



PLANNING COMMISSION PUBLIC HEARING
APPLICATION FOR A ZONING MAP AMENDMENT (ZMA) AND ZONING TEXT AMENDMENT (ZTA)
APPLICATION NUMBERS: PL-26-0042 and PL-26-0043
DATE OF MEETING: May 12, 2026

DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES STAFF REPORT

Author of Staff Report: Kate Richardson

Date of Staff Report: April 27, 2026

Origin of Request: Richard Hunt, Property Owner

Applicable City Code Provisions: Section 34-5.2.5.B (Zoning Amendment) and Section 34-2.9.3 (IPP designation)

Planner: Carrie Rainey

Application Information

Property Street Address: 801 West Street ("Subject Property")

Tax Map & Parcel/Tax Status: 310042000

Total Square Footage/ Acreage Site: Approx. 0.3 acres (13,068 sq. ft.)

Comprehensive Plan (General Land Use Plan): General Residential (Sensitive Community Areas)

Current Zoning Classification: RN-A

Current Overlay District: None

Background

A Zoning Map Amendment ("ZMA") Application and a Zoning Text Amendment ("ZTA") Application, both pursuant to Charlottesville City Code Section 34-5.2.5, have been submitted for property located at 801 West Street, Charlottesville, Virginia, TMP # 310042000 ("Subject Property"). Consistent with the provisions of Section 34-2.9.3., the Subject Property owner requested the City initiate the ZTA and ZMA process to designate the Subject Property (an existing house at 801 West Street) as an Individually Protected Property ("IPP"). The proposed IPP designation will overlay an approximately 0.3-acre parcel, located at the NW corner of West Street and 8th Street, NW, within the 10th and Page Neighborhood.

On December 9, 2025, the Planning Commission approved by motion to initiate the necessary review to amend Section 34-2.9.3.B. to designate this parcel an IPP, and, per Section 34-5.2.5, amend the City Zoning Map to identify this parcel as having an IPP overlay. Designation of an IPP follows the process for an amendment to the City's zoning ordinance and zoning map, including a public hearing and notification.

Per Section 34-5.2.5.B.1.a., a ZTA may be initiated by the City Council or Planning Commission. The City’s designated IPPs are specifically identified and listed in Section 34-2.9.3.B, therefore requiring the ZTA be completed in tandem with the ZMA.

Proposed revision to Section 34-2.9.3.B. - Established Individually Protected Properties:

Following is a list of landmarks, buildings and structures outside the City’s ADC Districts, which are deemed by City Council to be of special historic, cultural, or architectural value.

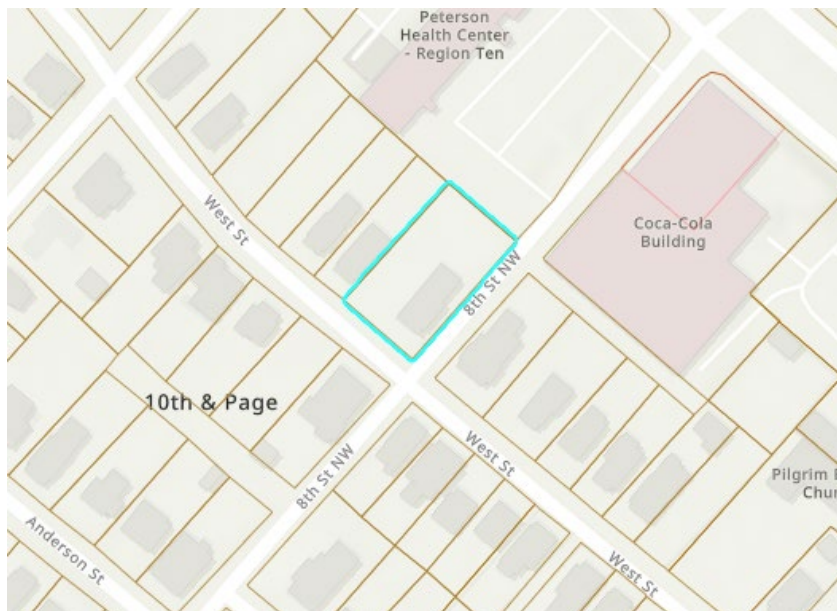
Street Number	Street Name	Tax Map Number	Parcel Number
[...]			
<u>801</u>	<u>West Street</u>	<u>Tax Map 31</u>	<u>Parcel Number 42</u>

The Board of Architectural Review (BAR) approved a motion recommending the ZTA and ZMA to City Council on January 21, 2026 ([link to BAR motion and case archive](#)). Subsequently, the required Community Meeting was held on March 11, 2026, at the Subject Property.

On the Subject Property, the proposed contributing structure is a two-story, framed dwelling, clad in stucco. The dwelling is characterized by a hipped roof with pedimented gables, a wood-railed widow's walk in the center, with an attached single-story, rear addition. The addition features a gabled roof and side porch with shed roof.

In 1905, James Patterson, a white carpenter, constructed the dwelling for his family. The Patterson family sold the property in 1944 during WWII to James Fleming, a fireman with the railroad, and his wife Maude Fleming, a prominent local teacher at the Jefferson school for forty years. The property remains in the family to this day. (The NE corner of the 10th & Page Neighborhood was initially segregated. Between 1930 and 1950, it transitioned to predominantly Black residents, including the Flemings.) Mr. Hunt (owner of the Subject Property) is the Great-Great-Great Grandson of Henry Martin (1826-1915), the bell ringer at UVA from c.1868 until 1909.

Vicinity Map



Context Map



Standard of Review

When initiated, per Section 34-5.2.5.D, the Planning Commission reviews and studies the proposed amendments to determine:

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan;
2. Whether the proposed amendment will further the purposes of this Chapter and public necessity, convenience, general welfare, and good zoning practice require such amendment;
3. Whether there is a need and justification for the change;
4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the Planning Commission must consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification; and
5. Such other considerations as permitted by law.

Request

Based on the criteria found in Section 34-2.9.3.C.2. (analysis below), staff asks the Planning Commission to recommend that City Council amend Section 34-2.9.3.B by adding this parcel to the list of IPPs and to amend the Zoning Map to designate this parcel as an IPP, with the two-story framed dwelling being listed as a contributing structure within the *GIS feature class*.

Discussion

In June 2020, on behalf of the City, the 106 Group completed a Reconnaissance Architectural History Survey of 438 properties within the 10th & Page Neighborhood. As a result, the Virginia Department of Historic Resources State Review Board recommended the approximately 50-acre *Tenth and Page Historic District* be eligible for listing on the Virginia Landmarks Register (VLR) and the National Register of Historic Places (NRHP). Within that review, the Subject Property was assessed as retaining excellent integrity of both location and setting. In the areas of design, materials, and workmanship the house was assessed as retaining good integrity and therefore recommended as potentially individually eligible for listing in the National Register of Historic Places (NRHP) under criterion A as one of the oldest extant houses within the (also eligible) 10th & Page Neighborhood (See Attachment 1).

Link to the 2020 survey: [Survey of 10th and Page Neighborhood 2020](#)

In 1991, the first IPPs were established by Council applying an ordinance intended *to preserve, protect, and enhance certain buildings, structures, and landmarks, together with their landscapes and settings, which are of special historic, cultural, or architectural significance, and which are located outside the City's ADC Districts*. Charlottesville currently has eight ADC Districts, three Historic Conservation Districts, and 76 IPPs. Similar to the ADC district designation, the IPP designation is an overlay, and as such the underlying zoning remains the same. It is only through this local [City] designation that a historic property comes under the purview of the Board of Architectural Review (BAR) and, with that, is regulated by the City Code relative to demolitions, alterations, and new construction. The BAR cannot deny or prohibit a zoned use. Also, BAR actions are appealable to City Council and then to the courts. That is, the BAR cannot, by its actions alone, prevent a demolition or prevent a new structure or alteration to an existing structure.

Note: An IPP is a local designation, therefore evaluation of a proposed IPP should consider its importance to this city and this community. While it is helpful to refer to the NRHP criteria, neither eligibility nor listing should be considered requirements for **local recognition**. In fact, the relevant City Code section states that IPP designation is not determined by NRHP listing, but a way *to encourage nomination of historic properties to the National Register of Historic Places and the Virginia Landmarks Register* (See Attachment 2).

Standard of Review – IPP Designation [Section 34-2.9.3.C]

C. Amendments to Individually Protected Property List

1. City Council may, by ordinance, from time to time, designate individual buildings, structures or landmarks as Individually Protected Properties; or remove individual buildings, structure or landmarks from the City's list of Individually Protected Properties. Any such action will be undertaken following the rules and procedures applicable to the adoption of amendments to the City's Development Code and official zoning map.
2. Prior to the adoption of any such ordinance, the City Council will consider the recommendations of the Planning Commission and the Board of Architectural Review (BAR) as

to the proposed addition, removal or designation. The Planning Commission and BAR will address the following criteria in making their recommendations:

- a. The historic, architectural or cultural significance, if any, of a building, structure or site and whether it has been listed on the National Register of Historic Places or the Virginia Landmarks Register, or are eligible to be listed on such registers;

Staff comment: Per the Department of Historic Resources' Virginia Cultural Resources Information System (VCRIS) entry [Attachment 1], the Subject Property is recommended potentially individually eligible for listing in the NRHP under Criterion A as one of the oldest extant houses in the neighborhood.

- b. The association of the building, structure or site with an historic person or event or with a renowned architect or master craftsman;

Staff comment: The Subject Property does not meet this standard. However, James Patterson was a well-known local builder and carpenter.

- c. The overall aesthetic quality of the building, structure or site and whether it is or would be an integral part of an existing ADC district;

Staff comment: Per the VCRIS entry [Attachment 1], the property retains ***excellent integrity of both location and setting***. In the areas of design, materials, and workmanship the house retains ***good integrity***. Additionally, the site as a whole retains ***excellent integrity of feeling and association***.

- d. The age and condition of a building or structure;

Staff comment: The structure's date of construction is 1905 and is currently in good condition both internally and externally.

- e. Whether a building or structure is of old or distinctive design, texture and material;

Staff comment: The structure is now 130 years old and retains both interior and exterior design elements that are representative of the late 19th-c. and early 20th-c. vernacular style and of the period in which it was fashioned [See photographs within Attachment 1]. Its overall integrity is mildly compromised by late 20th-c. replacement windows and stucco cladding.

- f. The degree to which the distinguishing character, qualities or materials of a building, structure or site have been retained;

Staff comment: As noted within *standard c* above, the Subject Property retains its historic setting and association within the 10th and Page neighborhood. The presence of a widow's walk is a unique element of its construction. The notable changes to the

structure and site in the last 100 years include: loss of the original one-story garage or outbuilding prior to 1963, the addition of exterior stucco, and replacement windows.

- g. Whether a building or structure, or any of its features, represents an infrequent or the first or last remaining example of a particular detail or type of architecture in the City;

Staff comment: Staff does not believe this structure represents an infrequent design within the City as a whole. It is recommended however, that additional research be conducted to determine the sequence of development of 10th and Page in the early 1900's. The property's retention of historic setting, feeling and association do recommend consideration under this standard.

- h. Whether a building or structure is part of a geographically definable area within which there exists a significant concentration or continuity of buildings or structures that are linked by past events or, aesthetically, by plan or physical development, or within which there exist a number of buildings or structures separated geographically but linked by association or history.

Staff comment: Per the VCRIS entry, the 10th and Page Historic District is eligible for listing in the NRHP under Criterion A in the areas of Ethnic Heritage, Community Planning and Development and Social History, and under Criterion C in the area of Architecture. This property would be a primary contributing resource of such a nominated district. It is the owner's wish to designate the Subject Property as an Individually Protected Property in order to maintain this continuity.

Staff Responses to Standards of Review – ZMA/ZTA (Section 34-5.2.5.D)

1. Whether the proposed amendment conforms to the general guidelines and policies contained in the Comprehensive Plan;

Staff response:

The proposed ZMA and ZTA to designate the Subject Property as an Individually Protected Property (IPP) conforms to the general guidelines and policies contained in the City of Charlottesville's Comprehensive Plan. The Comprehensive Plan expressly recognizes historic preservation as a core community value and identifies the protection of historic resources as essential to sustaining Charlottesville's character, identity, and sense of place. The 10th and Page neighborhood is one of Charlottesville's historically significant African American communities, and the Subject Property represents a tangible, physical connection to that heritage.

The Comprehensive Plan supports the identification, designation, and protection of properties that contribute to the city's architectural, cultural, and social history. Designating the Subject Property as an IPP directly advances land use policies that encourage the preservation of historic structures, reinforce neighborhood character, and promote stewardship of irreplaceable community assets. The designation is also consistent with Comprehensive Plan goals related to equitable recognition of historically underrepresented communities, as the 10th and Page neighborhood reflects a distinct chapter of Charlottesville's African American history that warrants acknowledgment and protection through the city's regulatory framework.

Therefore, staff finds the amendment conform to the general guidelines and polies contained in the Comprehensive Plan.

2. Whether the proposed amendment will further the purposes of this Chapter and public necessity, convenience, general welfare, and good zoning practice require such amendment;

Staff response:

Chapter 34 establishes a framework for land use regulation that, among other objectives, protects and enhances the character of Charlottesville's neighborhoods and preserves resources of historic, architectural, and cultural significance. The IPP designation mechanism under Chapter 34 exists precisely to achieve these goals on a property-specific basis, providing targeted protection for structures whose loss would constitute an irreversible harm to the community's heritage. Designating the Subject Property as an IPP serves the **public necessity** by ensuring that a historically significant structure is not inadvertently altered or demolished without appropriate review. It serves **public convenience** by creating a clear, transparent regulatory status for the property that informs owners, neighbors, and prospective buyers of the property's significance. It advances the **general welfare** by preserving a physical artifact of the 10th and Page neighborhood's history for the benefit of current and future residents. And it reflects **good zoning practice** by using the city's established IPP process — a purpose-built tool — in precisely the manner prescribed by the Code.

Therefore, staff finds the amendment will further the purposes of this Chapter and public necessity, convenience, general welfare, and good zoning practice.

3. Whether there is a need and justification for the change;

Staff response:

Historic and Architectural Significance: The Subject Property is a historic home situated within the 10th and Page neighborhood, a community with deep roots in Charlottesville's African American history. The structure embodies the architectural character and community identity of one of the city's most historically meaningful residential neighborhoods. Without formal designation, the property lacks the regulatory protection necessary to ensure that its historic fabric is considered before any future alterations, demolition, or redevelopment are permitted to proceed.

Irreversibility of Loss: Historic structures, once demolished or significantly altered, cannot be restored. The IPP designation provides the minimum necessary regulatory safeguard — a requirement for review — to ensure that decisions affecting the Subject Property are made with full awareness of its historic significance. The risk of inaction, in the form of potential loss of this resource, far outweighs any burden imposed by designation.

Community and Neighborhood Context: The 10th and Page neighborhood has been identified as a priority area for recognition of Charlottesville's African American heritage. Designating 801 West Street as an IPP is consistent with the city's broader efforts to document, recognize, and protect the physical legacy of this community, and responds to community interest in preserving neighborhood character and historic resources.

Therefore, staff finds there is need for the amendment, and the change justified.

4. When pertaining to a change in the zoning district classification of property, the effect of the proposed change, if any, on the property itself, on surrounding property, and on public services and facilities. In addition, the Planning Commission must consider the appropriateness of the property for inclusion within the proposed zoning district, relating to the purposes set forth at the beginning of the proposed district classification;

Staff response:

Effect on the Property Itself: The IPP designation does not change the underlying zoning district classification of the Subject Property, nor does it alter the property's permitted uses. It imposes a layer of review — specifically, Certificate of Appropriateness review by the Board of Architectural Review (BAR) — prior to the approval of certain alterations or demolition. This review process is well-established, predictable, and designed to be navigated collaboratively between property owners and the city. The designation affirms the property's significance and may, over time, enhance its cultural and market value by recognizing its historic character.

Effect on Surrounding Properties: The designation of the Subject Property as an IPP will have no adverse effect on surrounding properties. It does not alter setbacks, density, permitted uses, or any other development standard applicable to neighboring parcels. The designation may have a positive stabilizing effect on the surrounding neighborhood by signaling the city's commitment to preserving the character of the 10th and Page neighborhood and discouraging incompatible redevelopment of a key historic resource.

Effect on Public Services and Facilities: The proposed designation has no impact on public services or infrastructure. It does not increase density, generate additional traffic, or place any new demands on utilities, schools, or emergency services. The BAR review process that accompanies IPP designation is administered within existing city staff and commission capacity.

Appropriateness for the IPP Classification: The IPP classification under Chapter 34 is designed for properties of individual historic, architectural, or cultural significance that warrant protection on their own merits, independent of any historic district designation. The Subject Property meets this standard. It is a historic home in a historically significant neighborhood, and its individual designation reflects the property's standalone importance to Charlottesville's heritage. The purposes set forth for the IPP classification — protecting significant historic resources and ensuring informed review of proposed changes — are directly and fully served by this designation.

Therefore, staff finds the impact does not affect the underlying zoning district classification, does not adversely affect the surrounding properties, has no impact on public services or infrastructure, and is appropriate for the Subject Property.

5. Such other considerations as permitted by law.

Staff response:

Equity and Inclusive Preservation: Charlottesville has acknowledged, through various planning and policy processes, the importance of equitably recognizing the historic contributions of African American residents and communities whose heritage has historically been underrepresented in formal preservation programs. The designation of the Subject Property advances this equity goal

by extending the protections of the IPP framework to a property associated with the 10th and Page neighborhood's African American history. This is consistent with the Commission's broader responsibilities to promote the general welfare of all Charlottesville residents.

Owner and Community Support: To the extent that property owner concurrence and community support have been expressed, such support further affirms the appropriateness of the designation and reduces any concern regarding the regulatory burden the designation may impose.

Public Comments Received

Staff received no public comments regarding the ZMA and ZTA requests at the publishing of this report.

Staff Recommendation

Staff asks the Planning Commission to recommend that City Council adopt both rezoning applications: PL-26-0042 (ZMA) and PL-26-0043 (ZTA).

Appropriate Motions - ZMA

1. Having reviewed the criteria for designation of Individually Protected Properties per Section 34-2.9.3., I move the Planning Commission recommend that City Council approve the Zoning Map Amendment to designate the Subject Property (801 West Street; Parcel 31-42) an Individually Protected Property.
2. Having reviewed the criteria for designation of Individually Protected Properties per Section 34-2.9.3., I move the Planning Commission recommend that City Council deny the Zoning Map Amendment to designate the Subject Property (801 West Street; Parcel 31-42) an Individually Protected Property.
3. Move to defer this action item.

Appropriate Motions - ZTA

1. Having reviewed the criteria for designation of Individually Protected Properties per Section 34-2.9.3., I move the Planning Commission recommend that City Council approve the Zoning Text Amendment to designate the Subject Property (801 West Street; Parcel 31-42) an Individually Protected Property.
2. Having reviewed the criteria for designation of Individually Protected Properties per Section 34-2.9.3., I move the Planning Commission recommend that City Council deny the Zoning Text Amendment to designate the Subject Property (801 West Street; Parcel 31-42) an Individually Protected Property.
3. Move to defer this action item.

Attachments

1. VCRIS and Historical Survey
2. NRHP Status of City IPPs & Vicinity Map
3. BAR Case Archive, January 2026