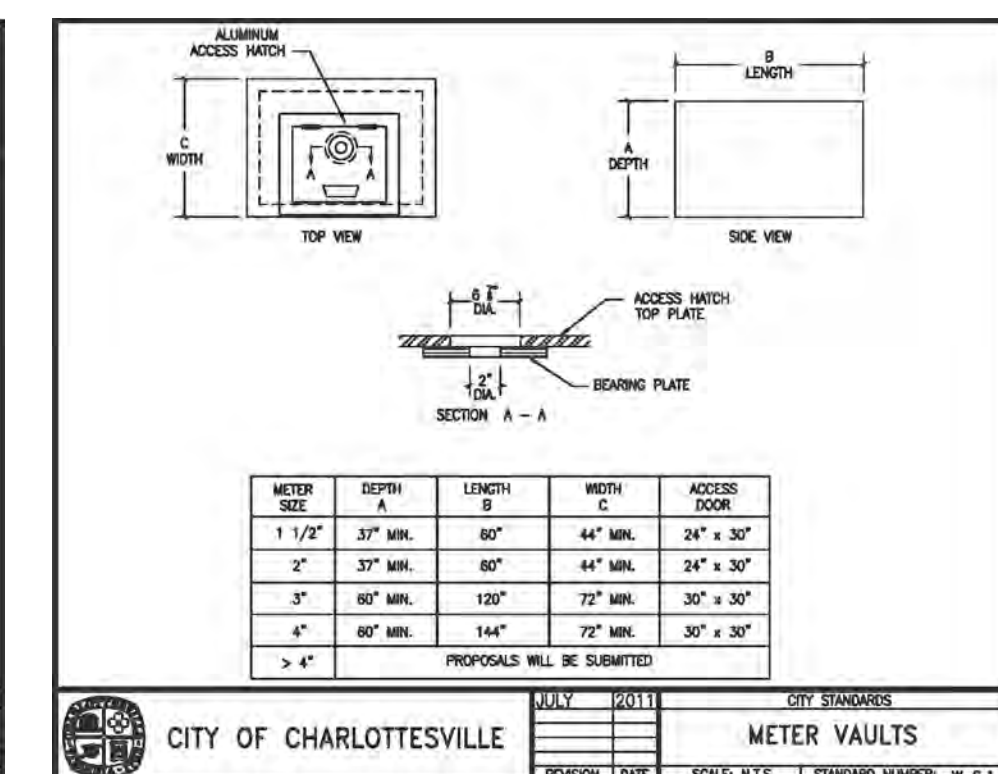
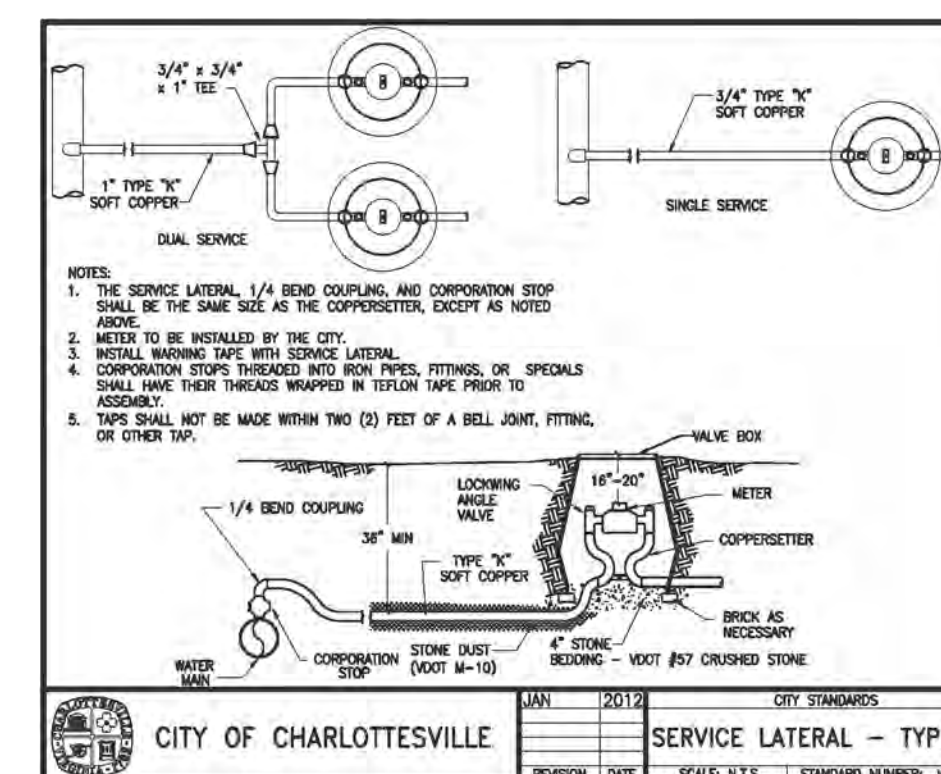
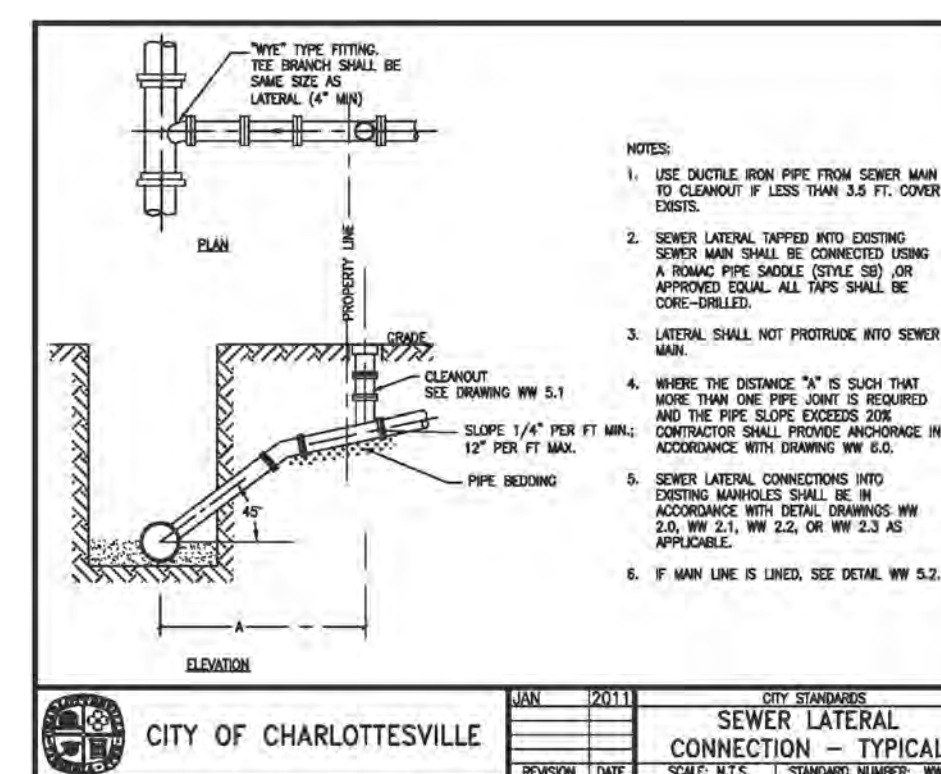
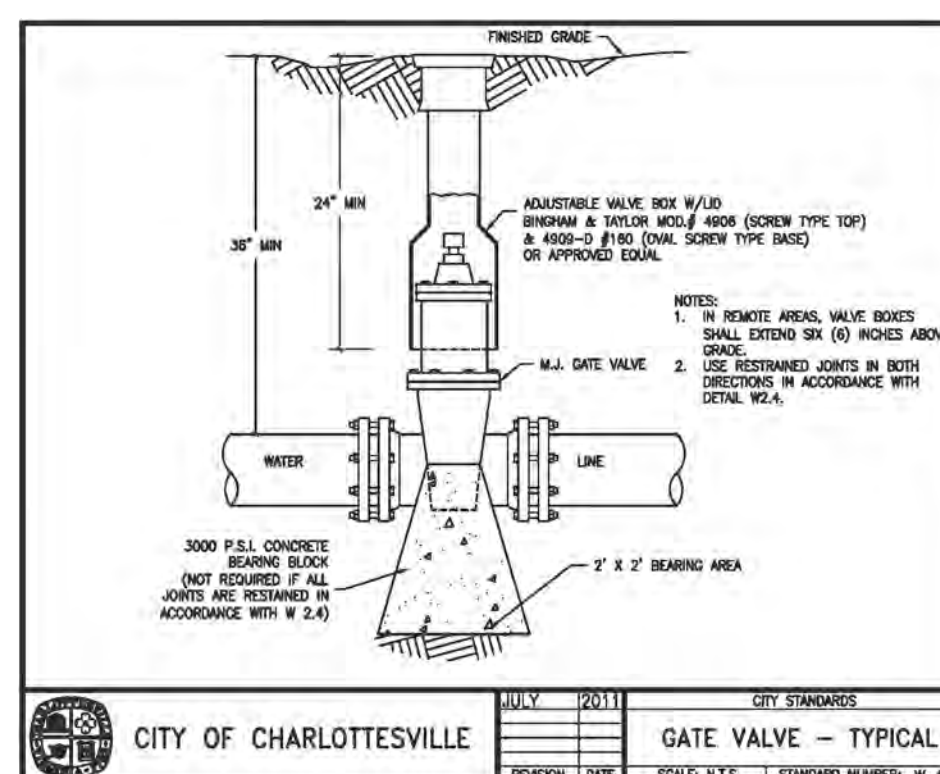
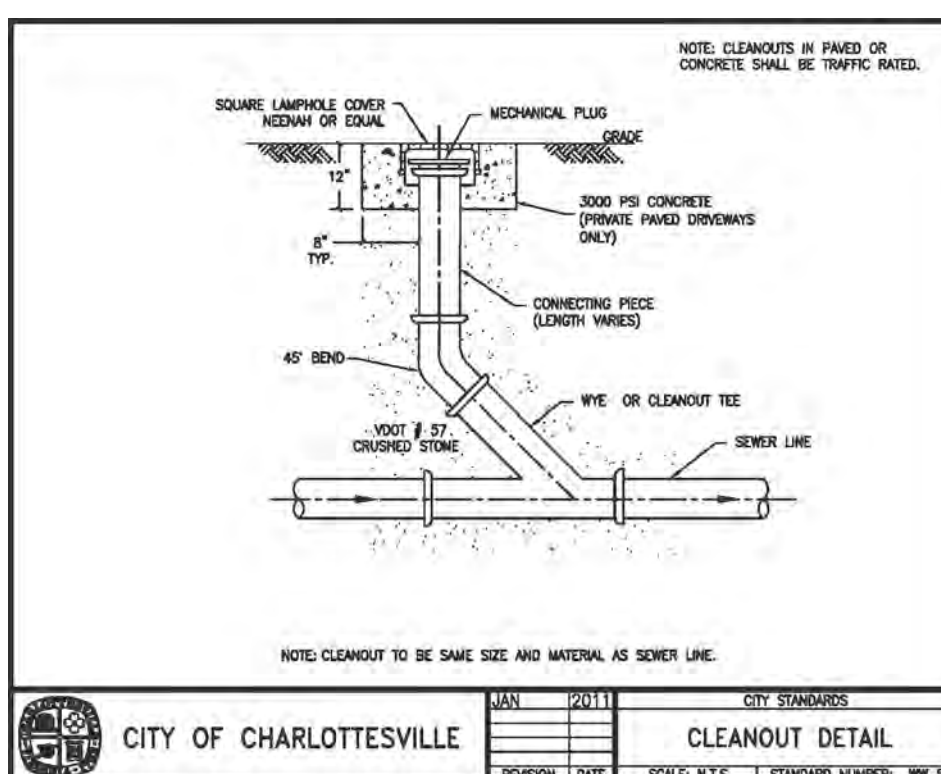
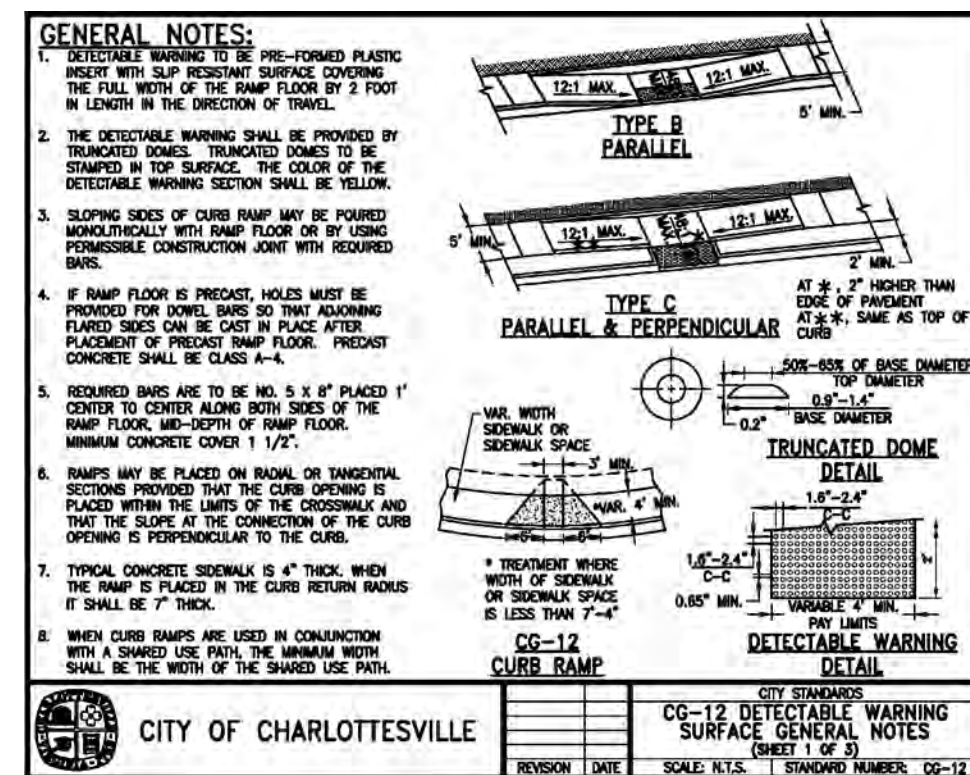
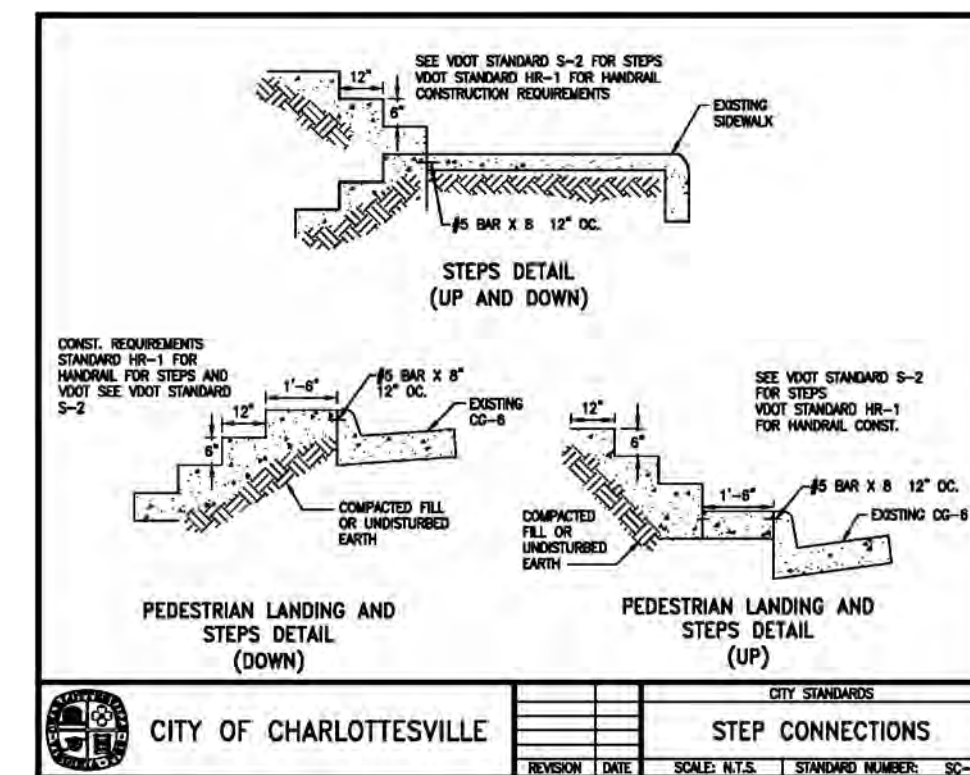
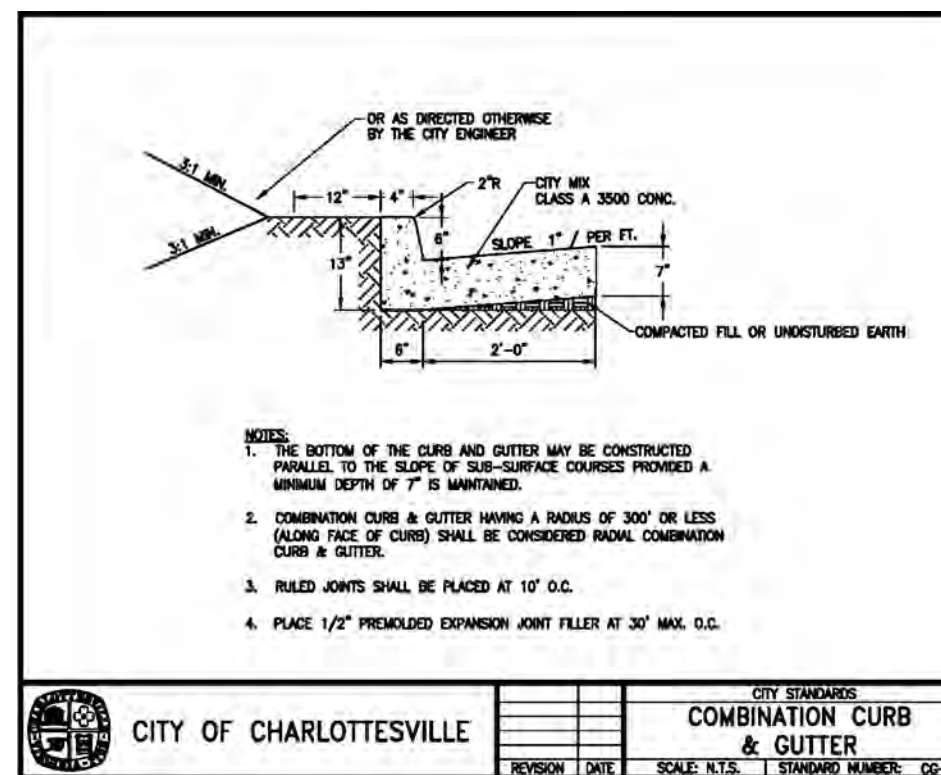
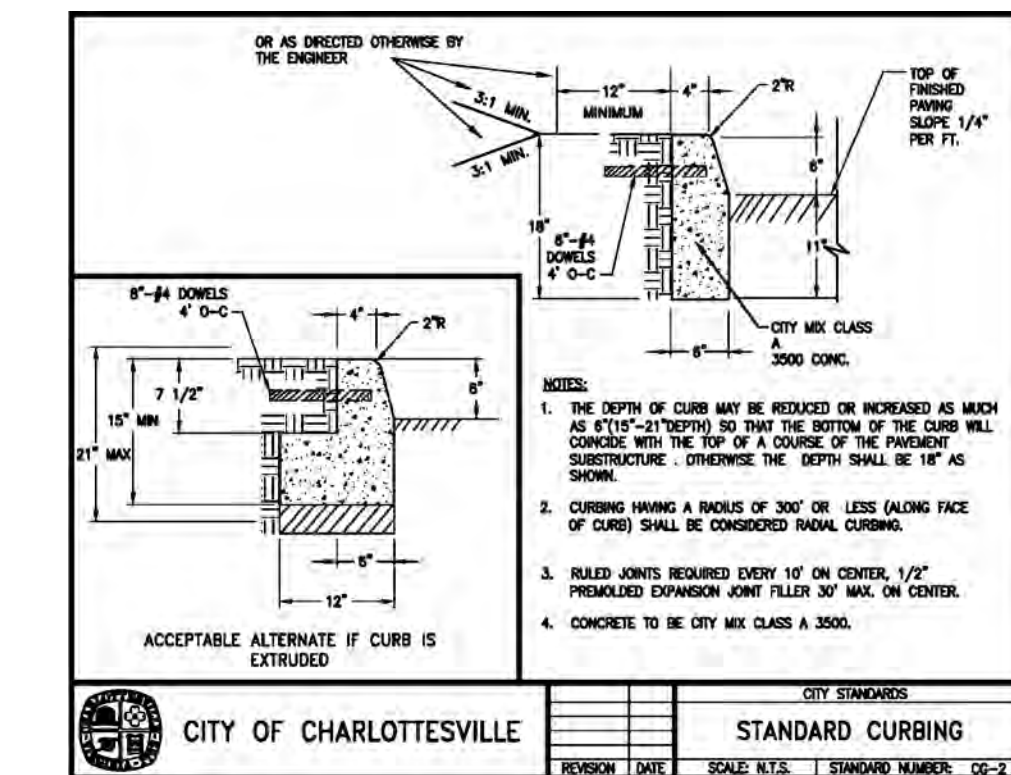
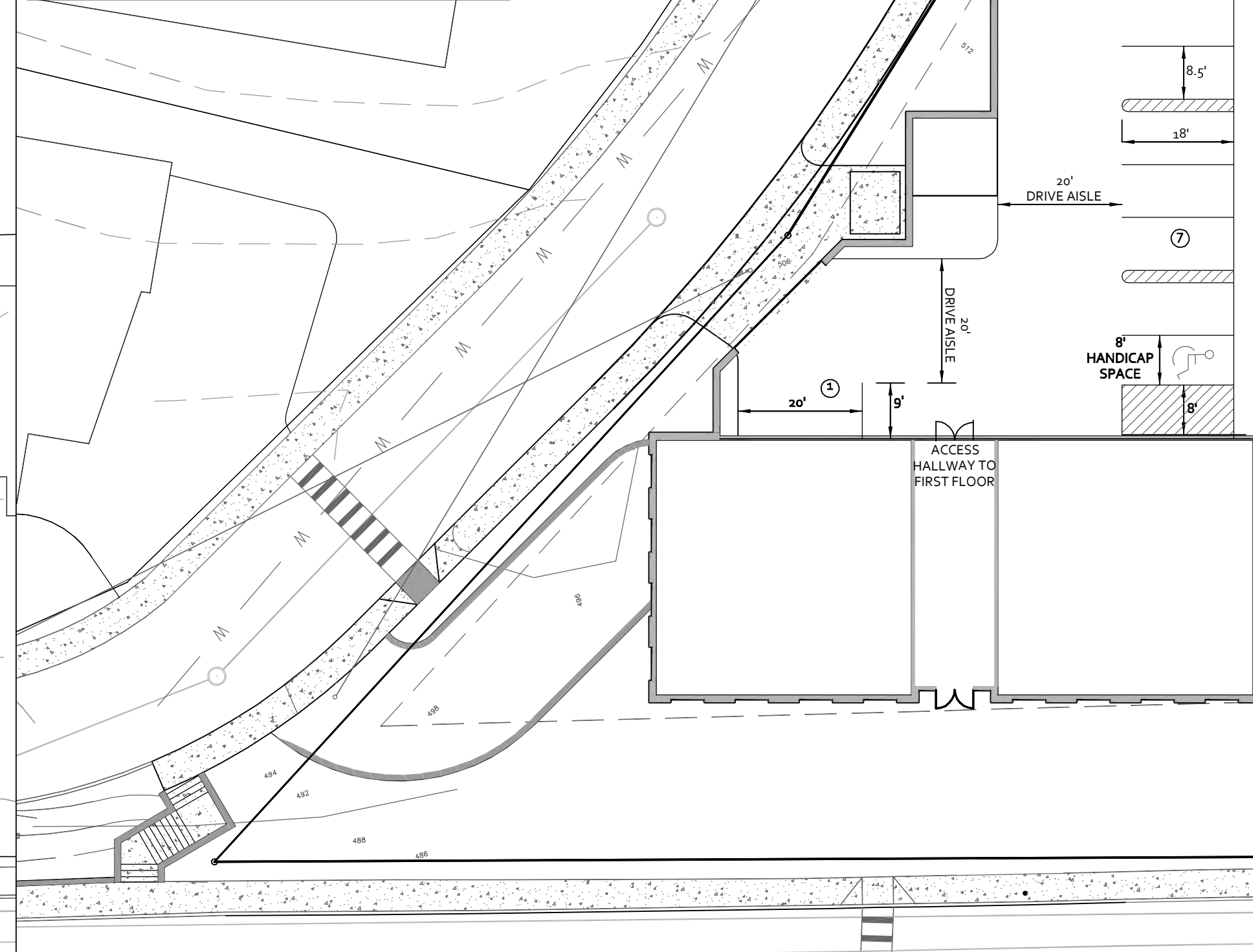
- GAS SERVICES**  
GAS SERVICES WILL BE INSTALLED WHEN THE FOLLOWING CONDITIONS ARE MET:
- GRADE IS WITHIN 6 INCHES BETWEEN THE GAS MAIN AND THE METER LOCATION.
  - OUTSIDE OF BUILDING (SIDING, BRICK, VENEER, ETC.) IS TO BE FINISHED AROUND THE METER LOCATION.
  - STREET ADDRESS, TOTAL GAS CONNECTED LOAD, AND CLOSING DATE (IF APPLICABLE) IS REPORTED TO THE GAS UNIT.
  - A MINIMUM NOTICE OF \_\_\_\_\_ WEEKS AFTER FINAL GRADE IS ESTABLISHED.

- GAS METERS**
- GAS METERS CANNOT BE INSTALLED WITHIN 3 FEET FROM FRESH AIR INTAKES, ELECTRICAL EQUIPMENT (A/C COMPRESSORS), WINDOWS AND DOORS THE OPEN SOURCES OF IGNITION.
  - DELIVERED GAS PRESSURE TO THE CUSTOMER WILL BE 7 INCHES OF WATER COLUMN. HIGHER DELIVERED PRESSURE (PSIG) IS RESTRICTED TO COMMERCIAL AND INDUSTRIAL APPLICATIONS AND MUST BE REQUESTED IN WRITING (WITH APPROPRIATE JUSTIFICATION) AND IS SUBJECT TO APPROVAL BY THE GAS ENGINEER OR DESIGNER. LIMITATIONS TO PSIG SERVICE INCLUDE, BUT NOT LIMITED TO, EXTERNAL FUEL LINES (AS IN ROOFTOP UNITS) AND APPROPRIATE APPLIANCE REGULATORS WITH AN INTERNAL RELIEF TIED TO THE ATMOSPHERE.

**SUB-FLOOR 1 PARKING LAYOUT**



**FIRST FLOOR PARKING LAYOUT**



**REVISIONS**

REVISION DESCRIPTION	DATE
INITIAL SUBMITTAL	2/24/15
REVISED PER CLIENT CHANGES AND CITY COMMENTS	4/21/15

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

**1725 JPA APARTMENTS PRELIMINARY SITE PLAN**

**NOTES & DETAILS**

PROJECT: 1725 JPA APARTMENTS PRELIMINARY SITE PLAN  
JOB NO: 102045  
SCALE: N.T.S.  
SHEET NO: 4

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RE-DEVELOPMENT

1725 JEFFERSON PARK AVE.

CHARLOTTESVILLE, VIRGINIA

CITY OF CHARLOTTESVILLE PLANNING COMMISSION  
SPECIAL USE PERMIT APPLICATION PACKAGE

21 APRIL 2015



ATWOOD HENNINGSEN KESTNER  
ARCHITECTS  
INC.  
1108 EAST HIGH STREET  
CHARLOTTESVILLE, VA 22902  
PHONE (434) 971-7202 FAX (434) 295-2413

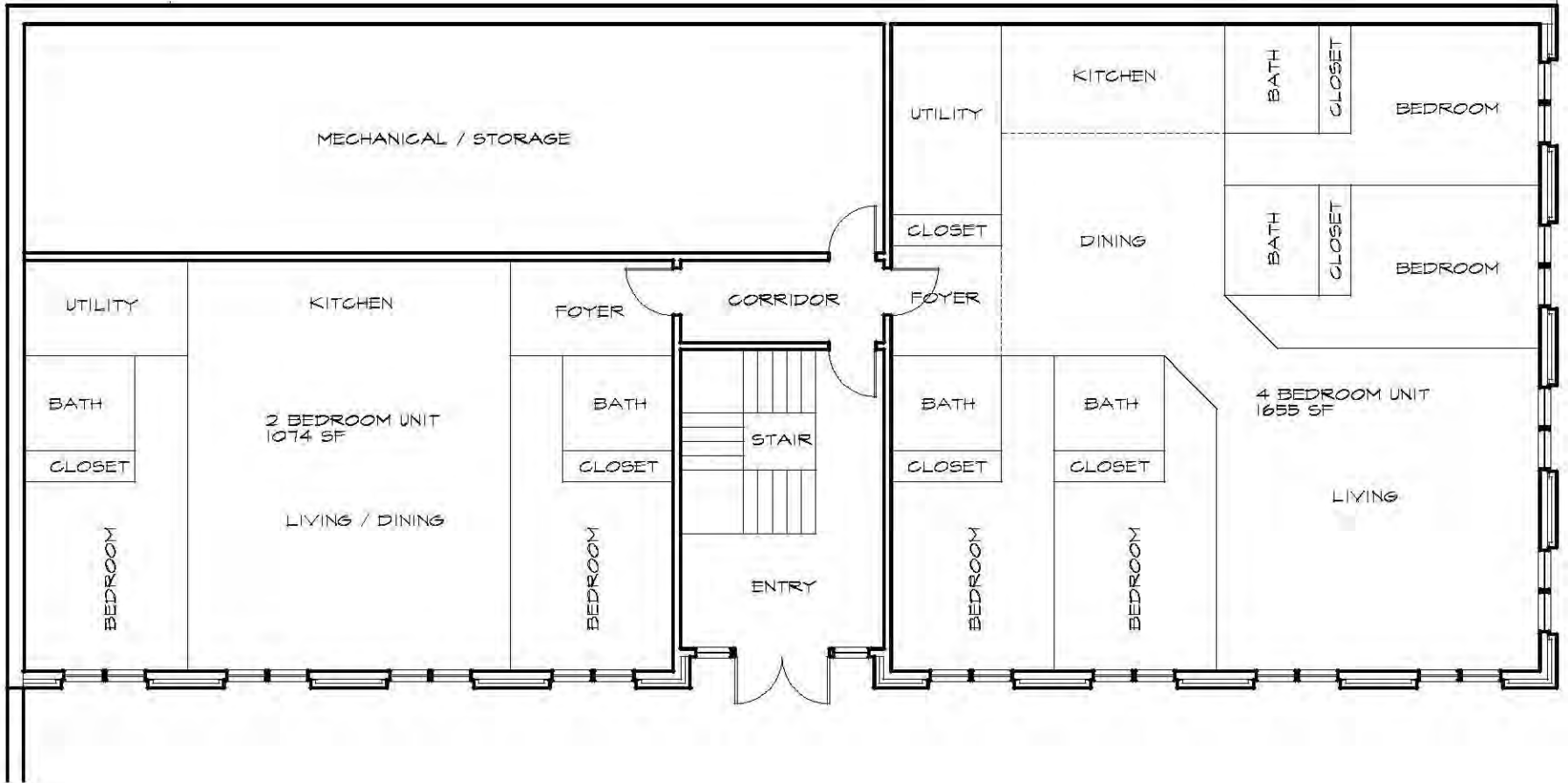
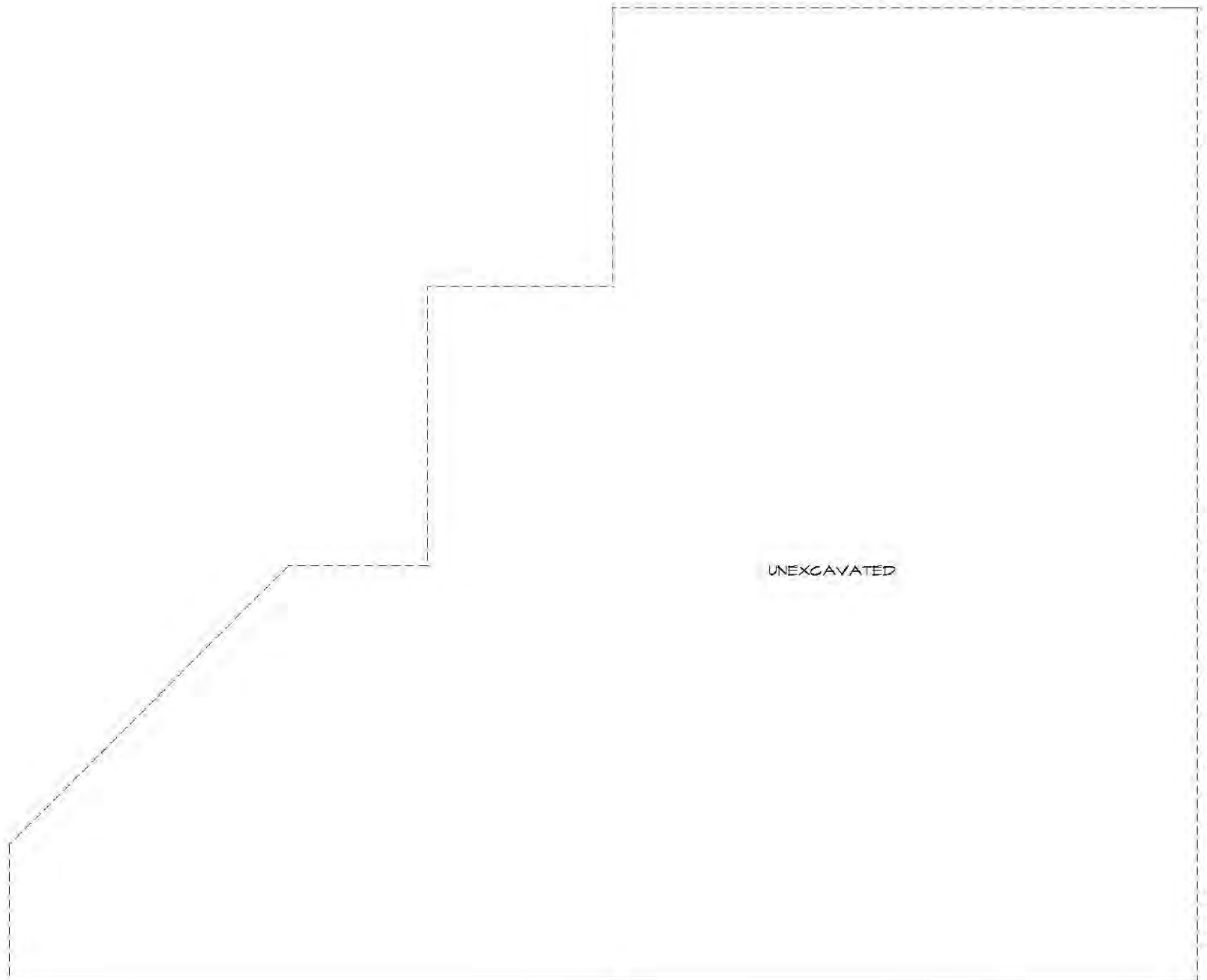
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1	4-21-15	SUP SUBMISSION

NO.	DATE	REVISION

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
COVER

JOB NUMBER 1409 FILE NO. 1409-SUP-NORRFILE

**SUP.00**



1 LEVEL A FLOOR PLAN

3/32"=1'-0"

**SUP.01**

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
FLOOR PLAN

JOB NUMBER 1409

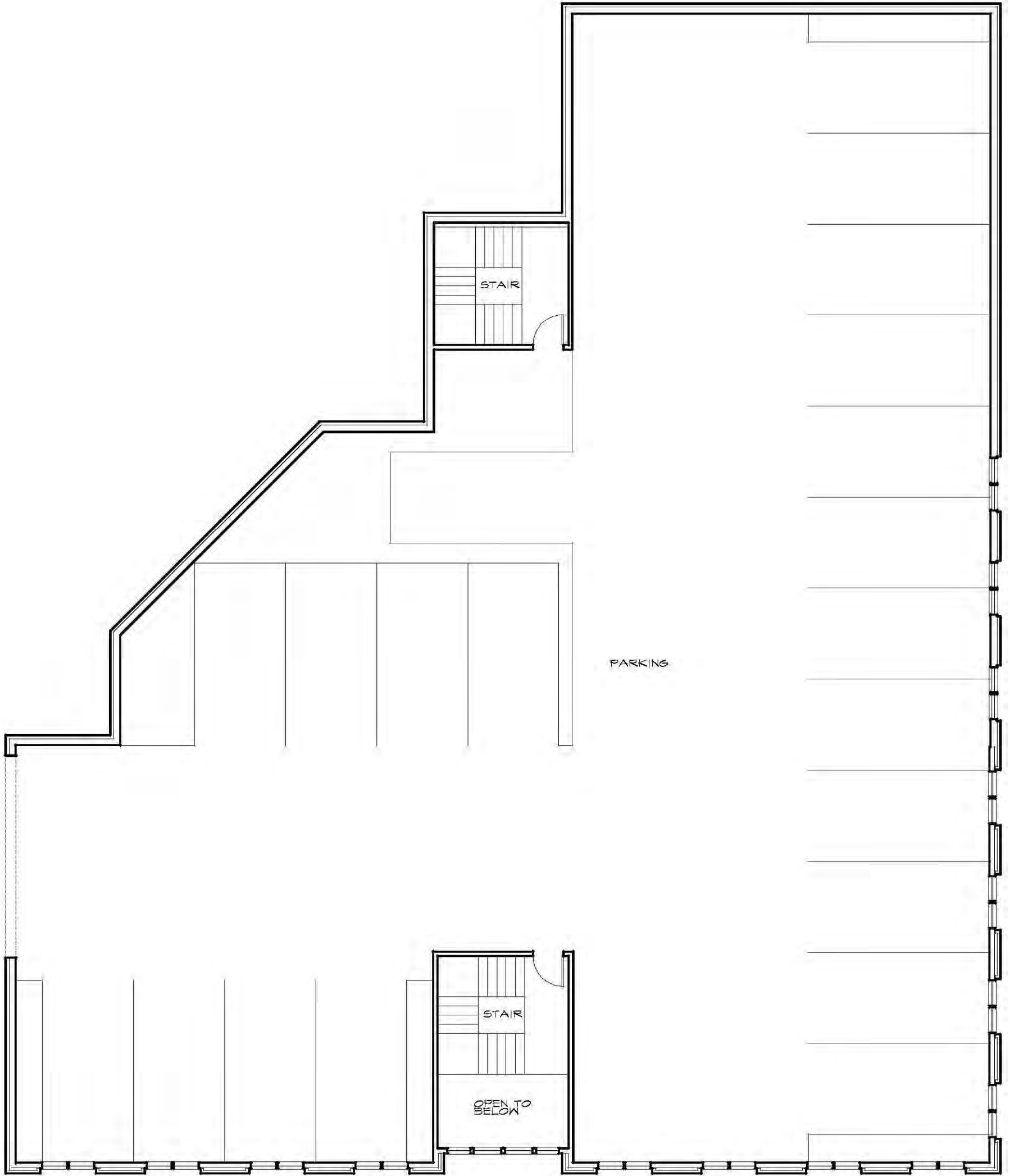
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1

**LEVEL B FLOOR PLAN**

3/32"=1'-0"

**SUP.02**

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
FLOOR PLAN

JOB NUMBER 1409

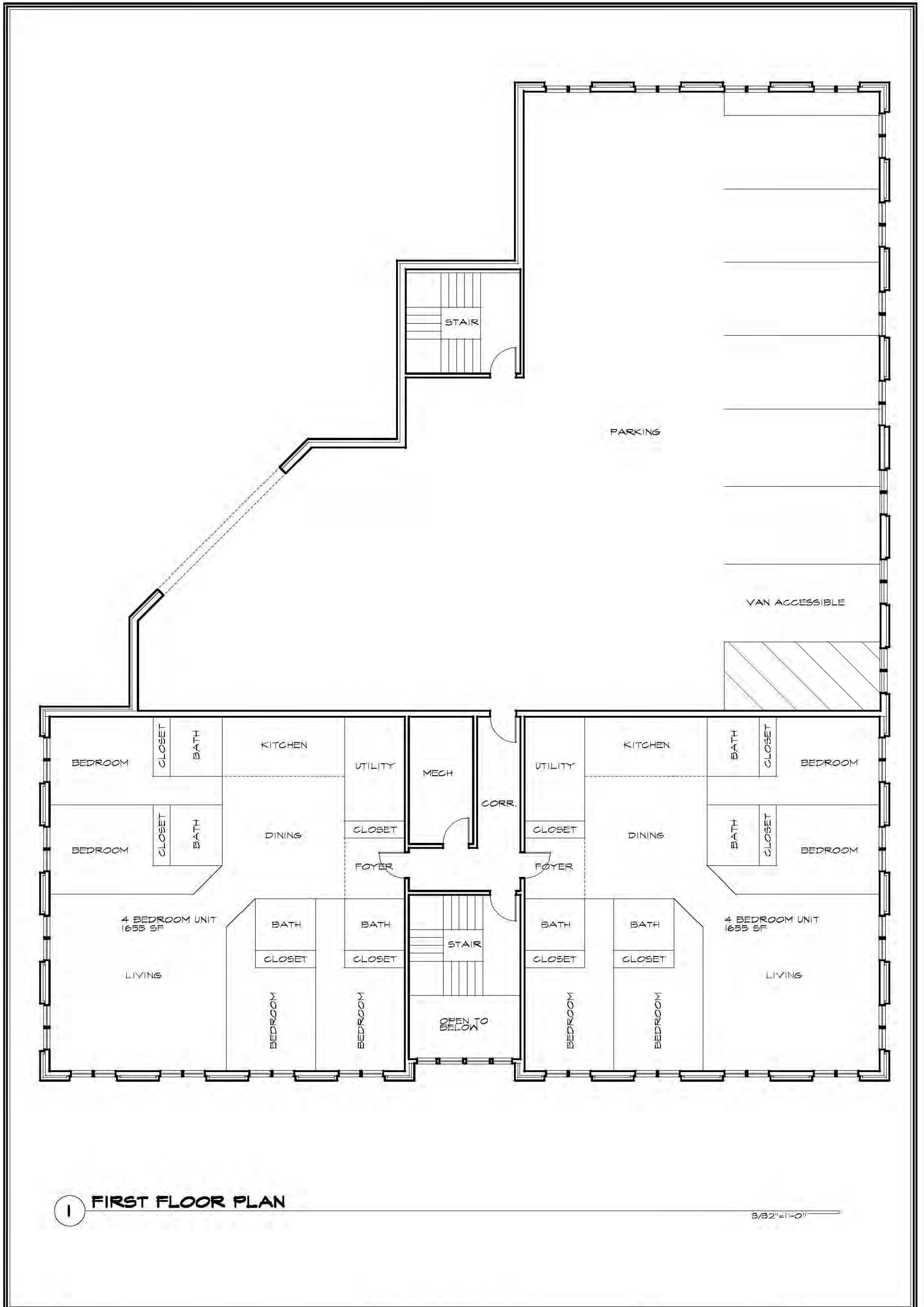
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**FIRST FLOOR PLAN**

3/32"=1'-0"

**SUP.03**

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
FLOOR PLAN

JOB NUMBER 1409

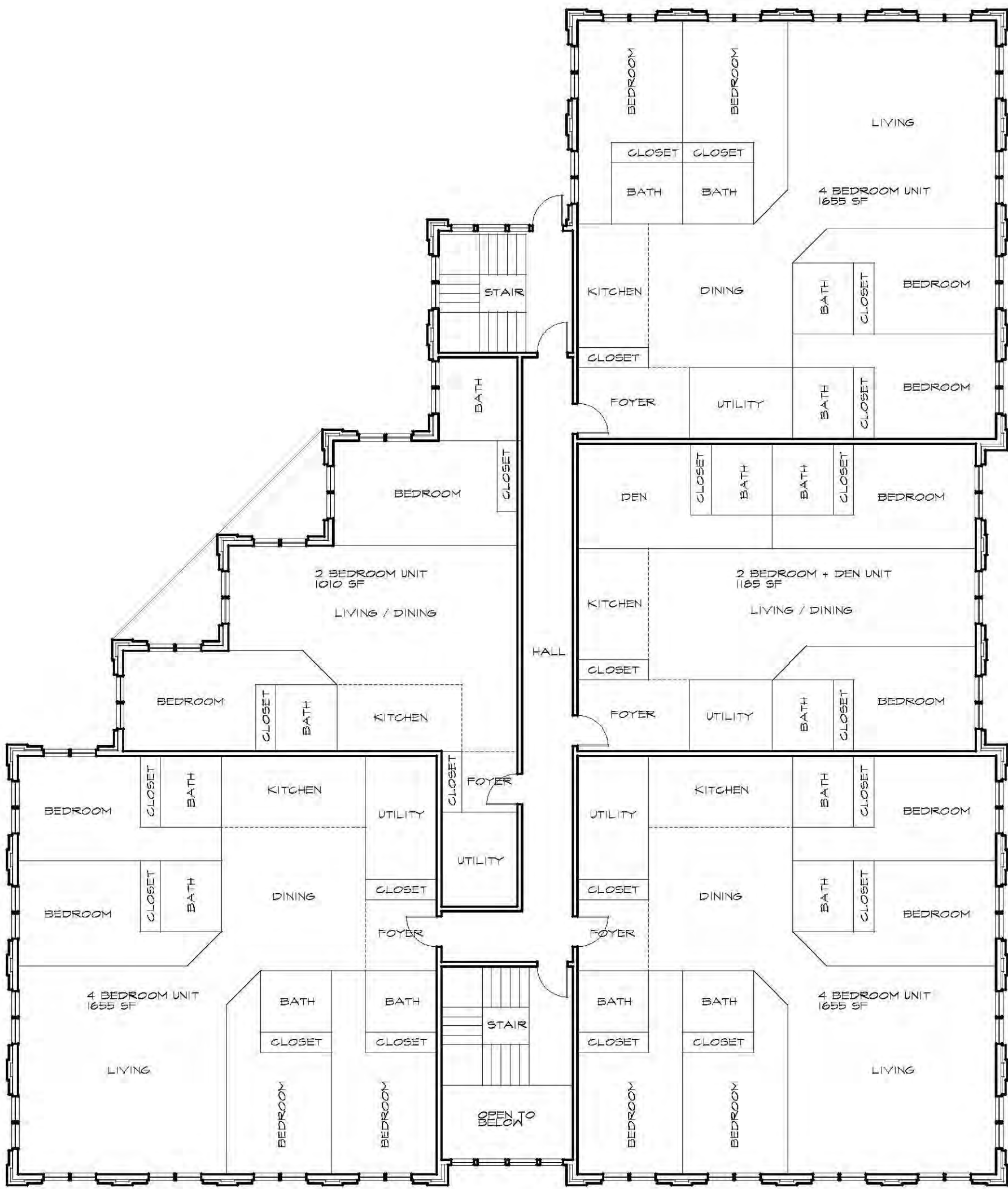
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1 SECOND FLOOR PLAN

3/32" = 1'-0"

**SUP.04**

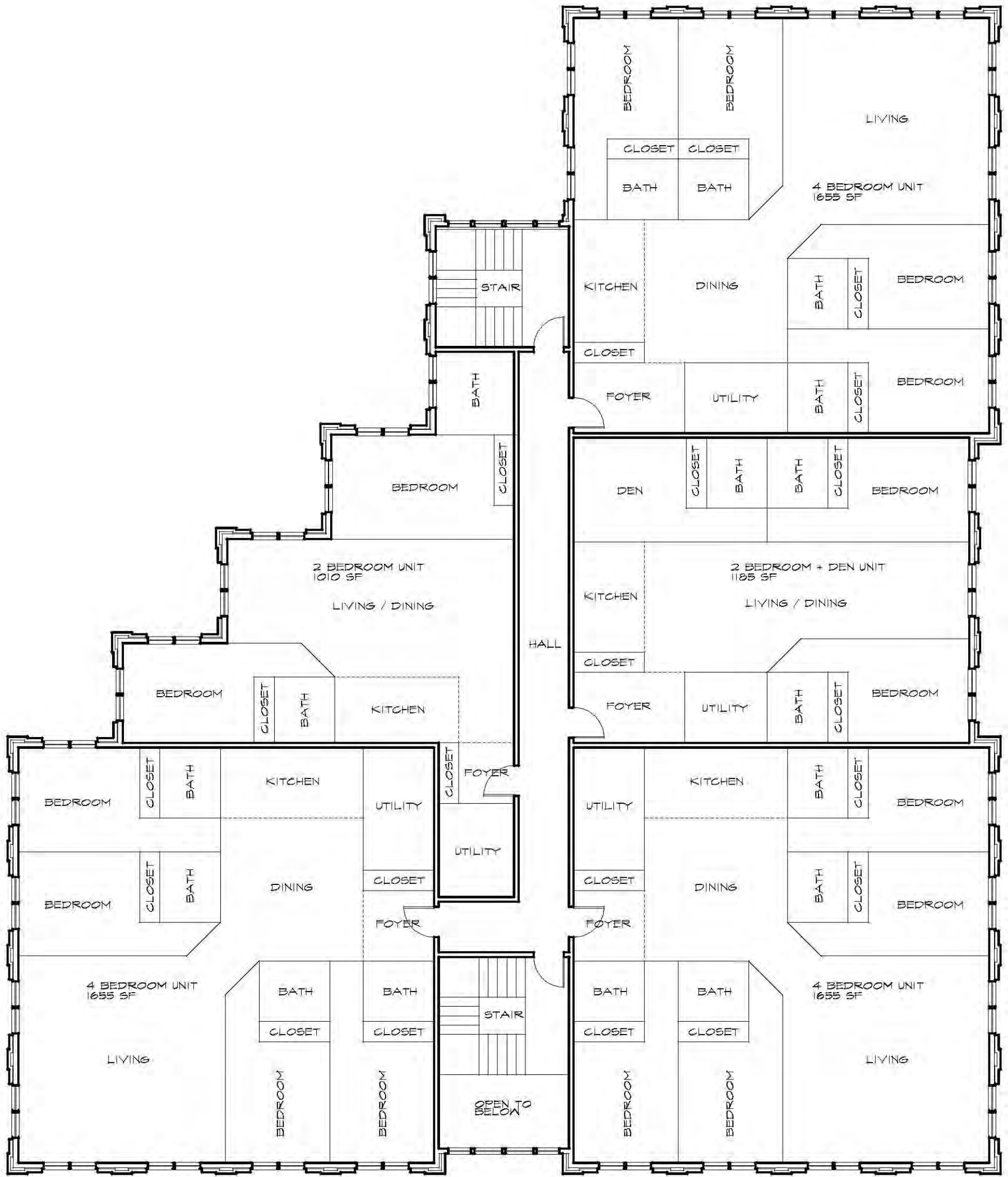
1725 JEFFERSON PARK AVENUE  
 SPECIAL USE PERMIT  
 APPLICATION PACKAGE  
 FLOOR PLAN

JOB NUMBER 1409 FILE NO. 1409-SUP-WORKFILE

NO.	DATE	DRAWING RELEASE
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1 THIRD FLOOR PLAN

3/32"=1'-0"

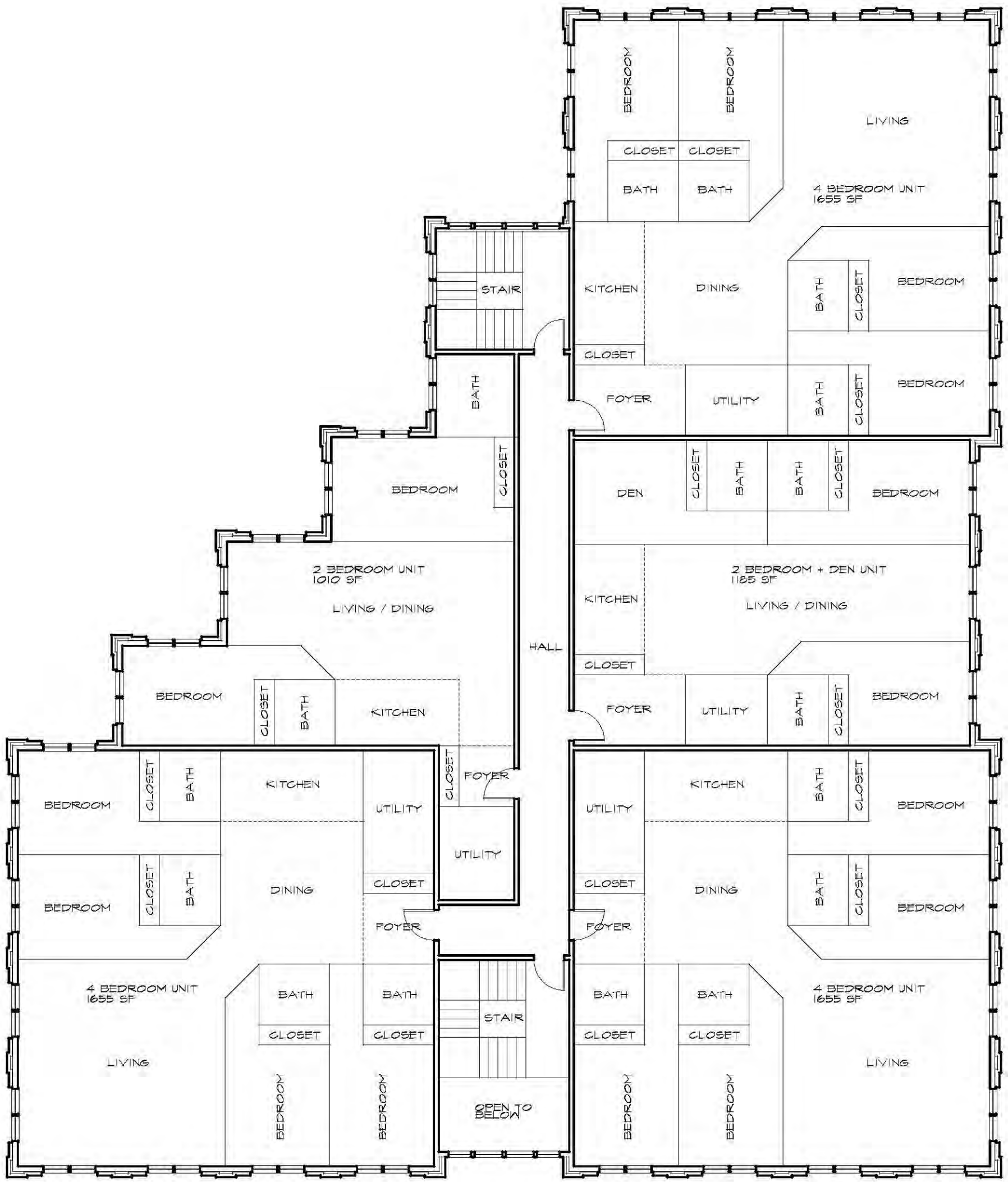
SUP.05

1725 JEFFERSON PARK AVENUE  
 SPECIAL USE PERMIT  
 APPLICATION PACKAGE  
 FLOOR PLAN

JOB NUMBER 1409 FILE NO. 1409-SUP-WORKFILE

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1 FOURTH FLOOR PLAN

3/32" = 1'-0"

SUP.06

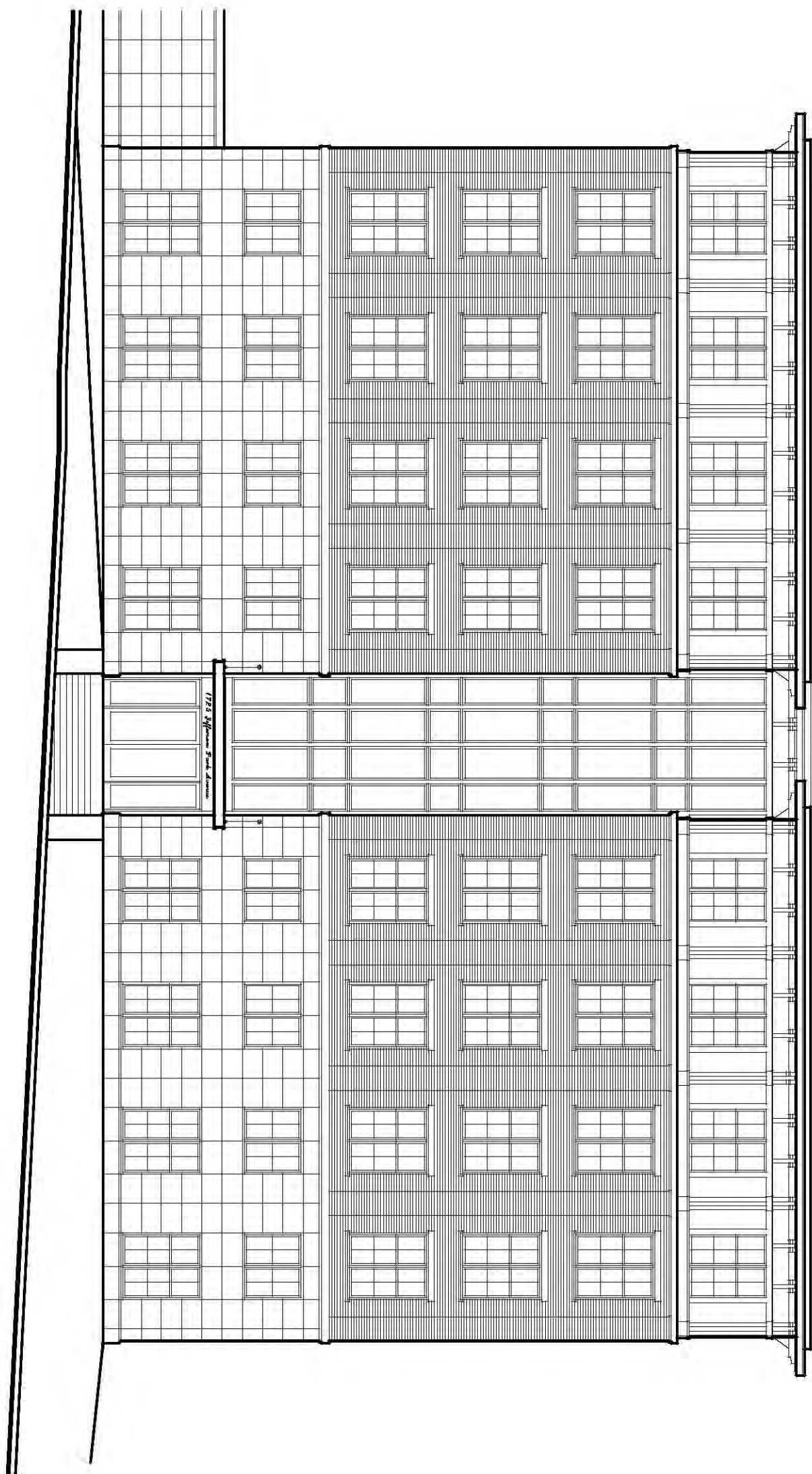
1725 JEFFERSON PARK AVENUE  
 SPECIAL USE PERMIT  
 APPLICATION PACKAGE  
 FLOOR PLAN

JOB NUMBER 1409 FILE NO. 1409-SUP-WORKFILE

NO.	DATE	DRAWING RELEASE
1	4-21-15	SUP SUBMISSION
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1 SOUTH (FRONT) ELEVATION



3/32"=1'-0"

SUP.07

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
BUILDING ELEVATION

JOB NUMBER 1409

FILE NO. 1409-SUP-WORKFILE

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NO.	DATE	REVISION

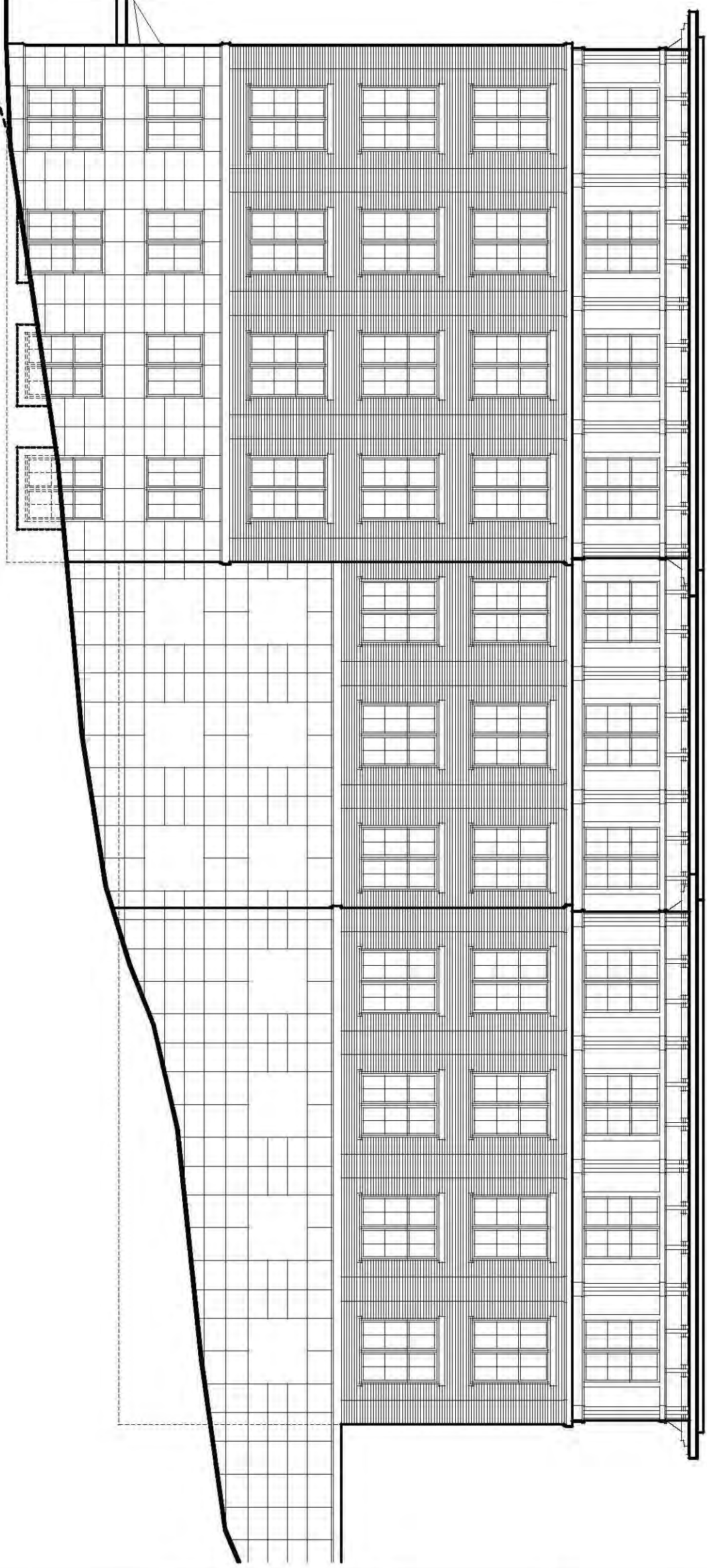


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1 EAST (RIGHT SIDE) ELEVATION



0-11-15/CS/E

SUP.08

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
BUILDING ELEVATION

JOB NUMBER 1409

FILE NO. 1409-SUP-WORKFILE

NO.	DATE	DRAWING RELEASE
1	4-21-15	SUP SUBMISSION
NO.	DATE	REVISION

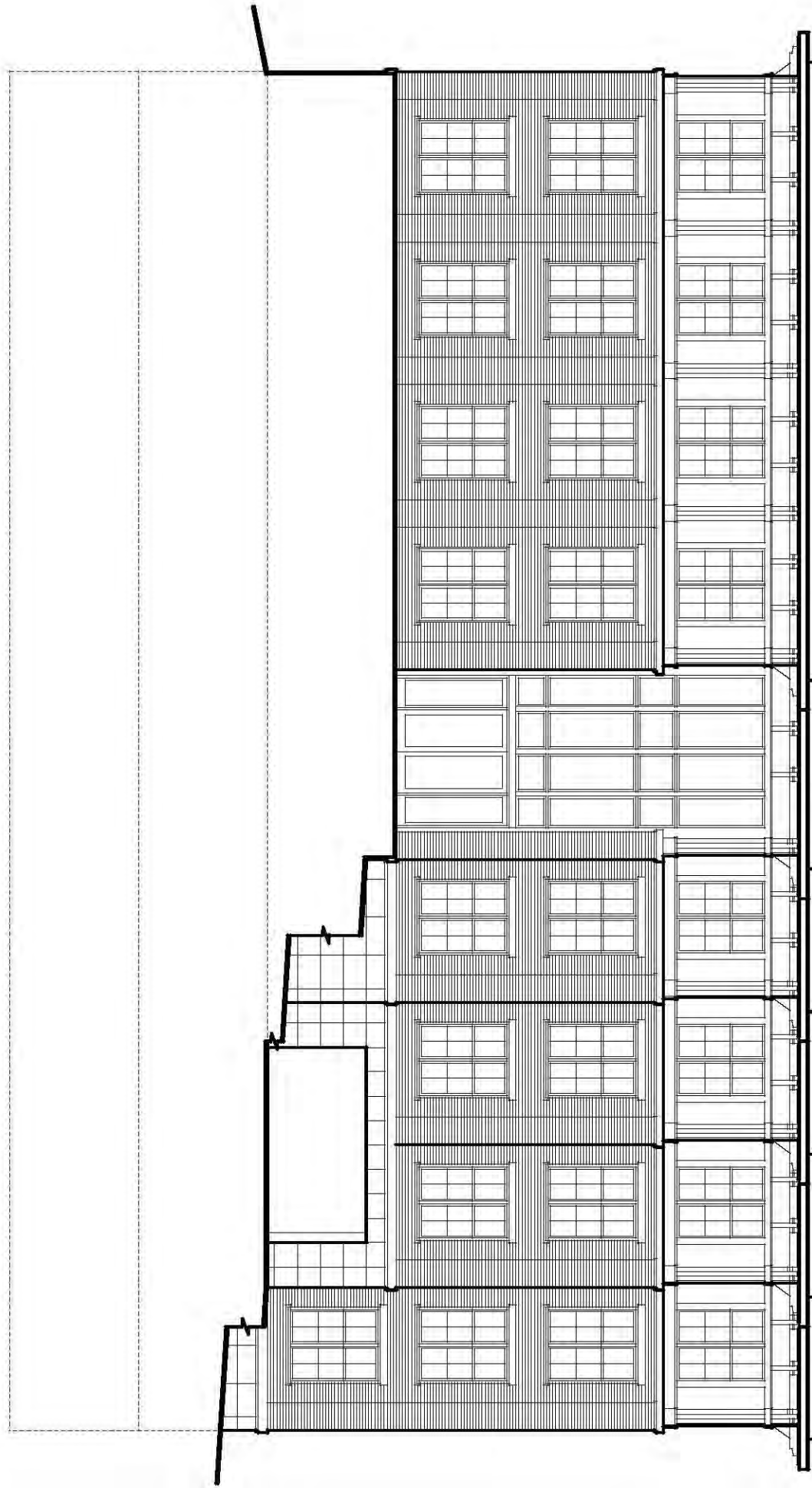


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1 NORTH (REAR) ELEVATION

3/32" = 1'-0"



SUP.09

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
BUILDING ELEVATION

JOB NUMBER 1409

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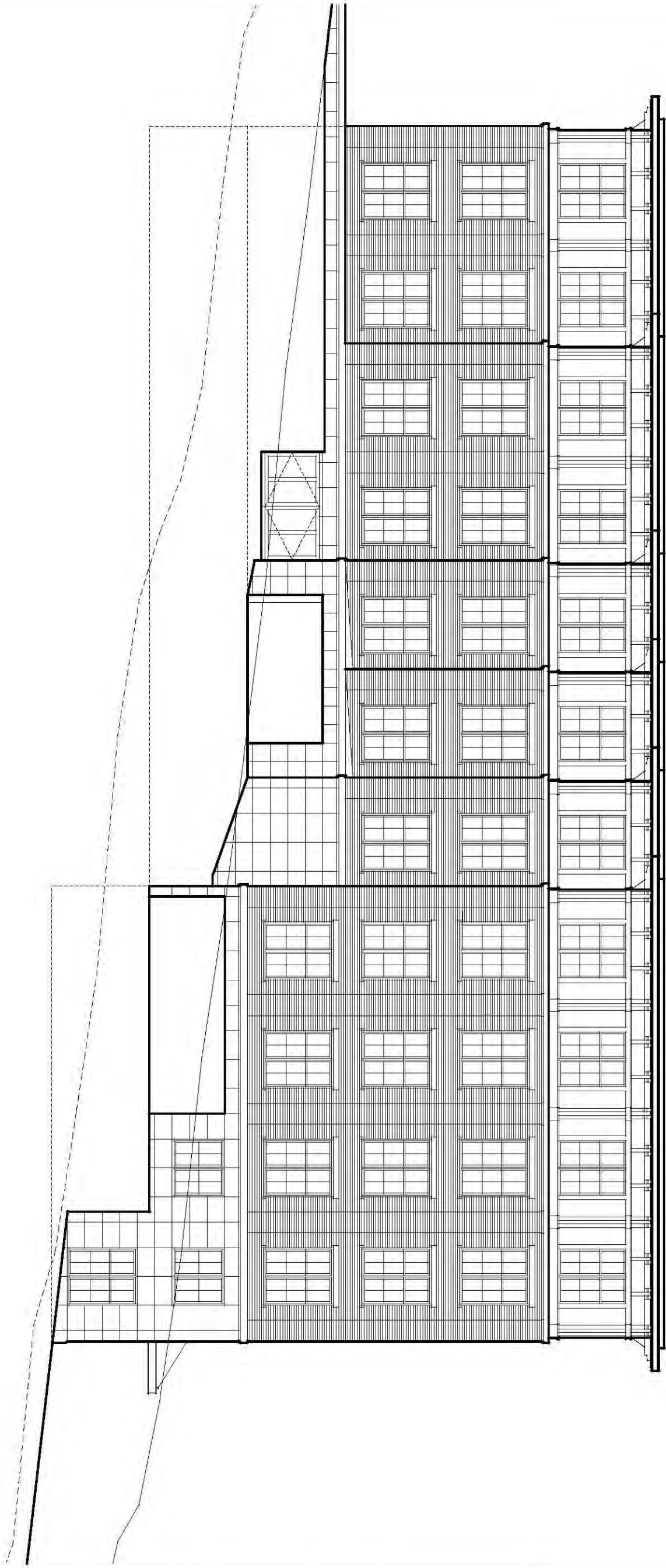
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1 WEST (LEFT SIDE) ELEVATION



3/8"=1'-0"

**SUP.10**

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
BUILDING ELEVATION

JOB NUMBER 1409

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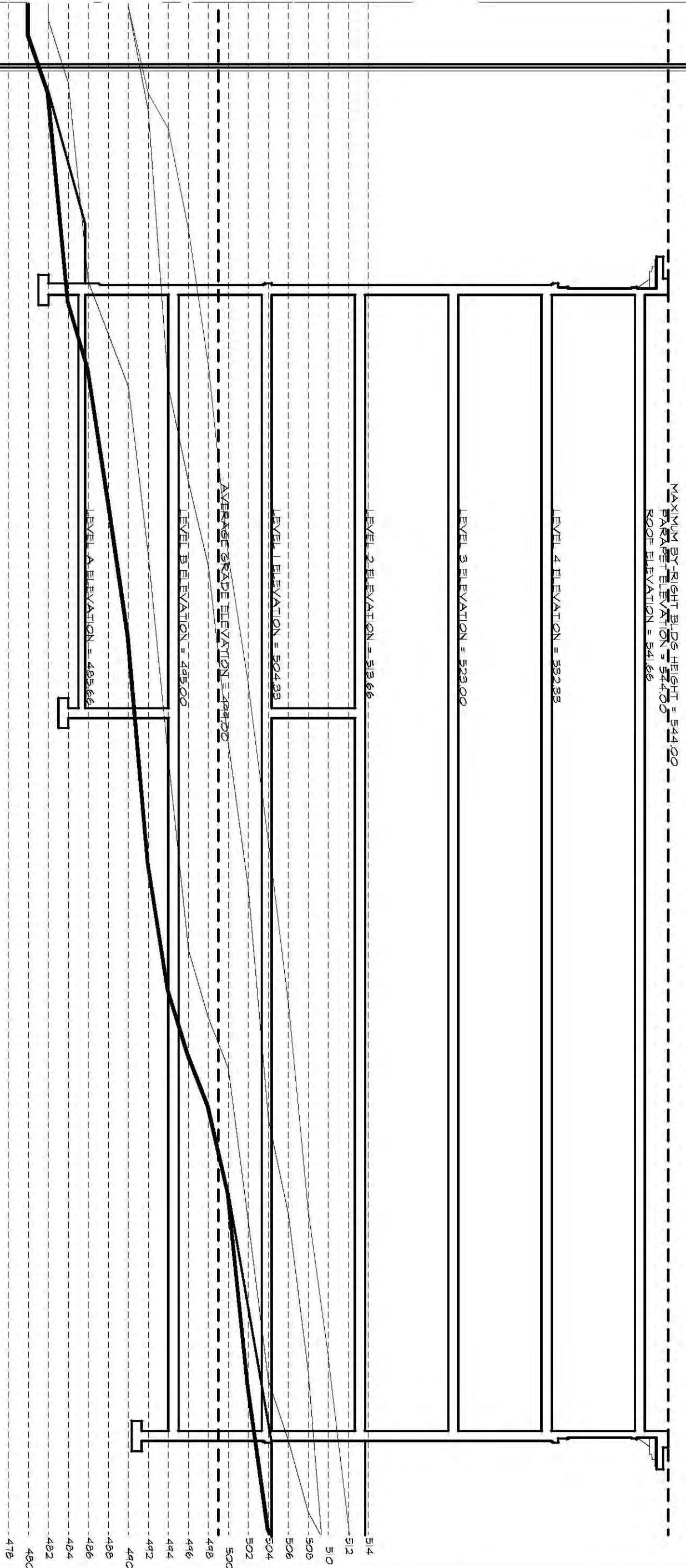
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**SITE / BUILDING SECTION**



3/32"=1'-0"

**SUP.11**

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
SITE / BUILDING SECTION

JOB NUMBER 1409

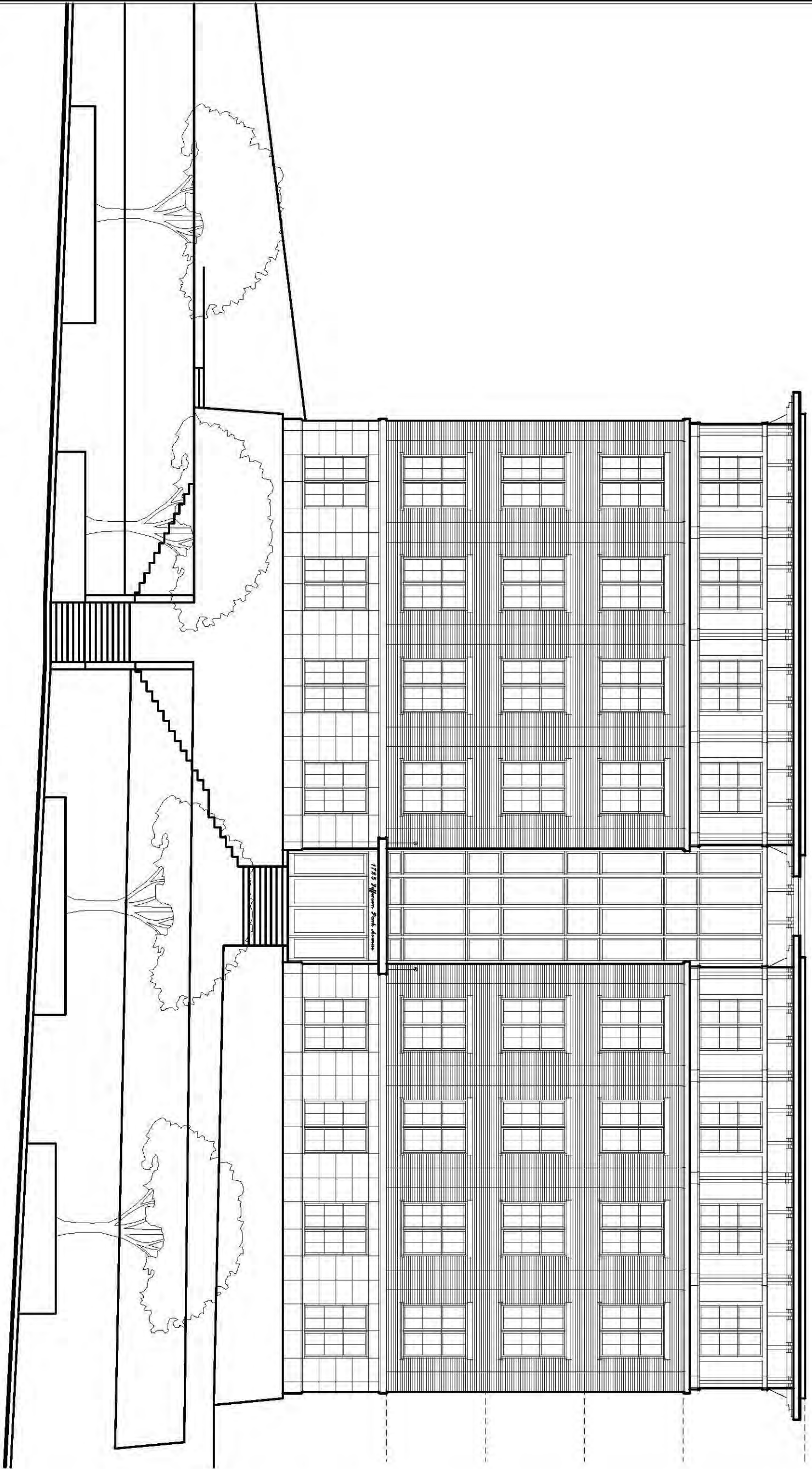
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SOUTH (FRONT) ELEVATION OF PREVIOUSLY SUBMITTED SCHEME



3/3/21=1'-0"

SUP.12

1725 JEFFERSON PARK AVENUE  
SPECIAL USE PERMIT  
APPLICATION PACKAGE  
PREVIOUS ELEVATION

JOB NUMBER 1409

FILE NO. 1409-SUP-WORKFILE

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**SITE & CONTEXT SECTION / ELEVATION (CUT THRU JPA)**



3/32" = 1'-0"

**SUP.13**

1725 JEFFERSON PARK AVENUE  
 SPECIAL USE PERMIT  
 APPLICATION PACKAGE  
 SITE & CONTEXT SECTION / ELEVATION

JOB NUMBER 1409      FILE NO. 1409-SUP-WORKFILE

NO.	DATE	DRAWING RELEASE
1	4-21-13	SUP SUBMISSION
NO.	DATE	REVISION

  
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 INC.**  
 1108 EAST HIGH STREET  
 CHARLOTTESVILLE, VA 22902  
 PHONE (434) 971-7202 FAX (434) 295-2413



**ATWOOD HENNINGSEN KESTNER  
ARCHITECTS  
INC.**

28 April 2015

**MEMORANDUM**

Neighborhood Development Services  
610 East Market Street  
Charlottesville, VA 22902  
Attn: Matt Alfele, City Planner

Re: 1725 JPA – Special Use Permit

Dear Mr. Alfele,

Thank you for taking time to review our submission and to help see our project through the appropriate processes. Based on comments from the commissioners and the neighbors along with an internal review of the project, have made a significant number of adjustments and concessions to the project in response. We offer the following points to accompany the images that we have submitted in hopes that we have successfully satisfied any and all concerns.

1. Reduced overall height of building by.
2. Lowered placement of building relative to context.
3. No longer asking for a height modification.
4. Reduced possible view concerns from neighbors.
5. Eliminated terraced retaining walls along JPA.
6. Lowered pedestrian entrance to street level.
7. Provided at grade sidewalk entrance to building.
8. Provided residential units at street level.
9. Adjusted design to provide street level residences on JPA.
10. Provided more separation between off street parking entrances.
11. Provided improvement and uniformity to Montebello Circle along the site.
12. Provided a pedestrian sidewalk on Montebello Circle along site. None currently exists.
13. Reduced proposed density/number of dwelling units from 22 to 19.
14. Adjusted structured parking to accommodate required number of spaces.

15. Eliminated neighbors concern of additional possible demands on the street parking.
16. Provided lawn and patios along JPA for recreation use.
17. Increased landscaping for more pleasant JPA pedestrian experience.
18. Provided lawn in rear for recreation use.
19. Intend to comply with Section 34-12.

I would be glad to discuss the project further with you and the board members at your convenience. Please do not hesitate to contact my office should you have any questions.

Sincerely,



Mark A. Kestner, AIA  
Principal



April 26, 2015

City of Charlottesville  
Dept. of Neighborhood Development Services  
P.O. Box 911  
Charlottesville, VA 22902  
Attn: Missy Creasy, Interim Director

Dear Ms. Creasy:

Re: SP15-00001 – 1725 JPA Apartments

As an adjacent property owner, I will be unable to attend the May 12 Planning Commission meeting at which the above-referenced application for Special Use Permit will be considered, so I would like to take this opportunity to express my concerns on this matter.

Approval of this application would more than triple the residential density of this property, already at 21 DUA. In addition, it would exceed current setback requirements, crowding up against neighboring properties, sidewalks, and streets. These regulations were put in place after careful consideration by the city, and exist for good reasons. Those of us who own property in the area were made aware of these zoning rules, and purchased our properties with an understanding that we would have to abide by them.

While I acknowledge the need for adequate student housing in our community, hundreds, if not thousands, of student housing units have been created in the area over the last several years, and no shortage of such housing appears to exist at this time. The property in question lies within a city Entrance Corridor Overlay, and attempts should be made to protect the character and diversity of the area. The building currently on the site, while not technically historical, is a classic example of mid-twentieth century architecture and design, and part of the history of the University and our city. I assume that it would be demolished for this project, and replaced by another soulless, featureless box into which as many students as possible would be packed, with little or no concern for aesthetics or the character of the neighborhood.

Thank you for considering my comments. Please keep me apprised of further developments in this matter. Thank you.



Karen Grecus  
210 Roberts Ridge Lane  
Nellysford VA 22958

Owner, 1800 JPA #803 & 1800 JPA #910

**CITY OF CHARLOTTESVILLE  
ENTRANCE CORRIDOR REVIEW BOARD  
STAFF REPORT**



**Special Use Permit Recommendation**

Property Street Address: 1725 Jefferson Park Avenue

Zoning: R-3 Residential

Tax Parcel: 160016000

Site Acreage: 0.385 acres (16,770 sq ft)

Date of Hearing: May 12, 2015

Application Number: SP-15-00001

Staff report prepared by: Mary Joy Scala, Preservation and Design Planner

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**Relevant Code Section: Sec. 34-157(7)** When the property that is the subject of the application for a special use permit (SUP) is within a design control district, city council shall refer the application to the Board of Architectural Review (BAR) or Entrance Corridor Review Board (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.

**Background:** This site is currently occupied by a small, two-story brick apartment building. The applicant is requesting a SUP to increase the residential density of the subject property, from its current (8) units maximum (21 DUA) to a (24) units maximum (64 DUA), although the corresponding site plan only calls for (19) units. The proposed development would reduce side yard setbacks from the current (1') setback per every (4') of height (minimum 10') and (20') corner street minimum to a proposed (5') minimum.

**Discussion and Recommendations:** Before City Council takes action to permit the proposed use, they must consider the ERB's opinion whether there are any adverse impacts to the entrance corridor (EC) district that could be mitigated with conditions. A special use permit is an important zoning tool that allows City Council to impose reasonable conditions to make a use more acceptable in a specific location, and to "protect the welfare, safety and convenience of the public."

In staff opinion, the proposed SUP request for additional density and reduced side yards will not have an adverse impact on the EC district. The added density does not impact the building visually; the reduced side yards will not appear out of character with the corridor.

The required entrance corridor review will address visually important elements, including the landscape plan, building materials and type of windows.

**Suggested Motions:** I move to find that the proposed special use permit to allow additional density and reduced side yard setbacks at 1725 Jefferson Park Avenue will not have an adverse impact on the Jefferson Park Avenue Entrance Corridor district.