

RESOLUTION 2 (CoA Denial)**Denial 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 following the February 14, 2023 and March 14, 2023 ERB meetings, as permitted by City Code §34-314(a), 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 not consistent with the City’s Entrance Corridor Design Guidelines and not 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 for the reasons stated below, a Certificate of Appropriateness is hereby denied for the development of 2005 JPA:

- ... [reasons for denial of CoA].

Approved by Council
July 17, 2023