

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



Agenda Date:	October 2, 2023
Action Required:	Consideration of a Critical Slope Waiver
Presenter:	Matthew Alfele, City Planner
Staff Contacts:	Matthew Alfele, City Planner
Title:	Resolution to Approve a Critical Slope Waiver at 1709 Jefferson Park Avenue - P23-0049 (1 reading)

Background

Mitchell Matthews and Associates, LTD, representing the owner Neighborhood Investments, LLC, is requesting a waiver from Section 34-112(b) of the City's Critical Slope Ordinance as part of a plan to redevelop 1709 Jefferson Park Avenue and identified in the City's land records as Tax Map and Parcel (TMP) as 160010100 (Subject Property). The proposed development would replace the existing eight-unit multifamily apartment building with a new twenty-seven unit multifamily apartment building. The Subject Property is relatively small and the existing building and supporting infrastructure (parking, walkways, retaining walls...) already impact a majority of the Critical Slopes on site. Most of the existing unimpacted Critical Slopes are on the sides of property. The proposed development would expand the footprint of the site and disturb virtually 100% of the Critical Slopes. In conjunction with this application, the owner is also pursuing a Special Use Permit (SP23-00005).

Discussion

The Planning Commission held a hybrid virtual and in-person meeting and hearing on September 12, 2023, on this matter as part of the connected SUP application. The Planning Commission and City Council had the following comments and concerns as it related to the overall development:

- 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 provided 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 Planning Commission meeting](#)

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](#)

Alignment with City Council's Vision and Strategic Plan

If City Council approves the Critical Slope Waiver 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

Under the City's Zoning Code, a Critical Slope Waiver Application does not require a Public Hearing or Community Engagement meeting, but due to the applicant also pursuing a SUP (SP23-00005), a community meeting was held on June 6, 2023. 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 on the SUP aspect of the development. 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 Critical Slope Waiver.

Suggested motion:

“I move to approve the RESOLUTION for application P23-0049 granting a Critical Slope Waiver 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 Critical Slope Waiver as recommended by the Planning Commission;
- (2) by motion, request changes to the attached resolutions, and then approve the Critical Slope Waiver;
- (3) by motion, take action to deny the Critical Slope Waiver; or
- (4) by motion, defer action on the Critical Slope Waiver.

Attachments

1. Resolution 1709 JPA Critical Slope Waiver