

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	December 19, 2022
Action Required:	Ordinance Adoption
Presenter:	Carrie Rainey, Urban Designer/City Planner
Staff Contacts:	Carrie Rainey, Urban Designer/City Planner Brenda Kelley, Redevelopment Manager Alexander Ikefuna, Director of Community Solutions
Title:	<b>Considering a Zoning Map Amendment for the Mount View PUD (Planned Unit Development) (2nd reading)</b>

### **Background**

Kelsey Schlein of Shimp Engineering, PC, acting as agent for Mount View Baptist Church, Mount View Properties, LLC, and Route 250 Houses, LLC (collectively the “Owners”) has submitted an application pursuant to Section 34-490 seeking a zoning map amendment to change the zoning district classifications of 908 St. Clair Avenue, 1133 Otter Street, 1221 Landonia Circle, and 1201 Landonia Circle (Tax Map Parcels 490065000, 490072100, 490072000, and 490073000). The application proposes to change the zoning classification of the Subject Property from “R-2” (Two-Family Residential) to “PUD” (Planned Unit Development) subject to proffered development conditions.

### **Discussion**

The Planning Commission considered this application at their meeting on September 13, 2022. The discussion centered on the affordable housing proffer; particularly concerns with the proposed duration of affordable housing unit availability and specifications for qualifying residents; and general support of the proposed density and proposed building form.

The staff report and supporting documentation presented to the Planning Commission can be found starting at page 18 of the [Planning Commission September 13th packet](#). **Subsequent to the September 13th Planning Commission meeting, the applicant provided a modified PUD Development Plan and updated proffer statement.** Per City Code Section 34-65, when an applicant adds to, expands, clarifies, or otherwise modifies proffers acted upon by the planning commission, the applicant must prepare a cover sheet listing the modifications (attached) and City Council has three options: **(1)** decline to consider the modifications, and consider only the application that was before the planning commission; **(2)** continue its consideration to another regular Council meeting date, and itself conduct an additional public hearing, **or (3)** refer the modified application back to the planning commission for review and recommendation, upon an additional public hearing with Council.

The modified PUD Development Plan (attached) now references the existing allowance for family day homes (5-12 children) with a provisional use permit in the R-2 zone and proposes the use be allowed per provisional use permit in both blocks of the PUD development, and removes reference to specific improvements along Landonia Circle as those improvements will be determined in the site plan review process. Staff has no concerns with these modifications, which provide additional clarification to the development plan but do not substantially alter the proposal.

The proffer revisions are described in the attached proffer modification cover letter. Analysis by the Office of Community Solutions is also attached. The Office of Community Solutions specifically noted:

- Staff would like to see a longer Rental Affordability Period.
- The applicant noted the right to make changes to the affordable units. The City would consider the changes if they are reasonable and would not result in the segregation of units or reduction in the size of the unit(s).

Staff also supports the modification to Proffer 3 to ensure the preferences of the adjacent property owners and the addition of Proffer 4 to improve pedestrian connectivity to the development.

**Update:** City Council continued action on the zoning map amendment at their December 5, 2022 meeting. The applicant has provided an updated final proffer statement which has extended the affordability period to 99 years.

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

The additional housing density provided via this zoning map amendment may align with City Council's Vision Statement, *Quality Housing Opportunities for All*, as well as Goal 1 of City Council's Strategic Plan, *An Inclusive Community of Self-sufficient Residents*, and Objective 1.3, *Increase affordable housing options*.

### **Community Engagement**

Per Section 34-41(c)(2), the applicant held a community meeting on March 9, 2022. (A City Planner was able to attend as the NDS representative). Neighborhood comments gathered from the community meeting include the following.

Many members of the public attended the meeting and voiced the following concerns:

- Quantity of multifamily residential units proposed.
- Increase in vehicular traffic and distribution of vehicular traffic.
- Availability of parking within the development and potential parking spill-over onto neighborhood streets.
- Lack of connection through Block 1 to Block 2.
- Architectural quality of the built development.
- Location of proposed balconies in relation to existing homes in the neighborhood.
- Stormwater management facilities and potential impacts to the Rivanna River.

The following items were supported by some speakers at the meeting:

- Central greenspace.
- Multifamily residential units are proposed in a series of smaller buildings.

The Planning Commission held a joint public hearing with City Council on this matter on September 13, 2022. Several members of the public spoke on the application. The members of the public raised concerns regarding:

- The proposal does not meet the Future Land Use Map of the 2021 Comprehensive Plan.
- Increase in vehicular traffic and distribution of vehicular traffic.
- Architectural quality of the built development.
- Proposed duration of the affordable housing proffer.
- Inefficient use of existing church parking lot.
- Stormwater management facility requirements.

### **Budgetary Impact**

No direct budgetary impact is anticipated as a direct result of this zoning map amendment.

### **Recommendation**

Staff recommended to Planning Commission the application be recommended for denial. The Planning Commission voted to recommend the application be denied.

If Council should decide to approve the application with the proffer modifications presented by the applicant after the Planning Commission meeting, Council should utilize the attached proposed Ordinance. ***Suggested motion: "I move the ORDINANCE approving a rezoning to authorize establishment of the Park Street PUD, subject to proffered development conditions, within the area of the parcels of land located at 908 St. Clair Avenue, 113 Otter Street, 1221 Landonia Circle, and 1201 Landonia Circle."***

### **Alternatives**

City Council may :

- (1) by motion, take action to deny the zoning map amendment;
- (2) by defer action on the zoning map amendment; or
- (3) by motion, refer the zoning map amendment back to Planning Commission for review of the revised proffer statement.

### **Attachments**

1. RZO PUD Mt View
2. Mount View PUD Proffer Cover Letter
3. Mount View PUD Final Proffer Statement
4. Office of Community Solutions Analysis of Mount View PUD Final Proffer Statement
5. Mount View PUD Revised PUD Development Plan

