

CITY OF CHARLOTTESVILLE, VIRGINIA  
CITY COUNCIL AGENDA



Agenda Date:	December 18, 2023
Action Required:	Consideration of an application for a Critical Slope Waiver
Presenter:	Matthew Alfele, City Planner, James Freas, Director of NDS
Staff Contacts:	Matthew Alfele, City Planner
Title:	<b>Resolution to grant a Critical Slope Waiver for a residential development referred to as "VERVE Charlottesville PUD"</b>

### **Background**

Subtext Acquisitions, LLC ("Contract Purchaser and Applicant"), on behalf of Woodrow Apartments, LLC; Woodrow Too, LLC; and 1709 JPA LLC, ("Owner") is requesting a waiver from Section 34-112(b) of the City's Critical Slope Ordinance as part of a plan to redevelop 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, and 100 Stadium Road ("Subject Property"). The applicant is proposing to redevelop the Subject Property and replace the existing (62) residential units (spread between nine different buildings) with one building containing between (524) to (550) residential units. The proposed building will have a height range of (75) feet to (135) feet and stories that range from (5) to (12). In addition, the proposed PUD includes improved pedestrian and bicycle circulation along Stadium Road, Emmet Street, and Jefferson Park Avenue and road improvements to Montebello Circle. The majority of the Critical Slopes on the Subject Property run along the southern boundary of the property that fronts Montebello Circle. The proposed development's impact on Critical Slopes will include built structures (footprint of the building and structured parking), pedestrian circulation, and grading. In conjunction with a Critical Slope Waiver, the applicant is also pursuing a series of City Council approvals to permit the proposed development. These include rezoning application (**ZM23-00004**), zoning text amendment (**ZT23-09-02**), Woodrow Street closure comprehensive compliance (**CP23-00002**), sidewalk waiver (**P23-0058**), and an amendment to an ordinance authorizing the sale of City owned property 409 Stadium Road (from May 2, 2011).

### **Discussion**

The Planning Commission held an in-person and virtual meeting on October 10, 2023 related to this matter, along with a joint Public Hearing related to the rezoning, zoning text amendment, and amendments to adopted ordinances. See the City Action memos related to applications ZM23-00004 and ZT23-09-02 for more detailed information on the rezoning requests. The Planning Commission did not deliberate on the requested Critical Slope Waiver directly, but it was incorporated into their larger discussion of the project in general.

Link to the Planning Commission Public Hearing. Discussion starts at the 01:22:00 mark.

[Link](#)

Link to the full application and background materials. The Staff Report starts on page 47.

[Link](#)

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

If City Council approves the Critical Slope Waiver Application, the project could contribute to the City Vision Statement of Housing: Charlottesville defines access to livable housing as a human right and works to ensure housing choices and mobility are provided for all who seek it through implementation of the Affordable Housing Plan.

### **Community Engagement**

Under the City's Zoning Code, a Critical Slope Waiver Application does not require a Public Hearing or community engagement meeting, but public engagement for this project has been achieved through other methods such as the rezoning application. See the City Action memos related to applications **ZM23-00004** and **ZT23-09-02** for more detailed information.

### **Budgetary Impact**

This has no impact on the General Fund.

### **Recommendation**

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

Suggested:

"Suggested motion: "I move to approve the RESOLUTION granting a Critical Slope Waiver for Property located at 106 – 114 Stadium Road, 409 Stadium Road, 104 Stadium Road, 102 Stadium Road, 1705 Jefferson Park Avenue, and 100 Stadium Road, City Tax Map Parcels 160008000, 160005000, 160004000, 160003000, 160002000, and 160001000 with conditions."

### **Alternatives**

City Council has several alternatives:

- (1) by motion, take action to approve the attached resolution granting the Critical Slope Waiver as recommended by the Planning Commission;
- (2) by motion, request changes to the attached resolution, 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. VERVE Charlottesville PUD Critical Slope Waiver Resolution