

## ATTACHMENT B – STAFF ANALYSIS

STAFF PERSON:                      Tori Kanellopoulos  
BOARD OF SUPERVISORS:        June 5, 2019

Staff analysis of this special exception request to vary from the approved ZMA Code of Development was conducted pursuant to the following applicable provisions and evaluation criteria contained in County Code § 18-8.5.5.3:

### 8 PLANNED DEVELOPMENT DISTRICTS - GENERALLY

#### 8.5 PROCEDURES FOR PLANNED DEVELOPMENT APPLICATIONS

##### 8.5.5.3 VARIATIONS FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENTS

- a. The director of planning is authorized to grant a variation from the following provisions of an approved plan, code or standard:
  1. Minor changes to yard requirements, build-to lines or ranges, maximum structure heights and minimum lot sizes;
- c. The director of planning is authorized to grant a variation upon a determination that the variation:
  - (1) is consistent with the goals and objectives of the comprehensive plan;
  - (2) does not increase the approved development density or intensity of development;
  - (3) does not adversely affect the timing and phasing of development of any other development in the zoning district;
  - (4) does not require a special use permit; and
  - (5) is in general accord with the purpose and intent of the approved application.

#### **Staff Analysis – Request #1 for Special Exception to Vary:**

*Variation request for an additional story in height for proposed Hyatt Hotel in Block C2-I of Stonefield. The Code of Development for Stonefield allows buildings of two to five stories by-right in Block C. Variation is per County Code § 18-8.5.5.3(a)(1).*

Evaluation criteria per County Code § 18-8.5.5.3(c):	
(1)	The requested variation is consistent with the goals and objectives in the Comprehensive Plan. This property is designated Destination Center and Urban Mixed Use in the Places29 Master Plan. The Places29 Master Plan lists a maximum building height of five (5) stories in Destination Centers. However, the Places29 Master Plan was modeled after Stonefield's (formerly Albemarle Place) Code of Development, which allows a maximum of eight (8) stories in Block E. The Places29 Master Plan includes hotels as an appropriate use in Destination Centers. These Centers should have a mixture of uses and should have mixed-use buildings. This proposal will have a retail, commercial or office use on the first floor, with additional spaces for meeting rooms and dining areas, with the hotel located in the additional floors. The location of the proposal within Stonefield provides opportunities for walking to a variety of other uses, including retail and dining. <b><u>Evaluation criteria met.</u></b>
(2)	The requested Variation would not increase the approved development density or intensity of development. <b><u>Evaluation criteria met.</u></b>
(3)	The requested Variation does not adversely affect the timing or phasing of development of any other development in the zoning district. <b><u>Evaluation criteria met.</u></b>
(4)	The requested Variation does not require a Special Use Permit. <b><u>Evaluation criteria met.</u></b>
(5)	The requested Variation is in general accord with the purpose and intent of the approved application plan. The proposal will provide greater than or equal to the amount of open and civic space shown on the application plan. The proposed building footprint is within the footprint shown on the application plan. <b><u>Evaluation criteria met.</u></b>

**Additional factors for consideration:**

- A. The existing six-story Hyatt was approved with a special exception for its additional story and is located in adjacent Block D, which also has a height limit of five stories.
- B. The applicant's justification includes the factor that the mixed-use building is only economically viable due to the additional proposed story. Mixed-use buildings are called for in Destination Centers in the Places29 Master Plan and in Stonefield's Code of Development.
- C. The following comment was provided by the County's Economic Development Office: "This project is located in a federally-designated census tract known as an Opportunity Zone (OZ). Goal 4, Objective 3 of [Project ENABLE](#) calls for the County to "lead the promotion of Opportunity Zones." These areas present a unique opportunity for the County to attract private capital investment. In this case, the proposed height exception would allow for a mixed-use development to include a hotel and retail space. Staff supports the applicant's analysis and adds that Goal 7, Objective 2 of Project ENABLE calls for County support of 'existing and new tourism products.'"
- D. Please see the application for Variation Request (Attachment A) for the applicant's description and justification.

**Staff Recommendation – Request for Special Exception:**

With regards to the findings contained herein, inclusive of the criteria to be considered per County Code § 18-8.5.5.3(c), as well as other additional factors, staff recommends approval of this Variation Request with conditions. Specifically, staff recommends that the Board adopt the attached Resolution (Attachment C) to approve with conditions the Variation Request for a special exception to vary the Code of Development approved in conjunction with ZMA2001-7 Stonefield (formerly Albemarle Place) so as to modify (increase) the maximum number of stories in Block C2-I from five (5) stories to six (6) stories pursuant to County Code § 18-8.5.5.3(a)(1).