

CHARLOTTESVILLE CITY COUNCIL MEETING MINUTES

December 5, 2023 at 4:00 PM

Draft Zoning Ordinance Public Hearing

Council Chamber, 605 E. Main Street

The Charlottesville City Council met for a special meeting in the form of a public hearing on Tuesday, December 5, 2023, to hear public comments regarding the Development Code/Draft Zoning Ordinance. Mayor Snook called the meeting to order with all members present: Mayor Lloyd Snook, Vice Mayor Juandiego Wade, and Councilors Michael Payne, Brian Pinkston and Leah Puryear. Mayor Snook opened the public hearing, referencing the letter dated November 13, 2023, that was mailed to property owners and residents, notifying them of the opportunity to appear and present their views with respect to the proposed Development Code/Draft Zoning Ordinance (DZO). Registration for public hearing speaking slots began thirty minutes prior to the meeting and Clerk of Council Kyna Thomas called the following individuals to speak in the order in which they signed up:

1. Dan Miller, Avon Street, spoke in favor of modest upzoning and against R-C zoning; he also spoke about the need to enforce existing regulations.
2. Tyler Miller, Green Street, supported Dr. Miller's comments and requested removal of Section 5.4.d.8 of the DZO, which he stated was taken directly from the State Code. He expressed concern that a meeting of this magnitude was taking place during the workday and not on a weekend.
3. Martha Donnelly, Rugby Avenue, spoke in support of increased housing and about biodiversity loss. She requested a pause to learn more about development effects on biodiversity before passing the Zoning Ordinance.
4. Sharon Kelley, Palatine Avenue, spoke about the need for infrastructure updates to accommodate upzoning, identifying risks associated with upzoning.
5. Mark Kavit, Altamont Street, spoke about the need for infrastructure updates to accommodate upzoning, identifying risks associated with upzoning. He stated that there was no presentation about tax implications of the plan.
6. Deb Jackson, Douglas Avenue, spoke about tax implications, assessment values and cost increases for properties after high density upzoning.
7. Roy Van Doorn, Rugby Avenue, spoke about infrastructure needs to accommodate upzoning, and the need for citizens to receive information about tax implications related to increased density.
8. Kimber Hawkey, Belmont, on behalf of the Belmont-Carlton Neighborhood Association, asked for a Zoning Map change to remove commercial use in Belmont Center.
9. James Kelley, Belmont, opposed drastic upzoning.

10. John Pfaltz, Rugby Road, stated that the Zoning Ordinance should be resolved by citywide referendum instead of voted upon by City Council.
11. Jeff Levien, West Main Street, spoke about the process and the need for developers to have clear, concise, and dependable rules. He requested that the Zoning Ordinance have no text requiring the Board of Architectural Review, City Council or anyone to put conditions on approval or have another look at projects, resulting in decreased height or density prescribed by the Ordinance.
12. Michael Caplin, Historic Downtown, spoke about foot traffic needs of the downtown area, and in support of greater density.
13. Nancy Summers, Blue Ridge and Barracks Road, expressed concerns about expected crowding near Barracks and Emmet Roads, and stated that the Zoning Ordinance could allow good things to happen with increased density, but should also prevent bad things from happening.
14. Bill Emory, East Market Street, expressed concerns with the durability of existing proffers and development plans.
15. Vern Buchanan, Tarleton Drive, expressed concern about the work of the Planning Commission and the need to review infrastructure capacity to support the proposed changes. He spoke about traffic and other issues, and requested that Council slow down the process.
16. Jean Hiatt, Meadowbrook Heights Road, spoke about density near UVA and the need to preserve existing homes and tree canopy, while adding development.
17. David Brown, Meadowbrook Heights Road, stated that the consultants developed the Code document from afar. He requested keeping the current zoning height downtown and he spoke about the need to require one parking space per unit, emphasizing that upzoning cannot be reversed.
18. Barry Sisson, Watts Passage, supported the DZO and he shared options for parking in residential areas.
19. Nancy Damon, Jefferson Park Avenue, spoke in support of efforts to make housing more affordable with the Zoning Ordinance.
20. David Berzonsky, Rockland Avenue (Belmont), supported the DZO and the need to invest in infrastructure to support development. He spoke in favor of backyard cottages to support housing affordability.
21. Peter Krebs, city resident representing the Piedmont Environmental Council, spoke in support of the plan, stating that as much of the development as possible should occur in core neighborhoods. He expressed a need to reduce sprawl to meet climate action goals, reduce costs for families, and improve livability.

22. Elizabeth Stark, Fairway Avenue, spoke in support of the DZO to increase density in housing and improve affordability. She requested development across the city, particularly near the University of Virginia, versus in poorer neighborhoods.
23. Perri Meldon, Meade Avenue, supported the DZO in order to make housing more affordable, diverse, and climate resilient.
24. Jim Chang, Ricky Road, expressed concerns about the Meadows Neighborhood. He requested discussion with Council to determine whether to designate it as a sensitive area.
25. Ibrahim Khalil, UVA Student Council Legislative Affairs Agency, spoke in support of the recommendations in the Housing Coalition letter signed by thirty organization to address housing affordability. He spoke in support of core neighborhood and core corridor designations, development outside of core areas, increased height and increased building footprint maximums.
26. Jeffrey Aten, Hillwood Place, Chair of the Charlottesville Tree Commission, shared recommendations from the Tree Commission regarding the need for more robust language in the ordinance to preserve and protect tree canopy, including the use of an environmental checklist for development.
27. Stewart Brown, West Market Street, spoke about DX area limitations and recommended dropping the 13-story limitation, and trading setbacks for a more pleasant ground-level experience.
28. Tim Long, Rugby Avenue, objected to an R-C designation for Rugby Avenue. Regarding parking, he said that residents will have cars and will find a place to park even if parking is not mandated for developers. He asked about limits on bike lanes and suggested allowing duplexes.
29. Mark Anderson, Elliott Avenue, supported more and denser housing in the city, waiving parking minimums, and mitigating displacement.
30. Martha Smythe, Rutledge Avenue, opposed increased density recommended in the DZO.
31. Andrew Grimshaw, Alderman Road, spoke about the process for changing zoning, stating that residents were not surveyed. He shared his reason for moving to the area to live in a small university town.
32. Jessica Otey, Alderman Road, spoke in favor of incremental increases in density to avoid destroying the character of neighborhoods.
33. Lawrence deNeveu, Fondall Terrace, stated that the Zoning Ordinance should be decided by referendum, and he opposed rezoning.
34. Bev Wilson, Angus Road, supported upzoning across the city, and spoke against the RN-A designation being applied to The Meadows.

35. Josh Krahn, North Avenue, supported the advertised Development Code as a first step to address past exclusionary zoning, and he highlighted the benefits of neighborhood scale commercial uses in all residential districts.
36. David Toscano, Evergreen Avenue, spoke in support of increased density while balancing the need to preserve historic neighborhoods, have stable development, and avoid unintended consequences. He encouraged City Council to take their time to make the plan sustainable.
37. Benjamin Heller, Blue Ridge Road, opposed adding commercial uses to residential zones and he made other suggestions to address affordability and neighborhood compatibility.
38. Gareth Gaston, Rugby Road, spoke in support of proposed zoning changes to tackle the problems of racism, economic inequality, and climate change. He supported allowing denser housing outside of core neighborhoods.
39. Sarah Van Vranken, Ridge Street, spoke about the history of zoning in Charlottesville, and zoning laws that have been exclusionary to Black residents. She requested passing the DZO.
40. James Van Vranken, Ridge Street, supported the DZO for the benefits of increased density.
41. Deborah Murray, Lexington Avenue, opposed the proposed designation of Lexington Avenue as R-B, given the contrasting designation of Evergreen as R-A.
42. Matthew Gillikin, Fifeville resident and Co-chair of Livable Cville, shared a co-signed letter from CLIHC (Charlottesville Low-Income Housing Coalition) in support of a Zoning Ordinance that embodies the city's commitment to racial and economic equity, environmental justice, and a more accessible Charlottesville.
43. Dede Smith, Fry's Spring resident, spoke about adverse impacts of the DZO to Black residents on Monte Vista (one of the first neighborhoods in the city to sell real estate to Black homeowners) and other low- and moderate-income areas of the city. She requested zoning all residential areas the same.
44. Pete Marshall, Gentry Lane, spoke about parking issues, a lack of traffic studies to coincide with the DZO, insufficient public transportation, and he proposed that Council petition the General Assembly to rescind Dillon's Rule in order to implement rent control.
45. Florence "Flo" Taylor, 10th Street NW, President of Rose Hill Neighborhood Association, spoke in support of RN-A zoning and the core neighborhood overlay for Rose Hill, and requested including CX-3 zoning for Preston Avenue. She made additional requests for changes to the proposed zoning in the neighborhood.
46. Syleethia Carr, lifetime city resident, spoke about the need to stop displacement in core neighborhoods, in support of new development, and in support of CLIHC recommendations.
47. Priscilla Anderson, city resident, supported CLIHC recommendations for deeply affordable housing.

48. Jay Hooper, Ridge Street, supported CLIHC recommendations and spoke in support of deeply affordable housing, as well as in support of families who have experienced generational trauma as a result of displacement in the past because of zoning changes.
49. Susan Fraiman, Brandywine Drive, supported the DZO and inclusionary zoning to tackle the high cost of housing by allowing a wider variety of housing options and zoning them inclusively.
50. Anthony Artuso, Kent Road (Lewis Mountain Neighborhood), stated that the DZO is unlikely to yield the stated benefits. He stated that tax revenues will need to be dedicated to pay for affordable housing.
51. Thomas Beasley, Mountainview Street, stated that his property currently has a tenant, and the city has not allowed him to sell this property within the last few years that he purchased in 1973.
52. Maille (pronounced Mollie) Bowerman, Madison Avenue, UVA student living off grounds and studying urban planning, spoke in support of more housing options since the options offered by the university are limited.
53. Anna Malo, Carlton Avenue, spoke in support of recommendations from Livable Cville, and in support of more housing to improve homelessness.
54. Andrea Massey, Elliott Avenue, supported recommendations from CLIHC and efforts to improve housing affordability and racial, economic and social justice.
55. Katie Ebinger, Park Street, Community Climate Collaborative, spoke in support of the DZO and the need for density in the city to decrease urban sprawl and decrease the need for cars.
56. Justin Reid, 10th & Page Neighborhood Association, requested a revision to the DZO, as part of the special exemption permit to the core neighborhood overlay district, making mandatory "at least 20% of the total number of dwelling units must be affordable at or below 50% AMI."
57. Tyler Barnes, Midland Street (Belmont), spoke about housing problems in Charlottesville and in support of the DZO.
58. Myk Reid, Calhoun Street, spoke about a plan to build in his neighborhood, and in support of more required affordable housing units as well as mandating affordable units into perpetuity.
59. Alberic Karina-Plun, River Road, spoke in support of increased density in the DZO to make housing more affordable and to address climate, bikeability and racial equity.
60. Vera Mason, Lexington Avenue, opposed multistory buildings that would block views, and increased density. She requested that the city spend more funds on promoting businesses and providing job workshops.

61. Mike Parisi, Charlton Avenue, Rose Hill Neighborhood Association Vice President, spoke in support of the DZO, and about racial disparities that have contributed to displacement of Black residents.
62. Leonora Crane, Crimson Street, spoke about her experience with limited affordable housing options in the city and the need for enhanced public transit to support increased density. She spoke in support of mixed zoning and revised parking recommendations.
63. Will Frost, Goodman Street (Belmont), spoke in support of the DZO.
64. Emily Smith, Cypress Park Drive, spoke about a lack of affordable housing in the city and the impacts of eviction. She expressed support from the Legal Aid Justice Center (LAJC) for the recommendations made by CLIHC.
65. Oliver Platts-Mills, Nalle Street (Fifeville), supported increased density and affordable housing to benefit communities and generate more housing that is accessible to more people.
66. Allison Wrabel, West Water Street (Downtown), spoke in support of the DZO.
67. Peter Gray, Thomson Road, opposed using the DZO to achieve affordable housing, and encouraged the city to directly subsidize housing for the people who need it.
68. Charles Hanley, Court Square, spoke about housing scarcity and in support of the DZO, with Planning Commission recommendations.
69. Peter Rightmyer, Jefferson Park Avenue, spoke about existing local developments in the city, county and University of Virginia, and he stated that the DZO will not build homeowner equity, but will encourage a rental market.
70. Josh Carp, Forest Ridge, spoke about Charlottesville as expensive and exclusive, requiring cars. He supported the DZO and requested adding height in entrance corridors and commercial areas.

Mayor Snook called for a thirty-minute recess for Council and staff to have dinner. The meeting reconvened and the public hearing continued.

71. Crystal Passmore, Forest Ridge Road, spoke in favor of more housing, building up and out.
72. Donna Shaunesey, Birdwood Road, spoke in support of the DZO and asked that more tree canopy protections be added, as well as greenscaping for new projects and requiring trees for parking lots.
73. Oliver Kuttner, East Main Street, spoke about two co-owned properties and in support of upzoning and height. He spoke about the affordable by design concept, in favor of a denser zoning code in commercial areas and downtown, and the cost of construction scales of economy related to height.

74. Danny Yoder, 10th Street NW, spoke in favor of the DZO to lower the barriers of making Charlottesville a more welcoming and inclusive city.
75. Rosia Parker, Hardy Drive, spoke about irresponsible development and a lack of trust and transparency with developers. She requested an update to housing in Westhaven.
76. Emily Dreyfus, Swan Lake Drive, supported comments from Justin Reid and the letter submitted by CLIHC. She voiced concerns about recommendations from Preservation Piedmont, stating that increasing special use permits will decrease affordability.
77. Joe Liang, first year student at UVA studying urban planning, supported the DZO and upzoning to adapt for the future, reducing reliance on cars and making the city more sustainable and livable for more people.
78. Aileen Bartels, Stonehenge, spoke in favor of the DZO and the rights of renters to have a voice in influencing zoning.
79. Travis Allen, Anderson Street, stated that the proposal is above market rate, and that the Plan is traumatizing to a lot of homeowners who fear predatory buyers, developers, and decreased affordability. He opposed rezoning out of concern for existing red flags and gray areas.
80. Charlie Wessinger, Spring Lane, second year Planning major at UVA, spoke in favor of the DZO to improve the supply of affordable housing units, inclusionary zoning, and move the city toward its climate goals.
81. Valerie Long, 2nd Street SE, spoke in favor of the DZO and Zoning Map, and asked Council to reconsider limiting height in entrance corridors.
82. Mo Van de Sompel, Cabell Avenue, spoke in support of housing density. He spoke about the housing crisis and benefits of density as related to decreased traffic, more affordable housing, and improved climate.
83. Kevin Riddle, Park Street, spoke in favor of the DZO. He asked Council to reconsider limiting height at entrance corridors and to reconsider allowing commercial use in residential zones, referencing commercial uses that have been successful in Belmont.
84. Dean Hansen, Forest Street, spoke about Booker Street and specific proposed zoning for CX-3 lots that would impact a predominantly Black neighborhood, in a small no-outlet street.
85. John Hossack, Davis Avenue, stated that the Plan does not adequately address equity, regional collaboration or a comprehensive approach.
86. Jake Hecker encouraged eliminating parking minimums to improve affordability and limit sprawl. With these provisions, he supported the DZO.
87. Ginny Keller, Preservation Piedmont, requested that Council take another look at reverting back to language for DX height to the August 2023 ordinance draft. She asked Council to review the submitted proposals from Preservation Piedmont and stated that Small Area Plans and a Skyline Plan are needed to inform the Zoning Ordinance.

88. Natalie Oschrin, Caroline Avenue, asked Council to support the changes that the community needs to be sustainable, accessible and affordable. She asked Council to adopt the DZO with provisions for eliminating parking requirements, re-legalizing neighborhood-scale commercial use, and reconsidering the revised height limits at entrance corridors.
89. Jay Oschrin, Meriwether Street, spoke in favor of more housing and adopting the DZO.
90. Claire Denton-Spalding, Old Fifth Circle, president of the Willoughby Towns Homeowners Association, supported the DZO as a tool to address racial and economic equity, environmental justice and a more accessible city.
91. Nicole Scro, Mobile Lane, land use and zoning attorney, encouraged Council to look to staff and consultants who have worked to curate and navigate solutions that address restrictions such as gross square footage, and she emphasized that the current Zoning Ordinance includes exclusionary zoning.
92. Sarah Malpass, Bailey Road, spoke about economic displacement within the last fifteen years in the Fifeville neighborhood, and in support of the DZO to positively impact housing affordability.
93. Kevin Lynch, Locust Avenue, stated that what started as an affordability plan is now a density plan. He encouraged efforts to get UVA to provide housing for second-year students.
94. Sam Gulland, Goodman Street, spoke in favor of the DZO as a tool for creating more housing and more types of housing. He spoke in support of the thoroughness of DZO process and in favor of R-A zoning districts over using the sensitive community or anti-displacement overlay.

With no additional speakers coming forward, Mayor Snook closed the public hearing.

On motion by Pinkston, seconded by Wade, Council by a 5-0 vote continued its consideration of the Draft Zoning Ordinance to its Wednesday, December 13, 2023, work session/special meeting (Ayes: Payne, Pinkston, Puryear, Snook, Wade; Noes: none).

The meeting adjourned at 7:54 p.m.

BY Order of City Council

BY Kyna Thomas, Clerk of Council