

RESOLUTION RECOMMENDING APPROVAL OF A REQUEST FOR A SPECIAL EXCEPTION PERMIT (“SEP”) FOR PROPERTY LOCATED AT 323 2nd STREET SE

WHEREAS, 3Twenty3 Owner LLC (“Landowner”), is the current owner of a lot identified as City Tax Map Parcel No. 280113001, having an area of approximately 0.73 acres (31,800 square feet); (“Subject Property”); and

WHEREAS, Landowner desires to install new mechanical equipment on the roof of the Subject Property and utilize existing screening that is insufficient under current regulations (“Project”); and

WHEREAS, therefore, the Landowner is requesting a SEP pursuant to City Code §§ 34-4.7.4.C.2. (Roof Mounted Equipment Screening) and 34-5.2.15, which states a SEP may be granted to alter physical dimensional standards; and

WHEREAS, specifically, Landowner is seeking allowance for installation of rooftop-mounted mechanical equipment by granting a modification to City Code § 34-4.7.4.C.2, reducing the required screening height from six (6) inches above the tallest point of the equipment to the height of the existing forty-eight (48)-inch parapet wall; and

WHEREAS, the Project is described in more detail within Landowner’s application materials submitted in connection with Application PL-26-0084 (“Application”), as required by City Development Code § 34-5.2.15.B.2 (collectively, "Application Materials"); and

WHEREAS, the City of Charlottesville Planning Commission (“PC”), at its August 11, 2026, Public Meeting, made a formal recommendation to the Council of the City of Charlottesville, Virginia (“City Council”), of approval of the SEP Application allowing the installation of rooftop-mounted mechanical equipment by granting a modification to City Code § 34-4.7.4.C.2, reducing the required screening height from six (6) inches above the tallest point of the equipment to the height of the existing forty-eight (48)-inch parapet wall, subject to the following condition:

a. The size and location of the equipment will be consistent with the materials submitted in Applications BC-26-0035 and BC-26-0037 dated March 4th, 2026, and March 5th, 2026, respectively.

NOW THEREFORE, BE IT HEREBY RESOLVED, by City Council, upon consideration of the PC's recommendation and the City Staff Report discussing the Application, as well as the factors set forth within City Development Code § § 34-5.2.15.D, that it finds and determines that granting the proposed SEP would serve the public necessity, convenience, general welfare, or good zoning practice; and

BE IT FINALLY RESOLVED, by City Council that the SEP is hereby formally approved and granted allowing the installation of rooftop-mounted mechanical equipment on the Subject Property by granting a modification to City Code § 34-4.7.4.C.2, reducing the required screening height from six (6) inches above the tallest point of the equipment to the height of the existing forty-eight (48)-inch parapet wall, subject to the following condition:

a. The size and location of the equipment will be consistent with the materials submitted in Applications BC-26-0035 and BC-26-0037 dated March 4th, 2026, and March 5th, 2026, respectively.

Approved by Council
[REDACTED], 2026

Kyna Thomas
Clerk of Council