

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



|                  |                                                                                                                                                |
|------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Agenda Date:     | February 5, 2024                                                                                                                               |
| Action Required: | Consideration of a Special Use Permit                                                                                                          |
| Presenter:       | Carrie Rainey, Urban Designer/City Planner                                                                                                     |
| Staff Contacts:  | Carrie Rainey, Urban Designer/City Planner                                                                                                     |
| Title:           | <b>Consideration of a Special Use Permit Application for 108 Lankford Avenue, designated on the City Tax Map and Parcel (TMP) as 260012000</b> |

**Background**

Green Retro Salvage II Holdings, LLC (applicant and owner) has submitted a Special Use Permit (SUP) application per Code Section 34-420 for property located at 108, 110, and 112 Lankford Avenue and identified in the City's land records as Tax Map and Parcel (TMP) 260012000 (Subject Property). The applicant is also pursuing a Rezoning application (ZM23-00002) to change the existing zoning of the Subject Property from Residential Small Lot (R-1S) to R-3 (Multifamily Residential) with proffers. Should the Rezoning application be approved, approval of the SUP application would permit additional residential density up to 49 dwelling units per acre (DUA) per Section 34-420 and the changes to setback and buffer requirements per Section 34-162:

Front yard setback (Section 34-353(a)): Modified from a 25-foot minimum to 10-feet.

Setback adjacent to low-density residential districts (Section 34-353(b)(4)): Modified from a 75-foot minimum to 10-foot side setback and 25-foot rear setback.

Screening adjacent to low-density residential districts (Section 34-872(a)(1)(a)): Modified from a 20-foot minimum S-2 screen landscape buffer to 6-foot opaque screening fence.

Please see the previous report for more information on the Rezoning application.

**Discussion**

The Planning Commission and City Council held a joint public hearing on this matter on November 14, 2023. The staff report and application materials are available starting on page 212 of the packet: <https://charlottesvilleva.portal.civicclerk.com/event/1836/files/4422> After the hearing, the Planning Commission granted the applicant's request to defer the application in order to make revisions.

The Planning Commission considered the revised application at their January 9, 2024 meeting. The staff report and application materials are available starting on page 150 of the packet: <https://charlottesvilleva.portal.civicclerk.com/event/1956/files/4528> The Planning Commission discussed the modified preliminary proffer statement, which now requires 10% of residential units to be affordable for 99 years beginning with the first certificate of occupancy. The Planning Commission discussed the proposed preservation of two (2) of the three (3) existing buildings fronting on Lankford

Avenue, which the Planning Commission found maintains the existing character and scale of the neighborhood. The Planning Commission discussed the impact of the property's grade on the placement of the proposed buildings, which the Planning Commission found reduces the apparent massing of the buildings. The Planning Commission discussed concerns with motorist behavior on Lankford Avenue and determined potential improvements would be most appropriately undertaken by the City through the Traffic Calming program.

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

If City Council approves the Special Use Permit, 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**

On August 2, 2023, the applicant held a Community Meeting at CitySpace (100 5th Street NE) beginning at 5:00pm. The meeting was attended by four (4) members of the public. Concern was expressed for impacts to traffic and on-street parking (as many existing homes do not have on-site parking), impacts to land values, impacts to the cemetery on the adjacent property (106 Lankford Avenue), and the proposed multifamily building style and heights. Attendees expressed a desire to see single family homes or tiny homes at this location. At the meeting, the applicant team confirmed underground and sonar survey work had been completed in respect to the cemetery on adjacent 106 Lankford Avenue.

At the November 6, 2023 City Council meeting, several members of the public spoke during Community Matters on Lankford Avenue. Comments are available in the meeting minutes starting on page 6 of the minutes: <https://charlottesvilleva.portal.civicclerk.com/event/1669/files/4531>

On November 14, 2023, the Planning Commission held a joint public hearing with City Council. No members of the public spoke at the hearing.

As of the date of this report, staff has received comments from two (2) community members. One community member indicated they are not supportive of the proposed Rezoning and SUP applications due to impacts from other developments in the neighborhood including on-street parking availability and difficulty traveling Lankford Avenue due the narrow width. The other community member noted concerns with increased traffic on Lankford Avenue including the narrow width of Lankford Avenue, lack of complete sidewalks, street grades increasing vehicular speeds, and the residential nature of the street which includes many homes with children or older adults. Should any comments come in after the report is posted, those comments will be forwarded to City Council.

### **Budgetary Impact**

There is no impact to the General Fund.

### **Recommendation**

The Planning Commission voted 5-0 to recommend approval of the Special Use Permit application with conditions.

Suggested motion: I move to approve the resolution for application SP23-00003 granting a Special

Use Permit for the property located at 108, 110, and 112 Lankford Avenue, City Tax Map Parcel 260012000, to allow residential density up to 49 dwelling units per acre and modified setbacks and screening requirements with the conditions stated in the resolution.

### **Alternatives**

City Council has several alternatives:

- (1) by motion, take action to approve the attached resolution granting the Special Use Permit with conditions as recommended by the Planning Commission;
- (2) by motion, request changes to the attached resolution, 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. 108 Lankford Avenue SUP Resolution