

STONEFIELD

Special Use Permit Application Narrative - Entrance Corridor Outdoor Display

Original Submission: November 9, 2023

Project Proposal

Introduction

The Applicant, OCT Stonefield Property Owner, LLC is the owner of The Shops at Stonefield and is the successor declarant or “Developer” under that certain Master Declaration of Easements, Covenants, Conditions and Restrictions for Stonefield, dated as of February 17, 2012, and recorded in the Clerk’s Office of the Circuit Court of the County of Albemarle in Deed Book 4135 at page 260. The Applicant has managed and operated Stonefield since its purchase in 2016. Under its management and operations, Stonefield has emerged as the area’s premier shopping center and destination for fine dining and entertainment.

Description of Proposed Use

The Applicant has submitted a separate ZMA Application to affect a minor amendment to the Code of Development to allow motor vehicle sales and service in certain portions of the Center. The request was prompted by interest from Tesla Inc. to locate a vehicle sales office at 1951 Swanson Drive, in the former Pier One building. Proposed elevations completed for Tesla are attached to the Application as Exhibit 1. It was determined at Tesla’s pre-application conference that the existing Code of Development allows a motor vehicle sales and service use but only by special use permit. Tesla’s anticipated sales showroom was only to occupy approximately 2,500 square feet in an existing retail building. The outdoor display of Tesla models was to involve no more than four (4) existing parking spaces. Furthermore, Tesla also was informed that because at least one of the four (4) parking spaces that would be used for vehicle display was visible from Hydraulic Road, an additional special use permit would be required for outdoor displays within the Entrance Corridor. Hence the reason for this Application.

The Applicant understands that Tesla is seeking another location in the area for a Regional Service Center which are typically a much larger footprint. Under Tesla’s sales and service model, these regional service centers provide repair and maintenance while smaller, sales offices like the one that was proposed at Stonefield concentrate on sales only. There are currently only five Tesla service centers throughout Virginia.

The Applicant maintains that motor vehicle sales and service operations have evolved and the model that is being deployed by manufacturers like Tesla was not contemplated when the Code of Development was written. At that time, the convention was exemplified by commercial corridor-oriented, automobile dealerships offering multiple models and maintaining entire inventories on display in large parking lots. Because Stonefield’s footprint is nearly fully built out, there is no realistic prospect for a conventional automobile dealership and in any event such a use would not fit with the character of the upscale retail uses that are attracted to Stonefield’s location. The proposed change would only allow this use in Blocks A, B, C, and G.

Surrounding Properties:

The Property abuts Hydraulic Road and Route 29 N. The properties to the west of this Property are characterized by a Hyatt Hotel, Costco, multi-family apartments and condominiums, all of which were contemplated in the zoning for Albemarle Place in 2003.

The Project provides a public need for retail sales operations for electric vehicles.

Currently there are no retail sales outlets for electric vehicle manufacturers other than at the traditional car dealership locations along Route 29 and at Pantops. The retail sales tax would generate an average of \$400 to Albemarle County for each vehicle sold.

The Project will not be a substantial detriment to adjacent properties.

As stated above, the adjacent properties are characterized by a Hyatt Hotel, Costco, multi-family apartments and condominiums, all of which were contemplated in the zoning for Albemarle Place in 2003.

The character of the Neighborhood Model (NMD) zoning district will not be changed by the proposed special use.

The proposed use would be located within a building contemplated in the existing Code of Development and Application Plan and is therefore consistent with the Neighborhood Model Zoning district.

The Project will be in harmony with the purpose and intent of the Zoning Ordinance. The proposed use is consistent with the commercial uses contemplated in the Neighborhood Model Zoning district and therefore in harmony with the purpose and intent of the Zoning Ordinance.

The Project will be in harmony with the uses permitted by right in the Neighborhood Model (NMD) Zoning District.

The proposed use is presently allowed by special use permit in the applicable Code of Development, so therefore it is in harmony with the uses permitted by right in the Neighborhood Model District.

The Project will be in harmony with the public health, safety and general welfare.

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The Project is Consistent with the County's Comprehensive Plan

The Places29 Master Plan (the “Master Plan”) designates the Property for Urban Mixed Use (in Centers). Stonefield is the only, large scale, genuinely mixed-use development in the County that exhibits all the attributes of the Neighborhood Model. The proposal would be located within a building contemplated in the existing Code of Development and Application Plan.

The Project provides public benefits in the form of public revenues from retail sales tax on vehicle sales and by providing consumers with choices for electric vehicles favored by government climate-related policies.

Impacts on Public Facilities & Public Infrastructure; Environmental Features

The Proposal has no negative impact on public facilities and public infrastructure. As indicated, any use arising from this proposal would be located only within a building contemplated in the Code of Development and Application Plan. The proposed use is a form of retail use and will be served by the public water and sewer system. Electric vehicles are favored by various federal and state policies to reduce climate change.

Fire Rescue: The layout for Stonefield has been carefully designed to meet the standards for emergency vehicle access, and other fire and rescue standards. Adding this use will have no impact on that overall safety designs.

Suggested Conditions to Address Impacts

The Applicant proposes the following conditions:

1. The Project shall be developed consistent with the Conceptual Plans, attached.