

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



<b>Agenda Date:</b>	August 1, 2022
<b>Action Required:</b>	Consideration of an application for rezoning
<b>Presenter:</b>	Brian Haluska, Principal Planner
<b>Staff Contacts:</b>	Brian Haluska, Principal Planner
<b>Title:</b>	<b>415 10th Street NW, Rezoning from R-1S to B-2 (1 of 2 readings)</b>

**Background**

Dairy Holdings, LLC (owner) has submitted a Rezoning Application pursuant to City Code Sec. 34-41 seeking a zoning map amendment to change the zoning district classification of the above parcel of land. The application proposes to change the zoning classification of the Subject Property from the existing R-1S (Residential Small Lot) to B-2 (Commercial) with proffers. The Subject Property has road frontage on 10th Street NW and Grady Avenue. The Comprehensive Land Use Map for this area calls for General Residential (Sensitive Community Area).

**Discussion**

The Planning Commission considered this application at their meeting on July 12, 2022. The discussion centered on the proposed proffers and how the proposed uses would fit into the potential new zoning map.

The staff report and supporting documentation presented to the Planning Commission can be found starting at page 66 at the following link: [Planning Commission Packet from July 12, 2022](#).

**Alignment with City Council's Vision and Strategic Plan**

The City Council Vision of Quality Housing Opportunities for All states that "Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers."

**Community Engagement**

On April 27, 2022 the applicant held a community meeting at the Brick Cellar inside Dairy Market at 946 Grady Avenue at 6:00pm. Ten members of the public attended the meeting. The meeting was recorded and is available to the public through the developer.

Several members of the public stated their preference that the owner seek historic designation of the Subject Property to ensure the building on the site would remain.

On June 14, 2022, the Planning Commission held a joint public hearing on this matter. Members of

the public spoke on the topic, and expressed concern for the lack of benefit to the adjacent community that the change in use would provide.

**Budgetary Impact**

No direct budgetary impact is anticipated as a direct result of this rezoning.

**Recommendation**

Staff recommends the application be approved.

The Planning Commission voted 6-0 to recommend the application be approved.

**Alternatives**

- (1) by motion, City Council may approve the attached Ordinance
- (2) by motion, City Council may deny the Rezoning;
- (3) by motion, City Council may defer action on the Rezoning.

**Attachments**

- 1. Dairy Church Proffer Statement (signed)
- 2. Ordinance RZO 415 10th St