

A RESOLUTION
APPROVING A SPECIAL USE PERMIT FOR PROPERTY FRONTING ON LANKFORD AVENUE

WHEREAS, Green Retro Salvage II Holdings, LLC (the "Landowner") is the current owner of certain land fronting on Lankford Avenue, designated on the City Tax Map and Parcel (TMP) as 260012000, having an area of approximately 0.948 acres (approximately 41,303.59 square feet) (hereinafter, the "Subject Property"),

WHEREAS, the Landowner proposes to redevelop the Subject Property by constructing multi-family buildings on the Subject Property, with residential dwelling units at a density of up to 49 dwelling units per acre ("Project"); and

WHEREAS, the Project is described in more detail within the Applicant's application materials dated December 4, 2023 submitted in connection with SP23-00003, 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 November 14, 2023; 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, and the Staff Reports discussing this application, public comments received, as well as the factors set forth within City Code §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 §§ 34-420 and 34-162, a Special Use Permit is hereby approved and granted to authorize residential density of up to 49 dwelling units per acre, and reduced setback and screening requirements for the Project, subject to the following conditions:

1. The development being approved by this special use permit ("Project") will generally conform to the layout in the Concept Plan dated December 4, 2023 provided in the Application Materials:



2. Per Section 34-162, the Lankford Avenue front yard setback requirement is altered to be ten (10) feet.
3. Per Section 34-162, the side yard setback requirement is altered to be ten (10) feet.
4. Per Section 34-162, the rear setback requirement is altered to be twenty-five (25) feet.
5. Per Section 34-162, a six (6) foot tall opaque fence is required in the side and rear yards.
6. The Landowner (including, without limitation, any person who is an agent, assignee, transferee or successor in interest to the Landowner) shall hire a qualified archeologist to determine:
 - a. If any human graves are present on the Subject Property and, if found, no construction shall proceed until notice is provided to the City Preservation Planner and upon consultation with the City Attorney; he will provide guidance on the next steps required before development resumes.
 - b. If construction activity will disturb the adjacent property at 106 Lankford Avenue, determine if any known or unknown graves will be impacted and assure they are treated appropriately including, if necessary, consulting with the Virginia Department of Historic Resources and securing any required state permit(s).

7. The Landowner (including, without limitation, any person who is an agent, assignee, transferee or successor in interest to the Landowner) shall provide a minimum of one (1) tree for every four (4) parking spaces provided on-site.