

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 7, 2020
Action Requested:	Consideration of a Rezoning Application
Presenter:	Matt Alfele, NDS
Staff Contacts:	Matt Alfele, City Planner
Title:	ZM20-00004 817 Nassau Street

Background:

Justin Shimp (Shimp Engineering, P.C., representing the owner, Hulett Management Services Inc.) has submitted a Rezoning Application pursuant to City Code Sec. 34-41 seeking a rezoning of approximately (0.19) acres of land identified within City tax records as Tax map and Parcel (TMP) 610084000 (Subject Property) from the existing R-1S (Residential Small Lot) to R-2 (Residential Two-Family) with no development plan. The Subject Property has road frontage on Nassau Street and the Comprehensive Land Use Map for this area calls for Low Density Residential.

Discussion:

The Planning Commission discussed this matter at their November 10, 2020 meeting.

The Commission questioned the applicant on why the request was being made. Under R-1S you can have two units, but with a rezoning, each unit can be individually owned and there are no size restrictions on the second unit. If the lot stayed R-1S and had an ADU, the ADU could not be owned by the occupant and would need to be smaller than the main unit.

Alignment with City Council's Vision and Strategic Plan:

If City Council approves the rezoning request, the project could contribute to *Goal 3: A Beautiful and Sustainable Natural and Built Environment, 3.1 Engage in robust and context sensitive urban planning and implementation*, and the City Council Vision of *Quality Housing Opportunities for All*.

Community Engagement:

The Planning Commission held a joint Public Hearing with City Council on this matter at their meeting on November 10, 2020.

No members of the public spoke.

Budgetary Impact:

This has no impact on the General Fund.

Recommendations:

The Planning Commission took the following action:

Mr. Solla-Yates moved to recommend approval of this application to rezone the subject property from R-R1S to R-2, on the basis that the proposal would serve the interests of the general public and good zoning practice.

Mr. Lahendro seconded the motion.

Ms. Dowell - Yes

Mr. Heaton - Yes

Mr. Lahendro - Yes

Mr. Mitchell - Yes

Ms. Russell - Yes

Mr. Solla-Yates - Yes

Mr. Stolzenberg - Yes

The Motion passed 7 - 0

Alternatives:

City Council has several alternatives following a public hearing:

- (1) by motion, deny the requested Rezoning as recommended by the Planning Commission;
- (2) by motion, take action to approve the attached ordinance granting the Rezoning;
- (3) by motion, request changes to the attached ordinance, and then approve the Rezoning; or
- (4) by motion, defer action on the Rezoning.

Attachments:

A. Ordinance

B. Link to the Staff Report and background information from the November 10, 2020 Planning Commission meeting:

<https://charlottesvilleva.civicclerk.com/Web/Player.aspx?id=882&key=-1&mod=-1&mk=-1&nov=0>

ORDINANCE
TO APPROVE A REZONING TO CHANGE THE ZONING DISTRICT
CLASSIFICATION OF 817 NASSAU STREET, FROM
R-1(S) (SINGLE FAMILY RESIDENTIAL, SMALL LOT) TO R-2 (TWO FAMILY)

WHEREAS, Hulett Management Services, Inc., (“Landowner”) has submitted rezoning application ZM20-00004, proposing a change in the zoning district classification of approximately 0.19 acre of land, having an address of 817 Nassau Street, further identified by City Real Estate Parcel Identification No. 610084000, from “R-1(S)” to “R-2” (the “Proposed Rezoning”); and

WHEREAS, a joint public hearing on the Proposed Rezoning was conducted by the Planning Commission and City Council on November 10, 2020, after notice to the public and to adjacent property owners as required by law;

WHEREAS, on November 10, 2020, following the joint public hearing, the Planning Commission voted to recommend that City Council should approve the Proposed Rezoning; and

WHEREAS, this City Council has considered the matters set forth within: the Landowner’s rezoning application, the Comprehensive Plan Land Use Map designation for the Subject Property (low-density residential), the NDS Staff Report, comments received from the public, and the Planning Commission’s recommendation, and, based upon said matters, this Council hereby finds and determines that the public necessity, convenience, general welfare and good zoning practice require the Proposed Rezoning; that both the existing zoning classification and the proposed zoning classification are reasonable; and that the Proposed Rezoning is consistent with the Comprehensive Plan; now, therefore,

BE IT ORDAINED by the Council of the City of Charlottesville, Virginia that the Zoning District Map Incorporated in Section 34-1 of the Zoning Ordinance of the Code of the City of Charlottesville, 1990, as amended, be and hereby is amended and reenacted as follows:

Section 34-1. Zoning District Map. The zoning district classification of all of the land identified by City Real Estate Parcel Identification No. 610084000, containing approximately 0.19 acre (approximately 8,450 square feet), having an address of 817 Nassau Street, is hereby changed from R-1(S) (Single Family Residential Small Lot) to R-2 (Two Family Residential)

BE IT FURTHER ORDAINED THAT the City’s Zoning Administrator shall update the Zoning District Map to reflect the new R-2 zoning district classification for the Subject Property.