

Agenda

PLANNING COMMISSION REGULAR DOCKET TUESDAY, February 9, 2016 – 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

1. Planning Awards

D. DEPARTMENT OF NDS

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

F. CONSENT AGENDA

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

1. Minutes - January 12, 2016 – Pre meeting

2. Minutes - January 12, 2016 – Regular meeting

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

G. JOINT PUBLIC HEARINGS

1. ZT15-00007 - Amendment of the City's zoning map and of zoning ordinance text - Proposed amendments to the text of City Code sections 34-541(4) and (5), 34-616 through 34-655, 34-796, 34-881, 34-1100, 34-1101 and 34-1200, and proposed zoning map amendments changing the zoning district classifications of parcels of land within the West Main Street Corridor.

ZONING MAP AMENDMENTS: the proposed zoning map amendments would re-classify all of the 114 parcels of land in each of two existing zoning districts (West Main Street North Corridor (WMN) and West Main South Corridor (WMS)) into one of two new zoning district classifications, either: West Main Street West Corridor District (WMW) or West Main Street East Corridor District (WME).

Parcels proposed to be rezoned to WME—Parcels with addresses in the following ranges are proposed to be rezoned to WME: 300-820 West Main Street, east of the Norfolk Southern Railroad Bridge; 100 to 308 Ridge Street; 123 to 125 4th Street NW; 107 to 108 6th Street NW; 108 to 112 7th Street NW; 103 to 112 8th Street NW; 704 to 712 Elsom Street; 117 Cream Street and 408 Commerce Street. The following parcels without assigned street addresses are also proposed to be rezoned to WME: parcels 165, 168, 183 and 191 on Tax Map 32; parcels 3.1 and 15 on Tax Map 29; and parcels 2.A and 2.C on Tax Map 30. The following zoning district classifications will also be considered for 100 Ridge St: Water Street (WSD), Downtown (D), Downtown Extended (DE).

Properties proposed to be rezoned to WMW—Parcels with addresses in the following ranges are proposed to be rezoned to WMW: 835 to 1203 West Main Street, west of the Norfolk Southern Railroad Bridge; 106 to 112 10th Street, NW; 110 to 118 10 ½ Street NW; 112 to 120 11th Street NW; and 1222 to 1224 Jefferson Park Avenue. The following parcels without assigned street addresses are also proposed to be rezoned to WMW: parcels 48, 49, 81 and 81.2 on Tax Map 10; and parcel 184BO on Tax Map 31. The WMW classification will be also considered as a possible classification for Tax Map 30, Parcels 2 (810-820 W. Main St), 2.A (unaddressed) 2.B (808 West Main St) and 2.C (unaddressed).

ZONING TEXT AMENDMENTS. The proposed amendments would repeal the WMN and WMS zoning district classifications listed in City Code secs. 34-541(4) and (5), and 34-616 through 34-655, and, in their place, establish new WME and WMW zoning district classifications. **Building height:** The proposed new zoning district classifications will reduce minimum required building height from 40 to 35 ft on all affected parcels, and will change the maximum allowed building height from 60 ft (WMN) or 70 ft (WMS) to 75 ft (WMW) or 52 ft (WME). In the new WMW and WME districts, the option to obtain additional building height by special use permit will be eliminated. **Building mass:** The proposed zoning text amendments will establish a new “bulk plane” in which buildings must be constructed. **Streetwall and floor heights:** In the current WMN and WMS districts, the minimum required streetwall height is 25 ft, with a minimum of two (2) interior floors. In the proposed new WMW/ WME districts, the maximum streetwall height is 40 ft, and the first interior floor of each building must be at least 15 ft, but the height of other floors is not be

specified. **Setbacks:** The front building setback is proposed to be 10 ft, or such other setback as city council may determine most appropriate and minimally necessary to allow for planting of street trees. **Residential density:** the by-right residential density for all of the affected parcels will remain the same (43 DUA by right). Up to 200 DUA will be allowed in both WMW and WME by special use permit. The current WMN allows 200 DUA by special use permit, while the current WMS allows 240 DUA by special use permit. The West Main Street Corridor is within the City’s Urban Development Area (UDA), and the City’s Comprehensive Plan contemplates a minimum density of four (4) DUA within the UDA. **Parking requirements:** parking requirements will be modified in the proposed WMW and WME districts, to eliminate the requirement for parking spaces for any retail space having less than 5,000 square ft and to eliminate the requirement to provide parking lot buffers except along edges of a low density district. New regulations requiring bicycle parking are proposed to be set forth within a new Sec. 34-881. **Land Uses:** the general land use allowed in both the current and proposed zoning districts is “mixed use”. The general usage set forth in the applicable part of the City’s Comprehensive Plan for all of the affected parcels is “mixed use”. Sec. 34-796 is proposed to be amended, so that all of the uses currently allowed in the WMS district will be allowed in the proposed WMW and WME districts. **Residential uses on first floor:** residential uses will be prohibited on the ground floor of a building adjacent to West Main Street, but would be allowed on the ground floor adjacent to other street frontages.

City-wide regulations. Appurtenances: the proposed text amendments also modify general zoning regulations in City Code 34-1101, governing appurtenances within all existing zoning districts, which would include the proposed WMW and WME districts. **Measurement of building height:** the text amendments propose changes to 34-1100(a) (measurement of building height), and to the definitions of “building height” and “grade” within 34-1200, to specify that building height will be measured from average grade to the highest point of a building. **Build-to-zone:** the proposed zoning text amendment adds to sec. 34-1200 a definition of the term “build-to-zone”.

The proposed zoning map and zoning text amendments and related materials, including a list of the individual properties affected by the proposed rezoning, are available for inspection at the Charlottesville Dept. of Neighborhood Development Services, 610 East Market Street, Charlottesville, 22902. Tel. 434-970-3453. **Staff contact: Carrie Rainey, Urban Designer, Email: raineyc@charlottesville.org**

REGULAR MEETING (Continued)

H. FUTURE MEETING SCHEDULE

Tuesday, February 23, 2016 – 5:00 PM	Work Session	Small Area Planning, Council Priorities
Tuesday, March 8, 2016 – 4:30 PM	Pre- Meeting	
Tuesday, March 8, 2016 – 5:30 PM	Regular Meeting	CDBG/HOME Budget

Anticipated Items on Future Agendas

- Harmony Ridge Subdivision Plat
- Grove Street Site Plan
- ZTA – Height and Grade
- Rezoning – Sunrise PUD Amendment, 624 Booker Street

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 AND SUBDIVISIONS APPROVED ADMINISTRATIVELY
1/1/2016 TO 1/31/2016**

- 1. Preliminary Site Plans**
- 2. Final Site Plans**
- 3. Site Plan Amendments**
 - a. Kroger Fuel Center Support Building (1904 Emmet St) – January 21, 2016
- 4. Minor Subdivision**

MINUTES
PLANNING COMMISSION REGULAR MEETING
Tuesday, January 12, 2016

I. PLANNING COMMISSION PRE-MEETING (Beginning at 4:30 p.m.)

Location: NDS Conference Room, Charlottesville City Hall, 2nd Floor

Members Present: Chairman John Santoski, Commissioners Lisa Green, Taneaia Dowell, Kurt Keesecker, Genevieve Keller, Jody Lahendro, Dan Rosensweig; and; UVA representative Bill Palmer

Call to Order: the meeting was called to order by Chair Santoski at 5:00 p.m.

Mr. Lahendro asked how many private clubs reside in the City? A number were named including the VFW, the Masonic Lodge and Fry's Spring Beach club. He also asked if it would be possible to have a condition limiting no dance or night club. It was noted that if the applicant outlined specific activities they would like to do, that could be made a condition of the request.

Ms. Green asked about the difference between dance hall and a facility for a private wedding. It was noted that the ordinance calls them out separately so they are considered different.

Mr. Rosensweig asked if there were any comments on the 1am to 8am timeframe proposed. He then asked about public comment received on the application. Mr. Haluska noted that five people attended the community meeting on January 5, 2016. Concerns were noted by residents of McGuffey about the potential activities on the roof and their impact on the residential area.

Adjournment: At 5:30 p.m. the Chair adjourned the meeting in order to reconvene in City Council Chambers at 5:35 to continue with the Commission's regular monthly agenda.

II. ADMINISTRATIVE AGENDA (Beginning at 5:30 p.m.)

Location: City Council Chambers, Charlottesville City Hall, 2nd Floor

Members Present: Chairman John Santoski, Commissioners Lisa Green, Kurt Keesecker, Genevieve Keller, Taneaia Dowell, Jody Lahendro, and Dan Rosensweig; and; UVA representative Bill Palmer

City Councilors – Wes Bellamy, Bob Fenwick, Mayor Mike Signor

Call to Order: the meeting was called to order by Chairman Santoski at 5:37 p.m.

A. COMMISSIONERS' REPORTS:

Commissioner Lahendro reported that he attended the Tree Commission meeting on December 9 and wished Charlottesville a Happy 10 year anniversary for being certified as a Tree City USA. The planting subcommittee has made recommendations following their review of all the entrance corridors for about 30 new trees to go into these corridors, and these are currently being bid by Parks and Recreation. There was a project with the Tree Stewards and the Tree Commission to plant 11 white oaks in the median of Route 20 north of 64 that was very successful and well attended. The Tree Commission is working with Parks and Recreation to identify ash trees for treatment against the emerald ash borer.

He also attended the Parks and Recreation meeting on December 16th. The following items were discussed: 1) The Meadow Creek Valley Park project will construct a trail from the railroad bridge to river to the future trail bridge; 2) At Tonsler Park they going to install stairs at the southwest corner between the park and 5th street next to the tennis courts. They are also presenting a new plan for the playground design for Tonsler to the community in January for comment. 3) At the skate park the cost estimate is 2.6 million and they are looking to obtain funds from the city and from donations for construction. 4) The McIntire construction has started and the YMCA site grading and utilities are going in now.

Question from Dan Rosensweig, said he is interested in the survey and the recommendation for ash borer treatment. Is that something that the city is looking to do actively on private property or provide recommendations and the actual treatment will be up to the private landowners.

Commissioner Lahendro said Parks and Recreation is going address trees on public lands. They have about \$15,000 set aside right now for that treatment. He said they can't treat every ash tree in the city but they are looking at specimen trees, trees that are in good health and that are not a part of large groves.

Commissioner Keller said that won't be limited to public land that will be trees..

Commissioner Lahendro said yes it will be limited to land.

Commissioner Keller said generally things that Parks and Recreation are doing is generally on public land.

Commissioner Lahendro said there was an insert in the utility bills this month with an educational piece about the ash borer to increase public awareness.

Commissioner Rosensweig asked if there was a way to attract funding source for to help subsidize private funding. Many of the mature ash are in the city are on private land and in our older downtown neighborhoods. There are a lot of ash trees that were part of the original farms that became subdivisions.

Commissioner Lahendro said no they have not looked at additional funding and he will bring it up at the next Tree Commission meeting.

Commissioner Keller reported she met with the West Main Street Steering Committee earlier this month and the consultants came to town to address concerns and issues that had been identified by Council. The committee will meet again on Thursday morning and the PLACE Task Force will meet later that day. The TJPDC will not meet this month because the jurisdictions are organizing themselves after the elections and it is likely that there will be no commissioners from several of the jurisdictions. She announced that the School of Architecture Vortex V is scheduled for next week and the students work will focus on issues related to Preston Ave. The visiting guest architect is Professor Hrvoje Njiric from Zagreb, Croatia. He will give his lecture at 6 pm on Tuesday, January 19th, at Cabell Hall and there will be a public presentation of student work at Carver Recreation Center on January 24th from 11 am - 4 pm and an exhibition will follow for the next month at City Space.

Commissioner Green asked what section of Preston?

Commissioner Keller said it is primarily on the corridor and its connections.

Commissioner Green wanted an explanation of the West Main Street Steering Committee.

Commissioner Keller said it primarily works with the streetscape plan.

Commissioner Dowell reported the Community Development Block Grant Task Force will be meeting tomorrow morning in the NDS conference room at 10:00 a.m. to recommend appropriation of the grant funds for the upcoming fiscal year.

Commissioner Keesecker reported the BAR met on December 15 and there are a couple of projects that are of interest to the Planning Commission; 1) the review of the plans (there was some discrepancy between what was built and what was originally approved) for the Violet Crown Theater downtown and the applicant brought back some solutions for a variety of different short comings. All were approved but two. One was the darker glass was requested to be made clear per the original application, and the other was further explanation of materials around the entry areas that had previously been approved for ceramic tile but is now hardi panels and they are going to look at some different ways to apply glossy paint. 2) William Taylor Plaza was approved for a certificate of appropriateness with the request that landscaping details return. Those details were approved in December. 3) A project led by Mr. Atwood at 425, 501, 503 West Main, near Eloise, integrated the two older houses and to his credit he is working very hard to find a design that preserves those structures on West Main. As submitted it, it was approved for massing only on December 15th with a split vote of the BAR so new plans will be coming forward with more details.

Commissioner Lahendro said he noticed a markup at the grocery store down the hill on Cherry Avenue. Is that mark-up for the William Taylor Plaza?

Commissioner Keesecker said he doesn't know, at least there was nothing for the BAR to look at. The materials that were presented in the BAR package were on boards in front of the BAR in this room.

Commissioner Rosensweig reported he did not attend the Housing Advisory Committee meeting last month but the committee did meet to review an excellent draft of a new resource produced by NDS and a local consultant who walks people through the accessory dwelling unit ordinance.

It is an outstanding piece of work, visually, helpful and it talks about everything including what you should think about before you apply for a permit. Contact Kathy McHugh, the Housing Specialist in NDS to look at it.

He announced that this is his last meeting with the Planning Commission. He has served the end of a term and the better part of two full terms and been here for a full 8 years. He said he has a nine and five year old and needs to spend some time at home, and it is time for him to step aside and allow someone else to have the opportunity to serve the community in this capacity. He thanked City Council for having faith in him to serve the community; it has really been an honor. He thanked Missy Creasy, Brian Haluska and the NDS staff for 8 years of incredible professional support of the commission. It is a hard job staying calm and patient with us as most of us go through a pretty long learning curve for what is a standard review; you all have always handled things with incredible poise. You give a lot of your time in the evening away from your family and I appreciate your service. He thanked his colleagues on the dias both past and current. Thank you for your service and partnership, I have learned a lot from each and every one of you all. He said he has grown from the experience. He thanked the commission for their future contributions for keeping things positive and professional and bringing in the assumption of good faith when we have been at our best over the last eight years is when we have seen relationships that emerged in this room as less oppositional and more of a partnership, more of an opportunity for dialogue and in advancing common interest. When we bring good faith to the dias, we do everybody a good service and thank you in advance for bringing assumption to good faith. He thanked the commission for keeping a balance between regulation and public investment. For those of you who travel the country know that for small towns like ours high regulations or low public investment cities tend to die, but we care a lot about the character of Charlottesville so we are not going to be a low regulation community at any given time. He encourages the commission to continue to push for public funding for things like public spaces, sidewalks and parks at a magnitude that we have not committed to yet as a city but it is something that he hopes you will continue to push toward. The latest CIP conversation was an example of this body being committed to that. Thanks to people for continued support for affordable housing and as many of you know this is my life-long pursuit and is something he will dedicate the rest of his life to as he sees it as the new civil rights. He said he has gotten to know so many families in this community for whom housing is the first thing and everything else is downstream and so we talk about everything about the achievement gap, to good jobs, to upward mobility and it all starts with housing so he has had an opportunity to advocate for stronger housing policies as a member of this commission and advocate for funding. He hopes they will carry on the mantel when he is gone. Thank you all for all of the work you have done in our car culture. He said we all recognize that urban and walkable is our future and has to be our future and he is asking you to continue to dig in and lean in hard to things like the code audit so we can finally align the communities vision with laws and policies that under-pin what is possible. He said don't let anyone tell you that current common practice is all that we can aspire to. He said there is an opportunity to do things differently than we have done in the past. He also thanked everyone for thinking regionally because we can do better because this is a new era. We have a new fire chief who is open to dialogue; thinking regionally, not just a county issue, the things we value, clean water to channel growth to the city as well as the county, thank you for continuing to serve.

Commissioner Green reported that at Citizens Transportation Advisory meeting last Wednesday night one thing was of interest to our city because we always have a lot of people who want to be involved. We have three open positions for citizens to be on this committee so they can have their voices heard, speak their mind about the transportation. This is not about just transportation in the city; it is regional transportation because it is part of the MPO, so out there in TV land get in touch with the TJPDC and fill out an application to be on the C-Tech Transportation Advisory Committee. TJPDC has just put together a strategic plan and it mentions the MPO, but the MPO is a separate entity. The next C-Tech meeting will be on, March 16th at 7:00 pm at the Water Street Center.

UNIVERSITY REPORT: Mr. Bill Palmer reported the University has been on break for the last month and classes should start up next week with the Vortex and general classes start up as well.

Chairman's Report – Commissioner Santoski the MPO Tech meeting is coming up. He has nothing else to report.

DEPARTMENT OF NDS: Missy Creasy, Planning Manager reported Tuesday, January 26, 2016 – 5:00 PM the planning commission has a work session and will plan to talk about Small Area Planning. City Council will be having a retreat prior to that to inform the Council's work which will also inform the Commission. We will also have the opportunity to talk through a number of pending issues. She said commissioners have voted for the planning awards and we will have the Planners Award Ceremony in February. She also attended the Rivanna River Renaissance meeting, the PDC group will be talking to the Board of Supervisors and City Council concerning different paths forward for having a regional approach for looking at the Rivanna. They are hoping to get that organized so they can speak to both the Board of Supervisors and City Council at a joint meeting they are planning for February. She said hopefully we will have some additional guidance at that point in time.

C. MATTERS TO BE PRESENTED BY THE PUBLIC NOT ON THE FORMAL

Bill Emory: 1604 W. Market Street thanked Mr. Rosensweig for his comments about the character of the city and about the car culture he made tonight and what he has done throughout his tenure as a planning commissioner.

Form affects function and which affects quality of life. Quality of life will affect all residents of the City of Charlottesville. The physical forms of the commons, of streets, of light fixtures, of curbs, sidewalks, light poles, multi-use trails, of meter boxes, of landscape planting and gutters, of cul-de-sacs of bus stops, how the commons is designed, all these prescriptive details in the City of Charlottesville are to be found in the Standards and Design manual. Last May I requested that you make public the process for amending the standards and design manual. What is the process for revoking and reordaining the standards and design manual? How are items added to the SADM? How are they removed? How are items judged for linkage with the Council vision, how are items judged for their positive quality in promoting the goals of the Comprehensive Plan. I wish that you, working with Ms. Robertson, would put together a white paper, a road map, about the Standards and Design Manual, this critical document. How does it get changed? What is it? Who is in charge? The Standards and Design Manual is the how-to manual for city development, but time and time again we hear, when citizens and developers

come forward with thoughtful ideas we hear “you can’t do that, it is not in the standards and design manual.” Now, in particular, with the Streets that Work, SAP and Code Audit Initiative, a thorough understanding of the Standards and Design Manual is necessary.

Nancy Carpenter- 921 Henry Ave – Came to talk about homelessness and affordable housing. She presented a report from the US Conference of Mayors by their task force talking about a hunger and homeless survey and they talk about 22 cities in this survey and none of these data points should be used as a national conversation but it shows how important affordable housing is. She said they did a survey in Norfolk, in the executive summary it talks about how lack of affordable housing affects homelessness among individuals, families, the need for permanent support of housing for people with disabilities. She also found it interesting they have a city profile about what causes hunger and what causes homelessness and every city has affordable housing as one of the reasons for homelessness. All of them are facing increasing cost whether it is the cost for homes for sale or rental housing. They look at efforts that they can use to make sure that affordable housing is available on all levels whether you are talking work force or whether you are talking low income or whether you are talking high end.

Something New Orleans is doing this year because they are still struggling with poverty as it relates to post-Katrina; they are looking at something called affordable housing impact statements. When you look at a land use change or a re-zoning change in the course of re-development you look at how that affects the possibility for affordable housing because you want your native population to be able to live and work in the same community and by having an impact statement for housing can also perhaps put the fire under developers intentions and also at the government level to make sure that these issues are addressed and looked at. At the Federal level, although it is not well used in the Clinton administration they required a housing impact statement when it was development on federal land. She said maybe even if it is not a public policy perhaps it could be a tick point or an item bullet point in the back of somebodys mind that when a development comes for re-zoning you can look at what impact that will have on and what it takes away from affordable housing.

Commissioner Kurt Keesecker said he has enjoyed serving with Dan Rosensweig. He said he got interested in the Planning Commission before he got to serve on the Planning Commission and his world view of the Planning Commission is with Dan within three seats of the center line of this room. It is a strange thing to imagine that we are going to have some of these weighty conversation without you but your leadership especially during the last couple of years when you were the Chairman and we tackled some colossally large issues for the city and you should be appreciated and is, as we think about what we had to go through to get to where we are today. He said thanks to Dan and how he appreciates how Dan can break down very complex problems and we can tackle them in a logical and professional way as a group. Individual arguments will show but sometimes complex problems will require complex solutions but through your way of being able to approach a problem we have done a better job as a planning commission.

D. CONSENT AGENDA

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

1. Minutes - December 8, 2015 – Pre meeting
2. Minutes - December 8, 2015 – Regular meeting

Commissioner Keller moved to approve the Consent Agenda, seconded by Commissioner Green motion passes 7-0.

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

G. JOINT PUBLIC HEARINGS

1. SP15-00004 - 206 W Market Street – Pete Caramanis of Royer, Caramanis & McDonough; agent for Biarritz LLC has submitted a Special Use Permit request for property located at 206 West Market Street, Tax Map33, Parcel 270. The request is to authorize the specific land use of a private club for the property. The property is zoned Downtown Corridor with Architectural Design Control District and Parking Modified Zone Overlays. The parcel is approximately 0.103 acres or 4487 square feet. The Comprehensive Plan designates the land use of the property as Mixed-Use. **Report prepared by Brian Haluska, Principal Planner.**

This special use permit application seeks to allow the use of "Club, private" for that property located at 206 W. Main St. in downtown Charlottesville. The type of "club" proposed at the location will be called "Common House" and will be a social club where individual members can meet to dine together or simply for personal connection sometimes lost in the days of online social media. Interestingly, the property at 206 W. Main St. was originally built as "Mentor Lodge," a thriving social club serving the then largely African-American neighborhood of Vinegar Hill and providing a venue for dances, political meetings and music concerts for more than six decades.

Common House will be a members-only club and will have rules and regulations internally called the "Common Law," which, among other things, require members to be good neighbors by "(1) being quiet when leaving the House or when in the surrounding neighborhood, (2) minimizing noise when outside or on any terrace, and (3) avoiding honking, loud music or excessive engine or vehicle noise while arriving or departing the Club." The Club will not be a "club" in the "nightclub" or "dance club" sense, and, therefore, will not present some of the noise and other concerns that the word "club" may bring to mind.

Common House, as planned, will include a banquet hall, lounge, tea room, library, bridge room, billiard room, bars, kitchen, office, rooftop terrace and restrooms. It is intended to welcome its members for social interaction, food service and the occasional private function. Attached to this application are the following documents which provide further information on the proposed operations of the Club:

- An introduction letter from the club to prospective members;
- A booklet with information about the Club and its member benefits;
- A "Common Law" booklet setting forth the Rules and Regulations of the Club; and
- Excerpts from the Club's prospectus

Common House would be a welcome addition to the historic downtown, reviving the spirit of the social club first established at its proposed location and providing an opportunity for valuable and vibrant social interaction within the City. We believe there will be little concern related to this proposed use, but the Applicant would be willing to accept an approval condition that requires it to always maintain the "Respecting Neighbors" part of its rules and regulations and to restrict its hours to those listed on the attached "Common Law" booklet. The Applicant respectfully requests that the Planning Commission and City Council approve the special use permit allowing a private club use at 206 W. Market St.

Commissioner Keesecker asked about the impact of the lighting design and if it conflicts with the guidelines for downtown.

Ms. Robertson, Deputy City Attorney said you are reviewing things like lighting fixtures and anyone can go to Lowes and buy string lights and plug them in. If they are offering that part of the BAR design concept for the lighting of the roof but she is not sure the BAR has the ability to prohibit people from using the strings of lights in historic districts.

Commissioner Keller said we don't have a specific definition of a private club, and could someone expand on the uses for the future.

Mr. Haluska said he would base the definition on the conditions that we have.

Lisa Robertson, City Attorney provided the definition in the ordinance. She said what you are approving is a use. If the SUP limits the use by a group of conditions then any attempt to expand the use beyond the perimeters of those conditions would require an amendment of the SUP.

Wes Bellamy, City Councilor spoke regarding the specific use of what the club may be used for. He said it was stated that this club was once used as an African American mentoring program or something of that nature. He said he finds somewhat troubling, is in regards to how this was once an African American mentoring club or a facility used for mentoring in several other things. This private club, he is very anxious to hear how the same African American community and those who are under-represented in this community will have access to utilize this facility with it being a private club.

Pete Caramanis said this is a modern social club, the idea of a country club, with limited certain class of society. It will have a bar and tea room, a billiard, a common space, a library, a place for people to congregate, and a membership type of venue. Who is this open to? There are no restrictions as to who can join. We are hoping to have a very diverse group of people. We have around 60 people committed if this should go through. The goal is to have between 200-300 members. Something we hope will be a good cross section of society. This is not a large dance function. It is not a gentleman's club and there are really no restrictions as to who can participate and join. The goal is to bring the community together here.

Mr. Pfinsgraff said the membership will cost \$150 a month, though there will be some free memberships. He said we want to make sure if you can't afford the monthly dues and we think you're an incredible member of this community... that's definitely built into our model. He also

said what we're looking for out of the applicants are people who are creative in arts and commerce. We want members who are contributing to the community and are active in business or the arts.

Opening the Public Hearing

William Stephens 209 A 2nd Street N.W. - said Mr. Haluska's report recommended no audible noise beyond the confines of the building be allowed between 1 and 8 a.m. He is worried about the bothersome noise originated from the roof top at other times of the day. He said the primary activities would take place on the second floor and the roof which is the third floor. A stairway will be built to the roof along with a roof deck, cabana, a bar, restaurant service and two bathrooms. He is concerned that loud music emanating from the roof deck will be a problem for the community. The public policy from the City of Charlottesville states that Council hereby finds that excessive sound to be a serious hazard to public health, welfare, peace, and safety and the quality of life that the people have a right to be insured of an environment free from the excessive sound that may jeopardize the public health, welfare, peace, safety or degrade the quality of life. It is the policy of the city to prevent such excessive sound. The roof deck is 35 feet off the ground and the higher the sound source the further the sound is going to carry. Amplified sound and live music on the roof deck would carry like sound from a loud speaker on top of a 35 foot pole if this is permitted without restrictions and would invade the peace and quiet neighborhood in the historic district. The club is located in the downtown business district on Market Street which is the northern boundary of the business district. Across and up the street from the club is the historic district which is the city's proud heritage and the most important feature is defining the character of the city and the historic district in the surrounding neighborhood should be protected from bothersome sound. There are two churches within two blocks, parks, residence, private schools and professional offices for example Hill and Wood funeral home is one block from the club, imagine going to a memorial service being confronted with music blasting from the roof of a club one block away.

Bruce Abby 205 A. McGuffey Hill - we have the pleasure of having our bedroom face directly across Market Street toward the propose use of the club at the same level of the roof terrace that is proposed. He said their concerns are quite similar to what Bill Stephens has said. His concern is if the club is approved, it will be able to use the terrace until 1 a.m. in the morning which seems a little late if it's fronting a residential neighborhood. He proposed a 10 p.m. curfew on the terrace itself. He said another zoning issue is that intersection at Market and 2nd Street is the tightest in the city and actually narrows down. One of the uses proposed by the club is a wedding reception which involves masses of people coming and leaving an event. He said he can image the traffic situation at that corner could get pretty dicey under certain uses and it might be something the Planning Commission might want to consider

Closed the Public Hearing

Commissioner Green said it's a huge impact that we completely overlookin planning and she found it disingenuous to try to make this particular use fit into the history of that building. It is not going to be an African-American social club.

First Motion

Commissioner Rosensweig moved to recommend approval of the proposed special use permit as requested in SP15- 00004, subject to conditions, because I find that approval of this request is required for the public necessity, convenience, general welfare or good zoning practice. The motion includes a recommendation for the following condition:

1. There shall be no audible noise, detectable vibration or odor beyond the confines of the building in which the club is located, including transmittal through vertical or horizontal party walls, between the hours of 1:00 a.m. and 8:00 a.m. and that would not allow any noise to be heard from outside the structure between 1 and 8 a.m. and that would not allow outdoor amplified music after 11 p.m.

Motioned seconded by Commissioner Keesecker, motion fails 3-4, Commissioners Keller, Dowell, Green and Santoski voting no.

Second Motion

Commissioner Keller move to recommend approval of the proposed special use permit as requested in SP15- 00004, subject to conditions, because I find that approval of this request is required for the public necessity, convenience, general welfare or good zoning practice. The motion includes a recommendation for the following conditions:

1. There shall be no audible noise, detectable vibration or odor beyond the confines of the building in which the club is located, including transmittal through vertical or horizontal party walls, between the hours of 1:00 a.m. and 8:00 a.m. and that would not allow any noise to be heard from outside the structure between 1 and 8 a.m. and that would not allow outdoor amplified music after 11 p.m.
2. The uses shall be those in the general range described in the application.

Motioned seconded by Commissioner Rosensweig, motion passes 5-2, Commissioners Dowell and Green voting no.

Commissioner Dowell said that she can see where this endeavor could be helpful to the community but based on the information in the packet that was given to us, other than it is located downtown and walkable as far as accessibility she has a difficult time seeing how this fits into the Comprehensive Plan.

Commissioner Rosensweig said there were two excellent public comments today 1) a method for reviewing, revoking, renewing the Standard and Design Manual, 2) the notion for affordable housing impact study He said that is an incredibility creative idea that he would love to see us as a city investigate.

Commissioner Keller asked if the Commission could join in on with Mr. Keesecker' s congratulatory statement by Acclamation to Commissioner Rosensweig, motioned by Commissioner Keller, seconded by Commissioner Green, motion passes 7-0.

Commissioner Keller asked if a letter of thanks and good wishes could be sent to a colleague, Cal Morris from the county who did not re-apply to serve on the county planning commission. She would like for the city planning commission to know his service to our greater community and asked Ms. Creasy to draft a letter we all can sign onto.

Mr. Ikefuna, Director of Neighborhood and Development Services welcomed the Planning Commission back from the holidays. He expressed on behalf of NDS appreciation to Dan Rosensweig for his self-less service to the City of Charlottesville. We really appreciate your service. Mr. Ikefuna suggested that he would like to plan for a meeting with the county and city planning commissions, which was agreed.

Ms. Keller motion to adjourn at 7:33 until the seconded Tuesday in February, motion passes 7-0.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
MEMORANDUM



UPDATE: REQUEST FOR A ZONING TEXT AMENDMENT
ZT15-00007: WEST MAIN STREET MIXED-USE CORRIDORS
AMENDMENT

PLANNING COMMISSION REGULAR MEETING

DATE OF PLANNING COMMISSION MEETING: FEBRUARY 9, 2016

Overview

Attached to this memorandum please find the staff report, draft zoning text amendments, and proposed zoning map amendment for the West Main Street corridor districts. These materials are exactly the same as those presented to the Planning Commission at the December 8th, 2015 meeting, and the Commission should proceed to consider these materials and conduct a public hearing in the same manner as the Commission did at that prior meeting.

The Commission must conduct a new public hearing, and must consider the comments and information presented at the new public hearing before deciding to make a recommendation to City Council. (The Commission may also consider the comments previously received by e-mail or other correspondence, as well as those received during previous public hearings on this matter). At the conclusion of the public hearing, the Commission must vote to make a recommendation to Council.

Also attached for the Commission's convenience is a synopsis of the motions that the Commission previously made on December 8, 2015. It is recommended that any motion the Commission makes following the new public hearing utilize a similar format, and should address the same seven (7) sub-topics.

Update

Kathy Galvin and Kristin Szakos requested that staff set up a telephone conference with Rhodeside & Harwell, Code Studio, and RCLCO, the consultants who have worked with the City

in studying the corridor. Following that telephone conference, these City Councilors requested the Commission to consider the following:

1. Relative to the matters previously recommended within the Planning Commission's December 8, 2015 motion:
 - a. The Councilors request that the Commission re-consider recommending a setback of five (5) feet (minimum) to twenty (20) feet (maximum), instead of zero (0) feet (minimum) to twenty (20) feet (maximum). *Setbacks were addressed in recommendation #3 of your December 8 2015 motion.*
 - b. The Councilors request that the Commission re-consider recommending the parcels collectively known as the Amtrak site (Tax Map 30, Parcels 2, 2.A, 2.B, and 2.C) be placed entirely in the West Main Street East district (WME). *The Amtrak site was addressed in recommendation #2 of your December 8, 2015 motion.*
2. Whether or not the density requirements set forth in the proposed ordinance (43 dwelling units per acre (DUA) by right; 200 DUA by special use permit (SUP)) should be deleted entirely, and allow developers to construct as many units as they desire within the building footprint allowed by the ordinance.

Staff note: (1) If DUA is eliminated, the re-establishment of density requirements in the future would constitute a "downzoning", and Council could not re-establish density requirements except as part of a City-wide zoning review and update. (2) The current density requirements are the same as those in the existing West Main Corridor districts. Even if building heights are reduced, the current density ranges remain achievable—there are several other zoning districts in which building heights similar to those proposed by this ordinance are subject to the same density regulations.

Attachments

Attachment A: Synopsis of Actions Taken by the Planning Commission for West Main Street on December 8, 2015

Attachment B: Staff Report and Attachments presented to the Planning Commission at the December 8, 2015 meeting

Synopsis of Actions Taken by Planning Commission for West Main Street on December 8, 2015

1. MIDWAY MANOR--Ms. Keller moved to recommend 100 Ridge Street, known as Midway Manor, remain in the proposed West Main Street East (WME) district. Mr. Keesecker seconded the motion. The Commission voted 4-2 to pass the motion.
2. AMTRAK SITE--Mr. Keesecker moved to recommend the Amtrak site, including parcel 2.C north of West Main Street, be placed in the following districts. Mr. Lahendro seconded. The Commission voted 6-0 to pass the motion.
 - a. Tax Map 30, Parcel 2 to be placed in West Main Street West (WMW) district,
 - b. Tax Map 30, Parcel 2.A to be placed in the West Main Street West (WMW) district west of a line parallel with the centerline of the Cream Street right-of-way and placed in the West Main Street East (WME) district east of the line,
 - c. Tax Map 30 Parcel 2.B to be placed in the West Main Street East (WME) district,
 - d. Tax Map 30 Parcel 2.C to be placed in the West Main Street East (WME) district.
3. BUILDING SETBACKS--Mr. Rosensweig moved to recommend a setback requirement of zero (0) feet minimum to twenty (20) feet maximum for both the West Main Street East (WME) district and the West Main Street West (WMW) district. Ms. Green seconded. The Commission voted 5-1 to pass the motion. The Commission's discussion prior to the motion reflected consensus that Council should direct the Board of Architectural Review and the Tree Commission to work in consultation to develop updated guidelines for the West Main Street Architectural Design Control District, to assure appropriate review of proposed building setbacks and site design for proposed developments)
4. MEASUREMENT OF BUILDING HEIGHT--Ms. Green moved to recommend that the following be added to the West Main Street East (WME) district and the West Main Street West (WMW) district regulations. Mr. Keesecker seconded the motion. The Commission voted 4-2 to pass the motion.
 - a. The term "height," when applied to a building, shall refer to the distance measured from the grade to the highest point of the building. The highest point of any building shall be: the level of a flat roof; the deck line of a mansard roof; the deck line of the roof on a building with a parapet; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.
 - b. The grade shall be the average level of the curb, at the primary street frontage.
5. BICYCLE PARKING --Mr. Rosensweig moved to recommend the approval of the staff proposed modifications for the bicycle parking requirements. Mr. Keesecker seconded the motion. The Commission voted 6-0 to pass the motion.
6. CLARIFICATION OF USE OF ROOFTOP OPEN AREAS v. USE OF APPURTENANCES--Ms. Keller moved to recommend the further modification of the appurtenance section of the ordinance to clarify that open air rooftop uses, incidental to the primary use of the building is permitted (*in addition to roof-top appurtenances*, such as well-screened utilitarian equipment), while the PC's recommendation is to prohibit residential uses within appurtenances. Mr. Keesecker seconded. The Commission voted 4-2 to pass the motion.
7. USES OF PROPERTY WITHIN WEST MAIN STREET CORRIDOR--Ms. Keller moved to recommend the approval of the staff proposed modifications for the use matrix in Section 34-796, to allow in the West Main Street East (WME) district and the West Main Street West (WMW) district all uses currently allowed in the West Main Street South (WMS) district. Mr. Keesecker seconded. The Commission voted 6-0 to pass the motion.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



UPDATE: REQUEST FOR A ZONING TEXT AMENDMENT
ZT15-00007: WEST MAIN STREET MIXED-USE CORRIDORS
AMENDMENT

PLANNING COMMISSION REGULAR MEETING

DATE OF PLANNING COMMISSION MEETING: DECEMBER 8, 2015

Author of Staff Report: Carrie Rainey

Date of Staff Report: December 1, 2015

Applicable City Code Provisions: §34-41 (Amendments to the Zoning Ordinance), §34-616 through §34-635 (West Main Street North Corridor “WMN”), §34-636 through §34-655 (West Main Street South Corridor “WMS”), §34-796 (Use matrix- Mixed use corridor districts), §34-881 (Bicycle parking requirements for WME and WME zoning districts), §34-1101 (Appurtenances), and §34-1200 (Definitions).

Executive Summary

These proposed zoning text amendments would amend the West Main Street North Corridor district and West Main Street South Corridor district, the corresponding use matrix for these districts, the zoning code section pertaining to building appurtenances, modify the definition of building height, and add the definition of “build-to-zone” and “average grade” to the zoning code. The Planning Commission approved a motion to recommend the zoning amendments with some modifications to Council on October 13th, 2015. On November 2nd, 2015, Council directed the Planning Commission to hold a second public hearing and to consider additional items regarding the West Main Street corridor. Those items are detailed in the report below. The proposed zoning text amendments as modified by the Planning Commission on October 13th, 2015 are Attachment A of this report.

Background

The Planning Commission held a preliminary discussion on the proposed West Main Street zoning code changes on August 11th, 2015. The report presented to the Commission on that date can be viewed at <http://www.charlottesville.org/index.aspx?page=3657>

The Planning Commission held a joint public hearing with City Council on October 13th, 2015. The report presented to the Commission on that date can be viewed at <http://www.charlottesville.org/home/showdocument?id=34167>

Standard of Review

As outlined in Section 34-42 of the Zoning Ordinance, the Planning Commission shall review and study each proposed amendment to determine:

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan;
2. Whether the proposed amendment will further the purposes of this chapter and the general welfare of the entire community;
3. Whether there is a need and justification for the change; and
4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the commission shall consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the purposes district classification.

Discussion

At the November 2nd, 2015 meeting, City Council directed staff to present the proposed zoning amendments back to the Planning Commission with the following direction:

1. Review the proposed zoning text amendment and zoning map amendments,
2. Consider West Main Street East, as well as Water Street District, Downtown District, or Downtown Extended District as possible zoning district classifications for 100 Ridge Street,
3. Consider the comments received by staff after October 13th, 2015, and
4. Hold an additional joint public hearing on December 8th, 2015 and immediately report its findings and recommendations back to City Council.

Zoning Districts

Through community input and analysis, it was determined that the development character along West Main Street changes along the corridor east/west more than north/south. The railroad bridge at the

mid-point between downtown and The University of Virginia demarcates an approximate dividing line between larger and smaller scale structures on West Main Street.

100 Ridge Street (Midway Manor) Site - On November 2nd, 2015, City Council directed the Planning Commission to consider whether West Main Street East is the appropriate zoning category for 100 Ridge Street (Midway Manor). A representative for the parcel owner, Midway Manor Associates, has indicated a preference for Water Street district (WSD), Downtown Extended district (DE), or Downtown district (D). Council has directed the Planning Commission to consider these zoning districts in addition to West Main Street East (WME) district. Please see Attachment B for a map of the vicinity of Midway Manor.

As shown on the attached map, the West Main Street/Ridge Street intersection is surrounded by a variety of districts. The approach from both the north and south on McIntire Road/Ridge Street (an entrance corridor) transitions from the medium density McIntire-5th Residential (MR) district (5 stories or 60-ft. max height with a by-right density of 21 DUA) to higher density districts: West Main Street South (WMS) district (proposed to be West Main Street East (WME) district), the Downtown (D) district, and the Water Street (WSD) district (all with a by-right density of 43 DUA). The Downtown Extended (DE) district is not directly adjacent to the intersection, but is across the railroad tracks from Midway Manor in the rear of the property, behind West Main Street South (WMS) district properties proposed to become West Main Street East (WME) designated.

Section 34-541 of the code of ordinances provides the intent and description of each of the mixed use districts; the relevant sections are included as Attachment C of this report. When comparing the intents of the zoning districts under consideration, the Downtown (D) district and Downtown Extended (DE) district appear most in line with the proposed West Main East (WME) district. This is due to a focus on pedestrian access, convenient housing, and a variety of uses. All properties in the districts under consideration (including West Main Street districts) are designated as mixed use in the General Land Use Plan in the 2013 Comprehensive Plan.

Uses

In general, the zoning districts under consideration have similar allowed uses to the West Main Street South (WMS) district. The proposed West Main Street East (WME) district will have the same uses as are currently allowed in the West Main Street South (WMS) district.

The West Main Street South (WMS) district, either as by-right or applied to through a special use permit process, allows uses that are not available in the other districts under consideration. In particular, the Downtown (D) district and Water Street (WSD) district do not have as many allowed uses as the West Main Street South (WMS) district. Please see Attachment D for additional use comparison information.

There are some uses allowed in the other districts under consideration that are not allowed by-right in the West Main Street South (WMS) district. In particular, the Downtown Extended (DE) district generally allows the most additional uses. Please see Attachment D for additional use comparison information.

Buildable Envelope

Both the Water Street (WSD) district and Downtown (D) district are the most similar in height requirements to the existing West Main Street South (WMS) district, with a maximum by-right height of 70-ft (101 ft. through Special Use Permit) and minimum height of around 40-ft. These districts allow 18-ft more than the maximum proposed height for the West Main Street East (WME) district. The Downtown Extended (DE) district allows heights much greater than the other districts under consideration, 101-ft by-right with a mixed use development.

The existing West Main Street South (WMS) district allows a streetwall height up to 60 ft. Both the Downtown (D) district and Downtown Extended (DE) district are the most similar in streetwall height requirements (from 40 ft. to 50 ft. maximum) to the proposed West Main Street East (WME) district (40 ft. maximum). The Water Street (WSD) district does not require a streetwall maximum, and could result in a by-right streetwall height of 70 ft. (with a potential of 101 ft. through SUP).

The required primary street setbacks for all the districts under consideration are similar in maximum allowance. However, the Water Street (WSD) district and Downtown (D) district require the majority (75%) of the building to be built at the property line. This percentage may be reduced to 50% if streetscape trees are provided or a Special Use Permit (SUP) is granted by City Council.

Buildable Envelope Comparison for Midway Manor

	WMS (current)	WME (proposed)	WSD	D	DE
Height	40 ft. min 70 ft. max 101 ft. w/SUP	35 ft. min 52 ft. max	40 ft. min 70 ft. max 101 ft. w/SUP	45 ft. min 70 ft. max 101 w/SUP	35 ft. min 50 ft. max, 101 ft. max, MU (by right)
Density	43 DUA 240 w/SUP	43 DUA 200 w/SUP	43 DUA 21 min, for MFD 240 w/SUP	43 DUA 21 min, for MFD 240 w/SUP	43 DUA 21 min, for MFD 240 w/SUP
Stepback (Streetwall)	25 ft. min 60 ft. max	40 ft. max	None required for this property	40 ft. min 45 ft. max	50 ft. max
Primary Street Setback	15 ft. min 20 ft. max	20 ft. max (Currently no min proposed)	5 ft. max, 75% of streetwall at property line	20 ft. max, 75% of streetwall at property line	15 ft. max
Linking Street Setback	10 ft. min 20 ft. max	5 ft. min 12 ft. max	None (all streets are primary)	None (all streets are primary)	10 ft. min 20 ft. max
Side and Rear Setback	None required for this property	None required for this property	None designated	None required for this property	None required for this property

While both the Water Street (WSD) district and the Downtown (D) district have similar allowable heights, the lack of a maximum allowable streetwall height in the Water Street (WSD) district does cause staff concern. All of the properties located at the West Main Street /Ridge Street intersection are subject to a maximum streetwall height (the property immediately north of Midway Manor, 250 Water Street, is subject to a streetwall due to its location on the north side of South Street, per Section 34-743(a)).

Staff recommends the Planning Commission include in its deliberation of the appropriate zoning for Midway Manor the compatibility of potential zoning districts with the proposed West Main Street East (WME) district. If the zoning amendments are approved, Midway Manor will be just north of properties zoned West Main Street East (WME), as well as directly across Ridge Street from properties in the West Main Street East (WME) district. If this way, the Midway Manor site may create a disjointed streetscape for those traveling on McIntire Road/Ridge Street, if a zoning district will greater allowable heights than the West Main Street (WME) district is applied to the site.

If the Planning Commission no longer believes that the West Main Street East (WME) district is appropriate for 100 Ridge Street, staff recommends the Downtown (D) district as the most appropriate option, due to the criteria discussed above. In summary, those items include:

1. Allowable uses are similar to the existing West Main Street South (WMS) district and proposed West Main Street East (WME) district.
2. Maximum allowable height is similar to properties north of 100 Ridge Street and less than 20-feet more than the proposed maximum height of the West Main Street East (WME) district, which is found west and south of 100 Ridge Street.
3. Streetwall and stepback requirements are fairly similar to surrounding properties and the proposed West Main Street East (WME) district.

Does the Planning Commission still find the West Main Street East zoning applied to 100 Ridge Street to be appropriate? If not, which zoning district does the Planning Commission recommend?

808-840 West Main Street (Amtrak Site)- On May 18th, 2015, City Council directed the Planning Commission to consider the collection of parcels known as the Amtrak site (808-840 West Main Street, Tax Map 30 Parcels 2, 2.A, and 2.B) for inclusion in the proposed West Main Street East (WME) district. Please see the maps found in Attachment E for more detailed information on parcel orientation.

On October 13th, 2015 the Planning Commission passed a motion to recommend placing these parcels in the proposed West Main Street East (WME) district. Due to concerns voiced at the November 2nd, 2015 Council meeting, the Planning Commission is asked to affirm or reconsider the placement of the Amtrak site in the West Main Street East (WME) district. A representative for Union Station Partners, LLC, the owner of two of the three parcels on the site (with the City of Charlottesville owning the third parcel) has indicated to staff that they prefer to be located in the West Main Street West (WMW) district. In subsequent conversations, Union Station Partners, LLC has indicated a preference to include a fourth lot, Tax Map 30 Parcel 2.C in the West Main Street West (WMW) district as well.

The Planning Commission may want to consider the original recommendation from the code consultant, which placed the portion of the site (parcels 2, 2.A, and 2.B) west of the Cream Street area in West Main Street West (WMW) district and the eastern portion in West Main Street East (WME) district. This recommendation was given in order to allow additional height and potentially density on one of the few remaining un-built sites on the corridor in order to encourage development, while still maintaining lower building height adjacent to the historic First Baptist Church east of the site. In addition, the majority of the site is located well below the grade of West Main Street, which will likely result in a lower streetwall along West Main Street if West Main Street East (WME) district designation remains the zoning category for the site.

Staff does not recommend the entire site (parcels 2, 2.A, 2.B, and 2.C) be included in the West Main Street West (WMW) district, but does find the recommendation from the consultant to apply the West Main Street West (WMW) district west of the Cream Street area to be appropriate. The large differences in grade on the western portion of the site do not exist on the eastern portion, thus the additional height allowed in the West Main Street West district could create a building that would be out of character with the First Baptist Church property if applied to the entire site. However, if the West Main Street West (WMW) district requirements are applied to the western portion of the site (using the proposed height amendments to Sections 34-1101 and 34-1200), it will likely result in a structure that is within the maximum height envelope allowed by the West Main Street East (WME) district when viewed from West Main Street. Please note that while the consultant team did not specifically recommend parcel 2.C for inclusion in the West Main Street West (WMW) district, the same changes in grade considered as criteria for the other parcels do apply to parcel 2.C as well.

Does the Planning Commission still find the West Main Street East zoning applied to the Amtrak site to be appropriate?

Does the Planning Commission still find the West Main Street East zoning applied to parcel 2.C (north of West Main Street) to be appropriate?

Buildable Envelope

Height- Building height is a major concern of residents, particularly those living adjacent to proposed developments. The West Main Street corridor lies within the greater context of residential areas comprised of shorter-height houses, townhouses and apartments. West Main Street lies on a ridge that transitions to lower residential neighborhoods, which compounds the issue of height for proposed development along the corridor. In addition, a consistent theme of public comment on the project is the concern regarding the “canyon” feeling that is being created on West Main Street itself through the construction of tall buildings.

The proposed code changes include the reduction of allowable heights to a maximum height of 75 feet in West Main Street West and 52 feet in West Main Street East with no allowances for additional height through special use permit. However, staff believes that additional modifications to the *Building and*

Structures and *Definition* sections of Chapter 34 are necessary to ensure that actual building heights correspond with public perceptions. The existing zoning code language allows developers to average the height of all proposed walls to find the overall height of the building. This can result in buildings which have some walls that greatly exceed the allowed maximum height. By modifying the language, as shown in Attachment F, an average grade would be set for the parcel, from which maximum height would be measured. Building walls would no longer be averaged together. The proposed system would still include the potential for some walls to be above the maximum building height, but this effect would be greatly minimized while still providing developers with some flexibility on sloping sites.

Does the Planning Commission find the proposed modifications appropriate?

Setback- The existing code requires 75 percent of a building in West Main Street North to be located at the property line along a primary street, with the remaining 25 percent set back no more than 12 feet. The existing code also requires buildings within West Main Street South to be within 15 to 20 feet of the property line along a primary street. The proposed code changes for both new districts specify a setback of 10 to 20 feet with at least 80 percent of the building within the build-to-zone along a primary street. The proposed code changes encourage street activation by providing space for outdoor seating and other activities, as well as plantings and bio-retention areas.

On October 13th, 2015 the Planning Commission passed a motion which included modifying the minimum required setback to be zero (0) feet for both West Main Street West and West Main Street East. During staff's revision of the zoning amendments per the Commission's motion, it was noted that the new setback directed by the Commission will exempt developers from planting streetscape trees, per Section 34-870(a)(1). Public input during the West Main Street project has indicated that street trees are an important and desired element on the corridor.

Staff recommends that the setback minimum be modified to five (5) feet for both the West Main Street West and West Main Street East districts to eliminate the use of this waiver on West Main Street while still maintaining a minimum setback similar to the zero (0) minimum recommended by the Commission. The Planning Commission may also want to consider the recommended minimum provided by the consultant team on the West Main Street project, ten (10) feet.

What minimum setback would the Planning Commission propose to apply to the proposed zoning districts?

Parking

Bicycle Parking- Staff recommends that the Planning Commission consider additional modifications to the bicycle parking requirements to provide clearer instruction for designers and developers. Please see Attachment G for proposed revisions to the zoning amendments pertaining to bicycle parking.

Does the Planning Commission agree the proposed modifications to the bicycle parking requirements are appropriate?

Uses

District Orientation- The reorientation of the zoning districts from north-south to east-west requires changes to the Use Matrix in Section 34-796. Currently, West Main Street South (WMS) contains more by-right uses than West Main Street North (WMN). The intention of the zoning amendments brought forth by staff is to change height/massing/form of buildings and structures, not to change the uses of properties. In response to concern regarding changes of use in the West Main Street corridor, outside of a full analysis of uses, staff recommends that the use matrix for West Main Street West (WMW) and West Main Street East (WME) are amended to allow all uses currently allowed in West Main Street South (WMS) in both new districts. The following chart notes areas where there are existing differences between West Main Street South (WMS) and West Main Street North (WMN).

	WME (WMN)	WMW (WMS)
Auto parts and equipment sales	B (X)	B
Data center > 4,000	S (X)	S
Artistic instruction, up to 10,000SF	B (X)	B
Hotels/ motels 100+ guest rooms	B (S)	B
Museums, up to 10,000 GFA	B (S)	B
Indoor health/sports clubs 4,001-10,000 GFA	B (S)	B
Indoor health/ sports clubs, more than 10,000 GFA	B (S)	B
General Retail, up to 10,000 GFA	B (S)	B
General Retail, more than 10,000 GFA	B (S)	B
Other Retail, 4,001 to 20,000	B (S)	B
Other Retail, more than 20,000	(S) (X)	S

KEY - B: By-right, S: Special use permit, X: Currently not allowed, Red text: recommended revisions

What designations does the Planning Commission recommend regarding the specified uses above?

Staff Recommendations

The Planning Commission should recommend the following to City Council:

1. A course of action regarding the designation of 100 Ridge Street and the Amtrak site, building setback, bicycle parking requirements, uses, and modifications to sections of the ordinance pertaining to building height measurement. The Planning Commission may recommend the zoning amendment as it is currently drafted, recommend the incorporation of changes outlined in this memo, or recommend an alternative action.

2. The amendment of Zoning Ordinance Sections 34-616 through 34-655 (West Main Street corridors), Section 34-796 (Use matrix- Mixed use corridor districts), Section 34-881 (Bicycle parking requirements for WME and WMW zoning districts), Section 34-1101 (Appurtenances), and Section 34-1200 (Definitions) of the Zoning Ordinance with any modifications determined under item 1 to ensure development in the West Main Street corridor aligns with community values and harmonizes with adjacent districts.

Suggested Motion

1. Based on a finding that the proposed zoning text amendments will serve the public necessity, convenience, general welfare, or good zoning practice. I move to recommend approval of a zoning text amendment as proposed to Sections 34-616 through 34-655 (West Main Street corridors), Section 34-796 (Use matrix- Mixed use corridor districts), Section 34-881 (Bicycle parking requirements for WME and WME zoning districts), Section 34-1101 (Appurtenances), and Section 34-1200 (Definitions) of the Zoning Ordinance with the following modifications:
 - a. 100 Ridge Street (Midway Manor): _____
 - b. 808-840 West Main Street (Amtrak site): _____
 - c. Text amendments pertaining to building height: _____
 - d. Building setbacks: _____
 - e. Bicycle parking requirements: _____
 - f. Use matrix: _____

Attachments

Attachment A: Proposed Zoning Amendments for §34-616 through §34-635 (West Main Street North Corridor “WMN”), §34-636 through §34-655 (West Main Street South Corridor “WMS”), §Section 34-881 (Bicycle parking requirements for WME and WMW zoning districts), §34-1101 (Appurtenances), and §34-1200 (Definitions), per the Planning Commission’s revisions, October 13th, 2015

Attachment B: 100 Ridge Street (Midway Manor) vicinity maps

Attachment C: Descriptions of relevant mixed use districts for 100 Ridge Street (Midway Manor)

Attachment D: Use comparison charts for 100 Ridge Street (Midway Manor)

Attachment E: 808-840 West Main Street (Amtrak) maps

Attachment F: Proposed zoning text amendments related to building height

Attachment G: Proposed zoning text amendments related to bicycle parking

NOTES FOR REVIEWING PROPOSED ORDINANCE:

Black text: represents proposed zoning text recommended by staff to Planning Commission. **Blue text: indicates current zoning text incorporated into staff's recommendations to the Planning Commission**

Red text: represents the Planning Commission's recommended changes (additions or deletions) for consideration by City Council

ORDINANCE

TO REPEAL THE PROVISIONS OF CITY CODE CHAPTER 34
ARTICLE VI (MIXED USE CORRIDOR DISTRICTS)
DIVISION 1 (GENERAL), SECTIONS 34-541(4) (West Main North Corridor) AND 34-
541(5)(West Main South Corridor), and corresponding changes to DIVISION 16 (USE
MATRIX), Section 34-796
AND ALSO TO REPEAL THE PROVISIONS OF CHAPTER 34, ARTICLE VI, DIVISION 5
(Regulations—West Main Street North Corridor (“WMN”)) and
DIVISION 6 (Regulations—West Main Street South Corridor (“WMS”))
AND TO AMEND AND RE-ENACT SUCH PROVISIONS TO ESTABLISH
ZONING REGULATIONS FOR TWO NEW ZONING DISTRICTS, TO BE KNOWN AS THE
WEST MAIN WEST (“WMW”) AND WEST MAIN EAST (“WME”)
CORRIDOR DISTRICTS, AND ALSO TO AMEND THE ZONING MAP REFERENCED IN
34-1(1) AND TO AMEND THE PROVISIONS OF SEC. 34-SEC. 34-796 (Use Matrix—Mixed
use corridor districts), SEC. 34-1101 (Appurtenances) and SEC. 34-1200 (Definition of
“building height”) AND TO ADD
A NEW SEC. 34-881 (Bicycle Parking for WME and WMW zoning districts)

WHEREAS, by motion, the Charlottesville City Planning Commission initiated ZT15-00007, proposing consideration certain zoning text amendments, and amendment of the City's zoning map, to repeal the mixed use zoning district classifications referred to as “West Main North Corridor” (WMN) and “West Main South Corridor” (WMS), and the zoning text regulations for those districts, and to establish in their place two new zoning district classifications, “West Main West Corridor” (WMW) and “West Main East Corridor” (WME) along with zoning text regulations for the new districts and a zoning map amendment reclassifying certain parcels of land from the WMN and WMS districts to the new WMW and WME districts, as shown on a map dated July 28, 2015 (collectively, the “Proposed Rezoning”); and

WHEREAS the Planning Commission’s motion stated that the Proposed Rezoning is required by the public necessity, convenience, general welfare or good zoning practice; and,

WHEREAS, legal notice of a public hearing of the Proposed Rezoning to be conducted on October 13, 2015 was advertised in accordance with Va. Code Sec. 15.2-2204, notice of the Proposed Rezoning was given to property owners as required by law, and joint public hearing on the Proposed Rezoning was held before the Planning Commission and City Council on October 13, 2015; and

WHEREAS, on October 13, 2015 the Planning Commission voted to recommend to City Council that the Proposed Rezoning should be approved; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare or good zoning practice requires the Proposed Rezoning; that the Proposed Rezoning is reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville that Chapter 34 (Zoning) is hereby amended and re-ordained, as follows:

1. Article I (Administration), Section 34-1(1) is amended as follows:

Effective as of the date of adoption of this ordinance, the zoning district map referenced in Sec. 34-1(1) is hereby amended and readopted, to reflect amendments changing the zoning district classifications of property along West Main Street from “WMN” and “WMS” to new classifications of “WMW” and “WME”, as shown on the proposed amended Zoning Map dated July 28, 2015.

2. Article VI (Mixed Use Districts), Sections 34-541(4) and 34-541(5) are hereby repealed, and the following provisions are enacted in their place:

Sec. 34-541. - Mixed use districts—Intent and description.

.... (4)*West Main Street West Corridor*. The land use and lots on West Main Street west of the railroad bridge are generally larger in size than those east of the bridge. The West Main West district is established to provide the opportunity for large-scale redevelopment with respect to established patterns of commercial and residential development along West Main Street and neighborhoods in close proximity. Within this district, one of the primary goals is to provide a walkable, mixed use “main street” setting that encourages vibrant pedestrian activity. The following streets shall have the designations indicated:

- (a) Where only one street abuts a lot, that street is considered the primary street.
- (b) Where more than one street abuts a lot, the following are considered primary streets:
 - (1) West Main Street
 - (2) Roosevelt Brown Boulevard
 - (3) Jefferson Park Avenue
 - (4) Wertland Street
 - (5) 10th Street NW
- (c) Where a lot with multiple street frontages on the primary streets listed in section (b) exists, each frontage is considered a primary street.
- (d) Where a lot has multiple street frontages, streets not listed in section (b) above will be considered a linking street.

.... (5) *West Main Street East Corridor*. The land use and lots on West Main Street east of the railroad bridge are smaller than those west of the bridge, containing existing buildings (including historic buildings) that have been renovated to accommodate modern commercial uses. Established buildings are located in close proximity to the street on which they front, and one of the primary goals of this district is to provide a walkable, mixed use “main street” setting that encourages vibrant pedestrian activity. Within the West Main Street East district, the following streets shall have the designations indicated:

- (a) Where only one street abuts a lot, that street is considered the primary street.
- (b) Where more than one street abuts a lot, the following are considered primary streets:
 - (1) West Main Street
 - (2) Commerce Street
 - (3) South Street
 - (4) Ridge Street
 - (5) 7th Street SW
 - (6) 4th Street NW
- (c) Where a lot with multiple street frontages on the primary streets listed in section (b) exists, each frontage is considered a primary street.
- (d) Where a lot has multiple street frontages, streets not listed in section (b) above will be considered a linking street.

3. Article VI (Mixed Use Districts), Division 5, Sections 34-616 through 34-622 are hereby repealed, and the following provisions are enacted in their place:

DIVISION 5. – REGULATIONS – WEST MAIN STREET WEST (“WMW”)

Sec. 34-617. – Height regulations.

(a) The height regulations shall apply to buildings and structures within the West Main Street West Corridor district:

- (1) Minimum height: 35 feet
- (2) Maximum height: 75 feet

(b) **The first floor of every building shall have a minimum height, measured floor to floor, of fifteen (15) feet.** ~~height minimums shall apply to buildings within the West Main Street West Corridor district:~~

- ~~(1) Minimum first floor height: 15 feet, measured from floor surface to ceiling~~
- ~~(2) Minimum height for all other floors: 9 feet, measured from floor surface to ceiling~~

Sec. 34-618. – Streetwall regulations.

(a) Setbacks shall be required, as follows:

- (1) *Primary street frontage:* ~~Ten (10)~~ **Zero (0)** feet minimum; twenty (20) feet maximum. At least eighty (80) percent of the building façade width of a building must be in the build-to zone adjacent to a primary street.
- (2) *Linking street frontage:* **Five (5) feet minimum; twelve (12) feet maximum.** At least forty (40) percent of the building façade width of a building must be in the build-to zone adjacent to a linking street.
- (3) *Side and rear setback, adjacent to any low density residential district:* **Twenty (20) feet, minimum.**
- (4) *Side and rear setback, adjacent to any other zoning district:* **None required.**

(b) Stepback requirement.

The maximum height of the streetwall of any building or structure shall be forty (40) feet. At the top of the streetwall height, there shall be a minimum stepback of ten (10) feet.

(c) Building width requirement.

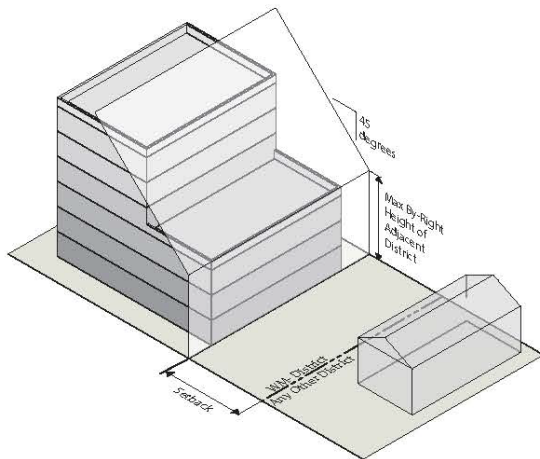
The apparent mass and scale of each building over ~~two hundred (200)~~ **one hundred (100)** feet wide shall be reduced through the use of ~~façade building and material~~ modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the character of the district. This determination shall be made by the Board of Architectural Review through the Certificate of Appropriateness process.

Sec. 34-619. – Bulk plane and buffer.

(a) Bulk plane.

(1) To promote building massing compatible with adjacent districts, a bulk plane shall apply where **the rear of a lot in the West Main Street West district abuts any other zoning district, and where any side of a lot in the West Main Street West district abuts a low density residential zoning district.** No building may extend into a 45 degree angular plane projecting above the lot measured at the interior edge of any required setback, starting at a height equal to the maximum allowed height in the adjacent zoning district.

(2) The bulk plane ends at each lot line adjacent to a street right-of-way.



(b) Buffer.

Along the frontage with any low density residential district, side and rear buffers shall be required, ten (10) feet, minimum, consisting of an S-1 type buffer (refer to section 34-871).

Sec. 34-620. - Mixed-use developments—Additional regulations.

No ~~ground floor residential uses or parking garage, other than ingress and egress to the garage, may front on a primary street, unless a building fronts on more than one (1) primary~~

~~street, in which case ground floor residential uses may front on one (1) primary street. Under no circumstances, however, shall any~~ **No ground floor residential uses shall front on West Main Street.**

Sec. 34-621. - Density.

Residential density shall not exceed forty-three (43) DUA; however, up to two hundred (200) DUA may be allowed by special use permit.

Sec. 34-622. - Additional regulations.

(a) Developments that occupy an entire city block shall provide courtyards and plazas accessible from adjacent public rights-of-way.

(b) No ground floor residential uses shall front on West Main Street.

(c) For uses requiring more than twenty (20) off-street parking spaces, no more than fifty percent (50%) of such required spaces shall consist of surface parking open to the sky.

(d) No off-street loading areas may face any public right-of-way.

Sec. 34-623. – Parking requirements adjustment.

Article VIII, Division 3, Off-Street Parking and Loading, applies to development in this district, except that:

- (1) Parking lot buffers are required only along the edge(s) of a low density district.
- (2) No parking is required for any retail use having less than 5,000 square feet in floor area.

Secs. 34-624—34-635. - Reserved.

4. Article VI (Mixed Use Districts), Division 6, sections 34-636 through 34-642 are hereby repealed, and the following provisions are hereby enacted in their place:

DIVISION 6. – REGULATIONS – WEST MAIN STREET EAST (“WME”)

Sec. 34-637. – Height regulations.

- (a) The height regulations shall apply to buildings and structures within the West Main Street East Corridor district:

- (1) Minimum height: 35 feet
- (2) Maximum height: 52 feet

~~(b) The first floor of every building shall have a minimum height, measured floor to floor, of fifteen (15) feet. height minimums shall apply to buildings within the West Main Street West Corridor district:~~

- ~~a. Minimum first floor height: 15 feet, measured from floor surface to ceiling~~
- ~~b. Minimum height for all other floors: 9 feet, measured from floor surface to ceiling~~

Sec. 34-638. – Streetwall regulations.

(a) Setbacks shall be required, as follows:

- (1) *Primary street frontage:* ~~Ten (10) feet~~ **Zero (0)** minimum; twenty (20) feet maximum. At least eighty (80) percent of the building façade width of a building must be in the build-to zone adjacent to a primary street.
- (2) *Linking street frontage:* **Five (5) feet minimum; twelve (12) feet maximum.** At least forty (40) percent of the building façade width of a building must be in the build-to zone adjacent to a linking street.
- (3) *Side and rear setback, adjacent to any low density residential district:* **Twenty (20) feet, minimum.**
- (4) *Side and rear setback, adjacent to any other zoning district:* **None required.**

(b) Stepback requirement.

The maximum height of the streetwall of any building or structure shall be forty (40) feet. At the top of the streetwall height, there shall be a minimum stepback of ten (10) feet.

(c) Building width requirement.

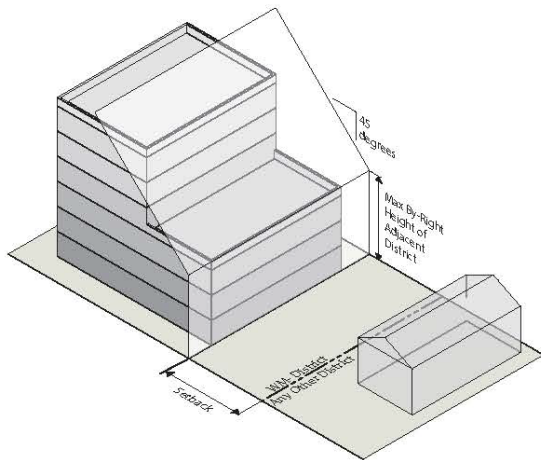
The apparent mass and scale of each building over ~~two-hundred (200)~~ **one-hundred (100)** feet wide shall be reduced through the use of ~~façade building and material~~ modulation and articulation to provide a pedestrian scale and architectural interest, and to ensure the building is compatible with the character of the district. This determination shall be made by the Board of Architectural Review through the Certificate of Appropriateness process.

Sec. 34-639. – Bulk plane and buffer.

(a) Bulk plane.

(1) To promote building massing compatible with adjacent districts, a bulk plane shall apply where **the rear of** a lot in the West Main Street East district abuts any other zoning district, **and where any side of a lot in the West Main Street East district abuts a low density residential zoning district**. No building may extend into a 45 degree angular plane projecting above the lot measured at the interior edge of any required setback, starting at a height equal to the maximum allowed height in the adjacent zoning district.

(2) The bulk plane ends at each lot line adjacent to a street right-of-way.



(b) Buffer.

Along the frontage with any low density residential district, side and rear buffers shall be required, ten (10) feet, minimum, consisting of an S-1 type buffer (refer to section 34-871).

Sec. 34-640. - Mixed-use developments—Additional regulations.

~~No ground floor residential uses or parking garage, other than ingress and egress to the garage, may front on a primary street, unless a building fronts on more than one (1) primary street, in which case ground floor residential uses may front on one (1) primary street. Under no circumstances, however, shall any~~ No ground floor residential uses shall front on West Main Street.

Sec. 34-641. - Density.

Residential density shall not exceed forty-three (43) DUA; however, up to two hundred (200) DUA may be allowed by special use permit.

Sec. 34-642. - Additional regulations.

(a) Developments that occupy an entire city block shall provide courtyards and plazas accessible from adjacent public rights-of-way.

(b) No ground floor residential uses shall front on West Main Street.

(c) For uses requiring more than twenty (20) off-street parking spaces, no more than fifty percent (50%) of such required spaces shall consist of surface parking open to the sky.

(d) No off-street loading areas may face any public right-of-way.

Sec. 34-643. – Parking requirements adjustment.

Article VIII, Division 3, Off-Street Parking and Loading, applies, except that:

- (1) Parking lot buffers are required only along the edge(s) of a low density district.
- (2) No parking is required for any retail use having less than 5,000 square feet in floor area.

Secs. 34-644—34-655. - Reserved.

5. Article VI (Mixed Use Districts), Division 16 (Use Matrix), Sec. 34-796 (Use matrix—mixed use corridor districts), is hereby amended as follows:

Amend the headings identifying the Zoning Districts, to substitute “WMW” in place of “WMS” and to substitute “WME” in place of “WMN”

6. Article VIII (Required Improvements), Division 3 (Off-street Parking and Loading) is hereby amended, to add a new Sec. 34-881, as follows:

Sec. 34-881. – Bicycle parking requirements for WME and WMW zoning districts.

In the West Main Street East (WME) and West Main Street West (WMW) zoning districts, bicycle parking spaces shall be required for new buildings and developments, the addition of new enclosed floor area to an existing building, and for any change in use of any building.

(a) Required bicycle spaces.

(1) Bicycle space requirements by use.

Use	Long Term Spaces Required	Short Term Spaces Required
General retail	1 space per 10,000 square feet of floor area, 2 minimum	1 space per 5,000 square feet of floor area, 2 minimum
Office	1.5 spaces per 10,000 square feet of floor area, 2 minimum	1 space per 20,000 square feet of floor area, 2 minimum
Off-street parking lots and garages available to the general public either without charge or on a fee basis	1 space per 20 auto spaces, minimum requirement is 2 spaces. Unattended lots excepted	1 space per 10 auto spaces or minimum requirement is 6 spaces. Unattended lots excepted
Single family dwelling	No spaces required	No spaces required
Multi-family dwelling with private garage for each unit	No spaces required	0.1 space per bedroom, 2 minimum
Multifamily dwelling without private garage	0.5 spaces per bedroom, 2 minimum	0.1 space per bedroom, 2 minimum
Senior housing	0.5 spaces per bedroom, 2 minimum	0.1 space per bedroom, 2 minimum
Lodging (hotel, motel)	1 space for every 10 spaces of required automobile parking, 2 minimum	No spaces required
General food sales and groceries	1 space per 10,000 square feet of floor area, 2 minimum	1 space per 2,000 square feet of floor area, 2 minimum
Non-assembly cultural (library, government buildings, courts, etc.)	1.5 spaces for each 10 employees, 2 minimum	1 space per 8,000 square feet of floor area, 2

WEST MAIN STREET ZONING DISTRICT REGULATIONS
 PROPOSED ZONING TEXT AMENDMENTS
 Recommended by Planning Commission on October 13th, 2015
 Page 11 of 16

		minimum
Assembly (houses of worship, theater, auditorium, outdoor assembly, etc.)	1.5 spaces for each 20 employees, 2 minimum	Spaces for 5% of maximum expected daily attendance
Health clinic/hospitals	1.5 spaces for each 20 employees or 1 space per 50,000 square feet of floor area, whichever is greater, 2 minimum	1 space per 20,000 square feet of floor area, 2 minimum
Public, parochial, and private day care centers for 15 or more children	1.5 spaces for each 20 employees, 2 minimum	1 space for each 20 students of planned capacity, 2 minimum
Public, parochial, and private nursery schools, kindergartens, and elementary schools (1-3)	1.5 spaces for each 10 employees, 2 minimum	1.5 space for each 20 students of planned capacity, 2 minimum
Public, parochial, and private elementary schools (4-6), junior high, and high schools	1.5 spaces for each 10 employees plus 1.5 spaces per each 20 students of planned capacity, 2 minimum	1 space for each 10 students of planned capacity, 2 minimum
Transit facility	Spaces for 7% of projected a.m. peak period daily ridership	Spaces for 2% of a.m. peak period daily ridership
Use	Spaces Required	Short-Term/Long-Term
Residential	0.5 per unit	80%/20%
Public/Institutional	1 per 5,000 SF, 2 min	90%/10%
Food and drink service	1 per 2,500 SF, 2 min	80%/20%
Lodging	0.5 per guest room	80%/20%
All other commercial and industrial uses	1 per 2,500 SF, 2 min	80%/20%

~~(2) In developments wherein the requirements listed in Section 34-644(a)(1) result in less than one full bicycle parking space being required for long term parking, the director of neighborhood development services may determine the appropriate percentages of short-term and long-term spaces to be applied to the development.~~

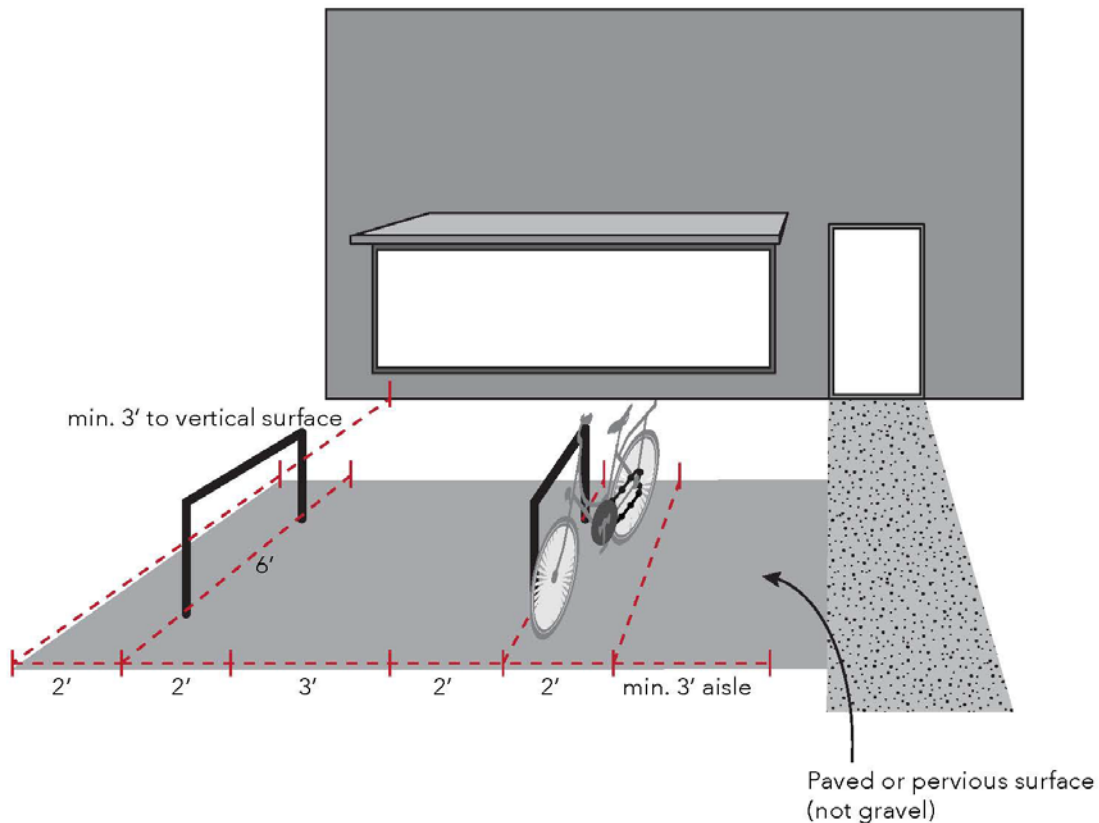
(b) Location of bicycle parking.

(1) Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.

(2) Bicycle parking spaces must be a minimum of two (2) feet by six (6) feet. There must be an access aisle a minimum of 3 feet in width.

- (3) Bicycle parking spaces must be placed at least three (3) feet from all vertical surfaces.
- (4) Each required bicycle parking space must be accessible without moving another bicycle, and its placement must not result in a bicycle obstructing a required walkway.
- (5) Up to 25% of bicycle parking may be structured parking, vertical parking or wallmount parking, provided there is a 5-foot access aisle for wall mount parking.
- (6) All racks must accommodate cable locks and "U" locks, must permit the locking of the bicycle frame and one wheel to the rack, and must support a bicycle in a stable position.

(c) Example layout of bicycle parking.



(d) Short-term bicycle parking.

Required short term bicycle parking shall be visible from nearby bikeways and conveniently located to the main building entrance, no further than 50 feet. Short-term bicycle parking must meet all other applicable design standards of the City.

(e) Long-term bicycle parking.

(1) Required long-term bicycle parking spaces must be located in enclosed and secured or supervised areas providing protection from theft, vandalism and weather, and must be accessible to intended users.

(2) Required long-term bicycle parking for residential uses may be located within dwelling units or within deck, patio areas or private storage areas accessory to dwelling units if documented and approved by the director of neighborhood development services.

(3) With permission of the director of neighborhood development services, long-term bicycle parking spaces for nonresidential uses may be located off-site within 300 feet of the site. The off-site parking distance is measured in walking distance from the nearest point of the remote parking area to the closest primary entrance of the use served.

7. ARTICLE IX, Sec. 34-1101 is hereby amended and re-ordained, as follows:

Sec. 34-1101. - Appurtenances.

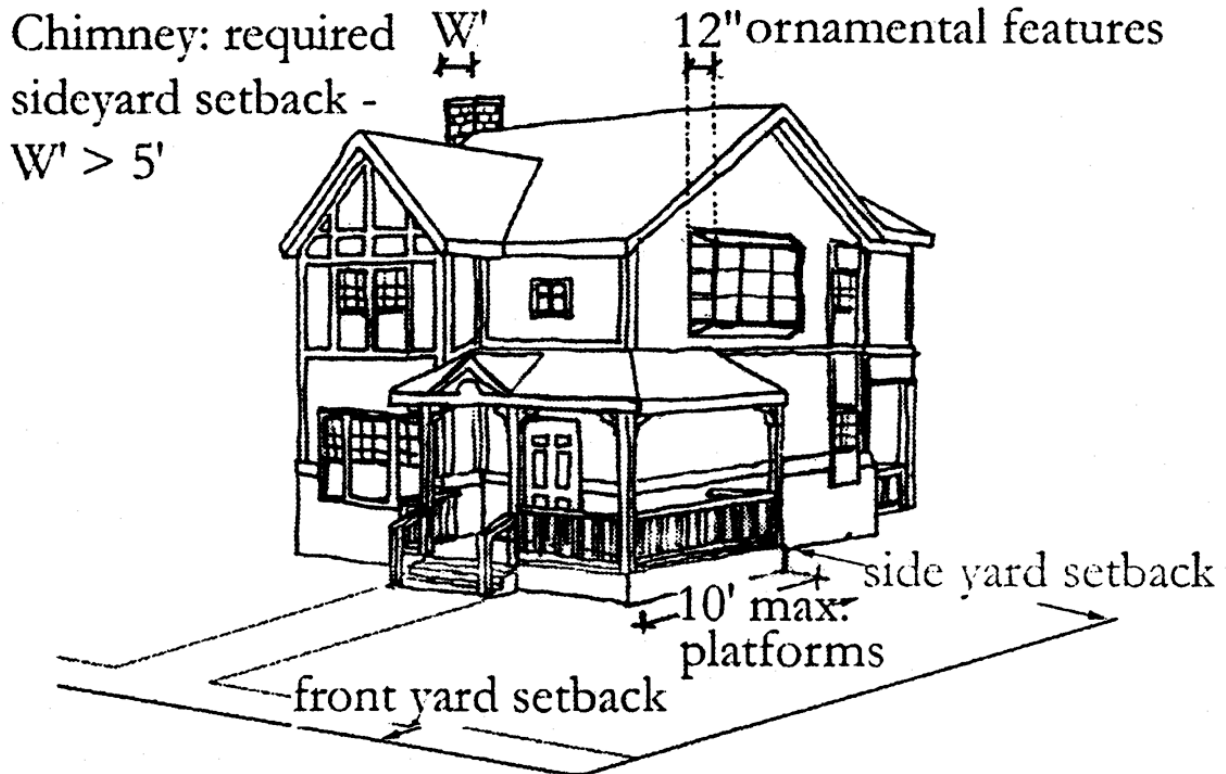
(a) An appurtenance to a building or structure shall not be counted in measuring the height of a building or structure.

(b) The director of neighborhood development services or planning commission may approve additions of appurtenances to buildings or structures, in excess of the maximum permitted height of the structure or roof coverage specified in paragraph (c) below, upon finding that there is a functional need for the appurtenance that cannot be met with an appurtenance having a lesser height or roof coverage, and that visible materials and colors are compatible with the building or structure to which the appurtenance is attached.

(c) No rooftop appurtenance shall: (i) itself measure more than sixteen (16) feet in height above the building, or (ii) cover more than twenty-five (25) percent of the roof area of a building.

(d) A roof top appurtenance may contain useable floor area, but such area may only be used for or as an accessory to a residential or commercial use allowed within the applicable zoning district. Within a rooftop appurtenance, no enclosed space shall be designed or used as habitable space that, for purposes of the Virginia Uniform Statewide Building Code, would receive a Residential Group R use and occupancy classification.

(d)(e) The following appurtenances may encroach into minimum required yards as specified:



Appurtenances

- (1) Window sills, roof overhangs, belt courses, cornices and ornamental features may encroach into a required yard by no more than twelve (12) inches,
- (2) Open lattice-enclosed fire escapes, fireproof outside stairways, and the ordinary projections of chimneys and flues may encroach into a required rear yard by no more than five (5) feet.
- (3) Chimneys or flues being added to an existing building may encroach into a required side yard, but not closer than five (5) feet to the side lot line.
- (4) Elevator shafts and mechanical equipment which are screened in accordance with the requirements of Sec. 34-872.
- (4) (5) Handicapped ramps meeting ADA standards may encroach into a required yard.**

~~(5)~~ (6) Except as otherwise provided above:

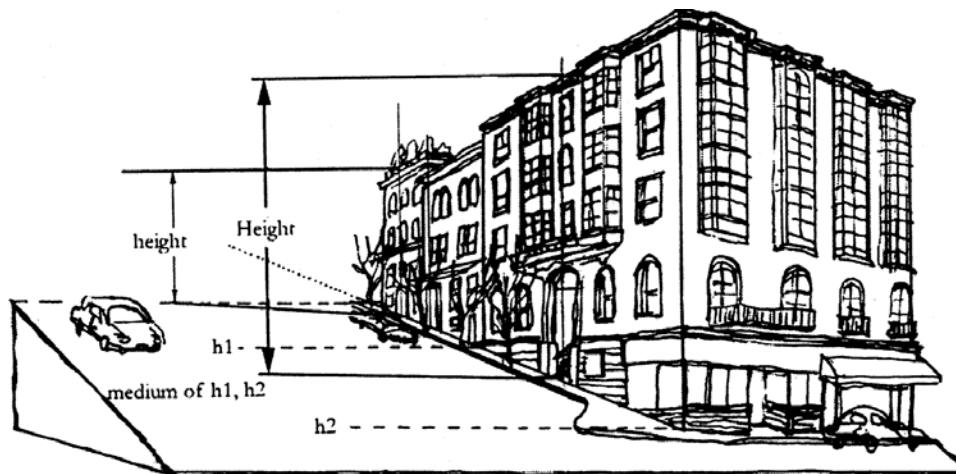
a. Uncovered appurtenances which have a maximum floor height of three (3) feet above the finished grade may encroach into any required yard, but not closer than five (5) feet to any lot line and no more than ten (10) feet into a required front yard; however, no such appurtenance shall occupy more than thirty (30) percent of a rear yard.

b. Any appurtenance to a single- or two-family dwelling, having a height greater than three (3) feet above finished grade may encroach into a required front yard by up to ten (10) feet, but no closer than five (5) feet to a front lot line; however, such appurtenance shall be in compliance with the applicable side yard setback;

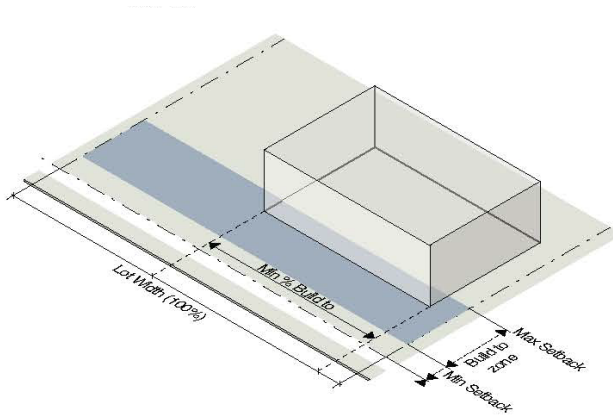
c. No enclosed appurtenance, regardless of height (including but not limited to a screened-in porch) shall encroach into any required yard.

8. ARTICLE X is amended and re-ordained, to modify the definition of “building height” and to add a new definition (“build-to-zone”):

Building height means the vertical distance measured from the level of the grade of the building footprint to the level of the highest point of the structure's roof surface. This distance is calculated by measuring separately the average height of each building wall, then averaging them together. The height is measured to the level of a flat roof, to the deck line of a mansard or parapet roof, and to the average height level between the eaves and ridge for gable, hip, or gambrel roofs.

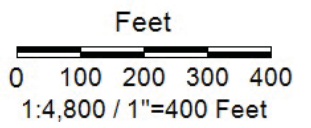
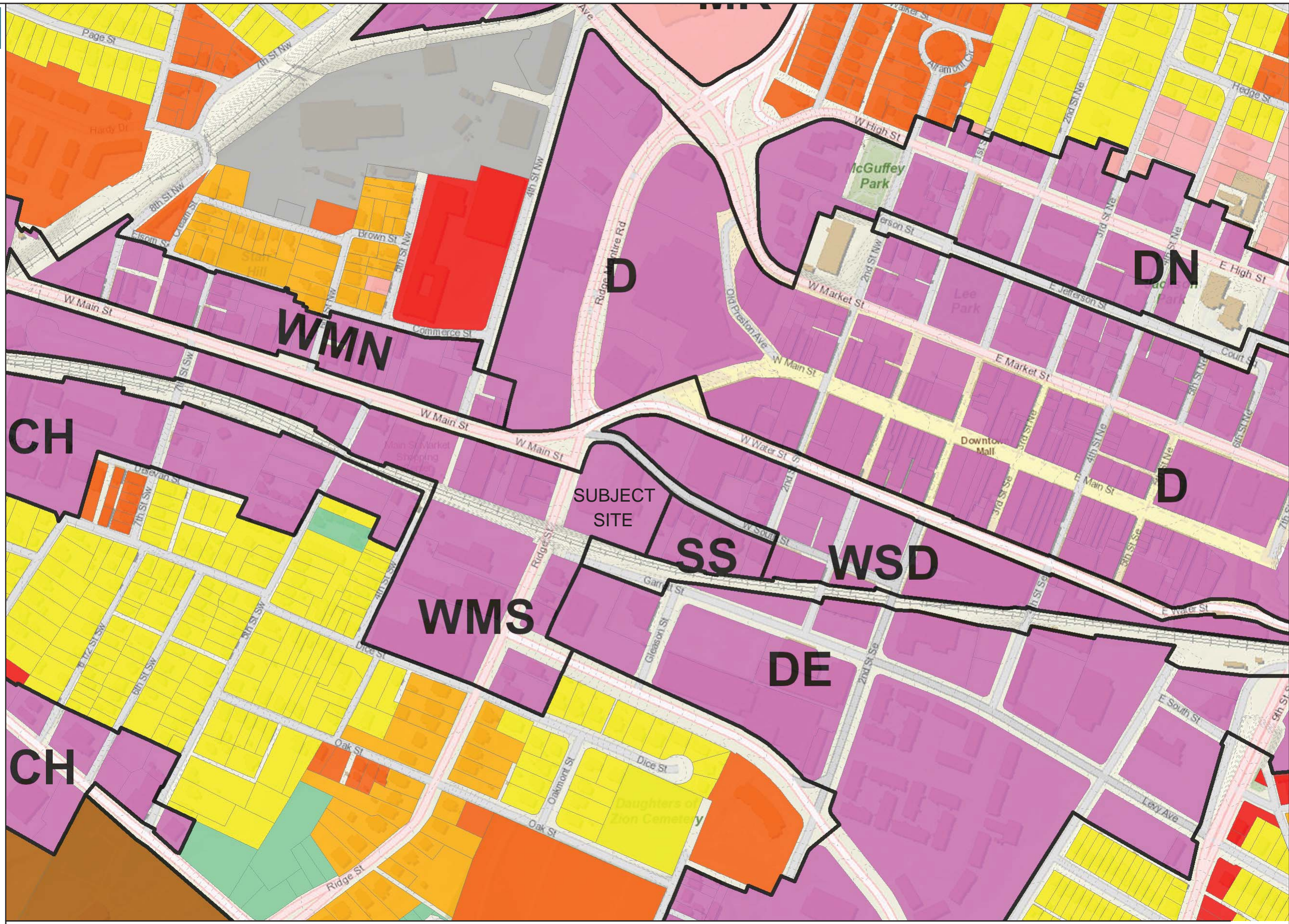


Build-to-zone is the area between the minimum and maximum allowable setbacks along a street frontage. A building façade may be required to maintain a minimum percentage in the build-to-zone, measured based on the width of the building divided by the width of the lot. Minor deviations such as recessed entries, recessed balconies, and architectural features are considered to be at the same setback as the building façade immediately adjacent to those features.



Legend

- ▣ Mixed Use Boundaries
- Parcels by Zoning
- ES; B-1; B-1C; B-1H
- B-2; B-2H
- B-3; B-3H
- Parcels by Zoning
- Parcels by Zoning
- Parcels by Zoning
- PUD; PUDH
- R-1; R-1C; R-1H; R-1U; R-1UH
- R-1S; R-1SC; R-1SH; R-1SHC; R1SHC; R-1SU; R1USH
- R-2; R-2C; R-2H; R-2U; R-2UH
- R-3; R-3H; UHD; UHDH; UMD; UMDH
- MR; MRH
- Elevation Contour Lines - 2ft (2006)

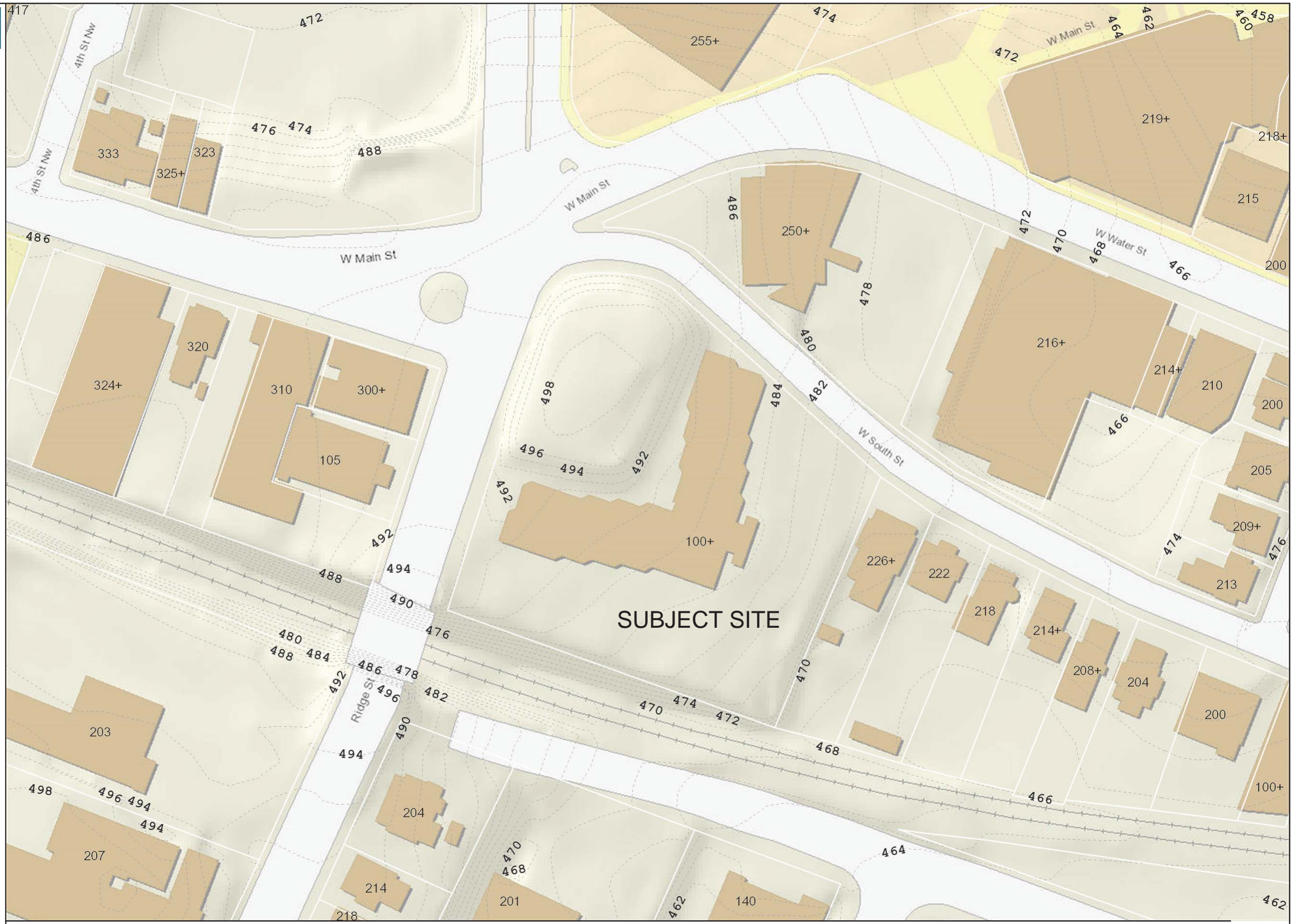


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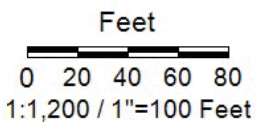


Legend

- Parcels
- Addresses
- Elevation Contour Lines - 2ft (2006)



SUBJECT SITE



11/23/2015



CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT ATTACHMENT



**EXISTING AND PROPOSED EXCERPTS FROM SECTION 34-541 –MIXED
USE DISTRICTS – INTENT AND DESCRIPTION**

PLANNING COMMISSION REGULAR MEETING

DATE OF PLANNING COMMISSION MEETING: DECEMBER 8, 2015

The Planning Commission may wish to consider the prescribed intents and descriptions of the zoning districts under consideration for 100 Ridge Street (Midway Manor). Midway Manor has frontage on both Ridge Street and South Street.

West Main South Corridor (existing). Property on the south side of West Main Street are much deeper, and generally larger in size, than those to the north, and established non-commercial uses typically are separated from adjacent residential neighborhoods by railroad tracks and street rights-of-way. The purpose of this zoning district is to encourage pedestrian-friendly mixed-use development, at an intensity slightly greater than that to the north of West Main. The permitted uses and building heights, those allowed by-right and by special permit, respect the scenic character of the West Main Street corridor. Within the West Main Street South district, the following streets shall have the designations indicated:

Primary streets: Jefferson Park Avenue, 9th/10th Connector, Ridge Street, 7th Street, and West Main Street.

Linking streets: Dice Street, 11th Street, 5th Street, 4th Street, and 7th Street.

West Main Street East Corridor (currently proposed). The land use and lots on West Main Street east of the railroad bridge are smaller than those west of the bridge, containing existing buildings (including historic buildings) that have been renovated to accommodate modern commercial uses. Established buildings are located in close proximity to the street on which they front, and one of the primary goals of this district is to provide a walkable, mixed use “main street” setting that encourages vibrant pedestrian activity. Within the West Main Street East district, the following streets shall have the designations indicated:

(a) Where only one street abuts a lot, that street is considered the primary street.

(b) Where more than one street abuts a lot, the following are considered primary streets:

1. West Main Street
2. Commerce Street
3. South Street
4. Ridge Street
5. 7th Street SW
6. 4th Street NW

(c) Where a lot with multiple street frontages on the primary streets listed in section (b) exists, each frontage is considered a primary street.

(d) Where a lot has multiple street frontages, streets not listed in section (b) above will be considered a linking street.

Water Street Corridor District (existing). The intent of the Water Street Corridor District is to provide for a mix of commercial, retail and entertainment uses in a way that complements and supports the Downtown Pedestrian Mall area. As the Downtown Pedestrian Mall develops, the natural spillover will be to this area. While not a complete pedestrian zone, it contains many characteristics thereof. Development therefore should blend the pedestrian scale with a slightly more automobile oriented feel to achieve this supportive mixed-use environment.

Primary streets: All.

Linking streets: None.

Downtown Corridor (existing). The intent of the Downtown Corridor district is to provide for a mixture of commercial and residential uses, and encourage such development by right, according to standards that will ensure harmony with the existing commercial environment in the city's downtown area. Ground-floor uses facing on primary streets should be commercial in nature. The area within this zoning district is the entertainment and employment center of the community and the regulations set forth within this district are designed to provide appropriate and convenient housing for persons who wish to reside in proximity to those activities. Within the Downtown Corridor district the following streets shall have the designations indicated:

Primary streets: All streets are primary.

Linking streets: None.

Downtown Extended Corridor (existing). Historically, the areas within the Downtown Extended district contained manufacturing uses dependent upon convenient access to railroad transportation. In more recent times, use patterns within this area are similar to those within the Downtown district. The intent of this district is to encourage an inter-related mixture of high-density residential and commercial uses harmonious with the downtown business environment, within developments that facilitate convenient pedestrian and other links to the Downtown area. Within the Downtown Extended district, the following streets shall have the designations indicated:

Primary streets: Garrett Street, Monticello Avenue, 6th Street, Market Street, Carlton Road and 10th Street, N.E.

Linking streets: Avon Street, Dice Street, 1st Street, 4th Street, Gleason Street, Goodman Street, Oak Street, and Ware Street.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



USE COMPARISON INFORMATION FOR 100 RIDGE STREET

PLANNING COMMISSION REGULAR MEETING

DATE OF PLANNING COMMISSION MEETING: DECEMBER 8, 2015

West Main Street South (WMS) Uses Not Available or By-Right in Other Districts

Use	WMS (current)	WME (proposed)	WSD	D	DE
Adult assisted living, 1-8 residents	B	B			B
Single family homes, attached and detached	B	B			B
Family day home, 1-5 children	B	B			B
Temporary family health care structure	T	T			T
Automobile parts and equipment sales	B	B			B
Health clinic up to 10,000 SF	B	B	S	S	B
Artistic instruction up to 10,000 SF	B	B	S	S	B
Funeral home without crematory	B	B			B
Hospital	S	S			S
Museums up to 10,000 SF	B	B	S	S	B
Music Hall	B	B	B	B	P
Taxi stand	S	S			B
Consumer service businesses 10,000 plus SF	S	S			B
Non-specified retail up to 20,000 SF	B	B	S	S	B
Laboratory, medical up to 4,000 SF	B	B	S	S	B
Research and testing laboratories	B	B			B

KEY – A: Ancillary use, B: By-right, P: Provisional use permit, S: Special use permit, T: Temporary use permit

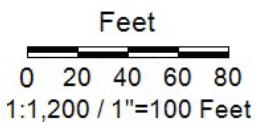
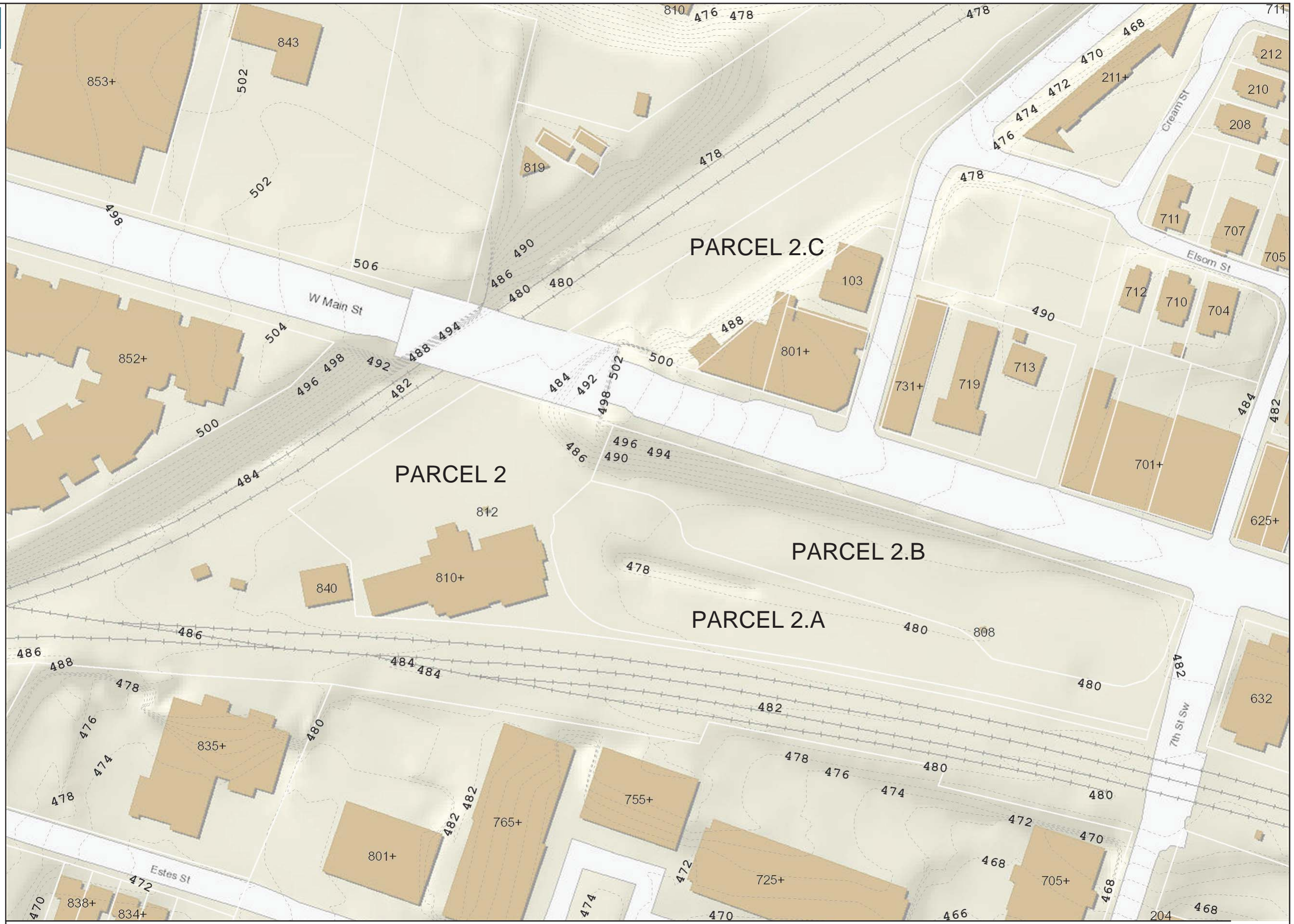
Other District Uses not Available or By-Right in West Main Street South (WMS)

Use	WMS (current)	WME (proposed)	WSD	D	DE
Multi-family without mixed use development					B
Amphitheater	S	S	S	B	S
Animal boarding without outside runs or pens					B
Assembly plant, handcraft					S
Gas station					S
Automobile repair/servicing					S
Data Center more than 4,000	S	S	B	B	B
Funeral homes with crematory					B
Laundromats					B
Outdoor storage, accessory					S
Parking garage	A/S	A/S	B	B	B
Greenhouses/nurseries					S
Home improvement center					S
Temporary sales, outdoor					T
Non-specified retail more than 20,000 SF	S	S	S	S	B
Photographic processing; blueprinting			B	B	B
Printing/publishing facility	S	S	S	S	B

KEY – A: Ancillary use, B: By-right, P: Provisional use permit, S: Special use permit, T: Temporary use permit

Legend

- Parcels
- Addresses
- Elevation Contour Lines - 2ft (2006)



11/30/2015



CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



DRAFT TEXT MODIFICATIONS REGARDING BUILDING HEIGHT

PLANNING COMMISSION REGULAR MEETING

DATE OF PLANNING COMMISSION MEETING: DECEMBER 8, 2015

Proposed Text (Clean)

34-1100(a) The term “height,” when applied to a building, shall refer to the distance measured from the level of the **average grade of the lot** on which the building is located to the level of the highest point on such building. The highest point of any building shall be: the level of a flat roof; the deck line of a mansard roof; the deck line of the roof on a building with a parapet; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.

34-1200

Grade, average, means the average ground level or average elevation **of a lot**, calculated as an average of measurements taken at each property corner.

Proposed Text (Using Tracked Changes)

34-1100(a) The term “height,” when applied to a building ~~or structure~~, shall refer to the distance measured from the level of the average grade level of the lot on which the building is located to the level of the highest point on such building ~~or structure~~. The highest point of any building shall be: the level of a flat roof; the deck line of a mansard roof; the deck line of the roof on a building with a parapet; or, for buildings with gable, hip or gambrel roofs, the level of the average height between the eaves and ridge.

34-1200

Building Height ~~means the vertical distance measured from the level of the grade of the building footprint to the level of the highest point of the structure’s roof surface. This distance is calculated by measuring separately the average height of each building wall, then averaging them together. The~~

height is measured to the level of a flat roof, to the deck line of a mansard roof, and to the average height level between the eaves and ridge for gable, hip or gambrel roofs.

Grade, average, means, ~~with reference to a building or structure,~~ the average ground level or average elevation of a lot, calculated as an average of measurements taken at each property corner of the ground adjacent to the exterior walls of the building. In a case where walls are parallel to and not more than fifteen (15) feet from a sidewalk, the grade may be measured at the sidewalk.

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



DRAFT TEXT MODIFICATIONS REGARDING BICYCLE PARKING

PLANNING COMMISSION REGULAR MEETING

DATE OF PLANNING COMMISSION MEETING: DECEMBER 8, 2015

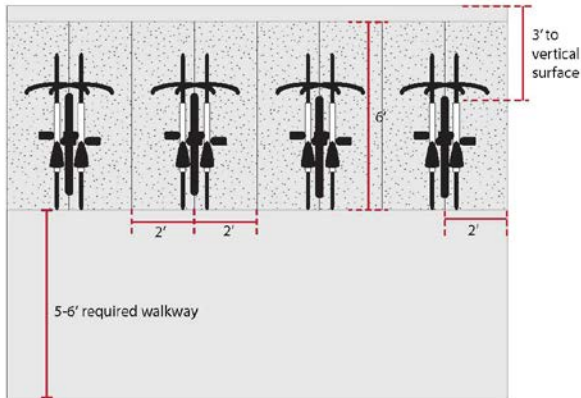
Proposed Text (Clean)

(a) Location of bicycle parking.

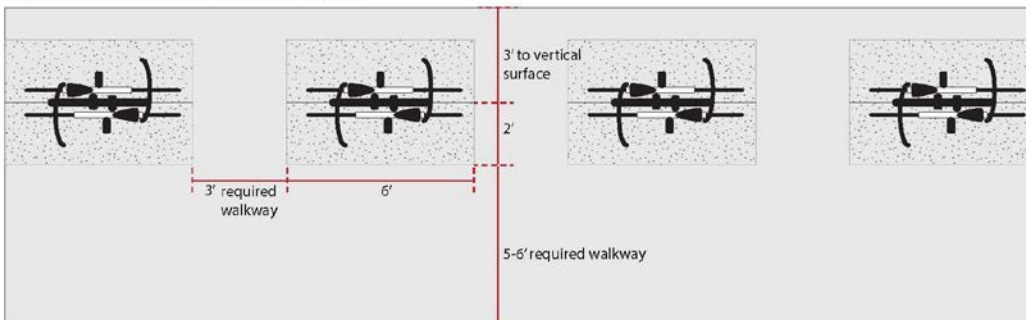
- (1) Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.
- (2) Bicycle parking spaces must be a minimum of two (2) feet by six (6) feet.
- (3) Bicycle parking spaces must be placed at least three (3) feet from all vertical surfaces such as walls, fences, curbs, etc.
- (4) Bicycle racks must be provided to accommodate each bicycle parking space. Racks shall be placed such that each required bicycle parking space is accessible without moving another bicycle, and its placement must not result in a bicycle obstructing a required walkway or drive aisle.
- (5) Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is an adequate access aisle.
- (6) All racks must accommodate cable locks and "U" locks, must permit the locking of the bicycle frame and one wheel to the rack, and must support a bicycle in a stable position.

(b) Example layout of bicycle parking.

EXAMPLE 1 (16' x 12') accomodates 8 bicycles



EXAMPLE 2 (33' x 10') accomodates 8 bicycles



Proposed Text (Using Tracked Changes)

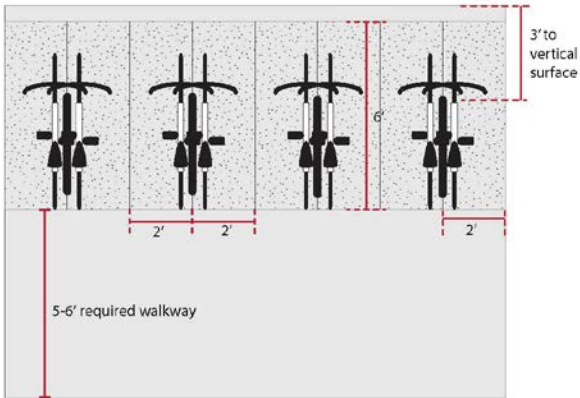
(a) Location of bicycle parking.

- (1) Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.
- (2) Bicycle parking spaces must be a minimum of two (2) feet by six (6) feet. ~~There must be an access aisle a minimum of 3 feet in width.~~
- (3) Bicycle parking spaces must be placed at least three (3) feet from all vertical surfaces **such as walls, fences, curbs, etc.**
- (4) **Bicycle racks must be provided to accommodate each bicycle parking space. Racks shall be placed such that each required bicycle parking space ~~must be~~ is accessible without moving another bicycle, and its placement must not result in a bicycle obstructing a required walkway or drive aisle.**
- (5) Up to 25% of bicycle parking may be structured parking, vertical parking or wall mount parking, provided there is an adequate access aisle.

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