

CITY OF CHARLOTTESVILLE
"A World Class City"

Department of Neighborhood Development Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.org



September 15, 2016

**TO: Charlottesville Planning Commission, Neighborhood Associations &
News Media**

Please Take Notice

A Work Session of the Charlottesville Planning Commission will be held on **Tuesday September 27, 2016 at 5:00 p.m. in the NDS Conference Room in City Hall (610 East Market Street).**

AGENDA

1. West Main and Water Street Code proposals
2. Public Comment

cc: City Council
Maurice Jones
Mike Murphy
Alexander Ikefuna
Planners
Kathy McHugh, Tierra Howard
Craig Brown, Lisa Robertson

City of Charlottesville
Department of Neighborhood Development Services
Memorandum



To: City of Charlottesville Planning Commission

From: Brian Haluska, AICP

Date of Memo: September 14, 2016

RE: West Main Street Density Regulations

Summary

At their meeting on July 18, 2016, City Council referred the residential density regulations in the West Main East and West Main West Corridor zonings back to the Planning Commission following an alternative proposal presented by Councilor Galvin.

Background

At their meeting on March 21, 2016, the City Council referred the West Main Corridor zoning changes back to the Planning Commission following a concern that the proposed increase in by-right residential density may not have been properly advertised. The proposal specifically mentioned by Council was to raise the by-right density in the corridors to 200 dwelling units per acre, thereby eliminating the need to review special use permit requests for higher residential density. Projects would be limited instead by the maximum heights, with the number of residential units controlled by the building code and floor heights within the building.

After a work session on May 24, 2016 the Planning Commission reviewed the proposed changes and recommended the density changes be denied at their meeting on June 14, 2016. The Commission favored keeping the by-right residential density at 43 dwelling units per acre across both West Main Corridors, in part because it would give the City an additional layer of review on projects with regard to the number of bedrooms in residential units on the corridor. The Commission expressed concern about the parking impacts of increased residential density that was not subject to review in a public forum. Council considered this recommendation in July 2016, and ultimately returned the item with an alternative proposal for review.

West Main Street Density

The alternative referred to the Commission by Council is as follows:

West Main West Corridor: No more than 64 dwelling units per acre by right, and a maximum of 180 dwelling units per acre by special use permit.

West Main East Corridor: No more than 43 dwelling units per acre by right, and a maximum of 120 dwelling units per acre by special use permit.

In an email to staff, Councilor Galvin articulated the reason for asking that this proposal be considered: “In sum, without zoning that facilitates shared parking agreements; or a plan to build a municipal parking garage on west main; or a policy substitute for the SUP as a source for affordable housing funds; or a policy and zoning substitute for the SUP as a way to assess the physical impact of higher-density projects, I have grown to believe that it would be premature to eliminate the SUP on West Main Street at this time. We need that extra layer of review now, in order to make sure we don’t create unintended consequences that we will regret. In the future, when we fix these zoning deficiencies and close these policy gaps, I will be far more comfortable eliminating the SUP and density maximums altogether.

The density ratios that Lisa Robertson and I (Mrs. Galvin) worked out were not “pulled out of thin air” however, but based on zoning precedents and examples of actual buildings in the city. There was also a bit of mathematical logic involved.”

Staff Recommendation

Staff previously recommended maintaining the density regulations from the original West Main proposed draft rather than permitting 200 dwelling units per acre by-right. Staff finds the alternative proposal to be a good compromise between the need to give applicants the ability to fill the building envelopes permitted in the new West Main regulations and the concerns of the Commission about ensuring that higher density developments are achieving the vision of the City for the West Main Street corridor.

Attachments

1. Proposed Alternative Ordinance from Councilor Galvin
2. Draft Ordinance Revisions

ALTERNATE PROPOSED ORDINANCE

ZT16-0001

AN ORDINANCE

APPROVING AMENDMENTS TO CHAPTER 34 OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED (ZONING), DIVISION 5 (WEST MAIN STREET WEST CORRIDOR), SEC. 34-621 (DENSITY) AND DIVISION 6 (WEST MAIN STREET EAST CORRIDOR), SEC. 34-641 (DENSITY) TO INCREASE THE RESIDENTIAL DENSITY ALLOWED BY RIGHT WITHIN EACH DISTRICT FROM 43 DUA TO 200 DUA

WHEREAS, by resolution adopted on March 21, 2016, City Council initiated certain amendments to the text of the City’s Zoning Ordinance, Sections 34-621 AND 34-641 of the Code of the City of Charlottesville (1990), as amended (“Proposed Zoning Text Amendment”); and

WHEREAS, a public hearing on the Proposed Zoning Text Amendment was held before the Planning Commission on June 14, 2016, after notice to the public and to adjacent property owners as required by law, and following conclusion of the public hearing the Planning Commission voted to recommend denial of the Proposed Zoning Text Amendment; and

WHEREAS, a public hearing on the Proposed Zoning Text Amendment was held before this City Council on July 18, 2016, after notice to the public and to adjacent property owners as required by law; and

WHEREAS, after consideration of the Planning Commission’s recommendation as well as other factors and considerations, this Council is of the opinion that that the Proposed Zoning Text Amendment has been designed to give reasonable consideration to the purposes listed in Sec. 15.2-2283 of the Code of Virginia (1950), as amended, and this Council hereby finds and determines that: (i) the public necessity, convenience, general welfare and good zoning practice require the Proposed Zoning Text Amendment, and (ii) the Proposed Zoning Text Amendment is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that Sections 34-621 and 34-641 of the Code of the City of Charlottesville (1990), as amended, are hereby amended and reenacted as follows:

Sec. 34-621. Density

Residential density shall not exceed ~~forty-three (43)~~ sixty four (64) DUA; however, up to ~~two hundred (200)~~ one hundred eighty (180) DUA may be allowed by special use permit.

Sec. 34-641. Density

Residential density shall not exceed forty-three (43) DUA; however, up to ~~two hundred (200)~~ one hundred twenty (120) DUA may be allowed by special use permit.

DIVISION 5. - REGULATIONS—WEST MAIN STREET WEST CORRIDOR ("WMW")

Sec. 34-621. - Density.

Residential density shall not exceed ~~forty-three (43) DUA~~ sixty-four (64) Dwelling Unit per Acre; however, up to ~~two hundred (200)~~ one hundred and eighty (180) DUA may be allowed by special use permit.

DIVISION 6. - REGULATIONS—WEST MAIN STREET EAST CORRIDOR ("WME")

Sec. 34-641. - Density.

Residential density shall not exceed forty-three (43) DUA; however, up to ~~two hundred (200)~~ one hundred and twenty (120) DUA may be allowed by special use permit.

City of Charlottesville
Department of Neighborhood Development Services
Memorandum



To: City of Charlottesville Planning Commission

From: Brian Haluska, AICP

Date of Memo: September 14, 2016

RE: Proposed Changes to the Water Street Corridor

Summary

At the regular meeting on June 14, 2016, the Planning Commission initiated a review of potential changes to the Water Street Corridor zoning district that were raised by the placement of the Midway Manor property within the Water Street Corridor. The Commission forwarded recommended changes to the Council for consideration, but also requested that staff evaluate several other regulations that might be appropriate in light of the inclusion of 100 Ridge Street in the Water Street Corridor. Those items are:

- Setback regulations along Ridge Street
- Stepback regulations adjacent to the South Street Mixed-Use District

Ridge Street Setback

Currently, the Ridge Street frontage of the property is governed by the primary street frontage setback, which requires at least 75 feet of the streetwall of a building be built on the property line, and the remaining streetwall be a maximum 5 feet from the property line. The code permits a reduction in the amount of the streetwall required to be on the property line to 50% and an increase in the maximum setback to 20 feet to accommodate street trees, or pursuant to a special use permit.

The Tree Commission expressed a desire to see the setback along Ridge Street set at 25 feet minimum to permit adequate space for street trees on private property. The Commission additionally asked that staff investigate this as a means of maintaining green space within the intersection.

Staff finds no justification for the 25 foot setback, because no other setback regulations in the vicinity of the property are subject to such a regulation. Staff instead recommends using the existing setback regulations that apply to the 200 block of Ridge Street south of the railroad, as

well as the buildings across Ridge Street from the site – a required 10 foot minimum setback with a 20 foot maximum.

South Street Stepback

In the Water Street Corridor, stepbacks are only required along street walls. The Commission expressed concern that even with a 10 foot setback adjacent to the South Street District, a building of 70 feet in height would not be in scale with the 45 foot maximum height in the South Street District, and that further regulations were needed to ensure a transition from the smaller scale South Street buildings to a potential development on the site at 100 Ridge Street.

Staff recommends a 15 foot stepback after 45 feet in building height. The maximum building height in the South Street District is 45 feet tall, and the 15 foot stepback coupled with the 10 foot setback would equal the 25 foot stepback currently required on streetwalls in the Water Street District.

DIVISION 11. - REGULATIONS—WATER STREET DISTRICT ("WSD")

Sec. 34-743. - Streetwall regulations.

(a) *Stepbacks.* For properties with frontage on the north side of South Street between Ridge Street and 2nd Street SW, the maximum height of the streetwall of any building or structure shall be forty-five (45) feet. After forty-five (45) feet, there shall be a minimum stepback of twenty-five (25) feet along the length of such street wall. On property lines adjacent to the South Street District, a minimum stepback of 15 feet shall be required after a maximum 45 feet in building height.

(b) *Setbacks.*

(1) *Primary and linking street frontage.* At least seventy-five (75) percent of the streetwall of a building must be built to the property line adjacent to a primary street. For the remaining portion of streetwall (i.e., twenty-five (25) percent), the maximum permitted setback is five (5) feet; however, (i) if streetscape trees are provided to the standards set forth in [section 34-870](#), or (ii) pursuant to a special use permit granted by city council up to fifty (50) percent of the streetwall of a building may be set back twenty (20) feet.

(2) *Setback, Water Street:* A minimum setback of five (5) feet shall be required for all buildings located on Water Street.

(3) *Setback, Ridge Street:* A minimum setback of twenty-five (25) feet shall be required for all building facades that front on Ridge Street.

(5-19-08(3))