

CHARLOTTESVILLE CITY COUNCIL MINUTES
Joint Public Hearing with Planning Commission
October 10, 2023 at 6:00 p.m.
Council Chamber, 605 E. Main Street

The Charlottesville City Council met for a joint public hearing with the Charlottesville Planning Commission, the meeting having been duly noticed. Mayor Lloyd Snook called City Council to order at 6:03 p.m. following the Planning Commission opening of the public hearing portion of the meeting. The following Council members were present: Brian Pinkston, Leah Puryear, and Lloyd Snook. Vice Mayor Juandiego Wade gave prior notice that he would not be in attendance.

Public hearings were heard in the following order:

1. ZM23-0005 - 630 Cabell Avenue

On October 10, 2023, the Planning Commission and City Council will conduct a Joint Public Hearing for a Rezoning application for property located at 630 Cabell Avenue and identified in the City's land records as Tax Map and Parcel ("TMP") No. 050155000 (the "Subject Property"). Following the Joint Public Hearing, it is the intention of the Planning Commission to vote on whether to recommend approval of the Rezoning. The owner, Neighborhood Investments CA LLC, has submitted a Rezoning application pursuant to Charlottesville City Code Section 34-41 to change the existing zoning of the Subject Property from Multifamily Residential ("R-3") and Two-Family Residential University ("R-2U") to Multifamily Residential ("R-3") only.

The applicant is proposing a multifamily building with up to five units through new construction. The Subject Property is approximately 0.62 acres with road frontage on Cabell Avenue. The Comprehensive Land Use Map designates the Subject Property area as Higher Intensity Residential. Additional information pertaining to this application (ZM23-0005) may be viewed online at www.charlottesville.gov/agenda. Persons interested in this application may also contact NDS Planner Dannan O'Connell by email at (oconnelld@charlottesville.gov) or by telephone (434-970-3991).

Dannan O'Connell summarized the request.

Kevin Riddle, representing the Applicant, made a presentation and answered questions.

The public hearing was opened and with no speakers coming forward, the public hearing was closed and the Planning Commission deliberated.

2. ZM23-00004, ZT23-09-02, P23-0055, P23-0058 – VERVE Charlottesville PUD Subtext Acquisitions, LLC ("Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a Zoning Map Amendment and Zoning Text Amendment pursuant to Sections 34-41 and 34-490 – 519 of the Code of the City of Charlottesville ("Code") for properties ("Subject Property"): Parcel Number: 160008000, 1705 Jefferson Park Avenue, Charlottesville, VA 22903
Parcel Number: 160005000, 106-114 Stadium Road, Charlottesville, VA 22903

Parcel Number: 160004000, 100 Stadium Road, Charlottesville, VA 22903
Parcel Number: 160003000, 102 Stadium Road, Charlottesville, VA 22903
Parcel Number: 160002000, 104 Stadium Road, Charlottesville, VA 22093
Parcel Number: 160001000, 409 Stadium Road, Charlottesville, VA 22903;

The applicant is proposing to rezone the Subject Property from Multifamily Residential (“R-3”) to Planned Unit Development (“PUD”) with a Development Plan and removal of the Individually Protected Property (IPP) designation from 104 Stadium Road. The application and development plan includes a commitment to affordable housing; parking requirements; a use matrix including a maximum dwelling units per acre (“DUA”); yard and height regulations; open space; and landscaping. The applicant is proposing to redevelop the Subject Property and replace the existing (62) residential units (spread between nine different buildings) with one building containing between (524) to (550) residential units.

The proposed building will have a height range of (75) feet to (135) feet and stories that range from (5) to (12). In addition, the proposed PUD includes improved pedestrian and bicycle circulation along Stadium Road, Emmet Street, and Jefferson Park Avenue and road improvements to Montebello Circle.

The Subject Property is approximately 3.3 acres with road frontage on Jefferson Parke Avenue, Stadium Road, Emmet Street, and Montebello Circle. The Comprehensive Land Use Map designates this area in the Urban Mixed Use Corridor. The Subject Property is zoned Residential Multifamily (R-3) (104 Stadium Road is zoned R-3H and is an IPP) with an Entrance Corridor Overlay. This application may be viewed online at <http://www.charlottesville.org/departments-and-services/departments-h-z/neighborhood-development-services> or a copy is on file in the Department of Neighborhood Development Services, 2nd Floor of City Hall, 610 East Main Street. Persons interested in this SUP request may contact NDS Planner Matt Alfele by e-mail (alfelem@charlottesville.gov) or by telephone (434-970-3636).

In order for the applicant to implement the PUD Plan, they will need additional approvals from City Council. These approvals include:

- **CP23-00002 – VERVE Charlottesville PUD - Code of Virginia, § 15.2-2232 Review: 409 Stadium Road**

The applicant is requesting an amendment to the November 4, 1996 vacation of the Woodrow Street Right of Way (ROW) along with a request to zone the closed portion to PUD. Woodrow Street is an unimproved paper street that bisects the Subject Property and is used mainly for off-street parking for the existing residential units.

Several public utility lines such as sanitary, water, and gas run through Woodrow Street and will need to be relocated as part of the proposed development. Pursuant to Virginia Code Section 15.2-2232 and Charlottesville City Code Sec. 34-28, the Planning Commission will review these facilities and public street vacation to determine if the general location, character and extent of the proposed alterations are substantially in accord with the City’s currently adopted Comprehensive Plan or part thereof.

- **Application P23-0055** - A Critical Slope Waiver per City Code Section 34-516(c) (P23-0055). Critical Slopes exist on the Subject Property along the Montebello Circle frontage and will be impacted by the proposed development.
- **Application P23-0058** - A Sidewalk Waiver per City Code Section 29-182(j)(5) for a portion of Montebello Circle (P23-0058). The applicant's development plan calls for fire access improvements to Montebello Circle, but due to site constraints is requesting a waiver for sidewalk along approximately 300 feet of frontage.
- **Amendment to "An Ordinance Authorizing the Sale of Certain City-Owned Property Located at 409 Stadium Road" adopted May 2, 2011** – The applicant is proposing to amend the ordinance authorizing the sale of city-owned property located at 409 stadium road to allow for development.

Matt Alfele, City Planner, presented the request, which contained several necessary approvals. He answered clarifying questions.

Valerie Long with the law firm of Williams Mullen, representing the Applicant, stated that input and guidance from the June 2023 work session was incorporated in the project, including a \$4 Million cash proffer to go toward the City's affordable housing fund. The project includes bike, pedestrian, street, and streetscape improvements.

Neil Reardon, ESG Architecture & Design, Inc., summarized project design changes since the work session on June 13, 2023, and answered clarifying questions.

Councilor Payne at 7:50 p.m. requested to join the meeting electronically. At the request of Mayor Snook, Councilor Payne stated that he was located at his residence and could not attend the meeting in-person because of illness. On motion by Pinkston, seconded by Puryear, Council by a 3-0 vote approved electronic participation by Councilor Payne (Ayes: Pinkston, Puryear, Snook; Noes: none; Absent: Wade).

Discussion ensued about parking and walkability of the area.

Assistant City Attorney Ryan Franklin provided clarifying information regarding the Cash in Lieu of affordable housing units and suggested further review. Ms. Long stated that the intent is for the proffered Cash in Lieu to be binding.

The public hearing was opened, and Chair Josea Mitchell recessed the meeting at 8:06 p.m., reconvening at 8:15 p.m.

The following people spoke during the public hearing:

- Ellen Contini-Morava, city resident, spoke in opposition to various components of the proposed project, stating that it is not in accord with the Comprehensive Plan.
- Matthew Gillikin, speaking on behalf of Livable Cville, spoke in support of the project.

- Bobbie Williams, 108 Oakhurst Circle, spoke in opposition to the project, stating that it is not in compliance with the Comprehensive Plan or the Future Land Use Map.
- Brandon Collins, city resident, spoke in support of the project.
- Bonnie Riley, 116 Oakhurst Circle, spoke in opposition to the project.
- Natalie Oschrin, 531 Caroline Avenue, spoke in support of the mission of the project and she proposed several questions about trees, renderings of streetscape, the proposed small commercial area, and parking.
- Ann Benham, 116 Conservatory Avenue, spoke in opposition to the project and suggested decreasing mass and increasing setbacks.
- John Hossack, city resident, spoke in opposition to the size and height of the project.
- Kevin Hildebrand, Cherry Avenue resident, asked to document the historic cottage, putting it on record for future architectural concerns, and not eliminate the sidewalk requirement. He made several recommendations.
- Kimber Hawkey, city resident, spoke in support of modifying the project. She spoke about traffic, public safety, housing affordability, and enforcing proffers. She stated that UVA should provide housing for its students.
- Charlie Henley, 500 Park Square, spoke in support of the project.

With no additional speakers, the public hearing was closed, and the Planning Commission deliberated.

The meeting recessed at 9:51 p.m. at which time Council adjourned.

BY Order of City Council

BY Kyna Thomas, Clerk of Council