



SEP – 22-1
Special Exception Permit
Redevelopment of Former Sears Building
Southpark Mall - Tax Parcel ID #68204700013

Staff Report

To grant a special exception permit to Southpark Mall CMBS LLC property owner, to permit multi-family residential apartments at the site of the former Sears Building, located at Southpark Circle, also known as parcel identification number 68204700013, which is zoned GB – General Business District. If approved, the former Sears Building would be demolished and replaced with two (2) new, four (4) story apartment buildings detached from Southpark Mall.

Below, you will find more detailed information regarding the location, zoning, land use, and staff analysis.

Background

Property owner Southpark Mall CMBS LLC is applying for a Special Exception Permit to allow the construction of a 280-unit, multi-family residential apartment complex. The applicant is Colonial Heights LLC which is owned by Nick Wexler and Shane Burnette. The City has been informed by Karen Epps that this project is no longer requesting a tax incentive and will be seeking market rate financing.

Location

The subject property is identified as the former Sears Building located in Southpark Mall, near the Gold’s Gym and Sam’s Club. The parcel identification number is 68204700013.

Zoning

The official zoning map shows this property zoned as GB - General Business District.

Surrounding Zoning & Land Uses

North: GB – General Business (retail)
South: GB – General Business (retail)
East: GB – General Business (retail)
West: GB – General Business (retail)

Land Use Plan

The City's Land Use Plan identifies the parcel as "Mixed Use."

Surrounding Land Use Plan

Land Use Plan:

North: Commercial

South: Commercial

East: Commercial

West: Commercial

Analysis of Request

City Zoning Ordinance

1. The City's Zoning Ordinance allows multi-family dwellings in the General Business District, subject to obtaining a special exception permit, in addition to complying with additional, modified or more stringent standards as listed in Article V, Use and Design Standards.
2. In accordance with the City's Zoning Ordinance §286-622 - Special Exception Permits General Standards, the City Council has the authority to issue a special exception permit subject to the following:
 - Conformance with Article V, Use and Design Standards;
 - Conformance with the City comprehensive plan; and
 - Minimum adverse impacts on the surrounding neighborhood or community. Adverse impacts shall be evaluated with consideration to items such as, but not limited to, traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes and vibrations. In considering impacts, consideration shall be given to the timing of the operation, site design, access, screening, and other matters that might be regulated to mitigate adverse impacts.
3. Zoning of the City of Colonial Heights City Code, Use and Design Standards, Section §286-404.20 Multi-family dwelling:
 - A. Intent. The following minimum standards are intended to accommodate multi-family dwellings, ensuring adequate separation and other design characteristics to create a safe and healthy residential environment while protecting adjoining uses which are less intensive.
 - B. General standards:
 1. Minimum front yard setback: 30 feet from any street right-of-way for all structures.
 2. Minimum side yard setback: 20 feet for principal structures.
 3. Minimum rear yard setback: 25 feet for principal structures.
 4. Additional setbacks in the form of a buffer yard shall be required in accordance with §286-512, where the property adjoins a less intensive zoning district.

5. Each multi-family building shall be separated by 40 feet between facing living areas. This separation may be reduced to 20 feet when both multi-family buildings contain facing windowless walls.
6. Where buildings are placed at right angles (90 degrees) to one another and both interior walls are windowless, the minimum separation of buildings shall be 20 feet.
7. Minimum standards for open space and recreational areas required below:
 - (a) Shall be in addition to any buffer yard required under § 286-512 of this chapter;
 - (b) Shall be in addition to and not be located in any required front, side or rear yard setback;
 - (c) Shall have a minimum width of 50 feet or more, except that areas with a minimum width of at least 20 feet or more shall be counted as open space provided such areas contain facilities such as, but not limited to, bikeways, exercise trails, tot lots, gazebos, picnic tables, etc.
 - (d) Shall not include proposed street rights-of-way, open parking areas, driveways, or sites reserved for other specific uses, and
 - (e) Shall be of an appropriate nature and location to serve the residents of the multi-family development.
8. Provisions must be made for vehicular access and turnaround for regularly scheduled service vehicles such as trash collection.
9. All multi-family dwellings shall be served by public sewer and water.

C. Additional standards in the RH District: (N/A)\

D. Additional standards in the BB and GB Districts:

1. The multi-family use shall be allowed only in the same structure as, and in conjunction with, an associated civic, office or commercial use type; and
2. The civic, office or commercial use type must occupy at least 50% of the gross floor area of the structure.

4. Zoning of the City of Colonial Heights City Code, Development Standards, Section §286-512.06 (a) (4) planting island required every 15 spaces.

- The site/concept plan needs to be revised to adhere to this requirement; all other landscaping requirements will be addressed during site plan review.

5. Zoning of the City of Colonial Heights City Code, Section §286-518.18 Minimum parking required – Multi-family dwelling.

- Studio – 1 space per dwelling unit.
- One bedroom – 1.5 spaces per dwelling unit.

- Two bedrooms – 1.5 spaces per dwelling unit.
- Three bedrooms – 2.0 spaces per dwelling unit.
- Three and four bedrooms – 2.0 spaces per unit.
- More than four bedrooms 1.0 space per each additional bedroom.

Minimum parking requirements have been met as follows:

- 69 – 1 bedroom units – 104 required spaces
- 168 – 2 bedroom units – 252 required spaces
- 43 – 3 bedroom units – 86 required spaces
- 442 total required parking spaces
- 454 total parking spaces provided

Comprehensive Plan

The City's comprehensive plan provides the following:

1. Chapter 2. Vision, Goals and Objectives: Key themes were identified, such as providing quality housing, revitalize neighborhoods and create positive neighborhood identity (page 10). In addition, redeveloping the mall area to spur economic development was identified as an Economic Prosperity Objective (page 14).
2. Chapter 3. Land Use Policies:
Form a task force of Southpark Mall area business owners/managers, including Mall management and City staff to identify ways to improve and redevelop the commercial area to include new land use options, such as mixed use; apartments styled to attract young adults, senior housing and offices for areas around, and including, Southpark Mall (page 21). This area is identified as Mixed use on the Land Use Plan.
3. Chapter 4. Neighborhoods and Housing:
 - **Mall Area Mixed Use Center:** As many residents reach retirement age and look for alternative housing, there is little opportunity for them to stay in the City. Providing senior-friendly apartments in the Mall area would provide an opportunity for residents to stay in the City and be close to shopping and services.

Additionally, this mixed center is an opportunity to attract young adults. With the marriage age increasing and the impact of the recent recession, young people are putting off buying homes and are choosing to live closer to their jobs and entertainment. Mixed use developments allow them to live, work and play in one area. Attracting this population could benefit the City in the future, because these young people may choose to stay, purchase homes and start families in Colonial Heights (page 24).

According to the applicant, the request furthers the objectives of the Comprehensive Plan by keeping the mall a vibrant asset for the community through redevelopment, specifically including multi-family housing. In addition, the application states that providing a Class “A” multi-family project will have no adverse impact on the surrounding neighborhood as this asset is something that the City is in desperate need of in order to try and keep people local that can contribute to the local economy. There are currently very few, to arguably no class “A” rental housing alternatives and therefore anyone who works or wants to live in Colonial Heights needs to seek living accommodations outside the City.

Staff Recommendation

The recommendation from Staff is for the City Council to approve Ordinance Number 22-1, to allow multi-family residential apartments at the site of the former Sears Building, located at Southpark Circle, also known as parcel identification number 68204700013, which is zoned GB – General Business District, subject to the following conditions:

1. The development shall be in substantial accord with the concept/site plan, prepared by Poole & Poole Architecture LLC; and
2. A site plan will be required for the development, which complies with all other City standards and specification.

Attachments

1. Application
2. Concept/Site Plan, prepared Poole & Poole Architecture LLC