

# City of Charlottesville

## MEMO



“A World Class City”  
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TO: Planning Commission  
FROM: Missy Creasy, Planning Manager  
DATE: December 19, 2007  
SUBJECT: **Comprehensive Plan Amendment Request - Addition to North Downtown Neighborhood Plan**

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The President of the North Downtown Neighborhood, Colette Hall, submitted a request to the City to include additional information in the North Downtown Neighborhood Plan. This request would qualify as a request to amend the Comprehensive Plan as the neighborhood plans are included as Appendix One of that document.

Ms. Hall notes that the request to include the following statement in the connectivity section of the neighborhood plan was made a while ago and for unknown reasons was not included in the final published version:

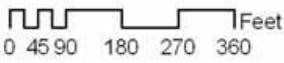
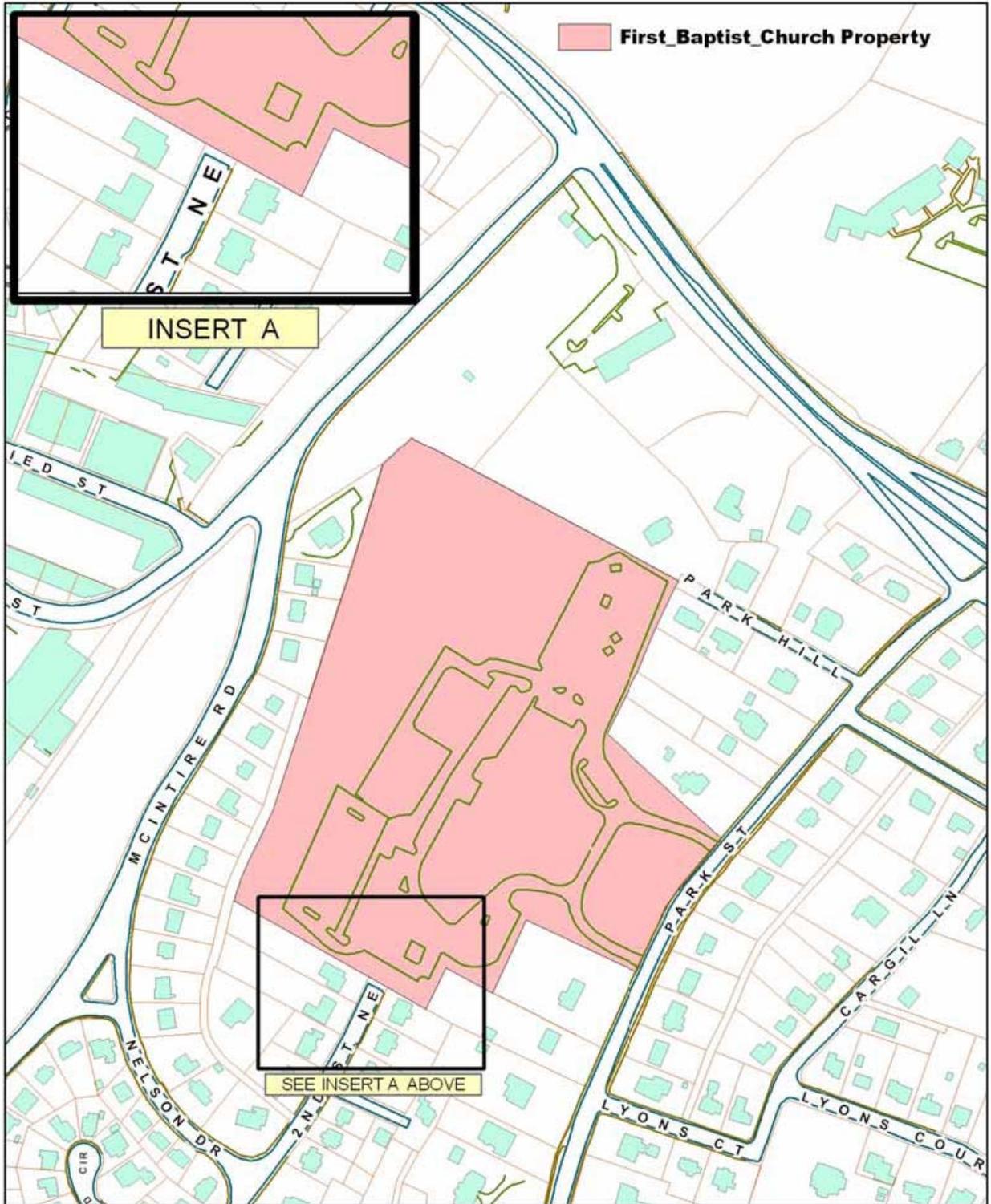
- Prohibit vehicle access from 1<sup>st</sup> Baptist Church to 2<sup>nd</sup> Street N.E.

It has been requested that this language be included in the Comprehensive Plan because similar language was included in the 2001 Comprehensive Plan and this remains a desire of the neighborhood. Ms. Hall also noted that the neighborhood held a well attended meeting in November 2005 and January 2006 where this item was discussed and supported as a concern by neighbors. Correspondence received from neighbors is included with this report to support this request. The Church has been contacted in order to assure their awareness of this request.

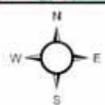
The current site plan for the church does not indicate a connection to 2<sup>nd</sup> Street N. E. As noted in the attached correspondence from Ms. Su, the church property is not directly adjacent to the road. This was confirmed by a church representative. To open a connection to this roadway, the church would need to acquire frontage on 2<sup>nd</sup> Street N.E. and then submit a site plan indicating the requested changes. **NO** request has been made at this time. A request would be evaluated based on required codes and approval or disapproval provided based on compliance with the requirements. Note that site plan reviews are ministerial and as long as the regulations are met, approval must be granted.

The Comprehensive Plan is a guide for the community and is one of many items that are taken into consideration for development decisions. If a by-right ministerial process is undertaken on a property, the comprehensive plan recommendations would not be a consideration. Staff does encourage all applicants to meet with the neighbors to allow for dialogue and ultimately more successful projects. The inclusion of this language would reflect the desire of the neighborhood however; there are many development considerations that could come into effect if a request was made.

The Commission has the option of recommending to Council approval or disapproval of an amendment to the Comprehensive plan to add the following statement into the North Downtown Neighborhood Plan: Prohibit vehicle access from 1<sup>st</sup> Baptist Church to 2<sup>nd</sup> Street N.E.



NEIGHBORHOOD DEVELOPMENT SERVICES  
DECEMBER 2007



Correspondence Received by Email

Ms. Creasy,

I forgot to mention this in my previous email ..... when I purchased my home, in April 1998 I believe, my attorney Rick Richmond brought something to my attention about the part of the street in front of the last 2 houses on either side: that the street is not actually owned by the City but by 2 individuals. The half on the side with the even numbered houses (902 and 904) was owned by Mary B. Herr whose house was recently sold by her Estate (new owner Kim Goodyear), and the half on the side with the odd numbered houses (903 and 905) is owned by a woman named Catharine Settle Anas, a City resident (but not ND) who inherited her half of the street from her mother. At one point I had a telephone conversation with Mrs. Anas and her husband and she wasn't even aware she owned half of the street until someone with the Church did some deed research and contacted her about selling it to the church so they could hopefully open up the street to the church parking lot. At the time she indicated she had no interest in getting in the middle of this issue.

Thank you,  
Adela

Dear Ms. Creasy,

As a resident at the end of Second Street NE, I am writing to let you know I am completely **opposed** to the opening of the street to the First Baptist Church's parking lot. It is bad enough as it is now, with cars zooming up our end of the street, day and night, thinking there is a way to cut through the church parking lot to get to Park Street. As I have been working from home the past year and a half, I am very much aware of the number of cars driving to the end of the street in search for a short cut. For the City to open up the street for the benefit of the church, you will be doing a huge disservice to the residents not just at my end of the street, but for those living on other streets like Robertson, Northwood, Nelson, Perry, Wine, Parkway, etc. We have a 4 year old in our household and there are at least 4 other small children between my house and the intersection with Northwood Avenue. The thought of having hundreds of cars going up and down the street for church services, preschool/daycare, etc. is appalling, not to mention I question sacrificing the integrity of the residential neighborhood as a way to solve the church's problem.

Thank you,  
Adela Su  
903 Second Street NE  
Charlottesville, VA 22902  
434-996-4841

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Ms. Creasy, I live at 900-B 2nd Street NE and do NOT wish to see the street opened up to through traffic. I hope I may speak on behalf of many of my neighbors also who are elderly and may not even be aware that this is being considered. I feel certain that through traffic could prove to be disturbing and also potentially dangerous to them.

Please consider my input in this matter.

Regards,  
Debra Davenport

Officer Debra H. Davenport  
University of Virginia Police Department  
2304 Ivy Road  
Charlottesville VA 22903  
Office: 434.924.7166  
Fax: 434.982.2817

EMAIL: DHD9D@VIRGINIA.EDU

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Dear Ms. Creasy,

I live on Robertson Lane, a dead end street off the dead end of Second Street NE. Second Street NE should remain a dead-end, and not be opened as a back entrance to First Baptist Church on Park Street, as then it would become a cut-through between Park and McIntire.

Thank you,  
Kelton Flinn  
Kelton\_flinn@embarqmail.com

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I have lived at 800 2nd St NE for 20 years. During those years, there have been numerous attempts to open the dead end of 2nd St NE so that the church can have easier egress. Mr. Tolbert was at one time involved with the church and helped them in this area.

I, with a few other neighbors and Tarpley Vest, the zoning person at the time, met with the pastor of the church on this topic. At that time, he assured us that the church had made no moves toward, and had no interest in, opening the street. The next day, a letter, dated within six months of our meeting, from the church lawyers to the pastor, detailing options, was located and circulated in the neighborhood.

The pastor said that by right, he could use the alley on the SW side of his property to access 2nd St NE, but had no interest in this option either. This is directly across from my house, so I remained concerned and vigilant about this.

The neighborhood worked to get the closing of 2nd NE on the Comprehensive Plan, and it was on there, until staff reworked it. I agree with Cheri that the onus should not be on the neighborhood to bring this up as if new. It would be of interest to determine when and how it was dropped from the plan. Is this legal, or another 'slip' which then becomes law? This is no way to operate a department.

Please keep me informed about this issue. Thank you.

Mary Galligan  
[mgalligan@k12albemarle.org](mailto:mgalligan@k12albemarle.org)

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My family and I live at the 2nd St. dead-end. We own our home and were under the impression that it would remain a dead-end street. As it is MANY cars come flying up the street thinking they can get through only to turn around and fly back down the street. We have 2 young boys who play outside. We do not want the dead-end changed.

Thankyou,  
AdrianandDianaFilipi  
806 2nd St. NE  
[dianadillion@gmail.com](mailto:dianadillion@gmail.com)

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Ms. Creasy, I am a home owner living at 100 Robertson Lane in Charlottesville. Robertson Lane is a small two house street just before the end of Second Street. I would like to add my voice to the other homeowners in our neighborhood who want to the have Second Street remain as dead end street and have this in the comprehensive plan. If you have any questions please do not hesitate to contact me and I thank you for your help in this matter.

Anne Porter  
100 Robertson Lane  
Charlottesville, Virginia 22902

434-293-7413

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