

# WILLIAMS MULLEN

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November 20, 2023

Via email: [oconnelld@charlottesville.gov](mailto:oconnelld@charlottesville.gov)

Dannan O'Connell  
Senior Planner  
City of Charlottesville  
Neighborhood Development Services

Re: **2117 Ivy Road - Revisions to PUD Application Package**

Dear Mr. O'Connell,

Enclosed you will find updated materials for the proposed 2117 Ivy Road PUD rezoning application following the November 14, 2023 Planning Commission Joint Public Hearing. The following is a list of materials enclosed as well as a detailed list of revisions made to the plan set.

A. Revised and Signed Proffer Statement

1. The proffer statement now provides that the affordable housing fee in lieu option will be in the amount equal to four (4) times that which would be required under City Code Section 34-12(d)(2) based on the final site plan, up to a maximum of \$2.75 million.
2. The affordable unit option has been revised to increase the term limit from 25 years to 30 years. As noted on the affordable housing work sheet, under Section 34-12 of the existing ordinance, the affordable term would be just 5 years.

B. Revised PUD Plan set dated November 21, 2023 with the following updates:

1. Sheets A-003 through A-005: Revised Moe's BBQ building footprint to reflect its accurate location.
2. Sheet A-003:
  - i. Reduced the maximum building height from 142 feet to 124 feet within the Building Regulations chart. This reduction of 18 feet assists in addressing the concerns raised regarding the building height, and further supports that the project is in alignment with the current and future patterns of development along the Ivy corridor.
  - ii. Added a footnote to the Building Regulations chart related to the rooftop structures per the current Zoning Ordinance. Upon further analysis of Section 34-1100 of the Zoning Ordinance, as well as the building code, we now realize that the proposed

enclosed restrooms to support the rooftop amenity space do not constitute habitable residential space, and therefore do not count towards the height of the building pursuant to Section 34-1101(2).

- iii. On the Conceptual Architectural Site Plan image, we corrected the note that previously referenced a “penthouse” to reference the roof structure as mechanical-elevator-stair overrun and the restroom and stair access.
  - iv. Removed affordable housing notes now that the affordable housing commitment is now provided within the proffer statement.
- 3. Sheet A-004: On the Conceptual Outdoor Amenity Space image, we corrected the note that previously referenced a “penthouse” to reference the roof structure as mechanical-elevator-stair overrun and the restroom and stair access.
  - 4. Sheets A-005 and C-003 through C-005: Clarify the retaining wall label to note that the wall is optional. At this stage it is unknown whether the retaining wall will be necessary. This will be determined during the site plan stage.
  - 5. Sheets A-006 through A-008:
    - i. Clarify the building heights and add a notation related to the rooftop structures per the current Zoning Ordinance Section 34-1100. The total height of the building from Ivy Road is 114.5 feet, although it is 120’ from the average grade, which is lower than Ivy Road.
    - ii. Replace references to “penthouse” with “overrun.”
    - iii. Labeled the glass railing at the roof deck.
  - 6. Sheets A-013 and C-003 through C-005:
    - i. Add expanded crosswalks.
    - ii. Add proposed green bicycle boxes including two additional green boxes; one located along Copeley Road, and one in front of the loading/trash service entrance/exit.
  - 7. Sheet C-002: Add existing crosswalk on the north side of the intersection to reflect the now-existing conditions at the intersection of Ivy and Copeley Roads.
  - 8. Sheets C-003 through C-005: Revise the UVA sidewalk notation to accurately reflect UVA’s future plans “Proposed UVA sidewalk from the east 10’ +/-.”
  - 9. Sheet C-003.1: Revised intersection striping note to clarify that additional pavement markings will be subject to review and approval from the City. In addition, based upon prior discussions related to the affordable housing note, the note referencing cash for additional pavement markings has been removed.

10. Sheet C-003: Revised setback and building height notes to accurately reflect the setbacks and buildings in the Building Regulations chart on Sheet A-003.

11. Sheet C-005: Revised to include an additional street tree along Ivy Road as requested by the Planning Commission.

Please let us know if you have any questions or require anything further to schedule this application for the December 4<sup>th</sup> City Council meeting.

Thank you,

*Valerie W. Long*

Enclosures

cc: RMD Properties, LLC

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