

Developer defers Belmont rezoning
written by Newspark Team | March 14, 2013

A Charlottesville architect has asked for more time on a proposal to rezone property in Belmont after neighbors expressed concern the action could open the way for a nine-story building on the site.

Bruce Wardell had asked for two vacant properties on Lyman Street to be rezoned to the city's "downtown extended" category. That would allow for a building with a minimum height of 35 feet and a maximum of 101 feet.

Both pieces of land are currently in zoning categories that restrict Wardell's redevelopment opportunities.

At a Planning Commission public hearing Tuesday, Wardell said he can only get eight parking spaces on the site, which would restrict the size of any future structure.

"It seems that the size of the property and its configuration is self-limiting," Wardell said. He added that a nine-story building could not be built on the site because of design requirements called for in the zoning ordinance.

"A nine-story building would have to be 10 feet by 10 feet by nine stories tall, and it's just not a realistic option and it's not a physically possible option to build," Wardell said.

Eleven people spoke at the hearing to ask that the commission deny the request. One man said the parking restriction could be overcome.

"There is a vacant lot right next to it," said Stanton Braverman, of Douglas Avenue. "They could easily make an arrangement with those people for additional parking and could go to 50 cars."

Neighbors asked instead for the city to consider rezoning the property as "R-2," which they said would eliminate the potential for any commercial uses.

"The risk we would have with downtown extended is that if he chose to sell the property, we get left open to somebody developing something completely out of context," said Luke Waldren, of Douglas Avenue.

However, city planner Brian Haluska said setback requirements would eliminate all buildable area on the property because it is only 50 feet deep.

"It would be weird to rezone a piece of property and then have to immediately ask for variances," Haluska said.

Commissioners spent an hour and a half discussing the item.

"What the neighborhood is looking for is a guarantee as to what's going to happen with the property, and he can't guarantee that," said Commissioner John Santoski.

Other commissioners agreed.

"You cannot rezone a property based off the person standing in front of you because tomorrow things may go down the drain and they have to sell it, and then we don't know what's going to happen with it," said Commissioner Lisa Green.

When it looked like he would not receive an approval, Wardell asked for a deferral while he works on a proffer to guarantee that certain uses — such as a music hall — could not be done on the property.

"I would need some guidance from the city attorney about how to put that together," Wardell said.

Commissioner Kurt Keesecker recused himself because he works for Wardell. Commissioners Michael Osteen and Dan Rosensweig were not present.