

CITY OF CHARLOTTESVILLE

Department of Neighborhood Development Services

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September 25, 2023

Jefferson Scholars Foundation

Attn: Jay Kessler

112 Clarke Court

Charlottesville, VA 22903

RE: 108 Clarke Court Preliminary Site Plan 1st Submittal Comments

Dear Applicant:

Thank you for presenting the site plan for the above referenced development initially on July 27, 2023. For the reasons set forth below, the plan is hereby denied. Please address these deficiencies and re-submit your plan within ninety (90) days per Section 34-820(a), or by December 27, 2023. If you are unable to re-submit by this date, you can request an extension per Section 34-823(e).

City Staff have made a good faith effort to identify all deficiencies within this submission; however, in the event that there remains any other deficiency which, if left uncorrected, would violate local, state or federal law, regulations, or mandatory engineering and safety requirements, such other deficiency shall not be considered, treated or deemed as having been approved. These comments are based on the current submission; future submissions may generate additional comments. Comments designated with a (P) must be completed prior to preliminary site plan approval. Comments designated with a (F) must be completed prior to final site plan approval.

Please revise the plan and resubmit ten (10) paper copies and one (1) electronic copy (PDF) for review. If you have questions, please feel free to contact me at 434-970-3636 or alfelem@charlottesville.gov and I will be happy to assist you.

Sincerely,

Matt Alfele, AICP

City Planner

C: Timmons Group: Attn: Jonathan Showalter, P.E. Jonathan.Showalter@timmons.com

Neighborhood Development Services

Planning – Matt Alfele

General

- A. (P) Please note the following items must be completed prior to preliminary site plan approval:
 - a. Per the City Resolution passed September 16, 2019 and titled “Approving Update Procedures for the Alteration of Streets, Alleys, Public Rights-of-Way and Public Easements” (attached); City Council must hold a Public Hearing and approve the requested street vacation prior to the approval of the Preliminary Site Plan (Part One, #4, b.). See additional information below under “Street Vacation”.
2. (F) The City’s Agent will not sign the final site plan until:
 - a. Bonds for public improvements, erosion & sediment control, and stormwater management facilities, as applicable, in the amounts approved by the Engineering Division must be submitted and accepted by the City Attorney’s Office prior to final site plan approval.
 - b. The subdivision plat must be submitted, approved, and recorded in the City’s land records. Per Section 29-76(a), the Planning Commission must approve the preliminary plat for all major subdivisions.
3. Please note: pursuant to state law, whether or not specific improvements depicted on this site plan will satisfy requirements of the Americans With Disabilities Act, or other standards set forth within the Virginia Uniform Statewide Building Code (USBC), is subject to review and determination by the Building Code Official. The Site Plan Agent’s approval of this site plan does not constitute any determination that off-street parking, improved surfaces, vertical or horizontal sidewalk clearances, parking space dimensions and slopes, or ingress/egress from parking to building entrances, or any other improvements, comply with ADA requirements or other requirements set forth within the USBC. Relative to requirements of the ADA/ USBC, any deficiencies—even if apparent on this site plan—shall not be considered, treated or deemed as having been approved by the Site Plan Agent. (See, e.g., Sections 34-980, 34-982, 34-896, 34-897, 34-977, et al.).
4. Reminder: per Section 29-260(a), relevant to this development per Section 34-803(d), all site-related improvements shall be completed prior to the first certificate of occupancy for any building, unless a written agreement with the City is completed to lay out specific phasing of site-related improvements. Such agreement shall be signed by all relevant parties and recorded by the applicant.
5. Reminder: Per Section 10-56(a), the Stormwater Maintenance Agreement must be submitted, reviewed, signed, and recorded in the City’s land records. Per Section 29-231(c) applicable per Sections 34-827(d)(9) and 34-914, a maintenance easement plat must be prepared to provide access for maintenance and inspection purposes. Per Section 10-56(a)(1), the agreement must be approved and signed prior to approval of the final site plan. Proof of recordation must be submitted prior to the issuance of a land disturbance permit.

Development

6. (For Final Site Plan): If City Council approves the street vacation, 108 Clarke Court will be nonconforming due to not have frontage on a City maintain street (Section 29-161). This nonconforming issue will need to be addressed prior to Final Site Plan approval.

Street Vacation

7. If the applicant wishes to pursue a Public Hearing with City Council to vacate Clarke Court, in conjunction with this proposed development, please refer to the attached resolution and the steps below: Please note this is a separate packet than the Preliminary Site Plan. Elements required in the Street Vacation may be in the Preliminary Site Plan, but they must be submitted within the Street Vacation application and not just referred to as external materials.

According to Part One of the Resolution (Category A), staff will need the following:

- A. Part One (1)(a). An application and fee. Currently there is not an application and fee for vacating a City Street. No fee is required, but staff will require a narrative from the applicant outlining all the materials required in the resolution are being provided, along with justification for the Street Vacation.
- B. Part One (1)(b). Copy of the Subdivision Plat or other recorded instrument by which the street was originally created, including Deed Book/Page Reference and date of recordation along with the resolution where the Street was accepted for maintenance by the City.
- C. Part One (1)(c) A narrative description of why the application is being proposed, and what benefits the applicant is seeking to obtain.
- D. Part One (1)(d). List of all lots adjoining the Street Vacation. As it is the same owner for all three lots, this should not be an issue.
- E. Part Two (2): Staff will provide the Scoring Rubric internally and it does not need to be filed out by the applicant.
- F. Part Two (3)(b)(ii): If the applicant scores is less than 1.75 on the Rubric, and; If the area proposed to be vacated is within the area of a development project that requires the City's Site Plan or Subdivision Agent to approve a site plan or subdivision plat (preliminary or final) than the application submitted under this policy shall be referred to the Clerk of Council for scheduling of a Public Hearing date and to the City Attorney's Office for completion of final Council Agenda packet materials.

Neighborhood Development Services

Building Official – Chuck Miller

8. The Preliminary Site Plan submitted July 27, 2023 was reviewed by the NDS Building Official and did not generate any comments. When the completed Street Vacation applications and materials are submitted, they will be reviewed and may generate comments.

City Manager's Office ADA Coordinator

Paul Rudacille

No comments received but may be sent under separate cover.

Public Works Engineering

Chris Sibold

General Comments

9. Provide relevant City Details for work in the right of way on the plans.

Drawing C2.1 Demolition Plan

10. All demolition in the Right of way (ROW) shall be sawcut. Show sawcut lines and label accordingly.
11. The asphalt strip in the ROW shall be 2' wide not 3'. Provide newly modified PP-1 detail showing the 2' wide strip and asphalt replacement section. Detail shall be emailed under separate cover.

Drawing C3.0 E&S Notes & Details

12. Regarding the Sequence of Construction (SOC) please address the following:
 - A. Paved construction entrances are not permitted.
 - B. Add a note requesting E&S Inspector's permission prior to moving to E&S Phase 2.
 - C. Add installation of silt fence break at low point to Phase 1 SOC. Add the Silt Fence Break detail to plans, the detail shall be emailed under separate cover. Show breaks preventing sediment laden runoff from leaving the LOD on E&S plan.
 - D. Add Chain Link Safety Fence to Phase 1 SOC and show on E&S Plan.

Drawing C3.2 E&S Plan Phase 1

13. Locate the construction entrance at the entrance to the site at Maury Avenue, adjust limits of disturbance accordingly.
14. Provide E&S measures sediment laden runoff from leaving the LOD along the low side of the site on the east and at the Maury Street entrance.

Stormwater Management

The proposed underground detention system is labeled a 72" CMP in Section 2 of the calculations book but a 48" CMP on C6.1, please clarify.

15. There is an existing grass stormwater detention system at the end of Clarke Court. Refer to the project 108 Clarke Court Demolition, Site Plan Amendment #1 approved in 2021. Please include that in the SWM plan for this project.

Public Works Traffic Engineering

Brennen Duncan and Patrick Sampson

16. We need to know trip generation details in order to determine entrance requirements.
17. It is recommended that No Parking signs be placed along the proposed drive.
18. Do they plan to ask for a monument sign in the future?

Utilities Department

Roy Nester, Hunter Tyler, and Phil Garber (P is for Preliminary approval and F is required for Final Site Plan approval)

General:

19. (P) Thank you for providing the VA811 ticket number. Please identify on the plan the date that the ticket was submitted.

20. (P) On all applicable sheets, please show all existing and proposed utility infrastructure to scale. This includes MH, meter boxes, drainage inlets, etc.
21. (P) On all applicable sheets, please label the size and material for all existing utilities in this area. This information is provided (marked on the ground in paint) when the line is located using the 811 process.
22. (P) Please provide a plat for the project. This should address:
 - A. utilities that will no longer be in ROW.
 - B. affected parcels.
23. (P) Please provide a utility plan sheet showing all utility infrastructure in the area, this includes mains, MH, meter boxes, drainage inlets, etc.
24. (P) Please ensure all sheet numbers are accurate when compared to the Sheet Index on the cover.
25. (F) Please ensure adequate utility-to-utility spacing is provided everywhere. We require 5-feet of horizontal separation between City utilities (water, sewer, storm and gas) and all other utility infrastructure (lines, boxes, poles, etc.).

Natural Gas:

26. (P) The existing gas lines are shown on the Existing Conditions sheet, but not on other sheets. Show gas lines on all sheets.
27. (P) Check for all conflicts with the existing gas lines and resolve any conflicts.

Fire Department

Stephen Walton

28. Direct access for fire apparatus to the 3-story apartment building located at 109 Clarke Court has been eliminated resulting in restricted access from the parking lot north of the apartment building (one way in and one way out).
29. No fire hydrant has been added at the north end of the reconfigured street.
30. If fire apparatus were to lay hose lines from Maury Avenue to the 3-story apartment building, they would have to make two left turns to position properly for fire fighting operations. This could create a situation where in-coming fire apparatus are blocked by the hose line(s). Therefore, the fire department is not in favor of this street design.
31. No Parking signs have not been added beyond (north) the circle area.

Office of Community Solutions

Brenda Kelley

General Comments Related to the Vacation of Clarke Court

32. There was no narrative description included with the application to determine the intent of the application other than the abandonment of City right-of-way; the reconfiguration of drive aisles and the removal and creation of parking spaces. The existing conditions plan demonstrates that apartments have been demolished on the property.

From City Housing Manager, As to Affordable Housing Development (see attached ROW Scoring Rubric):

33. As this application affects (3) parcels (i.e., 112, 108, and 100 Clarke Court) and is an R3 residential zoning the highest possible ADU* is (1).

Currently, there are (0) AD Us on either of the three parcels in question.

That said the results I have reached are as follows:

$33.33\% = \text{raw score of } 2$

$2 \times 0.25 = .5$ (i.e., weighted score)

(Note this is only taking OCS portion of the Scoring Rubric and does not reflect a fully completed Rubric by all departments.)

From Redevelopment Manager, As to City-Owned Property:

34. Preliminary Site Plan approval is being requested to abandon City right-of-way, reconfigure drive aisles and remove/create parking spaces. There is no narrative description of the application included, as required, so staff cannot determine if there is a public benefit that may be created to support the abandonment of City public right-of-way.
35. Pursuant to City Council procedures for alteration of streets and public rights-of-way, the city Council may desire to negotiate a purchase price with the applicant, if there is support to approve the application.
36. Based on the above comments, the Office of Community Solutions does not support approval of this application for Preliminary Site Plan approval.