



**ALBEMARLE COUNTY**  
**STAFF REPORT**

<b>Project Name:</b> SP202000003 H+H Car Care	<b>Staff:</b> Tori Kanellopoulos, Senior Planner
<b>Planning Commission Public Hearing:</b> May 5, 2020	<b>Board of Supervisors Public Hearing:</b> Tentative Date: June 17, 2020
<b>Owner:</b> 3B CONCEPTS LLC	<b>Applicant:</b> Lisa Scherer, on behalf of H+H Car Care
<b>Acreage:</b> 5.78 total acres; proposed use is on a portion of this site	<b>Special Use Permit for:</b> Auto detailing use (commercial use) per 18-26.2(a)
<b>TMP:</b> 09000-00-00-035X0	<b>Location:</b> 1833 Avon Street Extended, Charlottesville, VA 22902
<b>Schools:</b> Cale E.S., Walton M.S., and Monticello H.S.	<b>Zoning District:</b> LI Light Industrial
<b>Magisterial District:</b> Scottsville	<b>Number of dwelling units:</b> 0 dwelling units
<b>Proposal:</b> Automobile detailing service within an existing 1,800 square-foot building and using existing parking area to the side of and behind the building.	<b>Conditions:</b> Yes
<b>Development Area:</b> Neighborhood 4 in the Southern and Western Urban Neighborhoods	<b>Comprehensive Plan Designation:</b> Office/R&D/Flex/Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use.
<b>Character of Property:</b> Developed property in the Light Industrial Zoning District with six structures and various industrial and commercial uses. There is an existing landscaping buffer at the rear of the property which will not be affected by this proposal.	<b>Use of Surrounding Properties:</b> To the west and across the street (Avon Street Extended) are the Lake Reynovia and Mill Creek neighborhoods. The two adjacent parcels to the north and south are also zoned Light Industrial and are used for industrial and commercial uses. There are two parcels adjacent to the east; one is also zoned LI, and the other is zoned R1 Residential and has one single-family dwelling unit.

<p><b>Factors Favorable:</b></p> <ol style="list-style-type: none"> <li>1. The proposed uses are consistent with the Southern and Western Master Plan future land use designation for ORDFLI uses.</li> <li>2. The use will preserve the industrial and commercial character of the area and reuse a vacant industrial building.</li> <li>3. The proposed uses would generate economic activity and support job opportunities.</li> <li>4. The proposed uses that would occur outdoors would be substantially or fully screened from the Avon Street Extended public right of way.</li> </ol>	<p><b>Factors Unfavorable:</b></p> <ol style="list-style-type: none"> <li>1. None identified.</li> </ol>
<p><b>Recommendation:</b> Staff recommends approval of special use permit request SP202000003 with conditions.</p>	

**STAFF CONTACT:**  
**PLANNING COMMISSION:**  
**BOARD OF SUPERVISORS:**

Tori Kanellopoulos, Senior Planner  
May 5, 2020  
Tentative Date: June 17, 2020

**PETITION:**

PROJECT: SP202000003 – H&H Car Care

MAGISTERIAL DISTRICT: Scottsville

TAX MAP/PARCEL: 090000000035X0

LOCATION: 1833 Avon St. Extended, Charlottesville, VA 22902

PROPOSAL: Special Use Permit application to authorize a commercial use in the Light Industry Zoning District, specifically an auto detailing use within an existing 1,800 sq. ft. building and using a portion of the existing parking area on 5.78 acres.

PETITION: “Commercial use” in LI, Light Industry District per Section 18.26.2(a) of the Zoning Ordinance.

ZONING: LI – Light Industrial – industrial, office, and limited commercial uses (no residential use)

ENTRANCE CORRIDOR (EC): Yes

OVERLAY DISTRICT(S): Steep Slopes (managed)

COMPREHENSIVE PLAN: Office/R&D/Flex/Light Industrial – professional office, commercial; research and development, design, development of prototypes, engineering; light manufacturing, fabrication, distribution if with a non-industrial use. In Neighborhood 4 of the Southern and Western Urban Neighborhoods.

**CHARACTER OF THE AREA:**

The property is located at 1833 Avon Street Extended. The Lake Reynovia and Mill Creek neighborhoods are across the street and to the west. The two adjacent parcels to the north and south are also zoned Light Industrial and are used for industrial and commercial uses. There are two parcels adjacent to the east; one is also zoned LI, and the other is zoned R1 Residential and has one single-family dwelling unit (Attachment 1).

**PLANNING AND ZONING HISTORY:**

The property (TMP 90-35X) has had and currently has a variety of industrial and commercial uses. Current uses include Waste Management, a construction company, a concrete company, and a towing company. Several previous special use permits have been approved on this site, including for outdoor storage and display (SP199800065) and for towing (SP201100020).

**DETAILS OF THE PROPOSAL:**

The proposed use is an auto detailing business using an existing 1,800 square foot building with existing parking areas. Approximately five (5) to six (6) vehicles per day would be served. The use does not involve auto repair or mechanical repairs. Most of the auto detailing and washing would occur within the existing garage portion of the existing building, however larger vehicles (such as RV’s or buses) would need to be detailed and washed either to the side of or behind the building. There are some existing parking spaces in the front of the building, which would be used for customer and employee parking. The existing parking area to the side and behind the building would be used for waiting vehicles

and for some detailing and washing. This parking area is gated and will be locked overnight. The proposed use also has a mobile capability and can bring detailing services to customers' businesses and homes. There would be four (4) employees. (Attachments 2 and 3).

**COMMUNITY MEETING:**

The Planning Director has waived the community meeting per County Code 18-33.24(C).

**ANALYSIS OF THE SPECIAL USE PERMIT REQUEST:**

**Section 33.39(B) states that the Commission, in making its recommendation, shall consider the same factors found in Section 33.40(B):**

**1. No substantial detriment. Whether the proposed special use will be a substantial detriment to adjacent parcels.**

No substantial detriment is anticipated with this proposed use. The two adjacent properties to the north and south are also zoned Light Industrial and also have commercial and industrial uses. The R-1 Residential zoned parcel to the east is buffered by the existing 30+ foot landscaping buffer on this property, which will remain and not be disturbed with this proposal. The proposed use requires an oil separator and does not allow water back into the County water system. The building is over 400 feet from Avon Street Extended. The top of building is slightly visible from Avon Street Extended, however the parking areas are not visible.

**2. Character of the nearby area is unchanged. Whether the character of the adjacent parcels and the nearby area will be changed by the proposed special use.**

The character of the adjacent parcels and the nearby area would not be changed by the proposed use. The proposed development is consistent with the existing character of the adjacent parcels in the Light Industrial district.

**3. Harmony. Whether the proposed special use will be in harmony with the purpose and intent of this chapter,**

The intent of the Light Industrial zoning district per 18-27.1 is: *to permit industrial and supporting uses that are compatible with, and do not detract from, surrounding districts. Structures within the light industry (LI) district are encouraged to be constructed to the standards required for industrial structures, regardless of their intended use.*

The requested uses are permitted by special use permit in the Light Industrial district and are compatible with surrounding properties and districts. The proposed development of the property would not prevent the site from being used for other light industrial uses in the future. No conflict has been found between this request and the intent of the Zoning Ordinance.

**a. with the uses permitted by right in the district,**

The proposed use is compatible with the permitted industrial and commercial uses in the Light Industrial zoning district.

**b. with the regulations provided in Section 5 as applicable,**  
There are no applicable regulations in Section 5.

**c. and with the public health, safety, and general welfare.**

This proposal does not appear to have any negative impacts to public health, safety, and general welfare. The proposed use would provide employment opportunities and use a currently vacant building.

**4. Consistency with the Comprehensive Plan. Whether the proposed special use will be consistent with the Comprehensive Plan.**

Southern and Western Master Plan:

The proposed use is consistent with the Southern and Western Urban Neighborhoods Master Plan. The future land use designation of this property is Office/Flex/Research and Development/Light Industrial (OFRDLI) in the Southern and Western Master Plan. The Master Plan has the following recommendation for this designation:



Primary uses include: offices (professional/medical); research and development (medical technology, transportation, communication systems, development of prototypes); flex (warehousing, showrooms, light manufacturing); and light industrial (manufacturing, distribution). Secondary uses include retail and commercial uses that are supportive of primary, residential, and institutional uses.

The Master Plan also contains the following guidance for the Avon Street Extended area:

- The “Other Areas of Importance” section states that *“The [ORDFLI] designated land is expected to be an area for further development, especially to provide for light industrial uses and employment.”*
- The Master Plan states that *“The area located south of Interstate 64, between Avon Street and Route 20 South has ... areas for [ORDFLI] use, and potential for redevelopment opportunities, especially in the industrial areas.”*

The proposed use is consistent with the secondary uses in this future land use designation, and with the intent of the future land use. The proposed use would provide employment opportunities and would not negatively impact any primary uses.

Comprehensive Plan:

The proposed use is also consistent with the relevant provisions of the Comprehensive Plan. The request meets the Growth Management policy (CH 3), which directs commercial and employment uses to the Development Areas. The Economic Development Chapter (6)

of the Comprehensive Plan encourages businesses to locate on properties already zoned Commercial or Industrial, especially when using or redeveloping underutilized structures on these properties. This Chapter also promotes the expansion of existing local businesses. The proposed use would generate employment opportunities and use a currently vacant building on a Light Industrial zoned property. H+H Car Care was formerly located in the City of Charlottesville and had to find a new location after the previous location was developed for other uses. The proposal is also consistent with the relevant portions of the Development Areas Chapter (8), which encourages businesses to locate and expand in the Development Areas, especially in the urban neighborhoods (which includes Southern and Western).

The following comments have been provided by the Office of Economic Development:

Overall, the County has very limited supply of industrially-zoned land. As a result, the EDO would not typically support requests for commercial uses to locate within an industrial district. However, we view this application as a unique case due to several factors:

1. Our office verified the proposed tenant (Rod Howard, owner of H+H Quality Car Care, Inc. and Waxmaster Mobile Detailing) has worked diligently with local commercial brokers to investigate opportunities for viable commercially-zoned land. No commercial opportunities are currently available.
2. Our office also independently reviewed properties within the County to confirm that no viable commercially-zoned options were available. We have continuously looked for opportunities to share since November 2019 and have found none.
3. Project ENABLE is primarily focused on serving the County's target industries and primary businesses. The majority of these businesses are not seeking this type of space within an industrial district. Instead, many primary businesses suited for industrially-zoned land are seeking manufacturing/warehouse space with a limited amount of Class A or Class B office space attached. They are also seeking locations that are proximate to desirable amenities for their employees like coffee shops and restaurants. The proposed site does not meet these characteristics and it is unlikely that this location would be sought after by one of these businesses.

For these reasons, EDO staff has no objection to the proposed request.

**In addition to the evaluation criteria in Section 33.40(B) of the Zoning Ordinance, Section 26.3 of the Zoning Ordinance also specifies “additional factors when considering special use permits for “general commercial uses” in Industrial districts:**

**a. The purpose of the industrial district in which the use is proposed.**

No conflict has been found between these proposals and the purpose of the LI district. The proposed use is within an existing 1,800 square foot building. The scale of this commercial use is consistent with a secondary use in the LI district.

**b. The proposed use and its proposed size should be consistent with the intent of the applicable industrial district.**

The intent of the Light Industrial zoning district (18-27.1) is *'to permit industrial and supporting uses that are compatible with, and do not detract from, surrounding districts.'* The intent of Industrial Districts (Generally) (18-26.2) is *'to be for the purpose of providing places of employment and strengthening the local economic base in furtherance of the economic development policy of the comprehensive plan.'* The proposed use provides employment opportunities and is compatible with surrounding industrial uses.

**c. The use proposed should not be located on the lowest floor of any building having direct exterior access to the ground surface in order to allow that floor to be used for industrial purposes.**

The building for the proposed use already exists. Therefore, it is appropriate to modify the existing one-story structure and use this existing first floor.

**d. The gross floor area of each establishment should not exceed three thousand (3,000) square feet.**

The existing building is only 1,800 square feet.

**e. The aggregate gross floor area of the independent offices or general commercial uses, or both, should not exceed twenty-four thousand (24,000) square feet and should not exceed twenty five (25) percent of the gross floor area of the building.**

The existing building is only 1,800 square feet. This site does not contain one large industrial building, but rather has several industrial and commercial buildings. The proposed use would use less than 25 percent of the site.

**f. Whether the structure or structure expansion will be constructed to the standards required for industrial structures, regardless of its intended use.**

The structure already exists, and no expansion is planned at this time. Future uses of the building could be commercial or industrial, or a new structure could be constructed, which should meet the standards required for industrial structures.

**SUMMARY:**

Staff has identified the following factors which are favorable to this request:

1. The proposed uses are consistent with the Southern and Western Master Plan future land use designation for ORDFLI uses.
2. The use will preserve the industrial and commercial character of the area and reuse a vacant industrial building.
3. The proposed uses would generate economic activity and support job opportunities.
4. The proposed uses that would occur outdoors would be substantially or fully screened from the Avon Street Extended public right of way.

Staff has identified the following factors which are unfavorable to this request:

1. None identified.

**RECOMMENDATION:**

Based on the factors favorable, **staff recommends approval of SP202000003, H+H Car Care, with conditions** (below):

1. Development of the use shall be in general accord with the Conceptual Plan titled “H+H Car Care Concept Plan,” prepared by Lisa Scherer, with the latest revision date of March 6, 2020, and narrative title “1833 Avon Street Extended: Project Narrative”, with the latest revision date of January 21, 2020, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Conceptual Plan, development shall reflect the following major elements within the development essential to the design of the development and as described in the Narrative and the Conceptual Plan:
  - a. Location of the vehicle parking and waiting areas.
  - b. Location of the auto detailing and washing areas.

**POSSIBLE PLANNING COMMISSION MOTIONS for SP202000003:**

- A. Should a Planning Commissioner **choose to recommend approval** of this special use permit:

**Move to recommend approval of SP202000003, H+H Car Care, with the conditions outlined in the staff report.**

- B. Should a Planning Commissioner choose to recommend denial of this special use permit

**Move to recommend denial of SP202000003, H+H Car Care** (state reasons for denial).

**ATTACHMENTS:**

Attachment 1 – Vicinity Maps

Attachment 2 – Applicant’s Narrative, dated January 21, 2020

Attachment 3 – Concept Plan, dated March 6, 2020