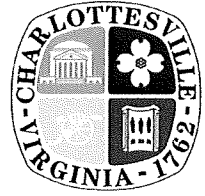


**From:** Scala, Mary Joy  
**Sent:** Thursday, January 22, 2015 2:04 PM  
**To:** Haluska, Brian  
**Subject:** BAR Action - Jan 20, 2015 - 100 E Water Street SUP

The BAR at its meeting on January 20, 2015, recommended to City Council that the proposed special use permit to allow a farmer's market (City Market) as a temporary use at 100 E Water Street will not have an adverse effect on the Downtown ADC district, and the BAR recommended approval of the special use permit.

**Mary Joy Scala, AICP**  
Preservation and Design Planner  
City of Charlottesville  
Department of Neighborhood Development Services  
City Hall – 610 East Market Street  
P.O. Box 911  
Charlottesville, VA 22902  
Ph 434.970.3130 FAX 434.970.3359  
[scala@charlottesville.org](mailto:scala@charlottesville.org)

**CITY OF CHARLOTTESVILLE  
BOARD OF ARCHITECTURAL REVIEW  
STAFF REPORT  
January 20, 2015**



**Special Use Permit Recommendation**

100 East Water Street

Tax Parcel 280062000

CPC Inc., Owner/Skyview Parking LLC, Applicant

City Market (temporary location)

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**Background**

100 E Water Street is a parking lot opposite Live Arts Theater and the Water Street parking garage, located in the Downtown ADC District.

It is anticipated that this site will be used as a temporary location for City Market while Market Plaza is under construction.

December 16, 2014 – The BAR approved (8-0) a request to install two pay stations, and to re-stripe the parking lot to accommodate the temporary City Market, including a new 24-foot wide, two-way vehicular entrance to be added on South Street, with the recommendation to the Planning Commission that an entrance on 2<sup>nd</sup> Street SE [opposite the Water Street parking garage entrance] be constructed in lieu of the existing entrance on Water Street.

**Application**

The BAR is being asked to make a recommendation regarding the proposed special use permit (SUP). Market Plaza, LLC has requested a SUP to allow a farmer's market (City Market) to operate as a temporary use on this site. The Planning Commission will review the SUP on January 13, 2015.

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

**Criteria, Standards and Guidelines**

**Review Criteria Generally**

*Sec. 34-284(b) of the City Code states that,*

*In considering a particular application the BAR shall approve the application unless it finds:*

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the Design Guidelines established by the board pursuant to Sec.34-288(6); and*
- (2) The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the protected property that is the subject of the application.*

**Pertinent Standards for Review of Construction and Alterations include:**

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;*
- (2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;*
- (3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;*
- (4) The effect of the proposed change on the historic district neighborhood;*
- (5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;*
- (6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;*
- (8) Any applicable provisions of the City's Design Guidelines.*

### **Pertinent Guidelines for Site Design include:**

#### **F. PARKING AREAS & LOTS**

*Most of the parking areas in the downtown consist of public or private surface lots or parking decks. Along West Main Street, Wertland Street, and the Corner, some larger lots have parking areas contained within the individual site.*

- 1) If new parking areas are necessary, construct them so that they reinforce the street wall of buildings and the grid system of rectangular blocks in commercial areas.*
- 2) Locate parking lots behind buildings.*
- 3) Screen parking lots from streets, sidewalks, and neighboring sites through the use of walls, trees, and plantings of a height and type appropriate to reduce the visual impact year-round.*
- 4) Avoid creating parking areas in the front yards of historic building sites.*
- 5) Avoid excessive curb cuts to gain entry to parking areas.*
- 6) Avoid large expanses of asphalt.*
- 7) On large lots, provide interior plantings and pedestrian walkways.*
- 8) Provide screening from adjacent land uses as needed.*
- 9) Install adequate lighting in parking areas to provide security in evening hours.*
- 10) Select lighting fixtures that are appropriate to a historic setting.*

### **Discussion and Recommendations**

Before City Council takes action to permit the proposed use, they must consider the BAR's opinion whether there are any adverse impacts to the Downtown ADC 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." Suggested motions are listed below.

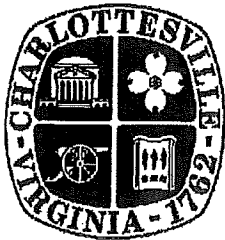
### **Alternate Motions Regarding the SUP**

I move to find that the proposed special use permit to allow a farmer's market (City Market) as a temporary use **will not** have an adverse impact on the Downtown Architectural Design Control (ADC) District, and the BAR recommends approval of the Special Use Permit.

I move to find that the proposed special use permit to allow a farmer's market (City Market) as a temporary use **will** have an adverse impact on the Downtown Architectural Design Control (ADC) District, and the BAR recommends approval of the Special Use Permit **with the following conditions** to mitigate the adverse impacts:

- 1.** An entrance on 2<sup>nd</sup> Street SE [opposite the Water Street parking garage entrance] should be constructed in lieu of the existing entrance on Water Street....

SP 14-00006



## SPECIAL USE PERMIT APPLICATION

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

For Non-Residential and Mixed Use projects, please include \$1,500 application fee. For Residential projects, please include \$1,800 application fee; checks payable to the City of Charlottesville. All petitioners must pay \$1.00 per required mail notice to property owners, plus the cost of the required newspaper notice. Petitioners will receive an invoice for these notices and approval is not final until the invoice has been paid.

I (we) the undersigned property owner(s), contract purchaser(s) or owner's agent(s) do hereby petition the Charlottesville City Council for a special permit to use the property located at: East Water Street (address), zoned: WS, for: operation of a temporary city market.

### A. Property Information – Please note on the back of this form any applicable deed restrictions.

1. 197 feet of frontage on Water Street (name of street)
2. Approximate property dimensions: 197 feet by 220 feet.
3. Property size: .9920 (square feet or acres)
4. Present Owner: CPC/Woodard Properties on 11/15 (Name) as evidenced by deed recorded in Deed Book Number \_\_\_\_\_ Page \_\_\_\_\_, with the Clerk of the Circuit Court
5. Mailing Address of Present Owner: \_\_\_\_\_
6. City Real Property Tax Map Number 28 Parcel(s) 62, \_\_\_\_\_; Lot(s): \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

### B. Adjacent Property Owners' Addresses (Use the back of this form if necessary.)

	<u>Property Owner Name</u>	<u>Mailing Address</u>	<u>City Tax Map and Parcel #</u>
1.	_____	_____	_____
2.	_____	_____	_____
3.	_____	_____	_____
4.	_____	_____	_____

### C. Applicant Information – Please note that if the applicant is not the owner, proof of status as contract purchaser or owner's agent must be furnished. (Office Use: Proof Furnished \_\_\_\_\_)

Applicant's Name City of Charlottesville  
Mailing Address PO Box 911 CVille 22908  
Applicant's Phone Number(s): (434) 970-3101 Work \_\_\_\_\_ Home \_\_\_\_\_  
Applicant's Signature Matthew Jordan

### D. Attachments Submitted by the Applicant

1. A required site plan was previously submitted on \_\_\_\_\_ (Date) with the required fee, for a pre-application review conference on \_\_\_\_\_ (Date). This site plan was prepared by:  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_
2. Other attachments as required by Section 34-158 of the City Code (Office Use: Submitted \_\_\_\_\_).
3. The correct application fee (see above). n/a

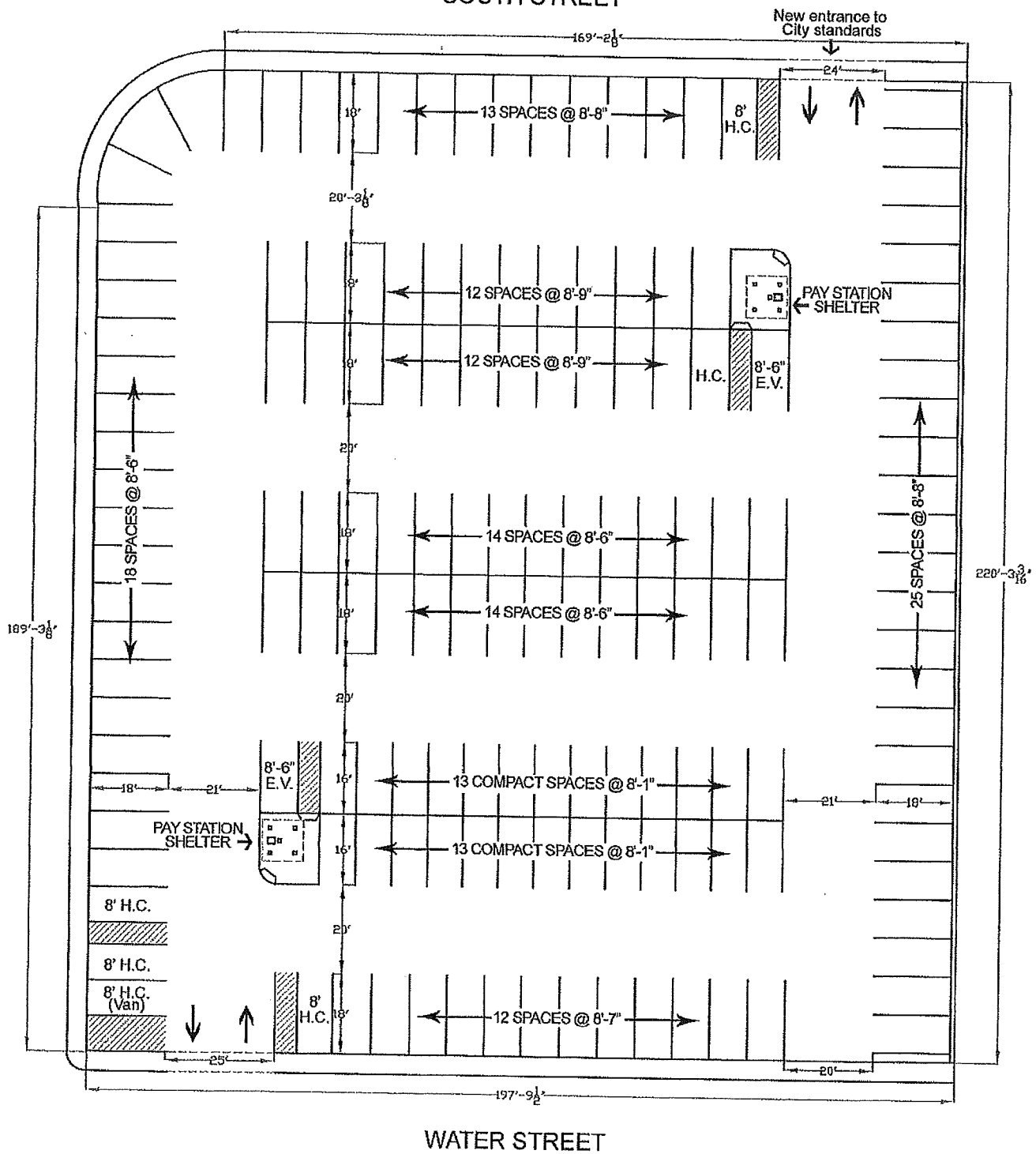
### For Office Use Only

I certify that the sign(s) as required by Section 34-44 of the City Code as amended has been posted on the following date: \_\_\_\_\_

Signature: \_\_\_\_\_ (Zoning Administrator)

Amt. Paid n/a Date Paid \_\_\_\_\_ Cash/Check # \_\_\_\_\_ Received by \_\_\_\_\_

SOUTH STREET



SCALE = 1/32"



224 14th Street N.W. Charlottesville VA, 22903

# SKYVIEW PARKING PLAN

CHARLOTTESVILLE, VIRGINIA

For:

Woodard Properties

DATE:  
12/05/2014