

## Agenda

### PLANNING COMMISSION REGULAR DOCKET TUESDAY, December 11, 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
  - 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 - November 13, 2012 – Pre meeting
    - 2. Minutes - November 13, 2012 – Regular meeting
    - 3. Minutes - October 9, 2012 – Regular meeting
    - 4. Minutes – November 27, 2012 – Retreat
- III. **JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)**
- G. JOINT PUBLIC HEARINGS
    - 1. **SP-12-11-14 – (715 Nalle Street)** An application from Stephen Hitchcock and Kendall Cox to amend an approved infill special use permit to establish an additional single family residential lot. The proposed amendment would reduce the approved minimum lot size from 5,532 square feet to 5,450 square feet. 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 10,900 square feet. The Land Use Plan generally calls for single family residential. **Report prepared by Willy Thompson, Neighborhood Planner.**
    - 2. **Charlottesville Capital Improvement Program FY 2014-2018:** Consideration of the proposed 5-year Capital Improvement Program totaling \$62,688,355 in the areas of Education, Economic Development, Neighborhood Improvements, Safety & Justice, Facilities Management, Transportation & Access, Parks & Recreation, Technology and General Government Infrastructure. **Report prepared by Ryan Davidson, Office of Budget and Performance Management.**
- IV. **REGULAR MEETING ITEMS (Cont.)** – 8:00 P.M.
- H. FUTURE MEETING SCHEDULE

Date and Time	Type	Items
Tuesday, January 8, 2013 – 4:30 PM	Pre- Meeting	
Tuesday, January 8, 2013 – 5:30 PM	Regular Meeting	ZTA – Streetwall requirements for Downtown Corridor, Mobile Food Vehicles

**Anticipated Items on Future Agendas**

- LID Guideline Review
- Major Subdivision – Maury Avenue, Burnett Commons PUD Phase II
- ZTA – PUD, SUP, Rezoning Procedures
- PUD – Elliott Avenue PUD
- SUP – Medical Lab Over 4000 SF - CFA site

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

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

**LIST OF SITE PLANS APPROVED ADMINISTRATIVELY  
11/1/2012 TO 11/30/2012**

1. Final            PACE Center – 1335 Carlton Avenue
  
2. Final            Fiberlight on Ivy Road – Conduit and Fiber Installation

City Council Action on Items with  
Planning Commission Recommendation  
November 2012

November 5, 2012

No Planning Commission items on this agenda.

November 19, 2012

No Planning Commission items on this agenda.

**CITY OF CHARLOTTESVILLE**  
**PLANNING COMMISSION PRE MEETING**  
**TUESDAY, November 13, 2012 -- 4:30 P.M.**  
**NDS CONFERENCE ROOM**

**Planning Commissioners present**

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

**Staff Present:**

Mr. Jim Tolbert, Director  
Ms. Missy Creasy, Planning Manager  
Mr. Brian Haluska, Neighborhood Planner  
Mr. Ebony Walden, Neighborhood Planner  
Mr. Willy Thompson, Neighborhood Planner  
Ms. Mary Joy Scala, Preservation Planner  
Mr. Richard Harris, Deputy City Attorney

The Commission began to gather at 4:30 and was called to order at 4:55pm.

Ms. Scala responded to questions concerning curb cut and sidewalk/café placement for the Entrance Corridor item for Emmet Street. Commissioners requested information on parking leases that would need to be addressed by the applicant during the regular meeting. Ms. Keller then asked if there were any questions concerning the Zoning Text Amendments. Ms. Scala and Ms. Creasy answered the questions.

Ms. Sienitsky asked for clarification on the rendering and elevation drawings for the Plaza SUP. The applicant provided clarification. Ms. Walden noted that additional property had been added to the application so the square footage of the site for consideration has slightly expanded. Staff provided further clarification of the process for this project including the BAR review timeframes. It was noted that Council makes the ultimate decision with the assistance of recommendations from the BAR and Planning Commission.

The discussion adjourned at 5:30pm.

MINUTES  
CITY OF CHARLOTTESVILLE  
PLANNING COMMISSION  
TUESDAY, November 13, 2012 -- 5:30 P.M.  
CITY COUNCIL CHAMBERS

Commissioners Present:

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

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

Staff Present:

Ms. Missy Creasy, AICP, Planning Manager  
Mr. Brian Haluska, AICP, Planner  
Ms. Ebony Walden, AICP Planner  
Ms. Mary Joy Scala, AICP Planner

Also Present

Mr. Richard Harris, Deputy City Attorney

**II. REGULAR MEETING**

Ms. Keller convened the meeting.

**A. COMMISSIONERS' REPORT**

- Ms. Sienitsky-Nothing to report
- Ms. Green –MPO Tech had their regular meeting, but she did not attend. The agenda is on line and the discussion consisted of the long range transportation plan and transit legislation requests.
- Mr. Osteen-Attended the regular BAR meeting noting that all items were approved. There was an application for a tent on the 2<sup>nd</sup> floor of a building on the Mall. The BAR was very flexible on tent approval for the winter season. The BAR recommended the pursuit of IPP status for cemetery properties in the City . The Tree Commission reviewed the Comprehensive Plan and submitted comments to the City.
- Mr. Rosensweig- The HAC meeting consisted of subcommittee discussions on the following: policies and potential vision statement changes.
- Mr. Keesecker- PACC Tech provided reports on various University projects and the Old Lynchburg Road improvement project.
- Mr. Santoski attended the CIP committee meetings. The process is moving along, and the process of ranking has been extremely difficult.

**B. UNIVERSITY REPORT**

Mr. Neuman – There will be a PACC meeting Thursday at the County office building. The Board of Visitors met and approved a new dormitory on Alderman Rd. Three dorms will be completed by the summer adding 650 beds. The traffic concerns at Ivy and Emmet have been addressed but apology was provided for the inconvenience.

**C. CHAIR'S REPORT**

Ms. Keller –Nothing to report

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

Ms. Creasy hoped that Planning Commissioners have met with their County counterparts to work on the joint goals project. She apologized for the staff reports being out of order. There will be a mini retreat on November 27, 2012 from 4pm-10pm. Following the retreat, there will be public input on land use items. She will be sending out packets next week and again encouraged everyone to get their homework done.

**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 - October 9, 2012 – Pre meeting
2. Minutes - October 9, 2012 – Regular meeting
3. Minutes – September 18, 2012 - Work Session
4. Minutes – October 23, 2012 - Work Session
5. Site Plan – Burnett Commons Phase II
6. Entrance Corridor Review - 973 Emmet Street (former Shell Station at Barracks Road Shopping Center) – review by the ERB

Mr. Osteen made a motion to approve the Consent Agenda with item # 2 being deferred to a future meeting, item # 6 being held for discussion and Mr. Rosensweig recusing himself from item # 5.

Mr. Santoski seconded the motion

Consent agenda passes

**Consent Item 6**

Ms. Mary Joy Scala presented the staff report

The applicant presented the proposed design for the four additional retail spaces and the parking. He also explained the reason for not being able to pull the building closer to the front due to utility easements. He noted that the design and material will be the exact same as current buildings in the shopping center. The lighting, landscaping and fixtures were also presented.

Ms. Keller asked the applicant to remain until the end of the meeting to finish the discussion.

**III. JOINT PUBLIC HEARINGS**

**1. G. JOINT PUBLIC HEARINGS**

1. SP -12-09-11 The Plaza on Main Street - An application for a Special Use Permit (SUP) for increased density and building height for the redevelopment of 852-860 West Main Street into a mixed use development. The proposal includes the demolition of the existing structure and proposes a mixed use development with 219 residential units, 11,946 square feet of ground floor commercial space and underground parking. The SUP request is for an increase in density from 43 units per acre to 103.3 units per acre and an increase in height from 70 feet (by right) to 101 feet. The property is further identified on City Real Property Tax Map 30 Parcels 3 and 4 having frontage on West Main Street and 9<sup>th</sup> Street, SW. The site is zoned West Main South Corridor with Historic District Overlay and the total project area is 92,400 square feet or approximately 2.12 acres. **Report prepared by Ebony Walden, Neighborhood Planner**

Ms. Walden presented the staff report. She stated that she did receive several letters noting with concern of the massing and scale. She noted that this development supports the City Council Vision and the Comprehensive Plan. She stated that the applicant will have two options concerning the affordable housing requirement. They must contribute to the affordable housing fund or offer affordable house on site. Staff recommends approval of the application.

Ms. Sienitsky, Ms. Green, Mr. Osteen and Mr. Rosensweig disclosed that they had spoken to the applicant previously, but feel they could make an impartial decision.

Ms. Keller stated that she had a phone conversation with Ms. Sienitsky about neighbor's concerns, but feels she would also be able to vote impartially.

### **Questions from the Commission**

- In the 30ft pedestrian zone facing West Main, how much is public and how much is private.
- Where would the best place be for the bus stop?
- What are the limitations on persons per unit?
- How is the contribution to affordable housing determined?

Ms. Walden stated that she does not know how much of the land is public or private but the applicant can provide that information. The applicant and CAT are working on the best place for the bus stop. She also stated that no more than 4 unrelated people can live in a unit.

Ms. Creasy stated that there are codes that the applicant needs to comply with relating to affordable housing.

Mr. Keesecker wanted to know if the bus stop would have a shelter since he did not see one on the plans.

Mr. Tolbert stated that the Place Design Task Force is looking into the bus stop location as it reevaluates the West Main Corridor Study. He provided a history on the zoning requirements in place for West Main Street.

The applicant, Ryan Holmes presented the project for consideration.

### **Questions from Commission**

- Has there been any conversation with the adjacent property owner to consider an additional access?
- What groups is this development being marketed?

The applicant noted that conversation has occurred with the adjacent property owner but there was no interest due to the concern of losing parking spaces. The site is to be marketed to University students. There was concern noted about site security. The applicant stated there will be someone on the premises 24 hours a day and there will be rules that the residents will have to abide by. All of the rooms except the one bedroom units will be fully furnished.

### **Questions from Council**

- What does student housing mean in this situation?
- How is this development different than a dormitory?



The student housing will be marketed by having the apartments fully furnished with rent per room rather than per unit. These apartments are different from dorms because they have full kitchens and could be leased by the unit.

Ms. Keller opened up the public hearing

### **Public Hearing**

Donna Deloria, representing the owners of 1002-1006 West Main St and 1118 11<sup>th</sup> St SW, noted that the owners of the properties feel this project is just what Main Street needs. It will create jobs and should be built to the highest density allowed.

Bitsy Water would like to see the City Arborist play a significant role in the tree plantings for West Main. She feels that adequate trees will grow and thrive if the right trees are planted.

Quentin Kendall, representative of CSX, applauds the City of Charlottesville for this project. He feels that there are two issues that need to be looked at: 1. Making sure everyone is safe and that the railroad is inaccessible. 2. Quality of life-The railroad operates 24 hours and residents need to be aware of these when deciding to live here.

Nancy Carpenter, a resident of Eagles Landing, noted that the City's idea of affordable housing is not working. The City has a high poverty rate and she would like to see the applicant provide affordable units on site. She feels that applicant should provide some sort of transportation for students to the train station, airport, etc. during holiday breaks and that could cut down on traffic.

Otis Douglas, 407 Oak St, would like to see some coordination with UVA. Emergency vehicles will see some sort of delay due to the increase in traffic.

Catarina Krizancic, 829 Nalle St, said she supports the development of mix use. She feels this proposal lacks community involvement. She would like the Commission to deny and encourage the applicant to defer and call on the University to get engaged.

Brock Napierkowski, 614 Dice Street, really enjoys the neighborhood. He would like to know why there has not been any mention of people that were killed on bikes in 2008 and 2009 in the neighborhood due to an increase in traffic. He feels like the project is for students and students alone.

Angela Ciolfi, 805 Nalle St, noted that she is having a hard time getting over the large size. She feels that Walker Square promised the same thing this development is promising and Walker Square didn't do it, so she feels this developer won't either.

Ivo Romenesko, 117 Bollingwood Rd, would like the City of Charlottesville to help him fulfill his dream. He would love to see the area change. He feels that New Urbanism can be designed for West Main. He would love to see a project that will draw people to the sidewalks of West Main.

Ms. Keller closed the public hearing.

### **Discussion**

Mr. Neuman stated that UVA is a public agency and can't engage with public development. UVA does provide parking permits to students who bring their cars with them. He feels there will be issues about traffic and the left turn lane allowance should be reviewed.

Mr. Santoski is in favor of the project, but has concerns with the mix of use and storm water management. He would like the commercial space to be open to the public.

Mr. Keesecker stated that he is generally in favor of the project. He feels this project will enhance the street life of West Main. He is comfortable with the number of units proposed.

Mr. Rosensweig feels the project is very harmonious. He would like some of the massing mitigated. He is really delighted to hear about the onsite management.

Mr. Osteen is a maybe. He feels the project would have an impact on the West Main Street corridor. The entire frontage should be commercial. The BAR is more concerned with massing and the applicant has done a lot to mitigate that.

Ms. Green can't approve it. She feels that we want something developed that will pull UVA and Downtown together. She feels this development is not providing the vibrancy that is needed.

Ms. Sienitsky feels she could approve it with conditions. She noted the proposed development will be harmonious. It's a good location for density because of its proximity to transportation and the hospital. She would like the back facade to have some landscaping to provide a buffer for the railroad.

Ms. Keller feels the same way as her colleagues. She also feels that the City of Charlottesville deserves something special having such great history. She would like to see some form of communication occur with adjacent residents.

Ms. Keller called for a motion.

Mr. Rosensweig said, I move to recommend approval of this Special Use Permit application for the Plaza on West Main Mixed Use Development at 852-860 West Main Street TMP 30- 3 & 4 for increased density to 98 DUA and height to 101 feet with the following conditions, exceptions and/or modifications:

1. Inclusion of all the street scape features outlined in the West Main Street Illustrative Plan unless
2. it is determined by staff that a particular element(s) is unfeasible or not warranted.
3. Staff approval of the preliminary site plan
4. All commercial spaces have direct access to areas facing public right-of-way.
5. The city arborist approves the tree selection and best practices for soil and tree root management.
6. Property management is available and onsite 24/7 and is available to both residents of the complex and residents of the surrounding neighborhood.
7. Submission and staff review of the rules and regulations handbook for the development.
8. Inclusion of visual and sound barriers at the rear pool and deck area and buffering of the area. adjacent to the rail road tracks as appropriate.
9. Inclusion of a bus stop.
10. Work with staff and appropriate groups to address bicycle and pedestrian safety

Mr. Santoski seconded the motion

### **Discussion**

The Commissioners are still having some issues with traffic, security in and out of the building, and the use within part of the West Main Street frontage.

Daniel Hines, Engineer with Bolling stated that there is really nothing that can be done with the left turn lane on to 9<sup>th</sup> street.

Ms. Creasy called for the vote.

Sienitsky	Yes
Green	No
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	Yes
Keller	Yes

Motion Passes

- ZT-12-10-12 BAR housekeeping code changes - An ordinance to amend and reordain §34-86 Schedule of civil penalties; §34-277 Certificates of appropriateness; demolitions and removals; §34-340 Actions requiring certificate of appropriateness; exemptions; penalties; §34-285 Approval or denial of application by BAR; §34-346 Approval or denial of applications by BAR of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, to update civil penalties and to provide consistent timeframes for applications. **Report prepared by Mary Joy Scala, Preservation and Design Planner.**

Ms. Scala presented the staff report.

There were no questions from the Commission or Council.

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

### **Discussion**

Mr. Rosensweig feels that this will not change the amount of applications that the BAR will see.

Ms. Keller called for a motion

Mr. Santoski said, I move to recommend approval of this zoning text amendment request to amend and reordain Sections 34-86, 34-277, 34-285, 34-340, and 34-346 of the Code of the City of Charlottesville, 1990, as amended (Zoning Ordinance) relating to the civil penalty for unapproved demolitions, and the BAR's time limit to take action on COA applications as submitted.

Ms. Green seconded the motion

Ms. Creasy called the vote.

Sienitsky	Yes
Green	Yes
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	Yes

Keller Yes

Motion Passes

3. ZT-12-10-13 Medical Laboratories in Downtown North - An ordinance to amend and reordain 34-796 Use Matrix – Mixed use Corridor Districts of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, to allow for medical laboratories over 4000 square feet in the Downtown North Corridor. **Report prepared by Brian Haluska, Neighborhood Planner.**

Mr. Haluska presented the staff report.

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

Ms. Keller called for a motion

Mr. Santoski said, I move to recommend approval of this zoning text amendment to amend and re-ordain Section 34-796 of the Code of The City of Charlottesville, 1990, as amended, to permit medical laboratories greater than 4,000 square feet in area by special use in the Downtown North district on the basis that the changes would serve the interests of public necessity, convenience, and good zoning practice

Mr. Osteen seconded the motion

Ms. Creasy called the vote

Sienitsky	Yes
Green	Yes
Osteen	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	Yes
Keller	Yes

Motion Passes

### **Continuation of item 6 discussion**

Ms. Keller gaveled out of Planning Commission meeting into Entrance Corridor Review.

### **Questions from Commission**

- Has consideration been given to eliminating the second curb cut and a row of parking?

The applicant stated that they looked into removing the second curb cut, but due to the number of people using the entrance they felt it would be better to keep it. Eliminating a row of parking would not work.

Ms. Green was in support of this project.

Mr. Keesecker feels that every corridor is different in function. He feels that Barracks Road is the car centric but could become a major pedestrian corridor.

Ms. Keller feels that the applicant has very good ideas. She would have loved to have seen a scheme that showed the centers past.

Mr. Osteen made a motion to approve item 6 on the Consent Agenda.

Ms. Green seconded the motion

All in favor

Motion carries.

Ms. Keller gaveled back into Planning Commission.

Ms. Sienitsky made a motion to adjourn to the second Tuesday in December.

Adjourned @ 10:07 p.m.

MINUTES  
CITY OF CHARLOTTESVILLE  
PLANNING COMMISSION  
TUESDAY, October 9, 2012 -- 5:30 P.M.  
CITY COUNCIL CHAMBERS

Commissioners Present:

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

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

Not Present:

Mr. Michael Osteen

Staff Present:

Ms. Missy Creasy, AICP, Planning Manager  
Mr. Brian Haluska, AICP, Neighborhood Planner  
Ms. Ebony Walden, AICP Neighborhood Planner

Also Present

Mr. Richard Harris, Deputy City Attorney

**II. REGULAR MEETING**

Ms. Keller convened the meeting.

**A. COMMISSIONERS' REPORT**

- Ms. Sienitsky-Attended the meeting to discuss the redesigning of Tonsler Park. She felt it was very informative and is looking forward in participating in the future.
- Ms. Green –No report
- Mr. Rosensweig- The HAC met and discussed unsubsidized affordable housing with the intent of identifying housing needs in Charlottesville.
- Mr. Keesecker- Nothing to report. The PACC Tech committee will meet on October 25th at the Albemarle County Office Building on 5<sup>th</sup> Street.

**B. UNIVERSITY REPORT**

Mr. Neuman – He noted additional student housing projects including three dorms will be built on Alderman Rd. A storm water plan is underway for drainage control on Observatory Mountain.

**C. CHAIR'S REPORT**

Ms. Keller –She also announced the 2012-2013 Planning Commission Committee Assignments and they are as follows:

- Thomas Jefferson Planning District Committee-Genevieve Keller
- Board of Architectural Review -Michael Osteen
- School Board CIP Committee-John Santoski
- Park and Recreation Advisory Committee-Natasha Sienitsky

- Board of Zoning Appeals-Genevieve Keller
- PACC Technical Committee-Kurt Keesecker
- CDBG Task Force-Lisa Green
- MPO Technical Committee-Lisa Green
- Federation of Neighbors-Kurt Keesecker
- Tree Commission- Michael Osteen

Ad Hoc Committees

- UVA Master Planning Council-Natasha Sienitsky
- Housing Advisory Committee-Dan Rosensweig
- Budget Development Committee-John Santoski
- CIP Ranking Committee-John Santoski

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

Ms. Creasy announced that the commissioners will soon receive information on their County Commissioner committee assignments. The dates for upcoming meetings have now been confirmed: November 27 will be a mini retreat where the CIP will be discussed and the next joint meeting with the County is December 4, 2012. The first session for One Community Project will be at City Space next Thursday from 6pm-8pm. There will be a total of 4 meetings in different locations in our planning area. There will also be three meetings dedicated to City Community Outreach for the Comp Plan. The first one will be on October 17<sup>th</sup> at Buford Middle School. The next two will be October 25<sup>th</sup> at Venable and November 1<sup>st</sup> at Clark. Details of the events are on the website. The City has dedicated a lot of time to publicity for these events and we are encouraging people to attend. Each comp plan chapter is now on the website and comments can be made on line. The October 23<sup>rd</sup> work session will be focused on the comp plan as we continue to work through the language.

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

Nancy Carpenter, a county resident, is really interested in statements she heard concerning affordable housing. She has heard about the new development on Main Street and would like to know if that will be affordable. She feels that we are behind the curve on affordable housing units. As new developments come forward this needs to be a factor so the basic needs of families can be met.

**F. CONSENT AGENDA**

1. Minutes - September 11, 2012 – Pre meeting
2. Minutes - September 11, 2012 – Regular Meeting
3. Minutes – July 10, 2012 – Regular Meeting
4. Minutes- September 18, 2012-Work Session
5. Minutes- September 25, 2012- Work Session
6. Zoning Text Initiation-BAR demolition requirements and deferral timeframes, Allowance for Bioscience and Technology Space in various Zoning Classifications.

Item 6 on the Consent Agenda concerning “Allowance for Bioscience and Technology Space in various Zoning Classifications” was pulled.

Ms. Keller announced that the pulled item will be discussed at the end of the regular meeting.

Ms. Green made a motion to approve the Consent Agenda with part of item 6 being removed as stated above.

Mr. Rosensweig seconded the motion.

All in favor.

Consent agenda passes.

**G.** Presentation from Rivanna River Basin Commission-Rivanna Snapshot & Watershed Management planning

Leslie Middleton the Executive Director for the Rivanna River Basin Commission presented a PowerPoint presentation showing the snapshot and timeline of the Rivanna Watershed Action Plan

**H.** Critical Slope Waiver Request  
a. Stonehenge P UD

Ms. Keller stated that this item will be included with the Joint Public Hearing item below.

**III. JOINT PUBLIC HEARINGS**

**1. I. JOINT PUBLIC HEARINGS**

**ZM-12-14-06** – (Stonehenge PUD) A petition to rezone the property located off of Stonehenge Ave from R-1S Residential District to Planned Unit Development (PUD). This property is further identified as Tax Map 60 Parcels 81.8, 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.**

Mr. Haluska presented the staff report. He gave an overview of changes that the applicant made since the prior meeting. He also reviewed what rights the applicant has due to the way the property was platted.

Mr. Harris confirmed Mr. Haluska's statement concerning the plat.

**Questions from the Commission**

- What is the process for protecting streams on site and would this stream fall within state regulations for protection?
- What is the maximum slope percentage of a road with parking on it?
- Would the city determine the parking requirements?
- Are all the lots recorded as separate parcels?
- Has any previous application come forward to build on this lot?
- Has there been any discussion of the traffic impact on Quarry Rd?
- Has any connectivity change to the neighborhood been shown on this plan?

Mr. Haluska stated that this stream is not subject to stream protection because it is not shown on the USGS maps but the applicant has been working with agencies to protect this stream. He did not know the maximum slope for parking but noted that a road can slope not more than ten percent. Parking requirements will be determined at site plan phase and there has not been any other applicant to come forward with intention to development this property. Parcels are a system that the tax assessors use to bill



owners for properties that they own, so a bunch of lots may be on one parcel for tax purposes. He stated that there has been no new plan or changes for connectivity to the neighborhood and outlined that there would only be a small traffic impact on Quarry Rd.

Mr. Neuman asked if there is a standard or regulation applied for every tree that is removed as to what should be replanted. He also asked if there is a site engineering plan for the retaining walls.

Mr. Haluska stated that there is not a standard in place for tree replacement, but there is a list of trees that are permitted and not permitted. An engineering plan for retaining walls are only required once the wall is above a certain height.

Ms. Keller asked Mr. Harris if the “Doctorate of Merger” would pertain to this application.

Mr. Harris stated that he needs to research the “Doctorate of Merger” concept further to know.

### **Questions from Council**

Ms. Smith asked if the critical slope waiver is only for the road and could all of the other critical slopes be disturbed?

Mr. Haluska stated that the critical slope waiver is for the PUD as proposed.

Mr. Norris asked if there was an affordable housing proffer with this plan?

Mr. Haluska stated that was discussed with the applicant and no proffers were submitted.

Ms. Szakos asked what the housing price range for this development would be? This was unknown at this time.

Ms. Galvin asked if there was a Virginia Code that prohibits the applicant from clear cutting while waiting on a PUD. Staff noted there was not.

### **Comments from Council**

Ms. Galvin feels that the applicant is trying to benefit from the positives of both the PUD and By Right allowances. She also feels that the applicant has not made an attempt to provide alleys. She feels that the plan is not typical “Belmont” because the houses in the PUD are all front loaded.

Ms. Creasy noted that fewer critical slopes would be disturbed in the PUD than in the by right scenario.

### **Questions from the Commission**

The Commission's main question concerned understanding the rights of the applicant to build “By Right” and address critical slopes. They also asked about slope requirements for a sidewalk.

Mr. Haluska stated that if a sidewalk has to be built it would not matter if it was on a slope.

The applicant Justin Shimp (engineer) and Andrew Baldwin (developer) were present. Mr. Shimp explained what the applicant was trying to do with the site. He explained why they wanted to rezone to a PUD and not develop it by right. Mr. Baldwin noted that some of the lots would have less expensive houses. He stated that there can't be any connectivity to Druid because of the steepness of the road and that there would be entrances on Rockland and Stonehenge.

### **Questions from the Commission**

- What is the different from the by right grading plan versus the PUD plan?
- What would be the treatment of the stream in the PUD scenario?
- What is the depth of lots 29, 27 and 25?
- What type of pedestrian and bike connectivity is proposed?

Mr. Shimp stated that they are working with a group now to preserve the stream and the depth of the lots is 100ft. He also stated that by having the PUD plan it would allow them to haul in less dirt to get the development up to grade.

Mr. Baldwin stated that a pedestrian walkway would be coming down Druid Ave and if that connection was possible they would make it happen. They are in the process now of working with a developer to keep the houses similar to Belmont custom and make them affordable. He stated that the lots were cleared after they submitted the PUD application but the developer felt that the PUD plan would be better.

### **Ms. Keller opened the public**

Susan Bird, 361 Quarry Rd, stated that her property is adjacent to the development and she likes the idea. She is just worried about traffic congestion. There is a problem now when there are games in the park. Cars park everywhere which makes it difficult to access.

Steven Miller, 918 Druid Avenue, likes the design of the houses on Druid Avenue. They are 1 ½ story high. There are already problems with the pathways. Most pathways now have weeds that hang on other properties and affect power lines.

Michael Hennigar, 1006 Druid Avenue, feels the clearing of the trees started before the PUD application. He would like the developer to come back with a better PUD plan if the current one is not approved.

Jeanette Halpin, 1011 Druid Avenue, feels that the “by right use” has been held over their heads. She could support the PUD if certain concerns were addressed. She has concerns about the style and size of the houses and feels there is no concern for the Belmont neighborhood.

Sam Tower, 1601 Green Street, noted that a current development has been approved right behind his house (Rialto Beach) and was never developed. He feels the original Belmont plan is terrible and the PUD would be better.

### **Discussion**

Ms. Green wanted to see an overlay of the critical slopes on the lots

Mr. Haluska stated that they are shown on the larger site plan. Only lots 1-4 are disturbed by critical slopes.

Ms. Green feels that this is not an easy decision. She feels the applicant has not created a whole hearted effort to include bike and pedestrian paths and find better ways to mitigate the issues that the Planning Commission has. She thinks that there are ways to get this to work to meet the community vision

Ms. Keller asked when the application was submitted. Staff found this information.

Mr. Santoski feels that nobody likes the plan and something better could be built. At this point he would vote against the PUD.

Mr. Keesecker wanted to know how the Planning Commission asks for a deferral. He feels a deferral is needed due to missing information. He would like to know how the road would work and how the houses relate to the road. He feels one plan is more deferential to the environment but not convinced less dirt is being moved in a PUD scenario.

Ms. Sienitsky agrees that this is not the best PUD due to missing information. She feels it would put a lot of traffic through the neighborhood and she is on the fence right now.

Mr. Haluska stated that the application was submitted in April with a preliminary discussion in May. The applicant deferred in August. He explained that there can only be one deferral by the Planning Commission and if the Commission has not made a decision within 100 days it automatically goes to Council with a recommendation for approval.

Mr. Baldwin asked the Planning Commission for a deferral and will contact Ms. Green to set up a time to look at bike and pedestrian trails.

Mr. Rosensweig would not support the PUD. He feels there is a gesture towards environmental sensitivity. He feels the plan needs a lot of work to allow the streets to work around the park. He also feels that the housing prices are too high to be affordable.

Ms. Keller would not support the PUD. She has concerns about the slope waiver. She feels the applicant does not have a good plan of development. She also feels that having the houses face the back is not ideal.

The applicant requested a deferral.

Mr. Rosensweig made a motion to accept the applicant's request for a deferral.

Ms. Green seconded the motion

Ms. Creasy called the question:

Sienitsky	Yes
Green	Yes
Rosensweig	Yes
Keesecker	Yes
Santoski	No
Keller	Yes

Motion Passes

#### **IV. REGULAR MEETING ITEMS**

##### **J. Preliminary Discussion**

##### **1. The Plaza on Main Street SUP**

Ebony Walden gave a brief description of why the applicant was here and what kind of information the applicant was looking for from the Commission.

The applicants of Ambling University Development Group showed a PowerPoint presentation of how the building will look on West Main Street and what their intentions are for the area. They also explained how their company has gone into other college towns and built new housing for graduates and undergraduates.

## **Discussion**

Mr. Neuman is very happy to see this project but, would like the developers to really look at the impact the development will have on traffic along 9<sup>th</sup> Street. He feels with the development being so close to the hospital that it will attract medical staff and graduate students. He would like different traffic patterns studied and some sort of storm water requirement considered. He congratulated the developers on the project and he is glad they are ready to move forward.

The Commissioners would like the current streetscape to stay as is. They would also like the massing broken up. They are hoping that this project will promote public activity and that the public will be able to use the courtyard. It was also noted that there is enough space to have a bay of bike racks.

Ms. Keller closed by asking the applicant to consider teaming up with UVA and come up with something that will keep with the academic village theme that Thomas Jefferson has bestowed upon the University.

## **Consent Agenda Discussion**

Ms. Sienitsky stated that after speaking with Mr. Tolbert he has assured her that they are working closely with Economic Development to incorporate every part of the Target market study into the “Allowance for Bioscience and Technology Space in various Zoning Classifications”.

Mr. Rosensweig made a motion initiate study of “Allowance for Bioscience and Technology Space in various Zoning Classifications”

Ms. Green seconded the motion.

All in favor

Motion passes.

Ms. Sienitsky made a motion to adjourn to the second Tuesday in November.

Meeting adjourned at 9:26 pm

Planning Commission Mini- Retreat  
November 27, 2012  
Notes

Commissioners Present:

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

Staff Present:

Jim Tolbert  
Missy Creasy  
Richard Harris  
Willy Thompson  
Brian Haluska  
Ebony Walden  
Mike Smith  
Ryan Davidson

Ms. Keller convened the meeting at 4 pm and turned it over to Ryan Davidson who presented the report on the Capital Improvement Program. Following the report, Commissioners asked a number of questions and requested further information.

Ms. Keller asked if the Lee Park project would include repair of sidewalk in the park. MR. Davidson plans to confirm if this is a part of the project.

Ms. Sienitsky asked how the Tonsler Park renovations where being addressed with the funding noted. Mr. Davidson noted that funds are set aside in FY 15 and 16 with master planning already underway. He noted that the playground renovation recently completed was accomplished with other funds.

Ms. Green requested clarification on the bike infrastructure funding and Mr. Davidson noted he could get that information.

Ms. Sienitsky asked about the timing of Park Acquisition and it was noted that as property is available, the funds are used.

Mr. Rosensweig asked for clarity on how comprehensive plan criteria are used in the CIP process, details on the fire apparatus replacement and for further information on how the funding for McIntire Park will be used.

Mr. Keesecker wondered how the scoring sheets and funded projects compared. Mr. Davidson noted that it worked better this year than in years past with 4-5 of the top ranked projects receiving funds. Mr. Keesecker asked if staff could work with the GIS Coordinator (and GIS staff) to see if we could add a “push pin” to the GIS maps to show where the proposed CIP projects would take place.

There was a brief discussion about funding of the CIP, what happens if there are shortfalls, what happens to surpluses, and where does funding go if the project is not completed in the year funds are available. Staff provided responses to those questions.

Mr. Santoski commended the staff for all the hard work in getting information together. He noted that the process went well this year but he is concerned about whether the best projects for the City as a whole are truly being completed.

### Land Use Discussion

The meeting then moved to the land use discussion. Summer Frederick from TJPDC will be our main facilitator for the evening. The following presentations were made:

- Introduction – Missy
- October 2012 City outreach - Ebony
- One Community project – Summer
- Joint Planning Commission goals – Summer
- City Land Use – Current activities – Brian
- 2006 Design Day – Missy
- Diagraming work – Kurt

Mr. Osteen noted that he liked the District and Centers map. He noted that the high density housing area at JPA should be reflected in this drawing

Ms. Sienitsky felt that the zoning and policies are in place but people may not understand the vision. The diagrams provide a good visual of what things could look like.

Mr. Rosensweig favored the Gateway/Node diagram. It shows a focus of density in the urban ring and that a high number of people want to walk to commercial amenities. It was noted that many were reluctant to have neighborhood commercial. It would be important to not have neighborhood amenities become destination centers. There was discussion over what a “center” is and concluded that centers are different for each person.

Ms. Frederick asked the Commission what was surprising from the information received from the public? The following responses were provided:

- Ms. Keller was surprised so many people were satisfied with the direction the community is going in. That confirms that refining the direction was the most appropriate approach. Mr. Rosensweig was surprised by this due to the community he works with and the struggles they have.
- Ms. Green wondered why people wanted more multimodal opportunities but also wanted more parking. That did not seem to fit together.

- Mr. Osteen noted that parking was a big issue and he was concerned about mention of the BAR
- Mr. Rosensweig like seeing that there was interest in accessible and affordable housing.
- Mr. Santoski noted that there is a desire for balance in neighborhoods. He also noted that we need a better network to get people around without people having to get into a car.

The conversation evolved to talking about more specific items.

Mr. Tolbert provided background on the Public Housing Redevelopment process as well as the Strategic Initiative Area activities and a new Strategic Action Team which has been formed to talk about work force issues. He also provided background on the Torti Gallas economic study findings.

Highlights from this conversation included a desire to locate housing in the areas near employment, identify areas of the city which need further study and anticipate conflicts and area transitions in advance.

Ms. Frederick then asked the following question to commissioners: Do you think the input you heard supports current Land Use policies?

Mr. Rosensweig initiated a discussion concerning the programing of school buildings. Since this was not on the agenda this evening, this item was placed on reserve for a future discussion.

There was agreement that change is going to occur but the rate of change people are comfortable with varied. Many appreciate the small town feel of our community. Some question the additional density when the transportation linkages have not been put in place. There was a brief discussion about housing of University students and employees. Mr. Tolbert provided background on the ordinance and policy changes and outlined some of the charge of the PLACE committee.

The group convened for dinner. Following dinner, Ms. Frederick provided a recap of the earlier conversation and turned the time to Mr. Haluska who presented the draft vision statement for comment. The Commissioners provided comment on the statement and directed staff to revise the language.

Commissioners were then split into small groups to review the draft goals and objectives. Following the group work, the following reports were given.

Group A – Mike, Natasha, Kurt Staff – Mike and Missy)

One of the issues this group raised dealt with the conflict they felt existed between the language in the zoning ordinance and the goals established within the land use plan. An idea was raised to create an additional map, separate from the required Land Use Map, that would translate the vision of the land use plan illustratively. The group thought creating this map could be achieved by categorizing the existing land use goals geographically.

The goals were reorganized into these general categories:

1. Visionary and ordinance related
2. Neighborhood related
3. Place – broader than just one neighborhood – moves into the places they go regularly
3. Regional – to involve the broader community

The group decided to revise the language of the first goal in effort to ease the direct attention given to the zoning ordinance. The revised goal would read as follows:

Goal One: Develop a land use plan that promotes mix of uses desired by the community.

Furthermore, the group believed that objectives 2.1, 2.2, and 2.3 could be adopted under goal one. In addition to these changes, the group added two objectives for consideration:

1. Dense walkable development should be located around employment centers
2. Identify areas within designated corridors for higher priorities

There was mention of making sure the River is addressed in the plan.

Group B – Lisa, Gennie, John, Dan (Staff - Willy and Ebony)

The following are areas where there was general agreement with Group A:

- Less focus on the Zoning Ordinance changes
- Move the current Goal 3
- Include “walkable” language
- Identify opportunities within existing corridors

More detailed comments include:

**Goal One:** Promote a walkable mix of uses desired by the community.

1.2: Remove “without rezoning property.”

Add an objective that pertains to maintaining a zoning ordinance which helps accomplish the goal.

Add objective 3.2, excluding “proximate to the Downtown.”

**Goal Two:** Create, preserve and strengthen the protection, preservation and wise use of the City’s natural, historic and architecturally significant environment.

Add objective 3.3

Add goal four and its objectives.

**Goal Three:** Replace market place with “economic center.”

Remove 3.2 and 3.3

**New Goal Four:** This goal should focus on identifying new opportunities as well as identifying opportunities in existing transitional areas.



**Other Thoughts:**

Too much focus on the zoning ordinance.  
Like the language of “vital centers.”  
Need more transit and transportation related language.  
Look at possibly adding economic and housing language.

Mr. Keesecker noted there are “opportunities” in the neighborhood, PLACE, and region which can be pointed out.

The small group work was summarized by the following: less focus on the zoning ordinance, walkable focus, there was consensus on “scaling” the chapter (visionary, neighborhood, place, region), use positive language, and identify areas and opportunities.

Staff will take comments and integrate them into the next draft.

**Geographical Areas for Focus**

With time remaining, Commissioners commented on the map of areas where there is awareness that study is needed. The following areas were added for consideration: River Road, High Street/Martha Jefferson Hospital properties, Route 250 and North of the City, McIntire/Harris/Allied area and the full Ridge Street 5<sup>th</sup> Street Corridor.

Mr. Tolbert noted some of the work that is currently underway. Commissioners requested an updated map with the areas above added with indication whether a project is underway (with details on what is occurring) or whether it is a priority to look at in the future. This will be provided with the next draft of the chapter.

Mr. Keesecker thought it would be helpful to think about what would be defined as a successful result for neighborhoods, places, and the region.

The meeting moved to public comment.

Mr. Bill Emory read a statement providing history on the Woolen Mills area and noted that there needs to be a buffer between residential and high intensity uses.

Meeting adjourned at 9:35 pm

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

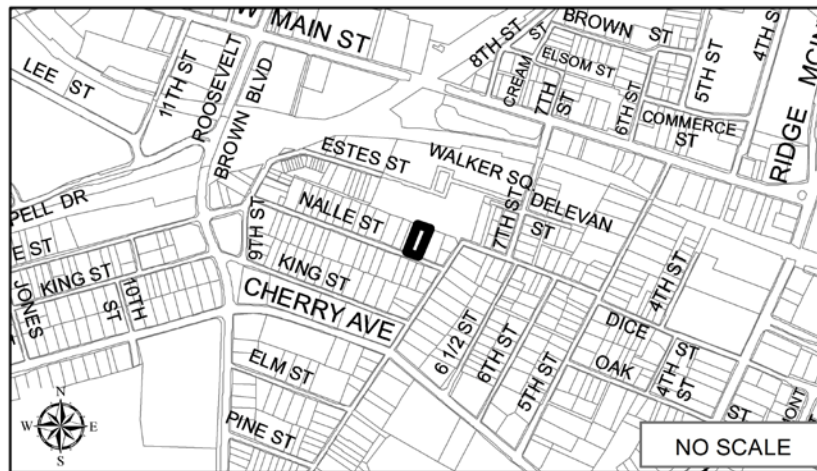


**APPLICATION FOR AMENDMENT OF AN  
INFILL SPECIAL USE PERMIT**

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

**DATE OF HEARING:** December 11, 2012  
**APPLICATION NUMBER:** SP-12-11-14  
**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:** 10,900 Sq. Ft./ .250 Acre  
**Comprehensive Plan (Land Use Plan) Designation:** Single-Family Residential  
**Current Zoning Classification:** R1-S (Small Lot Single-Family) with an Infill SUP  
**Taxes:** Property taxes are current for this property

**Applicant's Request:**

On September 4, 2012, City Council approved an infill SUP for 715 Nalle Street authorizing the following changes to R-1S development:

- a. Reduce the required lot frontage from fifty feet (50') to thirty-six feet (36');
- b. Reduce the lot size requirement from 6,000 square feet to 5,532 square feet; and
- c. Allow the new pervious driveway to be located less than three feet (3') from the adjoining property.

The applicant is requesting to amend the lot size requirement from 5,532 square feet to 5,450 square feet.

**Executive Summary:**

The figure, 5,532 square feet, was formulated using square footage provided on the June 26, 2012 infill SUP application, which also matched current City tax and GIS information. After City Council approved the infill SUP, Kirk Hughes and Associates conducted a survey of the property on September 28, 2012 and found the parcel to be divided was slightly smaller than the parcel square footage provided on the application. The application used 0.254 acre or 11,064 square feet. The survey shows that the parcel is 0.250 acre or 10,900 square feet. The division of land could not be approved for a smaller lot than was approved as part of the infill SUP.

**Standard of Review:**

A special use permit may be amended following the same procedures as for approval of an original special use permit application.

**Infill Project Review:**

**Uses**

Single Family Detached Residential (1,680 sf)

**Density**

7.99 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.

**Requested exceptions and modifications;**

- a. Required lot frontage from 50 ft. to 36 ft. (No Change)
- b. Lot size requirement from 6,000 sq. ft. to 5,450 sq. ft. (Changed)

- c. Off-street parking space minimum distance to property line from 3 feet to 1 foot. (No Change)

**Public Comments Received:**

No public comments have been received.

**Staff Recommendation:**

Amending the infill SUP to allow for a minimum lot size of 5,450 sq. ft. does not substantially alter or change the intent of the originally approved infill SUP. All previously approved conditions shall remain with the amended permit. Staff recommends that the Planning Commission forward this application to City Council with a recommendation for approval with the following conditions:

- a. Staff approval of the LID features presented on an engineered plan.
- b. No occupant of this building may apply for more than one parking permit.

**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 more than one parking permit.

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.

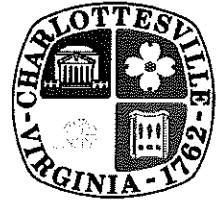
OR,

- 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. \_\_\_\_\_

**Attachment:**

Application  
Council Resolution  
Staff Report, 8-14-12

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



**APPLICATION FOR AN INFILL SPECIAL USE**

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

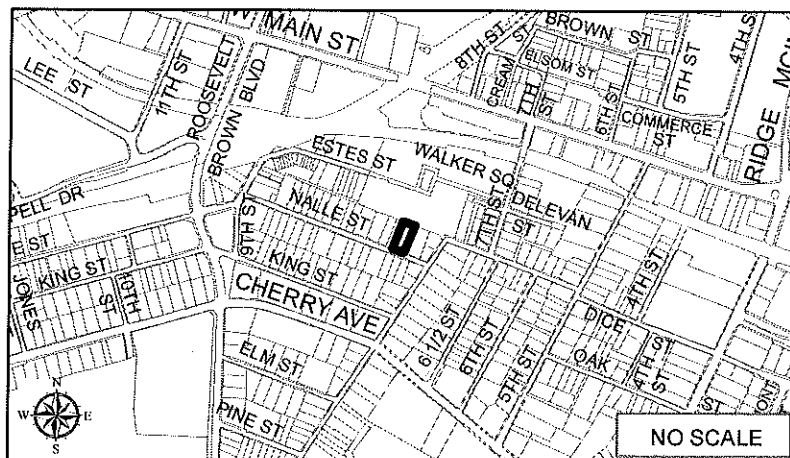
**DATE OF HEARING:** August, 14, 2012

**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

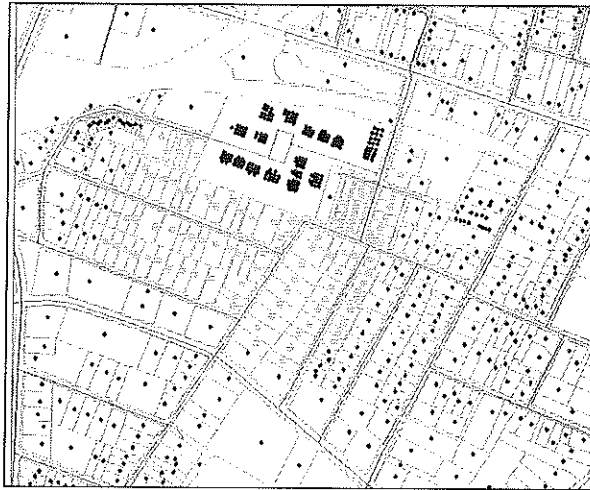
**4. Reasonableness/Appropriateness of Current Zoning:**

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.



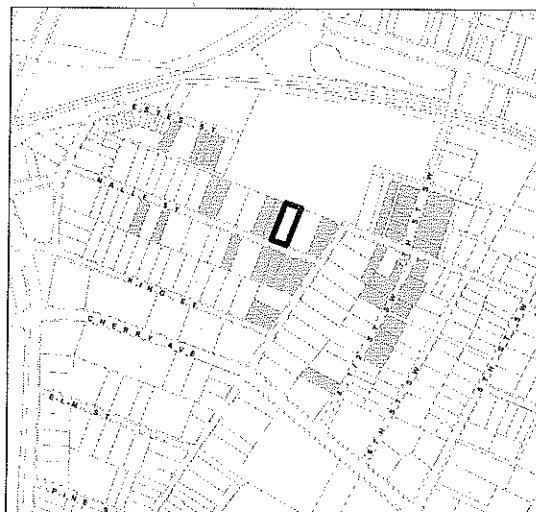
5. **Reasonableness/Appropriateness of Proposed Zoning**

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 [Signatures]

**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. <i>Rain barrels</i>	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)



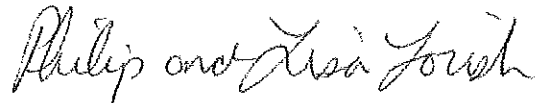
June 21, 2012

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 signature is written in a fluid, connected style.

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

---

**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

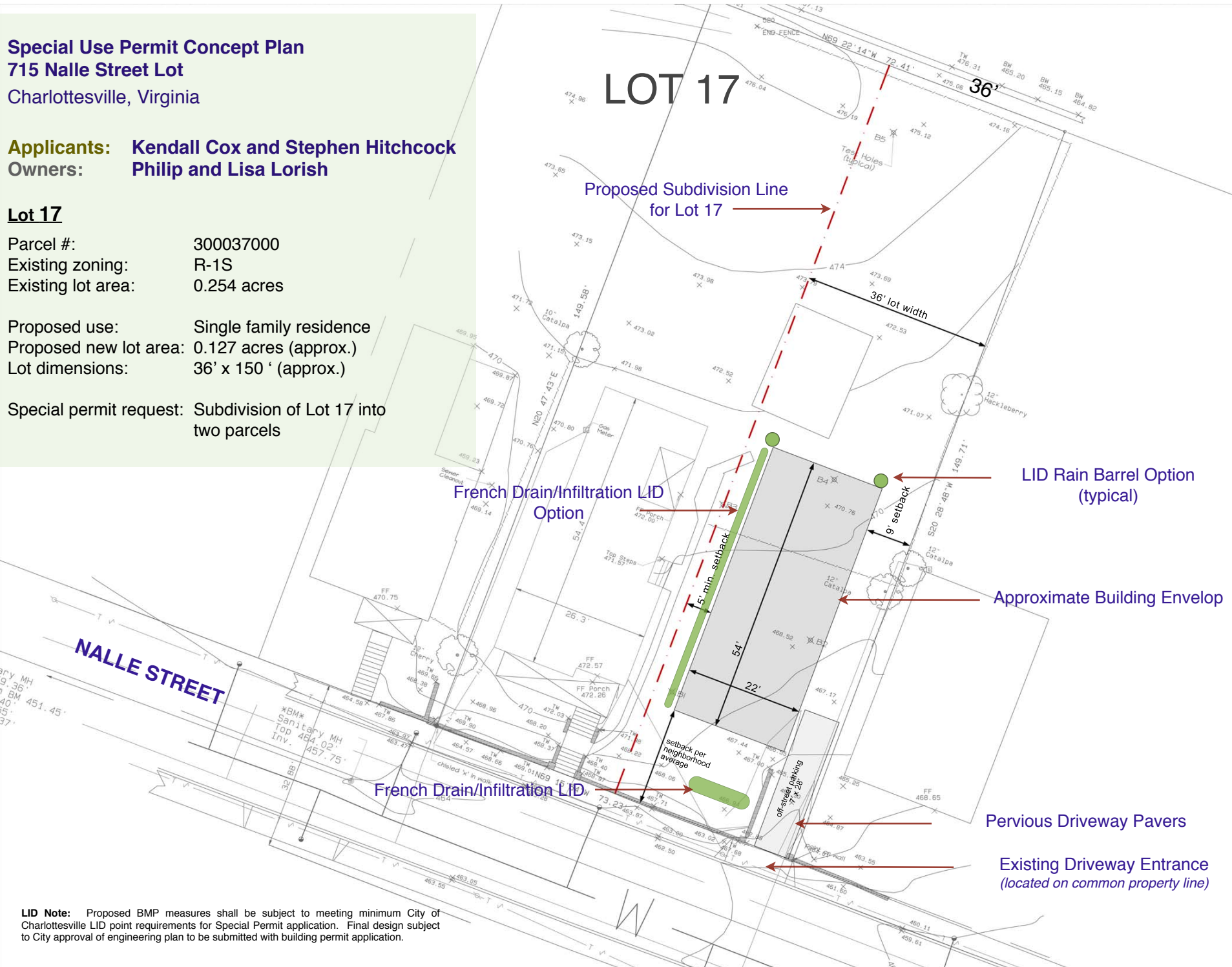
**Applicants:** Kendall Cox and Stephen Hitchcock  
**Owners:** Philip and Lisa Lorish

**Lot 17**

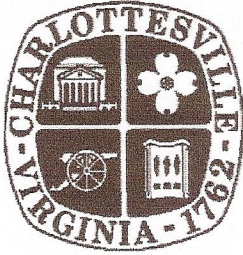
Parcel #: 300037000  
 Existing zoning: R-1S  
 Existing lot area: 0.254 acres

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.



# SPECIAL USE PERMIT APPLICATION

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

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

I (we) the undersigned property owner(s), contract purchaser(s) or owner's agent(s) do hereby petition the Charlottesville City Council for a special permit to use the property located at: 715 Nalle St. (address), zoned: R-1S, for: subdividing the lot and building a detached single-family residence.

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

1. 73.23 feet of frontage on Nalle St. (name of street)
2. Approximate property dimensions: 72.38-73.23 feet by 149.71 feet.
3. Property size: 10,900 sq. ft. (square feet or acres)
4. Present Owner: Philip A. + Lisa M. Lovish (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>Dammen, Ralph K.</u>	<u>711 Nalle St.</u>	<u>3000 30000 (Lot 18)</u>
2. <u>Markowitz, Ellen</u>	<u>719 Nalle St.</u>	<u>3000 30000 (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. Charlottesville, VA 22901  
Applicant's Phone Number(s): 434-996-5900 Work 434-987-3446 Home \_\_\_\_\_  
Applicant's Signature [Signature]

*see attached concept plan drawing*

**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).

**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 \_\_\_\_\_

**City of Charlottesville  
City Manager's Office  
MEMO**



**TO:** Planning Commission  
**FROM:** Ryan Davidson, Budget and Management Analyst  
**CC:** Maurice Jones, City Manager  
Leslie Beauregard, Director, Budget and Performance Management  
Jim Tolbert, Director, NDS  
City Council  
**DATE:** December 4, 2012  
**SUBJECT:** Responses to Planning Commission FY 14 – 18 CIP Questions

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The following memo provides responses to the questions raised by the Planning Commission in the November 27, 2012 Capital Improvement Program Work Session. If any additional information is needed please contact the Budget Office, Leslie Beauregard ([beauregard@charlottesville.org](mailto:beauregard@charlottesville.org)) or Ryan Davidson ([davidson@charlottesville.org](mailto:davidson@charlottesville.org)) and we will be happy to provide the information.

- 1. Will the Lee Park Retaining Wall project, as currently funded, provide for the repair of sidewalks either in, or around the outside of Lee Park? Will the repair of the sidewalk around the outside perimeter of Lee Park be coordinated with the Public Works sidewalk repair crew? If not how will the sidewalk repair be handled?**

Funding for interior sidewalk repair was requested in the same project for FY 15 in the amount of \$100,000 and includes much more than simply sidewalks. The pressing need is for the retaining wall repairs which will require some engineering and the FY 14 request of \$240,000 is the estimate to replace only the wall. If some funds were left over from the FY 14 allocation they would be utilized to repair other elements. The perimeter sidewalk is in reasonable condition at the moment and there would be a need to see what if anything would need to be done. The perimeter sidewalks are under the jurisdiction of the Public Works Sidewalk Crew, as they are public walkways and included in their replacement and repair program. The access stairs and interior sidewalks are considered private even though in City ownership, and maintenance is the responsibility of Parks and Recreation hence this request. Once the repairs to the retaining walk were designed that work would be coordinated with Public Works.

**2. Please provide more information as to how the funding for McIntire Park will be used.**

In developing the submission for McIntire and the implementation of the Master Plan, Parks and Recreation took into consideration the timing of the construction on the 250 interchange in our planning. Knowing that the roads will likely not be open until the Spring of 2015 at the earliest, we attempted to spread out the funding over the 5-year CIP. This was an attempt to recognize the physical constraints that the construction will bring to the site.

Here is Parks and Recreation's plan forward at this point.

During FY13:

- Relocation of the portable skate park ramps from the McIntire Road location to the new location as identified on the Master Plan. We are currently preparing a site in the parking area in the SW corner of the park to accommodate this. We won't actually move the ramps until much closer to the beginning of construction on the interchange – trying to avoid a break in service of the lighted facility. The site work is being funded through the Skate Park Relocation capital account – funds that came from the interchange project for this purpose. Estimate is \$50k.
- Begin the design process for the new permanent skate park – this will involve issuance of an RFP for a skate park design firm and working through design and construction drawings. Estimate that this effort could take much of calendar year 2013. Bidding of construction on the skate park would follow. It is possible that the permanent skate park could approach \$1M in cost.
- Operation of McIntire Wading Pool for the 2013 summer season, and then the facility will close permanently. Demolition of the bath house and pump room and associated utility work will take place during FY14. Not really sure of an estimate of cost on that but we will likely build that into the skate park work for ease of construction.
- Council directed us not to build any permanent structures in the park until a final design is complete. However, there is a desire for access to the park and we are beginning to look at ways to accomplish that on the north end of the park in a temporary (12-36 months) way. This may involve a gravel parking area and some other amenities but nothing permanent. Costs related to this work would be funded from the McIntire capital project.
- Begin the design process for the rest of the park to implement the Master Plan. An RFP would be issued to bring on a landscape architect/design firm to walk through this process. Given the scope of the property and the desires of the community for a botanical garden of some scale, design costs for this should easily exceed \$100k. We anticipate this work will continue well into FY14 and the funds in the existing account (Sept. balance was \$293k) to be close to fully expended by mid-FY14. Hence the request for \$750k in FY14 to ensure adequate funds are available to complete this work and begin to bank other funding for implementation



FY14 (July 2013 – June 2014)

- Continuation of design work on both the Skate Park and remainder of the park. Probable bidding and beginning of construction on the permanent skate park. \$1M request in FY14 is to fund continued design on both fronts as well as fund the construction of the skate park
- Design work on the park elements should be complete during FY14.

FY15 (July 2014 – June 2015)

- Completion and opening of permanent skate park
- Beginning of phased implementation of the final design on the remainder of the park. Costs for beginning the implementation of the family activity center on the north end of the park are anticipated in FY15.
- Opening of McIntire Road Extended and the interchange.

FY16 (July 2015 – June 2016)

- Continuation of the implementation of the final design on the remainder of the park.

FY17 (July 2016 – June 2017)

- Continuation of the implementation of the final design on the remainder of the park.

**3. Is the Fire Department currently, or have they previously, looked into the purchase of trucks that could possibly be more compatible with conditions created by a higher density city environment, such as narrower streets and/or taller buildings?**

Yes we have, from the standpoint of continuously looking to see what's currently available. However, the size of the trucks are dictated more by the equipment that we're required to carry by national standards (National Fire Protection Association), and what we've found we need to carry based on local needs. Some examples are water tank size (we carry 500 gallons of water, adequate for only about 2 ½ minutes of firefighting), an assortment of ladders, and an assortment of hose sizes (including 1000' of 4" supply hose). Safety standards, to a certain extent, have affected sizes over the years – all personnel are required to be seated and belted and must be in fully enclosed cabs, instead of standing on the back steps and sides or riding in open cabs like we did up until the 1980's. The trucks we use (both engines and ladder trucks) are the same as those used in the urban environments of all US cities (Boston, for example, has sections known for its narrow streets). European apparatus, on the other hand, may be smaller but do not meet US standards and can't carry the same amounts of equipment.

**4. Please provide an updated CIP Scoring Matrix that highlights the projects that were selected for inclusion in the 5 year Capital Program.**

Please see *Attachment I*.

**5. Would it be possible to use GIS to create a map that would highlight the areas of the City in which CIP projects are currently taking place, or are proposed to take place?**

Staff has had preliminary discussions with the City's GIS Coordinator regarding this possibility. It was determined that this could be a possibility for future CIP's but would not be a feasible option until sometime in early Spring 2013. As the City's GIS web viewer options are further developed staff will continue to work with the city's IT Department to provide a framework for creating this type of graphical information to be provided as a tool for the Planning Commission, Council, staff, and the citizens of Charlottesville.

**6. Please provide additional information and clarification on the funding history for the Bicycle Infrastructure project.**

The initial year of CIP funding for this project was FY2010, at \$25,000. Funding for the project was increased in FY 2011 to \$50,000 and then increased again in FY 2012 to \$100,000. In the FY 2013-2017 Proposed CIP the Bicycle Infrastructure project was proposed to be level funded at \$100,000 for FY 2013 and receive a 3% inflationary increase in fiscal years FY 2014-2017. At the March 22, 2012 Council Budget Work Session, Council agreed to move the \$100,000 proposed in FY 2013 for the Undergrounding Utilities project and put into Bicycle Infrastructure instead for FY 2013. For future years, Council will revisit the bike plan and look at future funding and what's realistic to be done and what the proper dollar amount for each year should be based on that plan.

Currently the City is implementing bike routes and corridors as outlined in the approved bike plan and updating the bike plan as a whole per Council's priority. A copy of the current Bicycle and Pedestrian Master Plan can be found on the City's website at:

<http://www.charlottesville.org/Index.aspx?page=1309>

The balance for this project as of December 4, 2012 is \$254,433.

*For more detailed information on the City's FY 2014 – 2018 Capital Improvement Program, please click on the following link:*

<http://www.charlottesville.org/Index.aspx?page=3292>

**Attachment I**

**Final Project Criteria Scoring**





**FY 2014 - 2018 CIP Final Project Criteria Scoring**

PROJECT	REQUESTING DEPARTMENT	Criteria #1 Council Adopted Strategic Vision	Criteria #2 Public Health and Safety	Criteria #3 Infrastructure Investment/Protection	Criteria #4 Operational Finances/ Revenue Generation	Criteria #5 Leveraging of Outside Funding	Criteria #6 Environmental Sustainability	Criteria #7 Encouragement of Economic Development	Criteria #8 Ties into Other Projects	Criteria #9 Improved or Increased Service Levels	TOTAL CRITERIA
Belmont Bridge Revenue Sharing	NDS	5	5	5	5	5	3	5	0	5	38
McIntire Park Master Plan Implementation	Parks and Recreation	5	0	5	3	0	5	5	5	5	33
West Main Streetscape Improvements	NDS	5	3	5	0	0	3	5	5	5	31
Central Library Renovation	Facilities	5	0	5	3	5	5	0	0	5	28
New Sidewalks	NDS	5	3	5	0	5	5	0	0	5	28
Park Land Acquisition	Parks and Recreation	5	0	5	3	0	5	0	5	5	28
Water Resources Protection Program	Utilities	5	3	5	3	0	5	0	0	5	26
Belmont Bridge - Auxiliary Pedestrian Bridge	NDS	5	0	0	0	5	5	0	5	5	25
Martha Jefferson Streetscaping	NDS	5	5	5	0	0	0	5	0	5	25
Park Lighting Systems Replacement	Parks and Recreation	5	0	5	5	0	5	0	0	5	25
Starr Hill and Meadows Safety Improvements	NDS	5	3	3	0	0	3	0	5	5	24
Belmont Spray Ground Replacement	Parks and Recreation	5	3	5	3	0	3	0	0	5	24
Regional Police Firearms Range	Police	5	3	0	3	0	3	0	5	5	24
Street Milling and Paving	Public Works	5	3	5	3	0	3	0	0	5	24
Public Works Yard Relocation	Facilities	5	0	5	3	0	5	0	5	0	23
J&DR Phone System Upgrade	J&DR Courts	5	0	5	3	5	0	0	0	5	23
Bicycle Infrastructure	NDS	5	3	5	0	0	5	0	0	5	23
Citywide Traffic Improvements	NDS	5	3	5	0	0	0	0	5	5	23
McIntire Softball Field Lighting Replacement	Parks and Recreation	5	5	5	0	0	3	0	0	5	23
Recreation Facility Technology Modernization	Parks and Recreation	5	3	5	5	0	0	0	0	5	23
Tonsler Park Master Plan Implementation	Parks and Recreation	5	0	5	3	0	5	0	0	5	23
CHS Fire Suppression System	Schools	5	5	5	3	0	0	0	0	5	23
ADA Recreational Facilities Compliance	Parks and Recreation	5	3	5	3	0	0	0	0	5	21
City County Joint Park Improvements	Parks and Recreation	5	3	5	3	5	0	0	0	0	21
Downtown Mall Repair Fund	Parks and Recreation	5	3	5	3	0	0	5	0	0	21
Key Center ADA Elevator	Parks and Recreation	5	3	5	3	0	0	0	0	5	21
Parks & Rec Needs Assessment Update	Parks and Recreation	5	0	3	3	0	0	0	5	5	21
Parks Site Master Planning	Parks and Recreation	5	0	3	3	0	0	0	5	5	21
Pen Park Shop Relocation	Parks and Recreation	5	3	5	3	0	5	0	0	0	21
Lee Park Retaining Wall	Parks and Recreation	5	5	5	3	0	3	0	0	0	21
Replacement Fire Engines	Fire	5	3	5	3	0	0	0	0	5	21
Self Contained Breathing Apparatus	Fire	5	3	5	3	0	0	0	0	5	21
Telephone System Upgrade	IT	5	0	5	5	0	0	0	0	5	20
Washington Park Center Expansion	Parks and Recreation	5	0	5	0	0	5	0	0	5	20
Minor Bridge Repairs	NDS	5	3	5	3	0	3	0	0	0	19
Michie Drive Traffic signal	NDS	5	3	5	0	0	0	0	0	5	18
Key Center Gym Floor Replacement	Parks and Recreation	5	5	5	3	0	0	0	0	0	18
Crisis Negotiation/Command Vehicle	Police	5	3	5	0	0	0	0	0	5	18

**FY 2014 - 2018 CIP Final Project Criteria Scoring**

<b>PROJECT</b>	<b>REQUESTING DEPARTMENT</b>	<b>Criteria #1 Council Adopted Strategic Vision</b>	<b>Criteria #2 Public Health and Safety</b>	<b>Criteria #3 Infrastructure Investment/Protection</b>	<b>Criteria #4 Operational Finances/ Revenue Generation</b>	<b>Criteria #5 Leveraging of Outside Funding</b>	<b>Criteria #6 Environmental Sustainability</b>	<b>Criteria #7 Encouragement of Economic Development</b>	<b>Criteria #8 Ties into Other Projects</b>	<b>Criteria #9 Improved or Increased Service Levels</b>	<b>TOTAL CRITERIA</b>
Forest Hills Neighborhood Improvements	NDS	5	3	3	0	0	0	0	0	5	16
NS Bridge Structure Major Repairs	NDS	5	3	5	3	0	0	0	0	0	16
Wayfinding Updates	NDS	5	0	3	3	0	0	0	0	5	16
Pen Park Tennis Court Renovations	Parks and Recreation	5	3	5	3	0	0	0	0	0	16
Banner Project	NDS	0	0	3	0	0	0	0	5	0	8
Historic Street Name Signs	NDS	5	0	0	3	0	0	0	0	0	8

 Projects Highlighted in orange are proposed to receive **additional or new funding** in the FY 2014-2018 CIP.

 Projects highlighted in blue are proposed to receive funding in the FY 2014 - 2018 CIP, but were not recommended for additional funding requests beyond what was contained in the FY 2013 - 2017 CIP.