

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



Agenda Date:	August 2, 2021
Action Requested:	Consideration of a SUP Application
Presenter:	Matt Alfele, City Planner
Staff Contacts:	Matt Alfele, City Planner
Title:	SP-21-00004 - 1206 Carlton Avenue

Background:

Justin Shimp (applicant), on behalf of the owner, (Hulett Management Services) submitted a Special Use Permit application (SUP) for a residential density of thirty-one (31) DUA (Dwelling Units per Acres) at 1206 Carlton Avenue (Subject Property). The Subject Property is currently zoned R-2 and the applicant is pursuing a rezoning of the Subject Property to R-3 per petition ZM-21-00001. An increase in density through a SUP is not permitted unless the Subject Property is granted a rezoning to R-3. In addition to increased density, the applicant is requesting adjustments to side yard regulations per Sec. 34-162 from the required thirteen (13) feet to eight (8) feet. The SUP application is being requested (in conjunction with Rezoning application ZM-21-00001) to accommodate a proposed eight (8) unit apartment building on the Subject Property. The Subject Property is currently vacant with road frontage on Carlton Avenue and alley access from the rear of the property to Bainbridge Street. The proposed apartment building would contain eight (8) dwellings with a mix of one and two-bedroom units with eight (8) parking spaces.

Discussion:

The Planning Commission discussed this matter at their August 16, 2021 meeting.

The discussion of the subject property centered both on the rezoning application and the SUP application. The Planning Commission expressed concerns that overflow parking would impact Carlton Avenue and Chestnut Street and wanted to know the rent range for the units. The applicant stated that the one and two bedroom units would be in the range of \$1,100 to \$1,500 a month. During the discussion, Planning Commission talked through additional conditions such as larger street trees. The Commission stated this type of housing is “missing middle” and would support more housing opportunities in the neighborhood. The Commissioners were concerned with putting more units on Carlton Avenue, but did not feel it was the applicant’s responsibility to improve

offsite infrastructure - that should be the City responsibility.

Alignment with City Council’s Vision and Strategic Plan:

If City Council approves the SUP 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 August 16, 2021.

During the July 13th Public Hearing, ten members of the public spoke. Many of the speakers were concerned with overflow parking and that the density was too high. Safety for pedestrians on Carlton Avenue, disruption to the character of the neighborhood, and traffic were also major concerns for many of the speakers. Other speakers were in favor of the rezoning and SUP. They felt the scale was consistent with the neighborhood and the development would provide the type of housing the City needs.

Staff received only a few emails regarding this project and they were forwarded to Planning Commission and City Council. The main concern noted related to inadequate parking for this project.

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 for a Special Use Permit in the R-2 (application ZM21-00001 under review to rezone from R-2 to R-3) zone at 1206 Carlton Avenue to permit residential development with additional density and adjustment to the southeast side yard requirement with the following conditions:

1. Up to 31 dwelling units per acre (DUA) are permitted on the subject property.
2. The design, height, and other characteristics of the development shall remain essentially the same, in all material aspects, as described within the application materials received dated March 12, 2021. Except as the design details of the development may subsequently be modified to comply with staff comments, or by any other provision(s) of these SUP Conditions, any change of the development that is inconsistent with the application shall require a modification of this SUP. Key elements of this design are:
 - a. One (1) apartment building containing eight (8) one and two-bedroom units.
 - b. Southeast side yard setback of eight (8’) feet.
 - c. One-way vehicular traffic pattern with control devices as approved by the City’s Traffic Engineer.
 - d. Vegetation used to screen parking to the northwest.

- e. Parking lot shall be located behind the building and not visible from Carlton Avenue.
- f. Pedestrian circulation pattern shall be independent from the vehicular traffic pattern.

Condition(s) from Planning Commission

- 3. Two large canopy trees will be provided along the frontage with Carlton Avenue.

Mr. Lahendro seconded the motion.

Mr. Habbab: Yes
Mr. Lahendro: Yes
Mr. Mitchell: Yes
Ms. Russell: Yes
Mr. Solla-Yates: Yes
Mr. Stolzenberg: Yes

The motion passed 6 - 0.

Alternatives:

City Council has several alternatives:

- (1) by motion, approve the attached resolution granting the SUP with conditions as recommended by the Planning Commission;
- (2) by motion, take action to deny SUP;
- (3) by motion, request changes to the attached Resolution and staff conditions, and then approve the SUP; or
- (4) by motion, defer action on the SUP.

Attachments:

- A. Resolution
- B. Link to the Staff Report and background information from the March 13, 2018 Planning Commission meeting:
<https://charlottesvilleva.civicclerk.com/web/Player.aspx?id=1179&key=-1&mod=-1&mk=-1&nov=0>

**RESOLUTION
APPROVING A SPECIAL USE PERMIT
TO AUTHORIZE INCREASED DENSITY AND REDUCED SETBACKS FOR
CONSTRUCTION OF AN 8-UNIT MULTIFAMILY DWELLING AT
1206 CARLTON AVENUE**

WHEREAS, landowner Management Services, Inc. has made application for a special use permit, to obtain additional residential density, and reduction of certain building setback requirements, for a specific project; and

WHEREAS, the Project will be developed within a development site having an area of approximately 0.26 acre, or 11,325 square feet, located at 1206 Carlton Avenue (“Subject Property”), which is further identified on City Tax Map 57 as Parcel 127 and which has a zoning district classification of “R-3” (Multifamily Residential); and

WHEREAS, the project that is the subject of this application is generally described within the following application materials dated January 18, 2021, submitted to the City on March 18, 2021, including: (i) application materials dated January 18, 2021, and related narrative; and (ii) a proposed preliminary site plan dated March 12, 2021, depicting a multifamily dwelling to be constructed within the Subject Property (collectively, “Application Materials”); and

WHEREAS, the Application Materials represent that the purpose of the Special Use Permit is to facilitate the development of a multifamily dwelling containing eight (8) one- and two- bedroom dwelling units (the “Project), and that the Project cannot be developed without an increase in the allowable residential density from 21 dwelling units up to 31 dwelling units per acre, as authorized by City Code 34-420, and a reduction in the side yard setback applicable to the Subject Property from a required 13 feet (minimum) to 8 feet (minimum), as authorized by City Code 34-162(a); and

WHEREAS, on July 13, 2021 the Planning Commission and the City Council conducted a joint public hearing on the proposed special use permit, following notice as required by Virginia Code 15.2-2204 and applicable provisions of the City’s zoning ordinance; and

WHEREAS, following the joint public hearing, the Planning Commission reviewed the Application Materials, and the City’s Staff Report pertaining thereto, and then the Planning Commission voted to recommend that City Council should approve the proposed special use permit for the Project; and

WHEREAS, upon consideration of the comments received during the joint public hearing, the Planning Commission’s recommendation, and the Staff Report, as well as the factors set forth within Sec. 34-157 of the City’s Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to City Code Sec. 34-480, a special use permit is hereby approved for the purpose of allowing development of the Project at the Subject Property, subject to the following conditions:

1. The Project may be developed at a residential density of up to thirty-one (31) dwelling units per acre, within the area of the Subject Property.
2. Two large canopy trees will be provided along the frontage with Carlton Avenue.
3. The design, height, and other key characteristics of the development shall remain essentially the same, in all material aspects, as described within the Application Materials, including the following:
 - a. a single (1) residential building on the Subject Property, containing eight (8) one- and two-bedroom dwelling units;
 - b. southeast side yard setback of eight (8') feet;
 - c. vehicular traffic pattern shall be one-way traffic, with control devices as approved by the City's Traffic Engineer;
 - d. pedestrian circulation pattern shall be independent from the vehicular traffic pattern;
 - e. vegetative screening of the parking along the property line; and
 - f. the improved parking lot shall be located behind the building and shall not be visible from Carlton Avenue

Except as may be necessary to obtain approval of a final site plan in accordance with requirements of City ordinances or regulations, or with all of the conditions of these special use permit conditions: any change in the Project as it was represented within the Application Materials shall require a modification of this SUP.