

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



APPLICATION FOR A SPECIAL USE PERMIT

PLANNING COMMISSION REGULAR MEETING

DATE OF HEARING: November 12, 2019

APPLICATION NUMBER: SP19-00006

Project Planner: Brian Haluska, AICP

Date of Staff Report: October 29, 2019

Applicant: Market Street Promenade, LLC

Applicants Representative: L.J. Lopez, Milestone Partners

Current Property Owner: Market Street Promenade, LLC

Application Information

Property Street Address: 218 West Market Street ("Subject Property")

Tax Map/Parcel #: Tax Map 33, Parcel 276

Total Square Footage/ Acreage Site: 0.562 acres or 24,480 square feet

Comprehensive Plan (Land Use Plan): Mixed Use

Current Zoning Classification: Downtown Corridor with Architectural Design Control and Urban Corridor Parking Overlays

Tax Status: Parcel is up to date on taxes **paid**.

Completeness: The application contains all of the information required by Zoning Ordinance Secs. 34-41(d), and 34-158(a) and (b). There are no existing dwelling units on the site, and there is a potential for a maximum of one hundred and thirty-four (134) residential units in a mixed-use building proposed by this development. The applicant's application is attached as Attachment 1.

The pre-application meeting required by Sec. 34-41(b)(1) was held on April 9, 2019. The community meeting required by Sec. 34-41(c)(2) was conducted on October 3, 2019, at the following location: Omni Hotel Downtown Business Room.

Applicant's Request

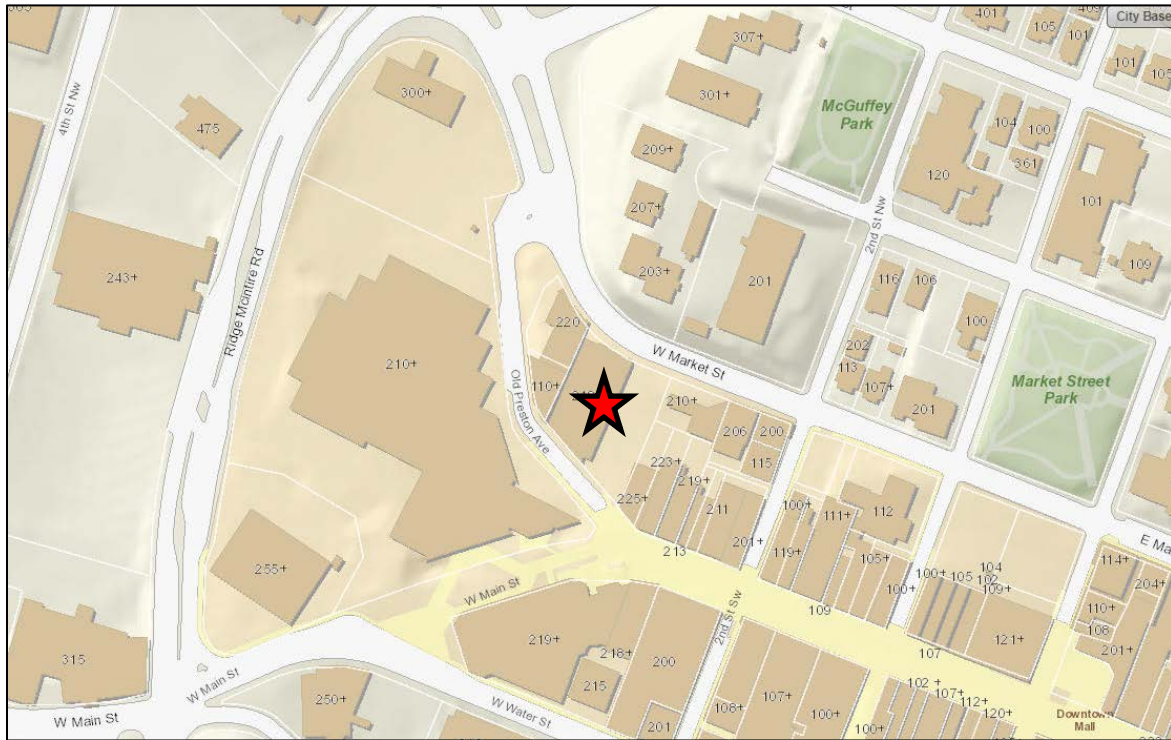
L.J. Lopez of Milestone Partners, acting as agent for Market Street Promenade, LLC (owner) has submitted an application seeking approval of a Special Use Permit (SUP) for the property located at 218 West Market Street with approximately 145 feet of road frontage on West Market Street and approximately 165 feet of road frontage on Old Preston Avenue. The proposal requests additional residential density up to 240 dwelling units per acre (DUA), pursuant to City Code Section 34-560, and additional height of 31 feet pursuant to City Code Section 34-557.

The applicant's proposal shows a new mixed-use building on the entire development site (0.562 acres). The property is further identified on City Real Property Tax Map 33 Parcel 276 ("Subject Property"). The Subject Property is zoned Downtown Mixed-Use Corridor with Downtown Architectural Design Control District Overlay and Urban Corridor Parking Zone Overlay. The site is approximately 0.562 acres or 24,480 square feet.

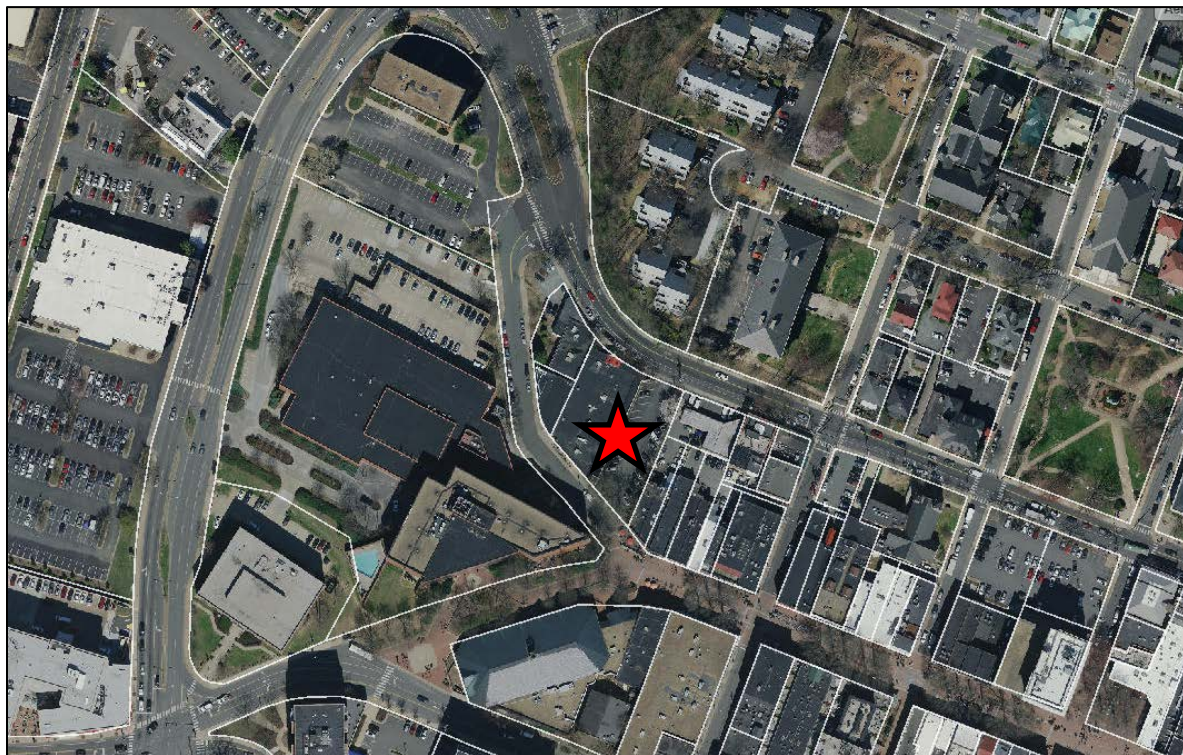
The proposed site plan, dated August 13, 2019 (Attachment 1) proposes the construction of a single 101-foot tall mixed-use building with retail space on the ground floor facing West Market Street, and up to 134 residential units. The plan also shows underground parking beneath the building.

The Comprehensive Plan designates the land use of the Subject Property as Mixed Use.

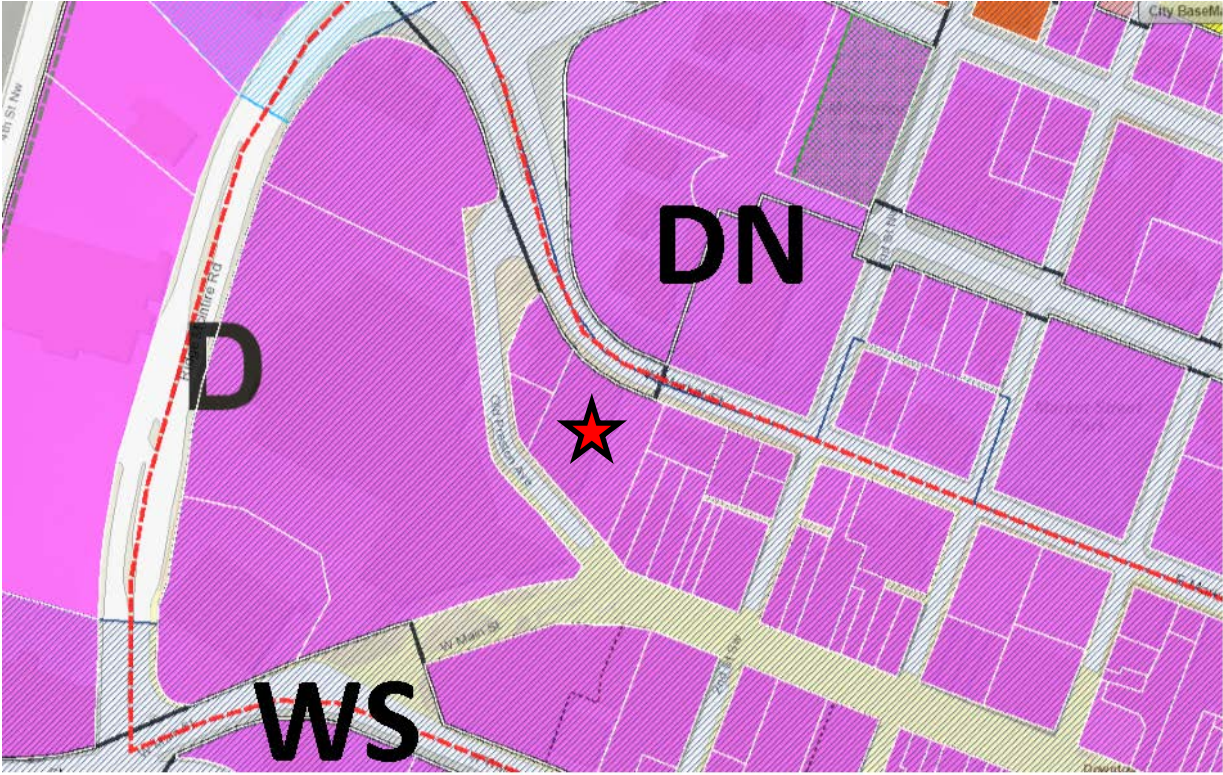
Vicinity Map



Context Map 1

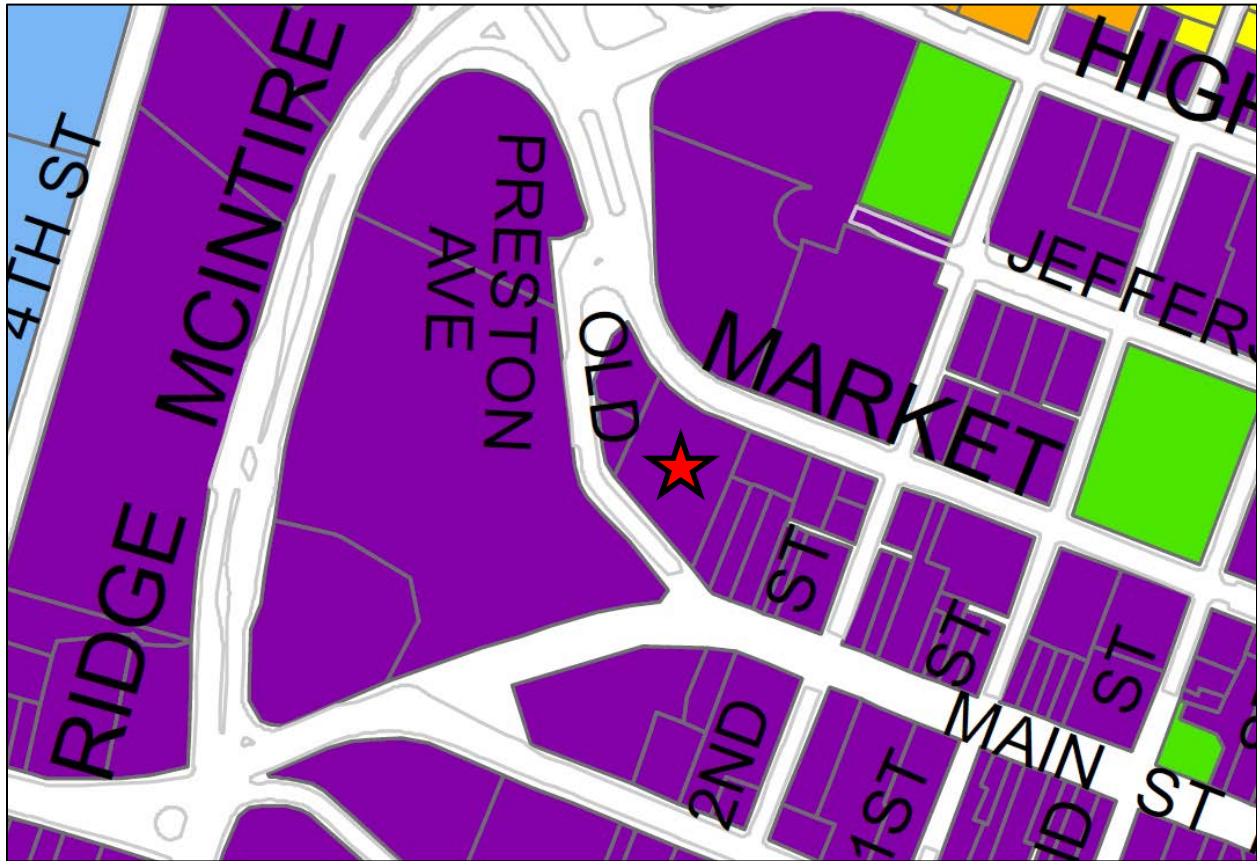


Context Map 2 – Zoning Classifications



KEY – Magenta (D): Downtown Corridor; Magenta (DN): Downtown North Corridor; Magenta (WS): Water Street Corridor; Deep Orange: R-3 – Multi-Family, High-Density Residential

Context Map 3 - General Land Use Plan, 2013 Comprehensive Plan



KEY – Purple: Mixed Use; Yellow: Low Density Residential; Orange: High Density Residential; Green: Park or Preserved Open Space; Blue: Public or Semi-Public

Application Components:

Application and LID Checklist – Attachment 1

Applicant's Narrative and Additional Illustrative Materials – Attachment 2

Standard of Review

City Council may grant an applicant a special use permit, giving consideration to a number of factors set forth within Zoning Ordinance Sec. 34-157. If Council finds that a proposed use or development will have potentially adverse impacts, and if Council identifies development conditions that could satisfactorily mitigate such impacts, then Council may set forth reasonable conditions within its SUP approval. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to (i) whether or not Council should approve a proposed SUP and if so, (ii) whether there are any reasonable development conditions that could mitigate potentially adverse impacts of the proposed use or development.

Section 34-157 of the City's Zoning Ordinance lists a number of factors that Council will consider in making a decision on a proposed SUP. Following below is staff's analysis of those factors, based on the information provided by the Applicant.

Sec. 34-157(a)(1) Whether the proposed use or development will be harmonious with existing patterns of use and development within the neighborhood.

The properties immediately surrounding the subject property are described as:

Direction	Use	Zoning
North	Residential	DN
South	Hotel	D
East	Commercial	D
West	Commercial	D

The subject property is in use as a retail commercial building. The building on the property was built in 1938. The proposed new mixed-use building would be taller and occupy more of the site.

Staff Analysis:

The Subject Property is on the west end of the Downtown Mall area, just off the brick pedestrian mall. The frontage along Old Preston Avenue currently serves as an unofficial terminus to the Mall, as the parking surface on the site is the first interaction with cars pedestrians encounter other than the Mall crossings at 2nd Street and 4th Street.

The lot also fronts on West Market Street. The 200 block of West Market serves as a transition between the auto-oriented intersection of Preston Avenue and McIntire Road, and the more urban context of Market Street. The proposed building's frontage on West Market will alter the experience of persons travelling through the corridor, especially from the west.

The City's vision for the Downtown Corridor is as the principal activity center of the City of Charlottesville. The proposed project would better contribute to the corridor by adding residents to the corridor, and better defining the street edge along both West Market Street and Old Preston Avenue.

Sec. 34-157(a)(2) Whether the proposed use or development and associated public facilities will substantially conform to the city's comprehensive plan.

The applicant includes within the project proposal narrative (Attachment 2) a section regarding its consistency with the Comprehensive Plan on Page 2 of the document.

Staff Analysis: The 2013 Comprehensive Plan's General Land Use Plan specifies the Subject Property and its surrounding properties as Mixed Use.

Mixed Use areas, according to the Comprehensive Plan, are "intended to be zones where the City encourages development of a moderate or high intensity, and where a large variety of uses will be permitted, including many commercial uses, residential uses, and some limited research and manufacturing where appropriate."

Staff believes the use conforms to the intent of the Mixed Use land use designation.

Staff also recognizes the overall product of the proposal conforms to other aspects of the Comprehensive Plan listed below.

Below are specific areas of the Comprehensive Plan for which the development is in compliance:

a. Land Use

Goal 3.2 – Public Space, "When considering changes to land use regulations, respect nearby residential uses."

Staff Analysis: The special use permit would increase the total number of allowable residential units within the by-right building volume permitted on the Subject Property. The proposal is in keeping with the vision of downtown as an active corridor, and the Subject Property is not adjacent to a low-density residential development.

b. Housing

Goal 3.6 – Grow the City’s Housing Stock, “Promote housing options to accommodate both renters and owners at all price points, including workforce housing.”

Staff Analysis: The proposed increase in the permitted maximum residential density on the Subject Property will give the applicant the option of providing a variety of unit types with the proposed building.

c. Urban Design

Goal 1.3 – Urban Design, “Facilitate development of nodes of density and vitality in the City’s Mixed Use Corridors, and encourage vitality, pedestrian movement, and visual interest throughout the City.”

Staff Analysis: The Downtown Corridor and surrounding areas have several large commercial projects presently under construction. The cumulative result of these projects will be a larger population of employees in the Downtown area. The proposed building would increase the number of housing options in the Downtown area, which would result in an increase in activity along the corridor.

Below are specific areas of the Comprehensive Plan for which the development may not be in compliance:

a. Housing

Goal 3.2 Incorporate affordable units throughout the City, recognizing that locating affordable units throughout the community benefits the whole City.

Goal 3.3 Achieve a mixture of incomes and uses in as many areas of the City as possible.

Goal 3.4 Encourage creation of new, on-site affordable housing as part of rezoning or residential special use permit applications.

Goal 3.5 Consider the range of affordability proposed in rezoning and special use permit applications, with emphasis on provision of affordable housing for those with the greatest need.

Staff Analysis: The applicant has made no indication of how they intend to comply with the affordable housing zoning requirement in Section 34-12 of the City Code. This will be required prior to final site plan approval.

Sec. 34-157(a)(3) Whether proposed use or development of any buildings or structures will comply with all applicable building code regulations.

Staff Analysis: The proposed development will conform to all applicable building code regulations. Building plans are not yet available for review, but the construction of the proposed new structures cannot proceed without separate applications/review conducted by the City's Building Code Official.

Sec. 34-157(a)(4) **Potential adverse impacts, including, but not necessarily limited to:**
a) Traffic or parking congestion

Parking: The applicant shows the capacity to construct off-street parking that complies with the minimum parking requirements for the proposed building.

Staff Analysis: Staff confirms that the applicant's concept plan shows the ability to provide off-street parking on the site. The amount of parking required will depend on the final unit count of the building.

Traffic: The applicant includes a "potential impacts" section within their project proposal narrative (Attachment 1) and notes that the development proximity to downtown will result in a lower number of car trips than a similar sized building further from downtown would yield.

Staff Analysis: Staff has no concerns regarding the traffic impact of the proposed Special Use Permit. The automobile access to the building will be reviewed by the Traffic Engineer during the site plan review process. The Traffic Engineer has commented that Old Preston Avenue is suited for the traffic entering and exiting the proposed building, and any potential impacts will be at the intersection of Old Preston Avenue and West Market Street.

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

Staff Analysis: Staff does not anticipate there will be significant noise generated from the proposed project beyond the level that can typically be anticipated in a mixed-use corridor such as the downtown area.

c) Displacement of existing residents or businesses

Staff Analysis: There are no existing residents or businesses on the Subject Property that would be displaced as a direct result of the Special Use Permit, as the redevelopment of the property is permitted as a matter of right.

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

Staff Analysis: The development would not discourage economic development activities.

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

Staff Analysis: The Subject Property is located in the vicinity of a number of community amenities that should serve the residents of the project. The Downtown Corridor is a multi-modal corridor that supports several modes of transit. The Subject Property is within the downtown business area. The Subject Property is also two blocks from McGuffey Park.

f) Reduction in the availability of affordable housing in the neighborhood

Staff Analysis: The proposed development would not reduce the availability of affordable housing in the neighborhood.

g) Impact on school population and facilities

Staff Analysis: Staff from Charlottesville Schools has noted that they have observed increases in school enrollment when previous large multi-family buildings on West Main Street have opened. Staff speculates that the apartments on West Main Street attracted students from the University of Virginia that were previously renting houses in the low-density neighborhoods near the University. When those students

opted for the newly constructed rental units on West Main Street, families with school age children moved in the houses that the students vacated.

The large scale apartment buildings that precipitated this increase in enrollment were all in the West Main West zoning district, and primarily feature unit configurations that are attractive to a student population.

The applicant's request would enable the applicant to construct more single and two-bedroom units within the building, units that tend to be less attractive to a student population.

h) Destruction of or encroachment upon conservation or historic districts

Staff Analysis: The Subject Property is in the Downtown Architectural Design Control District. The Board of Architectural Review will review the proposed building for compliance with the design guidelines for the district.

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

Staff Analysis: The proposed project will comply with federal, state and local laws. This is ensured through final site plan approval.

j) Massing and scale of project

The applicant's application materials shows the massing and scale of the proposed building.

Staff Analysis: The Board of Architectural Review will review the proposed building for compliance with the Downtown Architectural Design Control District guidelines.

Sec. 34-157(a)(5) Whether the proposed use or development will be in harmony with the purposes of the specific zoning district in which it will be placed;

Staff Analysis: Staff believes that a mixed-use building is appropriate within the Downtown zoning district.

Sec. 34-157(a)(6) Whether the proposed use or development will meet applicable general and specific standards set forth within the zoning ordinance, subdivision regulations, or other city ordinances or regulations; and

Staff Analysis: The proposed project must comply with standards set forth within the zoning ordinance, subdivision regulations and other applicable city ordinances/regulations prior to final site plan and building permit approvals.

Sec. 34-157(a)(7) When the property that is the subject of the application for a special use permit is within a design control district, city council shall refer the application to the BAR or ERB, as may be applicable, for recommendations as to whether the proposed use will have an adverse impact on the district, and for recommendations as to reasonable conditions which, if imposed, that would mitigate any such impacts. The BAR or ERB, as applicable, shall return a written report of its recommendations to the city council.

Staff Analysis: The Subject Property is located in a design control district. The Board of Architectural Review considered the Special Use Permit request at their September 17, 2019 meeting, and took the following action:

Motion: Gastinger moved to recommend that the proposed Special Use Permit for 218 West Market Street will not have an adverse impact on the Downtown ADC District, with the understanding that the final design and details will require BAR review and approval and that increased density and height is granted with the understanding that the building design will have the flexibility to mitigate potential impacts on the Downtown ADC District by addressing these items of considerations and concern:

- The building's massing will be broken up to provide compatibility with the character-defining features of the historic district
- Provide adequate protection of adjacent historic structures
- Provide a plan to replace the street trees on site
- Improve Pedestrian character of Old Preston and Market Street
- Provide pedestrian through access between Market Street and Old Preston.

Mohr seconded. Approved (9-0).

PUBLIC COMMENTS RECEIVED

Per Sec. 34-41(c)(2), the applicant held a community meeting on October 3, 2019 (a City Planner attended as a NDS representative). Neighborhood concerns gathered from the community meeting are listed below.

- Parking impact in the surrounding neighborhood.
- The adjacent historic buildings and the need for care in working around this building during the construction of the new building.
- The impact of the additional height on the residential properties to the north.

The Planning Commission held a work session on this matter on September 24, 2019. The discussion centered on the following topics:

- The safeguarding of the adjacent historic building at 110-114 Old Preston Avenue during construction.
- The visual impact of the building on both the West Market Street and Old Preston avenue frontages. A member of the public noted that the façade on West Market would potentially be a reference point for the design of an adjacent building should the redevelopment of the adjacent commercial property at 210 West Market Street eventually come about.
- The impact of traffic on Old Preston Avenue.
- The benefits of additional housing in the downtown area, and on the housing market in the City as a whole.
- The potential for the units in the building to be short term rentals.

STAFF'S RECOMMENDATIONS

Staff recommends the application be approved with the following conditions:

1. The specific development being approved by this special use permit ("Project"), as described within the site plan exhibit required by City Code §34-158(a)(1), shall have the following minimum attributes/ characteristics:
 - a. Not more than one building shall be constructed on the Subject Property (the "Building"). The Building shall be a Mixed Use Building.
 - b. The Building shall contain space to be occupied and used for retail uses, which shall be located on the ground floor of the Building. The square footage of this

retail space shall be at least the minimum required by the City's zoning ordinance.

- c. Underground parking shall be provided within a parking garage structure constructed underneath the Building.
2. The mass of the Building shall be broken up to provide compatibility with the character-defining features of the historic district
3. There shall be pedestrian engagement with the street with an active, transparent, and permeable façade at street level.
4. The Landowner (including, without limitation, any person who is an agent, assignee, transferee or successor in interest to the Landowner) shall prepare a Protective Plan for the building located on property adjacent to the Subject Property at 110 Old Preston Avenue ("Adjacent Property"). The Protective Plan shall provide for baseline documentation, ongoing monitoring, and specific safeguards to prevent damage to the building, and the Landowner shall implement the Protective Plan during all excavation, demolition and construction activities within the Subject Property ("Development Site"). At minimum, the Protective Plan shall include the following:
 - a. *Baseline Survey*—Landowner shall document the existing condition of the building at 110 Old Preston Avenue ("Baseline Survey"). The Baseline Survey shall take the form of written descriptions, and visual documentation which may include color photographs and video recordings. The Baseline Survey shall document the existing conditions observable on the interior and exterior of the Adjacent Property, with close-up images of cracks, staining, indications of existing settlement, and other fragile conditions that are observable.

The Landowner shall engage an independent third party structural engineering firm (one who has not participated in the design of the Landowner's Project or preparation of demolition or construction plans for the Landowner, and who has expertise in the impact of seismic activity on historic structures) and shall bear the cost of the Baseline Survey and preparation of a written report thereof. The Landowner and the Owner of the Adjacent Property ("Adjacent Landowner") may both have representatives present during the process of surveying and documenting the existing conditions. A copy of a completed written Baseline Survey Report shall be provided to the Adjacent Landowner, and the Adjacent

Landowner shall be given fourteen (14) days to review the Baseline Survey Report and return any comments to the Landowner.

- b. *Protective Plan*--The Landowner shall engage the engineer who performed the Baseline Survey to prepare a Protective Plan to be followed by all persons performing work within the Development Site, that shall include seismic monitoring or other specific monitoring measures of the Adjacent Property as recommended by the engineer preparing the Protective Plan. A copy of the Protective Plan shall be provided to the Adjacent Landowner. The Adjacent Landowner shall be given fourteen (14) days to review the Report and return any comments to the Landowner.

- c. *Advance notice of commencement of activity*--The Adjacent Landowner shall be given 14 days' advance written notice of commencement of demolition at the Development Site, and of commencement of construction at the Development Site. This notice shall include the name, mobile phone number, and email address of the construction supervisor(s) who will be present on the Development Site and who may be contacted by the Adjacent Landowner regarding impacts of demolition or construction on the Adjacent Property.

The Landowner shall also offer the Adjacent Landowner an opportunity to have meetings: (i) prior to commencement of demolition at the Development Site, and (ii) at least fourteen (14) days prior to commencement of construction at the Development Site, on days/ times reasonably agreed to by both parties. During any such preconstruction meeting, the Adjacent Landowner will be provided information as to the nature and duration of the demolition or construction activity and the Landowner will review the Protective Plan as it will apply to the activities to be commenced.

- d. *Permits*--No demolition or building permit, and no land disturbing permit, shall be approved or issued to the Landowner, until the Landowner provides to the department of neighborhood development services: (i) copies of the Baseline Survey Report and Protective Plan, and NDS verifies that these documents satisfy the requirements of these SUP Conditions, (ii) documentation that the Baseline Survey Report and Protective Plan were given to the Adjacent Landowner in accordance with these SUP Conditions.

POSSIBLE MOTION(S)

1. I move to recommend approval of a special use permit allowing the specific development proposed within the application materials for **SP19-00006** subject to the following reasonable conditions and safeguards:
 - The conditions presented in the staff report
 - *[alternative conditions, or additional condition(s)...list here]*

OR,

2. I move to recommend denial of the special use permit requested by **SP19-00006**.

ATTACHMENTS

- 1) Special Use Permit Application received August 13, 2019
- 2) Special Use Permit Project Proposal Narrative received August 13, 2019
Includes Project narrative, Conceptual Plan



City of Charlottesville

Application for Special Use Permit

Project Name: 218 West Market Redevelopment

Address of Property: 218 West Market Street

Tax Map and Parcel Number(s): 33-276

Current Zoning District Classification: Downtown

Comprehensive Plan Land Use Designation: Mixed-Use

Is this an amendment to an existing SUP? N

If "yes", provide the SUP #: _____

RECEIVED

AUG 13 2019

NEIGHBORHOOD DEVELOPMENT SERVICES

Applicant: Heirloom Real Estate Holdings, LLC - Jeff Levien

Address: % Milestone Partners 300 2nd ST NE Charlottesville, VA 22902

Phone: 434-245-5803 Email: llopez@milestonepartners.co
Jeff@levien3.com

Applicant's Role in the Development (check one):

Owner Owner's Agent Designer Contract Purchaser

Owner of Record: Market Street Promenade, LLC

Address: 1500 Amherst St, Suite 3, Charlottesville, VA 22903

Phone: _____ Email: _____

Reason for Special Use Permit:

- Additional height: 101 feet
- Additional residential density: _____ units, or 240 units per acre
- Authorize specific land use (identify) _____
- Other purpose(s) (specify City Code section): _____

(1) Applicant's and (2) Owner's Signatures

(1) Signature _____ Print Jeff Levien Date 8/13/19

Applicant's (Circle One): LLC Member LLC Manager Corporate Officer (specify) _____
Other (specify): _____

(2) Signature _____ Print _____ Date _____

Owner's (Circle One): LLC Member LLC Manager Corporate Officer (specify) _____
Other (specify): _____



City of Charlottesville

Application for Special Use Permit

Project Name: 218 West Market Redevelopment

Address of Property: 218 West Market Street

Tax Map and Parcel Number(s): 33-276

Current Zoning District Classification: Downtown

Comprehensive Plan Land Use Designation: Mixed-Use

Is this an amendment to an existing SUP? N

If "yes", provide the SUP #: _____

Applicant: Heirloom Real Estate Holdings, LLC

Address: 9/6 Milestone Partners 300 2nd ST NE Charlottesville, VA 22902

Phone: 434-245-5803 Email: llopez@milestonepartners.co
jeff@heirloom3.com

Applicant's Role in the Development (check one):

Owner Owner's Agent Designer Contract Purchaser

Owner of Record: Market Street Promenade, LLC

Address: 1500 Amberst St, Suite 3, Charlottesville, VA 22903

Phone: _____ Email: _____

Reason for Special Use Permit:

- Additional height: 101 feet
- Additional residential density: _____ units, or 240 units per acre
- Authorize specific land use (Identify) _____
- Other purpose(s) (specify City Code section): _____

(1) Applicant's and (2) Owner's Signatures

(1) Signature [Signature] Print Jeff Levern Date 8/13/19

Applicant's (Circle One): LLC Member LLC Manager Corporate Officer (specify) _____
Other (specify): _____

(2) Signature [Signature] Print John M. McIlhenney Date 8-13-19

Owner's (Circle One): LLC Member LLC Manager Corporate Officer (specify) _____
Other (specify): _____



City of Charlottesville

Pre-Application Meeting Verification

Project Name: 218 West Market Street

Pre-Application Meeting Date: 04/09/2019

Applicant's Representative: Craig Kotarski / Jeff Dreyfus

Planner: Brian Haluska

Other City Officials in Attendance:

The following items will be required supplemental information for this application and must be submitted with the completed application package:

1. Preliminary Elevations

2.

3.

4.

5.

Planner Signature: Brian J. Haluska



City of Charlottesville

Application Checklist

Project Name: 218 West Market Redevelopment

I certify that the following documentation is ATTACHED to this application:

- 34-158(a)(1): a site plan (ref. City Code 34-802(generally); 34-1083(communications facilities))
- 34-158(a)(3): Low-impact development (LID) methods worksheet (required for developments that include non-residential uses, and developments proposing 3 or more SFDs or TFDs)
- 34-158(a)(4): a building massing diagram, and building elevations (required for applications proposing alteration of a building height or footprint, or construction of any new building(s))
- 34-158(a)(5) and 34-12: affordable housing data. (i) how many (if any) existing dwelling units on the property are an "affordable dwelling unit" by the city's definitions? (ii) Will existing affordable units, or equivalent affordable units, remain following the development? (iii) What is the GFA of the project? GFA of residential uses? GFA of non-residential uses?
- 34-157(a)(1) Graphic materials that illustrate the context of the project, and a narrative statement as to compatibility with existing patterns of use and development
- 34-157(a)(2) Narrative statement: applicant's analysis of conformity with the Comprehensive Plan
- 34-157(a)(3) Narrative statement: compliance with applicable USBC provisions
- 34-157(a)(4) Narrative statement identifying and discussing any potential adverse impacts, as well as any measures included within the development plan, to mitigate those impacts
- 34-158(a)(6): other pertinent information (narrative, illustrative, etc.)
- All items noted on the Pre-Application Meeting Verification.

Applicant

Signature  Print Jeffrey Levien Date 8/13/19

By Its: Manager

(For entities, specify: Officer, Member, Manager, Trustee, etc.)



City of Charlottesville

Community Meeting

Project Name: 218 West Market Street Redevelopment

Section 34-41(c)(2) of the Code of the City of Charlottesville (adopted October 19, 2015) requires applicants seeking rezonings and special use permits to hold a community meeting. The purpose of a community meeting is to provide citizens an opportunity to receive information about a proposed development, about applicable zoning procedures, about applicable provisions of the comprehensive plan, and to give citizens an opportunity to ask questions. **No application for a rezoning shall be placed on any agenda for a public hearing, until the required community meeting has been held and the director of neighborhood development services determines that the application is ready for final review through the formal public hearing process.**

By signing this document, the applicant acknowledges that it is responsible for the following, in connection to the community meeting required for this project:

1. Following consultation with the city, the applicant will establish a date, time and location for the community meeting. The applicant is responsible for reserving the location, and for all related costs.
2. The applicant will mail, by U.S. mail, first-class, postage pre-paid, a notice of the community meeting to a list of addresses provided by the City. The notice will be mailed at least 14 calendar days prior to the date of the community meeting. The applicant is responsible for the cost of the mailing. At least 7 calendar days prior to the meeting, the applicant will provide the city with an affidavit confirming that the mailing was timely completed.
3. The applicant will attend the community meeting and present the details of the proposed application. If the applicant is a business or other legal entity (as opposed to an individual) then the meeting shall be attended by a corporate officer, an LLC member or manager, or another individual who can speak for the entity that is the applicant. Additionally, the meeting shall be attended by any design professional or consultant who has prepared plans or drawings submitted with the application. The applicant shall be prepared to explain all of the details of the proposed development, and to answer questions from citizens.
4. Depending on the nature and complexity of the application, the City may designate a planner to attend the community meeting. Regardless of whether a planner attends, the City will provide the applicant with guidelines, procedures, materials and recommended topics for the applicant's use in conducting the community meeting.
5. On the date of the meeting, the applicant shall make records of attendance and shall also document that the meeting occurred through photographs, video, or other evidence satisfactory to the City. Records of attendance may include using the mailing list referred to in #1 as a sign-in sheet (requesting attendees to check off their name(s)) and may include a supplemental attendance sheet. The City will provide a format acceptable for use as the supplemental attendance sheet.

Applicant: Hickman Real Estate Holdings, LLC

By:

Signature [Signature]

Print Jeffrey Lemen

Date

8/13/19

Its: manager

(Officer, Member, Trustee, etc.)



City of Charlottesville

Owner's Authorizations

(Not Required)

Right of Entry- Property Owner Permission

I, the undersigned, hereby grant the City of Charlottesville, its employees and officials, the right to enter the property that is the subject of this application, for the purpose of gathering information for the review of this Special Use Permit application.

Owner: Market Street Promenade, LLC Date _____

By (sign name): _____ Print Name: _____

Owner's: LLC Member LLC Manager Corporate Officer (specify): _____

Other (specific): _____

Owner's Agent

I, the undersigned, hereby certify that I have authorized the following named individual or entity to serve as my lawful agent, for the purpose of making application for this special use permit, and for all related purposes, including, without limitation: to make decisions and representations that will be binding upon my property and upon me, my successors and assigns.

Name of Individual Agent: Jeff Levien

Name of Corporate or other legal entity authorized to serve as agent: Heirloom Real Estate Holdings, LLC

Owner: [Signature] Date: 8/13/19

By (sign name): Jeffrey Levien Print Name: _____

Circle one:

Owner's: LLC Member LLC Manager Corporate Officer (specify): _____

Other (specific): _____



City of Charlottesville

Owner's Authorizations

(Not Required)

Right of Entry- Property Owner Permission

I, the undersigned, hereby grant the City of Charlottesville, its employees and officials, the right to enter the property that is the subject of this application, for the purpose of gathering information for the review of this Special Use Permit application.

Owner: Market Street Promenade, LLC Date 8-13-19

By (sign name): [Signature] Print Name: JOHN M. McHENRY

Owner's: LLC Member LLC Manager Corporate Officer (specify): _____

Other (specific): _____

Owner's Agent

I, the undersigned, hereby certify that I have authorized the following named individual or entity to serve as my lawful agent, for the purpose of making application for this special use permit, and for all related purposes, including, without limitation: to make decisions and representations that will be binding upon my property and upon me, my successors and assigns.

Name of Individual Agent: Jeff Leven

Name of Corporate or other legal entity authorized to serve as agent: Hirshon Real Estate Holdings, LLC

Owner: [Signature] Date: 8/13/19

By (sign name): Jeffrey Leven Print Name: _____

Circle one:

Owner's: LLC Member LLC Manager Corporate Officer (specify): _____

Other (specific): _____



City of Charlottesville

Disclosure of Equitable Ownership

Section 34-8 of the Code of the City of Charlottesville requires that an applicant for a special use permit make complete disclosure of the equitable ownership "real parties in interest") of the real estate to be affected. Following below I have provided the names and addresses of each of the real parties in interest, including, without limitation: each stockholder or a corporation; each of the individual officers and directors of a corporation; each of the individual members of an LLC (limited liability companies, professional limited liability companies); the trustees and beneficiaries of a trust, etc. Where multiple corporations, companies or trusts are involved, identify real parties in interest for each entity listed.

Name Jeffrey Levien Address 2093 Goodling Road, North Garden, VA 22459

Name _____ Address _____

Name _____ Address _____

Name _____ Address _____

Attach additional sheets as needed.

Note: The requirement of listing names of stockholders does not apply to a corporation whose stock is traded on a national or local stock exchange and which corporation has more than five hundred (500) shareholders.

Applicant: Hickman Real Estate Holdings, LLC

By:

Signature [Signature] Print Jeffrey Levien Date 8/13/19

Its: manager (Officer, Member, Trustee, etc.)



City of Charlottesville

Fee Schedule

Project Name: 218 West Market St Redevelopment

Application Type	Quantity	Fee	Subtotal
Special Use Permit	1	\$1800	\$1,800
Special Use Permit (Family Day Home for 6-12 Children)		\$500	
Mailing Costs per letter		\$1 per letter	
Newspaper Notice		Payment Due Upon Invoice	
TOTAL			\$1,800

Office Use Only

Amount Received: \$1,800⁰⁰ Date Paid: 8/13/19 Received By: Quia A. Barnow

Amount Received: _____ Date Paid: _____ Received By: _____

Amount Received: _____ Date Paid: _____ Received By: _____

Amount Received: _____ Date Paid: _____ Received By: _____



City of Charlottesville

LID Checklist

Project Name: 218 West Market Redevelopment

Options
1 2

LID Measure	LID Checklist Points	Points	
Compensatory Plantings (see City buffer mitigation manual). 90% of restorable stream buffers restored.	5 points or 1 point for each 18% of the total acreage		
Pervious pavers for parking and driveways with stone reservoir for storage of 0.5 inches of rainfall per impervious drainage area. Surface area must be >1,000 ft. ² or ≥ 50% of the total parking and driveway surface area.	7 points or 1 point for each 7% of parking and driveway surface area.		
Shared parking (must have legally binding agreement) that eliminates >30% of on-site parking required.	5 points or 1 point for each 6% of parking surface eliminated.	5	5
Impervious Disconnection. Follow design manual specifications to ensure adequate capture of roof runoff (e.g. cisterns, dry wells, rain gardens)	8 points		
Bioretention. Percent of site treated must exceed 80%. Biofilter surface area must be ≥ 5% of impervious drainage area.	8 points or 1 point for each 10% of site treated.		
Rain gardens. All lots, rain garden surface area for each lot ≥ 200 ft. ² .	8 points or 1 point for each 10% of lots treated.		
Designed/constructed swales. Percent of site treated must exceed 80%, achieve non-erosive velocities, and able to convey peak discharge from 10 year storm.	8 points or 1 point for each 10% of site treated.		
Manufactured sand filters, filter vaults (must provide filtering rather than just hydrodynamic). Percent of site treated must exceed 80%. Sizing and volume for water quality treatment based on manufacturer's criteria.	8 points or 1 point for each 10% of site treated.		8
Green rooftop to treat ≥ 50% of roof area	8 points	8	
Other LID practices as approved by NDS Engineer.	TBD, not to exceed 8 points		
Off-site contribution to project in City's water quality management plan. This measure to be considered when on site constraints (space, environmentally sensitive areas, hazards) limit application of LID measures. Requires pre-approval by NDS Director.	5 points		
		Options 1	Options 2
	Total Points	13	13

Applicant's Signature

Signature

Print

Jeffrey Levien

Date

8/13/19

218 West Market Redevelopment
SUP Application
Request for Additional Density and Height
Narrative Statement
August 13, 2019

Heirloom Real Estate Holdings, LLC (the "Applicant"), contract purchaser of the site located at 218 West Market Street (and in City records as Tax Map 33 Parcel 276), requests approval of a special use permit ("SUP") to allow residential density on the properties up to 240 units per acre and height up to 101'. This request is in accordance with Section 34-560 and 34-557, respectively, of the City's zoning ordinance.

The owners of the Applicant are the same owners of Heirloom West Main Development, LLC, (Owner/Developer of 600 West Main, currently under construction) and Heirloom West Main Development Second Phase, LLC (Owner/Developer of 612 West Main, currently under and SUP Application review).

Applicant, in preparation for this SUP, submitted a Request for Demolition to the Board of Architectural Review ("BAR") and it was heard at the March 13, 2019 public hearing. The BAR discussed the merits of the existing structure, along with the historical and architectural significance. Those factors, coupled with the prospect of a mixed-use redevelopment, the BAR Approved the Request for Demolition, with conditions. The most significant condition is: The demolition of the building is contingent upon the granting of a Certificate of Appropriateness ("COA") and building permit for this building's replacement.

Request for Additional Density

The Applicant anticipates constructing a variety of housing units ranging from studio units, 1-bedroom, 2-bedroom (and potentially, 3-bedroom) units. Approval of additional density up to 240 units per acre will enable the Applicant to provide this broad range of unit types and offer them at a variety of price points to potential residents. Keeping with the current restrictions on density would result in large, expensive, units geared to one segment of the residential market, or worse, derail the redevelopment of the property and continue the property to be used for low density retail. Approval of the additional density will enable the project to positively impact the housing stock and options available in the Downtown area and be consistent with the overall vision of the City.

Request for Additional Height

The Applicant anticipates constructing a building that meets all the standards and guidelines, as outlined in the Downtown ADC District, up to a height of 101'. Approval of additional height will enable the Applicant to provide a mixed-use project with retail/commercial uses on the ground floor(s) and residential above. This request is consistent with the current and future scale at the West end of the Downtown Mall. With the longstanding Omni Hotel anchoring the west end and the currently under construction C.O.D.E building, height of up to 101' for 218 West Market will compliment these buildings well.

Conformity with Comprehensive Plan

Additional density will be in keeping with the goal of the City as expressed in the Comprehensive Plan. The Comprehensive Plan's land use map designates the properties for mixed-use. This proposal includes both housing and retail/commercial. The additional residential units will help to increase the number of full-time residents living on the downtown mall. This will continue to enhance the vibrancy of the downtown mall and balance the residential, retail, restaurant, entertainment, office, and hospitality that exists today. With projects like C.O.D.E and 3Twenty3 both currently under construction and creating new Class A office space in downtown, the proposed application compliments them well in providing housing options in downtown to support a walkable lifestyle.

This project will also serve towards meeting the City's Comprehensive Plan goals to "grow the housing stock" and "promote housing options." The Applicant expects to include in the project a number of market-rate (non-student) studio units which will provide a housing option not presently available in the West Main or Downtown areas (except as will be provided on a limited basis at the Applicant's 600 West Main project and currently proposed 612 West Main Project).

Additional height will be in keeping with the scale and mass of the West end of the Downtown Mall. The Omni Hotel and the C.O.D.E building provide the contextual scale to support a project of up to 101' in height. Additionally, the subject site's size and dual street frontage make it an ideal candidate for additional height, as opposed to other parcels in the Downtown corridor. The prescribed street wall and step backs, outlined in the Zoning Code, allow the building to scale appropriately to the pedestrian at both West Market and Old Preston, yet still achieve the height necessary to support mixed-use and the residential density request above.

Potential Impacts

Approval of additional density for the project will have minimal impact on the Downtown area. The residential density requested is provided for in the zoning ordinance as a permitted use and thus the City has already decided the density is appropriate for the zoning district. Any impacts associated with increased density are mitigated by the proximity of the project to employment and retail centers, public transit and the provision of bicycle facilities.

It is anticipated that many residents will choose to live in the project precisely because they will be able to walk to work, shopping, and transit. Because Downtown is well served by bus and train transit as well as cab service, residents will have transportation options and reliance on their personal vehicle is reduced. Newer transit options like Bird and Lime are also available in Downtown. Bicycle facilities will be provided and much of the City is within "bike-able" distance from the project.

Existing Affordable Housing

There are no existing "affordable dwelling units" on the property. There will thus be no loss of affordable housing. The project is planned to include a mix of units, including studio units, at a variety of price points. This is a better option than what would be built under the existing zoning density (24 large, expensive, units) or if the project was not undertaken at all and the property remained in its current use.

Compliance with USBC Provisions

The project will be constructed in complete compliance with all building code requirements.

Conclusion

The proposed redevelopment of the properties will be in keeping with the City's goals as expressed in the Comprehensive Plan for creating a mixed-use, urban neighborhood in Downtown. The project will greatly enhance the vibrancy of the Western portion of Downtown Mall by bringing an increase in the number of residents with front door access to the Mall. By offering a variety of housing types oriented to those who seek to live, work and shop within a walk-able setting, the project will be filling a niche for housing that is currently underserved. Approval of the special use permit allowing residential density up to 240 units per acre and a height up to 101' will enable all this to be achieved.

218 WEST. MARKET ST.

ZONE: MIXED-USE DOWNTOWN CORRIDOR - "D"
ARCHITECTURAL DESIGN CONTROL
DISTRICT URBAN CORRIDOR PARKING ZONE

PRIMARY STREETS: WEST MARKET ST., OLD PRESTON AVE.

LAND AREA: 0.56 ACRES/24,393 SF

DENSITY:

	MIN. REQ'D	BY RIGHT	WITH SUP
	21 DUA	43 DUA	240 DUA

DWELLING UNITS: 12 UNITS 24 UNITS 134 UNITS

STREET WALL HT: 40' MIN., 45' MAX

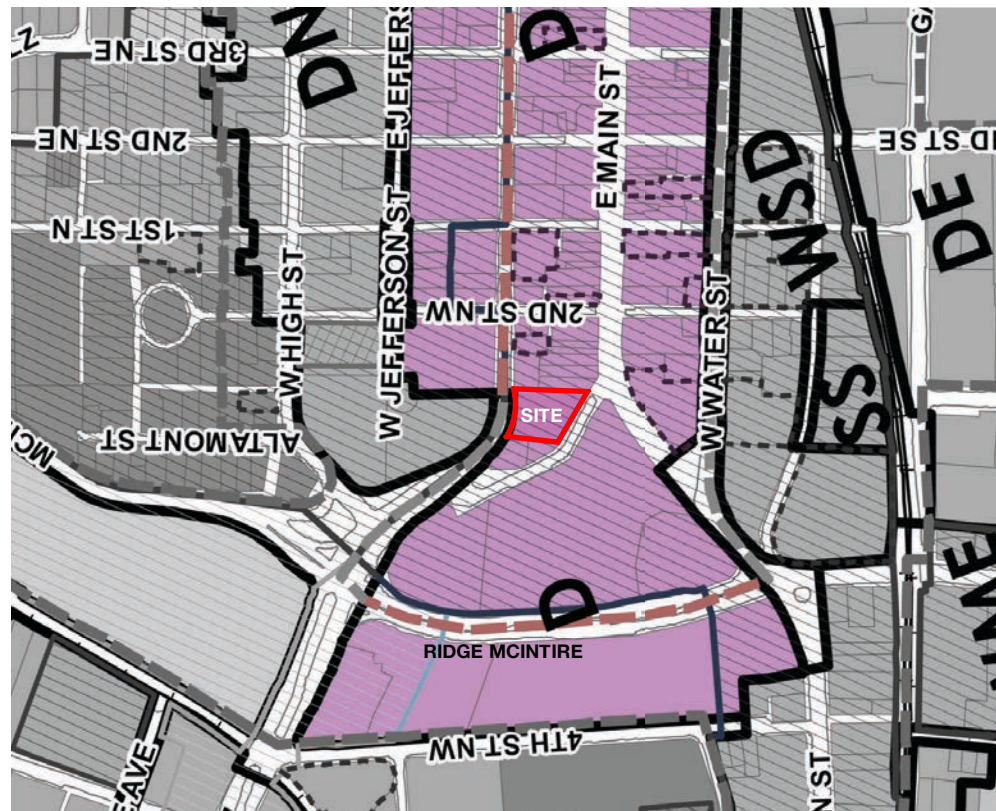
STEPBACK: 25' AFTER 45' MAXIMUM HEIGHT

OVERALL HEIGHT: 70' BY RIGHT
101' WITH SPECIAL USE PERMIT

CALCULATED AVERAGE GRADE PLANE: 448'-3"

PARKING: REQUIRED FOR ALL ADDITIONAL UNITS
ALLOWED AS A RESULT OF THE
INCREASED DENSITY WITH AN SUP

ZONING MAP:



218 WEST. MARKET ST.

ZONE: MIXED-USE DOWNTOWN CORRIDOR - "D"
ARCHITECTURAL DESIGN CONTROL
DISTRICT URBAN CORRIDOR PARKING ZONE

PRIMARY STREETS: WEST MARKET ST., OLD PRESTON AVE.

LAND AREA: 0.56 ACRES/24,393 SF

DENSITY: MIN. REQ'D 21 DUA BY RIGHT 43 DUA WITH SUP 240 DUA

DWELLING UNITS: 12 UNITS 24 UNITS 134 UNITS

STREET WALL HT: 40' MIN., 45' MAX

STEPBACK: 25' AFTER 45' MAXIMUM HEIGHT

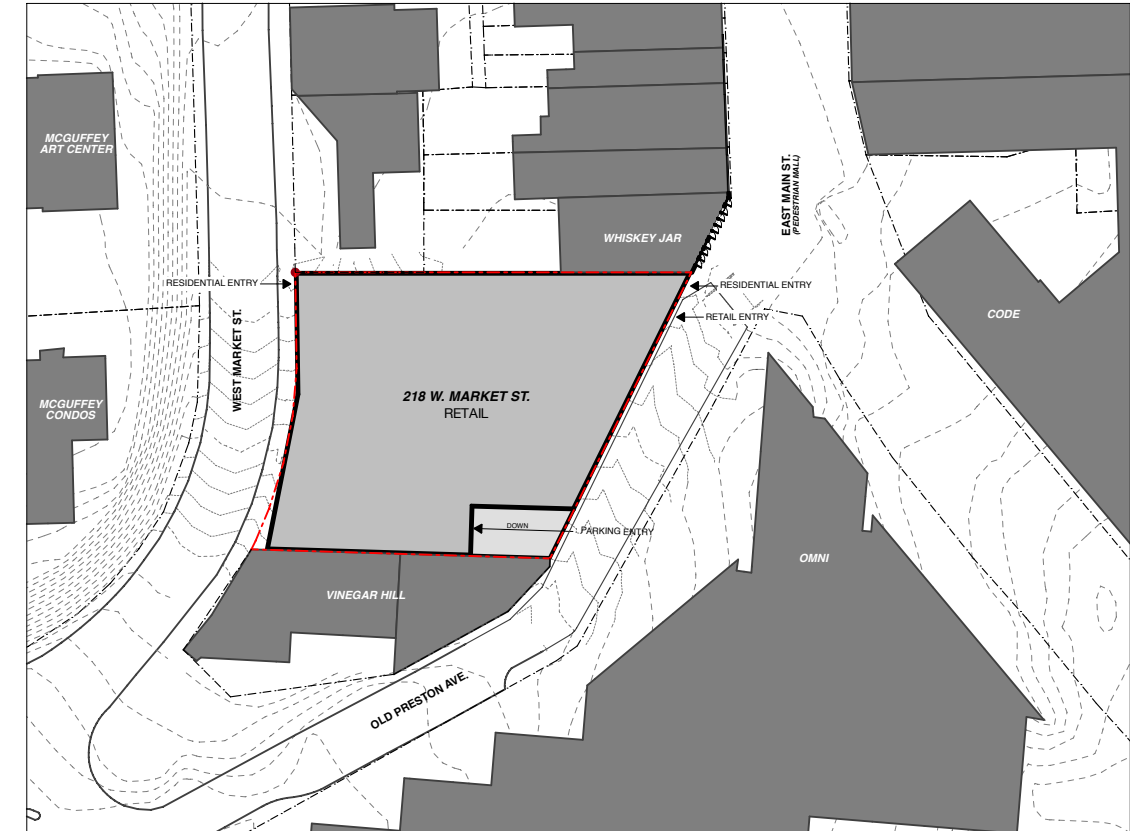
OVERALL HEIGHT: 70' BY RIGHT
101' WITH SPECIAL USE PERMIT

CALCULATED AVERAGE GRADE PLANE: 448'-3"

PARKING: REQUIRED FOR ALL ADDITIONAL UNITS
ALLOWED AS A RESULT OF THE
INCREASED DENSITY WITH AN SUP



PARKING LEVEL DIAGRAM; BY RIGHT



LEVEL 1 PLAN DIAGRAM; BY RIGHT



LEVEL 2-3 DIAGRAM; BY RIGHT



**LEVELS 4 AND HIGHER
25' STEPBACK ON PRIMARY STREETS**





VIEW WEST FROM WEST MARKET STREET - BY RIGHT



VIEW EAST FROM WEST MARKET STREET - BY RIGHT



VIEW WEST FROM WEST MARKET STREET - WITH SUP



VIEW EAST FROM WEST MARKET STREET - WITH SUP



VIEW WEST FROM EAST MAIN STREET (PEDESTRIAN MALL) - BY RIGHT



VIEW WEST ACROSS RIDGE MCINTIRE - BY RIGHT

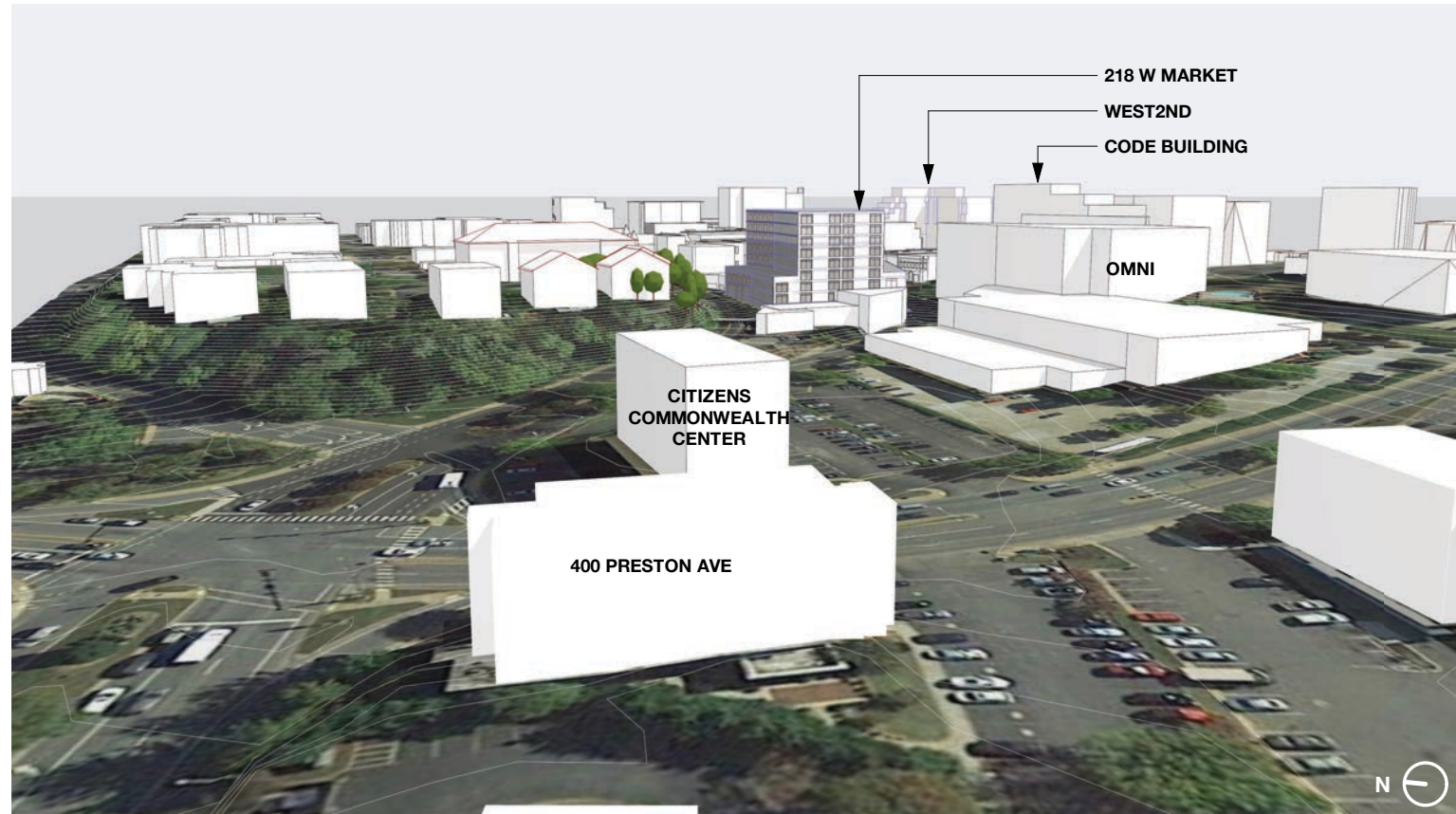


VIEW WEST FROM EAST MAIN STREET (PEDESTRIAN MALL) - WITH SUP

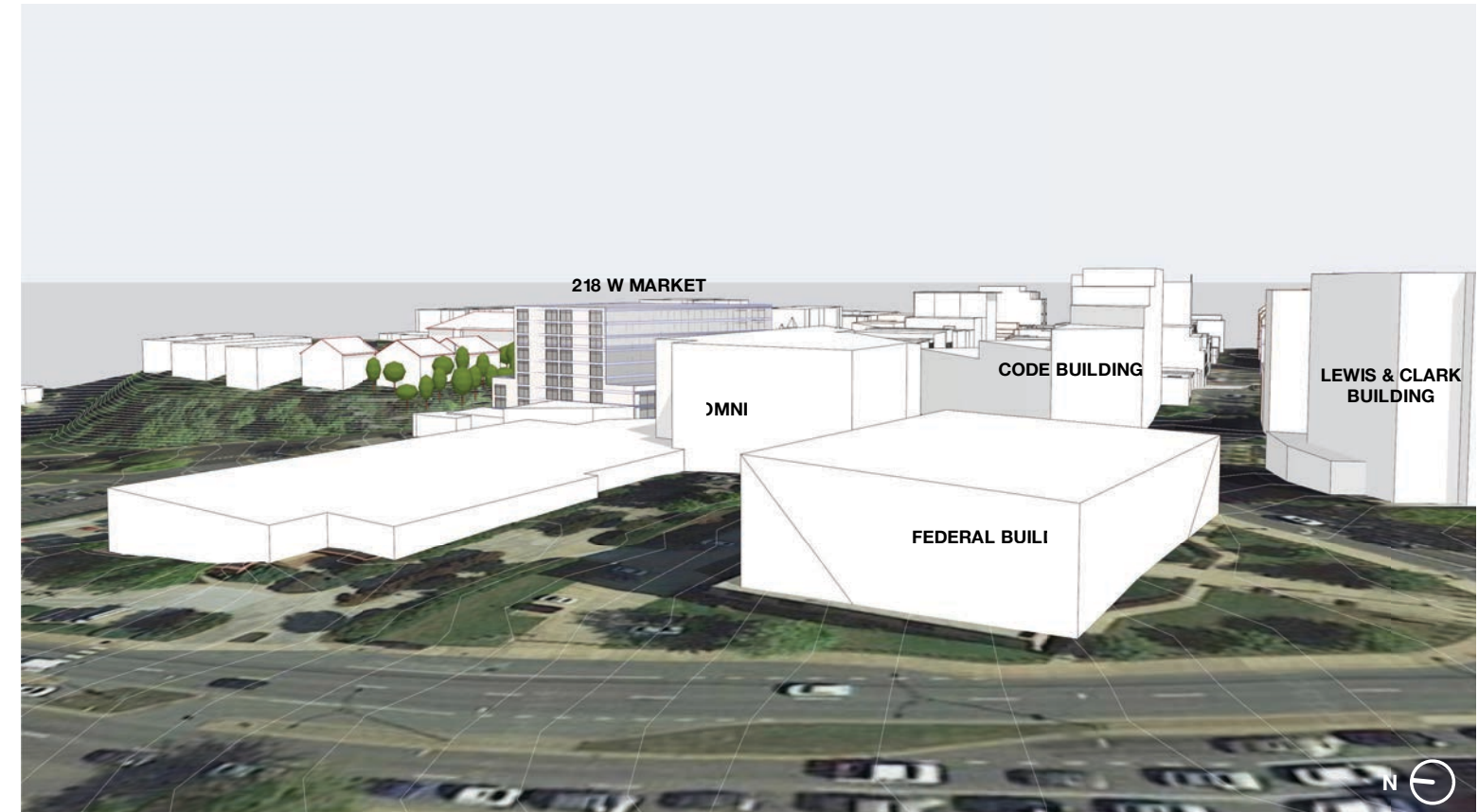


VIEW ACROSS RIDGE MCINTIRE - WITH SUP*

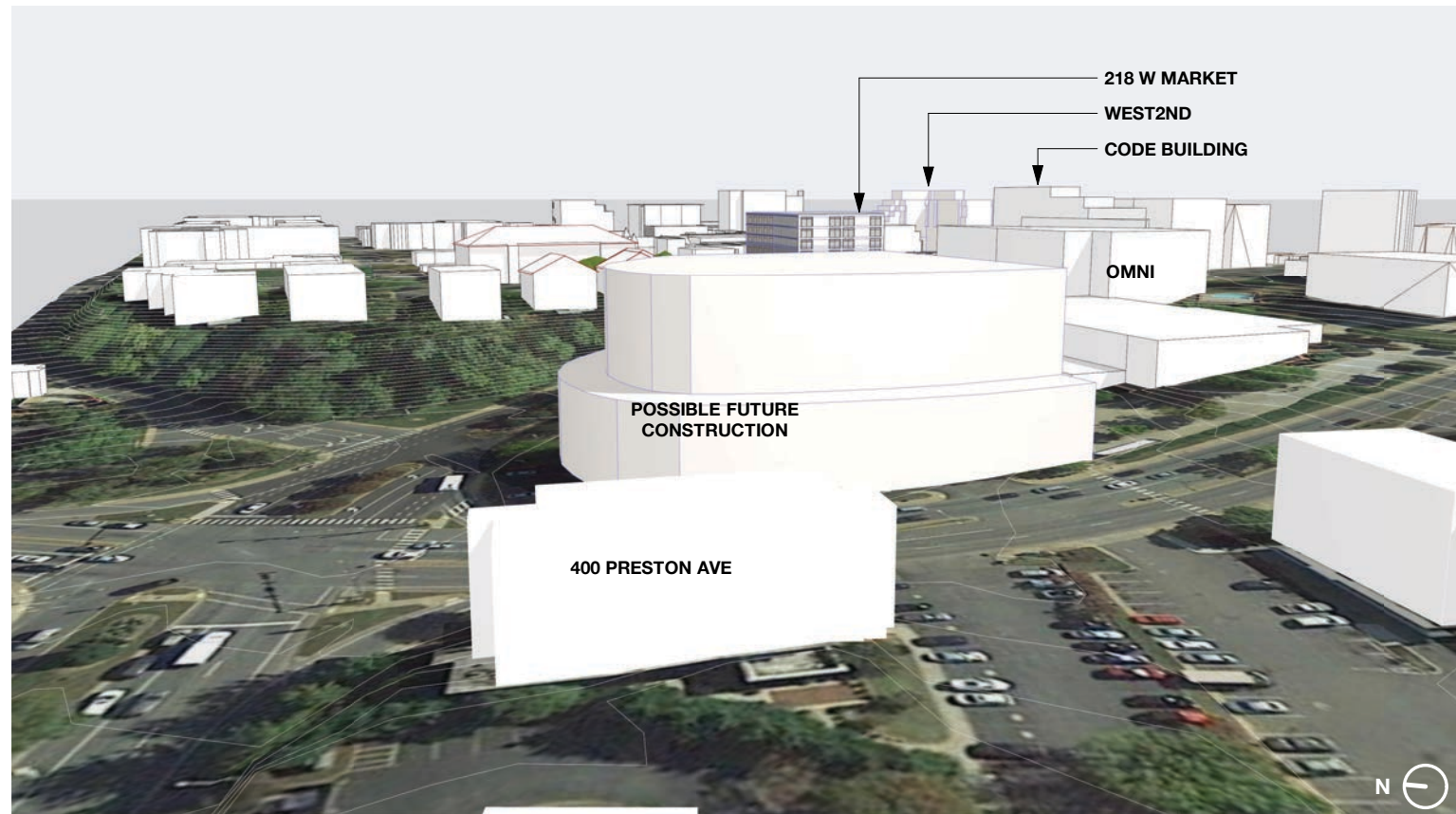
*Parking lot in foreground is zoned the same as 218 W. Market. New construction in foreground would completely obscure view of 218 W. Market St.



AERIAL VIEW WEST FROM EAST - EXISTING BUILDING IN FOREGROUND



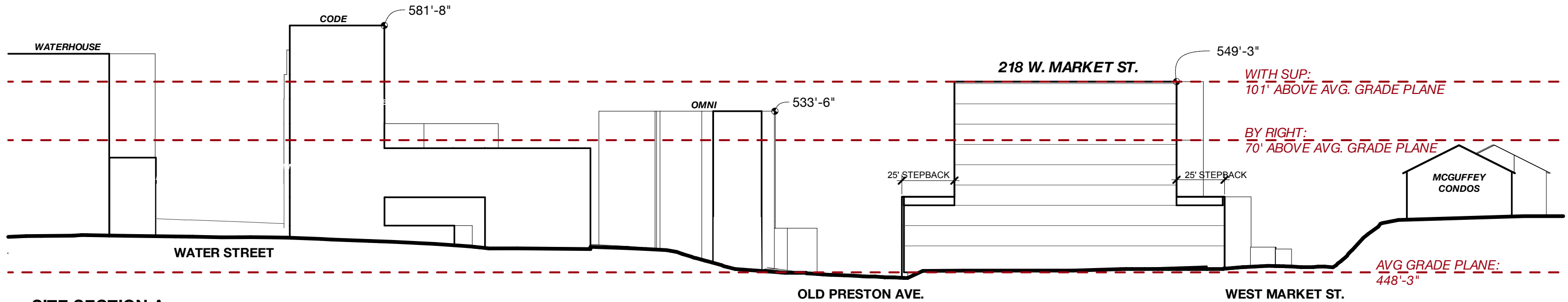
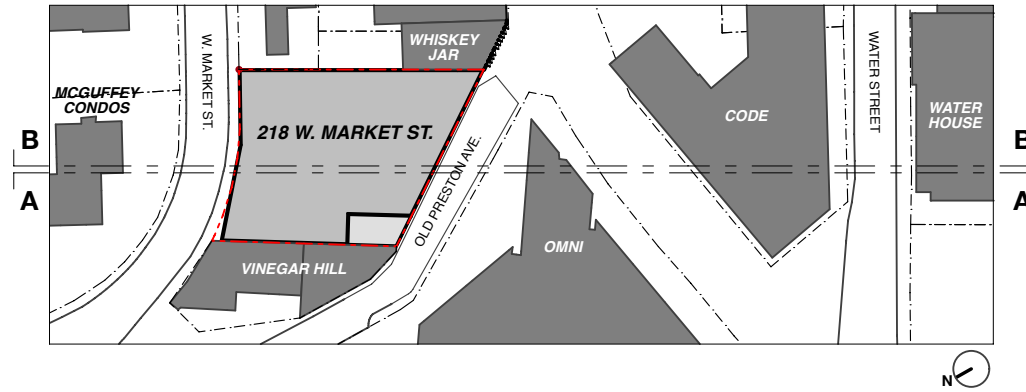
AERIAL VIEW WEST FROM STAPLES PARKING LOT



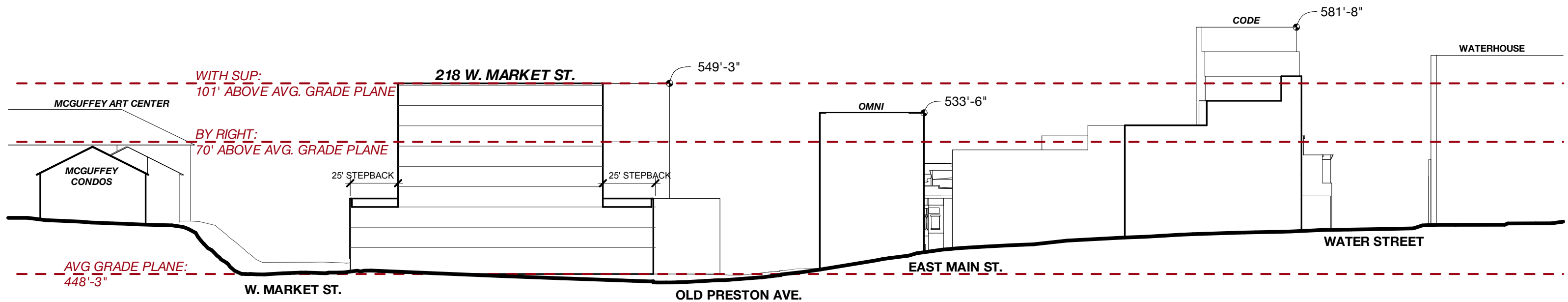
AERIAL VIEW WEST FROM EAST - POSSIBLE FUTURE CONSTRUCTION IN FOREGROUND



SITE SECTIONS



SITE SECTION A



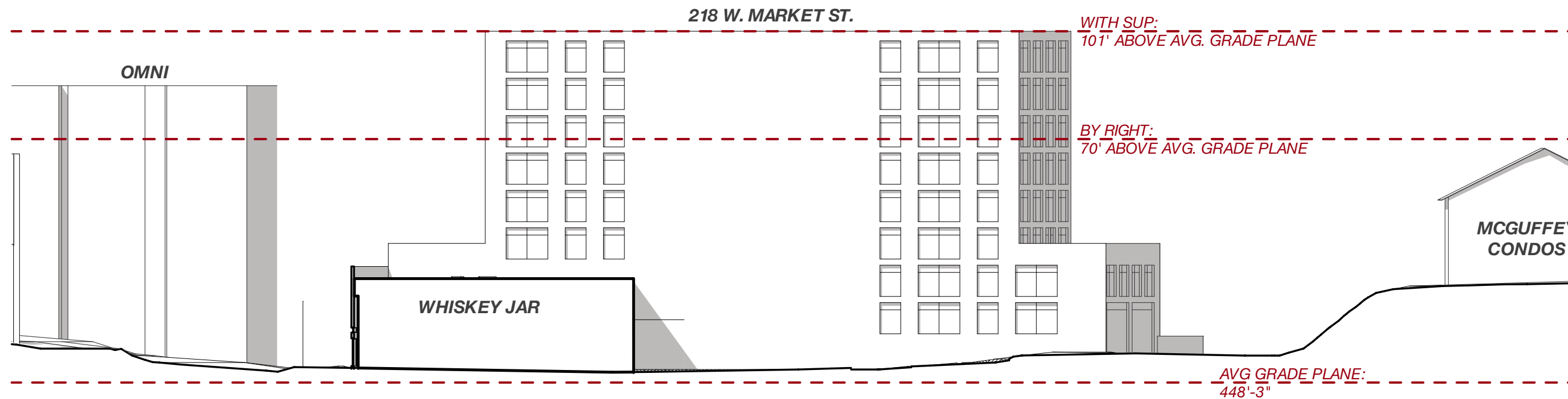
SITE SECTION B



WEST MARKET STREET ELEVATION



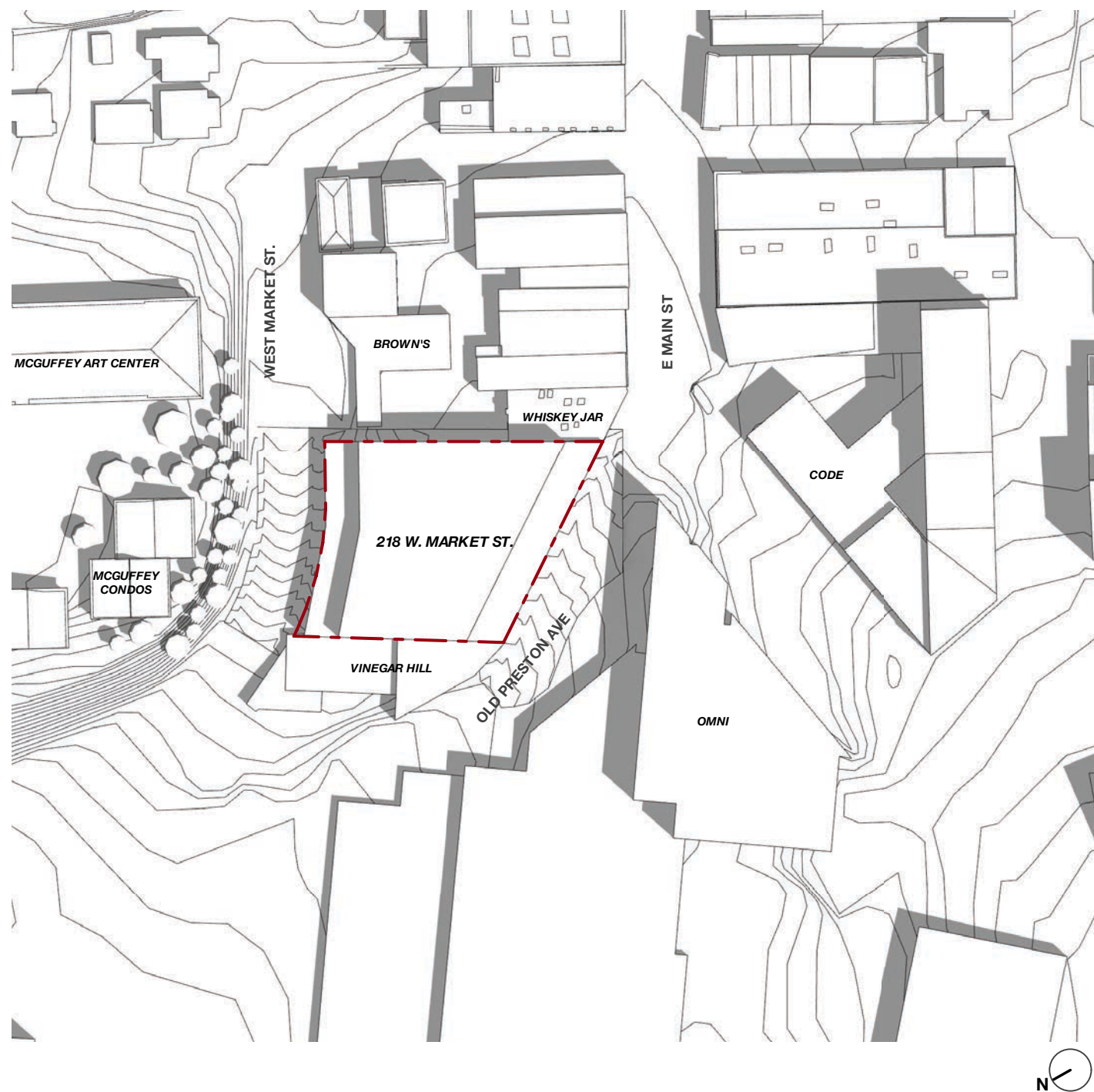
OLD PRESTON AVENUE ELEVATION



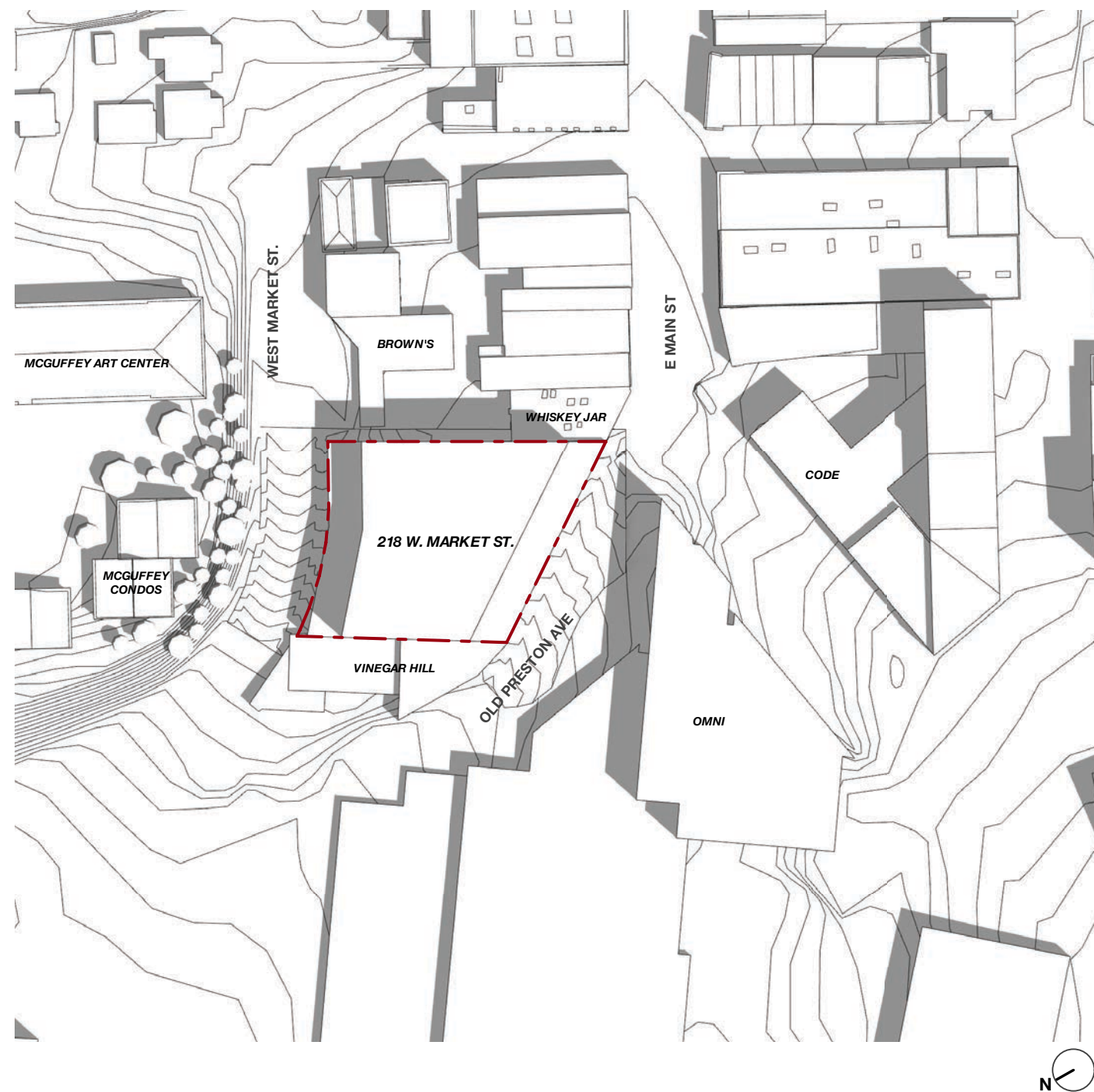
EAST ELEVATION



WEST ELEVATION

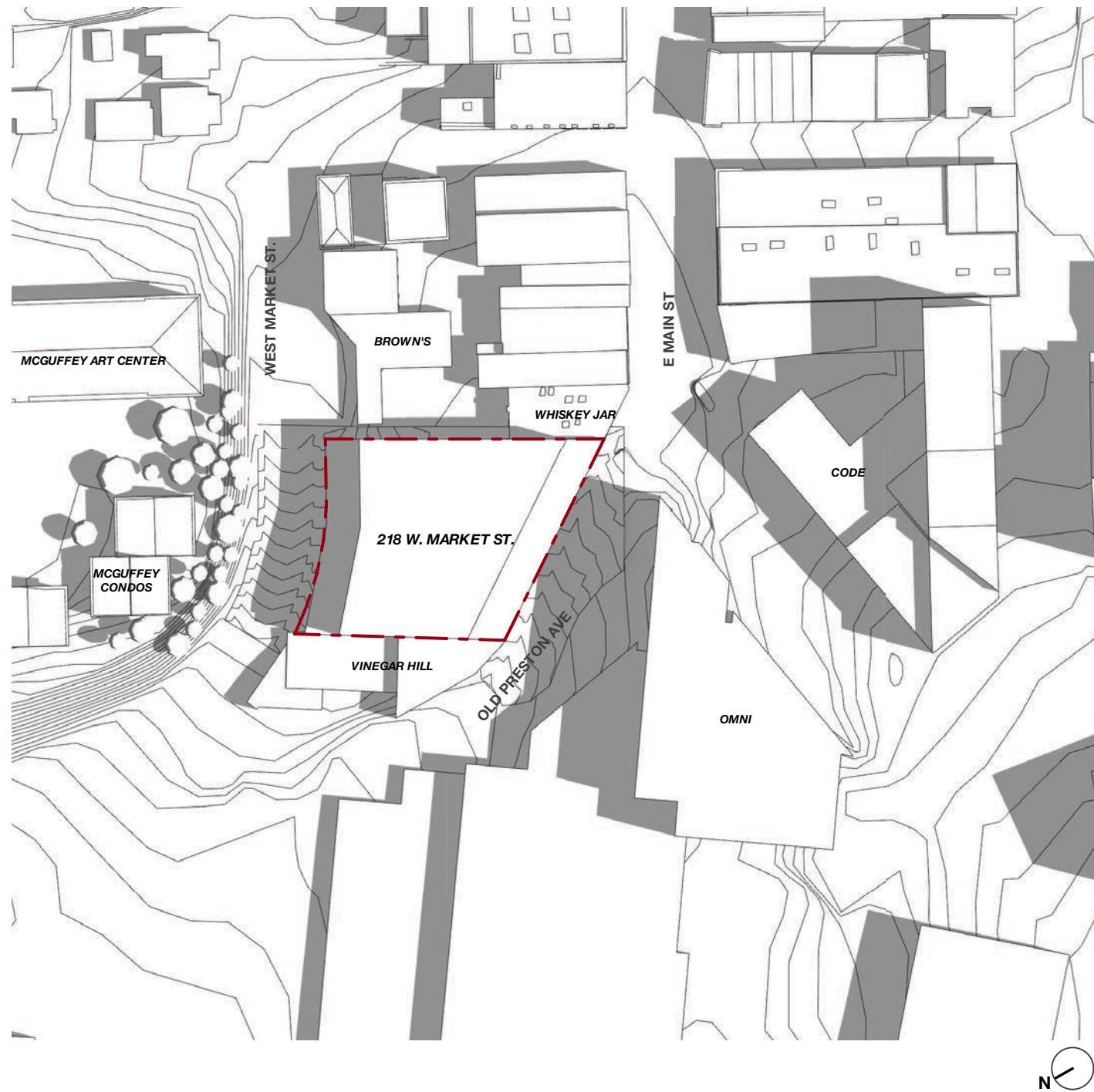


BUILDING HEIGHT BY RIGHT



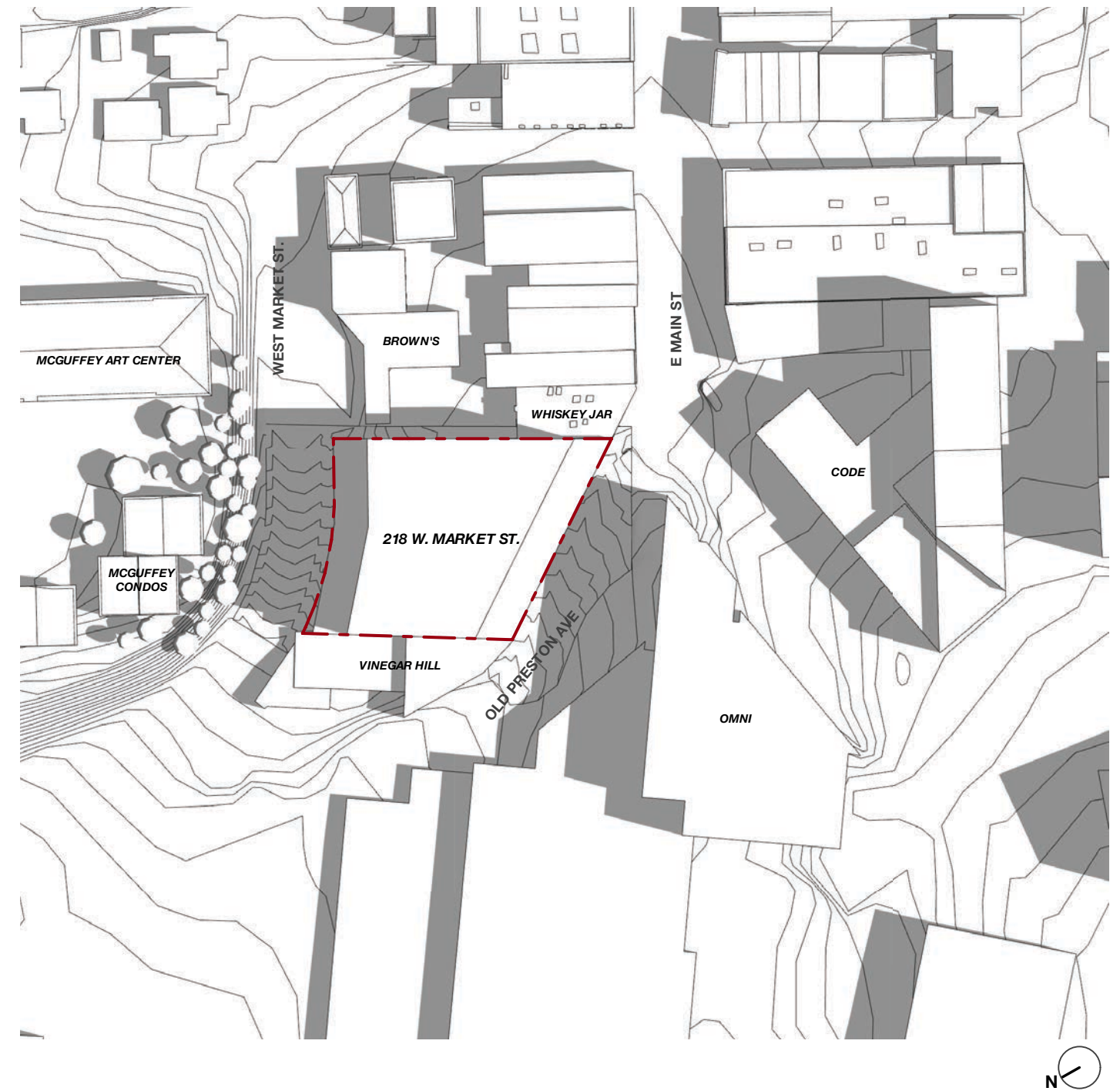
BUILDING HEIGHT WITH SUP

SHADOW STUDIES
LONGEST DAY OF THE YEAR: 2PM JUNE 21ST



BUILDING HEIGHT BY RIGHT

SHADOW STUDIES
FALL AND SPRING EQUINOX: 2PM MARCH/SEPTEMBER 21ST



BUILDING HEIGHT WITH SUP



BUILDING HEIGHT BY RIGHT



BUILDING HEIGHT WITH SUP

SHADOW STUDIES
SHORTEST DAY OF THE YEAR: 2PM DECEMBER 21ST



EXISTING BUILDING



BUILDING HEIGHT WITH SUP

SHADOW STUDIES
SHORTEST DAY OF THE YEAR: 2PM DECEMBER 21ST

SITE DATA:

TAX MAP PARCEL AND OWNER INFO: PARCEL 330276000
 MARKET STREET PROMENADE, LLC
 1500 AMHERST STREET, SUITE 300
 CHARLOTTEVILLE, VA 22903

PARCEL AREA: 0.59 ACRES

LIMITS OF DISTURBANCE: 0.65 ACRES

IMPERVIOUS AREA: 0.65 ACRES

SOURCE OF SURVEY, BOUNDARY, AND TOPOGRAPHY: TIMMONS GROUP
 28 IMPERIAL DRIVE
 STAUNTON, VA 24401
 (540) 885 - 0920
 CONDUCTED BY: PAUL N. HUBER
 DATED: JUNE 10, 2019

VERTICAL DATUM REFERENCE: NAVD 88

MISS UTILITY TICKET# A914803153-00A

CURRENT USE: COMMERCIAL BUILDING AND PARKING LOT

PROPOSED USE: MIXED USE RESIDENTIAL AND COMMERCIAL

PAVED PARKING AND VEHICULAR CIRCULATION AREA IS TO BE LOCATED UNDER THE BUILDING AND ACCESSED ON THE SOUTHWEST CORNER OF THE SITE OFF OF OLD PRESTON AVENUE.

RECREATION AREA: NONE

OPEN SPACE: NONE

ZONED: DOWNTOWN CORRIDOR (DH)
 ARCHITECTURAL DESIGN CONTROL DISTRICT
 URBAN CORRIDOR PARKING ZONE

SETBACKS: PRIMARY STREET FRONTAGE: AT LEAST 75% OF THE STREETWALL OF A BUILDING MUST BE BUILT TO THE PROPERTY LINE ADJACENT TO A PRIMARY STREET. FOR THE REMAINING PORTION OF THE STREETWALL, THE MAXIMUM PERMITTED SETBACK IS 20 FT. IF STREETSCAPE TREES ARE PROVIDED TO THE STANDARDS SET FORTH IN SECTION 34-870, OR PURSUANT TO A SPECIAL USE PERMIT GRANTED BY CITY COUNCIL, UP TO 50% OF THE STREETWALL OF A BUILDING MAY BE SET BACK 20 FT.

SIDE AND REAR: NONE REQUIRED

STEPBACK: STREETWALL MINIMUM HEIGHT 40 FT
 STREETWALL MAXIMUM HEIGHT 45 FT, CONTAINING EXACTLY 3 INTERIOR FLOORS AFTER 45 FT, THERE SHALL BE A MINIMUM STEPPACK OF 25 FT ALONG THE LENGTH OF THE STREETWALL.

ADJACENT AREAS: NORTH - WEST MARKET STREET
 EAST - COMMERCIAL/RETAIL
 SOUTH - OLD PRESTON AVENUE
 WEST - COMMERCIAL/RETAIL

MINIMUM HEIGHT: 45 FT

MAXIMUM HEIGHT: 70 FT
 *CAN INCREASE TO 101 FT SUBJECT TO SPECIAL USE PERMIT

DENSITY REQUIREMENTS: MAXIMUM RESIDENTIAL DENSITY = 43 DUA
 *UP TO 240 DUA MAY BE ALLOWED BY SPECIAL USE PERMIT
 MINIMUM RESIDENTIAL DENSITY (NEW CONSTRUCTION, MULTIFAMILY) = 21 DUA

MIXED USE DEVELOPMENT REGULATIONS: NO GROUND FLOOR RESIDENTIAL USES MAY FRONT ON A PRIMARY STREET, UNLESS A BUILDING FRONTS ON MORE THAN 1 PRIMARY STREET, IN WHICH CASE GROUND FLOOR RESIDENTIAL USES MAY FRONT ON ONE PRIMARY STREET (CAN NOT FRONT ON MARKET STREET).
 ALL ENTRANCES SHALL BE SHELTERED FROM THE WEATHER AND LIGHTED. WHERE ANY BUILDING OR DEVELOPMENT OCCUPIES 1 OR MORE PARCELS CONSTITUTING AN ENTIRE CITY BLOCK, COURTYARDS SHALL BE PROVIDED AND SHALL BE ACCESSIBLE FROM ADJACENT STREETS.

UTILITIES: CITY OF CHARLOTTEVILLE PUBLIC WATER, SEWER

WATER QUALITY ANALYSIS (PRELIMINARY):

SITE DATA
 PRE DEVELOPED AREA
 IMPERVIOUS = 0.60 AC
 PERVIOUS = 0.05 AC

PRE DEVELOPMENT LOAD (TP) (LB/YR) = 1.33 LB/YR

POST DEVELOPED AREA
 IMPERVIOUS = 0.65 AC
 PERVIOUS = 0 AC

POST DEVELOPMENT LOAD (TP) (LB/YR) = 1.41 LB/YR

MAXIMUM PERCENT REDUCTION REQUIRED FOR REDEVELOPMENT = 10%

TOTAL LOAD REDUCTION REQUIRED (LB/YR) = 0.22 LB/YR

ON-SITE TREATMENT PROPOSED
 LEVEL 1 VEGETATED ROOF (0.22 AC / 9,365 SF)

WATER QUANTITY ANALYSIS (PRELIMINARY):

DRAINAGE AREA ANALYSIS

PRE-DEVELOPMENT 1 TOWARDS OLD PRESTON AVE.		POST-DEVELOPMENT 1 TOWARDS OLD PRESTON AVE.	
AREA = 0.61 AC		AREA = 0.65 AC	
0.57 AC (IMPERVIOUS)	0.43 AC (IMPERVIOUS)		
0.04 AC (MANAGED TURF)	0 AC (MANAGED TURF)		
	0.22 AC (VEGETATED ROOF; CN ₁ =64*, CN ₂ =72*)		
TC = 6 MIN		TC = 6 MIN	
Q (CFS)	V (AC-FT)	Q (CFS)	V (AC-FT)
1 YEAR 2.51	0.137	1 YEAR 1.89	0.092
10 YEAR 4.68	0.265	10 YEAR 4.53	0.234

PRE-DEVELOPMENT 2 TOWARDS MARKET ST.	
AREA = 0.04 AC	
0.03 AC (IMPERVIOUS)	0.01 AC (MANAGED TURF)
TC = 6 MIN	
Q (CFS)	V (AC-FT)
1 YEAR 0.15	0.008
10 YEAR 0.30	0.016

CHANNEL PROTECTION (ENERGY BALANCE):

$Q_{DEVELOPED} \leq 0.90 * (Q_{RE-DEVELOPED} * RV_{PRE-DEVELOPED} / RV_{DEVELOPED})$

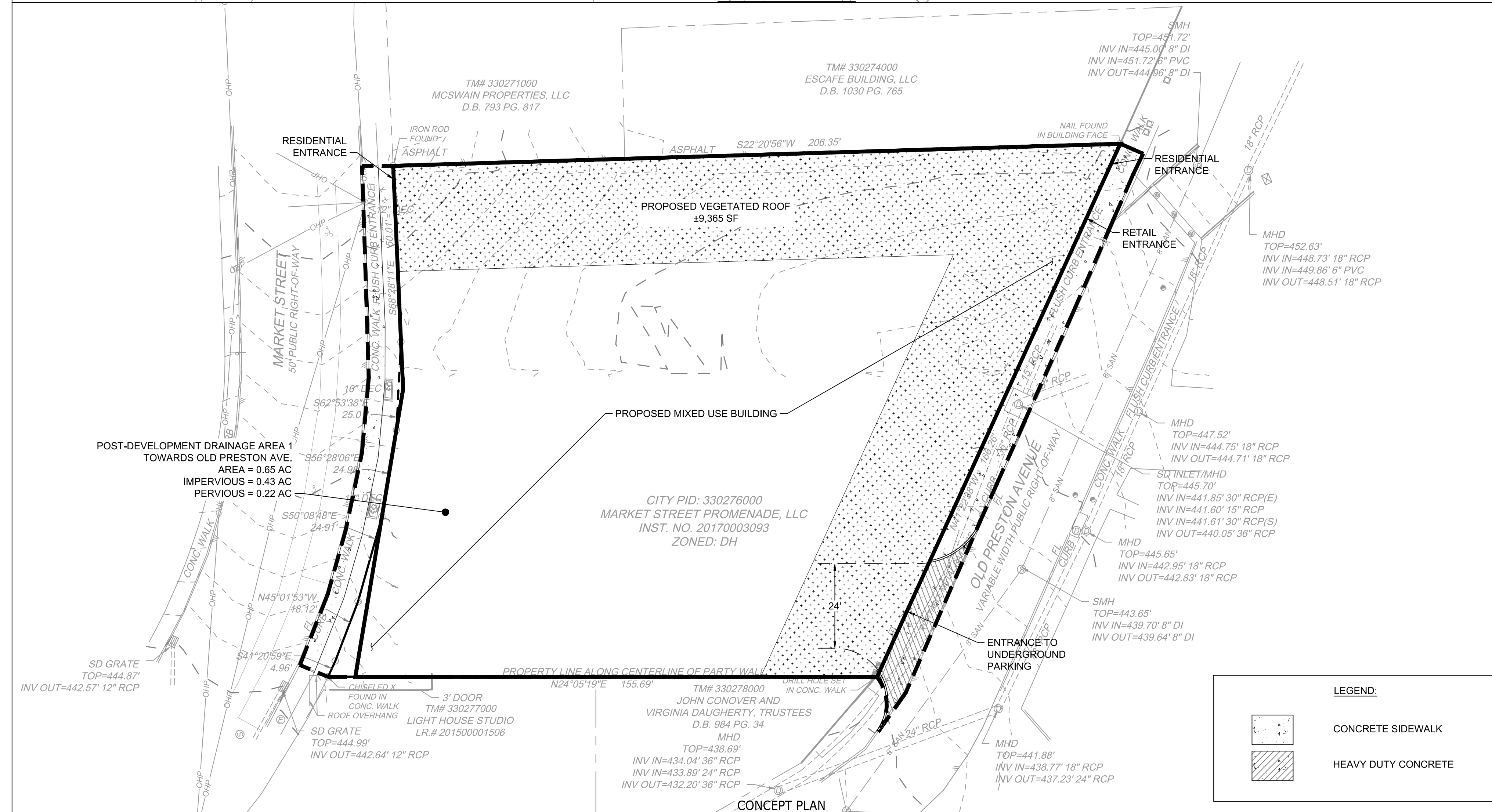
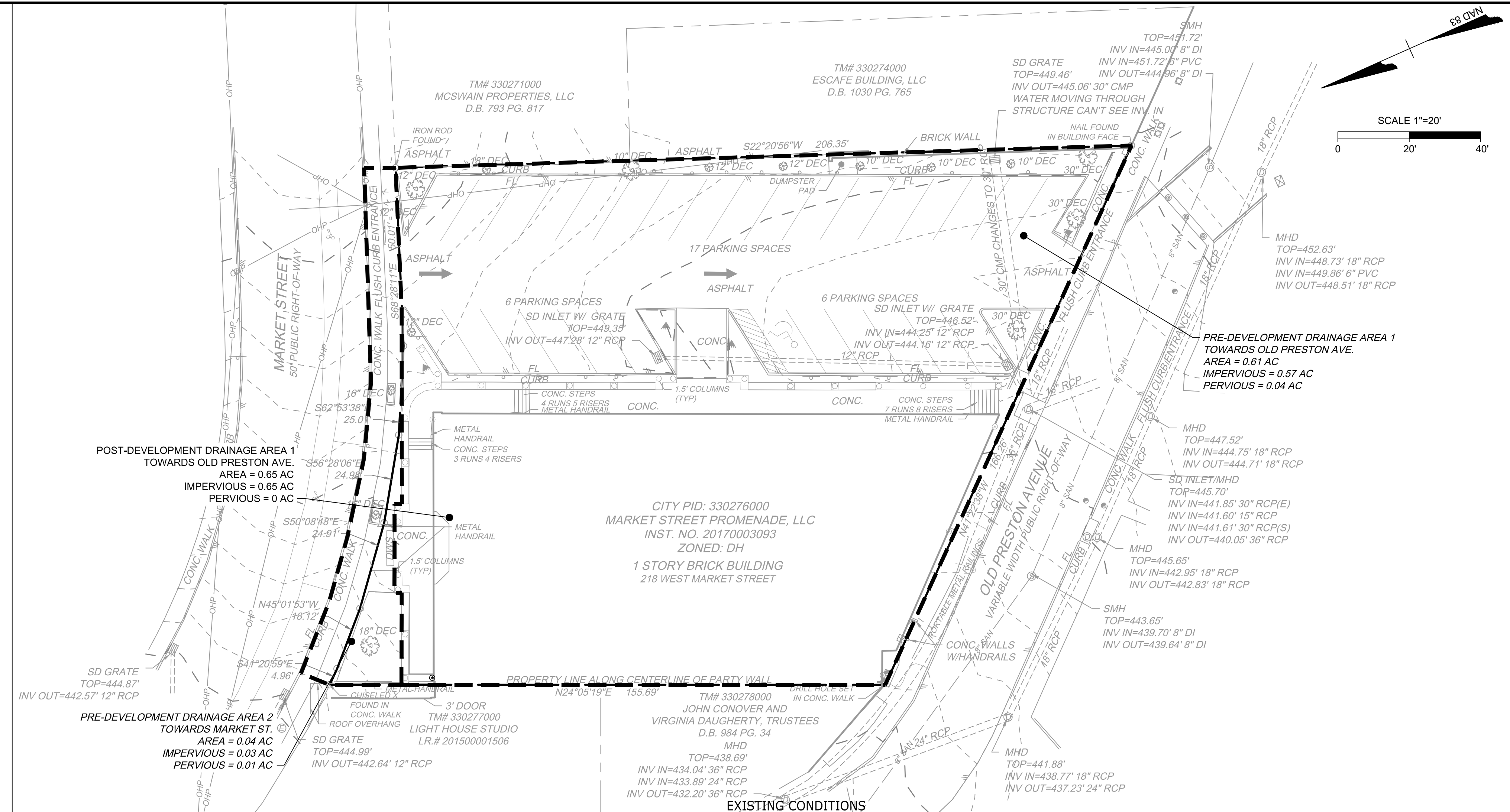
OK 1.89 CFS $\leq 0.90 * (2.51 CFS * 0.137 AC-FT) / (0.092 AC-FT)$ CF = 3.36 CFS

FLOOD PROTECTION:

POST-DEVELOPED $Q_{10} \leq$ PRE-DEVELOPED Q_{10}

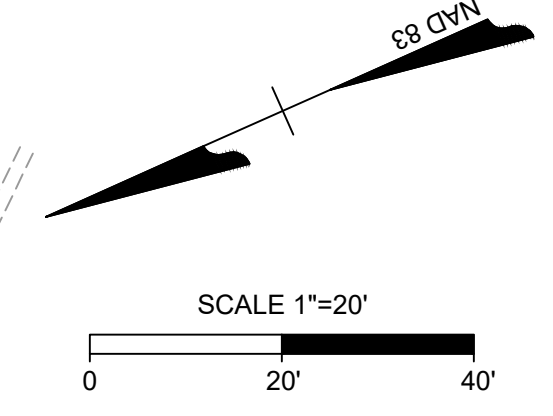
OK 4.53 CFS (POST-DEVELOPED Q_{10}) \leq 4.68 CFS (PRE-DEVELOPED Q_{10})

*CURVE NUMBERS FOR VEGETATED ROOF AREA TAKEN FROM VA STORMWATER BMP CLEARINGHOUSE, SPECIFICATION #5, TABLE 5.1



LEGEND:

- [Pattern] CONCRETE SIDEWALK
- [Pattern] HEAVY DUTY CONCRETE



S:\10343750\218_W_MarketDWG\Sheet\Enhanced\3750_SUP Concept Plan.dwg | Plotted on 06/20/19 8:52 AM | by Kim Mellon

THIS DRAWING PREPARED AT THE
CHARLOTTEVILLE OFFICE
 608 Preston Avenue, Suite 200 | Charlottesville, VA 22903
 TEL: 534.293.5624 FAX: 534.293.8317 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION	DATE

DATE: 08/13/2019
 DRAWN BY: K. MELLON
 DESIGNED BY: K. MELLON
 CHECKED BY: C. KOTARSKI
 SCALE: 1" = 20'

TIMMONS GROUP

218 W MARKET STREET - SPECIAL USE PLAN
 CITY OF CHARLOTTEVILLE, VA
 SUP CONCEPT PLAN - OPTION 1

JOB NO. 43750
 SHEET NO. EX-1

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 28 IMPERIAL DRIVE
 STAUNTON, VA 24401
 (540) 885 - 0920
 CONDUCTED BY: PAUL N. HUBER
 DATED: JUNE 10, 2019

VERTICAL DATUM REFERENCE: NAVD 88
 MISS UTILITY TICKET# A914803153-00A

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 PROPOSED USE: MIXED USE RESIDENTIAL AND COMMERCIAL

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 OPEN SPACE: NONE

ZONED: DOWNTOWN CORRIDOR (DH)
 ARCHITECTURAL DESIGN CONTROL DISTRICT
 URBAN CORRIDOR PARKING ZONE

SETBACKS: PRIMARY STREET FRONTAGE: AT LEAST 75% OF THE STREETWALL OF A BUILDING MUST BE BUILT TO THE PROPERTY LINE ADJACENT TO A PRIMARY STREET. FOR THE REMAINING PORTION OF THE STREETWALL, THE MAXIMUM PERMITTED SETBACK IS 20 FT. IF STREETSCAPE TREES ARE PROVIDED TO THE STANDARDS SET FORTH IN SECTION 34-870, OR PURSUANT TO A SPECIAL USE PERMIT GRANTED BY CITY COUNCIL, UP TO 50% OF THE STREETWALL OF A BUILDING MAY BE SET BACK 20 FT.

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 WEST - COMMERCIAL/RETAIL

MINIMUM HEIGHT: 45 FT
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 *CAN INCREASE TO 101 FT SUBJECT TO SPECIAL USE PERMIT

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 *UP TO 240 DUA MAY BE ALLOWED BY SPECIAL USE PERMIT
 MINIMUM RESIDENTIAL DENSITY (NEW CONSTRUCTION, MULTIFAMILY) = 21 DUA

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 ALL ENTRANCES SHALL BE SHELTERED FROM THE WEATHER AND LIGHTED.
 WHERE ANY BUILDING OR DEVELOPMENT OCCUPIES 1 OR MORE PARCELS CONSTITUTING AN ENTIRE CITY BLOCK, COURTYARDS SHALL BE PROVIDED AND SHALL BE ACCESSIBLE FROM ADJACENT STREETS.

UTILITIES: CITY OF CHARLOTTESVILLE PUBLIC WATER, SEWER

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 PERVIOUS = 0.05 AC

PRE DEVELOPMENT LOAD (TP) (LB/YR) = 1.33 LB/YR

POST DEVELOPED AREA
 IMPERVIOUS = 0.65 AC
 PERVIOUS = 0 AC

POST DEVELOPMENT LOAD (TP) (LB/YR) = 1.41 LB/YR

MAXIMUM PERCENT REDUCTION REQUIRED FOR REDEVELOPMENT = 10%

TOTAL LOAD REDUCTION REQUIRED (LB/YR) = 0.22 LB/YR

ON-SITE TREATMENT PROPOSED
 STORMWATER CARTRIDGE FILTERS

WATER QUANTITY ANALYSIS (PRELIMINARY):

DRAINAGE AREA ANALYSIS

PRE-DEVELOPMENT 1 TOWARDS OLD PRESTON AVE.		POST-DEVELOPMENT 1 TOWARDS OLD PRESTON AVE.	
AREA = 0.61 AC		AREA = 0.65 AC	
0.57 AC (IMPERVIOUS)		0.65 AC (IMPERVIOUS)	
0.04 AC (MANAGED TURF)		0 AC (MANAGED TURF)	
TC = 6 MIN		TC = 6 MIN	
Q (CFS)	V (AC-FT)	Q (CFS)	V (AC-FT)
1 YEAR 2.51	0.137	1 YEAR 1.48	0.152
10 YEAR 4.68	0.265	10 YEAR 4.64	0.289

PRE-DEVELOPMENT 2 TOWARDS MARKET ST.	
AREA = 0.04 AC	
0.03 AC (IMPERVIOUS)	
0.01 AC (MANAGED TURF)	
TC = 6 MIN	
Q (CFS)	V (AC-FT)
1 YEAR 0.15	0.008
10 YEAR 0.30	0.016

CHANNEL PROTECTION (ENERGY BALANCE):

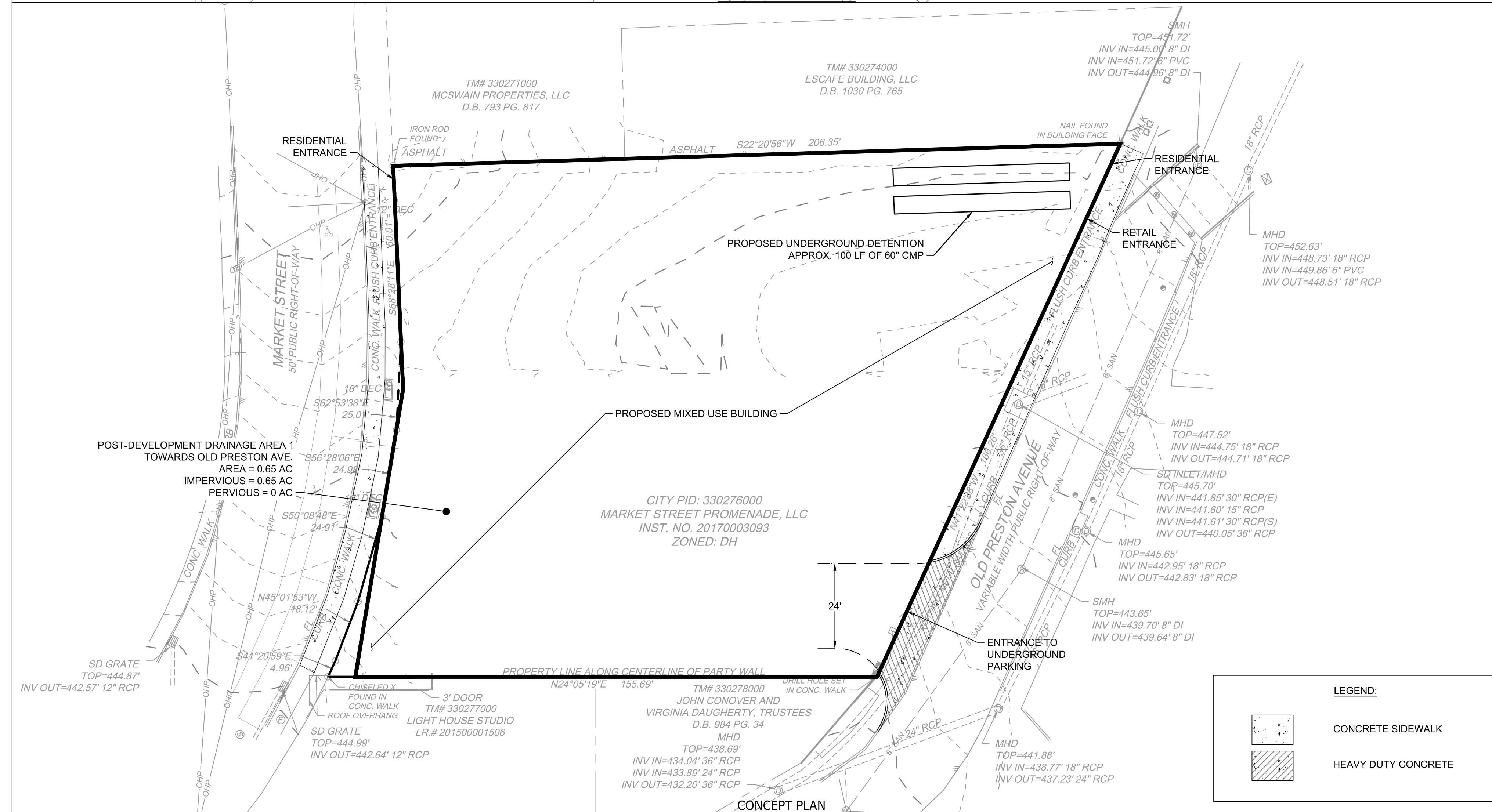
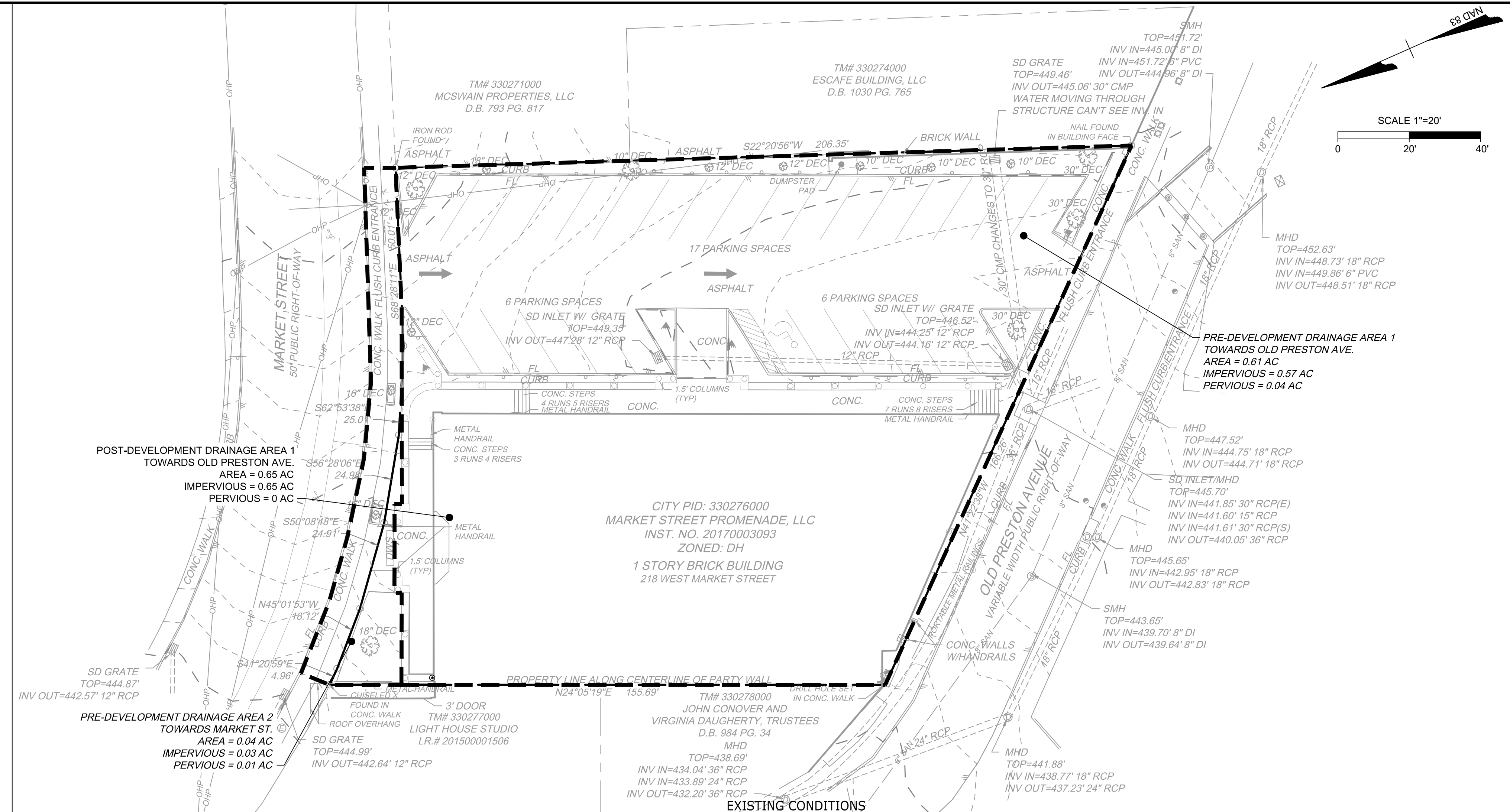
$Q_{DEVELOPED} \leq 0.90 * (Q_{PRE-DEVELOPED} * RV_{PRE-DEVELOPED} / RV_{DEVELOPED})$

OK 1.48 CFS \leq 0.90 * (2.51 CFS * 0.137 AC-FT) / (0.152 AC-FT) CF = 2.04 CFS

FLOOD PROTECTION:

POST-DEVELOPED $Q_{10} \leq$ PRE-DEVELOPED Q_{10}

OK 4.64 CFS (POST-DEVELOPED Q_{10}) \leq 4.68 CFS (PRE-DEVELOPED Q_{10})



LEGEND:

[Symbol]	CONCRETE SIDEWALK
[Symbol]	HEAVY DUTY CONCRETE

THIS DRAWING PREPARED AT THE
CHARLOTTESVILLE OFFICE
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YOUR VISION ACHIEVED THROUGH OURS.

REVISION DESCRIPTION	DATE
	08/13/2019

DRAWN BY: K. MELLON
 DESIGNED BY: K. MELLON
 CHECKED BY: C. KOTARSKI
 SCALE: 1" = 20'

TIMMONS GROUP

218 W MARKET STREET - SPECIAL USE PLAN
 CITY OF CHARLOTTESVILLE, VA
 SUP CONCEPT PLAN - OPTION 2

JOB NO.	43750
SHEET NO.	EX-2

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October 31, 2019

To: Brian Haluska, Staff Contact
City of Charlottesville
Department of Neighborhood Development Services
haluska@charlottesville.org

From: Concerned McGuffey Hill Homeowners

Re Rezoning and Special Use Permit
Application No SP19-00006

We are writing to express our concerns regarding the proposed development by Landowner Market Street Promenade, LLC of the Artful Lodger site at 218 West Market St. As McGuffey Hill homeowners we see this proposal as having a severe negative impact on our residential neighborhood as well as the downtown Charlottesville mall area. The following is a partial listing of our concerns and observations.

A. Zoning issues:

1. The "as by right" zoning on the designated half acre parcel limits the development height to 70 feet or the cornice line of the McGuffey School. Under current density regulations this would generate 24 apartment units. The requested increase to 101 feet per a "special use permit" will apparently generate 134 apartments with only 24 required parking spaces. The total built out height, including penthouses, would be equal to, or exceed, the top of the roof line of the McGuffey School Building or more than two stories higher than the Omni Hotel.

The impact of such a huge project on this small site is astonishing. The creation of a wall 101 feet high on Market St. facing the McGuffey Hill condos will forever block sun and sky views from existing condo units. It will, as well, as cast a shadow on Market St. and the McGuffey hill property that will last many months of the year. It will create a huge building mass that will dwarf the adjacent one- and two-story buildings on Market St, limiting their future property rights. It will, in our opinion, significantly contribute to the over building of the urban infrastructure of Charlottesville in terms of additional traffic, noise, parking and pedestrian access to downtown and its unique mall.

B. Environmental Issues:

1. Traffic circulation
Traffic in downtown can be very difficult at peak hours. Using the Old Preston Ave. as the site parking access creates a dangerous bottleneck condition at a major intersection with Preston Ave. and West Market St. It will be extremely difficult to make left hand turns onto Preston Ave. from Old Preston Ave. and may require another traffic light.
2. Noise
There will be a huge echo of sound off the North facing wall from the vehicular traffic on Market St. Currently, sirens are extremely loud as emergency vehicles come up Market St. Allowable decibel levels need to be addressed.
3. Emergency vehicles
Emergency vehicles use Market St. as a major access to downtown. It is an already over-crowded street. 134 new apartments will create additional pressure on the Market St. traffic flow that will impact emergency access. Accidents occur regularly on Market St. in this location.

4. Stream bed and water runoff

It is our understanding that a major water course exists under the site. This could severely limit the amount of underground parking that is possible. No exceptions to the already minimal requirements for parking should be made.

C. Urban Infrastructure.

1. Existing street width

The City of Charlottesville downtown is constructed on an 18th century grid plan. The downtown street widths and property limits are determined by that layout. This will not change. There are limits to what can be imposed on this historic infrastructure, particularly additional on-street parking.

2. Parking

Parking is a huge problem in the McGuffey Hill area. The proposal does not adequately address the parking issues created by 134 new apartments. People routinely try to park in condo homeowners reserved spaces and the McGuffey School lot. Additional parking spaces on the street are not available and it seems likely that existing street parking will be eliminated during construction and maybe afterwards.

3. Existing zoning regulations

The city has in place a zoning plan for this area of the city. It may not be perfect but it exists. Why is it being violated in this particular case? Exceptions to the existing city zoning are being made that seem piecemeal and opportunistic. The plan also may not recognize or adequately reflect the change in topography adjacent to the project site. At the very least the density and zoning envelope needs to be re-studied and publicly discussed, especially in light of proposed plans for the Vinegar Hill area. Special use permit decisions should not be made without having a holistic view of the entire area.

4. Future planning for Vinegar Hill area

This proposal is a one-off blockbuster. The city needs a comprehensive urban design proposal for the entire area. Is this an area that should be targeted for affordable housing? Market-rate housing, and additional commercial space, parking, increased density, and traffic flow should all be part of the planning for the future development of this area.

D. Conclusions

We therefore urge a more comprehensive analysis of the impact of this project as proposed. We are not against development per se but it must be done with an awareness and respect for all parties concerned. This proposal is too dense, too tall and too invasive to be successful, in our opinion. It directly affects our environment and quality of life. It does not seem to be part of a strategy for development in this area of the city, and it has a potential negative impact on nearby neighborhood residential property values.

Respectively submitted,
Concerned McGuffey Hill Homeowners

Cc:
McGuffey Hill Condo Directory of Owners
NDRA – Jon Bright (jon@specshop.net)