

Suggested motion: "I move the RESOLUTION granting a critical slope waiver for Property located at 345 US 250 Bypass."

**RESOLUTION APPROVING A REQUEST FOR WAIVER OF CRITICAL SLOPES PROVISIONS PURSUANT TO CITY CODE SECTION 34-1120(b) FOR PROPERTY LOCATED AT 345 US 250 Bypass
(Tax Map and Parcel/Tax Status: 450001000 Real Estate Tax Exempt) Application P22-0091**

WHEREAS the City of Charlottesville, Virginia (the "City") is the owner of certain land located and currently addressed as 345 US 250 Bypass and identified on Tax Map and Parcel/Tax Status as 450001000 (Real Estate Tax Exempt), and includes McIntire Park, the Brooks Family YMCA, and the existing City Fire Station #1 (the "Property"),

WHEREAS the City Senior Project Manager (the "Applicant") is requesting a waiver of the critical slopes requirement of City Code Sec. 34-1120(b) in connection with the construction of a new 8,000 square foot fire station to the south of an existing stub road on the Property (the "Project"); and

WHEREAS the Planning Commission held a hybrid virtual and in person joint public hearing with City Council on January 10, 2023 to give the public an opportunity to comment; and

WHEREAS the Planning Commission considered and recommended approval of the request to waive the critical slopes requirements, pursuant to City Code §34-1120(b) by a vote of 7-0, upon a finding that the public benefits of allowing disturbance of the critical slope outweigh the public benefits of the undisturbed slope; and

WHEREAS upon consideration of the information and materials provided by the applicant, and the recommendation of the Planning Commission, the City Council finds and determines pursuant to City Code Sec. 34-1120(b) that the benefits of allowing the disturbance of the critical slopes in connection with the development project outweigh the public benefits of the undisturbed slopes; and

WHEREAS upon further consideration of the Planning Commission's recommendation, the Application Materials, comments received at the public hearing, as well as factors set forth within the Application Materials, this Council finds and determines that granting the proposed critical slope waiver subject to suitable regulations and safeguards would contribute to the City Council's Vision and Strategic Plan Goal 3: A Beautiful and Sustainable Natural and Built Environment and Item 3.2: Provide reliable and high quality infrastructure, and would serve the public necessity, convenience, general welfare or good zoning practice; now therefore,

BE IT RESOLVED by the Council for the City of Charlottesville, Virginia, that the request by the Applicant, for a waiver of the critical slopes requirements for the above-described Project to be developed on the Property, is hereby granted.