

CITY OF CHARLOTTESVILLE
Department of Neighborhood Development Services
City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.gov



PLANNING COMMISSION REGULAR MEETING
APPLICATION FOR A SPECIAL EXCEPTION PERMIT
APPLICATION NUMBER: PL-26-0030
DATE OF MEETING: April 14, 2026

DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT SERVICES STAFF REPORT

Project Planner: Dannan O'Connell

Date of Staff Report: April 6, 2026

Applicant: Dustin Greene, Roudabush Gale and Associates

Current Property Owner: Neighborhood Investments LLC

Application Information

Property Street Address: 408 Harris Road ("Subject Property")

Tax Map & Parcel/Tax Status: 21A104000

Total Square Footage/ Acreage Site: Approx. 0.203 acres (8,857 sq. ft.)

Comprehensive Plan (General Land Use Plan): Medium Intensity Residential

Current Zoning Classification: R-B

Overlay District: None

Applicant's Request (Summary)

Dustin Greene of Roudabush Engineering (applicant), representing Neighborhood Investments LLC (property owner), has requested a Special Exception Permit (SEP) pursuant to City Code Sections 34-2.2.4.A.3 and 34-2.10.4.C for outdoor amenity space. The applicant wishes to subdivide and improve the above-referenced property (Subject Property) with six attached residential dwellings. The R-B Residential district requires all lots to provide amenity spaces having a cumulative area of 10% or more of the lot area. Each amenity space must also be at least 400 square feet in size, with no horizontal dimension of less than ten feet. The intent of these features is "[to ensure] adequate recreation and open space areas for occupants, and to ensure such spaces are accessible, usable and safe;" per Section 34-2.10.4.C.1. The applicant proposes approximately 7.6% of lot area be provided in three landscaped yards, with widths of less than six feet and areas of between 198 and 252 square feet.

Vicinity Map



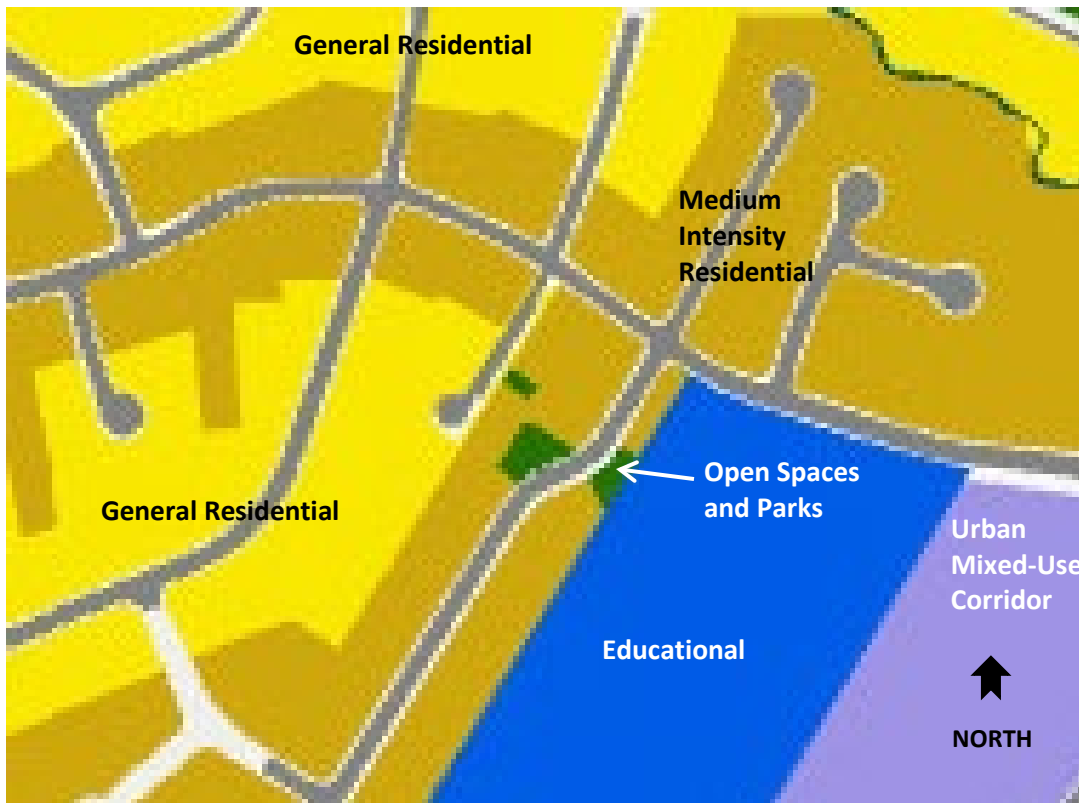
Context Map 1



Context Map 2- Zoning Classifications



Context Map 3- Future Land Use Plan, 2021 Comprehensive Plan



Standard of Review

City Council may grant an applicant a Special Exception Permit (SEP), giving consideration to a number of factors set forth within Zoning Ordinance Section 34-5.2.15.D. If Council finds that a proposed use or development will have potentially adverse impacts, and if Council identifies development conditions that could satisfactorily mitigate such impacts, then Council may set forth reasonable conditions within its SEP approval. The role of the Planning Commission is to make an advisory recommendation to the City Council, as to (i) whether or not Council should approve a proposed SEP and if so, (ii) whether there are any reasonable development conditions that could mitigate potentially adverse impacts of the proposed development.

Section 34-5.2.15.D of the City's Zoning Ordinance lists a number of factors that Council will consider in making a decision on a proposed SEP. Following below is staff's analysis of those factors, based on the information provided by the applicant. The applicant's analysis of their request can be found in Attachment A.

(1) Whether the proposed modifications to physical dimensional standards will be harmonious with existing and approved patterns of development on the same or an opposing block face or abutting property;

The applicant proposes to construct three attached residential buildings (six residential units total) on six sublots. The buildings have side-facing garages and are separated by shared paved driveways. The applicant is proposing that the front yards between these buildings and the street lot lines be counted as amenity space. These yards will be landscaped and contain required street trees as well as paved private sidewalks for the required street-facing entry features. Site location and dimensions can be found within the applicant's submitted Amenity Space Exhibit (Attachment B).

Staff Analysis: Harris Road is currently developed with one- and two-family residential uses to the east and west of the Subject Property. Jackson Via Elementary School is also located along Harris Road to the east. Longwood Drive is currently developed with a mix of two-family residential uses and townhome rows containing between three and eight residential units. The development to the immediate south also includes several small areas of landscaped open space under common ownership of a homeowners' association.

Most parcels adjacent to the Subject Property contain landscaped yards similar in character to what is proposed, which could qualify as 'amenity space' given current interpretations of the Development Code. However, these yards are all significantly larger than what is proposed on the Subject Property. The two townhome rows immediately south of the subject property have no yards; however, they are adjacent to several thousand square feet of landscaped amenity space under common ownership due to their construction as part of

a Planned Unit Development (PUD). The development is therefore not harmonious with the existing patterns of development within this area, as the proposed yards are significantly smaller than what exists around other residential properties in the area.

(2) Whether the proposed modification supports the goals and strategies of the Comprehensive Plan;

Below are specific areas of the Comprehensive Plan for which the development is in compliance:

a. Land Use, Urban Form, and Historic & Cultural Preservation

Objectives for Residential Areas: Encourage incremental “house-sized,” contextual infill within existing residential neighborhoods.

Goal 3: Protect and enhance the existing distinct identities of the city’s neighborhoods and places while promoting and prioritizing infill development, housing options, a mix of uses, and sustainable reuse in our community.

Comprehensive Plan- Staff Analysis:

The Future Land Use Map of the 2021 Comprehensive Plan designates the Subject Property and surrounding properties as Medium Intensity Residential, which is intended to “*increase opportunities for housing development including affordable housing along neighborhood corridors, near community amenities, employment centers, and in neighborhoods that are traditionally less affordable.*” Building form is to be compatible with existing context, with “house-sized infill” with “*similar building height, building width, and side and front yard setbacks as surrounding residential structures. Zoning tools will define building form and neighborhood compatibility criteria for development.*”

The proposed residential structures are compatible with the “house sized” dimensions and context called for within the Medium Intensity land use category. However, the proposed reduction in amenity space does not align with existing zoning criteria for development.

The Charlottesville Development Code allows significantly higher residential densities and smaller yard setbacks throughout the City. Amenity space requirements are meant to mitigate this upzoning by providing recreational common areas for residents or pedestrians. Reducing or eliminating these requirements goes against the development form specified within the Comprehensive Plan.

(3) Whether, with conditions, the Special Exception Permit is consistent with the public necessity, convenience, general welfare, and good zoning practice.

As the application does not align with existing patterns of development along Harris Road and Longwood Drive, or the Development Code’s emphasis on providing adequate, useable open space for occupants, staff finds granting the Special Exception Permit would be inconsistent with good zoning practice and general public welfare.

Public Comments Received

Staff has received no public comments on this Special Exception request at the publishing of this report.

Staff Recommendation

Staff recommends denial of this Special Exception Permit to alter the required outdoor amenity space.

Recommended Conditions

Should the Planning Commission recommend approval of this Special Exception Permit, no conditions are recommended by staff.

Suggested Motions

1. I move to recommend denial of this application for a Special Exception Permit in the R-B Residential district at 408 Harris Road to permit the construction of six residential units with reduced amenity spaces.

OR,

2. I move to recommend approval of this application for a Special Exception Permit in the R-B Residential district at 408 Harris Road to permit the construction of six residential units with reduced amenity space.
 - a. [condition(s) proposed by Planning Commission]

Attachments

- A. Special Exception Request Letter received March 6, 2026
- B. Amenity Space Exhibit received March 6, 2026