

**RESOLUTION
APPROVING A SPECIAL USE PERMIT
FOR INCREASED RESIDENTIAL DENSITY FOR PROPERTY
LOCATED AT 2116-2118 ANGUS ROAD**

WHEREAS, in order to facilitate a specific development project, Dermo, LLC, (“Landowner”), has submitted application SP21-00006, requesting a Special Use Permit to increase allowed residential density on certain land fronting on Angus Road, identified on City Real Property Tax Map 40C as Parcel 8 and designated as City Real Estate Parcel No. 40C080000 (the “Subject Property”); and

WHEREAS, the purpose of the application is to allow an existing mixed use development to be modified as described within the application materials for SP21-00006, which materials describe a plan to provide six (6) residential dwelling units, with a total of 18 bedrooms, within an existing office building established on the Subject Property, in addition to twenty-one (21) existing dwelling units currently located within an apartment building located on the Subject Property (the “Project”); and,

WHEREAS, the additional 6 residential dwelling units would increase the Subject Property’s residential density from 25 to 33 dwelling units per acre, exceeding the current limits for “by-right” density on land zoned “B-1,” but this increased density is allowed by special use permit, as specified in City Code § 34-458(b), within the area of a mixed-use development site; and

WHEREAS, a joint public hearing on the proposed special use permit was conducted by the Planning Commission and City Council on February 8, 2022, following notice to the public and to adjacent property owners, as required by law, and following the joint public hearing, the Planning Commission voted on February 8, 2022, to recommend that City Council should approve the Rezoning; and

WHEREAS, this City Council has considered the details of the specific Project represented within the Landowner’s application materials for SP21-00006; has reviewed the NDS Staff Report, public comments, the Planning Commission’s recommendation, and the Comprehensive Plan; and

WHEREAS, this Council finds and determines that the public necessity, convenience, general welfare and good zoning practice require the proposed special use permit and the proposed residential development density is consistent with the Comprehensive Plan; now, therefore,

BE IT RESOLVED by the Council of the City of Charlottesville, Virginia that, pursuant to City Code § 34-458(b), a special use permit is hereby approved and granted to authorize the Project described within the application materials for SP21-00006, within the Subject Property, subject to the following conditions:

1. Residential density of development shall not exceed thirty-three (33) dwelling units per acre (DUA) within the area of the Subject Property.

2. The six (6) residential dwelling units authorized by this special use permit shall, collectively, have no more than 18 bedrooms.
3. Automatic fire sprinklers and alarms shall be provided within the building to be renovated (2116 Angus Road), in accordance with applicable requirements of the Virginia Uniform Statewide Building Code.