

Review continues for East Jefferson Street apartments
written by Newspark Team | January 11, 2018



The developers of a new apartment complex in Charlottesville's Little High Street neighborhood have asked for a one-month extension to resubmit a site plan after the city's Planning Commission indicated it was about to deny it.

"It does not match a plan that was seen before in a way that affects some relatively immediate neighbors," said Commissioner Kurt Keesecker. "That's the part that troubles me."

The Great Eastern Management Company is planning to redevelop a property at 1011 East Jefferson Street from its current use as a doctor's office to an apartment complex that would have up to 127 apartments for rent.

The Planning Commission voted 4-3 in October 2016 to recommend denial of a special use permit that would allow higher residential density than the property's B-1 zoning district. Without a permit GEMC could build 21 units per acre but had asked for an increase to 87 units per acre.

Last July, Council voted 3-2 to approve the permit. Among the current members of Council, Wes Bellamy and Mike Signer voted for the approval while Councilor Kathy Galvin voted against it.

Before a building permit can be issued, GEMC must secure site plan approval. Site plans usually are approved by staff and endorsed by the Planning Commission on the consent agenda, a list of items considered to be routine and non-controversial.

The preliminary site plan developed by Collins Engineering depicts an expansion of the building that city planners said would result in a footprint 10 percent bigger than the Council approved in the conceptual plan. Additionally, a driveway is not in exactly the right spot.

"We put this on the regular agenda because of the change from the conceptual plan to the preliminary site plan," said city planner Carrie Rainey. "We thought it was likely you all would want to discuss it."

The commission's chair established that the only action the group could take was to approve or deny the permit.

"The special use permit has been approved and we don't unfortunately get to make any recommendations on that permit," said Lisa Green. "What is before us is whether or not this particular site plan that has been submitted complies with the requirements of the city's site plan ordinance."

As a condition of its approval, Council stipulated that any substantial change to the building would require modifying the permit.

"It troubles me that Council, the body that approved this, is not having another opportunity to look at it because they are directly accountable to the population," said Commissioner Genevieve Keller. "I would rather see it as an amended special use permit prior to a site plan, because it does look to me like a substantial change."

That option is not possible under city code.

The site plan ordinance says denials can only be made if the city identifies ways in which an approval could be granted.

"In my opinion, it would be to go back to what was approved by City Council," said Commissioner Jody Lahendro.

Just as commissioners were formulating an appropriate motion for a denial, GEMC's attorney approached to ask for a deferral in order to revise the preliminary site plan to remove the additional space.

"That could happen very quickly," said Valerie Long, of the firm Williams Mullen. She said the revised site plan will be ready for the Planning Commission's next regular meeting on Feb. 13.

If the commission had denied the site plan, the venue for an appeal would be the Charlottesville Circuit Court.

Great Eastern Management Cpm[has yet to specify where it will build the affordable housing units required under its permit. Under city regulations, if the units are not provided on site they can be provided nearby.

“Additional affordable units have to come into existence,” said Lisa Robertson, the deputy city attorney. “You couldn’t take something that was already receiving credit through some other program for being an affordable unit.”

The exact number of units GEMC will have to build is finalized. The city housing coordinator will calculate the number of units that must be built or a dollar amount GEMC must pay to the Charlottesville Affordable Housing Fund.

At the end of the meeting, Commissioner Corey Clayborne announced he would be resigning from the group because he and his family have moved to a house in Albemarle County.

The terms of Commissioners Keesecker and John Santoski expired last August, but the pair are remaining in their seats until the commission completes its work on the city’s Comprehensive Plan update this summer.

Keller’s term expires at the end of August and she is not eligible to be reappointed.

The terms of Commissioners Jody Lahendro and Taneaia Dowell also expire in late summer but they are eligible to apply for new terms.

Clayborne’s resignation could mean that as many as four new people will be appointed to the seven-member commission by the end of the year.

“We are working with the attorney’s office on the staggering of terms to make sure we end up with a more balanced rotation,” said Missy Creasy, the city’s planning manager.

Green’s final term expires at the end of August 2020.