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Dannan O'Connell
City of Charlottesville
Neighborhood Development Services
610 East Market Street
Charlottesville, Virginia 22902

Request for Exception from Active Depth Requirement

Section 2.10.10.B of the current City of Charlottesville Zoning Code (adopted December 18, 2023 and amended February 17, 2026), specifies requirements for active depth of new developments. The intent of this section of code is to "*facilitate the creation of a convenient, attractive, and harmonious community by minimizing the impact of inactive spaces on the public realm and to promote a comfortable, safe, engaging, and attractive build [sic] environment.*" No more than 20% of the required floor area of the required active depth may be used for inactive spaces such as storage, hallways, stairwells, elevators, and equipment room (Standard 3.b), and vehicle parking spaces and motor vehicle use areas are not allowed in any portion of the required active depth (Standard 3.c).

The site plan for 1906 Stadium Rd. currently proposes a vehicle travel way and two stairways in portions of the active depth zones, as shown in Figure 1 below. Along Stadium Rd., the stairways make up about 24% of the required active depth area. Along Harmon St., the travel way and stairway are about 71% of the required active depth area.

Per Section 5.2.15, City Council may grant a modification of any physical dimensional standard of this development code by Special Exception Permit. In considering an application for a Special Exception Permit, the City Council will consider the following factors:

1. *Whether the proposed modifications to physical dimensional standards will be harmonious with existing and approved patterns of development on the same or an opposing block face or abutting property;*

   Existing patterns of development along Harmon St. include multiple vehicle-use areas in between buildings and the public realm, as shown in Figures 2, 3 and 4 shown below. Although these specific vehicle-use configurations would not be allowed under current zoning code, the vehicle use area and stairway space that are proposed at 1906 Stadium Rd. are significantly less impactful to the public realm than these existing conditions. All stories other than the ground story will have residential units, and the stairway is necessary in order to access those units.

2. *Whether the proposed modification supports the goals and strategies of the Comprehensive Plan;*

Chapter 5, Goal 2 of the Comprehensive Plan is to *"support a wide range of rental and homeownership housing choices that are integrated and balanced across the city."* Allowing the requested modification would facilitate the development of additional housing units in the form of an apartment building, thereby increasing overall housing supply and supporting higher density in an appropriate, centrally located area. An alternate layout would not provide an as efficient building with as many new residential units.

3. *Whether, with conditions, the Special Exception Permit is consistent with the public necessity, convenience, general welfare, and good zoning practice.*

   In addition to providing much needed housing supply, the proposed layout is meeting the zoning requirements of Section 2.10.13 for entrance spacing *"To facilitate the creation of a convenient, attractive, and harmonious community by providing visual interest along the public realm, orient buildings to the public realm, and promote greater use and activation of the public sidewalk by limiting distance without physical connections between the public realm and the interior of a building."* In RX-3, entrances must be located no more than 40 feet apart on the primary street (Stadium Rd) and no more than 60 feet apart on the side street (Harmon St). Entrance must also *"Provide both ingress and egress pedestrian access to the ground story of the building."* As shown in Figure 1 below, the proposed entrances lead directly to stairwells. It is reasonable for the required entrances to provide direct access to the rest of the building via the stairwells. An alternate layout would necessitate additional hallways and be an inefficient use of space. Furthermore, although parking is not required in the current zoning ordinance, the current reality is that many residents need parking spaces. It is much more desirable to have parking integrated within the building rather than a separate standalone lot. There is no feasible way to provide parking under the building without having a vehicle-use area in the active depth zone. All stories other than the ground floor on Harmon St. will have residential units which will limit the impact of inactive spaces on the public realm. The limited negative impact of having vehicle access and stairways in close proximity to the public realm is far outweighed by the benefits of convenient housing options which will meet the current needs of the public.

In summary, the requested exception to allow a vehicle use area and two stairways in the active depth zone is consistent with existing adjacent conditions, supports the Comprehensive Plan's goals for additional housing options, and contributes to general welfare.

If you have any questions or concerns about these requests, please feel free to contact us by email at polina@shimp-engineering.com or justin@shimp-engineering.com or by phone at 434-227-5140.

Regards,

Justin Shimp
Shimp Engineering, P.C.

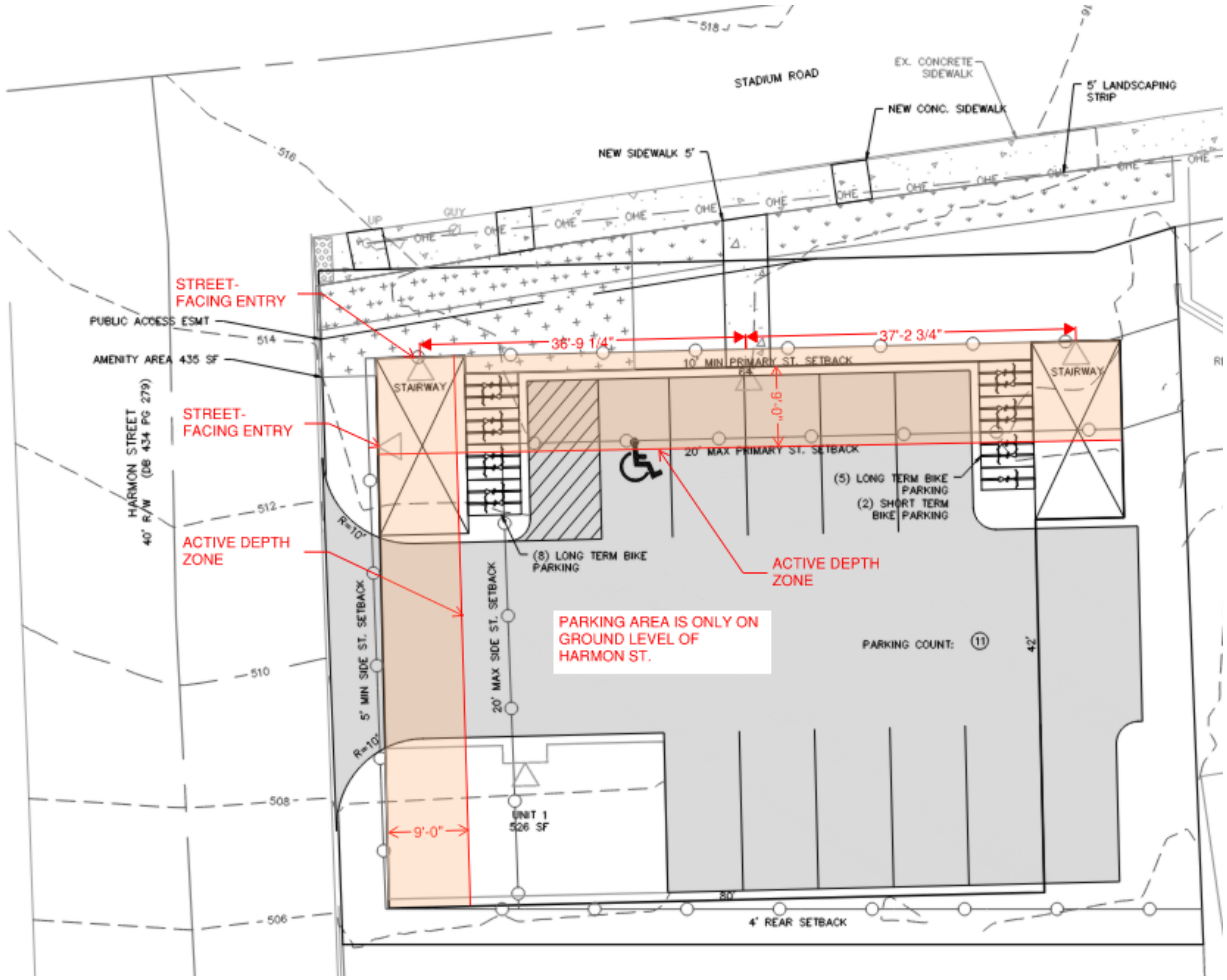


Figure 1. 1906 Stadium Rd. Active Depth and Street-Facing Entries



Figure 2. Corner of Harmon St. and Jefferson Park Ave. Image sourced from Google Maps.



Figure 3. 90 Harmon St. Image sourced from Google Maps.



Figure 4. 117 Harmon St. Image sourced from Google Maps.