

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	March 2, 2020
Action Required:	Consideration of an application for a Special Use Permit
Presenter:	Brian Haluska, Principal Planner
Staff Contacts:	Brian Haluska, Principal Planner
Title:	SP19-00010 – Harris Street Apartments, Special Use Permit request for a mixed-use building

Background:

Chris Virgilio of Cville Business Park, LLC, (owner) has submitted an application seeking approval of a Special Use Permit (SUP) for the property located at 1221, 1223 and 1225 Harris Street with approximately 343 feet of road frontage on Harris Street and approximately 55 feet of road frontage on Allied Street. The proposal requests additional residential density up to 43 dwelling units per acre (DUA), pursuant to City Code Section 34-480, and additional height of 2 stories pursuant to City Code Section 34-457(b)(5)(a).

The applicant's proposal shows a new mixed-use building on a portion of the Subject Property. The property is further identified on City Real Property Tax Map 34 Parcels 90B, 90C, and 90.1 ("Subject Property"). The Subject Property is zoned Industrial Corridor. The site is approximately 2.446 acres or 106,547 square feet.

Discussion:

The Planning Commission considered this application at their meeting on February 11, 2020. The discussion centered on the visual impact of the building and whether the project would contribute to the City's housing goals.

The staff report and supporting documentation presented to the Planning Commission can be found starting at page 95 at the following link:

<https://www.charlottesville.org/home/showdocument?id=68607>

Alignment with City Council's Vision and Strategic Plan:

The City Council Vision of Economic Sustainability states that, "The City has facilitated significant mixed and infill development within the City."

The City Council Vision of Quality Housing Opportunities for All states that "Our neighborhoods retain a core historic fabric while offering housing that is affordable and attainable for people of all income levels, racial backgrounds, life stages, and abilities. Our neighborhoods feature a variety of housing types, including higher density, pedestrian and transit-oriented housing at employment and cultural centers."

Community Engagement:

Per Sec. 34-41(c)(2), the applicant held a community meeting on January 16, 2020 (a City Planner was unable to attend as a NDS representative). Neighborhood concerns gathered from the community meeting are listed below.

- The height of the building and its overall impact on the surrounding properties.
- The pedestrian realm around the building and its attractiveness.
- The potential rents, impact on affordable housing.
- Parking supply
- Access for modes of transportation other than cars.

The Planning Commission held a joint public hearing with City Council on this matter on February 11, 2020. Several members of the public spoke on the application. While none of the speakers opposed the application, they raised concerns regarding:

- The conversion of industrially zoned land for commercial and residential projects and the resulting lack of space dedicated to industrially zoned uses.
- The increase in demand for alternative modes of transportation on Harris Street because of the increase in residential units along Allied Street.

Budgetary Impact:

No direct budgetary impact is anticipated as a direct result of this special use permit.

Recommendation:

Staff recommends the application be approved.

The Planning Commission voted 7-0 to recommend the application be approved.

Alternatives:

City Council has several alternatives:

- (1) by motion, take action to approve the attached Resolution, granting a special use permit as recommended by the Planning Commission;
- (2) by motion(s), modify the language of the attached Resolution, and then by motion approve the amended Resolution;
- (3) by motion, defer action on the SUP, or
- (4) by motion, deny the requested SUP.

Attachment (1):

- (1) Resolution for Approval of a Special Use Permit, containing the conditions recommended for the approval of SP19-00010 by the Planning Commission on February 11, 2020.

**RESOLUTION
APPROVING A SPECIAL USE PERMIT
FOR PROPERTY LOCATED AT
1221, 1223 and 1225 HARRIS STREET**

WHEREAS, landowner Cville Business Park, LLC is the current owner (“Landowner”) of certain land identified on 2019 City Tax Map 34 as Parcels 90B, 90C, and 90.1 (City Parcel Identification Nos. 340090B00, 340090C00, and 340090100, and current street addresses of 1221, 1223 and 1225, respectively) and having, collectively, an area of approximately 2.446 acres (106,547 square feet) (the “Subject Property”), and

WHEREAS, Landowner proposes to redevelop the Subject Property by constructing a mixed use building at a height of up to six (6) stories, containing: retail space on the ground floor facing Allied Street, up to 105 residential dwelling units, and underground parking (the “Project”); and

WHEREAS, the Subject Property is located within the Industrial Corridor zoning district;

WHEREAS, the Project is described in more detail within the Applicant’s application materials dated submitted in connection with SP19-00010 and a site plan exhibit dated December 16, 2019, as required by City Code §34-158 (collectively, the “Application Materials”); and

WHEREAS, the Planning Commission and City Council conducted a joint public hearing, after notice and advertisement as required by law, on February 11, 2020; and

WHEREAS, upon consideration of the comments received during the joint public hearing, the information provided by the Landowner within its Application Materials, and the information provided within the Staff Report, the Planning Commission voted to recommend approval of the proposed Special Use Permit for the Project; and

WHEREAS, upon consideration of the Planning Commission’s recommendation, the Staff Report, public comments received at the public hearing, as well as the factors set forth within Sec. 34-157 of the City’s Zoning Ordinance, this Council finds and determines that granting the proposed Special Use subject to suitable conditions would serve the public necessity, convenience, general welfare or good zoning practice; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to City Code §§ 34-457(b)(5)(a.), 34-458(b), and 34-480, a special use permit is hereby approved and granted to authorize one mixed use building, with a height of up to six (6) stories and containing up to 105 residential dwelling units, within the Subject Property, subject to the following conditions:

1. The specific development being approved by this special use permit (“Project”), as described within the December 16, 2019 site plan exhibit submitted as part of the Application Materials, as required by City Code §34-158(a)(1), shall have the following minimum attributes/ characteristics:
 - a. Not more than one building shall be constructed on the Subject Property (the “Building”). The Building shall be a six-story Mixed Use Building, containing up

to 105 residential dwelling units, ground floor commercial floor area, and underground parking.

- b. The highest point of the Building, as defined within City Code §34-1100(a), shall not exceed an elevation of 510 feet above sea level. Exclusions from measurement of building height shall be those referenced within §34-1101(a).
- c. The commercial space on the ground floor of the Building shall be designed, occupied and used for retail uses, facing Allied Street. The ground floor area to be used and occupied for retail uses shall be no less than that depicted in the December 16, 2019 site plan exhibit submitted as part of the Application Materials.
- d. Underground parking shall be provided within a parking garage structure constructed underneath the Building.
- e. The applicant shall provide a preliminary traffic study of the immediate area surrounding the building, as well as traffic impact on Allied Street, Harris Street and the intersection of Harris Street and McIntire Road. The scope of the traffic study shall be approved by the City Traffic Engineer prior to submission, and must be submitted to the City for review and comment prior to the approval of the final site plan for the project.