

Agenda

PLANNING COMMISSION REGULAR DOCKET TUESDAY, November 12, 2013 – 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 - September 17, 2013 – Joint BAR/PC Discussion
2. Minutes - October 8, 2013 – Pre meeting
3. Minutes - October 8, 2013 – Regular meeting
4. Minutes - October 22, 2013 – Joint City County PC Work Session

III. **JOINT PUBLIC HEARINGS (Beginning at 6:00 P.M.)**

G. JOINT PUBLIC HEARINGS

1. **SP-13-09-16 –(122 Summit Street)** An application for a special use permit for a family day home of up to 12 children at 122 Summit Street. This application also is requesting a parking modification for a reduction from three (3) spaces to one space and reduction of the three foot separation between the driveway and property line. The property is further identified on City Real Property Tax Map 17A Parcel 5 having frontage on Summit Street. The site is zoned R-2U (University) and is approximately 0.245 acres or 10,672 square feet. The Land Use Plan generally calls for Low Density Residential. **Report prepared by Ebony Walden, Neighborhood Planner.**
2. **ZM-13-07-17 – Adjacent to 601 Concord** - A petition to rezone the property located off of Concord Avenue within the N&S Railroad right of way from R-1 Residential District to IC Industrial Corridor. The property is further identified as adjacent to Tax Map 35 Parcel 114 and the Railroad track containing approximately 5,950 square feet of land or 0.2 acres. The general uses called for in the Land Use Plan of the Comprehensive Plan are not specified but it is adjacent to Business and Technology. **Report prepared by Brian Haluska, Neighborhood Planner.**
3. **SP-13-07-18 - 601 Concord Avenue:** An application for a special use permit to allow outdoor runs for an animal boarding/grooming facility in the Industrial Corridor (IC) zoning district at the property located at 601 Concord Avenue (Tax Map 35 Parcel 114.) The outdoor runs are to be located on the N&S Railroad right of way adjoining this address. The property has frontage on Concord Avenue. The site is zoned IC (Industrial Corridor) and is approximately 0.2 acres or 5,950 square feet. The Land Use Plan generally calls for Business and Technology. **Report prepared by Brian Haluska, Neighborhood Planner.**

IV. **REGULAR AGENDA (continued)**

H. Preliminary Discussion

1. 1000 West Main Street

I. Context Sensitive Design Resolution Review

J. **FUTURE MEETING SCHEDULE**

Date and Time	Type	Items
Tuesday, November 19, 2013 – 5:00 PM	Work Session	Joint meeting with City Council and PLACE on Comprehensive Plan Implementation
Tuesday, November 26, 2013 – 5:00 PM	Work Session	Capital Improvement Program
Thursday, December 5, 2013	Work Session	Joint meeting with City Council, PLACE and the SIA Steering Committee on the SIA Report
Tuesday, December 10, 2013 – 4:30 PM	Pre- Meeting	
Tuesday, December 10, 2013 – 5:30 PM	Regular Meeting	Blight Ordinance – Landmark Hotel Capital Improvement Program Rezoning - Water Street PUD SUP – 1000 W Main Street Major Subdivision – Eton Road

Anticipated Items on Future Agendas

- LID Guideline Review
- Zoning Text Amendment - PUD ordinance updates
- Rezoning – Lyman Street
- Entrance Corridor - 5th Street Station, Fulton Bank (901 Seminole Trail)
- ZTA – Water Protection Regulations (Feb 2014)

Persons with Disabilities may request reasonable accommodations by contacting ada@charlottesville.org or (434)970-3182

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
10/1/2013 TO 10/31/2013**

1. Final The Plaza at West Main Street

**LIST OF SUBDIVISIONS APPROVED ADMINISTRATIVELY
10/1/2013 TO 10/31/2013**

- | | | |
|----|---|---|
| 1. | TMP 21A,- 90.5 and 90.6
107 & 108 Christa Court
File No. 1515 | Boundary Adjustment
Residential Surveying Services
Final
Final Signed: 10/8/13
Signed by: Ebony Walden & Dan Rosensweig |
| 1. | TMP 5-15
803 Rugby Road
File No. 1516 | Single Family lot
WW Associates
Final
Final Signed: 10/28/13
Signed by: Ebony Walden & Dan Rosensweig |

BOARD OF ARCHITECTURAL REVIEW
Regular Meeting-Minutes
September 17, 2013 – 5:30 p.m.
City Council Chambers - City Hall

Members Present

Mr. William Adams-Chair
Ms. Melanie Miller – Vice Chair
Mr. Michael Osteen
Mr. Whit Graves
Mr. Justin Sarafin
Ms. Candace DeLoach
Mr. Brian Hogg
Ms. Laura Knott
Mr. Tim Mohr

Planning Commission Members Present

Mr. Dan Rosensweig-Chair
Mr. Kurt Keesecker-Vice Chair
Ms. Genevieve Keller
Mr. John Santoski

Staff Not Present

Ms. Mary Joy Scala

Staff Present

Ms. Madeline Hawks
Ms. Missy Creasy

A. Matters from the public not on the agenda
None

B. Consent Agenda (Note: Any consent agenda item may be pulled and moved to the regular agenda if a BAR member wishes to discuss it, or if any member of the public is present to comment on it. Pulled minutes will be discussed at the end of the agenda, but pulled applications will be discussed at the beginning.)

1. Minutes August 20, 2013

Ms. Miller made a motion to approve the minutes as written.

Mr. Graves seconded the motion

Approved (9-0).

C. Projects in Non-Compliance – No Report

Mr. Rosensweig called to order the meeting of the Planning Commission at 5:34pm.

D. Special Use Permit Recommendations (joint discussion with the Planning Commission)

1. Special Use Permit Recommendation

217 West High Street
Tax Map 33 Parcel 131
Nichola Properties, LLC, Owner/ Byrd Leavell, Applicant
Add residential unit in garage structure

Ms. Hawks provided the staff report.

The applicant was not present, but the Board chose to proceed.

There were no questions from the public.

Questions from the Board

There were no questions from the Board.

Comments from the Public

Mark Kavitt, President of the North Downtown Neighborhood Association, had concerns with previous recommendations made by the BAR at the September 2012 meeting that were never carried out by the applicant.

Comments from the Board

- The parking spaces in the alley are clear and accessible, but feel the four spaces in the driveway may be problematic.
- The Board wanted to clarify proposed work and work that was made a condition of approval.
- Really don't have a problem with the addition and feel it would not have an effect on the neighborhood.

Comments from the Planning Commission

- Mr. Rosensweig feels the density is appropriate and recommend approval to City Council.
- Ms. Creasy stated that the site plan requires parking. There are six spaces on site; only three spaces are required for three units.

Mr. Osteen said, I move that the proposed special use permit to allow increased density in order to add a third unit to the property located at 217 W High Street (to be located in the existing garage) will not have an adverse impact on the North Downtown Architectural Design Control (ADC) District and the BAR recommends approval of the Special Use Permit,

Mr. Graves seconded the motion

Approved (9-0) for Special Use as submitted for 1 additional unit (increase in density to 25 units per acre). Applicant will have to return to the BAR for a Certificate of Appropriateness to conduct the renovation of the garage.

2. Special Use Permit Recommendation and Preliminary Discussion

BAR 13-08-05
853 & 901 W Main Street
Tax Map 31 Parcel 169 & 170
853-855 West Main LLC, Owner/ Landmark Acquisitions LLC, Applicant
New Construction

Ms. Hawks provided the staff report

John Matthews, the applicant, was present and gave a description of the project and the intention of how much space would be commercial and how much would be residential. He also talked about traffic, parking and the landscaping.

Questions from the Public

There were no questions.

Comments from the Public

A representative from the Hampton Inn mentioned a fear of a possible “concrete canyon” with continued high-density development along West Main Street. She also expressed concern about traffic and the possible need for a traffic study, which the applicant has not conducted.

A Charlottesville resident who often walks along West Main Street expressed concern about mature shade trees along West Main Street. He also mentioned the need for adequate parking and to avoid the precedence of student housing in the West Main area as a primary building type. He mentioned the potential for future projects to present a greater diversity of uses and tenants (commercial and residential).

Comments from BAR and Planning Commission

- Density and Massing-they feel the massing and height is not appropriate for this area of Main St. They feel there is too much parking and students will not walk they will drive everywhere they go. They also feel that the design of the building is limiting the attraction of different potential residents.
- Commercial Space-they would like to see a grocery store or pharmacy in the space.
- Traffic and parking-they have concerns with how delivery truck would be able to deliver items. Also move in and move out days.
- Adjacent Properties-they have concern with the families of West Haven and other adjacent properties owners on how this will affect them

Mr. Hogg said, he moves to find that **the Special Use Permit to allow increased density (from 43 units per acre to 89 units per acre) and additional building height will have an adverse impact on the West Main Street ADC and recommends the following mitigations:**

The applicant should:

- **Study the massing of the building to consider its relationship to the free-standing house to the west**
- **Reflect greater presence of the arcade and courtyard in the design, consistent with Planning Commission recommendations**
- **Reconsider the number of parking spaces as reflected in the volume of the building**
- **Modify all four elevations to reduce massing and size of the structure**
- **Reconsider the number of four-bedroom units to compare with the density of University districts (21 units per acre)**
- **Incorporate recommendations from the West Main Study into the design**
- **Provide retail and publicly accessible amenities fronting West Main Street**

The BAR appreciates the voluntary choice of the applicant to contribute to the West Main study process.

**Mr. Osteen seconded the motion.
Approved (9-0)**

Ms. Keller made a motion to adjourn the Planning Commission meeting at 7:48pm

Preliminary Discussion:

Comments from the public

Mark Kavitt feels the project needs adequate parking and would not like to see it only be student housing.

The BAR would like to see mixed use in the building. They would like to see more of a rhythm on the Main St façade. The top of the building seems a little too busy would like to see it toned down. The BAR would like to see the design kept simple so it will keep the cost down. The BAR would like to see a landscaping plan now so the trees can be planned in advance.

E. Previously Deferred Items

1. Proposed Revisions to ADC Guidelines Recommendation

West Main Street ADC Contributing Structures Map

Mr. Hogg recused himself.

Ms. Hawks provided the staff report.

Comments from the Public

Mark Green, 1001 West Main St, stated that the Team Tire building should not be considered contributing due to its lack of architectural character

Comments from the Board

- The Board feels s the building is very significant.

Ms. Knott made a motion to approve the revisions to the ADC Guidelines.

The motion was approved.

Approved (7-1-1) with Graves opposed and Hogg recused.

2. Certificate of Appropriateness Application

BAR 13-08-03

16 Elliewood Ave

Tax Map 9 Parcel 97

Geary Albright, etal, Owner/ Anderson McClure, Applicant

Add deck at Biltmore Grill

Ms. Hawks provided the staff report

The applicant Andy McClure was present and addressed three issues from the previous meeting.

There were no comments or questions from the public.

Questions or Comments from the Board

- Was something else considered instead of the grass in the front

- Will there be any additional trees.
- Some members of the BAR prefer option B and some like C, but feel they could come to a compromise.
- They feel the grass would not work in the long run and it will cause more problems.

The applicant stated that he felt plantings would look better than having trees.

Mr. Hogg said, having considered the standards set forth within the City Code, including City Design Guidelines for Site Design and for Additions, the BAR moved to find that the proposed new deck satisfies the BAR's criteria and is compatible with this contributing property and other properties in the Corner ADC district, and that the BAR approves the application as submitted.

Ms. Knott seconded the motion.

Approved (9-0) as submitted.

The BAR preferred Option C (all six-board fencing), with a final landscape review by Mary Joy Scala and Laura Knott to incorporate more vertical, sustainable plantings.

F. New Items

1. Certificate of Appropriateness Application

BAR 13-09-01
 1331 W Main Street
 Tax Map 10 Parcel 6
 Jozo Andelic, Applicant/MVK Property, LLC, Owner
 Cover and paint decorative block façade

Ms. Hawks provided the staff report

Mr. Jozo Andelic was present and he gave an overview of why the façade needed to be painted.

There were no questions from the public

Questions or Comments from the Board

The Board feels the damage has already been done and this would be a good way to correct the damage.

Mr. Mohr said having considered the standards set forth within the City Code, including City Design Guidelines for Rehabilitations, I move to find that the proposed exterior updates and painting satisfy the BAR's criteria and are compatible with this contributing property and other properties in the West Main Street ADC district, and that the BAR approves the application as submitted.

Mr. Sarafin seconded the motion.

Approved (8-1) as submitted, with Osteen opposed.

Ms. Knott left the meeting.

2. Certificate of Appropriateness Application

BAR 13-09-03
852-854 and 858-860 West Main Street
Tax Map 30 Parcel 3 and 4
Charlottesville Properties I, LLC,, Applicant and Owner
Construction fence wrap

Ms. Hawks provided the staff report

The applicant was present and gave the reason why the fence is needed.

There were no questions or comments from the public.

Questions or comments from the Board

- The Board wanted to know if the applicant had a preference of which option they wanted.
- The Board sees no problem with the fence wrap.

The applicant stated that they don't a preference and would be fine with either one.

Mr. Hogg said, having considered the standards set forth within the City Code, including City Design Guidelines for Signs, I move to find that the proposed temporary construction fence wrap satisfies the BAR's criteria and is compatible with this contributing property and other properties in the West Main Street ADC district, and that the BAR approves the application with as submitted.

Ms. Miller seconded the motion.

Approved (8-0) as submitted,

The BAR recommends that for future fence wraps, including this item, the wrap should have a 1-year timeline, after which time the wrap would be removed or the applicant would have to reapply for approval. The preferred style of wrap is banners featuring large photographs and renderings. The applicant may use text banners (including the name of building, contact information, and other information) only on banners on the corner or ends of the fence wrap.

3. Preliminary Discussion

BAR 13-09-04
550 East Water Street
Tax Map 53 Parcel 162.3
Water Tower, LLC, Applicant and Owner
New construction: 3-story mixed-use building

Ms. Hawks provided the staff report.

There were no questions or comments from the public.

The Board felt it was inappropriate to discuss this item without the applicant being present.

The Board did feel that the ADA entrance to the rear is too isolating, The design overall is too complicated for the size of the building, and that the applicant should appear to present an overall plan for the entire site, including possible future phases.

G. Other Business

- 1. PAPA Event on September 26th – Osteen will present a brief summary of the past year of BAR work, with assistance from Ms. Scala.**
- 2. PLACE Task Force update – Tim Mohr gave a report.**

8:10 H. Adjournment 9:10 pm

**CITY OF CHARLOTTESVILLE
PLANNING COMMISSION PRE MEETING
TUESDAY, October 8, 2013 -- 4:30 P.M.
NDS CONFERENCE ROOM**

Planning Commissioners present

Ms. Genevieve Keller
Mr. Dan Rosensweig
Mr. Kurt Keesecker
Mr. John Santoski
Ms. Lisa Green
Ms. Natasha Sienitsky
Mr. David Neuman

Staff Present:

Ms. Missy Creasy, Planning Manager
Ms. Mary Joy Scala, Preservation and Design Planner
Mr. Brian Haluska, Neighborhood Planner
Ms. Ebony Walden, Neighborhood Planner
Mr. Mike Smith, Neighborhood Planner
Ms. Lisa Robertson, Chief Deputy City Attorney

The Commission began to gather at 4:30 and was called to order at 5:00pm.

Mr. Rosensweig began review of the agenda.

Ms. Green asked for clarification on the density allowances for The Standard and that information was provided.

Staff provided the commission with guidance on the process for addressing the Meadowbrook Flats applications.

Concerning the subdivision at 803 Rugby Road, staff provided background information on the subdivision regulations as well as the specifics of this case. It was determined that this application would be removed from the consent agenda to allow for questions. Staff provided responses to the questions posed by members of the public and noted options available to the Commission for action on this item.

The discussion adjourned at 5:20pm.

MINUTES
PLANNING COMMISISON MEETING
October 8, 2013
CITY COUNCIL CHAMBERS

Commissioners Present:

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

Staff Present:

Ms. Missy Creasy, AICP, Planning Manager
Mr. Brian Haluska, AICP, Neighborhood Planner
Ms. Kathy McHugh,

Also Present

Ms. Lisa Robertson, Deputy City Attorney
Mr. David Neuman, Ex-officio, UVA Office of the Architect

Not Present

Mr. Michael Osteen

Mr. Rosensweig announced that item #4 would be pulled from the consent agenda and heard at the end of the meeting.

I REGULAR MEETING

A. Commissioner's Report

- Ms. Keller noted that she will be attending the PLACE meeting tomorrow. She attended the TJPDC meeting last week and they are in search of a new executive director.
- Ms. Sienitsky had nothing to report.
- Mr. Keesecker attended the Master Planning Council meeting, but will allow Mr. Neuman to elaborate on the details in his report.
- Mr. Santoski attended the School CIP meeting and will be attending another meeting Friday.
- Ms. Green attended the MPO Tech meeting. A UVA graduate student is working on a regional bike model and update of the bike application. The new CAT smartphone application is undergoing beta testing.

B. University Report

Mr. Neuman provided an update of the Master Planning Council discussion, provided insight on the role and membership of PACC Tech and announced the date of the Sustainability forum at UVA.

C. Chair's Report

Mr. Rosensweig attended the HAC meeting on September 16, 2013 and provided a report on items discussed. He also announced some upcoming events and meetings.

D. Department of NDS

Ms. Creasy noted that Livability Grant products will be going to the PACC Tech for sign off next week. She reminded Commissioners about the Homelessness symposium at UVA and asked that they make sure to RSVP.

Mr. Rosensweig announced that the 803 Rugby Road subdivision has been pulled from the Consent Agenda and will be considered at the end of the meeting tonight.

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

Speakers:

- Jack Brown, 1505 Dairy Rd is in the Rugby-Meadowbrook Heights Association. He was joined by 25 neighbors who were united in opposition of the Meadowbrook Flats. They feel it wipes out green space and trees. He feels it won't do anything to make the neighborhood better, only make traffic worse.
- Kurt Woerpel is very happy that there is a Planning Commission. He feels this project is too massive and there will be a lot of traffic issues.
- Patricia Humphreys opposes the mass, scale and the increase in traffic. She feels this project violates the ERB guidelines and the developer hasn't made an attempt to conform to the guidelines.
- Robert Koester, 1808 Rugby Place explained how this project would cause a drainage problem.
- Timothy Heaphy, 2028 Barracks Rd, feels the development would take the only grassy area left on this property. There have been no environmental studies done and the scaling and massing is too much.
- Rachel Lloyd, 1810 Tunlaw Place would hate to see 803 Rugby Rd developed.
- Julia Whiting, 1221 Rugby Rd, feels that the traffic back up to Washington Park is an issue. There are a lot of water issues and critical slope issues. She feels the city has terrible streams.
- Michael BeVier, 712 Rugby Rd, is requesting the Rugby Rd item be deferred until November. He feels the current plan is not up to code. He feels it will take longer to address current issues.
- Cale Jaffe, 1853 Edgewood Ln agrees with what previous speakers have said. The focus will be on 803 Rugby Rd. He feels safety is an issue and that should be the focus since kids are there waiting for the bus.
- Richard Schragger, 1889 Westview Rd, is against Meadowbrook Flats. He feels the building height will be overwhelming and it will not be pedestrian friendly. It doesn't contribute to the long term improvement of Emmet St.
- Marlene Jones, 103 Elkhorn Rd, is the owner of property on Rugby Rd and she is a board member of the church and they are in support of the 803 Rugby Road subdivision.

F. Consent Agenda

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

Minutes - September 10, 2013 – Pre meeting

Minutes - September 10, 2013 – Regular meeting

Minutes - September 24, 2013 – Joint City County PC Work Session

Zoning Text Initiation - Affordable Dwelling Unit Requirements

A motion of approval of the consent agenda was made by Ms. Keller

Ms. Green seconded the motion

All in favor

Consent Agenda Passes

II. JOINT PUBLIC HEARINGS

G. JOINT PUBLIC HEARINGS

1. ZT-13-08-14 - Affordable Dwelling Unit Amendment: An ordinance to amend and reordain §34-12, 34-827 & 34-828 of the Zoning Ordinance and §29-110 of the Subdivision Ordinance of the Code of the City of Charlottesville, 1990, as amended, to provide reference to the correct Consumer Price Index used to calculate contributions to the City's affordable housing fund, to provide for City Council to enact regulations to implement affordable dwelling unit requirements, and to ensure that affordable dwelling unit requirements will be referenced within any site plan or subdivision plat submitted for approval. **Report prepared by Kathy McHugh, Housing Specialist.**

The staff report was presented by Kathy McHugh, Housing Specialist

Summary of the staff report

Staff has requested comment from the City's Housing Advisory Committee (HAC). The HAC did not question the need to provide regulations described herein; however, the committee did want to review and provide input relative to the proposed draft regulations as prepared by City staff. Accordingly, staff has scheduled a special meeting on October 16, 2013 to discuss this matter with the HAC. Staff recommends approval of the zoning text amendment.

Questions from the Commission and Council for staff

Ms. Green asked if a state agency set up the affordable dwelling units requirement?

Ms. McHugh stated that she was correct and the City put the ordinance in place as denoted by the state enabling legislation.

Ms. Green asked if there was a way they could go back and ask for the legislation to be changed.

Ms. Robertson said that it has been tried before and has failed. She also stated that it is a difficult process, but it can be done.

Ms. Creasy said what is in front of us is what we have to work with.

Mr. Rosensweig opened up the public hearing and with no one to speak he closed the public hearing.

Mr. Santoski moved to recommend approval of this zoning text amendment to amend and reordain§34-12, 34-827 & 34-828 of the Zoning Ordinance and §29-110 of the Subdivision Ordinance of the Code of the City of Charlottesville, 1990, as amended, to provide reference to the correct Consumer Price Index used to calculate contributions to the City’s affordable housing fund, to provide for City Council to enact regulations to implement affordable dwelling unit requirements, and to ensure that affordable dwelling unit requirements will be referenced within any site plan or subdivision plat submitted for approval.

Mr. Keesecker seconded the motion

Mr. Rosensweig stated the one thing that the HAC has had concerns with is when enacting in any regulations they want to make sure they aren’t taking away the possibility of anything happening that needs to happen. He asked Ms. Robertson if there was in wiggle room in our existing ordinance specifically regarding section 34-12c.

Ms. Robertson stated that there is little or no room to change the definition of affordable dwelling units. It may be possible to work with HAC on how to implement for sale units. There may be room to discuss whether it has to apply to specific units at the beginning or whether there can be a consistent number of units available over the 30 year period for the development as a whole.

Ms. Creasy called the role.

Keller	Yes
Sienitsky	Yes
Keesecker	Yes
Santoski	Yes
Green	Yes
Rosensweig	Yes
Motion Passes	

2. SP-13-08-15 - The Standard (West Main Street): An application for a special use permit to allow for increased residential density of up to 89 units per acre and additional 10 feet in height in the West Main North zoning district at the property located at 853, 855 and 901 West Main Street. The property is better known as Republic Plaza. The property is further identified on City Real Property Tax Map 31 Parcels 169 and 170 with frontage on West Main Street. The site is zoned WMN (West Main North) with Architectural Design Control Overlay District and is approximately 2.517 acres. The Land Use Plan generally calls for Mixed Use. The preliminary site plan for the project shows a six-story mixed use building with 189 residential units and 12,000 square feet of commercial space. **Report prepared by Brian Haluska, Neighborhood Planner.**

The staff report was presented by Brian Haluska, Neighborhood Planner

Staff recommendation

When evaluating a request for a special use permit, it is important to focus on the standard of review, as well as the specific request that is subject to the Special Use Permit. In this case, the applicant is asking for an additional 10 feet in height, and additional density of 46 units per acre, or 116 units.

Staff finds that the request for additional density is in keeping with many of the goals in the Comprehensive Plan, and thus recommends the additional density be approved. The application proposes density in a location where the City has stated that it desires higher density development. The development will aid in the goal of placing more University students closer to the University grounds. The proposed development places increased density on one of the main routes for alternative modes of transit in the City. There is, however, the lingering issue of the supply of parking, and the influence that it might have on the

ability of the development to meet the goals of the Comprehensive Plan, as well as not present a major traffic impact on the surrounding neighborhood. To that end, staff recommends that to address the impact of parking in the area that the amount allowed be up to 348 spaces. This number of spaces would provide 1 space for each 1 and 2 bedroom apartment, 2 spaces for each 3 and 4 bedroom apartment, and additional parking for the commercial uses.

The second portion of the request is for additional height on the property. Staff feels that the applicant attempted to respond to concerns raised by the Planning Commission regarding the north face of the building, and the visual impact on the residents of the West Haven housing complex by removing the balconies on the north face of the building, and lowering the height of a portion the north face closest to Westhaven by a story to be in line with the by-right height in the zone.

Staff agrees with the recommendations of the Board of Architectural Review regarding the impact of the height on the massing and scale of the project. The applicant has attempted to respond to most of the concerns raised by the BAR. The applicant has utilized different materials along the façade in an attempt to vary the front wall of the building. Additionally, the applicant has broken the commercial space in the building into two separate units that occupy more of the street frontage than in the original proposal.

Staff finds that the additional height is in keeping with the goals of the City's Comprehensive Plan, and that the applicant has attempted to mitigate the impact of the height on the adjacent housing areas by stepping back the northern most portion of the north face of the building to lessen the impact on the Westhaven development.

Staff recommends the application be approved with the following condition:

1. The maximum parking provided on site shall be no more than 348 spaces.

Questions from the Commission and Council for staff

Mr. Huja asked if there were going to be 348 parking spaces

Mr. Haluska stated that using the current zoning for this area, they are proposing over the number of required spaces.

Ms. Keller asked if the current parking minimum is 213 and Mr. Haluska stated that it was.

Ms. Keller asked if they knew the current number of bedrooms, common space and overall bedroom count.

Mr. Haluska stated there were 189 units with 601 beds.

Mr. Santoski asked if there had been a time when they asked for a reduction in parking and Mr. Haluska stated they did with the PACE center.

Mr. Huja asked Mr. Neuman how UVA handles student parking.

Mr. Neuman stated that UVA has different locations which allow students to park their car for a small fee.

Ms. Galvin asked if the alley or the street coming from 10th St had ever been considered and Mr. Haluska stated that this is all private property.

Mr. Santoski still feels the left hand turn is dangerous and would like the left turn eliminated.

Mr. Haluska stated that the traffic engineer will only approve what is safe.

Ms. Smith asked how the developer would eliminate carbon monoxide and how they will handle the loss of power.

Mr. Haluska stated that he doesn't know the plan but the applicant may.

Applicant's response

John Matthews, and John Williams are representing the owner on this project. John Mathews noted they felt they had addressed issues brought up by the BAR, Planning Commission and the neighborhood. He presented an overview of the project to

familiarize the public and gave further details on the changes that were made from the preliminary meeting such as an increase in retail space.

John Williams gave an overview of how issues with the parking would be handled and items that were discussed with the residents of Westhaven. They will be adding a pedestrian connection and providing funds for scholarships to provide training for residents of Westhaven. He also stated that a traffic study would be done and they will make every effort to make the intersection safe.

Mr. Rosensweig opened the public hearing.

Speakers

- Kevin Shaffer, 705 Maple St, feels that West Main is under invested. He would love to see growth there.
- Scott Peyton, owner of Hampton Inn, stated that they have never been approached by the developers. He feels the height, density and mass is out of scale. Traffic congestion will increase and they will have more drivers cutting through their parking lot.
- Keith Rosenfeld, 283 Broad Axe Road, owner of Hot Cakes feels this will create more jobs. Approving this project will improve and upgrade our environment.
- Bud Treakle, 611 Park St, lives and works downtown. He feels it is consistent with the comp plan and doesn't see a down side to the project.
- Pat Jensen, 2351 Stony Point Road, noted that something viable is needed on Main St. This will be a great place to allow people to live downtown.
- Alex Hancock, 2712 Eaton Rd, feels criteria are needed to meet a higher standard. He doesn't like the limitation of parking.
- JR Hadley, 1106 Arden Dr., the owner of Boylan Heights and Mellow Mushroom is in favor of the project. He feels this will help with some traffic issues.
- Blake Hurt, owner of Republic Plaza stated that UVA is planning on increasing student enrollment to 21,500 by 2016 and this project will give them a place to live. He feels this project meets those goals and it will increase revenue for the city.
- Joy Johnson, 802 Hardy Dr. is a member of PHAR, but she is not speaking on their behalf. She appreciates the way the developer has taken the time to talk to them and explain the project. She is neither for nor against the project.
- Doma Gastopo, 302 8th St NW is providing a voice for the residents. He does not support the project. They need to think of the long term impact the building will have on the community.
- Matthew Crane, 4223 Earlysville Rd, didn't really like West Main when he moved to Charlottesville. Density and traffic will allow for revenue for the City and now he likes West Main.
- John Plitzoff, Plymouth Road, noted that this project should not bring in more school age children.
- William Abrahamson, 123 Stribling Ave, is in favor of the project. He feels this will boost public transportation.
- Nancy Carpenter, 727 Denali Way, noted this will increase traffic and will push traffic and revenue into the county.
- Dede Gilmore, 613 Hinton Ave, feels that this development needs to offer affordable housing. She feels that putting affordable housing near Westhaven would be the right thing to do. She feels that people like her that grew up here should be able to live in this development. She remembers the way things that use to be on West Main such as Safeway, P&J and Back Alley Disco.

Mr. Rosensweig closed the public hearing.

Discussion by Commissioners

Mr. Rosensweig asked the other Commissioners if this project meets the standard of review.

Ms. Green feels only in density and Ms. Keller doesn't think so. The other commissioners feel that it does.

Impacts

Ms. Green feels the density is appropriate and would like to see affordable housing units added. She feels adding them would be really simple.

Ms. Keller would like to hear how this will fit in with the West Main vision. She would like to see a West Main where she would love to live, shop and enjoy life. She feels this will not be a place for everyone to live.

Ms. Santoski feels it meets the intent of the comp plan. He feels this is a tipping point of what will happen on West Main St. He is really distressed by looking at the development. Making the developer address what the City of Charlottesville should have handled a long time ago isn't appropriate.

Mr. Keesecker feels the building fits with what is on Main St.

Ms. Sienitsky feels that the density and use is appropriate, but would like to see greater mix use.

Mr. Rosensweig feels more retail is preferable, the comp plan supports this and the applicant has done a really good job. He feels the Housing Authority should establish their own fence if they don't want people coming through.

Ms. Green would like to know how many people would be here supporting the project if this was affordable housing. She totally supports density in this area and this should be for the people.

Parking

Mr. Rosensweig stated that parking that is completely hidden from West Main restricts the amount of residential use.

Ms. Sienitsky has a big issue with so much parking.

Mr. Keesecker likes the idea of finding a solution and allowing the public to park.

Ms. Keller feels there is too much parking and the students will drive their cars which will put more traffic on West Main.

Ms. Green agrees with Ms. Keller.

Mr. Santoski has no problem with the parking and they should be careful with tying their hands in allowing public parking.

Motion

Mr. Santoski made a motion to recommend approval of this application for a special use permit for additional height and density in the West Main North zone for 853, 855 and 901 West Main Street, with the conditions as follows:

1. The maximum parking provided on site shall be no more than 499 parking spaces and the applicant plans to make any parking spaces not leased to tenants available to the public.
2. The Traffic Engineer (TE) will work with the applicant to conduct a traffic study of the area. This study must be acceptable to the TE and performed at the cost of the applicant. A voluntary traffic study scoping meeting will be held prior to the study beginning and include UVA, City and other applicable parties to assist in the discussion. Any recommendations in relation to bicycle, pedestrian (pedestrian signals could be included) and traffic signaling that are recommendations from this study will be installed at the cost of the applicant.
3. The applicant will close the court yard to West Main Street in order to provide at least 7000 SF of retail on the street or will keep the court yard open with the requirements that windows and doors on the arcade be present and open to the commercial spaces adjacent.
4. Reservation of a 5 feet easement on the East side of the building for future access
5. Construction of a pedestrian access way on the West side of the building
6. Bicycle parking internal to the building will equal at least 20% of the number parking spaces on site and publicly accessible bicycle parking will be at least 1 bicycle space per 1000 SF of commercial space on site."

Ms. Sienitsky seconded the motion

Ms. Creasy called the role.

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

IV. REGULAR AGENDA (continued)

H. Meadowbrook Flats -1138 Emmet Street Critical Slopes Waiver Request

Mr. Haluska provided the staff report.

Questions from Commissioners for staff

Does the critical slope waiver come before the site plan?
If the building is shifted would they still need a critical slope waiver?

Mr. Haluska stated that the critical slope waiver comes before the site plan and they would still need a waiver if the building was shifted.

The applicant's representative, Valerie Long, gave a brief PowerPoint presentation showing how the building would sit on the property as well as a rendering of each side of the building.

Questions for the applicant

Will students be eligible for the affordable housing?

Mr. William Park, developer, explained why the units qualified as affordable housing and why most students would not be eligible for them.

Ms. Keller made a motion to recommend for denial of this critical slope waiver as proposed to City Council.

Ms. Sienitsky seconded the motion

Discussion

Mr. Rosensweig is very frustrated that he is unable to support the motion.

Ms. Green felt that justification of a public benefit was not met.

Ms. Creasy called the role.

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

Motion for denial is approved.

Entrance Corridor Application Review

Mr. Rosensweig gavelled out of the Planning Commission meeting into the Entrance Corridor Review Board.

Ms. Mary Joy Scala presented the staff report and stated that staff recommends a deferral until City Council votes on the critical slope waiver.

Mr. Santoski made a motion to defer the application

Mr. Keesecker seconded the motion.

Ms. Creasy called the role.

Keller	Yes
Sienitsky	Yes
Keesecker	Yes
Santoski	Yes

Green Yes
Rosensweig Yes

Motion Carries.

Mr. Rosensweig gaveled out of the Entrance Corridor Review Board and back into the Planning Commission meeting.

Subdivision – 803 Rugby Road (Preliminary and Final)

Ms. Ebony Walden provided the staff report.

Questions from commissioners for staff

Mr. Keesecker asked when was it established that the parking lot was conforming or non-conforming.

Ms. Walden stated that it was established in the 1980's.

Mr. Santoski asked why the item was pulled and why this is an issue.

Mr. Rosensweig provided time for public comment

Speaker

Katie Coughlin, 2505 Angus Rd is a member of the church and would like to see the project move forward.

Ms. Green made the motion to approve the subdivision for 803 Rugby Road as presented.

Mr. Santoski seconded the motion.

Ms. Creasy called the role.

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

Motion carries.

Mr. Keller made a motion to adjourned to the second Tuesday in November

Meeting adjourned at 11:33 pm

**Planning Commission Work session
October 22, 2013
NDS Conference Room
Minutes**

Commissioners Present:

Mr. Dan Rosensweig (Chairperson)
Mr. Kurt Keesecker
Ms. Lisa Green
Mr. John Santoski

Staff Present:

Mr. Jim Tolbert-Director NDS
Ms. Missy Creasy
Ms. Ebony Walden
Mr. Michael Smith
Mr. Brian Haluska
Ms. Lisa Robertson

Mr. Rosensweig convened the meeting at 5:04 pm.

Mr. Rosensweig announced that there would be a lunch meeting of the Planning Commission on October 30 at 12:00pm in the NDS conference room. He stated that it would be a workshop on how to run the meetings more efficiently. He would like commissioners to think about a meeting they have attended and try to remember what made that meeting a great one.

Mr. Rosensweig turned the meeting over to Mr. Tolbert.

Standards and Design Manual

Staff has been reviewing the document and outlined a number of items in need of updating. Many of these items would be framed as “housing keeping” as the updates are required by changes in regulations since it was last reviewed. There are also considerations for the S A D M which are more policy based and will need further discussion. The Commission has expressed interest in this portion of the review in terms of street requirements. Staff has met initially to discuss the process for this review and will share information on that meeting with the Commission. In addition, this is an opportunity for the Commission to provide feedback on overall ideas to include in the review based on the update of the Comprehensive Plan.

Mr. Tolbert stated that street section design has been of concern. He informed the commission that staff has asked our current street design consultant to take a look at a broader scoping of work and a request for additional funding will go before Council in November. He stated that the process would take at least 6 months and the Planning Commission will review and make recommendations to City Council.

Question and discussion

Ms. Green asked if the consultant would be focused on research or design. Mr. Tolbert stated that they would be providing general guidance for design of streets in different situations but not designing specific streets in Charlottesville.

Ms. Green feels this is very exciting and she hopes things will progress and get done.

Mr. Tolbert stated that this will allow us to have standards in place when a developer comes in to build.

Mr. Keesecker asked if there would be a plan to identify the future character of the street.

Mr. Tolbert outlined the current thought on how this may be implemented.

Mr. Keesecker asked if there is a way to use the review to assist someone in making changes to the manual.

Mr. Tolbert stated that something could be written into the manual to allow flexibility.

Mr. Santoski asked why the City of Charlottesville couldn't go to a European style truck to accommodate some streets. He stated that we need to think about buses, fire engines and sidewalks. The equipment should fit the environment.

Ms. Green stated that she still has a problem with "complete streets", including crosswalk placement and how we place different design features. She would like to see more paintings added in the streets to calm traffic like the one in Belmont. Mr. Tolbert stated that it can be added.

Ms. Creasy stated that Mr. Santoski has agreed to be on the Free Bridge Congestion Committee. It was also noted to make sure to outreach to Bill Emory who has interest in this topic.

Planned Unit Development

The Commission approved housekeeping changes to the PUD regulations in the summer of 2013. As a next step, the Commission wanted to take an in depth review of the ordinance to evaluate if it is helping to reach community goals and what might be done to update it to better meet those goals. At the June 25, 2013 work session, the Commission discussed data which would be helpful in that review and staff has been working to collect that data.

Mr. Haluska recapped where things stood and noted that City Council has approved some housekeeping measures.

Mr. Rosensweig stated that the Commission would review the questions Mr. Haluska had prepared for them in the staff report to assist in organizing the conversation.

1. What are some of the physical characteristics of the existing PUD's in the City that you find appealing?
 - Meaningful public space green space such as that at Burnett Commons
 - Not really convinced the PUD does what it is intended. Most developments could have been done in a by right manner.
 - The early 2000s PUD approvals fit better with the character of surrounding neighborhoods.
 - Connections, level of enclosure, preservation of open space and reduction in road frontage are important.

2. What are some of the physical characteristics of the existing PUD's in the City that you find less than successful?
 - Space in PUDs that does not work as open space – it looks like private space.
 - Cherry Hill is not in context with the surrounding area.
 - Rock Creek Village didn't need a parking lot.
 - Width of the roads causes concerns for PUD's, lack of connectivity.
 - Not enough thought went into better plans
 - Tree removal, topography degradation, primacy of the care, too much density in some places, density for density sake are all concerns.

3. What are some of the aspects of existing PUD's in the City that positively contribute to their surrounding neighborhoods?
 - Affordable housing
 - Connectivity
 - Green space
 - Size and types of homes built.
 - Response to the specific site.

4. What are some of the aspects of the existing PUD's in the City that negatively contribute to their surrounding neighborhoods?
 - Not a lot of walkability
 - Lack of programming
 - After thoughts, not unique
 - Places that don't have connectivity

5. Which PUD's do you think most successfully fulfilled the PUD ordinance's intent and why?
 - Sunrise- it adds the element of mix use
 - Burnett II

- William Taylor Plaza, Riverbluff, Lochlyn Hills-they addressed the pedestrian space.
6. Which PUD's do you think least successfully fulfilled the PUD ordinance's intent and why?
 - Lochlyn Hills without the connection
 - Avon Terrace
 - Cherry Hill, Johnson Village
 - Brookwood
 - Huntley
 - Willoughby and Longwood has too much pavement.
 7. Did these PUD's implement the vision outlined in the Comprehensive Plan? If not, what was envisioned?
 - A PUD should add something to the community that couldn't be added with the current zoning.
 - More focus should be on mixed use.
 8. If the PUD ordinance is not implementing the vision outlined in the Comprehensive Plan, what areas of the code should be reviewed?
 - They would like to see some flexibility in a PUD

Ms. Creasy noted the limitations we have with the state code as it is currently but there is always opportunity for change in the future.

Speakers

Justin Shimp expressed concern with the street frontage requirement for single family lots. He also noted concerns with utility separation requirements and the conflicts with landscaping requirements which can occur. He agrees that flexibility would allow for better projects.

Meeting Adjourned at 7:12pm

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT

APPLICATION FOR A SPECIAL USE PERMIT

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

DATE OF HEARING: November 12, 2013
APPLICATION NUMBER: SP-13-07-16

Project Planner: Ebony Walden, AICP; Neighborhood Planner
Date of Staff Report: October 4, 2013

Applicant: Lena Malcolm
Current Property Owner: Lena and Peter Malcolm

Application Information

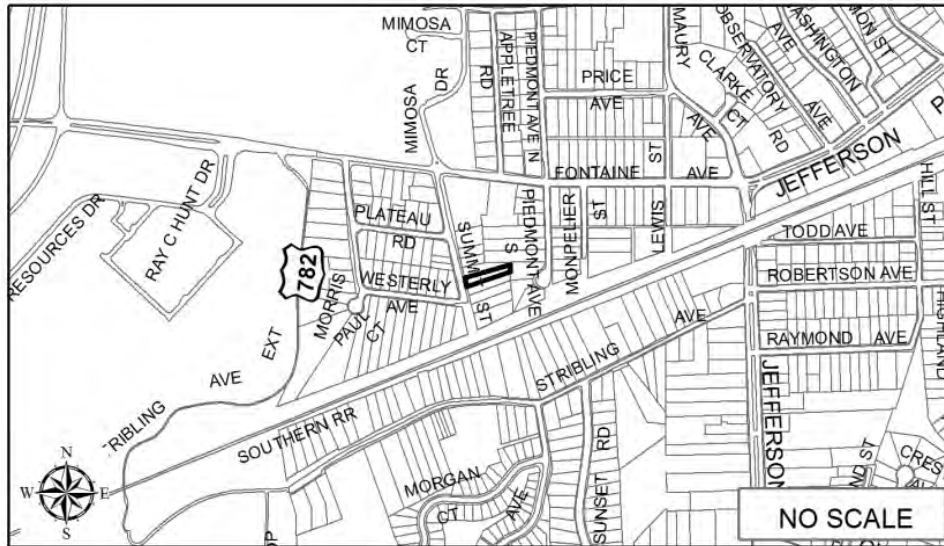
Property Street Addresses: 122 Summit Street
Tax Map/Parcel #: Tax Map 17 A, Parcel 5
Total Square Footage/Acreage Site: 0.2450
Comprehensive Plan (Land Use Plan) Designation: Single-Family Residential
Current Zoning Classification: R-2U
Tax Status: The City Treasurer's office indicates that there are no delinquent taxes owed on the subject properties at the time of the writing of this staff report.

Applicant's Request

Lena Malcolm is asking for a special use permit for a family day home to expand her existing home based daycare to serve 12 children at 122 Summit Street. The name of the business is The Purple Crayon Preschool. In conjunction with this application, the property owner is also requesting a 2 space reduction in the required off street parking spaces.

The current zoning for the site is R-2U, which allows a family day home serving 6-12 children by special use permit. The day home is currently in operation for the care of 5 children and is licensed by the Department of Social Services. The renewal/expansion of that license is underway and approval is contingent on the granting of a special use permit to allow up to 12 children.

Vicinity Map



Standard of Review

The Planning Commission must make an advisory recommendation to the City Council concerning approval or disapproval of a special permit or 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 applicant is proposing no changes to the current site, and therefore is not required to submit a site plan per sections 34-158 and 34-802 of the zoning ordinance.

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

- b) Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;
 - c) Displacement of existing residents or businesses;
 - d) Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;
 - e) Undue density of population or intensity of use in relation to the community facilities existing or available;
 - f) Reduction in the availability of affordable housing in the neighborhood;
 - g) Impact on school population and facilities;
 - h) Destruction of or encroachment upon conservation or historic districts;
 - i) Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and,
 - j) Massing and scale of project.
- (5) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;
- (6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and
- (7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

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

Project Review / Analysis

1. Background

This is a request for a use not allowed by right in the R-2U zoning. A family day home is defined in the zoning ordinance as "a child care program serving one (1) to twelve (12) children under the age of thirteen (13) (exclusive of the provider's own children and any children who reside in the home), where such program is offered in the residence of the provider or the residence of any of the children in care. Any program serving more than twelve (12) children shall be considered a child daycare facility."

The R-2U zone permits family day homes serving between 1 and 5 children by right, and requires family day homes serving between 6 and 12 children to obtain a special use permit.

2. Proposed Use of the Property

The principle use of the property is as a single-family residence, the primary residence of the applicant. The applicant is seeking to expand the use of a family day home to the property with a maximum enrollment of 12 children per day. The applicant indicates that the typical hours of operation are 7:30 am to 5:30 pm on Monday - Friday. The applicant cares for children from infants to 4 years old during these times.

No new buildings will be built or developed as a part of this application. The applicant is proposing to use the existing structure at 122 Summit Street.

3. Impact on the Neighborhood

a. Traffic or parking congestion

- Traffic congestion: The new use will impact traffic in the area. The 8th Edition ITE Trip Generation Manual puts the maximum total number of trips generated by this type of use per day as a maximum of 54 trips, with 10 trips coming in the peak hour in the morning (8 am – 9 am), and an additional 10 trips in the afternoon peak hour (3 pm to 4 pm).
- Parking: Family day homes require parking based on the number of non-resident employees. The applicant will have two non-resident employees in addition to the parking requirement for the current use of the property. Three spaces are required by code. The property currently has one off-street parking space on site. The applicant is asking for a 2 space reduction in their parking requirement with the assumption that on-street parking is sufficient to accommodate employees, drop off and pick up.

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

This use will have an effect from the standpoint of noise and fumes from the additional automobile traffic generated by the use.

c. Displacement of existing residents or businesses.

This use will not displace any existing residents or businesses.

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

This use does not discourage economic development activities.

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

This use will not increase the density of population in the area or intensify the use of community facilities.

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

This use will not reduce the availability of affordable housing.

g. Impact on school population and facilities.

This use will not impact public school population or facilities. The applicant has stated that they primarily serve pre-kindergarten aged children.

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

This site is not in a historic district.

i. Conformity with federal, state and local laws.

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

j. Massing and scale of the project.

No changes are proposed to the structures on the property. The current structure is of a massing and scale appropriate to the surrounding neighborhood.

4. Zoning History

On the 1949 and 1958 zoning maps, the property was not in the city. In 1976, the property was zoned R-2 Residential. The property was zoned R-2 in 1991, which became the current R-2U zoning in 2003.

5. Character and Use of Adjacent Properties

Direction	Use	Zoning
North	Single-family dwellings, The New Fire Station,	R-2U, B-2
South	Single-family dwellings	R-2U
East	Single-family dwellings	R-2U
West	Single-family dwellings	R-2U

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

The current R-2U zoning is reasonable and appropriate. By-right uses in R-2U Residential include low density, single-family residential uses as well as educational facilities and houses of worship.

7. **Consistency with Comprehensive Plan**

The current use of the property is consistent with the Comprehensive Plan designation for the property. The proposed accessory use is in line with the types of uses envisioned in the Comprehensive Plan for this area.

Public Comments Received

Staff has received two telephone calls in regards to this application. One person from the JPA neighborhood association called for more information on the application and to express minor concerns of increased traffic. A resident of Summit Street called to express support of the application stating that the use/service was needed and appropriate in the neighborhood.

Request for Modifications/Exceptions

Sec. 34-162. Exceptions and modifications as conditions of permit. In reviewing an application for a special use permit, the city council may expand, modify, reduce or otherwise grant exceptions to yard regulations, standards for higher density, parking standards, and time limitations

The applicant has requested a modification to provide one existing space for this use. The parking requirement for a family day home is one space for every non-resident employee and one space for the unit. The code requires 3 spaces for this use. Below are the options which the Commission may consider along with staff comments.

1. Approve the request for a 2 space parking reduction with the understanding that there is adequate on street parking to accommodate an additional two cars for employees plus drop off and pick up.

Using GIS, staff was able to measure approximately 25 available on-street parking spaces in this block of Summit Street. There are 9 houses on this block of Summit, 8 of which appear to have off-street parking to accommodate approximately 1-2 cars each. There were 5 cars parked on the street when staff conducted a site visit.

2. Approve the application with the condition that the applicant provides two on-site parking spaces. This is the existing space, plus a new space.

The applicant can pave the driveway area to bring it up to standard asphalt and extend it past its current location to provide an additional space. This site can accommodate two cars in a 9

X 40 driveway while meeting the requirement for a driveway to be located 3' from the adjacent property line.

3. Approve the application with the condition that the applicant accommodates three on-site parking spaces.

The width of a suitable driveway would narrow past a 40 foot drive due to the location of the house and chimney. While there is enough width at the front of the house for two spaces, there is only 8 feet between the chimney and the property line on the side of the house. A standard parking space is 8.5 X18 feet. A third space would be tight and require a reduction in the requirement to provide 3' between a driveway and adjacent property line.

Given this information, any of the above options could be reasonable and appropriate.

Staff Recommendation

The main issue to be considered with this application is the impact on traffic and parking in the surrounding neighborhood. The only significant additional impact on the neighborhood from the increase in the number of children will be the increase in cars coming to and from the site when the center typically opens at 7:30 am and closes at 5:30 pm. Staff believes the traffic can be managed on the existing streets. The applicant has also indicated that drop off and pick up is staggered throughout the morning and afternoon, which reduces the impact of traffic and on street parking congestion.

Staff considers this use reasonable and appropriate and that if the applicant has room, should expand their driveway to accommodate at least one additional parking space, as this seems the most realistic option given the side yard constraints and the availability of on street parking.

Staff feels that the impact of the proposed use can be managed on the site without negatively impacting the surrounding neighborhood, and thus recommends that the application be approved with the following conditions:

1. The approval of a one space parking reduction to allow two on-site parking spaces.

Suggested Motions

1. I move to recommend approval of this application for special use permit in the R-2U zone at 122 Summit Street to permit the operation of a family day home with the condition listed in the staff report.

OR,

2. I move to recommend denial of this application for a special use permit in the R-2U zone at 122 Summit Street.

Special Use Permit Application for Lena Malcolm's "Purple Crayon Playschool"

122 Summit St. Charlottesville, VA 22903

Description of Daycare:

I run a natural, home-based daycare in the city of Charlottesville accepting children from infants to 4 years of age. The Purple Crayon Playschool is my passion and a dream come true. I prepare rich, educational activities and give the children ample time to playfully explore their world. On a typical day the children engage in art projects, sensory play, story time and music/movement activities. In the fall, the children play in leaves, squeeze the inside of a pumpkin, and paint with apples. In the summer, they run through the sprinkler in bathing suits and examine the sensory table filled with colored ice. I lovingly validate the children's emotions and help them to learn conflict resolution strategies with their peers. I have a passion for early childhood education and strongly believe in the value of compassionate, engaging care for babies, toddlers and preschoolers.

Credentials and Experience:

I have a master's degree in education from Northwestern University and seven years of experience teaching in grades K through 4. I taught in mixed-age classrooms for many years and am skilled at teaching to multiple age and ability levels. I began watching infants and toddlers in my home after my son was born in 2011. Prior to opening the daycare, I taught 2nd and 3rd grade at Free Union Country School.

Licensing:

I am a licensed family day home and am inspected by the Virginia Department of Social Services. I currently care for five children between 21 months and 2.5 years of age and have watched two of them since they were infants.

Hours of Operation:

Monday - Friday 7:30AM to 5:30PM. Open year round with roughly three, week long vacations during the year.

What is the Need for my Childcare Services in Charlottesville?

At this time, I have nine children on my waiting list. This demonstrates the need for full time care environments for infants, toddlers and preschoolers in Charlottesville. I am located near UVA and am convenient for university and hospital professionals in search of quality childcare.

Proposed Number of Children and Staff:

I am proposing to increase the number of children to 12 and to hire two additional adult caregivers. This would provide the children with a ratio of one adult for every 4 children. I will hire loving, educated adults and provide training in early childhood development and programming. I will have a separate room with cribs and organic mattresses for napping infants and preschool cots for the older children.

Description of the Neighborhood:

My home based daycare is located on a street that forms a U shape with two entrances to Fontaine Ave. My home is zoned R-2U for “low density residential areas in the vicinity of UVA in which single family attached and two family dwellings are encouraged.” The neighborhood has a variety of uses including residential housing, a new fire station, UVA faculty housing, the Fontaine Research Park and a BP gas station. The train also runs nearby. There are many rentals and duplex houses as well as those with home owners in residence. Many homes are occupied by families/ professionals, as well as students.

Traffic and Parking:

Traffic will be increased during drop off and pick up times. However, families have varying pick up and drop off times, so there would likely not be a large number of cars arriving simultaneously. Presently, there is usually one parent arriving at a time. Parents typically drop off in the morning between 7:30 and 9:00 and pick up between 3:00 and 5:30 in the afternoon. Currently three to five children are dropped off and picked up each weekday. That number would increase to a max of twelve with the proposed changes. This will not mean twelve cars arriving twice daily as siblings will ride together. There has always been ample street parking for parents to drop off and pick up their children. I do not anticipate difficulties with the increased traffic or parking needs.

Parents leaving the daycare can access Fontaine Ave from Summit St or Westerly Ave. From there they have access to the 250 bypass, 29S, I64 or JPA toward UVA and downtown. Thus cars will disperse in many differing directions. Because of this and because of the varying pick-up and drop off times, I do not believe that traffic will be a great concern.

We have driveway parking for one car. Since I am proposing to have two employees, I am required to have three parking spaces. I am requesting permission for a parking reduction so that the current driveway and street parking will be sufficient. There has always been ample street parking during the day.

Sec. 34-157. - General Standards for Issuance:

1. This proposed use will be harmonious with the existing neighborhood use. This daycare is a calm, quiet presence in the neighborhood. When we are outside, we are in a fenced in area in the back of the house. We have never had any complaints from neighbors. In fact, in speaking with our close neighbors about the daycare expansion I found that they were all very supportive and stated that the daycare had never inconvenienced them in any way nor did they expect it to with the additional children.
2. The proposed use supports the need for full time, quality childcare for working families in Charlottesville. In addition, the children in my care are getting educational experiences that will prepare them for excellence in school. Research has shown that language rich, play-based environments in early childhood are extremely important for future success in school.
3. We are not proposing any changes to the existing buildings or structures.
4.
 - a. Traffic and parking are addressed above.
 - b. The only additional noise and fumes will be those created by the added car traffic.
 - c. There will be no displacement of residents.
 - d. There is no anticipated discouragement of economic development activities that may provide desirable employment or enlarge the tax base; In fact I am proposing hiring caregivers, which will create two jobs and taxable income.
 - e. There is no anticipated increase in the density of population or intensity of use in relation to the community facilities existing or available;
 - f. The proposed project has no anticipated impact on the availability of affordable housing in the neighborhood;
 - g. There should be no impact on school populations.
 - h. There is no encroachment on conservation or historic districts.
 - i. I have a business license from the city of Charlottesville and a license to run a family day home from the Virginia Department of Social Services.

- j. The scale of the project is watching 12 children in a family day home.
- 5. The family day home is located on a residential street near UVA. Having childcare accessible to workplaces, such as the Fontaine Research Park, benefits the specific area in discussion.
- 6. The proposed use will meet zoning requirements if a special use permit is granted.
- 7. To the best of my knowledge, the property is not within a design control district.



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

RECEIVED
SEP 24 2013
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: 122 Summit St, Charlottesville VA 22903 (address), zoned: R-2U, for: low density residential areas in the vicinity of UVA.

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

1. 27.5 feet of frontage on Summit St (name of street)
2. Approximate property dimensions: 50 feet by 210 feet.
3. Property size: 0.245 (square feet or acres)
4. Present Owner: Peter & Lena Malcolm (Name) as evidenced by deed recorded in Deed Book Number 2010 Page 1096, with the Clerk of the Circuit Court.
5. Mailing Address of Present Owner: 122 Summit St Charlottesville, VA 22903
6. City Real Property Tax Map Number _____ Parcel(s) 17A, 005, 000; Lot(s): 55, Maury Hillis

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>Rose Hill Properties</u>	<u>706 Rose Hill Dr, Charlottesville 22901</u>	<u>17A 006000</u>
2. <u>Rebecca Crowe & Wendell Gibson</u>	<u>120 Blue Springs Ln, Charlottesville 22903</u>	<u>17A 038 000</u>
3. <u>Charles Honey</u>	<u>1775 Bentivolo Dr 22911</u>	<u>17A 004000 (vacant lot)</u>
4. <u>Rikken, Thomas & Judith B. Co-Trustees</u>	<u>17 Piedmont Ave 990 Rockledge Dr</u>	<u>170 057200</u>

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 Lena Malcolm
Mailing Address 122 Summit St, Charlottesville VA 22903
Applicant's Phone Number(s): 434-960-2199 Work _____ Home _____
Applicant's Signature Lena Malcolm

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 1,800⁰⁰ Date Paid 9/24/13 Cash/Check # 1222 Received by C. Sum

RECEIVED

SEP 24 2013

NEIGHBORHOOD DEVELOPMENT SERVICES

September 19th, 2013

Dear Charlottesville Planning Commission,

We are neighbors of Lena and Peter Malcolm who reside in 122 Summit St. Lena and Peter are respectful neighbors. The use of their home as a daycare has not inconvenienced us in any way. There is no excessive noise. Parents dropping off and picking up their children have not caused traffic congestion or parking difficulties and we do not anticipate such problems with additional children. We do not believe that two staff members parking their car on the street Monday through Friday 7:30am to 5:30pm will cause any parking concerns. We fully support Lena Malcolm's request for a special use permit to expand her daycare to up to 12 children.

Sincerely,

<u>Hamza Durrani</u>	<u>120 B Summit St</u>
<u>21 Jackson</u>	<u>Charlottesville, VA 22903</u>
<u>Elias REYES</u>	<u>128 Summit St</u>
<u>Brya Redroste</u>	<u>123 Summit St.</u>
<u>Nerathy W. Carter</u>	<u>118 Summit St.</u>
<u>Ki Dunaway</u>	<u>113 Summit St</u>
<u></u>	<u>120-A Summit Street</u>

RECEIVED

SEP 24 2013

NEIGHBORHOOD DEVELOPMENT SERVICES

September 23, 2013

To Whom It May Concern,

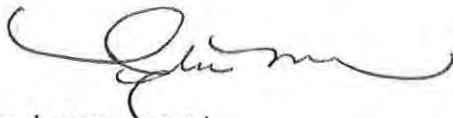
I am writing to support Lena Malcolm's application for a special use permit to expand her home based daycare. My husband and I have been taking Evelyn to The Purple Crayon Playschool for the past 14 months and I continue to be amazed by Lena's skills as an educator. The mission of the daycare extends well beyond keeping the children safe, fed and entertained. The children participate in daily circle times and are invited to participate in planned activities that relate to the current thematic unit. Currently they are learning about the farm and spend their days doing activities such as, playing in a hay stack, shucking corn, reading about tractors and painting with vegetables.

When I first met Lena and the other children I quickly knew that we found the right place for our daughter. The rooms were bright and tidy and the children were calm and happy. Lena maintained a position on the floor to stay as near to eye level of the children as possible. She treated them with respect and patience and the children, including our Evelyn, responded with an equal calm.

Finding good childcare was the greatest challenge that I have yet encountered as a parent. For 6 months my daughter attended a home daycare that was not a good fit. In that time I interviewed over 12 different daycare programs and could not find a daycare that seemed to give the children the level of love and attention that I wanted for my daughter. Even the newborn sleepless nights, diaper blowouts, and public tantrums have been easy parenting moments compared with the emotional anguish of having to take my child to a daycare that was not right for my daughter.

I sincerely hope that the Purple Crayon Playschool gets the opportunity to expand. Zoning to allow for a greater number of children will make it possible for future siblings of current students to attend the same school as well as also allow more families to get to experience the gift of a quality childcare program.

Thank you for your thoughtful consideration,

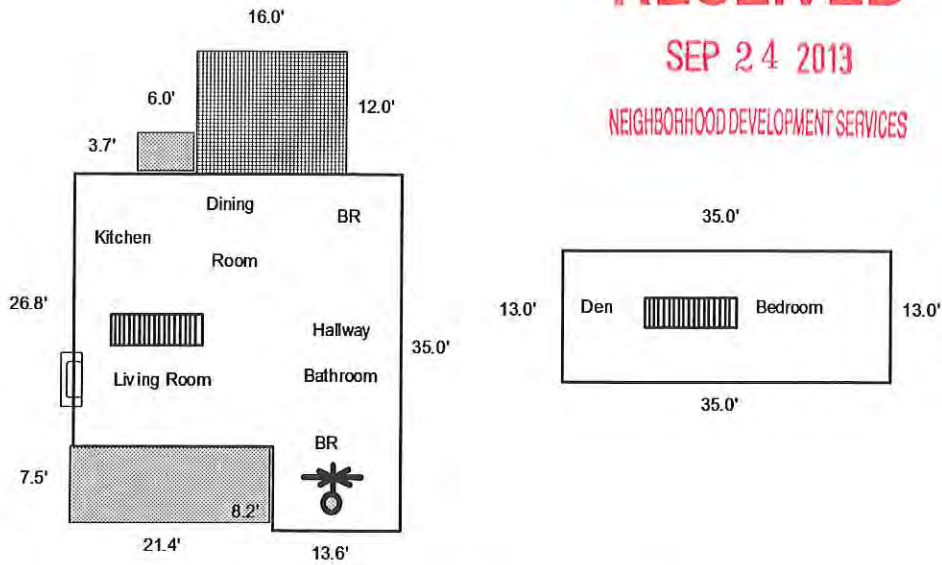


Chelsi Miller, happy parent

FLOORPLAN

Borrower: Lena S. & Peter T. Malcolm	File No.: 1010062
Property Address: 122 Summit Street	Case No.: 0274574896
City: Charlottesville	State: VA
Lender: SunTrust Mortgage, Inc.	Zip: 22903

RECEIVED
 SEP 24 2013
 NEIGHBORHOOD DEVELOPMENT SERVICES



Note: Unfinished basement has same footprint as main level

SKETCH CALCULATIONS		Perimeter	Area
	A1: 35.0 x 26.8 = A2: 13.6 x 8.2 =		938.0 111.5
First Floor			1049.5
	A3: 35.0 x 13.0 =		455.0
Second Floor			455.0
Total Living Area			1504.5
	A4: 21.4 x 7.5 =		160.5
Porch			160.5
	A5: 6.0 x 3.7 =		22.2
Rear Porch			22.2
Total Porch Area			182.7
	A6: 16.0 x 12.0 =		192.0
Patio			192.0
Total Patio/Deck Area			192.0

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT

APPLICATION FOR REZONING OF PROPERTY

PLANNING COMMISSION AND CITY COUNCIL
JOINT PUBLIC HEARING

DATE OF HEARING: November 12, 2013

APPLICATION NUMBER: ZM-13-07-17

Project Planner: Brian Haluska, AICP

Date of Staff Report: October 29, 2013

Applicant: EFB-JSB, Inc.

Current Property Owner: Norfolk Southern Corporation

Application Information

Property Street Address: Unaddressed parcel of land adjacent to 601 Concord Avenue

Tax Map/Parcel #: None

Total Square Footage/Acreage Site: approximately 0.2 acres

Comprehensive Plan (Land Use Plan) Designation: None, the adjacent property is designated Business and Technology

Current Zoning Classification: None

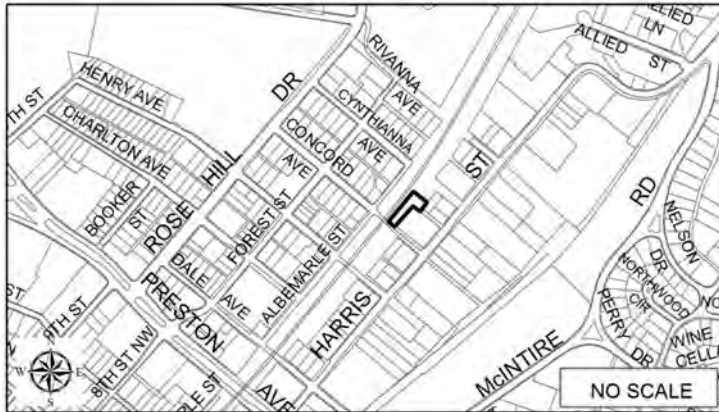
Proposed Zoning Classification: Industrial Corridor

Tax Status: The City Treasurer's office indicates that there are no delinquencies in tax payment for the land in question.

Applicant's Request

The applicant is seeking approval to rezone property located on Concord Avenue from R-1 to Industrial Corridor. The total land involved is approximately 0.2 acres. The subject piece of land has no street frontage.

Vicinity Map



Standard of Review

The Planning Commission must make an advisory recommendation to the City Council. Council may amend the zoning district classification of this property upon finding that the proposed amendment would serve the interests of “*public necessity, convenience, general welfare, or good zoning practice.*” To advise Council as to whether those interests would be served, the Planning Commission should inquire as follows: **(1)** The initial inquiry should be whether the *existing* zoning of the property is reasonable; **(2)** the Commission should then evaluate whether the *proposed* zoning classification is reasonable. One factor relevant to the reasonableness of a particular zoning district classification is whether that classification is consistent with the City’s Comprehensive Plan designation for the property. Other relevant factors include: the existing use and character of the subject property and adjacent properties; suitability of the property for various uses; zoning classification(s) of adjacent properties; the intent and purposes of the proposed zoning district classification; trends of growth and change (including, without limitation, recent patterns of development of other circumstances which may have changed since the current zoning classification was originally enacted).

Project Review/Analysis

1. Background

The applicant has requested a rezoning of the subject property to be in line with the adjacent property, which enables the applicant's desired use of outdoor dog runs by special use permit. The property in question is currently railroad right-of-way that is unzoned. Under the regulations in Section 34-13 of the City Code, the property is deemed to be zoned R-1, and the applicant is permitted to request a rezoning without an application fee.

2. Proposed Use of the Property

The applicant has agreed with the owner of the property to lease the property for the purpose of constructing an outdoor dog run. The applicant has submitted a special use permit for this proposed use.

3. Zoning History

In 1949 the property at 601 Concord was zoned C Industrial. From 1958 to 1976 the property was zoned M-1 Restricted Industrial. The property was unzoned in 1976.

4. Character and Use of Adjacent Properties

The property is located between the existing structure at 601 Concord and the Norfolk Southern Railroad tracks. The surrounding properties to the northeast, southeast and southwest are along the Harris Street corridor, and are zoned IC. The nearest property to the northwest is across the rail road right-of-way, over 125 feet away.

Direction	Use	Zoning
Northwest	Railroad, Industrial and Residential	MI, R-1S
Northeast	Industrial	IC
Southeast	Commercial	IC
Southwest	Industrial	IC

5. Reasonableness/Appropriateness of Current Zoning

The current zoning of the land is considered R-1 via the regulations in Section 34-13. This zoning is not reasonable or appropriate for the site. The property is bordered by the Norfolk Southern Railroad right-of-way and property zoned Industrial Corridor.

6. Consistency with Comprehensive Plan

The Comprehensive Plan has no recommendation for this area of land. The properties were not designated with a future land use on the map adopted in 2013.

Public Comments Received

No public comments have been received on this item.

Staff Recommendation

Staff finds that the proposed zoning is more reasonable than the current zoning regulations that apply to the property. Further, the Industrial Corridor is the most appropriate zoning for the piece of land, as the adjacent properties closest to the land are zoned IC.

Staff recommends that the application be approved.

Attachments

- Application
- Applicant's Narrative

Suggested Motions

1. I move to recommend the approval of this application to rezone property from R-1 to Industrial Corridor, on the basis that the proposal would serve the interests of the general public welfare and good zoning practice.
2. I move to recommend denial of this application to rezone property from R-1 to Industrial Corridor.

EFB-JSB, Inc. dba Pampered Pets

Rezoning Application

Written Narrative

August 12, 2013

EFB-JSB, Inc. dba Pampered Pets (“Pampered Pets”), petitions the Charlottesville City Council to rezone a specific parcel of land approximately 0.2 acres in area abutting Pampered Pet’s existing facility located at 601 Concord Avenue. Pampered Pets recently applied for a special use permit (“SUP”) to permit the area, presently leased by Pampered Pets from the Norfolk Southern Corporation, to be used for the dog play yard. City staff has informed Pampered Pets that the area, which is unused right-of-way adjacent to Norfolk Southern’s rail tracks, is “unzoned” per the City’s zoning map and must thus be treated as being zoned R-1 residential in accordance with Section 34-13 of the City’s Zoning Ordinance. Staff indicated a rezoning to the I-C Industrial Corridor zoning district is needed as well as an SUP for Pampered Pets to engage in the proposed use.

Applicant

Pampered Pets has been a member of the Charlottesville Community since the early 1980s. It has been at its current location at 601 Concord Avenue since 1998. It is a pet care facility providing day and overnight lodging services, grooming services and off-leash group play services to dogs and cats. Pampered Pets employs over thirty full and part-time employees. Employee ages range from high school students to persons in their 60’s. Today, Pampered Pets has one impaired employee working part-time five days a week and has participated in the City of Charlottesville Community Attention Youth Internship Program the past four years. The owners of EFB-JSB, Inc. are residents of the City of Charlottesville.

Property Information

The area to be rezoned comprises approximately 0.2 acres and is set back from Concord Avenue approximately 30 feet and has approximately 35 feet of frontage parallel to Concord Avenue (the “Site”). The Site is illustrated on the attached Sketch Plan and its dimensions are given (See Attachment A).

Proposed Use

The Site is to be used for a dog play yard. Such use will be consistent with Pampered Pets existing use of the adjoining property as a pet care facility offering lodging, doggie day care and grooming services with outdoor dog play yards.

Adjacent Properties

All properties immediately abutting to the Site are already zoned industrial, including parcels on both the east and west side of the railroad right-of-way (See Attachment B). Rezoning the Site to IC will bring it into conformance with the zoning of abutting parcels. Rezoning will have no negative impact on adjacent properties, since all parcels surrounding the Site are already zoned IC and the proposed use as a dog play area is simply a small expansion of the existing dog play area already in use.

Conclusion

Pampered Pets has provided an important and much used service to pet owners in the Charlottesville community. The proposed dog play yard will be a small but important addition to the existing Pampered Pets facility. It will support the continued vitality of Pampered Pets as a thriving business within the City. With the recent move of another pet care facility from the City's downtown area to the County, the convenient availability of such services to City residents has become more limited. Approval of the rezoning request, along with approval of an SUP, will enable Pampered Pets to continue providing high quality pet care services to City residents.

Attachments to Narrative

- Attachment A - Sketch Plan; and
- Attachment B - Excerpt of Existing City Zoning Map.



REZONING PETITION

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

RECEIVED

OCT 02 2013

NEIGHBORHOOD DEVELOPMENT SERVICES

For a PUD please include \$2,000 application fee. For any other type of project, please include \$1,500 application fee. 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 to amend the City Zoning District Map for the property described below from R-1 (Current Zoning Classification) to IC (Proposed Zoning Classification).

Reasons for Seeking This Change Rezoning of portion of property owned by Norfolk Southern Corporation to permit use of property by adjoining existing pet care business as an outdoor dog play pen.

Information on Property Applied for Rezoning – Please note any applicable deed restrictions

1. 35 feet of frontage on Concord Avenue (name of street)
2. Approximate property dimensions: 35 feet by 170 feet.
3. Property size: approx. 0.2 acres (square feet or acres)
4. Present Owner: Norfolk Southern Corp. (Name) as evidenced by deed recorded in Deed Book Number _____ Page _____, with the Clerk of the Circuit Court.
5. Mailing Address of Present Owner: Attn: RE Services 1200 Peachtree St, NE 12th Floor, Atlanta, GA 30309
6. City Real Property Tax Map Number none, Parcel(s) _____, _____; Lot(s): _____, _____, _____

A. PETITIONER INFORMATION

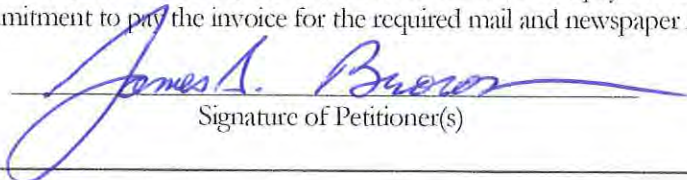
Petitioner Name (Print or Type) EFB-JSB, Inc. d/b/a Pampered Pets
 Petitioner Mailing Address: 601 Concord Avenue, Charlottesville, VA 22903
 Work Phone: 434-293-7387 Fax _____
 Home Phone: _____ Email _____
 Does Petitioner currently own the property where the rezoning is requested? No.
 If no, please explain Petitioner serves as agent for owner.

B. ADJACENT PROPERTY OWNERS ADDRESSES (use additional paper if necessary)

Property Owner Name	Mailing Address	City Tax Map and Parcel #
<u>See attached list</u>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

C. ATTACHMENTS TO BE SUBMITTED BY THE PETITIONER

1. A sketch plan filed with this petition showing property lines of the property to be rezoned, adjoining property, buildings, land uses, zoning classifications and streets. See attached sketch plan showing area to be rezoned.
2. Other attachments as required by Section 34-41 or Section 34-516 of the City Code (office use: Submitted _____)
3. A rezoning petition filing fee of \$2,000 for a PUD, OR \$1,500 for all others, made payable to the City of Charlottesville; (Signature also denotes commitment to pay the invoice for the required mail and newspaper notices). Fee to be waived as this is initial rezoning under Zoning Ord. Sec. 34-13.


 Signature of Petitioner(s)

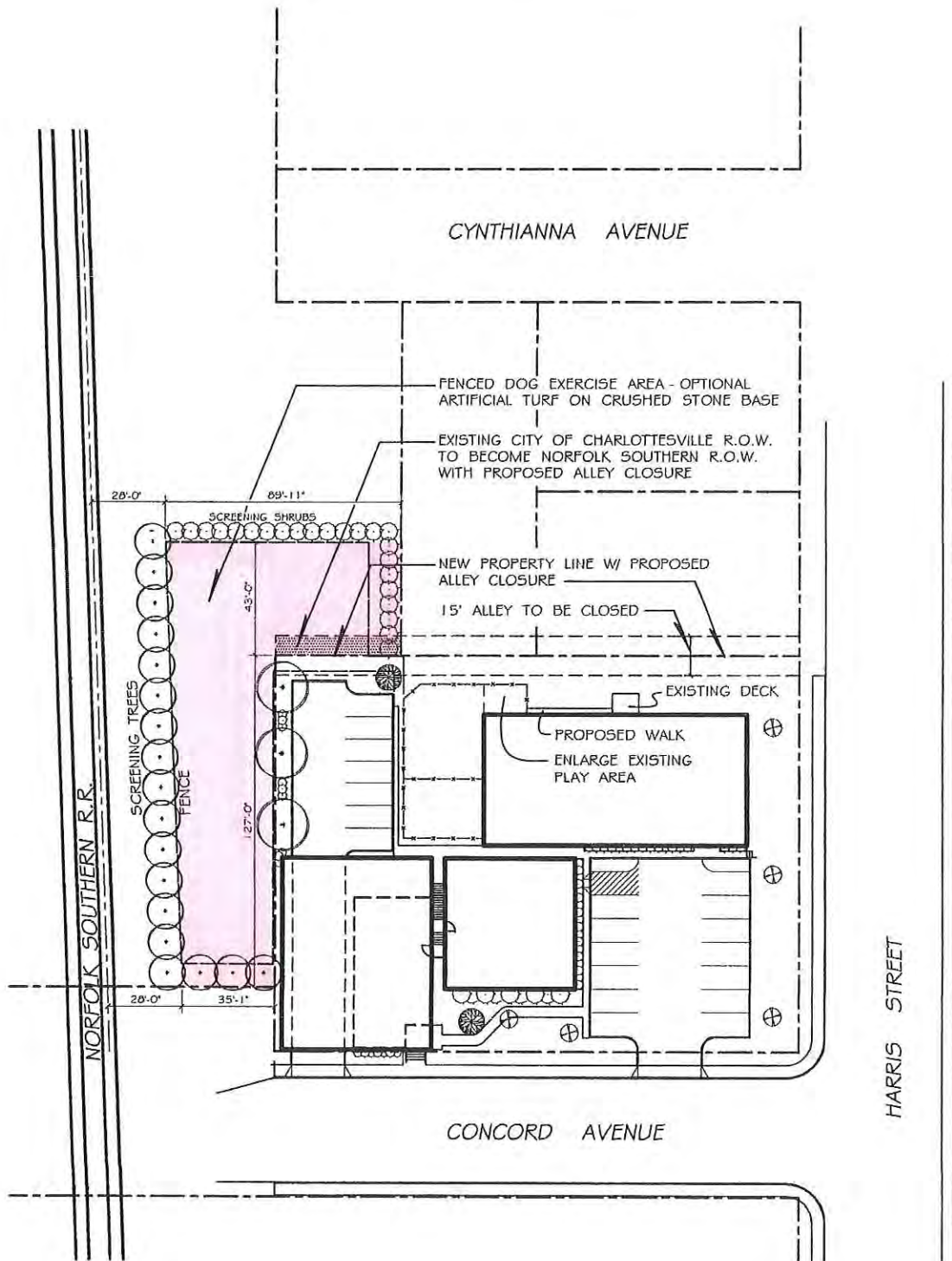
For Office Use Only (Sign Posting)
 I certify that the sign(s) as required by Section 31-44 of the City Code as amended has been posted on the following date: _____
 Signature _____
 Date Paid: _____ Amt. Paid: _____ Cash/Check #: _____ Recorded by: _____

OBJECT	mapblot1	owner_cur	ad address2	address3	ad zipcode	propertyad
	211 35009A00	WESTON DEVELOPMENT COMPANY LLC	2157 TIMBER MEADOWS	CHARLOTTESVILLE VA	22911	ALBEMARLE ST
	778 350089100	WALLER, DOROTHY TAYLOR	1015 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	CYNTHIANA AVE
	8295 340001000	SOUTHERN STATES CH'VILLE CO-OP INC	P O BOX 26234	RICHMOND VA	23260	800-806 HARRIS ST
	8296 340003000	SOUTHERN STATES CH'VILLE CO-OP INC	P O BOX 26234	RICHMOND VA	23260	HENRY AVE
	8297 340004000	SOUTHERN STATES CH'VILLE SERVICE	P O BOX 26234	RICHMOND VA	23260	810 HARRIS ST
	8298 340005000	DICKERSON, LEWIS E & BETTY A	P O BOX 6632	CHARLOTTESVILLE VA	22906	830 HARRIS ST
	8299 340006000	Z TO A, LLC	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	900 HARRIS ST
	8300 340007000	Z TO A, LLC	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	902 HARRIS ST
	8301 340008000	ROBERT BAILEY, LLC	1857 STONY POINT ROAD	CHARLOTTESVILLE VA	22911	914 HARRIS ST
	8302 340010000	BROWN, GUY MICHAEL, TRUSTEE	920 HARRIS ST	CHARLOTTESVILLE VA	22903	920 HARRIS ST
	8303 340010100	BROWN, GUY MICHAEL, TRUSTEE	920 HARRIS ST	CHARLOTTESVILLE VA	22903	920-A HARRIS ST
	8304 340011000	GOCO INC	924 HARRIS STREET	CHARLOTTESVILLE VA	22903	924 HARRIS ST
	8305 340013000	CH'VILLE REALTY CORPORATION	P O BOX 6340	CHARLOTTESVILLE VA	22906	932 HARRIS ST
	8306 340013100	ALLIED CONCRETE COMPANY	P O BOX 1647	CHARLOTTESVILLE VA	22902	HARRIS ST
	8307 340014000	ALLIED CONCRETE COMPANY	1000 HARRIS STREET	CHARLOTTESVILLE VA	22903	934 HARRIS ST
	8308 340015000	ALLIED CONCRETE COMPANY	P O BOX 1647	CHARLOTTESVILLE VA	22902	936 HARRIS ST
	8494 350064000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	819 ALBEMARLE ST
	8495 350064100	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	708 HENRY AVE
	8496 350065000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	821 ALBEMARLE ST
	8497 350066000	HARRIS, MAXINE B, ETAL	913 DOGWOOD CIR	WAYNESBORO VA	22980	901 ALBEMARLE ST
	8498 350067000	DRUMHELLER, WENDELL W & TINA S	1615 CEDAR HILL ROAD	CHARLOTTESVILLE VA	22901	903 ALBEMARLE ST
	8499 350067100	DRUMHELLER, WENDELL W & TINA S	1615 CEDAR HILL ROAD	CHARLOTTESVILLE VA	22901	711A&B HENRY AVE
	8500 350069000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	715 HENRY AVE
	8501 350070000	SCOTT, JAMES H & MAXINE V	804 HENRY AVE	CHARLOTTESVILLE VA	22903	902 FOREST ST
	8502 350071000	WICKS, THELMA RUTH ESTATE	904 FOREST STREET	CHARLOTTESVILLE VA	22903	904 FOREST ST
	8503 350072000	WICKS, LESLEY	904 FOREST STREET	CHARLOTTESVILLE VA	22902	906 FOREST ST
	8504 350073000	HOUCHENS, DARLENE GAY MCGHEE	908 FOREST STREET	CHARLOTTESVILLE VA	22903	908 FOREST ST
	8505 350074000	BROWN, PHILLIP E SR & BARBARA J	1135 FREE STATE ROAD	CHARLOTTESVILLE VA	22901	710 CONCORD AVE
	8506 350075000	BROWN, JAMES & DOROTHY E	708 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	708 CONCORD AVE
	8507 350076000	CRAIGHURST, ROBERT & SUSAN BERRES	710 BLENHEIM AVE	CHARLOTTESVILLE VA	22902	706 CONCORD AVE
	8508 350077000	HAWKINS, BARBARA D	704 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	704 CONCORD AVE
	8509 350078000	CHODL, ERIC & MARIEN VILLAMAN-	702 CONCORD AVE	CHARLOTTESVILLE VA	22903	702 CONCORD AVE
	8510 350079000	HAWLEY, ROBERT G & BETTY LOU	932 RIVES STREET	CHARLOTTESVILLE VA	22902	907 ALBEMARLE ST
	8511 350080000	CRONMILLER, CLAIRE	1902 BRANDYWINE DRI VE	CHARLOTTESVILLE VA	22901	700 CONCORD AVE
	8512 350081000	BELL, JASPER J JR & JANIE R	1001 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	1001 ALBEMARLE ST
	8513 350082000	HINGELEY, JOHN	106 GOODMAN ST A-1	CHARLOTTESVILLE VA	22902	1003 ALBEMARLE ST
	8514 350083000	FUND FOR THE VA ORGANIZING PROJECT, IN	703 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	703 CONCORD AVE
	8515 350084000	COLES, GLADYS P, LIFE ESTATE	705 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	705 CONCORD AVE
	8516 350084100	BURKS, ROSA B	1119 RAIN TREE DRIVE	CHARLOTTESVILLE VA	22901	707 CONCORD AVE
	8517 350085000	ANDERSON, CUBA JR & MARY	709 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	709 CONCORD AVE
	8518 350086000	JEFFERSON LODGE #20 F & A MASONS	P O BOX 24	CHARLOTTESVILLE VA	22902	711 CONCORD AVE
	8519 350086100	JEFFERSON LODGE #20 OF F & A MASONS	1006 FOREST STREET	CHARLOTTESVILLE VA	22903	1006 FOREST ST
	8520 350087000	LOGAN, CLEVESTER ETAL, TR JEFFERSON LOE	P O BOX 24	CHARLOTTESVILLE VA	22902	710 CYNTHIANA AVE
	8521 350088000	TYREE, ROCHEL M	716 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	716 CYNTHIANA AVE
	8522 350089000	KOLB, CHASTITY, WILLIAM, JR & LINDA	718 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	718 CYNTHIANA AVE
	8523 350090000	WALLER, DOROTHY TAYLOR	1015 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	1015 ALBEMARLE ST
	8524 350091000	HUNTER, JOHN N, JR & LESLIE S	707 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	707 CYNTHIANA AVE
	8525 350092000	JOSEPH, ALLEN F & PHYLLIS GESSULA	711 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	711 CYNTHIANA AVE
	8526 350093000	BURTON, JUNIORS M & MARY SIMMS	715 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	715 CYNTHIANA AVE
	8527 350094000	MASON, LEWIS L & ONEIDA O	717 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	717 CYNTHIANA AVE
	8528 350095000	TRIO PROPERTIES, LLC	813 EAST JEFFERSON STREET	CHARLOTTESVILLE VA	22902	723 CYNTHIANA AVE
	8529 350096000	1108 FOREST STREET, LLC	1108 FOREST STREET	CHARLOTTESVILLE VA	22903	1108 FOREST ST
	8530 350097000	GOURLEY, DAVID W & TERRESA Y	390 BUCK RIDGE ROAD	TROY VA	22974	1110 FOREST ST
	8531 350098000	107 RIVANNA LLC	P O BOX 2315	CHARLOTTESVILLE VA	22902	707 RIVANNA AVE
	8532 350099000	HUNTER, JOHN N, JR & LESLIE S	707 CYNTHIANA AVE	CHARLOTTESVILLE VA	22903	CYNTHIANA AVE
	8537 350107000	JONES, VERNON G & VICTORIA D	P O BOX 315	KESWICK VA	22947	608 RIVANNA AVE
	8538 350108000	JONES, VERNON G & VICTORIA D	P O BOX 315	KESWICK VA	22947	606 RIVANNA AVE
	8539 350109000	THOMAS, RODNEY S & NANCY S	3411 INDIAN SPRING ROAD	CHARLOTTESVILLE VA	22901	1111 HARRIS ST
	8540 350110000	ALLIED STREET STORAGE, LLC	1928 ARLINGTON BLVD STE 300	CHARLOTTESVILLE VA	22903	601 CYNTHIANA AVE
	8541 350111000	BROWER LIMITED PARTNERSHIP	616 SUMTER ROAD	WAYNESBORO VA	22980	925 HARRIS ST
	8542 350112000	SEILER, CURTIS D & SHIRLEY I	923 HARRIS STREET	CHARLOTTESVILLE VA	22903	923 HARRIS ST
	8543 350113000	RHODES, RONALD LEE	604 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	604 CYNTHIANA AVE
	8544 350114000	FITZBROWN, LLC	601 CONCORD AVENUE	CHARLOTTESVILLE VA	22901	601 CONCORD AVE
	8545 350115000	HARRIS STREET PARTNERSHIP THE	600 CONCORD AVE	CHARLOTTESVILLE VA	22903	606 CONCORD AVE
	8546 350116000	HARRIS STREET PARTNERSHIP THE	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	600-604 CONCORD AVE
	8547 350118000	BAILEY, ROBERT B II & TERRI M	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	601 HENRY AVE
	8548 350119000	BAILEY, ROBERT B II & TERRI M	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	HARRIS ST
	8549 350120000	WILSON, WILFRED F JR & MARJORIE B	611 HENRY AVENUE	CHARLOTTESVILLE VA	22903	611 HENRY AVE
	8550 350121000	MICHEL REAL ESTATE PARTNERSHIP	1 RE MICHEL DRIVE	GLEN BURNIE MD	21060	604 HENRY AVE
	8551 350122000	GARRISON REAL ESTATE, LLC	2444 FREE UNION ROAD	CHARLOTTESVILLE VA	22901	600 HENRY AVE
	8552 350123000	MICHEL REAL ESTATE PARTNERSHIP	1 RE MICHEL DRIVE	GLEN BURNIE MD	21061	HARRIS ST
	8563 350132300	750 HARRIS STREET, LLC	P O BOX 7885	CHARLOTTESVILLE VA	22906	750 HARRIS ST
	8564 350132400	750 HARRIS STREET, LLC	P O BOX 7885	CHARLOTTESVILLE VA	22906	HARRIS ST
	8565 350132500	HENRY HARRIS, LLC	P O BOX 2674	CHARLOTTESVILLE VA	22902	770 HARRIS ST
	8566 350133000	HENRY HARRIS, LLC	P O BOX 2764	CHARLOTTESVILLE VA	22902	500 HENRY AVE

OBJECT	mapbiolot1	owner_cur	ad address2	address3	ad:zipcode	propertyad
	211 35009A00	WESTON DEVELOPMENT COMPANY LLC	2157 TIMBER MEADOWS	CHARLOTTESVILLE VA	22911	ALBEMARLE ST
	778 350089100	WALLER, DOROTHY TAYLOR	1015 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	CYNTHIANA AVE
	8295 340001000	SOUTHERN STATES CH'VILLE CO-OP INC	P O BOX 26234	RICHMOND VA	23260	800-805 HARRIS ST
	8296 340003000	SOUTHERN STATES CH'VILLE CO-OP INC	P O BOX 26234	RICHMOND VA	23260	HENRY AVE
	8297 340004000	SOUTHERN STATES CH'VILLE SERVICE	P O BOX 26234	RICHMOND VA	23260	810 HARRIS ST
	8298 340005000	DICKERSON, LEWIS E & BETTY A	P O BOX 6632	CHARLOTTESVILLE VA	22906	830 HARRIS ST
	8299 340006000	Z TO A, LLC	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	900 HARRIS ST
	8300 340007000	Z TO A, LLC	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	902 HARRIS ST
	8301 340008000	ROBERT BAILEY, LLC	1857 STONY POINT ROAD	CHARLOTTESVILLE VA	22911	914 HARRIS ST
	8302 340010000	BROWN, GUY MICHAEL, TRUSTEE	920 HARRIS ST	CHARLOTTESVILLE VA	22903	920 HARRIS ST
	8303 340010100	BROWN, GUY MICHAEL, TRUSTEE	920 HARRIS ST	CHARLOTTESVILLE VA	22903	920-A HARRIS ST
	8304 340011000	GOCO INC	924 HARRIS STREET	CHARLOTTESVILLE VA	22903	924 HARRIS ST
	8305 340013000	CH'VILLE REALTY CORPORATION	P O BOX 6340	CHARLOTTESVILLE VA	22906	932 HARRIS ST
	8306 340013100	ALLIED CONCRETE COMPANY	P O BOX 1647	CHARLOTTESVILLE VA	22902	HARRIS ST
	8307 340014000	ALLIED CONCRETE COMPANY	1000 HARRIS STREET	CHARLOTTESVILLE VA	22903	934 HARRIS ST
	8308 340015000	ALLIED CONCRETE COMPANY	P O BOX 1647	CHARLOTTESVILLE VA	22902	936 HARRIS ST
	8494 350064000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	819 ALBEMARLE ST
	8495 350064100	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	708 HENRY AVE
	8496 350065000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	821 ALBEMARLE ST
	8497 350066000	HARRIS, MAXINE B, ETAL	913 DOGWOOD CIR	WAYNESBORO VA	22980	901 ALBEMARLE ST
	8498 350067000	DRUMHELLER, WENDELL W & TINA S	1615 CEDAR HILL ROAD	CHARLOTTESVILLE VA	22901	903 ALBEMARLE ST
	8499 350067100	DRUMHELLER, WENDELL W & TINA S	1615 CEDAR HILL ROAD	CHARLOTTESVILLE VA	22901	711A&B HENRY AVE
	8500 350069000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	715 HENRY AVE
	8501 350070000	SCOTT, JAMES H & MAXINE V	804 HENRY AVE	CHARLOTTESVILLE VA	22903	902 FOREST ST
	8502 350071000	WICKS, THELMA RUTH ESTATE	904 FOREST STREET	CHARLOTTESVILLE VA	22903	904 FOREST ST
	8503 350072000	WICKS, LESLEY	904 FOREST STREET	CHARLOTTESVILLE VA	22902	906 FOREST ST
	8504 350073000	HOUCHENS, DARLENE GAY MCGHEE	908 FOREST STREET	CHARLOTTESVILLE VA	22903	908 FOREST ST
	8505 350074000	BROWN, PHILLIP E SR & BARBARA J	1135 FREE STATE ROAD	CHARLOTTESVILLE VA	22901	710 CONCORD AVE
	8506 350075000	BROWN, JAMES & DOROTHY E	708 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	708 CONCORD AVE
	8507 350076000	CRAIGHURST, ROBERT & SUSAN BERRES	710 BLENHEIM AVE	CHARLOTTESVILLE VA	22902	706 CONCORD AVE
	8508 350077000	HAWKINS, BARBARA D	704 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	704 CONCORD AVE
	8509 350078000	CHODL, ERIC & MARIEN VILLAMAN-	702 CONCORD AVE	CHARLOTTESVILLE VA	22903	702 CONCORD AVE
	8510 350079000	HAWLEY, ROBERT G & BETTY LOU	932 RIVES STREET	CHARLOTTESVILLE VA	22902	907 ALBEMARLE ST
	8511 350080000	CRONMILLER, CLAIRE	1902 BRANDYWINE DRI VE	CHARLOTTESVILLE VA	22901	700 CONCORD AVE
	8512 350081000	BELL, JASPER J JR & JANIE R	1001 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	1001 ALBEMARLE ST
	8513 350082000	HINGELEY, JOHN	106 GOODMAN ST A-1	CHARLOTTESVILLE VA	22902	1003 ALBEMARLE ST
	8514 350083000	FUND FOR THE VA ORGANIZING PROJECT, IN	703 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	703 CONCORD AVE
	8515 350084000	COLES, GLADYS P, LIFE ESTATE	705 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	705 CONCORD AVE
	8516 350084100	BURKS, ROSA B	1119 RAINTREE DRIVE	CHARLOTTESVILLE VA	22901	707 CONCORD AVE
	8517 350085000	ANDERSON, CUBA JR & MARY	709 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	709 CONCORD AVE
	8518 350086000	JEFFERSON LODGE #20 F & A MASONS	P O BOX 24	CHARLOTTESVILLE VA	22902	711 CONCORD AVE
	8519 350086100	JEFFERSON LODGE #20 OF F & A MASONS	1006 FOREST STREET	CHARLOTTESVILLE VA	22903	1006 FOREST ST
	8520 350087000	LOGAN, CLEVESTER ETAL, TR JEFFERSON LOC	P O BOX 24	CHARLOTTESVILLE VA	22902	710 CYNTHIANA AVE
	8521 350088000	TYREE, ROCHEL M	716 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	716 CYNTHIANA AVE
	8522 350089000	KOLB, CHASTITY, WILLIAM, JR & LINDA	718 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	718 CYNTHIANA AVE
	8523 350090000	WALLER, DOROTHY TAYLOR	1015 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	1015 ALBEMARLE ST
	8524 350091000	HUNTER, JOHN N, JR & LESLIE S	707 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	707 CYNTHIANA AVE
	8525 350092000	JOSEPH, ALLEN F & PHYLLIS GESSULA	711 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	711 CYNTHIANA AVE
	8526 350093000	BURTON, JUNIORS M & MARY SIMMS	715 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	715 CYNTHIANA AVE
	8527 350094000	MASON, LEWIS L & ONEIDA O	717 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	717 CYNTHIANA AVE
	8528 350095000	TRIO PROPERTIES, LLC	813 EAST JEFFERSON STREET	CHARLOTTESVILLE VA	22902	723 CYNTHIANA AVE
	8529 350096000	1108 FOREST STREET, LLC	1108 FOREST STREET	CHARLOTTESVILLE VA	22903	1108 FOREST ST
	8530 350097000	GOURLEY, DAVID W & TERRESA Y	390 BUCK RIDGE ROAD	TROY VA	22974	1110 FOREST ST
	8531 350098000	107 RIVANNA LLC	P O BOX 2315	CHARLOTTESVILLE VA	22902	707 RIVANNA AVE
	8532 350099000	HUNTER, JOHN N, JR & LESLIE S	707 CYNTHIANA AVE	CHARLOTTESVILLE VA	22903	CYNTHIANA AVE
	8537 350107000	JONES, VERNON G & VICTORIA D	P O BOX 315	KESWICK VA	22947	608 RIVANNA AVE
	8538 350108000	JONES, VERNON G & VICTORIA D	P O BOX 315	KESWICK VA	22947	606 RIVANNA AVE
	8539 350109000	THOMAS, RODNEY S & NANCY S	3411 INDIAN SPRING ROAD	CHARLOTTESVILLE VA	22901	1111 HARRIS ST
	8540 350110000	ALLIED STREET STORAGE, LLC	1928 ARLINGTON BLVD STE 300	CHARLOTTESVILLE VA	22903	601 CYNTHIANA AVE
	8541 350111000	BROWER LIMITED PARTNERSHIP	616 SUMTER ROAD	WAYNESBORO VA	22980	925 HARRIS ST
	8542 350112000	SEILER, CURTIS D & SHIRLEY I	923 HARRIS STREET	CHARLOTTESVILLE VA	22903	923 HARRIS ST
	8543 350113000	RHODES, RONALD LEE	604 CYNTHIANA AVENUE	CHARLOTTESVILLE VA	22903	604 CYNTHIANA AVE
	8544 350114000	FITZBROWN, LLC	601 CONCORD AVENUE	CHARLOTTESVILLE VA	22901	601 CONCORD AVE
	8545 350115000	HARRIS STREET PARTNERSHIP THE	600 CONCORD AVE	CHARLOTTESVILLE VA	22903	606 CONCORD AVE
	8546 350116000	HARRIS STREET PARTNERSHIP THE	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	600-604 CONCORD AVE
	8547 350118000	BAILEY, ROBERT B II & TERRI M	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	601 HENRY AVE
	8548 350119000	BAILEY, ROBERT B II & TERRI M	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	HARRIS ST
	8549 350120000	WILSON, WILFRED F JR & MARJORIE B	611 HENRY AVENUE	CHARLOTTESVILLE VA	22903	611 HENRY AVE
	8550 350121000	MICHEL REAL ESTATE PARTNERSHIP	1 RE MICHEL DRIVE	GLEN BURNIE MD	21060	604 HENRY AVE
	8551 350122000	GARRISON REAL ESTATE, LLC	2444 FREE UNION ROAD	CHARLOTTESVILLE VA	22901	600 HENRY AVE
	8552 350123000	MICHEL REAL ESTATE PARTNERSHIP	1 RE MICHEL DRIVE	GLEN BURNIE MD	21061	HARRIS ST
	8563 350132300	750 HARRIS STREET, LLC	P O BOX 7885	CHARLOTTESVILLE VA	22906	750 HARRIS ST
	8564 350132400	750 HARRIS STREET, LLC	P O BOX 7885	CHARLOTTESVILLE VA	22906	HARRIS ST
	8565 350132500	HENRY HARRIS, LLC	P O BOX 2674	CHARLOTTESVILLE VA	22902	770 HARRIS ST
	8566 350133000	HENRY HARRIS, LLC	P O BOX 2764	CHARLOTTESVILLE VA	22902	500 HENRY AVE

WOODSON PARRISH, ARCHITECT

Commercial & Residential Architecture



SITE SKETCH
SCALE: 1" = 60'-0"

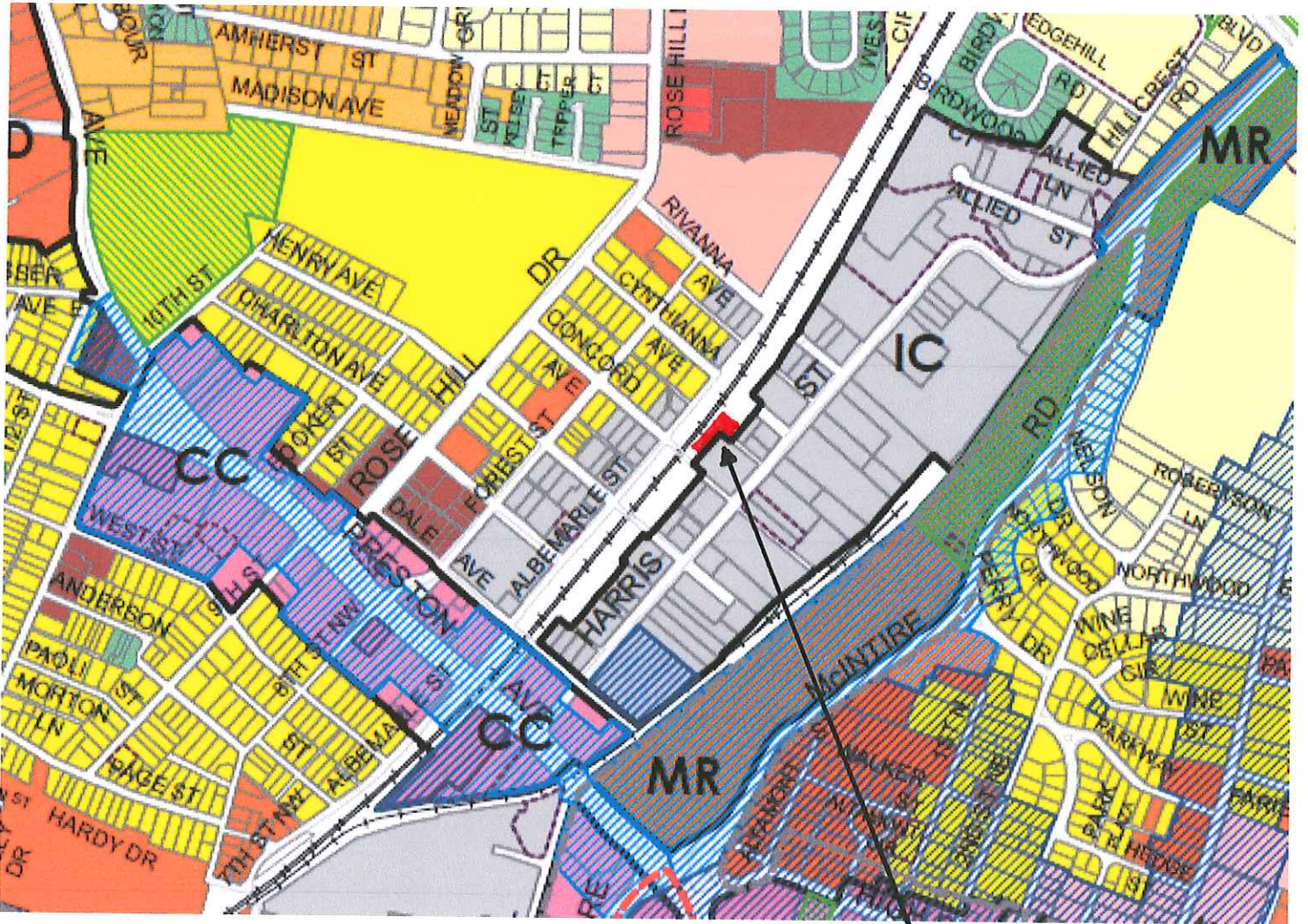


Area to be rezoned from R-1 to IC



**Pampered Pets
Rezoning Application**

Excerpt from City Zoning Map



Location of Site to be Rezoned

September 27, 2013

James S. Brown, Secretary/Treasurer
EFB-JSB, Inc. d/b/a Pampered Pets
601 Concord Avenue
Charlottesville, VA 22903

Re: EFB-JSB, Inc. Use of Leased Property // Activity # 1176615

Mr. Brown:

Norfolk Southern Railway Company has no objections to action by the City of Charlottesville, Virginia to rezone of a portion of property owned by Norfolk Southern Railway Company located in the City of Charlottesville on the north side of Concord Avenue comprising approximately 0.2 acres as shown on the attached exhibit (see Attachment A), in order to facilitate use of the property by EFB-JSB, Inc. in accordance with the lease between EFB-JSB, Inc. and Norfolk Southern Railway Company.

NORFOLK SOUTHERN CORPORATION

By: Alicia E. Ruscitto
Alicia E. Ruscitto / Property
Print Name/Title Agent.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT

APPLICATION FOR A SPECIAL USE PERMIT

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

DATE OF HEARING: November 12, 2013
APPLICATION NUMBER: SP-13-07-18

Project Planner: Brian Haluska, AICP
Date of Staff Report: October 28, 2013

Applicant: EFB-JSB, Inc.
Current Property Owner: Fitzbrown, LLC

Application Information

Property Street Addresses: Unaddressed property adjacent to 601 Concord Avenue

Tax Map/Parcel #: None

Total Square Footage/Acreage Site: 0.2 acres

Comprehensive Plan (Land Use Plan) Designation: None, adjacent property is designated Business and Technology

Current Zoning Classification: None, adjacent property is zoned IC – Industrial Corridor

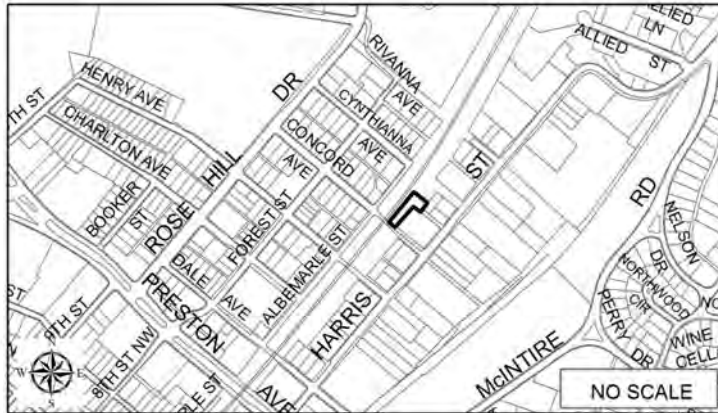
Tax Status: The City Treasurer’s office indicates that there are no delinquent taxes owed on the subject properties at the time of the writing of this staff report.

Applicant’s Request

EFB-JSB, Inc has submitted an application for a special use permit on 0.2 acres of property adjacent to 601 Concord Avenue. The special use permit is a request for operation of an outdoor dog run. The plan submitted with the application shows a 1,500 square foot dog run adjacent to the existing business at 601 Concord Avenue.

The property is currently railroad right-of-way, and thus does not have an address, tax map and parcel number, or zoning. The applicant has filed a concurrent request for rezoning of unzoned property to zone the piece of land in question to Industrial Corridor (IC). The review of the special use permit is based on the regulations in the Industrial Corridor.

Vicinity Map



Standard of Review

The Planning Commission must make an advisory recommendation to the City Council concerning approval or disapproval of a special permit or special use permit for the proposed development based upon review of the site plan for the proposed development and upon the criteria set forth.

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

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

- (1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood;
- (2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan;
- (3) Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations;
- (4) Whether the proposed use or development will have any potentially adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts. Potential adverse impacts to be considered include, but are not necessarily limited to, the following:
 - a. Traffic or parking congestion;
 - b. Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;
 - c. Displacement of existing residents or businesses;

- d. Discouragement of economic development activities that may provide desirable employment or enlarge the tax base;
 - e. Undue density of population or intensity of use in relation to the community facilities existing or available;
 - f. Reduction in the availability of affordable housing in the neighborhood;
 - g. Impact on school population and facilities;
 - h. Destruction of or encroachment upon conservation or historic districts;
 - i. Conformity with federal, state and local laws, as demonstrated and certified by the applicant; and,
 - j. Massing and scale of project.
- (5) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;
- (6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and
- (7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

Any resolution adopted by city council to grant a special use permit shall set forth any reasonable conditions which apply to the approval.

Project Review / Analysis

1. Background

In the Industrial Corridor District, per City Code Sec. 34-480 et seq.:

Animal boarding/grooming/kennels, with outdoor runs are permitted by special use permit.

2. Proposed Use of the Property

The property is currently being used for an animal boarding/grooming facility. The applicant is proposing to expand the outdoor runs currently located on the property to an adjacent 1,500 square foot piece of land that is currently railroad right-of-way.

3. Impact on the Neighborhood

a. Traffic or parking congestion

- **Traffic congestion:** There is no enlargement of the interior space or capacity of the business associated with this request, thus staff anticipates no impact on traffic congestion.
- **Parking congestion:** There is no enlargement of the interior space or capacity of the business associated with this request, thus staff anticipates no impact on parking congestion. The property currently has an on-site parking lot and there are adjacent on-street parking spaces on Concord Avenue.

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

The primary concern when evaluating the request is the potential for increased noise from the expansion of the dog runs on the property. Section 34-933 of the Zoning Ordinance requires that “All animal shelters, animal boarding/grooming facilities, kennels, and veterinary clinics shall be reasonably soundproofed from neighboring residential and commercial uses.”

This regulation offers an avenue for City staff to require additional soundproofing of the facility if the proposed measures are insufficient without returning to City Council for a revocation of the Special Use Permit.

The applicant has offered to screen the dog run through the installation of a slatted fence, as well as landscaping along the three sides of the dog run not adjacent to the existing building. The landscaping is offered in part to mitigate noise impacts, in addition to visual impacts.

c. Displacement of existing residents or businesses.

The property contains no residential units, and thus this use will not displace any existing residents.

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

This use does not discourage economic development activities. The proposal would permit the applicant to expand their existing business operation.

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

The proposal is non-residential in nature and will not result in any undue density of population.

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

This use will not reduce the availability of affordable housing.

g. Impact on school population and facilities.

This use has no potential to impact school facilities or population.

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

The property is neither in or adjacent to a historic district.

i. Conformity with federal, state and local laws.

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

j. Massing and scale.

The only construction activity associated with the use will be the installation of a fence and landscaping. The massing and scale of the property will be unchanged.

4. Zoning History

In 1949 the property at 601 Concord was zoned C Industrial. From 1958 to 2003 the property was zoned M-1 Restricted Industrial. In 2003, the property was zoned IC Industrial Corridor.

The railroad right-of-way was zoned the same as 601 concord until 1976, and has been unzoned since then.

5. Character and Use of Adjacent Properties

Direction	Use	Zoning
North	Railroad, Single-Family Residential, Industrial	R-1S, M-I
South	Commercial	IC
East	Railroad, Single-Family Residential, Industrial	M-I
West	Industrial	IC

6. Reasonableness/Appropriateness of Current Zoning

The Industrial Corridor zoning district is described as follows in the zoning ordinance – *“The intent of the Industrial Corridor district is to provide areas for light industrial activity that is directed to assembly and technological businesses rather than heavy manufacturing. This district provides opportunities for large scale commercial uses and manufacturing or industrial type uses that are more compatible with the neighborhoods that surround the manufacturing properties. Regulations provide for buffering from incompatible uses, but encourage these important employment centers to locate within the district.”*

The proposed Industrial Corridor zoning is reasonable and appropriate. By-right uses in the IC include multi-family residential, office, retail and industrial uses.

7. Consistency with Comprehensive Plan

The City Council Vision of “Economic Sustainability” states that “We have a business-friendly environment in which employers provide well-paying, career-ladder jobs and residents have access to small business opportunities.”

Specific line items from the Comprehensive Plan are as follows:

- When considering changes to land use regulations, respect nearby residential areas. (Land Use, 2.1)
- Encourage small businesses that enhance existing neighborhoods and employment centers. (Land Use, 2.2)
- Work strategically to continue to develop and implement land use policies and regulations that ensure the availability of sites for businesses to locate and expand. (Economic Sustainability, 2.5)

Public Comments Received

At the time of the drafting of this report, staff has received several questions from nearby property owners about the impact of the proposal. In particular, they expressed concern about the impact of the noise from the additional space allocated to outdoor dog runs.

Staff Recommendation

Staff finds that the use is consistent with the zoning. The expansion of the outdoor dog runs is appropriate in the area designated, provided the primary concern with the expansion – noise – can be addressed. Section 34-933 of the zoning ordinance provides a substantial safeguard against noise from the facility. Staff has proposed several conditions that would require the provisions the applicant has proposed in their application, as well as limit the hours the dog run could be used – in an effort to mitigate any potential noise impacts.

Staff recommends the application be approved with the following conditions:

1. The property shall be rezoned by City Council to Industrial Corridor.
2. The outdoor dog run shall be closed to canine activity each day from dusk to 8am.
3. The number of dogs within the outdoor dog run shall not exceed 20 dogs from the hours of 5pm to dusk.
4. The number of dogs within the outdoor dog run shall not exceed 40 dogs at any time.
5. The enclosure surrounding the outdoor dog run shall be a slatted fence as described in the applicant's special use permit application, or a similar fence as approved by the City's Department of Neighborhood Development Services.
6. The landscaping shown on the applicant's plan shall be completed and maintained in accordance with the standards that apply to landscape plans in the City's Zoning Ordinance.

Suggested Motions

1. I move to recommend approval of this application for a special use permit for an outdoor dog run in the Industrial Corridor zone for property adjacent to 601 Concord Avenue, with the conditions listed in the staff report.

OR,

2. I move to recommend denial of this application for a special use permit for an outdoor dog run in the Industrial Corridor zone for property adjacent to 601 Concord Avenue.

EFB-JSB, Inc. dba Pampered Pets

Special Use Permit Application

Written Narrative

July 23, 2013

EFB-JSB, Inc. dba Pampered Pets ("Pampered Pets"), petitions the Charlottesville City Council for a special use permit ("SUP") to allow an outdoor dog play yard on property abutting Pampered Pet's existing facility located at 601 Concord Avenue. The property to be used for the dog play yard is leased by Pampered Pets from the Norfolk Southern Corporation, and is located between Concord Avenue to the South, the existing railroad tracks of the Norfolk Southern Railway to the West, property owned by FitzBrown LLC (Lessor to Pampered Pets) to the East, and property of R.E. & Madeline Rhodes to the North (the "Site").

Applicant

Pampered Pets has been a member of the Charlottesville Community since the early 1980s. It has been at its current location at 601 Concord Avenue since 1998. It is a pet care facility providing day and overnight lodging services, grooming services and off-leash group play services to dogs and cats. Pampered Pets employs over thirty full and part-time employees. Employee ages range from high school students to persons in their 60's. Today, Pampered Pets has one impaired employee working part-time five days a week and has participated in the City of Charlottesville Community Attention Youth Internship Program the past four years. The owners of EFB-JSB, Inc are residents of the City of Charlottesville.

Property Information

The Site comprises approximately 0.2 acres. It is set back from Concord Avenue approximately 30 feet and has approximately 35 feet of frontage parallel to Concord Avenue. The dimensions of the Site are shown on the attached Site Sketch Plan. The Site is 25 feet or more from the centerline of the closest railroad tracks.

Proposed Use

The Site is to be used for a dog play yard. Such use will be consistent with Pampered Pets existing use of the adjoining property as a pet care facility offering lodging, doggie day care and grooming services with outdoor dog play yards. The proposed use will simply make an additional outdoor dog play yard area available to Pampered Pets. There will not be a material increase in the number of dogs using outdoor yards.

Proposed improvements include an eight foot tall, black vinyl-coated chain link fence with black slats enclosing the play yard area, a row of screening trees paralleling the railroad tracks for approximately 170 feet, and screening shrubs around the rear and side of the play yard area.

Adjacent Properties

All properties immediately abutting the Site are zoned IC industrial zoning district. The proposed outdoor dog play yard will be screened from abutting properties by the proposed chain-link fence and screening shrubs and trees. Addition of the proposed dog play yard will not significantly change the character of Pampered Pets existing operations or have any significant impact on adjacent properties.

General Standards for Issuance of an SUP

Following is a description of how the proposed use meets the general standards for issuance set forth in Section 34-157 of the City of Charlottesville Zoning Ordinance:

(1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood

The Site is located within the IC industrial zoning district. All properties immediately abutting the Site are zoned IC. While two lots north and east of the site presently contain residences, Pampered Pets has proven itself to be compatible with these residences and all other adjacent uses in the immediate neighborhood. The proposed outdoor dog play yard will also be screened from abutting properties by the proposed chain-link fence and screening shrubs and trees.

(2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan;

The City's Comprehensive Plan designates the Site and the immediate area around it for Industrial uses. Under the existing IC Industrial zoning district, which implements the Comprehensive Plan, animal boarding, grooming and kennels are allowed by right. "Outside runs or pens" are permitted as well with a special use permit. Thus the proposed dog play yard substantially conforms to the Comprehensive Plan.

(3) Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations;

Proposed improvements are limited to the chain-link fencing and screening trees and shrubs. There will not be any permanent building structures. Pampered Pets intends to maintain the existing grass lawn as the dog play yard surface. However, in the future it may be deemed necessary because of wear to install artificial turf similar to the surface recently installed at the Charlottesville High School football field. All improvements will comply with all applicable building code and zoning regulations.

(4) Whether the proposed use or development will have any potentially adverse impacts on the surrounding neighborhood, or the community in general; and if so, whether there are any reasonable conditions of approval that would satisfactorily mitigate such impacts. Potential adverse impacts to be considered include, but are not necessarily limited to, the following:

a. Traffic or parking congestion;

The proposed use will generate no additional traffic or parking needs beyond that currently associated with the operations of Pampered Pets. The intent of the proposed use is to not increase the population of dogs but to expand the service offerings to the existing population of dogs (more space to run and romp, room for an outdoor agility course, etc.).

b. Noise, lights, dust, odor, fumes, vibration, and other factors which adversely affect the natural environment;

Noise: As noted, the proposed dog play yards will be on property leased from the Norfolk Southern Corporation and immediately adjacent to NS's dual North/ South mainline tracks. The proposed play yards will be seven to 10 feet below the elevation of the existing track beds. Because the play yards will lie below the track beds, the beds will, to some extent, serve as a berm providing a sound buffer to our neighbors across the tracks to the West. In addition, the site design calls for screening trees and shrubs to surround the play yard. The proposed evergreen "Emerald Green" Arborvitae screening trees, which grow to approximately 15 feet, have been selected to help attenuate sound (see Site Sketch Plan). The proposed fencing will be black vinyl-clad chain link fencing with black slats similar to the fencing that may be viewed at the rear of the Crossings building (located at the intersection of 4th Street and Preston Avenue). The trees and slated fencing together will serve as an additional sound buffer.

Today, at any time, there are approximately 16 to 20 dogs using the existing outdoor play yards between 8 AM and 5 PM Monday through Friday. With the proposed additional play yards that number could increase to no more than 35 dogs. After 5 PM until dusk the outdoor space would be available to members of the Pampered Pets Day Camp but limited to up to 15 dogs. The outdoor play yard would not be used by more than 15 dogs on a regular basis during weekends from 8 AM to 5 PM.

Lights: Lighting is not contemplated for the proposed outdoor play yard.

Dust: The intent is to maintain the outdoor play yard surface in natural grass. The proposed outdoor dog play yard will be sub-divided into sections. This division will enable rotation of areas being used. This should help to maintain natural grass. If natural grass cannot be maintained in the play yard, it may be deemed necessary to install artificial turf. The presence of natural grass or artificial turf will prevent any noticeable amount of dust from being created.

Odor: The play yard will be maintained in a sanitary manner. There will be no noticeable odors.

Fumes: There will be no flammable chemicals or other materials used, or stored on the Site and no other substances that will produce fumes.

Vibration: There will be no equipment on the premises that generates vibration.

c. Displacement of existing residents or businesses;

The proposed use will not displace any existing residences or businesses.

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

The proposed use will not discourage economic activities.

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

There will be no increase in population or intensity of use in relation to the community facilities existing or available.

f. Reduction in the availability of affordable housing in the neighborhood;

There will be no reduction in availability of affordable housing in the neighborhood.

g. Impact on school population and facilities;

There will be no impact on school population and facilities.

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

There will be no destruction of or encroachment upon conservation or historic districts.

i. Conformity with federal, state and local laws, as demonstrated and certified by the applicant;

The operation of the outdoor dog play yard will be in conformity with federal, state and local laws.

j. Massing and scale of project.

The proposed dog play yard will be a small addition to the existing Pampered Pets facility. The scale of the project will be compatible with existing uses in the neighborhood.

Attachments to Narrative

- Site Sketch Plan (Exhibit []);
- Pictures of Site (Exhibit []);
- Picture of proposed screening trees (Exhibit []); and
- Pictures of proposed fencing from the Crossings building (Exhibit []).



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

RECEIVED
JUL 23 2013!
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: 601 Concord Avenue (address), zoned: IC, for: outside runs or pens for animal boarding/grooming/kennels.

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

- 35 feet of frontage on Concord Avenue (name of street)
- Approximate property dimensions: 35 feet by 170 feet.
- Property size: approx. 0.2 ac. (square feet or acres)
- Present Owner: Norfolk & Southern Corporation (Name) as evidenced by deed recorded in Deed Book Number _____ Page _____, with the Clerk of the Circuit Court.
- Mailing Address of Present Owner: Attn: RE Services 1200 Peachtree St, NE 12th Floor Atlanta, GA 30309
- City Real Property Tax Map Number none Parcel(s) _____, _____, _____; Lot(s): _____, _____, _____

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

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

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

Applicant's Name EFB-JSB, Inc.
Mailing Address 601 Concord Avenue, Charlottesville, VA 22903
Applicant's Phone Number(s): 434-293-7387 Work _____ Home _____
Applicant's Signature James D. Brown

D. Attachments Submitted by the Applicant

- A required site plan was previously submitted on with application (Date) with the required fee, for a pre-application review conference on _____ (Date). This site plan was prepared by:
Name: Woodson Parrish, Architect
Address: 826 B Hinton Avenue Suite 1 Charlottesville, VA 22902
Phone: 434-960-2718
- Other attachments as required by Section 34-158 of the City Code (Office Use: Submitted _____).
- 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 \$1,500.00 Date Paid 7/23/13 Cash/Check # 6469 Received by J. Barnore

SP13-00004

EFB-JSB, Inc. dba Pampered Pets

Special Use Permit Application

Disclosure of Real Parties in Interest

July 23, 2013

The following are officers and stockholders of EFB-JSB, Inc.:

- Elizabeth F. Brown, President
- James S. Brown, Secretary & Treasurer

Attached is a copy of the transmittal letter documenting the executed lease agreement between Norfolk Southern Railway Company (Property Owner/ Lessor) and EFB-JSB, Inc. (Applicant / Lessee).



Norfolk Southern Corporation
Real Estate and Contract Services
1200 Peachtree Street, NE, 12th Floor
Atlanta, Georgia 30309-3579

Suzanne L. Congdon
Property Agent
My Direct Line is:
Phone: (404) 962-5808
Fax: (404) 653-3436
E-Mail: suzanne.congdon@nscorp.com

*- Legueta H. II
(404) 962-5807*

June 17, 2013
Activity # 1176615

UPS GROUND

Mr. James Brown
EFB-JSB, INC
601 Concord Avenue
Charlottesville, Virginia 22903

Re: Charlottesville, Charlottesville (city), Virginia – Lease dated June 17, 2013 between Norfolk Southern Railway Company and EFB-JSB, INC covering .20 of an acre.

Dear Mr. Brown:

Enclosed is one fully executed original of the above referenced agreement for your file.

This will acknowledge receipt of Check No. 2529 dated June 12, 2013, in the amount of \$1,800.00 for the semi-annual rental.

Norfolk Southern Railway Company appreciates the opportunity to serve you. Please contact me if you require additional assistance.

Sincerely,

Suzanne L. Congdon



PAMPERED PETS
GROOMING · BOARDING · TRAINING · BOUTIQUE

March 29, 2013

601 Concord Avenue
Charlottesville, VA 22903
(434) 293-PETS (7387)
www.pamperedpetsinc.net

Norfolk Southern Real Estate Department
Attn: Land Lease Application
1200 Peachtree Street, NE, 12th Floor
Atlanta GA 30309

Dear Sirs:

Pampered Pets is a full service pet care facility that has been in business at it's currently location since 1998 and in the Charlottesville community since 1984. Our website address is www.pamperedpetseville.com.

Please find our application to lease a portion of your real estate located in Charlottesville VA near NS Crossing No. 714 764 at Concord Road that adjoins our property with a check in the amount of \$500.00. The proposed leased space would be used for outdoor play yards for dogs attending our Day Camp and Lodging with us.

We will be required to seek a Special Use Permit upon our reaching an agreement upon the terms of a lease. Included in this proposed transaction is the closing of a City of Charlottesville right-of-way which dead end into your property and adjoins our property.

Your sincere consideration of this application would be greatly appreciated. We are a small business employing 30 full and part-time employees. The leased property would enhance our competitive position in the local market.

We look forward to hearing back from you and working out a lease agreement. I can be reached by phone at (434) 293-7387 ext. 5 or via email at jim@pamperedpetseville.com.

Sincerely,

James S. Brown
Secretary/ Treasurer
EFB-JSB, Inc dba Pampered Pets

We Trim, We Train, We Entertain



**NORFOLK SOUTHERN RAILWAY COMPANY
Real Estate Department**

Lessor:	Norfolk Southern Railway Company	
Location:	Charlottesville, VA	
Lessee:	EFB-JSB, Inc	
Area:	Approximately .20 acres	
Maps:	2/27AS Parcel 2i PIN 162195	Milepost: 111.6
Activity No:	1176615	Exhibit A
Date:	May 30, 2013	Not To Scale



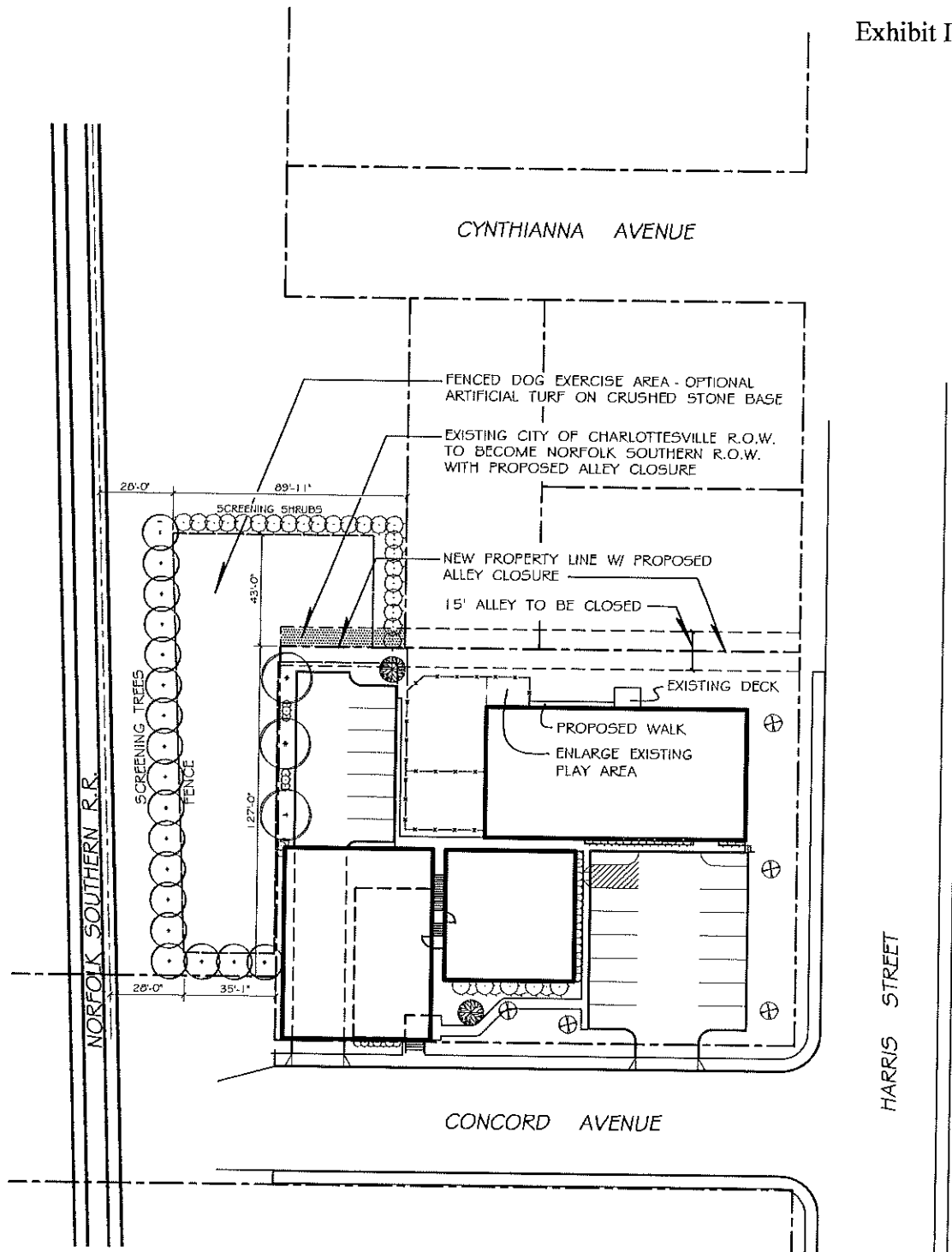
EFB-JSB, Inc. dba Pampered Pets
 Special Use Permit Application
 Adjacent Owner List
 7/23/2013

OBJECTID	mapblot1	owner_cur	address2	address3	zipcode	propertyad
211	350099A00	WESTON DEVELOPMENT COMPANY LLC	2157 TIMBER MEADOWS	CHARLOTTESVILLE VA	22911	ALBEMARLE ST
778	350089100	WALLER, DOROTHY TAYLOR	1015 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	CYNTHIANNA AVE
8295	340001000	SOUTHERN STATES CH'VILLE CO-OP INC	P O BOX 26234	RICHMOND VA	23260	800-806 HARRIS ST
8296	340003000	SOUTHERN STATES CH'VILLE CO-OP INC	P O BOX 26234	RICHMOND VA	23260	HENRY AVE
8297	340004000	SOUTHERN STATES CH'VILLE SERVICE	P O BOX 26234	RICHMOND VA	23260	810 HARRIS ST
8298	340005000	DICKERSON, LEWIS E & BETTY A	P O BOX 6632	CHARLOTTESVILLE VA	22906	830 HARRIS ST
8299	340006000	Z TO A, LLC	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	900 HARRIS ST
8300	340007000	Z TO A, LLC	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	902 HARRIS ST
8301	340008000	ROBERT BAILEY, LLC	1857 STONY POINT ROAD	CHARLOTTESVILLE VA	22911	914 HARRIS ST
8302	340010000	BROWN, GUY MICHAEL, TRUSTEE	920 HARRIS ST	CHARLOTTESVILLE VA	22903	920 HARRIS ST
8303	340010100	BROWN, GUY MICHAEL, TRUSTEE	920 HARRIS ST	CHARLOTTESVILLE VA	22903	920-A HARRIS ST
8304	340011000	GOCO INC	924 HARRIS STREET	CHARLOTTESVILLE VA	22903	924 HARRIS ST
8305	340013000	CH'VILLE REALTY CORPORATION	P O BOX 6340	CHARLOTTESVILLE VA	22906	932 HARRIS ST
8306	340013100	ALLIED CONCRETE COMPANY	P O BOX 1647	CHARLOTTESVILLE VA	22902	HARRIS ST
8307	340014000	ALLIED CONCRETE COMPANY	1000 HARRIS STREET	CHARLOTTESVILLE VA	22903	934 HARRIS ST
8308	340015000	ALLIED CONCRETE COMPANY	P O BOX 1647	CHARLOTTESVILLE VA	22902	936 HARRIS ST
8494	350064000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	819 ALBEMARLE ST
8495	350064100	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	708 HENRY AVE
8496	350065000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	821 ALBEMARLE ST
8497	350066000	HARRIS, MAXINE B, ETAL	913 DOGWOOD CIR	WAYNESBORO VA	22980	901 ALBEMARLE ST
8498	350067000	DRUMHELLER, WENDELL W & TINA S	1615 CEDAR HILL ROAD	CHARLOTTESVILLE VA	22901	903 ALBEMARLE ST
8499	350067100	DRUMHELLER, WENDELL W & TINA S	1615 CEDAR HILL ROAD	CHARLOTTESVILLE VA	22901	711A&B HENRY AVE
8500	350069000	CANVASBACK REAL ESTATE & INVEST LLC	P O BOX 2378	CHARLOTTESVILLE VA	22902	715 HENRY AVE
8501	350070000	SCOTT, JAMES H & MAXINE V	804 HENRY AVE	CHARLOTTESVILLE VA	22903	902 FOREST ST
8502	350071000	WICKS, THELMA RUTH ESTATE	904 FOREST STREET	CHARLOTTESVILLE VA	22903	904 FOREST ST
8503	350072000	WICKS, LESLEY	904 FOREST STREET	CHARLOTTESVILLE VA	22902	906 FOREST ST
8504	350073000	HOUCHENS, DARLENE GAY MCGHEE	908 FOREST STREET	CHARLOTTESVILLE VA	22903	908 FOREST ST
8505	350074000	BROWN, PHILLIP E SR & BARBARA J	1135 FREE STATE ROAD	CHARLOTTESVILLE VA	22901	710 CONCORD AVE
8506	350075000	BROWN, JAMES & DOROTHY E	708 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	708 CONCORD AVE
8507	350076000	CRAIGHURST, ROBERT & SUSAN BERRES	710 BLENHEIM AVE	CHARLOTTESVILLE VA	22902	706 CONCORD AVE
8508	350077000	HAWKINS, BARBARA D	704 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	704 CONCORD AVE
8509	350078000	CHODL, ERIC & MARIEN VILLAMAN-	702 CONCORD AVE	CHARLOTTESVILLE VA	22903	702 CONCORD AVE
8510	350079000	HAWLEY, ROBERT G & BETTY LOU	932 RIVES STREET	CHARLOTTESVILLE VA	22902	907 ALBEMARLE ST
8511	350080000	CRONMILLER, CLAIRE	1902 BRANDYWINE DRI VE	CHARLOTTESVILLE VA	22901	700 CONCORD AVE
8512	350081000	BELL, JASPER J JR & JANIE R	1001 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	1001 ALBEMARLE ST
8513	350082000	HINGELEY, JOHN	106 GOODMAN ST A-1	CHARLOTTESVILLE VA	22902	1003 ALBEMARLE ST
8514	350083000	FUND FOR THE VA ORGANIZING PROJECT, INC	703 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	703 CONCORD AVE
8515	350084000	COLES, GLADYS P, LIFE ESTATE	705 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	705 CONCORD AVE
8516	350084100	BURKS, ROSA B	1119 RAINTREE DRIVE	CHARLOTTESVILLE VA	22901	707 CONCORD AVE
8517	350085000	ANDERSON, CUBA JR & MARY	709 CONCORD AVENUE	CHARLOTTESVILLE VA	22903	709 CONCORD AVE
8518	350086000	JEFFERSON LODGE #20 F & A MASONS	P O BOX 24	CHARLOTTESVILLE VA	22902	711 CONCORD AVE
8519	350086100	JEFFERSON LODGE #20 OF F & A MASONS	1006 FOREST STREET	CHARLOTTESVILLE VA	22903	1006 FOREST ST
8520	350087000	LOGAN, CLEVESTER ETAL, TR JEFFERSON LODGE P	P O BOX 24	CHARLOTTESVILLE VA	22902	710 CYNTHIANNA AVE
8521	350088000	TYREE, ROCHEL M	716 CYNTHIANNA AVENUE	CHARLOTTESVILLE VA	22903	716 CYNTHIANNA AVE
8522	350089000	KOLB, CHASTITY, WILLIAM, JR & LINDA	718 CYNTHIANNA AVENUE	CHARLOTTESVILLE VA	22903	718 CYNTHIANNA AVE
8523	350090000	WALLER, DOROTHY TAYLOR	1015 ALBEMARLE STREET	CHARLOTTESVILLE VA	22903	1015 ALBEMARLE ST
8524	350091000	HUNTER, JOHN N, JR & LESLIE S	707 CYNTHIANNA AVENUE	CHARLOTTESVILLE VA	22903	707 CYNTHIANNA AVE
8525	350092000	JOSEPH, ALLEN F & PHYLLIS GESSULA	711 CYNTHIANNA AVENUE	CHARLOTTESVILLE VA	22903	711 CYNTHIANNA AVE
8526	350093000	BURTON, JUNIORS M & MARY SIMMS	715 CYNTHIANNA AVENUE	CHARLOTTESVILLE VA	22903	715 CYNTHIANNA AVE
8527	350094000	MASON, LEWIS L & ONEIDA O	717 CYNTHIANNA AVENUE	CHARLOTTESVILLE VA	22903	717 CYNTHIANNA AVE
8528	350095000	TRIO PROPERTIES, LLC	813 EAST JEFFERSON STREET	CHARLOTTESVILLE VA	22902	723 CYNTHIANNA AVE
8529	350096000	1108 FOREST STREET, LLC	1108 FOREST STREET	CHARLOTTESVILLE VA	22903	1108 FOREST ST
8530	350097000	GOURLEY, DAVID W & TERRESA Y	390 BUCK RIDGE ROAD	TROY VA	22974	1110 FOREST ST
8531	350098000	107 RIVANNA LLC	P O BOX 2315	CHARLOTTESVILLE VA	22902	707 RIVANNA AVE
8532	350099000	HUNTER, JOHN N, JR & LESLIE S	707 CYNTHIANNA AVE	CHARLOTTESVILLE VA	22903	CYNTHIANNA AVE
8537	350107000	JONES, VERNON G & VICTORIA D	P O BOX 315	KESWICK VA	22947	608 RIVANNA AVE
8538	350108000	JONES, VERNON G & VICTORIA D	P O BOX 315	KESWICK VA	22947	606 RIVANNA AVE
8539	350109000	THOMAS, RODNEY S & NANCY S	3411 INDIAN SPRING ROAD	CHARLOTTESVILLE VA	22901	1111 HARRIS ST
8540	350110000	ALLIED STREET STORAGE, LLC	1928 ARLINGTON BLVD STE 300	CHARLOTTESVILLE VA	22903	601 CYNTHIANNA AVE
8541	350111000	BROWER LIMITED PARTNERSHIP	616 SUMTER ROAD	WAYNESBORO VA	22980	925 HARRIS ST
8542	350112000	SEILER, CURTIS D & SHIRLEY I	923 HARRIS STREET	CHARLOTTESVILLE VA	22903	923 HARRIS ST
8543	350113000	RHODES, RONALD LEE	604 CYNTHIANNA AVENUE	CHARLOTTESVILLE VA	22903	604 CYNTHIANNA AVE
8544	350114000	FITZBROWN, LLC	601 CONCORD AVENUE	CHARLOTTESVILLE VA	22901	601 CONCORD AVE
8545	350115000	HARRIS STREET PARTNERSHIP THE	600 CONCORD AVE	CHARLOTTESVILLE VA	22903	605 CONCORD AVE
8546	350116000	HARRIS STREET PARTNERSHIP THE	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	600-604 CONCORD AVE
8547	350118000	BAILEY, ROBERT B II & TERRI M	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	601 HENRY AVE
8548	350119000	BAILEY, ROBERT B II & TERRI M	914 HARRIS STREET	CHARLOTTESVILLE VA	22903	HARRIS ST

8549	350120000	WILSON, WILFRED F JR & MARJORIE B	611 HENRY AVENUE	CHARLOTTESVILLE VA	22903	611 HENRY AVE
8550	350121000	MICHEL REAL ESTATE PARTNERSHIP	1 RE MICHEL DRIVE	GLEN BURNIE MD	21060	604 HENRY AVE
8551	350122000	GARRISON REAL ESTATE, LLC	2444 FREE UNION ROAD	CHARLOTTESVILLE VA	22901	600 HENRY AVE
8552	350123000	MICHEL REAL ESTATE PARTNERSHIP	1 RE MICHEL DRIVE	GLEN BURNIE MD	21061	HARRIS ST
8563	350132300	750 HARRIS STREET, LLC	P O BOX 7885	CHARLOTTESVILLE VA	22906	750 HARRIS ST
8564	350132400	750 HARRIS STREET, LLC	P O BOX 7885	CHARLOTTESVILLE VA	22906	HARRIS ST
8565	350132500	HENRY HARRIS, LLC	P O BOX 2674	CHARLOTTESVILLE VA	22902	770 HARRIS ST
8566	350133000	HENRY HARRIS, LLC	P O BOX 2764	CHARLOTTESVILLE VA	22902	500 HENRY AVE

WOODSON PARRISH, ARCHITECT
Commercial & Residential Architecture

Exhibit I



SITE SKETCH
SCALE: 1" = 60'-0"





Exhibit II – Pictures of Site



Exhibit III – Pictures of Proposed Screening Trees

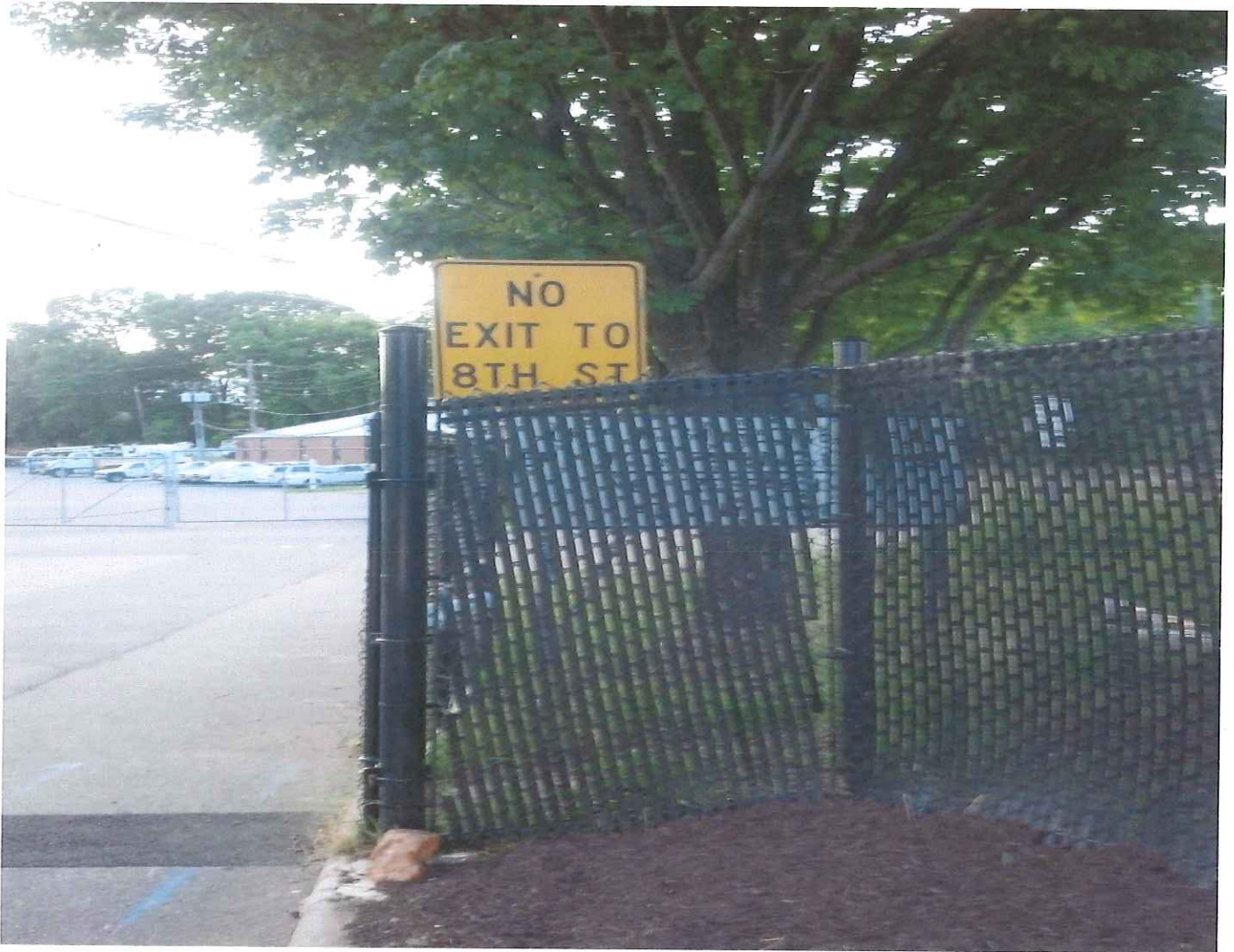


Exhibit IV – Pictures of Proposed Fencing from The Crossings

City of Charlottesville MEMO



"A World Class City"
www.charlottesville.org

TO: Planning Commission
FROM: James E. Tolbert, AICP, Director *J*
DATE: October 22, 2013
SUBJECT: **Designing Walkable Urban Thoroughfares: A Context Sensitive Approach**

The attached resolution was presented at the October 7, 2013 Council Meeting by Councilor Galvin for consideration by Council. After limited discussion Council asked that it be referred to the Planning Commission for comment prior to Council adoption.

The resolution is fairly self-explanatory. At the Planning Commission meeting, staff will record your comments and present those to the City Council for their consideration when it appears before them.

JET:sdp

Attachment

A "DRAFT" (10/07/13) RESOLUTION ADOPTING "DESIGNING WALKABLE URBAN THOROUGHFARES: A CONTEXT SENSITIVE APPROACH" AS A RECOMMENDED "BEST PRACTICE" FOR NEW and EXISTING ROADWAYS WITHIN THE CITY OF CHARLOTTESVILLE.

WHEREAS, "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach" was published by the Institute of Transportation Engineers (ITE) in 2010 to assist communities in improving mobility choices and community character through a commitment to creating and enhancing walkable communities and is the basis for the Virginia Department of Rail and Public Transportation's (DRPT) "Multimodal System Design Guidelines" and was sponsored by the Federal Highway Administration, the Office of Sustainable Communities, and the U.S. Environmental Protection Agency; and,

WHEREAS, "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach" promotes a collaborative, multidisciplinary process that involves all stakeholders in planning and designing transportation facilities; and focuses on applying concepts and principles in the design of thoroughfares that emphasize walkable communities in order to facilitate the restoration of the multiple functions of urban streets; and

WHEREAS, "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach" acknowledges that challenges encountered on any given individual thoroughfare cannot be addressed in isolation of the city-wide network and that establishing a block network plan that enhances connectivity, anticipates impacts of development on traffic, seeks to minimize conflicts between pedestrians, cyclists and vehicles and distinguishes the function, development intensity, modal emphasis and other physical characteristics of individual segments of that network (based on the context) is essential to a well-functioning city-wide transportation system; and

WHEREAS, *The 2012 Comprehensive Plan of the City of Charlottesville* calls for the development of a comprehensive set of street design guidelines based on the City's Compete Streets Resolution and ITE's "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach", as a way to ensure that transportation infrastructure investments support the making of an attractive, healthy, and safe, walkable and bike-able Charlottesville, and

WHEREAS, *The 2012 Comprehensive Plan of the City of Charlottesville* also calls for: streets that promote connectivity and best practices in storm water management; expanding the city's overall tree canopy; a transportation system that facilitates greater transit use and promotes well-connected, safe, bicycle- pedestrian infrastructure; a built environment that attracts and supports the City's existing business community and growing "innovation" industry; and a review and update of the City's regulatory framework (inclusive of zoning, subdivision ordinance, Standards and Design Manual and district and entrance corridor guidelines) to ensure that it successfully and consistently implements the City's Comprehensive Plan, and

WHEREAS, the Charlottesville City Council finds that the "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach" will further the goals of the Charlottesville Comprehensive Plan herein expressed and complement the City's Storm water Utility Ordinance and Healthy Eating, Active Living and Complete Streets Resolutions (passed unanimously in 2013 and 2010 respectively);

NOW THEREFORE, BE IT RESOLVED BY THE CHARLOTTESVILLE CITY COUNCIL:

That, the ITE Manual, "Designing Walkable Urban Thoroughfares: A Context Sensitive Approach" (herein referred to as the ITE-CSA Manual) is hereby adopted as a best practice by the City of Charlottesville on all new and existing roadway improvement projects (inclusive of alleys, lanes, streets, and boulevards for both new and redeveloped roadways and block networks) and is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes.

BE IT FURTHER RESOLVED BY THE CHARLOTTESVILLE CITY COUNCIL:

That the Charlottesville City Council, shall establish an advisory group (consisting of members from the Planning Commission, Bicycle-Pedestrian Committee, Tree Commission, and PLACE Design Task Force, and others) in the fall of 2013 to work with an inter-departmental team of City staff (consisting of the bike-pedestrian coordinator, staff experienced and trained in urban design and landscape architecture or architecture, NDS, OED, Public Works, Parks and Recreation, Fire and Police Departments) to develop a Comprehensive Multi-modal Plan as called for by the ITE-CSA Manual, in conjunction with overseeing a "policy and regulatory audit" (with the assistance of an outside consultant, as deemed necessary by the advisory group) of the City's existing regulatory framework, and

That the City-wide Comprehensive Multi-modal Plan shall in turn incorporate the findings and recommendations of the "policy and regulatory audit" and the City's small area plans, and

That a set of City-wide street design standards, implementation strategies and an enhanced City-wide block network plan shall be developed as part of the City-wide Comprehensive Multi-modal Plan, and

That the City-wide Comprehensive Multi-Modal Plan (herein meant to include City-wide street design standards, implementation strategies and an enhanced block network plan,) shall prioritize projects and identify capital expenditures by project and be presented to the Planning Commission and Council for adoption after public hearings by the fall of 2014, and

That the advisory group (together with staff) shall oversee the implementation of the City-wide Comprehensive Multi-Modal Plan in coordination with implementing revisions to the City's regulatory framework as recommended by the "policy and regulatory audit" and adopted by the Planning Commission and Council, and

That the City-wide Comprehensive Multi-Modal Plan shall begin implementation by the spring of 2015 in coordination with the implementation of City-wide regulatory framework changes and its Comprehensive Stormwater/Green Infrastructure Plan, and,

That until such time as the City-wide Comprehensive Multi-modal Plan is complete and adopted by the Planning Commission and Council, this advisory group may be called upon from time to time to advise Council and Planning Commission on projects (inclusive of development submittals) and assist staff with providing guidance to applicants on matters concerning a project's impact on the safety, functioning, modal-orientation, attractiveness and comfort of city streets, prior to submittal.

ADOPTED this day of, 2013.

THE CITY OF CHARLOTTESVILLE

ATTEST:

Satyendrah Huja, Mayor

Paige Barfield, City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Maurice Jones, City Manager

Craig Brown, City Attorney