

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



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| Agenda Date: | January 3, 2023 |
| Action Required: | Approve Resolution |
| Presenter: | James Freas, Director of NDS |
| Staff Contacts: | James Freas, Director of NDS |
| Title: | Initiating a Zoning Text Amendment - Planned Unit Development (1 reading) |

Background

RMD Properties, owner of 2117 Ivy Road, are requesting consideration of a zoning text amendment that would allow development of this property beyond what is currently allowed by zoning (request attached). As per the ordinance cited below, only Council or the Planning Commission may initiate a zoning text amendment.

Whenever the public necessity, convenience, general welfare or good zoning practice require, the City Council may, by ordinance, amend, supplement, or change the city's zoning district regulations, district boundaries, or zoning district classifications of property. A zoning text amendment may be initiated by: (1) Resolution of the City Council; or (2) Motion of the Planning Commission. (See City Code §34-41(a), which is based on Virginia Code §15.2-2286(a) (7)).

Discussion

As outlined in the request, there is not currently a option within the zoning ordinance that would allow the proposed project to proceed. The property owner is therefore proposing to utilize the Planned Unit Development (PUD) provisions of the ordinance, with a zoning text amendment that would reduce the minimum lot size required for a PUD in the Urban Corridor Mixed Use District. At this point in time, Council is not being asked to discuss the merits of making this zoning amendment or not, but simply whether to approve a resolution directing the Planning Commission to consider the proposed zoning text amendment and to provide a recommendation to Council.

The following information may be useful to Council in this decision:

- This section of the zoning ordinance was last amended in 2006 when Council raised the minimum lot size necessary for a PUD citywide to the current 2 acre requirement.
- The proposed project is potentially consistent with the 2021 Comprehensive Plan with regard to the land use map and affordable housing objectives.
- Staff is at this time still targeting June 2023 for adoption of the new zoning ordinance. Staff is currently not considering keeping the PUD section of the zoning ordinance.

Alignment with City Council's Vision and Strategic Plan

This project could support City Council's visions of Economic Sustainability. It contributes to the following Strategic Plan Goal 4: A Strong Creative and Diversified economy.

Community Engagement

After a proposed amendment is initiated, the opportunity for public comment is available through the public hearing process required as part of a zoning text amendment.

Budgetary Impact

No additional funds are required.

Recommendation

Staff recommends approval of the resolution allowing consideration of a proposed zoning text amendment by the Planning Commission and City Council.

Suggested Motion: "I move the RESOLUTION initiating an amendment to the zoning text within Section 34-492 of the City Code"

Alternatives

The City Council may decide not to approve this resolution.

Attachments

1. RES Initiate ZTA
2. RMD Properties_ LLC Request for Initiation of Zoning Text Amendment w_ exhibits