

Agenda

**CITY OF CHARLOTTESVILLE
PLANNING COMMISSION REGULAR DOCKET
TUESDAY, AUGUST 12, 2008 – 5:30 P.M.
CITY COUNCIL CHAMBERS**

I. PLANNING COMMISSION GATHERING -- 4:30 P.M. (Held in the NDS Conference Room) Commissioners gather to eat dinner and communicate with staff. (4:30-5:30 P.M.)

II. REGULAR MEETING -- 5:30 P.M.

A. COMMISSIONERS' REPORTS

B. CHAIR'S REPORT

C. DEPARTMENT OF NDS/STAFF REPORTS

D. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA

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

1. List of site plans and subdivisions approved administratively
2. Minutes – June 10, 2008 – Regular Meeting
3. Minutes - July 22, 2008 – Pre-meeting
4. Minutes - July 22, 2008 – Regular meeting

F. STEEP SLOPE WAIVER REQUESTS

1. 617 9th Street SW - Aquatics Center at Buford and Boys & Girls Club **[STAFF REPORT]** 

III. JOINT PUBLIC HEARINGS (Beginning at 6:30 P.M.)

G. JOINT PUBLIC HEARINGS

1. ZT-08-06-14 - An ordinance to amend and reordain Section 34-273(b) of the Code of the City of Charlottesville, 1990, as amended (Zoning Ordinance) relating to Individually Protected properties by creating an “overlay” zoning restriction without affecting the underlying zoning district designation. This ordinance would create minor design control districts status for the following:

- a.** The structure and property at 134 10th Street NW (Former Coca Cola Bottling Works), Tax Map 31, Parcel 156.
- b.** The original 1937 section of the former Monticello Dairy building and other wings identified as “J,K,L,M,N,O, and P” on a 1985 drawing titled “Old Monticello Dairy Property,” and part of the existing parcel bounded by the rear wall of the designated building sections, the east wall of Section “J,” and the areas in front of the building extending to Grady Avenue on the north, and extending to 10th Street NW on the west at 946 Grady Avenue, Tax Map 31, Parcel 60.
- c.** The structure and property at 722 Preston Avenue (Coca Cola building), Tax Map 31, Parcel 38.
- d.** The structure and property at 2115 Jefferson Park Avenue (Fry’s Spring Service Station), Tax Map 17, Parcel 88
- e.** The Wachovia bank building (Former National Bank and Trust) at 901 Emmet Street and part of the existing parcel, described as a polygon containing the entire building including the rear canopy, and enclosed by a line drawn parallel to the Arlington Boulevard property line from the northeast corner of the rear canopy to the Emmet Street property line; a line drawn parallel to the Emmet Street property line from the northwest corner of the rear canopy to

the Arlington Boulevard property line; and the existing property lines along Arlington Boulevard and Emmet Street that connect these two lines, Portion of Tax Map 1, Parcel 1.

ZM-08-06-15 - An ordinance to amend and reordain the Zoning District Map incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, by adding minor Architectural Design Control Districts for the following:

a. The property at 134 10th Street NW, further identified on City Real Property Tax Map #31 as parcel 156 having 150 feet of frontage on 10th Street NW and containing approximately 20,560 square feet of land or 0.472 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Multi Family Residential. The current underlying zoning, which will remain, is B-3.

b. A portion of the parcel at 946 Grady Avenue, further identified on City Real Property Tax Map #31 as parcel 60 having 450 feet of frontage on Grady Avenue and containing approximately 172,192 square feet of land or 3.953 acres. The original 1937 section of the former Monticello Dairy building and other wings identified as "J,K,L,M,N,O, and P" on a 1985 drawing titled "Old Monticello Dairy Property," and part of the existing parcel, bounded by the rear wall of the designated building sections, the east wall of Section "J," and the areas in front of the building extending to Grady Avenue on the north, and extending to 10th Street NW on the west are the only structure and portion of the parcel under consideration for this map amendment. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Commercial Use. The current underlying zoning, which will remain, is Central City Corridor.

c. The property at 722 Preston Avenue is further identified on City Real Property Tax Map #31 as parcel 38 having approximately 175 feet of frontage on Preston Avenue and containing approximately 41,643 square feet of land or 0.956 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Commercial Use. The current underlying zoning, which will remain, is Central City Corridor.

d. The property at 2115 Jefferson Park Avenue is further identified on City Real Property Tax Map #17 as parcel 88 having approximately 104 feet of frontage on Jefferson Park Avenue and 150 feet on Maury Avenue and containing approximately 13,242 square feet of land or 0.304 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Multi Family Residential. The current underlying zoning, which will remain, is R-3. (See #5 for additional information on the zoning of this property)

e. A portion of the parcel at 901 Emmett Street further identified on City Real Property Tax Map #1 as parcel 1 having approximately 2200 feet of frontage on Emmett Street and containing approximately 964,026 square feet of land or 22.131 acres. The Wachovia bank building (Former National Bank and Trust) and part of the existing parcel described as a polygon containing the entire building including the rear canopy, and enclosed by a line drawn parallel to the Arlington Boulevard property line from the northeast corner of the rear canopy to the Emmet Street property line; a line drawn parallel to the Emmet Street property line from the northwest corner of the rear canopy to the Arlington Boulevard property line; and the existing property lines along Arlington Boulevard and Emmet Street that connect these two lines, are the only structure and portion of the property under consideration for this map amendment. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Commercial Use. The current underlying zoning, which

will remain, is Urban Corridor. **Report prepared by Mary Joy Scala, Preservation Planner. Hearing continued from July 22, 2008 Planning Commission meeting. [STAFF REPORT]**

7:00 P.M.

2. SP-08-07-19 - (617 9th Street SW – Boys & Girls Club) An application for a special use permit for the property at 617 9th Street SW. This is a request to allow for a club use in the R-1S zoning classification. A parking waiver will also be considered for this site. This property is further identified on City Real Property Tax Map #23 as parcel 192 having approximately 490 feet of frontage on 9th street SW and containing approximately 821.890 square feet of land or 18.868 acres. The zoning of this property is currently R-1S and general uses called for in the Land Use Plan

of the Comprehensive Plan are for Public, Semi Public. **Report prepared by Ebony Walden, Neighborhood Planner.** [\[STAFF REPORT\]](#) 

7:15 P.M.

3. ZM-08-07-20 - (600 Cherry Avenue) A petition to rezone from R-3 Residential to Cherry Avenue Corridor, the property at 600 Cherry Avenue. The application is to allow for a restaurant use. This property is further identified on City Real Property Tax Map #29 as parcel 233.3 having approximately 100 feet of frontage on Cherry Avenue and containing approximately 23,522 square feet of land or 0.54 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Neighborhood Commercial. **Report prepared by Ebony Walden, Neighborhood Planner.** [\[STAFF REPORT\]](#) 

7:30 P.M.

4. SP-08-07-21 - (600 Cherry Avenue) An application for a special use permit for the property at 600 Cherry Avenue. This is a request for use of the drive through window associated with a fast food restaurant use. This property is further identified on City Real Property Tax Map #29 as parcel 233.3 having approximately 100 feet of frontage on Cherry Avenue and containing approximately 23,522 square feet of land or 0.54 acres. The zoning of this property is currently R-3 and general uses called for in the Land Use Plan of the Comprehensive Plan are for Neighborhood Commercial. **Report prepared by Ebony Walden, Neighborhood Planner.** (see ZM-08-07-20 for further information 9) [\[STAFF REPORT\]](#) 

8:00 P.M.

5. SP-08-07-22 - (1600 Monticello Avenue) An application for a special use permit for the property at 1600 Monticello Avenue. This is a request for increased density from 21 DUA to 43 DUA. This property is further identified on City Real Property Tax Map #60 as parcel 252.1 having approximately 168 feet of frontage on Monticello Avenue and containing approximately 17,424 square feet of land or 0.40 acres. The zoning of this property is currently Highway Corridor with Entrance Corridor Overlay and general uses called for in the Land Use Plan of the Comprehensive Plan are for Commercial Use. **Report prepared by Brian Haluska, Neighborhood Planner.** [\[STAFF REPORT\]](#) 

1. Entrance Corridor Review Board Recommendation

2. Recommendation on the Special Use Permit

8:30 P.M.

6. SP-08-07-23 - (1003 West Main Street) An application for a special use permit for the property at 1003 West Main Street. This is a request for additional building height of 10 feet (for a total of 70 feet) and a reduced setback on 10 ½ Street from 5 feet to a zero foot setback. Additionally a request has been made for permission to encroach 5.68 feet into the right of way airspace on West Main Street. This property is further identified on City Real Property Tax Map #10 as parcel 51 having approximately 75 feet of frontage on West Main Street and containing approximately 16,656 square feet of land or 0.38 acres. The zoning of this property is currently West Main North Corridor and general uses called for in the Land Use Plan of the Comprehensive Plan are for Mixed Use. **Report prepared by Nick Rogers, Neighborhood Planner.** [\[STAFF REPORT\]](#) 

9:15 P.M.

7. SP-08-07-24 – (608 -612 Preston Avenue) An application for a special use permit for the property at 608 -612 Preston Avenue. This is a request to allow a dance hall within the Central City Corridor. This property is further identified on City Real Property Tax Map #32 as parcel 14 having approximately 165 feet of frontage on Preston Avenue and containing approximately 74,488 square feet of land or 1.71 acres. The zoning of this property is

currently Central City Corridor and general uses called for in the Land Use Plan of the Comprehensive Plan are for Commercial Use. **Report prepared by Nick Rogers, Neighborhood Planner.** [\[STAFF REPORT\]](#) 

9:45 P.M.

8. ZT-08-07-25 - An ordinance to amend and reordain Section 34-273(b) of the Code of the City of Charlottesville, 1990, as amended (Zoning Ordinance) relating to Individually Protected properties by creating an “overlay” zoning restriction without affecting the underlying zoning district designation. This ordinance would create minor design control districts status for the following:

ii. The Patterson wing structure of the Martha Jefferson Hospital and a part of the existing parcel that extends from the Patterson Wing east to Locust Avenue and south to E. High Street at 459 Locust Avenue, Tax Map 53, Parcel 234.

iii. The coal tower and part of the existing parcel delineated on an approved preliminary site plan as an approximately 70 ft. square containing the tower at 133-155 Carlton Road, Tax Map 57, Parcel 157.

ZM-08-07-26 - An ordinance to amend and reordain the Zoning District Map incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, by adding minor Architectural Design Control Districts for the following:

a. A portion of the parcel at 459 Locust Avenue, further identified on City Real Property Tax Map #53 as parcel 234 having 325 feet of frontage on Locust Avenue and containing approximately 353,402 square feet of land or 8.113 acres. The Patterson Wing of Martha Jefferson Hospital, and the part of the existing parcel that extends from the Patterson Wing east to Locust Avenue and south to E. High Street are the only structure and portion of the parcel under consideration for this map amendment. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Office Use. The current underlying zoning, which will remain, is Downtown North Corridor and B-1 with Special Use Permit.

b. A portion of the parcel at 133-155 Carlton Road, further identified on City Real Property Tax Map #57 as parcel 157 having approximately 900 feet of frontage on Carlton Avenue and containing approximately 464,175 square feet of land or 10.656 acres. The coal tower and part of the existing parcel delineated on an approved preliminary site plan as an approximately 70 ft. square containing the tower are the only structure and portion of the property under consideration for this map amendment. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Industrial Use. The current underlying zoning, which will remain, is Downtown Extended Corridor. **Report prepared by Mary Joy Scala, Preservation Planner.** [\[STAFF REPORT\]](#) 

10:30 P.M.

9. ZT-08-07-27 - Indoor Recreation Facilities in Residential Districts - An ordinance to amend and re-ordain Section 34-420, 34-480 and 34-796 of the Code of The City of Charlottesville, 1990, as amended (Zoning Ordinance), to establish two categories under Recreational facilities for indoor facilities. One category would be specific to city owned or city school owned property and the other to private facilities. The amendment would also be to allow indoor facilities to be located on city owned or city school owned property by right in all zones. [\[MEMO\]](#)

[\[ZONING MATRIX\]](#) 

10:45 P.M.

10. ZT-08-07-28 - Affordable Housing - An ordinance to amend and re-ordain Section 34-12 of the Code of The City of Charlottesville, 1990, as amended (Zoning Ordinance), adopting requirements for the provision of on-site or off-site “Affordable Dwelling Units” or a cash contribution to the city’s affordable housing fund, in lieu of such units, as a condition of 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. [\[MEMO\]](#) 

11:00 P.M.

11. ZT-08-07-29: (Zoning Ordinance) An ordinance to amend and re-ordain Article III, §34-420 and Article VI, §§34-540 through 34-799 of the Code of The City of Charlottesville, 1990, as amended (Zoning Ordinance), to

- a. Eliminate bedroom limitations in all mixed use districts.
- b. In the Downtown District, change the by right density from 87 to 43 DUA, and the density allowed by SUP from 200 to 240 DUA.
- c. In the Water Street District, change the by right density from 87 to 43 DUA, and the density allowed by SUP from 200 to 240 DUA.
- d. In the Downtown North District, change the density allowed by SUP from 200 to 240 DUA.
- e. In the Downtown Extended District, change the by right mixed use density from 87 to 43 DUA, and density by SUP from 200 to 240 DUA.
- f. In the West Main South District, change the by right mixed use density from 64 to 43 DUA, and density allowed by SUP from 200 to 240 DUA.
- g. In the West Main North District, change the density allowed by SUP from 200 to 240 DUA.
- h. In the South Street District, change the by right density from 87 to 21 DUA, and eliminate the allowance for increased density by SUP.
- i. In the Central City District, change the by right density from 43 to 21 DUA, the by right mixed use density from 64 to 43 DUA, and the density allowed by SUP from 87 to 200 DUA.
- j. In the Urban Corridor District, change the by right density from 43 to 21 DUA, and add an allowance for increased density of up to 64 DUA by SUP.
- k. In the Corner District, change the density allowed by SUP from 43 to 120 DUA.
- l. In the RUMD District, add an allowance for increased density of up to 87 DUA by SUP
- m. In the RUHD District, change the density allowed by SUP from 87 to 120 DUA.
- n. In the MR District, change the density allowed by SUP from 43 to 87 DUA.

[STAFF REPORT]  **[DISTRICTS CHART]**  **[ZONING AMENDMENT]** 

IV. REGULAR MEETING ITEMS (Cont.) -- 12:00 A. M.

H. REQUEST FOR INITIATION OF ZONING TEXT AND MAP AMENDMENTS --

The purpose of initiating these amendments is to allow formal consideration of the applications. These items will be scheduled for future public hearings if initiated

1. Planting Strips and Tree Planting in the ROW **[STAFF REPORT]** 
2. 34-367 – Bedrooms – Limitation of number in R-UMD and R-UHD Districts

I. FUTURE AGENDA ITEMS

Tuesday August 26, 2008 -- 5:00 PM – Planning Commission Work Session – Conservation Districts, Work Plan

Tuesday September 9, 2008 -- 4:30 PM -- Planning Commission Agenda Review

-- 5:30 PM -- Planning Commission Regular Meeting Items
Parks Department Parking Waivers
Rezoning – Coleman Street
ZTA - IPP - 212 Rosser Avenue, Bed and Breakfast definition, Planting strips and tree planting in the ROW
Site Plan – Boys & Girls Club, 1003 West Main Street

Noted for inclusion on Future agendas Proffer Policy
Zoning Map Adoption
Major Subdivision – Midland Avenue
Site Plan & Steep Slope Waiver – 1600 Monticello Ave

PLEASE NOTE: THIS AGENDA IS SUBJECT TO CHANGE PRIOR TO THE MEETING.

PLEASE NOTE: We are including suggested time frames on Agenda items. These times are subject to change at any time during the meeting.