

CITY OF CHARLOTTESVILLE
DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES
STAFF REPORT



PLANNING COMMISSION RESOLUTION
COMPREHENSIVE PLAN (CODE OF VIRGINIA, § 15.2-2232) COMPLIANCE REVIEW
APPLICATION NUMBER: CP23-00001: 0 E High Street
DATE OF THE MEETING: September 12, 2023

Project Planner: Carrie Rainey

Date of Staff Report: September 5, 2023

Summary

On August 8, 2023, the Planning Commission held a public hearing and reviewed the public facilities associated with the 0 E High development project pursuant to Virginia Code Section 15.2-2232 and City Code Section 34-28 to determine if the general character, approximate location and extent of the proposed improvements are substantially in accord with the City's adopted Comprehensive Plan or part thereof. Following the public hearing, the Planning Commission took a vote on this matter. Code of Virginia, 15.2-2232(B) requires that the Commission communicate its findings to City Council indicating its approval or disapproval with written reasons for its decision.

The Planning Commission determined the following facilities were **not substantially in accord** with the City's adopted Comprehensive Plan and amendments:

1. Public Road A
2. Public Road B
3. Public parking lot within Lot B

The Planning Commission determined the following facilities were **substantially in accord** with the City's adopted Comprehensive Plan and amendments:

1. Widening of Caroline Avenue and Fairway Avenue
2. Lot A, including public trails included therein
3. Lot B, including public trails included therein, but excluding the parking lot

The attached resolution is provided for the Planning Commission's consideration.

Attachments

A. Resolution

RESOLUTION
OF THE CHARLOTTESVILLE PLANNING COMMISSION
COMMUNICATING ITS 0 E HIGH 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 August 8, 2023, to conduct a Code of Virginia 15.2-2232 review of the applicant’s latest preliminary site plan, which was submitted to the Planning Commission for this specific 2232 review on August 1, 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 the general character, location, and extent of the following public facilities **are not substantially in accord** with the City’s Comprehensive Plan or parts thereof, as amended:

1. Public Road A and Public Road B: Several goals of the Comprehensive Plan underscore the importance of preserving and enhancing environmental resources such as floodplains, and the importance of a complete street network to improve connectivity and distribute traffic. Public Roads A and B are dead-end streets without further connection to the surrounding public street network which violates Goal 1 of Chapter 6 of the Comprehensive Plan, which stresses the importance of street interconnectivity. The lack of further connectivity with other streets is also in violation of Strategy 3.1 of Goal 3 of Chapter 6 of the Comprehensive Plan and the Connections and Access Guiding Principle of the Comprehensive Plan.

The proposed roads would also violate Strategy 5.8 of Goal 5 of Chapter 7 of the Comprehensive Plan. Existing natural features which make the area of the proposed development more resilient to the harmful effects of flooding would be replaced by impervious, asphalt streets that would likely increase flooding from runoff when it rains in this area. These proposed roads are not sustainable and fail to avoid the reduction of natural resiliency features in this area of proposed development, in violation of Strategy 7.1 of Goal 7 of Chapter 6 of the Comprehensive Plan. In addition, these roads would violate Recommendation 2 of the Environmental Protection Recommendations of the Urban Rivanna River Corridor Plan because they would not preserve natural habitats along the

Rivanna River Corridor. The roads are within the Rivanna River floodplain but offer no measures to enhance the floodplain and its natural resiliency features. The construction of these roads would not protect the natural environment on the area of proposed development, which violates the Charlottesville Plan Priority Area stressing the importance of keeping Charlottesville green. The construction of impervious infrastructure is not environmentally responsible in violation of Goal 7 of Chapter 6 of the Comprehensive Plan. These streets cut through existing plant and wildlife systems, disrupting the interconnectivity of these systems in violation of Goal 5 of Chapter 7 of the Comprehensive Plan. These roads fail to protect the existing ecological functions of the Rivanna River Corridor in violation of Recommendation 1 of the Development and Redevelopment Recommendations of the Urban Rivanna River Corridor Plan.

2. Public parking lot within Lot B: Several goals of the Comprehensive Plan speak to importance of protecting habitats, particularly in areas within the Rivanna River corridor, as well as floodplains and natural areas along waterways. The construction of an asphalt parking lot that crosses an existing floodplain would damage sensitive natural resiliency features in violation of Strategy 7.1 of Goal 7 of Chapter 6 of the Comprehensive Plan. The construction of an impervious, asphalt parking lot in the floodplain would violate Strategy 5.8 of Goal 5 of Chapter 7 of the Comprehensive Plan because this would damage, not preserve, natural features on the area of the proposed development. Much of Lot B is covered in grass, which can provide wildlife habitat, infiltration of stormwater, and other ecological benefits. Installation of a parking lot will reduce the grassed area and the benefits it provides. The construction of an impervious parking lot in the floodplain does not protect the natural environment in violation of the Comprehensive Plan Priority Area stressing the importance of keeping Charlottesville green. The construction of impervious infrastructure is not environmentally responsible in violation of Goal 7 of Chapter 6 of the Comprehensive Plan. An asphalt parking lot would reduce groundwater recharge in this area, violating Strategy 5.2 of Goal 5 of Chapter 7 of the Comprehensive Plan. This parking lot fails to protect the existing ecological functions of the Rivanna River Corridor in violation of Recommendation 1 of the Development and Redevelopment Recommendations of the Urban Rivanna River Corridor Plan.

BE IT RESOLVED that this Planning Commission confirms that the general character, location, and extent of the following public facilities **are substantially in accord** with the City's Comprehensive Plan or parts thereof, as amended:

3. Widening of Caroline Avenue and Fairway Avenue: Several goals of the Comprehensive Plan speak to the importance of improving public access to the Rivanna River, trail networks, and transit stops. The widening of Caroline Avenue and Fairway Avenue includes a proposed public sidewalk connection, which will connect pedestrians to the Rivanna River trail network through the proposed public trail on Lot A in accord with Goal 1 of Chapter 6 and Strategy 3.1 of Goal 3 of Chapter 7 of the Comprehensive Plan and Recommendation 4 of the Recreational Activities Recommendations and Recommendation 9 of the Multi-Purpose Trails and Bridges Recommendations of the Urban Rivanna River Corridor Plan. The proposed public sidewalk will also provide pedestrian connections from the existing transit stop on Fairway Avenue to both the existing public sidewalk network and the Rivanna River trail network in accord with Goals 1 and 5 of Chapter 6 of the Comprehensive Plan.

4. Lot A, including public trails included therein: Several goals of the Comprehensive Plan speak to the importance of increasing public access to the Rivanna River and trail network. The public trail network proposed on Lot A will provide an additional public connection to the Rivanna River and trail network in accord with Goal 1 and Strategy 8.7 of Goal 8 of Chapter 6 and Strategy 3.1 of Goal 3 of Chapter 7 of the Comprehensive Plan as well as Recommendation 4 of the Recreational Activities Recommendations and Recommendation 9 of the Multi-Purpose Trails and Bridges Recommendations of the Urban Rivanna River Corridor Plan.

Several goals of the Comprehensive Plan also speak to importance of protecting tree canopy and habitats, particularly in areas within the Rivanna River corridor, as well as floodplains and natural areas along waterways. Lot A is part of a larger tree canopy patch, and such patches can provide wildlife habitat, infiltration of stormwater, and other ecological benefits. The donation of Lot A will allow the City to preserve and protect the environmental resources on the lot in accord with Goals 3 and 5 of Chapter 7, Strategy 13.1 of Goal 13 and Goal 15 of Chapter 9, and the Priority Area to keep Charlottesville green of the Comprehensive Plan as well as Recommendations 2 and 8 of the Environmental Protection Recommendations of the Urban Rivanna River Corridor Plan.

5. Lot B, including public trails included therein, but excluding the parking lot: Several goals of the Comprehensive Plan speak to importance of increasing public access to the Rivanna River and trail network. The public trail proposed on Lot B will provide an additional public connection to the Rivanna River and trail network in accord with Goal 1 and Strategy 8.7 of Goal 8 of Chapter 6 and Strategy 3.1 of Goal 3 of Chapter 7 of the Comprehensive Plan as well as Recommendation 4 of the Recreational Activities Recommendations and Recommendation 9 of the Multi-Purpose Trails and Bridges Recommendations of the Urban Rivanna River Corridor Plan.

Several goals of the Comprehensive Plan also speak to importance of protecting habitats, particularly in areas within the Rivanna River corridor, as well as floodplains and natural areas along waterways. Much of Lot B is covered in grass, which can provide wildlife habitat, infiltration of stormwater, and other ecological benefits. The donation of Lot B will allow the City to preserve and protect the environmental resources on the lot in accord with Goals 3 and 5 of Chapter 7, Strategy 13.1 of Goal 13 and Goal 15 of Chapter 9, and the Priority Area to keep Charlottesville green of the Comprehensive Plan as well as Recommendations 2 and 8 of the Environmental Protection Recommendations of the Urban Rivanna River Corridor Plan.

NOW, THEREFORE,

Upon adoption of this Resolution, the Planning Commission's findings with written reasons therefore on September 12, 2023, in accordance with Code of Virginia 15.2-2232(B), are hereby communicated to the Charlottesville City Council on September 12, 2023. The Secretary of this Planning Commission shall transmit this Resolution to the Charlottesville City Council.

Adopted by this Planning Commission, this 12th day of September 2023.

Attest: _____
Secretary, Charlottesville Planning Commission