# CITY COUNCIL AGENDA
## December 18, 2023

J. Lloyd Snook, III, Mayor
Juandiego Wade , Vice Mayor
Michael K. Payne, Councilor
Brian R. Pinkston, Councilor
Leah Puryear, Councilor
Kyna Thomas, Clerk

**4:00 PM OPENING SESSION**

This is an in-person meeting with an option for the public to participate electronically by registering in advance for the Zoom webinar at www.charlottesville.gov/zoom. The meeting may also be viewed on the City's streaming platforms and local government Channel 10. Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call (434) 970-3182 or submit a request via email to ada@charlottesville.gov. The City of Charlottesville requests that you provide a 48-hour notice so that proper arrangements may be made.

**Call to Order/Roll Call**

**Agenda Approval**

**Reports**

1. Presentation: Budget Presentations - Internal Services

**5:30 PM CLOSED MEETING (boards and commissions)**

**6:30 PM BUSINESS SESSION**

**Moment of Silence**

**Announcements**

**Recognitions/Proclamations**

- Proclamation: Human Rights Commission 10 year anniversary
- Recognition: Preservation Piedmont award presentation to the City for The Pen Park Unmarked Graves Project
- Recognition: Resolution of Appreciation for Leah W. Puryear

**Board/Commission Appointments**

**Consent Agenda***

The consent agenda consists of routine, non-controversial items whereby all items are passed with a single motion and vote. After the reading of the consent agenda, the mayor will open the floor for comments from the public on the items that were read. Speakers will have up to three minutes each to make comments before City Council votes on the consent agenda. Speakers must state their name and locality for the record.

2. Minutes: October 2 regular meeting, October 16 regular meeting; November 1 special meeting, November 7, 2023 General and Special Elections certification, November 8 special meeting
3. Resolution: Resolution to appropriate funding from the U.S. Department of the Interior for the Chesapeake Bay Gateways Network Grant - $49,976 (2nd reading)
4. Resolution: Resolution appropriating the Bureau of Justice Assistance FY23 Edward Byrne Memorial Justice Assistance Grant - Local Solicitation $27,486 (2nd reading)
5. Resolution: Resolution to appropriate State Historic Resources Grant Funds to Jefferson School African American Heritage Center - $200,000 (2nd reading)

**City Manager Report**

- Report: Monthly update

**Community Matters**

Public comment for up to 16 speakers (limit 3 minutes per speaker). Preregistration available for first 8 spaces at https://www.charlottesville.gov/692/Request-to-Speak; speakers announced by

Noon on meeting day (9:00 a.m. sign-up deadline). Additional public comment at end of meeting. Comments on Public Hearing items are heard during the public hearing only.

**Action Items**

| | | |
|---|---|---|
| 6. | Ordinance: | Ordinance to approve a Zoning Map Amendment pursuant to Sections 34-41 of the Code of the City of Charlottesville for properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road - VERVE Charlottesville PUD – ZM23-00004 |
| 7. | Ordinance: | Ordinance amending and re-enacting Chapter 34 (Zoning) of the Code of the City of Charlottesville (1990), as amended, to remove 104 Stadium Road from the list of Individually Protected Properties - VERVE Charlottesville PUD – ZT23-09-02 |
| 8. | Ordinance: | Ordinance to amend the November 4, 1996 Right-of-Way Closure Ordinance for Woodrow Street - VERVE Charlottesville PUD |
| 9. | Ordinance: | Ordinance to amend the May 2, 2011 ordinance for the sale of 409 Stadium Road - VERVE Charlottesville PUD |
| 10. | Resolution: | Resolution to grant a Critical Slope Waiver for a residential development referred to as "VERVE Charlottesville PUD" |
| 11. | Resolution: | Resolution to grant a Sidewalk Waiver for a residential development referred to as "VERVE Charlottesville PUD" |
| 12. | Ordinance: | Ordinance to Rezone land fronting on Ivy Road and Copeley Road related to the "2117 Ivy Road Plan Unit Development Plan Submittal" |
| 13. | Ordinance: | Consideration of repealing and reordaining a new Chapter 34 of the Charlottesville City Code, and adopting a new official Zoning Map for the City of Charlottesville |
| 14. | Resolution: | Disposition of Pending Projects |

**General Business**

| | | |
|---|---|---|
| 15. | Written Report: | Botanical Garden of the Piedmont FY23 Annual Report |

**Other Business**

**Community Matters (2)**

**Adjournment**




# DEPARTMENTAL BRIEFINGS

## EMERGENCY MANAGEMENT - JEREMY EVANS, EM COORDINATOR

Emergency management simply creates a framework to help communities reduce vulnerabilities to threats and hazards and cope with disasters. Emergency management is an essential role of government.

The overall goals of emergency management at all levels are to reduce the loss of life, to minimize property loss and damage to the environment, and to protect the jurisdiction from all threats and hazards. We accomplish this through five mission areas:

- Prevention
- Protection
- Mitigation
- Response
- Recovery

Ultimately, emergency management is a whole community function; meaning our greatest success will come from leveraging the expertise of:

- Individuals and households
- Private and nonprofit sectors
- Community entities, including advocacy and faith-based organizations
- Other levels of government.

Charlottesville's Emergency Management team encourages every member of the community to be prepared. Please visit ready.gov for more emergency preparedness information.



# DEPARTMENTAL BRIEFINGS

## COMMUNICATIONS & PUBLIC ENGAGEMENT-DIRECTOR AFTON SCHNEIDER

The Office of Communications and Public Engagement's (CAPE) mission is to inform, educate and engage citizens, stakeholders, and staff about City matters and initiatives through a variety of communication resources. Our goal is to provide a productive, mutually beneficial relationship between City departments and the community and to support and advance the City's Strategic Outcome Areas outlined in the City's Strategic Plan Framework. The CAPE office serves as a liaison between the City and citizens by coordinating media, public, and community relations and by encouraging citizen engagement in their government through a variety of methods, including, but not limited to – media relations, press releases, public events, branding, graphic design, thought leadership, produced media for broadcast on radio and television, the City's website, social media platforms, print advertisements, public appearances, and public service announcements as well as programming on City Public, Educational, and Government Access channels.

Tracing its roots to the 1970's, the City of Charlottesville has had a trio of community-access television stations in continuous operation since 1993 – TV10 (Government), CPA-TV (Public), and CEC 14 (Education). The City assumed management of these stations in 2004. CPA-TV's mission is to enhance the unity and strength of our community by providing a medium for community dialogue and training opportunities, a source for information of local, national, and international origin, and a forum for the exchange of ideas relevant to the community. Additionally, the Charlottesville Community Media Center (CCMC) is a video production and multimedia learning facility located within the Shops at York Place on the Downtown Mall at 112 West Main Street.CCMC is a member-driven operation that encourages and supports free expression by offering citizens the necessary tools and resources to create and distribute non-commercial community programming on CPA-TV (Comcast Channel 13), Roku TV apps, and CCMC online platforms.



# DEPARTMENTAL BRIEFINGS

## OFFICE OF BUDGET AND PERFORMANCE MANAGEMENT - DIRECTOR KRISY HAMMILL

The Office of Budget and Performance Management is responsible for the development of the City's operating and capital budgets and the reporting of performance management initiatives relating to the City's Strategic Plan.

The department's core services Include:

- Development of the City's annual budget and five-year Capital Improvement Program.
- Manage City's Debt Portfolio
- Forecasts Revenues and Expenditures for long-term financial planning and Track Performance
- Address policy issues related to the budget, City finances, and organizational performance and quality initiatives.
- Coordinate and report performance measure data.
- Develop and Maintain Decision-Support and Transparency Tools
- Act as a liaison for City Management, Departments, and Outside agencies




# DEPARTMENTAL BRIEFINGS

## DEPARTMENT OF FINANCE - DIRECTOR CHRIS CULLINAN

The Department of Finance is comprised of five divisions:

**Finance Administration** provides comprehensive financial management, accounting, and reporting services; pays all City employees and City bills; manages the City's credit card program; and prepares several specialized technical reports. The office has consistently received the Government Finance Officers Association Certificate of Excellence in Financial Reporting and recently received its first award for its Popular Annual Financial Report.

The **City Assessor's Office** is responsible for assessing over 15,000 parcels annually, maintains assessments for tax purposes at fair market value, and is responsible for Tax Abatement and Supplemental Assessment Programs.

**Procurement/Warehouse** has overall responsibility for the City's purchasing system and develops procedures to ensure that procurements are conducted fairly and impartially and in compliance with state, local, and other applicable laws. The Central Warehouse, which includes a central shipping and receiving point for City agencies, disposition of surplus property for the City and library, short-term storage for City departments, and inventory management, including material requirements planning and purchasing of inventory stocked in the central warehouse.

**Risk Management** coordinates overall risk management services for the City. This includes managing the City's property and liability insurance coverages and coordinating centralized safety services and training.

The **Utility Billing Office (UBO)** maintains and bills over $44 million in utility accounts yearly for gas, water, and sewer services and sends over 26,000 monthly invoices. They also handle requests to stop/start services, answer customer inquiries, create and monitor payment arrangements, disconnect/reconnect customers, and handle all billing maintenance entries necessary to send accurate and timely bills. The office handles over 37,000 customer inquiries annually. UBO also administers the Gas Assistance Program. They also manage water and wastewater assistance programs and administer rebate programs for toilets, water heaters, thermostats, and rain barrels.



# DEPARTMENTAL BRIEFINGS

## HUMAN RESOURCES - DIRECTOR MARY ANN HARDIE

Human Resources functional service areas include recruitment and selection, employee and labor relations (including collective bargaining), performance management, training and organizational development, employee benefits administration, retiree benefits administration, leave administration, workers compensation, policy development and compliance, human resources information systems, and general human resources administration. The department's key goals include:

- Helping to attract, engage and retain employees.
- Helping to provide employee development resources and organizational training(s).
- Fostering sound employee and labor relations, including through the collective bargaining process.
- Offering a competitive total rewards compensation and benefits package.
- Effectively communicating HR programs and processes.
- Providing guidance and clarity on policies and procedures that support the City's organizational goals.
- Supporting the City's diversity, equity, inclusion, belonging and accessibility initiatives.



# Office of Emergency Management

Council Briefing| December 18, 2023

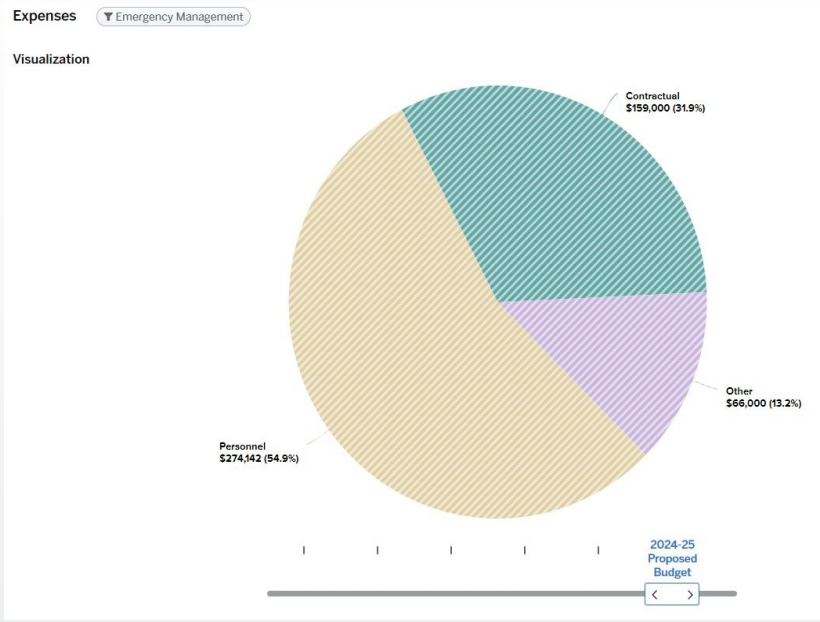
# Office of Emergency Management

The Office of Emergency Management plays a crucial role that ensures the city's preparedness, mitigation, response, and recovery operations during "blue sky" and "gray sky" days. The Office of Emergency Management is responsible for directing the tactical initiatives necessary to meet strategic objectives in accordance with local, state, and federal emergency management regulations.

# Staffing


City Manager
(Samuel Sanders)
Office of Emergency Management
Jeremy Evans
EM-Physical Security Specialist
Brent Burnette

# Budget




**Data**

| Expand All | FY19 Actuals | FY2020 Actuals | FY2021 Actuals | FY2022 Actuals | FY2023 Adopted | FY2024 Adopted |
|---|---|---|---|---|---|---|

Data

| Expand All | FY19 Actuals | FY2020 Actuals | FY2021 Actuals | FY2022 Actuals | FY2023 Adopted | FY2024 Adopted |
|---|---|---|---|---|---|---|
| ▸ Personnel | $0 | $0 | $0 | $0 | $0 | $274,143 |
| ▸ Contractual | 0 | 0 | 0 | 0 | 0 | 225,000 |
| Total | $0 | $0 | $0 | $0 | $0 | $499,143 |

# Current Projects

- Emergency Sheltering Plan-In development
  - To be completed by Q2 2024
- EOP Hazardous Incidents Annex Plans-In development
  - Active Threat
  - Terrorism
  - Cyber Terrorism
  - Mass Demonstration
- CAT Tabletop (TTX) Exercise-Scheduled
  - To be completed 1/26/24

# Current Projects Contd.

EOP Support Annex- In development

- Disaster Recovery Plans
  - Debris Management
  - Disaster Assessment Team S.O.P.
  - Financial Recovery
  - FEMA Public Assistance Guidance
- Crisis Communications Plan
- City-wide Communications Plan
- Incident Management Training
- Enterprise Continuity of Operations Plan  (COOP)Update-Q2
- Full Scale Exercise Development tentatively Q3
- Build on Active Shooter Incident Management Training from 10/23

# Future OEM projects

- Pursue EMAP National Accreditation-(Emergency Management Accreditation Program)
- Citizens Emergency Response Team (CERT) – Currently investigating
- Pet sheltering plan development/equipment purchase
- Drone Response Program
- Buildout of second fully functional emergency shelter-Pending grant approval
- Community Assistance/Family Assistance Plan development (Reunification)
- Expand Training/Collaboration with City Schools and Regional Partners
  - The I Love You Guy's Foundation-Reunification Training https://iloveuguys.org/
    - Standard Response Protocol
    - Standard Reunification Protocol
    - Standard Reunification Exercise

# Challenges/Needs

One designated EOC space.

EM Equipment storage (Warehouse space for shelter supplies etc.)

Truck and trailer needed for storage and to move equipment between shelters or EOC’s

Additional FTE for Training and Education and Planning

# Questions





# Office of Communications and Public Engagement

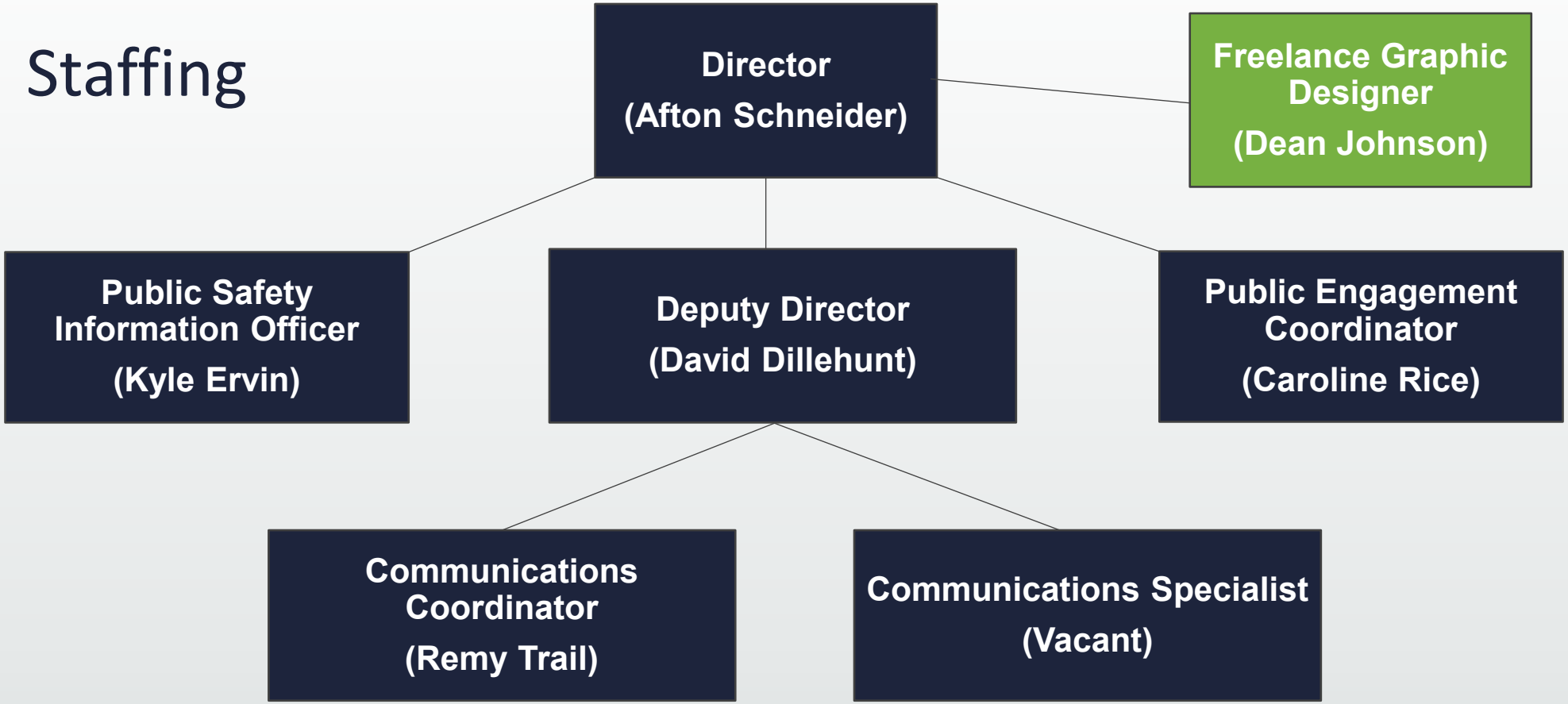
Council Briefing| December 18, 2023

# Director of Communications and Public Engagement

The Director of Communications and Public Engagement, appointed by the City Manager, serves as the City government's primary spokesperson and Public Information Officer.

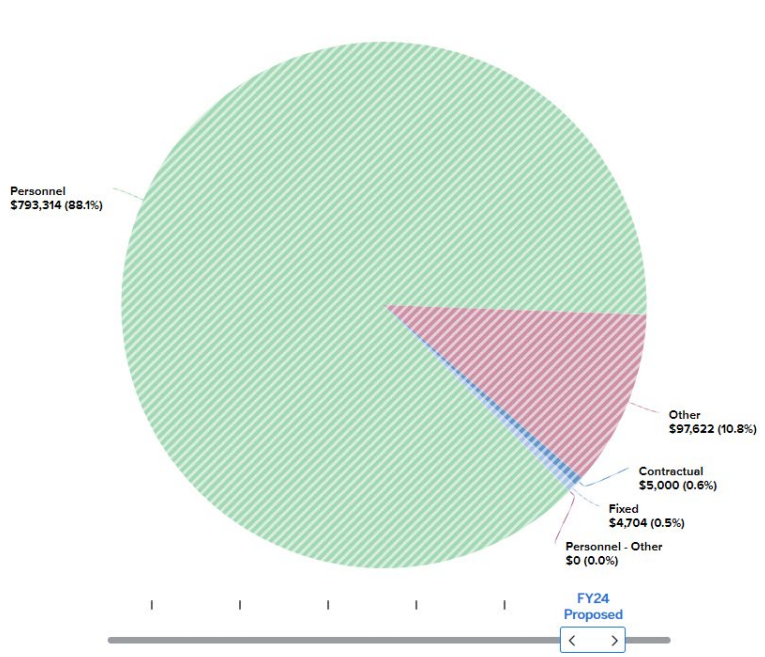
The Director is responsible for developing and directing a city-wide communications and public engagement program that includes both internal and external communications.

# Staffing


Director
(Afton Schneider)
Freelance Graphic Designer
(Dean Johnson)
Public Safety Information Officer
(Kyle Ervin)
Deputy Director
(David Dillehunt)
Public Engagement Coordinator
(Caroline Rice)
Communications Coordinator
(Remy Trail)
Communications Specialist
(Vacant)

# Budget

Visualization




Data

| Expand All | FY19 Actuals | FY20 Actuals | FY21 Actuals | FY22 Actuals | FY23 Adopted | FY24 Proposed |
|---|---|---|---|---|---|---|
| ▸ Personnel | $ 486,951 | $ 491,965 | $ 494,851 | $ 406,355 | $ 575,051 | $ 793,314 |
| ▸ Other | 63,514 | 91,706 | 29,108 | 97,114 | 96,782 | 97,622 |
| ▸ Contractual | 29,294 | 87,790 | 23,058 | 35,979 | 5,000 | 5,000 |
| ▸ Fixed | 5,178 | 4,457 | 3,856 | 3,856 | 4,638 | 4,704 |
| ▸ Personnel - Other | 7,663 | 0 | 3,000 | 14,789 | 0 | 0 |
| Total | $ 592,601 | $ 675,918 | $ 553,873 | $ 558,093 | $ 681,471 | $ 900,640 |

*Note: FY 24 decrease is the result of the Office of Budget and Performance Management being reported separately*

# Objectives

- Support and advance the City's Strategic Outcome Areas outlined in the City's Strategic Plan Framework as well as the City Manager's work plan
- Inform, educate and engage citizens, stakeholders, and staff about City matters and initiatives through a variety of communication resources
- Provide a productive and positive, mutually beneficial relationship between City departments and the community
- Encourage citizen engagement in their government through a variety of methods, including, but not limited to – media relations, community relations, press releases, public events, branding, graphic design, thought leadership, produced media for broadcast on radio and television, the City's website, social media platforms, print advertisements, public appearances, and public service announcements
- Promote the use of our Public, Education, and Government (PEG-TV) stations, embolden residents to produce original, thought-provoking, non-commercial programming at our Community Media Center, offer multimedia production training and guidance to individuals and organizations, and provide a forum for the exchange of ideas relevant to the community.

# Success Factors

- Positive relationships with local media which can be measured by positive or neutral stories with little negative or false coverage
- Positive view of City government and leadership by community members which can be measured by quarterly feedback sessions, townhalls, focus groups, and surveys
- Completing goals within budget
- Satisfied internal clients (City departments)
- Public engagement with our Community Media Center, measured through the number of original productions each year, and positive member feedback which can be measured by surveys

# Challenges

- Legacy reputation of the City under-communicating or hiding information
- Rotating local journalists
- Understaffed for proper Public Relations house
- Changing the narrative
- Limited physical space at our Community Media Center and the desire to grow this community resource through a potential partnership with City Schools and CATEC, expanding our operation with youth skills training and workforce development

# Questions





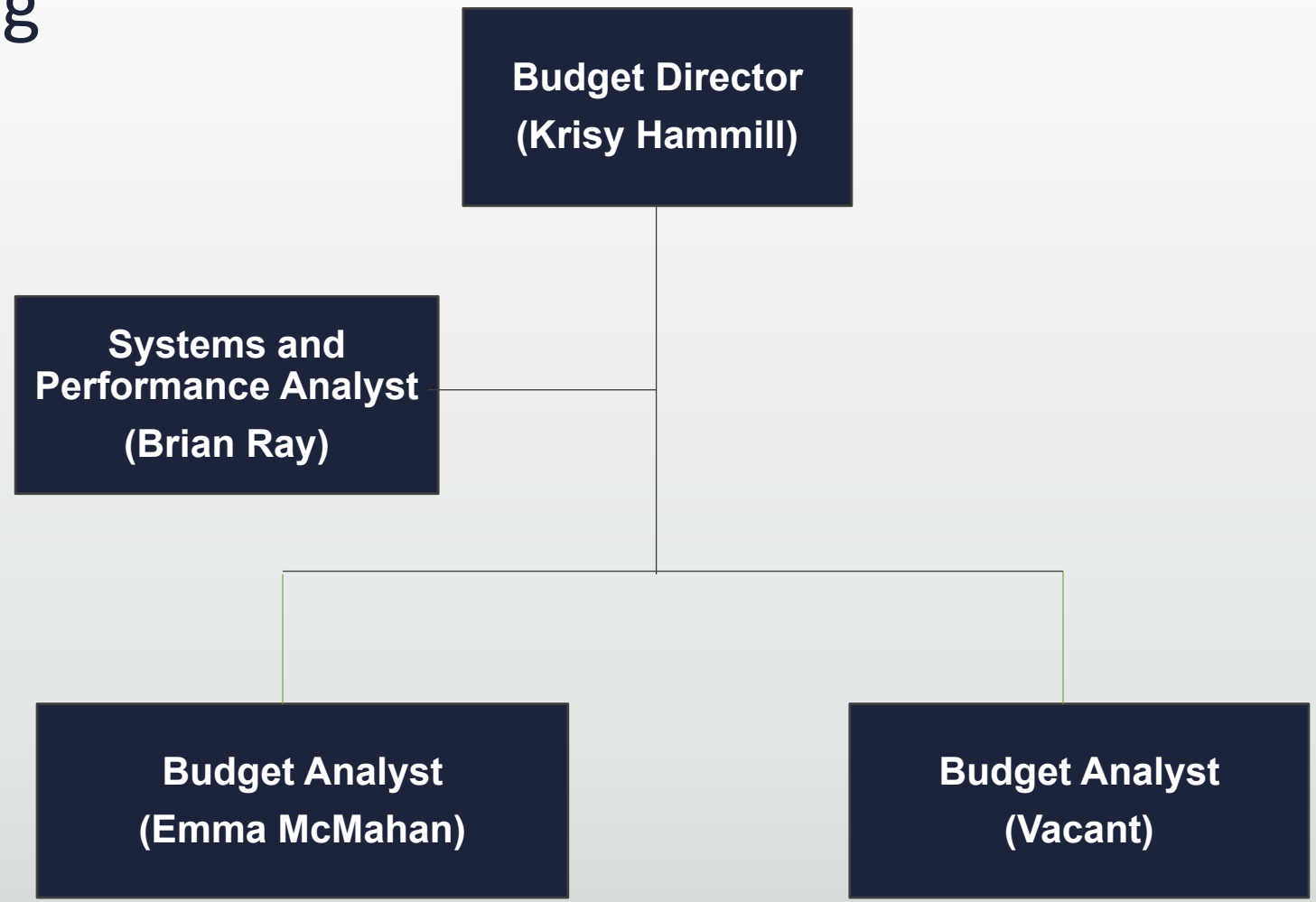
# Budget and Performance Management

Council Briefing| December 18, 2023

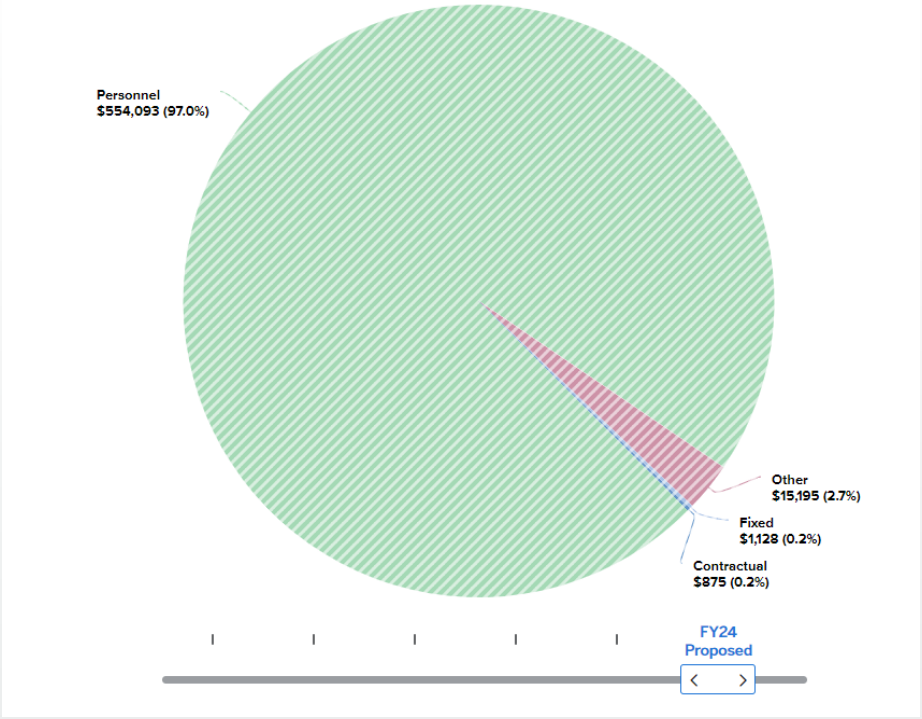
# Budget and Performance Management

The Office of Budget and Performance Management is responsible for the development of the City's operating and capital budgets and the reporting of performance management initiatives relating to the City's Strategic Plan.

# Staffing


Budget Director
(Krisy Hammill)
Systems and Performance Analyst
(Brian Ray)
Budget Analyst
(Emma McMahan)
Budget Analyst
(Vacant)

# Budget




**Data**

| Expand All | FY19 Actuals | FY20 Actuals | FY21 Actuals | FY22 Actuals | FY23 Adopted | FY24 Proposed |
|---|---|---|---|---|---|---|
| ▸ Personnel | $ 0 | $ 0 | $ 0 | $ 0 | $ 0 | $ 554,093 |
| ▸ Other | 0 | 0 | 0 | 0 | 0 | 15,195 |
| ▸ Fixed | 0 | 0 | 0 | 0 | 0 | 1,128 |
| ▸ Contractual | 0 | 0 | 0 | 0 | 0 | 875 |
| Total | $ 0 | $ 0 | $ 0 | $ 0 | $ 0 | $ 571,291 |

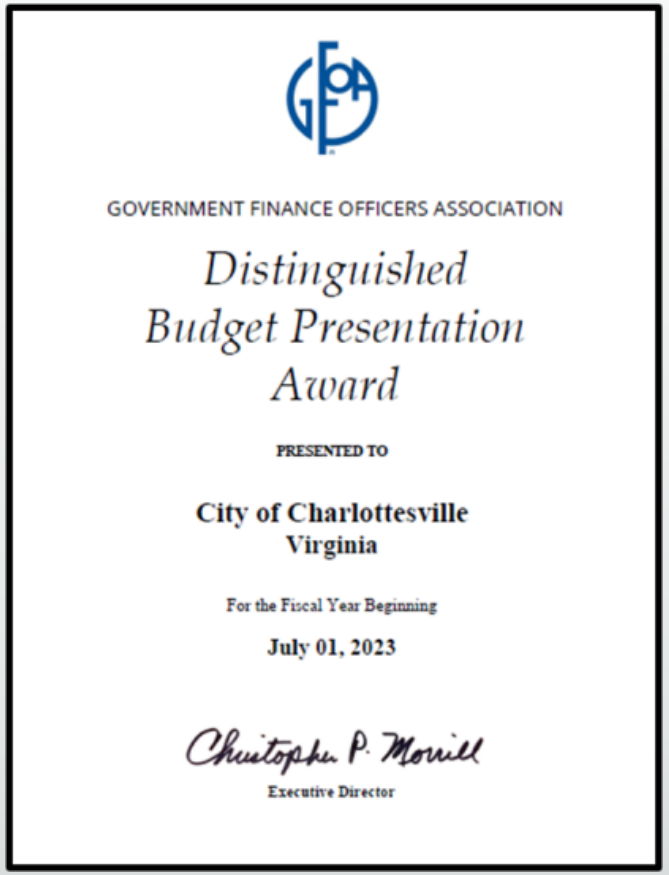
*Note: Prior to FY 24 the Office of Budget and Performance Management was included as part of the budget for the Office of the City Manager*

# Core Services

- Develops the City's annual budget and five-year Capital Improvement Program.
  - Manage City’s Debt Portfolio
- Forecasts Revenues and Expenditures for long-term financial planning and Track Performance
- Address policy issues related to the budget, City finances and organizational performance and quality initiatives.
- Coordinate and report performance measure data.
- Develop and Maintain Decision-Support and Transparency Tools
- Act as a liaison for City Management, Departments, Outside agencies



# Important Benchmarks



GOVERNMENT FINANCE OFFICERS ASSOCIATION

*Distinguished Budget Presentation Award*

PRESENTED TO

**City of Charlottesville Virginia**

For the Fiscal Year Beginning

**July 01, 2023**

Christopher P. Morrill

Executive Director

- According to Charlottesville City Charter and state law, the city must adopt an annual budget prior to April 15th of each year
  - City Manager required to submit Proposed Budget to City Council at least 30 days prior (March 15th)
  - Host 6 work sessions, 2 community forums, 5 Council Presentations, weekly budget meetings, department budget presentations and monthly revenue team meetings
- Prepare Budgets for 28 Separate Funds
- General Fund Budget requires coordination with 29 City departments including more than 90 proposals and more than 75 outside agencies including Charlottesville City Schools and Albemarle County

# Work Plan for the Upcoming Year

## Office Work Plan

- FY 24 Established as a "Separate Office" – formerly part of the City Manager's Administration Budget
- Mission and Vision

## Recruitment

- Fill the 4th position
- Continue to Build and Define Staff Roles

## Continuous Budget Process and Transparency Improvements

- Budget Explorer (developed and maintained in-house)
- Online Operating and CIP Budget Books
- Access to Historical Budget Information
- Budget Development and Work Session Info



# Questions





# Department of Finance

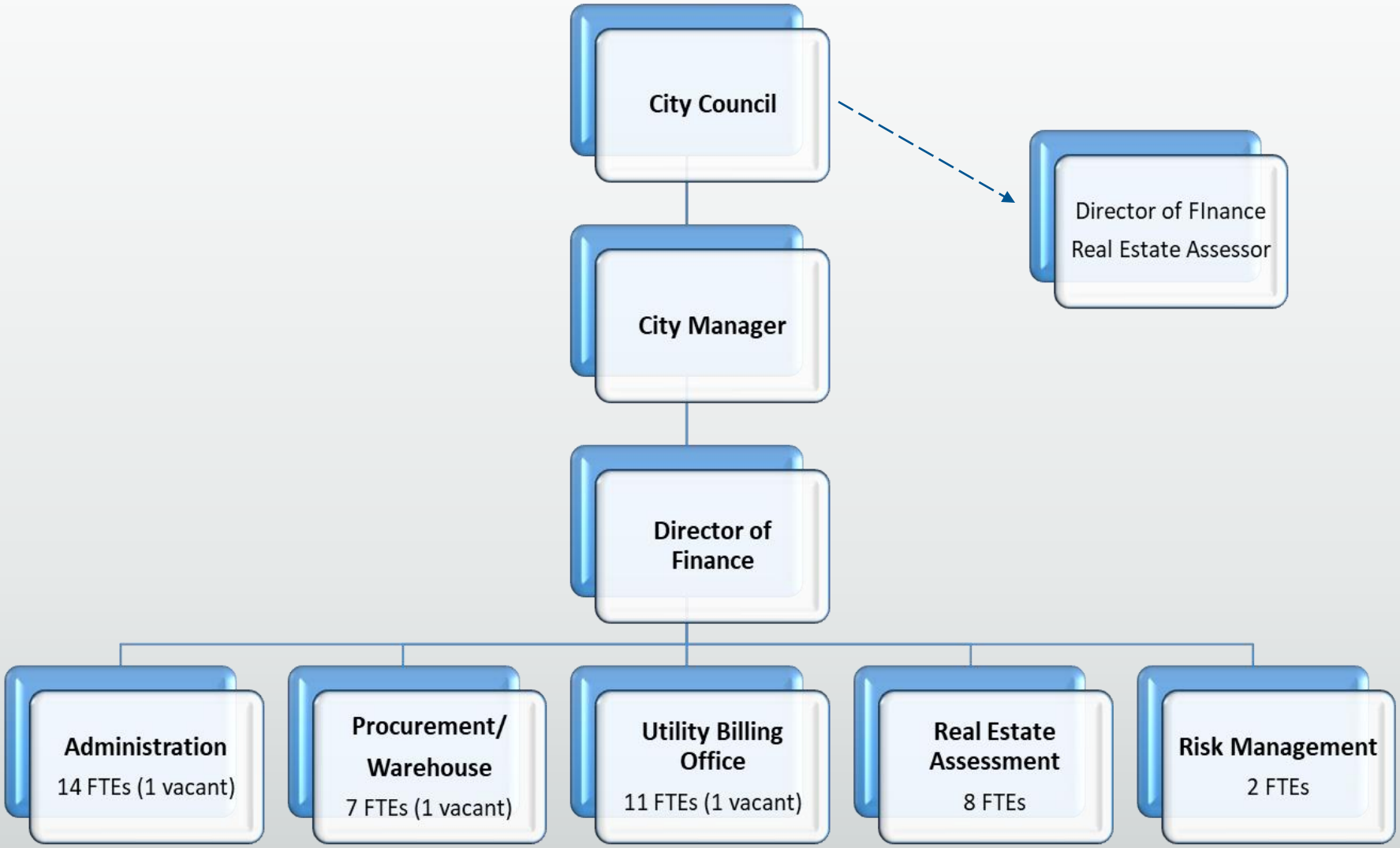
Council Briefing| December 18, 2023

# Department of Finance

The Department of Finance is comprised of five divisions:

- **Administration** – accounting and reporting, payroll ,accounts payable/receivable, City's credit card programs, manages the City's financial management system(SAP).
- **Procurement/Warehouse** – responsible for ensuring City's purchases are conducted in compliance with applicable procedures and laws while delivering optimal value for expenditure of funds.
- **Real Estate Assessment** – annual assessment of real property in accordance with state law.
- **Risk Management** – manages the City's property and liability insurance coverages and coordinates centralized safety services and training for the City organization.
- **Utility Billing Office** – provides billing and customer service for the City's water, sewer, and gas utilities.

# Staffing – 42 budgeted positions (39 filled, 3 vacant)



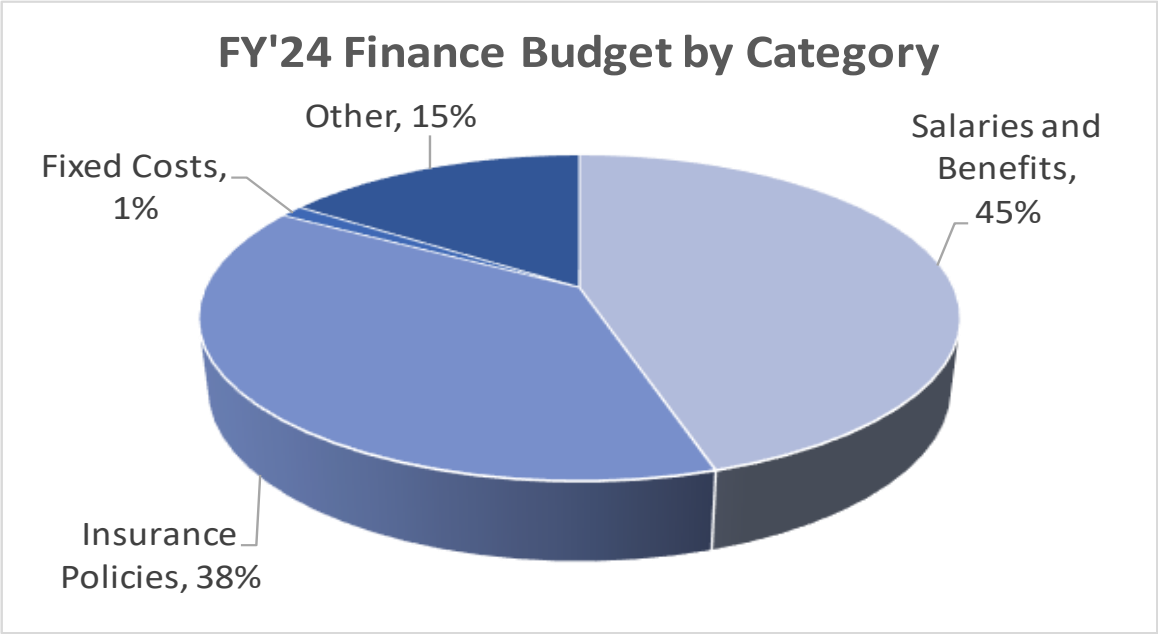
# Service Levels

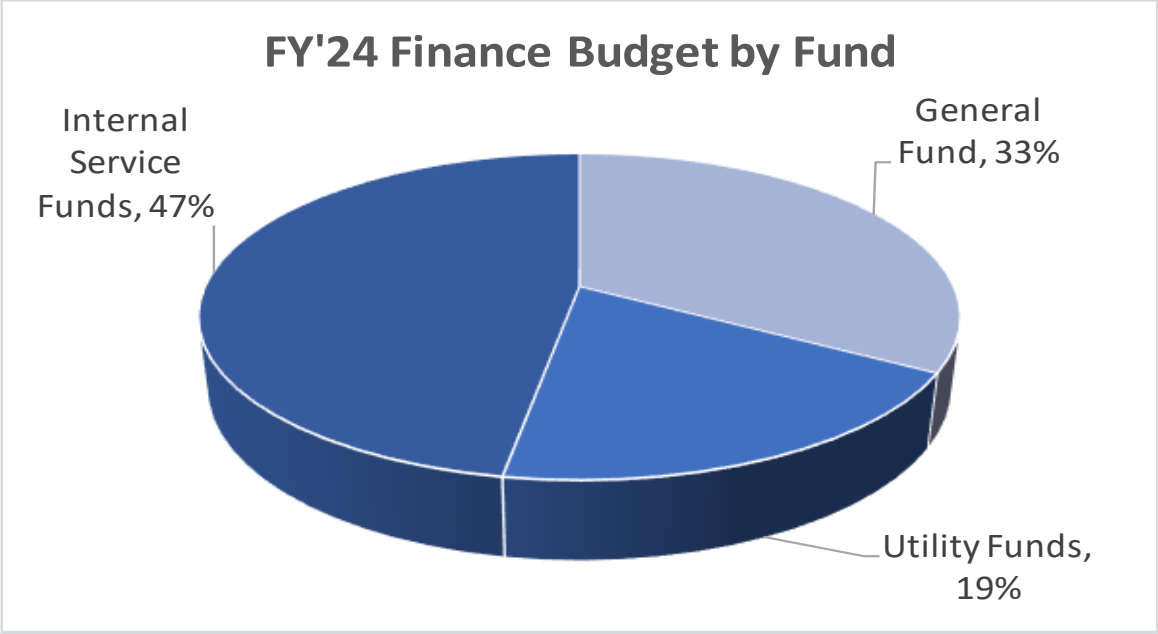
| | |
|---|---|
| Payroll | • 1,400 employee checks every 2 weeks<br>• 900 retiree checks per month |
| Utility Billing Office | • Bills 26,000 utility customers monthly<br>• Handles 37,000 customer inquiries per year |
| Accounts Payable | • 100,000 transactions annually |
| Procurement | • 2,000 procurements annually<br>• Average of $75M spend per year |
| Assessor's Office | • Assess 15,000 parcels annually |
| Risk Management | • Recover an average of $187k of damages per year<br>• Handle 225 incident reports annually |

# Budget

- Annual budget for the department is approximately $9.3M (FY'24)

- The department's budget is located in several different funds:
  - ✓ *General Fund – Administration, Real Estate Assessment, Procurement*
  - ✓ *Utility Funds – Utility Billing Office*
  - ✓ *Internal Service Funds – Risk Management, Warehouse*



# Budget (cont.)

- Budget drivers for FY'25
  - ✓ *Inflationary/Contractual Cost increases*

- New Requests
  - ✓ *Administration - Upgrade an existing Administrative Assistant position to a Management Analyst*
  - ✓ *Utility Billing Office – Create a Customer Service Supervisor position*

# Challenges

- Personnel
  - ✓ *Retaining experienced, qualified personnel by providing competitive salary and benefits*
  - ✓ *Finding qualified candidates to fill vacant, technical positions*

# Opportunities

- Upgrading City's Financial Management System (SAP)
  - ✓ *Undertaking a 2+ year effort to upgrade SAP to ensure technical and data integrity*
  - ✓ *Improved, easier user experience*
  - ✓ *Will involve a number of City departments and personnel*
  - ✓ *Estimated cost is $6M - $7M. Majority of funding is already in place from fees charged to users in previous years and set aside for this purpose and some year end funds.*



# Human Resources

Budget Presentation| December 18, 2023

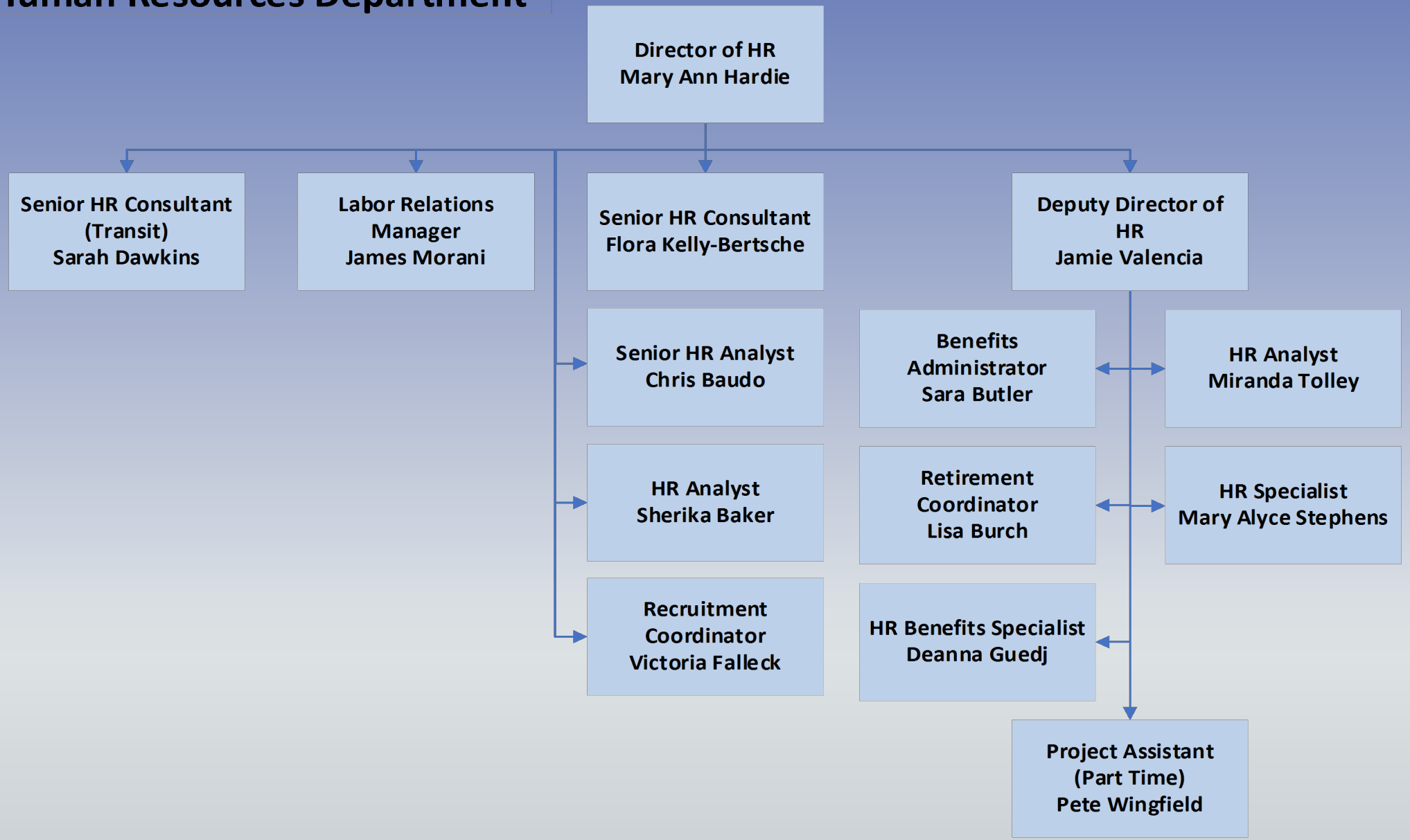
# Human Resources Department



# About the Human Resources Department

- 13 full-time employees
- Reorganization (HR) – started in August of 2021
- Focus process and procedures (compliance and best practices)
- Focus on cross-training, staff development

# Human Resources Department



# Service Levels

- HR provides internal service for almost 1000 FTE's.
- We also serve the Library (JMRL) as their fiscal agent.
- We have our own retirement system and manage 600+ retirees and our own health insurance (self-insured) plan that we manage.
- We coordinate collective bargaining (negotiations) and employee and labor relations support for 3 separate (current) bargaining units.

# Major Projects

- Classification & Compensation Plan (Unaffiliated Employees)
- Collective Bargaining - negotiations for 3 contracts
- HRMS – training and implementation of 2 modules (SAP Success Factors)
  - Performance management (evaluation) system
  - Learning management system
- City-wide Job Descriptions updates

# Challenges

- **Capacity**
  - Major, complex, high priority projects with competing deadlines
  - Implementation of the projects
  - Organizational change management with new processes, practices and priorities
- **Labor Market Challenges**
  - Impacts to recruitment, hiring, retention

# Challenges (continued)

- **Time to train**
  - Development of staff
  - Organizational training

# Budget Requests

- 1 FTE Senior HR Analyst position

# Questions



# CITY OF CHARLOTTESVILLE

# PROCLAMATION

## Charlottesville Human Rights Commission
## 10th Anniversary Recognition

**WHEREAS** the Virginia General Assembly passed the Virginia Fair Housing Law in 1972, the Virginia Human Rights Act in 1987, and passed enabling legislation authorizing localities to enact human rights ordinances and establish human rights commissions; and

**WHEREAS** in September 2008 City Council proposed a community-centered initiative known as the Dialogue on Race, which began in December 2009 and led to the formation of the Human Rights Task Force on February 9, 2012; and

**WHEREAS** on May 20, 2013, City Council approved the Charlottesville Human Rights Ordinance, Chapter 2, Article XV of the Code of the City of Charlottesville, to establish the Charlottesville Human Rights Commission; and

**WHEREAS** the Charlottesville Human Rights Commission held its first meeting on November 21, 2013; and

**WHEREAS** the role of the Charlottesville Human Rights Commission is to act as a strong advocate for justice and equal opportunity by providing citywide leadership and guidance in the area of Civil Rights; and

**WHEREAS** City Council envisions Charlottesville to be a place where everyone thrives and is committed to justice, equity, diversity, and inclusion through the implementation of equitable practices and policies across all its activities;

**NOW, THEREFORE,** the Charlottesville City Council takes great pleasure in recognizing the 10th anniversary of the Charlottesville Human Rights Commission and the contributions of Commissioners past and present in service to the Charlottesville Community.

Signed and sealed this 18th day of December of 2023.

_____

**J. Lloyd Snook, III, Mayor**

**Attest:**

_____

**Kyna Thomas, Clerk of Council**

**CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES**
**October 2, 2023 at 4:00 PM**
**Council Chamber**

The Charlottesville City Council met on Monday, October 2, 2023. Mayor Lloyd Snook called the meeting to order, and Clerk of Council Kyna Thomas called the roll, noting all councilors present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Michael Payne, Brian Pinkston and Leah Puryear.

On motion by Pinkston, seconded by Puryear, Council unanimously approved the meeting agenda.

## REPORTS

### 1. PRESENTATION: Budget Kickoff

Krisy Hammill, Director of Budget and Performance Management, provided an overview of the budget development schedule.

### 2. PRESENTATION: Departmental Budget Presentations - Administration

Sam Sanders, City Manager, presented a department summary for the City Manager's Office.

Kyna Thomas, Chief of Staff/Clerk of Council, presented the department summary for the Council/Clerk of Council Office, including the Charlottesville Sister Cities Commission.

Jacob Stroman, City Attorney, presented the department summary for the City Attorney's Office.

Chris Engel, Director of Economic Development, presented the department summary for the Office of Economic Development.

## CLOSED MEETING

On motion by Pinkston, seconded by Payne, Council voted 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) to meet in closed session as authorized by Virginia Code Section 2.2-3711(A)(8), for consultation with the City Attorney regarding legal matters requiring the provision of legal advice, specifically, legal matters regarding the proposed 0 East High Street development, including the appeal of the Planning Commission's review pursuant to Code of Virginia Section 15.2-2232; and as authorized by Virginia Code Section 2.2-3711(A)(1), for the discussion and consideration of an appointment to the Charlottesville Retirement Plan Commission.

On motion by Pinkston, seconded by Wade, Council certified by the following vote: 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none.), that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the Motion convening the closed session were heard, discussed or considered in the closed session.

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**BUSINESS SESSION**

City Council began the business portion of the meeting by observing a moment of silence.

**RECOGNITIONS/PROCLAMATIONS**

- **Proclamation: Digital Inclusion Week**

  Vice Mayor Wade presented the proclamation to Jason Ionfuentes, lead for the Albemarle County initiative, who thanked Council and shared additional information about the digital inclusion initiative, recognized nationally the week of October 2-6, 2023.

- **Proclamation: Fire Prevention Week**

  Councilor Payne presented the Fire Prevention Week proclamation to Fire Chief Michael Thomas and Fire Marshal Joe Phillips. They noted upcoming public safety events in neighborhoods and at fire stations.

**BOARD/COMMISSION APPOINTMENTS**

On motion by Pinkston, seconded by Payne Council unanimously approved the appointment of Lindsey Ideson to the Retirement Plan Commission.

**CONSENT AGENDA***

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record.

3. MINUTES: July 17 regular meeting, September 12 joint City Council-Planning Commission public hearing

4. RESOLUTION: Resolution to Appropriate funds from the Bureau of Justice Assistance FY 2022 Patrick Leahy Bulletproof Vest Partnership - $16,942 (carried)

5. RESOLUTION: Resolution to Appropriate Virginia Department of Emergency Management (VDEM) Emergency Management Performance Grant - $7,500 (carried)

6. RESOLUTION: Resolution to Appropriate VDOT TAP funding for Meadow Creek Trail and Bridges - $800,000 (carried)

7. RESOLUTION: Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - $452,704 (carried)

Mayor Snook opened the floor for comments from the public regarding the Consent Agenda.

- Jim Conly, a caller, spoke in support of Item #4. During his comments he was cited by the City Attorney for using inciteful speech.

Responding to Councilor Pinkston, Chris Gensic, Parks and Trails Planner, provided an explanation for Item #6.

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On motion by Pinkston, seconded by Puryear, Council by a vote of 5-0 Adopted the Consent Agenda.

**CITY MANAGER REPORT**

City Manager Sam Sanders made remarks about recent community activity related to houseless individuals, and presented his work plan for August 1, 2023, to July 30, 2024. Regarding the lifting of the curfew at Market Street Park, he stated that he wanted to give the Police Chief and officers, as well as unhoused individuals space and time so as not to subject either entity to any interactions that could go wrong, while seeking short-term, mid-term and ultimately long-term solutions. He acknowledged that addressing homelessness is a total community issue.

Councilors spoke in support of the work plan for the City Manager and efforts to address homelessness issues.

**COMMUNITY MATTERS**

Mayor Snook opened the floor for comments from the public.

1. Matthew Hall, city resident, spoke about deteriorating conditions in city spaces, including the Downtown Mall.
2. Cady de la Cruz, university student, spoke in support of the unhoused population. She requested divesting from the jail and police, reinvesting in more affordable housing units and permanently lifting the curfew in the park.
3. Rebecca Reilly, city resident, requested that City Council uphold the Planning Commission decision regarding the 0 East High Street proposal going against the Comprehensive Plan objectives.
4. Ana Mendez, Executive Director of the Haven, thanked City Manager Sanders for lifting the curfew in Market Street Park, stating that depending on the season the city can be short on shelter beds, and she requested exemption of property taxes for The Haven.
5. John Bedell ceded his time to Roscoe Boxley who spoke about property values divided amongst racial lines, and he shared ideas to support the unhoused population. He noted mental health issues and high cost of living as primary problems.
6. Sam Gulland, city resident, spoke about the 0 East High Street plan termination, and asked Council to uphold the Planning Commission's findings.
7. Jennifer King, city resident, spoke about the Special Use Permit application for 1709 Jefferson Park Avenue, and requested that Council take action to reduce the impact of high-intensity density on the single-family homeowners on the residential side of Montebello Circle with solutions recommended in the city staff report to the Planning Commission.
8. Shannon Ellis, city resident, spoke about conditions on the Downtown Mall, including personal negative experiences, and the need for welcoming and safe public spaces.
9. Elizabeth Stark, city resident, thanked the City Manager for sharing his work plan. She spoke about the need for deeply affordable housing, low barrier shelters, helping the Haven with plans for increasing service to the houseless population, and implementing a Marcus Alert

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system.

10. Anna spoke about mental illness and the privilege of having housing. She spoke about the national growing housing problem and compounding negative economic factors in society.
11. Zyahna Bryant, city resident, spoke about a call earlier in the meeting that included racial slurs and hate speech. She requested “de-platforming hate speech” and not allowing a public platform for hate speech such as the public comment period. She spoke about Market Street Park and local historical narratives that have kept certain populations out of certain public spaces.
12. Andrew Shelton, Albemarle County resident, spoke in opposition of the first speaker's comments about the Downtown Mall. He thanked City Manager Sanders for lifting the Market Street Park curfew, and for the thoughtfulness that went into the decision.
13. Luis Oyola, a former Charlottesville resident living in Louisa County resident, spoke against fearmongering related to homeless individuals. He made suggestions for addressing housing of unhoused individuals.
14. A 73-year-old homeless female spoke about the needs of the homeless, and some of the shame and barriers associated with being homeless.
15. John Hossack, city resident, spoke in support of the August decision to support the expansion of the Salvation Army. He spoke in opposition to the Zoning Ordinance rewrite, stating that it is a “mass building permit issuance”.
16. Ang Conn, city resident, spoke about working with the houseless population and denounced fears expressed by some city residents.

**ACTION ITEMS**

**8. RESOLUTION: Approve a Special Use Permit at 1709 Jefferson Park Avenue – SP23-00005**

City Planner Matt Alfele summarized the request. The Planning Commission voted 6-0 to approve the Special Use Permit. Councilors asked clarifying questions.

Kevin Riddle, Mitchell Matthews Architects & Planners, on behalf of the applicant, commented about the longevity of proposed project materials, the density benefits of the project, project screening, proposed tree canopy, building accessibility, and parking.

Councilors expressed a desire to see more affordable housing in the project.

Richard Spurzem, Neighborhood Properties, spoke about being a local developer and his contributions to housing affordability through the years. He spoke about the goals for the 1709 Jefferson Park Avenue project to contribute its fair share toward affordable housing. He stated a desire to improve existing student housing close to the university, and to more effectively use the property. He asked Council to follow the Planning Commission's recommendation.

Council engaged in further discussion.

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On motion by Pinkston, seconded by Wade, Council by a vote of 3-2 (Ayes: Pinkston, Snook, Wade; Noes: Payne, Puryear) APPROVED the resolution authorizing the Special Use Permit with conditions recommended by the Planning Commission.

**RESOLUTION**
**Granting a Special Use Permit (SUP) for Property Located at 1709 Jefferson Park Avenue**

**WHEREAS** Neighborhood Investments, LLC ("Landowner") is the owner of certain land identified within City real estate assessment records by Parcel Identification number 160010100 respectively, currently addressed as "1709 Jefferson Park Avenue" (collectively referred to as the "Property"), and the Landowner, through its authorized representative, proposes to redevelop the Property to accommodate a 27-unit multifamily building with underground parking, and to facilitate this redevelopment the Landowner seeks this Special Use Permit to increase density to 87 DUA, increase height from a by-right 45 feet to 70 feet per Section 34-53(b)(3); modify front yard requirements from the average calculations under Section 34-353(b)(1) to a set 18 feet along Jefferson Park Avenue and 25 feet along Montebello Circle per Section 34-162; modify the side yard requirements of 17.5 feet under Section 34-353(a) to 5 feet per Section 34-162; reduce the minimum distance between the facade of the multifamily building and the boundary of any low- density residential district from 75 feet to 58 feet under Section 34-353(b)(4) per Section 34-162; modify the yard screening requirement from 25 feet width of S-3 screening along Montebello Circle to 17 feet S-1 screening for 50% of the frontage along Montebello Circle under Section 34- 353(b)(4) per Section 34-162; and reduction of on-site parking from 38 spaces under 34-986 to 19 spaces per Section 34-162.

**WHEREAS** the Applicant seeks a Special Use Permit under City Code Secs. 34-420, 34- 353(3), and 34-162(a) which allow the requested increased residential density, additional height, and modifications to parking and setbacks for the Project; and

**WHEREAS** the Property is located within the R-3 zoning district, a district in which, according to the Use Matrix set forth within City Code §34-420, the Project as proposed may be authorized by City Council by means of a special use permit; and

**WHEREAS** the Project is described in more detail within the Landowner's application materials submitted in connection with SP23-00005, as required by City Code §34-158 (collectively, the "Application Materials"); and

**WHEREAS,** the Planning Commission and City Council conducted a joint public hearing, after notice and advertisement as required by law, on September 12, 2023; and

**WHEREAS** the Planning Commission considered and recommended approval of this application at their September 12, 2023 meeting; and

**WHEREAS** upon consideration of the Planning Commission's recommendation, the City Staff Report, comments received at the public hearing, as well as the factors set

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forth within Sec. 34-157 of the City's Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable regulations and safeguards would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

**BE IT RESOLVED by the Council for the City of Charlottesville, Virginia**, **THAT** a Special Use Permit is hereby granted to allow the Project to be established on the Property, subject to the following conditions:

1) Per Section 34-420: Permitted Residential density up to 87 Dwelling Units per Acre (DUA) on the Subject Property.

2) Per Section 34-353(b)(3): Allow building height of seventy (70) feet on the Subject Property.

3) Per Section 34-162: Alter the Jefferson Park Avenue yard setback requirement to eighteen (18) feet.

4) Per Section 34-162: Alter the Montebello Circle yard setback requirement to twenty-five (25) feet.

5) Per Section 34-162: Alter the side yard setbacks to five (5) feet.

6) Per Section 34-162: Alter the landscape buffer within the Montebello Circle yard to eighteen (18) feet wide along fifty (50) percent of the liner frontage. Landscape buffer shall be S-1 as defined in Zoning Section 34-871.

7) Per Section 34-162: Reduce the minimum distance between the facade of the multifamily building and the boundary of any low-density residential district to fifty-eight (58) feet.

8) Per Section 34-162: Alter the on-site minimum parking requirement to nineteen (19) vehicular parking spaces. In addition, the applicant will work with the City's Traffic Engineer to develop a Master Parking Plan for the site. This plan will be kept on file with the City and may be updated or altered from time to time with authorization of the City's Traffic Engineer. The plan shall indicate how the developer will distribute available parking spots on site, how potential residents are informed of their parking opportunities, and any possible offsite parking arrangements for residents, etc.…

9) Per 34-157(b): On-site vehicular parking shall not be permitted within the Montebello Circle yard(s) or right-of-way. Nothing within this condition shall prevent loading and unloading within the Montebello Circle yard or designating a space for such activities so long as condition #6 is met.

10) Per 34-157(b): The applicant shall provide a minimum of 2,400 square feet of Tree Canopy as illustrated in the application materials (sheet 14).

11) Per 34-157(b): The applicant shall implement measures on the City's Low Impact Development (LID) worksheet to achieve a minimum of 10 points. The applicant's checklist (page 8 of the application and sheet 36 of the application materials) notes a combination of shared parking, bioretention, and/or green rooftop; however, other measures from the checklist may be substituted with approval from City Engineering if the measures indicated become impractical as the project develops.

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12) 34-157(b): The applicant shall construct a continuous raised sidewalk along the frontage of Jefferson Park Avenue to ensure pedestrian safety crossing the vehicular entrance to the site. Nothing within this condition relieves the applicant from adhering to standards found within the City Standard and Design Manual (SADM).

13) 34-157(b): The applicant shall provide short term bicycle and/or micromobility parking within the Montebello Circle yard. These elements must be located on private property and not within the City right-of-way.

14) 34-157(b): The applicant shall provide stepbacks that are substantially consistent with the application materials. Specifically, sheet 18 of the Mitchell Matthews drawings, *1709 JPA Progress Draft*, dated July 18, 2023.

**9. RESOLUTION: to Approve a Critical Slope Waiver at 1709 Jefferson Park Avenue - P23- 0049**

City Planner Matt Alfele summarized the request. The Planning Commission voted 6-0 to approve the Critical Slope Waiver.

On motion by Pinkston, seconded by Wade, Council by a vote of 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none) APPROVED the resolution authorizing the critical slope waiver.

Councilor Payne noted for the record that although he voted in opposition to the Special Use Permit, he visited the site and believes this action is purely procedural and has no environmental impact.

**RESOLUTION**
**Granting a critical slope waiver for property located at 1709 Jefferson Park Avenue**

**WHEREAS** Neighborhood Investments, LLC ("Landowner") is the owner of certain land identified within the City of Charlottesville Real Estate Assessor's records as Real Estate Parcel Identification No. 160010100, said parcels having current street addresses of 1709 Jefferson Park Avenue (the "Subject Property"); and

**WHEREAS** the Subject Property contains critical slopes, over and within an area of approximately 0.21 acre, which is approximately 70% of the area of the parcels that constitute the Subject Property, and Landowner is requesting a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6)(b), in connection with the Owner's plan to construct a multifamily residential development on the Subject Property (the "Project"); and

**WHEREAS** the Project is described in more specific detail within the application materials submitted in connection with waiver application no. P23-0049, as required by City Code §34- 1120(b)(6) (collectively, the "Application Materials"); and

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**WHEREAS** the Planning Commission considered and recommended approval of this application at their September 12, 2023, meeting, subject to conditions proposed within the Staff Report; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that a waiver is hereby granted of the critical slopes requirements for the Project, to allow for the development of the multifamily residential development as described within the Application Materials, subject to the following conditions:

1) The applicant shall implement measures indicated within their Low Impact Development (LID) worksheet (page 8 of application SP23-00005 and sheet 36 of the application materials. These include:

    a. Bioretention. Percent of site treated must exceed 80%. Biofilter surface area must be >/- 5% of impervious drainage area. 8 points or 1point for each 10% of site treated.

    Or

    b. Green rooftop to treat >/- 50% of roof area. 8 points.

2) The applicant shall provide a minimum of 2,400 square feet of Tree Canopy as illustrated in their application.

**10. RESOLUTION: Disposition for Appeal of Planning Commission's 15.2-2232 Review Decision for 0 E. High Street**

City Attorney Jacob Stroman introduced the appeal.

Valerie Long with Williams Mullens, representing the applicant, presented the appeal of the Planning Commission's 15.2-2232 Review Decision for the 0 East High Street project. She handed out a five-page compilation of applicable provisions of the City Comprehensive Plan.

Mr. Stroman noted that the statute for the basis of the appeal 15.2-2232 is clear, and he read the statute. He shared several observations from comments made by the petitioner, and he confirmed that the Planning Commission's deliberations were sound. He stated that the Appeal of the petitioner is not meritorious.

On motion by Wade, seconded by Payne, Council adopted Resolution A, as presented, by a vote of 5-0 (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

Mayor Snook negated the claim in the proposed plan that states it increases or improves access to an area that already has access, and he supported staff findings regarding roads and parking. Councilor Payne concurred with the mayor's findings and the staff report.

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**RESOLUTION UPHOLDING THE PLANNING COMMISSION'S DECISION THAT PURSUANT TO CODE OF VIRGINIA § 15.2-2232 PUBLIC FACILITIES INCLUDED IN THE 0 EAST HIGH STREET DEVELOPMENT ARE NOT SUBSTANTIALLY IN ACCORD WITH THE CITY'S COMPREHENSIVE PLAN**

**WHEREAS**, less than sixty (60) days have elapsed between the submission of a Code of Virginia, § 15.2-2232 application to the Planning Commission and its recorded vote on August 8, 2023, and

**WHEREAS**, the Petitioner Seven Development LLC ("Petitioner") argues that the Planning Commission is "deemed" to have approved all the public facilities as presented in such application on August 1, 2023 in accordance with Code of Virginia, § 15.2-2232(B), and Council does not believe this argument is well taken, it expressly overrules any such "deemed" approval by the Planning Commission on August 1, 2023; and

**WHEREAS**, on August 8, 2023, after notice given as required by law, the Planning Commission conducted a public hearing to determine whether the proposed public facilities in the 0 E. High St. application as submitted on August 1, 2023, were substantially in accord with the Charlottesville Comprehensive Plan or part thereof in accordance with Code of Virginia, § 15.2-2232; and

**WHEREAS**, on August 8, 2023, after the public hearing had concluded and the Planning Commission had deliberated a duly presented motion, the Planning Commission by recorded vote unanimously determined that the following proposed public facilities were in substantial accord with the Comprehensive Plan or part thereof: Widening of Caroline & Fairway Avenue, Lot A, and Lot B excluding the Parking Lot. The Planning Commission further determined that following proposed public facilities were not in substantial accord with the Comprehensive Plan or part thereof: Public Road A, Public Road B, and the Lot B Parking Lot; and

**WHEREAS**, on September 12, 2023, the Planning Commission adopted a resolution delineating its findings with written reasons therefor, which was transmitted to City Council; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that after considering the Petitioner's Appeal, Council expressly overrules any "deemed approval" of the public facilities, and

**BE IT FURTHER RESOLVED** that City Council hereby upholds the decision of Planning Commission in accordance with Code of Virginia, § 15.2-2232(B), determining that the public facilities as presented in the submission to the Planning Commission on August 1, 2023, are not substantially in accord with the Charlottesville Comprehensive Plan.

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## OTHER BUSINESS

Mr. Sanders provided an update about Pupil Transit, stating that seven additional drivers were identified, and several are going through review processes and training. Students are being transitioned off the walking list, and efforts are being made to provide school transit for students.

Mayor Snook stated that he attended a meeting with the County to collaborate on solutions for school transit.

## COMMUNITY MATTERS (2)

Mayor Snook opened the floor for comments from the public.

- Erin Wise, city resident, spoke about Market Street Park and suggested portable toilets and portable showers.
- Carole Thorpe, Albemarle County resident, spoke in support of comments made by Matthew Hall and Shannon Ellis earlier in the meeting regarding Downtown Mall conditions. She spoke about the previous Occupy Charlottesville encampment at what is now Market Street Park. She asked for a plan to evacuate Market Street Park.
- Gail McDermott, city resident, spoke about proposed rezoning at Orange Street, near High Street. She spoke about the need for truly affordable housing and expressed concerns about maintaining affordability with certain residential areas being impacted by nearby commercial zoning.
- Jessica Harris (she/her), Chair of the Charlottesville Human Rights Commission, shared the Commission's housing recommendations for the Legislative Program proposal to the General Assembly: 1) Affordable Housing Accessibility, 2) Equity for People Experiencing Homelessness, and 3) Mental Health Care Accessibility. She thanked the City Attorney for intervening during hate speech earlier in the meeting.
- Robin Hoffman, city resident, spoke about the homelessness situation in the city and conditions that could cause homelessness. She spoke about the need for involvement from all community partners.
- Kimber Hawkey, city resident, spoke against high density in the proposed Comprehensive Plan.
- Nancy Carpenter, former city resident, spoke in support of the City Manger's work plan to address homelessness. She suggested including individuals with lived experience on workgroups.
- Sadie Enward (she/her), spoke about the unhoused population and underlying issues that contribute to homelessness. She suggested that developing housing is not the solution. Her comments ended with racially inciteful speech.
- Andrew Zarro spoke about the homeless encampment at Market Street Park. His comments ended with racially inciteful speech.
- Jim Adkisson made racially inciteful comments.

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With several sequential comments involving inciteful speech, Mayor Snook closed public comment and adjourned the meeting at 10:00 p.m.

BY Order of City Council BY Clerk of Council Kyna Thomas

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**CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES**
**October 16, 2023 at 4:00 p.m.**
**Council Chamber, 605 E. Main St.**

The Charlottesville City Council met in a regular meeting on Monday, October 16, 2023. Mayor Lloyd Snook called the meeting to order at 4:03 p.m. and Clerk of Council Kyna Thomas called the roll, noting four councilors present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade and Councilors Michael Payne and Brian Pinkston. Councilor Leah Puryear gave advance notice of her absence for travel.

On motion by Pinkston, seconded by Wade, Council voted 4-0 to adopt the meeting agenda as presented with the addition of an item to consider possible amendments to Council's Policies and Procedures to be conducted immediately following the moment of silence at the Business Session of the meeting.

**REPORTS**

**1. PRESENTATION: Budget Presentations - Human Needs**

City Manager Sanders stated that this is a continuation of department budget briefings to City Council.

Director Misty Graves presented the Human Services Department update.

Chief of Family Services, Jenny Jones, presented the Social Services Department update.

Director Alex Ikefuna presented the Department of Community Solutions update.

**2. REPORT: Decarbonization Study Project Update**

Lauren Hildebrand, Director of Utilities, introduced consultants from Black & Veatch, stating that Charlottesville is the only public utility currently pursuing a decarbonization study and consultants expect to complete the study by March 2024. On July 1, 2019, City Council adopted the goal of a 45% reduction in community-wide greenhouse gas emissions by 2030 and a goal of carbon neutrality by 2050. Both of these reduction measures will be based on the 2011 inventory year.

Dr. Hua Fang, Managing Director at Black & Veatch, presented the update on Objectives and Scope of Work.

Ailene Currier, Project Manager for Black & Veatch, presented the six-phase Project Approach:

1. Kick-off & Project Plan
2. Review of Regs, Laws & Codes
3. System Modeling
4. Energy Efficiency Evaluation
5. Methane Emissions Assessment
6. Final Report

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The project is currently in Phases Two and Three. The City of Charlottesville is reducing its greenhouse gas (GHG) footprint via three different programs: 1) Purchase of Carbon Offsets of 7,500 MMBtus per day, offsetting 25% of GHG emissions from the City's natural gas supply per day; 2) Energy Efficiency programs for attic insulation, programmable thermostats, the LEAP program; and 3) Replacement of legacy cast iron pipes with HDPE plastic pipe via a $7.1 Million federal grant.

Councilor Pinkston encouraged reaching out to local large users of natural gas such as the University of Virginia and Sentara Martha Jefferson.

**CLOSED MEETING**

On motion by Pinkston, seconded by Wade, Council voted 4-0 to convene a closed meeting for consideration of two matters: 1. as authorized by Code of Virginia Section 2.2-3711(A)(8), for consultation with the City Attorney regarding legal matters requiring the provision of legal advice, specifically, matters related to public comment at Council meetings; and 2. as authorized by Code of Virginia Section 2.2-3711(A)(3) for discussion or consideration of the acquisition of real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the Council, specifically, possible acquisition of property for recreational purposes.

On motion by Pinkston, seconded by Wade, Council certified by a recorded vote of 4-0 that to the best of each Council member's knowledge only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion convening the closed meeting were heard, discussed, or considered in the closed meeting.

**BUSINESS SESSION**

City Council began the business portion of the meeting with a moment of silence.

**ANNOUNCEMENTS**

Councilor Payne announced the One Stop Shop on November 9 at Carver Recreation Center, a free monthly event open to all community members. Information will be provided about: rent and utility relief, medical and mental health care, substance use counseling, financial literacy and support, career counseling, education and apprentice services, access to legal support, and information about DMV services.

**BY MOTION: Consideration of possible amendments to City Council's Policies and Procedures**

Mayor Snook announced that Council will consider temporary suspension of public comment by Zoom. He invited speakers to comment in Council Chamber, and stated that Virginia law requires that governing bodies offer an opportunity for public comment once per quarter.

On motion by Wade, seconded by Pinkston, Council APPROVED by a vote of 4-0 a suspension until further action of City Council's Rules and Procedures regarding remote public

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comment, to allow for public comment only in person in Council Chamber.
Mayor Snook gave the following instructions for public comment: 1. State your name and address; 2. Do not interrupt a Councilor who is speaking; 3. Do not shout or speak in a way that interferes with the progress of the meeting; 4. Do not threaten violence, or engage in illegal conduct; 5. No campaigning for public office or promoting business ventures; 6. No using profanity, vulgarity or language constituting incitement; 7. During the comments on the consent agenda, speak only to the items on the agenda; 8. Refrain from personal attacks against Councilors, City staff or members of the public; 9. Refrain from intimidating behavior, as well as applause, cheers, jeers or boos; and 10. Stop speaking when your time has expired.

**CONSENT AGENDA**

Clerk of Council Kyna Thomas read the following Consent Agenda items into the record:

3. MINUTES: August 7 regular meeting, August 29 joint Planning Commission-City Council joint work session, September 27 work session

4. RESOLUTION: Resolution to Appropriate funds from the Bureau of Justice Assistance FY 2022 Patrick Leahy Bulletproof Vest Partnership - $16,942 (2nd reading)

**RESOLUTION**
**Appropriating funds from the Bureau of Justice Assistance Fiscal Year 2022 Patrick Leahy Bulletproof Vest Partnership - $16,942**

**WHEREAS**, the City of Charlottesville, through the Police Department, has received from the Bureau of Justice Assistance Fiscal Year 2022 Patrick Leahy Bulletproof Vest Partnership an award of up to $16,942 to reimburse the Police Department for 50% of National Institute of Justice (NIJ) compliant armored vests which are ordered after April 1, 2022, provided that reimbursement requests are made before August 31, 2024, or until all available funds have been requested.

**WHEREAS,** the grant award covers the period from April 1, 2022 through August 31, 2024.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of $16,942, received from the Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership, is hereby appropriated in the following manner:

**Revenues – $16,942**

| | | | |
|---|---|---|---|
| $16,942 | Fund: 105 | Internal Order: 3101004000 | G/L Account: 431110 |

**Expenditures – $16,942**

| | | | |
|---|---|---|---|
| $16,942 | Fund: 105 | Internal Order: 3101004000 | G/L Account: 525263 |

**BE IT FURTHER RESOLVED,** that this appropriation is conditioned upon the receipt of $16,942 from the Bureau of Justice Assistance Patrick Leahy Bulletproof Vest Partnership.

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5. RESOLUTION: Resolution to Appropriate Virginia Department of Emergency Management (VDEM) Emergency Management Performance Grant - $7,500 (2nd reading)

**RESOLUTION**
**Appropriating the amount of 7,500 to be expended for the City's share of a State Local Emergency Management Performance Grant (LEMPG)**

**WHEREAS**, the City of Charlottesville has received funds from the Virginia Department of Emergency Management in the amount of $7,500 in federal pass-through funds;

**WHEREAS**, the grant award covers the period from July 1, 2023 through June 30, 2024;

**WHEREAS**, the City of Charlottesville will be required to provide matching funds ($7,500) and that amount is available within the Emergency Management existing budget;

**WHEREAS**, the total funds, in the amount of $15,000, will be used to offset the Emergency Management Coordinator's salary;

**NOW, THERFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of $7,500, be received as grant funding be appropriated in the following manner:

**Revenues – $7,500**
$7,500 Fund: 105 Cost Center: 1691001000 G/L: 430120

**Expenditures – $7,500**
$7,500 Fund: 105 Cost Center: 1691001000 G/L: 510010

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of $7,500 from the Virginia Department of Emergency Management.

6. RESOLUTION: Resolution to Appropriate VDOT TAP funding for Meadow Creek Trail and Bridges - $800,000 (2nd reading)

**RESOLUTION APPROPRIATING**
**TAP Grant for Construction of Meadow Creek Trail Bridge - $800,000**

**WHEREAS**, the City of Charlottesville, through Parks and Recreation, has been awarded an additional $800,000 from the Virginia Department of Transportation to construct a bicycle and pedestrian bridge over Meadow Creek near Greenbrier Drive;

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**Revenue**

| | | | |
|---|---|---|---|
| $800,000 | Fund: 426 | WBS: P-00995 | G/L Account: 430120 |

**Expenditures**

| | | | |
|---|---|---|---|
| $800,000 | Fund: 426 | WBS: P-00995 | G/L Account: 599999 |

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that the sum of $800,000 is hereby appropriated in the following manner:

**BE IT FURTHER RESOLVED**, that this appropriation is conditioned upon the receipt of $800,000 from the Virginia Department of Transportation.

**7. RESOLUTION: Resolution to Appropriate Virginia Juvenile Community Crime Control Act Grant (VJCCCA) - $452,704 (2nd reading)**

**RESOLUTION**
**Appropriating the sum of $452,704 received from the Commonwealth as a Virginia Juvenile Community Crime Control Act Grant (V.J.C.C.C.A.)**

**WHEREAS**, the City of Charlottesville has been awarded $292,058 from the Virginia Department of Juvenile Justice; and

**WHEREAS**, this grant requires local maintenance of effort funds in the amount of $52,231 from Albemarle County and $108,415 from the City; and

**WHEREAS,** the grant award covers the period from July 1, 2023 through June 30, 2024.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia, that upon receipt of the sum of $452,704 from the Commonwealth of Virginia, that sum is hereby appropriated in the following manner:

**Revenue – $452,704**

| | | | | |
|---|---|---|---|---|
| $292,058 | Fund: 220 | Cost Center: | 3523001000 | G/L Account: 430080 |
| $52,231 | Fund: 220 | Cost Center: | 3523001000 | G/L Account: 432030 |
| $108,415 | Fund: 220 | Cost Center: | 3523001000 | G/L Account: 498010 |

**Expenditures - $452,704**

| | | | | |
|---|---|---|---|---|
| $103,704 | Fund: 220 | Cost Center: | 3523001000 | G/L Account: 519999 |
| $349,000 | Fund: 220 | Cost Center: | 3523001000 | G/L Account: 599991 |

All funds hereby appropriated shall be accounted for and expended only in ordance with requirements of the VJCCCA grant program.

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8. RESOLUTION: Resolution to appropriate funds from the Charlottesville/Albemarle Adult Drug Treatment Court Grant Award - $240,000 (carried)

9. RESOLUTION: Resolution to appropriate funding from the FY22 State Criminal Alien Assistance Program (SCAAP) Grant for Albemarle Charlottesville Regional Jail - $19,050 (carried)

10. RESOLUTION: Resolution to appropriate funding from the FY23 Housing Opportunities for Persons with AIDS/HIV (HOPWA) Grant - $382,352 (carried)

Mayor Snook opened the floor for comments from the public. No speakers came forward and on motion by Pinkston, seconded by Wade, Council ADOPTED the Consent Agenda by unanimous vote.

**CITY MANAGER REPORT**

Deputy City Manager Hicks announced the Office of Environmental Sustainability received recognition for water efficiency and water conservation efforts. He stated that beginning November 13 all permitting and site plans reviews will be brought into the electronic system operated in Neighborhood Development Services, and that the City will work to educate the development community on the process. He announced job openings for the Charlottesville Area Transit team, and stated that Public Works has begun preparing for inclement weather.

Deputy City Manager Marshall announced that applications are open for Holiday Market vendors; the annual Downtown Safe Halloween festival on October 28; and the virtual Resilient Together kick-off meeting on November 16.

City Manager Sam Sanders announced that PACEM overnight shelter services will begin a week early on October 21, and the Salvation Army announced that it will support PACEM by providing use of its warm room as needed. He thanked community partners who stepped in to help when he asked: Pastor Joyner at First United Methodist Church, PACEM, the Region Ten PAC team, and the city's internal workgroup focused on housing. Mr. Sanders referenced a press release that he issued on October 13 acknowledging that conditions for reinstating operating hours at Market Street Park have been met and operating hours will resume on October 21 at 11:00 p.m.

**COMMUNITY MATTERS**

Mayor Snook opened the floor for comments from the public.

1. Matthew Ray, city resident and Charlottesville Area Transit employee, shared results of an employee survey regarding transit working conditions.
2. Susan Kruse, Executive Director of Community Climate Collaborative (C3) and city resident, spoke about future fuel for the transit system and the need for decarbonization.
3. John Hossack, city resident, spoke about a disclosure made by a Planning Commissioner at a recent meeting. He requested that Charlottesville adopt a code of ethics. He made comments

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about the Draft Zoning Ordinance.

4. Katie Ebinger, C3, spoke about the natural gas decarbonization study update from earlier in the meeting and about findings by C3.
5. Robert Stewart McAdams, County of Albemarle resident, spoke about global warming and the need for zero-emissions buses for the city, particularly battery electric buses.
6. Jonathan Baker, city resident, spoke favorably about Charlottesville's clean technology energy sector. He shared observations about the natural gas Decarbonization Study update from earlier in the meeting.
7. Jock Yellott, city resident, thanked the city manager for reinstating the operating hours at Market Street Park. Regarding Council's decision to suspend public comment via Zoom, he stated that it seems necessary given the potential anonymity of Zoom participants, and suggested that the policy could be refined going forward. He also spoke about shootings in the city, and in support of the Flock camera program introduced by the police.
8. Emily Little, city resident, asked Council to commit to things within the city's scope of control such as battery electric buses and cleaner energy.
9. Ang Conn spoke in opposition to reinstatement of operating hours at Market Street Park and proposed creation of a tiny home community in the park.
10. Grey McLean, city resident, shared observations about the natural gas Decarbonization Study update from earlier in the meeting, particularly costs, the lack of information about battery electric vehicle incentives, liability, and framing of the decision.
11. Michael Goodwin, city resident, spoke about the lack of ridership on Charlottesville Area Transit. He suggested eliminating the CAT system and establishing a stipend to support people with rideshare needs. He spoke in favor of reinstating operating hours at Market Street Park, and stated that earlier closing hours would be favorable.
12. Caetano de Campos Lopes, C3, shared observations about the natural gas Decarbonization Study update from earlier in the meeting. He suggested a robust decarbonization plan, which includes community engagement and equity.
13. Eloris Holmes, city resident, asked about a personal situation regarding Virginia Power that has been ongoing since April, and asked for referral to resources. Mayor Snook took her contact information to forward to an individual at the power company.
14. Don Gathers, city resident, expressed disagreement with Council's decision to eliminate virtual comments for the meeting. He spoke about various ways to go about providing reparations for Black people.
15. Richard Parks, city resident, spoke about the Market Street Park homeless encampment and the attraction of houseless individuals to places like Charlottesville that provide services to the unhoused population.
16. Destiny Moore, city resident, spoke about the lack of housing affordability in the city making it difficult for even people who work to find sustainable housing.

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**ACTION ITEMS**

11. **ORDINANCE: Amend Charlottesville City Code Sec. 15-75 to Comply with Recent Amendments to the Virginia Code Sec. 46.2-924(A) Requiring Drivers to Stop for Pedestrians in Crosswalks (carried)**

City Attorney Jacob Stroman stated that effective July 1, 2023, the General Assembly has made it law for people in vehicles to stop instead of yielding to pedestrians in crosswalks. This action will update the City Code to comply with State law.

Council by unanimous consent moved the item to the November 6 consent agenda for second reading and vote.

**12. ORDINANCE: Amendment of City Code Sec. 15-435 to Permit a Towing Operator Fuel Surcharge Fee to Conform to Changes in State Law (carried)**

City Attorney Jacob Stroman stated that effective July 1, 2023, the General Assembly has made it law to permit a towing operator fuel surcharge fee. This action will update the City Code to comply with State law.

Council by unanimous consent moved the item to the November 6 consent agenda for second reading and vote.

**GENERAL BUSINESS**

**13. WRITTEN REPORT: Rivanna Authorities Quarterly Report**

Council acknowledged the written report.

**COMMUNITY MATTERS**

Mayor Snook opened the floor for comments from the public.

- Mayor Snook read an email message from Katherine Laughon, who was pre-registered to speak earlier in the meeting but was unable to attend in person. Ms. Laughon requested a delay in enforcement of operating hours at Market Street Park.
- Roscoe Boxley, city resident and formerly a resident of the Market Street Park encampment, thanked the city manager for lifting the operating hours at the park and for adding portable toilets. He spoke about limitations at PACEM and the Warm Room at The Salvation Army have limits, and that many people walk a fine line with cost of living affordability. He spoke about volatile conditions everywhere and encouraged solutions by working together.
- Misha Goldberg, city resident, spoke in opposition to reinstatement of the operating hours at Market Street Park. They requested delaying the reinstatement to allow more transition time and requested that the city help the unhoused residents with the process. Regarding suspending Zoom comment, they requested allowing the public to weigh in on the decision.
- Gaetano de Campos Lopes, read written comments from Maria Duster, C3, regarding the need for equity and more community engagement in the Decarbonization Study.
- Ellen Contini-Morava, city resident, spoke in opposition to the decision from the Planning

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Commission regarding a 12-story student high-rise Planned Unit Development on the corner of JPA, Emmet and Stadium Road, stating that the project is out of compliance with the City's Comprehensive Plan.

- A gentleman by the name of Red from the Market Street Park encampment, spoke about the respectful way that park residents have kept up the park.
- Don Gathers, city resident, asked for reconsideration of the change to Zoom public comment participation and reconsideration of the decision to reinstate operating hours at Market Street Park.
- Deirdre Gilmore, city resident, spoke about campers at Market Street Park and asked Mr. Sanders to go into the park to meet with inhabitants, and to extend the lifted curfew.
- Ann Benham, city resident, spoke about the development at Emmet Street and Stadium Road, and she asked Council to consider environmentally friendly restrictions before approving.
- Susan Kruse, C3 and city resident, stated that she walks by Market Street Park daily and has not had a bad experience. Regarding studies, she asked Council to hold consultants to a higher standard than has currently been seen. She noted incomplete information.
- Michael Goodwin, city resident, spoke about safety as related to criminal incidents on Market Street. He suggested creating permanent housing instead of tents for currently unhoused residents.

Mayor Snook announced the Council work session on the Zoning Ordinance on October 25, and the next regular City Council meeting on November 6.

The meeting adjourned at 8:22 p.m.

BY Order of City Council BY Kyna Thomas, Clerk of Council

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**CHARLOTTESVILLE CITY COUNCIL SPECIAL MEETING**
**WORK SESSION MINUTES**
**November 1, 2023 at 6:00 p.m.**
**City Hall Basement Conference Room, 605 E. Main Street**

The Charlottesville City Council held a special meeting in the format of a work session on Wednesday, November 1, 2023. Mayor Snook called the meeting to order at 6:06 p.m. with the following members present: Mayor Lloyd Snook, Councilor Michael Payne and Councilor Leah Puryear. Vice Mayor Juandiego Wade gave prior notice that he would arrive late, and Councilor Brian Pinkston requested to participate electronically.

Councilor Pinkston requested to join the meeting electronically by Zoom and confirmed that he could not be present because of illness, and that he was located at his home in Charlottesville. On motion by Puryear, seconded by Payne, Council unanimously approved electronic meeting participation by Councilor Pinkston.

James Freas, Director of Neighborhood Development Services provided an overview of prior discussions. The topic for this meeting was "Core Neighborhood Districts – Development Code and Zoning Map review". According to the most recent memorandum from Mr. Freas to City Council:

> "The Planning Commission's recommendation to Council on the proposed Development Code included two new districts – the base district identified as Residential Core Neighborhood A (RN-A) and the overlay district identified as Core Neighborhoods Corridor Overlay District. Each of these districts is responding to a challenge presented by the proposed new zoning that, even as the City allows for a greater intensity of development in order to increase housing supply and stabilize housing costs, there is the possibility of raising property values, particularly in certain neighborhoods close to the University and downtown that have historically had lower property values. That increase could then, in turn, result in an acceleration in the current rate of displacement in these neighborhoods. Both districts therefore feature a reduction in the proposed allowed intensity that would potentially reduce the increase in property values in these neighborhoods. However, there are also potential implications for equity and the objectives of this project in implementing these districts."

Council discussed neighborhood preservation, with consideration for historic displacement, potential implications and affordability for renters and owners as property values increase and taxes increase, predatory buyers, corridor issues, sensitive area neighborhoods, and uncertainty about displacement of existing commercial entities and small businesses.

Mr. Freas stated that zoning cannot dictate whether businesses remain or move elsewhere.

Councilor Payne stated that many discussions have been centered around homeowners, and there should be additional consideration for impacts on renters.

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Councilors discussed concerns about displacement of renters as well as owners of rental properties, and the potential consequence of inhibiting wealth-building in neighborhoods if certain overlay designations are given,

Vice Mayor Wade arrived at 6:26 p.m.

Regarding RN-A districts, councilors were generally in agreement with the framework. Regarding text within the broad outline of Core Neighborhood Corridor Overlay Districts, Council was in general in agreement. Regarding Preston Avenue, Council generally agreed on the map iterations presented at the October 13 and October 18 meetings.

Lee Einsweiler of Code Studio and attorney Sharon Pandak participated in the discussion.

Vice Mayor Wade brought up the idea of pre-approved building plans, and Mr. Freas stated that there has been some discussion. The costs and benefits of the Special Use Permit process were discussed, as well as the difference between special use and special exception. Council debated whether to reduce discretionary processes or to eliminate them.

Mr. Freas, attorney Pandak and City Attorney Jacob Stroman clarified language for use in the citywide public hearing notification scheduled for mailing the next week. Mr. Freas outlined upcoming work sessions: November 8, November 13, and November 29.

The meeting adjourned at 8:12 p.m.

BY Order of City Council BY Kyna Thomas, Clerk of Council

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**CITY OF CHARLOTTESVILLE MINUTES**
**Election Results Certification for**
**2023 November General and Special Elections held on November 7, 2023**

The following is recorded in the record book for the City of Charlottesville, Virginia, pursuant to the Code of Virginia, Chapter 6 - The Election, Section 24.2-675. Abstracts of votes to be made by secretary and forwarded to State Board and to clerks:

> "As soon as the electoral board determines the persons who have received the highest number of votes for any office, the secretary shall make out an abstract of the votes for each of the following: Governor; Lieutenant Governor; Attorney General; members of the Senate of Virginia; members of the House of Delegates; members of the United States Senate; members of the United States House of Representatives; electors of the President and Vice President of the United States; each county office; each city office; each district office; each town office; and such others as may be required for statewide referenda. The abstracts shall contain the names of all persons receiving any vote for each office and the total number of votes received by each person or for or against each question. However, if no person was elected by write-in votes and the total number of write-in votes for any office is less than (i) 10 percent of the total number of votes cast for that office and (ii) the total number of votes cast for the candidate receiving the most votes, the abstract shall contain only the total number of write-in votes and not the number of write-in votes for each person receiving write-in votes.
>
> The abstracts shall be certified and signed by the electoral board, attested by the secretary, and retained by the electoral board as part of its records. A copy of each, certified under the official seal of the electoral board, shall immediately be mailed or delivered by hand to the State Board. The State Board shall require the electoral board of any county or city to correct any errors found on such abstracts prior to completing the requirements of § 24.2-679.
>
> One certified copy of each abstract of votes shall be forwarded (i) to the clerk of the city council or board of supervisors and recorded in its record book, (ii) for town elections, to the clerk of the town council and recorded in its minute book, and (iii) for each local referendum, to the circuit court for the locality."

A packet containing copies of the certified Abstract of Votes for each position was received in the Clerk of Council Office on December 1, 2023.

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ABSTRACT of VOTES Cast in CHARLOTTESVILLE CITY, VIRGINIA, at the 2023 November General and Special Elections held on November 7, 2023, for **MEMBER, SENATE OF VIRGINIA (11th DISTRICT)**, certified November 15, 2023:

| NAMES OF CANDIDATES ON THE BALLOT | TOTAL VOTES RECEIVED (IN FIGURES) |
|---|---|
| Philip A. Hamilton - Republican | 1232 |
| R. Creigh Deeds – Democratic | 11101 |
| Total Write-In votes [from Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write-In Votes] | 28 |
| Total Number of Overvotes for Office | 4 |

ABSTRACT of VOTES Cast in CHARLOTTESVILLE CITY, VIRGINIA, at the 2023 November General and Special Elections held on November 7, 2023, for **MEMBER, HOUSE OF DELEGATES (5th DISTRICT)**, certified November 15, 2023:

| NAMES OF CANDIDATES ON THE BALLOT | TOTAL VOTES RECEIVED (IN FIGURES) |
|---|---|
| Katrina E. Callsen – Democratic | 11046 |
| Total Write-In votes [from Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write-In Votes] | 276 |
| Total Number of Overvotes for Office | 1 |

ABSTRACT of VOTES Cast in CHARLOTTESVILLE CITY, VIRGINIA, at the 2023 November General and Special Elections held on November 7, 2023, for **MEMBER CITY COUNCIL – AT LARGE (CHARLOTTESVILLE CITY)**, certified November 15, 2023:

| NAMES OF CANDIDATES ON THE BALLOT | TOTAL VOTES RECEIVED (IN FIGURES) |
|---|---|
| Natalie E. Oschrin | 8937 |
| Michael K. Payne | 8666 |
| J. Lloyd Snook, III | 8548 |
| Total Write-In votes [from Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write-In Votes] | 885 |
| Total Number of Overvotes for Office | 20 |

ABSTRACT of VOTES Cast in CHARLOTTESVILLE CITY, VIRGINIA, at the 2023 November General and Special Elections held on November 7, 2023, for **MEMBER SCHOOL BOARD – AT LARGE (CHARLOTTESVILLE CITY)**, certified November 15, 2023:

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| NAMES OF CANDIDATES ON THE BALLOT | TOTAL VOTES RECEIVED (IN FIGURES) |
|---|---|
| Amanda J. Burns | 7930 |
| Christopher W. Meyer | 7287 |
| Nicole R. Richardson | 6544 |
| Shymora N. Cooper | 7960 |
| Total Write-In votes [from Write-Ins Certifications]<br>[Valid Write-Ins + Invalid Write-Ins = Total Write-In Votes] | 596 |
| Total Number of Overvotes for Office | 27 |

ABSTRACT of VOTES Cast in CHARLOTTESVILLE CITY, VIRGINIA, at the 2023 November General and Special Elections held on November 7, 2023, for **SOIL AND WATER CONSERVATION DIRECTOR THOMAS JEFFERSON DISTRICT (CHARLOTTESVILLE CITY)**, certified November 15, 2023:

| NAMES OF CANDIDATES ON THE BALLOT | TOTAL VOTES RECEIVED (IN FIGURES) |
|---|---|
| Joseph W. Thompson | 9818 |
| John L. Pfaltz | 95 |
| Total Write-In votes [from Write-Ins Certifications]<br>[Valid Write-Ins + Invalid Write-Ins = Total Write-In Votes] | 496 |
| Total Number of Overvotes for Office | 0 |

BY Order of the State of Virginia

BY Kyna Thomas, Clerk of Council

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**CHARLOTTESVILLE CITY COUNCIL SPECIAL MEETING**
**WORK SESSION MINUTES**
**November 8, 2023 at 6:30 p.m.**
**City Hall Council Chamber, 605 E. Main Street**

The Charlottesville City Council held a special meeting in the format of a work session on Wednesday, November 8, 2023. Mayor Snook called the meeting to order at 6:34 p.m. with all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, Councilors Michael Payne, Brian Pinkston and Leah Puryear.

James Freas, Director of Neighborhood Development Services introduced Ben Chambers, Transportation Planning Manager, who summarized the meeting topic of Vehicular Parking Minimum Requirements in Zoning.

The following is a November 8, 2023, Memorandum from Mr. Chambers and Mr. Freas to City Council:

"The proposed Development Code does not require off-street vehicle parking. This change from the existing zoning code, which includes minimum parking requirements for each use, is intended "to reduce parking demand, support the use of alternative forms of transportation, promote reuse and redevelopment of existing buildings, reduce the overall cost of construction and development, and increase the overall efficiency and use of taxable land within the City."[1]

**Background**

- During the 1950s and 1960s, cities across the country began instituting vehicular off-street parking minimums in their zoning codes to mitigate impacts of development on on-street parking and traffic flows.

- The minimum requirements were very precise in their determination of which parking needs were associated with which land uses, largely based on the Institute of Transportation Engineers' (ITE) Parking Generation Manual. Using a variety of parking studies, voluntarily provided to ITE by public agencies, developers, and consulting firms, ITE's Parking Generation assigns parking needs to uses based on factors that seemingly correlate to anticipated traffic volumes associated with each land use, such as retail square footage, the presence of a drive-through, the number of employees, etc. In fact, these correlations are not statistically significant and have resulted in over-built parking lots.

- According to the Institution of Highways and Transportation (UK), the ability to reduce parking availability is the most effective policy tool for limiting car trips[2]. The Comprehensive Plan's Transportation goals are aimed at reducing the impacts of cars on the urban form, environment, and individuals, including:

[1] See Section 4.5.4 – Vehicle Parking.
[2] Institution of Highways and Transportation, "Parking Strategies and Management, London" (2005).

- Coordination with Land Use and Community Design: Improve quality of life and promote active living by reducing automobile use and congestion and supporting multimodal options for safe and convenient travel in conjunction with the implementation of the Future Land Use Vision.

- Parking Supply and Management: Provide a balanced approach to parking that supports economic vitality, achieves urban form goals, minimizes environmental impacts, and accommodates pedestrians, bicycles, transit users, and disabled individuals.

- The City's Inclusionary Zoning Analysis from August 2022 showed that reducing parking minimums would be effective at supporting the financial feasibility of constructing new mid-rise apartments with support for the deepest affordability levels.

- In the last decade, many cities have removed minimum parking requirements, including the nearby cities of Raleigh, Richmond, and Roanoke. Experience has shown that generally developers will continue to supply off-street parking to meet the needs of prospective residents, customers, and employees of newly developed sites. Removing minimum requirements though, allows a developer to balance competing needs as they design the optimal project for a given site.

**Proposed Regulations**

- For larger development projects, the proposed Development Code would require a Transportation Demand Management (TDM) plan. The TDM plan would include an estimate of anticipated travel demand and identification of the means by which that demand would be addressed, either through a combination of on-street, off-street, or shared parking spaces, short- and long-term bicycle parking, accommodations for pedestrians, cyclists, transit riders, and the mobility impaired, or employment of TDM strategies for reducing single-occupancy trips, like carpooling, shuttle services, guaranteed ride home programs, and parking cash-out programs.

- To promote the modal shift to pedestrian, bicycle, and transit uses necessary to support the allowable densities associated with the Comprehensive Plan, the proposed Development Code has detailed regulations associated with the provision of pedestrian access and provision of short-term and long-term bicycle parking. Regulation of off-street automobile parking is focused on design provisions that would ensure pedestrians are able to travel through safe, comfortable, and attractive environments, as well as mitigation of negative environmental effects.

- The proposed Development Code would not regulate the use of on-street parking. The use of on-street parking is currently managed by the Residential Permit Parking program (City Code Sec. 15-201) and by time restrictions around the Downtown Mall. Neighborhood Development Services is currently developing a scope of work with consultant support for a review and rewrite of these on-street parking regulations. While previous parking studies in the City have focused on parking needs Downtown and the management of those needs through pricing and enforcement, the upcoming parking

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study will be more focused on the process by which the City identifies on-street parking issues throughout the City and employs parking management solutions. This parking management process will provide a clear and consistent method for determining the need for on-street parking and options for managing that need through time restrictions, residential permits, employee permits, or paid parking (by meters or by app), as appropriate to the neighborhood context. The objective is for a program that will be responsive to specific neighborhood needs. The parking study would also identify City staff roles and responsibilities for the management of the City's on-street parking.

**Analysis**

- The removal of minimum parking requirements in the proposed Development Code supports the City's goals in the Comprehensive Plan related to affordable housing, land use coordination, and parking supply management.

- Impacts to on-street parking should be mitigated through TDM plans and on-street parking regulation and enforcement. City staff should continue to work to develop a parking management process that will be responsive to possible development and the needs of the City's varied neighborhoods.

Further questions on planning efforts related to on-street parking, bicycle parking, or parking management can be directed to the City's Transportation Planning Manager, Ben Chambers (chambersbw@charlottesville.gov)."

Council discussed reducing minimum parking requirements in various sections of the city, the cost of having parking requirements (including opportunity costs for land use), the need for a paradigm and habit shift, walkable areas. Mr. Snook stated that other cities that have abolished parking minimums tend to have more functional transit systems.

Responding to a question from Ms. Puryear, Mr. Chambers addressed on-street permit parking and handicap parking, which are not included in the Zoning Ordinance rewrite, but will eventually be reviewed for updating.

Missy Creasy, Deputy Director of Neighborhood Development Services listed parking minimum requirements for various development and residential types.

Regarding the Zoning Map discussion on November 29, the mayor requested that each councilor provide feedback on areas for discussion by November 13. The next Zoning Ordinance Work Session was scheduled for November 13 at 6:00 p.m.

The meeting adjourned at 7:59 p.m.

BY Order of City Council BY Kyna Thomas, Clerk of Council

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**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Appropriate funding in the amount of $49,796 for the Discovering Diversity to Advance Inclusion, Accessibility, and Equity in Charlottesville project. |
| Presenter: | Denise Nelson, Launch! Consulting |
| Staff Contacts: | Taylor Harvey-Ryan, Grants Program Manager |
| **Title:** | **Resolution to appropriate funding from the U.S. Department of the Interior for the Chesapeake Bay Gateways Network Grant - $49,976 (2nd reading)** |

## Background

The City of Charlottesville's Department of Emergency Management and Department of Public Works jointly applied for and were awarded funding under the U.S. Department of the Interior grant program, Chesapeake Bay Gateways Network Grant in the amount of $49,796 to implement the *Discovering Diversity to Advance Inclusion, Accessibility, and Equity in Charlottesville* project. The period of performance is October 1, 2023 - August 31, 2024.

## Discussion

The proposed project purpose is to develop locally specific (hyper-local or neighborhood-scaled),spatially accurate data on underrepresented and underserved populations to enable inclusive initiatives with an equity lens in alignment with Chesapeake Gateways Network Theme 1. Data on the demographics of the Charlottesville community, like data for many other communities, fall short of providing an accurate,detailed picture of today’s City of Charlottesville population. High-level census tract information is often used by federal and state programs to identify communities for support and funding (including theJustice40 Initiative for infrastructure investments). This project provides a creative, collaborative process that encourages input from many community partners connected to marginalized populations to develop accurate data for Charlottesville. We will explore the locally specific data they have, data they would like to have, and how to use the data to support inclusivity in watershed and other programs. The process may then be transferable to other communities across the Chesapeake Bay watershed
to improve the understanding of local populations and promote inclusive engagement activities.
Goal 1: Identify, assess, and more fully understand local underrepresented, underserved, and vulnerable populations
•Objective 1.1: Identify local datasets that represent these populations
•Objective 1.2: Identify federal datasets required for use in funding programs
•Objective 1.3: Review and vet the datasets
Goal 2: Build geodatabase files identifying the locations of these populations
•Objective 2.1: Organize the data into appropriate categories with socially acceptable labels toallow

for examination of results across many categories
•Objective 2.2: Geocode the data for viewing in a GIS platform and printing in accessible formatsGoal 3: Share the data and/or methodology with City staff, partners, and others
•Objective 3.1: Seek City approval and endorsement for using data on City projects
•Objective 3.2: Share data with partners in a respectful, secure manner
•Objective 3.3: Share the project methodology and sources of data to enable other communitiesto develop locally specific, spatially accurate data to advance diversity, equity, inclusion, andaccessibility in public engagement and planning activities.

**Alignment with City Council's Vision and Strategic Plan**
This grant advances the City of Charlottesville's 2023 City Council Strategic Plan Framework's Strategic Outcome Areas: Climate Action.This project will complement the on-going community engagement as a part of the City's Climate Protection program. This proposed project will allow the Water Resources Protection Program, and many other programs, to incorporate diversity, inclusion, and accessibility more successfully into community outreach, engagement, and planning activities for more equitable outcomes.

**Community Engagement**
The City's Municipal Separate Storm Sewer System (MS4) Program Plan includes Public Engagement and Outreach practices, including providing stormwater education, such as pet waste management, illicit discharge detection and elimination, car washing, landscaping and yard care practices for healthy waterways, proper use and disposal of automotive chemicals, and runoff reduction practives. The plan includes Public Involvement and Participation (practices, including scheduling volunteer  stream cleanups, hosting an Adopt-A-Stream Program, organizing a tree Planting Program, and organizing and/or promoting a variety of other watershed and water quality activities. This project will allow us to engage underrepresentated communities in environmental education and conservation with a focus on improving local quality of life and watershed-wide water quality.

**Budgetary Impact**
This grant is entirely federal grant funds. There is no match requirement. There is no budget impact for the City of Charlottesville. All funding will be conveyed as contractual services to be carried out by a consultant.

**Recommendation**
Staff recommend approval and appropriation of the grant funds.

**Alternatives**
Council may elect to not accept the funds and the City of Charlottesvill will not have the capacity to implement the project.

**Attachments**
1. Chesapeake Bay Networks Grant Resolution

**RESOLUTION**
**Appropriating Funding in the Amount of $49,976 To Be Received from the U.S. Department of the Interior- Chesapeake Bay Gateways Network Grant $49,976**

**WHEREAS,** The City of Charlottesville, through the Office of Community Solutions, has been notified that it will be awarded a Chesapeake Bay Gateways Network Grant from the Fund of the U.S. Department of the Interior, in the amount of $49,976.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that, upon receipt of the Chesapeake Bay Gateways Network Grant from the Fund of the U.S. Department of the Interior, that funding, anticipated in the sum of $49,976 is hereby appropriated in the following manner:

Revenues

| | | | |
|---|---|---|---|
| $49,976 | Fund 211 | Order 1900541 | GL 431110 Federal Grants |

Expenditures

| | | | |
|---|---|---|---|
| $49,976 | Fund 211 | Order 1900541 | GL 530550 Contractual Services |

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon receipt of $49,976 in funds from the U.S. Department of the Interior.

Approved as to form:

_____
Jacob P. Stroman
City Attorney

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Appropriation of Funding |
| Presenter: | Michael Kochis, Police Chief |
| Staff Contacts: | Holly Bittle, Budget and Management Analyst<br>Taylor Harvey-Ryan, Grants Program Manager |
| **Title:** | **Resolution appropriating the Bureau of Justice Assistance FY23 Edward Byrne Memorial Justice Assistance Grant - Local Solicitation $27,486 (2nd reading)** |

## Background

The U.S. Department of Justice (DOJ), Office of Justice Programs (OJP), Bureau of Justice Assistance' (BJA) Edward Byrne Memorial Justice Assistance Grant (JAG) Program furthers the Department's mission by assisting state, local, and tribal law enforcement efforts to prevent or reduce crime and violence. The DOJ is committed to advancing work that promotes civil rights, increases access to justice, supports crime victims, protects the public from crime and evolving threats, and builds trust between law enforcement and the community.

## Discussion

To support its mission, the Charlottesville Police Department (CPD) is committed to recruiting, hiring, and training professional police officers to serve the community.

There are two periods each year when a large number of qualified candidates undergo pre-employment background investigations. This coincides with peak recruiting times in preparation for sending new police recruits to one of the bi-annual Regional Police Academies.

If appropriated, these grant funds will allow CPD to continue to employ a limited term Background Investigator to continue to assist with pre-employment background investigations of police officer candidates. This will free up additional time for the Hiring and Retention Bureau's full time staff to focus on connecting with prospective candidates and attending regional recruiting events to increase interest in the Charlottesville Police Department. The ultimate goal of these efforts is to increase the pool of qualified police officer candidates to fill the department's ranks.

Notification of award approval was received on September 25, 2023 for reimbursement up to $27,486.

## Alignment with City Council's Vision and Strategic Plan

This project supports Goal 2 of the Strategic Plan, to be a Healthy and Safe City.

**Community Engagement**
The ability to employ a limited term Background Investigator using these funds will allow CPD's Hiring and Recruitment Bureau to spend more time connecting with prospective candidates and attending regional recruiting events to increase interest in working for CPD.

**Budgetary Impact**
This has no impact on the General Fund. No local match is required. The funds will be expensed and reimbursed to a Grants Fund. Once the grant funds are expended this position will be eliminated unless additional grant funding for the same purpose is obtained.

**Recommendation**
Staff recommends approval and appropriation of these funds.

**Alternatives**
If these funds are not appropriated, the Charlottesville Police Department will be unable to continue to employ a limited term Background Investigator to support ongoing departmental recruitment efforts.

**Attachments**
1. DOJ Certification by Chief Executive - FY23 JAG Local Solicitation
2. Resolution Appropriating Funding - JAG Grant_15PBJA-23-GG-03875-JAGX

## U.S. DEPARTMENT OF JUSTICE
## OFFICE OF JUSTICE PROGRAMS

# Edward Byrne Memorial Justice Assistance Grant Program FY 2023 Local Solicitation

## Certifications and Assurances by the Chief Executive of the Applicant Government

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2023 Edward Byrne Memorial Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.

2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.

3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (*e.g.*, city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.

4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.

5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.

6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.

| | |
|---|---|
| Signature of Chief Executive of the Applicant Unit of Local Government | Date of Certification |
| Printed Name of Chief Executive | Title of Chief Executive |
| Name of Applicant Unit of Local Government | |

**RESOLUTION APPROPRIATING FUNDS FOR**
**Edward Byrne Memorial Justice Assistance Grant (JAG) Grant**
**# 15PBJA-23-GG-03875-JAGX**
**$27,486**

**WHEREAS**, the Office for Civil Rights, Office of Justice Programs, Department of Justice Edward Byrne Memorial Justice Assistance Grant Program Fiscal Year 2023 Local Formula awarded a grant to the Police Department, through the City of Charlottesville, to hire a limited term position for a background investigator to support ongoing departmental recruitment efforts;

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that a total of $27,486.00 be appropriated in the following manner:

**Revenues – $27,486**

| | | | |
|---|---|---|---|
| $27,486 | Fund: 211 | Cost Center 3101006100 | G/L Account: 431110 |

**Expenditures – $27,486**

| | | | |
|---|---|---|---|
| $25,533 | Fund: 211 | Cost Center 3101006100 | G/L Account: 510020 |
| $1,953 | Fund: 211 | Cost Center 3101006100 | G/L Account: 511010 |

**BE IT FURTHER RESOLVED,** that this appropriation is conditioned upon the reimbursement of funds or goods as supplied from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Justice Edward Byrne Memorial Justice Assistance Grant Program;

Approved as to form:

_____
Jacob P. Stroman
City Attorney

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Appropriate the funds for the Jefferson School African American Heritage Center |
| Presenter: | Samuel Sanders, Jr., City Manager, Dr. Andrea Douglas |
| Staff Contacts: | Krisy Hammill, Director of Budget<br>Taylor Harvey-Ryan, Grants Program Manager |
| **Title:** | **Resolution to appropriate State Historic Resources Grant Funds to Jefferson School African American Heritage Center - $200,000 (2nd reading)** |

## Background

The Department of Historic Resources (DHR) is the State Historic Preservation Office of the Commonwealth. DHR fosters, encourages, and supports the stewardship and use of Virginia's significant architectural, archaeological, and historic resources as valuable assets for the economic, educational, social, and cultural benefit of citizens and communities. A significant responsibility is the administration and review of state and federal historic preservation grant programs for financial and programmatic compliance. DHR is authorized to administer state grants to non-state agencies under the Code of Virginia.

Located in the Jefferson School City Center, The Jefferson School African American Heritage Center's mission is to honor and preserve the rich heritage and legacy of the African-American community of Charlottesville-Albemarle, Virginia and to promote a greater appreciation for, and understanding of, the contributions of African Americans and peoples of the Diaspora locally, nationally and globally. The Center features a permanent historical exhibit, a rotating contemporary art gallery, and a robust calendar of events, all of which combine to highlight Charlottesville's African American history and culture of the African diaspora.

The Commonwealth of Virginia through the Department of Historic Resources will provide $200,000 to the Jefferson School African American Heritage Center for the exclusive support of the Jefferson School African American Heritage Center Operations and Center for Local Knowledge project.

## Discussion

Funds will be used to support operating cost and for staffing for the Center for Local Knowledge. The JSAAHC's programs acknowledge the reciprocal relationship that give rise to local public history while emphasizing the reality that our research into our community narrative must have an impact on social change. A core purpose of the Center for Local Knowledge is to give voice to local authority by uplifting and amplifying local custodians of the history, memory and lived experiences. We

understand that our past informs our present and our future. Thus, JSAAHC endeavors to make our research accessible and useful to improving the lives of local residents while enriching the sense of place in the region and our nation.

**Alignment with City Council's Vision and Strategic Plan**
This resolution aligns with the strategic outcome of Partnerships and helps to enhance the City's commitment to justice, equity, diversity and inclusion.

**Community Engagement**
These funds will be used to promote educational programming for the community.

**Budgetary Impact**
There is no budget impact to the City as these funds will be provided by the State as pass-thru funds to be distributed to JSAAHC.

**Recommendation**
Staff recommends approval of this resolution.

**Alternatives**
N/A

**Attachments**
1. DHR Grant for JSAAHC

**RESOLUTION**
**Appropriating funds from the Virginia Department of Historic Resources (DHR) for the Jefferson School African American Heritage Center**
**$200,000**

**WHEREAS,** the City of Charlottesville through the Department of Historic Resources has received a grant award of $200,000 to be given to the Jefferson School African American Heritage Center (JSAAHC) to be used to support operating cost and for staffing for the Center for Local Knowledge.

**NOW, THEREFORE BE IT RESOLVED** by the Council of the City of Charlottesville, Virginia that the sum of $200,000 received from the Virginia Department of Historic Resources is hereby appropriated in the following manner:

**Revenues - $200,000**

| | | | |
|---|---|---|---|
| $200,000 | Fund: 105 | Cost Center: 9753015000 | G/L Code: 430120 |

**Expenditures - $200,000**

| | | | |
|---|---|---|---|
| $200,000 | Fund: 105 | Cost Center: 9753015000 | G/L Code: 540100 |

**BE IT FURTHER RESOLVED** that this appropriation is conditioned upon the receipt of $200,000 from the Virginia Department of Historic Resources.

Approved by Council

Kyna Thomas, CMC
Clerk of Council

Approved as to form:

_____
Jacob P. Stroman
City Attorney




# City Manager's Report

*City Departments*

12-18-2023

**City Manager – Sam Sanders (he/him) –** The City Manager was on vacation last week and will provide a verbal report during the City Council meeting.

**Deputy City Manager - Ashley Marshall (she/her)**

- **PARKS AND RECREATION MASTER PLAN SURVEY OPEN**
  - The public is encouraged to learn more about the Parks and Recreation Master Planning process and to take the community survey at:
    - https://engagepros.mysocialpinpoint.com/Charlottesville
- **REGISTRATION FOR PARKS AND RECREATION WINTER PROGRAMS**
  - Registration is under way for winter program offerings through Parks and Recreation. This includes registration for our Winter Break Camps for 5-12 year olds to be held the weeks of December 18-21, 2023 (currently full) and December 27-29, 2023 (space still available at the time of publication). You can learn more about what classes and activities will be offered as well as register for classes online using the link below or the team would be happy to help anyone register at our recreation centers:
    - https://shorturl.at/diqx0
- **REGIONAL ECC ACCREDIATION AWARDED**
  - The Charlottesville-UVA-Albemarle County Emergency Communications Center, a regional entity, has achieved its 6th successful reaccreditation with CALEA. Congratulations to Director Sonny Saxton and his team.

**Interim Deputy City Manager - Steven Hicks (he/him)**

- East High Street is completed and open to foot traffic.

**Charlottesville Area Transit – Director Garland Williams (he/him)**

- In order to increase transparency in CAT's ridership performance, the department will create an interactive ridership dashboard that will allow staff and the public to continually monitor route, trip, and stop level service performance. The dashboard will be structured around the following service characteristics:
  - Ridership Productivity: provides stop and trip level ridership information.
  - On-Time Performance: provides route and segment level on-time performance (OTP) information.
  - Service Levels: provides frequency and span of service information by route.
  - Route Ridership Trends: provides daily ridership totals by route for various time periods.

  The dashboard will be updated monthly, and up to two years of historical monthly data will be available in the dashboard to allow users to compare month-to-month ridership and OTP changes. The dashboard will be on CAT's webpage by May 1, 2024.

**City Attorney – Attorney Jacob Stroman, Esq. (he/him)** – no updates at this time

**Charlottesville Fire Department – Chief Michael Thomas (he/him) –** no updates at this time

**Charlottesville Police Department – Chief Michael Kochis (he/him) –** no updates at this time

**Human Resources – Director Mary Ann Hardie (she/her) –** no updates at this time

**Department of Human Services – Director Misty Graves (she/her) –** no updates at this time

**Department of Information Technology – Director Steve Hawkes (he/him)**

- What's In It For Me (WIIFM) Workshops – the final iTeam/IT workshop on Adobe Sign took place on December 4 and every seat in Cityspace was filled with staff looking to learn more about the City's electronic signature system. Seven workshops, covering Microsoft Teams, OneDrive, Outlook and Adobe Sign, were held in 2023 with over 200 slots filled for the various workshops.
- PC Replacement Program – through the beginning of December, the City's Helpdesk staff members have been able to replace more than 300 City PCs this year through the PC Replacement program. For a number of reasons this year we had to replace more than twice as many PCs compared to previous years so this was a mammoth undertaking for the Helpdesk Team with coordination, installation and meetings. Kudos to the Helpdesk team: Alonzo Braxton, Lewis Chisholm and Tyler Henderson, for their work on this.
- Microsoft Teams governance – as our Microsoft Teams adoption and usage has increased it becomes important to implement a Microsoft Teams governance strategy to provide a framework for Teams without disrupting the user experience. To that end, last month we implemented a few policies in Teams. One policy ensures all Teams have two owners, a best practice, and another policy helps automate the archiving of stale teams. We are continuing to examine our Teams footprint and discuss other possible policies to implement.
- New hire – Lindsay Belfor, the IT Department's new Administrative Assistant started work on November 28. Lindsay spent the past 14 years working for a local insurance company and brings a great deal of customer service and administrative experience to the City. Please join me in welcoming Lindsay to the IT Team.
- Cybersecurity – Members of the IT Security Team met in December with our regional partners, including UVA, PVCC, and Albemarle County, to discuss cybersecurity issues. The quarterly sessions, overseen by the Chief Information Security Officer at UVA, have proven to be highly beneficial and informative. They provide a valuable platform for brainstorming, collaborating and sharing insights into cybersecurity practices, allowing us to stay updated on what others are doing.
- Intern project – Our University of Virginia Computer Science intern this past Fall, Mary Walton, completed her project for IT this month. The project was developing a software application to allow for easier PC inventory collection in the field. That project and a number of other intern

projects have been a result of the ongoing partnership between the IT Department and the University Internship Program. We have been very fortunate to have some very talented students interns over the years.

**Neighborhood Development Services – Director James Freas (he/him)**

- Jeff Werner, Preservation Planner, was presented with an award from Preservation Piedmont for his work on the Unmarked Graves Project at the Penn Park cemetery.

**Parks & Recreation – Acting Director Riaan Anthony**

- Winter/Spring Community Program Registration opened on December 4 and customer can register online at: Parks
- and Recreation - https://shorturl.at/diqx0
- The Department's Master Plan is underway and users can learn more, make comments or take
- a survey online at: https://engagepros.mysocialpinpoint.com/Charlottesville
    - Completed the first round of public engagement in November and are actively planning the next session in February with PROS Consulting as well as planning events which Parks & Recreation will go out into the community to gather feedback and information for the plan.
    - PROS Consulting is working with Parks & Recreation on gathering data and information on Department operations, programs, services, etc. so they can put together industry best practices, level of service analysis that will be incorporated into the plan to help the Department with its management and operations.
    - The project website is active and receiving a good amount of participation and feedback: https://engagepros.mysocialpinpoint.com/Charlottesville
- Meadowcreek Golf Course – the course is slowing down for the Winter season but it is still open 7 days per week, 9:00 am – 5:00 pm.
    - We are working on completing the contract for Golf Course Management services. Hoping to have this executed by the end of December or early January. We anticipate that once the contract is executed, there will be a 45-60 day transition period before the selected company assumes operational control.
    - Currently planning out 2024 instructional programs, lessons and tournaments/events at the golf course and should have those finalized in January.
    - Working on a new lease for the maintenance equipment as the current equipment is approaching its lifecycle replacement. Anticipating new equipment in 2025.
    - Executing a new lease for our golf cart fleet that expires in June 2024. New golf carts will replace the existing ones that are 5 years old.
- Markets:
    - Holiday Market is underway and the last market date for the season is December 23.
    - City Market will begin on April 6, 2024. Staff is working in the off-season to look at changes or improvements that can be made to the market to attract more vendors and/or customers.

    - Holiday Craft Party is Saturday, December 16th 10am-12pm at Carver Recreation Center (Free)
    - Winter Break Camp December 18th -21st and December 27th -29th from 7:30am-5:30pm (Registered Program)
    - Bennett's Village is a collaborative project to build an all-abilities play space in the Charlottesville area and we are happy to announce that the phase one drawing has been approved. Phase one is an accessible treehouse! The Treehouse is part of the concept plan developed by Mahan Rykiel and will be the very first portion of the plan to be developed and installed. Construction will begin in spring 2024.
- The Urban Forester is finalizing plans to perform tree pruning and 1 tree removal on the downtown mall trees and is scheduling for mid- January. This involves coordinating with our tree work contractor, downtown mall shops, businesses, and other City staff.
- The annual tree planting of 2" caliper trees (approx. 180 trees) is schedule to be completed before the New Year. Sites include many parks, and rights-of-ways. We are also coordinating the forest restoration of areas previously cleared as part of the invasive plant control work. Approximately 900 tree seedlings will be planted in areas that were cleared in the summer and fall (Forest Hills Park, Azalea Park, Washington Park, along Moore's Creek near Jordan Park).

**Public Works – Interim Deputy City Manager Steven Hicks (he/him)**

- For this upcoming snow season the City of Charlottesville Public Works Department will be rolling out a new tool that will allow residents to track City snow plows during a winter weather event.
    - This new, online portal uses AVL (automated vehicle location) technology to provide current and historical snow route progress across the City. The on-board GIS based technology will also enable the portal to display time durations for when a route was last serviced, providing additional insight for residents to when and where they can expect to see plowing activity next.
    - Access to the portal will be provided via a posted link on the City's website, which will be activated during snow events.

**Utilities – Director Lauren Hildebrand (she/her)**

- The Department of Utilities takes its responsibilities seriously to inform the public of natural gas safety procedures and Flicker the Flame's annual Natural Gas Safety Quiz is back to help ensure everyone in the area is aware of these procedures and understands how to properly follow them. Take the quiz by going to www.charlottesville.gov/gas and enter for a chance to win a $100 gift card to the Downtown Mall. By working together, we can make our community a safer place to call home.
- Utilities provides several ways for residents to prepare their homes for the colder weather of winter, such as a $100 rebate towards the purchase and installation of a programmable thermostat. The U.S. Department of Energy recommends setting thermostats to 68°F in winter, and when properly set, a programmable thermostat provides the ideal balance between

comfort and energy efficiency. For more information on rebates offered by Utilities visit, www.charlottesville.gov/utilities

- Utilities offers customers resources to help ease the stress of paying their utility bill, including the Charlottesville Gas Assistance Program (GAP). GAP is designed to help those individuals heating with natural gas who, although in financial need, do not qualify for State Fuel Assistance or whose State Assistance allocation has been exhausted. More information on GAP, including program eligibility requirements, can be found at www.charlottesville.gov/utilities
    - If you would like to donate to GAP, donations can be mailed to Utility Billing at P.O. Box 591 Charlottesville, VA 22902. Please make checks payable to "City of Charlottesville" with "GAP" in the memo section. You can also make donations in-person at the City Treasure's Office located at 501 E Main Street during regular business hours, Mon-Fri. Your contribution is greatly appreciated and helps ensure the program can assist the greatest number of people possible.

**Social Services – Director Sue Moffett (she/her)**

- The Department of Social Services hosted a holiday event for children in foster care. Youth and their biological families got to celebrate the season together at this festive affair featuring cookie decorating, song singing and a visit from Santa. Special thanks to the DSS child welfare team for making this year's event such a success!

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Consideration of a Rezoning Application |
| Presenter: | Matthew Alfele, City Planner, James Freas, Director of NDS |
| Staff Contacts: | Matthew Alfele, City Planner |
| **Title:** | **Ordinance to approve a Zoning Map Amendment pursuant to Sections 34-41 of the Code of the City of Charlottesville for properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road - VERVE Charlottesville PUD – ZM23-00004** |

## Background

Subtext Acquisitions, LLC ("Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a Zoning Map Amendment pursuant to Sections 34-41 of the Code of the City of Charlottesville ("Code") for properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road ("Subject Property"). The applicant is moving to rezone the Subject Property from Multifamily Residential ("R-3") to Planned Unit Development ("PUD") with a Development Plan and Proffer Statement. The application, proffer statement, and development plan include a commitment to affordable housing ~~at two times the requirements of code Section 34-12~~; parking; a use matrix including a maximum dwelling units per acre ("DUA"); yard and height regulations; open space; and landscaping. The applicant is proposing to redevelop the Subject Property and replace the existing (62) residential units (spread between nine different buildings) with one building containing between (524) to (550) residential units. The proposed building will have a height range of (75) feet to (135) feet and stories that range from (5) to (12). In addition, the proposed PUD includes improved pedestrian and bicycle circulation along Stadium Road, Emmet Street, and Jefferson Park Avenue and road improvements to Montebello Circle. In order for the applicant to implement the PUD Development Plan, they will need additional approvals from City Council. These approvals include:

**Application ZT23-09-02** – A zoning text amendment to remove the Individually Protected Property (IPP) designation from 104 Stadium Road.

**Application CP23-00002** – The applicant is requesting an amendment to remove conditions from the November 4, 1996 ordinance vacating the Woodrow Street Right of Way (ROW) along with a request to zone the closed portion to Planned Unit Development ("PUD") as described in application ZM23-00004. This review also includes a Code of Virginia, Section 15.2-2232 review from the Planning Commission.

**An amendment to "An Ordinance Authorizing the Sale of Certain City-Owned Property Located at 409 Stadium Road" adopted May 2, 2011** – The applicant is proposing to amend the ordinance authorizing the sale of city-owned property located at 409 Stadium Road to remove conditions and allow for development.

**Application P23-0055** - A Critical Slope Waiver per City Code Section 34-516(c). Critical Slopes exist on the Subject Property along the Montebello Circle frontage and will be impacted by the proposed development.

**Application P23-0058** - A Sidewalk Waiver per City Code Section 29-182(j)(5) for a portion of Montebello Circle. The applicant's development plan calls for fire access improvements to Montebello Circle, but due to site constraints they are requesting a waiver for a sidewalk along approximately 300 feet of frontage.

**Discussion**

Discussion:
The Planning Commission held an in-person and virtual joint Public Hearing with City Council on October 10, 2023 on this matter. The Planning Commission and City Council had the following comments on concerns:

- Concerned with the massing and scale of the development.
- Concerned that not enough parking is being provided.
- Concerned the project is not paying enough into the City's affordable housing fund.

The Planning Commission believes this location is desirable for a denser development and will contribute to the goals of the City's Comprehensive Plan. They believe many of the design elements such as the raised bike paths and street trees will be an overall improvement. Scale and massing were the main concerns but might be acceptable if the applicant made minor modifications to the massing along Stadium Road. Many of the Commissioners believed going to twelve (12) stories, while taller than what is stated in the Comprehensive Plan, is acceptable if other elements such as stepbacks and material changes are introduced along "the wall" of the building that fronts on Stadium Road. The applicant agreed to make minor changes to address these issues and they can be reviewed under attachment 1, 2, and 3 (The changes were provided to staff on November 20, 2023). There was some concern with the transition of the project along the Montebello Circle side, but these concerns were alleviated by the applicant during their presentation. Overall, the Planning Commission did not find the proposed development achieved the higher standards of a PUD but believes this is the right location and density for a project of this scale.

Link to the October 10, 2023 Planning Commission Public Hearing. Discussion starts at the 01:22:00 mark.
Link

Link to the full application and background materials. The Staff Report starts on page 47.
Link

During the October 10, 2023 Public Hearing there was a question regarding the enforceability of the affordable housing statement provided on the Cover Sheet of the PUD Development Plan. It has been determined that to ensure the statement is enforced as proposed by the applicant, it needs to be contained in a Proffer Statement. The applicant has provided the Proffer Statement containing the same language as the Planning Commission reviewed on October 10th with no additional changes to

the application (see attachment 5). On November 14, 2023, The Planning Commission held an in-person and virtual joint Public Hearing with City Council on the application with the addition of the proffer statement. The only discussion to come out of the Public Hearing was related to concerns from the University of Virginia that the building could be visible from the Lawn. UVA has provided City Council with a letter outlining these concerns.

Link to the November 14, 2023 Planning Commission Public Hearing. Discussion starts at the 0:1:15:42 mark.
Link

Link to the updated staff report, starting on page 161.
Link

**Alignment with City Council's Vision and Strategic Plan**
If City Council approves the Rezoning, the project could contribute to the City Vision Statement of Housing: Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.

**Community Engagement**
On June 12, 2023, the applicant held a community meeting in the Fellowship Hall of St. Mark Lutheran Church from 6pm to 8pm. The format of the meeting was an Open House with posters and the application team in attendance to answer questions and receive feedback. Approximately seven to eight members of the public attended the meeting and provided the following:
- Concern with the quantity of multifamily residential units proposed.
- Increase in vehicular traffic and distribution of vehicular traffic.
- Availability of parking within the development and potential parking spill-over onto neighborhood streets.
- Architectural quality of the built development.
- Concern about who will manage the building once it is finished.
- Concerns about how the development will impact longtime residents of the neighborhood.
- The building is too tall and will tower over the neighborhood.

On October 10, 2023, the Planning Commission held an in-person and virtual joint Public Hearing with City Council that was well attended by the public. Eleven (11) members of the public spoke and expressed the following:
- The scale is too large and will have an adverse impact on existing residents of the neighborhood.
- A large number of mature trees will be removed.
- Density is needed in this area and will create more housing options.
- The height and scale are not compatible with the existing neighborhood.
- The City needs this project to help address the housing shortage.

On October 10, 2023, the Planning Commission held an in-person and virtual joint Public Hearing with City Council that was well attended by the public. Two (2) members of the public spoke and expressed the following:
- The applicant is not contributing enough money to the City’s Affordable Housing Fund.

Any emails received by staff regarding this project have been forwarded to City Council.

**Budgetary Impact**
This has no impact on the General Fund.

**Recommendation**
The Planning Commission voted 5-1 to recommend the application be approved for the Rezoning.

Suggested:
"I move to approve the ORDINANCE for application ZM23-00004 rezoning the Properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road, City Tax Map Parcels 160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 from Multifamily Residential (R-3) to Planned Unit Development (PUD)."

**Alternatives**
City Council has several alternatives:

(1) by motion, take action to approve the attached ordinance granting the Rezoning as recommended by the Planning Commission;
(2) by motion, request changes to the attached ordinance, and then approve the Rezoning;
(3) by motion, take action to deny the Rezoning; or
(4) by motion, defer action on the Rezoning.

**Attachments**
1. Memo outlining the changes made to the PUD after the October 10th and November 14, 2023 Public Hearings.
2. VERVE Charlottesville PUD Development Plan Dated November 17, 2023. (1)
3. Updated ADU Worksheet.
4. Signed Proffer Statement dated December 12, 2023
5. Rezoning Ordinance

November 17, 2023

City of Charlottesville
Neighborhood Development Services
c/o Matt Alfele
P.O. Box 911
Charlottesville, VA 22902

RE: Revisions to PUD Application Package

Dear Mr. Alfele,

Enclosed you will find revised materials for the proposed VERVE Charlottesville PUD following the October 10, 2023 Planning Commission Joint Public Hearing. The revised massing focuses on reductions near the main entry at the northwestern corner of the property where the prior building design has been modified to express two separate buildings. The mass of the lower eastern building remains largely unchanged, although redesign of the exterior façade has occurred throughout. Another area of focus was stepping back the façade at the southwest corner of the property near the intersection of Montebello Circle and Stadium Road. We believe these changes along with other subtle revisions benefit the overall project and bring the project in line with the commentary at the October 10 Planning Commission Joint Public Hearing.

**A. Summary of Revisions from the September 25, 2023 PUD Plan**

1. The enclosed revisions resulted in a net reduction of approximately 70,000 gross square feet and approximately 175 bedrooms.

2. The 12-story building has been separated into 2 buildings at the northwestern corner of the property (Stadium Road and Emmet Street), with a 2-story connection at the primary corner containing active residential and non-residential uses. The 12-story building along Emmet Street has been extended to include the northeastern corner of the property (Emmet Street and Jefferson Park Avenue).

3. The building setback at the southwest corner of the property (Stadium Road and Montebello Circle) was increased by an additional 6'-8" to now be approximately 25' minimum from the property line at Montebello Circle for the first 3 levels. Additionally, levels 4-11 fronting Montebello Circle at the southwest corner have been stepped back by approximately 15' for an overall distance from the property line of approximately 40' minimum.

4. Residential units have been added through a 5-story volume spanning the interior courtyards, matching the height of the lower eastern and southern masses that front Jefferson Park Avenue and Montebello Circle.

5. A non-residential space has been added at the corner of Stadium Road and Emmet Street intended for a future neighborhood-scale retail use such as a market or coffee shop.

6. A secondary residential entrance has been located at the corner of Jefferson Park Avenue and Emmet Street in-lieu of the bicycle entrance, and the bicycle entrance has been shifted south along Jefferson Park Avenue.

7. Approximately 17 parking spaces have been added to the drop-off area along Stadium Road to better accommodate ride-share services, food and package deliveries, prospective residents, etc.

8. Previously, the PUD Plan denoted a "potential curb cut for trash pickup" off Montebello Circle at the southwest corner of the building. This trash location has been formally included due to the separation of the buildings and the need for additional trash facilities to serve this portion of the building.

**B. Affordable Housing**

1. A separate Proffer Statement has been prepared and included.

2. The Applicant is now Proffering a cash contribution equal to four times that which would be required under City Code Section 34-12(d)(2) based on the approved final site plan, up to a maximum of Six Million Dollars ($6,000,000.00).

3. An updated Affordable Dwelling Unit Ordinance Worksheet has been included.

**C. PUD Development Plan**

1. T1 – Title Sheet
   a. Updated project cover image to reflect the revisions outlined in Section A.
   b. Relocated Project Metrics to T3.
   c. Added Land Use Plan Regulations for the PUD density, dimensional, and parking regulations.
   d. Revised Implementation of Planned Unit Development Regulations statement to "The PUD shall be administered in accordance with Article V of the Charlottesville Code of Ordinances."
   e. Removed Affordable Housing statement in its entirety. A separate Proffer Statement has been included as outlined in Section B.

2. T2 – Zoning Information
   a. Revised Use Matrix to address public health and service uses, houses of worship, amateur radio antennas, parking uses, and maximum residential density, etc.
   b. Removed Use Matrix (Draft Zoning).
   c. Removed Proposed Draft Zoning aerial.

3. T3 – Zoning Information & Metrics
   a. Added Project Metrics.
   b. Revised Project Metrics to reflect the revisions outlined in Section A.
   c. Revised Dimensional Regulations to Comparison of Proposed Land Use Plan Regulations with Zoning Ordinance. The PUD Regulations are now outlined in the Land Use Plan Regulations on T1.
   d. Updated Comparison of Proposed Land Use Plan Regulations with Zoning Ordinance to reflect the revisions outlined in Section A.
   e. Removed Zoning Lot Regulations (Draft Zoning).
   f. Removed Building Regulations (Draft Zoning).

4. T4 – Conceptual Site Diagrams
   a. Updated Potential Option for Property Line Realignment Diagram to reflect the revisions outlined in Section A.
   b. Updated Pedestrian and Bike Facility Diagram to reflect the revisions outlined in Section A.
   c. Updated Open Space Diagram to reflect the revisions outlined in Section A.

5. C4 – Critical Slope – Site Overlay
   a. Background revisions only.

6. C6 – Conceptual PUD Site Development Plan
   a. Background revisions only.

7. C7 – Conceptual PUD Utility Plan
   a. Background revisions only.

8. C8 – Conceptual PUD Grading and Stormwater Management Plan
   a. Background revisions only.

9. C9 – Conceptual PUD Road Sections
    a. Background revisions only.

10. L501 – Conceptual Landscape Plan
    a. Background revisions only.

11. A0 – Conceptual Development Plan
    a. Updated plan to reflect revisions outlined in Section A.

12. A1 – Conceptual Floor Plans
    a. Updated plan to reflect revisions outlined in Section A

13. A2 – Conceptual Floor Plans
    a. Updated plan to reflect revisions outlined in Section A

14. A3 – Conceptual Floor Plans
    a. Added sheet.
    b. Updated plan to reflect revisions outlined in Section A.

15. A4 – Conceptual Exterior Elevations
    a. New Sheet number due to additional floor plan sheet.
    b. Updated elevations to reflect the revisions outlined in Section A.

16. A5 – Conceptual Exterior Elevations
    a. New Sheet number due to additional floor plan sheet.
    b. Updated elevations to reflect the revisions outlined in Section A.

17. A6 – Conceptual Exterior Elevations
    a. New Sheet number due to additional floor plan sheet.
    b. Updated building sections to reflect the revisions outlined in Section A.

18. A7 – Conceptual Building Sections
    a. New Sheet number due to additional floor plan sheet.
    b. Revised building sections to reflect the revisions outlined in Section A.

19. A8 – Conceptual Building Sections
    a. New Sheet number due to additional floor plan sheet.
    b. Revised building sections to reflect the revisions outlined in Section A.

20. A9 – Conceptual Renderings
    a. New Sheet number due to additional floor plan sheet.
    b. Revised renderings to reflect the revisions outlined in Section A.

Sincerely,

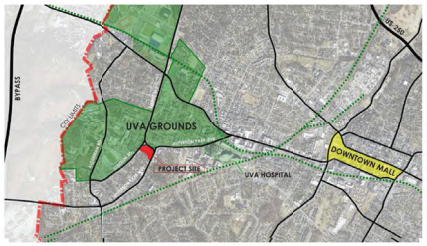
Dylan Lambur

Dylan Lambur
Development Manager
Subtext

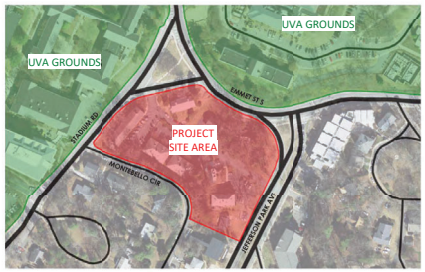
# VERVE CHARLOTTESVILLE | 100 Stadium Rd, Charlottesville VA



## PROJECT LOCATION




Vicinity




Site Location

## PROJECT TEAM

**OWNER/DEVELOPER:**
Subtext Acquisitions, LLC
3000 Locust Street
St. Louis, MO 63101
Ph: 314-502-1709

**ARCHITECT:**
ESG Architecture & Design, Inc.
500 Washington Ave. South, Suite 1080
Minneapolis, MN 55415
Ph: 612-339-5508
Fx: 612-339-5382

**CIVIL ENGINEER:**
Timmons Group
608 Preston Avenue Suite 200
Charlottesville, VA 22903
Ph: 434-295-5624

**LANDSCAPE ARCHITECT:**
AJC Design Group, LLC
1991 Woodland Way
Dunwoody, GA 30338
Ph: 770-330-0814

## LAND USE PLAN REGULATIONS

| | |
|---|---|
| Maximum Number of Dwelling Units: | 550 |
| Maximum Number of Dwelling Units/Acre: | 167 DUA |
| Maximum Height: | 135 feet<br>12 Stories |
| Minimum Square Feet of Non-Residential: | 1000 sf |
| Minimum Setbacks: | |
| Front: | 1' |
| Side: | 1' |
| Rear: | 15' |
| Minimum Open Space (Gross Area): | 15% |
| Off-Street Parking Requirements: | |
| Multifamily Dwelling: | 0.5 Spaces per unit |
| General Office Use: | 1 space/500 sq. ft. of GFA |
| Convenience Store: | 1 space/500 sq. ft. of GFA |
| General, Retail Sales: | 1 space/500 sq. ft. of GFA |
| Restaurants, Generally: | 1 space/500 sq. ft. of GFA |
| All Other Uses: | As Reqr by Ordinace Sec 34-984 |

## IMPLEMENTATION OF PLANNED UNIT DEVELOPMENT REGULATIONS

The PUD shall be administered in accordance with Chapter 34 Article 5 Divisions 1-3 of the City of Charlottesville Zoning Ordinance in effect on Novermber 14, 2023

## DRAWING INDEX

DRAWING INDEX - PUD

| DRAWING NUMBER | DRAWING NAME | PUD - 8/15/2023 | PUD - 11/09/2023 | PUD - 11/17/2023 |
|---|---|---|---|---|
| GENERAL INFORMATION | | | | |
| T1 | TITLE SHEET | • | • | • |
| T2 | ZONING INFORMATION | • | • | • |
| T3 | ZONING INFORMATION & METRICS | • | • | • |
| T4 | CONCEPTUAL SITE DIAGRAMS | • | • | • |
| CIVIL | | | | |
| C1.1 | ALTA SURVEY | • | • | • |
| C1.2 | ALTA SURVEY | • | • | • |
| C1.3 | ALTA SURVEY | • | • | • |
| C1.4 | ALTA SURVEY | • | • | • |
| C2 | PEDESTRIAN NETWORK PLAN | • | • | • |
| C3 | NATURAL, ENVIRONMENTAL & CULTURAL FEATURE MAP | • | • | • |
| C4 | CRITICAL SLOPE SITE OVERLAY | • | • | • |
| C5 | CONCEPTUAL PUD DEMOLITION PLAN | • | • | • |
| C6 | CONCEPTUAL PUD SITE DEVELOPMENT PLAN | • | • | • |
| C7 | CONCEPTUAL PUD UTILITY PLAN | • | • | • |
| C8 | CONCEPTUAL PUD GRADING AND STORMWATER MANAGEMENT PLAN | • | • | • |
| C9 | CONCEPTUAL PUD ROAD SECTIONS | • | • | • |
| LANDSCAPE | | | | |
| LS01 | CONCEPTUAL LANDSCAPE PLAN | • | • | • |
| ARCHITECTURAL | | | | |
| A0 | CONCEPTUAL DEVELOPMENT PLAN | • | • | • |
| A1 | CONCEPTUAL FLOOR PLANS | • | • | • |
| A2 | CONCEPTUAL FLOOR PLANS | • | • | • |
| A3 | CONCEPTUAL FLOOR PLANS | | • | • |
| A4 | CONCEPTUAL EXTERIOR ELEVATIONS | • | • | • |
| A5 | CONCEPTUAL EXTERIOR ELEVATIONS | • | • | • |
| A6 | CONCEPTUAL EXTERIOR ELEVATIONS | • | • | • |
| A7 | CONCEPTUAL BUILDING SECTIONS | • | • | • |
| A8 | CONCEPTUAL BUILDING SECTIONS | • | • | • |
| A9 | CONCEPTUAL EXTERIOR RENDERINGS | • | • | • |

100 STADIUM ROAD
Charlottesville, VA

esg
ARCHITECTURE & DESIGN
500 Washington Avenue South, Suite 1080
Minneapolis, MN 55415
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www.esgarch.com

**NOT FOR CONSTRUCTION**

PUD
11/17/2023

ORIGINAL ISSUE:

REVISIONS
No. Description Date

222534
PROJECT NUMBER

JH NR
DRAWN BY CHECKED BY

KEY PLAN

100 STADIUM ROAD

TITLE SHEET
**T1**

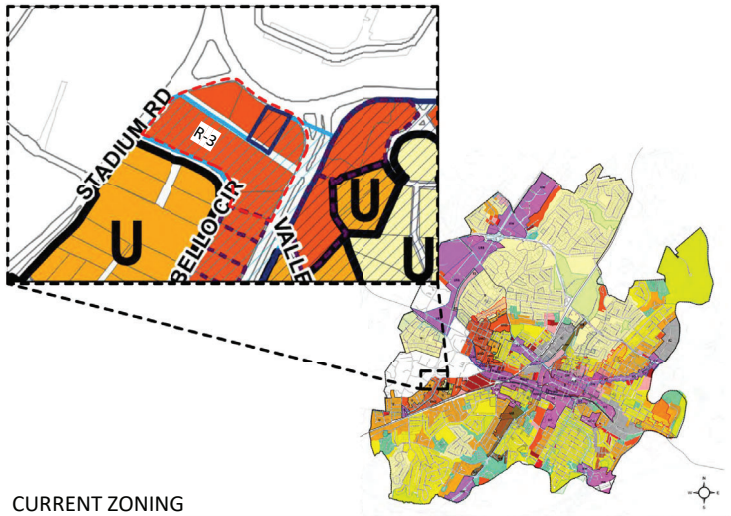
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## USE MATRIX

| Use Matrix<br>B = By-Right Use; ( ) = Use Not Allowed; P = Provisional Use Permit; S = Special Use Permit; T = Temporary Use Permit; A = Ancillary Use; A/C = Ancillary or Special Use Permit | R-3 | Proposed PUD |
|---|---|---|
| **RESIDENTIAL AND RELATED USES** | | |
| Accessory apartment, internal | B | |
| Accessory apartment, external | P | |
| Accessory buildings, structures and uses | B | B |
| Adult assisted living | | |
| 1—8 residents | B | B |
| Greater than 8 residents | S | |
| Adult day care | S | |
| Amateur radio antennas, to a height of 75 ft. | B | B |
| Bed-and-breakfast: | | |
| Homestay | B | B |
| B & B | B | B |
| Inn | S | |
| Boarding: fraternity and sorority house | S | |
| Boarding house (rooming house) | S | |
| Convent/monastery | S | |
| Dwellings: | | |
| Multifamily | B | B |
| Single-family attached | B | |
| Single-family detached | B | |
| Townhouse | B | |
| Two-family | B | |
| Family day home | | |
| 1—5 children | B | |
| 6—12 children | B | |
| Home occupation | P | B |
| Nursing homes | S | |
| Occupancy, residential | | |
| 3 unrelated persons | B | B |
| 4 unrelated persons | B | B |
| Residential density (developments) | | |
| 1—21 DUA | B | B |
| 22—43 DUA | S | B |
| 44—64 DUA | S | B |
| 65—87 DUA | S | B |
| 88—167 DUA | | B |
| Residential treatment facility | | |
| 1—8 residents | B | B |
| 8+ residents | S | |
| Shelter care facility | S | |
| Single room occupancy facility | S | |
| Temporary family health care structure | T | |
| **NON-RESIDENTIAL: GENERAL and MISC. COMMERCIAL** | | |
| Access to adjacent multifamily, commercial, industrial or mixed-use development or use | B | B |
| Accessory buildings, structures and uses | B | B |
| Houses of worship | B | B |
| Temporary (outdoor church services, etc.) | T | |
| Cemetery | S | |
| Clinics: | | |
| Health clinic (up to 4,000 SF, GFA) | B | B |
| Public health clinic | B | B |
| Clubs, private | S | |
| Communication facilities: | | |
| Attached facilities utilizing utility poles as the attachment structure | B | B |
| Attached facilities not visible from any adjacent street or property | B | B |
| Daycare facility | B | B |
| Educational facilities (non-residential) | | |
| Elementary | B | B |
| High schools | B | B |
| Colleges and universities | B | B |
| Funeral home (without crematory) | | |
| GFA 4,000 SF or less | S | |
| GFA up to 10,000 SF | S | |
| Funeral homes (with crematory) | | |
| GFA 4,000 SF or less | S | |
| GFA up to 10,000 SF | S | |
| Laundromats | A | A |
| Libraries | B | B |
| Municipal/governmental offices, buildings, courts | S | - |
| Offices: | | |
| Business and professional | | B |
| Medical | | B |
| Philanthropic institutions/agencies | | B |
| Property management | A | B |
| Other offices (non-specified) | | B |
| Parking: | | |
| Parking garage | A/S | A |
| Surface parking lot | A | A |
| Surface parking lot (more than 20 spaces) | A | A |
| Temporary parking facilities | | |
| Recreational facilities: | | |
| Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on City-owned, City School Board-owned, or other public property) | B | |
| Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on private property) | | |
| GFA 4,000 SF or less | A | B |
| GFA up to 10,000 SF | | B |
| GFA more than 10,000SF | | B |
| Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (city owned), and related concession stands | B | B |
| Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (private) | S | |
| Restaurants: | | |
| Fast food | | B |
| Full service | | B |
| Utility facilities | S | |
| Utility lines | B | B |
| **NON-RESIDENTIAL USES: RETAIL** | | |
| Consumer service businesses | | |
| Up to 4,000 SF, GFA | A | B |
| Grocery stores: | | |
| Convenience | | B |
| General, up to 10,000 SF,GFA | | B |
| Temporary sales, outdoor (flea markets, craft fairs, promotional sales, etc.) | | T |
| Other retail stores (non-specified): | | |
| Up to 4,000 SF, GFA | | B |
| Up to 20,000 SF GFA | | B |
| **NON-RESIDENTIAL: INDUSTRIAL** | | |
| Construction storage yard | | T |




LAND USE MAP




CURRENT ZONING

100 STADIUM ROAD
Charlottesville, VA

esg
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500 Washington Avenue South, Suite 1080
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PUD
11/17/2023

ORIGINAL ISSUE: 08/11/23

REVISIONS

| No. | Description | Date |
|---|---|---|

222534
PROJECT NUMBER

JH DRAWN BY NR CHECKED BY

KEY PLAN

100 STADIUM ROAD

ZONING INFORMATION

**T2**

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## PROJECT METRICS

ALL FIGURES ARE APPROXIMATE AND SUBJECT TO CHANGE

### PROJECT SUMMARY

| | |
|---|---|
| LOT AREA (SF) | 144,002 |
| BUILDING FOOTPRINT (SF) | 71,250 |
| LOT COVERAGE (%) | 49.5% |
| OPEN SPACE (%) | 50.5% |

### FLOOR AREA SUMMARY

| | |
|---|---|
| RESIDENTIAL GSF | 543,300 |
| LEASING / AMENITY GSF | 18,100 |
| NON-RESIDENTIAL GSF (APPROX.) | 1,000 |
| PARKING GSF | 153,600 |
| EXTERIOR AMENITY GSF (APPROX., NOT INTOTAL) | 25,000 |
| **TOTAL BUILDING AREA (GSF)** | **716,000** |

### UNIT MATRIX

| *UNIT TYPE* | *# UNITS* | *% OF TOTAL* |
|---|---|---|
| STUDIO | 82 | 15% |
| ONE BEDROOM | 86 | 16% |
| TWO BEDROOM | 172 | 32% |
| THREE BEDROOM | 44 | 8% |
| FOUR BEDROOM | 147 | 28% |
| **TOTAL** | **531** | 100% |
| **TOTAL UNITS / ACRE** | **161** | |
| **APPROXIMATE BEDROOMS** | **1,200-1,500** | |

*TOTAL UNITS AND TOTAL UNITS / ACREREFLECT CURRENT CONCEPTUAL DEVELOPMENT PLAN. SEE LAND USE PLAN REGULATIONS FOR MAXIMUM ALLOWED UNITS AND UNITS / ACRE.

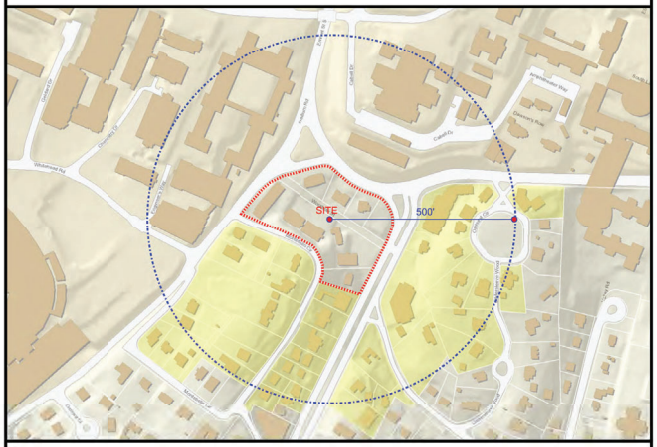
### PARKING

| | |
|---|---|
| TOTAL PROVIDED PARKING SPACES | 411 |

**Comparison of Proposed Land Use Plan Regulations with Zoning Ordinance**

| | **Current R-3 Zoning:** Consisting of medium-density residential areas in which medium-density residential developments, including multifamily uses, are encouraged. | **PUD:** To encourage developments of equal or higher quality than otherwise required by the strict application of zoning district regulations that would otherwise govern. |
|---|---|---|
| **Physical Characteristics** | | |
| Height | 45'<br>Up to 101' by SUP | 135' |
| Front Yard | 25' min. | 1' min. |
| Side Yard | 1' per 2' height, 16' min. | 1' min. |
| Rear Yard | 25' min. | 15' min. |
| Land Coverage | 75% max. | 75% max. |
| Density | Up to 21 DUA<br>Up to 87 DUA by SUP | Up to 167 DUA |
| Parking | 722 spaces<br>(1 space per Efficiency--3BR unit; 2 spaces per 3BR--4BR unit) | 411 spaces |

## TAX PARCEL




| Parcel Number | Owner Name | Owner Address | City / State | Zip | Property Address |
|---|---|---|---|---|---|
| 110001000 | TENTH AND MAIN, LLC | 110 OAKHURST CIR | CHARLOTTESVILLE VA | 22943 | 100-104 OAKHURST CIR |
| 110001100 | OAKHURST CIRCLE COMMON AREA | 110 OAKHURST CIR | CHARLOTTESVILLE VA | 22942 | 0 OAKHURST CIR |
| 110004000 | JEFFERSON PARK PARTNERS LC | 3 GILDERSLEEVE WOOD | CHARLOTTESVILLE VA | 22944 | 1600 JEFFERSON PARK AVE |
| 110005000 | 106 OAKHURST CIRCLE LLC | 61 W MEADOW RD | SETAUKET NY | 22907 | 106 OAKHURST CIR |
| 110006000 | WILLIAMS, PEYTON R, JR & BOBBIE B, TRUSTEES | 116 OAKHURST CIR | CHARLOTTESVILLE VA | 22908 | 108 OAKHURST CIR |
| 110007000 | BREIT SW JEFFERSON COMMONS LLC | 222 S RIVERSIDE PLZ STE 2000 | CHICAGO IL | 22909 | 1620 JEFFERSON PARK AVE |
| 110008000 | 105 VALLEY, LLC | 2501 LENAH TRAILS PL | ALDIE VA | 22914 | 105 VALLEY RD |
| 110009000 | STANLEY, RICHARD A & COURTENAY T | 110 OAKHURST CIR | CHARLOTTESVILLE VA | 22911 | 110 OAKHURST CIR |
| 110010000 | MC CALUM, BENNETT T & SALLY H | 140 D ST SE | WASHINGTON DC | 22913 | 2 GILDERSLEEVE WOOD |
| 110011000 | PUSSER BRIAN & FOSTER, REBECA HART | 3 60 DUNDEE RD | EARLYSVILLE VA | 22936 | 6 GILDERSLEEVE WOOD |
| 110012000 | BISHOP,KATHERINE L, TRUSTEE | PO BOX 2534 | CHARLOTTESVILLE VA | 22902 | 8 GILDERSLEEVE WOOD |
| 110014000 | VELIKY, C | 241 15TH ST NW STE 1A | CHARLOTTESVILLE VA | 22919 | 111 VALLEY RD |
| 110016000 | BARNES DENNIS W & ANN S, TRUSTEES | 11 GILDERSLEEVE WOOD | CHARLOTTESVILLE VA | 22903 | 13 GILDERSLEEVE WOOD |
| 110020000 | KEYSER ARTHUR B & HELEN S | 1 GILDERSLEEVE WOOD | CHARLOTTESVILLE VA | 22903 | 1 GILDERSLEEVE WOOD |
| 110022000 | HAYNES NANCY J, TRUSTEE | 1 4 OAKHURST CIR | CHARLOTTESVILLE VA | 22903 | 114 OAKHURST CIR |
| 110023000 | REILLY, KEVIN M & BONNIE B | 1 6 OAKHURST CIR | CHARLOTTESVILLE VA | 22903 | 116 OAKHURST CIR |
| 110026000 | OSTEEN, J MICHAEL, TRUSTEE | 160 OAKHURST CIR | CHARLOTTESVILLE VA | 22903 | 122 OAKHURST CIR |
| 110051000 | MCNITT,DOUGLAS & TOWNSEND | 24 FRANKLIN ST | ANNAPOLIS MD | 21401 | 550 VALLEY RD |
| 110052000 | TURNER, COURTENAY M & KATHLEEN V | 2634 BROWNSTONE LN | CHARLOTTESVILLE VA | 22924 | 552 VALLEY RD |
| 110053000 | MYERS, JAMES E & KAREN A | 1700 JEFFERSON PARK AVE | CHARLOTTESVILLE VA | 22916 | 1700 JEFFERSON PARK AVE |
| 110053100 | SNELL, WILLIAM B | 1708 JEFFERSON PARK AVE | CHARLOTTESVILLE VA | 22918 | 1708 JEFFERSON PARK AVE |
| 110053200 | WINCHESTER, JOHN R | 544 VALLEY RD | CHARLOTTESVILLE VA | 22922 | 554 VALLEY RD |
| 110056000 | DUJA-3, LLC | 3 25 DUNDEE ROAD | EARLYSVILLE VA | 22936 | 1714 JEFFERSON PARK AVE |
| 160001000 | WOODROW TOO, LLC | PO BOX 5306 | CHARLOTTESVILLE VA | 22906 | 409 STADIUM RD |
| 160003000 | WOODROW, LLC | PO BOX 5306 | CHARLOTTESVILLE VA | 22925 | 102 STADIUM RD |
| 160004000 | STADIUM ROAD LIMITED PARTNERSHIP | MSC BOX 5186 | CHARLOTTESVILLE VA | 22905 | 100 STADIUM RD |
| 160008000 | 1705 JPJ, LLC | PO BOX 5186 | CHARLOTTESVILLE VA | 22931 | 1705 JEFFERSON PARK AVE |
| 160009000 | TRACKSIDE PROPERTIES II, LLC | 440 LOCUST AVE STE 3 | CHARLOTTESVILLE VA | 22932 | 1707 JEFFERSON PARK AVE |
| 160010000 | ALPHA IAPPA HOUSING CORPORATION | 1713 JEFFERSON PARK AVE | CHARLOTTESVILLE VA | 22935 | 1713 JEFFERSON PARK AVE |
| 160010100 | NEIGHBORHOOD INVESTMENTS, LLC | 8 0 CATALPA CT | CHARLOTTESVILLE VA | 22912 | 1709 JEFFERSON PARK AVE |
| 160011000 | BLUE RIDGE PROPERTY MANAGEMENT LLC | 2615 WARWICK PL | EARLYSVILLE VA | 22937 | 1715 JEFFERSON PARK AVE |
| 160012000 | STULTZ,LLC | PO BOX 1414 | CHARLOTTESVILLE VA | 22917 | 1717 JEFFERSON PARK AVE |
| 160014100 | DUNOV,LLC | 305 MALLARD LANE | EARLYSVILLE VA | 22921 | 204 MONTEBELLO CIR |
| 160015000 | NEIGHBORHOOD INVESTMENTS LLC | 8 0 CATALPA CT | CHARLOTTESVILLE VA | 22903 | 1723 JEFFERSON PARK AVE |
| 160017000 | WARD, BENJAMIN T | 11 ORCHARD RD | CHARLOTTESVILLE VA | 22903 | 301 MONTEBELLO CIR |
| 160018000 | WARD, RICHARD N & CAROL A | 7 ORCHARD RD | CHARLOTTESVILLE VA | 22938 | 205 MONTEBELLO CIR |
| 160019000 | THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA | UOF VA | CHARLOTTESVILLE VA | 22915 | 0 MONTEBELLO CIR |
| 160020000 | KING, BRIAN J & JENNIFER L | 211 MONTEBELLO CIR | CHARLOTTESVILLE VA | 22930 | 221 MONTEBELLO CIR |
| 160021000 | MORAVY, JACK & ELLEN L CONTINI-MORA | 215 MONTEBELLO CIR | CHARLOTTESVILLE VA | 22929 | 225 MONTEBELLO CIR |
| 160022000 | MONTEBELLO CIRCLE, LLC | PO BOX 5903 | CHARLOTTESVILLE VA | 22927 | 233-235 MONTEBELLO CIR |
| 160023000 | MMR #2 ,LC | 1188 MARTIN FARM LN | CHARLOTTESVILLE VA | 22928 | 333-335 STADIUM RD |
| 160024000 | THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA | PO BOX 400726 | CHARLOTTESVILLE VA | 22910 | 1700 STADIUM RD |
| 160025000 | MORLEY, WILLIAM J & NANCY H | 2615 N UPLAND ST | ARLINGTON VA | 22934 | 323 MONTEBELLO CIR |
| 160025100 | CAMPEF, BETTY SUE H | 311 COURTHOUSE MTN LN | MADISON VA | 22933 | 325 MONTEBELLO CIR |
| 160026000 | TODAY'S PROPERTY MANAGEMENT II LLC | PO BOX 430 | EARLYSVILLE VA | 22936 | 311 MONTEBELLO CIR |
| 160027000 | MINOR, STANLEY GILL | 2110 GUILFORD AVENUE | WILMINGTON NC | 28403 | 315 MONTEBELLO CIR |

**NOT FOR CONSTRUCTION**

PUD
11/17/2023

ORIGINAL ISSUE: 08/11/23

REVISIONS

| No. | Description | Date |
|---|---|---|

222534
PROJECT NUMBER

JH DRAWN BY | NR CHECKED BY

KEY PLAN

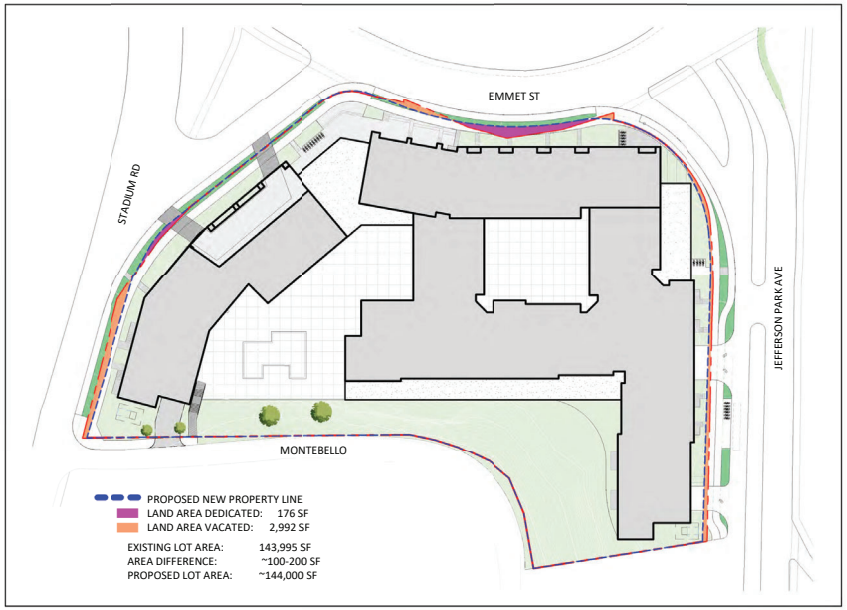
100 STADIUM ROAD

ZONING INFORMATION & METRICS

**T3**

11/17/2023 4:03:11 PM

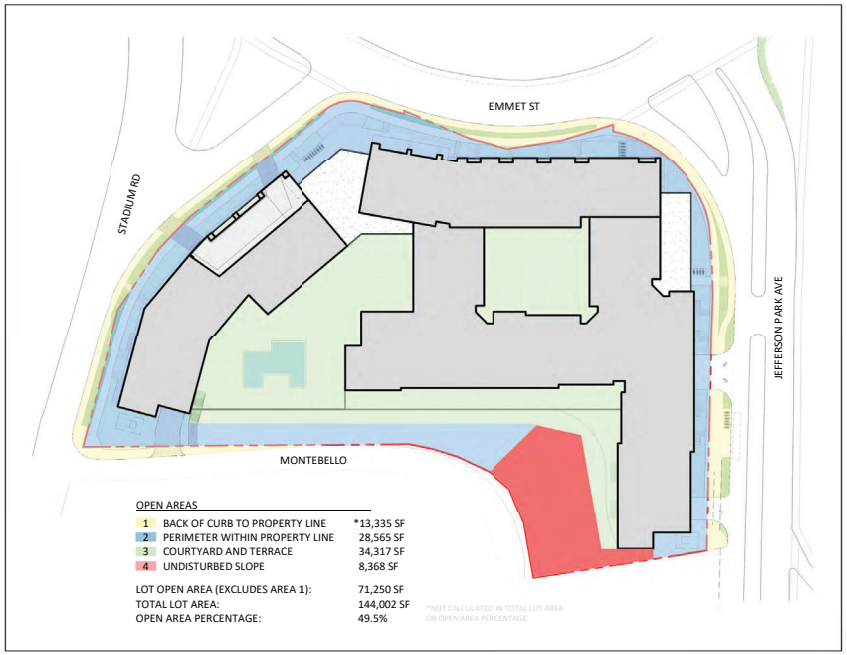
## POTENTIAL OPTION FOR PROPERTY LINE REALIGNMENT / SIMPLIFICATION




## PEDESTRIAN AND BIKE FACILITY DIAGRAM




## OPEN SPACE DIAGRAM




100 STADIUM ROAD
Charlottesville, VA

esg
ARCHITECTURE & DESIGN
500 Washington Avenue South, Suite 1080
Minneapolis, MN 55415
p 612.339.5508 | f 612.339.5382
www.esgarch.com

**NOT FOR CONSTRUCTION**

PUD
11/17/2023

ORIGINAL ISSUE: 07/27/23

REVISIONS

| No. | Description | Date |
|---|---|---|

222534
PROJECT NUMBER

JH DRAWN BY NR CHECKED BY

KEY PLAN

100 STADIUM ROAD

CONCEPTUAL SITE DIAGRAMS

**T4**

11/17/2023 4:03:14 PM

104 STADIUM ROAD
Charlottesville, VA

## SURVEY NOTES:

1. PROPERTY & ZONING INFORMATION:

SUBJECT PROPERTY 1:
OWNER: WOODROW TOO, LLC
VESTING DEED: INSTRUMENT #201100337(
TAX MAP NUMBER: 16-1
PROPERTY ADDRESS: 409 STADIUM ROAD
AREA: 3.216 ACRES (AS SURVEYED)
ZONED: R-3 (RESIDENTIAL)

SUBJECT PROPERTY 2:
OWNER: WOODROW TOO, LLC
VESTING DEED: INSTRUMENT #200800495(
TAX MAP NUMBER: 16-2
PROPERTY ADDRESS: 104 STADIUM ROAD
AREA: 3.235 ACRES (AS SURVEYED)
ZONED: R-3H (RESIDENTIAL)

SUBJECT PROPERTY 3:
OWNER: WOODROW TOO, LLC
VESTING DEED: DEED BOOK 720, PAGE 52*
TAX MAP NUMBER: 16-3
PROPERTY ADDRESS: 102 STADIUM ROAD
AREA: 3.220 ACRES (AS SURVEYED)
ZONED: R-3 (RESIDENTIAL)

SUBJECT PROPERTY 4:
OWNER: WOODROW APARTMENTS, LLC, SUCCESSOR BY CONVERSION TO STADIUM ROAD LIMITED PARTNERSHIP
VESTING DEEDS: DEED BOOK 460, PAGE 740
DEED BOOK 696, PAGE 873
TAX MAP NUMBER: 16-4
PROPERTY ADDRESS: 100 STADIUM ROAD
AREA: 3.220 ACRES (AS SURVEYED)
ZONED: R-3 (RESIDENTIAL)

SUBJECT PROPERTY 5:
OWNER: WOODROW APARTMENTS, LLC, SUCCESSOR BY CONVERSION TO STADIUM ROAD LIMITED PARTNERSHIP
VESTING DEEDS: DEED BOOK 460, PAGE 740
TAX MAP NUMBER: 16-5
PROPERTY ADDRESS: 106 STADIUM ROAD
108 STADIUM ROAD
110 STADIUM ROAD
112 STADIUM ROAD
114 STADIUM ROAD
AREA: 1.711 ACRES (AS SURVEYED)
ZONED: R-3 (RESIDENTIAL)

SUBJECT PROPERTY 6:
OWNER: 1705 JPA, LLC
VESTING DEEDS: INSTRUMENT #201600001120
TAX MAP NUMBER: 16-6
PROPERTY ADDRESS: 1705 JEFFERSON PARK AVENUE
AREA: 3.282 ACRES (AS SURVEYED)
ZONED: R-3 (RESIDENTIAL)

2. NO ZONING REPORT OR LETTER WAS PROVIDED BY THE CLIENT. THE ZONING CLASSIFICATIONS AND DIMENSIONAL REQUIREMENTS SHOWN HEREON ARE PROVIDED FOR INFORMATION PURPOSES ONLY AND ARE NEITHER GUARANTEED TO BE CORRECT NOR INCLUDED WITHIN THE SCOPE OF THE ALTA/NSPS CERTIFICATION PROVIDED HEREON.

DIMENSIONAL ZONING REGULATIONS, PER CITY OF CHARLOTTESVILLE CODE, CHAPTER 34, ARTICLE III, ARE AS FOLLOWS:

SETBACKS
FRONT YARD - 25 FEET MINIMUM
REAR YARD - 25 FEET MINIMUM
SIDE - SEPARATED PER BUILDING CODE

DIMENSIONAL ZONING REGULATIONS SPECIFIC TO ZONE R-3H ARE NOT PROVIDED IN THE CITY OF CHARLOTTESVILLE CODE.

3. EXISTING PARKING: STRIPED / DESIGNATED PARKING SPACES OBSERVED AND DERICTED HEREON. (74 REGULAR + 0 HANDICAP)

4. THE BOUNDARY SHOWN HEREON IS BASED ON A FIELD SURVEY BY TIMMONS GROUP COMPLETED ON DECEMBER 8, 2022. BEARINGS AND DISTANCES ARE SHOWN AS MEASURED.

5. HORIZONTAL DATUM IS BASED ON NAD83 (NA2011), VIRGINIA STATE GRID, SOUTH ZONE. DATUM ESTABLISHED THROUGH NETWORK GPS (LEICA SmartNET) OBSERVATIONS.

6. BASED ON FEMA FLOOD INSURANCE RATE MAPS (FIRM), MAP NO. 51003C0261D, PANEL 267 OF 575, EFFECTIVE DATE FEBRUARY 4, 2005 AND MAP NO. 51003C0269D, PANEL 269 OF 575, EFFECTIVE DATE FEBRUARY 4,2005, THE PROPERTIES SHOWN HEREON LIE IN UNSHADED ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.1% ANNUAL CHANCE FLOODPLAIN.

7. THIS PLAT WAS PREPARED BASED ON THE FOLLOWING TITLE COMMITMENTS PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY:

- COMMITMENT NO. NCS-1151403A-STLO DATED FEBRUARY 9, 2023 AT 8:00 A.M.
- COMMITMENT NO. NCS-1151403B-STLO DATED FEBRUARY 9, 2023 AT 8:00 A.M.
- COMMITMENT NO. NCS-1151403C-STLO DATED FEBRUARY 6, 2023 AT 8:00 A.M.
- COMMITMENT NO. NCS-1151403D-STLO DATED FEBRUARY 9, 2023 AT 8:00 A.M.
- COMMITMENT NO. NCS-1151403E-STLO DATED FEBRUARY 6, 2023 AT 8:00 A.M.
- COMMITMENT NO. NCS-1151403F-STLO DATED FEBRUARY 6, 2023 AT 8:00 A.M.

8. THE LANDS SURVEYED ARE THE SAME AS DESCRIBED IN THE REFERENCED TITLE COMMITMENTS.

9. NO EVIDENCE OF RECENT BUILDING CONSTRUCTION, BUILDING ADDITIONS, OR EARTH MOVING WORK WAS OBSERVED DURING THE PROCESS OF CONDUCTING THE FIELDWORK.

10. NO EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS WAS OBSERVED DURING THE PROCESS OF CONDUCTING THE FIELDWORK. NO INFORMATION PERTAINING TO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES WAS MADE AVAILABLE BY THE CONTROLLING JURISDICTION.

11. NO EVIDENCE OF CEMETERY OR BURIAL GROUNDS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY FIELD-WORK.

12. REGARDING TABLE A, ITEMS 11(a) AND 11(b), LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE DERIVED FROM THE FOLLOWING METHODS;

- OBSERVED EVIDENCE COLLECTED DURING FIELD PROCEDURES AND SURVEY OF SITE;
- ASCE QUALITY LEVEL "B" UNDERGROUND UTILITY INVESTIGATION BY THIS FIRM.

13. THERE ARE NO EVIDENT GAPS , OVERLAPS, OR GORES CONTIGUOUS WITH THE SUBJECT PROPERTIES' BOUNDARIES.

14. THE PROPERTIES HAVE DIRECT VEHICULAR AND PEDESTRIAN ACCESS TO THE ADJACENT PUBLIC STREETS SHOWN ON THE SURVEY.

15. PORTIONS OF EXISTING STORM DRAINAGE SYSTEMS LOCATED ON THE SUBJECT PARCELS) PRESENT LIMITED, OBSERVABLE EVIDENCE OF UNDERGROUND CONNECTIONS. ADDITIONAL MEANS OF INVESTIGATION MAY / WILL BE NECESSARY FOR COMPLETE UNDERSTANDING OF BURIED, OBSCURED, AND OTHERWISE UNLOCATABLE SURFACE AND SUB-SURFACE COMPONENTS.

## SUBSURFACE UTILITY DESIGNATION NOTES:

1) UIG UTILITY DESIGNATION PERFORMED BY TIMMONS GROUP AND COMPLETED IN DECEMBER OF 2022.

2) ALL UIG UTILITIES FOUND ON-SITE ARE DESIGNATED AS QUALITY LEVEL B UNLESS OTHERWISE NOTED.

3) ALL SIZES AND TYPES OF UIG UTILITIES HAVE BEEN TAKEN FROM PLANS AND AS-BUILTS.

EOI = END OF INFORMATION FOR CONDUCTIVE UTILITY FIELD SIGNALS.

## AREA TABULATION:

| | | | |
|---|---|---|---|
| TAX MAP #16-01: | 9,410 SQ. FT. | OR | 0.216 AC. |
| TAX MAP #16-02: | 10,234 SQ. FT. | OR | 0.235 AC. |
| TAX MAP #16-03: | 9,585 SQ. FT. | OR | 0.220 AC. |
| TAX MAP #16-04: | 14,026 SQ. FT. | OR | 0.322 AC. |
| TAX MAP #16-05: | 74,527 SQ. FT. | OR | 1.711 AC. |
| TAX MAP #16-08: | 12,302 SQ. FT. | OR | 0.282 AC. |
| **PROJECT TOTAL:** | **130,084 SQ. FT.** | **OR** | **2.986 AC.** |
| EXISTING WOODROW ST. ± (PROPOSED FOR VACATION) | 13,680 SQ. FT. | OR | 0.321 AC. |
| **TOTAL W/ WOODROW ST.** | **144,044 SQ. FT.** | **OR** | **3.307 AC.** |

## LEGAL DESCRIPTIONS

### COMMITMENT NO. NCS-1151403A-STLO (TAX MAP #16-4)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PARCEL OF LAND CONTAINING 0.322 ACRES, MORE OR LESS, AS SHOWN ON PLAT PREPARED BY ROGER W. RAY & ASSOC., INC., ENTITLED "PLAT SHOWING ALTA/ACSM LAND TITLE SURVEY, 1.714 ACRES (74,671 S.F.) AND 0.322 ACRES (14,019 S.F.) KNOWN AS WOODROW APARTMENTS, LOCATED ON JEFFERSON PARK AVENUE, MONTEBELLO CIRCLE, STADIUM ROAD, & WOODROW STREET, CHARLOTTESVILLE, VIRGINIA", DATED JUNE 25, 1997, REVISED JULY 1, 1997, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN DEED BOOK 696, PAGES 382-385.

### COMMITMENT NO. NCS-1151403B-STLO (TAX MAP #16-3)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 34, MONTEBELLO, AS SHOWN AND DESCRIBED ON PLAT THEREOF PREPARED BY ROGER W. RAY & ASSOC., INC., DATED APRIL 23, 1998, ENTITLED "PLAT SHOWING ALTA/ACSM LAND TITLE SURVEY, LOT 34, MONTEBELLO, KNOWN AS 102 STADIUM ROAD, LOCATED ON EMMET STREET & WOODROW STREET, CHARLOTTESVILLE, VIRGINIA", RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN DEED BOOK 720, PAGES 530 THROUGH 533.

### COMMITMENT NO. NCS-1151403C-STLO (TAX MAP #16-2)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 35, AS SHOWN ON PLAT OF HOLLADAY'S MONTEBELLO ADDITION, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ALBEMARLE COUNTY, VIRGINIA, IN DEED BOOK 159, PAGE 293.

### COMMITMENT NO. NCS-1151403D-STLO (TAX MAP #16-5)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL THAT PARCEL OF LAND CONTAINING 1.714 ACRES, MORE OR LESS, AS SHOWN ON PLAT PREPARED BY ROGER W. RAY & ASSOC., INC., ENTITLED "PLAT SHOWING ALTA/ACSM LAND TITLE SURVEY, 1.714 ACRES (74,671 S.F.) AND 0.322 ACRES (14,019 S.F.) KNOWN AS WOODROW APARTMENTS, LOCATED ON JEFFERSON PARK AVENUE, MONTEBELLO CIRCLE, STADIUM ROAD, & WOODROW STREET, CHARLOTTESVILLE, VIRGINIA", DATED JUNE 25, 1997, REVISED JULY 1, 1997, RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN DEED BOOK 696, PAGES 382-385.

*NOTE: SEE SCHEDULE B, PART I, ITEM 8.

### COMMITMENT NO. NCS-1151403E-STLO (TAX MAP #16-1)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CHARLOTTESVILLE CITY, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

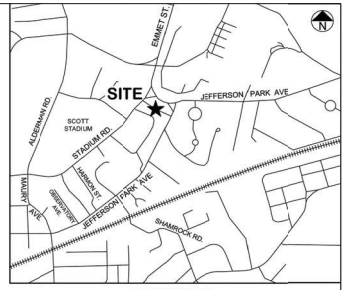
LOT NO. THIRTY-SIX (36), AS SHOWN ON THE MAP OF THE SUBDIVISION OF MONTEBELLO, OF RECCRD IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF ALBEMARLE COUNTY IN DEED BOOK 158, PAGE 293.

LESS AND EXCEPT THEREFROM ALL THAT PORTION OF SAID LOT NOW LYING WITHIN EMMET STREET SOUTH AND JEFFERSON PARK AVENUE.

### COMMITMENT NO. NCS-1151403F-STLO (TAX MAP #16-8)

ALL OF THOSE LOTS OR PARCELS OF LAND LOCATED IN CITY OF CHARLOTTESVILLE, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF LOT 23 OF MONTEBELLO SUBDIVISION, ON A PLAT BY B. AUBREY HUFFMAN & ASSOCIATES, LTD., DATED JUNE 4, 1984, AND RECORDED IN THE CLERK'S OFFICE OF THE CIRCUIT COURT OF THE CITY OF CHARLOTTESVILLE, VIRGINIA, IN DEED BOOK 451, PAGE 728, TOGETHER WITH THAT PORTION OF AN ALLEY, LYING BETWEEN MONTEBELLO CIRCLE AND JEFFERSON PARK AVENUE, ADJACENT TO THE NORTHERLY BOUNDARY OF LOT 23, CLOSED BY ORDINANCE DATED SEPTEMBER 15, 1975, AND RECORDED IN THE AFORESAID CLERK'S OFFICE IN STREET CLOSING RESOLUTION BOOK 2, PAGE 10.




VICINITY MAP
1"=1000'

## ALTA/NSPS SURVEYOR'S CERTIFICATION

TO: FIRST AMERICAN TITLE INSURANCE COMPANY, SUBTEXT ACQUISITIONS, LLC, A MISSOURI LIMITED LIABILITY COMPANY; _____, AND _____;

THIS IS TO CERTFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a-b) 7(a), 8, 9, 11(a), 11(b), 13, 14, 16, 17, 18, & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON DECEMBER 14, 2022.

DATE OF PLAT OR MAP: APRIL 14, 2023

COMMONWEALTH OF VIRGINIA
V3
JOHN H. GENTHNER
Lic. No.3081
DRAFT
LAND SURVEYOR

## 'ALTA/NSPS LAND TITLE SURVEY'
## OF 2.986 ACRES

FRONTING
STADIUM ROAD
JEFFERSON PARK AVENUE
EMMET STREET
BEING
TAX MAP NUMBERS 16-1, 16-2, 16-3, 16-4, 16-5, 16-8
IN THE CITY OF CHARLOTTESVILLE, VIRGINIA

| | |
|---|---|
| CITY OF CHARLOTTESVILLE | ALBEMARLE COUNTY, VA |
| Date: December 16, 2022 | Scale: N/A |
| Sheet 1 of 4 | J.N.: 56566 |
| Drawn by: DGT/TEB | Checked by: JCM |
| Last Revised: April 14, 2023 | |


TIMMONS GROUP
YOUR VISION ACHIEVED THROUGH OURS.
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Minneapolis, MN 55415
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11/17/2023

ORIGINAL ISSUE: 08/15/23

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| No. | Description | Date |
|---|---|---|

58108
TIMMONS JOB NUMBER
TIMM DRAWN BY
TIMM CHECKED BY

KEY PLAN

104 STADIUM ROAD

ALTA SURVEY (1 OF 4)

C1.1

S:\103\08.10\CIVIL\DESIGN\Sheet\PUD\08.103-C1.0_EXISTING.dwg | Plotted on 11/17/2023 - 11:09 AM | by Campbell Bolton

## SCHEDULE B, PART II EXCEPTIONS

EXCEPTIONS A THRU E PERTAIN TO ALL PARCELS

**SOME HISTORICAL LAND RECORDS CONTAIN DISCRIMINATORY COVENANTS THAT ARE ILLEGAL AND UNENFORCEABLE BY LAW. THIS COMMITMENT AND THE POLICY TREAT ANY DISCRIMINATORY COVENANT IN A DOCUMENT REFERENCED IN SCHEDULE B AS IF EACH DISCRIMINATORY COVENANT IS REDACTED, REPUDIATED, REMOVED, AND NOT REPUBLISHED OR RECIRCULATED. ONLY THE REMAINING PROVISIONS OF THE DOCUMENT WILL BE EXCEPTED FROM COVERAGE.**

THE POLICY WILL NOT INSURE AGAINST LOSS OR DAMAGE RESULTING FROM THE TERMS AND CONDITIONS OF ANY LEASE OR EASEMENT IDENTIFIED IN SCHEDULE A, AND WILL INCLUDE THE FOLLOWING EXCEPTIONS UNLESS CLEARED TO THE SATISFACTION OF THE COMPANY:

A. ANY FACTS, RIGHTS, INTERESTS, OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF SAID LAND OR BY MAKING INQUIRY OF PERSONS IS POSSESSION THEREOF.

B. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY PUBLIC RECORDS.

C. ANY LIEN OR RIGHT TO A LIEN FOR SERVICES, LABOR, MATERIAL OR EQUIPMENT, UNLESS SUCH LIEN IS SHOWN BY THE PUBLIC RECORDS AT DATE OF POLICY AND NOT OTHERWISE EXCEPTED FROM COVERAGE HEREIN.

D. ROADS, WAYS, STREAMS OR EASEMENTS, IF ANY, NOT SHOWN BY THE PUBLIC RECORDS, RIPARIAN RIGHTS AND THE TITLE TO ANY FILLED-IN LANDS.

E. DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS, IF ANY, CREATED, FIRST APPEARING IN THE PUBLIC RECORDS OR ATTACHING SUBSEQUENT TO THE EFFECTIVE DATE HEREOF BUT PRIOR TO THE DATE THE PROPOSED INSURED ACQUIRES OF RECORD FOR VALUE THE ESTATE OR INTEREST OR MORTGAGE THEREON COVERED BY THIS COMMITMENT.

### COMMITMENT NO. NCS-1151403A-STLO (TAX MAP #16-4)

1. A. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE.
   B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF.
   **NOT SURVEY MATTERS.**
2. RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES.
   **NOT A SURVEY MATTER.**
3. ANY CLAIM TO: (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND, AND GRAVEL LOCATED IN, ON, OR UNDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE; AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTENANT THERETO; WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B) APPEAR IN THE PUBLIC RECORDS.
   **NOT A SURVEY MATTER.**
4. RESTRICTION PROHIBITING USE OF THE LAND FOR COMMERCIAL PURPOSES AS SET FORTH IN DEED, DATED FEBRUARY 14, 1917, RECORDED FEBRUARY 16, 1917, IN DEED BOOK 30, PAGE 15 AND IN DEED DATED SEPTEMBER 17, 1921, RECORDED OCTOBER 7, 1921, IN DEED BOOK 39, PAGE 107.
   **NOT A SURVEY MATTER.**
5. EASEMENT GRANTED TO THE CITY OF CHARLOTTESVILLE, VIRGINIA, A MUNICIPAL CORPORATION, DATED AUGUST 12, 1937, RECORDED APRIL 6, 1938, IN DEED BOOK 94, PAGE 398.
   **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
6. MATTERS AS SHOWN ON PLAT ATTACHED WITH DEED RECORDED IN DEED BOOK 159, PAGE 292.
   **THE PLOTTABLE SURVEY-RELATED MATTERS ARE REFLECTED HEREON.**
7. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
8. RIGHTS OF OTHERS IN AND TO THE USE OF THAT PORTION OF THE LAND LOCATED WITHIN ANY ROADWAY.
   **NOT A SURVEY MATTER.**
9. MULTIFAMILY DEED OF TRUST DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING ("DEED OF TRUST") GRANTED BY WOODROW APARTMENTS, LLC TO LISA M. GRAZIANO, AS TRUSTEE, FOR THE BENEFIT OF BARINGS MULTIFAMILY CAPITAL LLC, IN THE PRINCIPAL AMOUNT OF $7,225,000.00, DATED JULY 10, 2018, AND RECORDED ON JULY 10, 2018, AS INSTRUMENT NO. 20180000267, AS ASSIGNED TO FANNIE MAE BY ASSIGNMENT MULTIFAMILY DEED OF TRUST DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING ("ASSIGNMENT") RECORDED ON JULY 10, 2018, AS INSTRUMENT NO. 201800002670, AS FURTHER SECURED BY:
   ASSIGNMENT OF LEASES & RENTS, UNDER A RE-RECORDING OF THE AFORESAID DEED OF TRUST ON JULY 10, 2018, AS INSTRUMENT NO. 201800002668, AS ASSIGNED TO FANNIE MAE UNDER A RE-RECORDING OF THE AFORESAID ASSIGNMENT ON JULY 10, 2018, AS INSTRUMENT NO. 201800002671.
   AGREEMENT/FIXTURE FILING, UNDER A RE-RECORDED OF THE AFORESAID DEED OF TRUST ON JULY 10, 2018, AS INSTRUMENT NO. 201800002669, AS ASSIGNED TO FANNIE MAE UNDER A RE-RECORDING OF THE AFORESAID ASSIGNMENT ON JULY 10, 2018, AS INSTRUMENT NO. 201800002672.
   **NOT A SURVEY MATTER.**

### COMMITMENT NO. NCS-1151403C-STLO (TAX MAP #16-2)

1. A. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE.
   B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF 2022.
   **NOT A SURVEY MATTER.**
2. RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES.
   **NOT A SURVEY MATTER.**
3. RESTRICTION PROHIBITING USE OF THE LAND FOR COMMERCIAL PURPOSES AS SET FORTH IN DEED DATED JULY 24, 1921, RECORDED MAY 9, 1922, IN DEED BOOK 40 PAGE 217.
   **THE MATTERS ARE BLANKET IN NATURE; NOT PLOTTABLE..**
4. USE AND BUILDING COST RESTRICTIONS AS SET FORTH IN DEED DATED JUNE 25, 1927, RECORDED JULY 13, 1927, IN DEED BOOK 57, PAGE 312 AND IN DEED DATED SEPTEMBER 20, 1554, RECORDED OCTOBER 1, 1954, IN DEED BOOK 179, PAGE 282.
   **THERE ARE NO PLOTTABLE SURVEY-RELATED MATTERS.**
5. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
6. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
7. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
8. MATTERS SHOWN ON A PLAT RECORDED IN PLAT BOOK 159 PAGE 293.
   **THE PLOTTABLE SURVEY-RELATED MATTERS ARE REFLECTED HEREON. AS SHOWN ON THE INCLUDED PLAT, LOT 35 MAY EXTEND INTO THE CURRENT RIGHT OF WAY OF CURRENT ADJOINING STREETS.**
9. CREDIT LINE DEED OF TRUST FROM WOODROW TOO LLC, A VIRGINIA LIMITED LIABILITY COMPANY TO RESOURCE SERVICE CORPORATION, A UNITED STATES OR VIRGINIA-CHARTERED CORPORATION, TRUSTEE(S), DATED OCTOBER 7, 2008, RECORDED OCTOBER 7, 2008, AS INSTRUMENT NO. 2008004958 , SECURING FULTON BANK, AN INDEBTEDNESS IN THE ORIGINAL PRINCIPAL SUM OF $340,000.00, AS ADDITIONALLY SECURED BY:
   ASSIGNMENT OF RENTS FROM WOODROW TOO LLC, A VIRGINIA LIMITED LIABILITY COMPANY TO FULTON BANK, DATED OCTOBER 7, 2008, RECORDED OCTOBER 7, 2008, AS INSTRUMENT NO. 2008004959.
   **NOT A SURVEY MATTER.**
10. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
11. ANY CLAIM TO: (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND, AND GRAVEL LOCATED IN, ON, OR UNDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE; AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTENANT THERETO; WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B) APPEAR IN THE PUBLIC RECORDS.
    **NOT A SURVEY MATTER.**
12. THIS ITEM HAS BEEN INTENTIONALLY DELETED.

### COMMITMENT NO. NCS-1151403D-STLO (TAX MAP 16-5)

1. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
2. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
3. A. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES. A LIEN NOT YET DUE AND PAYABLE.
   B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF 2022
   **NOT SURVEY MATTERS**
4. RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES.
   **NOT A SURVEY MATTER.**
5. ANY CLAIM TO: (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND, AND GRAVEL LOCATED IN, ON, OR UNDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE; AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTENANT THERETO; WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B) APPEAR IN THE PUBLIC RECORDS.
   **NOT A SURVEY MATTER.**
6. RESTRICTION PROHIBITING USE OF THE LAND FOR COMMERCIAL PURPOSES AS SET FORTH IN DEED, DATED FEBRUARY 14, 1917, RECORDED FEBRUARY 16, 1917, IN DEED BOOK 30, PAGE 15, DEED, DATED JANUARY 23, 1921, RECORDED JANUARY 8, 1922, IN DEEC BOOK 39 PAGE 434 AND DEED DATED JANUARY 5, 1949, RECORDED JANUARY 6, 1949, IN DEED BOOK '42, PAGE 294.
   **THERE ARE NO PLOTTABLE MATTERS AFFECTING THE SUBJECT PROPERTY.**
7. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
8. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
9. EASEMENT GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY, DATED AUGUST 16, 1966, RECORDED SEPTEMBER 2, 1960, IN DEED BOOK 22 PAGE 371.
   **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
10. EASEMENT GRANTED TO CITY OF CHARLOTTESVILLE, VIRGINIA, DATED JULY 30, 1990, RECORDED AUGUST 7, 1990, IN DEED BOOK 546 FAGE 754.
    **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
11. MATTERS AS SHOWN ON PLAT ATTACHED WITH DEED RECORDED IN DEED BOOK 159 PAGE 292.
    **THE PLOTTABLE SURVEY-RELATED MATTERS ARE REFLECTED HEREON.**
12. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
13. TITLE TO THAT PORTION OF LOT 24 DESIGNATED AS "SEE CITY COUNCIL ORDINANCE VACATING 10' ALLEY DATED SEPT. 15, 1975" ON PLAT ATTACHED TO CERTIFICATE OF PLAT RECORDED IN DEED BOOK 696 PAGE 576. NOTE" REFERENCED ORDINANCE IS NOT OF RECORD AND DEEDS OF RECORD FOR LOT 24 DO NCT PURPORT TO CONVEY ANY PORTION OF SAID ALLEY
    **THE FOLLOWING SURVEY-RELATED ITEMS SHOWN ON THE PLAT ARE REFLECTED HEREON:**
    - **COMBINING OF LOTS 24, 25, 26A, 26B, 27A, 27B & 28**
    - **VACATION OF 10' ALLEY**
14. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
15. MULTIFAMILY DEED OF TRUST DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING ("DEED OF TRUST") GRANTED BY WOODROW APARTMENTS, LLC TO LISA M. GRAZIANO, AS TRUSTEE, FOR THE BENEFIT OF BARINGS MULTIFAMILY CAPITAL LLC, IN THE PRINCIPAL AMOUNT OF $7,225,000.00, DATED JULY 10, 2018, AND RECORDED ON JULY 10, 2018, AS INSTRUMENT NO. 20180000267, AS ASSIGNED TO FANNIE MAE BY ASSIGNMENT MULTIFAMILY DEED OF TRUST DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING ("ASSIGNMENT") RECORDED ON JULY 10, 2018, AS INSTRUMENT NO. 201800002670, AS FURTHER SECURED BY:
    ASSIGNMENT OF LEASES & RENTS, UNDER A RE-RECORDING OF THE AFORESAID DEED OF TRUST ON JULY 10, 2018, AS INSTRUMENT NO. 201800002668, AS ASSIGNED TO FANNIE MAE UNDER A RE-RECORDING OF THE AFORESAID ASSIGNMENT ON JULY 10, 2018, AS INSTRUMENT NO. 201800002671.
    AGREEMENT/FIXTURE FILING, UNDER A RE-RECORDED OF THE AFORESAID DEED OF TRUST ON JULY 10, 2018, AS INSTRUMENT NO. 201800002669, AS ASSIGNED TO FANNIE MAE UNDER A RE-RECORDING OF THE AFORESAID ASSIGNMENT ON JULY 10, 2018, AS INSTRUMENT NO. 201800002672.
    **NOT A SURVEY MATTER**

### COMMITMENT NO. NCS-1151403E-STLO (TAX MAP #16-1)

1. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE.
   **NOT A SURVEY MATTER.**
2. RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES.
   **NOT A SURVEY MATTER**
3. ANY CLAIM TO: (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND, AND GRAVEL LOCATED IN, ON, OR UNDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE; AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTENANT THERETO; WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B) APPEAR IN THE PUBLIC RECORDS.
   **NOT A SURVEY MATTER.**
4. RESTRICTION PROHIBITING USE OF LAND FOR COMMERCIAL PURPOSES AS SET FORTH IN DEED, DATED FEBRUARY 14, 1917, RECORDED FEBRUARY 16, 1917, IN DEED BOOK 30, PAGE 15.
   **THERE ARE NO PLOTTABLE MATTERS AFFECTING THE SUBJECT PROPERTY.**
5. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
6. RESTRICTIVE COVENANTS AS SET FORTH IN DEED, DATED SEPTEMBER 20, 2011, RECORDED SEPTEMBER 22, 2011, AS INSTRUMENT NO. 2011003378.
   **THERE ARE NO PLOTTABLE MATTERS AFFECTING THE SUBJECT PROPERTY. THE AGREEMENT INCLUDES RESTRICTIONS ON DEVELOPMENT OF THE PROPERTY. VARIOUS PARKING-RELATED IMPROVEMENTS WHICH ARE APPURTENANT TO THE ADJOINING LOT (104 STADIUM RD.), INCLUDING A RETAINING WALL AND SIDEWALK, EXTEND ONTO THE SUBJECT PROPERTY.**
7. THIS ITEM HAS BEEN INTENTIONALLY DELETED.

### COMMITMENT NO. NCS-1151403F-STLO (TAX MAP 16-8)

1. A. TAXES SUBSEQUENT TO SECOND HALF OF 2022 AND ANY AND ALL SUPPLEMENTAL TAXES, A LIEN NOT YET DUE AND PAYABLE.
   B. STORMWATER FEES SUBSEQUENT TO SECOND HALF OF 2022.
   **NOT SURVEY MATTERS.**
2. RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES.
   **NOT A SURVEY MATTER.**
3. EASEMENT GRANTED TO VIRGINIA ELECTRIC AND POWER COMPANY, DATED AS OF JUNE 16, 2015, RECORDED JULY 2, 2015, AS INSTRUMENT NO. 20150000238.
   **AFFECTS SUBJECT PROPERTY AS SHOWN HEREON.**
4. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
5. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
6. ANY CLAIM TO: (A) OWNERSHIP OF OR RIGHTS TO MINERALS AND SIMILAR SUBSTANCES, INCLUDING BUT NOT LIMITED TO ORES, METALS, COAL, LIGNITE, OIL, GAS, URANIUM, CLAY, ROCK, SAND, AND GRAVEL, LOCATED IN, ON, OR UNDER THE LAND OR PRODUCED FROM THE LAND, WHETHER SUCH OWNERSHIP OR RIGHTS ARISE BY LEASE, GRANT, EXCEPTION, CONVEYANCE, RESERVATION, OR OTHERWISE; AND (B) ANY RIGHTS, PRIVILEGES, IMMUNITIES, RIGHTS OF WAY, AND EASEMENTS ASSOCIATED THEREWITH OR APPURTENANT THERETO; WHETHER OR NOT THE INTERESTS OR RIGHTS EXCEPTED IN ITEMS (A) OR (B) APPEAR IN THE PUBLIC RECORDS.
   **NOT A SURVEY MATTER.**
7. THIS ITEM HAS BEEN INTENTIONALLY DELETED.
8. RESTRICTION PROHIBITING USE OF THE LAND FOR COMMERCIAL PURPOSES AS SET FORTH IN DEED, DATED FEBRUARY 14, 1917, RECORDED FEBRUARY 16, 1917, IN DEED BOOK 30, PAGE 15.
   **NOT A SURVEY MATTER.**
9. USE AND BUILDING COST RESTRICTIONS AS SET FORTH IN DEED DATED SEPTEMBER 17, 1921, RECORDED JANUARY 7, 1922, IN DEED BOOK 39, PAGE 349, IN DEED DATED JUNE 2, 1914, RECORDED JUNE 8, 1944, IN DEED BOOK 117, PAGE 42 AND IN DEED DATED DECEMBER 10, 1947, RECORDED DECEMBER 16, 1947, IN DEED BOOK 135, PAGE 411.
   **NOT A SURVEY MATTER.**

COMMONWEALTH OF VIRGINIA
V3
JOHN H. GEVTHNER
Lic. No.3081
DRAFT
LAND SURVEYOR

# 'ALTA/NSPS LAND TITLE SURVEY'
## OF 2.986 ACRES

FRONTING
STADIUM ROAD
JEFFERSON PARK AVENUE
EMMET STREET
BEING
TAX MAP NUMBERS 16-1, 16-2, 16-3, 16-4, 16-5, 16-8
IN THE CITY OF CHARLOTTESVILLE, VIRGINIA

| | |
|---|---|
| CITY OF CHARLOTTESVILLE | ALBEMARLE COUNTY, VA |
| Date: December 16, 2022 | Scale: N/A |
| Sheet 2 of 4 | J.N.: 56566 |
| Drawn by: DGT/TEB | Checked by: JCM |

Last Revised: April 14, 2023

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Charlottesville, VA


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KEY PLAN

104 STADIUM ROAD

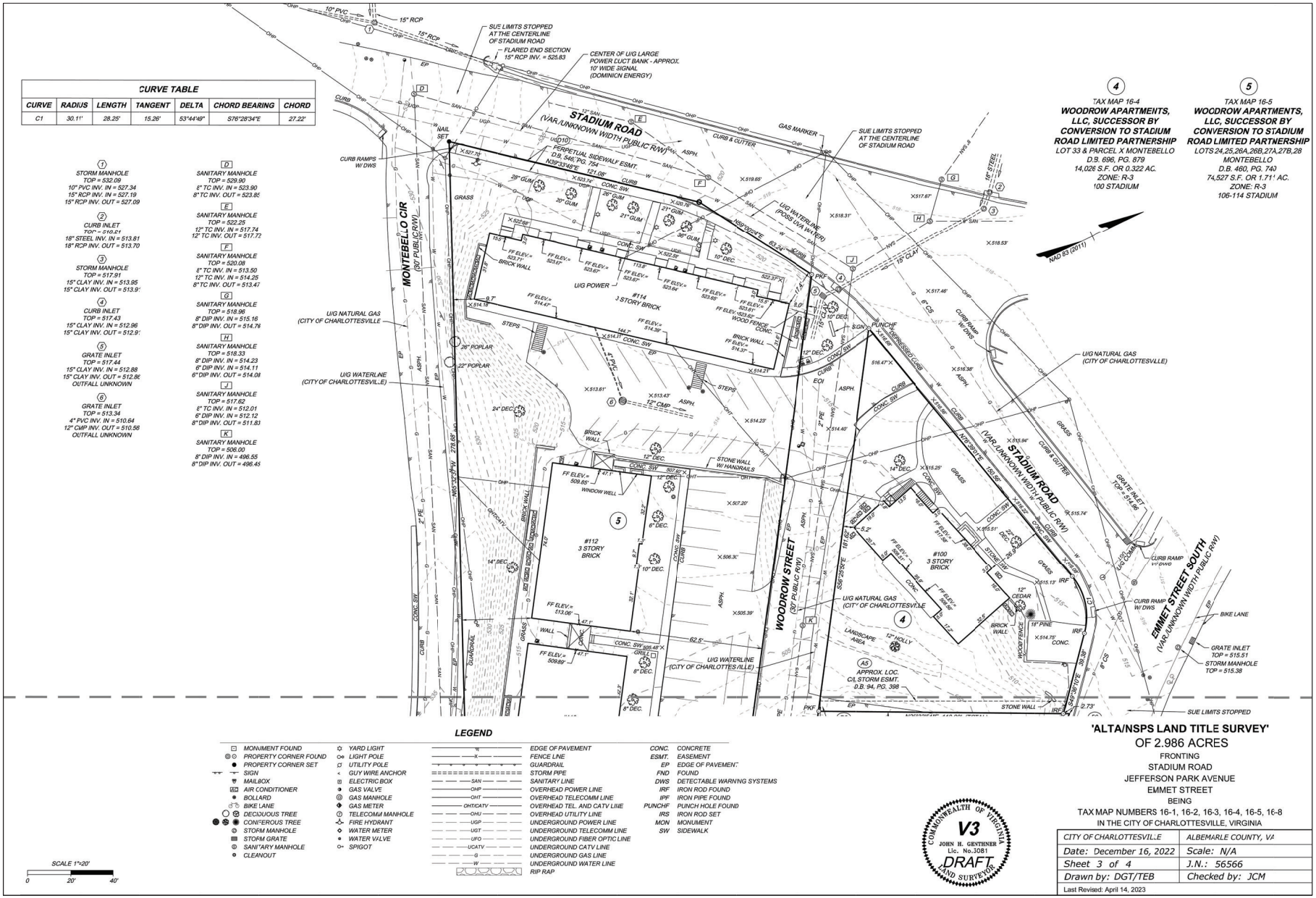
ALTA SURVEY (2 OF 4)

C1.2


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104 STADIUM ROAD

Charlottesville, VA




'ALTA/NSPS LAND TITLE SURVEY'

OF 2.986 ACRES

FRONTING
STADIUM ROAD
JEFFERSON PARK AVENUE
EMMET STREET
BEING
TAX MAP NUMBERS 16-1, 16-2, 16-3, 16-4, 16-5, 16-8
IN THE CITY OF CHARLOTTESVILLE, VIRGINIA

COMMONWEALTH OF VIRGINIA
JOHN H. GENTHNER
Lic. No.3081
DRAFT
LAND SURVEYOR

| CITY OF CHARLOTTESVILLE | ALBEMARLE COUNTY, VA |
|---|---|
| Date: December 16, 2022 | Scale: N/A |
| Sheet 3 of 4 | J.N.: 56566 |
| Drawn by: DGT/TEB | Checked by: JCM |

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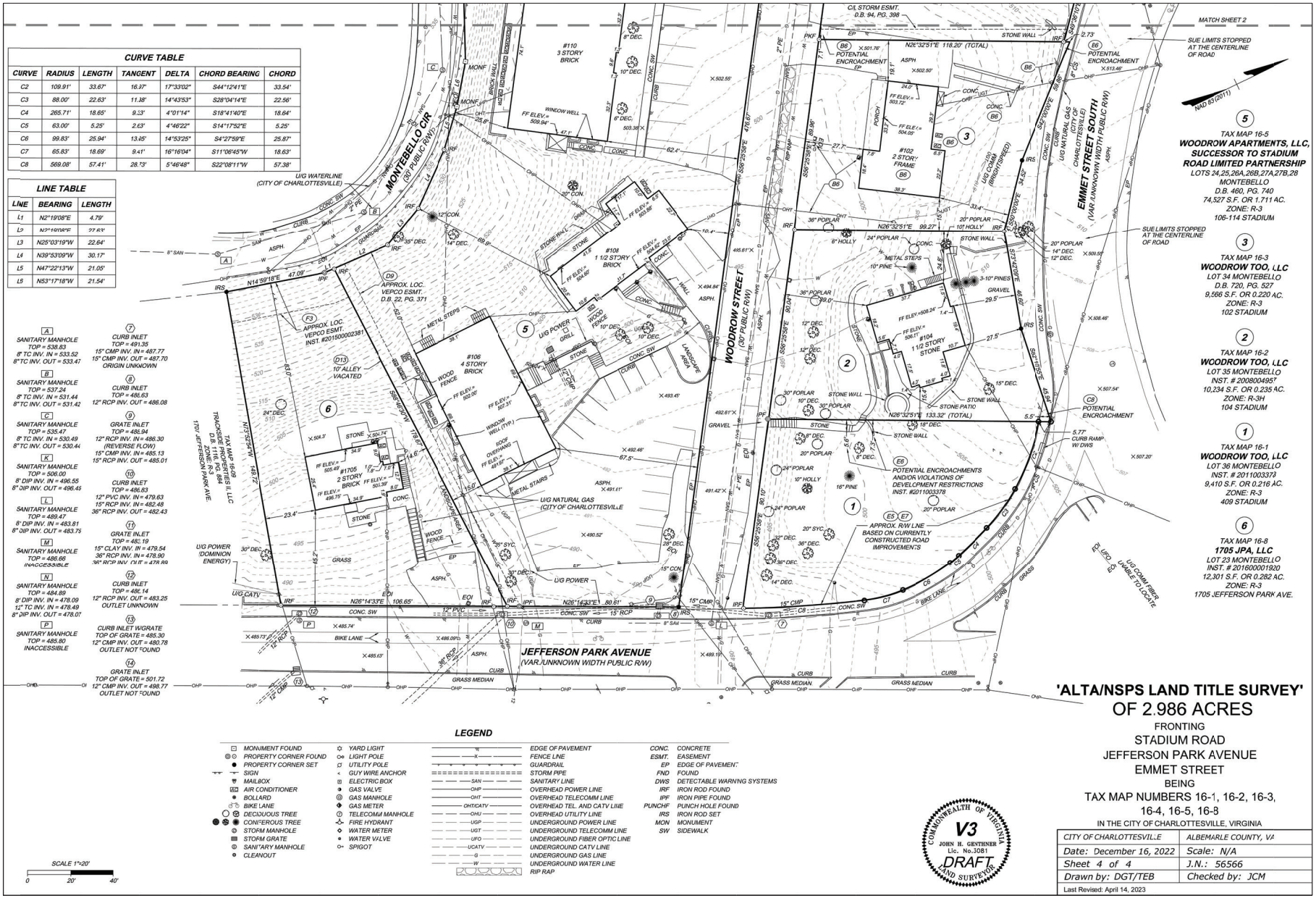
KEY PLAN

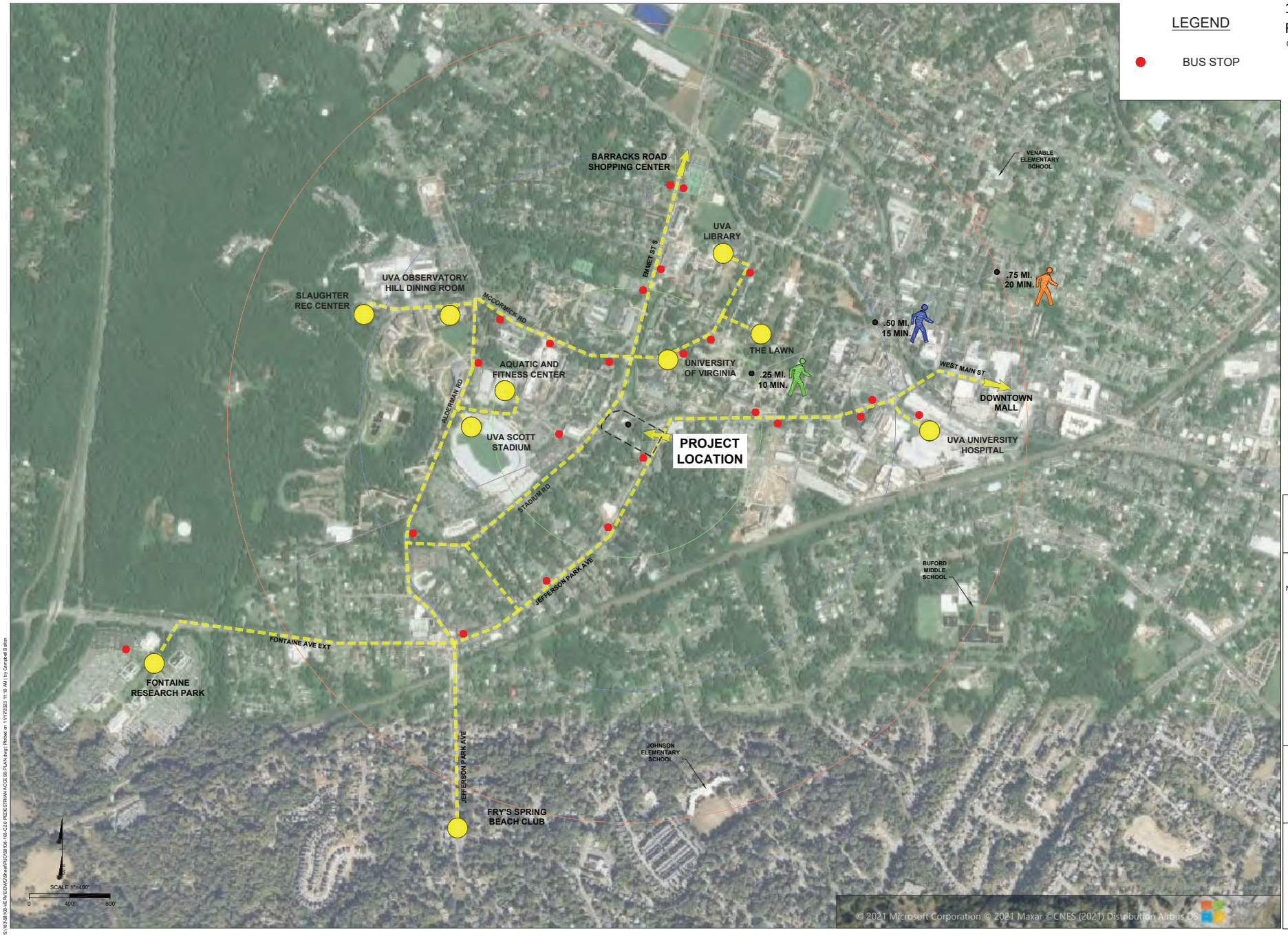
104 STADIUM ROAD

ALTA SURVEY (3 OF 4)

C1.3

104 STADIUM ROAD
Charlottesville, VA


MONTEBELLO CIR
(50' PUBLIC R/W)
WOODROW STREET
(50' PUBLIC R/W)
EMMET STREET SOUTH
(VAR./UNKNOWN WIDTH PUBLIC R/W)
JEFFERSON PARK AVENUE
(VAR./UNKNOWN WIDTH PUBLIC R/W)
MATCH SHEET 2
SUE LIMITS STOPPED AT THE CENTERLINE OF ROAD
NAD 83(2011)
#110 3 STORY BRICK
#108 1 1/2 STORY BRICK
#106 4 STORY BRICK
#1705 2 STORY BRICK
#102 2 STORY FRAME
#104 1 1/2 STORY STONE
U/G WATERLINE (CITY OF CHARLOTTESVILLE)
U/G POWER (DOMINION ENERGY)
U/G CATV
U/G NATURAL GAS (CITY OF CHARLOTTESVILLE)
U/G COMM FIBER UNABLE TO LOCATE
POTENTIAL ENCROACHMENT
POTENTIAL ENCROACHMENTS AND/OR VIOLATIONS OF DEVELOPMENT RESTRICTIONS INST. #2011003378
APPROX. R/W LINE BASED ON CURRENTLY CONSTRUCTED ROAD IMPROVEMENTS
APPROX. LOC. VEPCO ESMT. INST. #201500002381
APPROX. LOC. VEPCO ESMT. D.B. 22, PG. 371
C/L STORM ESMT. D.B. 94, PG. 398
10' ALLEY VACATED
TRACKSIDE PROPERTIES II, LLC D.B. 1116, PG. 884 ZONE: R-3 170 JEFFERSON PARK AVE.
N26°32'51"E 118.20' (TOTAL)
N26°32'51"E 99.27'
N26°32'51"E 133.32' (TOTAL)
N26°14'33"E 106.65'
N26°14'33"E 80.81'
N14°59'18"E 47.09'
S58°25'58"E 476.67'
S58°25'58"E 80.04'
S58°25'58"E 80.10'
S58°25'58"E 89.98'
S58°25'58"E 80.10'
S58°25'58"E 80.04'
S58°25'58"E 89.98'
S58°25'58"E 45.94'
S58°25'58"E 45.94'
S58°25'58"E 34.52'
S58°25'58"E 34.52'
S58°25'58"E 45.94'
S58°25'58"E 45.94'
S58°25'58"E 89.98'
S58°25'58"E 89.98'
S58°25'58"E 89.98




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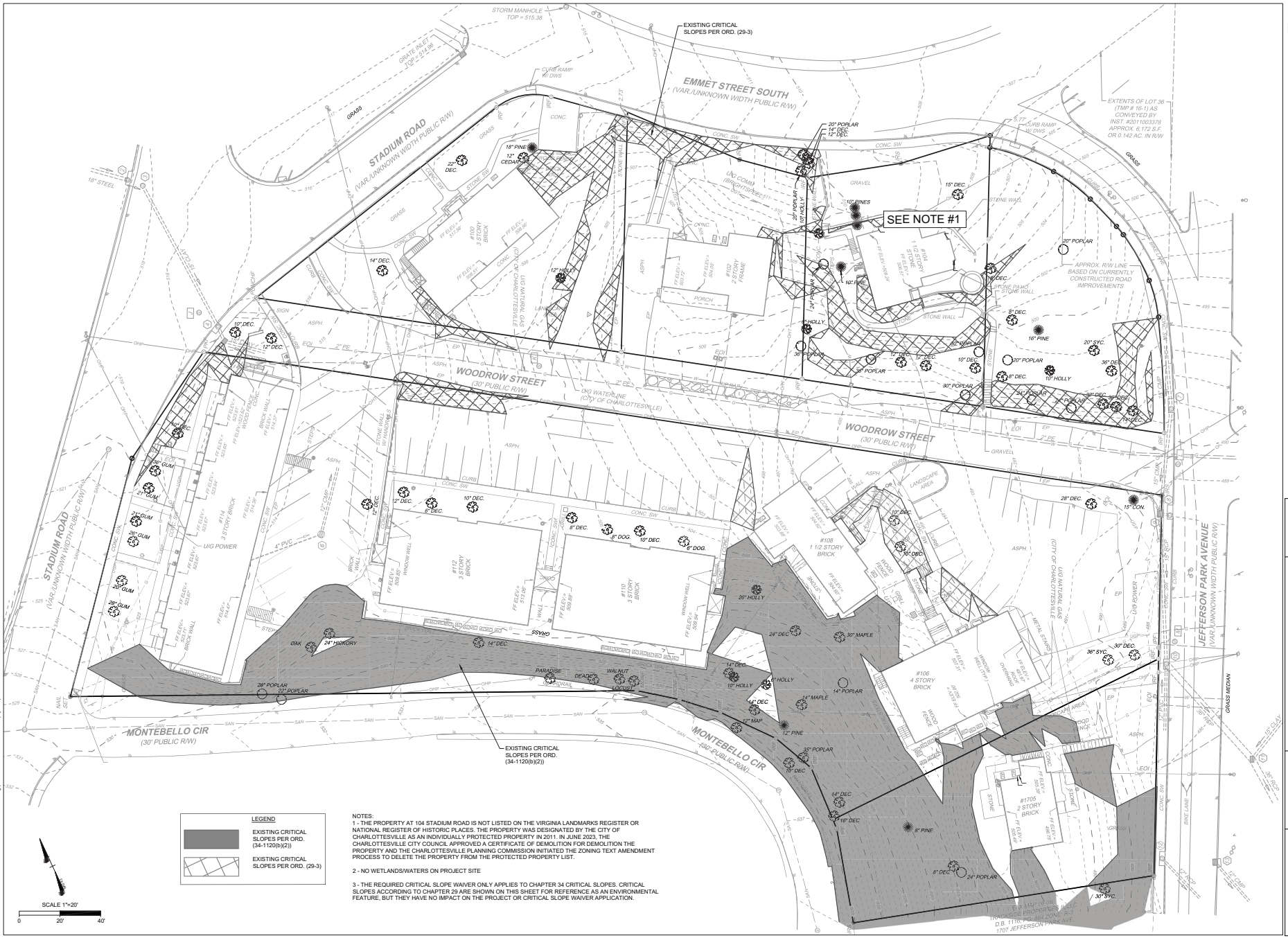
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KEY PLAN

104 STADIUM ROAD

PEDESTRIAN NETWORK PLAN

C2




NOTES:
1 - THE PROPERTY AT 104 STADIUM ROAD IS NOT LISTED ON THE VIRGINIA LANDMARKS REGISTER OR NATIONAL REGISTER OF HISTORIC PLACES. THE PROPERTY WAS DESIGNATED BY THE CITY OF CHARLOTTESVILLE AS AN INDIVIDUALLY PROTECTED PROPERTY IN 2011. IN JUNE 2023, THE CHARLOTTESVILLE CITY COUNCIL APPROVED A CERTIFICATE OF DEMOLITION FOR DEMOLITION THE PROPERTY AND THE CHARLOTTESVILLE PLANNING COMMISSION INITIATED THE ZONING TEXT AMENDMENT PROCESS TO DELETE THE PROPERTY FROM THE PROTECTED PROPERTY LIST.

2 - NO WETLANDS/WATERS ON PROJECT SITE

3 - THE REQUIRED CRITICAL SLOPE WAIVER ONLY APPLIES TO CHAPTER 34 CRITICAL SLOPES. CRITICAL SLOPES ACCORDING TO CHAPTER 29 ARE SHOWN ON THIS SHEET FOR REFERENCE AS AN ENVIRONMENTAL FEATURE, BUT THEY HAVE NO IMPACT ON THE PROJECT OR CRITICAL SLOPE WAIVER APPLICATION.

# 104 STADIUM ROAD

Charlottesville, VA


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104 STADIUM ROAD

NATURAL, ENVIRONMENTAL, & CULTURAL FEATURE MAP

C3




(34-1120(b)(2)).
DEFINITION OF CRITICAL SLOPE. A CRITICAL SLOPE IS ANY SLOPE WHOSE GRADE IS 25% OR GREATER AND:

A. A PORTION OF THE SLOPE HAS A HORIZONTAL RUN OF GREATER THAN TWENTY (20) FEET AND ITS' TOTAL AREA IS SIX THOUSAND (6,000) SQUARE FEET OR GREATER; AND

B. A PORTION OF THE SLOPE IS WITHIN TWO HUNDRED (200) FEET OF ANY WATERWAY AS IDENTIFIED ON THE MOST CURRENT CITY TOPOGRAPHICAL MAPS MAINTAINED BY THE DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES.

0.47 AC OF EXISTING CRITICAL SLOPE ON SITE
0.47 AC OF CRITICAL SLOPE DISTURBANCE

NOTES:
1. CRITICAL SLOPE WAIVER ONLY APPLIES TO CHAPTER 34 CRITICAL SLOPES. CRITICAL SLOPES ACCORDING TO CHAPTER 29 ARE NOT SHOWN ON THIS SHEET FOR CLARITY, AS THEY HAVE NO IMPACT ON THE PROJECT OR CRITICAL SLOPE WAIVER APPLICATION.
2. ALL CRITICAL SLOPES WITHIN THE LOD TO BE DISTURBED DURING CONSTRUCTION.

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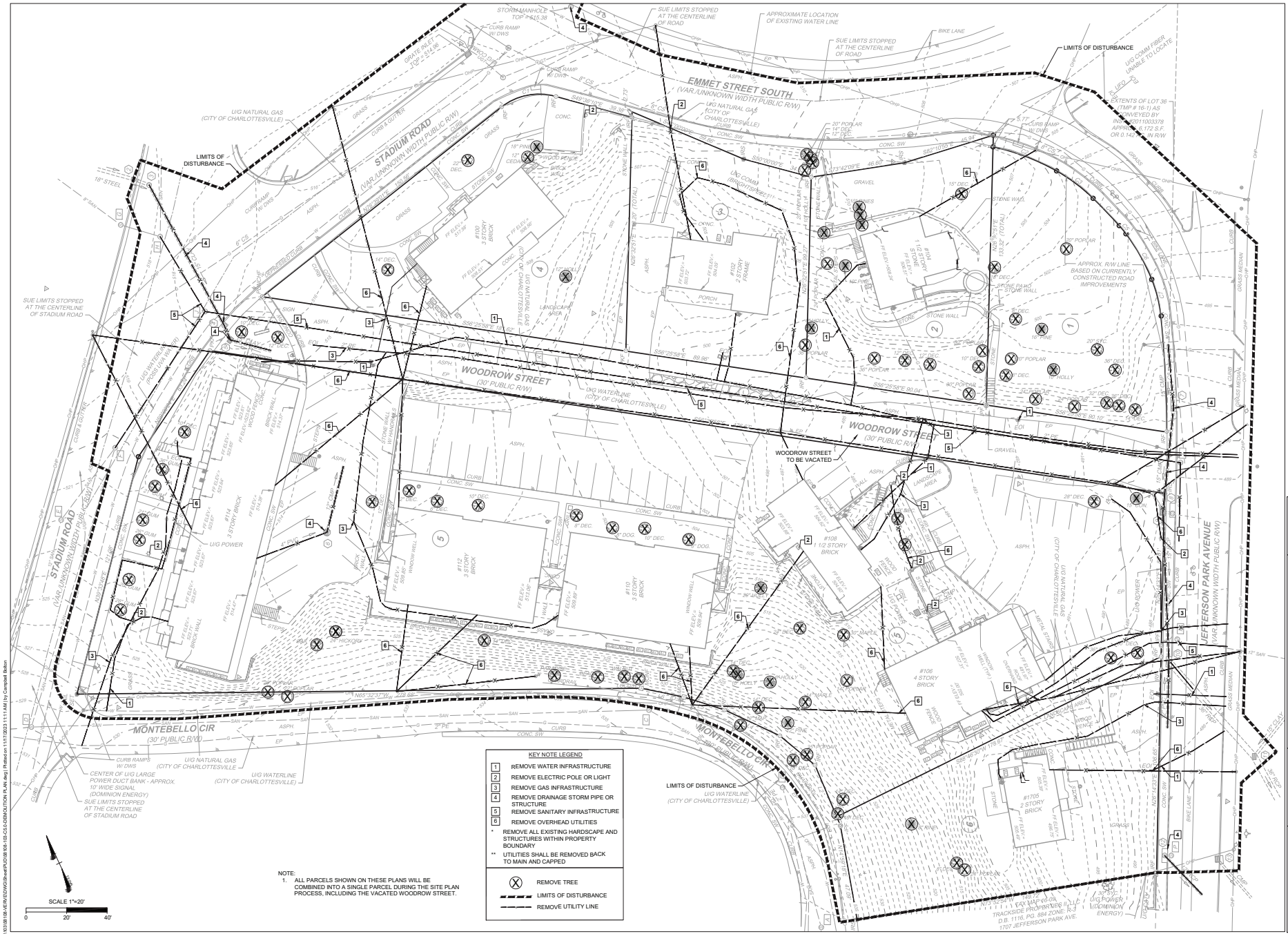
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KEY PLAN

104 STADIUM ROAD

CRITICAL SLOPE - SITE OVERLAY

C4




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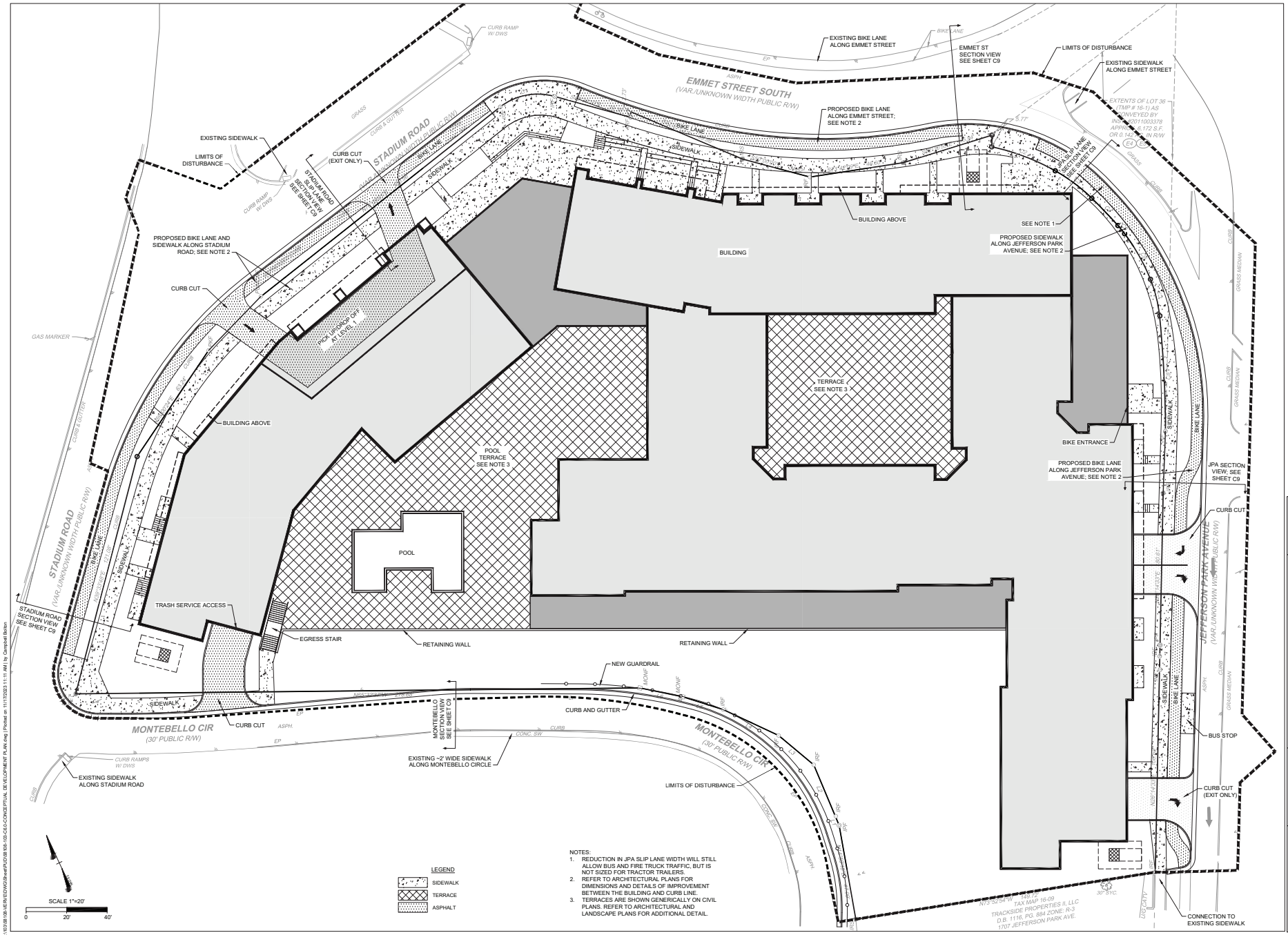
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KEY PLAN

104 STADIUM ROAD

CONCEPTUAL PUD DEMOLITION PLAN

C5




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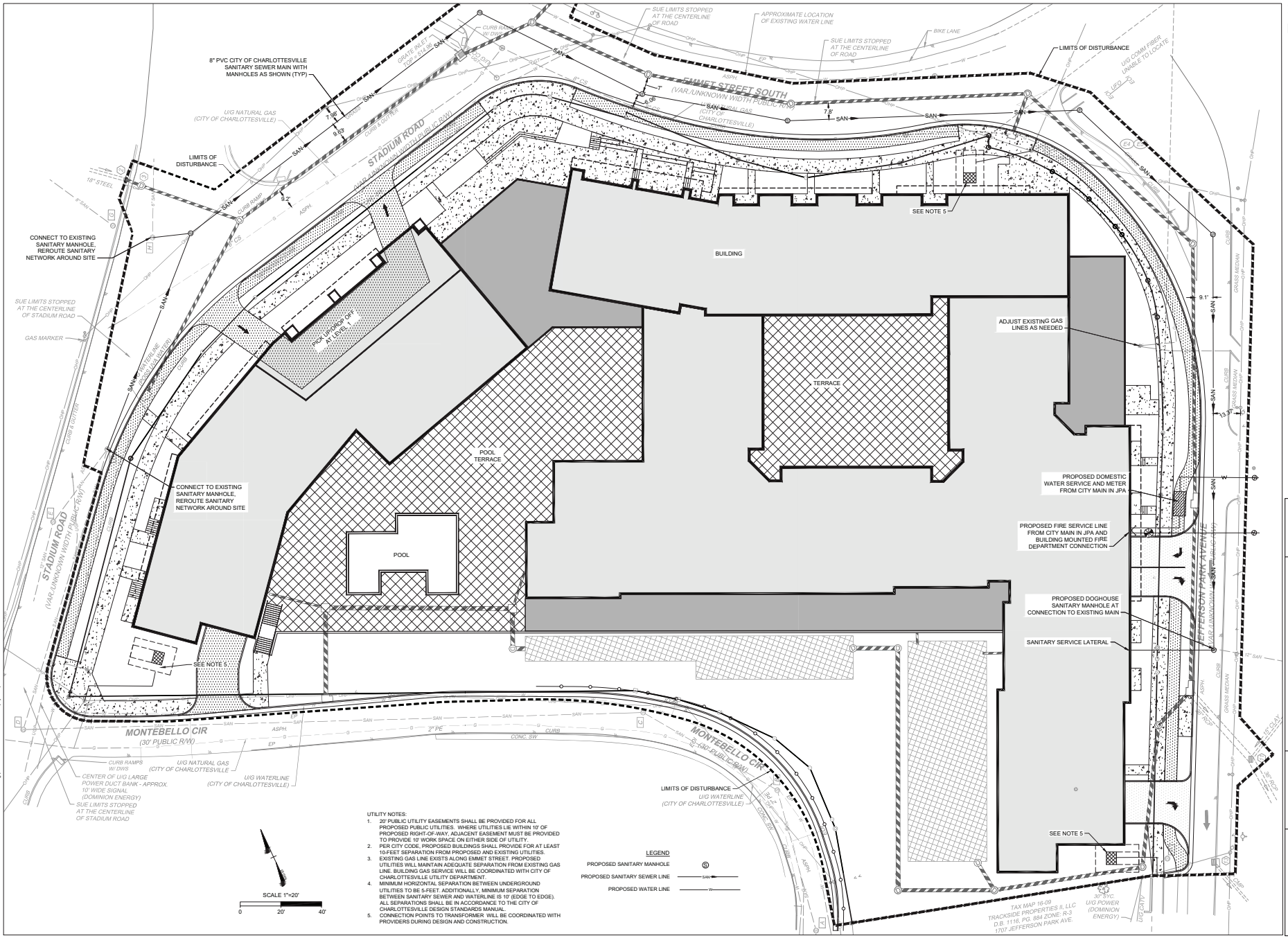
TIMM DRAWN BY | TIMM CHECKED BY

KEY PLAN

104 STADIUM ROAD

CONCEPTUAL PUD SITE DEVELOPMENT PLAN

C6




UTILITY NOTES:

1. 20' PUBLIC UTILITY EASEMENTS SHALL BE PROVIDED FOR ALL PROPOSED PUBLIC UTILITIES. WHERE UTILITIES LIE WITHIN 10' OF PROPOSED RIGHT-OF-WAY, ADJACENT EASEMENT MUST BE PROVIDED TO PROVIDE 10' WORK SPACE ON EITHER SIDE OF UTILITY.
2. PER CITY CODE, PROPOSED BUILDINGS SHALL PROVIDE FOR AT LEAST 10-FEET SEPARATION FROM PROPOSED AND EXISTING UTILITIES.
3. EXISTING GAS LINE EXISTS ALONG EMMET STREET. PROPOSED UTILITIES WILL MAINTAIN ADEQUATE SEPARATION FROM EXISTING GAS LINE. BUILDING GAS SERVICE WILL BE COORDINATED WITH CITY OF CHARLOTTESVILLE UTILITY DEPARTMENT.
4. MINIMUM HORIZONTAL SEPARATION BETWEEN UNDERGROUND UTILITIES TO BE 5-FEET. ADDITIONALLY, MINIMUM SEPARATION BETWEEN SANITARY SEWER AND WATERLINE IS 10' (EDGE TO EDGE). ALL SEPARATIONS SHALL BE IN ACCORDANCE TO THE CITY OF CHARLOTTESVILLE DESIGN STANDARDS MANUAL.
5. CONNECTION POINTS TO TRANSFORMER WILL BE COORDINATED WITH PROVIDERS DURING DESIGN AND CONSTRUCTION.

LEGEND

- PROPOSED SANITARY MANHOLE
- PROPOSED SANITARY SEWER LINE
- PROPOSED WATER LINE

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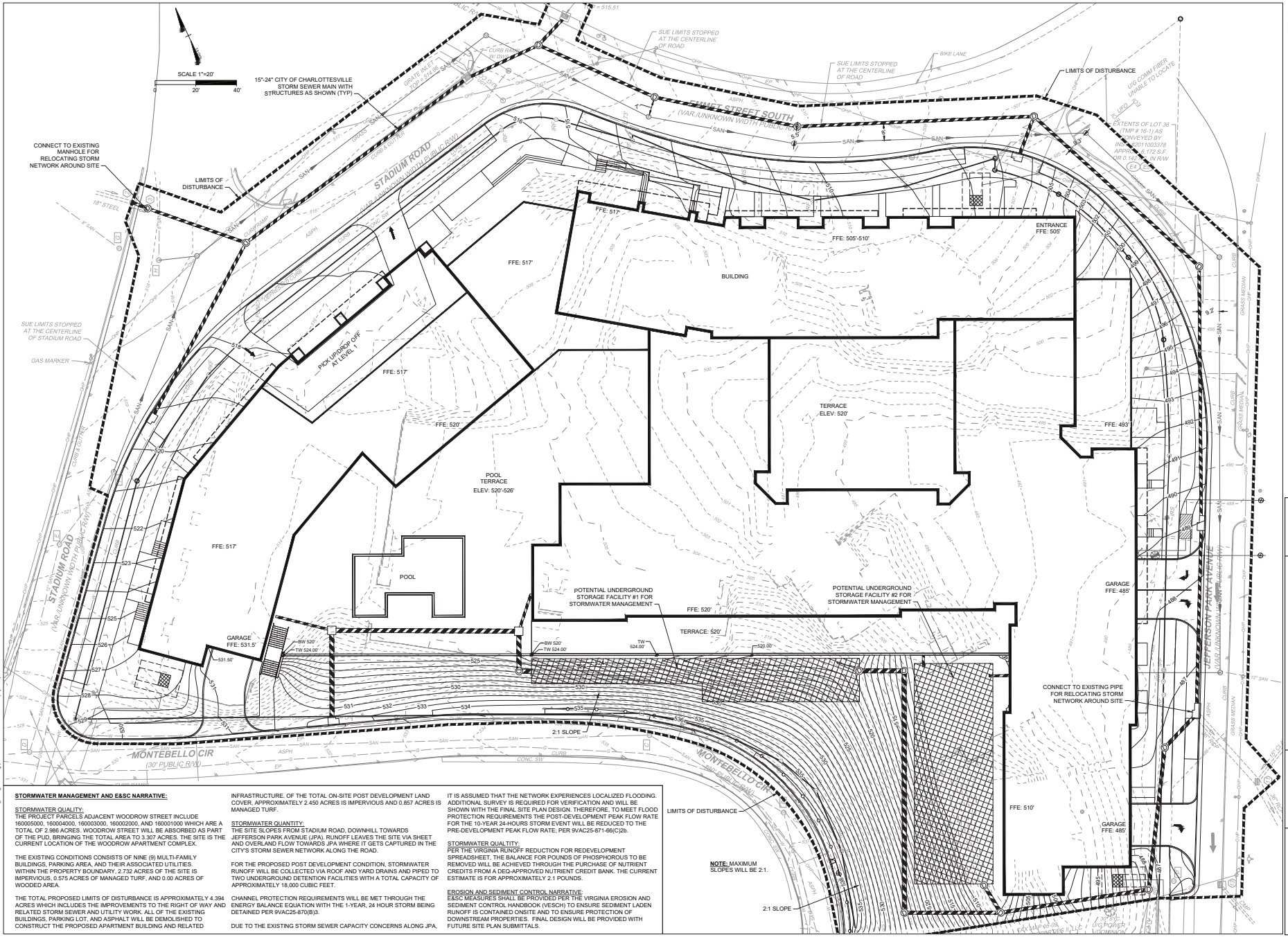
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KEY PLAN

104 STADIUM ROAD

CONCEPTUAL PUD UTILITY PLAN

C7




**STORMWATER MANAGEMENT AND E&SC NARRATIVE:**

STORMWATER QUALITY:
THE PROJECT PARCELS ADJACENT WOODROW STREET INCLUDE 160005000, 160004000, 160003000, 160002000, AND 160001000 WHICH ARE A TOTAL OF 2.986 ACRES. WOODROW STREET WILL BE ABSORBED AS PART OF THE PUD, BRINGING THE TOTAL AREA TO 3.307 ACRES. THE SITE IS THE CURRENT LOCATION OF THE WOODROW APARTMENT COMPLEX.

THE EXISTING CONDITIONS CONSISTS OF NINE (9) MULTI-FAMILY BUILDINGS, PARKING AREA, AND THEIR ASSOCIATED UTILITIES. WITHIN THE PROPERTY BOUNDARY, 2.732 ACRES OF THE SITE IS IMPERVIOUS, 0.575 ACRES OF MANAGED TURF, AND 0.00 ACRES OF WOODED AREA.

THE TOTAL PROPOSED LIMITS OF DISTURBANCE IS APPROXIMATELY 4.394 ACRES WHICH INCLUDES THE IMPROVEMENTS TO THE RIGHT OF WAY AND RELATED STORM SEWER AND UTILITY WORK. ALL OF THE EXISTING BUILDINGS, PARKING LOT, AND ASPHALT WILL BE DEMOLISHED TO CONSTRUCT THE PROPOSED APARTMENT BUILDING AND RELATED INFRASTRUCTURE. OF THE TOTAL ON-SITE POST DEVELOPMENT LAND COVER, APPROXIMATELY 2.450 ACRES IS IMPERVIOUS AND 0.857 ACRES IS MANAGED TURF.

STORMWATER QUANTITY:
THE SITE SLOPES FROM STADIUM ROAD, DOWNHILL TOWARDS JEFFERSON PARK AVENUE (JPA). RUNOFF LEAVES THE SITE VIA SHEET AND OVERLAND FLOW TOWARDS JPA WHERE IT GETS CAPTURED IN THE CITY'S STORM SEWER NETWORK ALONG THE ROAD.

FOR THE PROPOSED POST DEVELOPMENT CONDITION, STORMWATER RUNOFF WILL BE COLLECTED VIA ROOF AND YARD DRAINS AND PIPED TO TWO UNDERGROUND DETENTION FACILITIES WITH A TOTAL CAPACITY OF APPROXIMATELY 18,000 CUBIC FEET.

CHANNEL PROTECTION REQUIREMENTS WILL BE MET THROUGH THE ENERGY BALANCE EQUATION WITH THE 1-YEAR, 24 HOUR STORM BEING DETAINED PER 9VAC25-870(B)3.

DUE TO THE EXISTING STORM SEWER CAPACITY CONCERNS ALONG JPA, IT IS ASSUMED THAT THE NETWORK EXPERIENCES LOCALIZED FLOODING. ADDITIONAL SURVEY IS REQUIRED FOR VERIFICATION AND WILL BE SHOWN WITH THE FINAL SITE PLAN DESIGN. THEREFORE, TO MEET FLOOD PROTECTION REQUIREMENTS THE POST-DEVELOPMENT PEAK FLOW RATE FOR THE 10-YEAR 24-HOURS STORM EVENT WILL BE REDUCED TO THE PRE-DEVELOPMENT PEAK FLOW RATE, PER 9VAC25-871-68(C)2b.

STORMWATER QUALITY:
PER THE VIRGINIA RUNOFF REDUCTION FOR REDEVELOPMENT SPREADSHEET, THE BALANCE FOR POUNDS OF PHOSPHOROUS TO BE REMOVED WILL BE ACHIEVED THROUGH THE PURCHASE OF NUTRIENT CREDITS FROM A DEQ-APPROVED NUTRIENT CREDIT BANK. THE CURRENT ESTIMATE IS FOR APPROXIMATELY 2.1 POUNDS.

EROSION AND SEDIMENT CONTROL NARRATIVE:
E&SC MEASURES SHALL BE PROVIDED PER THE VIRGINIA EROSION AND SEDIMENT CONTROL HANDBOOK (VESCH) TO ENSURE SEDIMENT LADEN RUNOFF IS CONTAINED ONSITE AND TO ENSURE PROTECTION OF DOWNSTREAM PROPERTIES. FINAL DESIGN WILL BE PROVIDED WITH FUTURE SITE PLAN SUBMITTALS.

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11/17/2023

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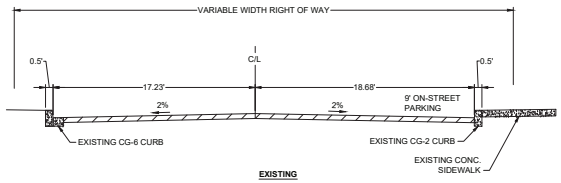
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KEY PLAN

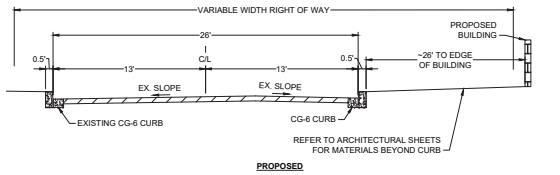
104 STADIUM ROAD
CONCEPTUAL PUD GRADING AND STORMWATER MANAGEMENT PLAN

C8

**STADIUM ROAD (NORTH FACING):**
**LOCAL STREET - PUBLIC RIGHT-OF-WAY**

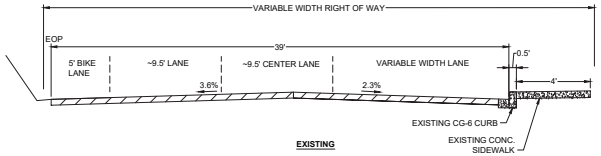



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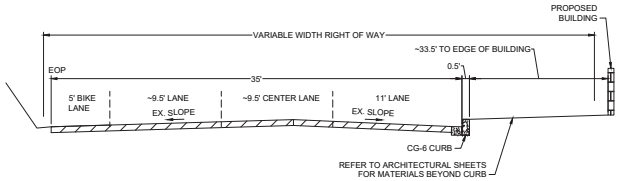



**PROPOSED**

**EXISTING EMMET ST. SOUTH (EAST FACING):**
**LOCAL STREET - PUBLIC RIGHT-OF-WAY**

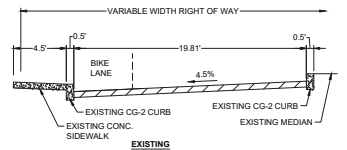



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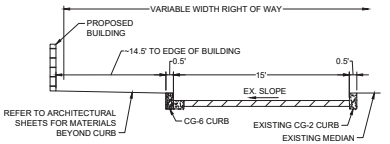



**PROPOSED**

**EXISTING JEFFERSON PARK AVENUE - SLIP WAY (NORTH FACING):**
**LOCAL STREET - PUBLIC RIGHT-OF-WAY**

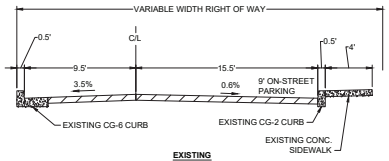



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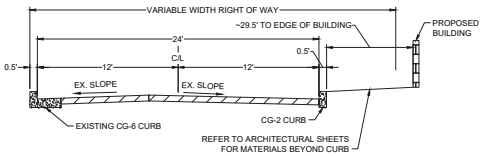



**PROPOSED**

**STADIUM ROAD - SLIP WAY (NORTH-EAST FACING):**
**LOCAL STREET - PUBLIC RIGHT-OF-WAY**

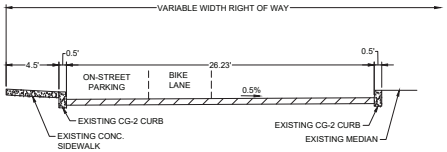



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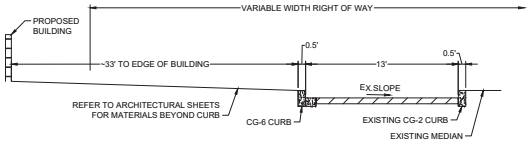



**PROPOSED**

**JEFFERSON PARK AVENUE (NORTH FACING):**
**LOCAL STREET - PUBLIC RIGHT-OF-WAY**

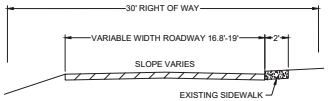



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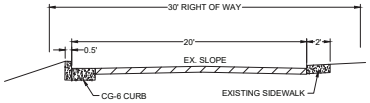



**PROPOSED**

**EXISTING MONTEBELLO CIRCLE (WEST FACING):**
**LOCAL STREET - PUBLIC RIGHT-OF-WAY**




**EXISTING**




**PROPOSED**

NOTES:
1. PROPOSED ROAD SECTIONS SHOWN ARE CONCEPTUAL AND FINAL DETAILS SUCH AS SLOPES, PLANTING STRIP WIDTHS, AND TOTAL ROW WIDTH ARE SUBJECT TO CHANGE DURING FINAL SITE PLAN DESIGN.
2. STADIUM ROAD, EMMET STREET, MONTEBELLO CIRCLE, AND JEFFERSON PARK AVENUE ARE EXISTING PUBLIC ROADS. ANY ADJUSTMENTS WILL BE DESIGNED IN ACCORDANCE WITH THE LOCAL STREET GUIDELINES IN THE CHARLOTTESVILLE CITY CODE, CHARLOTTESVILLE STANDARDS & DESIGNS MANUAL, AND THE CHARLOTTESVILLE STREETS THAT WORK DESIGN GUIDELINES.

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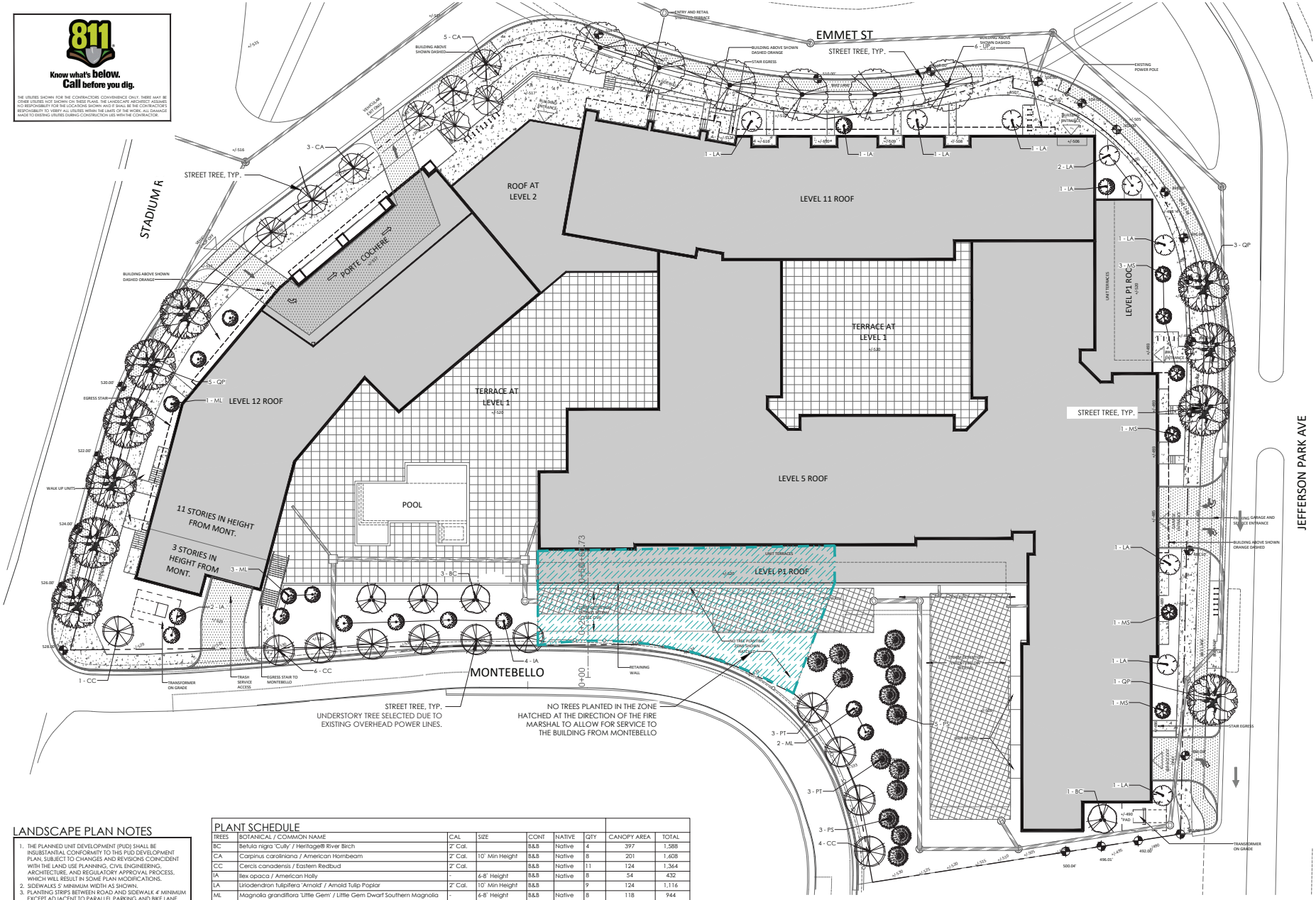
KEY PLAN

104 STADIUM ROAD

CONCEPTUAL PUD ROAD SECTIONS

C9

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Know what's below. Call before you dig.

THE UTILITIES SHOWN FOR THE CONTRACTORS CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE LANDSCAPE ARCHITECT ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES DURING CONSTRUCTION LIES WITH THE CONTRACTOR.

## LANDSCAPE PLAN NOTES

1. THE PLANNED UNIT DEVELOPMENT (PUD) SHALL BE INSUBSTANTIAL CONFORMITY TO THIS PUD DEVELOPMENT PLAN, SUBJECT TO CHANGES AND REVISIONS COINCIDENT WITH THE LAND USE PLANNING, CIVIL ENGINEERING, ARCHITECTURE, AND REGULATORY APPROVAL PROCESS, WHICH WILL RESULT IN SOME PLAN MODIFICATIONS.
2. SIDEWALKS 5' MINIMUM WIDTH AS SHOWN.
3. PLANTING STRIPS BETWEEN ROAD AND SIDEWALK 4' MINIMUM EXCEPT ADJACENT TO PARALLEL PARKING AND BIKE LANE ENTRY/EGRESS POINTS.
4. ALL TREES SHALL BE SELECTED FROM THE CHARLOTTESVILLE MASTER TREE LIST.
5. TREES TO BE REMOVED WITHIN EXISTING CRITICAL SLOPE AREA THAT IS PROPOSED TO BE DISTURBED. TREES REMOVED FROM TEH CRITICAL SLOPE AREA SHALL BE REPLACED AT A 3 : 1 RATION IN ACCORDANCE WITH CITY GUIDELINES. 25 TREES REMOVED, 75 TREES REPLACED.

## PLANT SCHEDULE

| TREES | BOTANICAL / COMMON NAME | CAL | SIZE | CONT | NATIVE | QTY | CANOPY AREA | TOTAL |
|---|---|---|---|---|---|---|---|---|
| BC | Betula nigra 'Cully' / Heritage® River Birch | 2" Cal. | | B&B | Native | 4 | 397 | 1,588 |
| CA | Carpinus caroliniana / American Hornbeam | 2" Cal. | 10' Min Height | B&B | Native | 8 | 201 | 1,608 |
| CC | Cercis canadensis / Eastern Redbud | 2" Cal. | | B&B | Native | 11 | 124 | 1,364 |
| IA | Ilex opaca / American Holly | - | 6-8' Height | B&B | Native | 8 | 54 | 432 |
| LA | Liriodendron tulipifera 'Arnold' / Arnold Tulip Poplar | 2" Cal. | 10' Min Height | B&B | | 9 | 124 | 1,116 |
| ML | Magnolia grandiflora 'Little Gem' / Little Gem Dwarf Southern Magnolia | - | 6-8' Height | B&B | Native | 8 | 118 | 944 |
| MS | Magnolia virginiana / Sweetbay Magnolia | 2" Cal. | 6' Min. Height | B&B | Native | 6 | 113 | 678 |
| PS | Pinus strobus / White Pine | - | 6' Min. Height | B&B | Native | 8 | 118 | 944 |
| PT | Pinus taeda / Loblolly Pine | - | 6' Min. Height | B&B | Native | 6 | 207 | 1,242 |
| QP | Quercus phellos / Willow Oak | 2" Cal. | | B&B | Native | 10 | 272 | 2,720 |
| UP | Ulmus americana 'Princeton' / Princeton American Elm | 3" Cal. | | B&B | Native | 6 | 397 | 2,382 |
| | | | | | GRAND TOTAL | 84 | | 15,018 |

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KEY PLAN

100 STADIUM ROAD

CONCEPTUAL LANDSCAPE PLAN

**L501**




1 A0 **CONCEPTUAL PLAN**
3/64" = 1'-0"

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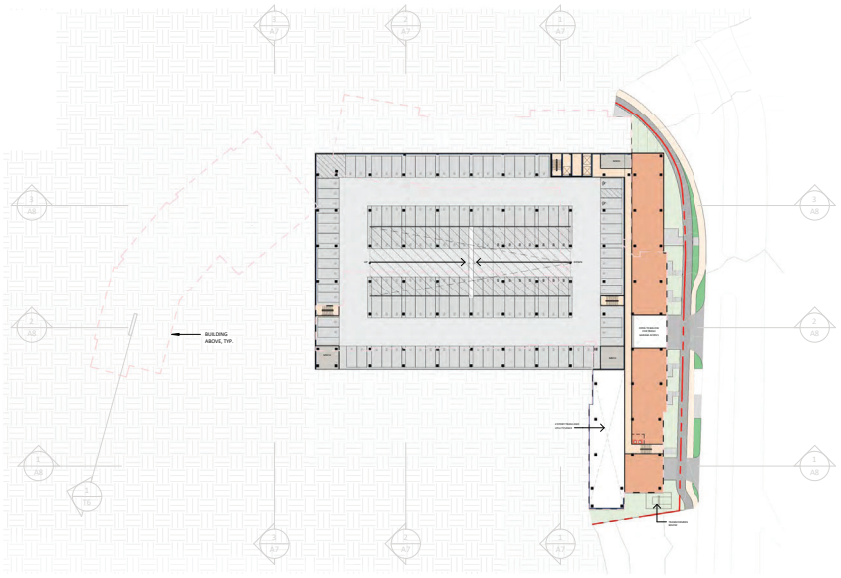
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CONCEPTUAL DEVELOPMENT PLAN

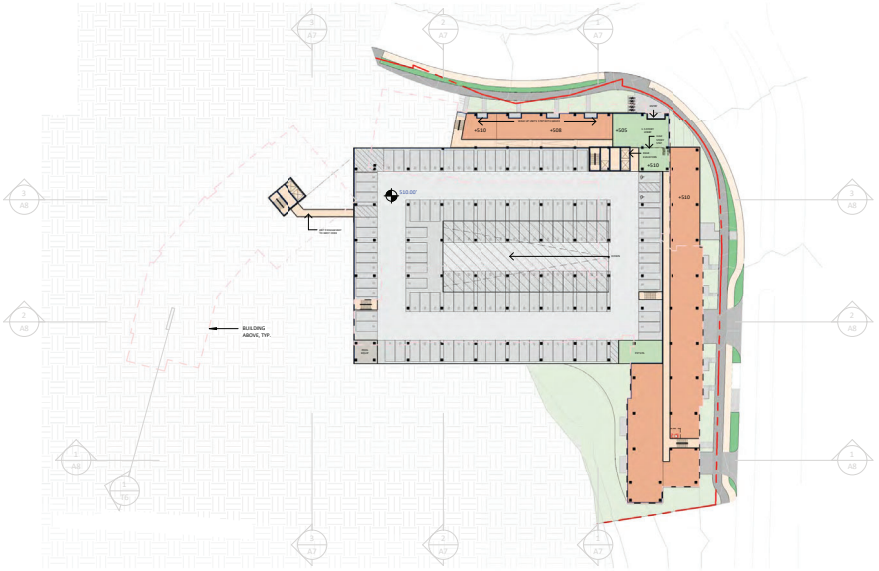
**A0**



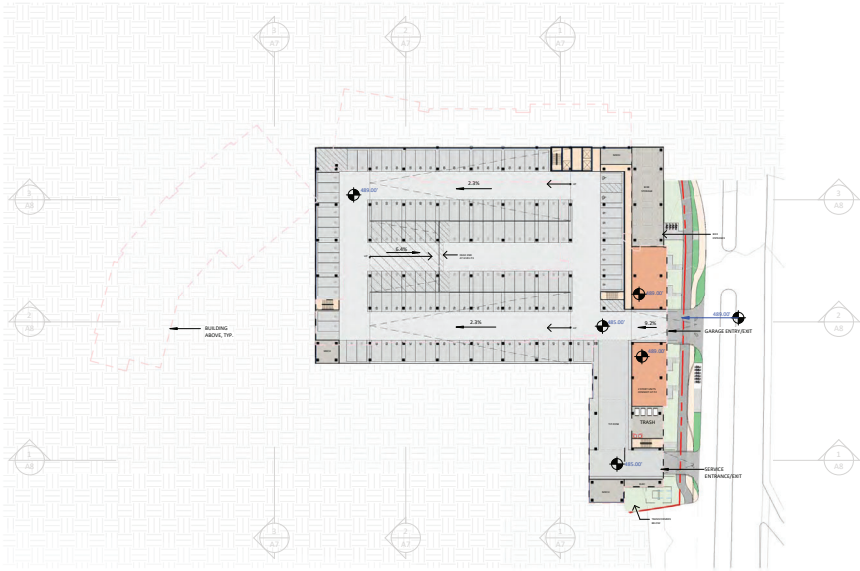

4 A1 **LEVEL 1 - PUD**
1" = 50'-0"




2 A1 **LEVEL P2 - PUD**
1" = 50'-0"




3 A1 **LEVEL P1 - PUD**
1" = 50'-0"




1 A1 **LEVEL P3 - PUD**
1" = 50'-0"

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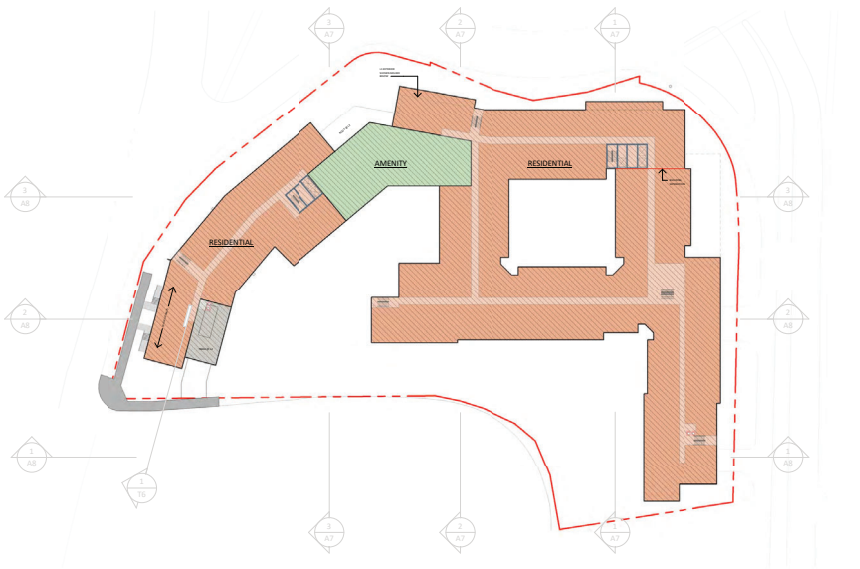
KEY PLAN

100 STADIUM ROAD

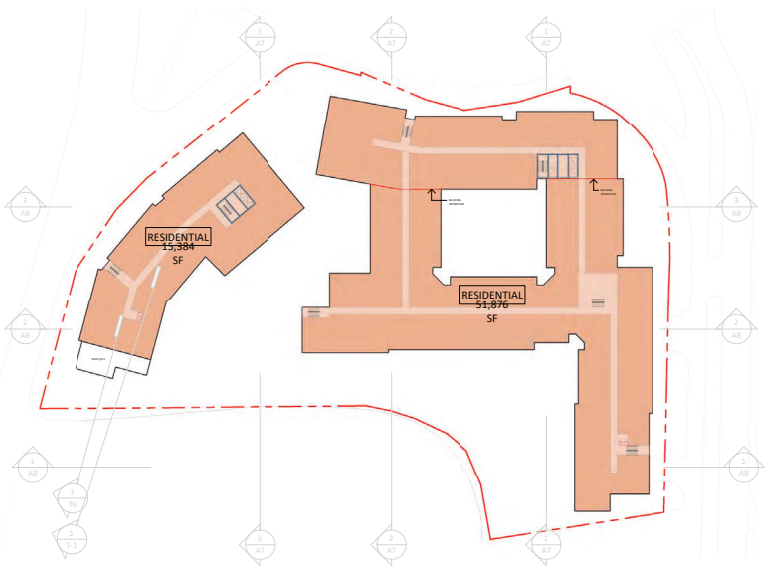
CONCEPTUAL FLOOR PLANS

**A1**

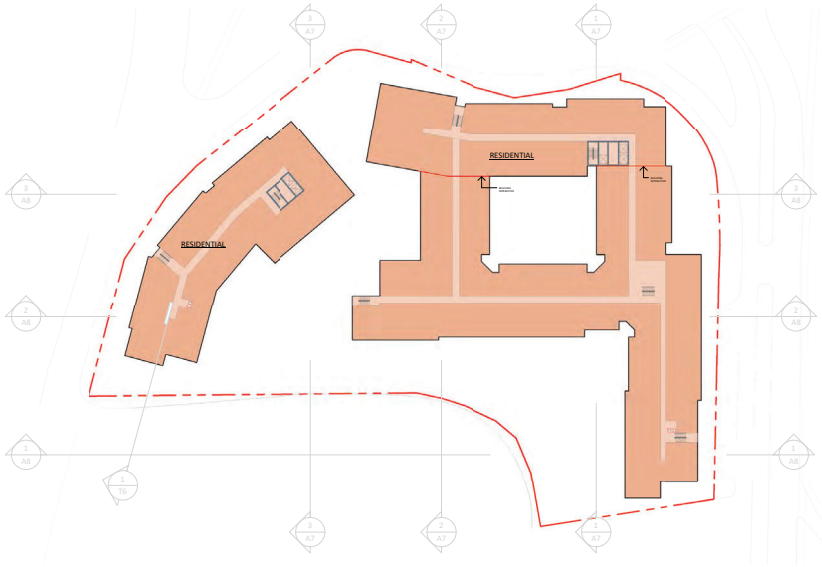
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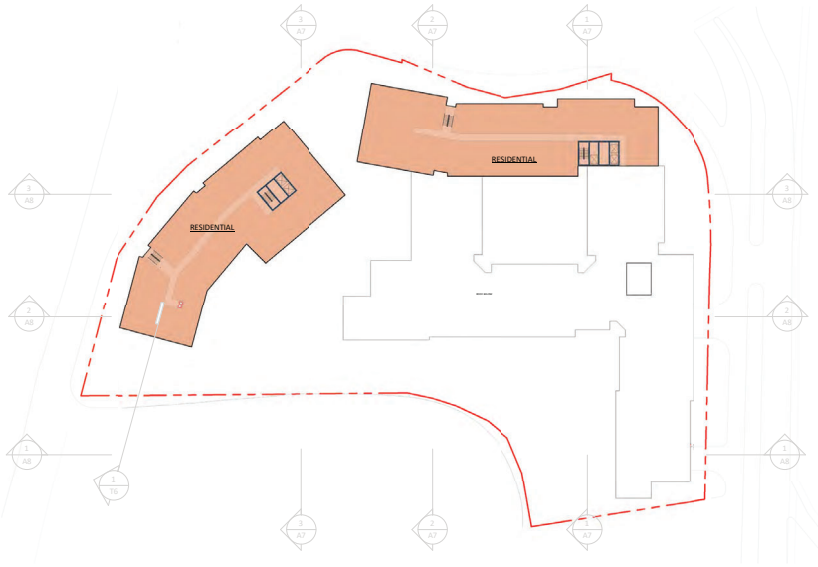

1 A2 **LEVEL 2 - PUD**
1" = 50'-0"




4 A2 **LEVEL 5 - PUD**
1" = 50'-0"




2 A2 **LEVELS 3, 4 - PUD**
1" = 50'-0"




3 A2 **LEVELS 6 , 7, 8, 9, 10 - PUD**
1" = 50'-0"

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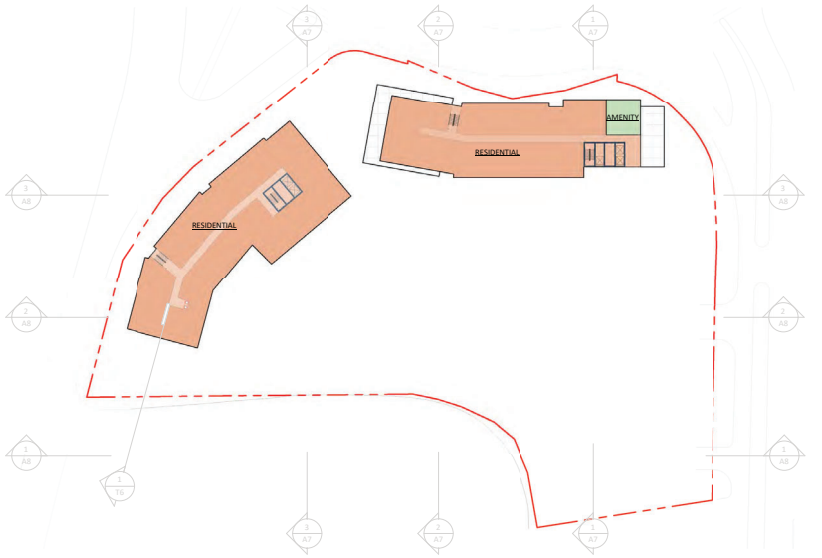
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KEY PLAN

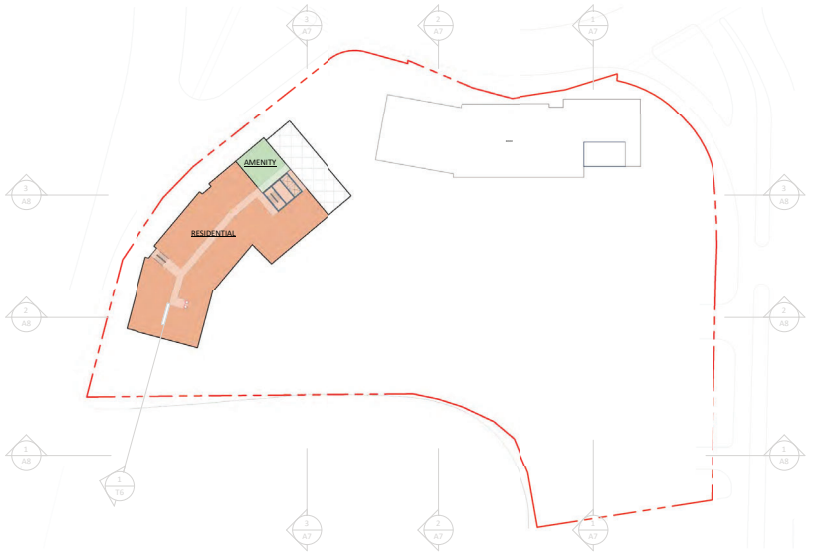
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CONCEPTUAL FLOOR PLANS

**A2**




1 A3 **LEVEL 11 - PUD**
1" = 50'-0"




2 A3 **LEVEL 12 - PUD**
1" = 50'-0"

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KEY PLAN

100 STADIUM ROAD

CONCEPTUAL FLOOR PLANS

**A3**

EXTERIOR MATERIALS LEGEND

| | |
|---|---|
| 1A | MASONRY - COLOR #1 |
| 6A | METAL PANEL - COLOR #1 |
| 6B | METAL PANEL - COLOR #2 |
| 6C | METAL PANEL - COLOR #3 |
| 6D | METAL PANEL - COLOR #4 |
| 8A | STOREFRONT GLAZING |
| 16A | OVERHEAD GARAGE DOORS |
| 17A | MECHANICAL LOUVER |




2 A4 **EAST ELEVATION**
3/64" = 1'-0"




1 A4 **NORTH ELEVATION**
3/64" = 1'-0"

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KEY PLAN

100 STADIUM ROAD

CONCEPTUAL EXTERIOR ELEVATIONS

**A4**

EXTERIOR MATERIALS LEGEND

| | |
|---|---|
| 1A | MASONRY - COLOR #1 |
| 6A | METAL PANEL - COLOR #1 |
| 6B | METAL PANEL - COLOR #2 |
| 6C | METAL PANEL - COLOR #3 |
| 6D | METAL PANEL - COLOR #4 |
| 8A | STOREFRONT GLAZING |
| 16A | OVERHEAD GARAGE DOORS |
| 17A | MECHANICAL LOUVER |




2 A5 **WEST ELEVATION**
3/64" = 1'-0"




1 A5 **NORTHWEST ELEVATION**
3/64" = 1'-0"

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100 STADIUM ROAD

CONCEPTUAL EXTERIOR ELEVATIONS

**A5**

EXTERIOR MATERIALS LEGEND

| | |
|---|---|
| 1A | MASONRY - COLOR #1 |
| 6A | METAL PANEL - COLOR #1 |
| 6B | METAL PANEL - COLOR #2 |
| 6C | METAL PANEL - COLOR #3 |
| 6D | METAL PANEL - COLOR #4 |
| 8A | STOREFRONT GLAZING |
| 16A | OVERHEAD GARAGE DOORS |
| 17A | MECHANICAL LOUVER |




1 / A6 **SOUTH ELEVATION**
3/64" = 1'-0"

11/17/2023 4:03:44 PM

100 STADIUM ROAD
Charlottesville, VA


esg
ARCHITECTURE & DESIGN
500 Washington Avenue South, Suite 1080
Minneapolis, MN 55415
p 612.339.5508 | f 612.339.5382
www.esgarch.com


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PUD
11/17/2023

ORIGINAL ISSUE: 07/26/23

REVISIONS

| No. | Description | Date |
|---|---|---|

222534
PROJECT NUMBER

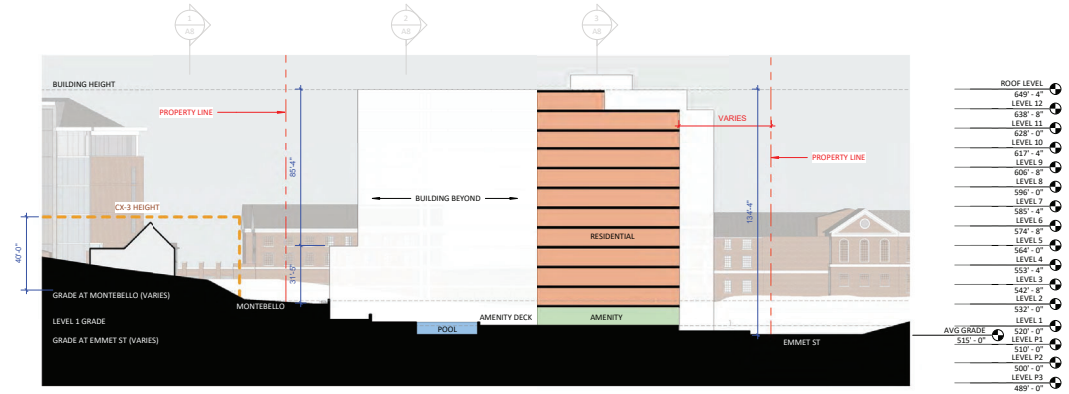
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KEY PLAN

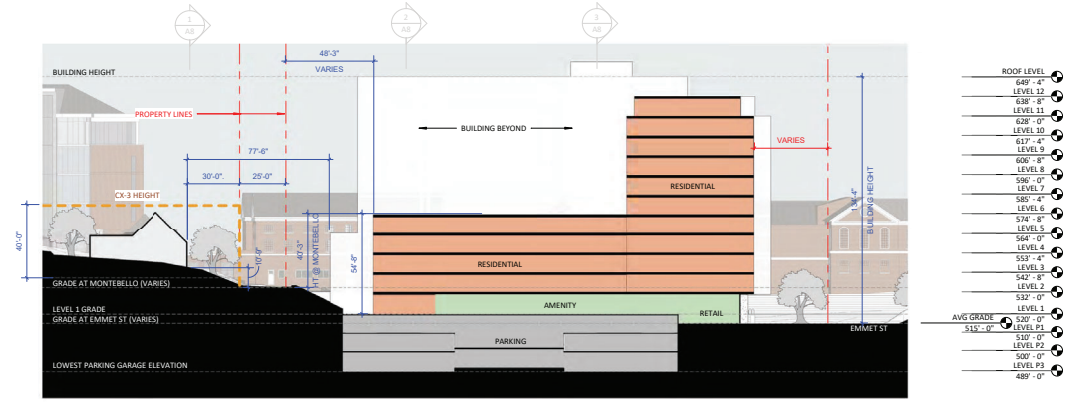
100 STADIUM ROAD

CONCEPTUAL EXTERIOR ELEVATIONS

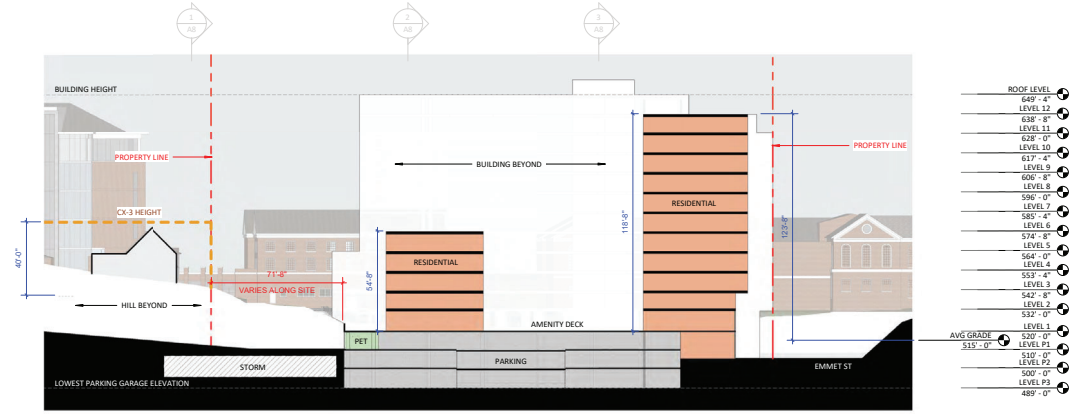
**A6**




3 A7 **N/S SECTION THROUGH POOL DECK**
1/32" = 1'-0"




2 A7 **N/S SECTION THROUGH POOL DECK**
1/32" = 1'-0"




1 A7 **N/S SECTION THROUGH WEST GARDEN**
1/32" = 1'-0"

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REVISIONS

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222534
PROJECT NUMBER

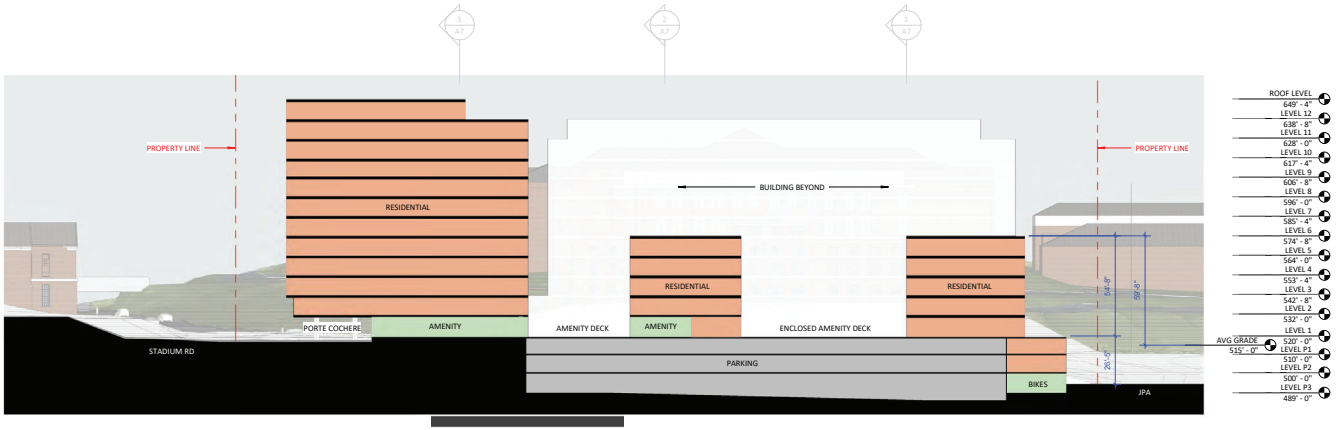
JH DRAWN BY | NR CHECKED BY

KEY PLAN

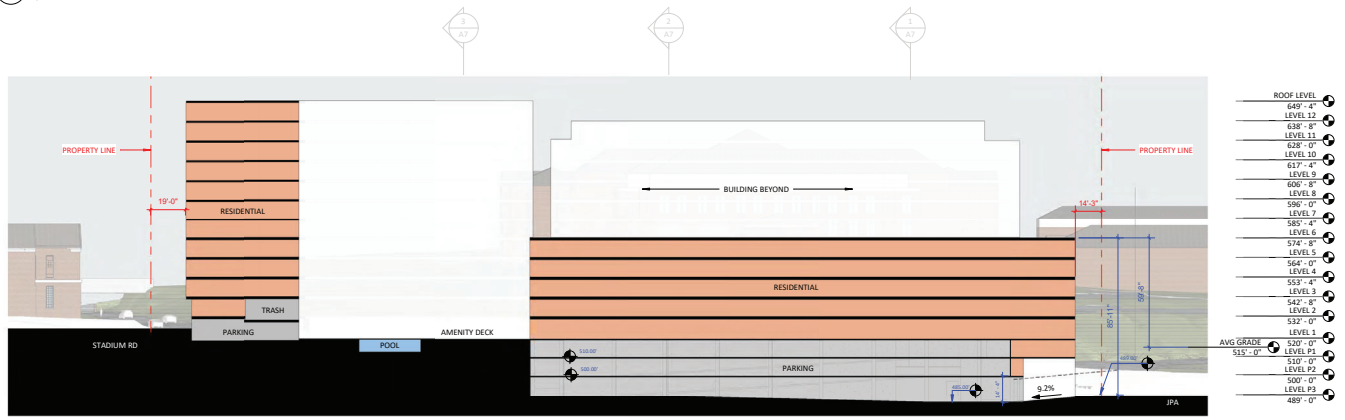
100 STADIUM ROAD

CONCEPTUAL BUILDING SECTIONS

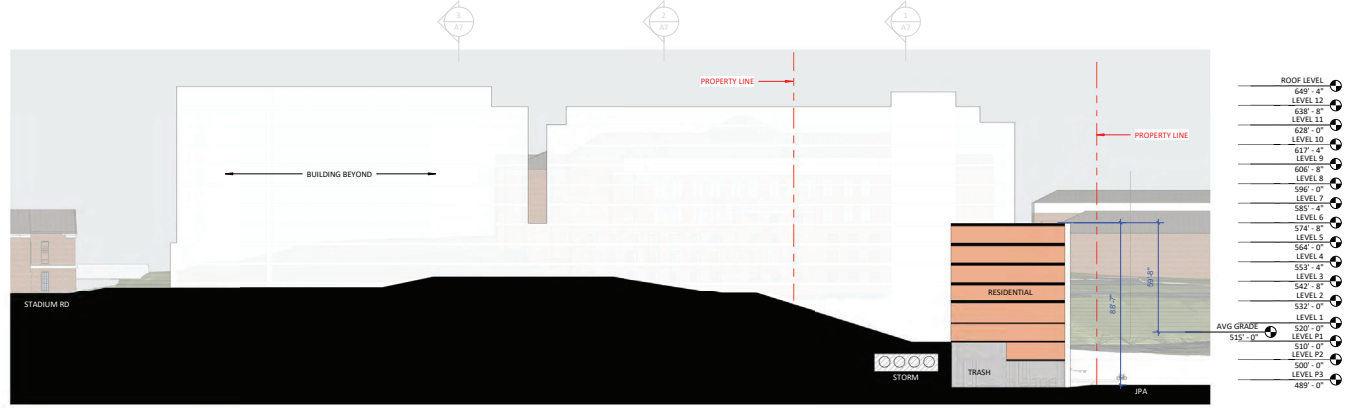
**A7**




3 A8 **EW SECTION THROUGH PARKING GARAGE ENTRANCE**
1/32" = 1'-0"




2 A8 **EW SECTION THROUGH PARKING GARAGE ENTRANCE**
1/32" = 1'-0"




1 A8 **EW SECTION TRHOUGH TRASH PICKUP**
1/32" = 1'-0"

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| No. | Description | Date |
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222534
PROJECT NUMBER

JH DRAWN BY NR CHECKED BY

KEY PLAN

100 STADIUM ROAD

CONCEPTUAL BUILDING SECTIONS

**A8**

100 STADIUM ROAD
Charlottesville, VA


VIEW FROM MONTEBELLO & STADIUM ROAD



VIEW LOOKING TO SECONDARY ENTRY FROM NEAR JPA & EMMET STREET



MAIN ENTRY VIEW FROM STADIUM ROAD & EMMET STREET



VIEW FROM EAST AT JEFFERSON PARK AVE


VIEW LOOKING WEST ALONG EMMET STREET


NORTHWEST CORNER AT STADIUM ROAD & EMMET STREET


NORTHEAST CORNER AT JEFFERSON PARK AVE & EMMET STREET



VIEW OF THE MAIN ENTRANCE AND MARKET ENTRY TERRACE FROM EMMET STREET


BIRDS EYE VIEW FROM NORTHWEST AT STADIUM ROAD & EMMET STREET

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|---|---|---|

222534
PROJECT NUMBER

JH
DRAWN BY

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CHECKED BY

KEY PLAN

100 STADIUM ROAD

CONCEPTUAL EXTERIOR RENDERINGS

**A9**

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**Affordable Dwelling Unit Ordinance Worksheet**

**Step 1: Total Floor Area Ratio (FAR) of Site**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| A. | Total size of development site: | 3.31 acres | | | | | |
| B. | Total square footage of site: | 3.31 (# of acres) | x | 43,560.00 | = | 144,183.60 | square feet (sf) |
| C. | 1.0 Floor Area Ratio (FAR): | 144,183.60 *(total sf of site)* | | | | | |
| D. | Gross Floor Area (GFA) of **ALL** buildings/uses: | 562,400.00 sf | | | | | |
| E. | Total site FAR: | 562,400.00 *(total GFA of site)* | ÷ | 144,183.60 *(1.0 FAR)* | = | 3.90 | |
| F. | Is E greater than or equal to 1.0 FAR? | NO: Your proposed development does not trigger the ADU ordinance. | | | | | |
| | | YES: Proceed to Step 2 or Step 3. | | | | | |

**Step 2: Number of ADUs Required**

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| G. | GFA in excess of 1.0 FAR: | 562,400.00 *(D: total site GFA)* | - | 144,183.60 *(B: total SF of site)* | = | 418,216.40 | |
| H. | Total GFA of ADUs required: | 418,216.40 *(G: GFA in excess of 1.0 FAR)* | x | 0.05 | = | 20,910.82 | |
| I. | Equivalent density based on Units Per Acre: | | | | | | |
| | i. Dwelling Units per Acre (DUA) approved by PUD: | 167.00 | | | | | |
| | ii. SF needed for ADUs: | 20,910.82 *(H: Total GFA of ADUs)* | ÷ | 43,560.00 | = | 0.4800464 | acres |
| | iii. Total number of ADUs required: | 0.4800464 *(ii: ADU acreage)* | x | 167.00 *(i: DUA approved)* | = | 80.17 | |

**Step 3: Cash-in-Lieu Payment**

| | | | | | | |
|---|---|---|---|---|---|---|
| J. | Cash-in-Lieu Amount Residential: | 562,400.00 | x | $2.685 | = | **$1,510,044.00** |

K. Cash-in-Lieu Amount Mixed-Use:

| | | | | |
|---|---|---|---|---|
| Total GFA of development site: | 581,200.00 | | | |
| GFA Occupied Commercial Space: | 1,000.00 | | | |
| GFA Occupied Residential Space: | 442,250.00 | | | |
| Total GFA Occupied Space: | 443,250.00 | % Residential: | 1.00 | |
| GFA Non-Occupied Space*: | 137,950.00 | Propotionate amount of non-occupied space GFA for residential use: | 137,638.78 | |
| Amount of Payment: | 579,888.78 | x | $2.685 | = $1,557,001.36 |

**GFA of non-occupied space shall include: (i) basements, elevator shafts and stairwells at each story, (ii) spaces used or occupied for mechanical equipment and having a structural head room of six (6) feet six (6) inches or more, (iii) penthouses, (iv) attic space, whether or not a floor has been laid, having a structural head room of six (6) feet six (6) inches or more, (v) interior balconies, and (vi) mezzanines. GFA shall not include outside balconies that do not exceed a projection of six (6) feet beyond the exterior walls of the building; parking structures below or above grade; or and roof top mechanical structures.*

***Source: U.S. Bureau of Labor Statistics, South Urban Region for Housing***

**Step 4: Minimum Term of Affordability**

L. Residential Project

*i. Households earning up to 80% AMI:*

| Unit Type | Eff. | 1BR | 2BR | 3BR | 4BR | 5BR | 6BR |
|---|---|---|---|---|---|---|---|
| Number of Units | | | | | | | |
| Market Rent | | | | | | | |
| HUD Fair Market Rents | $1,165.00 | $1,172.00 | $1,401.00 | $1,742.00 | $2,159.00 | $2,483.00 | $2,808.00 |
| HUD Utility Allowance | $60.00 | $81.00 | $104.00 | $128.00 | $162.00 | $0.00 | $0.00 |
| Difference per Month | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 |
| Annual Cost of ADU | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 | $0.00 |

*Total Annual Cost of ADUs:* 0.00 *(Sum of Annual Cost of ADU)*

***Minimum Term of Affordability*:*** #DIV/0! *(Cash-in-lieu payment / Total annual cost of ADUs)*

***If answer is less than 5, then minimum term of affordability will be 5 years.**

M. Mixed-Use Project

*i. Households earning up to 80% AMI:*

| Unit Type | Eff. | 1BR | 2BR | 3BR | 4BR | 5BR | 6BR |
|---|---|---|---|---|---|---|---|
| Number of Units | 13 | 13 | 26 | 7 | 22 | 0 | 0 |
| Market Rent | $1,600.00 | $1,825.00 | $2,000.00 | $3,900.00 | $4,500.00 | $0.00 | $0.00 |
| HUD Fair Market Rents | $1,165.00 | $1,172.00 | $1,401.00 | $1,742.00 | $2,159.00 | $2,483.00 | $2,808.00 |
| HUD Utility Allowance | $60.00 | $81.00 | $104.00 | $128.00 | $162.00 | $0.00 | $0.00 |
| Difference per Month | $495.00 | $734.00 | $703.00 | $2,286.00 | $2,503.00 | $0.00 | $0.00 |
| Annual Cost of ADU | $6,435.00 | $114,504.00 | $219,336.00 | $192,024.00 | $660,792.00 | $0.00 | $0.00 |

*Total Annual Cost of ADUs:* 1,193,091.00 *(Sum of Annual Cost of ADU)*

***Minimum Term of Affordability:*** 1.305014759 *(Cash-in-lieu payment / Total annual cost of ADUs)*

***If answer is less than 5, then minimum term of affordability will be 5 years.**

Source: HUD FY2023 Fair Market Rents

Version 5/17/23

Original Proffers ____X____
Amendment _____

# PROFFER STATEMENT

Project Name: **Verve Charlottesville**

Date: December 12, 2023

Address: 100, 102, 104, 106-114, and 409 Stadium Road and 1705 Jefferson Park Avenue
Parcel Numbers: 160001000, 160002000, 160003000, 160004000, 160005000, 160008000

Owner of Record: **Woodrow Apartments, LLC; Woodrow Too, LLC; 1705 JPA LLC** (the "Owner")

**Proposal:**

- Rezone 100,102,104,106-114, and 409 Stadium Road and 1705 Jefferson Park Avenue, parcels 160001000, 160002000, 160003000, 160004000, 160005000, 160008000 (3.31 acres) (the "Property"), from R-3 district to Planned Unit Development (PUD) district with proffers (the "Project");

**Total land area: Approximately 3.31 acres**

The Owner hereby voluntarily proffers that if the City of Charlottesville City Council acts to rezone the property as requested, the Owner shall develop the Property in general accord with the following proffers pursuant to Sections 15.2-2303 and 15.2-2303.4 of the Code of Virginia, 1950, as amended, and pursuant to Section 34-41.d.8 of the City of Charlottesville Zoning Ordinance. The Owner specifically deems the following proffers reasonable and appropriate, as conclusively evidenced by the signatures below. This Proffer Statement shall run with the Property and each reference to the "Owner" within this Proffer Statement shall include within its meaning, and shall be binding upon, Owner's successor(s) in interest and/or the developer(s) of the Property or any portion of the Property.

1. **Affordable Housing:** The Owner shall make a cash contribution to the City's affordable housing fund in the amount equal to four and one-half (4½) times that which would be required under City Code Section 34-12(d)(2) based on the approved final site plan, up to a maximum of Six Million, Eight Hundred Thousand Dollars ($6,800,000.00). Such cash contribution shall be delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

**OWNER:**

**Woodrow Apartments, LLC**
a Virginia limited liability company

By: _____

Printed Name: RICHARD H. JONES

Title: MEMBER

**Woodrow Too, LLC**
a Virginia limited liability company

By: _____

Printed Name: RICHARD H. JONES

Title: MEMBER

**1705 JPA, LLC**
a Virginia limited liability company

By: _____

Printed Name: RICHARD H. JONES

Title: MEMBER

**AN ORDINANCE**
**APPROVING A REQUEST TO REZONE LAND FRONTING ON JEFFERSON PARK AVENUE, STADIUM ROAD, EMMET STREET, AND MONTEBELLO CIRCLE**
**FROM MULTIFAMILY RESIDENTIAL (R-3) TO PLANNED UNIT DEVELOPMENT (PUD)**

**WHEREAS**, Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC (collectively the "Landowners") of certain land fronting on Jefferson Park Avenue, Stadium Road, Emmet Street, and Montebello Circle, designated on the City Tax Map and Parcel (TMP) as 160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 (collectively, hereinafter, the "Subject Property"), and the Landowner is seeking to change the zoning classifications of the Subject Property from R-3 to PUD hereinafter referred to as the "Proposed Rezoning"; and

**WHEREAS**, a public hearing on the Proposed Rezoning was conducted by the Planning Commission and City Council on November 14, 2023, following notice to the public and to adjacent property owners as required by Virginia Code §15.2-2204 and City Code §34-44, and following the public hearing, the Planning Commission voted to recommend that City Council should approve the Proposed Rezoning; and

**WHEREAS**, this City Council has considered the matters addressed within the Landowner's application (ZM23-00004), the NDS Staff Report, public comments, the Planning Commission's recommendation, and the Comprehensive Plan; and

**WHEREAS**, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the Proposed Rezoning; that both the existing zoning classification and the proposed zoning classification are 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, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

*Section 34-1. Zoning District Map*. Rezoning the property designated on City Tax Map and Parcel (TMP) 2160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 ("Subject Property"), containing, in the aggregate approximately 3.3 acres (approximately 144,002 square feet), from R-3 (Multifamily Residential) to PUD (Planned Unit Development) as described in application ZM23-00004 and the VERVE Charlottesville PUD Development Plan Dated November 17, 2023, with the following Proffer:

1. **Affordable Housing:** The Owner shall make a cash contribution to the City's affordable housing fund in the amount equal to four and one-half (4½) times that which would be required under City Code Section 34-12(d)(2) based on the approved final site plan, up to a maximum of Six Million, Eight Hundred Thousand Dollars ($6,800,000.00). Such cash contribution shall be

delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

and the City's Zoning Administrator shall update the Zoning District Map to reflect this reclassification of the Subject Property.

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Consideration of a Zoning Text Amendment |
| Presenter: | Matthew Alfele, City Planner, James Freas, Director of NDS |
| Staff Contacts: | Matthew Alfele, City Planner |
| **Title:** | **Ordinance amending and re-enacting Chapter 34 (Zoning) of the Code of the City of Charlottesville (1990), as amended, to remove 104 Stadium Road from the list of Individually Protected Properties - VERVE Charlottesville PUD – ZT23-09-02** |

**Background**

Subtext Acquisitions, LLC ("Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is pursuing a **Zoning Map Amendment under Application ZM23-00004**. The Applicant is also requesting a Zoning Text Amendment pursuant to Sections 34-41 and 34-490-519 of the Code of the City of Charlottesville ("Code") for a Zoning Text Amendment for the property located at 104 Stadium Road and owned by Woodrow Too, LLC. As part of the rezoning process in ZM23-00004 and to implement the PUD Development Plan, the applicant is requesting the Individually Protected Property (IPP) designation from 104 Stadium Road be removed. The Planning Commission initiated the requested Zoning Text Amendment on June 13, 2023, and a Public Hearing was held on October 10, 2023.

The MacLeod house (or Stone House) at 104 Stadium Road was constructed in 1927 and designated as an IPP on September 19, 2011. The IPP designation was contingent on the sale of 409 Stadium Road from the City to Woodrow Too, LLC which transpired on May 2, 2011. Conditions related to the sale of 409 Stadium Road were codified by ordinance and contained the following conditions:

1. The Property shall be landscaped and maintained as a green space area;
2. The Purchaser shall consent to the adjoining property (Tax Map Parcel 160002000) being designated as an Individually Protected Property (IPP) under City Code Section 34-274; and
3. There shall be no further development or permanent structures placed upon the property, including parking facilities.

As part of the proposed PUD development, the applicant requested a COA from BAR to demolish the Stone House and gardens at 104 Stadium. BAR voted 6-0 to recommend denial of the requested COA. On June 5, 2023, City Council passed a resolution granting approval of the COA with conditions. These conditions include:

1. Building and gardens be documented thoroughly through photographs and measured drawings according to the Historic American Building Standards, information should be retained by City of

Charlottesville's Department of Neighborhood Development Services and Virginia Department of Historic Resources;
2. Approval of a design-review COA for new construction on the parcel as a contiguous element of the proposed multi-lot development to ensure that the building is not demolished without an appropriate and City-approved replacement, and issuance of site plan and building permit for construction of such replacement.
3. After the foregoing conditions are accomplished, if the IPP designation has not previously been removed by appropriate action of Council, whether before or after demolition, but no later than 30 days after demolition, the applicant requests City Council initiate a zoning ordinance amendment per City Code 34-274 to delete the property from the protected property list by zoning text and map amendment.

On September 19, 2023, BAR held a meeting related to the zoning map amendment (ZMA) and zoning text amendment (ZTA) request as it relates to 104 Stadium Road and the IPP. BAR voted 6-0 to recommend that City Council deny the request to remove the IPP designation of 104 Stadium Road. Furthermore, the BAR suggested two considerations, should City Council approve the request to remove the IPP designation. These conditions include:
1. A condition that within six (6) months or, if sooner, prior to application for a demolition permit, the property and building will be documented thoroughly through photographs and measured drawings according to the Historic American Building Standards, with that documentation submitted to staff for the BAR archive.
2. Council explore a mechanism to restore [if the building is not razed] or retain [until demolition is certain] the IPP status, should the proposed development not move forward as planned.

As part of the PUD rezoning request, the applicant is also petitioning City Council to amend the May 2, 2011, ordinance related to the sale of 409 Stadium Road. The requested amendment is to remove the three (3) conditions stated in the ordinance.

**Discussion**

The Planning Commission held an in-person and virtual joint Public Hearing with City Council on October 10, 2023 on this matter as part of the lager Zoning Map Amendment. The Planning Commission and City Council had the following comments on concerns:
- Concerned with the massing and scale of the development.
- Concerned that not enough parking is being provided.
- Concerned the project is not paying enough into the City's affordable housing fund.

The Planning Commission believes this location is desirable for a denser development and will contribute to the goals of the City's Comprehensive Plan. They believe many of the design elements such as the raised bike paths and street trees will be an overall improvement. Scale and massing were the main concerns but might be acceptable if the applicant made minor modifications to the massing along Stadium Road. Many of the Commissioners believed going to twelve (12) stories, while taller than what is stated in the Comprehensive Plan, is acceptable if other elements such as stepbacks and material changes are introduced along "the wall" of the building that fronts on Stadium Road. The applicant agreed to make minor changes to address these issues. There was some concern with the transition of the project along the Montebello Circle side, but these concerns were alleviated by the applicant during their presentation. Overall, the Planning Commission did not find the proposed development achieved the higher standards of a PUD but believes this is the right location and density for a project of this scale.

Link to the Planning Commission Public Hearing. Discussion starts at the 01:22:00 mark.
Link

Link to the full application and background materials. The Staff Report starts on page 47.
Link

**Alignment with City Council's Vision and Strategic Plan**
If City Council approves the Zoning Text Amendment request, the project could contribute to the City Vision Statement of Housing: Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.

**Community Engagement**
On June 12, 2023, the applicant held a community meeting in the Fellowship Hall of St. Mark Lutheran Church from 6pm to 8pm. The format of the meeting was an Open House with posters and the application team in attendance to answer questions and receive feedback. Approximately seven to eight members of the public attended the meeting and provided the following:
- Concern with the quantity of multifamily residential units proposed.
- Increase in vehicular traffic and distribution of vehicular traffic.
- Availability of parking within the development and potential parking spill-over onto neighborhood streets.
- Architectural quality of the built development.
- Concern about who will manage the building once it is finished.
- Concerns about how the development will impact longtime residents of the neighborhood.
- The building is too tall and will tower over the neighborhood.

On October 10, 2023, the Planning Commission held an in-person and virtual joint Public Hearing with City Council that was well attended by the public. Eleven (11) members of the public spoke and expressed the following:
- The scale is too large and will have an adverse impact on existing residents of the neighborhood.
- A large number of mature trees will be removed.
- Density is needed in this area and will create more housing options.
- The height and scale are not compatible with the existing neighborhood.
- The City needs this project to help address the housing shortage.

Any emails received by staff regarding this project have been forwarded to City Council.

**Budgetary Impact**
This has no impact on the General Fund.

**Recommendation**
The Planning Commission voted 6-0 to recommend the application be approved for the Zoning Text Amendment to remove 104 Stadium Road from the list of Individually Protected Properties.

Suggested:
“I move to approve the ORDINANCE for application ZM23-09-02 ZT23-09-02 to remove 104 Stadium

Road, City Tax Map Parcel 160002000 from the list of Individually Protected Property within the City of Charlottesville's Zoning Code Article II, Division 2, Section 34-273(b)."

**Alternatives**

City Council has several alternatives:

(1) by motion, take action to approve the attached ordinance granting the Zoning Text Amendment as recommended by the Planning Commission;
(2) by motion, request changes to the attached ordinance, and then approve the Zoning Text Amendment;
(3) by motion, take action to deny the Zoning Text Amendment; or
(4) by motion, defer action on the Zoning Text Amendment.

**Attachments**

1. Zoning Text Amendment Ordinance.

**AN ORDINANCE AMENDING AND RE-ENACTING CHAPTER 34 (ZONING) OF THE CODE OF THE CITY OF CHARLOTTESVILLE (1990), AS AMENDED, TO REMOVE 104 STADIUM ROAD FROM THE LIST OF INDIVIDUALLY PROTECTED PROPERTIES.**

**WHEREAS**, upon the recommendation of City Staff, the Planning Commission initiated a Zoning text amendment proposing an amendment to the City's Zoning Ordinance, to remove 104 Stadium Road, designated on the City Tax Map and Parcel (TMP) as 160002000, from the list of Individually Protected Properties ("IPP"); and

**WHEREAS**, a Joint Public Hearing on the Proposed Zoning Text Amendment was held by the Planning Commission and City Council on October 10, 2023, 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 approval of the Proposed Zoning Text Amendment to Section 34-273(a)(b) of the City's Zoning Ordinance, to remove 104 Stadium Road from the list of Individually Protected Properties; and

**WHEREAS**, After consideration of the Planning Commission's recommendation, and the recommendations given by staff, this Council is of the opinion that the Proposed Zoning Text Amendment, as recommended by the Planning Commission, 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, as recommended by the Planning Commission, and (ii) the Proposed Zoning Text Amendment, as recommended by the Planning Commission, is consistent with the Comprehensive Plan; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Chapter 34 of the Code of the City of Charlottesville (1990), as amended, is hereby amended and reenacted as follows:

1. Amend the list found in Sec. 34-2733(a)(b) to remove 104 Stadium Road.

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Amending the November 4, 1996 Ordinance Vacating Woodrow Street Right of Way |
| Presenter: | Matthew Alfele, City Planner, James Freas, Director of NDS |
| Staff Contacts: | Matthew Alfele, City Planner |
| **Title:** | **Ordinance to amend the November 4, 1996 Right-of-Way Closure Ordinance for Woodrow Street - VERVE Charlottesville PUD** |

## Background

Subtext Acquisitions, LLC ("Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a Zoning Map Amendment and Zoning Text Amendment pursuant to Sections 34-41 and 34-490 – 519 of the Code of the City of Charlottesville ("Code") **(See Applications ZM23-00004 and ZT23-09-02)**. As part of the Planned Unit Development ("PUD") being proposed, the applicant is requesting an amendment to the November 4, 1996, Ordinance vacating the Woodrow Street Right of Way ("ROW") along with a request to zone the closed portion to PUD. Woodrow Street is an unimproved paper street that bisects the Subject Property and is used mainly for off-street parking for the existing residential units. Several public utility lines such as sanitary, water, and gas run through Woodrow Street and will need to be relocated as part of the proposed development. Pursuant to Virginia Code Section 15.2-2232 and City Code Section 34-28, the Planning Commission reviewed the proposed amendment to the vacation Ordinance, as it relates to impacts to public facilities, and determined that amending the November 4, 1996, ordinance vacating Woodrow Street ROW is substantially in accord with the City's adopted Comprehensive Plan and amendments.

In 1937, the City of Charlottesville acquired an easement conveying to it the right to "lay, construct and maintain, together with the right of ingress and egress, a storm sewer line" through the Subject Property in what is labeled as "Woodrow Street". This information can be found in Charlottesville Circuit Court land records in Deed Book 94 Page 398. On September 10, 1996, the Planning Commission held a joint Public Hearing related to a request from Stadium Road Limited Partnership to vacate Woodrow Street and the petition was granted by City Council, through an ordinance, on November 4, 1996. City Council directed that the Ordinance and plat vacating the street should not be recorded in the land records unless and until two conditions had been fulfilled. These conditions included:

1. The adjoining property owners, excluding the City of Charlottesville, shall provide for storm water connections to Jefferson Park Avenue from the east side of Woodrow Street as part of the Jefferson Park Avenue sidewalk construction.
2. All adjoining property owners, excluding the City, shall enter into a joint access and maintenance

agreement with respect to the vacated area. Such an agreement shall preclude the building of additional units on the vacated area.
To date, these conditions have not been fulfilled and the required plat has not been recorded. The applicant for the VERVE Charlottesville PUD project is requesting City Council amend the approved ordinance to remove the two conditions allowing Woodrow Street to be closed in accordance with the November 4, 1996 action.

Should City Council find the proposed PUD development plan, as proposed, would service the interests of the general public and is good zoning practice, the vacation of Woodrow Street approved in 1996 must be completed. Although condition #1 could be met as it relates to relocating utilities, the manner in which the applicant will achieve this relocation is dependent on current site plan requirements that differ from what is stated in the condition. Regardless of the conditions from the November 4, 1996 ordinance, any site plan related to the PUD submitted for review must account for relocating public infrastructure out of Woodrow Street; and do so in accordance with the City's Utilities Department and the City's Standards and Design Manual ("SAMD"). Condition #2 is more onerous in regard to allowing development within the vacated ROW. This condition would prevent the development from moving forward as the condition states the vacated area would need an overlaying easement to allow access and maintenance; and would prevent "units" (staff takes this to mean residential units) within the vacated area. Under the proposed PUD Development Plan, a majority of residential units and amenities would be located within the Woodrow Street ROW.

**Discussion**
The Planning Commission held an in-person and virtual joint Public Hearing with City Council on October 10, 2023 related to this matter, along with the rezoning and zoning text amendment requests. The Planning Commission also acted on the Comprehensive Plan review related to Virginia Code Section 15.2-2232 and City Code Section 34-28 on this matter. See the City Action memos related to applications ZM23-00004 and ZT23-09-02 for more detailed information on the rezoning requests. The Planning Commission did not go into details as it related to amending the November 4, 1996 Ordinance, but did find doing so would be in substantially in accord with the City's adopted Comprehensive Plan. On November 14, 2023, the Planning Commission reaffirmed this decision with written findings.

Link to the Planning Commission Public Hearing. Discussion starts at the 01:22:00 mark.
Link

Link to the full application and background materials. The Staff Report starts on page 47
Link.

**Alignment with City Council's Vision and Strategic Plan**
If City Council approves the amendment to the November 4, 1996 Ordinance, the corresponding project could contribute to the City Vision Statement of Housing: Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.

**Community Engagement**
As part of the rezoning application, the applicant held a community meeting on June 12, 2023, in the Fellowship Hall of St. Mark Lutheran Church from 6pm to 8pm. See the City Action memos related to

applications ZM23-00004 and ZT23-09-02 for more detailed information.

On October 10, 2023, the Planning Commission held an in-person and virtual joint Public Hearing with City Council on this matter that was well attended by the public. Although no members of the public spoke directly to amending the November 4, 1996 Ordinance, eleven (11) members of the public did speak about the overall development project and expressed the following:

- The scale is too large and will have an adverse impact on existing residents of the neighborhood.
- A large number of mature trees will be removed.
- Density is needed in this area and will create more housing options.
- The height and scale are not compatible with the existing neighborhood.
- The City needs this project to help address the housing shortage.

Any emails received by staff regarding this project have been forwarded to City Council.

**Budgetary Impact**

This has no impact on the General Fund.

**Recommendation**

The Planning Commission voted 6-0 confirming that amending the November 4, 1996 ordinance vacating Woodrow Street ROW to permit the proposed Planned Unit Development (PUD) as described in ZMA application ZM23-00004 and ZTA application ZT23-09-02 **is substantially in accord with the City's Comprehensive Plan or parts thereof, as amended:**

Suggested:
"I move to approve amending the November 4, 1996 ORDINANCE vacating Woodrow Street Right of Way to remove the stated conditions and to zone the vacated portion 'Planned Unit Development' ("PUD") as shown in the VERVE Charlottesville PUD Development Plan dated November 17, 2023."

**Alternatives**

City Council has several alternatives:

(1) by motion, take action to approve the attached Ordinance amending the November 4, 1996 vacation;
(2) by motion, request changes to the attached Ordinance, and then approve;
(3) by motion, take action to deny the amending the November 4, 1996 vacation; or
(4) by motion, defer action on amending the November 4, 1996 vacation.

**Attachments**

1. Resolution of the Charlottesville Planning Commission Communicating its Woodrow Street Vacation Comprehensive Plan Review Findings.
2. November 4, 1996 Ordinance vacating Woodrow Street.
3. Amended Ordinance vacating Woodrow Street.

**RESOLUTION**
**OF THE CHARLOTTESVILLE PLANNING COMMISSION**
**COMMUNICATING ITS WOODROW STREET (CP23-00002) COMPREHENSIVE PLAN REVIEW FINDINGS TO THE CHARLOTTESVILLE CITY COUNCIL IN ACCORDANCE WITH CODE OF VIRGINIA 15.2-2232**

WHEREAS, this Planning Commission held a public hearing on October 10, 2023, to conduct a Code of Virginia 15.2-2232 review of the applicant's request to amended the November 4, 1996 ordinance vacating Woodrow Street Right of Way (ROW) to remove all conditions, which was requested as part of a Zoning Map Amendment (ZMA) and Zoning Text Amendment (ZTA) applications (ZM23-00004 and ZT23-09-02), which were submitted to the Planning Commission for this specific 2232 review on September 26, 2023, proper notice of this 2232 review was published as required by law, including, but not limited to, Code of Virginia 15.2-2204.

NOW THEREFORE,

AND BE IT FURTHER RESOLVED that this Planning Commission confirms that amending the November 4, 1996 ordinance vacating Woodrow Street ROW to permit the proposed Planned Unit Development (PUD) as described in ZMA application ZM23-00004 and ZTA application ZT23-09-02 **is substantially in accord** with the City's Comprehensive Plan or parts thereof, as amended:

1. Amending the November 4, 1996 ordinance vacating Woodrow Street to allow residential units within the vacated area serves the Comprehensive Plan Land Use, Urban Form, and Historic & Cultural Preservation Objectives for Residential Areas by increasing opportunities to develop diverse housing options near schools, parks, shopping districts, and employment centers. Amending the 1996 ordinance will open up a portion of the Subject Property for development that is currently prohibited. This development would contribute to Chapter 5 (Housing), Goal 2 (Diverse Housing Throughout the City) of the City's Comprehensive Plan.

NOW, THEREFORE,

Upon adoption of this Resolution, the Planning Commission's findings with written reasons therefore on November 14, 2023, in accordance with Code of Virginia 15.2-2232(B), are hereby communicated to the Charlottesville City Council on November 14, 2023. The Secretary of this Planning Commission shall transmit this Resolution to the Charlottesville City Council.

Adopted by this Planning Commission, this 14th day of November 2023.

Attest: _____
Secretary, Charlottesville Planning Commission

**AN ORDINANCE**
**CLOSING, VACATING AND DISCONTINUING**
**WOODROW STREET**

**WHEREAS**, proper notice was duly posted and advertised that Stadium Road Limited Partnership would request the City Planning Commission to initiate street closing procedures to close Woodrow Street, 30 feet in width, between Stadium Road and Jefferson Park Avenue, shown on City Real Estate Tax Map 16, running a distance of approximately 478 feet;

**WHEREAS**, owners along the street proposed to be vacated have been duly notified;

**WHEREAS**, a joint public hearing by the Planning Commission and City Council was held on September 10, 1996, and comments from the City staff, the Planning Commission and the public were made and heard; and

**WHEREAS**, the Planning Commission recommended closure of said portion of Woodrow Street with certain conditions; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Woodrow Street, described as follows, is hereby closed, vacated and discontinued as a public thoroughfare of the City of Charlottesville, Virginia, said street not being needed for public use and travel:

> All of the Woodrow Street right-of-way, approximately 30 feet in width, from its intersection with Stadium Road to its intersection with Jefferson Park Avenue, running a distance of approximately 478 feet, as shown on the attached sketch.

**PROVIDED,** that the City of Charlottesville hereby reserves unto itself a perpetual easement ten feet in width on either side of the center line of any water, gas, sanitary or storm sewer mains presently located in the area being vacated, including the perpetual right of ingress and egress over the vacated area for the purpose of installing, maintaining, repairing or replacing such utility lines or mains; and

**PROVIDED FURTHER,** that the following conditions are fulfilled:

(1) The adjoining property owners, excluding the City of Charlottesville, shall provide for storm water connections to Jefferson Park Avenue from the east side of Woodrow Street as part of the Jefferson Park Avenue sidewalk construction.

(2) All adjoining property owners, excluding the City, shall enter into a joint access and maintenance agreement with respect to the vacated area. Such agreement shall preclude the building of additional units on the vacated area.

**BE IT FURTHER ORDAINED** that the Clerk of the Council shall send a copy of this ordinance with plat attached to the Clerk of the Circuit Court for recordation in the current street closing book at such time that the City Attorney advises that the conditions have been fulfilled.

Approved by Council
November 4, 1996

Joanne Cox
CLERK OF CITY COUNCIL

**Amended Ordinance**

**AN ORDINANCE**
**CLOSING, VACATING AND DISCONTINUING WOODROW STREET**

**WHEREAS,** proper notice was duly posted and advertised that Stadium Road Limited Partnership would request the City Planning Commission to initiate street closing procedures to close Woodrow Street, 30 feet in width, between Stadium Road and Jefferson Park Avenue, shown on City Real Estate Tax Map 16, running a distance of approximately 478 feet;

**WHEREAS,** owners along the street proposed to be vacated have been duly notified;

**WHEREAS,** a joint public hearing by the Planning Commission and City Council was held on September 10, 1996, and comments from the City staff, the Planning Commission and the public were made and heard~~;~~ and an additional joint public hearing by the Planning Commission and City Council to amend this ordinance was held October 10, 2023;

**WHEREAS,** the Planning Commission recommended closure of said portion of Woodrow Street with certain conditions; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that Woodrow Street, described as follows, is hereby closed, vacated and discontinued as a public thoroughfare of the City of Charlottesville, Virginia, said street not being needed for public use and travel:

> All of the Woodrow Street right-of-way, approximately 30 feet in width, from its intersection with Stadium Road to its intersection with Jefferson Park Avenue, running a distance of approximately 478 feet.~~, as shown on the attached sketch.~~; and

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the vacated portion of Woodrow Street shall be zoned Planned Unit Development ("PUD") as shown in the VERVE Charlottesville PUD Development Plan dated November 17, 2023.

~~**PROVIDED,** that the City of Charlottesville hereby reserves unto itself a perpetual easement ten feet in width on either side of the center line of any water, gas, sanitary or storm sewer mains presently located in the area being vacated, including the perpetual right of ingress and egress over the vacated area for the purpose of installing, maintaining, repairing or replacing such utility lines or mains; and~~

~~**PROVIDED FURTHER,** that the following conditions are fulfilled:~~

~~(1) The adjoining property owners, excluding the City of Charlottesville, shall provide for storm water connections to Jefferson Park Avenue from the east side of Woodrow Street as part of the Jefferson Park Avenue sidewalk construction.~~
~~(2) All adjoining property owners, excluding the City, shall enter into a joint access and maintenance agreement with respect to the vacated area. Such agreement shall preclude the building of additional units on the vacated area.~~

**BE** IT **FURTHER ORDAINED** that the Clerk of the Council shall send a copy of this

ordinance with plat attached to the Clerk of the Circuit Court for recordation in the current street closing book ~~at such time that the City Attorney advises that the conditions have been fulfilled.~~ as such time a new subdivision plat is reviewed and approved by the City.

Approved by Council
November 4, 1996 and Amended December 18, 2023

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Amending the May 2, 2011 Ordinance for the sale of 409 Stadium Road |
| Presenter: | Matthew Alfele, City Planner, James Freas, Director of NDS |
| Staff Contacts: | Matthew Alfele, City Planner |
| **Title:** | **Ordinance to amend the May 2, 2011 ordinance for the sale of 409 Stadium Road - VERVE Charlottesville PUD** |

## Background

Subtext Acquisitions, LLC ("Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a Zoning Map Amendment and Zoning Text Amendment pursuant to Sections 34-41 and 34-490 – 519 of the Code of the City of Charlottesville ("Code") (**See Applications ZM23-00004 and ZT23-09-02)**. As part of the Planned Unit Development ("PUD") being proposed, the applicant is requesting an amendment to the May 2, 2011, Ordinance authorizing the sale of 409 Stadium Road (City owned at the time) to Woodrow Too, LLC. The sale of 409 Stadium Road was intertwined with the Individually Protected Property (IPP) designation of 104 Stadium Road and transpired on May 2, 2011. Conditions related to the sale of 409 Stadium Road were codified in an ordinance with the following conditions:

1. The Property shall be landscaped and maintained as a green space area;
2. The Purchaser shall consent to the adjoining property (Tax Map Parcel 160002000) being designated as an Individually Protected Property (IPP) under City Code Section 34-274; and
3. There shall be no further development or permanent structures placed upon the property, including parking facilities.

The proposed PUD Development Plan calls for utilizing the areas within 409 Stadium Road and is requesting the May 2, 2011 Ordinance be amended to remove the three conditions.

## Discussion

The Planning Commission held an in-person and virtual joint Public Hearing with City Council on October 10, 2023 related to this matter, along with the rezoning and zoning text amendment requests. See the City Action memos related to applications **ZM23-00004 and ZT23-09-02** for more detailed information on the rezoning requests.

Link to the Planning Commission Public Hearing. Discussion starts at the 01:22:00 mark.
Link

Link to the full application and background materials. The Staff Report starts on page 47.
Link

## Alignment with City Council's Vision and Strategic Plan

If City Council approves the amendment to the May 2, 2011 Ordinance, the corresponding project could contribute to the City Vision Statement of Housing: Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.

## Community Engagement

As part of the rezoning application, the applicant held a community meeting on June 12, 2023, in the Fellowship Hall of St. Mark Lutheran Church from 6pm to 8pm. See the City Action memos related to applications ZM23-00004 and ZT23-09-02 for more detailed information.

On October 10, 2023, the Planning Commission held an in-person and virtual joint Public Hearing with City Council on this matter that was well attended by the public. Although no members of the public spoke directly to amending the May 2, 2011 Ordinance, eleven (11) members of the public did speak about the overall development project and expressed the following:

- The scale is too large and will have an adverse impact on existing residents of the neighborhood.
- A large number of mature trees will be removed.
- Density is needed in this area and will create more housing options.
- The height and scale are not compatible with the existing neighborhood.
- The City needs this project to help address the housing shortage.

Any emails received by staff regarding this project have been forwarded to the Planning Commission and City Council.

## Budgetary Impact

This has no impact on the General Fund.

## Recommendation

The Planning Commission voted 5-1 to recommend the rezoning application be approved. Amending the May 2, 2011 Ordinance to remove the three conditions is a required action needed to implement the PUD Development Plan as presented.

Suggested:
“I move to approve amending the May 2, 2011 ORDINANCE authorizing the sale of certain City-owned property located at 409 Stadium Road to remove the three stated conditions.”

## Alternatives

City Council has several alternatives:

(1) by motion, take action to approve the attached Ordinance amending the May 2, 2011 sale of 409 Stadium Road;
(2) by motion, request changes to the attached Ordinance, and then approve;
(3) by motion, take action to deny the amending the May 2, 2011 sale of 409 Stadium Road; or
(4) by motion, defer action on amending the May 2, 2011 sale of 409 Stadium Road.

**Attachments**

1. Original Ordinance for the sale of 409 Stadium Road dated May 2, 2011.
2. Deed of Sale for 409 Stadium Road
3. Amended Ordinance for the sale of 409 Stadium Road

**AN ORDINANCE**
**AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY LOCATED AT 409 STADIUM ROAD.**

**WHEREAS**, the City of Charlottesville issued a Request for Proposals (RFP) for development of a City-owned lot at 409 Stadium Road, identified as Parcel 1 on City Real Estate Tax Map 16, hereinafter the "Property"; and

**WHEREAS**, in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held on December 20, 2010, and an additional public hearing was held on February 7, 2011, to give the public an opportunity to comment on the proposed conveyance of the Property; and

**WHEREAS**, after the public hearing on December 20, 2010, Richard Jones and Douglas Caton, on behalf of Woodrow Too, LLC, submitted a response offering to pay $250,000 for the Property, and agreeing to leave the subject Property a landscaped area; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the City Manager is hereby authorized to execute a sales/purchase agreement, in form approved by the City Attorney, to convey the above-described Property to Woodrow Too, LLC for the purchase price of $250,000 with restrictions on the development of the subject Property as follows:

(1) The Property shall be landscaped and maintained as a green space area;
(2) The Purchaser shall consent to the adjoining property (Tax Map Parcel 16-2) being designated as an Individually Protected Property (IPP) under City Code Sec. 34-274; and
(3) There shall be no further development or permanent structures placed upon the Property, including parking facilities.

**BE IT FURTHER ORDAINED** that the Mayor is hereby authorized to execute a deed of conveyance, in form approved by the City Attorney, for the above-described transaction.

Approved by Council
May 2, 2011

Clerk of Council

Link 1

2011 3378

*Prepared by Charlottesville City Attorney's Office*
*Tax Map Parcel 160001000 (409 Stadium Road)*

**This deed is exempt from recordation taxes imposed by Va. Code Sec. 58.1-802 pursuant to Va. Code Sec. 58.1-811(C)(4)**

**THIS DEED** made this 20th day of September, 2011, by and between the **CITY OF CHARLOTTESVILLE, VIRGINIA**, a municipal corporation and political subdivision of the Commonwealth of Virginia, GRANTOR, and **WOODROW TOO, LLC**, a Virginia limited liability company, GRANTEE, whose address is P.O. Box 5306, Charlottesville, Virginia 22905.

**WITNESSETH:**

**THAT** for and in consideration of the sum of TWO HUNDRED AND FIFTY THOUSAND DOLLARS ($250,000.00), the receipt and sufficiency of which are hereby acknowledged, GRANTOR does hereby GRANT, BARGAIN, SELL and CONVEY with SPECIAL WARRANTY OF TITLE unto the GRANTEE the property described herein on Exhibit A, attached hereto and made a part hereof ("Property").

As a condition of the sale of the Property, the following restrictive covenants, which shall run with the land and shall not be subsequently modified or released without the written consent of the GRANTOR, are hereby placed on the Property:

> There shall be no further development or structures placed upon the Property, meaning anything constructed or erected, the use of which requires permanent location on the ground, or attachment to something having a permanent location on the ground, including parking facilities, and the Property shall be left and maintained as treed green space.

GRANTOR makes no guarantee, representation or warranty regarding the condition of the Property herein conveyed and expressly disclaims any and all obligation and liability to GRANTEE regarding any physical or environmental defects which may exist with respect to the property, including warranties, whether express or implied, concerning the absence of any "hazardous substances" (as defined by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42. U.S.C. Section 9601 *et seq.*, as amended).

This conveyance is made expressly subject to all easements, conditions, restrictions, reservations, and other matters contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the property herein conveyed, which have not expired by a time limitation therein contained or otherwise become ineffective.

By ordinance adopted May 2, 2011, the Mayor of the City of Charlottesville was authorized to sign this deed on behalf of the City of Charlottesville.

WITNESS the following signatures and seals.

[This space intentionally left blank]

GRANTOR: **CITY OF CHARLOTTESVILLE, VIRGINIA**

By: _____
Dave Norris, Mayor

COMMONWEALTH OF VIRGINIA
CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me, a Notary Public in and for the aforesaid City and Commonwealth, by Dave Norris, Mayor of the City of Charlottesville, Virginia, on this 20th day of September, 2011.

_____
Notary Public
Registration #: 7338648

My Commission Expires:

CAROLYN PAIGE BARFIELD
Notary Public
Commonwealth of Virginia
Reg. #7338648
My Commission Exps. Oct. 31, 2...

[This space intentionally left blank]

CAROLYN PAIGE BARFIELD
Notary Public
Commonwealth of Virginia
Reg. #7338648
My Commission Exps. Oct. 31, 2015

GRANTEE: **WOODROW TOO, LLC**

By: _____
Douglas E. Caton, Manager

By: _____
Richard H. Jones, Manager

COMMONWEALTH OF VIRGINIA
City/~~County~~ of Charlottesville, to-wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the aforesaid City and Commonwealth, by Douglas E. Caton, Manager, on behalf of Woodrow Too, LLC, on this 16th day of September, 2011.

Nancy E. Gibson
Notary Public
Registration #: 305098

NANCY E. GIBSON
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #305098
My Commission Expires May 31, 2013

COMMONWEALTH OF VIRGINIA
City/~~County~~ of Charlottesville, to-wit:

The foregoing instrument was acknowledged before me, a Notary Public in and for the aforesaid City and Commonwealth, by Richard H. Jones, Manager, on behalf of Woodrow Too, LLC, on this 16th day of September, 2011.

Nancy E. Gibson
Notary Public
Registration #: 305098

NANCY E. GIBSON
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #305098
My Commission Expires May 31, 2013

**EXHIBIT A**
**Property Description**

All that certain parcel of land situated in the City of Charlottesville, Virginia, known as 409 Stadium Road, and designated as Lot No. Thirty-Six (36) on the map of the subdivision of Montebello, of record in the Clerk's Office of the Circuit Court of Albemarle County in Deed Book 159, page 293; being the same property in all respects conveyed to the City of Charlottesville, Virginia by deed from Lewis Littlepage Holladay and Elizabeth D. Holladay, dated July 2, 1931, of record in the Charlottesville Circuit Court Clerk's Office in Deed Book 74, page 9.

| | | |
|---|---|---|
| STATE TAX | $ | (059) |
| CITY TAX | $ | (214) |
| TRANS | $ 1.00 | (212) |
| TECH. FEE | $ 5.00 | (108) |
| CLERK'S FEE | $ 15.00 | (301) |
| VSLF | $ 1.00 | (145) |
| STATE FEE | $ | (035) |
| §58.1-801 | | |
| STATE TAX | $ | (038) |
| LOCAL TAX | $ | (220) |
| LOCAL TAX | $ | (223) |
| TOTAL $ | 22.00 | |

Admitted to Record in the Clerk's Office of the Circuit Court of the City of Charlottesville, Virginia, on the 22nd day of SEPT, 2011 at 2:17 o'clock P.M., and recorded in Deed Book No. 1 Page

The taxes imposed by §§58.1-803 and 58.1-802 of the Virginia Code have been paid.

Paul C. Garrett Clerk

**Amended Ordinance**

**AN ORDINANCE**
**AUTHORIZING THE SALE OF CERTAIN CITY-OWNED PROPERTY LOCATED AT 409 STADIUM ROAD.**

**WHEREAS,** the City of Charlottesville issued a Request for Proposals (RFP) for development of a City-owned lot at 409 Stadium Road, identified as Parcel 1 on City Real Estate Tax Map 16, hereinafter the "Property"; and

**WHEREAS,** in accordance with Virginia Code Sec. 15.2-1800(B), a public hearing was held on December 20,2010, and an additional public hearing was held on February 7, 2011, to give the public an opportunity to comment on the proposed conveyance of the Property; and an additional joint public hearing by the Planning Commission and City Council to amend this ordinance was held October 10, 2023;

**WHEREAS,** after the public hearing on December 20, 2010, Richard Jones and Douglas Caton, on behalf Woodrow Too, LLC, submitted a response offering to pay $250,000 for the Property~~, and agreeing to leave the subject Property a landscaped area~~; now, therefore,

**BE IT ORDAINED** by the Council of the City of Charlottesville, Virginia that the City Manager is hereby authorized to execute a sales/purchase agreement, in form approved by the City Attorney, to convey the above-described Property to Woodrow Too, LLC for the purchase price of $250,000. ~~with restrictions on the development of the subject Property as follows:~~

~~(1) The Property shall be landscaped and maintained as a green space area;~~
~~(2) The Purchaser shall consent to the adjoining property (Tax Map Parcel 16-2) being designated as an Individually Protected Property (IPP) under City Code Sec. 34-274; and~~
~~(3) There shall be no further development or permanent structures placed upon the Property, including parking facilities.~~

**BE IT FURTHER ORDAINED** that the Mayor is hereby authorized to execute a deed of conveyance, in form approved by the City Attorney, for the above-described transaction.

Approved by Council
May 2, 2011 and Amended December 18, 2023

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Consideration of an application for a Critical Slope Waiver |
| Presenter: | Matthew Alfele, City Planner, James Freas, Director of NDS |
| Staff Contacts: | Matthew Alfele, City Planner |
| **Title:** | **Resolution to grant a Critical Slope Waiver for a residential development referred to as "VERVE Charlottesville PUD"** |

## Background

Subtext Acquisitions, LLC ("Contract Purchaser and Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a waiver from Section 34-112(b) of the City's Critical Slope Ordinance as part of a plan to redevelop 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, and 100 Stadium Road ("Subject Property"). The applicant is proposing to redevelop the Subject Property and replace the existing (62) residential units (spread between nine different buildings) with one building containing between (524) to (550) residential units. The proposed building will have a height range of (75) feet to (135) feet and stories that range from (5) to (12). In addition, the proposed PUD includes improved pedestrian and bicycle circulation along Stadium Road, Emmet Street, and Jefferson Park Avenue and road improvements to Montebello Circle. The majority of the Critical Slopes on the Subject Property run along the southern boundary of the property that fronts Montebello Circle. The proposed development's impact on Critical Slopes will include built structures (footprint of the building and structured parking), pedestrian circulation, and grading. In conjunction with a Critical Slope Waiver, the applicant is also pursuing a series of City Council approvals to permit the proposed development. These include rezoning application **(ZM23-00004)**, zoning text amendment **(ZT23-09-02)**, Woodrow Street closure comprehensive compliance **(CP23-00002)**, sidewalk waiver **(P23-0058)**, and an amendment to an ordinance authorizing the sale of City owned property 409 Stadium Road (from May 2, 2011).

## Discussion

The Planning Commission held an in-person and virtual meeting on October 10, 2023 related to this matter, along with a joint Public Hearing related to the rezoning, zoning text amendment, and amendments to adopted ordinances. See the City Action memos related to applications ZM23-00004 and ZT23-09-02 for more detailed information on the rezoning requests. The Planning Commission did not deliberate on the requested Critical Slope Waiver directly, but it was incorporated into their larger discussion of the project in general.

Link to the Planning Commission Public Hearing. Discussion starts at the 01:22:00 mark.
Link

Link to the full application and background materials. The Staff Report starts on page 47.
Link

**Alignment with City Council's Vision and Strategic Plan**
If City Council approves the Critical Slope Waiver Application, the project could contribute to the City Vision Statement of Housing: Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.

**Community Engagement**
Under the City's Zoning Code, a Critical Slope Waiver Application does not require a Public Hearing or community engagement meeting, but public engagement for this project has been achieved through other methods such as the rezoning application. See the City Action memos related to applications **ZM23-00004 and ZT23-09-02** for more detailed information.

**Budgetary Impact**
This has no impact on the General Fund.

**Recommendation**
The Planning Commission voted 6-0 to recommend the application be approved.

Suggested:
"Suggested motion: "I move to approve the RESOLUTION granting a Critical Slope Waiver for Property located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road, City Tax Map Parcels 160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 with conditions."

**Alternatives**
City Council has several alternatives:

(1) by motion, take action to approve the attached resolution granting the Critical Slope Waiver as recommended by the Planning Commission;
(2) by motion, request changes to the attached resolution, and then approve the Critical Slope Waiver;
(3) by motion, take action to deny the Critical Slope Waiver; or
(4) by motion, defer action on the Critical Slope Waiver.

**Attachments**
1. VERVE Charlottesville PUD Critical Slope Waiver Resolution

**RESOLUTION**
**GRANTING A CRITICAL SLOPE WAIVER FOR A RESIDENTIAL DEVELOPMENT REFERRED TO AS "VERVE CHARLOTTESVILLE PUD"**

**WHEREAS** Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC ("Landowner") is the owner of certain land identified within the City of Charlottesville Real Estate Assessor's records as Real Estate Parcel Identification Nos. Parcel Number: 160008000, 160005000, 160004000, 160003000, 160002000, 160001000, said parcels having current street addresses of 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, and 100 Stadium Road (collectively, the "Subject Property"); and

**WHEREAS** the Subject Property contains critical slopes, over and within an area of approximately 0.47 acre, which is approximately 14% of the combined area of the various parcels that constitute the Subject Property, and Landowner is requesting a waiver of the critical slopes requirements of City Code Sec. 34-1120(b)(6)(b), in connection with the Owner's plan to construct a residential development on the Subject Property (the "Project"); and

**WHEREAS** the Project is described in more specific detail within the application materials submitted in connection with waiver application no. P23-0055, as required by City Code Sec. 34-1120(b)(6) (collectively, the "Application Materials"); and

**WHEREAS** the Planning Commission considered and recommended approval of this application at their October 10, 2023 meeting, subject to conditions proposed within the Staff Report and modified as discussed in the meeting; now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia, that a waiver is hereby granted of the critical slopes requirements for the Project, to allow for the residential development as described within the Application Materials, subject to the following conditions:

1. The applicant shall work with the City's Urban Forester to identify, remove, and mitigate invasive plant materials within the Critical Slopes.
2. The applicant will work with a local arborist to study and document trees within the Critical Slope area to determine if any can be preserved.
    a. These documents shall be provided to the City's Urban Forester and the Neighborhood Development Services' Planner.
    b. Should the study identify any tree(s) for preservation, the applicant shall work with the City's Urban Forester during site plan review to create a tree protection/preservation plan. The applicant shall perform all protection/preservation measures as identified in this plan. The tree preservation/protection plan will include a monitoring program to ensure compliance throughout the construction period. The plan shall also include provisions, such as easements, deed restrictions, or other legally binding measures to ensure preservation of the trees in perpetuity.
3. Any tree with a six inch or greater caliper that is removed from the Critical Slope area shall be replaced at a 3:1 ratio. The replacement tree(s) shall:

a. Have a two inch or greater caliper at planting.
b. Be in the general area from where the original tree was removed. Allowances for alternative locations may be granted by the Site Plan Agent if:
    i. The planting location will interfere with fire safety as identified by the Assistant Fire Marshal; or
    ii. The planting location will restrict establishment of a healthy mature tree canopy as determined by the City's Urban Forester.

The applicant will provide a document, within the final site plan, illustrating how the requirements of condition #3 are fulfilled.

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Consideration of a Sidewalk Waiver |
| Presenter: | Matthew Alfele, City Planner, James Freas, Director of NDS |
| Staff Contacts: | Matthew Alfele, City Planner |
| **Title:** | **Resolution to grant a Sidewalk Waiver for a residential development referred to as "VERVE Charlottesville PUD"** |

## Background

Previously, it was the practice for the Planning Commission to approve sidewalk waiver requests, as referenced within Section 29-182(j) of the subdivision ordinance; however, in 2013 the Virginia Supreme Court decided that only City Council may grant this type of waiver. This is one of many updates that are necessary to the City's various development ordinances. The current practice for sidewalk waiver requests presented by developers pursuant to Section 29-182 is for the approval of the requested waivers to be presented to City Council for review and decision.

Subtext Acquisitions, LLC ("Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a rezoning to PUD per application ZM23-00004 for properties located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road ("Subject Property"). The applicant is moving to rezone the Subject Property from Multifamily Residential ("R-3") to Planned Unit Development ("PUD") with a Development Plan and a proffer statement. The application and development plan includes a commitment to affordable housing at two times the requirements of code Section 34-12; parking; a use matrix including a maximum dwelling units per acre ("DUA"); yard and height regulations; open space; and landscaping. The applicant is proposing to redevelop the Subject Property and replace the existing (62) residential units (spread between nine different buildings) with one building containing between (524) to (550) residential units. The proposed building will have a height range of (75) feet to (135) feet and stories that range from (5) to (12). In addition, the proposed PUD includes improved pedestrian and bicycle circulation along Stadium Road, Emmet Street, and Jefferson Park Avenue and road improvements to Montebello Circle. In addition to the rezoning, the applicant is requesting a waiver for a portion of requirements set out in Section 29-182(j)(3) of the City Code that calls for construction of a sidewalk to approved City standards when land being developed fronts on an existing street, and adjacent property on either side has an existing sidewalk. The applicant is proposing to provide a sidewalk on all four (4) frontages of the proposed development but is requesting a waiver for approximately three hundred (300) feet along Montebello Circle.

## Discussion

Per Section 29-182(j)(5), the authority granting the waiver shall consider not only the factors set forth within Section 29-182(j)(4) but also Section 29-36. The applicant's analysis of these factors are included in the Application Materials, **Attachment 1.**

Staff Analysis
Public Works Engineering and the City's Fire Department have provided the following analysis:

The existing conditions for Montebello Circle include one-way vehicular travel entering from Stadium Road, a small variable width sidewalk on a portion of the north side of Montebello Circle starting approximately 400 feet from the intersection of Stadium Road, and on street parking (south side from Stadium Road for about 400 feet). As part of the PUD development, the applicant will be providing an 8 foot sidewalk from Stadium Road for approximately 100 feet with pedestrian access to the development. In addition, the applicant will be improving Montebello Circle to bring it up to the City's Fire Department standards. This includes widening the paved portion of Montebello Circle that fronts the development to a minimum of twenty (20) feet and relocating overhead utility lines.

As previously noted, per Section 29-182(j)(5), the authority granting the waiver shall consider the factors set forth within Section 29-36, which state that due to the unusual size, topography, shape of the property, location of the property or other unusual conditions (excluding the proprietary interests of the subdivider) the requirement that is proposed to be varied or excepted would result in substantial injustice or hardship and would not forward the purposes of this chapter or serve the public interest. Public Works Engineering has confirmed that although there are steep slopes along Montebello Circle that would make building a sidewalk more difficult, these conditions are not insurmountable. It would require impacts to Critical Slopes and substantial retention and fill.

Per Section 29-182(j)(5), the authority shall also consider the following factors:

Whether a surface other than concrete is more appropriate for the subdivision because of the character of the proposed subdivision and the surrounding neighborhood. Alternative surfaces are not under consideration in this application.

Whether sidewalks on only one (1) side of the street may be appropriate due to environmental constraints such as streams, stream buffers, critical slopes, floodplain, tree cover, or wetlands, or because lots are provided on only one (1) side of the street. There are Critical Slopes abutting Montebello Circle on the Subject Property side, but the applicant is also requesting a Critical Slope Waiver (P23-0055) as part of the development project. Staff does find that due to the low volume of vehicular traffic on Montebello Circle and the presence of a sidewalk on the opposite side of the Subject Property waving the sidewalk requirement, as presented, would not impact pedestrian activities in the area. Staff finds that even if a sidewalk was built along the full frontage of the Subject Property, it would not connect to the exiting sidewalk system on Montebello Circle due to a gap in the sidewalk and a retaining wall on the adjacent property to the south (1707 JPA).

Whether the sidewalks reasonably can connect into an existing or future pedestrian system in the area. The applicant plans on providing a robust sidewalk system for around 90% of the Subject Property that will connect to the existing sidewalk system along Jefferson Park Avenue. These improvements provided by the applicant include an 8 foot sidewalk, a 6 foot raised bike lane, a planted buffering between the sidewalk/bike lane and the street, and bicycle parking for the frontages along Stadium Road, Emmet Street, and Jefferson Park Avenue. The portion of sidewalk being

proposed off Montebello Circle includes a sidewalk that is 8 feet wide for approximately 100 feet that will provide direct access to the development.

Whether the length of the street is so short, and the density of the development is so low that it is unlikely that the sidewalk would be used to an extent that it would provide a public benefit. The majority of pedestrian traffic around the development will be on Stadium Road, Emmet Street, and Jefferson Park Avenue. Although there will be some pedestrian traffic along Montebello Circle (from people cutting over to Grounds from Jefferson Park Avenue), the existing sidewalk system and low traffic generated by vehicles do not warrant a sidewalk running the full length of the Subject Property.

Whether an alternate pedestrian system including an alternative pavement could provide more appropriate access throughout the subdivision and to adjoining lands, based on a proposed alternative profile submitted by the subdivider. No proposed alternative is under consideration.

Whether the sidewalks would be publicly or privately maintained. Nothing in the application materials indicates any sidewalk provided as part of the development would not be public and maintained by the City.

Whether the waiver promotes the goals of the comprehensive plan, including the applicable neighborhood plan; and (viii) whether waiving the requirement would enable a different principle of the neighborhood plan to be more fully achieved. Staff finds that the project as a whole would contribute to some goals within the City's Comprehensive Plan, such as providing increased residential density at an ideal location within the City, supporting a wide range of rental and homeownership housing choices that promote walkability, bikeability, ADA accessibility, public transit use, and creating a connected network of safe, convenient, and pleasant accommodations for pedestrians, bicyclists, and transit riders by providing upgraded pedestrian connectivity around the majority of the Subject Property.

**Alignment with City Council's Vision and Strategic Plan**

Public Sidewalks contribute to the City's Vision Statement of Transportation:
Charlottesville provides a regional transportation system that increases mobility options and is reliable and affordable for all.

**Community Engagement**

Under the City's Zoning Code, a Sidewalk Waiver Application does not require a Public Hearing or community engagement meeting, but public engagement for this project has been achieved through other methods such as the rezoning application. See the City Action memos related to applications **ZM23-00004 and ZT23-09-02** for more detailed information.

**Budgetary Impact**

If City Council grants a sidewalk waiver to the applicant in connection with the proposed development, then if the City later wishes to establish a sidewalk adjacent to the development along Montebello Circle, the City will be required to pay for and complete that construction in accordance with its approved CIP. If City Council does not grant this waiver, and a new sidewalk is established, then the City's long-term maintenance costs will be slightly higher than if no sidewalk is constructed.

**Recommendation**

Although Public Works Engineering has confirmed there are no hardships per Section 29-36 preventing the installation of a new sidewalk for the location in question, staff finds other factors could warrant waving the construction of a sidewalk in this location and recommends approval.

**Alternatives**

City Council has several alternatives:

(1) by motion, take action to deny the sidewalk waiver;

(2) by motion, take action to approve the attached Resolution granting the requested sidewalk waiver;

(3) by motion, defer action on the sidewalk waiver.

**Attachments**

1. VERVE Charlottesville PUD Sidewalk Waiver Application
2. VERVE Charlottesville PUD Sidewalk Resolution

# Application for a Sidewalk Waiver

Department of Neighborhood Development Services
P. O. Box 911, City Hall
Charlottesville, VA 22902
Telephone: (434) 970-3182

**Tax Map and Parcel Number(s)** 160001000, 160002000, 160003000, 160004000, 160005000, 160008000

**Address(es)** 100, 102, 104, 106-114, and 409 Stadium Road and 1705 Jefferson Park Avenue, Charlottesville, VA

**Note:** This application is only for a "waiver" to the City's sidewalks, curbs and gutters regulations. Applicants wishing to contribute funds to a sidewalk improvement fund in an amount equivalent to the cost of dedication of land for and construction of the required sidewalk, curb and gutter must use the Funds In Lieu of Sidewalk Application.

## Applicant Contact Information

Name Dylan Lambur
Company Subtext Acquisitions, LLC
Phone 314-721-5559
Email dlambur@subtextliving.com

## Owner Contact Information

Name Woodrow Apartments, LLC; Woodrow Too, LLC; 1705 JPA, LLC
Address PO Box 5306, Charlottesville, VA 22905
Phone 434-293-6069 ext. 405
Email tsteigman@msc-rents.com

**Owner's Signature:**

Tom Steigman, Manager Member — 8-7-2023

Owner — Date

## Required application materials and fee:

- All required materials. Contact City Planner for more information.
- Correct application fee. Checks payable to "City of Charlottesville".

**Note: Incomplete applications will not be processed.**

| | |
|---|---|
| Date Received: | Received by: |
| Fee: | Cash/Check # |

Revision Date: May 19, 2022

# Sidewalk Waiver

The Project is requesting a Sidewalk Waiver for a portion of the south frontage along Montebello Circle. The Project includes construction of a new sidewalk on the north side of Montebello Circle, from Stadium Road to approximately where the existing sidewalk on the south side of Montebello Circle begins as depicted on **Exhibit A**. The waiver is being requested for the remaining frontage due to the narrow condition of Montebello Circle at approximately 18' which is already being served by an existing sidewalk.

## Variations; exceptions (Zoning Ordinance Sec. 29-36)

***(a)*** *Whenever this chapter contains provisions for variation or exception to a requirement, the agent or commission in considering the request for a variation or exception, shall consider whether, because of unusual size, topography, shape of the property, location of the property or other unusual conditions (excluding the proprietary interests of the subdivider) the requirement that is proposed to the varied or excepted would result in substantial injustice or hardship and would not forward the purposes of this chapter or serve the public interest.*

***(1)*** *In approving any such request, the agent or commission shall find that adherence to the requirements would result in substantial injustice or hardship, and that granting the waiver would not be detrimental to the public health, safety or welfare or to the orderly development of the area.*

Constructing a sidewalk along the entirety of the Project's south frontage is not feasible due to environmental constraints.

***(2)*** *Prior to varying or granting an exception to a provision of this chapter, the agent or commission shall obtain a written opinion of the city's fire code official as to whether the requested waiver can be accommodated within the applicable requirements of the Virginia Statewide Fire Prevention Code (VSFPC).*

The Project is subject to review by the Fire Department.

***(3)*** *Prior to varying or granting an exception to a provision of this chapter involving utilities, the agent or commission shall obtain a written opinion of the city's director of public works as to whether the requested waiver can be accommodated within applicable regulations, specifications and ordinances governing utilities.*

The requested waiver does not involve utilities.

## Standards for Streets and Alleys (Zoning Ordinance Sec. 29-182)

***(i)*** *Whether a surface other than concrete is more appropriate for the subdivision because of the character of the proposed subdivision and the surrounding neighborhood;*

The type of surface is not applicable to the requested waiver. The sidewalks that are proposed by the Project will meet all current regulations and guidelines and be compatible with the surrounding area.

***(ii)*** *Whether sidewalks on only one (1) side of the street may be appropriate due to environmental constraints such as streams, stream buffers, critical slopes, floodplain, tree cover, or wetlands, or because lots are provided on only one (1) side of the street;*

Currently, there is only a sidewalk on one (1) side of Montebello Circle due to a significant slope. The existing sidewalk does not connect to Stadium Road. The Project proposes a sidewalk from Stadium Road and along the portion of Montebello Circle that is not impacted by the slope.

***(iii)*** *Whether the sidewalks reasonably can connect into an existing or future pedestrian system in the area;*

The requested waiver is in response to environmental constraints that limit existing and would limit future pedestrian systems at this location.

***(iv)*** *Whether the length of the street is so short and the density of the development is so low that it is unlikely that the sidewalk would be used to an extent that it would provide a public benefit;*

The Property includes frontage on Montebello Circle; however, the Project will not have pedestrian frontage on Montebello Circle due to the existing slope. The sidewalk proposed for a portion of Montebello Circle would benefit existing pedestrian traffic.

***(v)*** *Whether an alternate pedestrian system including an alternative pavement could provide more appropriate access throughout the subdivision and to adjoining lands, based on a proposed alternative profile submitted by the subdivider;*

The requested waiver is in response to environmental constraints limiting sidewalks and therefore alternate pedestrian systems were not considered.

***(vi)*** *Whether the sidewalks would be publicly or privately maintained;*

This standard is not applicable as the requested waiver would waive the requirement for a sidewalk along a portion of the south frontage.

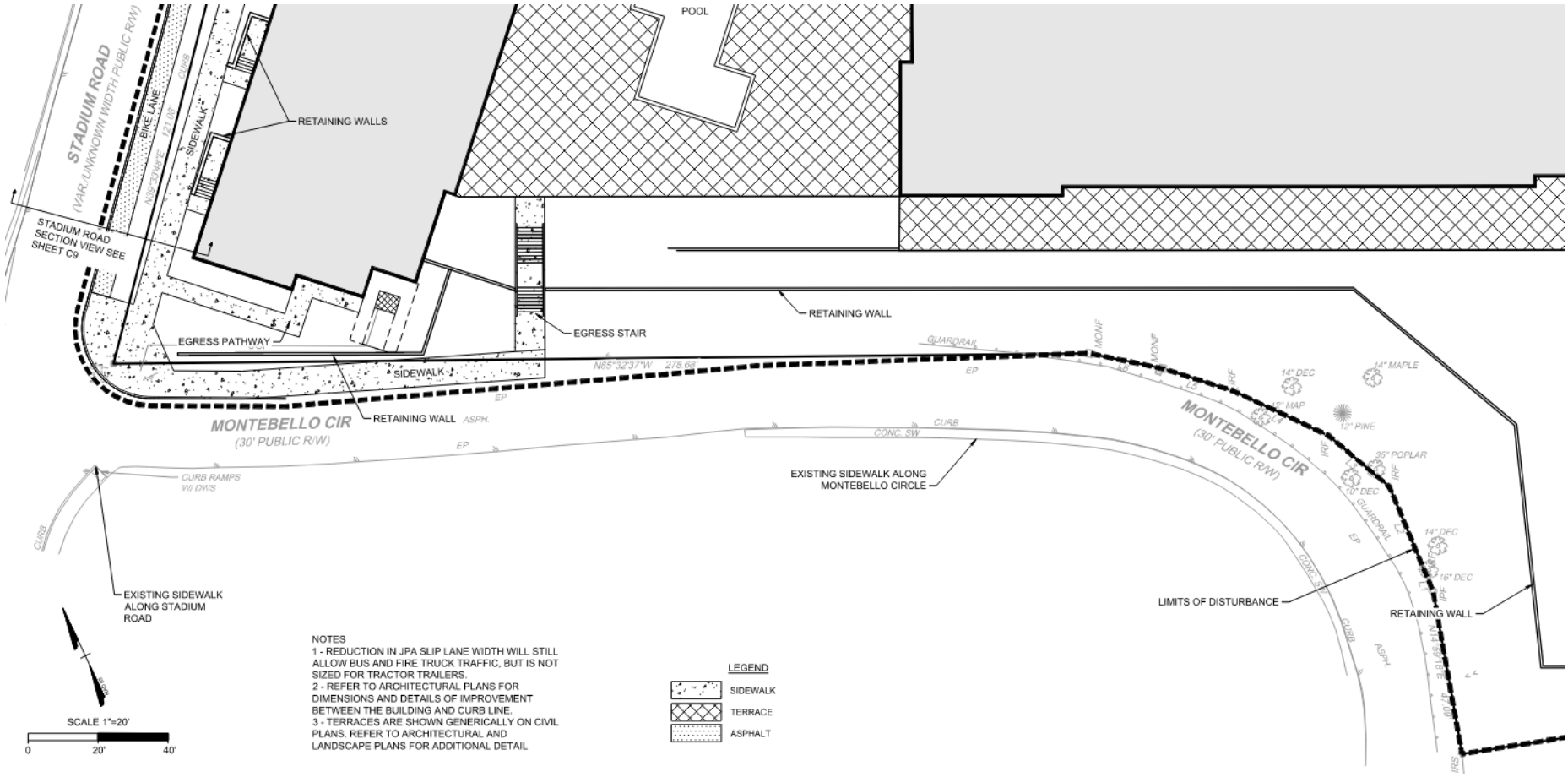
***(vii)*** *Whether the waiver promotes the goals of the comprehensive plan, including the applicable neighborhood plan; and*

The requested waiver is in response to environmental constraints. The Project proposes a sidewalk where feasible in order to promote the goals of the Comprehensive Plan.

***(viii)*** *Whether waiving the requirement would enable a different principle of the neighborhood plan to be more fully achieved.*

The requested waiver is in response to environmental constraints. The Project proposes a sidewalk where feasible in order to promote the goals of the Comprehensive Plan and Neighborhood Plan.

# Exhibit A

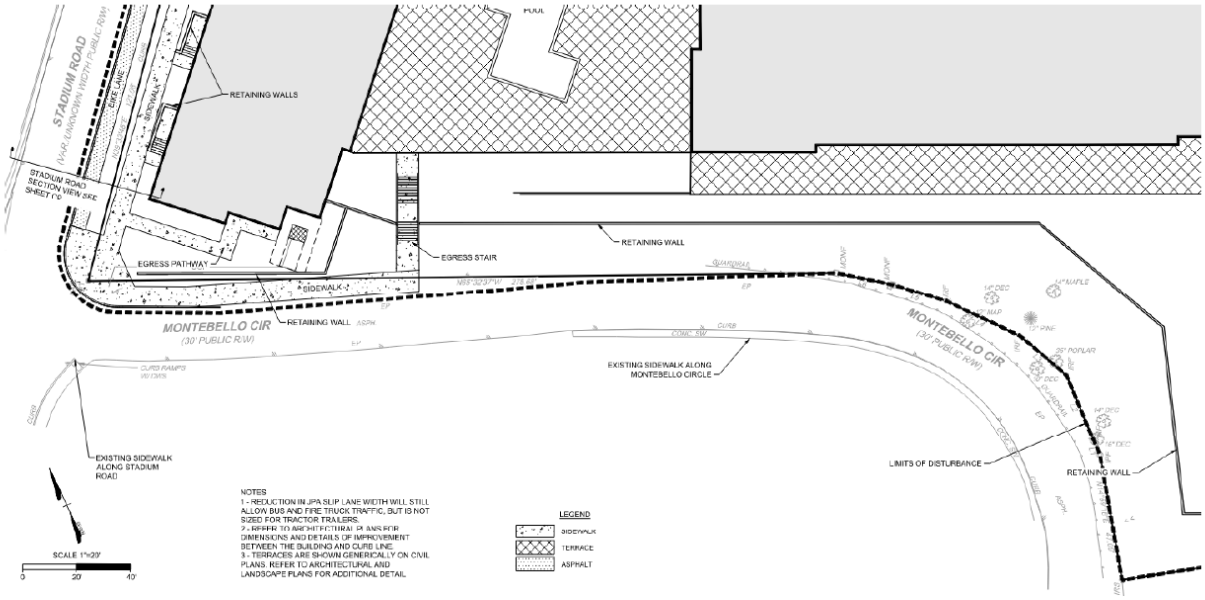

POOL
STADIUM ROAD
(VAR./UNKNOWN WIDTH PUBLIC R/W)
BIKE LANE
SIDEWALK
RETAINING WALLS
STADIUM ROAD SECTION VIEW SEE SHEET C9
EGRESS PATHWAY
EGRESS STAIR
RETAINING WALL
SIDEWALK
MONTEBELLO CIR
(30' PUBLIC R/W)
RETAINING WALL
CURB RAMPS W/ DWS
EXISTING SIDEWALK ALONG STADIUM ROAD
EXISTING SIDEWALK ALONG MONTEBELLO CIRCLE
LIMITS OF DISTURBANCE
RETAINING WALL
SCALE 1"=20'
0
20'
40'
NOTES
1 - REDUCTION IN JPA SLIP LANE WIDTH WILL STILL ALLOW BUS AND FIRE TRUCK TRAFFIC, BUT IS NOT SIZED FOR TRACTOR TRAILERS.
2 - REFER TO ARCHITECTURAL PLANS FOR DIMENSIONS AND DETAILS OF IMPROVEMENT BETWEEN THE BUILDING AND CURB LINE.
3 - TERRACES ARE SHOWN GENERICALLY ON CIVIL PLANS. REFER TO ARCHITECTURAL AND LANDSCAPE PLANS FOR ADDITIONAL DETAIL
LEGEND
SIDEWALK
TERRACE
ASPHALT

**RESOLUTION**
**SIDEWALK WAIVER REQUEST FOR A RESIDENTIAL DEVELOPMENT REFERRED TO AS "VERVE CHARLOTTESVILLE PUD"**

**WHEREAS**, Subtext Acquisitions, LLC ("Contract Purchaser and Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, (collectively the "Landowners") of certain land fronting on Jefferson Park Avenue, Stadium Road, Emmet Street, and Montebello Circle, designated on the City Tax Map and Parcel (TMP) as 160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 (collectively, hereinafter, the "Subject Property"), has submitted an application seeking a waiver of the requirement of City Code Section 29-182(j)(3) where land being subdivided or developed fronts on an existing street, and adjacent property on either side has an existing sidewalk, the subdivider shall construct a sidewalk, and shall dedicate land to the public for such sidewalk, to connect to the existing sidewalk. This application is submitted in connection with the Applicant/Developer's proposed development of ZM23-00004 (Planned Unit Development), and

**WHEREAS**, City staff has submitted to City Council a staff report providing information and staff's recommendation regarding the sidewalk waiver request, and City Council has reviewed the application and the staff report and has considered the factors set forth within the City's Subdivision Ordinance, Sections 29-36 and 29-182(j)(5); now, therefore,

**BE IT RESOLVED** by the Council for the City of Charlottesville, Virginia that the sidewalk waiver request presented to this Council by the Applicant/Developer is hereby granted along approximately three hundred (300) feet along the north side of Montebello Circle abutting City Lots currently identified as Real Estate Parcel Identification Numbers 160005000 and 160008000 as depicted below.



**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Consideration of a Rezoning Application |
| Presenter: | Dannan OConnell, Planner |
| Staff Contacts: | Dannan OConnell, Planner |
| **Title:** | **Ordinance to Rezone land fronting on Ivy Road and Copeley Road related to the "2117 Ivy Road Plan Unit Development Plan Submittal"** |

## Background

Williams Mullen (Applicant), on behalf of RMD Properties, LLC (Owner), has submitted an application pursuant to City Code 34-490 seeking a zoning map amendment to change the zoning district classification for 2117 Ivy Road, City Tax Map Parcel 070001200. The application proposes to change the zoning classification of the Subject Property from “URB” (Urban Corridor) to “PUD” (Planned Unit Development) subject to proffered development conditions.

## Discussion

The Planning Commission held an in-person and virtual joint Public Hearing with City Council on November 14, 2023 on this matter. The Planning Commission and City Council expressed the following:

- Additional higher-density student housing close to the University of Virginia campus is desirable.
- Bike parking and pedestrian improvements are desirable and would contribute positively to the Ivy Road corridor area.
- The proposed building height is above the maximum of eight stories noted in the Comprehensive Plan.
- Traffic congestion on the adjacent intersection is a problem, but development of the parcel would not make this traffic significantly worse.

Planning Commissioners and City Council members noted that the proposed proffered cash-in-lieu payment for affordable housing was below the amount currently being considered for the City's new affordable housing regulations. The Planning Commission discussed the merits of providing on-site affordable dwelling units versus a cash-in-lieu payment, but did not come to a consensus as to which option was preferred. Commissioners noted that the height of the proposed building was out of scale with existing planning documents. The Commission Chair mentioned the possibility of scaling the structure down to eight stories, although several other Commissioners stated that the proposed ten-story height was not a significant problem. Overall, the Planning Commission was supportive of the

rezoning request, and argued that the benefits of dense, walkable student housing outweighed the potential downsides of development. The Commission voted 6-0 to recommend approval of the rezoning.

Staff note: A recording of the meeting can be found at the following link. Discussion starts at the 02:12:00 mark.
Link to November 14, 2023 Public Hearing.

Staff note: The full application for this project can be found at the following link. Materials start on page 278.
Link to application, background materials and staff report.

Following the November 14, 2023 joint Public Hearing, the applicants submitted revised materials based on feedback they received from the Planning Commission and City Council. The applicant's revised PUD Development Plan, revised final proffer statement and a cover letter noting all changes are attached to this agenda item.

**Alignment with City Council's Vision and Strategic Plan**
If City Council approves this rezoning request, the project could contribute to the *Housing* goal of the City Vision Statement: "Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan."

**Community Engagement**
On May 18, 2023 the applicant held a community meeting in-person at St. Mark Lutheran Church. The applicant gave an overview of the project as it related to the need for a rezoning. Thirty-three members of the public attended the meeting and expressed the following:

- The proposed structure is significantly out of scale with the surrounding neighborhood.
- The Ivy/Alderman/Copeley Road intersection experiences significant traffic slowdowns during peak hours and special events. Redevelopment of the parcel would exacerbate this traffic.
- Insufficient off-street parking is proposed, which will cause parking problems for the adjacent residential neighborhood.
- No significant affordable housing contribution was initially proposed as part of this rezoning.

The Planning Commission held a joint public hearing with City Council on this matter on November 14, 2023. Eight members of the public spoke on the application, and expressed the following:

- The size of the proposed structure is out of scale with the surrounding neighborhood and the University of Virginia campus.
- Increases in traffic congestion along Copeley Road will result from the proposed development.
- The design of the structure is not in keeping with the City's Entrance Corridor design guidelines.
- The project will contribute to more affordable housing close to the University of Virginia campus.

- The project will create more walkable and bike-friendly housing to reduce reliance on personal automobiles and meet City climate adaptation goals.

Any emails received by staff regarding this project have been forwarded to City Council.

**Budgetary Impact**
This has no impact on the General Fund.

**Recommendation**
The Planning Commission voted 6-0 to recommend that the application for rezoning be approved.

Suggested:
“I move to approve the ORDINANCE for application ZM23-00003 rezoning the Property located at 2117 Ivy Road, City Tax Map Parcel 070001200 from Urban Corridor (URB) to Planned Unit Development (PUD).”

**Alternatives**
(1) by motion, take action to approve the attached ordinance granting the Rezoning as recommended by the Planning Commission;
(2) by motion, request changes to the attached ordinance, and then approve the Rezoning;
(3) by motion, take action to deny the Rezoning; or
(4) by motion, defer action on the Rezoning.

**Attachments**
1. Applicant memo outlining changes made to the PUD after the November 14, 2023 Public Hearing
2. 2117 Ivy Road PUD Development Plan revised November 21, 2023
3. Signed proffer statement and 'Exhibit A' dated December 13, 2023
4. Rezoning Ordinance
5. 2117 Ivy Rd - DRAFT City Council Presentation DEC4_2023 FINAL(1)
6. Applicant memo outlining changes made to the PUD after the December 4, 2023 Council Meeting

Direct Dial: 434.951.5709
vlong@williamsmullen.com

November 20, 2023

Via email: oconnelld@charlottesville.gov

Dannan O'Connell
Senior Planner
City of Charlottesville
Neighborhood Development Services

Re: **2117 Ivy Road - Revisions to PUD Application Package**

Dear Mr. O'Connell,

Enclosed you will find updated materials for the proposed 2117 Ivy Road PUD rezoning application following the November 14, 2023 Planning Commission Joint Public Hearing. The following is a list of materials enclosed as well as a detailed list of revisions made to the plan set.

A. Revised and Signed Proffer Statement

1. The proffer statement now provides that the affordable housing fee in lieu option will be in the amount equal to four (4) times that which would be required under City Code Section 34-12(d)(2) based on the final site plan, up to a maximum of $2.75 million.

2. The affordable unit option has been revised to increase the term limit from 25 years to 30 years. As noted on the affordable housing work sheet, under Section 34-12 of the existing ordinance, the affordable term would be just 5 years.

B. Revised PUD Plan set dated November 21, 2023 with the following updates:

1. Sheets A-003 through A-005: Revised Moe's BBQ building footprint to reflect its accurate location.

2. Sheet A-003:

   i. Reduced the maximum building height from 142 feet to 124 feet within the Building Regulations chart. This reduction of 18 feet assists in addressing the concerns raised regarding the building height, and further supports that the project is in alignment with the current and future patterns of development along the Ivy corridor.

   ii. Added a footnote to the Building Regulations chart related to the rooftop structures per the current Zoning Ordinance. Upon further analysis of Section 34-1100 of the Zoning Ordinance, as well as the building code, we now realize that the proposed

enclosed restrooms to support the rooftop amenity space do not constitute habitable residential space, and therefore do not count towards the height of the building pursuant to Section 34-1101(2).

iii. On the Conceptual Architectural Site Plan image, we corrected the note that previously referenced a “penthouse” to reference the roof structure as mechanical-elevator-stair overrun and the restroom and stair access.

iv. Removed affordable housing notes now that the affordable housing commitment is now provided within the proffer statement.

3. Sheet A-004: On the Conceptual Outdoor Amenity Space image, we corrected the note that previously referenced a “penthouse” to reference the roof structure as mechanical-elevator-stair overrun and the restroom and stair access.

4. Sheets A-005 and C-003 through C-005: Clarify the retaining wall label to note that the wall is optional. At this stage it is unknown whether the retaining wall will be necessary. This will be determined during the site plan stage.

5. Sheets A-006 through A-008:

    i. Clarify the building heights and add a notation related to the rooftop structures per the current Zoning Ordinance Section 34-1100. The total height of the building from Ivy Road is 114.5 feet, although it is 120’ from the average grade, which is lower than Ivy Road.

    ii. Replace references to “penthouse” with “overrun.”

    iii. Labeled the glass railing at the roof deck.

6. Sheets A-013 and C-003 through C-005:

    i. Add expanded crosswalks.

    ii. Add proposed green bicycle boxes including two additional green boxes; one located along Copeley Road, and one in front of the loading/trash service entrance/exit.

7. Sheet C-002: Add existing crosswalk on the north side of the intersection to reflect the now-existing conditions at the intersection of Ivy and Copeley Roads.

8. Sheets C-003 through C-005: Revise the UVA sidewalk notation to accurately reflect UVA’s future plans “Proposed UVA sidewalk from the east 10’ +/-.”

9. Sheet C-003.1: Revised intersection striping note to clarify that additional pavement markings will be subject to review and approval from the City. In addition, based upon prior discussions related to the affordable housing note, the note referencing cash for additional pavement markings has been removed.

10. Sheet C-003: Revised setback and building height notes to accurately reflect the setbacks and buildings in the Building Regulations chart on Sheet A-003.

11. Sheet C-005: Revised to include an additional street tree along Ivy Road as requested by the Planning Commission.

Please let us know if you have any questions or require anything further to schedule this application for the December 4th City Council meeting.

Thank you,

*Valerie W. Long*

Enclosures

cc: RMD Properties, LLC

(103994657.4)

# 2117 IVY ROAD

## CHARLOTTESVILLE, VA 22903

## PLANNED UNIT DEVELOPMENT PLAN SUBMITTAL
## MAY 15, 2023 - REVISED AUGUST 02, 2023 - REVISION #2 OCTOBER 6, 2023
## **REVISION #3 NOVEMBER 21, 2023**

SITE VICINITY MAP







NOTE: ALL DRAWINGS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PER FINAL ARCHITECTURAL, CIVIL, AND SITE DESIGN. PROPERTY IS LOCATED WITHIN A CITY DESIGNATED ENTRANCE CORRIDOR, AND FINAL DESIGN WILL BE SUBJECT TO REVIEW AND APPROVAL BY THE ENTRANCE CORRIDOR REVIEW BOARD.

### DRAWING INDEX - CIVIL

| SHEET NUMBER | SHEET NAME |
|---|---|
| C-001 | ALTA NSPS LAND TITLE SURVEY |
| C-002 | EXISTING CONDITIONS PLAN |
| C-003 | LAYOUT & UTILITIES PLAN |
| C-004 | GRADING AND DRAINAGE PLAN |
| C-005 | LANDSCAPE PLAN |

### DRAWING INDEX - ARCHITECTURE

| Sheet Number | Sheet Name |
|---|---|
| A-001 | COVER |
| A-002 | ZONING INFORMATION |
| A-003 | ARCHITECTURAL SITE PLAN AND BUILDING INFORMATION |
| A-004 | CONCEPTUAL OUTDOOR AMENITY SPACE DIAGRAM |
| A-005 | CONCEPTUAL FLOOR PLANS |
| A-005A | ENLARGED FLOOR PLANS - LEVEL B1 |
| A-005B | ENLARGED FLOOR PLANS - LEVEL 1 |
| A-005C | ENLARGED FLOOR PLANS - LEVEL 2 |
| A-005D | ENLARGED FLOOR PLANS - LEVEL 3 (TYPICAL) |
| A-005E | ENLARGED FLOOR PLANS - LEVEL ROOF |
| A-006 | CONCEPTUAL ELEVATIONS |
| A-007 | CONCEPTUAL ELEVATIONS |
| A-008 | CONCEPTUAL BUILDING SECTIONS |
| A-009 | CONCEPTUAL BUILDING SECTIONS |
| A-010 | CONCEPTUAL PERSPECTIVE IMAGES |
| A-010A | CONCEPTUAL PERSPECTIVE IMAGES |
| A-011 | CONCEPTUAL SITE SECTION |
| A-012 | INTERIOR COURTYARD VIEWS |
| A-013 | SOLAR STUDY |
| A-014 | SOLAR STUDY |

IMPLEMENTATION OF PLANNED UNIT DEVELOPMENT REGULATIONS:

THIS PUD SHALL BE REGULATED CONSISTENT WITH SECTION 34-518 AND 34-519 OF THE CITY ZONING ORDINANCE IN EFFECT AS OF OCTOBER 2023

NOT FOR CONSTRUCTION


WDG

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| | |
|---|---|
| PUD SUBMISSION | 05/15/23 |
| PUD RESPONSE | 08/02/23 |
| PUD RESPONSE #2 | 10/06/23 |
| **PUD RESPONSE #3** | **11/21/23** |

NOT TO SCALE

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WDG PROJECT NO:
WA22014

COVER

**A-001**

# CURRENT URB ZONING

## Use Types under Existing Zoning Ordinance

B = Permitted; ( ) = Use Not Allowed; P = Provisional Use Permit; S = Special Use Permit; T = Temporary Use Permit; A = Ancillary Use

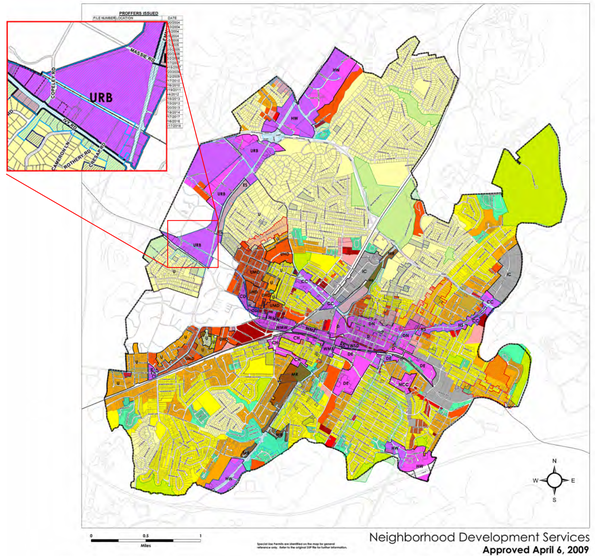
| | Proposed PUD | Existing Zoning: URB (*for Reference*) | Notes |
|---|---|---|---|
| **RESIDENTIAL AND RELATED USES** | | | |
| Accessory apartment, internal | | | |
| Accessory apartment, external | | | |
| Accessory buildings, structures and uses (residential) | B | B | |
| Adult assisted living | | | |
| 1—8 residents | | | |
| Greater than 8 residents | | | |
| Adult day care | | | |
| Amateur radio antennas, to a height of 75 ft. | | | |
| Bed-and-breakfasts: | | | |
| Homestay | B | B | |
| B & B | B | B | |
| Inn | B | B | |
| Boarding: fraternity and sorority house | | | |
| Boarding house (rooming house) | | | |
| Convent/monastery | | B | |
| Criminal justice facility | | | |
| Dwellings: | | | |
| Multifamily | B | B | |
| Single-family attached | | | |
| Single-family detached | | | |
| Townhouse | | | |
| Two-family | | | |
| Family day home | | | |
| 1—5 children | | | |
| 6—12 children | | | |
| Home occupation | B | P | |
| Manufactured home parks | | | |
| Night watchman's dwelling unit, accessory to industrial use | | | |
| Nursing homes | | | |
| Occupancy, residential | | | |
| 3 unrelated persons | B | | Permitted by-right under draft ZO |
| 4 unrelated persons | B | B | |
| Residential treatment facility | | | |
| 1—8 residents | | B | |
| 8+ residents | | S | Permitted by-right under draft ZO |
| Shelter care facility | | S | |
| Single room occupancy facility | B | S | Permitted by-right under draft ZO |
| Temporary family health care structure | B | | Permitted by-right under draft ZO |
| **NON-RESIDENTIAL: GENERAL AND MISC. COMMERCIAL** | | | |
| Access to adjacent multifamily, commercial, industrial or mixed-use development or use | B | | |
| Accessory buildings, structures and uses | B | B | |
| Amusement center | B | P | Permitted by-right under draft ZO as General Indoor entertainment and recreation |
| Amusement enterprises (circuses, carnivals, etc.) | | | |
| Amusement park (putt-putt golf; skateboard parks, etc.) | | | |
| Animal boarding/grooming/kennels: | B | | Permitted by-right under draft ZO as Personal Service |
| With outside runs or pens | B | | Permitted by-right under draft ZO as Personal Service |
| Without outside runs or pens | | | |
| Animal shelter | | | |
| Art gallery: | | | |
| GFA 4,000 SF or less | B | B | |
| GFA up to 10,000 SF | B | S | Permitted by-right under draft ZO as General retail |
| Art studio, GFA 4,000 SF or less | B | B | |
| Art workshop | B | B | |
| Assembly (indoor) | | | |
| Arena, stadium (enclosed) | | | |
| Auditoriums, theaters | | | |
| Maximum capacity less than 300 persons | B | | |
| Maximum capacity greater than or equal to 300 persons | B | | Permitted under draft ZO as General Indoor entertainment and recreation |
| Houses of worship | B | B | Permitted under draft ZO as General Indoor entertainment and recreation |
| Assembly (outdoor) | | | |
| Amphitheater | | S | |
| Arena, stadium (open) | | | |
| Temporary (outdoor church services, etc.) | B | T | Permitted under draft ZO as Temporary Outdoor Assemblies |
| Assembly plant, handcraft | | | |
| Assembly plant | | | |
| Automobile uses: | | | |
| Auto parts and equipment sales | | S | |
| Gas station | | S | |
| Rental/leasing (such as Zipcar or similar car share only) | B | S | |
| Repair/servicing business | | S | |
| Sales | | | |
| Tire sales and recapping | | B | |
| Bakery, wholesale | | | |
| GFA 4,000 SF or less | B | B | |
| GFA up to 10,000 SF | B | | Permitted by-right under draft ZO |
| Banks/financial institutions | B | B | |
| Bowling alleys | | | |
| Car wash | | S | |
| Catering business | B | B | |
| Cemetery | | | |
| Clinics: | | | |
| Health clinic (no GFA limit) | B | | Permitted by-right under draft ZO |
| Health clinic (up to 10,000 SF, GFA) | B | B | |
| Health clinic (up to 4,000 SF, GFA) | B | B | |
| Public health clinic | B | B | |
| Veterinary (with outside pens/runs) | | | |
| Veterinary (without outside pens/runs) | | | |
| Clubs, private | B | B | |
| Communications facilities: | | | |
| Attached facilities utilizing utility poles as the attachment structure | B | B | |
| Attached facilities not visible from any adjacent street or property | B | B | |
| Attached facilities visible from an adjacent street or property (if painted to match attachment structure) | B | | |
| Carrier on wheels (COW) | T | | |
| Towers | | | |
| Monopole tower | | | |
| Guyed tower | | | |
| Lattice tower | | | |
| Self-supporting tower | | | |
| Contractor or tradesman's shop, general | | | |
| Crematorium (independent of funeral home) | | | |
| Data center >4,000 | | B | |
| <4,000 | | B | |
| Daycare facility | B | B | |
| Dry cleaning establishments | B | B | |
| Educational facilities (non-residential) | | | |
| Elementary | B | B | |
| High schools | B | B | |
| Colleges and universities | B | | Permitted by-right under draft ZO as Education |
| Artistic instruction, up to 4,000 SF, GFA | B | B | |
| Artistic instruction, up to 10,000 SF, GFA | B | | Permitted by-right under draft ZO as Education |
| Vocational, up to 4,000 SF, GFA | B | | Permitted by-right under draft ZO as Education |
| Vocational, up to 10,000 SF, GFA | B | | Permitted by-right under draft ZO as Education |

## Use Types under Existing Zoning Ordinance

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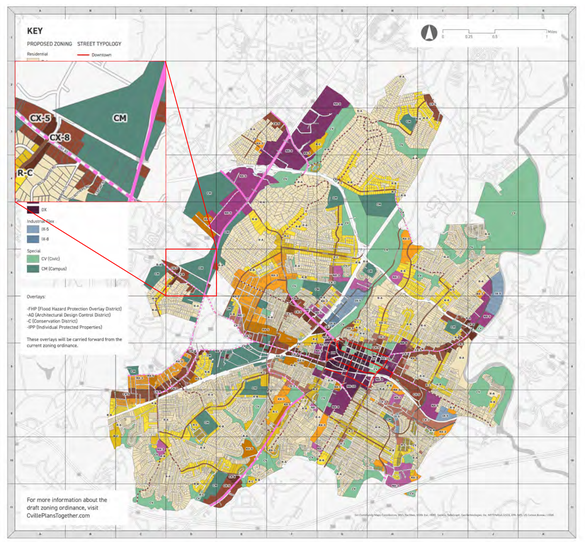
| | Proposed PUD | Existing Zoning: URB (*for Reference*) | Notes |
|---|---|---|---|
| Electronic gaming café | | | |
| Funeral home (without crematory) | | | |
| GFA 4,000 SF or less | | B | |
| GFA up to 10,000 SF | | S | |
| Funeral homes (with crematory) | | | |
| GFA 4,000 SF or less | | | |
| GFA up to 10,000 SF | | | |
| Golf course | | | |
| Golf driving range | | | |
| Helipad | | | |
| Hospital | | | |
| Hotels/motels: | | | |
| Up to 100 guest rooms | B | B | |
| 100+ guest rooms | B | B | |
| Laundromats | B | | Permitted by-right under draft ZO as Personal Service |
| Libraries | B | B | |
| Manufactured home sales | | | |
| Micro-producers | B | B | |
| Small Breweries | B | S | Permitted by-right under draft ZO |
| Mobile food units | B | P | |
| Movie theaters, cineplexes | B | S | Permitted by-right under draft ZO as General Indoor entertainment and recreation |
| Municipal/governmental offices, buildings, courts | B | B | |
| Museums: | | | |
| Up to 4,000 SF, GFA | B | B | |
| Up to 10,000 SF, GFA | B | B | |
| Music hall | B | B | |
| Offices: | | | |
| Business and professional | B | B | |
| Medical | B | B | |
| Philanthropic institutions/agencies | B | B | |
| Property management (ancillary to MFD) | B | A | |
| Other offices (non-specified) | B | B | |
| Outdoor storage, accessory | | S | |
| Parking: | | | |
| Parking garage | B | A/S | Permitted under draft ZO |
| Surface parking lot (19 or less spaces) | B | B | |
| Surface parking lot (more than 20 spaces) | B | A | Permitted under draft ZO |
| Temporary parking facilities | T | | Permitted under draft ZO as Temporary Surface Parking Lot |
| Photography studio | B | B | |
| Photographic processing; blueprinting | B | | |
| Radio/television broadcast stations | B | B | |
| Recreational facilities: | | | |
| Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on City-owned, City School Board-owned, or other public property) | B | B | |
| Indoor: health/sports clubs; tennis club; swimming club; yoga studios; dance studios, skating rinks, recreation centers, etc. (on private property) | | | |
| GFA 4,000 SF or less | B | B | |
| GFA (4,001—10,000 SF) | B | B | |
| GFA more than 10,000 SF | B | S | Permitted by-right under draft ZO |
| Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (city-owned), and related concession stands | B | B | |
| Outdoor: Parks, playgrounds, ball fields and ball courts, swimming pools, picnic shelters, etc. (private) | | S | |
| Restaurants: | | | |
| All night | B | S | Permitted by-right under draft ZO as General food and beverage |
| Drive-through windows | | S | |
| Fast food | B | B | Permitted by-right under draft ZO as General food and beverage |
| Full service | B | B | Permitted by-right under draft ZO as General food and beverage |
| 24-hour | B | | Permitted by-right under draft ZO as General food and beverage |
| Towing service, automobile | | | |
| Technology-based businesses | B | B | |
| Taxi stand | B | B | |
| Transit facility | B | B | |
| Utility facilities | | S | |
| Utility lines | B | B | |
| **NON-RESIDENTIAL USES: RETAIL** | | | |
| Accessory buildings, structures and uses | B | B | |
| Consumer service businesses: | | | |
| Up to 4,000 SF, GFA | B | B | |
| Up to 10,000 SF, GFA | B | B | |
| 10,001+ GFA | B | B | |
| Farmer's market | B | S | Permitted by-right under draft ZO |
| Greenhouses/nurseries | | S | |
| Grocery stores: | | | |
| Convenience | B | B | |
| General, up to 10,000 SF, GFA | B | B | |
| General, more than 10,000 SF, GFA | B | B | |
| Home improvement center | B | | Permitted by-right under draft ZO as General retail |
| Pharmacies: | | | |
| 1—1,700 SF, GFA | B | B | |
| 1,701—4,000 SF, GFA | B | B | |
| 4,001+ SF, GFA | B | B | |
| Shopping centers | B | S | Permitted by-right under draft ZO as General retail |
| Shopping malls | B | S | Permitted by-right under draft ZO as General retail |
| Temporary sales, outdoor (flea markets, craft fairs, promotional sales, etc.) | T | T | |
| Other retail stores (non-specified): | | | |
| Up to 4,000 SF, GFA | B | B | |
| 4,001 SF to 20,000 SF GFA | B | B | |
| More than 20,000 SF, GFA | B | B | |
| **NON-RESIDENTIAL: INDUSTRIAL** | | | |
| Accessory buildings, structures and uses | | | |
| Assembly, industrial | | | |
| Beverage or food processing, packaging and bottling plants | | | |
| Brewery and bottling facility | | | |
| Compounding of cosmetics, toiletries, drugs and pharmaceutical products | | | |
| Construction storage yard | | | |
| Temporary construction yard | T | T | |
| Contractor or tradesman shop (HAZMAT) | | | |
| Frozen food lockers | | | |
| Greenhouse/nursery (wholesale) | | | |
| Industrial equipment: service and repair | | | |
| Janitorial service company | | | |
| Kennels | | | |
| Laboratory, medical >4,000 sq. ft. | B | | |
| <4,000 sq. ft. | B | B | |
| Laboratory, pharmaceutical >4,000 sq. ft. | B | | |
| <4,000 sq. ft. | B | B | |
| Landscape service company | | | |
| Laundries | | | |
| Manufactured home sales | | | |
| Manufacturing, light | | | |
| Moving companies | | | |
| Printing/publishing facility | | S | |
| Open storage yard | | | |
| Outdoor storage, accessory to industrial use | | | |
| Research and testing laboratories | B | | |
| Self-storage companies | | | |
| Warehouses | | | |
| Welding or machine shop | | | |
| Wholesale establishments | | | |

## CURRENT ZONING MAP




Neighborhood Development Services
**Approved April 6, 2009**

## NEW DRAFT ZONING MAP




# PROPOSED CX-8 ZONING

## Use Types under Draft Zoning Code

P = Use allowed; S= Special Use Permit required; (*) = Use standards apply; (-) = Use Not Allowed

| | Proposed PUD | Draft Zoning Code: CX-8 |
|---|---|---|
| **RESIDENTIAL USES** | | |
| **Household Living** | | |
| General household living | P | P |
| Manufactured home park | – | – |
| **Group Living** | | |
| General group living (up to 8 residents) | P | P |
| General group living (8+ residents) | P | P |
| Adult assisted living (up to 8 residents) | P | P |
| Adult assisted living (8+ residents) | P | P |
| Residential treatment facility (up to 8 residents) | P | P |
| Residential treatment facility (8+ residents) | P | P |
| **PUBLIC AND INSTITUTIONAL USES** | | |
| **Civic** | | |
| General Civic | P | P |
| Religious assembly | P | P |
| Shelter | P | P |
| Criminal justice facility | – | – |
| **Day Care** | | |
| Day care center (1 to 12 persons) | P | P |
| Day care center (12+ persons) | P | P |
| **Education** | | |
| General Education | P | P |
| College, university or vocational school | P | P |
| **Parks & Open Space** | | |
| General parks and open space | P | P |
| Cemetery | – | – |
| **Utilities** | | |
| Utility, major | S | S |
| Utility, minor | P | P |
| Communication facility, attached (utility pole or not visible) | P* | P* |
| Communication facility, attached (visible- painted to match attachment structure) | P* | – |
| Communication facility, tower | – | – |
| **COMMERCIAL USES** | | |
| **Entertainment & Recreation** | | |
| General indoor entertainment and recreation (up to 4,000 SF) | P | P |
| General indoor entertainment and recreation (4,000+ SF) | P | P |
| General outdoor entertainment and recreation | S | S |
| Club, private | P | P |
| Electronic gaming café | – | – |
| Golf course | – | – |
| Golf driving range | – | – |
| **Food & Beverage** | | |
| General food and beverage (up to 4,000 SF) | P | P |
| General food and beverage (4,000+ SF) | P | P |
| Micro-producer | P | P |
| Small brewery | P | P |
| **Lodging** | | |
| General lodging (up to 10 guest rooms) | P | P |
| General lodging (10+ guest rooms) | P | P |
| **Medical** | | |
| General medical (up to 4,000 SF) | P | P |
| General medical (4,000+ SF) | P | P |
| Hospital | S | S |
| Medical laboratory (up to 4,000 SF) | P | P |
| Medical laboratory (4,000+ SF) | P | – |
| **Office** | | |
| General Office (up to 4,000 SF) | P | P |
| General Office (4,000+ SF) | P | P |
| **Parking** | | |
| Commercial surface parking | P* | P* |
| Commercial structured parking | P* | P* |
| Remote parking | P* | P* |
| **Personal Service** | | |
| General personal service (up to 4,000 SF) | P | P |
| General personal service (4,000+ SF) | P | P |
| Animal Care, outdoor | P | P |
| Gym or studio | P | P |
| **Retail** | | |
| General retail (up to 4,000 SF) | P | P |
| General retail (4,000+ SF) | P | P |
| Artisan workshop | P | P |
| Farmer's market | P | P |
| Greenhouse or nursery | – | – |
| **Transportation** | | |
| Passenger terminal | P | P |
| Helipad | – | – |
| **Vehicle Sale & Service** | | |
| Vehicle repair or service (up to 1 acre) | – | – |
| Vehicle repair or service (1+ acres) | – | – |
| Vehicle sale or rental (such as Zipcar or similar car share only) | P | – |
| Fueling station | – | – |
| **INDUSTRIAL USES** | | |
| **Industrial & Manufacturing** | | |
| Bakery, wholesale (up to 4000 SF) | P | P |
| Bakery, wholesale (4000+ SF) | P | – |
| Low-impact industrial and manufacturing (up to 4000 SF) | P | – |
| Low-impact industrial and manufacturing (4000+ SF) | – | – |
| High-impact industrial and manufacturing | – | – |
| Research and development | P | – |
| **Warehouse & Distribution** | | |
| General warehouse and distribution (up to 25,000 SF) | – | – |
| General warehouse and distribution (25,000+ SF) | – | – |
| Data center | P* | P* |
| Distribution storage yard | – | – |
| Recycling drop-off center | – | – |
| Self-service storage | – | – |
| Vehicle storage yard | – | – |
| **ACCESSORY USES** | | |
| Alcohol sales for on-premise consumption | P | P |
| Drive-through | | |
| Family day home | P | P |
| Home occupation | P* | P* |
| Homestay | P* | P* |
| Outdoor dining | P* | P* |
| Outdoor display | P* | P* |
| Outdoor entertainment | P* | P* |
| Outdoor storage | P* | P* |
| **TEMPORARY USES** | | |
| Temporary outdoor assemblies | P* | P* |
| Temporary outdoor sales | P* | P* |
| Amusement enterprises | P* | P* |
| Mobile food unit | P* | P* |
| Temporary family health care structures | P* | P* |
| Temporary construction yard | P* | P* |
| Temporary surface parking lot | P* | P* |
| Carrier on wheels (COW) | P | – |


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| | |
|---|---|
| PUD SUBMISSION | 05/15/23 |
| PUD RESPONSE | 08/02/23 |
| PUD RESPONSE #2 | 10/06/23 |
| **PUD RESPONSE #3** | **11/21/23** |

NOT FOR CONSTRUCTION

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WDG PROJECT NO:
WA22014

ZONING INFORMATION

**A-002**

## BUILDING REGULATION COMPARISON

### Building Regulations

| | Proposed PUD | Draft Zoning Code: CX-8 | |
|---|---|---|---|
| **1. HEIGHT** | | | |
| Overall height (max stories/feet) | | | |
| | | Base | Bonus |
| Stories (max) | 10 | 8 | 11 |
| Height (max) * | 124' | 114' | 156' |
| **2. MASSING** | | | |
| Width (max) | | | |
| Primary street: Ivy Rd | 275' | 275' | |
| Side street: Copeley Rd | 0' | 0' | |
| Active Depth (min) | | | |
| Primary street: Ivy Rd | 15' | 15' | |
| Side street: Copeley Rd | 0' | 9' | |
| **3. GROUND STORY** | | | |
| Story height (min) | | | |
| Residential | 10' | 10' | |
| Nonresidential | 14' | 14' | |
| Finished floor elevation (min/max) | | | |
| Residential | 2' / 5' | 2' / 5' | |
| Nonresidential | –2' / 5' | –2' / 5' | |
| **4. TRANSPARENCY** | | | |
| | Primary St: Ivy Rd | Side St: Copeley Rd | Primary St: Ivy Rd | Side St: Copeley Rd |
| Ground story (min) | | | | |
| Residential | 35% | 30% | 35% | 30% |
| Nonresidential | 50% | 30% | 50% | 30% |
| Upper story (min) | 20% | 20% | 20% | 20% |
| Blank wall width (max) | 25' | 25' | 15' | 25' |
| **5. ENTRANCES** | | | | |
| | Primary St: Ivy Rd | Side St: Copeley Rd | Primary St: Ivy Rd | Side St: Copeley Rd |
| Street-facing entry spacing (max) | 40' | 75' | 40' | 60' |
| Entry Feature | Yes | Yes | Yes | Yes |
| **6. WALLS & FENCES** | | | | |
| Front yard height (max): Ivy Rd | 4' | | 4' | |
| Side street yard height (max): Copeley Rd | None | | 6' | |

*Rooftop equipment and rooftop structures are exempt from the calculation of building height pursuant of Section 34-1100 of the Zoning Ordinance provided they comply with the height and area requirements set forth in Section 34-1101(2), and contain no enclosed space that is designed for or that can be used as any type of habitable residential space. The proposed restroom facilities do not constitute habitable residential space under the 2018 Virginia Building Code in effect in 2023.

### Zoning Lot Regulations

| | Proposed PUD | Draft Zoning Code: CX-8 |
|---|---|---|
| **1. SIZE FOR SUBDIVISION** | | |
| Area (min) | None | None |
| Width (min) | | |
| Front access | 40' | 40' |
| Side/rear access | 15' | 15' |
| **2. DENSITY** | | |
| Dwellings per zoning lot (max) | Unlimited | Unlimited |
| **3. COVERAGE** | | |
| Building coverage (max) | None | None |
| Outdoor amenity space | 10% | 10% |
| **4. BUILDING SETBACKS** | | |
| Primary street lot line (min/max): Ivy Rd | 0' / 20' | 0' / 10' |
| Side street lot line (min/max): Copeley Rd | 0' / 20' | 0' / 10' |
| Side lot line (min) | 0' | 0' |
| Rear lot line (min) | 0' | 0' |
| **5. BUILD TO** | | |
| Build-to-width (min) | | |
| Primary street: Ivy Rd | 75% | 75% |
| Side street: Copeley Rd | 45% | 45% |
| **6. TRANSITION** | | |
| Transition type | None | None |
| **7. PARKING LOCATION** | | |
| Front yard | Not allowed | Not allowed |
| Side street yard | Not allowed | Not allowed |
| Side yard | Allowed | Allowed |
| Rear yard | Allowed | Allowed |

## PARKING SUMMARY

| PARKING INFORMATION | Factor | Spaces | Spaces/ Unit | Spaces/Bed |
|---|---|---|---|---|
| **VEHICULAR PARKING** | | | | |
| **Required Residential Parking (per Zoning Section 34-984 - Boarding House - 0.3 spaces /bedroom):** | 634 | **190** | 0.79 | 0.30 |
| **Required Retail Commercial Parking (per Zoning Section 34-984 - General - 3.5 spaces/ 1,000 sf):** | 1,757 SF | **6** | | |
| **Provided:** | | | | |
| Standard Parking Spaces: | | 100 | | |
| Compact Parking Spaces: | | 4 | | |
| Tandem - Standard Parking Spaces: | | 41 | | |
| Tandem - Compact Parking Spaces: | | 9 | | |
| Additional "Effective Parking" - Resident Car Share - (1 is equivalent to 30 standard spaces): | 2 | 60 | | |
| Accessible Parking Spaces (includes HC van and car spaces): | | 8 | | |
| **Total Vehicular Parking Provided (including car share "Effective Spaces"):** | | **222** | **0.92** | **0.35** |

| BICYCLE AND SCOOTER PARKING | | | | |
|---|---|---|---|---|
| **Required:** | | | | |
| **Long Term (per Zoning Section 4.3.3.C.1)** | | | | |
| Residential Household Living - 1 per unit: | 242 | **242** | 1.00 | 0.38 |
| Commerical - 1 per 2,500 SF, min. 2 | 1,757 SF | **2** | | |
| **Short Term (per Zoning Section 4.3.3.C.1)** | | | | |
| Residential Household Living - 1 per 10 units): | 242 | **24** | 0.10 | 0.04 |
| Commerical - 1 per 5,000 SF, min. 2 | 1,757 SF | **2** | | |
| Scooter: | | N/A | – | – |
| **Provided:** | | | | |
| Long Term: | | **264** | 1.09 | 0.42 |
| Short Term: | | **28** | 0.12 | 0.04 |
| Scooter: | | **32** | 0.13 | 0.05 |

ALL FIGURES ARE APPROXIMATE

BUILDING PARKING STATEMENT:
PROJECT SHALL INCLUDE AT ALL TIMES INCLUDE A MINIMUM OF 244 LONG TERM BICYCLE SPACES AND 26 SHORT TERM BICYCLE SPACES. ALL BICYCLE SPACES MAY BE USED FOR SCOOTERS AND THE TERM "BICYCLE SPACES" SHALL ALSO PERMIT PRIVATE SCOOTERS IN LIEU OF BICYCLES IN SUCH SPACES.

## BUILDING AREA AND UNIT SUMMARY

**AREA SUMMARY**

| RESIDENTIAL | LOBBY, AMENITY | COMMERCIAL, OTHER | COMMON | SERVICE | PARKING | EXTERIOR AMENITY AREA | TOTAL GSF |
|---|---|---|---|---|---|---|---|
| 216,689 SF | 15,640 SF | 1,757 SF | 29,426 SF | 8,647 SF | 54,892 SF | 12,639 SF | 327,051 SF |

**PLANNING, ZONING STATISTICS:**

| | |
|---|---|
| BUILDING FOOTPRINT | 34,043 SF |
| LOT AREA | 44,736 SF |
| LOT COVERAGE | 76.1% |
| FLOOR AREA RATIO (FAR) | 6.08 |

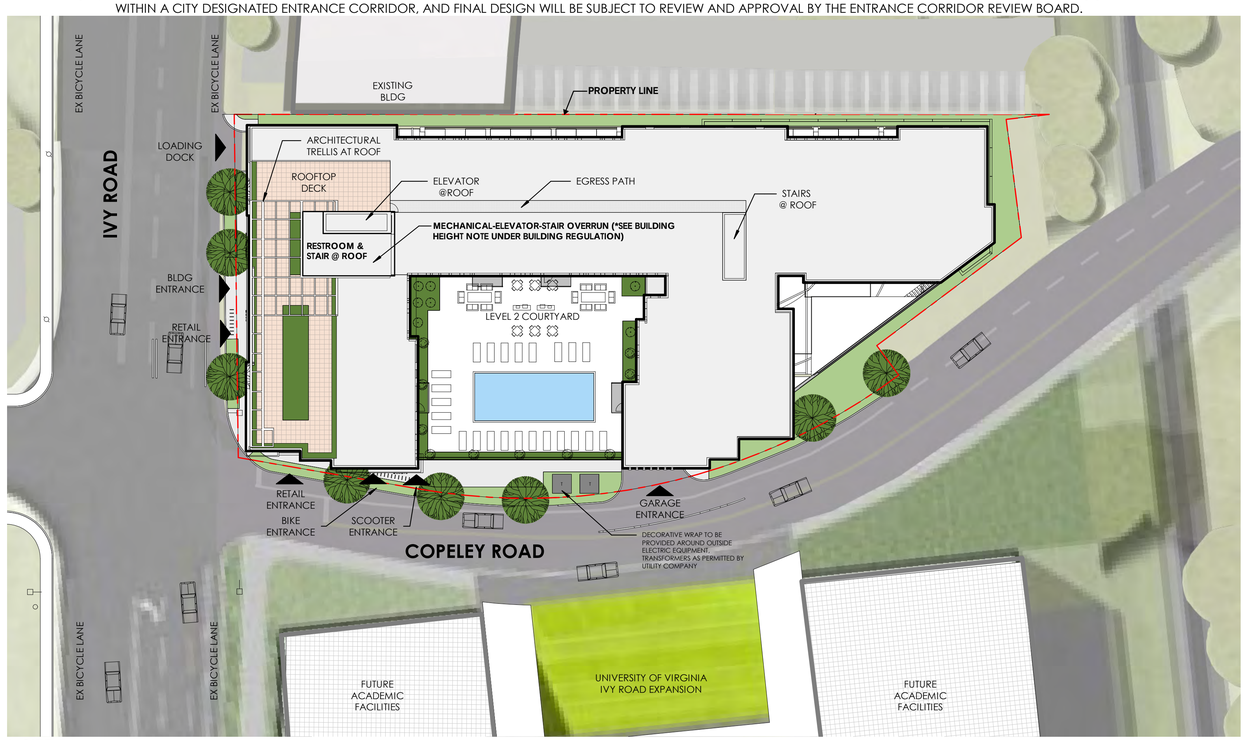
**UNIT SUMMARY**

| UNIT TYPE | Studio | 1-Bed | 2-Bed | 3-Bed | 4-Bed | PROPOSED UNIT COUNT | MAX. # UNITS | PROPOSED BEDROOM COUNT |
|---|---|---|---|---|---|---|---|---|
| TOTAL UNIT by TYPE | 0 | 98 | 16 | 16 | 112 | 242 | 287 | 634 |
| % of TOTAL | 0.0% | 40.5% | 6.6% | 6.6% | 46.3% | 100.0% | | |

ALL FIGURES ARE APPROXIMATE

**AFFORDABLE HOUSING: PROFFER STATEMENT IS PROVIDED UNDER SEPARATE DOCUMENT**

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LEGEND - SITE PLAN

- GRASS @ LEVEL 1
- SYNTHETIC TURF/ VEGETATION (@ LEVEL 2) (@ ROOF LEVEL)
- BOXWOOD @ ROOF
- ROOFTOP DECK
- EGRESS PATH
- LEVEL 2 PAVING @ PRIVATE TERRACES @ COURTYARD
- SIDEWALK
- POOL
- PROPOSED TRANSFORMER LOCATION
- TREES @ STREET LEVEL
- EXISTING TRAFFIC LIGHT
- EXISTING POLES

1 CONCEPTUAL ARCHITECTURAL SITE PLAN
SCALE: 1" = 30'-0"

0' 7'-6" 15' 30' 60'

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| | |
|---|---|
| PUD SUBMISSION | 05/15/23 |
| PUD RESPONSE | 08/02/23 |
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ARCHITECTURAL SITE PLAN AND BUILDING INFORMATION

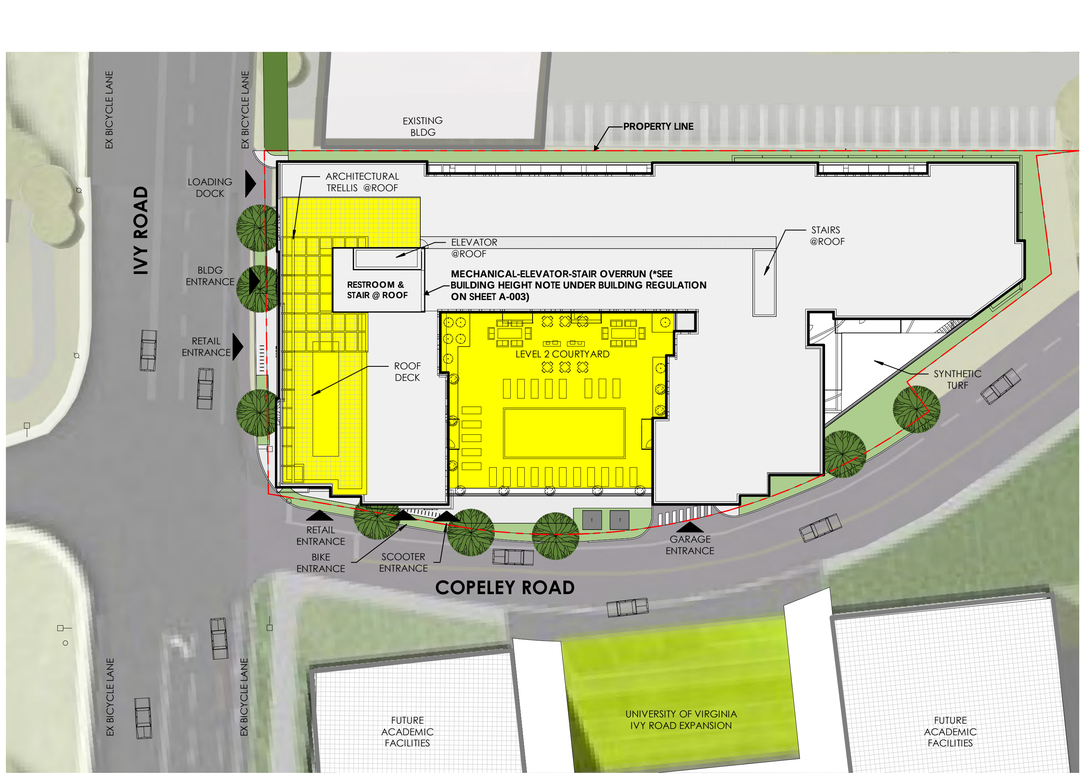
SCALE: As indicated

**A-003**

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| Open Space/Outdoor Amenity: Proposed PUD | |
|---|---|
| | |
| **Required Open Space Square Footage** | |
| 15% of gross area of parcel | 6,710 |
| 20% of gross floor of commercial uses | 3,608 |
| **Total SF Required:** | **10,318** |
| | |
| **Conceptual Open Space Square Footage** | |
| 2nd Floor Courtyard | 6,215 |
| Roof Deck | 4,350 |
| **Total SF Provided:** | **10,565** |

| Open Space/Outdoor Amenity: Draft Zoning Code CX-8 | |
|---|---|
| | |
| **Required Open Space Square Footage** | |
| 10% of gross area of parcel | 4,474 |
| **Total SF Required:** | **4,474** |
| | |
| **Conceptual Open Space Square Footage** | |
| 2nd Floor Courtyard (Common Outdoor Amenity) | 6,215 |
| Roof Deck (Common Outdoor Amenity) | 4,350 |
| **Total SF Provided:** | **10,565** |




1 CONCEPTUAL OUTDOOR AMENITY SPACE - 2ND FLOOR & ROOF
SCALE: 1" = 30'-0"

0' 7'-6" 15' 30' 60'

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CONCEPTUAL OUTDOOR AMENITY SPACE DIAGRAM

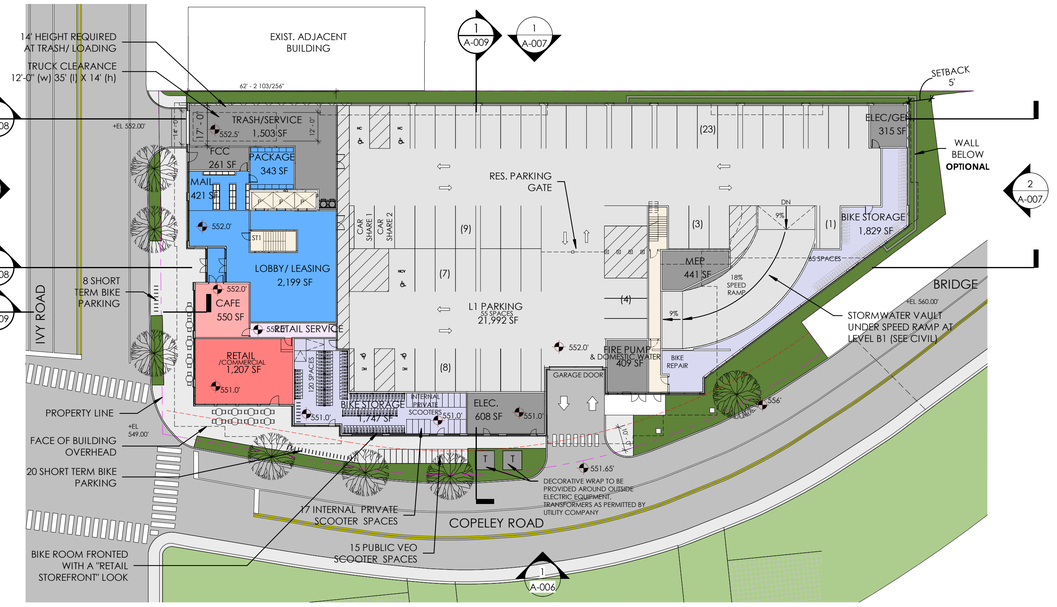
SCALE: As indicated

**A-004**

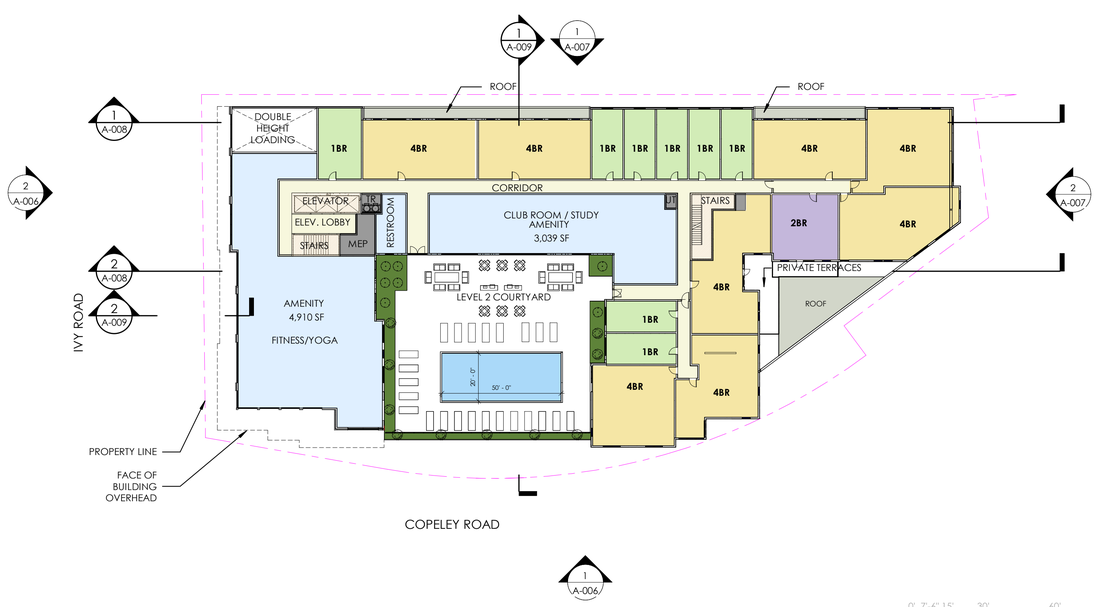
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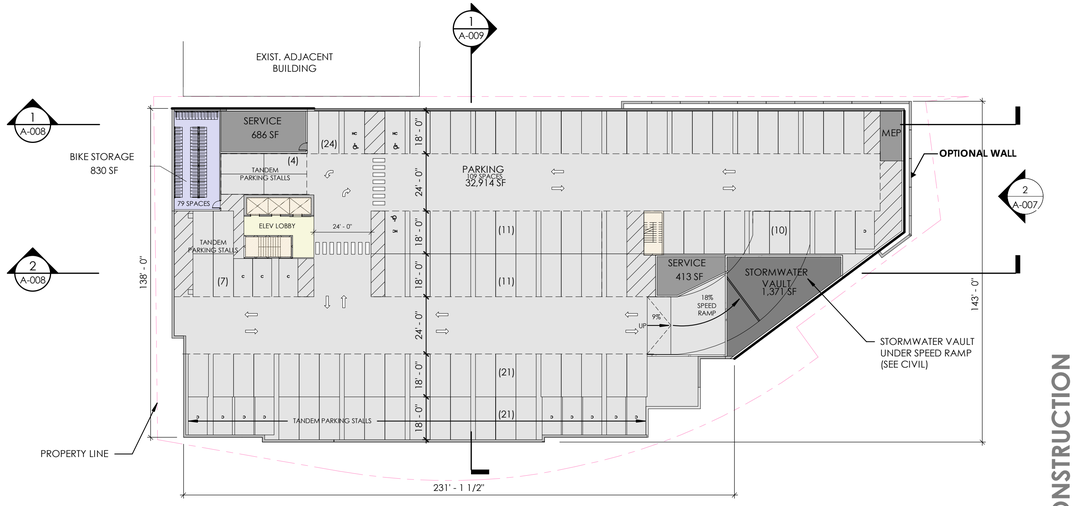

4 CONCEPTUAL TYPICAL FLOOR PLAN - LEVEL 3 - 10
SCALE: 1" = 30'-0"




2 CONCEPTUAL FLOOR PLAN - LEVEL 1
SCALE: 1" = 30'-0"




3 CONCEPTUAL FLOOR PLAN - LEVEL 2
SCALE: 1" = 30'-0"




1 CONCEPTUAL FLOOR PLAN - LEVEL B1
SCALE: 1" = 30'-0"

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CONCEPTUAL FLOOR PLANS

SCALE: As indicated

**A-005**

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2 SOUTH ELEVATION @ IVY ROAD
SCALE: 1/16" = 1'-0"




1 EAST ELEVATION @ COPELEY ROAD
SCALE: 1/16" = 1'-0"

## LEGEND - EXTERIOR MATERIALS

- WALL TYPE A - DARK BRICK
- WALL TYPE B - COMPOSITE PANEL B TERRACOTA, BRICK PATTERN
- WALL TYPE B - COMPOSITE PANEL B HORIZONTAL PATTERN
- WALL TYPE C - COMPOSITE PANEL C GRAY SMOOTH
- WALL TYPE C - COMPOSITE PANEL C GRAY, HORIZONTAL PATTERN
- VINYL WINDOWS
- ALUMINUM STOREFRONT
- DARK GRAY BLOCK
- METAL MESH SCREEN
- SECTIONAL LOADING DOCK DOOR W/METAL FRAME & TRANSLUCENT PANELS
- GLASS WINDSCREEN
- METAL RAILING SYSTEM
- MECHANICAL SCREEN
- CONCRETE WALL

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CONCEPTUAL ELEVATIONS

SCALE: 12" = 1'-0"

**A-006**

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2 NORTH ELEVATION @ RAILROAD
SCALE: 1/16" = 1'-0"




1 WEST ELEVATION
SCALE: 1/16" = 1'-0"

0' 4' 8' 16' 32'

## LEGEND - EXTERIOR MATERIALS

- WALL TYPE A - DARK BRICK
- WALL TYPE B - COMPOSITE PANEL B TERRACOTA, BRICK PATTERN
- WALL TYPE B - COMPOSITE PANEL B HORIZONTAL PATTERN
- WALL TYPE C - COMPOSITE PANEL C GRAY SMOOTH
- WALL TYPE C - COMPOSITE PANEL C GRAY, HORIZONTAL PATTERN
- VINYL WINDOWS
- ALUMINUM STOREFRONT
- DARK GRAY BLOCK
- METAL MESH SCREEN
- SECTIONAL LOADING DOCK DOOR W/METAL FRAME & TRANSLUCENT PANELS
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- CONCRETE WALL

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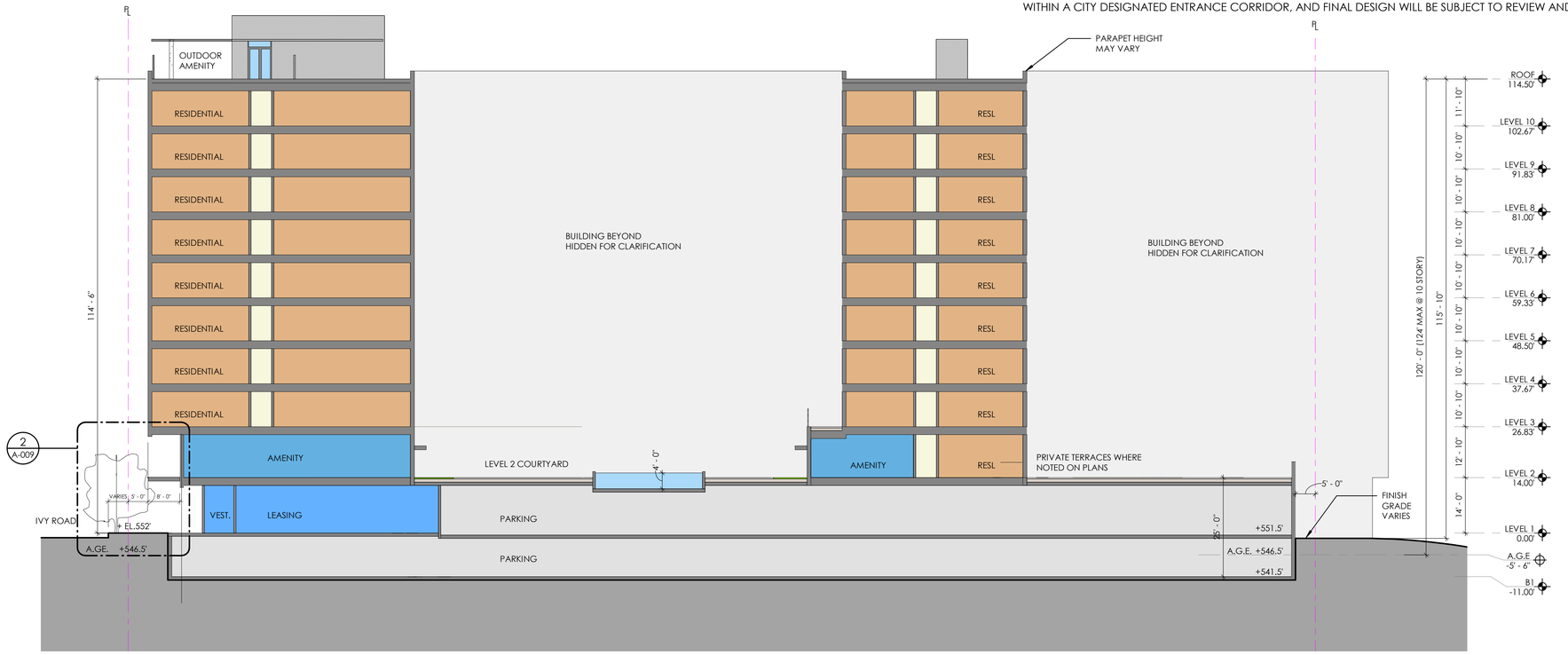
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CONCEPTUAL ELEVATIONS

SCALE: 12" = 1'-0"

**A-007**

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2 BUILDING SECTION LOOKING WEST
SCALE: 1/16" = 1'-0"

1 BUILDING SECTION
SCALE: 1/16" = 1'-0"

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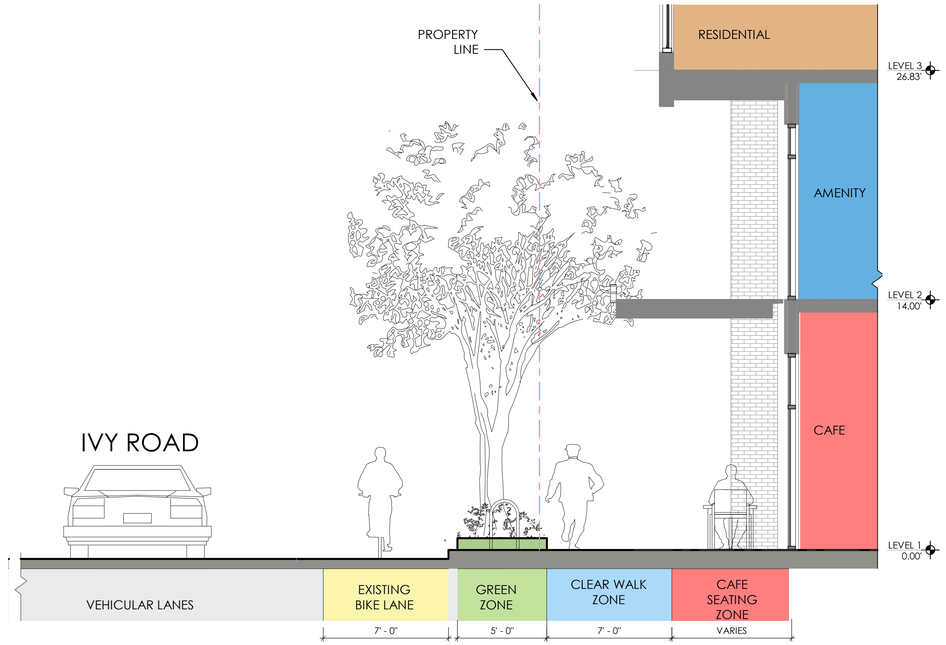
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CONCEPTUAL BUILDING SECTIONS

SCALE: As indicated

**A-008**




2 CONCEPTUAL STREET SECTION
SCALE: 1/4" = 1'-0"




1 CONCEPTUAL BUILDING SECTION LOOKING NORTH
SCALE: 1/16" = 1'-0"

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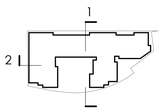
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|---|---|
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CONCEPTUAL BUILDING SECTIONS

SCALE: As indicated

**A-009**

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4 - PERSPECTIVE - IVY RD




2 - DETAIL PERSPECTIVE - IVY & COPELEY



3 - PERSPECTIVE - COPELEY



1 - PERSPECTIVE - COPELEY & IVY

NOT TO SCALE

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CONCEPTUAL
PERSPECTIVE IMAGES

SCALE: 12" = 1'-0"

**A-010**

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2 - DETAIL PERSPECTIVE - IVY ROAD



3 - PERSPECTIVE - FROM ALDERMAN DRIVE




1 - PERSPECTIVE - IVY ROAD

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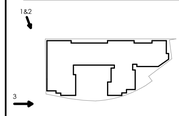
CIVIL ENGINEER
TIMMONS GROUP
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CHARLOTTESVILLE, VA 22903
TEL 434.327.1690

LAND USE COUNSEL
WILLIAMS MULLEN
323 2ND STREET SE, SUITE 900,
CHARLOTTESVILLE, VA 22902
TEL 434.951.5700

# 2117 IVY ROAD
CHARLOTTESVILLE, VA 22903

OWNER\APPLICANT
RMD PROPERTIES
211 E HIGH ST.
CHARLOTTESVILLE, VA 22902
TEL - 217.474.5904

| | |
|---|---|
| PUD SUBMISSION | 05/15/23 |
| PUD RESPONSE | 08/02/23 |
| PUD RESPONSE #2 | 10/06/23 |
| **PUD RESPONSE #3** | **11/21/23** |

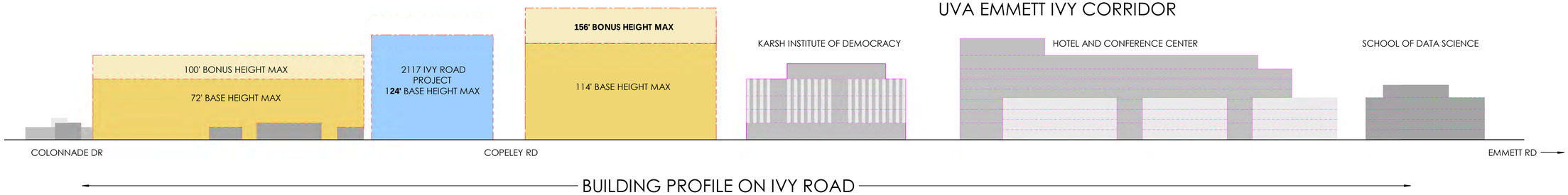



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CONCEPTUAL
PERSPECTIVE IMAGES

SCALE: 12" = 1'-0"

**A-010A**




1 Concept Site Section
SCALE: 1" = 60'-0"




NOTE: ALL DRAWINGS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PER FINAL ARCHITECTURAL, CIVIL, AND SITE DESIGN. PROPERTY IS LOCATED WITHIN A CITY DESIGNATED ENTRANCE CORRIDOR, AND FINAL DESIGN WILL BE SUBJECT TO REVIEW AND APPROVAL BY THE ENTRANCE CORRIDOR REVIEW BOARD.

NOT FOR CONSTRUCTION

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| | |
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CONCEPTUAL SITE SECTION

SCALE: 1" = 60'-0"

**A-011**

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2 CONCEPTUAL NORTH INTERIOR COURTYARD ELEVATION
SCALE 1/16" = 1'-0"




1 CONCEPTUAL SOUTH INTERIOR COURTYARD ELEVATION
SCALE 1/16" = 1'-0"

CONCEPTUAL LEGEND - EXTERIOR MATERIALS

- WALL TYPE A - DARK BRICK
- WALL TYPE B - COMPOSITE PANEL
- WALL TYPE C - COMPOSITE PANEL
- WALL TYPE D - COMPOSITE PANEL
- WALL TYPE E - COMPOSITE PANEL
- VINYL WINDOWS
- ALUMINUM STOREFRONT
- DARK GRAY BLOCK
- METAL MESH SCREEN
- SECTIONAL LOADING DOCK DOOR W/METAL FRAME & TRANSLUCENT PANELS
- GLASS WINDSCREEN
- METAL RAILING SYSTEM
- MECHANICAL SCREEN
- CONCRETE WALL

ALL MATERIALS SUBJECT TO ENTRANCE REVIEW BOARD APPROVAL

0' 4' 8' 16' 32'

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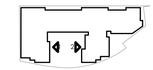
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| # | |
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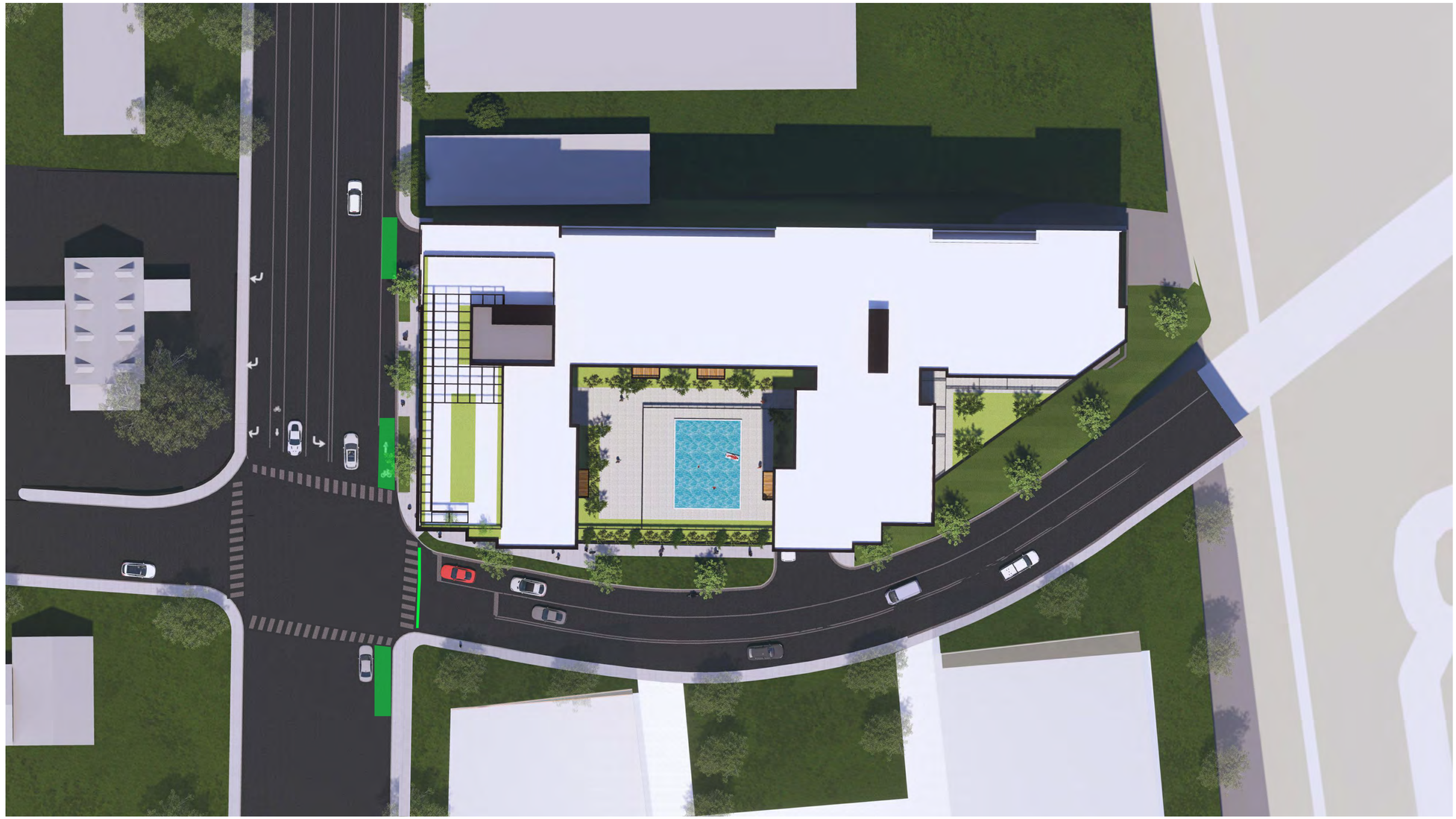
PROFESSIONAL SEAL

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INTERIOR COURTYARD VIEWS

SCALE: As indicated

NEW **A-012**



1 SOLAR STUDY JUN 21 12 PM
SCALE: 12" = 1'-0"

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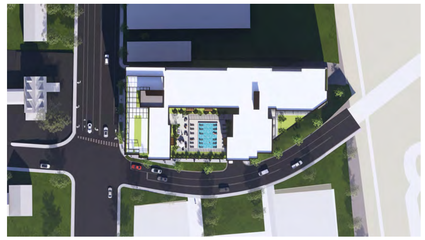
| | |
|---|---|
| PUD SUBMISSION | 05/15/23 |
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| **PUD RESPONSE #3** | **11/21/23** |

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SOLAR STUDY

SCALE: 12" = 1'-0"

**A-013**



SOLAR STUDY: MAR 21 - 10 AM



SOLAR STUDY: JUN 21 - 10 AM



SOLAR STUDY: SEP 23 - 10 AM



SOLAR STUDY: DEC 22 - 10 AM



SOLAR STUDY: MAR 21 - 12 PM



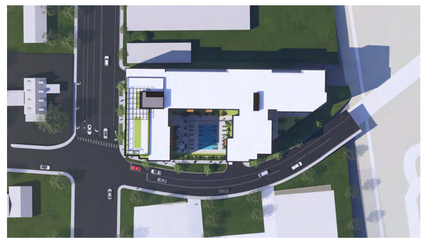
SOLAR STUDY: JUN 21 - 12 PM



SOLAR STUDY: SEP 23 - 12 PM



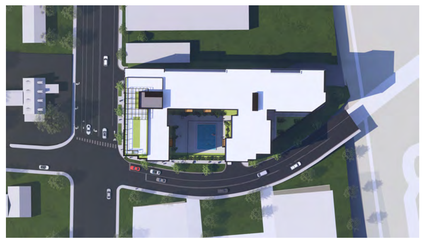
SOLAR STUDY: DEC 22 - 12 PM



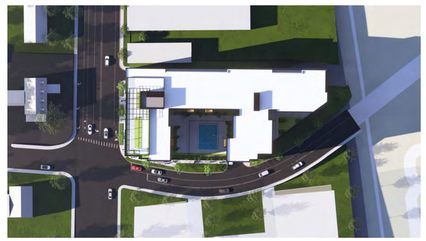
SOLAR STUDY: MAR 21 - 2 PM



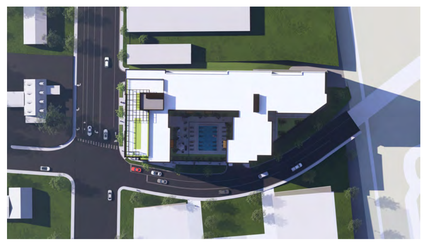
SOLAR STUDY: JUN 21 - 2 PM



SOLAR STUDY: SEP 23 - 2 PM



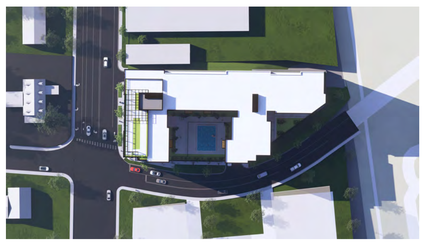
SOLAR STUDY: DEC 22 - 2 PM



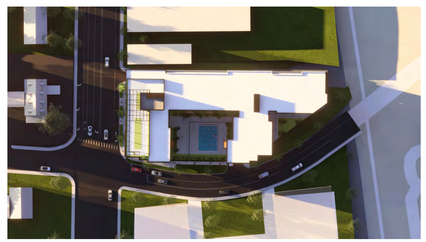
SOLAR STUDY: MAR 21 - 4 PM



SOLAR STUDY: JUN 21 - 4 PM



SOLAR STUDY: SEP 23 - 4 PM



SOLAR STUDY: DEC 22 - 4 PM

1 SOLAR STUDY
SCALE: 12" = 1'-0"

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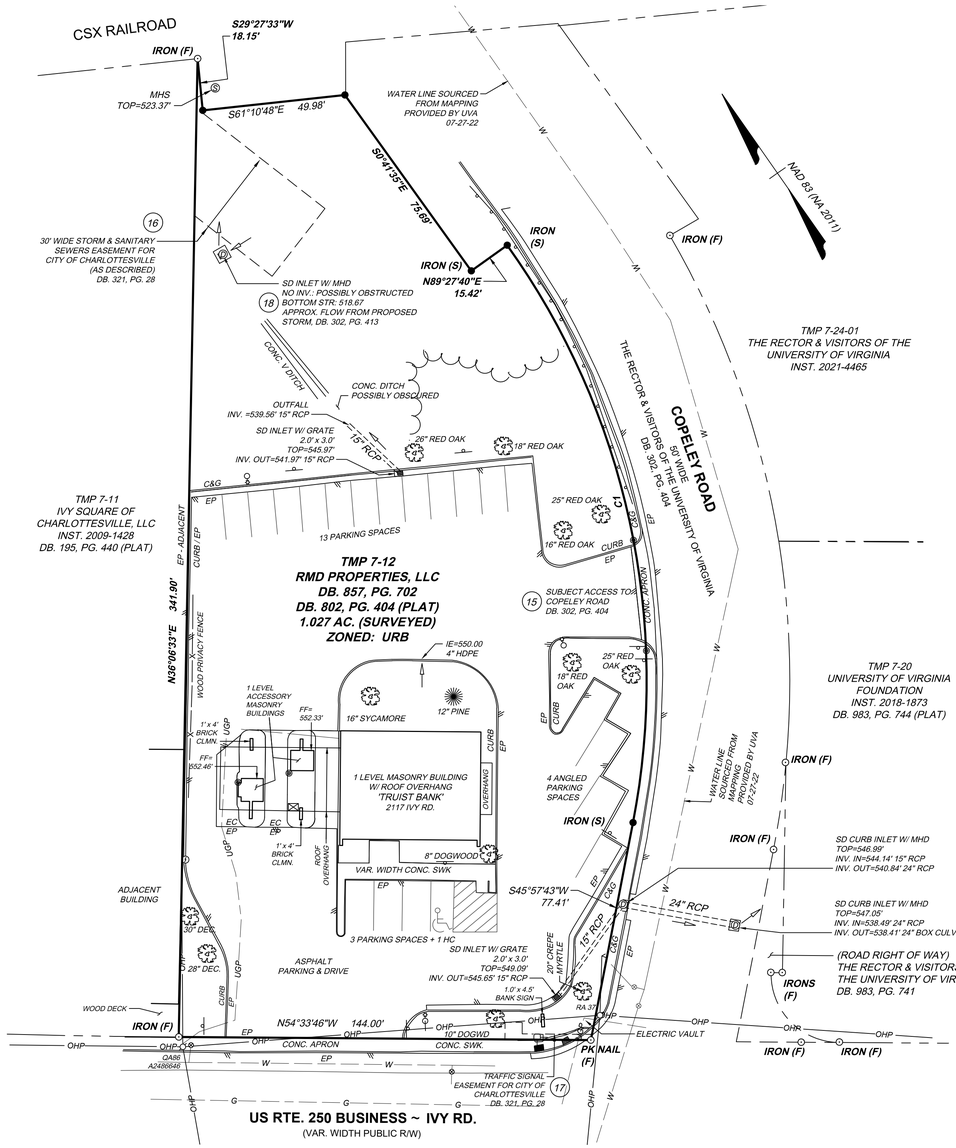
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SOLAR STUDY

SCALE: 12" = 1'-0"

**A-014**




**LEGEND**

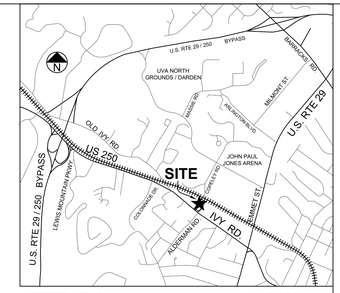
- WATER VALVE
- SANITARY SEWER MANHOLE (MHS)
- STORM DRAINAGE MANHOLE
- STORM DRAINAGE (SD) GRATE INLET
- DRAINAGE / FLOW DIRECTION
- RCP REINFORCED CONCRETE PIPE
- HDPE HIGH DENSITY POLYETHYLENE PIPE
- LIGHT POLE
- UTILITY BOX / VAULT AS NOTED
- UTILITY POLE
- ELECTRIC METER
- OHP OVERHEAD POWER
- W UNDERGROUND WATER UTILITY
- SAN SANITARY SEWER PIPE
- G UNDERGROUND GAS LINE
- UGP UNDERGROUND POWER UTILITY
- GUARD RAIL
- EDGE OF PAVEMENT (EP)
- TREE / VEGETATION LINE
- DECIDUOUS (DEC) TREE
- CONIFEROUS TREE
- SIGN
- BOLLARD
- C&G CURB & GUTTER
- SWK SIDEWALK
- EP EDGE OF PAVEMENT
- DB. DEED BOOK
- PG. PAGE
- INST. INSTRUMENT
- (F) PROPERTY COR. FOUND, AS NOTED

CONTOUR INTERVAL = 1'

| CURVE TABLE | | | | | | |
|---|---|---|---|---|---|---|
| CURVE | RADIUS | LENGTH | TANGENT | DELTA | CHORD BEARING | CHORD |
| C1 | 261.52' | 212.25' | 112.36' | 46°30'03" | S22°42'42"W | 206.47' |

SCALE 1"=25'

0 25' 50'




VICINITY MAP 1" = 2,000'

## SURVEY NOTES:

1. PROPERTY & ZONING INFORMATION:
SUBJECT PROPERTY:
OWNER: RMD PROPERTIES, LLC
REFERENCE: DEED BOOK 857, PAGE 702

CITY PID: 070001200 (TMP 7-12)
PROPERTY ADDRESS: 2117 IVY ROAD
AREA: 1.027 ACRES (SURVEYED)
ZONED: URB

2. DIMENSIONAL ZONING REGULATIONS, PER CITY OF CHARLOTTESVILLE CODE, CHAPTER 34, ARTICLE VI:
SETBACKS:
PRIMARY STREET FRONTAGE - 5 FEET MINIMUM, 30 FEET MAX.
LINKING STREET FRONTAGE - 5 FEET MINIMUM, 20 FEET MAX.
SIDE - NONE

MAX. STRUCTURE HEIGHT - 60 FEET

3. EXISTING PARKING: STRIPED / DESIGNATED PARKING SPACES OBSERVED AND DEPICTED HEREON.

4. THE BOUNDARY SHOWN HEREON IS BASED ON A FIELD SURVEY BY TIMMONS GROUP COMPLETED ON JULY 15, 2022.

5. HORIZONTAL DATUM IS BASED ON NAD83 (NA2011), VIRGINIA STATE GRID, SOUTH ZONE. DATUM ESTABLISHED THROUGH NETWORK GPS (LEICA SmartNET) OBSERVATIONS.

6. BASED ON FEMA FLOOD INSURANCE RATE MAP (FIRM), MAP NO. 51003C0287D, PANEL 287 OF 575, EFFECTIVE DATE FEBRUARY 4, 2005, THE PROPERTY SHOWN HEREON LIES IN UNSHADED ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

7. THIS PLAT WAS PREPARED WITH THE BENEFIT OF A TITLE REPORT, NOTED AS FOLLOWS:
- COMMITMENT NO. SHTC22-1195, FROM CHICAGO TITLE INSURANCE COMPANY, DATED JULY 06, 2022.

8. THE LANDS SURVEYED ARE THE SAME AS DESCRIBED IN THE REFERENCED TITLE COMMITMENT.

9. THERE IS NO OBSERVABLE EVIDENCE OF BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE SUBJECT PROPERTY; NO EVIDENCE OF RECENT EARTH MOVING WORK OBSERVED (INCIDENTAL TO SUBSTANTIAL GRADING CHANGES). DEMOLITION OF HOUSE APPARENT

10. NO EVIDENCE OF CEMETERY OR BURIAL GROUND OBSERVED IN THE PROCESS OF CONDUCTING THE SURVEY FIELD-WORK.

11. ON THE DATE OF THE SURVEY, THERE WAS NO VISUAL EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP, OR SANITARY LANDFILL. (COLLECTIONS OF RESIDENTIAL RUBBISH OBSERVED IN SOME AREAS.)

12. REGARDING TABLE A, ITEM 11, LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE DERIVED FROM THE FOLLOWING METHODS;

- OBSERVED EVIDENCE COLLECTED DURING FIELD PROCEDURES AND SURVEY OF SITE;

- MISS UTILITY (811) TICKET INITIATION, TICKET NO. A219300827. NO FORMAL UNDERGROUND UTILITY INVESTIGATION (SUE) BEYOND INFORMATION PROVIDED BY MISS UTILITY HAS BEEN CONDUCTED BY THIS FIRM.

- WATER LINE AND VALVES ON COPELEY ROAD DEPICTED VIA GIS DATA PROVIDED BY THE UNIVERSITY OF VIRGINIA.

## SCHEDULE B, PART II EXCEPTIONS FROM COVERAGE

THIS PLAT WAS PREPARED WITH THE BENEFIT OF A TITLE REPORT, COMMITMENT NO. SHTC22-1195 FROM CHICAGO TITLE INSURANCE COMPANY, ISSUED JULY 06, 2022.

SCHEDULE B, PART II EXCEPTIONS ARE AS FOLLOWS:

1. ANY DEFECT, LIEN, ENCUMBRANCE, ADVERSE CLAIM, OR OTHER MATTER THAT APPEARS FOR THE FIRST TIME IN THE PUBLIC RECORDS OR IS CREATED, ATTACHES, OR IS DISCLOSED BETWEEN THE COMMITMENT DATE AND THE DATE ON WHICH ALL OF THE SCHEDULE B, PART I-REQUIREMENTS ARE MET. ***NOT A SURVEY MATTER***.
2. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR, OR MATERIAL HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW, AND NOT SHOWN BY THE PUBLIC RECORDS. ***NOT A SURVEY MATTER***.
3. EASEMENTS OR CLAIMS OF EASEMENTS NOT SHOWN BY THE PUBLIC RECORDS. ***NOT A SURVEY MATTER***.
4. RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES SOLELY AS TENANTS AND SOLELY WITH RESPECT TO SPACE OCCUPIED BY EACH SUCH TENANT, TOGETHER WITH NON-EXCLUSIVE RIGHTS IN COMMON WITH OTHER TENANTS IN AREAS USED BY ALL TENANTS. ***NOT A SURVEY MATTER***.
5. TAXES, STORM WATER, UTILITY, RECYCLING AND SPECIAL ASSESSMENTS WHICH BECOME DUE AND PAYABLE SUBSEQUENT TO THE EFFECTIVE DATE HEREOF, LIENS, AND SUPPLEMENTAL TAXES WHICH MAY COME DUE AND ALL TAXES FOR SUBSEQUENT FISCAL YEARS, BUT NOT YET DUE AND PAYABLE. ***NOT A SURVEY MATTER***.
6. SUCH STATE OF FACTS AS WOULD BE DISCLOSED BY AN ACCURATE SURVEY END INSPECTION OF THE PREMISES. ***INCIDENTAL TO SURVEY DEPICTED HEREON.***
7. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND. THE TERM "ENCROACHMENT" INCLUDES ENCROACHMENTS OF EXISTING IMPROVEMENTS LOCATED ON THE LAND ONTO ADJOINING LAND, AND ENCROACHMENTS ONTO THE LAND OF EXISTING IMPROVEMENTS LOCATED ON ADJOINING LAND.
NOTE: UPON RECEIPT OF SATISFACTORY PLAT OF SURVEY AND INSPECTION REPORT, THIS EXCEPTION WILL BE ELIMINATED OR AMENDED IN ACCORDANCE WITH THE FACTS DISCLOSED THEREBY. ***INCIDENTAL TO SURVEY DEPICTED HEREON***.
15. TERMS, PROVISIONS, AND CONDITIONS OF THAT CERTAIN DEED DATED APRIL 24, 1968, RECORDED OCTOBER 17, 1968, IN DEED BOOK 302, PAGE 404.
   a. SLOPE EASEMENT - ***AFFECTS, NOT PLOTTABLE.***
   b. ACCESS TO COPELEY ROAD - ***AFFECTS AS SHOWN.***
16. EASEMENT: GRANTED UNTO THE CITY OF CHARLOTTESVILLE DATED JULY 23, 1970, RECORDED IN DEED BOOK 321, PAGE 28. GRANTS EASEMENT FOR A SEWER LINE OR OTHER UTILITIES AND APPURTENANCES THERETO, AT 30' WIDE DESIGNATED AND UNDESIGNATED LOCATIONS, WITH INGRESS, EGRESS AND CLEARAGE. PLAT RECORDED THEREWITH SHOWS EASEMENT. ***AFFECTS AS SHOWN.***
17. EASEMENT: GRANTED UNTO THE CITY OF CHARLOTTESVILLE, VIRGINIA, DATED NOVEMBER 21, 1984, RECORDED MARCH 15, 1985, IN DEED BOOK 461, PAGE 74. GRANTS EASEMENT TO INSTALL AND MAINTAIN A TRAFFIC SIGNAL DEVICE AND APPURTENANCES THERETO, AT DESIGNATED AND UNDESIGNATED LOCATIONS, WITH INGRESS, EGRESS AND CLEARAGE. ***AFFECTS AS SHOWN.***
18. PLAT MADE BY WILLIAM S. ROUDABUSH, JR. &ASSOCIATES DATED APRIL 1966, REVISED MAY 6, 1966 AND DECEMBER 27, 1967, ENTITLED, "PLAT SHOWING PROPERTY AND EASEMENTS TO BE ACQUIRED BY THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA - FROM R. MARSHALL DAVIS & ROSA LEE DAVIS, AND MARGARET UPSHUR BROWN MASSIE, CHARLOTTESVILLE, VIRGINIA• RECORDED WITH DEED IN DEAD BOOK 302, PAGE 404, SHOWS THE FOLLOWING:
   a. EXISTING STREAM. ***NOT LOCATABLE OR PLOTTABLE.***
   b. PROPOSED STORM DRAIN. ***AFFECTS AS SHOWN.***

## RECORD DESCRIPTION:

ALL THOSE CERTAIN LOTS OR PARCELS OF LAND SITUATE, LYING AND BEING IN THE CITY OF CHARLOTTESVILLE, VIRGINIA, DESIGNATED AS "PARCEL X-1, PARCEL X-2 AND PARCEL F-4" ON THAT CERTAIN PLAT MADE BY WILLIAM S. ROUDABUSH, JR. & ASSOCIATES, ENTITLED, "PLAT SHOWING PROPERTY AND EASEMENTS TO BE ACQUIRED BY THE RECTOR AND VISITORS OF THE UNIVERSITY OF VIRGINIA- FROM R. MARSHALL DAVIS & ROSA LEE DAVIS. AND MARGARET UPSHUR BROWN MASSIE, CHARLOTTESVILLE, VIRGINIA", DATED APRIL 1966, REVISED MAYE. 1966, AND DECEMBER 27, 1967, AND RECORDED IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF CHARLOTTESVILLE, VIRGINIA, WITH DEED IN DEED BOOK 302, PAGE 413.

BEING THE SAME REAL ESTATE CONVEYED TO RMD PROPERTIES, LLC, A VIRGINIA LIMITED LIABILITY COMPANY BY DEED OF GIFT FROM R. MARSHALL DAVIS AND FRANCIS L. BUCK, TRUSTEES OF THE ROSA LEE DAVIS LIVING TRUST DATED JULY 8, 1996, DATED JUNE 20, 2002, RECORDED JUNE 21, 2002, IN THE CLERK'S OFFICE, CIRCUIT COURT, CITY OF CHARLOTTESVILLE, VIRGINIA, IN DEED BOOK 857, PAGE 702.

## ALTA/NSPS SURVEYOR'S CERTIFICATION

TO: CHICAGO TITLE INSURANCE COMPANY, RMD PROPERTIES, LLC, & UP CAMPUS HOLDINGS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND / OR ASSIGNS:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(a-b), 8, 11(a), 13, 14, 16, 17, 18, & 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON OCTOBER 4, 2021. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA AND NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE COMMONWEALTH OF VIRGINIA, THE RELATIVE POSITIONAL ACCURACY OF THIS SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

COMMONWEALTH OF VIRGINIA
JOSEPH C. MEDLEY
Lic. No. 3385
08-05-22
LAND SURVEYOR

## 'ALTA/NSPS LAND TITLE SURVEY'

OF 1.027 ACRES
FRONTING IVY ROAD
BEING
CITY PID 070001200
IN THE
CITY OF CHARLOTTESVILLE, VIRGINIA

| | |
|---|---|
| Venable Area | Charlottesville, VA |
| DATE: August 5, 2022 | SCALE: 1" = 25' |
| SHEET 1 OF 1 | J.N.: 54985 |
| DRAWN BY: MKT - JCM | CHECK BY: JCM |
| LAST REVISED: - | |

## Property Information within 500 feet of Proposed PUD

| Property Owner | Property Address | Address | City, State | Zip Code | Parcel ID Number | Zoning |
|---|---|---|---|---|---|---|
| BOLLINGWOOD PROPERTIES, LLC | 115 BOLLINGWOOD RD | 580 MASSIE RD | CHARLOTTESVILLE VA | 22903 | 70024000 | R-1U |
| BOYADJIAN, SIMON K | 2120 IVY RD | 2120 IVY RD | CHARLOTTESVILLE VA | 22903 | 70003000 | B-1 |
| C & O RAILWAY COMPANY | 0 UNKNOWN | C-12 500 WATER | JACKSONVILLE FL | 32202 | 350555000 | MLTP |
| CAPONE, GERARD, JR | 2107 MORRIS RD | 2107 MORRIS RD | CHARLOTTESVILLE VA | 22903 | 70003700 | R-1U |
| DAVIS, ROGER HB JR & JEANNE S, TRUSTS | 13 IVY RD | 6207 RIVERSIDE FARM LN | CAPE CHARLES VA | 23310 | 70001400 | URB |
| ELIAS, WILLIAM J & JULIANA B | 123 BOLLINGWOOD RD | 123 BOLLINGWOOD RD | CHARLOTTESVILLE VA | 22903 | 70022000 | R-1UH |
| EQUITY SHELTER, LLC | 2114 IVY RD | P O BOX 6156 | CHARLOTTESVILLE VA | 22906 | 70003210 | B-1 |
| FIELDS, MARY ELIZABETH | 111 ALDERMAN RD | 111 ALDERMAN RD | CHARLOTTESVILLE VA | 22903 | 70003180 | R-IU |
| GORMAN, NEAL A & CARLA DURAN-GORMAN, TRUSTEES | 2108 MORRIS RD | 2108 MORRIS RD | CHARLOTTESVILLE VA | 22903 | 70003110 | R-IU |
| HILINSKI, MICHAEL & DAPHNA BASSOK | 2109 MORRIS RD | 2109 MORRIS RD | CHARLOTTESVILLE VA | 22903 | 70003600 | R-IU |
| IVY SQUARE OF CHARLOTTESVILLE, LLC | 2121 IVY RD | 1 BOAR'S HEAD POINTE | CHARLOTTESVILLE VA | 22903 | 70001000 | URB |
| IVY SQUARE OF CHARLOTTESVILLE, LLC | 2119 IVY RD | 1 BOAR'S HEAD POINTE | CHARLOTTESVILLE VA | 22903 | 70001100 | URB |
| IVY SQUARE OF CHARLOTTESVILLE, LLC | 2123-25 IVY RD | 1 BOAR'S HEAD POINTE | CHARLOTTESVILLE VA | 22903 | 70001300 | URB |
| JEFFERSON, NATIONAL BANK | 2100 IVY RD | P O BOX 2609 | CARLSBAD CA | 92018 | 70003201 | B-1 |
| LEE, SEUNG HUN & LOUCA, DESPO A | 2103 MORRIS RD | 2103 MORRIS RD | CHARLOTTESVILLE VA | 22903 | 70003900 | R-1U |
| LESSARD, STEPHEN C | 2101 MORRIS RD | 228 E 13TH ST APT 26 | NEW YORK NY | 10003 | 70003100 | R-1U |
| MONTAGUE, PERCY, IV & ANNE C | 117 BOLLINGWOOD RD | 117 BOLLINGWOOD RD | CHARLOTTESVILLE VA | 22903 | 70023000 | R-1U |
| SMITH, MARK J & MARINA M HEISS | 2105 MORRIS RD | 2105 MORRIS RD | CHARLOTTESVILLE VA | 22903 | 70003800 | R-1U |
| ST ANNE'S-BELFIELD, INC | 2132 IVY RD | 2132 IVY RD | CHARLOTTESVILLE VA | 22903 | 70001101 | R-1U |
| ST MARKS EVAN LUTHERAN CHURCH | 100 ALDERMAN RD | 100 ALDERMAN RD | CHARLOTTESVILLE VA | 22903 | 70003101 | R-1U |
| STEBBINS, DENISE C | 113 ALDERMAN RD | 113 ALDERMAN RD | CHARLOTTESVILLE VA | 22903 | 70003170 | R-1U |
| THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA | 2023 IVY RD | PO BOX 400884 | CHARLOTTESVILLE VA | 22904 | 70002200 | URB |
| THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA | 2015 IVY RD | PO BOX 400884 | CHARLOTTESVILLE VA | 22904 | 70002300 | URB |
| THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA | 2015 IVY RD | PO BOX 400884 | CHARLOTTESVILLE VA | 22904 | 70002401 | URB |
| THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA | 101 EMMET ST N | PO BOX 400884 | CHARLOTTESVILLE VA | 22904 | 80001000 | MLTP |
| THE STORY HOUSE LLC | 2110 IVY RD | 2110 IVY RD | CHARLOTTESVILLE VA | 22903 | 70003190 | B-1 |
| UNIVERSITY OF VIRGINIA, FOUNDATION | 2033 IVY RD | PO BOX 400218 | CHARLOTTESVILLE VA | 22904 | 70002000 | URB |
| UNIVERSITY OF VIRGINIA FOUNDATION | 2025-29 IVY RD | PO BOX 400218 | CHARLOTTESVILLE VA | 22904 | 70002100 | URB |
| UNIVERSITY OF VIRGINIA FOUNDATION | 2019 IVY RD | PO BOX 400218 | CHARLOTTESVILLE VA | 22904 | 70025000 | R-1U |
| UNIVERSITY OF VIRGINIA FOUNDATION | 0 IVY RD | PO BOX 400218 | CHARLOTTESVILLE VA | 22904 | 70026000 | R-1U |
| UNIVERSITY OF VIRGINIA FOUNDATION | 2001 IVY RD | PO BOX 400218 | CHARLOTTESVILLE VA | 22904 | 70027000 | R-1U |
| UNIVERSITY OF VIRGINIA FOUNDATION | 107 BOLLINGWOOD RD | PO BOX 400218 | CHARLOTTESVILLE VA | 22904 | 70028000 | R-1U |
| UNIVERSITY OF VIRGINIA FOUNDATION | 101 BOLLINGWOOD RD | PO BOX 400218 | CHARLOTTESVILLE VA | 22904 | 70029000 | R-1U |

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| | |
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PROFESSIONAL SEAL

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ALTA NSPS LAND TITLE SURVEY

SCALE: 1" = 25'

C-001

S:\103\54985-2117_IvyRoad\DWG\Sheet\C0\54985-C1.0-SURVEYSHEET.dwg | Plotted on 11/19/2023 5:02 PM | by Clint Sheffield

LEGEND

- WATER VALVE
- SANITARY SEWER MANHOLE (MHS)
- STORM DRAINAGE MANHOLE
- STORM DRAINAGE (SD) GRATE INLET
- DRAINAGE / FLOW DIRECTION
- RCP REINFORCED CONCRETE PIPE
- HDPE HIGH DENSITY POLYETHYLENE PIPE
- LIGHT POLE
- UTILITY BOX / VAULT AS NOTED
- UTILITY POLE
- ELECTRIC METER
- OHP OVERHEAD POWER
- UNDERGROUND WATER UTILITY
- SANITARY SEWER PIPE
- G UNDERGROUND GAS LINE
- UNDERGROUND POWER UTILITY
- GUARD RAIL
- EDGE OF PAVEMENT (EP)
- TREE / VEGETATION LINE
- DECIDUOUS (DEC) TREE
- CONIFEROUS TREE
- SIGN
- BOLLARD
- C&G CURB & GUTTER
- SWK SIDEWALK
- EP EDGE OF PAVEMENT
- DB. DEED BOOK
- PG. PAGE
- INST. INSTRUMENT
- (F) PROPERTY COR. FOUND, AS NOTED

CONTOUR INTERVAL = 1'

| CURVE TABLE | | | | | | |
|---|---|---|---|---|---|---|
| CURVE | RADIUS | LENGTH | TANGENT | DELTA | CHORD BEARING | CHORD |
| C1 | 261.52' | 212.25' | 112.36' | 46°30'03" | S22°42'42"W | 206.47' |

SCALE 1"=20'
0 20' 40'

US RTE. 250 BUSINESS ~ IVY RD.
(VAR. WIDTH PUBLIC R/W)

EXISTING BICYCLE LANE - IVY ROAD

ALDERMAN ROAD

TRAFFIC SIGNAL EASEMENT FOR CITY OF CHARLOTTESVILLE DB. 321, PG. 28

ADJACENT BUILDING

IRON (F)

PARCEL BOUNDARY LINE

N36°06'33"E 341.90'

30" DEC.

28" DEC.

WOOD DECK

WOOD PRIVACY FENCE

EP - ADJACENT CURB / EP

1' x 4' BRICK CLMN.

FF= 552.48'

1 LEVEL ACCESSORY MASONRY BUILDINGS

FF= 552.33'

ROOF OVERHANG

ASPHALT PARKING & DRIVE

CONC. APRON

144.00' M.L. N54°33'46"W

TMP 7-11
2119 IVY LLC
INST. 2009-1428
DB. 195, PG. 440 (PLAT)

TMP 7-12
RMD PROPERTIES, LLC
DB. 857, PG. 702
DB. 802, PG. 404 (PLAT)
1.027 AC. (SURVEYED)
ZONED: URB

13 PARKING SPACES

3 PARKING SPACES + 1 HC

VAR. WIDTH CONC. SWK.

1 LEVEL MASONRY BUILDING
W/ ROOF OVERHANG
"TRUIST BANK"
2117 IVY RD.

16" SYCAMORE

12" PINE

IE=550.00
4" HDPE

OVERHANG

CURB

EP

10" DOGWOOD

8" DOGWOOD

1.0' x 4.5' BANK SIGN

SD INLET W/ GRATE
2.0' x 3.0'
TOP=549.09'
INV. OUT=545.65' 15" RCP

20" CREPE MYRTLE

4 ANGLED PARKING SPACES

S45°57'43"W 77.41'

18" RED OAK

25" RED OAK

SUBJECT ACCESS TO COPELEY ROAD DB. 302, PG. 404

PK NAIL (F)

ELECTRIC VAULT

SD CURB INLET W/ MHD
TOP=546.99'
INV. IN=544.14' 15" RCP
INV. OUT=540.84' 24" RCP

15" RCP

24" RCP

IRON (S)

CONC. APRON

C1

WATER LINE SOURCED FROM MAPPING PROVIDED BY UVA 07-27-22

IRON (F)

EX. SIDEWALK

EX. GUTTER PAN

IRONS (F)

SD CURB INLET W/ MHD
TOP=547.05'
INV. IN=538.49' 24" RCP
INV. OUT=538.41' 24" BOX CULVERT

(ROAD RIGHT OF WAY)
THE RECTOR & VISITORS OF
THE UNIVERSITY OF VIRGINIA
DB. 983, PG. 741

TMP 7-20
UNIVERSITY OF VIRGINIA
FOUNDATION
INST. 2018-1873
DB. 983, PG. 744 (PLAT)

TMP 7-24-01
THE RECTOR & VISITORS OF THE
UNIVERSITY OF VIRGINIA
INST. 2021-4465

SD INLET
W/ GRATE (2.5' x 2.5')
TOP=541.68'
INV. OUT=529.68' 18" RCP

18" RCP

MH-SSWR
TOP=533.64'
INV. IN=519.74' 12" CI
INV. OUT=518.80' 12" CI

16 30' WIDE STORM & SANITARY SEWERS EASEMENT FOR CITY OF CHARLOTTESVILLE (AS DESCRIBED) DB. 321, PG. 28

SD INLET W/ MHD
TOP=523.43'
INV. IN=522.38' SOUTH (THROAT - AT GROUND)
INV. IN=521.97 NORTH (THROAT)
WATER LEVEL AT 521.6' ±
BOTTOM STR: 518.67 ±

MHS
TOP=523.37'

CSX RAILROAD

IRON (F)

S29°27'33"W 18.15'

MH-SSWR
TOP=523.38'
INV. IN=513.41' 12" CI
INV. IN=512.50' 8" PVC (SW)
INV. OUT=512.27' 12" CI

S51°19'08"E 196.96'

CONC. DITCH POSSIBLY OBSCURED

CONC. V DITCH

OUTFALL
INV. =539.58' 15" RCP

SD INLET W/ GRATE
2.0' x 3.0'
TOP=545.97'
INV. OUT=541.97' 15" RCP

75.69'

S0°41'15"E

26" RED OAK

IRON (S)

N89°27'40"E 15.42'

COPELEY ROAD
50' WIDE
THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA
DB. 302, PG. 404

16" RED OAK

25" RED OAK

IRON (F)

BRIDGE

WATER LINE SOURCED FROM MAPPING PROVIDED BY UVA 07-27-22

MH-SSWR
TOP=526.93'
NOT MEASURED
NO WEST CONNECTION

SD INLET
W/ GRATE (2.0' x 3.0')
TOP=525.77'
INV. IN=510.50' 60" RCP
INV. OUT=511.19' 60" RCP
BOT=510.33'
WATER LEVEL=511.01'
(OUT NOTED AS HIGHER)


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| | |
|---|---|
| PUD SUBMISSION | 05/15/23 |
| PUD RESUBMISSION | 08/11/23 |
| PUD RESUBMISSION | 10/06/23 |
| PUD RESUBMISSION | 11/21/23 |

PROFESSIONAL SEAL

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WDG PROJECT NO: PWA2022005

EXISTING CONDITIONS PLAN

SCALE: 1" = 20'

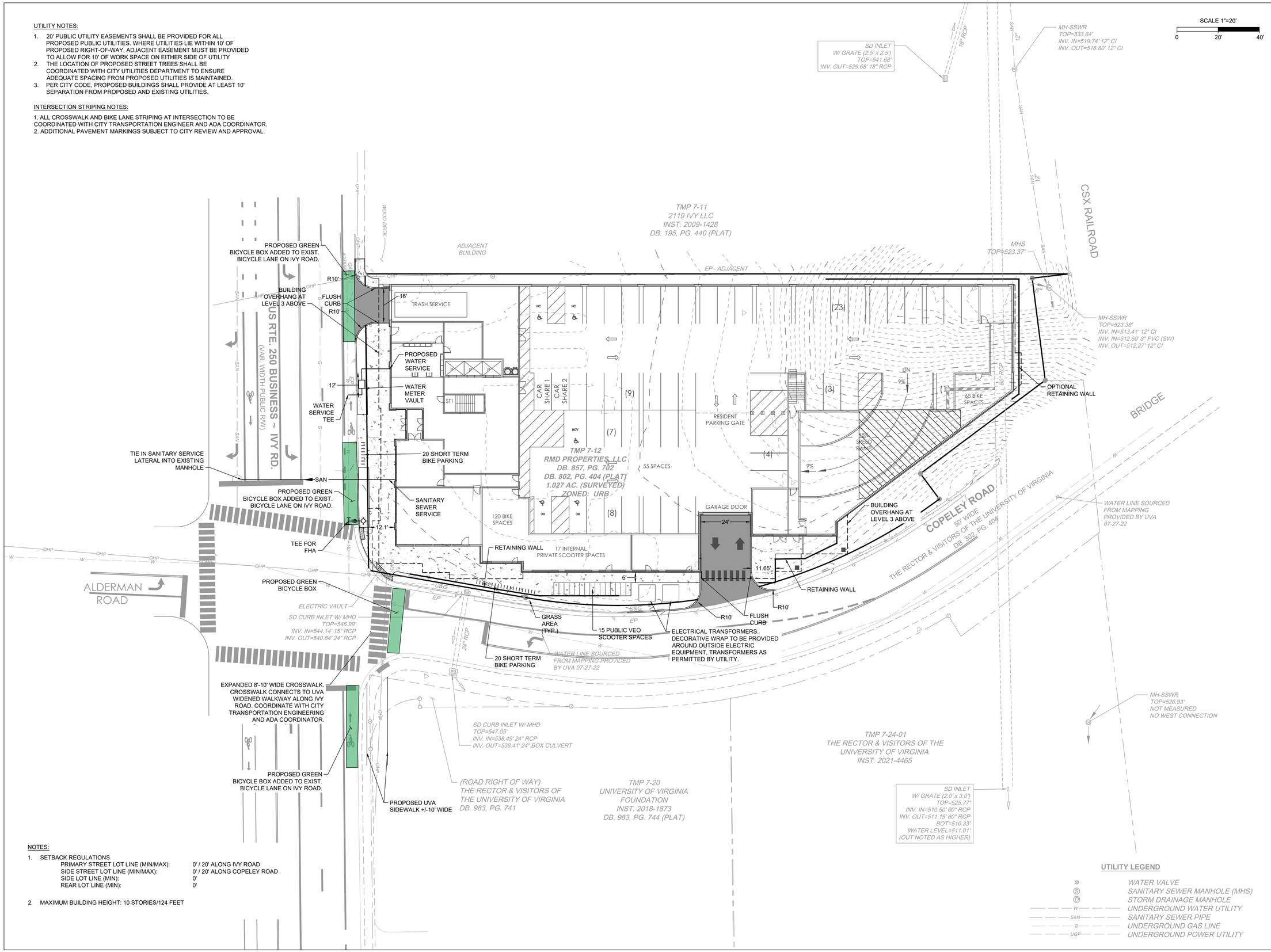
**C-002**

UTILITY NOTES:

1. 20' PUBLIC UTILITY EASEMENTS SHALL BE PROVIDED FOR ALL PROPOSED PUBLIC UTILITIES. WHERE UTILITIES LIE WITHIN 10' OF PROPOSED RIGHT-OF-WAY, ADJACENT EASEMENT MUST BE PROVIDED TO ALLOW FOR 10' OF WORK SPACE ON EITHER SIDE OF UTILITY
2. THE LOCATION OF PROPOSED STREET TREES SHALL BE COORDINATED WITH CITY UTILITIES DEPARTMENT TO ENSURE ADEQUATE SPACING FROM PROPOSED UTILITIES IS MAINTAINED.
3. PER CITY CODE, PROPOSED BUILDINGS SHALL PROVIDE AT LEAST 10' SEPARATION FROM PROPOSED AND EXISTING UTILITIES.

INTERSECTION STRIPING NOTES:

1. ALL CROSSWALK AND BIKE LANE STRIPING AT INTERSECTION TO BE COORDINATED WITH CITY TRANSPORTATION ENGINEER AND ADA COORDINATOR.
2. ADDITIONAL PAVEMENT MARKINGS SUBJECT TO CITY REVIEW AND APPROVAL.




NOTES:

1. SETBACK REGULATIONS

| | |
|---|---|
| PRIMARY STREET LOT LINE (MIN/MAX): | 0' / 20' ALONG IVY ROAD |
| SIDE STREET LOT LINE (MIN/MAX): | 0' / 20' ALONG COPELEY ROAD |
| SIDE LOT LINE (MIN): | 0' |
| REAR LOT LINE (MIN): | 0' |

2. MAXIMUM BUILDING HEIGHT: 10 STORIES/124 FEET

**UTILITY LEGEND**

- WATER VALVE
- SANITARY SEWER MANHOLE (MHS)
- STORM DRAINAGE MANHOLE
- UNDERGROUND WATER UTILITY
- SANITARY SEWER PIPE
- UNDERGROUND GAS LINE
- UNDERGROUND POWER UTILITY


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# 2117 IVY ROAD

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TEL. 217.474.5904

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|---|---|
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| PUD RESUBMISSION | 08/11/23 |
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| PUD RESUBMISSION | 11/21/23 |

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WDG PROJECT NO: PWA2022005

LAYOUT & UTILITIES PLAN

SCALE: 1" = 20'

**C-003**

INTERSECTION STRIPING NOTES:

1. ALL CROSSWALK AND BIKE LANE STRIPING AT INTERSECTION TO BE COORDINATED WITH CITY TRANSPORTATION ENGINEER AND ADA COORDINATOR.
2. ADDITIONAL PAVEMENT MARKINGS SUBJECT TO CITY REVIEW AND APPROVAL.

SCALE 1"=20'
0 20' 40'

PROPOSED GREEN BICYCLE BOX ADDED TO EXIST. BICYCLE LANE ON IVY ROAD.
R10'
BUILDING OVERHANG AT LEVEL 3 ABOVE
FLUSH CURB
R10'
16'
TRASH SERVICE
PROPOSED WATER SERVICE
12'
WATER METER VAULT
WATER SERVICE TEE
US RTE. 250 BUSINESS ~ IVY RD.
(VAR. WIDTH PUBLIC R/W)
TIE IN SANITARY SERVICE LATERAL INTO EXISTING MANHOLE
SAN
PROPOSED GREEN BICYCLE BOX ADDED TO EXIST. BICYCLE LANE ON IVY ROAD.
20 SHORT TERM BIKE PARKING
SANITARY SEWER SERVICE
12.1'
TEE FOR FHA
ALDERMAN ROAD
PROPOSED GREEN BICYCLE BOX
EXISTING CROSSWALKS TO REMAIN
EXPANDED 8'-10' WIDE CROSSWALK. CROSSWALK CONNECTS TO UVA WIDENED WALKWAY ALONG IVY ROAD. COORDINATE WITH CITY TRANSPORTATION ENGINEERING AND ADA COORDINATOR.
PROPOSED GREEN BICYCLE BOX ADDED TO EXIST. BICYCLE LANE ON IVY ROAD.
PROPOSED UVA SIDEWALK +/-10' WIDE

TMP 7-11
2119 IVY LLC
INST. 2009-1428
DB. 195, PG. 440 (PLAT)
ADJACENT BUILDING
EP - ADJACENT
CSX RAILROAD
BRIDGE
(23)
(9)
(3)
(7)
(4)
(8)
55 SPACES
120 BIKE SPACES
65 BIKE SPACES
CAR SHARE 1
CAR SHARE 2
RESIDENT PARKING GATE
DN 9%
9%
OPTIONAL RETAINING WALL
GARAGE DOOR
24'
BUILDING OVERHANG AT LEVEL 3 ABOVE
RETAINING WALL
17 INTERNAL PRIVATE SCOOTER SPACES
11.65'
5'
R10'
R10'
FLUSH CURB
RETAINING WALL
GRASS AREA (TYP.)
15 PUBLIC VEO SCOOTER SPACES
20 SHORT TERM BIKE PARKING
ELECTRICAL TRANSFORMERS. DECORATIVE WRAP TO BE PROVIDED AROUND OUTSIDE ELECTRIC EQUIPMENT, TRANSFORMERS AS PERMITTED BY UTILITY.
COPELEY ROAD
THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA
DB. 302, PG. 40
TMP 7-24.01
THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA
INST. 2021-4465
(ROAD RIGHT OF WAY)
THE RECTOR & VISITORS OF THE UNIVERSITY OF VIRGINIA
DB. 983, PG. 741
TMP 7-20
UNIVERSITY OF VIRGINIA FOUNDATION
INST. 2018-1873
DB. 983, PG. 744 (PLAT)


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AERIAL ROAD & BIKE LANE STRIPING EXHIBIT

SCALE: 1" = 20'

**C-003.1**

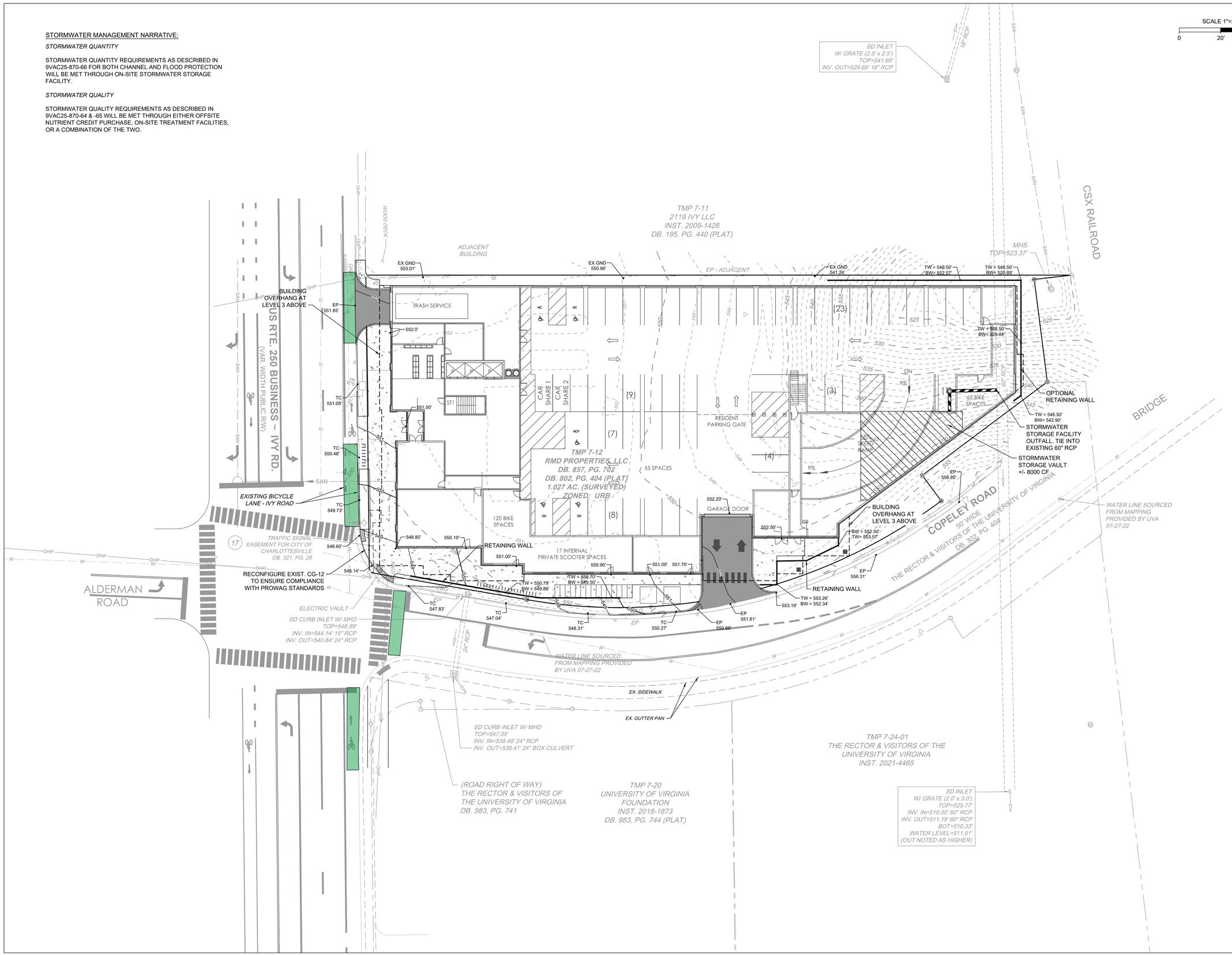
STORMWATER MANAGEMENT NARRATIVE:

*STORMWATER QUANTITY*

STORMWATER QUANTITY REQUIREMENTS AS DESCRIBED IN 9VAC25-870-66 FOR BOTH CHANNEL AND FLOOD PROTECTION WILL BE MET THROUGH ON-SITE STORMWATER STORAGE FACILITY.

*STORMWATER QUALITY*

STORMWATER QUALITY REQUIREMENTS AS DESCRIBED IN 9VAC25-870-64 & -65 WILL BE MET THROUGH EITHER OFFSITE NUTRIENT CREDIT PURCHASE, ON-SITE TREATMENT FACILITIES, OR A COMBINATION OF THE TWO.





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GRADING AND DRAINAGE PLAN

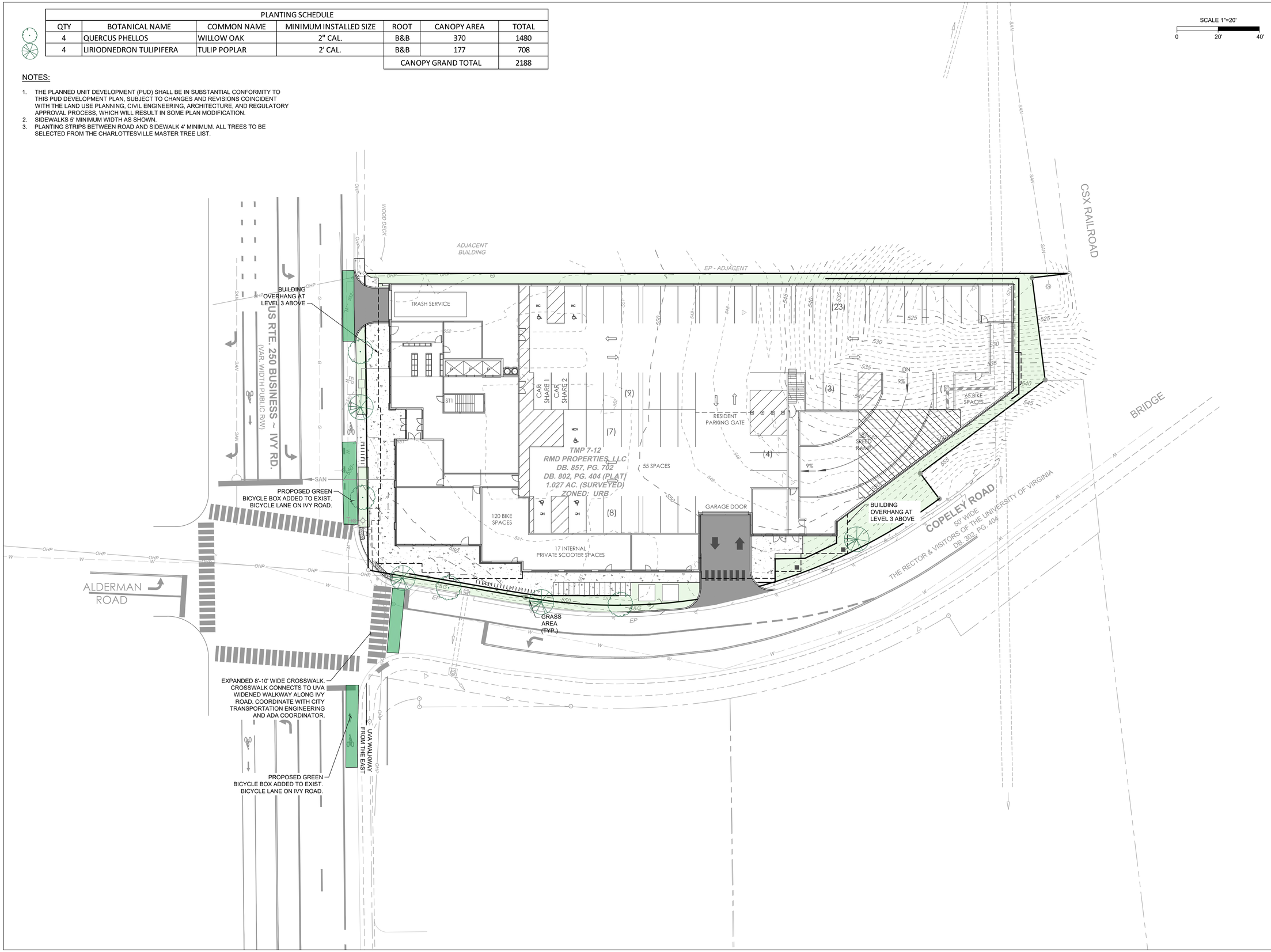
SCALE: 1" = 20'

**C-004**

| PLANTING SCHEDULE | | | | | | |
|---|---|---|---|---|---|---|
| QTY | BOTANICAL NAME | COMMON NAME | MINIMUM INSTALLED SIZE | ROOT | CANOPY AREA | TOTAL |
| 4 | QUERCUS PHELLOS | WILLOW OAK | 2" CAL. | B&B | 370 | 1480 |
| 4 | LIRIODNEDRON TULIPIFERA | TULIP POPLAR | 2' CAL. | B&B | 177 | 708 |
| | | | | CANOPY GRAND TOTAL | | 2188 |

NOTES:

1. THE PLANNED UNIT DEVELOPMENT (PUD) SHALL BE IN SUBSTANTIAL CONFORMITY TO THIS PUD DEVELOPMENT PLAN, SUBJECT TO CHANGES AND REVISIONS COINCIDENT WITH THE LAND USE PLANNING, CIVIL ENGINEERING, ARCHITECTURE, AND REGULATORY APPROVAL PROCESS, WHICH WILL RESULT IN SOME PLAN MODIFICATION.
2. SIDEWALKS 5' MINIMUM WIDTH AS SHOWN.
3. PLANTING STRIPS BETWEEN ROAD AND SIDEWALK 4' MINIMUM. ALL TREES TO BE SELECTED FROM THE CHARLOTTESVILLE MASTER TREE LIST.




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PROFESSIONAL SEAL

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WDG PROJECT NO: PWA2022005

LANDSCAPE PLAN

SCALE: 1" = 20'

**C-005**

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Original Proffers ____X____
Amendment _____

# PROFFER STATEMENT

Project Name: **2117 Ivy Road**

Date: December 13, 2023

Address: 2117 Ivy Road
Parcel Number: 070001200

Owner of Record: **RMD Properties, LLC** (the "Owner" and "Applicant")

**Proposal:**

- Rezone 2117 Ivy Road, parcel 070001200 (1.02 acres) (the "Property"), from Urban Corridor (URB) district to Planned Unit Development (PUD) district with proffers (the "Project")

**Total land area: Approximately 1.02 acres**

The Applicant hereby voluntarily proffers that if the City of Charlottesville City Council acts to rezone the property as requested, the Applicant shall develop the Property in general accord with the following proffers pursuant to Sections 15.2-2303 and 15.2-2303.4 of the Code of Virginia, 1950, as amended, and pursuant to Section 34-41.d.8 of the City of Charlottesville Zoning Ordinance. The Applicant specifically deems the following proffers reasonable and appropriate, as conclusively evidenced by the signatures below.

## 1. Affordable Housing

The Project is proposed to be student housing rented by the bedroom. The Applicant shall at its option satisfy either (A) or (B) below:

A. Provide affordable bedrooms ("Affordable Bedrooms") in an amount that is equivalent to providing 10% of the total Units as affordable units, as provided herein.

1) The number of Affordable Bedrooms shall be roughly proportional to the number of bedrooms provided in each type of units within the Project, and shall be dispersed throughout the Project in a mix of units that is roughly proportionate to the overall unit mix within the Project, such that:

i. the number of Affordable Bedrooms located in Efficiency/Studio units shall be roughly proportionate to the number of Efficiency/Studio units within the Project;

ii. the number of Affordable Bedrooms located in one-bedroom units shall be roughly proportionate to the number of one-bedroom units within the Project;

iii. the number of Affordable Bedrooms located in two-bedroom units shall be roughly proportionate to the number of two-bedroom units within the Project;

iv. the number of Affordable Bedrooms located in three-bedroom units shall be roughly proportionate to the number of three-bedroom units within the Project; and

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v. the number of Affordable Bedrooms located in four-bedroom units shall be roughly proportionate to the number of four-bedroom units within the Project.

2) In this Project containing a total of 241 units with a mixture of one-bedroom, two-bedroom, three-bedroom, and four-bedroom units, Applicant would provide a total of 24 Affordable Units which may be allocated as follows:

i. If the total number of one-bedroom units within the Project is 88, there shall be the equivalent of 9 one-bedroom Affordable Units, for a total of 9 Affordable Bedrooms located within one-bedroom units.

ii. If the total number of two-bedroom units within the Project is 25, there shall be the equivalent of 7 two-bedroom Affordable Units, for a total of 14 Affordable Bedrooms located in two-bedroom units.

iii. If the total number of three-bedroom units within the Project is 16, there shall be the equivalent of 4 three-bedroom Affordable Units, for a total of 12 Affordable Bedrooms located in three-bedroom units.

iv. If the total number of four-bedroom units within the Project is 112, there shall be the equivalent of 4 four-bedroom Affordable Units, for a total of 16 Affordable Bedrooms located in four-bedroom units.

v. These counts and allocations are subject to the final approved PUD and building permit and may be adjusted provided 10% of the total Units are provided as affordable units.

3) Fractional Affordable Units. If the calculation of the required number of affordable units that are required to provide 10% of the total units within the Project as affordable units results in a fraction of a unit less than 0.5, the Project shall provide a fractional in-lieu fee equal to the corresponding percent of the affordable unit as specified in the applicable formula in the adopted Affordable Dwelling Unit Monitoring and Procedures Manual. For example, in an example project containing 242 units, such example project must provide Affordable Bedrooms in an amount that is equivalent to providing 24 affordable units (10% of 242) as provided in paragraph 1(a) herein, and shall also provide a fractional fee in-lieu equal to two-tenths of the fee in-lieu established for a one-bedroom unit in the adopted Affordable Dwelling Unit Monitoring and Procedures Manual.

4) To provide tenants with the freedom of choice to lease an Affordable Bedroom in a particular unit type of their choosing (subject to availability), and to comply with Fair Housing Law and HUD regulations, the Applicant upon mutual agreement with Qualifying Tenants shall be allowed to float (locate) the Affordable Bedrooms throughout the Project subject to satisfying the requirements of section 1(a) herein.

5) Qualifying Tenants: Students who qualify for any level of federal Pell grants shall be Qualifying Tenants eligible to rent an Affordable Bedroom. For all other tenants, those persons and households who shall be certified from time to time by the Applicant to have combined adjusted annual income that does not exceed the applicable median family income for the applicable calendar year shall be Qualified Tenants eligible to rent an Affordable Bedroom. The City may require a certification of

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tenant eligibility on a form approved by or provided by the City, in which the prospective qualifying tenant certifies as to annual income (for non-students) or Pell grant eligibility, as applicable.

6) Affordable Rents: The rent rate for Affordable Bedrooms shall be calculated as described herein based on the current year Area Media Income ("AMI") for the Charlottesville area, as provided by HUD. If utilities are separately metered, the maximum allowable rent will be reduced to reflect the Tenant's payment of utilities.

   i. Efficiency/Studio Rent: The rent for an Affordable Bedroom in an Efficiency/Studio unit shall be the HUD Adjusted Home Rent limit for 1 person at 60% AMI, multiplied by 30% of total income set aside for housing, divided by 12.

   ii. One-bedroom Rent: The rent for an Affordable Bedroom in a one-bedroom unit shall be the average of the HUD Adjusted Home Rent limit for 1 person at 60% AMI and the HUD Adjusted Home Rent limit for 2 people at 60% AMI, multiplied by 30% of total income set aside for housing, divided by 12.

   iii. Two-bedroom Rent: The rent for an Affordable Bedroom in a two-bedroom unit shall be 60% of the rent for an Affordable Bedroom in a one-bedroom unit.

   iv. Three-bedroom and four-bedroom Rent: The rent for an Affordable Bedroom in a three-bedroom unit or in a four-bedroom unit shall be 60% of the rent for an Affordable Bedroom in an Efficiency/Studio unit.

7) Term of affordability: The requirements of this paragraph 1 shall remain in effect for 25 years from the date of the issuance of the Certificate of Occupancy for the Project.

8) Equivalency of Affordable Bedrooms.

   i. Affordable Bedrooms must reflect the composition of the over Project units in exterior appearance and overall quality of construction

   ii. Affordable Bedrooms must include the same interior features as the other bedrooms in the same Project, but appliances and finishes need not be the same make, model, or style, so long as they are new and of good quality.

   iii. Affordable Bedrooms must be evenly distributed throughout the Project and not concentrated on any particular floors, building sides, or locations, provided that the Affordable Bedrooms are not required to be located in the top two floors of the Project. The Applicant at time of applying for a building permit shall submit a compliance plan to the site plan agent that identifies the units within the Project that are designated for the Affordable Bedrooms consistent with paragraph 1(a) herein.

   iv. Affordable Bedrooms must be comparable in size to other units within the Project with the same number of bedrooms. The average floor area of the Affordable Bedroom must not be less than 80% of the average floor area of the other bedrooms within in the same unit type.

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9) Affordable Bedrooms shall have the same access to property amenities and building access points provided to other bedrooms within the Project.

10) Housing Choice Vouchers. In the case of tenants using a Section 8 voucher or other rental assistance program, the Project may collect the fully allowed rental reimbursement amount even if the total rent for the Affordable Bedroom exceeds the maximum allowable rent for such Affordable Bedroom, so long as the household using the rental assistance is not paying more than 30% of the household's monthly income. In the event the fully allowed rental reimbursement amount is less than the total rent for the Affordable Bedroom, the Qualifying Tenant shall be responsible for the difference between the rental reimbursement and the applicable rent for the Affordable Bedroom.

B. Make a cash contribution to the City's affordable housing fund in the amount equal to four and one-half (4½) times that which would be required under City Code Section 34-12(d)(2) based on the approved final site plan up to a maximum of Three Million, Two Hundred Fifty Thousand Dollars ($3,250,000). Such cash contribution shall be delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

## 2. PUD Application Plan

A. **Application Plan.** The Property is depicted on the plans entitled "2117 Ivy Road" dated May 15, 2023, last revised November 21, 2023, prepared by WDG Architecture and Timmons Group (the "Application Plan"). The Property will be developed in general accord with the essential elements of the Application Plan, as required by City Zoning Ordinance Section 34-518.

B. **Exhibit A.** Notwithstanding the provisions of paragraph 2A above, the Property frontage along Ivy Road shall be developed to reflect the following major elements as shown and noted on attached plans entitled "PUD Exhibit A – Conceptual Building Section" dated December 12, 2023, prepared by Dwell Design Studio ("Exbibit A"), attached, subject to Entrance Corridor Review Board Approval:

1) The green zone shall be a minimum of 8 feet in width.
2) The sidewalk shall be a minimum of 10 feet in width.
3) Floors 1-2 shall be recessed at least 2 feet from Ivy Road beyond that shown on the Application Plan.
4) Floors 3-8 shall be recessed 4 feet from Ivy Road beyond that shown on the Application Plan.
5) Floors 9-10 shall be recessed 2 feet beyond floors 3-8.
6) The rooftop architectural trellis shall be recessed 10 feet from the top edge of floor 10.
7) Street tree species will be coordinated with City staff, the Entrance Corridor Review Board, and the University.

With regard to any differences between the approved Application Plan and this proffer statement with Exhibit A, this proffer statement and Exhibit A shall govern.

C. The Applicant shall submit a revised Application Plan incorporating the provisions of paragraph 2B within 30 days after City Council's action on the Application.

[SIGNATURE PAGE IMMEDIATELY FOLLOWS]

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**OWNER and APPLICANT:**

**RMD Properties, LLC**
a Virginia limited liability company

DocuSigned by:
By: Stephen G. Bus
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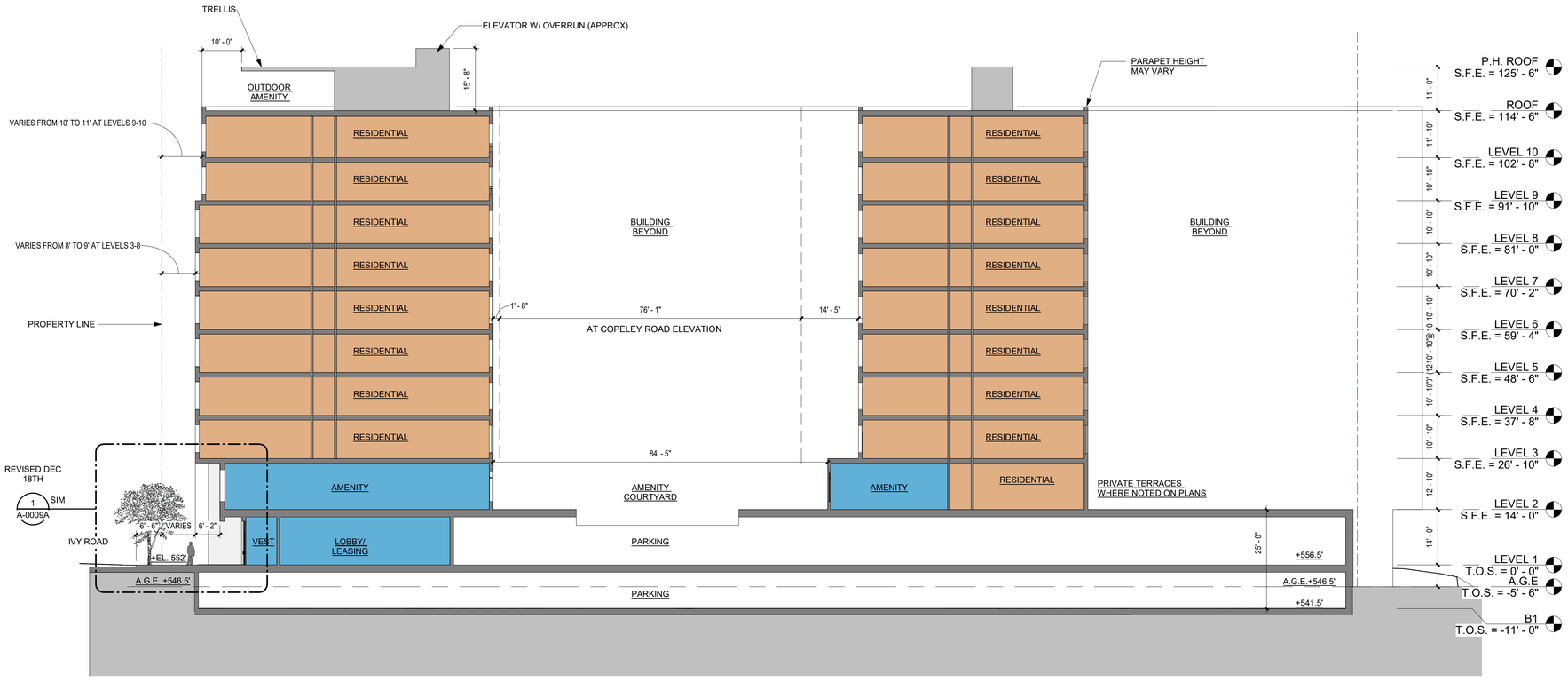
Printed Name: Stephen G. Bus

Title: Authorized Signatory

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# EXHIBIT A




1 REVISED BUILDING SECTION LOOKING WEST

1/16" = 1'-0"

0" 8' - 0" 16' - 0" 32' - 0"

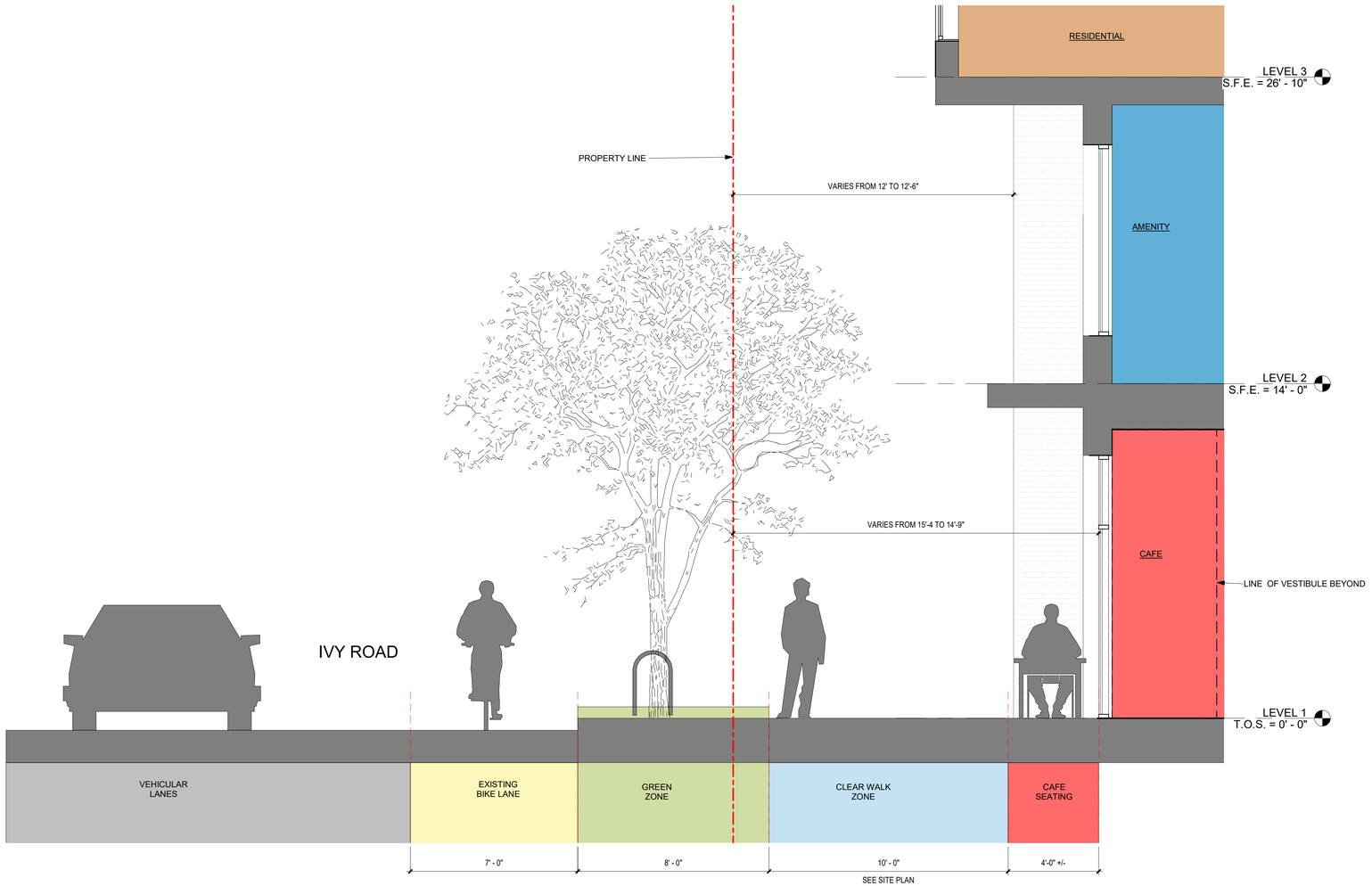
dwell design studio

OWNER\ APPLICANT
RMD PROPERTIES
211 E HIGH ST.
CHARLOTTESVILLE, VA 22902
TEL - 217.474.5904


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# EXHIBIT A




## 1 REVISED CONCEPTUAL STREET SECTION

3/8" = 1'-0"

**STREET TREE SPECIES WILL BE COORDINATED WITH CITY STAFF, ENTRANCE CORRIDOR REVIEW BOARD, AND UVA WITH A GOAL OF HAVING A REASONABLY CONSISTENT STREETSCAPE ALONG IVY ROAD.**

0" 1' - 0" 2' - 0" 4' - 0"

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OWNER\ APPLICANT
RMD PROPERTIES
211 E HIGH ST.
CHARLOTTESVILLE, VA 22902
TEL - 217.474.5904


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**AN ORDINANCE**
**APPROVING A REQUEST TO REZONE LAND FRONTING ON IVY ROAD AND COPELEY ROAD**
**FROM URBAN CORRIDOR (URB) TO PLANNED UNIT DEVELOPMENT (PUD)**

**WHEREAS**, RMD Properties, LLC is the owner ("Landowner") of certain land fronting on Ivy Road and Copeley Road, designated on the City Tax Map and Parcel (TMP) as 070001200 (the "Subject Property"), and the Landowner is seeking to change the zoning classifications of the Subject Property from URB to PUD subject to proffered development conditions, hereinafter referred to as the "Proposed Rezoning"; and

**WHEREAS,** in connection with the Proposed Rezoning, the Applicants submitted: (i) a written PUD Development Plan, dated May 15, 2023 (Revision #3 dated November 21, 2023), titled "2117 Ivy Road Planned Unit Development Plan Submittal", and (ii) proffered development conditions submitted in writing to the City; and

**WHEREAS**, a public hearing on the Proposed Rezoning was conducted by the Planning Commission and City Council on November 14, 2023, following notice to the public and to adjacent property owners as required by Virginia Code §15.2-2204 and City Code §34-44, and following the public hearing, the Planning Commission voted to recommend that City Council should approve the Proposed Rezoning; and

**WHEREAS**, this City Council has considered the matters addressed within the Landowner's application (ZM23-00003), the NDS Staff Report, public comments, the Planning Commission's recommendation, and the Comprehensive Plan; and

**WHEREAS**, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the Proposed Rezoning; that both the existing zoning classification and the proposed zoning classification are 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, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

> *Section 34-1. Zoning District Map.* Rezoning the property designated on City Tax Map and Parcel (TMP) 070001200 ("Subject Property"), containing, in the aggregate approximately 1.027 acres (approximately 44,736 square feet), from Urban Corridor (URB) to Planned Unit Development (PUD), subject to the following proffered development conditions ("Proffers"), which were tendered by the Landowners in accordance with law and are hereby accepted by this City Council:

**Approved Proffers**

**1. Affordable Housing**

The Project is proposed to be student housing rented by the bedroom. The Applicant shall at its option satisfy either (A) or (B) below:

A. Provide affordable bedrooms ("Affordable Bedrooms") in an amount that is equivalent to providing 10% of the total Units as affordable units, as provided herein.

1) The number of Affordable Bedrooms shall be roughly proportional to the number of bedrooms provided in each type of units within the Project, and shall be dispersed throughout the Project in a mix of units that is roughly proportionate to the overall unit mix within the Project, such that:

i. the number of Affordable Bedrooms located in Efficiency/Studio units shall be roughly proportionate to the number of Efficiency/Studio units within the Project;
ii. the number of Affordable Bedrooms located in one-bedroom units shall be roughly proportionate to the number of one-bedroom units within the Project;
iii. the number of Affordable Bedrooms located in two-bedroom units shall be roughly proportionate to the number of two-bedroom units within the Project;
iv. the number of Affordable Bedrooms located in three-bedroom units shall be roughly proportionate to the number of three-bedroom units within the Project; and
v. the number of Affordable Bedrooms located in four-bedroom units shall be roughly proportionate to the number of four-bedroom units within the Project.

2) In this Project containing a total of 241 units with a mixture of one-bedroom, two-bedroom, three-bedroom, and four-bedroom units, Applicant would provide a total of 24 Affordable Units which may be allocated as follows:

i. If the total number of one-bedroom units within the Project is 88, there shall be the equivalent of 9 one-bedroom Affordable Units, for a total of 9 Affordable Bedrooms located within one-bedroom units.
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v. These counts and allocations are subject to the final approved PUD and building permit and may be adjusted provided 10% of the total Units are provided as affordable units.

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4) To provide tenants with the freedom of choice to lease an Affordable Bedroom in a particular unit type of their choosing (subject to availability), and to comply with Fair Housing Law and HUD regulations, the Applicant upon mutual agreement with Qualifying Tenants shall be allowed to float (locate) the Affordable Bedrooms throughout the Project subject to satisfying the requirements of section 1(a) herein.

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7) Term of affordability: The requirements of this paragraph 1 shall remain in effect for thirty (30) years from the date of the issuance of the Certificate of Occupancy for the Project.

8) Equivalency of Affordable Bedrooms.

i. Affordable Bedrooms must reflect the composition of the over Project units in exterior appearance and overall quality of construction
ii. Affordable Bedrooms must include the same interior features as the other bedrooms in the same Project, but appliances and finishes need not be the same make, model, or style, so long as they are new and of good quality.
iii. Affordable Bedrooms must be evenly distributed throughout the Project and not concentrated on any particular floors, building sides, or locations, provided that the Affordable Bedrooms are not required to be located in the top two floors of the Project. The Applicant at time of applying for a building permit shall submit a compliance plan to the site plan agent that identifies the units within the Project that are designated for the Affordable Bedrooms consistent with paragraph 1(a) herein.
iv. Affordable Bedrooms must be comparable in size to other units within the Project with the same number of bedrooms. The average floor area of the Affordable Bedroom must not be less than 80% of the average floor area of the other bedrooms within in the same unit type.

9) Affordable Bedrooms shall have the same access to property amenities and building access points provided to other bedrooms within the Project.

10) Housing Choice Vouchers. In the case of tenants using a Section 8 voucher or other rental assistance program, the Project may collect the fully allowed rental reimbursement amount even if the total rent for the Affordable Bedroom exceeds the maximum allowable rent for such Affordable Bedroom, so long as the household using the rental assistance is not paying more than 30% of the household's monthly income. In the event the fully allowed rental reimbursement amount is less than the total

rent for the Affordable Bedroom, the Qualifying Tenant shall be responsible for the difference between the rental reimbursement and the applicable rent for the Affordable Bedroom.

B. Make a cash contribution to the City's affordable housing fund in the amount equal to four and one-half (4½) times that which would be required under City Code Section 34-12(d)(2) based on the approved final site plan up to a maximum of Three Million, Two Hundred Fifty Thousand Dollars ($3,250,000). Such cash contribution shall be delivered to the City prior to the issuance of the first Certificate of Occupancy for the Project.

**2. PUD Application Plan**

A. **Application Plan.** The Property is depicted on the plans entitled "2117 Ivy Road" dated May 15, 2023, last revised November 21, 2023, prepared by WDG Architecture and Timmons Group (the "Application Plan"). The Property will be developed in general accord with the essential elements of the Application Plan, as required by City Zoning Ordinance Section 34-518.

B. **Exhibit A.** Notwithstanding the provisions of paragraph 2A above, the Property frontage along Ivy Road shall be developed to reflect the following major elements as shown and noted on attached plans entitled "PUD Exhibit A – Conceptual Building Section" dated December 12, 2023, prepared by Dwell Design Studio ("Exbibit A"), attached, subject to Entrance Corridor Review Board Approval:

1) The green zone shall be a minimum of 8 feet in width.
2) The sidewalk shall be a minimum of 10 feet in width.
3) Floors 1-2 shall be recessed at least 2 feet from Ivy Road beyond that shown on the Application Plan.
4) Floors 3-8 shall be recessed 4 feet from Ivy Road beyond that shown on the Application Plan.
5) Floors 9-10 shall be recessed 2 feet beyond floors 3-8.
6) The rooftop architectural trellis shall be recessed 10 feet from the top edge of floor 10.
7) Street tree species will be coordinated with City staff, the Entrance Corridor Review Board, and the University.

With regard to any differences between the approved Application Plan and this proffer statement with Exhibit A, this proffer statement and Exhibit A shall govern.

C. The Applicant shall submit a revised Application Plan incorporating the provisions of paragraph 2B within 30 days after City Council's action on the Application.

**BE IT FURTHER ORDAINED THAT** the City's Zoning Administrator shall update the Zoning District Map to reflect this rezoning of the Subject Property subject to the proffered development conditions.

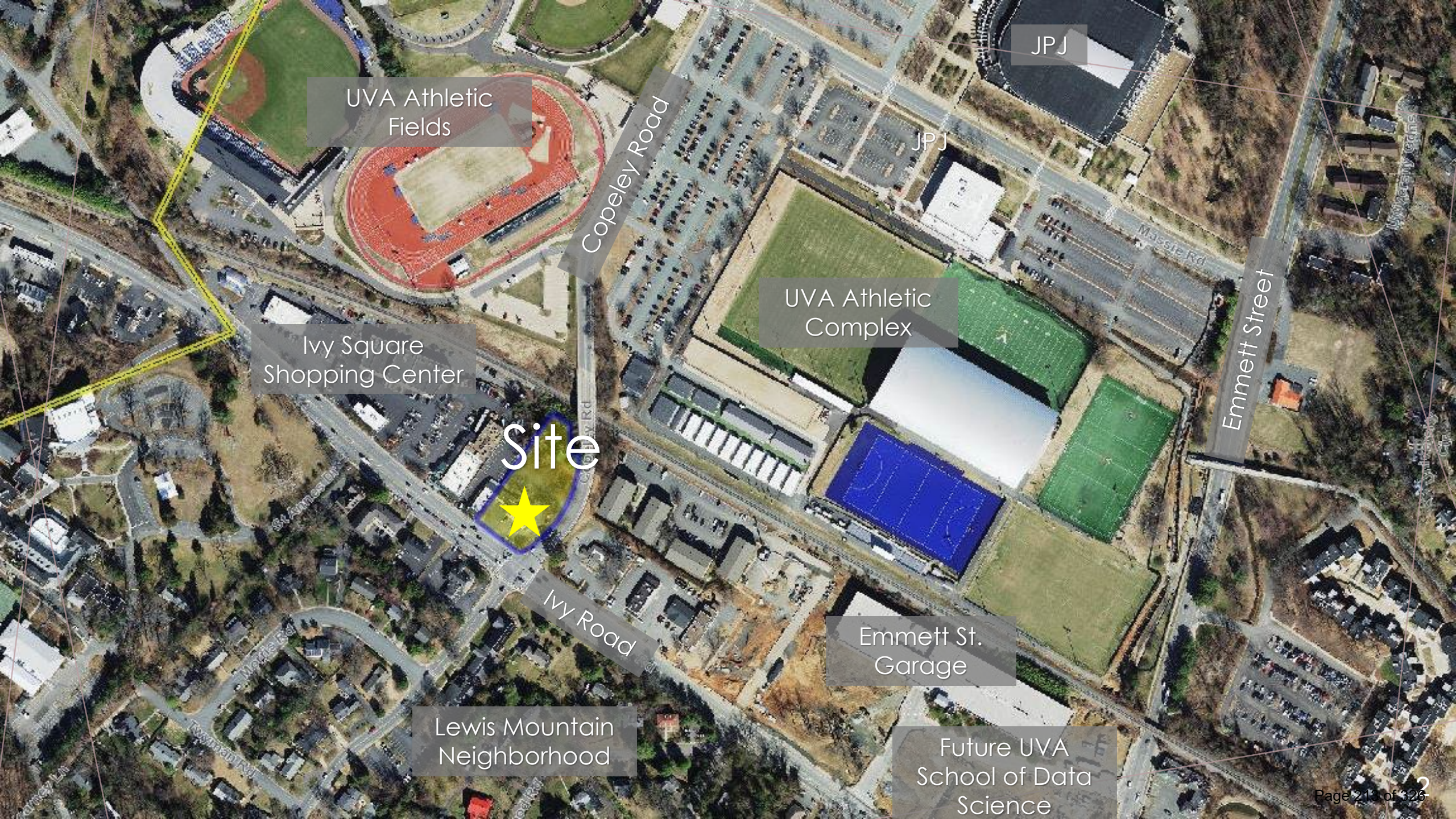



# *City of Charlottesville*
# *City Council Meeting*

## *Planned Unit Development Rezoning*

*for* ***2117 Ivy Road, Charlottesville, VA***

*December 4, 2023*

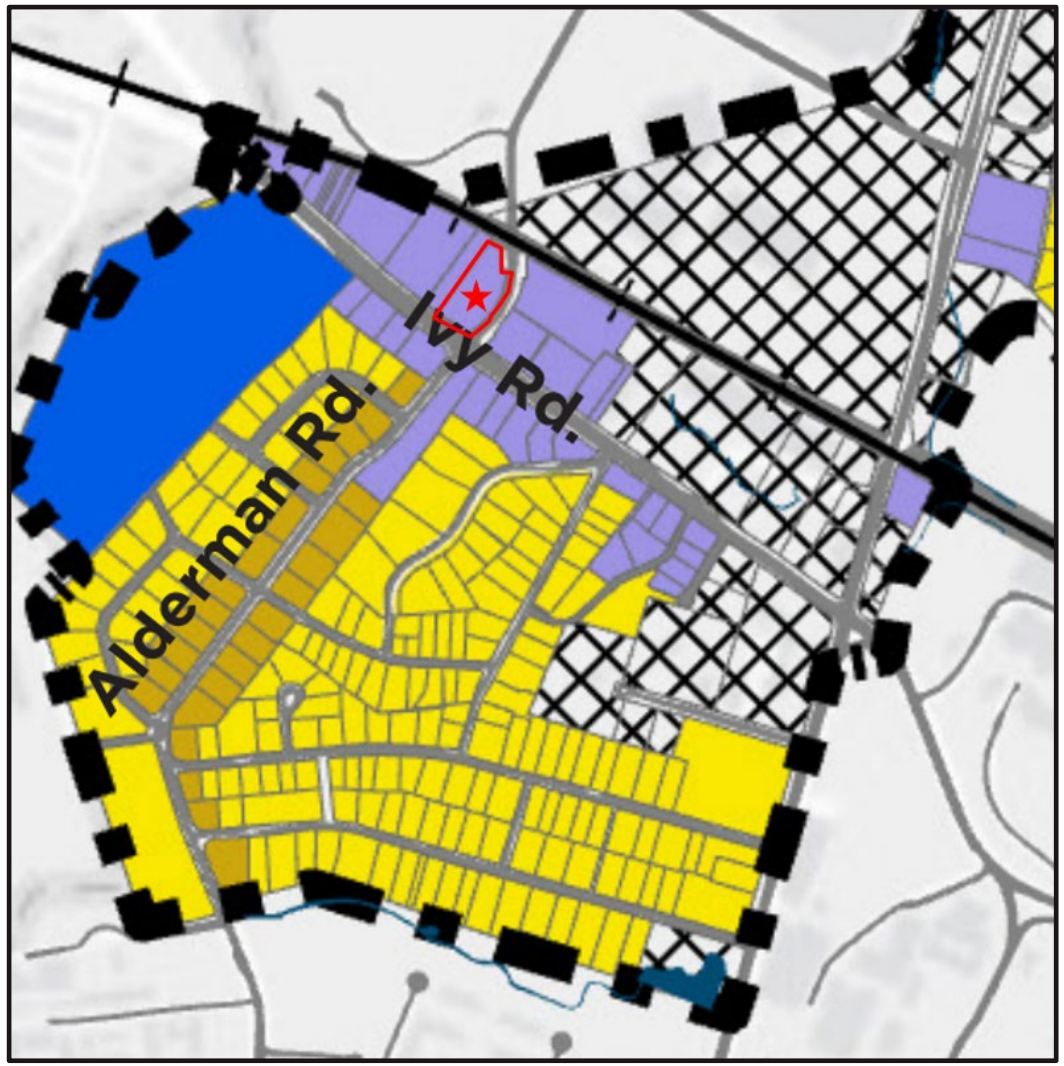

JPJ
UVA Athletic Fields
Copeley Road
JPJ
Majestic Rd
Emmett Street
UVA Athletic Complex
Ivy Square Shopping Center
Site
Ivy Road
Emmett St. Garage
Lewis Mountain Neighborhood
Future UVA School of Data Science



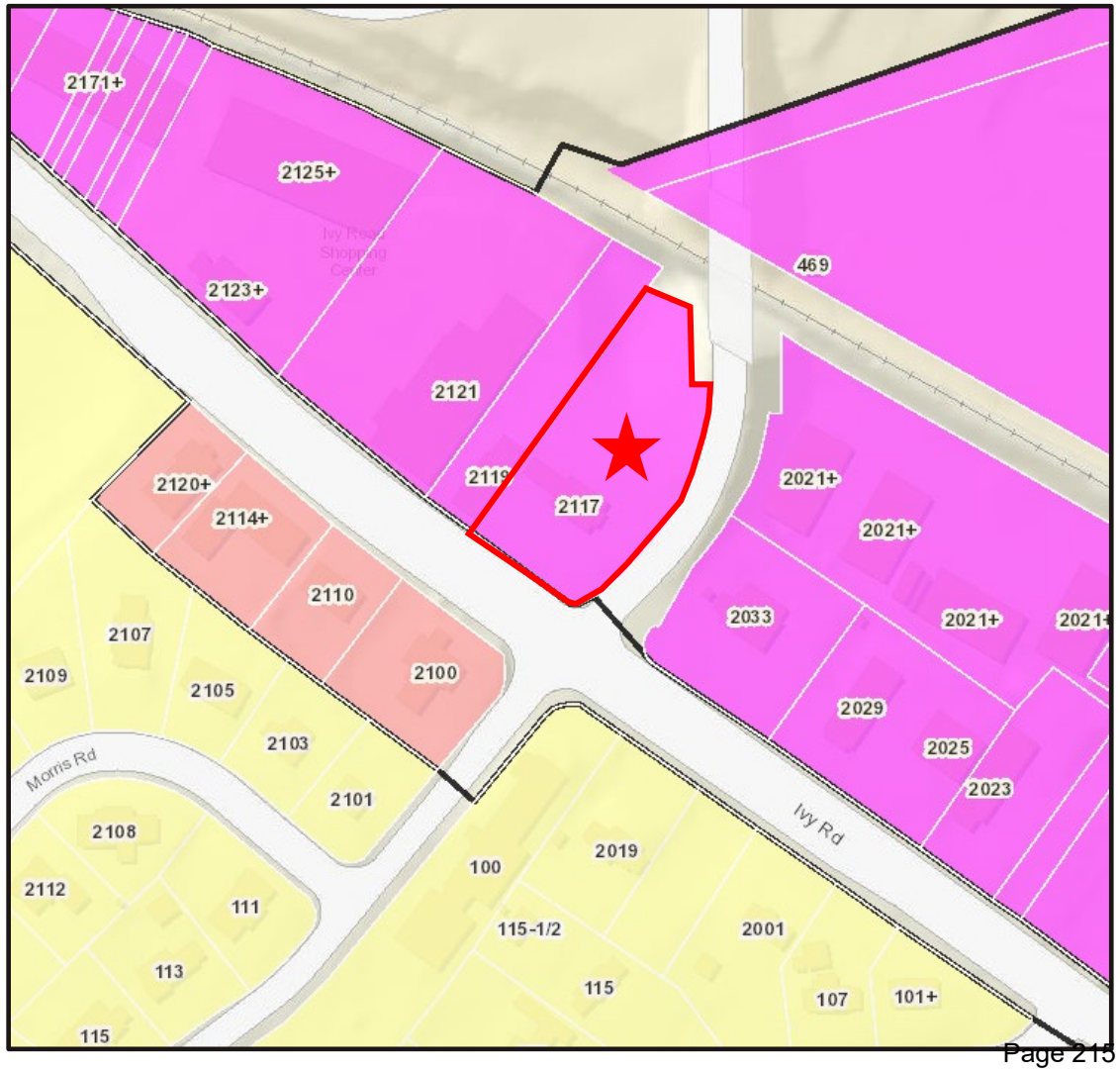

# AERIAL VIEW OF SITE AT IVY & COPELEY INTERSECTION

# Comprehensive Plan Designation:
# Urban Mixed-use Corridor

*"Higher Intensity Mixed Use Development Arranged Along Corridors Between Employment, Commercial, And Civic Hubs Of The City"*




# Existing Zoning District:
# Urban Corridor (URB)



# PROPOSED PROJECT

- Rezone from Urban Corridor (URB) to Planned Unit Development (PUD)
  - *Mixed-Use Residential Over Retail-Commercial, 10 Stories*
  - *Cafe & Retail space on Ground Floor*
  - *287 Residential Apartment Units max.*
    - *241 currently shown in PUD Plans*
    - *634-650 residents*
    - *Significant addition to Rental housing in Key location near Grounds, Athletic Complex*
  - *Interior Garage Parking*
  - *Modern Amenities*
  - *Affordable housing Proffer of up to **$2,750,000***
    - *(approx. $11,300+ for 10% of # Units)*

- Enhanced Streetscape
  - *Widened Sidewalk along Ivy Road*
  - *Landscape planters along Ivy Road*
  - *Added Sidewalk along Copeley Road*
- Enhanced Multi-Modal Transportation
  - *Dedicated Area for Public and Private Bikes and Scooters*
    - *267 Long Term Bike Spaces*
    - *28 Short Term Bike Spaces*
    - *32 Scooter Spaces*
- On-site Resident Car Share
- EV electric Car Chargers

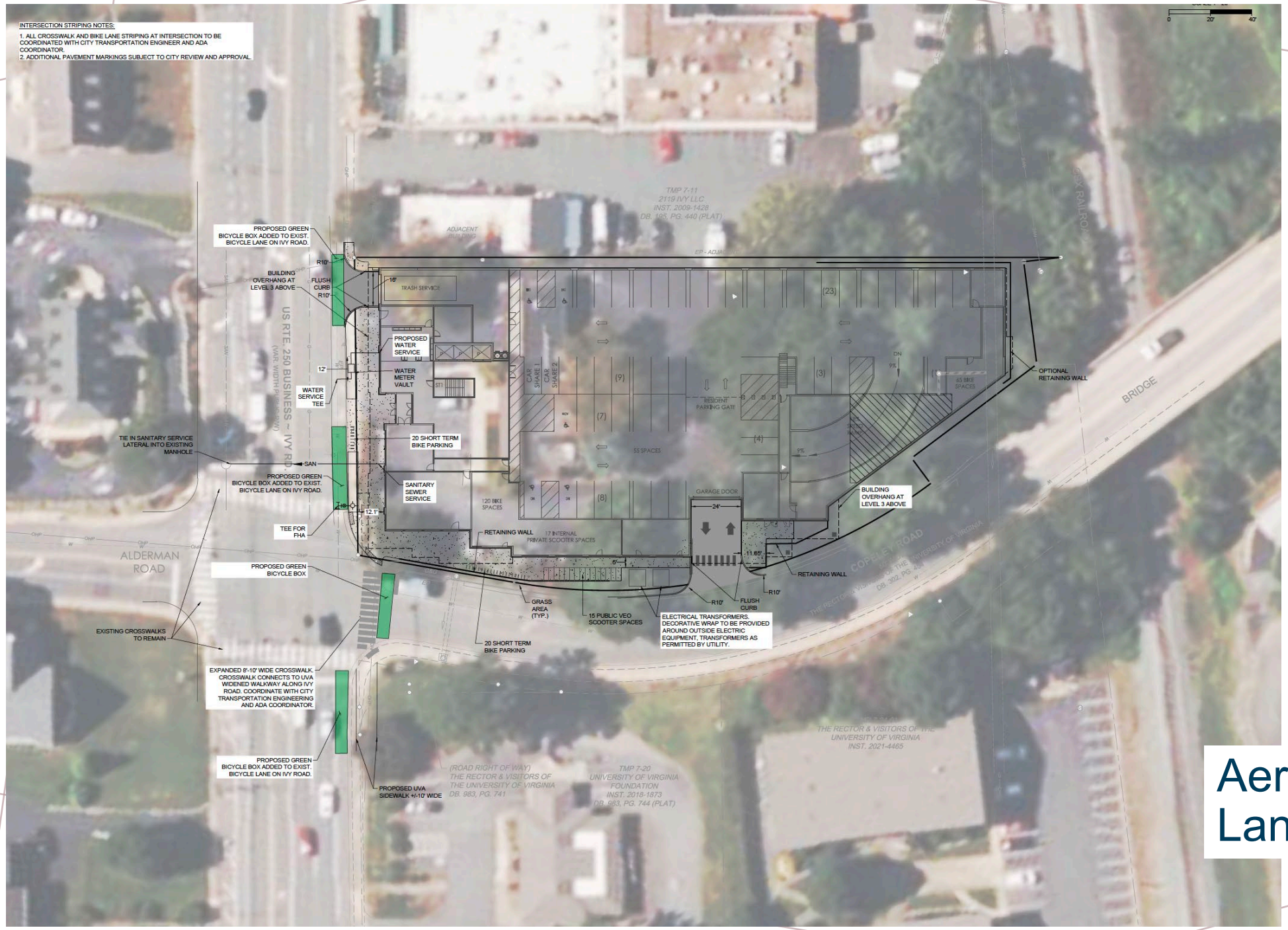


# Illustrative Plan

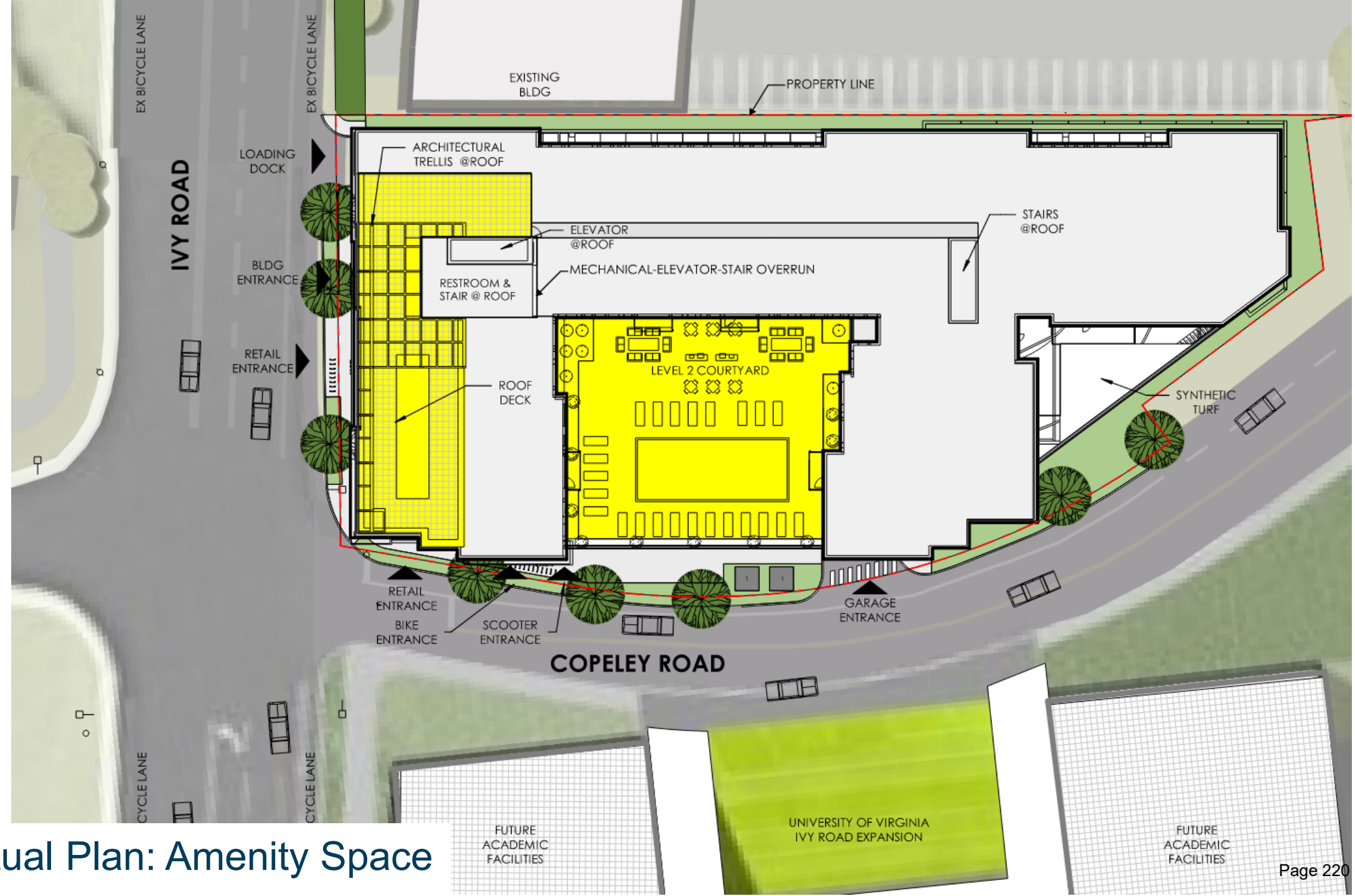
see aerial for precise information



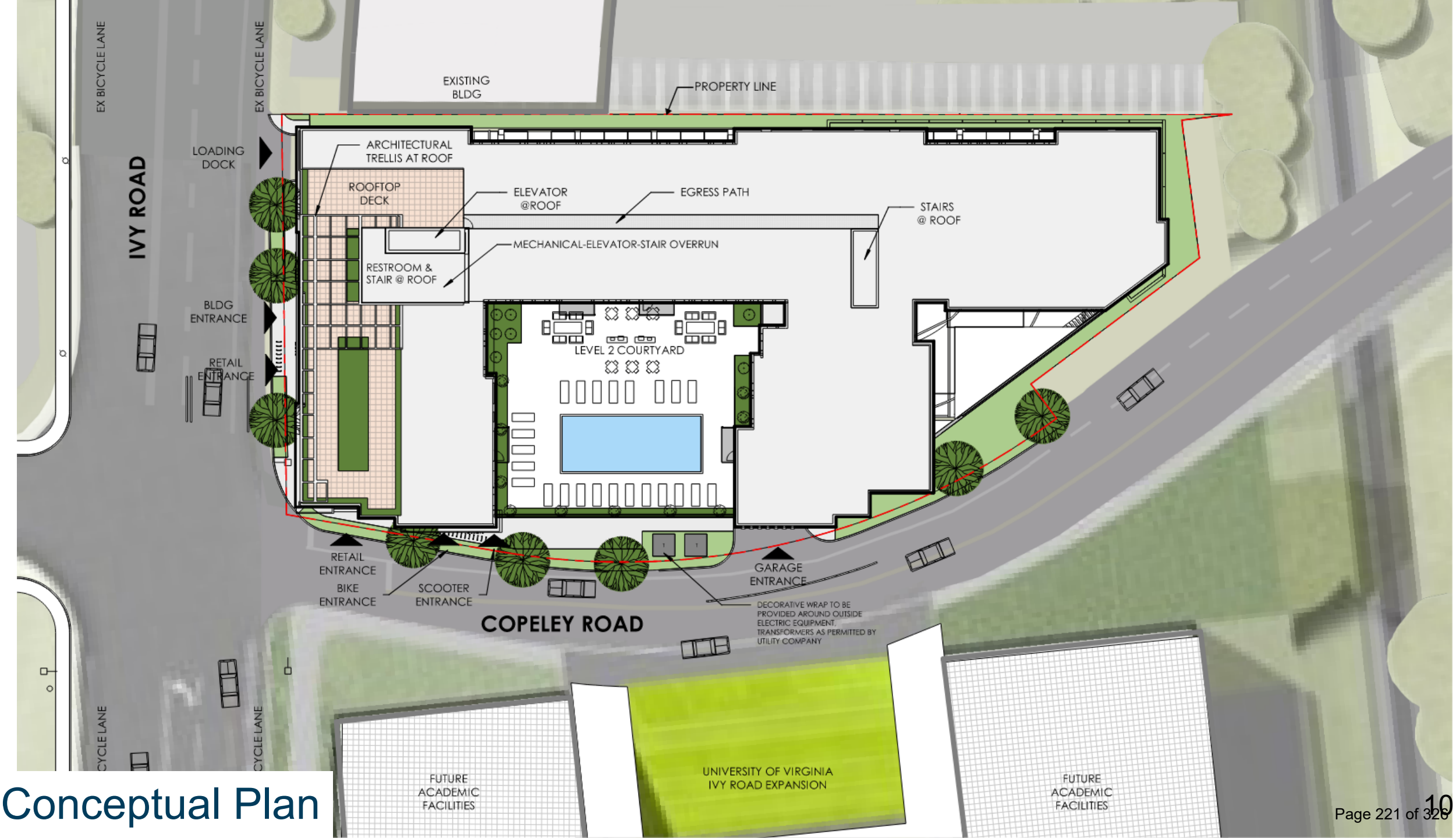

# Conceptual Plan: Level 1



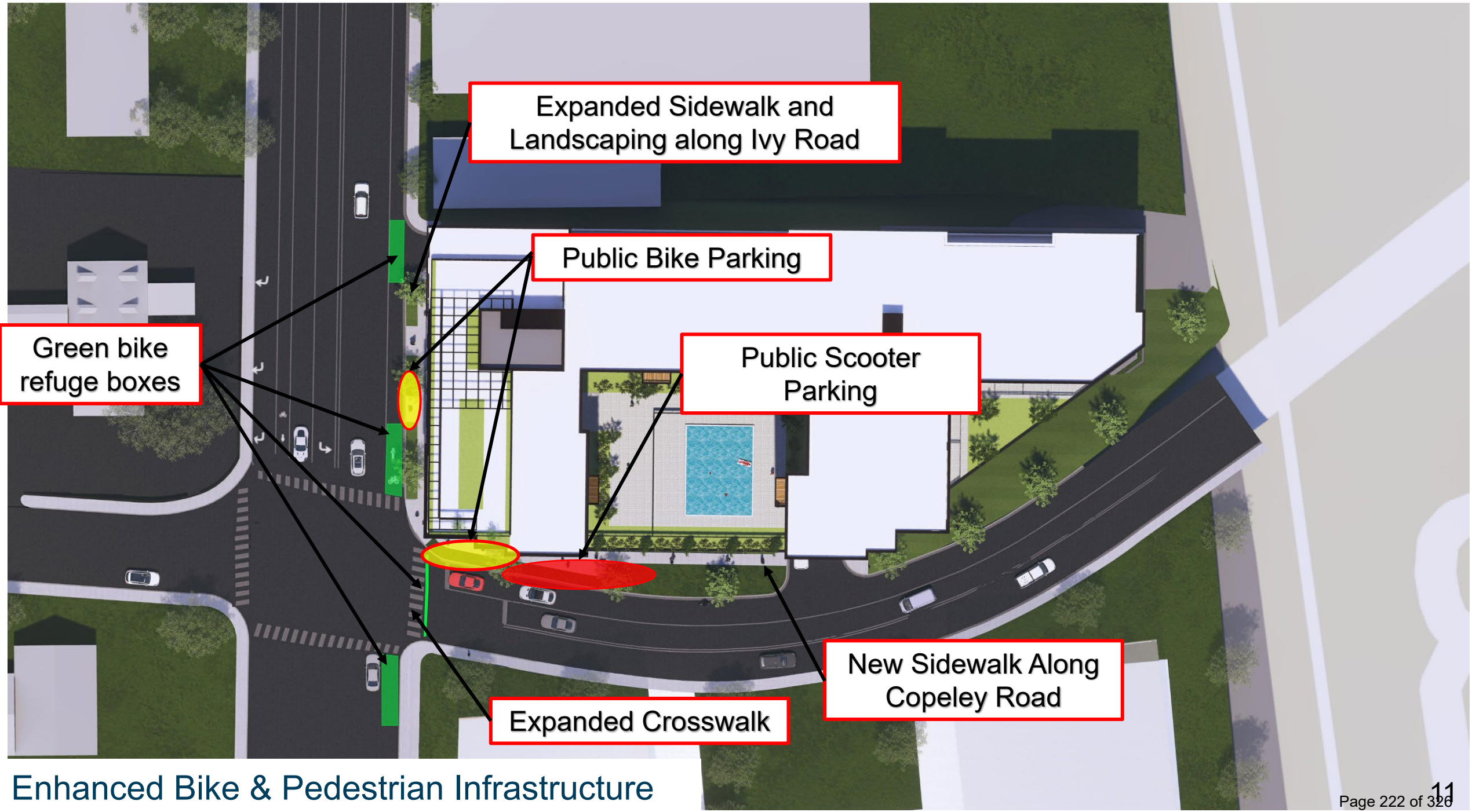

# Aerial Road & Bike Lane Striping Exhibit




# Conceptual Plan: Amenity Space



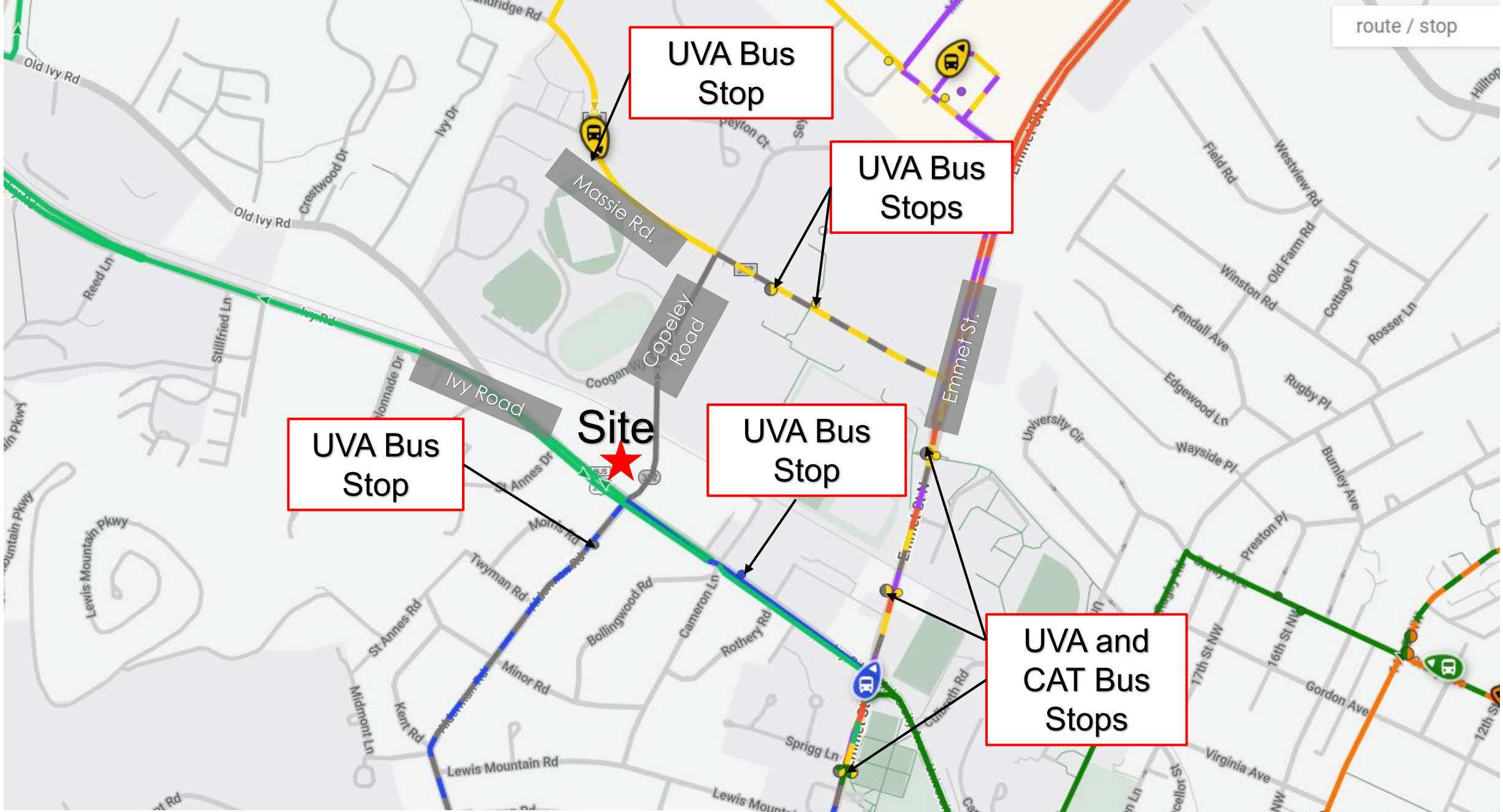

# Conceptual Plan




# Enhanced Bike & Pedestrian Infrastructure



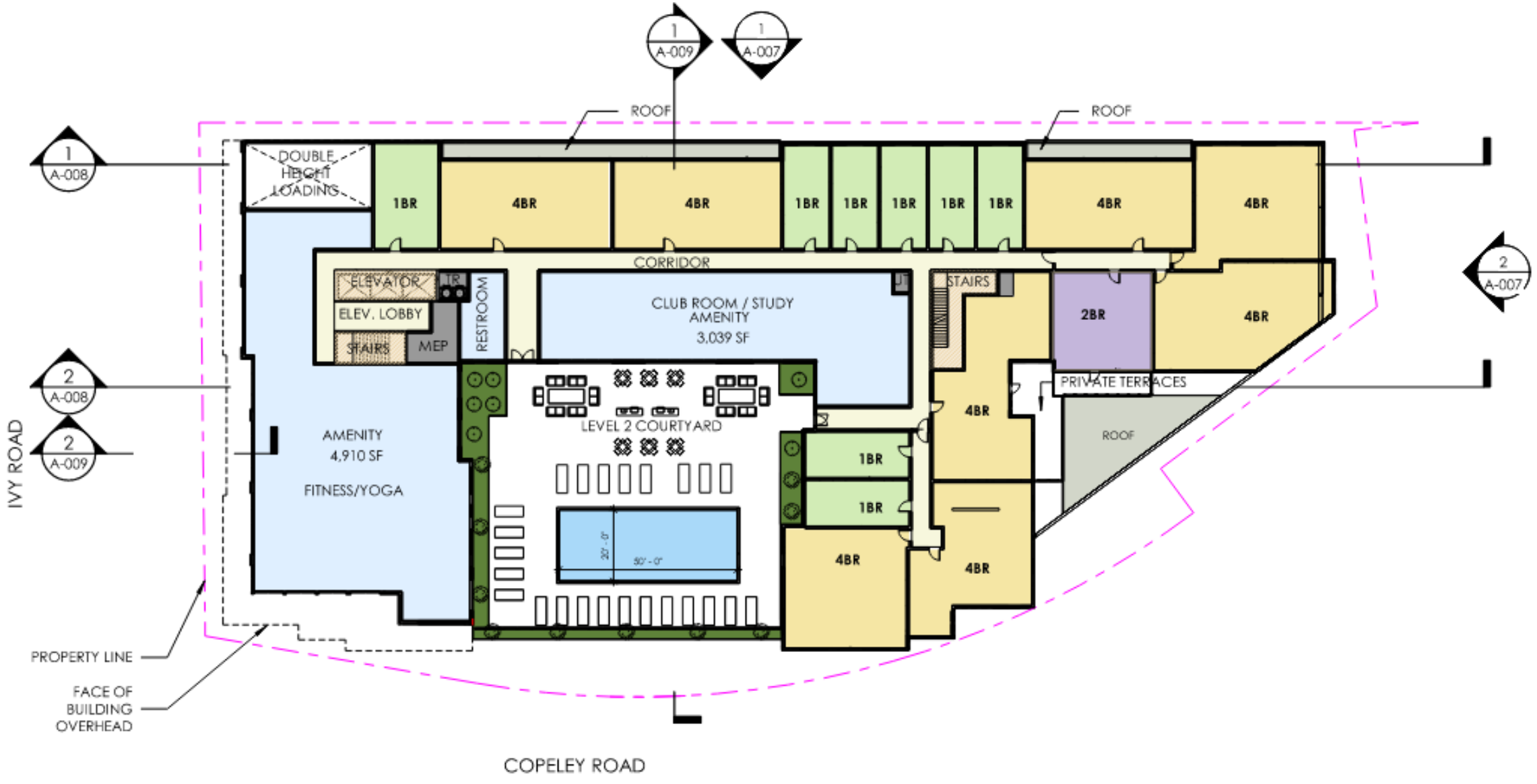

# Private Bike & Scooter Storage




# Bus Stops within Walking Distance

# *RESIDENT AMENITIES*

- *Convenience*:  Grocery and necessity retail nearby
- *Well-Being*:  Onsite Fitness Center & Yoga Studio
- *Live-Study-Work spaces*:  Study Lounge & Business Center
- *Entertainment*:  Club Room, Lounge-Theater
- *Recreation*:  Outdoor Pool & Courtyard and Rooftop Deck
- *Mobility & Sustainability*:  Secure Bike, e-Scooter Storage Room




# Conceptual Floor Plan - Level 2 Amenity floor

# *ADDITIONAL CITY REVENUE VIA PROPERTY TAX*

Existing Annual Property Tax (2023): $21,587 per year

With Project:  Estimated Annual Property Tax **$900,000 per year**

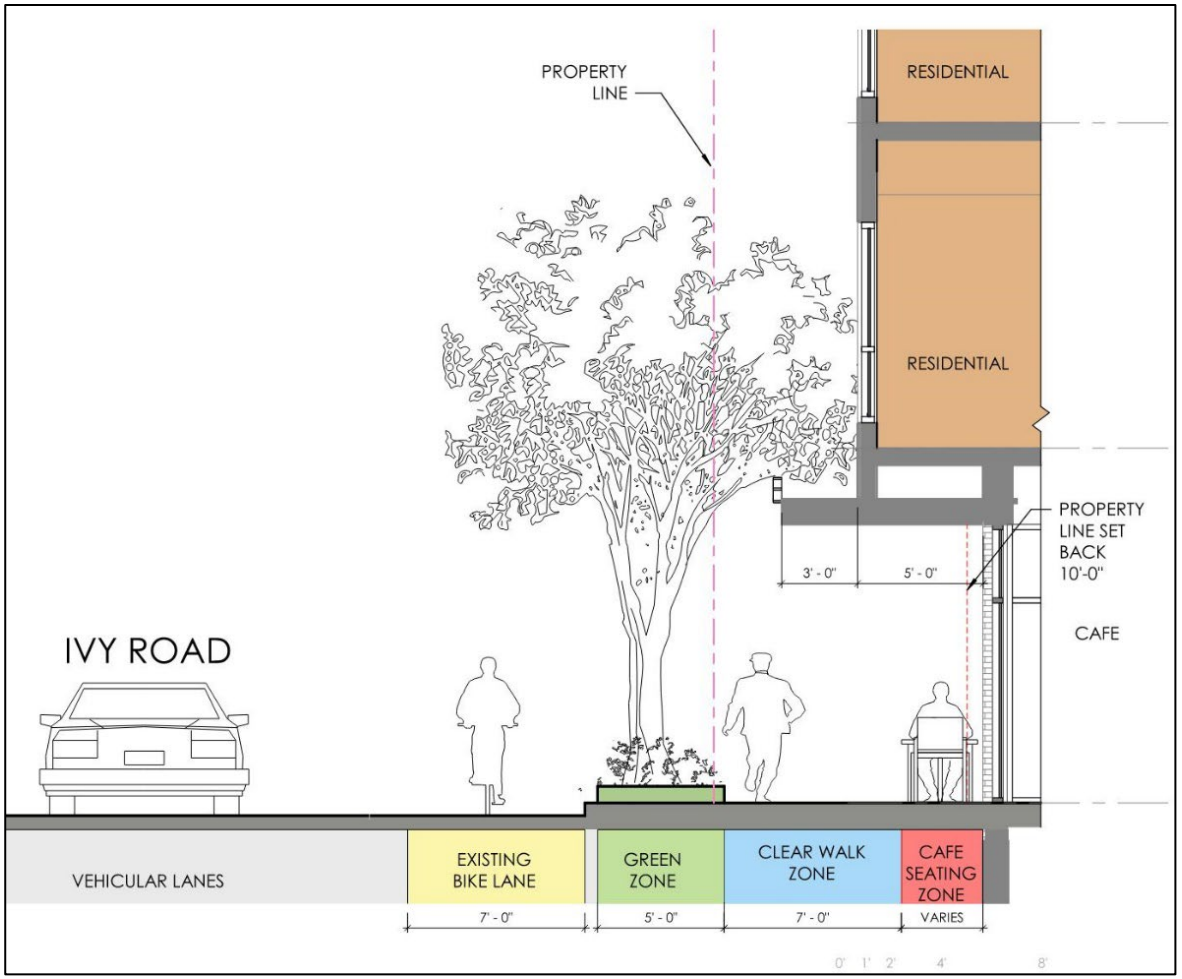
# June Work Session: Rendering at Ivy and Copeley Roads



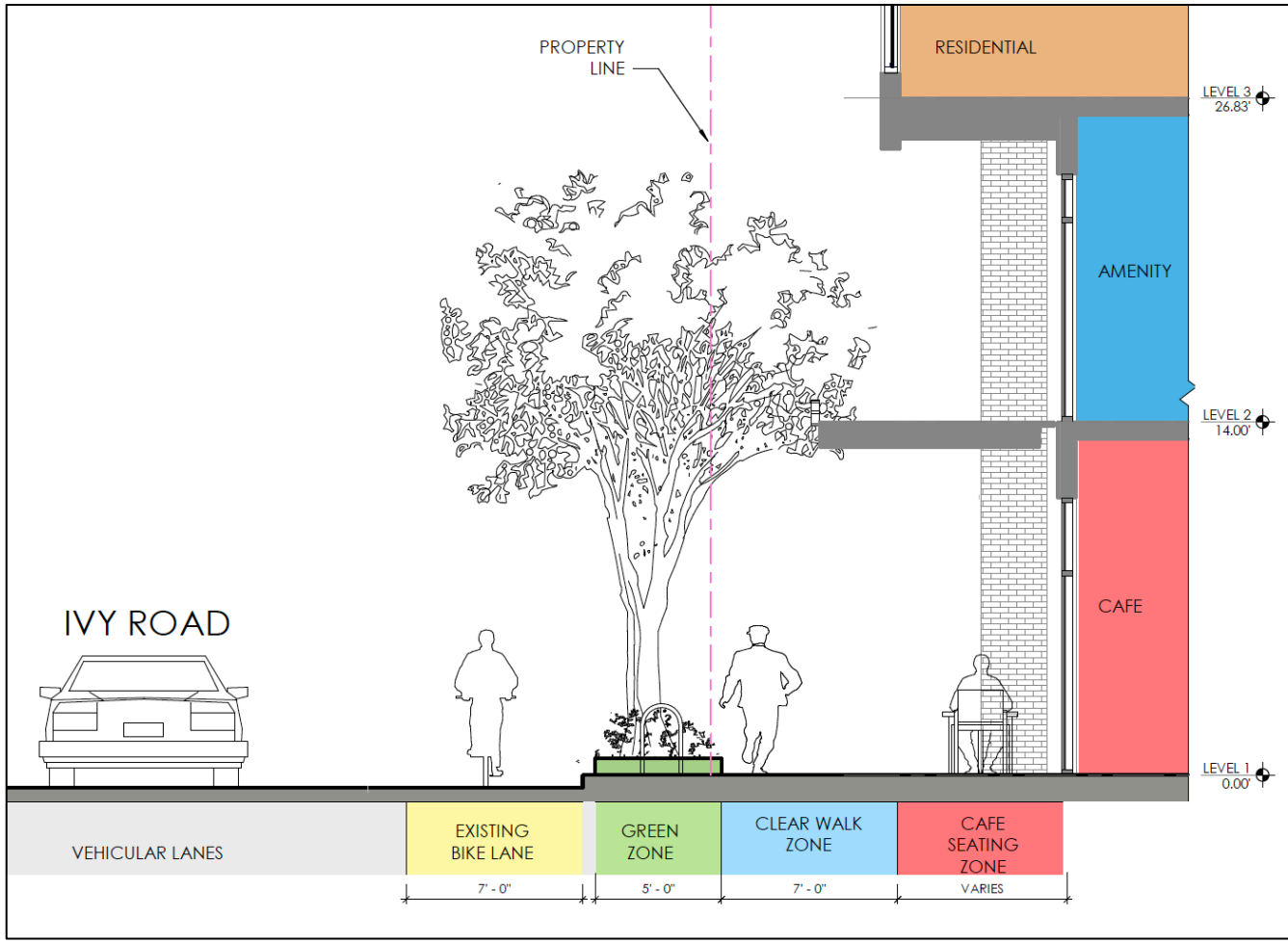
# Revised: Rendering at Ivy and Copeley Roads



# June Work Session: Section View At Sidewalk Along Ivy Road

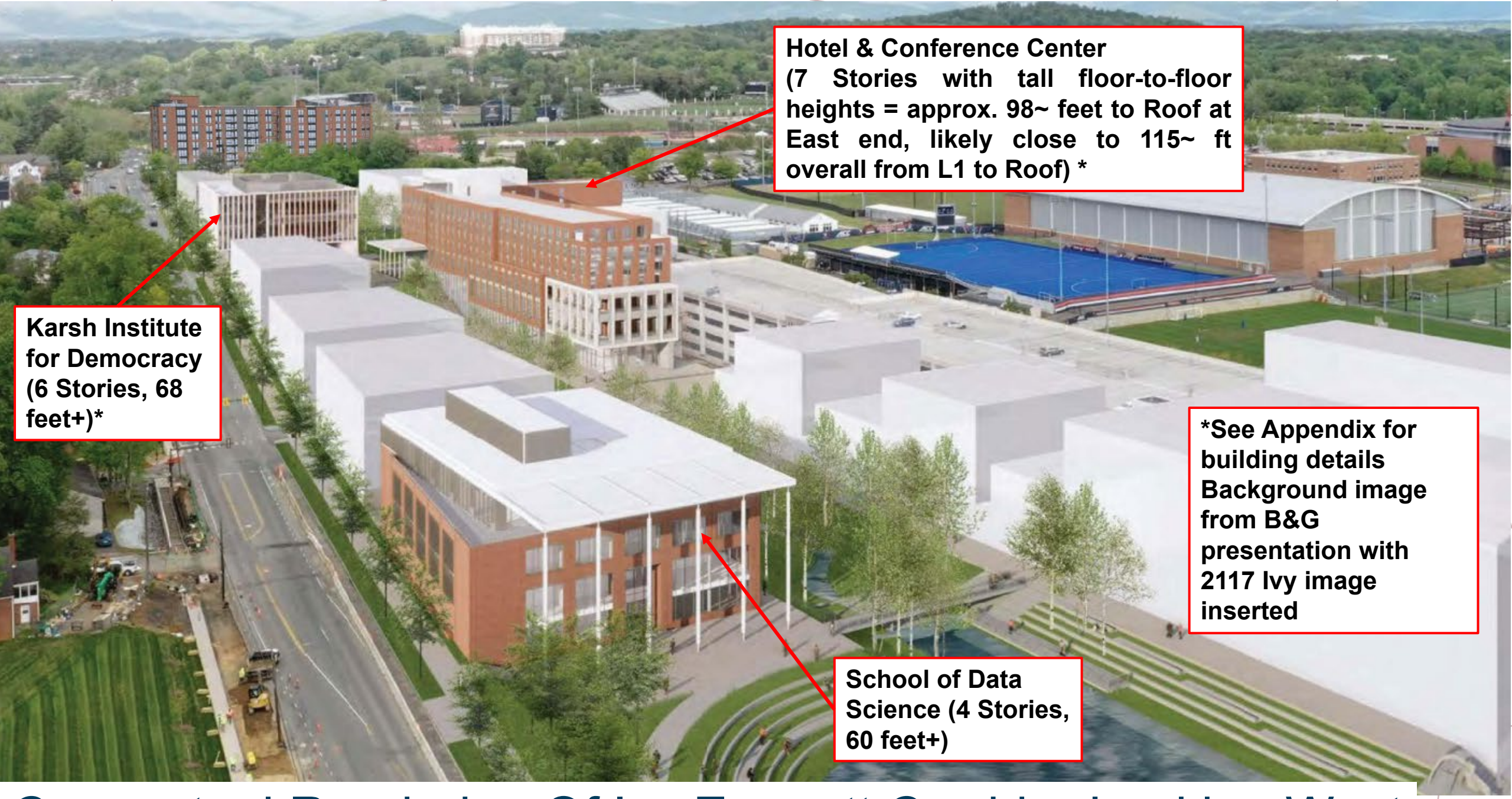



# Revised: Section View At Sidewalk Along Ivy Road






# UVA Ivy Emmett Corridor Plan




# Conceptual Rendering Of Ivy Emmett Corridor Looking West




# View #1: Orientation Map for Perspective Rendering




# View #1 Ivy Road: Conceptual Rendering from Ivy Square Shopping Center Looking East




# View #2 Orientation Map for Perspective Rendering



# View #2 Ivy Road: Conceptual Rendering from Foods of All Nations Looking East




# Orientation Map for Photo Simulation




# View #3: Photo Simulation looking north on Alderman Rd to Ivy



# Conceptual Rendering at Copeley Rd



# Conceptual Rendering at Ivy and Copeley Rd




# Conceptual Rendering at Ivy Rd




# Conceptual Rendering at Ivy and Copeley Rd

## Height @ Ivy Rd

- 10 Stories
- 114.5 Feet to Roof
- Plus 12-16 feet for Elevator, Stairs, and Bathrooms for Rooftop Amenity (Approximately 4.5% of Total Roof Area)




# Conceptual Elevation: Ivy Road




# Conceptual Elevation: Copeley Road

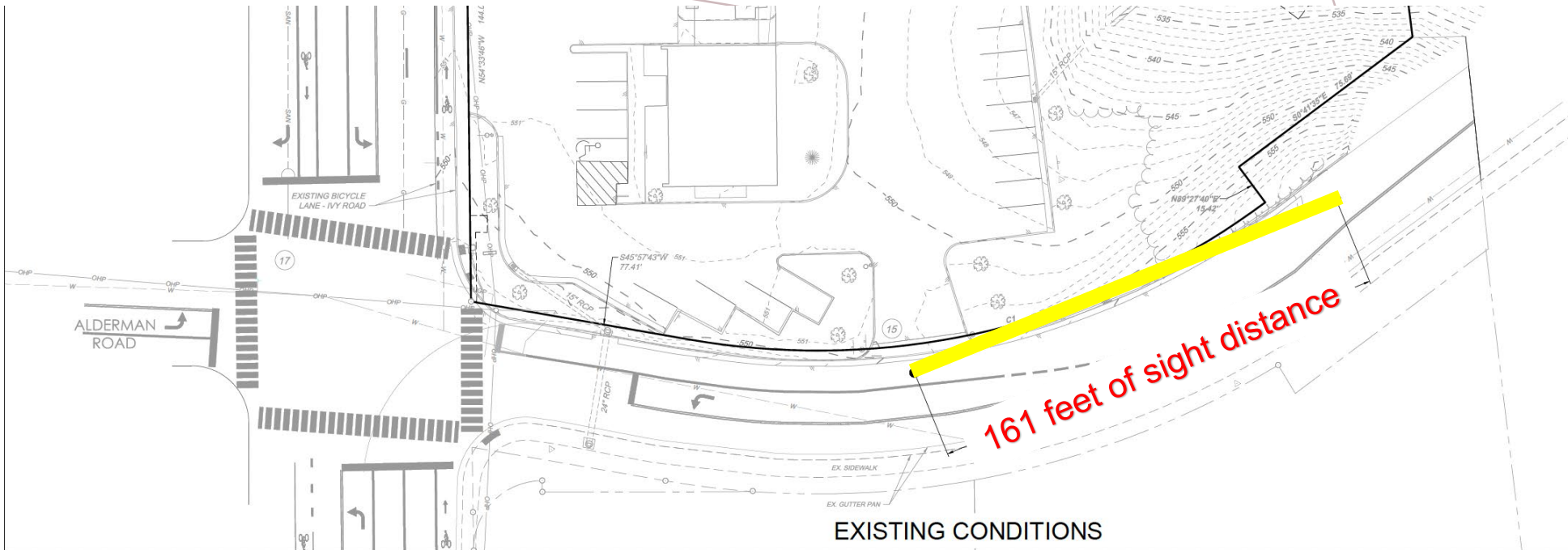
Summary excerpt from Traffic Impact Analysis:

(Timmons Group, dated May 2023)

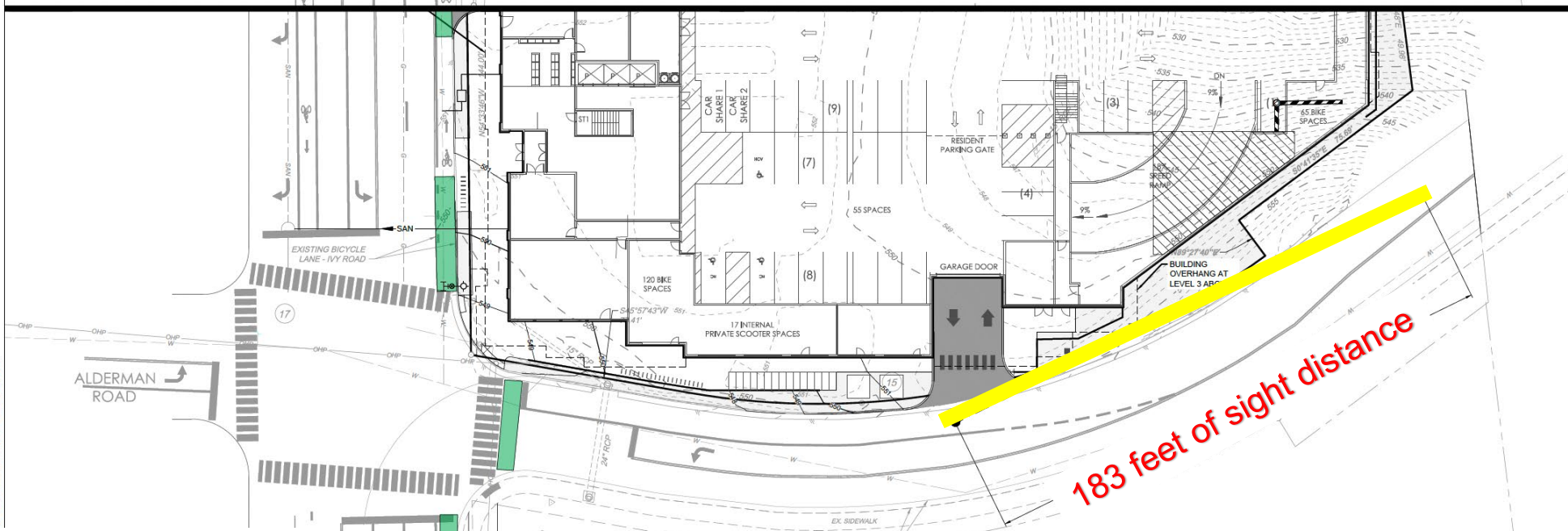
The Ivy / Copeley Intersection will continue to operate at LOS C or better



- Under 2028 total future conditions (with the proposed development):
    - The signalized intersection of Ivy Road and Copeley Road continues to operate in similar conditions to 2028 background at an overall LOS C. There are no significant changes in queueing between background and future conditions and all queues are contained within their existing storage.
    - The signalized intersection of Ivy Road and Rotherey Road/Parking Garage Access continues to operate in similar conditions to 2028 background. All queues are contained within their existing storage with the exception of the southbound left in the PM peak which extends 147 feet beyond the provided storage.
    - The signalized intersection of Ivy Road and Emmet Street continues to operate in similar conditions to 2028 background. All queues are contained within their existing storage.
    - The signalized intersection of Massie Road and Copeley Road continues to operate in similar conditions to 2028 background with an overall LOS B during both peaks. All queues are contained within their existing storage.
    - At the proposed unsignalized site entrance, the eastbound approach operates at LOS B during both peaks with a maximum queue of 48 feet in the AM peak and 215 feet in the PM peak. The northbound approach operates at LOS A during both peaks with a maximum queue of 58 feet in the AM peak and 132 feet in the PM peak. The southbound approach operates at LOS A during both peaks with a maximum queue of 192 feet in the AM peak and 329 feet in the PM peak.




EXISTING CONDITIONS




PROPOSED CONDITIONS

# SITE DISTANCE IMPROVED




# Street View looking North at Copeley from intersection on Ivy Rd.



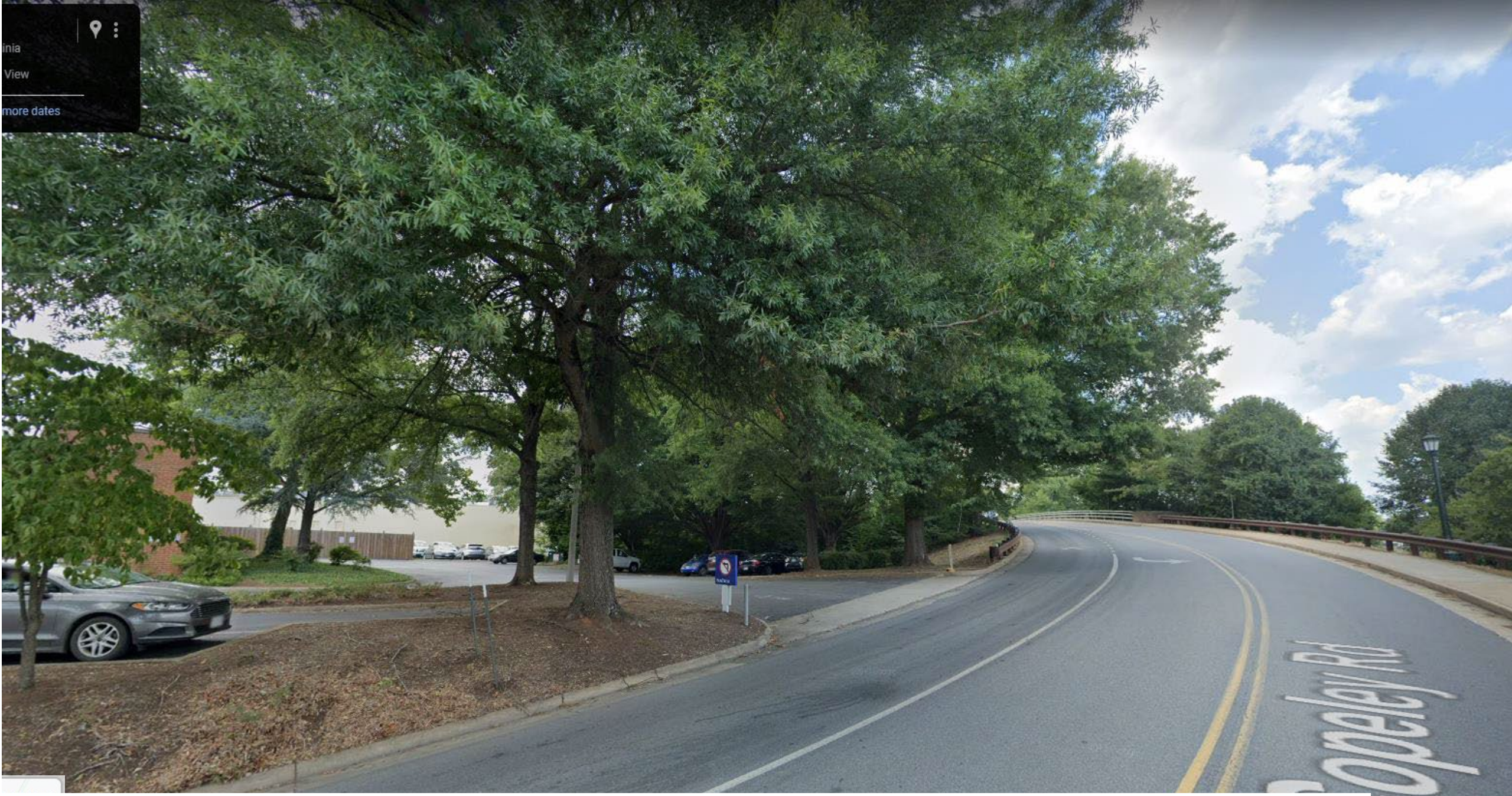

# Street view on Copeley looking towards Ivy Road




# Street view on Copeley looking towards Ivy Road



# VIEW AT EXISTING COPELEY RD DRIVEWAY




# VIEW @ COPELEY ROAD: LOOKING NORTH TOWARDS BRIDGE

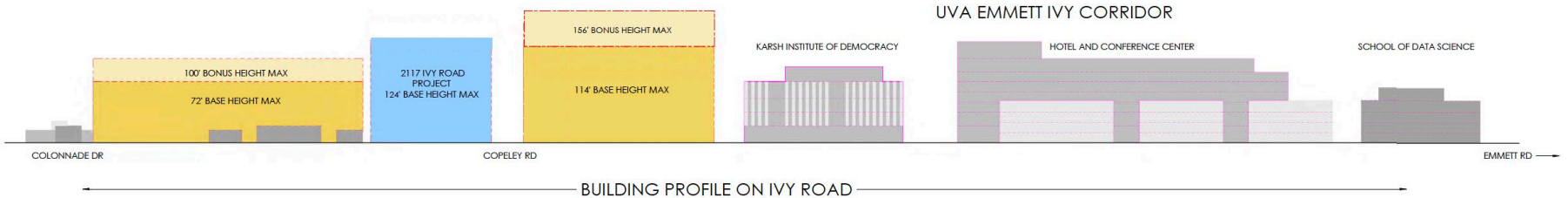
# Summary of 2117 Ivy Road Project Benefits:

- Residences for over 600 students, young professionals in a strategic location that reduces pressure on neighborhoods
- Affordable Housing contribution to the City of either up to **$2,750,000** or 10% of Units @ 60% AMI
- Sustainable, mixed-use urban infill project at a key growth node of the City
- Activates an underutilized property with a mixed-use project with great access to Grocery, necessity retail
    - Articulated building façade with both material and horizontal changes
    - Enhanced sidewalk-pedestrian infrastructure
        - Wider sidewalks and landscape planter barriers between Ivy Road and sidewalks
        - Addition of sidewalk along Copeley Road
        - Wider crosswalks at Ivy & Copeley intersection
    - Enhanced bicycle and scooter infrastructure that provides proven alternatives to daily car usage
        - Public bike, e-scooter racks and private bike, e-scooter rooms
        - Added bike refuge “green boxes” at intersection
    - Café & Retail space with operable storefront that creates engagement with the public realm




# *Thank You*

*Appendices Follow*




1 Concept Site Section
SCALE: 1" = 60'-0"




NOTE: ALL DRAWINGS ARE PROVIDED FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE PER FINAL ARCHITECTURAL, CIVIL, AND SITE DESIGN. PROPERTY IS LOCATED WITHIN A CITY DESIGNATED ENTRANCE CORRIDOR, AND FINAL DESIGN WILL BE SUBJECT TO REVIEW AND APPROVAL BY THE ENTRANCE CORRIDOR REVIEW BOARD.

NOT FOR CONSTRUCTION

WDG

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| | |
|---|---|
| PUD SUBMISSION | 05/15/23 |
| PUD RESPONSE | 08/02/23 |
| PUD RESPONSE #2 | 10/06/23 |
| PUD RESPONSE #3 | 11/21/23 |

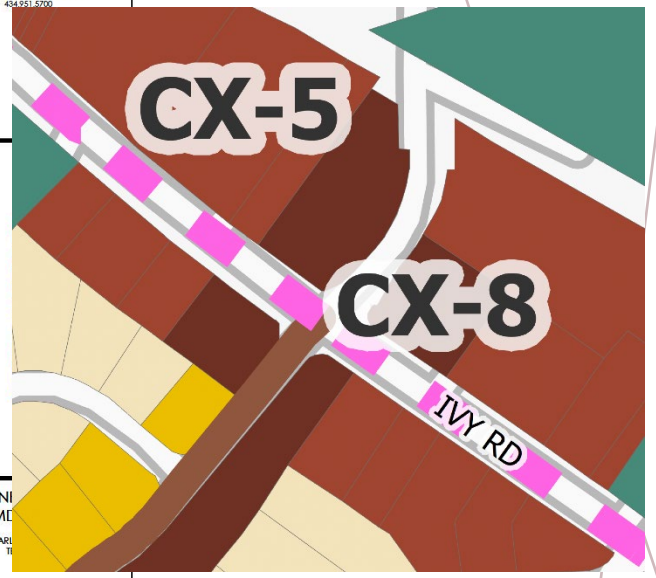
© 2023 WDG PROJECT NO: WA22014

CONCEPTUAL SITE SECTION

SCALE: 1" = 60'-0"

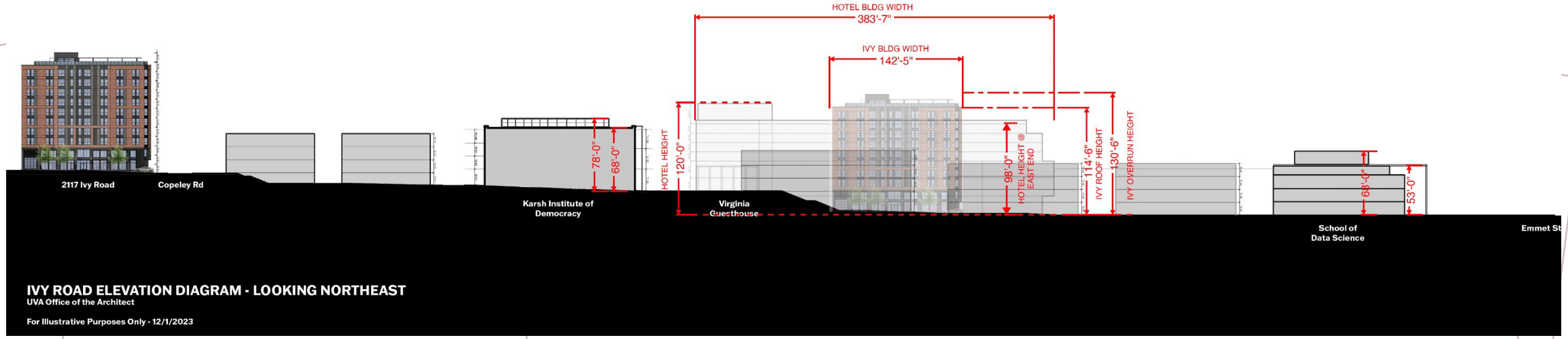
A-011

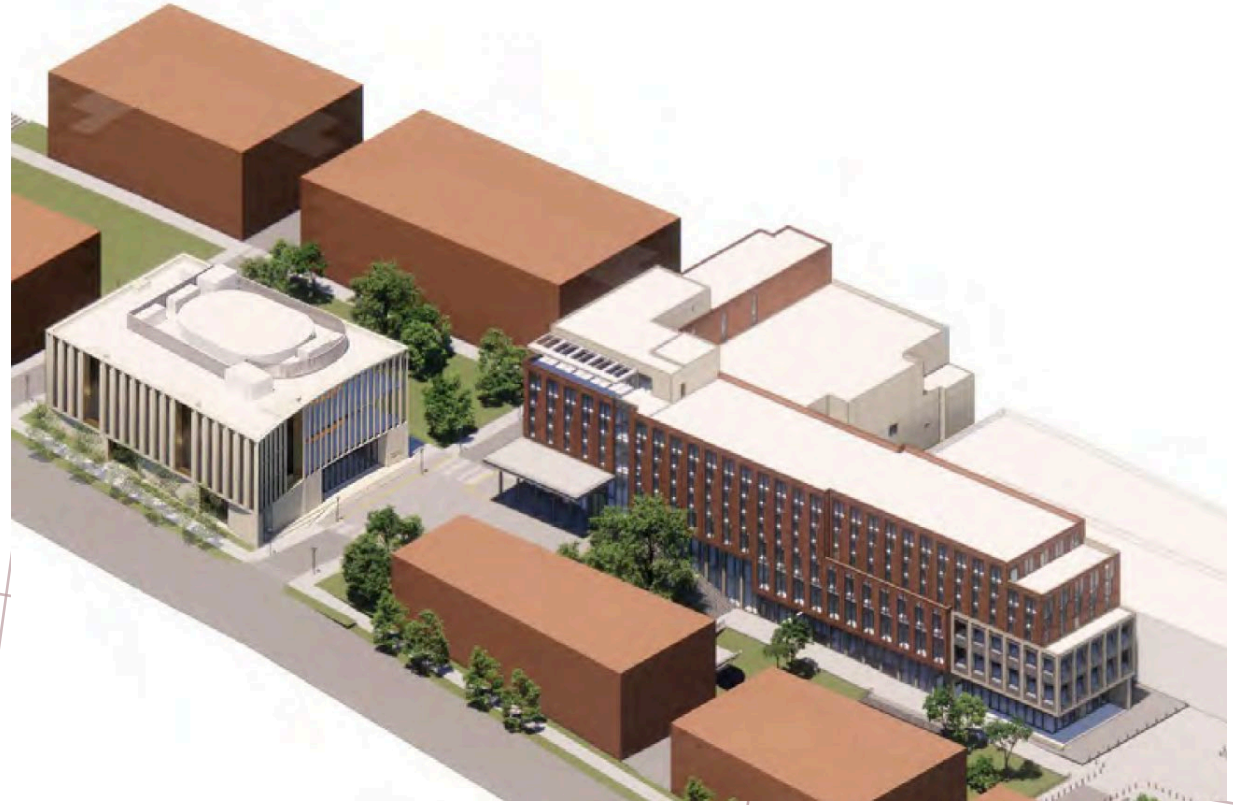
Page 241 of 274




Above inset:
Snip from new Zoning Map

← Sheet A-011 from PUD



**Above**: Up Campus edit to Diagram prepared by the Architect of UVA 12/1/2023 and transmitted to Mayor and Council

Up Campus added the text in **red** and added the "ghosted-image" of the 2117 Ivy Building overlaid on the UVA Hotel & Convention Center

(*red dimensions are approximate based on best information available to us, we have requested actual Construction Drawing from UVA*)

**To left**: Image from UVA B&G presentation






| Hotel & Convention Center | | | | |
|---|---|---|---|---|
| Level | Left (West side) | Right (East side) | Cumulative Height | |
| Roof of Amenity | | | 120 | Roof at Amenity |
| Amenity | 22 | 22 | 98 | Roof at L7 |
| L7 | 10 | 10 | 88 | |
| L6 | 10 | 10 | 78 | |
| L5 | 10 | 10 | 68 | |
| L4 | 10 | 10 | 58 | |
| L3 | 18 | 18 | 40 | |
| L2 | 15 | 20 | 20 | |
| L1 | | 20 | 0 | |

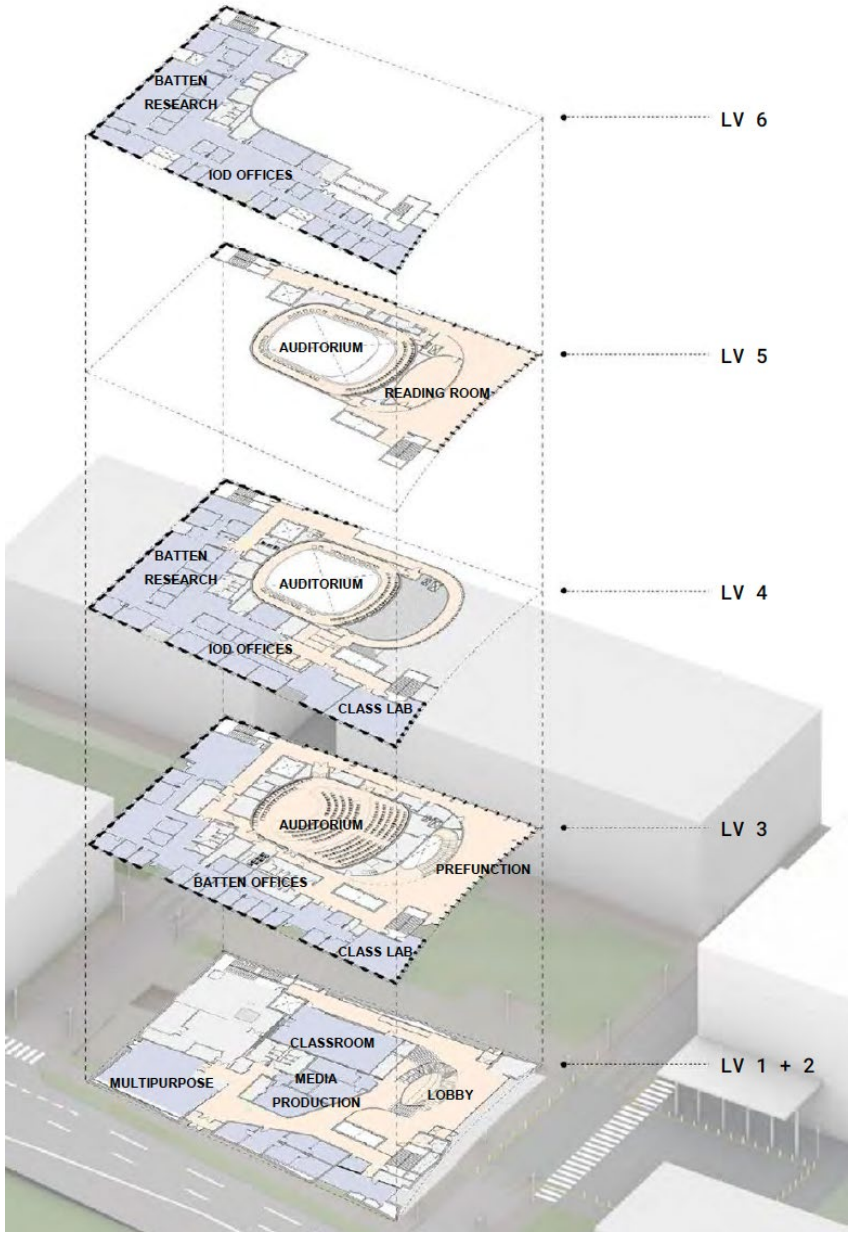
## Photos from 11-14-2023 UVA Hotel & Convention Center

7 Story Building + Rooftop Amenity (Institutional building with tall floor-to-floor heights)
1st level = 20'~ ; 2nd & 3rd level = 18'~ ; 4$^{th}$ – 7$^{th}$ = 10'~ each = 98 ft approx Total Height to Roof of L7
98 feet + 22 Rooftop Amenity (overrun?) = 120 ft approximate based on best available info
*(request the University to share the actual Construction Drawing showing the overall section)*

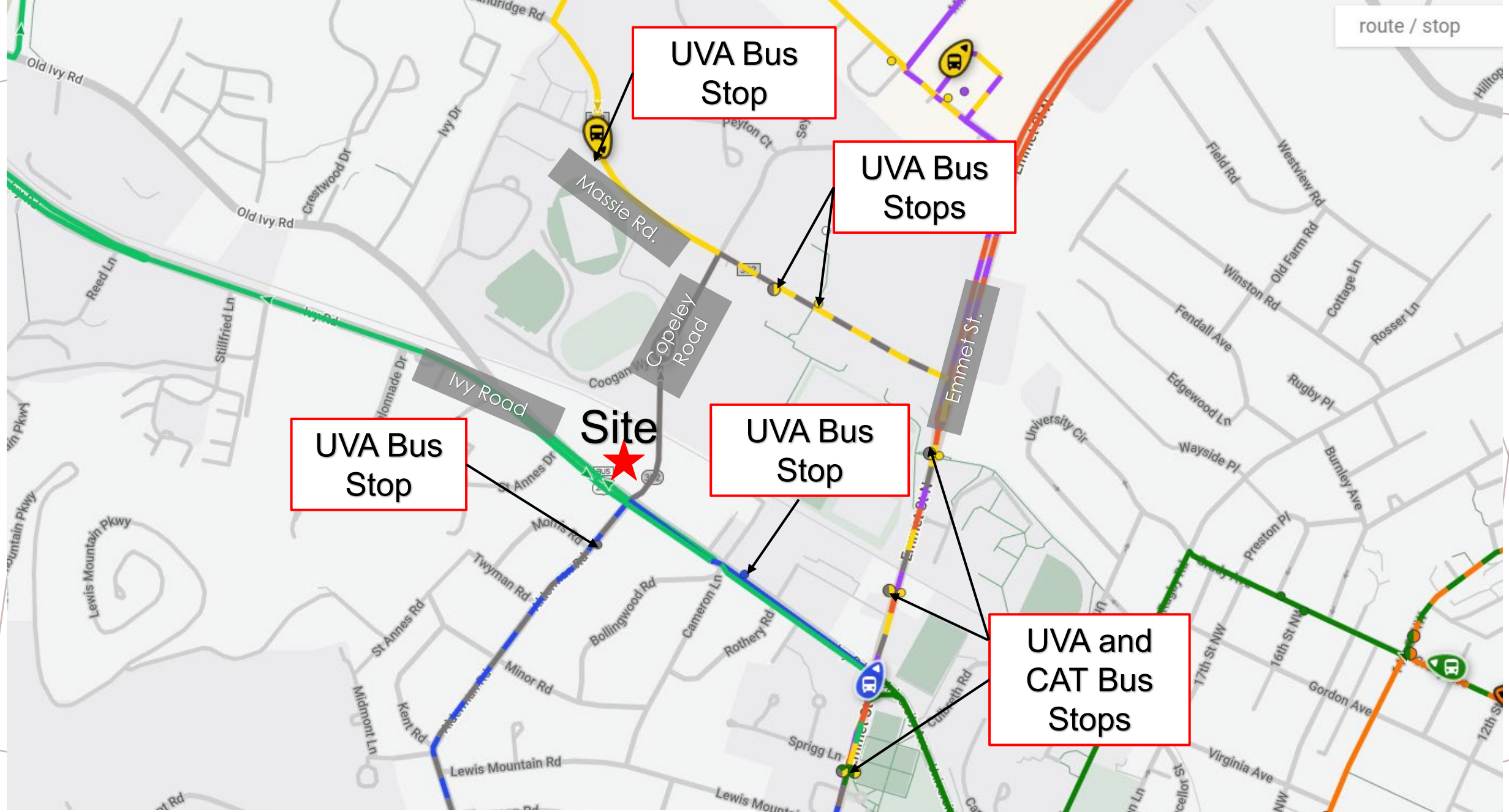



**Image from UVA Hotel & Convention Center B&G presentation**

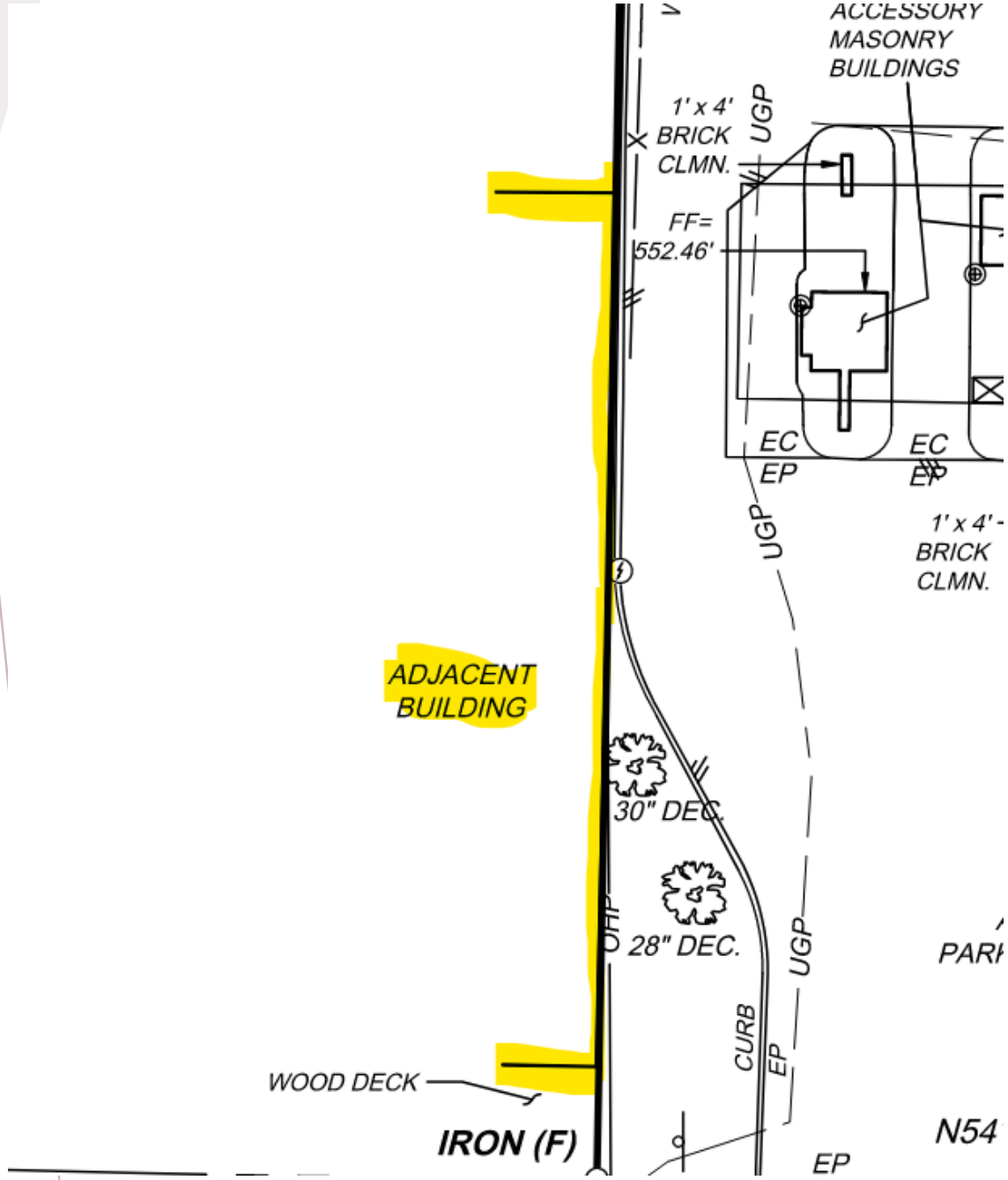



**Images from B&G presentation**




# Bus Stops within Walking Distance


ACCESSORY
MASONRY
BUILDINGS
1' x 4'
BRICK
CLMN.
UGP
FF=
552.46'
EC
EP
EC
EP
UGP
1' x 4'
BRICK
CLMN.
ADJACENT
BUILDING
30" DEC.
28" DEC.
UGP
CURB
EP
WOOD DECK
IRON (F)
EP

## Re: Suggested Updates to RKG Consultant Memo on Affordability

In light of economic changes "back to normal" (*Fed funds rates at "near zero" during the period from 2012-2019 were just not normal*), below are some suggested updates to the RKG consultant report prepared for the City of Charlottesville.

The table below provides summary of suggested corrections to key inputs in the RKG Feasibility Analysis to help guide a policy that will result in a greater number of affordable housing units. The draft IZ policy with the current RKG inputs shows on the next slide that many scenarios simply *are not feasible*.

| Feasibility Analysis: Section, Page# | Current RKG analysis inputs: | Suggested corrections to inputs: |
|---|---|---|
| Operating Expenses, page 18 | Operating Expenses: 25% | Operating Expenses: 28-30% |
| Development Assumptions, page 19 | Interest Rate: 6.0% | See attached indications from CBRE, 8.5-9% |
| Expected Financial Return, page 19 | IRR (Rental): 12.00% | For new development, IRR requirements are 19-20% |
| Return on Cost, page 19 | Return on Cost: 5.50% | Minimum Return on Cost required is 7~% |
| | | |

## Re: Suggested Updates to RKG Consultant Memo on Affordability

The RKG report provided "Feasibility tables" page 26-27 copied below that laid out feasibility in areas of the City based on project size with **green meaning feasible**, **yellow meaning "marginal"**, **and red meaning "not feasible"** have been copied below.

Note that even the "**Proposed IZ Policy 10% at 60% AMI**" areas showing up in green as "feasible" are *not actually feasible* (that is they have returns lower than 19% (most around 12-16%) before inputting the Suggested Corrections to Inputs.

### WOOD FRAME CONSTRUCTION

Multifamily rental development in areas E, F, G, and H are financially feasible under the proposed IZ policy guidelines (10% unit set aside at 60% of AMI) for projects that can be built using wood-frame construction (less than 5 floors total). While the IZ policy reduces the IRR, the project remains above the 12% minimum threshold.

Areas G and H perform better given their higher rent rates than Areas E and F. To this point, these areas could support up to a 15% set aside at 60% AMI and remain financially feasible.

The proposed bonus density strategy also works if the development can remain below 5 stories (e.g., in MX-3).

For Area I, multifamily development is not feasible due to the much lower rental rates captured in this area. The data indicate a development would require a lower price point for land (identified as $40,000 per unit) to reach the target threshold.

| IRR | Market Rate Development | | | |
|---|---|---|---|---|
| | 10 Units | 25 Units | 50 Units | 100 Units |
| Area E/F | 14.7% | 14.5% | 14.7% | 14.7% |
| Area G/H | 18.8% | 18.7% | 18.8% | 18.8% |
| Area I | 11.0% | 10.9% | 11.0% | 11.0% |

| IRR | Proposed IZ Policy (10% at 60% AMI) | | | |
|---|---|---|---|---|
| | 10 Units | 25 Units | 50 Units | 100 Units |
| Area E/F | 14.0% | 12.4% | 12.8% | 12.5% |
| Area G/H | 18.3% | 16.2% | 16.7% | 16.3% |
| Area I | 10.8% | 9.1% | 9.4% | 9.0% |

| IRR | Bonus Density (10% at 50% AMI with 2 Floors) | | | |
|---|---|---|---|---|
| | 10 Units | 25 Units | 50 Units | 100 Units |
| Area E/F | 12.5% | 11.8% | 12.3% | 12.1% |
| Area G/H | 16.4% | 15.7% | 16.3% | 16.0% |
| Area I | 9.4% | 8.4% | 8.9% | 8.7% |

INCLUSIONARY ZONING ANALYSIS 26

### PODIUM CONSTRUCTION

Transitioning from wood frame construction ($230 PSF) to podium construction ($300 PSF) without any appreciable increase in revenue creates substantial financial hardship for new multifamily development in Charlottesville.

This also holds true for projects that want to use the bonus density feature that will require them to switch from wood frame construction (5 stories) to podium construction (7 stories). Effectively, the cost of construction increase will render the taller development infeasible.

The analysis for steel-frame construction ($400 PSF) has similar, albeit worse, results for development feasibility.

Anecdotally, the cost of construction for buildings over 5 stories has reached a point where even student-targeted rental housing—which generates substantially higher PSF rent levels than more traditional rental developments—currently is not financially feasible without some mitigating cost offset (e.g., lower land prices).

| IRR | Market Rate Development | | | |
|---|---|---|---|---|
| | 10 Units | 25 Units | 50 Units | 100 Units |
| Area E/F | 5.3% | 5.1% | 5.3% | 5.3% |
| Area G/H | 9.9% | 9.7% | 9.9% | 9.9% |
| Area I | 0.8% | 0.6% | 0.8% | 0.8% |

| IRR | Proposed IZ Policy (10% at 60% AMI) | | | |
|---|---|---|---|---|
| | 10 Units | 25 Units | 50 Units | 100 Units |
| Area E/F | 4.6% | 2.7% | 3.0% | 2.6% |
| Area G/H | 9.1% | 7.2% | 7.5% | 7.1% |
| Area I | 0.4% | -1.6% | -1.4% | -1.9% |

| IRR | Bonus Density (10% at 50% AMI with 2 Floors) | | | |
|---|---|---|---|---|
| | 10 Units | 25 Units | 50 Units | 100 Units |
| Area E/F | 3.0% | 1.8% | 2.5% | 2.2% |
| Area G/H | 7.6% | 6.5% | 7.1% | 6.9% |
| Area I | -1.1% | -2.8% | -2.0% | -2.3% |

INCLUSIONARY ZONING ANALYSIS 27

## RENTAL HOUSING VALUE GAP CALCULATIONS COMPARED TO MARKET RATE RENTS

**AREAS E/F**

| | 30% Affordable NOI | 40% Affordable NOI | 50% Affordable NOI | 60% Affordable NOI | 70% Affordable NOI |
|---|---|---|---|---|---|
| Studio | ($133,871) | ($103,931) | ($73,991) | ($44,051) | ($14,111) |
| 1BR | ($204,696) | ($174,756) | ($144,816) | ($114,876) | ($84,936) |
| 2BR | ($266,720) | ($236,780) | ($206,840) | ($176,900) | ($146,960) |
| 3BR | ($340,033) | ($310,093) | ($280,153) | ($250,213) | ($220,273) |
| Average | ($236,330) | ($206,390) | ($176,450) | ($146,510) | ($116,570) |

| Value Gap Calculation | | % of Units | | RKG Report | | 60% AMI | |
|---|---|---|---|---|---|---|---|
| 2117 Ivy Road | Current | Affordable | Average | Rents | Market | Affordable | |
| Unit Type | # of Units | 10% | SF per Unit | per SF | Rents (MR) | Rents (IZ, IC) | Gap |
| Studio | 61 | 6.1 | 525 | $2.75 | $1,444 | $1,166 | $278 |
| 1 BR | 27 | 2.7 | 715 | $2.90 | $2,074 | $1,249 | $825 |
| 2 BR | 25 | 2.5 | 1,050 | $2.50 | $2,625 | $1,321 | $1,304 |
| 3-4 BR | 128 | 12.8 | 1,560 | $2.10 | $3,276 | $1,982 | $1,294 |
| TOTAL | 241 | 24.1 | | Average Monthly | $2,355 | $1,429 | |
| | | | | Annual | $28,255 | $17,152 | |
| | | | RKG Operating Expense Ratio | | 25% | | |
| | | | | | | | Gap |
| | | | | Operating Expenses | $7,064 | $4,288 | $2,776 |
| | | | | | | | |
| | | | | NOI MR | $21,191 | per Unit | $8,327 |
| | | | | NOI IC IZ | $12,864 | per Unit | |
| | | | | Difference | $8,327 | per Unit | |
| | | | | | | | Gap |
| | Value Gap | | RKG Cap Rate | 5.5% | $151,405 | per Unit | $3,648,850 |
| | | | | | | | |
| | Value Gap | | Long Term Cap Rate | 7.00% | $118,961 | per Unit | $2,866,953 |
| | | | (Current Actual) | | | Proposed Proffer | $2,750,000 |
| | | | | | | Fee in Lieu per Unit | $114,108 |

# CONSIDERATIONS

### Value Gap Calculation Approach

The value gap is the difference between the value of a market rate unit and that of an affordable unit. The value of a rental unit is determined by the net operating income and the capitalization rate; for an ownership unit it is determined by the sales value of the unit. In the case of affordable units, the amount of rent or sale price is limited to the target income threshold of the inclusionary zoning policy. This results in lower revenue for a developer. This loss of revenue translates into a loss of value (hence, the value gap) and negatively impacts the overall financials of a developer because the cost of construction and land to build either an affordable or market rate unit are essentially the same. As part of the modeling process, an option was created to utilize the difference in value due to the loss of revenue in determining the fee amount to charge for fractional units. A table showing current gap calculations is included at the end of this narrative.

**RENTAL**

$$\frac{NOI_{MR} - NOI_{IC}}{\text{CAP RATE}}$$

**OWNER**

$$PRICE_{MR} - PRICE_{IC}$$

*MR – Market Rate*
*IC – Income-Controlled*

## Re: Suggested Updates to RKG Consultant Memo on Affordability

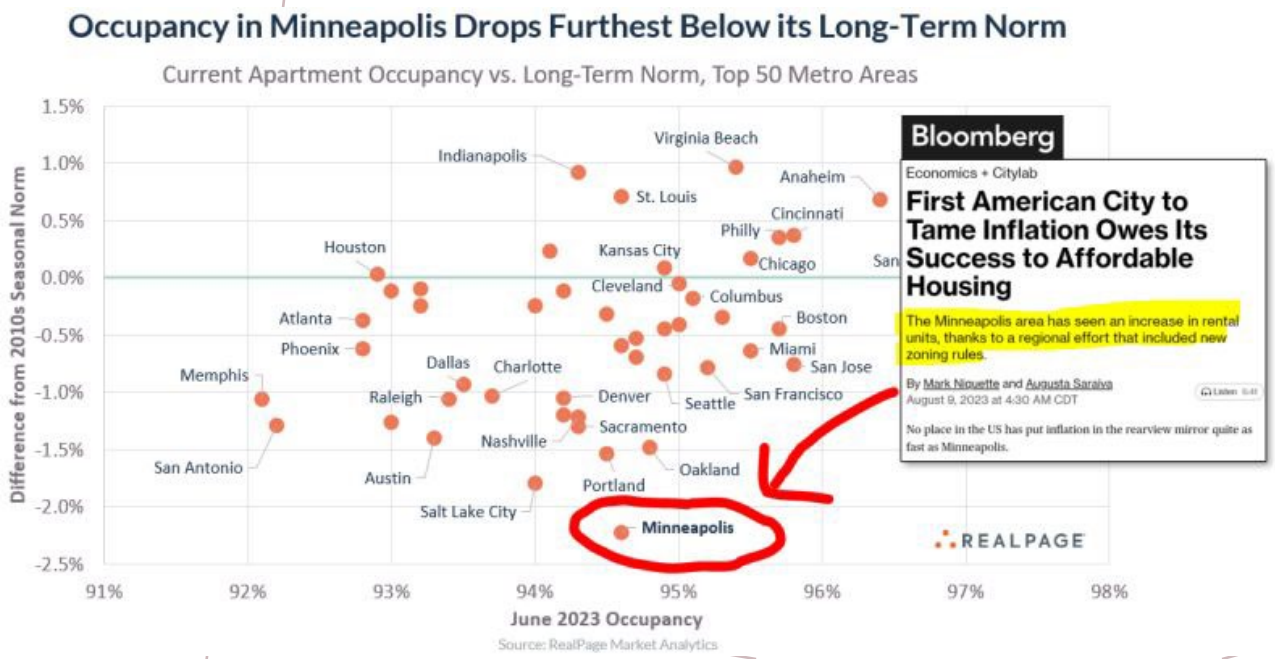
Our suggestions for implementing a feasible IZ Policy that will actually result in on-site affordable, OR a realistic calculation of a fee-in-lieu in cases where the City prefers a proffer:

## In sum, here are our high-level policy suggestions for new rental development:

1. Proposed Base IZ Policy: Require all projects over 10 units to include 8% Affordable at 60% of AMI
2. Bonus Density-Height: Require projects > 10 units utilizing bonus heights to include 10% Affordable at 60% AMI
3. If City wants some 40-50% AMI units in some Areas, consider including a tax abatement similar to Pittsburgh

We note that the base 8% affordable at 60% of AMI has had positive, real-world results that are summarized in a recent **Bloomberg article** below. *We want to simultaneously point out that this was achieved by having a feasible "base policy" to begin with*. We understand the knee-jerk to always "do more", but caution that the overreach for a base policy just results in fewer units getting built (or none at all) everywhere in town.

Quote from the mayor of Minneapolis, two-term Democrat Jacob Frey: "*I can't tell you how many people were like, 'Oh, look at all this supply, look at all these just brand new buildings,' and kind of scoffing at it like this was going to lead to gentrification or rents skyrocketing. The exact opposite has happened*."





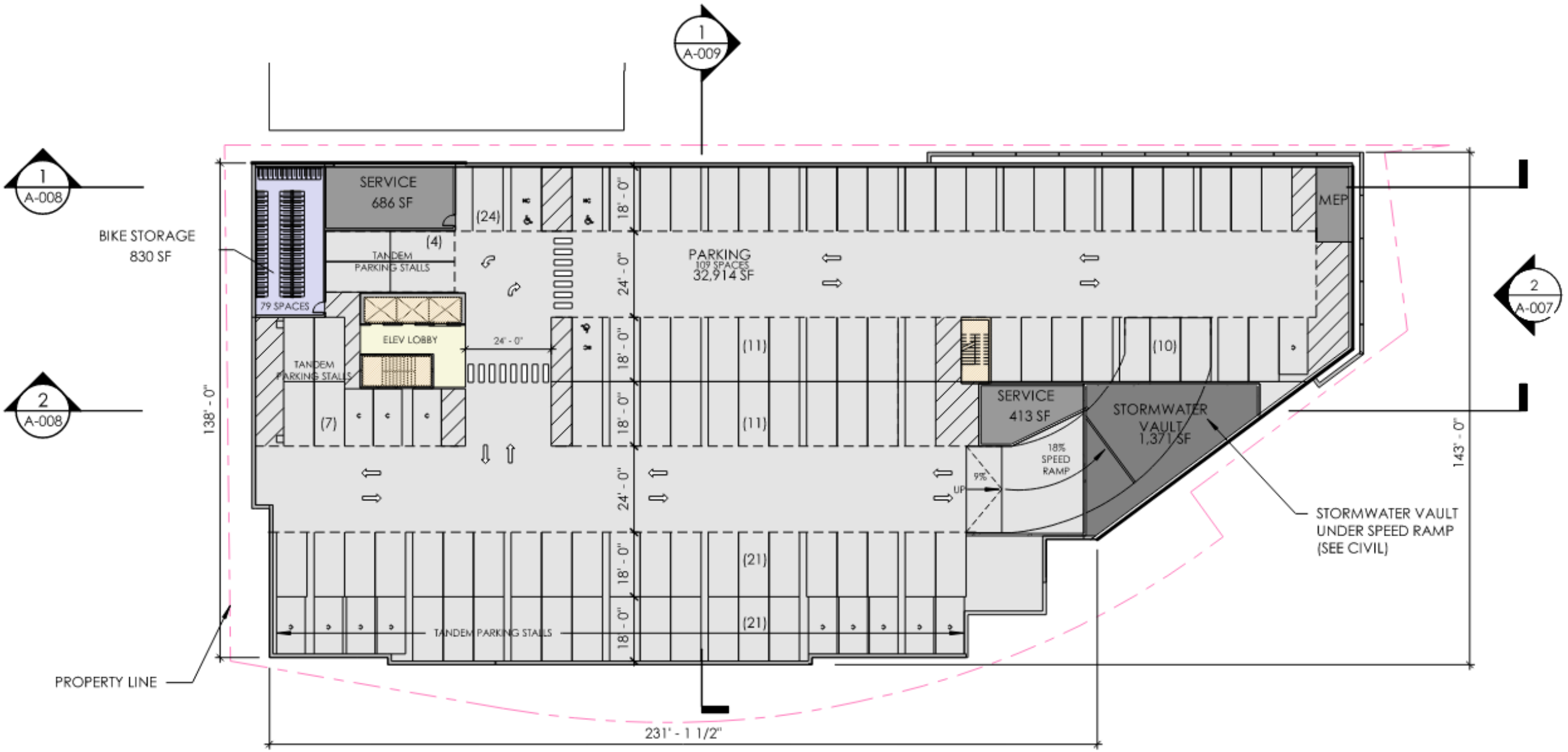
# Conceptual Rendering Looking North from Alderman toward Ivy Rd




# Conceptual North Elevation looking from Railroad towards south




# Conceptual West Elevations – view from west looking east



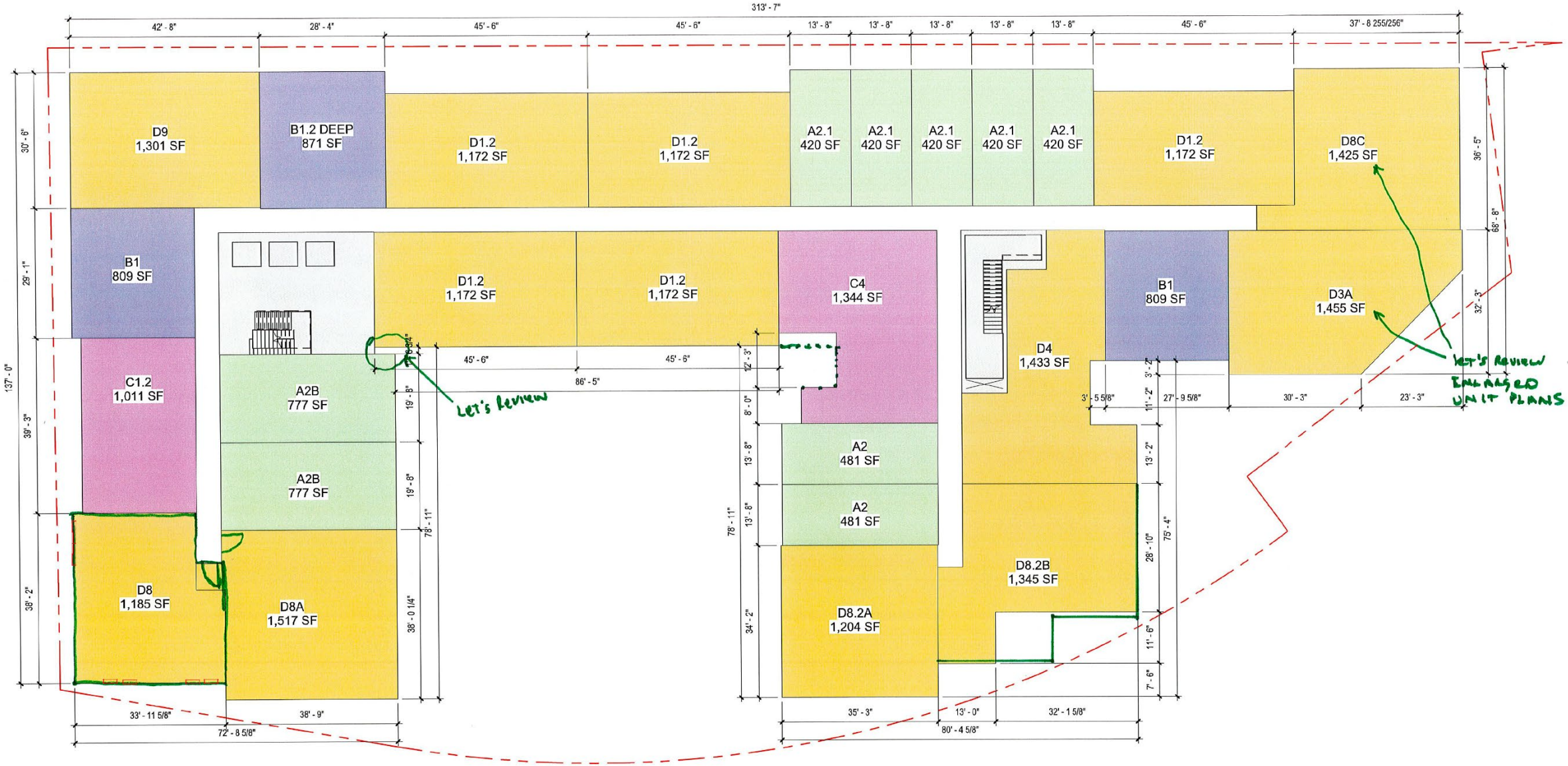

# Conceptual Floor Plan - Lower Level Parking B1

SEE UPDATED




# Conceptual Floor Plan- Typical Level 3-10

1
A-006




1 AREA PLAN - OPTION 2

1/16" = 1'-0"

# Conceptual Floor Plan- Typical Level 3-10




# VIEW LOOKING WEST ALONG IVY RD TOWARDS COPELEY RD



# VIEW FROM IVY ROAD BACK TOWARDS SITE



# VIEW FROM COPELEY ROAD




# EXISTING VIEW FROM IVY ROAD



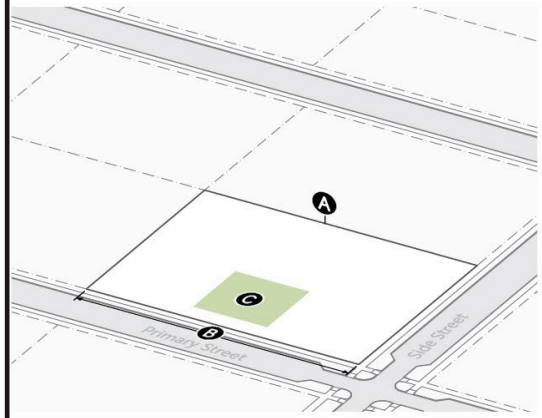
# VIEW TOWARDS SITE AT IVY & COPELEY ROAD INTERSECTION

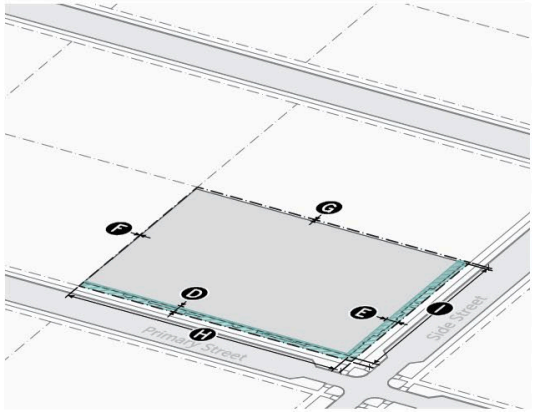



Street View looking Northwest at Copeley from intersection on Ivy Rd.

# 2.4.4. **CX-8** CORRIDOR MIXED USE 8

## A. LOT




| 1. LOT SIZE | Sec. 2.10.2. |
|---|---|
| A Area (min) | None |
| B Width (min) | |
| Front access | 40' |
| Side / rear access | 15' |
| **2. DENSITY** | *Sec. 2.10.3.* |
| Dwellings per lot (max) | Unlimited |
| **3. COVERAGE** | *Sec. 2.10.4.* |
| Building coverage (max) | None |
| C Outdoor amenity space | 10% |

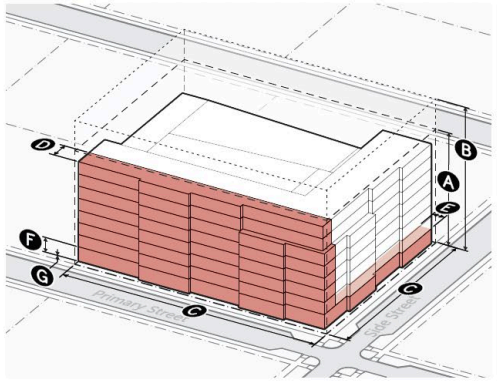
| 4. BUILDING SETBACKS | Sec. 2.10.5. |
|---|---|
| D Primary street lot line (min/max) | 0' / 10' |
| E Side street lot line (min/max) | 0' / 10' |
| F Side lot line (min) | 0' |
| G Rear lot line (min) | 0' |
| Alley lot line (min) | 5' |
| **5. BUILD-TO** | *Sec. 2.10.6.* |
| Build-to width (min) | |
| H Primary street | 75% |
| I Side street | 45% |
| **6. TRANSITION** | *Sec. 2.10.7.* |
| Transition type | Type B, D |
| **7. PARKING LOCATION** | *Sec. 2.10.8.* |
| Front yard | Not allowed |
| Side street yard | Not allowed |
| Side yard | Allowed |
| Rear yard | Allowed |





# CX-8

## B. BUILDING







| 1. HEIGHT | Sec. 2.10.9. |
|---|---|
| Building height (max stories/feet) | |
| A Base | 8 / 114' |
| B Bonus | 11 / 156' |
| **2. MASSING** | *Sec. 2.10.10.* |
| C Building width (max) | 275' |
| Active depth (min) | |
| D Primary street | 15' |
| E Side street | 9' |
| **3. GROUND STORY** | *Sec. 2.10.11.* |
| F Ground story height (min) | |
| Residential | 10' |
| Nonresidential | 14' |
| G Finished floor elevation (min/max) | |
| Residential | 0' / 6' |
| Nonresidential | -2' / 6' |

| | Primary St. | Side St. |
|---|---|---|
| **4. TRANSPARENCY** | *Sec. 2.10.12.* | |
| H Ground story (min) | | |
| Residential | 35% | 30% |
| Nonresidential | 50% | 30% |
| I Upper story (min) | 20% | 20% |
| J Blank wall width (max) | 15' | 25' |
| **5. ENTRANCES** | *Sec. 2.10.13.* | |
| K Street-facing entry spacing (max) | 40' | 60' |
| Entry feature | Yes | Yes |
| **6. FENCES AND WALLS** | *Sec. 2.10.14.* | |
| Front yard height (max) | 4' | |
| Side street yard height (max) | 6' | |

## Sec. 34-757. - Height regulations.

The height regulations shall apply to buildings and structures within the Urban Corridor district:

(1) *Minimum:* None.

(2) *Maximum height:* Sixty (60) feet; however, up to eighty (80) feet may be allowed by special permit.

(5-19-08(3))

## Sec. 34-758. - Streetwall regulations.

Setbacks shall be required, as follows:

(1) *Primary street frontage:* Five (5) feet, minimum; thirty (30) feet, maximum. In circumstances where a building will have frontage along more than one (1) primary street, these setbacks shall apply only to the primary street having the highest functional classification rating; the other primary street(s) shall be deemed linking streets for purposes of determining the required setbacks under this section.

(2) *Linking street frontage:* Five (5) feet minimum; twenty (20) feet maximum.

(3) *Side and rear, adjacent to any low density residential district:* Ten (10) feet, minimum.

(4) *Side and rear, adjacent to any other zoning district:* None required.

(5-19-08(3))

Direct Dial: 434.951.5709
vlong@williamsmullen.com

December 13, 2023

Via email: oconnelld@charlottesville.gov

Dannan O'Connell
Senior Planner
City of Charlottesville
Neighborhood Development Services

Re: **2117 Ivy Road - Revisions to PUD Application Package**

Dear Mr. O'Connell,

Following the City Council meeting on December 4, 2023, we have taken steps to implement the feedback we received at the meeting. Julie Filges of Dwell Design Studio, the architect of record for the project, met with Alice Raucher, University Architect, and Collette Sheehy, Senior Vice President of Operations on the afternoon of Friday, December 8th to discuss the project and building design. They are scheduled to meet again on Wednesday, December 13th. We appreciate the time and feedback that Mss. Raucher and Sheehy afforded during an already busy week for the University when it hosted meetings of its Board of Visitors.

The Applicant's design team has also worked to identify project modifications that could further improve the streetscape along Ivy Road and increase the Applicant's affordable housing contribution. Based on that evaluation, the Applicant proposes the following changes to the application:

1. Revise the proffer statement in the following ways:

    a) Increase the affordable housing cash-in-lieu amount from $2,750,000 to $3,250,000, a $500,000 increase.

    b) Add proffer #2 to reflect proposed project design changes as described below.

2. Revise the project design along Ivy Road in the following ways:

    a) The size of the green zone and the sidewalk have been increased to match the dimensions of the green zone and sidewalk the University is constructing along Ivy Road. The green zone has been increased to 8 feet, and the sidewalk increased to 10 feet.

    b) Floors 1-2 will be recessed at least 2 additional feet from Ivy Road. Combined with the increases in the green zone and the sidewalk, this change will further improve the project's pedestrian infrastructure and streetscape.

c) Floors 3-8 will be recessed 4 additional feet from Ivy Road, which will help to open up the viewshed along Ivy Road.

d) Floors 9-10 will be recessed by 2 feet from the front of floors 3-8, such that floors 9-10 will be recessed 6 feet from Ivy Road.

e) The rooftop architectural trellis will be recessed 10 feet from the edge of the rooftop of Floor 10, such that when combined with the 6 feet of recess for the lower floors, will result in the trellis being setback a total 16 feet back from Ivy Road. This will help reduce its visibility from some vantage points and help reduce the massing effect overall.

f) A note has been added to Exhibit A to the proffer statement providing that street tree species will be coordinated with City staff, the Entrance Corridor Review Board, and the University, with a goal of creating relatively consistent plantings along Ivy Road.

While each of these design modifications individually are fairly modest, the combined effect will help to reduce the massing effect of the building, further improve the pedestrian infrastructure, and maintain a consistent sidewalk and green space area along the Ivy Road corridor, all without creating a material impact on the economic viability of the project. In addition, the increase in the affordable housing commitment will further the City's affordable housing goals, and combined with the design modifications, makes for an improved overall application. The Applicant and its design team will continue to engage with interested community members, including the University, on the project as it moves through site plan and Entrance Corridor review.

Thank you,

Valerie Long

Valerie Long

Enclosures

cc: RMD Properties, LLC

104151554.5

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Ordinance adoption |
| Presenter: | James Freas, Director of NDS |
| Staff Contacts: | Jacob Stroman, City Attorney<br>Missy Creasy, Deputy Director of NDS |
| **Title:** | **Consideration of repealing and reordaining a new Chapter 34 of the Charlottesville City Code, and adopting a new official Zoning Map for the City of Charlottesville** |

## Background

The Cville Plans Together process has been a multi-year effort to adopt a new Comprehensive Plan and zoning ordinance. The Comprehensive Plan (including an Affordable Housing Plan) was adopted in 2021. Work has been underway since January 2022 on a new zoning ordinance to implement the policies and objectives of the Comprehensive Plan.

## Discussion

The draft Development Code can be found here:
https://drive.google.com/file/d/1H30JJrLvERk06DkKsVTzrMdc5Q7BT2is/view

The draft zoning map can be found here:
https://drive.google.com/file/d/1TnVA92-ELmu12qsr1OPPqkVOzFFKlj8J/view

## Alignment with City Council's Vision and Strategic Plan

One of the central objectives of the Comprehensive Plan and zoning ordinance has been the issue of equity, which is also the central element of Council's Strategic Plan. More specifically, the zoning ordinance advances strategic outcome areas related to housing, economic prosperity, climate action, transportation, organizational excellence, and recreation, arts, and culture.

## Community Engagement

This process has included extensive community engagement over the last two years including public meetings, numerous meetings with various groups, the website, and public hearings with both the Planning Commission and City Council.

## Budgetary Impact

## Recommendation

Adoption of the proposed Charlottesville Development Code

**Alternatives**

**Attachments**

1. Text Amendments
2. Street_Typ_Dec2023
3. Building Area
4. ADU_Amendments_corrected
5. Map Amendments
6. RN-A 12.15.2023
7. Resolution - Development Code and Zoning Map 12-15-2023

Text Amendments to the November 7, 2023 Council Hearing Draft.

# Article 1. INTRODUCTORY PROVISIONS

1. **Sec. 1.1.6. Effective Date and Vesting**
   **A. Effective Date**
   The Development Code of the City of Charlottesville, Virginia was adopted on December 18, 2023, and became effective on February 19, 2024.

2. **Sec. 1.1.6. Effective Date and Vesting**
   **B. ~~Grandfathered~~ Vested Rights and Disposition of Pending Applications**
   Nothing in this Development code will be construed to authorize the impairment of any vested right under *Code of Virginia, § 15.2-2307*. Disposition of applications for projects pending on the Effective Date of this Development Code, which have not accrued vested rights, will be in accordance with any contemporaneous resolution enacted by Council. Non-conformities will be handled, as applicable, in accordance with Section 5.3.

3. **Page 1-6, Scrivener's Error.**
   Remove PK Park under SPECIAL.

# Article 2. ZONING DISTRICTS

4. **Page 2-7, Scrivener's Error.**
   In each standards summary, height max should not be 35'.

5. **Sec. 2.2.2.B.2. MASSING** [R-A District]

| | |
|---|---|
| Building Area (max) | 5,000 SF |

6. **Sec. 2.2.3.A.2. DENSITY** [RN-A District]

| | |
|---|---|
| Dwellings per lot (max) | |
| Base | 1 |
| Bonus: | |
| Existing Structure Preservation | ~~3~~ 2 |
| Bonus: | |
| Affordable Dwelling Unit | 6 |

7. **Sec. 2.2.3.B.2. MASSING** [RN-A District]

| | |
|---|---|
| Building Area (max) | 5,000 SF |

8. **Sec. 2.9.5. Entrance Corridors (-EC)**
   C. Standards

Buildings of greater than 5 stories must provide a stepback between the second and fourth floors that meets the requirements of Sec. 4.7.1.C.2.b Transition Type B.

9. **Sec. 2.10.10. Massing**
   C. Building Area
   See attached sec. 2.10.10.C. Building Area

## Article 3. USE REGULATIONS

10. **Sec. 3.2.2. Permitted Use Table**
    For the following listed uses, remove 'S*' and replace with '–' for the R-A, RN-A, R-B, R-C districts:
    - General food and beverage (up to 4,000 SF)
    - General medical (up to 4,000 SF)
    - General office (up to 4,000 SF)
    - General personal service (up to 4,000 SF)
    - Gym or Studio

11. **Sec. 3.2.2. Permitted Use Table**
    For the following listed uses, remove '-' and replace with 'S' for the NX-3 district:
    - General indoor entertainment and recreation (up to 4,000 SF)
    - General outdoor entertainment and recreation

12. **Sec. 3.2.2. Permitted Use Table**
    For the following listed uses, remove 'P*' and replace with '–' for the R-A, RN-A, R-B, R-C districts:
    - Alcohol sales for on-premise consumption

13. **Sec. 3.2.2. Permitted Use Table**
    For the following listed uses, remove '-' and replace with 'P*' for the RX-3, RX-5 districts:
    - Homestay

14. **Sec. 3.3.4.E. Office Use Category**
    1. General Office
    Office uses that provide space for a variety of business, professional or financial services to be conducted. Typical examples include accounting, advertising, architecture, auditing, banking, bookkeeping, consulting, contracting, design, employment, engineering, insurance, investment, legal, real estate, research laboratory, security or technology services; call centers; radio or TV broadcasting studio; and recording studio.

**15. Sec. 3.3.5.A. Industrial Uses**

4. Research and Development

A use focused primarily on the research and development of new products or for scientific research intended for manufacture, production or sale of products elsewhere and includes extensive areas of laboratory space, testing facilities, or product development space more similar to a manufacturing space. Typical examples include plastics, genetics, biotechnology, pharmaceuticals, and polymers.

**16. Sec. 3.4.4.A. General**

1. In a RX- District, commercial uses must not exceed 25% of the floor area on a lot.

~~2. In R- Districts, allowed commercial uses must follow the following standards:~~

~~a. Commercial uses on each lot are limited to 2,500 square feet.~~

~~b. Commercial uses may follow the Shopfront House Alternate Form standards (see 2.8.4. Shopfront House).~~

~~c. There must be at least 1 dwelling unit on each lot with a commercial use. This requirement may be waived by Special Use Permit.~~

~~d. In Residential B (R-B) and Residential C (R-C) districts, corner lots do not require a Special Use Permit and are permitted uses by right. The use standards for commercial uses in R- Districts apply.~~

## Article 4. DEVELOPMENT STANDARDS

**17. Sec. 4.2.2. Affordable Dwelling Units**

See attached sec. 4.2.2. Affordable Dwelling Units.

**18. Sec. 4.4.5.A. General Standards**

1. Continuous streetscapes must be provided along all existing and future streets based on the street classification on the Street Typology Map, in accordance with the following table and the Standards and Design Manual:

| | Width (min) | |
|---|---|---|
| Street Classification | Clear Walk Zone | Greenscape Zone |
| Mixed Use Corridor | 8’ | 12’ |
| Mixed Use A | 7’ | 8’ |
| Mixed Use B | 7’ | 6’ |
| Downtown | 6’ | 8’ |
| Industrial | 6’ | 6’ |
| Neighborhood A | 6’ | 5’ |
| Neighborhood B | 6’ | 5’ |
| Local | 6’ | 5’ |

## Article 5. Administration

**19. Sec. 5.2.7.C..2. Board of Architectural Review Decision**

c. The BAR, or City Council on appeal, may require conditions of approval as are necessary or desirable to ensure that any new construction or addition is compatible with the scale and character of the Architecture Design Control District, Individually Protected Property, or Historic Conservation District. Prior to attaching conditions to an approval, due consideration will be given to the cost of compliance with the proposed conditions as well as the goals of the Comprehensive Plan. Conditions may require a reduction in height or massing, consistent with the City's design guidelines and subject to the following limitations.

i. Along the downtown mall, the BAR may limit story height to within 2 stories of the prevailing story height of the block;

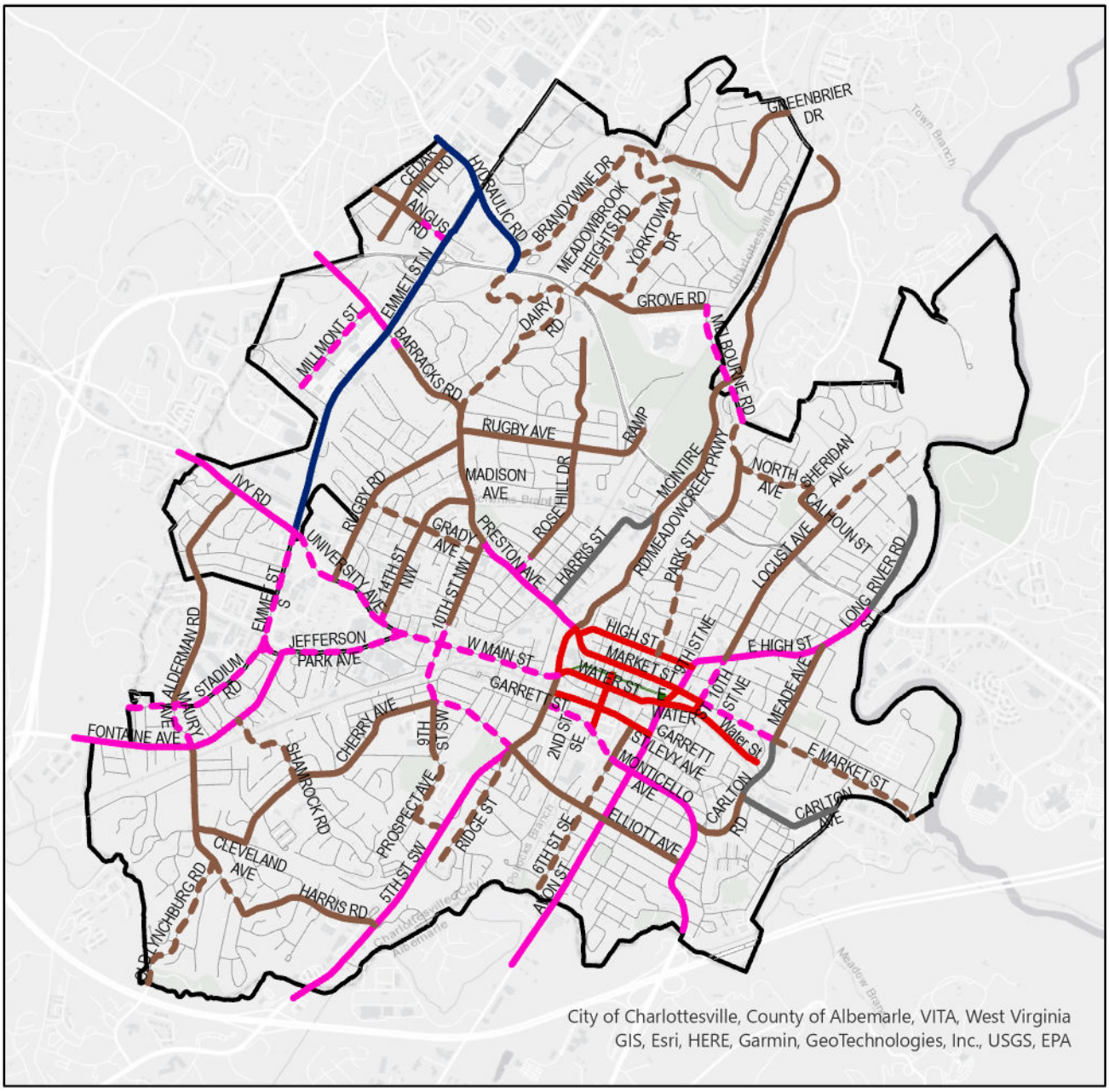
ii. In all other areas subject to review, the BAR may reduce the allowed height by not more than 2 stories;

iii. The BAR may require stepbacks of up to 25 feet.

**20. Sec. 5.2.15.A. Applicability**

~~3. A Special Exception Permit may be granted for an increase in building height in stories where required by the building height standards of the district.~~

# Street Typology Map (Dec. 2023)




## Legend

0 0.25 0.5 1 1.5 2 Miles

N

### Street Typology

- Mixed Use Corridor
- Downtown
- Mixed Use A
- Mixed Use B
- Industrial
- Neighborhood A
- Neighborhood B

## C. Building Area (add under 2.10.10. Massing)

*Building Area is the total floor area of all buildings on a lot.*

1. **Intent**
   To promote the development of house-sized buildings in accordance with the goal of the adopted Comprehensive Plan.

2. **Applicability**
   Maximum building area limitations apply to all lots in Residential A (R-A) and Residential Core Neighborhood A (RN-A) zoning districts.

3. **Standards**
   The total floor area of all buildings and enclosed structures on a lot cannot exceed the maximum building area allowed by the zoning district.

4. **Measurement**
   a. Building area is measured cumulatively for a lot by adding together the total floor area for all buildings and enclosed structures.
   b. Floor area includes all enclosed spaces (including garages, basements, attics, storage sheds, and other similar areas) but does not include covered but unenclosed spaces such as porches or other similar areas.
   c. Floor area is calculated as a square footage for each story (including basements and attics) using the following method:
      i. For each story of a building or basements:
         The floor area is measured from the perimeter of the exterior face of the exterior wall enclosing the story and includes all spaces within the exterior walls. Areas such as double-height spaces, stairs, elevators, and other similar spaces are not excluded from the calculation and are considered as floor area for that story.
      ii. For attics that are considered a ½ story based on the measurements of Height in Stories in 2.10.9. Height:
         The floor area is calculated as 50% of the floor area of the story immediately below the attic.
      iii. The total floor area of the building is the sum of the floor area for each story, including basements and attics.

# 4.2.2. Affordable Dwelling Units

## A. Intent

1. To promote the creation and preservation of affordable housing suitable for meeting the current and future needs of the locality in accordance with Va. Code §15.2-2304 and other relevant sections of the Virginia Code.

2. To ensure that any project choosing to include 10 or more residential units will implement the affordable housing goals of the adopted Comprehensive Plan, and Charlottesville Affordable Housing Plan.

3. To provide an incentive for the development of residential projects of any size that implement the affordable housing goals of the adopted Comprehensive Plan and Charlottesville Affordable Housing Plan.

## B. Applicability

1. Affordable Dwelling Unit Requirement

a. Any project exercising the option to build 10 or more residential dwelling units must provide affordable dwelling units that meet the standards of this Section, except projects that meet one of the following exemptions.

b. The following projects are exempt from providing required affordable dwelling units:

i. Projects with 9 or fewer residential dwelling units; and

ii. Projects in zoning districts Residential A (R-A), Residential Core Neighborhood A (RN-A), Residential B (R-B), or Residential C (R-C).

2. Affordable Dwelling Unit Bonus

The affordable dwelling unit bonus applies to any project where a developer chooses to meet the standards of this Section in order to receive a bonus to the maximum allowed dwelling units per lot and the maximum allowed building height.

## C. Standards

1. General Standards

All affordable dwelling units must meet the following requirements and the standards of the Affordable Dwelling Unit Monitoring and Procedures Manual ("ADU Manual"), as adopted by Council:

~~a. Term of Affordability~~

~~i. For-rent affordable dwelling units must be income-restricted for a minimum of 99 years. Deed restrictions for affordable dwelling units must be recorded in the Charlottesville Land Records.~~

~~ii. For-sale affordable dwelling units must be sold to a qualified purchaser who earns 60% of the area median income or below. The dwelling unit must include a deed restriction granting the City of Charlottesville or a qualifying non-profit organization a right of first refusal to purchase the dwelling unit upon its first resale in accordance with the requirements of the Affordable Dwelling Unit Monitoring and Procedures Manual.~~

~~iii. When a project demonstrates the affordability goals of the Comprehensive Plan and Affordable Housing Plan and the intent of this Section are met, the Administrator may accept modifications to these requirements consistent with the guidance of the Affordable Dwelling Unit Monitoring and Procedures Manual.~~

~~b~~a. Determining the Affordable Rent or For Sale Unit Cost

i. Rental units are to be priced to be affordable to a household having a gross annual income at the required household income limit expressed in terms of the percent of AMI. Monthly housing costs, inclusive of rent, utilities, one parking space (where provided), and any other amenity cost, must not exceed 30% of the applicable household income limit. If utilities are separately metered, the maximum allowable rent will be reduced to reflect the tenant's payment of utilities. Maximum affordable rents based on Department of Housing and Urban Development (HUD) standards are provided in the ~~Affordable Dwelling Unit Monitoring and Procedures~~ ADU Manual.

ii. For sale units are to be priced to be affordable to a household having a gross annual income at the required household income limit expressed in terms of the percent of AMI. The monthly housing costs, inclusive of mortgage principal and interest, private mortgage insurance, property taxes, condominium or homeowner's association fees, hazard insurance, and one parking space (where provided) must not exceed 30% of the applicable household income limit.

~~iii. For student housing rented by the bedroom, the per bedroom rent for units with two or more bedrooms, will be set to 60% of the affordable rent of an efficiency or 1-bedroom unit. Where utilities are separately metered, the utility allowance will be set at 60% of the utility allowance for an efficiency or 1-bedroom unit. For this section, student housing must use rental agreements that lease on a per bedroom basis and be located within 1/2-mile of the University of Virginia campus as determined by the Administrator.~~
~~iv. In the case of renters using a Section 8 voucher or other rental assistance program, the project may collect the fully allowed rental reimbursement amount even if the total rent for the unit exceeds the maximum allowable rent, so long as the household using the rental assistance is not paying more than 30% of the household's monthly income.~~

~~c~~b. Equivalency of Units

i. Affordable dwelling units must reflect the composition of the overall project units in number of bedrooms, exterior appearance, and ~~overall~~ quality of construction.

ii. Affordable dwelling units must include the same interior features as the other units in the same building, but appliances and finishes need not be the same make, model, or style, so long as they are new and of good quality.

iii. Affordable dwelling units must be evenly distributed throughout the project and not concentrated on particular floors, building sides, or locations.

iv. Affordable dwelling units must be comparable in size to the other units with the same number of bedrooms. The average floor area of the affordable dwelling units must not be less than 80% of the average floor area of the other units with the same number of bedrooms.

v. All affordable dwelling units must have the same access to property amenities and building access points provided to other units.

vi. ~~For p~~Projects containing at least 30% of units as affordable dwelling units that meet the requirements of this Sec. 4.2.2 ~~meeting the term of affordability and determining the affordable rent or for sale unit cost requirements in 4.2.2.C. Standards~~ are not required to meet the ~~equivalency of units~~ requirements of Sec. 4.2.2.C.1.c Equivalency of Units.

vii. When a project demonstrates the affordability goals of the Comprehensive Plan and Affordable Housing Plan and the intent of this Section are met, the Administrator may accept modifications to the equivalency of units requirements consistent with the guidance of the ~~Affordable Dwelling Unit Monitoring and Procedures~~ ADU Manual.

~~d~~c. Concurrency

Affordable dwelling units are required to be built concurrently and proportionally with other units in the project. If a project is to be built in phases, affordable dwelling units must be developed during each phase until all affordable dwelling units have been constructed.

~~e~~d. Monitoring

All affordable dwelling units used to meet the requirements of this Section are subject to an annual monitoring requirement as detailed in the Affordable Dwelling Unit Monitoring and Procedures Manual.

e. Fractional Units

i. If the calculation of the required number of affordable dwelling units to be provided results in a fraction of a unit greater than or equal to 0.5, the project must provide one affordable dwelling unit.

ii. If the calculation of the required number of affordable dwelling units to be provided results in a fraction of a unit less than 0.5, the project may provide an affordable dwelling unit or pay the in-lieu fee according to the formula described in the ADU Manual. The amount of fee is reduced to correspond to the percent of a unit required.

2. Required Affordable Dwelling Unit ~~Requirement~~ Standards

a. Any project where affordable dwelling units are required must meet one of the following standards, or a combination of both of the standards:

i. A project must provide 10% of all residential units to households at or below 60% AMI. Such affordable dwelling units must be income-restricted for a minimum of 99 years. Deed restrictions for affordable dwelling units must be recorded in the Charlottesville Land Records; or

ii. Instead of constructing all of the units on-site, the developer must pay an in-lieu fee to the City in the amount determined based on the construction cost of building an ADU, as determined by the City. The costs are provided in the Affordable Dwelling Unit Monitoring and Procedures Manual.

b. The above choice of applicable standards may be changed at any time as long as all of the applicable standards can be met.

c. Where the proposed residential units are intended to be provided as student housing, the developer must pay an in-lieu fee to the City in the amount determined based on the value gap between an affordable unit and a market rate unit, as determined by the City. The costs are provided in the ADU Manual. For this section, student housing must use rental agreements that lease on a per bedroom basis and be located within 1/2- mile of the University of Virginia campus as determined by the Administrator.

~~b. Fractional Units~~

~~i. If the calculation of the required number of affordable dwelling units to be provided results in a fraction of a unit greater than or equal to 0.5, the project must provide one affordable dwelling unit.~~

~~ii. If the calculation of the required number of affordable dwelling units to be provided results in a fraction of a unit less than 0.5, the project may provide an affordable dwelling unit or pay the in-lieu fee according to the formula described in the Affordable Dwelling Unit Monitoring and Procedures Manual. The amount of fee is reduced to correspond to the percent of a unit required.~~

~~c~~d. Housing Choice Vouchers

i. For rental projects, for every 3 ADUs that are required, at least one of those units must be made available to a household receiving a housing voucher or other rental assistance program.

3. Unit Bonus in Residential Districts Standards ~~Affordable Dwelling Unit Bonus~~

~~Any project where the developer chooses to meet the following standards is allowed to use the bonus specified by the zoning district:~~

~~a. Bonus in Residential Districts~~

~~i~~a. In Residential A (R-A), Residential Core Neighborhood A (RN-A), Residential B (R-B), and Residential C (R-C) zoning districts, a project must provide 100% of all bonus units to households having a gross annual income at or below 80~~60~~% AMI. Such affordable dwelling units must be income-restricted for a minimum of 30 years. Deed restrictions for affordable dwelling units must be recorded in the Charlottesville Land Records.

~~ii~~b. When a project demonstrates the affordability goals of the Comprehensive Plan and Affordable Housing Plan and the intent of this Section are met the Administrator may accept modifications to the equivalency of units and concurrency requirements in Sec. 4.2.2.C. Standards.

~~iii~~c. Projects in the Residential A (R-A) and Residential Core Neighborhood A (RN-A) districts are exempt from the equivalency of units and concurrency requirements in 4.2.2.C. Standards.

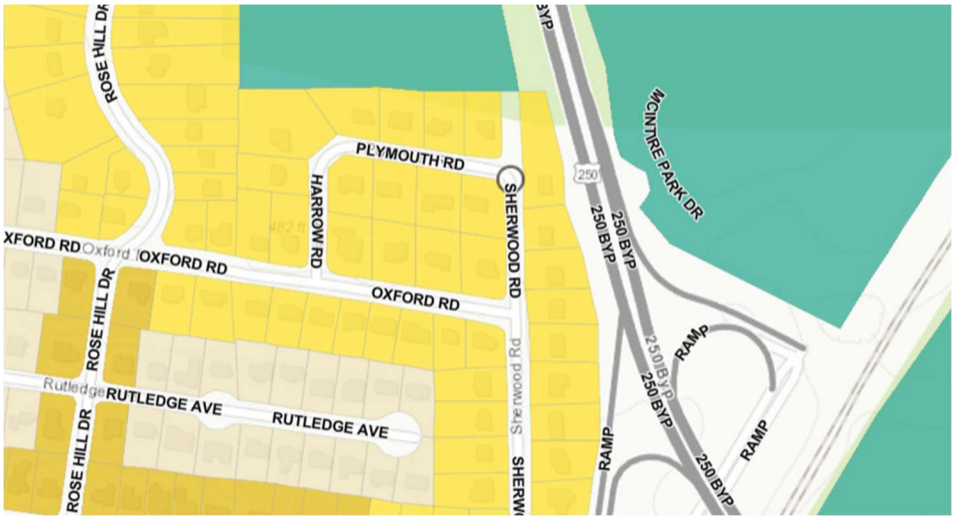
~~B~~4. Height Bonus in All Other Districts Standards

~~i~~a. In any zoning district other than Residential A (R-A), Residential Core Neighborhood A (RN-A), Residential B (R-B), and Residential C (R-C), a project must provide 10% of all residential units to households at or below 50% AMI or provide an in-lieu fee according to the formula described in the ~~Affordable Dwelling Unit Monitoring and Procedures~~ ADU Manual.

~~ii~~b. To qualify for the bonus height, a project must have a residential use for a minimum of 40% of the total floor area.

Zoning Map Amendments to the November 7, 2023 Council Hearing Draft.

**Plymouth Road Area**

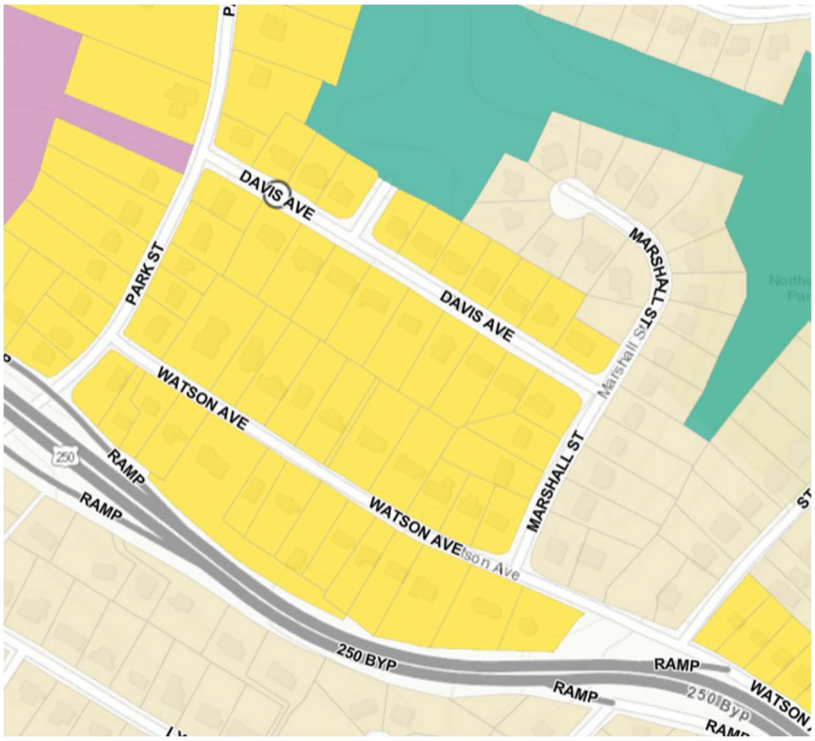


November 7, 2023



Amended Map

**Davis Avenue Area**




November 7, 2023

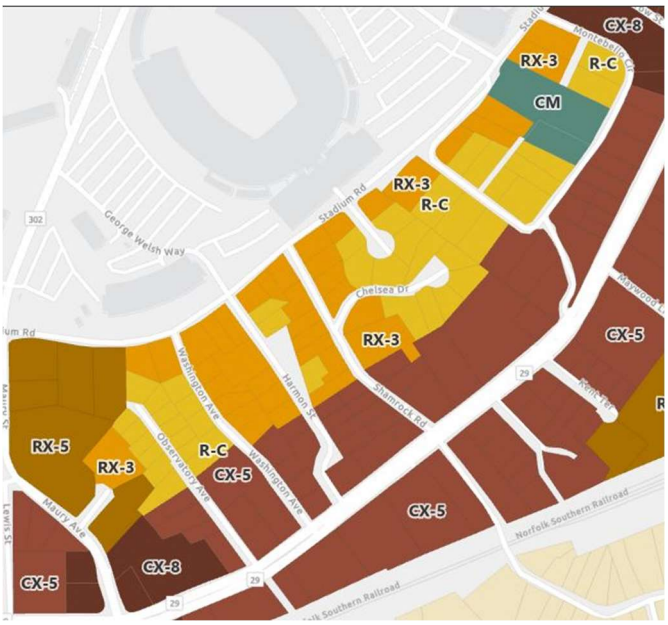



Amended Map

**JPA Area – reduction of RX-3 to R-C**

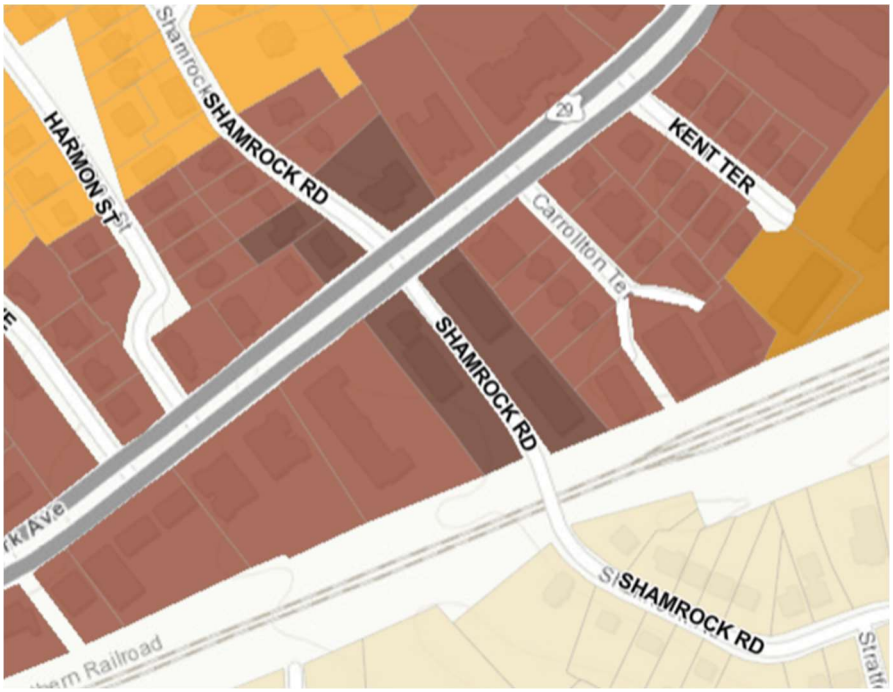



November 7, 2023




Amended Map

**Intersection of Shamrock and JPA**

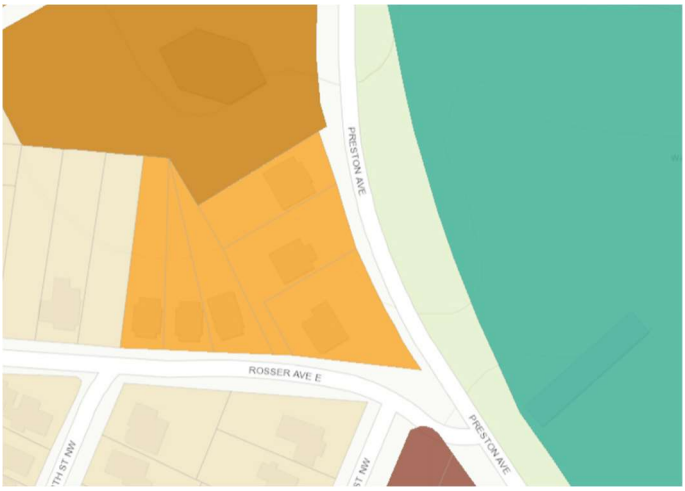



November 7, 2023




Amended Map

**Rosser Avenue area**

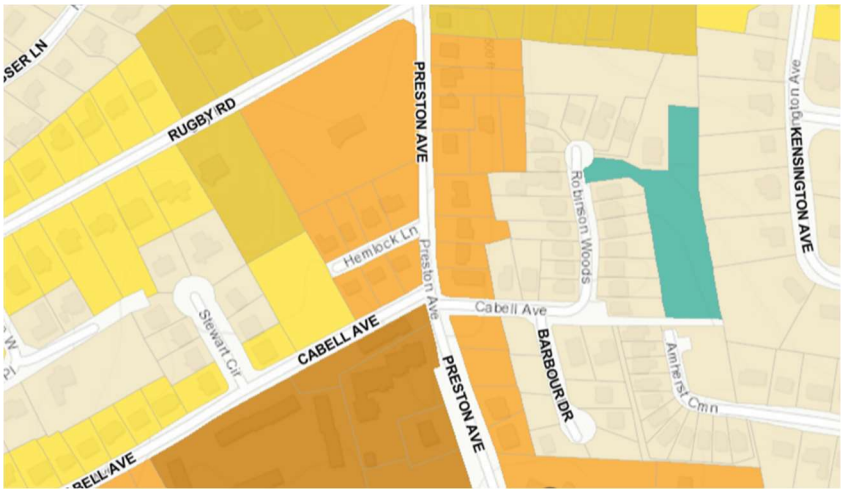



November 7, 2023




Amended Map

**Preston Avenue (east side)**

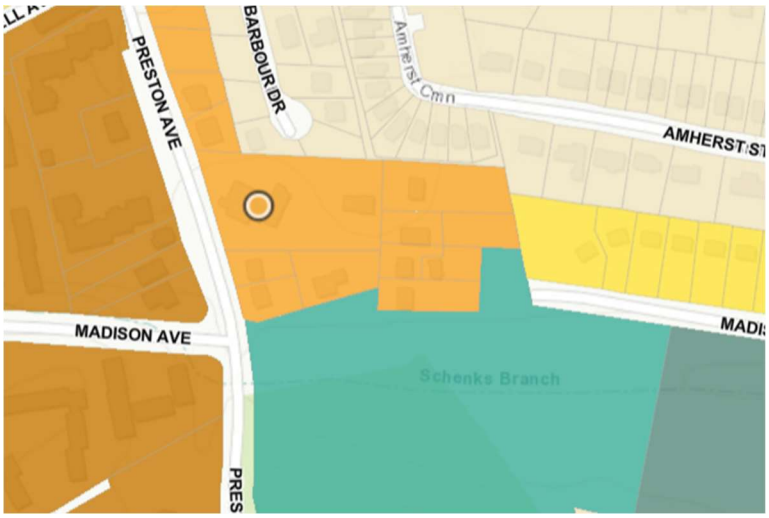


November 7, 2023



Amended Map

**Preston lots (east side)**

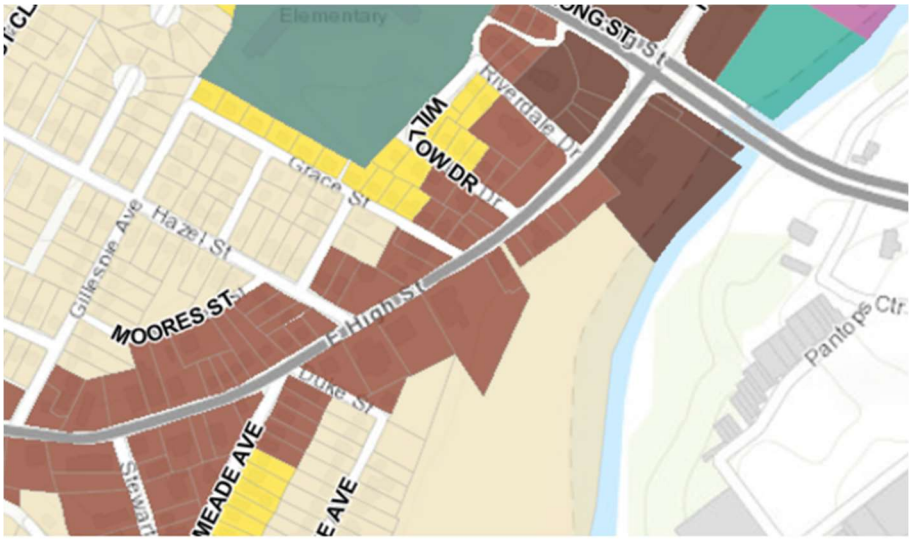



November 7, 2023

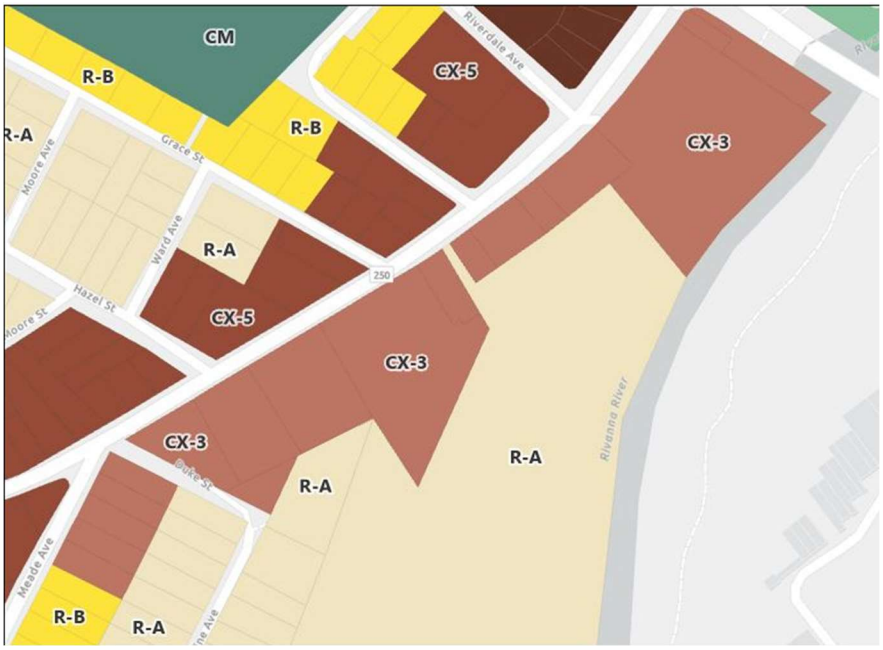



Amended Map

**East High Street**




November 7, 2023




Amended Map

**Carlton Ave Area**




November 7, 2023




Amended Map

**Chesapeake Ave Area**



November 7, 2023



Amended Map

**Meadowcreek Park Area**




November 7, 2023




Amended Map

**Core Neighborhood Corridor Overlay District**

Zoning Map amended to for all lots on Preston between 10 ½ St and McIntire Rd as follows:

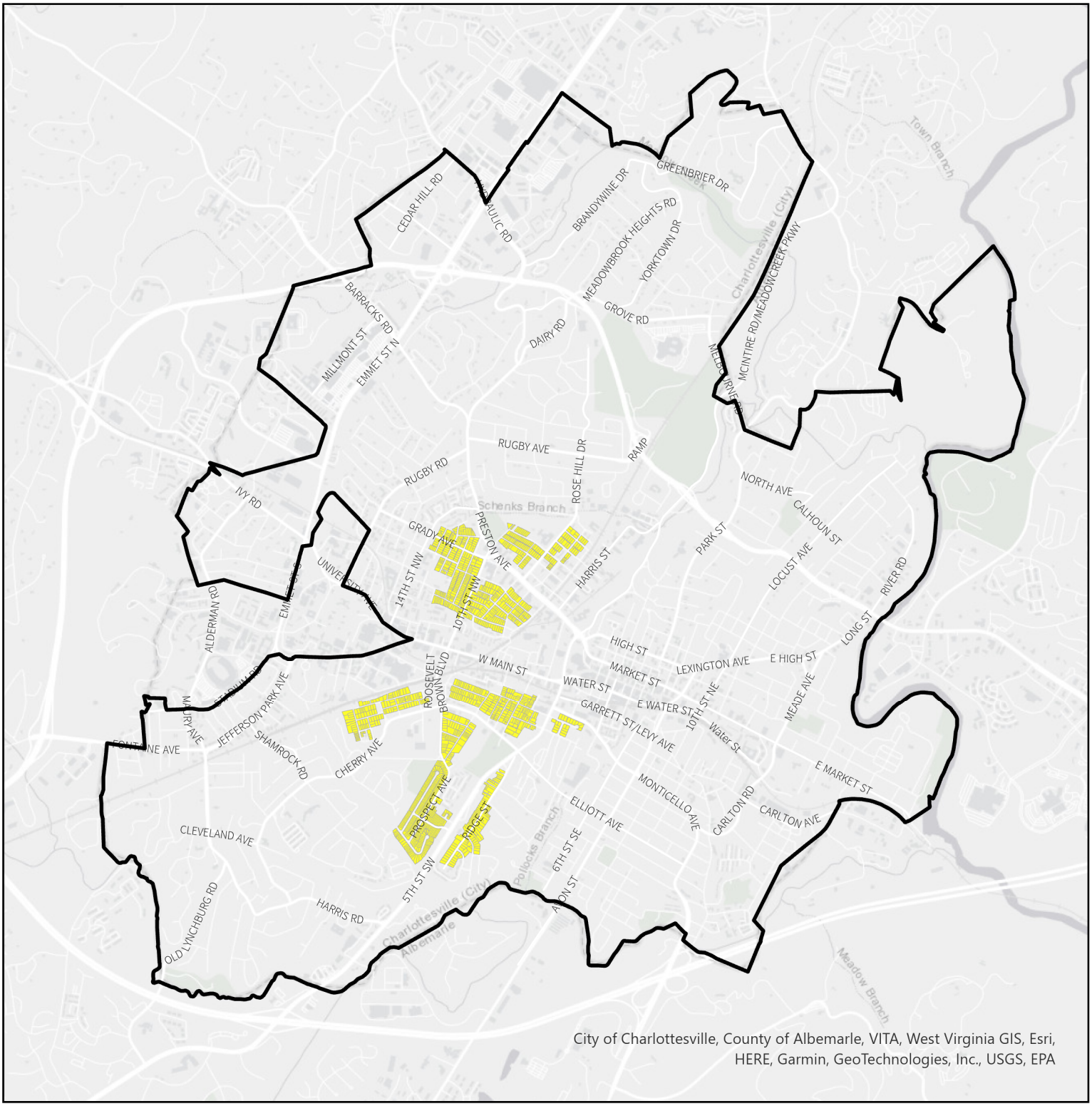
Currently CX-5 becomes CX-3
Currently CX-8 becomes CX-3
Currently NX-8 becomes NX-3
Currently NX-10 becomes NX-3

Parcels between Dale Ave and Charleton Ave - currently NX-5 becomes NX-3.

Corridor District boundary then encompasses all of the above lots.

[We will provide the map of these areas as soon as possible.]

RN-A (Residential Core Neighborhood A)
December 15, 2023 Draft
City of Charlottesville




N

0 0.25 0.5 1 Miles

**ORDINANCE**

**OF THE CHARLOTTESVILLE CITY COUNCIL:**

**REPEAL AND REORDAIN A NEW CHAPTER 34 AND REPEAL CHAPTER 29 OF THE CHARLOTTESVILLE CITY CODE AND ADOPT A NEW OFFICIAL ZONING MAP FOR THE CITY OF CHARLOTTESVILLE**

**WHEREAS**, City Council has committed to an updated community land use vision to include more progressive planning and zoning inclusivity of the City while preserving historic features and shepherding of public and private resources to improve affordability and livability for all residents and to ensure ongoing vitality of the City; and

**WHEREAS**, pursuant to the direction of City Council, City staff began the Cville Plans Together process in January 2020, which resulted in a new Comprehensive Plan adopted by City Council in November 2021. Among other matters, the Comprehensive Plan recommended adoption of a new zoning ordinance and map, and work on the new Zoning Ordinance and Zoning Map began in January 2022; and

**WHEREAS**, the City's consultant recommended reorganization of the City's zoning and development regulations into a Development Code to replace the current Zoning Ordinance Chapter 34 and current Subdivision Ordinance Chapter 29 with a new Chapter 34 containing both sets of land use regulations; and

**WHEREAS**, on August 7, 2023, the City Council initiated the proposed City of Charlottesville Development Code and new Zoning Map and directed the Planning Commission to conduct a public hearing and provide recommendations to the City Council; and

**WHEREAS**, a public hearing on the proposed Development Code and new Zoning Map was held by the Planning Commission on September 14, 2023, after providing notice as required by law; and

**WHEREAS**, following conclusion of the public hearing and continued deliberation over several work sessions, on October 18, 2023, the Planning Commission recommended the proposed Development Code and the new Zoning Map with certain revisions/changes; and

**WHEREAS**, after a work session on November 1, 2023, City Council authorized advertisement of the proposed Development Code and new Zoning Map as recommended by the Planning Commission with certain revisions to enable consideration of provisions not recommended by the Planning Commission; and

**WHEREAS**, a public hearing on the proposed Development Code and new Zoning Map was held by City Council on December 5, 2023, after providing notice as required by law; and

**WHEREAS**, following conclusion of the public hearing, City Council determined that additional deliberation was required and continued its deliberation to a work session on December 13, 2023, then to a work session on December 14, 2023, and then to a meeting on December 18, 2023. At the conclusion of each session, the Council determined that it needed additional time to deliberate; and

**WHEREAS**, City Council also held work sessions on November 8, 13, 29, and December 4, 2023, to hear from its staff and consultants and to discuss the proposed Development Code and new Zoning Map; and

**WHEREAS**, City Council finds that public necessity, convenience, general welfare, and good zoning practice require adoption of the proposed Development Code and new Zoning Map as advertised with certain additional revisions/changes as described in the attached.

**NOW, THEREFORE, BE IT ORDAINED** that the Charlottesville City Council does hereby adopt the proposed City of Charlottesville Development Code as new Chapter 34 and new Zoning Map, respectively, with the changes outlined in Attachment A, Development Code updates of December 14, 2023, Attachment B, Zoning Map Updates of December 14, 2023, and repeal of current Chapter 34 and Chapter 29 of the Charlottesville City Code; and

**BE IT FURTHER ORDAINED** that the foregoing ordinances shall be effective February 19, 2023.

Adopted by the City Council, this 18th day of December 2023.

Attest:

Clerk, Charlottesville City Council

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Adopt resolution |
| Presenter: | James Freas, Director of NDS |
| Staff Contacts: | Jacob Stroman, City Attorney<br>James Freas, Director of NDS |
| **Title:** | **Disposition of Pending Projects** |

## Background

There are a number of projects that are in various stages of the site plan review process from some nearing completion of their review after many months and others only recently submitted. These projects do not qualify for vesting under state law and have no legal entitlement to continued review under the existing zoning ordinance after the effective date of the new ordinance. Council has the option to establish a set of criteria that grant some or all of these projects the right to continue the review and approval process under the existing zoning through a resolution adopted at the time of the adoption of the new zoning ordinance.

## Discussion

The primary decision to be made is with regard to the submission cutoff date. A project submitted before this date would continue under the existing zoning. A project submitted after that date would be subject to the new zoning. Staff have identified three reasonable options.

1. August 31, 2023 – This date was the first advertisement of the draft zoning ordinance for the Planning Commission's public hearing. The advertisement represents a clear notice of the pending decision by the City of the upcoming change to the zoning ordinance.

2. November 21, 2023 – This date was the first advertisement of the draft zoning ordinance for the Council's public hearing. Again, the advertisement represents a clear notice of the pending decision by the City of the upcoming change to the zoning ordinance. This date is later and reflective of some of the proposed amendments to the ordinance by the Planning Commission.

3. December 18, 2023 – This date is the (presumed) adoption date for the new ordinance.

Staff believes that option 1 above offers a fair balance between those projects that have been diligently pursuing approval over a number of months and minimizing the number of projects under review using the provisions of what will be the old ordinance in the future. Therefore, staff

recommends option 1.

In addition to the cutoff date, the resolution should also establish a deadline or criteria for a project to maintain its status as “vested” under the terms of this proposed Disposition of Pending Projects resolution in the existing ordinance.

Staff recommends that these projects be required to actively pursue approval unless given a time extension by the Director of NDS and have a deadline of completing site plan review by July 1, 2025.

In addition, the new ordinance includes a requirement that, after the third submission, if a project does not get approval, the applicant must submit a new application, with new fees and any other requirements. Staff recommends that if a new submission is required, that a project lose its “vested” (by Council resolution) status.

**Alignment with City Council's Vision and Strategic Plan**

**Community Engagement**

**Budgetary Impact**

**Recommendation**
Adopt Resolution

**Alternatives**

**Attachments**
1. RESOLUTION OF DISPOSITION OF PENDING PROJECTS 12.15.2023

**RESOLUTION**

**OF THE CHARLOTTESVILLE CITY COUNCIL:**

**DISPOSITION OF PENDING PROJECTS ON THE EFFECTIVE DATE OF THE NEW DEVELOPMENT CODE AND ZONING MAP**

**WHEREAS,** City Council has this date enacted a new Development Code as Chapter 34 and new Zoning Map ("new requirements), and has repealed the prior Zoning Ordinance (Chapter 34) ("repealed ordinance") and Chapter 29; and

**WHEREAS**, as a matter of law, certain projects will accrue zoning vested rights to proceed under the repealed ordinance; and

**WHEREAS**, City Council is not required, but desires, to allow certain other projects, which have been submitted for approval and have been under review, but do not have vested rights, to proceed under the repealed ordinance; and

**WHEREAS**, City Council has determined that orderly transition from the prior ordinances to the new requirements of Chapter 34 will be assisted by allowing these certain other projects to continue to diligently pursue approval under the repealed ordinance for a limited time;

**NOW, THEREFORE, BE IT RESOLVED** by the Charlottesville City Council that the following projects, which otherwise have not accrued zoning vested rights, may continue to pursue site plan review and approval under the repealed ordinance with due diligence as follows:

- Those project applications for site plan approval which were submitted and accepted for review by August 31, 2023, the date of first advertisement of the new ordinance Chapter 34 for the Planning Commission public hearing;
- Provided, however, that in order to maintain its status as "vested" under the repealed ordinance, the project must actively pursue approval, unless given a time extension by the Director of Neighborhood Development Services for extenuating circumstances, and must complete site plan review by July 1, 2025; and
- Provided, that, if, after the third submission, one of the foregoing projects does not obtain site plan approval, the applicant must submit a new application, with new fees, and in accordance with current/new ordinance requirements. If a new

submission is required, the project must proceed under the current/new requirements; and

- The relief provided in this resolution applies only to zoning ordinance requirements and not to any other development ordinance requirements.

Adopted by the City Council, this 18th day of December 2023.

Attest:

Clerk, Charlottesville City Council

**CITY OF CHARLOTTESVILLE, VIRGINIA**
**CITY COUNCIL AGENDA**

| | |
|---|---|
| Agenda Date: | December 18, 2023 |
| Action Required: | Review |
| Presenter: | No presenter |
| Staff Contacts: | n/a |
| **Title:** | **Botanical Garden of the Piedmont FY23 Annual Report** |

## Background
Annual Report

## Discussion

## Alignment with City Council's Vision and Strategic Plan
Recreation, Arts, Culture - Charlottesville provides, encourages, and supports a wide range of recreation, green space, arts, and cultural programs and opportunities.

## Community Engagement

## Budgetary Impact

## Recommendation

## Alternatives

## Attachments
1. 2023-12-4 Final BGP 2023 Annual Report

# 22-23

# Annual Report

Fiscal Year July 1, 2022 – June 30, 2023

Botanical Garden
*of the* Piedmont

*We'll Grow Together*








*“Adding an Advisory Council to BGP helps support the Board of Directors through strategic thinking, specialized information, experience and skills to supplement and help the Board achieve its mission and goals.”*

— **JOAN SWANBERG**
*Co-chair of the Advisory Council and former Board President*

## BOARD OF DIRECTORS

Consi Palmer
*President*

Diego Anderson
*Vice President*

Jude Garzolini
*Secretary*

Brion Friedman
*Treasurer*

Carol Carter
*Past President*

Carolyn Achenbach
Jack Bocock
Deborah Bell Burks
Kristin Davis
Julia Green
Steve McLean
Laura Peet
Rodney Shirley
Christina Teague
Jay Townsend
Keith Woodard

## ADVISORY COUNCIL

*Honorary Chairs*
Carol Carter
Joan Swanberg

Whit Broome
Catherine Brown
Cynthia K. Davis
Michael Gaffney
Nancy Gordon
William Gordon
Ashley Waters Gundersen
Lisa Beth Hogan
Natasha Lawler
Byrd Leavell
Bill Lewis
Maria Lewis
Jack Sanford
Carolyn Schuyler
Elsie Thompson
James Walker
Loring G. Woodriff
Blair K. Williamson

## CAMPAIGN STEERING COMMITTEE

*Honorary Chairs*
Carol Angle
Nancy Gordon

*Co-Chairs*
Carolyn Achenbach
Christina Teague

Carol Carter
Pam Edmonds
Miller Hunter
Courtenay Lyons
Kelley MacDougall
Kathy Parker



## STAFF

Jill Trischman-Marks
*Executive Director*

Cathy Boyd
*Director of Advancement*

Bruce Gatling-Austin
*Educational Coordinator*

Whitney Zang
*Executive Assistant*

# Greetings

FY 2022-2023 helped the Garden spread its roots in many ways including the adoption of a core values statement: “Inspiring connection, learning, and joy through nature.”

Throughout the year, the Garden benefitted from the inspired leadership of a new Advisory Council, our many volunteers who generously donated their expertise in so many different ways to develop a project of this size, and the staff who were inspired to reach out into the community to host more programs on site and build strong relationships with the local organizations.

The Garden’s connections continued to grow and flourish this year. They include a matching grant from the Perry Foundation and gifts of support from local businesses, our new architectural partner tasked with bringing our world-class aspirations to life, and new event partners and sponsors.

The Board and staff continue to learn from the volunteers, donors and community about how this Garden can best serve the community and what it takes to build a world class Botanical Garden. In return, we have provided walks, talks, and classes to share the wonders of the natural world with our visitors. This year we have expanded the programs offered on the Garden site and instituted a year-round Educational Coordinator position.

There has been a lot of joy in the Garden this year through improvements to the organization and the land. We are grateful to all the volunteers who are providing services to support the Board and staff in charting the course for the future, and to the partner organizations who help us care for the site and make it possible to host programs, tours, and local pollinators. We are especially excited about activating the South side of the stream and the new features on the northside. We hope the Garden sparks joy in all our visitors and contributors.

FY 2022-2023 expanded the Garden in many ways, including our ability to work with the land near the railroad tracks through a beautification lease with the Norfolk Southern Railway. It’s been wonderful to be able to remove invasives and extend the boundaries of stewarded nature on the site. We offer connections to nature through educational programs, specialized tours, our new blog, and the photo archives we are building to document the beautiful wildflowers and wildlife taking advantage of the Garden’s haven of native plants.

Thank you for the many ways that you are helping the Garden grow!

In gratitude,







# Mission, Vision, Values

## Mission Statement

The mission of the Botanical Garden of the Piedmont is to welcome all community members and visitors to engage in nature, to inspire learning through the beauty and importance of plants, to advance sustainability, and to promote human and environmental well-being.

## Our Vision, Today and For the Future of the Garden

**Create and maintain** the Garden designed to unite plants natural to our region with appropriate architecture and landscape design.

**Provide access** to the Garden and its natural spaces for exploration, observation, and restoration.

**Present affordable,** engaging programming to provide educational and inspirational experiences for all ages.

**Commit to inclusion,** excellence, and upstanding management while maintaining a positive impact on the eco-system and our community.

## Core Values

Inspiring connection, learning and joy through nature.

## Inclusion Statement

The Botanical Garden of the Piedmont brings people of all ages and backgrounds together as a community to celebrate and nurture our native flora and fauna. The organization embraces inclusion by inviting everyone to participate in the Garden whether they be visitors, supporters, volunteers, or staff, to further our goal of being a place that promotes human and environmental well-being. In nature and in society, diversity matters—we welcome and celebrate it!



# Progress



We accomplished the following objectives toward our goal to create and maintain the Garden to unite plants native to our region with complimentary architecture and landscape design:

- Approval of revised landscape schematic plan by Charlottesville City's Department of Parks and Recreation (August 2022), Charlottesville City Council (November 2022), and the Albemarle County Planning Commission application for Compliance with the Comprehensive Plan (January 2023). This allowed for BGP to move on to the next phase of the landscape design of the Garden.
- BGP issued an RFP for architectural services in September, 2022. In January 2023, 15 architecture firms came for a mandatory tour and information session. In March, eight proposals for services were received and in June, BGP announced their selection – Maryann Thompson Architects – to design the buildings in the Garden.



> ***"Since cleanup began in 2019, the Garden property has become a healthier and more diverse habitat for plants, birds and aquatic life. In the past four years, corporate partners and community volunteers have developed and maintained trails and gathering areas, clearing debris, trash, and invasive species from the Garden site."***

— LLOYD SNOOK
*Mayor of Charlottesville*





“*The Garden is quiet, peaceful and contemplative, with lots of bird activity, and it’s right here in the city! It’s not just what it will be someday, it’s a wonderful place to be NOW.*”

— WENDY AND CARLTON CARROLL
*Garden volunteers*



# Explore the Garden Now

Our progress toward our goal to provide access to the Garden and its natural spaces for exploration, observation, and restoration included the following:

- With money from a Ballyshannon Fund grant, last fall we began stewarding the site south of the stream. In January the work continued with a lot of help from our friends on MLK Day of Service. In June the work continued with targeted removal of invasive plants.
- Low to no cost site improvements built with donated materials and volunteer labor on the north side of the stream, including a small amphitheater.
- Several Eagle Scout projects, including a wheelchair accessible table, benches, birdhouse renovations, and a labyrinth.
- The Virginia Bluebird Society donated and installed two bluebird boxes, including the Garden on the Virginia Bluebird Trail.
- Volunteers from the Building Goodness Foundation installed a new information kiosk on the south side of the stream.







# Programs



Our efforts to present affordable, engaging programming to provide educational and inspirational experiences for all ages include the following:

- Ellie Forney served as our summer volunteer assistant Education Coordinator.
- We offered regular programs in Arts, Literacy, STEM, and special seasonal events.
- We hosted a special event with Bennett's Village, based on the book *Just Ask!* by Sonia Sotomayor
- Our Earth Day festival was part of the TomTom Festival.
- We hired Bruce Gatling-Austin as our full-time Educational Coordinator, enabling us to offer year-round educational programs to the public.










> ***As a champion for environmental protections, I applaud the efforts of BGP to make the site welcoming and usable, their proactive outreach to the community, and their proximity to a diverse population living within a small radius of the Garden.***

— CREIGH DEEDS
*Senate of Virginia*



Photo by Patrick Morrissey



*“Many dedicated volunteers have held on tenaciously and worked hard over the years to arrive at this wonderful time when we are seeing the Garden take shape before our eyes!”*

— RUTH KASTENMAYER
*Volunteer archivist*



# Community Outreach, Support and Volunteers

Our commitment to inclusion, excellence, and upstanding management while maintaining a positive impact on the ecosystem and our community included the following efforts:

- Volunteer Outreach intern Nancy Etro, a graduate student in UVA’s Master of Environmental Planning program provided a community research project entitled “Community Outreach Recommendations”.
- We established an Advisory Council, composed of nineteen local residents with unique perspectives and/ or expertise to help guide the growth of the Garden.
- We provided more than 100 tours and presentations to groups and organizations, including Charlottesville United for Public Education, Farmington Breakfast Club, Parks & Rec Advisory Council, Blue Ridge Rotary Club, PHAR, Cville, and the Music Resource Center.
- We provided program space to outside groups such Links, Inc., Albemarle Garden Club, Blue Ridge PRISM, CATS, Scouts, and others.
- Corporate and foundation gifts to the Garden came from came from Dominion Energy Charitable Foundation, Perry Foundation, Lumos, Prana Fund, Bama Works, Virginia National Bank.





# Our Impact

**35%** of Grants Awarded

The volunteer Grant Writing Team continued to impress, with a record of being awarded over 35% of the 28 prospective grants. These grants funded all of the programming and much of the costs for stewarding the Garden site.

The Bama Works Fund of Dave Matthews Band continued to fund the educational component of our Stream Restoration Project and the Prana Fund Grant supported our "Create with Nature" program.

The grant from the Ballyshannon Fund continued to steward the land and the Bessie Bocock Carter Award from the Garden Club of Virginia provided funding for a new pollinator education program.



**3,634**

**FY 2023 Volunteer Hours**

**1,739**

**Attendance at Events**

including tabling

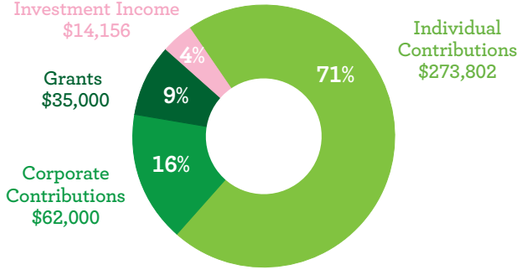
**71** **Programs Offered**

including tabling

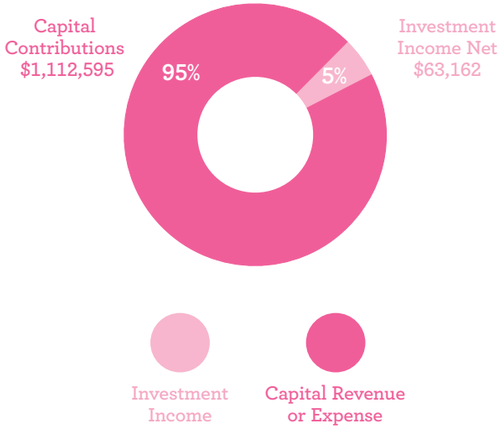


# Financials FY 2022-2023

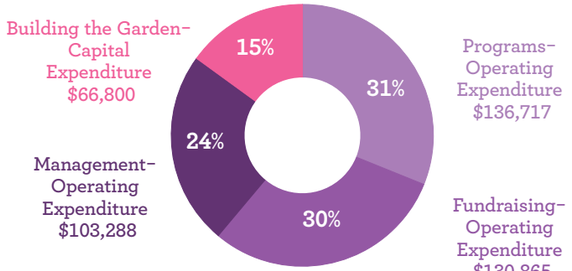
## Operating Revenue Total: $384,958




## Capital Revenue Total: $1,175,757




## Operating and Capital Expenses Total: $437,670




*For the first time this year, our audited financial statements reflect the in-kind land use contribution from the City of Charlottesville. Recognition of these non-cash items is required by the IRS. For our fiscal year ending June 30, 2023, the in-kind value of our land lease reflected in our audited Statement of Financial Position was $24,677,978 based on the appraised value of the land that the Garden occupies. The audited Statement of Activities reflects an in-kind contribution of $634,811 for the land use. Since these non-cash items do not affect the actual operation, building and maintenance of the Garden, they are not reflected in this financial presentation.*

The Board of Directors and staff of the Botanical Garden of the Piedmont would like to express our sincere thanks to everyone who supported the organization by making a contribution between July 1, 2022–June 30, 2023. Through the dedication and generosity of our supporters, we are able to continue our mission to build a premier public Garden in Charlottesville.

**This year we are thrilled to list our Donor Honor Roll.**

*Please note that we have made every effort to correctly list our supporters; should you note an error, please contact the Garden at 434-953-0060, ext. 3.*

DONOR HONOR ROLL

Carolyn and Bill Achenbach
Greer and Jess Achenbach
Katherine N. Acuff and Edward D. Hess
Jane Adair
Beverly Adams
Carolyn Adams
Jeffri and Tommy Adkins
Aisiling Flower Farm
Albemarle Garden Club
The Aldigé Family
Anthony C. Alimenti
Kathy and Ed Allenby
Alloy Architecture and Construction
American Rhododendron Society - Middle Atlantic Chapter
Cindy Amitin
Jane Eric Anderson
Lyn and Sheldon Anderson
Regina and Diego Anderson
Siddhartha S. Angadi
Carol R. Angle
Lynn and Michael Appleby
Amelia Archer
Donna Arehart and Gary Chovan
Christine Atkins and Michael Cameron
Patricia and James Atkinson
Peggy Augustus
Barbara C. Aulebach
Lori and David Balaban
Ballyshannon Fund at CACF
Cricket and Audie Barlow
Rebecca A. Barlow
Sara Lee Barnes
Eve Barnett
Patricia and Richard Barnhardt
Louisa Barrett
Pamela and Jeffrey Barth
Pamela Bartlett
Becky Ann Bartness
Diane Bates and Charles Foster
Richard W. Batt, Jr
Anonymous
Lora and Vic Baum
Ellen F. and Bob E. Beard
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Faith Bedford
Celia and Robert Belton
Sari Bennett and Sandy Schustek
Joyce and Peter Bertone
Billie Best
Betts Family Charitable Fund
Lettie J. Bien
Sarah Bingham
John H. and Mary Scott Birdsall
Carole Black and Douglas W. Webbink
Halsey Blake-Scott
Gardner L. Bloemers and Nicholas R. Duke
Nora Brookfield and Jack Bocock
Catherine J. Bodkin
Frances and Andrew Boninti
Sally Cary Booker-James
Janet Borch
Liza and Peter Borches
Rufus C. Botzow
Leslie and Larry Bouterie



Giving

Elizabeth B. Bowen
Cathy Boyd and Michael Blakely
Judy and Tom Boyd
Pam and Lucius Bracey
Nigel D. Bray
Kerrie and Ken Brayman and Family
Marcia Jane Brecker
Norman A. Brenbridge
Paul M. Breza
Susan Brickman
Sarah R. Bridenhagen
Georgia and Norman Brinkman
Bea Brittain
Roxanne and Ronald A. Broadbent
James R. Brookeman and Mary-Susan Payne
O. Whitfield Broome, Jr.
Paula Brown-Steedly and John Steedly
Catherine and Tyler Brown
Jacqueline S. Brownfield
John Bruner
Delores and David Brush
Dr. Debra Bryant and Lawrence A. Groves
Peter Buchanan
Helen R. Buck Foundation
Buck Mountain Garden Club
Carol and Murray Buckner
Elizabeth Burdash
Deborah Bell Burks and Martin V. Burks III
Jean and Harry Burn
Diane and David Burns
Dawn T. Burris
Judy Campbell and Michael Henke
Frances H. Camp
Fern G. and Cleveland Campbell
Anonymous
Caplin Foundation
Kathleen Capshaw
Theodora and Bob Carey
Jim and Sarah Cargile
Anne Carley
Anne R. Carley
Kate Carlson
John Carpenter
David Carr
Gerri Carr
Randi E. Carr
Lois and Henry Carroll
Wendy and Carlton Carroll
Candace Carter Crosby
Carol and Bob Carter
Patti Cary and Todd Stansbury
Anna and David Castle
Nancy A. and Douglas Caton
Bruce Cauthen
Virginia Cenedella
Patsy T. Chadwick
Jeanne and John Chamales
Dave and Cyndy Chapman
The Charles Fund, Inc.
Jamie and Bruce Chase
Anne G. Chesnut
Lois Chiles
Anonymous
CMA Borches Fund at the Charlottesville Area Community Foundation
Elizabeth K. Coffey
Anonymous
David Cohen
Jon and Drucie Cole
Lea and Dave Cole
Rosemary and Charlie Cona
Dora R. Conway
Patricia Cook
Peggy L. Cornett
Christa Cosner
Taylor and Brice Craig
Anonymous
Thomas G. Craig
Dr. and Mrs. Richard Crampton
Stacy and Bob Crowell
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