

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



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| Agenda Date: | October 2, 2023 |
| Action Required: | Consideration of a Special Use Permit |
| Presenter: | Matthew Alfele, City Planner |
| Staff Contacts: | Matthew Alfele, City Planner |
| Title: | Resolution to Approve a Special Use Permit at 1709 Jefferson Park Avenue – SP23-00005 (1 reading) |

Background

Mitchell Matthews and Associates, LTD (applicant), representing the owner (Neighborhood Investments, LLC) has submitted a Special Use Application and a Critical Slope Waiver Application (P23-0049) for property located at 1709 Jefferson Park Avenue and identified in the City's land records as Tax Map and Parcel (TMP) as 160010100 (Subject Property). The purpose of the SUP is for increased density, additional height, modifying yard requirements, and modifying onsite parking requirements. The applicant is proposing to redevelop the Property and replace the existing (8) unit multifamily apartment building with a (27) unit multifamily apartment building. As part of the redevelopment plan the applicant is requesting an increase in density from 21 dwelling units per acre (DUA) to 87 DUA per Section 34-420; increase in allowable height from 45 feet to 70 feet per Section 34-53(b)(3); modify front yard requirements from the average calculations under Section 34-353(b)(1) to a set 18 feet along Jefferson Park Avenue and 25 feet along Montebello Circle per Section 34-162; modify the side yard requirements of 17.5 feet under Section 34-353(a) to 5 feet per Section 34-162; reduce the minimum distance between the facade of the multifamily building and the boundary of any low-density residential district from 75 feet to 58 feet under Section 34-353(b)(4) per Section 34-162; modify the yard screening requirement from 25 feet width of S-3 screening along Montebello Circle to 17 feet S-1 screening for 50% of the frontage along Montebello Circle under Section 34-353(b)(4) per Section 34-162; and reduction of on-site parking from 38 spaces under 34-986 to 22 spaces per Section 34-162. The Subject Property is zoned R-3 (medium-density residential with an Entrance Corridor overlay).

Discussion

The Planning Commission held a hybrid virtual and in-person joint Public Hearing with City Council on September 12, 2023, on this matter. In addition to the Public Hearing, the Planning Commission, in the role of Entrance Corridor Review Board (ERB), also deliberated on this proposal. The Planning Commission and City Council had the following comments and concerns:

- How will the overall height of the building impact the surrounding neighborhood?
- Affordability requirements.
- How will the proposed development interact with the frontage on Montebello Circle?

The Planning Commission reacted favorably to the requests within the SUP and Critical Slope

Waiver applications. They believe a development of this size and density is appropriate at this location. They, along with City Council, were concerned with the level of affordability, but understood the applicant was meeting the minimum requirement under the current affordable housing code section. In addition, there was a long conversation about how the development should interact with Montebello Circle and transition to that side of the neighborhood. Prior to providing a recommendation of approval, the Planning Commission adjusted a number of the conditions presented by staff in order to create a “front yard” for the development along Montebello Circle.

Staff note: A recording of the meeting can be found at the following link. Discussion starts at the 01:16 mark.

[Link to September 12, 2023 Public Hearing](#)

Staff note: The full application for this project can be found at the following link. Materials start on page 5.

[Link to Application and background Materials](#)

The ERB voted 6-0 to find the visual and aesthetic impacts of the requested SUP [SP23-00005] can be addressed during the required design review and, therefore, will not adversely impact the Fontaine Avenue/Jefferson Park Avenue Entrance Corridor.

Alignment with City Council's Vision and Strategic Plan

If City Council approves the Special Use Permit request, the project could contribute to Quality Housing Opportunities for All and a Community of Mutual Respect aspects of the City Vision Statement.

Community Engagement

The applicant held a community meeting on June 6, 2023, on site. The meeting was attended by seven members of the public. The following points were raised:

- The proposed building is too tall and will block residents' view from Montebello Circle.
- Parking should not be allowed on Montebello Circle.
- More screening is needed on the Montebello Circle side.
- There is a concern that trash will not be handled adequately.
- No affordable units are being provided onsite.
- More thought needs to be given to climate change and how removing the existing building will impact the climate. The existing building should be renovated and not replaced.
- The project is too dense.
- There are a lot of new developments coming into the neighborhood and they do not give anything back and it impacts the quality of life for longtime residents.
- The development needs more green space.
- Large student housing creates a lot of noise on weekends and nights.

On September 12, 2023, the Planning Commission held an in-person and virtual joint Public Hearing with City Council. Six (6) members of the public spoke and expressed the following:

- The proposed development would not be harmonious with the surrounding neighborhood and would be too tall.
- The proposed development would be detrimental to the neighborhood's sense of community.
- The proposed development will create traffic and parking issues.

- The proposed development will not be affordable for students.
- The City needs more housing and the proposed development will help with that.

Any emails received by staff regarding this project have been forwarded to the Planning Commission and City Council.

Budgetary Impact

This has no impact on the General Fund.

Recommendation

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

Suggested motion:

“I move to approve the RESOLUTION for application SP23-00005 granting a Special Use Permit for Property located at 1709 Jefferson Park Avenue, City Tax Map Parcels 160010100 with conditions.”

Alternatives

City Council has several alternatives:

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

Attachments

1. Resolution 1709 JPA SUP