

RESOLUTION 1 (CoA approval)**Approval of Entrance Corridor Certificate of Appropriateness for proposed development of 2005 Jefferson Park Avenue (or 2005 JPA).**

WHEREAS Aspen Topco II Acquisitions, LLC (Applicant) on behalf of Gadiant Enterprise, Inc., the owner of certain land identified within City real estate assessment records by Parcel Identification numbers 170104000, 170103100, and 170103000, respectively, and currently addressed as 2005 and 2007 Jefferson Park Avenue and 104 Observatory Avenue (collectively referred to as “2005 JPA”), proposes at 2005 JPA a multi-unit residential building with underground parking (Project), and;

WHEREAS, per City Code §34-307(a)(5), 2005 JPA is within the *Fontaine Avenue/Jefferson Park Avenue Entrance Corridor* and, per City Code §34-309, is therefore subject to design review and a Certificate of Appropriateness (CoA) is required for the Project, and;

WHEREAS on December 20, 2022 the Applicant submitted to the City an application for a CoA for the Project (Application), and;

WHEREAS, per City Code §34-308, the Planning Commission serving as the Entrance Corridor Review Board (ERB), responsible for administering the design review process in Entrance Corridor overlay districts (EC), at public meetings on February 14, 2023 and on March 14, 2023 reviewed the Project and Application, approving with conditions the requested CoA, and;

WHEREAS, as permitted by City Code §34-314(a), following the February 14, 2023 and March 14, 2023 ERB meetings, six parties appealed to City Council the ERB’s approval of the CoA (March Appeal), and;

WHEREAS, per City Code §34-314(c), on May 15, 2023, following a review of the March Appeal by Council, no decision was made or formal action taken on the March Appeal; however, to eliminate a potential challenge that notice letters postmarked March 1 for the March 14 ERB meeting did not comply with the fourteen (14) days required by City Code, Council instructed staff to readvertise the CoA request for review by the ERB, and;

WHEREAS, per City Code §34-308, the Planning Commission serving as the Entrance Corridor Review Board (ERB), responsible for administering the design review process in Entrance Corridor overlay districts (EC), at public meetings on June 13, 2023 reviewed the Project and Application, approving with conditions the requested CoA, and;

WHEREAS, as permitted by City Code §34-314(a), following the June 13, 2023 ERB meeting, four parties appealed to City Council the ERB’s approval of the CoA (June Appeal), and;

WHEREAS, per City Code §34-314(c), on July 17, 2023 following a review of the June Appeal, the Project, and the Application, and having considered relevant information and opinions, including the ERB’s determination and the City Staff Report, this Council determined the Project is consistent with the City’s Entrance Corridor Design Guidelines and compatible with the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor; now, therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that a Certificate of Appropriateness is hereby approved for the development of 2005 JPA, subject to the following conditions:

[NOTE: Council may incorporate the following conditions, approved by the ERB on June 13, 2023, or Council may amend or revise the conditions.]

- Glass will be clear, at the locations noted in the staff report.
- New railings, if required, will match the metal rail at the podium terrace [as presented in the submittal dated 12/20/2022].
- All exterior lighting and interior lighting visible from the garage will have lamping that is dimmable, has a Color Temperature [CCT] not exceeding 3,000K, and has a Color Rendering Index [CRI] not less than 80, preferably not less than 90. Additionally, the owner will address any reasonable public complaints about light glare by either dimming the lamp or replacing the lamps/fixtures. [Note: This condition addresses two light sources: *exterior lighting* refers to all site and exterior lighting fixtures; *interior lighting visible from the garage* refers to all lighting fixtures within (inside) the garage.]
- Dumpsters and trash and/or recycling bins to be located within the garage and pulled to the curb only on collection days.
- If used for mechanical units, utility/service boxes, storage, trash containers, the *Mech Equip* area noted on sheet 44, at the west elevation, will be appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Any ground-level mechanical equipment and/or utility boxes will be appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Meters and panel boxes for utility, communications, and cable connections will be located preferably within the garage; if not, then in non-prominent locations on the side elevations only and appropriately screened. That screening will be subject to approval by design staff and must be memorialized as an amendment to the site plan.
- Stucco used on this site will be a durable synthetic material which is mechanically fastened over appropriate drainage mats with a code compliant water-resistant barrier.
- Bicycle runnels shall be provided as part of the multi-use path at the rear of the site.
- There will be no up-lighting of landscaping on the site.
- The number, size, type and character of all plantings (trees, shrubs etc.) and the biofilter shall be installed and maintained in substantial accordance with the drawings. [Reference sheets 44 through 48 of the submittal dated 12/20/2022.]
- Screening of vehicular lighting at the south wall of the parking garage, particularly at headlight level. [Re: glare and brightness visible outside the garage.]

[Note: The conditions of approval are those approved by the ERB on February 14, 2023, March 14, 2023, and June 13, 2023.]

Approved by Council
July 17, 2023