

## Agenda

### PLANNING COMMISSION REGULAR DOCKET TUESDAY, August 14, 2012 – 5:30 P.M. CITY COUNCIL CHAMBERS

- I. **PLANNING COMMISSION GATHERING** -- 4:30 P.M. (Held in the NDS Conference Room) Commissioners gather to communicate with staff. (4:30-5:30 P.M.)
- II. **REGULAR MEETING** -- 5:30 P.M.
- A. COMMISSIONERS' REPORTS
  - B. UNIVERSITY REPORT
  - C. CHAIR'S REPORT
    - a. Announcement of Nominating Committee
  - D. DEPARTMENT OF NDS
  - E. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL AGENDA
  - F. CONSENT AGENDA  
(Items removed from the consent agenda will be considered at the end of the regular agenda)
    - 1. Minutes - June 12, 2012 – Regular meeting
    - 2. Minutes - July 10, 2012 – Pre meeting
    - 3. Minutes – June 26, 2012 - Work Session
    - 4. Minutes – July 24, 2012 - Work Session
  - G. CRITICAL SLOPE WAIVER
    - 1. Stonehenge PUD
- III. **JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)**
- H. JOINT PUBLIC HEARINGS
- 1. ZM-12-04-06 (Stonehenge PUD):** A petition to rezone the property located off of Stonehenge Avenue from R-1S Residential District to Planned Unit Development (PUD). The property is further identified as Tax Map 60 Parcels 81.8, 90, 91, 120, 120A-C, 121, 122.4-7 having road frontage on Stonehenge Avenue and containing approximately 240,887 square feet of land or 5.53 acres. The PUD zoning allows an applicant to present a proposal independent of established zoning categories for consideration by the governing body. This proposal consists of 29 single family detached dwellings with open space and a density of no greater than 5.25 DUA. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Single-Family Residential. **Report prepared by Brian Haluska, Neighborhood Planner.**
- 2. SP-12-06-09 – (715 Nalle Street)** An application from Stephen Hitchcock and Kendall Cox for an infill special use permit to establish an additional single family residential lot. The property is further identified on City Real Property Tax Map 30 Parcel 37 having road frontage on Nalle Street. The site is zoned R-1S and is approximately 0.25 acres or 10,800 square feet. The Land Use Plan generally calls for single family residential. **Report prepared by Willy Thompson, Neighborhood Planner.**
- IV. **REGULAR MEETING ITEMS (Cont.)** – 8:00 P.M.

I. Willoughby Place Appeal

## J. FUTURE MEETING SCHEDULE

Date and Time	Type	Items
Tuesday, August 28, 2012 – 5:00 PM	Work Session	Livability Grant
Tuesday, September 11, 2012 – 4:30 PM	Pre- Meeting	
Tuesday, September 11, 2012 – 5:30 PM	Regular Meeting	Planning Commission Annual Meeting Rezoning - 1536 Rugby Road Site Plan - Burnett Commons II Special Permit – Linen Building LLC Moto Saloon

### **Anticipated Items on Future Agendas**

- Entrance Corridor – Belmont Cottages PUD, Shell Station at Barracks Road
- LID Guideline Review
- Major Subdivision – Maury Avenue

**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.**

City Council Action on Items with  
Planning Commission Recommendation  
July 2012

July 2, 2012

Consent Agenda

i. ORDINANCE: Rose Hill/Cynthianna Rezoning (1st of 2 readings)

This item was moved to second reading and placed on the regular agenda for an updated report.

j. ORDINANCE: Zoning Waiver Provisions (1st of 2 readings)

This item was moved to second reading

July 16, 2012

Consent Agenda

j. ORDINANCE: Zoning Waiver Provisions (2<sup>nd</sup> of 2 readings)

This item was approved.

**Regular Agenda**

**2. PUBLIC HEARING /REPORT** - McIntire Park Plan – East Side

This was approved

**3. REPORT/ORDINANCE\*** Rose Hill/Cynthianna Rezoning (2<sup>nd</sup> of 2 readings)

This application was denied

**5. REPORT** Capital Improvement Program Application and Review Process Revisions

This was approved

**6. REPORT/RESOLUTION\*** Albemarle Place (Stonefield) Erosion & Sediment Appeal  
Mr. Tolbert's interpretation was upheld. The appeal was denied.

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**LIST OF SITE PLANS APPROVED ADMINISTRATIVELY**  
**7/1/2012 TO 7/31/2012**

1. Final                      McDonalds Renovation and site Improvements at Barracks Road Shopping Center
2. Final                      RWSA Wetland Mitigation Project

**LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY**  
**7/1/2012 TO 7/31/2012**

1.        TMP 6- 11.1 & 11.2 and TMP 1-18                      Consolidation Plat  
          2101 Arlington & 1021 Millmont                      JenningStephenson P.C  
          File No. 1502    Final  

Final Signed: 7/24/12  
Signed by: Ebony Walden & Genevieve Keller
1.        TMP 3 – 60.10 & 60.12                                  Boundary Adjustment  
          117 & 121 Robinson Woods                         Residential Survey Services  
          File No. 1503    Final  

Final Signed: 7/31/12  
Signed by: Mike Smith & Genevieve Keller

MINUTES  
CITY OF CHARLOTTESVILLE  
PLANNING COMMISSION  
TUESDAY, June 12, 2012 -- 5:30 P.M.  
CITY COUNCIL CHAMBERS

Commissioners Present:

Ms. Genevieve Keller (Chairperson)  
Mr. Dan Rosensweig  
Ms. Lisa Green  
Ms. Natasha Sienitsky

Mr. David Neuman, Ex-officio, UVA Office of the Architect

Not Present:

Mr. John Santoski  
Mr. Kurt Keesecker  
Mr. Michael Osteen

Staff Present:

Ms. Missy Creasy, AICP, Planning Manager  
Mr. Michael Smith, Planner  
Mr. Willie Thompson, AICP

Also Present

Mr. Richard Harris, Deputy City Attorney

**II. REGULAR MEETING**

Ms. Keller convened the meeting.

**A. COMMISSIONERS' REPORT**

- Ms. Sienitsky –Had no report
- Ms. Green –Attended the MPO meeting where there was discussion on options for the 6 year traffic improvement plan and traffic modeling.
- Mr. Rosensweig- Attended the HAC meeting on May 16, 2012 where the committee appointed Joy Johnson as the new Chairperson. He also attended the Parks and Recreation Advisory Board meeting and provided details on the Master plan for McIntire Park. Mr. Daly, Parks Director, will present this item to the Commission later this evening.

**B. UNIVERSITY REPORT**

Mr. Neuman – UVA has been very active Post- Commencement with utility tunnel work on Grounds. VDOT completed some repairs on the McCormick Road Bridge. Additional projects include Newcomb Hall roof repairs, fire protection upgrades, Lawn student room fireplace repairs and replacement of the ADA ramp at Cabell Hall. These projects should be complete by the end of summer.

**C. CHAIR'S REPORT**

Ms. Keller attended the TJPDC regular meeting and noted that 40<sup>th</sup> anniversary activities for the agency are being planned. As part of that, the PDC board meetings will be held in different jurisdictions to allow each to show everyone what projects are occurring. She also attended the Parks and Recreation board meeting to become better informed.

**D. DEPARTMENT OF NDS/STAFF REPORTS/WORK PLAN**

Ms. Creasy informed the Commission of upcoming focus groups that will be taking place in the NDS Conference Room. The first will be Woolen Mills business owners on June 13<sup>th</sup> from 6-8pm and the next one will be the Venable neighborhood celebration. Staff attended Movies in the Park this past week which had a great turnout. The next work session will be June 26<sup>th</sup> and it will start at 4pm to allow staff from the TJPDC to facilitate the discussion on the Comprehensive Plan. The CIP process will be discussed also.

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

David Repass, 227 E Jefferson St - Feels like a sleeping giant has been awoken with Lochlyn Hill. He feels a task force should be formed by the City of Charlottesville and the County of Albemarle to identify a connector alignment.

John Pfaltz - feels that the Rugby Road development is very dense. He welcomes a Bed and Breakfast but feels this development is out of character with the neighborhood. He also feels that we need to look hard at this change and make sure this is what is needed. He noted a connector is needed between the City of Charlottesville and the County of Albemarle.

Pat Napoleon, 700 Lyons Ave noted that an Eastern connector is needed. She expressed concern about reaching Martha Jefferson Hospital with the traffic. She feels this development will create more traffic.

**F. CONSENT AGENDA**

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

1. Minutes - May 8, 2012 – Regular meeting
2. Minutes - May 8, 2012 – Pre meeting

Mr. Rosensweig made a motion to approve the Consent Agenda

Ms. Sienitsky seconded the motion

All in favor

Consent Agenda passes

**I. Preliminary Discussion-moved up on the Agenda**

1. 1536 Rugby Road PUD

Willy Thompson presented the staff report.

## Discussion

Mr. Rosensweig wanted to know why the applicant wanted a PUD when there could be another way to get the use on site.

Mr. Thompson stated that they wanted a very specific use.

Ms. Creasy also stated that the special events that they would like to have would not be allowed in the manner they propose in an existing zoning classification.

Ms. Sienitsky wanted to know how the special events would be addressed.

Mr. Thompson stated that they would only be allowed 12 events in a year.

Ms. Green wanted to know if they would need a Special Use Permit to have these events. She also wanted to know about the shuttle service they are proposing to have and where will the cars be stored. She also asked if there was something to keep the applicant in the future from selling to multiple owners

Mr. Thompson stated that the code does not allow the applicant to sell to multiple buyers.

## Summary

The Commissioner's would like the applicant to address traffic and noise concerns and outline why another zoning classification would not meet their request.

### **III. JOINT PUBLIC HEARINGS**

#### **G. JOINT PUBLIC HEARINGS**

1. **ZM-12-03-04 - (Lochlyn Hill PUD):** A petition to rezone the property located off of Rio Road and Penn Park Lane from R-2 Residential District to Planned Unit Development (PUD) with proffers for affordable housing and multimodal construction and connections. The property is further identified on City Real Property Tax Map #48A as parcels 39 & 40 having no current road frontage, but proposing a road extension from Penn Park Lane for access and containing approximately 1,115,136 square feet of land or 25.6 acres. The PUD zoning allows an applicant to present a proposal independent of established zoning categories for consideration by the governing body. This proposal includes a residential development with a mix of housing types and dedicated open space with the full site containing a density of no greater than 5.9 DUA. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Two-Family Residential. **Report prepared by Michael Smith, Neighborhood Planner.**

Mr. Smith presented the staff report

The applicant LJ Lopez presented a PowerPoint presentation.

### **Questions from the Commissioners**

- Ms. Green wanted to know if there is a way to guarantee that the home owner will rent out the basement unit for affordable housing?

Mr. Smith stated that there is no way to enforce or hold the applicant or home owner accountable to rent the basement out.

### **Questions from City Council**

- Ms. Szakos wanted to know if there was any flexibility in the layout to not include the two multi-family buildings. She also wanted to know if the developer has envisioned the school buses that will be in and out the development.
- Ms. Smith wanted to know if there had been any issues with cleaning up the old treatment plant.

The applicant stated that the water treatment plant has been cleaned and cleared for development. He also stated that they are looking into the amount of traffic that will use the development.

### **Questions from the Commissioners**

- Mr. Rosensweig wanted to know the intent of the developer to include a pedestrian crossing over Meadow Creek and could that be a part of the site plan.

Ms. Creasy said that it could be a part of the site plan.

- Ms. Green asked if any details have been worked out as to which locality will handle clearing the road during bad weather. She also wanted to know if the Police or Fire department had any issues with the width of the road.

The applicant stated that things are being worked out and it is actually being looked at in the City Manager's office. If nothing is worked out it will be left up to the HOA.

Mr. Smith stated that plans were submitted to both the police and fire department and they have no issues with the width of the road.

Mr. Frank Stoner, the applicant presented a PowerPoint presentation on affordable housing for Lochlyn Hill. He introduced a new housing trust program.

### **Discussion**

The Commission felt that nothing has really changed from the first presentation except the addition of the trust proposal.

Ms. Keller opened the public hearing.

Morris Reynolds, 503 Woodmont Drive read a letter from residents of Rio Heights. They are pleased with the development but concerned about the impact it may have on Rio Heights pertaining to traffic, construction, and buffering.



Byronn Harris, 1160 Pen Park Lane, noted concern that both entrances are in the county. The developer doesn't maintain rental property that he owns in the area and the road is currently private with no maintenance occurring.

Garnett Mellon, 1107 Calhoun Street, has been looking for this development for years. She likes the open space and the greenery and would like to see the pedestrian bridge built now and consideration for conservation easements on site.

Mark Kavit, 400 Altamont Street, would like the Eastern Connector restudied.

Marsha Pence, 1113 Vegas Court, would like the access road through Vegas Court reconsidered.

Ms. Keller closed the public hearing.

### **Discussion**

Would like the construction timing of the pedestrian bridge mandated. If not a bridge then some other alternative route.

Ms. Green would like the only way in and out on Penn Park Lane looked at and a connector into the City of Charlottesville.

Ms. Keller feels that there is a variety of housing and a void in the market the applicant described. She has some concerns with connectivity but is otherwise supportive.

Mr. Rosensweig also has concerns with connectivity. He feels this development is in the City of Charlottesville's best school district and doesn't address affordable housing. He loves the concept but feels it needs some tweaking.

Ms. Sienitsky needs more clarification on affordable housing, but likes the creative scheme.

Ms. Keller called for a motion.

Ms. Green said, I recommend denial of the application the property from R1-S and R-2 to PUD.

Mr. Smith stated that the property is only zoned R-2 now.

Mr. Harris stated that if the Commissioners are going to recommend denial then reasons of the denial should be stated in the motion.

Ms. Green said, I move to recommend denial of the application to rezone the subject properties from R-2 to PUD based on that it does not fully address aspects of the following 3 objects contained in the PUD ordinance; to promote a variety of housing types developments containing only a single housing type. To promote inclusions of houses of various sizes to ensure that a development would be harmonious with the existing uses and character of adjacent properties and or consistent with the pattern of the development noted with respect to the adjacent properties. Public transportation that is consistent but not limited to pedestrian transportation.

Ms. Keller asked for a second, Mr. Rosensweig seconded and the Commission moved to discussion.

### **Discussion**

The Commissioners gave the applicant some things they would like to see come back to them with more detail such as a pedestrian walkway, affordable housing, and study done by the Fire and Police department on the one way entrance.

The applicant requested a deferral.

The Commission accepted the applicant request for a deferral and there was no further discussion.

**ZM-12-04-05 – (Rose Hill/Cynthianna Rezoning)** - A petition to rezone the property located at the corner of Cynthianna Avenue and Rose Hill Drive from R-1 Residential District to R-3 Residential District. The property is further identified on City Real Property Tax Map #35 as parcel 6 having approximately 125 feet of road frontage on Rose Hill Drive and containing approximately 12,502 square feet of land or 0.287 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are for Single-Family Residential. **Report prepared by Michael Smith, Neighborhood Planner.**

Mr. Smith presented the staff report.

Questions from the Commission

- Clarification of the 1<sup>st</sup> proffer was needed
- What uses will be allowed on the site under the proposal?

They will have a similar massing in scale and this use will be an R-3 use.

The applicant, Mark Green, 109 Robertson Woods, stated that the way the site exists, an R-3 use would be more appropriate.

Questions or Comments from the Commission

- Any idea of conditions for pedestrian along the sidewalk adjacent to the site?
- Was there a tree survey done and will any trees be saved?

The applicant stated that there will be a large curb cut and the building will sit far back allowing for pedestrians to pass. He noted that we would work with the Traffic Engineer to make the curb cut as small as possible under code. He also stated that a full tree survey has not been done, but he will work with the City's arborist and would be happy to replant trees that are removed.

Ms. Keller opened the public hearing. With no one speaking, she closed the public hearing.

### **Discussion**

This would be a very reasonable rezoning in an area that is walkable to the Downtown mall and other areas in the City of Charlottesville.

Mr. Rosensweig said, I move to recommend the approval of the application to rezone from R1-S to R-3 on the basis that the proposal would serve the interest of the general public welfare and good zoning practice.

Ms. Green seconded the motion.

Ms. Creasy called the question.

Sienitsky	Yes
Green	Yes
Rosensweig	Yes
Keller	Yes

Motion Carries.

**3. ZT-12-01-01 Zoning Waiver Provisions** - An ordinance to amend and reordain Chapter 34 Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, to revise provisions governing waivers, exceptions and modifications. **Report prepared by Missy Creasy, Planning Manager.**

Ms. Creasy presented the staff report.

Ms. Keller opened the public hearing with no one to speak she closed the public hearing.

### **Discussion**

The Commissioners wanted to thank Ms. Creasy and all parties involved for a great job that they had done.

Mr. Rosensweig would like the wording replaced on page 15 section 34-986(2) changed back to “or” as noted in the current text.

Mr. Rosensweig said,

“I move to recommend approval of this zoning text amendment to amend and re-ordain Chapter 34 Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, to revise provisions governing waivers, exceptions and modifications with the change in Section 34-986 (2) replacing “and” with “or” on the basis that the changes would serve the interests of public necessity and good zoning practice.”

Mr. Sienitsky seconded the motion.

No further discussion

Ms. Creasy called the question

Sienitsky	Yes
Green	No
Rosensweig	Yes
Keller	Yes

Motion Passes

### **III. REGULAR MEETING ITEMS**

#### **H. McIntire Park East Side Master Plan Presentation**

Mr. Daly and Mr. Gensic presented a PowerPoint presentation on the final plan for the East Side of McIntire Park.

#### **Discussion**

The Commission provided the following comments:

- Make the passive areas as multiuse as possible.
- Focus on making the 2<sup>nd</sup> connection over/under the railroad track (northern connector). This is a great connection.
- Move Golf out faster, likes botanical garden.
- Use low impact development practices for the parking areas.
- Retain pool as historic element.
- Keep an aquatic use on site.
- Allow for flexibility so the botanical garden can expand as needed.
- Find a way to locate low cost golf in the area.
- Supportive of the small field.
- Keep the small areas for play.
- There were missing opportunities in the public process. Thorough research of historic resources should be done. This one of the few sites in the country for pasture golf and feel that proper historic review is needed.
- The skate park element appears to be “tacked” on and should be in a more urban environment.
- Supportive of passive use area.
- There is concern that resources are not present to support the botanical garden.
- Consideration should be given to a concession element on site.

This feedback is to be included in a memo to City Council when they review this item.

Mr. Sienitsky made a motion to adjourn until the second Tuesday in July.

Meeting adjourned at 10:41 pm

**CITY OF CHARLOTTESVILLE  
PLANNING COMMISSION PRE MEETING  
TUESDAY, July 10, 2012 -- 4:30 P.M.  
NDS CONFERENCE ROOM**

**Planning Commissioners present**

Ms. Genevieve Keller  
Mr. Dan Rosensweig  
Ms. Lisa Green  
Ms. Natasha Sienitsky  
Mr. Michael Osteen  
Mr. Kurt Keesecker  
Mr. John Santoski

**Staff Present:**

Ms. Missy Creasy, Planning Manager  
Mr. Brian Haluska, Neighborhood Planner  
Mr. Michael Smith, Neighborhood Planner  
Ms. Ebony Walden, Neighborhood Planner  
Mr. Richard Harris, Deputy City Attorney

The Commission began to gather at 4:30 and was called to order at 4:58. Ms. Keller reviewed the agenda. The Commission had no questions on the Waterhouse application. Mr. Smith provided an overview of the changes to the Lochlyn application follow by Mr. Tolbert providing guidance on the standard of review and history on the Holmes Avenue lots. Ms. Keller noted how she plans to organize the discussion this evening. There was a brief discussion about potential emergency access through the golf course. Questions were asked for clarification on specific proffers.

Ms. Keller asked for comments on the Stonefield appeal. Ms. Green recused herself and left the room. Mr. Tolbert provided orientation on this item including considerations for the Commission this evening.

The discussion adjourned at 5:30pm.

**Planning Commission Work Session  
June 26, 2012  
Minutes**

**Commissioners Present:**

Ms. Genevieve Keller (Chairperson)  
Mr. Kurt Keesecker  
Ms. Lisa Green  
Mr. Dan Rosensweig  
Mr. John Santoski  
Ms. Natasha Sienitsky  
Mr. Michael Osteen

**Staff Present:**

Jim Tolbert  
Missy Creasy  
Richard Harris  
Michael Smith  
Willy Thompson  
Ebony Walden

Ms. Keller convened the meeting at 4:00 p.m. and turned the meeting over to Ms. Creasy

Ms. Creasy gave an overview of the next three work sessions. She gave an outline of each item which will be discussed and noted that the County and City Planning Commission would be coming together following separate work sessions to talk about areas where joint goals may be possible. She then turned the meeting to Summer Frederick from TJPDC to facilitate.

Ms. Frederick provided an overview of the areas for discussion and outlined questions pertaining to each of the topic areas for this evening. Three categories were discussed and areas for potential collaboration of goals noted below.

**Discussion**

***Question posed:***

- 1. Are there opportunities for City and County to create join goals related to historic preservation?***

**Historic preservation**

- There are a lot of historic districts in the City of Charlottesville and the County of Albemarle, but each locality has different approaches to their programs.
- Would like to see acknowledgement of the two world heritage sites, UVA and Monticello, and look at potential corridor links to these sites.
- Feel that there is not adequate protection of the heritage historic sites.
- Historic information interpretation is needed

- Feel that all City of Charlottesville ideas about historic preservation can pertain to the County of Albemarle except for regulation.
- Economics, viewsheds and access to sites are important
- There should be additional acknowledgement of the heritage industry in our two communities.
- There is a tie-in with entrance corridors – approaches to historic sites/districts – and that tie-in should be acknowledged and reflected in goals/regulations.

### **Entrance Corridor**

Ms. Frederick presented slides of three of the entrance corridors that the city and county share which included 250 East, 250 West and 5<sup>th</sup> St extended as visuals for this part of the conversation.

### **Discussion**

#### ***Questions posed:***

- 1. Is having two different approaches to maintaining and enhancing entrance corridors appropriate?***
- 2. Are there opportunities for joint goals related to entrance corridors?***

- Consideration of a goal to link/coordinate design standards would be valuable. This should look at both structures and streetscape.
- Standards should be consistent with the guidelines.
- The approaches both communities take should be similar and appropriate.
- Coordinate standards related to the intensity of use.
- Standards for streetscape connectivity, safety and pedestrian orientation should be included.
- Acknowledgement of the rural to urban to rural transect from County to City to County needs to be acknowledged and considered.

### **Environment**

#### **Discussion**

##### **Water**

#### ***Question posed:***

- 1. Are there opportunities to create joint goals to ensure high water quality within share waterways?***

- How will TMDL affect water issues? We don't currently know what those regulations will be.
- Look at improving water quality – consider goals related to maintaining same water quality as water flowing into City.
- City of Charlottesville does not have water conservation as a stated goal and that can be clarified.

## Air Quality

### **Question posed:**

#### **1. Is a join goal related to air quality appropriate?**

- Acknowledge impact of City actions on County and vice versa
- Understanding that density in the City helps to protect rural land and air quality in the County
- Look into efficient buses and trolleys for better air quality
- What is the role of local government in monitoring federal and state protections?
- Is there a measure of air quality improvement with cars being taken off the road
- Look for walksheds/centers that can cross the boundaries to encourage multimodal behavior.

That portion of the meeting ended and Ryan Davidson, Budget Analyst, presented the CIP item.

### **Capital Improvement Projects**

Mr. Davidson presented the new process and timeline for Capital Improvement Program submission. He explained which projects would automatically go to the top of the list and how they are prioritized. The commission discussed the proposal and provided the following comments on the process to be forwarded to City Council for their review:

- The Economic Development Criteria should be added back in (it was confirmed that this had been done.)
- The Planning Commission priorities should be added back in but scored at a different weight. The current priorities will be used for this CIP and in June 2013, the Commission will use their work session to provide narrower priorities for the next CIP.

The meeting ended at 6:15pm.



**Planning Commission Work Session**  
**July 24, 2012**  
**Notes**

**Commissioners Present**

Ms. Genevieve Keller (Chairperson)  
Mr. Kurt Keesecker  
Ms. Lisa Green  
Ms. Natasha Sienitsky  
Mr. Michael Osteen

**Not Present**

Mr. Dan Rosensweig  
Mr. John Santoski

**Staff Present:**

Missy Creasy  
Richard Harris  
Michael Smith  
Willy Thompson  
Amanda Poncy

Ms. Keller convened the meeting at 5:00 p.m. and turned the meeting over to Ms. Creasy.

**Announcements**

Ms. Creasy provided the Comprehensive Plan schedule and draft review process. She then turned the meeting over to Summer Frederick from TJPDC.

Summer provided a report of the land use and transportation items that the Commissions expressed interest in reviewing from previous meetings and along with visuals including the land use map focused on those topic areas.

**Discussion**

There were four areas of the land use map discussed:

**Woolen Mills**

- Didn't really think this area was a City and County issue. Cooperation really needs to be thought about.
- The area has the following assets: a relationship to the river, historic resources, great views, and potential for adaptive use of the mill. County accesses sites through the city.
- In order to make the area a "River City" the term industrial needs to be understood.
- Remember the neighborhood concern about the future of the neighborhood and balancing present day industrial.
- Neighborhood feels there is a map error and defining that concern will help.
- Is there a difference between the north and south side of the tracks and do they have different potential?
- Elevation on the banks of the rail road tracks on Franklin causes concern
- Most of Carlton's industrially zoned area is business.

- If industrial is reexamined it could change to mixed use.
- Would not like to see the area returned to industrial, it wasn't really heavy industrial before.

### Summary

Commissioners noted that any efforts made should be in coordination with the County since properties on the County side of the neighborhood have access through the City. It was felt that the focus should be on redefining the evolution of “industrial” in light of what it is in the present day and balancing those needs with those of the residential uses. A reexamination of “industrial” could lead to a mixed use designation. It would be ideal to coordinate land use requirements over the city/county lines.

It was noted that the industrial designated areas north and south of the railroad tracks could be treated differently due the elevations. Concern about the Franklin Street connection was noted.

### **L Shape Corridor**

- 29 and 250 are totally different
- The L shape has no significant meaning. It was felt that the EC in the city and ARB in the County should coordinate regulations for Route 29.
- The topography on 250 has led to some concerns
- Some aren't ready to give up on L shape
- Will there be a link when Meadowcreek Parkway is complete?
- Would like to keep the L shape idea and not lose it. Feel the L shape area is evolving.
- 5<sup>th</sup> Street development may minimize having to travel to 29 in the future.

### Summary

There was discussion about what the “L” shape encompassed. The Commissioners noted that the L-shape to them encompassed 29 – to University Ave through the Corner and West Main. It was determined that this was more connected to transportation options than Land Use. They also noted that the L-shape will likely change further as the 5<sup>th</sup> Street Commercial development evolves and travel does not have to occur as often on 29 for basic services.

### **Gasoline Alley**

- City side is residential and change does not seem feasible.
- Should the future land use be different
- How would you get across Rio Road?
- The fringe might need buffering from the residential side
- There should be a linkage through the Belvedere subdivision to access the river
- Find a way for residents in the area to not have to get into their cars to reach services.
- Would like to see how people get to where they need to go; bike, walk, carpool etc.

- Would like to see maps with trails and railroad tracks

#### Summary

It was noted there was much potential in this area to enhance connections across Rio to allow for easier access to amenities to the North. There is potential in the future for small scale uses to buffer the residential area from Rio on the City side. There is a desire for this area to have safe multimodal access to services across Rio Road. Commissioners asked for maps to show the Railroad and trail system for future discussions.

#### **River Corridor**

- County has preserved a lot of green space in this area but much of the area on both sides is in the flood plain

Question was asked “what does river focus mean”

- Easy to get there, easy to stay there and have activity to do once there to spend time.
- A pedestrian bridge would be nice
- Some areas along the river could be upgraded and some left natural
- Industrial on the river seems strange. Could probably be redefined.
- With the evolution of High Street things could look different
- Where is the location of the pedestrian bridge on the Rivanna River. Sarah Rhodes from the PDC clarified the city county bridge locations as well as MPO proposed locations.
- Torn about having recreation and restaurant uses in this area.
- Restaurants near Freebridge would likely be the best location
- Need information on natural constraints as well as opportunities.
- Focus should be on development near 250, study the river and preserve what is there.
- City and County should form a kayak trip down the river(Lisa to organize).

#### Summary

Some of the ideas shared which could allow the community to be “river focused” include making it easier to access the river and have activity there so people stay a while. There was interest in having more development oriented activity (restaurants, etc.) closer to 250 while areas South remain in a natural state. There was interest in a study that would provide us with the natural constraints as well as opportunities. There is a desire to preserve what is there and find a way to experience the river from the river (as a recreational amenity).

The Planning Commission also noted that that Moores Creek, Old Lynchburg Road and Route 20 should be an area for dialogue with the County. They also have concern about Avon and the redevelopment of Blue Ridge Hospital.

#### **Transportation**

Multimodal-Ideas from Planning Commission and their definition.

- Would take 50 years of evolution to get to multimodal. Feel that bike lanes could happen quickly.
- It is ideal to be able to get to the same place in different ways by different modes. Find ways to minimize conflict and feel Cherry Ave is not good to ride bikes on.
- Paths have to be found that work.
- Cars, bikes and pedestrians need to all get along and be aware of each other.
- Think of how paths can be kept clear, think logistics and maintenance.
- Is there any data out concerning the Bike Application? It was noted that the data will be available in September.
- Would people get on buses and transfer or do they prefer door to door service.
- There are economic and life style choices that people make. We don't have the critical mass at this time for increased transit but can encourage its use through education.
- Is there a density of mass per acre that supports transit?
- Is CAT doing a study now on expanding routes? This study just began.

#### Summary

Commissioners spent some time working to define “multimodal.” Comments on that item included minimizing conflicts between modes, getting to the same place in a number of ways and variety of modes, cars and pedestrian aware of one another and coexisting safely. There was a brief discussion about transit and it was noted that there are some concerns about the density to support more transit as well as a discussion noting that people typically chose transit for economic or lifestyle choice. If one has the choice of a car trip, they are likely to take it over other modes to get from place to place most efficiently. The car remains at the top of the transportation hierarchy and this should be addressed.

#### **Public Comment**

Charles Battig left written comments that were distributed to the Planning Commission.

Charles Winkler-Tea Party Representative-Would like the Planning Commission to read an article and he will provide the link. The article challenges the relationship between density and reduction of vehicular travel.

Jim Moore-Hazel Street-Comprehensive Plan is general and suitable for current use. Transportation between localities should be coordinated. The current plan is too long. He stated there are potentially conflicting goals of discouraging car travel and increasing parking in the downtown in the current plan which should be updated. He also noted information on the pollution of buses and cars and that we don't have the population to support an increase in transit

Ms. Keller adjourned the meeting at 6:55 pm



**CITY OF CHARLOTTESVILLE  
NEIGHBORHOOD DEVELOPMENT SERVICES**

**MEMO**

To: City of Charlottesville Planning Commission  
From: Brian Haluska, Neighborhood Planner  
CC: Jim Tolbert, AICP; Missy Creasy, AICP  
Date: August 6, 2012  
Re: Stonehenge PUD and Critical Slope Waiver Request

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At the August 14, 2012 Planning Commission meeting you will consider two requests regarding the Stonehenge Planned Unit Development (PUD) proposal located off Stonehenge Avenue and Quarry Road. Mr. Justin Shimp, representing Simeon Investments, is requesting a Critical Slope Waiver to perform grading activities on the site in conjunction with the development of the proposed Planned Unit Development. Staff has included a section regarding critical slopes in the rezoning staff report.

The Commission will be asked to consider both the critical slope waiver and the rezoning request at the same time, although the items will be listed separately on the agenda. As is the case with a rezoning application, the Commission can only make a recommendation to City Council regarding the critical slope waiver. The Commission can, however, suggest conditions for the approval of the critical slope waiver.



August 3<sup>rd</sup>, 2012

Mr. Brian Haluska  
City of Charlottesville  
Neighborhood Development Services

*(Delivered by E-mail)*

**Regarding: Stonehenge Avenue PUD, Critical Slopes Waiver**

Dear Mr. Haluska,

Please consider this letter as a request for waiver of section 34-1120 of the City Code for the Stonehenge Avenue PUD project. This request is most unusual in that we request this waiver on the grounds of preserving critical slopes, not disturbing them. Approving this waiver is in keeping with the provisions of the critical slopes ordinances of the City of Charlottesville.

**Background:**

The Stonehenge PUD project is not about an increase in density or developing new tracts of land, it is about re-aligning an existing platted street and lots to be more compliant with current regulations and to limit the environmental impacts of the development. The project consists entirely of recorded lots and streets that until this time have not been constructed. These lots were platted in the 1950's and are exempt from the critical slope ordinances and can be constructed as they sit today. A by-right clearing and grading plan was prepared and approved for clearing and mass grading of the site. As the final road plans were developed we observed that significant disturbance of the site and the stream crossing the site was required to construct roads to current standards. While this disturbance is permitted, we began to explore other options for development and ultimately submitted a request for a PUD zoning for this project.

**Discussion:**

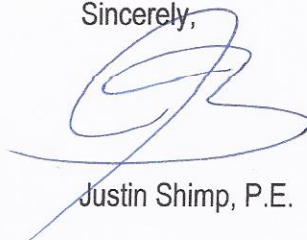
The critical slopes waiver is not required for the by-right development, but it is for the PUD development. As a result, the waiver requested with the PUD ordinance is not a request *to disturb* critical slopes, but rather a request *to preserve* them. The by-right plan requires a minimum disturbance of 1.59 acres of critical slopes; the PUD plan proposes a disturbance of 0.96 acres. Approval of the waiver and of the PUD rezoning would result in a net reduction of 0.63 acres of critical slope disturbance. While there is some merit simply in disturbing less area during development, the critical slopes themselves do not necessarily represent an environmental or aesthetic enhancement. However, the PUD layout, which requires the critical slopes waiver, most certainly does.

Section 1120(b)(1) – “Purpose and intent” describes the factors that make the disturbance of critical slopes relevant to discussions on zoning and planning decisions. *Every one* of the six factors given are enhanced with the PUD layout:

- a. *Erosion affecting the structural integrity of those features.*  
A smaller area of critical slopes will be disturbed if the waiver and PUD are approved, leaving fewer chances for erosion of the slopes.
- b. *Stormwater and erosion-related impacts on adjacent properties.*  
If the waiver and PUD are approved, open space areas and buffers to adjoining properties will be provided in many areas, reducing the chances of erosion impacts on adjoining properties.
- c. *Stormwater and erosion-related impacts to environmentally sensitive areas such as streams and wetlands.*  
The by-right plan calls for fill to be placed on approximately 290' of stream bed, and the filling and disturbance of areas adjacent to stream. This disturbance has been approved by the U.S. Army Corp of Engineers and will occur if the PUD and waiver are not approved. The entire stream bed is to remain wooded and undisturbed in the PUD plan.
- d. *Increased stormwater velocity due to loss of vegetation.*  
The approval of the waiver and PUD plan will decrease the loss in vegetation on the site; specifically, vegetation will be preserved in areas of critical slopes and areas adjacent to the stream.
- e. *Decreased groundwater recharge due to changes in site hydrology.*  
The approval of the waiver and PUD plan will allow grading to be done in greater accord with the natural terrain, reducing the amount of disturbance, preserving additional trees and allowing for the low areas adjacent to the stream to remain in place. These design features will improve the overall hydrologic performance of the site.
- f. *Loss of natural or topographic features that contribute substantially to the natural beauty and visual quality of the community such as loss of tree canopy, forested areas and wildlife habitat.*  
First, it should be noted that the project is not land that was formally designated as open space or owned by the City and then sold for development. These are lots that were platted at the same time as every home built in the neighborhood and kept under private ownership since that time. To create new lots there will always be a need to clear land and remove trees for construction. The PUD plan and associated critical slopes waiver allow for the development of the lots to take place with *less impact* to the natural and topographic features of this site.

We find that the factors to be considered for both the waiver and PUD are in overwhelming support of our request. This decision is not a matter of *if*, it is a matter of *how*. The PUD layout promotes the intent of the PUD ordinance and approval of the critical slope waiver will promote the intent of the critical slopes ordinance. We look forward to the discussion and consideration of this matter by the planning commission. If you have any questions please feel free to contact me via email at [Justin@shimp-engineering.com](mailto:Justin@shimp-engineering.com) or by telephone at 434-953-6116.

Sincerely,



Justin Shimp, P.E.

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



**APPLICATION FOR REZONING OF PROPERTY**

**JOINT PUBLIC HEARING**

**DATE OF HEARING: August 14, 2012**  
**APPLICATION NUMBER: ZM-12-04-06**

**Project Planner:** Brian Haluska, AICP

**Date of Staff Report:** August 3, 2012

**Applicant:** Simeon Investments

**Applicants Representative:** Justin Shimp

**Current Property Owner:** Vulcan Development Company, LLC

**Application Information**

**Property Street Address:** No Street Address

**Tax Map/Parcel #:** Tax Map 60, Parcels 81.8, 91, 120, 120A, 120B, 120C, 121, 122.4, 122.5, 122.6, and 122.7

**Total Square Footage/Acreage Site:** 5.53 acres

**Comprehensive Plan (Land Use Plan) Designation:** Single-Family Residential

**Current Zoning Classification:** R-1S

**Tax Status:** The City Treasurer's Office indicates all taxes on the subject property have been paid.

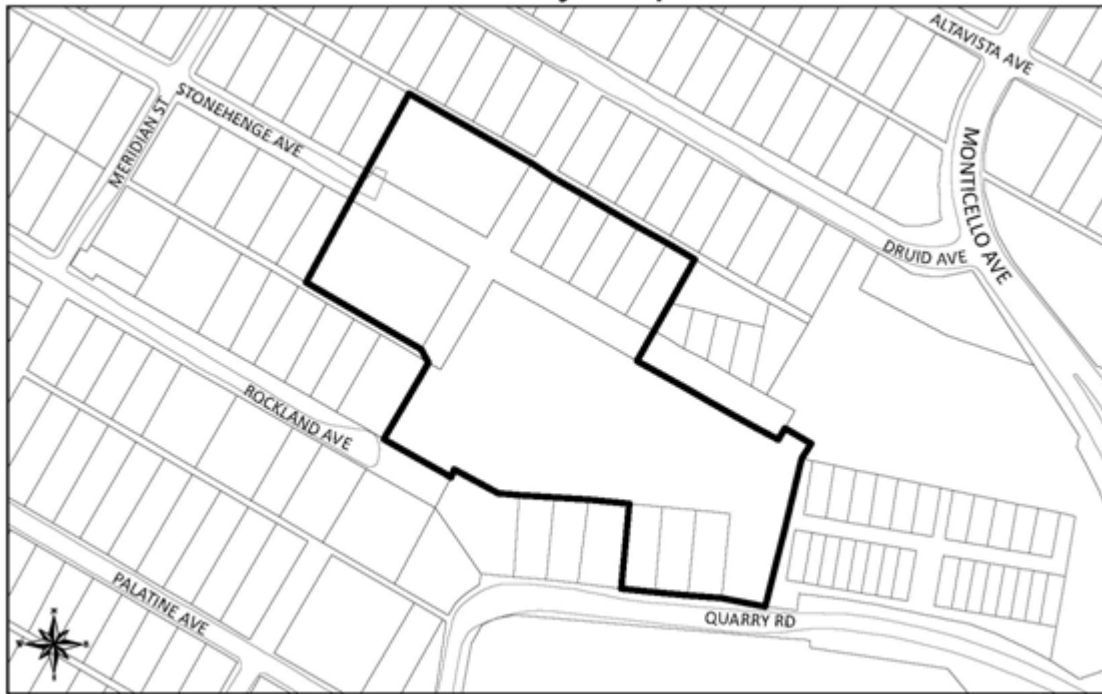
**Applicant's Request**

Justin Shimp of Shimp Engineering, agent for Simeon Investments has submitted the following application to rezone 5.53 acres comprised of Tax Map 60, Parcels 81.8, 91, 120, 120A through C, 121, and 122.4 through 122.7 from **R-1S to PUD**. The conceptual plan provided by the applicant shows 29 single-family residential units.

The current zoning and subdivision plat shows 34 single family-lots, although some of the lots lack road frontage or adequate size to be granted building permits. In reality, 24 lots could be developed with the extension of Stonehenge in a by-right scenario.



## **Vicinity Map**



## **Rezoning Standard of Review**

The planning commission shall review and study rezonings 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.

## **Planned Unit Development Standard of Review**

In reviewing an application for approval of a planned unit development (PUD) or an application seeking amendment of an approved PUD, in addition to the general considerations applicable to any rezoning the city council and planning commission shall consider whether the application satisfies the following objectives of a PUD district:

- (1) To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern;
- (2) To encourage innovative arrangements of buildings and open spaces to provide efficient, attractive, flexible and environmentally sensitive design.
- (3) To promote a variety of housing types, or, within a development containing only a single housing type, to promote the inclusion of houses of various sizes;
- (4) To encourage the clustering of single-family dwellings for more efficient use of land and preservation of open space;
- (5) To provide for developments designed to function as cohesive, unified projects;
- (6) To ensure that a development will be harmonious with the existing uses and character of adjacent property, and/or consistent with patterns of development noted with respect to such adjacent property;
- (7) To ensure preservation of cultural features, scenic assets and natural features such as trees, streams and topography;
- (8) To provide for coordination of architectural styles internally within the development as well as in relation to adjacent properties along the perimeter of the development; and
- (9) To provide for coordinated linkages among internal buildings and uses, and external connections, at a scale appropriate to the development and adjacent neighborhoods;
- (10) To facilitate access to the development by public transit services or other single-vehicle-alternative services, including, without limitation, public pedestrian systems.

## **Analysis**

### **1. Consistency with Comprehensive Plan**

There are several goals from the Comprehensive Plan that relate directly to the project:

- “Continue to maintain, improve and grow the city’s housing stock. (pg. 58)”
- “Encourage the use of Planned Unit Development for large sites and Infill SUP for smaller areas as a way to protect the natural environment and allow flexibility and variety in development. (pg. 94)”
- “Regulate the use of land to assure the protection, preservation and wise use of the City’s natural, historic and architecturally significant environment. (pg. 94)”

The first goal is from the Comprehensive Plan chapter on housing, while the other two goals are from the chapter on land use. The project’s consistency with the Comprehensive Plan depends on which of these goals is given higher priority when evaluating the project. The project addresses the goal of the housing chapter by providing new units. Additionally, the project is a Planned Unit Development, which the Comprehensive Plan specifically encourages.

The development, however, can be seen as not keeping with the original plan for Belmont, and may be viewed as not protecting the City's historic environment.

**2. Effect on Surrounding Properties and Public Facilities**

The plan of development would result in an increase in usage of public facilities in the surrounding area. Staff believes the increase would be a minor change from the by-right plan, and the public facilities can accommodate the increase.

The proposed plan would slightly increase the density on the site, and would alter the layout of an area that was platted in the original Belmont plat in the late 1800's. The Belmont plat was created using a grid system of streets, while the PUD would respond to the topography of the site rather than adhering to the grid that has been established over time.

Direction	Use	Zoning
North	Single-Family Residential	R-1S
South	Public Park	R-1S / PPPO
East	Multi-Family Residential	HW
West	Single-Family Residential	R-1S

PPPO – Public Park Protection Overlay

**3. Proffers**

The applicant has not submitted any proffers.

**4. Concept Plan Review**

The applicant's concept plan shows the lone automobile access to the site from Quarry Road. The applicant shows a pedestrian connection to the site from Druid Avenue, via the Castalia Street right of way.

The plan shows five 32 foot wide lots fronting on Quarry Road, and another four 32 foot wide lots fronting on the new road, just past the entrance from Quarry Road. Lots 1-9 are 1920 square feet in size, and have 10 foot front and rear yard setbacks, and 4 foot side yards.

The remaining 20 lots have at least 20 foot front and rear yards, along with minimum 5 foot side yards. The lots vary in size, but the smallest are roughly 4,000 square feet in size. The frontage width of these lots mimics the typical 48 foot wide Belmont lot, although they lack the typical depth of the standard Belmont neighborhood lot.

Staff has identified a pair of issues with the concept plan should the PUD application be approved. The first, the disruption of critical slopes, will be addressed later in this report. The second is the design of the road. The road has several areas of concern. First, the slope of the road must be 10% or less. Secondly, the end of the road does not currently show a City approved turnaround necessary for Fire Department access. The applicant amended the

road design prior to the staff report being drafted, but staff did not have time to review the changes prior to the publication of the staff report.

## 5. Questions for the Commission to Discuss based on the PUD standards

- **Is there a “need and justification for the change”?**

The justification for the rezoning is to permit a layout that would not be permitted under the conventional regulations. A re-subdivision of the property under the current subdivision ordinance would probably result in a loss of lots and units because of the critical slope regulations. Construction of the existing subdivision layout would require a stream crossing and a large amount of fill on the site to get the extension of Stonehenge Avenue to the maximum permitted road slope of 10%.

The proposed PUD permits the applicant to decrease the amount of fill needed to construct the road, while maintaining the density of the by-right layout.

- **Is the development of “equal or higher quality than otherwise required by the strict application of the zoning district regulations that would otherwise govern”?**

The property as currently platted would permit the development of the property via the extension of Stonehenge. In order to build this extension, the owner would need to cross a waterway and raise the level of the site to the point where the houses located along the extension of Stonehenge would be higher than the houses to the north on Druid Avenue. The proposed PUD would follow the existing topography, and allow the new houses to be built below the level of the houses on Druid, which is in keeping with the pattern of the existing Belmont neighborhood as you move south in the neighborhood.

- **Does the development “function as a cohesive, unified project”?**

The PUD proposal does function as a cohesive and unified project. The proposed lots are similar in road frontage width and setbacks, and the proposed lots serve to define the street edge. The open space shown on the concept plan would serve aesthetic and environmental purposes, which is appropriate with the availability of recreational space across Quarry Road.

- **Is the development “harmonious with the existing uses and character of the adjacent property”?**

The proposed development will not be harmonious with the Belmont neighborhood located to the northwest of the site. Belmont has a grid pattern street layout, and the proposed PUD does not continue that pattern. The PUD does use the same style of housing units present in the surrounding Belmont neighborhood.

The proposed development can, however, be considered to be more harmonious with the existing developments to the east of the property. The Belmont Park townhouses and

Monticello Overlook condominiums are multi-family residential developments that are bounded by Monticello Avenue. These more recent developments do not follow the grid pattern of the larger Belmont neighborhood, much like the proposed PUD.

## **6. Critical Slopes**

Lots 1, 2, 3, 10, 11, 17, 18, 19, 26 and 29 all have some portion of the buildable area within critical slopes. The area of critical slopes in Lot 26's buildable area is not 6,000 square feet in area, and thus not covered by the critical slope ordinance. The other systems of critical slopes are over 6,000 square feet in area, and within 200 feet of the waterway on the property, which is shown on the City's waterway map.

The applicant's correspondence requesting a waiver of the critical slope ordinance points out an irony of the application of the critical slope ordinance on this site. Because the lot has already been platted, and lots without an acceptable building site are permitted a single-family residence – the applicant can disturb the bulk of the critical slopes on the site as a matter of right.

The City Council may grant a modification or waiver upon “making a finding that due to unusual size, topography, shape, location, or other unusual physical conditions, or existing development of the property, one or more of these critical slopes provisions would effectively prohibit or unreasonably restrict the use or redevelopment of such property or would result in significant degradation of the site or adjacent properties.” The Planning Commission must first make a recommendation on this matter.

In reviewing the plan, staff finds that the proposed PUD would disturb less area of the critical slopes on the site than the by right plan, and would require the removal of fewer trees. For this reason, staff recommends the Planning Commission and Council grant a waiver of the critical slope ordinance on the basis that due to existing development of the property, one or more of these critical slope provisions would result in significant degradation of the site or adjacent properties. In this case, the existing development is the previous plat approved for the site in the 1890's that shows an extension of Stonehenge Avenue. The degradation to the site would come from the loss of mature trees, and placing the waterway on the western boundary of the property in a culvert.

Staff proposes the following conditions be placed on the waiver:

1. Any trees shown on the final landscape plan as to be removed will be replaced at a ratio of new 2 plantings for every 1 tree removed in the open space areas of the PUD. These trees will not count towards any street tree requirements on the site plan.
2. Any trees shown as to be preserved on the final landscape plan that subsequently are removed will be replaced at a ratio of 3 new plantings for every 1 tree removed.
3. Detailed site engineering plans will be required along with the site plan to show how the applicant plans to achieve increased slope stability on the undisturbed areas of critical slopes.

## **Public Comments Received**

Staff has received a fair amount of correspondence from the public regarding the application, although most of it has been requests for additional information. Many of the early comments from the public were opposed to the application. As more information regarding the tradeoffs between the by-right proposal as the alternative to the PUD has been communicated, public comments have been mixed regarding which alternative commenters supports.

## **Staff Recommendation**

When considering the proposal, it is necessary to compare the existing platted lots and streets with the PUD proposal. The existing plat permits an extension of Stonehenge Avenue to serve 21 lots, and 3 lots on Quarry Road. The extension of Stonehenge would require crossing a waterway shown on the City's waterway map, as well as placing a large amount of fill in the Stonehenge right-of-way to get the road slope to 10%. This additional fill would require site grading that would place the floor elevation of the proposed lots above that of houses on Druid, obscuring the southern view of the existing properties. The construction of Stonehenge would require the removal of almost all trees on the site.

The existing plat would be in keeping with the rest of the Belmont neighborhood by constructing the streets along the originally planned grid pattern that is a defining characteristic of the Belmont neighborhood.

The proposed PUD responds to the existing topography of the site, avoids the stream crossing, preserves 70 trees on the site, and guarantees 15% open space by virtue of being rezoned to PUD. The plan, however, is more in line with modern development techniques than the type of development in the rest of Belmont.

In differentiating between the two layouts, the impact on the environment is a large factor. The proposal uses a road layout that follows the topography of the site, while the Belmont plat did not take topography into account when it was drawn up over 100 years ago. Additionally, the 15% open space requirement of the PUD, along with the greater certainty of the required site plan submission that would follow the approval of PUD means the City would have more certainty regarding the future use of the land.

It should be noted that the difference between the proposal and the grid layout would be cause for concern if the property were not adjacent to existing newer construction, and accessed solely via Quarry Road. It is important to maintain the character of the Belmont neighborhood, but staff feels that the PUD proposal as drawn would not detract from the neighborhood because of the buffers near adjacent properties, and the fact that the new road would not connect to Stonehenge or Druid.

This debate, however, remains moot as long as the concerns from City staff regarding Fire Department access to the site are outstanding. The inclusion of a City approved turnaround and further information about the road slope may require changes to the concept plan that could impact the staff's analysis of the application. Accordingly, staff recommends the rezoning be deferred.

## **Attachments**

- Rezoning Application
- Concept Plan and Narrative Dated
- Letter from the applicant's agent detailing the justification for a critical slope waiver

## **Suggested Motions for the Rezoning Request**

1. I move to recommend approval of this application to rezone property from R-1S to PUD on the basis that the proposal would serve the interests of the general public welfare and good zoning practice.
2. I move to recommend denial of this application to rezone property from R-1S to PUD on the basis that the proposal would not serve the interests of the general public welfare and good zoning practice.

## **Suggested Motions for the Critical Slope Waiver Request**

1. I move to recommend the City Council grant a waiver of the critical slope ordinance on the basis that due to existing development of the property, one or more of these critical slope provisions would result in significant degradation of the site or adjacent properties, with the following conditions:
  - a. Any trees shown on the final landscape plan as to be removed will be replaced at a ratio of new 2 plantings for every 1 tree removed in the open space areas of the PUD. These trees will not count towards any street tree requirements on the site plan.
  - b. Any trees shown as to be preserved on the final landscape plan that subsequently are removed will be replaced at a ratio of 3 new plantings for every 1 tree removed.
  - c. Detailed site engineering plans will be required along with the site plan to show how the applicant plans to achieve increased slope stability on the undisturbed areas of critical slopes.
2. I move to recommend the City Council deny this request for a waiver of the critical slope ordinance, on the basis that the proposed waiver shall be detrimental to the public health, safety or welfare, detrimental to the orderly development of the area, or adjacent properties, or contrary to sound engineering practices.

# ZONING MAP AMENDMENT FOR STONEHENGE AVENUE EXT.

## TAX MAP 60, PARCELS 81.8, 90, 120, 120A-C, 121, & 122.4-7 CITY OF CHARLOTTESVILLE, VIRGINIA

### ADJACENT PARCELS WITHIN 500' OF SITE

TAX MAP & PARCEL #	ADDRESS	OWNER NAME	ZONING
590300000	818 ALTAVISTA AVE	COLLINS, ELWOOD L & LUCILLE G	R-1S
590301000	817 DRUID AVE	KNIGHT, EDWARD M & SYLVIA H	R-1S
590302000	815 DRUID AVE	TRODDEN, RICHARD & NORA	R-1S
590303000	813 DRUID AVE	ROBERTSON, GOODWIN B	R-1S
590313100	808 DRUID AVE	WHITE, LAVENDER J JR & MARY T	R-1S
590314000	DRUID AVE	CORDANO, PHILIP M & INGRID M	R-1S
590315000	814 DRUID AVE	TEMPLETON, STEPHEN & HANNAH BESSELL	R-1S
590316000	816 DRUID AVE	GARRISON, NETTIE W	R-1S
590317000	817 STONEHENGE AVE	NEULAND, DONALD J & EVA L	R-1S
590318000	815 STONEHENGE AVE	SHIFFLETT, ROGER LEE & CAROLYN S	R-1S
590319000	813 STONEHENGE AVE	MORRIS, JOSEPH E & VIVA B	R-1S
590320000	811 STONEHENGE AVE	SCLATER, BETTY E & BETTY J HERRING	R-1S
590330000	812 STONEHENGE AVE	LIVELY, LOUISE M	R-1S
590332000	816 STONEHENGE AVE	DE BAUN, CHRISTIAN C & ROCHELLE R PULL	R-1S
590333000	818 STONEHENGE AVE	WALKER, WILLIAM E SR & DAISY A	R-1S
590334000	819 ROCKLAND AVE	GAYLORD, DONALD A	R-1S
590335000	817 ROCKLAND AVE	GENTRY, WALTER D & BETTY M	R-1S
590336000	ROCKLAND AVE	ROSELIOUS, MARILYN JOAN	R-1S
590337000	813 ROCKLAND AVE	BINGLER, ROBERT F & PATRICIA G	R-1S
590348000	1500 GREEN ST	DUDLEY, PEARL M	R-1S
590348100	1502 GREEN ST	GENTRY, DAVID R & LYNETTE B NARCISO	R-1S
590349000	1504 GREEN ST	BRANCH, NORMAN W	R-1S
600066000	900 ALTAVISTA AVE	NAPPI, ANTHONY L, III	R-1S
600067000	902 ALTAVISTA AVE	GARRISON, CATHERINE E	R-1S
600068000	904 ALTAVISTA AVE	GARRISON REAL ESTATE, LLC	R-1S
600070000	908 ALTAVISTA AVE	GARRISON REAL ESTATE, LLC	R-1S
600071000	910 ALTAVISTA AVE	MARSHALL, HARRY S & PATSY	R-1S
600072000	912 ALTAVISTA AVE	PIPPIN, SUSAN G	R-1S
600073000	914 ALTAVISTA AVE	RUSHING, DEBORAH S	R-1S
600074000	916 ALTAVISTA AVE	FABIO, CRAIG A	R-1S
600075000	918 ALTAVISTA AVE	SACRE, THOMAS M, SR, LIFE ESTATE	R-1S
600076000	901 DRUID AVE	EPPARD, RAYMOND R & ETHEL D	R-1S
600076100	903 DRUID AVE	MAYO, BOBBY GENE & SHELBY G, LIFE ESTATE	R-1S
600076200	905 DRUID AVE	EPPARD, RAYMOND R & ETHEL D	R-1S
600076300	907 DRUID AVE	EASTON, FRED J & LOUISE K	R-1S
600076400	909 DRUID AVE	BREEDEN, ARNOLD R	R-1S
600076500	911 DRUID AVE	BLEAKLEY, JAMES F & MEGAN S	R-1S
600076600	913 DRUID AVE	GERMERSHAUSEN, BARBARA ANNE	R-1S
600076700	915 DRUID AVE	LANG, CARY L	R-1S
600076800	917 DRUID AVE	BEDDOW, WILLIAM & OLLIE, LIFE ESTATES	R-1S
600076900	919 DRUID AVE	LYNCH, MARTHA J	R-1S
600077000	900 DRUID AVE	HERRING, FLOYD L & SIDNEY B	R-1S
600078000	902 DRUID AVE	DEANE, BRENDA	R-1S
600079000	DRUID AVE	EVERETT, C E & BETTY H	R-1S
600080000	DRUID AVE	EVERETT, CLAUDE E & BETTY H	R-1S
600081000	908 DRUID AVE	MASSEY, MICHAEL & PATRICIA ANDERSON	R-1S
600081100	910 DRUID AVE	ULLRICH, WILLIAM & KRISTIN LINK	R-1S
600081200	912 DRUID AVE	PURICELLI, VIVIAN S	R-1S
600081300	914 DRUID AVE	DIX, MARTHA G	R-1S
600081400	916 DRUID AVE	VANDEVER, THOMAS J	R-1S
600081500	918 DRUID AVE	MILLER, STEVEN M & SHERYL H	R-1S
600081600	909 STONEHENGE AVE	AUST, NANCY I	R-1S
600081700	911 STONEHENGE AVE	AUST, NANCY I	R-1S
600082000	907 STONEHENGE AVE	WALSH, KATHLEEN A	R-1S
600083000	905 STONEHENGE AVE	MIDTHUM, BILLIE ANN	R-1S
600084000	903 STONEHENGE AVE	OLIVA, DONALD E & TAMMI J	R-1S
600085000	901 STONEHENGE AVE	LAHENDRO, JOSEPH D	R-1S
600086000	900 STONEHENGE AVE	WIDMER, DANIEL J & CANDACE B	R-1S
600087000	904 STONEHENGE AVE	ELLIOTT-GRAHAM, DELORES & MURRIEL	R-1S
600088000	906 STONEHENGE AVE	COUSAR, LAUREN M	R-1S
600089000	908 STONEHENGE AVE	DATTA, NICOLA C I	R-1S
600090000	910 STONEHENGE AVE	BECK, JAMES E & CHRISTINE P	R-1S
600095000	919 ROCKLAND AVE	HONAKER, RACHEL K, TRUSTEE	R-1S
600096000	917 ROCKLAND AVE	KOVARIK, BRENDA BURGESS	R-1S
600097000	915 ROCKLAND AVE	GENTRY, WALTER D & BETTY M	R-1S
600098000	913 ROCKLAND AVE	DOWELL, DORIS J	R-1S
600099000	911 ROCKLAND AVE	WARD, THOMAS G, JR & MAREN E	R-1S
600100000	909 ROCKLAND AVE	GARRISON, CATHERINE E	R-1S
600101000	905 ROCKLAND AVE	FOX, WILLIAM E JR & LINDA M	R-1S
600103000	1408 MERIDIAN ST	WOODSON, EMMA JANE	R-1S
600104000	1410 MERIDIAN ST	DUTOI, BRIAN CHARLES	R-1S
600105000	900 ROCKLAND AVE	SELLERS, ERIC W & JILL R	R-1S

TAX MAP & PARCEL #	ADDRESS	OWNER NAME	ZONING
600107000	906 ROCKLAND AVE	LUGAR, MICHAEL D, JANICE C & KARA M	R-1S
600108000	908 ROCKLAND AVE	MATHENY, CAROLYN V	R-1S
600109000	914 ROCKLAND AVE	GENTRY, WALTER D & BETTY M	R-1S
600110000	916 ROCKLAND AVE	GENTRY, WALTER D & BETTY M	R-1S
600111000	918 ROCKLAND AVE	GIBSON, ANNIE M	R-1S
600112000	1000 ROCKLAND AVE	POWELL, LARRY W	R-1S
600114000	423 QUARRY RD	RESULTS REAL ESTATE, INC	R-1S
600115000	421 QUARRY RD	CRAWFORD, WAYNE C & PATRICIA ANN	R-1S
600116000	419 QUARRY RD	CRAWFORD, PATRICIA ANN	R-1S
600117000	417 QUARRY RD	WOOD PROPERTY INVESTMENTS, LLC	R-1S
600118000	415 QUARRY RD	FLAVIN, PHILLIP L	R-1S
600122000	1000 DRUID AVE	BUTTNER, ERNEST E & PAULINE E	R-1S
600122100	1002 DRUID AVE	LILLY, LINDA K	R-1S
600122200	1004 DRUID AVE	SPEER, KIMBERLY L	R-1S
600122300	1006 DRUID AVE	HENNIGAR, MICHAEL H & KATRINA V	R-1S
600123000	1008 DRUID AVE	ZIEGLER, MARLA M	R-1S
600124000	1010 DRUID AVE	AUTEN, WILLIAM W & HOLLY H	R-1S
600124100	1012-A DRUID AVE	STEELE, MARIE C	PUD
600124200	1012-B DRUID AVE	PASTORE, EDWARD & ELIZABETH BRILLIANT	PUD
600124300	1012-C DRUID AVE	TOBIAS, AVROM & PEGGY	PUD
600124400	1012-D DRUID AVE	BROOM, CHRISTOPHER & CANDACE BURTON	PUD
600124500	1012-E DRUID AVE	ROBINSON, GERARD F & ANNE J HALE	PUD
600124A00	DRUID AVE	BELMONT RESIDENCES HOMEOWNERS ASSOC, INC	PUD
600125000	1014 DRUID AVE	FLETCHER, KRISTEN M	R-1S
600125A00	1016 DRUID AVE	THOMAS, ANDREW & KATHLEEN MUELLER	R-1S
600127000	1019 DRUID AVE	HARRIS, LANDON & SUZANNE	R-1S-EC
600127100	1015 DRUID AVE	GAFFNEY, NORA ALI	R-1S
600127200	1017 DRUID AVE	TAYLOR, RALPH E SR & ELSIE	R-1S
600128000	1013 DRUID AVE	WOOD, LYNWOOD DALE & CANDACE M	R-1S
600129000	1009 DRUID AVE	MEYER, KRISTIN K	R-1S
600129100	1005 DRUID AVE	CRUICKSHANK, JOHN & BARBARA	R-1S
600129200	1003 DRUID AVE	WOOD, WILLARD COLES JR & EDITH M	R-1S
600129300	1011 DRUID AVE	HENAO, IVAN D & JEANNETTE R HALPIN	R-1S
600129400	1007 DRUID AVE	KING, JOHN H	R-1S
600130000	1001 DRUID AVE	MATHIS, CASSANDRA MARIE	R-1S
600131000	1000 ALTAVISTA AVE	MEGAHAN, SCOTT & CAROLINE	R-1S
600131A00	1002 ALTAVISTA AVE	HUGHES, DAVID L & JEANNETTE A	R-1S
600132000	1006 ALTAVISTA AVE	PATRAS, JAMES	R-1S
600132100	1004 ALTAVISTA AVE	H P RENTAL PROPERTIES LP	R-1S
600133000	1008 ALTAVISTA AVE	CTM, LLC	R-1S
600134000	1016 ALTAVISTA AVE	NORTON, CHARLES W, III & JESSICA J	R-1S-EC
600134100	1012 ALTAVISTA AVE	GARRISON REAL ESTATE, LLC	R-1S
600134200	1010 ALTAVISTA AVE	AYERS, ASHLEY L	R-1S
600134300	1014 ALTAVISTA AVE	NORTON, CHARLES W, III & JESSICA J	R-1S-EC
600232000	1100 ALTAVISTA AVE	SPRADLIN, BONNIE & LAWRENCE MARSHALL, JR	R-1S-EC
600233000	1104 ALTAVISTA AVE	BLAKELY, VIRGIE M, LIFE ESTATE	R-1S
600252100	1600-12 MONTICELLO AVE	ONE SIX HUNDRED, LLC	HW-EC
600252200	QUARRY RD	BELMONT VILLAGE OWNERS ASSOCIATION, INC	HW
6002522A0	373 QUARRY RD	HEIDBRINK, KELLI D	HW
6002522AA	321 QUARRY RD	JORGENSEN, EARL V & CINDY M	HW
6002522B0	371 QUARRY RD	LEE, KENYA C	HW
6002522C0	369 QUARRY RD	CLARKSON, JAMES & KRISTEN KANIPE	HW
6002522D0	367 QUARRY RD	SHIN, KYUNGMIN	HW
6002522E0	365 QUARRY RD	SEILER, NAN W	HW
6002522F0	363 QUARRY RD	CHEW, ERIC M & SUSAN M	HW
6002522G0	345 QUARRY RD	CALLAN, ANDREW T, III	HW
6002522H0	343 QUARRY RD	SELINGER HOMES, INC	HW
6002522J0	341 QUARRY RD	SELINGER HOMES, INC	HW
6002522K0	339 QUARRY RD	JORGENSEN, EARL V & CINDY M	HW
6002522L0	337 QUARRY RD	VAUGHAN, PHILIP R	HW
6002522M0	361 QUARRY RD	BYRD, SUSAN LOWRY	HW
6002522N0	359 QUARRY RD	MCDONALD, PAUL A & CARMEN E	HW
6002522O0	357 QUARRY RD	TRESSLER, MARIA L	HW
6002522P0	355 QUARRY RD	SPILLER, WARREN L	HW
6002522Q0	353 QUARRY RD	FAULK, CORDEL L	HW
6002522R0	351 QUARRY RD	MARICICH, YURI A & BRIDGET	HW
6002522S0	349 QUARRY RD	JORDAN, WILLIAM R	HW
6002522T0	347 QUARRY RD	ORRELL, GEORGE N & SHARON J	HW
6002522U0	335 QUARRY RD	GLASS, BONNIE K	HW
6002522V0	333 QUARRY RD	SELINGER HOMES, INC	HW
6002522W0	331 QUARRY RD	MACGAW, SCOTT M & ELIZABETH G	HW
6002522X0	329 QUARRY RD	SELINGER HOMES, INC	HW

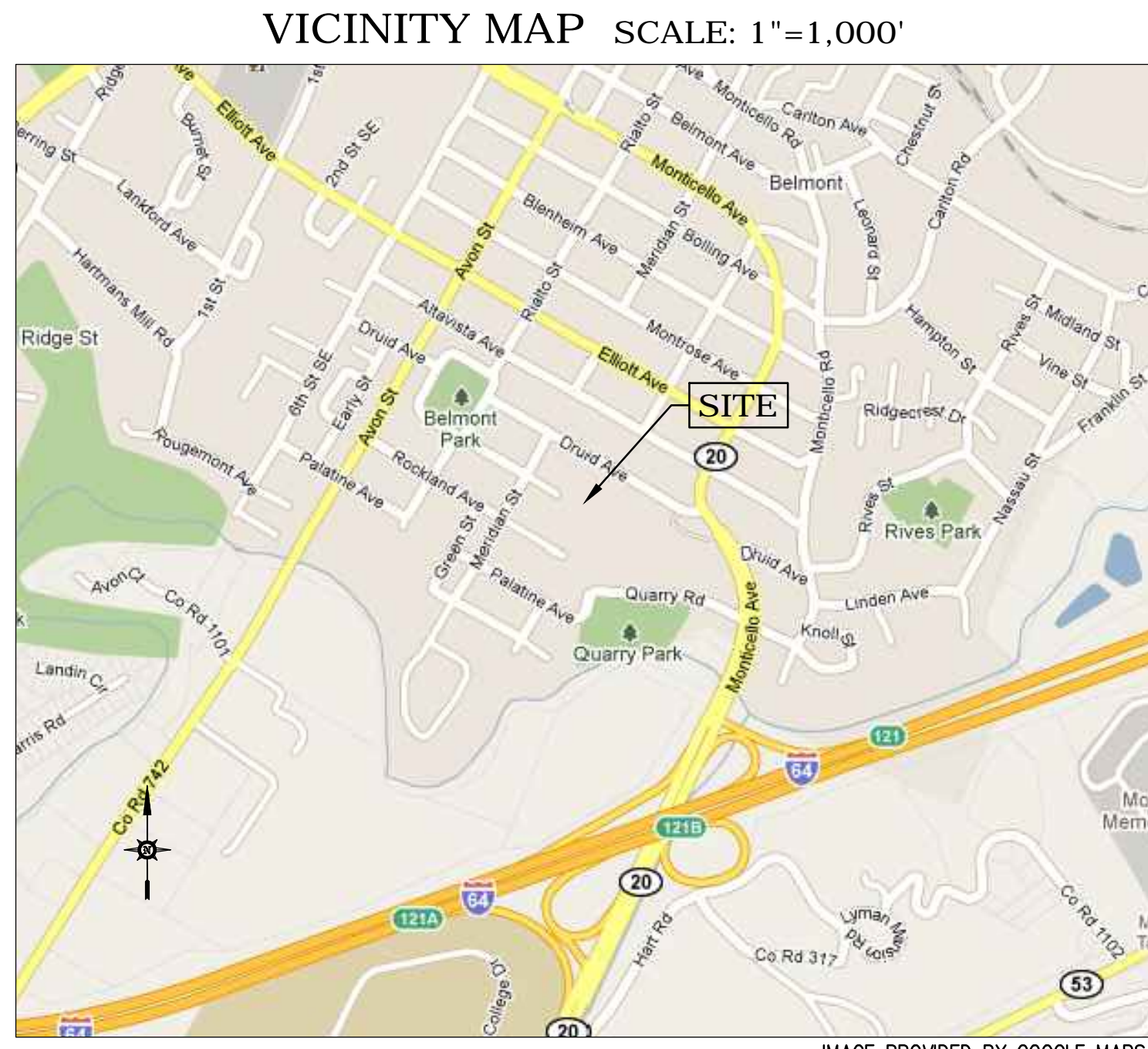


IMAGE PROVIDED BY GOOGLE MAPS

### ADJACENT PARCELS WITHIN 500' OF SITE

TAX MAP & PARCEL #	ADDRESS	OWNER NAME	ZONING
6002522X0	327 QUARRY RD	RUDMAN, FRANCES	HW
6002522Y0	325 QUARRY RD	REHM, REBECCA A	HW
6002522Z0	323 QUARRY RD	KUPPALLI, MANU & SMITHA S GOWDA	HW
600255000	420 QUARRY RD	CITY OF CHARLOTTESVILLE	R-1S-EC
600256000	307 PALATINE AVE	DUBENDORFER, DAVID & CARRIE OERTEL	R-1S
600256100	PALATINE AVE	DUBENDORFER, DAVID & CARRIE OERTEL	R-1S
600257000	303 PALATINE AVE	KELLEY, JAMES A, JR	R-1S
600259000	211 PALATINE AVE	WILLIAMS, ARLE E & EVELYN C	R-1S
600260000	219 PALATINE AVE	ROWLAND, RICKY C	R-1S
600261000	215 PALATINE AVE	SELF, KEVIN E & SARAH J	R-1S
600262000	213 PALATINE AVE	FITZGERALD, JUNIOR H & BETTY JOE	R-1S
600263000	211 PALATINE AVE	WORKMAN, NORMAN LEE	R-1S
600264000	209 PALATINE AVE	CARWILE, M NEAL & ANITA D	R-1S
600265000	207 PALATINE AVE	FITZGERALD, JUNIOR & BETTY	R-1S
600266000	205 PALATINE AVE	BAKER, AARON E & CHRISTIN	R-1S
600267000	203 PALATINE AVE	GROVE, SUSANNAH L	R-1S
600267100	201 PALATINE AVE	KLINGER, JILL E	R-1S
600273000	212 PALATINE AVE	DICKERSON HOMES AND DEVELOPMENT, LLC	R-1S
600274000	214 PALATINE AVE	COLLIER, DANIEL & MARIE, ETAL	R-1S
600275000	216 PALATINE AVE	BABER, SHIRLEY L	R-1S
600276000	218 PALATINE AVE	GRIFFITH, STEPHANIE N	R-1S
600277000	220 PALATINE AVE	GRAY, KRISTEN A & LYNDON LARSON	R-1S
600278000	222 PALATINE AVE	TED REALTY, LLC	R-1S
600279000	304 PALATINE AVE	GRIFFITHS, JILLIAN	R-1S
600279100	302 PALATINE AVE	LORIGAN, CHRISTOPHER R & LAUREL T	R-1S
600279A00	306 PALATINE AVE	MCHUGH, STEVEN F	R-1S
600280000	308 PALATINE AVE	NOWELL, WILLIAM & EFFIE	R-1S
600281000	310 PALATINE AVE	HIGGINS, ELIZABETH	R-1S

### PROPOSED ZONING/SETBACKS

Setbacks: Lots 1-10 front 10', rear 10', side 4'.  
 Lots 11-29 front 20', rear 20', side 5'  
 Uses Allowed: Uses permitted shall be the same as allowed in the R-1S zoning district.

### SHEET INDEX

- SHEET C1 - COVER SHEET
- SHEET C2 - EXISTING CONDITIONS
- SHEET C3 - BY-RIGHT PLAN
- SHEET C4 - PUD APPLICATION PLAN
- SHEET C5 - NEIGHBORHOOD CROSS SECTION

### OWNER / DEVELOPER

Owner  
 Vulcan Development Company, LLC  
 PO Box 7532  
 Charlottesville, VA 22906

Developer  
 Simeon Investments  
 195 Riverbend Dr.  
 Charlottesville, VA 22911

### ZONING

Current: R-1S, Single Family Residential  
 Proposed: PUD

### LEGAL REFERENCE

- T.M. 60-120, 120.A, 120.B & 120.C-  
 D.B. 906-503, 506 PLAT & RESOLUTIONS CLOSING STREETS BOOK 2-23
- T.M. 60-81.8, 91, 121, 122.4 & 122.7-  
 D.B. 999-616 AND ALBE.D.B. 96-72 THRU 75 PLAT
- T.M. 60-122.5 & 122.6-  
 D.B. 983-562 AND ALBE.D.B. 96-72 THRU 75 PLAT

### LAND USE TABLE

Proposed Use: 29 Detached Single Family Residential Units  
 Residential Density: 29 Units/5.53 Acres = 5.24 Units Per Acre

PROPOSED	Area	%
Lots	108,851 SF	45.2%
Road ROW	43,154 SF	17.9%
Open space	88,837 SF	36.9%
Total=	240,842 SF (5.53 ac.)	

### SITE NOTES

1. Stormwater Management Shown is conceptual. Final design shall be shown with construction plans.
2. This site does not contain any historic landmarks as registered on the Virginia or Federal registry.
3. Existing vegetation on this parcel is mixed evergreen and deciduous trees. Existing vegetation will be protected and remain in areas without disturbance.
4. A wetland delineation has been performed. There are no wetlands onsite.
5. 2' contour interval topography is shown from Charlottesville GIS data.

### NARRATIVE

The narrative below addresses the required PUD ordinance objectives applicable to this development (Sec 34-490):

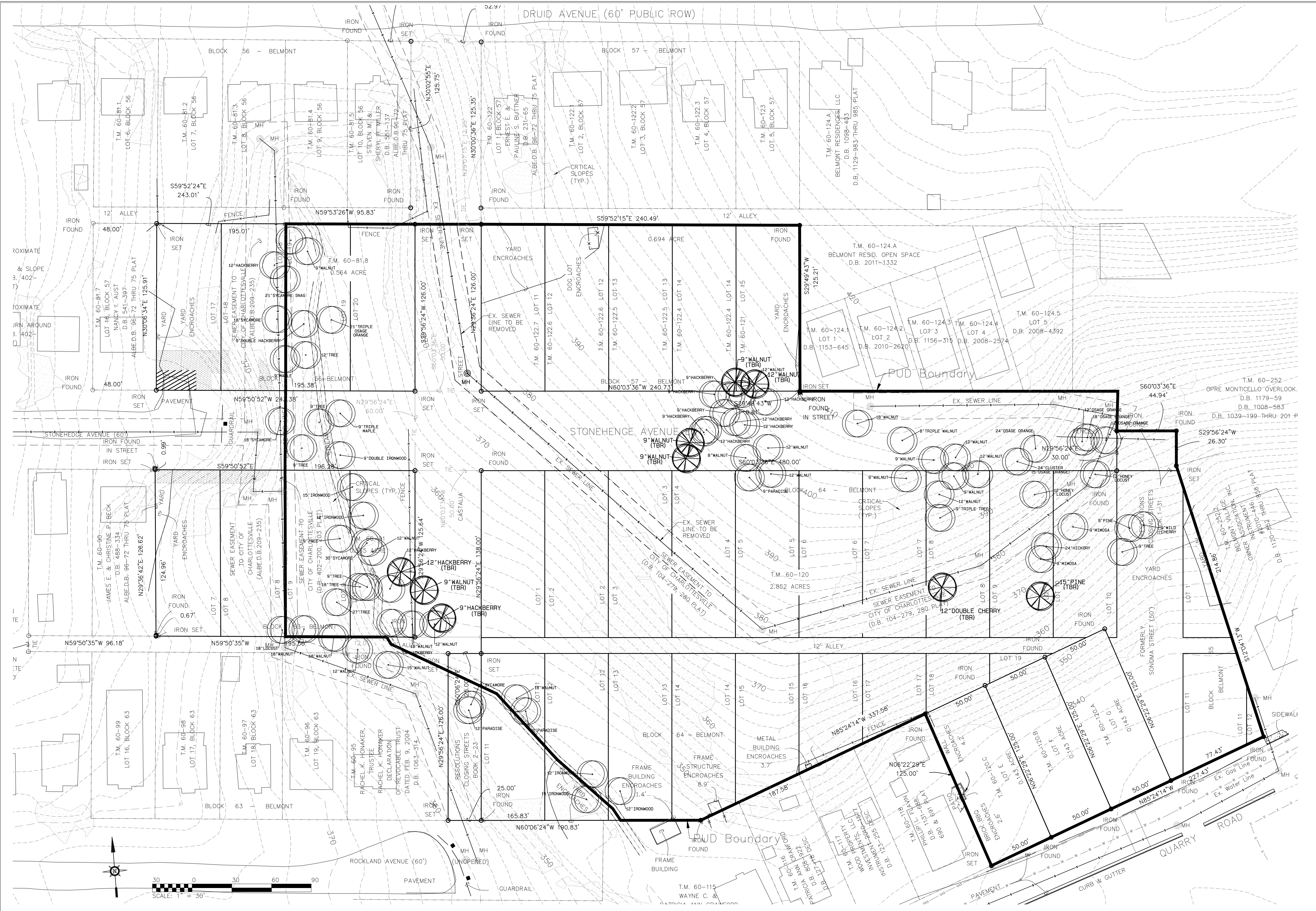
1. The by-right development of these parcels is based upon construction of the existing platted streets from the original Belmont neighborhood division. These plans were drawn without detailed engineering and created roads and lots traversing steep terrain without regard to road slope or stream crossings. The adoption of the PUD plan permits construction of roads to lesser slopes and lots more conforming to existing site features.
2. The PUD proposes to both preserve the steepest portions of the site and the stream in permanent open space, a more environmentally sensitive design than the by-right option.
3. A mix of traditional 50' lots and 40' lots are proposed within the PUD development to provide variety in housing styles within a predominantly R1 zoned neighborhood.
4. Units have been clustered along the most constructible portion of the site leaving streams and steep slopes in open space preservation.
5. The PUD development will be cohesive with the neighboring R1 properties as the lot sizes and densities are very similar.
6. Existing uses around the development are a mix of residential. The PUD development transitions from the higher density along Quarry road into the Belmont neighborhood.
7. The purpose of the PUD development is to avoid the by-right crossing of the stream that transects the property.

### CRITICAL SLOPES DISTURBANCE

By-Right: 1.59 Ac.  
 PUD: 0.96 Ac.

A waiver request has been submitted with this application.

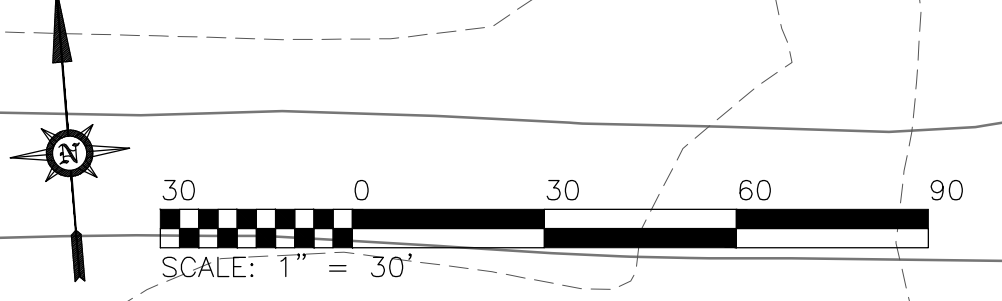
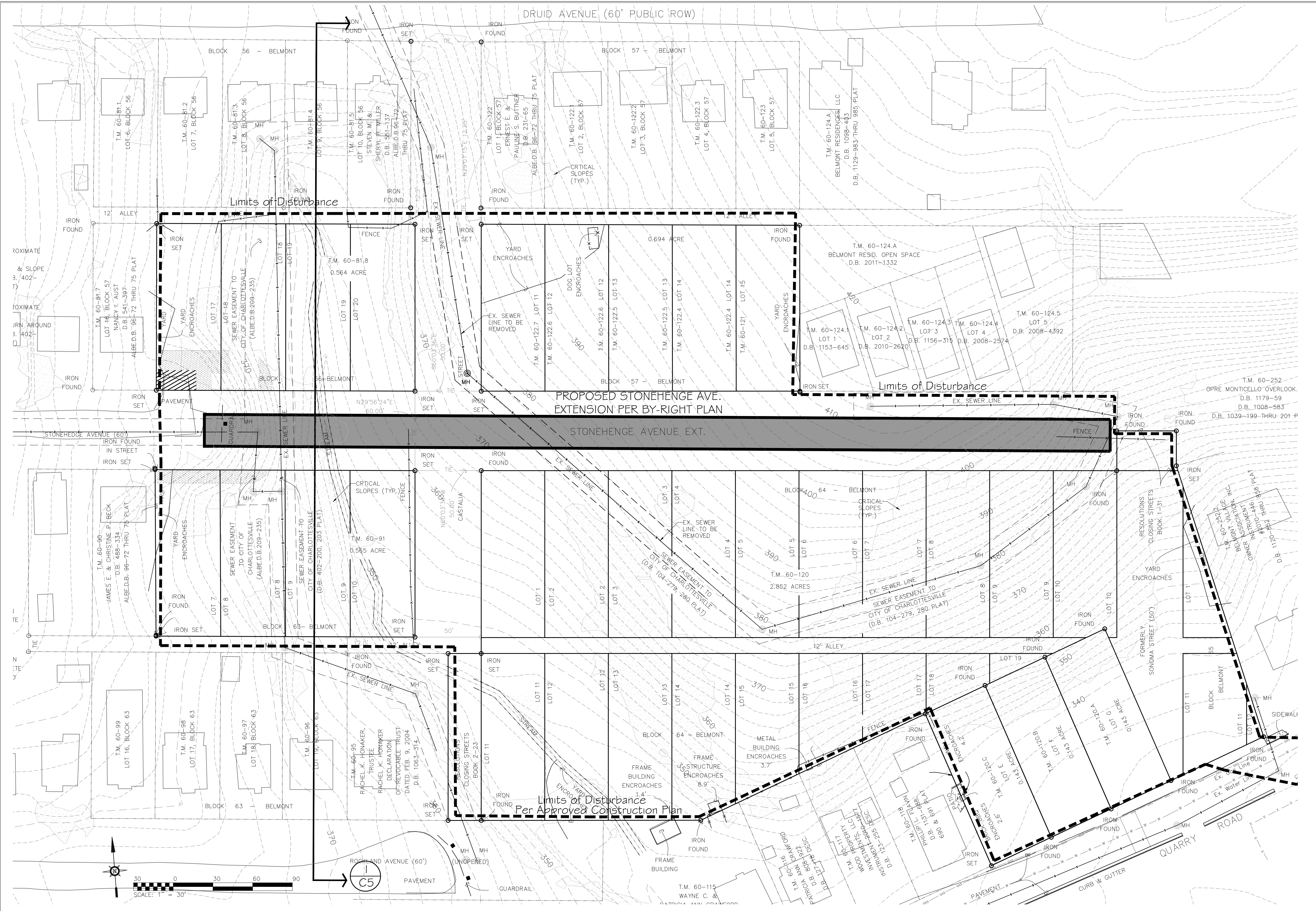




**EXISTING CONDITIONS**

Rev. #	Date	Description
0	07/12	Initial
1	08/07/12	City Comments
2	08/07/12	City Comments

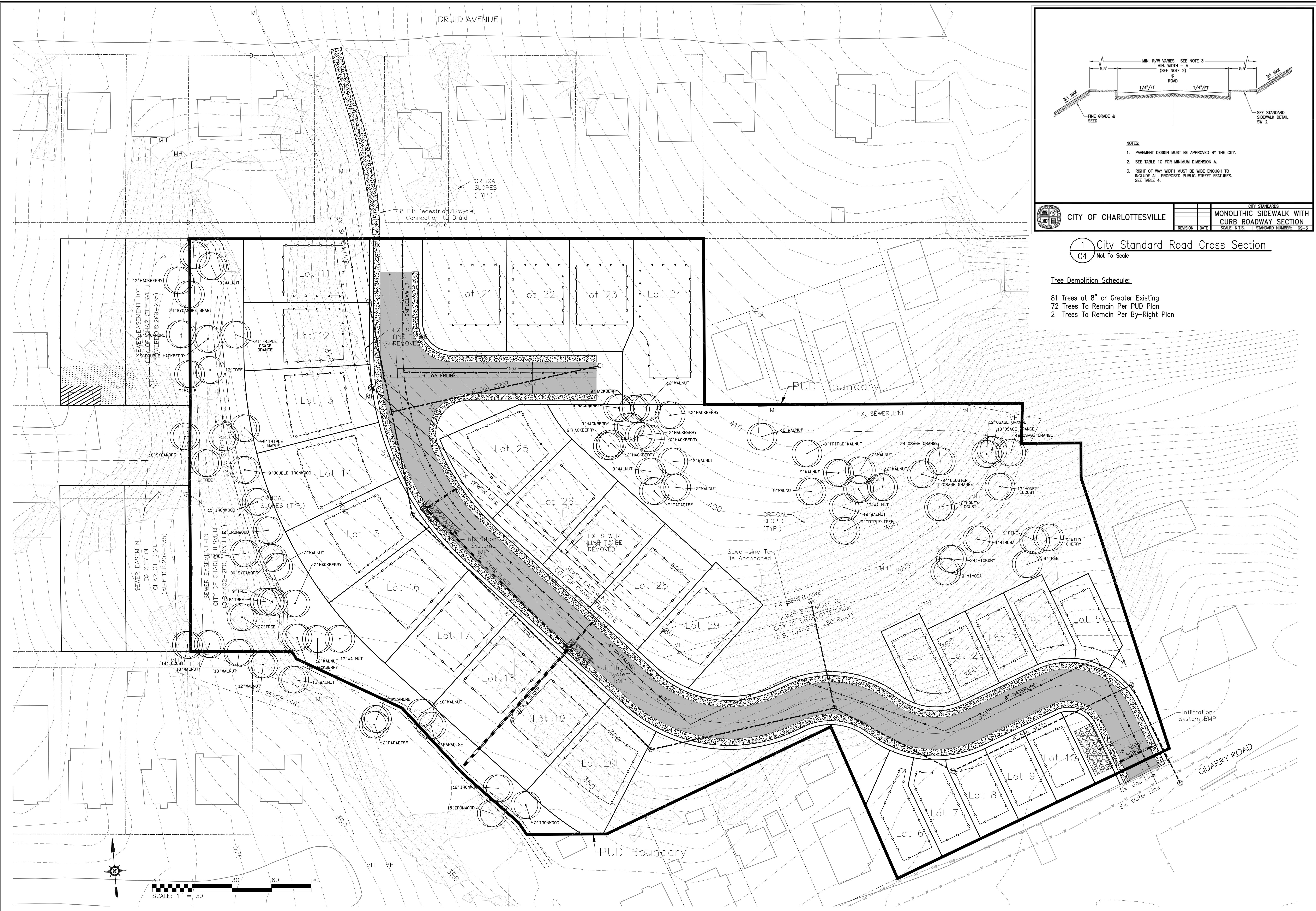
**ZONING MAP AMENDMENT FOR**  
**STONEHENGE AVE EXT.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA



**BY-RIGHT DEVELOPMENT**

Rev. #	Date	Description
1	07/12/12	City Comments
2	09/02/12	City Comments

ZONING MAP AMENDMENT FOR  
**STONEHENGE AVE EXT.**  
 CITY OF CHARLOTTESVILLE, VIRGINIA



MIN. R/W VARIES. SEE NOTE 3  
 MIN. WIDTH - A (SEE NOTE 2)  
 ROAD  
 SEE STANDARD SIDEWALK DETAIL SW-2  
 FINE GRADE & SEED  
 31' WALK  
 1/4\"/>

**NOTES:**  
 1. PAVEMENT DESIGN MUST BE APPROVED BY THE CITY.  
 2. SEE TABLE 1C FOR MINIMUM DIMENSION A.  
 3. RIGHT OF WAY WIDTH MUST BE WIDE ENOUGH TO INCLUDE ALL PROPOSED PUBLIC STREET FEATURES. SEE TABLE 4.

CITY OF CHARLOTTESVILLE		CITY STANDARDS	
REVISION	DATE	MONOLITHIC SIDEWALK WITH CURB ROADWAY SECTION	SCALE: N.T.S. STANDARD NUMBER: RS-3

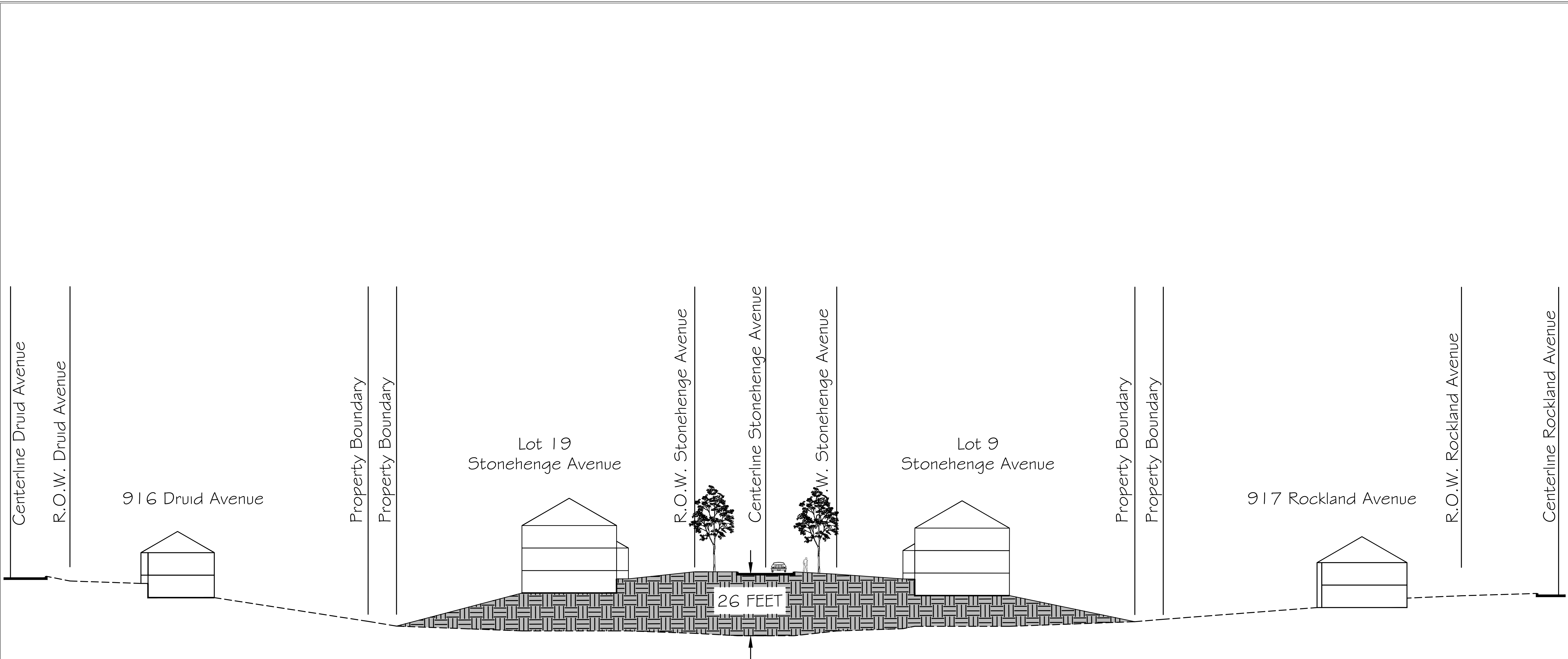
1 City Standard Road Cross Section  
 C4 Not To Scale

**Tree Demolition Schedule:**  
 81 Trees at 8" or Greater Existing  
 72 Trees To Remain Per PUD Plan  
 2 Trees To Remain Per By-Right Plan

**APPLICATION PLAN**

Rev #	Date	Description
0	08/12/12	City Comments
1	08/12/12	City Comments
2	08/02/12	City Comments

ZONING MAP AMENDMENT FOR  
**STONEHENGE AVE EXT.**  
 CITY OF CHARLOTTESVILLE, VIRGINIA



1 BY-RIGHT PLAN NEIGHBORHOOD CROSS SECTION  
C5 SCALE: 1"=20' HORIZ, 1"=20' VERT.

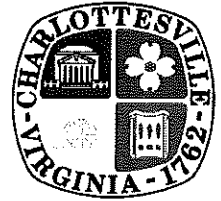
**SHIMP ENGINEERING, P.C.**  
 ENGINEERING - LAND PLANNING - PROJECT MANAGEMENT  
 201 E. MAIN ST., SUITE M  
 CHARLOTTEVILLE, VA 22902  
 PHONE: (434) 207-8086  
 JUSTIN@SHIMP-ENGINEERING.COM

NEIGHBORHOOD	
CROSS SECTION	
Rev #	Description
1	07/12/12 City Comments
2	08/02/12 City Comments

ZONING MAP AMENDMENT FOR  
**STONEHENGE AVE EXT.**  
 CITY OF CHARLOTTEVILLE, VIRGINIA

Date	04/19/2012
Scale	1" = 20'
Sheet No.	C5 OF 5
File No.	11.007

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



**APPLICATION FOR AN INFILL SPECIAL USE**

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

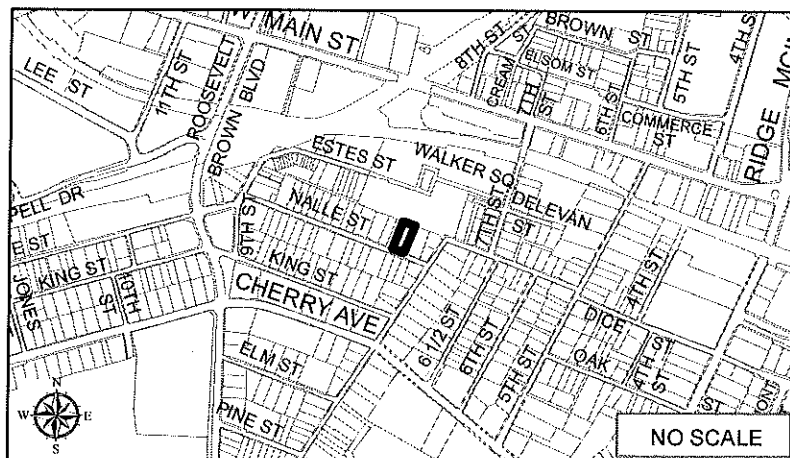
**DATE OF HEARING:** August, 14, 2012

**APPLICATION NUMBER:** SP-12-06-09

**Project Planner:** Willy Thompson, AICP

**Applicant:** Stephen Hitchcock and Kendall Cox

**Vicinity Map**



**Application Information**

**Property Street Address:** 715 Nalle Street

**Tax Map/Parcel #:** Tax Map 30 Parcel 37 Lot 17

**Total Square Footage/Acreage Site:** 10,800 Sq. Ft./ .254 Acre

**Comprehensive Plan (Land Use Plan) Designation:** Single-Family Residential

**Current Zoning Classification:** R1-S (Small Lot Single-Family)

**Taxes:** Property taxes are current for this property

**Applicant's Request:**

Stephen Hitchcock and Kendall Cox have requested an infill special use permit for a new single-family residential lot at 715 Nalle Street. The property is further identified on City Real Property Tax Map 30 Parcel 37 Lot 17 having road frontage on Nalle Street. The site is zoned R-1S and is approximately 0.25 acre or 10,800 square feet. The Land Use Plan generally calls for single-family residential.

**Executive Summary:**

The applicant is requesting an infill special use permit to subdivide and build an additional single family residence at 715 Dice Street. This special use permit would allow a density of 7.87 units per acre in an R-1S Residential District where the maximum allowable by-right density is 7.2 units per acre. As a condition of this special use permit, the applicant is requesting a reduction in:

1. The required lot frontage from 50' to 36'
2. Lot size requirements from 6,000 sf to 5,532 sf
3. A parking space currently exists on this site and the applicant is requesting that their new pervious driveway be located at this location. The existing space is closer than three feet to the adjoining property. Three feet is the minimum distance a newly installed driveway can be from the property line.

The property is currently occupied by a 1,400 square foot single-family detached dwelling and is zoned R-1S.

As part of the required Low Impact Development (LID) Strategies, the applicant proposes to install dry wells, rain barrels, and a pervious driveway to improve the site and control the current drainage across the lot from the west. The Low Impact Development Strategies total 13 points on the preliminary LID worksheet which exceeds the minimum requirement of 10 points.

Staff recommends approval.

**Standard of Review:**

The Planning Commission must make an advisory recommendation to the City Council concerning approval or disapproval of a special use permit for the proposed development based upon review of the site plan for the proposed development and upon the criteria set forth. The Planning Commission may concurrently approve the site plan subject to city council's approval of a special use permit and subject to the necessary amendments to the site plan as a result of the City Council action. Alternatively, the planning commission may choose to consider the site plan after approval of the special use permit by city council.

City Council may grant an applicant a special use permit, provided that the applicant's request is in harmony with the purposes and standards stated in the zoning ordinance (Sec. 34-936). 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.

In reviewing an application for an infill special use permit, the city council and planning commission may deviate from the following types of regulations pursuant to a special use permit: minimum lot size and street frontage requirements, dimensional requirements, types of dwellings, density, yard requirement provided that: (1) Such modification or exception will be in harmony with the purposes and intent of the zoning district regulations under which such special use permit is being sought; (2) Such modification or exception is necessary or desirable in view of the particular nature, circumstances, location or situation of the proposed use; and (3) No such modification or exception shall be authorized to allow a use that is not otherwise allowed by this ordinance within the zoning district in which the subject property is situated. The Planning Commission may include comments or recommendations regarding the advisability or effect of the modifications or exceptions. The resolution adopted by Council shall set forth the approved modifications or exceptions.

In addition to the general considerations applicable to approval of a special use permit the city council and planning commission shall consider whether the application satisfies the following objectives:

- (1) Provision of a variety of housing types, or, within a development containing only a single housing type, inclusion of houses of various sizes, to the end that housing within the development will provide a vibrant neighborhood offering a diverse mix of housing styles and sales prices that are affordable to persons and families in various income ranges;
- (2) Ease of access to and encouragement of the use of public transit services or other alternatives to single-occupancy automobiles (including, without limitation, public pedestrian systems) by persons who live within the development.
- (3) Encouragement of pedestrian and vehicular connectivity within a development, and between a development and adjacent neighborhoods, providing opportunities for residents to live near workplaces, shopping opportunities and conveniences.
- (4) Preservation of cultural features, historic structures and scenic assets and natural features such as trees, streams, drainage ways and topography, or restoration of such assets and features;
- (5) Proximity to public parks and public recreational facilities; and/or
- (6) Creation of a development that is harmonious with the existing uses and character of adjacent property(s), and/or consistent with patterns of development noted with respect to such adjacent property.

The purpose and intent of the R-1S single-family residential zoning districts is to provide and protect quiet, low-density residential areas wherein the predominant pattern of residential development is the single-family dwelling.

### **Background: (Relevant Code Section)**

#### **Infill SUP**

**Sec. 34-165** Infill development is a concept by which the city desires to encourage and permit variation in certain areas within the city's R-1, R-1S, R-2 and R-3 zoning districts, by allowing deviation from the following types of regulations pursuant to a special use permit: minimum lot

size and street frontage requirements, dimensional requirements, types of dwellings, density, and yard requirements.

**Density**

**Sec 34-166 (e)** Density within an infill development shall not exceed one and one-half (1.5) times the density already allowed by right in the existing zoning district. Notwithstanding the foregoing, city council may approve additional density of up to two (2) units per acre for an infill development that demonstrates a score of thirteen (13) points or higher on the LID worksheet.

**Parking**

**Sec. 34-972. (a)** For lots containing a single-family detached dwelling or a two-family dwelling, parking may be located within any yard, provided that in a front yard, no area that is improved for parking or driveway access to parking may exceed eighteen (18) feet in width, or a total area equal to more than twenty-five (25) percent of the front yard, whichever is greater.

**Overall Analysis:**

**1. Proposed Use of the Property:**

The proposed use of the property is one single-family detached dwelling with associated low impact development provisions.

**2. Zoning History:**

In 1949, the property was zoned A-1 Residence. In 1958 and 1976, the property was zoned R-2 Residential. In 1991, it was zoned R1-A and in 2003, it was zoned R1-S.

**3. Character and Use of Adjacent Properties:**

Direction	Use	Zoning
North	Walker Square Condos	Cherry Avenue Corridor
South	Residential	R1-S
East	Residential	R1-S
West	Residential	R1-S

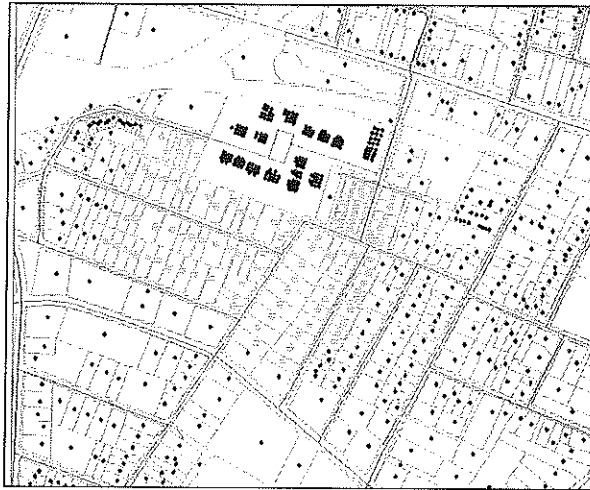
**4. Reasonableness/Appropriateness of Current Zoning:**

The current zoning of the property is R-1S. This zoning is appropriate and reasonable in the context of the zoning within the surrounding area which is primarily R-1S single family residential.



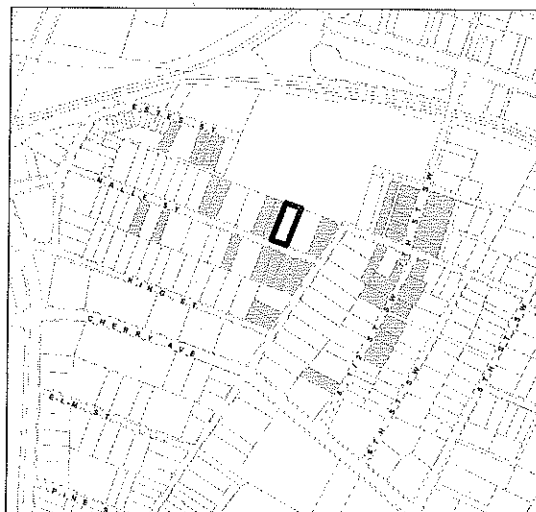
5. **Reasonableness/Appropriateness of Proposed Zoning**

The property lies within the designated Infill SUP area for which the purpose is to encourage and permit variation and additional density within the Infill SUP designated areas of R-1, R-1S, R-2 and R-3 zoning districts. The by-right density in an R-1S zone is approximately 7.2 units per acre. This development would be 7.87 DUA. The Infill SUP zone allows for 1.5 times the allowable density with 10 LID points and an additional 2 DUA for 13 or more points on the LID worksheet.



The proposed zoning is appropriate. The average parcel size for all lots within 500 feet is 6079 square feet. Walker Square, a condominium development was not included in the parcel survey. The properties measured are those outlined in blue above. The applicant is proposing a new lot of approximately 5, 530 square feet.

Of the parcels surveyed, 48 are under 6,000 square feet, the minimum lot size for a subdivision in R1-S zoning.



**Legend**

▨ PARCELS LESS THAN 6,000 SQ FT

There are 48 lots within 500 feet of 715 Nalle Street that are less than 6,000 sq. ft. in area according to the City Assessor's records.

**6. Consistency with Comprehensive Plan**

The additional unit would be a single family residence. Single family residences are consistent with the Land Use Plan designation. Additional residences allowed by infill special use permit are consistent with the single-family Land Use Plan designation. This property is within the Infill SUP zone, which allows for increased density in residential developments close to Charlottesville’s downtown.

**7. Potential Uses of the Property (By-Right)**

By right uses within the R-1S Residential zone include single family detached dwellings, convents and monasteries, family day homes, residential treatment facilities, houses of worship, elementary and high schools, and libraries, among others.

**Infill Project Review:**

**Uses**

Single Family Detached Residential (1,680 sf)

**Density**

7.87 units per acres. Maximum allowed by Infill SUP is 12.8 DUA.  
[(7.2 DUA X 1.5) + 2 additional DUA = 12.8].

**Environmental impact / (LID) Worksheet**

As part of the required Low Impact Development Strategies, the applicant proposes to install:

- |                      |   |          |
|----------------------|---|----------|
| 1. Pervious driveway | = | 7 points |
| 2. Dry Wells         | = | 3 points |
| 3. Rain Barrels      | = | 3 points |

Total LID =13 points

The engineering department has reviewed the LID worksheet and as condition of the Infill SUP, requests that an engineered plan for the LID features be submitted and approved by the engineering department prior to approval of a subdivision.

**Special Use Permit Project Review:**

**1. Conformity with comprehensive plan and policies:**

The Comprehensive Plan states that infill development through special use permits is a tool used to increase development opportunity in certain areas to promote a walkable community, to reduce traffic congestion, improve air quality and enhance the viability of downtown businesses. The city seeks to encourage increased density of residential development in central Charlottesville.

The proposed infill SUP site is located within the city’s designated area for potential redevelopment and infill development. The proposed use of a single-family detached

residence on a small lot would be appropriate in character, scale and size to the surrounding neighborhood.

**2. Impact on the neighborhood**

**a. Traffic or parking congestion;**

Parking has historically been problematic along Nalle Street. However, the applicant is proposing to provide one off-street parking space as part of the development of this property. Any vehicular trips associated with one single-family dwelling would have little to no impact on the existing traffic patterns.

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

N/A

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

N/A

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

N/A

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

Water and sewer facilities are available to this site. The proposed use would not have a negative impact on the existing facilities.

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

N/A

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

Though there is a potential for some additional students, this infill project will not have significant impact on the school population or facilities.

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

The Fifeville neighborhood is not currently recognized as an architectural or historical control district by the City.

**3. Conformity with federal, state and local laws;**

a. This project will conform to all applicable laws.

**4. Requested exceptions and modifications;**

a. Required lot frontage from 50 ft. to 36 ft.

b. Lot size requirement from 6,000 sq. ft. to 5,532 sq. ft.

c. Off-street parking space minimum distance to property line from 3 feet to 1 foot.

**Public Comments Received:**

Public comments have been received regarding the application. To date, six letters of support and two in opposition have been received. The primary concern regarding the proposal is that an approval will set a precedent for future approvals in the area.

**Staff Comment:**

An additional unit on this property is appropriate and encouraged in this area as demonstrated by the City’s Infill SUP ordinance and designation of this area as appropriate for potential infill development. The new lot is comparable in size to the other lots in the area and the new lot could accommodate a house similar in size to others in the neighborhood. The applicant has proposed a location for the house that corresponds to the current pattern of development of houses closer to the street. In addition, as part of the Infill SUP requirements, the applicant is proposing a number of LID features to help mitigate the impact of increased density. Given the surrounding neighborhood context of small lots, the reductions in lot frontage and size requirements are appropriate.

**Staff Recommendation:**

Staff recommends that the Planning Commission forward this application to City Council with a recommendation for approval with the following condition:

1. An engineered plan for the dry wells and pervious driveway be submitted and approved by the city engineer prior to approval of a subdivision.
2. No occupant of this building may apply for permit parking.

**Attachment:**

- Application
- Narrative Statement
- Concept Plan
- LID Worksheet
- Public Comments

**Suggested Motions:**

1. I move to recommend approval of this application to allow an infill special use permit in the R1-S Residential - Small Lot district for variations in minimum lot size and regulations subject to the following conditions and exceptions or modifications:
  - a. Staff approval of the LID features presented on an engineered plan.
  - b. No occupant of this building may apply for permit parking.
  - c. Exception (a) \_\_\_\_\_
  - d. Exception (b) \_\_\_\_\_
  - e. Exception (c) \_\_\_\_\_

This approval is based on the finding that the proposal meets the criteria for a special use permit and would serve the interests of the general public welfare and good zoning practice.

OR,

2. I move to deny this application to allow an infill special use permit in the R1-S Residential – Small Lot district for variations in minimum lot size and regulations based on failure to meet criteria of a special use permit based on the following:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_



# 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

**RECEIVED**

JUN 26 2012  
FAX (434) 970-3359

NEIGHBORHOOD DEVELOPMENT SERVICES

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: 715 Nalle St. (address), zoned: R-25, for: subdivision of the lot to construct a single family home.

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

1. 72.41 feet of frontage on Nalle St. (name of street)
2. Approximate property dimensions: 72.41 feet by 149.71 feet.
3. Property size: 254 acres (square feet or acres)
4. Present Owner: Philip A. + Lisa M. Lorish (Name) as evidenced by deed recorded in Deed Book Number 2010 Page 4280, with the Clerk of the Circuit Court.
5. Mailing Address of Present Owner: 715 Nalle St
6. City Real Property Tax Map Number 30 Parcel(s) 37, \_\_\_\_\_; Lot(s): 17, \_\_\_\_\_

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

Property Owner Name	Mailing Address	City Tax Map and Parcel #
1. <u>Damman, Ralph K.</u>	<u>711 Nalle St.</u>	<u>3000 36000 (Lot 18)</u>
2. <u>Markowitz, Ellen</u>	<u>719 Nalle St.</u>	<u>3000 38000 (Lot 16B)</u>
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 Stephen Hitchcock + Kendall Cox  
Mailing Address 2141 Wingfield Rd. 1 Charlottesville, VA 22901  
Applicant's Phone Number(s): (434) 976-5900 Work (434) 987-3446 Home \_\_\_\_\_  
Applicant's Signature [Signature]

**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).

See attached Concept Drawing

**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 \_\_\_\_\_ Date Paid \_\_\_\_\_ Cash/Check # \_\_\_\_\_ Received by \_\_\_\_\_

SP12-0004

SUP Application to Subdivide 715 Nalle St.

NARRATIVE STATEMENT (Sec. 34-166, f, 1)

In response to the objectives described in section 32-165(b),

- (1) We are applying to subdivide 715 Nalle St. so that we can purchase the eastern half of the property and build a single-family residence there. It will be a small infill project that will remain in keeping with the neighboring Nalle St. residences, in terms of size, setback, and character. We are building this residence to live in ourselves.
- (2) Nalle St. is in easy walking distance (a few blocks) from both Roosevelt Brown Blvd. and Main St. where public transit can be accessed.
- (3) Nalle St. is in walking distance of both our places of employment (for Kendall, the University of Virginia, and for Stephen, the Downtown Mall).
- (4) There are currently no historic structures or cultural features on the property. There are no streams or wetlands and there is little plant life besides grass and a few bushes and small trees. Per our LID sheet, we plan to install a dry well, rain garden, and pervious pavers to improve the site and control the current drainage across the lot from the west. We will also be working with a landscape architect to add shade-providing plants to the property.
- (5) 715 Nalle St. is in short walking distance to Tonsler Park (recreational center and playground) as well as the mall and the grounds of the University of Virginia.
- (6) As mentioned above, in (1), our plan is to build a residence that reflects—in size, scope and design—the current character of the Nalle St. neighborhood.

TRAFFIC ANALYSIS (Sec. 34-166, f, 2)

The addition of a single residence on Nalle St. will *not* generate a notable increase in traffic for the area. Nalle St. is a one-way street. We intend to keep one car at the house and we do not expect to use it more than a couple of times a week as our places of employment are in walking/biking distance of the property.

Project Name: Nalle Street Infill SVP

LID Checklist Points	LID Measure	Total Points
5 points or 1 point for each 18% of the total acreage	Compensatory Plantings (see city buffer mitigation manual). 90% of restorable stream buffers restored.	
7 points or 1 point for each 7% of parking and driveway surface area	Pervious pavers for parking and driveways with stone reservoir for storage of 0.5 inches of rainfall per impervious drainage area. Surface area must be >1,000 ft. <sup>2</sup> or ≥ 50% of the total parking and driveway surface area.	7
5 points or 1 point for each 6% of parking surface area eliminated.	Shared parking (must have legally binding agreement) that eliminates > 30% of on-site parking required.	
8 points	Impervious Disconnection. Follow design manual specifications to ensure adequate capture of roof runoff. (e.g. cisterns, <u>dry wells</u> , rain gardens).	3
8 points or 1 point for each 10% of site treated.	Bioretention. Percent of site treated must exceed 80%. Biofilter surface area must be ≥ 5% of impervious drainage area.	
8 points or 1 point for each 10% of lots treated	Rain gardens. All lots, rain garden surface area for each lot ≥ 200 ft. <sup>2</sup> .	
8 points or 1 point for each 10% of site treated	Designed/constructed swales. Percent of site treated must exceed 80%, achieve non-erosive velocities, and able to convey peak discharge from 10-year storm.	
8 points or 1 point for each 10% of site treated	Manufactured sand filters, filter vaults (must provide filtering rather than just hydrodynamic). Percent of site treated must exceed 80%. Sizing and volume for water quality treatment based on manufacturer's criteria.	
8 points	Green rooftop to treat ≥ 50% of roof area.	
TBD, not to exceed 8 points	Other LID practices as approved by NDS engineer. <u>Rain barrels</u>	3
5 points	Off-site contribution to project in city's water quality management plan. This measure to be considered when on site constraints (space, environmentally sensitive areas, hazards) limit application of LID measures. Requires preapproval by NDS director.	
<b>TOTAL POINTS (must equal 10 or more)</b>		

Submitted by: Kendall Cox + Stephen Hitchcock  
(Name of applicant)

Approved by: \_\_\_\_\_ (date) \_\_\_\_\_  
(City Engineer)



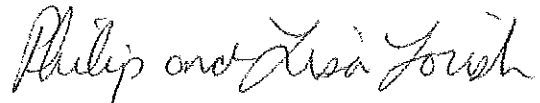
June 21, 2012

To Whom it May Concern,

We, Philip Lorish, and Lisa Lorish, are the owners of Charlottesville City Tax ID #300003700, commonly known as 715 Nalle Street, Charlottesville, VA. We give our consent to the application by Stephen Hitchcock and Kendall Cox to divide our property into two separate lots, with the intention that they would build a primary dwelling on the eastern portion of the lot. We will support this application in every way.

We may be contacted at 434-466-2790 (Philip) or 434-466-2678 (Lisa).

Sincerely,

A handwritten signature in cursive script that reads "Philip and Lisa Lorish". The ink is dark and the handwriting is fluid and connected.

Philip and Lisa Lorish

## Thompson, Willy

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**From:** Eleis Lester <eleis@thehaven.org>  
**Sent:** Monday, August 06, 2012 11:38 AM  
**To:** Thompson, Willy  
**Subject:** 715 Nalle Street

To Whom it May Concern:

My name is Eleis Lester, and I live at 903 Nalle Street Charlottesville, Virginia 22903. I am writing in support of the request for a special use permit at 715 Nalle Street. As a resident of the Fifeville neighborhood, I believe that building another single family home on Nalle will be a great addition to our community, a much more rooted, intentional addition than the condos on Estes. Stephen Hitchcock and Kendal Cox are established members of the Charlottesville community and will only add to the cooperative and civil atmosphere of our neighborhood.

Sincerely,  
Eleis Lester

(804) 366-7427

## Thompson, Willy

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**From:** KD <kevin.a.driver@gmail.com>  
**Sent:** Saturday, July 28, 2012 9:45 AM  
**To:** Creasy, Missy  
**Subject:** 715 Nalle Street

To whom it may concern,

As a resident of Fifeville, let me voice my support for division of the lot at 715 Nalle Street. Small scale building should only serve to enhance the neighborhood, with a new home only making the neighborhood more appealing to both current and future residents. Additionally, adding a new household would only serve to increase the property tax base for the neighborhood without changing the distinctive character (contrasted to the large scale development such as the ongoing building on Estes), which cannot be discounted in the current challenging climate for public funding. I am acquainted with both families and they are both invaluable to the community and Charlottesville.

Sincerely,

Kevin Driver, MD  
801 Walker Square, 2D

## Thompson, Willy

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**From:** Molly and Josh Yates <yates3@me.com>  
**Sent:** Friday, July 27, 2012 2:47 PM  
**To:** Creasy, Missy  
**Subject:** 715 Nalle St

My husband and children and I live at 413 Dice St and are involved in the Fifeville neighborhood. We are aware of the Lorish's thoughts about subdividing their lot so that another house can be built on the property. We support this plan as it will continue to develop the investment in the neighborhood and we feel confident that the Lorish's would only allow a project to be done that was well executed.

Please feel free to contact me with any questions.

Best, Molly Yates

## Thompson, Willy

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**From:** Calvin Brondyke <calvinjb34@gmail.com>  
**Sent:** Friday, August 03, 2012 8:25 PM  
**To:** Thompson, Willy  
**Subject:** 715 Nalle St Lot Division Email of Support

Dear Willy,

My name is Calvin Brondyke, and I've lived in Charlottesville for two years--one year in the Fifeville neighborhood (Dice St). I am a regular attender and ad hoc secretary at the Fifeville Neighborhood Association Meetings. I'm emailing to express my support for Kendall Cox and Stephen Hitchcock's application to build on the division of lot 715 on Nalle St. They are wonderful, upstanding people, and they would definitely contribute positively to the neighborhood. Kendall and Stephen are both extremely kind and responsible, and would undoubtedly be great neighbors.

I hope this message is helpful in your decision making process. I'd be happy to offer more information if the need arises.

Thanks,

-Calvin

(616.301.5877)

## Thompson, Willy

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**From:** Dixie Mills <dixiemills@gmail.com>  
**Sent:** Monday, August 06, 2012 2:18 PM  
**To:** Thompson, Willy; Creasy, Missy  
**Subject:** 715 Nalle St split lot

As a home owner in Fifeville, I am writing to say I am in favor of the Lorishes splitting their lot to allow another home site.

Thank you,

Dixie Mills

*Lisa Laurie  
719 Nalle Street  
Charlottesville, VA 22903  
434 296-3513  
lisa.laurie@gmail.com*

City of Charlottesville,  
Department of Neighborhood Development Services  
2<sup>nd</sup> Floor of City Hall  
605 East Main Street  
Charlottesville, VA 22902

July 17, 2012

Dear City Council Members,

I am writing to express my strong opposition to the proposal made by Stephen Hitchcock and Kendall Cox for a permit to build a new single-family residential at 715 Nalle Street in Fifeville, on a property designated for only one single-family residential. My concerns are as follows:

- a) There is a City Code requiring 50-foot frontage. Permitting a change in Code will set a precedent for other homeowners in the area to split their lots for financial gain, particularly those homes that are not owner-occupied
- b) Another house will add to the congestion of a densely populated area
- c) Loss of more greenery
- d) It is not in keeping with historical preservation of the district

As you may know, Fifeville began as the subdivision of farmland belonging to James Fife in 1888 into small city lots, which include Nalle Street, which runs parallel to the railroad and the Amtrak Station. It is believed that the railroad was instrumental in financing some of these houses for their employees. In the 1980's and 1990's the area became notorious for drugs, gangs, and crime, and, as late as

2002, according to residents, prostitutes would sit on the steps of abandoned houses and call out to passersby.

Since 2003, after the police began to crack down on crime in the area, homebuyers, investors and speculators in search of value were drawn to the area. Since 2005, dozens of homes in Fifeville have been gutted, renovated, converted to multi-family dwellings for increased income and resold. Many of these "revivals" were done without permits and inspections and quickly sold. Walker Square (225 condominiums) was built adjacent to Nalle Street, and on 5<sup>th</sup> Street "cottage" developments were completed, as well as 12 plus condos called the 5<sup>th</sup> Street Flats. Today town houses are under construction at Estes and Nalle as well as 2 homes on King Street. Plans for "Soho" at the top of Nalle Street have been approved. The neighborhood is becoming saturated.

Currently, there are **33 houses on Nalle Street**, which is a narrow, one-way street between Ninth and 7 ½ St. Of the 33 homes that were originally single family homes, 13 have been converted to predominantly 2-3 family dwellings. Some houses on Nalle Street have unregistered apartment units which have been reported to the city but not followed up on (by the city). **Fifteen of the houses are investment properties and not owner-occupied.** The majority of homes on Nalle Street do not have off-street parking. There are several community facilities within our neighborhood, including the Ronald McDonald House at the top of Nalle Street, and the Bethel Church of God in Christ at the bottom of Nalle, on the corner of Dice and 7 ½ Street. There is a paucity of parking spaces on a daily basis.

I moved into Fifeville with the intention of becoming part of the neighborhood. I do not think our community needs a new structure squeezed in between two houses, on a street that is already densely populated. The City Code requires 50 feet of frontage. The proposed plan allows for 27 feet which includes off-street parking for one car. If this **Infill Special Use Permit** is granted, it sets a precedent for other similarly-sized properties on Nalle Street to do the same. There are many homes here in need of restoration, with available financial assistance and incentives to do so, such as the City Tax Abatement Program. There are many



properties that are for sale in and around the neighborhood. I, for one, feel that renovation is more in keeping with the overall plan for neighborhood stability.

Finally, I have serious concerns about access and re-routing during months of construction. There will be times when the road will be closed for water, electric and gas line placements. Construction vehicles will be blocking flow through on the street. With such close proximity to the hospital, diverted parking and traffic will certainly be an issue that should be addressed before any plans are approved.

I appreciate your consideration and sincerely apologize for not being able to attend the Joint Public Hearing, but I will be out of town at that time.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Laurie".

Lisa Laurie, Family Nurse Practitioner

Interventional Cardiology, UVA Health System

To the City Council and the Planning Commission of City Council  
P.O. Box 911  
Charlottesville, VA 22902

**My Name is Minnie Williams and I have been living at 856 Nalle Street since 1971. I am writing to you because I heard that 715 Nalle Street wants to build another house on their property that is zoned for a one family home. I do not feel that we need any more homes on Nalle Street because as it is I am very upset with our parking situation here. Some houses right next to me have 2 or 3 extra people living there and they each have a car. There is no where to park as it is! Even if our parking permits had our house numbers on them, there still would not be enough room for all these people because they all get permits as extra residents. I do not understand how these houses are allowed to have so many people renting rooms.**

**Furthermore, there are 2 new houses being built behind me and it causes so much noise and dirt that my house and car are filthy. I am 80 years old and I have to wash my car all the time. And we have construction going on here at the corner of 9<sup>th</sup> street that is also creating a lot of noise and traffic to the neighborhood.**

**I do not think that the City Code should change to allow more construction here in our neighborhood. Other homeowners here may decide that they want to do the same thing and we are crowded enough. If the City keeps giving all these permits out instead of sticking with the rules, we soon won't have any trees and grass left.**

**Please consider my disapproval of the plan.**

**Sincerely,**

**Minnie Williams  
856 Nalle Street  
Charlottesville, Va 22903  
July 24, 2012**

A handwritten signature in cursive script that reads "Minnie B. Williams". The signature is written in black ink and is positioned below the typed name and address.

Dear Planning Commission and City Council Members,

We are writing in support of the proposed Special Use Permit regarding the subdividing of 715 Nalle Street with the intent of building a single-family dwelling. As the current owners of 715 Nalle Street we are enthusiastic about the possibility of another owner-occupied dwelling on the street and believe it to be in the best interest of the neighborhood as a whole.

In our view, this is not a precedent setting request. Of course, while each individual case differs, it is our understanding that a concerted effort has been made in recent years to increase urban density within the city as a whole and Fifeville in particular. This effort, as we understand it, has been codified into the Charlottesville Comprehensive City Plan from 2007, which reads:

The Infill SUP is a tool introduced to increase development through the use of a Special Use Permit (SUP). The SUP will increase development opportunity in certain areas within the city's R-1, R-1S, R-2 and R-3 zoning districts by allowing deviation from the following types of regulations: minimum lot size and street frontage requirements, dimensional requirements, types of dwellings, types of density and yard requirements. Infill SUPs may be granted to promote various housing types, encourage the use of public transportation, encourage proximity to parks and community facilities, encourage connectivity within a development for residents to live near workplaces, and creation of development that is harmonious with existing uses and character of adjacent properties.

Furthermore in addition to the fact that the official Fifeville neighborhood plan from 2006 states that "infill housing needs to be provided at a range of prices," it is our understanding that applications such as ours have been approved in the recent past, including properties on Dice Street and 5<sup>th</sup> Street. Whereas some may hold the view that there is sufficient density within Fifeville, we agree with the conclusions a more recent Fifeville neighborhood plan composed with the assistance of city planners regarding the benefits of approving applications such as ours. According to that plan, Special Use Permits were created to promote:

A variety of housing types  
Ease of access and the encouraged use of public transportation  
Close proximity to public parks and community facilities  
Pedestrian and vehicular connectivity within a development allowing for residents to live near their workplaces.  
Ease of access to retail and other conveniences.  
A development that is harmonious with the existing uses and adjacent properties.

In our view, the majority of residents we have spoken with agree with the previous assessment of city officials regarding the wisdom of granting Special Use Permits. In our

experience, increasing the number of owner-occupied well maintained properties within Fifeville (and on Nalle Street in particular) makes the possibility of warm neighborly relations over time more possible while also providing stability within a neighborhood that has admittedly experienced a good deal of change.

That being said, we are well aware of the fact that development does not come without difficulties. Regarding the footprint and general aesthetic of the dwelling proposed by Kendall Cox and Stephen Hitchcock, their stated desire to is build in accordance with the historic character of the neighborhood. If it is of any true concern to the planning commission, Kendall Cox is a Charlottesville native and Stephen Hitchcock, her husband, is currently employed as the Chaplain, Day Manager, and Volunteer Coordinator at The Haven at First and Market. They each know the neighborhood, have friends here, and desire to make their home here for some time. Through various communications (both through email and in person), a formal letter, and a meeting held at our house, we have sought to publically address the concerns of neighborhood residents by making our intentions as transparent as possible.

We trust that you will look upon our application in the spirit in which it is tendered and approve it.

With thanks for your work,

Philip and Lisa Lorish  
715 Nalle Street

**Special Use Permit Concept Plan**  
**715 Nalle Street Lot**  
 Charlottesville, Virginia

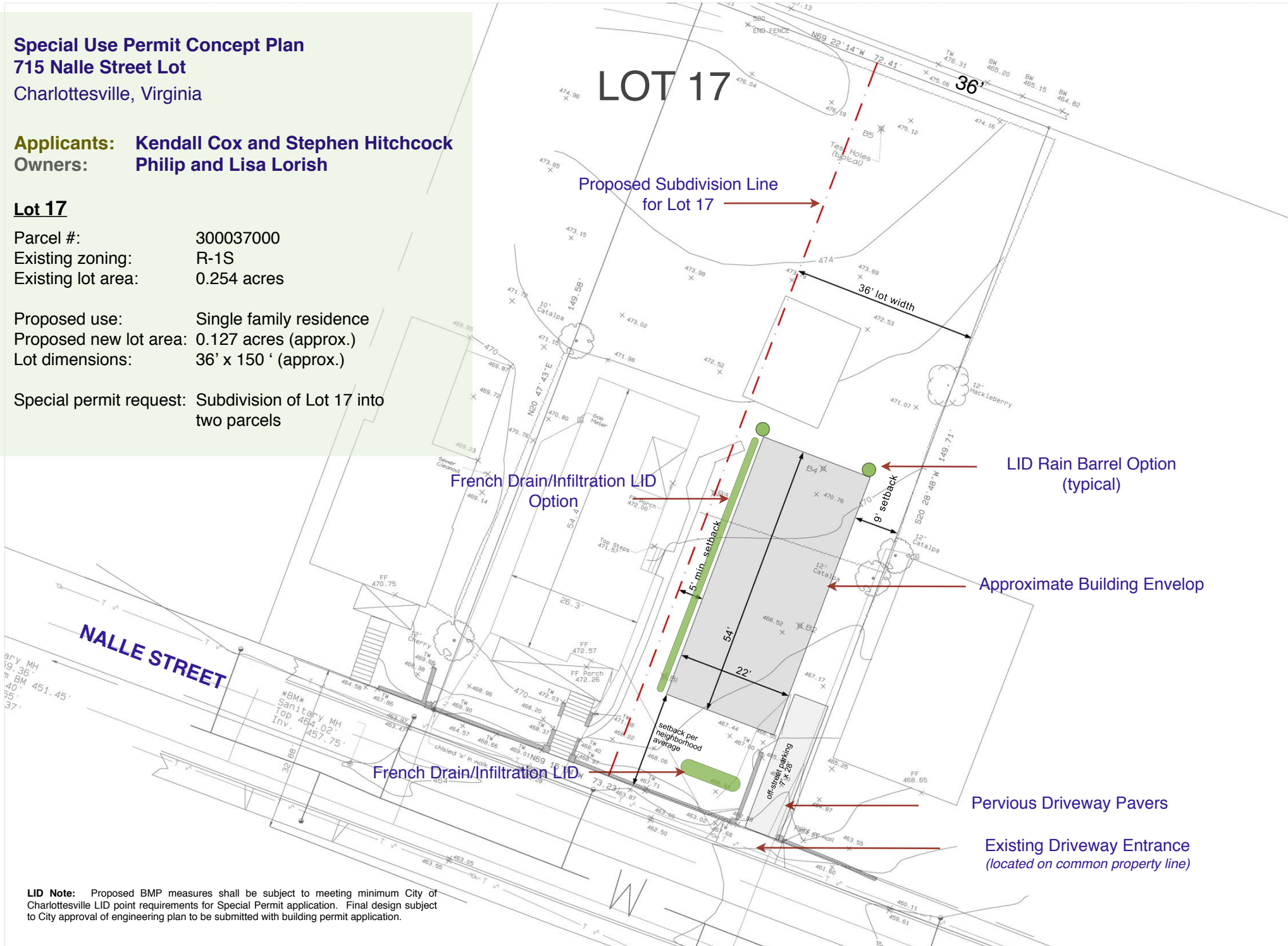
**Applicants:** Kendall Cox and Stephen Hitchcock  
**Owners:** Philip and Lisa Lorish

**Lot 17**

Parcel #: 300037000  
 Existing zoning: R-1S  
 Existing lot area: 0.254 acres

Proposed use: Single family residence  
 Proposed new lot area: 0.127 acres (approx.)  
 Lot dimensions: 36' x 150' (approx.)

Special permit request: Subdivision of Lot 17 into two parcels



**LID Note:** Proposed BMP measures shall be subject to meeting minimum City of Charlottesville LID point requirements for Special Permit application. Final design subject to City approval of engineering plan to be submitted with building permit application.

**CITY OF CHARLOTTESVILLE  
NEIGHBORHOOD DEVELOPMENT SERVICES**



**MEMORANDUM**

To: Charlottesville Planning Commission  
From: Willy Thompson, Neighborhood Planner  
Date: August 7, 2012  
Re: August 14, 2012 Willoughby Place Site Plan Appeal

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**Background**

The applicant for the preliminary site plan, Willoughby Place Phase 1, submitted on June 8, 2012, is appealing the Director of Neighborhood Development Services and his disapproval of said site plan. The property is zoned R-3 Multifamily. This property is further defined on City Real Property Tax Map 21B as parcel 13 having approximately 60 feet of frontage on Harris Road and containing approximately 220,849 square feet of land (5.07 acres). The preliminary site plan proposes 48 dwelling units located in two multifamily structures.

On an earlier submission, the applicant proposed a standard access entrance onto Harris Road. Due to the on-site traffic conditions, a 280-foot site distance stand was required by Traffic Engineering. The applicant was unable to gain the required site distance. To do so would require an easement on an adjoining parcel to clear the obstructed view looking towards 5<sup>th</sup> Street SW. The applicant was unable to attain the needed easement.

The applicant subsequently proposed an entrance onto Harris Road utilizing a multi-way stop intersection. Section 2B.07 of the Manual on Uniform Traffic Control Devices (MUTCD) outlines specific criteria that shall be met for installation of all-way stop control at intersections. The applicant has not demonstrated that this criterion has been met and therefore, traffic engineering does not support the all-way stop control. The criteria are as follows:

**Section 2B.07 Multi-Way Stop Applications**

Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

The restrictions on the use of STOP signs described in Section 2B.04 also apply to multi-way stop applications. The decision to install multi-way stop control should be based on an engineering study. The following criteria should be considered in the engineering study for a multi-way STOP sign installation:

1. Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
2. Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.

Minimum volumes:

1. The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day; and
2. The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour; but
3. If the 85<sup>th</sup>-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.

### **Action Taken**

The applicant received multiple comments letters advising that the multi-way stop intersection must be warranted as required under Section 2B.07 of the MUTCD. The applicant did not provide the necessary information to support the proposed access. As a result, the preliminary site plan did not have an acceptable entrance could not meet Section 34-896 of the City zoning ordinance.

Section 34-896 of the City zoning ordinance stipulates each development shall provide for a safe and convenient ingress and egress to one or more public road. Without an acceptable entrance, Section 34-896 and its requirements cannot be sufficiently met. Therefore, the preliminary site plan was disapproved.

On July 2, 2012, the applicant was notified in writing that the preliminary site plan was disapproved and the reasons, as stated above, were provided. Under Section 34-823. The applicant had ten days to request an appeal to the Planning Commission or pursue judicial review as permitted under Virginia Code Section 15.2-2260. The applicant requested to appeal the decision to the Planning Commission. If the Planning Commission affirms the decision to disapprove the site plan, that action is also subject to judicial review.

### **Legal Standard of Review**

The director's reasons for disapproval of the Willoughby Place Phase 1 preliminary site plan have been provided and corrections were identified that would permit approval of the plan. In the event the Planning Commission determines there are grounds upon which to affirm disapproval of the site plan, the motion must clearly identify the deficiencies in

the plan, that are the basis for the denial, by reference to specific City Code sections and requirements. Further, upon disapproval of a site plan, the Planning Commission must identify the modifications or corrections that would permit approval of the plan.

### **Suggested Motions**

1. I move to affirm the Director's July 2, 2012 disapproval of the preliminary site plan submitted by the applicant for Willoughby Place Phase 1 for failure by the applicant to provide acceptable safe and convenient ingress and egress as required under section 34-896 of the zoning ordinance. The applicant shall provide an entrance that meets all applicable city codes and requirements in order to permit approval of the plan.
2. I move to reverse the Director's July 2, 2012 disapproval of the preliminary site plan submitted by the applicant for Willoughby Place Phase 1 for the following reasons:
  - a.
  - b.
3. I move to modify the Director's July 2, 2012 disapproval of the preliminary site plan submitted by the applicant for Willoughby Place Phase 1 as follows:
  - a.
  - b.



CITY OF CHARLOTTESVILLE  
"A World Class City"

Department of Neighborhood Development Services

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www.charlottesville.org



July 2, 2012

Michael Meyers  
Dominion Engineering  
172 South Pantops Drive  
Charlottesville, VA 22911

RE: Willoughby Place Preliminary Site Plan

Dear Applicant:


The site plan noted above was resubmitted to the City of Charlottesville Department of Neighborhood Development Services on June 8, 2012. For the reasons set forth below, the site plan is disapproved.

1. The entrance, as shown on the preliminary site, does not meet adequate site distance and is shown being accessed as part of an all-way stop control. Section 2B.07 of the Manual on Uniform Traffic Control Devices (MUTCD) outlines specific criteria that shall be met for installation of all-way stop control at intersections. The applicant has not demonstrated that that criteria has been met and therefore, traffic engineering does not support the all-way stop control.
2. *Section 34-896, Access*, of the City zoning ordinance stipulates each development shall provide for safe and convenient ingress and egress to one or more public roads. Because the proposed Harris Road entrance, as shown on the June 8, 2012 site plan submittal, does not meet City standards for site distance or all-way stop control, the site plan fails to meet the access requirement and cannot be approved as submitted.

Under *Section 34-823, Action Required*, the developer, if he chooses, may first appeal this decision to the planning commission, provided that such appeal is submitted in writing to the director of Neighborhood Development Services within ten (10) days after the date of the director's disapproval. The commission may affirm, reverse, or modify, in whole or part, the decision of the director.

If you have any questions, please feel free to contact me at 970-3091 or [wthompson@charlottesville.org](mailto:wthompson@charlottesville.org).

Sincerely,

A handwritten signature in black ink, appearing to read "Willy Thompson".

Willy Thompson, AICP  
Neighborhood Planner

C: Moore's Creek LLC  
224 14<sup>th</sup> Street NW  
Charlottesville, VA 22903

Katurah Roell,  
Piedmont Development Group  
2811 Hydraulic Road  
Charlottesville, Va 22901